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CONGRESSIONAL RECORD,

SIXTY-THIRD CONGRESS, FIRST SESSION.

SENATE.

MONDAY, *September 22, 1913.*

The Senate met at 12 o'clock m.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The VICE PRESIDENT resumed the chair.

The Journal of the proceedings of Thursday last was read and approved.

LAWS OF HAWAII (S. DOC. NO. 189).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting a copy of the senate journal of the regular session of the Seventh Legislature of the Territory of Hawaii, together with a copy of the laws of the Territory of Hawaii, passed by the Legislature of Hawaii at its regular session in 1913, which was ordered to be printed and, with the accompanying documents, referred to the Committee on Pacific Islands and Porto Rico.

PETITIONS AND MEMORIALS.

Mr. MYERS. I present resolutions adopted by the Trades and Labor Council of Butte, Mont., which I ask may be printed in the RECORD and referred to the Committee on Education and Labor.

There being no objection, the resolutions were referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

Whereas a condition of affairs has come about in the copper-mining industry in northern Michigan that is no longer tolerable to the mine workers of that district; and

Whereas the workers have gone out on strike for eight hours, a minimum wage of $3 per day for underground workers, a flat increase of 35 cents per day for surface workers, and for recognition of their union; and

Whereas these very reasonable demands of the workers have been received by the mine owners with contemptuous refusal, and by the importation of private detectives recruited from the criminal elements of New York City slums, who are commissioned as deputy sheriffs in Michigan, ostensibly for the preservation of the peace, but really for the purposes of provoking disturbances of the peace and to break the strike; and

Whereas in the further interests of the mine owners, and to intimidate the striking workers, and to defeat their laudable endeavors to improve their economic conditions, and to secure for themselves and their children the full enjoyment and rights of free laboring men in a land pledged to the principle of freedom and equal rights, the officials of the State of Michigan have sent into the strike district the armed militia of the State, thus using the political power reposed in them by all the people for the purpose of oppressing and coercing some of the people, namely, the striking mine workers; and

Whereas the said deputies and militiamen, in pursuit of the ends for which they have been sent thither, have done and are doing deeds of violence abhorrent to every sense of honor and justice, deeds which under the civil law would render them liable to criminal prosecutions and imprisonment: Now, therefore, be it

Resolved, That we, the delegates of the Trades and Labor Council of Butte, Mont., do denounce and condemn the owners and managers of the Boston Coppers for their conscienceless and inhuman treatment of their employees, and especially for their arrogant and brutal treatment of the protesting and striking workers and their families.

Resolved, That we emphatically condemn the State and county officials of Michigan for prostituting their political positions and power for the economic advantage and benefit of those powerful capitalist interests and to the economic disadvantage, the moral hurt, and the social degradation of the humble and weak workers.

Resolved, That we call upon the United States Senators and Members of Congress from Montana to demand and to vote for a congressional investigation of the strike in question; be it further

Resolved, That inasmuch as the management of Boston Coppers has conclusively demonstrated its incapacity and inability to conduct that industry in a manner which is socially beneficial and have proved themselves incapable of recognizing the rights of their employees and of the general public it is our serious and emphatic conviction that the time has arrived when those properties should be taken over by the Federal Government and operated by the Government for the benefit of the whole people; and be it further

Resolved, That we pledge to our striking fellow workers in Michigan the moral and material support of this body and its affiliated organizations till their struggle for juster, humaner, and more righteous conditions has been won. And we call upon the several bodies affiliated in this council to contribute liberally in support of the striking miners and that if necessary special assessments on their respective memberships be levied to furnish funds to assist the striking miners while they are out and till victory crowns their efforts.

Resolved, That a copy of these resolutions be sent to the United States Senators and the Congressmen from Montana, to the Western Federation of Miners, and to the public press.

H. L. DAVIS,
E. R. TORREY,
L. J. DUNCAN,
Committee on Resolutions.

Mr. MYERS. I present resolutions adopted at a mass meeting of citizens of Butte, Mont., which I ask may be printed in the RECORD and referred to the Committee on Education and Labor.

There being no objection, the resolutions were referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

Resolutions.

BUTTE, MONT., *September 14, 1913.*

We, the citizens of Butte, in mass meeting assembled:

Whereas working conditions in the copper-mining district of the State of Michigan have become so intolerable that the workers have at last revolted; and

Whereas a strike of practically all of the men in the copper fields now exists; and

Whereas the management of the copper properties have refused to arbitrate or treat with their employees, thus proving their inefficiency to be in control of this mighty modern industry; and

Whereas Sheriff Cruse, of Houghton County, and Gov. Ferris, of the State of Michigan, have so far placed aside the prerogatives of their respective offices and aided and abetted the mining managements in their efforts to break the strike; and

Whereas "by their deeds shall ye know them," we, the citizens of Butte, do in unmeasured terms censure and condemn these officials, who, chosen to protect each and all alike, have arrayed themselves with the masters as against the persons who made their positions possible; and

Whereas hideous crimes, and even murder, are the means employed to force the employees back to a state of servitude: Now, therefore, be it

Resolved, That the citizens of Butte, Mont., in mass meeting assembled do condemn in unmeasured terms the lawless acts perpetrated upon our brothers and sisters in the State of Michigan; and be it further

Resolved, That we call upon the honorable Congress of the United States to proceed with a congressional investigation, that the true facts as they exist may be made public and remedial legislation applied, to the end that our fellow workers may enjoy the rights and liberties guaranteed to all persons by our Federal Constitution; and be it further

Resolved, That the chairman of this meeting be empowered, and is so ordered, to immediately transmit to the honorable Senators and Representatives in Congress from the State of Montana the sentiment of the citizens of this community as embodied in these resolutions; and be it further

Resolved, That inasmuch as the management of the "Boston Coppers" have, through their oppressive methods, proven themselves utterly unfit to control and manage such a vast public trust that we are firmly of the opinion that the time has come for the Federal Government to assume full charge of these properties; and be it further

Resolved, That we, the citizens and unionists of Butte, Mont., pledge to the strikers of Michigan our moral and financial support; and be it

Resolved, That a copy of these resolutions be given to the public press and copies sent to the strikers in Michigan.

Respectfully submitted.

F. A. BIGELOW,
BERT RILEY,
H. H. SMITH,
Resolution Committee.

Mr. JONES presented a memorial adopted by John Barlow Camp, No. 6, United Spanish War Veterans, Department of Washington and Alaska, remonstrating against the proposed change in the United States flag, which was referred to the Committee on Military Affairs.

THOMAS LITTLE.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the bill (S. 2666) for the relief of Thomas Little, asked to be discharged from its further consideration, and that it be referred to the Committee on Claims; which was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCUMBER:

A bill (S. 3126) to correct the military record of A. M. Weller (with accompanying paper); to the Committee on Military Affairs.

By Mr. GRONNA:

A bill (S. 3127) granting an increase of pension to Linnie C. Hawkins (with accompanying paper); to the Committee on Pensions.

By Mr. BURTON:

A bill (S. 3128) for the relief of Lewis M. Miller; to the Committee on Military Affairs.

A bill (S. 3129) granting an increase of pension to William Wilson; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 3130) granting certain lands of the Colville Indian Reservation, Wash., to the Washington Historical Society; to the Committee on Indian Affairs.

By Mr. SHERMAN:

A bill (S. 3131) granting an increase of pension to John W. Chapman; and

A bill (S. 3132) granting a pension to Sarah E. Murray; to the Committee on Pensions.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL (H. R. 7898).

Mr. GALLINGER (for Mr. PENROSE) submitted an amendment proposing to appropriate $15,000 for completion of the inspection house of the Philadelphia immigration station at Gloucester City, N. J., intended to be proposed to the urgent deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also (for Mr. PENROSE) submitted an amendment proposing to appropriate $30,000 for the construction of one high-explosive loading shop at the Frankford Arsenal, Philadelphia, Pa., intended to be proposed to the urgent deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. MYERS submitted an amendment proposing to appropriate $10,000 for the employment of 12 additional clerks in the General Land Office, Interior Department, intended to be proposed by him to the urgent deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

POSTMASTER AT VALLEY CITY, N. DAK.

Mr. MCCUMBER. I submit a resolution and ask unanimous consent for its immediate consideration.

The resolution (S. Res. 182) was read, as follows:

Resolved, That the Postmaster General be directed to transmit to the Senate all papers, reports, and other information on file in his office relating to the removal of W. H. Pray as postmaster at Valley City, N. Dak.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. KERN. I object.

The VICE PRESIDENT. There being objection, the resolution will lie over.

THE BEET-SUGAR INDUSTRY (S. DOC. NO. 190).

Mr. THOMAS. Mr. President, in a speech which I made last Monday I asked leave, which was granted, to print a circular issued by Messrs. Oxnard and Cutting in 1899 relating to the beet-sugar industry. I now ask leave to have that circular printed as a public document instead of inserting it in the RECORD as a part of my speech.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

THE SECRETARY OF STATE.

Mr. MARTINE of New Jersey. Mr. President, I rise in this presence to express my regret that a great metropolitan newspaper, in its effort at self-advertising, should have gone so far outside the bounds of propriety and good taste as to endeavor to belittle the Secretary of State of the United States. I am frank to say that I am a friend and admirer of William J. Bryan, and have been since I first met him, when he was a Member of Congress, some years ago. I have seen nothing thus far to shake my confidence in him. I deem him a patriot and a statesman. So long as the public business is not neglected, his time is his own, and no one has dared to charge. Something has been said of "fixed charges." I do not know just what may have been meant, but I do know that a few years ago Mr. Bryan was maintaining and educating two boys from Japan, and to-day I believe he is educating three or four young men; it seems to me these may readily be construed as "fixed charges." Mr. President, I have never spoken with Mr. Bryan on this subject. He needs no defense from me or any other man. He will live in history and in the memories of the American people long after his puny detractors have been forgotten.

In this connection I cut from yesterday's Washington Post a little clipping regarding the matter of the vacation of Presidents, which I desire that the Secretary shall read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

The Presidents all have been accustomed to spend considerable time away from the capital. While this practice has from time to time aroused feeble protest from the public, never but once in the history of the Nation has it received official criticism in Congress. The Democratic House in the administration of President Grant passed a resolution of inquiry calling upon the President to inform Congress what executive acts were performed by him while away from Washington. The resolution was introduced for partisan purposes and drew no response from the President. In fact, the question served as more or less of a boomerang to those who made it.

The presidential vacation began with Washington, who in the eight years of his occupation of the office, spent 181 days on private business or rest away from the seat of government in Philadelphia. The country did not at that time offer the same inducements to travel that now exist, and a journey back to Mount Vernon required considerable time, and President Washington was in point of fact more remote from the center of political affairs than his successors have been, with the exception of President Adams, who spent 1 year and 20 days in his New England home, when Congress was not in session.

Jefferson took 796 days to himself while President. Monroe was out of Washington nearly one-third of the time of his administration. Jackson served two terms and took more than a year and a half out of his time. From Jackson to Lincoln it was customary for the Presidents to visit their homes in summer or to pass the interval between Congresses at some point other than the capital.

By reason of the war, it was more necessary for Lincoln to keep in touch with the seat of government than any other President. His excursions were not further from the capital than Richmond or Fortress Monroe and the battlefield of Gettysburg. Lincoln did not return to his native or adopted State while President.

THE CALENDAR.

The VICE PRESIDENT. The morning business is closed and the calendar, under Rule VIII, is in order.

Senate resolution No. 19, to authorize the allowance of an additional clerk to Senators having less than three was announced as the first business in order on the calendar.

Mr. GALLINGER. Let that go over, Mr. President.

The VICE PRESIDENT. The resolution will go over.

Senate resolution No. 65, directing the Committee on Foreign Relations to report to the Senate certain information relative to employees in the Diplomatic and Consular Service of the United States, was announced as next in order.

Mr. GALLINGER. Let that go over, Mr. President.

The VICE PRESIDENT. The resolution will go over.

The bill (S. 834) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors was announced as next in order, and the Secretary proceeded to read the bill.

Mr. ASHURST. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States extending the right of suffrage to women.

Mr. GALLINGER. First let the bill be acted upon that is being read.

Mr. ASHURST. I beg pardon. I withdraw the request for the present.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

Mr. ASHURST and Mr. MARTINE of New Jersey addressed the Chair.

Mr. BACON. I beg pardon. I did not know there was anything special to be brought up. I thought the Senate was on the calendar.

Mr. MARTINE of New Jersey. With the Senator's permission, I feel very much interested in House bill 7377——

Mr. GALLINGER. Mr. President, I rise to a point of order. A bill has been partly read, and it ought to be concluded or else displaced by some motion.

The VICE PRESIDENT. Unless the motion for an executive session is insisted upon, the reading of the bill will be proceeded with.

Mr. BACON. I will inquire what the bill is.

Mr. GALLINGER. It is an omnibus pension bill on the calendar.

Mr. REED. An omnibus pension bill?

Mr. GALLINGER. So called.

Mr. OVERMAN. I object to the present consideration of all bills on the calendar this morning.

Mr. GALLINGER. The Senator, then, objects to the consideration of this bill?

Mr. OVERMAN. I do.

Mr. BACON. I understand the Senator from North Carolina objects to the consideration of any further bills.

Mr. MARTINE of New Jersey. This is a very little bill and will take no time.

Mr. GALLINGER. To shorten this matter, inasmuch as a pension bill has been objected to, I shall object to the consideration of any further bills on the calendar. It may as well be understood.

Mr. OVERMAN. I said I would object to the consideration of all bills on the calendar.

Mr. REED. Possibly the Senator from New Hampshire thought I objected to the bill.

Mr. GALLINGER. No; the Senator from North Carolina objected.

Mr. OVERMAN. I did not object because it is a pension bill, but I do not think we ought to take up any bills on the calendar at this time.

Mr. GALLINGER. Of course not.

Mr. OVERMAN. I do not know anything about this bill, but I shall object to all bills on the calendar being considered this morning.

EXECUTIVE SESSION.

Mr. BACON. That objection being made, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened.

ADJOURNMENT TO THURSDAY.

Mr. KERN. I move that when the Senate adjourns to-day it adjourn to meet on Thursday next at 12 o'clock m.

The motion was agreed to.

Mr. KERN. I move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 30 minutes p. m.) the Senate adjourned until Thursday, September 25, 1913, at 12 o'clock m.

CONFIRMATION.

Executive nomination confirmed by the Senate September 22, 1913.

SOLICITOR FOR THE DEPARTMENT OF STATE.

Joseph W. Folk, to be Solicitor for the Department of State.

HOUSE OF REPRESENTATIVES.

MONDAY, *September 22, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, our heavenly Father, we thank Thee for the visible and invisible forces without and within, which are ever moving us onward and upward to larger life and nobler achievements. May we be more susceptible to those influences, that with firm and steadfast steps we may march forward to the goal of perfected manhood, in Christ Jesus our Lord. Amen.

The Journal of the proceedings of Thursday, September 18, 1913, was read and approved.

ELECTION TO THE COMMITTEE ON THE JUDICIARY.

Mr. UNDERWOOD. Mr. Speaker, I desire to move the election of Mr. MITCHELL, of Massachusetts, to fill a vacancy on the Committee on the Judiciary.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] moves the election of the gentleman from Massachusetts [Mr. MITCHELL] to fill a vacancy on the Committee on the Judiciary. The question is on agreeing to the motion.

The motion was agreed to.

ADJOURNMENT UNTIL WEDNESDAY.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Thursday next, and that business called on Calendar Wednesday may be in order on Thursday.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that when the House adjourns to-day it adjourn to meet next Thursday, and that business in order next Wednesday as on Calendar Wednesday shall be in order on Thursday. Is there objection?

Mr. PAYNE. Mr. Speaker, I have no objection to the first part of the gentleman's request.

Mr. UNDERWOOD. The only reason I ask that is that there are some bills on the calendar that may come up on Wednesday. We could adjourn until Wednesday, but the conference report on the tariff bill will not be ready until Thursday. I do not want to bring Members of the House in on Wednesday and on Thursday both. I thought the Members would have a longer time if the House adjourned until Thursday.

Mr. PAYNE. Mr. Speaker, I am not in favor of accommodating the business of the House to the orders of the Democratic caucus any further, and I give notice to the gentleman that even if this request is granted, it will require a quorum to pass any of these bills on Thursday as of Calendar Wednesday. I object to the latter part of the request.

Mr. UNDERWOOD. Then I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Thursday next.

Mr. HARDWICK. I will ask the gentleman from Alabama to change that to Wednesday. There are certain bills on the Union Calendar which can not be reached unless we get to them on Calendar Wednesday. A number of Members, including myself, have stayed here all the session and have not been absent at all, and we desire to have those bills considered.

Mr. UNDERWOOD. Then I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Wednesday next.

Mr. MURDOCK. Reserving the right to object, I should like to ask the gentleman from Alabama, will there probably be an opportunity to vote on the tariff conference report on Friday?

Mr. UNDERWOOD. I can not tell the gentleman.

Mr. MURDOCK. That is what the gentleman has in mind at present?

Mr. UNDERWOOD. Yes. I do not think there will be an opportunity. I am not sure. I think the earliest date on which the conferees can possibly report back will be Thursday, but I do not know.

Mr. MURDOCK. Then the conference report will go over for 24 hours?

Mr. UNDERWOOD. Yes.

The SPEAKER. Is there objection to the request that when the House adjourns to-day it adjourn to meet on Wednesday? There was no objection.

LEAVE TO ADDRESS THE HOUSE.

Mr. ELDER. Mr. Speaker, I ask unanimous consent that at the conclusion of the remarks of the gentleman from Georgia [Mr. HOWARD] I have 10 minutes in which to address the House on the currency question.

The SPEAKER. The gentleman from Louisiana [Mr. ELDER] asks unanimous consent that when the gentleman from Georgia [Mr. HOWARD] concludes his remarks to-day he shall have 10 minutes in which to address the House upon the subject of the currency. Is there objection?

Mr. PAYNE. Reserving the right to object, I see that the gentleman from Maine [Mr. GUERNSEY] is anxious to bring up a matter that ought to be privileged.

The SPEAKER. It is privileged. There is no question on earth about that, but the Chair proposes to get through with these routine matters in a short time.

Mr. PAYNE. I have no objection.

SWEARING IN OF A MEMBER.

The SPEAKER. The Chair lays before the House the certificate of election of the gentleman from the third district of Maine. [Applause on the Republican side.] The Chair has examined the certificate and finds it correct, so there is no use to waste time in reading it. The gentleman will come forward.

Mr. GUERNSEY. Mr. Speaker, I desire to present Hon. JOHN A. PETERS, recently elected a Member of the House from the third district of Maine. [Applause on the Republican side.]

Mr. PETERS appeared at the bar of the House and took the oath of office.

LEAVE TO ADDRESS THE HOUSE.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. ELDER] for 10 minutes in which to address the House after the gentleman from Georgia [Mr. HOWARD] concludes his remarks?

Mr. PAYNE. Mr. Speaker, reserving the right to object, I understand that the speech is to be on the currency bill.

The SPEAKER. Yes.

Mr. PAYNE. Is it coupled with unanimous consent to have the currency bill brought back here and reconsidered?

The SPEAKER. No.

Mr. PAYNE. It is simply to give the gentleman an opportunity to state his views?

The SPEAKER. Yes.

Mr. PAYNE. I think I will not object.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO EXTEND REMARKS.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a communication written by George B. Wing, of Cleveland, Ohio, printed in the Cleveland Plain Dealer of Thursday, July 24, 1913. I will state that the article is on the Mexican question, but that there is absolutely nothing inflammatory in it or anything that is calculated to disturb anybody.

Mr. BORLAND. Mr. Speaker, reserving the right to object, I want to call my colleague's attention to the fact that repeated objections have been made to the printing in the RECORD of these effusions on various subjects by people who are not Members of the House, and which subjects are not related to any debate or public matter being considered by the House; and that being a matter which I believe is justly criticized in a great many quarters, I object, without any personal objection to the article that the gentleman has in mind.

The SPEAKER. The gentleman from Missouri objects.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD generally.

The SPEAKER. The gentleman from Florida asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. BORLAND. I object to that, Mr. Speaker.

Mr. THOMSON of Illinois. Mr. Speaker, I ask unanimous consent that at the conclusion of the remarks of the gentleman from Louisiana [Mr. ELDER] to-day I be given 15 minutes to discuss a resolution which I have introduced to-day.

The SPEAKER. The gentleman from Illinois [Mr. THOMSON] asks unanimous consent that at the conclusion of the remarks of the gentleman from Louisiana [Mr. ELDER] he may

have 15 minutes in which to discuss a resolution he has introduced, the subject not being stated.

Mr. BARTLETT. Mr. Speaker, reserving the right to object, I will ask the gentleman what is the nature of the resolution?

Mr. THOMSON of Illinois. Mr. Speaker, it is a resloution covering certain oil-land cases.

The SPEAKER. Is there objection?

Mr. FLOOD of Virginia. Mr. Speaker, I object.

The SPEAKER. The gentleman from Virginia objects.

Mr. SAMUEL W. SMITH. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes some time to-day before the House adjourns.

The SPEAKER. Is there objection?

Mr. MURDOCK. Mr. Speaker, reserving the right to object, I wish to say to the gentleman from Michigan that the gentleman from Georgia [Mr. HOWARD] and the gentleman from Louisiana [Mr. ELDER] have secured unanimous consent to address the House for a matter of 50 minutes this morning. The gentleman from Illinois [Mr. THOMSON] asked leave to address the House for 15 minutes. That request was objected to. This is a one-sided proposition, and I shall object to future requests of this kind.

Mr. FITZGERALD. But the gentleman from Michigan [Mr. SAMUEL W. SMITH] is not upon this side.

Mr. MURDOCK. That does not make any difference. We are going to play square or not at all.

The SPEAKER. The gentleman from Kansas objects.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of sweet wine and pure food. This relates to California, and it is a matter pending in this House and in the Senate to-day.

Mr. BORLAND. Mr. Speaker, I object.

The SPEAKER. The gentleman from Missouri objects.

ORDER OF BUSINESS.

Mr. ADAMSON. Mr. Speaker, I ask unanimous consent that we even up things and get into good humor by allowing two standpatters and one bull moose to speak for 10 minutes on some harmless subject. [Laughter.]

Mr. PAYNE. Mr. Speaker, I reserve the right to object to that request.

The SPEAKER. That would put the Chair in the position of having to decide what is a harmless subject. Does the gentleman from New York object?

Mr. PAYNE. Mr. Speaker, reserving the right to object, I notice the gentleman from Georgia wants the opposition to speak on some harmless matter only.

Mr. MURDOCK. I think the addresses will be harmless.

Mr. PAYNE. I think that is true, and I suppose that refers to the address to be made on the currency question, as that is no longer before the House; but I shall object to any such speeches being made this morning as those to which the gentleman from Alabama refers.

Mr. MURDOCK. But the gentleman from New York had his opportunity and he did not object.

Mr. PAYNE. What opportunity?

Mr. MURDOCK. He had an opportunity to object to the gentleman from Louisiana [Mr. ELDER] addressing the House.

Mr. PAYNE. Of course I had the opportunity. The gentleman from Kansas can not instruct me upon that.

The SPEAKER. Is there objection?

Mr. PAYNE. Mr. Speaker, I object; and I demand the regular order.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. LENROOT, for two weeks, on account of illness in his family.

WITHDRAWAL OF PAPERS—PUBLIC BUILDING AT DEFIANCE, OHIO.

The SPEAKER laid before the House the following request, which the Clerk reported:

HOUSE OF REPRESENTATIVES, UNITED STATES,
September 19, 1913.

Mr. ANSBERRY asks leave to withdraw from the files of the House the papers in the case of H. R. 16076, public building at Defiance, Ohio, Sixtieth Congress, no adverse report having been made thereon.

The SPEAKER. Is there objection?

Mr. CLARK of Florida. Mr. Speaker, I reserve the right to object.

The SPEAKER. The House will be in order. There is so much confusion it is difficult for the Chair to hear Members when they address the Chair. The reason so many corrections were made to the Journal this morning was because of a similar uproar during the time the vote was being taken on Thursday last, when it was next to impossible for the tally clerk to correctly hear the responses of Members. What is the request of the gentleman from Florida?

Mr. CLARK of Florida. Mr. Speaker, I first desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Florida. Mr. Speaker, can a Member of Congress who is not present at the sessions of the Congress present a request of the character just reported by the Clerk?

The SPEAKER. The Chair thinks he can. He can get somebody to do it for him.

Mr. CLARK of Florida. Without an opportunity to investigate this matter, I object.

Mr. ASHBROOK. Mr. Speaker, I hope the gentleman from Florida will withdraw his objection. The gentleman from Ohio, Mr. ANSBERRY, has been abroad for his health for some time, and this request was undoubtedly made by his secretary, who is looking after Mr. ANSBERRY'S business as best he can during his absence.

Mr. BARTLETT. Mr. Speaker, I suggest to the gentleman from Ohio [Mr. ASHBROOK] that he make the request himself.

Mr. ASHBROOK. Mr. Speaker, if the gentleman from Florida insists upon his objection, I wish to make that request myself.

Mr. CLARK of Florida. Mr. Speaker, on the statement of the gentleman from Ohio I shall withdraw my objection, but I want to say this: I know the gentleman from Ohio [Mr. ANSBERRY] has been sick, and that is the reason he is not here, but bills have been introduced by Members of Congress who were not in Washington at all, and I do not think that is a proper procedure.

Mr. BARTLETT. It is not.

Mr. CLARK of Florida. I simply wanted to know whether or not a Member who is at his home or somewhere else can introduce a bill in this House.

Mr. PAYNE. Mr. Speaker, I insist on the regular order, which I demanded some time ago.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD——

Mr. PAYNE. Mr. Speaker, I make a point of order against that.

The SPEAKER. The gentleman from New York [Mr. PAYNE] demands the regular order. The Clerk will call the committees.

Mr. MURDOCK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MURDOCK. What is the routine business of the House?

The SPEAKER. Well, the routine business of the House is such as asking leave to do this, that, and the other, communications which are addressed to the Speaker which are really intended for the House, or communications addressed to the House.

Mr. MURDOCK. Well, I call the attention of the Speaker to the fact that on a previous day unanimous consent was asked and granted that after the routine business of the House had been disposed of on Monday the gentleman from Georgia [Mr. HOWARD] should address the House for 40 minutes.

The SPEAKER. The point of order is well taken. Is there objection to the request of the gentleman from Ohio [Mr. ANSBERRY] which the Clerk read? [After a pause.] The Chair hears none. The Chair recognizes the gentleman from Georgia for 40 minutes.

BANKING AND CURRENCY.

Mr. HOWARD. Mr. Speaker, I had hoped to find the House this morning in an unusually good humor, and I am very sorry that any Member has interposed an objection to anybody addressing the House upon some harmless subject. The remarks which I wish to submit to the House this morning will necessarily involve for a short period of time a discussion of the recent banking and currency bill. The reason I propose to discuss briefly one feature of the banking and currency bill is because of the fact that I could not secure enough time during the regular discussion of this bill to intelligently present my views upon this subject to the House.

Mr. Speaker and gentlemen of the House, I would not inflict myself upon the Members of this body at this particular time were it not for the fact that I believe the most troublesome proposition in the recent currency bill confronting the Democratic membership of this House was the retirement of the bonds securing national-bank notes bearing 2 per cent interest and the refunding of this bonded indebtedness of the United States Government.

As a general rule, public men who reach the Halls of Congress are ignorant to a degree of technical banking and currency. So far as I am concerned, when the discussion of this great measure was begun in the Democratic caucus I plead my absolute ignorance of the banking and currency question, but I do believe that the able arguments made by those who have devoted much time and study to this great question have very greatly enlightened the general membership of this House and that now we are in a position to calmly and coolly discuss the proposition to which I desire to call your attention.

As a sincere believer in currency reform and as a member of the party committed to the passage of a currency bill at this session, I feel that I am justified in stating that only a matter of the greatest importance to the interests of the country at large would justify a discussion by me, after this bill has passed from a further consideration by the House, of a plan by which the Government can refund the present 2 per cent bonds used to secure national-bank notes at the same rate of 2 per cent and without imposing an additional 1 per cent burden on the Government by increasing that rate as proposed in the bill.

In discussing the matter which I shall bring to your attention I wish it to be understood that I am not in any sense suggesting an amendment to the bill which has already passed the House and which is now under consideration by the Senate. I am suggesting that there is a method by which the outstanding seven hundred and fifty millions of 2 per cent bonds can be absolutely removed as a factor in our currency structure and can be refunded by being distributed among the masses of the people. I am suggesting a plan by which the Government can refund these securities at 2 per cent instead of at 3 per cent as proposed, and I am making this suggestion in the belief that when it is fully understood and appreciated by the gentlemen who have devoted so much time and intelligent thought to the study of this question they will be impressed with the value of the idea and of the plan and will hereafter, with their greater wisdom and experience in this particular line, formulate such additional legislation as will enable our Government to maintain its present high credit and continue to borrow money when it is needed on a 2 per cent basis rather than on a 3 per cent basis.

There is no legislation, not even excepting the tariff bill, in which every individual in the United States is so vitally interested as in legislation affecting and involving the circulating medium of our country. The principles underlying our financial structure must be sound because every daily business transaction of every man, woman, and child in the United States is going to be adversely affected if a mistake is made and if an unsound principle is adopted.

Since the panic of 1893 the people of the United States have almost universally been convinced that our Government was confronted with the most inadequate and faulty financial system of any of the great Governments of the world. This impression was confirmed by the unfortunate experience of the country during the panic of 1907, and there has been a constant and growing demand that the fundamental plan of the whole system be changed in some way so as to relieve us from the danger of these constantly recurring financial upheavals. Both parties have recognized the necessity of some change. Under the Republican administration a currency commission was appointed which studied the question exhaustively. Under the Democratic administration now in power a reform is to be actually accomplished, and the people are naturally expecting that with all the time and study that have been given to the subject a currency system shall be inaugurated which will prove adequate to our needs, which will make impossible a recurrence of the former lamentable conditions, and which will be a model among the systems of the world.

I believe that in the bill which has been passed by this House and which in a short time will be written upon our statute books we have met and overcome the principal objections and difficulties which experience has demonstrated were incident to the old system, but owing to conditions which no man could control we have been confronted in the consideration of this question with the debt of the Government held largely by the banks, we have recognized the necessity and justice of providing for this debt, either by payment or refunding, and in order to meet this obligation in a spirit of absolute justice and fairness we have even been willing to increase the rate of interest on this Government debt so as to see that the creditors of the United States were absolutely satisfied and received one hundred cents for every dollar which they had loaned us. We have done this because no one has suggested a practical method by which these obligations could be paid with money secured on better terms. I take it that no man within the sound of my voice, whatever may be his interest, would object to a plan for refunding the Government's obligations at 2 per cent instead of at 3 per cent if he could be convinced that it is practicable to do this, and if a workable plan for accomplishing this result can be offered.

In consequence I have felt it my duty not only to the constituency which I represent but as a patriotic citizen of this country to call the attention of Congress to a matter which has only recently been brought to my attention, and to insist on a consideration of a method of meeting one of our greatest and gravest dangers in financial matters and of placing our Government's credit on a basis which is fundamentally right and which has heretofore been impossible of achievement because of the lack of facilities for carrying it into effect.

After the War between the States the United States Government was confronted with a debt of approximately $4,000,000,000, and was suffering from an impaired credit necessarily consequent to the tremendous strain that had been placed upon its resources. In order to sustain that credit a most ingenious system was devised and has since been continuously operated, with the result that our Government has enjoyed a wonderful credit and has been able to borrow on the most advantageous terms, but with the further result that an inordinate influence upon the Government has been made possible by the concentration in the hands of a few institutions and a few individuals of a major portion of the Government's outstanding obligations.

Under our financial system the national banks, organized under Federal charter and operating under the supervision and control of the National Government with all the consequent prestige, have been allowed to issue currency secured by the deposit of Government bonds. As a matter of fact, in order to create a market for these Government bonds the national banks having a capital of over $150,000 have been required to invest $50,000 of their capital, and banks having a capital of not over $150,000 have been required to invest not less than one-fourth of their capital in Government bonds; and as an offset to this requirement have been permitted to issue money in the shape of national-bank notes against these bonds so purchased, provided the bonds were deposited with the Treasurer of the United States as security for such circulation. By this means a national bank was required by law to purchase Government bonds and could practically then have the power to issue and circulate money up to the extent of the par value of the bonds so purchased so that the bank was substantially reimbursed for the money invested in the bonds.

The result of such a system has necessarily been to create a strong demand for the bonds and to lower the rate of interest paid by the Government on these obligations. In addition, the demand created by the banks for these bonds, which they could use as a basis of circulation and which they could purchase substantially without cost to themselves, has reduced the interest rate on the bonds to such an extent that the great mass of the people have been in effect precluded from becoming the owner of Government securities. Consequently to-day we find that there are approximately $750,000,000 par value of United States Government bonds bearing 2 per cent interest and a total bonded debt of $1,044,852,814.76 held by the great banking institutions of this country and used as a basis of currency. We also find that a United States Government bond is a practically unknown investment among the great masses of the people. I believe I could state, without fear of successful contradiction, that in this country not one man in one thousand has ever laid eyes upon a United States Government bond, and that these bonds are substantially unknown among the general public as an investment for their surplus funds.

There is another and equally important effect of this condition. Whenever the Government needs to borrow money and proposes to sell its bonds, the question immediately arises as to whether the bonds to be issued shall carry the circulation privilege. That is to say, whether the new bonds can be purchased by the banks and used as a basis for additional circulation. If the circulation privilege is not attached to the proposed new bonds, it is immediately conceded that the omission of this privilege must be offset by a higher interest rate. This question was raised and discussed in connection with the issue of the Philippine bonds and of the Panama Canal bonds, and it will be immediately seen that under these circumstances the fixing of a price at which any new bonds issued can be sold and the rate of interest which they are to bear can practically be dictated by the holders of the outstanding twos unless the new bonds contain this circulation privilege.

It will hardly be denied that the man who owns the debts of John Doe can exercise an enormous and possibly a controlling influence over John Doe. I believe it is equally true that one man or set of men who control an overpowering majority of the obligations of a government can perhaps exercise an unfair and an undesirable influence over the operations of that government. Whether such power is exercised or not need not be considered. The fact that the power exists is a sufficient reason for seeking a remedy.

Not only is the foregoing true, but under our peculiar financial system we have been confronted with the fact that the national-bank notes were practically the only form of paper

which could be inflated or contracted as business needs might require. Our gold certificates can only be issued against the actual deposit of the gold in the Treasury, and in times of stress gold disappears and, consequently, no inflation of the gold certificates can take place. Our silver certificates are issued only against actual deposits of the silver and, while they can be reissued, an increase of the volume of these certificates is prohibited by law. Our greenbacks are of a fixed amount, and, while they can be reissued, the volume can not be increased. Consequently any increase of the circulation must come from an increase of national-bank notes.

Until the act of May 30, 1908, national-bank notes could only be issued against the security of Government bonds. Consequently the ability to increase our currency in times of stress depended to a large extent upon the volume of Government bonds that were outstanding. We were in the anomalous position that if the Government paid off its bonded debt the circulation available for the business transactions of the country would be so reduced as to paralyze these business transactions.

It is true that under an act passed May 30, 1908, as a measure of temporary relief it was provided that national-bank notes might be issued against the security of bonds other than Government bonds, but my information is that not a dollar of currency has ever been issued under the terms of this act, and, consequently, for the purposes of this discussion it may be disregarded.

The Democratic Party has recognized in the fullest sense the danger that exists in this bond-secured circulation. It is pledged to a reform of the currency, and it proposes to change the basis of our circulation so that the volume of the circulation will not depend upon the amount of debt that the Government owes. It has now pending a bill to reform the currency and to base the circulating medium upon something more flexible than the Government debt and to remove the constantly threatening danger that must exist where no inflation of the available money can be made except concurrently with an inflation of the national debt.

Mr. FORDNEY. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Georgia yield to the gentleman from Michigan?

Mr. HOWARD. Yes.

Mr. FORDNEY. I think the gentleman stated that none of the 2 per cent bonds which are received for national-bank issues are in the hands of the masses of the people.

Mr. HOWARD. I said practically none. They are on deposit in the Treasury; of course, the law requires them to be deposited in the Treasury before the issue of the currency can take place.

Mr. FORDNEY. The rate of interest is so small that it is not attractive to the people.

Mr. HOWARD. Yes.

Mr. FORDNEY. Will the gentleman tell me where the 4 percents are now which were issued during Mr. Cleveland's last administration? If I am correct in my information, not one dollar of those 4 percents are held by any citizen of the United States. Will the gentleman explain why?

Mr. HOWARD. Well, I do not know what disposition was made of the Cleveland bonds.

Mr. FORDNEY. I will state that they were sold to the Rothschilds, all of them, and brought a premium of $30,000,000 in round numbers.

Mr. HOWARD. That only demonstrates the fact in relation to the Government's credit, that when it issues 4 per cent bonds when no national-bank circulation privilege is carried with the bonds, then the bonds, of course, increase in value as far as the interest coupons are concerned.

Mr. FORDNEY. What rate of interest would the gentleman suggest, at which a Government bond should be issued that would be attractive to the masses of the people in the United States?

Mr. HOWARD. I will say that if the gentleman will sit right there and listen to me for about 15 minutes longer I will show the gentleman what class of bonds ought to be issued to attract the people to buy them.

Mr. FORDNEY. I will listen to the gentleman with a great deal of interest.

Mr. HOWARD. In this connection I wish to illustrate my point by reference to a most peculiar condition which arose during the panic of 1907. At that time there existed or was created a remarkable stringency in the money market. It seemed impossible to secure currency sufficient to perform the ordinary functions of business. The currency disappeared or was locked up and banks with an enormous volume of assets were faced with ruin unless additional cash could be provided.

At that time the United States Government was enjoying a most remarkable credit. Its 2 per cent bonds were selling above par. It could obtain money on a lower interest basis than could any nation of the civilized world. The effect of the stringency in the currency market was to increase the price of its bonds because every national bank in the country was anxious to secure Government bonds so that it could place them with the Treasurer of the United States and issue currency against them. The very conditions of the financial system then existing increased the value of the low interest-bearing security issued by the Government, while other securities usually recognized as being first class could not be disposed of at any figure, and while ordinary business requirements could not be met.

Mr. FORDNEY. Tell the House, if you please, what advantage a national bank could obtain by issuing money in 1907 by purchasing 2 per cent bonds at a premium and getting par for them in national-bank notes.

Mr. HOWARD. The question answers itself.

Mr. FORDNEY. It does not, so far as I am concerned.

Mr. WINGO. Will the gentleman yield?

Mr. HOWARD. Let me answer the question of the gentleman from Michigan first. The banks all took their money that was issued by the Government, and they paid only 102 for the bonds from the Government, if the Government had any to sell, and at that time some of the banks in the city of New York paid as high as 25 per cent for gold.

Now, I yield to the gentleman from Arkansas.

Mr. WINGO. Is there any provision of law that requires the banks to own the bonds? Is it not a fact that the records of the Treasury Department show that there are now on deposit at least $40,000,000 of bonds to secure their circulation of Government deposits and that the records on the face show that they are borrowed, one bank having borrowed as much as one and one-half million of dollars of these bonds? What I want to know is if there is any law requiring them to purchase them?

Mr. HOWARD. As I understand, the only thing the Treasury of the United States requires of a bank is, first, that the bond carry with it the circulating privilege and, second, that that bond, carrying with it the circulating privilege, is on deposit in the vaults of the United States Treasury as security for the issue. That is my understanding of the system by which the national banks have secured currency.

Moreover, at that time the Government was in possession of a large amount of cash. In fact, so much was locked up in the Treasury that the Secretary of the Treasury, in order to relieve the situation, deposited millions of this cash held by the Government in the various banks throughout the country.

Now, let it be understood that at this time the Government needed no additional money. It had so much money in its vaults that the Secretary of the Treasury proceeded to place these millions of this money in the banks so as to relieve the situation. Moreover, the Government 2 per cent bonds were selling well above par and were in great demand, and if the Government had really needed additional money it could have readily borrowed the money in any needed amount at 2 per cent per annum.

But the banks had to have additional Government bonds to be used as a basis for increasing the national-bank-note circulation, and as a net result of this remarkable situation the United States Government authorized the issue and sale of $50,000,000 of one-year certificates of indebtedness, bearing 3 per cent interest. Of this amount, approximately $16,000,000 was actually issued and was used very largely by the banks as a basis of additional bank-note circulation.

It will be seen at once that in 1907, under this system, the Government, having all the money that it needed and having a practically unlimited credit on a 2 per cent basis, was yet forced to issue its obligations on a 3 per cent basis, or at a 50 per cent increase over the rate of interest which it had been paying, in order to create a security to be delivered to the banks so that they could issue additional bank-note circulation against the same and thereby meet an imperative need for additional currency.

The foregoing will serve as an actual illustration of the dangers incident to a bond-secured circulation and to the fact that our financial structure is in dire need of remodeling and reorganization.

But coming down to more recent times, we are again confronted with difficulties arising out of the control of such a large portion of the Government debt by the national banks, which in turn are apparently controlled by a very few individuals, as shown in the recent Money Trust investigation.

I make the assertion that one of the most serious questions that has been considered by the Committee on Banking and Currency has been the question of the disposition of the outstanding $750,000,000 of Government twos. At present the national banks hold these obligations and issue currency against them. Any reform of the currency must necessarily involve the issuing of money on some basis other than on the security of these bonds. The banks holding these bonds contend, and contend properly, that if the circulation privilege is withdrawn from the bonds the value of the same will be greatly depreciated, the banks will be forced to sell the bonds at far less than their par value, and the banks will have to suffer an enormous loss on account of this depreciation in a security which they have been compelled to buy.

I wish to be distinctly understood as recognizing the justice of a certain portion of the claims made by the banks. I think that the Government should unquestionably in some way take care of these bonds at par. The banks should be reimbursed for the money which they have invested in these bonds under the laws which have been heretofore in existence. The circulation privilege should be withdrawn from the bonds and the bonds should be refunded in such a way that it will be hereafter impossible for any set of men to use the ownership of these bonds as a lever to compel the Government to be in any way bound by their views any more than by the views of any other class of citizens in passing legislation affecting all the people. May it not be true that the recent depression of these bonds to a figure below par has had a disturbing effect upon the judgment of our National Congress in legislating on currency matters? Certainly I think that some method of handling these obligations of the Government should be devised which will make it forever hereafter impossible for any set of men to exercise or attempt to exercise any control in the councils of the Nation by depressing the value of Government securities and affecting the Government's credit.

Now, if I am right in my premises; if it is true that a bond-secured circulation is a mistake, as the Democratic Party thinks it is; if it is true that these obligations of the Government must be deprived of their circulating privilege and must be removed as a factor in controlling the financial affairs of the Nation; if it is true that holders of these bonds are entitled to receive par for the same; if it is true that the Government must refund these obligations in some way, which will remove them hereafter forever as a menace to our financial system or to the impartial consideration by Congress of matters of general interest to the country; then I submit that the following is the only way in which this desired end can be obtained.

A Government debt is not a bad thing. The fact that the citizens of a country own its obligations is by many people claimed to be a strong aid to the stability of the Government issuing those obligations. It gives to the people holding the obligations a direct stake in the Government.

Moreover, in modern times it is practically impossible to conceive of a government which will not have to use its credit and will not have at times to borrow money to meet its necessities. Credit is as essential to a government as it is to a business man. As our Government depends upon the consent of a majority of the people it may be said that the credit of the United States Government is the combined credit of all of its people and that the combined mass of the people so using their combined credit in the shape of Government bonds should be able to borrow from any and all individuals composing that Government who wish to invest their money in Government obligations.

But a Government debt in order to be of value to the Government must be distributed among the people. No man would attempt to claim that a Government debt could be of advantage to the Government if that debt is to be held by one individual or by a small coterie of individuals. The experience of mankind justifies the statement that the ideal and only desirable method of placing a Government debt is to place it in small and varying amounts among the great masses of the people. A Government debt of a billion dollars held or controlled by 10 individuals gives to those 10 individuals an inordinate, unreasonable, and improper influence in the affairs of the Government and presents no corresponding advantage.

Consequently, I maintain that no method of refunding the Government debt of or taking care of the $750,000,000 of outstanding 2 per cent bonds now held by the banks can solve the difficulty or can afford permanent relief unless the method provides for the distribution of this volume of indebtedness in small and varying amounts among the great masses of the people. The ideal condition would be a condition under which practically every adult citizen of the United States was the owner of a $1, or a $10, or a $50, or a $100 bond of the United States Government. If that were true, then every adult citizen would have a stake in the Government. If that were true, no one man or set of men could control the debt of the Government, because to control the debt would mean to control the majority of the voters; and the consensus of opinion of the majority of the voters is what maintains our governmental functions. If the bonds were so distributed that every man was familiar with and was used to dealing in Government obligations the United States could, when in need of additional funds, borrow directly from the people without asking the leave of any financial institution and without attempting to market its bonds only with the consent of large financiers. It could borrow for its requirements directly from the people who are willing to lend to the Government, who are interested in the Government, who must maintain the Government, and who have the right to buy the obligations of the Government, of which they are an integral part, when the Government has to issue its obligations.

Mr. HAMILTON of Michigan. Will the gentleman yield for an interruption?

Mr. HOWARD. Mr. Speaker, I would like to yield to my good friend, but my time is drawing to a close, and I am just getting warmed up.

Mr. MURDOCK. We will get the gentleman an extension of time.

Mr. HOWARD. Thank you; then I will yield.

Mr. HAMILTON of Michigan. I am very much interested in the gentleman's discussion, and I wanted to ask him, because I think he must have given thought to the subject, to tell me just how he conceives that the holder of Government bonds may exercise what he calls an enormous influence upon the Government?

Mr. HOWARD. Well, I think that is a very easy matter to explain. I will answer that question by asking my friend one. If a farmer in your State owed you $10,000, and you had a mortgage——

Mr. HAMILTON of Michigan. Please state that that is an inconceivable proposition.

Mr. HOWARD. Well, I will say that it is an inconceivable proposition, because I do not think that the gentleman from Michigan or myself, either, ever saw $10,000 in actual money in our lives. But if you held a mortgage on a farm in your State and a farmer owed you $10,000, and that obligation was past due or was coming due shortly, and you wanted that farmer to vote for you, do you think you would have to ask him to do so if he was hard up and would want a little extension of time?

Mr. HAMILTON of Michigan. Then the Government would exercise an influence upon the bondholders instead of the bondholders on the Government?

Mr. HOWARD. There is no question about the fact that the holders of the Government debt have wielded an undue influence over the Government of the United States. We have accused J. Pierpont Morgan of doing it, we have accused Rockefeller of doing it, and if they have not done it I say that my predecessors who have held seats on the floor of this House and at the other end of the Capitol are the greatest set of monumental liars who ever lived on the face of the earth. There is no use of arguing that question.

Mr. HAMILTON of Michigan. I simply asked the gentleman from Georgia a question so that he might, if possible, out of his abundant reading on the subject, be able to give us some historic instance and not leave the question to conjecture.

Mr. HOWARD. The gentleman flatters me, and I will answer him as I did his colleague [Mr. FORDNEY]. If he will get my time extended and sit right still, so that I can finish my speech, I will try and explain it to him.

Mr. FORDNEY. I have listened 15 minutes and you have not answered any questions yet to my satisfaction.

Mr. HOWARD. In my experience in the House I have perceived that there are some questions that can never be answered by any human being to the satisfaction of my genial friend from Michigan.

Mr. FORDNEY. Well, has the gentleman attempted to answer them?

Mr. HOWARD. I have attempted to do it, and the gentleman is getting impatient.

Mr. HARDY. Mr. Speaker, will the gentleman yield for a question?

The SPEAKER. Does the gentleman from Georgia yield?

Mr. HOWARD. Yes; I yield to the gentleman.

Mr. HARDY. I want to say, Mr. Speaker, that I believe in and approve most heartily the project or suggestion that the gentleman is about to make. I introduced about three years ago a bill authorizing the liquidation of this public debt by the sale of small bonds, when we were considering the postal savings-bank legislation. Now, I hope the gentleman will not be interrupted and will be permitted to present thoroughly the scheme he has in mind, for I am sure it is interesting.

Mr. HOWARD. I thank the gentleman. Now, Mr. Speaker, doubtless many of my colleagues would say that up to this point they agree with me theoretically, except the gentleman from

Michigan [Mr. FORDNEY]. They would grant that the condition which I have pictured is an ideal condition. They would admit that such a condition is the condition which should be brought about, and at the same time would regard me as a theorist and would say that it is impossible to accomplish what I have recommended.

I am frank to say that only within a recent period have I become conversant with a feasible and practicable method of refunding the Government debt at 2 per cent, so that it will be held in small and varying amounts by the great masses of the people, and as soon as I became convinced that it was practicable and that it was feasible to accomplish this I felt it my duty to present the method and means of accomplishing this result to the Members of this body. I not only believe that this can be done, but I believe that it ought to be done. I, moreover, believe that it can be done with the greatest ease through existing machinery within a comparatively short period, and that by placing the control of the Government debt in the hands of the great masses of the people we can forever remove the menace which now confronts us because of the control of the Government's obligations by a few people. I believe that through existing machinery now controlled by the Government, in a way so simple that a 12-year-old child can understand it, the Government obligations can be sold in small and varying amounts to the people at large who are willing to purchase them, who wish to purchase them, and who have heretofore not purchased them because they had no opportunity to do so.

Mr. Speaker, I believe that the wonderful credit of the United States now existing on a 2 per cent basis can be continued on that basis. I believe the United States bonds bearing 2 per cent will command and will continue to command par, and that there is absolutely no reason for increasing the rate of interest to 3 per cent. I believe that the refunding of this debt can be accomplished within a reasonable time, so that the banks can be repaid the money invested in these securities, and I believe that by so doing an unlimited market for the sale of Government securities at 2 per cent whenever the Government needs the money can be created and maintained. If it is desirable to attain these objects, then I respectfully ask the attention and consideration of the House of the method by which this end can be accomplished.

The sale of securities or bonds, like the sale of any other object, involves two essential requisites—first, the creation of a security which the people want in the form that they want it; and second, the offering of this security to the people under conditions which will enable them to purchase.

The man who wishes to sell merchandise must first place his merchandise in such shape as to meet the needs and wishes of his prospective purchasers. He must then offer his merchandise for sale at a point or points where it is available to the intending purchaser. If he fails to meet either of these two requirements, his merchandise remains unsold.

In the same way the man who wishes to sell securities must first issue his securities in such shape and form and with such value behind them as will make the people who have money to invest desire to purchase them. He must then offer them for sale at such places or under such conditions that the people can obtain them. The bond house which is endeavoring to float and issue bonds is glad to sell a bond for a thousand dollars to the individual who desires to purchase it. It does not insist that this individual shall purchase $50,000 of bonds or nothing. It recognizes that the small investor wants to buy a small amount of bonds and is entitled to the same consideration and the same treatment as is the large investor who wants to buy a large amount of bonds.

In the same way the United States Government, in order to place its securities among the great masses of the people, must put itself in position first where the man who wishes to buy a dollar bond can secure it with the same ease and under the same conditions as are accorded to the man who desires to buy a million dollars of bonds. It must be prepared to offer to the man who has $7 to invest a security of the face value of $7, and to the man who has $70 to invest a security of the face value of $70, and similarly as to any other amount.

Moreover, the farmer in the remote country district who has never seen a Government bond and who does not know what one looks like or how to proceed in order to purchase it must be afforded an opportunity to buy the bond at a place where he is accustomed to dealing. The bonds must be sold directly to the people in small and varying amounts, through such instrumentality or machinery controlled by the Government as will reach each individual and as will enable the prospective buyer to examine and acquire the intended purchase at a near-by point. In other words, the Government heretofore has been selling its bonds at wholesale through the intervention of the wholesaler. I propose to show you how the Government can sell its bonds at retail without the intervention of any third party. I believe that every Member of this House will agree with me that there has never been a case where the middleman has been eliminated that the process has not resulted to the benefit of the seller and of the buyer.

There is fortunately in existence to-day an instrumentality of the Government which reaches or can reach every man, woman, and child in the United States. Probably few of us appreciate the wonderful and complete way in which our country is covered by the United States post office. No other instrumentality, whether governmental or otherwise, comes into such close, intimate, and direct contact with all the people of all the country as does the post office. The post office is primarily for the people and of the people. The same courtesy, the same attention, the same rules govern the sale of a 1-cent stamp or a post card to the impecunious tramp as govern the sale of $10,000 worth of stamps to the millionaire trust concern. The post office is a place of small transactions. It is a place where no citizen feels embarrassed because of the fact that he is consummating a business transaction involving only 1 cent. It is a place which every citizen visits and visits constantly. It occupies a most intimate relation to every phase of our business and domestic life. It is controlled, owned, and operated exclusively by the Government and offers the machinery through which all the people can be reached. It is the natural medium through which the Government should deal with the great masses of the people.

A little over two years ago there was authorized by Congress the establishment of postal savings banks at the various post offices of the country. These post offices numbered approximately 50,000, and I doubt if many of my colleagues or of the people appreciated that with the passage of the postal savings act there was authorized the greatest and most extensive banking operation ever authorized in the history of the civilized world. Few of us recognized that when that act was passed the machinery of this great organization reaching all the people was made available as a means of safeguarding and accumulating the savings of all the people.

The bankers feared the postal savings. For years they opposed it by every move which could be suggested. When the bill was under consideration the bankers openly led in the opposition of the same. I think it is practically within the knowledge of any man familiar with the conditions concerning the passage of the postal savings act that the act as passed was a compromise and that the conditions imposed upon the operation of the postal savings banks were conditions largely suggested by the banks and were conditions imposed for the purpose and with the intent of hampering the operations of the postal savings banks so as to minimize their importance as competitors of the private banking corporations.

As stated, the postal savings banks have now been in operation slightly over two years. While the establishment of the banks was authorized in each of the existing post offices, these banks have as yet been established in only 12,818 out of 50,000 of these post offices. From the Post Office Department I learn that at present there are in operation 12,818 postal savings banks, distributed among the post offices as follows: Four hundred and eighty-two in offices of the first class, 1,960 in offices of the second class, 5,744 in offices of the third class, 3,965 in offices of the fourth class, and 667 at the different post-office branches and stations; that there are 338,000 depositors in these banks and that the total deposits up to the 30th day of June, 1913, were $87,324,870, or an average of $110.42 per depositor.

It is evident that for an institution offering to receive and care for the savings of the people with the good faith and credit of the United States specifically pledged to secure the repayment of all deposits the postal savings has not been a success. Any financial institution backed by the United States Government, however cumbersome its methods, will operate and will continue to operate, but the postal savings banks are a failure in that they have not grown as they should have grown and in that the result of two years' operation is the pitiful sum of $87,324,870 in 12,818 banks, when it should be easily $500,000,000.

There were in Great Britain, in 1911, 12,370,646 depositors in the postal savings. There were $859,027,319 on deposit. The average deposit in the postal savings in the British Isles is about $70. In 1911 there were in France 5,970,929 depositors, with deposits aggregating $328,890,226, or an average of about $55 for each depositor.

There were in the State of New York on July 1, 1912, 140 savings banks. The deposits in these banks aggregate $1,660,560,190. The average deposit is nearly $400.

If there are 12,000,000 depositors in England in the postal savings, should there not be within a reasonable time an equal number of depositors in the postal savings banks of the United States? With an equal number of depositors and with an average of $400 the postal savings deposits would aggregate four and a half billions of dollars.

I admit that these figures are staggering, and yet I wish to call your attention to the fact that in 635 mutual savings banks in the United States there are approximately $4,000,000,000. If these savings banks, numbering 635, with no Government guaranty behind them, have accumulated $3,762,401,625, what would be the reasonable accumulations of the postal savings system, operating 50,000 banks, with the prestige, credit, and good faith of the National Government behind the system and guaranteeing the repayment of every deposit on demand?

Mr. Speaker, naturally the question arises as to why the volume of deposits in the postal savings during their period of operation has been so small, and from a careful study of the situation I believe I can say without fear of successful contradiction that the postal savings banks up to date have been a failure because of the lack of facilities offered to the people and because the methods of meeting the people's needs in handling their savings have been utterly inadequate and have discouraged rather than encouraged the placing of investment funds with the Government.

The postal savings as it exists to-day is a product of the Republican administration. The postal savings act was passed by a Republican House and a Republican Senate and approved by a Republican President. It is ostensibly an act passed in the interests of the people. As a matter of fact, the act which was passed differed from the act which was proposed by the Senate committee which originally presented the bill as widely as it is possible for two acts to differ. As a matter of fact, the Republican Party, which passed this act, was unable to resist the dominating influence of the money power, and the conditions and requirements of the postal savings act and the limitations surrounding the handling of the people's savings were, in my judgment, purposely involved and made unreasonably burdensome so as to prevent the growth of this institution and to conserve the interests of the great financial institutions which had so materially assisted the party which passed this bill.

I think, without exception, in the countries of the world where postal savings systems are in operation the ultimate disposition of the savings is by investment in the public debt or in Government bonds of the country receiving the savings. Naturally, such an ultimate disposition of the savings of the United States was in the minds of Congress who passed the postal savings act. In their effort to carry out this purpose the question of so using the postal savings was discussed, but the banks by their opposition to the whole system succeeded in securing a provision that 65 per cent of all the deposits on which the Government paid 2 per cent should be redeposited in the local banks at 2½ per cent, thereby leaving only 30 per cent of the total as available for investment in Government securities with a 5 per cent cash reserve to meet current demands. It is an interesting commentary of the shortsightedness of these institutions that they should have hampered the operations of this great machinery for accumulating the savings of the people when such a large percentage of these savings were to be deposited in the local banks in lump sums at a lower rate of interest than those banks were paying their ordinary small depositors. It is a far more interesting commentary on this action when I say to you that under the plan which I propose, not 65 per cent, but 100 per cent of the accumulations in postal savings will be deposited with the local banks by the local post offices, and when I can further say that 100 per cent of these deposits will likewise be invested in bonds of the Government by reason of the fact that I propose to give the investor a Government bond as an evidence of his deposit, as I will hereafter explain.

I will now go into a short discussion of the terms and conditions surrounding the postal savings deposits and depositors under the provisions of the present act, and will take up the method by which I believe that the volume of these deposits can be increased to an enormous aggregate, and by which I believe that the bonded debt of the United States can be refunded into the hands of the people at large.

Prior to the establishment of postal savings banks by the United States Government in the year 1910, these banks had been in existence in the other great countries of the world for a number of years. In all of these countries the deposits in these banks were evidenced by the ordinary pass book similar to the pass books used in the ordinary savings bank.

The pass book had been found a possible but a costly method of evidencing savings deposits. It had been used because no other form or device for evidencing similar deposits had then been worked out. It proved possible on account of the geographical conditions in the various countries which were operating postal savings banks.

The pass book, as is doubtless known to most of the Members of the House, is nothing but a memorandum. It is not the final evidence even of the entries contained in it. Under the pass-book system the only final evidence of a deposit is in the original ledger at the central office of the bank. A depositor may lose his pass book or may fail to have the entries of deposits and withdrawals made therein. This does not affect the obligation of the bank, because the real evidence of the bank's indebtedness is the original entry in the ledger at the central office and the pass book is a mere memorandum.

The method of procedure with the pass book in the postal savings is for the depositor to deliver the money to be deposited at the local post office. The local post office sends in this money to the central post office. The central post office then credits the depositor with the amount of the deposit on its ledger and sends to the postmaster at the post office of issue an acknowledgment of the same, to be delivered to the depositor. The Government is not responsible for the deposit until the entry is made in the general ledger, and the depositor can not hold the Government liable until he receives the acknowledgment from the central office.

Likewise in the case of withdrawals. The depositor goes to the local office and notifies the postmaster that he wishes to withdraw a certain proportion of his deposits. The postmaster furnishes him with a requisition blank or draft, which he fills out and delivers back to the local postmaster. This draft is sent in to the central post office. The central office examines the ledger and, if the party has the amount to his credit, issues a check for the withdrawal sum. This check is then sent to the local postmaster, who in turn delivers it to the depositor, who can then get his money.

It will be seen at once that in England, for instance, where no depositor is more than 24 hours away from the central office, such a method may be practicable and feasible. In the United States a depositor in Alaska would probably have to wait three to six months before he got his money under this system.

Moreover, under the pass-book system each deposit and each withdrawal is entered up on the general ledger and when the interest periods occur it is necessary to compute interest at the given rate on the amount of the deposit. In England, with 12,000,000 depositors, it is necessary to compute interest on each deposit at least once and perhaps oftener in each year, and to credit up the interest to the depositor, thereby involving at least 12,000,000 interest calculations once or oftener during the year and 12,000,000 entries on the ledger. Moreover, each deposit and withdrawal has to be entered up on the ledger. Thereby in carrying out this work of keeping books and calculating interest an enormous force of clerks, aggregating some 4,000 in the British Isles, is employed at the central office, and the duties of these clerks are practically to make the entries in the ledgers and to calculate and credit interest on the deposits.

In considering the establishment of a postal-savings system in the United States and in drawing the postal-savings act Congress showed the effect of its study of the foreign systems by drawing the act as if it were intended to evidence these deposits by a pass book, and yet at the same time they were so thoroughly convinced, on account of the size of the United States and of the geographical conditions confronting them, that the pass book was not feasible; that in section 5 of the bill, after stating that the deposits should be evidenced by a pass book, and after drafting the whole bill on the theory of the pass-book system, they provided that the Postmaster General might, with the approval of the board of trustees, adopt some other device or devices in lieu of the pass book as a means of making and preserving evidences of deposits and withdrawals. When it became necessary to put the proposed system in operation the trustees to whom were submitted the detail of outlining the methods of work at once recognized that it was absolutely impossible to use the pass book in the United States system. As a substitute for the same they adopted as an evidence of deposit certificates of deposit issued in fixed denominations, which obviated some of the objections to the pass book but which were hedged around with such limitations and restrictions as to impair the efficiency of the service and to make it impossible to accomplish the desired result of having the postal-savings system serve the needs of all the people.

The device adopted by the trustees as a method of evidencing these deposits consisted, as stated, of a sheet of paper issued in fixed amounts of $1, $2, $5, $10, $20, $50, and $100. These certificates under the law are delivered to the depositor at the time the deposit is made. The certificate represents the principal sum of the deposit and on the back of this certificate is printed information telling the depositor how much the interest on the face of this certificate will amount to each year. The certificate is payable at the post office of issue only on pres-

entation of this certificate properly indorsed. The interest is payable annually on the presentation of the certificate properly indorsed at the office of issue of the certificate, or else the depositor must execute a power of attorney, must have his signature witnessed by a disinterested person, must sign a receipt, and must forward the power of attorney together with the receipt to the post office of issue in order to collect his interest.

To explain more clearly I will say that if a given party deposits $10 in the post office in New York he will receive therefor a $10 certificate bearing 2 per cent interest. The certificate bears no interest during the calendar month of its deposit, but interest commences to run from the first day of the next month. After the money has been deposited for 12 months the depositor can withdraw 20 cents as interest on the $10 for one year. If in the meantime the depositor has moved to Chicago he must either come back to New York in person to collect this interest or he must obtain from the post office in Chicago a power of attorney and a receipt for the interest, must execute and have properly witnessed the power of attorney, must sign the receipt, and must send the power of attorney with the receipt back to the New York post office in order to get his 20 cents. The depositor can not collect either his principal or his interest anywhere except at the post office which issued the certificate.

No person can have more than one postal-savings account, either at the same office or at different offices, nor can any person deposit more than $100 in any one calendar month, nor can any person have on deposit at any one time more than $500, exclusive of interest.

The man who deposits $10 in the New York post office, if he goes to Chicago can not deposit any money in the Chicago post office. He must send all his deposits back to New York and do business entirely with the New York office. It is apparent that under this system there is a limitation on the amount of any single deposit, a limitation on the total amount of the deposit, a limitation on the place of deposit, a limitation on the place where the deposit is payable, a limitation on the place where the interest is payable, and a very involved method of collecting interest.

In order to encourage savings by the class of people who save their money to meet unexpected needs it is absolutely necessary that every facility for the collection of interest and for the prompt receipt or payment of the principal should be accorded. This system throws every restriction around the collection of interest and discourages accumulation. The ignorant Italian who deposits $10 in New York, moves to Chicago, and finds that he must either return to New York to collect his 20 cents interest or execute a power of attorney and sign a receipt which must be sent to New York in order to collect it will never make another deposit in the postal savings.

Mr. Speaker, I hardly think it is necessary for me to say that with such conditions and limitations imposed upon the operations of the postal-savings banks it is perhaps surprising that the amount deposited is as great as it now is. By using a certificate as an evidence of deposit the Government has lost the one great advantage which the pass book affords, namely, the continuity of account as shown by the pass book. It has not obtained any corresponding advantages. I think I have shown earlier in this discussion that the great item of expense and the most troublesome detail of operation in connection with the postal-savings system relates to the interest. Under the form of certificate adopted no provision is made for interest, and every objection that exists under the pass-book system regarding interest exists under the system adopted by our Government with equal force. I might add that to my mind there can be no conceivable justification for prohibiting a man from lending the Government at 2 per cent more than $100 at any one time or more than $500 altogether, nor can I conceive why a man should be prohibited from placing deposits in the Washington post office and in the New York post office and in every other post office in the country if he wishes to do so, nor can I see why he should be put to such a delay, trouble, and expense to collect his small interest when it is due and when the Government promises to pay it on demand. These are real obstacles. They have prevented, and will continue to prevent, the growth of the system, because the people are not going to place their savings with any institution which makes it difficult for them to withdraw the same.

It is a fair criticism of the system to call attention to what it has cost us to install it. I understand that there has already been appropriated $600,000, and the net result of this appropriation is the installation of the system in one-fourth of the post offices after two years' operation and an average deposit in the post offices where it is installed of $2,900.

Now, it is generally conceded that the best method of evidencing an interest-bearing deposit or any interest-bearing sum of money is by the delivery to the depositor or to the party contributing the money of a coupon obligation or coupon bond. The superiority of the coupon bond or coupon obligation is due to the fact that the certificate is the final evidence of indebtedness as to the principal, and the coupon is the final evidence of indebtedness as to the interest amounts when they fall due. The debt is due to the holder of the instrument. The interest is due to the holder of the coupon. The personality of the holder is immaterial. Therefore individual bookkeeping is eliminated and interest calculations are done away with because the coupons which represent the interest are attached to the obligation at the time of its execution.

To illustrate this distinction I will take the case of a great railroad system which sells $100,000,000 worth of its coupon bonds, with coupons maturing twice each year, to 200,000 people. The bond represents the principal. The coupons represent the interest. The railroad owes the money to the bond or its holder or to the coupon or its holder. It pays the money upon the presentation of the coupons and of the bonds as they mature.

Consequently, because the entire evidence of indebtedness, both as to principal and interest, is in the hands of the creditor the necessity of individual bookkeeping is eliminated. And as the coupons represent the interest the necessity of interest calculations is done away with. The railroad is indifferent as to who holds the bonds or the coupons. It only pays upon the legal presentation of the instruments themselves as they mature. The railroad keeps the whole account under its "bond account" on one page of its ledger.

On the other hand, let us assume a great savings bank in New York City with one hundred millions of deposits divided among 200,000 depositors and paying interest twice each year and its deposits evidenced by the ordinary pass books.

In that case the final evidence of indebtedness is in the ledger at the savings bank. Every deposit and every withdrawal of each individual must be entered up on the ledger to that individual's account. Each account necessitates an interest calculation twice each year, with the consequent liability to error and with the labor incident to the computing of 400,000 interest calculations and entering the same. The bank must necessarily keep 200,000 separate and individual accounts on its ledgers.

Without elaborating as to the advantages of the coupon bond or coupon obligation over any other method of evidencing interest-bearing obligations, it will be seen at once that the coupon form of obligation is a great labor-saving device whenever it can be used in this connection.

It has been heretofore impractical to use a coupon obligation in banking because of the varying amounts of the deposits. Coupon obligations are usually engraved or lithographed for fixed amounts, say $1,000, with coupons attached engraved to represent the specified rate of interest on the face of the obligation. In a bank one depositor will present $7 for deposit; another one $57 for deposit; another one $5,700 for deposit. Consequently the bank, in order to use coupon obligations, would have to carry in stock a separate lot of forms of coupon obligations representing each amount from $1 up. This is obviously impracticable, and because of this difficulty coupon bonds or obligations have not been used in the past as an evidence of deposit.

There should be available for use by the Government in its postal-savings banks a form of coupon obligation which can be issued within one minute for any amount from $1 up, at any rate of interest desired, for any length of time stipulated, and on any terms and conditions. In other words, with forms exactly alike a coupon obligation for $1 or for a million dollars or for any intermediate amount can be issued. In the act of issuing the value and due date of the coupons should be mechanically indicated so that they necessarily correspond correctly to the value and date of deposit of the principal amount. If the obligation is issued for $7 the value of the coupons should be mechanically indicated to correspond to $7, and so with any other amount.

I understand that it is now possible to use a coupon obligation as an evidence of deposit. With one form a coupon obligation can be issued almost instantaneously for any amount. In the act of issuing, the interest calculation is made mechanically and thereby all interest calculations are avoided in the future.

Under the terms and wording of the present postal-savings act this coupon certificate can be used as an evidence of deposit, if approved by the postal-savings trustees. No further legislation is essential, although advisable.

The use of such a device as an evidence of deposit will mean that the depositor at the post office will receive the final evidence of indebtedness, as to both principal and interest, with all the consequent benefits above indicated. The Government will be relieved of the cost, difficulty, and error incident to keeping individual books and of making individual interest calculations. The geographical limitation on postal-savings banks, as above outlined, will be removed. The man who deposits $1 in the postal-savings bank will receive in effect a $1 coupon bond, or obligation, of the Government as an evidence of his deposit. He can collect his interest by tearing off the coupons and cashing them when they fall due anywhere in the world. He can collect his principal at any time by presenting the obligation with any unmatured interest coupons attached. The principal, being payable at the United States Treasury by the United States, can be immediately converted into money anywhere, according to its terms.

The effect of evidencing the postal savings deposits by these coupon obligations would be to deliver to the depositor a coupon certificate of the United States for the amount of his deposit. Thus the man who had $1 to deposit in the postal savings bank would thereby become the purchaser and owner of the coupon bond or obligation of the Government under the same terms and conditions as the man who deposited $10,000 or any larger amount.

Under the postal savings act deposits are payable on demand. These coupon obligations would be payable on demand provided they were presented with all unmatured interest checks or coupons attached; that is to say, if John Doe deposited $10 in a local post office he would receive as an evidence of that deposit the obligation of the Government with three or five interest coupons attached, each for 2 per cent of the principal, or for 20 cents each. He would in effect be the owner of a Government 2 per cent bond, but if he wanted his money the next day, he could present the obligation with all interest checks attached and get back his cash. The first interest check would not be due until a year after the date of deposit. If he presented his certificate within the year, he could get back his principal without interest. If he held the certificate until after a year had expired, he could get 2 per cent interest by delivering up the coupon when it matured and could get his principal by delivering up the certificate.

The effect of using a coupon obligation of the Government as an evidence of postal savings deposits is exactly the same as selling to the people at large Government coupon bonds or obligations in any amount from $1 up, as they desire them, and these obligations would be on sale at every post office.

These obligations would bear 2 per cent interest, payable annually. They would always be worth par, because they are payable on demand by the Government. The holder who could get par for the obligation at the post office would not sell it for less than par to a third party. In the postal savings act the Government has indicated that, in its judgment, 5 per cent of the deposits is a sufficient reserve to meet current demands, and so by maintaining a reserve of 5 per cent of the deposits in the Federal reserve banks the Government could meet all the withdrawals and demands made on the postal savings; could maintain these postal savings certificates or bonds at par, and could, in effect, offer its 2 per cent obligations or bonds for sale to the people at large in small and varying amounts at every post office in the United States. The farmer or mechanic who had $7 which he would like to use in buying a Government bond could buy a bond for $7. He could buy the bond at the post office where he was used to doing business in small amounts.

The use of a coupon obligation as an evidence of deposit would offer to the depositor facilities for collecting both his interest and principal, which can not be afforded under any other known system. It would encourage the great mass of the people to become holders of Government securities in such amounts as they desired. It would enable the Government to borrow needed money from the masses of the people and distribute its debt among the people. It would ultimately eliminate the control of the Government bonded debt by any single man or set of men.

Suppose that this system of evidencing deposits in the postal savings by coupon obligations were adopted by the United States Government. I think it would be reasonable to expect an accumulation of these funds equal to $500,000,000 within two years and a total of billions of dollars of deposits within a very few years. Certainly within a very short time these accumulations from the general public in the postal savings would amount to far more than the $750,000,000 long-term 2 per cent bonds now held by the national banks.

Such accumulation could be readily and easily used to retire the seven hundred and fifty million of outstanding twos. It might be provided that within a year from this time the circulation privilege would be withdrawn from 10 per cent of the holdings of long-term twos, but that each bank could exchange this 10 per cent of its holdings of long-term twos for a similar amount of one-year 2 per cent postal savings certificates, which postal savings certificates would also have the circulation privilege.

If this were done, 10 per cent of the $750,000,000 would at the end of the year be refunded into 2 per cent postal-savings certificates or bonds maturing one year from their date of issue or two years from this time. By the time that this $75,000,000 of postal savings certificates had matured there would be available a sufficient amount of deposits received from the general public to pay off this seventy-five million of one-year postal savings obligations.

The postal savings fund so accumulated would be deposited under the existing law to a large extent with the banks holding these present outstanding long-term twos. Consequently, when the short-term one-year postal savings certificates matured they would be paid off by the Government out of the deposits held by the banks and belonging to the postal-savings funds. If the banks did not present this 10 per cent, or seventy-five million, of postal savings certificates at their maturity, they might be allowed to continue to use them with the circulation privilege, but in that case the bonds would not bear interest, and the result would be that if the bank continued to use these bonds as a basis of circulation it would to that extent be carrying the Government debt without interest or paying the interest for the privilege of the circulation.

Similarly each year 10 per cent, or seventy-five millions, of the outstanding long-term twos could be exchanged for one-year postal savings certificates, which at their maturity would be paid off out of the accumulations in the postal savings banks derived from the great mass of the people.

The ultimate result of this plan would be the retirement of the present long-term twos with their circulation privilege by refunding this debt among the great masses of the people who would hold postal savings certificates bearing 2 per cent interest in small and varying amounts. The Government credit would be maintained at par on a 2 per cent basis, because the Government obligations would be redeemable on demand at par. The Government debt would be held by the great masses of its citizens without any danger of an improper influence being exercised by a few men on account of their holding a large volume of the Government debt.

To accomplish this refunding of Government long-term twos will require some special legislation and perhaps a change in the pending currency bill before such retirement can commence as indicated; but the coupon certificates of deposits can be used without further legislation and without change of the postal savings act as a means of evidencing postal deposits. It should be so used at once, and the accumulation of savings in the postal banks would then soon become commensurate with the dignity and credit of the institution. Out of such accumulated savings the long-term twos can be retired, and special legislation looking toward this can be passed now or at some later date when the results of the use of this coupon obligation as an evidence of deposit has demonstrated the willingness of the people to buy Government obligations in unlimited amount at 2 per cent if offered in varying amounts and if on sale at near-by and familiar places.

In conclusion, Mr. Speaker, I wish to call the attention of my colleagues to the fact that the total money issued by the United States Government amounted on April 25, 1909, according to the report of the Monetary Commission, to $3,348,323,219, and, according to their statement, about $1,760,000,000 was in the banks of the country and in the Treasury. About $1,587,000,000 was in the pockets of the people and not otherwise accounted for. I agree with Mr. Meyer, the former Postmaster General, in his statement that fully a billion dollars, or approximately one-third of the entire circulation, is hidden away in tin cans, lock boxes, and concealed places and is not available for circulation. This money has never gone into the banks and will never go into the banks, but a great portion of it will go into the postal savings. The people who hold this money want security and are skeptical of banks. They do trust the Government.

With the postal-savings system operating as efficiently as it should operate, there can be no question that a very large proportion of this hidden currency will be restored to circulation, as it properly should be; will be deposited by the post offices in the banks; and will become available for ordinary business needs; but it has been proven to be impossible to bring this money out of its hiding place under the present cumbersome and ineffective system. Some change in method must be adopted. I respectfully submit that the plan which I have suggested offers a method which will give to the depositors and to the people at large the greatest facility for handling their deposits, which will give to the Government a system involving the least machinery, the least expense, and the least danger,

and which will incidentally accomplish other results as important as these.

Mr. Speaker, I believe that the adoption of this method of evidencing postal savings accounts and of removing the limitations and restrictions which now handicap the system will accomplish four separate and distinct results.

First, it will bring from hiding the greater portion of the hidden money of the country, amounting in round numbers to $1,000,000,000. It will restore this money to circulation and bring it into the channels of business through the banks with which it will be deposited.

Second, it will encourage thrift among the people and will result in the accumulation of an enormous volume of savings available to them to meet the exigencies of old age and to insure a competency when they are unable to work.

Third, it will refund the present outstanding Government bonds at the same rate of interest, namely, 2 per cent. It will take these bonds out of the hands of the great banking institutions and of the small wealthy class and put them in the hands of the great masses of the common people. By placing these bonds with the people and familiarizing them with this security, an unlimited market is created for the future sale of Government securities if the need for the same should arise. It enables the Government to do away with the middleman and borrow money directly from the people in unlimited amount and without paying any commission.

Fourth, under the terms of the postal savings act it will create an enormous aggregation of money which will be "a fund which may be withdrawn for investment in bonds or other securities of the United States, but only by direction of the President and only when, in his judgment, the general welfare and the interests of the United States so require." This means, Mr. Speaker, that in case of war, pestilence, or other great calamity our country will have collected together billions of dollars which, if the exigency ever arises, can be borrowed by the Government to meet its necessities. I could hardly overestimate the essential importance of the accumulation of such a fund to the continuance and stability of our form of institutions. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent that the gentleman be permitted to continue for 10 minutes longer. Is that enough?

Mr. HOWARD. I would like to get 15 minutes longer. I have been interrupted.

Mr. BARTLETT. Reserving the right to object, Mr. Speaker, I want to know if the gentleman from Kansas [Mr. MURDOCK] is going to follow that up by asking that the gentleman from Illinois [Mr. THOMSON] be permitted to speak to-day?

Mr. MURDOCK. I shall do so.

Mr. BARTLETT. I do not want to interfere with my colleague, but I want to give notice now that objection will be made to the gentleman from Illinois [Mr. THOMSON] speaking to-day upon the resolution he introduced this morning.

Mr. MURDOCK. The gentleman understands that the House is proceeding to-day by unanimous consent. There is no quorum here. And I want to say to the gentleman from Georgia that I do intend to follow up my request that his colleague from Georgia [Mr. HOWARD] be allowed to continue with the request that the gentleman from Illinois [Mr. THOMSON] may be heard.

Mr. BARTLETT. I want to put the gentleman on notice.

Mr. HAMILTON of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. HOWARD] be allowed to continue 15 minutes.

The SPEAKER. The gentleman from Kansas [Mr. MURDOCK] and the gentleman from Michigan [Mr. HAMILTON] ask unanimous consent that the gentleman from Georgia [Mr. HOWARD] be permitted to proceed for 15 minutes. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I would like to couple with that request the additional request that the gentleman from Michigan [Mr. SAMUEL W. SMITH] be recognized for 10 minutes.

The SPEAKER. The gentleman from Wisconsin [Mr. STAFFORD] couples with that request the additional request that the gentleman from Michigan [Mr. SAMUEL W. SMITH] be permitted to address the House for 10 minutes.

Mr. MURDOCK. Then, Mr. Speaker, I couple with that the request that the gentleman from Illinois [Mr. THOMSON] be allowed to address the House for 15 minutes on the subject of oil-land leases.

The SPEAKER. The gentleman from Kansas [Mr. MURDOCK] couples with that the request that the gentleman from Illinois [Mr. THOMSON] be permitted to address the House for 15 minutes. Is there objection?

Mr. BARTLETT. Mr. Speaker, I reserve the right to object to the latter part of his request. I do so because I want to put the gentleman on notice about it.

The resolution offered by the gentleman from Illinois [Mr. THOMSON] is a resolution of inquiry addressed to the head of the Department of Justice, the Attorney General, and it is very unusual and extraordinary that the proposer of a resolution of inquiry, before it is submitted or considered by a committee or becomes privileged by reason of the expiration of seven days, should be heard upon it in debate.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Georgia yield?

Mr. BARTLETT. Let me get through. And the gentleman who introduced the resolution to-day—introduced it this morning——

Mr. MURDOCK. It is not a privileged resolution. The gentleman misconceives it.

Mr. BARTLETT. I do not misconceive it.

Mr. MURDOCK. Will the gentleman yield?

Mr. BARTLETT. Yes.

Mr. MURDOCK. There is nothing more unusual about his proposition than there is about talking on the currency bill after the currency bill has passed.

Mr. BARTLETT. Oh, yes; there is.

Mr. MURDOCK. The gentleman could include his argument in his whereases. Does the gentleman object to that? Is the gentleman afraid of publicity?

Mr. BARTLETT. I object to any gentleman introducing a resolution of inquiry to-day, referring it to the committee it belongs to for report, speaking on it to-day. When it is reported, at the expiration of seven days, it will become privileged.

Mr. MURDOCK. No; then it will not become privileged.

Mr. BARTLETT. A resolution introduced to-day, a resolution of inquiry directed to the Department of Justice——

Mr. MURDOCK. The gentleman from Illinois says it is not privileged——

Mr. BARTLETT. Of course it is not privileged to-day.

Mr. MURDOCK. Then why should the gentleman object to the discussion of it?

Mr. BARTLETT. Because it is not the province of anybody to discuss it when there are no facts before this House upon which anybody could make reply to it. I have never heard it before claimed in the House that a resolution of inquiry could be spoken upon on the day it was introduced.

Mr. MURDOCK. Mr. Speaker, if the gentleman will yield, the gentleman from Georgia [Mr. BARTLETT] himself saw and I saw myself a resolution inquiring into the affairs of the Standard Oil Co. introduced here on one morning and discussed that very morning.

Mr. BARTLETT. That was because everybody was afraid to object to it.

Mr. MURDOCK. Is the gentleman afraid of publicity?

Mr. BARTLETT. No; I am not afraid of publicity, although I do not pretend not to be. Some gentlemen pretend not to be, simply for a show.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. BARTLETT. Yes.

Mr. HARDY. Does not the gentleman from Kansas recognize that this resolution is in a large measure a political question?

Mr. MURDOCK. What resolution?

Mr. HARDY. This proposed attack on a department of the Government.

Mr. MURDOCK. No. On the contrary it is not, according to my understanding.

Mr. HARDY. I just read it in the newspaper. That is what it looks like to me.

Mr. MURDOCK. The author of it says it has no such tenor, and I do not believe it has.

Mr. BARTLETT. Mr. Speaker, I shall object——

Mr. MURDOCK. I appeal to the sense of fairness of the gentleman from Georgia. We are having a discussion here. Most of it is harmless——

Mr. BARTLETT. Yes.

Mr. MURDOCK. It is largely illuminating. First it proceeds from the gentleman from Georgia [Mr. HOWARD], and the gentleman from Louisiana [Mr. ELDER] is to come next. The gentleman from Georgia [Mr. BARTLETT] has no objection to the gentleman from Michigan [Mr. SAMUEL W. SMITH] talking about department matters. Now, why not let in the gentleman from Illinois [Mr. THOMSON]. That ought to appeal to the gentleman. He always wants to be fair, and he ought to be fair.

Mr. BARTLETT. I not only always want to be fair, but I try to be. I do not make any pretenses merely for the purpose

of attracting public notice either. Mr. Speaker, I do not think it is proper that a resolution of inquiry which calls in question certain actions of any of the departments of this Government shall be discussed before the House is somewhat informed of the facts connected with that case. That is the reason why all resolutions of inquiry are required by the rule to be referred to a committee. At the expiration of seven days they may or may not assume the character of privileged resolutions, depending on the matter contained in the particular resolution. I very rarely object, but I shall object to any gentleman introducing a resolution which may call in question the action of a department of this Government and then discussing it the same day it is introduced or until somebody shall have an opportunity to inquire into the facts, so that if proper a reply may be made.

Mr. MURDOCK. The gentleman said he would object to the introduction of a resolution. He can not do that.

Mr. BARTLETT. I did not say that. I said I should object to the introduction and discussion of it on the same day.

Mr. MURDOCK. We have some rights left on this side.

Mr. GARNER. Mr. Speaker, what is before the House?

The SPEAKER. The request for unanimous consent.

Mr. GARNER. I call for the regular order.

The SPEAKER. The gentleman from Kansas [Mr. MURDOCK] and the gentleman from Michigan [Mr. HAMILTON] have both asked unanimous consent that the gentleman from Georgia [Mr. HOWARD] be allowed to proceed for 15 minutes. The gentleman from Wisconsin [Mr. STAFFORD] coupled with that—threatening to object unless his idea was adopted—the request that the Hon. SAMUEL W. SMITH, of Michigan, have 10 minutes. Then the gentleman from Kansas [Mr. MURDOCK] amended his own request by asking that the gentleman from Illinois [Mr. THOMSON] have 15 minutes to discuss a proposition concerning oil wells. Is there objection to the request?

Mr. BORLAND. Reserving the right to object, I should like to inquire what subject the gentleman from Michigan [Mr. SAMUEL W. SMITH] is going to discuss?

Mr. STAFFORD. The gentleman wishes to discuss departmental methods, a subject in which we are all interested. Your side has had 45 minutes. It is only fair that the gentleman from Michigan have 10 minutes.

Mr. BORLAND. Can not the gentleman give us more light than that?

Mr. STAFFORD. You will be given complete light if you will let the gentleman from Michigan proceed for 10 minutes.

Mr. BORLAND. I object.

The SPEAKER. The gentleman from Missouri objects.

Mr. HOWARD. Mr. Chairman, in order to relieve my colleagues from any embarrassment, I ask unanimous consent that I may extend my remarks in the RECORD.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none, and that ends that controversy.

Mr. MURDOCK. Mr. Speaker, I make the point of no quorum. I think we ought to have a quorum here to listen to the gentleman from Louisiana [Mr. ELDER.]

The SPEAKER. The gentleman from Kansas makes the point of no quorum present, and there is no quorum present.

Mr. FOSTER. I move that the House do now adjourn.

Mr. ELDER. Mr. Speaker, will the gentleman withhold his motion for a moment?

Mr. FOSTER. Yes.

Mr. ELDER. Mr. Speaker, by this motion I am beaten out of the 10 minutes already given me. I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SAMUEL W. SMITH. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Michigan asks to extend his remarks in the RECORD. Is there objection?

Mr. FOSTER. I object.

Mr. BORLAND. I object.

Mr. MURDOCK. I withdraw my point of no quorum.

ADJOURNMENT.

Mr. FOSTER. I move that the House do now adjourn.

The SPEAKER. The gentleman from Illinois moves that the House do now adjourn.

The question being taken; on a division (demanded by Mr. MURDOCK) there were—ayes 43, noes 31.

Mr. MURDOCK. Tellers, Mr. Speaker.

Tellers were refused, 23 Members, not a sufficient number, seconding the demand.

The motion of Mr. FOSTER was agreed to.

Accordingly (at 1 o'clock and 24 minutes p. m.) the House adjourned until Wednesday, September 24, 1913, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. FERRIS, from the Committee on the Public Lands, to which was referred the bill (H. R. 8364) to authorize the President to provide a method for opening lands restored from reservation or withdrawal, and for other purposes, reported the same without amendment, accompanied by a report (No. 78), which said bill and report were referred to the House Calendar.

Mr. WEBB, from the Committee on the Judiciary, to which was referred the bill (S. 99) to fix the times and places of holding district court for the district of Arizona, reported the same with amendment, accompanied by a report (No. 79), which said bill and report were referred to the House Calendar.

Mr. CLARK of Florida, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 7596) to increase the limit of cost of the United States post-office building at Beloit, Kans., reported the same without amendment, accompanied by a report (No. 81), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FERRIS, from the Committee on the Public Lands, to which was referred the bill (S. 2727) to create an additional land district in the State of Nevada, reported the same without amendment, accompanied by a report (No. 85), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FLOOD of Virginia, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res. 125) authorizing the President to appoint delegates to attend the seventh international congress of the World's Purity Federation, to be held in the city of Minneapolis, State of Minnesota, November 7 to 12, 1913, reported the same without amendment, accompanied by a report (No. 80), which said bill and report were referred to the House Calendar.

Mr. UNDERHILL, from the Committee on Industrial Arts and Expositions, to which was referred the concurrent resolution (H. Con. Res. 17) authorizing the Secretary of Agriculture to make an exhibit at the Sixth National Corn Exposition, to be held at Dallas, Tex., during the month of February, 1914, reported the same with amendment, accompanied by a report (No. 83), which said bill and report were referred to the House Calendar.

Mr. CARLIN, from the Committee on the Judiciary, to which was referred the bill (S. 2254) to amend chapter 1, section 18, of the Judicial Code, reported the same without amendment, accompanied by a report (No. 84), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CHURCH, from the Committee on the Public Lands, to which was referred the bill (H. R. 27) to authorize the sale and issuance of patent for certain land to H. W. O'Melveny, reported the same without amendment, accompanied by a report (No. 82), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 8322) granting a pension to Mary E. Sweeney; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6610) granting an increase of pension to Bertha Herder; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2558) granting a pension to Margaret Cassidy; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8263) granting a pension to William C. Hathaway; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2575) granting a pension to Laura Hilgeman; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2557) granting a pension to Freda Burow; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DEITRICK: A bill (H. R. 8422) regulating the employment of legislative counsel and agents and others who for compensation or reward attempt to secure the passage, defeat, or alteration of legislation before Congress, and for other purposes, and prescribing penalties for the violation of the provisions of this act; to the Committee on the Judiciary.

By Mr. AUSTIN: A bill (H. R. 8423) to increase the efficiency of the executive civil service; to the Committee on Reform in the Civil Service.

By Mr. HAWLEY: A bill (H. R. 8424) to authorize the Secretary of the Treasury to employ consulting architects in connection with the work of the Supervising Architect's Office, and for other purposes; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8425) to cause certain lands to revert to the State of Oregon; to the Committee on the Public Lands.

By Mr. FRANCIS: A bill (H. R. 8426) providing an additional appropriation for the Federal building at Steubenville, Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8427) to authorize the donation of certain unused and obsolete guns now at Chickamauga Park, Ga., to the Dan McCook Post, Grand Army of the Republic, Smithfield, Ohio; to the Committee on Military Affairs.

By Mr. RUCKER: A bill (H. R. 8428) to codify, revise, and amend the laws relating to publicity of contributions and expenditures made for the purpose of influencing the nomination and election of candidates for the offices of Representative and Senator in the Congress of the United States, limiting the amount of campaign expenses, and for other purposes; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. HENSLEY: A bill (H. R. 8429) to prohibit the giving or receiving of gifts, employment, or compensation from certain corporations by Senators, Representatives, Delegates, or Resident Commissioners in Congress of the United States or Senators, Representatives, Delegates, or Resident Commissioners elect, and the judges of the United States courts, and prescribing penalties therefor; to the Committee on the Judiciary.

Also, a bill (H. R. 8430) making appropriation for the protection of the bank of the Mississippi River at and south of Ste. Genevieve, Point Rest, and Wittenberg, Mo.; to the Committee on Rivers and Harbors.

By Mr. THOMSON of Illinois: Resolution (H. Res. 258) directing the Attorney General to inform the House of Representatives what action, if any, has been taken to stop the construction of oil wells and the extraction of petroleum from certain lands granted to the Southern Pacific Railroad Co.; to the Committee on the Judiciary.

By Mr. BURKE of Wisconsin: Memorial of the Legislature of Wisconsin, favoring a law setting aside certain islands in the Great Lakes for bird reserves; to the Committee on the Public Lands.

Also, memorial of the Legislature of Wisconsin, favoring S. J. Res. 131 and H. R. 16808, introduced during the Sixty-second Congress; to the Committee on the Judiciary.

Also, memorial of the Legislature of Wisconsin, favoring amending section 5219, Revised Statutes of the United States, relating to taxation of shares of stock in national-bank associations; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASWELL: A bill (H. R. 8431) to correct the military record of Samuel Avard; to the Committee on Military Affairs.

By Mr. BAILEY: A bill (H. R. 8432) for the relief of Martin Cupples; to the Committee on Military Affairs.

Also, a bill (H. R. 8433) granting an increase of pension to Emanuel Russell; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 8434) granting an increase of pension to John E. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8435) granting an increase of pension to William Miller; to the Committee on Pensions.

Also, a bill (H. R. 8436) granting an increase of pension to Peter W. Flood; to the Committee on Pensions.

Also, a bill (H. R. 8437) granting a pension to James A. Merchant; to the Committee on Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 8438) granting a pension to Maggie Dausch; to the Committee on Invalid Pensions.

By Mr. DERSHEM: A bill (H. R. 8439) granting a pension to Rebecca Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8440) granting an increase of pension to David B. Dromgold; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8441) granting an increase of pension to James B. Wilkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8442) granting a pension to Mary E. T. Barber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8443) granting a pension to John Richardson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8444) granting a pension to Anna N. Carson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8445) granting an increase of pension to Charles S. Swineford; to the Committee on Invalid Pensions.

By Mr. FLOOD of Virginia: A bill (H. R. 8446) for the relief of Moses Gwin, sr.; to the Committee on War Claims.

By Mr. FRANCIS: A bill (H. R. 8447) granting an increase of pension to Samuel Morrow; to the Committee on Invalid Pensions.

By Mr. GREENE of Massachusetts: A bill (H. R. 8448) granting an increase of pension to George Congdon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8449) granting an increase of pension to Josephine M. B. Brady; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8450) granting an increase of pension to Silas P. Richmond; to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 8451) granting a pension to Edgar B. Perry; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 8452) granting an increase of pension to James H. Martin; to the Committee on Pensions.

Also, a bill (H. R. 8453) granting an increase of pension to Matthew Abernathy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8454) granting an increase of pension to George W. McAtee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8455) granting an increase of pension to William W. Mabry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8456) granting an increase of pension to William J. Wilkinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8457) granting an increase of pension to William P. McCans; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8458) granting an increase of pension to Samuel Barker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8459) granting an increase of pension to William Bone; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8460) granting an increase of pension to William Bell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8461) granting an increase of pension to William H. Bair; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 8462) for the relief of W. P. Fuller & Co.; to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 8463) granting an increase of pension to Jeremiah H. Combs; to the Committee on Invalid Pensions.

By Mr. PETERSON: A bill (H. R. 8464) granting an increase of pension to Frederick Tanner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8465) granting a pension to Lydia W. Wolgamot; to the Committee on Pensions.

Also, a bill (H. R. 8466) to remove the charge of desertion from the military record of William B. Young; to the Committee on Military Affairs.

By Mr. RUSSELL: A bill (H. R. 8467) for the relief of Oliver H. P. Harvey; to the Committee on Military Affairs.

By Mr. STEPHENS of California: A bill (H. R. 8468) granting a pension to John E. Nolan; to the Committee on Pensions.

By Mr. SUTHERLAND: A bill (H. R. 8469) granting an increase of pension to John H. Ferguson; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. HAYES: Petition of the San Mateo County Development Association, of San Mateo, Cal., favoring a navy for the Pacific Ocean and formation of a naval reserve; to the Committee on Naval Affairs.

By Mr. LA FOLLETTE: Petition of the Pend Oreille Grange, of Newport, Wash., favoring the establishment of a bureau of markets in the Department of Agriculture; to the Committee on Agriculture.

Also, petition of the Spokane Chamber of Commerce, favoring a better Navy; to the Committee on Naval Affairs.

By Mr. SCULLY: Petitions of W. C. Anderson, of Westville, and George Lambert, of Magnolia, N. J., protesting against placing steel-engraved forms for bonds, debentures, stock certificates, etc., on the free list; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *September 24, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We seek Thee, O God our Father, in prayer the spontaneous cry of the soul in its limitations to Thee, whose resources are boundless. Uphold, sustain, and guide us in our quest for the best in life, that we may be profitable servants unto Thee and enjoy hour by hour the indwelling of the Holy Spirit. And Thine shall be the praise through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Monday, September 22, 1913, was read and approved.

CALENDAR WEDNESDAY.

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

The Clerk proceeded to call the committees.

SEVENTH INTERNATIONAL CONGRESS OF WORLD'S PURITY FEDERATION.

Mr. FLOOD of Virginia (when the Committee on Foreign Affairs was called). Mr. Speaker, I am directed by the Committee on Foreign Affairs to call up House joint resolution 125, authorizing the President to appoint delegates to attend the Seventh International Congress of the World's Purity Federation, to be held in the city of Minneapolis, State of Minnesota, November 7 to 12, 1913, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, etc., That the President of the United States be, and he is hereby, authorized and respectfully requested to appoint delegates to attend and represent the United States at the Seventh International Congress of the World's Purity Federation, to be held in the city of Minneapolis, State of Minnesota, November 7 to 12, 1913.

Mr. FLOOD of Virginia. I ask that the Clerk read, in my time, the report of the committee.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

The Committee on Foreign Affairs, to whom was referred the joint resolution (H. J. Res. 125) authorizing the President to appoint delegates to attend the Seventh International Congress of the World's Purity Federation, to be held in the city of Minneapolis, State of Minnesota, November 7 to 12, 1913, having had the same under consideration, reports it back without amendment with the recommendation that the joint resolution do pass.

This congress will be held under the direction of the World's Purity Federation, with the cooperation of Government officials, various societies organized for social uplift, and eminent reformers and philanthropists throughout North America and foreign lands. The six great international gatherings which have preceded this congress, held under the auspices of the federation, have been leading factors in bringing about the present general agitation against the social evil and in creating that high state of sentiment and intelligence on the problems resulting from public vice which to-day makes the discussion of these problems possible.

This congress is the most important gathering ever held in our country in the interest of the suppression of the white-slave traffic and public vice. It in no way deals with the temperance question or with any other question about which there could be a division in regard to policy. No appropriation is asked for to defray the expenses of delegates nor does the joint resolution make any appropriation therefor. A number of States have already appointed delegates and the mayors of the principal cities will have representatives of their municipalities to attend the congress. In view of these facts, briefly stated, the committee deems it appropriate that the National Government should be represented in this congress by delegates duly appointed by the President, as provided for in the said joint resolution.

Mr. PAYNE. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from New York makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and fifty-one Members present, not a quorum.

Mr. HARDWICK. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Adair	Dyer	Jaroway	Patton, Pa.
Aiken	Eagan	Keating	Peterson
Ainey	Eagle	Kelley, Mich.	Phelan
Ansberry	Edmonds	Kennedy, R. I.	Porter
Barchfeld	Edwards	Kent	Pou
Bartholdt	Elder	Kless, Pa.	Powers
Bathrick	Estopinal	Kitchin	Prouty
Beall, Tex.	Evans	Korbly	Ragsdale
Bowdle	Fairchild	Kreider	Rainey
Bremner	Faison	Langham	Raker
Brockson	Farr	L'Engle	Reilly, Conn.
Broussard	Finley	Lenroot	Richardson
Brown, N. Y.	Floyd, Ark.	Lesher	Riordan
Bruckner	Francis	Levy	Roberts, Nev.
Bryan	Gardner	Lindquist	Roddenbery
Burke, Pa.	George	Linthicum	Rogers
Burke, S. Dak.	Gillett	Lloyd	Rothermel
Butler	Gittins	McAndrews	Rupley
Calder	Goeke	McCoy	Scully
Cantrill	Goldfogle	McGuire, Okla.	Sells
Carew	Gorman	McKellar	Sharp
Carlin	Goulden	McKenzie	Slemp
Carr	Graham, Pa.	Madden	Smith, J. M. C.
Carter	Green, Iowa	Maher	Smith, Minn.
Casey	Gregg	Mann	Smith, N. Y.
Chandler	Griest	Martin	Stanley
Church	Griffin	Merritt	Stephens, Tex.
Clark, Fla.	Hamill	Metz	Stevens, Minn.
Copley	Hamilton, N. Y.	Miller	Taylor, N. Y.
Covington	Hamlin	Moore	Thacher
Curley	Harrison	Morin	Townsend
Curry	Hart	Moss, Ind.	Tuttle
Dale	Haugen	Mott	Underwood
Danforth	Helgesen	Murray, Mass.	Wallin
Difenderfer	Henry	Neeley	Walsh
Dixon	Hobson	O'Brien	Webb
Dooling	Howell	O'Leary	White
Driscoll	Hughes, W. Va.	Parker	Wilson, N. Y.
Dunn	Hulings	Patten, N. Y.	Winslow

The SPEAKER. The call shows 273 Members present—a quorum.

Mr. FITZGERALD. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from New York moves to dispense with further proceedings under the call.

The question was taken, and the motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. Before this other matter is resumed, the Chair announces the appointment of Mr. COPLEY, of Illinois, in lieu of Mr. KENT, of California, on the committee to go to Knoxville.

The Clerk will report the resolution.

The resolution was again reported.

The SPEAKER. The question is on the engrossment and third reading of the House joint resolution.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FLOOD of Virginia, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

INTERNATIONAL CONGRESS OF MEDICINE.

Mr. FLOOD of Virginia. Mr. Speaker, I ask unanimous consent that House joint resolution 93 be stricken from the calendar. The occasion for the resolution has passed. The resolution refers to a medical congress which assembled in August, and, the time having passed, I ask that it be stricken from the calendar.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the resolution which the Clerk will report by title be stricken from the calendar.

Mr. FLOOD of Virginia. That it be laid on the table.

Mr. MONDELL. Mr. Speaker, reserving the right to object, I did not hear the reasons given by the gentleman for striking the resolution from the calendar.

Mr. FLOOD of Virginia. It authorized the appointment of delegates to a medical congress which assembled in August. The occasion for the resolution has passed.

The SPEAKER. The Clerk will report the resolution by title.

The Clerk read as follows:

Joint resolution (H. J. Res. 93) authorizing the President to accept an invitation to participate in the International Congress of Medicine.

The SPEAKER. The gentleman from Virginia asks that the resolution lie on the table. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The Clerk will resume the call of committees.

COMPENSATION OF STAR-ROUTE AND SCREEN-WAGON CONTRACTORS.

Mr. MOON (when the Committee on the Post Office and Post Roads was called). Mr. Speaker, by direction of the Committee on the Post Office and Post Roads I present a privileged report

on House resolution 229 and ask unanimous consent for its present consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolution (H. Res. 229) directing the Postmaster General to inform the House what steps have been taken toward readjustment of compensation of star-route and screen-wagon contractors on account of the establishment of the parcel post, etc.

Mr. FITZGERALD. Mr. Speaker, I make the point of order that this resolution is not in order to-day until the committees are called. The gentleman can not report a privileged resolution before the call of committees.

Mr. MOON. I asked unanimous consent for its present consideration.

The SPEAKER. Why, if the gentleman from New York insists on his point of order the Chair would have to sustain it.

Mr. MOON. Mr. Speaker, in making my motion I asked unanimous consent for its present consideration.

The SPEAKER. The Chair will recognize the gentleman to make his motion when the call is finished, which will not take more than a few moments.

Mr. PAYNE. Mr. Speaker, I do not think this call ought to be interrupted by unanimous consent.

The SPEAKER. The Chair has just stated that just as soon as the call is finished he will recognize the gentleman from Tennessee.

ADDITIONAL LAND DISTRICT, STATE OF NEVADA.

Mr. FERRIS (when the Committee on Public Lands was called). Mr. Speaker, I call up the bill S. 2727 by authority of the Committee on Public Lands. It appears on the calendar, page 6.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 2727) to create an additional land district in the State of Nevada.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to dispense with the first reading of the bill.

Mr. MONDELL. Mr. Speaker——

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to dispense with the first reading of this bill. Is there objection?

Mr. MONDELL and Mr. FITZGERALD. Mr. Speaker, this bill is on the Union Calendar.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to consider the bill in the House as in the Committee of the Whole House on the state of the Union.

Mr. PAYNE. Mr. Speaker, reserving the right to object, I shall raise no objection if the gentleman will assure me of 10 minutes in which to address the House in considering the bill in the Whole House on the state of the Union.

Mr. FERRIS. I certainly have no objection. I could hardly dare try to infringe on the time.

Mr. PAYNE. The time will be in control of the gentleman.

The SPEAKER. If the House is in the Committee of the Whole, nobody will have 10 minutes. The Speaker will recognize the gentleman for 5 minutes in the committee, and if the House extends his time 5 minutes he will have 10 minutes in all.

Mr. PAYNE. Perhaps 5 minutes would be all I want.

The SPEAKER. Is there objection?

Mr. MONDELL. Reserving the right to object, I desire to make the point of order that the bill is on the Union Calendar and can not be called up at this time.

The SPEAKER. This is Calendar Wednesday, and a bill can be called up from either the House or the Union Calendar. The point of order is overruled.

Mr. FERRIS. I renew my request, Mr. Speaker.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to consider this bill in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

The gentleman from Oklahoma [Mr. FERRIS] asks unanimous consent to dispense with the first reading of the bill. Is there objection?

Mr. MONDELL. Mr. Speaker, I object.

The SPEAKER. The gentleman objects, and the Clerk will read.

The Clerk read the bill, as follows:

An act (S. 2727) to create an additional land district in the State of Nevada.

Be it enacted, etc., That an additional land district is hereby created for the State of Nevada to embrace the lands contained in the following-named counties, to wit: Churchill, Elko, Eureka, Humboldt, Lander, Lincoln, Nye, and White Pine, described as follows, to wit: Commencing at the common corner between townships 38 and 39 east, range 47 north, Mount Diablo base and meridian, being on the north boundary line of the State of Nevada; thence south on the dividing line between townships 38 and 39 east, to its intersection with the third standard parallel north, said parallel being the dividing line between ranges 15 and 16 north, of Mount Diablo base line; thence east along said third standard parallel north to the intersection of the Ruby Valley guide meridian, being the dividing line between townships 55 and 56 east; thence south along said Ruby Valley guide meridian to its intersection with the first standard parallel north, being the dividing line between ranges 5 and 6 north, of Mount Diablo base line; thence east along said first standard parallel north, between said ranges 5 and 6, to the east boundary line of the State of Nevada; thence north along the east boundary line of the State of Nevada to the north boundary line of the State of Nevada; thence west along the north boundary line of the State of Nevada to the point of beginning. The city of Elko, in the county of Elko, is hereby designated as the site of said land office, and the district shall be known as the Elko land district.

SEC. 2. That the Secretary of the Interior shall cause all plats, maps, records, and papers in the Carson City land office, which relate to or form a necessary part of the records of the lands embraced in the district hereby created, to be transferred to the Elko land district.

SEC. 3. That the President is authorized to appoint, by and with the advice and consent of the Senate, a register and a receiver for said land district, and they shall be subject to the same laws and be entitled to the same compensation as is or may be hereafter provided by law in relation to the existing land offices and officers of said State.

Mr. PAYNE. Mr. Speaker——

The SPEAKER. The Clerk will read the first section.

Mr. FERRIS. Mr. Speaker, I want to present a few facts in connection with this bill. As will be observed, this bill creates a new land district in Nevada, embodying approximately half of the State. There are 29,000,000 acres of land surveyed and subject to homestead entry in that new district. There are 25,000,000 acres unsurveyed in the proposed new district which will come on the market for entry just as soon as the survey can be made. There is only one land office in the entire State. There are 7,000,000 acres of public land in the State. Inside of the State people have to travel from 300 to 500 miles to make their proof and their entries and to try the contest cases. It will be observed, and it is the law, that they can make entry, they can try their contest cases, and can make proof before a United States commissioner and before county clerks, but those who live in the West and have had experience with public-land matters will readily observe, I think, that this is not a satisfactory way to make entry, is not a satisfactory way to make filings, and is not a satisfactory way to make final proof. In other words, the United States commissioner or the county clerk have no power to finally adjudicate these matters. They take the testimony a good deal as a notary public takes a deposition and transmit the testimony, and in each case an attorney has to go down there and argue the matter, and in nearly every case, as I am informed, they have to journey there and pay this enormous expense. Now, Nevada has more public land than any other State in the Union and it has only one land office, located at Carson City. They ought to have this one. This bill divides the State into two parts, and I think from every viewpoint the office is needed. The committee has considered it very carefully in every way, and it has the unanimous indorsement both of the House committee and the Senate committee.

Mr. STAFFORD. Can the gentleman inform me how many land districts there are in the various States? Do you follow a rule to determine the number of districts as compared with the amount of public land for entry?

Mr. FERRIS. There is no fixed rule, as I understand. However, Nevada has more public land than any other State in the Union and has only one land office.

Mr. KINKAID of Nebraska. Will the gentleman yield for just a word?

Mr. FERRIS. I will.

Mr. KINKAID of Nebraska. The district in Nebraska I have the honor to represent has five land districts. The State of Nevada, as we are informed by the gentleman from Oklahoma [Mr. FERRIS], has the most public land remaining to be entered and disposed of of any State in the Union, and I regard it as very remarkable, considering the observations I have had in the West, that a State like Nevada should have gone so long with only one district land office. I regard this as a very great injustice to the excellent home builders of Nevada.

Mr. TAYLOR of Colorado. Answering the gentleman, I will say that the State of Colorado has 10 land-office districts, and it is not as large as the State of Nevada; and Nevada having only one, some of the people have to go 500 miles in order to make proof, and it is utterly impossible for a poor man to take his witnesses and go to the land office. While it is true they can offer testimony before the clerks of courts, at the same time the clerks can not pass on the admissibility of evidence. The lawyers ultimately have to go to the land office, and it prevents the development of the country. This is very imperative. We looked upon it as an emergency measure that ought to be passed at this session of Congress.

Mr. STAFFORD. The gentleman has full knowledge as to the expenses of these land offices. Can he give us some information as to the amount of contemplated expense of this proposed land office?

The SPEAKER. The time of the gentleman from Oklahoma has expired.

Mr. FERRIS. Mr. Speaker, I ask that I be given five minutes more.

The SPEAKER. The gentleman from Oklahoma [Mr. FERRIS] asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. TAYLOR of Colorado. I will say this, in answer to the gentleman from Wisconsin, that at the present time the land office that is in Nevada is a maximum land office. They believe that the extra amount of business that will be transacted will be sufficient to much more than justify the increase of this office by the creation of another office.

Mr. STAFFORD. What is the average expense of the land office? Is it only the salary of the receiver?

Mr. TAYLOR of Colorado. No. There is a register, with a minimum compensation of about $1,000 and a maximum of $3,000, and a receiver the same; and then there is the clerk of the land office and some rent, and it would involve an expense of $8,000 or $10,000 a year.

Mr. FERRIS. In this instance it is but $5,000.

Mr. TAYLOR of Colorado. Yes; $5,000.

Mr. FOSTER. Mr. Speaker, I would like to ask the gentleman from Oklahoma a question. Is it contemplated to establish more of these offices in this section of the country?

Mr. FERRIS. I think not. There is at least no bill pending before our committee for that purpose now. There is about 100,000 square miles of public land in the State of Nevada, and they have 55,000,000 acres in this proposed new land district. We thought it would be a matter of economy to establish a district up in the northeast side of the State, and thus cut the State in two, so that the people having business at the land office would not have to journey 500 miles.

Mr. FOSTER. Does the gentleman mean to open a new land office in Nevada also in order to open up this new land there?

Mr. FERRIS. No; that section of country in Nevada has increased in population in the last 10 years 93 per cent, or almost double.

Mr. FOSTER. Was that on account of seeking land or for divorce purposes?

Mr. FERRIS. I think the gentleman will hardly insist that I answer that question now. But I have the data here that show the exact number of entries made. There is lots of business there in the land office.

The State has only one land office now, and this bill provides for the creation of a new land district. Nevada has almost doubled in population in the last 10 years, the increase being 93.4 per cent. The State has a total acreage of 70,285,440 acres. The Secretary of the Interior has designated 50,000,000 acres as subject to homestead entry under the enlarged-homestead act of 1909. The patenting of mining claims adds greatly to the work of the present land office, and there are more mining camps springing up in Nevada than in any other State in the Union, thus overcrowding the work of the land office and bringing about delays and confusion, which would be eliminated by the passage of this bill. The State is more than 300 miles wide from its eastern to its western border, and contains more than 100,000 square miles; thus it is obvious that some of the county seats are as far as 500 miles distant from the land office, while the railroad rates on an average in that sparsely settled country are 5 cents a mile, to say nothing of the time consumed in traveling over this distance which one must go to get to the land office. There is more public land in Nevada subject to the jurisdiction of the Land Office than in any other one State in the Union. Other States have from two to five land offices, while in this case, as at present, Nevada has but one. Making no allowance for an increase of business at the new land office that this bill would create, the annual cost of maintaining the office would be approximately $5,325.44, with an additional expense of about $1,000 for equipment, and so forth.

The proposed boundary line between the two districts would cut the State squarely into two equal districts. Elko, the site of the proposed land office for the new district, is approximately 334 miles distant from Carson City, which is the site of the present and only land office in the State, there being but one land district at present. There are now about 55,138,593 acres of land in Nevada subject to entry, which do not include 5,595,310 acres within forest reserves. About 29,000,000 acres are surveyed lands and about 25,000,000 unsurveyed. It is not a very satisfactory manner in which to proceed in trying to acquire a home for the case to have to be presented to an officer who has not final power to act, and in contest cases the only chance for a real trial is to have the case presented where the witnesses can be heard.

I beg leave to print herewith the unanimous report from the Committee on the Public Lands, it being Report No. 85, Sixty-third Congress, first session, filed in the House, September 22, 1913, and reading as follows:

ADDITIONAL LAND DISTRICT IN NEVADA.

Mr. FERRIS, from the Committee on the Public Lands, submitted the following report, to accompany S. 2727:

The Committee on the Public Lands, to whom was referred the bill (S. 2727) to create an additional land district in the State of Nevada, having had the same under consideration, respectfully submit the following report:

Mr. PITTMAN, from the Committee on Public Lands, submitted the following report to the Senate:

[Senate Report No. 88, Sixty-third Congress, first session.]

"The Committee on Public Lands, to whom was referred the bill (S. 2727) to create an additional land district in the State of Nevada, have given the same careful consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

"The committee also finds the following facts to exist:

"The population of the State of Nevada has practically doubled in the last 10 years; that is, it has increased 93.4 per cent. The increase of population of the entire United States in the same period was but 21 per cent.

"The total acreage of the State is 70,285,440 acres. Fifty million acres have been designated by the Secretary of the Interior as subject to homestead entry under the enlarged-homestead act of 1909. The entry of this land should be rapid by reason of the bill permitting other improvements (such as sinking wells and fencing of land) in lieu of cultivation and the bill relieving the homesteader from continuous residence during the development of a domestic water supply.

"The Carson-Truckee River reclamation project in the State is rapidly nearing completion, and upon its completion the land business will be greatly increased.

"There are more new mining camps being started up in the State than in any other State in the Union, and the patenting of mining claims is greatly increasing the work of the land office. The present land office is already overcrowded with work, and unnecessary delay and inconvenience are at the present time caused to those attempting to obtain title to the public domain and in the determination of litigation affecting such titles. The State contains over 100,000 square miles and is over 300 miles wide from its east to its west border. The distance by the nearest railroad route from Ely, the county seat of White Pine County, to the land office at Carson City is 504 miles. The average railroad rate in the State is 5 cents a mile, and the time consumed in the travel over the distance is over 24 hours.

"The State has more public land subject to the jurisdiction of the Land Department than any other State.

"Other States have from two to five land offices, while the State of Nevada has but one.

"In the opinion of the committee, an emergency exists justifying the immediate passage of this bill."

The bill was submitted by the committee for the consideration of the Department of the Interior, and the Secretary has furnished the committee with a report thereon, which is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, August 26, 1913.

Hon. A. R. BRODBECK,
Chairman Subcommittee on Public Lands,
House of Representatives.

SIR: I am in receipt of your letter of August 19, 1913, requesting such information as I may desire to submit for or against Senate bill No. 2727 for the establishment of an additional land district and office in Nevada, and replying to your several inquiries, you are informed as follows:

The unappropriated and unsold lands in Nevada aggregate 55,138,953 acres, of which 29,359,141 acres are surveyed and 25,779,452 acres are unsurveyed.

The State of Nevada comprises one land district, with land office at Carson City. The following is a synopsis of the business transacted therein during the fiscal year 1913:

Excess entries (applications, protests, and declarations)	106
Original entries	565
Final entries	296
State and railroad selections	10
Rejected, protested, and canceled entries	112
Total	999

The area involved in the foregoing entries (exclusive of final entries) is 173,799 acres, and the total receipts therefrom $53,444.44, including fees and commissions on final entries.

Of the above-described business, the following is a statement of that which was received from lands within the boundaries of the proposed land district:

Original homestead entries	186
Final homestead entries	8
Original desert-land entries	78
Final desert-land entries	14
Original isolated-tract entries	5
Original mineral entries	24
Final mineral entries	29
State and railroad selections	0
Forest-reserve lieu selections	7
Sioux half-breed scrip location	1
Carey Act withdrawal	1
Indian allotments	3
Total	353

These entries covered an area of 70,513 acres, with total receipts of $16,533.58.

The fees and commissions earned by the register and receiver of the Carson City office on the business transacted during the fiscal year 1913 was $6,922.66, which, together with their salaries of $500 each, aggre-

gated $7,922.66, of which amount $1,922.66 was covered into the Treasury because the maximum compensation allowed to registers and receivers of district land offices by law is $3,000 each.

A computation as to what compensation would accrue to the register and receiver of the Elko land office in the event of the establishment of the proposed additional land district, based on the foregoing statement of the business transacted in the Carson City land office during the fiscal year 1913, pertaining to lands within the proposed district, from which it appears that their fees and commissions would be $1,112.72 and $500 salary each, aggregating $1,612.72 each, making total annual compensation of $3,225.44. Deducting this from aggregate salaries, fees, and commissions, $7,922.66, earned in the Carson City office during the same period would leave $4,697.21, or $2,348.61 each, as their approximate compensation in the event of the establishment of the proposed additional land district and office, causing a reduction in their present compensation of about $650 per annum each.

In addition to the compensation of the register and receiver of the Elko land office, there would be the additional expenses of office rent, about $960 per annum, and the salary of one clerk, $1,200 per annum, making the annual cost of maintaining the office $5,325.44, approximately. There would also be the expense of equipment, estimated at $1,000. The distance from Carson City to Elko is about 334 miles.

There is transmitted herewith a map of Nevada, showing the proposed boundary line between the two districts, from which it will be observed that the pending bill divides the State equally between the two districts, and that the proposed Elko district is traversed by the Southern Pacific Railroad from east to west, passing through Elko, the location of the proposed land office, and from north to south by the Nevada Northern, Eureka & Palisade and Nevada Central Railroads, their northern terminals being at different points on the Southern Pacific Railroad, which railroad facilities would be a great convenience to the settlers in the proposed land district.

Nevada is a very large State, containing 110,690 square miles; the present United States land office at Carson City is situated on the extreme western side of the State, and the section within the boundaries of the proposed new land district contains extensive areas of public lands, which will doubtless be the source of a large amount of public-land business in the near future. Under the circumstances and conditions as stated, the department will interpose no objections to the establishment of this proposed land district.

Very respectfully,

A. A. JONES,
Acting Secretary.

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DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 17, 1913.

HON. D. S. CHURCH,
Committee on Public Lands, House of Representatives.

MY DEAR SIR: I am in receipt of your letter of September 16, 1913, requesting that you be informed for use in connection with the consideration by the Committee on Public Lands of Senate bill No. 2727, for the establishment of an additional land district in Nevada, of the area of the public lands in the State now subject to entry, excluding lands within forest reserves, as to the area of which reserves you desire information. You also request information as to the procedure in making original and final entries, the filing and hearing of contests, and with and before whom they are filed, or whether these matters can be attended to through the medium of local commissioners and county clerks.

In reply you are informed that there were 55,138,593 acres of vacant and unappropriated public lands in Nevada subject to entry on July 1, 1913, exclusive of the lands within forest reserves, which contain 5,595,319 acres, of which 4,974,320 acres, approximately, are within the proposed additional land district. Of the 55,138,593 acres of unappropriated lands, 29,359,141 acres are surveyed and 25,779,452 acres unsurveyed, of which 21,438,255 acres are surveyed and 21,638,610 acres of unsurveyed lands are within the proposed additional land district.

Persons desiring to acquire title to public lands under the homestead and desert-land laws should first fully inform themselves as to the character and quality of the lands they desire to enter by personal inspection thereof, as they are required to file what is known as a non-mineral affidavit simultaneously with the filing of their application to enter. These applications may be sworn to before the register or receiver of the proper land office, or any United States commissioner, or judge or clerk of a court of record in the county in which the lands are situated, and final proofs heard before the same class of officers, as provided in section 2294, United States Revised Statutes. Contests may also be sworn to and heard before these officers, or heard before a special commissioner appointed by the register or receiver.

For the information of the committee I inclose copies of circulars dated March 24, 1905, and March 26, 1913, containing "Suggestions to homesteaders and persons desiring to make homestead entries," and "Suggestions to United States commissioners, United States court commissioners, and judges and clerks of courts of record."

Section 2335, Revised Statutes, provides that all affidavits required in applications for mineral lands may be verified before any officer authorized to administer oaths within the land district in which the claims may be situated, and that all testimony and proofs may be taken before such officers, and when duly certified by the officer taking the same shall have the same force and effect as if taken before the register and receiver of the land office.

While these provisions of law relieve entrymen and the parties to and witnesses in a contest case from the necessity for visiting the land office on business connected with their entries and contests, it is sometimes more satisfactory to the entryman to visit the land office for the purpose of examining the township plats, copies of which, however, may be obtained on personal application, or by mail, from the land office on the payment of a fee of from $1 to $4, according to the extent of the information shown thereon. (See p. 3 of inclosed circular of Mar. 26, 1913.) Photolithographic copies of township plats are furnished by this office for 25 cents for uncertified, and 50 cents for certified copies thereof, but those copies of plats show only the topography, areas of sections, parts of sections, and lots and surveyed lines.

Very respectfully,

CLAY TALLMAN, *Commissioner.*

It will be observed that S. 2727 is to create a new land district in the State of Nevada. It will likewise be observed that there is but one land office in the State. There are at this time 55,138,593 acres of unappropriated, unsold lands in the State of Nevada, of which 29,359,141 acres are surveyed and 25,779,452 acres unsurveyed. The land areas are so large and the homesteaders have to journey so far across the State to submit their homestead entries, their proof, and their contest proceedings that it has seriously retarded the growth and development of that State. In comparison with other States, Nevada is not as well supplied with land offices as other States with much less public land, and it is thought by the committee that this condition should not prevail longer. The report of the Senate committee and the two reports from the department, one addressed to Mr. BROUSSARD, under date of August 26, 1913, and an additional report addressed to Mr. CHURCH, under date of September 17, 1913, supplying supplemental information, quite fully set forth the necessity for the creation of this land district, so it is not deemed that further comment could add anything to the comprehensive reports referred to.

Respectfully submitted.

Mr. Speaker, I ask that the Clerk read.

The SPEAKER. The Clerk will read.

Mr. PAYNE rose.

Mr. FERRIS. Mr. Speaker, I withdraw my request for the reading of the bill in order to yield to the gentleman from New York [Mr. PAYNE].

The SPEAKER. The gentleman from New York [Mr. PAYNE] is recognized for five minutes.

Mr. PAYNE. Mr. Speaker, I do not know anything about this bill except what is stated by the chairman of the Committee on the Public Lands, but it is perfectly evident that if they need another land district out in the State of Nevada to enter the sagebrush lands out there, and if it is true that the State of Nevada has the greatest amount of public lands of any State in the Union, then some other States have too many land districts, and I would suggest that the number be reduced in those States.

But there is no use in making this suggestion, Mr. Speaker, under the rule which the people who run this House have adopted in caucus. The Constitution gives the House the authority to adopt rules for its guidance, but we are met here by a rule of the Democratic caucus that no committee of the House can report any bill to this House unless by permission of the Democratic caucus.

Now, a number of gentlemen interested in bills came to me this morning and said, "Why, this bill is all right; it is reported by the committee, and it is permitted by the Democratic caucus." What right has the Democratic caucus to permit this House to take up bills? I have no doubt the Democratic caucus will not permit any committee to report any bill reducing the number of these land offices, because they are a good thing to have locally, requiring, as they do, officials in the district.

Mr. FERRIS. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. PAYNE. I can not be interrupted. I have only five minutes.

Now, I raised the point of no quorum, Mr. Speaker, this morning, not because I had any particular opposition to the resolution pressed by the gentleman from Virginia [Mr. FLOOD] or to this bill, but in order to call the attention of the House again to this rule, unparalleled, which seems to be adopted by the Democratic caucus under which the House is run.

Why, you used to hear a good deal in the old days about "Cannonism" and "czarism" in this House, but we never have run up against any czar like the czar of the Democratic caucus. [Applause on the Republican side.] You gentlemen on that side have a two-thirds majority in this House. You can come in here openly and aboveboard, if you dare to, before the people of the country and adopt a rule that no committee shall be allowed to report unless it gets the authority of the czar of this House, the chairman of the Committee on Ways and Means, who really forms all the committees in the House. There never was any greater despotism in this House exercised under the old rules than there is now about the appointment of committees.

I am not complaining about the gentleman from Alabama [Mr. UNDERWOOD]. He is my friend, and he is absent to-day, exercising the duties of his office. I am complaining about the sham and the pretense you make here before the people of the country. Whenever he says anything in the way of the appointment of a committee, it goes, and you come in here with your majority, after adopting it by the Democratic caucus, and appoint the members of the committee by a vote of the House.

It is simply a form you go through, so far as the House is concerned. It is already settled, and you provide who shall settle it. Some of us used to think there must be somebody to settle it—to settle the conflicting claims of rival Members and settle the question whether this Member was suitable for one place and that Member for another. You seem to have adopted that same theory, but you come in here with the pretense that it is done by the whole House, and then you talk about the contrast between this Congress and former Congresses.

Mr. Speaker, I have taken advantage of another constitutional provision to meet this question. You have a quorum here this morning. I do not find any fault with that or grieve over it. I am willing that these bills shall be considered in a House that has a quorum present.

The SPEAKER pro tempore (Mr. MOON). The time of the gentleman has expired.

Mr. PAYNE. I ask unanimous consent that I may have five minutes more.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. PAYNE. I give you gentlemen notice that so long as you govern yourselves by a caucus rule you must have a quorum here to do business. I am going to invoke a part of the Constitution that you have not yet seen any way clear to abrogate, and that is the part of the Constitution which requires a quorum to be here to do business. [Applause on the Republican side.] You have been successful so far with your caucus rule, because you had a certain definite program of two bills that you wanted to have the House consider, and I wanted you to have a chance to show the country what you would do on those two bills. You came here to do it. I wanted you to do it. There are other bills that ought to be passed, bills of not so great importance, bills that will not work so much injury to the country as the two which you have already passed. Members here are asking to be heard on these other bills, but your committees say, "Oh, we can not, because of the rule of the Democratic caucus. The committee can not consider them. They have to get the consent of the Democratic caucus." I do not know how it is in practice, but in theory they have to get the consent of the Democratic caucus before they can have these bills considered. Gentlemen come in here with resolutions of inquiry calling upon the heads of the departments for certain information. I do not remember when the Republican Party in power in this House ever refused a demand for such information from a Cabinet officer. The rule was to report these resolutions promptly, and if they were not reported promptly the Member made a motion to discharge the committee, the motion was carried, and the information was asked for. But whenever there has been any information asked for here that a Cabinet officer did not want to disclose you in this House have promptly voted down the motion to discharge the committee, and you have in some cases told the man who introduced the resolution that you were prevented by the caucus from reporting any such resolution. It is time, gentlemen, that you understand what you are doing.

Mr. BARTLETT. May I interrupt the gentleman a moment? Does the gentleman understand that the caucus of the Democratic Party expressly excepted resolutions of inquiry?

Mr. PAYNE. I am glad to learn that much about the rule of the Democratic caucus. Still you never have reported a resolution.

Mr. BARTLETT. There have been resolutions reported.

Mr. PAYNE. You did not report the McAdoo resolution asking the facts in regard to the alleged statement that national banks were depressing the price of Government bonds, did you? You voted down the motion to discharge the committee. It was reported that you did it at the express request of the Secretary of the Treasury. I do not know anything about that, but I should have liked to have heard what evidence he had on the subject.

Mr. BARTLETT. Did the gentleman's side never vote down a resolution of inquiry?

Mr. PAYNE. I have heard other resolutions of inquiry asked for in this House, but those resolutions have not been reported. I have heard other motions to discharge the committee, but you promptly voted them down in the House.

Mr. BARTLETT. Just as the gentleman's party did when they were in the majority.

Mr. PAYNE. We do not know what the caucus rule is. Put it in the rules of the House, so that we can have as much opportunity to know what your caucus rule is as you have, and let us know whether the chairman of the committee or the committee itself understands the rule, when our people are told that they can not consider a bill because of the rule of the Democratic caucus. Come out into the open and adopt constitutional rules in this House and put them in the book where the Members can see them. It is not fair to this House. What is the matter with you?

Mr. FITZGERALD. We are all right. [Laughter.]

Mr. PAYNE. Is the Democratic majority in this House afraid of itself?

SEVERAL MEMBERS (on the Democratic side). No.

Mr. CLAYTON. Mr. Speaker, may I ask the gentleman——

Mr. PAYNE. Are you afraid to report bills? Are you afraid to trust your committees?

Mr. CLAYTON. May I answer the gentleman's question?

Mr. PAYNE. Oh, you can do it in your own time.

Mr. CLAYTON. I have not any time. I merely want to say that we are not afraid of our committees.

Mr. PAYNE. I wish when the gentleman gives his answer he would come in here and put in that caucus rule, so that we can understand it and see it in the RECORD and know what it is and just what you are doing.

Mr. CLAYTON. I think the gentleman understands it now.

Mr. CLARK of Missouri. Mr. Speaker, I move to strike out the last word.

I have been waiting for several days, while the criticism of the Democratic Party and its caucus has been going on in this House, for the distinguished gentleman from New York [Mr. PAYNE], who was so long majority leader, to take the floor and utter these same criticisms. I knew sooner or later he would rise to the bait. He has been here nearly 30 years. I have been here nearly 20. There are a great many new Members in this House, and while this continual criticism of the conduct of the Democratic majority in this House would have no effect whatsoever on the older Members, without regard to political affiliations, it might make new Members think that we are proceeding in an extraordinary manner; that there is no precedent anywhere for what we are doing. I do not believe that it is a sufficient answer to the criticism for what we are doing to say that the Republicans did the same thing. [Applause.] The custom of the pot calling the kettle black has never met with highest encomium in this country. But to show the new Members that we are not proceeding in a new and arbitrary manner, I will jog the memory of my venerable friend from New York [Mr. PAYNE] with an important fact of history and of procedure in this House. Of course he remembered it very well when he was speaking, but sometimes one has an adjustable memory.

In the Fifty-fifth Congress, of which he and I were both Members, Mr. Speaker Reed, one of the greatest Speakers, was in the chair. Neither the Republicans nor the Democrats were permitted to report out any bills. Mr. Speaker Reed would not even appoint the committees, and did not appoint them until the night we adjourned sine die, some time in August, and although the Republicans were then in the majority he had to sit in the chair and wait there for an hour to get a quorum in order that he might announce the committees. Mr. Speaker Reed ruled that Sunday is non dies, and did not count Sunday as a day at all, and that a three-day adjournment embraced Friday, Saturday, and Monday. As a consequence, he made two adjournments of three days each cover an entire week. When the Speaker announced that, Col. JAMES HAMILTON LEWIS, one of the most brilliant of all public men, then a Member of this House from the State of Washington, now a Senator from the State of Illinois, made the point of order that the Congress was not in session at all, and fought that point out here for weeks and weeks. That is some portion of what the Republicans did. We have appointed committees. We have done better than they did, because the committees can consider any bills they please, and, as a matter of fact, they are now busy considering bills and getting them in shape to report. The gentleman from New York [Mr. PAYNE] is an able man. He has been here a long time and he knows all of these things, and I have recalled them simply to clear the matter up in the minds of new Members.

Mr. CULLOP. Mr. Speaker, will the gentleman permit a suggestion?

The SPEAKER pro tempore. Does the gentleman from Missouri yield?

Mr. CLARK of Missouri. Certainly.

Mr. CULLOP. In the first session of the Sixty-first Congress, when the gentleman from New York [Mr. PAYNE] was the majority leader in this House, Mr. Speaker Cannon did not appoint the committees of the House, and refused to appoint them until the day of adjournment.

Mr. CLARK of Missouri. I was coming to that, and I am very much obliged to the gentleman from Indiana [Mr. CULLOP], as it saves me the trouble of stating it.

Mr. Speaker, why did the Republicans do that, and why are the Democrats doing what we are doing? I will tell you why. In those two Congresses every sensible man in the United States knew that the Republicans were responsible to the country for the legislation in this House, and they know now that we are responsible to the country for the legislation in this House.

Every student of government knows that in a country whose institutions are bottomed on suffrage the government will be a government by parties. It matters nothing whether we want it that way or not, that is the way it is. The history of England and the United States proves that beyond peradventure. Responsibility rests upon the majority, and we shrink not from

acknowledging our responsibility to the country and of acting accordingly. Being responsible and having an ample majority we intend to place our ideas upon the statute books on the great questions now pressing for solution. While we invite help from Republicans and Progressives we can not, without shirking our duty to the country, permit them to spoil our bills. We have in no way and to no extent gagged the minority. We have brought in no special rule on our tariff bill.

Let us see. The Baltimore platform promised a multitude of things. Some were exceedingly important, and some are not of so much importance. There were two principal things in that platform which we promised to do. One was to revise the tariff down, and by the blessings of God we have done that. [Applause on the Democratic side.]

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended for 10 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CLARK of Missouri. There was no equivocation, mental reservation, or purpose of evasion about that promise, and there has been no equivocation in redeeming that promise. [Applause on the Democratic side.] The promise second in importance was to give the country a good currency system, and we are now in the process of doing it. [Applause on the Democratic side.]

It is universally acknowledged by sensible men that we have the worst financial system of all the great nations under the sun. Everybody who has anything to do with business knows that there must be more currency in the country than there is now, and under the national banking system we can not increase the currency to any considerable extent without increasing the bonded public debt of the country, and we are all opposed to that. The national banking system has about reached the end of its tether. So we are in the process of redeeming that promise.

Let us take next this continual howl about legislation by caucus. It is the most idiotic that has ascended to heaven within a generation. [Applause on the Democratic side.] I will ask my friend from New York [Mr. PAYNE] how it happened that he permitted the general debate, which does very little good, on the Payne tariff bill to drag along for three weeks and then allowed us only two days for debate under the five-minute rule, permitting only four amendments—but by strategy we got in five, because they did not draw the rule properly. I will tell the House why he allowed that general debate to run on for three weeks. It was to "persuade"—I use that word because it is polite and parliamentary—to "persuade" enough Republicans to vote with him to pass the special rule to go into the Committee of the Whole on the state of the Union for the consideration of the bill. That is why it was; and he had a mighty tough time, bless your heart, to ever get enough to turn the trick. [Applause on the Democratic side.] Now let us see about caucus rule. We must have organization in order to enact the will of the people into law, and we have got it, and we have had it for the last three years. That is the reason why we are where we are now. [Applause on the Democratic side.] Precisely. Until three years ago fights in this House were like battles betwixt the militia and regulars. The Democrats were the militia fighting regulars; but now the boot is on the other foot, we are the regulars, we are the drilled men, we are organized, and the Republicans and Progressives are the disrupted militia. [Applause on the Democratic side.] Do you know how many people it takes to hold a caucus? Two can hold a caucus as well as two hundred and ninety-odd Democrats can. Well, now, suppose you break up the caucus. You have had it—I understand you are in favor of open caucuses now, but you had secret caucuses here 16 years, a hog combine that no mortal man could break. [Applause on the Democratic side.]

You never suggested open caucuses then.

> The devil was sick, the devil a monk would be;
> The devil was well, the devil a monk was he.

[Applause on the Democratic side.]

If you get the next Congress, which I think would be a great calamity [applause on the Democratic side], you will have your caucuses again. You have no right to complain—that is, you Republicans, especially the gentleman from New York, the bellwether [laughter and applause on the Democratic side]—about the result of the caucus as far as the House is concerned. We brought the tariff bill in here. We threw it open to amendment, and I said on the floor of the House when I was in the minority, and I repeat it now, that I am in favor of a great bill like that being thrown open to amendment and debate, so that every man can offer any amendment he pleases and debate it, and that is exactly what we did. You say you did not get any amendment adopted. I will tell you when you will get an amendment adopted in this House on that kind of a bill; when you figure out a scheme by which one man can outvote two and a half men, then you can get one of your amendments adopted on a Democratic tariff bill. [Applause on the Democratic side.] Suppose you broke up the Democratic caucus. Do you know what would happen? There would be a little caucus in my room; there would be a little caucus in Mr. SHERLEY's room; there would be a caucus in Mr. FITZGERALD's room—little caucuses—and so on all around. We would talk it out, and that is what you gentlemen would do if you were in the same predicament. We would talk it out, and when we came into the open caucus the whole thing would be cut and dried, whereas now in the Democratic caucus every man has a right to offer every amendment he pleases and debate it until he is weary. [Applause on the Democratic side.] The debate in the Democratic caucus was free and ample, as it was in the House. No man was choked off in either the caucus or the House, and every man within sound of my voice knows that I am stating the exact truth. Why did you not get your amendments adopted on our tariff bill? Because you did not have votes enough. All this talk about secrecy is of no avail. Why, the statutes of every State in the Union enjoin it in four cases. A lawyer is not permitted to go on the witness stand and tell what his client told him, and if he did it he would be drummed out of the community, as he ought to be. A Catholic priest or a protestant preacher is not permitted to go on the witness stand and tell what his parishioner told him. A doctor is not permitted to go on the witness stand and tell what his patient told him. Husband and wife, except in cases of assault or in a divorce suit, are not permitted to go on the witness stand and repeat what they told each other, and if they were permitted to do it earth would be a pandemonium in a twelvemonth. [Laughter and applause on the Democratic side.] If it were announced that the preachers and the priests, the doctors and the lawyers, the husbands and the wives were going on the housetops to-morrow morning and tell what they know, there would be the greatest hegira of Americans ever seen on the face of the earth. [Laughter.]

The Senate has executive sessions; so do the Supreme Court, the Cabinet, grand juries, petit juries, churches, families, fraternal societies, and every association of men and women, not because they are doing anything forbidden, immoral, or unpatriotic, but because they desire to transact their business as expeditiously and wisely as possible. In a Democratic caucus it takes two-thirds of all Democrats elect to make caucus action binding. It is not binding at all on constitutional questions or matters of conscience or where a Member has made promises or pledges in his campaign for election. In such cases the rule exempts Members from caucus action.

I will tell you the whole truth about this caucus matter and this holy protestation that you folks are making. The people of the United States want to know what Congress does. They are much more interested in results than in the methods by which those results are worked out. [Applause on the Democratic side.] They want results. They are going to get them, and we are responsible for them. "Judge a tree by its fruits" is a safe rule. We are willing to be so judged. We belong to the Baconian school and believe in the philosophy of fruits. Of course I do not mean that any Member should be deprived of any constitutional or statutory right or of any privilege under the rules of the House, or robbed of his right to impartial treatment, or that he should be muzzled or unfairly dealt with, but I do believe that everything should be done in decency and order and that the people's business should be transacted as promptly as circumstances permit. I used to twit the gentleman from New York [Mr. PAYNE] with the fact that if he had let me and the rest of the Democratic conferees on the Payne-Aldrich bill sit in conference and help fix that bill it would have been a great deal better bill than it was, and I believe so now. [Applause on the Democratic side.] But I was playing politics then. [Laughter.] An open confession is good for the soul. You are playing politics now. [Applause on the Democratic side.]

Suppose this tariff bill works right and this currency bill works right—of course they are experiments—who is going to get the credit for them? The Democrats. Suppose the bills work badly, who is going to be pounded for it next year and in 1916? Why, the Democrats. You are spectators. Some of your suggestions are very good, but you are not going to get the credit if these bills work right, except the Progressives and a few regulars who voted with us. If these bills work badly, you take the advantage of it. So we would be a pack of imbeciles,

being responsible for the legislation in this House, not to formulate the legislation on great bills like this.

The Speaker does not pay any attention while presiding in the chair as to what the caucus does. He is governed by the Constitution of the United States, the laws of the land, and the rules of the House of Representatives. But you would not let petty legislation come into the Reed Congress or the Cannon Congress when tariff bills were up and distract the attention of the Members of the House and the country from the great bills you were passing, and we are not going to do it either. [Applause on the Democratic side.]

We assume the responsibility, make the legislation; we will reap glory if they are good bills, and we will accept the punishment if they are bad bills. That is all there is to it one way or another. You have had ample time for debate, and some of you have debated too much for your own good. [Loud applause on the Democratic side.]

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama [Mr. CLAYTON].

Mr. CLAYTON. I move to strike out the last word.

I interrupted the gentleman from New York a bit ago to suggest to him he was in error in his statement as to committees not having reported resolutions of inquiry at this session. There have come to the Committee on the Judiciary at this session of Congress, according to my recollection, four privileged resolutions, and three of those privileged resolutions have been reported to this House; and I think that the gentlemen who were the authors of some of those resolutions are sorry that they were reported to the House, because they were not able to make out of those resolutions the political capital which they expected. [Applause on the Democratic side.] The fourth resolution, I am reminded, Mr. Speaker, is perhaps not a privileged resolution, because it contains a preamble that destroys the privileged nature of the resolution.

Mr. Speaker, there is one more thing I wish to say while I am on my feet, and that is that the most excellent address made by the Speaker of this House a few moments ago was a truthful recitation of facts and a just arraignment of the Republican Party. It accords with the history of this House, and he correctly portrayed the conduct of the Republican Party during the 16 years I have been here, during the long time they were in the majority. And I have heard the gentleman from New York [Mr. PAYNE], standing on that side of the aisle, boast that they were going to put a measure through under gag rule, and say to this side defiantly, "What are you going to do about it?" [Applause on the Democratic side.] "We are responsible," I have heard him say, over and over again, "to the country for legislation, and we are going to put it through in our own way and in our own time. What will you, the minority, do about it?"

Now, Mr. Speaker, there are two other instances where the secrecy of proceedings is well recognized. In the sessions of the Senate to consider confirmations and to consider the matter of the ratification of treaties. The sessions are secret, and, Mr. Speaker, in ordinary court proceedings of grand juries the proceedings are secret. And yet no one would say that our courts should be uprooted because grand juries have secret sessions. Every committee of this House at times must go into an executive session to consider matters, and it would not be practical to have a public meeting for everything. And so far as the Democratic caucuses being secret is concerned, they are not entirely secret. They are secret to this extent only—that we do not permit Republicans to come in there; we do not permit the general public to participate, and only Democratic Members come there, but the press at the adjournment of every meeting gives a full and fair account of what that caucus did and what it considered.

And not only that, but by the caucus rule a roll call can be had on any proposition made in that caucus, and that can be made public and it is made public.

Let me quote one of the fundamental principles of the Democratic Party. Thomas Jefferson said:

> Absolute acquiescence in the decision of the majority—the vital principle of Republics—from which there is no appeal but to force, the vital principle and immediate parent of despotism.

All that a Democratic caucus attempts to do, and that can only be done by a two-thirds vote, is to require the Democratic Members of this House to acquiesce in the decision of the majority of their brethren; but by the rules of the caucus no Democrat can be bound by caucus action if the caucus action conflicts with his pledge to his people or with his notion of the Constitution.

Every association or body to be effective must have an organization and plans. This is just as true of any church in fighting the devil as it is of the Democratic Party here in fighting those who oppose the best interests of all the people.

This Democratic caucus that the gentleman inveighs against so strenuously has done nothing so very secret, has done nothing so very wrong, but through the organization of the Democratic Party and through that conference—because it is as much a conference as a caucus—the Democratic brethren get together and spend days and weeks in discussing public measures, arriving at a conclusion as to what public duty requires them to do, and then they bring those measures into this House and, like soldiers, patriots, and faithful Democrats, put through the measures that the country demands of them and to which they are pledged. [Applause on the Democratic side.] And that is the reason for the gentleman's complaint. It is because through those caucuses we have succeeded in redeeming our pledges. Hinc illæ lacrimæ. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. PAYNE. Mr. Speaker, I move to strike out the last three words.

The SPEAKER. The gentleman from New York [Mr. PAYNE] moves to strike out the last three words.

Mr. PAYNE. Mr. Speaker, I was very much interested in the speech of my venerable friend [Mr. CLARK of Missouri] [laughter] who has just now addressed the House. He is entitled to be called "venerable," although he is some five or six years my junior. I was pleased with his argument that they were following in our trail and doing as we had done. It is true we did not appoint the committees of the House while we had under consideration in the House either the tariff bill of the Fifty-fifth Congress or the tariff bill of 1909, but we did not do it by a caucus action and caucus rule; and after the committees were appointed—and they were appointed promptly after the bills had passed—we did not go into a caucus and instruct committees not to report upon bills unless they had the authority of the Republican caucus. We had no Republican caucus in considering either one of those tariff bills. We brought them into the House without any caucus action.

Most of this debate since I took my seat has been on other lines than upon the question I raised, and that was that the Democratic majority were getting around the Constitution of the United States by making a rule in caucus. That point has not been answered by either of the gentlemen whom you have just heard, and it can not be answered. It is for Congress to make the rules. You can agree upon them in your caucus and report them to the House and adopt them, but until they are adopted in the House they are not binding upon the minority Members of the House. It is true, the only recourse we have is to appeal to some other provision of the Constitution of the United States. But you are not doing your duty under the Constitution when you do that thing.

The Speaker says that we could not get any amendments in the Underwood tariff bill because we could not make one man outvote two and one-half men. Well, there is a deeper cause than that. We presented amendments that appealed to your judgment, in many instances to a majority on your side; and yet you stood up and stolidly voted against them, and why? Because the caucus had bound you to vote down all amendments unless they were accepted by the Committee on Ways and Means.

Some of those amendments that we offered have gone over to the other end of the Capitol and have gone into this bill and, according to the reports of the newspapers—of course, being a minority member of the conference committee, I can not disclose any of the secrets of the conference [laughter on the Republican side]—they have been adopted by the conferees, although the conferees as conferees have never met yet on the tariff bill that has been in conference for a week or ten days. That shows the reasonableness of our appeal. We could not convince the Committee on Ways and Means then, but subsequent events and our arguments have convinced both the Senate and the members of the conference of the Democratic Party on the tariff bill.

Now, what I objected to was your caucus action on this bill. You ought to come in here and hear the whole question from the minority in your own party and the minority on this side of the House before you decide that no amendments should be made in your tariff bill.

But I was not complaining about that when I got up here to speak. I am not complaining about the way you made your tariff bill, or about the tariff bill you have got. It is not in my heart to complain of your action, gentlemen, now. I may have something to say about it hereafter, and you will have all

you can do to defend the Underwood-Wilson-Simmons tariff bill when it gets before the people of the country. I want you to take your caucus rule off the House. Adopt the rule in the House if you want to, but come out into the open. Do not hide behind the caucus. The gentleman from Alabama [Mr. CLAYTON] says he defends secret caucuses, and then he says the caucus is not secret—only in a measure so.

The SPEAKER. The time of the gentleman has expired.

Mr. MURDOCK. Mr. Speaker, I move to strike out the last four words. I say to the House that I heard this morning with profound regret the expression of the Speaker of the House. I have great regard for him and great faith in his political judgment and in his patriotism. He said to the House that the country was not interested in how Congress did things, but that it was interested only in what Congress did. I do not believe he means that in the full sense that would be conveyed by his words. The country is interested in how this House does things. If that were not true there would be no need of the provision in the Constitution that one-fifth of those present may demand the yeas and nays.

The unit of representation in this House is not the political party. It is not the gentleman's party. The Republican Party, which, when it was in the majority in this House, put its power completely in the hands of one man to strangle at his pleasure legislation and take from the individual Member his rights here. It is not the Democratic Party, which subordinates individual representation under the Constitution to the dictation of a secret caucus. The unit of representation here is the individual Member representing a district, and the individual Member here is responsible not to his party or to his party leadership, but is responsible to the people in his district. That is an answer to the Speaker, and that is an answer to the gentleman from New York [Mr. PAYNE]. I have long watched the work of the caucus here. I was against the caucus when the Republicans were in power and I am against it when the Democrats are in power. I do not believe that it can long be an issue in this land. I believe that it is doomed. There are 80 vigorous, fighting Democrats over on that side who are making it hot for the leadership of their party in caucus. I trust that they will break the caucus, and in their effort to do so I wish them godspeed.

Now, what is the caucus? The caucus is a device by which the leadership hamstrings and hogties its following. That is all on earth the caucus is. How does it work? The formula is simple. A standing committee holds meetings, frames, fashions, forms, and adopts a bill. That bill is brought into the caucus under the leadership of that committee. Here, in a meeting which is secret from the public, which is out of public surveillance, away from public vigilance, there is some sort of deliberative proceeding. I do not know precisely what it is like. I used to know years ago what it was on the Republican side. There is in a caucus poor attendance almost always, because when you remove a meeting from public surveillance laxity in attendance inevitably follows. Attendance is poor, decorum is lax. There is often disorder. Frequently, I understand, after a man has talked a while in debate there are cries from all over the caucus chamber, "Vote!" "Vote!" "Vote!" And when they are ready the leaders rise, put on the gag, and force the vote. And the bill as it was framed by eight, nine, or ten men in the committee goes through the caucus—goes through as it was formed in the committee. Every man knows that is true of the ordinary product of caucus action. Every man who goes into a caucus knows that when he goes in he ties himself and ties his constituency against his own and their constitutional rights. It is not a good practice. It is a bad practice. It is not good legislation. It is poor legislation. Why not break the custom up? What would be the result, Mr. Speaker, if you did break the caucus? What if you opened up the conferences? What if you opened up all the committee rooms in this Capitol? What would happen? Simply freedom of discussion and of action, that is all. There would be no lack of party solidarity; there would be no lack of party harmony. The thing that will bring you Democrats disruption, the thing that will bring you trouble and tribulation, is your secret caucus. That, and not the open caucus and committee room, will bring you woe.

The SPEAKER. The time of the gentleman has expired.

Mr. FITZGERALD. Mr. Speaker, the House should not take too seriously my colleague from New York [Mr. PAYNE]. He is to-day enjoying a little temporary prominence because of the necessary absence of the leader of that side of the House [Mr. MANN]. It was somewhat unkind of the gentleman from New York to demand a quorum and thereby emphasize the fact that the Republican leader is absent. Recalling, however, the days of Republican power in this House and the practice of Republican Members who elevated themselves as quickly as the tariff bill passed the House, he evidently hoped that Democrats would persist in the same practice, that they would absent themselves from duty, and that we would be found to-day without a quorum. Of course, that accounts largely for his discomfiture. He is not worried about what a Democratic caucus does. He is chagrined that he is reading daily about what the conferees are agreeing to in respect to the tariff bill; and, finding himself for the first time in 16 years on the outside, is compelled to obtain his information from the newspapers, just as the Democrats were compelled to do when he manipulated the bill which bears in part his name and which has been overwhelmingly repudiated by the people of the country.

The gentleman speaks about the House not doing business because the caucus will not permit it. The Democrats have not been afraid to appoint their committees. In the Sixty-first Congress, following Republican precedents, the committees were not appointed until the end of the session. On the 13th day of May, 1909, Mr. GARRETT of Tennessee moved, as a privileged motion, that the Speaker—

Be, and he is hereby, respectfully requested to appoint the Committee on Insular Affairs forthwith.

Mr. PAYNE, of New York, made the point of order that that motion was not a matter of privilege. Mr. GARRETT requested to be heard, but the Speaker said that, in the opinion of the Chair, it was a matter affecting the organization of the House and was a matter of high privilege. Then the gentleman from New York led the Republican forces in voting down the motion to appoint a committee that might possibly consider business.

The gentleman speaks about caucus action. On the 5th of April, 1909, the Committee on Rules reported a rule for the consideration of the Payne-Aldrich tariff bill, which provided that the Committee on Ways and Means, which meant the gentleman from New York [Mr. PAYNE], could offer amendments to any part of the bill at any time, and that other Members of the House, if they got the opportunity while the gentleman was busy, might offer amendments to four different paragraphs in the bill. In advocating the rule, the gentleman from New York said this:

Gentlemen, there has never been a moment since I have had a seat in this House that I did not believe that the wisdom of a majority of the Republican Party, after full consideration of a question, was better than my own, and I was willing to follow, no matter who led the great mass of Republicans and blazed the way. [Applause on the Republican side.] So, gentlemen, we should surrender our individual opinions; we should surrender for the good of our party; we should surrender for the good of the country. This is the way all great measures are passed in the House of Representatives.

Mr. Speaker, believing, as most Members of this House do, with the exception of the newly risen outfit under the command of the gentleman from Kansas [Mr. MURDOCK], in responsible party action the Democrats of this House met in caucus, considered and determined upon measures as party measures, and supported them for the benefit and welfare of the country.

The gentleman from New York is not complaining of that procedure. He is trying to raise a scarecrow, that the Democrats are attempting to evade the Constitution. Their conduct has had the good effect at least of having the gentleman from New York discover one provision in the Constitution, after his thirty-odd years of service in the House, and that is that he can make a point of no quorum and compel a quorum to be present, which always happens under Democratic rule, although rarely present, unless coerced, under Republican rule.

Mr. Speaker, what makes the gentleman from New York worry is an entirely different thing.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. FITZGERALD. Mr. Speaker, he sees his political opponents able to go into caucus and discuss with the utmost freedom great measures affecting the country and to agree upon them as members of a party should. He looks back with regret upon the days when his party was in power, when it did not dare convene in caucus for fear that himself and the other "white mandarins" who conducted the business of the House in secret from the Speaker's chamber might be caught napping and be overruled. There is a marked difference in the method of doing business now and heretofore. The committees now are all appointed. They suggest to the responsible party the measures desired to be considered. The party in control determines whether the measures are of sufficient importance to be considered at this time and enacted. Unless so considered they are withheld so as not to distract the country from the important questions to be determined at this session. When

the Republican Party was in power they did not dare trust the Members of the House to be appointed to committees, but the gentleman from New York himself and a few other self-appointed leaders conferred daily in the Speaker's room and determined upon the business and the program without the help of any of the committees of the House.

Mr. Speaker, the gentleman from Kansas [Mr. MURDOCK] says that he does not believe in caucuses. Yet he was selected to lead this handful of patriots at a caucus held in this House, and, if I recall correctly, at that time the various members of his party, from 13 to 17 or 19—the number not being certain—apportioned among themselves representation upon the most important committees of this House. They did it in caucus; and yet I have heard it intimated—although I shall not charge it to the gentleman from Kansas and his associates—that before this public proceeding, to which the public was invited, the program had been arranged quietly in advance [laughter and applause on the Democratic side], so that there was no conflict, no confusion, no clashing of ambitions, but everything went as merry as a marriage bell. Does the gentleman from Kansas believe in publicity and that all conferences should be attended by some one to give the proceedings to the press? Then, why did not the gentleman suggest when he was visiting Sagamore Hill and discussing the policies of the Progressive Party with his legs under the colonel's mahogany that the representatives of the press be brought in to hear what was being said?

Mr. MURDOCK. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. MURDOCK. My recollection is that the members of the press were there.

Mr. FITZGERALD. Not upon the occasion to which I refer. Nobody ever suggested that the representatives of the press be at those gatherings. Perhaps, though, they were. Perhaps one gentleman who was a newspaper man and also acting as secretary, and is secretary now to the National Progressive Party, was present—Mr. O. K. Davis—but he was very careful not to give to the public anything except that part which was arranged would be beneficial for the public to know in the interest of the so-called Bull Moose Party.

Mr. Speaker, if there be any farce, if there be any fraud, if there be any hypocritical pretense, it is this continued assertion that men believe in the utmost publicity. They are simply playing a part; they are attempting to persuade the people that they wish they should be taken into their confidences when they know and when we know and when every honest man knows that no business, that no government, no politics, nor anything else can be conducted unless men who are acting in concert have some opportunity at some time and at some place to confer among themselves and settle differences of opinion upon important matters without inviting the public into a knowledge of the differences of opinion among themselves. It is absolutely essential in all matters where men expect to work together that they have some opportunity to adjust differences of opinion and not furnish information to those opposed to them to be used against them, and the regret of the gentleman from Kansas [Mr. MURDOCK] and the gentleman from New York [Mr. PAYNE] is that the Democrats will not accommodate them by furnishing ammunition that they can not obtain on their own initiative. [Applause on the Democratic side.]

Mr. COOPER. Mr. Speaker, several years ago I announced that never again, while a Representative in Congress, would I attend a meeting called as a caucus. I will attend conferences. [Laughter and applause on the Democratic side.] Now, gentlemen, there is nothing of which I am so forcibly reminded by your explosion over there as of the famous line, "And the loud laugh that speaks the vacant mind." [Applause on the Republican side.] Does not the gentleman from Kentucky [Mr. THOMAS], whose vociferous, uproarious—I was going to say "snort," but wishing to be parliamentary will say laugh—among others I heard, know that there is a well-understood distinction between a caucus and a conference?

One who attends a conference is not considered as being bound to abide by its decision. He enters a conference and he leaves it free to do what he thinks will be best for the country. I can attend a conference with my party associates, listen to what they say, and give my own views, and, as a result, in a great majority of instances will, upon questions of party policy or upon matters of legislation, agree with them and vote with them. But sometimes the legislation proposed is of so serious a nature that under my oath faithfully to discharge the duties of my office of Representative in Congress I can not agree that the voice of a majority of a conference shall control my vote.

Mr. HARDY. Will the gentleman yield?

Mr. COOPER. Not at this time. I desire to continue, if the gentleman will permit me.

The SPEAKER. The gentleman declines to yield.

Mr. COOPER. Mr. Speaker, the caucus, under the construction which has been given to it in this House for some years—the true construction, according to the statement of the gentleman from New York [Mr. FITZGERALD] a Congress or two ago; the construction put upon it also by the late Republican Speaker, Mr. Cannon, who punished men because they would not be bound by a caucus—is a secret meeting in which those who attend are held to have bound themselves in advance to abide by its decrees.

But a conference does not bind those who attend it. That is the difference between a conference and a caucus. Those entering a caucus are bound by it and they agree in advance to be bound by it.

And what does a caucus compel men to do?

I need only to pick up copies of the RECORD of last week to find verbatim, explicit, detailed statements made in speeches by gentlemen here declaring that they believed that the bill then pending, if enacted into law as reported to the House by the committee, would work serious injury to the country, and yet, after thus declaring their deliberate belief that the bill meant harm to the country, they informed the House that, nevertheless, they were going to vote for it because the caucus said they must. How can gentlemen reconcile that conduct with their duty to themselves and to their country? How can any man justify himself to his conscience and to his constituency for doing what he believes is a wrong to the country merely because a majority of a caucus tells him to do it?

Now, let us see what legislation in secret is—legislation by caucus; that is, by a meeting in which men bind themselves even before they enter it to vote in obedience to its commands. Suppose there were altogether only 100 Members of this House—51 Democrats and 49 Republicans. The 51 Democrats enter a caucus, the majority of which is 26 and the minority 25. The 26 then demand certain legislation which the 25 firmly believe would be wrong, believe would be harmful to the country, and yet under caucus rule the 26 make the 25 vote as the 26 vote, and thus the 26 come into the House controlling 51 votes, enough to pass any bill.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. COOPER. I ask unanimous consent for five minutes more.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent for five minutes. Is there objection?

Mr. FERRIS. Mr. Speaker, reserving the right to object, I would like to say that this is Calendar Wednesday, and we have a bill pending here which is regularly in order. I wonder if we could not have an agreement under which the debate on this subject, which is entirely independent of the bill before the House, may be closed? I ask unanimous consent that it be closed in 10 minutes.

Mr. CULLOP. Reserving the right to object, how is that time to be apportioned?

Mr. FERRIS. I do not know.

Mr. CULLOP. I would like five minutes.

The SPEAKER. The Chair has tried to alternate between the two sides. He recognized the gentleman from Wisconsin and will recognize the gentleman from Kentucky [Mr. SHERLEY], if he desires recognition.

Mr. MONDELL. Mr. Speaker, I would like to say to the gentleman from Oklahoma [Mr. FERRIS] that I would like to discuss the bill before the bill is voted on and make some observations in connection therewith. [Laughter.]

The SPEAKER. The gentleman from Oklahoma [Mr. FERRIS] asks unanimous consent that debate on this amendment be closed in 10 minutes.

Mr. CULLOP. Mr. Speaker, reserving the right to object——

Mr. FERRIS. Mr. Speaker, I move that at 2.15 o'clock p. m. the debate on this section and all pending amendments be closed.

Mr. CULLOP. Will the gentleman modify that and make it 2.20 p. m.?

Mr. PAYNE. I insist that that motion is not in order.

Mr. MONDELL. I contend that there is nothing before the House. There is nothing to be read.

The SPEAKER. The regular order is to read this bill.

Mr. COOPER. Mr. Speaker, I ask unanimous consent for five minutes.

Mr. CLARK of Florida. Mr. Speaker, I ask for the regular order.

The SPEAKER. The regular order is to read the bill. The gentleman from Wisconsin [Mr. COOPER] asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none. The gentleman from Wisconsin is recognized for five minutes more.

Mr. COOPER. Mr. Speaker, I was saying that the 26, a majority of the caucus, but yet a small minority of the House, would absolutely control the House and dictate legislation.

Mr. BUCHANAN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. COOPER. Not at this time.

Mr. BUCHANAN of Illinois. The gentleman does not want to make an incorrect statement, I know. It takes two-thirds of the Democratic caucus.

Mr. COOPER. In one moment.

The SPEAKER. Does the gentleman yield?

Mr. COOPER. Suppose it be two-thirds. That does not at all affect the principle involved. A Member of the House surrenders to two-thirds of a caucus his judgment and his vote. He violates his conscience and his oath faithfully to discharge the duties of his office, and votes for something that he believes and declares on the floor will harm the country, because two-thirds of the caucus says he must, and yet the gentleman from Illinois [Mr. BUCHANAN] intimates that that is what he ought to do.

I do not know whether the rule in the Democratic caucus is that a majority or that two-thirds shall control, nor does it matter.

One other thing, Mr. Speaker. These 26 have cast their own votes and also the votes of the 25, or 51 in all; a majority.

But suppose that the 49 Republicans and the 25 minority Democrats should believe that a certain bill urged by the 26 ought not to pass, then if gentlemen were free to vote their honest convictions the 25 Democrats and the 49 Republicans could vote together and defeat the measure and pass another in its stead. Together they would have 74 votes against the caucus majority of 26, and yet under this system of legislation by caucus the 26 could pass the bill through the House against the 74 votes which really ought to be cast against it, and would be cast against it if men were not gagged and forced to vote against their own convictions and to please somebody else.

That is what the caucus is and does.

The gentleman from New York [Mr. FITZGERALD] suggested that the gentleman from Kansas [Mr. MURDOCK], in a private interview with a very distinguished man in New York, did not invite outsiders to come in, and asked why not.

Mr. FITZGERALD. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I am sorry for the gentleman from New York if his perceptive powers are so poor as to lead him to think that there is any analogy between the rules governing a conversation carried on in a private house where no law can be enacted and those which ought to govern the proceedings of an assembly embracing the Representatives of the foremost Republic of all the ages, gathered in this Chamber to help enact laws for 100,000,000 of freemen.

Mr. FITZGERALD. Mr. Speaker, will the gentleman yield for a question?

The SPEAKER. Does the gentleman yield?

Mr. COOPER. Does the gentleman from New York, one of the strictest disciples of Tammany, think that there is any analogy or argument applicable to this evil of caucus domination to be drawn from a question like that?

Mr. FITZGERALD. Does the gentleman yield?

Mr. COOPER. I can not.

Mr. FITZGERALD. But the gentleman should not improperly characterize Members of the House.

The SPEAKER. The gentleman from Wisconsin declines to yield.

Mr. COOPER. I ask this question of any gentleman on the opposite side of the Chamber. Does he believe that the House should legislate in secret? No. But legislating by caucus is legislating in secret.

For several years immediately after the adoption of the Constitution all of the legislative proceedings in the Senate were in secret, but the clamor of the people became so fierce that the Senate opened them to the public, and never since has presumed to attempt to legislate behind closed doors.

Mr. FITZGERALD. Does the gentleman want an answer? [Laughter.]

Mr. COOPER. Caucus legislation is legislation in secret, and is a method by which it is possible for a minority of the House, and a small minority, to enact laws.

A majority of a secret meeting decide that a bill shall pass the House. The minority of the secret meeting dare not oppose the bill in the House, but when the time for voting comes vote as they are directed, though utterly against their own convictions. What is this but legislating in secret?

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. SHERLEY rose.

The SPEAKER. The Chair recognizes the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. Mr. Speaker, this discussion arises out of a world-old controversy and raises an issue very much wider than the immediate one here.

The distinguished gentleman from Kansas [Mr. MURDOCK] is a very good exponent—in his speeches, not in his actions—of individualism run mad. He tells you that the Constitution—and I pause to congratulate him on referring to it, for I have heretofore heard him rail against all law and against any sort of rigid obedience to law—he tells you that the Constitution recognizes simply an individual member of a specific district. I say to you that those who know the Constitution, with its environment—and that is the only way to know any instrument among a living people and in a living government—know that the Members of this House do not stand simply as individual Members of individual districts. Why, the distinguished gentleman obtained his very recognition to make his speech this morning not because he was VICTOR MURDOCK, a Representative from Kansas, but because he was the leader of the Progressive Party on the floor, and in a debate between the two great parties he was not willing that his should go without an inning, and so he asked and obtained recognition with that in everybody's mind, and he was speaking as the leader of the Progressives. As the gentleman from New York [Mr. FITZGERALD] well said, the gentleman from Kansas [Mr. MURDOCK] claimed place upon committees, not for individual Members from particular districts, but for Members as representatives of the Progressive Party, which party, he claimed, was entitled to a voice as such. The gentleman knows the history of the English-speaking people, and he knows that practically every step of progress that has been made has been made through the machinery of party government. He knows, or ought to know, that civilization itself rests upon the very foundation of the willingness and of the ability of men to act in concert. If every man was an individualist in the true and full sense of the term, government would be impossible and each man would be arrayed against every other.

Now, by that I do not mean to say, and the Democratic Party does not mean to say, that individualism shall be so merged into a collective thought that all personal independence shall be lost. It is just exactly between that position of standpat Republicanism and the extreme individualism of the leader of the Progressives that the Democratic Party stands, believing in cooperation, believing in agreement, believing in a proper secrecy in mental dressing, just as they do in personal dressing. I believe that when a great party is coming together in council to make up its mind upon a great issue it has the right to counsel among its membership, and that the public only need to know and only want to know the steps taken and the result of the final conclusion that is reached; because I know that otherwise true, open council is impossible, it is a pretense, a piece of hypocrisy and a snare. The Democratic Party comes into common council upon great questions, and the rules of the caucus provide for publicity of all motions made and votes had during its deliberations. Upon minor matters, where there is no party issue, it does not undertake to bring about caucus action. But it recognizes this, which the gentleman should recognize, that the only way the people of America have any opportunity for true representative government is through parties. How long do you think it would take the people of America to obtain a result on the tariff, the currency, or some other great issue if it acted simply through individuals and not through parties? How many men would be able to follow the individual activities of each man here so as to determine whether each man was really representing the view that he wished? And bear in mind this: The gentleman talks about locality representation. I had thought that one of the things the Progressive Party stood for was that a Member should be bigger than his district, and recognize that he was legislating for 90,000,000 of people and not simply for a couple of hundred thousand.

I stand on this floor speaking not simply for the voters and the residents of the fifth district of Kentucky; but in pretty nearly every act of my official career, certainly in all the major ones, I affect or may affect the destinies of every man within the confines of the Republic. [Applause.]

Mr. MURDOCK. Will the gentleman yield?

Mr. SHERLEY. Oh, yes.

Mr. MURDOCK. Will the gentleman, while he is putting me in a false attitude, recognize that he is answerable as an individual to the people of the fifth district of Kentucky?

Mr. SHERLEY. Of course I am answerable as an individual, but I am answerable more than as an individual unit. I obtained my nomination not simply as Mr. SHERLEY from that district. I obtained it as the Democratic nominee. The gentleman gets his nomination as the representative of his party.

Mr. MURDOCK. And you will take a Republican vote when you can get it.

Mr. SHERLEY. Yes.

While the lamp holds out to burn,
The vilest sinner may return.

[Applause on the Democratic side.]

I am willing to let any of them reform and come over into the right camp. [Applause on the Democratic side.]

Mr. MURDOCK. Yes; and the gentleman does not ask that they be Democrats when they come.

Mr. SHERLEY. Why, no.

Mr. MURDOCK. And he will take any kind of a vote, because he wants to get the gentlemen of his district behind him.

Mr. SHERLEY. Unquestionably, because that is the price of a seat here. [Laughter.] Oh, yes; and that is not a matter to laugh about. That is a fact. I know no way of getting here, except by getting a majority of the voters of my district to send me here. The gentleman who laughs may know of some other method by which to arrive at a seat here, but I do not. [Applause and laughter.]

Mr. Speaker, what I say to the gentleman is this, that men are here, not as individuals, but they are here as members of party organizations. I have never reached that degree of egotism when I thought that simply my personality was the cause entirely of my being here. I believe I am here because a majority of the people of my district agree with the tenets of my party, and believe that I acquiesce in those tenets and will carry them into execution, and I know that all reform comes about by virtue of party organization. Why are the Progressives organized? Why do you get together as a party? Why do you adopt platforms and elect leaders?

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. I can not yield at this moment, because I want to tell the gentleman.

The SPEAKER. The gentleman from Kentucky declines to yield.

Mr. SHERLEY. You do it. Why? Because you hold out to the people that their only hope of accomplishing the reforms that you say are essential is through the medium of your party. The gentleman from Kansas stands here and berates the Democrats and the Republicans, and, like the Quaker of old, he sometimes turns to his Progressive colleagues and says, "Only thee and I are honest, and sometimes I doubt if thee is." [Laughter.] And he thus goes on in order to persuade the people that through his party organization reform will come about. I have no complaint to make of that. I think the gentleman performs a proper function as a critic of the other two parties, and if by chance and the happenings of those miraculous things that seem to be beyond reason and beyond prophecy he and his party should ever come into the majority, then it would be the province and the duty of the other parties to criticize him and to criticize his party organization in order that they might present to the country what they thought were the real issues and reforms. That is the way the Anglo-Saxons, who were the first people to teach to the world the true doctrine of liberty, found to be the practical way of doing practical things. They do not undertake to do it through the individual spurt of individual men, no matter how satisfied they are of their ability.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. MURDOCK. Would it not be possible to have interparty action here and party criticism just as well without the secret party caucus and with the open committee?

Mr. SHERLEY. I do not believe that any party can perform its functions without the caucus as well as with it, and if I did not believe that I would not favor a caucus.

Anything can happen. You can have a government and you can run it in some fashion, but what has been the actual achievement of the Democratic Party recently which has forced the private praise of Republicans and of Progressives? It has been its ability, notwithstanding it is a party with a great deal of individualism, to act as a united, concrete force for a given thing.

You gentlemen can properly criticize the object that we seek and the object we obtain. I do not expect you to agree with us on that. But you do in your hearts secretly compliment, and the country compliments, the Democratic Party upon the fact that it does march definitely toward a definite end and arrives there. [Applause on the Democratic side.] If the end that it arrives at is a good one, it will merit the praise of "well done, thou good and faithful servant." If it be not a good one, then the people, wiser than the gentleman's political creed, will turn, not to picking individuals as individuals, but will turn to some other party who through party organization can give the result they think is desirable.

Mr. Speaker, let me also repeat what has been so often said here, that the Democratic caucus is not a secret caucus in the sense that our opponents would have the country to believe. As I have stated, all motions made are recorded and made public, as are all votes, and a roll call can be and is obtained as easily in the caucus as in the House itself. The newspapers carried full information of amendments offered and the votes had on them during the recent caucus on the currency bill, and the same was true as to the tariff bill. Let it also be remembered that it requires a two-thirds vote to bind Members to caucus action, and even then Members are not bound against their conscience or their pledges. The caucus rules provide where a proposition is carried by two-thirds that it shall be binding upon those participating in the caucus unless they shall be instructed by or have promised their constituency to the contrary or have constitutional objections to abiding by the decision of the caucus. Can anyone rightly claim that a caucus with such rules robs a Member of all individuality? This House is a body composed of 435 Members, a number so large as to make impossible any progress except through pronounced concert of action and the elimination of individual viewpoint in most instances. It is destined to be, I fear, a much larger body, and when its membership has greatly increased there will come a condition like unto that in England, where the right of the individual member to even introduce a bill is greatly restricted.

There you have party government in a most pronounced form and power concentrated in the hands of a few men, but held always at the will of a majority of the body. No complaint is heard in England over the individual power of Lloyd-George, the Liberal leader, but criticism is confined to what his party does through him, and should the people become dissatisfied they would remedy conditions not by changing the power of the leader of the ministry but by changing the ministry through a change of the majority, on which it must always rest. They have well learned the fact that party action is imperative in legislative bodies of large numbers and wide jurisdiction. Now, the caucus is the American method for arriving at a party program. Let me indicate what I believe to be the attitude an individual Member should take as to the caucus. It is this: Realizing, as he must, that in this world of events every single event is both the child of many gone before and the parent of many to follow, and that to segregate any one from this relationship is impossible; realizing also the need of unity of action, he must determine whether the given matter upon which he is to act is of such transcendent importance as to warrant him in disregarding this relationship and in interfering with unity of action with those of his legislative associates with whom he and his constituency have assumed there exists a general agreement of purpose. If it is, he is a craven and a coward if he hesitates to assert his individual view against that of a majority or all of his party colleagues. But if the matter be one of opinion rather than of principle, then as a practical man, desiring with others a common end, he should be willing with them to determine on a program to that end and abide the judgment of the council that determines it. Whether the matter at hand falls in the one class or in the other can only be determined by each man for himself as the occasion arises. There are times when the decision will not be easy, pride and fear will each often mislead, but that is the test as I see it. Let me also suggest this as to the policy that the party should pursue as to the caucus. While the individual should be most sure that he is justified in holding aloof and expressing his individual view, so should the party be sure that the matter is such as to need and require binding caucus action. A doubt should be resolved in just the opposite way in the two cases. An attempt to always bind the individual to the caucus mind will end, if successful, in making oppressive an otherwise beneficial instrumentality. And the Democratic Party has been mindful of this in its caucus action. It has not sought and does not seek to use the binding rule of the caucus except in matters of first importance, and the wisdom of its use is best shown in the fruit of the caucus. By that we are willing to be judged.

Mr. FERRIS. Mr. Speaker, can we proceed with the reading of the bill? I demand the regular order.

The SPEAKER. The regular order is the reading of the bill, and the pro forma amendments are withdrawn.

Mr FERRIS. Mr. Speaker, I think there are one or two gentlemen who wish to be heard, and I do not desire to cut them off. I desire to ask that we begin the reading of the bill at 2.30.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to begin the reading of the bill at 2.30. Is there objection? [After a pause.] The Chair hears none.

Mr. HEFLIN. Mr. Speaker, I congratulate Speaker CLARK upon the magnificent speech that he made here a few minutes ago replying to Republican criticism of the Democratic caucus. Let me say to you gentlemen on that side you can not deceive the country with all this senseless harangue about a Democratic caucus. The people know that we are responsible for what we do in the caucus, and when we bring measures into this House from the caucus we are judged by those measures, as the tree is judged by its fruit. How would we ever have a definite party policy in this House except by having a conference of Democrats selected to come here? Would it be right for the minority of the Democratic membership of this House to fix that policy? We do not even fix such a policy by a majority of those present. We require two-thirds majority of the full membership of the caucus. You fix your party policy in the national convention by a bare majority, whereas we require a two-thirds majority of the caucus to fix our party policy in the House. We then bring the measure agreed on into the House with the purpose of enacting it into law in the interest of the people. Did you ever hear of a general inviting the enemy to be present when he with his officers was planning an attack on the enemy?

Have you ever heard of a general telling the opposition just when he would advance and just what tactics he would employ on a certain day? No; and you never will. [Applause on the Democratic side.] Why, the gentleman from Kansas [Mr. MURDOCK], when he meets this little band of Bull Moosers in caucus and they elect a chairman and three or four clerks and a sergeant at arms, why, they can not transact business, not a corporal's guard can be found. [Laughter and applause on the Democratic side.] But the party to which he belonged for a long, long time and at whose hands he accepted a nomination last year, as I understand it, as well as the Bull Moosers' nomination, used to hold a caucus, and the caucus was not so bad to him then. [Laughter on the Democratic side.] He repudiates the caucus now, but he comes here as the head of a little party, composed of a handful of Bull Moosers, and he was selected in a caucus; and after it was framed up or cut and dried, why, they threw open the galleries to the people and said come behold an open caucus, and a few fellows looked in upon it and said if that is an open caucus "God save us from such a little arrangement as that." [Laughter and applause on the Democratic side.]

Mr. MURDOCK. Will the gentleman yield?

Mr. HEFLIN. I have not the time. Then the gentleman from New York—and I have seen him stand on that side in the years gone as floor leader and look over at this side with that broad smile upon his face, as the gentleman from Alabama [Mr. CLAYTON] said, and he would say, "What are you going to do about it?" Well, we went on and fought the best we could, and the gentleman never criticized the caucus as long as his party was in the majority in this House. [Applause on the Democratic side.] But when driven out of this House by the lash of an enlightened public opinion and the Democratic Party came in you cried out against the great work of the Democratic caucus. [Applause on the Democratic side.] The country is indorsing the action of this Democratic caucus, and when we go out from this Sixty-third Congress, having passed a tariff bill in the interest of the people and a currency bill in the interest of the people, the people of the United States with united voice will say, "Long live the Democratic caucus." [Applause on the Democratic side.]

The SPEAKER. The gentleman from Minnesota [Mr. ANDERSON] is recognized.

Mr. ANDERSON. I had not intended to take part in this discussion at this time, but I have been considerably amused in listening to gentlemen on that side of the House talking about government by majorities. Even in my short experience here, I have seen the gentleman from Illinois, Mr. Cannon, the former Speaker of this House, rise in his place, raise his vigorous left fist over his head, and say: "This is a government by majorities." The gentleman from Illinois has many imitators now, all on that side of the aisle.

The gentleman from Texas [Mr. DIES] the other day suggested that my complaint was that the tail could not wag the dog. My complaint is that the tail does wag the dog. You are talking about majority government. I want to say to you that there is not a gentleman who has spoken on this subject who comes from south of the Mason and Dixon line that represents a majority government.

In the State of Alabama in 1892 the population was 1,513,000, and the State cast in that year for President 222,000 votes. In 1910 the population of Alabama was 2,138,000, and it cast for President in 1908 101,000 votes. Somewhere between 1892 and 1908 100,000 white people had been disfranchised in the State of Alabama.

Mr. BURNETT. Will the gentleman permit an interruption?

Mr. ANDERSON. Yes.

Mr. BURNETT. Will the gentleman get the primary vote and see how many voted in the primaries in that State?

Mr. ANDERSON. I have not the primary vote for the State of Alabama, but I have the primary vote for the State of Georgia.

Mr. BURNETT. Down there, except in my district, thank God, they have but one party, and hence when the election comes the vote is much smaller. But, if the gentleman will be fair enough to get the primary vote, where there is opposition to candidates, he will find that there is a large vote cast in every primary election in Alabama.

Mr. ANDERSON. I have not the primary vote for the State of Alabama, but I happen to have the primary vote for the State of Georgia. In 1908 the primary vote in the State of Georgia was 121,000 and the general election vote was about 120,000.

Mr. HARDWICK. Those figures are absolutely wrong. I do not know where the gentleman got them.

Mr. ANDERSON. I got them from the World's Almanac.

Mr. HARDWICK. There were more votes cast in the primary in Georgia at that time. It was about 140,000.

Mr. ANDERSON. In the State of Georgia, when the leader of your side of the House [Mr. UNDERWOOD] and the gentleman who now occupies the White House were candidates in the primary, Mr. UNDERWOOD received 71,410 votes and Mr. Wilson received 57,267 votes, a total of 128,677 votes.

Mr. HARDWICK. The gentleman tells us now that his figures were for the primary of 1908.

Mr. ANDERSON. 1912. If I stated 1908 I was in error in that particular.

I want to take for just one moment the State of Texas. In 1910 the State of Texas had a population of 3,896,000; a total male population over 21 years old of 1,003,000; a total white male population over 21 years of age of 835,000. It cast in 1908 a total vote of 293,556.

Mr. HARDWICK. What does that prove?

Mr. ANDERSON. It proves that a large per cent of the white people of the State of Texas are disfranchised to-day.

Mr. HARDWICK. The gentleman is utterly mistaken.

Mr. ANDERSON. Well, I am not mistaken.

Mr. HARDWICK. Well, you are.

Mr. ANDERSON. I am not mistaken.

Mr. BARTLETT. Will the gentleman tell us how they are disfranchised?

Mr. ANDERSON. By the laws of the State. Let me give you some figures.

Mr. RAGSDALE. Will the gentleman yield?

The SPEAKER. To whom does the gentleman yield the floor?

Mr. ANDERSON. I do not yield. In 1900 the population of the State of Texas was 3,048,000 and it cast a vote of 412,000. In 1910 its population was 3,896,000, and in 1908 it cast a vote of 292,409.

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON. I would be very glad to, but my time has expired.

The SPEAKER. The gentleman from Kentucky [Mr. THOMAS] is recognized for two minutes.

Mr. THOMAS. Mr. Speaker, whenever I arrive at that condition of ignorant self-complacency where I think that I know more than all the rest of the Democrats in this House, then I will repudiate a Democratic caucus. [Applause on the Democratic side.]

Mr. Speaker, the gentleman from Wisconsin [Mr. COOPER] seems to be irritated to-day. The gentleman is evidently unwell. He is not at himself. [Laughter.] He objected to some of the Kentucky delegation laughing—or "snorting," as he said. [Laughter.] Now, there were three of us engaged in that, and I suppose all of us "snorted," because we three certainly had cause to "snort." [Laughter.]

But I do not think that I should pay much attention to the gentleman from Wisconsin upon this occasion, because I remember that Sancho Panza said it was a waste of lather to shave an ass. [Renewed laughter.]

Now, Mr. Chairman, the gentleman speaks about conferences. What is the difference between a conference and a caucus?

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. THOMAS. I ask unanimous consent, Mr. Speaker, for three minutes more. Everybody else has been talking.

The SPEAKER. The gentleman from Kentucky asks unanimous consent for three minutes more. Is there objection?

Mr. FERRIS. Mr. Speaker, I shall demand the regular order after the three minutes have expired. I want to get on with the bill.

The SPEAKER. The gentleman from Kentucky is recognized for three minutes.

Mr. THOMAS. I say, Mr. Speaker, what is the difference between a caucus and a conference? The only difference is in the name. The Republicans and the Progressives, so called, ought to be called the crawfish parties, because they are going backward all the time. [Laughter on the Democratic side.] They will slip into a conference, so called, and they will confer, and they will formulate a program, and then they will meet and carry out the program that they have formulated in secret conference, and then they will thank God that they are not like the wicked Democrats who hold these secret caucuses. [Laughter on the Democratic side.]

They say that the Democrats are bound by these caucuses. That is a mistake. No Democrat is bound by a caucus. Each Democrat goes into caucus and takes part in that caucus, and if anything comes up in caucus that he can not in conscience support the caucus will release him from voting for that measure. That was done upon this currency bill, and three Democrats who were in that caucus were released from the operation of the caucus and voted against the currency bill.

I am for a Democratic secret caucus. When we go into caucus every man has a voice in that caucus. Every man has the right to express his opinion in caucus. Everything is carried on honorably and fairly. I presume that our Republican friends do not want to go into what they call a secret caucus because they are afraid they will do something wrong, and they would be very apt to do something wrong, either in a secret caucus or out of a secret caucus. [Applause on the Democratic side.]

Now, Mr. Speaker, I have said about all that I wish to say upon this question. It is simply an attempt to play politics, and a very poor attempt at that. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman from Kentucky has expired. The Clerk will read the first section of the bill.

Mr. FERRIS. Mr. Speaker, the bill has just been read. It is only a short bill, and it is in due form. I ask unanimous consent that the second reading be dispensed with.

Mr. MONDELL. I object.

The SPEAKER. The gentleman from Wyoming [Mr. MONDELL] objects. The Clerk will read the first section.

The Clerk read as follows:

Be it enacted, etc., That an additional land district is hereby created for the State of Nevada to embrace the lands contained in the following-named counties, to wit: Churchill, Elko, Eureka, Humboldt, Lander, Lincoln, Nye, and White Pine, described as follows, to wit: Commencing at the common corner between townships 38 and 39 east, range 47 north, Mount Diablo base and meridian, being on the north boundary line of the State of Nevada; thence south on the dividing line between townships 38 and 39 east, to its intersection with the third standard parallel north, said parallel being the dividing line between ranges 15 and 16 north, of Mount Diablo base line; thence east along said third standard parallel north to the intersection of the Ruby Valley guide meridian, being the dividing line between townships 55 and 56 east; thence south along said Ruby Valley guide meridian to its intersection with the first standard parallel north, being the dividing line between ranges 5 and 6 north, of Mount Diablo base line; thence east along said first standard parallel north, between said ranges 5 and 6, to the east boundary line of the State of Nevada; thence north along the east boundary line of the State of Nevada to the north boundary line of the State of Nevada; thence west along the north boundary line of the State of Nevada to the point of beginning. The city of Elko, in the county of Elko, is hereby designated as the site of said land office, and the district shall be known as the Elko land district.

Mr. MONDELL. Mr. Speaker, I move to strike out the last word.

The SPEAKER. The gentleman from Wyoming moves to strike out the last word.

Mr. MONDELL. Mr. Speaker, we have all been edified by the discussion we have just heard. I think it is about time now that some one said something about the bill.

This bill provides two offices at salaries of $3,000 each for Democratic patriots in Nevada; and that fact in itself, I assume, is sufficient to warrant its being considered an emergency measure in these times, when there are not offices enough to go round.

Notwithstanding the fact that it is providing two fat offices for Democrats in Nevada, I think the bill should become a law. For a long time Nevada has not been having a great deal of land business, and in a way the people out there have been able to get along with one land office covering a vast territory; but I believe it is better to have the land areas cut up into districts of reasonable size than to have the districts too large, providing there is a considerable amount of land business. I am very hopeful of new legislation in the near future which will settle up Nevada; new legislation that will apply the homestead idea to lands fit only for grazing purposes. Over half of the land in Nevada is land that can never be utilized for any other purpose than grazing, and grazing homesteads of proper size will largely increase the land-office business in Nevada and give plenty of business for these new officials, with the increased population that will come.

Mr. Speaker, having said that much about the bill, it would hardly do to take my seat without making a few observations relative to matters that have been discussed here in the last few moments. I have not until to-day fully understood or realized just how much the withers of our Democratic friends were wrung, just how much they were wincing under the galling they are getting from the leaders of their party. It is true that once in a while a gentleman on that side rises in his place and in agonized tones proceeds to tell the exact truth. The gentleman from Georgia [Mr. HARDWICK], who is looking at me now, is one of those who edified us in that way the other day. He assured us that the currency bill, upon which the Democratic caucus had placed its stamp of approval, contained a number of provisions which were vicious, not merely as a matter of policy but as a matter of principle; and yet, as a good Democrat, he told us that he proposed to vote for the bill. Then the gentleman from Texas [Mr. CALLAWAY] arose and at some considerable length and with much candor and frankness advised us as to how the caucus worked. But it remained for the gentleman from Louisiana [Mr. ELDER] to illuminate the situation in one short sentence, when he said, speaking of the currency bill:

> Some voted for this bill because they feared it would bring down on their heads the disfavor of the administration if they did not do so.

There may be some question as to the propriety and wisdom of a secret caucus. There may be times, and I think there are, when a party is justified in attempting through a caucus to bind its members, but such instances are in the history of legislation exceedingly few and far between. And simply for the sake of history, in order that the RECORD may not be confused with the misstatements that have been hurled at it to-day, let us remember that the Republican Party, which my good friend from Kansas tells us was hurled from power by reason of its methods, held very few secret and binding caucuses, only three or four in something like 20 years, if my recollection serves me right. If I am not correct, gentlemen on this side will correct me. In 20 years I do not recall over two or three occasions when the Republicans held a secret and binding caucus.

The SPEAKER. The time of the gentleman has expired.

Mr. MONDELL. I ask unanimous consent that my time may be extended five minutes.

The SPEAKER. The gentleman asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. STEENERSON. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. STEENERSON. Is it not a fact that the complaint among Republicans during the last 10 years was more frequently because the Republican leaders failed to call caucuses and conferences when they thought that ought to have been done in order to have a consultation of members of the party?

Mr. MONDELL. Whether that be true or not, my personal opinion is that it would have been better for us if we had had more frequent conferences.

But our Democratic friends are attempting to defend themselves from criticism in this Congress, on the claim that they are doing exactly as we did, which is not true; for that side has been bound more times and on more important legislation in this session of Congress than the Republicans were in 20 years.

There is this difficulty with a secret and binding caucus, as your experience has developed. In many instances it does not represent the judgment of the men who are bound by it. Witness the statement of the gentleman from Texas [Mr. CALLAWAY], and the statement I have just read of the gentleman from Louisiana [Mr. ELDER], and the half confession of my friend from Georgia [Mr. HARDWICK].

The secret and binding caucus is used for the purpose of coercing Members of Congress into harmony with the Executive will and pleasure, through the fear, as the gentleman from Louisiana [Mr. ELDER] expressed it, of Executive disfavor affecting appointments and other matters important to gentlemen in their districts. I think it can be said truthfully that the majority on that side would not have agreed to the currency bill in the form in which it passed the House if it had not been for the fact that the majority was coerced into agreement with the views of gentlemen connected with the administration, and then that coercion was made effective by a binding caucus vote. We may have done some things that should not have been done in the long lease of power that the party to which I belong was given in this House, but never in all of its history was it bound and gagged as the gentlemen on the other side have been in this Congress; never in its history was it so subservient to Executive will as are gentlemen on the other side at this time.

The SPEAKER. The time of the gentleman from Wyoming has again expired.

[Mr. DIES addressed the House. See Appendix.]

The SPEAKER. The pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 3. That the President is authorized to appoint, by and with the advice and consent of the Senate, a register and a receiver for said land district, and they shall be subject to the same laws and be entitled to the same compensation as is or may be hereafter provided by law in relation to the existing land offices and officers of said State.

Mr. CULLOP. Mr. Speaker, I move to strike out the last word. The party in power is always charged with the responsibility of legislation, and no party ever exercised that more arbitrarily than the party to which the gentleman from New York [Mr. PAYNE] belongs and was leader in the Sixty-first Congress. Congress was then convened immediately after the inauguration of the President for the purpose of revising the tariff, revising the tariff downward as their platform had declared and as the leaders of their party had promised, but when the caucus took hold of the revision of the tariff in the Sixty-first Congress, not a caucus of all the Republicans, but a caucus of four or five of the leaders who were leading the Republican Party, it was revised upward instead of downward, as the party had promised before the election.

Mr. PAYNE. I would like to ask the gentleman to allow me to correct a few mistakes in his statement. In the first place, the platform did not pledge a revision of the tariff downward, and in the second place the tariff never was made lower than the present law.

Mr. CULLOP. That is true; it promised a revision of the tariff, and that promise was construed by Republican leaders to mean a revision downward. The language doubtless was ambiguous and susceptible of a construction either upward or downward, and there is where the Republican Party worked its duplicity on the public. Before the election, when soliciting votes, it was construed by the Republican candidate for President, Mr. Taft, and all the leading Republican orators and writers to mean a downward revision, and so promised the people. But after the election, when success had been secured, the party leaders then placed the construction on it that it meant as much an upward revision as a downward one, repudiated all promises made before the election, and proceeded to revise it upward. I take issue with the gentleman from New York [Mr. PAYNE] when he says it was not revised upward. It was revised upward, and was the highest of any ever enacted in the history of tariff legislation in this country.

The baneful result, followed with all its disastrous effects, of adopting a platform susceptible of two constructions—one for use before the election in order to catch votes, the other for use after the election, when legislation is to be enacted and special interests are to be served. For an example, this is one of the best ever furnished during the entire course of our national legislation. But for this breach of public faith, for the repudiation of solemn promises made, the American people visited their retribution upon the Republican Party with such terrific effect that it only carried in the last election two little States, the combined electoral vote of which was only eight. This was the penalty inflicted. Now, the trouble with the party of the distinguished gentleman from New York is it has been playing fast and loose with the people as long as they would stand it, and for this reason it was driven from power. Far better would it have been for the Republican Party if it had conferred in caucus more with the rank and file of the party and less with the special interests which have dominated it. It might occupy more favor in the public eye and greater influence in the councils of legislation.

Now, Mr. Speaker, I am in favor of the caucus. I believe "In a multitude of counsel there is wisdom," and I believe wherever responsibility is reposed upon a party that responsibility should be met in a spirit of harmony and with a uniformity of action. This method the Democrats in this Congress are pursuing, with eminent satisfaction to themselves and to the people of the country. I have always voted for an open caucus, not so much because I believed it was a matter of supreme importance but more because I thought it would satisfy the demand of some people who seem to exhibit great hostility to a secret caucus. On this question, each time it has been up, the majority of my party has voted the question down, and with that majority expression I have no serious fault to find.

The caucus of the Democrats of this House is not secret, because the rules of the caucus provide for publicity and the manner in which it can be obtained. Every vote and every act can be made public if desired. I do believe the caucus is essential in order to expedite the business, secure the adoption of platform pledges, and carry out effectually party policies. If it were not for it, a divergence of views would arise conflicting in many respects in the adoption of party measures and confusion would often delay their speedy and complete enactment into laws. It serves a good purpose, and in my judgment it is indispensable. Again, by it no man is required to sacrifice his judgment, surrender his principle, or yield his independence. He is left free to act as he pleases. Much idle talk for mere political effect has been indulged here to create a prejudice against the caucus action. Now, people are not so much interested in how a measure gets before this House as they are in what the measure contains, and as long as a measure is the creation of the council of the President and the entire Democratic membership of this House the people know it is the product of careful thought and combined wisdom, that it is written by their representatives elected for that purpose, and not the product of some person employed by some special interest, at whose behest it is passed, and who will profit as a result thereof.

Some few of our Republican friends have criticized the President because of his willingness to confer with leaders here on important legislative matters. Under our system of Government he plays an important function in all legislative action. It is made his duty by the Constitution to advise and confer with Congress on all legislative matters, to express his views, and to approve or disapprove all legislative action.

It is wise that he and the leaders should agree at the outset, if possible, in order that they may avoid disagreement after bills have passed both branches, and then meet his disapproval by the exercise of the veto. Let me say to gentlemen who have urged this criticism that it is time wasted in making it. The people of the country approve his course and applaud his efforts. They indorse his action and rely on him to assist in securing for the country constructive legislation that will better conditions and improve opportunities of the whole people. He should consult Congress just as he has been doing, and as we all hope he will continue to do. It is proper and right he should do so. The people of this country are finding no fault with the course he pursues, but they approve it and bid him continue the good work, and they stand ready and willing to sustain his efforts in all he does. His patriotic efforts in behalf of the American people and their relief from the domination of special privilege meets the approval of the country. I may also say that I regret it meets the disapproval of some of our Republican friends, but they will think better of it when they learn of its beneficial effects and realize the good it will accomplish for the country and the whole people.

The SPEAKER. The time of the gentleman from Indiana [Mr. CULLOP] has expired. The gentleman from Iowa [Mr. TOWNER] is recognized.

Mr. TOWNER. Mr. Speaker, we all admire and respect——

Mr. FERRIS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Oklahoma rise?

Mr. FERRIS. I dislike very much to make any point of order, but I do think when a bill is being read under the five-minute rule on Calendar Wednesday, that at the end of these paragraphs we ought not to have a long political debate on matters wholly outside of the legislation which we are trying to consider.

The SPEAKER. The rule is that there are five minutes on each side on an amendment, under the five-minute rule, and the rule furthermore is, that if any gentleman objects to any other gentleman going outside of the discussion of the amendments pending, it is a point of order well taken and shall be sustained.

Mr. FERRIS. I just give notice, Mr. Speaker, after this speech, which I take it will be in reply to the others, I will make objections to any speeches not relating to the bill.

Mr. TOWNER. I think the gentleman will be justified in that.

The SPEAKER. The gentleman from Iowa [Mr. TOWNER] will proceed for five minutes.

Mr. TOWNER. Mr. Speaker, I think everything that could be said legitimately in the way of argument in defense of the Democratic caucus, so far, was made by the Speaker on the floor of the House this morning. The first matter alleged as a justification is that in the formation of the Dingley tariff bill and in the formation of the present Payne tariff law the Speaker did not even form the committees at the special sessions that were called for that purpose until the close of the special sessions. I think gentlemen know, although it has not been so stated, that those special sessions were called exclusively for the purpose of considering tariff measures. The reason the committees were not formed was because it was not necessary to form any, except that which had consideration of the tariff bill alone. That may or may not be sufficient justification, but I call the gentleman's attention to this fact, that there are two things, at least, that are new in caucus action which the Democrats have now adopted. The first—and I call attention to that because we have just experienced a notable example of it in the consideration of the currency bill—is that you have not only been considering party policy with regard to a bill, but you have been absolutely formulating bills in your caucus which you admit are nonpartisan, a thing that has never been done before in the history of this country, except in the consideration of tariff bills. That is the first extension you have made in the doctrine.

And, again, you come in here not only controlled by caucus domination regarding these particular bills, but you have adopted caucus rules which provide that although the committees have been formed and can consider legislation, although the House is in session and ought to be doing its work, nothing shall be done that does not first receive the approval of the Democratic caucus.

How can you justify keeping Congress here in session, almost doing nothing except that which you choose to say may be done, having your committees formed for the consideration of business and yet not doing any business? When the country comes to understand that the people will begin to comprehend what is meant by your demand for caucus domination and support.

It is not too much to say that there is no possible justification for Congress now doing nothing. You are responsible for the conduct of business here. You ought to be considering these bills that have been introduced. Your committees ought to be considering them. Why are you not doing it? Why are you sitting here giving your approval only for the consideration of these inconspicuous and insignificant bills, such as we have before us to-day, and not allowing any consideration, either in committee or House, of the great legislation that ought to be considered? You will now have all of your work thrown into the regular session, crowded as it always is, which will commence in December. Why are your committees not now working, considering the many important bills introduced, getting them ready to report at the commencement of the next session?

That is your duty, and it is the duty of all the membership of this House. You compel us to stay here in session. You compel us to go through the farce of having these sessions from day to day and yet will allow nothing to be done. You say there shall not be even a recess of Congress, and yet you refuse to do any work. Do you suppose the country will justify that? What party demand and party expediency is there that will justify such conduct as that? I think this Congress, if it remains in session, ought to be doing the work of Congress. I think we ought to be doing the work we are sent here to do. I think the committees ought to be considering the important bills introduced and reporting upon them. Your excuse that party government demands a party caucus, when it comes to these extensions of caucus rule, will not be accepted by the American people; and when they come to understand it, when legislation shall fail that ought to pass, when it can not be adequately considered as it ought to be considered, they will wonder why you, during all these months that you have kept Congress in session, would not allow Congress to do the business which the people sent you here to do. [Applause on the Republican side.]

The SPEAKER. The time of the gentleman from Iowa has expired. All time has expired. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FERRIS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

OPENING LANDS RESTORED FROM RESERVATIONS.

Mr. FERRIS. Mr. Speaker, I call up the bill H. R. 8364 on the House Calendar.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 8364) to authorize the President to provide a method for opening lands restored from reservation or withdrawal, and for other purposes.

Be it enacted, etc., That hereafter when public lands are excluded from national forests or released from withdrawals the President may, whenever in his judgment it is proper or necessary, provide for the opening of the lands by settlement in advance of entry, by drawing, or by such other method as he may deem advisable in the interest of equal opportunity and good administration, and in doing so may provide that lands so opened shall be subject only to homestead entry by actual settlers only or to entry under the desert-land laws for a period not exceeding 90 days, the unentered lands to be thereafter subject to disposition under the public-land laws applicable thereto.

SEC. 2. That where under the law the Secretary of the Interior is authorized or directed to make restoration of lands previously withdrawn he may also restrict the restoration as prescribed in section 1 of this act.

Mr. FERRIS. Mr. Speaker, prior to 1901, when public land was opened for any purpose, unless by special enactment, and even clear up to this time, the land was opened to the first takers. They had horse-race methods, and contests and fights and duels and troubles galore resulted therefrom. In 1901 Congress began to pass by special enactment laws fitting the different occasions and providing for the method of opening the lands, and in my own county and in my own section they opened 13,500 tracts of land under a drawing method. I think that was the first occasion on which the drawing method was used. There the people went and registered, as they have done in recent years, and numbers were drawn, and then they went in an orderly and dignified way and made selections of land.

That plan has been followed in Idaho and North Dakota and other States. The Secretary of the Interior tells me that heretofore lands have been withdrawn for reclamation purposes, and abandoned military reservations and different areas of lands for different purposes have been withdrawn. After the use for which the land has been withdrawn becomes obsolete it becomes incumbent upon the department to restore the land to entry. If land is withdrawn in the center of a tract and a certain part of it has become settled up it becomes too valuable to allow it to be opened in the usual way. The Secretary is without authority of law and without power to work out regulations covering the opening and taking and filing upon that land. He has a tract now in the district represented by the gentleman from Nebraska [Mr. KINKAID], and he is waiting on this bill before opening it up. He has two tracts in the Northwest that for one cause or another have been restored to the public domain.

This bill is drawn by the department and asked for by the department, and is very much desired by your committee. It was carefully considered by the Committee on the Public Lands. The Assistant Secretary of the Interior, Mr. Jones, came before the committee and explained the necessity of the bill. If you have had occasion to look at the report of the bill you will notice that there is embodied in that report a history of the various openings and a statement of the necessity for the passage of this bill.

For years Congress and the general public have felt the keenest sort of a demand for legislation that would make the opening of public lands in the West orderly and free from contests, trouble, and even disgrace. I therefore desire to print herewith as a part of my remarks the historical data with reference to land openings in the West:

MEMORANDUM OF METHODS HERETOFORE ADOPTED IN THE RESTORATION OF LANDS TO DISPOSITION.

From time to time areas of public lands otherwise subject to disposal under certain or all of the public-land laws have been temporarily or permanently withdrawn for Indian, military, forest, or other reservations: for irrigation under the Federal reclamation act of June 17, 1902 (32 Stat., 388); under the Carey Act of August 18, 1894 (28 Stat., 372); for classification or other purpose under the act of June 25, 1910 (36 Stat., 847). Subsequently, the purpose of the reservation having been accomplished or the lands proven to be unsuited for the use for which withdrawn, or because of other reasons warranting their restoration, such withdrawn areas have been returned to the public domain for disposition under applicable land laws.

In some instances, notably Indian or military reservations, Congress has, by acts specially applicable, prescribed the form and manner of restoration, but in many other instances the Executive is charged with the duty of restoring the lands to disposition, though not vested with specific authority to prescribe the manner in which the lands so restored shall be opened to settlement or entry.

During the last 18 or 20 years various methods of opening the lands to disposition have been tried, some of which have proved unsatisfactory and productive of confusion and litigation, while others have resulted in general satisfaction both to the executive officers and the public. Herewith is a brief historical statement of methods of land openings tried since 1885; also a statement as to what, in the opinion of this department, should be the authority given the Executive with respect to future land openings.

METHODS OF LAND OPENINGS TRIED SINCE 1885.

PRESENTATION OF APPLICATIONS TO LAND OFFICERS.

At the opening of the Santee-Sioux Indian Reservation the register and receiver of the land office were on May 8, 1885 (3 L. D., 534), advised that parties desiring to make entry should be present in person at the local land office on a given date, with their applications duly pre-

pared, and the register was required to announce by sections the lands upon which he would receive applications. Where there were a number of applications for the same tract they were to be treated as simultaneous, and the tract awarded to the highest bidder.

At the opening of certain lands formerly embraced in the Uintah Indian Reservation it was provided in instructions issued October 16, 1909 (34 Stat., 176), that the register and receiver should note the number of persons in line before the local office and act upon their applications in the order of presentation, and that after the applications of those who were before the office at 9 a. m. on the day of opening had been disposed of applications received through the mails should be considered and acted upon in the order in which they were opened by the register and receiver. In other instances lines of applicants formed in front of the local land office and the order in which applicants arrived have been recognized. In some such instances, I am informed, people have remained in the lines as long as three weeks.

RESTORATION TO SETTLEMENT AT A GIVEN HOUR.

The act of Congress of March 2, 1889 (25 Stat., 1004), providing for the opening of lands in Oklahoma, provided that the lands should be opened for settlement by the proclamation of the President, and that no person should be permitted to enter thereon prior to such opening on penalty of disqualification. The proclamation subsequently issued directed the lands to be opened to settlement at 12 o'clock noon April 22, 1889. Thousands of people assembled on the surrounding territory and at noon on April 22 made a rush or run for the lands. A somewhat similar method was adopted in opening to settlement lands in the Cherokee Outlet, act of Congress March 3, 1893 (27 Stat., 612). In both of the above-described instances and in others where similar methods have obtained the choice tracts were acquired by those possessed of the swiftest horses or, in some instances, by people who had in disobedience of the proclamation entered upon the lands prior to the time fixed for opening. An immense number of contests between conflicting claimants arose, and the litigation resulting therefrom extended over a long period of years and entailed great expense, both to contestants and the Government.

OPENING TO SETTLEMENT FOR A SPECIFIED PERIOD IN ADVANCE OF ENTRY.

Under the act of June 4, 1897 (30 Stat., 34 and 36), the President of the United States is authorized to restore lands theretofore included within the limits of national forests, but is not specifically authorized to adopt any particular method of restoration. A number of orders have been issued with respect to such restoration, opening the lands to settlement on a fixed date and to entry 30 days thereafter, the object being to give a preference to those who actually made settlement upon the lands. This method has been found not free from objection, in that it also resulted in a race for the choicer tracts of land on the day and at the hour that same are opened to settlement. Similar methods have been followed in restoring to the public domain lands withdrawn under the provisions of the reclamation act of June 17, 1902, but no longer needed for the purpose of withdrawal and restored to the public domain by the Secretary of the Interior, as directed by section 3 of the act.

RESTORATION THROUGH REGISTRATION OR DRAWING.

This method has been pursued since 1901 with respect to the opening to settlement and disposition of lands formerly embraced within Indian reservations, and in each instance the authority for so doing has been conferred in general terms by Congress in the act providing for the opening of the lands; that is to say, the acts have substantially provided that the President may by proclamation prescribe the manner in which the lands may be settled upon, occupied, and entered by qualified persons. Among the restorations had under this authority may be mentioned that of the Kiowa, Comanche, and Apache lands of Oklahoma, act of March 3, 1901 (31 Stat., 1093); the Flathead Indian Reservation in Oklahoma, act of April 23, 1904 (33 Stat., 302); the Rosebud Indian Reservation in South Dakota, act of March 2, 1907 (34 Stat., 1230); and the Fort Peck Indian Reservation, Mont., act of May 30, 1908 (35 Stat., 558).

The method generally followed under the acts last-above cited and acts conferring similar authority has been to permit all qualified applicants to register at a given place or places prior to the time of opening, the application in which the party is required to give data identifying himself and showing his qualifications being inclosed in a blank envelope and with others placed in a common receptacle, thoroughly mixed, and drawn out one at a time by a disinterested person, the first envelope drawn being numbered 1, the second 2, etc., the order in which drawn determining the order in which the right of entry for the lands may be exercised. This method affords equal opportunity to all qualified applicants without regard to order of registration, physical strength, or other qualifications than those prescribed by the applicable land laws. It eliminates contests and conflicts and has proven generally satisfactory to the people and to the department.

OBJECTIONS TO RESTORING THE LANDS TO GENERAL DISPOSITION AT A GIVEN DATE.

While it may seem that the simpler method may be to provide that the restored lands should be subject to settlement or entry under applicable land laws, at a given hour, upon a fixed date, many objections exist to such a procedure. Speculators, through telegraphic advice from agent in Washington, might place dummy representatives on the land before the general public had information as to the restoration; or they might place dummy applicants in line before the land office with scrip or other paper by which large areas of public land may be acquired; or, in any event, even if neither of the foregoing objections exist, it would result in a general rush both to the lands and to the local land offices, with the result that one might settle upon a tract of land while another was in the act of entering same at the local land office. It would unquestionably result in conflict and controversy.

Drawing or registration, while best adapted to the restoration of large areas, would be too cumbersome and expensive for the opening of small tracts, and some discretion should be vested in the Executive as to the form and manner of restoration.

LEGAL AUTHORITY NECESSARY.

In order that the Executive may be vested with such authority and discretion as to enable him to restore withdrawn lands to disposition in such manner as will best secure equal opportunity to all, there should be enacted a law authorizing him to provide for the opening of lands by settlement in advance of entry, by drawing or by such other method as he may deem advisable in the interest of equal opportunity and good administration; and in order that speculators may be prevented from acquiring large and choice tracts of land by the filing of scrip to the detriment of intending settlers, authority should be given to subdivide irrigable lands into farm units prior to opening, and to open any agricultural areas restored from withdrawal to homestead and desert-land entry only for a limited period prior to their restoration to general disposition.

H. R. 8081, introduced September 12, 1913, will cover the entire field and vest in the Executive just the authority he needs to make the numerous and varied restorations which from time to time will occur. It does not change the public-land laws now applicable to such lands, but simply vests him with authority to prescribe the time and manner of the restorations in such a way as according to his judgment is best adapted to the area and character of the lands to be restored and as will accord equal opportunity to all prospective settlers and entrymen.

This bill was carefully considered by every member of the committee. Assistant Secretary of the Interior A. A. Jones, having appeared in person, presented the matter to us at no little length. There is no law on the subject now by which openings can be safely operated, and it is desired by the departmental heads that such a bill as this, which will do good all over the West, be enacted into law. It will bring order and method out of what has heretofore been chaos and confusion. The bill is simple on its face, but is a very important matter. It will enable the Department of the Interior and the Secretary of the Interior to revolutionize the heretofore defective method of opening public lands and will be a boon to the West and the development of all those States. The Interior Department is entitled to a great deal of credit, and Assistant Secretary Jones, in particular, for his energetic efforts and activities in bringing about this plan, which will be helpful to all those who come under its provisions, and will be recognized as the proper method of handling these matters by all those who are intimately affected thereby. Under existing laws lands restored by Executive action must be placed in status quo, subject to disposition to the first qualified applicant, according to their character and under the applicable land laws. This results in a disorderly rush to the lands or to the local land office on the date of the opening, and finally ends up in confusion, contests, long-drawn-out litigation between claimants, and general disastrous results.

At the present time there is no law whereby the Executive can restore lands and at the same time encompass such restoration with careful, painstaking safeguards.

To the end that you may know the views of the department on this bill I print herewith as a part of my remarks departmental letter under date of September 22, 1913, addressed to Hon. SCOTT FERRIS, chairman Committee on the Public Lands, House of Representatives, which shows the necessity for this legislation:

DEPARTMENT OF THE INTERIOR,
Washington, September 22, 1913.

Hon. SCOTT FERRIS,
Chairman Committee on the Public Lands,
House of Representatives.

MY DEAR MR. FERRIS: Referring to H. R. 8364, which proposes to authorize the President to provide a method for opening lands restored from reservation or withdrawal, I have to advise you that such a law would be, in the opinion of this department, very desirable. From time to time the department, in the administration of existing laws, is charged with the duty of restoring to disposition public lands formerly included in national forests, withdrawn for the use of Indians, under the reclamation act of June 17, 1902 (32 Stat., 388), and of lands withdrawn under the act of June 25, 1910 (36 Stat., 847). Some of these restorations involve comparatively large areas, while others are small tracts.

At present the department has before it the question of restoring to disposition in the immediate future a large and valuable tract of public land in Nebraska, formerly included in the Nebraska National Forest, a tract of about 100,000 acres formerly included in the Angeles National Forest in California, and a third area of something more than 100,000 acres in Imperial Valley, Cal., withdrawn under the reclamation act. Under existing laws lands restored by Executive action must be placed in status quo, subject to disposition to the first qualified applicant, according to their character and under the applicable land laws. This results many times in a rush to the lands themselves or to the local land office on the day of opening, many times resulting in confusion, contests, and long-drawn litigation between claimants for the same tracts. Since 1901 a radically different method has obtained with respect to the opening to disposition by acts of Congress of lands formerly embraced within Indian reservations. Various acts, such as those of March 3, 1901, March 2, 1907, and May 30, 1908 (31 Stat., 1093; 34 Stat., 1230; and 35 Stat., 558), have specifically authorized the President to open such lands to settlement and entry in such manner as he may deem advisable. Under this authority the lands have been opened by means of a drawing under which the applicants to enter are registered. Cards or envelopes representing each of the applicants are placed in a common receptacle, shuffled, and drawn by a disinterested person, numbered in the order of drawing, 1, 2, 3, etc., and those whose numbers are first drawn accorded the first right to select and enter a tract within the restored area. This method has proven more satisfactory than any other ever tried by the Land Department for restoring to disposition large tracts of public lands and has largely eliminated the struggles and controversies incident to other methods of land openings.

At present no such authority exists in the Executive with respect to the class of restorations hereinabove described, but H. R. 8364 will confer such authority. If enacted, it will permit the President, in his discretion, to provide for the opening of such lands by settlement in advance of entry, by drawing, or by such other method as he may deem best, taking into consideration the area, character, and condition of the land to be opened, as will secure equal opportunity to the public and avoid, so far as possible, conflicts and contests.

Section 2 of the bill gives the Secretary of the Interior similar authority in those instances where he is specifically authorized by existing laws to make restorations. This at present applies particularly to restorations of lands withdrawn under the reclamation act but no longer needed for reclamation purposes.

While the disposition of lands through registration and drawing has proven well adapted to the opening of large areas, there may be instances where small areas are to be restored or where the character or conditions of the land may render other methods more suitable. H. R. 8364 is so drawn as to vest discretion as to the form and manner of the opening in the Executive, so that he may in each instance apply what is, in his judgment, the best plan applicable to the lands involved in the interest of equal opportunity to all settlers and claimants.

As I stated to the committee at the hearing on H. R. 8081, a longer measure designed to confer the same authority, this bill—H. R. 8364—is entirely satisfactory to the department. It is sufficient to meet the emergency now existing, and I trust that it will be passed as introduced.

Very truly, yours,
A. A. JONES,
Acting Secretary.

Unless some gentleman desires to ask me a question——

Mr. ANDERSON. Will the gentleman yield?

Mr. FERRIS. I will.

Mr. ANDERSON. It occurs to me from a reading of this bill that it might authorize the President to restore to the public domain coal lands or mineral lands which had been segregated.

Mr. FERRIS. Under the existing law he has the right. First, he has the right to withdraw the land for the purposes of examination. He then turns it over to the Geological Survey, and they send men out to examine it. If found valuable for coal or mineral, of course the President never does, as a matter of fact, restore the land, because it takes its place on the plat book and the records as land chiefly valuable for mineral. But, on the other hand, supposing a large area of land is withdrawn with the best motive, and seeking to have the land examined, and they find there is no mineral on it and no coal on it, then immediately it becomes the duty of the Interior Department to restore that land. I think that will explain to the gentleman the necessity for this legislation. It is to avoid horse-racing contests, fights, and duels over the land, as the Secretary has explained.

Mr. STAFFORD. I wish the chairman of the committee having the bill in charge would kindly elucidate section 2 of the bill, which is foreign to section 1, relating to restoration.

Mr. FERRIS. On certain minor matters, for instance on lands that the Secretary has the power to withdraw, it authorizes him to restore, just as it does the President. Of course, while this bill recites that the President has the power to withdraw, and the President has the power to restore, I think gentlemen will all understand that that is done upon information gathered by the Secretary of the Interior himself, both as to the withdrawal and as to the restoration. We do recite, for dignity's sake, I presume, and to give it the highest sort of efficacy, that the President does it, but those of us who know most about how the matter is actually transacted know that it is done by the Secretary of the Interior.

Mr. MONDELL. Will the gentleman yield to me?

Mr. FERRIS. I do.

Mr. MONDELL. Mr. Speaker, I think this bill ought to pass. I think it is properly drawn.

Mr. FERRIS. How much time does the gentleman desire?

Mr. MONDELL. Not over five minutes.

Mr. FERRIS. I yield five minutes to the gentleman.

The SPEAKER pro tempore (Mr. BORLAND). The gentleman is recognized for five minutes.

Mr. MONDELL. Under the law the President makes withdrawals under the withdrawal act, and he also makes extensions of forest reserves. He alone can restore lands of that character to public entry, and if the President be given the power granted in the first section of the act he can, on restoring lands to entry, prescribe the manner in which entry may be made. On the other hand, the Secretary of the Interior has the authority to make withdrawals and restorations under the reclamation act, and the second section is intended to give the Secretary the same authority with regard to those restorations. I think the gentleman from Minnesota [Mr. ANDERSON] may rest assured that there is nothing in the bill that does anything more than give the President and Secretary authority to provide a method whereby lands shall be entered when restored to entry under the law.

Mr. ANDERSON. This bill merely provides a method or authorizes the President to provide a method for doing something which he now has authority to do?

Mr. MONDELL. He has authority to open the lands to entry, but it is doubtful if he has authority to prescribe a method, such, for instance, as a drawing, and it is the intent of the bill to give him the authority to prescribe that sort of method of entry. There has been some difference of opinion, in the department as to whether or no these officials now have this authority. I think it is doubtful. While the law gives the President the right to restore lands that he has temporarily withdrawn, to take lands from forest reserves and restore them to appropriate entry, I do not believe that without this legislation the President could prescribe the method of entry. The President may fix the time when lands shall be open to entry, but that is probably as far as the President can go under present legislation, and this legislation will give him the authority to make the same rules with regard to restorations that Congress now makes from time to time with regard to Indian and other lands that are opened to entry.

Mr. KINKAID of Nebraska. Mr. Speaker, I understand the gentleman from Oklahoma [Mr. FERRIS] will yield to me five minutes.

Mr. FERRIS. I yield to the gentleman from Nebraska [Mr. KINKAID].

Mr. KINKAID of Nebraska. Mr. Speaker, I can testify from personal knowledge that a real exigency exists for the enactment of this bill because of a case in the district of Nebraska which I have the honor to represent. That opening is to occur on or after October 1, according to the proclamation of ex-President Taft. Arrangements had been virtually consummated for the opening to commence on the 14th day of October. A qualification of the free-for-all opening mode—the horse-race and foot-race test—the barbarous mode of opening with the strong against the weak, the able-bodied and fleet against the crippled, was made in behalf of a fair opening, or to equalize the opportunity of all competitors. This the department undertook to do without any express enactment granting such authority. Because these lands were excluded from a national forest reserve by presidential proclamation instead of by a special act of Congress, there has been no legislation passed, as for the last several years has been the case when Indian reservation lands were opened to homestead entry by special acts of Congress, contained in each of which acts was a provision authorizing the Secretary of the Interior to provide rules and regulations for the openings which would promote fair play, such as is sought by this bill. The department was proceeding without such authority, but with a slight modification of the brutal mode of opening, when a question arose as to the legality. Since the first opening in Oklahoma, under rules and regulations, and the several regulated openings that have followed, by the lottery plan, as everyone in the western country knows it nowadays, western people regard the old or unregulated mode of opening as uncivilized. Many remonstrances reached the department, and I received hundreds of them myself, against the old mode for this case in my district. Since having enjoyed object lessons afforded by the lottery plan of opening, people object to going back to the old plan.

The department is now awaiting the enactment of this bill before proceeding further with the opening in the district that I have the honor to represent, while thousands of homeseekers are awaiting the action of the department. Hundreds of them have gone and looked over the lands, and some of them have found, perhaps, locations that they would like to secure. They are awaiting now the action of the department. They are persons of moderate means and persons of still smaller means. They are waiting for the opportunity to secure their birthright—a home. They are waiting the action of Congress; women and cripples are awaiting a fair opportunity to cope with the strong and the swift on the equal terms which a decision by lot will afford them.

Mr. Speaker, I would have the membership picture in their minds the drawing of numbers by the lottery plan as it occurred at Fort Peck, Mont., only yesterday. There were 39,000 names of homeseekers in the box with, I believe it was, 7,000 claims to be competed for. Instead of might being permitted to make right, a little girl 8 years old, the picture of innocence, was delegated to place her hand in the box and draw therefrom an envelope; and the homeseeker whose name was on the inside was entitled, because he drew number 1, to make the first choice of the 7,000 claims. A playmate of this little girl, 12 years old, was permitted in the same way to take from the box the next envelope, and the homeseeker whose name was on the inside of this envelope was entitled to the second choice; and in this way the order in which selections are to be made continued, and probably the drawing has not yet been completed. A year or two ago a similar mode was employed for the opening of an Indian reservation in one of the Mountain States, when a widow, the mother of several children, who was obliged to earn their support with her own hands, providentially drew envelope No. 1, for which, by reason of its eligibility of the best claim to be made an addition to a town site already established or in prospect, I am not sure which, she was immediately offered $10,000 for her right. Very naturally under the old plan the probability would have been that most of the able-

bodied male competitors would have secured their choice ahead of this widow.

I appeal to you, Mr. Speaker, and the membership of this House, what chance would a widow, maiden, soldier's orphan, or a cripple share in a race with, say, 40,000 or 50,000 home-seekers for the forest-reserve lands in question, mostly men, let loose on the minute by a proper signal, going in a mad rush, foot or horseback, competing for 500 claims, with one only to be had for every 30, 40, or 50 persons?

Mr. Speaker, I am as directly interested in the enactment of this bill as if I were its author; in fact, a bill I did introduce for the same plan of opening to homestead entry, for the case in the Nebraska sixth district, I was very glad to yield in favor of the pending bill, which, after a full hearing by the committee on a bill for a general law on the subject, suggested by the Secretary of the Interior, and my bill, this pending bill was obligingly introduced by the chairman of the Public Lands Committee, the gentleman from Oklahoma [Mr. FERRIS], the provisions of which will afford relief in my district and at the same time may be made to apply, in the discretion of the President or the Secretary of the Interior, to all similar cases which may arise in any public-land State.

Mr. Speaker, I shall not take the time of the committee further. I am very grateful to the chairman of the Committee on Public Lands, Mr. FERRIS, for securing a meeting of that committee as early as he did, and I am grateful to the membership of the Committee on Public Lands for their prompt and favorable action; and I may appropriately and pertinently add, in view of discussions occurring this afternoon, I have no objection to the action of the Democratic caucus in this instance [laughter], and I shall take pleasure in saying so in my district. [Applause.]

Mr. Speaker, I wish also to thank very heartily the membership of this House, regardless of political party, for the favorable consideration I am sure they are going to accord this bill. [Applause.]

Mr. FERRIS. Mr. Speaker, I call for a vote.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FERRIS, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER pro tempore. The Clerk will proceed with the call of committees.

The Clerk proceeded to call the committees.

PUBLIC BUILDING AT AUGUSTA, GA.

Mr. CLARK of Florida (when the Committee on Public Buildings and Grounds was called). Mr. Speaker, by direction of the Committee on Public Buildings and Grounds I call up the bill (H. R. 7875) to increase the limit of cost of the public building at Augusta, Ga., and I ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Florida calls up the bill H. R. 7875, and asks unanimous consent that it may be considered in the House as in Committee of the Whole. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I think this is an important bill that demands some explanation.

Mr. HARDWICK. We are going to explain the matter.

Mr. STAFFORD. I think we better have it explained in the Committee of the Whole.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object.

The SPEAKER pro tempore. Under the rules the House automatically resolves itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7875, and the gentleman from Kentucky [Mr. SHERLEY] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7875, with Mr. SHERLEY in the chair.

The Clerk read as follows:

A bill (H. R. 7875) to increase the limit of cost of the public building at Augusta, Ga.

Be it enacted, etc., That the limit of cost of the public building at Augusta, Ga., provided for under act of June 25, 1910, is hereby increased from $250,000 to $325,000.

Mr. CLARK of Florida. Mr. Chairman, I will state, for the information of the committee, that there has been, as stated in the bill, heretofore appropriated $250,000 for this building. The gentleman who represents that district [Mr. HARDWICK] at this session of Congress introduced this bill. It came before our committee, and we had quite extensive hearings as to the emergency character of it, and I am going to yield to the gentleman from Georgia, in order that he may explain it, which he can do better than I.

Mr. HARDWICK. Mr. Chairman——

Mr. STAFFORD. Before the gentleman from Georgia begins, I desire to ask a question of the chairman of the committee. Will the gentleman kindly explain to the committee what rule the committee followed in selecting certain bills where the limit of cost shall be increased and having those presented to the House for consideration, while passing over others which are equally as meritorious and which were not given consideration?

Mr. CLARK of Florida. Mr. Chairman, I will be very glad indeed to make the explanation. I want to make this statement first, Mr. Chairman, which every member upon that committee will absolutely vouch for, whether he be Democrat, Republican, or Progressive, that there is absolutely not now and there has not been—certainly during my service upon the committee, which was in the Sixty-first Congress, when the gentleman from Missouri [Mr. BARTHOLDT] was chairman; in the Sixty-second Congress, when Mr. SHEPPARD, of Texas, was chairman of the committee, and not at this time—a particle of politics in the deliberations of that committee. We have distinctly stated in that committee during this session of Congress that we would not report any bills at all except those of an emergency character, where we felt upon the statement of the facts by the Members of Congress that the emergency was such as to require action at this session of Congress. We stated that we would report only that character of bills, and none other. Now, so far as the caucus action is concerned, if the gentleman is referring to that, under our rules——

Mr. STAFFORD. I am only seeking information as to what the rule is that guided the committee in the consideration of this bill.

Mr. CLARK of Florida. I am going to try to give it to the gentleman if he will give me a little time. We have distinctly stated in the committee that any gentleman, no matter to what political party he belongs, because, as I say, that absolutely cuts no figure in the deliberations of that committee, and gentlemen will make that statement upon the floor who are members of the committee, we have agreed that if any Member of Congress, no matter who he is, who has a bill pending with the committee that is of an emergency character will come before that committee and convince the committee of that fact, I as chairman of the committee, or some other gentleman upon it, will present it to the caucus and get the consent of the caucus to report it to the House for action, because, as the gentleman understands, the committees—and there is no secret about it—are not to report bills to the House for action without the caucus consent. That is binding only, of course, upon the Democratic Members of the committee. We have been pursuing that rule, and that shuts out no Member of Congress who has a meritorious measure which is of an emergency character and which he desires to present to the House.

Mr. MONDELL. Will the gentleman yield?

Mr. CLARK of Florida. I will.

Mr. MONDELL. Has the gentleman a number of bills before his committee of that character?

Mr. CLARK of Florida. No.

Mr. MONDELL. Bills providing for an increase of the limit of cost?

Mr. CLARK of Florida. Oh, we have quite a number, but we have not many that are considered of an emergency character.

Mr. MONDELL. I have been very much interested in what the gentleman has just stated in reference to every one being treated fairly, but will the gentleman inform us what the condition is at this particular place that presents an emergency?

Mr. CLARK of Florida. I am going to ask the gentleman from Georgia [Mr. HARDWICK] to do that because, as I stated in the beginning, he is better able to do it, being so thoroughly conversant with the facts, than I am, and I am simply explaining in answer to my friend from Wisconsin, with reference to the action of the committee with reference to these cases.

Mr. STAFFORD. Will the gentleman allow an interpolation there? Has the gentleman's committee taken up these emergency bills one by one to pass upon and determine as to their exigency and whether they shall be specially reported at this session?

Mr. CLARK of Florida. The committee has generally understood, and I believe it is generally understood, that there would certainly be no omnibus public buildings bill at this session of Congress.

The gentleman knows that there hardly ever is in the first regular session of a Congress. They usually wait until the second or last session of the Congress. I do not believe, and certainly not since I have been here, that an omnibus bill ever passed at a special session of Congress. So it was understood by all of us that there would be no omnibus bill. Therefore we have not considered any bills except those which have been called to our attention by Members of Congress who insisted that they were of an emergency character and ought to be acted upon at this time.

Now I yield to the gentleman from Georgia [Mr. HARDWICK].

Mr. STAFFORD. If the gentleman will permit still further. So there is no binding action, as I understand the chairman of the committee, that would prevent the committee considering any bill of a like exigent nature?

Mr. CLARK of Florida. None at all. We will be glad to do it.

Mr. HARDWICK. If the gentleman will permit me to make a statement where he left off, I will say that as I understand the situation, it is that if a Member has got a proposition that is an emergency, he can present it to the committee and they will treat him fairly, as they treated me fairly. I want to explain this bill just for a moment, and I think that gentlemen on both sides of the aisle will say, at least I hope so, that this is a fair proposition. In the first place, Mr. Chairman, there can be no question whatever about the necessity and wisdom of a substantial appropriation for this public building at Augusta, Ga. It is the only city of any size in my district; it is the third largest city in the State of Georgia, and with postal receipts of between $152,000 and $153,000 a year. At the last census the population of the city was 41,000, and since then some of the suburbs that had a population of about 9,000 or 10,000 have been incorporated, so that it has a population today of about 50,000. Besides that, there is a Federal court there and a branch of the revenue service. The building the Government now occupies is a very old, inadequate, and insufficient building that is not considered at all fit for the purpose. I mean by that that there are holes in the roof, and the building has deteriorated to where it is practically worthless, and the Government architect said that it would be poor economy to try to build it over, and that we ought to have a new building in a city of that character and size.

So that, gentlemen, about three years ago, in the general public building bill of 1910, the Congress of the United States undertook to appropriate for a new building at Augusta. For twenty-odd years we have not had a building. We have probably paid in about $3,000,000 worth of postal receipts since we had asked the Government for one, and, by the way, it was the only bill I had ever urged, in the whole period of my service in the House, for a public building in my district.

I went down and conferred with the Supervising Architect, then Mr. Taylor. Mr. Taylor agreed with me that on account of climatic conditions, and on account of the city's location, it being in the Savannah River Valley, and there being a great deal of dampness in the atmosphere, that it was proper and wise that this building should be constructed of marble or granite or some extra-durable material. The climate is such that moss forms on the shady side of all the buildings there. While most of the buildings are built of brick, some of the larger private corporations have constructed their buildings of marble or granite.

Now, we have understood from the beginning, the Committee on Public Buildings and Grounds, the gentleman from Missouri [Mr. BARTHOLDT] being then chairman, that this building was to be a marble or granite building. Mr. Taylor was of the opinion that $250,000 would build it. Therefore that amount was put in the bill that passed in 1910. "Of course," he said to me then, "if this amount proves insufficient, we will have no trouble, on account of the importance and size of this city, in increasing the appropriation." We opened the bids on the 3d of last March, and it became apparent when we opened them—and the bids were from representative concerns from all over the country, very few local concerns, if any, having bid, but large concerns from Philadelphia, Chicago, and from all over the country—that there was no bid to construct this building out of marble or granite within about $65,000 of the appropriation, as appears in the letter of the Secretary of the Treasury dated March 14, and which is included in the report. The Secretary says:

DEAR SIR: I have the honor to advise you that on the 3d instant proposals were opened for the construction of the post-office building at Augusta, Ga., ranging from $242,000 to $293,000 for the use of limestone, and from $249,400 to $305,000 for the use of sandstone. Alternate proposals for substituting Georgia marble for limestone range from $54,200 to $60,000, and substituting Georgia granite for limestone from $48,200 to $49,000 additional.

The amount available for the construction of the building is $250,000, and after setting aside a sum for lock-boxes, vault shelving, and other contingent items it would not be possible to award a contract in excess of $250,000.

In reference to your conversation with the Supervising Architect relative to the use of granite marble for the facing, I have to advise you that if the contract should be awarded at the present time it would require an extension in the limit of cost for granite of approximately $60,000 and for marble of $66,000. If the work is to be held up pending further legislation, it would not be safe to fix the increase in limit at less than $70,000 for granite and $75,000 for marble.

The matter will be held until you have advised the department whether you wish the drawings revised to reduce the cost so that the contract may be let for the balance available or whether you wish the question held in abeyance until you ascertain if the limit of cost will be extended.

Mr. WILLIS. Mr. Chairman, will the gentleman yield for an interruption?

Mr. SLOAN rose.

The CHAIRMAN. To whom does the gentleman yield?

Mr. HARDWICK. I will yield first to the gentleman from Ohio [Mr. WILLIS], as he arose first.

Mr. WILLIS. I will say, Mr. Chairman, that as a general proposition I am opposed to the policy of fixing a limit in one appropriation bill and subsequently increasing that limit. I do not know that I am opposed to this bill, and shall not know until I can get the facts. How have the conditions changed, if at all, since the bill was passed so as to make it obvious that the building can not be constructed within the appropriation? Whose fault is it?

Mr. HARDWICK. I am glad the gentleman has asked that question. The question is very pertinent and I am desirous of answering it. It is probably nobody's fault. Building material may be a little higher now than it was then; I do not know. Labor may be a little higher than in 1910; I do not know. I am not familiar with the facts about that.

But the fact is—if the gentleman from Ohio will consider it for a moment—that we merely estimated it when we fixed the amount at $250,000. The building we are asking this increase for is exactly the same building that was then authorized. If there was an error in the matter at all, it was an error of judgment on the part of the former Supervising Architect as to the amount that would be required—an error in which I shared, for I accepted his figures. In other words, we have not changed in one single iota the original plan with respect to this building. The Supervising Architect at that time thought that this building could be constructed out of suitable and durable material for $250,000, and I hoped and thought it could be. When he said he thought it could be done for that amount I said, "Then I will not ask for more than that."

Mr. WILLIS. Now, Mr. Chairman, will the gentleman allow me another question?

The CHAIRMAN. Does the gentleman yield?

Mr. HARDWICK. Yes.

Mr. WILLIS. I understood the gentleman to say, in extenuation of the larger appropriation, that——

Mr. HARDWICK. Not in extenuation.

Mr. WILLIS. Then I will not use that language.

Mr. HARDWICK. I do not object to that language, however.

Mr. WILLIS. I understood the gentleman to say that this was the only public building for which he had introduced a bill. My recollection is that some time ago, in the last Congress, when the public-buildings bill was under consideration, the gentleman spoke of another bill. Do I correctly understand the gentleman?

Mr. HARDWICK. I said this was the only building I had asked for. The fact is, I did introduce one other bill for the town I lived in, thinking that the post-office receipts of that office exceeded $10,000; but when I found that the receipts were not $10,000 per annum, I went to the committee and told them that I did not press the bill.

Mr. WILLIS. I recall the gentleman's statement at that time. I was entirely satisfied with it then and am now.

Mr. HARDWICK. But this has nothing to do with that question.

Mr. WILLIS. I understand that.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. HARDWICK. Certainly; I yield to the gentleman.

Mr. SLOAN. Do I understand that the building shall be of marble or granite?

Mr. HARDWICK. Yes.

Mr. SLOAN. And not of brick?

Mr. HARDWICK. No; nor of limestone.

Mr. SLOAN. I am willing that the gentleman from Georgia shall be able to say that he did as Nero did when he found Rome in brick and left it in marble. [Applause.] I hope it may be the same in Georgia. Does not the gentleman understand the parliamentary philosophy of legislation here in the House, so that when he desires a building of marble he will realize that under the beneficent results of the Underwood bill, which places granite and marble on the free list, he will be enabled to keep this amount within the appropriation and still

obtain a marble building and also follow Democratic boasted economy? [Laughter on the Republican side.]

Mr. HARDWICK. I thank my friend from Nebraska for his suggestion, and hope his prediction will come true. If it does, I promise him not a single cent more will be expended than is required to build the building.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. HARDWICK. Certainly.

Mr. COX. What was the material that the old building was constructed of?

Mr. HARDWICK. It was built out of brick and terra cotta.

Mr. STAFFORD. When was that building built?

Mr. HARDWICK. About 20 years ago; in 1888, I think.

Now I want to say this: Augusta is not growing very much. It is a great city of its kind, but it is not increasing very rapidly in population. This increase from 41,000 to 50,000 that I have just referred to comes about from the incorporation of some suburbs that were not included in the population of the city at the time the last census was taken; so that there is no probability that in a hundred years the city will outgrow the building which we are providing for now, and I honestly believe that unless we construct the building of the most durable material that can be found, in 20 years more some gentleman who will then be holding my seat in this body will be here asking for a large appropriation for still another new public building at Augusta. So it seems to me true economy to build now such a building of such permanent character that this will not occur.

Mr. COX. According to the report of the committee, that building has been sold by the Government to the city of Augusta.

Mr. HARDWICK. Yes.

Mr. COX. How much was paid for it?

Mr. HARDWICK. My recollection is that it was $40,000.

Mr. COX. That has been paid into the Treasury?

Mr. HARDWICK. Yes. I am glad the gentleman called my attention to that, because it brings me to some of the emergency features of this proposition. I see gentlemen here who are interested in the emergency features of the bill, and I will go into that right now. So far I have been dealing entirely with the merits of the main proposition.

Mr. STAFFORD. Before the gentleman departs from the merits, will he bring out more clearly whether granite and marble were intended by the Supervising Architect in the original specifications?

Mr. HARDWICK. I have not seen the specifications. I will say to the gentleman, in all candor, that I am speaking from information received in conversations I had with the Supervising Architect at the time.

Mr. STAFFORD. Was it originally intended by the gentleman himself to have this building of granite and marble?

Mr. HARDWICK. Oh, yes. In order to illustrate that point I will say that they have a public building in the city of Macon, from which my colleague [Mr. BARTLETT] comes. Macon is the fourth city of Georgia, a rich, prosperous, growing city, but a little smaller than Augusta. In talking with Mr. Taylor I told him I wanted the Augusta building to be as nearly as he could make it a duplicate of the Macon building, which is constructed of Georgia marble, and he said: "While that cost $300,000; I hope I can build this one for $250,000;" and in every conversation I have had with him he has been fully aware that that was the purpose of the author of the bill, and that was the purpose of the committee, and I so explained to him, and I am sure he fully concurred in the idea that this Augusta building should be constructed of granite or marble.

Mr. COX. Right in that connection will the gentleman yield for another query?

Mr. HARDWICK. Yes. I yield with pleasure, although I want to get on as fast as I can.

Mr. COX. What objection has the gentleman to constructing the building of limestone?

Mr. HARDWICK. Limestone and sandstone are not so durable in our climate. Of course, I know my friend from Indiana comes from the State of limestone, and I understand the reason he asks the question; which is loyalty to one of the great products of his State.

Mr. COX. The gentleman comes from the State where they have marble and granite.

Mr. HARDWICK. Yes; that is right. We may be mistaken, but in our judgment marble and granite are more durable than limestone; certainly, in our climate. That may not be so, generally, throughout the country, I do not know. In other words, we think this city is of a size, and character, and population, and wealth, that entitle it to a permanent building, practically for all time, and we want to build it of what we regard as the most durable material, as well as the most beautiful material that can be found on the continent.

Mr. ADAMSON. Will the gentleman yield?

Mr. HARDWICK. Yes.

Mr. ADAMSON. I understand that your emergency arises from the fact that the department is ready to build this house, but has been unable to secure bids to build the house according to plans and specifications within the limits of the authorization.

Mr. HARDWICK. Yes; that is true, although there are other emergency reasons for its present consideration.

Mr. COX. Will the gentleman yield for one other question?

Mr. HARDWICK. Not now. I want to complete my statement, and then I will yield to anybody and everybody with pleasure. In my judgment, there are certain reasons why this bill ought to be passed at this session of Congress, and those are the reasons that appealed to the caucus of my own party and to this committee that gave its unanimous approval to this bill, without regard to party. It is right that gentlemen should inquire what those reasons were, and I want to state them. This bill passed in 1910. The Supervising Architect's Office has a small force, and there are a great many of these propositions. After these bids were opened I was notified that unless this increase was made we would have to do one of two things—we would have to take a building constructed of the cheaper and less durable material, or we would have to see this project displaced, with no possibility of telling when it would be reached again.

On that subject I wish to invite the attention of the committee to a further letter which I have had from the Secretary of the Treasury on this subject, under date of August 27, which is also included in the report.

AUGUST 27, 1913.

DEAR SIR: I have the honor to call your attention to the letter addressed to you by this department on March 22 last in regard to the proposed new Federal building at Augusta, Ga. You will recall that there are sufficient funds to construct this building with limestone facing after making certain revisions in the drawings. The present limit of cost is not, however, sufficient to provide either marble or granite facing. Owing to the great pressure for the construction of buildings throughout the country, they are taken up in regular order, and unless the matter of the facing for this building is settled in the very near future there is a very strong probability that the necessary revision in the drawing might have to be postponed for considerable time. The longer that definite action is deferred the greater the probability is that this project will lose its regular place on the schedule.

If you have any further suggestions to offer, may I ask that they be sent here as soon as possible in order that the drawings may be either revised or laid aside as a deferred project until some future time?

I will say this to my friends on both sides of the House, that after we authorized this building in the act of 1910, the Government sold the present building and lot in which the public business is now transacted in Augusta, Ga., to the city of Augusta, and that city is going to tear down the building or remodel it or do something to it if they can and utilize it as a city hall. The price the city paid for it, according to my recollection, was about $40,000 for the lot and building, and that amount, less a small amount brought about by an exchange of sites between the city and the Government, has been covered into the general funds of the United States and paid into the Treasury. It is true that in the contract made between the Government and the city of Augusta express provision was made that the Government should reserve the use of this public building until it was ready to occupy the new building, after the completion of that new building. It was also provided that the city was to get no interest on this money, so that it gets neither the use of the property nor any interest on the money. Of course the city of Augusta bought at a reasonable price, perhaps at a low price, as some gentlemen suggest. I did not have anything to do with that, except to secure the legislation recommended by the Treasury Department which fixed the price. Of course I know that in fixing that price allowance was made for the fact that the Government would continue to use the building for two or three years, and that the city would be out of the use of the money for that length of time, but it does seem to me that if we are eventually to adopt the policy of having a building constructed for this magnificent city which is of permanent and durable material, and if we are to consider the equities in the case, we ought not put the city to any unnecessary delay, to any useless loss of either time or money, while we are waiting to get enough money authorized so that we can go on and have the building contracted for to be constructed out of the material that we expect and desire to use.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. HARDWICK. Certainly.

Mr. WILLIS. Mr. Chairman, will the gentleman explain why the additional authorization is for $75,000? As I understand the letter which the gentleman read a moment ago, the amount stated by the Supervising Architect is only $66,000. Why the additional amount?

Mr. HARDWICK. Let me answer in the language of the Secretary of the Treasury:

If the work is to be held up pending further legislation, it would not be safe to fix the increase in limit at less than $70,000 for granite and $75,000 for marble.

Mr. WILLIS. I read that language, and that was not clear to me. What is the change in circumstance? The letter in which that appears was dated March 14, 1913.

Mr. HARDWICK. Yes.

Mr. WILLIS. The Secretary states that if the contract is let then it will require only $66,000 additional, but if it is delayed it will require $75,000.

Mr. HARDWICK. I will tell my friend frankly why I think the Secretary did that. It is no new policy of the department. They do not hold them down to exactly the precise figure needed, to the very cent. They probably figure $70,000 or $75,000, in round numbers, to cover unexpected expenses. They will not have to expend it simply because it is authorized. I did not seek to have an appropriation made for this purpose at the present session, because we have $230,000 already available. We will not need this money for some years to come, but we can not even let the contract, we can not even begin, and we will lose our place permanently in this schedule unless we get this authority from Congress and know how far we can go in making the contract, so that we can tell exactly what sort of material we can use.

Mr. WILLIS. Does not the gentleman think that he will see to it that the additional $9,000 is properly expended for the public weal?

Mr. HARDWICK. I have enough confidence in the Treasury Department to believe that they will not throw away any money.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. HARDWICK. Certainly.

Mr. COOPER. When were the new plans for the building drawn—how long ago?

Mr. HARDWICK. Probably a year ago. I do not know exactly. In any event the bids came in on the 3d day of last March, after 60 days' advertisement, and probably the plans were completed in the winter, some time in January. I do not recall from memory the precise date.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. HARDWICK. Certainly.

Mr. COX. Will the gentleman state whether or not in the submission of this bid to the contractors there will be an opportunity given to the contractors to bid in the alternative for limestone, granite, and marble?

Mr. HARDWICK. Oh, yes; we will do that. That was done before, and I suppose it will be done again; but it is our desire to have it either built out of marble or granite. I will say to the gentleman in perfect frankness that is our purpose in regard to the material, and I am afraid it will not come from the gentleman's State.

Mr. COX. If I am not mistaken, the capitol of the gentleman's State was built out of limestone.

Mr. HARDWICK. It is, and that is one of the reasons we do not want to build this building out of it. [Laughter.]

Mr. MONDELL. Mr. Speaker, we all of us recall the caustic expressions of our good-natured young friend from Georgia [Mr. HARDWICK] relative to the late public buildings bill. We recall that in the opinion of my distinguished young friend——

Mr. HARDWICK. If the gentleman will pardon me, if the gentleman will strike out the word "young," because I am like the gentleman—getting pretty old.

Mr. MONDELL. Well, the gentleman is younger than I am, and I still claim to be young.

Mr. HARDWICK. I do not know.

Mr. BARTLETT. Apparently so.

Mr. MONDELL. The gentleman, as I recall it, was not at all pleased because cities of less than metropolitan size were given public buildings.

Mr. HARDWICK. No; if the gentleman will pardon me——

Mr. MONDELL. Brick buildings, wooden buildings, terra-cotta buildings——

Mr. HARDWICK. No——

Mr. MONDELL (continuing). Limestone buildings, any kind of a building——

Mr. HARDWICK. If the gentleman will pardon me, I know why he is making this statement. I objected to a lot of little cross-road villages that did not have any receipts or population getting appropriations; that is all.

Mr. MONDELL. Of course, it is all very well to talk about cross-road villages when a gentleman talks of cities and towns in other districts than his own.

Mr. HARDWICK. The gentleman would not compare, for instance, his proposition with my city down there of 51,000 population.

Mr. MONDELL. Oh, I have no feeling in the matter at all, although the gentleman did use a town or two in my State to point a moral and adorn a tale in the discussion of the bill when it was before the House. I am simply rising to call attention to the fact that while the gentleman from Georgia thinks that we who are not so fortunate as to have towns of 50,000 in our districts are not entitled to a building of brick or terra-cotta, when it comes to erecting a building in his district in a town of 50,000 people nothing but granite or marble will do.

Now, there are communities in this country that would be very well content with a building built of brick. I think the gentleman is entirely correct in his expression of opinion that it is a matter of economy to build this building of permanent material. I shall be glad to vote for the increase, because I am one of those who believe that when we build a public building we ought to build a permanent building, a building that will be an ornament to the town or city in which it is built. We had quite a bit of discussion here some time ago, apropos of nothing as far as I can recall, relating to public buildings, and I am glad that my friend, the chairman of the Committee on Public Buildings and Grounds, modified the speech he then made before he put it in the RECORD, because I should very much regret as we go into another session looking toward a public buildings bill to have the chairman of the committee in the economical frame of mind that he seemed to be in the other day. One of the gentlemen who spoke thought that no town of less than 100,000 inhabitants ought to have a building at all, and some of those who spoke seemed to be of the opinion that we ought to plan a sort of glorified soap box, with tin ornaments, as a standard of public buildings in the small towns, if the small towns are to have buildings at all.

When it comes to the beautiful city of Augusta, in the State of Georgia, gentlemen are not insisting upon economy or standardization, but are insisting that the building should be built of the very best material obtainable and upon an artistic plan. I congratulate the chairman of the committee that while in his enthusiasm a few days ago he talked about standardization and incidentally about reduced cost of public buildings, when it comes to a concrete case down in Georgia—and that is a good place to start—he does not follow the policy which I understood he somewhat outlined the other day.

Mr. CLARK of Florida. Will the gentleman permit me for just a moment?

Mr. MONDELL. In just a moment. He does want a public building that will be permanent and that will be an ornament to the community in which it is built and an honor to the Nation that builds it.

Mr. CLARK of Florida. Mr. Chairman——

Mr. MONDELL (continuing). And incidentally creditable to the Congressman who secured the appropriation.

Mr. CLARK of Florida. If the gentleman will yield just a moment, I would like to say to him that I never had any idea of any plan of standardization—and I think I stated that the other day—where a number of governmental activities were carried on under the same roof. I did say, and I say now—and our commission is at work on a proposition——

Mr. MONDELL. I trust the gentleman will not go too far, because we want him to keep a liberal and open mind in regard to it.

Mr. CLARK of Florida. Yes; but I do not want the gentleman to get me wrong. I want to say that the commission is now at work upon a plan—and I believe we will evolve one—by which we can standardize the smaller buildings, where there is nothing but the post office. I do not believe you can standardize these larger buildings where there is a Federal court and a customhouse besides all these various other things under the same roof.

Mr. MONDELL. I am glad that my friend from Florida does not go as far as some of the other gentlemen did in regard to standardization. I hope by the time he reaches the next public-building bill he will have forgotten all about standardization except as to details and, possibly, finish.

Mr. WILLIS. He will.

Mr. MONDELL. I have an idea that when this Government erects a public building in a small town or a large one that it ought to erect a building that will be a credit to the Government and an inspiration to the community. That is the kind of a building that we are going to have in Augusta, I hope, and we ought to follow that rule, whether the town be large or small. I can not agree with the proposition that you may

build magnificent public palaces in large cities and hencoop-like structures in small towns.

The Government ought to erect as good a building in proportion in a small town as it erects in a large one. I do not know but that we should go a little further than that. We do not do very much in this country for the small towns. A Government building is about the only visible evidence we have in many localities, apparent to all, with the flag floating over its roof, of the power and the majesty of the Federal Government, and it ought to be a building that will inspire patriotism and a desire for better structures in the community. It ought to be a building that every man can point to with pride. And it is because I take that view that I am very glad, indeed, to agree with the proposition now presented.

And while we are discussing this matter, I want to call attention to this fact. We had supposed on this side that public buildings bills were foreclosed for this session, and that if it was not possible to erect public buildings in our respective districts within the limit of cost, we could not hope for an increase of the limit at the present time. In other words, we have not understood the elasticity of the rule which governs the Democratic caucus. A short time ago the Supervising Architect advertised for two public buildings in my State. It was not possible to erect the buildings or secure a bid within the limit of cost. Had I understood that situation constituted an emergency in the view of the Democratic caucus I certainly would have been here asking for an increase. As it was, we have had to substitute cheaper material, which I believe has been done, and so we are to get along out there with a less durable building than we had hoped to have.

Mr. COX. Of what material are they built?

Mr. MONDELL. Brick, terra cotta, and some stone, I believe; but we have a good climate out there, thank the Lord. Our buildings do not deteriorate. Now, down in Georgia, we are told, it is so wet that the moss grows on the buildings, and therefore they have to have better material, and in Kansas, according to the report on the bill we are coming to after this bill is disposed of, it is so all-fired dry that certain material will dry up and blow away, so that it is necessary to increase the cost down there.

Fortunately, in Wyoming we have a climate in which building material lasts a long time and we are willing to secure public buildings at the limit of cost fixed by the committee. Nevertheless we are happy to know that in the case of Augusta, notwithstanding the unmerciful manner in which the gentleman from Georgia belabored the last public-buildings bill, the committee have forgiven him and we all desire to join in approving a proposition for a public building that for a hundred years and more will be a monument to the energy of the gentleman from Georgia [Mr. HARDWICK] and the good lever of the committee. [Applause.]

Mr. AUSTIN. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. AUSTIN. I want to say to the gentleman that the members of that committee are Christians. They return good for evil.

Mr. MONDELL. Well, I knew they were Christians, but I did not understand just how much they controlled the Democratic caucus. Otherwise I should have been here for a few increases myself. [Laughter.]

Mr. PAYNE. Christians, Mr. Chairman, are those who pay for things out of their own pockets. This is to come out of the Treasury. [Laughter.]

Mr. MONDELL. Mr. Chairman, I thought I had said all I had to say, but there is another thought that comes to my mind, and as an occasion of this kind may not occur again for some time I want to discuss it for a moment.

Mr. ADAMSON. Mr. Chairman, will the gentleman allow me a suggestion?

Mr. MONDELL. I will.

Mr. ADAMSON. My suggestion is that if he and the gentleman from New York [Mr. PAYNE] understood more about Christianity they would have more toleration for the Democratic caucus. [Laughter.]

Mr. SLOAN. That is, they would look after the heathen? Is that it?

Mr. MONDELL. I do not know whether the gentleman from New York desires to answer that or not.

Mr. PAYNE. I did not understand the gentleman's observation.

Mr. ADAMSON. I do not know that it is necessary to repeat it now. The incident seems to have been passed.

Mr. MONDELL. Well, what I understood was that the gentleman from Georgia [Mr. ADAMSON] observed that the Democratic caucus was prepared to throw itself upon the mercy of the Lord, realizing the fact that the people will have no mercy on it when they understand its methods. [Laughter.]

Mr. ADAMSON. Mr. Chairman, will the gentleman yield for a moment?

The CHAIRMAN. Does the gentleman yield?

Mr. MONDELL. Yes.

Mr. ADAMSON. When the gentleman replied to the gentleman from Tennessee [Mr. AUSTIN] as to the Christian character of the committee not comporting with the Democratic caucus, and the gentleman from New York made a similar observation, right there I tried to ask if the gentleman from Wyoming and the gentleman from New York knew more about Christianity, would they not be more tolerant of the Democratic caucus? And one reason that occurred to me was that the Savior himself recognized that all good things ought to be done in a discreet and secret manner, so as not to be hawked about to the derision and misrepresentation of enemies, when He commanded, "When thou prayest, enter into thy closet, and when thou hast shut thy door pray to thy Father which is in Heaven, who seeth in secret, and thy Father which seeth in secret shall reward thee openly." I will add, just as the people are going to reward the work of the secret Democratic caucus. [Laughter.]

Mr. PAYNE. As I read the history of that, there had been no example of a Democratic caucus up to the time those words were uttered by the Lord. [Laughter.]

Mr. ADAMSON. You are having a Democratic example now, and when you get the tariff bill and the currency bill before the country the people will all rise up, saying, "By their fruits ye shall know them," and glorify and perpetuate the Democratic Party. [Laughter.]

Mr. PAYNE. The first part of that statement is right, but the last one the gentleman will never see fulfilled. [Laughter.]

Mr. ADAMSON. Oh, we have heard the gentleman's prophecies for a long time.

Mr. MONDELL. Mr. Chairman, let me add that the scripture says, "Men do not gather figs from thistles." I think our experience with the bills approved by the Democratic caucus and reported to the House will prove that if anyone expected the Democratic tree to be a fig tree they will be mistaken. [Laughter.]

Mr. ADAMSON. The gentleman is partly correct. They do not expect to get figs from thistles, and when a barren fig tree was found in olden times they dug around it, and dunged about it, and worked with it until they saw it was of no use; so it was cut down as cumbering the ground, just as the people have found and done with respect to the Republican Party, because it was a barren fig tree. [Laughter.]

Mr. MONDELL. The gentleman thinks that the majority on his side of the House represents the repudiation of Republican policies by the majority of the American people, but he will find he is mistaken.

Mr. ADAMSON. The Democratic Congressmen were elected by a majority.

Mr. MONDELL. Mr. Chairman, at the close of these interesting interruptions I want to make this one observation: A few days ago, when we were discussing this public-building matter, some gentlemen from large cities with a very great deal of complacency and satisfaction told about the enormous postal receipts from their cities.

Why, one would imagine on hearing the gentlemen talk and noting the pleasure with which they made their statements that they supposed all of these vast postal receipts in our large cities came from billet-doux passing back and forth across the city. They forget, evidently, that if it were not for the country, for the little towns, for the rural communities, those enormous postal receipts would never be gathered into the large cities. While it is all very nice to talk about postal receipts running into the millions and to base a demand for a public building on the ground that the city or town has large postal receipts, yet when gentlemen in doing that insist that the small towns shall not have post-office buildings or public buildings of any sort let us remind them of the fact that if it were not for the country and the small towns the cities would not show the volume of postal receipts that they do. It is not fair to forget that it is the rural communities which in the aggregate furnish the vast postal receipts of the great cities; and therefore in constructing public buildings we must care for the communities that largely furnish the postal receipts that are collected into the great cities as well as care for the great cities themselves. [Applause.]

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. CLARK of Florida. Mr. Chairman, unless there is some other gentleman who desires to debate this matter, I ask unanimous consent that general debate be now closed.

The CHAIRMAN. A motion to that effect would not be in order in Committee of the Whole, but if no other gentleman takes the floor in general debate the Chair will direct the Clerk to read for amendment under the five-minute rule.

The Clerk read as follows:

Be it enacted, etc., That the limit of cost of the public building at Augusta, Ga., provided for under act of June 25, 1910, is hereby increased from $250,000 to $325,000.

Mr. CLARK of Florida. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the recommendation that it do pass.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERLEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 7875) to increase the limit of cost of the public building at Augusta, Ga., and had instructed him to report the same back to the House without amendment and with the recommendation that the bill do pass.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. CLARK of Florida, a motion to reconsider the last vote was laid on the table.

PUBLIC BUILDING AT BELOIT, KANS.

Mr. CLARK of Florida. Mr. Speaker, I desire to call up for consideration the bill (H. R. 7596) to increase the limit of cost of the United States post-office building at Beloit, Kans.

The SPEAKER. The gentleman from Florida calls up a bill the title of which the Clerk will report.

The Clerk read the title of the bill.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman asks unanimous consent to consider this bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the limit of cost of the United States post-office building at Beloit, Kans., be, and the same is hereby, increased $8,000, or so much thereof as may be necessary to meet the additional cost of construction of said building by the substitution of stone for trimmings instead of terra cotta and wood, as specified in the existing contract.

Mr. CLARK of Florida. Mr. Speaker, the bill explains itself. It is simply a matter of authorizing $8,000 more for the building at Beloit, Kans., which is now in course of construction. I am going to yield to the gentleman from Kansas [Mr. CONNELLY], who introduced the bill, in order that he may explain the emergency character of it.

Mr. CONNELLY of Kansas. Mr. Speaker, I think this bill will appeal to the Members of the House as a plain business proposition. I have listened to my good friend from Wyoming [Mr. MONDELL], and I am sure that we western people who live in the sparsely settled country do not fully appreciate or indorse the proposition that only the great cities are entitled to recognition along these lines. My district, which is great agriculturally and in other ways, being 200 miles long and 100 miles wide, has only one Federal building. It was authorized two or three years ago and was to be a $50,000 building. When bids were submitted it was found that a building of sufficient size to accommodate the business of that office could not be built of brick and Bedford stone trimming; but in order to get a building of sufficient size it was necessary to reduce the expense somewhere, so the trimming was changed from Bedford stone to terra cotta with a wood balustrade, and I think there was a provision for some zinc or tin to be put on. Now, in this little town of something like 4,000 people, the largest town in my district, they have a good many very nice buildings. Right opposite the place where this Federal building is to be constructed the Catholics have built a church costing $285,000. The county courthouse cost $50,000 and is a very good building. When it became known that they were going to trim this post-office building with cheaper material my people in the town asked me to bring the matter before Congress, feeling sure that the Members would understand from a business standpoint that it was not good policy to put terra cotta and wood in a building of this description.

As to the emergency feature of the matter, I understand that the contractor who is putting up this building lives down here at some place in Virginia.

He takes a good many of his men out there to Kansas to put up this building. They want to complete the building before they come back this fall; that is, complete the walls and the trimmings. Consequently they are asking that this be made an immediate appropriation. I will say that I went before the committee, and my good friend BARTON, of Nebraska, who is a member of the committee and who lives just across the line 40 or 50 miles, can tell you something about these conditions, and I am sure he will bear out all that I say regarding climatic conditions.

Mr. CLARK of Florida. Mr. Speaker, will the gentleman yield?

Mr. CONNELLY of Kansas. Yes.

Mr. CLARK of Florida. I understand that this building is now being constructed?

Mr. CONNELLY of Kansas. Yes.

Mr. CLARK of Florida. And that if this bill should wait until next winter it would be too late, because the building would then be finished?

Mr. CONNELLY of Kansas. That is my understanding.

Mr. COX. Mr. Speaker, I quite agree with the chairman of the committee that public buildings from an economic viewpoint should be constructed of the best and most permanent building material, because in the last analysis any building material that is able to withstand the elements of nature and preserve itself in its original state will prove the most economical to the people. I want to say a few words, however, about the building at August, Ga., in which my friend [Mr. HARDWICK] is so intensely interested. But I recognize that this is out of point and out of order at this time, but I desire to discuss briefly the report of the committee which accompanies Mr. HARDWICK'S bill.

His bill proposes to increase the cost of the public building at Augusta, Ga., from $250,000 to $325,000. I believe the gentleman from Georgia made out a clear case for the necessity for an increased appropriation, and anyone who has read the report of the Secretary of the Treasury, embraced in the report of the committee, will readily agree with him. The original appropriation was $250,000, and the Secretary of the Treasury says in his letter that after deducting a sufficient sum for shelving and other contingent items there would be left but $230,000 of the original appropriation for the building. And the Secretary of the Treasury further says that he received bids ranging from $242,000 to $293,000 for the use of limestone, and from $249,400 to $305,000 for the use of sandstone. Alternate proposals for substituting Georgia marble for limestone ranged from $54,200 to $60,690, and substituting Georgia granite for limestone from $48,200 to $49,000 additional.

The report of the committee says that the only building material that will withstand the climate in Georgia is either Georgia marble or Georgia granite. I am not caring so much about the economy that would be effected by constructing this building out of limestone, although the Treasury Department's own figures show that anywhere from $48,000 to $60,000 could be saved by constructing this building out of limestone. It might be true that the report of the committee is true that Georgia marble and granite are the only building material that will withstand that climate, but if this be true one thing is evidently certain, and that is the Treasury Department is making a great many mistakes by erecting public buildings throughout the South out of limestone.

I know that within the past two years the Government erected a public building at Miami, Fla., out of Indiana limestone, and I am sure that if there had been any objections to Indiana limestone by reason of the fact that it could not withstand the southern climate, the ever-watchful and vigorous gentleman from Florida [Mr. CLARK], now the chairman of the Public Buildings and Grounds Committee, would have vigorously protested against it.

Mr. AUSTIN. Mr. Speaker, will the gentleman yield?

Mr. COX. Certainly.

Mr. AUSTIN. I want to say to the gentleman that this report does not state that they must use the Georgia marble. There is no discrimination in this report against the use of Tennessee marble which does withstand the climate of Georgia.

Mr. COX. The gentleman is correct. There is no direct prohibition against using Tennessee marble, but there is practically a direct affirmation that Georgia marble and granite are the only materials that are able to withstand the climate. While this does not exclude Tennessee marble or Indiana limestone, yet it leaves the impression that the only material that can withstand the Georgia climate is the material found in the State of Georgia. While the report of the committee does not say that Indiana limestone can not withstand the Georgia climate, this is an

inference that it can withstand it, but why mention in the report that Georgia marble and granite are the only building materials that can successfully withstand that climate?

I imagine that most of the Members of the House have within the last few months had occasion to observe the splendid and beautiful building, the new Bureau of Engraving and Printing, erected in Washington City out of Indiana limestone. There was, by the former Secretary of the Treasury, considerable opposition to constructing this building out of limestone, and yet by constructing it out of this material a saving was effected by the Government of $258,800. In other words, the act providing for the construction of this building required it to be built out of limestone, and the limestone bid was $258,800 below the bid for marble or granite or any other building material submitted by the Government in their specifications.

I believe the Government is interested in securing not only beauty but the best building material it can procure for the construction of its public buildings, and I am sure that the Government never would have accepted the building material in the new Bureau of Printing and Engraving unless it knew it was first-class building material. My friend from Alabama [Mr. CLAYTON] has just called my attention to the fact that the great Scottish Rite Temple, the home of that great order recently constructed in this city on the Avenue of the Presidents, is built out of Indiana limestone. Here is a building having behind it millions of dollars—no limit of money, no requirements that it be built within a certain limited price, and having the world from which to choose their material, and after passing over the marble and granite fields of Georgia and of New England settled down upon Indiana limestone, and did it, no doubt, for its beauty and durability.

So I believe the gentleman from Georgia has made a good case in asking for an increased appropriation; but I do not agree at all with the report of the committee, that accompanies this bill, when it undertakes to circumscribe the material out of which it is to be built and to leave the impression that the only material that will stand the climate of Georgia is either their marble or granite. I do not object to the gentleman from Georgia endeavoring to have his building built from material produced in his own State, but what I do object to is an apparent attempt to discriminate against Indiana limestone, the best, the most endurable, and the cheapest building material in the world. I am sure he is not interested one way or another in the marble quarries of Georgia; neither have I any interest in any Indiana quarry or any other quarry.

I have no doubt of the permanency and durability of Indiana limestone to withstand any climate anywhere in the United States, or any place on this earth, for that matter. And if the limestone people are given a chance and an opportunity to bid upon these public buildings they can underbid any other building material used in this country, and at the same time furnish to the public a superior building material at cheaper cost than any other building material and thereby effect a saving of many hundreds of thousands of dollars, if not many millions of dollars, annually.

All I ask, and all I intend to ask, is a square deal for Indiana limestone. Give it an open chance in an open market with any and all competitive bidding, and it will meet all comers and goers on their own territory and give to the people an equal return in the way of good material for every dollar's worth of public money invested in their stone.

As an evidence of the fact that the Government of the United States is not afraid of the Indiana limestone, it is constructing and building to-day 90 per cent of its post offices from this material. It can not be proven that the Government is making a fatal mistake in selecting 90 per cent of its material from Indiana limestone, knowing that it can not withstand the climate in certain sections of the United States, but having tried it in every section of the country under any and all climatic conditions, it knows the material and is not afraid of it and therefore willing to give it a trial unless precluded from so doing by law.

My criticism is not against the attempt of the gentleman from Georgia in getting an increased appropriation to construct a public building at Augusta, Ga., nor is it because he wants the building constructed out of Georgia marble or granite, but my criticism is against the report of the committee reporting only in favor of Georgia marble or granite on the ground that this is the only material that will withstand climatic conditions in that country. But I am assured by the gentleman of Georgia that when the Government prepares its specifications and seeks bids for the construction of this building that limestone will be one of the materials on which bids will be asked, and I am content and will be content if the Treasury Department will ask bids in the alternatives, so as to give contractors a chance to submit a bid for constructing this building out of limestone. It will save the country anywhere from $50,000 to $60,000 if it be constructed of limestone, and this is clearly borne out by the letter of the Secretary of the Treasury, and if it be built of limestone, in 10 years from now, and 20 at most, it will take an expert to tell the difference between granite and limestone.

In 10 years from now it will require an expert to tell whether or not the new Bureau of Printing and Engraving is granite or limestone, because with age limestone approaches in looks very much like granite. I have no purpose in sticking for limestone, except I do not believe it is right for a committee to make a report accompanying a bill which practically says that limestone is not suitable for the building because of climatic conditions when all history and experience proves the contrary.

Mr. MONDELL. Will the gentleman yield?

Mr. COX. For a question.

Mr. MONDELL. What is the matter with Indiana sandstone?

Mr. COX. I do not know of any Indiana sandstone. I think they have that as building material in Ohio.

Mr. MONDELL. Have they not what is known as Bedford sandstone?

Mr. COX. That is limestone.

Mr. MONDELL. Is not the Bedford stone sandstone?

Mr. AUSTIN. No; that comes from Kentucky.

Mr. COX. They have several sandstone quarries in Ohio, but I do not know of any in Indiana that amount to anything. Mr. Chairman, I conclude by saying that Indiana limestone is unquestionably the best, the cheapest, and the most endurable building material in all the country, and I only ask for it an equal chance and an equal opportunity along with any and all other building material, knowing full well that if it gets an equal chance by being given an opportunity to submit for this kind of material that it will meet all of its competitors on any field, anywhere, any place.

Mr. BARTON. Mr. Speaker, my colleague [Mr. CONNELLY of Kansas] came before our committee and presented his case for the extension of the amount that had already been appropriated for that building. As a minority member of that committee I want to say, coming from a district that is just across the line—divided by an imaginary line—and as one who is familiar with the climate and conditions of that country, that if this was a case where each individual Member was erecting a building for himself and putting his own money into the construction of the building, selecting his material that would stand for all time to come and would be an ornament to that part of the country, also taking into consideration that there would be but one building in an area of country almost as big as some States which are represented here, there would be no question in the mind of each individual Member how they would vote on this proposition.

Mr. WILLIS. Mr. Speaker——

The SPEAKER pro tempore. Will the gentleman yield to the gentleman from Ohio?

Mr. BARTON. Yes.

Mr. WILLIS. How does the gentleman account for the very remarkable circumstance that in the case of each of these bills it was not discovered by the Treasury Department that the conditions of climate were so bad in each case as to require the more expensive material? How does he account for that very interesting circumstance?

Mr. BARTON. I would answer that by stating that there is a claim before the committee, which has not been reported yet, of a Government building that is only one year old that is claimed to be unsanitary, water supply insufficient, and other things of that character. I would say further that, in the gentleman's personal experience as to buildings, it is quite possible, indeed probable, that in the construction of buildings you sometimes are compelled to put a little more money in a building enterprise than when you first start out, on account of change of plans.

Mr. WILLIS. Will the gentleman yield further?

Mr. BARTON. Yes, sir.

Mr. WILLIS. Has not the Government erected buildings heretofore in this locality, and has it not had experience with this climate? I can not understand why this question of climate should come up here this afternoon.

Mr. BARTON. I will say that they have erected three buildings across the line in Nebraska, and those buildings are finished in marble and terra cotta rather than wood. So the Government has had some experience, and why they did not do this you will have to ask them instead of myself, because I am not informed.

Mr. KINKEAD of New Jersey. Mr. Chairman, I am glad to hear the gentleman from Indiana [Mr. COX] this afternoon take up the cudgels in defense of Indiana limestone, and I want to say to him that in the southern part of his State they have some of the finest sandstone beds that I know of anywhere.

But it is not for that particular purpose that I want to address the committee. It is for the purpose of calling attention to the fact that some of our clerical gentlemen in America are awakening to true conditions, especially with regard to the methods of the Beef Trust. [Applause.] And I am glad my friend from Nebraska [Mr. SLOAN] is here to-day, so that he can learn something as to the methods that they employ. On Monday night of this week one of the reverend clergy of the city of Chicago was invited by the Beef Trust barons to attend a banquet, at which they sumptuously dined, and it seemed to me peculiarly befitting that at that gathering the waiters, instead of being clothed in the ordinary garb of their class, were garbed in hunters' red riding garments, imported from England purposely for the occasion.

I understand after the banquet was over they presented these garments to the waiters. I wondered if the people of the United States perceived any connection between this fact and the other pertinent fact that was brought out by the Rev. John J. Lawrence, of Binghamton, N. Y., that he saw Chicago dressed beef sold in the city of Hereford, England—and he so testified under oath—at 50 per cent less than the beef barons of Chicago sold it to the people of Jersey City or to the people of the great metropolitan city of New York. And I wondered just how long our Republican friends were going to continue defending the Beef Trust, and then how long the people of Nebraska were going to send men from their State—wealthy, progressive, glorious, as it is—who will say on the floor of this House that we should not discriminate, if you will, against the packers of this country; that we should not admit the meats of Argentina, the meats of Australia, or the meats of Canada and of Mexico into competition with the trust-controlled product of this country. The gentlemen may well feel aggrieved. They may well feel that the millions of dollars of revenue derived unjustly from the pockets of the American people are now going to dwindle as the result of the tons of Argentina beef that is now on the way from Buenos Aires, and since last week no less than three refrigerated ships emptied their cargo at the port of New York.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. KINKEAD of New Jersey. Mr. Speaker, I ask unanimous consent to continue for three minutes.

The SPEAKER pro tempore. The gentleman from New Jersey asks unanimous consent to continue for three minutes. Is there objection? [After a pause.] The Chair hears none, and the gentleman is recognized for three minutes more.

Mr. KINKEAD of New Jersey. Mr. Speaker, I want to put this query to my good friends on the other side of the Chamber, especially those quondam honest Progressives. [Laughter.]

Mr. PAYNE. Mr. Speaker, I hope the gentleman's words will be taken down. [Laughter.]

Mr. KINKEAD of New Jersey. I did not get the remark of my good friend from New York.

Mr. PAYNE. I said I hope the gentleman's words would be taken down when he refers to his colleagues in that way.

Mr. KINKEAD of New Jersey. Yes; I hope they will be. I just love them—as much as the gentleman from New York does. I only hope they will keep on fighting in my district and in the districts represented by the rest of the Members on my side, so that we shall be here for a while longer. [Laughter.]

Now, if tons of Argentine beef can come into competition with American beef at this time by paying a cent and a half a pound duty, how much do you suppose will come into the country as soon as the Democratic Party, complying with the solemn pledges made to the people of this country last fall, removes entirely the duty not only from meats and meat products, but, thanks to the work done at the other end of this Capitol by another Democratic body, from cattle also?

I need now no longer defend my attitude both in the Democratic caucus and on the floor of this House when I refused to be guided by the will of the Democratic caucus in placing a 10 per cent tax upon cattle. Mr. Speaker, when my district speaks I obey. My people want free cattle. I promised to vote for free cattle, and I kept my promise. I introduced the proposition in the Democratic caucus, and I was beaten. I voted for it on the floor of the House against the instructions of the Democratic caucus and was beaten. I then carried the fight to the White House, and the result appears in the Senate bill. I believe that our brethren at the other end of the Capitol knew more than we did when they removed that tax, and I realize that many of the men on this side of the Capitol felt as I did, that the tax should not have remained on cattle in the bill that we passed here, and they will be glad, as I will, to support the measure in its amended form.

The SPEAKER pro tempore. The time of the gentleman from New Jersey has expired.

Mr. CLARK of Florida. Mr. Speaker, I move the previous question.

Mr. BARTON. Oh, no. Let my colleague from Nebraska reply for five minutes.

Mr. CLARK of Florida. How much time does the gentleman desire?

Mr. SLOAN. I was personally referred to by the gentleman from New Jersey [Mr. KINKEAD], and I would like to have five or ten minutes.

Mr. CLARK of Florida. Does not the gentleman think he can get through in five minutes?

Mr. SLOAN. Well, let me have five minutes. Let us see how we can get along.

Mr. CLARK of Florida. All right. I want to be fair about it.

The SPEAKER pro tempore. The gentleman from Nebraska [Mr. SLOAN] is recognized for five minutes.

Mr. SLOAN. Mr. Speaker, the gentleman from New Jersey [Mr. KINKEAD] did me the honor to refer to me as being from Nebraska, and desired to know how long Nebraska will send men to this Congress who will oppose bringing beef and cattle and cereals, I presume, into this country free. Let me tell the gentleman, and let him carry it home to his Jersey "reds"——

Mr. MURDOCK. Jersey "reds"?

Mr. SLOAN. Yes; to his Jersey "reds," that we farmers of Nebraska toil out there from morning till night, demanding no eight-hour rule, and produce for the people of this country their beef, their pork, and their grain. Out in my country we are not protected by roofs from sun and storm in our daily toil. We gather together those products which you of the East live upon, and we are just as much entitled to the protection of American tariff laws as men in your part of the section are who toil short hours under protected conditions. When Nebraska concludes to take orders affecting her interests from New Jersey, she will probably stop sending me here.

The gentleman boasted about what the bill known as the revenue bill did for the people of this country as it left this end of the Capitol and how much it was improved at the other end of the Capitol. Let me say, Mr. Speaker, that under the terms of that new bill 80 per cent of the products of the toilers of New Jersey is kept upon the protected list, while 35 per cent of the different articles which are the products of our toil is upon the protected list, and the rates of those duties are much less in proportion than those imposed on the products of New Jersey.

Mr. KINKEAD of New Jersey. Mr. Speaker, will the gentleman yield there?

The SPEAKER pro tempore. Does the gentleman yield?

Mr. SLOAN. For a question only.

Mr. KINKEAD of New Jersey. The gentleman makes this statement, that——

Mr. SLOAN. Mr. Speaker, I yielded for a question, but I do not propose that any parliamentary petty larceny shall take place here.

Mr. KINKEAD of New Jersey. I just wanted to state to the gentleman——

Mr. SLOAN. I decline to yield, Mr. Speaker, except for a question.

The SPEAKER pro tempore. The gentleman declines to yield, except for a question.

Mr. KINKEAD of New Jersey. Is the gentleman aware of the fact that on articles produced in the district of the gentleman who is now addressing the House protection was not afforded either in the House or in the Senate, and that the gentleman from New Jersey did not request any protection, but that the House and the Senate in the matter of thread put 29 per cent on the raw material and 15 per cent on the manufactured product?

Mr. SLOAN. You are hanging your argument on a very slender thread. [Laughter on the Republican side.]

Mr. KINKEAD of New Jersey. No, sir; I am not hanging my argument on a slender thread, but the gentleman is hanging his argument in regard to New Jersey upon what is not true.

Mr. SLOAN. The State of New Jersey is represented in the Senate by two great Senators; and what I have said was stated in their presence, and not contradicted by either of them; and the facts are as I state them, being fully advised, that 80 per cent of the products of the State of New Jersey are retained

upon the protected list, while only 35 per cent of those in Nebraska are so retained.

Mr. KINKEAD of New Jersey. The gentleman is right to this extent——

Mr. SLOAN. Mr. Speaker, I demand order.

The SPEAKER. The gentleman from Nebraska declines to yield.

Mr. KINKEAD of New Jersey. The gentleman will——

The SPEAKER. The gentleman from Nebraska is entitled to the floor.

Mr. SLOAN. And I want to tell the gentleman the reason for that discrimination. No man from the western three-fifths of the United States had anything to do with the making up of that bill. In that western three-fifths area of the United States are raised the meat and cereal products, the surplus of which is distributed in the United States away from the neighborhood of production, and yet the party that the gentleman speaks for denied the western three-fifths area of the United States representation in the make-up of the bill.

Mr. KINKEAD of New Jersey. Will the gentleman yield for a short question?

Mr. SLOAN. I do not.

The SPEAKER. The gentleman declines to yield.

Mr. SLOAN. I want to state to the gentleman and to the House that for the last 15 years the exportation of beef to the whole United Kingdom has constantly decreased, until now it is an entirely negligible quantity. To be more precise, I attach hereto a table showing exports of beef to the United Kingdom from the United States and also Argentina for 12 years:

Exports of beef from United States and Argentina to the United Kingdom for certain years.

	United States.	Argentina.
	Hundredweight.	*Hundredweight.*
1901	3,180,291	771,929
1902	2,290,465	923,748
1903	2,693,930	1,152,211
1904	2,395,836	1,675,271
1905	2,232,206	2,580,152
1906	2,426,344	2,795,913
1907	2,417,604	2,756,965
1908	1,432,142	3,706,245
1909	856,805	4,336,079
1910	477,147	5,041,138
1911	174,350	6,176,503
1912	6,111	6,813,578

Not 1 pound to Argentina's 1,100 in 1912.

Mr. KINKEAD of New Jersey. Will the gentleman yield?

The SPEAKER. The gentleman declines to yield.

Mr. SLOAN. I can not yield. Mr. Speaker, may I have the floor?

The SPEAKER. The gentleman from Nebraska is entitled to the floor.

Mr. SLOAN. I thank the Speaker; and I want to say that if the gentleman had made a study of the beef situation in England he would not have accepted the statement of any gentleman that American beef was sold generally 50 per cent cheaper in England than it is in America.

Mr. FORDNEY. The fact is right the reverse.

Mr. SLOAN. Had that been the fact and any considerable amount been exported, some Yankee would have bought it all up, shipped it back to America, paid the duty, and become rich. The fact is that these packers, for whom the gentleman from New Jersey seems to have so much solicitude and for whom I have no particular use, are chargeable with being shrewd business men if they are chargeable with being anything; and with the recent cry that they have not enough meat to supply the demand here in America, does the gentleman presume upon the ignorance of every man in this House to say that they would ship beef from America over to England, and there sell it for 50 per cent less than they could sell it here at home, after paying the freight?

Mr. KINKEAD of New Jersey. Does the gentleman ask that as a question?

The SPEAKER. The time of the gentleman has expired.

Mr. SLOAN. Mr. Speaker, in view of the interruptions, I ask that I may have five minutes more.

The SPEAKER. The gentleman asks unanimous consent to continue his remarks for five minutes. Is there objection?

Mr. HARDWICK. Reserving the right to object, I think the gentleman ought to yield for a question.

Mr. SLOAN. I will yield if I get the extension.

The SPEAKER. Is there objection?

There was no objection.

Mr. KINKEAD of New Jersey. The first question I want to ask is this: Is it true that on the Payne-Aldrich conference committee which framed the last bill the great three-fifths of the West that the gentleman talked about were represented?

Mr. SLOAN. They were represented, and under that bill——

Mr. KINKEAD of New Jersey. Now, I want to ask one more question.

The SPEAKER. Does the gentleman yield?

Mr. SLOAN. I do not.

The SPEAKER. The gentleman from Nebraska is entitled to the floor.

Mr. SLOAN. It seems to me that even a wayfaring man, though he were from New Jersey, could see that I do not yield.

Mr. KINKEAD of New Jersey. It is very hard to tell whether the gentleman is complimentary or otherwise.

The SPEAKER. The gentleman from Nebraska has the floor, and declines to yield.

Mr. SLOAN. Under the Payne bill every product of which we are now talking, the meats and cereals of the great Northwest, were placed upon the protected list.

Mr. KINKEAD of New Jersey. And the people were well satisfied with it——

The SPEAKER. The gentleman must not interrupt while sitting in his seat.

Mr. SLOAN. And that protection was so fair that tons of meat from Australia and Argentina and elsewhere are being shipped into America and are being sold here, and this Government has been and is receiving the duty. So the gentleman would have us throw away the large duties that we have been collecting at the ports of the United States, not only upon meats, but upon all agricultural products.

Gentlemen, in 1897, when you surrendered control of this Government, the agricultural schedule was bringing in only $8,613,987 in revenue. In 1912, G, the agricultural schedule, brought in $34,146,071 in revenue. In 1897 Schedule G was the ninth in the list of 14 as a revenue producer. In 1912 Schedule G was third as a revenue producer.

Since 1897 Schedule G has increased as a revenue producer 296 per cent.

It stands first now in value of importations of all the 14 schedules, and viewed from a protective standpoint it has been quite satisfactory. Viewed from a revenue standpoint, considering its rapid increase, Schedule G is the best of the 14, and viewed from a competitive-tariff standpoint it certainly ought to be one that should not be unduly disturbed. In the last six months, of course, Schedule G has reduced some in volume of its imports, because the importers were waiting for the relief of which the majority boast. It may serve a great purpose for the gentleman from New Jersey [Mr. KINKEAD] to say to the people of the United States that those who live in the cities and in the congested East and South shall have 80 per cent or more of the products of their toil protected, but that those who till the soil, who herd and feed the cattle, who work every day in the year in storm and rain, 16 hours for your 8, shall have no protection. If there is anybody on earth who is entitled to protection now, it is the farmer, to encourage him in the production of the meat and grain supply instead of discouraging him. If, as a matter of fact, this meat was not coming into the country at this time and paying the duty, you would have a right to complain and say that the duty is prohibitive; but it is not prohibitive, because you boast of the amount that has been and is coming in now. The American people, at least 35,000,000 of them who are interested in the production of meats and cereals, will begin to think that the day for establishing this new aristocracy, of which we hear so much, consumer over producer, should be put off for a generation. We have heard little in revenue and tariff discussions except in behalf of the consumer. Who is the consumer that he should be so favored? What right has he above the one who toils? If there is any choice between the consumer and the producer, I am here to stand up for the producer. I would rather favor the man who would bend his back in honest toil than the man who would simply indulge his appetite. Would not the gentleman from New Jersey?

Mr. KINKEAD of New Jersey. Does the gentleman from Nebraska ask me that question?

Mr. SLOAN. Oh, I——

The SPEAKER. The time of the gentleman from Nebraska has again expired.

Mr. CLARK of Florida. Mr. Speaker, I ask that general debate on the bill now close and that it be read for amendment under the five-minute rule.

The SPEAKER. Without objection, the Clerk will read the bill for amendment under the five-minute rule.

The Clerk again reported the bill.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CLARK of Florida, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. FINLEY, for two weeks, on account of sickness.

To Mr. RAGSDALE, for 30 days.

To Mr. DUPRÉ, indefinitely, on account of illness in family.

To Mr. SMITH of Minnesota, for one month, on account of important business.

To Mr. CASEY, for a short period, on account of illness in his family.

NATIONAL CORN EXPOSITION, DALLAS, TEX.

Mr. UNDERHILL. Mr. Speaker, I ask unanimous consent to return to the Committee on Industrial Arts and Expositions, for the purpose of taking up and considering House concurrent resolution 17, authorizing the Secretary of Agriculture to make an exhibit at the Sixth National Corn Exposition, to be held at Dallas, Tex., during the month of February, 1914.

Mr. STAFFORD. Mr. Speaker, I reserve the right to object, and suggest that it is now past 5 o'clock.

Mr. HUGHES of Georgia. Mr. Speaker, I demand the regular order, that the Clerk proceed with the call of committees.

Mr. STAFFORD. It is easy enough to make the point of no quorum.

The SPEAKER. The gentleman from New York asks unanimous consent to return to the Committee on Industrial Arts and Expositions, to take up House concurrent resolution 17. Is there objection?

Mr. HUGHES of Georgia. Mr. Speaker, I object.

The SPEAKER. The gentleman from Georgia objects.

Mr. FOSTER. Mr. Speaker, I make the point of order that there is no quorum present.

ADJOURNMENT.

Mr. HARDWICK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 4 minutes p. m.) the House adjourned to meet to-morrow, Thursday, September 25, 1913, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HUMPHREY of Washington: A bill (H. R. 8470) authorizing the President to appoint a commissioner to supervise the erection of monuments and markers and locate the general route of the Oregon Trail; to the Committee on the Library.

By Mr. KALANIANAOLE: A bill (H. R. 8471) to ratify, approve, and confirm an act duly enacted by the Legislature of the Territory of Hawaii relating to the franchise of the Honolulu Rapid Transit & Land Co., extending such franchise and otherwise amending the laws relating thereto; to the Committee on the Territories.

By Mr. BUCHANAN of Illinois: A bill (H. R. 8472) amending an act entitled "An act to establish postal savings depositories for depositing savings at interest with the security of the Government for repayment thereof, and for other purposes"; to the Committee on the Post Office and Post Roads.

By Mr. BYRNS of Tennessee: A bill (H. R. 8473) authorizing the Secretary of the Interior to set aside certain lands to be used as a sanitarium by the Order of Owls; to the Committee on the Public Lands.

Also, a bill (H. R. 8474) to establish a fish hatchery and biological station in the sixth congressional district of the State of Tennessee; to the Committee on the Merchant Marine and Fisheries.

By Mr. BORLAND: A bill (H. R. 8475) to amend an act entitled "An act to provide a commission to secure plans and designs for a monument or memorial to the memory of Abraham Lincoln," approved February 9, 1911; to the Committee on the Library.

By Mr. FERGUSSON: A bill (H. R. 8476) providing for the expenditure of 25 per cent of the receipts from the national forests on road and trail construction; to the Committee on Agriculture.

By Mr. KEY of Ohio: A bill (H. R. 8477) authorizing the Secretary of the Interior to set aside certain lands to be used as a sanitarium by the Order of Owls; to the Committee on the Public Lands.

By Mr. AIKEN: A bill (H. R. 8478) dividing the State of South Carolina into two judicial districts, providing for the appointment of a district judge, etc.; to the Committee on the Judiciary.

By Mr. GORDON: A bill (H. R. 8479) to repeal section 3 of article 110 of section 1342 of the Revised Statutes of the United States, enacted July 27, 1892; to the Committee on Military Affairs.

By Mr. FRENCH: A bill (H. R. 8480) to amend an act entitled "An act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment," approved May 30, 1908; to the Committee on the Public Lands.

By Mr. ADAMSON: A bill (H. R. 8481) to prohibit the slaughter, sale, purchase, shipment, and transportation through interstate commerce of calves and cows under certain ages and conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. BORLAND: Concurrent resolution (H. Con. Res. 18) repealing Senate concurrent resolution 32 of the Sixty-second Congress, third session; to the Committee on the Library.

Also, resolution (H. Res. 261) directing the Lincoln Memorial Commission to report facts relative to change of design and increase of cost due to the unsafe foundation at location selected; to the Committee on the Library.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 8482) granting an increase of pension to Oscar D. Welker; to the Committee on Invalid Pensions.

By Mr. BAILEY: A bill (H. R. 8483) for the relief of Adam Earnest; to the Committee on Military Affairs.

Also, a bill (H. R. 8484) for the relief of Harrison Defibaugh; to the Committee on Military Affairs.

By Mr. BELL of California: A bill (H. R. 8485) granting an increase of pension to H. McFarlin; to the Committee on Pensions.

By Mr. BORLAND: A bill (H. R. 8486) granting a pension to Mary E. Smith; to the Committee on Invalid Pensions.

By Mr. BOWDLE: A bill (H. R. 8487) granting an increase of pension to Sarah Toomey; to the Committee on Pensions.

Also, a bill (H. R. 8488) granting a pension to Harry L. Tompkins; to the Committee on Pensions.

Also, a bill (H. R. 8489) for the relief of Mason M. Maxon; to the Committee on Military Affairs.

By Mr. BYRNS of Tennessee: A bill (H. R. 8490) granting a pension to Gambo C. Villines; to the Committee on Pensions.

Also, a bill (H. R. 8491) granting a pension to Clarence F. Moore; to the Committee on Pensions.

Also, a bill (H. R. 8492) granting a pension to America Pippin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8493) granting a pension to Nathan Hirshberg; to the Committee on Pensions.

Also, a bill (H. R. 8494) granting a pension to Mary C. Lanier; to the Committee on Pensions.

Also, a bill (H. R. 8495) granting an increase of pension to Elizabeth M. Harper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8496) granting an increase of pension to Arthur Scrivner; to the Committee on Pensions.

Also, a bill (H. R. 8497) granting an increase of pension to Joe R. Pickle; to the Committee on Pensions.

Also, a bill (H. R. 8498) granting an increase of pension to Elizabeth Jackson; to the Committee on Pensions.

Also, a bill (H. R. 8499) granting an increase of pension to Margarett A. Bennett; to the Committee on Pensions.

Also, a bill (H. R. 8500) granting an increase of pension to John W. Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8501) granting an increase of pension to John N. Smith; to the Committee on Pensions.

Also, a bill (H. R. 8502) granting an increase of pension to G. W. Wheeler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8503) granting an increase of pension to Madison White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8504) granting an increase of pension to Patrick Burton; to the Committee on Pensions.

Also, a bill (H. R. 8505) for the relief of A. J. Wright; to the Committee on War Claims.

Also, a bill (H. R. 8506) for the relief of William T. Wright; to the Committee on War Claims.

Also, a bill (H. R. 8507) for the relief of Frederick W. Palmore; to the Committee on War Claims.

Also, a bill (H. R. 8508) for the relief of the heirs at law of James E. Wilson, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8509) for the relief of heirs of Joseph Sivley, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8510) for the relief of the estate of Ferdinand E. Kuhn; to the Committee on War Claims.

Also, a bill (H. R. 8511) for the relief of the estate of Thomas J. Hill, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8512) for the relief of the estate of Hiram Jenkins; to the Committee on War Claims.

Also, a bill (H. R. 8513) for the relief of the trustees of the Cumberland Presbyterian Church, of Clarksville, Tenn.; to the Committee on War Claims.

Also, a bill (H. R. 8514) for the relief of the trustees of the Lick Creek Methodist Episcopal Church South, Stewart County, Tenn.; to the Committee on War Claims.

Also, a bill (H. R. 8515) for the relief of Gethsemane Baptist Church; to the Committee on War Claims.

Also, a bill (H. R. 8516) to remove the charge of desertion from the military record of Hiram Binkley; to the Committee on Military Affairs.

Also, a bill (H. R. 8517) to carry into effect the findings of the Court of Claims in case of Baxter Smith, administrator of estate of Hugh C. Jackson, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8518) to carry into effect the findings of the Court of Claims in case of J. Minnick Williams, administrator; to the Committee on War Claims.

Also, a bill (H. R. 8519) to carry into effect the findings of the Court of Claims in the case of Jimmie A. Elliott, sole beneficiary of the estate of Adaline Elliott, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8520) to carry into effect the findings of the Court of Claims in the case of Jimmie A. Elliott, sole legatee of Thomas A. Elliott, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8521) to carry into effect the findings of the Court of Claims in favor of Virginia Carter, administratrix of estate of Felix Carter, deceased; to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 8522) granting an increase of pension to Jefferson Hurst; to the Committee on Pensions.

By Mr. DEITRICK: A bill (H. R. 8523) granting a pension to Daniel J. Keefe; to the Committee on Pensions.

Also, a bill (H. R. 8524) granting a pension to George Gregory; to the Committee on Pensions.

Also, a bill (H. R. 8525) granting a pension to Mary D. Jenness; to the Committee on Pensions.

Also, a bill (H. R. 8526) granting a pension to John R. Morrison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8527) granting a pension to Catherine F. Wallace; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8528) granting a pension to Edward G. Eaton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8529) granting a pension to Thomas Comerford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8530) granting a pension to Patrick Conley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8531) granting a pension to Mary E. Palmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8532) granting a pension to Mary Lahey Murphy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8533) granting an increase of pension to Isabella B. Slayter; to the Committee on Pensions.

Also, a bill (H. R. 8534) granting an increase of pension to John F. Shea; to the Committee on Pensions.

Also, a bill (H. R. 8535) granting an increase of pension to George W. White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8536) granting an increase of pension to Emerson W. Law; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8537) granting an increase of pension to Charles F. Bowman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8538) granting an increase of pension to Thomas Ferrall; to the Committee on Invalid Pensions.

By Mr. DERSHEM: A bill (H. R. 8539) granting an increase of pension to John M. Copeland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8540) granting an increase of pension to Luther Detwiler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8541) granting an increase of pension to Alfred Clelan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8542) to correct the military record of David Mowen; to the Committee on Military Affairs.

By Mr. DONOVAN: A bill (H. R. 8543) granting a pension to George W. Bond; to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 8544) for the relief of Charles F. Fine; to the Committee on Claims.

By Mr. FERGUSSON: A bill (H. R. 8545) granting a pension to Feliciana B. de Alderete; to the Committee on Pensions.

Also, a bill (H. R. 8546) granting an increase of pension to Secundina Guelachowski; to the Committee on Pensions.

Also, a bill (H. R. 8547) granting an increase of pension to Pascualita J. Garcia de Anaya; to the Committee on Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 8548) granting an increase of pension to Samuel D. Kingsbury; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8549) granting an increase of pension to William H. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8550) granting a pension to Arthur C. Dexter; to the Committee on Pensions.

Also, a bill (H. R. 8551) granting a pension to Frederick P. Tuite; to the Committee on Pensions.

Also, a bill (H. R. 8552) granting an increase of pension to Albert Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8553) for the relief of W. A. Miller; to the Committee on Claims.

Also, a bill (H. R. 8554) for the relief of George W. Trahey; to the Committee on Claims.

Also, a bill (H. R. 8555) for the relief of Harry O. Clark; to the Committee on Claims.

Also, a bill (H. R. 8556) for the relief of W. A. C. Baldwin; to the Committee on Claims.

Also, a bill (H. R. 8557) for the relief of Peter McKay; to the Committee on Pensions.

Also, a bill (H. R. 8558) for the relief of James Bender; to the Committee on Military Affairs.

Also, a bill (H. R. 8559) to remove the charge of desertion from the military record of George W. Richardson; to the Committee on Military Affairs.

Also, a bill (H. R. 8560) for the relief of the Alaska Commercial Co., a corporation, for money paid to teachers in and supplies furnished to the public schools at Kodiak, Alaska; to the Committee on Claims.

By Mr. KETTNER: A bill (H. R. 8561) granting a pension to Nancy Jane McGinty; to the Committee on Pensions.

Also, a bill (H. R. 8562) for the relief of Kinder & Nicol; to the Committee on Claims.

By Mr. LA FOLLETTE: A bill (H. R. 8563) granting an increase of pension to Annie King; to the Committee on Pensions.

By Mr. LINTHICUM: A bill (H. R. 8564) for the relief of the heirs of James and Eliza M. Lewis; to the Committee on War Claims.

By Mr. LLOYD: A bill (H. R. 8565) granting an increase of pension to Sarah J. White; to the Committee on Invalid Pensions.

By Mr. McGILLICUDDY: A bill (H. R. 8566) to remove the charge of desertion from the military record of Octave Mousette; to the Committee on Military Affairs.

By Mr. MAHAN: A bill (H. R. 8567) granting a pension to Emily E. Shelley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8568) granting a pension to Frances Dodge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8569) granting a pension to Melissa S. Franklin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8570) granting an increase of pension to Mary Dolan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8571) granting an increase of pension to Sarah B. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8572) granting an increase of pension to Albert Smith; to the Committee on Invalid Pensions.

By Mr. J. I. NOLAN: A bill (H. R. 8573) granting a pension to Mary Curtin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8574) granting a pension to Sarah E. Holton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8575) granting an increase of pension to Jerome McWethy; to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 8576) granting an increase of pension to William A. Schriber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8577) granting an increase of pension to Robert A. Love; to the Committee on Invalid Pensions.

By Mr. REILLY of Connecticut: A bill (H. R. 8578) granting an increase of pension to Bridget Albinger; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 8579) granting a pension to Isaac W. Bilyeau; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8580) granting a pension to Elizabeth Newman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8581) to increase the compensation of rural free-delivery letter carriers; to the Committee on the Post Office and Post Roads.

By Mr. SELDOMRIDGE: A bill (H. R. 8582) granting a pension to William J. Brooker; to the Committee on Pensions.

Also, a bill (H. R. 8583) granting a pension to B. Frank Smythe; to the Committee on Pensions.

Also, a bill (H. R. 8584) granting a pension to Hattie Dannells; to the Committee on Pensions.

Also, a bill (H. R. 8585) granting a pension to George W. Casey; to the Committee on Pensions.

Also, a bill (H. R. 8586) granting an increase of pension to Edgar T. Ensign; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8587) granting an increase of pension to Orville Dunnington; to the Committee on Pensions.

Also, a bill (H. R. 8588) granting a pension to Oliver F. Miller; to the Committee on Invalid Pensions.

By Mr. SMITH of Maryland: A bill (H. R. 8589) for the relief of the heirs of Henry A. Butler; to the Committee on War Claims.

Also, a bill (H. R. 8590) granting a pension to Lillie Garner; to the Committee on Pensions.

By Mr. TALCOTT of New York: A bill (H. R. 8591) granting a pension to Sarah Cronk Rowley; to the Committee on Pensions.

By Mr. GOULDEN: Resolution (H. Res. 259) authorizing the Clerk of the House to pay to Nettie Jacke, widow of Arthur C. Jacke, six months' salary and funeral expenses of said Arthur C. Jacke, late a United States Capitol policeman; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of John P. Grace, Charleston, S. C., relative to the election of R. S. WHALEY, Representative from the first district of South Carolina; to the Committee on Elections No. 1.

By Mr. BAILEY: Petition of sundry citizens of Barnesboro, Pa., protesting against the passage of the Sunday-observance bill (S. 752) relative to proper observance of Sunday in the District of Columbia; to the Committee on the District of Columbia.

By Mr. CARY: Petition of Carpenters' Union No. 1053, of Milwaukee, Wis., favoring the reestablishment of self-government in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ESCH: Petition of Carpenters' Local Union No. 1053, of Milwaukee, Wis., favoring legislation to reestablish in the District of Columbia the right of suffrage; to the Committee on the District of Columbia.

Also, petition of sundry citizens of Curtiss, Wis., favoring maintaining the present parcel-post rates; to the Committee on the Post Office and Post Roads.

By Mr. GOOD: Petition of sundry business men of the fifth congressional district of Iowa, favoring the passage of legislation compelling concerns selling goods direct to the consumer by mail to contribute their portion of the funds for the development of the local community, county, and State; to the Committee on Interstate and Foreign Commerce.

By Mr. KONOP: Petition of Carpenters' Local Union No. 1053, of Milwaukee, Wis., favoring the reestablishment of self-government in the District of Columbia; to the Committee on the District of Columbia.

By Mr. McGILLICUDDY: Petition of the Portland (Me.) Local of the Socialist Party, favoring the passage of legislation making an amendment to the Constitution of the United States granting the right of suffrage to women; to the Committee on the Judiciary.

Also, petition of sundry business men of the second congressional district of Maine, favoring the passage of legislation compelling concerns selling goods direct to the consumer by mail to contribute their portion of the funds for the development of the local community, county, and State; to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS of California: Petition of the Chamber of Commerce of Oakland, Cal., favoring the construction of four battleships and a naval reserve for the Pacific coast; to the Committee on Naval Affairs.

SENATE.

THURSDAY, *September 25, 1913.*

The Senate met at 12 o'clock m.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Journal of the proceedings of Monday last was read and approved.

ESTIMATES OF APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury submitting estimates of appropriations relating to work in connection with public buildings involving projects of a character which it would seem, in the interest of public service, should receive attention at the present session, and requesting that the same may be provided for in the urgent deficiency appropriation bill (S. Doc. No. 192), which was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Public Printer submitting an additional estimate of appropriation in the sum of $30,000 for the installation in the Government Printing Office of a mail-carrying system, etc. (S. Doc. No. 191), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury transmitting a record of judgment rendered by the Court of Claims, under the War Department, in the sum of $6,244.63, etc. (S. Doc. No. 195), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Navy reporting, under the provisions of the naval act of June 24, 1910, that the Navy Department has considered, ascertained, adjusted, and determined the respective amounts due claimants therein specified on account of damages for which the vessels of the Navy were found to be responsible, aggregating $722.39 (S. Doc. No. 194), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury transmitting, pursuant to law, a schedule of claims amounting to $43,303.99 allowed by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund, etc. (S. Doc. No. 193), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 2727) to create an additional land district in the State of Nevada.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 6635. An act to authorize the county of Hamilton, in the State of Tennessee, to construct a bridge across the Tennessee River at Chattanooga, in the State of Tennessee;

H. R. 7469. An act to authorize the construction, maintenance, and operation of a bridge across the Little River at or near Lepanto, Ark.;

H. R. 7470. An act to authorize the construction, maintenance, and operation of a bridge across Black River at or near the section line between sections 8 and 9, in township 20 north, range 5 east, being a short distance south and east of the town of Corning, Clay County, Ark.;

H. R. 7472. An act authorizing Beaufort and St. Helena Townships, Beaufort County, S. C., to construct, maintain, and operate a bridge and approaches thereto across Beaufort River, in Beaufort County, S. C.;

H. R. 7596. An act to increase the limit of cost of the United States post-office building at Beloit, Kans.;

H. R. 7875. An act to increase the limit of cost of the public building at Augusta, Ga.;

H. R. 8364. An act to authorize the President to provide a method for opening lands restored from reservation or withdrawal, and for other purposes; and

H. J. Res. 125. Joint resolution authorizing the President to appoint delegates to attend the Seventh International Congress of the World's Purity Federation, to be held in the city of Minneapolis, State of Minnesota, November 7 to 12, 1913.

PETITIONS.

Mr. VARDAMAN. Mr. President, I submit a telegram from the Bankers' Association of Mississippi, which I desire to have read and referred to the Committee on Banking and Currency.

There being no objection, the telegram was read and referred to the Committee on Banking and Currency, as follows:

JACKSON, MISS., *September 23, 1913.*

Senator JAMES K. VARDAMAN,
Washington, D. C.:

The executive committee of the Mississippi Bankers' Association in session to-day has unanimously adopted a resolution urging you to use all effort and influence to have removed from the Federal reserve act that provision which contemplates enforcing par remittance of individual checks and drafts between members of the Federal reserve association.

T. H. DICKSON, *Secretary.*

Mr. PERKINS presented a petition of the Chamber of Commerce of Oakland, Cal., praying that an appropriation be made for the construction of four new battleships, which was referred to the Committee on Naval Affairs.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that the final enactment of the banking and currency bill be postponed until a later session of Congress, which was referred to the Committee on Banking and Currency.

PORT OF PERTH AMBOY, N. J.

Mr. SHEPPARD. From the Committee on Commerce I report favorably without amendment the bill (H. R. 7377) extending to the port of Perth Amboy, N. J., the privileges of section 7 of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement, and I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The Senator from Texas asks unanimous consent for the present consideration of the bill reported by him. Is there objection?

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator from Texas if the committee have considered this bill?

Mr. SHEPPARD. This is one of that class of bills which does not require any formal meeting of the committee.

Mr. SMITH of Michigan. I know the regulation, but I should like to know whether the committee have had any meeting?

Mr. SHEPPARD. It has been considered by myself, as a subcommittee of the Committee on Commerce. As I understand, that is the custom in passing upon bills of this character. It simply extends certain privileges to a port in New Jersey.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BACON:

A bill (S. 3134) for the relief of the administratrix of the estate of William Pope, deceased (with accompanying papers); to the Committee on Claims.

By Mr. JONES:

A bill (S. 3135) authorizing the leasing of the lands embraced within the Hoh Indian Reservation, in the State of Washington (with accompanying paper); to the Committee on Indian Affairs.

A bill (S. 3136) granting an increase of pension to Lewis B. Hunt; and

A bill (S. 3137) granting a pension to Isaac N. Troutman; to the Committee on Pensions.

By Mr. BRISTOW:

A bill (S. 3138) granting a pension to Harry Wills (with accompanying papers); to the Committee on Pensions.

By Mr. NEWLANDS:

A bill (S. 3139) granting an increase of pension to John Thompson; to the Committee on Pensions.

By Mr. NORRIS:

A bill (S. 3140) granting an increase of pension to John Wright; to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 3141) granting an increase of pension to Julia C. Nickerson (with accompanying papers);

A bill (S. 3142) granting an increase of pension to Nancy E. Bradley (with accompanying papers);

A bill (S. 3143) granting an increase of pension to Mary L. Wells (with accompanying papers);

A bill (S. 3144) granting an increase of pension to Frances E. Berry (with accompanying papers); and

A bill (S. 3145) granting an increase of pension to Mary S. Barnum (with accompanying papers); to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 3146) granting an increase of pension to Mary Thomas (with accompanying paper); to the Committee on Pensions.

PUBLIC BUILDING AT PORTLAND, OREG.

Mr. LANE. I wish to introduce a bill for reference to the appropriate committee.

The bill (S. 3133) to amend the act approved March 4, 1913 (H. R. 28766), entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling or improvement of certain public buildings, to authorize the erection and completion of public buildings, and to authorize the purchase of sites for public buildings and for other purposes," was read twice by its title.

Mr. LANE. Mr. President, I wish to make a few remarks concerning the object of the bill, which will, I think, appeal to all Members of the Senate.

There has been an appropriation of $1,000,000 made to construct a post-office building in the city of Portland, Oreg. The design of the architect called for a two-story building upon plans which are usually adopted by the Government, making a low two-story building.

In the city of Portland there is being expended by the Government $21,000 a year for the rental of offices for other Federal officials. The appropriation of $1,000,000 would construct a six or eight story building which would house all those officials and give plenty of room for the post office, and it would save that expenditure for rental.

The ground upon which the building is to be constructed is down in the heart of the city where it will soon be surrounded by skyscraper buildings. The type of construction which has been adopted by the Government for its post offices is one which they adopted from Grecian architecture, which came up out of Egypt. It is a type of building that is fitting if erected upon an eminence and surrounded by open ground and is to be used as a temple of art or worship, or something of that sort, but such buildings are illy ventilated and dark and not adapted to the climate of the north Pacific coast. If it were in Los Angeles or Arizona it would be the proper type of a building, but in Oregon and Washington where we need plenty of light, and buildings which are airy and roomy, the money could better be expended in the construction of a building of eight stories which would house the employees of the Government. The erection of such a building would call for no additional appropriation by Congress.

I wish I could get as prompt consideration of the bill as possible. I move that it be referred to the Committee on Public Buildings and Grounds.

The motion was agreed to.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. POINDEXTER submitted an amendment proposing to appropriate $5,000 for the preparation of designs and estimates for a national archives building in the city of Washington, D. C., etc., intended to be proposed by him to the urgent deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. FLETCHER submitted an amendment proposing to appropriate $15,000 for protecting the shore of Anastasia Island, Fla., etc., intended to be proposed by him to the urgent deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

THE OFFICIAL REGISTER.

Mr. FLETCHER. Mr. President, I submit a proposed amendment to the urgent deficiency appropriation bill. I desire to have the amendment read.

The amendment was read, as follows:

Insert the following proviso:

"*Provided*, That hereafter the Official Register of the United States shall not contain the names of those persons heretofore published in Volume II relating to the postal service, namely, postmasters, assistant postmasters, clerks in post offices, city and rural carriers, employees of the sea-post service, employees of the Railway Mail Service, employees of the mail messenger service, and mail contractors, nor shall it contain the statement of allowances made to contractors for carrying the mails or the list of ships and vessels belonging to the United States as heretofore published in the said Official Register, and all acts or parts of acts inconsistent with the foregoing provisions are hereby repealed."

Mr. FLETCHER. Mr. President, the purpose of the amendment submitted has the hearty approval of the Postmaster General, the Secretary of Commerce, and the Director of the Census Bureau, the three officials having charge of the compilation and publication of the Official Register as it relates to the postal service. A similar change in the Official Register was recommended by the Printing Investigation Commission in its bill, S. 4239, which passed the Senate April 9, 1912. It also had the indorsement of the former Postmaster General, the former Secretary of Commerce and Labor, and the former Director of the Census Bureau. A like provision is included in the printing bill, S. 825, now being considered by the Senate Committee on Printing.

The Senate Committee on Printing, when it reported the printing bill favorably in the Sixty-second Congress, made the following statement in regard to the proposed change in the Official Register (S. Rept. 414, 62d Cong.):

SEC. 72, PAR. 1. This paragraph amends existing law by providing that the Official Register of the United States shall not include the names of persons heretofore published in Volume II relating to the postal service. This amendment is recommended by the Postmaster General, who has advised the committee that "the entire second volume of the Official Register serves no useful purpose and should be discontinued." The Director of the Bureau of the Census, under whose direction the Official Register is compiled and published, concurs in this amendment, stating that he believes the omission of Volume II would hardly be felt at all by any of the persons who use the Official Register. * * * It is estimated that these changes in the Official Register will make a saving of at least $25,000 biennially in the compiling and printing of that publication.

SEC. 72, PAR. 2. This paragraph is a redraft of existing law with the exception that it eliminates from the Official Register the statement relating to ships and vessels of the United States and the statement of allowances to contractors for carrying the mails. Neither of these statements properly belong in an official register of Government employees. The Navy Department and the Department of Commerce and Labor issue reports relating to vessels of the Government that supply all the information contained in the Official Register. The statement of allowances to contractors for carrying the mails costs several thousand dollars to have it compiled biennially by the Post Office Department and serves no purpose whatever, each item being subject, as it is, to constant change. The Official Register should be simply a directory of Government employees.

The present law requires the Director of the Census to publish the next biennial edition of the Official Register on the 1st day of December of this year. Therefore, unless the proposed amendment is adopted within a short time, the Postmaster General and the Director of the Census will be put to the necessity of again compiling and publishing Volume II of the Official Register relating to the postal service, which is unanimously condemned as a useless publication by those most conversant with its contents. There seems to be no doubt that Congress will eventually authorize the discontinuance of this volume, the Senate having already gone on record in favor of so doing by the passage of the printing bill in the Sixty-second Congress. It seems to me, therefore, that if a saving of from $20,000 to $25,000 can be made by effecting this change now, Congress ought to do so. As a former member of the Printing Investigation Commission which prepared the printing bill containing this provision, I have taken the liberty of submitting it in the form of a separate amendment to the deficiency appropriation bill, that the useless expenditure of $25,000 every other year may be discontinued forthwith.

In this connection, I submit a letter from the Postmaster General under date of September 19, 1913. I ask that the letter be read and referred to the Committee on Appropriations, together with the amendment.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read the letter.

The Secretary read as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., September 19, 1913.

Hon. DUNCAN U. FLETCHER,
Chairman Joint Committee on Printing, United States Senate.

MY DEAR SENATOR FLETCHER: The Secretary of the Department of Commerce has written me with reference to the preparation of Volume II of the Official Register for 1913. That department, as well as this, has gone on record to the effect that this volume serves no useful purpose and should be discontinued. On January 24, 1912, the Postmaster General addressed a communication to the chairman of the Printing Investigation Commission of the Senate, wherein it was stated that the second volume of the register covering the postal service should be discontinued.

The time has now arrived, under the provision of legislation relating to the printing of the Official Register, for the preparation of the data for this volume. Its discontinuance has been provided for in recent printing bills introduced in Congress, and, I believe, is under consideration at this time in bill S. 825, introduced by Senator Sargent on April 12, 1913, and referred to the Committee on Printing. Unless prompt legislation is obtained authorizing the discontinuance of this volume the department will be compelled to proceed with its preparation at an approximate cost to the Government of $20,000, for which no benefit accrues to the Government as far as the service which it covers is concerned.

Very sincerely, yours,

A. S. BURLESON,
Postmaster General.

The VICE PRESIDENT. The letter and the amendment will be referred to the Committee on Appropriations.

OHIO NATIONAL GUARD.

Mr. POMERENE. I submit a proposed amendment to the deficiency appropriation bill and ask that it be printed and referred to the Committee on Appropriations.

Under existing statutes the moneys are appropriated each year for the National Guard. During the recent floods in Ohio a large part of the equipment of the National Guard was completely destroyed, and this amendment is for the purpose of making up that loss.

The amendment was referred to the Committee on Appropriations and ordered to be printed and to be printed in the RECORD, as follows:

Arming and equipping the Militia—Allotment State of Ohio: For replacing military stores, supplies, and equipments lost by the National Guard of the State of Ohio during the recent floods in Ohio during March and April, 1913, $78,670.87.

EMPLOYMENT OF STENOGRAPHER.

Mr. BRISTOW submitted the following resolution (S. Res. 183), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senator JOSEPH L. BRISTOW be, and he hereby is, authorized to employ a stenographer at a salary of $1,200 per annum, to be paid from the contingent fund of the Senate for a period of 30 days from and including September 28, 1913.

EMPLOYERS' WELFARE WORK.

Mr. BURTON submitted the following resolution (S. Res. 184), which was read and referred to the Committee on Printing:

Resolved, That there be printed 5,000 additional copies of House Document No. 1480, Sixty-second Congress, entitled "Employers' Welfare Work," for the use of the Senate document room.

MRS. FLORENCE E. QUIGLEY.

Mr. MARTINE of New Jersey submitted the following resolution (S. Res. 185), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, out of the miscellaneous items of the contingent fund of the Senate, to Mrs. Florence E. Quigley, widow of Thomas Quigley, deceased, late chief of police of the United States Capitol, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

WORLD PEACE.

Mr. NORRIS. I ask unanimous consent for a reprint of Senate Document 139, with some corrections.

The VICE PRESIDENT. Is there objection?

Mr. WALSH. Will the Senator kindly advise us what the document is?

Mr. NORRIS. It is a sermon on world peace, delivered by Rev. T. M. C. Birmingham, of Beatrice, Nebr.

Mr. WALSH. It has already been printed?

Mr. NORRIS. It has already been printed.

The VICE PRESIDENT. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and it is so ordered.

SAN FRANCISCO WATER SUPPLY.

Mr. BORAH. Mr. President, I desire to ask the chairman of the Committee on Public Lands if there has been a report on what is known as the Hetch Hetchy bill.

Mr. MYERS. The bill has not yet been reported. I have it now on my desk, but I did not get it until after the order for reports of committees had been passed. I am expecting two other reports every second, and I have been waiting so that I might make all three at once; but inasmuch——

Mr. BORAH. The only reason why I made the inquiry is to know whether the Senator proposes to ask for its consideration to-day.

Mr. MYERS. I do not. I have not been requested to do that, and I do not intend to do so.

While I am on the floor I will ask leave, out of order, to submit the report. From the Committee on Public Lands I report back favorably, without amendment, the bill (H. R. 7207) granting to the city and county of San Francisco certain rights of way in, over, and through certain public lands, the Yosemite National Park, and Stanislaus National Forest and certain lands in the Yosemite National Park, the Stanislaus National Forest, and the public lands in the State of California, and for other purposes. (S. Rept. 113.)

The VICE PRESIDENT. The bill will be placed on the Calendar.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had, on September 17, 1913, approved and signed the following act:

S. 2711. An act to provide for the acquiring of station grounds by the Great Northern Railway Co. in the Colville Indian Reservation in the State of Washington.

POSTMASTER AT VALLEY CITY, N. DAK.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read Senate resolution 182, submitted by Mr. McCUMBER on the 22d instant, as follows:

Resolved, That the Postmaster General be directed to transmit to the Senate all papers, reports, and other information on file in his office relating to the removal of W. H. Pray as postmaster at Valley City, N. Dak.

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. SMITH of Georgia. Let the resolution go over, Mr. President.

Mr. McCUMBER. The resolution has once gone over, and I presume I am, under the rules, entitled to have a hearing on it.

I will state to the Senator from Georgia that I asked at the last meeting of the Senate for a reconsideration of the vote by which several postmasters were confirmed. The request was unanimously granted, and I assume that the papers will be returned. In order that the Senate may act intelligently in one case which I desire to present, the Senate should have the papers that are now in the Post Office Department. I have no copies of them; hence it will be necessary to have them returned to the Senate in order that we may pass upon the question which I desire to present.

Mr. SMITH of Georgia. Mr. President, it requires no resolution by the Senate to accomplish that result. The Post Office Department furnishes to the Post Office Committee, upon application, all papers of this kind, and we can obtain for the Senator such papers as he desires without any formal action by the Senate.

Mr. McCUMBER. The Senator from Georgia misunderstands the position of the matter. The subject is not now before the committee. The committee reported without having the papers in its possession. If the Senate will consent to have this matter, for which I have asked a reconsideration, go back to the committee, and then send for the papers, there will be no object in my asking for them through a resolution; but in order that the committee may properly ask for any papers, it must have the subject matter before it; and, I repeat, that at present the committee has not the subject matter before it.

Mr. SMITH of Georgia. Mr. President, I think the Senator from North Dakota is mistaken in the view he presents upon the subject. All he need do is to indicate to the chairman or any other member of the committee that he would be glad to have these papers brought back to the committee for investigation, and his request will be complied with. Even though the matter is before the Senate, not having been acted upon, the papers will be furnished the committee by the Post Office Department for the investigation of Senators. I can assure the Senator that, although the case is pending in the Senate, if he so desires, we will ask for the papers, if they are not now in the committee, for his inspection and for use on the floor of the Senate.

Mr. McCUMBER. I believe the Senator from Georgia is a member of the committee?

Mr. SMITH of Georgia. I am.

Mr. McCUMBER. Very well, Mr. President. I ask, then, that the resolution lie over, and I will ask the Senator from Georgia to get the papers before his committee. I will therefore necessarily ask that the case, which is on the calendar, shall go over until I receive the papers from the Post Office Department.

Mr. SMITH of Georgia. I request the Senator simply to give me a memorandum of the particular post office in which he is interested.

Mr. McCUMBER. I wish it understood, if I do not press this resolution, that I shall desire the matter, which I would not attempt to delay in any manner, to go over until we receive the papers. I assume, of course, that that will be satisfactory.

Mr. SMITH of Georgia. I have not charge of that particular nomination. The Senator from Mississippi [Mr. VARDAMAN] and the Senator from South Carolina [Mr. SMITH] have charge of those matters; I could not speak for their action as to delay; but I can speak for the committee, and I will say that we shall be glad to get any papers which the Senator desires for examination in connection with the matter. We constantly have such papers furnished to the committee, and so constantly do we have them furnished the committee that I was objecting to the resolution because it would simply formally commit the Senate to asking for something which we as a committee day after day ask for and always receive.

Mr. McCUMBER. Mr. President, I agree with the Senator that, if the matter had not passed out of the committee's hands, the proper method of securing the information would be through the committee. I insist, however, that the proper method, after the matter has been reported to the Senate, when the committee has not the papers and has not the subject matter under its jurisdiction, is to apply directly to the Postmaster General for the papers for the information of the Senate; but inasmuch as we are both seeking to obtain the same result, if the Senator from Georgia as a member of the committee desires to obtain the papers in the way he has indicated, I have not the slightest objection.

Mr. SMITH of Georgia. It is barely possible, it has been suggested to me, that I am laboring under a misapprehension. Does the resolution submitted by the Senator from North Dakota apply to an appointment or to a removal?

Mr. McCUMBER. It applies to a removal, which is connected with the appointment.

Mr. SMITH of Georgia. I am not sure that we are furnished papers connected with removals, though I know we are always furnished papers connected with appointments. I may be mistaken about that, and that is why, on the suggestion from another Senator, I rose to say that possibly I am in error. The only papers, I think, called for and always furnished have been papers connected with nominations.

Mr. McCUMBER. This nomination is so tied up with the removal that, I think, undoubtedly if the Senator from Georgia desires to obtain the papers in the way he has suggested they would be forthcoming.

Mr. VARDAMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Mississippi?

Mr. McCUMBER. I yield.

Mr. VARDAMAN. I desire to correct the statement made by the Senator from Georgia [Mr. SMITH] that I have those papers or have had anything to do with the matter other than presenting the papers to the Senate at the request of the Senator from South Carolina [Mr. SMITH].

I will say, in answer to the suggestion made by the Senator from North Dakota [Mr. McCUMBER], that I think it is not customary for the department to send papers which bear upon a removal to the committee upon the simple request of the committee, and I have my doubts about those papers being submitted to the committee without a resolution of the Senate, though I am not sure as to that.

Mr. BRISTOW. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Kansas?

Mr. McCUMBER. I yield.

Mr. BRISTOW. I know that I have obtained papers in that way from the department relating to the removal of postmasters on the request of the chairman of the committee. I do not know whether it is the usual practice, but I know that it never has been denied me when I have made such a request.

Mr. SWANSON. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Virginia?

Mr. McCUMBER. I yield, Mr. President.

Mr. SWANSON. Mr. President, it seems to me that it is decidedly preferable to first ascertain whether the papers can be obtained by the committee for the Senator from North Dakota. If that is done, the papers can then be returned to the department, as is usually the case. If, however, the papers are sent to the Senate, they will have to be copied, which takes a great deal of time. It is very difficult to get the original papers back from the Senate to the department. The record has been kept in all these cases for a great many years. I would suggest that the Senator from North Dakota address a letter to the chairman of the committee asking that these papers be sent, and I am satisfied they will be furnished as soon in that way as they would in the other. I repeat, however, that is decidedly preferable, because the papers will then be returned to the department when sent to the committee and not to the Senate.

Mr. McCUMBER. I thought that had already been practically consented to between us, and that the request was considered as having been made here. With that understanding, I had just as soon the resolution should go over until we can ascertain whether we may obtain the papers by the method suggested.

The VICE PRESIDENT. The resolution submitted by the Senator from North Dakota [Mr. McCUMBER] will go over.

ADJOURNMENT TO MONDAY.

Mr. NEWLANDS. I move that when the Senate adjourns to-day it adjourn to meet on Monday next at 12 o'clock noon.

The motion was agreed to.

HOUSE BILLS REFERRED.

Mr. MYERS. Mr. President——

Mr. SMITH of Georgia. Mr. President, a number of bills have been received from the House of Representatives, and no disposition has been made of them. I think there are one or two bills which ought to be referred at once.

Mr. NORRIS. Mr. President, I hope the Senator from Georgia will not insist on that. The Senator from Montana [Mr. MYERS], the chairman of the Committee on Public Lands, is ready to make a request for unanimous consent for the consideration of one of those bills because we agreed yesterday to report but of the committee an identical bill, and we desire to get it up this morning.

Mr. SMITH of Georgia. I will not insist upon a reference if the Senate is ready to act upon any of the bills. It was only to prevent delay that I desired the bills which the Senate could not now act upon referred to the appropriate committees.

The following bills were severally read twice by their titles and referred to the Committee on Commerce:

H. R. 6635. An act to authorize the county of Hamilton, in the State of Tennessee, to construct a bridge across the Tennessee River at Chattanooga, in the State of Tennessee;

H. R. 7469. An act to authorize the construction, maintenance, and operation of a bridge across the Little River at or near Lepanto, Ark.;

H. R. 7470. An act to authorize the construction, maintenance, and operation of a bridge across Black River, at or near the section line between sections 8 and 9, in township 20 north, range 5 east, being a short distance south and east of the town of Corning, Clay County, Ark.; and

H. R. 7472. An act authorizing Beaufort and St. Helena Townships, Beaufort County, S. C., to construct, maintain, and operate a bridge and approaches thereto across Beaufort River, in Beaufort County, S. C.

The following bills were severally read twice by their titles and referred to the Committee on Public Buildings and Grounds:

H. R. 7596. An act to increase the limit of cost of the United States post-office building at Beloit, Kans.; and

H. R. 7875. An act to increase the limit of cost of the public building at Augusta, Ga.

H. J. Res. 125. Joint resolution authorizing the President to appoint delegates to attend the Seventh International Congress of the World's Purity Federation to be held in the city of Minneapolis, State of Minnesota, November 7–12, 1913, was read twice by its title and, on motion of Mr. BACON, was referred to the Committee on Foreign Relations.

OPENING OF RESTORED LANDS.

H. R. 8364. An act to authorize the President to provide a method for opening lands restored from reservation or withdrawal, and for other purposes, was read twice by its title.

Mr. NORRIS. Mr. President, this is the bill to which I had reference. I believe the Senator from Montana [Mr. MYERS] has not formally made a report on the Senate bill, but he has the report ready, and I will ask unanimous consent for the present consideration of the House bill.

The VICE PRESIDENT. Is there objection?

Mr. WALSH. Mr. President, I understand the request to be for unanimous consent for the consideration of a bill which has just come over from the House?

Mr. NORRIS. Yes.

Mr. WALSH. It has not been referred to any committee?

Mr. NORRIS. I will say to the Senator that the Committee on Public Lands yesterday unanimously agreed to report an identical bill. There is no difference between the bill which has come over from the House and the bill which has been acted upon by the Committee on Public Lands. There is a particular reason, that I would be glad to explain, why this bill ought to be enacted at once, in order to give the Secretary of the Interior time to make necessary regulations and rules for the opening up of public lands that have been withdrawn from a forest reservation.

Mr. WALSH. Let me inquire of the Senator when the report from the Senate Committee on Public Lands was made?

Mr. NORRIS. On yesterday.

Mr. WALSH. There was no session of the Senate yesterday.

Mr. CLAPP. Mr. President, if the Senator will pardon me a moment, the Senator from Montana [Mr. WALSH] asked when the report was made. The report was agreed to yesterday by the committee. If the senior Senator from Montana [Mr. MYERS] will make the report on the bill at once, it will then bring the matter properly before the Senate, and the request for unanimous consent for the consideration of the bill can then be made.

Mr. BACON. Unless there is something of great urgency, like an invasion or something which could not be postponed for a day, I do not think the regular rules of the Senate ought to be departed from. There are numerous cases where good reasons can be given why it is unnecessary for a bill to be referred to a committee; but if the rule is varied from in one instance, we will have continually other instances presented in which equally good reasons can be given. If we wait until Monday, that will not be a long time for a matter of this kind, and I think the regular order ought to be observed.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. NORRIS. Mr. President, before the Senator from Georgia makes objection I should like to have him hear the Senator from Montana [Mr. MYERS], who has the report on his desk ready to be made, and I should like to tell the Senator why it is very important that this bill should become a law at once.

Some time ago an order was made by President Taft restoring to the public domain certain public lands which theretofore had been in a forest reservation in the State of Nebraska. The order opening them to filing provides that they shall be opened on the 1st day of October. It was supposed, I think, that the Secretary of the Interior had authority under the law to make the necessary rules and regulations in such cases, so that there would not be an unnecessary rush of people to file on merely a few lands that are to be opened.

Mr. BACON. Will the Senator permit me to interrupt him a moment?

Mr. NORRIS. I certainly will.

Mr. BACON. I understand all that, and I am perfectly willing that the bill shall be referred and reported back in 10 minutes. I do not object to that, but I do object, Mr. President, to the regular rules of the Senate being departed from.

Mr. NORRIS. I will ask the Senator from Montana if he will not make the report on the Senate bill, which is identical with the House bill?

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. BACON. I object, Mr. President; with the statement that I am perfectly willing to have the bill reported back as promptly as may be necessary.

The VICE PRESIDENT. The bill will be referred to the Committee on Public Lands.

Mr. MYERS. Mr. President, I will say to the Senator from Nebraska that I have been trying for some time to make an explanation to the Senate, but this is the first opportunity I have had to do so.

A few days ago at the request of Assistant and Acting Secretary of the Interior Jones, Representative FERRIS, chairman of the Public Lands Committee in the other House, and I simultaneously introduced bills in the House and Senate, which were prepared in the Interior Department by Mr. Jones. He called Representative FERRIS and myself into his office. We went there and met jointly with him. He explained the situation to us, advised us of the urgent necessity of a bill of this character, and asked us to introduce the bill, respectively in the House and Senate. Believing it to be just and meritorious and needed, and a case of great emergency, we agreed to do so.

The bill was introduced in the House and Senate simultaneously; or, rather, it was introduced in the House a day or two before it was introduced in the Senate, because our meetings here, occurring only twice a week, do not permit the introduction of bills every day. It was introduced here in the Senate at the first opportunity. The Senate bill is No. 3121.

That bill in due course, or immediately, was referred to the Senate Committee on Public Lands. By the Senate Committee on Public Lands, as usual—although it was a mere matter of form in this case—it was referred to the Department of the Interior; and the Acting Secretary of the Interior immediately sent the bill back to the committee with a strong recommendation in its favor.

Yesterday at a meeting of the Public Lands Committee of the Senate the bill was considered in extenso, explained, debated, and talked over, and was unanimously ordered favorably reported by the committee. There was a quorum of the committee actually and corporeally present, representing both Republicans and Democrats, and they unanimously ordered the bill to be favorably reported. The Senator from Nebraska [Mr. NORRIS] took quite an interest in it and explained the need of it in his State. The Senator from Washington [Mr. JONES] was present, not as a member of the committee but merely as one interested in the bill, and spoke of the need of it in his State.

The VICE PRESIDENT. May the Chair inquire whether the report is ready from the Committee on Public Lands?

Mr. MYERS. It is. I have received it just this second.

The VICE PRESIDENT. May the Chair inquire whether the bill reported on by the committee is identical with the bill that has just come from the House?

Mr. MYERS. It is.

Mr. SHAFROTH. Will the Senator explain this bill?

Mr. MYERS. The nature of the bill is this: It appears that in cases where public lands have been withdrawn from entry and put into forest reserves or reclamation districts, or anything of that kind, or for any purpose have been withdrawn and then have been restored to public entry, there is no method of throwing them open to the public and letting them be entered except the old, ordinary, pell-mell scramble method of letting every man race onto the land and take a claim if he can get it. That often results in conflicts, in contests in the land office that drag their weary length along for years, in shotgun episodes, homicides, great confusion, and everything of that kind. Frequently considerable bodies of land are withdrawn and then restored to public entry.

The object of this bill is to provide, and it does provide, that the President of the United States may, in his discretion, promulgate rules and regulations suitable to the case for the method of throwing open to public settlement and making entry upon land that has been once withdrawn and then restored. In other words, he may make rules and regulations which prescribe the lottery method, the method of drawing a few days in advance, such as we have when we open Indian reservations in the Northwest. It is to put that power in the President, as I understand.

Mr. SHAFROTH. Let me ask the Senator whether the bill would give the President of the United States power to open any of these lands upon terms other than proprietorship? Would it give him the right to promulgate a rule that the lands should be leased?

Mr. MYERS. No; none whatever. It is merely for entering the land.

Mr. JONES. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Washington?

Mr. MYERS. I do.

Mr. JONES. As I understand, the bill says that the President may not only provide for disposing of these lands by a lottery system, but he may do this if he deems it advisable. For instance, if lands are eliminated from a forest reserve, if there is no provision made under which there is some delay in placing on these lands certain entries, they are subject to scrip entry; but this bill will give the President authority to say that for a period of, say, 30 or 60 days such lands shall be subject only to homestead entry by settlement, and that after the expiration of that time they shall be subject to the public land laws of the United States.

If the Senator will permit me further, I desire to say that I saw Assistant Secretary Jones this morning about another matter, and he called up this matter, and said that he hoped we would be able to pass this bill to-day, because of the circumstance mentioned by the Senator from Nebraska [Mr. NORRIS]—that there was a reservation which under a previous order issued by President Taft would be opened on the 1st day of October, and that unless this bill should be passed enabling them to prescribe certain rules and regulations with reference to the entry of that land great confusion would result.

I hope that either the House bill will be reported from the Committee on Public Lands and taken up or some procedure of that kind will be adopted.

Mr. BACON. If I may be permitted to say so, my only objection has been to setting the precedent of passing a bill without its having been considered by a committee. Now, upon the statement made by the Senator from Montana that this identical measure has been considered by the committee and reported upon favorably, if I understand that correctly, I have no objection to its present consideration.

Mr. MYERS. Mr. President, I will resume my statement. I am glad to have the Senator from Georgia, now, since he understands the matter, withdraw his objection. I will say, too, that Mr. JONES, the Assistant Secretary of the Interior, telephoned me this morning and expressed a very earnest desire that the bill, having passed the House, should pass the Senate to-day. I told him I would do what I could to get one or the other of the bills through. They are identical.

When the bill passed the House, it passed with an amendment which is agreeable to the Interior Department and has its approval. When the bill was considered in the Senate committee yesterday the same amendment was adopted. It was reported out with the House amendment incorporated in the bill. The committee recommends that it be amended as it passed the House.

I now ask leave to report the bill from the Senate committee with an amendment; and I ask that the report and the bill itself may be read in full for the information of the Senate.

Mr. WALSH. Mr. President——

The VICE PRESIDENT. The Senator from Montana reports from the Committee on Public Lands, with an amendment, a bill which will be read by the Secretary.

Mr. SMITH of Georgia. Mr. President——

The VICE PRESIDENT. The Chair will suggest that the parliamentary method now is to withdraw the House bill from the Committee on Public Lands and, by unanimous consent, to put it on its passage before the Senate.

Mr. SMITH of Georgia. Mr. President, the bill now being reported is not the House bill?

The VICE PRESIDENT. It is not.

Mr. MYERS. I ask that the report and the bill as recommended for passage may be read for the information of the Senate.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

The bill (S. 3121) to authorize the President to provide a method for opening lands restored from reservation or withdrawal, and for other purposes.

Be it enacted, etc., That hereafter when public lands are excluded from national forests or released from withdrawals the President may, whenever in his judgment it is proper or necessary, provide for the opening of the lands by settlement in advance of entry, by drawing, or by such other method as he may deem advisable in the interest of equal opportunity and good administration; and in doing so may provide that lands so opened shall be subject only to homestead entry, by actual settlers only, or to entry under the desert-land laws for a period not exceeding 90 days, the unentered lands to be thereafter subject to disposition under the public-land laws applicable thereto; and where any lands so restored are found by him to be susceptible of irrigation at a reasonable cost, he may fix and give public notice of farm units, which shall each represent the acreage which, in his opinion, is reasonably required for the support of a family upon the lands in question, and all homestead or desert-land entries thereafter made for lands so designated shall conform to the units so fixed and designated: *Provided, however*, That the President may, by general order to the Secretary of the Interior, provide for the modification or cancellation from time to time of units theretofore established.

SEC. 2. That where, under the law, the Secretary of the Interior is authorized or directed to make restoration of lands previously withdrawn, he may also restrict the restoration as prescribed in section 1 of this act.

[Senate Report No. 115, Sixty-third Congress, first session.]

OPENING OF LANDS RESTORED FROM RESERVATION OR WITHDRAWAL.

Mr. MYERS, from the Committee on Public Lands, submitted the following report, to accompany S. 3121:

The Committee on Public Lands, to which was referred S. 3121, having had the same under consideration, beg leave to report it back to the Senate with the following recommendation:

"Strike out all after the enacting clause and insert in lieu thereof the following:

"'That hereafter when public lands are excluded from national forests or released from withdrawals the President may, whenever in his judgment it is proper or necessary, provide for the opening of the lands by settlement in advance of entry, by drawing, or by such other method as he may deem advisable in the interest of equal opportunity and good administration, and in doing so may provide that lands so opened shall be subject only to homestead entry by actual settlers only or to entry under the desert-land laws for a period not exceeding 90 days, the unentered lands to be thereafter subject to disposition under the public-land laws applicable thereto.

"'SEC. 2. That where under the law the Secretary of the Interior is authorized or directed to make restoration of lands previously withdrawn he may also restrict the restoration as prescribed in section 1 of this act.'"

The purpose of this bill we find to be the same as that embodied in H. R. 8364, recently favorably reported to the House of Representatives by the Committee on Public Lands thereof. Said bill H. R. 8364 passed the House September 24, 1913, and reads the same as Senate bill 3121 as amended.

The committee appends hereto as a part of this report the letter of the Secretary of the Interior addressed to the committee in explanation of the views of the department with reference thereto.

As amended above the committee recommends that the bill do pass.

—

DEPARTMENT OF THE INTERIOR,
Washington, September 23, 1913.

Hon. HENRY L. MYERS,
Chairman Committee on Public Lands, United States Senate.

SIR: I am in receipt of your request for report on S. 3121, designed to authorize the President to provide methods for opening lands restored from reservation or withdrawal, and in reply have to advise you as follows:

From time to time this department, in the administration of existing public-land laws, is charged with the duty of restoring to disposition areas of public lands formerly included in national forests, of lands formerly withdrawn for the use of Indians, in withdrawals under the reclamation act of June 17, 1902 (32 Stat., 388), and of lands withdrawn under the act of June 25, 1910 (36 Stat., 847). Some of these restorations involve comparatively large areas, while others are of small tracts. At the present time the department has before it the question of restoring to disposition in the immediate future a large and valuable tract of public land in Nebraska formerly included in the Nebraska national forest, a tract of about 100,000 acres formerly included in the Angeles national forest in California, and a third area of something more than 100,000 acres in Imperial Valley, Cal., withdrawn under the reclamation act. Portions of the latter tract are extremely valuable, being susceptible of irrigation and of producing citrous fruits, alfalfa, and other agricultural products.

Under existing laws lands restored by Executive action must be placed in statu quo subject to disposition to the first qualified applicant, according to their character and under the applicable land laws. This results many times in a rush to the lands themselves or to the local land office on the day of opening, the choice lands being thus acquired by the swiftest and strongest applicants, and many times resulting in confusion, contests, and long-drawn litigation between claimants for the same tracts. Since 1901 a radically different method has obtained with respect to the opening to disposition by acts of Congress of lands formerly embraced within Indian reservations. Various acts, such as those of March 3, 1901 (31 Stat., 1093), March 2, 1907 (34 Stat., 1230), and May 30, 1908 (35 Stat., 558), have specifically authorized the President to open such lands to settlement and entry in such manner as he may deem advisable. Under this authority the lands have been opened by means of a drawing, under which all applicants to enter are registered. The cards or envelopes representing each of the applicants are placed in a common receptacle, shuffled, and drawn by a disinterested person, numbered in the order of drawing, Nos. 1, 2, 3, etc., and those whose numbers are first drawn are accorded the first right to select and enter a tract within the restored area. This method has proven more satisfactory than any other ever tried by the Land Department for restoring to disposition large tracts of public lands, and has largely eliminated the struggles and controversies incident to other methods of land opening.

At present no such authority exists in the Executive with respect to the class of restorations first hereinabove described, but S. 3121 will confer such authority. If enacted it will permit the President, in his discretion, to provide for the opening of such lands by settlement in advance of entry, by drawing or by such other method as he may deem best, taking into consideration the area, character, and condition of the land to be opened, as will secure equal opportunity to the public and avoid, so far as possible, conflicts and contests.

Congress has in the reclamation act of June 17, 1902, supra, and in other acts dealing with irrigable lands, recognized the fact that smaller areas than 320 or 160 acres of such lands are sufficient for the support of a family, and S. 3121, further recognizing this fact, gives the President authority to fix and give public notice of farm units of irrigable lands within restored areas, thereby permitting the distribution of such lands to a greater number of agricultural applicants than would otherwise be the case.

Section 2 of the bill gives the Secretary of the Interior similar authority in those instances where he is specifically authorized by law to make restorations. This at present applies particularly to restorations of lands withdrawn under the reclamation act but no longer needed for that purpose.

While the disposition of lands through registration and drawing has proven well adapted to the opening of large areas, there may be instances where small areas are to be restored or where the character or condition of the lands may render other methods more suitable. S. 3121 is so drawn as to vest discretion as to the form and manner of the openings in the Executive, so that he may in each instance apply what is, in his judgment, the best plan applicable to the lands involved, in the interest of equal opportunity to all settlers and claimants.

A similar measure (8081) was introduced in the House of Representatives, but upon consideration thereof the conclusion was reached by the Committee on the Public Lands that a shorter measure, omitting all that portion of section 1 which relates to the fixing of farm units, and omitting section 3, validating previous restorations, would be more likely to receive favorable action. H. R. 8364, designed to provide the desired authority, was thereupon introduced by Mr. FERRIS, and I have in report to the House Committee on the Public Lands (Sept. 22, 1913), recommended its enactment. I would, therefore, suggest that S. 3121 be modified to conform to the provisions of H. R. 8364, and in view of the present need of such authority in the Executive, recommend that S. 3121, so amended, be enacted. A copy of H. R. 8364 is herewith inclosed.

Respectfully, A. A. JONES, *Acting Secretary.*

Mr. SHAFROTH. Mr. President, I should like to ask the Senator from Montana a question with relation to this bill. The limitation which is here imposed is:

And in doing so may provide that lands so opened shall be subject only to homestead entry, by actual settlers only, or to entry under the desert-land laws.

Would not that exclude the right to enter the lands under the stone act and the timber act, and would it not also exclude the right to locate a mine? There is lots of this land that is now withdrawn from public entry that consists of mineral land. If it is restored and opened for settlement, it seems to me it ought to be restored and opened for settlement under all the laws of the United States. I am afraid that limitation would be one which would not be to the interest of the development of the West. It specifically says that it shall be open only to actual settlers, or to homestead entry, or to entry under the desert-land laws.

If that is the case, I am very much opposed to the consideration of the bill. As to the lands withdrawn from public entry, which in my State consist of millions of acres of land above timber line, where most of our mines are located, if they can not be relocated except under the homestead laws or under the desert-land laws, I believe it will to a very large extent interfere with the development of our mines. For that reason I should like to have an explanation of the matter.

If that limitation exists—and it seems to me that it does exist—it ought to be so modified as to make these lands open to entry under the land laws of the United States, which would take in mineral entries and would take in the timber and stone acts and several others that are not included in the desert-land act and the homestead act.

We have in the State of Colorado certain lands that are subject to preemption entry. That was provided by treaty with the Indians. Even to-day, although the general law with regard to preemption has been repealed, yet notwithstanding every entry that is now made in the old Ute Indian Reservation is still made under the preemption law. That ought to exist still, and does exist to-day. But if you limit it by this bill simply to homestead and desert-land entries, it seems to me it will be clearly a limitation upon the power of a person to enter land under these acts.

Mr. JONES. Does not that limitation apply only for a certain period of time? If the Senator will read a little further I think he will find that is the case. That is my recollection.

Mr. SHAFROTH (reading)—

Shall be subject only to homestead entry by actual settlers only or to entry under the desert-land laws for a period not exceeding 90 days.

Mr. JONES. Yes; for a period not exceeding 90 days.

Mr. SHAFROTH (reading)—

The unentered lands to be thereafter subject to disposition under the public-land laws applicable thereto.

I do not know what those words would mean. It struck me as a limitation upon the right of the entryman, and I am opposed to it.

Mr. NORRIS. Mr. President, will the Senator from Colorado yield to me for a moment?

Mr. SHAFROTH. Yes, sir.

Mr. NORRIS. The Senator will notice that it need not be even 90 days. It gives the discretion to the President, though, to limit it to homestead entry of actual settlers for a period not exceeding 90 days. I suppose we would not run any risk in permitting the local officers to fix that time if we put the limit of 90 days on it, because if it were a restoration of land not fit for homestead entry that limitation perhaps would not be put on; but if it is land that is fit for homestead entry and for farming purposes, it gives the President the right to say that for 90 days this land shall be subject to homestead entry only, or for 30 days, or for 10 days, and that after that time it shall be open for any kind of entry that can be made under the general land laws.

I wish to say to the Senator that the intention is simply to get some regulation to cover these cases that now are unregulated. If you restore to entry a portion of forest-reserve land, which is being done continually, and that land happens to be in a locality where it is valuable, there would be such a rush for filing on the land that we would have confusion, we would have injustice, we would have contests and litigation, and it is very unsatisfactory. This simply gives to the President the authority to make regulations and rules such as we always provide by law shall be made in case we are opening an Indian reservation, for instance.

Mr. SHAFROTH. If the committee has thoroughly considered this bill and thinks the power of the President in relation to the matter would not extend beyond the 90 days and would not in any manner curtail the right of the entryman under the other land laws of the United States, I have no objection to it. I should like to hear the chairman of the committee in regard to it, however.

Mr. MYERS. Mr. President, I will resume my statement. The bill is short. The language is plain and simple. It speaks for itself. I do not think there is any manner of doubt that the utmost limitation that the President could put on the measure is 90 days, and it need not be so much as that.

I shall undertake to engineer the conduct of the bill on the floor of the Senate. As to its wisdom, I will leave it to the Senator from Washington [Mr. JONES] and the Senator from Nebraska [Mr. NORRIS], who are vitally and directly and immediately interested in it, to speak for the urgent necessity of passing the bill at this time.

The report of the Senate committee having been made, I was unable to learn in the confusion, and I will therefore ask, what has been done with the House bill?

The VICE PRESIDENT. The House bill was referred to the Committee on Public Lands.

Mr. MYERS. I endeavored very strenuously to get recognition immediately, in order to get the matter up. I understand the Senator from Georgia [Mr. BACON] asked that it be referred to the committee.

Mr. BACON. Pardon me. In order that my intervention may not work an injury, I ask unanimous consent to reconsider the reference to the committee.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

Mr. MYERS. I move that the House bill be substituted for the Senate bill, and ask unanimous consent for immediate consideration of the House bill.

The VICE PRESIDENT. The Senator from Montana [Mr. MYERS] asks that the Senate proceed to the consideration of House bill 8364.

Mr. MYERS. It is the same as the Senate bill.

Mr. LANE. Does the Senator wish to substitute it for this bill?

Mr. MYERS. I wish the House bill substituted for the Senate bill. They are identical.

Mr. BACON. I suggest to the Senator that the simple course is to take up the House bill and pass it, without making any substitution at all.

Mr. MYERS. Very well; I withdraw my request. I ask unanimous consent that the House bill be taken up for immediate consideration.

The VICE PRESIDENT. Is there objection?

Mr. POINDEXTER. Mr. President, I understood the matter had been disposed of and that the bill had been referred to the committee.

The VICE PRESIDENT. It has now been withdrawn from the committee by unanimous consent.

Mr. POINDEXTER. I should like an opportunity of getting a copy of the bill, to see what it is that we are considering.

The VICE PRESIDENT. Is there objection to the present consideration of the House bill?

Mr. POINDEXTER. Before consenting to present consideration I should like to learn what the emergency is. I did not hear the statement of the Senator from Nebraska.

Mr. NORRIS. I stated to the Senator from Georgia when he first objected to the present consideration of the House bill that the real emergency is this: There is in Nebraska a forest reserve. President Taft some time last year issued an order restoring a portion of the lands embraced in that forest reserve to the public domain, and the order provides that this land so restored shall be subject to entry on the 1st day of October.

The reason why it is desirable to pass this bill now is to give to the proper officials in the Land Office an opportunity to prepare and the President to issue the necessary rules and regulations governing the opening of those lands for settlement. Unless we do pass the bill now it will be practically an impossibility for the officials to make the necessary rules and regulations, and the result will be great confusion and a great deal of dissatisfaction and perhaps a good many cases of contest and litigation.

The bill itself is general; it applies to all lands similarly situated. But that particular case is immediately in point, because only a few days will elapse before the land will be open to entry and there will be perhaps 50 applicants for parcels of land that are embraced in the land restored. In the first place, there is not any objection that I can see or that has been urged anywhere against the bill; and, in the next place, the urgency is very great, as I think the Senator from Washington must certainly see.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. WALSH. Is the bill now before the Senate?

The VICE PRESIDENT. The Chair was just inquiring whether there is any objection to the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8364) to authorize the President to provide a method for opening lands restored from reservation or withdrawal, and for other purposes, which was read as follows:

Be it enacted, etc., That hereafter when public lands are excluded from national forests or released from withdrawals the President may, whenever in his judgment it is proper or necessary, provide for the opening of the lands by settlement in advance of entry, by drawing, or by such other method as he may deem advisable in the interest of equal opportunity and good administration, and in doing so may provide that lands so opened shall be subject only to homestead entry by actual settlers only or to entry under the desert-land laws for a period not exceeding 90 days, the unentered lands to be thereafter subject to disposition under the public-land laws applicable thereto.

SEC. 2. That where under the law the Secretary of the Interior is authorized or directed to make restoration of lands previously withdrawn he may also restrict the restoration as prescribed in section 1 of this act.

Mr. WALSH. Mr. President, I desire to say that upon a hasty reading of the bill I felt that perhaps there was good sound reason for the suggestion made by the Senator from Colorado [Mr. SHAFROTH] to the effect that evidently the lands were excluded from appropriation under the mining laws; but that upon consideration is, as I think, no objection to the passage of the bill. It is true that the lands under the order may be excluded from mineral entry for a period of 90 days, but if in the meantime any mineral lands shall have been made the subject of entry, under either the homestead or the desert-land law, that entry as a matter of course would not preclude a mineral location within the bounds of the entry, and then the right of the agricultural claim or of the mineral claim would be determined in the ordinary method.

Now, let me add, the bill does, it is true, exclude timber and stone, and it likewise excludes all scrip entries of all character. That, I think, the Senator from Colorado, upon reflection, will approve most heartily. It occurs to me that he will join in the conviction that the first chance at these desirable lands should be given to the citizen who desires to make a home for himself and his family, and those who may chance subsequently to appropriate them under any scrip act should be postponed in their choice until the opportunity is given to subject the lands to homestead and desert-land entry.

Furthermore, Mr. President, the Senator will recall that lands which are valuable for homestead entry or for desert-land entry are by the terms of the law excluded from the operation of the timber and stone acts, because lands open to entry under them are only such as are chiefly valuable for stone or timber. But if it were otherwise, Mr. President, and the lands could be entered, I think the Senator will agree that it would be wise to postpone the appropriation of any of these lands under the provisions of the timber and stone acts or any related act until first an opportunity is given for homestead entry.

Mr. SHAFROTH. Mr. President——

Mr. WALSH. If the Senator will pardon me a moment, I do not think there is any just criticism to be made of the bill because it does postpone mineral entries for a period of 90 days, because the mineral entryman will be in no manner prejudiced by the prior entry under the provisions of any of the agricultural acts. In the second place, with respect to other character of entries, it would seem to me to be exceedingly wise that the right to enter those should be postponed.

Mr. SHAFROTH. Mr. President, of course my interrogation of the chairman of the Committee on Public Lands arose from the fact that the bill was brought in here suddenly, and I could not tell its exact terms by a cursory reading. I would rather, now, that the bill should have permitted entry under all forms of location, but inasmuch as the Senator from Montana says it is not likely that mineral entries will be made where homestead entries are proper, I do not regard it as of very much importance. The limitation of 90 days, then, makes it such that I would dislike to stop the passage of the bill by an objection.

Yet I want to ask the Senator another question that arises in my mind in looking at the bill in the few minutes I have had to examine it. Does it place power in the President to delay the time when he will issue his proclamation for the entry or lottery or whatever system may be devised for the location of these lands? Does it give him discretionary power to keep that in abeyance for one, two, three, four, or five years, if he wants to do it? That is something which has occurred to my mind, and I will ask the Senator from Montana to look at the bill and see whether, in his judgment, that is proper.

Mr. WALSH. As the Senator has addressed his question to me, I will say that the power to restore now rests in the President. He may restore or not, as he sees fit. So the unlimited discretion is now reposed in him by the law. The bill simply provides that whenever he reaches the conclusion that land should be restored to the public domain, or, as in the case of lands included within irrigation projects, restored to general entry, he may then make this provision; so that it gives him no greater power to hold lands outside of the general public domain that he now has.

Mr. SHAFROTH. Then I understand the Senator to construe the bill to be a limitation only as to the entries for mineral lands, or under the timber and stone acts or under any other of the public-land laws, for a period of 90 days. While I would rather have had the bill provide for entries of all the forms prescribed by law, I will not make any objection to it, inasmuch as the limitation of 90 days is there.

Mr. WALSH. I have an inquiry to make with respect to the bill. I find that the Senate bill introduced by my colleague [Mr. MYERS] contains a section not found in the House bill. It is section 3.

The VICE PRESIDENT. The Chair will state for the benefit of the Senator from Montana that the Senate committee in its report recommended that that section be stricken out.

Mr. WALSH. I desire to inquire why section 3 was excised.

Mr. MYERS. I ask my colleague if he is speaking now about some portion of the Senate bill as originally introduced?

Mr. WALSH. I have before me a copy of Senate bill 3121, introduced September 18. It consists of three sections. Section 1 and section 2 appear to be in entire conformity with the bill which has come to us from the House, but the Senate bill contains section 3, as follows:

That any restoration heretofore made in a manner authorized by this act is hereby ratified and validated.

I desire to inquire why that is not found in the House bill and why it was excluded from the Senate bill when it was reported.

Mr. MYERS. The bills which were introduced in the House and Senate were identical. The bill introduced in the House first found its way to the Public Lands Committee of the House. There an amendment was recommended which eliminated that section, and in that shape it passed the House. The same amendment was recommended by the Senate Committee on Public Lands, making the Senate bill conform to the House bill as it was recommended by the House committee and passed by the House. The reason for that is set forth in the report of the House committee. The change in the House bill was approved by the Acting Secretary of the Interior in a letter to the Senate committee, in which he uses the following language:

A similar measure was introduced in the House of Representatives, but upon consideration thereof the conclusion was reached by the Committee on Public Lands that a shorter measure, omitting all that portion of section 1 which relates to the fixing of farm units and omitting section 3 validating previous restorations, would be more likely to receive favorable action. H. R. 8364, designed to provide the desired authority, was thereupon introduced by Mr. FERRIS, and I have, in report to the House Committee on Public Lands (Sept. 22, 1913) recommended its enactment. I would therefore suggest that S. 3121 be modified to conform to the provisions of H. R. 8364, and, in view of the present need of such authority in the Executive, recommend that S. 3121, so amended, be enacted.

The chief reason, I will say, for the action of the Senate committee was because it found no harm in doing so, there was no valid objection thereto, and the Senate committee felt under the present urgency of the situation that by making the Senate bill conform to the House bill it would more readily pass both branches and become a law.

I was under the impression that the House report made some allusion to the reason why this amendment was made, but the report is voluminous, and I do not readily find it. I will simply say that the Senate committee felt that it would be better to conform the Senate bill to the bill as amended by the House, that it would give it greater opportunity for speedy passage. They saw no objection to omitting the section that was omitted in the House and did not feel that that section was necessary to the principle involved in the bill and the principal object of the bill. For these reasons I have thought it better, as a matter of expediency, to make the bill conform to the measure passed by the House. It has received very careful attention.

That is all I care to say.

Mr. WALSH. Mr. President, I can not refrain from expressing my regret that we are not furnished any further enlightenment in relation to the reason for the exclusion of this very important provision of the Senate bill. It is quite obvious that when the bill was drafted—and I understand the draft came from the Interior Department—it was deemed necessary to make provision for some cases in which the Land Department had followed this procedure without any apparent direct sanction of it in the law, and it was intended that the benefits accruing from this act should avail in those cases as well as in cases in the future.

Now, whether that was wise or unwise would, as a matter of course, depend upon the circumstances attending the occasion when that procedure had been adopted by the department in the past. The fact that the section has been excluded without any apparent reason for it at all naturally gives rise to a suspicion that there is some ulterior purpose in its exclusion.

In the same way, Mr. President, I likewise regret exceedingly that the apparent exigency of the case forbids us to take the time necessary to consider the advisability of incorporating in the House bill by amendment the provision which is found in the Senate bill in relation to fixing the size of units in cases of the restoration of lands capable of irrigation in the judgment of the President. He has now no such power, and you are confronted with this condition: Here is a tract of land included within a forest reserve; it is desirable that that should be restored to entry at once; it has no proper place in a forest reserve; but it is land which is capable of irrigation, which would be exceedingly valuable if it could be subjected to irrigation; it offers, we may say, a most inviting project for irrigation. Under the Senate bill, in the expectancy that it might be subjected to irrigation by some proper work, the President was to be given power to fix units of 40, 80, 120, or 160 acres, or such other unit as he might think advisable. Under the provisions of the House bill that power is denied him; the lands become subject to homestead entry; and every entryman has the right to go in there and take an entire 160 acres of land.

I see no good reason whatever for excluding that provision from the bill. I think it an exceedingly wise one. Let me show you how the thing operates. In our State an irrigation project was proposed and the lands were segregated for that purpose, but no units were fixed. Settlers went in and were permitted to make entry of 160 acres under the provisions of the homestead law. Then, after they had selected their 160 acres, had made entry, and had improved those lands to a certain extent, the department comes in and fixes units and establishes those units at 40 acres in some instances and 80 acres in other instances, and the entryman is forced to abandon half of the land that he took up. Not infrequently his improvements were upon one 80-acre tract and his plowing and cultivation upon another 80-acre tract, and he was obliged to forfeit either his buildings and other improvements of that character or he was obliged to surrender the land which he had improved by his own labor. Under the act as it now is all lands of that character within a forest reserve capable of irrigation are to be made subject to entry, under the homestead law 160 acres, or under the desert-land law to the extent of 320 acres, and no power is given to the President to fix units.

Mr. NORRIS. Mr. President, will the Senator from Montana yield to me?

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Nebraska?

Mr. WALSH. I do.

Mr. NORRIS. I sympathize with the ideas that the Senator has been expressing, but I want to call his attention to the fact—at least I think it is a fact—that the President would have authority under general law to withdraw lands subject to irrigation. Does the President not have that authority?

Mr. WALSH. Undoubtedly.

Mr. NORRIS. Well, then, if there were lands in a forest reserve that could be irrigated and the President wanted to restore them, as far as the forest-reserve land law is concerned he could withdraw them before they could be entered under the other laws pertaining to the Reclamation Service.

Mr. WALSH. Let me say to the Senator that the land spoken of as withdrawn for the purpose of being irrigated remains subject to homestead entry.

Mr. NORRIS. That may be.

Mr. WALSH. They remain subject to such entry. The President has no power to set aside a tract of land to be irrigated under the reclamation act and to deny any homesteader the right to go on that land if he wishes to do so.

Mr. NORRIS. Perhaps not in as broad terms as that, but if there were any reclamation projects the President would have the right—and it is always done when a reclamation project is started—to withdraw the land from entry under any law.

Now, I should like to call the Senator's attention to this fact: Suppose we do not pass this law and the land is restored from a forest reserve, the benefits that would come from the kind of a bill which the Senator would like to see enacted would not come because we have no such law. As I have said, I agree with the Senator to a great extent, but I have found on investigation that in the House Committee on Public Lands there was great objection to that part of the bill as it was originally introduced. They had further consultations then with the officials of the General Land Office and agreed upon the bill as they finally reported it. I think we could well take up and consider the question which the Senator has presented, and that was originally involved in the bill, but the pending bill does not exclude that. The pending bill does not go so far as the Senator would like to have it go. If I were drawing a bill, I should draw it differently from the pending bill; but if we enact the pending bill into law it simply improves what would otherwise be a very bad condition in a great many instances and does not in any way hinder future legislation that may be deemed necessary for reaching the question which the Senator is now arguing.

Mr. WALSH. I appreciate fully what the Senator says. I desire simply to say, further, that the Senator from Nebraska has correctly stated the conditions. This would be better than no law at all.

Mr. NORRIS. Yes.

Mr. WALSH. But what concerns me particularly is to find out why these two provisions, which, as it seems to me, make the bill a commendable one, should have been taken out in the other House. Of course, the very fact that they were so taken out excites my suspicion that there was some reason for it.

Mr. NORRIS. If the Senator will permit me further, I referred to one of the provisions only, and I have given the Senator all the information that I have on the subject; but I did not refer to his question regarding section 3. I think he made some reference to that. Section 3, as it was originally in the bill, provides:

That any restoration heretofore made in a manner authorized by this act is hereby ratified and validated.

Of course, the Senate committee was moved to a great extent with a view of meeting present exigencies, and wanted to conform to the House bill if they could, in order that this law

might go into effect before the 1st of October; but I learned upon inquiry that that particular section was taken out by the House committee because there was very serious objection—a very great deal of objection, as I understood—on the ground that Members did not want to validate acts of the President or of the department about which they have no information. It is quite a far-reaching proposition to validate anything that has taken place in the past.

Mr. WALSH. Let me ask the Senator why should they not have that information? Why should not the Department of the Interior give to Congress the identical cases to which that applies?

Mr. NORRIS. It should; but I do not think that is involved in this proposition. I will say to the Senator that this section simply would validate, without specifying in particular, what no one knows the extent of. This was general in its terms, and it was thought that it was not advisable to go into the question that far; that, if they did go into it, it would necessarily consume a great deal of time, because it would necessitate the examination of everything that had occurred in all of the restorations that had taken place in the past, and that, perhaps, would bring up a very great debate as to whether they were right or wrong. Out of abundance of caution they decided that this section should go out of the bill. As I am informed—I was not present—practically unanimously the committee agreed, as I understand, to strike out the section. Later the department consented to it, thinking that they were perhaps asking too much to be considered when the time was necessarily short.

Mr. WALSH. Can the Senator give us any information at all as to the reasons that were urged for taking the other provision out?

Mr. NORRIS. Which other provision?

Mr. WALSH. The provision giving the President the power to fix units.

Mr. NORRIS. There were a great many members of the House committee who were opposed to giving him that authority. They thought the provision went entirely too far. As I have said to the Senator, I am in sympathy with that proposition, although I do not know but that it ought to be limited more than it was as originally provided in the bill. I think the argument presented by the Senator is, to a great extent at least, convincing, and I should like to see legislation enacted on that question. The committee thought, however, in addition to the fact that the provision was giving to the President too much power, that it would necessitate careful surveys of every tract of land that was to be restored; that it would be expensive; that it would take a great deal of time; and, then, the very fact that it was in the bill would lead to very great debate, and there would be no possibility of getting the bill through in time to meet the present conditions that are confronting us.

Mr. MYERS. Mr. President, I regret that any suspicion should have arisen over anything connected with this bill. I wish frankly to say that the principle involved in the bill and the reasons presented for the passage of it very strongly commended themselves to the members of the Senate Committee on Public Lands, and they forcibly realized that in order to secure the passage of this bill at this time we would have to take the House bill or nothing; that if we began to differ with the House and to open up points of dispute the present chance of passing the bill would simply amount to nothing at all. As they believed in the principle of the bill and believed there was need for the main provisions of it, their idea was to conform, so far as appeared right, to the provisions of the House bill in order to secure the speedy passage of the legislation.

As to the amendments, while they were not particularly considered by the committee and are not now before the Senate on their merits, I think as to each amendment there is a good chance that it would give rise, in a discussion on its merits before either branch of Congress, to a wide divergence of opinion and to much contention and debate.

So far as I am personally concerned, I do not see any objection to the first elimination at the top of page 2 of the original bill in regard to irrigated lands and units. I take it that under that provision where a settler takes up land which he himself by his own labor may bring under irrigation the President would be given the power to say whether he should take 40, 80, or 160 acres. I believe under average conditions in the West to-day that if a man goes out and hunts up a quarter section of land which borders on a river or on a creek, and by his own labor and capital digs a ditch and puts water on that land in the ordinary case he is entitled to a quarter section of land. Practically all of the public lands in the Bitter Root Valley of Montana were settled under the homestead and Bitter Root preemption laws. Water was put on the land by the capital, the labor, and the efforts of the settlers themselves, and they all took 160 acres apiece. I do not believe that any of them got any too much for the purpose of making a home and providing themselves for the future.

As to the last amendment, omitting section 3, if that were being considered on its merits I would say that I do not much believe in the principle of retroactive laws and in putting blanket provisions of that kind in a bill to validate what may prove to be thousands of cases without regard to the particular facts in each case. As a general rule, I believe that a man who puts himself in a certain position toward the law should stand by under the law as it then existed and take what rights the law gave him, no more and no less, and not have to depend upon retroactive laws to do any validating for him.

If I had seen on principle and merit any urgent objection to making these two eliminations, I would have objected to making them, notwithstanding that it would have delayed and might have defeated the bill at this session of Congress; but not deeming them so vital as to take that view of them and to let them interfere with the good that was contained in the rest of the bill I and all the other members of the committee unanimously thought that it was best to accept the bill as it came from the House, and so we have presented the bill to the Senate as it came from the House.

Mr. LANE. Mr. President, I would like to ask the chairman of the committee for some explanation in regard to this measure. Does it place in the hands of the President the power to do these things? The bill provides:

> That hereafter when public lands are excluded from national forests or released from withdrawals the President may, whenever in his judgment it is proper or necessary, provide for the opening of the lands by settlement in advance of entry, by drawing, or by such other method as he may deem advisable in the interest of equal opportunity and good administration, etc.

The President can not certainly attend to all this business in person, and it necessarily, therefore, would be put into the hands of the Interior Department, would it not?

Mr. MYERS. It might. I suppose the Interior Department would have the first handling of it and act for the President in an advisory capacity.

Mr. LANE. The administration of the law would naturally devolve upon that department, would it not?

Mr. MYERS. I should judge so.

Mr. LANE. Then, if that is the case, I wish to say, from my somewhat limited experience, that I find about nine-tenths of my work is in connection with matters affecting the kind of rules in regard to the disposal of the public domain which the department has adopted or is going to adopt and which may be and are changed from time to time. We are getting day by day dozens of letters from settlers all over the country involving such considerations. You allow here a broad grant to an executive department to legislate as to the method in which they shall dispose of public land. This bill does that. It is open to that wide objection.

Mr. MYERS. I do not think the bill confers legislative authority at all; I think it is executive.

Mr. LANE. I consider that it does, and that it is vital and important. Such matters have taken up about two-thirds of my time, and I am getting a little tired of it. I think the legislative authority of this Government should remain where it legitimately was intended to belong in the first place. We should keep that power pretty well in hand and not allow these large grants of authority. We should not delegate the authority of Congress to somebody to make rules and then allow somebody else to change those rules, and so on ad infinitum, until no man—not even a Philadelphia lawyer—can figure them out, and the settler is left up in the air.

Senators who should be attending to more legitimate business are obliged to consume much time in connection with such matters, and unless it is specifically changed and regulated in some manner so that we will know just what we are doing, I am going to enter an objection to the consideration of the bill at this time.

Mr. MYERS. The bill has passed that point, as I understand, and is before the Senate on its merits.

Mr. NORRIS. If the Senator from Oregon will yield to me a moment, I wish to say that the object, as I understand, of this bill and the object that will be attained by it is simply to give to the authorities—the President is designated in the bill, but, as the Senator says, it will be the Secretary of the Interior and the officials of that department——

Mr. LANE. Right there I wish to say, if the Senator will allow me, that that department has become top-heavy. It has had too much responsibility loaded upon it and it is reeling and staggering on its feet. Now, I would not add to its burdens. It is bad business management.

Mr. NORRIS. In the last several years every time we have opened up, for instance, an Indian reservation we have provided by law that the Secretary of the Interior shall have the power to provide a method by which the applications can be filed without every man rushing in there on the same day and a great many people applying for the same piece of land. We have done that so often that I think it has been supposed that the Secretary of the Interior had the right to make regulations where the President had restored some of the forest reservations to entry under the public-land laws; and I believe for a while it was considered that no legislation was necessary. But now we are confronted, let me say to the Senator, with this kind of a predicament: Here is a lot of land that has been withdrawn for forest reserves. The law gives the President the right to withdraw it. The law gives the President the right to restore it, or any part of it, to the public domain, and it will become subject to entry. Here is an instance where he has withdrawn land for a forest reserve, and several years afterwards, for reasons that he deems sufficient, he desires to restore it to entry. In the meantime the country has settled up, the land has become more valuable than the ordinary public land, and there will be a dozen men trying to get every quarter section of land.

This bill is to relieve that situation and nothing else. It does not do anything else. It will not have any other effect. We want to relieve the situation and give to somebody authority to make rules and regulations by which this confusion and injustice and litigation will be avoided.

It is a difficult thing. I have always found, like the Senator from Oregon, a great deal of complaint whenever these Indian reservations have been opened because of the regulations that have been made; but we have never put them in the shape of laws.

Mr. JONES. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Washington?

Mr. NORRIS. I yield.

Mr. JONES. Right on that point I wish to call attention to a situation that existed in my town about a year or two ago. There were a few tracts of land that were to be restored to entry, and I think for three months before those lands were opened there were men and women lined up at the land office, and they stayed there night and day, waiting to get a chance to enter those lands.

Mr. LANE. I would like to ask the Senator, if he will allow me, if the town advertised to the community at large, to the public of the United States, that that land was going to be subject to entry about that time, and got those people to come there?

Mr. JONES. Oh, no; they were people from the locality. They knew that those lands were going to be restored to entry. They were valuable lands just for the reason that the Senator from Nebraska said. The country had been settled up, and these lands were valuable, and there were only a certain number of tracts. If the department had the authority given by this bill, it could prescribe the very method by which these lands could be entered. Yet it did not, and they were subject to entry by the first comer at the land office. As I say, I think for three months men and women stayed there day and night and had their meals brought to them, and slept there at the land office, waiting to get a chance to enter that land.

Mr. LANE. That is the trouble with it; they change the rules. They make a rule and then they change it. I find that a good many complaints come in where these lands are contained in a forest reservation, the foresters themselves file upon them as homes for foresters, and a man who wishes to make a farm of the land is unable to secure possession of the tract of land. All of that is done upon a ruling made under a general grant from this body, which is guilty nearly every day of delegating its authority to some executive department or other of this Government until it has gotten into such a condition that this country is administered and its legislation is enacted, not by the body which is sent here with that power, but by the executive departments.

I object to it upon the broad principle, and I say, further than that, that this thing has got to stop. We have got to remain within the limits which properly belong to us in this respect. Here there is lodged free, wide-open authority to manage these affairs in any method which the gentleman of the Interior Department thinks fit and proper, and he can change his mind at any time he likes, and his successor can revise his action.

So it goes on down the line until my mail comes burdened day by day with a stack of letters, all upon these rulings, upon which, instead of consulting the law passed by Congress pertaining to the matter, I have to hunt up some department here, some third assistant or forty-eighth assistant secretary to somebody else, to find out what ruling he made and what ruling the man who preceded him three terms ago made in contradiction to it, until it has become a jungle and a maze of contradictory rules and of maladministration of public affairs.

If this is one of those bills, and it seems to be, which gives loose authority, delegating the authority of this body to some one else, I am opposed to it constitutionally and unalterably; and if an objection to it will stop it, I will make the objection right now, and will keep on doing so with all such bills.

Mr. NORRIS. If the Senator would remedy the situation, he would have to provide rules and regulations by law.

Mr. LANE. Yes.

Mr. NORRIS. If it would not be necessary for us to provide many by law, it would not be necessary for many to be provided by the land department. The facts are that what would be a good rule, perhaps, in the opening of one section of land might not apply to another one. It would be difficult to draft a law to cover the matter. If the Senator insists that no rules and regulations shall be made for the opening of these public lands, but that the whole public shall be invited to rush pell-mell one over the other, it would mean that no man but the strong would be able to get any land, and that those who were weak—the women, for instance—would be practically excluded from making application.

If the Senator means to do that, then he ought to be here with a bill that would provide by law for the rules and regulations that would cover the situation.

Mr. LANE. I will answer that very promptly for the Senator. I do not wish to administer the law against the weak. I want all to have a fair chance. It is just that identical thing that I am talking for; but I would insist that if they made one rule they should stick to that rule, and not change it.

Mr. NORRIS. I agree with the Senator as to that. I think that is true. I am not defending the rulings and regulations, many of which I think have been erroneous, perhaps.

Mr. LANE. That is what they are doing now. Here you are giving this man a power——

Mr. NORRIS. But what would the Senator do to relieve the situation of which the Senator from Washington [Mr. JONES] has spoken? I know of another such case, where men and women were sleeping in the street all night, waiting for the land office to open in the morning. If we do not pass some law like this, there will be instances where only the strong will be able to get any of the land, because the weak will be crowded out. They will camp in the street; they will sleep in the street.

Mr. WALSH. Mr. President——

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Montana?

Mr. LANE. Just a moment, and I will be through. I was just going to say that all the evils which you say may happen to persons who wish to acquire land you have provided for here so that they can legally happen.

Mr. NORRIS. I assume and go on the theory that the department will not provide any rule which will not give relief from what would happen if no rule were provided. If we do not pass some bill of this kind, only the man who is able to get up to the land office first will get the land, and those who are not able to endure the hardships and the trials and tribulations necessary to stand in line long enough will get nothing. It seems to me that the Senator, if he is objecting to this bill, at least for the present, is only injuring the people that I know in his heart he likes to help.

Mr. WALSH. Mr. President, I sympathize most keenly with the strictures made by the Senator from Oregon in relation to vesting in the Secretary of the Interior the power to make rules and regulations effecting the disposition of the public lands. I know how much justice there is in the animadversions he makes upon the practice of establishing one rule one day and another rule another day. I sincerely sympathize with his disposition to curtail that power as much as possible, and to legislate as far as we can in relation to the disposition of public lands, leaving no more to the discretion of executive officers than the exigencies of the case reasonably require. But I believe if the Senator from Oregon will consider the circumstances which called forth this legislation he will not find it in his heart to urge any objection in the present instance.

I do not see how it would be possible for Congress to frame a law that would meet the case. We would not like to provide a general law that in every case in which land is restored to public entry it shall be opened to homestead entry by drawing, because usually when land is restored to public entry there is no such rush as is contemplated in this particular act. The ordinary operation of the law will meet all the requirements of

the case. Heretofore the President has thrown open 160,000 acres of land within a forest reservation, and has said nothing further. The general land laws operate, and the land is opened to homestead entry, desert-land entry, timber and stone entry, and so forth. But the Senator will recognize that not infrequently land that is exceedingly valuable is restored to public entry.

I agree with my colleague, who says that under all ordinary circumstances a man ought to have 160 acres of land, whether it is capable of irrigation or not. But we are not considering the case of ordinary lands upon the ordinary public domain. We are considering the case of lands that are highly valuable, that have been kept from public entry until the surrounding land has all been taken up and developed and schools and churches and all the attendants of civilization are around in the immediate neighborhood. Those lands are then thrown open to public settlement, and they are so inviting because of their value that people come in crowds and storm the doors of the land office and sleep on the sidewalks over night in order to get an opportunity to enter those lands.

We can not make a general provision—at least, I can conceive of none that could be made—that would enable us to pick out the particular tracts thus restored to entry to which legislation of this kind ought to be made applicable. I know of no way to vest the power to say whether the circumstances require the operation of an act of this character or do not require the operation of it, except to repose it in the ordinary executive officers of the Government.

The Senator from Oregon will remember that in practically every case of the opening of an Indian reservation within the last 10 years this flocking of entry-men has been observed, and it became necessary to make special provision, in the opening of each one of these Indian reservations, for a drawing, or some similar provision, in order to meet the conditions that this bill is intended to cover. This is intended to serve the purpose of a general bill to meet all those conditions which have heretofore been met by special legislation, which we all desire to avoid as far as we can.

I believe that although the evil the Senator from Oregon has pointed out is inherent in this system, we can not very well get along without reposing such powers as these in the executive officers charged with the administration of the public lands.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. BACON. Mr. President, I move that Senate bill 3121 be indefinitely postponed.

The VICE PRESIDENT. The bill will be postponed indefinitely.

RIGHT OF WAY NEAR ENGLE, N. MEX.

Mr. MYERS. From the Committee on Public Lands I report back favorably, with amendments, the bill (S. 3112) to authorize the Secretary of the Interior to acquire certain right of way near Engle, N. Mex., and I submit a report (No. 114) thereon. I call the attention of the Senator from New Mexico [Mr. CATRON] to the bill.

Mr. CATRON. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. WALSH. I object to the present consideration of the bill. It is too serious a measure to pass without further consideration than can be given to it at this time.

The VICE PRESIDENT. The bill will be placed on the calendar.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 7 minutes spent in executive session the doors were reopened, and (at 2 o'clock and 7 minutes p. m.) the Senate adjourned until Monday, September 29, 1913, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate September 25, 1913.

ASSISTANT SECRETARY OF THE TREASURY.

Byron R. Newton, of New York, to be Assistant Secretary of the Treasury, in place of Sherman P. Allen, resigned.

COLLECTOR OF INTERNAL REVENUE.

William H. L. Pepperell, of Kansas, to be collector of internal revenue for the district of Kansas, in place of Fremont Leidy, superseded.

ASSISTANT APPRAISER OF MERCHANDISE.

Christopher C. Keenan, of New York, to be assistant appraiser of merchandise in the district of New York, to fill an existing vacancy.

UNITED STATES ATTORNEY.

Hooper Alexander, of Georgia, to be United States attorney, northern district of Georgia, vice Farish C. Tate, resigned.

UNITED STATES MARSHAL.

Henry H. Wilson, of Pennsylvania, to be United States marshal for the western district of Pennsylvania, vice Enos Hadsell Porter, removed, effective October 1, 1913.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

Col. Eli D. Hoyle, Second Field Artillery, to be brigadier general from September 24, 1913, vice Brig. Gen. Marion P. Maus, retired from active service August 20, 1913.

Col. Charles J. Bailey, Coast Artillery Corps, to be brigadier general from October 10, 1913, vice Brig. Gen. Ralph W. Hoyt, to be retired from active service October 9, 1913.

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

Lieut. Col. John D. Barrette, Coast Artillery Corps, to be colonel from September 21, 1913, vice Col. Isaac N. Lewis, retired from active service September 20, 1913.

Maj. Thomas W. Winston, Coast Artillery Corps, to be lieutenant colonel from September 21, 1913, vice Lieut. Col. John D. Barrette, promoted.

MEDICAL CORPS.

First Lieut. Llewellyn P. Williamson, Medical Corps, to be captain with rank from September 22, 1913, after three years' service.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Capt. Joseph Strauss to be Chief of the Bureau of Ordnance in the Department of the Navy with the rank of rear admiral for a period of four years from the 21st day of October, 1913, vice Rear Admiral Nathan C. Twining, resigned.

Lieut. Commander William P. Scott, an additional number in grade, to be a commander in the Navy from the 1st day of July, 1913.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 6th day of June, 1913:

John W. Rankin,
Charles H. Davis, jr.,
Albert M. Penn,
Martin J. Peterson, and
Thomas M. Tipton.

Midshipman Charles L. Fontz to be an ensign in the Navy, from the 7th day of June, 1913.

The following-named citizens to be assistant surgeons in the Medical Reserve Corps of the Navy from the 12th day of September, 1913:

James D. Bobbitt, a citizen of Indiana;
Ovid C. Foote, a citizen of North Carolina;
Howard Priest, a citizen of Pennsylvania;
Martin B. Hiden, a citizen of Virginia; and
Arthur E. Beddoe, a citizen of Pennsylvania.

Carroll R. Baker, a citizen of Delaware, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 15th day of September, 1913.

Charles S. Stephenson, a citizen of Tennessee, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 17th day of September, 1913.

William S. Wentzel, a citizen of Pennsylvania, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 18th day of September, 1913.

Pharmacist Paul J. Waldner to be a chief pharmacist in the Navy from the 3d day of July, 1913.

John D. P. Hodapp, a citizen of Indiana, to be an assistant paymaster in the Navy from the 18th day of September, 1913.

REGISTER OF THE LAND OFFICE.

Hilmar Schmidt, of Wausau, Wis., to be register of the land office at Wausau, Wis., vice John W. Miller, term expired.

POSTMASTERS.

ALABAMA.

S. L. Dorroh to be postmaster at Reform, Ala. Office became presidential April 1, 1913.

W. T. Morris to be postmaster at Ragland, Ala. Office became presidential October 1, 1912.

D. F. Sugg to be postmaster at Ensley, Ala., in place of T. J. Kennamer, removed.

GEORGIA.

Annie P. Harper to be postmaster at Stillmore, Ga., in place of W. J. Evans, resigned.

P. D. Wootten to be postmaster at Abbeville, Ga., in place of Leon P. Wimberly, deceased.

ILLINOIS.

W. S. Cabeen to be postmaster at Keithsburg, Ill., in place of F. P. Burgett, resigned.

MINNESOTA.

Charles Spillane to be postmaster at Waseca, Minn., in place of Fred A. Swartwood, resigned.

OHIO.

Louis W. Dean to be postmaster at Rocky River, Ohio. Office became presidential July 1, 1913.

OREGON.

W. A. Delzell to be postmaster at Klamath Falls, Oreg., in place of C. K. Brandenburg, removed.

PENNSYLVANIA.

John A. Thornton to be postmaster at Philadelphia, Pa., in place of Thomas B. Smith, resigned.

TEXAS.

C. A. Howard to be postmaster at Bronson, Tex. Office became presidential July 1, 1913.

Mrs. Jesse O. Wheeler to be postmaster at Brownsville, Tex., in place of Robert B. Rentfro, resigned.

WASHINGTON.

R. B. Smith to be postmaster at Prescott, Wash. Office became presidential January 1, 1913.

WISCONSIN.

L. L. Henthorn to be postmaster at Viola, Wis., in place of Warren I. Griffin, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate September 25, 1913.

UNITED STATES MARSHALS.

J. Clifford Brown to be United States marshal, southern district of Florida.

James B. Perkins to be United States marshal, northern district of Florida.

SURVEYOR GENERAL OF WYOMING.

Charles L. Decker to be surveyor general of Wyoming.

POSTMASTERS.

ARKANSAS.

John L. McCain, Crossett.

GEORGIA.

Marion Lucas, Savannah.

ILLINOIS.

J. J. Baker, Mount Vernon.

PENNSYLVANIA.

John A. Thornton, Philadelphia.

WEST VIRGINIA.

Simms Powell, Parkersburg.

REJECTION.

Executive nomination rejected by the Senate September 25, 1913.

POSTMASTER.

Susano Ortiz to be postmaster at Las Vegas, N. Mex.

HOUSE OF REPRESENTATIVES.

THURSDAY, *September 25, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, on earth, and in the hearts of men, we thank Thee for the conscious realization of Thy perpetual presence and for the blessed assurance that nothing can separate us from Thy love.

"If I ascend up into heaven, Thou art there; if I make my bed in hell, behold Thou art there."

"For I am persuaded that neither death, nor life, nor angels, nor principalities, nor powers, nor things present, nor things to come, nor height, nor depth, nor any other creature shall be able to separate us from the love of God, which is in Christ Jesus our Lord."

Give to us, we beseech Thee, patience, gentleness, and humility, with courage, perseverance, and integrity, that whatsoever we do this day we may conscientiously ask Thy blessing upon. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

COMPENSATION OF STAR-ROUTE AND SCREEN-WAGON CONTRACTORS.

The SPEAKER. The gentleman from Tennessee [Mr. MOON] is recognized.

Mr. MOON. Mr. Speaker, I call up House resolution No. 229.

The SPEAKER. The gentleman from Tennessee calls up a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 229.

Resolved, That the Postmaster General is hereby directed to inform the House as to what steps have been taken toward the readjustment of the compensation of star-route and screen-wagon contractors on account of the establishment of the parcel post, as provided in the parcel-post law; the character of the action which has been taken, the extent to which a determination has been reached as to the amount of extra compensation to which such contractors are entitled, and what steps, if any, have been taken to provide for the payment of the sums adjudged to be due by reason of the readjustment.

Mr. MOON. Mr. Chairman, I ask that the report be read.

The SPEAKER. The Clerk will read the report.

The Clerk read as follows:

[House Report No. 87, Sixty-third Congress, first session.]

Mr. MOON, from the Committee on the Post Office and Post Roads, submitted the following report, to accompany House resolution 229:

The Committee on the Post Office and Post Roads, to which was referred House resolution 229, submitted the same to the consideration of the Postmaster General. On September 13, 1913, he made the following reply:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., September 13, 1913.

Hon. JOHN A. MOON,
Chairman Committee on the Post Office and Post Roads,
House of Representatives.

MY DEAR MR. CHAIRMAN: The receipt is acknowledged of your letter of the 5th instant, with which you transmitted a copy of House resolution No. 229, directing me to inform the House as to what steps have been taken toward the readjustment of the compensation of star-route and screen-wagon contractors on account of the establishment of the parcel post, as provided in the parcel-post law; the character of the action which has been taken; the extent to which a determination has been reached as to the amount of extra compensation to which such contractors are entitled; and what steps, if any, have been taken to provide for the payment of the sums adjudged to be due by reason of the readjustment.

In reply I have the honor to inform you that, in accordance with the provisions of the act of Congress approved on August 24, 1912, making appropriations for the service of the Post Office Department for the fiscal year ended June 30, 1913, instructions were issued to the postmasters at offices on star routes in Alaska and at offices having screen-wagon service, which resulted in the weight being taken of all mail and equipment transported over such routes during the months of October and November, 1912, and March and April, 1913, in order to determine whether the weight of the mails handled by the contractors had been materially increased by the adoption of the parcel-post system.

As it was impossible owing to the nature of the service performed on screen-wagon routes to weigh the parcel-post matter separately from the other classes of mail matter handled without great expense to the department and delay to the mails, the postmasters were required to keep a record of the aggregate weights of mails handled over the various routes during the periods mentioned without regard to the class thereof and to forward to the department, under proper certificate, a statement showing the aggregate weight of the mail and equipment carried during the months of October and November, the aggregate weight of the mail and equipment carried during the months of March and April, the increase in the weight of mail and equipment carried during March and April over that carried in October and November, and what per cent of such increased weight of mail and equipment was due to the adoption of the parcel-post system, as ascertained from personal observation and information on file and from reports made to the postmasters by their subordinate officers personally familiar with the conditions on the routes.

With a view to ascertaining whether as a result of the adoption of the parcel-post system the weight of mail and equipment handled on screen-wagon routes had been so increased as to involve the contractors in material additional expense in the performance of the service they were requested, under date of July 19, 1913, to prepare and forward to the department a statement showing the additional employees, horses, wagons, and other equipment necessary, the additional mileage traveled, and other expenses incurred in the performance of the service as a direct result of the adoption of the parcel-post system. The contractors were required to submit such statement under oath, accompanied by the certificate of the postmaster cognizant of the facts as to the correctness of the statement.

Upon the receipt in the office of the Second Assistant Postmaster General of the data referred to it is examined by a committee especially appointed for the purpose of reviewing it to determine whether as the result of the parcel-post system the weight of the mails handled by any particular contractor has been materially increased, and making appropriate recommendation to the Second Assistant Postmaster General with respect to the action that should be taken in connection with the readjustment of such contractor's pay. If the approval of the recommendation of the committee on any particular case involves a readjustment of the contractor's compensation, the necessary order will be issued authorizing such readjustment, when the additional amount allowed and due will be paid to the contractor.

The number of screen wagon routes in operation on the date of the adoption of the parcel-post system on which the contractors' compensation is subject to readjustment is 265. Of this number of routes there are 207 on which the required data have been received. Of the latter number the data on 40 routes have been examined by the committee and recommendation prepared for submission to the Second Assistant

Postmaster General for approval, and it is expected that all of the cases will be disposed of at an early date.

As practically all of the star routes in Alaska are covered by contracts under which the contractors can not be required to carry an amount of mail exceeding a specified weight limit on each trip, and as the reports of the weight of mails carried on the routes on which the contracts are not on a weight-limit basis do not indicate any material increase owing to the adoption of the parcel-post system, no readjustment of the pay of the contractors on these routes appears to be necessary.

Respectfully, A. S. BURLESON,
Postmaster General.

This letter of the Postmaster General gives all the information now obtainable on the subject of the resolution. The committee therefore recommends that the resolution do lie upon the table.

Mr. MOON. Mr. Speaker, the resolution itself was rather general in its requirement for information from the department on the subject of screen-wagon service and star routes. It is very clear from the reading of the reply of the Postmaster General that all possible information that can be obtained up to this time as to the additional cost of the screen-wagon and star-route service on account of the parcel post has been given in this letter. I think the minority of the committee have no objection to the report of the Postmaster General so far as the screen-wagon service is concerned. It is insisted by some of them, however, that the report is not sufficiently accurate and definite as to the star routes. Now, that is purely a matter of construction. The Postmaster General uses in connection with star routes and screen-wagon service the term "all contractors." The letter covers the contractors, in my opinion, of both classes, and he specifies the manner in which the adjustment of the pay is to be made.

However, in order to save any delay about this matter and that this resolution itself may be disposed of, the committee on its own initiative has sent, totally disconnected with this resolution, a request to the department asking for specific and definite information on the star-route subject, along the same line that was given on the screen-wagon service under this resolution. We deem it best to let this resolution come here and lie on the table, and when that other information comes in it will be available to the House.

Before making a motion to lay the resolution on the table the gentleman from Wyoming desires to be heard. I yield to him such time as he wants.

Mr. MONDELL. I would like about 20 minutes.

Mr. MOON. I yield 20 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, the parcel-post law, in contemplation of the increased cost its adoption would entail on star-route contractors, contained a provision under which the Postmaster General was authorized to readjust the pay of the star-route contractors; also to readjust the pay of the screen-wagon contractors for increased weight carried and increased expense incurred by reason of the establishment of the parcel post.

In the western part of the country our postal system is still and will for many years continue to be largely a star-route system. We have vast areas where it is not practicable to establish rural free delivery, where, as a matter of fact, the modified and improved star-route service is more satisfactory than the rural free-delivery service under the conditions existing. The inauguration of the parcel-post policy has not only increased very largely the weight of mail carried by the star-route contractor, but it has at the same time very largely reduced his income, for the star-route contractors have heretofore made their bids in view of the fact that it is the common practice on such lines for the carrier to do errands for the people along their routes—carry small packages for them—and on many routes the compensation received for local express business, if we may so term it, constituted a considerable portion of the income of the star-route carrier.

Very soon after the establishment of the parcel post those of us who represent communities where there are a large number of star routes began to hear from our star-route contractors, complaining, first, of the decrease in their compensation heretofore received for carrying small packages, and, second, of the increased cost due to the increased weight of mail, requiring, in many instances, a change from a saddle to a wagon route, or from a two-wheeled cart to a two or four horse wagon, to carry the parcel-post mail. A number of contractors in my State have assured me that the cost of carrying their routes had nearly doubled since the establishment of the parcel post, while their income had been very considerably reduced by reason of the fact that packages for which they had heretofore been receiving pay from individuals are now carried by the parcel post, and therefore they have been seriously inconvenienced and put to a very large additional expense.

With a view to determining what action the department had taken in carrying out the provisions of the parcel-post law, to which I have referred, I introduce House resolution No. 229, calling on the Postmaster General to inform the House what steps had been taken toward the readjustment of the compensation of the star-route and screen-wagon contractors, the character of the action that had been taken, and the extent to which determination had been reached as to the amount of extra compensation to which the contractors were entitled; also what steps had been taken to determine the sums adjudged to be due by reason of the readjustments.

That resolution, which was privileged, was introduced on August 29, but as the Post Office Committee had not held any meetings at that time I have not called the resolution up, but waited until the committee has had an opportunity to act upon it. The committee now proposes, in view of the letter of the Postmaster General which has just been received, to lay the resolution on the table, and the gentleman from Tennessee [Mr. MOON], the chairman of the Committee on the Post Office and Post Roads, has stated that the majority of the committee did this because the letter of the Postmaster General contained all the information which the department could give us on this subject at this time.

If gentlemen have listened to the reading of the letter from the Postmaster General, they will have discovered that the letter of the Postmaster General contains no direct reference whatever to the readjustment of the pay of star-route contractors. It does have reference in the first and in the last paragraph to the pay of carriers in Alaska. It refers in several paragraphs to screen-wagon contractors.

Mr. MOON. Mr. Speaker, will the gentleman allow me to interrupt him?

The SPEAKER. Does the gentleman yield?

Mr. MONDELL. Yes.

Mr. MOON. I think that a proper construction of that letter shows that where the writer uses the term "contractor" in discussing the two subjects he uses it to cover both the star-route and the screen-wagon service, because he follows it with a statement of the manner in which the adjustment is made. It may be a dubious construction, but I think that is correct.

Mr. MONDELL. It may be possible that the gentleman who wrote that letter had in his mind the readjustment of star-route contracts; but if he did, he did not convey to the committee any information upon the subject, unless that information may be hidden in the paragraph that refers to the screen-wagon contracts. The fact is that the department has taken action with regard to a large number of these contracts to which no reference has been made at all in this letter.

Mr. MOON. Mr. Speaker, may I interrupt the gentleman again?

The SPEAKER. Does the gentleman yield?

Mr. MONDELL. I yield.

Mr. MOON. The gentleman's resolution is general in its terms. It does not ask for that specific information which the department has already given on the screen-wagon service, and which it might have given if it had deemed it proper on the other service, but omitted it. But I will state to the gentleman, as I remarked a while ago, that it seems that this information is all that is available in its present shape at this time. But the committee, for the purpose of obtaining any possible information that may have come since that letter was written, has on its own initiative asked for that detailed character of information with reference to star routes which the letter communicates in reference to the screen-wagon service.

Mr. MONDELL. I understood that the committee, on the motion of the gentleman from Wisconsin [Mr. STAFFORD] did take such action.

Mr. MOON. Yes.

Mr. MONDELL. And I want to express my appreciation for that action on the part of the committee. But it does strike me as a little peculiar that the committee should refrain from reporting the resolution which calls for this information and at the same time should approve a motion which, in similar terms, asks for the information that the resolution asked for.

Mr. MOON. Will the gentleman allow me there?

Mr. MONDELL. Yes.

Mr. MOON. That would seem inconsistent, but the majority of the committee thought that the letter was entirely explicit, and that it did respond fully and completely to the demands of the resolution. It was only a matter of courtesy to the gentleman from Wisconsin [Mr. STAFFORD], and not because we had any doubt about it, that we voted for a separate resolution of similar character in part.

Mr. MONDELL. Mr. Speaker, I am sure the gentleman from Wisconsin [Mr. STAFFORD] appreciates the courtesy, and I am sure the gentleman from Wyoming appreciates the courtesy, but I find it a little difficult to understand why the committee

declined to report my resolution and immediately and forthwith called upon the Postmaster General for the information that my resolution sought to bring out.

Mr. MOON. I will explain that to the gentleman if he does not understand it.

Mr. STAFFORD. Right there, if the gentleman will permit, so as to have the record correct, I wish to say that the motion to call upon the Postmaster General for further information was not made upon my initiative, but upon the initiative of the gentleman from Georgia [Mr. BELL], who recognized that there was no information furnished by the Postmaster General in this letter touching the star-route question.

Mr. MOON. Well, it may be that the gentleman from Wisconsin is right that the gentleman from Georgia [Mr. BELL] made the motion instead of himself. The gentleman from Wisconsin, however, made a motion in the same line.

Mr. STAFFORD. My motion was to call on the Postmaster General for all information in his possession covering the question of the cost of parcel-post service, upon which he revised the rates recently and changed the rates and distances in the first two zones.

Mr. MOON. Conceding that the gentleman is exactly correct in both statements, still it is true that the majority of the committee were of the same opinion that I have expressed here, that this reply of the Postmaster General is entirely responsive to the resolution. He went further on the wagon-screen service than the resolution required him to go, by giving the actual number of contracts and amounts, and so on, which he need not have done, but he did it. Possibly he might have gone further on the other if he had seen proper to do so; but by the very terms of the resolution the word "contractors," applied generally to the whole resolution, means the star-route contractors not only in the United States but elsewhere—that is, in the District of Alaska—and it means screen-wagon service. I think the resolution is clear upon that point. A majority of the committee thought that the letter was purely and fully responsive to the resolution and reported it back to lie on the table simply because the information desired was obtained; and I do not think that the gentleman should now undertake to obtain any advantage in this discussion in order that two gentlemen on the committee might have more detailed information than the resolution really demanded, after the committee, out of courtesy to them, of its own initiative, requested a reply from the Postmaster General outside and inclusive of this resolution.

Mr. MONDELL. I hope the gentleman does not misunderstand me. I appreciate the courtesy of the chairman of the committee. I appreciate his courtesy in giving me time, when he might have insisted on a vote; and I do not desire to criticize the committee at all. I did not introduce the resolution in a spirit of criticism of the department. As a matter of fact, the resolution was introduced with the idea that the department had taken steps toward the readjustment of these contracts, and that I could, by introducing a resolution, secure information that I could send out in response to the very many letters I am receiving, not only from my own State but from other States, asking what the department has done and what it proposes to do and along what line it is proceeding, with a view of determining what ought to be done. I had no idea that the committee would hesitate for a moment in reporting the resolution favorably; and had the committee done that, I think we would have received full and detailed information from the department. I think we would have had it at this time. I am not criticizing the department for what it has done or for what it has failed to do. I simply wanted to know how rapidly the department was moving in this matter and just what it had accomplished in order that I might inform these gentlemen who are writing me what the prospects are of their receiving increased pay for the increased burden placed upon them. I repeat that only by a rather strained interpretation or by implication can this letter be held to contain any reference whatever to the principal subject matter of my resolution. It refers to the screen-wagon service and it refers to the Alaskan service. The Alaskan service is all based on weight in any event, and I was in no wise interested in learning what the increased weights were in Alaska. I was interested, as many others are, particularly in the South and West, where there are many of these routes, to know what the department had done, what action it had taken, what progress it had made in investigating the conditions and in providing for increased compensation. It is a curious thing that the letter of the Postmaster General should be confined exclusively, so far as its language indicates in its reference to continental United States, to the screen-wagon service. The screen-wagon service is a very important part of the mail service, but the screen-wagon contractor carries his mail over paved and asphalted streets in large cities, and he is not laboring under the difficulties and the handicaps that the star-route carrier is laboring under. Therefore our sympathy does not go out to him in just the same degree that it does to the fellow who has to travel over mud roads, over the mountains, and over the prairies, and through the forests in all kinds of weather and amid all sorts of difficulties, delivering the mail to the people who live in isolated communities.

Mr. METZ. I will say to the gentleman that he does not have to go to the mud roads in the country in order to obtain a case which is entitled to consideration. The city of New York had a screen-wagon service in which I was particularly interested, because I was an indemnitor for the surety on the bond of the contractor. The contract expired on the 1st of July, but was extended until the 1st of September. The contract was for the ordinary service, but in the last months of his service, from January 1 to September 1, the contractor had the entire parcel-post service dumped upon him, and has had to carry it with his old equipment, and he has not received a dollar for that, and is not likely to receive any.

The SPEAKER. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Will the gentleman from Tennessee kindly give me about 10 minutes more? My time has been taken up quite a little.

Mr. MOON. Mr. Speaker, the gentleman is so rarely heard that I will be very glad to yield him 10 minutes more.

Mr. MONDELL. Mr. Speaker, I appreciate the gentleman's courtesy. I would not take up any more of the time of the House in regard to this matter if it were not for the fact that I fear that the Post Office Department does not fully realize the injustice that is being done the star-route carrier. So far as the thickly settled regions of the country are concerned, they have been covered very largely and very properly with rural free delivery routes; but in our western and mountain country there is a great deal of territory where it is impossible to establish the rural free delivery system, where there may be a considerable settlement—a comparatively dense settlement—up and down streams and valleys; but where there is no other settled valley or road in the vicinity over which a carrier could return, as is done in the case of the Rural Delivery Service carrier, where it is necessary, owing to the isolated character of these communities and settlements, to maintain post offices and to provide for the supply of those offices as well as serving the people en route, these star-route carriers are the poorest paid of all of our public servants. There is no one under the flag that performs as arduous service for as little pay as the star-route contractor, and the parcel post has caught him, as the darky attempted to do with the coon in his celebrated trap, a-coming and a-going. It has increased his weight of mail, without any increased compensation, and it has taken from him those sums which he has heretofore received for carrying parcels and doing errands for the people along his route.

The Post Office Department has readjusted some of these routes, and I regret to say that some of those readjustments are, in my opinion, speaking respectfully—because I think the Post Office officials are trying to do their duty—ridiculously inadequate for the increased service and for the loss of revenue. They say that they can not take into consideration the fact that when a man made a contract with the Government on these routes he understood that he would receive, if he was active, energetic, and obliging, a considerable income for carrying small parcels. They say they can not take that into consideration. I can not agree with the gentleman in that regard.

The authority vested in the Postmaster General by the parcel-post law is broad. It certainly authorizes him to take into consideration all of the changed conditions which these carriers are compelled to meet by reason of the establishment of the parcel post.

Speaking again of the screen-wagon service, I suggested a moment ago I did not have the same degree of sympathy for those gentlemen that I have for my star-route carriers, but I sympathize with them, nevertheless. The Government ought to be just with them, and my understanding is that the department has been almost as parsimonious in its increases for the screen-wagon service as it has for the star-route carriers. These gentlemen ought to be liberal. If the people are to be benefited by the parcel post, they ought not to be benefited at the expense of a few poor contractors. The Government is certainly able to pay for the increased cost of the parcel post. It is going to be, and it is already, a great benefit to the people, and I am sure there is no one within the sound of my voice, no one responsible for appropriations, who would not gladly appropriate every dollar necessary to meet the proper obligations of

the Government in these matters. I regret that it seems to be necessary to constantly appeal to the House—not so much to the House, for I am appealing through the House to the Post Office Department—that the Post Office Department be fair with these people. They should recognize the fact that conditions have changed; that this law has reduced their income and increased their cost.

Mr. METZ. Mr. Speaker, to complete what I started to say when the time of the gentleman expired, the department, or the Second Assistant Postmaster General, told me that they had tabulated the excess weights with a view of arriving at some compromise in respect to conditions in New York; but the point is that, though equipped to handle the regular service, they were compelled to carry under their contract the extra parcel post, for which not a cent has been granted them; they did not receive any more than before they carried this extra matter, and it is not fair to figure the parcel-post expense without taking that into consideration.

Mr. MONDELL. Certainly not. The gentleman is entirely correct. The figures of the cost of the parcel post are not accurate if they do not include all increases of cost. They do not state the facts accurately unless they include the increased cost to those who are performing the service. Because these men are under contract to the Government, under contracts under which they receive very small pay, is no reason why the Government should try to drive a hard bargain with them.

I was down in a mountain pass leading into the Valley of Virginia, and chanced upon a star-route carrier down there. I encountered him in a mud road that was practically impassable. He complained in bitter terms of the increased cost to him and of the decrease in his compensation since the establishment of the parcel post. So this is not wholly a western question; it is a question that applies everywhere where the Government has a contract with a man for carrying mail over country roads on star routes.

Mr. YOUNG of North Dakota. Is not there a surplus to the account of the parcel post at this time?

Mr. MONDELL. I thank the gentleman from North Dakota for his suggestion. There is, I understand, a surplus to the credit of the parcel post at this time, and it is not honorable to the Government that we should be creating a surplus at the expense of these illy-paid men traveling over country roads carrying Uncle Sam's mails under the law that we have provided. I realize that the committee probably felt it was doing the proper thing—that is, the majority of the committee—in tabling this resolution and then asking for the information itself. I can not agree with the committee that that is proper procedure. Why not have the House instead of the committee ask for the information? Of course, I am not asking for any post-office appointments at this time, as are gentlemen on the other side, but still I am asking favors—not favors but justice—of the Post Office Department. I have no reason to complain of the treatment my requests receive. I have no desire to criticize the department. There is no ground for criticism, in my opinion, except that they seem to have been carried away with the idea that it is the duty of the department and the officials at the head of the department to save the Government a few dollars by refusing to fully recognize the just claims of these contractors. I hope that that parsimonious view of the matter, that unjustifiable kind of economy, will be departed from in the future, and the star-route carrier will be justly and liberally treated.

The SPEAKER. The time of the gentleman has expired.

Mr. MOON. Mr. Speaker, how much time has been used?

The SPEAKER. The gentleman from Tennessee has used 7 minutes and the gentleman from Wyoming 30 minutes.

Mr. STAFFORD. Will the chairman of the committee yield to me?

Mr. MOON. I yield 10 minutes to the gentleman from Wisconsin—all I can yield now.

Mr. STAFFORD. Mr. Speaker, the Members on the other side of the aisle are more deeply concerned with this question of the increase, and the just increase, of compensation to star-route carriers, screen-wagon carriers, railroad carriers, and all contractors engaged in carrying the mails, by reason of the establishment of the parcel post, than the gentlemen on this side of the aisle, and for the following reason: Most of you know—some Members may not who have just come into the House—that the country is divided into four territorial subdivisions to determine the weight of the mails carried and to ask for contracts for carrying the mails for the quadrennial period. Upon that weighing that is ascertained at this annual weighing, taken respectively once only every fourth year in these four geographical sections, is based the pay which is allowed to the railroads for the four ensuing years. Star-route and all screen-wagon contractors and all contractors with the Government for the carriage of the mail have the same four-year term as that applying to the railroad carriers, and no increase is allowed them for the increasing weight of mail that accrues after the contract is made. The weighing of the mails usually is taken in the spring of the year, except in one contract section, and that is the first contract section, which consists of the New England territory, where the weighing of the mails is taken in the fall of the year, running from September to late in November. In the rest of the first section, comprising New York, Pennsylvania, Delaware, and West Virginia, the weighing of the mails is taken in the spring of the year as in the other four contract sections. The last weighing of the mails took place in the first section—that is, last fall—in New England, and this spring in those four States of the first section that I have named. That is to say, only in those four States the weighing of the mails will be based upon the added tonnage occasioned by the establishment of the parcel post. Next spring the weighing of the mails will be taken in what is known as the fourth contract section, or all the far-western section; and in the spring two years hence the weighing of the mails will be taken in the third contract section, which comprises the Middle West, all that territory comprising the States of Ohio, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Missouri, North Dakota, and South Dakota; and in three years from now the weighing of the mails will be taken in the southern section, in that territory south of us, extending to as far west as Texas. So these star-route carriers, railroad carriers, and other contractors for carriage of the mails in the South will not receive any compensation by reason of the increased weight of mails occasioned by the establishment of the parcel post until four years hence. So I say that you gentlemen on the other side who come from the Southern States are more concerned with this question as to a fair return and a just compensation to the star-route and screen-wagon carriers than even the gentleman from Wyoming, in whose district new contracts will be entered into, based upon the additional parcel-post service, beginning with July, 1914.

I have no star-route carriers in my district; I am not personally interested in this question, except from the viewpoint of fairness to this large army of contractors who have no special organization like the rural mail carriers. Twice in this House have we increased the pay of the rural mail carriers, predicated upon the expectation of the establishment of a parcel post. Once in 1911, effective July 1, 1911, and again a year ago we increased the pay, each time $100. But the star-route carriers, who are without any organization, who are giving the Government the very best service at the lowest price, based upon competitive contract, have had suddenly thrown upon them an added service for which they are receiving no compensation at all. I ask you gentlemen whether it is fair that this great Government should throw upon a special contractor added service, amounting to possibly hundreds of dollars, for which he is not receiving any compensation whatever.

Believing that this report from the department was but a partial report and failed to respond to the significance of the resolution which was drafted in the words of the Post Office appropriation act for 1913, passed August 24, 1912, the minority representatives present in the committee felt they could not consistently report that this resolution lie on the table when the department might have in its possession some information concerning the star-route service. Or, if the department did not have the information, it was the duty of Congress to prod the department to get busy and stimulate them to activity to repay these unorganized contractors their just dues by reason of this added burden that has been cast upon them. [Applause.] I take it that if any one of these contractors saw fit to throw up his contract, whether he be a railroad carrier, a screen-wagon carrier, or whether he be a star-route carrier, by reason of the added work that has been cast upon him because of the parcel post, he would be justified by the decision of the Supreme Court to withdraw from that contract by reason of the added burden thrown upon him that was not in the contemplation of the parties when the contract was entered into.

Now, here we have this letter. The gravamen of the chairman is that the letter is a full report. Let me call your attention in justification of the position of the minority to just what the department saw fit to respond to. It is the preamble, you might say, of this letter. I will only read this one paragraph to show you by proof positive that the writer of this letter—and I do not say that the writer of this letter was the Postmaster General, because we all know that the Postmaster General is too busy with the distribution of patronage and of parceling it out during this session of Congress to give his personal attention to this proposition, and therefore I hope that Congress will soon adjourn, so that the Postmaster General may be able

to give some time to the more engrossing questions of this great postal service. [Applause on the Republican side.]

Mr. COX. Will the gentleman yield for a question?

Mr. STAFFORD. If I can get further time, I will be glad to yield. But the gentleman from Tennessee says that he can give me no more time, so I must continue. Otherwise, I would be glad to yield. Here is the paragraph I refer to:

In reply I have the honor to inform you that, in accordance with the provisions of the last act of Congress, approved on August 24, 1912, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, instructions were issued to the postmasters at offices of star routes in Alaska and at offices having screen-wagon service—

There is nothing said there about star-route carriers over the rest of continental United States—

which resulted in the weight being taken of all mail and equipment transported over such routes during the months of October and November, 1912, and March and April, 1913, in order to determine whether the weight of the mails handled by the contractors had been materially increased by the adoption of the parcel-post system.

And then the letter, as you have heard, goes on to say that they had the weighing of the mails on the star routes of Alaska——

The SPEAKER. The time of the gentleman has expired.

Mr. MOON. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. RAKER].

THE TARIFF.

The SPEAKER. A great many Members have inquired of the Speaker about the prospects of the conference report on the tariff bill. For their benefit I sent over to the conferees to find out, and the answer is that there is no prospect of a conference report on the tariff bill coming in before Saturday. I thought the Members would be interested to know the situation.

EXTENSION OF REMARKS.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on paragraph 254½ of the bill H. R. 3321.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. WILLIS. Mr. Speaker, reserving the right to object, I desire to inquire of the gentleman upon what subject? What is that about?

Mr. RAKER. It is on paragraph 254½.

Mr. WILLIS. On what subject?

Mr. RAKER. On the subject of vine culture, pure food, and sweet wines.

Mr. WILLIS. Well, Mr. Speaker, that is a subject of great importance, and I think it ought to be discussed openly in the House, although I do not want to be discourteous to the gentleman.

Mr. RAKER. It is a matter pending before the Senate and one of the vital matters to be discussed, and it seems as though a Member ought to have a right to be heard on it at this time.

Mr. WILLIS. I think it ought to be discussed, and ought not to be inserted in the RECORD without its being heard. I object.

The SPEAKER. The gentleman from Ohio [Mr. WILLIS] objects.

Mr. RAKER. Then, Mr. Speaker, I ask unanimous consent to extend my remarks on the bill H. R. 8364, which passed the House yesterday, in regard to the disposal of lands after their withdrawal.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent to extend his remarks on the bill named. Is there objection?

Mr. WILLIS. Reserving the right to object, Mr. Speaker, does the gentleman propose to extend his remarks on the subject matter of that bill or of another?

Mr. RAKER. No, sir. When I say I will extend my remarks on a certain bill, I shall extend my remarks on that bill alone and nothing else.

Mr. WILLIS. That is satisfactory.

The SPEAKER. Is there objection?

There was no objection.

Mr. RAKER. Mr. Speaker, I yield back the balance of my time.

COMPENSATION OF STAR-ROUTE AND SCREEN-WAGON CONTRACTS.

Mr. MOON. Mr. Speaker, I now yield three minutes to the gentleman from Georgia [Mr. HARDWICK].

Mr. HARDWICK. Mr. Speaker, there is a question pending before the Congress, not connected with this bill, but of the utmost importance to every Member of this House and to the country.

The proposed tariff bill leaves the rate on sugar until March 1 next unchanged. Then until May 1, 1916, it reduces the tariff 25 per cent.

There is no language in the bill now pending which declares that from March 1, 1914, until May 1, 1916, Cuban sugars shall come into the United States at 20 per cent less than the general 25 per cent reduction made on sugar from all countries in the pending bill.

There is, therefore, nothing in the pending bill which gives a preferential to Cuban sugars. If there is to be a preferential for Cuban sugars after March 1, we must find it in the treaty with Cuba and the act of Congress approving that treaty.

The treaty and the act of Congress provide in Article II that—

During the term of the convention all merchandise from Cuba shall come into the United States with a reduction of 20 per cent of the rates of duty thereon as provided by the tariff act of the United States approved July 24, 1897, or as may be provided by any tariff law of the United States subsequently enacted.

It will be observed that this article of the treaty gives all Cuban products a preferential of 20 per cent below existing or future tariff taxes fixed by the United States.

This provision would take care of the subject if there was nothing else in the treaty; but further on in the treaty tobacco is exempted from this provision, and with reference to sugar it is declared that—

While this convention is in force no sugar imported from the Republic of Cuba, and if the product of the soil and industry of the Republic of Cuba, shall be admitted into the United States at a reduction of duty greater than 20 per cent of the rates of duty thereon as provided by the tariff act of the United States approved July 24, 1897.

Thus it will be seen that this paragraph in the treaty expressly declares that the 20 per cent reduction given to sugar shall not go lower than 20 per cent below the tariff schedule of 1897.

The pending bill makes no provision for a 20 per cent preferential for Cuban sugar below our general 25 per cent reduction on sugar, and the treaty and act of 1903 expressly declares that sugar shall not have, coming from Cuba, a reduction of greater than 20 per cent from the act of 1897.

Construing, therefore, the two together, as we have the bill, while we reduce sugar generally 25 per cent, we are only reducing Cuban sugar 5 per cent below the rate under which it now comes in under existing law between March 1, 1914, and May 1, 1916, when sugar goes on the free list.

Now, I know that this is not what the House meant to do, and I know that it is not what the Senate meant to do. I am making this statement after careful examination of the legal questions involved, together with an equally careful examination of the treaty and of the act of Congress of 1903, and after careful consideration of both of them in connection with the Underwood bill, in the earnest hope that the conferees may correct this mistake.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. MOON. Mr. Speaker, this is indeed a very simple proposition before the House. Here is a resolution in general terms asking for information from the Postmaster General as to star routes and screen-wagon service.

By order of the committee that resolution was forwarded to the Postmaster General. He made a reply. The committee considered that reply strictly responsive to the resolution. Therefore, having obtained the information that was wanted, it was deemed best to report the resolution back to the House with the information, accompanied by a motion that it do lie upon the table.

The objections of my friend from Wyoming [Mr. MONDELL], I regret to say, seem to me to be captious and whimsical. There certainly could be no reason on the part of the Postmaster General for not giving full information in reference to this matter. In his reply he starts out by saying:

The receipt is acknowledged of your letter of the 5th instant, with which you transmitted a copy of House resolution No. 229, directing me to inform the House as to what steps have been taken toward the readjustment of the compensation of star-route and screen-wagon contractors on account of the establishment of the parcel post—

And so forth.

Taking this as the context of the letter, how can these gentlemen say that the letter has no application to anything except screen-wagon service? It is plain. It is a matter of ordinary common-sense construction of the English language. What follows in reference to the action of the contractors must have its application to the original proposition of the screen-wagon contractors and the star-route contractors; and, in order to make the matter more clear, you will find that the Postmaster General has directed, as stated in his letter, a general weighing of all mails over all routes, screen-wagon and star-route service, upon

which to make this basis of settlement between the parties under the act referred to; and, again, it is so very clear that I do not see how any man in the world could see it any other way when he speaks of the general basis upon which the settlement is made:

Upon the receipt in the office of the Second Assistant Postmaster General of the data referred to, it is examined by a committee especially appointed for the purpose of reviewing it to determine whether as the result of the parcel-post system the weight of the mails handled by any particular contractor has been materially increased—

What data? The star-route data, the screen-wagon data—that which he was requested to report upon. To continue:

and making appropriate recommendations to the Second Assistant Postmaster General with respect to the action that should be taken in connection with the readjustment of such contractor's pay. If the approval of the recommendation of the committee on any particular case involves a readjustment of the contractor's compensation, the necessary order will be issued authorizing such readjustment when the additional amount allowed and due will be paid to the contractor.

Mr. PAYNE. Mr. Speaker, will the gentleman yield?

Mr. MOON. Certainly.

Mr. PAYNE. When the gentleman had the floor before, did I understand him to say that the committee proposes after this is laid on the table to ask the Postmaster General for further information upon the subject?

Mr. MOON. No; the gentleman does not quite understand me. There were two or three gentlemen on the committee who thought that this was not sufficiently definite. The chairman responded, and the committee agreed with him, that the Postmaster General had really gone beyond the terms of the resolution in giving the detailed information on screen-wagon service, but that he had not given that particular information as to star routes. He had, however, given all the information demanded by the resolution, and he could not give the detailed information, owing to the vast number of star routes, the matter not having yet been fully adjusted, only two months being covered. The committee thought it was entirely responsive to the resolution, but inasmuch as some gentlemen on the committee desired to have additional information in reference to the star routes similar to that which had been given with respect to the screen-wagon service, although the resolution did not demand it, the committee, out of deference to the views of those gentlemen and not in view of this resolution, did make a request as coming from the committee, and not the House, for some private information to the committee from the Postmaster General upon the subject, not due to the fact, in any way, that we did not regard the reply of the Postmaster General as entirely responsive to the resolution. The fact is, he had gone a little further on one branch than was necessary.

Mr. PAYNE. I desire to ask the gentleman what objection there would be to having the committee report such resolution to the House and letting the House make the inquiry of the Postmaster General. There is no implied censure of the Postmaster General in a resolution of inquiry. In some way or other there seems to have grown up here during this session the idea that if the House makes an inquiry of a department there is an implied censure. There is no implied censure upon the department.

Mr. MOON. There is no implied censure on the department.

Mr. PAYNE. The inquiry is made on the theory that the reply will exonerate the department.

Mr. MOON. The majority of the committee—and all the committee except two—were of the opinion that the Postmaster General had fully complied with the request. Having done that, it was unnecessary to pass the resolution.

Mr. PAYNE. Still the committee concedes that there is something further to do in order to get the further information; and my suggestion is——

Mr. MOON. The gentleman is mistaken. The committee have no such idea. The gentleman will find that the proposition of Messrs. BELL and STAFFORD does not come directly under this resolution. It is true that it calls for information that would, perhaps, extend this information; but we considered that the reply of the department was ample and sufficient for the general terms of the resolution and responsive in every sense of the word. Now, when that information comes back to the committee, if the House desires, of course it can get it.

Mr. PAYNE. I agree with the other statement, that there ought to be some further inquiry suggested by the spirit of this resolution.

Mr. MOON. No; the truth is, I am sorry to say, that my friend, the gentleman from Wyoming, although we were particularly courteous and kind in asking for some further information not called for specifically in his resolution, thought it was necessary to take advantage of it on the floor of this House as apparently, but not really, inconsistent with the report.

Mr. STAFFORD. Mr. Speaker——

Mr. MOON. Mr. Speaker, I move that the resolution do lie on the table.

The SPEAKER. The gentleman from Tennessee moves that the resolution lie on the table.

The question being taken, on a division (demanded by Mr. MONDELL) there were—ayes 91, noes 51.

Accordingly the resolution was laid on the table.

ADJOURNMENT UNTIL SATURDAY.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Saturday next.

The SPEAKER. The gentleman from New York asks unanimous consent that when the House adjourns to-day it adjourn to meet on Saturday next.

Mr. PAYNE. Reserving the right to object, I should like to know from my colleague why he does not ask that we adjourn until Monday, and not come back here Saturday.

Mr. FITZGERALD. The Speaker made the announcement that the conferees on the tariff bill expected to be able to report on Saturday.

Mr. PAYNE. I did not so understand.

Mr. FITZGERALD. Yes.

Mr. GARNER. And then it will have to be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York that when the House adjourns to-day it adjourn to meet on Saturday next?

There was no objection.

CALL OF COMMITTEES.

The SPEAKER. The clerk will call the committees.

The Clerk proceeded with the call of committees.

The Committee on Education was called.

Mr. HUGHES of Georgia. Mr. Speaker, by direction of the Committee on Education I desire to call up Senate joint resolution 5, and request that it be read.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. On the call of committees, is it the rule that they be called from the head of the list?

The SPEAKER. No; the rule is to begin where the call left off yesterday. This resolution is on the Union Calendar and can not be called up until after the expiration of 60 minutes, or when the call of committees is finished. Then the Chair will recognize the gentleman to move to go into Committee of the Whole House on the state of the Union.

SIXTH NATIONAL CORN EXPOSITION, DALLAS, TEX.

The Committee on Industrial Arts and Expositions was called.

Mr. UNDERHILL. Mr. Speaker, I am directed by the Committee on Industrial Arts and Expositions to call up House concurrent resolution 17. I ask that it be read.

The SPEAKER. The Clerk will report it by title.

The Clerk read the title of House concurrent resolution 17, authorizing the Secretary of Agriculture to make an exhibit at the Sixth National Corn Exposition, to be held at Dallas, Tex., during the month of February, 1914.

Mr. STAFFORD. Mr. Speaker, I make the point of order that the resolution is not properly on this calendar. It necessarily involves an expense to the Government, and therefore it should be on the Union Calendar instead of the House Calendar.

Mr. UNDERHILL. Mr. Speaker, I ask the Clerk to read the report of the committee, in which there are amendments provided that relieve the Government of any expense in connection with this exhibit.

The SPEAKER. The Clerk will read the resolution and the report.

The Clerk read the resolution, as follows:

House concurrent resolution 17.

Resolved by the House of Representatives (the Senate concurring), That the Secretary of Agriculture be, and he is hereby, authorized to make such exhibit as may be convenient and practicable at the Sixth National Corn Exposition, to be held at Dallas, Tex., during the month of February, 1914.

The Clerk read the report, as follows:

The Committee on Industrial Arts and Expositions, to whom was referred House concurrent resolution No. 17, having carefully considered the same, unanimously report the said resolution favorably, with amendment, and recommend that it do pass:

"*Resolved by the House of Representatives (the Senate concurring)*, That the Secretary of Agriculture be, and he is hereby, authorized to make such exhibit as may be convenient and practicable at the Sixth National Corn Exposition, to be held in Dallas, Tex., during the month of February, 1914."

At the end of line 6, after the word "fourteen," insert the following:

"SEC. 2. That the said exhibit shall be of such nature as the Secretary of Agriculture deems appropriate: *Provided*, That the Secretary of Agriculture shall make such arrangements with the proper officers of the said exposition that the Department of Agriculture shall be at no expense for transportation of said exhibit to and from the exposition: *Provided further*, That the Secretary of Agriculture shall also make such arrangements with the proper authorities of said exposition that there shall be no expense to the department for any breakage or damage that may occur to the exhibit, nor for the living expenses of such appointees as he may see fit to send to said exposition to demonstrate the exhibit sent."

Mr. STAFFORD. Now, Mr. Speaker, on the point of order I respectfully contend that whatever the amendment might be that might lift the resolution out of the rule of the House that makes it a charge upon the Treasury, the Speaker in considering whether it should be on the House or Union Calendar must take the resolution as it is before the House. We do not know whether the amendment reported by the committee will be adopted or not. The Chair can only consider whether it is properly on the House Calendar by considering the phraseology as it exists, and it being patently a charge upon the Treasury, I respectfully contend that it should be on the Union Calendar.

The SPEAKER. Now, the Chair will ask the gentleman a question. Is not the amendment as offered by the committee as much a part of this resolution we are going to consider as the original text?

Mr. STAFFORD. According to the original resolution before the House there is no amendment reported; there is no amendment on the face of the resolution. We do not know whether the committee will offer the amendment. It may be presumed it will be offered, but suppose the House votes down the amendment? It is then a charge upon the Treasury, and because it involves a charge upon the Treasury which they seek to lift you can not consider whether it will be lifted or not.

The SPEAKER. You can not tell whether the resolution will pass or not.

Mr. STAFFORD. Further on that point. If this resolution does not involve a charge upon the Treasury, then it is not a proper resolution to consider in the Committee of the Whole House on the state of the Union; but if it is, when this resolution is presented for consideration the Chair must necessarily forthwith refer it to the Committee of the Whole House on the state of the Union, because it involves a charge upon the Treasury.

Mr. PAYNE. Mr. Speaker, if the Speaker's suggestion is correct, that the amendment reported by the committee is a part of the resolution, there is no bill or resolution that could come before the House involving a direct appropriation but what could be taken out of the rule if it simply provided that nothing therein contained should be a charge upon the Treasury of the United States.

The SPEAKER. Is not that the truth? If they put that proviso in the bill, is not that as much a part of the bill as any other part?

Mr. PAYNE. But it is not in the resolution. The resolution that the House is to consider is a resolution introduced, and in the report an amendment is offered by the committee. The House is to consider whether this resolution shall be finally amended so there shall be no charge on the Treasury of the United States.

The SPEAKER. Of course, the House has to decide whether it will pass the resolution at all.

Mr. PAYNE. Why, my colleague from New York [Mr. FITZGERALD] might as well come in here with a general appropriation bill, and at the end of it report a committee amendment that there should be no charge on the Treasury, and because of that contend that it should not be considered in the Whole House on the state of the Union. It destroys the rule.

Mr. FITZGERALD. Mr. Speaker, the rule is well established that it must clearly appear upon the face of the bill or resolution that a charge upon the Treasury is involved. There are numerous decisions that where the expenditure is a mere matter of speculation it is not sufficient to require consideration in the Committee of the Whole House on the state of the Union. I might call the attention of the Chair to one very remarkable case which will not escape his memory. When the so-called Vreeland-Aldrich bill, the present emergency currency act, came back from the Senate it had a provision for the printing of certain emergency notes. A point of order was made at that time that the printing of those notes would necessarily involve some cost or expense to the Government. Mr. Speaker Cannon held that that was a matter of argument; that it did not appear on the face of the bill that it would do so.

There is another reason, however, Mr. Speaker, why this point of order does not lie against this resolution. This is a concurrent resolution. A concurrent resolution, following the practices of the House, is used merely to express the opinion of the Congress. It is not a legislative resolution. It is not such a resolution as would be sent to the President for his approval; and it can not in any way in its present form involve any expense to the Government or any charge upon the Treasury. I believe that if the Chair will examine the precedents in Volume 4 of Hinds' Precedents, they will sustain these contentions.

Mr. PAYNE. I can admire the acuteness of my colleague's mind in the idea that this resolution as it originally reads simply presents a matter of argument as to whether there should be any charge on the Treasury or not and as to whether those employees were to go there without any expense on the Government. As a matter of argument it is as plain as the nose on my colleague's face.

Mr. FITZGERALD. It is no more a matter of argument than it was a matter of argument that to print certain bank notes would require expenditure of money. It seemed very clear that a provision requiring certain notes to be printed necessarily would involve a charge upon the Treasury.

Mr. PAYNE. It authorizes the Secretary of Agriculture to make this exhibit.

Mr. FITZGERALD. Speaker Cannon held otherwise, and upon an appeal taken from his decision the gentleman from New York moved to lay the appeal on the table. And the majority on that side laid the appeal on the table under the lead of the gentleman from New York [Mr. PAYNE].

Mr. MONDELL rose.

The SPEAKER. The gentleman from Wyoming [Mr. MONDELL] is recognized.

Mr. MONDELL. Mr. Speaker, while it is true that there is an amendment pending which provides that there shall not be any expenditures for certain purposes, that amendment, if adopted, would not prohibit expenditures for other purposes. As a matter of fact, the resolution can not be carried out, even if the amendment be adopted, without expenditure. There must necessarily be some expenditure connected with an exhibit of the sort contemplated.

The SPEAKER. The gentleman from Wyoming [Mr. MONDELL] is just simply entering into a speculation as to what might happen.

Mr. MONDELL. I think not, Mr. Speaker. I think the resolution shows on its face that some expenditure will be necessary. I have no objection, Mr. Speaker, to the consideration of the matter, and I would not raise the question myself, but it having been raised, of course it is important it shall be correctly decided, which I am sure the Speaker will do. But the resolution on its face clearly indicates that there must be an expenditure. It would be impossible for the Secretary to make any sort of an exhibit without paying, at least, the salary of the men who had charge of it, and while they had charge of the exhibit they would not be performing their ordinary duties, so there would be an additional charge upon the Treasury. The amendment simply provides that there shall not be any expenditure for certain purposes, but there must be expenditures for other purposes, even though the amendment be adopted.

The SPEAKER. This point of order of the gentleman from Wisconsin [Mr. STAFFORD] involves two or three different parliamentary propositions at one time. In the first place, this resolution on the face of it does not provide for any outlay of money from the Public Treasury. Of course, you can speculate, just as the gentleman from Wyoming [Mr. MONDELL] was speculating. That was exactly what he was doing.

Mr. MONDELL. May I ask the Speaker just one question for illustration?

The SPEAKER. Yes; certainly.

Mr. MONDELL. Suppose it was a resolution authorizing the Secretary of Agriculture to erect a public building?

The SPEAKER. That would be such a clear proposition that it would not admit of argument.

Mr. MONDELL. It would be an expenditure of money.

The SPEAKER. That involves the expenditure of money. The Chair will not bother the gentleman to argue the other side of it.

Mr. AUSTIN. I want to help the Speaker out by giving an illustration.

The SPEAKER. All right.

Mr. AUSTIN. Two years ago at the Knoxville Exposition we had an exhibit from the Agricultural Department which did not cost the Government anything, because we paid all the expenses of it, and the same thing can be done in this case.

The SPEAKER. Whether this resolution on the face of it means that there shall be an appropriation is purely a matter of speculation; that is, the resolution itself. The Secretary of Agriculture, if he wanted to do so, if this resolution were passed without any amendment, might very readily say to the people

down at Dallas that if they wanted a Government exhibit at that corn show they should bear the expenses themselves, whatever they are. He could do that of his own motion. But this amendment clearly relieves the resolution, even if there were any doubt about the resolution itself. It has been held, and the authorities are abundant, that in considering whether a bill or resolution shall go to the Committee of the Whole House on the state of the Union the House takes into consideration the amendments that are pending. In one case the Speaker decided the other way, and the House overruled the decision and said, in determining whether a bill or resolution goes to the Committee of the Whole House on the state of the Union, the House takes into consideration the committee amendments pending. So the Chair overrules the point of order made by the gentleman from Wisconsin [Mr. STAFFORD]. There are abundant precedents for the ruling, but there is no use to quote them. The Chair would decide that way even if there were no precedents.

Mr. FITZGERALD. Mr. Speaker, I have an amendment to the enacting clause.

The SPEAKER. The Clerk will first report the committee amendment.

The Clerk read the committee amendment, as follows:

At the end of line 6, after the word "fourteen," insert the following: "SEC. 2. That the said exhibit shall be of such nature as the Secretary of Agriculture deems appropriate: *Provided*, That the Secretary of Agriculture shall make such arrangements with the proper officers of the said exposition that the Department of Agriculture shall be at no expense for transportation of said exhibit to and from the exposition: *Provided further*, That the Secretary of Agriculture shall also make such arrangements with the proper authorities of said exposition that there shall be no expense to the department for any breakage or damage that may occur to the exhibit, nor for the living expenses of such appointees as he may see fit to send to said exposition to demonstrate the exhibit sent."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The Clerk will now report the amendment offered by the gentleman from New York [Mr. FITZGERALD].

The Clerk read as follows:

Strike out the words "the Senate concurring" and insert in lieu thereof the following: "and the Senate of the United States of America in Congress assembled."

Mr. UNDERHILL. Mr. Speaker, I accept the amendment.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. FITZGERALD. Mr. Speaker, I move to strike out in the heading the word "concurrent" and insert the word "joint."

Mr. UNDERHILL. Mr. Speaker, I accept the amendment.

Mr. PAYNE. Mr. Speaker, I want to make one or two observations on the subject of the bill before the amendment is voted on. My remarks can come in here as well as anywhere else.

The House was informed by my colleague [Mr. FITZGERALD] awhile ago that this resolution would not involve the Government in any expense, because it is a concurrent instead of a joint resolution. Then, having got the resolution before the House, he moves to strike out "concurrent" and make it "joint."

Now, the committee and the House, in order to make it sure that there shall be no charge on the Treasury involved in this resolution, and that the language shall not imply it or clearly express it, have put into it a good deal of language, trying to save the Government from any expense in regard to it, but they do not succeed in doing it by their language. They say that the Government shall not be at any expense on account of breakage; but suppose there is an expense on account of breakage and repairing? There is nothing said about repairing.

There is a good deal of language here that makes it difficult, in addition to the fact of its being a concurrent resolution, to save it under the rule and make it proper to consider it here in the House. There are altogether too many amendments to convince me that the House is entirely convinced of the correctness of the Speaker's ruling. However, I do not doubt the integrity of the Chair and the honesty of his ruling as made.

The SPEAKER. The gentleman had the right to appeal. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is now on the engrossment and third reading of the joint resolution as amended.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. UNDERHILL, a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

CALL OF COMMITTEES.

The SPEAKER. The Clerk will proceed with the call of committees.

The Clerk proceeded with the call.

Mr. PAYNE (when the Committee on Insular Affairs was reached). Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from New York [Mr. PAYNE] moves that the House do now adjourn. The question is on agreeing to that motion.

The question was taken, and the motion was rejected.

Mr. WEBB rose.

The SPEAKER. For what purpose does the gentleman from North Carolina rise?

Mr. WEBB. I rise, Mr. Speaker, to ask unanimous consent to present a bill from the Committee on the Judiciary.

The SPEAKER. The proper request to make is to ask unanimous consent to return to the call of the Committee on the Judiciary.

Mr. WEBB. Then, Mr. Speaker, I ask unanimous consent to return to the call of the Committee on the Judiciary.

The SPEAKER. The gentleman from North Carolina [Mr. WEBB] asks unanimous consent to return on the call of committees to the Judiciary Committee.

Mr. PAYNE. Mr. Speaker, I shall have to object to that.

The SPEAKER. The gentleman from New York objects.

Mr. PAYNE. I make the point of order that no quorum is present.

Mr. WEBB. I hope the gentleman will not do that.

ADJOURNMENT.

Mr. BARTLETT. I move that the House do now adjourn.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. RUCKER. Division!

The SPEAKER. Does the gentleman from New York [Mr. PAYNE] still insist on his point of no quorum?

Mr. PAYNE. I do.

The House divided; and there were—ayes 81, noes 31.

Mr. KINKEAD of New Jersey. Tellers, Mr. Speaker.

Mr. HUGHES of Georgia. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. On this motion, the ayes are 81, the noes 31. The gentleman from New York [Mr. PAYNE] has made the point of order that no quorum is present.

Mr. CRISP. Mr. Speaker, it does not require a quorum to adjourn.

The SPEAKER. That is true; but the gentleman from Georgia [Mr. HUGHES] demands the yeas and nays.

The yeas and nays were refused, 22 Members, not a sufficient number, rising to second the demand.

The SPEAKER. The motion to adjourn is agreed to.

Accordingly (at 1 o'clock and 43 minutes p. m.) the House, under the order heretofore agreed to, adjourned until Saturday, September 27, 1913, at 12 o'clock noon.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 3602) granting a pension to Boaz Adkins; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 4921) granting a pension to Orville Fox; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 1257) granting an increase of pension to Mary C. Round; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 8592) to increase the limit of cost of the public building at Owatonna, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. BUCHANAN of Illinois: A bill (H. R. 8593) amending the building regulations of the District of Columbia by providing for the better protection of persons engaged in and about the construction, repairing, alterations, or removal of buildings, bridges, viaducts, and other structures; to the Committee on the District of Columbia.

By Mr. MORRISON: A bill (H. R. 8594) to make it lawful for railroad companies and other common carriers engaged in interstate commerce to grant annual passes and other free transportation to former employees in certain cases; to the Committee on Interstate and Foreign Commerce.

By Mr. WOODRUFF: A bill (H. R. 8595) providing additional compensation for rural mail carriers for maintenance of horses, buggies, and such other equipment as is necessary in the discharge of their duties, and granting them leave of absence of 30 days annually with pay; to the Committee on the Post Office and Post Roads.

By Mr. HAYES: A bill (H. R. 8596) to limit the denomination of silver certificates, United States notes, and Treasury notes; to the Committee on Banking and Currency.

By Mr. KIRKPATRICK: A bill (H. R. 8597) to provide for the punishment of any person in the employ of the United States and any member of the Army or Navy of the United States who shall gamble or play at any game of chance or bet on any game whatsoever in the District of Columbia; to the Committee on the District of Columbia.

By Mr. HOWARD: A bill (H. R. 8598) to establish postal savings banks, to enable the Government to borrow money directly from the people, and to market its bonds directly to the people in small and varying denominations through the medium of the post office, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. FRENCH: Joint resolution (H. J. Res. 131) expressing the opinion of Congress on the question of making offenses under the white-slave law extraditable and directing the Secretary of State to undertake proper negotiations with all foreign countries looking to the defining of such offense as extraditable; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BELL of California: A bill (H. R. 8599) granting a pension to Ora M. Larkin; to the Committee on Pensions.

By Mr. PALMER: A bill (H. R. 8600) granting an increase of pension to Joseph H. Gouger; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BURKE of Wisconsin: Petition of Carpenters' Local Union No. 1053, of Milwaukee, Wis., favoring the passage of legislation granting the right of suffrage to the citizens of the District of Columbia; to the Committee on the District of Columbia.

By Mr. GARNER: Petition of sundry farmers of Texas, protesting against the standardizing of gin boxes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOUSTON: Petitions of 371 employees of the Pennsylvania works of the American Sheet & Tin Plate Co. at New Kensington and 1,232 employees of one of the subsidiary companies of the United States Steel Corporation at Monessen, Pa., protesting against a dissolution of the United States Steel Corporation; to the Committee on the Judiciary.

By Mr. KEISTER: Petition of 1,232 employees of one of the subsidiary companies of the United States Steel Corporation at Monessen, Pa., protesting against a dissolution of the United States Steel Corporation; to the Committee on the Judiciary.

Also, petition of 371 employees of the Pennsylvania works of the American Sheet & Tin Plate Co., located at New Kensington, Pa., protesting against a dissolution of the United States Steel Corporation; to the Committee on the Judiciary.

By Mr. KIESS of Pennsylvania: Evidence in support of bill (H. R. 7642) for the relief of George J. Horton; to the Committee on Invalid Pensions.

By Mr. MAPES: Petitions of sundry citizens of the State of Michigan, favoring certain changes in the interstate-commerce law; to the Committee on Interstate and Foreign Commerce.

By Mr. PROUTY: Petitions of sundry citizens of Maxwell, Collins, Borderant, and Dawson, State of Iowa, favoring certain changes in the interstate-commerce law; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petition of the Chamber of Commerce of Oakland, Cal., favoring a stronger Navy; to the Committee on Naval Affairs.

Also, petition of the Board of Trade of Los Angeles, Cal., favorng 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. WALLIN: Petitions of sundry citizens of Schenectady, N. Y., protesting against the establishment of a national holiday to be known as Columbus Day; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

SATURDAY, *September 27, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our heavenly Father, in whom is all wisdom, power, and goodness, increase our faith and renew our confidence in Thine almightiness that we may work and faint not, reaping where we sow, that discipline may have its perfect work until we all come into oneness with Thee in intent and purpose.

We count time, but with Thee one day is as a thousand years and a thousand years as one day, and Thou art patient.

The air is full of farewells to the dying, and men go about the streets mourning, unmindful of the immortality of the soul. Again Thou hast put forth Thy hand and taken a Member from this body to the larger life—young, strong, vigorous, with high hopes and noble aspirations, leaving behind him an enviable record. Comfort us and all his friends, and be to the stricken wife and children a power of faith and hope and confidence, that they may look forward with bright anticipations to a family reunion in love and affection where partings shall be no more forever. And glory and honor and praise be Thine, in Jesus Christ our Lord. Amen.

The Journal of the proceedings of Thursday, September 25, 1913, was read and approved.

THE INCOME TAX.

Mr. LEVY. Mr. Speaker, I ask unanimous consent that the following amendment which I send to the desk to be read be considered and referred to the committee on conference having in charge the tariff bill.

The SPEAKER. Without objection, the proposed amendment will be read.

There was no objection.

The Clerk read as follows:

On page 222 add the following paragraph, to be known as paragraph P:

"That for the calendar year ending December 31, 1913, the tax under this section shall be imposed only in the event that at the end of the fiscal year, computed to the 31st of December, 1913, the actual surplus in the United States Treasury shall be less than the sum of $275,000,000, including as a part of said surplus the amount then expended in the construction of the Panama Canal from the general fund and not reimbursed by the sale of bonds.

"That this section, so far as it imposed an income tax, shall become operative for the year 1914 and thereafter only in the event that at the end of the fiscal year of 1914, and of any fiscal year thereafter, the actual surplus in the United States Treasury, including as a part of said surplus the amount then expended in the construction of the Panama Canal from the general fund and not reimbursed by the sale of bonds, shall not be less than the sum of $250,000,000."

The SPEAKER. Is there objection to the consideration of the proposed amendment?

Mr. UNDERWOOD. Mr. Speaker, I object.

The SPEAKER. The gentleman from Alabama objects.

Mr. LEVY. Mr. Speaker, will the gentleman reserve his objection until I explain my view?

Mr. UNDERWOOD. Mr. Speaker, I will reserve my objection.

Mr. LEVY. Mr. Speaker, when the constitutional amendment providing for an income tax was before Congress for consideration, and the legislatures of the country, especially New York, it was stated that the tax would only be levied as a war revenue or in time of dire necessity. While taxation of this sort is most obnoxious and odious, yet if the necessities of the country warrant its imposition I am heartily in favor of this method of raising revenue.

It has been stated on this floor that after the enactment of this bill into law there will be a deficit from internal-revenue taxes, customs receipts, and other incidental sources amounting to approximately $60,000,000. This being the case, let us ascertain if such a tax will be needed to meet this deficiency. At the present time there is in the general fund of the Treasury $124,900,554.60 cash, and the balance expended out of the general fund reimbursable from proceeds of Panama Canal bonds not yet sold is $188,335,447.28—which is equivalent to cash in the Treasury—making the enormous total of $313,256,001.88. During the nine years and four months which the Panama Canal has been under construction there has been expended the sum of $286,936,316.30, or an average of $30,754,160.38 annually. With the canal nearing completion, our annual expenditures will decrease about $30,000,000, and thereby cause the general fund in the Treasury to increase annually by this amount. The surplus in the Post Office Department since the inauguration of the parcel post has been greatly increased, and I venture to say that during the present fiscal year it will amount to approximately $20,000,000. This surplus will un-

doubtedly continue to increase annually, as the system has proven very popular. Why not allow the corporation-tax law to remain on the statute books, instead of repealing it, and thereby add to the Treasury funds between $35,000,000 and $40,000,000 annually. In my opinion, this bill will not create a deficit, but, on the contrary, I am convinced that during the first six months of its enforcement the revenue from customs receipts will greatly exceed the amount collected under the present law, as the importations will be much larger, owing to the lower rate of duties that will be imposed. It must therefore be perfectly clear to everyone that with the increased surplus in the Post Office Department occasioned by the parcel-post law, the revenue derived from the present corporation-tax law, and the increased collections from the vast importations which will undoubtedly follow the enactment of this bill into law, any deficit occasioned by the bill will thus be overcome and render the imposition of the income tax unnecessary at a time when our Treasury will be overflowing.

After the bill has been placed upon our statute books, should anything unforeseen arise which would cause a deficit, the deficiency should be paid out of the general fund of the Treasury until the surplus therein decreases $50,000,000. I am opposed to a full and overflowing Treasury; it excites the cupidity of everyone whose business it is to promote enterprises requiring public money. There would be no incentive for a raid upon the Treasury if it were bare, and, in my judgment, it would be the safest safeguard that could surround the administration.

Under the income-tax law which was passed and authorized owing to the drain on the Treasury, due to the War between the States, the States of Massachusetts, New York, New Jersey, and Pennsylvania paid over two-thirds of the entire tax collected. The Commissioner of Internal Revenue in his annual report for the year ended June 30, 1871, shows a total net receipt of $18,977,551 from the income tax, and the aforementioned States paid $12,145,128 of this amount. At that time no complaint was entered by them, as the Government was in dire need of money to replenish its impoverished Treasury; but at the present time they do register their protest against the imposition of this tax when we have a full and overflowing Treasury. Of the amount paid by these four States New York alone paid $7,000,000 of the $18,000,000 collected, or more than one-third of the entire tax.

Samuel J. Tilden was elected President of the United States on his opposition to the income tax, and shortly thereafter it was repealed. The income tax has been the cause of financial distress in every country where it has been imposed. In England, for instance, since the levying of the income tax the number of "soup houses" has been constantly increasing. I entertain grave fears for the party that causes the imposition of this unwarranted and obnoxious taxation on the people of this country without any just cause and at a time when we are at peace with the world and have an excessive surplus in the Treasury.

FRANZ DANIEL PASTORIUS (H. DOC. NO. 244).

The SPEAKER. The gentleman from Alabama objects.

Mr. BALTZ. Mr. Speaker, on the 31st day of August, 1683, there landed in America one Franz Daniel Pastorius, the first German to land in this country. The event was recently celebrated by the German-Americans of Cincinnati, at Chester Park, in that city. The English oration was delivered by Hon. STANLEY E. BOWDLE, a Member of Congress from the first district of Ohio. The subject of his address was "The influence of German life and thought on American civilization." It is entirely nonpartisan and nonpolitical. I ask unanimous consent to have it inserted in the RECORD and also printed as a public document.

The SPEAKER. The gentleman from Illinois [Mr. BALTZ] asks unanimous consent that a speech delivered recently by the gentleman from Ohio [Mr. BOWDLE] on "The influence of German life and thought on American civilization" be printed in the RECORD and also as a public document. Is there objection?

There was no objection, and it was so ordered.

The speech referred to is as follows:

"Gentlemen, it is with a good deal of trepidation that I appear here to-day, for I am not a German and I know but one German word, 'Gesundheit.' I am not quite sure where I learned that, although you may guess.

"People have lately become so sensitive about the performance of public duties that I feel obliged to say to you at the outset that I am here by special invitation of your worthy president, who invited me on your behalf and with your consent, and I am here at my own charges.

"In a way, I am glad to have a day's relief from Washington weather and from currency questions. Gladstone once said that every man he had known in English life who had studied the currency question either took to drink, went crazy, or was sued for separation. I don't know what fate awaits me, but whatever it is I am glad to postpone it a little by coming out here to see you. It may serve to break the journey to the madhouse or the divorce court.

"When Judge Bode first wrote me I declined his invitation, for I could see no reason for my presence here; but he wrote again, saying that I was invited because of my well-known sympathy with German thought. This made me pause, and then assent, for I do claim knowledge of German thought in so far as that thought has been translated into good English, and much of that thought has become part of my mental life.

IMPRESSED BY GERMAN.

"For a few years of my life I worked daily in close association with a German, whose humble and obscure personality interested me very much. He was one of those intensely valuable citizens whose genius makes this civilization possible, yet of whom nothing is ever heard. He was Bob Cook, a German from Stettin, who spoke no English, who for years was the most valuable machinist employed at the Cramp ship yards, at Philadelphia. Bob assembled the engines of the great ships turned out at that yard. When the giant parts had advanced to the point of assembling he it was who was always called on to erect the monster, and as an apprentice I found myself assigned to help him. These were happy days, gentlemen. To build things and see them grow, and see the steam turned on and your work move—pray, where is pleasure equal to that!

"Day after day I have worked with him on great engines, he directing me in the sign language, and I have often sat down at 9.30 and shared his Schweitzer and tried to understand his words. Little did he suppose that his apprentice would, 23 years later, be telling of him, the first great German that I knew; wherever he may be in the world unseen, I am sure that he is talking German with Vulcan and forging his thunderbolts; but may he, above the din, know that I am paying him this brief tribute.

ONE GREAT DAY.

"And so this day is dedicated to the landing of a great and brave German citizen on these shores—Franz Daniel Pastorius. He did not come on the *Mayflower*, and I am glad of it, for that historic boat certainly was overloaded. He waited a little while, and a great many Germans waited still longer and took much faster boats; but I am glad Pastorius came and that, like all good Germans, he multiplied himself greatly.

"A great many people pride themselves on their past. This is because they have no present. Right here is Germany's greatness. The German people have a wonderful 'now.' When you are asked to talk about some people you simply turn to the encyclopædia. There is no other way of learning anything about them. But with Germans it is different.

"The German people have never forgotten the simple life, and that is why its people and nation are so strong. The other day, coming home from a baseball game, I cut over toward Harrison Avenue and then over McMicken Avenue, and I stopped to see a German friend and client of mine in that quarter. There was the brick house; the brick walk leading to the rear had been washed and reddened; the front of the house had been scrubbed as high as the lintels; the windows shone; the curtains were drawn down evenly; two negatives of Niagara Falls hung in the windows. I walked around to the rear. There was a tanbark walk under a grape arbor; there stood a green table—one of those tables with the mysterious space under the top where one can keep so many interesting things in dry territory.

MADE THEM HAPPY.

"A parrot talked in the arbor. The wife came out, offered me a chair at that table, and in a moment brought me some grape juice and insisted that I have some schmier cheese that she had just made while I waited for Heinie.

"And the whole place was clean and sweet, and Heinie's parrot talked contentedly, and the cat looked happy; and there we sat, and this mother told me that everybody was well and that her husband and son had money in the bank, and not one word was said about the Thaw case, not a word about politics. We just talked pleasantly while I ate the cheese and refreshed myself rationally. And when I left that simple, wholesome yard and that green table and the tanbark and that good mother I felt happier.

"I felt that I had met the people who really make this world. I had met those minds that make this civilization possible. There was a family with which you could build an enduring empire or preserve a republic. Do you wonder that that type of family is influential in Brazil, as was exhibited in the person of Dr. Lauro Muller, who has recently visited this country? Do you wonder that men of that type have the trade of Mexico? Do you marvel that that type is so powerful in America? Happy is that country with such families.

GERMAN IS GOOD THINKER.

"The greatness of the German is that he is a good thinker and is a simple liver. There is more good, simple living among the Germans than among any other class on earth. Among us Americans the simple life is lost, strayed, or stolen. We talk a good deal about it, but nobody wants to live it. We demand the low-necked, short-sleeved, rubber-tired life, with the broiled birds, the box party, and the alimony trimmings. Why, the simple life has gotten so far from us that it was no wonder that Frenchman, Pastor Wagner, made $100,000 writing about it. But I have not heard of anyone adopting the simple life as the result of Wagner's sermons.

"The simple life has this profound advantage: It leads men to hate debt. Right here you have one of the sources of German strength. They are frugal; they like to know that there is a little money in the bank. To me debt is a horror. 'That the borrower is servant unto the lender' is as true to-day as when Solomon said it. Debt is the hold another fellow has on me. To the extent that it exists, to that extent I have cashed in my independence.

"Some years ago, when I was not in very good health, I spent a good deal of time around the city of Guadalajara, Mexico. My companion at the breakfast table during one winter was a German citizen of Buenos Aires, who came regularly to Mexico to look after a mine. He was a fine, solid old man, who spoke Spanish and German, and he taught me some Spanish. I remember him saying one day, 'You Americans don't mind debt.'

ALL DEPENDS ON MONEY.

"'If you want a fire engine or a town flagstaff, you issue bonds, and you forget that bonds are in fact bonds. You need to learn that debt is a curse.' This is a sad fact. We overwork credit. Much of the sadness of modern life is due to debt. Much of our divorce troubles are due to the irritation in the home due to debt. Much of our national illness is caused by the lowered vitality due to the worries over debt.

"Cemetery statistics do not always tell us accurately of what a man died. Debt has carried off more people than the hardening of the liver. Divorce decrees rarely state the true cause of the difficulty. It was the irritation and impatience resulting from debt. If I were a doctor, called in to see the head of a family, immediately after feeling the pulse I would ask to see the bank book. I am a lawyer, and when a troubled spouse calls to see me about divorce I ask to see the savings-bank book. Much true history of families and nations, if written, would take the form of a ledger account.

"John Morley once said to a graduating class: 'Show me your cash account, young man, and I will tell you the rest.' Yes; we *Mayflower* Americans have a lot to learn from the Germans, who came later and faster. Hatred of debt is one of those things, and the simple life fosters that. A house and lot cures socialism. Let a man get a brick house, a little grape arbor, some tanbark, a green table built as I have indicated, a German wife, and a bank book, and I tell you what it is, there will be few quarrels, no divorce, and no general grouch over the condition of society.

PRAISES GERMAN FRUGALITY.

"I have met a good many persons who talked about the man being above the dollar, but they generally borrowed what I had before the conversation ended. The old apostolic doctrine, 'Owe no man anything,' has been practically followed by the German people, and we Americans would do well to think more of it. This sensible frugality has done much to make Germany.

"Yes; Germany walks the heights, but she lives simply. Her people are a serious people, therefore; but, like all serious people, Germans understand the meaning of rational enjoyment. To them life is not a continuous garden party, as some people try to make it, and lose out. The German head may be in the clouds of philosophy, but the German foot is on the ground. Her philosophical output is matched up by her 'made in Germany' output. Her philosophers have been keen to see the injustice of this world, but they have never become grouchy. They have been thankful always for the good that man has attained.

"German philosophers know mankind so well, and they know how long it has taken him to develop even what he is, that evil does not shock them. Man's goodness is what perpetually surprises them. To them goodness is the daily enacted miracle. That man should be good at all is what proves to the German mind the existence of the Deity and makes immortality certain. What is this being wandering about the earth, made of blood and bones and thatched with hair?

PHILOSOPHY OF HEGEL.

"Why should this assemblage of matter develop goodness? Ah, gentlemen, right here is where that kingly German mind of Hegel set up his philosophy. He saw in goodness the operation of spirit, the Divine Spirit, which is destined to subdue all things unto itself. While I believed in God and immortality before I read Hegel, I believed chiefly because the Bible required it. But Hegel's thought placed that belief above the mists of doubt. He made that belief the law of my being. Germany, especially in the first quarter of the nineteenth century, had much reason to become utterly pessimistic.

"Hegel himself had seen her cities devastated by Napoleon. Destruction was everywhere. Men had but to look from their windows to see fire, famine, and death. History never seemed so meaningless. All life looked like a solemn joke. If God lived, he certainly seemed absent from his world. Sorrow and infinite perplexity were everywhere. Pessimistic philosophers abounded. It took a divinely ordained man to see the good working out amid such ruin. But Germany had such a man; yes; she had two—Hegel and Fichte—and all Germany listened as they talked.

"These men did much to resurrect Germany from her ruins. But the German mind is a serious mind, and quickly responded. Frivolous France could not permanently beat serious Germany. Light persons are interesting, but, like candy, you do not want much of them. It is this seriousness that has made Germany all she is. I should like to say all he is, for Germany is above all things masculine. He is the great male among the nations. The mollycoddle is not native to Germany. Germany turns out male men and female women.

GERMAN TEAMWORK.

"The German home is a little nation where the man is secretary of foreign affairs and the woman is secretary of the interior. He manages the state, she manages the home. This teamwork between German men and German women is a marvelous thing. It is a great state asset. Man is king in the German state, and woman is queen; and he believes that the queen should rule when the king is dead, or becomes a mollycoddle—yet at that she rules, even now, in the empire of gentleness, and in that empire I am not so sure but that the destinies of the race are more in her hands than she is aware.

"And German men being thoroughly masculine, marry. And German women bear children. The other day Ibsen delivered an address to a Swedish society, and somebody asked what he thought the great mission of women was. He replied, as I recall it, 'I can not be far from it when I say that the presentation of a good child to the world is the greatest feature of that mission.' Ibsen wisely answered. The world was made for life. Surely, then, the production of life is the divinest of missions. Our divorce courts would not be so crowded with young people if they knew the softening influence of a child's prattle.

"What storms of temper have been silenced by the pleading eyes of a child. What a moral anchorage they have been to us in this sin-tossed world. Yes, Germany knows the mission of children.

CHILDREN SOFTEN JUDGMENT.

"At the table this morning my little girl said to me, 'Daddy, chickens sit on eggs to get chickens, what do they sit on to get eggs?' Gentlemen, if a quarrel had been brewing with my wife, do you suppose it would have continued to brew after that? Children postpone wrinkles; they retard age; they soften our judgments; they modify our passions; and they excite that in us which keeps us true to the best ideals of our age.

"Our age needs more marriage and more children. Our age needs a new baptism of old-time masculinity—and that baptism should be by immersion.

"Germany knows the value of masculinity, marriage, and maternity, and her sun is to-day in the zenith. And her women honor her men. No German matron ever pulled Bismarck's whiskers; no squad of German women ever egged Von Bülow.

"But above all things I am grateful to Germany for her philosophical literature. Here, indeed, are unsearchable riches.

"It is a curious thing to me that so few persons are interested in philosophy. The thing most needful to man is, as usual, the thing he wants least. Metchnikoff points out that were it not for death man would need no philosophy. I do not agree. A thousand sorrows this side of death are assuaged by philosophy. As Emanuel Kant has well said: 'The argument for philosophy is that a man can live by it.'

GERMAN PHILOSOPHY.

"What a wonderful company of philosophers she has furnished to us. Hegel, Kant, the Schlegels, Lessing, Fichte, Schopenhauer—why, gentlemen, we could cover a page of world-renowned German names right down to the present hour when the

works of Harnack and Eucken are widely read—men whose works will be read with solemn pleasure a thousand years hence.

"And when will the world forget German music? Why, gentlemen, should I get to heaven, no matter how lovely it may be, I shall want some day to ask for a rain check and come back here for a day to listen to Wagner or Mozart or Bach. And what is the secret of that music? Well, I think it is due to the fact that Germany's musicians were philosophers. They knew the depths of man's nature and aroused these depths. We never tire of that music, because it appeals to the sublime in our natures.

"What countless thousands of gripless men have been nerved to renewed effort by her music. I said a while ago that Germany walked the heights but lived simply. Name any department in thought or science or art and I will name you a troop of men whose names will live while there is an eye to see or a brain to understand.

"This age is asking us some curious questions. One is whether we desire to frame a civilization which is favorable to the life of weaklings and degenerates or favorable to the life of normal men. This question looks at us at every point. I wish German seriousness might be ours in deciding this question.

GERMANY FOR THE NORMAL MAN.

"Germany has decided it. The German nation is not racked continually by this question. She has decided in favor of a civilization favorable to the life of a normal man. Her solicitude is for the normal man, and when the normal man has lost his vigor and becomes old, she is arranging to care for him.

"Our own national development, amid untold riches, has been so rapid that we have produced but few philosophers. But this era of money-making and money seeking is closing. America is entering a period which will be productive of philosophers. We as a people stand in great need of philosophy and true religion. Materialism is playing out. The game is over. The signs of a greedy money debauch are all about us. The luscious fruit of a few years ago is seen to be mere apples of Sodom—Dead Sea fruit. If we are to be happy as a people, our philosophical powers must be developed. If the magnificent external world that we have created is to be enjoyed, we must be prepared to secure a new mortality.

"Up to this time our energy has been mainly expended on the external world, and we have made it grand; but development there is rapidly closing up. We are living in the days of finality. By that I mean just this: We seem to be reaching the limit of improvement in the external world.

"It is not necessary to tell mechanics that the turbine engine leaves nothing to be desired.

"It is not necessary to say to electricians that wireless telegraphy renders further progress impossible.

"It is not necessary to say to engineers that aerial navigation leaves no other element to be navigated.

GESUNDHEIT.

"Printers know that the linotype and monotype machines are the finality of printing, as fully as duplex telegraphy is the end of that science.

"Photographers know that the biograph and kinemacolor apparatus leaves no further field for photography.

"Marine engineers are aware that the limit of marine architecture has been passed and that the monsters of the deep are already degenerate in size and equipment.

"But let me not multiply simple facts. The realm to be conquered next is the realm of the mind. We must create within a spiritual kingdom of developed powers if we are to enjoy this well-nigh completed material world. The world does not satisfy; it can not satisfy; it was not made to satisfy us. It was made as the matrix for the gestation of spirit. This was Hegel's view; this is Eucken's view; this was Moses's view; this was Christ's view. To the creation of that kingdom Germany has furnished and is furnishing a vast amount of material.

"And now, gentlemen, I have finished. I am glad that Franz Daniel Pastorius landed in America, and I am glad he did much more than land. Permit me to salute him and all his descendants with my one precious German word, 'Gesundheit.'"

THE CURRENCY.

Mr. BROWN of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the subject of the currency bill for this reason: A week ago Thursday I was erroneously recorded as having voted against the so-called gold amendment to the currency bill. That matter was corrected in the RECORD on the first opportunity, but, owing to the publicity which the newspapers in the neighborhood of the first congressional district in the State of New York gave to the matter, the impression is still abroad that I voted against that gold amendment. I therefore ask unanimous consent to extend my remarks upon that subject in the RECORD.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD upon the subject of the currency bill. Is there objection?

Mr. MURRAY of Oklahoma. Mr. Speaker, reserving the right to object, I presume those remarks are to be golden.

The SPEAKER. Does the gentleman from Oklahoma object?

Mr. MURRAY of Oklahoma. No; I do not object.

The SPEAKER. The Chair hears no objection, and it is so ordered.

The Clerk will call the roster of the committees.

ADJOURNMENT.

Mr. AUSTIN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Tennessee rise?

Mr. AUSTIN. Mr. Speaker, I wish to offer a resolution which I think is privileged.

The SPEAKER. The gentleman from Tennessee sends up a privileged resolution, which the Clerk will report.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That when the House finally disposes of the conference report on H. R. 3321 it stand adjourned until Monday noon, November 10, 1913.

Mr. FITZGERALD. Mr. Speaker, I move to lay the resolution on the table.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] moves to lay the resolution on the table.

The question was taken, and the Speaker announced the ayes seemed to have it.

On a division (demanded by Mr. AUSTIN) there were—ayes 112, noes 52.

So the resolution was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. SHACKLEFORD, for six days, on account of important business.

To Mr. BREMNER, indefinitely, on account of illness.

EXTENSION OF REMARKS IN THE RECORD.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

Mr. BORLAND. Mr. Speaker, reserving the right to object——

Mr. RAKER. I hope the gentleman will reserve the right to object for just a moment.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. ELDER. Mr. Speaker, reserving the right to object, will the gentleman let us know in regard to what subject he desires to extend his remarks?

Mr. BORLAND. Mr. Speaker, I reserved the right to object.

Mr. RAKER. I will state it. Mr. Speaker, the question of viticulture, pure food, and sweet wines is involved now and has been for some time in the present tariff bill. The gentleman in the Senate has been able by the courtesy of the Senate to print his views in the RECORD and circulate them to all the Members of the House and the Senate, and I believe a Member of the House, coming from the State of California, who represents this great State, ought to have the same right to extend his remarks in the RECORD upon the same subject, so that the views of both sides may be had by the House. I do not desire in any way to be objectionable in this matter, but other Members are permitted to extend their remarks in the RECORD, and I do not want to be put in the position, when I rise and ask to extend my remarks, that I shall be objected to, while other people obtain that privilege. Now, I feel I have the right to do so, and I know the Members will give me the right if they understand my position. I have not objected to any man extending his remarks; I have made no objection upon those matters; but this is a legitimate matter now under consideration by the Members of the Senate and the Members of the House, and I think I ought to have the right to present California's side to Members of Congress in order that they might know what is going on.

Mr. BORLAND. Mr. Speaker——

Mr. MONDELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Wyoming rise?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I desire to ask the gentleman from California a question.

The SPEAKER. Does the gentleman from California yield?

Mr. RAKER. I yield.

Mr. MONDELL. Are the gentleman's remarks in the nature of a protest against the provisions of the tariff bill?

Mr. RAKER. It is not in the tariff bill now, but they are trying to get it in the tariff bill, and it does not belong there.

Mr. FOSTER. Has it not been taken out?

Mr. RAKER. It has been taken out of the tariff bill, but there is a consistent, persistent, ever-working effort to get it back in the bill, in season and out of season, day and night, and I believe that in justice to California interests we ought to put the facts before the Members of this House, and this is the only way to do it.

The SPEAKER. Is there objection?

Mr. BORLAND. Reserving the right to object, I want to ask the gentleman if it is not true that this matter he wishes to publish in the RECORD is a statement published by some outsider advocating some of this sweet-wine business? It is not his own speech at all.

Mr. RAKER. I could make just as good a speech, and better. [Laughter.]

Mr. BORLAND. Mr. Speaker, I object.

The SPEAKER. The gentleman from Missouri [Mr. BORLAND] objects.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bills of the following titles:

H. R. 8364. An act to authorize the President to provide a method for opening lands restored from reservation or withdrawal, and for other purposes; and

H. R. 7377. An act extending to the port of Perth Amboy, N. J., the privileges of section 7 of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement.

The message also announced that the President of the United States had, on September 11, 1913, approved and signed Senate joint resolution of the following title:

S. J. Res. 68. Joint resolution authorizing the Secretary of the Senate and the Clerk of the House of Representatives to advance to the chairman of the commission appointed under the act approved June 30, 1913, such sums of money as may be necessary for the carrying on of the commission, etc.

ENROLLED BILLS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 8364. An act to authorize the President to provide a method for opening lands restored from reservation or withdrawal, and for other purposes; and

H. R. 7377. An act extending to the port of Perth Amboy, N. J., the privileges of section 7 of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 2727. An act to create an additional land district in the State of Nevada.

BEEF-TRUST INVESTIGATION.

Mr. KINKEAD of New Jersey. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

Mr. RAKER. I reserve the right to object, Mr. Speaker.

Mr. KINKEAD of New Jersey. Let it be read.

The SPEAKER. Is it a privileged resolution?

Mr. KINKEAD of New Jersey. I asked unanimous consent, Mr. Speaker.

Mr. RAKER. Mr. Speaker, I reserve the right to object, and coupled with it I ask unanimous consent that when that is read I be permitted to insert my remarks in the RECORD.

Mr. FITZGERALD. You can not do that.

Mr. RAKER. I can make the request.

The SPEAKER. The gentleman from California [Mr. RAKER] has a perfect right to object when the matter is up. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 262.

Resolved, That the Judiciary Committee is hereby directed to investigate into the workings of the packers' combination, known as the Beef Trust, especially as to any effort to control the output of the Australian and Argentine markets.

The SPEAKER. Is there objection?

Mr. GARRETT of Tennessee. I make the point of order that that resolution is not privileged.

Mr. KINKEAD of New Jersey. I am asking unanimous consent for the present consideration of the measure. The gentleman knows that we can do anything by unanimous consent.

Mr. FOSTER. I do not believe that is a proper way to make an investigation by this House, and I ask for the regular order.

The SPEAKER. The regular order is that that resolution go to the Committee on Rules.

Mr. RAKER. Just one more moment, Mr. Speaker. I ask unanimous consent that my statement be read in order to see whether the Members will give me unanimous consent to have it printed.

Mr. BORLAND. I will have to object to that also. In that way anybody could get a speech in the RECORD, whether anybody wanted it put in or not.

Mr. WEBB. I demand the regular order now.

The SPEAKER. The regular order is the call of the roster of the committees.

PROCEDURE OF COMMITTEES.

Mr. AUSTIN. Mr. Speaker, I offer a privileged resolution.

The SPEAKER. The gentleman from Tennessee [Mr. AUSTIN] offers what he says is a privileged resolution. [Laughter.] The Clerk will report the resolution and the Chair will decide whether it is privileged or not.

The Clerk read as follows:

Resolved, That the respective committees of the House are directed to take up for consideration and report to the House such bills as they may favorably recommend for passage.

Mr. FITZGERALD. Mr. Speaker, I make the point of order that that is not privileged.

Mr. FOSTER. Mr. Speaker, that is not a privileged resolution, I think.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. Have not the committees the right, under the rules of the House, to do what the resolution purports to tell them to do now?

The SPEAKER. They undoubtedly have.

Mr. GARNER. Then why a resolution giving the committees authority to do things which they have a right to do now under the rules of the House?

Mr. MURDOCK. Is it not a fact that these committees can not act without prior action of the caucus?

Mr. MONDELL. Mr. Speaker——

Mr. MURDOCK. Mr. Speaker——

Mr. AUSTIN. Under the rules this resolution is not undertaking to ask the caucus to do anything.

The SPEAKER. One gentleman at a time.

Mr. MURDOCK. The gentleman yielded to me.

The SPEAKER. What the gentleman from Tennessee states was what the Chair was trying to say to the gentleman from Texas and the gentleman from Wyoming.

Mr. MURDOCK. As a matter of fact, the caucus does not have to take this action.

The SPEAKER. As a matter of fact, the House and the Speaker have nothing to do with the caucus. The Speaker is governed in his actions here, and so are the Members of the House, by the Constitution of the United States, the laws of the land, and the rules of the House.

Mr. PAYNE. Mr. Speaker, before that question is decided I want to call attention to the precedent that was cited by my colleague from New York [Mr. FITZGERALD] the other day, when a resolution was offered in the House by the gentleman from Tennessee [Mr. GARRETT]. I think in that case a resolution had been introduced, requesting the Speaker of the House to appoint a Committee on Insular Affairs. That was held to be a privileged matter, a matter of the highest privilege, because it related to the business of the House. It seems to me that it comes pretty near to being a precedent in regard to this resolution.

Mr. GARRETT of Tennessee. Mr. Speaker, if the gentleman will permit, that was merely a matter of creating an agency of the House to carry out certain duties under the rules. This resolution proposes to instruct committees to do certain indefinite and intangible things not mentioned in the resolution. So far as the rules of the House are concerned, the passage of the resolution proposed by my colleague from Tennessee [Mr. AUSTIN] does not add a single iota to the power that the committees possess now without the passage of the resolution.

Mr. PAYNE. I want to suggest to the gentleman that his resolution, which he offered in the House when Mr. Speaker Cannon made the ruling, did not add anything to the powers of the Speaker, but simply directed him to carry out the powers he already had under the rules.

Mr. GARRETT of Tennessee. It proposed to create a committee to take jurisdiction of the legislation that was presented.

Mr. PAYNE. The Speaker had the power to appoint that committee, and the excuse of the resolution was that he had not exercised that power and had not performed his duty.

Mr. FITZGERALD. The rules provided that the committee should be appointed by the Speaker unless otherwise specifically ordered.

Mr. GARRETT of Tennessee. The rules of the House are designed to take care of just such situations as the gentleman from New York speaks of now.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. GARRETT of Tennessee. I would yield, but I have not the floor.

Mr. MONDELL. I mean the gentleman from New York.

Mr. PAYNE. Certainly.

Mr. MONDELL. I wanted to ask the gentleman from Tennessee [Mr. GARRETT] if he knew why the committees were not reporting bills and considering legislation?

Mr. GARRETT of Tennessee. There is no concealment about the matter at all.

Mr. MONDELL. I supposed there was not, and that was the reason why I asked the question, so that I could have a direct answer.

Mr. GARRETT of Tennessee. This is for a specific purpose, and the purpose is to carry out those large matters of legislation. The Democratic caucus has decided that that should be done, just as it has been done heretofore again and again.

Mr. MONDELL. The gentleman is assuming that the caucus is above the rules of the House.

Mr. GARRETT of Tennessee. And it will hereafter be done again and again until the Government ceases, no matter what party is in power.

Mr. MONDELL. Does the gentleman recall any case where such action was had heretofore?

Mr. GARRETT of Tennessee. I recall distinctly that there was no legislation enacted in the first session of the Sixty-first Congress except the tariff bill, and I recall that at that session the committees were not appointed until the day when that session of Congress adjourned. It has always been so in tariff sessions.

Mr. MONDELL. Does the gentleman remember the time when committees having been appointed, they were ordered by a caucus not to report bills?

Mr. FITZGERALD. Yes; at the last session of Congress—the last extra session. The gentleman's memory is very short.

Mr. MONDELL. I know that was done at the last extra session of Congress, in a Democratic Congress; but I mean prior to the last Democratic Congress.

The SPEAKER. The Chair is ready to rule. This resolution is not a privileged resolution. It is not on all fours with the case that the gentleman from New York [Mr. FITZGERALD] cited in his debate with his colleague from New York [Mr. PAYNE]. That was a question that went to the organization of the House, and it has been held time and time again that all questions like that are privileged.

Somebody got up once and raised a point about this glass ceiling being in dangerous condition. One of these pieces of the skylight over the Speaker fell in one day and nearly killed somebody, and that is the reason why the netting was placed there. That was regarded as a matter of privilege, because it affected the safety of the Members of the House.

The resolution that the gentleman from New York [Mr. PAYNE] objected to on the other occasion mentioned went to the organization of the House. This resolution does not go to the organization of the House. It instructs the committees to do precisely what they are doing now under the rules of the House. If it were in order at all, I suppose it could be offered and would go to the Committee on Rules; so that the point of order made by the gentleman from New York [Mr. FITZGERALD] is sustained.

Mr. AUSTIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. AUSTIN. The House having disposed of the Calendar to Discharge Committees, how can the House now order a committee to report a bill?

The SPEAKER. It can do it under the rules. The rule provides that on the first and third Mondays, which shall be suspension days, the Unanimous Consent Calendar shall be called first, and so forth. If business under that calendar is exhausted, then the Chair recognizes Members to move to suspend the rules. When the business under suspension of the rules is finished, then the Calendar of Motions to Discharge Committees is reached.

Mr. AUSTIN. But, Mr. Speaker, I understood that the resolution——

Mr. FITZGERALD. Regular order!

The SPEAKER. If any gentleman sends a resolution of inquiry to one of these committees and they do not report it back in seven days, it becomes ipso facto privileged. That is the way to get at it. The Clerk will proceed with the call of the roster of committees.

Mr. CAMPBELL (when the Committee on Reform in the Civil Service was called). Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CAMPBELL. The Democratic caucus having directed that these committees report nothing, why call the roll of committees?

Mr. FITZGERALD. The gentleman is not in order.

The SPEAKER. That is not a parliamentary inquiry.

Mr. CAMPBELL. Why is the roll of committees being called?

The SPEAKER. It is being called under the rule. The Chair has stated twice to the House that the Speaker of this House has nothing on the face of the earth to do with any rule, regulation, or proposition passed by a Democratic caucus, Republican caucus, Bull Moose caucus, or any other sort of caucus.

Mr. CAMPBELL. But is it not known to the Speaker, as it is to the House, that there is no business on this calendar?

The SPEAKER. The Chair knows that there is business. The gentleman is out of order, and will take his seat, and the Clerk will continue the call of committees. Before doing so the Chair will submit some requests for unanimous consent.

LEAVE TO WITHDRAW PAPERS.

By unanimous consent, at the request of Mr. RUBEY, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the case of Eliza E. Tuttle, Sixty-second Congress, and in the case of Aaron Walker, Sixty-second Congress, no adverse report having been made thereon.

UNITED STATES COURTS IN ARIZONA.

The Clerk resumed the call of committees.

Mr. CLAYTON (when the Committee on the Judiciary was called). Mr. Speaker, I call up Senate bill 99, to fix the times and places of holding district courts for the district of Arizona.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the State of Arizona shall constitute one judicial district, to be known as the district of Arizona.

SEC. 2. That terms of the district court shall be held in Tucson on the second Tuesdays in January and June; at Tombstone on the second Tuesdays in February and September; at Phoenix on the second Tuesdays in March and October; at Prescott on the second Tuesdays in April and November; and at Globe on the second Tuesdays in May and December. Causes, civil and criminal, may be transferred by the court or judge thereof from any of the aforesaid places where court shall be held in said district to any of the places hereinabove mentioned in said district when the convenience of the parties or the ends of justice would be promoted by the transfer; and any interlocutory order may be made by the court or judge thereof in any of the hereinabove mentioned places.

With the following committee amendment:

On page 1, lines 5 to 11, inclusive, strike out all of section 2 down to and including the word "December," in line 11, and insert the following:

"SEC. 2. That terms of the district court shall be held in Tucson on the first Mondays in May and November; at Phoenix on the first Mondays in April and October; at Prescott on the first Mondays in March and September; and at Globe on the first Mondays in June and December."

The SPEAKER. The question is on the amendment.

Mr. PAYNE. Mr. Speaker, I think it is due to the House to state that I shall not raise the question of no quorum this morning, because I am well satisfied that there is a quorum here; but I do want to inquire, for my own information, whether the gentleman who has the bill in charge [Mr. CLAYTON] is right sure that this is one of the great objects of legislation for which this extraordinary session of Congress has been called? Will the gentleman inform me as to whether it is one of the objects?

Mr. CLAYTON. I will endeavor to enlighten the gentleman. I think this is a bill of such a public nature as to present an emergency case to the House. I may say to the gentleman that it is estimated by high official authority that this bill will save, at each term of the Federal court in the State of Arizona, about $8,000 to the Government of the United States. I think any measure that will save $16,000 a year to the Public Treasury certainly ought to commend itself to the gentleman from New York, and I am sure it does. I think this constitutes an emergency measure, and I think it is one of the objects for which the extraordinary session was called, and will commend itself to the country as wise legislation.

Mr. PAYNE. I agree with the gentleman on what he says, and will go a step beyond that and say that the extraordinary session having been called, it is called for all purposes of legislation; and any purpose of legislation would be subject to the consideration of the House. Now, there is one further point on which I wish enlightenment, and that is whether the Democratic

caucus has authorized this Committee on the Judiciary to report this particular bill and the other one or two bills which are on the calendar, reported by that committee? I want to be on safe ground.

Mr. CLAYTON. Mr. Speaker, I think I can enlighten the gentleman on that point. At a meeting of distinguished and influential Members of this House, recently held in this city, the state of the Union being under consideration by that band of patriots, it was suggested to them that this was a good measure, and every man there agreed to it, and every man there agreed that even our Republican brethren would assent to the proposition that such a wise bill as this, in the interest of public economy, ought to pass.

Mr. PAYNE. But that does not answer my question, Mr. Speaker. My question is whether the Democratic caucus had agreed it might be passed or reported to the House.

Mr. CLAYTON. Of course, when I described that distinguished band of patriots considering the welfare of the country, I had in mind a Democratic caucus and not a Republican caucus. [Laughter.]

Mr. PAYNE. Do I understand that this band of patriots has usurped the place of the Democratic caucus?

Mr. CLAYTON. That distinguished band of patriots and statesmen have been commissioned by the American people to conduct the business of this House, and they thought they were doing it in a proper sort of way. Perhaps they have followed more or less the example heretofore set by the Republican Party when that party was composed in former days of a distinguished band of patriots.

Mr. PAYNE. Then the distinguished band of patriots representing the leaders of the Democratic Party are doing this thing?

Mr. CLAYTON. With your help. We are asking you to-day to come in and help us pass a good bill. I am glad to note that the gentleman is not going to raise the point of no quorum.

Mr. PAYNE. If I were going to have my way about it, I would let all of the committees do business. There are a lot of bills which ought to be passed which are just as meritorious as this bill. What I complain of is that you are putting a ban on some of them and letting in the favorites, however distinguished and patriotic you gentlemen who assume to be leaders on that side may be.

Mr. CLAYTON. Mr. Speaker, may I remind the gentleman of what happened in the Fifty-fifth Congress?

Mr. PAYNE. If it will be of any consolation to the gentleman, of course.

Mr. CLAYTON. Just to refresh the gentleman on a little bit of history in which he had a part. The gentleman will remember that that was a Republican Congress, and patriotism had not entirely departed from the Republican Party in those ancient days. What was known as the Dingley tariff bill had been under consideration and had been passed here. That was in Mr. McKinley's first administration. It was reported out at an extraordinary session in the spring of 1897.

The Republican Party, being responsible, being charged with the duty of legislating, reported that bill and refused to do other business. When the bill had passed here we then met here every third day and adjourned. The gentleman from New York undoubtedly remembers that Gov. Dingley, of Maine, who was chairman of the Committee on Ways and Means, had a desk over on that side of the aisle, and that when he wanted to put through any measure of minor importance, or even of great importance, upon which a Republican caucus had agreed, the governor would leave his silk hat in the cloakroom, but that whenever he was carrying out the Republican program to adjourn without doing any business, leaving the committee here doing nothing, he would walk in in the morning and place his silk hat on his desk. That was a signal to everyone that the Republican band of patriots was not going to do any business that day except to adjourn. [Laughter.]

Mr. PAYNE. Mr. Speaker, the exuberance of the gentleman's imagination has led him to say a great many things that are not so.

Mr. CLAYTON. Oh, it is not imagination.

Mr. PAYNE. These matters were not referred to a Republican caucus. They were not agreed upon by a Republican caucus.

Mr. CLAYTON. But the gentleman remembers the silk hat and Gov. Dingley's method?

Mr. PAYNE. They were gotten through by unanimous consent of the House, involving the consent of my distinguished friend from Alabama, because the measures put through so appealed to his good judgment. But here we have a tariff bill completed. I think it is completed, because I have been notified to attend a meeting of the committee of conference, which meets for the first time on Monday next at 10 o'clock, so I think the conference report must be ready. I conclude that from the notice that I have received and from what I have read in the newspapers.

Having done this, these able gentlemen on these other committees having these bills and nothing else to do want to report and pass them. I am spokesman for them, self-appointed it may be, but still spokesman for these gentlemen who have these bills and want to report them to the House, and the House has nothing under the sun to do except to consider them. Why, as the gentleman knows, when he either goes over to the Senate or receives definite information that he can not go over under the governor's appointment, whichever it may be, he will find out that those gentlemen will come here and say, "We wanted to pass our bills way back there in September, 1913, and now you tell us that the appropriation bills are going to take up the whole attention of the House, and we can not get these pensions for our constituents, and we can not get our public-buildings bill cousidered"; and all these other things that are so dear to the heart of especially the new Members of Congress——

Mr. CLAYTON. May I ask——

Mr. PAYNE. And I am appealing for them.

Mr. CLAYTON. May I ask the gentleman a question? Did not the gentleman vote just now for the resolution offered by the gentleman from Tennessee [Mr. AUSTIN], to adjourn, I believe, for a month and do nothing?

Mr. PAYNE. No; I did not vote for such a resolution as that. I voted against laying a certain resolution on the table, as I desired the House to consider it.

Mr. COOPER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. COOPER. Mr. Speaker, I heard the gentleman from New York [Mr. PAYNE] speak about the delay in the coming report of the conferees on the tariff bill. A Democratic Member of the House, who I now see present, told me about half an hour ago on a street car that the reason it is not now reported is that the chairman of the conferees on the part of the Senate forgot that before they could take the final vote and make a final report they had to call in the Republican conferees. [Laughter on the Republican side.]

Mr. PAYNE. Of conrse that is no news to the gentleman from Alabama, but it is to me.

Mr. CLAYTON. Thus by degrees our Republican friends finally get some information for their guidance, and thus will they learn that a Democratic Senate and a Democratic House, being responsible to the country, will do the business of the country in good order and in due season.

Mr. PAYNE. Well, I want to say to the gentleman I have never criticized the Democratic Party for wanting to make a tariff bill and to make it a Democratic bill. That has always been recognized as a party question; but when you extend it to a currency bill you do something that is unwarranted and which is absolutely wrong. You ought to have a bill made up by the committees in the House and not made up by a party caucus and by party action; and I am very glad to hear the note sounded, and it seems to me it is getting into a pretty loud proportion at the other end of the Capitol, that men are not to be bound by any such action on matters that are matters of business and which should not be made a matter of party politics. I am very glad to see that action, and I hope that the time will come, when you gentlemen get older and more experienced in business and learn a few things more, that even that leaven will come to the House of Representatives, and with a two-thirds majority you will not be afraid to come in here and vote on such a business measure as a matter of currency and banking, whatever you may do in reference to the tariff. [Applause on the Republican side.]

Mr. MONDELL. Mr. Speaker——

The SPEAKER. Does the gentleman from Alabama yield?

Mr. CLAYTON. I do.

Mr. MONDELL. Mr. Speaker, the gentleman from Alabama having certified to the patriotism of my party——

Mr. CLAYTON. In the ancient days, I said. [Laughter on the Democratic side.]

Mr. BURNETT. That is, when the gentleman had a party; he has not got one now.

Mr. MONDELL. My recollection is your party always canonized your party leaders a short time after they passed from power. I desire to ask the gentleman how many of the towns named in the bill—Tucson, Globe, Prescott, and Phoenix—have public buildings, Federal courthouses?

Mr. HAYDEN. The gentleman means Federal buildings?

Mr. MONDELL. Federal buildings.

Mr. HAYDEN. There is a Federal building at Phoenix—a courthouse.

Mr. MONDELL. And none at the other places?

Mr. HAYDEN. At Tucson a site has been purchased at a cost of $25,000; at Globe a site has been purchased and the construction of a public building to cost $100,000 authorized; at Prescott the last public-building bill authorized the purchase of a site——

Mr. MONDELL. If this bill passes, the gentleman will have to have a public building large enough to accommodate the court, of course.

Mr. HAYDEN. I expect so.

Mr. MONDELL. In that way the passage of this legislation may be somewhat helpful.

Mr. HAYDEN. If a court is established at each of these cities, I intend to see that proper accommodations are provided.

Mr. MONDELL. One more question, Mr. Speaker. The enabling act, as I understand, provided for terms of court at Phoenix only. What conditions have arisen since that necessitates the holding of court at four points?

Mr. HAYDEN. Prior to the admission of Arizona to statehood court was held at five places—at the five places mentioned in the Senate bill. In the bill admitting Arizona to statehood this matter was overlooked and provision was made for holding court at Phoenix alone. In the report on this bill a comparison is made between the expense of holding court at one place or at five places, as heretofore, and in the mileage of jurors and witnesses alone it amounted to an increase of $8,700 at one term of court.

Mr. MONDELL. This item is to return to the practice of Territorial days, except now you exclude Tombstone?

Mr. HAYDEN. Instead of five places the House amendment proposes to hold court at four places.

This change was recommended by the present judge of the district court in a letter to the Attorney General, in which he says:

Perhaps I should add that I do not think it advisable, under present conditions, to designate Tombstone as one of the places for holding the court, as the number of cases arising in Cochise County, of which Tombstone is the county seat, is at present very small, and Tombstone is not easy of access from Douglas, Bisbee, and Naco, the principal towns in that county, which can reach Tucson almost as readily, over the El Paso & Southwestern Railroad, as they can reach Tombstone.

The United States marshal is of the same opinion in a letter addressed to me, in which he says:

I can see no use in having a court in Cochise County, as we seldom have any business from there, and as you well know, that is my home county, and I would not suggest anything that I did not think just, but having to pay the mileage and expenses of these courts and knowing where the business accumulates from, this is my idea in regard to the same.

Hon. Allan B. Jaynes, late clerk of the United States District Court of Arizona, has also made the same recommendation.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was ordered read a third time, was read a third time, and passed.

RELIEF OF FEDERAL COURTS IN SECOND CIRCUIT.

Mr. CLAYTON. Mr. Speaker, I call up the bill S. 2254. This is a bill to amend chapter 1, section 18, of the Judicial Code, so as to allow the Chief Justice of the Supreme Court of the United States to go outside of the second judicial circuit designating another judge, a district judge, if you please, to hold court in the southern district of New York.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 2254) to amend chapter 1, section 18, of the Judicial Code.

Be it enacted, etc., That chapter 1, section 18, of the Judicial Code be amended by adding thereto the following:

"Whenever it shall be certified by the senior circuit judge of the second circuit, or, in his absence, by the circuit justice of said circuit, that on account of the accumulation or urgency of business in any district court in said circuit it is impracticable to designate and appoint a sufficient number of district judges of other districts within said circuit to relieve such accumulation or urgency of business, the Chief Justice may, if in his judgment the public interests so require, designate and appoint the judge of any district court in another circuit to hold a district court within the said second circuit, and to have and exercise within the district to which he is so assigned the same powers that are vested in the judge thereof: *Provided*, That such judge so designated and appointed shall have consented, in writing, to such designation and appointment: *And provided further*, That the senior circuit judge of the circuit within which such judge so designated and appointed resides shall certify, in writing, that the business of the district of such judge will not suffer thereby. Such appointment shall be filed in the clerk's office and entered on the minutes of the said district court, and a certified copy thereof, under the seal of the court, shall be transmitted by the clerk to the judge so designated and appointed. Each of the said district judges may, in the case of such appointment, hold separately, at the same time, a district court in such district and discharge all of the judicial duties of the district judge therein."

Mr. STAFFORD. Will the gentleman yield for a question?

Mr. CLAYTON. Certainly.

Mr. STAFFORD. In looking over the Judicial Code, to which this bill is an amendment, I notice that the Chief Justice has the authority to designate a district judge from another circuit to act in the place of another district judge if the latter is disabled from performing his duties when the circuit judge or the circuit justice certifies that no district judge in their circuit is available. But in none of the provisions relating to this power do I find the district judge called upon to ascertain his wishes whether he is willing to serve in that capacity or not. Now, I direct the chairman's attention to the first proviso in the bill under consideration and ask why you add a new feature, as follows:

Provided, That such judge—

Referring to the district judge—

so designated and appointed shall have consented, in writing, to such designation and appointment.

In all these other and many cases where a district judge is assigned by either the circuit justice or the circuit judge to act in case of illness of a district judge, there is no provision whatever, as I find, that relates to asking the district judge as to whether he is willing to perform the service. Now, I ask the chairman of the committee why we should insert in the bill here this provision that makes it conditional upon the district judge, expressing his willingness to perform the service? Why not make it mandatory upon the certification by the circuit judge or circuit justice, as provided in the Judicial Code, and not leave it to the determination of the district judge?

Mr. CLAYTON. Mr. Speaker, I think I can give the gentleman an explanation, and I think it will be satisfactory to him. Under the law as it now stands the judge who is designated to go outside of his own district and hold court must come from the particular circuit where he is designated to hold a court.

Mr. STAFFORD. I beg the gentleman's pardon.

Mr. CLAYTON. Will the gentleman permit me?

Mr. STAFFORD. Yes.

Mr. CLAYTON. The gentleman seemed, in his question, to be lacking in terminal facilities. Please let me complete my answer, and then, if it is not satisfactory, the gentleman can correct me.

Mr. STAFFORD. I wanted to correct the gentleman's statement. That is all.

Mr. CLAYTON. I may be in error, but I am undertaking to tell the gentleman my opinion and give him an answer. I had not completed the statement. Although I had listened to a very long question from the gentleman, I was not permitted to complete the statement. I hope the gentleman will allow me to complete it, and then if it is not satisfactory I will try to make it so.

Mr. STAFFORD. The gentleman is in control of the time.

Mr. CLAYTON. Surely; but I do not wish to keep the gentleman from making any observation he deems proper, and I shall endeavor to make the best explanation I can.

Under the law as it stands now, Mr. Speaker, if the Chief Justice of the United States wanted to designate a district judge to go and hold a court, say, in the southern district of New York, he would be confined to the second circuit in selecting that judge for designation. This bill is simply to allow the Chief Justice to go outside of the second circuit; to go, if you please, to any circuit in the United States where he finds a district judge idle who is willing to go to New York and hold the court there, and designate such a judge. That is the object of the bill. That is what it seeks to do.

Mr. STAFFORD. The gentleman did not answer the query I propounded to him.

Mr. CLAYTON. Then, I was unfortunate in not understanding the gentleman.

Mr. STAFFORD. I was unfortunate in not making clear to the gentleman what I was trying to direct the gentleman's attention to. I made my query in all seriousness.

Mr. CLAYTON. The gentleman always does that.

Mr. STAFFORD. And when I rose a moment ago to ask permission to interrupt the gentleman, who is chairman of the Committee on the Judiciary, I did so to correct what is undoubtedly an inadvertence of his, and to call attention to section 15 of the Judicial Code, which permits the Chief Justice to assign a district judge from outside of the circuit to another circuit, when there is pressure of business, upon the initiative of the clerk of the district and the certification of the circuit judge that no district judge is available in that circuit.

I have read the bill under consideration, and I understand what its purpose is. Its purpose is to allow another district judge, living outside the circuit, to be assigned to the second circuit of New York, not, as now provided by law, upon the action of the clerk of the district, but upon the initiative of the

senior circuit judge or, in his absence, of the circuit justice of this circuit. In all the provisions that are carried in the Judicial Code there is no reference whatever to the action of the Chief Justice or any of the circuit justices being conditional on the willingness of the district judge to serve. If the Chief Justice of the United States, upon the certification of any circuit judge, directs the district judge to go and serve where a district judge is disabled or there is pressure of business, he is obliged to serve.

Now, in the bill under consideration you make it conditional upon the district judge being willing to serve.

Mr. CLAYTON. May I make a statement right there?

Mr. STAFFORD. With pleasure.

Mr. CLAYTON. The object of that is this: When these district judges take office they take office, I might say, with the understanding of a sort of contractural relation with the public in the discharge of their duty, to the effect that they would perform their services in their circuits; and here we require the judges to do something not contemplated by the law when they were appointed.

Mr. STAFFORD. Here, in section 15 of the Judicial Code, with which the chairman of the Committee on the Judiciary is undoubtedly familiar, you provide for the sending of a district judge outside of his own circuit, upon the certification of the circuit judge of another circuit that there is need, to serve in case of a vacancy——

Mr. CLAYTON. That is in the case of a vacancy; yes——

Mr. STAFFORD. Without the consent of the district judge. Now, I ask the chairman why, in the case of need in the second circuit of New York, where business warrants the attendance of another district judge, should it be left optional with the district judge to serve when there is a certification by the circuit judge of the circuit from which the judge comes that there is no need of his services in the district to which he is assigned? Why should he not be obliged to go and serve?

Mr. CLAYTON. Mr. Speaker, I have endeavored to explain to the gentleman that it was thought proper to consult the convenience of the judge when calling upon him to do this extraordinary work not contemplated when he took office. I am not the draftsman of the bill. This measure met with the approval of Judge Lacombe, who is the circuit judge of this circuit. I have his letter here in my hand. It met with the approval of those interested in the bill at the other end of this Capitol, and it has passed the Senate. It has met with the approval of the district attorney and of the Department of Justice, and I see no harm in the provision to which the gentleman refers. If the gentleman thinks there is anything obnoxious in that provision, anything hurtful to the public, or that any harm will come from it, I should like to know what it is.

Mr. STAFFORD. The idea in my mind is that if there is urgent need for an additional district judge in the second circuit of New York, and that fact is certified by the circuit judge of that circuit, and this is supplemented by the certification of the circuit judge of the district from which the judge comes that he could be spared, that that ought to be sufficient to draft him into the service without calling upon the district judge to say whether he would go or not, because district judges are human and they might not wish to do service in New York.

Mr. CLAYTON. Then the district judge would not serve.

Mr. STAFFORD. But the idea of the bill is that if the circuit judge of the district certifies that there is no work for him to do in his local district, that that would be sufficient to warrant the drafting of the district judge to the other circuit.

Mr. CLAYTON. That situation will take care of itself. I apprehend that judges can be found who will be willing to go there and hold the court; and I call the attention of the gentleman to this fact, that this bill is proposed in order to avoid having to create another judge for New York. The public business is in such a lamentable condition of congestion that it actually needs the services of more judges.

A Member of this House from the State of New York said to me this morning that he would rather have another judge there. We are trying to avoid the creation of a new judgeship and to provide for this case in New York by the designation of judges from some other part of the country to hold these courts.

Mr. STAFFORD. I am entirely in sympathy with the purpose of the bill, and wish to carry it out, and I was only suggesting that it would be more certain of accomplishment to do it in the way suggested.

Mr. CLAYTON. Does the gentleman wish to strike out that proviso?

Mr. STAFFORD. I should think it would be more in harmony with the existing code if it were stricken out; but I do not wish to do anything against the judgment of the chairman of the committee.

Mr. CLAYTON. I hope the gentleman will not urge that, because if that provision were left out, the practical working of it would be that the judge would be consulted before he was designated. Having been a district attorney myself, I know that the practice is to confer with the judges before they are designated.

Mr. PAYNE. The gentleman never knew of a judge going to another circuit to hold court unless he was willing to go, did he?

Mr. CLAYTON. I never knew of it.

Mr. PAYNE. It practically depends upon the will of the judge who is to go there.

Mr. CLAYTON. Certainly; that is practically the way in which it is done now.

Mr. PAYNE. If the gentleman will yield to me a couple of minutes further, I want to say——

Mr. CLAYTON. Certainly, I will yield to the gentleman two minutes.

Mr. SHERLEY. Before the gentleman yields time to the gentleman from New York there is a matter which I desire to suggest.

Mr. CLAYTON. Will the gentleman from New York [Mr. PAYNE] allow me to yield first to the gentleman from Kentucky? Then I will yield to the gentleman from New York.

Mr. PAYNE. Certainly.

Mr. SHERLEY. Two matters occur to me. Here you are making a rule for a particular circuit, owing to the press of business there. I do not know that I quarrel with that, except that it occurs to me it is better to keep your law uniform, and instead of making this apply to the second circuit make it apply to all the circuits, because the condition that now exists in New York is very likely to arise—for instance, in regard to the Chicago circuit.

Mr. CLAYTON. Mr. Speaker, I appreciate the force of the gentleman's suggestion, and I want to say here that he had much to do with the preparation of the Judicial Code, which will always stand as a monument to his ability and industry as a Member of this House. The law ought to be uniform, as far as possible. The bill as originally introduced in the Senate was of general application, but it was amended in the Senate. It seemed that it could not pass the Senate without this amendment making it applicable alone to the second circuit, and that is the history of it. I appeal to the gentleman as a practical statesman in this case of emergency to let this bill go through as it is. I would have preferred it in the form he suggests, but it is not possible for us to get it in that form now, and I am afraid that we will hazard and perhaps defeat the passage of this bill at this session if we amend it.

Mr. SHERLEY. There is one other inquiry that I desire to make of the gentleman. I have not looked over the Judicial Code for some time, but I am under the impression that provision exists for the payment of expenses to judges when out of their districts. Will this enlargement of the territory to which a judge can be assigned carry with it provision for the same payment of expenses when outside of his own district, or did the committee consider that?

Mr. CLAYTON. Yes; it carries the usual and ordinary expenses allowed a judge when he is out of his own jurisdiction holding court.

Mr. SHERLEY. I assumed it would, but I did not look it up, and I wanted to know whether the committee considered that proposition?

Mr. CLAYTON. Yes; it would do that.

Mr. SHERLEY. Reverting back for a moment to the previous matter, do I understand the gentleman that when introduced into the Senate the bill was general in its terms, and was there amended to apply only to the second circuit?

Mr. CLAYTON. That is my recollection of it. Yes; that is true. I have the RECORD before me.

Mr. SHERLEY. I think it is a very grave mistake to pass what might be called local legislation of this kind, and we ought to make the rule general. I do not want to interfere with the passage of the bill.

Mr. CLAYTON. I fully agree with the gentleman, but I was urged by Judge Lacombe and the district attorney, and I may say by at least one of the Senators from the State of New York, to pass this bill now. I am doing the best I can to meet a practical situation in a practical way. Of course, we can not always put through a bill exactly as we would prefer to have it go through.

Mr. SHERLEY. No; but I do not think we ought to absolutely lie down on the supposition that the Senate is going to insist on an unreasonable position, and their position is clearly unreasonable in my judgment.

Mr. CLAYTON. If the Senate and House had not been here in session all of the summer, and if we were in the beginning of a session, and if I were sure that this bill might pass at this session if now amended, I would adopt the suggestion of the gentleman from Kentucky; but under the circumstances I think it would perhaps result in the defeat of this legislation, which is so desirable to be had at this time.

Mr. THOMSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. CLAYTON. With pleasure.

Mr. THOMSON of Illinois. Is the chairman of the committee familiar with the fact that there is the same reason for relief in the city of Chicago that there is in this second circuit in New York?

Mr. CLAYTON. My attention had not been directed to that fact, but if the gentleman states it I assume that it is true.

Mr. THOMSON of Illinois. That is the fact.

Mr. CLAYTON. I have no reason to doubt the gentleman.

Mr. THOMSON of Illinois. I thank the gentleman. That being true, I should think the point which the gentleman from Kentucky [Mr. SHERLEY] raises is a good one, and that this should be general if it is passed at all. If it is true that such an amendment might jeopardize the passage of this bill at this session, I think it important enough to go over to the next session.

Mr. CLAYTON. I hope the gentleman will not take that view, and I hope he will himself draft a bill of as broad a scope as that which he suggests and let us pass it at the next session. I have here in my hand a letter from Judge Lacombe telling about the condition of affairs there, urging this bill to pass now.

I ask that the House let it pass now. I yield two minutes to the gentleman from New York [Mr. PAYNE], or more time if he so desires.

Mr. PAYNE. Mr. Speaker, I live in the northern district of New York, and, of course, it is not of local interest to me, but I happen to know something of the conditions in the southern district, and I know that Judge Ray, who was formerly chairman of the Judiciary Committee here in the House and is now judge of the northern judicial district, spends a great deal of time in New York, and is wanted there a great deal more than the time he can give in holding court, and that the business is behind in the southern district because they can not get enough available judges from the second circuit to go there and hold court. It is a meritorious bill, which I think ought to pass. I think the restrictions in the bill are all right, and I think the courtesy extended to the judges of the other circuits when they are called on to perform the duties is no more than is allowed now in practice, although the law may seem to be peremptory in its terms. As to the other districts, Chicago or Philadelphia, I do not know, although I believe they have a bill pending for an additional judge in Philadelphia to take care of the additional business there instead of getting it done in this way, but if this will answer the purpose it will save an additional judge, and I think the bill ought to pass.

Mr. CLAYTON. Mr. Speaker, before calling for a vote I desire to thank the gentleman from New York [Mr. PAYNE] for his excellent statement in reference to this matter. I now ask for a vote on the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. CLAYTON, a motion to reconsider the votes by which the last two bills were passed was laid on the table.

Mr. CLAYTON. Mr. Speaker, I ask permission to extend my remarks in the RECORD on both of these bills by printing a letter from Judge Sawtelle, of the district of Arizona, explaining the necessity for this legislation, in regard to the courts there. Also a letter from Judge Lacombe and a letter from the district attorney in New York, explaining the necessity for the last bill, which has just been considered and passed.

The SPEAKER. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none.

The letters referred to are as follows:

SEPTEMBER 6, 1913.

The ATTORNEY GENERAL,
Department of Justice, Washington, D. C.

MY DEAR SIR: Complying with the request of Mr. Graham, Assistant Attorney General, that I write the Department of Justice in regard to the bill now pending before the Judiciary Committee of the House, fixing the times and places of holding district court for the district of Arizona, I beg to submit the following report:

Arizona is a very large State and is at present inadequately provided with railroad facilities for reaching Phoenix, the capital, and place designated in the enabling act for holding the United States district court. The State is traversed from east to west by two parallel lines of railroad—the Santa Fe in the north and the Southern Pacific in the south. A branch line of the Santa Fe extends southward from Ash Fork, through Prescott, the principal town in the northern part of the State, to Phoenix. A branch line of the Southern Pacific extends from Maricopa Station, on the main line, northward to Phoenix. From the eastern central portion of the State Phoenix can be reached only by railroad by taking the Arizona Eastern Railroad, which extends from Globe, in Gila County, to Bowie, on the main line of the Southern Pacific, and there taking the Southern Pacific to Maricopa, passing thus through Tucson on the way to Maricopa and at Maricopa taking the branch line of the Southern Pacific to Phoenix; or by taking the New Mexico & Arizona Railroad, which runs from Clifton and Morenci, in Greenlee County, to Lordsburg, N. Mex., on the main line of the Southern Pacific, there taking the Southern Pacific through Tucson to Maricopa, and there taking the branch line of the Southern Pacific to Phoenix. The El Paso & Southwestern Railroad, which is a branch line of the Rock Island system, extends from El Paso, Tex., through Douglas and Bisbee, in Cochise County, Ariz., to Tucson, the present terminus of the line. The Tucson & Nogales Railroad, a branch line of the Southern Pacific, extends from Tucson southward to Nogales, Santa Cruz County, Ariz., and thence into the State of Sonora, Mexico, to Guaymas, and thence southward, its ultimate destination to be the City of Mexico, the road in Mexico being known as the West Coast Line.

From this statement it appears that in order to reach Phoenix by railroad from the northern tier of counties of the State it is necessary to go by way of Prescott over the Santa Fe road. The distance from Prescott to Phoenix by railroad is 196 miles.

To reach Phoenix by rail from any of the eastern, central, or southern counties of the State it is necessary to pass through Tucson, which is 122 miles from Phoenix.

Phoenix is reached by rail from Yuma County over the Southern Pacific main and branch lines from Yuma to Maricopa and Phoenix.

As above stated, under the enabling act Phoenix is the sole place designated for holding the United States District Court for Arizona. There are two terms of the court there each year, the April and October terms, beginning on the first Mondays of April and October, respectively. At the last two terms of the court there were approximately 150 criminal cases on the calendar at each term. Of these 150 cases about one-third were cases originating at Tucson and one-third were cases originating at Globe. Fully one-third of the witnesses at these terms of court were brought from Tucson and one-third were brought from Globe, at great cost to the Government. The grand jurors and trial jurors were summoned from all parts of the State, many of them from remote places, at large cost to the United States.

If the terms of the court were held in the larger towns in the sections of the State where the business of the court originates, a large saving to the Government would result in the mileage and per diems of the jurors and witnesses and in the transportation of prisoners. Thus, in cases originating in Tucson, the trial of these cases in Tucson would result in a saving of $12.50 for each juror, witness, and defendant. In cases originating in Globe, which is 360 miles from Phoenix, and tried in Globe, there would be a saving of $36 in mileage alone for each juror, witness, and prisoner, while there would also be a saving of two per diems for each of such witnesses and jurors. In cases arising at Prescott or points north, east, and west of Prescott, which could only reach Phoenix by rail by passing through Prescott, there would be a saving of $19.60 for each juror, witness, and prisoner to be transported for mileage alone, leaving out of view any saving in per diems, which would also be considerable.

To further illustrate this idea, I will say that from data furnished me by the present United States marshal, Mr. Overlock, I find that for the October term of the court, 1912, held at Phoenix, the mileage and per diem of jurors amounted to $7,000 and the mileage and per diem of witnesses amounted to $19,500, making a total of $26,500, while for the October term, 1911, of the court sitting at Tucson, Globe, Prescott, Phoenix, and Tombstone, the jurisdiction of the United States district court then being exercised by the district courts of the five judicial districts of the Territory of Arizona, the mileage and per diem of jurors was $8,300 and the mileage and per diem of witnesses was $9,500, making a total of $17,800, thus showing a net saving of $8,700 on these two items at one term of the court, held at the same season in two successive years.

In view of these facts, to say nothing of the expense necessarily incurred by those who have cases pending in court and the expenses of the transportation of prisoners from the place of residence to the place of trial, I have come to the conclusion that terms of court should be held at the following places, to wit, Prescott, Phoenix, Tucson, and Globe. I do not think that the amount of business at present coming before the court would justify the keeping of a clerk's office at each of these places, nor do I believe that the fees now collected by the clerk of the court are sufficient to enable him to pay and keep a deputy at each of these places and have left a fair compensation for himself. I would suggest that for the present and until the business before the court becomes of sufficient volume to demand a change, that the clerk be required to keep an office and a deputy at Phoenix and an office and a deputy at Tucson; that separate records be kept in the office at Phoenix of cases arising in the counties of Maricopa, Yuma, and Pinal, and a separate record of the cases arising in the counties of Mohave, Coconino, Navajo, Apache, and Yavapai, so that when necessity requires the separate records for these latter counties may be removed to the office to be then opened at Prescott; that separate records be kept in the office at Tucson of cases arising in the counties of Pima, Santa Cruz, and Cochise, and the separate records of the cases arising in the counties of Graham, Greenlee, and Gila, so that the records of the cases arising in the latter counties may be removed to the clerk's office at Globe when necessity shall require an office to be opened there.

I would further suggest that the times of holding the terms of court be fixed as follows: At Phoenix, first Monday in April and first Monday in October; at Prescott, first Monday in March and first Monday in September; at Globe, first Monday in June and first Monday in December; at Tucson, first Monday in May and first Monday in November.

I would also suggest that the State of Arizona should for the present constitute but one division, with power to the judge to transfer cases from one place of holding court to another, as the interests of justice and of the litigants may require, as is now provided by the Senate substitute bill, at present before the Judiciary Committee of the House.

Perhaps I should add that I do not think it advisable under present conditions to designate Tombstone as one of the places for holding the court, as the number of cases arising in Cochise County, of which Tombstone is the county seat, is at present very small, and Tombstone is not easy of access from Douglas, Bisbee, and Naco, the principal towns in that county, which can reach Tucson almost as readily, over the El Paso & Southwestern Railroad, as they can reach Tombstone.

I am informed that more than two-thirds of the criminal cases and more than one-half of the civil cases come from Tucson, Globe, and the southern and southeastern parts of the State, and the witnesses and prisoners in criminal cases and all litigants and jurors have to start from or pass through Tucson to reach Phoenix. By holding court at Tucson the mileage and per diem in going to and returning from Phoenix, which would amount to a large sum of money, would be saved. Tucson, as shown by the last census, is the largest city in Arizona, and, as above stated, is on the main line of the Southern Pacific Railroad, and also the terminus of the El Paso & Southwestern Railroad, and of the Tucson & Nogales (West Coast) Railroad. The Government recently has acquired a site in Tucson for a Federal building.

Very respectfully,

W. H. SAWTELLE,
Judge of the District Court.

UNITED STATES CIRCUIT COURT OF APPEALS,
SECOND JUDICIAL CIRCUIT, JUDGE'S CHAMBERS,
New York, June 23, 1913.

Hon. HENRY D. CLAYTON,
Chairman Judiciary Committee,
House of Representatives, Washington, D. C.

MY DEAR SIR: I write you in reference to the bill which was introduced by Senator O'GORMAN in the Senate (S. 2254, Calendar No. 39), in the hope of relieving the congestion which has now become a serious problem. As to existing conditions, so far as Government causes are concerned, the district attorney will advise you. It is for me as senior circuit judge to inform you as to the extent to which the statutes as they stand to-day provide judicial officers to dispose of the business which must be disposed of without the "delay of justice," which is often correctly spoken of as a "denial of justice."

The first source of supply for the district court is the group of four southern district judges. They are all occupied practically every day, from early fall to the beginning of the summer continuously, with much work in the summer months, which they divide between them. It is physically impossible for them to dispatch more business than they do now.

The second source of supply is the group of outlying district judges—eastern, northern, and western districts of New York, and the districts of Connecticut and Vermont—six judges in all. Some years ago we could count on them—although then they were fewer—for eight weeks apiece per year, but the work in their districts has grown normally with the growth of the country, and we can not now count surely on more weeks than six from each, in view of the demands of their own districts upon their time. Occasionally one of them is able to give an additional week or two here.

The third source of supply is the group of circuit judges. Their first duty is the disposition of business in the court of appeals. From the year that court was constituted (1891) until now it has been its unbroken practice to dispose, within the court year, of all the causes which the court year brought before it. Fifteen or twenty years ago that was easily done, and there was time enough left for the individual judges to give 8 or 10 weeks each a year to first-instance work in the circuit court. That condition of affairs has long since passed away. This year we have had about 275 appeals to dispose of. We sit continuously from the first week in October, three weeks hearing argument and one week consulting and writing opinions, until all causes are disposed of. Sometimes, if we are fortunate enough to deal with a calendar of about that strength when we reach it in May and can then give some little help with the first-instance calendars; but that rarely happens now. The circuit judges do, however, while their own work is going on, help the district court with the motion calendars, hearing four a month. In this district a motion calendar is generally a large proposition, usually lasting two hours of argument and a time to be counted by days for consideration and disposition of the propositions put up. The group of circuit judges can contribute no more time.

The last source of supply, under existing statutes, is the group of Commerce Court judges, on designation by the Chief Justice of the United States. This court year from Judge Mack and Judge Hunt the district court has had many weeks of work, which has been most helpful.

But from all these sources of supply there can not be gathered enough trial judges to dispose of current business. Present conditions will certainly not improve. On the contrary, they will grow worse, because the new rules, which provide for the trial of equity causes in open court, will largely increase the number of hours during which there must be a judge sitting on the bench for the trial of causes.

The main cause for this congestion is found not in the normal growth of judicial business, but in the abnormal growth of governmental business. The causes of that growth are well known to you. The activity of administrative officers in enforcing older laws and the additional laws recently passed, which introduce new causes of action, all requiring time to try—some of them a long time to try—have distorted all the allotments of time, which worked well enough five years ago.

Until the circuit court was recently wiped out, it fell to my lot, as senior circuit judge, to allot the time of the several judges for circuit court work, and I appreciated how hard it was, with an insufficient force, to deal fairly with the proposition. The humblest suitor in a Federal court, who is there just because he can go nowhere else for relief, surely should not be crowded to the wall to wait there interminably because the General Government has enough business of its own to occupy the entire time of all the judges that could hear his cause.

This allotment of time is no longer one of my functions; it lies now with the judges of the district court, but I know how great is their need for help and sincerely trust their appeal for it will not be unheeded.

A word more as to the text of the bill, which is drawn to amend a section of the judicial code. There has been an effort to pass such an act for several sessions and some of the clauses have been inserted to meet objections made when the subject matter was before other committees.

That this will solve our problem here I have no doubt. It is a very serious problem, I can assure you—serious for the Government—possibly more serious for the humble suitor whose trial is delayed. I can remember the time, a long time, too—for at least 15 years after I went on the bench—when the civil-jury calendar was called through each year and a plaintiff whose cause of action arose before October could, if his counsel were diligent, have it tried in a Federal court, if it went there, before the ensuing June. Sometimes he could have it tried early enough to secure a decision of the court of last resort before a year had elapsed since his cause of action arose. Such a rapid dispatch of judicial business, a most wholesome condition for the community, is no longer possible. It is no longer possible, because of the claims of the General Government upon the time of its judicial officers. The restoration of prior conditions rests with the Congress of the United States; from nowhere else can there be a restoration of such conditions.

As to the practical working of an amendment such as is proposed. From time to time I have met judges from other districts in the United States who have come to this city for their own personal enjoyment of a vacation, their present work all done, no new work for them apparent for many weeks to come. Some of them have told me how pleased they would be if when the work within their own jurisdiction was temporarily disposed of they could come here for a month or six weeks and hold a term of court. Experiences like that are helpful to a judge, before the court of appeals was created, when I had abundant time to devote to the public service outside of the southern district of New York, the sessions of court I used to hold in Connecticut and Vermont were most helpful experiences for me; they broadened my view, and I know no reason why others may not have the same experience. The private litigant will benefit by the proposed change, for he will not have to wait so long—thinking things, even if he does not say them—before his cause is tried. Surely the Government will benefit, for in this broad land, with so many able judges, lacking so often the opportunity to evidence the capacity that is in them and welcoming the opportunity when it comes, there need never be any time when the Government in this district, or in any other similarly congested, can not try its causes promptly; and promptness in the disposition, especially of criminal causes, is a most wholesome object lesson to those who violate its statutes.

If any further exposition of existing conditions is required, I will gladly attend at any session of the Judiciary Committee to answer any questions and to prepare any statistics which the committee may desire.

I have gone at some length into the circumstances in which we find ourselves in this circuit, and I think that you will fully appreciate the difficulties of the position. Your own experience as a United States attorney has probably given you a full realization of the tremendous disadvantages under which public and private litigation is conducted when there are not sufficient available judges to dispose of the accumulation of work.

I remain,

Very respectfully, yours,

E. HENRY LACOMBE,
United States Circuit Judge.

DEPARTMENT OF JUSTICE,
UNITED STATES ATTORNEY'S OFFICE,
New York, June 23, 1913.

Hon. HENRY D. CLAYTON,
Chairman Judiciary Committee,
House of Representatives, Washington, D. C.

MY DEAR JUDGE CLAYTON: In reference to the bill which Senator O'GORMAN introduced into the Senate (S. 2254, calendar No. 39), I write to inclose herewith a copy of the bill and also a letter which Judge Lacombe, our senior circuit judge, has written to you in regard to the bill.

Judge Lacombe puts the whole matter so concisely and clearly that I can add little to what he says, except to give you some facts and figures.

I took office as United States attorney in this district on the 7th of May. My predecessor, Mr. Henry A. Wise, had been one of the most vigorous, active, and effective district attorneys that has ever been known in this district. He had had a most excellent staff of assistants, and during his term of office had used every available minute of the time of judges that he could get to come to this district. Nevertheless, on the 1st of May last, and just at the expiration of his term, there were 484 untried indictments and 353 untried civil cases in which the Government is interested.

This condition of affairs, in my opinion, was wholly due to the fact that it was physically impossible to get enough judges to take care of the accumulated work. The limitation of the present Judicial Code, which does not allow district judges to be assigned to work outside of their circuits, left a very small number of judges on whom we could call in this circuit for work. The object of the bill which Senator O'GORMAN introduced is to break down this artificial barrier and let judges who have some spare time on their hands in any part of the country go to any part of the country where the accumulation of work is too much for the local judges in the circuit.

You will observe that the bill is so drawn that any circuit is required first to use its own district judges and not to call for judges from another circuit unless the local supply is insufficient. The bill also provides that the judge who is to go to another circuit must first give his consent in writing and thereby obtains from such judge a practical certificate that he has time enough on his hands to devote some of it to work in another circuit. The bill also requires that this question shall not be wholly left to the judge who is to be assigned to outside duty, but requires a certificate from the senior circuit judge of the circuit in which the assigned judge resides to the effect that the assignment of the judge will not cause the business in the district of the judge to suffer. Lastly, the whole arrangement is subject to the approval of the Chief Justice of the United States.

I think the bill takes every possible precaution to prevent any conceivable abuse, and I have heard no criticism of it from anyone, except a suggestion that seems to me to be unimportant, to the effect that the judges in outlying districts would seek these appointments so as to enjoy the pleasures of the cities in which the congestion of work occurs. I think it is a sufficient answer to say that if such a thing could occur a judge who is asked to come to a circuit and help in the work, who came there and left his work, would not be asked to come again. I believe, however, that the criticism is wholly unjustified, because I do not think that any judge would undertake this sort of an assignment who would not devote his time seriously and earnestly to the work which he undertook.

During the four years before I took office the United States collected, through the work of this office, something over $6,000,000. Looking at the question from this merely mercenary standpoint it seems to me remarkably shortsighted policy to strangle the work of this office for lack of judges when the work results in such substantial benefit to the Government.

For some years back each session of Congress has enacted laws which add to the amount of work to be done in the way of civil and criminal cases by the offices of the United States attorneys. I think that this fact should be carefully borne in mind in considering the necessity for providing a system that will furnish sufficient judges to dispose of the work.

Your own experience as a prosecuting officer makes a good deal of what I have said unnecessary. You know what a state of disorganization things get into when an indictment found to-day can not be tried

for a year or 18 months, and when a civil suit instituted by the Government may be equally far from a trial.

This condition of affairs seems to me to be perfectly unnecessary and curable by simply passing a law which will make our judicial system a little more yielding and allow the judges to go where the work is and return when the work is done.

Another word in regard to the detail of the bill may be necessary. It has been assumed that if this bill is passed as an addition to section 13 of the Judicial Code it will not be necessary to make any provision for the payment of any expenses of judges who may have to travel. It has been thought that section 259 of the Judicial Code will automatically take care of these expenses. I should like you to look at this and see if you agree with the proposition.

I can not too earnestly urge upon you the importance to the work of the Government in this circuit of providing relief at this session of Congress, if possible, for the existing condition of affairs. As things stand we are not going forward, but backward, and in a year or so more we will be getting more or less indefinitely behind in our work. We are confronted by a serious emergency, and I certainly trust that something can be done to relieve the situation.

I have the honor to remain,

Very respectfully,

H. SNOWDEN MARSHALL,
United States Attorney.

EXTENSION OF REMARKS.

Mr. LEVY. Mr. Speaker, I ask unanimous consent to extend my remarks of this morning in the RECORD.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. BORLAND. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from California if he is going to extend his remarks on the subject of this bill?

Mr. RAKER. On which bill?

Mr. BORLAND. The bill which has been under discussion.

Mr. RAKER. Oh, no.

Mr. BORLAND. Then I think I will object.

The SPEAKER. Is there objection?

Mr. BORLAND. I objected, Mr. Speaker.

The SPEAKER. The gentleman from Missouri objects.

Mr. RAKER. Then, Mr. Speaker, I desire to ask unanimous consent that I may have the privilege of addressing the House now for 30 minutes.

The SPEAKER. The gentleman from California asks unanimous consent to address the House for 30 minutes.

Mr. BORLAND. Mr. Speaker, reserving the right to object, I do not want to object and I am not going to object to the gentleman from California making an address to the House for 30 minutes or as long as he pleases, and I hope he will not misunderstand the objection I have made to the insertion of this foreign matter in the RECORD. I think that the House is the guardian of the franking privilege which the Government has committed to us, and I think there has been well-merited criticism as to the circulation under the franking privilege of statements by outsiders—lawyers or others—prepared in argument upon some subject of legislation which was not submitted here in the House, but which had all the advantages of private circulation and private printing.

I think that if we allow that sort of thing to continue, either through good nature or inadvertence or otherwise, and continue to circulate over the country statements made by outsiders, arguments prepared by them and briefs prepared by them, and so forth, under the franking privilege, we will very soon have a well-merited and well-founded criticism of the entire franking privilege, a criticism that we will be unable to meet, unable to defend on the stump before the people, and a criticism that may result in curtailing what I believe to be a very valuable and very necessary privilege of the Members of Congress. The only way we can protect the franking privilege is to protect it here on the floor of the House and build up such a sentiment here that foreign matter can not go in, and that matter criticized by the public shall not go into the CONGRESSIONAL RECORD.

The CONGRESSIONAL RECORD was established orginally to report fully and accurately the debates on the floor of the House, so that we should not be subjected to the partial or garbled reports in the public press. It was formed for no other purpose, and any other purpose is foreign to it. These arguments prepared by outsiders may have value. If they have, all private means of circulation are open to them, and there is no reason why they should be put into the CONGRESSIONAL RECORD and circulated under the franking privilege of any Member. There has been well-merited criticism of that in the past, and the only way we can justify our conduct in the future is to have the same sort of a public sentiment, irrespective of good feeling among Members, irrespective of mere rights of courtesy, that will protect the RECORD and make it what the people expect it will be, namely, a fair and accurate report of the debates of the House.

Under those circumstances I have objected, apparently capriciously, some of the Members think, to these insertions and extensions of remarks in the RECORD. I have never objected to any gentleman making a speech or inserting the product of his own intellectual effort here, whether it was in the form of a speech or in the form of a statement that he has prepared, and I have never objected, as was done here by the gentleman from Illinois, to one Member by courtesy inserting the intellectual output of a fellow Member of the House. All of those things, I think, are perfectly proper, but when we come to insert the work of outsiders we are using the CONGRESSIONAL RECORD as a vehicle for matter to which it ought to be closed. [Applause.]

That is the reason I objected to the request of the Member from California [Mr. RAKER]. He is one of the most intelligent, one of the most forcible, and one of the most likeable Members of the House. There is not a man that has been so devoted, in season and out of season, to the rights of the people of his district and the people of the entire State of California as the gentleman from California. He deserves the utmost commendation for his persistent work in behalf of the people of his district and the State of California, and I say that because I do not want him to misunderstand the position I have taken.

Now, I join in asking unanimous consent that the gentleman from California [Mr. RAKER] may have 30 minutes in which to address the House.

Mr. MORGAN of Oklahoma. Reserving the right to object, I ask unanimous consent that after the gentleman from California proceeds for 30 minutes I may proceed for the same length of time.

The SPEAKER. The gentleman from Oklahoma couples with the request of the gentleman from California the request that if the gentleman from California [Mr. RAKER] gets this 30 minutes that he, the gentleman from Oklahoma, shall have 30 minutes immediately afterwards.

Mr. THOMSON of Illinois. Mr. Speaker, reserving the right to object, I desire to couple with this unanimous-consent agreement the request that when these two gentlemen have concluded I be allowed to address the House for 15 minutes.

The SPEAKER. And the gentleman from Illinois [Mr. THOMSON] couples with that a request that he be allowed to succeed the gentleman from Oklahoma [Mr. MORGAN] for 15 minutes.

Mr. FLOOD of Virginia. Reserving the right to object, I would like to ask the gentleman from Illinois if he is going to speak on the resolution he introduced a few days ago?

Mr. THOMSON of Illinois. On the subject of the resolution.

Mr. FLOOD of Virginia. I understood the gentleman to tell me that he would not speak on that resolution until the committee reported on it, which will probably be next week.

Mr. THOMSON of Illinois. I do not understand that I told the gentleman that. I did tell the gentleman that I would like to appear before the committee if it met; that if the committee did not meet and did not act, I would introduce a further resolution, which would be privileged, as this is not, and that at the end of the week I intended to call it up. The gentleman from California [Mr. RAKER] is asking unanimous consent to speak on the subject in which he is interested, and if that is so I do not see any reason why the rest of us should not have the same privilege.

Mr. FLOOD of Virginia. I asked the gentleman if he intended to make a speech or talk on the resolution until the committee made a report, which would be in seven days from the time that it was introduced, and he told me that he would not.

Mr. MURDOCK. Will the gentleman yield to me? The difficulty is right here, if the gentleman will yield.

Mr. FLOOD of Virginia. Certainly; I will yield to the gentleman.

Mr. MURDOCK. After we have acted upon the conference report on the tariff bill the chances are that there will be unanimous agreement here that the House will adjourn for three days at a time, and nothing shall be taken up, with the result that the probability will be that there will be no report from the committee on the gentleman's resolution.

Mr. FLOOD of Virginia. I will say to the gentleman that if the gentleman from Illinois [Mr. THOMSON] had said to me that he did expect to address the House on this subject, I would have been prepared and would have had no objection to the gentleman addressing the House to-day. But I understood they were not going to do it, and for that reason I do not wish that the subject should come up to-day, and therefore I shall have to object.

The SPEAKER. The gentleman from Virginia [Mr. FLOOD] objects.

Mr. BORLAND. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is to put this request in three sections. The gentleman from California [Mr. RAKER] asks unanimous consent to address the House for 30 minutes.

Mr. SHERLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SHERLEY. Is the regular order these requests?

The SPEAKER. The Chair thinks so.

Mr. MURDOCK. The regular order is equivalent to an objection, is it not?

Mr. SHERLEY. Has the business of the House been finished? Is there nothing else in order before the House?

The SPEAKER. The House has been proceeding for three years, perhaps longer, on the theory that when unanimous consent is asked and nobody demands the regular order, that question should be put first.

Mr. MURDOCK. Mr. Speaker, I have heard for years the expression from the Chair—and, I think, on the part of the present Speaker—that the demand for the regular order is equivalent to an objection. Where is the difference between that and the ruling that the Chair has just made?

The SPEAKER. This unanimous-consent business seems to be a kind of thing by itself. We all talked that out here once, and the general conclusion was that when unanimous consent was asked and the regular order demanded it meant the putting of that question.

Mr. SHERLEY. If the Chair will permit, it seems to me the distinction is this, and that was the reason for my inquiry: If there is any business in order before the House, then the demand for the regular order is equivalent to an objection to a request for unanimous consent, which otherwise would be out of order. But if the House is free of any business before it, then it is true that the putting of the request for unanimous consent would be the regular order.

The SPEAKER. The Chair thinks the contention of the gentleman is correct. There is no business now before the House except a motion to adjourn. This request is in three sections: First, the gentleman from California [Mr. RAKER] asks unanimous consent for 30 minutes in which to address the House, and the gentleman from Oklahoma [Mr. MORGAN] asks for 30 minutes after the gentleman from California gets through, and the gentleman from Illinois [Mr. THOMSON] asks for 15 minutes after the gentleman from Oklahoma gets through. Is there objection to the request of the gentleman from California as amended by these two other requests?

Mr. FLOOD of Virginia. I object.

The SPEAKER. The gentleman from Virginia [Mr. FLOOD] objects.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to address the House for five minutes, not upon the subject of vine culture, as I desired, but upon the question of extending remarks in the RECORD, so that I may legitimately and fairly and honestly present my views on that subject in response to the statement of the gentleman from Missouri [Mr. BORLAND]. I feel, in justice to myself, that I ought to do it, and I hope the Members will give me five minutes to express myself on that subject.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. RAKER] that he be permitted to address the House for five minutes?

Mr. MURDOCK. To talk about what—about this practice of extending remarks?

Mr. RAKER. Yes.

Mr. MURDOCK. And confine it to that?

Mr. RAKER. Yes.

Mr. MURDOCK. That is, to make a speech somewhat similar to that of the gentleman from Missouri [Mr. BORLAND]?

Mr. RAKER. Yes; but I think I could make it fairly good.

Mr. MURDOCK. I know that.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the currency bill.

The SPEAKER. The Chair is inclined to think that the gentleman has that right anyway. The Chair does not think the five legislative days have elapsed.

Mr. WILLIAMS. I understand that the time has expired.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD on the currency bill. Is there objection?

There was no objection.

The SPEAKER. The gentleman from California [Mr. RAKER] is recognized.

SIXTH ANNUAL CORN EXPOSITION, DALLAS, TEX.

Mr. FOSTER. If the gentleman from California will permit, Mr. Speaker, before he starts, I wish to say that last Thursday there was a resolution (H. Con. Res. 17) passed in the House permitting the Agricultural Department to make an exhibit at the Dallas corn exposition, and by an oversight the title of that joint resolution was not supplied. I ask unanimous consent that the proper title be inserted by the enrolling clerk, and also that a change be made in the resolving clause of the joint resolution, which now reads "the House of Representatives and the Senate," so as to make it read "the Senate and House of Representatives."

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] asks unanimous consent that the enrolling clerk shall be directed to insert a title, and what else?

Mr. FOSTER. Also to transpose the words as they now read, "Resolved by the House of Representatives and the Senate," so as to make the resolving clause read "the Senate and House of Representatives."

Mr. PAYNE. Reserving the right to object, I want to say that I have no objection to these amendments. I will not even object to the last one; but I want to say that this is one instance in which they got the House of Representatives and the Senate of the United States in the proper order. I acknowledge it is not the usual order. We have fallen into a bad habit——

Mr. FOSTER. I was following the usual order.

Mr. PAYNE. The gentleman is following the usual order. I acknowledge that. The words in the resolving clause are not in the usual order, but they are in the proper order, and ought to be so in every one of these joint resolutions.

Mr. FOSTER. I agree with the gentleman on that.

Mr. PAYNE. But there would not be any legislation, by joint resolution or anything else, if the House insisted upon its proper prerogatives and placed the House of Representatives before the Senate in these enacting clauses. For that reason I have no objection.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the enrolling clerk be authorized and directed to give that resolution about the Dallas corn show a title, and also to transpose the words so as to put the resolving clause into statutory form. Is there objection?

There was no objection. (H. J. Res. 132.).

PERSONAL EXPLANATION.

The SPEAKER. The gentleman from California [Mr. RAKER] is recognized for five minutes.

Mr. RAKER. Mr. Speaker and gentlemen of the House, on the question of getting unanimous consent to extend remarks in the RECORD, I have attempted to avoid any padding of the RECORD. I appreciate the fact that the matters that go into the RECORD ought to relate to subjects that are being discussed in Congress, or that will be discussed during the session, and there ought to be bills pending to which such remarks would be applicable. The requests that I have made are concerning matters which directly and vitally affect legislation. Knowing the rules of the House and appreciating what they are, it is necessary sometimes to extend your remarks, or you can not give expression to your views. The Members can not read what you yourself have produced or what some one else has assisted you in producing. The RECORD will demonstrate that beyond question. A man gets an hour here in which to present a matter of legislation and then moves the previous question, and a vote is had. The rest of us get no opportunity, and we do not want to take the time. I have taken but little time upon the floor of the House here in presenting subjects to the Members, believing that they had discussed these matters and understood them fully and thoroughly. I believe that a Member's vote is the main thing that the American people ought to rely on, whether or not you vote right, whether you vote for proper, decent, honest legislation; second, whether you are in your seat when the roll is called for a quorum; and third, whether you are here to vote when a bill passes, and keep a quorum in the House to do business.

It has been my purpose to be here, and at no time in the Sixty-second Congress was I absent on a roll call or a call for a quorum except twice, when I was sent by the Speaker to attend the funeral of a Senator from an adjoining State. During this session of Congress I have been absent but once, day before yesterday, when I was before the Committee on the Public Lands. I went there at 9 o'clock in the morning and stayed there until 6 o'clock at night for the purpose of attending to a piece of legislation in which my State and my district were interested. With legislation coming up here in this way as a necessity you are entitled to present some matters, so that

the Members may have an opportunity to read them. Otherwise we should be constantly talking from the floor of the House. Talking has been my living for 30 years, and when I have had time to study up a subject, when I have thoroughly understood it, I have been able to present the subject as it appealed to me. I have never convinced a man in my life, but I have always tried to make the man who was listening believe that the view which I represented was the right view, and that in using his best judgment he would coincide with me. I have avoided much speaking here, because I know how valuable the time of the House is. The only criticism that has ever been made against me on this matter was when I once inserted a statement of where I stood on political issues, so that the public might know it and might know, if I came back to Congress, how I would vote, not how I would talk. I believe it is a duty that a man owes to his constituents not to be talking all the time. I have tried to get information by keeping still as much as I could, inserting a little matter in the RECORD now and then. I like to let my constituents and the Members know that I am alive and, when the time comes, let them know how I vote on these questions. I do not want to pad the RECORD.

Mr. GOOD. I should like to ask the gentleman if he has ever presented this subject to the Democratic caucus of the House, in order that he might convince them and therefore get some remedy?

Mr. RAKER. Mr. Speaker, we did not have to present it to the Democratic caucus or the Democratic House. It was not even necessary. It slipped in in the Senate, without a hearing, without an opportunity to be heard. That is what is the matter. The Democratic caucus is all right. Every member of it is unanimous on the proposition, and unless the gentleman has some literature which the rest of us have been unable to get, that is all there is to it. That is the situation.

The SPEAKER. The time of the gentleman from California has expired.

MISS RHETTA WILLIAMS.

Mr. BELL of Georgia. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 264.

Resolved, etc., That the Clerk of the House is hereby authorized and directed to pay to Miss Rhetta Williams the sum of $125 for services rendered during the month of September, 1913, as clerk of Hon. S. A. RODDENBERY, late a Member of the House from the second congressional district of the State of Georgia.

The SPEAKER. The gentleman from Georgia asks unanimous consent for the present consideration of the resolution. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, is this the usual resolution?

Mr. BELL of Georgia. It is.

Mr. GARRETT of Tennessee. I have no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

THE LATE REPRESENTATIVE SEABORN ANDERSON RODDENBERY.

Mr. BELL of Georgia. Mr. Speaker, I present the following resolutions, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 265.

Resolved, That the House has heard with profound sorrow of the death of Hon. SEABORN ANDERSON RODDENBERY, a Representative from the State of Georgia.

Resolved, That a committee of 18 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER appointed the following committee to attend the funeral of the late Representative:

Mr. BARTLETT, Mr. ADAMSON, Mr. HUGHES of Georgia, Mr. LEE of Georgia, Mr. HARDWICK, Mr. WALKER, Mr. CRISP, Mr. EDWARDS, Mr. TRIBBLE, Mr. HOWARD, Mr. BELL of Georgia, Mr. HILL, Mr. GODWIN of North Carolina, Mr. MAGUIRE of Nebraska, Mr. MCLAUGHLIN, Mr. HAMILTON of Michigan, Mr. MOORE, and Mr. WILLIS.

The SPEAKER. The Clerk will report the other resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect this House do now adjourn.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to; and accordingly (at 1 o'clock and 45 minutes p. m.), the House adjourned until Monday, September 29, 1913, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on examination of Big Black River, Miss., from its mouth to the town of West (H. Doc. No. 242); to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on examination of reservoirs at headwaters of Mississippi River, with a view to the construction of locks in the dams heretofore built at Pokegama, Winnibigoshish, and Leech Lakes, in the State of Minnesota (H. Doc. No. 243); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 7186) granting an increase of pension to Nazaire Beaupre; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 895) granting an increase of pension to Theodore R. Kuntz; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RAKER: A bill (H. R. 8601) providing for second homestead and desert-land entries; to the Committee on the Public Lands.

By Mr. UNDERWOOD: A bill (H. R. 8602) to levy an excise tax upon each sale, agreement of sale, or agreement to sell any cotton for future delivery in the future contract market at or on or in any cotton exchange, board of trade, or other similar place, and for other purposes; to the Committee on Ways and Means.

By Mr. CLAYTON: A bill (H. R. 8603) providing for compensation of clerks of United States district courts, and for other purposes; to the Committee on the Judiciary.

By Mr. SABATH: A bill (H. R. 8604) to authorize the United States Government to take over and secure ownership of all express, telegraph, and telephone companies; to the Committee on Interstate and Foreign Commerce.

By Mr. LOGUE: A bill (H. R. 8605) to increase the pensions of those who have lost limbs or have been totally disabled in the same in the military or naval service of the United States; to the Committee on Invalid Pensions.

By Mr. REILLY of Connecticut (by request): A bill (H. R. 8606) to create a United States medical licensing board; to the Committee on Military Affairs.

By Mr. NORTON: A bill (H. R. 8607) to provide an enlarged homestead; to the Committee on the Public Lands.

Also, a bill (H. R. 8608) to amend section 99 of the Judicial Code; to the Committee on the Judiciary.

Also, a bill (H. R. 8609) providing for homestead and desert-land entries for such persons as shall have lost, forfeited, or abandoned their former entries; to the Committee on the Public Lands.

By Mr. GUERNSEY: A bill (H. R. 8610) providing for certain regulations to the business of commission merchants engaged in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS: A bill (H. R. 8611) to provide for the purchase of a site and the erection of a new public building at Lowell, Mass., and also for the sale of the present post-office building and its site; to the Committee on Public Buildings and Grounds.

By Mr. BROUSSARD: Resolution (H. Res. 260) placing clerks of expenditure committees on the session roll; to the Committee on Accounts.

By Mr. KINKEAD of New Jersey: Resolution (H. Res. 262) directing the Judiciary Committee to investigate the workings of the Beef Trust; to the Committee on Rules.

By Mr. ESTOPINAL: Joint resolution (H. J. Res. 133) to continue in full force and effect until July 1, 1914, certain provisions of section 216 of the act approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes"; to the Committee on Ways and Means.

By Mr. LOGUE: Joint resolution (H. J. Res. 134) for the appointment of a joint committee from House and Senate to attend Congress Hall celebration in Philadelphia in October, 1913; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BALTZ: A bill (H. R. 8613) granting a pension to Louisa Merkel; to the Committee on Invalid Pensions.

By Mr. CLARK of Florida: A bill (H. R. 8614) granting an increase of pension to William H. Hall; to the Committee on Pensions.

By Mr. DEITRICK: A bill (H. R. 8615) for the relief of Hiram D. Rogers; to the Committee on War Claims.

By Mr. ESCH: A bill (H. R. 8616) granting an increase of pension to Amos C. Carter; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 8617) granting a pension to Abraham Kauffmann; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8618) granting an increase of pension to James B. Wallace; to the Committee on Invalid Pensions.

By Mr. GRAY: A bill (H. R. 8619) to correct the military record of Henry K. Stephens; to the Committee on Military Affairs.

By Mr. HAMILL: A bill (H. R. 8620) for the relief of Anton Basting; to the Committee on Naval Affairs.

By Mr. HENSLEY: A bill (H. R. 8621) granting an increase of pension to Richard T. Turner; to the Committee on Invalid Pensions.

By Mr. LINDQUIST: A bill (H. R. 8622) granting an increase of pension to Chauncey Pickell; to the Committee on Invalid Pensions.

By Mr. MORGAN of Oklahoma: A bill (H. R. 8623) granting a pension to Sarah A. Westerman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8624) granting an increase of pension to Childy Bridwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8625) granting an increase of pension to John R. Coykendall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8626) granting an increase of pension to Daniel Bales; to the Committee on Invalid Pensions.

By Mr. PATTON of Pennsylvania: A bill (H. R. 8627) granting a pension to Daniel Michael; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 8628) granting a pension to Fannie Montgomery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8629) granting an increase of pension to Charles Dailey; to the Committee on Invalid Pensions.

By Mr. SMALL: A bill (H. R. 8630) granting a pension to John Ward; to the Committee on Pensions.

By Mr. STEPHENS of Nebraska: A bill (H. R. 8631) granting a pension to Emeline Buzzard; to the Committee on Invalid Pensions.

By Mr. STONE: A bill (H. R. 8632) granting a pension to Ida E. Markwood; to the Committee on Pensions.

By Mr. TEMPLE: A bill (H. R. 8633) granting a pension to William J. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8634) granting a pension to Mary Pollock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8635) granting a pension to Katy E. Reed; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8636) granting a pension to Phila L. McIlvaine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8637) granting a pension to William Redmond; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8638) granting a pension to Henry Meiners; to the Committee on Pensions.

By Mr. COPLEY: Resolution (H. Res. 266) providing for the payment of mileage to John Lambert, of Joliet, Ill., from Joliet, Ill., to Washington, D. C., and return, 1,760 miles, at 5 cents per mile, in answer to a subpœna issued by the committee, of which Hon. AUGUSTUS O. STANLEY was chairman, to investigate violations of the antitrust act; to the Committee on Accounts.

By Mr. HEFLIN: Resolution (H. Res. 263) authorizing appointment of assistant foreman of folding room; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the Columbia Woman's Literary Club, of Dundee, Ill., favoring an amendment to the Constitution of the United States prohibiting polygamy, etc.; to the Committee on the Judiciary.

Also (by request), petition of D. T. Blodgett, of Des Moines, Iowa, relative to the impeachment of Justice Willis Van Deventer, of the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. ASHBROOK: Evidence to accompany the bill (H. R. 8482) for the relief of Oscar D. Welker; to the Committee on Invalid Pensions.

By Mr. BELL of California: Memorial of the San Francisco Chamber of Commerce asking for an investigation of the need for aids to navigation in Alaskan waters; to the Committee on the Merchant Marine and Fisheries.

By Mr. BORLAND: Memorial of both houses of the Common Council of Kansas City, Mo., favoring Federal ownership of the telephone and telegraph; to the Committee on Interstate and Foreign Commerce.

By Mr. COPLEY: Petition of sundry citizens of Elgin, Ill., and of the eleventh congressional district of Illinois, praying that a convention be called for the purpose of proposing an amendment to the Constitution of the United States whereby polygamy shall be prohibited; to the Committee on the Judiciary.

By Mr. ESCH: Memorial of the La Crosse (Wis.) Board of Trade, favoring ownership by the United States of buildings for foreign representatives; to the Committee on Foreign Affairs.

By Mr. HAYES: Petition of the Chamber of Commerce of San Francisco, Cal., protesting against the passage of a currency bill during this special session of Congress; to the Committee on Banking and Currency.

Also, petition of the Chamber of Commerce of Oakland, Cal., favoring a navy for Pacific coast defense; to the Committee on Naval Affairs.

By Mr. KAHN: Memorials of the San Francisco Chamber of Commerce, of San Francisco, Cal., requesting that the final enactment of the currency bill be put over to a later session of Congress, so that it may be considered more fully; to the Committee on Banking and Currency.

Also, memorials of the San Francisco Chamber of Commerce, of San Francisco, and the Oakland Chamber of Commerce, of Oakland, Cal., favoring the construction of four battleships and the formation of a naval reserve; to the Committee on Naval Affairs.

By Mr. KONOP: Memorial of the La Crosse Board of Trade, of La Crosse, Wis., relative to American embassy buildings; to the Committee on Foreign Affairs.

By Mr. LINDQUIST: Petition of W. S. Hipkins and others, of Mecosta, Mich., protesting against the passage of Senate bill 752, for the proper observance of Sunday as a day of rest in the District of Columbia; to the Committee on the Judiciary.

By Mr. RAKER: Papers to accompany bill (H. R. 1516) for the relief of Thomas F. Howell; to the Committee on the Public Lands.

Also, memorial of the Oleta Woman's Equal Suffrage Club, of Oleta, Cal., favoring a committee on equal suffrage of the House; to the Committee on Rules.

By Mr. STEPHENS of California: Petition of the board of directors of the San Francisco Chamber of Commerce, favoring the formation of a naval reserve and the construction of four battleships; to the Committee on Naval Affairs.

Also, petition of the Alhambra Chamber of Commerce, of Alhambra, Cal., favoring the construction of four battleships and the formation of a naval reserve; to the Committee on Naval Affairs.

Also, petition of the Los Angeles Wholesale Board of Trade, favoring the passage of bills for 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of the board of directors of the San Francisco Chamber of Commerce, favoring an investigation of the wreck of the steamship *State of California* in Gambier Bay, southwestern Alaska; to the Committee on the Merchant Marine and Fisheries.

SENATE.

MONDAY, *September 29, 1913.*

The Senate met at 12 o'clock m.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Journal of the proceedings of Thursday last was read and approved.

FEDERAL BUILDING AT CHARLESTON, W. VA. (S. DOC. NO. 198).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, submitting an item of appropriation in connection with the rental of temporary quarters at Charleston, W. Va., pending the completion of the extension to the post-office and courthouse building at that point, $5,500, etc., which was referred to the Committee on Appropriations and ordered to be printed.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 8364) to authorize the President to provide a method for opening lands restored from reservation or withdrawal, and for other purposes, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. SMITH of Michigan. I send to the desk a telegram from James M. Thomson, publisher of the New Orleans Item, which I desire to have read for the information of the Senate.

There being no objection, the telegram was read and ordered to lie on the table, as follows:

NEW ORLEANS, LA., *September 25, 1913.*

WILLIAM ALDEN SMITH,
United States Senate, Washington, D. C.:

I urge on you, in the interest of cotton planters and legitimate dealers in cotton, that you aid in passage of Smith-Lever amendment to the Clarke amendment on cotton. The Clarke bill would probably work great demoralization to cotton prices, depreciate the values of cotton lands, and would greatly increase the hazard of financing cotton to the banks. It would tend to transfer control of cotton market to Europe, which is a buying and not a selling market.

JAMES M. THOMSON,
Publisher New Orleans Item.

Mr. SMITH of Michigan presented a petition of the Board of Commerce of Detroit, Mich., praying for the adoption of 1-cent letter postage, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Camp Sitka, No. 6, Arctic Brotherhood, Territory of Alaska, praying that an appropriation of $5,000 be made for the repair, restoration, and improvement of the Sitka National Monument and the relics of aboriginal life which it contains, which was referred to the Committee on Territories.

He also presented a petition of the Michigan State Association of Ginseng Growers, praying that an appropriation of $5,000 be made to investigate the ginseng disease, which was referred to the Committee on Agriculture and Forestry.

He also presented memorials of sundry citizens of Mayville, Vassar, Adrian, Kalamazoo, Flint, Saginaw, Edmore, McBrides, Alma, Hemlock, Grand Rapids, St. Louis, Alden, Ithaca, Ashley, North Star, Allegan, Cass City, Leslie, Stockbridge, Shelby, Battle Creek, Pompeii, Harris, Carney, Stephenson, Urbondale, Denver Center, Robinson, Allendale, Monterey, Frankfort, Beulah: Benzonia, Sault Ste. Marie, Elwell, Riverdale, Shepherd, Grand Ledge, Mulliken, Lansing, Lake George, Clare, Cedar Lake, St. Charles, Sandusky, Carsonville, Carson City, New Haven Center, Dimondale, Eaton Rapids, St. Johns, Owosso, Elsie, Greenville, Gowen, Ann Arbor, Alpena, Spruce, Ossineke, Millington, Otter Lake, Fostoria, Otisville, Memphis, Smiths Creek, Mapleton, Stambaugh, Iron River, Holly, De Witt, Byron Center, Greenbush, Bath, and Flushing, all in the State of Michigan, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. PENROSE presented a memorial of the Board of Trade of Philadelphia, Pa., remonstrating against the enactment of legislation making it unlawful for individuals, corporations, or associations to employ armed men or bodies of armed men on their premises for any purpose, which was referred to the Committee on the Judiciary.

Mr. PERKINS presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the enactment of legislation providing additional aids to navigation in Alaskan waters, which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the organization of a naval reserve and for the construction of four new battleships, etc., which was referred to the Committee on Naval Affairs.

EMPLOYMENT OF STENOGRAPHER.

Mr. BRISTOW. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably without amendment Senate resolution 183, and I ask for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution, which had been submitted by Mr. BRISTOW on the 25th instant, as follows:

Resolved, That Senator JOSEPH L. BRISTOW be, and he hereby is, authorized to employ a stenographer at a salary of $1,200 per annum, to be paid from the contingent fund of the Senate for a period of 30 days from and including September 28, 1913.

Mr. SHAFROTH. Mr. President, I am a member of the Committee to Audit and Control the Contingent Expenses of the Senate. This resolution arises from the fact that the regular stenographer to the Senator from Kansas [Mr. BRISTOW] was shot, and by reason of it he has been on the sick list. It is impossible for the Senator from Kansas to get along without this assistant, and therefore the committee has deemed it proper and right to extend this temporary employment for another month, at which time it is hoped that the regular stenographer will be prepared to go on with the duties of his office.

The resolution was considered by unanimous consent and agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. OVERMAN:

A bill (S. 3147) to amend an act to prevent the disclosure of national-defense secrets, approved March 3, 1911; to the Committee on the Judiciary.

A bill (S. 3148) to provide for the safety of life on navigable waters under the jurisdiction of the United States during Coast Artillery target practice; to the Committee on Military Affairs.

By Mr. SMITH of Michigan:

A bill (S. 3149) to remove the charge of desertion from the military record of Moses Chauncey (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 3150) granting an increase of pension to Charles M. Sanderson; and

A bill (S. 3151) granting an increase of pension to Mary A. Forbes; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 3152) to grant an honorable discharge to William A. Shawda; to the Committee on Military Affairs.

A bill (S. 3153) to provide that commissioned chiefs of the United States Navy now on the retired list who had creditable Civil War service shall, as an equitable reward for said service, receive the rank and pay of lieutenant of the United States Navy, retired (with accompanying paper); to the Committee on Naval Affairs.

A bill (S. 3154) granting a pension to Anna B. McCrillis; and

A bill (S. 3155) granting an increase of pension to William Feight; to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 3156) granting a pension to William M. Hiett (with accompanying papers); to the Committee on Pensions.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. JONES submitted an amendment providing for the pay of stenographers from and after December 1, 1913, at the rate of $1,200 per annum for Senators having less than three employees in connection with their official work, etc., intended to be proposed by him to the urgent deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. SWANSON submitted an amendment providing that the post-office building heretofore authorized at Wytheville, Va., shall be so constructed as to provide quarters for all governmental purposes in that city, etc., intended to be proposed by him to the urgent deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate $25,000 for investigating and reporting to Congress a suitable design for a memorial bridge across the Potomac River from the city of Washington to a point at or near the Arlington estate in the State of Virginia, etc., intended to be proposed by him to the urgent deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

WITHDRAWAL OF PAPERS—WILLIAM H. SOUTHWELL.

On motion of Mr. SMITH of Michigan, it was

Ordered, That the papers in the pension claim of William H. Southwell (S. 1998), Sixty-third Congress, first session, be withdrawn from the files of the Senate, no adverse report having been made thereon.

WITHDRAWAL OF PAPERS—RACHEL COLE.

On motion of Mr. SMITH of Michigan, it was

Ordered, That the papers in the pension case of Rachel Cole (S. 7127), Sixty-second Congress, second session, be withdrawn from the files of the Senate, no adverse report having been made thereon.

NATIONAL BANKING LAWS (S. DOC. NO. 197).

Mr. OWEN. I ask that 1,000 copies of Senate Document No. 733, Sixtieth Congress, second session, being the national-bank act as amended and other laws relating to national banks, be printed.

There being no objection, the order was agreed to, and it was reduced to writing, as follows:

Ordered, That 1,000 copies of Senate Document No. 733, Sixtieth Congress, second session, be printed for the use of the Senate document room.

ADDRESS OF HON. SAMUEL W. M'CALL (S. DOC. NO. 199).

Mr. SMITH of Michigan. I ask unanimous consent to have printed as a public document the very instructive address by Hon. Samuel W. McCall, a former Member of Congress from Massachusetts, delivered August 28, 1913, at Franklin, N. H., upon the occasion of the celebration of the birthday of Daniel Webster.

The VICE PRESIDENT. Without objection, the order to print will be entered.

ADJOURNMENT TO WEDNESDAY.

Mr. KERN. I move that when the Senate adjourns to-day it adjourn to meet on Wednesday next at 12 o'clock noon.

The motion was agreed to.

INTERNATIONAL INSTITUTE OF AGRICULTURE AT ROME (S. DOC. NO. 196).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read:

To the Senate and the House of Representatives:

I transmit herewith for the information of Congress the report of the delegates of the United States, who were appointed under the authority of Congress to attend the general assembly of the International Institute of Agriculture at Rome in May, 1913.

WOODROW WILSON.

THE WHITE HOUSE, *September 29, 1913.*

Mr. FLETCHER. I ask that the message and report be referred to the Committee on Agriculture and Forestry. The usual number will be printed under the rule. I also ask that 500 additional copies be ordered printed by the Senate for the use of Mr. David Lubin, the American delegate to the International Institute of Agriculture. He has requested that this number be printed in addition to the usual number.

The VICE PRESIDENT. The message and report will be referred to the Committee on Agriculture and Forestry and printed. The Senator from Florida asks that 500 additional copies be ordered printed for the purpose he has stated. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION.

Mr. KERN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 18 minutes spent in executive session the doors were reopened.

DEATH OF REPRESENTATIVE RODDENBERY, OF GEORGIA.

A message from the House of Representatives, by J. C. South, its Chief Clerk, communicated to the Senate the intelligence of the death of Hon. SEABORN ANDERSON RODDENBERY, late a Representative from the State of Georgia, and transmitted resolutions of the House thereon.

The VICE PRESIDENT. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
September 27, 1913.

Resolved, That the House has heard with profound sorrow of the death of Hon. SEABORN ANDERSON RODDENBERY, a Representative from the State of Georgia.

Resolved, That a committee of 18 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect, this House do now adjourn.

In accordance with the foregoing resolution the Speaker appointed as the committee on the part of the House the following Members: Mr. BARTLETT, Mr. ADAMSON, Mr. HUGHES of Georgia, Mr. LEE of Georgia, Mr. HARDWICK, Mr. WALKER, Mr. CRISP, Mr. EDWARDS, Mr. TRIBBLE, Mr. HOWARD, Mr. BELL of Georgia, Mr. HILL, Mr. GOWIN of North Carolina, Mr. MAGUIRE of Nebraska, Mr. MCLAUGHLIN, Mr. HAMILTON of Michigan, Mr. MOORE, and Mr. WILLIS.

Mr. KERN. Mr. President, in the necessary absence of the Senators from Georgia, I offer the resolutions which I send to the desk, and ask for their present consideration.

The resolutions (S. Res. 186) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. SEABORN ANDERSON RODDENBERY, late a Representative from the State of Georgia, which death occurred on September 26, 1913.

Resolved, That the action of the Vice President in appointing a committee of seven Senators, to-wit, Mr. BACON, Mr. SMITH of Georgia, Mr. MARTINE of New Jersey, Mr. FLETCHER, Mr. THOMAS, Mr. GRONNA, and Mr. BORAH to join the committee appointed on the part of the House of Representatives, to attend the funeral of the deceased, at Thomasville, Ga., be hereby approved.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and to the family of the deceased.

Mr. KERN. I move, as a further mark of respect to the memory of the deceased, that the Senate do now adjourn.

The motion was unanimously agreed to, and (at 12 o'clock and 36 minutes p. m.) the Senate adjourned until Wednesday, October 1, 1913, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate September 29, 1913.

APPOINTMENT IN THE ARMY.

COAST ARTILLERY CORPS.

Robert Duncan Brown, of Tennessee, ensign, United States Navy, to be second lieutenant in the Coast Artillery Corps with rank from August 10, 1913.

APPOINTMENT IN THE NAVY.

Roscoe M. Waterhouse, a citizen of Massachusetts, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 24th day of September, 1913.

CONFIRMATIONS.

Executive nominations confirmed by the Senate September 29, 1913.

CONSUL GENERAL.

Robert E. Mansfield to be consul general at Vancouver, British Columbia, Canada.

CONSUL.

Roger Culver Tredwell to be consul at Bristol, England.

ASSISTANT SECRETARY OF THE TREASURY.

Byron R. Newton to be Assistant Secretary of the Treasury.

ASSISTANT APPRAISER OF MERCHANDISE.

Bernard Herstein to be assistant appraiser of merchandise in the district of New York, N. Y.

RECEIVERS OF PUBLIC MONEYS.

D. F. Burkholder to be receiver of public moneys at Gregory, S. Dak.

Charles A. Mansfield to be receiver of public moneys at Williston, N. Dak.

UNITED STATES CIRCUIT JUDGE.

Henry Wade Rogers to be United States circuit judge, second circuit.

UNITED STATES ATTORNEYS.

Clay Allen to be United States attorney for the western district of Washington.

Hooper Alexander to be United States attorney, northern district of Georgia.

PROMOTIONS IN THE NAVY.

Lieut. Commander Raymond Stone to be a commander.
Lieut. Commander Hutch I. Cone to be a commander.
Lieut. Merlyn G. Cook to be a lieutenant commander.
Lieut. (Junior Grade) George H. Bowdey to be a lieutenant.
Ensign Nelson W. Pickering to be a lieutenant (junior grade).
Midshipman Elmer L. Woodside to be an ensign.
Midshipman Leonard R. Agrell to be an ensign.

The following-named assistant paymasters to be passed assistant paymasters:
George S. Wood.
Alonzo G. Hearne.
Hervey B. Ransdell.
Henry R. Snyder.

REGISTER OF THE LAND OFFICE.

James Y. Callahan to be register of the land office at Woodward, Okla.

POSTMASTERS.

ARIZONA.

Paul A. Smith, Tombstone.

CALIFORNIA.

C. H. Bronaugh, Ceres.

NEBRASKA.

R. E. Harmon, Auburn.

OHIO.

T. H. Finefrock, Prospect.
O. D. Kemper, Jefferson.
John Palsgrove, Canal Winchester.

WASHINGTON.

C. M. Durland, Colville.
Joseph O'Neill, Castlerock.
Edwin Schauble, Kalama.

HOUSE OF REPRESENTATIVES.

MONDAY, *September 29, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty Father, let Thy spirit come into our hearts and make us tractable to its holy influence, that our thoughts may be in consonance with Thy thoughts and our ways with Thy ways inasmuch as we are able to apprehend Thy thoughts and understand Thy plans and purposes, that we may fulfill our appointed destiny as individuals and leave behind us a record which those who shall come after us may follow with impunity, and to Thee we will ascribe all praise in the spirit of the Master. Amen.

The Journal of the proceedings of Saturday, September 27, 1913, was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, Mr. HOXWORTH was granted leave of absence indefinitely, on account of illness in family.

TARIFF BILL.

Mr. UNDERWOOD. Mr. Speaker, I expect to call up the conference report on the tariff bill to-morrow to be acted upon, and in order that we may not have any later session than necessary I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. The gentleman from Alabama asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. ANDERSON. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if he expects to take a vote on the conference report to-morrow?

Mr. UNDERWOOD. I do.

Mr. MURDOCK. The idea of meeting earlier is to give more time for discussion?

Mr. UNDERWOOD. Well, there will be two propositions up, and we will arrange time for discussion to-morrow morning, and I apprehend under the best circumstances the House may have a late session, and in order not to keep Members here later than necessary I ask that we meet at 11 o'clock.

The SPEAKER. Is there objection?

Mr. PAYNE. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if he has in mind the time for debate on the conference report which he proposes to allow, subject, of course, to the previous question.

Mr. UNDERWOOD. I will be glad to take that up to-morrow with the gentleman. I think we can reach an agreement about it.

Mr. RUSSELL. Mr. Speaker, reserving the right to object, I would like to ask the gentleman one question.

The SPEAKER. The gentleman from Missouri reserves the right to object.

Mr. RUSSELL. If the vote should be taken upon the conference report to-morrow, as the gentleman now says, will it be necessary to hold a quorum here for a time after action upon the bill?

Mr. UNDERWOOD. I do not think Members of the House should leave until after the Senate has acted upon the bill. We can not tell what conditions may be in the Senate.

Mr. FERRIS. Mr. Speaker, I want to state to the gentleman from Alabama that I am keenly interested in the cotton-tax amendment on the tariff bill, and I want to make a few remarks on the bill along that line either to-day or to-morrow—I do not care particularly which—and I wondered whether the gentleman——

Mr. UNDERWOOD. I hope there will not be any extended debate to-morrow, but if the gentleman would like to speak to-day——

Mr. FERRIS. Will the gentleman yield until I ask unanimous consent for that purpose?

Mr. UNDERWOOD. Well, let me get in the report.

The SPEAKER. Is there objection to the House meeting at 11 o'clock to-morrow? [After a pause.] The Chair hears none.

Mr. UNDERWOOD. Mr. Speaker, on behalf of the conferees on the part of the House on H. R. 3321, the tariff bill, I desire to make a report of the majority of the conferees on all items in the bill except Senate amendment 609, which is known as the Clarke amendment, relating to the tax on cotton futures. There is a complete agreement on all the other items in the bill except Senate amendment 609. I desire to present for printing the coaference report and the statement on the part of the managers of the House, and to say that after the conference report has been acted upon I expect to take up for action the amendment of the Senate relating to cotton futures.

The SPEAKER. The gentleman from Alabama presents a conference report and statement on the tariff bill to be printed under the rule.

Mr. ANDERSON. Will the gentleman yield?

Mr. UNDERWOOD. I will.

Mr. ANDERSON. Will it be possible to have the conference report printed as a document? It will be somewhat easier to handle in that form.

Mr. UNDERWOOD. The tariff bill has been printed with the amendments, showing the action of the conferees, and there are 500 copies of that in the hands of the Doorkeeper of the House, and therefore he has one copy for each Member who applies for it.

Mr. ANDERSON. That is the explanation I wanted to get.

Mr. UNDERWOOD. And the conference report will be printed separately.

The SPEAKER. The Clerk will report the title of the conference report.

The Clerk read as follows:

Conference report on the bill H. R. 3321, an act to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. UNDERWOOD. Mr. Speaker, I understand the gentleman from Iowa [Mr. PEPPER] and the gentleman from Oklahoma [Mr. FERRIS] desire to address the House this morning before we adjourn. And as I understand there is no more business, I ask unanimous consent that the gentleman from Iowa [Mr. PEPPER] may address the House for 25 minutes and Mr. FERRIS, for how long?

Mr. FERRIS. You might put it at 25 minutes, but I do not think I will use it all.

The SPEAKER. What is the request?

Mr. UNDERWOOD. That the gentleman from Iowa [Mr. PEPPER] address the House for 25 minutes and the gentleman from Oklahoma [Mr. FERRIS] may address the House for 25 minutes, and that at the end of that time the House will stand adjourned.

Mr. MURDOCK. I was going to suggest to the gentleman from Alabama [Mr. UNDERWOOD], following the custom that is followed here, that the gentlemen indicate what they are to speak upon.

Mr. UNDERWOOD. I think one gentleman wants to speak on cotton futures and the other on the tariff bill.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that the gentleman from Iowa [Mr. PEPPER] shall have leave to address the House for 25 minutes, to be followed by the gentleman from Oklahoma [Mr. FERRIS] for 25 minutes.

Mr. PAYNE. Mr. Speaker, I object.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills and joint resolution of the following titles:

On September 16, 1913:

H. J. Res. 130. Joint resolution to provide for the relief and transportation of destitute American citizens in Mexico; and

H. R. 3406. An act to authorize the construction of a bridge across the Sabine River at Orange, Tex.

On September 18, 1913:

H. R. 4937. An act extending to the port of Dallas, Tex., the privileges of section 7 of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement; and

H. R. 7595. An act providing for the free importation of articles intended for foreign buildings and exhibits at the Panama-Pacific International Exposition, and for the protection of foreign exhibitors.

REPORT OF DELEGATES TO INTERNATIONAL INSTITUTE OF AGRICULTURE (S. DOC. NO. 196).

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying documents, referred to the Committee on Agriculture, and ordered to be printed:

To the Senate and the House of Representatives:

I transmit herewith for the information of Congress the report of the delegates of the United States who were appointed under the authority of Congress to attend the general assembly of the International Institute of Agriculture at Rome in May, 1913.

WOODROW WILSON.

THE WHITE HOUSE, *September 29, 1913.*

Mr. TOWNSEND. Mr. Speaker, for information, how many copies of that report will be printed?

The SPEAKER. The Chair can not answer that question, but would ask the chairman of the Committee on Printing [Mr. BARNHART]. The gentleman from New Jersey [Mr. TOWNSEND] wants to know how many copies of the document accompanying the President's message will be printed under the rules.

Mr. BARNHART. That would depend on what it would cost. The House can not print a document at a cost of more than $500 without passing a concurrent resolution.

Mr. TOWNSEND. Has the committee any authority without a concurrent resolution to order a certain number of them printed?

Mr. BARNHART. The joint committee can without a concurrent resolution order $500 worth printed if there has already been a print of the document.

Mr. TOWNSEND. Can the gentleman state if it is the intention of the committee to order $500 worth of this report of the commission printed?

Mr. BARNHART. It has not had any request yet. It would not do it unless it had a request.

Mr. TOWNSEND. Then it would require a concurrent resolution?

Mr. BARNHART. Yes.

Mr. BATHRICK. The chairman of the Committee on Printing states that no copies of this report will be printed, as I understand it, unless there is a request to have them printed. Is that the statement?

Mr. BARNHART. I do not understand. Has there already been a print of the document?

The SPEAKER. It was just sent in this minute.

Mr. TOWNSEND. It just came in accompanying a message of the President.

Mr. BARNHART. Mr. Speaker, I could not answer that any more definitely without ascertaining what the cost of the printing would be.

Mr. BATHRICK. I wish to ascertain whether it is necessary to have a motion put to the House in order to have a certain number printed?

Mr. BARNHART. I think it would be better.

Mr. BATHRICK. Mr. Speaker, I desire to move that 1,000 copies of the report of the agricultural commission be printed.

The SPEAKER. The gentleman from Ohio [Mr. BATHRICK] asks unanimous consent that 1,000 copies of this report be printed. Is there objection?

Mr. FITZGERALD. Reserving the right to object, it is not customary to make such orders, and until the Committee on Printing has had an opportunity to examine the report I object.

The SPEAKER. Is there objection?

Mr. FITZGERALD. I object.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] objects.

THE TARIFF.

Mr. UNDERWOOD. Mr. Speaker, I renew my request that the gentleman from Iowa [Mr. PEPPER] may have 25 minutes in which to address the House, that the gentleman from Oklahoma [Mr. FERRIS] may have 25 minutes in which to address the House, and that at the conclusion of that time the House shall stand adjourned.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that the gentleman from Iowa [Mr. PEPPER] shall have leave to address the House for 25 minutes, and, following that, that the gentleman from Oklahoma [Mr. FERRIS] shall have leave to address the House for 25 minutes, and that at the end of that time the House shall stand adjourned. Is there objection?

Mr. PAYNE. Mr. Speaker, reserving the right to object, I would like to ask what is the subject?

Mr. UNDERWOOD. One gentleman wants to speak on cotton futures, and the other gentleman wants to make a speech in reference to tariff matters.

Mr. PAYNE. I object.

The SPEAKER. The gentleman from New York [Mr. PAYNE] objects.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 18 minutes p. m.) the House adjourned, pursuant to the order previously made, until 11 o'clock a. m. to-morrow, Tuesday, September 30, 1913.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the president of the United States Civil Service Commission, transmitting schedules of useless papers in the files of the district secretaries of the commission which are not needed in the transaction of public business and are of no permanent value or historical interest (H. Doc. No. 245), was taken from the Speaker's table, referred to the Committee on Disposition of Useless Executive Papers, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FERRIS: A bill (H. R. 8612) authorizing the commissioners of Caddo County, Okla., to purchase an 80-acre tract of unused remnant ceded lands for fairground and park purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 8639) to provide for a permanent, lasting, and uniform system of improvement of public highways and post roads, and providing how the State and Nation may act in conjunction and by mutual contribution bring about the desired end, and distribute the surplus in the Treasury pro rata each year among the States for that purpose; to the Committee on Ways and Means.

Also, a bill (H. R. 8640) to establish an agricultural experiment station in the sixth congressional district of Oklahoma; to the Committee on Agriculture.

Also, a bill (H. R. 8641) to establish a fish-cultural station in the State of Oklahoma; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 8642) to prevent gambling in cotton and grain futures, and providing penalties for the violation thereof; to the Committee on Agriculture.

Also, a bill (H. R. 8643) to repeal the duty on lumber; to the Committee on Ways and Means.

By Mr. CARY: A bill (H. R. 8644) to transfer the Northwestern Branch of the National Home for Disabled Volunteer Soldiers to the War Department; to the Committee on Military Affairs.

By Mr. DEITRICK: A bill (H. R. 8645) to provide for a survey of the Mystic River, Mass.; to the Committee on Rivers and Harbors.

By Mr. ANDERSON: Resolution (H. Res. 267) to amend paragraph 9 of Rule XVI of the rules of the Sixty-third Congress; to the Committee on Rules.

Also, resolution (H. Res. 268) to amend Rule XIII of the rules of the Sixty-third Congress; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 8646) granting an increase of pension to Ole Knudson; to the Committee on Invalid Pensions.

By Mr. ANTHONY: A bill (H. R. 8647) granting an increase of pension to Philemel B. McFadden; to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 8648) to correct the military record of John F. Havens; to the Committee on Military Affairs.

By Mr. DICKINSON: A bill (H. R. 8649) granting a pension to James Y. Whitsett; to the Committee on Invalid Pensions.

By Mr. DRISCOLL: A bill (H. R. 8650) granting an increase of pension to Charles Muller; to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 8651) granting an increase of pension to Henry E. Petitt; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 8652) restoring the name of Willis D. Miller to the pension roll; to the Committee on Pensions.

By Mr. SMITH of Maryland: A bill (H. R. 8653) granting a pension to Marian Eva Keyes; to the Committee on Pensions.

By Mr. TAGGART: A bill (H. R. 8654) granting an increase of pension to Agnes White; to the Committee on Pensions.

By Mr. THACHER: A bill (H. R. 8655) to place the name of ex-First Lieut. Thomas H. Nolan upon the unlimited retired list of the Army; to the Committee on Military Affairs.

Also, a bill (H. R. 8656) to place the name of ex-Mate Ansel A. Delano, United States Navy, upon the unlimited retired list of the Navy; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANDERSON: Papers to accompany a bill granting an increase of pension to Ole Knudson; to the Committee on Invalid Pensions.

By Mr. CARY: Petition of La Crosse Board of Trade, La Crosse, Wis., favoring the passage of legislation for the improvement of the foreign embassy and consular service; to the Committee on Foreign Affairs.

Also, petition of the Oshkosh Clearing House Association and other banks of the Fox River Valley, Wis., suggesting certain changes relative to the banking and currency bill; to the Committee on Banking and Currency.

By Mr. COOPER: Petition of the Milwaukee Local No. 1053, of the United Brotherhood of Carpenters and Joiners of America, Milwaukee, Wis., favoring the passage of legislation granting the right of suffrage to the residents of the District of Columbia; to the Committee on the District of Columbia.

By Mr. ESCH: Papers to accompany bill granting an increase of pension to Henry E. Petitt; to the Committee on Invalid Pensions.

By Mr. FARR: Petition of Albert Watson and others, of Scranton, Pa., protesting against the abolishment of civil service in the income-tax provision; to the Committee on Ways and Means.

Also, petitions of sundry citizens of Scranton and Philadelphia, Pa., protesting against placing steel-engraved forms, etc., on the free list; to the Committee on Ways and Means.

By Mr. J. R. KNOWLAND: Petition of the Chamber of Commerce, Oakland, Cal., favoring the passage of legislation for the construction of four new battleships and the formation of a naval reserve; to the Committee on Naval Affairs.

By Mr. RAKER: Petition of the San Francisco (Cal.) Chamber of Commerce, favoring the passage of S. 596, relative to the reexportation of goods in bond; to the Committee on Ways and Means.

By Mr. SCULLY: Petitions of J. L. Monsky, of Red Bank, and Zucker, Steiner & Co., of Newark, N. J., and W. A. French Co., protesting against 25 cents charge for rectifiers and wholesale liquor dealers' stamps; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

TUESDAY, *September 30, 1913.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, profoundly conscious of the duality of our nature, that down deep in the heart is the conflict 'twixt evil and good, the false and the true, the animal and the spiritual, each seeking supremacy, deliver us we beseech Thee from the one and help us to make dominant the other, putting under our feet the evil, emphasizing the good, crushing the false, exalting the true, holding back the malevolent, putting forward the benevolent; eliminating selfish ambitions and ignoble desires; rising ever to the spirit of altruism, that we may grow in favor with Thee and with our fellow men, and satisfy the demands of our conscience for "the spirit itself beareth witness with our spirit, that we are the children of God; and if children, then heirs; heirs of God, and joint heirs with Christ; if so be that we suffer with Him, that we may be also glorified together." Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted—

To Mr. BOOHER, indefinitely, on account of important business.

To Mr. KINKAID of Nebraska, for two weeks, on account of death in his family.

To Mr. GRAHAM of Illinois, for eight days, on account of death in his family.

To Mr. KENT, indefinitely, on account of important business.

To Mr. SCOTT, for 30 days, on account of important business.

To Mr. GOODWIN of Arkansas, indefinitely, on account of serious illness in his family.

LEAVE TO PRINT.

Mr. TAYLOR of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the currency.

The SPEAKER. The gentleman from New York [Mr. TAYLOR] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. MURDOCK. Upon what subject?

Mr. TAYLOR of New York. The currency.

The SPEAKER. Is there objection?

There was no objection.

WITHDRAWAL OF PAPERS—JOHN E. TEVENDALE.

By unanimous consent, leave was granted Mr. BREMNER to withdraw from the files of the House, without leaving copies, the papers in the case of John E. Tevendale (H. R. 15994, 62d Cong.), no adverse report having been made thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. SEABORN ANDERSON RODDENBERY, late a Representative from the State of Georgia, which death occurred on September 26, 1913.

Resolved, That the action of the Vice President in appointing a committee of seven Senators, to wit, Mr. BACON, Mr. SMITH of Georgia, Mr. MARTINE of New Jersey, Mr. FLETCHER, Mr. THOMAS, Mr. GRONNA, and Mr. BORAH, to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased at Thomasville, Ga., be hereby approved.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

THE TARIFF.

Mr. UNDERWOOD. Mr. Speaker, I desire to call up the conference report on H. R. 3321, the tariff bill.

Before entering into the discussion of the subject I would like to see if we can reach an agreement with the gentleman from New York [Mr. PAYNE] in reference to the time for debate on the report and on the amendment that is in disagreement.

Mr. PAYNE. What does the gentleman propose?

Mr. UNDERWOOD. I would propose a very short time, but I would like to know what the gentleman desires.

Mr. PAYNE. Has the gentleman any objection to my stating what he has proposed in private conversation?

Mr. UNDERWOOD. Certainly not.

Mr. PAYNE. The gentleman in private conversation has proposed four hours' time, reminding me of a precedent set four years ago in that respect, which he seems anxious to follow. If I have done anything bad, the gentleman always goes in that direction, but he sometimes fails to follow the good that we have done. [Laughter.] The circumstances now are a little different. Here is a third party demanding a part of my time. The gentleman from Kansas [Mr. MURDOCK] seems to think that the bill will not be properly passed unless he has half an hour.

Mr. MURDOCK. I think the debate will be more illuminating than it was four years ago, when we had six hours' time.

Mr. UNDERWOOD. Four hours.

Mr. PAYNE. We had four hours.

Mr. MURDOCK. My recollection is that the House met at 10 o'clock in the morning and that the special rule provided that we should vote on the bill at 8 o'clock.

Mr. UNDERWOOD. We had four hours' debate. I do not know how much time we took on other things.

Mr. PAYNE. I suggest to the gentleman from Alabama that he make it five hours, and give me two hours and a half, so that I can accommodate the gentleman from Kansas with half an hour and still have two hours.

Mr. UNDERWOOD. I will say to the gentleman that four years ago the House was very much more evenly divided than it is now, when one-third of the House is on that side and two-thirds on this side. If it is agreeable to both gentlemen, I am willing to make the time four hours and a half.

Mr. MURDOCK. That is, with the understanding that I shall have 30 minutes of that time?

Mr. PAYNE. I suppose the gentleman from Kansas will be willing to be curtailed a little and take 25 minutes.

Mr. MURDOCK. No; I think not.

Mr. PAYNE. I hope the gentleman will not hold me up on that.

Mr. MURDOCK. I will not hold the gentleman up. If the gentleman will listen to me, I have a mathematical basis for my claim. That is 135 minutes, and one-fifth of that is, I think, 27 minutes, so the gentleman's gratuity to me is only 3 minutes. I think he has that much kindness in his heart.

Mr. PAYNE. The gentleman seems to be incorrigible, and this seems to be the best I can get. So far as I am concerned I am willing, if the gentleman from Alabama will make the request for unanimous consent, that the time be fixed now at four hours and a half.

Mr. UNDERWOOD. Mr. Speaker, I understand that arrangement is agreeable to the gentleman from New York [Mr. PAYNE] and the gentleman from Kansas [Mr. MURDOCK].

Mr. MURDOCK. That is, two hours and a half on either side and 30 minutes to the Republican side to grant to me?

Mr. UNDERWOOD. No; four hours and a half of debate on the conference report, one-half of the time to go to that side of the House; the gentleman from New York [Mr. PAYNE] to grant the gentleman from Kansas 30 minutes.

Mr. MURDOCK. That is agreeable to me.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. UNDERWOOD. Certainly.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, there are a number of us who are interested in the so-called cotton-future amendment, and I would like to ask the gentleman from Alabama if it is his expectation to have any additional time for the discussion of that proposition, aside from these four hours and a half?

Mr. UNDERWOOD. Mr. Speaker, I was about to ask, and I will ask it now, for two hours' time on the cotton-future amendment.

Mr. HUMPHREYS of Mississippi. In addition to the four hours and a half on the conference report?

Mr. UNDERWOOD. Certainly.

Mr. SIMS. To be divided in what way?

Mr. UNDERWOOD. I to have control of one half of the time and whoever is in opposition to the amendment to control the other half. I do not know whether the gentleman from New York is opposed to it or not.

Mr. SIMS. Some one who is opposed to it will have control of the opposition?

Mr. UNDERWOOD. Yes.

Mr. PAYNE. I think I shall be opposed to it, from the general tenor of what I hear it is. I have not yet seen a copy of it.

Mr. UNDERWOOD. It is printed and may be obtained from the document room.

Mr. MURDOCK. There will be opposition, surely.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that after the conference report on the tariff bill is reported there be four hours and a half of debate on the conference report, one-half of the time to be controlled by myself, one-half of the time by the gentleman from New York [Mr. PAYNE], with the understanding that he yield 30 minutes to the gentleman from Kansas [Mr. MURDOCK], at the end of which time the previous question shall be considered as ordered; and in connection with that I also ask unanimous consent that at the conclusion of the vote on the conference report it shall be in order to offer a substitute to the Senate amendment numbered 609, known as the Clarke amendment, and that there shall be two hours' debate on the Clarke amendment substitute, at the end of which time the previous question shall be considered as ordered.

Mr. PAYNE. May I suggest to the gentleman that instead of a substitute the motion will be to concur in the amendment with an amendment?

Mr. UNDERWOOD. Yes; I mean to concur with an amendment.

Mr. PAYNE. I suggest to the gentleman that he does not have to have unanimous consent for that.

Mr. UNDERWOOD. I know; but I am asking unanimous consent to close debate upon it at the end of that time.

The SPEAKER. The Chair desires to know definitely what the last request of the gentleman from Alabama is.

Mr. UNDERWOOD. The last request is that after the conference report is voted on, there shall be two hours of debate on the Clarke amendment and a motion to concur with an amendment, at the end of which time the previous question shall be considered as ordered on all pending motions on the amendment 609.

Mr. WINGO. Mr. Speaker, I would like to ask the gentleman from Alabama if the adoption of his unanimous-consent agreement would not limit the amendment to the one proposed by the gentleman from Alabama?

Mr. UNDERWOOD. I take it that whether this agreement is entered into or not, there will be a limitation upon it. As I understand the parliamentary situation, I will have a right to move to concur with an amendment, and then the only votes that could be had would be, first, on the proposition to concur with an amendment and, next, if that be defeated, on the proposition to concur, and then if that be defeated, there would be nothing for the House to do but to disagree.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. I have not had the understanding of the situation that the gentleman from Alabama has. I want to ask the Chair if this unanimous consent is agreed to, when the gentleman from Alabama moves to recede and concur with an amendment, would it not then be in order to move to recede and concur, and would not that latter motion be a preferential motion?

The SPEAKER. It seems to the Chair that if the request of the gentleman from Alabama is agreed to, it would cut out all the other motions.

Mr. WINGO. That is my object in asking.

Mr. UNDERWOOD. Mr. Speaker, I have no desire to cut out the gentleman's rights at all.

Mr. WINGO. Let me suggest this to the gentleman: Suppose you reach an agreement upon the time——

The SPEAKER. The Chair will state this, as his reply to the gentleman may not have been sufficient, when they reach that stage a motion to recede and concur takes precedence of a motion to recede and concur with an amendment. Now, what the Chair wants to know is——

Mr. GARNER. Is not the Chair reversing the universal rule?

The SPEAKER. No; the Chair has stated it exactly as it is. What the Chair wanted to know, so that the House would know what it was doing, is whether this request of the gentleman from Alabama cuts out the ordinary motion?

Mr. UNDERWOOD. Mr. Speaker, I do not desire to ask the Chair to rule on that at this time. I merely ask that debate on the Clarke amendment and motions in relation thereto shall be limited to two hours, to be divided between the gentlemen who are in favor and opposed to the proposition, and at the end of the two hours that the previous question shall be considered as ordered.

The SPEAKER. The gentleman from Alabama asks unanimous consent for two things—first, that after the conference report is read debate shall begin and run for four and a half hours, half the time to be controlled by himself and half by the gentleman from New York [Mr. PAYNE], with the subunderstanding that the gentleman from Kansas [Mr. MURDOCK] shall have 30 minutes to dispose of as he pleases. In addition to that the gentleman from Alabama asks after the vote is had on the conference report that then there shall be two hours' debate on the cotton amendment. Is that the request of the gentleman?

Mr. UNDERWOOD. That is the request.

The SPEAKER. Is there objection?

Mr. UNDERWOOD. And the previous question shall be ordered at the end of the debate.

The SPEAKER. And the previous question shall be considered as ordered at the end of the four and a half hours.

Mr. WINGO. Mr. Speaker, reserving the right to object——

The SPEAKER. And also at the end of the two hours?

Mr. UNDERWOOD. Yes.

The SPEAKER. That the previous question shall be considered as ordered.

Mr. SIMS. Mr. Speaker, does not that cut out the offering of amendments—I mean in regard to the Clarke amendment? Have not we the right to perfect the Clarke amendment by offering a substitute thereto?

The SPEAKER. The Chair will state if the previous question is ordered at the end of the two hours that is the end of it. Now, does the gentleman from Alabama desire——

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that, with the motion pending to concur in the Clarke amend-

ment with an amendment, we may have two hours' debate, and at the end of which time the previous question shall be considered as ordered.

The SPEAKER. Is there objection?

Mr. WINGO. Mr. Speaker, reserving the right to object——

Mr. UNDERWOOD. Mr. Speaker, I withdraw the request, and I ask that the other request be put.

The SPEAKER. The gentleman from Alabama asks unanimous consent that after the conference report is read there shall be four and a half hours of debate on the conference report, one half to be controlled by himself, the other half by the gentleman from New York [Mr. PAYNE], with the understanding that the gentleman from Kansas [Mr. MURDOCK] shall control 30 minutes of the time of the gentleman from New York, and that at the end of the four and a half hours the previous question shall be considered as ordered.

Mr. HEFLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HEFLIN. If unanimous consent is given now for only four and a half hours' debate on the conference report, does that include the Clarke amendment and all?

The SPEAKER. It does not.

Mr. HEFLIN. The gentleman has withdrawn his request for two hours' debate on that, and now at the end of four hours and a half the vote is to be had. There will be no time for discussion.

The SPEAKER. The vote is to be had on the conference report. This request of the gentleman from Alabama has nothing on earth to do with the Clarke amendment, or any other.

Mr. HEFLIN. Then there will be time enough to discuss that?

The SPEAKER. The Chair does not know.

Mr. HEFLIN. That is what I want to know.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. UNDERWOOD]? [After a pause.] The Chair hears none. The Clerk will read the report.

The Clerk proceeded to read the report.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that the Clerk may read the statement in lieu of the report. It is more expressive.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that the statement may be read in lieu of the report. Is there objection? [After a pause.] The Chair hears none.

The statement was read.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 86).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 25, 31, 34, 42, 44, 45, 46, 50, 51, 52, 53, 54, 55, 68, 80, 81, 82, 83, 86, 99, 100, 101, 102, 115, 116, 117, 129, 133, 137, 138, 143, 147, 152, 158, 172, 176, 177, 183, 188, 189, 190, 192, 200, 203, 206, 208, 209, 219, 220, 227, 231, 235, 246, 248, 249, 250, 251, 253, 257, 259, 262, 263, 267, 272, 273, 274, 281, 282, 283, 284, 285, 289, 290, 291, 305, 306, 307, 308, 318, 329, 332, 333, 336, 340, 348, 359, 360, 362, 366, 372, 388, 396, 399, 400, 401, 402, 403, 404, 405, 408, 409, 413, 414, 418, 419, 426, 433, 437, 444, 445, 448, 452, 463, 474, 475, 487, 488, 493, 496, 501, 508, 524, 540, 565, 573, 574, 593, 594, 595, 596, 606, 612, 613, 614, 615, 618, 619, 620, 621, 622, 623, 633, 640, 645, 647, 650, 652, 662, 663, and 666.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 29, 30, 32, 33, 35, 36, 37, 38, 39, 40, 47, 56, 57, 58, 59, 60, 61, 62, 63, 65, 67, 69, 70, 71, 72, 74, 75, 76, 77, 78, 79, 84, 85, 89, 90, 91, 92, 93, 94, 98, 104, 105, 106, 108, 109, 110, 111, 112, 113, 118, 119, 120, 121, 122, 123, 124, 125, 127, 128, 130, 131, 132, 134, 135, 136, 139, 140, 141, 144, 145, 146, 148, 149, 150, 151, 153, 155, 156, 157, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 173, 174, 178, 179, 181, 182, 184, 185, 195, 196, 197, 198, 199, 201, 202, 204, 205, 207, 210, 212, 213, 214, 215, 216, 217, 218, 222, 223, 224, 225, 226, 228, 229, 230, 232, 233, 234, 236, 237, 238, 239, 240, 242, 243, 244, 245, 247, 252, 260, 261, 264, 265, 266, 271, 275, 276, 279, 286, 287, 288, 292, 293, 294, 295, 296, 299, 300, 302, 303, 304, 309, 311, 312, 314, 315, 316, 317, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 330, 331, 334, 335, 337, 338, 341, 342, 343, 344, 345, 346, 347, 351, 352, 353, 354, 355, 356, 357, 358, 364, 365, 368, 370, 373, 374, 375, 376, 377, 378, 380, 381, 382, 384, 387, 389, 390, 391, 392, 393, 394, 395, 398, 406, 407, 410, 411, 412, 415, 416, 417, 421, 422, 423, 424, 425, 427, 428, 429, 430, 431, 432, 434, 435, 436, 439, 440, 441, 442, 443, 446, 447, 449, 450, 451, 453, 454, 456, 457, 458, 459, 460, 461, 462, 464, 465, 466, 467, 468, 469, 470, 471, 473, 476, 478, 479, 480, 481, 482, 483, 484, 485, 486, 489, 490, 492, 494, 495, 497, 498, 499, 500, 502, 503, 504, 505, 506, 507, 510, 511, 512, 513, 515, 516, 517, 518, 519, 521, 522, 523, 525, 526, 527, 528, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 541, 543, 544, 546, 547, 548, 549, 550, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 566, 567, 568, 569, 570, 572, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 587, 589, 590, 591, 592, 600, 601, 602, 604, 605, 607, 610, 611, 617, 625, 626, 627, 631, 632, 635, 636, 637, 638, 639, 643, 644, 646, 651, 653, 654, 658, 660, 661, 664, 665, 667, 668, 669, 670, 671, 672, 673, 674, 675, and 676; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: Strike out the numeral "7" and insert in lieu thereof the numeral "6"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: Strike out the numeral "15" and insert in lieu thereof the numeral "12"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: Strike out the numeral "5" and insert in lieu thereof the numeral "10"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert on page 16 of the bill, line 5, after the word "refined," the following: "and chlorate of,"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with amendments as follows: In line 3 of the matter inserted by said amendment, after the word "pound" where it first occurs, strike out the comma and the words "and not above 75 cents per pound"; in lines 4 and 5 of the matter inserted by said amendment, after the word "valorem," strike out the semicolon and the following: "valued above 75 cents per pound, 20 per cent ad valorem"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "not specially provided for in this section,"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert, on page 21 of the bill, line 14, after the word "valorem," the following: ": manufactures of carbon not specially provided for in this section, 20 per cent ad valorem"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: After the word "for" of the matter inserted by said amendment, insert the following: "in this section"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: On page 26 of the bill, line 9, after the word "enamel" and the comma, insert the following: "not specially provided for in this section,"; and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: Strike out the word "otherwise" in the matter inserted by said amendment and insert after the word "for" the following: "in this section"; and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: After the last word of the matter inserted by said amendment and the comma insert the following: "wholly or partly manufactured,"; and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu

of the matter inserted by said amendment restore the matter stricken out by said amendment and in line 14 of the restored matter strike out the numeral "20" and insert in lieu thereof the numeral "15"; and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"121. Automobiles, valued at $2,000 or more, and automobile bodies, 45 per cent ad valorem; automobiles valued at less than $2,000, 30 per cent ad valorem; automobile chassis, and finished parts of automobiles, not including tires, 30 per cent ad valorem."

And the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: Strike out the numeral "25" and insert in lieu thereof the numeral "30"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: Strike out the numeral "30" and insert in lieu thereof the numeral "35"; and the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with amendments as follows: In lieu of the matter stricken out by said amendment insert the following: "Cast-iron pipe of every description" and a comma. In lieu of the matter inserted by said amendment insert the following: "cast-iron"; and the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lines 3 and 4 of the matter inserted by said amendment strike out the following: "but not ornamented or decorated with lithographic or other printing"; and the Senate agree to the same.

Amendment numbered 107: That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment as follows: Strike out the numeral "15" and insert in lieu thereof the numeral "20"; and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: On page 41 of the bill, line 4, after the word "oxide," insert a comma; and the Senate agree to the same.

Amendment numbered 126: That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: On page 44 of the bill, line 25, after the word "valorem" and the semicolon insert the following: "time detectors, 15 per cent ad valorem" and a semicolon; and the Senate agree to the same.

Amendment numbered 142: That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "without the payment of duty"; and the Senate agree to the same.

Amendment numbered 154: That the House recede from its disagreement to the amendment of the Senate numbered 154, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "; oatmeal and rolled oats, 30 cents per 100 pounds; oat hulls, 8 cents per 100 pounds."; and the Senate agree to the same.

Amendment numbered 175: That the House recede from its disagreement to the amendment of the Senate numbered 175, and agree to the same with an amendment as follows: Strike out "1 cent" and insert in lieu thereof "1½ cents"; and the Senate agree to the same.

Amendment numbered 180: That the House recede from its disagreement to the amendment of the Senate numbered 180, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert on page 58 of the bill, line 19, after the word "dead," the following: ", or prepared in any manner, including the weight of the immediate coverings or containers"; and the Senate agree to the same.

Amendment numbered 186: That the House recede from its disagreement to the amendment of the Senate numbered 186, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: ", except that when it shall appear to the collector of customs from the gauger's return, verified by an affidavit by the importer to be filed within five days after the delivery of the merchandise, that a cask or package has been broken or otherwise injured in transit from a foreign port and as a result thereof a part of its contents amounting to 10 per cent or more of the total value of the contents of the said cask or package in its condition as exported, has been lost, allowance therefor may be made in the liquidation of the duties."; and the Senate agree to the same.

Amendment numbered 187: That the House recede from its disagreement to the amendment of the Senate numbered 187, and agree to the same with an amendment as follows: On page 64 of the bill, line 11, after the word "each," insert the following: "more than one-half pint and"; and the Senate agree to the same.

Amendment numbered 191: That the House recede from its disagreement to the amendment of the Senate numbered 191, and agree to the same with amendments as follows: In line 18 of the matter inserted by said amendment, after the word "nine," strike out the words "and not exceeding No. 199"; in lines 19 and 20 of the matter inserted by said amendment, after the word "valorem," strike out the following: "; exceeding No. 199, 20 per cent ad valorem"; in line 20 of the matter inserted by said amendment, strike out the word "If" and insert in lieu thereof the word "When"; in lines 33 and 34 of the matter inserted by said amendment, after the word "nine," strike out the words "and not exceeding No. 199"; in lines 34, 35, and 36 of the matter inserted by said amendment, after the word "valorem," strike out the following: "; exceeding No. 199, 20 per cent ad valorem"; and the Senate agree to the same.

Amendment numbered 193: That the House recede from its disagreement to the amendment of the Senate numbered 193, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment, after the word "painted," insert the word "printed" and a comma; and the Senate agree to the same.

Amendment numbered 194: That the House recede from its disagreement to the amendment of the Senate numbered 194, and agree to the same with amendments as follows: In line 5 of the matter inserted by said amendment strike out the comma after the word "cotton"; in line 12 of the matter inserted by said amendment, after the word "imported," insert the following: ", except that all clipped threads shall be measured as if continuous"; and the Senate agree to the same.

Amendment numbered 211: That the House recede from its disagreement to the amendment of the Senate numbered 211, and agree to the same with an amendment as follows: On page 69 of the bill, line 12, after the word "than," insert the following: "70 cents, and not more than $1.20 per dozen pairs, 40 per cent ad valorem; if valued at more than"; and the Senate agree to the same.

Amendment numbered 221: That the House recede from its disagreement to the amendment of the Senate numbered 221, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment restore the matter stricken out by said amendment, striking out, in line 5 of the matter restored, the following: "whether in the piece or otherwise" and the comma; and the Senate agree to the same.

Amendment numbered 241: That the House recede from its disagreement to the amendment of the Senate numbered 241, and agree to the same with an amendment as follows: On page 74 of the bill, line 12, strike out the numeral "20" and insert in lieu thereof the numeral "10"; and the Senate agree to the same.

Amendment numbered 254: That the House recede from its disagreement to the amendment of the Senate numbered 254, and agree to the same with an amendment as follows: Strike out the numeral "5" and insert in lieu thereof the numeral "8"; and the Senate agree to the same.

Amendment numbered 255: That the House recede from its disagreement to the amendment of the Senate numbered 255, and agree to the same with an amendment as follows: Strike out the numeral "15" and insert in lieu thereof the numeral "18"; and the Senate agree to the same.

Amendment numbered 256: That the House recede from its disagreement to the amendment of the Senate numbered 256, and agree to the same with amendments as follows: In line 3 of the matter inserted by said amendment, after the word "valorem" and the semicolon, insert the following: "plushes, velvets, and all other pile fabrics, cut or uncut, woven or knit, whether or not the pile covers the entire surface, made wholly or in chief value of wool, and articles made wholly or in chief value of such plushes, velvets, or pile fabrics, 40 per cent ad valorem;"; in line 16 of the matter inserted by said amendment, after the word "hair," insert the following: ", not specially provided for in this section"; and the Senate agree to the same.

Amendment numbered 258: That the House recede from its disagreement to the amendment of the Senate numbered 258, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment, striking out the numeral "35" and inserting in lieu thereof the numeral "30"; and the Senate agree to the same.

Amendment numbered 268: That the House recede from its disagreement to the amendment of the Senate numbered 268, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment, striking out the numeral "20" and inserting in lieu thereof the numeral "15"; and the Senate agree to the same.

Amendment numbered 269: That the House recede from its disagreement to the amendment of the Senate numbered 269, and agree to the same with an amendment as follows: Strike out the numeral "5" and insert in lieu thereof the numeral "20"; and the Senate agree to the same.

Amendment numbered 270: That the House recede from its disagreement to the amendment of the Senate numbered 270, and agree to the same with an amendment as follows: Strike out the numeral "15" and insert in lieu thereof the numeral "25"; and the Senate agree to the same.

Amendment numbered 277: That the House recede from its disagreement to the amendment of the Senate numbered 277, and agree to the same with an amendment as follows: Strike out the word "other" and insert in lieu thereof the word "pile"; and the Senate agree to the same.

Amendment numbered 278: That the House recede from its disagreement to the amendment of the Senate numbered 278, and agree to the same with an amendment as follows: Strike out the numeral "40" and insert in lieu thereof the numeral "45"; and the Senate agree to the same.

Amendment numbered 280: That the House recede from its disagreement to the amendment of the Senate numbered 280, and agree to the same with an amendment as follows: Strike out the numeral "30," inserted by said amendment, and insert in lieu thereof the numeral "20"; and the Senate agree to the same.

Amendment numbered 297: That the House recede from its disagreement to the amendment of the Senate numbered 297, and agree to the same with amendments as follows: In lieu of the matter inserted by said amendment restore the matter stricken out by said amendment, striking out in lines 4, 5, and 6 of the matter restored the words: "weighing not more than 10 pounds per ream of 480 sheets"; and the Senate agree to the same.

Amendment numbered 298: That the House recede from its disagreement to the amendment of the Senate numbered 298, and agree to the same with an amendment as follows: In line 7 of the matter inserted by said amendment, strike out the numeral "50" and insert in lieu thereof the numeral "40"; and the Senate agree to the same.

Amendment numbered 301: That the House recede from its disagreement to the amendment of the Senate numbered 301, and agree to the same with amendments as follows: In line 24 of the matter inserted by said amendment, strike out the numeral "6" and insert in lieu thereof the numeral "5"; in line 27 of the matter inserted by said amendment, strike out the numeral "8" and insert in lieu thereof the numeral "7"; in line 29 of the matter inserted by said amendment, strike out the numeral "6" and insert in lieu thereof the numeral "5"; in line 43 of the matter inserted by said amendment, strike out the numeral "12" and insert in lieu thereof the numeral "10"; in lines 46, 47, and 48 of the matter inserted by said amendment, strike out the following: "weighing over 100 pounds per thousand sheets on a basis of 20 by 30 inches in dimensions, 15 cents per pound," and the semicolon; in line 49 of the matter inserted by said amendment, strike out the numeral "20" and insert in lieu thereof the numeral "15"; and the Senate agree to the same.

Amendment numbered 310: That the House recede from its disagreement to the amendment of the Senate numbered 310, and agree to the same with an amendment as follows: Strike out the numeral "25" in said amendment and insert in lieu thereof the numeral "20"; and the Senate agree to the same.

Amendment numbered 318: That the House recede from its disagreement to the amendment of the Senate numbered 318, and agree to the same with amendments as follows: In line 3 of the matter inserted by said amendment strike out the numeral "50" and insert in lieu thereof the numeral "45"; in line 5 of the matter inserted by said amendment strike out the numeral "50" and insert in lieu thereof the numeral "45"; in line 8 of the matter inserted by said amendment strike out the comma after the word "buttons" and insert in lieu thereof the word "and"; in line 8 of the matter inserted by said amendment strike out the comma after the word "studs"; and the Senate agree to the same.

Amendment numbered 339: That the House recede from its disagreement to the amendment of the Senate numbered 339, and agree to the same with an amendment as follows: Strike out the numeral "45" and insert in lieu thereof the numeral "50"; and the Senate agree to the same.

Amendment numbered 349: That the House recede from its disagreement to the amendment of the Senate numbered 349, and agree to the same with an amendment as follows: In line 11 of the matter inserted by said amendment, before the word "nets," insert the following: "edgings, insertings, galloons,"; and the Senate agree to the same.

Amendment numbered 350: That the House recede from its disagreement to the amendment of the Senate numbered 350, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment restore the matter stricken out by said amendment and insert, after word "action" and the comma in line 2 of the restored matter, the following: "enameled upholstery leather,"; and the Senate agree to the same.

Amendment numbered 361: That the House recede from its disagreement to the amendment of the Senate numbered 361, and agree to the same with an amendment as follows: Strike out the numeral "40" and insert in lieu thereof the numeral "35"; and the Senate agree to the same.

Amendment numbered 363: That the House recede from its disagreement to the amendment of the Senate numbered 363, and agree to the same with an amendment as follows: In lieu of said amendment insert on page 96 of the bill, line 1, after the words "cents," the word "additional"; and the Senate agree to the same.

Amendment numbered 367: That the House recede from its disagreement to the amendment of the Senate numbered 367, and agree to the same with an amendment as follows: Strike out the word "additional" in the matter inserted by said amendment and insert in lieu thereof, on page 96 of the bill, line 5, after the word "cents," the word "additional"; and the Senate agree to the same.

Amendment numbered 369: That the House recede from its disagreement to the amendment of the Senate numbered 369, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out the numeral "3" and insert in lieu thereof the numeral "2.50"; and the Senate agree to the same.

Amendment numbered 371: That the House recede from its disagreement to the amendment of the Senate numbered 371, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment strike out the word "amber" and the comma; and the Senate agree to the same.

Amendment numbered 379: That the House recede from its disagreement to the amendment of the Senate numbered 379, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"386. Works of art, including paintings in oil or water-colors, pastels, pen and ink drawings, or copies, replicas, or reproductions of any of the same, statuary, sculptures, or copies, replicas, or reproductions thereof, and etchings and engravings, not specially provided for in this section, 15 per cent ad valorem."

And the Senate agree to the same.

Amendment numbered 382: That the House recede from its disagreement to the amendment of the Senate numbered 382, and agree to the same with amendments as follows: In line 1 of the matter inserted by said amendment, after the word "cameras," insert the following: "and parts thereof, not specially provided for in this section" and a comma; in line 6 of the matter inserted by said amendment, strike out the numeral "4" and insert in lieu thereof the numeral "2"; in line 7 of the matter inserted by said amendment, strike out the numeral "5" and insert in lieu thereof the numeral "3"; in line 13 of the matter inserted by said amendment, strike out "1½ cents" and insert in lieu thereof "1 cent"; and the Senate agree to the same.

Amendment numbered 385: That the House recede from its disagreement to the amendment of the Senate numbered 385, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "machinery for use in the manufacture of sugar"; and the Senate agree to the same.

Amendment numbered 386: That the House recede from its disagreement to the amendment of the Senate numbered 386, and agree to the same with an amendment as follows: In lieu of said amendment and in the same line after the word "Albumen," where it occurs the first time, strike out the comma and the following: "blood, and albumen"; and the Senate agree to the same.

Amendment numbered 397: That the House recede from its disagreement to the amendment of the Senate numbered 397, and agree to the same with an amendment as follows: In line 4 of the matter inserted by said amendment, after the word "process," insert a semicolon; and the Senate agree to the same.

Amendment numbered 420: That the House recede from its disagreement to the amendment of the Senate numbered 420, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment, after the word "diamonds," strike out the comma and the following: "and diamond dust"; and the Senate agree to the same.

Amendment numbered 438: That the House recede from its disagreement to the amendment of the Senate numbered 438, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "*Provided, however*, That none of the foregoing meats shall be admitted into the United States unless the same is healthful, wholesome and fit for human food and contains no dye, chemical, preservative, or ingredient which renders the same unhealthful, unwholesome or unfit for human food, and unless the same also complies with the rules and regulations made by the Secretary of Agriculture, and that, after entry into the United States in compliance with said rules and regulations, said imported meats shall be deemed and treated as domestic meats within the meaning of and shall be subject to the provisions of th act of June 30, 1906 (34 Stat. L., p. 674), commonly called the meat-inspection amendment, and the act of June 30, 1906 (34 Stat. L., p. 768), commonly called the food and drugs act, and that the Secretary of Agriculture be and hereby is authorized to make rules and regulations to carry out the purposes of this paragraph, and that in such rules and regulations the Secretary of Agriculture may prescribe the terms and conditions for the destruction for food purposes of all such meats offered for entry and refused admission into the United States unless the same be exported by the consignee within the time fixed therefor in such rules and regulations"; and the Senate agree to the same.

Amendment numbered 455: That the House recede from its disagreement to the amendment of the Senate numbered 455, and agree to the same with an amendment as follows: In the matter inserted by said amendment strike out the words "chlorate of" and the semicolon; and the Senate agree to the same.

Amendment numbered 472: That the House recede from its disagreement to the amendment of the Senate numbered 472, and agree to the same with an amendment as follows: Strike out the comma inserted by said amendment; and the Senate agree to the same.

Amendment numbered 477: That the House recede from its disagreement to the amendment of the Senate numbered 477, and agree to the same with amendments as follows: In line 2 of the matter inserted by said amendment, after the word "products," insert the following: ", not specially provided for in this section"; in line 5 of the matter inserted by said amendment, after the word "wheat," insert the following: ", not specially provided for in this section"; in line 5 of the matter inserted by said amendment, after the word "valorem," insert a comma. In line 8 of the matter inserted by said amendment, after the word "semolina," strike out the words "or any other product of wheat"; in line 9 of the matter inserted by said amendment, after the word "States," strike out the colon and the following words: "*Provided further*, That the importation of weed seeds, whether or not mixed with bran or wheat screenings, is prohibited unless the same shall have been ground or otherwise treated so that the seeds will not germinate"; and the Senate agree to the same.

Amendment numbered 491: That the House recede from its disagreement to the amendment of the Senate numbered 491, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"654. Original paintings in oil, mineral, water, or other colors, pastels, original drawings and sketches in pen and ink or pencil and water colors, artists' proof etchings unbound, and engravings and woodcuts unbound, original sculptures or statuary, including not more than two replicas or reproductions of the same; but the terms 'sculpture' and 'statuary' as used in this paragraph shall be understood to include professional productions of sculptors only, whether in round or in relief, in bronze, marble, stone, terra cotta, ivory, wood, or metal, or whether cut, carved, or otherwise wrought by hand from the solid block or mass of marble, stone, or alabaster, or from metal, or cast in bronze or other metal or substance, or from wax or plaster, made as the professional productions of sculptors only; and the words 'painting' and 'sculpture' and 'statuary' as used in this paragraph shall not be understood to include any articles of utility, nor such as are made wholly or in part by stenciling or any other mechanical process; and the words 'etchings,' 'engravings,' and 'woodcuts' as used in this paragraph shall be understood to include only such as are printed by hand from plates or blocks etched or engraved with hand tools and not such as are printed from plates or blocks etched or engraved by photochemical or other mechanical processes."

And the Senate agree to the same.

Amendment numbered 509: That the House recede from its disagreement to the amendment of the Senate numbered 509, and agree to the same with amendments as follows: In lines 7 and 8 of the matter inserted in said amendment strike out the words "companies, whether incorporated or partnership," and insert in lieu thereof the words "corporations, joint-stock companies, or associations however created or organized"; in line 12 of the matter inserted by said amendment strike out the words "company or partnership" and insert in lieu thereof the words "corporation, joint-stock company, or association, is a mere holding company"; in line 22 of the matter inserted by said amendment strike out the word "company" and insert in lieu thereof the words "corporation, joint-stock company, or association"; and the Senate agree to the same.

Amendment numbered 514: That the House recede from its disagreement to the amendment of the Senate numbered 514, and agree to the same with amendments as follows: In line 17 of the matter inserted by said amendment, after the word "made," insert the following: ", but no deduction shall be made for any amount of expense of restoring property or making good the exhaustion thereof for which an allowance is or has been made"; in line 25 of the matter inserted by said amendment strike out the word "from" and insert in lieu thereof the word "for," and in the same line, after the word "source," insert the words "of the income"; and the Senate agree to the same.

Amendment numbered 520: That the House recede from its disagreement to the amendment of the Senate numbered 520, and agree to the same with an amendment as follows: In lieu of the matter inserted in said amendment insert the following:

"C. That there shall be deducted from the amount of the net income of each of said persons, ascertained as provided herein, the sum of $3,000, plus $1,000 additional if the person making the return be a married man with a wife living with him, or plus the sum of $1,000 additional if the person making the return be a married woman with a husband living with her; but in no event shall this additional exemption of $1,000 be deducted by both a husband and a wife: *Provided*, That only one deduction of $4,000 shall be made from the aggregate income of both husband and wife when living together."

And the Senate agree to the same.

Amendment numbered 529: That the House recede from its disagreement to the amendment of the Senate numbered 529, and agree to the same with an amendment as follows: In line 5 of the matter inserted by said amendment strike out the words "date of the passage of this act" and insert in lieu thereof the following: "1st day of November, 1913"; and the Senate agree to the same.

Amendment numbered 542: That the House recede from its disagreement to the amendment of the Senate numbered 542, and agree to the same with amendments as follows: In lieu of the matter inserted by said amendment restore the matter stricken out by said amendment; in line 3 of the restored matter, after the word "the," where it occurs the second time, insert the words "deduction and"; in line 4 of the restored matter strike out the following: "of $4,000"; and in the same line strike out the word "herein" and insert in lieu thereof the following: "in paragraph C of this section"; in line 8 of the restored matter strike out the words "an affidavit" and insert in lieu thereof the words "a signed notice in writing"; in line 9 of the restored matter insert after the word "exemption" the words "and thereupon no tax shall be withheld upon the amount of such exemption: *Provided*, That if any person for the purpose of obtaining any allowance or reduction by virtue of a claim for such exemption, either for himself or for any other person, knowingly makes any false statement or false or fraudulent representation, he shall be liable to a penalty of $300"; in line 13 of the restored matter strike out the words "file either" and insert in lieu thereof the words "either file"; in line 20 of the restored matter strike out the words "such person may"; in line 22 of the restored matter, after the word "him," insert a colon and the following: "*Provided further*, That if such person is a minor or an insane person, or is absent from the United States, or is unable owing to serious illness to make the return and application above provided for, the return and application may be made for him or her by the person required to withhold

and pay the tax, he making oath under the penalties of this act that he has sufficient knowledge of the affairs and property of his beneficiary to enable him to make a full and complete return for him or her, and that the return and application made by him are full and complete"; on page 147 of the bill, line 1, after the word "*Provided*," insert the word "*further*"; and the Senate agree to the same.

Amendment numbered 545: That the House recede from its disagreement to the amendment of the Senate numbered 545, and agree to the same with an amendment as follows: On page 147 of the bill, line 5, after the word "other," insert the word "similar"; and the Senate agree to the same.

Amendment numbered 551: That the House recede from its disagreement to the amendment of the Senate numbered 551, and agree to the same with amendments as follows: In line 3 of the matter inserted by said amendment, before the word "by," insert the words "of such interest or dividends"; in line 10 of the matter inserted by said amendment, after the word "shall," insert the word "knowingly"; on page 148 of the bill, line 15, after the word "tax," insert a comma and the words "nor shall any contract entered into after this act takes effect be valid in regard to any Federal income tax imposed upon a person liable to such payment"; and the Senate agree to the same.

Amendment numbered 564: That the House recede from its disagreement to the amendment of the Senate numbered 564, and agree to the same with an amendment as follows: In line 7 of the matter inserted by said amendment, after the word "welfare," insert a colon and the following: "*Provided further*, That there shall not be taxed under this section any income derived from any public utility or from the exercise of any essential governmental function accruing to any State, Territory, or the District of Columbia, or any political subdivision of a State, Territory, or the District of Columbia, nor any income accruing to the government of the Philippine Islands or Porto Rico, or of any political subdivision of the Philippine Islands or Porto Rico: *Provided*, That whenever any State, Territory, or the District of Columbia, or any political subdivision of the State or Territory, has, prior to the passage of this act, entered in good faith into a contract with any person or corporation, the object and purpose of which is to acquire, construct, operate, or maintain a public utility, no tax shall be levied under the provisions of this act upon the income derived from the operation of such public utility, so far as the payment thereof will impose a loss or burden upon such State, Territory, or the District of Columbia, or a political subdivision of a State or Territory; but this provision is not intended to confer upon such person or corporation any financial gain or exemption or to relieve such person or corporation from the payment of a tax as provided for in this section upon the part or portion of the said income to which such person or corporation shall be entitled under such contract."; and the Senate agree to the same.

Amendment numbered 571: That the House recede from its disagreement to the amendment of the Senate numbered 571, and agree to the same with an amendment as follows: In line 8 of the matter inserted by said amendment, after the word "thereof," where it occurs the second time, insert the following: "and life insurance companies shall not include as income in any year such portion of any actual premium received from any individual policyholder as shall have been paid back or credited to such individual policyholder, or treated as an abatement of premium of such individual policyholder, within such year"; and the Senate agree to the same.

Amendment numbered 575: That the House recede from its disagreement to the amendment of the Senate numbered 575, and agree to the same with an amendment as follows: In the matter inserted by said amendment strike out the word "bonded" and insert in lieu thereof the words "interest bearing"; and the Senate agree to the same.

Amendment numbered 586: That the House recede from its disagreement to the amendment of the Senate numbered 586, and agree to the same with an amendment as follows: In line 8 of the matter inserted by said amendment, after the word "thereof," where it occurs the second time, insert the following: "and life insurance companies shall not include as income in any year such portion of any actual premium received from any individual policyholder as shall have been paid back or credited to such individual policyholder, or treated as an abatement of premium of such individual policyholder, within such year"; and the Senate agree to the same.

Amendment numbered 588: That the House recede from its disagreement to the amendment of the Senate numbered 588, and agree to the same with an amendment as follows: In the matter inserted by said amendment strike out the word "bonded" and insert in lieu thereof the words "interest bearing"; and the Senate agree to the same.

Amendment numbered 597: That the House recede from its disagreement to the amendment of the Senate numbered 597, and agree to the same with an amendment as follows: In line 8 of the matter inserted by said amendment, after the word "thereof" where it occurs the second time, insert the following: "and life insurance companies shall not include as income in any year such portion of any actual premium received from any individual policyholder as shall have been paid back or credited to such individual policyholder, or treated as an abatement of premium of such individual policyholder, within such year"; and the Senate agree to the same.

Amendment numbered 598: That the House recede from its disagreement to the amendment of the Senate numbered 598, and agree to the same with an amendment as follows: In line 8 of the matter inserted by said amendment, after the word "thereof" where it occurs the second time, insert the following: "and life insurance companies shall not include as income in any year such portion of any actual premium received from any individual policyholder as shall have been paid back or credited to such individual policyholder, or treated as an abatement of premium of such individual policyholder, within such year"; and the Senate agree to the same.

Amendment number 599: That the House recede from its disagreement to the amendment of the Senate numbered 599, and agree to the same with an amendment as follows: In the matter inserted by said amendment strike out the word "bonded" and insert in lieu thereof the words "interest bearing"; and the Senate agree to the same.

Amendment numbered 603: That the House recede from its disagreement to the amendment of the Senate numbered 603, and agree to the same with an amendment as follows: On page 160 of the bill, line 3, strike out the word "after"; and the Senate agree to the same.

Amendment numbered 608: That the House recede from its disagreement to the amendment of the Senate numbered 608, and agree to the same with amendments as follows: In line 13 of the matter inserted by said amendment strike out the following: "$1,200,000" and insert in lieu thereof "$800,000"; in lines 30, 31, and 32 of the matter inserted by said amendment strike out the words "For the administration, in the Internal-Revenue Bureau at Washington, D. C., of this act in the collection of the tax aforesaid," and insert in lieu thereof the words "In the office of the Commissioner of Internal Revenue at Washington, D. C."; in line 32 of the matter inserted by said amendment, after the word "appointed," insert the words "by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury"; in line 40 of the matter inserted by said amendment, after the word "employees," insert the words "not including the clerical force below the grade of chief of division employed in the Bureau of Internal Revenue in the city of Washington, D. C."; in lines 48, 49, 50, and 51 of the matter inserted by said amendment strike out the following proviso: "*Provided further*, That no person now in the classified service who shall be appointed an agent, deputy collector, or inspector, shall lose his civil-service status because of such appointment," and insert in lieu thereof the following: "*Provided further*, That the force authorized to carry out the provisions of Section II of this act, when not employed as herein provided, shall be employed on general internal-revenue work"; and the Senate agree to the same.

Amendment numbered 616: That the House recede from its disagreement to the amendment of the Senate numbered 616, and agree to the same with an amendment as follows: In line 11 of the matter inserted by said amendment, after the word "article," insert a comma and the words "and it shall be the duty of the consular officer, to whom the invoice shall be produced, to require such information to be given"; and the Senate agree to the same.

Amendment numbered 624: That the House recede from its disagreement to the amendment of the Senate numbered 624, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: ", unless by direction of the Secretary of the Treasury in cases in which the importer certifies at the time of entry that the entered value is higher than the foreign market value and that the goods are so entered in order to meet advances by the appraiser in similar cases then pending on appeal for reappraisement, and the importer's contention shall subsequently be sustained by a final decision on reappraisement, and it shall appear that the action of the importer on entry was taken in good faith, after due diligence and inquiry on his part, and the Secretary of the Treasury shall accompany his directions with a statement of his conclusions and his reasons therefor"; and the Senate agree to the same.

Amendment numbered 628: That the House recede from its disagreement to the amendment of the Senate numbered 628, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "for each entry"; and the Senate agree to the same.

Amendment numbered 629: That the House recede from its disagreement to the amendment of the Senate numbered 629, and agree to the same with amendments as follows: In lieu of the matter stricken out by said amendment insert the following: ", and in so doing may exercise both judicial and inquisitorial functions"; in lines 9 and 10 of the matter inserted by said amendment strike out the following: "Hearsay evidence and unsworn statements shall not be admitted, but" and capitalize the word "Affidavits"; and the Senate agree to the same.

Amendment numbered 630: That the House recede from its disagreement to the amendment of the Senate numbered 630, and agree to the same with an amendment as follows: In line 3 of the matter inserted by said amendment, after the word "samples," insert a comma and the following: "and where the merchandise or samples were reasonably accessible for inspection"; and the Senate agree to the same.

Amendment numbered 634: That the House recede from its disagreement to the amendment of the Senate numbered 634, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment and insert, after the word "imported," the words "within one year"; and the Senate agree to the same.

Amendment numbered 641: That the House recede from its disagreement to the amendment of the Senate numbered 641, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment down to and including the word "continues," page 192 of the bill, line 4, and in lieu of the remaining matter insert the following: "to levy an additional duty of 15 per cent ad valorem on all such merchandise when imported into the United States: "*Provided, however*, That such additional duties shall not be imposed in case the laws of the country of exportation provide for the administration, by its duly authorized officers, of oaths to invoices, or statements of cost, before certification by consuls, and for punishment for false swearing under said oaths, whenever consuls are directed by the Secretary of State, under section 2862 of the Revised Statutes, to require such oaths before certification of the invoices."; and the Senate agree to the same.

Amendment numbered 642: That the House recede from its disagreement to the amendment of the Senate numbered 642, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment down to and including the word "continues" and the comma, on page 192 of the bill, line 18, and insert in lieu of the remaining matter the following: "to assess additional duty of 15 per cent on all merchandise consigned to or imported by, or shipped, or intended for delivery, to such person, persons, corporations, or other bodies so failing or refusing."; and the Senate agree to the same.

Amendment numbered 648: That the House recede from its disagreement to the Senate amendment numbered 648, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following: "except as to the proviso of article 8 of said treaty, which proviso is hereby abrogated and repealed"; and the Senate agree to the same.

Amendment numbered 649: That the House recede from its disagreement to the amendment of the Senate numbered 649, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment, striking out in line 2 of the matter restored the numeral "50" and insert in lieu thereof the numeral "20"; in lines 3 and 4 of the matter restored strike out the following: "or 20 per cent in case of manufactures of tobacco" and the comma; and the Senate agree to the same.

Amendment numbered 655: That the House recede from its disagreement to the amendment of the Senate numbered 655, and agree to the same with an amendment as follows: After the word "vessels," inserted by said amendment, insert the words "or other vessels"; and the Senate agree to the same.

Amendment numbered 656: That the House recede from its disagreement to the amendment of the Senate numbered 656, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out the words "admitted to registration" and insert in lieu thereof the words "now or hereafter registered"; and the Senate agree to the same.

Amendment numbered 657: That the House recede from its disagreement to the amendment of the Senate numbered 657, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment and insert in line 4 of the restored matter, after the word "States," a colon and the following: "*Provided*, That nothing in this subsection shall be so construed as to abrogate or in any manner impair or affect the provisions of any treaty concluded between the United States and any foreign nation"; and the Senate agree to the same.

Amendment numbered 659: That the House recede from its disagreement to the amendment of the Senate numbered 659, and agree to the same with amendments as follows: In line 5 of the matter inserted by said amendment insert after the word "duties" the words "on such tobacco in its condition as imported"; in line 7 of the matter inserted by said amendment strike out the word "thereon" and insert in lieu thereof the words "on such cigars."; and the Senate agree to the same.

The committee of conference has been unable to agree on the amendment of the Senate numbered 609.

That in the enrollment of the bill the sections and paragraphs thereof be numbered in consecutive order.

O. W. UNDERWOOD,
CLAUDE KITCHIN,
HENRY T. RAINEY,
LINCOLN DIXON,
Managers on the part of the House.

F. M. SIMMONS,
JOHN SHARP WILLIAMS,
BENJ. F. SHIVELY,
CHARLES F. JOHNSON,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

SECTION I.

SCHEDULE A.—CHEMICALS, OILS, AND PAINTS.

Alizarin, dead or creosote oil, anthracine and anthracine oil have been restored to the free list, where they have been for many years. Cyanide of sodium and potassium have been transferred to the free list.

The House rates have been reduced on oxalic acid, crude chicle, linseed oil, chlorate of potash, and perfumed and medicinal soaps.

The rates have been increased over those provided by the House on gallic acid, pyrogallic acid, tannic acid, celluloid, alizarin assistants, lithopone, and white sulphide of zinc.

Extracts and decoctions of nutgalls, Persian berries, and sumac, placed on the free list by the House, have been restored to the dutiable list at a rate of three-eighths of 1 cent per pound.

The Senate receded from its amendments increasing the rates on calomel and ultramarine blue and wash blue.

SCHEDULE B.—EARTHS, EARTHENWARE, AND GLASSWARE.

Roman, Portland, and other hydraulic cements, limestone, rock asphalt, asphaltum, and bitumen have been transferred to the free list.

The House rates have been reduced on lenses, surveying instruments, telescopes, microscopes, photographic and projection lenses, and increased on strips of glass for lenses and gauges, opera and field glasses.

A new classification has been made for unmanufactured mica, and a rate of 4 cents per pound placed on all valued at not more than 15 cents per pound, and 25 per cent on that valued at more than 15 cents. This results in an increase over the House rate of 30 per cent on the cheap class of mica, costing less than 14 cents, and a reduction on all that valued at over 15 cents per pound.

The Senate receded from its amendments increasing the rates on stone and earthenware crucibles and on plate glass more than three-eighths inch thick. The House classification for pottery, earthenware, and chinaware is retained.

SCHEDULE C.—METALS AND MANUFACTURES OF.

Iron in pigs, iron kentledge, spiegeleisen, ferromanganese, scrap iron and steel, iron in slabs, blooms, loops, or other forms less finished than iron in bars and more advanced than pig iron except castings, steel ingots, blooms, and slabs, die blocks or blanks, and billets, made by the Bessemer or similar processes, and not containing alloys; engraved steel plates for printing bonds and other securities, ingots for railway wheels, and antimony ore have been placed upon the free list.

The rates on other forms of iron and steel have been reduced to compensate for the reduction on the crude forms transferred to the free list.

Increases have been made over the House rates on lead-bearing ores, and zinc in blocks, pigs, or other forms.

The Senate receded from its amendment decreasing the House rate on wire rope and increasing the rate on woven wire cloth.

The House rate on steel ingots, billets, and bars and other forms of steel made by the crucible, electric, or cementation process, or containing alloys, has been retained; also on steel wool, grit, shot, and sand made from iron or steel.

A new classification has been made for automobiles valued at $2,000 or less, and a rate of 30 per cent fixed in lieu of the House rate of 45 per cent.

SCHEDULE B.—WOODS AND MANUFACTURES OF.

No material changes have been made in this schedule. The thin wood comprising the tops and bottoms and sides of fruit boxes, exported as shooks and returned filled with fruit, are transferred to the free list, in lieu of the House rate of 7½ per cent.

SCHEDULE E.—SUGAR, MOLASSES, AND MANUFACTURES OF.

The only change of importance in Schedule E is that postponing the time of taking effect of the rates provided by the House on sugar and molasses, and the abolishment of the Dutch standard immediately. This will result in a reduction of the rates on sugar above 16 Dutch standard, which now has a differential of 14½ cents per 100 pounds on sugar testing 98°, and an addition of 3½ cents per 100 pounds for each degree less than 98°.

SCHEDULE F.—TOBACCO AND MANUFACTURES OF.

No changes were made in this schedule.

SCHEDULE G.—AGRICULTURAL PRODUCTS AND PROVISIONS.

Cattle, sheep, and other domestic animals suitable for use as food, wheat and wheat products, and eggs have been transferred to the free list.

Reductions have been made on oats, butter, beets, frozen eggs, peas, greenhouse stock, Zante currants, chocolate and cocoa sweetened, and extracts of meat from the rates provided by the House.

The rates have been increased over those provided by the House on broken rice, fish packed in oil, and ground spices. A rate of 20 per cent ad valorem is placed on ground spices in addition to the specific rate provided by the House on spices ground or unground.

The Senate receded from the reduced rate placed on flaxseed and its amendment placing a duty on bananas.

The House classification on lemons and other citrous fruits is accepted.

SCHEDULE H.—SPIRITS, WINES, AND OTHER BEVERAGES.

No changes of importance are made in this schedule. The rates on ginger ale and similar beverages are slightly decreased on bottles containing not more than one-half pint each.

The Senate recedes from its amendment placing an internal-revenue tax on grape brandy used in fortifying sweet wines.

SCHEDULE I.—COTTON MANUFACTURES.

The Senate classification of cotton cloth according to the average number of the yarns contained therein has been accepted instead of the House provision for the highest number. This will probably slightly decrease the rate on some fancy weaves and novelty cloth, but on the greater bulk of cotton cloth the rate will not be affected.

The rates on bleached, dyed, and colored yarns are increased, and on cotton yarns and cloth made of yarns from Nos. 79 to 99.

The rates on handkerchiefs or mufflers not hemmed has been reduced from 30 per cent, as provided by the House, to 25 per cent.

A new classification has been provided on stockings and half hose. The rate on those valued at not more than 70 cents per dozen is reduced to 30 per cent, and on those valued at between 70 cents and $1.20 per dozen the rate is reduced to 40 per cent instead of 50 per cent, as provided for by the House.

Nets and nettings made on the Nottingham lace curtain machine have been increased from the House rate of 45 per cent to 60 per cent.

The Senate receded from its amendment increasing the rate on bandings, beltings, bindings, etc.

SCHEDULE J.—FLAX, HEMP, AND JUTE, AND MANUFACTURES OF.

Flax not hackled or dressed, flax hackled, known as "dressed line," tow of flax, hemp, and tow of hemp and hackled hemp have been transferred to the free list.

The House rates on jute yarns, flax yarns, and flax twine and thread have been reduced to correspond with the reduction of duty on the raw material. Other manufactures of flax have been correspondingly reduced.

Jute burlaps have been placed on the free list and the rate on burlap bags reduced to 10 per cent.

The Senate receded from its amendment decreasing the duty on straw matting, and accepted the House classification for woven fabrics and articles made of flax, hemp, or ramie, with a slight reduction in the rates of duty.

SCHEDULE K.—WOOL AND MANUFACTURES THEREOF.

Reductions have been made from the House rates on tops and yarns made of wool or hair of Angora goats and like animals; on flannels valued at above 50 cents per pound, and on plush, velvets, and other pile fabrics.

The Senate receded from its amendment placing cotton and wool blankets on the free list and reducing the rates on oriental and similar rugs.

A new classification has been made for woolen stockings, hose and half hose, and gloves and mittens, and a rate of 30 per cent placed on those valued at less than $1.20 per dozen, a reduction from the House rate. A rate of 40 per cent is provided on all stockings and half hose of wool valued at more than $1.20 per dozen, an increase over the House rate of 35 per cent.

Camel's-hair press cloth is specifically provided for at 10 per cent ad valorem, a reduction from the House rate on such as was not imported for oil milling purposes.

Schedule K does not become effective until January 1, 1914. Wool becomes free on December 1, 1913.

SCHEDULE L.—SILK AND SILK GOODS.

The House rate on ribbons, bandings, and all narrow fabrics has been increased from 40 to 45 per cent, and the House rate on artificial silk yarns is retained.

The Senate recedes from all of its amendments changing the ad valorem to specific rates on silk yarns, velvets, and fabrics. A specific rate of 20 cents a pound is placed on carded and combed silk.

SCHEDULE M.—PAPERS AND BOOKS.

The House rates have been reduced on common paper-box boards, papers partly covered with metal leaf or gelatin, and plain basic papers for albuminizing for photographic printing.

The rate provided by the House for surface-coated papers suitable for covering boxes has been increased from 35 to 40 per cent.

The Senate amendment placing specific rates graduated according to thickness and size has been agreed to, with several reductions in the rates provided. The rates agreed to are approximately equivalent to the ad valorem rates provided in the House bill.

A specific rate has been placed upon lithographic views of scenes and buildings located in the United States, instead of the ad valorem rate provided by the House. This amendment results in an increase in the rate of duty.

SCHEDULE N.—SUNDRIES.

Crude artificial abrasives, fulminates, undressed fur skins, gunpowder, glaziers', engravers', and miners' diamonds, unset, and harness not specially provided for have been transferred to the free list.

The House rates have been increased on matches imported otherwise than in boxes containing not more than 100 matches each, and decreased on plates and mats of dog and goat skins, wearing apparel made of cattle or goat skins, musical-instrument strings made of catgut, and fur hats.

The rates provided by the House have been increased on braid, ramie braid, certain sizes of buttons, leather bags with traveling sets, men's leather gloves, manufactures of catgut, manufactures of ivory, and masks.

Enameled upholstery leather and unmanufactured meerschaum have been transferred from the free list of the House bill and made dutiable.

In lieu of the House ad valorem rates on moving-picture films specific rates are provided.

The Senate receded from its amendment reducing the rate of duty on manufactures of fur and fur wearing apparel and increasing the rates on men's, women's, and children's gloves, paintings, and statuary.

FREE LIST.

In addition to the articles enumerated in the separate schedules the following have been transferred to the free list: Machinery for use in the manufacture of sugar, textbooks for use in schools and other educational institutions and special apparatus serving to teach the blind, sand-blast and sludge machines, amber in chips valued at not over 50 cents per pound,

dyes derived from indigo and alizarin, anthracine and carbazol, horseshoe nail rods, needles for shoe machines, palm nuts and palm-nut kernels, photographic moving-picture films sensitized but not exposed or developed, and steel engraved forms for bonds and other securities.

Countervailing duties have been placed on potatoes, wheat, and wheat products imported from any country that imposes a duty on these articles imported from the United States.

The Senate receded from its amendment placing a duty on unmanufactured catgut, uncut and unmanufactured coral, glass enamel for watch and clock dials, various forms of leather, terra alba, and works of art less than 50 years old. The Senate also recedes from its amendment placing denatured ethyl alcohol on the free list.

An appendix in tabular form shows all the rates the subject of consideration by the conferees, with the rates in the bill as it passed the House, the Senate amendments, and the rates agreed upon at the conference.

SECTION II.

No material change is made in the fundamental features of the House provision. The numerous amendments agreed to and those agreed to with amendments relate in the main to minor administrative phases; others are designed to clarify and make more adjustable to complex business conditions certain provisions in the section while certain others are material and important.

The House additional or supertax rates are increased as to incomes of $75,000 and upward until the maximum total tax rate reaches 7 per cent.

The conference adopted the Senate amendment limiting the amount to be deducted for exhaustion in the case of mines to 5 per cent of the gross value of the output at the mine for the year in which the computation is made.

The House provision relating to the statutory exemption of $4,000 is modified to the extent that each taxable individual shall be allowed only $3,000 exemption, with the qualification that a man and wife living together shall have an additional exemption of $1,000, but their aggregate exemption not to exceed $4,000.

The House provision requiring return of income for entire year of 1913 is modified so as to embrace only such income as accrued from March 1, 1913, which avoids any question as to validity of tax on income accruing prior to March 1, 1913.

The House provision prescribing collection at the source as to individuals is modified to the extent that this method of collection shall not become operative until November 1, 1913.

The House provision requiring an individual taxpayer to make affidavit in support of claim for exemption where his tax is withheld at the source of income is modified so as to permit such claim to be made by signed written notice, with a penalty of $300 for any false representation made in connection with such claim for exemption.

The House provision which only exempted profits accruing to States and their political subdivisions from the operation of their essential governmental agencies is modified to the extent that all such profits accruing from public utilities shall also be exempt.

The House provision exempting from tax labor, agricultural, or horticultural organizations, mutual savings banks, and fraternal beneficiary societies is extended to business leagues, chambers of commerce, or boards of trade not organized for profit and to civic organizations operated exclusively for the promotion of social welfare.

Life insurance companies and mutual marine insurance companies are allowed exemptions to the extent of the actual premium overcharge returned or credited to policyholders.

The House provision limiting deductions by corporations of interest paid on indebtedness to an amount not exceeding their paid-up capital stock is extended so as to permit such deduction to the amount of such interest paid not exceeding one-half of the sum of the interest-bearing indebtedness of the corporation and its paid-up capital stock.

The House provision imposing the income tax on corporations for the year 1913 is modified in that the existing excise law is continued in lieu thereof until March 1, 1913.

The conference adopted the Senate amendment providing that no contract entered into after the act takes effect shall be valid in regard to any Federal income tax imposed on a person liable to such tax.

ADMINISTRATIVE FEATURES.

The Senate receded from the more important of its amendments to the administrative features of the bill contained in Sections IV and V.

SECTION IV.

The amendment to paragraph D of Section IV was stricken out and a substitute inserted at the end of paragraph H which will secure the object sought to be obtained in the House provision.

The Senate receded from its amendments to paragraph D requiring statements of cost on merchandise contracted for as well as on that actually purchased.

The conference agreed to the Senate amendment authorizing the Secretary of the Treasury and the Secretary of Commerce to require importers to furnish more detailed information for statistical purposes.

The Senate receded from its amendments to paragraph I allowing a margin of 5 per cent undervaluation without penalty and limiting forfeiture to the particular article undervalued.

The conference adopted the Senate amendment 624 so amended as to authorize the Secretary of the Treasury to direct the assessment of duty on less than the entered value when satisfied that the importer has in good faith at the time of entry certified that the entered value is higher than the market value.

In paragraph M the conference restored the provision stricken out by amendment 629 authorizing the Board of General Appraisers to exercise both judicial and inquisitorial functions, and struck out of the Senate amendment the provision excluding hearsay evidence. The conference adopted the Senate amendment 631, striking out the provision limiting protests to a single article and issue, and also agreed to the Senate amendment 632 prohibiting contingent fees in customs cases.

In paragraph O the conference agreed to an amendment limiting inquiry as to importations previously made to one year.

In paragraph P the conference agreed to the Senate amendment 638, striking out the House provision to allow collectors of customs to summarily impose a fine for failure of importers to produce books and papers.

Paragraph T: The Senate receded from its amendment 640 and the conference restored the House provision placing the burden of proof upon the defendant in suits for the recovery of the value of merchandise fraudulently imported.

Paragraphs U and V: The conference adopted the House provisions requiring shippers and importers to produce their books to authorized agents of the Government, but adopted an amendment authorizing the Secretary of the Treasury to impose additional duties in case of refusal, instead of the House provision authorizing him to exclude the merchandise from entry.

Paragraph W: Amendment 643 was agreed to by the conference.

SECTION V.

Paragraph A: The Senate receded from its amendment 647, authorizing the President to impose countervailing duties.

Paragraph B: The conference agreed to an amendment to the paragraph abrogating and repealing article 8 of the treaty with Cuba.

Paragraph C: The conference adopted an amendment limiting the free importation of articles from the Philippines to such as contain not more than 20 per cent of foreign material, and rejected the Senate amendment limiting free entry to such Philippine goods as are shipped under a through bill of lading.

Paragraph I: The Senate receded from its amendment prohibiting the importation of goods manufactured principally by children under 14 years of age.

Paragraph J—

Subsection 4: The conference adopted the Senate amendment permitting the importation of models of women's wearing apparel in bond for use of manufacturers in their own establishments.

The conference adopted amendments to subsections 5 and 6 extending the privilege of importing material for construction or repairs to naval or other vessels of the United States.

Subsection 7 was amended by the conference to provide that nothing in this section should be so construed as to abrogate or affect the provisions of any treaty with any foreign country.

Paragraph M: The conference adopted the Senate amendment 659 permitting the manufacture of cigars in a bonded warehouse and the withdrawal therefrom for consumption in the United States, upon the payment of the duty on the tobacco used in its imported condition and the internal-revenue tax on the cigars.

Paragraph N—

Subsection 1: This section was redrafted in order to clear up some ambiguities. The section as it passed the House was the same as the present law and has been a source of more or less difficulty in the administration thereof.

Subsection 2: The conference also adopted the Senate amendment 661 permitting the manufacture of alcohol by any farmer

or association of farmers or fruit growers free of tax for denaturizing.

Paragraph R: The conference agreed to the Senate amendment 664 striking out this paragraph, which provided for a special or dumping duty.

Paragraph S: The conference rejected the Senate amendment 666 providing for a joint committee of the Senate and House to revise and codify the customs laws.

Paragraph T: The conference adopted the Senate amendment 667 relative to fees and oaths.

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APPENDIX.

Detail statement showing the action taken by the conference on the Senate amendments to the bill H. R. 3321, affecting rates.

Amendment No.	Article.	Rate of duty. House bill.	Senate amendment.	Conference report.
	SCHEDULE A.—*Chemicals, oils, and paints.*			
1	Gallic acid	4c. lb	7c. b	6c. lb.
2	Oxalic acid	2c. lb	1½c. lb	1½c. lb.
3	Pyrogallic acid	10c. lb	15c. lb	12c. lb.
4	Tannic acid and tannin	4c. lb	5c. lb	5c. lb.
6, 380	Alizarin, natural or synthetic, etc	10 p. ct	Free	Free.
7	Compounds of caffein	15 p. ct	25 p. ct	25 p. ct.
9	Calomel, corrosive sublimate, etc	do	20 p. ct	15 p. ct.
11, 410	Dead and creosote oil	5 p. ct	Free	Free.
12, 417	Anthracene and anthracene oil	do	do	Do.
14, 15	Compounds of pyroxylin:			
	Not polished or manufactured	15 p. ct	25 p. ct	25 p. ct.
	Polished or manufactured	35 p. ct	40 p. ct	40 p. ct.
17, 470	Extracts and decoctions of—			
	Nutgalls and Persian berries	Free	½c. lb	½c. lb.
17, 471	Sumac	do	do	Do.
19	Crude chicle	20c. lb	15c. lb	15c. lb.
19	Dextrine made from potato starch	½c. lb	1½c. lb	1½c. lb.
20	Licorice root, ground	10 p. ct	½c. lb	½c. lb.
21	Alizarin assistants, etc	15 p. ct	25 p. ct	25 p. ct.
22	Flaxseed or linseed oil	12c. gal	10c. gal	10c. gal.
23	Olive oil	20 p. ct	20c. gal	20c. gal.
25	Ultramarine blue, valued at 7c. lb. or less	15 p. ct	1c. lb	15 p. ct.
26	Lithopone and white sulphide of zinc	10 p. ct	15 p. ct	Do.
28, 435	Chlorate of potash	1c. lb	Free	½c. lb.
29, 436	Cyanide of potash	1½c. lb	do	Free.
30	Perfumed toilet soaps	40 p. ct	30 p. ct	30 p. ct.
31	Medicinal soaps	30 p. ct	20 p. ct	20 p. ct.
36, 466	Cyanide of soda	1½c. lb	Free	Free.
	SCHEDULE B.—*Earths, earthenware, and glassware.*			
37, 425	Cement, Roman, Portland, and other	5 p. ct	Free	Free.
38	White nonstaining Portland cement	do	10 p. ct	10 p. ct.
40, 426	Limestone rock asphalt	25c. ton	do	Do.
	Asphaltum and bitumen	50c. ton	do	Do.
41	Mica, unmanufactured:			
	Valued not above 15c. lb	30 p. ct	4c. lb	4c. lb.
	Valued above 15c. and not above 75c.	do	25 p. ct	25 p. ct.
	Valued above 75c. lb.	do	20 p. ct	Do.
42, 44	Stoneware and earthenware crucibles	15 p. ct	do	15 p. ct.
43	Manufactures of carbon, n. s. p. f	do	25 p. ct	20 p. ct.
49	Carbons for flaming arc lamps	40c. 100 ft	30 p. ct	30 p. ct.
51, 52	Goblets or other glassware, cast or pressed	30 p. ct	45 p. ct	Do.
53	Cast polished plate glass over ¼ inch thick	6c. ft	30 p. ct	6c. ft.
	Do	8c. ft	do	8c. ft.
	Do	12c. ft	do	12c. ft.
54	Lenses of glass or pebble	30 p. ct	25 p. ct	25 p. ct.
55	Strips of glass, etc	20 p. ct	do	Do.
58–62	Opera and field glasses, etc	30 p. ct	35 p. ct	35 p. ct.
63	Surveying instruments, etc	do	25 p. ct	25 p. ct.
64, 435	Glass enamel, white, for watch and clock dials	Free	20 p. ct	Free.
	SCHEDULE C.—*Metals and manufactures of.*			
65, 431	Iron in pigs, iron kentledge, spiegeleisen, wrought and cast scrap iron and scrap steel	8 p. ct	Free	Free.
	Ferromanganese	15 p. ct	do	Do.
67, 431	Iron in slabs, blooms, etc	8 p. ct	do	Do.
67	Muck bars, bar iron, etc	do	5 p. ct	5 p. ct.
70	Structural shapes of iron or steel	12 p. ct	10 p. ct	10 p. ct.
73	Boiler or other plate iron or steel, sheets of iron or steel, common or black, crucible plate steel and saw plates and skelp iron or steel	15 p. ct	12 p. ct	12 p. ct.

Detail statement showing the action taken by the conference on the Senate amendments to the bill H. R. 3321, affecting rates—Continued.

Amendment No.	Article.	Rate of duty. House bill.	Senate amendment.	Conference report.
	SCHEDULE C.—*Metals and manufactures of*—Continued.			
72	Anchors and forgings	15 p. ct	12 p. ct	12 p. ct.
74	Hoop, band, or scroll iron or steel	12 p. ct	10 p. ct	10 p. ct.
75	Iron or steel plates, strips, etc., galvanized, etc	20 p. ct	15 p. ct	15 p. ct.
75, 76	Tin plates, coated, etc	do	do	Do.
77, 467	Steel ingots, cogged ingots, etc., made by the Bessemer or similar process	10 p. ct	Free	Free.
78	Steel bars and shapes, made by the Bessemer or similar process	do	8 p. ct	8 p. ct.
80	Steel ingots, etc., made by the crucible, electric, or cementation process	15 p. ct	12 p. ct	15 p. ct.
81	Steel wool or steel shavings	20 p. ct	15 p. ct	20 p. ct.
83	Grit, shot, and sand	20 p. ct	25 p. ct	30 p. ct.
87	Round iron or steel wire	20 p. ct	15 p. ct	15 p. ct.
	Wire rope	30 p. ct	25 p. ct	30 p. ct.
	Woven-wire cloth, etc	20 p. ct	30 p. ct	15 p. ct.
	Manufactures of wire	15 p. ct	25 p. ct	Do.
88	Automobiles, valued at—			
	Less than $2,000 and more than $1,000	45 p. ct	30 p. ct	30 p. ct.
	$1,000 or less	do	15 p. ct	Do.
90	Motor cycles	40 p. ct	25 p. ct	25 p. ct.
91, 91	Nuts, or nut blanks, and washers	15 p. ct	5 p. ct	5 p. ct.
93	Bolts of iron or steel	do	10 p. ct	10 p. ct.
95	Spiral nut locks and washers	35 p. ct	25 p. ct	30 p. ct.
96	Card clothing, when manufactured—			
	With round iron or untempered round steel wire	40 p. ct	10 p. ct	10 p. ct.
	With tempered round steel wire, or plated wire, etc	do	30 p. ct	35 p. ct.
97, 412	Cast-iron pipe, etc	12 p. ct	Free	10 p. ct.
98	Sprocket and machine chains	30 p. ct	25 p. ct	25 p. ct.
101	Files, file blanks, rasps, and floats of all cuts and kinds	25 p. ct	30 p. ct	Do.
102	Hand-cut files and files of precision	do	35 p. ct	Do.
104	Needles, etc	do	20 p. ct	20 p. ct.
107	Wheels for railway purposes	do	15 p. ct	Do.
108, 467	Ingots, cogged ingots, etc	10 p. ct	Free	Free.
109	Aluminum, aluminum scrap, etc	2c. lb	2c. lb	2c. lb.
110	Aluminum in plates, etc	do	3½c. lb	3½c. lb.
112, 391	Antimony ore and stibnite, etc	10 p. ct	Free	Free.
115	Bronze powder, etc	25 p. ct	8c. lb	25 p. ct.
116	Bronze or Dutch metal or aluminum, in leaf	do	4c. 100 leaves	25 p. ct.
119	Tinsel wire, lame or lahn	10 p. ct	6 p. ct	6 p. ct.
120	Bullion and metal threads	30 p. ct	25 p. ct	25 p. ct.
122	Lead-bearing ores	½c. lb	½c. lb	½c. lb.
126	Time detectors	30 p. ct	15 p. ct	15 p. ct.
129	Zinc-bearing ores	10 p. ct	12½ p. ct	10 p. ct.
131	Zinc in blocks, etc	do	15 p. ct	15 p. ct.
135	Articles in chief value of iron, steel, lead, etc	25 p. ct	20 p. ct	20 p. ct.
411	Cream separators valued over $75	Free	do	Do.
	SCHEDULE D.—*Wood and manufactures of.*			
136	Wood, unmanufactured, not specially provided for	15 p. ct	Free	Free.
142	Wood comprising the sides, tops, and bottoms of fruit boxes exported as fruit-box shooks, and reimported filled with fruit	7½ p. ct	do	Do.
143	Toothpicks of animal substance	20 p. ct	25 p. ct	20 p. ct.
	SCHEDULE E.—*Sugar, molasses, and manufactures of.*			
145	Sugar above 16 Dutch standard	1.9c. lb	(1)	(1)
146	Sugar, refined and colored, etc	2c. lb	(1)	(1)
147	Chewing gum	15 p. ct	25 p. ct	15 p. ct.
	SCHEDULE F.—*Tobacco and manufactures of.*			
	No changes.			
	SCHEDULE G.—*Agricultural products and provisions.*			
148, 469	Cattle	10 p. ct	Free	Free.
149	Horses and mules, valued $300 or less per head	$15 head	10 p. ct	10 p. ct.
150, 469	Sheep	10 p. ct	Free	Free.
151	Oats	10c. bu	6c. bu	6c. bu.
154, 447	Oatmeal and rolled oats	Free	33c. cwt	30c. 100 lbs.
	Oat hulls	do	9c. cwt	8c. 100 lbs.
155	Rice flour and rice meal, etc	½c. lb	½c. lb	½c. lb.
156, 446	Wheat	10c. bu	Free	Free.
157	Butter	5c. lb	2½c. lb	2½c. lb.
158	Cheese	20 p. ct	do	20 p. ct.
159	Beets	10 p. ct	5 p. ct	5 p. ct.
161, 421	Eggs	2c. doz	Free	Free.
162	Frozen eggs	2½c. lb	2c. lb	2c. lb.
163	Egg albumen, frozen or liquid	3c. lb	1c. lb	1c. lb.
164	Dried blood when soluble	1½c. lb	Free	Free.
166	Peas, green or dried, in bulk	15c. bu	10c. bu	10c. bu.

[1] Various rates according to polariscopic test.

Detail statement showing the action taken by the conference on the Senate amendments to the bill H. R. 3321, affecting rates—Continued.

Amendment No.	Article.	Rate of duty. House bill.	Senate amendment.	Conference report.
	SCHEDULE G.—*Agricultural products and provisions*—Continued.			
167	Split peas	25c. bu	20c. bu	20c. bu.
168	Peas in cartons, etc	½c. lb	½c. lb	½c. lb.
169, 171	Decorative greenhouse plants, etc	25 p. ct	15 p. ct	15 p. ct.
172	Flaxseed or linseed, etc	20c. bu	15c. bu	20c. bu.
173	Seeds, n. s. p. f	10 p. ct	5c. lb	5c. lb.
174	Fish, in oil, except shellfish	20 p. ct	25 p. ct	25 p. ct.
175	Zante currants	2c. lb	1c. lb	1½c. lb.
176	Lemons, limes, oranges, grapefruit, etc., in packages of a capacity—			
	Of 1½ cu. ft. or less	18c. pck	½c. lb	18c. pck.
	Exceeding 1½ and not exceeding 2½ cu. ft.	35c. pck	do	35c. pck.
	Exceeding 2½ cu. ft. and not exceeding 5 cu. ft.	70c. pck	do	70c. pck.
177	Bananas	Free	½c. lb	Free.
178	Extract of meat, n. s. p. f	15c. lb	10c. lb	10c. lb.
179	Extract of meat, fluid	7c. lb	5c. lb	5c. lb.
181, 182	Chocolate and cocoa, sweetened, valued over 15c. lb., not over 20c. lb.	25 p. ct	2c. lb	2c. lb.
184	Spices, cassia, cinnamon, etc., ground	1c. lb	1c. lb. and 20 p. ct.	1c. lb. and 20 p. ct.
185	Bombay or wild mace	8c. lb	15c. lb	18c. lb.
	SCHEDULE H.—*Spirits, wines, and other beverages.*			
187	Ginger ale, ginger beer, etc., in bottles containing less than ½ pint	18c. doz	12c. doz	12c. doz.
188	Bottles over 1 quart filled with mineral waters and imitations thereof	10 p. ct	30 p. ct	10 p. ct.
	Bottles not over 1 quart	do	Free	Do.
	Casks, barrels, and hogsheads containing mineral waters, etc.	5 p. ct	15 p. ct	5 p. ct.
	SCHEDULE I.—*Cotton manufactures.*			
191	Cotton thread or yarn:			
	Not bleached, dyed, etc.—			
	Exceeding 79 and not 99	20 p. ct	22½ p. ct	22½ p. ct.
	Bleached, dyed, etc.—			
	Not exceeding 79	5–20 p. ct	7½–22½ p. ct	7½–22½ p. ct.
	Exceeding 79 and not 99	20 p. ct	25 p. ct	25 p. ct.
	Exceeding 99	25 p. ct	27½ p. ct	27½ p. ct.
192	Cotton cloth—			
	Not bleached, dyed, etc., Nos. 79 to 99	22½ p. ct	25 p. ct	25 p. ct.
	Bleached, dyed, etc., Nos. 79 to 99	25 p. ct	27½ p. ct	27½ p. ct.
198	Handkerchiefs or mufflers, made of cotton, not hemmed	30 p. ct	25 p. ct	25 p. ct.
200	Clothing, etc., when composed of cotton in combination with flax, etc	do	35 p. ct	30 p. ct.
201	Shirt collars and cuffs of cotton	25 p. ct	30 p. ct	Do.
210	Stockings, hose, and half hose:			
	Valued not more than 70c. doz	40 p. ct	do	Do.
	Valued more than 70c. and not more than $1.20	50 p. ct	do	40 p. ct.
221	Bandings, belts, bindings, etc	25 p. ct	do	25 p. ct.
222	Nets and nettings made on the Nottingham lace machine	45 p. ct	60 p. ct	60 p. ct.
	SCHEDULE J.—*Flax, hemp, and jute, manufactures of.*			
223, 423	Flax, not hackled or dressed	½c. lb	Free	Free.
224, 423	Flax, hackled, known as dressed	1½c. lb	do	Do.
225, 423	Tow of flax	$10 ton	do	Do.
226, 423	Hemp, and tow of hemp	½c. lb	do	Do.
	Hemp, hackled, known as line of hemp	1c. lb	do	Do.
227	Single yarns of jute, not finer than 5 lea or number	15 p. ct	20 p. ct	15 p. ct.
228	Same, finer than 5 lea	25 p. ct	do	20 p. ct.
229	Threads, twines, or cords made from yarn not finer than 5 lea	do	do	Do.
230	Same, made from yarn finer than 5 lea	30 p. ct	25 p. ct	25 p. ct.
232	Single yarns, made of flax, etc., not finer than 8 lea	15 p. ct	12 p. ct	12 p. ct.
233	Same, finer than 8 and not finer than 80	25 p. ct	20 p. ct	20 p. ct.
234	Gill nettings, etc	30 p. ct	25 p. ct	25 p. ct.
235	Floor mattings (square yard)	2½c.	2c.	2½c.
236	Carpets, made of flax, etc	35 p. ct	30 p. ct	30 p. ct.
237	Tapes, composed wholly or in part of flax, etc	25 p. ct	20 p. ct	20 p. ct.
240	Wearing apparel, flax, etc	50 p. ct	40 p. ct	40 p. ct.
241	Plain woven fabrics, bleached, dyed, colored, etc	20 p. ct	20 p. ct	20 p. ct.
244	Pile fabrics, etc	45 p. ct	40 p. ct	40 p. ct.
245	Bags or sacks, made from plain woven fabrics, etc	25 p. ct	10 p. ct	10 p. ct.
247	Plain woven fabrics, of flax, hemp, or ramie, etc	35 p. ct	30 p. ct	30 p. ct.
252	All woven articles, etc., of flax, hemp, or ramie	40 p. ct	35 p. ct	35 p. ct.
253	Woven figured upholstery goods, etc	do	do	Do.

Detail statement showing the action taken by the conference on the Senate amendments to the bill H. R. 3321, affecting rates—Continued.

Amendment No.	Article.	Rate of duty. House bill.	Senate amendment.	Conference report.
	SCHEDULE K.—*Wool and manufactures of.*			
254	Combed wool or tops	15 p. ct	5 p. ct	8 p. ct.
255	Yarns made wholly or in chief value of wool	20 p. ct	15 p. ct	15 p. ct.
256, 274	Cloths in chief value of the hair of the horse or cattle n. s. p. f	15 p. ct	25 p. ct	25 p. ct.
	Pile fabrics of wool	35 p. ct	40 p. ct	40 p. ct.
	Stockings, in chief value of wool n. s. p. f	do	20 p. ct	20 p. ct.
	Stockings, etc., selvedged, etc., composed wholly or in chief value of wool, valued at—			
	Not more than $1.20 per dozen	do	30 p. ct	30 p. ct.
	More than $1.20 per dozen	do	40 p. ct	40 p. ct.
	Press cloth composed of camel's hair n. s. p. f	do	10 p. ct	10 p. ct.
258	Flannels composed wholly or in chief value of wool, valued above 50 cents per pound	55 p. ct	25 p. ct	30 p. ct.
263	Oriental and similar rugs, and carpets of every description, etc., the value of which does not exceed 30 cents per square foot	50 p. ct	(1)	50 p. ct.
268	Hair of the Angora goat, etc	20 p. ct	Free	15 p. ct.
269	Tops, made of the hair of the Angora goat, etc	25 p. ct	5 p. ct	20 p. ct.
270	Yarns made of the hair of the Angora goat, etc	30 p. ct	15 p. ct	25 p. ct.
272	Cloth and manufactures of every description wholly or in chief value of the hair of the Angora goat, etc	40 p. ct	35 p. ct	40 p. ct.
278	Plushes, velvets, etc., of the hair of the Angora goat, etc	50 p. ct	40 p. ct	45 p. ct.
	SCHEDULE L.—*Silks and silk goods.*			
280	Silk partially manufactured, etc	15 p. ct	30c. lb	20c. lb.
281	Spun silk or schappe silk yarn	35 p. ct	37 p. ct.[2]	35 p. ct.
282	Thrown silk, etc	15 p. ct	22 p. ct.[2]	15 p. ct.
	Sewing silk, etc	do	22 p. ct.[2]	Do.
283	Velvets, etc., of silk	50 p. ct	53 p. ct.[2]	50 p. ct.
285	Handkerchiefs and mufflers of silk	40 p. ct	45 p. ct	40 p. ct.
288	Ribbons, bandings, etc., of silk	do	do	45 p. ct.
289	Woven fabrics in the piece of silk	45 p. ct	55 p. ct.[2]	Do.
290	Yarns, etc., of imitation or artificial silk	35 p. ct	25 p. ct	35 p. ct.
	SCHEDULE M.—*Papers and books.*			
294	Common paper—box board	25 p. ct	5 p. ct	5 p. ct.
298	Papers with surface coated, etc	35 p. ct	25 p. ct	25 p. ct.
	Surface-coated papers, n. s. p. f	do	50 p. ct	40 p. ct.
	Plain basic papers, etc	25 p. ct	15 p. ct	15 p. ct.
	Lithographs printed from stone, etc.:			
	Cigar labels, flaps, and bands printed entirely in bronze—			
	Labels and flaps	15 p. ct	15c. lb	15c. lb.
	Bands	do	20c. lb	20c. lb.
	Printed in less than 8 colors, not entirely bronze—			
	Labels and flaps	25 p. ct	15c. lb	15c. lb.
	Bands	do	20c. lb	20c. lb.
	Printed in more than 8 colors—			
	Labels and flaps	do	do	Do.
	Bands	do	25c. lb	25c. lb.
	Printed in whole or in part in metal leaf—			
	Labels and flaps	30 p. ct	35c. lb	35c. lb.
	Bands	do	40c. lb	40c. lb.
	Booklets	12 p. ct	7c. lb	7c. lb.
	Books for children's use	do	4c. lb	4c. lb.
	Fashion magazines	do	6c. lb	6c. lb.
	Booklets decorated by hand, etc	do	12c. lb	10c. lb.
	All other lithographs:			
	Not over $\frac{8}{1000}$ of an inch thick	20 p. ct	15c. lb	15c. lb.
	Over 8/1000, not over 20/1000—			
	Less than 35 sq. in	do	6c. lb	5c. lb.
	Over 35 sq. in	do	8c. lb	7c. lb.
	Over 20/1000 inch thick	do	6c. lb	5c. lb.
	Decalcomanias other than toy—			
	In ceramic colors—			
	Not over 100 lbs. per M sheets	do	60c. lb	60c. lb.
	All other	do	20c. lb	15c. lb.
310	Views of any landscape in the United States, etc	45 p. ct	25c. lb	20c. lb.
	SCHEDULE N.—*Sundries.*			
315–16	Ramie hat braids:			
	Not bleached or dyed	15 p. ct	40 p. ct	40 p. ct.
	Bleached or dyed	20 p. ct	do	Do.
315–317	Hats of ramie:			
	Untrimmed	25 p. ct	50 p. ct	50 p. ct.
	Trimmed	40 p. ct	do	Do.

[1] The same duty shall be assessed as that which applies to the same or similar grades of carpets, plus 5 per cent ad valorem.

[2] Specific rates are provided for this article varying according to condition from 30c. to $3 per lb., which are approximately the equivalent of the ad valorem rate here shown.

Detail statement showing the action taken by the conference on the Senate amendments to the bill H. R. 3321, affecting rates—Continued.

Amendment No.	Article.	Rate of duty. House bill.	Rate of duty. Senate amendment.	Rate of duty. Conference report.
	SCHEDULE N.—*Sundries*—Contd.			
318	Buttons:			
	Vegetable ivory—			
	36 lines and over	40 p. ct.	35 p. ct.	35 p. ct.
	Smaller than 36 lines	do	50 p. ct.	45 p. ct.
	Shell and pearl—			
	36 lines and over	do	25 p. ct.	25 p. ct.
	Smaller than 36 lines	do	50 p. ct.	45 p. ct.
	Agate and shoe	do	15 p. ct.	15 p. ct.
319, 472	Crude artificial abrasives	10 p. ct.	Free	Free.
320, 474	Fulminates, etc	5 p. ct.	do	Do.
321, 489	Gunpowder, etc	¼ and 1c. lb	do	Do.
322	Matches, imported other than in boxes containing not over 100.	⅛c. M	⅛c. M	⅛c. M.
325	Blasting caps	75c. M	$1 M	$1 M.
331, 425	Furs and fur skins, undressed	10 p. ct.	Free	Free.
333	Furs dressed on the skin	30 p. ct.	20 p. ct.	30 p. ct.
334	Plates and mats of dog and goat skins	40 p. ct.	10 p. ct.	10 p. ct.
336	Manufactures of fur	do	35 p. ct.	40 p. ct.
338	Wearing apparel made of the skins of cattle of the bovine species, dog, or goat.	50 p. ct.	15 p. ct.	15 p. ct.
339	Articles of wearing apparel, n. s. p. f.	do	45 p. ct.	50 p. ct.
340	Furs not on the skin, etc	15 p. ct.	20 p. ct.	15 p. ct.
345	Hats, etc., of fur, etc	40 p. ct.	45 p. ct.	45 p. ct.
347, 429	Glaziers' and engravers' diamonds, not set.	10 p. ct.	Free	Free.
348, 429	Diamond dust	do	do	10 p. ct.
348, 438	Marine coral, uncut and unmanufactured.	Free	10 p. ct.	Free.
350	Seal, sheep, lamb, kid, calf skins, patent japanned and enameled leather.	do	do	Do.
350	Leather cut into forms for articles	do	15 p. ct.	Do.
361	Bags, etc., of leather fitted with sets	30 p. ct.	40 p. ct.	35 p. ct.
362	Men's Schmaschen gloves (per doz.)	$1	$3	$1.
365	Women's and children's leather gloves (per doz.).	$2	$2.50	$2.
369	Men's leather gloves (per doz. prs.)	$2	$3	$2.50.
371, 435	Harness, saddlery, etc., n. s. p. f.	20 p. ct.	Free	Free.
371	Manufactures of amber, catgut, and whip gut or worm gut, n. s. p. f.	10 p. ct.	20 p. ct.	20 p. ct.
374	Manufactures of India rubber or gutta-percha known as druggists' sundries.	do	15 p. ct.	15 p. ct.
375	Manufactures of ivory, etc	30 p. ct.	35 p. ct.	35 p. ct.
377	Masks	20 p. ct.	25 p. ct.	25 p. ct.
378	Strings for musical instruments	35 p. ct.	20 p. ct.	20 p. ct.
379	Paintings in oil or water colors	15 p. ct.	25 p. ct.	15 p. ct.
380	Pencils	25 p. ct.	30c. gross [1]	30c. gross. [1]
382	Cameras	30 p. ct.	15 p. ct.	15 p. ct.
382	Photographic film negatives:			
	Exposed but not developed	20 p. ct.	4c. lin. ft.	2c. lin. ft.
	Exposed and developed	do	5c. lin. ft.	3c. lin. ft.
	Photographic film positive	do	1½c. lin. ft.	1c. lin. ft.
383, 440	Meerschaum, crude or unmanufactured.	Free	20 p. ct.	20 p. ct.
	FREE LIST.			
285	Machinery used in the manufacture of sugar.	25 p. ct.	Free	Free.
288	Alcohol, ethyl, denatured	$2.60 gal.	do	$2.60 gal.
6, 289	Alizarin, natural or synthetic, etc	10 p. ct.	do	Free.
290	Perchlorate of ammonia	15 p. ct.	do	Do.
112, 291	Antimony ore and stibnite, etc	10 p. ct.	do	Do.
397, 241	Plain woven fabrics, single jute yarns, not bleached, dyed, etc.	20 p. ct.	do	Do.
309	Blankets, of wool or cotton, valued at less than 40c. lb.	25 p. ct.	do	25 p. ct.
309	Press cloths for oil milling purposes, composed of camel's hair.	Free	10 p. ct.	Free.
407	Textbooks used in school	15 p. ct.	Free	Do.
407	Apparatus used in teaching the blind	[2]	do	Do.
412	Sand-blast machines and sludge machines.	25 p. ct.	do	Do.
97, 413	Cast-iron pipe, etc	12 p. ct.	do	10 p. ct.
414	Catgut for other than surgical use, unmanufactured.	Free	10 p. ct.	Free.
37, 415	Cement, Roman, Portland, and other	5 p. ct.	Free	Do.
11, 416	Dead or creosote oil	do	do	Do.
12, 417	Anthracene and anthracene oil	do	do	Do.
348, 418	Marine coral, uncut and unmanufactured.	Free	10 p. ct.	Do.
347, 420	Glaziers' and engravers' diamonds, unset.	10 p. ct.	Free	Do.
348, 420	Diamond dust	do	do	10 p. ct.
161, 421	Eggs	2c. doz	do	Free.
319, 422	Crude artificial abrasives	10 p. ct.	do	Do.
220, 421	Flax, not hackled or dressed	4c. lb	do	Do.
224, 423	Flax, hackled, known as "dressed line."	1½c. lb	do	Do.
225, 423	Tow of flax	$10 ton	do	Do.
226, 423	Hemp, and tow of hemp	4c. lb	do	Do.
226, 423	Hemp, hackled, known as "line of hemp."	1c. lb	do	Do.
320, 424	Fulminates, etc	5 p. ct.	do	Do.
331, 425	Furs and fur skins undressed	10 p. ct.	do	Do.

[1] But not less than 25 per cent ad valorem.
[2] According to material of which made.

Detail statement showing the action taken by the conference on the Senate amendments to the bill H. R. 3321, affecting rates—Continued.

Amendment No.	Article.	Rate of duty. House bill.	Rate of duty. Senate amendment.	Rate of duty. Conference report.
	FREE LIST—Continued.			
426	Glass enamel, white, for watch dials	Free	20 p. ct.	Free.
428	Amber in chips, valued less than 50c. lb.	$1 lb	Free	Do.
321, 429	Gunpowder, etc	¼ and 1c. lb	do	Do.
68, 431	Iron in pigs, iron kentledge, spiegeleisen, wrought and cast scrap iron and scrap steel.	8 p. ct.	do	Do.
	Ferromanganese	15 p. ct.	do	Do.
67, 431	Iron in slabs, blooms, etc	8 p. ct.	do	Do.
432	Lard compounds and substitutes	15 p. ct.	do	Do.
371, 435	Harness, saddlery, etc., n. s. p. f.	20 p. ct.	do	Do.
40, 436	Limestone rock asphalt	25c. ton	do	Do.
	Asphaltum and bitumen	50c. ton	do	Do.
383, 440	Meerschaum, crude or unmanufactured.	Free	20 p. ct.	20 p. ct.
442	Horseshoe nail rods	10 p. ct.	Free	Free.
443	Needles for shoe machines	25 p. ct.	do	Do.
446	Palm nuts and palm-nut kernels	1c. lb	do	Do.
154, 447	Oatmeal and rolled oats	Free	33c. cwt	30c. 100 lbs.
	Oat hulls	do	9c. cwt	8c. 100 lbs.
449	Perilla oil	15 p. ct.	Free	Free.
450	Lubricating oils, n. s. p. f.	Free	15 p. ct.	15 p. ct.
454	Photographic and moving-picture films.	20 p. ct.	Free	Free.
28, 455	Chlorate of potash	1c. lb	do	1c. lb.
29, 455	Cyanide of potash	1½c. lb	do	Free.
30, 465	Cyanide of soda	do	do	Do.
466	Steel engraved forms for bonds, etc	15 p. ct.	do	Do.
77, 467	Steel ingots, cogged ingots, etc., made by the Bessemer or similar process.	10 p. ct.	do	Do.
108, 467	Ingots, cogged ingots, etc	do	do	Do.
48, 469	Cattle	do	do	Do.
150, 469	Sheep	do	do	Do.
	Extracts and decoctions of—			
17, 470	Nutgalls and Persian berries	Free	¾c. lb	¾c. lb.
17, 471	Sumac	do	do	Do.
475	Terra alba, not made from gypsum or plaster rock.	do	50c. ton	Free.
485	Rag pulp	25 p. ct.	Free	Do.
487	Hair of the Angora goat, alpaca, and like animals.	20 p. ct.	do	15 p. ct.
489	Paper twine for binding wool	25 p. ct.	do	Do.
491	Paintings and statuary less than 50 years old.	Free	25 p. ct.	Do.
496	Works of art over 100 years old	do	[1]	Do.
150, 477	Wheat	10c. bu	Free	Do.

[1] According to material of which made.

Mr. UNDERWOOD. Mr. Speaker——

The SPEAKER. The gentleman from Alabama is recognized for 2 hours and 15 minutes.

Mr. UNDERWOOD. Mr. Speaker, I first desire to ask unanimous consent that all gentlemen may have five days after to-day in which to either extend their remarks or print in the RECORD on this bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent that all gentlemen who speak on this conference report shall have five legislative days in which to extend their remarks in the RECORD.

Mr. PAYNE. I understood him to say all gentlemen. The Speaker limited it to all who spoke.

Mr. UNDERWOOD. All gentlemen.

The SPEAKER. All the Members of the House. Is there objection?

There was no objection.

Mr. UNDERWOOD. Mr. Speaker, the conferees in returning this bill to the House have agreed on all the disputed items between the two Houses except Senate amendment No. 609, which is known as the Clarke amendment, and relates to taxing future sales of cotton on cotton exchanges. I wish to say that the bill as it now comes before the House for action is a lower bill in its taxing features than either the bill that passed the House or the bill that passed the Senate. The Senate reduced a number of the items in the House bill and at the same time increased some of the items in the House bill. With few exceptions the House agreed to the Senate reductions. The Senate receded on about one-half of the raises that it made in the bill, with the result that the bill as it is now presented to the House, as ascertained by the calculations made by the experts, will reach an average of about 26 per cent—almost as low as the famous Walker bill, which carried a low tax on liquor and tobacco—and the tax on liquor and tobacco raises the average of this bill very much.

To all intents and purposes, the bill that is now presented to the House for its consideration provides an average of lower taxation than any bill that has been presented in three-quarters of a century. [Applause on the Democratic side.] The Wilson bill carried an average rate of duty of 39.95 per cent. The Payne bill carries an average rate of duty of 40.12 per cent, as compared with about 26 per cent that this bill will carry. Many of the taxes in this bill are on luxuries, and they are as high as the rates of duty in the existing law. The bill does not only relieve the people of the United States in the general reduction of the tariff, but this bill, as it comes before the House for action, places many of the necessaries of life on the free list [applause on the Democratic side] or establishes very low rates of duty on the other articles enumerated in the bill which are necessaries of life.

I will not take up the time of the House to read in detail the estimate of revenue, but, by leave of the House, I will ask the reporters to publish the statement in the RECORD at this stage of my speech.

The following is the estimate referred to:

Estimated incomes and revenue therefrom for the first year under H. R. 3321.

Incomes (amount).	Number of incomes.	Tax rate.	Revenue.
$3,000 to $4,000	75,000	1 per cent	$375,000
$4,000 to $5,000	126,000	do	630,000
$5,000 to $10,000	178,000	do	5,340,000
$10,000 to $15,000	53,000	do	4,240,000
$15,000 to $20,000	24,500	do	3,185,000
$20,000 to $25,000	10,500	1 and 2 per cent	2,100,000
$25,000 to $50,000	21,000	do	9,660,000
$50,000 to $75,000	6,100	1, 2, and 3 per cent	6,832,000
$75,000 to $100,000	2,400	1, 2, 3, and 4 per cent	4,776,000
$100,000 to $250,000	2,500	1, 2, 3, 4, and 5 per cent	13,775,000
$250,000 to $500,000	550	1, 2, 3, 4, 5, and 6 per cent	8,805,500
$500,000 to $1,000,000	350	1, 2, 3, 4, 5, 6, and 7 per cent	13,653,500
$1,000,000 and over	100	do	9,301,000
Total	500,000		82,673,000

Receipts and disbursements of the Government, including those of the Post Office Department, but excluding those for the Panama Canal, the sinking fund, and the national-bank-note redemption fund, which take care of themselves.

Item.	1912	Estimate under H. R. 3321. 1914	Estimate under H. R. 3321. 1915
RECEIPTS.			
Customs	$311,321,672	$270,000,000	$249,000,000
Internal revenue (ordinary)	[1] 321,612,199	305,000,000	305,000,000
Internal revenue (excise tax)		38,000,000	39,000,000
Internal revenue (income tax)		66,000,000	83,000,000
Sale of public lands	5,392,797	5,000,000	5,000,000
Miscellaneous	53,451,797	55,000,000	55,000,000
Postal revenue	246,744,016	290,000,000	290,000,000
Total	938,522,481	1,029,000,000	1,026,000,000
EXPENDITURES.			
Civil and miscellaneous	172,256,794	175,000,000	175,000,000
War Department	148,795,422	178,000,000	175,000,000
Navy Department	135,691,956	147,000,000	145,000,000
Indian Service	20,134,840	20,000,000	20,000,000
Pensions	153,590,456	180,000,000	180,000,000
Interest on public debt	22,616,300	23,000,000	23,000,000
Postal Service	248,312,211	290,000,000	290,000,000
Total	901,297,979	1,013,000,000	1,008,000,000
Surplus	37,224,502	16,000,000	18,000,000

[1] Includes $28,583,304 corporation tax.

Mr. UNDERWOOD. The income tax, leaving out those features of it that relate to the tax on corporations, will produce above $83,000,000. The corporation part of the income tax included in the bill, it is estimated, will produce $39,000,000. The custom taxes for the fiscal year 1915 are estimated to produce $249,000,000.

Taking the other sources of revenue that the Government now has and adding to them the income tax and the customs laws that are affected by this bill, it will produce for the fiscal year 1915, according to our estimates, $1,026,000,000, and if the expenditures of the Government do not exceed $1,008,000,000, which is the estimate that will cover the expenditures of the Government for that year, the bill will produce a surplus revenue of $18,000,000, which the committee considers as a safe balance on the right side of the ledger.

Now, as to the matters that came before the conference committee, there were but few changes made in the chemical schedule, which I shall not detain the House to enumerate at this time.

The important changes made in Schedule B, relating to earth and earthenware, were that the House taxed Roman, Portland, and other cements at 5 per cent, the Senate placed these cements on the free list, and the House agreed to the Senate amendments. There is a new classification placed in the bill with reference to mica, and the House classification for china and porcelain wares was agreed to by the Senate and the House rate maintained.

In reference to the metal schedule, the Senate placed on the free list pig iron, ferromanganese, scrap iron, slabs, blooms, and billets, and a large number of the heavy articles of manufacture in the iron and steel business. The House placed a low rate of duty on these articles; the Senate transferred them to the free list, and the House agreed to the Senate amendments. With the exception of cast-iron pipe, practically all the Senate reductions in the rates of this schedule were agreed to by the House conferees. Cast-iron pipe was placed on the free list, but the conferees made this article dutiable at 10 per cent instead of 12 per cent, as provided for in the House bill.

The other important change in the bill in this schedule is that a new classification is adopted in reference to automobiles. Automobiles valued at $2,000 or more will be taxed 45 per cent, and automobiles valued at less than $2,000 and the chassis and the parts thereof will be taxed 30 per cent.

There are practically no changes made in Schedule D relating to woods and manufactures thereof. A small change is made in Schedule E, the sugar schedule, wiping out the Dutch standard during the time the present law remains in force.

There was no change made in Schedule F, relating to tobacco and manufactures thereof.

In Schedule G, relating to agricultural products—cattle, sheep, and other domestic animals suitable for use as food, wheat and wheat products, and eggs were placed on the free list by Senate amendments, and the House agreed to these amendments. There was a slight change made in the rate on Zante currants and in reference to fish packed in oil. The Senate had placed a provision in the bill taxing bananas, and it receded from that amendment. [Applause on the Democratic side.]

There are practically no changes made in Schedule H, relating to spirits, wines, and other beverages. The Senate receded from its amendment proposing a tax on the brandies used in making wines.

In the cotton schedule, Schedule I, the Senate adopted a different classification from the House relating to cotton cloth. They adopted as the basis the average number of the yarn in the cloth instead of using as the basis the highest number of yarns in the cloth as fixed in the House bill. After considering the classification carefully the House conferees came to the conclusion that to adopt the average number of yarns as the basis for the classification of the cotton schedule was simpler and formed a classification more easily administered than that proposed by the House, and therefore the House conferees accepted the Senate classification. The Senate had an amendment in reference to yarns and in reference to cloth raising the House rates on numbers from 79 to 99, 2½ per cent, and also raising the rate on cotton yarn dyed, colored, or stained 2½ per cent. The House agreed to these Senate amendments. These are probably the principal increases made in this bill. There were some changes in classifications in reference to stockings.

In Schedule J, relating to flax, hemp, and jute, practically all of the raw material in the schedule was placed on the free list by the Senate and the House concurred in the Senate amendments. The Senate reduced the rate on linen and manufactures of linen goods about 5 per cent under the rate of the House bill and the House conferees agreed to the reduction. The Senate struck out the tax on the wool or hair of Angora goats. The conferees restored the provision of the House schedule and placed the rate at 15 per cent. [Applause on the Democratic side.]

There was a new classification placed in the bill in reference to woolen stockings, and the Senate agreed to the House provisions placing camel's-hair press cloth used for milling purposes on the free list.

In reference to the silk schedule, the Senate bill had considerably raised the rates over the House bill and placed practically all of the articles enumerated in the schedule at specific rates instead of ad valorem rates, as provided in the House bill. The Senate receded on its amendment and restored all of the House rates except the first paragraph, which relates to partially manufactured silk. On this paragraph the House agreed to a specific duty of 20 cents per pound instead of the Senate rate of 30 cents per pound.

Few changes were made in Schedule M, relating to books and papers.

In Schedule N, relating to sundries, the House agreed to raise the rate on matches in bulk as fixed by the Senate amendment.

The Senate receded on its rate of $2.50 per dozen pairs on women's gloves, restoring the House rate of $2; and on men's gloves the House rate of $2, which the Senate had increased to $3, was compromised by the conferees and placed at $2.50.

Mr. BUCHANAN of Illinois. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Alabama yield to the gentleman from Illinois [Mr. BUCHANAN]?

Mr. UNDERWOOD. I yield.

Mr. BUCHANAN of Illinois. The gentleman spoke of the duty on gloves being $2 and $2.50. What does that mean? Does it mean per dozen?

Mr. UNDERWOOD. A dozen pair.

Mr. BUCHANAN of Illinois. Two dollars a dozen pair?

Mr. UNDERWOOD. Yes.

Mr. HAMILTON of Michigan. Two dollars and a half a dozen pair.

Mr. UNDERWOOD. Two dollars and a half a dozen pair. The Senate struck out the provision in the House bill relating to the countervailing duty of 5 per cent on goods imported in American ships. The Senate receded with an amendment restoring the House language and providing that nothing in the provision shall be construed to conflict with existing treaties.

The provision in the House bill requiring a foreign exporter to allow an inspection of his books by the Government in order to prevent undervaluation by importers was agreed to with an amendment. The House provided that where foreign exporters refused to allow their books to be inspected, the Government might entirely prohibit the importation of their goods. The Senate struck out that provision, and, as reported back to the House, it provides a penalty in the form of an additional duty of 15 per cent where they refuse to allow inspection of their books, which, in my judgment, will be as effective as the penalty fixed by the House.

The principal item in the administrative features of the bill contained in the House provision, but struck out by the Senate, was the dumping clause, to which rejection the House conferees have agreed. I myself regret that the Senate was unwilling to agree to this provision. I recognize the fact that a dumping clause in a protective tariff bill might have given additional protection, but a dumping clause in a revenue bill, where normal rates on the normal sale of goods abroad were competitive, would not have prevented competition, and in my opinion would have been a useful and valuable provision. But the Senate was fixed in its determination that it would not accept that provision of the bill, and as this provision was new legislation and had not been in a bill brought before the House in the preceding Congress, the House yielded.

There are a number of changes made in the income-tax features of the bill, but the main provisions that have been agreed to are as follows: The House has agreed to the increases of the taxes on incomes as provided in the Senate amendment [applause on the Democratic side], and the exemption clause has been so changed that an unmarried man has $3,000 exempt, and a married man living with his wife, or a married woman living with her husband, will have a total exemption of $4,000, but in no event will the exemptions of the husband and wife together exceed $4,000. This is really a reduction of the exemption below what it was in the House bill, and will increase the revenue several millions of dollars on that account.

I think that covers the items that are in dispute between the two Houses. There are many minor amendments that I have not detained the House to explain, but they are completely and fully set out in the report and statement of the conferees, which I will ask to have printed in the RECORD.

In conclusion I wish to say that after nearly three years of battle—because the battle started two years before a Republican President left the White House—the Democratic Party today is prepared to keep its pledge to the American people [applause on the Democratic side]; and no matter what criticism our adversaries may make of this bill, no matter whether they believe it is wise or workable, there is no man who can stand on the floor of this House or elsewhere and deny the fact that in the passage of this bill the representatives of the American people, constituting the Democratic Party in the two branches of Congress of the United States, have kept their pledge in reference to a reduction of taxation which they made to the American people four years and two years ago. [Applause on the Democratic side.]

I do not believe there is any danger of this bill working any injury to the great producing interests of the United States. I believe that in the past they have built their business on a scaffold. They were surrounded by artificial conditions. This bill will force them to modify and change those artificial conditions, to bring their business down to a sound and safe level. I believe that the country has not waited for the passage of this bill to accomplish that result. Seeing that the inevitable was coming, I believe the great business interests of the country have already prepared themselves to meet the new conditions that will be presented to them under this bill, and that immediately after its passage industrial and financial conditions in the United States will move onward, and that an era of prosperity and progress is ahead of us. If it does come, and my expectations in respect to the passage of this bill are met, then it is my belief that the enactment of this law will mark the end of the principle of a protective tariff for personal greed in this country. [Prolonged applause on the Democratic side.]

Mr. PAYNE. Mr. Speaker, the present revenue law will have been upon the statute books for precisely 50 months with the close of this present week, and it is my purpose to refer briefly to the general conditions of the country under this law, to the amount of revenue which it has produced, to the magnificent growth in exports, particularly of manufactured goods, and to the general prosperity which has never been greater in any country than it has been during the period of the life of this law. [Applause on the Republican side.]

First, as to its being a revenue producer, I publish herewith in my remarks the particulars for each year, with the general observation that during the life of the present law the surplus of revenue over normal expenditures of the Government has been over $140,000,000, or over $35,000,000 a year, enough money to pay every dollar that has been paid out by the Government of the United States in completing the new wonder in engineering in the world, the Panama Canal. [Applause on the Republican side.]

The following is the surplus, by years, under the present law:

1910	$15,806,324
1911	47,234,377
1912	37,224,502
1913	40,083,229
Total	140,348,432

Mr. Speaker, we might have taken off every dollar of the corporation tax and still the revenues of the Government under this law would be adequate to pay all of the normal expenses of the Government during that time. Some suggestion has been made in some report somewhere about this proposed law, that it is flexible, and that the tax on incomes may be reduced from year to year without disturbing any business and conform more nearly to meeting the expenses of the Government. We can do it on our $30,000,000 of revenue which we have collected from the corporations of the country during the existence of the present law.

But, Mr. Speaker, it is proposed to substitute a new law, and the first question is, Will it produce the revenue? On that question we have had all sorts of guesses, both in the House and in the Senate of the United States. They have figured as to whether the law would meet the requirements of the revenue. First, we had the curious figures from the Ways and Means Committee of the House when they reported the bill, in which they marshaled what they said were the probable collections of customs, and these were estimated or guessed at from the probable large increase of importations under the customs duties under which they were levied. Then they added up all sources of revenue and added what they said were the probable expenditures of the Government, and found that there was a deficit of some $58,000,000 to be made up by the tax on incomes. Then, curiously enough, they estimated that the tax on incomes would produce $58,000,000. A little further they estimated that there would be so many incomes to pay a tax on $4,000 up to $5,000, on $5,000 up to $10,000, on $10,000 up to $20,000, and so on; but the whole thing was a pure guess, and the guess came out just so as to even up what they needed from an income tax to prevent a deficit.

Now, in the sense of intellectual honesty, that was not an honest report. I am not accusing anybody of trying to deceive the people. Why, they were simply trying to deceive themselves; but there was no warrant that the bill as reported to the House would produce the requisite amount of revenue. In that estimate they estimated $20,000,000 a year to be collected from the corporation tax. By and by the bill was reported by the Senate Finance Committee, and this $30,000,000 was increased to $37,000,000. The exigencies of the case demanded it. They had been taking off some revenue and they had been putting more expenditures on, so the totals differed and they had to reach a balance of a surplus. And then their fancy led them to a higher result from the income tax. They increased the amount my friends of the Ways and Means Committee had stretched their consciences to find would be the returns from the income tax, and they had added the whole thing up and they had a $2,000,000 surplus for the first year under this bill.

Guesswork once more, because they had not gotten very far, at least they have gotten now to a point where they have lopped off $2,000,000, an absurd duty on bananas, and $8,000,000 on spirits used to fortify wines at $1.10 a gallon, and $5,000,000 to be derived from the cotton tax—in all, $15,000,000—so that their figures of a surplus of $2,000,000 have all gone glimmering into a $13,000,000 deficit, confessing at the outset a deficit that will come from this bill unless the people who consume still struggle along to get money enough to buy things to consume that are imported on your reduced rates of duty so as to fill up the gap. You do not dare confess that there is your hope, but they figure it out, and then on the 29th day of September the chairman of the Finance Committee of the Senate presented an estimate which seems to have been adopted by my friend from Alabama [Mr. UNDERWOOD] this morning; and in that the excise tax—that is, the corporation tax, is increased to $38,000,000; the income tax is increased to $66,000,000, for five-sixths of the time estimated on—that is, five-sixths of next year—and to $83,000,000 for the year 1915. Now, is there a man on that side of the House who puts any confidence in these repeated lame attempts to figure out a surplus from this bill unless you go further and confess that your hope is that the foreigner can come into this market and crowd out our people and produce a greater revenue from the customhouse?

Why, they figure a surplus of $15,000,000; but if they make the proper reductions they will have a deficit of some twenty-odd million dollars the first year under the operations of this bill, and for the next year of $30,000,000 from their plan of making figures. But, of course, that is all in the future; it is all prophecy—no; it is not; it is guess, pure and simple, and what the future will be no man knows in regard to the income under this bill. Figuring on an income tax you figure on continuing the high rate of prosperity in this country; and you—every one of you—are trembling for fear it will depart during the next year under the operations of this bill. Well, go on and figure, gentlemen, and sit down and watch as time goes on and see whether your figures come out or not and if you do not get down to a deficit instead of hanging on to a surplus under the operations of this bill.

Mr. Speaker, we have heard a good many years about getting into the foreign markets. You gentlemen have pleaded to get into power in order that you might get into the foreign markets of the world. We passed a tariff bill four years ago, and you abused it from every stump in the United States. That did not amount to much. You had the newspapers who wanted free pulp and paper chiming in the chorus of abuse, and that amounted to more. And then there were the yellow magazines, the muckrakers, and you harnessed them in, and the result was that nobody in the United States knew exactly what the bill was, but everybody in the United States knew that he could get employment. [Applause on the Republican side.] He knew that he could get good wages. Every intelligent man in the United States knew that, measured by the currency of the workman, the hours of his labor, he was living at a lower rate and at a lower cost than any citizen in the world elsewhere. [Applause on the Republican side.]

I can prove that by your patron saint, Mr. Gompers, whom you pat on the back so much in trying to get the labor vote.

But we were not then supplying foreign markets. You wanted to give up a big portion of this American market, a market equal to all the other markets in the world, in order to get at the foreign trade. We told you when we built up our shops here and trained our mechanics and put in our American-invented machinery we would get into the markets of the world. What was the result? We had been exporting largely of farm products. We have not exported so much in the last four years of farm products, but we have exported more of manufactured products—products of the factory taking the place of the products of the farm. In the first year under this law, 1910, our exportations were $1,700,000,000; in 1911, $2,013,000,000 [applause on the Republican side]; in 1912, $2,170,000,000 [applause on the Republican side]; 1913, $2,465,000,000. [Applause on the Republican side.]

A member of the President's Cabinet was quoted as saying that this was the greatest fact he knew, that in the year 1913 we exported $2,500,000,000 worth of goods to foreign countries. He might have added that that wonderful achievement was under the present tariff law. [Applause on the Republican side.]

We provided in that law for the maximum and minimum rate of duty. Every country in the world had it except the United Kingdom. We needed it in our business. We enacted it into that law.

Our friends say that nothing has been accomplished. But we have gone into every market of the world under it; we have gotten into them on terms where we could enter them, with a certain portion of our manufactured goods, and we have increased our exports in this fabulous manner under the operations of this law.

You send a bill over to the Senate without anything in it to take the place of the maximum and minimum clause except a miserable subterfuge of negotiations to be made by the Executive and approved by Congress which could have been done just as well without your putting it in your bill.

You have the idea that business is the trading of benevolences. It is a matter of selfishness. People sell where they can get the most; they buy where they can get the lowest prices. We are not going to send a missionary after trade. How long would it take him to get a dollar's worth of trade with any foreigner? He can not do it. So you put in that subterfuge. The Senate had a glimmer of sense on the subject. They said that you must have a maximum and minimum provision in the bill, and they proceeded to make one. I will concede that in the making of it and the arrangement of it they did not exhibit the highest wisdom. They put a duty on those things that you have been proclaiming against. You have asked for a free breakfast table, and free clothes, and free things that the people consume personally. They went to work and put their maximum duty on those things, whether they were on the free list or not.

Of course, that sickened my friend from Alabama [Mr. UNDERWOOD]. He was more opposed then to the maximum and minimum tariff than he ever thought he was opposed to it before in his life. Well, you fought over that in conference. Finally the Senate receded and you struck out that provision in your bill. And then the Executive, according to the newspaper reports—I do not get anything from the other side except from the newspapers on this subject—according to the newspaper reports, asked that a special joint resolution be passed continuing these present trade agreements for four months, until they could work out the spirit of trading benevolences so abundantly provided for—a gleam of sense from the State Department on this subject, but the whole wisdom of it is carefully eliminated in this bill that you propose to make a law just as quick as you can get it through the Senate and signed at the White House.

Now, Mr. Speaker, we can not brush aside proofs of our trade in the last four years and its immense growth abroad. The Senate sees it, the Executive sees it and sees the benefit from it. Why, every man in the United States except the chairman of the Ways and Means Committee seems to appreciate it, and, of course, he has his way about all these matters. I admire his success in that sort of business. It makes a difference whether a man has the appointing of committees or not when he is trying to get a tariff bill through the House that just suits himself. If he did not have this appointing of committees, he might run up against things; but if he does have it, the Lord have mercy on the fellow that has the courage to oppose him—and I must say, complimentary to the other side, that there is not a man among them who seems to have the courage of his convictions on these subjects. Of course, committee appointments do not have anything to do with it at all.

Well, you say that we were pledged to revise the tariff downward four years ago. Well, we did it.

Never was such a downward revision, involving so much of a cut in duties as the present law, upon which we are living and under which we are living. Why, I saw a day or two ago an official report, a statement of the imports of the United States and the duties collected on the imports, and the average ad valorem duty was 17.22 per cent. [Applause on the Republican side.]

If you gentlemen will turn to page 480 of your Tariff Handbook you will find that for the year preceding the average ad valorem duty was a little over 18 per cent. Of course this is on all the imports; otherwise we get no credit for the vast amount of imports that come in on our free list. Last year over 53 per cent of our imports came in free of duty absolutely. [Applause on the Republican side.]

You can compare duties on the dutiable articles; you can make up your estimate of what will be imported, and you can draw almost any sort of an old figure in the world; but when you come to take the actual facts, the total imports and the total duties, it is shown that under the present law there is a lower average ad valorem on all these imports than under any law in the history of the tariff except during the years from

1858 to 1861 [applause on the Republican side], when it was a trifle lower in each of those years, and when our old friend, President Buchanan, was decrying the degeneracy of the times because the Government had not any revenue and could not borrow money even at 12 per cent interest.

That is the history, gentlemen. Oh, look it up! You never looked into that handbook. When you go home, prayerfully consider page 480. Then, if you have any conscience left, do not go out and prevaricate about revision upward as the characteristic of the present tariff under which we are now living. "Thou shalt not bear false witness." I commend that injunction of scripture to you, gentlemen, when you are talking in the future with reference to the tariff.

What is your excuse for this revision? You say you have been commissioned by the American people to revise the tariff downward. You have been commissioned by a minority of them. The majority was against you. The President recognized it, but most of you have forgotten it. You have been commissioned, it is true, to carry out your own sweet will. The people did not even expect you to carry out your own platform. If they did, they have been woefully disappointed.

You were going to destroy the trusts by putting trust-manufactured articles on the free list. Have you found out about that, or have you run up against another proposition, that you might destroy the trusts, but you would also destroy the little fellows who were struggling along to compete with the trusts? Have you put those articles on the free list? Gentlemen get wise even on their platform—even Democratic gentlemen do occasionally—so that lately we have not heard so much about destroying the trusts by reason of putting articles made by the trusts on the free list. No; we hear it talked about now in the way of prosecutions from the Attorney General's office. The scene is transferred. They are going to do business the other way. They are going to take advantage of the law that we, the Republicans, put upon the statute books in order to destroy the trusts; and this item in the Democratic platform, according to this bill, has got to be a dead letter in Democratic law. [Applause on the Republican side.]

I realize, of course, that the Democratic caucus and the House of Representatives can repeal the Democratic platform, and I think they have a right to do it, too. That is one thing I approve of with respect to a Democratic caucus, and whenever I can find a thing that I approve of I always want to notify them of it. I think this is the first thing I have found that I want to notify them about. Of course, you gentlemen consider things here in a secret caucus, or in an open caucus, or in any old kind of a caucus, and your expression there is better as to what are Democratic principles than all the tariff planks of a platform made by a single man from Nebraska, however wise he may be in the secret conclaves of a Baltimore convention. [Laughter on the Republican side.]

Now, since this estimate was made they have been pulling down the revenue they were to receive. Oh, they have added $3,000,000 on customs, $21,000,000 on internal revenue, and $3,000,000 on miscellaneous. To meet the increased expenses they have got a discovery on that since they put out this first estimate, and they now make a $16,000,000 surplus; and then they take off $5,000,000 on cotton futures, and $8,000,000 on spirits, and $2,000,000 on bananas, and a million here and a million there, to the end of the chapter.

And if you take what appears to have been cut off, openly and aboveboard in this bill, there will be, according to their own figures, a deficit of anywhere from $12,000,000 to $20,000,000.

But you were going to reduce the high cost of living. That is what you said last fall on the platform, and out of decency you ought to keep it up now; but I do not hear any amount of shouting about it on that side now. You are a little quiet. You are wondering what the effect is going to be. Every one of you, except my genial friend from New Jersey [Mr. KINKEAD], is wondering what it is going to do to beef to take off a cent and a half a pound tariff. He figures that it is going to reduce the price of beef 10 or 15 cents a pound if you take off a cent and a half a pound of duty. But you wiser people are a little quiet on that subject. You see we have got to import beef to have enough to supply our demand. Even if the calf bill should become a law, and you could not kill any calves, it would take a good while to make enough beef in this country to supply the people who need beef, unless you strike a blow at the consumer in this country. You gentlemen talk about sympathy for the consumer. Who is the consumer? There is no consumer class. Every man, woman, and child in the United States is a consumer, according to their ability to purchase. If a man gets steady employment he is a large consumer. If he does not get the income he has to economize. Now, let me tell you something. I am not a prophet or the son of a prophet, but does it not look reasonable that all these little reductions you make in the tariff will be absorbed at the wharves in New York by the importers and sellers on the other side before the goods even get to the wholesalers, and if there is a smithereen left the wholesaler will gobble it up? If not, the retailer stands ready to take his share, and is looking for it, and when the article gets to the ultimate consumer he will pay the same old price unless you can destroy trade conditions in this country by your bill, so as to make a general feeling of distrust and stop the mills or work them on infrequent days, keeping them idle half the time, thereby reducing the yearly wage by one-half and reducing the consuming ability of the great consuming class in this country who work by their muscle, and in order to keep that muscle in condition to work consume more than you people who sit around in your offices and work your brains, or think you are working them, during the daytime. [Laughter.]

If you can bring about that general condition you will have things cheaper in this country. You have had them cheaper before. Are we going to have any stoppage of the mills? What does it all mean? Why do those 1,200 German salesmen in this country go about with cheerful countenances at the prospect of increasing their trade? One of them said the other day that heretofore he had been selling 25 per cent of foreign dress goods and 75 per cent of domestic, but that his orders for next year are 75 per cent foreign and 25 per cent domestic. What is that going to do? Is that going to start up our looms? Is that going to make them work overtime? Or will it stop them day by day, and will there be shutdowns and no wages at intervals? Will there come a condition of things so that half the time our workmen are idle? I have seen that condition. My friend from Connecticut [Mr. DONOVAN] has seen it in his State. We from the North who rub up against those mills have all seen it. If we are old enough to be Members of Congress in the United States we have all seen that sort of thing in this country. It is a deplorable thing. It makes the cost of living cheaper if a man has the money with which to buy; but if you reduce the cost of living 20 per cent or 10 per cent in money price, and reduce a man's purchasing ability 50 per cent, what does it profit that man? He will figure that thing out by himself by his fireside. Sophistry may do in times when things are prosperous. You may cheat the very elect then; but when a man is looking with apprehension for the next meal for his family, and wearing the old clothes, and getting half the income from his only capital—his labor—it strikes him differently. He does not need any prophet to tell him what is the matter. He is right up against the facts in the case.

You have taken off the duty on wheat and flour and meats, and pretty much everything that our northern farmer produces. What compensation have you offered? You tell him that he is going to get farm machinery free, and that it will go for a song whenever he wants it. Do any of you know that for the last 50 months we have been able to import farm machinery free from the United Kingdom, and that Great Britain is, next to the United States, the great exportation country for farm machinery?

Every farmer knows that, but if he does not he will know it before you get your tariff bill well under way. You can not fool the farmer in that way. He has the long winter evenings to think this thing over. He knows of the great accumulation of stuff that he produces, coming from Canada into the city of Minneapolis. The Canadians are figuring that they are going to save $1,000 in duty on the carload once this bill is signed, when they take the stuff out of bond. The farmer up there knows all about that. You may reduce the price of meat that the farmer has to sell. You may hurt him, but you can not help the man that buys the meat by taking off the duty of 1½ cents a pound. That will not do it. All you can do by this bill is to create an industrial depression, and then you will get cheaper things with no money to buy them. Oh, it is a beautiful thing to work out. Our country needs something of this kind every few years, and it is about time for this thing to come. But, Mr. Speaker, there is a little light breaking in the East. The other day there was sworn in here as a Member of the House a man from Maine who did not believe in this bill. [Applause on the Republican side.] And you are worrying about West Virginia, and Massachusetts, and New York, and even New Jersey, the home of the President. The people are getting uneasy about your bill and about the Democratic Party. They thought you would not do it. They heard your leaders proclaim that you would not injure any business, and they took some stock in it. They got a little mad at us about the reciprocity agreement with Canada, and they took more stock in that than they did in what your leaders said, but you lulled them to sleep, and then there came along the party dissatisfied with everybody in the world except himself. [Laughter on the Republican side.]

Oh, he is satisfied with himself, the party is; but he is not satisfied with anybody else, and he, like the Adullamites, proclaimed the theory that everything was going to destruction unless he saved them. He caught some people who were getting a little mad at Mr. Taft and induced them in an unwary moment to vote for him, and thereby give a few a chance to come in as a minority party. Why, they tried that up in my district. I went around to the people there and told them just what the tariff law was. I read to them from the public documents, so that they could understand it. Oh, I see the gentleman from Kansas [Mr. MURDOCK] laughs, but I only want to say to him that I do not mean by public documents the muckraking magazines, which are his idea of a document.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. PAYNE. Oh, the gentleman may answer me in his own time. That is his idea of a document. I read to them just what the law was doing, and they had sense enough to appreciate it, and the Bull Moose bluff did not work up there, and that is the reason I am here.

Mr. Speaker, there is lots of applause for your bill, but it comes, most of it, from the other side of the water. The newspapers over there are in favor of it. They even go so far as to wonder at your folly, and wonder if it can be possible that anybody in the United States would establish such an open free gateway through which to import their goods into this country and thus get into the best market in the world. [Applause on the Republican side.] The foreign manufacturers know about it and they applaud it. They are for you. If you could get them over here you could carry the election overwhelmingly the next time, for every one from the other side of the water would favor the bill. The opposition to the bill comes from here, and here is where the trouble is. Why, you are not carrying all of your own party for your bill. Oh, you drag them in against their better judgment and their protests, and their swearing in the cloakrooms and in secret. You get them in, and they are compelled to vote for the bill, but they do not believe in it. They take your promises at a discount. How could it be otherwise, when you are all in doubt about the success of this bill in the country at large?

Mr. Schwab says—and all gentlemen who have been on the Ways and Means Committee will agree with me that Charles M. Schwab is the best posted man in the steel business and the most candid witness in the United States that appeared before that committee—Mr. Schwab is quoted as saying that the Steel Trust may be satisfied with the bill, but he fears the working of it on the steel business. They are feeling a little bit of depression just now. The Steel Trust may get through with it. How about the little fellow with the little shop? One man in the cutlery business, employing 400 hands, in an Eastern State, has made his arrangements to build a shop in Great Britain and transfer his machinery there. And why? Because he can make his knives there and pay the duty under your bill and get them into our market more cheaply than he can make them in Massachusetts.

Take your great Gov. Foss, who was a Democrat and is not a Democrat, and who was very much in favor of a reduction of the tariff when he was here in the House. He thought that you would have more judgment about it; and he says he is going to transfer his machinery to Canada and is compelled to under the provisions of this bill.

He makes blowers; he manufactures them. [Laughter.] Oh, do not laugh at it; some of you gentlemen do not need a factory to make blowers; you have one right here in the House that makes blowers. He makes the same class of goods that Mr. Redfield said he could sell all over the world; which he could while his patent lasted, but he is having hard sledding over there now. He is going to transfer his factory over to Canada. He is not the only one. Why, you put shoes on the free list. Well, shoes at 15 per cent pay 22½ cents per pair on the average on the importation, and the duties you have left on the materials from which they are made amount to very nearly 22 cents a pair. You handicap by taxing material. I remember one day we had the question up in the committee on a hearing about this bill. It was announced by one of the members of the committee that it was a part of Democratic doctrine to tax the manufactured material as a tax on the manufacturer.

I thought he was mistaken about it, but the more I study this bill the more I find he stated the fact about it. And in the chemical schedule, all the way through you will find that thing exists. Why, he was so enthusiastic about it he put a rate of duty of a cent a pound on potato starch and three-fourths of a cent a pound on dextrine made from potato starch. We had it up here in the House, and I informed him that it took a pound and a quarter of starch to make a pound of dextrine, and he said that was about the right proportion—you remember that, I would not allude to it if it had not occurred here in the House. He said that was about the right proportion, and I told him the proportion was right, but he had the cart ahead of the horse—that he ought to have had three-fourths of a cent on the starch and 1 cent on the dextrine. That went over into the Senate and they undertook to fix it over there, and what do you think they did? Well, they put three-fourths of a cent a pound on potato starch and 1¼ cents on dextrine made from potato starch, and all other dextrines three-fourths of a cent a pound. Well, they make dextrine from tapioca and there is a very sharp competition with dextrine made from potato starch. Why, you took advantage of our suggestions to you, but you did not stop to study and follow along enough to carry them out. There are other things we suggested here which were adopted over in the Senate. The gentleman from Illinois suggested one day that you could not levy an income tax on incomes that accrued before the constitutional amendment was passed. My genial friend from Alabama [Mr. UNDERWOOD] smiled, shook his head, and you all shook your heads, and you did not adopt his amendment. I suppose you have not thought of it since, but in the Senate they read it, and they saw the illogical position in which the House was trying to put them, and they amended it so that all incomes date from the 1st of March to pay the income tax, although the five-sixths of the year they compute will be greater from that income tax than Mr. UNDERWOOD's computation for the whole year when he reported. There are other things I might mention, but why, why take the time when the time I have allotted myself is very nearly gone, and I have not said one-tenth of the things I wanted to say, either. Now, the House had a provision in the bill in regard to a dumping clause. It was a protective provision. It put an additional duty on where they dump their goods in here at less than the market value. It did not originate with them. It came from the Canadian law, word for word.

They kept it in here in the House, but it went over to the Senate, and they were more fierce in the Senate about striking out every protective feature in the bill than even the Ways and Means Committee were in the House, and they struck it out. The conferees have agreed to it, and the dumping clause has gone glimmering. They had a provision in the bill of a discount of 5 per cent duty on goods brought in in American ships. Well, I told the House I thought that might be a good provision, but that would not work, because it abrogated all the treaties. That went in, it went over to the Senate, and they considered it, and then struck it out. The conferees have agreed to it with a proviso that absolutely destroys the force of it.

They provided that it shall not abrogate or impair any treaty. Now you see it and now you do not see it. This was a triumph for the House, but a greater triumph for the Senate on this bill. The good things that you had there the Senate took out. I sometimes think it would have been better if they had done as they did two years ago, when they wanted to have one Republican in the conference and invited us all there. We could have made some suggestions and touched upon some things by way of remembrance that would have kept the Senate in better trim to help the House to have its own way, if it wanted it, on these subjects.

And, then, there is the civil-service joker. A lot of you people have been talking about the civil service, pretending how anxious you were to preserve it, until you got into power, and then how universally you were looking after pie and stepping up to the counter and being told that "that position is under civil service, and we can not turn that man out without charges against him, and he is a good man for the place. We would like to accommodate you, but we can not do it." Well, you have got to appoint some people to look after this income tax. The Senate put in a provision of $1,200,000 appropriation, and no examination required, but simply appointed by the commissioner, approved by the Secretary of the Treasury. You will answer that the clerks called in under the Sherwood-McCumber bill to consider the pensions of the old soldiers were called in without a civil-service examination. They were. There was $300,000 of an appropriation. They were limited and were in office a year, and none of them were covered into the civil service. This, I believe, was a House provision, and the Senate amended it.

How did the conference fix it up? Why, that these men called in in this way could be set at work to do anything under the Commissioner of Internal Revenue. They enter into duty under his office. Oh, how many men who have been there for years, competent to do their duty, and go up regularly and vote the Republican ticket find that their services are not needed for these other duties, and their places are taken by these men who are appointed under this provision of the law. The conference has limited the appropriation now to $800,000. Yes; but the

mischief is done. I. provides that all of this force in the future shall be appointed without any examination, but any future Congress can increase the appropriation beyond the $800,000 or $1,200,000, or whatever their sweet wills desire in the way of patronage.

This is your opposition just now to the civil-service laws of the United States. But, gentlemen, civil-service people are looking after you and watching you. Do not imagine you are doing this under cover. Do not imagine you are doing it without assuming any responsibility. You agreed to the whole business in caucus, and you allowed the whole thing in the House. They will hold you responsible for it. You will get a few offices in your district. You will get one or two lukewarm friends, but the Lord knows how many energetic enemies because of it. The patriot looking for the success of the Republican Party ought not to oppose it, but as a patriot looking for the good of the country, and even looking after the good of the individual Members who have not had experience enough to know what is best for them in regard to patronage, I offer these remarks to try to help them out. That is all.

Gentlemen, this bill will soon be beyond the stage of prophecy. The people of the United States will have it for weal or for woe. You may succeed in making them believe it is a good thing, you may succeed in bulldozing the manufacturer to continue to pay his big wage in order to meet the competition across the water that you have so freely invited, under the compulsion or persecution of a great department of the Government, but you can not make him run when he does not get orders that will pay him for the cost of the goods.

You will see what is already going on. I heard from a Member of this House of a shoe shop the other day where they had laid off 500 men because they had not the orders. They told them that they would put them on again when they got orders. Wages have been reduced by this compulsory stoppage of the work in the shop, and people who labored in the shop were out of work. I am willing to trust to the future, gentlemen. I trust to the signs of the times. Our people are not going to work to give away their happiness, their homes, the comforts, even the necessities, of life because of the benevolent disposition to build up the prosperity and the happiness of people beyond the waters at their own cost and expense. Go on! Execute the present tariff law on its fiftieth monthly birthday, if you will. It has lived long enough to work out its place in history. It has lived long enough to refute the slanders which have been hurled against it. It has lived long enough to get the stamp of the future honest historian as the best revenue measure ever enacted up to this present day. [Applause on the Republican side.]

I yield 30 minutes to the gentleman from Kansas [Mr. MURDOCK].

The SPEAKER. The gentleman from Kansas [Mr. MURDOCK] is recognized for 30 minutes.

Mr. MURDOCK. Mr. Speaker, judging from the remarks of the gentleman from New York [Mr. PAYNE], I fear that he is against this bill. [Laughter.]

One of the tragedies connected with retirement from this body must be the reflection that, once away from here, one would not have the opportunity to hear the gentleman from New York [Mr. PAYNE] ejaculate eruptively, spontaneously, irrelevantly, grandiloquently, "$2,500,000,000," followed by applause on the Republican side. [Laughter.]

He says that he successfully explained to the people of his district that the Payne-Aldrich bill was a revision downward; but he never explained it successfully to the House of Representatives at the time of its passage, for the special rules and clotures of various kinds would not let him.

Now, Mr. Speaker, on September 11 you appointed me a conferee on the tariff bill, and I am now prepared to make my report. [Laughter.] To be chosen as a conferee on a tariff bill is an imposing honor; it is, indeed, a rare distinction.

Few men reach this high estate. Out of 10,000 Congressmen who since the beginning of this Government have descended here, burned their brilliant hour, and departed, hardly 100 have ever been conferees on a tariff bill. I am moved momentarily by the almost tragic reflection that out of the two hundred and odd Congressmen whom I now address, scarce a score by any manner of accident can ever be conferees upon a tariff bill. And yet, Mr. Speaker, I have to report to you that things are not what they seem. [Laughter.]

I have heard all my life of the helplessness of a bound boy at a husking bee. Now, I was born and reared in an agricultural country, but I never saw a bound boy at a husking bee, though I can imagine, Mr. Speaker, that a bound boy at a husking bee is a perfect cyclone of activity compared with a minority conferee on a tariff bill. [Laughter.]

The majority members—the Democratic members—of the conference met inside the room of the Committee on Finance of the Senate. That room may not be entirely familiar to this membership. It is in the north wing of the Capitol, on the first floor, Senate end. Outside of that Finance Committee room there is a riot of mural ornamentation. However chastely white the corridors of the Capitol may be elsewhere, here there is elaborate decoration and vivid frescoes, with peaceful farm scenes between, and figures of rakes and hoes and walking plows and other tokens of our primitive and pastoral beginnings.

The function of the Finance Committee in the Senate is taxation, and over one arch in the corridor is the legend, "Esto perpetuo." I asked the janitor what it was, and he said it meant, "Let it be perpetual." [Laughter.] Over the portal of the Finance Committee room itself is a neglected portrait of Benjamin Franklin with one eye gone, the other glassy with time, arrayed in a pair of yellow plush breeches in a state of spotty and scaly decline. [Laughter.]

In those surroundings I watched from day to day the proceedings as nearly as I might. I was not offended, Mr. Speaker, at my exclusion, but I was outraged, in a sense, at the hurt it meant to that new-found champion of the open caucus, the gentleman from New York [Mr. PAYNE]. [Applause and laughter.] Outside the committee room in these brilliant corridors there gathered through those long laborious days little groups of men huddled together and constantly whispering—whispering of burlaps and bagging and bran and barley and lemons and limestone and what-not specific and what-you-may-call-it ad valorem.

For the most part, as I observed, they were sullen men and morose, disconsolate, and empty of hope. That was the lobby; whether "insidious" or not, I am unable to say; but it remained there the livelong day, week in and week out. And never ceased to whisper but once, and that was when the portentous procession of tariff tinkers passed in and out. [Laughter.]

The suave Alabaman [Mr. UNDERWOOD], placid ever, urbane even in attack, tender even in his tyrannies; the smiling North Carolinian [Mr. KITCHIN], of infinite jest, a statesman yet unwrecked by his humor, and a partisan to the last ripple of his taunting laughter; the rotund RAINEY, Roman in face and in figure, braced mentally against all the shifting partisan winds of his native Illinois; and the studious, silent gentleman from Indiana [Mr. DIXON], hungry for contest, these four and four United States Senators who, under the rules, are all inviolate and immune to my description, these, each of them a Democrat and partisans all.

These eight men made this tariff. The 676 controverted items in this tariff are in fact the tariff, and those men drafted them ultimately.

It is true that, at the conclusion of their weeks of labor they invited in the minority conferees. This was on September 29. I went along meekly with my friend from New York [Mr. PAYNE] and the gentleman from Michigan [Mr. FORDNEY], but the proceedings in that one conference, that "full and free conference," when all the conferees were present, were pathetically perfunctory. I took out my watch and kept time on the adoption of the conference report, and by the watch it took just seven minutes to dispose of it. [Laughter.] That is, this great bill, which began in secret, ended in secret, and there was not one moment in its long career when any jot or title of it was changed in the open.

In the conference 676 items in controversy were adjusted by the eight Democratic statesmen. The Senate had its way on 427 amendments, the House had its way on 151, and the rest of the items were compromised. In some respects the Senate improved the bill, and in many respects it did not. One notable improvement by the Senate was in the income tax, which I favor. The Senate increased the rate on incomes above $100,000. I offered an amendment to do this in the House, but inasmuch as everything not indorsed by the Democratic caucus was at that time being chloroformed, I was promptly voted down. I am glad, however, that the amendment is at last in the bill. It betters the measure.

Mr. MOORE. Mr. Speaker——

Mr. MURDOCK. No; I will not yield to the gentleman from Pennsylvania. I have a limited amount of time, and the gentleman can answer in his own time.

The SPEAKER. The gentleman declines to yield.

Mr. MURDOCK. I will say to the gentleman from Pennsylvania, however, that in that proceeding the Democrats in Congress followed the illustrious example of the Republicans here. [Laughter.] I am against this method of tariff legislation. I am against it now, and I have been against it ever since I came

to Congress, and I am going to show you why before I get through.

This bill, with its 400 pages, is a closed book to the American people. It is a closed book to a great majority of the Members here and in the Senate, and it will be a closed book until the American people open it in course of practical business activities. It was a mistake originally for the Democratic leaders to adopt the method they did in making this tariff by essaying an omnibus tariff bill. No man can know an omnibus bill in its entirety. No man can know its effect. Such a measure must be largely random guesswork, slapdash, broadside. A tariff ought not to be revised in that way.

Now, back of the bill is a distinct political promise, the promise that it will reduce the cost of living without prostrating business. Part and parcel with this design is the ruthless manner in which the products of the farmer have been dealt with, for the farmer has not been spared. Now, who really thinks this bill will reduce the cost of living? Ah, the Democratic doctors of economy know that it will not do that thing. Why? Because all of us know in our less partisan moments at least that the cost of living is affected by major factors other than the tariff, many of them now greater economic factors than the tariff. The control of credit by a few men in this country—the Money Trust—has more to do with the high cost of living than the tariff has. Exorbitant transportation charges based on false capitalization have more to do with the high cost of living than the tariff has. And there are many other elements which have to do with the high cost of living—unregulated monopoly, gambling in food products, gambling in agricultural products of all kinds among them. There is still another thing that has to do with the high cost of living that all statesmen seem equally helpless about, and that is national extravagance in public expenditure. And yet another factor that has to do with the high cost of living is universally high local taxation, and with it high local rents. And yet another factor in the high cost of living is cold-storage manipulation of prices. Besides there are our antiquated patent laws and our social waste.

These are just as major factors in this proposition as the tariff. And over it all and through it all is the favor that special privilege enjoys in this country, not so much in the making of the law as in the adjudication and interpretation of the law. You will not reach the high cost of living by attacking the farmer's profits. You will not reach the high cost of living by treating symptoms only. You must reach the disease. And you will be judged finally not by your promises but by results.

Your tariff bill will soon become a law. The country will soon try it out. Whatever its results may be, I regret sincerely that the Democratic Party leaders did not follow the program of two years ago and begin this revision in the only way in which a revision should be undertaken with fairness to all concerned—one schedule at a time. Open up this tariff schedule by schedule, and as each schedule passes this House and the Senate the membership will have part in its preparation, and more than that, will have understanding of its provisions.

Mr. Speaker, how much time have I taken?

The SPEAKER. Fourteen minutes.

Mr. MURDOCK. As I sat here to-day and listened to this closing and rather perfunctory debate I was reminded of the scene here four years ago. Then the Republican side had all the easy attitude and ready vim and vigor of an arrogant majority, and this group then in opposition over here on the Democratic side had all the helplessness and hopelessness of a small but fighting minority. The Republican leadership, learning no lesson, unmindful of the people, regardless of what it had pledged in the national platform, put the Payne-Aldrich tariff bill through Congress. Everywhere cloture was applied. Everywhere the individual Member, unless he happened to be a leader, was shut out of effectual contact with the measure.

The measure was put through the House of Representatives originally with the leadership in the Republican Party permitting but five amendments, really four, for the fifth was a fixed amendment on petroleum and its products, which was broken, as I remember, through an appeal from the decision of the Chair. The bill went to the Senate, was changed, as this bill was changed, materially, and in a majority of the more important items, and went into close conference. The exclusion that I met the other day in my humble capacity as a minority member of the conference was the same exclusion which the gentleman from Missouri, the present Speaker, met four years ago. It was not right to exclude him four years ago, and it was not right to exclude me now; but it was the way of the two old political organizations then, and it is their way now. It shuts out the people of my district and the people of every other man's district unless that man happens to be a leader of the dominant party. The bill finally came back to the House. A motion was made by the gentleman from New York [Mr. PAYNE] to recommit the bill, a motion against which he himself voted.

There were a few of the Republicans on this side then who meant what they said however, Republicans who were fighting to keep their party's pledges, and they fought to send the bill back to conference. And we came within five votes of doing it! I say to you Republicans that had we sent that bill back to conference that day the Republican Party might have been saved, if it had been possible to save it, which I doubt [laughter], but more than that, more than the saving of the Republican Party, had we sent that bill back to conference that day then we would have broken up in this country once and for all the custom of proposing omnibus tariff bills. I remember well the scene then. To-day as I looked upon the proceedings here the memory of it all came trooping back.

An understudy of the gentleman from New York [Mr. PAYNE] at that time was Mr. Nicholas Longworth, Congressman from Ohio. In the speeches that day Mr. Longworth followed the gentleman from New York. He turned to the insurgent Republicans and begged them to support the bill. I interrupted his appeal and said to him:

> The gentleman asks us to follow the leaders of the Republican Party. I suppose he takes into consideration, when he makes that request, that the ordinary Member of this House has had precious little to do with this bill, and that any compromise now arrived at is a compromise between the leaders of this body and the Senate, and not between the Members of this body and the Senate.

Mr. Speaker, the RECORD shows on that day, after I had so spoken, that there was applause on the Democratic side. Oh, I see the gentleman from Indiana [Mr. COX] faintly applauds at this time, but I will point out to the gentleman from Indiana that at this time there comes no applause from the Democratic side, for the shoe seems to be on the other foot.

Mr. Longworth said in reply to that:

> Mr. Speaker, I believe that the Payne bill gave, as much as any tariff bill could, a chance to every Member of this House to indicate his views and to have them adopted in the tariff bill. I say this bill is a personal victory for the leader of the Republican Party on this floor. [Applause on the Republican side.] I say that it is a personal victory for the leader of our party in this Nation—the President of the United States. [Applause on the Republican side.] And as such it should be supported by every Republican in this House.

The victory seems to have been lost somewhere in the shuffle—not in the case of the gentleman from New York [Mr. PAYNE]. He explained his bill to his constituency, but a President of the United States is among the missing, along with everything else, except Vermont and Utah. [Applause and laughter.]

Each old political party has had its chance for a national revision; each has had its opportunity on the tariff. The Republicans rejected the plan to give us a revision of the tariff so that Congressmen and Senators might understand its provisions—a revision one schedule at a time. The Democrats adopted the rejected plan of the Republicans, held to it for one year, and then rejected it themselves and went back to the old omnibus system. That is, on the one occasion the tariff was revised by its friends, and the people, the first party in interest, and their Representatives were excluded. Now the tariff has been revised by its enemies, and the people, still the first party in interest, are again excluded with their Representatives.

I say to you as I stand here that I have a firm conviction that the people of this country, after their experience with your last production, will stand for this sort of tariff procedure no longer; that this is the last slapdash, guesswork, random tariff bill that will ever go through Congress. And I believe with all my heart and soul that it is impossible for the people of this country to look for substantial reform along this line either to you Democrats or to you Republicans. I believe they will take a new instrument, a party with full faith in the people in its heart, a party responsive to the prevalent sense of justice and believing in the right of the people to know what transpires in this House, demanding that the representatives of the people shall come here as independent individuals, and not as the slavish followers of leaders. For I believe the time is coming when the people of this country will cease to travel from the Democratic frying pan into the Republican fire and back again, when they will put the Progressive Party in power and frame a tariff in the only just way a tariff can be framed—one schedule at a time, on facts adduced by a scientific tariff commission. [Applause.]

The SPEAKER. The gentleman from Kansas has used 21 minutes and reserves 9 minutes.

Mr. MURDOCK. Mr. Speaker, I reserve the balance of my time.

Mr. UNDERWOOD. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. FERRIS].

Mr. FERRIS. Mr. Speaker, I shall not attempt to minimize the efficient and satisfactory services of the Ways and Means Committee on the tariff question, because I agree with their bill and approve of it from beginning to end, and think it is the greatest piece of legislation ever placed upon the statute books. I do, however, desire in the time allotted to me to ask this House to realize that there are two very important amendments pending before them dealing with gambling in American farm products. I desire at the same time to call the attention of the Democrats of the House to the fact that the Democratic platform in Baltimore, in terms as solemn as could be written, pledged themselves to free the American farmer from this tyranny of gambling in farm products and to insure to him an honest market in which to sell the products of the farm.

The provision is short. I print it in full; it is as follows:

We believe in encouraging the development of a modern system of agriculture and a systematic effort to improve the conditions of trade in farm products so as to benefit both the consumers and producers. And as an efficient means to this end we favor the enactment by Congress of legislation that will suppress the pernicious practice of gambling in agricultural products by organized exchanges or others.

On this platform the American people elected a Democratic House, a Democratic Senate, and a Democratic President. I am one of those old-fashioned Democrats who believes platform pledges should be kept to the letter. I believe when any party holds out solemn pledges in a platform to the people that the people have a right to rely on their fulfillment and that the Congress which fails to perform them falls far short of its duty.

Again, I want to call attention to the fact that this Democratic House is well committed to the proposition of stamping out gambling in farm products. In the Sixty-first Congress we passed what was, then known as the Scott bill by an overwhelming majority, seeking to stamp out gambling in futures. Again, in the last Congress we passed the Burleson or Beall bill seeking to stamp out gambling in farm products. Many Members of the House on both sides of the Chamber have had bills pending for 6, 10, and some as far back as 20 years, seeking exactly this end. The Hatch bill, which passed both Houses and was ditched in confer.nce, was along the same line. The Senate in this instance has placed an amendment on the bill which, in my judgment, goes a good long way in the right direction. If I had my own personal preference I would make it more severe than this Senate amendment for I would like to do away with gambling altogether. If I could instead of placing the rate at one-tenth of 1 per cent, which means a species of taxation and a semirecognition of the justice of the scheme, I would place it at 10 per cent and stamp the evil out of this country altogether. [Applause.] The substitute offered by the gentleman from Alabama, and which I assume may be adopted, is perhaps a short step in the right direction, but I believe it has less teeth in it than the Senate amendment, so personally I very much prefer the Senate amendment even to the Underwood amendment. [Applause.] I wish the parliamentary situation was such that we could amend the Senate amendment and raise the rate. Then there could be no doubt of complete eradication. I have no sympathy with the proposition that we can regulate crime by any sort of taxation, by any sort of tribute levied upon it; but I believe that the American farmer desires its complete eradication.

I want to call attention to a resolution passed at Salina, Kans., on the 6th day of this very month. Twenty-eight States were there represented, representing 3,000,000 American farmers. Those 3,000,000 of American farmers in a resolution couched in the strongest of terms asked this Congress to give them an open and honest market in which to sell the products of their farms—asked us to stamp out gambling in farm products on the exchanges. I beg you in this moment of haste if you are going to adopt an amendment do not adopt one that will leave a hole in the net by which they will slip through. I fear the substitute amendment will let them get away, and I believe it for this reason: Mr. Speaker, for the last 10, 12, and 20 years the amount of actual spot cotton that seeks the New York Cotton Exchange has decreased constantly each year. In 1901 205,000 bales of actual spot cotton reached the New York Cotton Exchange. In 1906 approximately 6,000 bales reached the New York Cotton Exchange, and I now call your attention to the startling fact that last year they sold fifteen times the amount of cotton produced in the whole United States, and in 1911 over 16,000,000 bales were produced in the whole United States. I do not know how you gentlemen will feel about it, but it seems to me such an enormous speculation, it seems to me such an inflation up and down of prices as this frenzied speculation must bring about, must be unwholesome, must be unnatural, must be unhealthy. It seems to me that no better opportunity will ever come than that provided by the Senate amendment—that is, to adopt the Senate amendment—that will be a stepping stone that will finally eradicate the evil altogether.

I have been permitted to remain in Congress and observe the annual appropriations for the promotion of agriculture in this country go upward each year, until in the last annual appropriation bill it reached the sum of $17,982,945. That is the largest annual appropriation ever made by Congress for the promotion of agriculture in this country. I am proud, personally, to know that this Democratic Congress recognizes the necessity of raising the appropriation even yet. It begins to look like the farmers' cares are our cares and that agriculture might take a new lease on life.

Again, I am proud to have remained in Congress sufficiently long to see lumber take its place on the free list, so that home builders may have better homes for less money. It has long been my hope and my efforts have long been in the direction of aiding the settlers, the homesteaders, the home builders, and the town builders on the bald prairies of the West by releasing them from the grasp of the Lumber Trust. It has been a long-felt want among those settlers and home builders, and I am proud that this Congress has made them secure in that hope, for within the pages of the pending tariff bill there is a provision which has passed both Houses and will before the end of this week be signed by the President which gives us lumber free of tariff burdens.

Again, I am proud that every agricultural implement used by the American farmer, from the garden hoe to the steam thrasher, upon the passage of this bill, which will become a law before the end of this week, will take its place on the free list, so the American farmer will in the future be free from the clutches and ravages of the American Harvester Trust.

Again, I am proud to have been a Member of Congress while wool took its place on the free list, so that threadbare limbs could be better clothed for less money and that the Woolen Trust might not longer like the viper sap the lifeblood from the labor and energies of America's poor.

Again, I am proud to have remained a Member of Congress until such time as Congress in its wisdom and two-thirds of the State legislatures have adopted an amendment providing that hereafter Senators shall be elected by the popular vote of the people. This leaves the doors of the American Senate, our highest legislative body, ajar to every ambitious youth within this country. With the election of Senators by a popular vote, dollars can not outstrip brains; crooked politicians can not overreach honest endeavor; bickering, bartering, corrupt legislatures can not longer veto the will of the electorate. Senatorships can not longer be bought like the meat on the butcher's scales. All this and, nay, more, have been helpful to America's 40,000,000 producers, but there yet remains one desire of the American farmer which towers above them all. He desires to have an open and an honest market on which to sell the products of his toil—the desire to be free from the stock gamblers who have too long manipulated prices behind closed doors to the great detriment of both producer and consumer alike in this country.

It has been asserted by advocates of the exchanges that the American farmer was in favor of it and would object to stamping it out. I scarcely think it necessary to answer this charge, but will present the following resolution, passed and adopted by the National Farmers' Union, with 28 States represented, at Salina, Kans., September 6, 1913, which certainly ought to settle that phase of the matter. This position is where it has always been. They desire its early demise. The resolution is as follows:

Whereas gambling in cotton and other farm products is a vicious, immoral evil that has been fully investigated and reported upon by congressional committees and executive branches of the Federal Government, as well as testified to time and again before our national lawmakers; and

Whereas such gambling in farm products threatens the very foundation of our financial and business and commercial prosperity, and should be abolished, not licensed or legalized by an internal-revenue duty short of one that would actually destroy: Therefore be it

Resolved by the Farmers' Educational and Cooperative Union, in national convention at Salina, Kans., representing over 3,000,000 farmers, That we urge the abolition of gambling and certain commercial different practices and fraudulent transactions on the exchanges by which the prices are regularly depressed during the harvest seasons and run up 50 and 60 per cent later, and that some such bill as has passed the lower branch of Congress repeatedly and is now before the Senate and House be passed.

The question before us is not a new one—that of eradicating and driving out gambling in American farm products. The CONGRESSIONAL RECORD teems with bills, speeches, arguments, and debates, parliamentary tangles, and efforts to pass some legislation that will put a stop to these practices in America. In 1907, when I first became a Member of Congress, I made extended investigations on this particular subject. I find that the present Secretary of State, the Hon. William J. Bryan, in a speech delivered on Monday, June 18, 1894, in the Fifty-third

Congress, second session, denounced the gambling in farm products in the following language:

When the farmer has taken the chances of rain and drought, when he has taken the chances which must come to the farmer as they scarcely come to anybody else, when he has escaped the grasshopper and the chinch bug and the rain and the hail and the dry winds, I insist that he shall not then be left to the mercy of a gang of speculators who for their own gain will take out of him as much of the remainder as they can possibly get.

Again, I presented my then pending bill to the various farmers' union organizations of my State, dealing with this identical subject, it being H. R. 11785 of the first session of the Sixtieth Congress. The bill was indorsed by 41 farmers' organizations in my State, copies of which I will print in the CONGRESSIONAL RECORD as a part of my remarks.

Again, Mr. S. H. Greely, a Chicago commission merchant, in his testimony in substance says that the law of supply and demand no longer controls prices of farm products, which are regulated by four distinct systems—bucket shops, railroads, warehouses, and future speculation. Mr. Greely, a seasoned commission merchant, asserted that from 75 to 90 per cent of the business done on the stock exchanges is fictitious, and that the success of the bucket shops is depressing to prices and markets.

Mr. Joseph Brigham, who was Assistant Secretary of Agriculture during the first session of the Fifty-seventh Congress, testified before an investigating committee that gambling in farm products on the exchanges tends to injure the American farmer.

Mr. Franklin Dye, former secretary of the State board of agriculture of New Jersey, was of the opinion that gambling in farm products was detrimental to both consumer and producer alike.

Mr. Michael P. Moran, at one time president of the National Grain Growers' Association, advocated the total abolition of gambling in futures, holding the bucket shop and exchanges to be destroyers of values.

William A. Graham, former president of the North Carolina Farmers' Alliance, had no doubt that dealing in futures has much to do with the low prices of farm products, and believed that the Government ought to treat such dealing as it did the Louisiana lottery—stamp it out.

Mr. O. B. Stevens, former commissioner of agriculture of the State of Georgia, declared that grain and cotton gambling had been very harmful to the farmers of the South and to industry in general. He believed that if all gambling in futures could be suppressed the price of commodities would advance and the farmers would be in much better condition.

Mr. J. Pope Brown, president of the Georgia State Agricultural Society, was of the opinion that dealing in options and futures has a tendency to demoralize the prices of cotton, and on the whole to depress them. Forty, fifty, or a hundred times as much cotton is sold in a week on the exchanges as is raised in an entire year, and it is apparent that such speculation is inimical to the best interests of producer and consumer.

In 1893 President Cleveland, in his inaugural address, spoke in the strongest language against trade conspiracies which, he said, "were unnatural and opposed to all American sense of fairness."

In 1894 the German Emperor announced in his speech from the throne the introduction of two Government measures "in connection with the gambling 'future' systems and agricultural depression, in order to protect the trading and industrial community."

If time permitted, I might give authorities that would be both startling and amazing—still the practice has gone on.

I have consulted authorities on this proposition, have gone and visited the exchanges in person, have read briefs, pamphlets, and circulars both for and against, have tried to fathom and understand the arguments both pro and con, and as a result of it all I have come to the conclusion:

1. That "dealers in futures," "dealers in margins," "bucket-shop dealers," and gamblers in American farm products are conducting a fictitious, fraudulent, and dangerous business in New York, which has a very depressing effect on the price of farm products and is stifling both to purchaser and consumer.

2. As a result of it all I am convinced that by false reports and fictitious sales these cotton gamblers are playing largely to control the prices of American farm products, are playing to raise and lower them almost at will and wholly independent of the law of supply and demand.

3. Again, I have become convinced that fully 99 per cent of their dealings are fictitious, irregular, and tend to throttle and curtail the market; that they neither plant, harvest, spin, weave, or handle any considerable part of the product on which they constantly gamble.

4. Again, I am convinced that more than 90 per cent of their contracts are wagers as to whether the price of commodities will go up or down, and that there is no apparent ability to perform the fictitious contracts they enter into at the time of their making, and that they are totally unable to accomplish them even were their intentions good.

5. The best figures and data that I can get hold of on the subject disclose that they buy and sell by these fictitious and fraudulent methods 100,000,000 to 240,000,000 bales annually, when in truth and in fact the largest cotton production in any single year was in 1911, when the total output only reached 16,109,000 bales.

6. I am confirmed in the belief that their fictitious sales have constantly been increasing while the spot cotton actually handled has been constantly decreasing. For example: In 1901 they actually received and handled 205,897 bales of cotton, while in 1906 the cotton actually handled as a decoy on which to base this exorbitant 100 million-bale business reached the insignificant amount of 6,575 bales. I can not believe but what it is the solemn duty of this Congress to stamp out this evil at the earliest possible moment. It is, and always has been, my thought and belief that this gambling in farm products should be eradicated by an ordinary criminal statute the same as we eradicate any other crime. However, for more than 25 years the best talent we have had in Congress have sought to bring it about in this way by independent legislation and have failed. I am, therefore, heartily in favor of an amendment to the tariff bill placing the taxes sufficiently high to drive them from this disreputable and damnable business into fields of honest endeavor by the taxation method, as proposed by the pending amendments to the tariff bill. I am not ready to assert this is the best legislation that could be devised, but it is better than none. Our faces are toward the rising sun; what we lack to-day we can supply to-morrow; it is a start.

Before proceeding further with a description of this subject let us look at the equation and see who is demanding this legislation and who is opposing it. It is my belief that every farmers' organization in the United States, if the matter were put squarely up to them, would, without a moment's hesitation, join hands in stamping it out and eradicating it root and branch. I believe every consumer would like to be free from the uncertain and exorbitant profits that he must of necessity share in paying before the gambling in farm products, the stock exchanges, and gambling dens can succeed. I therefore think it safe to say that none but those immediately interested in these transactions or their agents and employees will seek to support and defend such a speculative and outrageous transaction.

It is urged by the stock gamblers and speculators, and some few who have been misled about it, that this weird speculation and gambling is a necessary evil inasmuch as people will gamble. I deny the foundation on which this flimsy argument rests. I deny that gambling is ever necessary to create any healthy condition in prices or anything else, but even granting the erroneous assumption that gambling is necessary, I then assert that this gambling is the worst kind. I assert that it is the most far reaching and that it is not confined alone to the immediate participators or their associates, but is of far-reaching character, reaching innocent ones on every hand who are in no sense to blame or a part of the transaction.

I pause to suggest an example: If Mr. A plays at dice, at cards, at faro, or any other game of chance prohibited by the statutes, he demoralizes himself and denies his family and loved ones his association, attention, and support; he makes himself a criminal in the eyes of the law. His crime is described upon the statute books; his property is subject to confiscation; his crime has subjected him to fine and imprisonment and the world agrees that it is right. No one would repeal the statute if they could. No one could if they would. Still this transaction which no man will seek to uphold has not the far-reaching effect that gambling in farm products has. The latter reaches out its bony hand and levies tribute upon everyone connected with the cotton industry from the time the seed is planted into the fallow soil until it is woven into cloth and made into the costly garment. For example:

A steps into one of the Wall Street dens where agricultural products are gambled upon and trafficked in and buys a margin contract for future cotton at the rate of 10 cents per pound, the same to be delivered some time later, and pays $1 per bale down to hold it. We will say he buys 1,000 bales and pays $1,000 for the option. When he buys it he knows these stock gamblers have no cotton to supply his contract. He knows that there is no such cotton in existence; he knows that the largest crop of cotton that was ever raised in the United States was in 1911, when we produced 16,109,000 bales; he knows they have sold through the

exchange many times that amount, or any other reasonable or probable crop. Further, he well knows that he does not want any cotton for export; further, he does not want any cotton for use; further, never expects to see the cotton or have it delivered to him—would not know what to do with it if it was. Now, what does he buy it for? The answer is clear. He buys it as a plain wager as to whether the price will go up or down. What does he do to accomplish the raise in price, so that his fictitious contract may become valuable to him? He at once joins in with other stock gamblers and they put out false and fraudulent reports as to the true output of cotton; further, put out false reports from the ginners; further, put out false reports from foreign countries, and the farmer is induced to hold his crop, thinking he will get a higher price; further, that while the farmer holds his spot cotton the spinners will become anxious to buy their contracts for spots for the ensuing year.

The unsuspecting American producer thinks these false reports are genuine and are a good criterion to follow. Thinks he, "I will hold my crop; will wait for higher and better prices." The spinner thinks it is time for next year's supply; he finds there is little spot cotton on the market. Cotton goes up and is apparently scarce and continues for a time to go up in price. The stock gambler and dealer, while the price is high, is hurriedly disposing of his cotton-future contracts as fast as he can, some to the spinner and some to the unsuspecting speculating buyers. Well knowing his selling price is speculative and unhealthy, he can reduce the price by exposing his original false reports so that he can buy the future contract back for about half of the amount sold for. The spinners are then supplied with contracts which they expect to be carried out. There is little call for spot cotton. The false reports have spent their force, and then comes a reaction. Cotton goes down, down, down, until it has reached a price at which the producer can hardly afford to raise it and pick it.

What does the stock gambler and dealer do? He lays in wait like a tiger for its prey, and the speculator, with his little or no means with which to pay the balance of his contract price, is forced to sell his equity or interest in his fictitious contract for what he can get. The farmer's taxes, mortgage, and interest become due and he is forced to sell his cotton product for what he can get. He is not situated so he can hold his crop. What does the stock dealer do? He buys back from the lamb speculator for 6 cents a pound the future contract he had previously sold to him for 12 cents. He buys the spot or actual cotton from the farmer for 6 cents and supplies the contracts that have reached the hands of the spinners at 12 cents. Here the farmer has sold for less than it cost to produce the cotton. The sacrifice and his loss are hard to bear and without his fault. Here the weak and unsuccessful speculator or "lamb," as he is called in bucket-shop parlance, has lost his money. The spinner has paid higher prices than he should pay for the cotton; the stock-exchange gambler has made the money, and practically all of it.

Which of these classes have profited? Which have lost? The answer comes that "surely the farmer has not profited," for he has sold his cotton for less than it cost him to raise it and has no product to sell and no money with which to buy again. The imprudent lamb has lost his money and has performed a hard day's labor in the toilsome field of experience. The stock gambler or middle man has the money in his pocket, and he is safe and sound and consequently of the opinion that Congress should not disturb business by legislation of this sort. The spinner has paid an exorbitant price, but has a chance to get out. We ask, how? Why, he can weave the cloth and add his profit on top of the swollen price he was forced to pay the gambler, and the poor consumer who wears the garment pays tribute to them all. In this transaction there is no escape for consumer or producer. The manufacturer has a humble chance, while the speculator preys on them all. Is there wonder that costly briefs and heart-rending appeals are made to us not to act on the part of the exchange crowd?

You may say, Why does not the farmer hold his crop? Many of our American farmers are in debt. They have mortgages on their homes; many of them have mortgages on their teams and wagons, mortgages on their crops. Interest rates are high. Their annual credit is extended to them on the strength of their cotton crop, which must be sold the moment it is ripe. They know not the facts, the bickerings and jugglings of these wily speculators. It is all in secret, all behind closed doors. Memberships on the exchange are worth from forty to sixty thousand dollars apiece. It is all confusing to their brain. They must sell their products or lose their homes under the mortgages; must sell or lose their teams; must sell or lose their cotton crops, with court costs and attorneys' fees along with it. Interest rates are high. The producer who earns slowly but honestly can not compete with these speculators on interest rates, for one earns honestly but slowly, while the other earns rapidly but dishonestly. There is no alternative for the producer. He needs the help of Congress to make him secure in an open and an honest market. It is therefore the duty of this Congress to help maintain an open, uniform, and healthy market for him, and it is our duty now.

The farmer is at the additional great disadvantage when the prices are rising and falling almost with the rising and falling of the tide. Their uniformity in change is not governed by the sun, the moon, or the revolutions of the earth. The sliding and gliding of prices come not with equal regularity so honest calculations may be made, but without notice, without warning, and while the farmer is wholly unawares change with the will and wish of the future dealers who operate independent of the law of supply and demand, independent of right and wrong, independent of intrinsic value, and even wholly independent of the very existence of the actual commodity itself.

The producer and consumer alike are chained like Prometheus to this practice of future dealing, fictitious dealing, margin dealing, corner dealing, and bucket-shop dealing that divest them of an honest, healthy, and open market, divest them of the value of their products without advice, consultation, or a sigh. The stock-exchange advocates in their costly briefs, their telegrams, and letters assert "that this system furnishes them a boundless market." "They need a market as wide and boundless as the ocean," they will blandly remark. It is quite true; they do need a boundless market. But the difference of opinion is whether this fiction and gambling will afford it to them. Instead of affording a boundless market as broad as the ocean they are afforded a market the width of Wall Street, and that, during the recent disclosures, is not a very popular street at that. It but serves to blind the eyes and shackle the feet of the American producer in a network of unlawful practices behind closed, locked, and bolted doors. The total number of members belonging to this benign concern is at all times limited to 450. The membership fee on this New York Exchange fluctuates from $40,000 to $60,000.

Is such a proceeding as all this conducive to the best interest of our American farmers that we have sworn to protect? Is such bickerings and juggling as that what it takes to afford the producer with an untrammeled, open, boundless, and honest market? Must we confess that such an evil as that is an inevitable condition that we must submit to and refuse to legislate upon? Is that good government for all and special privileges for none? Will that serve as a protection to the 40,000,000 people that are engaged in agriculture? Does that tend to promote and encourage the historic and noble art of agriculture? The answer comes from every farmers' union in all the land; the answer comes from most of the rulers of the leading countries of the world; the answer comes from most of the legislatures of the States where the fleecy staple grows; the answer comes from most of the Governments of the world; the answer comes from W. J. Bryan in his speech in Congress in 1894—all answering it is unhealthy, unwholesome, undesired, and should be stamped out.

I have on my desk, and I receive almost daily in the mails, briefs, pamphlets, circulars, letters, and appeals sent out, transmitted, and inspired by the gamblers in agricultural products in one form or another who urge and stubbornly contend that speculation is healthy and conducive of higher prices. I can not believe that something founded on nothing can create something. For example: If the speculator produces nothing, manufactures nothing, neither does he weave nor spin, how can the trafficking and machinations of 450 stock gamblers, behind closed doors, in secret, accomplish healthy or wholesome results? Again, it has been contended that the betting and gambling on the prices of cotton, which does not in fact exist, will stimulate the cotton planter in the field to a better yield. Can it with propriety be contended that the speculators will make the cotton easier to gather, more susceptible of the loom or the costly garment? Can it be well contended that the bickerings, jugglings, and gamblings connected with the sale of more than 100,000,000 bales a year, when the highest output in the entire United States in any single year will not reach one-tenth that amount, can be conducive of the best results? Again, would the fact that each year the spot cotton actually used in this business decreases while the speculation and gambling increases benefit the producer and the consumer? To me there can be but one answer. In the last analysis all this gambling, all this fiction, all these fraudulent and false reports are but to blind the eyes of the farmer, to dim his vision and hope for justice, to mar his hope of reward, to place a blight upon his efforts, and bring nothing but poverty in return for his faithful, industrious efforts. No. It is all wrong; I can not believe that from nothing something can be produced; I can not believe but what both producer and consumer would be better off if this gambling as to whether the price will go up or down could be stamped out first, last, and for all. If this be done, then the American producer would enjoy his first fair day, and would say, "Well done, thou good and faithful servant."

One brief, which has been on my desk for some time purporting to come from 16–18 Wall Street, New York, blandly argues that their transactions are just as honorable as the man who gives his note for $100 to another, contending that both are contracts to do something in the future. Let us pause and compare. Comparison is always a fair method to arrive at true and just conclusions. For example, we will say Mr. A lends Mr. B $100. Mr. B executes a promissory note to Mr. A, which, of course, is a signed promise to pay a certain sum of money on the future date therein mentioned. Here Mr. A has money that he does not need; here Mr. B needs money that he does not have; here an actual commodity is transferred from one person who does not need it to another person who does need it. This transaction is one born of necessity and is honorable in its every detail. On the other hand, in a cotton gambling transaction the gambler sells cotton that he does not have; cotton that he can not procure; cotton that does not grow; cotton that is not in existence; cotton that will not be in existence from the very laws of nature and the abilities of this country to produce. The gambling transaction is pregnant with deception, charged with false assumption, based upon nothing and is purely and simply a gamble as to whether or not the price of cotton will go up or down. The buyer is well aware the seller has no cotton to sell him and would not want it if he did have. He does not pay over the price of the cotton; he merely makes a payment on it at a dollar a bale, which is nothing more than a wager deposited with the speculator to be turned over to the relative owner, based on the rise and fall of the price of the fleecy staple. Such mysterious, foolish, unreal, unhealthy transactions as this latter one is a blight upon agriculture. It is the duty of this Congress, before it completes its labors at this special session, to stamp it out once and for all.

Again, the letters and briefs with which the membership of this House are constantly flooded are consistent in their contention that there is no way to separate the wheat from the chaff. In other words, it is difficult for Congress to show which ones are legitimate contracts and which ones are not. I confess this has been the perplexing problem, and one that has so long postponed action by the Congress of the United States. I contend, however, that the wheat can be separated from the chaff and that Congress can legislate out the chaff and retain every kernel of wheat. For example, Mr. A sells Mr. B 160 acres of land for $10 an acre. They draw up a contract similar, if not identical, with the cotton contract, save that one relates to land and one relates to cotton. In this Mr. B only pays $1 per acre down on the land and agrees to pay $9 per acre additional at some time in the future. If Mr. A had good title to the land and authority to sell it, the transaction is a valid one, and Mr. B will take the land and pay the balance. If it develops that Mr. A had no title to the 160 acres of land and had no authority to sell the same, he lays himself criminally liable for fraud under the statutes, which would make him criminally guilty of fraud and subject him to indictment and imprisonment. I assert, in the same way could the valid, healthful, and legitimate contracts regarding the American farmers' produce be protected and upheld, and that the gambling, which is fictitious, unreal, unwholesome, unhealthy, and vicious, could be stamped out and a penalty prescribed for it on the statute books.

If it were true that the cotton exchange were a necessity to the cotton growers, the following figures, compiled by the Census Bureau, conclusively show that the actual spot cotton used by the New York Cotton Exchange has been, with little interruption, constantly on the decrease for the last series of years:

	Bales actually received.
1901	205,897
1902	161,964
1903	57,577
1904	45,123
1905	33,798
1906	6,575
1907	23,108

It seems to me that the figures above for the last 20 years would furnish ample foundation for us to believe that as the fictitious business prospers and reaches up to more than a hundred-million-bale mark in a single year it is at the expense of the real business. This constant decrease can but lead us to further believe that the future or gambling in cotton for business and the actual cotton business do not walk hand in hand, are not a necessity, are not conducive to the best interests of the producer or the consumer, but are a constant menace instead. The figures above quoted certainly prove well that the cotton does not seek this gigantic gambling institution. The location of this gambling institution conclusively shows that the New York Exchange is far removed from where the fleecy staple grows. We can not but conclude that the farther apart the real product of the soil is from this institution the better for both.

The figures, if we can rely on figures and they prove anything, prove it a myth and a snare. They offer nothing to commend it and everything to condemn it.

Oh, but the friend of the cotton exchange and bucket shop says: "Why, the price of cotton is higher now than when the bucket shop was in its infancy." This may be true; but of course there is no sound course of reasoning that can trace the credit of this to the gamblers in farm products. Everything is higher now than it used to be. Money is more plentiful; hence commodities of all kinds are high. It is also true that cotton is more universally used. It now takes the place of the silkworm and the sheep. There was a time when it could only be used when woven with hemp, flax, wool, or silk. To-day, under the benign influence of modern science and invention, this useful product stands alone and is king. It has robbed the silkworm of his tedious and toilsome task. It has robbed the historic shepherd of his usefulness. Cotton is king of every clime. It is used in every home. It pleads with this Congress to allow it to be sold on an open and an honest market free from snares, pitfalls, and gambling dens, which do not help, but constantly retard, disappoint, and annoy.

The recent panic of 1907, with its many ghastly disclosures, very vividly demonstrates to a marked degree who is even furnishing the money to carry on this business. When the southern and western banker called for his account in the local bank in the fall of 1907 he learned that his money had gone East to the reserve banks, as it has been permitted to do under the very defective banking laws of the present. The reply came that he could not draw his own money on account.

The reserve banks would not, if you please, pay over the funds that had been intrusted to their institutions by the western and southern banks. Where was the money? The answer came faint but clear. It was loaned to carry on the very business the American farmers are asking to have driven from our borders—the stock gamblers. Whose money was it? We can easily trace it. The local farmers and business men of the West and South had unsuspectingly deposited their money and little accounts with their local banks. The local banks in turn had forwarded it to the eastern banks. The eastern banks in turn had loaned it to the benign speculators with which to gamble on American products. I respectfully ask, Who furnished the products? The American farmer. I again repeat, Who furnished the money? The American farmer. The American farmer here furnishes all the paraphernalia for this New York Stock Exchange gambling, but is not permitted to sit in the game. He is not, if you please, permitted to even make inquiry as to what is to be done with his money or his product, but must believe the gamblers when they say, "It is inevitable, for men will speculate, men will gamble." Sir, will this Congress permit 40,000,000 American farmers to longer be looted, overridden, and abused? Will men adopt some makeshift in their haste to dispose of a matter so vital? Legislation should come on this tariff bill and we should pause and digest it. It is all important.

Who is here defending this nefarious business? Is it the American farmer? No! He is opposed to it. Is it the American consumer? No! He is opposed to it. It robs him. These several defenses come from a few good men, deceived, but mostly from agents of the cotton exchange in one form or the other, seeking to ridicule and disgust Members with the idea of legislation to prevent it. Such a defense, though unsound, is dangerous to those who are not personally and vitally interested in the matter.

I have read their several defenses carefully, and they have nothing even bordering on a true or genuine defense. They offer such defense as "men will gamble, and there is no use to try to prevent it." Shame on such a theory! Shame on such an argument! Shame on such a principle! There is no place in the world where such a principle, where such a thought, can find lodgment in an honest breast or a thoughtful brain. It may be practiced by good men, but they wink at vice and forget virtue when they do it, and an honest man will not cling to or be swayed by such logic.

These defenders of gambling in farm products set up such logic as the following: "Why it would be to the utter ruin to let the spinner and the producer deal direct." "Their interests are directly antagonistic to each other," they blandly contend.

"One, you see, is the buyer; he wants to buy as cheaply as possible, while the producer is the seller, and he wants to sell as high as possible." Think of this logic.

As to the status of the buyer and the seller and their respective interests with reference to the price, we must all subscribe to the fact that their interests are opposed to each other in that regard. But it is an open, an apparent divergence of interest, that accompanies every legal business transaction known to the business world.

Now, pause for a moment and think of this logic. Now, I want to urge this Congress to think of what a deplorable condition that would be to put the real producer in if, perchance, he was ever permitted to sell to the real spinner himself instead of letting a horde of middlemen who have bought, sold, and juggled with the product, and every one made a profit before it reaches the true market, which is the spinner. It is to be remembered of them—that paternal, knightly, and good Samaritan spirit of the New York exchange in their telegrams, briefs, letters, very tastefully gotten up, full of deception, full of ridicule, full of snares, and full of pitfalls, aimed at those who have not a deep interest, and who are not willing to study the philosophy they call into vogue. It is amusing and interesting to know of the keen sensibilities they possess for the producer.

No; I never was more certain of any fact than I am that it is all wrong. It has not a peg on which to stand. It is a vicious practice of speculating that this Commonwealth not only does not need, but is very desirous of getting rid of. It needs legislation to wipe it off. It needs hasty legislation to do it. There are two amendments and a number of bills pending on the subject. I have introduced one on the subject in every session of Congress since 1907. These amendments to this tariff bill now pending may not be the best. But in any event, they are better than none. It is a step toward the honest and open market, and I am for it. What the 40,000,000 American farmers want is legislation to cure these evils. No matter whose amendment or bill you pass or from which side of the House it comes; in either event it shall have my loyal support so long as it travels in the right direction. It is relief the farmers want. They want it now, not next session or next year, but now.

Let the farmer have an open market where all can read and all can know. Let the farmer have a chance. His lot is not the brightest in all the land. Let that ever-faithful wife and children of tender years, when they crawl on their hands and knees from gray daylight till close of day gathering the fleecy staple in the sunny Southland, believe and know that they are gathering nature's most useful crop for an honest and open market. Let them feel a true and honest pride in procuring and being made secure in a fair price, and let it serve as a solace to their tired constitutions, but ever-rested souls, that this Congress has yet a heart that throbs, yet an ear that hears, and is willing to give them heed.

Let us not permit the bucket shops and dens of gamblers in farm products to longer curb, throttle, checkmate, divert, debauch, and destroy this noble and historic art. Let us not permit them to discourage, hamper, and burden the 40,000,000 of American citizens who are engaged in agricultural pursuits living and residing on 6,000,000 cultivated farms. Let us not permit further exploitation of that class that produce more every year than they themselves consume. It is wrong in principle. It is wrong in morals. It is the burning duty of this Congress to make it extinct, either by criminal prosecution or by taxation as provided by this amendment, or both.

The farmers know not of the "bulls" and "bears." They do not want to know them. They do not want to know of or concerning them. It has been humorously but truthfully said by those more humorous than I that our American farmers do not care to know of any bulls but "Durham bulls" nor any bears but the ones in the zoological gardens in safe captivity. I take it this rule is quite universal and applies to the American producers generally.

The products of the soil should be a sacred matter. They should not be longer subjected to this orgy of speculation by a failure on the part of this Congress to act. This Congress has authority to act—has authority to go into this matter in detail. This Congress has men on both sides of the House who have introduced bills on the subject.

This is not a partisan question. This is not one that Republicans should be against because the Democrats are for. This is not an amendment that will unsettle conditions that ought to exist. This is not an amendment that will wound the feelings of any, save a few gamblers or their agents who are making their living by irregularity and speculation. It is a measure the farmers are pleading for, a measure the consumers all need and many of them are asking for, a measure that is to-day being opposed chiefly by New York speculators who are annually robbing the farmers out of millions of dollars, not by honest business methods, but by fraud, vice, stealth, and irregular transactions, in secret, behind closed doors.

If you legislate for them as you ought to do it will not retard the growth of the historic cotton plant in the springtime. It will not make the cotton bloom in midsummer with less splendor; it will not increase the appetite of the ever-vigilant boll weevil; it will not cause the bolls holding the valued product to open with less speed or less certainty; it will not make the task of gathering it more difficult; it will not increase the expense of hauling to market or of ginning. The fleecy staple will germinate, grow, open, and yield as of yore. To refuse to legislate against this evil will not make the wheat of the North and West greener in winter and spring, will not make it more golden at the harvest time; it will not quicken the binder or the sickle; it will not make the showers less plentiful in summer; it will not make the sun-kissed petals produce less than before. But if Congress will act nature will continue to do her annual task, and do it well. Agriculture will progress and improve. The ever-faithful American farmer will start with new zeal and new energy and agriculture will take a new lease on life. [Applause.]

It has been asserted in this debate, asserted in the press, that the American farmer himself did not desire this legislation to pass. I do not think it necessary to spend time on this subject, but to make sure about it I will present the indorsement of 41 farmers' union locals from my own State of Oklahoma, who indorsed a bill introduced by myself in 1908 for the express purpose of driving the gamblers out of business. I will print them herewith.

FERRIS BUCKET-SHOP BILL INDORSED BY OKLAHOMA FARMERS' UNION.

BECKHAM COUNTY INDORSEMENT.

DOXEY, BECKHAM COUNTY, OKLA., *February 19, 1908.*

Hon. SCOTT FERRIS, *Washington, D. C.:*

We indorse your "antibucket-shop" bill and want it to pass.
(Signed by 12 farmers.)

JACKSON COUNTY INDORSEMENT.

MARTHA, JACKSON COUNTY, OKLA., *March 16, 1908.*

Hon. SCOTT FERRIS, *Washington, D. C.:*

We, the undersigned, are very anxious to have the "bucket-shop" business abolished. We believe it an injustice to the farmer.
(Signed by 20 farmers.)

JACKSON COUNTY INDORSEMENT.

ELDORADO, JACKSON COUNTY, OKLA., *March 29, 1908.*

Hon. SCOTT FERRIS, *Washington, D. C.:*

I indorse your "antibucket-shop" bill now pending before Congress.

J. M. BAKER,
President of Eldorado Local.

POTTAWATOMIE COUNTY INDORSEMENT.

WANETTE, POTTAWATOMIE COUNTY, OKLA., *March 19, 1908.*

Hon. SCOTT FERRIS, *Washington, D. C.:*

We, the undersigned, do heartily indorse your "antibucket-shop" bill and want it to become a law.
(Signed by 30 farmers.)

CLEVELAND COUNTY INDORSEMENT.

LEXINGTON, CLEVELAND COUNTY, OKLA., *March 17, 1908.*

Hon. SCOTT FERRIS, *Washington, D. C.:*

We indorse everything that you have done and are trying to do, especially in passing the "antibucket-shop" bill, No. 11785. The bill will stop gambling in farm products.
(Signed by 19 citizens of Lexington, Okla.)

GREER COUNTY INDORSEMENT.

SANDY, GREER COUNTY, OKLA., *March 16, 1908.*

Hon. SCOTT FERRIS, *Washington, D. C.:*

We, the undersigned citizens of Greer County, Okla., heartily indorse your "antibucket-shop" bill, No. 11785. We ask all who are interested in the welfare of the "common people" to assist you in its passage.
(Signed by 35 farmers.)

POTTAWATOMIE COUNTY INDORSEMENT.

GRIFFIN UNION, No. 314, *Trousdale, Okla., March 15, 1908.*

Hon. SCOTT FERRIS, *Washington, D. C.:*

We, the undersigned members of this local, do petition the House of Representatives, now in session in Washington, D. C., that they support House bill 11785.
(Signed by 21 members of local.)

CLEVELAND COUNTY INDORSEMENT.

CANADIAN TOWNSHIP, CLEVELAND COUNTY, OKLA., *March 17, 1908.*

Hon. SCOTT FERRIS:

We, the undersigned legal voters of Canadian Township, Cleveland County, Okla., do indorse your "antibucket-shop" bill, No. 11785.
(Signed by 17 voters.)

CLEVELAND COUNTY INDORSEMENT.

NORMAN, CLEVELAND COUNTY, OKLA., *February 14, 1908.*

Hon. SCOTT FERRIS, *Washington, D. C.:*

We want all gambling on farm products abolished by law. We heartily indorse your bill on gambling in futures.
(Signed by M. B. Fulkerson, president Cleveland County Farmers' Union, and 9 other members of the local union.)

POTTAWATOMIE COUNTY INDORSEMENT.

TEMPLE HILL LOCAL UNION, No. 315, *Pottawatomie County, Okla., March 16, 1908.*

Hon. SCOTT FERRIS:

We, the undersigned members of the F. E. and C. U. of A. of Pottawatomie County, Okla., do heartily indorse your "antibucket-shop" bill, No. 11785.
(Signed by 15 members of local.)

KIOWA COUNTY INDORSEMENT.

FARMERS' INSTITUTE OF KIOWA COUNTY, *Snyder, Okla., January 16, 1908.*

To the Committee on Agriculture:

We, the Farmers' Institute of Kiowa County, Okla., do hereby approve and indorse the principle and purpose of House bill 11785.

W. J. CAUDILL, *President.*
W. J. MCCOLLOM, *Secretary.*

WASHITA COUNTY INDORSEMENT.

FARMERS' UNION OF KORN, WASHITA COUNTY, OKLA.,
RED TOP LODGE, No. 605.
Korn, Okla., February 16, 1908.

Hon. SCOTT FERRIS, *Washington, D. C.:*

My order intructed me to express our gratitude to you for the stand that you have taken on bill 11785, now pending in the House. We indorse the bill and want it to become a law.

JOHN ESTES, *Secretary-Treasurer.*

KIOWA COUNTY INDORSEMENT.

LONE WOLF, OKLA., *February 16, 1908.*

We, the undersigned citizens and landowners of Kiowa County, Okla., do heartily indorse House bill 11785, introduced in Congress by Hon. SCOTT FERRIS, and want to see the bill pass. We think it for the best interests of the people.
(Sixty signers of Kiowa County.)

STEPHENS COUNTY, OKLA.

PARKS, OKLA., *March 15, 1908.*

Hon. SCOTT FERRIS:

We indorse your "antibucket-shop" bill 11785 and wish to see it pass.
(Signed by 30 farmers.)

BECKHAM COUNTY INDORSEMENT.

ERICK, BECKHAM COUNTY, OKLA., *February 11, 1908.*

Hon. SCOTT FERRIS, *Washington, D. C.:*

We, the undersigned, heartily indorse your bill to prevent gambling in cotton, grain, and other farm products.
(Signed by 20 farmers.)

GREER COUNTY INDORSEMENT.

LOONEY, GREER COUNTY, OKLA., *March 19, 1908.*

Hon. SCOTT FERRIS, *Washington, D. C.:*

We, the Farmers' Union of Liberty, Local No. 812, do by a unanimous vote adopt the following resolution:

That the Congress of the United States do pass and cause to become a law House bill 11785, so that we can put our produce on the market without being molested and robbed by a lot of gamblers and speculators.

A. C. BOYETT,
President Greer County Farmers' Union.
W. L. OSBAN,
Secretary.

CLEVELAND COUNTY INDORSEMENT.

LITTLE RIVER LOCAL, No. 462, *Cleveland County, Okla., February 4, 1908.*

Hon. SCOTT FERRIS, *Washington, D. C.:*

Little River Local, No. 462, of the Farmers' Educational and Cooperative Union of America, has instructed me as its secretary-treasurer to write to you that our local heartily indorses House bill 11785, so vital to the interests of the farmers.

JAS. A. DUNBAR, *Secretary-Treasurer.*

TILLMAN COUNTY INDORSEMENT.

TILLMAN COUNTY, OKLA., *March 20, 1908.*

Hon. SCOTT FERRIS, *Washington, D. C.:*

We, the Farmers' Union of Tillman County, Okla., met in our annual county meeting March 19, 1908, and passed resolutions indorsing your "antibucket-shop" bill.

J. L. GIVENS, *Secretary.*

GRADY COUNTY INDORSEMENT.

GRADY COUNTY, OKLA., *January 22, 1908.*

Hon. SCOTT FERRIS, *Washington, D. C.:*

The Farmers' Union of Grady County, in session at Rush Springs, Okla., met on January 17, 1908, and passed resolutions indorsing your bill (H. R. 11785) to prevent gambling in cotton and grain futures.

E. I. WILLIAMS, *Secretary.*

GREER COUNTY INDORSEMENT.

LONE STAR LOCAL, No. 325, *Kelly, Okla., February 20, 1908.*

To Hon. SCOTT FERRIS, *Washington, D. C.:*

The Farmers' Union of Lone Star Local, No. 325, of Greer County, Okla., passed resolutions indorsing your bill to prevent gambling in cotton and grain futures, and instructed me to write you that we as a body of 75 members indorse said bill.

F. M. LOCKE, *Secretary.*

POTTAWATOMIE COUNTY INDORSEMENT.

ASHER, OKLA., *February 16, 1908.*

Hon. SCOTT FERRIS, *Washington, D. C.:*

Avoca Union, No. 571, requested me to write you that we agree with you in every particular and that we extend to you our sincere thanks for the interest you have taken in behalf of the producers of all wealth, and that we indorse your "antibucket-shop" bill.

JOHN H. HOOVER,
Member Avoca Union, No. 571.

UNION LABOR AND RAILWAY UNIONS' INDORSEMENT.

THE STATE OF OKLAHOMA,
DEPARTMENT OF LABOR,
Guthrie, Okla., March 26, 1908.

Hon. SCOTT FERRIS, *Washington, D. C.*

DEAR SIR: We, the joint legislative board of the State of Oklahoma, now assembled at the State capital, Guthrie, Okla., composed of the farmers, American Federation of Labor, and railway unions, do hereby make the following request:

Whereas we do heartily indorse the "antibucket-shop" bill, No. 11785, now pending in the House of Congress, and further request that you use your influence in its passage.

Respectfully submitted.

_____.
_____.

JACKSON COUNTY INDORSEMENT.

Frazier Local Union, No. 86, Jackson County, Okla., pass resolutions indorsing House bill No. 11785:

ALTUS, OKLA., *March 22, 1908.*

Hon. SCOTT FERRIS:

All the members of Frazier Local Union, No. 86, indorse your "antibucket-shop" bill and want it passed.

W. H. XANDER, *Secretary.*

JACKSON COUNTY INDORSEMENT.

Farmers' Union, No. 384, Jackson County, Okla., indorse bill 11785:

ELDORADO, OKLA., *March 24, 1908.*

Hon. SCOTT FERRIS, *Washington, D. C.*

DEAR SIR: Your "antibucket-shop" bill was presented to our Local Union No. 384, and it was unanimously indorsed. We hope you will succeed in getting your bill passed.

J. A. DICKERSON.

CLEVELAND COUNTY INDORSEMENT.

Members of Cleveland County, Okla., F. E. C. U. of A. indorse House bill 11785:

NOBLE, OKLA., *March 18, 1908.*

Hon. SCOTT FERRIS:

We, the undersigned, heartily indorse your efforts to suppress gambling in farm products. We urge the passage of your "antibucket-shop" bill 11785.
(Signed by 24 members of the Farmers' Union.)

Resolution adopted by Victory Local Union, No. 738, F. E. and C. U. of A.:

MARCH 14, 1908.

Be it resolved by this union, That we favor the "antibucket-shop" bill, No. 11785, offered by Hon. SCOTT FERRIS, of Oklahoma. We urge the United States Congress to act favorably on the bill.

I. M. BYRD,
J. B. KETCHERSID,
J. P. HENSLEY,
Resolution Committee.

M'CLAIN COUNTY INDORSEMENT.

Resolutions from Washington Local, No. 392, F. E. and C. U. of A., McClain County, Okla.:

WASHINGTON, OKLA., *March 21, 1908.*

Hon. SCOTT FERRIS:

Your "antibucket-shop" bill, No. 11785, was read and discussed in our union and unanimously indorsed. We sincerely urge that Congress pass the bill.

W. W. YODER, *Secretary.*

ROGER MILLS COUNTY INDORSEMENT.

Willow Springs Local, No. 350, Roger Mills County, Okla., pass resolustions indorsing the bill No. 11785:

BERLIN, OKLA., *March 21, 1908.*

Hon. SCOTT FERRIS has introduced in Congress a bill known as the "antibucket-shop" bill, No. 11785: Therefore be it

Resolved by Willow Springs Local Union, No. 350, F. E. and C. U. of A., That we urge Congress to pass said bill to prohibit gambling in farm products.

A. M. UNDERWOOD,
Secretary-Treasurer.

INDORSEMENTS FROM BECKHAM COUNTY, OKLA.

MATFIELD, OKLA., *March 21, 1908.*

To the House of Representatives, Washington, D. C.:

We, the undersigned voters of Beckham County, Okla., respectfully and earnestly ask your votes in the interest of the "antibucket-shop" bill, known as House bill No. 11785, introduced by Congressman FERRIS, of Oklahoma.
(Signed by 15 farmers.)

INDORSEMENTS FROM WASHITA COUNTY, OKLA.

FARMERS' LOCAL UNION, No. 136,
Cordell, Okla., March 25, 1908.

To the United States Congress:

Whereas there is now pending for the action of Congress a bill known as "antibucket-shop" bill No. 11785: Be it

Resolved, That we give such Congressmen as give the bill their support our hearty cooperation, and Hon. SCOTT FERRIS especially.

Be it further resolved, That we ask our friends in Congress to notify us of those who oppose the bill that we may mark them for future elections.

W. B. DRUCE,
R. R. NANCE,
JESSE STOVALL,
Committee.

(Also signed by 14 other farmers.)

—

INDORSEMENTS FROM BECKHAM COUNTY, OKLA.

ERICK, OKLA., *March 26, 1908.*

We, the members of North Star Union, No. 250, do petition and pray that Congress pass an "antibucket-shop" bill to put a stop to gambling in farm products.

(Signed by 20 farmers.)

—

INDORSEMENTS FROM GRADY COUNTY, OKLA.

COLBERT LOCAL, No. 76, F. E. AND C. U. OF A.,
Bradley, Okla., March 30, 1908.

We, the members of Colbert Local, do indorse, commend, and approve the bill known as "antibucket-shop" bill No. 11785, introduced by the Hon. SCOTT FERRIS in the House of Representatives. We therefore urge the passage of the bill at this session of Congress, as we believe it is one of the crying needs of working humanity.

W. E. SPENCER, *President.*
N. E. HEYING, *Secretary.*

—

INDORSEMENTS FROM M'CLAIN COUNTY, OKLA.

DIBBLE, OKLA., *March 28, 1908.*

Hon. SCOTT FERRIS, *Washington, D. C.*

We, the members of McClain County Local, No. 391, F. E. and C. U. of A., do indorse and recommend "antibucket-shop" bill No. 11785. We think gambling in farm products is against the interest of the farming class.

JERRY RAMSEY, *President.*
L. H. DAVIS, *Secretary.*

—

THE MURRAY COUNTY FARMERS' UNION INDORSES "ANTIBUCKET-SHOP" BILL NO. 11785.

SULPHUR, OKLA., *March 28, 1908.*

Be it resolved by the Murray County Union in regular session assembled, That we do hereby indorse the efforts of Hon. SCOTT FERRIS, our Representative in Congress, in his efforts to stop gambling in futures in farm products, and we ask all our Representatives and Senators to assist him in every honorable way, to the end that his bill introduced for this purpose may pass and become a law.

Unanimously adopted this 28th day of March, 1908.

BIRT RUCKER,
County Secretary Farmers' Union of Murray County, Okla.

—

INDORSEMENTS FROM POTTAWATOMIE COUNTY, OKLA.

TROUSDALE, OKLA., *R. F. D. No. 2, March 30, 1908.*

Hon. SCOTT FERRIS, *Washington, D. C.*

DEAR SIR: Your "antibucket-shop" bill No. 11785 was read before our local, and we unanimously indorse and heartily recommend the passage of said bill. We realize that the worst enemy the farmer has is the parasite who gambles in farm products. We feel that in you we have a representative of the working people of Oklahoma.

W. T. OTIS,
Secretary-Treasurer Cloverdale Local Union, No. 490.

—

INDORSEMENT FROM STEPHENS COUNTY FARMERS' UNION.

MARLOW, OKLA., *March 25, 1908.*

Hon. SCOTT FERRIS,
House of Representatives, Washington, D. C.

DEAR SIR: We, as a lodge, hope your "antibucket-shop" bill No. 11785 will pass.

JOHN MARLER, *President.*
W. D. CARUTHERS,
Secretary-Treasurer Local No. 151.

—

FARMERS' UNION LOCAL IN JACKSON COUNTY, OKLA.

WILMOTH, OLKA., *March 19, 1908.*

To the House of Representatives of the United States,
Washington, D. C.:

We, the members of Farmers' Union Local, No. 588, unanimously favor the "antibucket-shop" bill No. 11785, presented by Hon SCOTT FERRIS.

C. L. FORD, *President.*
W. G. BURNS, *Secretary.*

—

PRAIRIE VIEW LOCAL UNION, BECKHAM COUNTY, OKLA.

DOXEY, OKLA., *March 31, 1908.*

To the Congress of the United States:

Prairie View Union in session begs to submit the following resolutions:

That we do hereby indorse "antibucket-shop" bill No. 11785. We ask for the passage of the bill.

J. R. HOHENSHELT, *President.*
C. S. STOKESBERRY, *Secretary.*

FARMERS' LOCAL UNION, NO. 1215, M'CLAIN COUNTY, OKLA.

PURCELL, OKLA., *March 31, 1908.*

Be it resolved by the Johnson Local, No. 1215, of the F. E. and C. U. of A., in convention assembled at Johnson, McClain County, Okla., March 31, 1908, That we indorse and recommend the passage of H. R. No. 11785, entitled "A bill to prevent gambling in cotton and grain futures, and providing penalties for the violation thereof," introduced January 6, 1906, by our Representative, Hon. SCOTT FERRIS.

R. E. SINGLETON, *Vice President.*
J. E. MADDEN, *Secretary.*

—

COOPER LOCAL UNION, NO. 183, POTTAWATOMIE COUNTY, OKLA.

ASHER, OKLA., *March 22, 1908.*

Hon. SCOTT FERRIS, *Washington, D. C.:*

The Cooper Local Union, No. 183, F. E. and C. U. of A., in convention assembled, heartily indorses your "antibucket-shop" bill No. 11785.

F. T. LASTER, *Secretary.*

Mr. UNDERWOOD. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Speaker, it is utterly impossible in five minutes to discuss the matter I want to discuss. We of the South are especially interested in the cotton-future amendment.

I want to call the attention of the House to the substitute offered by the chairman of the Ways and Means Committee, that it puts half a cent a bale tax upon a legitimate sale of cotton. That is wrong. In other words, it endeavors in this substitute for the Senate amendment to put a half-cent tax on the sale of a bale of cotton which is absolutely legitimate. If they can put half a cent tax on a legitimate sale of a particular bale of cotton, they can put a dollar on it. I am unwilling to go to the cotton farmer of the South and say to him that when he sells his cotton he is called upon to pay half a cent tax upon the legitimate sale of it.

Another thing. Under the amendment which is offered in the Senate, commonly known as the Clarke amendment, the only tax placed there upon the cotton is a tax of $50 per 100 bales upon a pure gambling transaction, and it is admitted by all the cotton gamblers, whether you like that method of getting at this cotton business or not, that it will put them out of business on the New York and New Orleans Exchanges. The New York Cotton Exchange has ceased to be a cotton exchange. There is no spot cotton worthy of notice bought and sold in New York. The cotton that is bought and sold there is nothing more nor less than pure gambling transactions.

Now, the Democratic Party in its platform, if it means anything, means that it is committed as a party to the suppression of gambling in agricultural products; and I belong to that school of political thought that does not believe it is necessary that men should gamble in the products of the toil of the people of this country in order that they may get a market. The southern cotton farmer, raising cotton that supplies the millions of spindles throughout the world, has a legitimate market for that which he legitimately offers, and he will always find a legitimate purchaser.

The New York future market is not much more than a generation old. In other words, they handled the cotton business before the Civil War, and they handled it after the Civil War, without the intervention of the future market. And to-day the interior cotton buyer that buys the great bulk of the cotton, puts up a margin of $5 per bale for the purpose of buying his cotton, and for $5,000 a cotton buyer can carry in a Southern bank 1,000 bales of cotton and can deliver it to the spinner who needs it.

What is the result under the present system? In round numbers about 120,000,000 bales of cotton are bought and sold on the New York Cotton Exchange, and about 100,000,000 on the New Orleans Cotton Exchange, and more than that on the Liverpool Exchange, and there never has been but 20,000,000 bales of cotton raised in the world. In other words, New York will sell 120,000,000 bales. Why? Because, if they were to charge an honest commission upon honest sales on a legitimate cotton for one year, they would have to go out of business as gamblers. The stupendous sum of $100,000,000 in round numbers in commissions they get under the present system. Therefore, they must have the future market in order that this great horde of men may live and prosper. But it is costing over $100,000,000, which the consumers throughout the world are paying to these men who toil not neither do they spin. They do no legitimate cotton buying. [Applause.]

Mr. CALLAWAY. Will the gentleman yield?

Mr. SISSON. I have not the time. I can not talk about this matter in five minutes. I am sorry that I can not get to vote for a proposition that will for all time stop gambling in cotton futures.

The SPEAKER. The time of the gentleman from Mississippi [Mr. SISSON] has expired.

—

Mr. UNDERWOOD. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. HUMPHREYS].

The SPEAKER. The gentleman from Mississippi [Mr. HUMPHREYS] is recognized for five minutes.

Mr. HUMPHREYS of Mississippi. Mr. Speaker and gentlemen, I want to address what few remarks I shall make to the gentlemen on this side of the House.

Mr. Speaker, the two gentlemen who have just preceded me laid considerable stress upon the fact that the Democratic platform at Baltimore had declared in favor of the suppression of gambling in future cotton and called upon Democrats, therefore, to support this measure.

The platform adopted at Baltimore, Mr. Speaker, contained other provisions than that, and I wish to call the attention of Democrats here to one of the planks in that platform, a plank which announced the policy of the Democratic Party as it has been proclaimed in platforms and on the stump for more than a generation; and I call the attention of gentlemen particularly to this declaration, because it says that it is fundamental:

We declare it to be a fundamental principle of the Democratic Party that the Federal Government under the Constitution has no right or power to impose or collect tariff duties except for the purpose of revenue.

This was no new faith embraced in this age of progress. On the contrary, it was the old-time religion, a religion which had always been professed by those who claimed to be Democrats. It was taken almost bodily from the platform of 1892, upon which we had won our last victory. That platform was as follows:

We declare it to be a fundamental principle of the Democratic Party that the Federal Government has no constitutional power to impose and collect tariff duties except for the purposes of revenue only.

I know it is claimed that declarations of party faith are sometimes adopted without mature deliberation and, in fact, with little consideration, but no man who is at all familiar with his party's history can lay this charge to this particular plank. The fact is that in the convention of 1892 the committee on resolutions brought in a tariff plank which did not go as far as a minority of that committee desired, and Mr. Neal, a delegate from Ohio, moved on the floor of the convention to strike out the plank as reported by the committee and insert the declaration which I have just read in its stead. A very interesting debate ensued, which was participated in by Mr. Watterson, Mr. Vilas, and other leaders of the party, and upon a roll call of the convention this substitute was adopted by an overwhelming majority. Since that day it has been a cardinal article of faith in our party and was deliberately written as such into the platform at Baltimore.

Nobody claims that Congress has a better right to impose any other taxes, either excises, imposts, or duties, except for the purpose of revenue, because the grant is all in the same section of the Constitution which declares simply that "Congress shall have power to lay and collect taxes, imposts, duties, and excises." But, lest some one may attempt so to differentiate, let me read what the President of the United States, in accepting the presidential nomination on that platform, said:

Our own clear conviction as Democrats is that in the last analysis the only safe and legitimate object of tariff duties, *as of all taxes of every kind*—note those words; As of all taxes of every kind—is to raise revenue for the support of the Government.

My colleague [Mr. SISSON] who just preceded me says that all admit that, if the Clarke amendment prevails, these gambling establishments will go out of business. If so, then we shall collect no revenue by it. No man even pretends, and no man will pretend, that this tax is levied for the purpose of raising revenue. Its purpose is frankly declared to be to destroy the New York and New Orleans Cotton Exchanges.

When we put these declarations in our platform, when we went on the stump and denounced the Republican Party for its "perversion of the taxing power," and some of us, the distinguished Postmaster General among them, went so far as to say "the prostitution of the taxing power" to purposes other than that of raising revenue, were we serious, or did we mean to say to the people that this is to be taken in a Pickwickian sense?

Mr. GARNER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. HUMPHREYS of Mississippi. I regret that I can not at this time.

The SPEAKER. The gentleman declines to yield.

Mr. HUMPHREYS of Mississippi. We denounced the tax on State bank issues as unconstitutional. We denounced the tax on oleomargarine as unconstitutional, and all the Representatives from the cotton-raising section of the country denounced it as an outrage. It was an outrage. It was a prostitution of the taxing power. The tax was purposely fixed at a rate so high—as is done in this amendment—that it could not be paid; and oleomargarine, which was largely made from cottonseed products, was deliberately outlawed in the interests of the dairymen. "Stand by the cow" was the battle cry then, and the vote showed that the cow had more friends here than the Constitution. We denounced here last year—some of the distinguished gentlemen, who are advocating this measure now—the tax on the phosphorous match, because it was, as Mr. Burleson said in that debate, "a prostitution of the taxing power."

And yet in the very first measure that the administration is to put on the statute books we go out of our way to tack upon it what? What we have declared to be a violation of the Constitution, what we have been holding in our platform to be abhorrent to a fundamental principle of our party.

Gentlemen say that the Baltimore platform calls for this legislation. I deny it. Here is what the platform says:

We believe in encouraging the development of agriculture, etc., and as an efficient means to this end we favor the enactment by Congress of legislation that will suppress the pernicious practice of gambling in agricultural products by organized exchanges or others.

By any rule of reasonable construction these two platform declarations must be read together, and when so read no man who deliberately seeks accurately and fairly to interpret that platform can say that it promises "to suppress the pernicious practice of gambling in agricultural products", by violating that "fundamental principle of the Democratic party—that the Federal Government under the Constitution has no right or power to impose or collect taxes except for purposes of revenue." At the time of this platform declaration the Beall bill had passed the House and was pending in the Senate. It would have suppressed the pernicious practice of gambling in cotton futures in a perfectly orderly and constitutional way. It was no more like the pending amendment than I to Hercules. I have drunk too deep at the Democratic spring; I have too long followed the faith of the fathers in their construction of the taxing power under the Constitution to be clamored into an abandonment of the convictions of a lifetime now.

And Mr. Speaker, I do not believe the people of this country will ever take us seriously if we here deliberately turn our backs upon these protestations of faith upon which we have been making our appeals for their indorsement ever since there has been a Democratic Party. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. UNDERWOOD. Mr. Speaker, I would like to ask how the division of the time stands?

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] has 90 minutes. The gentleman from New York [Mr. PAYNE] has 40 minutes, and the gentleman from Kansas [Mr. MURDOCK] has 9 minutes.

Mr. UNDERWOOD. Does the gentleman from Michigan [Mr. FORDNEY] desire to proceed now?

Mr. FORDNEY. I would be pleased to proceed at any time.

The SPEAKER. The gentleman from New York [Mr. PAYNE] has 40 minutes and the gentleman from Kansas has 9.

Mr. PAYNE. I thought I had 45 minutes. I used an hour myself.

The SPEAKER. The gentleman used five minutes more than that.

Mr. UNDERWOOD. Mr. Speaker, I yield one-half a minute to the gentleman from North Carolina [Mr. FAISON].

The SPEAKER. The gentleman from North Carolina [Mr. FAISON] is recognized.

Mr. FAISON. Mr. Speaker, I have introduced in Congress recently two bills—one appropriating $350,000 for the study of, testing, and experimentation of the best and cheapest electrical methods of obtaining nitrogen from the air, and the other bill appropriating $50,000 for study of, testing, and experimentation of the best electrical methods of obtaining a larger per cent of acid phosphates from phosphate rock by baking such rock in high-temperature electric ovens, for agricultural fertilizing purposes.

The present supply of nitrogen or ammonia for such purposes comes largely from the saltpeter beds of Chile as nitrate of sodium. Some also comes from cottonseed meal, fish scrap, waste from packing houses, coal, and peat. It is largely controlled by trusts, which have been controlling the output of these mines and gradually increasing the cost, until to-day it costs the farmers about $60 per ton retail, containing about 19 to 20 per cent ammonia. During the summer months in my State and district in eastern North Carolina, where much nitrate of soda, with other fertilizers, is used by the berry and truck farmers and for cotton, tobacco, and corn crops, the annual supply gave out and could not be purchased when needed for late application to cotton and corn for larger yields.

This Chile saltpeter—sodium nitrate—supplying 19 to 20 per cent of ammonia for plant food, or 100 pounds of ammonia only to the ton, at a retail cost of 60 cents per pound to the farmers, contains besides much sodium compounds not only not needed as plant food but beyond certain limits distinctly retarding plant growth stimulated by the ammonia, and with other chloride and chlorate compounds from continued use tending to harden, dry, and crust the soil. Such drawbacks to plant growth, particularly strawberry, tobacco, grape, vegetable, and fruit crops, so largely now grown in the South, in my State and district—the market-garden section of the South Atlantic States—are a most serious objection to the extensive use of nitrate of sodium, yet this Chile saltpeter furnishes the largest per cent of rapidly soluble ammonia so much needed by these quick maturing fruit, berry, and vegetable crops.

Free nitrogen or ammonia gathered from the air by electrical methods in the form of calcium or lime nitrates is an ideal compound for fertilizing purposes, having no deleterious sodium compounds to retard plant growth, especially of tobacco, strawberry, grape, and other fruit and vegetable crops.

The nitrogen or ammonia is taken up for plant food just as well as in the Chile saltpeter, while the lime or calcium nitrates from the air increase the plant growth in sandy and rocky lands by correcting the acids in the soil and also soften and mellow the soil rather than harden or crust it, as do the sodium compounds of the Chile saltpeter. In fact, plant-food chemists state that nitrogen or ammonia is only taken up and assimilated as lime or calcium nitrates, while the lime or calcium hastens humus decay and corrects and disinfects the toxic excreta of plant growth in the soil. Hence such lime nitrates gathered from the air by electricity are nature's ideal fertilizer for such class of agricultural crops.

Again, the cost of nitrogen or ammonia in the Chile saltpeter is about $60 per ton retail to the farmer, or 60 cents per pound for the 100 pounds of ammonia contained in each ton of sodium nitrates. The air enveloping the earth contains 78 per cent nitrogen and 22 per cent oxygen, or 75.5 per cent nitrogen by weight. It is estimated by accurate scientists that resting upon each square yard of the earth's surface in the 10 miles of air above are 5.5 tons of nitrogen per square yard, or 20,000,000 tons to each square mile of the earth's surface, worth, at 60 cents or more a pound, $12,500,000,000 per square mile of the earth's surface. Of this great quantity of nitrogen in the air we breathe the nitrogen is not only not needed for breathing to sustain human and animal life, but is poisonous to both if it were free, not combined with oxygen, as only the 22 per cent of the oxygen in the air is required to sustain animal and human life.

Only a minute fraction, about 0.000,002 of this 78 per cent nitrogen, is taken up by ordinary plant life, and when fed to animal life returns back into the soil as barnyard manure. By lightning and from rain and through chemical and bacteria action of certain leguminous crops—field peas, soy beans, clovers, alfalfa, and so forth, known to farmers as "diversification and rotation of such crops"—a small amount, about 65 tons, of nitrogen can be returned annually to each square mile of soil, leaving practically the whole amount of nitrogen, 78 per cent of the air, or 20,000,000 tons, worth $12,500,000,000 to each square mile, unused.

For years chemists, scientific students, manufacturers, and agriculturists have been studying and testing methods of utilizing this enormous quantity of nitrogen in the air. As the Chile saltpeter (nitrate of sodium) has been used so freely as a fertilizer for larger crop yields and increased in value by such larger use and by the monopoly of trusts, and in view of such limited supply in the Chile saltpeter beds becoming exhausted in 50 years (about 2,500,000 tons being sold last year and increasing annually), such study, tests, and experiments have been an inviting field for chemist and capital.

In 1901 Americans first began the air-nitrogen electrical manufacturing industry at Niagara Falls, but their electrical plant, gathering only 3 per cent of free nitrogen, was too expensive to operate. Norway chemists in 1903 began the air nitrogen electric manufacturing and now successfully manufacture nitrogen from the air, forcing the air rapidly and highly heated and cooled over pulverized limestone, as lime or calcium nitrates. German chemists began about the same time with equal success and later formed all these companies into a trust by patenting their processes, and have succeeded well, as only the cheapest raw materials are needed—air, water, and limestone—with large water powers developing cheap electrical power plants, as found and developed in Norway and Germany. From these two countries and Chile the United States imports about $50,000,000 of sodium and calcium or lime nitrates now per annum, largely for agricultural fertilizing purposes, above our exports of fertilizing chemicals. Still larger quantities must be used annually to supply our wasting soils for larger and larger yields of food crops for the increasing millions of people, as ammonia, unlike potash and acid phosphate, the other two ingredients of commercial fertilizers, is so soluble that it washes away in the soil, if not soon taken up in plant food. There are, besides, such large deposits of potash and phosphate rock in Germany and America, respectively, that no exhaustion is expected for centuries. The lime or calcium nitrates thus manufactured from the air, containing about 14 per cent nitrogen, equal to 17 per cent ammonia, is an ideal fertilizer; yet, like sodium nitrate, it is probably more hygroscopic than nitrate of sodium of Chile and becomes too wet to ship in bags or mix with potash salts and acid phosphates for a dry fertilizer easily handled and rapidly distributed for manuring growing crops, which has to some extent become corrected by the mixture of more slaked lime.

This electric-manufactured calcium or lime nitrate can be manufactured much cheaper per ton—only 50 to 80 cents per ton—than the Chile salts taken from their deposit beds, together with the $10 or $12 per ton export duty levied by the Chilean Government (from which Chile gains its largest revenues, which practically maintains its Government expenses) and makes it cost f. o. b. Chile about $35 to $40, yet on account of the small water powers of Europe not sufficient amounts of the air-nitrogen electric-manufactured calcium or lime nitrate at six to ten times less cost than Chile saltpeter, have been manufactured in Germany, Norway, and other European countries to compete with the much larger yields of the Chile saltpeter beds, and the price continues to advance under larger consumption, larger export duties of the Chilean Government, and trust-manipulated prices. Hence the larger water powers of America at Niagara Falls, of Iceland (by the English Government), and Niagara Falls in Canada have attracted attention of capitalists, scientists, and chemists and are being used for cheaper electric power, ranging from 37 cents to 50 cents and $1.25 per horsepower, and high electrical heat and other larger water powers throughout the South and West—30,000,000 horsepower yet undeveloped in the United States—while Alaska can furnish still larger water powers, on account of the larger winter snows and rainfalls of that section. Continued perfection in the detail methods of manufacture of this air nitrogen calcium nitrate will greatly cheapen this most expensive and most soluble ammonia fertilizer constituent, as it will take about $860,000,000, estimated, to produce the amount of free nitrogen or ammonia now consumed as Chile saltpeter for fertilizing purposes.

In 1910 capitalists with the patent rights of German chemists began the manufacture of nitrogen from the air, known as calcium cyanamide, using heated limestone and coke pulverized in equal parts for absorbing the nitrogen gathered from the rapidly heated air, at Niagara Falls, Canada. This calcium or lime cyanamide contains 20 per cent nitrogen, equal to 24 per cent of ammonia. This calcium cyanamide also has the greater advantage of being thoroughly pulverized and is not hygroscopic, remaining dry for years in bags and easily mixed with and, even, drying wet acid phosphate, yet at the same time when wet in the soil, gives up the ammonia freely for plant food, but not so readily, as Chile saltpeter or calcium nitrate made from the air, both of which are great advantages.

The coke used in its manufacture is about as cheap as limestone, and the process of manufacture being so simple, the calcium cyanamide with 10 per cent more ammonia than the calcium nitrates and 5 per cent more ammonia than the Chile sodium nitrate—not hygroscopic nor volatile and containing lime and not sodium—will be largely used when these electric manufacturing plants can supply sufficient quantity for agricultural fertilizers and will become the common source of ammonia obtained from the inexhaustible free supply in the air around us. Such is the purpose of this bill.

The other bill introduced calls for an appropriation of $50,000 for the study of, testing, and experimentation with the best methods of obtaining larger per cents of acid phosphate from the large deposits of phosphate rock in the United States, the common source of such soluble acid phosphate necessary for plant food. Heretofore this phosphate rock has been mined, crushed, and treated with sulphuric acid for extracting in soluble form acid phosphate for plant food. By such chemical treatment of phosphate rock only 16 per cent soluble acid phosphate has been rendered available for plant food, the remainder being insoluble and probably not taken up from the soil, and therefore useless. By such sulphuric acid treatment a quantity of free sulphuric acid remains in the commercial acid phosphate commonly sold for agricultural fertilizers, which sours the soil and retards plant growth until corrected by the application

of lime to the soil, which in turn corrects the surplus free sulphuric acid in the acid phosphate and stays any further solubility of the remaining 84 per cent of acid phosphate in the phosphate rock, rendering it inert and useless as plant food.

Recent experiments with baking crushed or pulverized phosphate rock in high-temperature electric ovens has fully demonstrated the fact that as much as 40 per cent of soluble acid phosphate for plant food can be extracted from this crushed phosphate rock without the excess of free sulphuric acid, which retards plant growth by souring the soil. Such electric method increasing the available acid phosphate from 16 per cent to 40 per cent for plant food increases the plant-food value 250 per cent and relieves the necessity of liming the soil at additional expenses to the cost of production of food crops, and adds largely to the yield of the soil, and thereby cheapens food products to the ultimate consumer.

The increasing large quantities of commercial fertilizers for the increasing necessity of larger yields of foodstuffs to supply the need of a larger population, now increasing in America at the rate of about 2,000,000 per annum, born in and immigrating to America, besides our exports of foodstuffs to foreign countries, will demand larger and larger quantities of such commercial fertilizers. It is estimated that about 10,000,000 tons of fertilizers or more, valued at $250,000,000, are now consumed annually in the United States, while about $40,000,000 to $50,000,000 go abroad in excess of our exports of phosphate rock, largely for the ammonia and potash ingredients of these fertilizers.

Ammonia being the highest priced—$60 per 100 pounds—the most volatile, and the least plentiful, except as nitrogen in the air, how important, then, it becomes to farmers, producers, and consumers of such foods in the United States that such an all-important and valuable agricultural fertilizer as ammonia should be made as cheaply as possible from the inexhaustible supply of nitrogen in the air—20,000,000 tons to each square mile of the earth's surface—and, not only, not needed to sustain animal and human life, but poisonous to both when not combined with the oxygen. It is only combined in the atmosphere, useless, stored, in four times the quantity of the life-giving oxygen by an all-wise, provident Creator to increase the yield of the soil to feed increasing humanity when the "high cost of living" has become burdensome and the other natural supply of such needed fertilizer nearly exhausted.

Such a bountiful, inexhaustible supply of ammonia as nitrogen in the atmosphere and so freely provided for humanity by an all-wise and provident God, more free and bountiful than water composing three-fourths of the earth's surface, was never intended in His divine beneficent economy to be controlled by any trust nor protected by any patent rights of greedy, selfish, human invention or legislative action in order to control or lessen the yield of mother earth when the food supply is limited by the natural increase of consumers, now crying out for cheaper food in these days of the "high cost" of the common necessities of life.

It therefore should become the urgent duty of Congress to thoroughly investigate and test the best methods of utilizing these natural and much-needed highest-priced volatile ingredients of commercial fertilizers, "nitrogen or ammonia," so bountifully and freely supplied in the air, and acid phosphate for the larger yields of food supplies for hungering increasing humanity, and relieve the stress of the "high cost of living" heard on all sides. Find out the cost of the same by the best and cheapest methods of electric manufacture and regulate the trusts and patent rights which control the price and sale or corner the output of such needed agricultural fertilizers for the larger yield of old mother earth when famine or hunger seems to threaten the masses of the American people.

For this purpose I have introduced these two bills in Congress—

to investigate, test, and study the manufacture of free nitrogen or ammonia by electrical methods from the atmosphere, and of acid phosphate in larger quantities from the phosphate-rock deposits of America.

I have also introduced a resolution of investigation to investigate the Fertilizer Trust, controlling by combination the price and output of commercial fertilizers and their ingredients, which are fixing annually the quantity manufactured and mined and the prices, wholesale and retail, of three ingredients—ammonia, acid phosphate, and potash—when sold in the United States as Chile saltpeter, and from vegetable and animal sources, or manufactured from the air by patent processes as calcium nitrate or calcium cyanamide, potash, as sulphate or muriate of potash, or kainit, and, third, acid phosphates.

Such study, tests, and investigations by the United States Secretary of Agriculture will give the farmers and stockmen of the States commercial fertilizers at cheap and legitimate prices, which will enable them to increase their yields of meats and foodstuffs by more intensive, scientific, and modern methods of agriculture and stock raising; and such increase will cheapen the rapidly increasing cost of such foodstuffs due to the annual decrease of production and benefit alike both producers, middlemen, and the ultimate consumers. Who, then, can say nay?

Congress can spend a few thousand—yea, a few hundred thousand—dollars in no better way, and hungering humanity will hail such relief with universal approval. It will be in thorough accord with the present policy of the present administration in reducing the tariff, passing proper currency legislation, curbing the monopolistic grip of the trusts, enacting into just laws a long-time credit farm-loan system, establishing vocational schools and demonstration-farm schools; in fact, it is "the key to the arch," as old mother earth can only bring forth bountifully her increase when the proper plant food, drawn from her soil by centuries of yielding, is easily and plentifully supplied in soluble form in the ammonia, potash, and acid phosphates of commercial agricultural fertilizers so well known to all agricultural chemists and scientific farmers, who are busy as never before feeding the growing millions hungering for food and raiment.

Mr. UNDERWOOD. Mr. Speaker, I suggest to the gentleman from Michigan [Mr. FORDNEY] to go ahead.

Mr. PAYNE. Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Mr. Speaker, I have no complaint to make about the part that has been given to me in the preparation of this bill. It is a Democratic measure, and I could not agree with them, and therefore did not expect them to call me in to help them make up their bill.

My Democratic friends, if your tariff bill brings happiness to the people of the United States and that measure of prosperity you have promised, you will receive your reward. You will be continued in power, which would be no more than right.

If, however, it does not meet the expectations of those you have led to agree with you on the question of radical tariff revision, if it does not bring to the people that added prosperity and happiness you have pledged, you can not escape the responsibility, you will lose the confidence the people have placed in you, and the power you now enjoy to control legislation will be soon taken away.

I can not conceive of a plan being beneficial to our people that invites greater importations of competitive products from foreign countries employing cheap labor. Added imports coming into competition with like articles produced in the United States at the American scale of wages and standard of living will certainly displace employment heretofore given to our people under tariff protection.

As the volume of imports into this country increases, so will the volume of unemployed increase, and as the volume of unemployed increases so will the purchasing power of our people decrease. The consumption of products in this country, both agricultural and manufactured, depends upon the ability of our people to purchase. Curtailing their purchasing power will most certainly curtail the amount of food they will eat and the amount of clothes they will buy. Every dollar sent across the seas to employ foreign capital and foreign labor is sent there to the detriment of capital and labor in the United States. It matters not how cheaply an article may be offered in this country, it is dear if we have no money with which to buy it, and no article is dear if we have the purchasing power.

You have complete control of legislation, but were not elected to that power by receiving a majority of the votes of the people. The majority was opposed to you and the platform on which you stood, but was divided. By divided opposition you won out, and you are now engaged in enacting a low-tariff measure with full knowledge that a majority at the last general election voted in favor of a continuation of the policy of protection.

In writing this tariff bill not a single article produced by the farmers of this country have you permitted to escape your pen, a pen which, as far as the agricultural interest is concerned, has proven to be a two-edged sword. Before election you assured the country you would injure no legitimate industry. As it appears to me, you either tricked the farmers out of their votes or did not consider their industry a legitimate one. What worse could you do to the woolgrower than to give him free wool? What worse could you do to the wheat grower than to give him free wheat? What worse could you do to the cane and beet growers than to give free sugar? A man is presumed to know the consequence of his own acts, and if this proposed law proves disastrous to our farmers, as I firmly believe it will, you will be held responsible and they will repudiate you in the near future at the polls. The farmers are the bone and sinew of

this Nation, and our prosperity depends directly upon their success.

It has been well said, and often repeated, that to give a man work for his hands gives him work for his teeth. What have you done in this bill to provide for added employment? I believe this bill will encourage foreign importation, discourage domestic production, and decrease employment offered to American labor. The $105,000,000 of foreign goods now in bonded warehouses awaiting the passage of this measure will be dumped on our markets with low duties and free trade, and will have a telling effect on competitive products produced by our people.

Your determination at this time to hurriedly enact an emergency currency law leads me to believe you expect this tariff bill to bring business depression.

I have studied this tariff question long and earnestly, and experience of the past has helped to form my convictions. I hold the welfare of this Nation above all else, and it makes me wish and hope that I am wrong and that you are right, but the deeper I go into the measure you now propose to enact into law the more strongly am I convinced that in the future this will be looked back upon as a great mistake of legislation.

The gentleman from Alabama [Mr. UNDERWOOD] stated that this bill would reduce taxation. I differ with the gentleman in that respect, for it is not possible to reduce taxation in this country. It never will be done. With increased population, and as our Nation grows broader, greater taxation must come to the people, because larger expenditures will be required to support the Army, the Navy, and all Government service as our Nation grows. But you may shift the responsibility of that taxation from one class to another. In my opinion, you have in this bill shifted the responsibility of taxation to a great extent from the South to the North. You have struck a telling blow at the woolen industry. In my opinion, you have greatly injured the cotton industry of this country. But, my friends, the evidence before the committee showed that the cotton industry, especially of North and South Carolina, where the majority of the cotton industries of the South are located, employ their labor at an average of 85 cents a day, or $256 a year for each employee, whereas the wages in the New England States, where the great cotton industries of the North are located, are in the neighborhood of $1.40 a day, or more than $400 a year. Therefore, with your cheaper labor in North and South Carolina, your cotton industries will, under the provisions of this bill, have an advantage over the cotton industries of the New England States.

Gentlemen, we have produced in this country annually in the neighborhood of $30,000,000,000 worth of agricultural and manufactured products, 93 per cent of which has been consumed in this country and is being consumed here. [Applause on the Republican side.] Therefore the best market in the world for our products is in the United States. [Applause on the Republican side.] If by the processes of your bill you transfer industry across the sea, you will injure and lower the income of the great masses of the people. [Applause on the Republican side.] You will therefore weaken their purchasing power; and when you have destroyed or weakened their purchasing power you have destroyed or weakened the greatest market on earth for American products, produced by American capital and American labor. [Applause on the Republican side.]

Gentlemen, I only wish I had the time to express myself fully upon this subject, but there are many gentlemen who wish to speak upon the merits of this measure in the limited time given them. Therefore I will not encroach upon the rights of others. But I firmly believe that you are making a most serious mistake in enacting this legislation into law. I hope my convictions, which are sincere and come from the bottom of my heart, may turn out to be wrong. I thank you. [Applause on the Republican side.]

I yield back the remainder of my time.

The SPEAKER. The gentleman yields back two minutes to the gentleman from New York.

Mr. UNDERWOOD. I yield to the gentleman from Iowa [Mr. PEPPER]. [Applause on the Democratic side.]

Mr. PEPPER. Mr. Speaker, the remarks of the gentleman from Michigan [Mr. FORDNEY] recall to my mind the fact that one of the principal grounds for the assault upon this bill by the other side has been the claim made by them that this bill *discriminates against the American farmer*. We have repeatedly heard in this House the statement that the removal or reduction of the tariff duties on farm products constitutes in some way a discrimination against the farmer. In the body at the other end of the Capitol the refrain has been taken up, and we have heard men who for years have advocated a reduction of the tariff duties excuse themselves from voting for this bill because they say, forsooth, that it discriminates against the North and the West.

I recall the fact that the distinguished Senator from Iowa, Mr. CUMMINS, has been an advocate of lower tariff duties for many years. I also recall the fact that when the Payne-Aldrich bill was up for discussion in the Senate of the United States he expressed himself on the subject of farm products and the duties thereon, and I want to call to mind to-day the attitude of the distinguished Senator at that time, as compared with his attitude now, when he claims that his principal objection to the Underwood bill is because it discriminates against the American farmer. On June 11, 1909, in the Senate of the United States, Senator CUMMINS said:

> I know that my friend from North Dakota [Mr. MCCUMBER] does not agree with me in respect to these things, but I do not believe that we in Iowa receive any direct benefit for the 400,000,000 bushels of corn that we raise every year; I do not believe that we receive any direct benefit from the duty on 8,000,000 or 10,000,000 hogs that we market every year; I do not believe that of the $700,000,000 of agricultural products that we pour every year into the channels of trade, protection advances the price of a tithe of them. * * * We will this year supply the people of the United States and the people of the world with a product that will surpass in value $700,000,000, and it is idle for even any enthusiast to assert that the price of these products is directly affected by the protective tariff.

I simply call that to your attention at this time as evidence that at the time the Payne-Aldrich bill was under consideration many of you who now oppose this bill did not dare to claim that the tariff on farm products was of any benefit to the farmer.

I do not believe there is a man on the floor of this House, no matter what his politics nor from what section he comes, who would knowingly and willingly do that which was unjust or unfair to the great agricultural interests of the country. The farmer has never been one of those who sought or received legislative favors at the hands of the Government. Agriculture is now and has always been the principal source of our wealth, and admittedly is the basis of our national prosperity. It has borne the burden of tariff taxation meekly and uncomplainingly for years in order that manufactures might be established and sustained. But, in my judgment, there has never been a day since the beginning of this Republic when the farmer received a single benefit from the tariff on farm products.

Mr. Speaker, in refutation of the claim that the Underwood bill discriminates against the American farmer I submit the following propositions, which I believe the facts abundantly substantiate:

THREE PROPOSITIONS.

FIRST. *That the tariff on farm products has never been of any benefit to the farmer, and therefore its removal from such products in no way injures him or discriminates against him.*

SECOND. *That the real and substantial reduction of the tariff on manufactured products, covering practically everything the farmer has to buy, directly benefits the farmer by enabling him to purchase his goods in a competitive market rather than in a highly protected and monopolistic one.*

THIRD. *The enactment of the income-tax law as a part of the tariff bill shifts, in a large measure, the burden of taxation from the backs of the consuming public and places it upon the accumulated wealth of the country.*

Now, Mr. Speaker, as to the first of these propositions, the claim now made by those who hope to defeat or discredit this bill that the removal or reduction of the tariff upon farm products constitutes a discrimination against the farmer can not be sustained from any standpoint. It is my contention, sir, that such a claim is without any foundation of facts and that the argument used in support of the same is entirely fallacious.

The tariff, Mr. Speaker, has never been a boon to the American farmer. The great agricultural staples of the United States have never been, are not to-day, and probably never will be in danger of effective competition from the outside. Neither the farmers of Europe nor those of India or China or Australia have any surplus of products to dump upon our shores.

For several years there has been a studious and persistent effort made to make the American farmer believe that duties on agricultural products were of some benefit to him, although originally no such claim was ever made by protectionists. The fallacy of such argument has often been exposed, but apparently there are those who hope they may succeed in continuing the delusion.

How ridiculous it is to say that it is a discrimination against farmers to free list agricultural products, when the facts of tariff history show that taxes on agricultural imports produced practically no revenue returns and are therefore valueless as revenue producers.

I submit here at this point a table showing the revenue from 10 leading agricultural products during the last four fiscal years.

Articles.	1910	1911	1912	1913
Cattle	$727,000	$702,000	$1,214,000	$1,764,000
Corn	18,000	8,000	8,000	129,000
Cream	37,000	117,000	56,000	62,368
Eggs	35,000	83,000	55,000	73,588
Milk	3,000	4,000	1,000	36,480
Poultry	38,000	33,000	33,000	14,980
Sheep	98,000	39,000	20,000	13,910
Swine	3,000	4,000	1,000	2,313
Wheat	2,000	6,000	352,000	135,523
Potatoes	87,051	51,448	3,434,000	85,055
Total	1,055,051	1,047,488	5,174,000	2,307,985

The tariff revenue during these four years has run from two hundred and eighty millions to three hundred and twenty-nine millions, while the total revenue from these 10 agricultural products ran from one million to a trifle over five millions.

In 1913 we exported of these products as follows:

Cattle	$1,777,000
Corn	28,801,000
Eggs	4,392,000
Milk	474,000
Poultry	1,755,000
Sheep	606,000
Swine	152,000
Wheat	89,036,000
Potatoes	1,046,000
Total	128,039,000

It will be noted that while we imported but $9,629,000 worth we exported at the same time $128,039,000.

We have been an exporting Nation of agricultural products for many years—no doubt will be for years to come—and as exporters we must sell in competition with the world.

To emphasize this point I submit here a table showing a 10-year survey of wheat in the United States, showing production, exports, and imports:

Year.	Production.	Exports.	Imports.
	Bushels.	*Bushels.*	*Bushels.*
1900	547,303,000	186,000,000	320,000
1901	522,229,000	215,990,000	603,000
1902	784,000,000	235,000,000	121,009
1903	670,000,000	203,000,000	1,680,000
1904	637,000,000	121,000,000	217,000
1905	552,000,000	44,100,000	3,286,000
1906	692,000,000	97,600,000	202,000
1907	735,000,000	147,000,000	560,000
1908	634,000,000	163,000,000	520,000
1909	664,000,000	114,000,000	456,000
Total	6,401,532,000	1,526,690,000	7,455,000

Six and one-half billion bushels produced, one and one-half billion exported. One-fourth of all we produce must be shipped outside and sold in competition with all the world at prices which fix the prices of the three-fourths retained and sold for home consumption.

The story of corn production and exportation is even more illuminating. Here are the figures:

Year.	Produced.	Exported.	Imported.
	Bushels.	*Bushels.*	*Bushels.*
1900	2,000,000,000	213,000,000	2,000
1901	2,100,000,000	181,000,000	5,000
1902	1,500,000,000	28,000,000	17,000
1903	2,500,000,000	77,000,000	40,000
1904	2,200,000,000	58,000,000	11,000
1905	2,467,000,000	90,000,000	15,000
1906	2,700,000,000	120,000,000	10,000
1907	2,927,000,000	55,000,000	10,000
1908	2,592,000,000	55,000,000	19,000
1909	2,668,000,000	38,000,000	228,000
Total	34,654,000,000	946,000,000	357,000

Our farmers can not possibly receive any benefit from a tariff on corn. No tariff ever added one cent to the price received by the farmer. We produce this great staple and sell it in the world's market.

The same facts substantially can be shown with relation to practically every product coming from the farm. In the face of such facts and in the light of conditions as we know them, it seems passing strange that intelligent men would attempt an argument with a view of proving any benefit received by the farmer through a tariff on his products.

The farmers themselves are fully alive to the situation and have been for some time. Attempts by interested politicians to deceive them will, in my judgment, prove of little avail. It will be interesting to note in this connection what a prominent farmer has to say upon the subject. Mr. C. B. Kegley, master of the Washington State Grange, contributes a statement upon this subject in the Western Farmer of Spokane, Wash. He says:

> * * * As a system, protection is doomed. If we, as farmers stand for it, we shall lose our share, and the public believing that it has secured relief from the burden of living cost will stop there, causing whatever of loss occurs to fall all upon the farmer. Consequently the businesslike course open is for the farmers to fight, not to continue the system, but to smash it. Fight, not to hold his own questionable benefits of tariff on grain and live stock and wool, but to strip the coats of privilege off the back of every business engaged in supplying the necessaries of life.

The American farmer to-day has learned his lesson. He has listened to the song of the siren for, lo, these many years. He has listened to Republican orators tell him that the price he gets for his corn and wheat and all the products of his farm is regulated by the high-protective tariff; and you have to some extent, I must say, succeeded in making him believe that there was some relation between the tariff and the price of his products, but every man who has given the subject any consideration knows that when the farmer ships abroad a large percentage of all the corn he raises, when we know that he ships abroad nearly one-fourth of all the wheat he raises, and sells it in competition with the world, that the price received abroad fixes the price received at home. So I say, Mr. Speaker, that this cry of discrimination is a false cry. It is a cry raised simply for the purpose of beclouding the issue before the great mass of the people of the country.

THE OTHER SIDE OF THE STORY.

Now, as to the second proposition: High protectionists have used the tariff to fool and despoil the farmer of his hard-earned gains. Behind the tariff rate of 25 cents on wheat, 10 cents on corn, 11 and 12 cents on wool, rates which have never added one whit of price or value to the product, plutocratic tariff beneficiaries have persistently plucked the farmer on all that he had to buy. He has been forced to buy all that he needed in a highly protected market, while he sold his surplus in competition with the world.

The home market, in which the farmer has had to buy his agricultural implements, is dominated and largely controlled by combination and monopoly; the market in which he buys his hardware and iron goods is dominated and largely controlled by the Steel Trust; his clothing he must buy of the Woolen Trust; if he wants sugar, he must buy it at Sugar-Trust prices; if he wants leather, harness, or shoes, he must again pay monopoly prices.

While humbugging the farmer with a few agricultural rates which never pan out, our Republican friends, through exorbitant tariff exactions, have persistently fleeced him on every article he buys. Republican tariffs, made and voted for by men who now complain that our bill discriminates against the farmer, made the farmer pay taxes on the things he had to buy as follows:

Tax exacted from farmer under Payne-Aldrich law.

	Per cent.
Glassware	60
Knives and forks	50
Salt	104
Sugar	65
Rice	65
Cutlery	65
Carpets	66
Furniture	96
Blankets	93 to 140
Flannels	91
Ready-made clothing	65
Knitted goods	95
Shawls	96
Window glass	80
Files	68
Building stone	50
Iron chain	183
Machinery	45
Screws	128
Women's clothing	74 to 92
Men's clothing	78
Cotton goods	60
Woolen goods	87

As to all the above articles and many others of prime necessity to the American farmer, the tariff under the Underwood bill has either been removed or materially reduced, thereby reducing the cost to the consumer.

Looking at these effects of Republican tariffs, what can be more farcical than to hear men—especially so-called progressive Republicans—wail over the farmer? The tariffs made by their party have plundered him for years, and they now grieve sorely that their day of plunder is over. The cry goes out that the farmer will be ruined, but the real cause of the commotion is

the fear that the crime against the farmer is to be fully exposed and the guilty parties punished.

The Democratic tariff bill compels the plunderers to take their hands out of the pockets of the farmer and leave him to enjoy the proceeds of his toil.

The Democrats were commissioned by the people to reduce the tariff and they have lived up to that mandate. Some agricultural products have been placed upon the free list. A still greater number of manufactured products have been placed upon the free list. *There has been no discrimination against the farmer, and I challenge anyone to prove to the contrary.* For every product of the farm placed on the free list there have been six or seven manufactured products placed on the free list; and in addition to this there has been material and substantial reduction made on other manufactured products all along the line.

Everyone knows that if ever we cease to be exporters of basic farm products and should attempt to levy a tariff tax upon them under conditions that would actually increase their price in this country and constitute a tax on bread and meat to the American people no political party would dare advocate and defend such a tax.

Everyone knows also that the great body of tariff revenue must come from tariff on manufactured goods. Attempts to inject the cry of sectionalism in this bill by arguing that some States or some sections of the country receive more consideration in this bill than others, is so wanting in knowledge as to the fundamental principles of tariff taxation as to be almost childish. It used to be admitted by high protectionists that a protective tariff did not directly benefit the farmer, but the claim was made that by fostering industrial enterprises additional and high-priced labor would be employed and this labor would increase the home market for the products of the farm.

The failure of this argument in time became apparent, because it was easily demonstrated that while the manufacturer sought and received protection upon his products, yet he did not hesitate to buy his labor at the lowest obtainable price.

We now find our protection friends falling back on the claim never made originally, that the tariff on farm products is of some direct benefit to the farmer. Men who think and reason upon these questions are not going to be deceived. I do not believe that the American farmer will allow himself to be misled in any way by this cry of distress from interested politicians.

In connection with the argument that a protective tariff increases wages and thereby benefits not only the wage worker but the farmer, I desire to quote an editorial from the Saturday Evening Post of September 20, 1913, which expresses in a few paragraphs the prevailing view of a large number of thinking men and women:

LOW TARIFFS AND HIGH WAGES.

Wages have always been higher in this country than in Europe. Throughout the Colonial period—when no blessed protective system shed its phantom bounty upon American labor—wages were so much higher here that scores of travelers from Europe remarked on the fact, as Senator WILLIAMS pointed out the other day.

And wages were higher here because men were freer. If Spanish tyranny had extended to the St. Lawrence, labor, in all human probability, would presently have been as little rewarded as in Europe. No part of this continent was richer in undeveloped natural resources than Cuba, and so soon as Spain got that island well in hand wages fell almost to zero.

Russia to-day fairly matches us, both in natural resources and in prohibitive tariff; but wages there are among the lowest to be found anywhere in Europe, because nowhere else in Europe are men less free.

For 60 years wages in England, with no tariff protection at all, have been decidedly higher than on the protected Continent, and on the whole there has been more actual individual liberty in England.

Whatever condition enslaves, cramps, or degrades a man necessarily lowers wages; whatever liberates a man necessarily raises wages.

If you think of it a moment, you must see that your own wages will be higher in proportion as you are actually free and can choose what you will do. When you find men working for beans and a calico shirt you need no professor of civil government to tell you they are not free.

As a thoroughly aristocratic system, based on the notion that government should confer benefits on certain chosen persons who will hand the benefits along to the masses, protection is opposed to liberty. If on the largest view it has had any appreciable effect upon wages that effect has probably been to lower them.

WHAT LA FOLLETTE SAYS ABOUT THE BILL.

Senator LA FOLLETTE, the distinguished Republican Senator from Wisconsin, voted for the Underwood bill in the Senate, and in discussing the measure in his paper says:

The trusts and combinations in their relentless oppression of the public have been materially aided by the monstrous tariff law enacted four years ago. Their power will not be broken when that law is supplanted by the present bill. But its passage is significant. It marks a change. It is the winning of the first battle in the long war which must be waged against industrial monopoly. This warfare is not against legitimate business; it is against the tyranny of unlawful combinations, overprotected, overstimulated, overcapitalized. Our industries will of necessity feel the strain of readjustment to a normal healthy basis, a basis of actual values. Through this period we must pass to secure industrial peace and real industrial prosperity.

Much more could be said in support of the proposition that this bill will be of direct and substantial benefit to the great consuming public, of which the farmer forms an important part; but I desire to take up for a brief time the discussion of the third and last proposition, that relating to the income tax.

INCOME TAX.

For years there has been an overwhelming sentiment in this country in favor of the income tax.

The justice of such a tax is so self-evident that few, if any, have been heard in opposition to its enactment. Its success in foreign countries has been demonstrated for years.

This provision of the Underwood bill, when enacted into law, will place upon the wealthy of this country, in a measure at least, a fair share of the burden of sustaining the Government.

The swollen fortunes accumulated as a result of special privilege obtained under former tariff legislation will now be compelled to contribute a portion of the income to help bear governmental expenses.

A map might be prepared which would show that the greater portion of this tax will fall upon the people living in the Eastern States, and especially New England, but I fancy there will be but few men who will contend that by reason of that fact the bill discriminates against the East and New England.

Many criticisms have been uttered against the Underwood bill during the long debate in this House and in the Senate. Its 4,000 items have been subjected to searching analysis and criticism. Against its provisions have been hurled arguments and epithets from every conceivable angle. Yet it has stood the test.

It may not be a perfect bill, but it is an honest bill. There may have been some mistakes made in the course of its formation, but if so, they are honest mistakes. The significant thing about the history of this legislation, to my mind, is the fact that there have been none so bold or so reckless as to state or even insinuate that special privilege in any of its insidious forms has found lodgment within the pages of the bill.

For the first time in the memory of men now living we are to witness the enactment of a tariff law written for the benefit of all the people—a bill which carries out with fidelity and faithfulness the mandate of the people for an honest revision of the tariff downward.

CRITICISM OF PRESIDENT WILSON.

Surprising as it may seem, there are those who, during the course of debate upon the bill, have felt called upon to criticize the President of the United States for the part he has taken in this legislation. It is particularly noticeable, however, that such criticism has found little response or approbation among the people at large.

For my part, I glory in the fact that we have a President with the courage and the patriotism to take his part in the battle against special privilege and protected monopoly.

His voice has been the voice of 90,000,000 of tax-burdened consumers of the land crying for relief.

His influence has been the concentrated influence of a myriad of minds hoping and longing for relief from iniquitous tariff exactions foisted upon the people against their will.

His power has been the power of a righteous cause—a human cause—a cause as big and broad as our common country, as vital as liberty, and as sacred as human life itself. [Applause on the Democratic side.]

Mr. PAYNE. If the gentleman from Alabama will allow me, I desire to yield to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Speaker, the Underwood bill comes back from the Senate with the Simmons flavor and the following chronology:

Introduced April 7; considered by Democratic caucus, 12 days; considered by full Ways and Means Committee, a few minutes; considered by House, 16 days; heard before partisan members Senate Finance Committee, 35 days; considered by Senate Democratic caucus, 20 days; considered in Senate, 52 days; considered by partisan conferees, 18 days; considered by full conference committee, 7 minutes.

It may be of interest to the people of the Northwest to consider a few striking facts relative to the agricultural schedule, known in the bill as Schedule G.

It has been one of the storm centers of the tariff fight in both Houses. Perhaps the cavalier treatment accorded by some of the majority Senators of the great West is worthy of note. One Member of that distinguished body said the farmers' protection was purely imaginary. A second said that it was merely a mental operation. A third said the farmers' pretended protection was a humbug, and the fourth denounced it as a fraud.

A distinguished Member of that other body was asked if he had made a study of Schedule G as a revenue producer. He said he had not, any further than he understood it was very trifling and entirely inconsiderable. Others seemed to have a similar impression. For these reasons I desire to submit a few observations on Schedule G.

I assume the following principles to be sound and applicable to the present tariff discussions, not contested by the friends of the Underwood measure nor its opponents:

First. Substantial duties levied and material amounts collected at our ports do protect the competing home product.

Second. Material reductions or removal of those duties increase that competition to the disadvantage of the home producer. If these two propositions are not correct, then the expense of time and money to the Government, as well as injury to business, through the agitation of an extra session has been worse than vain.

Third. In the reduction or removal of tariffs those articles should be selected where importations are least and duties collected are inconsiderable and decreasing from year to year, because that condition would indicate relatively prohibitive duties.

Fourth. When importations and duties collected are both large and show increase from year to year, then such schedule, if modified, should be but slightly so, and removal of duties should in no case take place, because that would sacrifice the Government's interest in the revenue and cause disastrous competition to the producer. This should never be done unless there is sought to be created an aristocracy of the consumer over the toiler.

With these elementary suggestions in mind, I wish to call attention to the following statistics taken from the Statistical Abstract of 1912, showing the importation of dutiable articles in the 14 schedules covering a period beginning with 1897 and ending 1912. I use this period because 1897 is used as the past focal date by the Committee on Ways and Means in its various statements and arguments. I stop with 1912 because it is the last year under the Republican tariff uninfluenced by the immediate prospect of drastic reduction and heavy removals of duties.

Imported dutiable merchandise entered for consumption: Values, duties collected, and ad valorem rates, 1897 to 1912, by schedules of the respective tariffs in force in the years named.

Year ended June 30—	Schedule A.—Chemicals, oils, and paints.			Schedule B.—Earths, earthenware, and glassware.			Schedule C.—Metals, and manufactures of.			Schedule D.—Wood, and manufactures of.		
	Values.	Duties collected.	Average ad valorem rates.	Values.	Duties collected.	Average ad valorem rates.	Values.	Duties collected.	Average ad valorem rates.	Values.	Duties collected.	Average ad valorem rates.
			Per cent.			Per cent.			Per cent.			Per cent.
1897	$19,008,638	$5,440,024	28.63	$21,166,515	$7,605,169	35.93	$23,603,665	$8,955,132	37.94	$1,485,479	$339,974	22.88
1898	19,513,037	6,146,884	31.50	15,192,178	7,387,433	48.63	18,847,123	8,454,289	44.86	5,341,083	1,205,278	22.57
1899	21,570,616	7,009,695	32.50	17,244,220	8,863,349	51.40	18,152,727	7,809,281	43.02	7,568,420	1,671,048	22.08
1900	26,955,991	8,184,044	30.36	20,099,172	10,106,541	50.31	20,089,333	11,280,853	28.78	11,711,446	2,351,940	20.08
1901	26,414,360	7,415,495	28.07	20,166,399	10,301,485	51.08	28,631,743	10,922,077	38.15	10,635,183	2,049,457	19.27
1902	29,991,974	8,499,709	28.34	21,424,011	11,365,381	53.05	38,870,207	14,973,244	38.52	14,556,267	2,572,527	17.67
1903	31,249,644	8,980,673	28.74	25,735,463	13,320,181	51.76	65,164,750	22,368,210	34.33	16,659,208	2,814,734	16.90
1904	30,808,543	8,813,962	28.61	24,704,368	13,163,258	53.28	40,011,304	15,682,484	39.20	14,449,685	2,463,948	17.05
1905	31,010,996	8,845,176	28.52	23,126,296	12,193,546	52.73	36,327,218	14,448,673	39.77	16,707,735	2,750,017	16.46
1906	33,481,921	9,664,910	28.87	26,589,979	13,749,020	51.71	50,917,147	18,760,616	36.86	22,760,988	3,660,271	16.04
1907	40,246,137	11,124,088	27.64	31,306,009	15,350,019	49.03	67,148,963	21,882,145	32.59	24,472,483	3,701,201	15.12
1908	39,127,306	10,530,174	26.91	26,224,241	13,250,558	50.53	45,279,789	16,003,780	35.34	23,349,686	3,301,256	14.14
1909	42,936,600	11,217,784	26.13	21,148,142	10,641,572	50.32	41,103,417	15,656,102	38.09	23,285,386	3,140,844	13.49
1910	42,021,558	11,072,239	26.41	24,774,251	12,467,509	50.33	66,960,781	22,333,344	33.33	27,489,155	3,184,697	11.59
1911	48,869,382	12,563,788	25.71	24,435,258	12,669,182	51.72	58,757,341	18,869,321	32.11	24,709,532	2,959,660	11.98
1912	47,235,641	12,339,742	25.91	21,994,265	11,156,221	50.72	50,491,870	17,346,221	34.35	24,414,943	3,042,834	12.45

Year ended June 30—	Schedule E.—Sugar, molasses, and manufactures of.			Schedule F.—Tobacco, and manufactures of.			Schedule G.—Agricultural products and provisions			Schedule H.—Spirits, wines, and other beverages.		
	Values.	Duties collected	Average ad valorem rates	Values.	Duties collected.	Average ad valorem rates.	Values	Duties collected	Average ad valorem rates.	Values.	Duties collected.	Average ad valorem rates.
			Per cent.			Per cent.			Per cent.			Per cent.
1897	$98,283,409	$41,346,400	42.07	$18,782,759	$20,971,882	111.66	$33,716,953	$8,613,987	25.55	$11,880,430	$8,136,014	68.48
1898	38,330,580	29,695,301	77.47	8,225,482	9,916,183	120.55	29,853,286	11,608,221	38.88	9,319,646	6,026,607	64.66
1899	81,227,498	61,660,942	75.91	9,371,597	10,627,399	113.40	32,505,236	12,743,785	39.21	11,072,774	7,490,074	67.64
1900	80,890,937	57,823,285	71.48	13,597,162	14,282,305	105.77	35,765,558	13,181,655	36.86	12,897,506	8,828,660	68.45
1901	87,079,079	63,089,412	72.45	15,055,501	16,655,744	110.63	38,566,704	13,043,820	33.82	14,090,924	9,533,524	67.67
1902	61,116,367	53,040,577	86.79	16,331,536	18,756,035	114.85	43,682,461	16,012,639	36.66	15,367,757	10,562,022	68.73
1903	65,939,060	63,625,731	96.46	18,298,780	21,891,687	119.63	46,221,428	16,282,144	35.23	16,784,608	11,646,532	69.39
1904	77,898,029	58,152,347	74.65	17,575,683	21,176,295	118.46	49,013,792	16,890,988	34.46	17,120,014	12,105,786	70.71
1905	91,577,274	51,442,112	56.17	20,725,297	22,689,611	109.48	47,570,418	15,418,334	32.41	17,912,332	12,547,909	70.05
1906	86,133,491	52,648,866	61.12	27,917,352	23,927,700	104.41	53,868,946	18,126,575	33.65	19,669,398	14,003,516	71.22
1907	92,784,681	60,338,523	65.03	29,959,681	26,125,037	87.20	63,720,855	19,203,886	30.14	23,083,420	16,318,123	70.69
1908	83,626,684	50,168,155	59.99	26,493,240	22,160,089	83.64	69,609,535	21,618,559	31.06	21,419,770	15,213,085	71.02
1909	93,478,607	56,414,434	60.35	27,372,038	23,262,458	85.14	71,719,009	23,633,333	32.95	23,381,943	16,144,631	69.05
1910	101,586,708	53,105,357	52.28	29,581,469	24,124,239	81.55	84,872,747	29,864,516	29.64	25,315,878	18,117,512	71.55
1911	97,877,463	52,809,371	53.95	29,788,180	26,159,615	87.82	105,974,044	28,744,295	27.12	20,354,501	17,298,858	84.99
1912	105,744,519	50,951,199	48.18	31,116,052	25,571,508	82.18	117,711,156	34,146,071	29.01	20,731,233	17,409,815	83.98

Year ended June 30—	Schedule I.—Cotton manufactures.			Schedule J.—Flax, hemp, and jute, and manufactures of.			Schedule K.—Wool, and manufactures of.			Schedule L.—Silks and silk goods.		
	Values.	Duties collected.	Average ad valorem rates.	Values.	Duties collected.	Average ad valorem rates.	Values.	Duties collected.	Average ad valorem rates.	Values.	Duties collected.	Average ad valorem rates.
			Per cent.			Per cent.			Per cent.			Per cent.
1897	$22,650,234	$9,903,895	43.73	$34,852,448	$14,110,685	40.49	$48,902,866	$22,702,726	46.42	$26,517,692	$12,421,670	46.85
1898	14,663,418	7,500,252	51.15	33,704,889	15,712,121	46.62	18,360,631	13,057,164	71.12	22,639,607	12,231,681	54.03
1899	17,002,769	8,934,913	52.55	44,412,454	20,892,285	47.04	22,342,090	17,230,152	77.12	25,026,504	13,906,312	55.57
1900	20,684,578	10,565,502	51.08	54,732,531	25,701,451	46.96	30,656,717	21,637,428	70.58	30,358,771	15,771,795	51.95
1901	19,568,242	9,715,747	49.65	57,609,270	26,218,962	45.46	30,727,663	21,575,104	70.21	26,836,267	14,245,693	53.12
1902	21,129,139	10,422,930	49.33	68,133,003	30,694,804	45.05	35,363,788	26,399,923	74.64	32,242,228	17,293,200	53.64
1903	25,332,216	11,944,300	47.15	71,297,682	33,190,646	46.55	40,660,037	29,195,736	71.98	36,947,873	19,276,546	53.47
1904	23,442,254	11,035,018	47.07	71,460,146	32,898,495	46.04	39,962,848	27,252,492	68.19	31,483,007	16,610,210	52.76
1905	22,027,367	10,409,188	47.26	73,284,154	33,768,719	46.08	53,465,490	33,077,578	61.87	31,822,655	17,010,130	53.45
1906	26,656,396	12,292,895	46.12	92,035,209	41,777,068	45.38	63,265,115	37,968,695	60.02	32,591,910	17,351,095	53.24
1907	31,857,017	14,284,628	44.84	114,124,372	49,880,953	43.72	62,831,601	36,561,217	58.19	38,816,839	20,313,706	52.33
1908	31,677,132	13,578,022	43.95	96,177,445	41,921,732	43.59	45,822,495	28,845,245	62.95	31,755,212	16,493,078	51.94
1909	26,226,434	11,666,308	44.48	91,209,596	42,144,980	46.21	52,814,238	33,365,316	63.17	31,001,307	16,284,117	52.53
1910	28,310,523	13,619,191	48.11	106,374,854	49,735,027	46.75	70,745,252	41,904,850	59.23	32,295,926	17,023,622	52.71
1911	26,204,150	12,225,584	47.04	99,401,935	47,053,000	47.34	48,395,406	28,982,553	59.89	30,993,562	16,053,261	51.80
1912	24,358,360	11,085,150	45.51	108,698,102	49,062,348	45.14	48,361,374	27,072,116	55.98	26,571,510	13,695,239	51.51

Imported dutiable merchandise entered for consumption: Values, duties collected, and ad valorem rates, 1897 to 1912—Continued.

Year ended June 30—	Schedule M.—Pulp, papers and books.			Schedule N.—Sundries.		
	Values.	Duties collected.	Average ad valorem rates.	Values.	Duties collected.	Average ad valorem rates.
			Per cent.			*Per cent.*
1897	$5,319,065	$1,200,043	22.56	$41,184,008	$10,031,293	25.01
1898	4,684,291	1,202,328	25.67	56,868,214	14,071,599	24.75
1899	5,223,698	1,349,575	25.84	66,420,324	16,272,042	24.50
1900	7,695,417	1,744,834	22.93	77,801,134	18,706,305	23.91
1901	7,021,206	1,702,776	24.25	76,193,074	17,912,848	23.51
1902	8,047,824	1,896,456	23.56	86,667,841	20,180,984	23.29
1903	9,907,819	2,220,756	22.28	98,422,646	20,843,453	21.18
1904	10,771,269	2,378,354	22.09	78,680,617	18,767,420	23.85
1905	11,954,859	2,525,896	21.09	92,512,767	20,771,250	22.45
1906	14,173,917	3,020,980	21.31	119,640,146	26,690,776	22.23
1907	20,005,025	4,136,020	20.67	133,092,051	29,892,107	22.45
1908	22,335,007	4,414,635	19.75	94,616,374	24,475,096	25.87
1909	22,761,740	4,412,030	19.39	113,882,410	26,387,031	23.17
1910	24,832,627	5,285,103	21.28	120,594,291	29,123,880	24.16
1911	26,110,975	5,645,302	21.62	109,019,968	27,448,145	25.17
1912	22,828,121	4,886,671	21.41	108,952,769	26,931,900	24.72

Imported dutiable merchandise entered for consumption, values, duties collected, and ad valorem rates by schedules of the existing tariff, during the fiscal year 1913.

	Values.	Duties collected.	Average ad valorem rates.
			Per cent.
Schedule A: Chemicals, oils, and paints	$49,786,092	$13,017,094	26.36
Schedule B: Earths, earthenware, and glassware	24,862,282	12,340,456	49.64
Schedule C: Metals, and manufactures of	64,299,772	20,313,874	31.99
Schedule D: Wood, and manufactures of	27,851,296	3,408,228	12.24
Schedule E: Sugar, molasses, and manufactures of	91,447,552	53,481,801	58.48
Schedule F: Tobacco, and manufactures of	32,437,743	26,748,125	82.46
Schedule G: Agricultural products and provisions	99,798,484	27,754,376	27.71
Schedule H: Spirits, wines, and other beverages	22,372,476	19,475,562	87.05
Schedule I: Cotton manufactures	25,056,975	11,061,373	44.14
Schedule J: Flax, hemp, and jute, and manufactures of	116,587,611	48,911,883	41.95
Schedule K: Wool, and manufactures of	45,335,616	25,833,028	56.98
Schedule L: Silks and silk goods	29,224,018	14,811,561	50.68
Schedule M: Pulp, papers, and books	24,899,335	5,091,232	20.45
Schedule N: Sundries	126,157,230	29,803,424	23.62
Total dutiable	779,787,679	312,252,215	40.05

An examination of the foregoing statistics will show the following facts:

First. That Schedule G, in 1897, in point of view of dutiable imports, ranked No. 5, while in 1912 it was first.

Second. That Schedule G as a revenue producer among the schedules in 1897 ranked ninth, while in 1912 it had risen to third.

Third. That Schedule G in 1897 showed dutiable importations of only $33,716,958, in 1912 it had risen to $117,711,156; and Schedule G in 1897 produced only $8,613,987 revenue, increased in 1912 to $34,146,071.

Fourth. That while Schedule G in 1897 had but 8 per cent of all the dutiable importations, in 1912 it had risen to 14 per cent.

Fifth. That while Schedule G in 1897 produced only 5 per cent of the import revenues, in 1912 it produced 11 per cent.

Sixth. It will be noted that while the revenues of Schedule G in 1897 were less than those of Schedule C (metals), in 1912 they were twice as great. While the revenues from Schedule G in 1897 were less than one-half those of Schedule F (tobacco), it now exceeds Schedule F by nearly $9,000,000. While approximately equal to Schedule H (spirits) in 1897, Schedule G now doubles it in the revenue production. While Schedule G was less than Schedule I (cotton), it now produces three times Schedule I's revenue. That Schedule G in 1912 produced more revenue than Schedule I (cotton manufactures), Schedule K (wool—raw wool amounting to $14,060,000 eliminated), and Schedule D (lumber) combined.

Seventh. The dutiable importations of Schedule G have increased more between 1897 and 1912 than any other schedule, and Schedule G has increased as a revenue producer more rapidly than any of the other grade schedules. Its percentage of increase in that period being 296 per cent.

As a schedule for "tariff for revenue only," viewed under the present law, it is certainly ideal. From a competitive tariff standpoint it is the most nearly perfect schedule of the list, and from a protective basis it has been satisfactory. Yet this is the schedule from which the free list receives its most numerous recruits, and the reductions on its remaining articles have been the most drastic of all the schedules.

I have subjoined to the tables figures for the various schedules obtained from a "subject-to-revision" list kindly furnished me by the Bureau of Manufactures for 1913. This should be considered by itself on account of these facts:

From statistics furnished from the same source the importations into this country under Schedule G from July 1, 1912, to January 1, 1913, are the heaviest in our history, while the total for the year ending 1913 shows a falling off from that of 1912. The loss of revenue from the free listing of various articles, as set forth by the Ways and Means Committee report, shows 80 per cent of it to be under free listing raw wool in Schedule K and the various articles of Schedule G. This is reflected in the reduced importations of these two schedules. It is a matter of common knowledge that mighty cargoes of mutton from Australia and beef from Argentina have been admitted to our ports present duty paid subsequent to July 1, the same having been started on their way with the anticipation that the tariff bill would be a law long ere this. Of the importations in all the schedules for 1913 showing a reduction under that of 1912 G, agricultural products, accounts for 50 per cent. The importations of fresh meats July, 1913, into this country amounted to $56,903; August, $64,847; with September probably a great increase, and October, with the bars down, will be the pacemaker for the northwestern farmers and stock raisers' foreign competition to feed the East and South. The increase in the imports in all schedules, except G, K, and E, shows which of the schedules presented an advantage under the Underwood law to be obtained by waiting for the new law to take effect. It was hardly a mere "mental effect" with the importers. They know protection when they see it. In 1897 our foodstuff exports were $416,472,744, being 40.37 per cent of all exports. Our manufactured articles and material therefor were $615,534,859, or 59.63 per cent. In 1912 foodstuff exports were $418,737,763, or 19.29 per cent; manufactured articles, $1,751,582,065, or 80.71 per cent. So it will appear that the exports of manufactured articles are growing much more rapidly than that of foodstuffs. If there should be any difference in the degree of scaling the tariff, the greater cut should be made on the manufactured article. On the other hand, during the last 10 years especially, the relative importations of foodstuffs compared with importations of manufactured articles have markedly increased. In 1903 we imported $145,781,548 in foodstuffs, while of manufactures we imported $453,753,710; that is, 24.32 per cent was foodstuffs and 75.68 per cent was manufactures. In 1912 our imports were $771,594,104, of which $209,808,564 were foodstuffs and $561,695,540 were manufactures—that is, 30 per cent was foodstuffs and 70 per cent manufactures.

That the bill was claimed by its sponsors to cut or remove the tariffs where trusts control a large amount of the output is found to fall far short, as an investigation of all the schedules will reveal. Pages 4, 5, 6, and 7 of the report filed by the Ways and Means Committee with this bill charge that 224 companies containing 3,843 plants, representing $12,900,000,000 outstanding capital and bonds, all of which, speaking by and large, are not subjected to one-half the reduction or removal of duties as are the products of the Northwest upon which no trust exists or can exist. About the only two trusts where rates were very seriously affected by this bill are the International Harvester Co., that did not care, and the Sugar Refining Trust, which asked to have duties removed. The Congress has been mild to the trusts. It has not been overdrastic

to many manufacturers, but both Houses have assailed the agricultural interests of the Northwest with the fury of fiends, like the warlocks and witches in pursuit of honest Meg, by careless Tam bestrode; but, unlike that path of flight, there was no barring stream to cross—Meg escaped, leaving behind her "ain gray tail." But here the luckless fugitive was caught; the tail—rice, peanuts, and Angora hair—alone escaped.

Mr. UNDERWOOD. Will the gentleman from New York consume some time?

Mr. PAYNE. I do not care to yield further.

Mr. MURDOCK. I can use five minutes, and I desire to yield five minutes to the gentleman from California [Mr. BELL].

Mr. BELL of California. Mr. Speaker, I have been listening to a description of the fearful and wonderful way in which this tariff bill has been framed, and I want to add a little testimonial along that line myself. On the 2d day of May, 1913, while we were discussing the citrous schedule of this bill, I called the attention of the Committee on Ways and Means to the fact that they were not only reducing the tariff on citrous fruits to one-half of 1 cent per pound on the capacity basis, but were, in fact, reducing it below that figure. But, of course, my amendment was ruthlessly swept aside. The distinguished gentleman from New York [Mr. PAYNE] has said that when the bill reached the Senate, amendments were there carefully considered, and the justice of my contention was so apparent that an amendment was made in that body, changing the rate from a capacity basis to a pound basis, as follows:

Lemons, limes, oranges, grapefruit, shaddocks, and pomelos, ½ of 1 cent per pound.

When the conferees met there was some influence used on that important schedule and the Senate receded from this amendment. Now, when this bill was on its passage we listened to the very harrowing tale eloquently told by the distinguished gentleman from Alabama [Mr. UNDERWOOD] about the fever-stricken patients in hospitals all over this country who were clamoring with their dying breath for the refreshing juice of the lemon, and the reason why they were deprived of that comfort was because the wicked lemon growers of California, who, by insisting on having a tariff which equalized the difference in the cost of production at home and abroad, were depriving those men of their solace in their dying days. It was a very touching tale, but now listen to what happened. When the wires flashed across the continent the news that a large percentage of the lemon crop of California had been destroyed, the benevolent institution for which some gentlemen in this House are laboring so hard, namely, the Fruit Importers' Union of New York, immediately raised the price of lemons a dollar a box. This is a matter of fact, and so I suppose these fever-stricken patients are now being solaced with imported lemons at a greatly increased price.

During the consideration of the bill in the Senate Senator WILLIAMS received and read in the Senate a letter from the gentleman from Alabama [Mr. UNDERWOOD] in which he said that the change was made from the pound basis to the capacity basis because of administrative reasons.

But, Mr. Speaker, there are no substantial reasons, administrative or otherwise, why this change should be made, as I pointed out in the discussion of my amendment on the floor of the House to change the rates from a capacity basis to a pound basis. The only reason assigned by the Committee on Ways and Means for this change was that it thought the change would simplify the method of handling the imports by the customhouse by eliminating the necessity of refunds for decay. But the present plan will increase the cost to the Government, because the decay will have to be determined by counting each rotten fruit, rather than eliminating and weighing the decayed fruit as a whole. It has been held by the Board of Appraisers that there should be no allowance for decay where the duty has been levied on the capacity of the packages rather than the contents. This was Treasury decision 32108, but this decision was recently reversed by the United States Court of Customs Appeals, Treasury decision 32570, which holds that decayed fruit is subject to rebates whether the duty is levied on contents or capacity basis.

I will tell you why it was changed, Mr. Speaker. It is to allow the Importers' Fruit Trust of New York to escape payment of duty on 18 pounds of fruit in every box of 2½ cubic feet capacity, and that is what they do under this amendment. The reason is not very hard to find. It goes further than an administrative reason. One reason could be found in the very strong influence exerted by the Italian Board of Trade in New York and by some of the disciples of the powerful Tammany organization in New York who are reaching out for the votes of citizens that formerly lived in Italy, and it is a good card to catch that class of voters.

If this reduction in the duty on citrous fruits would result in lower prices to the consumer, or even if the Italian lemon grower was to be benefited by this change, there might be some excuse for this legislation; but it has been proven by experience that the consumer will not be benefited to any degree, nor will the lemon grower in Italy be a beneficiary under this reduction. The only benefit that will flow from this revision will be to still further enhance the large profits of the fruit importers in New York, 11 men of whom now control more than one-half of the imported fruit. [Applause on the Republican side.]

The SPEAKER. The time of the gentleman has expired.

Mr. UNDERWOOD. Mr. Speaker, I will ask the gentleman from New York [Mr. PAYNE] to use some of his time.

Mr. MOORE. The gentleman from New York requested that the gentleman from Alabama [Mr. UNDERWOOD] go on for the next speech.

Mr. UNDERWOOD. I will state to the gentleman from Pennsylvania that the gentleman to whom I intended to yield does not happen to be in the room right at this time.

Mr. MOORE. Mr. Speaker, I shall have to allot myself eight minutes in view of this situation.

The SPEAKER. The gentleman from Pennsylvania allots to himself eight minutes.

Mr. MOORE. Mr. Speaker, the remarks of the gentleman from California, taken with those of the gentleman from Kansas [Mr. MURDOCK], indicate the misfortune which is likely to overtake certain sections of the country, because, through a difference in the Republican ranks, we placed the Democratic Party in power. Of course, the foreigner is going to be benefited by this tariff bill, and, of course, the American consumer is not to be benefited by it. Does anyone suppose the price of sugar to the consumer will be reduced by the importer? Why, the importer is the fellow who gets the duty relinquished by Uncle Sam. It is the same in woolens, in hosiery, in cutlery, and in certain chemicals. Wherever possible the foreign manufacturer—who is wise in his day and generation—will add the amount of the duty we take off to the goods he has to sell us. If he does not do it, the importer is not likely to forget it. You are not going to reduce the cost of living or to increase the wages of production by this bill. But I want to discuss another phase of the question.

Mr. Speaker, it may or may not be true that the President is dictating the passage of this tariff bill. He informed us in person last March that he desired legislation along these lines to destroy certain "artificial" industries that he insisted had grown up under Republican auspices, and we have been informed by the newspapers from time to time—and this is our sole source of information on the Republican side—that he followed up his recommendations by sundry personal visits to "the other side of the Capitol," more, as it was explained, for the convenience of the Senators than from a desire to interfere in tariff legislation. Since these precedent-breaking visitations the newspapers have told us of return visits by Senators and Representatives to the White House "to confer" upon tariff matters, and occasionally it has been announced that the President at these conferences has "given expression to his views," and in some instances has "spoken plainly," and in some others "stood firmly" for these things which he wished to find in any bill presented for his signature. Even so late as last evening the Star, a Washington newspaper whose representative does daily duty at the White House, announced that—

With the tariff bill practically in his hands for signature, President Wilson gave evidence to-day of an intention to push actively and steadily for a currency bill. * * * Representative CARTER GLASS, of Virginia, chairman of the House committee that framed and backed the currency bill which passed the House, was in conference with the President to-day. * * * In answer to questions to-day the President said "the Democrats of the Senate" were for currency reform, and for that reason he had little hesitation in predicting such legislation. The President's information is that Senator HITCHCOCK, of Nebraska, is the only Democrat who is likely to make trouble. * * * Mr. HITCHCOCK has never expected to obtain much of the Federal patronage in his State, and cares little for it. He has taken it for granted that Secretary Bryan would make the recommendations that would be accepted as to Nebraska appointments.

The President would, it is known, be sorry to see even one holdout in the Democratic ranks in the Senate on a measure that had been approved by the administration and Democratic leaders. It is known also that the President is immensely pleased with the harmonious cooperation that exists between himself and the Democratic leaders and Party in Senate and House. * * * The President is holding back the settlement of a number of perplexing questions until the currency law has been passed. Among these is whether recognition is to be given in Federal appointments to the colored race. Influential leaders of that race are clamoring to know the policy of the President as to recognition by appointment to Federal office.

It is fair to infer from these quotations that the President meant what he said when he visited us several months ago and advised us in his second address from "the throne" that a tariff law passed by the Democratic Party would be incomplete

without the passage of a currency law. The President then said in effect that these two great reforms must be enacted together, and that the work of this extraordinary session of Congress would not be finished until it determined to do so. In other words—less elegant than those chosen by the President—"You Congressmen may expect to sit all summer and until Pennsylvania Avenue is covered with snow unless you send me what I want when I want it." [Applause on the Republican side.]

Administered with a literary insulation which softened the shock, this was the ultimatum, and straightway the procession of "conferences" at the White House and "caucuses" at the Capitol attested the eagerness of the representatives of "a free and unrammeled Democracy" to do their master's bidding. Did the "friends of the American people," the "brethren of the downtrodden and oppressed," "the liberty-loving sons of a new freedom," the tyrant-hating, boss-destroying gentlemen upon the Democratic side, who would rather die in their boots than sacrifice their sacred rights under the Constitution—did they resent this dictation from the White House? Oh, said the distinguished Speaker of the House in explaining last week the Democratic opposition to Republican caucuses, since so successfully imitated and enlarged by the Democrats themselves, "We were playing politics then."

What are you doing now? Still professing an undying love for the people, but keeping a weather eye on the White House plum tree, lest the slightest variation in your marching order shall cause a loss of your political pickings.

I am surprised at the gentleman from Alabama, the amiable and able chairman of the Ways and Means Committee. I had hoped his authorship of the tariff bill would not be dimmed by currency legislation or even by the White House. If there is any glory in the measure it belongs to him for his persistence, his energy, and his skill of management. He has been a successful leader under trying circumstances.

But upon this question of representative government, of constitutional liberty, what has been the attitude of him who stands to win or lose so much upon the passage of the bill which bears his name?

In those days when, according to the frank admission of our distinguished Speaker [Mr. CLARK of Missouri], the Democrats "were playing politics," the gentleman from Alabama [Mr. UNDERWOOD] was outspoken in his opposition to presidential dictation. He stood then for the constitutional right of the Representative to vote according to his convictions. In a forceful speech upon this question, in 1910, the gentleman from Alabama made his position perfectly clear. I quote from the CONGRESSIONAL RECORD of May 17, 1910, page 6422. The gentleman from Alabama was opposing an appropriation of $250,000 recommended by President Taft for the creation of a tariff board—a board intended to enable Congress to obtain authentic data on the tariff. The gentleman from Alabama stood for the Constitution in that speech; he wanted no presidential interference. Here is what he said:

> From the beginning of the Government down to the present time we have written every tariff bill that this country has lived under without the intervention or the dictation of the President of the United States. The Congress up to this time has been able to exercise sufficient intelligence and sufficient energy to gather the facts themselves and put their findings into the law; and the gentlemen on that side of the House, I find, are continually praising themselves for the work they have done along the old lines with the old tools they have used in the past.

How was that for a declaration of the rights of Representatives? And the gentleman from New York [Mr. FITZGERALD] in his usual jocular vein broke in to help the gentleman from Alabama in this denunciation of presidential interference. I quote again from the RECORD:

> Mr. FITZGERALD. I suggest to my friend that he is referring to the Republican members of the Committee on Appropriations.
> Mr. UNDERWOOD. I most earnestly beg the pardon of my friend from New York. Certainly I meant the Republican members of the Appropriations Committee.
> Mr. FITZGERALD. I did not even wish it to get into the head of anyone that any Democrat wishes to surrender this power.

The Democrats are taking suggestions from the White House now; were they "playing politics" when they opposed the President then?

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE. In the momentary absence of the gentleman from New York [Mr. PAYNE] I yield myself two minutes more.

The SPEAKER. The gentleman will proceed.

Mr. MOORE. And in that two minutes, Mr. Speaker, I must descend from the sublime to the Angora goat. [Laughter.] I would not want to miss paying tribute to the Angora goat. It will be remembered how with the fine support of the gentleman from Texas [Mr. GARNER] the Angora goat, from hair to finished cloth and plushes, was given protection in the original Underwood bill. When you were depriving the northern and western farmers of protection upon their wool, when you were calling the turn upon the materials of the northern and eastern manufacturer, throwing him open to an injurious foreign competition, do you recall how the Angora goat was cared for? What has been the result of all your conferences and your caucuses with regard to this popular product of Texas? You have labored to cut duties in other directions, but the Angora goat still stands as a monument to the statesmanship of the gentleman from Texas. Starting in with protection built up to 105 per cent, you have managed by hard labor to relieve the people of 20 per cent of their "burden," and the pride of Texas comes through the crucible with a paltry 145 per cent of protection left. Other wool and woolen products can get along on the free list or with duties sadly reduced, but the Angora goat stands pat. [Applause on the Republican side.]

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. UNDERWOOD. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. PALMER]. [Applause.]

Mr. PALMER. Mr. Speaker, I was much interested, though not at all surprised, to see that my distinguished colleague, the gentleman from Pennsylvania [Mr. MOORE], has entirely changed his historic line of attack against Democratic tariff measures. For years and years he has been prophesying, both here and in Pennsylvania, that if ever a Democratic tariff law were to be passed, ruin, depression, and disaster would follow in its wake. Now he makes his concluding speech on this bill without ever once mentioning that subject, choosing rather to make an attack upon the President of the United States. The President and his course need no defense here nor before the American people, who are heartily approving of everything which he has done. [Applause on the Democratic side.] But the gentleman's change of front recalls to my mind an interesting incident which I feel I ought to mention.

And or three weeks ago an association of woolen manufacturers in the city of Philadelphia had a banquet, and they invited two distinguished men to discuss economic subjects before them, being careful, however, to pick out Republicans in each instance. One of them was the gentleman from Pennsylvania [Mr. MOORE] and the other was a distinguished expert in tariffs and economy; the position of city statistician, I think, is the place he holds in the city of Philadelphia, though I am not entirely certain about that. My distinguished friend [Mr. MOORE] before that audience of standpat protective-tariff Republicans made his old-time prophecy of disaster, wreck, and ruin that would follow the course of the Democratic majority in this Congress; and, according to the Republican newspapers of his city, he was followed by the distinguished expert I have mentioned, who took 45 minutes to show his hearers that we are now on the eve of a period of the greatest development and prosperity, industrially, in the history of this country. [Applause on the Democratic side.] And so effectively was my friend's speech answered that he has not made it since. [Laughter.]

He knows, and everybody who looks upon business with an unprejudiced eye must know, that to-day in the great industrial State of Pennsylvania—and the same is true elsewhere—there is every prospect of continued prosperity under this law. I have not myself heard of more than one mill which has closed down in Pennsylvania recently. I have not heard of any where the owner has stated that it must close down because of the effect of this law.

There was one, I said. It is a great woolen mill in my own district, which closed down last week and threw a large number of people out of employment. The mill is owned by a very prominent protectionist, a leading Republican of my district, and of course it was immediately published abroad that a fear of impending tariff revision compelled this mill to close. He it said to the everlasting credit of that honest constituent of mine, he would not stand for the publication of that reason, and he issued a statement, printed all over Pennsylvania, that he closed his mill because, though flooded with orders to exceed anything he had in years, he could not get enough labor to run his mill. [Applause on the Democratic side.] And so, pending some kind of arrangement for bringing labor out of this stricken city of Philadelphia, which my friend represents, up into God's country, in the mountains, where work is plenty and living easy, he was obliged to quit his operations.

Now, I have got only a few minutes, and I may skip around. I want to say a word in answer to my friend the leader of the Progressive Party upon this floor [Mr. MURDOCK], who rails at both the Democratic and Republican Parties for the methods they have employed, as instanced in the preparation of this bill. I know it is no answer for us to say that in considering this

bill simply by the majority members of the Committee on Ways and Means and by the majority members of the conference we were following the precedents set by the Republican Party. It is no answer, and yet the fact surely ought to close the mouths of Republicans in criticism of that method. My friend the gentleman from Kansas [Mr. MURDOCK] states that as his proposition, and undertakes, with the holier-than-thou attitude which is characteristic of the great party that he leads, to criticize us and say that when that happy time comes when T. R. and V. M. are in power such things will not happen. I want to see if we can not close his mouth to that sort of criticism.

Over in my State of Pennsylvania his party last year carried the State. They got the electors. They carried the Republican organization. They announced that they would control the legislature. They promised to the people certain industrial and social reforms, to be performed and accomplished out in the open before all the people. And what did they do, and how did they do it? Did they go to open sessions of their committees in the legislature and perfect these measures? No. They formed what they called the legislative committee of the Progressive State committee, picking up a dozen private citizens from various parts of Pennsylvania to frame the laws which the Progressive Party proposed to pass; and after these private individual citizens, not clothed with a particle of power by the people, had prepared these pieces of legislation they dumped them into the hopper at Harrisburg and demanded support of those measures without change or amendment as the price of advertised fidelity to the Progressive cause; and when a member of the legislature refused to vote for one of those machine-made bills their great newspaper organ in the city of Philadelphia excoriated them and welted them for a refusal to go along in the operation of the rule of the people. [Applause on the Democratic side.]

And what do we find down here? When this Congress opened and the Progressive Party held its first caucus—I beg your pardon, what do you call it?

Mr. MURDOCK. Open conference.

Mr. PALMER. When it held its first open conference, or exchange of confidences, it was announced that the national legislative committee of the Progressive Party, consisting of Mr. Roosevelt and Miss Jane Addams and a few others, including my constituent, Mr. Gifford Pinchot——

Mr. MURDOCK. The gentleman's pronunciation is as bad as his information.

Mr. PALMER. I know his name all right. He has lived in my district all his life, and voted against me every time I have run. I know his name. Up there we have Anglicized him, and we call him Pin-c-h-o-t, as he calls himself. But that is beside the question. They were the members of your national legislative committee, which according to your announcement were preparing the legislation to be introduced in this Congress; and if I am not much mistaken, they have prepared many of the bills which you have introduced here in this House as the measures of the Progressive Party. Is it the rule of the people, out in the open, if representatives of the people in this great House abdicate their powers, duties, and responsibilities to a committee of private citizens back home, who dump into yonder basket the legislation that they would make the price of fidelity to their cause? [Applause on the Democratic side.]

The SPEAKER pro tempore (Mr. MCGILLICUDDY). The time of the gentleman has expired.

Mr. UNDERWOOD. I yield to the gentleman five minutes more.

The SPEAKER pro tempore. The gentleman is recognized for five minutes.

Mr. PALMER. So if that is the course of this new party in the State where it has made its greatest stand and won its greatest victory, and here in the House where it makes its loudest show, it seems to me that its mouth has also been closed to criticism of the Democratic method of passing this tariff bill. [Applause on the Democratic side.]

A word about this matter of exports that my distinguished friend, the chief mourner at these ceremonies, the gentleman from New York [Mr. PAYNE], talks about. He loudly proclaims that our exports have risen in this country to the enormous sum of $2,500,000,000; and as if he himself were the creator of all this export business, he boasts of it as the author of the Payne tariff law. Think of it for a minute, gentlemen. Why did the exports go abroad? Why does American manufacturing industry produce goods that can be and are sold in the foreign market? There are just two reasons for it always, just as certain to follow as the night the day. In the first place the American producer can produce those goods more cheaply than the foreigner who buys them; because men buy from selfish aims and not from sentimental motives. They buy where they can buy the cheapest.

The second reason is that foreign goods come into this country in exchange for them. You got $2,500,000,000 of exports in spite of your efforts to dam up the foreign article which would come over here to buy our goods in the exchange of trade. [Applause on the Democratic side.] I am neither a prophet nor the son of a prophet, but I venture the prediction that under this bill, with imports of foreign goods which can be made cheaper abroad than they can be made here coming to our customhouses to pay for articles which can be made cheaper here than they can be made abroad, you will find that in the next year the export trade of this country will exceed three billion dollars and go on steadily up and up. And in the course of that increase of foreign trade there will be no decrease in the amount of production in this country, nor decrease in the amount of profit; because it is just as certain as the gospel itself that men can make more money out of those things which they can make the best and cheapest than they can make out of the production of those articles which others can make best and cheapest. If it were not so I would be making this suit of clothes I wear and the shoes on my feet instead of bending my energies and activities in some other direction. It is just as true of nations as it is of individuals, and our prosperity as a nation lies in the direction of producing those things which America by her genius can make cheaper than other countries of the world, and bring into this country in exchange for those articles those things which the foreigner can make cheaper than we can. [Applause on the Democratic side.] The more we bring in the more we send out; for in the last analysis you pay for imports not in gold, not in money, not in exchange of credits. You pay for them in exports of the products of your land. [Applause on the Democratic side.] I think the gentleman from New York [Mr. PAYNE] will find that while the exports have been going up despite his high tariff rates, when once they are put down in order that there may be imports coming in, those exports will go up even higher than they have in the past. [Applause on the Democratic side.]

Mr. MURDOCK. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY of Pennsylvania. Mr. Speaker, the handsome and debonaire gentleman from Pennsylvania [Mr. PALMER] always makes an interesting speech and is always the most interesting when he is the least hampered by facts and information. I simply want to say that the statements made regarding the conduct of affairs by Progressives in the State of Pennsylvania were interesting, but they were not true. Not one of the statements made by the gentleman regarding the conduct of Progressive legislation in the Legislature of Pennsylvania is correct. As a matter of fact, the State convention, composed of delegates elected by the people, named a committee to draft legislation, and that committee held meetings in many cities from Philadelphia to Pittsburgh. Every meeting was advertised in every paper that would use the item, and the public was invited to attend every meeting of that legislative committee of the State convention. The public did attend. Every measure was changed and revised time after time in response to the requests and suggestions of those who came to the meetings. Every interest, employer and employee, city dweller and rural resident, helped in framing the bills. When they were introduced into the legislature at Harrisburg not a single effort was made to force the legislation through by means of the caucus or party lash. No influence whatever was brought to bear on that legislation save the aroused public sentiment of the State of Pennsylvania.

I will go further and say that the legislation would to-day be on the statute book of Pennsylvania had it not been for the fact that members of the party of the gentleman from Pennsylvania [Mr. PALMER] deliberately betrayed their people and misrepresented their wishes and voted against the measures, and thus prevented their being enacted into law. The leader of the Democratic Party in the legislature gave out a statement on the closing day in which he denounced these members of the Democratic Party and others who would not obey the demands of the people.

I want to say that there is no use, however, in going back to Pennsylvania to consider the questions brought up by the gentleman from Pennsylvania. I want to know what kind of tactics have been used by the gentleman himself in endeavoring to compel obedience to the party mandate in this Congress. How about the case of the gentleman from Pennsylvania [Mr. DONOHOE], who represents a great manufacturing district in Philadelphia? He went before his people in the campaign and promised that he would vote on a tariff measure schedule by sched-

ule in an effort to decrease excessive tariff duties. He told his constituents that he would not vote for an indiscriminate reduction of all duties at once. He was elected and came to this House, and in time announced himself as opposed to the Underwood bill. What happened when his vote was recorded against the bill?

The gentleman from Pennsylvania [Mr. PALMER], who is the high priest of Pennsylvania Federal patronage, served formal notice upon Congressman DONOHOE, of Philadelphia, that he should no longer have any Federal patronage, and his patronage has been taken from him as a result of his stand on this bill. [Applause on the Republican side.]

Gentlemen of the House, these are the facts, and they are facts which can be borne out by the most cursory interview with the gentleman from Pennsylvania, Mr. DONOHOE. We are witnessing under these conditions not what was promised last year by the gentleman from Pennsylvania [Mr. PALMER] would happen as a result of Democratic supremacy. Instead of the new freedom, we are having the new thralldom; instead of liberty, we see despotism in its worst form. We are not having a Government through parties, but we are having a Government for parties, and nothing else. Offices, instituted for the public service and benefit, are parceled out to the faithful ones who bow to the lash, while those who will not submit are punished by loss of patronage. If Pennsylvania Democrats will not follow their master, he will see that they get none of the loaves and fishes.

As official spokesman of the President of the United States, the gentleman from Pennsylvania shines in added splendor perhaps, but his actions as to the patronage he controls, and remarks such as those he has just made, do not add luster to his own achievements nor to the fame of the Chief Magistrate of this Nation.

I want to call attention also to a feature of this conference report we are considering which indicates the same kind of prostitution of public offices to private and party ends. The conference provision regarding the appointment of persons to administer the new income-tax section is one of the most vicious blows at the merit system that has been struck in many years. The bill as it left the House was bad enough in that respect, but it has been made far worse in this latest development. The House bill provided that all persons employed in collecting the tax should be appointed without civil-service examinations but it went no further. Now, the provision is that persons so appointed may be transferred to the general service of the Internal-Revenue Bureau. Not only that, but it provides that civil-service employees in the Internal-Revenue Bureau may be detailed to field work in the income-tax department. Then, to cap the climax, the conference report strikes out the provision that such employees shall not lose their civil-service status. That means that the entire force of the Internal-Revenue Bureau, which now consists of 200 persons, together with the 500 or 600 to be added under the operation of this law, may be taken from the civil-service list and may be placed under the arbitrary and irresponsible power of the Secretary of the Treasury and the Commissioner of Internal Revenue.

Mr. Speaker, it should not be open to argument that as the functions of government grow in extent, complexity, and importance it becomes more necessary that they should be administered not only by honest employees but by employees of trained ability and knowledge. This income tax is a new development and a worthy one, but it should not be ushered in with a return to the old spoils system, necessitating a new scramble for spoils and plunder.

If we are to have a Government of the people, for the people, and by the people, it follows that all offices shall be instituted and charged with certain duties solely for the service and benefit of the people. If the administration of public office is used to serve other ends than the public benefit, if offices are given to persons because of political strength and not because they can give efficient service, just so far we come short of real democracy in this Nation.

That is what is being done in this case. It is a sacrifice of the interests of the people for the interests of a party. It is putting party organization above the public welfare. It is a return to the old spoils system, which alone has made possible the despotic power of political bosses and party machines in the cities and States of this Nation.

The people of this Nation had thought that the merit system had won its way and that its battle for existence was over. They have demonstrated time and again how thoroughly they believe in making efficiency and ability the test of appointment to such positions as these. But this is a blow in the dark, it is a step backward, and it will not be tolerated. The people of this country will not endure quietly this treachery to a principle they had thought firmly intrenched and beyond attack, and those responsible for it will be called upon to give an account of their actions in this regard. The overwhelming demand on the part of the people for an income tax will not excuse those who, under cover of that demand, strike a blow at the merit system and would insert the entering wedge, which, if driven on, would mean a spoils debauch such as the Nation had thought long since impossible.

Mr. Speaker, I wish to quote in the extension of my remarks, with full approval, a speech recently delivered by United States Senator CLAPP, of Minnesota, a statesman second to none in this Nation, a patriot who scorns subterfuge and quibbling, and a friend, tried and true.

The following is the address of Senator CLAPP:

SYNOPSIS OF SPEECH OF SENATOR CLAPP AT THE PROGRESSIVE CONGRESSIONAL CONVENTION HELD AT MOUNDSVILLE, W. VA., SEPTEMBER 20, 1913.

Gentlemen, as you have, so far as this particular occasion is concerned, finished the work of adopting a platform and nominating a candidate, many of you are doubtless anxious to return to your homes, and I will therefore try to be brief, and I shall only deal with those fundamental principles which bear upon the question of the necessity of and the reasons for your acting as a separate and distinct political organization under the name of the Progressive Party. In doing this I shall try to be fair to all parties, because, independent of a desire to be fair, sooner or later every statement a man makes is tested in the crucible of truth and he gains nothing by being unfair, even if so disposed.

In dealing with this subject I may have occasion to mention persons, but it is without any feeling of hostility toward anyone, for according to my creed there is no person except in the individual's relation to those activities of which he is a part.

To understand the necessity for this separate movement we have to consider the nature of political parties, how they are brought into existence, and the conditions under which they develop with reference to the effect of those conditions upon the original purpose and character of the party itself, and to understand this we have to go back further and for a moment consider the conditions under which free government has to meet those forces which result in progress and development. A moment's reflection will satisfy you that there never yet was sufficient human wisdom and patriotism to form a government, subject to the processes of free government, which will not sooner or later be outgrown by the people who live under such government.

POPULAR ELECTION OF SENATORS.

One or two illustrations from our own history will suffice for this purpose. There never was a body of men combining more wisdom and exalted patriotism than the group of men who framed the Constitution; and we have absolutely outgrown in many particulars, and some of them fundamental, their concept of government. They were afraid, for instance, to let the people vote directly for United States Senator, and we had the somewhat grotesque spectacle presented of a system of government under which every voter of a given age was eligible to the office of United States Senator and not eligible to vote for United States Senator. That privilege was relegated to a body of men possessing no constitutional requirements except the necessary age and citizenship, known as the legislature. But it is a law of human nature that when you once set the force of free government in motion there is no power on earth that can prevent their reaching, in their last analysis, popular government; and so the American people, by one process and another, began to take the election of Senators into their own hands, until now we have a constitutional amendment under which the people vote directly for Senator.

Let me remark in passing that a great many people view with alarm the election of Senators by the people as an untried experiment. This shows how easy it is for people to get the "cart before the horse." The natural thing at the outset would have been for the people to elect their Senators, just as they elect their governors, Congressmen, and other officers. The election of Senators by the people is no experiment. The action of the framers of the Constitution in turning over the election to the legislatures was the experiment. Taking back the right by the people is not, therefore, an experiment, but the termination of an experiment.

NATIONAL—NOT STATE—PROBLEMS.

Again, the men who framed our Constitution undertook to create two sovereignties in one without defining the limits or declaring who should define the limits of each. Now, there never was on this earth and never will be such a thing as two coordinate human agencies. From the very nature of things one must be above the other. When the fathers were framing the Constitution the first draft of the instrument contained the word "nation" twenty-three times.

In the second draft it had been stricken out twelve times, and in the final draft it was stricken out wherever it occurred; and the principle that the American citizen owed his higher allegiance to the Federal Government was never expressed in an American Constitution until the constitution at Nevada was adopted, in 1864. But, as I have said, you could never have two coordinate human agencies. One or the other must dominate. And so the American people went to work to build a nation, and when Lee's shattered squadrons melted away at Appomattox the American people had put the word "nation" back into their organic law.

I simply mention these to show that there is nothing sacred in what has been, and that human foresight can not guard against the necessity of change to meet the growing will and purpose of the American people.

Applying this principle to political parties, we find another condition attaches to political parties in free government. There are two forces in the world, the right and the wrong. As the right only seeks relief from the wrong it is only active when it asserts itself, seeking relief from any unbearable burdens. But the wrong, on the other hand, ever seeking that to which it is not entitled, is always alert and never abates its interest. This is seen in the history of any community. Let there be a moral uprising and the human agencies of wrong—those who are associated with any vicious activity—are driven to their hiding places, but they always console themselves with the thought that in a little while the enthusiasm of the movement will abate, and they can come forth again and claim that which they call their own.

Now, in free government it is natural that the people should turn to political agencies to advance their material and moral welfare. Under this principle of the constant activity of wrong and the intermittent activity of right the forces of wrong are always alert and ally themselves with whatever political organization will best serve their purpose. No matter how pure the motive of those who bring the party into existence, no matter how altruistic the purpose of that party, there will come a time when the vicious forces of the country will gravitate to that party and in time will dominate that party, because there comes a time in the history of every party when countless thousands of voters sustain the party, not for what it stands for, not for what it is doing, but simply under the thraldom of the tradition of a party name.

In the early history of a political party men united with the party not because of its past achievements, not from any tradition, for it had none, but they united with it because they stood for the things which the new party stood for; but in the long course of years voting that party ticket a large proportion of the voters came to sustain the party simply through the tradition and the prestige of party name. Thus it is as a party grows in years and the keen alertness of those who belong to it is simply lost in the prestige of party name the sinister forces of the country, as I have shown, ever alert and never sleeping, caring nothing for party name, seeking alignment only where it will serve their purposes, sooner or later will dominate such political party and thus, from the very nature of things, there comes a time when, like the Constitution which our fathers gave us, the people find it necessary to bring about changes. While you can change the Constitution and call it the same instrument, you can not change the purpose of a political party by leaving that party in the control of the men subject to sinister influences that have gradually gathered themselves about a party organization. In this respect political parties differ from all other organizations. A church may maintain its pristine purity for generations because it does not attract the vicious. It can not become the instrument of the vicious, sinister forces of society. There is no inducement for them to turn to it, while, on the other hand, political parties, dealing with governmental policies, able to bestow or withhold privileges and benefits, naturally, as I have conclusively shown, attract and draw this evil, sinister influence and force that ever has and probably ever will exist among mankind.

Now, at this point I want to deal with another principle which marks the difference in citizenship between the right and the wrong. Men who stand for the right are naturally men of keen conscience and conception, always feeling a sense of obligation to that with which they have been associated, somewhat held in check by the tradition of party name and great achievements which may have marked the early history of their party.

NEED OF PROGRESSIVE PARTY.

The forces of evil and wrong have no such sentiment. To them the past is nothing, party name is nothing, to be loyal is nothing. As Jay Gould once testified, when he was operating in a Democratic district he was a Democrat; when he was operating in a Republican district he was a Republican. This gives the forces of wrong, in any sense, a great advantage, for it knows no limitation of party or party name. The moment any party comes into power it immediately begins to gravitate toward that party, and that gravitation involves no sort of association that brings the men who would oppress child labor, who would add to the swollen fortunes on the overwork hours of womanhood, in a political kinship with every vicious force. Whether it be the traffic that ensnares men or ensnares women, every evil, sinister force, is unconsciously allied in a unity of purpose.

Applying these principles—which I think you will all recognize—to the present situation, we have the following conditions: The Republican Party was born of a great crisis. It was the coming together of men who threw off the shackles of former party association, rose supreme to the sacrifice and created a party as pure and altruistic in purpose as was ever founded in the history of the human race. It had its great leader, Abraham Lincoln, who typified upon a broad and exalted scale the personality of those who formed the rank and file of the party. It was founded upon the law of party government that party policy, instead of being dictated by the few who happened to be in official position, should be the voice of the rank and file and be reflected in the policy of the so-called leaders. It was this law of leadership that made Lincoln immortal. He could wait, and wait with patience, amid the jeers and sneers and denunciation alternately of his enemies, until he realized that the American purpose had ripened for action, and he reflected that purpose in his own activities.

A party thus born and adhering to this law of leadership was destined to great achievement, and for almost 50 years it was, with the single exception of Cleveland's administration, the instrument employed by the American people in solving their great problems. On the 4th of March, 1909, it entered upon its last administration. Back of that 4th day of March, 1909, lay almost 50 years of splendid achievement; and yet in that 50 years, outside of the 4 years which covered the overthrow of the Rebellion, there is no period so resplendent with achievement in the interest of the American people as the 7½ years just preceding the 4th day of March, 1909.

In that seven and one-half years we had worked out some great policies, not perfect because worked out through the medium of human instrumentalities and yet they were along the line of the broad recognition of the rights of the American people, in a broad equation, as opposed by the interests of the few in a narrower equation. During this seven and one-half years we passed the great antirebate bill of 1903, the great railroad bill of 1906, the pure-food law, the publicity law, and on the 4th of March, 1909, we stood at the threshold of the most vital legislation that ever confronted the American Congress since the days of reconstruction, viz, the consideration of child labor.

Now, man always has to have a symbol as an outward expression of the faith within him. You could never have religion without a church; you could never have a country without a flag; and the American people, by common instinct, came to take as the symbol of those great policies the name of the man under whose leadership the purpose of the American people had been wrought into legislation, and they came to be known then, known now, and will be known in the future as the "Roosevelt policies." Those of us who were more directly in sympathy with these policies supposed, of course, they were Republican policies, and yet, within six months from the 4th day of March, 1909, we were condemned as insurgents and traitors to the party for standing against the repeal of the Roosevelt policies.

On the 4th day of March, 1909, the party stood, not only with this history behind it but apparently permanently entrenched in the confidence of the American people, for under the inspiration of these policies great States that had for generations been Democratic had wheeled into the Republican column, and yet within 18 months from that day that great party found itself shipwrecked, its bulwarks stove in, its decks awash, and plunging bow foremost to destruction.

Now, it is not important who is to blame for that change, except so far as the policies of the men who may have been to blame are involved in the question of what policies the American people are going to stand for. Everyone knows that Mr. Taft was elected because of his supposed sympathy with the Roosevelt policies, and yet no sooner had he taken his seat than we witnessed in the American Senate a strange spectacle. When Senator Aldrich would reach a proposition that was absolutely indefensible he would seek to get the Republican support for the proposition upon the plea that it was the President's desire. It was a very strange spectacle, indeed, to see him become the mouthpiece of the administration, for during the seven and one-half years of Mr. Roosevelt's Presidency Senator Aldrich had not been recognized by either Mr. Roosevelt or the public as the mouthpiece of the administration.

Mr. Taft sought to excuse his affiliation with Aldrich and Cannon by insisting that it was necessary that he have their support to carry out his policies. When I used to try lawsuits I always used, if it was possible, the witnesses of the other side to prove my case, because the other side could not very well contradict its own witnesses; and so in this case I introduce Mr. Taft's statement to prove that he was not carrying out the Roosevelt policies when he says he had to have the help of men like Aldrich and Cannon, for Mr. Roosevelt never required their assistance in carrying out his policies, and the admission of the necessity of their assistance is the proof that the new President was not carrying them out.

The first test came in the tariff bill of 1909, known as the Payne-Aldrich tariff bill. The Republican Party had promised in its platform a revision which everyone knew then, and knows now, meant a scaling down of duties where they were excessive. In fact, Mr. Taft himself, so far as I can now recall, is the first man who claimed to be a Republican and yet referred to the protective tariff as a tax, in a speech made, I think, at Bath, Me., wherein he referred to the fact that these taxes must be reduced. But no sooner had we entered upon a revision of the tariff than it became evident that the real issue was not between free trade and protection but between honest protection and monopoly. In fact, wherever it served their purpose they struck down protection with as ruthless a hand as that with which they bolstered monopoly.

PROTECTION OF AMERICAN LABOR.

At that time it was claimed that there were 12,000 American cigar makers on the streets of America out of work; and yet, notwithstanding their pretended affection for protection, they stood for a large, infinity of Philippine cigars as against the right of protection of the American cigar makers. Those of us who came to be called "insurgents" and "progressives" opposed the effort to put Philippine cigars upon the free list and some other reductions, as we opposed many of the increases.

We urged upon Mr. Aldrich the fact that if he forced a bill through the Senate in the interest of monopoly instead of fair protection, that the people of the United States would revolt against it and turn around and elect a Democratic administration, and if there is any man here to-day who regards as a menace to the industries of this country the pending Democratic tariff bill, I want to remind him there is nobody to thank for it except the Aldrich-Cannon-Taft combination that put the Payne-Aldrich tariff bill through Congress. The best friend of protection is the man who stands for honest and fair protection. The worst enemy of protection is not the blatant free-trader, but the man who, under the guise of protection, has bolstered monopoly, and the sequel proved the truth of this assertion.

As an evidence of the spirit that dominated that measure and under the new leadership of men like Aldrich and Cannon who had secured control of the Republican Party I cite the so-called corporation tax. Whether you desire an income tax or not you will agree with me, I think, that the income tax is the fairest form of tax that can be devised. You may have a piece of property that actually is not earning enough to pay the tax, and yet it is taxed as property; but no man can pay a dollar of income tax until he has first made the income out of which the tax is derived. We had, upon a poll of the Senate, a majority of 4 for the income tax, when suddenly, like a bolt from a clear sky, the administration sent in its so-called corporation-tax amendment to sidetrack the income tax.

Now, this corporation tax was not a tax on property. It was in the nature of an excise tax for the privilege of being a corporation; and yet, under this new leadership, the interests had obtained such a control that that corporation-tax law actually exempted the most vicious form of corporations, viz, the holding company or trust, from the payment of a corporation tax. Notwithstanding that we fought to take that exemption out, Mr. Aldrich was strong enough to retain it in the law.

I speak of this as showing the spirit that dominated, that had suddenly assumed control of that great party which you and I had so long worshiped as almost perfect. It is not a pleasant task, and yet, if we obtain any guidance for the future from the past, we have to deal with that history, regardless of whether it is pleasant or unpleasant.

The election of 1910 came. The Republican Party suffered a disastrous defeat in that election, and these men of whom I have spoken charge that defeat to those of us who had come to be called "insurgents" and "progressives." As I have said, it is unimportant who is responsible, save as it bears upon present and future policies. That year we lost the State of Maine, and I would like to be furnished with the name of some Republican insurgent in the State of Maine in 1910. We lost the State of Massachusetts, and while I profess some familiarity with current political events I can not recall the name—nor can you, either—of any insurgent Republicans in Massachusetts in 1910. We lost the State of New York. Perhaps you can remember the names of some valiant Republican insurgents in that State in 1910. We lost the State of New Jersey, and possibly you can recall the name of some Republican insurgents in that State in 1910. If you can, your memory is better than mine. You know what happened in Pennsylvania, and perhaps the least discussion of it the better. We lost the State of West Virginia, your own State. You ought to be familiar with the history of your own State, and perhaps you can favor me with the names of the militant Republican insurgents in 1910 who lost the State of West Virginia to the Republican Party. We lost the State of Ohio, the President's own State. He sent his Cabinet ministers to that State to tell the people that a vote for the Democratic candidate—Harmon—meant a vote against their President, and back came the answer—a majority of 100,000 for Harmon.

Now, of course, there are local conditions in all these States, but underlying every consideration was the revolt of the American people

against the betrayal of the trust and the violation of the pledge of the party in 1908 with reference to the tariff. In every one of these States what has come to be known as the stand-pat element of the party was in control and we lost the States where they were in control. Contrast this result with the result in those States where the men now called "insurgents" and "Progressives" were then in control. So let us once and forever put a stop to the claim that the insurgents wrecked the party in 1910. It is as fallacious as the claim that Mr. Roosevelt wrecked it in 1912. The Republican Party was absolutely wrecked, shattered, and shot to pieces in the spring of 1909 when Mr. Taft, backed by men like Aldrich and Cannon, undertook to reverse the spirit of the preceding seven and one-half years in the overthrow of the Roosevelt policies.

The railroad law of 1906 came on under Mr. Roosevelt. We had made splendid advance in the control of railroad rates; we passed the antirebate law of 1903 and the great railroad law of 1906. There was no particular demand for very much more legislation in 1910, except that the "interests" saw that under this new leadership, which had now come into power, they could perhaps repeal some of the more stringent regulations that had been passed under the Roosevelt leadership, and so a bill was sent in with the injunction that not a "t" should be crossed nor an "i" dotted and to debate that bill would be considered treason to the Republican Party.

I see hanging on the wall a picture of Abraham Lincoln, the real, great founder of that party. Do you not think strange times had fallen upon the party when the party of Lincoln should be told that a great piece of legislation should be passed without dotting an "i" or crossing a "t" and to debate a measure affecting $0,000,000 people would be treason to the party? That was not the spirit of Lincoln's leadership. The spirit of leadership that wrecked the Republican Party in 1909 will wreck any political party that has ever been created in the annals of the American people.

I have not time to analyze that bill, except to point out some of the backward, reactionary provisions of the bill. Those of you who are lawyers realize that in what are known as "equity proceedings" usually you can not appeal from what is called the intermediate or interlocutory decree. You have to take your exceptions, and when the final judgment is entered you can appeal from that, and that involves the points you have made as you have gone along. Now, it often happens that if you could appeal from the intermediate or interlocutory decree, it would settle the question and save several months and perhaps years of delay. So in 1906 we put a provision in the railroad bill that the shippers could appeal from interlocutory decrees, but this bill of 1910, which we were told should be passed without crossing a "t" or dotting an "i" and to debate the bill would be treason, repealed the right of appeal from interlocutory decree.

We had found from long experience that Federal judges might issue injunctions against the Interstate Commerce Commission without giving the commission any hearing. It would seem that before one of the great agencies of your Government should be tied up with an injunction it should be heard, and so we put into the law of 1906 a provision that no judge sitting in his chambers at midnight could issue an injunction against any of the great agencies of your Government without first giving five days' notice, but this bill, which we were told should not have a "t" crossed nor an "i" dotted and to debate it would be treason, repealed that requirement and left it optional with judges to issue injunctions against the Interstate Commerce Commission without any notice whatever.

While the Interstate Commerce Commission makes its orders affecting rates, and the railroads where they appeal bring suits against the commission, yet these rates affect the interest of the shipper, and so we had provided in the former law that the shipper, who was the party really interested and not the commission, might appear in these cases and defend the order made by the commission. But this bill of 1910, which was accompanied by the declaration that not a "t" should be crossed nor an "i" dotted and to debate it would be treason, contained a provision expressly prohibiting the shipper from appearing where he was vitally interested in the result of the litigation. In other words, it was taking from the American citizen the right to appear in a case where his interests were directly and vitally at stake.

Well, I want to tell you in confidence that before we got through we crossed several "t's," dotted several "i's," and debated the bill until we forced them to take out of it most of the objectionable reactionary features; but in doing as we were, so far as they could do it, read out of the party and declared traitors to the Republican Party. Now, it is of little concern what became of us, but it is of interest to know what the people think and how they stand upon these questions, and as I have shown you the verdict of 1910 was an overwhelming defeat of the men who paraded as the Republican Party and sought to turn back the spirit of the Roosevelt policies.

We believed then and believe now that after the Payne-Aldrich tariff bill was passed, if we could have secured a clean-cut, nonpartisan tariff commission so that we could have said to the American people, "Whatever the imperfections of this bill, we are now in a position where we can give you tariff legislation that is honest and fair," we might still have saved the party. But Bourbonism is always blind, and we were powerless to secure the enactment of a law giving the country a clean-cut, nonpartisan, efficiently equipped tariff commission.

Then campaign of 1912 came on and we then believed that if we could convince the American people that this aggression that had thus violated the pledge of 1908 was not the real Republican Party, we might still save the party, and with that in view we appealed to the people of many of the States in primary campaign, more or less statutory, more or less informal, but at all events calculated to get the expression of the people. Again the overwhelming verdict of the people was against the crowd who had paraded as the Republican Party. But we went to Chicago, and you all know the result, as many of you were there and witnessed that tragedy. I say "tragedy" because in my humble judgment it meant the beginning of the end of the Republican Party. I believe that the American people, even under the inspiration of a party name or party lash, will never again clothe with political power the men who perpetrated the Chicago outrage.

AMALGAMATION IMPOSSIBLE.

I do not care to dwell upon it. The men who dominated that situation were not only determined to nominate Mr. Taft, but they had a deeper purpose than that, and that was, at any cost, to once and forever, if they could, stamp out the growing purpose of the American people to nominate their own candidates, independent of political bosses and Federal machines. That was the underlying issue and that is why they would yield to nothing. They forced the matter through, with the result that when the election came, when the third verdict of the people came, of those who called themselves Republicans, their candidate received 8 electoral votes, while the protests of the people, formulated in the candidacy of Col. Roosevelt, secured 88 electoral votes.

Now, the question comes, What of the future of these two forces? The men who secured 8 electoral votes, with a patronizing air say to those who secured the 88, "We forgive you for your iniquities, we pardon your sins, and you can return to the fold of the 8." It strikes me as not only a political but a gastronomic problem as to how the 8 can swallow the 88. But there is no use in dealing with that phase of the question. One side was wrong, the other side was right. If the nomination of Mr. Taft as a supplement to his efforts and that of his immediate associates to reverse the policies of Mr. Roosevelt was right, then those who opposed his election were wrong. The only test that I know of as to what is right or wrong in a broad sense, in political and economic problems, is the voice of the people, and the voice of the people was heard, the result, I think, announced, and it strikes me it is absolute folly to talk of those securing 8 electoral votes welcoming back to the fold as repentant sinners those who secured 88. If those who call themselves Republicans—those who secured 8 electoral votes at the last election—really believe, as some of them profess, in the principles which those who secured the 88 electoral votes, and who call themselves Progressives, stand for, then they should join the Progressives, and the union of these forces would be sufficient to prevent further Democratic victories.

An event occurred recently which to my mind settles this matter absolutely. I refer to the election in the State of Maine, which I awaited with intense interest. When the result was announced, it became evident, to my mind, that it was the death knell of the Republican Party. Nothing except a general panic, which would coalesce the people regardless of political affiliations with the one purpose to overthrow the present administration, can ever bring together the various political forces of this country.

A year ago in that district in Maine there was no Progressive congressional candidate running. Col. Roosevelt carried the district by a very handsome majority, and the Republican Congressman was also elected. Now, a year ago there were hundreds of thousands of men who voted for Col. Roosevelt, partly because of his magnetic leadership, partly because they admired his past achievements, partly because they wanted to put the seal of condemnation upon the Chicago transactions, but they voted for him without stopping to think or to care particularly where it would lead them with reference to their final divorcement from the Republican Party, so that the vote which he received, while it was a splendid tribute to him and to the platform of the Progressives, did not mean by any means that all who voted for him had finally determined to leave forever the party with which they had been so long associated. But this year it is not voting for Col. Roosevelt. His magnetic leadership, his splendid achievements are not a direct inspiration to voters. This year no man could vote the Progressive ticket without calmly and deliberately determining that he was through with the organization known as the Republican Party, and when in that rock-ribbed district up in Maine 6,500 men, under these conditions, walked up to the polls and deliberately registered their purpose to forever abandon the so-called Republican Party, it meant that that force, carried to its equation throughout the United States, is the absolute death knell of that leadership which parades as the Republican Party. It can never survive that condition.

Now these men are going somewhere politically. They are either going to hold back until the time comes when the Democratic progressives learn in their own bitter experience, as we learned in ours, the utter futility of reforming an old outworn, canker-eaten political organization, and they come out and join the progressives; or, in time, if harried and impatient they do not see that result, they are going, by a natural law of human nature, to the Democratic Party, and all the progressive leaders on earth can not hold them from so doing. It is a law of human nature that when a man, upon calm and deliberate conviction, finds that that with which he has been associated is a shock to his sense of justice and leaves it, wherever he goes, he never returns to that organization, and it is only the traditional blindness of Bourbonism that could dream of human nature reversing itself.

Now, that leads me to a consideration of the Democratic Party and what will become of the progressive Democrats. I believe in being fair in these things. During the four years in which the Aldrich-Cannon combination sought to reverse the Roosevelt policies there were these same progressive Democrats, loyal to their convictions, courageously standing shoulder to shoulder with us against the reversal of the Roosevelt policies. Their party is now in power. For 16 years their party has had no opportunity to show what it would do. It is no wonder, then, that these progressive Democrats hope and believe that their party is the ark of the covenant to which, if they stand true, they will find themselves, eventually, in possession of and bringing about the desired reforms through their party organization, and I would be the last man on earth to even rail at them for not now standing out as independently and boldly as they did when their party was out of power. But they are doomed to the same bitter disappointment. They believe that their leaders can overcome the sinister forces of their party as Roosevelt, when President, overcame the sinister forces of his party.

I am no hero worshiper. To me Col. Roosevelt is simply an individual possessed of high ideals, with the courage to stand by his convictions, and it is no reflection upon anyone else to say that probably there is no other Roosevelt in Roosevelt's generation. If you want to know a man's strength, judge of what he has done in the light of the conditions under which he accomplished it. A man with 200,000 appointments held back can for a time force party leaders and party workers to a certain line of policy, but it must be remembered that when Col. Roosevelt assumed the Presidency upon the death of McKinley it was not a change of party—the patronage had been disposed of. There were no offices to give out, and yet, deprived of this power of patronage, Roosevelt was able to force a reluctant Congress to do the bidding of the people, because the secret of Roosevelt's strength lay after all in the fact that Roosevelt unlike many men who have to sink a plummet into the current of human thought to measure the force, depth, and direction, never had to do that, because he himself was the incarnation of the best convictions of the American people. This was the secret of his strength. Measured, then, by the lack of the power of patronage, you have the accomplishment of the man that can not be copied by any imitator. The man who would do what he did has to be his equal in strength and purpose, and has to have that absolute sympathy with the common people, a part of that spirit of the people which he possesses and which he was. So I say the dream of the progressive Democrats that they will see the reforms worked out in their own party is a futile dream. It is a futile dream for another reason. The party is not equipped with the necessary instrumentality for doing the work. On the one hand, it is dominated by the bossism that finds its kinship in Tammany; and on the other, it is dominated by a class of men highly intellectual, patriotic as they see patriotism, but bound under the spell and thraldom of an old tradition, a tradition of State rights.

HOPELESS POSITION OF PROGRESSIVE DEMOCRATS.

That party which will render the highest service to the common people has to be based upon the principle that government is organized for the people, instead of the people being here for government. It has to be based upon the principle that this great coordination of force which we call the "Federal Government" has to be employed whenever and wherever the Federal Government can best serve the material and moral welfare of the American people, and the trouble with the Democratic Party—and I say it in all frankness—is that while its young members, perhaps, are less enslaved by its traditions, the party has been, and is to-day, bound in the thralldom of a strict construction of the powers of government, and that involves a narrow concept of the functions and service of government. It has been an interrogation point. In asking what service the people require, and in asking the question, Can the Government, in view of its organic limitations, render that service, I do not mean by this that we must ignore all written limitation. What I mean is that we have to approach the question of the power of government from the standpoint of service to be rendered rather than a technical interpretation of the power of government itself, recognizing that the real purpose for which free government is organized is the service which it may render.

Again, the Democratic Party is suffering to-day from just what the Republican Party suffered from. As it has come into power it has drawn, and is drawing, to itself the sinister influences of the country. Any party will do it, as it is done in obedience to a great law of human nature, and, as when the mantle fell from Roosevelt the progressive spirit of the Republican Party found itself powerless to give shape and color to the activities of the party, so the progressive spirit in the Democratic Party will find itself powerless to give shape and color to the activities of the Democratic Party, and all we Progressives have to do is to wait until the progressive Democrats learn the same bitter lesson, and then, if the Progressives who have come from the Republican Party maintain their organization, we will find an accession of power that will make them a power that is equivalent to the force that will carry out their great purpose and policies. It seems to me, then, the duty of the Progressives is plain, for this force that has revolted, and revolted forever, against Republican leadership must either be the nucleus of the final force, or it must meld into the Democratic Party and be as hopelessly involved as it was in the Republican Party.

Now, sooner or later in human experience that which is natural comes to happen. We have had in this country a most grotesque situation. We have had two political parties which of late years have not differed materially. Even on the tariff bill in its last passage, if you have read the CONGRESSIONAL RECORD you will see that day after day the so-called Republicans voted to put items on the free list which the Democratic caucus refused to put there. The natural line of demarcation between political parties in a country should be the line that separates those who desire progress and those who desire to remain stationary. In all the ages that has been the line of demarcation between the great forces—one that wanted to move forward and the other to remain still. But in the early history of this country we became involved in the question of State rights, that became an issue, and even to-day, although practically forever settled by the Civil War, it is the nucleus around which a great party centers. We have, therefore, to-day a grotesque spectacle of two parties, not with a line between them, as it should be, but a line through each party. We have our reactionary Republicans and progressive Republicans, our reactionary Democrats and progressive Democrats.

I do not like to use names in a public speech, but you can readily recall the names of those who claim to be Republicans and yet are as diametrically opposed to one another in everything that involves the highest interests of the American people as any two political parties could be. You can, on the other hand, call to mind Democrats, each of whom calls himself a Democrat, who are simply, absolutely opposed to one another in everything that pertains to the real welfare of the people. This condition can not last, because it is unnatural, and sooner or later the American people are going to have two political parties with the line of demarcation running between them—one composed of those who always turn to the rising sun, the other of those who always turn to the settling sun. When this will come no man can say. If we should escape any great business depression, I believe it will work out within a short time.

When it comes it must be through a party like the Progressive Party, which sinks all minor issues in the real paramount issue of progress; which will call to its ranks all who believe in progress as the fundamental issue, leaving others of whatever present political faith to naturally drift together in one general reactionary party. This will leave the voters divided, as they should be, with a party line separating parties from each other on one side of which will be the forces of progress and on the other side will be the forces of reaction.

YOUR LOCAL CANDIDATE.

I only want to say a word of the local situation. I heard your platform read and listened with intense interest. It rings true in every line. I also know your candidate. He is a living incarnation of the great principles enunciated in your platform. They are all right, but while they are vital, the real vital thing after all is the man himself. The Republican Party under the leadership of Roosevelt worked out great policies which were not foreshadowed in platforms. Under the leadership of Mr. Taft it violated a pledge which was written in its platform, and so the vital question over and above platforms is the man himself. In his splendid personality, in his loyalty to his convictions, in his willingness to make what seems to many a sacrifice. He is the personification of your platform and a candidate that, if elected, will in himself be the assurance that, unlike some platforms of the past, there will be a fulfillment of your platform in the activities of the man who stands as a standard bearer.

Mr. UNDERWOOD. Mr. Speaker, I yield 10 minutes to the gentleman from Alabama [Mr. HEFLIN]. [Applause.]

Mr. HEFLIN. Mr. Speaker, I have listened to the sad and melancholy dirge of the gentleman from New York [Mr. PAYNE]. With tear-dimmed eyes and mournful voice he has witnessed the last sad rites of the Payne-Aldrich tariff law. He has expressed his grief and he has mourned its demise, but let me say to the gentleman, dry your tears; your loss is the people's gain. [Applause on the Democratic side.]

The most oppressive tariff law ever written dies in this House to-day. All hail to the Underwood law! [Applause on the Democratic side.] Let the people rejoice and be glad. Trust magnates and trust barons have been located in the temple of the people, and the Democratic Party is calling them to judgment. [Applause on the Democratic side.] To-day, Mr. Speaker, we are enacting a law that looks to the greatest good for the greatest number. The average man is given a fair chance in the struggle for existence. Special privileges and governmental favoritism are stricken down. The old doctrine of our party is restored, equal rights to all and special privileges to none. [Applause on the Democratic side.] Gentlemen on that side are bewailing their fate because these privileges are gone. Let the people rejoice, for they are coming into their own once more. They have occasion to rejoice, and I congratulate Majority Leader UNDERWOOD for the great work that he has done. The bill that bears his name, in my judgment, will go down in history as one of the best laws ever written in the interest of the people. [Applause on the Democratic side.]

Now, Mr. Speaker, a word or two about the Clarke amendment and the substitute to be offered. There are good provisions in both. I have never lost an opportunity on this floor to vote to regulate cotton exchanges so that actual cotton could be handled on the exchanges, and so that they would have to call upon the farmer for cotton with which to fill contracts. There are some features in both that ought to be changed. As a whole, neither one of them is entirely to my liking. The late lamented Cushman, from Washington, told a story here once about a man in the West who stole a horse. A dozen men had him out and were about to execute him. Six of them discussed the proposition of hanging him and five preferred to shoot him. One of them stood guard, and the unfortunate fellow heard all the debate, nervously listening, and finally one of them said, "Suppose we ask him his preference in the matter; he may have some views he would like to express"; and so they said, "Old fellow, have you any preference as to the plan of disposing of you?" He said, "To tell you the truth, I can not enthuse over either one of the plans." [Laughter.] So, Mr. Speaker, there are some features in both propositions that I would like to change.

One of the features in the Clarke amendment is good; it distinguishes between legal and illegal business in cotton. It puts a premium upon that transaction that calls for dealing in actual cotton. It encourages contracts where actual cotton is delivered, and provides that if cotton is delivered the tax shall be returned to the person paying it. Those who speculate, as they do now in hundreds of millions of bales of cotton in a season, when we produce only twelve or fourteen million bales, are the ones who are to pay the tax that would not be returned. Those who deliver cotton would have their money refunded to them. So this class of cotton dealers are treated differently from the way the cotton gambler is treated. But they tell us that the gambling exchange helps the farmer. Mr. Speaker, they help the cotton farmer like a vampire helps its victim; they suck his very lifeblood; they sell these hundreds of millions of bales and never tender on contract a pound that is spinnable.

We have a pure-food law that condemns certain articles of food. Bad articles of food are destroyed because they are injurious to health and dangerous to life. Some of these so-called cotton exchanges keep a brand of stuff that is unfit for spinning purposes. Why not enact a law to condemn that cotton and destroy it? They have no right to use that character of stuff and tender it in the name of cotton on contracts calling for spinable cotton. They use a kind of cotton as basis for contracts that you can not spin and will not accept, and they pay you the difference between the 1 or 2 cents a pound stuff and real cotton. Then they keep the dog-tailed cotton to sell and resell over and over again to the great injury of the cotton producer. There are two good features in the substitute offered by Mr. UNDERWOOD, contracts would be noted and a record would be kept of all transactions in cotton on the exchanges.

Then we would be able to find out just how much cotton they sell in season. We are unable to find that out now, but we ought to know. We are entitled to know. If these contracts were recorded, we could tell in one year how many millions of bales they sell on the New York Cotton Exchange, where never a pound is delivered. Hundreds of miles away from the cotton belt, it can not be a spot-cotton exchange. This exchange, with its unspinnable cotton and 23 grades, ought to be regulated or outlawed by the Congress of the United States.

They tell us that the farmer can not get along without this wild speculation, this gambling in cotton. I deny it, Mr. Speaker. What he needs is an exchange that will call on him for real cotton with which to fill contracts. All this talk about cotton going begging for somebody to buy it but for the gam-

bling exchange is the merest rot. This great product, worth $500,000,000 a year, and the finished product therefrom—the manufactured cotton goods—worth five to ten times that amount, and the growing demand for cotton throughout the world is evidence enough to convince even the wayfaring man that cotton will never lack for buyers. If we can remove some of these hindrances, the producer would have more to do with fixing cotton prices than he now does. The gambling exchange that settles its contracts with money and not with cotton is a burden on the back of the cotton farmer.

I believe exchanges could be made useful. I am in favor of exchanges if they are run properly. They can become great agencies for good in distributing the crop and in aiding the producer, but instead of that, they gamble as to what cotton will do. If they bet that the price will go down, why, they send out reports from their agents in the South that rains have come; that the crop is in a flourishing condition; and that a bumper crop will be made. Regardless of the facts, the bears publish reports that will help them win their bet. That is the kind of speculation that we are subjected to in the South, and we want to get away from that character of speculation.

The SPEAKER. The time of the gentleman has expired.

Mr. UNDERWOOD. Mr. Speaker, I yield two minutes more to the gentleman.

Mr. HEFLIN. I think that two features of the substitute would help the situation. One is the proposition that compels the exchanges to adopt the nine grades of cotton standardized by Congress. I helped pass that law. Every exchange in the United States has adopted the standard grades except the New York Exchange.

Mr. Speaker, I want to see the time come when the exchanges claiming to deal in cotton will be required to call on the cotton farmers for cotton with which to fill cotton contracts. [Applause on the Democratic side.]

Mr. UNDERWOOD. Does the gentleman from New York [Mr. PAYNE] desire to use some of his time now?

Mr. PAYNE. Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, gentlemen on the other side seem to be difficult to please. The gentleman from Alabama [Mr. HEFLIN] who has just taken his seat has bewailed the fact that the gentleman from New York [Mr. PAYNE] has cited the thrilling and glorious story of the prosperity of our country under the Republican protective tariff. He characterized it as a song of woe. And the gentleman from Pennsylvania [Mr. PALMER] who took his seat a moment ago criticized his colleague [Mr. MOORE] because he declined to make mournful prophecy of what is likely to occur under this legislation. The gentleman from Pennsylvania [Mr. PALMER] is not properly appreciative. He probably does not understand the desire on this side of the House to spare your feelings this day, to do nothing to add to that Stygian gloom of apprehension that is settling down over that side of the House as you realize the hour is soon to strike when you will be called upon to vote for a measure which will greatly injure or entirely paralyze the industries of your country and of your constituents.

This is the day of the gentleman from Alabama [Mr. UNDERWOOD]. No matter what our views may be of this legislation, all of us join in our appreciation of the manly attitude of the gentleman in charge on that side. We all appreciate that it is largely through his personal influences, his energy, his considerate ways that you are now prepared to pass on this bill.

But the gentleman from Alabama, much as I appreciate him, is mortal, like the rest of us. He declared to us in rather stentorian and boastful tones that in the passage of this bill his party had fulfilled all the promises of its platform and contravened none of them. And yet if there is any promise in their platform that ought to be more binding than another it is that in which they assured the country, and following which their presidential candidate promised, that your legislation would not injure, much less destroy, any legitimate industry.

And yet it is a fact, no matter what we may think of the rates of the bill generally, that as regards the rates touching two great industries—those of sugar and of wool—they are unquestionably destructive. Whatever may occur to the mills and factories of the country generally, so far as the sugar industry of the Nation is concerned it is doomed by your legislation. And the great wool industry, valuable, helpful, and useful to every citizen under the flag, in peace a source of comfort, in war a sure defense, you have stricken down. Touching these industries, you have not kept either the pledges of your presidential candidate or the pledges of your party platform.

The gentleman from Alabama [Mr. UNDERWOOD] is also a little forgetful. During the course of his remarks he read to us, or, rather, inserted in the RECORD—and I have taken the trouble to get it from the clerks—a statement of the estimated receipts and expenditures under his legislation. The estimated receipts begin with customs, $249,000,000, and end with revenue from the sale of public lands, $5,000,000, totaling $1,026,000,000. He then estimated $1,008,000,000 as probable expenditures, leaving an estimated surplus of $18,000,000.

Now, I am surprised at that little oversight about the public lands, because the gentleman from Alabama was, like myself, a member of the Committee on Irrigation of Arid Lands away back yonder in our early days of service here, when we helped to pass the national reclamation law, under the provisions of which no dollar from the sale of public lands has flowed into the National Treasury for the last 12 years. [Applause on the Republican side.] Unless you gentlemen propose to repeal that law and to cease this great work which the Republican Party inaugurated for the development of the West—unless this is the first notice of repeal—no dollar of receipts from public lands can become a part of the national income. Therefore, assuming that all the other figures of estimated income are approximately correct, you must take $5,000,000 from the $18,000,000 that you have estimated as your surplus in the first year under your legislation. And if your other estimates are no more accurate than this, if they are based upon so little knowledge or information or recollection of the law or of the past history of national revenue, then the probability is that we shall face a deficit under your legislation. [Applause on the Republican side.]

We have purposely largely refrained from dismal prophecy of the effect of your legislation. The time for prophecy has passed. We are about to enter upon an actual trial of your legislation. As its repealing clauses do not and can not repeal the natural laws of cause and effect, we can not believe that the country can, as a whole, be prosperous under this act. We do know that as to the sugar industry in the West. It is doomed by your legislation. It may struggle along where already established for a time, at least, but it can not grow, and thus the best hope of many western communities is blasted. As for the wool industry, the blow you give it is a staggering one. It may, and we devoutly hope it will, be possible to continue the industry under it, but no legitimate industry among a civilized people was ever more unfairly treated. [Applause on the Republican side.]

The SPEAKER. The time of the gentleman from Wyoming has expired.

Mr. PAYNE. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. MORGAN].

Mr. MORGAN of Oklahoma. Mr. Speaker, when a Republican President presented to Congress a treaty which provided for free trade in farm products with Canada I voted against it, and now when a Democratic President and a Democratic Congress present a bill which provides for free trade in farm products with all the countries in the world I shall vote against it.

This bill as now before us presents the measure as it will be finally voted upon and enacted into law.

DUTY ON AGRICULTURAL PRODUCTS.

I present herewith a table showing the reduction in the duty upon the important agricultural products produced in the State of Oklahoma. The left-hand column shows the rate of duty under existing law, the right-hand column the rate under the bill now about to be enacted into law.

The table is as follows:

AGRICULTURAL ARTICLES.	
Under act of 1909.	*Under H. R. 3321.*
CATTLE.	
Cattle, if less than 1 year old, $2 per head; all other cattle, if valued at not more than $14 per head, $3.75 per head; if valued at more than $14 per head, 27½ per cent ad valorem.	Free list.
SWINE.	
$1.50 per head.	Free list.
HORSES AND MULES.	
Horses and mules valued at $150 or less per head, $30 per head; if valued at over $150, 25 per cent ad valorem.	10 per cent ad valorem.
SHEEP.	
Sheep 1 year old or over, $1.50 per head; less than 1 year old, 75 cents per head.	Free list.
POULTRY.	
Poultry, live, 3 cents per pound; dead, 5 cents per pound.	Poultry, live, 1 cent per pound; dead, 2 cents per pound.
BROOM CORN.	
$3 per ton.	Free list.
CORN.	
15 cents per bushel.	Free list.
CORN MEAL.	
40 cents per 100 pounds.	Free list.
OATS.	
15 cents per bushel.	6 cents per bushel.
OATMEAL AND ROLLED OATS.	
1 cent a pound ($1 per 100 pounds).	30 cents per 100 pounds.
OAT HULLS.	
10 cents per 100 pounds.	8 cents per 100 pounds.
BUTTER AND SUBSTITUTES.	
6 cents per pound.	2½ cents per pound.
RYE.	
10 cents per bushel.	Free list.
MILK.	
2 cents per gallon.	Free list.
EGGS.	
5 cents per dozen.	Free list.
POTATOES.	
25 cents per bushel.	Free list.
HAY.	
$4 per ton.	$2 per ton.
APPLES, PEACHES, ETC.	
25 cents per bushel.	10 cents per bushel.
PEANUTS.	
Unshelled, one-half of 1 cent per pound.	Unshelled, three-eighths of 1 cent per pound.
Shelled, 1 cent per pound.	Shelled, three-fourths of 1 cent per pound.
BACON AND HAMS.	
4 cents per pound.	Free list.
FRESH BEEF, PORK, ETC.	
Fresh beef, veal, mutton, lamb, and pork, 1½ cents per pound.	Free list.
WOOL.	
First class, 11 cents per pound. Second class, 12 cents per pound. Third class, 4 cents per pound (when valued at less than 12 cents per pound).	Free list.
WHEAT.	
25 cents per bushel.	Free list.
WHEAT FLOUR.	
25 per cent ad valorem.	Free list.
BISCUIT AND BREAD.	
25 per cent ad valorem.	Free list.
MEATS.	
Not specially provided for, 1½ cents per pound.	Free list.

MINERAL AND MANUFACTURED PRODUCTS.

I have also prepared a table showing the reductions of duty upon important mineral and manufactured products of Oklahoma.

The table is as follows:

MINERAL ARTICLES.	
Under act 1909.	*Under H. R. 3321.*
PORTLAND CEMENT.	
8 cents per 100 pounds.	Free list.
GYPSUM.	
Crude, 30 cents per ton; ground or calcined, $1.75 per ton.	Crude, ground, or calcined, 10 per cent ad valorem.
BITUMINOUS COAL.	
45 cents per ton.	Free list.
COMMON WINDOW GLASS.	
1¼ cents to 1½ cents per pound.	1 cent to seven-eighths of 1 cent per pound.
MARBLE.	
65 cents per cubic foot.	50 cents per cubic foot.
SALT.	
11 cents per 100 pounds.	Free list.
ASPHALT.	
Crude, $1.50 per ton; manufactured, $3 per ton.	Free list.
CLAYS OR EARTHS.	
From $1 to $2 per ton.	From 50 cents to $1 per ton.
LEAD ORES.	
1½ cents per pound.	⅜ of 1 cent per pound.
GRANITE, LIMESTONE, ETC.	
50 per cent ad valorem.	25 per cent ad valorem.
ZINC ORES.	
If containing more than 10 per cent of zinc, ¼ to 1 cent per pound.	12½ per cent ad valorem.

The people of the State which I have the honor in part to represent are deeply and vitally interested in knowing what will be the effect of the new tariff policy about to be inaugurated upon the growth and development of the State.

I believe that the abandonment of the policy of protection and the adoption in lieu thereof of the so-called competitive tariff-for-revenue-only policy will be an impediment to the material growth of Oklahoma, an obstruction to its industrial development, a hindrance to its commercial and business expansion, and an incubus upon the productive forces of the State.

I have lived in Oklahoma since its birth. I know the people of the State. I am sure I do not misinterpret the spirit which animates them. I am certain I do not misjudge their aspirations for the future. They are an energetic, intelligent, progressive, and ambitious people. They are full of hope and expectations. They believe thoroughly in a "Greater Oklahoma."

They are desirous that every village, hamlet, town, and city in the State shall grow. They are in favor of expansion in agriculture, in manufacturing, in trade, transportation, and commerce, and in every other business interest in the State.

They would like to see a healthy, substantial, continuous growth in the population of the State. They are not satisfied that the population shall remain stationary at 1,655,155 inhabitants accorded the State in 1900. They know there is ample room for additional millions of people in the State; because if Oklahoma were as densely populated as Indiana it would have 5,000,000 inhabitants; if its density of population was equal to that of Ohio, it would have 8,000,000 population; and if it had as many inhabitants per square mile as Rhode Island, it would have 35,000,000 of people.

The people of Oklahoma would like to see the State grow in wealth. They would like to see capital flowing into the State from every section of the Union. They will gladly welcome from everywhere men with means and men with muscle to aid in the development of the material resources of the State, to participate in the work of enlarging and perfecting its institutions, and to share in the honor of building a Commonwealth that shall stand second to none in the Union.

Citizens of Oklahoma realize that people will not come to Oklahoma unless there is something for them to do, and that capital will not flow to Oklahoma unless there is in the State an opportunity for safe and profitable investment. They clearly understand that growth in population and wealth, that employment for capital and labor, must come through the enlargement of our industrial forces, and that the enlargement of our industrial forces must come mainly through the expansion of agriculture and manufacturing, the two great engines of production that pull the immense industrial train of this Republic up the steep, rugged, difficult incline of progress.

EXPANSION OF AGRICULTURE.

There is opportunity for large expansion of agriculture in Oklahoma, both through the enlargement of the area in cultivation and through an increase in the yield per acre. The area of land in cultivation might be doubled and still leave 10,000,000 acres of waste land. The State has 44,424,960 acres of land. Only 17,551,337 acres are improved. Twenty-eight million eight hundred and seventy-three thousand six hundred and twenty-three acres of land in Oklahoma are unimproved, uncultivated, and unproductive. To cultivate two acres of land where we are now cultivating only one would add a million people to our population and $250,000,000 to the annual wealth produced in the State. There are immense possibilities for the expansion of our agricultural interests by improvement in our methods and system of farming.

Belgium produces food for 490 persons for every square mile of her area. At this rate Oklahoma could feed 35,000,000, or one-third of all the people of the United States.

Japan has but 19,000 square miles of cultivated lands. From these lands she produces food for 45,000,000 people. Producing at this rate, Oklahoma, with 70,000 square miles of area, could grow food for 166,000,000 of people, sufficient for all the people of the United States and enough left over to feed all the inhabitants of England, Wales, Scotland, and Ireland.

With all this splendid opportunity for the expansion of our agricultural interests, with all the advantages, benefits, and blessings that it would bring to our people, we are about to crystallize into law a tariff policy that will obstruct the agricultural progress of our State.

IMPORTATIONS INCREASED.

The reduction of the duty on many farm products below the point of protection and the placing of all other farm products on the free list will largely increase the importation of such products. These importations will come from Canada, Australia, Cuba, Mexico, South American Republics, and from every other country that has cheap lands, cheap labor, cheap living, or cheap men. The supply of farm products in the United States will be greatly augmented. These imported farm products will be on sale in all the great markets of the United States in competition with the farm products of Oklahoma and of all other States of

the Union. These imported farm products will come in the main from countries where land is cheaper than it is generally in the United States, where the cost of production is less, where farmers receive less compensation for their services, where farmers and their families live on a low standard and occupy an inferior social position. All this must have a tendency to lower the price of lands in Oklahoma and elsewhere in the United States, to reduce the compensation which our farmers receive for labor upon the farm, and to place our farmers and their families in their manner of living, in the social position they occupy, upon a level with the poorest and most ignorant farmers of the world.

NO INCREASED DEMAND.

The supply of farm products in this country will be greatly enlarged, but there will be no increase in the demand for such products. The new tariff policy will not augment our population or create new uses for the products of our farms. Wages will not be increased and the purchasing power of the masses of our people will not be enlarged. There will be more farm products in this country, but less money to pay for them, for millions and millions of dollars earned in the United States will be sent abroad to pay for imported farm products—money which should have gone to our farmers and their families to contribute to their support, their comfort, their enjoyment, their happiness, and their prosperity.

LOSS OF MARKET.

The protective tariff preserves the markets of the United States for the farmers of the United States. The new tariff policy about to be inaugurated compels the farmers of the United States, without consideration, compensation, or remuneration, to share their markets with the farmers of all the world. By this transaction you take from the American farmers one of their most valuable assets. It is the markets of the United States that give value to land, profits to farms, and encouragement to agriculture. Destroy the farmers' market and you have ruined their business.

But men who believe in free trade in farm products point out to the farmers of the United States the world's market as an ideal place in which to sell their products. To sell in the world's market simply means more cost of transportation, more profits for middlemen, more dividends for corporations, more percentage for agents, distributors, and dealers, but always less money for the farmer. It occurs to me that if I were a farmer and my Congressman would tell me that Liverpool was a good enough market in which to sell my wheat, I would say to him, "Then Liverpool is a good enough place for you to get votes."

DECLINE OF PRICES.

With an increased supply, with no material increase in the demand, and with a diminished and restricted market, naturally, logically, and inevitably there will be a decline in the prices of farm products in the markets of the United States.

The problem of prices is as important as the problem of production. The profits of the farmer depend as much upon the prices he receives as upon the quantity of his products. The annual wealth produced by the farmers of Oklahoma is not measured in pounds and bushels but in dollars and cents. Any marked decline in the price of farm products in the United States would be a public calamity. No one can with any accuracy foretell how much decline there will be in the prices of farm products of the United States as a result of the new tariff policy. But before we enact any legislation that will tend to reduce the prices of farm products we should carefully estimate the possibilities of loss to our farmers. Take Oklahoma. Our annual farm products are valued at approximately $250,000,000. If the new tariff policy would cause a reduction in price of only 1 per cent, the annual loss to the farmers of Oklahoma would be $2,500,000; if prices declined 5 per cent, the annual loss to the farmers of Oklahoma would be $12,500,000; and if prices should decline 10 per cent, which is not improbable, the annual loss to the farmers of Oklahoma would be $25,000,000. If this annual loss should continue for four years in succession, as it now looks probable, it would entail a loss upon the farmers of Oklahoma of $100,000,000—one-fourth the amount that it has cost to build the Panama Canal.

A reduction of 10 per cent in the prices of farm products of the entire country would mean an annual loss to the farmers of the United States of $900,000,000. Should these low prices continue for a period of five years the farmers of the United States will have lost the incomprehensible sum of $4,500,000,000—a sum that is four times the total interest-bearing national debt and a sum larger than the total amount paid in pensions to the soldiers of this country and their widows and orphans since the Revolutionary War.

To contemplate the immense loss that is possible to the farmers of the United States by the proposed change in the tariff policy is simply appalling. For one I can not approve such a policy. I can not vote for this measure. I can not support a bill that is fraught with such immense possibilities of loss and injury to the farmers of Oklahoma. I know what the farmers of Oklahoma have gone through. I know the burdens they have borne. I know what sacrifices they and their families have made, and I can not support any policy that places their welfare in jeopardy.

FARMERS HELPLESS.

When prices are low the farmers have no means within their power to arbitrarily advance them. It is different in many other lines of business. When transportation rates are low the great interstate railway companies may secure an advance of rates to insure profits. When the prices of manufactured products are low the great industrial corporations, having large monopolistic power, may at their will increase prices to enable them to declare proper dividends. When business is dull the bankers who have in custody the money of the people may at their pleasure adjust interest rates to make their business profitable. When trade is slack the merchants may mark their prices up or down to meet the conditions of business. When wages are low, hours of labor long, and conditions of labor unsatisfactory, organized labor may, through mediation, conciliation, and arbitration, or, finally, by a strike, secure redress of grievances. How different with the farmer! When farm products are low, hours of labor long, or when labor conditions are unfavorable to health and comfort, they have no alternative except to sell at the market price, toil on 16 hours per day, contending with the elements, facing storm and drought, patiently bearing their burdens, until a better day shall come. Mr. Speaker, the cry of "back to the farm" will make little impression as long as the farmer under unfavorable conditions is bending his "back" to the farm.

Oklahoma should enlarge its production of wheat; but the importation of wheat from Canada, Argentina, and other countries will not encourage the farmers of Oklahoma to increase the acreage cultivated to wheat. The effect will be to drive Oklahoma farmers out of the wheat business.

The live-stock industry in Oklahoma should be greatly enlarged. The two magnificent packing plants recently built at Oklahoma at a cost of $6,000,000 have been asking our farmers for more cattle and hogs and sheep; but with free meats and free animals these packing plants will look to the great free ranges of Mexico and South America for animals to slaughter. The Oklahoma farmers, with high-priced lands and high-priced farm labor, can not produce animals as cheaply as they can be produced in Mexico and South America. Under such conditions our farmers will have no encouragement to enlarge the production of live stock.

A leading Democratic paper—the Daily Ardmorite, published at Ardmore, Okla.—in an editorial recently declared that "$1,000,000 are going to waste in Carter County every year" because there were no sheep in the county to feed off of the waste land. We have millions of acres of rough waste land in the State upon which great flocks of sheep and goats might be grazing, and thereby add many millions of dollars to the annual wealth produced in the State.

But with wool and mutton on the free list Oklahoma farmers will not have any inducement to go into the sheep business. They understand that nearly a million farmers in the United States are now preparing to reduce their flocks to make way for the wool and mutton to come from Australia.

Sugar beets may be produced in some of the counties in northwest Oklahoma. I have hoped some day to see sugar-beet factories erected in that section, to add value to the land, give profits to our farmers, and to add millions of dollars to the annual wealth produced in northwestern Oklahoma. My hopes vanish with the prospect of free sugar.

Broom corn has been an important crop in many of the western counties of the State. But free broom corn, as provided in the tariff bill that has passed this House, and will no doubt pass the Senate, will not encourage the farmers of western Oklahoma to extend the production of broom corn. Certainly these pioneer farmers have had enough difficulties to contend with. Certainly they endured their share of hardships, and they and their families have made sufficient sacrifices, but this new tariff policy places upon them an additional burden of competing in the production of broom corn with the farmers of 15 foreign countries that imported broom corn into the United States in 1911.

The conclusion is therefore irresistible that free trade in farm products, which in principle will be adopted as a part of the new tariff policy, will not encourage the expansion of agriculture in Oklahoma, increase the annual wealth produced by our farmers, or in any way contribute to the welfare or prosperity of our farmers and their families.

On the contrary, it will repress agricultural extension in Oklahoma, reduce the prices of our farm products, curtail their profits, lessen the annual wealth produced on our farms, discourage our farmers, and give them less money to improve their farms and add to farm life the comforts, conveniences, and advantages which are necessary to make farm life attractive.

DEVELOPMENT OF MANUFACTURING.

I now turn from agriculture to manufacturing. What will be the effect of the new tariff policy upon the development of our manufacturing interests?

Oklahoma possesses all the natural advantages to enable it to become a great manufacturing State. She has 10,000 square miles of coal land, which are said to cover 70,000,000,000 tons of coal. She has 24,000 producing oil wells, adding every week more than a million of dollars to the wealth of the State. She has a natural-gas supply not equaled in any other State in the Union. In some localities immense water power may be developed. At the very minimum of cost power may be developed to turn countless wheels of thousands of mills, factories, and manufacturing establishments.

Hidden beneath the surface of the soil are vast deposits of lead, zinc, asphaltum, glass sand, cement rock, gypsum, granite, limestone, clays, shales, and other mineral awaiting the coming of men with means and men with intelligence, energy, and industry to transform this great storehouse of mineral wealth into bright, shining, golden dollars, to go out into circulation to bless and help the people of Oklahoma and to contribute to the strength and greatness and glory of this mighty Republic.

With these natural advantages in wealth-producing power manufacturing should be in equilibrium with agriculture. But manufacturing lags far behind. We have 200,000 farmers with only 18,034 persons employed in manufacturing. We have 1,100,000 people supported by agriculture with less than 100,000 supported by manufacturing. In 1910 our farmers produced over $200,000,000 in wealth, while our manufacturing establishments added to the wealth of the State but $19,529,000.

In 1910 North Carolina's 281 cotton mills added to the wealth of the State $23,992,000. We produce as much cotton as North Carolina and have cheaper fuel. In 1910 Massachusetts's 182 cotton mills added to the wealth of the State $81,305,000. Massachusetts sends thousands of miles for her cotton and transports her fuel from Pennsylvania and Canada. Oklahoma has one small cotton mill. The State will lose $40,000,000 annually until she has the mills to manufacture raw material. To defer for five years the building of these mills will be a loss to the State of $200,000,000. The new tariff will defer the building of our cotton mills. Low rates of duty will encourage importations from abroad, and the markets of the United States will be flooded with cotton goods manufactured in Europe. Our people will become patrons, customers, and supporters of foreign cotton mills.

Our lead, zinc, asphaltum, glass sand, cement rock, gypsum, granite, limestone, clays, shales, and other minerals—all found in abundance in the State—offer vast possibilities for the development, expansion, and enlargement of mining and manufacturing in Oklahoma.

But the new tariff bill makes sweeping reduction in the duty upon glass and cement and upon zinc, asphaltum, gypsum, and all the products of these minerals. Importations of these minerals from abroad will make less demand for the products of Oklahoma mines, reduce the price thereof, lessen the annual wealth obtained therefrom, and materially retard the development of our mineral resources. As a consequence our mineral wealth will lie dormant, while an ever-increasing stream of wealth goes abroad to develop the mineral resources of other countries.

Nowhere in the United States is there a more attractive field for the development of manufacturing industries than in Oklahoma. Natural advantages are great, local conditions are favorable, and the people, through their commercial clubs and other organizations, are ready to offer every reasonable encouragement and inducement to secure any substantial manufacturing establishment.

With all this in our favor, the National Government is about to enter upon a tariff policy that will deter men from investing capital in mills and factories in Oklahoma. Our natural advantages will count for nothing, and the efforts of our people will be in vain, while ships are daily landing in our harbors to unload great cargoes of foreign-made goods that will be distributed throughout the entire country, displayed in every shop window, and sold over every counter.

Capital will seek other lines of investment. Oklahoma's industrial progress will be delayed. Our natural resources will remain undeveloped. Our natural gas will continue to be wasted, our coal will be unmined, our gypsum, cement rock, limestone, glass sand, granite, asphalt, zinc, and lead will be unused. Our material development will be dwarfed, stunted, restricted, and circumscribed. In the long years of waiting that must follow our farms and city real estate will not advance in value, our business will not expand, our commerce will not enlarge, our villages, towns, and cities will not grow, and the people of the State will suffer incalculable loss through the unwise tariff policy pursued by the party in power.

The new tariff policy will not add an acre to the cultivated area of Oklahoma; it will not cause the erection of a single new mill, factory, or manufacturing establishment within the State; it will not build a single new railway, open a new mine or quarry, or establish a single important industry; it will not furnish a new market for or add to the price of a single product produced within the State; it will not give employment to a single additional man or in any way contribute to the material development of the State; it will not add to the wealth of the State, contribute to the happiness of the people, or aid them in the upbuilding of their institutions.

CONCLUSION.

On the 22d day of next April Oklahoma will celebrate its twenty-fifth birthday. In these 25 years of history we have founded and built a great Commonwealth. Under a protective policy our material growth has been without a parallel in American history. Our mines, forests, factories, and farms are producing annually approximately $300,000,000 in wealth. We have added to our possessions until the property of the State is worth more than a thousand millions of dollars. There is almost unlimited opportunity for development in the future. The prospect for future growth is exceedingly favorable. The outlook for the State is exceedingly encouraging and propitious. From a national viewpoint there is but one ominous cloud visible above the industrial horizon of Oklahoma, which threatens to arrest progress of the State and blight the hopes and anticipations of the people, and that is the change which the present administration proposes to make in the tariff policy of the National Government.

Mr. UNDERWOOD. Mr. Speaker, I yield 10 minutes to the gentleman from Virginia [Mr. MONTAGUE].

The SPEAKER. The gentleman from Virginia [Mr. MONTAGUE] is recognized for 10 minutes.

Mr. MONTAGUE. Mr. Speaker, no satisfactory or adequate discussion can be made of a measure of the magnitude of the bill under consideration in the brief time allotted me.

This great revenue bill comprises over 4,000 items, and upon many of them there must of necessity be differing views and conflicting opinions. I hope I am not immodest in observing that if my views could prevail I would amend or repeal some of these items, but I would not do so if thereby the passage of this bill were endangered. Taxation or rate of duty upon this or that item requires individual opinion to be subordinated to the opinions of the majority if any legislation is to be accomplished. Therefore, believing as I do that the bill upon the whole is meritorious, I shall cast my vote for its enactment.

Mr. Speaker, this measure is an epoch in the legislative and economic history of the Nation. It is, or rather it will soon be, a tremendous achievement, and this House must have satisfaction in realizing that the bill is now in form and substance the same bill voted upon some months ago in this House. Its fundamental plan is not distorted, its original purposes are not impaired or perverted. Then, too, this bill is a Democratic measure. In its deliberations no "deadly blight" of treason has "come o'er the councils of the brave" to "blast them in their hour of might." No party perfidy or party dishonor comes now to embarrass the faithful. No disappointed and betrayed President now withholds his signature of approval, but his eagerness to affix his sign manual to this redemption of Democratic promises will only be equaled by the satisfied spirit of those who fought the good fight with his great Democratic predecessor. [Applause.]

Mr. Speaker, I believe this bill is not only reasonable, sound, conservative, and intelligent, but that it has been made, has been wrought out, by clean, moral processes. No sinister lobby, no unholy agent of special privilege, has had the least part or share in its making. How different are times and doings now from the times and doings of former days. Prof. Taussig, in speaking of the malign influences trailing over the Payne-Aldrich bill, says:

The whole situation was one too familiar in our tariff history; the details of legislation had been virtually arranged by persons having a direct pecuniary interest in the outcome and having also the closest relations with the legislators controlling the outcome.

As a concrete proof of this humiliating history permit me to remind the House that Mr. North, the secretary of the Wool Manufacturers' Association, was the confidential clerk of the Senate Finance Committee during the making and framing of that legislation, legislation we are now about to wipe from the statute book of the Nation. [Applause on the Democratic side.] So, Mr. Speaker, when we are so free from betrayals within, so free from the blandishments of greed, so exempt from malevolent environment, when we have so plainly heeded the call of the greatest good to the greatest number, we may well declare this to be a clean, moral measure, and we may well avouch it as the supreme evidence of the fidelity of our party to the interest of the people and of the power and efficiency of representative institutions.

The minority in this House have been copious and frequent in the debates upon this bill; but I would observe—and I would invite the attention of the Members—that these discussions have perhaps related more to the initial methods of legislative procedure whereby this bill was considered by the majority or to the absence of certain legislative adjuncts, such as the caucus and the Tariff Board, than to the merits of the legislation itself.

The gentleman from Kansas [Mr. MURDOCK] seems to be unable to lift himself out of the orbit of caucus and caucus rule. I make no criticism of him upon this score. He has been fairly consistent. There have been others of the minority, however, equally drastic in their denunciations but utterly inconsistent in their practice. A distinguished Representative from my State, in years long gone by, John Randolph, of Roanoke, once caustically observed that he would give little heed to a lecture from Solomon upon the subject of incontinency, unless this wise man had first dissolved his polygamous relations [laughter], the moral being that in order for advice to be effective the lecturer himself must be free of the vice which he condemns. The minority long employed the caucus, and they only decry it now when out of power and no longer find it a serviceable extra legislative device. In the days of their majority the caucus was altogether righteous; in the days of our majority the caucus is altogether vile. Such sudden shifting of position, such palpable opportunism, demonstrates the insincerity of the lecturers.

But I would not now discuss the caucus method. It has its merits and its demerits, and in course of time appropriate modifications will doubtless be made. I thought the caucus wise in this particular measure. I did not so think as respects the currency question, and I voted against its binding authority on that subject. But we must recognize that the people more and more desire to see and know the processes of their Government. Perhaps we may have at no distant day a conference in place of a caucus, and perhaps we may go further and lift into public view the detail action of many of the committees of Congress, especially those committees dealing with the imposition of taxes and the appropriation of revenues, for thereby will the whole record of the legislator be disclosed. In governments of popular form the people increasingly demand publicity in the public business.

Again, Mr. Speaker, not only has the procedure known as caucus action fallen under the condemnation of the minority in this House, but severe denunciations have been made of the majority for failure to establish what is known as a tariff board, whose action and report must precede congressional action. Indeed, the dignity and importance of this board as an instrument to secure and submit for our consideration full and accurate information has loomed large in this debate. I am amazed that those now so vehemently clamoring for this board should not have done more four years ago to establish a real tariff board. In the responsible days of four years ago this virtuous instrumentality found its life and authority in some five lines in the Senate amendment to the Payne-Aldrich bill. In these few vague and flimsy words are enshrined the convictions of the minority when in majority upon what is now declared by them to be a subject of transcendent moment. The country knew then, as the country knows now, that the Tariff Board permitted by these five lines of vague authorization was intended not to facilitate but to delay tariff revision. And has not the lobby investigation shown beyond a doubt that the efficient creators of this Tariff Board intended it as a device to delay? Intended it as an instrument to conceal and not to reveal adequate and appropriate facts? Has not the Mulhall investigation at least established an affirmative reply to these questions?

Has the action of this much-heralded board rendered any special service to the country or to the Congress? Has this board been an austere seeker after truthful information as to the difference between the cost of production here and abroad—information, perhaps, which no set of men can ever ascertain and which this particular board was never expected to ascertain? Has the report of this board obtained and arranged its data with such precision and classification that the public or a Representative in the Congress could thereby be really helped in the consideration of tariff measures?

Take the woolen schedule for example. Will not the information or data submitted by this board upon this subject support with equal facility a high tariff, a low tariff, or no tariff at all? Does not the chairman of this board admit that it is not so much a matter of data, of evidence, as it is of judgment? And why not, when we recall that one of the most prominent members on this board has since been the secretary of the national executive committee of the Republican Party? [Applause on the Democratic side.] Could the robust partisanship of the distinguished gentleman from Illinois [Mr. MANN] hope to have his thirst for scientific information upon the tariff quenched by the findings of such a board?

Again, Mr. Speaker, does the opposition evade the merits of this bill. They confuse the issue. The distinguished gentleman from Pennsylvania [Mr. MOORE] argues that this bill is inherently bad because it is largely due to the extraordinary and unconstitutional pressure of the President. What is this unconstitutional compulsion? Is it other than the public appearance of the President in the Speaker's rostrum and his open and public address, specifically authorized by the Constitution, delivered to the Congress assembled in joint session? [Applause on the Democratic side.] I must observe that public pressure works no injury to American institutions; it is secret and silent pressure which occasions anxiety and alarm. The exercise by the President of this plain constitutional prerogative has loosened upon him a flood of abuse. His action is called federalistic and kingly, gentlemen forgetting that this somewhat similar performance of the crown is almost the one democratic action of royalty. But there must be some coordination between the legislative and executive branches of our Government, and I submit that it is better to have this coordination in the open than in secret; better to have the Executive voice resounding through this Chamber than in charmed whispers around the banquet table.

But, Mr. Speaker, this malediction of the President for this feigned usurpation of Executive authority and consequent Executive duress has just been contradicted by the argument of the gentleman from Wyoming [Mr. MONDELL], who has vehemently declared that the sole author and finisher of this bill is the distinguished chairman of the Committee on Ways and Means [Mr. UNDERWOOD]. I leave to the House the conflicting statements of these eminent Republicans, the gentleman from Pennsylvania [Mr. MOORE] and the gentleman from Wyoming [Mr. MONDELL] without further comment.

This bill is also defective, according to the remarks of the distinguished gentleman from New York [Mr. PAYNE], because it will not produce sufficient revenue. He asserts that the calculations of the committees of the House and Senate are only guesses. With the greatest respect for the gentleman, may I suggest that in view of the disposition made last fall of his guess, the Payne-Aldrich Act, the country will not now accept him as authority upon guessing. [Applause on the Democratic side.] But, seriously, gentlemen of the House, I would ask who can dogmatize about revenue, about income and outgo? Experience and reasonable approximations determine the one, and economy in expenditure the other, and I imagine the same Treasury experts made the guess for the Payne bill who now make it for the Underwood bill.

Another criticism made with wearisome refrain by the minority is that this bill is inconsistent and illogical. Mr. Speaker, is a revision of the tariff downward illogical? Are higher duties upon luxuries and lower duties upon the necessities of life illogical? Is a tax fixed upon the value of an article rather than upon the weight or measurement of an article illogical? Is a tax upon income—surplus wealth—rather than upon consumption illogical? Is a tax that diminishes the power of monopoly and widens the opportunity of competition illogical? We disdain your statutory symmetry at the expense of the people's oppression.

You can not temper our sufferings by your statutory syllogisms; you can not clothe our bodies by the necromancy of compensating duties or supply our wants by your system of differential rates. We would remove restrictions that limit economic opportunities; we would lift the burdens that weaken and cripple commercial initiative, commercial enterprise, and industrial ambition. Your Payne-Aldrich Act is statutory legerdemain, confusion confounded, wherein the expert of special privilege may farm out the powers of taxation for the benefit of the fat-frying masters. We maintain that to tax is to take; you maintain that to take is to bestow. Your logic is the cruel

sophistry that the wealth of the few will by their grace finally trickle down into the pockets of the many; that prosperity is something donated by the few to the people rather than something created by the people. This, Mr. Speaker, is no new doctrine; it is the old, old logic of organized greed battling against individual freedom. So, gentlemen, while you play with words we will respond to the people's necessities.

But if you mean by symmetry and logic the arrangement and meaning of the text and language of the bill itself, we invite comparison of the Payne-Aldrich Act with the pending bill. We challenge parallel columns of the woolen schedules; we grope in darkness to discover the occult meaning of the Payne-Aldrich Act, and we walk in light in understanding the meaning of the corresponding clauses in the Underwood bill. What did the author of the Payne bill himself say when speaking of the amendments ingrafted by the Aldrich committee? I quote his language:

> Some of these amendments I have studied diligently, and I am not able to say to-day whether they raise or lower the rates, and have not been able to determine yet with the aid of gentlemen who are experts on this subject.

Mr. Speaker, it is impossible to understand the logic of the minority. Their contention is based upon the old fallacy of post hoc, ergo propter hoc; that is, that something has existed and that some other thing subsequently exists, and therefore the subsequent thing is caused by the former thing. Upon this shadow rests the argument of the minority for the prosperity of the country.

To state it concretely, the contention is that a high tariff tax exists upon the statute book; that prosperity subsequently occurs; and, therefore, that the high tariff tax causes the prosperity. Of course, this conclusion disregards the same reasoning when applied to the unparalleled prosperity which followed the Walker tariff, almost the lowest of tariffs. But what are these insuperable inconsistencies, these insurmountable obstacles, to the valor of fanaticism and greed? I submit to the candor of the House that this argument has not even stood the test of experience, for we have had very high tariffs since the War between the States, and we have had at least three panics within that time. The so-called Wilson tariff was not the Wilson bill but the Senate substitute for that bill, which was a very high tariff. Then, too, that tariff did not precede the panic, but the panic did precede that tariff by nearly two years.

Mr. Speaker, this sort of argument disregards the vital causes of all our prosperity. The tariff has not created our soil, our forest, our mines, our rivers and water power, our climate, our manhood, and our political institutions. Nor has the tariff created our liberty, leagued with law and nourished by a system of written constitutions. No, Mr. Speaker, this is literally a new world, and the old man is here made a new man. Here natural and political advantages nowhere else so abound, and these transcendent advantages are energized by freedom of speech, freedom of press, freedom of religion, freedom of education, freedom of politics, and freedom of opportunity for man to work out his destiny and to be entitled to the proceeds of his talent and his toil. These are the forces, these are the influences, that have made American people a people peculiar unto themselves, and when you argue that taxation, which is a burden upon these energies and influences, is the cause of their strength and power you merely babble against the road of a mighty sea. [Applause on the Democratic side.]

Mr. UNDERWOOD. Mr. Speaker, I yield five minutes to the gentleman from Georgia [Mr. BARTLETT].

[Mr. BARTLETT addressed the House. See Appendix.]

Mr. UNDERWOOD. I will ask the gentleman from New York to consume some time.

Mr. PAYNE. Mr. Speaker, I yield to the gentleman from Ohio [Mr. WILLIS].

Mr. WILLIS. Mr. Speaker, I am sure we have all enjoyed the scholarly address of the gentleman from Virginia [Mr. MONTAGUE]. We are under obligations to him for his wealth of classical allusion, but he said one thing which I am not sure I understand. I understood him to say that the argument against this bill is based upon the old fallacy which he calls "post hoc ergo propter hoc." I so understood him. Well, I can not say whether it was "post hoc" or "propter hoc," but I have the idea that before you gentlemen and the country get through with this bill that the masses of the people of this country will have their property "in hock." [Applause on the Republican side.] If the gentleman's prophecy is as unfortunate as his lack of familiarity with the report of the Tariff Board, we can not depend upon it very much, because, of course, everybody knows that the report of the Tariff Board did not authorize what is provided in one section of this bill, namely, free wool; and, even if it were so authorized, it certainly would not be authorized by the declarations of the Democratic platform that were read a few minutes ago by my friend from Wyoming [Mr. MONDELL]; nor was it authorized by the statement of the President of the United States at Pittsburgh during the last campaign, when he said:

> The Democratic Party does not propose free trade or anything approaching free trade. We favor the ultimate attainment of the principles we advocate by legislation that will not injure or destroy legitimate industry.

That is the Democratic proposition, and yet in the face of this statement a bill is brought in here that discriminates between two classes of the farmers of this country and destroys the industry and property of thousands. It has been said here with great eloquence to-day that the central figure on this important occasion is the able and distinguished gentleman from Alabama [Mr. UNDERWOOD], and far be it from me to detract from any expression of commendation concerning his statesmanlike abilities, but I want to say it seems to me, Mr. Speaker, that the central figure is not the gentleman from Alabama, but it is rather the gentleman from Texas [Mr. GARNER], a distinguished member of the Ways and Means Committee, who accomplished something in this bill that was never exemplified before in any tariff law in the history of the country, namely, the separation of Angora goat hair and sheep's wool in a tariff schedule. [Applause on the Republican side.] I think the gentleman from Texas occupies the center of the stage.

By his activity in behalf of the great American Angora goat he certainly disproved the assertions of a goat raiser from Texas, a Mr. Robertson, who, at page 4052 of the hearings on this bill, in speaking of the representatives from the State of Texas, said:

> They did not know that we were in existence. Some of them perhaps had never seen an Angora goat. They are among the farming class and cotton-raising class. Now, if I should cut off a lock of this Angora hair, some of them would think it was cotton. If I should put it in a boil, they would say, "This is beautiful cotton; it must be Egyptian cotton."

This uncomplimentary opinion is entirely unjustified in view of the activity of the eloquent and able member of the Ways and Means Committee from the State of Texas.

As I stated before, there never was a tariff bill in the history of the Republic until this one where the wool of the sheep and the hair of the Angora goat were separated in the tariff schedules. They were always placed under the same heading and always bore the same rate of duty. But when it became apparent that, carrying out the free-trade ideas of the administration, the Democratic majority would place wool on the free list it became desirable to have some arrangement to prevent that dire calamity of free trade from falling upon the Angora goat industry of Texas. Consequently, as can be seen on pages 96 and 100 of the conference print of H. R. 3321, the schedules are separated in the bill as it originally passed the House. As the bill passed the House wool was placed on the free list. Wool tops bore a rate of 15 per cent ad valorem; wool yarns bore 20 per cent ad valorem; cloth and wool fabrics, felts not woven, and so forth, were dutiable at 35 per cent ad valorem. Turning to the sections relative to the duties upon Angora goat hair and the products thereof, we find the following rates: "The hair of the Angora goat, alpaca, and other like animals, and all hair on the skin of such animals, 20 per cent ad valorem." Tops made from the hair of the Angora goat, alpaca, and other like animals bore a rate of 25 per cent ad valorem, as distinguished from 15 per cent levied on wool tops. Yarns made of the hair of the Angora goat were dutiable at 30 per cent ad valorem, whereas, as stated before, yarns made wholly or in chief value of wool were dutiable at only 20 per cent ad valorem. Cloth and all manufactures of every description made of the hair of the Angora goat were to be dutiable at 40 per cent, while woolen cloth was to be protected by a 35 per cent duty. These were the provisions of the bill as it passed the House.

Now, when the measure came to the other end of the Capitol, it is evident that that distinguished body was of the opinion that the wool industry and the goat industry should be treated in the same manner. Consequently it was provided by the amendment adopted in that body, as is shown on page 182 of the conference print of H. R. 3321, that wool of the sheep, hair of the camel, Angora goat, alpaca, and other like animals, not especially provided for in that section, should be on the free list. Wool tops, and likewise tops made from the hair of the Angora goat, were to be dutiable at 5 per cent ad valorem. Woolen yarns and yarns made from the hair of the Angora goat were to bear a rate of duty of 15 per cent ad valorem. Cloth, knit fabrics, and so forth, made from wool were dutiable at 35 per cent, and the same rate was borne if the cloth was made out of the hair of the Angora goat. In other words, it was the purpose of the distinguished body at the other end of the Capitol to treat sheep and Angora goats in exactly the same

manner. However, when the bill came into conference, behold the change. As finally agreed upon in conference the rates were as follows: Wool, the product of the farms of Ohio, West Virginia, Wyoming, and the great Northwest, is placed on the free list, contrary to the promises of the Democratic platform and the explicit statement of the President in his speech at Pittsburgh. But while wool is thus placed on the free list, the hair of the Angora goat is unsinged by the flames of free trade, so that whereas wool comes into this country free of duty the hair of the Angora goat is protected at a rate of 15 per cent. This certainly is discrimination between the farmers of Ohio and the farmers of Texas. Wool tops, according to the conference report, are dutiable at 8 per cent, while tops made from the hair of the Angora goat bear a rate of 20 per cent ad valorem. Woolen yarns, according to the conference report, bear a rate of 18 per cent ad valorem, whereas yarns made from the hair of the Angora goat bear a rate of duty of 25 per cent ad valorem. Woolen cloths, knit fabrics, and so forth, are dutiable at 35 per cent ad valorem, whereas cloths and all manufactures of every description made by any process wholly or in chief value of the hair of the Angora goat are dutiable at 40 per cent. So that the goat is protected, while the sheep must look out for itself.

The point of the whole matter is that sheep are raised in the great Northwest, whereas the goat industry is centered almost exclusively in the Lone Star State. Consequently for the benefit of the southern farmers the high rates of duty were placed upon Angora, goat hair and its products, whereas the wool produced by the sheep raisers of Ohio was put on the free list; but yet the farmer who wants to buy a suit of woolen clothes is compelled to buy in a protected market. Right here it should be said that when the interests of the farmers are injured the interests of the whole country suffer, for the farmers are the industrial foundation of the Republic.

It has been suggested in this debate that possibly manufacturers may be able to get on under this bill. In fact, some have gone so far as to prophesy that there will be an era of increased prosperity. I do not believe this prophecy, although I should be glad to believe it, because I am first an American and secondly a member of the political party to which I belong. We all want to see the country prosper. However, it is only fair to say that the plan of our friends the enemy is so to frame this bill as to make it fairly satisfactory to the manufacturers of the great northeastern section of the country. Then with the solid South it is hoped to control the political destinies of the country in the future. In other words, the great agricultural section of the Northwest is made "the goat."

Substantially everything that the section of the country from which I come produces is placed on the free list. Cattle, sheep, swine, and substantially everything in the form of live stock is put on the free list. So are wheat, potatoes, and wool. On many products the rates of duty are greatly reduced and ruinously so, as in the case of onions and many other vegetables. Practically everything that an Ohio farmer can sell off his farm, either by way of produce or live stock or hay or dairy products or fruit or anything else that he is in the habit of taking to market, will be sold in a market practically unprotected by the terms of this bill or be placed on the free list and subjected to the fiercest competition from cheaper foreign products. It is not at all surprising that some of the gentlemen on that side are seeking already to excuse their action to their constituents where that constituency is largely an agricultural one. Any observer of the course of this tariff legislation can but see clearly that the attempt is made to shift the burden to the farmers of the Northwest with the idea that the party now in control will be able to retain control of the solid South and secure control of a portion of the Northeast through the favors granted to manufacturers. The interests of the farmers and laborers of the great Northwest are ignored.

We hear a great deal about persons being allowed to buy in a free market and at the same time being required to sell in a free market. This is all very nice, but the difficulty about the matter is that this bill is not so drawn as to make those terms applicable to the farmer. Under its terms he will be compelled to sell every dollar's worth that he has in a free-trade market. But if he buys a suit of clothes he is met with a protective duty. And so on down the line with the various things he has to buy. This bill is an attempt to bunko the farmer and laborer, and, in my opinion, it will not be long before the great agricultural and producing classes will understand the purpose and effect of this legislation and will speak concerning it in no uncertain terms.

It was said here to-day that this legislation marks the beginning of a new era, or at any rate a different era. We have heard exploited here the theories of Cobden, Wayland, Walker, Adam Smith, and others of the school of free trade. We have been told that there ought not to be any restrictions whatever upon commerce, and that individuals should be as free to trade among nations as they are among different parts of the same country. It is very strange that these very theories, which have been shot to death by the logic of events and have been abandoned by substantially every other civilized country of the world, should at this late hour be embraced by those who are in control of the Government at the present time. In spite of the protestations to the contrary in the Democratic platform adopted at Baltimore and the speeches of President Wilson when he was a candidate, that the party did not contemplate free trade and did not propose to injure the industries of the country, it is now apparent that the public is face to face with an era of free trade. This bill is an illustration of the theories so advanced.

As I said of it in substance on a former occasion when this bill was under consideration, the pending bill rests on no scientific basis; it is not framed according to any well-defined logical principle; it discriminates against the American farmer and the American laborer; it puts a penalty on the building of industries in our own country and a premium on the building of industries in foreign countries; it furnishes additional employment for no American laborer; it makes a market for no American product; it will lower the prices which the producer receives; it will not permanently benefit the ultimate consumer. Importers and foreign trade journals are gleeful over the prospects of the passage of this bill; our own people are downcast and discouraged under the threat of impending free trade. Of course, Mr. Speaker, there are some features of this bill with which I agree.

I congratulate the gentleman from Alabama [Mr. UNDERWOOD] that he finally saw the light and adopted the substance of the amendment that I introduced when the bill was pending in the House, and for which I spoke, an amendment reducing the duty on Zante currants, an article of general consumption in every home. I am proud to note that my suggestion in that particular was followed to some extent. And then, speaking very seriously, I am in favor of a graduated income tax. I am more in favor of the income tax as provided in the bill as it came from the Senate than I was in favor of the income-tax provisions of the House bill. But there are so many things in this bill that are detrimental, disastrous, illogical, and unfair that I hope it will be voted down. [Applause on the Republican side.]

Mr. PAYNE. Mr. Speaker, I yield to the gentleman from California [Mr. J. R. KNOWLAND].

Mr. J. R. KNOWLAND. Mr. Speaker, I feel constrained on behalf of California to voice a final, although I realize a futile, protest against this bill, now about to become a law, the provisions of which so detrimentally affect every section of that State.

HOUSE BILL GROSSLY UNFAIR TO CALIFORNIA.

The bill that left this House on May 8 was so manifestly and grossly unfair to California, jeopardizing industries that our people had in many instances struggled a lifetime to establish and in which they had ventured all they possessed, that a fervent hope was cherished that the body at the other end of the Capitol might heed the plea of the Golden State for justice and fair treatment.

SENATE ADDS OBJECTIONABLE AMENDMENTS.

But those hopes proved to be illusions, which were quickly dispelled when the bill returned to the House. Ingeniously worded amendments had been inserted, aimed at California interests, which had, possibly through inadvertence, preciously escaped the watchful eyes of the Democratic members of the House Ways and Means Committee, and these amendments rendered the measure far more objectionable than it was originally. [Applause on the Republican side.]

CALIFORNIANS FLOCK TO WASHINGTON TO REGISTER PROTESTS.

It has been a matter of general comment that since the convening of the present extra session of Congress scarcely a week has passed that the presence in Washington has not been noted of delegations from every section of California, forced to undergo the inconveniences of that long journey to register a personal and emphatic protest against the continued attacks upon the leading industries of that State and to appeal for fair treatment. Citrous-fruit growers, beet-sugar producers, representatives of the wool, olive, and olive-oil industries, wine makers, and grape growers, as well as the champions of many other California interests, were so keenly interested and thoroughly aroused as to feel impelled to travel 3,000 miles to protest against the glaring inequities contained in the then pending bill. Those who, behind the closed doors of the party caucus, put their stamp of approval upon the provisions of the Underwood bill so damaging to California no doubt placed these representative citizens in the category of "insidious lobbyists" because they had the temerity to speak for the industries in which they were so vitally interested.

DEMOCRATS AMONG THE PILGRIMS.

There have been many Democrats among the California pilgrims who left their orchards, farms, orange and lemon groves, vineyards, factories, and offices, who returned wiser than before they started and with contrite hearts, resolved to give vent to their pent-up feelings at the first opportunity by registering an emphatic protest when alone with their Maker and conscience in a California voting booth. [Applause on Republican side.]

ANALYSIS OF BILL FROM CALIFORNIA STANDPOINT.

The limited time at my disposal precludes me from giving more than a brief analysis of the bill from the California standpoint. Probably the citrous-fruit industry, in which the people of my State have invested over $200,000,000, shipping 36,288 carloads of oranges and lemons out of the State during the season of 1911 and 1912, is dealt the most severe blow. On lemons the present rate of duty is 1½ cents per pound.

Under the new law the rate will be below half a cent per pound in packages of a capacity of less than 5 cubic feet and one-half cent per pound for larger packages or in bulk. A cubic foot of lemons weighs, on the average, 36¼ pounds, and the rate of 35 cents is approximately 10 cents below the one-half-cent rate on a 2½ cubic foot package and 20 cents on a 5 cubic foot package, on which the rate is 70 cents.

HEAVY CUT IN LEMON DUTY SERIOUS.

This cut from 1½ cents to one-half cent in bulk and lower in packages will prove most serious to the lemon industry. Reliable statistics show that there is a difference of fully $1.50 in favor of the Italian grower in landing a box of lemons in New York. This includes growing, curing, packing, and freight charges. The difference in cost is largely due to the small wage in Italy and the low standard of living of the Italian peasant class. As an example, the cost of ordinary labor in California varies from $1.75 to $3 per day, while in Italy it ranges from 20 to 60 cents per day. In many of the Italian districts where lemons are raised one-third of the laborers employed are women and children, receiving from 20 to 25 cents per day.

TARIFF ACT OF 1909 GREAT STIMULUS TO INDUSTRY.

The tariff act of 1909 placing a duty upon lemons of 1½ cents per pound gave the industry a great stimulus, increasing the acreage 43½ per cent, 9,478 additional acres being planted to trees. Over 31,478 acres are planted to lemons in California to-day. Probably 8,000 acres are not as yet in bearing.

In some quarters it is urged that the duty on lemons should be reduced in order to increase the revenues, on the theory that the importations would be greater. The actual facts are that the average annual revenue under the increased duty is approximately 37 per cent greater than the average annual revenue collected during the three years preceding the passage of the Payne bill. During the year 1912 there were imported 145,622,842 pounds of foreign lemons.

FOREIGN IMPORTERS WIN AS AGAINST CALIFORNIA.

The foreign importers have waged the successful campaign that will result in great injury to this leading California industry. The National Italian Democratic League, composed largely of New York Italian lemon importers, did not assist the present Democratic administration in vain. The fund raised by these same importers, the result of an assessment upon every box of imported lemons, was judiciously spent in a campaign of education. The members of this league, composed of foreign importers, can now afford to arrange another banquet at the Waldorf-Astoria, over which Mr. Giovanni Dominici, the lemon importer, can again preside; but instead of entertaining the chairman of the Ways and Means Committee and the chairman of the national Democratic congressional committee, as they did at that famous dinner given after the House had once before voted to slash the duty on lemons, they should upon this suggested occasion have as their guests the entire Democratic membership of the House and Senate, although possibly the Democratic Congressmen from California might send their regrets.

IMPORTERS AND NOT CONSUMERS TO BE BENEFITED.

These foreign importers made their plea on behalf of the consumer, in whose name many iniquities have been perpetrated in this bill. To show just how much concern they have for the consumer let me cite a very recent and significant incident. It is generally known that last winter, owing to a killing frost in California, the lemon crop in our State was almost entirely destroyed. This gave the market largely to these "friends of the consumer," the foreign importers, who increased the price of lemons to $4.36 per box, an advance of $1.65 on each box. This is but a forerunner of what will follow. And if further evidence is necessary to completely disillusion any individual who may have been misled by the loudly proclaimed solicitude of the importer for the consumer, attention is directed to the situation in eastern Canada, where the market is supplied exclusively with Italian lemons, duty free, the consumer there paying the same price and in numerous instances more than charged for the fruit in the United States.

ORANGE INDUSTRY.

The Underwood Tariff Act cuts the duty on oranges from 1 cent per pound to one-half cent and lower in packages as in the case of lemons, which is over a 50 per cent reduction. Ten thousand farmers, with $150,000,000 invested, are engaged in orange growing in California, and 125,000 people depend upon this industry, directly and indirectly, for a living. The rate of 1 cent per pound was reasonable and under it the industry was thriving. While the superior quality of the fancy California navel commands a good market and will probably continue to compete with the foreign orange, the competition will come with the lower grade navels, seedlings, and other varieties constituting the bulk of the California orange crop. The difference in labor costs, as in the case of lemons, will count against the California orange.

COST OF PRODUCTION IN SPAIN AND CALIFORNIA.

In the Daily Consular and Trade Reports for January 23, 1912, and November 23, 1911, there was an official statement made by the Hon. Robert Frazer, American consul at Valencia, relative to the cost of producing oranges in Spain. According to these figures the difference per hundredweight between the costs in Europe and America, when compared with the carefully prepared statements of California and other American orange growers, was about $1.25 in favor of the foreign fruit. This did not include the cost of transportation, which gives the fruit from Spain an additional advantage of 50 cents per box.

FOREIGNERS AND IMPORTERS URGED REDUCTION OF DUTY ON CITROUS FRUITS.

The reduction of the duty on lemons and oranges was asked for by whom? Importers of foreign fruit and representatives of foreign governments. A reference to the hearings discloses that among those requesting these reductions were Mr. Lorenzo George Brice, representing the Bahama Islands, the Italian Chamber of Commerce of New York, the New York Fruit Exchange, the Fruit Buyers' Union of New York, the New Orleans Fruit Importing Co., and I must not neglect to mention the National Italian Democratic League.

The representative from the Bahama Islands—and I am reliably informed that this was the first instance in many years that representatives of foreign countries were permitted to appear before the Ways and Means Committee of the American Congress—stated that 15 years ago—which was evidently during Democratic rule—the Bahama Islands were practically the home of the citrous-fruit industry, particularly in regard to oranges and grapefruit, "but that under the present tariff rates," to quote the exact words of Mr. Brice, "we can not export oranges, of which we raise the finest in the world." As in many other instances, the voice of the foreigner was given weight as against that of the Californian, and the orange duty was cut in half.

CALIFORNIA GREATEST BEET-SUGAR PRODUCING STATE.

The reduction of the duty on sugar, with the provision for free sugar after the 1st of May, 1916—which legislation the Sugar Refining Trust was so persistent in advocating, as shown in the hearings, hoping, no doubt, to cripple their chief competition, the beet-sugar interests—strikes California particularly hard, because it is recognized as the principal beet-sugar producing State in the Union. In my congressional district the first beet-sugar factory was established in 1879 in the town of Alvarado, Alameda County. We now have 13 factories in the State, for there is a larger acreage adapted to the growing of sugar beets in California than found in any other State, the coast valleys particularly being adapted as to climate and soil conditions for the sugar beet. There are now 13 factories in the State. Twenty-five thousand men are employed. Twenty million dollars is invested in factories, land, and equipment. Last year over $14,000,000 was spent in the State due to this industry, and of this amount the farmers were paid $6,701,582 for beets and $3,900,000 was for labor. The crippling of this industry is no small matter to California.

FREE WOOL DETRIMENTAL TO CALIFORNIA.

When the Democratic Party once before placed wool on the free list no State suffered more than California, and many prosperous wool growers found ruin staring them in the face.

But some of the bravest took heart after the duty was restored and again ventured. Last year we produced in California 11,909,000 pounds of wool. It is estimated by the secretary of the California Wcolgrowers' Association that $20,000,000 are invested in this industry in that State. Free wool will be a hard blow to those Californians in the mountain sections who have invested their all in this industry.

THE CUT IN RAISINS.

Raisins were cut from 2½ cents to 2 cents, and while even this small reduction would have had a deterrent effect upon the raisin industry, one of the largest branches of fruit growing in the State, the reduction in the duty on Zante currants to 1½ cents per pound—the old rate carried in the free-trade Wilson Tariff Act—is in reality a surreptitious cut in the whole raisin duty from 2½ cents per pound to 1½ cents. The name "Zante currant" is a misnomer. This "currant" is in reality a seedless raisin. It is not the product of a currant bush at all, but of a vine, and is really a grape and in its dried condition a raisin. Last year 33,054,100 pounds of Zante and other currants were imported, showing that under existing rates there was ample competition.

GREEK LEGATION TAKES A HAND AGAINST CALIFORNIA.

The House first left the rate on Zante currants as found in the act of 1909—2 cents a pound; but the Senate noted that another California industry had somehow been overlooked and reduced the duty to 1 cent. In conference it was first restored to the House or prevailing rate of 2 cents, and Californians rejoiced because of this small and unexpected favor from the Democratic powers. But, alas, their joy was short lived. The astounding statement was read in the daily Washington and New York papers of Sunday, September 21, that the Greek Legation had protested through the State Department, and that this foreign voice, as in the case of lemons, had again prevailed as against the people of California. Last year 155,300,000 pounds of raisins were produced in California.

BIG CUT IN DUTY ON OLIVES AND OLIVE OIL.

Mr. Antonio Zucco and Mr. C. A. Mariani, both eastern importers of foreign products, and the Italian Chamber of Commerce of New York urged the Ways and Means Committee, the public records show, to materially lower the duty on California olives and olive oil, and the unselfish devotion to the public weal of these importers was recognized by the Democratic members of the committee, whose apparent eagerness to slash every California item had seemingly developed into a habit, and the rates were cut. On olives in bottles, jars, and kegs containing less than 5 gallons each the reduction was from 25 cents to 15 cents. The reduction on olive oil in bulk was from 40 cents to 20 cents per gallon, and in bottles, jars, tins, or other packages having a capacity of less than 5 standard gallons of oil each from 50 cents to 30 cents per gallon.

IMPORTERS ONLY TO PROFIT BY REDUCTION.

As a result of this reduction of 20 cents per gallon on olive oil it is believed that importers and retailers will place in their pockets additional profits amounting to $800,000 annually (over 4,000,000 gallons being imported), for the reason that 90 per cent of the olive oil consumed in the United States is sold in bottles and small cans which contain 20 ounces of oil each. As the average selling price is 80 cents per can or bottle, the 20 cents per gallon reduction would amount to 3½ cents per bottle, and one must be gullible indeed to believe that the consumer will be the recipient of the few cents benefit. This California industry, in which there is to-day invested $7,500,000, with 18,000 acres of land utilized—an increase of 6,000 acres since 1909—must be sacrificed at the behest of these importers. The cost of harvesting and delivering in Europe is given at $7 per ton as against $20 in California. Our wages are more than double. The freight rate from Europe to New York is 7½ cents per gallon and from California 15 cents. Olive trees seldom bear well two years in succession, and a bumper harvest occurs only every sixth or seventh year. Cheap cottonseed oil is one of the chief competitors of pure olive oil.

MEXICAN IMPORTING CO. SECURE REDUCTION OF BEAN DUTY.

Beans are one of the most important vegetable crops of California. In 1900 the bean crop amounted to but 947,200 bags, which was increased to 2,013,060 bags in 1912. The annual bean crop in California is valued at nearly $7,000,000. Prior to 1909 there was little competition to the California bean on the Pacific coast, but in 1910 the Japanese bean made its appearance and from 1910 to 1911 the Asiatic importations doubled. Other importations are from Chile and Mexico, which discloses the incentive of the Mexican Importing Co., of Chicago, for urging the reduction of duty. Under the act of 1909 the duty on beans was 45 cents per bushel of 60 pounds. In the Underwood bill there is a reduction to 25 cents per bushel and from 2½ cents per pound for the prepared or preserved to 1 cent per pound.

WALNUTS AND ALMONDS REDUCED.

About three-fourths of the nuts produced in the United States are grown in my State. In 1910 we had 2,034,302 nut trees in bearing. The present bill cuts almonds and walnuts, shelled and unshelled, 1 cent per pound, leaving the duty on almonds 3 cents unshelled and 4 cents shelled, and walnuts unshelled 2 cents and shelled 4 cents. The importation of walnuts last year was nearly 33,000,000 pounds, showing that the present tariff is sufficiently competitive, the importations annually increasing. During the past 10 years, and under the existing tariff rate, the domestic production has doubled, the foreign importations are twice as large, the Government's revenue has increased correspondingly, and the price to the consumer has not been increased. In the almond industry in California there has been no change in tariff rates since 1897. Under the impetus of this rate, and with the confidence that it would be maintained, 678,522 new trees have been planted in California, that are not yet bearing.

DUTY ON HONEY CUT IN HALF.

California is one of the leading honey-producing States, the output in 1910 being 10,264,715 pounds as against 3,666,798 pounds in 1900. The duty on honey in this bill has been cut in half—from 20 cents to 10 cents per gallon.

CALIFORNIA LUMBER INDUSTRY.

The lumber industry in California gives employment to nearly 23,000 wage earners, and the annual value of the manufactured output is $45,000,000. While free lumber may not injure the California lumber and shingle industry as much as that of other Pacific Coast States, owing to their proximity to the British Columbia market and due to the further fact that over 45 per cent of the California output is redwood, not grown elsewhere, still the damaging effect of placing lumber on the free list will be reflected upon the California industry, which has not been particularly profitable during recent years, as far as the manufacturer is concerned. The reduction of duty on lumber in the Payne bill resulted in no apparent benefit to the consumer, the Canadian manufacturers raising their prices accordingly.

REDUCTION OF FIG DUTY AIDS WORLD MONOPOLY.

The Smyrna fig, until recent years, has had a monopoly both in the United States and throughout the world. After many years of experiments entailing the expenditure of vast sums of money California growers are at last producing a fig that is a real competitor of the foreign product. Since the addition of the one-half-cent duty, which this bill removes, the acreage in California has almost doubled. The California fig production is 10,000,000 pounds annually.

ATTACKS UPON WINE INDUSTRY TO CONTINUE.

While the Senate amendment seriously affecting the wine industry by imposing a tax of $1.10 per gallon on wine spirits and brandy used in fortifying sweet wines has been eliminated, we are officially informed that the fight has only been postponed. The Democratic junior Senator from Ohio, who occupies a commanding position as a member of the Senate Finance Committee, which is the tariff committee of that body, announces that he will attack the conference report, and if unsuccessful will continue the fight at the next session by introducing a separate bill. It would appear that the effort to destroy this California industry, in which is invested $200,000,000, is to be persisted in. The Senate amendment, coupled with the threat of continued attacks, has already worked almost irreparable injury to the California wine and grape-growing industries. Confidence has been impaired, the result being that new vineyards will not be planted and little money expended in improvements while the present party is in power.

CALIFORNIA'S EXPERIENCE SHOULD BE ILLUMINATING.

Mr. Speaker, I have enumerated the principal California industries that this bill will seriously injure. There are many others that directly and indirectly will feel the baneful effects of this saturnalia of Democratic tariff tinkering. For instance, vanilla beans are not grown in the United States, and have, consequently, for 40 years been on the free list. San Francisco merchants have built up a thriving business in importing this bean from Tahati, about $1,500,000 worth annually, rehandling the product and exporting to Europe. Tahati has in return purchased American goods. This bill imposes a duty of 30 cents per pound on vanilla beans and this trade will be lost to the United States. The cut on the duty on blasting caps below the competitive point is a hard blow to the California Cap Co., which has been a thriving manufacturing concern. But why continue to enumerate. No section of the State has escaped and scarcely an interest has been overlooked. California's experience during this extra session should be illuminating. I think it has been, and believe the lesson will be heeded in the future. [Applause on the Republican side.]

The SPEAKER. The time of the gentleman has expired.

Mr. UNDERWOOD. Mr. Speaker, I yield three minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Speaker, I am glad that the great effort that has been made for so long is about to be crowned with success, namely, the repeal of an oppressive protective-tariff law, and substituting therefor a reasonable, conservative revenue measure. I want to say that the Ways and Means Committee is entitled to great credit, each and every member of it, for the work that has been done. I want to say that I think the chairman is entitled to the credit he is getting. I want him to have all he is entitled to, which is a great deal. But there is one man whose name does not appear conspicuously in the discussion on the report on the floor of the House in connection with this matter, who has rendered service equal to if not exceeding any member of the committee, whose modesty and diffidence is such that he never seeks to advertise himself, but in justice to the State he represents, in justice to the district that honors him and which he honors, and in justice to him for the great labor which he has bestowed upon a certain part of this legislation, I feel that he is entitled to special mention at this time. I think he ought to have been on the conference committee if the rules of the House had permitted it.

Before the constitutional amendment to make lawful the passage of an income-tax law this distinguished but modest gentleman had been giving the income-tax question most thorough study, so that the very moment the constitutional amendment passed I was in favor of putting that gentleman upon the Ways and Means Committee, and the Democratic caucus had the good judgment to do so.

And when on that committee he took special charge of that work, for which he was better equipped than any other man in the House, and the committee exercised the good judgment to defer to him, and he therefore took charge of it, both in the committee and on the floor of the House; and while he was not put on the conference committee, I understand there has been no material change in the income-tax provisions, and that he was consulted and his judgment yielded to in perfecting the last stages of this legislation.

I have the honor and the pleasure of saying that I feel that the House and the party and the country are under a debt of deep and lasting gratitude to the Hon. CORDELL HULL, of Tennessee. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. UNDERWOOD. Mr. Speaker, I yield five minutes to the gentleman from Connecticut [Mr. KENNEDY].

The SPEAKER. The gentleman from Connecticut [Mr. KENNEDY] is recognized for five minutes.

Mr. KENNEDY of Connecticut. Mr. Speaker, I esteem it a great honor to have just a brief moment in which to speak on this important bill. The time is so short that I simply want to reply, with respect to one industry, to the statement that has been brought forward here by the gentleman from New York [Mr. PAYNE], the leader of the minority of the Committee on Ways and Means. I hope that my youthfulness here in the House will not be deemed as impairing the correctness of what I say, or that my statement shall be treated as any disrespect to him.

The gentleman has referred to the cutlery industry. I defy the gentleman to point to a single cutlery industry in the State of New York that has prospered under the high tariff. I can show you cutlery industries in the State and town that I come from that are perishing, and some that have gone out of existence, under your high tariff. [Applause on the Democratic side.]

That trouble is with you. The trouble is with your party. The trouble is with the customhouse in New York. That is where the trouble lies. And when we undertake to say that concerns will prosper by a high tariff, it is a great mistake. I come from a beehive of industry, extending all through my State and all through the valley. Let me say this to you, gentlemen: There is not a factory closing down; there is scarcely a factory there which is not having an addition built to it, knowing that this bill is going to pass. [Applause on the Democratic side.] I invite your distinguished leaders, whatever State they may come from, to come with me and I will show this to them.

The distinguished leader on the Democratic side [Mr. UNDERWOOD] has been in my State. He has seen the industries there, how they have accumulated, and how they have prospered; and no matter who has been here before, and no matter who will ever come here again, I assure you it is the ingenuity, it is the invention, it is the progress, it is the opportunity, it is the American manhood, that creates all this force. It is not a high tariff. [Applause on the Democratic side.]

The SPEAKER. The gentleman yields back two minutes.

Mr. UNDERWOOD. Mr. Speaker, I will ask the gentleman from New York [Mr. PAYNE] to use the balance of his time.

Mr. PAYNE. I think the gentleman from Alabama has a great deal more time left than I have.

Mr. UNDERWOOD. I intend to yield only for one speech.

Mr. PAYNE. Well, I am not very particular about it. Mr. Speaker, I will now yield five minutes to the gentleman from Oregon [Mr. SINNOTT].

The SPEAKER. The gentleman from Oregon [Mr. SINNOTT] is recognized.

Mr. SINNOTT. Mr. Speaker, much has been said in this discussion about the necessaries of life being placed on the free list. That is true; but the necessaries that have been placed on the free list by this bill are the necessaries produced on the farm.

One of the necessaries of life for the farmer in my district in the great Pacific Northwest is the jute grain bag. The farmers of my district, the members of the grange, and the farmers' union have petitioned this body and the Senate to put the jute grain bag upon the free list. One manufacturing firm in the city of Portland, in the State of Oregon, has protested against the free-listing of the jute grain bag, and this body and the Senate have listened to that single manufacturing firm and have refused to listen to the farmers and the granges in my district.

I call this matter to the attention of this body with, perhaps, a forlorn hope, but at least some hope, that this House may give some heed rather to the farmers of my State than to the manufacturer. The agricultural crops of the Northwest—our wheat, oats, barley, and potatoes—when harvested are, for the most part, put in these jute grain bags. Under this bill there is a duty of about one-half a cent per sack. Our 1912 Oregon crop was as follows:

	Bushels.
Wheat	21,092,274
Oats	14,744,046
Barley	4,430,374
Potatoes	8,751,685
Total	49,027,379

Counting about a little more than 2 bushels to the sack, this crop required somewhere from 18,000,000 to 25,000,000 sacks. This, of course, is only a rough estimate, but is sufficiently accurate to demonstrate that free sacks to the farmer, whose products are free listed, would afford him substantial relief.

I firmly believe that these sacks would have been free listed were it not for a letter written by Mr. Ames, of the Ames-Harris Co., manufacturers of jute grain sacks, of Portland, Oreg., published in the CONGRESSIONAL RECORD as a part of the remarks of Senator WILLIAMS on September 2. This letter, no doubt, had more influence with Congress and the conferees than the request of the grain grower. It is not yet too late to remedy this subject, and I earnestly implore those in charge of this bill that at least this one change be made in the interest of the grain grower of the Northwest, and then the majority body of this House may justly claim that this feature of the Underwood bill without question was enacted in the interest of the farmer. These sacks are not manufactured in this country in very appreciable numbers, even though they have been protected for some time under the present law; they come principally from Calcutta, and every cent of duty you levy is paid solely by the grain grower.

Mr. PAYNE. Mr. Speaker, I yield the balance of my time to the gentleman from Kansas [Mr. CAMPBELL].

The SPEAKER. The gentleman from Kansas [Mr. CAMPBELL] is recognized for seven and one-half minutes.

Mr. CAMPBELL. Mr. Speaker, the Underwood tariff bill is approaching the hour when it shall become a law. [Applause on the Democratic side.] The producers in every country in the world except ours are applauding the Democratic Party. [Applause on the Republican side.]

Notwithstanding the lovable character and patriotism of the gentleman from Alabama [Mr. UNDERWOOD], the author of this bill [applause], it is an un-American bill. [Applause on the Republican side.] It is more than that. It is anti-American. It untaxes every producer in the world except the American producer. It removes the tax on the foreigners that has protected the farmers, manufacturers, miners, and all producers in America and gives the foreigner practically free access to the American markets. Not only that. It is so unfriendly to American citizens that it untaxes their competitors who live in

foreign lands and taxes the American if he prospers in competition with his foreign competitor. It puts a tax upon the prosperity of the American, whether he be manufacturer, farmer, miner, or business man, and it gives to the foreigner, no matter whether he comes from Europe, Asia, Central or South America, or the islands of the sea, opportunity to prosper in the best market in the world by permitting him to come here with his products, dispose of them and wax fat and be untouched by the taxgatherer of the United States. Oh, you know what the result of this will be. There is not a man here who does not go with fear and trembling to the hour when he shall be delivered and record his vote for this bill. The American people are waiting for another chance to vote. And they will not, as my colleague from Kansas [Mr. MURDOCK] has intimated, inquire how it was done, but they will inquire who did it, and they will know, and just as soon as they get a chance at you, you will answer for the votes that you are about to record for this bill.

The President of the United States told us here a few days ago, in university English, that this bill could not stand upon its own merits. He said to us and to the country that this bill would revolutionize business, and what he meant by revolutionizing business was, as the chairman of the Ways and Means Committee [Mr. UNDERWOOD] said to-day, that it would level things down in our country to the level of the countries with whom this bill will compel us to compete. Business would be free under this bill. That will level our business and labor down. The people will have to adjust themselves to the low level. The President was urging you to pass another bill that would, as he believed, help the country survive the shock that business will receive as a result of this tariff revolution.

As plainly intimated by the President, this bill will give the business of this country such a shock that it is necessary to pass a law that will enable the President, with a partisan board, to inflate the currency to, if possible, keep the business of the country going and our labor employed. [Applause on the Republican side.]

You gentlemen have been telling the laborers of our land that you were their friends. In this bill you had an opportunity to protect them from the competition of child labor and underpaid labor employed in other countries. In this bill you have had the opportunity to protect them against labor that is employed longer than eight hours a day. You have not done either, but, on the contrary, you have thrown the American laborer into open competition with the cheapest-paid labor in the world—child labor, women's labor, employed 10, 12, and 14 hours a day in foreign countries. Yet you parade yourselves throughout the country as the friends of those who with their hands labor. This bill inaugurates the open shop for American labor. It closes the opportunities that labor has had in this country to organize and protect itself and to prosper.

You are substituting by this bill scholastic theory for successful practices. The President says he wants business to be free and prosperous, and is giving the country free trade and money inflation to bring on these conditions.

The farmers, laborers, and business men of the country will compare the results of your work in doing the President's bidding with the experience they have had under protection and sound money for the past 16 years. [Applause.]

The SPEAKER pro tempore (Mr. FITZGERALD). The time of the gentleman from Kansas has expired. The gentleman from Alabama [Mr. UNDERWOOD] has 26½ minutes remaining.

Mr. UNDERWOOD. Mr. Speaker, I yield to the gentleman from Missouri [Mr. CLARK] the balance of the time.

The SPEAKER pro tempore. The Speaker of the House, Mr. CLARK of Missouri, is recognized for 26½ minutes.

[Mr. CLARK of Missouri took the floor amid general applause, the Members rising to their feet.]

Mr. CLARK of Missouri. Mr. Speaker, this is the culmination to-day of one of the longest and hardest fights in American politics. I am nearly the only man in the House, except the present members of the Ways and Means Committee, who ever served on that committee. I most heartily congratulate Mr. Chairman UNDERWOOD and the members of his committee. [Applause.] When making my five-hour speech on the Payne bill I congratulated Chairman PAYNE on becoming a historic personage, which he is. I congratulate Mr. Chairman UNDERWOOD on the same fact. A man who fastens his name onto a general tariff bill has his place fixed in history, whether he rises higher or not. Only one man outside of this House ever had ingenuity enough to get his name fastened onto a tariff bill, and that was the Hon. Robert J. Walker, of Mississippi, Secretary of Treasury, and he deserved to have his name fastened onto the bill which bears it.

I congratulate every member of the Democratic majority of the Ways and Means Committee on account of the intelligent, hard, successful work they have accomplished in this bill, because I have served on the committee and know more about the hard work than any other man who is not a member of it. I congratulate the Republicans of the committee on the plucky, though necessarily losing, fight they made. I even congratulate my distinguished friend from New York [Mr. PAYNE] on the enjoyment which he has extracted from this tariff bill from the very beginning of it. I think this is the first happy moment he has had since he got his own tariff bill passed. [Applause and laughter.]

It is a good time to refresh people's memories. The victory is ours, the fight is over, and we can face the country with serenity and hope. I will tell you how this revolution started, because that is what it is, a political revolution. In the spring of 1908 a little handful of us here started a tariff debate. Senator JOHN SHARP WILLIAMS, Mr. UNDERWOOD, Judge De Armond, and some others of us took part in it. It was a very gloomy period for Democrats. They had been licked so often and so regularly that they had formed the habit of defeat. Charlie Landis used to tell a tale in the debates he had with me that illustrated the Democratic frame of mind. He said that a school mistress in Indiana called on all the boys who wanted to be President to hold up their hands, and they all held up their hands except one little chap. The teacher said, "Johnnie, don't you want to be President?" He said, "Yes; but I'm a Democrat." [Laughter.] That anecdote fairly illustrates the hopeless frame of mind of the Democrats in the spring of 1908, and they were not cheered up very much by what happened in the fall of 1908. Quite the contrary.

The Democrats are now not only victorious, but we have formed the habit of victory. Along in the spring of 1908 it happened that the gentleman from New York [Mr. PAYNE] and myself were having a rather heated debate here on the tariff. Sometimes we went after them by brigades, sometimes by regiments, sometimes by companies, sometimes by squads, sometimes in single combat, and sometimes from ambuscade. The gentleman from New York got very hot in the collar. The truth is he was getting the worst of it, if I do say it myself. [Laughter.] Finally he made this declaration—and it was the first one of the kind I ever heard or heard of a Republican making on the subject of the tariff. He said he violated no confidence in stating that if the Republicans carried the country they would revise the tariff. He did not say they would revise it up, because he was afraid to. He did not say they would revise it down, because he knew they never intended to. [Laughter.] I said then, and I say now, that that declaration was equivocal; it did not mean a thing on earth. What does revise mean? The word comes from two Latin words meaning to look over again, and it means to doctor up, to revamp, to change, to remodel.

When the Republicans reached Chicago that year they were afraid of this growing sentiment that we had been stirring up, and they put it in their platform that if they were continued power they would revise the tariff. They did not say up; they did not say down. I would not misrepresent them for the world. I would not misrepresent any man, for no man ever made anything by misrepresenting anybody. That enabled them to go to the country and play both ends against the middle, if you understand that phrase. [Laughter.] But it became too hot for them. They began to fear they would lose the election, and by preconcerted arrangement one fine morning in October of that year every Republican newspaper of any standing and every Republican orator of any renown declared that that platform declaration, which really originated with the gentleman from New York [Mr. PAYNE], meant a revision down.

The Globe-Democrat, the greatest Republican paper west of the Mississippi, said the next morning that the Republicans were the real tariff reformers, and that we Democrats were bogus reformers, and that the question of tariff revision had been put clear out of the issues in that campaign.

What happened? You swept the country by playing that—well, I shall not call it a trick, but by doing that, and you flattened us out as completely as ever a set of men were flattened out in an election since the world began. That promise to revise the tariff down got you in, and then you did not do it. Then the country gave you an awful trouncing in 1910 for not doing it, and a worse one in 1912. My good friend from New York [Mr. PAYNE] still insists that his bill was the best ever enacted into law, just as every crow thinks her crowlet the blackest; but the voters of the land last November differed with him *toto cœlo*, and in a few days his pet measure will be dead as the men who lived before the flood; but he may assuage his grief for the taking off of his bantling by remembering that he will share the blessings which our tariff bill will bring to all persons living under our flag.

When St. Paul was nearing the close of his long and heroic career, he boasted, "I have fought the good fight; I have kept the faith," and we can repeat literally and truly that proud boast of the great apostle to the gentiles. [Applause on the Democratic side.] We have fought a good fight. When you think of the predicament that the Democrats were in after that election in 1908 and think of their splendid and commanding position this day, it seems as if a miracle had been wrought in the land. We have kept the faith. The gentleman from New York [Mr. PAYNE], the gentleman from Pennsylvania [Mr. MOORE], the gentleman from Wyoming [Mr. MONDELL], the gentleman from Kansas [Mr. MURDOCK], and all the rest of you, stand around and pick little flaws in the tariff bill. Your performance is close akin to the futile achievement of pointing out spots on the sun. It pleases the performers and in no way injures the great luminary. You say we are not agreed. How do you know? I am neither a prophet nor the son of a prophet, but, nevertheless, I venture to predict that there will be more Republican votes for our tariff bill than Democratic votes against it. I will tell you the truth about it. There are no two men on the face of the earth with brains in their heads who agree on every item in the tariff bill, except free traders, and they are opposed to the whole scheme. How do you secure a law? I will tell you what it takes to get a law placed on the statute books. It takes at least 268 men to pass a law, 218 in the House, 49 in the Senate, and 1 in the White House. They get together and talk it out.

My friend from Kansas [Mr. MURDOCK], of whom I think a great deal, addressed the House this afternoon. I knew him when he was wearing kilts, and his father was kind to me during the nine weeks that I lived in Kansas, and I take a pride in the gentleman's career. He said there will never be another tariff bill passed as long as grass grows or water runs which is on the plan upon which this one was gotten up. I would like very much to know, and I am going to get him out and cross-examine him until I find out, how he would ever get a tariff bill passed, containing forty-one hundred items, by 435 men representing 435 districts, each one differing somewhat in its interests from the others, unless they did get together. King Solomon saith, "In a multitude of counsel there is wisdom." I like to quote the great King, because he is one of my prime favorites in literature and in history. I do not care three straws whether you call it a caucus or a conference or what you call it. How are you ever going to get an agreement without getting together and talking about it? There is no man in this House who would have written this tariff bill word for word just as it is. The chairman of the Ways and Means Committee himself would not have done it. I would not have done it. Nobody on that committee would have done it, and in order to get a bill at all everyone must yield a little; thereby we finally agree upon some proposition upon which we can all stand. On Brother MURDOCK's plan we could not pass a tariff bill betwixt now and the 4th of March, 1915. If we lived as long as Methuselah we might proceed in that leisurely manner, but we can not do so under our present limitation on the length of days. Now, the idea of the gentleman from Kansas [Mr. MURDOCK] about how this House ought to be run is that it ought to be run as a town meeting. I belonged to a debating society once at Kentucky University, run by a man who was afterwards in Congress, John D. White. The name of his society was the "Loquacs," and most assuredly it was properly named. It had two rules, one of which was that every man was to speak as long as he pleased. That is the idea of the gentleman from Kansas about a tariff bill. [Laughter.] That is his idea about how to run this House. There is not a man here who can honestly complain that he has been gouged out of any of his rights and privileges in the construction of this tariff bill. Every man had a chance to offer any amendment that he pleased and to make a speech about it, and there the thing stopped, because you did not have votes enough. That is the whole story. [Applause on the Democratic side.] If you mend your hold at the next election and get the votes you are all right; if not, you are all wrong. But my guess is that you will not be able to stir level-headed Americans to mutiny and rage by carping criticism—by picking flaws in a great masterpiece of remedial legislation which our tariff bill is. We do not pretend that it will cure all the ills that flesh is heir to, but we confidently assert that it will prove to be a magnificent benefaction to the people of the land.

There has been a good deal of talk first and last about President Wilson's action with reference to this bill. I congratulate him for the part that he has taken in this legislation. [Applause on the Democratic side.] If I had been elected President I would have gotten a good tariff bill through this House sure as you are alive. He has simply discharged his duty in the open. [Applause on the Democratic side.] I have been reading a good many things while the House has been adjourning three days at a time and, lo and behold, what do I find? One man in a book that is very readable declared that the man who managed Congress most thoroughly and completely, who dominated it entirely, was the great Democratic saint, Thomas Jefferson. [Applause on the Democratic side.] He did not do it by the big stick, but he did it by the force of his intellect and his skill in handling men. Some people did it openly and some secretly. I have always believed and I believe now that the Walker tariff bill was the second best tariff bill ever passed. I think this Underwood bill is the best one. [Applause on the Democratic side.] I have always said and I say now that I believe if it had not been for the Civil War there never would have been another high tariff bill put upon the statute books of this country. [Applause on the Democratic side.] What happened? That was the lowest general tariff bill ever enacted into law in this Republic, and yet it so thoroughly satisfied the country, business so prospered under it that in 1856 neither one of the three great parties which set up presidential candidates even mentioned the tariff question in their platform. That is the only time that that ever happened in the United States. What else happened? It brought such a big surplus—that is, big for that day, small for this, put such a big surplus into the Treasury—that on the 2d day of March, 1857, Franklin Pierce, a Democrat, put his signature to a tariff bill modifying the Walker tariff bill by cutting the rates down, a tariff bill passed by a Republican House, at least it was a mongrel House, the Republicans did not have a majority, but the Democrats only had 82 out of 132—it was made up of Republicans, the remnants of the old Whig Party, and the remnants of the old Know-Nothing Party, but together they had an anti-Democratic majority and they elected Nathaniel P. Banks, of Massachusetts, Speaker. He was the first Republican Speaker. They passed that tariff bill after they had a good Democratic tariff bill for 11 years, and that is what will happen to this one, too.

It was passed by a Republican House, at least a non-Democratic House; passed by a non-Democratic Senate, and signed by a Democratic President of the United States. It was passed almost by the common consent of manufacturers, farmers, and every other class of people in the United States. Then, when the southerners went out of Congress Mr. Morrill got his first tariff bill passed. Some of you gentlemen belonging to the tribe of Cassandra have been making predictions of evil about this bill ever since Congress convened on the 4th day of April. The wish was father to the thought. You have not even the ghost of a show to recover your lost ground, unless a panic ensues, and you are sore and unhappy because there is not a sign anywhere that bad times are coming or that there is going to be a panic, but the business of the country has proceeded through this long-drawn-out debate as if there was no tariff question pending in this country.

One great thing that this bill will do, and I congratulate the gentleman from Tennessee [Mr. HULL] on that most cordially, is that it will introduce into the taxing system of this country the proposition that we will tax what a man has instead of what he has to buy to live on. [Applause on the Democratic side.] You say you can not enforce that law. You can enforce it as well as you can enforce any other tax law. Men have been swearing off their taxes ever since the system of taxation was invented, and they will dodge it yet. Why should not the concentrated wealth of this country bear its just proportion of the public burden? [Applause on the Democratic side.] I will debate that proposition with any man living, with the absolute certainty of coming out on top.

I justify the exemptions in the bill. They say it is unfair. Senator HENRY CABOT LODGE, somewhere up in Massachusetts, or in a magazine article, said that it is a war on wealth. It is no such thing. No man who has any sense is opposed to wealth, provided it is secured by legitimate means. But $3,000 is a small amount, or not a large amount, for a single man, and $4,000 is not a large amount for a family, and the exemption in the income-tax law is based on the same principle that the exemptions in the various States are based upon. For instance, in Texas a man can not mortgage his homestead, and I wish to heaven that every State in the Union would enact that Texas law. [Applause.] But these exemptions are made, not for the benefit of the man that takes the exemption but for the benefit of society, for the benefit of the State, because wise men believe that it is better to maintain the family in the United States, which is the unit of civilization, than it is to cut their income down to such short rations that they will have to dissolve and one of them go here and another there.

I believe as firmly as that I am living that on a sealed ballot, so that nobody could ever find out how you gentlemen over on

the Republican side would vote, nine-tenths of you would vote for that income-tax proposition in this bill. [Applause on the Democratic side.]

I will tell you what else I believe. I believe if you had a plebiscite, as Louis Napoleon used to call it, or secret vote, 95 per cent of the people of the United States would vote for the income-tax proposition in this bill. Just as certain as you live that is coming to stay, and the people will magnify the name of HUTT in the days to come. [Applause on the Democratic side.] If you gentlemen on the Republican side ever get into possession of the Government again, you will no more dare to repeal the income tax than you would dare to jump off the top of the Capitol. The people will not have it. Some folks seem to think it has never been tried. The English have tried it, and except for two years they have had the income tax ever since the Napoleonic wars, and they have worked it out with mathematical nicety. I do not believe there will ever be another high-tariff bill enacted into law in this Republic. The income-tax feature of this bill will prevent that forever and forever.

We stand to-day justified by our works. The old rule, "By their works ye shall know them," is wholesome. We are willing to be judged by it. For 16 years we wandered in the wilderness. We were demoralized and disheartened. Gaining one victory after another gives us courage, and I believe this day is the beginning of a quarter of a century of unbroken Democratic supremacy in this country. [Loud applause on the Democratic side.]

The SPEAKER pro tempore. The time of the gentleman from Missouri [Mr. CLARK] has expired. All time has expired. The question is on agreeing to the conference report.

Mr. UNDERWOOD. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER pro tempore. And on that question the gentleman from Alabama [Mr. UNDERWOOD] asks for the yeas and nays.

The yeas and nays were ordered.

Mr. MURDOCK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MURDOCK. Are the yeas and nays now on agreeing to the conference report or on ordering the previous question?

The SPEAKER pro tempore. On agreeing to the conference report. Under agreement, the previous question was considered as ordered at the conclusion of the debate.

Mr. MANAHAN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MANAHAN. My inquiry is this: May the text of a bill to which both Houses have agreed be changed by the conference committee without the consent of both Houses?

The SPEAKER pro tempore. It can not.

Mr. HARDWICK. Mr. Speaker, I make the point of order that this is not the time for that.

Mr. MANAHAN. I make the point of order, Mr. Speaker, that paragraph 288, wherein the conference committee has changed the text by changing the rate of duty, on which there was no difference of opinion between the House and the Senate, from 20 per cent to 10 per cent, violates the rule which provides that the text of a bill upon which both Houses have agreed can not be changed in conference without the consent of each House.

The SPEAKER pro tempore. The gentleman's point of order comes too late. Under the rules and practice of the House the question must be raised at the conclusion of the reading of the conference report. The conference report having been read and other proceedings having intervened, it is now too late to raise the question raised by the gentleman from Minnesota [Mr. MANAHAN]. The question is on agreeing to the conference report. Those in favor of the adoption of the conference report will signify the fact when their names are called by saying "aye"; those opposed by saying "no." The Clerk will call the roll.

The question was taken; and there were—yeas 255, nays 104, answered "present" 3, not voting 67, as follows:

YEAS—255.

Abercrombie	Booher	Callaway	Conry
Aiken	Borchers	Candler, Miss.	Covington
Alexander	Bowdle	Caraway	Cox
Allen	Brockson	Carew	Crisp
Ashbrook	Brodbeck	Carlin	Crosser
Aswell	Brown, N. Y.	Carr	Cullop
Bailey	Brown, W. Va.	Cary	Dale
Baker	Bruckner	Casey	Davenport
Ballz	Brumbaugh	Church	Decker
Barkley	Buchanan, Ill.	Clancy	Deitrick
Barnhart	Buchanan, Tex.	Clark, Fla.	Dent
Bartlett	Bulkley	Claypool	Dershem
Bathrick	Burgess	Clayton	Dickinson
Beales	Burke, Wis.	Cline	Dies
Beall, Tex.	Burnett	Collier	Difenderfer
Bell, Ga.	Byrnes, S. C.	Connelly, Kans.	Dixon
Blackmon	Bryns, Tenn.	Connolly, Iowa	Donovan
Dooling	Helvering	Montague	Smith, N. Y.
Doolittle	Hensley	Moon	Smith, Tex.
Doremus	Hill	Morrison	Sparkman
Doughton	Hobson	Moss, Ind.	Stafford
Driscoll	Holland	Murray, Mass.	Stanley
Eagan	Houston	Murray, Okla.	Stedman
Eagle	Howard	O'Brien	Stephens, Miss.
Elder	Hughes, Ga.	Oglesby	Stephens, Nebr.
Estopinal	Hull	O'Hair	Stevens, N. H.
Falson	Humphreys, Miss.	Oldfield	Stone
Fergusson	Igoe	O'Leary	Stout
Ferris	Jacoway	O'Shaunessy	Stringer
Fields	Johnson, Ky.	Padgett	Sumners
Fitzgerald	Johnson, S. C.	Page	Taggart
Fitzhenry	Jones	Palmer	Talbott, Md.
Flood, Va.	Kelly, Pa.	Patten, N. Y.	Talcott, N. Y.
Floyd, Ark.	Kennedy, Conn.	Pepper	Tavenner
Foster	Kent	Peters, Mass.	Taylor, Ala.
Fowler	Kettner	Phelan	Taylor, Ark.
Gallagher	Key, Ohio	Post	Taylor, N. Y.
Gard	Kinkead, N. J.	Pou	Ten Eyck.
Garner	Kirkpatrick	Ragsdale	Thacher
Garrett, Tenn.	Kitchin	Rainey	Thomas
Garrett, Tex.	Konop	Raker	Thompson, Okla.
George	Lee, Ga.	Rauch	Townsend
Gerry	Lee, Pa.	Rayburn	Tribble
Gilmore	Lesher	Reed	Tuttle
Gittins	Lever	Reilly, Conn.	Underhill
Glass	Levy	Reilly, Wis.	Underwood
Gocke	Lewis, Md.	Riordan	Vaughan
Goldfogle	Lieb	Rouse	Walker
Gordon	Linthicum	Rubey	Walsh
Goulden	Lobeck	Rucker	Watkins
Gray	Logue	Rupley	Watson
Gregg	Lonergan	Russell	Weaver
Griffin	McAndrews	Sabath	Webb
Gudger	McClellan	Saunders	Whaley
Hamill	McDermott	Scully	Whitacre
Hammond	McGillicuddy	Seldomridge	White
Hardwick	McKellar	Sharp	Williams
Hardy	MacDonald	Sherley	Wilson, Fla.
Harrison	Maguire, Nebr.	Sherwood	Wilson, N. Y.
Hart	Mahan	Sims	Winslow
Hay	Maher	Sisson	Witherspoon
Hayden	Manahan	Slayden	Young, Tex.
Heflin	Metz	Small	The Speaker
Helm	Mitchell	Smith, Md.	

NAYS—104.

Ainey	Falconer	Kennedy, R. I.	Roberts, Mass.
Anderson	Farr	Kinkaid, Nebr.	Rogers
Anthony	Fordney	Knowland, J. R.	Scott
Austin	Frear	Kreider	Sells
Avis	French	Lafferty	Shreve
Barchfeld	Gillett	La Follette	Sinnott
Barton	Good	Langham	Slemp
Bell, Cal.	Greene, Mass.	Langley	Sloan
Britten	Greene, Vt.	Lazaro	Smith, Idaho
Broussard	Grest	Lewis, Pa.	Smith, Saml. W.
Browne, Wis.	Guernsey	Mapes	Steenerson
Browning	Hamilton, Mich.	Mondell	Stephens, Cal.
Burke, Pa.	Hamilton, N. Y.	Moore	Sutherland
Butler	Haugen	Morgan, La.	Switzer
Calder	Hawley	Morgan, Okla.	Temple
Campbell	Hayes	Morin	Thomson, Ill.
Cooper	Hinds	Moss, W. Va.	Towner
Cramton	Hinebaugh	Mott	Treadway
Curry	Howell	Murdock	Vare
Danforth	Hullings	Nelson	Volstead
Davis	Humphrey, Wash.	Parker	Wallin
Dillon	Johnson, Utah	Patton, Pa.	Walters
Donohoe	Johnson, Wash.	Payne	Willis
Dunn	Kahn	Plumley	Winslow
Edmonds	Kelster	Porter	Woodruff
Esch	Kennedy, Iowa	Powers	Woods

ANSWERED "PRESENT"—3.

Copley	McCoy	McGuire, Okla.

NOT VOTING—67.

Adair	Fess	Kiess, Pa.	Norton
Adamson	Finley	Kindel	Peters, Me.
Ansberry	Francis	Korbly	Peterson
Bartholdt	Gardner	L'Engle	Platt
Borland	Godwin, N. C.	Lenroot	Prouty
Bremner	Goodwin, Ark.	Lindbergh	Quin
Bryan	Gorman	Lindquist	Richardson
Burke, S. Dak.	Graham, Ill.	Lloyd	Roberts, Nev.
Cantrill	Graham, Pa.	McKenzie	Rothermel
Carter	Green, Iowa	McLaughlin	Shackleford
Chandler, N. Y.	Hamlin	Madden	Smith, J. M. C.
Curley	Helgesen	Mann	Smith, Minn.
Dupré	Henry	Martin	Stephens, Tex.
Dyer	Hoxworth	Merritt	Stevens, Minn.
Edwards	Hughes, W. Va.	Miller	Taylor, Colo.
Evans	Keating	Neeley	Young, N. Dak.
Fairchild	Keller, Mich.	Nolan, J. I.	

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. ADAMSON (for) with Mr. MCLAUGHLIN (against).

Mr. NEELEY (for) with Mr. GRAHAM of Pennsylvania (against).

Mr. GOODWIN of Arkansas (for) with Mr. GARDNER (against).

Mr. BREMNER (for) with Mr. KIESS of Pennsylvania (against).

Mr. FINLEY (for) with Mr. GREEN of Iowa (against).

Mr. QUIN (for) with Mr. SMITH of Minnesota (against).

Mr. GRAHAM of Illinois (for) with Mr. PETERS of Maine (against).

Mr. CURLEY (for) with Mr. NORTON (against).

Mr. SHACKLEFORD (for) with Mr. LINDBERGH (against)—pair on nothing but tariff report.

Mr. HENRY (for) with Mr. LENROOT (against).

Mr. CANTRILL (for) with Mr. HELGESEN (against).

Mr. HAMLIN (for) with Mr. YOUNG of North Dakota (against).

Mr. J. I. NOLAN (for) with Mr. DUPRÉ (against).

Mr. KORBLY (for) with Mr. DYER (against).

Mr. LLOYD (for) with Mr. MANN (against).

Mr. GORMAN (for) with Mr. MCKENZIE (against).

Mr. ADAIR (for) with Mr. FAIRCHILD (against).

Mr. ROTHERMEL (for) with Mr. FESS (against).

Mr. ANSBERRY (for) with Mr. HUGHES of West Virginia (against).

Mr. PETERSON (for) with Mr. LINDQUIST (against).

Mr. GODWIN of North Carolina (for) with Mr. MERRITT (against).

Mr. KEATING (for) with Mr. PLATT (against).

Until further notice:

Mr. EVANS with Mr. MILLER.

Mr. MCCOY with Mr. STEVENS of Minnesota.

Mr. CARTER with Mr. MCGUIRE of Oklahoma.

Mr. KINDEL with Mr. KELLEY of Michigan.

Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.

Mr. RICHARDSON with Mr. MARTIN.

Mr. EDWARDS with Mr. PROUTY.

Mr. FRANCIS with Mr. MADDEN.

Mr. HOXWORTH with Mr. ROBERTS of Nevada.

Mr. TAYLOR of Colorado with Mr. J. M. C. SMITH.

For the remainder of this day:

Mr. BORLAND with Mr. BARTHOLDT.

Mr. MCCOY. Mr. Speaker, is the gentleman from Minnesota, Mr. STEVENS, recorded as voting?

The SPEAKER. He is not recorded. He did not vote.

Mr. MCCOY. I am paired with him. I voted "aye." I withdraw that vote and answer "present."

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. CLARK of Missouri, and he voted in the affirmative.

The result of the vote was announced as above recorded.

The announcement of the result was received with applause on the Democratic side.

THE TARIFF—COTTON FUTURES.

Mr. UNDERWOOD. Mr. Speaker, there is still pending Senate amendment 609, known as the Clarke amendment. I move that the House recede from its disagreement to Senate amendment 609 and agree to the same with an amendment which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the amendment.

Mr. MURDOCK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Before the gentleman makes his parliamentary inquiry we will have the amendment read, and then the Chair will recognize the gentleman.

The Clerk read as follows:

SECTION III.

PARAGRAPH 1. That on and after the first day of September, 1914, upon each sale, agreement of sale, or agreement to sell any cotton for future delivery, made in the future contract market at or on or in any cotton exchange, or board of trade, or other similar place, or by any person acting in substantial conformity to the rules and regulations governing such future transactions or market quotations of any such cotton exchange, board of trade, or other similar place, there is hereby levied a tax in the nature of an excise equal to one-tenth of 1 cent per pound on the quantity of cotton mentioned and described in any such contract; and one-half of such tax shall be paid by the buyer and one-half thereof by the seller of the cotton involved in the transaction, by means of stamps affixed to the contracts of purchase and sale, or memorandums attached thereto, respectively, in compliance with rules and regulations made by the Secretary of the Treasury.

Any sale, agreement of sale, or agreement to sell any cotton for future delivery, made in the future contract market at or on or in any cotton exchange, board of trade, or other similar place, or by any person acting in conformity to the rules and regulations governing such future transactions of any such cotton exchange, board of trade, or other similar place, in any foreign country where the order for such sale has been transmitted from the United States to such foreign country, and either the buyer or the seller described in such contract of sale is at the time of the execution thereof a resident of the United States, shall be deemed and considered in all respects a sale, agreement of sale, or agreement to sell, for future delivery, of the cotton described therein within the meaning of this section. A corporation organized under the laws of any State or country shall be deemed for all purposes a person within the meaning of this section. All contracts for the sale as aforesaid of cotton for future delivery at the places and by the persons herein mentioned shall be in writing, plainly stating the terms of such contract, and indicating the parties thereto and signed by the party to be charged, by himself or his agent. The said tax shall be paid by means of stamps affixed to such written contract.

That the Secretary of the Treasury is hereby authorized and empowered to make, prescribe, and publish all rules and regulations necessary to the enforcement of this section and to the collection of the tax thereby imposed. To further effect this purpose he is hereby authorized to require all persons coming within its provisions to keep such records and systems of accounting as will fully and correctly disclose the transactions in connection with which the said tax is authorized; and he may appoint such agents as he may deem necessary to conduct the inspection necessary to collect the tax herein authorized and otherwise to enforce the statute and all rules and regulations lawfully made in pursuance thereof as in his judgment may be required and to fix the compensation of such agents.

That any cotton exchange, board of trade, or other similar place, its officers and agents, or persons acting in substantial conformity with the rules and regulations or market quotations of any such cotton exchange, board of trade, or other similar place where contracts for the sale of cotton for future delivery are made in violation of this statute, and every person who is made liable for the tax thereby imposed who shall fail to pay, or shall evade or attempt to evade the payment of the tax levied by this section, or shall otherwise violate this statute, or any rule or regulation lawfully made by the Secretary of the Treasury in pursuance thereof, shall be guilty of a misdemeanor, and upon conviction thereof shall pay a fine in any sum not less than $1000 nor more than $20,000; and in case of natural persons or unincorporated associations of persons violating this act an additional punishment by imprisonment for not less than one year nor more than three years may be imposed at the discretion of the court.

In addition to the foregoing punishment there is hereby imposed a penalty of $2,000 on each separate sale made in violation of this statute, to be recovered in an action founded on this statute in the name of the United States as plaintiff, and when so recovered one-half of said amount shall be paid over to the person giving the information upon which such recovery is based.

That no person whose evidence is deemed material by the officer prosecuting on behalf of the United States shall withhold his testimony because of complicity by him in any violation of this statute, but any such person so required to give evidence as a witness shall be exempt from prosecution in any court of the United States for the particular offense in connection with the prosecution whereof such testimony was given.

That the payment of the tax levied under authority of this section shall not exempt any person from any penalty or punishment now or hereafter provided by the laws of any State for entering into contracts for the future delivery of cotton; nor shall the payment of taxes imposed by this section be held to prohibit any State or municipality from imposing a tax on the same transaction.

PAR. 2. *Provided, however*, That if any such contract mentioned in paragraph 1 of this section complies with all the conditions, rules, and regulations imposed by or made pursuant to this section, in writing, plainly stating the terms of such contract and indicating the parties thereto and signed by the party to be charged, by himself or his agent, specifies, or in a written memorandum attached thereto shows, the number of bales of cotton involved in the contract, the price per pound of middling cotton, hereinafter called the basis grade, at which the cotton is contracted to be bought or sold, the date of the purchase or sale, and the month in which the contract is to be fulfilled or settled, provides that the cotton therein mentioned or dealt with shall be within the grade limits fixed by the Secretary of Agriculture, to wit, within the limits of middling fair and good ordinary, inclusive, on the present existing Government standards, and no other grade or grades, and provides that in the settlement of such contract by the actual delivery of the cotton involved therein, where cotton other than the basis grade is delivered, the difference above or below the contract price which the receiver shall pay for such grades shall be determined as hereinafter provided, then and in that event and in every such case the tax levied by paragraph 1 of this section shall be reduced to 50 cents per 100 bales of cotton of 500 pounds each, mentioned and described in the contract and at that rate proportionately for greater or less quantities of cotton, and that one-half of such tax shall be paid by the buyer and one-half thereof by the seller of the cotton involved in the transaction, by means of stamps affixed to the contracts of purchase and sale or memorandums attached thereto, respectively, in compliance with rules and regulations made by the Secretary of the Treasury.

That for the purpose of this paragraph the differences above or below the contract price which the receiver shall pay for grades above or below the basis grade in the settlement of a contract for the future delivery of cotton by the actual delivery of the cotton involved therein shall be determined by the actual commercial differences in value thereof established by bona fide sales of spot cotton of the same grades, respectively, made in the course of actual trade, upon the sixth business day prior to the settlement of the contract, in the market where the future transaction involved takes place and is consummated; and in the event that there be no bona fide spot market in which spot sales are made from day to day at or in the place in which such future transaction takes place, then and in that case the said differences above or below the contract price shall be determined by taking the average of the aforesaid actual commercial differences in value in the spot markets at five places designated by the Secretary of Agriculture, as the said differences were established by the sales of spot cotton of the same grade, respectively, in such five markets upon the sixth business day prior to the settlement of the contract: *Provided*, That for the purposes of this paragraph such values in the said spot markets be based upon the standards for grades of cotton fixed by the Secretary of Agriculture.

That for the purpose of this paragraph the only markets which shall be considered bona fide spot markets shall be such as are designated by the Secretary of Agriculture.

That in determining, pursuant to the provisions of this paragraph, what markets are bona fide spot markets the Secretary of Agriculture is directed to consider only markets in which spot cotton is sold in such volume and under such conditions as customarily to reflect accurately the price of middling cotton and the differences between the prices or values of middling cotton and other grades of cotton for which standards shall have been established by the Secretary of Agriculture.

During the reading of the foregoing the following occurred:

The SPEAKER. The House will be in order. It is necessary that Members should hear what is being read.

Mr. MOORE. Mr. Speaker, I ask unanimous consent that the Clerk be permitted to read again from the beginning of the amendment, since, owing to the confusion, we did not hear the first portion of the amendment.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that the Clerk again read from the beginning of the amendment. Is there objection?

Mr. FITZGERALD. Mr. Speaker, I object.

Mr. FOSTER. Mr. Speaker, I object.

Mr. SHERLEY. Mr. Speaker, I object.

The SPEAKER. The gentleman from New York, the gentleman from Illinois, and the gentleman from Kentucky object.

The Clerk then concluded the reading of the amendment.

The SPEAKER. The gentleman from Kansas was about to make a parliamentary inquiry.

Mr. MURDOCK. Mr. Speaker, the parliamentary inquiry merely went to the point of whether or not the reading of that amendment would shut out the motion to recede and concur?

The SPEAKER. Oh, no.

Mr. WINGO. Mr. Speaker, I move that the House recede from its disagreement on the pending Senate amendment and concur in the same.

Mr. HARDWICK. Mr. Speaker, I give notice that I shall demand a division of that question.

The SPEAKER. The gentleman from Arkansas moves to recede and concur, and the gentleman from Georgia gives notice that he will demand a division.

Mr. UNDERWOOD. Mr. Speaker, I desire to have the Chair rule as to which of these motions takes precedence.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] moves to recede from the disagreement of the House to the Senate amendment No. 609 and concur in that amendment with the amendment that has just been read. The gentleman from Arkansas [Mr. WINGO] moves that the House recede from its disagreement and concur in the Senate amendment. The gentleman from Alabama [Mr. UNDERWOOD] asks for a ruling as to which motion is preferential.

The whole subject has been somewhat complicated and beclouded by a misunderstanding which exists as to the practice of the House in slightly different parliamentary situations. When the House passes a bill and it goes over to the Senate and comes back with a Senate amendment, the regular course is for the Senate amendment to be considered in the House. Three motions are then in order—to disagree, to concur, or to concur with an amendment. It has always been held that a motion to concur in the Senate amendment takes precedence of a motion to disagree. This grows out of the fact that it is the business of the House to do business and not to retard business. The motion to concur tending to dispose of the matter in issue without further negotiations is held preferential on the ground that it expedites the business of the House. The anomaly of the whole matter, however, is in the universal practice of the House that a motion to concur with an amendment takes precedence of the simple motion to concur. The Chair is unable to understand how this practice has grown up, for if expediting the business of the House were the purpose, the contrary would be held. The practice, however, is well established, and if this were the situation to-day, the Chair would hold the motion to concur with an amendment preferential, but this is not the situation before us. The House has taken up this amendment together with all the other Senate amendments to the tariff bill and disagreed to them en bloc and sent the bill to conference. We now have a conference report settling all the other amendments and leaving only this amendment in disagreement between the two Houses. The practice of the House has always been, apparently, that when a state of disagreement has been reached between the two Houses, the motion to recede and concur takes precedence of the motion to recede and concur with an amendment. Sections 6219, 6220, 6221, and 6222 of Hinds' Precedents contain precedents to this effect.

Only one need be cited, as the decisions are apparently uniform. On August 10, 1894, the House was considering certain Senate amendments to a general appropriation bill, on which there was still disagreement between the two Houses. The question being on amendment No. 280, Mr. John A. Pickler, of South Dakota, moved that the House recede from its disagreement to the amendment and agree thereto. Mr. Thomas C. McRae, of Arkansas, submitted a motion that the House recede from the amendment and agree to the same with an amendment. The Speaker pro tempore, the Hon. James G. Richardson, of Tennessee, held that inasmuch as the motion of Mr. Pickler tended to bring the Houses to a more immediate agreement than the motion of Mr. McRae, the motion of Mr. Pickler had precedence. This decision follows the logical rule in such matters and is directly in point. It is precisely the situation that is before us. The Chair therefore holds that the motion of the gentleman from Arkansas [Mr. WINGO] has precedence. The Chair will go a little further in explanation of the situation, inasmuch as he is informed that the gentleman from Georgia [Mr. HARDWICK] proposes to demand a division of the motion of the gentleman from Arkansas. A motion to recede and concur is divisible. If a division should be demanded, the motion to recede would first be put; if that were carried, the situation would be exactly the same as if the amendment had just been received from the Senate and no action ever taken upon it. The question would then recur upon the motion to concur; but here the anomalous rule referred to a moment ago would again interfere, and if any gentleman desired to offer a motion to concur with an amendment this would take precedence over the simple motion to concur. This exact situation was passed on by Mr. Speaker Cannon in 1907 in an exhaustive opinion contained in section 6209 of Hinds' Precedents. Mr. Speaker Cannon there reached the conclusion which the Chair has indicated, and that conclusion the present occupant of the Chair believes to be the correct one, and if the situation should arise will so hold.

Mr. HARDWICK. Mr. Speaker, I demand a division of the motion of the gentleman from Arkansas.

Mr. UNDERWOOD. Mr. Speaker, I believe that I have control of the floor?

The SPEAKER. Yes.

Mr. UNDERWOOD. I would like to see if we can agree on time for debate on the proposition. Although this is an important question, I know the House is very tired, and I would like to agree on as short a debate as practical. I would ask the gentleman if one hour of debate, to be equally divided between myself and whoever controls the other side, will be satisfactory?

Mr. HARDWICK. I think that will be enough, provided the gentlemen who are opposed to all propositions have ample time.

Mr. WINGO. Mr. Speaker, I think that will be sufficient time, provided those who are in favor of the Clarke amendment are given one-half of that time.

Mr. UNDERWOOD. The gentleman means half an hour?

Mr. WINGO. Yes.

Mr. UNDERWOOD. Oh, I can not agree to that.

Mr. FITZGERALD. The opposition to these questions are those who are opposed to both propositions.

Mr. HARDWICK. Certainly, and we desire half of the time.

The SPEAKER. As the Chair understands, there seems to be a three-cornered proposition?

Mr. GARNER. That is the size of it.

Mr. UNDERWOOD. Mr. Speaker, if the Chair will allow me, there are two separate propositions here. One set of gentlemen desire to oppose the motion to recede from the disagreeing vote on the Senate amendment. That is the first proposition. That motion is made by myself and by the gentleman from Arkansas. As I am opposed to that proposition, and, having control of the floor, I think I am entitled to one-half of the time on the proposition.

The SPEAKER. That is on the proposition to recede?

Mr. UNDERWOOD. Yes; I think I am entitled to one-half of the time. When that proposition is settled, there is the issue of an amendment that I have proposed to the Clarke amendment. I do not think anyone will contest that I am entitled to control one-half of that time. That comes up as a separate proposition, and I would be entitled to control one-half of the time as to each. So that I think if gentlemen on this side can agree to the time they each want, I think I am entitled——

Mr. FITZGERALD. Mr. Speaker, if the gentleman will yield, the gentleman from Alabama has not stated this case correctly. There is before the House a Senate amendment to which the House has disagreed. One part of the House wishes to insist upon the disagreement of the House. The balance of the House wishes to concur with an amendment, some without change and others with, but they wish to agree to the amendment, and the gentleman is only entitled to one-half of the time.

Mr. UNDERWOOD. I am only claiming one-half of the time.

Mr. FITZGERALD. Those who are opposed to concurring in the amendment at all, either with change or without change, are entitled to one-half of the time.

Mr. UNDERWOOD. Mr. Speaker, possibly we can make this solution of the proposition: There are two propositions, and I understand there is a demand for a division of the vote——

Mr. HARDWICK. Yes.

Mr. SISSON. Three propositions.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent on the question of whether the House will recede from its disagreeing vote to the Senate amendment we shall have 30 minutes of debate, and at the end of that time that then we may have 30 minutes debate on the Clarke amendment and——

Mr. SHERLEY. Mr. Speaker, if the gentleman will permit, the gentleman assumes—he may be correct in so assuming—that his side is going to prevail, but if we decline to recede we will never reach that point.

Mr. UNDERWOOD. Of course I recognize that. I will just ask, Mr. Speaker, that there may be 30 minutes' debate on the proposition of whether the House will recede from its disagreeing vote or not and at the end of that time the vote shall be taken on that question, and then there shall be——

The SPEAKER. The Chair will inquire of the gentleman from Alabama who is to control that time?

Mr. UNDERWOOD. One-half of the time to be controlled by myself and the other half on this first proposition by Mr. PAYNE.

Mr. PAYNE. Mr. Speaker, I suppose I would be entitled to control half of the time.

Mr. MURDOCK. What position does the gentleman occupy?

Mr. PAYNE. I am opposed to the whole proposition.

Mr. MURDOCK. The gentleman is opposed to the whole proposition.

Mr. PAYNE. I am so rejoiced to see this declaration of independence on that side of the House and a chance for a scrap that I withdraw all claim to control the time on either proposition in order that some gentleman over there opposed to it may take control of the time.

Mr. WINGO. I was getting to that, Mr. Speaker. That is one substantial proposition before the House and that is the Clarke amendment. The question is whether or not we will on that amendment concur in it, or whether we will amend it——

The SPEAKER. No; the question is simply whether the House will recede.

Mr. WINGO. I was getting to that, Mr. Speaker. That is the substantial proposition, but the first proposition we have to consider is whether we will recede. Now, I think we should have more time for debate on that question. There is a great deal of demand, and I would suggest that the gentleman extend that time on the first proposition.

Mr. UNDERWOOD. On the question of whether we will recede or not, I think 30 minutes is enough.

The SPEAKER. The thing the Chair wants to find out is who is to control that 30 minutes?

Mr. GARNER. The gentleman from Georgia. He demanded a division and is opposed to the House receding.

Mr. MURDOCK. Will the gentleman permit me to ask him a question?

Mr. UNDERWOOD. Certainly.

Mr. MURDOCK. If we have 30 minutes' debate on the question of recession and the House refuses to recede, then will there be opportunity for debate between concurring in the Clarke amendment or concurring with an agreement?

Mr. MURDOCK. We will have opportunity to debate the proposition, then.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that on the vote as to whether the House will recede from its disagreeing vote to the Senate amendment or not, the debate be limited to 30 minutes, one-half of the time to be controlled by myself and one-half by the gentleman from Georgia [Mr. HARDWICK], and then if that is decided so that the House does recede, we will then fix the time for debate on the other question.

The SPEAKER. The gentleman from Alabama asks unanimous consent that there shall be 30 minutes' debate on the motion to recede and that he shall control half of the time and the gentleman from Georgia [Mr. HARDWICK] the other half. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The gentleman from Alabama is recognized for 15 minutes.

Mr. UNDERWOOD. Mr. Speaker, the parliamentary situation in reference to this matter is as follows:

The Senate adopted an amendment to the tariff bill known as the "Clarke amendment," relating to cotton futures. It went to the conference and the two Houses could not agree, and brought it back for the House to settle. Now, the matter pending before the House is a motion made by myself to recede from the disagreeing votes of the two Houses and to concur in the Clarke amendment with the amendment which has been read at the desk. The gentleman from Arkansas [Mr. WINGO] moves to recede and concur in the Clarke amendment, which has precedence over the motion that I made at this time. Now, if the House desires to have no legislation on this question, it should vote against the motion to recede from the disagreeing votes of the two Houses, because if the House votes "no" on this question and refuses to recede, that is an equivalent to a motion to insist on the disagreement to the Senate amendment, and the bill will immediately go back to the Senate without any vote either on the proposition that I have proposed or on the Clarke amendment.

And the Senate can either recede from the Clarke amendment and pass the tariff bill or send the bill to conference. And, of course, although I am in favor of a substitute for the Clarke amendment, in favor of some legislation on this question now that it is before the House, if a majority of the House votes not to recede, which is equivalent to a motion to insist on its disagreement, then it goes back to conference, I would carry out the will of the House, although it might not be my will, and insist that this legislation should go out of the bill, because, acting as your conferee, it will be my duty, if I am appointed, to obey your orders.

Mr. FITZGERALD. Does the gentleman think that the splendid tariff bill for which he is largely responsible, should be marred by such hasty legislation on such an important question?

Mr. UNDERWOOD. I will say to the gentleman that I would have much preferred that this legislation should not have been placed on the tariff bill. There was other legislation placed on the tariff bill by the Senate that I opposed remaining there. A tariff bill is supposed to relate directly to the customs revenue. I kept out of the bill in the House all matters relating to the internal revenue, and endeavored to do so in the Senate, and the Senate receded from its amendments as to taxes relating to internal revenue, as that is a separate part of the legislative program of the Government. But this question is of such vital importance that I feel it should be acted upon. Now, I do not claim credit for this amendment——

Mr. TRIBBLE. Will the gentleman yield there?

Mr. UNDERWOOD. I will.

Mr. TRIBBLE. I will ask the gentleman if he does not think he should modify his statement when he says if the House does not want any legislation of this kind they should vote "no"? Now I think I represent a majority of this House in saying we want legislation, but we do not want any one of these amendments. Does not the gentleman think he should modify his statement by saying "we do not want either one of these amendments," when he refers to those of us who do not agree with him?

Mr. UNDERWOOD. No.

Mr. TRIBBLE. Did we not pass a bill at the last session of Congress, the Bell-Scott bill, for which I voted, and did you not vote for it, and do you not think that showed we wanted this legislation? It is not fair to say Members do not want legislation because they refuse the makeshifts offered instead of the real legislation desired by Members.

Mr. UNDERWOOD. If you do want this legislation, send this bill back to conference and we will try to work it out. If you do not want legislation, vote that you refuse to recede, and you will not get it.

Mr. TRIBBLE. Will the conference committee report back to the House the Bell-Scott bill which we passed at the last session if so instructed?

Mr. UNDERWOOD. The Scott bill is not in conference, and the conferees have no jurisdiction to act on that bill. It must come from the Agriculture Committee.

Mr. TRIBBLE. I am unalterably opposed to gambling in any form. I am also opposed to legalizing gambling by assessing a tax on gambling. No one can deny the proposition that this amendment legalizes gambling in cotton futures by imposing a tax on future sales and thereby legalize the transaction. If men are allowed to gather in a room and there play and bet on cards, by the Georgia laws this is an illegal transaction, and the men would be liable to prosecution; but if the State of Georgia should charge 50 cents per game and pay this tax into the treasury, the State would legalize the game; so would the National Government.

I stand here to fight shoulder to shoulder with the friends of the farmer to destroy forever the cotton exchanges or the gambling on the cotton of the farmer. I voted last session for the Bell-Scott bill that would destroy the cotton exchanges, and I hope to see such a bill passed by this House and become a law, but I will not vote for a measure that legalizes gambling in cotton futures by taxing cotton futures and not only legalizing the transaction but declaring to the world our approval of cotton exchanges and bidding them Godspeed. I am opposed to the principle of taxing cotton. It is a dangerous precedent for the Southern farmer to tax his cotton in any form. In my opinion it will be a sad day for the South when the taxgatherer of the National Government lays his hand on cotton to collect tax for any purpose.

Mr. SHERLEY. On this bill, but only on this bill?

Mr. UNDERWOOD. Oh, certainly.

Mr. GARNER. Mr. Speaker, will the gentleman yield just for a question?

Mr. UNDERWOOD. Yes.

Mr. GARNER. If you want to get legislation without any equivocation, without any chance of a doubt, you recede from the position and agree to the Clarke amendment, and it is law.

Mr. UNDERWOOD. Yes.

Mr. GARNER. That is the way to get legislation.

Mr. UNDERWOOD. Mr. Speaker, I ask not to be interrupted any further. I have only 15 minutes.

The SPEAKER. The gentleman from Alabama asks not to be interrupted until he closes his argument.

Mr. UNDERWOOD. Now, I want to say, Mr. Speaker, that in offering this amendment as an amendment to the Senate amendment, I do not claim the authorship of this matter. The first time that I ever heard of the proposition was when it was introduced in a bill by Senator SMITH, of South Carolina. In that bill he used the interstate-commerce powers of the Government to enforce his bill. This bill uses the taxing power.

As I understand the proposition, this bill was prepared by the Secretary of Agriculture, or under his direction, applying the taxing power to the features of the Smith bill that were pending some time ago. I came into possession of the bill that I have sent to the Clerk's desk, because when I went to conference the President of the United States handed me this paper that I had read at the Clerk's desk, and stated that he thought it was preferential, to be preferred, to the Clarke amendment, and asked me to offer it in conference. [Applause on the Democratic side.]

Now, I prefer it to the Clarke amendment, because I believe if the Clarke amendment becomes a law it would destroy the cotton exchanges entirely. I believe that if the amendment I have sent to the Clerk's desk becomes a law it would regulate the cotton exchanges and wipe out the existing evils in them, but would not destroy the cotton exchanges.

Representing a constituency that grows cotton, it is natural that I should desire as broad a field and market for the disposal of their product as possible. If you wipe out entirely the cotton exchanges for the sale of cotton you limit the buyers of cotton to the manufacturers of cotton. The mill men will contend against the cotton producer for the crop. The condition will exist in short-staple cotton that exists to-day in long-staple cotton. Long-staple cotton is not sold on the cotton exchanges of the country, and the days come and go when long-staple cotton is a drug on the market, with no purchaser for it whatever, and then it may go to a very high price. But the producer of long-staple cotton in this country never knows when he has a market or what his market is. The producer of short-staple cotton, however, having cotton exchanges on which that can be sold, always has a market and always knows what his market price is.

Mr. CARAWAY. Mr. Speaker, will the gentleman yield?

Mr. UNDERWOOD. I can not. I hope the gentleman will excuse me.

The SPEAKER. The gentleman from Alabama declines to yield.

Mr. UNDERWOOD. Now, I believe that of the two systems it is better to wipe out the evil of a cotton exchange than to destroy one of the markets for the great cotton crop of the South. The evil consists in this: On the New York Cotton Exchange, and possibly some other cotton exchanges, they make a contract that is at the seller's option to deliver any kind of cotton that he wants. As a rule, when you make a future contract the buyer has the right to make you deliver. But under the contracts of the New York Cotton Exchange if you buy middling cotton the seller has the right to deliver to you any one of the 20 grades of cotton of the New York Cotton Exchange at an arbitrary difference in value. That arbitrary value is fixed in September of each year. It has nothing whatever to do with the value of the crop or the market conditions existing at the time of delivery; and when you buy this middling cotton and your time comes to call for delivery, he can deliver you the lowest grade, which, I believe, they call "punk," which is unfit for use in any spinning mill, and force you to take that instead of the cotton you bought. It is unmerchantable cotton.

Now, if you adopt this amendment that I propose, the buyer has the right to determine the delivery of the nine grades, as fixed by the Government, of spinnable cotton. It will no longer be a fraud, but it will be an actual fact, and the cotton exchange of the United States that is not prepared to actually deliver cotton must go out of existence.

In my judgment, if you adopt the Clarke amendment you drive the cotton exchanges out of existence. At least it is intended to do so. You destroy a market for part of the crop, or a market where the seller of the crop may find an immediate purchaser. On the other hand, if you adopt the amendment I propose, you will not destroy that market, but you will compel them to make a contract under the pains and penalties of taxation, that will require them to deliver the cotton that they agree to sell. It may be that they may cancel some of those contracts before delivery; but the man who goes on the cotton exchange and sells according to contract to deliver may never know whether the man at the other end of the contract will be willing to settle, or demand the cotton, and it will force him to sell cotton only according to the terms on which he believes he can deliver without losing money, instead of on the contract that exists to-day, under which he can pretend to sell, but deliver nothing.

Now, this is a serious question for the cotton grower of the South. You continue the present system by voting no in this instance, and insisting on your disagreement to the Senate amendment, and what do you do? You enable any man who wants to buy cotton for his mill in the South to go on the New York Cotton Exchange and sell that same grade of cotton. If he is buying strict middling in the South he can sell strict middling on the cotton exchange, to depress the price in the South, whilst he buys at the other end of the line. There is no doubt about the fact that his selling it on the cotton exchange does depress the price. Any gentleman from any one of these Southern States can testify that when he has gone to the store in the little town or the store at the crossroads, he has seen a farmer come in with his cotton and ask the price, and he has seen the merchant pull from his files a yellow strip of paper and has heard him say that the quotations on the cotton exchange are so and so.

The SPEAKER. The time of the gentleman has expired. The gentleman from Georgia [Mr. HARDWICK] is recognized.

Mr. HARDWICK. Mr. Speaker, I ask to be notified when I have consumed six minutes of my time.

I want to say, gentlemen of the House, that I represent on this floor one of the greatest cotton districts in the South, a district that I suppose produces a hundred bales to every one produced in the district of my good friend from Alabama [Mr. UNDERWOOD]. I represent on this floor in part a great cotton-producing State, second only to the imperial Commonwealth of Texas in the production of cotton. I believe I speak for the unanimous delegation of the great State of Georgia when I say that at this time and in this way we want none of this hasty, ill-considered and ill-advised legislation. [Applause.] We are receiving protests from our people, not simply from the merchants and the banks, but from the cotton people as well, the men who make this product in the sweat of their faces. They tell us, "For God's sake let this question alone, at least until we can pick our cotton and sell it."

For four years the Democrats of this House, and the Republicans as well, for it is not a partisan question, have stood for a bill that would prevent gambling in cotton futures by outlawing it, by making it a crime, if it was a gambling proposition. The gentleman from Alabama [Mr. UNDERWOOD], as well as the Senator from Arkansas [Mr. CLARKE], handed us in lieu of that a proposition to license gambling, to levy a tax on it. Is that right? Is that what we promised our people? Did we not say we would prevent it? Did we not say we would stop it? Did we not say we would outlaw it? Did we say we would get Government revenue out of it? Did we say, "We will put something into the Treasury by licensing these gambling transactions"?

Our position is that we ought not to accept either one of these amendments; that the great cotton exchange has its proper, necessary, legitimate functions, functions that are indispensable to the prosperity and well being of the southern cotton planter. But we say that there is interwoven with these legitimate functions certain illegitimate transactions that ought not to be taxed but ought to be prohibited by law absolutely and finally and forever. [Applause.]

Now, gentlemen on this side, I want to say a word to you. We have stood like adamant for years, protesting against this sort of use of the taxing power. I heard my friend from Virginia [Mr. MONTAGUE] say this morning that taxing people never made them rich, great, prosperous, or powerful.

Mr. HOBSON. Will the gentleman yield?

The SPEAKER. Does the gentleman from Georgia yield to the gentleman from Alabama?

Mr. HARDWICK. No; not now. He said that a tax was not intended to be a blessing; that a tax was intended merely to support the Government. I agree with my friend from Virginia. We are not here to levy taxes to build up industries or to tear down gambling, either. Gambling in futures and gambling in stocks are both wrong, but I say we do not want to tax them; we do not want to license them; we do not want to get revenue out of them. We want to prohibit them.

We have stood on that for years. We have passed in two consecutive Congresses two bills that will accomplish that purpose, and we say that there is no reason now to abandon our position; there is no reason now to take this gold brick, and I say that, of course, with all due respect to my friends on the other side. I say frankly that if we are to have either one of these amendments, I prefer the amendment presented here by my good friend from Alabama [Mr. UNDERWOOD], because I think it will do less harm. It has less teeth in it than the other. I see my good friend from Texas [Mr. GARNER] smiles. That is right—"less teeth," my friend from Texas observes. I will tell my friend that if he passes any legislation by which the cotton exchanges are completely shut up and their legitimate functions are destroyed and honest buyers can not hedge against purchases they are making in the interior markets of the South day by day, and he goes home and faces the cotton planters of his State at the next election, he will pray to the mountains that they fall upon him and hide him from the wrath of the people he has injured.

I say this, Mr. Speaker, do not let us compromise with this evil. Do not compromise with the rights of our people. Let us not misuse the taxing power. Has our party not protested for years against the 10 per cent tax on State banks, and has it not said that that was not the way to kill an evil? Have we not all protested, or many of us, against the tax on oleomargarine? Do we believe that we ought to unduly accomplish any such purpose as this in any such way as this? I say, no. Let us hold fast to what is right. My people are begging me not to play football with their great interests, not to allow this legislation to be pressed while they are picking and marketing their cotton, to take it up at some other time, when the market is not active and when they are not in the process of immediately disposing of their crop and consequently a prey to the fluctuations of the market. The safest thing to do is to let this whole thing alone. Just as my friend from Alabama [Mr. UNDERWOOD] told you to begin with, I will tell you to conclude with, this is something that has no earthly business in a tariff bill. He knows it and I know it. It has no business there according to the principles of Democracy, and it has no business there according to the principles of common sense. It has no business there according to the canons of morality, and I say the safest thing is to let it severely alone. At the next session we can pass the necessary legislation to prohibit purely gambling transactions. It is safer and wiser to adopt that course.

I reserve the balance of my time.

Mr. HOBSON. Mr. Speaker, will the gentleman yield?

Mr. HARDWICK. No; I have not the time.

The SPEAKER. The gentleman has nine minutes remaining.

Mr. HARDWICK. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Speaker, I hope not to consume so much time. I want simply to say that I have become entirely sick and tired of this constant attempt in the House, in the way of legislation, to control the price of cotton. That has been a constant effort for years, and various schemes have been brought in here to control that sort of thing, and it is always to control it toward an upward price. There is no manufacturer of cotton goods in my district, and I am not at all interested for my constituents in that way, but I can not help feeling a sort of sympathy for the general Democratic idea that we have here that the price of commodities ought to go down and not up. [Applause and laughter.]

I am surprised at you gentlemen and at your attitude, trying here to make a fictitious price for cotton—to raise the price in order to benefit your constituents—while imposing a tax, which the increased price would be, upon all the people of the United States who clothe themselves with cotton goods.

I am surprised that you will pass laws depriving the Attorney General's office of a fund to prosecute anybody who is a farmer or who is a member of the labor union for committing some acts which on the part of any other citizen of the United States would be a crime. Yet some gentlemen in a western State—some grangers—recently met and resolved that the minimum price for cotton should be 15 cents a pound, and they resolved that they would not sell a pound for any less than that; and they are trying to make that the universal price in the United States.

I am opposed to that sort of legislation. It may suit the majority of this House. If it does, go on and pass it. Of course, there is no reason why you should be consistent, because no one expects that you will be.

Mr. BROWN of New York rose.

The SPEAKER. Does the gentleman from New York yield to his colleague?

Mr. PAYNE. Mr. Speaker, I yield back the balance of my time to the gentleman from Georgia.

Mr. HARDWICK. Mr. Speaker, how much time did the gentleman from New York yield back?

Mr. PAYNE. I am going to vote against both of these propositions.

The SPEAKER. The gentleman from New York yields back three minutes.

Mr. HARDWICK. Mr. Speaker, I yield to the gentleman from Georgia [Mr. HUGHES].

Mr. HUGHES of Georgia. Mr. Speaker, owing to the limited time allotted to me it will be impossible for me to present my views upon this subject, but I wish to say, sir, that as a cotton grower, as a Representative of a great cotton district in the second cotton State of this Union, I am opposed to gambling in cotton, and I believe that that is the view of a vast majority of the people who are the cotton raisers in the great State of Georgia. I am opposed to both of these amendments. I view these amendments as licenses granted by this great Government for gambling in cotton——

Mr. CARAWAY. Will the gentleman yield?

Mr. HUGHES of Georgia. I will.

Mr. CARAWAY. Does not the gentleman think that the Clarke amendment will prevent gambling in cotton?

Mr. HUGHES of Georgia. I do not; if you make it $25 a bale, I will vote for it.

Mr. CARAWAY. It is, at least, a step in the right direction.

Mr. HUGHES of Georgia. I do not think so. I think if we are in earnest in desiring to check this gambling in cotton, we should come out in the open and pass a law that will check it, a law that will stop it. I much prefer to deal with the cotton spinner than the cotton gambler. I wish to say this: That the farmers of this great country are better organized to-day than they have ever been before. There are to-day over 3,000,000 of farmers in the great farmers' union, and they are thinking more, they are reading more, they are studying more than they have ever done before, and these farmers intend to organize themselves and to protect themselves against these 450 or 500 men in Wall Street——

The SPEAKER. The time of the gentleman has expired.

Mr. HUGHES of Georgia. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. HARDWICK. Mr. Speaker, I yield to the gentleman from California [Mr. KENT].

Mr. KENT. Mr. Speaker, I spent a large part of my early business life in close contact with the Board of Trade of Chicago. I saw the game there, and I saw how it was played. I know the evils of gambling, and I know the parasitic element of gambling. I believe this parasitic element should be eliminated, but I do not believe that we can disassociate the ordinary exchanges of this country from the parasitic gambling element in any such heedless or quick way as this. I would not poison the dog to destroy the fleas. The legitimate business of the country is now intertwined and mixed up with gambling. We ought steadily and carefully work to find ways of eliminating the gambling element and at the same time to preserve the open competitive market.

The history of the oil industry shows that as soon as the open exchanges were stopped the trust got control of the market; and I know of my own knowledge that if we had not had an open market on the board of trade in Chicago that Messrs. A, B, and C, and the other people who owned the elevators and secured rebates from the railroads, would have treated the farmers to much worse prices than they secured by the operations under the open-market system; and so I believe that while we ought to eliminate the gambling features from the handling of farm products of all kinds—cotton, corn, grain, and everything else—we ought to go at it carefully and with all the facts in view.

The SPEAKER. The time of the gentleman has expired.

Mr. HARDWICK. Mr. Speaker, I yield to the gentleman from Florida [Mr. WILSON].

Mr. WILSON of Florida. Mr. Speaker, I also represent a district which grows cotton, and in view of the vote which I expect to cast upon the question now before us I have asked for a minute to explain my position. I do not wish to be hypocritically criticized on account of my vote. I favor legislation which will destroy gambling in agricultural products, but I do not believe that the propositions which we now have before us are the ones which should be adopted.

I raise not so much cotton, probably, in my district as other gentlemen, but at least enough that my constituents will take knowledge of what I do and how I vote on the propositions.

We should go at it in a different way. We should root out the evil in a stronger fashion than is here attempted to be done. We can not do it in the way that it is attempted to be done here. I simply wanted to make these remarks, so that nobody may say that in the light of the vote which I expect to cast on this proposition I am against legislation destroying gambling in agricultural products. I am afraid the proposition before us will place a burden of taxation upon the grower of cotton, and, more than that, legalize the gambling which we desire to end. Let us have a real measure which will destroy the gamblers and benefit the farmers.

The SPEAKER. The time of the gentleman from Florida has expired.

Mr. HARDWICK. Mr. Speaker, I yield the remainder of my time to the gentleman from New York [Mr. FITZGERALD].

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] is recognized for three minutes.

Mr. FITZGERALD. Mr. Speaker, in the brief time allotted for the discussion of this measure, it is not possible to enter into the merits of either proposition; and even if time were at the disposal of the House, the temper of many of the Members is such that it would be impossible calmly and deliberately to consider the character of the legislation proposed.

This legislation, Mr. Speaker, will seriously affect a crop worth this year one thousand million dollars, upon which the prosperity of the fair Southland depends. Without consideration, without opportunity for discussion, without any attempt to explain in detail and seriously how any of the provisions of either one of these propositions will affect the prosperity of those producing this crop, it is proposed in this hasty manner to enact this legislation. It does not belong upon this tariff bill. It should not be there. The Democratic Party, with a great majority in the House, and with a sufficient majority in the Senate, to enact legislation in a deliberate and proper manner which would eliminate whatever abuses may pertain to the exchanges of the country, should not attempt to legislate upon so important a matter in the dark. As I am opposed to both propositions, I shall vote "no" on the motion to recede from the disagreement of the House to the Senate amendment. And then I believe, as all other Members must be certain, that the Senate will speedily recede from this amendment and permit the speedy enactment of the tariff law which the country has so long been expecting. I hope those Members who believe that legislation of this important character should not be rushed to conclusion, but that full opportunity should be given to consider it freely and safeguard all legitimate interests, will vote "no" upon the motion to recede and end at this time this unwise and ill-advised attempt to regulate interests so vast, so important, and so vital to the prosperity of all the people of the country. [Applause.]

[Cries of "Vote!" "Vote!"]

The SPEAKER. The question is on the motion to recede.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. HARDWICK. Division, Mr. Speaker.

The SPEAKER. The gentleman from Georgia demands a division.

The House divided; and there were—ayes 155, noes 126.

Mr. HARDWICK. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

Mr. FERRIS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. FERRIS. To make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FERRIS. A number of us here are voting under misapprehension. For instance, I am voting "aye" for one purpose and another is voting "aye" for another purpose.

The SPEAKER. If the ayes carry it, it simply means that they recede from their disagreement to this Senate cotton amendment.

Mr. FERRIS. What is the parliamentary status if the ayes succeed?

The SPEAKER. It puts it in the same situation it would have been in, if the House had never disagreed. The Clerk will call the roll.

Mr. TRIBBLE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TRIBBLE. A vote "nay" means a vote against the Clarke amendment, does it not?

The SPEAKER. The Chair has explained it once. If the "yeas" carry it, then the matter is exactly where it was when we started, when the bill was brought in here with the Senate amendment. The Clerk will call the roll.

The question was taken; and there were—yeas 203, nays 137, answered "present" 1, not voting 87, as follows:

YEAS—203.

Abercrombie	Dies	Hull	Reed
Allen	Dillon	Jacoway	Reilly, Wis.
Anderson	Dixon	Johnson, Ky.	Rogers
Anthony	Donohoe	Jones	Rouse
Aswell	Donovan	Kelly, Pa.	Ruby
Avis	Doolittle	Kennedy, Iowa	Rucker
Baker	Eagan	Kindel	Rupley
Barkley	Engle	Kinkaid, Nebr.	Saunders
Barnhart	Elder	Kitchin	Scully
Barton	Estopinal	Kreider	Seldomridge
Beall, Tex.	Falson	Lafferty	Sharp
Blackmon	Falconer	La Follette	Sims
Borchers	Farr	Langham	Sinnott
Bowdle	Fergusson	Langley	Sisson
Brockson	Ferris	Lazaro	Smith, N. Y.
Brodbeck	Fields	Lee, Pa.	Smith, Tex.
Broussard	FitzHenry	Lesher	Sparkman
Brown, W. Va.	Flood, Va.	Lever	Stafford
Browne, Wis.	Floyd, Ark.	Lewis, Md.	Stanley
Brumbaugh	Foster	Logue	Stedman
Buchanan, Ill.	Fowler	Lonergan	Stephens, Miss.
Buchanan, Tex.	Gard	McKellar	Stephens, Nebr.
Bulkley	Garner	MacDonald	Stone
Burgess	Garrett, Tenn.	Maguire, Nebr.	Stringer
Burnett	Garrett, Tex.	Mahan	Sumners
Butler	Gerry	Manahan	Sutherland
Byrns, Tenn.	Gilmore	Mapes	Switzer
Callaway	Glass	Mitchell	Tavenner
Campbell	Goeke	Moon	Taylor, Ala.
Candler, Miss.	Good	Morgan, La.	Taylor, Ark.
Caraway	Gray	Morgan, Okla.	Taylor, Colo.
Carlin	Greene, Vt.	Moss, Ind.	Taylor, N. Y.
Carr	Gregg	Moss, W. Va.	Ten Eyck
Casey	Griest	Murdock	Thacher
Church	Gudger	Murray, Okla.	Thomas
Clancy	Hamill	O'Hair	Thompson, Okla.
Claypool	Hammond	Oldfield	Underwood
Clayton	Hardy	O'Shaunessy	Vaughan
Collier	Harrison	Padgett	Walsh
Connelly, Kans.	Hart	Page	Walters
Connolly, Iowa	Haugen	Palmer	Watkins
Cooper	Hay	Plumley	Weaver
Copley	Heflin	Porter	Webb
Covington	Helm	Post	Williams
Cox	Helvering	Pou	Willis
Cramton	Hensley	Powers	Wingo
Crosser	Hill	Ragsdale	Witherspoon
Davenport	Hinebaugh	Rainey	Woodruff
Decker	Hobson	Raker	Woods
Dershem	Houston	Rauch	Young, Tex.
Dickinson	Hulings	Rayburn	

NAYS—137.

Aiken	Fitzgerald	Kirkpatrick	Sherwood
Ainey	Fordney	Knowland, J. R.	Shreve
Alexander	Frear	Konop	Slayden
Ashbrook	French	Lee, Ga.	Slemp
Austin	Gallagher	Levy	Small
Bailey	George	Linthicum	Smith, Idaho
Baltz	Gillett	Lobeck	Smith, Saml. W.
Barchfeld	Gittins	McAndrews	Steenerson
Bartlett	Goldfogle	McClellan	Stephens, Cal.
Beakes	Gordon	McCoy	Stevens, N. H.
Bell, Ga.	Goulden	McDermott	Stout
Booher	Greene, Mass.	McGillicuddy	Taggart
Britten	Griffin	Maher	Talcott, N. Y.
Brown, N. Y.	Guernsey	Metz	Temple
Browning	Hamilton, Mich.	Mondell	Thomson, Ill.
Bruckner	Hamilton, N. Y.	Montague	Towner
Burke, Pa.	Hardwick	Moore	Townsend
Byrnes, S. C.	Hawley	Morin	Treadway
Calder	Hayden	Mott	Tribble
Carew	Hayes	Murray, Mass.	Tuttle
Conry	Hinds	O'Brien	Underhill
Crisp	Holland	Oglesby	Vare
Cullop	Howard	O'Leary	Volstead
Curry	Howell	Parker	Walker
Dale	Hughes, Ga.	Patten, N. Y.	Wallin
Davis	Humphreys, Miss.	Patton, Pa.	Watson
Deitrick	Igoe	Payne	Whaley
Dent	Johnson, S. C.	Peters, Mass.	Whitacre
Difenderfer	Johnson, Utah	Phelan	White
Dooling	Johnson, Wash.	Reilly, Conn.	Wilson, Fla.
Doughton	Keister	Riordan	Wilson, N. Y.
Driscoll	Kennedy, R. I.	Roberts, Mass.	Winslow
Dunn	Kent	Russell	
Edmonds	Key, Ohio	Sells	
Esch	Kinkead, N. J.	Sherley	

ANSWERED "PRESENT"—1.

Cary

NOT VOTING—87.

Adair	Cline	Gorman	Kiess, Pa.
Adamson	Curley	Graham, Ill.	Korbly
Ansberry	Danforth	Graham, Pa.	L'Engle
Bartholdt	Doremus	Green, Iowa	Lenroot
Bathrick	Dupré	Hamlin	Lewis, Pa.
Bell, Cal.	Dyer	Helgesen	Lieb
Borland	Edwards	Henry	Lindbergh
Bremner	Evans	Howarth	Lindquist
Bryan	Fairchild	Hughes, W. Va.	Lloyd
Burke, S. Dak.	Fess	Humphrey, Wash.	McGuire, Okla.
Burke, Wis.	Finley	Kahn	McKenzie
Cantrill	Francis	Keating	McLaughlin
Carter	Gardner	Kelley, Mich.	Madden
Chandler, N. Y.	Godwin, N. C.	Kennedy, Conn.	Mann
Clark, Fla.	Goodwin, Ark.	Kettner	Martin
Merritt	Pepper	Roberts, Nev.	Smith, Md.
Miller	Peters, Me.	Rothermel	Smith, Minn.
Morrison	Peterson	Sabath	Stephens, Tex.
Neeley	Platt	Scott	Stevens, Minn.
Nelson	Prouty	Shackleford	Talbott, Md.
Nolan, J. I.	Quin	Sloan	Young, N. Dak.
Norton	Richardson	Smith, J. M. C.	

So the motion to recede from the disagreement to the Senate amendment numbered 609 was agreed to.

The Clerk announced the following additional pairs:

On the vote:

Mr. PEPPER with Mr. SLOAN.

Mr. DUPRÉ (for) with Mr. STEVENS of Minnesota (against).

Balance of the day:

Mr. GODWIN of North Carolina with Mr. KAHN.

Until further notice:

Mr. LLOYD with Mr. MANN.

Mr. KORBLY with Mr. DYER.

Mr. CANTRILL with Mr. HELGESEN.

Mr. HAMLIN with Mr. YOUNG of North Dakota.

Mr. SHACKLEFORD with Mr. LINDBERGH.

Mr. GRAHAM of Illinois with Mr. PETERS of Maine.

Mr. CURLEY with Mr. NORTON.

Mr. QUIN with Mr. SMITH of Minnesota.

Mr. BREMNER with Mr. KIESS of Pennsylvania.

Mr. NEELEY with Mr. GRAHAM of Pennsylvania.

Mr. ADAMSON with Mr. MCLAUGHLIN.

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. BURKE of Wisconsin with Mr. CARY.

Mr. KEATING with Mr. PLATT.

Mr. ROTHERMEL with Mr. FESS.

Mr. HENRY with Mr. LEWIS of Pennsylvania.

Mr. TALBOTT of Maryland with Mr. MERRITT.

Mr. ANSBERRY with Mr. HUGHES of West Virginia.

Mr. PETERSON with Mr. LINDQUIST.

Mr. GORMAN with Mr. MCKENZIE.

Mr. ADAIR with Mr. FAIRCHILD.

After vote and until further notice:

Mr. KETTNER with Mr. SCOTT.

Mr. BRODBECK. Mr. Speaker, I inadvertently answered when the name of the gentleman from Ohio, Mr. BATHRICK, was called. I was in the rear of the room, and could not hear the names distinctly.

The SPEAKER. Did the gentleman from Ohio [Mr. BATHRICK] vote at all?

Mr. BRODBECK. I do not know.

The SPEAKER. Is the gentleman from Pennsylvania [Mr. BRODBECK] recorded in the way he wants to be recorded? Did he vote when his own name was called?

Mr. BRODBECK. I did.

The SPEAKER. How did the gentleman vote?

Mr. BRODBECK. I voted "aye."

The SPEAKER. Is that the way the gentleman wants to be recorded?

Mr. BRODBECK. Yes. I only wanted to state that I inadvertently voted also when the name of the gentleman from Ohio [Mr. BATHRICK] was called.

Mr. KENNEDY of Connecticut. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman in the room listening when his name was called?

Mr. KENNEDY of Connecticut. I was not. I was in the adjoining room.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was announced as above recorded.

The SPEAKER. The motion to recede is carried.

Mr. UNDERWOOD. Mr. Speaker, I renew my motion to concur, with the amendment which has been read.

The SPEAKER. The gentleman from Alabama moves to concur, with the amendment which the Clerk read some time ago.

Mr. HEFLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HEFLIN. If this motion prevails which the gentleman from Alabama now makes, there will be no opportunity to vote on the Clarke amendment.

Mr. UNDERWOOD. No; there will be no opportunity at this time. Of course, I do not know what the Senate may do. The Senate may send it back to the House again, insisting on its amendment.

Mr. HOBSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOBSON. Is not the motion of the gentleman from Arkansas [Mr. WINGO] the preferential motion?

The SPEAKER. It is not.

Mr. MURDOCK. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MURDOCK. The purpose of the conference between the two Houses is to bring them together; therefore a motion which seeks to get the two Houses together the more readily ought to have the preference. Now, does not the motion to concur take precedence over the motion to concur with an amendment?

The SPEAKER. I do not know how they ever got the practice. I know what the practice has been for a long time. The gentleman's question is not really a parliamentary inquiry.

Mr. FITZGERALD. The rule is that when an amendment is in disagreement, whatever will bring the two Houses together most quickly is preferential.

Mr. MURDOCK. Yes.

Mr. FITZGERALD. But the House has just receded from its disagreement. This amendment is not now in disagreement and it is before the House for action, and the gentleman from Alabama [Mr. UNDERWOOD] has an amendment to the pending Senate amendment.

Mr. GARNER. Will the gentleman from New York yield?

Mr. FITZGERALD. Yes.

Mr. GARNER. But if the House adopts the Clarke amendment it becomes a law?

Mr. MURDOCK. Yes.

Mr. GARNER. Why should not that be preferential?

Mr. FITZGERALD. The question now before the House is the Senate amendment, and the House is entitled first to perfect that amendment before the other question is taken.

The SPEAKER. There is no question about what the practice of the House is. There are three propositions mixed up in this. The first one is the motion to recede and concur. That is the motion made by the gentleman from Arkansas [Mr. WINGO], and it takes precedence over the motion to recede and concur with an amendment. The second proposition is that if any gentleman demanded a separate vote, as the gentleman from Georgia [Mr. HARDWICK] did, he could have it. Then, if that carries, the third proposition is that, after receding, the motion to concur with an amendment takes precedence over the motion to concur, and the motion of the gentleman from Alabama [Mr. UNDERWOOD] is the preferential motion.

Mr. UNDERWOOD. Now, Mr. Speaker, I ask unanimous consent that debate on this motion [cries of "Vote!" "Vote!"]—I ask unanimous consent that debate on this motion be limited to 30 minutes, one-half to be controlled by myself and one-half by the gentleman from Arkansas [Mr. WINGO].

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that debate on this proposition be limited to 30 minutes, half the time to be controlled by himself and half by the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Speaker, reserving the right to object, a parliamentary inquiry. It is not necessary for me to renew my motion to concur, is it? That is pending?

The SPEAKER. That is still pending.

Mr. WINGO. I wish to state to the gentleman from Alabama that I have requests for a great deal more time than he has indicated, and I should like at least 20 minutes.

Mr. UNDERWOOD. Mr. Speaker, I will agree that the gentleman from Arkansas may have 20 minutes, and that I may have 10 minutes. [Applause.]

The SPEAKER. The gentleman from Alabama modifies his unanimous-consent request by asking that the debate shall be confined to 30 minutes, the gentleman from Arkansas [Mr. WINGO] to have 20 minutes and the gentleman from Alabama [Mr. UNDERWOOD] to have 10 minutes.

Mr. UNDERWOOD. At the end of which time the previous question shall be considered as ordered.

The SPEAKER. At the end of which time the previous question shall be considered as ordered.

Mr. MURDOCK. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Arkansas if he can give me some time? This is a more important proposition than the other.

Mr. WINGO. Mr. Speaker, I can give the gentleman from Kansas four minutes.

Mr. MURDOCK. That is powerful slight.

Mr. WINGO. It is as good as I can do.

The SPEAKER. Is there objection?

Mr. HULINGS. Mr. Speaker, I desire to be heard upon this proposition. I do not think there is any such great hurry here for a few moments. I would like to be heard upon it.

The SPEAKER. Is the gentleman reserving the right to object?

Mr. HULINGS. Yes.

The SPEAKER. How much time does the gentleman want?

Mr. HULINGS. Five minutes.

The SPEAKER. The Chair will submit that to the gentlemen who are to control the time. Is there objection?

Mr. HULINGS. Mr. Speaker, I have reserved the right to object to say that I would like to have five minutes' time.

Mr. WINGO. I can not yield the gentleman from Pennsylvania any time.

Mr. UNDERWOOD. Mr. Speaker, I have already given away two-thirds of the time, but I will do this to expedite the matter: I will ask unanimous consent that the gentleman from Pennsylvania may have 5 minutes, the gentleman from Arkansas 20 minutes, and that I may have 10 minutes, and that at the end of that time all debate shall be closed and the previous question considered as ordered.

The SPEAKER. The gentleman from Alabama modifies his request for unanimous consent, and asks that the gentleman from Pennsylvania [Mr. HULINGS] may have 5 minutes, the gentleman from Arkansas [Mr. WINGO] 20 minutes, and that he himself have 10 minutes, and that at the end of that time the previous question shall be considered as ordered. Is there objection?

Mr. MURDOCK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MURDOCK. If the Underwood motion to concur with an amendment is voted down, then is a motion to concur with the Clarke amendment in order?

The SPEAKER. It is.

Mr. WINGO. That amendment is pending. In response to my parliamentary inquiry a moment ago the Chair stated that it was not necessary for me to repeat that motion.

The SPEAKER. It is not necessary to repeat it, because it is now pending. The only difference is that the Underwood motion is preferential. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none, and it is so ordered.

Mr. UNDERWOOD. Mr. Speaker, I will not consume my time now, but will allow the other gentlemen to use their time. There may be but one concluding speech.

Mr. WINGO. Mr. Speaker, I yield four minutes to the gentleman from Texas [Mr. GARNER].

[Mr. GARNER addressed the House. See Appendix.]

The SPEAKER. The time of the gentleman has expired. If no other gentleman wishes to speak, the Chair will put the question.

Mr. WINGO. Mr. Speaker, I suggest that the gentleman from Pennsylvania [Mr. HULINGS] use his time now.

The SPEAKER. The gentleman from Pennsylvania [Mr. HULINGS] is recognized for five minutes.

Mr. HULINGS. Mr. Speaker, the important legislation which is sought to be attached as a rider to the tariff bill might, in my opinion, be more appropriately discussed as an independent measure. But inasmuch as the Clarke amendment made in the Senate to the House bill, to which the conferees on the part of the House seem unable to agree; and inasmuch as it is the intention for the House to instruct its conferees further so that there may be a possible agreement, I crave the indulgence of the House that I may offer some observations upon the subject.

No man on this floor need be told of the great injury that is done to the country by stock gambling. In the great exchanges the transactions run into thousands of millions every year. Of this a very small part is legitimate business, comprising a valuable and important function of trade, but 95 per cent of it is gambling pure and simple, a curse to honest business, demoralizing the conscience of the people, tending to sloth and indolence, and beggaring its victims by the thousands.

Its operators—smooth, well fed—rarely play the game themselves. They roll the ball, they deal the cards, and collect the rake-off which the suckers bring to them. I dare say 99 per cent of all the transactions, whether it be in stocks, grain, or cotton, are sales of nothing to be delivered and purchases of nothing in existence; mere settlements of wagers on the future price of the chosen commodity, which are held by all courts as gambling contracts not enforceable at law.

The right to "deal the cards," to "roll the ball" is so valuable that seats in these exchanges are valued at twenty, thirty, fifty, and ninety thousand dollars, and the guild—the exchange—making its own laws enforces the contracts of its members on penalty of losing their seats.

Besides these great exchanges, they have their feeders in every city and almost every town. Wherever you go you will find an office and its board of quotations, some of them executing their orders in regular exchanges and some of them merely bucketing their orders.

There are probably few men on this floor who do not know of men who were industrious, prosperous citizens, who now spend their time hanging about such places, mere loafers and wrecks from playing the market.

The police raid gambling joints, the United States Government spent years of effort to suppress lotteries, but lotteries, poker, roulette, faro, and all other gambling, so far as moral degeneracy of character, bankruptcy, and shiftlessness are concerned, sink into insignificance compared with evil results of stock gambling. [Applause.]

The power of the Government to legislate on this subject resides in its power to tax.

Recognizing that speculation is a legitimate element in many kinds of business, that it is entirely proper and legitimate for a man to contract to deliver in the future a thing that may not yet exist, the proposition is to require the delivery of the thing sold, by taxing all sales not followed by delivery, and thus prohibiting bucketing, wash sales, and mere wagers on the fluctuation of the market.

The Clarke amendment seeks to enforce such prohibition by a tax on futures on cotton, to be rebated upon the delivery of the goods.

It is conceded that the only warrant Congress has to enact such legislation is as a revenue measure, yet it seems to me that a revenue measure that by no possibility can produce revenue except by a violation of the prohibition is not a revenue measure at all, but a penal statute.

And with all due deference to the distinguished lawyers who have considered the subject, and have doubtless canvassed the validity of the measure, it is with much hesitation that I suggest that the measure is not a revenue measure, is not designed to produce revenue, and is therefore unconstitutional.

The suggestion offered by the gentleman from Alabama [Mr. UNDERWOOD] I believe is very good, as far as it goes, but if I may be allowed to suggest, there is now a bill in committee which has been carefully prepared, which deals with this question purely as a revenue measure, which relates not only to cotton but to grain, stocks, and all other commodities which are made the vehicle of gambling operations, and which incidentally but effectually will prohibit gambling in stock exchanges as well as in its feeders and the bucket shops scattered all over the country.

This bill is known as H. R. 7360, and was introduced by me, and if I were permitted would offer it as an amendment or substitute for the measure proposed by the gentleman from Alabama [Mr. UNDERWOOD]. But by the rules provided this can not be done, and no Member of the House, whether favorable or not, under the peculiar rules invoked, may even offer his suggestions to the House. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. WINGO. Mr. Speaker, I yield three minutes to the gentleman from Mississippi [Mr. HARRISON].

Mr. HARRISON. Mr. Speaker, I desire to read for the edification of some of my Democratic brethren that part of the Democratic platform of last year relating to gambling in farm products:

> We believe in encouraging the development of a modern system of agriculture and a systematic effort to improve the conditions of trade in farm products so as to benefit both the consumers and producers. And as an efficient means to this end we favor the enactment by Congress of legislation that will suppress the pernicious practice of gambling in agricultural products by organized exchanges or others.

If we are to keep the faith and redeem the pledges in that platform we must pass what is known as the Clarke amendment.

Mr. WILLIS. Will the gentleman yield?

Mr. HARRISON. Not now. I regret that I can not. I have but a few minutes to discuss the question.

Many of us from the South have believed, and do now believe, that the practice of gambling in cotton futures on the stock exchanges is detrimental to the general welfare of the people and to the interest of the cotton producers of the country. The system worked within the cotton exchanges, and I speak more particularly of the New York exchange, wherein a few individuals delegate unto themselves the right and power to raise and lower the price of cotton is so well known that I shall not impose upon the patience of the House with any description of the secretive and pernicious workings, or its evil and destructive effects. Suffice it to say, that the game is always played to the advantage of the men on the inside and to the ill effects of the men who "by the sweat of their brow" make the fleecy staple, and under every rule of justice should be entitled to have the price fixed by the law of supply and demand.

To my mind no man can justify his position in legalizing an unlawful act.

Now let us analyze the two amendments that are presented for our consideration. The Underwood proposition, or the Smith-Lever amendment, is a modification of the Clarke amendment. The wording of the two amendments, excepting the proviso in the Clarke amendment and the proviso in the Underwood amendment are substantially the same. Both amendments start out by stating that—

> Upon the sale, agreement of sale, or agreement to sell, any cotton for future delivery, made in the future-contract market at or in any cotton exchange, etc., there is hereby levied a tax in the nature of an excise equal to one-tenth of 1 per cent per pound on the quantity of cotton mentioned and described in such contract.

The Clarke amendment following these words then says:

> *Provided*, That in all cases where the quantity and kind of cotton mentioned and described in such contract is actually delivered, in compliance and in good faith therewith, by the seller to the buyer therein respectively named, the tax levied by this section shall be refunded to the party paying the same, etc.

The Underwood proposition strikes out this proviso and inserts one that is ambiguous and, in my opinion, meaningless, so far as compelling the actual delivery of the cotton bought on the exchanges under future contracts. It provides that in the making of these future contracts, as embodied in section 1, if the contract contains certain stipulations, then the tax shall be reduced to 50 cents per 100 bales. Now, the stipulations that must be embraced in the future contracts are, terms of the contract, parties to same, signature of the parties, number of bales of cotton involved in the contract, price per pound of middling cotton, date of purchase, the month in which the contract is to be fulfilled or settled, that the cotton mentioned shall be within the grade limits fixed by the Secretary of Agriculture, and that in the settlement of such contracts by the actual delivery of the cotton involved therein, where cotton other than the basis grade is delivered, the difference above or below the contract price which the receiver shall pay for such grades shall be determined by the actual commercial difference in value thereof established by bona fide sales of spot cotton of the same grades, respectively, made in actual trade upon the sixth business day prior to the settlement of the contract, etc.

The only allusion to the delivery of cotton under the Underwood amendment is found in the proviso that if the contract provides that in the settlement of such contract by the actual delivery of the cotton involved therein, where the cotton other than the basis grade is delivered, the difference above or below the contract price which the receiver shall pay for such grades shall be determined by the actual commercial differences in value as established by bona fide sales of spot cotton of the same grades on the sixth business day prior to the settlement of the contract, etc.

I submit that the only reasonable construction of the Underwood amendment, so far as it concerns the delivery of the cotton, is that if the contract embodies and stipulates certain things, among others, namely,

> that in the settlement of such contract by the actual delivery of the cotton, where cotton other than the basis grade is delivered, the difference in the contract shall be determined by the actual commercial differences in value or established by bona fide sales of spot cotton of the same grades upon the sixth business day prior to the settlement of the contract, etc.,

then the tax shall be 50 cents per hundred bales. There is no provision that it shall be delivered.

The Clarke amendment specifically states that the tax is refunded if the delivery of the cotton under the contract is made. The main difference therefore in the two amendments is that one, the Clarke amendment, in clear, unequivocal terms imposes a tax of 50 cents a bale on all cotton future contracts and refunds it in the event the cotton is actually delivered. Under the Underwood proposition, if the contract for cotton futures is so written that it stipulates certain things, the tax will be only 50 cents per 100 bales; and if the cotton is not delivered according to the grades named in the contract, the small tax of 50 cents per 100 bales must be paid and the marginal difference in the price of the grade. Now, if the seller of the cotton does not desire or refuses to deliver the cotton and will pay the marginal difference in the price, I submit that under the wording of the Underwood amendment, if the stipulations contained in the bill are embraced in the contract, no delivery can be compelled, and only the tax of 50 cents per 100 bales can be levied.

The proposition therefore resolves itself into the question of whether or not you propose by your vote to-day to accept an amendment, that has already passed the Senate and needs only our approval, that will destroy the speculative features of the cotton exchange, or whether you propose by your vote to reject the tender that the Senate offers you and vote for a measure that not only legalizes gambling in cotton futures by taxing it 50 cents per 100 bales, but you impose at the same time a tax on legitimate contracts.

Mr. SHERLEY. Will the gentleman yield?

Mr. HARRISON. I am sorry; I have not the time.

Mr. ASWELL. Will the gentleman yield?

Mr. HARRISON. I have only a few minutes; I can not.

This is not the first time, Mr. Speaker, that this question has been presented to this House in the present form. In the Fifty-third Congress Mr. Hatch, of Missouri, introduced a similar bill that proposed to eliminate the gambling features of the cotton exchange by taxation. It was more drastic than the Clarke amendment, and when it came up for consideration on the floor of this House, and afterwards in the Senate, the same constitutional arguments were made by the opponents of this legislation as have been made in opposition to the pending amendments. But, notwithstanding these arguments, that bill passed the House, and afterwards the Senate, by substantial majorities; and, in looking over the list of Members of the Fifty-third Congress who voted for this bill, I find the name of the distinguished Speaker of this House [Mr. CLARK], Senator WILLIAMS, and ex-Senator Money, of my State, and the present Secretary of State, Mr. Bryan, all of whom were then Members of this body. Over in the other end of the Capitol, that great constitutional lawyer and Mississippian, Senator George, not only voted for it but championed it on the floor of the Senate.

Mr. Speaker, those who oppose this measure because they say it is undemocratic to tax an industry or business out of existence and that the only function of the power of taxation by the Federal Government is to raise revenue for the economical administration of the Government, can not find shelter for that statement under Democratic principles and Democratic platforms. The Democratic Party, it is true, does not believe in destroying a legitimate industry or legitimate business by the strong arm of taxation, but it will sanction and approve—because it believes in equal rights to all and special privilege to none—the use of the taxing power of the Government to destroy an illegitimate business—a business built upon a scheme that allows a gang of gamblers to tie the hands and close the months of the innocent cotton producers of this country and compels them to accept a price for their cotton without regard to justice and the law of supply and demand.

But that was not the only bill that has passed this House proposing to eliminate gambling in cotton futures. In the Sixty-first Congress the Scott bill passed. In the Sixty-second Congress the Beall bill passed. Both of these measures would have destroyed the speculative features of the cotton exchange. Many of you whose voices are now raised against this measure voted for these bills. They failed to pass the Senate, and the cause of their failure was laid at the feet of the Senate. But to-day we have an opportunity the like of which may never come to us again. The Senate has passed the Clarke amendment. All that it needs to become a law is that we pass it to-day. If we adopt the Underwood bill, it will have to go back to the Senate for ratification. The probable consequence will be that no legislation against gambling in cotton futures will be enacted. I appeal to those of you who are opposed to the corrupt and illegal practice of gambling in cotton futures not to parley further at the risk of getting no legislation at this session on this subject, but to accept the Clarke amendment at this most opportune time. To-day by your vote you either answer the demands of the stock gambler or the crying appeals of the cotton producer. Which will you heed? I hope the latter. [Applause.]

Mr. WINGO. Mr. Speaker, I yield four minutes to the gentleman from Kansas [Mr. MURDOCK].

The SPEAKER. The gentleman from Kansas [Mr. MURDOCK] is recognized for four minutes.

Mr. MURDOCK. Mr. Speaker, this is the appointed hour. If gentlemen of the House are against gambling in cotton futures, the thing to do here is to vote down the Underwood amendment and then vote up the Wingo motion to concur in the Clarke amendment.

Mr. BYRNES of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. MURDOCK. I can not.

The SPEAKER. The gentleman declines to yield.

Mr. ASWELL. Why do you not make it apply to corn? Why do you confine it to cotton?

Mr. MURDOCK. I decline to yield, Mr. Speaker.

The SPEAKER. The gentleman from Kansas declines to yield. These interruptions will not be taken out of the gentleman's time. The gentleman is entitled to the floor.

Mr. MURDOCK. When we come face to face with a gigantic evil in this country, as cotton gambling is, why do we back and fill? Why should we hesitate? Why should we once more add to the long history of futile efforts to supply a remedy for an admitted evil? Why dodge and evade? Why not face this

issue at this hour and go on through with this proposition to definite remedial action? I say to the gentlemen from the South and the West——

Mr. ASWELL. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. MURDOCK. No; I will not yield. I decline to yield to the gentleman. I desire to use all my four minutes.

The SPEAKER. The gentleman from Kansas declines to yield.

Mr. MURDOCK. I ask the Speaker to protect me in my time.

The SPEAKER. When a gentleman has the floor he is entitled to it.

Mr. MURDOCK. I say particularly to the gentlemen from the South and the West that 20 years ago——

Mr. ASWELL. Why did not Roosevelt do it?

Mr. MURDOCK. When both the farmers of the South and West 20 years ago were laboring under a common distress, deeply in debt, poorly paid for their products, when they were impeaching customs in society which oppressed them, with a certainty and clarity of vision, keener because of their hardships, the men of the West and the South brought pressure to bear upon this body and the Senate which forced legislation upon this line, and Mr. Hatch, after years of study and of labor, introduced a bill which is in effect the Clarke bill.

What happened then? I want the Members from the South and the West, regardless of party, to remember what happened. The Hatch bill passed the House by 40 majority, and it went to the Senate, was fully discussed there, and passed the United States Senate by a majority of 10. When it came back to the House what happened? The thing that happens over and over again when Congress is on the point of doing something remedial, something specific, something that will reach and relieve the sore spot. By some contrivance, some design, some neglect, with the excuse that there was not enough time to further consider it, the Hatch bill died in the House. And this after it had passed both branches of Congress.

Years passed, and there came another bill into this House, from the Republican side this time. It was carefully prepared and finally fully discussed, and this House passed another bill to prohibit gambling in cotton futures. This was three years ago. The bill went to the Senate, and the Senate let it die.

This year Senator CLARKE of Arkansas, who has studied this question for years, put a provision in the tariff bill which will reach gambling in cotton futures. It will wipe out the iniquitous custom. The Underwood proposition will not wipe it out. The Underwood proposition legalizes and legitimatizes gambling in futures.

What is the situation? Let me contrast two groups in society. Let me say to my southern and western friends that the New York Cotton Exchange does not deal in spot cotton. It deals only in futures. It gambles wholly. Its membership is limited to 450 men, mostly kid-glove gentlemen of wealth and leisure. Cotton is the chief production of 11 States in this Union. There is a billion dollars' worth of cotton produced almost every year. It is produced by men who work from 12 to 14 and 16 hours a day. Every expert who has gone into this subject says that dealing in cotton futures depresses the price of spot cotton. Why should you tie up to the leisurely crew down in the cotton exchange in New York and turn against the men in your district who work 14 hours a day to produce the cotton. [Applause.] Here is your chance, gentlemen. This evening, if you vote for the Underwood proposition, you will have no future chance at this session, or probably in this Congress, at gambling in cotton futures. If you vote down the Underwood proposition and let us get at the motion of the gentleman from Arkansas to concur in Senator Clarke's amendment, we will here and now put a stop to cotton-future gambling forever. [Applause.]

Mr. WINGO. Mr. Speaker, I yield one minute to the gentleman from Alabama [Mr. HOBSON].

Mr. HOBSON. Mr. Speaker, gambling in cotton is an unmitigated evil. It is a constant means of depressing the legitimate price of cotton and is demoralizing in business. It has cost and is costing the southern people and the people of the United States untold millions. For generations the farmers have been unanimous in their demand for its suppression. No demonstration of this need is clearer than the recent depression of the price of cotton by the gamblers with each step of the advancement of the Clarke amendment. Twice these gamblers struck down the price $3 a bale for the very purpose of fooling the farmers and getting them to telegraph their Senators and Representatives to oppose the measure they had been demanding for 20 years. Now, we can get this amendment. It becomes law upon the voting down of the Underwood amendment to license and voting up the Clarke amendment to suppress. [Applause.]

Mr. WINGO. Mr. Speaker, I understand that the gentleman from Alabama desires to yield to the gentleman from South Carolina [Mr. LEVER].

Mr. UNDERWOOD. Mr. Speaker, I will say that we have the right to conclude, and there will be but one speech on this side. I will yield to the gentleman from South Carolina [Mr. LEVER] when the gentleman from Arkansas has used his time.

Mr. WINGO. I yield four minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Speaker, I want every man in this House who can read the English language and understand it, and who has any respect for the plain English of a Democratic platform, to listen to just one expression in the Baltimore platform on this subject:

> We favor the enactment by Congress of legislation that will suppress the pernicious practice of gambling in agricultural products by organized exchanges or others.

Legislation by whom? By Congress. What is this body? Is not this Congress? Then this is directed to you, my friends. Are you going to dodge? "To suppress." Is that to regulate? I am in favor of "regulating" by suppression, by destruction. Every measure that you have voted for on this subject in this House has been a measure of destruction. There was a proposition here to tax cotton futures 5 cents a pound, or $25 a bale, over 20 years ago in the Hatch bill. Congress voted for it. Was not that destruction? Was not that using the taxing power to destroy and not to get revenue? There is a bare possibility that a little revenue will come in under this Clarke amendment; but the purpose of it is destruction. The demand of the platform is destruction. When you are going to destroy a thing, the only wise way to do is to consider the best means of destruction. This cotton-gambling serpent lies here before you. Will you cut its head off with Senator Clarke's broadax, or will you clip its tail with the Underwood substitute? [Applause.] I say that with all due respect to my friend, because at heart he is not in favor of this. He may deny that statement, because he must as the leader of the House; but this ought to be called a subterfuge, because it does not destroy as pledged by our platform. It encourages gambling by legalizing and protecting it.

But you say, "Oh, we Democrats must not use the taxing power for any other purpose than to raise revenue." I want to prove to you right here how insincere you are. In 1863, in a Republican Congress in which there was not even a southern man who was a Democrat, the issues of State banks were destroyed by taxation. A few days ago we passed a currency bill, and not a Democrat in this House opened his mouth in favor of repealing that pernicious, destructive, State bank Republican taxation measure. [Applause.]

Some of you say, Why not destroy in some other way than by taxation? The Burleson bill, as he himself explained, was to destroy these dealings in cotton futures. The Scott bill was to destroy these dealings. The Beall bill was to destroy. The Clarke amendment is to destroy them by making them so unprofitable that no one will deal in them. The Underwood bill is to perpetuate the practice, to legalize the practice of buying that which you do not want and will not accept and pay for, and selling that which you have not and do not intend to acquire. That is all there is to it. We may just as well look at this thing in the face. Here is your opportunity. You can kill the snake by cutting off its head, or instead of that you can prolong its life by simply cutting off its tail. Democrats with courage, where do you stand?

Mr. WINGO. Mr. Speaker, if you wish to legalize and put the stamp of legislative approval upon the rules under which the gamblers now deal in cotton on the New Orleans Cotton Exchange, you will vote for the Underwood amendment, because that amendment is nothing more than the present existing rules of the New Orleans Cotton Exchange. If, upon the other hand, you want to put these cotton gamblers out of business and close their gambling houses, you will vote against the Underwood amendment and vote to concur in the Clarke amendment.

Mr Speaker, what is the difference between the Clarke amendment and the Underwood amendment? Let us examine the two together and see. By reading the Underwood amendment, which I hold in my hand, you will find that the first five or six paragraphs are nothing more than the provisions of the Clarke amendment, except that in copying the Clarke amendment they leave out that proviso of the Clarke amendment which would unquestionably force actual delivery of cotton and prohibit all gambling contracts. After cutting that out of the Clarke amendment the Underwood amendment then, by its last four or five paragraphs, provides in the nature of a proviso a provision which legalizes the gambling contracts, provided that they stipulate one of nine grades of cotton, which nine grades include the great bulk of the cotton crop of the South. In other words, the Underwood amendment strikes from the Clarke amendment its most vital provision, that which requires an actual delivery of the cotton, and adds to the Clarke amendment a provision which completely nullifies and destroys the Clarke amendment, thereby expressly legalizing and stipulating the terms of these gambling contracts which are sought to be outlawed by the Clarke amendment. The gentleman from Alabama admits that the Clarke amendment would suppress gambling in cotton futures, and furthermore admits that his amendment would simply regulate. The cotton farmers of the South have demanded and the last Democratic platform expressly pledged us to suppress these gambling transactions and not regulate them, as the Underwood amendment claims it will do. The Underwood amendment simply says to these gamblers, "You play your game according to certain rules, gambling only in nine grades of cotton, which comprise the great bulk of the cotton crop of the South, and you are exempt." In other words, the Underwood amendment legalizes the very practices that the Democratic Party pledged the cotton growers of the South it would suppress. I challenge any man on this floor to point to a single line in the Underwood amendment which contains a provision that does anything toward enforcing an actual delivery. It does no more than provide the rules and regulations by which they can settle their gambling contracts. I want you to notice carefully one of the provisions of the Underwood amendment. Let us suppose that settlement day is at hand on one of these gambling contracts. The Underwood amendment provides that these gambling contracts must be settled on the basis of the value of the grade of cotton in question, established by bona fide sales of spot cotton of the same grade in the market where the gambling contract was made. But let us suppose that the gambling contract was entered into on the New York Cotton Exchange and that there had been no bona fide sales of spot cotton on that exchange for six days preceding the settlement of the gambling contract. How, then, do the gamblers settle their differences? The Underwood amendment provides:

> And in the event that there be no bona fide spot market in which spot sales are made from day to day at or in the place in which such future transaction takes place, then and in that case the said differences above or below the contract price shall be determined by taking the average of the aforesaid actual commercial differences in value in the spot markets at five places designated by the Secretary of Agriculture and the Secretary of Commerce, as the said differences were established by the sales of spot cotton of the same grade, respectively, in such five markets upon the sixth business day prior to the settlement of the contract: *Provided*, That for the purposes of this paragraph such values in the said spot markets be based upon the standards for grades of cotton fixed by the Secretary of Agriculture.

In other words, when these gamblers come to settle their differences, if there have not been any actual cotton sales to establish the bona fide value of the grades called for in the contract and on which such settlement is sought, then in that event the Secretary of Agriculture, under the provisions of the Underwood amendment, virtually becomes the official umpire to settle the differences between these gamblers.

Mr. Speaker, if gentlemen who in the last Congress voted for the Bell bill, which was the old Scott bill, intended thereby to suppress gambling in cotton futures, and if we wish to carry out the pledge that we made to the southern cotton growers by the last Democratic platform, when we pledged the party to suppress gambling in cotton futures, then you can not vote for the Underwood amendment, because the Underwood amendment, instead of suppressing, will, in my judgment, legalize the vicious practices which are so detrimental to the cotton farmers of the South. But certain gentlemen say that they prefer the Scott bill to the Clarke amendment. Mr. Speaker, I have here a copy of the Scott bill which I had prepared to offer as a substitute for both of the pending amendments, and should have done so had I not been advised that such an amendment was not germane and could not be offered under the present parliamentary status. And while some of us may prefer the provisions of the Scott bill to the Clarke amendment, I do not think we should lose an opportunity to strike a blow at this great evil, which is doing so much injury to the cotton farmers of the South, simply because we can not get the particular law that we individually wish.

At the present moment we must choose between the Clarke amendment and the Underwood amendment. It is admitted that the Clarke amendment will suppress gambling in cotton futures, and that being true, there is no other alternative than to accept it. But, gentlemen, if you do not approve of the Clarke amendment, if you want to suppress gambling in cotton futures by some other method, such as the Scott bill, then I can not see how you can vote for the Underwood amendment, which is diametrically opposed to both the provisions of the Scott bill and the Clarke amendment. If you refuse to accept the Clarke amendment, simply because you prefer some other method, then you miss an opportunity to strike down gambling in cotton futures, as gentlemen well know that the present is the only opportunity that we will have at this session to strike a blow at this great evil.

Under leave of extension, which has been granted, I wish to notice the argument that is made in defense of gambling in cotton futures. It is contended by those who oppose this legislation driving the cotton exchanges out of business that they are necessary for the purpose of affording the cotton farmer a stable market for his cotton. In other words, this argument is that in order to have a steady market for actual cotton you must maintain a gamblers' market. You do not have a gamblers' market for wool, and yet the woolgrowers have a market steadier than the cotton market. As a matter of fact, the gamblers want a fluctuating market because a steady market is an unprofitable one to the gambler. It has been admitted by every man on the floor to-day who opposes the Clarke amendment that gambling in cotton futures depresses the price of cotton, and keeps the cotton market lower than it would be if this gambling were suppressed. This very admission completely answers the contention of those who say that the gamblers are necessary to a steady market. As a matter of fact, bona fide cotton exchanges, where cotton could be actually sold and delivered and stable market quotations had, are prevented from springing up by these gambling evils. I have frequently seen the cotton buyers on the streets in my home town refuse to bid on cotton until after the gambling exchange in New York had opened.

The reason for this is that these cotton buyers are instructed by their employers to pay for actual cotton a price that is a certain number of points below the price fixed by the gamblers on the New York Cotton Exchange. In other words, these 450 gamblers sitting in the New York Cotton Exchange fix the price of the cotton sold in every little town in the South. They rig the market and run it up or down just as one side or the other gets control of the market. If the bulls are in control, the market goes up, and when the bears are in control the market goes down, and, unfortunately for the cotton farmer, the bears are generally in control until after the crop passes out of the farmers' hands, and then the bulls get control of the market and prices go up.

But the question is asked, If you abolish these gambling exchanges, by what will the prices of the farmers' cotton be controlled? I answer that it will be controlled in the same manner that the price of wool and all of the other staple products are controlled. Now, the gamblers on the New York Cotton Exchange fix the price of the farmers' cotton, and the farmer is denied the right to say anything about what the price of his cotton shall be. But if you wipe out these gambling transactions and take the farmers' cotton out of competition with these fictitious gambling transactions, the cotton farmer will have a voice like the woolgrower has in the fixing of the price of wool, and he will have a voice like the hay grower has in the fixing of the price of hay. There is no hay and wool exchange to fix the price of wool and hay. Then why should the cotton farmers of the South be compelled to submit to the evils of the Cotton Exchange to fix the price of their product? All that the cotton farmers of the South ask is an open market, where real cotton is bought and sold and real cotton is delivered.

It has been well said that there is no crop raised involving more labor and toil than the cotton crop. The people who produce it truly earn their bread in the sweat of their brow. There is no crop raised about which there is so much uncertainty as there is about the cotton crop. From the time the seed goes into the ground until it is gathered and sold it is compassed about by uncertainty and danger. If the spring is dry, the seed does not germinate; if it is wet, it rots; if it is cold, the plant is stunted; if it rains too much in summer, the insects destroy it; if it is too dry, it does not produce; if storms come in the fall, it is wasted. Every insect that crawls or flies feeds upon it.

It does seem that the farmer who has to contend against all these conditions imposed by nature, against the elements, against all these creeping, crawling, and flying pests, when he has overcome and subdued them all and has gathered the product of his toil that is to clothe the world, it does seem that he should not be turned over to the mercies of the New York Cotton Exchange.

What interest do these gamblers have in cotton or the men who produce it? They do not plant it; why should they be permitted to fix its price? They do not toil in its production; why should they control the product of other men's toil. They are only interested in so manipulating the price as to secure the farmer's cotton at the lowest possible price. They care

nothing for the farmer; they only seek to enrich themselves. Why permit an institution to exist whose only mission is to enrich its membership at the expense of others? What defense can be made of an organization to which no producer can go to sell his cotton and to which no consumer of cotton can go to buy it?

The farmers of the South come now to Congress and ask for help; they ask for protection against those who would gamble on their toil. The question is, To whom will Congress lend its ear? Will it hear the cry of the millions in the cotton fields; the cry of the old, whose backs are bent with toil; the cry of the little children who labor beneath the heat of the summer's sun, and in the cold of the winter, to plant this crop, to cultivate this crop, and to gather this crop; or will they listen to the wail of these self-confessed gamblers of the New York and New Orleans cotton exchanges?

Mr. UNDERWOOD. Mr. Speaker, I believe that all time has expired except the time that I control.

The SPEAKER. That is correct.

Mr. UNDERWOOD. Mr. Speaker, I simply wish to say this in reference to the argument that is made by the gentleman from Arkansas [Mr. WINGO], that he overlooks the fact that the substitute bill offered by myself requires a delivery of cotton, and that the method of settlement is that when they do not deliver one grade it fixes the basis on which they shall deliver another grade, but they are all Government grades, and some grade of actual spinning cotton must be delivered under this bill.

Mr. WINGO. Will the gentleman point out the line and page where it requires actual delivery?

Mr. UNDERWOOD. If the gentleman will read the bill——

Mr. WINGO. If the gentleman will point it out I will vote for his amendment. I have studied the bill carefully and I can not find it.

Mr. UNDERWOOD. I now yield the balance of my time to the gentleman from South Carolina [Mr. LEVER].

Mr. LEVER. Mr. Speaker, no question of greater importance to the South, the Nation, and the world has come before this extra session of Congress, or will come before it, than is that involved in the proposition upon which we are about to vote.

Cotton is an international product practically monopolized by the United States. About two-thirds of our annual crop are shipped to foreign markets and bring back to us sufficient foreign gold to keep the balance of trade in our favor. The least movement up or down in its price is felt distinctly in the capital of every civilized nation of the world. The method of its distribution has existed since the Civil War and is a most delicately adjusted and sensitive piece of machinery, easily thrown out of gear.

In what we are about to do we are confronting a critical situation, not created by us, but nevertheless existing, and, Mr. Speaker, it behooves us to act with courage and, at the same time, remembering the enormous possibilities for harm of a mistake, with caution and extreme prudence. This is no time for radicalism, nor is it the place for perfervid oratory. The wise course is that dictated by conservatism and a due regard for the frailties of human nature. We may afford to be mistaken with respect to some minor item in this tariff bill, but there can be no apology for any error into which we may fall about this proposition, for we are acting with full knowledge of the tremendousness of the issue involved and of the consequences of a mistaken action. Cotton is selling to-day in the local markets of the South for 14 cents per pound, or $70 per bale, and that gentleman is foolhardy who would recklessly tamper with the machinery by which the crop is being moved, unless he is certain beyond any shadow of doubt as to the effect of his action upon the price of this crop. No excuse will be sufficient to break the wrath of the farmer against him to whom may be traced responsibility for any "slump" in the price of cotton. The farmer expects us to meet our duty in the premises, but he will hold us to a strict accountability for any extreme measure which may result in harm to him. We are his representatives, and he demands the exercise of common sense upon our part.

The matter of the regulation of the cotton exchanges with a view of eliminating purely gambling transactions in contracts for the future delivery of cotton has been before Congress in some form or other for years. During my service two such bills have passed the House, but seemingly received little attention at the hand of the Senate; but unfortunately, I think, the Senate has added to this tariff bill what has become known as the Clarke amendment, having for its purpose the destruction of the cotton exchanges. The tariff bill is not the place for such legislation. It has not been considered by the proper committees of either House, but, be that as it may, the Senate has seen fit in its wisdom to place the responsibility upon the House, and I am sure we are not going to run away from it.

The debate has developed three very distinct lines of thought. One group of Members, satisfied with existing conditions in the conduct and methods of the exchanges, regards any legislation of any kind as unwise. This group includes those who in years gone by, in season and out, have been the constant defenders of the cotton exchanges and their methods. Added to these are those who sincerely, fearful of the consequences of any interference with the cotton exchanges at this time and under these circumstances, regard any legislation as inexpedient and probably dangerous.

Another group, believing the evils of the cotton exchanges to be inherent in and inseparable from their existence, would destroy them root and branch in order to accomplish the destruction of the methods about which complaint is made. Their plan is extermination; they would burn the barn to kill the rats.

A third group of Members, differing from those who can see nothing bad in the conduct of the cotton exchanges, and equally so from those who can see nothing good in them, would assume a conservative attitude in the solution of this complex problem. This group realizes that there are features connected with the conduct and operation of these exchanges which in themselves are uncommercial, uneconomic, and positively harmful and vicious. The refusal of certain of these exchanges to adopt the standard of grades fixed by the Government is inexcusable and indefensible and furnishes one of the chief sources of the most bitter criticism of their methods. Their insistence upon a continuance of the system of fixed differences in the settlement of contracts is likewise without excuse or reason. But notwithstanding this it is believed that these practices can be reached and eradicated without the necessity of destroying the exchanges through a proper exercise of the power given by the Constitution to regulate them through some system of governmental control and scrutiny. The cotton exchanges undoubtedly, properly controlled and, if necessary, supervised, can be made to perform most useful functions in the prompt distribution of the cotton crop and in giving at short intervals an accurate picture of the cotton trade. This third group of Members would correct by law the abuses of the exchanges and force them to serve the purposes of their creation.

I stand with this group because, in the first place, the opportunity is presented to-day for legislation, and I want to legislate. I have been seeking to do so ever since I became a Member of this body, and now that I have the chance I shall not miss taking advantage of it. Inaction at this time and under these circumstances is equivalent to an acquiescence in all the present practices and methods of the cotton exchanges. I am not satisfied with their methods. Years of study and investigation have convinced me that at least some of them have perverted their legitimate functions into a system of operation, through an unfair and indefensible contract, distinctly, positively, unequivocally hurtful to the cotton trade, and especially to the man who in the sweat of his brow produces the raw material. I am not willing by my vote to allow a continuance of these practices if I can help it, and if I thought for a moment that the exchanges could not be made by law to serve the cotton trade fairly and legitimately I would gladly join with those in an effort to exterminate them, for their existence would be justifiable no longer. To those who hesitate to act at this time out of a sincere fear that any action may disturb existing high prices of cotton, let me recall to your minds those other days, not so far gone, when, without rhyme or reason, and in accordance with no law of supply and demand, you have seen the price of this product hammered down, down, down until the loss to your people ran into the millions of dollars. Let me warn you that the opportunity is here to prevent a recurrence of such a situation. Either you must legislate now or take chances with the future. I prefer to deal with the present; I know something of it. The future is hidden from me. I have therefore voted to open up this question in the hope that we may legislate wisely for this great industry and the millions of human beings so intimately concerned in it.

I stand with the third group because my years of study and the best thought of students upon the question convince me that the practices of the cotton exchanges complained of by both producer and spinner can be eliminated without recourse to such radical, dangerous, and doubtful methods as are proposed by the Clarke amendment. This amendment may have in it no element of danger; it may be as a loaded dynamite. Who can tell what its effect may be upon the price of cotton at this time? Who can guarantee the farmer that such a violent disturbance of the machinery by which his crop is

moved, and the advocates of this amendment admit their purpose to destroy the exchanges, will not result in a sudden reduction in the price of their cotton? I repeat, who is prophet enough among you to foretell what will happen?

Mr. Speaker, I am going to take no chances. I know what 1 cent a pound in the price of cotton means to the wealth and happiness of the people I have the honor to represent. I shall do now as I have always done, pursue what I regard as the conservative and safe course. I am satisfied in my own mind that the amendment proposed by the gentleman from Alabama [Mr. UNDERWOOD], commonly known as the Smith-Lever amendment, will bring about a gradual but certain reform in the methods of the cotton exchanges, and this reform will be in the direction demanded by the farmer and the manufacturer, the two elements most vitally concerned in the legislation. I want legislation, and want it now, but I want it in the shape of regulation and not by violent and sudden destruction.

Gentlemen who have preceded me have complained that this substitute for the Clarke amendment has not been well considered. This I deny. The fact is the proposition has been worked out most carefully by those who have given years of study to the operations of the cotton exchanges. The history of this substitute may throw some light upon it and have some weight with the membership of the House.

The amendment was drawn at my suggestion, if you will pardon the personal reference, by experts of the Departments of Agriculture and Commerce along lines of thought submitted to them by me. The general idea of the amendment follows closely the thought contained in a bill introduced into the United States Senate and favorably acted upon several times by its Committee on Agriculture, by the junior Senator from South Carolina, Senator SMITH, who has given not one day, not one year, but 20 years of thought to this problem. It is also drawn in direct line with the recommendations of the Herbert Knox Smith report, which came after a most exhaustive investigation of the cotton exchanges by the Bureau of Corporations several years ago under the direct authorization of this House. The practical difference in the plans is found in the different powers of the Constitution relied upon, Senator SMITH finding his in the commerce clause, and I, on account of the parliamentary situation, finding mine in its taxing power. In essential thought and purpose they are identical. The first draft of the bill, as handed me by the experts, was submitted by me to Postmaster General Burleson, for years a distinguished Member of this body and an admitted authority upon matters touching exchanges. As agreed upon by us, the amendment was put into the hands of the President of the United States, who after careful consideration of it and a thorough agreement with the objects sought to be attained by it placed it with his approval into the hands of Majority Leader UNDERWOOD. The House conferees accepted it, but it did not meet the approval of the Senate conferees, and hence it is being offered to-day as a substitute for the Senate proposition.

Mr. TRIBBLE. Will the gentleman yield?

Mr. LEVER. I will say to my friend from Georgia I would like very much to do so, but I have only a few minutes.

The SPEAKER. The gentleman declines to yield.

Mr. LEVER. The platform declaration of the party has been read in your hearing and emphasized by those who favor the Clarke amendment as against the substitute. The statement that we are not living up to the party platform will hardly be taken seriously when it is remembered that our proposition, and not theirs, bears the indorsement of the first Democratic President the country has had in nearly 20 years. Are you gentlemen willing to say, do you believe, that Woodrow Wilson by his acquiescence in—yes, his affirmative assent to—this proposition is willing to give the country to understand that within less than eight months after the beginning of his administration he is going to violate one of the fundamental planks of the platform upon which he was elected? Is it reasonable? Can you think it seriously? Is it not the weapon of heated and excited debate?

Mr. HARDWICK. Will the gentleman please tell us when the President sent us a message on this question?

Mr. LEVER. I must decline to yield to my friend; my time is very little.

Mr. LANGLEY. Will the gentleman yield to me?

Mr. LEVER. I wish I could.

The SPEAKER. The gentleman declines to yield to anybody.

Mr. LEVER. The Democratic platform does commit the party to an effort to suppress gambling in farm products in organized exchanges in the country. My record shows my willingness to go as far as any in this direction. I was one of the five members of the subcommittee of the Agriculture Committee which drew and helped put through this House on two occasions what is known as the Scott bill. I believe that gambling upon certain of our great exchanges is costing the southern farmers millions of dollars every year. No man can defend a continuance of it, and I am supporting this substitute because I believe it will accomplish the purpose of the platform declaration, and at the same time result in no such confusion in the method of the distribution of the cotton crop as must inevitably work inestimable injury to the cotton farmer.

I want to warn you gentlemen who are supporting with such vigor the Clarke amendment that you are doing one of two things—either you are trying to carry out the declared wishes of the author of the amendment to destroy absolutely the cotton exchanges or you are unwittingly placing a burden of taxation of 50 cents a bale of cotton upon every farmer of the South. Neither horn of the dilemma can afford you a very comfortable seat if what I believe will happen should take place.

Let us assume that you are correct in your contention that this tax will destroy the cotton exchanges. What must be the consequence to the producer of cotton? Anyone who knows anything whatever about the economics of this proposition will agree with me when I assert, as emphatically as I know how, that the moment you make it impossible for the small cotton merchant in every hamlet and town in the South to hedge his purchases of spot cotton from day to day through the exchanges you have succeeded by that very act in concentrating the marketing power for cotton in the hands of the big spot dealer, the big spinner, and the big gambler. Cotton will be bought and sold. Thousands of small merchants with little capital are taking care of their local markets and furnishing a ready sale for it under existing conditions. If they are not given the advantage of the system of hedging, their capital will be entirely insufficient to continue their business. This must result inevitably in the cotton markets becoming completely monopolized by the big spot dealer and big spinner, and instead of having some little competition in the local markets of the country, as is now the case, there would cease to be any at all. The spot dealer and spinner would quickly join hands, and with their brains and capital easily fix the price of cotton to the farmer. The unorganized cotton producer in a contest against such an organization as would be formed for fixing the price of cotton would be as helpless as militia in battle against well-drilled, well-trained regulars. And in this connection, gentlemen, I want you to bear in mind, for it is important, that your big spot dealer and your big spinner by every law of reasoning wants to buy his cotton as cheaply as possible. The small merchant is satisfied with a small commission for his work, but it is the law of human nature that we want to buy as cheaply as we can and sell for as much as we can. The millman is not a philanthropist; he is not in business for his health; the cheaper he is able to buy his cotton the more profit he may expect from the finished product. For one, I am not willing to put the farmers of the South at the tender mercy of any such combination as I know must arise if the cotton exchanges are entirely destroyed.

But, Mr. Speaker, I do not believe the Clarke amendment will, as gentlemen think, destroy the cotton exchanges. It will result, in the judgment of the best informed men upon the subject, only in concentrating into the hands of the big spot dealer, the big spinner, and the big gambler the very instrumentalities which are now used to manipulate the market and to gamble in the product. This proposition is almost self-evident, for anyone familiar with the subject at all well understands how easy it will be for these big dealers to pay the tax of 50 cents a bale and recoup it by immediately transferring it to the farmer by cutting the price to him of his cotton per bale to that extent. Your amendment therefore not only concentrates the gambling features and evil practices of the cotton exchanges into the hands of a few very powerful, resourceful, and rich dealers, but it may, I think it will, place a tax of 50 cents a bale upon every bale of cotton produced in this country, which on a crop of 14,000,000 bales would aggregate a tax of $7,000,000 upon the cotton producers of the South. Do not forget, gentlemen, that every cotton contract carries in it provision for the deduction of all overhead charges from the price paid the farmer in the local market until it reaches its destination at the mill. So much is taken off for tare, so much for insurance, so much for transportation, and this 50 cents a bale proposed in this amendment will be taken off likewise, and who bears the burden? If you gentlemen wish to accomplish your purpose you can do it by making your tax so high as to be prohibitive to all classes, and thus shut up the exchanges, but I demand that you who say you want to destroy the exchanges shall furnish a weapon with which it certainly can be done and not such a proposition as you offer,

which may or may not effect your purpose; and if it does not, must result, as certainly as night follows day, in placing a heavy and unjustifiable tax upon the already overburdened farmer. You either concentrate both legitimate and gambling transactions in cotton, both in spots and futures, into the hands of a few dealers, and at the same time fix a charge of 50 cents per bale of cotton upon its producers, or you destroy the exchanges and, as I have said, put the cotton producer at the mercy of the greatest combination of capital and brain the world has ever seen. I am not certain what would happen if your amendment should carry. I do not think you are, but I do know that I am not ready to run the risk of taxing the farmers of my district through any ill-advised legislation, nor am I willing to tie them, hands and feet, to be delivered over bodily to those whose business it is to buy cotton as cheaply as they can get it. My uncertainty as to what the effect of your amendment would be, and my unwillingness to take any chance of injuring the people I represent, induce me to propose the substitute about to be voted upon. I am fully persuaded that by proper regulation we can force the cotton exchanges to render a useful service to the cotton trade and yet reduce to the very minimum all opportunity for gambling and manipulation; and the suggestion of the gentleman from Alabama [Mr. UNDERWOOD] offers the plan by which this can be done.

Mr. OLDFIELD. Mr. Speaker——

The SPEAKER. The gentleman from South Carolina [Mr. LEVER] declines to yield.

Mr. LEVER. Briefly, and I wish I had full time, the Underwood amendment provides for the rigid regulation of the operations of the cotton exchanges. It would outlaw any contract for the future delivery of cotton, unless such contract provided that when delivery is made it shall be of such grades of cotton only as have been standardized by the Government. Nine such grades have been standardized, and each represents a good, merchantable, spinnable, usable cotton, always in demand by the mills of the world. The New York Cotton Exchange under its contract gives to the seller the option of delivering any one, or some of each, of 23 different grades. Market manipulation has been shown to be due to the nature of this contract. The mills of the country, who use the exchanges for hedging against their contracts for future delivery of cloth, can not use some of the lower grades of cotton now deliverable upon the New York contract, and the fear that such cotton may be delivered to them has given rise to the tendency upon their part to undervalue, as a matter of protection, the basis grade. The result is that the price of the entire range of grades is lowered, and from this the farmer suffers most. The seller will naturally deliver that which is in least demand. The Underwood amendment seeks to destroy manipulations in the market by forbidding specialties to be delivered upon contract, forcing delivery to be made only within the Government standards of grades of usable cotton.

Again, if you buy a contract upon the New York Cotton Exchange, and when the day for the delivery of the cotton comes, you find that you do not wish the cotton, can not use it advantageously, you may make settlement in margins, but your settlement would be upon a basis of a difference in price between the basis grade which you bought and the grade which is tendered you, fixed probably six months ago, and without any regard whatever to the actual difference in the commercial value of the two grades. Twice a year, in fact only once, the revision committee of the New York Cotton Exchange decides and arbitrarily fixes what shall be the difference in prices of the various grades of cotton deliverable upon their contract. At the moment their calculations may be entirely accurate, but no set of men can prophesy six months in advance what will be the difference in value according to the law of supply and demand, for instance, between basis middling and good ordinary cotton. Any attempt to do this is the merest guesswork. The result of this has been a constant fluctuation of the parity between spot cotton and future contracts, and from this fact arises much of the manipulation in the future markets. The substitute would force settlement upon a basis of the actual commercial difference in the value of the grades deliverable upon contract, and this difference is to be determined by the difference in the value of these grades as shown by the sales of actual spot cotton in spot markets. We believe this regulation, coupled with the adoption of the Government standards of grades, will go far toward eliminating illegitimate transactions upon the exchanges.

These regulations, with the power contained in the substitute to compel a complete record of all transactions upon the exchanges to be kept, thus giving complete publicity to their operations, will, in my humble judgment, force the exchanges to render a great service to the cotton trade and drive out from them the vicious practices against which producer and spinner alike protest. The plan we support proposes the conservative course of regulation as against the dangerous and doubtful remedy suggested by the Clarke amendment. We would poison the rat and not burn the barn; we would destroy the evil and make useful the good. [Applause.]

The SPEAKER. The time of the gentleman has expired. All time has expired. The vote is on concurring in the Clarke amendment with the Underwood amendment to the Clarke amendment.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. UNDERWOOD. I ask for a division, Mr. Speaker.

The House divided, and there were—ayes 147, noes 122.

Mr. WINGO. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 171, nays 161, answered "present" 3, not voting 93, as follows:

YEAS—171.

Abercrombie	Eagan	Kettner	Rauch
Aiken	Eagle	Key, Ohio	Reilly, Conn.
Almey	Elder	Kinkead, N. J.	Rouse
Alexander	Estopinal	Kitchin	Rubey
Allen	Falson	Lazaro	Russell
Ashbrook	Fergusson	Lee, Ga.	Sabath
Aswell	Fields	Lever	Saunders
Barkley	Fitzgerald	Levy	Scully
Barnhart	Flood, Va.	Lewis, Md.	Seldomridge
Beakes	Foster	Lieb	Sharp
Booher	Gallagher	Linthicum	Sherley
Borchers	Gard	Lobeck	Sherwood
Brockson	George	Logue	Slayden
Broussard	Gerry	Lonergan	Small
Brown, N. Y.	Gilmore	McAndrews	Sparkman
Bruckner	Gittins	McClellan	Stanley
Buchanan, Ill.	Glass	McCoy	Stedman
Buchanan, Tex.	Goeke	McDermott	Stephens, Nebr.
Bulkley	Goldfogle	McGillicuddy	Stevens, N. H.
Burgess	Gordon	McKellar	Stone
Burke, Pa.	Goulden	Maguire, Nebr.	Stout
Burnett	Griffin	Mahan	Stringer
Byrnes, S. C.	Gudger	Maher	Sumners
Byrns, Tenn.	Hamill	Metz	Taggart
Callaway	Hammond	Mitchell	Talcott, N. Y.
Carlin	Hardwick	Montague	Taylor, Ala.
Church	Hart	Moon	Taylor, N. Y.
Clancy	Hawley	Morgan, La.	Ten Eyck
Collier	Hay	Morgan, Okla.	Thacher
Covington	Hayden	Morrison	Thomas
Crisp	Heflin	Murray, Mass.	Townsend
Cullop	Helvering	O'Brien	Tuttle
Dale	Hensley	O'Leary	Underhill
Davis	Hill	O'Shaunessy	Underwood
Decker	Holland	Padgett	Walsh
Deitrick	Houston	Page	Watkins
Dickinson	Howell	Palmer	Watson
Dies	Humphreys, Miss.	Peters, Mass.	Weaver
Dixon	Igoe	Phelan	Webb
Donovan	Johnson, Ky.	Pou	Whaley
Dooling	Johnson, S. C.	Ragsdale	Williams
Doughton	Jones	Rainey	Young, Tex.
Driscoll	Kennedy, Conn.	Raker	

NAYS—161.

Anderson	Esch	Kennedy, R. I.	Shreve
Anthony	Falconer	Kent	Sims
Austin	Farr	Kindel	Sinnott
Avis	Ferris	Kinkaid, Nebr.	Sisson
Bailey	FitzHenry	Kirkpatrick	Slemp
Baltz	Floyd, Ark.	Knowland, J. R.	Sloan
Barchfeld	Fordney	Konop	Smith, Idaho
Bartlett	Fowler	Kreider	Smith, Saml. W.
Barton	Frear	Lafferty	Smith, Tex.
Beall, Tex.	French	La Follette	Stafford
Bell, Cal.	Garner	Langham	Steenerson
Bell, Ga.	Garrett, Tenn.	Langley	Stephens, Cal.
Blackmon	Garrett, Tex.	Lee, Pa.	Stephens, Miss.
Britten	Gillett	Lesher	Sutherland
Brodbeck	Good	MacDonald	Switzer
Brown, W. Va.	Gray	Manahan	Tavenner
Browne, Wis.	Greene, Mass.	Mapes	Taylor, Ark.
Browning	Greene, Vt.	Mondell	Taylor, Colo.
Brumbaugh	Gregg	Moore	Temple
Butler	Griest	Morin	Thompson, Okla.
Candler, Miss.	Guernsey	Moss, W. Va.	Thomson, Ill.
Caraway	Hamilton, Mich.	Murdock	Towner
Carew	Hardy	Murray, Okla.	Treadway
Casey	Harrison	Nelson	Tribble
Claypool	Haugen	Oglesby	Vare
Clayton	Hayes	O'Hair	Vaughan
Connelly, Kans.	Helm	Oldfield	Volstead
Connolly, Iowa	Hinds	Payne	Walker
Conry	Hinebaugh	Pepper	Walters
Cooper	Hobson	Plumley	Whitacre
Copley	Howard	Porter	White
Cramton	Hughes, Ga.	Powers	Willis
Crosser	Hulings	Rayburn	Wilson, Fla.
Curry	Hull	Reed	Wingo
Davenport	Humphrey, Wash.	Reilly, Wis.	Winslow
Dent	Jacoway	Riordan	Witherspoon
Dershem	Johnson, Utah	Roberts, Mass.	Woodruff
Difenderfer	Johnson, Wash.	Rogers	Woods
Dillon	Keister	Rucker	
Donohoe	Kelly, Pa.	Rupley	
Doolittle	Kennedy, Iowa	Sells	

ANSWERED "PRESENT"—3.

Cary	Rothermel	Smith, N. Y.

NOT VOTING—93.

Adair	Dunn	Keating	Patten, N. Y.
Adamson	Dupré	Kelley, Mich.	Patton, Pa.
Ansberry	Dyer	Kiess, Pa.	Peters, Me.
Baker	Edmonds	Korbly	Peterson
Bartholdt	Edwards	L'Engle	Platt
Bathrick	Evans	Lenroot	Post
Borland	Fairchild	Lewis, Pa.	Prouty
Bowdle	Fess	Lindbergh	Quin
Breimer	Finley	Lindquist	Richardson
Bryan	Francis	Lloyd	Roberts, Nev.
Burke, S. Dak.	Gardner	McCulre, Okla.	Scott
Burke, Wis.	Godwin, N. C.	McKenzie	Shackleford
Calder	Goodwin, Ark.	McLaughlin	Smith, J. M. C.
Campbell	Gorman	Madden	Smith, Md.
Cantrill	Graham, Ill.	Mann	Smith, Minn.
Carr	Graham, Pa.	Martin	Stephens, Tex.
Carter	Green, Iowa	Merritt	Stevens, Minn.
Chandler, N. Y.	Hamilton, N. Y.	Miller	Talbott, Md.
Clark, Fla.	Hamlin	Moss, Ind.	Wallin
Cline	Helgesen	Mott	Wilson, N. Y.
Cox	Henry	Neeley	Young, N. Dak.
Curley	Howorth	Nolan, J. I.	
Danforth	Hughes, W. Va.	Norton	
Doremus	Kahn	Parker	

So the motion to concur with an amendment was agreed to.

The Clerk announced the following additional pairs:

On the vote:

Mr. CALDER (against Clarke amendment and Underwood substitute) with Mr. SMITH of New York (for).

Mr. DUPRÉ (against Clarke amendment; for substitute) with Mr. NORTON (for).

Balance of day:

Mr. BATHRICK with Mr. CAMPBELL.

Until further notice:

Mr. WILSON of New York with Mr. WALLIN.

Mr. SMITH of Maryland with Mr. PATTON of Pennsylvania.

Mr. PARKER with Mr. POST.

Mr. PATTEN of New York with Mr. MOTT.

Mr. Moss of Indiana with Mr. KELLEY of Michigan.

Mr. CLARK of Florida with Mr. HAMILTON of New York.

Mr. CARR with Mr. EDMONDS.

Mr. BOWDLE with Mr. DUNN.

Mr. BAKER with Mr. DANFORTH.

Mr. HULINGS. Mr. Speaker, I desire to vote "no." I desire to change my vote.

The SPEAKER. The Clerk will call the gentleman's name.

Mr. HULINGS. I answered "present" under a misapprehension.

The Clerk called the name of Mr. HULINGS, and he voted in the negative.

The result of the vote was announced as above recorded.

Mr. WINGO rose.

The SPEAKER. For what purpose does the gentleman from Arkansas rise?

Mr. WINGO. I want to ask for a recapitulation. In view of the fact that before the vote was announced a number of Members stated they had voted and were not recorded and had themselves recorded, I ask for a recapitulation.

The SPEAKER. The gentleman from Arkansas [Mr. WINGO] asks for a recapitulation.

Mr. UNDERWOOD. Mr. Speaker, I do not desire to prevent any gentleman from seeing that his name is properly recorded, but it is late now, and——

Mr. WINGO. Mr. Speaker, it is late, and I will withdraw my request.

Mr. UNDERWOOD. Mr. Speaker, I move to reconsider the vote on the conference report and the vote that has just been taken on this amendment, and to lay that motion on the table.

The SPEAKER. Without objection, it will be so ordered.

There was no objection.

ADJOURNMENT UNTIL THURSDAY.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Thursday next.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that when the House adjourns to-day it adjourn until Thursday next. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

KNOXVILLE EXPOSITION.

The SPEAKER. Some time ago the Chair appointed Mr. KENT, of California, on the Knoxville committee, and he declined. Then the Chair appointed Mr. COPLEY, of Illinois, and he declined. The Chair now appoints Mr. LANGLEY, of Kentucky.

ASSISTANT FOREMAN OF THE FOLDING ROOM.

Mr. SMITH of Texas. Mr. Speaker, I desire to present a privileged resolution from the Committee on Accounts.

The SPEAKER. The gentleman from Texas [Mr. SMITH] presents a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 263 (H. Rept. 89).

Resolved, That S. D. Taylor be chosen to act as assistant foreman of the folding room, at $3.85 per day, in lieu of the person named in resolution adopted February 6, 1900.

Mr. PAYNE. Mr. Speaker, is this presented as a privileged resolution?

The SPEAKER. It is. It is a resolution coming from the Committee on Accounts.

Mr. PAYNE. But it does not relate to the accounts. It proposes to drop out one man and put in another.

The SPEAKER. It does not put out anybody.

Mr. HEFLIN. Mr. Speaker, if the gentleman from New York will permit, I will state that the late assistant foreman is dead.

Mr. PAYNE. I understand.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

In line 1 strike out "S. D. Taylor be chosen to act as" and insert "the doorkeeper of the House be, and he is hereby, authorized to appoint an."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BARTLETT rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. BARTLETT. I desire to know whether this is a simple House resolution, or what it is?

The SPEAKER. It is a House resolution from the Committee on Accounts.

Mr. PAYNE. Mr. Speaker, I understand that the gentleman who died was one of the Republican appointees, and that this is an effort to put a Democrat in his place.

Mr. SMITH of Texas. This does not create a new office, I will say to the gentleman, but it provides for filling a vacancy which could not be filled unless this resolution was passed. In 1900 a resolution was passed providing that a man by the name of Coultry be appointed.

Mr. PAYNE. I understood that was one of the minority places established by a resolution at the beginning of the session. Now, it seems to me it is hardly fair——

Mr. FITZGERALD. The gentleman is mistaken.

Mr. SMITH of Texas. That man is now dead.

Mr. HUMPHREYS of Mississippi. I will state to the gentleman that a number of years ago four men were appointed by resolution to perform certain duties connected with the House—Mr. Joel Grayson and Mr. Coultry in the folding room, Mr. Jemison on the door, and Mr. Coombs. Three of them were Republicans and one was a Democrat. They had no relation to what we usually call minority employees.

Mr. PAYNE. May I ask the gentleman if it is not a fact that each one of these men is named in an appropriation bill? I know it is so in regard to Mr. Grayson and Mr. Jemison.

Mr. HUMPHREYS of Mississippi. Yes.

Mr. PAYNE. And it is so in regard to this man who died.

Mr. HUMPHREYS of Mississippi. That is absolutely correct, and the appropriation was made for his salary, but he died. Now, this is a resolution to fill that place for which the appropriation has been made, Mr. Coultry being dead. Mr. Coultry, as a matter of fact, was a Republican. He was not what we call a minority employee—one of those who are given at every session of Congress to the minority—but there were four places filled by resolution. Three of them were Republicans and one was a Democrat. One of the Republicans is dead, two of them are still on the roll, and one Democrat is still on the roll. This is simply to make it possible to put some man in the place formerly filled by Mr. Coultry, but it does not name anybody.

Mr. PAYNE. But these men were named in appropriation bills that were reported in the past Congress, which was Democratic.

Mr. HUMPHREYS of Mississippi. Absolutely.

Mr. PAYNE. As a concession to the minority.

Mr. HUMPHREYS of Mississippi. It was simply carrying the same men who had been on there for many years.

Mr. PAYNE. They were named in the appropriation bills.

Mr. HUMPHREYS of Mississippi. I know. They were put on in 1900.

Mr. PAYNE. This was one of the minority places.

Mr. HUMPHREYS of Mississippi. No; it was not a minority place at all.

Mr. FOSTER. In a conversation with the minority leader it was understood that this was not a minority place at all.

Mr. PAYNE. At what time was this conversation?

Mr. FOSTER. Last summer. Let me say to the gentleman——

The SPEAKER. The gentleman from Texas [Mr. SMITH] has the floor. Does he yield to anybody?

Mr. TOWNSEND. I should like to ask the gentleman from Texas [Mr. SMITH] if he will yield?

Mr. FOSTER. I want to say to the gentleman from New York that this man was to give up his position six months before he died; but in the meantime he became sick, and on that account he was not taken off the roll. There were six months that he performed no service whatever, but was kept on the roll, and finally died while on the roll.

Mr. TOWNSEND. Was the title of his place assistant foreman of the folding room?

Mr. FOSTER. He was assistant foreman of the folding room.

Mr. TOWNSEND. Was not that office abolished by the resolution of the Palmer committee in the Sixty-second Congress?

Mr. HUMPHREYS of Mississippi. Oh, no.

Mr. TOWNSEND. I am under the impression that it was.

Mr. PAYNE. I want to say to the gentleman that it is quite apparent to me that this matter ought to go over until Thursday, so that we can examine into it a little; and while I do not like to make the point of no quorum——

Mr. HUMPHREYS of Mississippi. Will the gentleman yield to me for a moment before he makes the point?

These four places were created by a Republican Congress and three of them were taken by Republicans and one by the Democrats; that is, the Republicans gave the Democrats one and they took three. The proposition of the Democrats now is that the Republicans take two and the Democrats take two. I hope the gentleman will not think that is unfair.

Mr. PAYNE. Mr. Speaker, I think the resolution would better go over until Thursday, and I may conclude then that it is fair.

Mr. SMITH of Texas. Mr. Speaker, I desire to suggest that this is a place that can not be filled until the resolution is adopted, and I understand the services of a man in this place are very much needed and have been for some time.

Mr. PAYNE. I presume he would be glad to take it. I think it would not hurt to have the matter go over until Thursday.

The SPEAKER. What does the gentleman from Texas say to that?

Mr. HEFLIN. Mr. Speaker, I hope the gentleman will withdraw his objection, because the patronage committee has assigned this place to me. A Democrat is filling it temporarily, and I desire to leave for home to-morrow, if I can. I would not want to stay over here until Thursday. The Doorkeeper tells me that he would like to have this man put in as early as possible.

Mr. PAYNE. Yes; just as we are breaking up it seems to be essential to have a man there. I insist that it go over until Thursday. I do not want to keep gentlemen here by making the point of no quorum.

The SPEAKER. Does the gentleman from New York make the point of no quorum?

Mr. PAYNE. Will the gentleman from Texas allow the resolution to go over until Thursday?

Mr. SMITH of Texas. I suppose, if there is no quorum present and the gentleman makes the point, we will have to let it go over until Thursday, but I regret very much that the gentleman objects to proceeding with the resolution at this time.

Mr. PAYNE. If it goes over, I may make no point, of course.

Mr. HEFLIN. Mr. Speaker, I desire to suggest to the gentleman from New York that it is hardly possible that we will have a quorum here on Thursday, and we may take a recess for a month, and this man would be out and the place left unfilled.

Mr. PAYNE. Mr. Speaker, gentlemen seem to be so urgent about this patronage matter that I am inclined not to make any further objection. [Applause and laughter.]

Mr. TOWNSEND. Mr. Speaker, I have endeavored to learn this fact from several gentlemen, but have been unable to do so. I want to know if this resolution does not create a place which was abolished by the Palmer resolution?

Mr. SMITH of Texas. It does not.

Mr. TOWNSEND. A man named Rupel was attached to that folding room as assistant foreman, and he was reduced to the grade of laborer by the Palmer resolution. There has been no assistant foreman in the meantime. Does not this resolution create an office that was abolished, and thereby the salary of this man Rupel?

Mr. SMITH of Texas. No; the resolution authorizes the filling of a place created by a resolution passed in 1900, and it was filled by a man named Coultry, who was mentioned in the resolution, and who recently died.

Mr. TOWNSEND. Is it not a fact that Rupel occupied this place until the Palmer resolution demoted him?

Mr. SMITH of Texas. No; that is not true. Mr. Coultry has occupied the place and is the only man who ever did occupy it.

Mr. RAGSDALE. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Texas. Yes.

Mr. RAGSDALE. As a matter of fact, if it did create a new place for the Democrats under this administration, does not the gentleman think that we are getting few enough of them to justify this?

Mr. SMITH of Texas. I will state to the gentleman we had a hearing on this matter and that it was clearly shown that this place ought to be filled.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution was agreed to.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 8 o'clock and 18 minutes p. m.), in accordance with the order heretofore made, the House adjourned until Thursday, October 2, 1913, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. RUCKER, from the Committee on Election of President, Vice President, and Representatives in Congress, to which was referred the bill (H. R. 8428) to codify, revise, and amend the laws relating to publicity of contributions and expenditures made for the purpose of influencing the nomination and election of candidates for the offices of Representative and Senator in the Congress of the United States, limiting the amount of campaign expenses, and for other purposes, reported the same without amendment, accompanied by a report (No. 88), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 6990) granting an increase of pension to Milton Ross; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3788) granting an increase of pension to Olaf Volkerts; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 4007) granting a pension to Adam Roth; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7827) granting an increase of pension to Theodore Elchlepp; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6551) granting a pension to John Prater; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6552) granting a pension to Thomas W. Botkin; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7830) granting a pension to Emma Fox; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2020) granting a pension to Norman Devol; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2820) granting an increase of pension to Alexander R. Blazer; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MAHAN: A bill (H. R. 8657) to amend the statutes in relation to immediate transportation of dutiable goods; to the Committee on Ways and Means.

By Mr. LANGLEY: A bill (H. R. 8658) to authorize the acquisition of a site and the erection of a Federal building at Hazard, Ky.; to the Committee on Public Buildings and Grounds.

By Mr. FERGUSSON: A bill (H. R. 8659) granting to various States public lands for the construction, repairing, and maintenance of public roads; to the Committee on the Public Lands.

By Mr. KALANIANAOLE: A bill (H. R. 8660) to amend sections 4 and 17 of an act entitled "An act granting a franchise for the construction, maintenance, and operation of a street railway system in the district of South Hilo, county of Hawaii, Territory of Hawaii," approved August 1, 1912; to the Committee on the Territories.

By Mr. McKELLAR: A bill (H. R. 8661) to establish and maintain military training schools in the several States of the Union and in the District of Columbia; to the Committee on Military Affairs.

By Mr. DEITRICK: A bill (H. R. 8662) to prevent the use of the stopwatch or other time-measuring device on Government work, and the payment of premium or bonus to Government employees, and for other purposes; to the Committee on Labor.

By Mr. HUMPHREY of Washington: A bill (H. R. 8663) repealing the law providing for the exchange of public lands for lands within the forest reserves; to the Committee on the Public Lands.

By Mr. PADGETT: A bill (H. R. 8664) to establish a fish-cultural station in the State of Tennessee; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 8665) establishing the Franklin National Military Park; to the Committee on Military Affairs.

Also, a bill (H. R. 8666) authorizing the Secretary of War to have erected at Hohenwald, Tenn., a monument in honor of Meriwether Lewis; to the Committee on the Library.

Also, a bill (H. R. 8667) to promote the efficiency of the Naval Militia, and for other purposes; to the Committee on Naval Affairs.

By Mr. FAISON: A bill (H. R. 8668) for the study and for electrical tests and experimentation for agricultural fertilizing purposes; to the Committee on Agriculture.

Also, a bill (H. R. 8669) providing for electrical study, tests, and experimentation for agricultural fertilizing purposes; to the Committee on Agriculture.

By Mr. HAYDEN: A bill (H. R. 8670) providing for second homestead and desert-land entries; to the Committee on the Public Lands.

By Mr. MAHAN: A bill (H. R. 8671) authorizing a survey of Patchogue River, Westbrook, Middlesex County, Conn., with a view to its improvement; to the Committee on Rivers and Harbors.

By Mr. FESS: A bill (H. R. 8672) authorizing the Secretary of War to donate condemned cannon and balls; to the Committee on Military Affairs.

By Mr. CLAYTON: A bill (H. R. 8673) providing for compensation of clerks of United States district courts, and for other purposes; to the Committee on the Judiciary.

By Mr. GOOD: A bill (H. R. 8683) to authorize and direct the Secretary of the Treasury to relinquish the rights of the United States in and to a part of a certain alley in the city of Marshalltown, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. RAUCH: A bill (H. R. 8702) to authorize the county of Miami, Ind., to construct a bridge across the Wabash River in Miami County, Ind.; to the Committee on Interstate and Foreign Commerce.

By Mr. LAFFERTY: A bill (H. R. 8703) to expedite final determination of suit filed by the Attorney General pursuant to joint resolution of April 30, 1908, in relation to certain land grants in Oregon; to the Committee on the Judiciary.

By Mr. THOMSON of Illinois: Resolution (H. Res. 269) directing the Attorney General to inform the House of Representatives what action, if any, has been taken to stop the construction of oil wells and the extraction of petroleum from certain lands granted to the Southern Pacific Railroad Co.; to the Committee on the Judiciary.

By Mr. GLASS: Resolution (H. Res. 270) authorizing an investigation of banking and rural credit conditions; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 8674) granting a pension to Rachel A. Dougherty; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8675) granting an increase of pension to Chester Heiner, alias Justus Hahner; to the Committee on Pensions.

By Mr. BREMNER: A bill (H. R. 8676) for the relief of Tobias Philpot; to the Committee on Military Affairs.

By Mr. BROWNING: A bill (H. R. 8677) granting an increase of pension to William A. Dobbins; to the Committee on Invalid Pensions.

By Mr. CONNOLLY of Iowa: A bill (H. R. 8678) granting a pension to W. F. Eaton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8679) granting a pension to Catherine Patterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8680) granting a pension to Carrie Stevens; to the Committee on Invalid Pensions.

By Mr. DERSHEM: A bill (H. R. 8681) granting a pension to Martin Weary; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8682) granting a pension to Jennie Miller; to the Committee on Invalid Pensions.

By Mr. GRIEST: A bill (H. R. 8684) granting an increase of pension to Adam Allwein; to the Committee on Invalid Pensions.

By Mr. GUDGER: A bill (H. R. 8685) for the relief of S. L. Teague; to the Committee on Claims.

By Mr. HENSLEY: A bill (H. R. 8686) granting a pension to Jane Johnson; to the Committee on Invalid Pensions.

By Mr. HULINGS: A bill (H. R. 8687) granting an increase of pension to Euphemia J. Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8688) granting an honorable discharge to Lucien P. Rogers; to the Committee on Military Affairs.

By Mr. JACOWAY: A bill (H. R. 8689) granting a pension to Sam Ragsdale; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 8690) granting a pension to Thomas F. Arnett; to the Committee on Pensions.

Also, a bill (H. R. 8691) granting a pension to James Chaffin; to the Committee on Pensions.

By Mr. MORGAN of Oklahoma: A bill (H. R. 8692) granting a pension to Margaret A. Wallace; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8693) granting a pension to Louis Schrader; to the Committee on Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 8694) granting an increase of pension to Mary Ann Herrick; to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 8695) granting a pension to R. T. Crews; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8696) for the relief of Nathaniel F. Chealrs; to the Committee on War Claims.

Also, a bill (H. R. 8697) for the relief of the estates of Bolling Gordon and Richard Gordon; to the Committee on War Claims.

By Mr. RUSSELL: A bill (H. R. 8698) granting an increase of pension to William M. Preston; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 8699) granting an increase of pension to William H. Stephenson; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 8700) granting a pension to Joseph Dobson; to the Committee on Pensions.

By Mr. WINSLOW: A bill (H. R. 8701) for the relief of Clement Lamoureaux; to the Committee on Military Affairs.

By Mr. FREAR: A bill (H. R. 8704) granting an increase of pension to Ralph Beaumont; to the Committee on Invalid Pensions.

By Mr. GILMORE: A bill (H. R. 8705) for the relief of Elizabeth M. Flynn; to the Committee on Claims.

By Mr. REILLY of Connecticut: A bill (H. R. 8706) granting an increase of pension to Maria J. Burnham; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. COOPER: Memorial of the Board of Trade of La Crosse, Wis., favoring acquisition of proper buildings for United States ambassadors and consuls; to the Committee on Foreign Affairs.

By Mr. HAYES: Petition of the Chamber of Commerce of San Francisco, Cal., favoring aids to navigation in Alaskan waters; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Chamber of Commerce of San Francisco, Cal., favoring an increase in the Navy; to the Committee on Naval Affairs.

By Mr. HINDS: Memorial of the board of governors of the Portland Club, of Portland, Me., protesting against changing the portrait of William McKinley for that of Thomas Jefferson on postal cards; to the Committee on the Post Office and Post Roads.

Also, petitions of the merchants of Brunswick, Bridgton, Westbrook, Springvale, Sanford, Gorham, Biddeford, Cornish,

and Saco, Me., favoring legislation to compel dealers by mail to bear a part of local taxes; to the Committee on Interstate and Foreign Commerce.

By Mr. JACOWAY: Proof to accompany H. R. 8689, granting a pension to Sam Ragsdale; to the Committee on Pensions.

By Mr. KEISTER: Petition of 428 employees of the Pittsburgh Works of the American Sheet & Tin Plate Co., of New Kensington, Pa., protesting against a dissolution of the United States Steel Corporation; to the Committee on the Judiciary.

By Mr. MOORE: Memorial of the Philadelphia (Pa.) Board of Trade, protesting against S. 2741, a bill to prevent the employment of armed men for the protection of manufacturing plants, etc.; to the Committee on the Judiciary.

By Mr. O'SHAUNESSY: Petition of citizens of Newport, R. I., favoring the passage of legislation to establish Narragansett Bay as a naval base on the Atlantic coast; to the Committee on Naval Affairs.

By Mr. PETERS of Massachusetts: Petition of the Boston Fruit and Produce Exchange, Boston, Mass., favoring the passage of the 1-cent letter-postage rate; to the Committee on the Post Office and Post Roads.

SENATE.

WEDNESDAY, *October 1, 1913.*

The Senate met at 12 o'clock m.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Secretary proceeded to read the Journal of the proceedings of Monday last, when, on request of Mr. SIMMONS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

The message also announced that the House recedes from its disagreement to the amendment of the Senate No. 609 to the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes, and agrees to the same with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 99) to fix the times and places of holding district courts for the district of Arizona, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 2264) to amend chapter 1, section 18, of the Judicial Code.

The message further announced that the House had passed a joint resolution (H. J. Res. 132) authorizing the Secretary of Agriculture to make an exhibit at the Sixth National Corn Exposition, to be held at Dallas, Tex., during the month of February, 1914, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 2727. An act to create an additional land district in the State of Nevada; and

H. R. 7377. An act extending to the port of Perth Amboy, N. J., the privileges of section 7 of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement.

COURTS IN ARIZONA.

Mr. SMITH of Arizona. I ask the Chair to lay before the Senate the bill concerning courts in Arizona just received from the House with an amendment.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 99) to fix the times and places of holding district court for the district of Arizona, which was to strike out all after line 4, page 1, down to and including "December," in line 11, and to insert:

SEC. 2. That terms of the district court shall be held in Tucson on the first Mondays in May and November; at Phoenix on the first Mondays in April and October; at Prescott on the first Mondays in March and September; and at Globe on the first Mondays in June and December.

Mr. SMITH of Arizona. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

THE TARIFF.

The VICE PRESIDENT. The Chair lays before the Senate a message from the House of Representatives, which will be read.

The Secretary read as follows:

Resolved, That the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate, to the bill (H. R. 3321) entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes."

Mr. SIMMONS. I ask unanimous consent that the conference report lie on the table until to-morrow, when on behalf of the conferees on the part of the Senate I will file a report.

The VICE PRESIDENT. Is there objection?

Mr. BURTON. May I understand what the request is?

The VICE PRESIDENT. The request is that the message from the House of Representatives lie on the table until to-morrow.

Mr. BURTON. That is the conference report?

The VICE PRESIDENT. The conference report. Is there objection? The Chair hears none, and that action will be taken. The Chair lays before the Senate the following message from the House of Representatives, which will be read.

The Secretary read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate No. 609 to the bill H. R. 3321, entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," and agree to the same with an amendment as follows——

Mr. SIMMONS. I ask unanimous consent that the message may lie upon the table until to-morrow.

The VICE PRESIDENT. Is there objection? The Chair hears none.

PETITIONS AND MEMORIALS.

Mr. JONES. I have received telegrams from the Building Owners and Managers' Association of Seattle, signed by F. T. Bradley, secretary; from Herman Chapin, of Seattle; from Thomas Burke, of Seattle; and from R. F. Hanke, secretary, representing the Spokane Business Property Association, in the State of Washington, remonstrating against the adoption of that part of the income-tax clause in the pending tariff bill relating to a tax on rentals. I move that the telegrams lie on the table.

The motion was agreed to.

Mr. JONES. I present a telegram from the directors of the Seattle National Bank, of Washington, favoring the so-called Smith-Lever amendment to the pending tariff bill, relating to cotton futures. I move that the telegram lie on the table.

The motion was agreed to.

Mr. JONES. I present a telegram from Louis A. Schroeder, president, and C. E. Maeser, executive board Wisconsin Division, American Wire Weavers' Protective Association, of Appleton, Wis., remonstrating against the proposed reduction on woven wire cloth below 30 per cent in the pending tariff bill. I move that the telegram lie on the table.

The motion was agreed to.

Mr. SMITH of Michigan. I send to the desk two telegrams, which I ask may be read for the information of the Senate.

There being no objection, the telegrams were read and ordered to lie on the table, as follows:

APPLETON, WIS., *September 30, 1913.*

WILLIAM ALDEN SMITH,
Washington, D. C.:

We are advised woven wire cloth schedule has been canceled by House and duty placed at 15 per cent. We protest vigorously against reduction to below 30 per cent. We have produced figures to show that difference in wages in United States and abroad entitle us to at least 30 per cent protection. Fifteen per cent ruinous to Fourdrinier wire-cloth industry.

LOUIS A. SCHROEDER, *President*,
C. E. MAESER,
Executive Board Wisconsin Division,
American Wire Weavers' Protective Association.

—

DETROIT, MICH., *September 30, 1913.*

Hon. WILLIAM ALDEN SMITH,
United States Senate, Washington, D. C.:

Please use best endeavor to have withdrawn from the income-tax bill the unfair and ambiguous clause relative to payment of income tax by tenants, trustees, or agents, pages 138–142.

HOMER WARREN & CO.

Mr. OLIVER. I present a memorial of 1,800 employees of the Shenango Works, American Sheet & Tin Plate Co., of New Castle, Pa., protesting against certain legislation. I ask that the memorial be printed in the RECORD without the signatures and referred to the Committee on the Judiciary.

There being no objection, the memorial was referred to the Committee on the Judiciary and ordered to be printed in the RECORD without the signatures, as follows:

SHENANGO WORKS, AMERICAN SHEET & TIN PLATE CO.,
New Castle, Pa.

We who hereby subscribe our signatures are employees of the Shenango works of the American Sheet & Tin Plate Co., a subsidiary company of the United States Steel Corporation.

Viewing with great concern the legal suit instituted at the instigation of your honorable body to dissolve the United States Steel Corporation, we prayerfully protest, and urge your deepest consideration for the well-being of fully 1,800 employees of this plant alone. We honestly and sincerely beg that our company, the United States Steel Corporation, be not dissolved.

Our company is sparing neither time nor expense to make working conditions more bearable to its employees, and we are among the highest paid workingmen—skilled or unskilled—in the country. Scores of our men are looking forward to, and some even now are enjoying, the benefits of the old-age pension fund which is being operated to the great relief of those dependent upon same. Many of us took advantage of the privilege of the stockholding and profit-sharing plan, which has enabled a goodly number of our workingmen to buy and own their own homes. Rest houses and excellent drinking water have been placed in different parts of our mill. First aid to the injured through our mill hospital and financial relief are institutions that brought a wonderful blessing to our unfortunate men injured. Everything is being done to make conditions sanitary throughout the mill, and we feel constrained to beg your honorable body to "let well enough alone," as we feel sure that the dissolution of the United States Steel Corporation will work untold hardship and inconvenience upon its employees, with no material advantage to any great part of the great Commonwealth.

Mr. BRANDEGEE. In connection with the telegram put into the RECORD as to the woven-wire-cloth schedule, I ask that the telegram which I send to the desk from constituents of mine in Connecticut may be read by the Secretary.

The VICE PRESIDENT. The Secretary will read as requested.

The telegram was read and ordered to lie on the table, as follows:

NEW HAVEN, CONN., *September 30, 1913.*

Senator BRANDEGEE, *Washington, D. C.:*

Wire-cloth schedule reduced to 15 per cent. Can not exist on less than 30 per cent. Protest vigorously.

H. & T. MCCLUSKEY & SON.

Mr. WEEKS. I present two telegrams, one from the American Wire Weavers' Association, of Holyoke, Mass., and the other from the Buchanan & Bolt Wire Co., of Holyoke, Mass., which I ask may be read.

There being no objection, the telegrams were read and ordered to lie on the table, as follows:

HOLYOKE, MASS., *September 30, 1913.*

Senator WEEKS, *Washington, D. C.:*

Have information that House has cut rate on woven-wire cloth to 15 per cent. If so, great injustice to American workman. Hope you will vigorously oppose such action.

A. A. BROOKS,
American Wire Weavers' Association, Holyoke, Mass.

—

HOLYOKE, MASS., *October 1, 1913.*

Senator JOHN W. WEEKS,
Senate, Washington, D. C.:

Thirty per cent on brass-wire cloth is great hardship to manufacturers in this country, and 15 per cent means ruin. Make vigorous protest against reduction.

BUCHANAN & BOLT WIRE CO.

Mr. PERKINS presented a petition of the Merchants' Exchange of Oakland, Cal., praying for an increased Navy and for the organization of a naval reserve, which was referred to the Committee on Naval Affairs.

Mr. PITTMAN presented a petition of the Commercial Club of Pioche, Nev., praying for the construction of four new battleships, which was referred to the Committee on Naval Affairs.

He also presented a petition of the Commercial Club of Pioche, Nev., praying for the organization of a naval reserve, which was referred to the Committee on Naval Affairs.

PUBLIC BUILDING AT BELOIT, KANS.

Mr. SWANSON. From the Committee on Public Buildings and Grounds I report back favorably without amendment the bill (H. R. 7596) to increase the limit of cost of the United States post-office building at Beloit, Kans. I direct the attention of the junior Senator from Kansas [Mr. THOMPSON] to the report.

Mr. THOMPSON. I ask unanimous consent for the passage of the bill at this time.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to increase the limit of cost of the United States post-office building at Beloit, Kans., $8,000, or so much thereof as may be necessary to meet the additional cost of construction of the building by the substitution of stone for trimmings instead of terra cotta and wood as specified in the existing contract.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT AUGUSTA, GA.

Mr. SWANSON. I am instructed by the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 7875) to increase the limit of cost of the public building at Augusta, Ga., to report it favorably without amendment, and I ask unanimous consent for the immediate consideration of the bill. It is important that early action should be taken upon it.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that the limit of cost of the public building at Augusta, Ga., provided for under act of June 25, 1910, shall be increased from $250,000 to $325,000.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NATIONAL CONSERVATION EXPOSITION, KNOXVILLE, TENN.

Mr. LEA. On behalf of the Senator from Mississippi [Mr. WILLIAMS], the chairman of the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably from that committee, with amendments, Senate resolution 175, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendments were, on page 1, line 2, to strike out the word "seven" before the word "members" and insert in lieu thereof the word "eleven," and to add at the end of the resolution the words: "That the actual traveling and hotel expenses of the committee be paid out of the contingent fund of the Senate," so as to make the resolution read:

Whereas the National Conservation Exposition is to be held at Knoxville, Tenn., from September 1, 1913, to October 31, 1913, inclusive; and

Whereas this exposition has for its purpose the emphasizing of the necessity for conservation of all natural resources of the country and the study of the best methods of forwarding this movement; and

Whereas the officers of the said National Conservation Exposition have requested the honor of the presence of Members of the Senate of the United States at some time during said exposition, to be designated by the Senate: Therefore be it

Resolved, That the President of the Senate be empowered to appoint a committee of 11 Members, which will accept this invitation on the part of the Senate and visit said exposition at some time to be agreed upon between the members of said committee and the president of the exposition.

That the actual traveling and hotel expenses of the committee be paid out of the contingent fund of the Senate.

The amendments were agreed to.

The resolution as amended was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KERN:

A bill (S. 3157) for the relief of August Gleitz (with accompanying papers); and

A bill (S. 3158) for the relief of George W. Stottler; to the Committee on Military Affairs.

By Mr. THOMPSON:

A bill (S. 3159) granting an increase of pension to William H. Ruckle (with accompanying papers); to the Committee on Pensions.

By Mr. SWANSON:

A bill (S. 3160) for the relief of Passed Asst. Surg. Micajah Boland, United States Navy; to the Committee on Naval Affairs.

A bill (S. 3161) to repeal section 3480 of the Revised Statutes of the United States (with accompanying papers); to the Committee on the Judiciary.

By Mr. JACKSON:

A bill (S. 3162) granting an increase of pension to Eliza K. Carpenter; to the Committee on Pensions.

A bill (S. 3163) to remove the charge of desertion from the military record of Ebenezer Wainwright; to the Committee on Military Affairs.

By Mr. BRISTOW:

A bill (S. 3164) granting a pension to Elizabeth Page (with accompanying paper); to the Committee on Pensions.

By Mr. WEEKS (for Mr. LODGE):

A bill (S. 3165) granting a pension to James Percival; to the Committee on Pensions.

By Mr. SMITH of Michigan:

A bill (S. 3166) to provide a site and erect a public building at Hancock, Mich.; to the Committee on Public Buildings and Grounds.

By Mr. NEWLANDS:

A bill (S. 3167) granting an increase of pension to Mary H. Kennedy; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 3168) granting a pension to Laura L. Junkin;

A bill (S. 3169) granting a pension to Ethalinda Stewart; and

A bill (S. 3170) granting an increase of pension to Henry Stevenson (with accompanying papers); to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 3171) granting a pension to Laura Tisdale (with accompanying papers);

A bill (S. 3172) granting an increase of pension to Sarah B. Lamb (with accompanying papers); and

A bill (S. 3173) granting an increase of pension to Mary A. Birge (with accompanying papers); to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 3174) granting an increase of pension to James Littleton (with accompanying papers); to the Committee on Pensions.

INTERNATIONAL CONFERENCE ON BILLS OF EXCHANGE (S. DOC. NO. 162).

Mr. O'GORMAN submitted the following resolution (S. Res. 187), which was read, considered by unanimous consent, and agreed to:

Resolved, That there be printed for use of the American delegation to the International Conference on Bills of Exchange held at The Hague during 1912, 500 copies of their report, which report was recently transmitted to Congress by the President.

FORTIFICATION OF SWEET WINES.

Mr. POMERENE submitted the following resolution (S. Res. 188), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be directed to send to the Senate a statement containing the names and addresses of the manufacturers of sweet wine who use wine spirits or grape brandy in the fortification of sweet wines, together with the number of gallons of wine spirits or grape brandy used by each of said manufacturers in said process of fortification for each of the five preceding fiscal years.

Also, a statement showing the amount of revenue received by the Government during each of said years from said wine spirits or grape brandy.

UNION AGENCY AND COMMISSION TO FIVE CIVILIZED TRIBES.

Mr. GORE. I offer a resolution, and ask unanimous consent for its present consideration.

The resolution (S. Res. 189) was read, as follows:

Resolved, That the Secretary of the Interior be, and he is hereby, directed, if not incompatible with the public service, to transmit to the Senate copies of all the pay rolls, showing all the officers and employees of the Union Agency and the Commission to the Five Civilized Tribes and their compensations; also a statement showing which of such officers and employees are under the civil service and those not under the civil service, and further showing whether those under the civil service were placed there by statute or by special order, setting out said order.

Mr. BACON. I wish to suggest that in directing a report from the head of a department it is not usual to insert a condition as to its being compatible with the public interest. That is always done in the case of a request to the President, but it is never done in the case of a direction given to the head of a department. Of course the Senate can do so if it wishes. If it is a matter of doubt, and it wishes to leave it to the discretion of the head of the department, there is no impropriety in it; but if it is information which the Senate thinks it ought to have, it never couples the direction which is given the head of a department with a condition of that kind.

Mr. GORE. I will suggest the omission of the phrase, then. I have no desire to establish a precedent.

The SECRETARY. It is proposed to amend the resolution by striking out the words "if not incompatible with the public service."

The amendment was agreed to.

The resolution as amended was agreed to.

PROPOSED PATENT LAW REVISION (S. DOC. NO. 200).

Mr. BRANDEGEE. I send to the desk an article by Gilbert H. Montague, of the New York bar, on the proposed patent law revision, taken from the Harvard Law Review. I ask that it may be printed as a public document.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

ADDRESS BY HON. WILLIAM KENT (S. DOC. NO. 202).

Mr. OWEN. I ask to have printed as a public document an address on democracy and efficiency, delivered by Hon. WILLIAM KENT at Harvard University, March 29, 1912.

The VICE PRESIDENT. Without objection, it is so ordered.

THE GERMAN FARMER AND COOPERATION (S. DOC. NO. 201).

Mr. FLETCHER. I ask unanimous consent to have printed as a document a report by Mr. F. J. H. von Engelken, who was a member of the American commission that spent some months last spring and summer investigating rural conditions, agricultural finance, and cooperations in Germany. I have an estimate of the expense. It is not very large. I think the report is a very valuable contribution to that subject. Mr. von Engelken is a native of Germany and a farmer in Florida. He is both a German and English scholar, and his views I think are very pertinent and important. I ask that the report be printed as a document.

The VICE PRESIDENT. Without objection, the request of the Senator from Florida will be complied with and the report will be printed as a public document.

NATIONAL BANKING ACT—1911 (S. DOC. NO. 197).

Mr. OWEN. Mr. President, a few days ago the Senate adopted an order to reprint Senate Document No. 733, Sixtieth Congress, being the national-bank act. I move to reconsider the vote by which that order was adopted.

The motion to reconsider was agreed to.

Mr. OWEN. I ask that 1,000 copies of the national-bank act of 1911 be printed for the use of the Senate document room.

There being no objection, the order was agreed to, and it was reduced to writing, as follows:

Ordered, That 1,000 copies of the national-bank act as amended and other laws relating to national banks, 1911, be printed for the use of the Senate document room.

HOUSE JOINT RESOLUTION REFERRED.

A joint resolution (H. J. Res. 132) authorizing the Secretary of Agriculture to make an exhibit at the Sixth National Corn Exposition, to be held at Dallas, Tex., during the month of February, 1914, was read twice by its title and referred to the Committee on Agriculture and Forestry.

NATIONAL CONSERVATION EXPOSITION, KNOXVILLE, TENN.

Mr. BORAH. Mr. President, I desire to call attention to a resolution (No. 175) which passed the Senate a few moments ago. I was unable to understand the terms of the resolution at the time it was passed. It is a resolution authorizing the President of the Senate to appoint 11 Members of the Senate to attend the exposition at Knoxville, Tenn. The concluding sentence of the resolution is:

That the actual traveling and hotel expenses of the committee be paid out of the contingent fund of the Senate.

I am of the opinion that that would establish a new precedent—paying the expenses of those who go on junketing trips of that kind. I have no objection to the appointment of a committee to visit the exposition, but I do object—and I want to enter that protest before the matter is finally concluded—to establishing this precedent of paying the expenses of Members of Congress upon trips of that nature. It is purely a junketing trip, and such expenses ought not to be paid out of the public funds.

The VICE PRESIDENT. Does the Senator from Idaho move to reconsider the vote whereby the resolution was agreed to?

Mr. BORAH. I move that the vote whereby the resolution was adopted be reconsidered.

The VICE PRESIDENT. The question is on the motion of the Senator from Idaho to reconsider the vote whereby the resolution was adopted.

Mr. LEWIS. Mr. President, may I ask the Senator from Idaho who it was that reported the resolution? Was it a Senator upon this side of the Chamber?

Mr. BORAH. I did not observe.

The VICE PRESIDENT. The Chair will state that the resolution was reported by the Senator from Tennessee [Mr. LEA] for the Senator from Mississippi [Mr. WILLIAMS].

Mr. LEWIS. If the Senator from Tennessee, who reported the resolution, is not now on the floor, I ask the Senator from Idaho to defer his motion until he arrives.

Mr. BORAH. Certainly. I now enter a motion to reconsider the vote by which the resolution was passed, and will let that motion stand.

Mr. LEWIS. The Senator from Tennessee will be here in a moment, it is reported.

Mr. BORAH. I understand the Senator from Tennessee is now on the floor.

Mr. SHIELDS. The senior Senator from Tennessee [Mr. LEA] reported the resolution and is in charge of it. I ask that the matter be delayed until his return.

Mr. BORAH. Very well.

Mr. BRISTOW. Mr. President, I desire to concur in everything that has been said by the Senator from Idaho [Mr. BORAH] in regard to the impropriety of paying out of the public funds the expenses of these junketing trips.

Mr. LEA entered the Chamber.

Mr. BORAH. Mr. President, I see the Senator from Tennessee is now present. I will state that during his absence I called attention to Senate resolution 175, providing for a distinguished group of Senators to attend the Knoxville exposition, all of which I am in favor of, if they see fit to attend; but I objected to the last clause of the resolution, which provides that the traveling and hotel expenses of the committee shall be paid out of the contingent fund of the Senate. The traveling expenses might be reasonably certain, but the hotel expenses would be a very indefinite proposition. I ask for a reconsideration of the vote by which the resolution was adopted, in order that I may move to strike out the last two lines of the resolution. I do not at all object to the commission, if Senators find time and have the desire to go, but I earnestly object to another precedent in these altogether too numerous trips at the public expense.

Mr. LEA. Mr. President, I hope the Senator from Idaho will not insist upon that motion. The House of Representatives has accepted the invitation, it has appointed a committee of 13 Members, and it was our hope that the Senate would do likewise. This is a very small thing to do for an exposition that has a very worthy purpose, and a purpose with which, I am sure, the Senator from Idaho is in hearty sympathy. Most expositions have been favored with large appropriations, but this exposition has not been. While it has a Government exhibit for the purpose of setting forth the object and necessity of conservation, it has not been fortunate enough to receive an appropriation. This is the only encouragement that Congress can give to this exposition, which is the first of its kind, and is most important in its purposes and objects. I hope, therefore, that the Senator from Idaho will not insist upon his motion.

Mr. BORAH. Mr. President, I am not seeking to interfere with the visit of this delegation to the exposition, but I am assuming that if a Member of Congress thinks he can serve the cause of conservation or any other cause by leaving his duties here for a few days, he will be perfectly willing to take care of his expenses. I object, however, to establishing the precedent of paying out of the funds of the Senate the expenses of these traveling delegations which may wish to visit this exposition or that exposition or the Rivers and Harbors Congress. I think it would establish a precedent that we ought to fully consider before we do establish it. I have not the least objection to the general purpose of the resolution, but does not the Senator think these gentlemen would be willing to make this visit without having their hotel expenses paid?

Mr. LEA. I do not think that is the question. It is not establishing a precedent; it is merely following a precedent. If the Senate should refuse to appropriate this small amount of money, it would cast a reflection upon this exposition, because a committee has been appointed to attend nearly every other exposition of the same character as this which has been held. I am not asking to establish a precedent, but I am asking that the Senate follow the precedents.

The VICE PRESIDENT. The question is on the motion of the Senator from Idaho to reconsider the vote whereby the resolution was agreed to. [Putting the question.] The Chair is in doubt, and will again put the question to the Senate. Those in favor of reconsidering the vote whereby the resolution appointing 11 Members of the Senate to attend the conservation congress at Knoxville, Tenn., at the expense of the contingent fund of the Senate will vote "aye," those opposed "no." It appears that the ayes have it.

Mr. LEA. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. JACKSON (when his name was called). I have a general pair with the senior Senator from West Virginia [Mr. CHILTON]. I transfer that pair to the junior Senator from Maine [Mr. BURLEIGH] and will vote. I vote "nay."

Mr. LEA (when his name was called). I have a general pair with the senior Senator from South Dakota [Mr. CRAWFORD]. If I were at liberty to vote, I should vote "nay."

Mr. WEEKS (when Mr. LODGE's name was called). My colleague [Mr. LODGE] is absent on account of illness. He has a general pair with the junior Senator from Georgia [Mr. SMITH]. I think Senators will be glad to know that, although the Senator from Massachusetts has undergone a serious surgical operation, his condition to-day is entirely satisfactory to his physicians and friends.

Mr. GRONNA (when Mr. MCCUMBER's name was called). My colleague [Mr. MCCUMBER] is absent on account of important business. I do not know how he would vote if he were present.

Mr. SAULSBURY (when his name was called). I have a general pair with the junior Senator from Rhode Island [Mr. COLT]. If he were present, I should vote "nay."

Mr. SMITH of Arizona (when his name was called). I have a pair with the Senator from New Mexico [Mr. FALL], and on this particular matter I do not feel inclined to vote.

Mr. SMITH of Georgia (when his name was called). My pair with the senior Senator from Massachusetts [Mr. LODGE] has already been brought to the attention of the Senate. On account of that pair I refrain from voting.

Mr. TILLMAN (when his name was called). I have a general pair with the junior Senator from Wisconsin [Mr. STEPHENSON]. In his absence I withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. SMITH of Michigan (when Mr. TOWNSEND's name was called). I desire to announce the absence of my colleague [Mr. TOWNSEND] on official business. He is paired with the Senator from Arkansas [Mr. ROBINSON].

Mr. WALSH (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. LIPPITT]. In his absence I refrain from voting.

The roll call was concluded.

Mr. LEA. I transfer my pair with the senior Senator from South Dakota [Mr. CRAWFORD] to the junior Senator from Ohio [Mr. POMERENE] and will vote "nay."

Mr. SHAFROTH. I am paired with the junior Senator from California [Mr. WORKS] and therefore withhold my vote.

Mr. BANKHEAD. I have a pair with the junior Senator from West Virginia [Mr. GOFF] and therefore withhold my vote. I make this announcement for the day.

Mr. SHEPPARD. My colleague the senior Senator from Texas [Mr. CULBERSON] is unavoidably absent. He is paired with the Senator from Delaware [Mr. DU PONT].

Mr. WEEKS. I desire to announce that the Senator from Illinois [Mr. SHERMAN] is unavoidably absent from the Senate on account of business.

Mr. SMITH of Michigan (after having voted in the affirmative). I desire to inquire whether the junior Senator from Missouri [Mr. REED] has voted?

The VICE PRESIDENT. The Chair is informed that he has not.

Mr. SMITH of Michigan. I have a pair with that Senator, which I will transfer to the Senator from New York [Mr. ROOT] and allow my vote to stand.

Mr. KERN. I was requested to announce that the Senator from Missouri [Mr. STONE] is paired with the Senator from Wyoming [Mr. CLARK] and that the Senator from Nevada [Mr. NEWLANDS] is paired with the Senator from South Dakota [Mr. STERLING].

The result was announced—yeas 20, nays 29, as follows:

YEAS—20.

Borah	Gore	La Follette	Oliver
Bradley	Gronna	Lane	Penrose
Brandegee	Hitchcock	McLean	Sheppard
Bristow	Jackson	Nelson	Smith, Mich.
Burton	Jones	Norris	Weeks

NAYS—29.

Ashurst	Johnson	Overman	Swanson
Bacon	Kern	Owen	Thompson
Bryan	Lea	Perkins	Thornton
Chamberlain	Lewis	Ransdell	Vardaman
Fletcher	Martin, Va.	Shields	Williams
Hollis	Martine, N. J.	Shively	
Hughes	Myers	Smith, Md.	
James	O'Gorman	Smith, S. C.	

NOT VOTING—46.

Bankhead	Dillingham	Poindexter	Stephenson
Brady	du Pont	Pomerene	Sterling
Burleigh	Fall	Reed	Stone
Catron	Gallinger	Robinson	Sutherland
Chilton	Goff	Root	Thomas
Clapp	Kenyon	Saulsbury	Tillman
Clark, Wyo.	Lippitt	Shafroth	Townsend
Clarke, Ark.	Lodge	Sherman	Walsh
Colt	McCumber	Simmons	Warren
Crawford	Newlands	Smith, Ariz.	Works
Culberson	Page	Smith, Ga.	
Cummins	Pittman	Smoot	

So Mr. BORAH's motion to reconsider was rejected.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 12 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Thursday, October 2, 1913, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate October 1, 1913.

CHIEF INSPECTOR OF LOCOMOTIVE BOILERS.

Frank McMammy, of Oregon, now assistant chief inspector of locomotive boilers, to be chief inspector of locomotive boilers, vice John F. Ensign, deceased.

UNITED STATES MARSHAL.

Frank J. Noonan, of Pennsylvania, to be United States marshal for the eastern district of Pennsylvania, vice John B. Robinson, resigned.

APPOINTMENT IN THE ARMY.

CORPS OF ENGINEERS.

Col. Dan C. Kingman, Corps of Engineers, to be Chief of Engineers with the rank of brigadier general from October 12, 1913, vice Brig. Gen. William T. Rossell, to be retired from active service October 11, 1913.

PROMOTIONS IN THE NAVY.

Lieut. Commander David F. Sellers to be a commander in the Navy from the 1st day of July, 1913.

Lieut. Commander Joseph M. Reeves, an additional number in grade, to be a commander in the Navy from the 1st day of July, 1913.

Ensign Cary W. Magruder to be a lieutenant (junior grade) in the Navy from the 6th day of June, 1913.

Paymaster Timothy S. O'Leary to be a pay inspector in the Navy from the 20th day of August, 1913.

Asst. Paymaster Ulrich R. Zivnuska to be a passed assistant paymaster in the Navy from the 2d of August, 1913.

POSTMASTERS.

ALABAMA.

Sterling P. Rainer to be postmaster at Union Springs, Ala., in place of Thomas U. Baskin, removed.

ARKANSAS.

James L. Cannon to be postmaster at De Queen, Ark., in place of T. O. Poole, declined.

William E. Floyd to be postmaster at Little Rock, Ark., in place of U. S. Bratton, resigned.

CALIFORNIA.

Ada Ainscough to be postmaster at Banning, Cal., in place of John Ainscough, deceased.

COLORADO.

Lilian A. Hawks to be postmaster at Wray, Colo., in place of Charles D. Pickett, resigned.

CONNECTICUT.

William J. Thomas to be postmaster at Moodus, Conn., in place of G. P. Lecrenier. Incumbent's commission expired December 14, 1912.

FLORIDA.

L. M. Caswell to be postmaster at Perry, Fla., in place of James H. Lundy, resigned.

GEORGIA.

Jeptha H. Rucker to be postmaster at Athens, Ga., in place of William Fleming, resigned.

I. J. Slaughter to be postmaster at Jackson, Ga., in place of Alamo B. Harp, resigned.

ILLINOIS.

Frederic A. Perkins to be postmaster at Canton, Ill., in place of William H. Shaw, deceased.

Clint C. Tilton to be postmaster at Danville, Ill., in place of William R. Jewell, resigned.

David L. Wright to be postmaster at Effingham, Ill., in place of William W. Austin, removed.

INDIANA.

Nehemiah Littlefield to be postmaster at Rensselaer, Ind., in place of George E. Murray, removed.

IOWA.

Tracy R. Osborne to be postmaster at New Sharon, Iowa, in place of C. E. Wallace, resigned.

M. D. Sullivan to be postmaster at Wilton Junction, Iowa, in place of A. C. Shiflet, deceased.

KANSAS.

J. K. Stinson to be postmaster at Marquette, Kans., in place of C. J. Nordstrom. Incumbent's commission expired February 4, 1912.

KENTUCKY.

J. D. Caudill to be postmaster at Morehead, Ky., in place of James M. Carey, resigned.

W. B. Crabb to be postmaster at Eminence, Ky., in place of Miles M. J. Williams, resigned.

O. D. Procter to be postmaster at Adairville, Ky., in place of Lucy O. Mason, removed.

Jacob Roll to be postmaster at Newport, Ky., in place of George Wilhelmi, resigned.

LOUISIANA.

A. J. Alford to be postmaster at Amite, La., in place of George B. Burnham, resigned.

Lester L. Bordelon to be postmaster at Marksville, La., in place of B. F. Edwards, removed.

Jane McWilliams to be postmaster at Longville, La., in place of William C. Stewart, resigned.

MARYLAND.

Franklin B. Beall to be postmaster at Cumberland, Md., in place of William Pearre, removed.

Joseph C. Gernand to be postmaster at Thurmont, Md., in place of Jacob H. Cover. Incumbent's commission expired December 10, 1911.

F. B. McDermitt to be postmaster at Mount Savage, Md., in place of J. E. Macfarlane. Incumbent's commission expired January 11, 1913.

Benjamin Mitchell to be postmaster at Hancock, Md., in place of Mary J. Perkins. Incumbent's commission expired January 31, 1912.

MASSACHUSETTS.

John W. Baldwin to be postmaster at North Wilbraham, Mass. Office became presidential October 1, 1911.

MICHIGAN.

Charles E. Adair to be postmaster at Utica, Mich., in place of Stuart Beatty. Incumbent's commission expired December 14, 1912.

Louis J. Braun to be postmaster at South Range, Mich., in place of William Trevarthen, resigned.

J. W. Ewing to be postmaster at Grand Ledge, Mich., in place of Walter E. Wilson. Incumbent's commission expired March 10, 1912.

Thomas Gilligan to be postmaster at Hopkins, Mich., in place of Ora P. Gordon. Incumbent's commission expired April 19, 1913.

August C. Goehrend to be postmaster at Reed City, Mich., in place of Theodore Schmidt, resigned.

William W. Harper to be postmaster at Harrison, Mich. Office became presidential October 1, 1913.

Levi A. Harris to be postmaster at Gaylord, Mich., in place of W. S. Carpenter, removed.

G. Martin Harrington to be postmaster at Bancroft, Mich., in place of Hugh W. Parker. Incumbent's commission expired February 9, 1913.

William P. Hicks to be postmaster at Holly, Mich., in place of Charles H. Baird. Incumbent's commission expired April 24, 1912.

Arthur Hillman to be postmaster at Akron, Mich., in place of Charles W. Stacy, resigned.

Daniel A. Holland to be postmaster at Hancock, Mich., in place of Charles F. Rogers. Incumbent's commission expired February 9, 1913.

Arthur A. Juttner to be postmaster at Menominee, Mich., in place of Michael H. Kern, resigned.

Joseph Karl to be postmaster at St. Clair Heights, Mich. Office became presidential July 1, 1913.

Thomas H. McGee to be postmaster at Farmington, Mich., in place of M. Byron Pierce. Incumbent's commission expired April 5, 1913.

Robert Mooney to be postmaster at Ontonagon, Mich., in place of A. S. Follansbee. Incumbent's commission expired May 7, 1913.

Edwin S. Noble to be postmaster at Elk Rapids, Mich., in place of Archibald K. Dougherty, resigned.

Eugene L. Rose to be postmaster at Petoskey, Mich., in place of Charles J. Pailthorpe, resigned.

Johnson A. Saur to be postmaster at Kent City, Mich. Office became presidential October 1, 1912.

N. C. Sutherland to be postmaster at Romeo, Mich., in place of William T. Hosner. Incumbent's commission expired January 5, 1913.

MINNESOTA.

P. J. McCormick to be postmaster at Hopkins, Minn., in place of W. B. Anderson. Incumbent's commission expired January 5, 1913.

Lorenzo J. Markoe to be postmaster at White Bear Lake, Minn., in place of James M. King, resigned.

A. Waag to be postmaster at Roseau, Minn., in place of Charles A. Pearson, resigned.

MISSISSIPPI.

Myrtle A. McKay to be postmaster at Pelahatchee, Miss., in place of Martha H. Talbert, resigned.

MISSOURI.

John C. Downing to be postmaster at Cameron, Mo., in place of Dwight R. Ford, resigned.

Lee Jones to be postmaster at Hale, Mo., in place of Clyde M. Hudson, resigned.

NEBRASKA.

D. A. Berkey to be postmaster at Davenport, Nebr., in place of B. J. Showalter. Incumbent's commission expired January 25, 1913.

James H. Carroll to be postmaster at Cambridge, Nebr., in place of George Williams. Incumbent's commission expired May 18, 1913.

Edwin Cutts to be postmaster at Giltner, Nebr., in place of Frank W. Mather, resigned.

R. G. Hall to be postmaster at Fairmont, Nebr., in place of Lou W. Frazier. Incumbent's commission expired April 19, 1913.

Ira Lucy to be postmaster at Long Pine, Nebr., in place of E. M. Davisson. Incumbent's commission expired January 11, 1913.

N. Pearson to be postmaster at Shickley, Nebr., in place of Levi O. Dodge. Incumbent's commission expired January 11, 1913.

John G. Potter to be postmaster at Bridgeport, Nebr., in place of C. F. Clawges. Incumbent's commission expired January 28, 1913.

NEW JERSEY.

Thomas Hennessey, jr., to be postmaster at Fort Hancock, N. J., in place of Julia Martin, resigned.

NEW YORK.

Frank Tamany to be postmaster at Washingtonville, N. Y., in place of James M. Miller, deceased.

NORTH DAKOTA.

J. A. Berdahl to be postmaster at Stanton, N. Dak. Office became presidential April 1, 1913.

A. I. Koehmstedt to be postmaster at Langdon, N. Dak., in place of John McGauvran. Incumbent's commission expired July 20, 1913.

Annie Minehan to be postmaster at Garrison, N. Dak., in place of Cecil H. Taylor, resigned.

OHIO.

George B. Beacham to be postmaster at Williamsburg, Ohio, in place of Edward E. Peterson. Incumbent's commission expired August 4, 1913.

Barbara Crosser to be postmaster at Salineville, Ohio, in place of Mathias Tolson. Incumbent's commission expired May 22, 1913.

Harry E. Miller to be postmaster at New Concord, Ohio, in place of Charles M. Trace. Incumbent's commission expired April 19, 1913.

Benjamin S. C. McBride to be postmaster at St. Clairsville, Ohio, in place of G. P. Bumgarner. Incumbent's commission expired July 31, 1913.

J. H. Newton to be postmaster at Newark, Ohio, in place of George D. Helsey, resigned.

OKLAHOMA.

T. J. Brown to be postmaster at Tuttle, Okla., in place of O. C. Davis, resigned.

A. S. Foreman to be postmaster at Sallisaw, Okla., in place of Charles O. Frye, deceased.

Edward Learnard to be postmaster at Shattuck, Okla., in place of Andrew J. Eaton, resigned.

Bertha M. Nash to be postmaster at Fort Gibson, Okla., in place of James B. Miller. Incumbent's commission expired August 4, 1913.

J. M. Staten to be postmaster at Helena, Okla., in place of Elmer D. Immell. Incumbent's commission expired May 18, 1913.

T. J. Way to be postmaster at Haskell, Okla., in place of James W. Grady. Incumbent's commission expired August 4, 1913.

PENNSYLVANIA.

R. M. Hamilton to be postmaster at Houston, Pa. Office became presidential April 1, 1913.

Edward S. Haws to be postmaster at Narberth, Pa., in place of Joseph Mullineaux, jr., resigned.

Charles A. Smith to be postmaster at Swarthmore, Pa., in place of Caroline E. Hall, resigned.

J. K. Smith to be postmaster at Charleroi, Pa., in place of J. E. McCardle. Incumbent's commission expired June 12, 1913.

Louis N. Spencer to be postmaster at Lancaster, Pa., in place of Henry L. Trout. Incumbent's commission expired July 30, 1913.

SOUTH CAROLINA.

Pierce M. Huff to be postmaster at Piedmont, S. C., in place of Albert S. Rowell. Incumbent's commission expired February 18, 1913.

J. F. Rickenboker to be postmaster at Lake City, S. C., in place of Della D. Carter. Incumbent's commission expired June 16, 1913.

SOUTH DAKOTA.

Thomas J. Ball to be postmaster at Mitchell, S. Dak., in place of James E. Wells. Incumbent's commission expired January 28, 1912.

Peter Schmitt to be postmaster at Waubay, S. Dak., in place of Peter Schnitt, to correct name.

TEXAS.

A. F. Loftis to be postmaster at Manor, Tex., in place of James T. Harrell, removed.

William R. Sharpe to be postmaster at Wolfe City, Tex., in place of L. C. Burnecke. Incumbent's commission expired April 20, 1913.

Almyra L. Williams to be postmaster at Taft, Tex. Office became presidential July 1, 1913.

VIRGINIA.

S. C. Cox to be postmaster at Galax, Va., in place of G. W. Todd. Incumbent's commission expired July 26, 1913.

WASHINGTON.

Ann E. Sykes to be postmaster at Grandview, Wash. Office became presidential January 1, 1912.

WEST VIRGINIA.

Thomas G. Burke to be postmaster at Oak Hill, W. Va., in place of James P. Staton, resigned.

P. H. Kelly to be postmaster at Thurmond, W. Va., in place of T. G. Arnold. Incumbent's commission expired July 31, 1913.

William H. McCutcheon to be postmaster at Webster Springs, W. Va., in place of Chesley S. Harper, removed.

WISCONSIN.

John G. Solverson to be postmaster at Nashotah, Wis. Office became presidential October 1, 1912.

W. H. Weed to be postmaster at Weyauwega, Wis., in place of H. S. Olson, resigned.

WYOMING.

John T. Jones to be postmaster at Worland, Wyo. Office became presidential October 1, 1913.

M. R. Merrill to be postmaster at Wheatland, Wyo., in place of Frederick E. Davis. Incumbent's commission expired December 17, 1912.

CONFIRMATIONS.

Executive nominations confirmed by the Senate October 1, 1913.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Capt. Joseph Strauss to be Chief of the Bureau of Ordnance with the rank of rear admiral.

Lieut. Commander William P. Scott, an additional number in grade, to be a commander.

The following-named ensigns to be lieutenants (junior grade):
John W. Rankin,
Charles H. Davis, jr.,
Albert M. Penn,
Martin J. Peterson, and
Thomas M. Tipton.

Midshipman Charles L. Foutz to be an ensign.

The following-named citizens to be assistant surgeons in the Medical Reserve Corps:
James D. Bobbitt,
Ovid C. Foote,
Howard Priest,
Martin B. Hiden,
Arthur E. Beddoe,
Carroll R. Baker,
Charles S. Stephenson, and
William S. Wentzel.

Pharmacist Paul J. Waldner to be a chief pharmacist.

John D. P. Hodapp to be an assistant paymaster.

POSTMASTERS.

CONNECTICUT.

James T. Murray, Thompsonville.

MINNESOTA.

W. W. Belden, Caledonia.

NORTH CAROLINA.

A. C. Hughes, Apex.
O. A. Snipes, Rocky Mount.

OKLAHOMA.

J. N. Kimberlin, Altus.

OREGON.

W. A. Delzell, Klamath Falls.

TEXAS.

C. A. Howard, Bronson.
Mrs. Jesse O. Wheeler, Brownsville.

WASHINGTON.

R. B. Smith, Prescott.

WYOMING.

Mary E. Hurst, Greybull.

SENATE.

THURSDAY, *October 2, 1913.*

The Senate met at 12 o'clock m.
Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.
The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 99. An act to fix the times and places of holding district courts for the district of Arizona; and

S. 2254. An act to amend chapter 1, section 18, of the Judicial Code.

MEMORIALS.

Mr. JONES. I have received a telegram, in connection with those which I presented on yesterday, from J. W. Clise, of Seattle, Wash., in regard to the tax on rentals, which I ask may be printed in the RECORD.

There being no objection, the telegram was ordered to lie on the table and to be printed in the RECORD, as follows:

SEATTLE, WASH., *October 1, 1913.*

Hon. WESLEY L. JONES,
United States Senate, Washington, D. C.:

We sincerely protest tariff bill provision income tax that tax on rent be deducted and paid by lessee. Property should be sufficient security any tax. Respectfully urge you to oppose same.

J. W. CLISE.

Mr. POINDEXTER presented a memorial of John Barlow Camp No. 6, United Spanish War Veterans, Department of Washington and Alaska, of Vancouver, Wash., remonstrating against the proposed change in the design of the American flag, which was referred to the Committee on Military Affairs.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. OVERMAN. From the Committee on Appropriations I report back favorably, with amendments, the bill (H. R. 7898) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes, and I submit a report (No. 116) thereon. I give notice that I shall call up the bill at the earliest practicable moment after the disposition of the conference report on the tariff bill.

The VICE PRESIDENT. The bill will be placed on the calendar.

ANGELO ALBANO.

Mr. SHIVELY, from the Committee on Foreign Relations, to which was referred the bill (H. R. 7384) to authorize the payment of an indemnity to the Italian Government for the killing of Angelo Albano, an Italian subject, reported it without amendment and submitted a report (No. 118) thereon.

PROTECTION OF AMERICAN SEAMEN.

Mr. FLETCHER. I am directed by the Committee on Commerce to make the following report, which I ask may be read.

The Secretary read the report (No. 117), as follows:

The committee, upon consideration of S. 4, S. 2221, and S. 136, reports favorably S. 136, with the statement that in the judgment of the committee action should not be taken on the measure until the regular session next December. The committee is moved to this opinion largely by reason of the fact that the International Conference on Safety at Sea will be held in London beginning November 12 next, and it would be advisable to have the results of that conference before taking final action on this bill.

The VICE PRESIDENT. The bill (S. 136) will be placed on the calendar, and it will be postponed until the regular session of Congress.

Mr. LA FOLLETTE. Mr. President, my attention was diverted for a moment. Is that a report from a committee upon a bill?

The VICE PRESIDENT. It is, and a request on the part of the committee that the bill be not taken up until the regular session.

Mr. LA FOLLETTE. May I inquire what is the number of the bill?

The VICE PRESIDENT. The bill will be read by title.

The SECRETARY. A bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States, to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto, and to promote safety at sea.

Mr. LA FOLLETTE. I must interpose an objection to the bill being laid aside for the session.

The VICE PRESIDENT. The bill will go to the calendar, then.

Mr. LA FOLLETTE. Let it go to the calendar, to be taken up in order.

The VICE PRESIDENT. The bill will go to the calendar.

MONONGAHELA RIVER (W. VA.) BRIDGE.

Mr. SHEPPARD. I report sundry bridge bills from the Committee on Commerce. The bills are in the usual form, and I shall ask for their immediate consideration.

First, from the Committee on Commerce, I report back favorably without amendment the bill (H. R. 6582) to authorize the city of Fairmont to construct and operate a bridge across the Monongahela River at or near the city of Fairmont, in the State of West Virginia.

The VICE PRESIDENT. The Senator from Texas asks unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TUG FORK OF BIG SANDY RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 6378) to authorize Robert W. Buskirk, of Matewan, W. Va., to bridge the Tug Fork of the Big Sandy River at Matewan, Mingo County, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky, and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BEAUFORT RIVER (S. C.) BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 7472) authorizing Beaufort and St. Helena Townships, Beaufort County, S. C., to construct, maintain, and operate a bridge and approaches thereto across Beaufort River, in Beaufort County, S. C., and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BLACK RIVER (ARK.) BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 7470) to authorize the construction, maintenance, and operation of a bridge across Black River at or near the section line between sections 8 and 9, in township 20 north, range 5 east, being a short distance south and east of the town of Corning, Clay County, Ark., and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LITTLE RIVER BRIDGE, ARKANSAS.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 7469) to authorize the construction, maintenance, and operation of a bridge across the Little River at or near Lepanto, Ark., and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TENNESSEE RIVER BRIDGE AT CHATTANOOGA.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 6635) to authorize the county of Hamilton, in the State of Tennessee, to construct a bridge across the Tennessee River at Chattanooga, in the State of Tennessee, and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISSISSIPPI RIVER BRIDGE, AITKIN COUNTY, MINN.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 1985) to authorize the county of Aitkin, Minn., to construct a bridge across the Mississippi River in Aitkin County, Minn., and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WHITE RIVER BRIDGE AT NEWPORT, ARK.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 5891) authorizing the construction of a bridge across White River, at Newport, Ark., and I ask for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RED LAKE RIVER BRIDGE, MINN.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 1681) to extend the time for constructing a bridge across the Red Lake River, in township 153 north, range 40 west, in Red Lake County, Minn., and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHIVELY:

A bill (S. 3175) to authorize the county of Miami, State of Indiana, to construct a bridge across the Wabash River, in Miami County, Ind.; to the Committee on Commerce.

By Mr. JOHNSON:

A bill (S. 3176) to increase the limit of cost of the public building at Bangor, Me.; to the Committee on Public Buildings and Grounds.

A bill (S. 3177) granting an increase of pension to Rodney Jones (with accompanying papers); and

A bill (S. 3178) granting an increase of pension to Ella M. Bragg (with accompanying papers); to the Committee on Pensions.

By Mr. SAULSBURY:

A bill (S. 3179) to increase the limit of cost of the public building at Smyrna, Del.; to the Committee on Public Buildings and Grounds.

By Mr. HUGHES:

A bill (S. 3180) to prohibit the payment of claims against the United States to public administrators, except in certain instances; to the Committee on the Judiciary.

A bill (S. 3181) granting a pension to John E. Tevendale; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 3182) granting an increase of pension to Sarah E. Frazier; to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 3183) providing for the reimbursement of certain persons and organizations for damage to and destruction of their property in a riot in the city of Seattle, Wash.; to the Committee on Claims.

By Mr. COLT:

A bill (S. 3184) granting an increase of pension to Phebe A. Lewis (with accompanying papers);

A bill (S. 3185) granting an increase of pension to Abby T. McCarthy (with accompanying papers);

A bill (S. 3186) granting a pension to Laura F. Lawton (with accompanying papers); and

A bill (S. 3187) granting a pension to Isabella A. Trask (with accompanying papers); to the Committee on Pensions.

By Mr. TILLMAN:

A bill (S. 3188) to provide for the appointment of a district judge, a district attorney, and a marshal for the western judicial district of South Carolina; to the Committee on the Judiciary.

AMENDMENT TO THE DEFICIENCY APPROPRIATION BILL.

Mr. WEEKS submitted an amendment authorizing the Secretary of the Treasury to consider, adjudicate, and pay, under the act of Congress approved July 27, 1912, the claim of any trust company, banks, bankers, or similar institutions for the refund of taxes erroneously assessed or illegally collected under the war-revenue act of June 13, 1898, etc., intended to be proposed by him to the urgent deficiency appropriation bill, which was ordered to lie on the table and to be printed.

DEVELOPMENT AND IMPROVEMENT OF WATERWAYS.

Mr. ASHURST. On the 15th day of last month I spoke in the Senate regarding the Newlands river-regulation bill, to wit, Senate bill 2739. I ask unanimous consent to incorporate in the RECORD a letter upon this subject which I have received from Hon. J. J. Sanders, who is one of the ablest writers and most profound thinkers in the State of Arizona.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FLORENCE, ARIZ., *September 23, 1913.*

Hon. HENRY F. ASHURST, *Washington, D. C.*

DEAR SIR: I have just read your great effort in favor of the Newlands river bill. It is a practical proposition that will be fully demonstrated within the next decade. Every drop of water that falls in Arizona from the clouds, every drop of water that bubbles from her springs, should be conserved for power and irrigating purposes. The swirling waters of the Colorado River will yet yield its millions of amperes for the driving of machinery and its waters for the reclamation of the desert. Then, and not till then, shall Arizona come into its own. Some characterize this great proposition embodied in the Newlands bill as the dream of a visionary. All the great things that man has ever done were at one time characterized as the dreams of visionaries. Have we not seen Morse ridiculed on the very floor where you now stand in the United States Senate Chamber; have we not seen Fulton ridiculed in the great city of New York; and, to come to the present, have we not seen the Wright brothers ridiculed by their fellow citizens of Dayton, Ohio? Then, again, we have seen the great city of Dayton taking a holiday to honor them when they made their great dream come true—when they had done what man had claimed for thousands of years could not be done.

The reclamation of desert lands is a simple mathematical and financial proposition for the Government of this country. Land that is now practically worthless would become very valuable with the life-giving waters turned on for irrigation.

With best wishes, I am,

Sincerely, yours, J. J. SANDERS.

THE COMMERCE COURT (S. DOC. NO. 205).

Mr. BRYAN. I ask to have printed as a Senate document an article by Hon. R. F. BROUSSARD, of Louisiana, on the United States Commerce Court.

The VICE PRESIDENT. Without objection, the request of the Senator from Florida will be complied with.

SAN FRANCISCO WATER SUPPLY.

Mr. PITTMAN. I ask unanimous consent that the Senate proceed to the consideration of House bill 7207, being Order of Business 94 on the calendar.

The VICE PRESIDENT. The Senator from Nevada asks unanimous consent for the present consideration of House bill 7207.

Mr. PENROSE. Let it be read for the information of the Senate, Mr. President.

The VICE PRESIDENT. The Secretary will read the bill.

The SECRETARY. A bill (H. R. 7207) granting to the city and county of San Francisco certain rights of way in, over, and through certain public lands, the Yosemite National Park, and Stanislaus National Forest, and certain lands in the Yosemite National Park, the Stanislaus National Forest, and the public lands in the State of California, and for other purposes.

Mr. BORAH. Mr. President, is that what is known as the Hetch Hetchy bill?

Mr. PITTMAN. It is.

Mr. BORAH. The Senator asks unanimous consent to consider it at this time?

The VICE PRESIDENT. Yes.

Mr. PITTMAN. I have made that request.

Mr. BORAH. I have no objection to taking up the bill, but if there is going to be consideration of the other matter, which it was supposed we would take up to-day, we will not be able to dispose of it.

Mr. SIMMONS. I rather consented that the Senator from Nevada might call up this measure provided there would be no discussion of it, but if there is to be any debate, I must insist on its going over.

Mr. PITTMAN. I was not aware that there would be any debate. Of course, if there is going to be debate on the matter, I would not think for one moment of asking for its present consideration this morning.

Mr. BORAH. I do not know that there will be any extended debate, but there are a number of things in the bill which will undoubtedly call for explanations, and so forth, and I presume it would be likely to lead to some debate. Although I am not indicating that I propose to debate it at length, there are a number of things in the bill which I would like to know more about before I vote on it than I know now. I do not, however, desire to delay its consideration unnecessarily.

Mr. SIMMONS. I hope the Senator from Nevada under those conditions will withdraw his request.

Mr. PITTMAN. Very well; I withdraw the request for present consideration.

THE TARIFF—CONFERENCE REPORT.

Mr. SIMMONS. Mr. President, I desire to call up for consideration a privileged report, being the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. PENROSE. Mr. President, I suggest the absence of a quorum. It seems to me we ought to have a quorum when this report is considered.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	Norris	Smith, Ariz.
Bacon	Hughes	O'Gorman	Smith, Ga.
Borah	Jackson	Overman	Smith, Md.
Bradley	James	Penrose	Smith, Mich.
Brandegee	Johnson	Perkins	Smith, S. C.
Bristow	Jones	Pittman	Swanson
Bryan	Kern	Poindexter	Thomas
Burton	La Follette	Pomerene	Thompson
Chamberlain	Lane	Ransdell	Thornton
Clarke, Ark.	Lea	Saulsbury	Tillman
Colt	McLean	Shafroth	Vardaman
Fletcher	Martin, Va.	Sheppard	Walsh
Gore	Martine, N. J.	Shields	Weeks
Gronna	Myers	Shively	Williams
Hitchcock	Nelson	Simmons	

Mr. WEEKS. I wish to state that my colleague [Mr. LODGE] is unavoidably absent from the Senate on account of illness, and that the junior Senator from Illinois [Mr. SHERMAN] is also absent on account of business.

Mr. SMITH of Michigan. I desire to announce that my colleague [Mr. TOWNSEND] is absent on official business.

The VICE PRESIDENT. Fifty-nine Senators have answered to the roll call. There is a quorum present.

Mr. PENROSE. I should like to ask the chairman of the Finance Committee whether it is his intention to have the report of the conference committee read to the Senate?

Mr. SIMMONS. Does the Senator ask whether it is the purpose to have the report read?

Mr. PENROSE. Yes, sir. I am making an inquiry as to what is the view of the chairman of the committee in relation to the reading of the conference report.

Mr. SIMMONS. It is customary, I think, to read the conference report.

Mr. PENROSE. Then we should proceed now with the reading of the report, I take it.

Mr. SIMMONS. That would be first in order.

Mr. PENROSE. Yes.

The VICE PRESIDENT. The Chair lays before the Senate a message from the House of Representatives, which will be read.

The Secretary read as follows:

Resolved, That the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 3321) entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes."

Mr. NORRIS. Mr. President, I should like to inquire of the Senator from North Carolina whether he expects to secure a vote on the conference report to-day?

Mr. SIMMONS. I will say to the Senator from Nebraska that that is my hope and my expectation.

Mr. NORRIS. Could the Senator ascertain by request, if he sees fit to take that course, whether that could be done? There are one or two of us who would like to be away if the vote is not to be taken during the afternoon.

Mr. SIMMONS. I should be very glad to have unanimous consent that we vote this afternoon, say, at not later than 6 o'clock.

Mr. NORRIS. If the debate is to go over and the vote to be taken after to-day, and that could be ascertained, it would accommodate two or three Senators.

Mr. SIMMONS. I will now, as I had intended to do a little later, ask unanimous consent that we vote upon the conference report and the Clarke amendment, so called, not later than 6 o'clock this afternoon.

The VICE PRESIDENT. Is there objection?

Mr. POINDEXTER. Mr. President, I object.

The VICE PRESIDENT. Objection is made.

Mr. KERN. Mr. President, we on this side of the Chamber are unable to hear the colloquy which is going on.

Mr. SIMMONS. I was simply asking unanimous consent that the vote be taken on the conference report not later than 6 o'clock this afternoon.

The VICE PRESIDENT. To which the Senator from Washington [Mr. POINDEXTER] objects.

Mr. PENROSE. I think if the chairman of the committee will make his request later in the day perhaps he can get consent. It is a little early yet.

Mr. SIMMONS. I will say to the Senator from Pennsylvania that I had intended to postpone making the request, but, upon the suggestion of a Senator, I thought I would make it at this time. I inquire of the Senator from Washington if he would consent to a later hour to-day for taking the vote, say, before we adjourn to-night?

Mr. POINDEXTER. Mr. President, one reason that I have for making the objection is that there are Senators who, I am informed, desire to debate the conference report, and some of them are not even present at this time. I would suggest that the Senator reserve his request.

Mr. SIMMONS. I withdraw the suggestion if that is the case.

Mr. NORRIS. I should like to inquire of the Senator from North Carolina if he expects the Senate to remain in session until we vote on the conference report?

Mr. SIMMONS. If there is any possibility of securing a vote to-night, I shall expect the Senate to remain in session.

Mr. NORRIS. Would the Senator be willing, if an agreement could be reached by which we could vote to-morrow, to have an hour determined now?

Mr. SIMMONS. I think not at this time.

Mr. NORRIS. The Senator from North Carolina would not want to make a request now to vote at some hour to-morrow?

Mr. SIMMONS. No; I would not. I am exceedingly anxious to get through with this matter to-day or to-night, if possible.

Mr. BURTON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Ohio will state his parliamentary inquiry.

Mr. BURTON. I desire to ask at what stage of the proceedings a point of order should be raised on this conference report—whether when the particular paragraph is reached or at the beginning of the reading?

The VICE PRESIDENT. The Chair thinks a point of order may be raised at any time.

Mr. BURTON. I desire to give notice, then, that I shall raise a point of order when paragraph 116 is reached.

Mr. PENROSE. And I give similar notice that I shall raise a point of order when amendment 241 is reached.

The VICE PRESIDENT. The Senator from North Carolina has submitted a conference report, which the Secretary will read.

The Secretary proceeded to read the report, and read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3321) "to reduce tariff duties and to provide revenue for the Government, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 25, 31, 34, 42, 44, 45, 46, 50, 51, 52, 53, 54, 55, 68, 80, 81, 82, 83, 86, 99, 100, 101, 102, 115, 116, 117, 129, 135, 137, 138, 143, 147, 152, 158, 172, 176, 177, 183, 188, 189, 190, 192, 200, 203, 206, 208, 209, 215, 220, 227, 231, 235, 246, 248, 249, 250, 251, 253, 257, 259, 262, 263, 267, 272, 273, 274, 281, 282, 283, 284, 285, 289, 290, 291, 305, 306, 307, 308, 313, 329, 332, 333, 336, 340, 348, 359, 360, 362, 366, 372, 388, 396, 399, 400, 401, 402, 403, 404, 405, 408, 409, 413, 414, 418, 419, 426, 433, 437, 444, 445, 448, 452, 463, 474, 475, 487, 488, 495, 496, 501, 508, 524, 540, 565, 573, 574, 593, 594, 595, 596, 606, 612, 613, 614, 615, 618, 619, 620, 621, 622, 623, 633, 640, 645, 647, 650, 652, 662, 663, and 666.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 29, 30, 32, 33, 35, 36, 37, 38, 39, 40, 47, 56, 57, 58, 59, 60, 61, 62, 63, 65, 67, 69, 70, 71, 72, 74, 75, 76, 77, 78, 79, 84, 85, 89, 90, 91, 92, 93, 94, 98, 104, 105, 106, 108, 109, 110, 111, 112, 113, 118, 119, 120, 121, 122, 123, 124, 125, 127, 128, 130, 131, 132, 134, 135, 136, 139, 140, 141, 144, 145, 146, 148, 149, 150, 151, 153, 155, 156, 157, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 173, 174, 178, 179, 181, 182, 184, 185, 195, 196, 197, 198, 199, 201, 202, 204, 205, 207, 210, 212, 213, 214, 215, 216, 217, 218, 222, 223, 224, 225, 226, 228, 229, 230, 232, 233, 234, 236, 237, 238, 239, 240, 242, 243, 244, 245, 247, 252, 260, 261, 264, 265, 266, 271, 275, 276, 279, 286, 287, 288, 292, 293, 294, 295, 296, 299, 300, 302, 303, 304, 309, 311, 312, 314, 315, 316, 317, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 330, 331, 334, 335, 337, 338, 341, 342, 343, 344, 345, 346, 347, 351, 352, 353, 354, 355, 356, 357, 358, 364, 365, 368, 370, 373, 374, 375, 376, 377, 378, 380, 381, 383, 384, 387, 389, 390, 391, 392, 393, 394, 395, 398, 406, 407, 410, 411, 412, 415, 416, 417, 421, 422, 423, 424, 425, 427, 428, 429, 430, 431, 432, 434, 435, 436, 439, 440, 441, 442, 443, 446, 447, 449, 450, 451, 453, 454, 456, 457, 458, 459, 460, 461, 462, 464, 465, 466, 467, 468, 469, 470, 471, 473, 476, 478, 479, 480, 481, 482, 483, 484, 485, 486, 489, 490, 492, 494, 495, 497, 498, 499, 500, 502, 503, 504, 505, 506, 507, 510, 511, 512, 513, 515, 516, 517, 518, 519, 521, 522, 523, 525, 526, 527, 528, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 541, 543, 544, 546, 547, 548, 549, 550, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 566, 567, 568, 569, 570, 572, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 587, 589, 590, 591, 592, 600, 601, 602, 604, 605, 607, 610, 611, 617, 625, 626, 627, 631, 632, 635, 636, 637, 638, 639, 643, 644, 646, 651, 653, 654, 658, 660, 661, 664, 665, 667, 668, 669, 670, 671, 672, 673, 674, 675, and 676; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: Strike out the numeral "7" and insert in lieu thereof the numeral "6"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: Strike out the numeral "15" and insert in lieu thereof the numeral "12"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: Strike out the numeral "5" and insert in lieu thereof the numeral "10"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert on page 16 of the bill, line 5, after the word "refined," the following: "and chlorate of,"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with amendments as follows: In line 3 of the matter inserted by said amendment, after the word "pound," where it first occurs, strike out the comma and the words "and not above 75 cents per pound"; in lines 4 and 5 of the matter inserted by said amendment, after the word "valorem," strike out the semicolon and the following: "valued above 75 cents per pound, 20 per cent ad valorem"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "not specially provided for in this section,"; and the Senate agree to the same.

Mr. PENROSE. I suggest that when the Secretary mentions an amendment he also, if possible, mention the page of the bill on which the amendment occurs. That will facilitate following the reading.

The VICE PRESIDENT. It is only possible for the Secretary to read the report as it is printed.

Mr. PENROSE. Then if the Secretary would not proceed quite so fast, we could perhaps turn the pages.

The Secretary resumed the reading of the conference report and read as follows:

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert, on page 21 of the bill, line 14, after the word "valorem," the following: "; manufactures of carbon not specially provided for in this section, 20 per cent ad valorem"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: After the word "for" of the matter inserted by said amendment insert the following: "in this section"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: On page 26 of the bill, line 9, after the word "enamel" and the comma insert the following: "not specially provided for in this section,"; and the Senate agree to the same.

Mr. BRISTOW. Mr. President, does that amendment refer to page 26 of the bill which we have before us?

The VICE PRESIDENT. The Chair is unable to give any information on that matter.

Mr. PENROSE. Perhaps the chairman of the committee can give the information.

Mr. SHIVELY. It refers to the bill as it passed the House.

Mr. BRISTOW. But the amendment just referred to by the Secretary states that it occurred on page 26, line 9, while in the bill which we find on our desks there was no change made by the Senate in the provision of the House bill on that page and line. What section is it, please?

The VICE PRESIDENT. The Chair is unable to give any information in reply to these questions.

Mr. BRISTOW. Somebody ought to be able to give the information.

Mr. SIMMONS. I will state to the Senator, so that there may be no confusion about what bill this report refers to, that the report refers always to the bill as it passed the House, and not to the bill as it passed the Senate or to any subsequent print. Lines are referred to frequently, but the reference is not to the lines in the engrossed bill, but to the number of the line in the paragraph with which the particular item in the report is dealing.

Mr. BRISTOW. The reading is simply a farce, then, is it not, so far as any information to the Senate goes?

The VICE PRESIDENT. The Chair desires to make a suggestion. It seems that Senators ought to have some bill whereby they can follow the reading of the conference report and ascertain what was done by the conferees. If we can find copies of that bill, they will be distributed to Senators.

Mr. BRISTOW. That is the reason I made the inquiry. In looking at the page and line indicated by the Secretary I see that no amendment is there, and so we have no way whatever of knowing what the amendment is, what it refers to, or anything about it.

Mr. PENROSE. Mr. President, I understand this report refers to what is called the blue print, which is on the desk?

Mr. SIMMONS. Called what?

Mr. PENROSE. Refers to what is called the blue print of the bill, which is in the possession of the Secretary.

Mr. SIMMONS. That is the engrossed bill of the House.

Mr. PENROSE. Is that blue-print bill in its paging and paragraphing the same as the bill which we have on our desks?

Mr. SIMMONS. It is in its paragraphs; yes. The same paragraphs are mentioned.

Mr. PENROSE. Is it identical?

Mr. SIMMONS. I do not know about the numbering of the pages; I can not say as to that.

Mr. PENROSE. I think we ought to insist upon having this matter go over until we can get the print referred to in the conference report.

Mr. SIMMONS. Mr. President, I am not willing that that should be done.

Mr. PENROSE. The reading is a farce the way it is going on.

Mr. SIMMONS. The way by which to compare the report with the bill is by taking the engrossed bill of the House and following that. What I meant to say to the Senator a little while ago was that the lines of that bill as printed may be misleading because the report refers to the lines in the paragraphs of that bill; it refers to the lines following the amendment, counting from the beginning of the amendment down.

The VICE PRESIDENT. May the Chair make an inquiry of the Senator from North Carolina? When the bill came originally from the House, that was the engrossed bill from the House, was it not?

Mr. SIMMONS. Yes.

The VICE PRESIDENT. Were not copies of that bill printed at once for the use of the Senate, and does not this report refer to that bill as then printed?

Mr. SIMMONS. Surely, Mr. President.

The VICE PRESIDENT. Then can not Senators be supplied by the pages or the Sergeant at Arms or somebody else with the original print of the House bill?

Mr. PENROSE. That is it.

The VICE PRESIDENT. It seems to the Chair that would clear up the situation and enable Senators to follow the bill. The Chair desires to say that if we had the House print of House bill 3321, it would be perfectly easy to follow the conference report. The Sergeant at Arms says this bill is on every Senator's desk, marked "Conference print."

Mr. BRISTOW. That is what we were trying to follow. Will the Secretary please read the last amendment and see where we come out?

The SECRETARY (reading):

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows:

On page 26 of the bill, line 9, after the word "enamel" and the comma, insert the following: "not specially provided for in this section"; and the Senate agree to the same.

Mr. BRISTOW. That is paragraph 98, on page 29 of the bill that we have. The Secretary read it as page 26, line 9. Amendment No. 64 in the printed bill is in paragraph 98, on page 29. This interlineation comes after the word "enamel," as read by the Secretary. There is some confusion, some mistake, in this print. All I want is to be able to find what the Secretary refers to when he announces the amendments.

The VICE PRESIDENT. It is quite evident that that is a misprint, and should be "page 29."

Mr. BRANDEGEE. Mr. President, is it so that in the conference print that lies upon the desks of Senators the changes

made by the committee of conference are indicated only by footnotes and are not carried into the text of the print at all? For instance, I am led to ask that question because I see at the bottom of page 29, corresponding to a numeral "1" which appears at the end of the word "enamel," in line 5 of that page, the following statement:

Conference inserted the words "not specially provided for in this section."

My inquiry is to ascertain whether the so-called conference print tells what the report of the conference committee is only by these annotations made, I suppose, in the printing department.

In other words, are we to accept this report on some footnotes made by parties unknown to us, or is the report to be printed under authority of the committee?

Mr. SIMMONS. The bill as amended by the conference committee is printed. If the Senator has not a copy of it on his desk, he ought to have one on his desk.

Mr. BRANDEGEE. Will the Senator from North Carolina be kind enough to tell me under what date the perfected report purports to be printed?

Mr. SIMMONS. It was printed, I think, on the 29th of September.

Mr. BRANDEGEE. I have that print in my hands, Mr. President. That is the document from which I have been reading.

Mr. SIMMONS. Of course the Senator understands that to make everything perfectly clear in a bill, print it as you will, is a difficult matter. If the Senator will take the footnotes he refers to, and will then take the conference report, he will have no difficulty, I think, in ascertaining exactly what the conferees have done.

Mr. BRANDEGEE. I assumed that if the text of the conference report were followed out, and if a Senator should sit down with a lead pencil and interline in the proper places what the conference report says, he could pick it out for himself.

Mr. SIMMONS. This bill is printed just as every other conference bill has been printed.

Mr. PENROSE. Oh, no; it is not.

Mr. BRANDEGEE. That is a matter about which I would not be competent to speak, because I have never been on the Committee on Finance; but the Senator from Pennsylvania, as I understand, says that is not the case.

Mr. PENROSE. Will the Senator from Connecticut permit me a moment?

Mr. BRANDEGEE. Certainly.

Mr. PENROSE. Mr. President, this reading is a farce. We have reached the fiftieth amendment, and I doubt whether there is a minority Senator who knows anything about any amendment which has been read by the Secretary. It has been a physical impossibility to follow this measure as it is being proceeded with in the Senate after a very long period of secret conference by the majority in perfecting it.

Mr. SIMMONS. Mr. President——

Mr. PENROSE. If the Senator will wait one moment, we are acting on a conference print. I maintain that the Senate is entitled to have its own print, and I refer the Chair to page 28 of the Rules of the Senate, paragraph 3:

Every bill and joint resolution introduced on leave or reported from a committee, and all bills and joint resolutions received from the House of Representatives, and all reports of committees shall be printed, unless, for the dispatch of the business of the Senate, such printing may be dispensed with.

Senators have on their desks only the bill as it was printed in the House of Representatives and the bill as it was printed for the use of the conference committee. These two bills differ in paging, in lining, and in general arrangement. Some Senators have one bill and some have the other. Before the bill is proceeded with I think the Senate is entitled to have a print of its own, which will be accurate in its dovetailing in with the references made in the report.

Mr. SIMMONS. Mr. President, the bill in all particulars is the same as it passed the House, with the amendments of the Senate and with the action of the conference committee. Whether that bill was printed by an order of one body or by an order of the other body is immaterial; the matter is identically the same.

Mr. PENROSE. I should like to make an inquiry of the Senator. Is it usual for the Senate to consider the House print of a bill?

Mr. SIMMONS. We are not considering the bill; we are considering the conference report. The bill is not before the Senate. The only thing before the Senate is the conference report. The bill is merely to enable Senators to understand the report. That is its purpose and its office, and nothing else.

Mr. PENROSE. Surely the bill is part of the report. The bill is reported with amendments.

Mr. SIMMONS. The Senator finds on his desk a bill which was ordered to be printed by the House of Representatives. It is the House bill as engrossed and as amended by the Senate, and as agreed to by the conference committee. The Senator makes the point that therefore the whole thing is in a state of confusion, when as a matter of fact the two bills are identical. If the bill were to be printed by the Senate, this bill just as it is printed now and as it is on the desks of Senators, would be printed, line for line, without any change whatsoever in punctuation.

We are not considering that bill. That bill is not before the Senate at all. What is before the Senate is the conference report, which is to be read from the desk. The Secretary is not reading this bill from the desk. The Secretary is not reading the eliminations and the interlineations in this bill. This bill contains in it, necessarily, the Senate amendments that were rejected, ether by the recession of the Senate or by the agreement of the House to disagree to the Senate amendments.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator a question.

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Michigan?

Mr. SIMMONS. Just a moment. That is not what is under consideration before the Senate. The thing that is under consideration before the Senate, and the only thing under consideration before the Senate, is the report of the conference committee. The only purpose of having this bill here at all, the only purpose of having it printed in this way, is to enable Senators easily to locate these amendments and ascertain what they are. There is no difficulty about the matter.

Mr. SMITH of Michigan. Mr. President——

Mr. SIMMONS. I wish the Senator would let me finish my statement; then I will yield.

Mr. SMITH of Michigan. Certainly; but I wish to ask a question for information.

Mr. SIMMONS. There is no difficulty about the matter. Here are 150 amendments that were made by the Senate and receded from by the Senate conferees. The report refers to the numbers of the amendments as printed in the bill. All that Senators have to do is to turn to the amendments made by the Senate. A conference print of the bill is just as good for that purpose as a Senate print of the bill. Senators will simply have to refer to the number of the amendment made by the Senate. That has been printed also. Here it is upon the desk of every Senator.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator a question.

Mr. SIMMONS. Pardon me a moment. There is also an official copy of the bill that gives the exact language of the amendments of the Senate. As I say, Senators will only have to refer to the bill to determine what each one of these 150 amendments is.

Then the House receded from its disagreement to four hundred and odd of these amendments. They are referred to by number.

When you get to those where there was a disagreement on the part of the House with an amendment and an agreement by the Senate conferees to the amendment, the conference report explains the character of the amendment.

Mr. SMITH of Michigan. Now will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Michigan?

Mr. SIMMONS. I do.

Mr. SMITH of Michigan. I should like to ask the Senator from North Carolina where Senators will find the amendment reported by the conference committee after the word "enamel" in amendment No. 64 to House bill 3321? An amendment has been made, after the word "enamel," as follows:

Not specially provided for in this section.

Where do we find that anywhere except in the report which the Secretary is reading?

Mr. SIMMONS. I will ask the Senator to call that matter to my attention later.

Mr. SMITH of Michigan. But we are right upon it now.

The VICE PRESIDENT. The Chair will answer that question. It is found on page 29 of the conference report print. The Chair interfered for the purpose of enabling Senators to get the information they want; but it must be perfectly apparent that it can be obtained by reading the conference report.

Mr. SMITH of Michigan. The Chair refers to the footnote?

The VICE PRESIDENT. The footnote.

Mr. SMITH of Michigan. On page 29?

The VICE PRESIDENT. On page 29.

Mr. BRANDEGEE. Mr. President, if I may be allowed to interpolate a suggestion here, it seems to me that this is the situation: The report of the conference committee, for instance, on page 3, in speaking of the very amendment which the Senator from Michigan is discussing, states as follows, midway of the page:

On page 26 of the bill, line 9, after the word "enamel"—

And so forth.

The Senator from North Carolina, in his explanation, stated that there was an official copy of the bill, which the conference committee was considering. I assume that is the House bill as it came to the Senate.

Mr. SIMMONS. Yes.

Mr. BRANDEGEE. If Senators will examine the House bill, which was passed by the House on May 8, as certified by its Clerk, they will find, on page 26, line 9, the matter in controversy, which is now, under the conference print, taken care of in Senate amendment No. 64, on page 29. So the only way that a Senator in the consideration of the 150 amendments, more or less, contained in this conference report can locate the amendment and see what change has been made by the conference committee is to take the report of the conference committee and get an old copy of the House bill passed by the House on May 8 and turn to the page there, as indicated in the report; then get a copy of the conference print and turn to the Senate amendment, by its number, and see how the Senate amendment, as described by its number, compares with the provision of the House bill as referred to in the Senate report, and see what the change is. A Senator must do that before he can vote intelligently upon these amendments. I think I have stated the case as it stands.

Mr. SIMMONS. Mr. President, in the official engrossed bill I find, on page 29, line 9, after the word "enamel," and the comma:

Insert the following: "not specially provided for in this section."

I find in the conference print here that the note with reference to the action of the conference committee is to insert the words "not specially provided for in this section."

Mr. SMITH of Michigan. No one can hear the Senator.

Mr. SIMMONS. I can not hear myself; there is so much confusion.

The VICE PRESIDENT. There must be order in the Senate of the United States, or the proceedings will stop.

Mr. SIMMONS. I suggest that the reading of the report proceed, and if gentlemen want to make technical objections that they take note of them and present them after the report has been read.

Mr. PENROSE. I want to find out distinctly from the chairman of the Finance Committee whether he denies to the Senate a Senate print of the bill.

Mr. SIMMONS. Mr. President, I will state to the Senator that the print that has been put on the desks of Senators, the House print, by order of the House, is identical with the print of the conference committee, and I do not think it is necessary to have any other print of the bill.

Mr. PENROSE. The Senator from Connecticut has just shown that it is not identical in connection with one particular amendment.

Mr. SIMMONS. I say it is identical with the print of the conference committee, and it is a correct statement of what the House and Senate conferees did.

Mr. PENROSE. I do not dispute the fact that both bills have the same contents in them, but I do deny that they are the same bills in paging and arrangement and that they agree as documents to be referred to. For the first time in the history of the United States we are proceeding in the Senate with legislation on a copy of a House bill printed as long ago as May 8, with no information as to whether it is a final print or whether it is a copy of the bill finally acted on, and without any bill printed for the use of the Senate accompanying the report of the conference committee, and in accordance with the rules of the Senate.

Over 400 changes have been made in the House bill in absolutely secret conference. The minority conferees might just as well have been in China as to have been upon that conference committee. On Monday the bill was reported to the full conference. The minority have had only since Monday to examine this measure, and that opportunity has been accompanied by documents which are not accurate as documents of reference in connection with the report.

Now, here is a matter of the greatest concern to the American people. The minority only asks for a brief opportunity intelligently to consider it. There is no desire whatever to filibuster on this measure or to delay it a single moment, but the Senate is certainly entitled to orderly procedure in accordance with the precedents of the Senate. In the 16 years that I have been a Member of this body I have never known the Senate of the United States to proceed to the consideration of a measure upon a print of the House of Representatives. The rule distinctly states that every report of a committee shall be printed, including the bill, for the use of the Senate.

Mr. SMITH of Georgia. It does not say "including the bill."

Mr. PENROSE. I think that is the inference.

Mr. SMITH of Georgia. Time after time during the last session reports of conference committees have come in here upon large appropriation bills without any reprint of the bill.

Mr. PENROSE. By unanimous consent.

Mr. SMITH of Georgia. Without any unanimous consent.

Mr. PENROSE. It is frequently dispensed with by unanimous consent, and we all know how most of us surrender our prerogatives in connection with large appropriations. But here is a bill affecting vitally the industries of America that in all human probability will be on the statute books for four years, and the minority are certainly entitled to orderly procedure and an opportunity for enlightenment.

I call the attention of the Chair to page 28, paragraph 3, of Rule XXIX.

The VICE PRESIDENT. The Chair thinks everything has been done that that paragraph requires.

Mr. PENROSE. Does the Chair think that this bill has been printed for the use of the Senate?

The VICE PRESIDENT. The Chair states that it appears from the record that the bill as received from the House of Representatives was printed and is here, and the Chair is informed that the report of the conference committee was printed and is here, and the Chair does not see anything else in the rule that is required to be printed.

Mr. PENROSE. If the Chair will pardon a colloquy from the floor, might I ask the Chair whether it is usual or orderly to legislate on a House print of a bill in the Senate?

The VICE PRESIDENT. Of that the Chair is not aware, but since the Chair has been here that is just the way legislation has taken place.

Mr. PENROSE. The Chair thinks the Senate must proceed to legislate on a copy of the House bill, printed by a body over which we have no jurisdiction?

The VICE PRESIDENT. The Chair did not say, for the Chair does not know, whether the Senate will do it. The Senate has done it.

Mr. PENROSE. I do not recall that it has ever been done in the history of the Senate of the United States. If there is a precedent, I should like to hear it.

Mr. SIMMONS. If the Senator will pardon me, I should like to make a suggestion. This conference report is not a House print, nor is it a Senate print. It is a report of the two Houses, and it can be printed in either House. The other House can certainly print it for the purpose of enlightening the Senate and that the Senate may understand it.

Mr. PENROSE. It is true in its inception it is a combined effort of the conferees of both branches, but after it gets into this body it becomes separated again and we sit here as an independent and sovereign legislative branch to consider it. To ask us to pass on a matter of this momentous consequence on the print of a coordinate body over which we have no jurisdiction is one of the most preposterous parliamentary doctrines ever enunciated in the history of the Anglo-Saxon race.

The VICE PRESIDENT. The Chair would be very much inclined to rule with the Senator from Pennsylvania, regardless of the rule of the Senate, if it were not perfectly apparent that from the conference print of House bill 3321 there is not the slightest difficulty in the world in ascertaining what the conference report is.

Mr. PENROSE. The House receded on 469 amendments and the Senate on 155. That shows the extensive and complicated character of these changes.

Mr. President, I think I speak for a large number of the minority when I say that we are unable to consider intelligently and properly this report without a Senate print in the accuracy of which we can have confidence, so far as the references in the report are concerned. I therefore ask unanimous consent that this report shall go over until a Senate print can be had which will bear the recommendation of the conferees on the part of the Senate.

The VICE PRESIDENT. The Senator from Pennsylvania asks unanimous consent——

Mr. SIMMONS. Mr. President, of course I must object. I want to say in this connection that since I have been here and from a reading of the history of former conference reports, certainly not in recent years, certainly not during the last 25 years, I do not think the majority party has ever given the same length of time for the examination and consideration of a con-

ference report that the minority have been given in connection with this conference report.

This conference print has been here, and Senators have been sending to me for it, and I have invariably furnished them with a copy of the bill and the conference report as printed. They have had since last Sunday morning. To-day is Thursday. Since Sunday this conference print of the bill has been at their service. This makes the fourth week day that Senators have had for the purpose of examining it and comparing and considering it. My recollection of tariff bills heretofore is that almost immediately, before the minority had any opportunity to consider the report of the conference committee at all, the bills have been taken up, and they have been forced into an immediate discussion of them.

Mr. PENROSE. Mr. President, I have the floor; and on that point I would ask the Senator whether he would be curious enough to inquire of the clerks whether the tariff bill four years ago was not printed for the use of the Senate, together with the report of the conferees?

Mr. SIMMONS. I do not know whether it was or not. I have not inquired. I do not think it is material whether the bill as reported is printed by the other House or by this House. We have the House print, and that, I contend, is amply sufficient.

Mr. PENROSE. I make the statement, and I challenge contradiction, that no report of a conference or other committee was ever made to the Senate in the history of this body that was not printed at the request of an individual Senator and did not go over until such printing could be had. If there is any such case in the records, I would be glad to have it produced.

There is no other term to designate this method of parliamentary procedure than a slipshod method and an utter disregard of all legislative proprieties. It is true that the minority have had ample leisure to consider this bill, but it has been the leisure of reflection and of ignorance, without any accurate knowledge until the last moment or any information as to the details of this measure, while the majority was sitting behind closed doors in caucus or in conference. It has been leisure, Mr. President. It has been most irksome to all of us. Even during these last few days we have been held in anxious expectation while the Democratic Senators met in caucus morning, afternoon, and evening in order to beat the malcontents into line. That certainly is not the opportunity which Senators sitting here under oath, even if it be that they are in the minority, are entitled to in the consideration of a measure of this importance.

Mr. SMITH of Georgia. I do not think, Mr. President——

Mr. PENROSE. Will the Senator excuse me a moment?

Mr. SMITH of Georgia. I thought the Senator was through.

Mr. PENROSE. I am pretty nearly through.

Mr. President, vast interests are involved in this bill. Millions of dollars are involved in the determination of these schedules. We have known in the past in Washington and in State capitals of matters surreptitiously or accidentally introduced into a measure which have determined millions of dollars of property or radically affected the purpose of the measure. There are billions of dollars involved in this measure, which is an encyclopedia of the industries of America. The change of a comma may determine whether the manufacturer shall be ruined or the importer made prosperous. We have heard much of lobbies around this Capitol. The bribery of a clerk, were such a thing possible, the tampering with a printer, were that possible, might mean destruction or prosperity to Europe or America. The accident or mistake of a printer or a clerk, regardless of any sinister motive, might equally determine the fortunes of the American manufacturer or the German importer.

Are we not entitled to the most accurate information and the fullest enlightenment? Shall we be treated in this cavalier manner and told that our only information is a print of the House of May 8, whether a final print or a preliminary print we have no information, on a conference report which is before this body when we are entitled to have a Senate print of the whole report, and when the Senator from Connecticut [Mr. BRANDEGEE] has clearly shown that in an amendment reached early in the reading there is a discrepancy of three pages between the House bill and the conference report?

Mr. President, the interest from my point of view of the American laborer and the American manufacturer at least demands that when this guillotine shall fall it shall fall with due solemnity and with the observance of all the decorums.

Mr. WILLIAMS rose.

Mr. PENROSE. I have the floor, but I will yield to the Senator from Mississippi.

Mr. WILLIAMS. No; I thought the Senator was through.

Mr. PENROSE. No; I am not through.

Mr. WILLIAMS. Then I will speak in my own right.

Mr. PENROSE. I will yield to the Senator.

Mr. WILLIAMS. I did not ask the Senator to yield; I thought the Senator had finished. I will reply in my own right.

Mr. PENROSE. Now, Mr. President, the Chair has ruled in the full light of publicity of the American people that the Senate of the United States is not entitled to have a print of the tariff bill of its own, and in this connection I want to say——

The VICE PRESIDENT. The Chair has not ruled any such thing.

Mr. PENROSE. That it is not necessary to have it?

The VICE PRESIDENT. The Chair has ruled that under the rules of the Senate all the prints of the tariff bill that are needed have been made.

Mr. PENROSE. I make the charge distinctly—I can not prove it to-day, but I shall prove it, even if it be after this bill receives the approval of the President—that this conference copy which we are asked to consider has a number of typographical errors in it. I make that statement to the Senate; I challenge its contradiction; and I expect to be able to prove it.

I now move, Mr. President, that the consideration of this bill be postponed, and that the report be printed for the use of the Senate, and that then the consideration of the measure be resumed by the Senate.

The VICE PRESIDENT. The Senator from Pennsylvania moves that the further consideration of the conference report be postponed until the bill as agreed upon by the conferees has been prepared for the use of the Senate and printed. The question is on the motion of the Senator from Pennsylvania.

Mr. PENROSE. On that I call for the yeas and nays.

Mr. SIMMONS. I move to lay the motion on the table.

Mr. PENROSE. I call for the yeas and nays.

Mr. WILLIAMS. Mr. President, there is not the slightest practical difficulty in following the action of the conferees. Every Senator has upon his desk the conference report on House bill 3321.

Mr. PENROSE. I claim that the bill is filled with typographical errors, which may or may not affect millions of dollars' worth of property.

Mr. WILLIAMS. That has nothing to do with what I am saying.

Mr. PENROSE. No; a typographical error would not affect the Senator in a tariff bill, I suppose.

Mr. NORRIS. Mr. President, a parliamentary inquiry.

Mr. WILLIAMS. The bill has been laid on the desks of Senators and copies may be readily obtained.

Mr. NORRIS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WILLIAMS. I understand that a motion to lay on the table has been made.

The VICE PRESIDENT. Will the Senator from Mississippi yield to the Senator from Nebraska, who desires to make an inquiry?

Mr. WILLIAMS. I have just been informed by the Senator from North Carolina that he made a motion to lay the motion of the Senator from Pennsylvania on the table.

The VICE PRESIDENT. The Chair did not hear him.

Mr. WILLIAMS. If so, I am out of order and can yield to nobody.

The VICE PRESIDENT. The Chair did not hear the motion of the Senator from North Carolina.

Mr. SIMMONS. I made that motion.

Mr. NORRIS. The inquiry I desired to make was whether such a motion had not been made and if it is debatable?

The VICE PRESIDENT. The Senator from North Carolina moves to lay the motion of the Senator from Pennsylvania on the table.

Mr. PENROSE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. SHEPPARD (when Mr. CULBERSON's name was called). I wish to state that my colleague [Mr. CULBERSON] is unavoidably absent. He is paired with the Senator from Delaware [Mr. DU PONT].

Mr. JACKSON (when his name was called). I have a general pair with the senior Senator from West Virginia [Mr. CHILTON]. I transfer that pair to the junior Senator from Maine [Mr. BURLEIGH] and vote. I vote "nay."

Mr. GRONNA (when Mr. MCCUMBER's name was called). My colleague [Mr. MCCUMBER] is necessarily absent from the city on important business.

Mr. PENROSE (when Mr. OLIVER's name was called). My colleague [Mr. OLIVER] is absent from Washington and will be absent during the remainder of the week. I will let this statement stand for every vote during the rest of this week.

Mr. SHAFROTH (when his name was called). I am paired with the junior Senator from California [Mr. WORKS]. If I were permitted to vote, I should vote "yea."

Mr. SMITH of Arizona (when his name was called). I have a modified pair with the Senator from New Mexico [Mr. FALL]. In view of that I do not feel free to vote on this question. I therefore withhold my vote.

Mr. SMITH of Georgia (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. LODGE]. As he is not here I refrain from voting. If permitted to vote, I should vote "yea."

Mr. TILLMAN (when his name was called). I have a pair with the Senator from Wisconsin [Mr. STEPHENSON]. If he were present, I should vote "yea." He being absent I withhold my vote.

Mr. SMITH of Michigan (when Mr. TOWNSEND's name was called). I again announce the pair of my colleague [Mr. TOWNSEND] with the Senator from Arkansas [Mr. ROBINSON] and will let this announcement stand for the day.

The roll call was concluded.

Mr. O'GORMAN. I have a general pair with the senior Senator from New Hampshire [Mr. GALLINGER]. In his absence I withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. SAULSBURY (after having voted in the affirmative). I inquire has the junior Senator from Rhode Island [Mr. COLT] voted?

The VICE PRESIDENT. The Chair is informed that he has not.

Mr. SAULSBURY. Then I ask leave to withdraw my vote, as I have a general pair with that Senator.

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. In his absence I withhold my vote. If permitted to vote, I should vote "yea."

Mr. FLETCHER. I am paired with the Senator from Wyoming [Mr. WARREN]. In his absence I withhold my vote.

Mr. REED. I desire to announce the unavoidable absence of my colleague [Mr. STONE]. It is absolutely impossible for him to be in the Senate on account of sickness in his family. I make this announcement generally now to cover any votes that may be had within the next three or four days. I myself desire to vote. I vote "yea."

Mr. BACON. I inquire whether the senior Senator from Minnesota [Mr. NELSON] has voted?

The VICE PRESIDENT. The Chair is informed that he has not.

Mr. BACON. Then I withhold my vote, as I have a general pair with that Senator.

Mr. LEA. I announce my pair with the senior Senator from South Dakota [Mr. CRAWFORD]. If I were at liberty to vote, I should vote "yea."

Mr. WALSH (after having voted in the affirmative). I have a pair with the senior Senator from Rhode Island [Mr. LIPPITT]. It does not, however, extend to the conference report on this measure. As the question now before the Senate is incidental to that, I will allow my vote in the affirmative to stand.

Mr. CLARKE of Arkansas. I am paired with the junior Senator from Utah [Mr. SUTHERLAND], and therefore refrain from voting. If that Senator were present, I should vote "yea."

Mr. WEEKS. I desire to state that the junior Senator from Illinois [Mr. SHERMAN] is absent on account of important business. If he were present, he would vote "nay."

The result was announced—yeas 33, nays 16, as follows:

YEAS—33.

Ashurst	Lane	Ransdell	Thomas
Bryan	Lewis	Reed	Thompson
Gore	Martin, Va.	Sheppard	Thornton
Hitchcock	Martine, N. J.	Shields	Vardaman
Hollis	Myers	Shively	Walsh
Hughes	Overman	Simmons	Williams
James	Owen	Smith, Md.	
Johnson	Pittman	Smith, S. C.	
Kern	Pomerene	Swanson	

NAYS—16.

Borah	Burton	La Follette	Perkins
Bradley	Gronna	McLean	Poindexter
Brandegee	Jackson	Norris	Smith, Mich.
Bristow	Jones	Penrose	Weeks

NOT VOTING—46.

Bacon	Culberson	McCumber	Smith, Ga.
Bankhead	Cummins	Nelson	Smoot
Brady	Dillingham	Newlands	Stephenson
Burleigh	du Pont	O'Gorman	Sterling
Catron	Fall	Oliver	Stone
Chamberlain	Fletcher	Page	Sutherland
Chilton	Gallinger	Robinson	Tillman
Clapp	Goff	Root	Townsend
Clark, Wyo.	Kenyon	Saulsbury	Warren
Clarke, Ark.	Lea	Shafroth	Works
Colt	Lippitt	Sherman	
Crawford	Lodge	Smith, Ariz.	

So the motion of Mr. SIMMONS to lay Mr. PENROSE's motion on the table was agreed to.

The VICE PRESIDENT. The Secretary will proceed with the reading of the conference report.

Mr. PENROSE. I should like to make an inquiry of the chairman of the Committee on Finance. I wish to ask him what bill the minority Members are now to refer to? There are several prints here on our desks, in fact every print is here except the caucus print.

Mr. SIMMONS. I think the Senator from Pennsylvania knows perfectly well that the report of the conference committee is the report upon the engrossed bill of the other House. There is a conference print, which is intended to aid Senators in determining what are the amendments which are made and referred to in the conference report. The Senator will also find an official print of the amendments made by the Senate to the House bill, printed September 9. The Senator from Pennsylvania may need one or the other or all of these; I do not know. I have no trouble myself, taking the engrossed bill and the conference report, in determining exactly what has been done.

Mr. PENROSE. Of course, the Senator from North Carolina made the report; he has been sitting in these secret conferences, and is much more familiar with this measure than am I. He can doubtless handle a dozen copies of the bill, but I am somewhat at a loss to know just how to follow the report. I will ask the Secretary to read slowly now, so that the minority Senators may identify each amendment.

The SECRETARY. Continuing the reading on page 3 of the printed report——

The VICE PRESIDENT. The Secretary will indicate the page where the amendment will be found in the conference print.

The SECRETARY. Amendment numbered 66 appears on page 31 of the conference print.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: Strike out the word "otherwise" in the matter inserted by said amendment and insert after the word "for" the following: "in this section"; and the Senate agree to the same.

Amendment numbered 73 appears on page 32 of the conference print:

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: After the last word of the matter inserted by said amendment and the comma insert the following: "wholly or partly manufactured"; and the Senate agree to the same.

Mr. PENROSE. Now, Mr. President, will the Secretary repeat that again? What paragraph does the Secretary refer to?

The SECRETARY. Amendment No. 73, on page 32 of the conference print.

Mr. PENROSE. I beg pardon of the Chair. I had the House bill. Is the Secretary referring to page 32, line 12?

The SECRETARY. Page 32, amendment numbered 73:

That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with amendment as follows: After the last word of the matter inserted by said amendment and the comma insert the following: "wholly or partly manufactured."

Mr. PENROSE. Mr. President, I will ask the chairman of the committee whether he does not consider that in the nature of new matter? It was in neither bill. It has been frequently ruled in this body that the only subject in conference between the two Houses is matter actually in disagreement between them. Neither the House nor the Senate said anything about "wholly or partly manufactured" in the consideration of this subject.

Mr. SIMMONS. Mr. President, that——

Mr. PENROSE. Mr. President, if the Senator will speak up so that the minority may hear him, he would overcome the tendency to whisper, which doubtless characterized the proceedings of the secret caucus, which he has got into the habit of observing in the last two months.

Mr. SIMMONS. The Senator has probably had so much to do with making tariff bills in secret at the dictation of the special interests of this country that he is enabled to speak with some authority upon the question of secrecy with reference to legislation.

Mr. PENROSE. Mr. President, the Senator is not quite correct, but I have overcome any bad habits by listening to the lofty pretensions of the Democracy during the campaign and saturating my system with the precepts of the "new freedom," and just as I am becoming converted and getting endowed with high aspirations and treading among the clouds in the loneliness which always accompanies a righteous man, I observe the chairman of the Finance Committee and the Democratic Senators sinking to depths which I never contemplated. [Laughter.]

Mr. SIMMONS. Mr. President, we have learned very recently that the Senator from Pennsylvania has seen a new light. Many of his votes upon this tariff bill indicate that he has sud-

denly become a radical progressive; but, Mr. President, the Senate understands and the country understands that it is because the elections last year in Pennsylvania condemned and repudiated the Senator's standpatism, and he is now trimming his sails for the next election.

Mr. PENROSE. Mr. President, do not let us throw up these unpleasant incidents of the past. [Laughter.] I shall never forget——

Mr. SIMMONS. I sympathize with the Senator.

Mr. PENROSE. I never shall forget the impressive picture presented to this body when the Senator from North Carolina, in a gray suit of clothes and with the thermometer about 102, was haranguing a listening Senate for three days, urging what was considered by the consumer in some parts of the country to be the most vicious duty in the whole tariff bill—a duty upon lumber. He has changed and I have changed; that is the law of evolution and development and progress. He has gone backward, while I have gone forward and upward. [Laughter.]

Mr. WILLIAMS. Will the Senator from Pennsylvania submit to an interrogatory? Do I understand that the Republican Party——

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Mississippi?

Mr. PENROSE. I do.

Mr. WILLIAMS. Do I understand that the Republican Party will enter into the——

Mr. SIMMONS. I wish to say to the Senator from Pennsylvania that if he moves at all he will have to move upward, because he has gone as far downward as it is possible for him to go. [Laughter.]

Mr. PENROSE. Not so far as the Senator from North Carolina has gone. I yield now to the Senator from Mississippi.

Mr. WILLIAMS. I wanted to ask the Senator from Pennsylvania whether the Republican Party proposed to enter the next campaign with a banner upon which shall be inscribed the legend "PENROSE and publicity"?

Mr. PENROSE. Mr. President, I am perfectly willing to have that inscribed on my banner; but I will not need a banner, for this bill will return Pennsylvania to the Republican column by 300,000 majority. [Laughter.]

The VICE PRESIDENT. The Secretary will now proceed with the reading.

Mr. PENROSE. No, Mr. President; I have an inquiry pending. I suppose that I still have the privilege of asking for information.

The VICE PRESIDENT. Undoubtedly.

Mr. SIMMONS I beg pardon.

Mr. PENROSE. Will the Senator kindly inform the Senate whether or not he considers this new matter or whether he considers that it was in conference between the two Houses and investigated, considered, and debated?

Mr. SIMMONS. That is an amendment to Senate amendment No. 73, I believe.

Mr. PENROSE. Mr. President, the Senator will have to overcome that mumbling habit. We can not hear him here. If he will speak out——

Mr. SIMMONS. I have had very great difficulty in hearing the Senator from Pennsylvania, but I have not alluded to it constantly.

Mr. PENROSE. And the Senator will hear from me again before the sun sets.

Mr. SIMMONS. I have already discovered that the Senator has made up his mind to throw all the obstacles in the way of the passage of this bill that it is possible for his ingenious and inventive mind to conjure up. Now, if the Senator will permit me——

Mr. PENROSE. On that point, if the Senator will permit me, I repudiate the suggestion that I am delaying this bill. I am being oppressed and repressed by a refusal to have furnished any accurate knowledge, beginning with the extraordinary and unprecedented action of the Senate in declining to have the bill printed. If the Senator will kindly inform the minority whether he considers that new matter or matter that was debated and considered in conference, I will let it go at that.

Mr. SIMMONS. Mr. President, that is with reference to the amendment made by the Senate to paragraph 109, adding the words "and barrel hoops of iron or steel," and striking out the ad valorem fixed by the House, 12 per cent, and inserting an ad valorem of 10 per cent. It was considered by the conferees, and I have no question about it that it was perfectly competent to add to that amendment the words "wholly or partly manufactured."

Mr. PENROSE. Mr. President, legislation of this character is an encyclopædic measure of this sort is filled with possibilities. Can the Senator point to a page in the CONGRESSIONAL RECORD in the proceedings of the Senate or the House showing that any amendment was offered or any scintilla of debate was had regarding the words "wholly or partly manufactured"?

Mr. SIMMONS. Why, it is perfectly competent for the conferees in connection with an actual amendment to change that amendment, to agree to it with a modification, or to add things that were not discussed. The changes which the conferees made now come before the Senate. They have made a great many changes in these amendments as to which there was a disagreement.

Mr. PENROSE. I have no doubt that they made many changes.

Mr. SIMMONS. They have inserted things that have never been discussed before the Senate or the House.

Mr. PENROSE. I have no doubt of that.

Mr. SIMMONS. That is true of every conference report that has ever been made upon a tariff bill. That is true of every conference report that has been made upon any other bill. I take it, especially if it involved many items of change by the one House or by the other House. That is what we are considering the conference report for. That is what makes it necessary that it should come back, for the purpose of enabling the two Houses to pass upon any new matter that may be incorporated into an amendment and deciding, where there is a disagreement on the part of one House with an amendment, whether the conference report shall be accepted with that change in the amendment.

Mr. PENROSE. Mr. President, had the whole paragraph been in conference, I admit that the conferees, following the precedents of 100 years, would have been permitted to confer as to the phraseology of the whole paragraph. Had this bill been amended in the Senate by striking out all after the enacting clause in the House bill and inserting the bill as it passed the Senate, the whole measure would have been in conference and susceptible of change. But I maintain that in this paragraph all that was considered was whether the Senate amendment, "barrel hoops of iron or steel," should be agreed to or should be disagreed to. There was never any consideration given to those mysterious words "wholly or partly manufactured." Were those words dictated by the "insidious lobby," of which we read so much, or in some way meant as a salve to the ruder and more definite words "barrel hoops of iron or steel," or what is the meaning of these cabalistic expressions which have been inserted in the bill? Can the Senator explain them?

Mr. SIMMONS. It is very easily explained, Mr. President.

Mr. PENROSE. What kind of articles will the words cover?

Mr. SIMMONS. Barrel hoops of iron or steel, wholly or partly manufactured.

Mr. PENROSE. What are those articles?

Mr. SIMMONS. I suppose the Senator understands what that is as well as I do; it is a matter of common knowledge.

The Senator says he does not know whether this language was incorporated here at the instance of an "insidious lobby" or not. I wish to say to the Senator that ever since the war, probably with the exception of the act of 1894, certainly every time the Republican Party has framed a tariff bill in this country, there has been an insidious lobby here, and that lobby has had its way in framing the bill. In many instances that lobby has practically written the bill. But despite the declaration of the Senator from Pennsylvania, the country knows and the Congress knows that in this instance the insidious lobby that came here and had its way when Republican tariff bills were under consideration has gone home absolutely empty handed.

Mr. PENROSE. The Senator speaks with experience and with fervor. He and I, of course in an entirely proper way, were in very close contact with one of the most powerful lobbies that ever appeared in Washington, four years ago—the lumber lobby.

Mr. SIMMONS. The Senator may have been. I do not know as to that.

Mr. PENROSE. Many of the people who came to see me had just left the Senator. [Laughter.] We are supposed now to be on a higher standard and under a new régime. What I want to know now is Do the words "wholly or partly manufactured" mean the same as "barrel hoops of iron or steel"?

Mr. SIMMONS. The words "wholly manufactured," Mr. President, refer to "barrel hoops of iron or steel."

Mr. PENROSE. Then what was the object of putting vague words, which may comprehend a multitude of unthought-of objects, in place of these specific words? Will the Senator explain to the minority what was the purpose?

Mr. SIMMONS. I think the purpose of that is perfectly clear. We wanted to make it apply to barrel hoops of iron or steel, whether they were partly manufactured or wholly manufactured.

Mr. PENROSE. Can the Senator inform the Senate, without a breach of etiquette of the Democratic caucus, at whose suggestion the amendment was made?

Mr. SIMMONS. No; I can not inform the Senator. So far as I know, it was at the suggestion of nobody, but was done upon the consideration of the matter by the conferees themselves.

Mr. PENROSE. No stenographer was present, I take it, to keep a record of the caucus proceedings?

Mr. SIMMONS. No; and I have not heard of any being present at conferences upon tariff bills heretofore.

Mr. PENROSE. I record my protest, and I shall later on raise a point of order on another paragraph.

The Secretary resumed the reading of the report, as follows:

Amendment numbered 87 (p. 35): That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows——

Mr. PENROSE. Mr. President, the Secretary has skipped to page 35. I have here a memorandum of amendments on page 33. Oh, I suppose they are amendments of the House.

Mr. BURTON. Mr. President, in general where there was an amendment there was an agreement or disagreement without modification. In this case there was a modification.

Mr. PENROSE. Yes.

The Secretary resumed the reading of the report, as follows:

In lieu of the matter inserted by said amendment restore the matter stricken out by said amendment, and in line 14 of the restored matter strike out the numeral "20" and insert in lieu thereof the numeral "15"; and the Senate agree to the same.

Mr. BURTON. I raise the point of order on the conference report, so far as it relates to that paragraph, on the ground that the report fixes the rate on an item included in this paragraph, woven wire cloth, other than the rate fixed either by the House or by the Senate, and below the limit fixed by either the House or the Senate.

As the bill came to us from the House the duty on woven wire cloth was fixed at 20 per cent. The Senate added an amendment set forth in lines 21, 22, and 23, at the bottom of page 36, the end of amendment No. 87, in these words:

Woven wire cloth made of iron, steel, copper, brass, bronze, or other metal, 30 mesh and above, 30 per cent ad valorem.

Thus the House rate was 20 per cent and the Senate rate was 30 per cent. The conference committee, going outside of these two rates, changed the figure "30," at the end of line 22, page 36, as it appears in the conference print, and made it "15." It is thus a clear case of a figure lower than and outside of the limits fixed by either the House or the Senate.

I raise the point at this time, and if the Chair desires to decide it I will state the case more fully. If it is desired that the reading of the bill proceed I shall ask that this paragraph be again taken up.

Mr. SIMMONS. I suggested some time ago that I thought that was decidedly the best practice. If Senators desire to make points about some particular amendment, let them reserve the points until the report has been read. I think that is the best practice.

Mr. BURTON. I am entirely satisfied with that method. Of course, I wish to have ample time to discuss it when it is reached, and do not wish to have it taken up in my absence.

The Secretary resumed the reading of the report, as follows:

Amendment numbered 88 (p. 38): That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"121. Automobiles, valued at $2,000 or more, and automobile bodies, 45 per cent ad valorem; automobiles valued at less than $2,000, 30 per cent ad valorem; automobile chassis, and finished parts of automobiles, not including tires, 30 per cent ad valorem."

And the Senate agree to the same.

Amendment numbered 95 (p. 39): That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: Strike out the numeral "25" and insert in lieu thereof the numeral "30"; and the Senate agree to the same.

Amendment numbered 96 (p. 39): That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: Strike out the numeral "30" and insert in lieu thereof the numeral "35"; and the Senate agree to the same.

Amendment numbered 97 (p. 40): That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with amendments as follows: In lieu of the matter stricken out by said amendment insert the following: "Cast iron pipe of every description" and a comma. In lieu of the matter inserted by said amendment insert the following: "cast-iron"; and the Senate agree to the same.

Amendment numbered 103 (p. 42): That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lines 3 and 4 of the matter inserted by said amendment strike out the following: "but not ornamented or decorated with lithographic or other printing"; and the Senate agree to the same.

Amendment numbered 107 (p. 45): That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment as follows: Strike out the numeral "15" and insert in lieu thereof the numeral "20"; and the Senate agree to the same.

Amendment numbered 114 (p. 47): That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: On page 41 of the bill, line 4, after the word "oxide," insert a comma; and the Senate agree to the same.

Amendment numbered 126 (p. 50): That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: On page 44 of the bill, line 25, after the word "valorem" and the semicolon, insert the following: "time detectors, 15 per centum ad valorem" and a semicolon; and the Senate agree to the same.

Amendment numbered 142 (p. 55): That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "without the payment of duty"; and the Senate agree to the same.

Amendment numbered 154 (p. 60): That the House recede from its disagreement to the amendment of the Senate numbered 154, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "; oatmeal and rolled oats, 30 cents per 100 pounds; oat hulls, 8 cents per 100 pounds."; and the Senate agree to the same.

Amendment numbered 175 (p. 66): That the House recede from its disagreement to the amendment of the Senate numbered 175 and agree to the same with an amendment as follows: Strike out "1 cent" and insert in lieu thereof "1½ cents"; and the Senate agree to the same.

Amendment numbered 180 (p. 67): That the House recede from its disagreement to the amendment of the Senate numbered 180, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert on page 68 of the bill, line 10, after the word "dead", the following: ", or prepared in any manner, including the weight of the immediate coverings or containers"; and the Senate agree to the same.

Amendment numbered 186 (p. 72): That the House recede from its disagreement to the amendment of the Senate numbered 186, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: ", except that when it shall appear to the collector of customs from the gauger's return, verified by an affidavit by the importer to be filed within five days after the delivery of the merchandise, that a cask or package has been broken or otherwise injured in transit from a foreign port and as a result thereof a part of its contents amounting to 10 per centum or more of the total value of the contents of the said cask or package in its condition as exported, has been lost, allowance therefor may be made in the liquidation of the duties."; and the Senate agree to the same.

Amendment numbered 187 (p. 74): That the House recede from its disagreement to the amendment of the Senate numbered 187, and agree to the same with an amendment as follows: On page 64 of the bill, line 11, after the word "each," insert the following: "more than one-half pint and"; and the Senate agree to the same.

Amendment numbered 191 (p. 79): That the House recede from its disagreement to the amendment of the Senate numbered 191, and agree to the same with amendments as follows: In line 18 of the matter inserted by said amendment, after the word "nine," strike out the words "and not exceeding No. 199" in lines 19 and 20 of the matter inserted by said amendment, after the word "valorem," strike out the following: "; exceeding No. 199, 20 per cent ad valorem"; in line 20 of the matter inserted by said amendment, strike out the word "If" and insert in lieu thereof the word "When"; in lines 33 and 34 of the matter inserted by said amendment, after the word "nine," strike out the words "and not exceeding No. 199"; in lines 34, 35, and 36 of the matter inserted by said amendment, after the word "valorem," strike out the following: "; exceeding No. 199, 20 per cent ad valorem"; and the Senate agree to the same.

Amendment numbered 193 (p. 82): That the House recede from its disagreement to the amendment of the Senate numbered 193, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment, after the word "painted," insert the word "printed" and a comma; and the Senate agree to the same.

Amendment numbered 194 (p. 84): That the House recede from its disagreement to the amendment of the Senate numbered 194, and agree to the same with amendments as follows: In line 5 of the matter inserted by said amendment strike out the comma after the word "cotton"; in line 12 of the matter inserted by said amendment, after the word "imported," insert the following: ", except that all clipped threads shall be measured as if continuous"; and the Senate agree to the same.

Amendment numbered 211 (p. 87): That the House recede from its disagreement to the amendment of the Senate numbered 211, and agree to the same with an amendment as follows: On page 69 of the bill, line 12, after the word "than," insert the following: "70 cents, and not more than $1.20 per dozen pairs, 40 per cent ad valorem; if valued at more than"; and the Senate agree to the same.

Amendment numbered 221 (p. 90): That the House recede from its disagreement to the amendment of the Senate numbered 221, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment restore the matter stricken out by said amendment, striking out, in line 5 of the matter restored, the following: "whether in the piece or otherwise" and the comma; and the Senate agree to the same.

Amendment numbered 241 (p. 94): That the House recede from its disagreement to the amendment of the Senate numbered 241, and agree to the same with an amendment as follows: On page 74 of the bill, line 12, strike out the numeral "20" and insert in lieu thereof the numeral "10"; and the Senate agree to the same.

Mr. PENROSE. I should like to ask the chairman of the committee whether he considers the words added by the Senate and agreed to by the House——

Mr. SIMMONS. What amendment does the Senator refer to?

Mr. PENROSE. Amendment 241, page 94, of the bill. I made the inquiry of the chairman of the committee in regard to paragraph 288, page 94, of the conference print, amendment 241.

Mr. SIMMONS. The Senator is laboring under a misapprehension. That amendment was made by the Senate, not by the conferees.

Mr. PENROSE. Then I withdraw my inquiry.

Mr. SIMMONS. The conference merely changed the rate.

Mr. BRANDEGEE. Let me ask the Senator from North Carolina in relation to that same amendment—bleached, dyed, colored, and so forth—what authority did the conference committee have to reduce the rate in the bill as passed by the House from 20 per cent to 10 per cent?

Mr. PENROSE. Mr. President, I want to correct myself. I meant to make the point made by the Senator from Connecticut, and I did not express myself clearly. The point is there was a 20 per cent rate, and in conference it was reduced to 10 per cent, although never in conference.

Mr. BRANDEGEE. There appears to have been no disagreeing action on the rate whatever. The House passed the rate at 20 per cent, and the Senate passed the paragraph with the same rate, but inserted some other words. Now, the Senate conferees recede from the Senate amendment, and yet the conference committee has proceeded to change the rate that was agreed upon by both branches, and has reduced it 50 per cent—from 20 per cent to 10 per cent. My point is that that was not in conference and was not in the jurisdiction of the conference committee.

Mr. WILLIAMS. The conferees regarded this entire subject matter as being thrown into conference, and the difference between the House and the Senate was as to whether burlaps, bleached or dyed, and so forth, should be imported free or not. Having agreed in conference to put burlaps upon the free list, we thought ourselves authorized to maintain the differential which the House had established between the two. The House conferees insisted upon that differential and not having a larger differential. The differential which the House has left between the plain woven fabrics that were bleached and printed and dyed and those which were not had been 10 per cent, and therefore the conferees reduced this duty to maintain that differential.

Mr. BRANDEGEE. It did not seem to me that the matter was in conference at all when the two Houses had agreed upon the rate. Let me ask the Senator if the House had passed the bill with 10 per cent and the Senate had put on an amendment raising it to 20 per cent, would the Senator think the conferees had jurisdiction to put the article upon the free list?

Mr. WILLIAMS. That would have been a slightly different case. We were trying to maintain the intent of the House, which was to establish a differential of 10 per cent between these two articles. We thought we were authorized to do it, or, of course, we would not have done it.

Mr. BRANDEGEE. It seems to me the province of the conference should be to adjust the difference between the two Houses and not to go outside of the difference. The only question in conference here was the addition of some descriptive words by the Senate, to wit, bleached, dyed, and so forth. In adjusting the matter in dispute, whether those words should be in or not, the conference committee has gone entirely outside of that, and has proceeded to change a rate upon which both Houses had agreed.

Mr. WILLIAMS. The matter came from the House in this shape. The House put all plain woven fabrics of jute yarns, by whatever name known, at a rate of 20 per cent. The Senate classified them and put those that were not bleached, nor dyed, nor printed, nor stained upon the free list and left this rate at 20 per cent. The House insisted that if we were not going to put those that were not bleached or stained upon the free list we ought to maintain the House differential of 10 per cent.

I am aware that that is merely a rupetition almost of what I said before, but I consider that these two paragraphs must be taken in conjunction, one with the other, and that we had abundant authority to do what we did as conferees.

Mr. BRANDEGEE. The trouble with the Senator's explanation is that it appears the only way these two sets of conferees could be brought into agreement was to exceed their jurisdiction as conferees and do something else.

Mr. PENROSE. Mr. President, when the extraordinary parliamentary history of this bill shall be written and when the American people have an opportunity to examine the procedure under which this measure has been pressed to final passage, let the crowning violation of parliamentary precedent and regularity be that which the Senator from Mississippi says he has ample authority for, that the conferees can change a rate which is not in conference. A more astounding proposition was never enunciated in the whole history of the Senate of the United States. The very vitals of a tariff bill are the rates. The only jurisdiction that the conferees has is between the maximum and the minimum in altercation between the two Houses.

The Senator from Mississippi deliberately states that he has ample authority for an action in the conference by which a rate of 20 per cent which was not in dispute is arbitrarily altered by the conferees. For that he says he has ample authority. On that same line of procedure every rate in this bill could be changed in the secret conferences of the majority.

I remember distinctly, for I was a conferee when the Payne bill was under consideration, that the most scrupulous observance was had to the principle above all others that no amount could be changed which was not in dispute, and on more than one occasion where we were very desirous of amending the bill we abandoned the effort, being unwilling to resort to a method potential of so many abuses and sinister influences as the alteration of a rate not in conference.

The PRESIDENT pro tempore. May the Chair inquire of the Senator from Pennsylvania for what purpose he rose at this time?

Mr. PENROSE. I rose in order to put the majority on record for as astounding a proposition of parliamentary law as was ever propounded in either branch of the American Congress. I rose to make this record that in the future when this bill shall come up for the verdict of the American people this extraordinary method may be noted.

I rose, Mr. President, because when this bill shall be in litigation, when, perhaps, typographical errors of the printer shall have altered the purpose of the conferees and the Congress, and I again repeat the charge that this bill has typographical errors in it, and when, Mr. President, it may be developed that sinister influences have caused changes, and the dotting of an "i," or the insertion of a comma, may make such a change, that the American people shall know that it was the utter disregard of all well-founded principles of parliamentary law which has placed this extraordinary bill upon the statute books.

The Senator from Mississippi says that he has ample authority. I challenge him for any authority in either branch of Congress permitting the conferees to alter an amount which is not in conference. I will reserve any point of order until the Senator from Ohio [Mr. BURTON] raises his.

The PRESIDENT pro tempore. The Chair holds that this whole proceeding is out of order, except by unanimous consent.

Mr. PENROSE. I take it, we can discuss the bill.

The PRESIDENT pro tempore. Not without unanimous consent until the Senate has ordered that the Senate shall proceed with the consideration of the report. Rule XXVII says:

> The presentation of reports of committees of conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is dividing; and when received the question of proceeding to the consideration of the report, if raised, shall be immediately put, and shall be determined without debate.

The Senator raises the point of order that the conferees have exceeded their jurisdiction in inserting an amount not in dispute between the two Houses. The point of order, under the practice of the Senate, is a matter that presents itself to the Senate when it comes to dispose of the entire report. It is not subject to a point of order at this stage and will be overruled.

Mr. PENROSE. I did not intend to press any point of order now. I merely wanted to advise the Senate that I intended to raise it. Do I understand the Chair to rule that debate as we reach these several amendments is not in order?

The PRESIDENT pro tempore. Not during the reading of the report, except by unanimous consent. The report will be adopted as a whole or rejected as a whole.

Mr. PENROSE. I do not understand that the report has to be adopted as a whole. The Senate may disagree to any item in the report.

The PRESIDENT pro tempore. It could be resubmitted to the conferees for that purpose.

Mr. PENROSE. The Senate can by no means be muzzled——

The PRESIDENT pro tempore. It is not a question of being muzzled. It is a question of the observance of the rules.

Mr. PENROSE. If debate is out of order it will be quite agreeable for me to retire from the Chamber, for I can not understand the references in the report. We have been going on in this way for two hours and I do not know of any rule of the Senate that prohibits during the consideration of these items comment on them.

The PRESIDENT pro tempore. We are not considering the items in a conference report. We are considering the report as a whole. The Chair called attention to the fact that debate must proceed by unanimous consent. If no objection is raised the Senator may proceed.

Mr. PENROSE. I can easily imagine how the discussion of the measure would be offensive to the majority, and I do not want to be disagreeable. I am perfectly willing to say what I have to say after the reading has been concluded, if that is more agreeable.

Mr. BRANDEGEE. The rule read by the Chair seems to me to provide that the question of consideration if raised shall be decided without debate. This matter is under consideration now, and has been for several hours. I do not understand from the hasty reading of the rules by the Chair that the rule would prohibit debate upon the conference report or any item of the same as read——

The PRESIDENT pro tempore. Clearly not.

Mr. BRANDEGEE. During the consideration of the report. But the question is whether the consideration of the report shall at that time be decided or not.

The PRESIDENT pro tempore Some Senator demanded that the conference report be read preliminary to its consideration.

Mr. BRANDEGEE. Is not the conference report under consideration at the present time?

The PRESIDENT pro tempore. It will be under consideration after it is read.

Mr. BRANDEGEE. Not until it is read?

The PRESIDENT pro tempore. The Chair presumes that by unanimous consent it might be.

Mr. BRANDEGEE. I have no interest in it except that I may have some remarks to make at some time during this proceeding, and I should like to suggest a parliamentary inquiry. It is whether debate is now in order on separate items or the different amendments in the report as they are read by the Secretary.

The PRESIDENT pro tempore. Not before the reading of the report is finished, except by unanimous consent.

Mr. BRANDEGEE. Would the Chair kindly have the Secretary read the rule which the Chair read?

Mr. PENROSE. Let the rule be read to the Senate.

The PRESIDENT pro tempore. The Secretary will read Rule XXVII, on page 27.

The Secretary read as follows:

RULE XXVII.

REPORTS OF CONFERENCE COMMITTEES.

The presentation of reports of committees of conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is dividing; and when received the question of proceeding to the consideration of the report, if raised, shall be immediately put, and shall be determined without debate.

Mr. BRANDEGEE. Mr. President, the question then seems to me off hand to resolve itself into, first, the reception of the report, which I assume has been had, and now the consideration of it, which shall be immediately put, according to the rule. If that was put and carried, I would know where I stood in a parliamentary sense, but it has not yet been put and carried.

The PRESIDENT pro tempore. It was not put for the reason that some Senator demanded the reading of the report. Of course the Senate can not proceed to the consideration of a measure until it is laid before the Senate in proper form.

Mr. BRANDEGEE. If the rule distinctly provides that the question upon its consideration shall be immediately put, I would ask that the provision of the rule be complied with, irrespective of the suggestion of some Senator that the report be read.

The PRESIDENT pro tempore. The Chair thinks that would be improper.

Mr. BRANDEGEE. Except, of course, if the rule should be set aside by unanimous consent.

The PRESIDENT pro tempore. The proper procedure is that preliminary to its consideration it should be read upon the demand of any Senator. Then it may be taken up for consideration and presented to the Senate in a formal way.

Mr. BRANDEGEE. Very well. If that is so, I give notice that I shall object to any debate whatever upon any amendment until the reading has been finished.

The PRESIDENT pro tempore. The Secretary will proceed with the reading of the report.

The Secretary resumed and concluded the reading of the report, as follows:

Amendment numbered 254: That the House recede from its disagreement to the amendment of the Senate numbered 254, and agree to the same with an amendment as follows: Strike out the numeral "5" and insert in lieu thereof the numeral "8"; and the Senate agree to the same.

Amendment numbered 255: That the House recede from its disagreement to the amendment of the Senate numbered 255, and agree to the same with an amendment as follows: Strike out the numeral "15" and insert in lieu thereof the numeral "18"; and the Senate agree to the same.

Amendment numbered 256: That the House recede from its disagreement to the amendment of the Senate numbered 256, and agree to the same with amendments as follows: In line 3 of the matter inserted by said amendment, after the word "valorem" and the semicolon, insert the following: "plushes, velvets, and all other pile fabrics, cut or uncut, woven or knit, whether or not the pile covers the entire surface, made wholly or in chief value of wool, and articles made wholly or in chief value of such plushes, velvets, or pile fabrics, 40 per cent ad valorem"; in line 16 of the matter inserted by said amendment, after the word "hair," insert the following: ", not specially provided for in this section"; and the Senate agree to the same.

Amendment numbered 258: That the House recede from its disagreement to the amendment of the Senate numbered 258, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment, striking out the numeral "35" and inserting in lieu thereof the numeral "30"; and the Senate agree to the same.

Amendment numbered 268: That the House recede from its disagreement to the amendment of the Senate numbered 268, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment, striking out the numeral "20" and inserting in lieu thereof the numeral "15"; and the Senate agree to the same.

Amendment numbered 269: That the House recede from its disagreement to the amendment of the Senate numbered 269, and agree to the same with an amendment as follows: Strike out the numeral "5" and insert in lieu thereof the numeral "20"; and the Senate agree to the same.

Amendment numbered 270: That the House recede from its disagreement to the amendment of the Senate numbered 270, and agree to the same with an amendment as follows: Strike out the numeral "15" and insert in lieu thereof the numeral "25"; and the Senate agree to the same.

Amendment numbered 277: That the House recede from its disagreement to the amendment of the Senate numbered 277, and agree to the same with an amendment as follows: Strike out the word "other" and insert in lieu thereof the word "pile"; and the Senate agree to the same.

Amendment numbered 278: That the House recede from its disagreement to the amendment of the Senate numbered 278, and agree to the same with an amendment as follows: Strike out the numeral "40" and insert in lieu thereof the numeral "45"; and the Senate agree to the same.

Amendment numbered 280: That the House recede from its disagreement to the amendment of the Senate numbered 280, and agree to the same with an amendment as follows: Strike out the numeral "30" inserted by said amendment and insert in lieu thereof the numeral "20"; and the Senate agree to the same.

Amendment numbered 297: That the House recede from its disagreement to the amendment of the Senate numbered 297, and agree to the same with amendments as follows: In lieu of the matter inserted by said amendment restore the matter stricken out by said amendment, striking out, in lines 4, 5, and 6 of the matter restored, the words "weighing not more than 10 pounds per ream of 480 sheets"; and the Senate agree to the same.

Amendment numbered 298: That the House recede from its disagreement to the amendment of the Senate numbered 298, and agree to the same with an amendment as follows: In line 7 of the matter inserted by said amendment strike out the numeral "50" and insert in lieu thereof the numeral "40"; and the Senate agree to the same.

Amendment numbered 301: That the House recede from its disagreement to the amendment of the Senate numbered 301, and agree to the same with amendments as follows: In line 24 of the matter inserted by said amendment strike out the numeral "6" and insert in lieu thereof the numeral "5." In line 27 of the matter inserted by said amendment strike out the numeral "8" and insert in lieu thereof the numeral "7." In line 29 of the matter inserted by said amendment strike out the numeral "6" and insert in lieu thereof the numeral "5." In line 43 of the matter inserted by said amendment strike out the numeral "12" and insert in lieu thereof the numeral "10." In lines 46, 47, and 48 of the matter inserted by said amendment strike out the following: "weighing over one hundred pounds per thousand sheets on a basis of 20 by 30 inches in dimensions, 15 cents per pound," and the semicolon. In line 49 of the matter inserted by said amendment strike out the numeral "20" and insert in lieu thereof the numeral "15"; and the Senate agree to the same.

Amendment numbered 310: That the House recede from its disagreement to the amendment of the Senate numbered 310, and agree to the same with an amendment as follows: Strike out the numeral "25" in said amendment and insert in lieu thereof the numeral "20"; and the Senate agree to the same.

Amendment numbered 318: That the House recede from its disagreement to the amendment of the Senate numbered 318, and agree to the same with amendments as follows: In line 3 of the matter inserted by said amendment strike out the numeral "50" and insert in lieu thereof the numeral "45." In line 5 of the matter inserted by said amendment strike out the numeral "50" and insert in lieu thereof the numeral "45." In line 8 of the matter inserted by said amendment strike out the comma after the word "buttons" and insert in lieu thereof the word "and." In line 8 of the matter inserted by said amendment strike out the comma after the word "studs"; and the Senate agree to the same.

Amendment numbered 339: That the House recede from its disagreement to the amendment of the Senate numbered 339, and agree to the same with an amendment as follows: Strike out the numeral "45" and insert in lieu thereof the numeral "50"; and the Senate agree to the same.

Amendment numbered 349: That the House recede from its disagreement to the amendment of the Senate numbered 349, and agree to the same with an amendment as follows: In line 11 of the matter inserted by said amendment, before the word "nets" insert the following: "edgings, insertings, galloons,"; and the Senate agree to the same.

Amendment numbered 350: That the House recede from its disagreement to the amendment of the Senate numbered 350, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment restore the matter stricken out by said amendment and insert after the word "action" and the comma in line 2 of the restored matter the following: "enameled upholstery leather,"; and the Senate agree to the same.

Amendment numbered 361: That the House recede from its disagreement to the amendment of the Senate numbered 361, and agree to the same with an amendment as follows: Strike out the numeral "40" and insert in lieu thereof the numeral "35"; and the Senate agree to the same.

Amendment numbered 363: That the House recede from its disagreement to the amendment of the Senate numbered 363, and agree to the same with an amendment as follows: In lieu of said amendment insert on page 96 of the bill, line 1, after the word "cents," the word "additional"; and the Senate agree to the same.

Amendment numbered 367: That the House recede from its disagreement to the amendment of the Senate numbered 367, and agree to the same with an amendment as follows: Strike out the word "additional" in the matter inserted by said amendment and insert in lieu thereof, on page 96 of the bill, line 5, after the word "cents," the word "additional"; and the Senate agree to the same.

Amendment numbered 369: That the House recede from its disagreement to the amendment of the Senate numbered 369, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out the numeral "3" and insert in lieu thereof the numeral "2.50"; and the Senate agree to the same.

Amendment numbered 371: That the House recede from its disagreement to the amendment of the Senate numbered 371, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment strike out the word "amber" and the comma; and the Senate agree to the same.

Amendment numbered 379: That the House recede from its disagreement to the amendment of the Senate numbered 379, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"386. Works of art, including paintings in oil or water-colors, pastels, pen and ink drawings, or copies, replicas or reproductions of any of the same, statuary, sculptures, or copies, replicas or reproductions thereof, and etchings and engravings, not specially provided for in this section, 15 per cent ad valorem."

And the Senate agree to the same.

Amendment numbered 382: That the House recede from its disagreement to the amendment of the Senate numbered 382, and agree to the same with amendments as follows: In line 1 of the matter inserted by said amendment, after the word "cameras," insert the following: "and parts thereof, not specially provided for in this section" and a comma; in line 6 of the matter inserted by said amendment, strike out the numeral "4" and insert in lieu thereof the numeral "2"; in line 7 of the matter inserted by said amendment, strike out the numeral "5" and insert in lieu thereof the numeral "3"; in line 13 of the matter inserted by said amendment, strike out "1½ cents" and insert in lieu thereof "1 cent"; and the Senate agree to the same.

Amendment numbered 385: That the House recede from its disagreement to the amendment of the Senate numbered 385, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "machinery for use in the manufacture of sugar;" and the Senate agree to the same.

Amendment numbered 386: That the House recede from its disagreement to the amendment of the Senate numbered 386, and agree to the same with an amendment as follows: In lieu of said amendment and in the same line, after the word "Albumen," where it occurs the first time, strike out the comma and the following: "blood, and albumen"; and the Senate agree to the same.

Amendment numbered 397: That the House recede from its disagreement to the amendment of the Senate numbered 397, and agree to the same with an amendment as follows: In line 4 of the matter inserted by said amendment, after the word "process" insert a semicolon; and the Senate agree to the same.

Amendment numbered 420: That the House recede from its disagreement to the amendment of the Senate numbered 420, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment, after the word "diamonds" strike out the comma and the following: "and diamond dust"; and the Senate agree to the same.

Amendment numbered 438: That the House recede from its disagreement to the amendment of the Senate numbered 438, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: ": *Provided, however*, That none of the foregoing meats shall be admitted into the United States unless the same is healthful, wholesome, and fit for human food and contains no dyes, chemical, preservative, or ingredient which renders the same unhealthful, unwholesome, or unfit for human food, and unless the same also complies with the rules and regulations made by the Secretary of Agriculture, and that, after entry into the United States in compliance with said rules and regulations, said imported meats shall be deemed and treated as domestic meats within the meaning of and shall be subject to the provisions of the act of June 30, 1906 (34 Stat. L., p. 674), commonly called the meat-inspection amendment, and the act of June 30, 1906 (34 Stat. L., p. 768), commonly called the food and drugs act, and that the Secretary of Agriculture be, and hereby is, authorized to make rules and regulations to carry out the purposes of this paragraph, and that in such rules and regulations the Secretary of Agriculture may prescribe the terms and conditions for the destruction for food purposes of all such meats offered for entry and refused admission into the United States unless the same be exported by the consignee within the time fixed therefor in such rules and regulations."; and the Senate agree to the same.

Amendment numbered 455: That the House recede from its disagreement to the amendment of the Senate numbered 455, and agree to the same with an amendment as follows: In the matter inserted by said amendment strike out the words "chlorate of" and the semicolon; and the Senate agree to the same.

Amendment numbered 472: That the House recede from its disagreement to the amendment of the Senate numbered 472, and agree to the same with an amendment as follows: Strike out the comma inserted by said amendment; and the Senate agree to the same.

Amendment numbered 477: That the House recede from its disagreement to the amendment of the Senate numbered 477, and agree to the same with amendments as follows: In line 2 of the matter inserted by said amendment, after the word "products," insert the following: ", not specially provided for in this section." In line 5 of the matter inserted by said amendment, after the word "wheat," insert the following: ", not specially provided for in this section." In line 5 of the matter inserted by said amendment, after the word "valorem," insert a comma. In line 8 of the matter inserted by said amendment, after the word "semolina," strike out the words "or any other product of wheat." In line 9 of the matter inserted by said amendment, after the word "States," strike out the colon and the following words: "*Provided further*, That the importation of weed seeds, whether or not mixed with bran or wheat screenings, is prohibited unless the same shall have been ground or otherwise treated so that the seeds will not germinate"; and the Senate agree to the same.

Amendment numbered 491: That the House recede from its disagreement to the amendment of the Senate numbered 491, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"654. Original paintings in oil, mineral, water, or other colors, pastels, original drawings and sketches in pen and ink or pencil and water colors, artists' proof etchings unbound, and engravings and woodcuts unbound, original sculptures or statuary, including not more than two replicas or reproductions of the same; but the terms 'sculpture' and 'statuary' as used in this paragraph shall be understood to include professional productions of sculptors only, whether in round or in relief, in bronze, marble, stone, terra cotta, ivory, wood, or metal, or whether cut, carved, or otherwise wrought by hand from the solid block or mass of marble, stone, or alabaster, or from metal, or cast in bronze or other metal or substance, or from wax or plaster, made as the professional productions of sculptors only; and the words 'painting' and 'sculpture' and 'statuary' as used in this paragraph shall not be understood to include any articles of utility, nor such as are made wholly or in part by stenciling or any other mechanical process; and the words 'etchings,' 'engravings,' and 'woodcuts' as used in this paragraph shall be understood to include only such as are printed by hand from plates or blocks etched or engraved with hand tools and not such as are printed from plates or blocks etched or engraved by photochemical or other mechanical processes."

And the Senate agree to the same.

Amendment numbered 509: That the House recede from its disagreement to the amendment of the Senate numbered 509, and agree to the same with amendments as follows: In lines 7 and 8 of the matter inserted in said amendment strike out the words "companies, whether incorporated or partnerships," and insert in lieu thereof the words "corporations, joint-stock companies, or associations however created or organized"; in line 12 of the matter inserted by said amendment strike out the words "company or partnership" and insert in lieu thereof the words "corporation, joint-stock company, or association, is a mere holding company"; in line 22 of the matter inserted by said amendment strike out the word "company" and insert in lieu thereof the words "corporation, joint-stock company, or association"; and the Senate agree to the same.

Amendment numbered 514: That the House recede from its disagreement to the amendment of the Senate numbered 514, and agree to the same with amendments as follows: In line 17 of the matter inserted by said amendment, after the word "made," insert the following: ", but no deduction shall be made for any amount of expense of restoring property or making good the exhaustion thereof for which an allowance is or has been made"; in line 25 of the matter inserted by said amendment strike out the word "from" and insert in lieu thereof the word "to"; and in the same line, after the word "source," insert the words "of the income"; and the Senate agree to the same.

Amendment numbered 520: That the House recede from its disagreement to the amendment of the Senate numbered 520, and agree to the same with an amendment as follows: In lieu of the matter inserted in said amendment insert the following:

"C. That there shall be deducted from the amount of the net income of each of said persons, ascertained as provided herein, the sum of $3,000, plus $1,000 additional if the person making the return be a married man with a wife living with him, or plus the sum of $1,000 additional if the person making the return be a married woman with a husband living with her; but in no event shall this additional exemption of $1,000 be deducted by both a husband and a wife: *Provided*, That only one deduction of $4,000 shall be made from the aggregate income of both husband and wife when living together."

And the Senate agree to the same.

Amendment numbered 529: That the House recede from its disagreement to the amendment of the Senate numbered 529, and agree to the same with an amendment as follows: In line 5 of the matter inserted by said amendment strike out the words "date of the passage of this act" and insert in lieu thereof the following "first day of November, 1913"; and the Senate agree to the same.

Amendment numbered 542: That the House recede from its disagreement to the amendment of the Senate numbered 542, and agree to the same with amendments as follows: In lieu of the matter inserted by said amendment restore the matter stricken out by said amendment; in line 3 of the restored matter, after the word "the" where it occurs the second time, insert the words "deduction and"; in line 4 of the restored matter strike out the following: "of $4,000"; and in the same line strike out the word "herein" and insert in lieu thereof the following: "in paragraph C of this section"; in line 8 of the restored matter strike out the words "an affidavit" and insert in lieu thereof the words "a signed notice in writing"; in line 9 of the restored matter insert, after the word "exemption," the words "and thereupon no tax shall be withheld upon the amount of such exemption: *Provided*, That if any person for the purpose of obtaining any allowance or reduction by virtue of a claim for such exemption, either for himself or for any other person, knowingly makes any false statement or false or fraudulent representation, he shall be liable to a penalty of $300"; in line 13 of the restored matter strike out the words "file either" and insert in lieu thereof the words "either file"; in line 20 of the restored matter strike out the words "such person may"; in line 22 of the restored matter, after the word "him," insert a colon and the following: "*Provided further*, That if such person is a minor or an insane person, or is absent from the United States, or is unable owing to serious illness to make the return and application above provided for, the return and application may be made for him or her by the person required to withhold and pay the tax, he making oath under the penalties of this act that he has sufficient knowledge of the affairs and property of his beneficiary to enable him to make a full and complete return for him or her, and that the return and application made by him are full and complete"; on page 147 of the bill, line 1, after the word "*Provided*," insert the word "further"; and the Senate agree to the same.

Amendment numbered 545: That the House recede from its disagreement to the amendment of the Senate numbered 545, and agree to the same with an amendment as follows: On page 147 of the bill, line 5, after the word "other," insert the word "similar"; and the Senate agree to the same.

Amendment numbered 551: That the House recede from its disagreement to the amendment of the Senate numbered 551, and agree to the same with amendments as follows: In line 3 of the matter inserted by said amendment, before the word "by," insert the words "of such interest or dividends." In line 10 of the matter inserted by said amendment,

after the word "shall," insert the word "knowingly"; and the Senate agree to the same. On page 148 of the bill, line 15, after the word "tax," insert a comma and the words "nor shall any contract entered into after this act takes effect be valid in regard to any Federal income tax imposed upon a person liable to such payment"; and the Senate agree to the same.

Amendment numbered 564: That the House recede from its disagreement to the amendment of the Senate numbered 564, and agree to the same with an amendment as follows: In line 7 of the matter inserted by said amendment, after the word "welfare," insert a colon and the following: "*Provided further*, That there shall not be taxed under this section any income derived from any public utility or from the exercise of any essential governmental function accruing to any State, Territory, or the District of Columbia, or any political subdivision of a State, Territory, or the District of Columbia, nor any income accruing to the Government of the Philippine Islands or Porto Rico, or of any political subdivision of the Philippine Islands or Porto Rico: *Provided*, That whenever any State, Territory, or the District of Columbia, or any political subdivision of the State or Territory, has, prior to the passage of this act, entered in good faith into a contract with any person or corporation, the object and purpose of which is to acquire, construct, operate, or maintain a public utility, no tax shall be levied under the provisions of this act upon the income derived from the operation of such public utility, so far as the payment thereof will impose a loss or burden upon such State, Territory, or the District of Columbia, or a political subdivision of a State or Territory; but this proviso is not intended to confer upon such person or corporation any financial gain or exemption or to relieve such person or corporation from the payment of a tax as provided for in this section upon the part or portion of the said income to which such person or corporation shall be entitled under such contract"; and the Senate agree to the same.

Amendment numbered 571: That the House recede from its disagreement to the amendment of the Senate numbered 571, and agree to the same with an amendment as follows: In line 8 of the matter inserted by said amendment, after the word "thereof," where it occurs the second time, insert the following: "and life insurance companies shall not include as income in any year such portion of any actual premium received from any individual policyholder as shall have been paid back or credited to such individual policyholder, within such year"; and the Senate agree to the same.

Amendment numbered 575: That the House recede from its disagreement to the amendment of the Senate numbered 575, and agree to the same with an amendment as follows: In the matter inserted by said amendment strike out the word "bonded" and insert in lieu thereof the words "interest bearing"; and the Senate agree to the same.

Amendment numbered 586: That the House recede from its disagreement to the amendment of the Senate numbered 586, and agree to the same with an amendment as follows: In line 8 of the matter inserted by said amendment, after the word "thereof," where it occurs the second time, insert the following: "and life insurance companies shall not include as income in any year such portion of any actual premium received from any individual policyholder as shall have been paid back or credited to such individual policyholder, or treated as an abatement of premium of such individual policyholder, within such year"; and the Senate agree to the same.

Amendment numbered 588: That the House recede from its disagreement to the amendment of the Senate numbered 588, and agree to the same with an amendment as follows: In the matter inserted by said amendment strike out the word "bonded" and insert in lieu thereof the words "interest bearing"; and the Senate agree to the same.

Amendment numbered 597: That the House recede from its disagreement to the amendment of the Senate numbered 597, and agree to the same with an amendment as follows: In line 8 of the matter inserted by said amendment, after the word "thereof," where it occurs the second time, insert the following: "and life insurance companies shall not include as income in any year such portion of any actual premium received from any individual policyholder as shall have been paid back or credited to such individual policyholder, or treated as an abatement of premium of such individual policyholder, within such year"; and the Senate agree to the same.

Amendment numbered 598: That the House recede from its disagreement to the amendment of the Senate numbered 598, and agree to the same with an amendment as follows: In line 8 of the matter inserted by said amendment, after the word "thereof," where it occurs the second time, insert the following: "and life insurance companies shall not include as income in any year such portion of any actual premium received from any individual policyholder as shall have been paid back or credited to such individual policyholder, or treated as an abatement of premium of such individual policyholder, within such year"; and the Senate agree to the same.

Amendment numbered 599: That the House recede from its disagreement to the amendment of the Senate numbered 599, and agree to the same with an amendment as follows: In the matter inserted by said amendment strike out the word "bonded" and insert in lieu thereof the words "interest bearing"; and the Senate agree to the same.

Amendment numbered 603: That the House recede from its disagreement to the amendment of the Senate numbered 603, and agree to the same with an amendment as follows: On page 160 of the bill, line 3, strike out the word "after"; and the Senate agree to the same.

Amendment numbered 608: That the House recede from its disagreement to the amendment of the Senate numbered 608, and agree to the same with amendments as follows: In line 13 of the matter inserted by said amendment strike out the following: "$1,200,000," and insert in lieu thereof "$890,000"; in lines 20, 21, and 22 of the matter inserted by said amendment strike out the words "For the administration, in the Internal-Revenue Bureau at Washington, D. C., of this act in the collection of the tax aforesaid," and insert in lieu thereof the words "In the office of the Commissioner of Internal Revenue at Washington, D. C."; in line 22 of the matter inserted by said amendment, after the word "appointed," insert the words "by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury"; in line 40 of the matter inserted by said amendment, after the word "employees," insert the words "not including the clerical force below the grade of chief of division employed in the Bureau of Internal Revenue in the city of Washington, D. C."; in lines 48, 49, 50, and 51 of the matter inserted by said amendment strike out the following proviso: "*Provided further*, That no person now in the classified service who shall be appointed an agent, deputy collector, or inspector shall lose his civil-service status because of such appointment," and insert in lieu thereof the following: "*Provided further*, That the force authorized to carry out the provisions of Section II of this act, when not employed as herein provided, shall be employed on general internal-revenue work"; and the Senate agree to the same.

Amendment numbered 616: That the House recede from its disagreement to the amendment of the Senate numbered 616, and agree to the same with an amendment as follows: In line 11 of the matter inserted by said amendment, after the word "article," insert a comma and the words: "and it shall be the duty of the consular officer, to whom the invoice shall be produced, to require such information to be given"; and the Senate agree to the same.

Amendment numbered 624: That the House recede from its disagreement to the amendment of the Senate numbered 624, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: ", unless by direction of the Secretary of the Treasury in cases in which the importer certifies at the time of entry that the entered value is higher than the foreign market value and that the goods are so entered in order to meet advances by the appraiser in similar cases then pending on appeal for reappraisement, and the importer's contention shall subsequently be sustained by a final decision on reappraisement, and it shall appear that the action of the importer on entry was taken in good faith, after due diligence and inquiry on his part, and the Secretary of the Treasury shall accompany his directions with a statement of his conclusions and his reasons therefor"; and the Senate agree to the same.

Amendment numbered 628: That the House recede from its disagreement to the amendment of the Senate numbered 628, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "for each entry"; and the Senate agree to the same.

Amendment numbered 629: That the House recede from its disagreement to the amendment of the Senate numbered 629, and agree to the same with amendments as follows: In lieu of the matter stricken out by said amendment insert the following: ", and in so doing may exercise both judicial and inquisitorial functions." In lines 9 and 10 of the matter inserted by said amendment strike out the following: "Hearsay evidence and unsworn statements shall not be admitted, but" and capitalize the word "affidavits,"; and the Senate agree to the same.

Amendment numbered 630: That the House recede from its disagreement to the amendment of the Senate numbered 630, and agree to the same with an amendment as follows: In line 3 of the matter inserted by said amendment, after the word "samples," insert a comma and the following: "and where the merchandise or samples were reasonably accessible for inspection"; and the Senate agree to the same.

Amendment numbered 634: That the House recede from its disagreement to the amendment of the Senate numbered 634, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment and insert, after the word "imported," the words "within one year"; and the Senate agree to the same.

Amendment numbered 641: That the House recede from its disagreement to the amendment of the Senate numbered 641, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment down to and including the word "continues," page 192 of the bill, line 4, and in lieu of the remaining matter insert the following: "to levy an additional duty of 15 per cent ad valorem on all such merchandise when imported into the United States: *Provided, however*, That such additional duties shall not be imposed in case the laws of the country of exportation provide for the administration, by its duly authorized officers, of oaths to invoices, or statements of cost, before certification by consuls, and for punishment for false swearing under said oaths, whenever consuls are directed by the Secretary of State, under section 2862 of the Revised Statutes, to require such oaths before certification of the invoices."; and the Senate agree to the same.

Amendment numbered 642: That the House recede from its disagreement to the amendment of the Senate numbered 642, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment down to and including the word "continues" and the comma, on page 192 of the bill, line 18, and insert in lieu of the remaining matter the following: "to assess additional duty of 15 per cent on all merchandise consigned to or imported by, or shipped, or intended for delivery, to such person, persons, corporations, or other bodies so failing or refusing."; and the Senate agree to the same.

Amendment numbered 648: That the House recede from its disagreement to the Senate amendment numbered 648, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following: "except as to the proviso of article 8 of said treaty, which proviso is hereby abrogated and repealed"; and the Senate agree to the same.

Amendment numbered 649: That the House recede from its disagreement to the amendment of the Senate numbered 649, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment striking out in line 2 of the matter restored the numeral "50" and insert in lieu thereof the numeral "20." In lines 3 and 4 of the matter restored strike out the following: "or 20 per cent in case of manufactures of tobacco" and the comma; and the Senate agree to the same.

Amendment numbered 655: That the House recede from its disagreement to the amendment of the Senate numbered 655, and agree to the same with an amendment as follows: After the word "vessels," inserted by said amendment, insert the words "or other vessels"; and the Senate agree to the same.

Amendment numbered 656: That the House recede from its disagreement to the amendment of the Senate numbered 656, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out the words "admitted to registration" and insert in lieu thereof the words "now or hereafter registered"; and the Senate agree to the same.

Amendment numbered 657: That the House recede from its disagreement to the amendment of the Senate numbered 657, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment, and insert in line 4 of the restored matter, after the word "States," a colon and the following: "*Provided*, That nothing in this subsection shall be so construed as to abrogate or in any manner impair or affect the provisions of any treaty concluded between the United States and any foreign nation"; and the Senate agree to the same.

Amendment numbered 659: That the House recede from its disagreement to the amendment of the Senate numbered 659, and agree to the same with amendments as follows: In line 5 of the matter inserted by said amendment insert after the word "duties" the words "on such tobacco in its condition as imported." In line 7 of the matter inserted by said amendment strike out the word "thereon" and insert in lieu thereof the words "on such cigars."; and the Senate agree to the same.

The committee of conference has been unable to agree on the amendment of the Senate numbered 609.

That in the enrollment of the bill the sections and paragraphs thereof be numbered in consecutive order.

F. M. SIMMONS,
JOHN SHARP WILLIAMS,
BENJ. F. SHIVELY,
CHARLES F. JOHNSON,
Managers on the part of the Senate.
O. W. UNDERWOOD,
CLAUDE KITCHIN,
HENRY T. RAINEY,
LINCOLN DIXON,
Managers on the part of the House.

The PRESIDENT pro tempore. This completes the reading of the conference report. The question is, Will the Senate agree to its adoption?

Mr. BRISTOW. Mr. President, I had a letter a few days ago from a friend of mine in Kansas asking me to give him the reasons why I voted against the tariff bill and asking me to analyze it from the Kansas point of view. Before the vote is taken on the conference report, I desire to do so.

I voted against the tariff bill because I believe it unjust and discriminatory. Its discrimination in favor of localities and certain special interests is worse than that of the Payne-Aldrich bill.

It probably is the most inconsistent tariff bill that has ever passed the American Congress. It represents no definite policy and follows no well-defined principle of taxation. It is not a protective measure, though it imposes a high protective duty on many articles of domestic production. Nor can it be styled a free-trade measure, though it places upon the free list many important American products. It is not a tariff for revenue only, because it free lists the most important revenue-producing articles that our people consume. It has many of the weaknesses of all the tariff theories ever advocated in American politics and the strength and consistency of none of them.

It is especially discriminatory against the northern and western farmers. It puts potatoes on the free list, the product of the farm, yet it places a duty of $1 and $1.25 per hundred pounds, respectively, on potato starch and on dextrine made from potato starch. These are practically the same duties that were carried in the Payne-Aldrich bill on these manufactured products, though the manufacturers are given their raw material free of duty. When I denounced this provision of the bill on the floor of the Senate, it was vehemently declared that the potato duty was of no benefit to the American farmer. Nevertheless, more than 13,000,000 bushels of potatoes were imported into the United States last year.

Our Democratic friends claim that the tariff is a burden upon the people because it is added to the price of the article upon which it is imposed. If that theory is correct, then the removal of the duty of 25 cents a bushel on potatoes will reduce the price which the American farmer secures for his potatoes. If that theory is not correct, then why is a high duty imposed on potato starch and dextrine? It was alleged by Senator JOHNSON of Maine, in charge of this schedule of the bill, that our local producers of potato starch and dextrine are brought into sharp competition with foreign importations, and it was thought necessary to protect the American manufacturers by imposing the revenue duties provided in the bill. That is, the Democratic Finance Committee found it desirable to protect the manufacturer of potato products from direct competition with the foreign producer, but persistently refused to give the farmer the advantage of an import duty upon his potatoes. Such a position I believe to be indefensible and unjust.

It is claimed by the friends of this bill that its passage is a blow to special privilege, but an analysis of the measure shows that the special interests it is most hostile to are the farmer, the market gardener, and the producer of live stock, for their products are placed upon the free list. But the products of the gigantic manufacturing concerns that our Democratic friends for half a century have been denouncing are kept on the dutiable list. They are treated with generosity by this bill.

Another example of its discrimination is the placing of wheat that is grown on the western prairies on the free list, and maintaining a duty of $1 per 100 pounds, or 45 cents a bushel, on rice that is grown on the southern plantations. Both wheat and rice are basic food products. It is the alleged policy of Mr. Wilson and his congressional satellites that articles of food should not be taxed. Why, then, should there be maintained a protective duty of $1 per 100 pounds on rice? The reason assigned by the defenders of the bill on the floor of the Senate was that such a duty is necessary to preserve the industry; yet, when that theory is appealed to in behalf of other products, it is vehemently denounced as taxing the many for the benefit of the few.

This bill maintains a protective duty of from 50 to 169 per cent on tobacco, and puts cattle, sheep, and meats on the free list. That is, there is maintained for the tobacco growers of Maryland, Virginia, Kentucky, North Carolina, Tennessee, and other tobacco-growing States as high a protective duty as has ever been imposed in any tariff bill, while the products of the stock raisers of the North and West are placed on the free list, and they are compelled to meet severe foreign competition in our own market.

The bill puts meats on the free list, but maintains a protective duty of $1.50 a gallon on whisky; and the excuse that was given by Mr. JAMES, of Kentucky, for this discrimination in favor of the American distilleries was that whisky is a luxury and ought to be taxed. I do not agree with him that whisky is a luxury; I believe it to be a curse. I agree with him that it ought to be taxed. We impose an internal-revenue tax of $1.10 per gallon on whisky; but in addition to that there is provided a protective tariff duty of $1.50 a gallon, making the import duty on whisky $2.60 per gallon. Why not impose this entire tax upon the consumption of whisky? Why not, at least, let the distilleries stand alone, without the protective care of the Government? If protection is wrong for the farmer, the sugar producer, and the poultry yard of the housewife, why is it desirable for the distillery? Why make this heroic effort to preserve the American liquor market for the American distillery, and then denounce those of us who seek to preserve the home market for the American farmer?

Free meats, every Kansas farmer knows, is in the interest of the great packing-house combinations. The Packers' Trust controls the meat production of Argentina, and they are preparing now to supply the great eastern cities with meat produced from cattle grown upon the ranches in the Argentine Republic instead of from cattle grown upon the American farm.

It was also declared by Senators JAMES, of Kentucky, and SIMMONS, of North Carolina, that tobacco is a luxury and ought to be taxed. If it is desired to raise large revenue from tobacco, why not increase the internal-revenue tax and levy an additional tax on the products of the Tobacco Trust, as suggested by Senator HITCHCOCK, of Nebraska? But such a policy would not protect the tobacco growers, and therefore it is not adopted.

The Tobacco Trust, the packing houses, and the distilleries are among the special interests that have been given tender regard by this bill.

The measure puts upon the free list the wool that is grown on the American farm and ranch of the North and West, while it places a protective duty on the hair of the Angora goat grown in Texas. While it places wool on the free list, it imposes a duty on every article that is made from that wool. There is a protective duty provided for every process through which the wool passes from the time it leaves the farmer until it disappears from use.

The first act of labor that is applied to wool after it is taken from the sheep's back is to wash and scour the grease out of it; and the manufacturer who does this gets a protective duty of one-fourth cent per pound on the grease which he extracts from this wool. The wool is then combed; and for the process of combing he is allowed a duty of 8 per cent ad valorem. It is then spun into yarns; and for the spinning into yarns there is a duty of 18 per cent ad valorem. Then it goes through the various processes of manufacture, and the protective duties range from 20 to 50 per cent ad valorem on these various manufactured articles. A duty of 35 per cent is imposed upon the ready-made clothing into which woolen cloths are made, and on dress goods the duty in some instances is as high as 40 per cent.

There never was a combination in the production of wool—there can be none, because too many people are engaged in that business. There are about a million farmers who are raising sheep to a greater or less extent. Wool is their product—the result of their labor and toil. They are compelled to compete with the sheep raisers of the world in their own market to supply their own people; while every manufacturer who touches the wool after it leaves the farmer's hands is given a protective duty on the work that he does upon it. Let me ask any fair-minded American who believes in justice if he thinks that such a policy is right.

I am not complaining of the protection given the manufacturer. On the whole the duties are not too high; in some instances they are not high enough. My complaint is directed to the discrimination against the agricultural classes.

The farmer has to work or starve. He can not close his shop. He can not strike for higher wages. He must bear the burdens, whatever they are, that are placed upon him. Why should he have been selected as the victim by these free-trade propagandists?

It is not denied that it costs more to produce a fleece of wool in the United States than it does in competing countries. It is admitted that free wool will be a hardship upon many farming sections of our country. Yet, in the face of these admissions free wool was decreed by Mr. Wilson; and Senators and Congressmen who do not believe in the policy, who recognize its iniquitous and discriminatory character, meekly and subserviently acquiesce in this decree. They admit that in so doing they have forsaken the interests of their constituents and forgotten the welfare of their country.

This is alleged to be a tariff for revenue only, yet over $14,000,000 was collected last year on imported wool, while only $12,000,000 was collected on manufactured woolens. This alleged revenue measure throws that $14,000,000 of revenue that helped the farmer to the winds and retains the millions of duty that helped the manufacturer.

But the greatest economic mistake from the broad, national viewpoint is the free-sugar provision. Every great nation, with one exception, has sought by protective legislation to develop a domestic sugar supply. England, having vast colonial interests in cane-producing tropical islands, has felt that her national welfare would be better subserved by encouraging sugar production in her colonies than at home. This has been the policy of the British Empire. Canada gives a preferential rate to sugar imported from English colonies; so does Australia. But all the great commercial nations of continental Europe have during the last century, by tariffs and bounties, developed sugar production among their people, until to-day Germany, France, Austria, Russia, and many of the smaller countries not only produce a sufficient amount of sugar to supply their home consumption, but many of them export large quantities.

From the day of the great Napoleon to the present time every great European statesman has given the weight of his influence toward legislation that would promote in his country the development of domestic sugar production. France has levied import duties as high as $2.89 per hundred pounds; Germany, $3.24; Russia, $5.71; Austria, $3.68; and other European nations similar duties.

For almost a hundred years we feebly followed the plan of European nations by imposing import duties or bounties to encourage sugar production, with indifferent success. However, in 1897 we began effective efforts for the development of beet-sugar production. The Dingley bill provided a duty of $1.95 per hundred pounds on refined sugar. This duty, as compared with those imposed by European countries, was very low; yet our experience has shown that it was sufficient, for from the passage of that bill beet-sugar production in the United States has developed faster than it ever developed in any other country in the history of the industry.

During the 16 years that have passed since the Dingley bill was enacted the production of beet sugar in the United States has increased from approximately 40,000 tons in 1897 to 698,952 tons in 1913, and the estimated crop for this year is 715,000 tons. If this ruinous legislation could have been defeated, in my humble judgment, within less than 20 years we would be producing within our own borders every pound of sugar which the American people would consume.

This has been the result which every great commercial nation has sought to attain, and we were on the highway to such achievement when our progress was stopped by the narrow-minded statesmanship of the present hour.

I have always advocated reasonable protective duties and reductions in such duties whenever they could safely be made. Believing that the present duties on sugar could be lowered with safety to the industry, I submitted an amendment to the bill reducing the duty by stages from $1.90 per hundred pounds to $1.275, and the duty on Cuban sugar 96° pure, which is the real protective duty our sugar producers have, from $1.34 to 97 cents. It is admitted that these reductions could now safely be made, because we are producing sugar at a less cost than we did 16 years ago when the Dingley bill was enacted.

The most irritating thing about this free-sugar proposition, however, is the pretense that it is legislation against the Sugar Trust, when, in fact, it is legislation directly in the interest of the Sugar Trust. The Sugar Trust refines sugar; it does not produce it. It buys the sugar that is grown in the Tropics, imports it into the United States, refines it, takes its toll for refining, and then puts the refined product upon the American market. The refiners' trust wants free sugar because that will give it free raw material, and with its raw material free this gigantic combination, which but a few years ago robbed the American people of millions of revenue by a system of false weights, will monopolize the American market.

The refining business is controlled by three concerns with headquarters in New York. They cooperate in fixing prices; and when they control the market they fix the price as high as the market will stand regardless of the cost of production to them. Their resources are so tremendous and their financial strength so great that no cane-sugar producer in any country would have the hardihood to fight them in a commercial warfare for the control of our market. So with the beet-sugar producer eliminated they would be supreme in the sugar markets of this country. They will profit more by this legislation than all other interests; for, when the beet-sugar industry is destroyed, then they will raise the price on their refined product as high as they can.

In fact, up to this time the greatest advantage which the beet-sugar producers have been to the people of the United States is in beating down the price of refined sugar. To illustrate: In March of this year heavy quantities of beet sugar were being sold, and the refiners' margin between the raw-sugar duty paid in New York and the wholesale price of refined sugar in New York ranged from 58½ to 68½ cents per 100 pounds. That represented the difference between what the refiners paid for the raw and what they received for the refined. It was the amount of the toll which the refiners took for refining and marketing sugar. During the months of April, May, and June, as the pressure of beet sugar on the market grew less, the price of refined was advanced by the refiners until their margin of profit in July reached 96.8 cents per 100 pounds, an increase of about 40 cents per hundred. There was absolutely no justification for the increase, because the refiners paid no more for their raw sugar in July than they did in March. They increased the price to the American people 40 cents a hundred pounds simply because our domestic beet-sugar supply had been exhausted, and it was within their power to do it. Let me repeat, they sold the refined sugar for 40 cents a hundred more profit, because there was no beet sugar in the market, although they were paying the same for the raw sugar from which this refined was made. This has been their invariable practice. In June of last year they ran the price up until the margin reached as high as $1.176; that is, they took from the American people about 60 cents per 100 pounds more than they could when our markets were supplied with the beet-sugar product.

When you place sugar on the free list you place in the hands of the sugar refiners the weapon with which to destroy their competitor; and having destroyed their competitor they will exploit this market to their hearts' content. However worthy may have been the motives of those who voted for free sugar, they in fact voted directly in the interest of the Sugar Refining Trust and for handing over to it for exploitation and pillage the greatest market for refined sugar on the earth.

A further illustration of the power of the sugar refiners over the American market if the beet-sugar industry is destroyed is the difference in the price of American sugar as compared with foreign sugar at the time that our beet-sugar production is being marketed. In March and April this year the refiners sold their refined sugar at from 47.6 cents to 62.3 cents per 100 pounds less than the Hamburg price plus the duty and freight; that is, they were selling at about 60 cents a hundred pounds under the world's parity. During that period it can not be said that the American consumer was paying all the duty, for he was not. In July this year, when the supply of beet sugar had been marketed, the refiners raised their price until they came within 8 cents of the Hamburg price plus duty and freight, demonstrating beyond question that our beet-sugar supply forces down the price, and that during such periods the consumer does not pay the full duty, as is so confidently alleged by those who have not taken the time to study the subject. Indeed, at one time last year, before the beet-sugar crop came upon the market, the refiners put the price of granulated sugar in the United States up as high as 31 cents per 100 pounds above the Hamburg price plus freight and duty. That was in October last year; and when the beet-sugar supply came upon the market the price went down from 31.1 cents above the world's parity to a point 62.3 cents below it, a reduction of almost $1 per 100 pounds. This was the direct result of the pressure on the market of the domestic production.

Yet in the face of this showing men will stand upon the floor of the United States Senate and advocate a policy that will place the American sugar market absolutely in the control of these refiners and unwittingly become the agents of this giant combination in its efforts to monopolize our sugar supply.

The sugar refiners knowing that at times sugar was selling only sixty some cents above the world's price have nevertheless distributed broadcast throughout the country millions of circulars stating that with free sugar the American consumer would be able to buy his supply about 2 cents a pound less than he is now paying. This statement was circulated persistently by men who knew it to be false; by the men who put the price

of sugar up as high as the market will stand as soon as the domestic supply is exhausted. In this campaign for free sugar the refiners are just as dishonest in their methods as they were when they robbed the Government Treasury by their system of false weights.

In 1897, when the Dingley bill was passed, we produced about 40,000 tons of beet sugar. Since then there has been a rapid increase in the amount of beet-sugar production. It has grown step by step until now we are producing approximately 700,000 tons per year, an increase in 16 years of 1,650 per cent.

This is an unprecedented increase. You may search the history of the sugar industry in every nation on the earth and you will not find anywhere else such a rapid development of sugar production as there has been in our country within the last 16 years.

This large production of beet sugar has stimulated many other lines of business. It has made a market for millions of dollars' worth of machinery, which has been manufactured in American factories and made by American workmen, who in turn have been fed by the American farmer and gardener. It has produced a market for millions of dollars' worth of lime, an important ingredient in the clarification of the beet juice, and a hundred other items, such as tools for the farmers who grow the beets, machinery for the construction of irrigation ditches, fuel for the factories, bags for the sugar, and labor of many kinds and varieties. It touches our whole industrial life, and stimulates practically every line of American business.

Villages have grown up in the sugar-beet producing regions, farms have been developed for that specific purpose, and men have engaged in various occupations that are necessary for the comfort and happiness of the people who compose the communities that are engaged in the production of this great commodity. These communities were founded and millions of dollars invested in beet-sugar production upon the invitation of the United States Government.

The sugar industry is not a local enterprise. It is nation wide in its influence, and its destruction will be a national calamity.

A reduction of approximately 20 per cent of the present duty could be made immediately, and additional reductions made later without materially impeding the progress of our sugar development. But instead of making such reductions, which would be just to the sugar producer and fair to the consuming public, it is proposed to abolish the duty, which will not only stop the development of the industry, but will close a majority of the factories that are now in operation. Such a blind and senseless policy has never been followed by any nation in the history of civilized government without disaster. And the astounding thing is that there can be found in the American Congress patriotic men so blind to the interests of their country as to advocate it.

We consume about 3,600,000 tons of sugar per annum. We produced last year about $50,000,000 worth of sugar. This value is based upon the price of raw. If we had not produced the $50,000,000 worth at home, we would have been compelled to send out $50,000,000 more of our resources into foreign lands to purchase the sugar which our people consumed. We would therefore have been $50,000,000 poorer than we are to-day. Our resources would have been impoverished to that amount. It will be said by some that our farmers should have grown corn, wheat, and other crops. But I answer that we now have a full supply or surplus of the cereals. To abandon beet culture and produce more corn, wheat, and potatoes is further to glut our markets with these staple articles. One of the greatest needs of our agricultural life to-day is diversified crops, and for that reason we should encourage the production of beets. We imported something over $115,000,000 worth of sugar last year—that is, we sent out of the country more than $115,000,000 for sugar.

If next year we could ourselves produce the $115,000,000 worth that we imported last year, if we could take out of our own soil and gather from our own atmosphere that amount of additional wealth by the employment of our own labor and the utilization of our rains and sunlight, we would as a nation be approximately $115,000,000 richer than we would otherwise be. Is not it desirable for a nation to develop its own resources, to bring into activity its dormant wealth, to produce the things from its own soil which its people need, and thereby husband its financial and industrial strength? If such a policy is desirable, then the policy proposed in this bill is deplorable. But the statesmen who by accident have been put in temporary control of the affairs of this country, in the face of the facts heretofore presented, propose by this bill to destroy our sugar industry.

Such a policy in France, Austria, or Germany would be regarded as industrial treason; and this is the first time that it has been seriously proposed in our history. But a school of false political economists, unfortunately, are in command here, and from the debates that we have listened to during the last two months we must infer that they have a malignant hatred toward certain American industries and American producers.

They seem to regard the beet-sugar producer and the sheep grower as public enemies. They say that the woolman has been coddled for a century and that he is a failure and deserves no further consideration. They malign him because he has not grown sufficiently while he has been the recipient of public favor; then they turn and denounce the beet-sugar man because he has grown and established a virile and thriving industry. They propose to cripple the woolman because he has not prospered and to kill the beet-sugar man because he has.

But the amazing thing to me is that men who know that this bill is wrong not only acquiesced in its passage but actually supported it. If every Senator had voted his honest judgment on this schedule, it would have been defeated. There are many Senators who believe that free sugar is wrong and not for the best interests of their country; yet they voted for it. They say they did this for the sake of party harmony and regularity. They obeyed the decree of a party caucus against their consciences, the interests of their constituents, and the welfare of their country.

But I have said enough about the sugar tariff. I have been asked to analyze this bill as it relates to Kansas. I can do so no better than by comparing the amount of the products of our State that are dutiable with those of other States, especially the States represented by Democratic members of the Finance Committee.

The following figures are taken from census of 1909, the latest reliable information we have in regard to all the States. That year the total production of Kansas aggregated the sum of $880,771,826. Of that amount this bill places $618,341,065 on the free list and $262,420,761 on the dutiable list, or approximately only 30 per cent of the production of our State under this bill will be dutiable. The production of Oklahoma, the home State of Senator GORE, the same year was $417,761,782, of which $270,727,764 is on the free list and $147,034,018 is dutiable, or 35 per cent dutiable, as against 30 per cent for Kansas. This discrimination, however, is slight as compared with other States. Take Missouri, our neighbor on the east, the home State of Senator W. J. STONE, a member of the Committee on Finance; her total production was $1,218,077,375, of which $653,934,163 is free and $564,143,212 dutiable, or 46 per cent of her products are protected as against 30 per cent of Kansas production. Georgia, the home State of Senator HOKE SMITH, a member of the Committee on Finance; her production was $548,524,357, of which $332,342,690 is free and $216,181,667 dutiable, or 40 per cent dutiable. Indiana, the home State of Senator SHIVELY, a member of the committee; her production was $1,079,623,340, of which $514,666,370 is free and $564,956,970 dutiable, or 54 per cent of Indiana's production is protected, while Kansas has but 30 per cent of her products on the protected lists. Kentucky, the home State of Senator JAMES, also a member of the committee; her production was $550,702,930, of which $240,575,993 is free and $310,126,937 dutiable, or 58 per cent dutiable. Maine, the home State of Senator JOHNSON, a member of the Committee on Finance; her production was $269,134,572, of which $136,988,601 is free and $132,145,971 dutiable, or 49 per cent dutiable. North Carolina, the home State of Senator SIMMONS, chairman of the committee; her production was $461,269,413, of which $207,873,011 is free and $253,396,402 dutiable, or 55 per cent dutiable.

But the most striking and interesting comparison is with the State of New Jersey, the home State of Senator HUGHES, of the Finance Committee, and of President Wilson. New Jersey's total production was $1,277,643,287, of which $265,965,729 is free and $1,011,877,558 is dutiable, or 80 per cent of New Jersey's products are on the dutiable list, while but 30 per cent of the products of Kansas are so protected.

Of the entire 48 States there are but 5 which have a smaller percentage of their products on the dutiable list than Kansas. These States are Mississippi, New Mexico, Arizona, Wyoming, and Nevada.

Suppose that the Democratic theory of the tariff is correct; that is, that the duty is added to the price of the product. Now, considering the bill from this point of view, suppose that New Jersey should buy from Kansas the things which Kansas produces and Kansas should buy from New Jersey an equivalent amount of the things which New Jersey produces. In such a case Kansas would pay in taxes to New Jersey, because of the duties in this bill, the sum of $176,154,365 on New Jersey's products, while New Jersey would pay to Kansas but $66,057,887 on Kansas products. That is, we would pay to New Jersey on a like value of her products $110,096,478 more than she would pay us on our products.

The total production of the United States in 1909 of manufactures, minerals, and agricultural products was $35,215,689,361, of which, under this bill, 46 per cent is free of duty and 54 per cent dutiable, as against 70 per cent of the products of Kansas free and 30 per cent dutiable.

The foregoing graphically illustrates the discriminating character of this bill. It shows in a most concrete and remarkable manner the discrimination against the agricultural States in favor of the manufacturing States.

In the face of this showing, how can any of my constituents feel that I should have voted for this bill? To have done so, it seems to me, would have been to betray the interests of the people who elected me to represent them; and that I shall never knowingly do while I hold their commission as a Senator of the United States.

I do not agree with the theory upon which this bill is alleged to have been made. I believe in paying good wages to the laboring men of our country. It makes them better citizens. The men who toil and create the wealth of the world are entitled to enjoy a reasonable portion of it. Now, we can not pay higher wages in our great industries in this country and make goods as cheaply as they do in the countries where they pay lower wages. So, in order to maintain a higher standard of wages in this country than is paid in other countries I believe we should impose tariff duties on importations of competing products from other countries, and I believe in making the difference in the cost of production of the articles at home and abroad the basic principle in fixing duties. But our Democratic friends in both Houses declare that they wholly disregarded that theory in writing this bill.

I believe in treating the tariff as a broad, national question more than as a local question; but we have a Senate composed of representatives of the 48 States, and in the forming of great national policies the interests of those individual States must be guarded by their representatives. It is my duty to fight for a "square deal" for Kansas, and that I am striving earnestly to do.

It has been said by some that this measure is a better bill than the Payne-Aldrich law, and therefore it should be supported by those who opposed the Payne-Aldrich bill. I can not agree to such reasoning. Four years ago I criticized with severity the Payne-Aldrich tariff bill and voted against it because I believed the duties were unnecessarily high. I believed that it imposed excessive and exorbitant duties in many instances; and in that view I was right. This year we are considering the Underwood bill—not by comparison with the Payne bill, but on its own merits. It was our duty to amend it if we could; to support it if we thought it just; to oppose it if we thought it unjust. If the Senators who believed the bill wrong had voted their honest convictions, it would have been amended and the greatest iniquities taken out of it. But this was not possible, because of the infamous caucus system which the Democratic organization has adopted.

Believing the bill unjust and grossly discriminatory, I opposed it with all the vigor I could.

Mr. SMITH of Michigan. Mr. President, the suggestions of the Senator from Kansas [Mr. BRISTOW], I think, are very timely and worthy of careful consideration, although it is quite evident that his suggestions will not receive very great consideration here and now.

The other day, in reading the Toronto Globe, of date September 18, 1913, containing the address of Mr. R. S. Gourlay, the retiring president of the Canadian Manufacturers' Association, which was most carefully prepared and which very well reflects the public sentiment of Canada, this reference to protection is made:

> We do not ask, nor do we want, higher duties all along the line. I am aware that such desires are attributed to us and will probably continue to be, despite anything we may profess to the contrary. If it will serve any useful purpose, let me here and now place our association on record once more as being satisfied with the present general level of our tariff, subject to the adjustment of certain defects, such as those I have mentioned. But it should also be made clear and emphatic that we are unalterably opposed to any general lowering of the tariff on goods of a class or kind made or produced in Canada. We will stand firmly by the principle we enunciated in this city 11 years ago, namely, that our tariff should be so framed and consistently maintained as to transfer to the workshops of our Dominion the manufacture of many of the goods we now import from other countries. As a nation we have already made much progress in that direction, and we are still continuing to progress. Every week, every day almost, brings us word of new acquisitions to the ranks of Canadian industry, which but for our tariff would never have been ours. As long as that is the case so long should we hesitate to disturb a situation that is so obviously to our advantage.

While on this subject—

And I call the special attention of Senators on the other side of the Chamber to this statement—

> While on this subject it is fitting that I should refer briefly to the tariff legislation soon to be adopted by the United States. An examination of the Underwood bill as finally amended confirms me in the belief that Canada made no mistake in rejecting the reciprocity agreement of 1911. In saying this I do not question the value of the market concessions we would have secured thereunder, but whereas then we would have secured these concessions only in return for similar concessions on our part, now we are to secure many and some of the most substantial of them without any embarrassing consideration of any kind. Cattle, swine, pulp, paper worth up to 2½ cents a pound, dressed lumber, staves, and coke will all enter the United States duty free; subject to favorable interpretation, fish, coal, and wheat will also be free; even under the most unfavorable interpretation of which the foodstuff schedule is capable, wheat will be subject to a duty of 10 cents only, as against 25 cents at present; while on fruits there will be material reductions. The judgment of those who opposed reciprocity on the ground that sooner or later we would have the wider market as a result of United States tariff conditions is thus vindicated; on the other hand, I am sure that the prospect of an early enjoyment of these privileges will assuage the disappointment of those who gave reciprocity their support.

Mr. President, the remarks of President Gourlay are a sad commentary upon the action of the American Congress in making it easy for our rivals on the North to send their products here and enjoy access to our market without let or hindrance. We have practically abolished the customhouses on this side of our Canadian border. You have made them a present of this great market without so much as an apology to the American people or an argument in favor of it in this Chamber. I am not surprised that Canada now feels that her rejection of American reciprocity but a few short months ago was not only wise on her part, but that they were enabled to count with such certainty upon the Democratic administration of this Government presenting to them this market, the like of which does not exist anywhere on the face of the globe.

The bill that Senators upon the other side of the Chamber are about to pass takes the place of a law which for a little over four years has attracted new and diversified industry to our country, has given employment to millions of American laborers, and has furnished a surplus revenue to meet Government expenses every year since it was enacted into law. The very first year it gave us a surplus of $15,806,524.

Mr. PENROSE. Mr. President, will the Senator permit me?

Mr. SMITH of Michigan. Certainly.

Mr. PENROSE. It seems to me that the very interesting remarks of the Senator from Michigan ought to be listened to by a quorum of the Senate, and I suggest the absence of a quorum.

Mr. SMITH of Michigan. The Senator is very kind, but the Senators on the other side can not be influenced by argument; their action is dictated by the iron rule of King Caucus.

The PRESIDENT pro tempore. The Senator from Pennsylvania suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hughes	Newlands	Simmons
Bacon	Jackson	Norris	Smith, Ariz.
Borah	James	O'Gorman	Smith, Ga.
Brandegee	Johnson	Overman	Smith, Md.
Bristow	Jones	Owen	Smith, Mich.
Bryan	Kern	Penrose	Smith, S. C.
Burton	La Follette	Perkins	Swanson
Chamberlain	Lane	Pittman	Thomas
Chilton	Lea	Pomerene	Thompson
Clarke, Ark.	Lewis	Ransdell	Thornton
Colt	McLean	Saulsbury	Tillman
Fletcher	Martin, Va.	Shafroth	Vardaman
Gore	Martine, N. J.	Sheppard	Walsh
Gronna	Myers	Shields	Weeks
Hollis	Nelson	Shively	Williams

Mr. GRONNA. My colleague [Mr. MCCUMBER] is necessarily absent from the city on important business. I wish this announcement to stand for the remainder of the day.

The PRESIDENT pro tempore. Sixty Senators have answered to their names. A quorum of the Senate is present.

Mr. SMITH of Michigan. Mr. President, I notice the chairman of the Committee on Finance in the Chamber. I should like to ask him, if I may, what there was of advantage to Canada in the American reciprocity treaty negotiated by President Taft that has not been given to Canada under this bill without any consideration whatever?

Mr. SIMMONS. Mr. President, that is a pretty large question. It would involve some consideration of the treaty and the pending bill. I am not prepared to go into details about the matter. I do not care to go into any discussion of the Canadian reciprocity bill.

Mr. SMITH of Michigan. If the Senator from North Carolina will listen to this sentence I will not press the matter further upon him.

Mr. SIMMONS. I simply said to the Senator—and I said it courteously—that I do not care to enter upon a discussion of the Canadian reciprocity treaty in considering the question of adopting the conference report on the tariff bill. I could not answer the Senator's question without some investigation and comparison. Therefore I do not care to undertake to make an answer without that sort of a comparison.

Mr. SMITH of Michigan. The president of the Canadian Manufacturers' Association a few days ago said this:

An examination of the Underwood bill as finally amended confirms me in the belief that Canada made no mistake in rejecting the reciprocity agreement of 1911. In saying this I do not question the value of the market concessions we would have secured thereunder; but whereas then we would have secured these concessions only in return for similar concessions on our part, now we are to secure many and some of the most substantial of them without an embarrassing consideration of any kind.

I should like to ask the Senator from North Carolina whether he believes the statement of the president of the Canadian Manufacturers' Association is founded on fact?

Mr. SIMMONS. Speaking generally, I do not, Mr. President.

Mr. SMITH of Michigan. In what respect does the Senator from North Carolina differ with him?

Mr. SIMMONS. I said to the Senator that I do not care to go into a discussion of the Canadian reciprocity treaty.

Mr. SMITH of Michigan. Will the Senator permit me to enumerate the items?

Mr. SIMMONS. I have no objection to the Senator discussing the matter if he desires to do so.

Mr. SMITH of Michigan. The Senator from North Carolina knows that among the things that made possible a majority of his own party in this Chamber was the very unfortunate reciprocity treaty negotiated between this Government and Canada. If that is true, and if the American farmer repudiated that treaty because he did not consider it advantageous to him or to his country, I should like to know what support you expect from the American farmer when he is not even treated with the slightest consideration in return for the privileges you accord to his competitors in Canada under this bill.

The people of Canada are gloating over the fact that they rejected that treaty and that they now have all the advantages, with none of the disadvantages, growing out of it. If that is good work and commends itself to the American people, I mistake their temper and their judgment.

When the point of no quorum was made, I was saying that the bill which you now propose to repeal has served this country as no similar legislation has ever served it. The very first year it gave us a surplus of over $15,000,000 in revenue. The second year it gave us a surplus of $47,234,000. The third year it gave us a surplus of $37,224,000. In 1913, the present year, while you have been sharpening your knife to destroy it, it has yielded a surplus revenue of $40,083,000.

Contrast, if you will, these actual accomplishments with the prophecy of the leaders of the Democratic Party in the House. When they sent their bill over here, after nearly a year of contemplation, they were to have a surplus under it of $58,000,000, substantially the amount that they are giving to the American Sugar Refining Co. as a present. To-day you are driven to your very wits' end to make your bill produce enough revenue to meet the ordinary expenses of the Government; you have resorted to extraordinary methods of taxation, a privilege heretofore enjoyed by the States, to safeguard your experiment, and there is no limit to the extent to which you may now go in that direction.

Personally I very much regret the necessity of now using this great power of direct taxation in time of peace, when the Treasury is full and the credit of the Government at its highest point, although I voted for the income-tax amendment to the Constitution. I think in ordinary times the States should be permitted to use this medium, if used at all, to relieve the over assessed and burdened taxpayer in the townships, villages, and cities of our country, especially when the money is not needed by the Federal Government.

There is not a man on the other side of the Chamber who can prophesy with the slightest degree of accuracy the revenue that will be derivable under this measure. You have gone recklessly to the point of repealing an act which has furnished the Government all the revenue it needed, and more than enough, and have put forward a measure destined, in my judgment, to result in a deficit in the Treasury of the country. If that is good sense or wisdom or statesmanship, I fail to comprehend it.

I think it is wise to have such authority in the fundamental law as will enable the Government to tax incomes, but a fairly protective bill, safeguarding American industry, would have made this new experiment unnecessary now.

I think the income tax as now devised will be detrimental to our citizenship. The burdens of government should be shared by all in proportion to his strength. I think this bill will divide the country into classes, which I regret, for I believe all are willing to pay their share. Under our present system of protective duties this was wholly unnecessary except in time of war on the part of the Federal Government.

The law which you are now repealing has been successful. It has stimulated industry. It has given employment to labor. It has kept wages higher than they have ever been before. It has given us a larger foreign trade than we have ever enjoyed before. The last month of the existence of that law, the month in which you practically decided upon its repeal, brought us more foreign trade than any previous month during the history of this Republic.

It has been a favorite argument of Democrats and free traders that our tariff tended to exclude us from the markets of the world. Yet every single month of the existing law has enlarged our foreign market for manufactures, as well as other products; and the last month has been the best month, notwithstanding people are holding back on importations, and ships are already heading for our ports bearing the results of foreign genius and labor, and propose to remain on the ocean and lakes until they can put their products upon this market under more favorable conditions than would be permitted by the law under which we are now living.

If the existing law has given us revenue, if it has encouraged enterprise, if it has stimulated industry, if it has encouraged capital, if it has kept wages high, in the name of all that is wise and patriotic, what excuse can be made for its repeal and the substitution of a bill which finds more praise in every foreign country where our rivals are anxiously waiting than it finds at home—or on our border, where they praise it for the opportunities it will give to Canadians?

Mr. President, I realize that it is perfectly useless to occupy the attention of the Senate further at this particular time in the history of this legislation. I realize that I am trespassing upon the good nature of my colleagues to do it. I shall not take the attention of the Senate further, beyond making the simple statement that I believe this legislation is the outgrowth of prejudice. I believe it is sectional in its character. If it does work successfully, I shall be very glad, and shall be the first to acknowledge the fact. But if it works badly, if it does arrest our prosperous development, then, I think, the time will not be remote when Senators sitting on the other side of the Chamber will have to account for their folly.

This is not good legislation. It has not been carefully considered. It has not been worked out in detail. It is the result of the most practical bossism that has been displayed in the making of a tariff bill within my recollection. The bossism is not only here, but comes from a place not far from the Capitol where many Members of the Senate have been forced to accept the edict of the President rather than use their own judgment.

I am proud to record my vote against it.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. The Senator from Idaho will please suspend while the Chair makes a statement. The Senator from Ohio [Mr. BURTON] reserved a point of order as to amendment 87, which should properly be disposed of at this time.

Mr. BURTON. I have already stated the feature of the conference report to which I refer. An article made dutiable under the House bill at 20 per cent was made dutiable under a Senate amendment at 30 per cent. The conference report fixes the duty at 15 per cent. The whole of paragraph 116 was stricken out by Senate amendment numbered 87 and an entirely new paragraph substituted, under which, as I have stated, the rate was 30 per cent. The Senate conferees receded from their amendment and adopted the House paragraph with a single change.

If the House paragraph had been left as it was, of course there could have been no objection. Under that kind of an agreement the Senate would have merely receded. But the Senate conferees did more than recede and accept the House paragraph. They have accepted the House paragraph in its entirety, with a single exception; "20" was changed to "15."

Mr. President, I maintain that was beyond the power of the conference committee. What is the whole theory of a conference between the two Houses? There are two legislative propositions before them—one the proposition put forth by the House and the other the proposition put forth by the Senate. What is the function of the conference committee? One of the legislative bodies must recede entirely or there must be a compromise between the two. They are limited, however, to the action of the two Houses.

On this subject I wish to read briefly from a book of acknowledged authority, Mr. Hinds's Precedents, in which he recognizes that formerly a larger degree of latitude was given to a conference committee. His conclusions—and those conclusions are sustained by numerous authorities—are set forth in paragraphs 6409 and 6417 of volume 5, page 719 and following and page 724 and following.

Paragraph 6409 states the rule:

In the later, but not the earlier, practice the Speaker rules a conference report out of order on a question being raised.

On a question which was presented when Mr. Blaine was Speaker he said:

The point of order lies against the conference report, but during the experience of the Chair on this floor he has never known a conference report ruled out on a point of order. The report of a conference committee is always received as embodying the conclusions of both Houses, or the representatives of both branches of Congress. The Chair will therefore submit the point of order to the House.

In that ruling he expressed the former practice, as it is called by Mr. HINDS in his book on precedents.

What was the result when he left the question to the House?

The point of order—

That is, against the conference report, which would nullify it—

being put to the House, was sustained by a vote of 82 ayes and 33 noes.

Showing that they absolutely rejected the old idea that there was any sacredness about a conference report.

In the second clause of paragraph 6409 the digest states as follows:

Under the later practice when a conference report is ruled out of order the Senate is informed by message that the report has been rejected.

While the managers may perfect by germane amendments propositions committed to them, they may not, under the later practice, go beyond the differences of the two Houses in so doing.

There is a clear enunciation of the rule that they can not go beyond or outside the differences between the two Houses.

Paragraph 6417. The managers of a conference must confine themselves to the differences submitted to them.

What was the difference here? The House rate was 20 per cent; the Senate rate was 30 per cent. In passing upon the differences between them in making a report the managers of a conference must confine themselves to the differences submitted to them.

Mr. President, these, it is true, are precedents derived from the House debates, but they are expressive of general parliamentary law.

However, I wish to say just a few words more on the policy of procedure under such circumstances. We could find no better illustration of the danger arising from a violation of the rules than in this very bill. Here are nearly 700 amendments placed upon a House bill by the Senate. It is almost impossible to keep track of all those amendments. They were sent to a conference committee, and there is, I say with the utmost confidence, no Member of the House or Senate who ought not to be able to rely upon the thrashing out of those differences within the limits of the legislation by the two Houses. Otherwise the door is thrown wide open for fraud or imposition, for the "insiduous lobby," as it is called, to get in their work and to insert in the bill propositions of legislation which neither House nor Senate have agreed to, and which would when the conference report is under consideration be overlooked.

So, Mr. President, I submit this point of order for decision. It is manifestly contrary to parliamentary law and it makes it possible for the conference committee, limited in number, to usurp to itself the functions which belong to the House and to the Senate.

Mr. LEWIS. May I take the liberty to ask the Senator from Ohio a question concerning a matter I now recall in which both he and myself participated? I am very much interested in the parliamentary point raised by him, but I should like to ask the Senator from Ohio does he not recall that in the lower House of Congress, in August, 1897, when a conference report was submitted upon the Dingley bill and there was added in that conference report a recommendation upon a wool schedule suggested by a gentleman by the name of Lawrence to Gen. Grosvenor, who had it inserted, that the point was urged by the Democratic side and maintained by myself, among others, that such insertion was wrong and not admissible, and that it was ruled by Speaker Reed that, though the subject matter was not specifically legislated either by the House or by the Senate, yet if the new matter was upon the same subject, as a compromise, it was within the conference power?

Mr. BURTON. I must say to the Senator from Illinois that I do not recall the instance. I suppose this could be done. If there should be a complete provision treating a certain subject inserted in a bill passed by one House and that was stricken out and no legislation on the subject inserted by the other, there might then be a substitute in conference. Perhaps if a bill should pass one House and should go to the other and all be stricken out except the enacting clause new material could be framed and submitted by the conference committee to the two Houses. I would say that that was very irregular and very objectionable, but I think precedents will be found under which that method has been sustained. I do not deny that there are some old precedents on this subject which maintain a different rule from that which I am asserting.

Mr. LEWIS. I want to invite the attention of my esteemed friend, whose ability I much admire—and I have had occasion often times to do so—to the fact that he voted to sustain that conference report under that ruling of Speaker Reed.

Mr. BURTON. I have no doubt the Senator from Illinois is right about that, though I do not recall the instance.

Mr. LEWIS. I would like to ask my friend for his judgment, that I very much respect, if he sees any difference now between this case and the condition as it then existed, if I am stating the premises correctly?

Mr. BURTON. I think so. I think there must have been this difference: This is a change in a figure—just one word—and that may have been a new treatment of the subject, going into it somewhat elaborately. This is much more dangerous than that.

Mr. LEWIS. With all respect, I do not see any difference between the two.

The PRESIDENT pro tempore. The Chair feels constrained to overrule the point of order raised by the Senator from Ohio. He overrules it in conformity with the precedents established by the practice in the Senate.

Mr. BURTON. With the utmost deference, I wish to take an appeal from the decision of the Chair.

The PRESIDENT pro tempore. The Chair will complete his statement.

Mr. BURTON. I beg the Chair's pardon.

The PRESIDENT pro tempore. The Chair is quite aware of the fact that in the House a different rule prevails. The precedents read by the Senator from Ohio correctly state the rule applied there. The rule is just the reverse in the Senate. If, in the judgment of the Senate, the conferees have included matter that was not in dispute as between the two Houses, that is a ground for a rejection of the report, but it has not heretofore been treated as a ground for setting the report aside upon the objection of an individual Senator.

The Chair calls attention to the ruling made by Vice President Fairbanks on the 11th of June, 1907, reported in Gilfry's Precedents, page 269. When disposing of a similar point of order the then Vice President said:

The Chair is of the opinion, as he has previously held, that under the usual practice of the Senate a point of order will not lie against a conference report. The matter in the report challenged by the point of order interposed by the Senator from Texas may be considered by the Senate itself when it comes to consider the question of agreeing to the report. The only question under the usual practice of the Senate, in the opinion of the Chair, is, Will the Senate agree to the conference report? The Chair holds that the point of order is not well taken, and therefore overrules the point of order.

The present occupant of the chair does nothing more than to follow that precedent when he overrules the point of order raised by the Senator from Idaho.

Mr. BURTON. Mr. President, I desire to take an appeal from the decision of the Chair.

The PRESIDENT pro tempore. The Senator from Ohio appeals from the decision of the Chair. The question is, Will the ruling of the Chair stand as the judgment of the Senate? [Putting the question.] In the opinion of the Chair, the ayes have it. The ayes have it, and the decision of the Chair is sustained.

Mr. BORAH. Mr. President, I wish to ask a question or two with reference to a certain provision of the income tax as it comes back from the conference report.

Mr. PENROSE. There is another point of order to be disposed of.

The PRESIDENT pro tempore. Yes; but, of course, it could be laid aside by unanimous consent.

Mr. PENROSE. The Chair announced his desire to dispose of the points of order first.

The PRESIDENT pro tempore. Yes; after completing the reading of the report.

Mr. PENROSE. I desire to call the attention of the Chair to page 7 of the report, amendment 241. In this amendment the duty was imposed by the Senate the same as the House—20 per cent on a certain line of articles—and the conferees have reduced it to 10 per cent, when the rate was never in conference. Is the Chair unwilling to rule on that point?

The PRESIDENT pro tempore. The Chair thinks that presents the same question, and his ruling will be the same as was made in the case of the point raised by the Senator from Ohio. It resolves itself into the proposition that where the two Houses have inserted matter that was not in dispute as between the two Houses, under our practice that is not a matter which can be disposed of by a point of order, but constitutes an objection to the adoption of the report when the Senate comes to deal with it as a whole.

Mr. PENROSE. Then I shall be content, Mr. President, to let the record stand as a monument to the ignorance or the indifference of the majority members of the conference as to the parliamentary regulations concerning a conference report. I shall be willing to abide by the judgment of future legislators, and when they point to this record, where a rate in a tariff bill in conference committee which was not in issue was cut in half, they will state that the then majority in Congress were either incompetent or had an effrontery for which there is no precedent in the previous history of the Government.

Mr. President, when I contemplate this action, which leaves the minority in this Chamber absolutely without any protection in legislation of this character, which opens the door to fraud and every sinister influence, when I consider the possible consequence of permitting this extraordinary latitude, I can only feel humiliated that the party in power, supposed to be in charge of the government of a nation of nearly 100,000,000 people, should lend themselves to a practice such as this.

The PRESIDENT pro tempore. The Chair can say that in making the ruling he did, it was based upon precedents made by a Republican Senate, and if ignorance and effrontery were exhibited in imposing it, it was done by the Republican Party. The rule of the Senate is simple. The Senator from Idaho is recognized.

Mr. BORAH. Mr. President, I may be in error about a provision of the income tax, and for that reason I desire to ask those in charge of the bill as to some of its provisions. I have had only a few moments since I discovered it to consider it, and therefore am not prepared to speak conclusively.

I read a section:

For the purpose of this additional tax the taxable income of any individual shall embrace the share to which he would be entitled of the gains and profits, if divided or distributed, whether divided or distributed or not, of all companies, whether incorporated or partnership, formed or fraudulently availed of for the purpose of preventing the imposition of such tax through the medium of permitting such gains and profits to accumulate instead of being divided or distributed; and the fact that any such company or partnership, or that the gains and profits are permitted to accumulate beyond the reasonable needs of the business shall be prima facie evidence of a fraudulent purpose to escape such tax.

Mr. WILLIAMS. Mr. President——

The PRESIDENT pro tempore. Will the Senator from Idaho yield to the Senator from Mississippi?

Mr. BORAH. I yield.

Mr. WILLIAMS. The Senator is reading from a bill where the printer or somebody left out the language which was subsequently supplied, "a mere holding company." That comes in so as to make sense. In some way or other, either by transcript or down at the Government Printing Office, that language was left out. He will find it now in the conference report.

Mr. PENROSE. That is not the only error that will be found in the bill, either.

Mr. WILLIAMS. It is "a mere holding company."

Mr. BORAH. I will read it, then, as suggested by the Senator from Mississippi. I do not understand it. If the Senator will bear with me:

For the purpose of this additional tax the taxable income of any individual shall embrace the share to which he would be entitled of the gains and profits, if divided or distributed, whether divided or distributed or not, of all companies, whether incorporated or partnership, formed or fraudulently availed of for the purpose of preventing the imposition of such tax through the medium of permitting such gains and profits to accumulate instead of being divided or distributed.

I see; I think there is where the provision should come in and be inserted. It says "in lieu of corporations, joint-stock companies, or associations," and then "a mere holding company."

But now, Mr. President, what I desire to know is this: This clause relates alone to corporations which are formed for the purpose of holding profits and dividends, and so forth, and it does not relate, as I understand, to legitimate corporations or the incomes received upon stock in legitimate corporations, because the provision reads—

of all companies, whether incorporated or partnership, formed or fraudulently availed of for the purpose of preventing the imposition of such tax through the medium of permitting such gains and profits to accumulate instead of being divided or distributed.

I understand if the Secretary of the Treasury comes to the conclusion that a corporation has been organized or formed for the purpose of doing these things here, and, notwithstanding it has not distributed its earnings, he may go into the treasury of the corporation, as it were, and levy the income tax upon that which should have been distributed.

So far as that is concerned, Mr. President, there can be no objection except the objection which might arise in giving the Secretary of the Treasury such power—a very great and unusual power to be thus lodged in one who is acting ex parte. Nevertheless it would enable the Secretary of the Treasury, if he should conclude that it was fraudulent, to enter into the treasury, as it were, and secure the tax.

But what I desire to ask is this: Suppose that a corporation has been legitimately organized and that it can not be said to be fraudulent or formed for the purpose of doing the specific thing of holding property and holding dividends; suppose it is a legitimate corporation and they do not distribute, then is there any way under this bill to tax or get at the dividends which a corporation might hold which has been held to be legitimately organized?

Mr. WILLIAMS. Yes.

Mr. BORAH. That is the question which interests me.

Mr. WILLIAMS. If the Senator will give me his attention, this says:

Formed or fraudulently availed of.

Mr. BORAH. Yes.

Mr. WILLIAMS. So that a corporation which is in existence now, where it shall be "fraudulently availed of for the purpose of preventing the imposition of such tax," can be treated just as one that was formed for the purpose of fraudulently evading it, with the other limitations which come in connection with the clause to which the Senator referred, which is "and the fact that any such corporation or partnership, or"—by the way, the conferees struck out "partnership" because it is dealt with later on——

Mr. BORAH. I see that.

Mr. WILLIAMS (reading):

Or that the gains and profits are permitted to accumulate beyond the reasonable needs of the business shall be prima facie evidence of a fraudulent purpose to escape such tax; but the fact that the gains and profits are in any case permitted to accumulate and become surplus shall not be construed as evidence of a purpose to escape the said tax in such case unless the Secretary of the Treasury shall certify that in his opinion such accumulation is unreasonable for the purposes of the business.

Now, take a marine insurance company for example. It is compelled to keep a surplus, a very large amount of money, on hand to provide for unseen calamities at sea, great storms which engulf many ships. So they require that the money which is paid in for one year shall be kept there for two additional years, and the contract is that if during that time the losses are abnormal this money is put upon the books to the credit of the marine insurance company. It is to the credit of their policyholders and bears interest; at the same time it is a sort of surplus; it is an accumulation provided for that purpose. Now, a surplus or accumulation which in the case of a marine insurance company would be reasonable might be very unreasonable in the case of some other sort of corporation.

Take the Steel Trust for example, or something of that sort.

This clause gave us more trouble than perhaps anything in this bill. The Senator will see that unless we provide for this evil in some way men might escape not the normal tax but escape the additional tax by merely forming themselves, or using a brother, wife, or somebody, or an office boy. Then, while perfectly willing to pay the normal tax as a corporation, they would escape the additional tax by not having their amount distributed by an arrangement so that they could draw upon the corporation, of course, for whatever they needed. Now, it is for the purpose of preventing that sort of thing. Of course, they could have any arrangement with the corporation they chose, because they would be the corporation.

Now, then, it was thought that perhaps some corporation now in existence might lend themselves to things of that sort owing to the fact that men might be liable for the additional tax and would completely control it by owning a majority of the stock. So this was put in for that purpose. It came over from the House, and the House wording was not satisfactory. The Senate committee put in the clause, and upon further investigation it was not satisfactory to the subcommittee. That was changed

again upon the floor of the Senate, and I asked that it be recommitted again, and this was finally brought out as the best production that we were capable of to meet the anticipated difficulty.

Mr. BORAH. As I understand the Senator, then, down to the semicolon, on page 191, line 11, the bill provides for one class of corporations; that is, corporations organized for the purpose "formed or fraudulently"——

Mr. WILLIAMS. "Formed or fraudulently availed of for the purpose."

Mr. BORAH. Down to the semicolon in line 11 that class of corporations is provided for, and I understand the Senator to say that the next clause relates to all corporations which might consent to an overaccumulation of profits.

Mr. WILLIAMS. Oh, no.

Mr. BORAH. Otherwise the section would seem to be faulty.

Mr. WILLIAMS. The Senator is mistaken.

Mr. BORAH. If that is not true, then——

Mr. WILLIAMS. The subsequent clause relates back to the first one and can not cover anything beyond what it covers. The subsequent clause merely provides that a certain thing shall be prima facie evidence of the existence of this fraudulent purpose. In the case previously referred to, and when gains and profits are permitted to accumulate beyond a certain reasonable figure, then if it shall be thought to have shown these fraudulent purposes, but it is only when the Secretary of the Treasury shall certify that in his opinion the accumulation was unreasonable.

The first clause reads as follows:

For the purpose of this additional tax the taxable income of any individual shall embrace the share, etc., if divided or distributed, whether divided or distributed or not.

Of what?

Of all companies. The language "whether incorporated or partnership" is stricken out, and after "companies" comes the language "corporations, joint-stock companies, or associations, however created or organized," when—

formed or fraudulently availed of for the purpose of preventing the imposition of such tax through the medium of permitting such gains and profits to accumulate instead of being divided or distributed.

And then follows the language of the next clause:

And the fact that any such company is a mere holding company in such association, corporation, etc., or that the gains and profits are permitted to accumulate beyond the reasonable needs of business—

Shall be what?

shall be prima facie evidence of a fraudulent purpose to escape such tax.

What is the tax? But the following and second clause is even not to be accepted unless the Secretary of the Treasury shall certify that, in his opinion, that is the case. This can not refer to anything except to the sort of corporations referred to in the first clause, and they are corporations formed or fraudulently availed of for the purpose of escaping the tax.

Mr. BORAH. Mr. President, if that is the construction which the Senator desires to put upon this language, let me put this concrete proposition. Suppose we have an automobile company, which I heard something about the other day, formed several years ago, of course, a legitimate corporation, which was not formed for the purpose of doing these things. The statement was to the effect that one individual drew down several million dollars of dividends each year. Suppose they had seen fit not to declare a dividend this year, the question which I desire to put to the Senator is, Could the Secretary of the Treasury tax that dividend which ought to have been distributed?

Mr. WILLIAMS. He must first proceed to consider the question whether that corporation as such has been fraudulently availed of for the purpose of permitting parties to escape this additional tax, and considering that question and deciding upon it himself he would consider whether this surplus were too large for the reasonable purposes of that business. If he concluded that the accumulations were too large for the reasonable purposes of that business, and that the fraudulent intent existed, he would then certify that, in his opinion, such accumulation was unreasonable for the purposes of the business. Whereupon it would become prima facie evidence to the fact that it was being fraudulently availed of to escape the tax, and the internal-revenue commissioner would proceed to assess the property.

Mr. BORAH. The Senator, then, takes the position that the words "availed of" would enable the Secretary of the Treasury to review the conditions of any corporation.

Mr. WILLIAMS. Provided that they had accumulations or surplus unreasonable for the character of the business they were carrying on.

Mr. BORAH. Well, if that language should be construed in that way by the court, I presume it would attain the object which the Senator desires to attain, but it seems to me a doubtful construction; but I have not had time to consider it at length.

Mr. WILLIAMS. I do not know that it would attain it perfectly. I say frankly that we did the best we could. It is a very difficult problem, because there is no right to anybody to have a dividend unless the directors declare a dividend. But there is a decision, the style of which I can not now recall, brought to my attention by Representative HULL, of the House, in which it is laid down. There is a distinction between the right of a stockholder to demand that a dividend shall be declared or that he shall receive a distributive share of what would be a fair dividend if declared, which right does not exist as the right of the Government to go upon the premises to determine that such distributive amount ought to be taxed.

Mr. BURTON. While the Senator from Mississippi is on his feet I should like to ask several questions in regard to the provisions on pages 200, 210, 211, and part of 212 of the conference report print. I understand the conferees agreed to make the rent of estate subject to the rule of collection at the source, and also when——

Mr. WILLIAMS. In those cases where the tenant pays to the landlord $3,000 or more.

Mr. BURTON. On that specific piece of property?

Mr. WILLIAMS. Yes.

Mr. BURTON. How is that restricted, by the provision as to $3,000 or more?

Mr. WILLIAMS. If the Senator will read it——

Mr. BURTON. The second paragraph, about the middle of the parngraph.

Mr. WILLIAMS (reading):

All persons, firms, copartnerships, companies, corporations, joint-stock companies or associations, and insurance companies, in whatever capacity acting, including lessees or mortgagors of real or personal property, trustees acting in any trust capacity, executors, administrators, agents, receivers, conservators, employers, and all officers and employees of the United States having the control, receipt, custody, disposal, or payment of interest, rent, salaries, wages, premiums, annuities, compensation, remuneration, emoluments, or other fixed or determinable annual gains, profits, and income of another person, exceeding $3,000 for any taxable year.

Mr. BURTON. That is in the particular lease or the interest on the particular mortgage.

Mr. WILLIAMS. No. Wherever I owe you over $3,000—whether for rent, for interest, or for anything else—that becomes taxable at the source; that is, in the case of a lessee, you understand.

Mr. BURTON. Just one transaction?

Mr. WILLIAMS. Precisely. If it is a corporation, in that case——

Mr. BURTON. A corporation makes its own returns and takes care of itself.

Mr. WILLIAMS. A corporation makes its own returns.

Mr. BURTON. Suppose that A leases a piece of property to B for $3,600 per year—$300 per month—how is that to be adjusted?

Mr. WILLIAMS. Well, this does not adjust it. I suppose such rules and regulations as may be fixed at the Internal Revenue Commissioner's office may determine when that statement must be made and when that tax must be paid. Of course the Senator will see in that case the deduction would be made at the source. Whether the tenant chose to keep back so much each month or whether he chose to make the entire payment during the month when the tax became payable would, I imagine, become a matter of practical business adjustment between him and the landlord. There is only this difficulty about it. Of course, as a matter of fact, the tenant could pay over each month $300, and then when the month for payment came could deduct the entire tax, because the entire tax could never amount to over what one month's rent would be under that sort of an arrangement. In fact, the tax would amount to only 1 per cent, and the other would be about 8 per cent—one month's rent, one-twelfth of the amount.

It is subject to this difficulty, which will have to be left to the rules and regulations of the Treasury. Possibly a tenant might go on, say, 10 months and pay his rent and then break, and maybe in the meantime he had withheld nothing; but in that case the Government would lose nothing, because the original obligor, the landlord, is liable all the same. Whenever these taxes are not paid at the source in behalf of any person that person is liable.

Mr. BURTON. Is there any way of doing away with the necessity that the tenant withhold that amount by the filing of a writing, or anything of that kind?

Mr. WILLIAMS. There is for this year. If the Senator will turn to that part of the bill, he will find that we have done away with a good deal of the payment at the source for this year, because we thought they would hardly have time to get everything ready for the tax; but in other cases there is not, because we thought that if we gave way and made this payment-at-the-source principle too elastic it would give room for a good deal of fraud upon the revenue. The Senator from Ohio is doubtless aware of the fact that during one year in its history Great Britain, without changing the rate of income taxation at all, merely changed from the old plan to the payment-at-the-source plan and got about 30 per cent more revenue that year. We have made it inelastic upon that point, except for this first year.

Mr. BURTON. One further point, though I believe the Senator from Mississippi has already answered it. This is not intended to apply to any lease where the aggregate rental is less than $3,000 a year?

Mr. WILLIAMS. No; it is not. That would have hampered and pestered and worried and bothered the citizen unnecessarily.

The VICE PRESIDENT. The question is, Will the Senate agree to the report of the committee of conference?

Mr. SIMMONS rose.

Mr. BURTON. Now, that the Senator from North Carolina is on his feet, I should like to ask him a question. It is a question which applies to quite a number of instances, but I will select one with which I have some familiarity. Paragraph 84, amendment numbered 49, relates to carbons. Two kinds of carbons were made dutiable in the bill as it passed the other House. They are "carbons for electric lighting, wholly or partly finished, made entirely from petroleum coke," and those composed of lamp black or retort carbons. There is on the first class a specific duty of 15 cents per hundred feet.

Mr. WILLIAMS. I should like to ask the Senator from Ohio to what part of the bill he is now addressing himself?

Mr. BURTON. I am referring to page 23 of the bill as it comes here after the conference report, paragraph 84, amendment numbered 49. Carbons made of petroleum coke are made dutiable at 15 cents a hundred feet, and those composed chiefly of lampblack or retort carbon are taxed 40 cents per hundred feet. To that the Senate added this amendment:

Carbons for flaming-arc lamps, not specially provided for.

To that the conferees have added the words "in this section." What do those words mean? Those carbons not specially provided for in this section? Can that refer to petroleum carbons or lampblack carbons? They are specially provided for in this section. What is meant by that language?

Mr. SIMMONS. By the word "section"?

Mr. BURTON. By the addition of the words "in this section."

Mr. SIMMONS. That means anywhere in the dutiable paragraphs of the schedules of the bill or in the free list. There is but one section covering all those things in the bill.

Mr. BURTON. The section containing duties?

Mr. SIMMONS. Section 1 goes down to the income tax.

Mr. BURTON. I am aware of that; but I do not recall any other place in the bill, except in this paragraph, where there is any reference to carbons for electric lighting. That does not mean that the petroleum carbons or the lampblack carbons are specially provided for in this section, does it?

Mr. JOHNSON. Mr. President, I will say, in answer to the inquiry of the Senator from Ohio [Mr. BURTON], that in this very paragraph carbons for electric lighting, made from petroleum coke, are given a duty, as are also carbons for flaming-arc lamps not specially provided for, and filter tubes and carbons not specially provided for in this section, which are nowhere provided for in the dutiable list; and that language has been used all through the bill in describing the dutiable articles.

Mr. BURTON. That is not specially provided for. The provision added by the Senate amendment is made more definite by adding in a plurality of cases the words "in this section"?

Mr. JOHNSON. Yes.

Mr. BURTON. Well, the Senator from Maine does not understand that the flaming-arc carbons, if made of coke or of lampblack, would be specially provided for in this section, does he?

Mr. JOHNSON. I do not know. No nonine carbon for flaming-arc lamps are provided for here, but out of caution if there is any provision for carbons anywhere else, it was intended that this provision should not apply to them.

Mr. BURTON. I do not think there is; but I fear that these words introduced some little element of ambiguity, because the carbons for flaming-arc lamps may be made of petroleum coke, or made of lampblack, but are distinguished from them by the liberal use of chemicals.

Mr. JOHNSON. It seems to me, Mr. President, that carbons prepared especially for flaming-arc lamps fall under this designation here. There is no doubt about it.

Mr. BURTON. Then it is the understanding of the Senator from Maine that carbons for flaming arc lamps make a distinct class and that there is no ambiguity about it?

Mr. JOHNSON. I so understand.

Mr. BORAH. Mr. President, I see the Senator from Mississippi [Mr. WILLIAMS] is absent, but I want to ask one more question with reference to the income-tax provision. Upon page 228 of the bill there is a provision which says:

Provided further, That there shall not be taxed under this section any income derived from any public utility—

What is a "public utility"? That would exclude several corporations, some of which are very prevalent here in this District, that I should not want to be excluded under any law.

Mr. SHIVELY. Mr. President, in the consideration of this part of the bill there were brought to the attention of the subcommittee several cases wherein it seemed that there are derived from public utilities and going to municipalities certain incomes that should be exempt. Such income is not derived in the usual course of taxation, and without some provision of this kind it would not be exempt from the tax. For instance, many years ago there was a public-land grant made by the Federal Government to the State of Illinois. The State of Illinois in turn made a grant from that land to the Illinois Central Railroad Co. The Illinois Central Railroad Co., in consideration of the grant, entered into covenants by which it should perpetually pay into the State treasury 7 per cent of its gross income. That was one case. Without some provision of this kind that revenue to the State of Illinois might become subject to tax.

Mr. BORAH. I understand the force of that argument and the necessity of providing for such a case, but in doing so, has not the provision of the bill gone so far as to exempt, for instance, a gas corporation, or an electric-light corporation, or a telegraph corporation, or a railroad corporation? They are all public utilities.

Mr. SHIVELY. They are all public utilities for the purposes of this exemption in so far as the public acquires a beneficial interest in them. If the municipality acquires a beneficial interest in their income, this provision will apply; that is to say, suppose it were a lighting utility, and a certain portion of the proceeds were to go to the municipality; to that extent this provision would apply, and the part of the income going to the municipality would be exempt from the tax.

Mr. BORAH. What provision does the Senator from Indiana refer to as a limitation upon the public utility to which it would apply?

Mr. SHIVELY. On page 228 it is provided:

Provided further, That there shall not be taxed under this section any income derived from any public utility or from the exercise of any essential governmental function—

Now, mark you—

accruing—

That is, income accruing—

to any State, Territory, or the District of Columbia, or any political subdivision of the State, Territory, or the District of Columbia, nor any income accruing to the government of the Philippine Islands or Porto Rico, or of any political subdivision of the Philippine Islands or Porto Rico.

It seems to me, as the text refers to income and then says "accruing," that it can exempt only such income as goes to the municipality and can exempt nothing else.

Mr. BORAH. Is that the only provision the Senator has reference to as a limitation? It reads:

Provided further, That there shall not be taxed under this section any income derived from any public utility or from the exercise of any essential governmental function accruing to any State——

Mr. SHIVELY. Yes; that is true.

Mr. BORAH. The word "or" might make doubtful, it seems to me, the construction or the limitation which the Senator puts upon it. I am sure that the committee did not intend to exempt all public utilities.

Mr. SHIVELY. The real fact is that the question presented a good many difficulties. We did not care to appear, so far as the taxing authority could do so, to authorize the State or municipality to go into all kinds of private business and have their income exempted. The words "essential governmental function" were used as a limitation.

Mr. BORAH. That would be true if the word "or" was not used in that sentence; but the committee has provided for two classes of corporations. As to the first class, you may stop with the word "utility." Suppose you did stop with the word "utility" and say, "There shall not be taxed under this section any income derived from any public utility." You may stop there under a legal construction of the sentence; and if you do, what would be the effect of the provision upon all public-utility corporations?

Mr. NORRIS. They would not pay any income tax.

Mr. BORAH. I feel that the wrong word is used there, although I am frank to say that I am discussing these matters without having had very much time to consider them. I am seeking more to call attention to possible ambiguities than to assert a construction.

Mr. SHIVELY. The Senator will observe the concluding clause of that paragraph, which reads:

But this provision is not intended to confer upon such person or corporation any financial gain or exemption or to relieve such person or corporation from the payment of a tax, as provided for in this section, upon the part or portion of the said income to which such person or corporation shall be entitled under such contract.

The fact is that we were trying to draw the line sharply between the revenue derived by the corporation from its business and the revenue derived by the Government from the corporation.

Mr. BURTON. If the Senator from Indiana will yield for a question, I will say that I have only examined this language very superficially. How does the Senator from Indiana meet the contention of the Senator from Idaho that the first portion of the proviso can stand by itself? I refer to that portion reading:

Provided further, That there shall not be taxed under this section any income derived from any public utility.

Why does not that stand by itself as an exemption?

The proviso proceeds:

Or from the exercise of any essential governmental function.

Going on to something distinct and different.

Mr. WILLIAMS. It reads:

Accruing to any State, Territory, or the District of Columbia—

And so forth.

Mr. BURTON. Yes; but that is another class. It reads:

Or from the exercise of any essential governmental function accruing to any State, * * * nor any income accruing—

And so forth.

Mr. SHIVELY. It seems to me, if the Senator will allow me, that would be read:

That there shall not be taxed under this section any income derived from any public utility——

Mr. BURTON. That is, the word "or" connects the words "any public utility" and the words "from the exercise of any essential governmental function."

Mr. SHIVELY. Yes; "and from the exercise of any essential governmental function." The word "accruing" relates back, of course, to income.

Mr. BORAH. It relates back to what, did the Senator say?

Mr. SHIVELY. To the word "income."

Mr. BURTON. Well, I fancy a court would use all its power to interpret that language not to mean that the first clause stood by itself, but it seems to me there is some ambiguity. Does the Senator from Idaho [Mr. BORAH] desire to ask a question? If so, I will yield to him.

Mr. BORAH. I desire a little more light, if I can get it.

Mr. WILLIAMS. This proviso is all in one sentence:

There shall not be taxed under this section any income—

Of what sort?

derived from any public utility or from the exercise of any essential governmental function accruing—

To whom?

to any State, Territory, or the District of Columbia.

I do not see how there could be any trouble about that language. There is not even a comma in there.

Mr. BORAH. I know there is not a comma in there, but suppose some printer should make a mistake and put in a comma, where would you be?

Mr. WILLIAMS. I did not understand the Senator.

Mr. BORAH. I know there is not a comma there now, but you can not control the legal meaning of a sentence exclusively by punctuation. A court will repunctuate a sentence sometimes in order to make it plain and clear.

Mr. SHIVELY. Only where there is a manifest ambiguity.

Mr. WILLIAMS. The reason there is no comma preceding the word "or" is to make sure that it is all one and refers to the income derived by the political subdivisions mentioned.

Mr. BORAH. I will read the proviso again, interpolating the words "any income" after the word "or":

That there shall not be taxed under this section any income derived from any public utility or any income from the exercise of any essential governmental function accruing to any State, Territory, or the District of Columbia, nor any income accruing to the government of the Philippine Islands—

And so forth.

If you insert the words "any income" after the word "or," you will get what might, in my judgment, come to be the final legal construction of the sentence—"that there shall not be taxed under this section any income derived from any public utility or any income derived from the exercise of any essential governmental function."

Mr. SHIVELY. That is to say, the courts would construe the provision leaving out the word "accruing" entirely?

Mr. BORAH. No. I take it the Senator feels safe under the rule of reason.

Mr. SHIVELY. I have not any question but that the word "accruing" relates back to the word "income," and relates to all between the two words.

Mr. BORAH. I suppose that if the Supreme Court of the United States should construe this provision to exempt public utilities it would be another powerful argument in favor of the recall of judges because we did not make the law plain.

Mr. SHIVELY. It might be a powerful argument for the recall of the Senate.

Mr. BORAH. I think it would be, but we do not agonize to have the recall applied to Senators; only judges.

Mr. BURTON. I should like to ask another question. The paragraph further provides:

No tax shall be levied under the provisions of this act upon the income derived from the operation of such public utility, so far as the payment thereof will impose a loss or burden upon such State, Territory, or the District of Columbia, or a political subdivision of a State or Territory.

Suppose there is an arrangement under which a public utility, a street railway or a gas company, is to fix its rates so that it can make 6 per cent interest on its investment, and no more. To take a concrete case, a street railway company operates under a 3-cent fare, and if by charging a 3-cent fare the income of the street railway company is brought down below 6 per cent by the imposition of a tax, does the language which I have read mean that the tax is not to be paid?

Mr WILLIAMS. No; it does not mean that.

Mr. BURTON. But it says:

So far as the payment thereof would impose a loss or burden upon such State, Territory, or the District of Columbia, or a political subdivision of a State or Territory.

Mr. WILLIAMS. That would not impose a burden upon any State, Territory, or the District of Columbia; it would merely reduce the dividend of the company. To explain this, the State of Illinois, for example, receives 7 per cent from the Illinois Central Railroad; the city of Baltimore receives 9 per cent upon the gross earnings of all its street railways, or used to do so, and does so yet, I think; the city of New York has a contract whereby a certain amount of money was raised and it has a contract whereby it undertakes to hold harmless some of the street railways from all taxes, and then at the end of a certain period the railways become the property of the city of New York or the city has a right to go in and purchase them under certain circumstances. In that case New York gets half, and the street railway gets half. The object is to exempt New York's half, and, therefore, the language was put in below:

But this provision is not intended to confer upon such person or corporation any financial gain or exemption or to relieve such person or corporation from the payment of a tax as provided for in this section upon the part or portion of the said income to which such person or corporation shall be entitled under such contract.

Mr. BURTON. It is a different class of cases from those mentioned by the Senator from Mississippi to which I am referring. I am referring to cases which are becoming somewhat frequent now, where the value of the public utility owned by a private corporation is capitalized and a certain rate fixed, say 60 cents per thousand cubic feet for gas, or 3 cents for fare in the case of street railroads, and those rates continue so long as the corporation can earn 5 or 6 per cent or whatever rate is agreed upon. Suppose the imposition of an income tax on the corporation brings down its earnings below 6 per cent, then the price for gas would have to go above 60 cents or for the street-car fare above 3 cents. Does this provision apply in such a case?

Mr. WILLIAMS. Oh, does not the Senator see that, even if the fare had to go above 3 cents or the price of gas had to go above a certain figure, it would not be the city that would be burdened; it would be the users of the gas and the travelers upon the street railway?

Mr. BURTON. Is there not an identity between the city and the street-car users.

Mr. WILLIAMS. This does not undertake to protect the people from all burdens. We can not do that because every income tax puts burdens upon the people, although somebody else may pay them. All taxes, as the Senator is aware, are shifted more or less.

Mr. BURTON. Take the case where a large share of the gas is used by the city itself.

Mr. WILLIAMS. As the city can not be taxed at all that would merely reduce the income which the city derives; but it would not be a contract with that corporation whereby certain moneys were to accrue to the city.

The VICE PRESIDENT. The question is, Will the Senate agree to the conference report?

Mr. SIMMONS and Mr. PENROSE addressed the Chair.

Mr. SIMMONS. I yield to the Senator from Pennsylvania.

Mr. PENROSE. I yield to the Senator from North Carolina.

Mr. SIMMONS. If the Senator from Pennsylvania wishes to speak——

Mr. PENROSE. I have nothing to say at this time. I wanted to hear what the chairman of the committee had to say in explanation of the conference report.

Mr. SIMMONS. I was going to make a motion.

Mr. PENROSE. I do not hear the Senator.

Mr. SIMMONS. I say I was going to make a motion, if the Senator will pardon me; but if the Senator wants to speak I will not make it.

Mr. PENROSE. What is the Senator's motion.

Mr. SIMMONS. Simply a motion to concur.

Mr. PENROSE. Does the Senator not intend to address the Senate?

Mr. SIMMONS. I do not intend to address the Senate, if we can get a vote now.

Mr. PENROSE. Well, it would seem to me, Mr. President, that the minority are at least entitled to an explanation from the chairman as to the report and some of the reasons that led to certain important actions. We are waiting with great interest to hear from the Senator.

Mr. SIMMONS. If the Senator desires that I shall make the very brief statement that I propose to make—I am not going into any extensive discussion—I would as soon make it now, but I will yield to the Senator if he wishes to speak. He advised me that he expected to speak.

Mr. PENROSE. I think the minority would prefer to hear the chairman of the committee, because his remarks may be so illuminating that we may not speak as long as we would otherwise, if we were laboring in the dark.

Mr. SIMMONS. I am afraid the Senator from Pennsylvania has become very much infatuated with the word "illuminating."

Mr. President, I have a few brief remarks, largely in the nature of a statement, which I propose to submit, and I presume I might as well submit them now as at any other time.

The House bill, as passed by the Senate, carried 676 different amendments. The House conferees agreed right out to 427 of these amendments, and agreed, with amendments, to 97 of them. The Senate conferees receded from 151 of the Senate amendments. There was a total disagreement between the two Houses as to only one amendment.

The Senate placed upon the free list 61 different items which, in the House bill, were upon the dutiable list. Of the 61 items placed upon the free list by the Senate all were retained there by the conferees except 5, the conferees having agreed to 56 of these amendments.

Without reading the 56 items placed upon the free list by the Senate and agreed to by the conference committee, I submit a statement of them and ask that it may be incorporated as a part of my remarks.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

ARTICLES TRANSFERRED TO THE FREE LIST BY THE SENATE AND AGREED TO BY THE HOUSE.

Burlaps for making bags and sacks.
Roman, Portland, and other hydraulic cement.
Creosote oil, anthracene and anthracene oil.
Synthetic cryolite.
Glaziers' and engravers' diamonds, unset, and miners' diamonds.
Eggs.
Crude artificial abrasives.
Flax and tow of flax, hemp and tow of hemp.
Fulminates and fulminating powders.
Furs and fur skins, undressed.
Amber, in chips, valued at not more than 50 cents a pound.
Gunpowder and all explosive substances used for mining, blasting, and artillery purposes.
Dyes obtained from indigo.
Pig iron, kentledge, spiegeleisen, scrap iron and steel, ferromanganese, iron in slabs, blooms, loops, or other forms less finished than bars, steel ingots, blooms and slabs, die blocks, billets, and cogged ingots.
Limestone, rock asphalt, asphaltum, and bitumen.
Lard compounds and lard substitutes.
Horseshoe-nail rods.
Photographic and moving-picture films, not exposed or developed.
Cyanide of potassium.
Steel engraved forms for bonds and engraved steel plates suitable for printing bonds.
Cattle.
Sheep.
Wheat.
Cedar lumber.
Rag pulp.
Machinery for the manufacture of sugar.
Sand blast machines and sludge machines.
Alazarin, natural or synthetic, and dyes obtained from alazarin, anthracene, and carbazol.
Antimony ore and stibnite containing antimony.
Steel boxes, previously exported filled with American products.
Text books used in schools and other educational institutions, Braille tablets, cubarithmes, special apparatus and objects to teach the blind, printing apparatus, machines, presses, and types for the use and benefit of the blind.
Needles for shoe machines.
Palm nuts and palm-nut kernels.
Perilla oil.
Cyanide of soda.
Hoop poles.
Spanish cedar.
Paper twine for binding wool.
Perchlorate of ammonia.
Fruit boxes, made from shooks exported from the United States.
Mother bulbs for propagating purposes.
Harness, saddles and saddlery, composed of other material than leather.

Mr. SIMMONS. Five articles were transferred from the free list to the dutiable list by the Senate, and agreed to in conference. I shall not read those items, but ask that they may be printed as a part of my remarks.

The VICE PRESIDENT. Without objection, that may be done.

The matter referred to is as follows:

ARTICLES TRANSFERRED FROM THE FREE LIST TO THE DUTIABLE LIST BY THE SENATE AND AGREED TO IN CONFERENCE.

Crude meerschaum.
Oatmeal and rolled oats.
Persian berries, extract of.
Nutgalls, extract of.
Sumac bark, extract of.

Mr. SIMMONS. The articles transferred from the free list to the dutiable list by the Senate and restored to the free list in conference number only four. I ask that a statement of those may be incorporated in my remarks without reading.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

ARTICLES TRANSFERRED FROM THE FREE LIST TO THE DUTIABLE LIST BY THE SENATE AND RESTORED TO THE FREE LIST IN CONFERENCE.

Press cloth for oil-milling purposes.
Marine coral, uncut and unmanufactured.
White glass enamel for watch and clock dials.
Terra alba.

Mr. SIMMONS. The articles transferred to the free list by the Senate, but restored to the dutiable list by the conferees, number five. I shall not read those, but ask that they may be incorporated as a part of my remarks.

The VICE PRESIDENT. Without objection, that may be done.

The matter referred to is as follows:

ARTICLES TRANSFERRED TO THE FREE LIST BY THE SENATE, BUT RESTORED TO THE DUTIABLE LIST BY THE CONFERENCE.

Blankets, valued at less than 40 cents per pound.
Cast-iron pipe.
Diamond dust.
Chlorate of potash.
Hair of the Angora goat, alpaca, and other like animals.

Mr. SIMMONS. I submit, and ask that it may be incorporated as part of my remarks without reading, an enumeration of the items upon which the principal reductions were made by the conferees.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

PRINCIPAL REDUCTIONS MADE BY CONFERENCE OVER HOUSE BILL, NOT INCLUDING ARTICLES FREE LISTED.

SCHEDULE A.

No. 37. Chicle, from 20 cents to 15 cents per pound.
No. 46. Linseed oil, from 12 cents to 10 cents per gallon.
No. 67. Soap, perfumed toilet, from 40 per cent to 30 per cent; medicinal soap, from 30 per cent to 20 per cent.

SCHEDULE B.

No. 79. Mica, from 30 per cent to 25 per cent.
No. 96. Surgical instruments, telescopes, microscopes, etc., from 30 per cent to 25 per cent.

SCHEDULE C.

No. 105. Iron bars, etc., from 8 per cent to 5 per cent.
No. 106. Architectural iron, from 12 per cent to 10 per cent.
No. 107. Boiler and other plate iron or steel, from 15 per cent to 12 per cent.
No. 108. Anchors and forgings, from 15 per cent to 12 per cent.
No. 109. Hoop, band, etc., iron and barrel hoops, from 12 per cent to 10 per cent.
No. 111. Sheets, plates, or strips of iron or steel, coated, galvanized, or tinned, from 20 per cent to 15 per cent.
No. 116. Wire and manufactures, from 20 per cent to 15 per cent.

No. 122. Motorcycles, from 40 per cent to 25 per cent.
No. 125. Nuts, or nut blanks and washers, from 15 per cent to 5 per cent; bolts and hinges, from 15 per cent to 10 per cent.
No. 121. Automobiles, valued at less than $2,000, from 45 per cent to 30 per cent.
No. 126. Card clothing, from 40 per cent to 35 per cent.
No. 127. Cast-iron pipe, from 12 per cent to 10 per cent.
No. 137. Needles for sewing machines and knitting, from 25 per cent to 20 per cent.
No. 145. Aluminum, from 25 per cent to 2¼ cents or 3½ cents per pound.
No. 152. Tinsel wire, etc., from 10 per cent to 6 per cent; metal threads, etc., from 30 per cent to 25 per cent.
No. 169. Manufactures of metals, including machines, etc., not specially provided for, from 25 per cent to 20 per cent.

SCHEDULE G.

No. 196. Oats, from 10 cents per bushel to 6 cents per bushel.
No. 200. Butter, from 3 cents to 2½ cents per pound.
No. 208. Eggs, frozen, from 2½ cents to 2 cents per pound.
No. 216. Greenhouse stock, from 25 per cent to 15 per cent.
No. 223. Zante currants, from 2 cents to 1½ cents per pound.
No. 233. Extracts of meat, not specially provided for, from 15 cents to 10 cents per pound; extract fluid, not specially provided for, from 7 cents to 5 cents per pound.

SCHEDULE I.

No. 260. Cotton handkerchiefs, not hemmed, from 30 per cent to 25 per cent.
No. 265. Hosiery, valued over 70 cents nor more than $1.20 per dozen, from 50 per cent to 40 per cent.

SCHEDULE J.

No. 278. Thread, twine, or cords of flax, hemp, or ramie, from 25 per cent and 30 per cent to 20 per cent and 25 per cent.
No. 279. Single yarns of flax, hemp, ramie, or a mixture of them, from 15 per cent and 25 per cent to 12 per cent and 20 per cent.
No. 280. Gill netting, from 30 per cent to 25 per cent.
No. 281. Floor matting, from 2½ cents to 2 cents per yard.
No. 282. Carpets, etc., of flax, hemp, jute, etc., from 35 per cent to 30 per cent.
No. 284. Tapes, from 25 per cent to 20 per cent.
No. 287. Wearing apparel of flax, hemp, etc., from 50 per cent to 40 per cent.
No. 288. Dyed, colored, etc., burlaps, from 20 per cent to 10 per cent.
No. 289. Manufactures of flax, etc., not specially provided for, from 45 per cent to 40 per cent.
No. 290. Bags or sacks, etc., from 25 per cent to 10 per cent.
No. 246. Fabrics of flax, hemp, etc., from 35 per cent to 30 per cent.

SCHEDULE K.

No. 295. Tops, from 15 per cent to 8 per cent.
No. 296. Yarns, from 20 per cent to 18 per cent.
No. 298. Flannels, from 35 per cent to 30 per cent.
No. 314. Mohair, from 20 per cent to 15 per cent.
No. 315. Mohair tops, from 25 per cent to 20 per cent.
No. 316. Mohair yarns, from 30 per cent to 25 per cent.
No. 318. Mohair pile fabrics, from 50 per cent to 45 per cent.
No. 318½. Time of going into effect postponed to January 1, next.

SCHEDULE M.

No. 328. Box board, from 25 per cent to 5 per cent; pulp board, from 25 per cent to 5 per cent.
No. 332. Plain basic paper for albuminizing, sensitizing, baryta coating, or for photographic or solar printing processes, from 25 per cent to 15 per cent.

SCHEDULE N.

No. 347. Buttons of vegetable ivory, 36 lines and over in size, from 40 per cent to 35 per cent; buttons of shell and paste, 26 lines and larger in size, from 40 per cent to 25 per cent; buttons, agate and shoe buttons, from 40 per cent to 15 per cent.
No. 358. Plates and mats of dog and goat skins, from 40 per cent to 10 per cent.
No. 376. Strings for musical instruments of gut, from 35 per cent to 20 per cent.
No. 390. Moving-picture films, positive, from 1¼ cents to 1 cent per linear foot.

Mr. GRONNA. Mr. President, will the Senator object to an interruption?

Mr. SIMMONS. Not at all.

Mr. GRONNA. I wish to ask the Senator from North Carolina, the chairman of the Finance Committee, a question for information. Speaking of the number of items transferred to the free list, I desire to know if the 61 items referred to constitute the total, or if those are only the additional items added to the free list?

Mr. SIMMONS. There were 61 items added to the free list by the Senate. The conferees retained upon the free list all of those items except 5, I think.

Mr. GRONNA. If the Senator will pardon a further interruption, can he tell us how many of those 61 items are taken from the agricultural schedule?

Mr. SIMMONS. I could if I were to stop and examine them. I will read them if the Senator requires it.

Mr. GRONNA. No; the Senator does not require it.

Mr. SIMMONS. I have not made any calculations for the purpose of ascertaining that.

I also ask to file as a part of my remarks, without reading, a statement as to the changes in amendments made by the conferees upon the administrative sections of the bill.

Mr. PENROSE. Mr. President, I do not wish to appear to be discourteous to the Senator, but if he would enable the minority to hear his statement it would be a great comfort to us.

Mr. SIMMONS. I stated that I also desired, without reading, to incorporate in my remarks a statement of the principal changes made by the conferees relating to the administrative sections of the bill.

Mr. PENROSE. Is it the Senator's idea to let the bill go over until to-morrow, so that we can read this statement?

Mr. SIMMONS. Not at all. If the Senator desires me to read it, I will do so.

Mr. PENROSE. No; I do not desire to put the Senator to any inconvenience. Let the matter take its natural course, and let the record be made for future consideration. The statements are being inserted in the RECORD without any information on the part of the minority as to what is contained therein.

Mr. SIMMONS. Does the Senator object to my printing, without reading, a statement of the amendments relating to the administrative sections?

Mr. PENROSE. I have been so chastened by defeat that I do not object to anything.

Mr. SIMMONS. I do not think it necessary to take the time of the Senate to read all those amendments.

The VICE PRESIDENT. Without objection, the matter referred to may be printed as requested.

The matter referred to is as follows:

ADMINISTRATIVE FEATURES—CHANGES MADE BY CONFERENCE.

For statistical purposes the Secretary of the Treasury and the Secretary of Commerce are authorized to establish from time to time a list of enumerated articles in detail of all goods, wares, and merchandise imported into the United States.

The changes make unlawful agreements for a contingent fee in respect to recovery or refund under protest. If such agreement is made, the protest is rendered invalid and a penalty is imposed.

Instead of excluding merchandise from entry for failure or refusal of the foreign exporter or domestic importer to submit books, etc., to inspection it is made dutiable at an advance of 15 per cent ad valorem.

The establishment of a registry of commissionaires or purchasing agents in each United States consulate, provided for by the House bill, is stricken out.

The retaliatory provisions as relating to foreign discrimination are stricken out.

Article 8 of the Cuban reciprocity treaty is repealed.

The article containing provisions covering imports from the Philippine Islands partly composed of foreign material is changed as to the percentage of foreign material contained from 50 per cent to 20 per cent of the total value.

Women's wearing apparel imported by manufacturers for use as models are added to the list of articles that can be imported free of duty if reexported within six months.

The provisions allowing a discount of 5 per cent on duties on goods imported in vessels of United States register are modified so as not to apply to nations having treaties providing for equal treatment of imports in vessels of both countries.

The conference report provided that the waste from rice cleaned in bonded warehouses can be withdrawn into consumption upon payment of the regular customs duties upon such products.

A change provides for the withdrawal of cigars made of imported tobacco in bonded warehouses.

The "dumping clause" is stricken from the bill.

The present excise tax law for the first two months of the calendar year 1913 is changed by abolishing the $5,000 exemption.

Changes are made in the provisions relating to smelting or refining metals in bonded warehouses.

An amendment provides for extending and modifying the present denatured alcohol law.

An amendment provides that if any clause, sentence, paragraph, or part of this act is declared to be invalid by any court of competent jurisdiction the remainder of said act shall not be invalidated.

Mr. SIMMONS. I also desire to insert as a part of my remarks, without reading, a statement of the changes made by the conferees in the income-tax provision of the House bill.

The VICE PRESIDENT. Without objection, that may be done.

The matter referred to is as follows:

INCOME-TAX SECTION.

CHANGES MADE BY CONFERENCE REPORT FROM HOUSE BILL.

Very many minor changes were made so as to render the provision more effective, explicit, and definite, less ambiguous, and more easily put into operation. Principal changes are as follows:

The additional tax upon incomes from $75,000 to $100,000 was increased from 2 per cent to 3 per cent; $100,000 to $250,000 was increased from 3 per cent to 4 per cent; $250,000 to $500,000 was increased from 3 per cent to 5 per cent; over $500,000 was increased from 3 per cent to 6 per cent.

The limit for the allowance for exhaustion in case of mines was fixed so as not to exceed 5 per cent of the gross value at the mine for the output for the year.

The exemption for persons not married and for married persons not living with their husband or wife was reduced to $3,000.

For the year 1913 the income-tax law was fixed to apply to the 10 months ending December 21 instead of the full year. Also the new law as to the excise tax covers the same period.

In this connection the provisions of the present excise-tax law are modified by the conference report so as to make it conform with the proposed law so far as the abolition of the $5,000 exemption is concerned.

The conference appropriates $800,000 for carrying this law into effect, providing rental quarters, purchasing of supplies, payment of salaries, etc. It provides for the appointment of an additional deputy collector of internal revenue, two heads of division, and such additional clerks, messengers, and other employees as may be necessary. It

also fixes certain compensations and allows the appointment outside of the civil-service rules for two years following the passage of this act of all such employees except the clerical force below chiefs of division employed in Washington, D. C.

Mr. SIMMONS. I also submit, and wish to incorporate in my remarks, an estimate of the amount that may be expected to be derived from the income-tax provisions of the bill.

The VICE PRESIDENT. Without objection, that may be done.

The matter referred to is as follows:

Estimated income tax for the year 1915.

Incomes.	Number of incomes.	Rates.	Tax.
$3,000 to $4,000	75,000	1 per cent	$375,000
$4,000 to $5,000	126,000	do	630,000
$5,000 to $10,000	178,000	do	1,340,000
$10,000 to $15,000	85,000	do	1,240,000
$15,000 to $20,000	24,500	do	3,185,000
$20,000 to $25,000	10,500	1 and 2 per cent	2,100,000
$25,000 to $50,000	21,000	do	9,660,000
$50,000 to $75,000	6,100	1, 2, and 3 per cent	6,532,000
$75,000 to $100,000	2,400	1, 2, 3, and 4 per cent	4,776,000
$100,000 to $250,000	2,500	1, 2, 3, 4, and 5 per cent	13,775,000
$250,000 to $500,000	650	1, 2, 3, 4, 5, and 6 per cent	8,805,500
$500,000 to $1,000,000	350	1, 2, 3, 4, 5, 6, and 7 per cent	13,653,500
Over $1,000,000	100	do	9,301,000
Total	500,000		$82,673,000

Total income tax, $82,673,000.

Mr. SIMMONS. The Finance Committee and the conference committee alike have been alive to the importance of providing adequate revenues to run the Government. The bill as agreed to in conference, your committee is confident, will provide ample revenue for this purpose and will leave a comfortable surplus in the Treasury.

I present, and will read if the Senator from Pennsylvania desires it, a statement prepared by the expert of the Treasury Department assigned to assist the Finance Committee, and who had been previously assigned to do the same work for the Ways and Means Committee. I think he is the same expert who performed a similar office for the Finance Committee in making up the Payne-Aldrich bill. I may be mistaken about that. I am sure, however, whether I am mistaken about that or not, that this expert has for years prepared these statements for the two committees of Congress having charge of tariff legislation. I have, personally, and I think every member of the Finance Committee has, complete confidence in his competency and in the accuracy of his estimates.

From this table it will appear that the total receipts that we may reasonably expect during the fiscal year 1914 will amount to $1,029,000,000, and that the expenditures in that year will amount to $1,013,000,000, leaving a surplus for the first year under the new law of $16,000,000.

During the fiscal year 1915, when all the provisions of the bill will be in force, it is estimated that the total receipts will amount to $1,026,000,000 and that the expenditures will amount to $1,008,000,000, leaving a surplus of $18,000,000.

Upon an examination of this statement it will be found that for the present fiscal year, 1914, the amount estimated to be derived from customs duties is $270,000,000, as against $249,000,000 for the year 1915. The difference, of course, as will be readily seen, is attributable to the fact, as I stated before, that in 1915 all the provisions of the bill will be in effect, and as the duties are lower the estimated revenues are less.

The statement also estimates the internal-revenue receipts for the present year and for the next year at $305,000,000. That is somewhat in excess of an estimate heretofore made by me, in a report filed by me on the 19th day of July. That is due to the fact that at that time we did not know what would be the internal-revenue receipts for the quarter which has just ended. It was known, however, that during the last several years there has been a progressive increase in the internal-revenue receipts of the Government. That progressive increase continued during the quarter which has just ended, there being an increased revenue from this source as compared with the corresponding quarters of the fiscal years 1913 and 1912. Pursuing the usual methods of calculation in the department, the expert has estimated that the revenues from this source will be $305,000,000.

During the first year in which this bill will be in effect, the fiscal year 1914, the expert estimates that we will receive from the income tax $66,000,000, while he estimates that from the same source in 1915 we will receive $83,000,000. That is due to the fact that the bill provides that the income tax shall be collected for the calendar year, as distinguished from the fiscal year; and as the Senate changed the House provision so as to provide that the assessment should not begin until the 1st day of March, the receipts this year will represent only five-sixths of a full year.

It is also estimated that the excise tax during this year will amount to $38,000,000 and next year to $39,000,000.

Considering the rather remarkable increase in the receipts from this source during the past year, it was thought conservative to estimate that there would be an increase in revenue from this source of $1,000,000. Customs receipts for the fiscal year 1914 are estimated to be considerably in excess of those for the fiscal year 1915 because of the temporary continuation of the duty on sugar and wool and because during the first quarter, which has already passed, the higher duties of the existing law were in operation, yielding a correspondingly large revenue.

The receipts from the ordinary internal-revenue collections are running much higher than in the year 1912. They increased in 1913 over 1912 about $16,500,000, and for the quarter just ended they were $2,500,000 in excess of the corresponding quarter in 1913. They are running so high now as to promise about the amount I have indicated, $305,000,000.

The present estimate of receipts from the income tax is greater than I formerly made, because since that time the Senate, by amendments, increased the rates of from 1 per cent to 4 per cent on large fortunes to from 1 per cent to 7 per cent, and because the exemption is reduced from $4,000 to $3,000, and the exemption for children is abolished, and that for husband and wife is now allowed to only one, not to both.

I ask to incorporate in my remarks, without reading, an estimate of the receipts and expenditures for the year 1914 and 1915.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

Estimates of receipts and expenditures, 1914.

RECEIPTS.

Customs	$270,000,000	
Internal revenue (ordinary)	305,000,000	
Internal excise tax	38,000,000	
Internal income tax	66,000,000	
Sale of public lands	5,000,000	
Miscellaneous	55,000,000	
Postal revenue	290,000,000	
Total		$1,029,000,000

EXPENDITURES.

Civil and miscellaneous	$175,000,000	
War Department	178,000,000	
Navy Department	147,000,000	
Indian service	20,000,000	
Pensions	180,000,000	
Interest on public debt	23,000,000	
Postal service	290,000,000	
Total		1,013,000,000
Surplus		16,000,000

Estimates of receipts and expenditures, 1915.

RECEIPTS.

Customs	$249,000,000	
Internal revenue (ordinary)	305,000,000	
Internal excise tax	39,000,000	
Internal income tax	83,000,000	
Sale of public lands	5,000,000	
Miscellaneous	55,000,000	
Postal service	290,000,000	
Total		$1,026,000,000

EXPENDITURES.

Civil and miscellaneous	$175,000,000	
War Department	175,000,000	
Navy Department	145,000,000	
Indian service	20,000,000	
Pensions	180,000,000	
Interest on public debt	23,000,000	
Postal service	290,000,000	
Total		1,008,000,000
Surplus		18,000,000

Mr. SIMMONS. Mr. President, the amendments made by the Senate to the House bill reduced the House rate from an ad valorem average of 27.84 per cent to an ad valorem average of 26.67 per cent, a reduction of 4.22 per cent. The conferees have reduced some duties below the Senate rates and raised some

above the Senate rates, the aggregate result being an increase over the Senate amendment rates of about 0.61 per cent. The bill as agreed upon by the Senate and conferees is the lowest tariff measure passed since the Civil War, and it is the first tariff bill ever passed by Congress in which the rates fixed by the Senate were lower than those fixed in the House bill.

The representatives of special interests have long regarded the Senate as the bulwark of protection. When the House has made a rate unsatisfactory to these interests they have followed the bill to the Senate with the confident expectation of securing satisfactory amendments, and heretofore they have generally not been disappointed in their expectation.

This year these interests have made their usual efforts in this regard. They were, of course, given a courteous hearing by the committee, but all of their efforts to have the Senate convert the revenue bill of the House into a protective measure have been vain and futile. Having failed in their efforts to secure special privilege from the committee and the Senate, some of these interests did not despair, but made a final effort when the bill went to conference, but with no better result.

Mr. President, within a few hours—certainly to-morrow or next day—this bill will become the law of the land. It will carry the lowest average rate of duty carried by any tariff bill ever passed by Congress except the Walker bill, and the passage of that bill was followed by an era of prosperity not surpassed in our history. It will be recognized by the country, whatever may be said of it by its opponents, as an honest effort on the part of the party in power to relieve the people from the unequal conditions and unjust burdens existing through the present tariff law, without inflicting injury upon anyone, except in so far as injury may be incidental to remedying admitted wrongs and correcting inequalities and inequities in our tariff legislation by abolishing legislative privilege and favoritism.

The large free list which this bill carries and the heavy reductions it makes on the necessaries of life will carry its benefits more directly and more surely to the people than any other tariff bill ever enacted by Congress. It untaxes many of the raw materials of the manufacturer, but it simultaneously and correspondingly reduces the tariff on the manufacturer's finished products, so as to compel him to share the resulting lessened cost of production with the domestic purchaser of his products.

The bill recognizes the fact that the maintenance and the further development and expansion of our industrial activities depend largely on our foreign trade. It recognizes the fact that we can not successfully sell abroad unless we also buy abroad, and it seeks in every possible and feasible way to encourage our foreign commerce. To that end, by its reductions, it opens the door for larger importations, and by reducing the taxes on the necessaries of life and by untaxing the raw materials of the manufacturer it reduces the cost of production and provides a way for an enlarged exportation of our products.

Mr. President, this bill remits to the masses one-third of the tax they now pay to the Government through customs duties by transferring that much of their present burdens to the incomes of the rich. This is fair and just, because the masses pay many times their share of these customs taxes under our tariff system, which is a tax upon consumption; and as the poor man and the man of moderate means must eat, must wear clothes, must have a home in which to reside as well as the rich man, the amount of taxes which the poor and the well to do pay under a tax on consumption is altogether out of harmony with the amount which the rich have to pay.

With a view of equalizing this condition, in the inauguration of the income tax we have sought to remedy—and we believe we have in a large measure, though not altogether, remedied—that inequality by exempting from the income tax all incomes under $3,000. So that while the millions of this country pay practically all of the customs taxes—the consumption taxes—they will be relieved from the income tax, and this tax has to be paid only by the rich or moderately rich whose incomes exceed $3,000.

It is estimated that of the ninety-odd million people of this country this income tax will have to be paid by only about 500,000 individuals. So we have a system, brought about through this bill, equalizing the burdens of taxation between the rich and the poor by relieving the man whose income is less than $3,000 from all income tax and requiring those who have more than a competency and who do not pay their share of customs taxes to pay all of this tax on wealth.

But, Mr. President, of far greater importance to the people than relieving them of the one-third of the customs tax that is now transferred to the swollen fortunes of the rich—for that could not amount to more than a lessening of their burdens to the extent, probably, of $100,000,000 a year—of more, yes, of transcendently more importance to the people than this is the fact that the reductions made in this bill remit to the masses millions piled upon millions annually collected from them through the provisions of existing law, not for the Government, not to fill the coffers of the Treasury, but to swell the bloated fortunes of beneficiaries of the protective system of taxation.

Mr. President, this bill has been highly praised and it has been severely criticised. So have all of its predecessors. But neither the commendations of the advocates nor the condemnations of the opponents of an untried tariff bill signify much. In this case, as in every case, the merits of the bill will have to be determined by its practical workings.

The Democratic Party, responsible for this legislation, awaits with absolute confidence the result of this supreme test of its efficiency in carrying out the policies and principles upon which it was framed, and the efficacy of these principles, thus applied, to remedy admitted evils and reform admitted abuses in the interest of the welfare and the prosperity and the happiness of the people. As Democrats we have an abiding faith that it will expand and not contract our industrial activities.

We believe that it will open more factories and will not close those that are already in operation. We believe that it will increase and not curtail the opportunities of employment to labor and that it will make more instead of lessening the number of shops open to the American workmen. We have an abiding faith that it will bring prosperity and not disaster.

Whatever may be said of this bill, either by its friends or opponents, no one can gainsay the fact that it is a clean bill. No one can gainsay the fact that no sinister taint or suspicion attaches to its making. No one can say that it was inspired or written by the hands of selfishness or of greed. All will admit that the representatives of the interests came here to the Capitol, as has been their wont whenever tariff legislation is about to be enacted, to influence and dictate legislation to serve their special selfish interests. But they went away, Mr. President, empty handed. They went away dazed by the fact, which they discovered, that again in this country the people rule and God Almighty reigns. They went away impressed by the fact that at last it has come to pass in this Republic, thank God, that the people who pay the taxes levy the taxes they pay, and not the special interests, for whom so long taxes have been levied by the Republican Party and paid by the people.

No one will deny that this bill represents an honest effort by the party in power to carry out the pledges and promises upon which it was elected and upon which we Members of this Congress were elected and commissioned to act, and to act at once.

This bill is a part of a legislative program of reform which will help the people and hit the trusts. It is a part of the legislative program that will with one hand cut down the cost of living and with the other hand cut down the unjust and unfair profits of monopoly and special privilege.

Mr. President, when the full Democratic program of reform has been written, as it will be written in the statutes within a short time by the Democratic Party, let us hope, as I believe will be the case, that there will be an end in this country to that greatest menace to our institutions—in working out the great schemes of freedom and equality for which they were ordained and established—namely, law-created wealth and law-created privilege.

Mr. JONES. Mr. President, I wish to ask the Senator a question.

Mr. SIMMONS. I am about through, if the Senator will wait.

Mr. JONES. I thought the Senator was through.

Mr. SIMMONS. I have just a minute further.

Mr. President, there has been talk here and elsewhere about the methods pursued in the framing of this bill, especially about the caucus. Ours is a government of parties. The party in power is responsible for legislation. The tariff is and always has been, and I think always will be, a party question. These bills must be made by the party in power, if that party is to carry out its party pledges and party promises with reference to this party question. This has been recognized by all parties in the framing of all our tariff bills.

The caucus is an extension of the method pursued heretofore, but the purposes are the same. Heretofore the members of the Finance Committee of the party responsible for the legislation have framed the bill both in the committee and in the conference. In the passage of the last bill no minority Senator on the Finance Committee was permitted in the councils of that committee when it was framing the bill, and after the bill was framed they were allowed only a few minutes to consider it be-

fore the final vote was taken on it in committee. In the meetings of the conference committee upon the disagreeing votes of the two Houses upon that bill no member of the minority was permitted to be present, and it was claimed at the time that the report was actually made and signed without the minority members ever having been called into the meetings of the committee at all.

The caucus, I say, simply carries this practice a little further. Instead of securing party unity and party consent through the committee, it was sought to secure a more general and thorough agreement through the caucus.

As the result of these caucus conferences of the majority it can be truthfully said that this is the first tariff bill ever passed in this country that was framed by the whole body of the party responsible for the legislation instead of a small coterie of the two Houses.

Mr. President, it has been a long-drawn-out struggle. We have been here for months—but that has been the way with all our general revisions of the tariff. There has been criticism of the time consumed in the committee and caucus investigations and discussions and in the debates in the Senate. But I think it has been time well spent. I do not think it has been time wasted. If we had taken less time the bill might not have been as good a bill as it is. I am sure the country will agree that the interests involved were too great, too all-embracing, affecting in some way indirectly or remotely everything we buy or sell, for hasty and immature consideration and action.

I congratulate the Congress and the country that the long, protracted struggle is at length about to end. I want especially, as chairman of the committee in charge of this legislation, to express my personal appreciation of the kindness and the courtesy that has been shown me, not only by my colleagues on this side of the Chamber, but by my colleagues on the other side of the Chamber. I want also to express my gratification, too, that during this long debate, where strong men struggled with each other over their convictions, there has been so little of bitterness and so little of the heat of debate in the things that have been said and in the things that have been done.

Now, Mr. President, in conclusion, let me say that I shall ever remember with a feeling of pride and satisfaction the pleasant relations that I have sustained throughout this whole contest with every single Member of the Senate, both upon this side of the Chamber and upon the other side of the Chamber.

Mr. POMERENE. Mr. President, a few days ago I took occasion to make some remarks upon the subject of the tax upon wine spirits. I had hoped that something might be done whereby some provision could be made in the pending bill to restore the tax upon wine spirits so as to place all producers and users of that product upon an equal footing and to compel each one, without favor to any, to bear his fair portion of the Government's burdens. I realize that we have had a long session and a tiresome one. I had hoped that my colleagues on this side of the Chamber yesterday might see fit to adopt some procedure which would ultimately lead to some relief in this behalf in this bill. It was their judgment, however, because of the position taken by the other conferees, that that could not be done at this session; and I shall acquiesce in their judgment; but at the same time I feel that it is due to me, due to my own State, and due to the country at large that I place, perhaps a little more fully in some particulars, the facts in the RECORD in connection with the legislation now upon the statute books of the United States about which I enter complaint.

At the risk of repetition, if the Senate will indulge me, permit me to say that prior to 1890 there was an internal-revenue tax upon wine spirits as well as on all other spirits of 90 cents per gallon. Some years later, during the Spanish-American War, that tax was made $1.10 per gallon. In 1890 Congress included in the tariff law which was passed in that year a few sections, perfectly innocent and harmless in and of themselves as they seemed at first blush, which gave to certain producers of pure sweet wine the privilege of taking and using wine spirits at 3 cents per gallon for which others were compelled to pay this tax of 90 cents per gallon and later $1.10 tax per gallon.

This was not intended as an encouragement to all producers of pure sweet wine because the statute was so framed that it gave the privilege only to those producers of pure sweet wines "who were also distillers of wine spirits." Later there was a provision in another section whereby the producers of sweet wines as defined in the statute were to be granted the privilege to take it out of bond; but there was another "joker" in that law which provided to this effect, that only those producers of pure sweet wine could have this privilege who had their wineries at the vineyard where the grapes were crushed and the juice expressed. The result of this was that in many of the Eastern States, where the wineries were in the town and the vineyards were on the farms or upon the islands of the lake, as in my own State, they were obliged to pay $1.10 per gallon for the wine spirits which they might use or for neutral spirits which at times they used instead.

The effect of this statute was, first, that it gave to certain wine producers as defined in that law the privilege, as against all other producers of pure sweet wines, to have the wine spirits which they used in the fortification of their product at 3 cents a gallon when others were obliged to pay $1.10 per gallon. Further than that, it was a discrimination against all other users of wine spirits in that they were compelled to pay $1.10 per gallon. It seems to me that the proposition needs only to be stated to convince every fair-minded man that this was a gross discrimination, which ought not to be permitted in a country such as ours.

What was the reason for this? We have had a splendid delegation of gentlemen here who have said to us that they have come here representing the grape producers, the farmers on the mountain sides of California, and that they could not continue their vineyards unless they had this privilege.

I was interested in ascertaining who these farmers were and what their conditions were, and I find that the wine producers pay from $5 to $10 a ton for the grapes which the dear farmer produces; and this year I believe they are paying $12 a ton. In Ohio, in Missouri, and in the Eastern States the wineries are obliged to pay from $30 to $50 per ton for grapes that they produce upon their farms.

Now, what is the situation? In the year 1912 the tax remitted to these so-called farmers amounted to $6,954,534.29; that is to say, if they had paid $1.10 per gallon for the use of these wine spirits, instead of 3 cents a gallon, they would have paid to the Federal Government $6,954,534.29. But did the farmer get the benefit of this? On yesterday the Senate, upon my motion, passed a resolution calling upon the Secretary of the Treasury to furnish a list of the men who had the privilege of drawing wine spirits from bond and of using them at the rate of 3 cents a gallon. I find that there are just 107 persons in all these United States who had this privilege during the last fiscal year. In the State of California there were 82 who had this privilege, in New Jersey 1, in New York 22, in North Carolina 1, and in Virginia 1.

Bearing in mind the amount of the tax which was remitted, as I pointed out a moment ago, and dividing that by the number of 107 who have this privilege, we find that upon the average this Government has been giving to each of these wine producers $64,995.65 per year, assuming that there was the same amount used in each year.

Who are some of these farmers? Mr. President, I have here a copy of the report which has been sent to the Senate by the Secretary of the Treasury, which gives the names and addresses of each of these wine producers during the last five years, with the number of gallons which each one has used during all of these years.

Mr. PENROSE. Mr. President, will the Senator permit an inquiry?

Mr. POMERENE. I will.

Mr. PENROSE. Does the Senator know whether or not the gentlemen who came here from California in opposition to the Senator's tax proposition were genuine bona fide wine growers?

Mr. POMERENE. I am going to touch upon that in just a moment.

Mr. PENROSE. I am very much interested in that point and intended to bring it up myself.

Mr. POMERENE. I ask to have this table appended to my remarks as a part thereof.

The VICE PRESIDENT. Without objection, permission is granted.

Mr. POMERENE. Mr. President, I have culled from this report the names of all of those farmers who used more than 100,000 gallons of this brandy during the last year at 3 cents a gallon. The Woodbridge Vineyard of California last year used 171,277.1 gallons; the La Paloma Winery and Distilleries, 165,681.6 gallons; the California Wine Co., 574,141.8 gallons; George West & Son, 765,621.3 gallons; the Fresno Vineyard Co., 121,168.8 gallons; the Barton Vineyard Co., 138,138.3 gallons; A. Mattie, 177,595.2 gallons; the Italian Swiss Colony, 505,805.7 gallons; the Great Western Vineyard Co., 259,504.4 gallons; and the trustees of the Leland Stanford Junior University, 223,963.2 gallons. Another dear farmer was up here from the State of Virginia, and he used during last year 88,206.04 gallons.

All of this $6,954,534.29 has been distributed among 107 farmers, and the great delegation of farmers from California, fine, fat, sleek-looking fellows, shedding crocodile tears on behalf of the grape growers of California, come here and want this privilege continued. If the sensory and motor nerves of those gentlemen went to and from their brains instead of to and from their pocketbooks, they would come in here and ask that this money be voted directly to the farmers of California, to whom they pay a pittance of from five to ten dollars per ton for their product.

Mr. President, this privilege has been going on ever since the year 1890—23 years. When, a few weeks ago, the matter was first called to my attention I did not believe it. A brief was sent to me. I took it up with the Internal Revenue Bureau, and not until I heard from their own lips that this thing was going on under the Stars and Stripes did I believe it possible that such a condition could exist under the laws of this country.

Mr. President, perhaps if I had been content with that party "peace which passeth all understanding," I would have kept silent and let this matter pass by, but I believed that it was my duty to call it to the attention of Congress in order that during the coming session there might be some relief from this kind of legislative iniquity. When I make this statement I want to say, in all frankness, that I absolve the Senate conferees from the responsibility of striking this provision out of the bill. The responsibility must rest where it belongs.

The excuse is given that there are some pure-food provisions in section 25½ which ought not to be there. I grant that to be so, but I want to call the attention of Senators to the fact that the amendment as originally submitted provided for the repeal of this privilege alone, and was so framed that it could not interfere with any of the so-called pure-food provisions which it is alleged are contained in the original act of October 1, 1890. As to the other provisions, they could have been eliminated. The Government could have had the tax which I sought and, so far as the pure-food provisions are concerned, they would be, after the passage of that repealing provision, just where they have been all these years, with the Agricultural Department.

Mr. President, when this matter came up there were some criminations and recriminations as between the wine producers. The Californians said that those in my own State and elsewhere in the East were producing certain adulterated wines, and I shall assume for the sake of the argument that that is true; but I will say also, at the same time, so far as my own State is concerned, that these matters have been standardized. On the other hand, the eastern wine producers were saying that the Californians were producing an adulterated product.

I have before me a copy of the Wholesalers' and Retailers' Review of October, 1913, in which there is an article written by Mr. Charles A. Wetmore, of the State of California, who, I am told, has both a practical and a theoretical knowledge of the subject. He says upon this subject:

> Let it be admitted without apology that all our California dry-wine makers who are competent use water to reduce their grape juice when it contains an excess of sugar. Of course they do, and they are right in doing it. Dr. Wiley or other pragmatists to the contrary ignored. Let it be admitted also that all our best wine makers also add tartaric acid, the natural acid of the grape, when it is deficient in the must. The addition of water and tartaric acid to correct natural deficiencies is common practice in California and should not be misrepresented.

In the West—I mean in California—their grapes have often too much sugar and too little acid; in the East, at times, they have too much acid and too little sugar, and the juice from both must be to a certain extent corrected. But it is not necessary to go into that feature of the proposition. I simply wanted to call the attention of the Senate to these facts, in the hope that in the near future there may be some corrective legislation, which will place all of the users of wine spirits or grape brandy upon an equal footing under the law and compel them to pay the tax they have escaped for so many years.

APPENDIX.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, October 2, 1913.

Hon. ATLEE POMERENE,
United States Senate, Washington.

SIR: In compliance with the resolution of the Senate adopted on the 1st instant, calling upon the Secretary of the Treasury for a statement containing the names and addresses of manufacturers of sweet wine who use wine spirits or grape brandy in the fortification of sweet wine, together with the number of gallons of wine spirits or grape brandy so used during each of the five preceding fiscal years, also a statement showing the amount of revenue received during each of said years from the wine spirits or grape brandy so used, I have the honor to transmit herewith statements containing the information called for.

Respectfully,

W. G. MCADOO, *Secretary.*

Statement showing quantity of grape brandy or wine spirits used in the fortification of sweet wines by the various wine makers in the United States during each of the fiscal years 1909, 1910, 1911, 1912, and 1913.

District.	Year ending June 30—				
	1909	1910	1911	1912	1913
DISTRICT OF ALABAMA.	*Gallons.*	*Gallons.*	*Gallons.*	*Gallons.*	*Gallons.*
Fruithurst Wine Co.	179.4				
FIRST DISTRICT OF CALIFORNIA.					
Cordilla Winery					326.4
Da Rosa, J. L.					35,572.6
Nagasawa, K.					859.9
Sacramento Valley Winery					6,601.4
Frasinitti, J.					726.3
Elk Grove Vineyard Association					40,461.9
Petkovich, J.					1,791.8
Rogers, E. B.	29,914.1	41,715.1	37,654.8	25,327.0	20,637.3
Armbrust, H.	880.7	790.0	1,321.2	1,441.1	1,871.3
Roessler, F. M.	36,950.4	31,197.4	42,055.7	40,549.5	33,457.7
Pereria, I. M.	1,378.0	1,801.6	2,455.5	2,540.8	2,303.4
Woodbridge Vineyard	48,404.9	82,264.7	212,999.7	177,330.5	171,277.1
Joyce, Lawrence J.	814.9	1,258.2	1,848.6	1,729.6	1,796.0
Giovinni, F.		14,257.3	21,969.2	13,959.0	12,284.3
La Paloma Wineries and Distilleries	35,045.0	40,718.9	96,338.4 51,405.8	127,910.7 39,651.4	165,681.6 36,061.9
Vleth, Wm. A.					
Bradford Sons					90,326.4
California Winery					15,247.3
California Wine Co.	281,327.6	399,695.2	241,451.8	502,886.4	574,141.8
Geo. West & Son	759,180.4	493,061.8	885,890.6	1,125,279.4	765,621.3
Fresno Vineyard Co.	81,700.0	112,730.2	73,289.5	105,243.4	121,168.8
Elsen Vineyard Co.			98,041.9	8,842.1	97,145.9
Granz, Herman	26,974.3	24,682.9	38,439.7	33,124.7	14,205.5
Granz, Emil H.	22,849.8	58,183.6	38,273.6	11,070.2	
Schell, H. R.		2,441.9	1,887.1		1,745.5
Barton Vineyard Co.	157,116.2	260,044.5	141,305.2	207,032.5	138,138.3
Mattie, A.	111,188.9	192,342.6	161,724.8	187,553.2	177,595.2
Italian Swiss Colony	505,385.9	494,005.5	383,923.4	554,737.1	505,805.7
Ruschupt, H. T. W.	13,295.8	25,927.4	15,657.6	11,727.9	15,673.4
Great Western Vineyard Co.	171,712.6	327,190.8	329,613.4	373,127.0	259,504.4
Los Palams Wineries & Distilleries	33,376.7	157,505.5	157,899.1	96,074.3	76,375.7
Lodi Cooperative Winery Co.		256,026.6	289,814.1	307,100.1	63,910.9
San Gabriel Vineyard Co.	7,165.4				
Vache, E., & Co.	18,622.7				
Placer County Wine Co.					35,244.3
Kuchel, Geo. C.	1,491.7				
Mesnagel, L. C.	2,171.2				
Ritter, J. G.	254.8				
Etienne Bros.	21,196.9				
Baker, J. S.	3,102.7				
Golden Gate Fruit Co.	5,700.3				
Daneri, E.	1,029.7				
Sandoz & Guichan	1,370.8				
Cucamonga Winery	87,445.8				
Espian, Pierre	999.2				
Stern, Alfred	120,284.1				
Southern California Wine Co.	16,384.9				
Lafourcade, Jack	3,045.8				
Rust, Chas. Otto	4,710.5				
Baldwin Distillery	2,847.3				
Giovanni, Piuma	4,087.9				
Downey Vintage Co.	2,977.5				
Sierra Madre Vintage Co.	59,579.8				
Boege, Z. F.	1,452.6				
Delply, Jules J.	1,485.0				
Randisi & Sons	1,378.6				
Dennatin, P., and Laughlin, A.	556.9				
Engler, German	203.4				
Kans, John	3,370.3				
Giovanni, Gal.	4,856.6				
West Glendale Wine Co.	13,833.4				
Celeno, Peter	443.9				
Artesia Vineyard Co.	24,496.1				
Yung, Lanie	429.8				
Ardans, John	214.9				
Samuel, Paul	130,353.6		77,007.0		1,622.3
Mazal, J. C.					481.6
Azevedo, M. J., & Co.					2,553.6
Welsch, A.	354.6	347.1	244.4	273.1	390.0
Kaufman, Marcus		92,263.2			
Fresno National Wine Co.	116,179.2	29,967.4		21,265.9	
Fresno Mutual Wine Co.		20,653.1	23,290.5		
Luid Vineyard Co.	2,681.9	3,474.5	3,714.2		
Anderson, C. G.	1,723.8	4,047.6	3,553.1	4,424.1	
Buhach Producing and Manufacturing Co.	16,964.4	22,236.2	14,660.1	25,391.6	
Padsta, E. P.		707.8			
St. George Vineyard	13,462.1	7,730.2		6,665.4	
Lint, Franklin Peter			1,393.9		
Olson Winery Co.			15,622.7	14,310.7	
Farmers' Mutual Winery Co.	11,350.8		15,865.5		

Statement showing quantity of grape brandy or wine spirits used in the fortification of sweet wines, etc.—Continued.

District.	Year ending June 30— 1909	1910	1911	1912	1913
FIRST DISTRICT OF CALIFORNIA—continued.	*Gallons.*	*Gallons.*	*Gallons.*	*Gallons.*	*Gallons.*
Sumida, Hookehl			2,740.4	3,076.0	
Armonia Winery & Distillery Co	31,804.8			55,141.5	
Italian Vineyard Co	119,430.6			25,700.3	
Hughes, Jules	1,687.8				
Seinturier, Jean	5,434.1				
Krebs, Richard	2,361.0				
McClure, John	21,964.8				
Jannegrd, Pierre	1,438.5				
Brechtel, Henry	346.5				
Used and not included in the above	75,371.4	140,913.4	1,940.0	98,016.2	0.5
FOURTH DISTRICT OF CALIFORNIA.					
Azevedo, M. J., & Co	10,589.9	19,733.6	8,806.7	8,821.1	(1)
Bradford & Sons, J. B	43,012.8	68,565.7	85,899.3	89,829.4	
California Winery	103,709.3	122,181.3	141,255.3	75,209.4	
Cordelia Winery	36,120.8	31,722.2	51,509.7	28,170.4	
California Wine Association	52,042.9	95,431.1	45,384.1	62,768.4	
Da Ross, J. L	36,907.3	57,392.1	46,051.4	53,637.2	
Fasinelli, James	973.0	768.7	265.9	1,795.4	
Gundlach, Charles	3,179.6				
Italian Swiss colony					
Korbel & Bros., F	2,206.6				
Mangels, Louis	508.4		569.9	581.1	
Masel, John C	1,125.0		2,056.6		
Moulton Hill Vineyard Co	2,703.5				
Nagasawa, K	4,022.6	3,236.3	4,822.9	5,581.8	
Pioneer Winery	8,887.9				
Placer County Winery Co	24,387.8	74,650.2	70,627.3	74,146.9	
Red Bank Wine Co	635.0				
Sink, W. D	713.4	650.1	2,677.7		
Silver, Joseph	573.6	1,548.9	630.6	734.7	
Board of Trustees, Leland Stanford University	129,630.2	160,488.6	112,302.9	223,963.2	
Elk Grove Vineyard Association		60,043.8	70,743.4	82,680.8	
de Latour, G			1,757.4	1,781.9	
Kostura, Louis			371.0		
Pethovich, John			277.3		
Sacramento Valley Winery			30,775.4	37,580.4	
Zinini Bros			147.4		
Silva Bros				3,734.2	
Used and not included in the above				18,000.0	
SIXTH DISTRICT OF CALIFORNIA.[2]					
Cucamonga Vintage Co		55,609.9	95,983.0	181,349.7	132,673.3
Italian Vineyard Co		145,800.3	160,473.6	229,281.6	156,139.6
Baldwin Distilling Co		4,229.9	5,681.8	3,288.8	
Giovanni Pleuma		3,652.5		2,943.9	3,506.2
Serra Madre Vintage Co		57,791.7	64,364.4	65,513.0	45,289.8
Timm, J. F. Boego		2,483.4			
Delpy, J. J		1,817.4	2,365.9		
San Gabriel Vineyard		11,292.0	16,627.4	13,304.3	4,084.1
Vacheco, E		17,812.9	19,674.3	24,207.0	17,028.7
Kuehel, Geo		2,115.9	2,097.5	2,120.9	3,288.1
Eteinze Bros		23,120.8	21,061.8	29,016.9	5,692.6
Baker, J. S		3,165.7	2,640.8	2,632.1	
Saren, E		1,379.2			
Sandor & Ginebon		1,483.4	2,113.0		
Cucamonga Winery		81,383.8	48,732.8	114,715.6	61,380.9
Espian, P		567.6	906.9	906.6	
Stern & Son, Chas		160,708.3	91,499.5	201,885.5	257,227.4
Southern California Wine Co		13,839.5	11,540.0	8,444.3	9,313.6
Lafourcade, J. B		1,680.5		1,717.6	1,513.6
Rust, C. O		3,261.3	5,740.9	1,404.8	1,447.7
Gai, G		6,383.1	6,604.1	10,571.3	5,360.2
Hart, J		444.4	352.6	403.3	607.9
West Glendale Wine Co		7,903.2	21,980.3	23,231.3	6,642.5
Calene, P		422.4			
Artesia Vineyard Co		18,526.1	31,042.8	16,749.3	1,266.2
Young, Louie		1,266.2			
Hughes, J. J		1,229.1			
Pellibon, A		4,456.3	2,976.2	7,641.9	6,371.8
McClure, John		23,781.5	27,603.2	21,009.6	17,753.6
Brechtel, H		413.3	430.8	2,506.9	1,082.9
Bandini & Sons		930.1		1,423.8	386.8
Nebbia, G		1,933.5			
Davitt, E			1,111.7	5,553.4	
Downey Vintage Co			5,902.1		1,872.9
Mission Vineyard			69,289.9	123,849.7	
Mesnager, L. Co			3,820.4		
Golden Gate Fruit Co			1,737.6		
Dowell, E			1,368.8	1,422.5	685.2
Arduin, J			360.6		
Krebs, R			1,399.6		
Jamasay, P			1,628.7		
Garret & Co					75,780.8
Meyer, H. E				717.1	541.8
Smith, O					4,854.0
Bidart, J					267.9
Ritter, J. G				737.6	

[1] Merged with first California.
[2] Constituted a collection district July 1, 1909.

Statement showing quantity of grape brandy or wine spirits used in the fortification of sweet wines, etc.—Continued.

District.	Year ending June 30— 1909	1910	1911	1912	1913
HAWAII.	*Gallons.*	*Gallons.*	*Gallons.*	*Gallons.*	*Gallons.*
Hanpakalua Wine & Liquor Co. (Ltd.)	4,764.5	7,569.6	8,746.1	9,512.6	
Jose Gomes Serrao		644.4	1,444.1	7,080.3	7,776.3
TWENTY-EIGHTH DISTRICT OF NEW YORK.					
Ironlequoit Wine Co	9,701.5	10,019.2	12,592.1	8,675.8	8,030.4
Taylor Wine Co	713.9	920.6	975.0	1,527.6	2,665.2
Hammondsport Wine Co	9,219.2	19,434.2	704.2	4,901.3	11,737.6
Le Roy McGrew	1,392.0	1,222.9	1,627.2	1,964.8	2,751.9
Germania Wine Cellars	10,606.8	11,820.8	14,340.6	13,575.9	10,823.4
Pultney Wine Cellars					549.8
Pultney Vintage Co	182.8	180.6	181.2	276.9	276.9
Hammondsport Vintage Co	6,210.5	6,435.2	4,991.2	6,609.9	7,611.4
Pee Bros	5,949.8	6,161.9	5,262.2	4,592.4	4,125.4
J. S. Hubbs	10,726.9	10,063.4	5,880.1		20,630.0
E. J. Mulvaney					1,781.8
Lake View Wine Co	2,757.3	4,547.4	6,221.1	7,155.4	10,626.8
D. H. Maxfield	9,098.4	9,145.1	14,638.2	6,806.1	14,295.5
Vine City Wine Cellars					2,923.3
Empire State Wine Co	8,966.5	11,318.1	8,779.8	6,160.9	8,648.0
Frudell Wine Co	2,237.6	2,236.6		1,880.5	555.6
Pleasant Valley Wine Co	16,029.8	9,634.3	17,766.6	36,141.7	13,345.3
Urbana Wine Co	14,403.3	14,909.9	15,343.3	19,149.4	19,428.7
J. J. Widner	3,656.6	9,293.6	12,626.8	9,443.2	9,429.1
Henry Card & Co	889.4	917.1	912.3	2,654.7	3,721.7
John Cushing	2,718.9	2,637.5	3,407.1	3,211.1	
E. G. Ryckman Wine Co	4,640.2	1,899.7		6,394.8	
Lake Ontario Wine Co	1,643.0	713.4			
Lake Keuka Vintage Co	3,635.3	3,721.1			
J. S. Foster		271.9			
Francis M. Acker		364.2			
M. L. Taylor & Son	203.6	428.0	137.5	230.1	
Antonio April	383.8	378.5			
Rntonio D'Angelo		252.0			
Wm. N. Wise		909.0	6,167.4		
Dubelbeiss Wine Co	1,370.1		561.2		
Geo. Graff	1,370.6			1,341.4	
Rheims Wine & Vineyard Co	455.4				
Raymond Raymond			226.3	735.9	
FIRST DISTRICT OF NEW JERSEY.					
Dewey & Sons		1,632.0	459.0	1,329.6	977.9
FOURTH DISTRICT OF NORTH CAROLINA.					
Sol Bear & Son	1,354.9	4,570.1	5,834.4		17,115.8
SECOND DISTRICT OF VIRGINIA.					
Garrett & Co		31,924.9			88,206.4

The amount of revenue (3 cents per gallon) so far derived from the spirits so used is as follows:

During the fiscal year—	
1909	$115,876.37
1910	145,097.25
1911	152,389.37
1912	189,292.11
1913	148,656.36
Total	751,311.46

Mr. BRANDEGEE. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hughes	O'Gorman	Smith, Ariz.
Bacon	James	Overman	Smith, Ga.
Bankhead	Johnson	Penrose	Smith, Md.
Borah	Jones	Perkins	Smith, Mich.
Brandegee	Kern	Pittman	Smith, S. C.
Bristow	La Follette	Poindexter	Swanson
Bryan	Lane	Pomerene	Thomas
Burton	Lea	Ransdell	Thompson
Chamberlain	Lewis	Reed	Thornton
Chilton	McLean	Saulsbury	Vardaman
Clarke, Ark.	Martin, Va.	Shafroth	Walsh
Colt	Martine, N. J.	Sheppard	Weeks
Gronna	Nelson	Shields	Williams
Hitchcock	Newlands	Shively	
Hollis	Norris	Simmons	

Mr. REED. I desire to announce the necessary absence of my colleague [Mr. STONE]. He is paired with the senior Senator from Wyoming [Mr. CLARK].

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. A quorum of the Senate is present.

Mr. PITTMAN. I ask unanimous consent to include in the RECORD a statement and brief on behalf of the wine growers of California.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The matter referred to is as follows:

STATEMENT OF MR. M. F. TARPEY, OF FRESNO, CAL.

Mr. TARPEY. Mr. Chairman and gentlemen, the gentleman who presented the case on the part of the eastern wine growers yesterday told you whom he represented, etc. I come here in representation of the grape growers in California in distinction from the wine makers. I live in the central part of the State of California and in the center of the sweet-wine-growing district of that State. I listened with some satisfaction to the eulogies the gentleman paid to the indigenous grape of the country, the wild grape of the United States, and the aspersion which it more or less conveyed of that vagrant grape from Europe which we have succeeded in domesticating in California, and which has been the admitted wine-producing grape of the world for centuries.

I do not believe there is any idea lingering in the minds of the gentlemen of this committee that California has had any advantage over any other portion of the United States in relation to the wine bills of the past, with the exception of the advantage that God gave it in climate, soil, latitude, etc.

When the wine bill of 1890 was passed it was the first pure-food enactment of this Government. The pure-food enactments have taken the attention of the people of the United States, and I doubt to-day if the gentlemen of this committee, or any lawmakers in this country, are disposed to contravene the laws that have already been passed, but, on the contrary, they are disposed to make more specific and impose more drastic provisions upon persons who make what we call spurious articles of food.

Senator SMITH. Does the law require them to be labeled to show that they are artificially made and spurious?

Mr. TARPEY. The law of 1890 does not, but I hold in my hand a decision rendered by Dr. Wiley, F. L. Dunlap, and George B. McCabe, of the Board of Food and Drug Inspection, which was approved by Mr. W. M. Hays, Acting Secretary of Agriculture. It is dated Washington, D. C., August 21, 1909, and is entitled "Food Inspection Decision 100. The Labeling of Wines."

(The decision referred to reads as follows:)

"On June 30, 1909, a hearing was held before the Secretary of Agriculture and the Board of Food and Drug Inspection on the labeling of Ohio and Missouri wines. After giving full consideration to the data submitted, the board is of the opinion that the term 'wine' without modification is an appropriate name solely for the product made from the normal alcoholic fermentation of the juice of sound ripe grapes, without addition or abstraction, either prior or subsequent to fermentation, except as such may occur in the usual cellar treatment for clarifying and aging. The addition of water or sugar, or both, to the must prior to fermentation is considered improper, and a product so treated should not be called 'wine' without further characterizing it. A fermented beverage prepared from grape must by addition of sugar would properly be called a 'sugar wine,' or the product may be labeled in such a fashion as to clearly indicate that it is not made from the untreated grape must, but with the addition of sugar. The consumer is, under the food and drugs act, entitled to know the character of the product he buys."

Senator SMITH. You do not contend that the addition of water and sugar makes it a drug wine?

Mr. TARPEY. We say that it is not entitled to the name of wine as expressed in the rulings of the Department of Agriculture; that it ought to be specified what kind of wine it is.

Senator SMITH. Have they not made wines that they put real drugs in?

Mr. TARPEY. Yes; all kinds of wines have been made. We of California who are grape growers are particularly interested in having wine made from grapes. Our people have been following that industry for years. The gentleman who previously spoke said that they have been 50 or 60 years engaged in that enterprise. It is only necessary to recall to the minds of you gentlemen that since the time of the advent of the missionaries, 200 years ago, they have been growing grapes in California. We have the wild grape in California as well as they have in this part of the country, and the missionaries found, before our time, that good wine could not be made from it. They sent abroad, and went to tremendous labor in time and great expense, and eventually they found grapevines that were proper for producing sound wine in California. They domesticated those vines in California, and they have been there from that day to this. We do not pretend to make any use of the wild grapes for wine making.

The decision to which I previously referred continues as follows:

"Evidence was offered on the preparation of 'wine' from the marc. In these cases it appeared customary to add both water and sugar to the marc and sometimes to use saccharin, coloring matter, preservatives, etc., to make a salable article.

"In the opinion of the board no beverage can be made from the marc of grapes which is entitled to be called 'wine,' however further characterized, unless it be by the word 'imitation.' The words 'pomace wine' are not satisfactory, since the product is not a wine in any sense, but only an 'imitation wine,' and should be so labeled."

Senator SMITH. Was not that order or decision set aside by another order that allowed them to be simply called Ohio wines and Missouri wines?

Mr. TARPEY. In what is known as the circular of the three Secretaries—the Secretary of Agriculture, the Secretary of Commerce and Labor, and the Secretary of the Treasury—a ruling was made which we hold and contend was absolutely in contravention of the pure-food act, and we are going to take up that matter before the department here before we leave and request a rehearing, with the expectation of having a decision that will comply with the pure-food regulations as they are written into the statute.

I do not think that we of California have any excuse to make to the gentlemen of the East because we produce a better grade than they do. As Senator Smith very justly said yesterday when Mr. Lannen was speaking, "that was a natural, God-given benefit, which you do not want to take away from them, do you?" And I thought it was extremely pertinent and to the point. Our method of making wine differs somewhat from theirs, as I will explain to you as briefly as possible. They tell you that their grapes in the first instance do not contain sufficient sugar to enable them to make any wine, dry or sweet, and when they crush their grapes, in order to ferment them at all, they are obliged to add sugar immediately to the must. That is No. 1. Now, you gentlemen will take into consideration that every unit of sugar means a half unit of alcohol, and every unit of sugar they use means a half unit of alcohol they are using, and they have been paying no tax upon it. They then ferment down the solution of grape juice and sugar.

In his opening statement yesterday the gentleman from Chicago stated—I am going to use his language, because I can not as graphically describe it as he did himself—"In order to explain the amendment, which we suggest to the committee, to the law in question, I want to say that wines to suit the American trade can not be too sour. They can not, in fact, be too sour anywhere." Now, they say, "Our wines, even after the introduction of the sugar, are too high in acid, and we must add water in order to reduce the acid contents," and so they then add water.

Senator HUGHES. He meant they must not be too sour, not that they could not be too sour. The impression that he made on me was that the wine must not be too sour.

Mr. TARPEY. Of course it must not be too sour. It can not be too sour, or it will not be potable.

Senator HUGHES. I did not understand the gentleman to state that the wine could not be too sour. He said that it must not be too sour or it would not suit the trade.

Mr. TARPEY. Perhaps I took the wrong view of it. In any event, they always have the sugar barrel at one side of the vat, and they have the hose at the other side of the vat.

Senator SMITH. That does not make an impure wine. It does not make a wine that hurts the system if you drink it. It may not make as good a wine as you make, but it is not anything that the law ought to stop if the people like part water, part sugar, and part grape juice.

Mr. TARPEY. Dr. Wiley has expressed himself upon that subject, and I presume he receives credit from the people of America for his talents and capacity to decide such questions as that, and he holds the view that they are unwholesome and injurious.

The CHAIRMAN. That putting water in the wine makes it unwholesome?

Mr. TARPEY. Yes, sir; and injurious.

Senator SMITH. Some people think if you do not have anything but the water and the sugar in it, it would be more wholesome.

Mr. TARPEY. In any event, they now have that so-called wine, as I have just described it, and they are fermenting it. By the way, they get this alcohol into the wine through that sugar. I want to impress that upon you gentlemen. The manner in which that alcohol is in that wine after it is fermented is through the sugar that they have put in it having undergone fermentation. The sugar thus is converted into alcohol, and they say we now have a dry wine with 13 per cent of alcohol. We have reached that stage and then there is a handling. Then they say they desire to turn that dry wine into sweet wine, and in order to turn it into sweet wine they again use further sugar to bring it up to a condition which will meet the taste of the consumer as to sweetness.

The CHAIRMAN. Before that sugar was put in, how much alcohol was there in the grapes?

Mr. TARPEY. If the gentlemen from Ohio will tell us what their grape contains in saccharine when they crush it, we can immediately determine that. I think their grapes contain 14 per cent sugar at the time of crushing, do they not, gentlemen?

(Addressing the gentlemen from Ohio; there was no reply.)

Mr. TARPEY. I think we are entitled to an answer.

Mr. LANNEN. Twenty per cent; that is the maximum.

Mr. TARPEY. Here they say 20 per cent. When they are talking to us they say about 12 per cent, and that they require from 20 to 40 per cent more sugar for the purpose of amelioration to provide for the lack of sugar in their grapes.

Senator HUGHES. Is the sugar content the only thing that contains alcohol?

Mr. TARPEY. Yes, sir. Supposing they had 20 per cent sugar in the grapes, they could produce at the outside but 10 per cent alcohol by fermentation, so at the very lowest estimate—and I think the gentlemen are giving themselves fully as good a reputation for their grapes as they can—when they say 20 per cent, I have very serious doubt; but that does not concern any of us here at present. They have certainly added to it at the very least 3 per cent alcohol on which they have been paying no tax. We think they have been adding 5 to 7 per cent alcohol, but they have certainly added 3 per cent, according to their own admission.

The CHAIRMAN. By the use of sugar?

Mr. TARPEY. By the use of sugar. They are paying no tax upon that. As I said before, we are at the landing, and we desire to change this dry wine.

The CHAIRMAN. But you would not then contend that alcohol was subject to any tax under any law in the world?

Mr. TARPEY. We are not permitted to put one pound of sugar in ours unless we turn it into a commercial product and pay a tax.

Senator SMITH. Any act that we adopt with reference to sugar would apply to you just as much as it would to them, and you would have the same right as to sugar and water that they would have, but you do not need as much. You have a grape that does not require anything like as much sugar.

Mr. TARPEY. I do not know whether we quite understand it alike. For instance, if we put sugar or water into our wines through the hose, or in any other way—any kind of sugar—we can use it only for distilling purposes; for the purpose of making wine. When we add water to our grape juice for further fermentation—we never to my knowledge add sugar—the material produced therefrom can only be used for distillation. The Government official is standing there. He is in charge all the time. We have not had a word with the Government officials in 14 years while this matter has been under Government control, and while it is under Government control we have no annoyance or bother whatever. Everybody is made to respect the laws, and that is what we desire. As grape growers we do not want any man conducting a winery anywhere to be able to do things outside of that law, because if he does he disturbs the whole foundation of the business.

They say that they then take that wine and sweeten it. They sweeten it up to so much per cent, whatever per cent it is, and they want now to make this 13 per cent of dry wine into sweet wine. They want to add additional sugar enough to make that sweet wine so that it will become palatable and the people can use it. When they do that—that is, again add sugar—they are again adding brandy, and every pound of sugar that is used in making wine should just as well pay a brandy tax as every unit of brandy, because every unit of sugar will make a half unit of brandy, and sugar ought to pay accordingly.

Senator SMITH. It is your contention that the alcohol in the wine is produced artificially by the use of outside products?

Mr. TARPEY. Yes, sir. They say that we of California have an advantage. The chairman of the committee very properly said yesterday that the committe could not make laws to meet the demands of the people east of the Rocky Mountains alone; that the committee is making laws for the Nation; that the laws under which we are all now working were made for the Nation.

Senator SMITH. But in making them we ought to make them for the whole country?

Mr. TARPEY. Yes, sir.

Senator THOMAS. You are stating that as a theory. In the past it has often been observed as much in the breach as in the observance.

Mr. TARPEY. I am endeavoring to confine myself to the fundamentals, as nearly as I can. We of California have had our hardships, I assure you. I was astounded yesterday when the gentleman told you that their so-called wines sold for 60 cents to $1 a gallon. Their wine—and I have a tremendous question mark after that word "wine"—and we are selling our pure product, and have been distributing it to the people of America, pure and from the juice of the grape, at less than 30 cents a gallon, including every dollar's worth of wine that was sold in bottles. Our bulk wines have been selling certainly for not above 20 cents a gallon, and then to compete we have to pay freight of 7½ cents per gallon to this part of the country.

I believe that the pure-food requirement is a grave charge upon the Government; that it is the duty of the Government to see that the housewife or laboring man or wage earner gets a dollar's worth of honest goods in weight, in quality, and in purity for every dollar he expends for food. Who has any opportunity of testing the foods that he buys? Why, it is only through the chemistry department of this Government that we are able to reach any idea of what is being done. The health of the citizen is the wealth of the Nation, and while the Nation guards its money with the most zealous care, while there is the most tremendous penalty for counterfeiting that money, and while there is also a tremendous penalty for a man getting another man's property by forgery, why is it not equally reprehensible for a man to get the people's money under false pretense that he is selling an article that is not fit, or at least is not honest, is not what it is represented to be? I stand upon the result of the inquiry and study made by the gentlemen of the pure-food bureau, and we of California beg you to adhere as closely as possible to the pure-food laws, because they are the greatest safeguard of both our health and our wealth.

The CHAIRMAN. Mr. Tarpey, I am afraid that you are getting off a little on lines that are not quite pertinent to the purposes of this inquiry. We want to get at facts.

Originally, as I understand it—and if I am not correct I wish you would correct me—this law with reference to the use of brandy wines for fortification purposes allowed any producer of sweet wine to use this brandy for purposes of fortification without paying tax, did it not?

Mr. TARPEY. Yes, sir; it did and it does.

The CHAIRMAN. Then it was changed so as to require the distillery to be at the vineyard, was it not?

Mr. TARPEY. Yes, sir.

The CHAIRMAN. Can you tell me who did that and what it was done for? Originally anybody producing sweet wines in this country was permitted to use this brandy wine to fortify them without paying a tax; then somebody came here and got that law amended so that nobody could use that brandy wine for fortifying sweet wines unless the distillery was at the vineyard.

Mr. TARPEY. No; that is not exactly the law. It said only vineyardists.

The CHAIRMAN. Now, who got that changed and what was the purpose of that change?

Mr. TARPEY. I do not know who got the change, but the purpose is very plain. We were struggling against what we understand and call and what is generally known as the "brick vineyard."

Mr. WETMORE. The gentleman from Missouri and the gentleman from Ohio know that they made misstatements when they said that these eastern people could not legally use this California brandy free of tax.

Senator SMITH. I make the point that no witness has a right to say that another knows he made a mistake. He can correct the statement and give us the facts, and we will be glad to have them. I would not allow them to say, Mr. Wetmore, that you had intentionally made a mistake.

Mr. WETMORE. I stand corrected. I would like to ask Mr. Hilldreth this question: If D. H. Maxfield, of Naples, N. Y., did not withdraw brandy directly from special bonded warehouse No. 3, in the first district of California, and ship it to Naples, N. Y., and fortify wine with it, free of tax, except for the charge of 3 cents a gallon; also if approximately 1,000 barrels of high-proof California grape brandy were not shipped to special bonded warehouse No. 2, at Rheims, in the twenty-eighth district of New York, and withdrawn from there by wine makers of New York State and used in the fortification of wine, free of tax, except for the charge of 3 cents?

Mr. TARPEY. You gentlemen of the wine side of the matter have had your time for argument, and if you will be kind enough to allow me, a poor grape grower, to finish my statement, I would appreciate it.

The chairman asked the question as to why the law was changed. The reason was that they were making wine, though not from grapes, in what we call the "brick vineyard." That was the vineyard that those gentlemen established in the cities; brick vineyards, where they did not require any grapes.

A formula of the Ohio wine-makers' methods of making wine can be found filed in the office of the internal-revenue department here. The formula was brought out through a lawsuit and is unquestioned. The formula is as follows:

They first take a mass of the old grape skins, resulting from repeated fermentations and containing nothing but the skin of the grape, which they press into a cake to prevent it entirely rotting, and which they denominate as a cheese; and they dump 450 pounds of that into a vat and then throw in 1,250 pounds of sugar and then add 650 gallons of water, and that mass they ferment down, and the resultant liquid they dignify with the name of "wine." This process they continued indefinitely, and it was because of this process and this "brick vineyard" that it became necessary to have the Congress of the United States make that alteration in the law, because the law was originally made to protect the producer of grapes.

Senator SMITH. You add the term "vineyard" as a matter of sarcasm; it is not a vineyard at all?

Mr. TARPEY. Certainly not; they had a brick house, and they made more wine in a brick house than we could raise in vineyards extending as far as the eye could reach.

I am here endeavoring to convince you gentlemen that it is the industry of the tiller of the soil that should be entitled to protection before all the wine manufacturers in the world. We have introduced immigration to California from all over the world. Small families have settled there. They have small holdings of land. They have a small patch on which they raise a few chickens and support a cow, and the balance of the land is devoted to vine culture, which lands are cultivated intensively. They are settlers located there, and they are good American citizens, raising families, and enriching the Commonwealth, and they are entitled to the first consideration of this body before any "brick vineyard" institution.

Senator SMITH. What I would like to hear from you is whether or not it would be proper for us to tax all kinds of artificial brandy that goes into wine? That is the real question.

Mr. TARPEY. We think so. We think all artificial brandy should be taxed and all artificial food of every character should be taxed.

Senator SMITH. Why is not wine brandy an artificial stimulant just as well as any other alcohol that goes into wine?

Mr. TARPEY. Wine brandy is a natural stimulant; and, as I have the greatest respect for the discernment and wisdom of the gentlemen of this committee, I believe that when they finally determine this matter, if they impose any tax at all on natural brandy, it will be such a moderate tax as will bring the Government a revenue, which this proposed tax most certainly will not bring, and at the same time will not wipe out the grape-growing industry. I have convincing hope and faith that you gentlemen will do that.

Senator THOMAS. I assumed, perhaps erroneously, that you gentlemen were opposing that part of the paragraph that proposed to repeal the act of 1890?

Mr. TARPEY. We are most certainly opposing it; but as I am admonished that my time has elapsed, Mr. Bell will answer that. We of California, I think, without any difference of opinion whatever, favor the law of 1890.

[By permission of the committee, Monday, August 18.]

When my remarks were brought to an end on Saturday by the rising of the committee, I was endeavoring to show how the Ohioans made their wine, and I will now resume that part of my argument.

From the opening statement of Mr. Lannen, representative of the eastern wine makers, I extract the following language:

"The way we deal with this matter (of making wines) in this country is this: When we take our grape juice, we test it to see how much acid it has when it comes in in the fall from the farmer. After ascertaining the amount of acid that there is there, we add enough water to cut that acid down to about five parts in a thousand • • • and then add enough sugar to bring the alcohol contents up to about 13 per cent."

From this it plainly appears that their grapes are unfitted to make wine at all, and the amount of water they add to cut the acid and the amount of sugar they add to produce 13 per cent of alcohol they do not disclose; but it is plainly evident that without the addition of the water and the sugar they could not make any of their so-called wine.

It requires no argument to show that if a sugar barrel and a hose may be employed in making wine, the necessity for growing grapes becomes a nonessential, or at least inconsequential as to the quantity of grapes produced, for with a small amount of grapes, by the addition of water and sugar, the juice of a few grapes may be stretched to such an extent that any attempted competition with such a "brick vineyard" by the farmers of the country who produce grapes would become and be a ghastly joke.

The original sweet-wine bill of 1890—the first pure-food enactment of the Government—was passed in the interests of the farmer, the producer of grapes, and the grape farmer to-day bears the same relation to the "brick-vineyard" producer as does the honest butter producer to the oleomargarine manufacturer, and it was only after lengthy consideration by Congress and repeated rehearings comprehending a close fundamental study of the matter that the oleomargarine producers were brought within the scope of the law and their product placed under the supervision of the Internal Revenue Department.

The cases of the grape growers and the butter producers are analogous, and even aside from the consideration of the moral aspect of the subject or the necessity for supervision over spurious and unhealthful products, the tiller of the soil should be and, I believe, is first in consideration of the lawmakers of the country. The cry is "back to the land," but the tendency of modern life is to center in cities, and to induce people to enter into the production of raw products is the problem of the day and surely that problem can not be advanced or benefited by creating spurious products to be produced by sophistication and spurious manufacture where the raw product, healthful and honest, may be raised from the land.

As to the argument advanced by Mr. Lannen upon behalf of his clients that they can not procure grape brandy for the fortification of their wines, refraining from using a harsher term, I state that that is not a fact. The fact is that the California grape growers and distiller has always made all of the pure grape brandy necessary to fortify all the pure sweet wine of the East, whenever the same was ordered from or their requirements made know to the California distiller. Every year pure grape brandy is made in California for eastern customers, who receive the same in bond, and if, under the law, they are making really pure wines, they may use that brandy to fortify their wines without the payment of any other tax than the 3 cents per gallon which the Government exacts to repay it for supervision, and which the California grape grower and distiller is obliged to pay equally with everybody else.

The records of the Internal-Revenue Department will prove the truth of this statement, as will the records of two internal-revenue bonded warehouses in New York, the internal-revenue bonded warehouse at Rheims, N. Y., Sibley's internal-revenue bonded warehouse in Chicago, and others; and as a further proof of the fact I state that I myself, through the company of which I am president, the La Paloma Winery & Distillery, sold to Garrett & Co., of Norfolk, Va., in 1912, 500 barrels of pure California grape brandy, containing some 46,000 or 47,000 gallons, and that the same was shipped to destination in bond, and that it is assumed the same was used in the fortification of wine, and that if the wine to be fortified thereby was pure sweet wine as denominated in the statute, all of the said brandy was used without the payment of any other tax than the 3 cents per gallon which we of California, as well as everybody else, have to pay.

Respecting the clause in the Pomerene bill now before this committee permitting the use of pure neutral alcohol, I state positively that if permission be granted to use such spirits no pure grape brandy will be made, because pure neutral alcohol can be made so much more cheaply from a multitude of other things much less costly than grapes; for instance, can be made from the cannery refuse, from the sugarhouse refuse, from the refuse of pineapples from the Sandwich Islands, of which a large, if not unlimited, quantity may be landed upon the Pacific coast at a very low cost, and even from sawdust and shavings, for, as you know, the distillation of wood alcohol has been so advanced that latterly potable alcohol, acceptable as such to the pure food department of the Government, has been made from refuse wood products, sawdust, shavings, slabs, etc., and that there already are in the country several factories producing that product commercially.

Therefore, the result of the adoption of that clause in the bill would be to induce all wine makers to use that character of pure neutral alcohol, which can be produced for some 6 to 8 cents per proof gallon, as against about 40 cents per proof gallon, the cost of pure brandy distilled from grapes in the place where grapes are most cheaply produced, namely, California.

I therefore submit that it would be a misfortune to adopt those words allowing the use of "pure neutral alcohol" in the bill, as the result would be to induce everybody to make spurious wines.

So there may be no misunderstanding of the term "proof gallon" as adopted by the Government, permit me to state that according to Government standards absolute alcohol is 200° proof, and that the Government's "proof gallon" is alcohol of 100° proof, and therefore the Government gallon of proof alcohol or spirits is 50 per cent alcohol and 50 per cent water. Sugar produces one-half a unit of absolute alcohol for every whole unit of sugar, and therefore, according to Government standards of one-half alcohol and one-half water, every pound of sugar will produce 1 pound of 100° proof alcohol, and therefore every pound of sugar used in the manufacture of so-called wines produces 1 pound of proof alcohol and should pay the same tax as brandy or spirits of the same proof.

Upon the revenue phase of the matter I desire to state that the revenue of $1.10 per proof gallon proposed to be taxed upon the user of pure grape brandy, and expected to produce a revenue of from $5,000,000 to $7,000,000 annually to the Government, would prove destructive of the grape industry of California and would not—and upon this point I am positive, absolutely so—produce the revenue expected, nor any material revenue, because, first, the grower of grapes and the manufacturer of wines therefrom could not pay that revenue; they could not raise the money in any way, for the sum would be so out of proportion to the value of their vineyards and their wineries as to make the payment of money impossible. As an example, I will state that, for instance, a man paid, under the 3-cent tax under which we have been operating, $5,000. Under the Pomerene bill he would be obliged to pay $185,000, which would be several times the total value of his vineyard and his winery and all of its belongings. Furthermore, the banks and monetary institutions would not loan money on wine because of its unstable character as a commodity, as they do not know what day local or State or national laws may be passed declaring that product either as contraband or not constituting property. The instance above cited of the $5,000 previous tax and of $185,000 proposed tax ranges in ratio up and down to the few large producers and the multitude of small producers, and the effect is the same upon all in ratio to their holdings and productions.

Second, the imposition of that $1.10 tax would impel all producers to seek every known and ascertainable means of producing wines without the addition of pure brandy, and those methods would be adopted by all producers and would tend to absolutely wipe out the production of really pure wine as it is made in California to-day.

The California representative of the grape and wine industry of California now in Washington prepared a brief upon this whole subject matter, which I now take pleasure in filing with this statement as an elucidation of the subject, and I hope that brief will receive the serious consideration of the gentlemen of this committee.

The modification of the sweet-wine law of 1890, that was mentioned during my appearance before you on Saturday last and which is known as "The Three Secretaries' Decision," was an administrative repeal of a certain extremely important section of the pure-food law, and was promulgated without the knowledge of any of our people and presumably without the knowledge of the people concerned in pure-food regulations. It is regrettable that administrative departments should take upon themselves legislative or legal interpretation of statute requirements, and therefore, as I stated on Saturday last, that "Three Secretaries" promulgation will be formally taken up with the Secretaries of the three departments which issued it under a former administration for the purpose of having it recalled and permitting the statute law to obtain in its pristine purity.

I thank you, gentlemen, for the kind attention which has been given and the courtesies extended to us during the present hearing, and beg to announce that we shall be very glad indeed to be of any further service to the committee that we may be able to render.

PROTEST AND BRIEF OF THE GRAPE GROWERS AND WINE MAKERS OF THE STATE OF CALIFORNIA AGAINST PROPOSED TAX UPON GRAPE SPIRITS USED IN FORTIFYING PURE SWEET WINES, AS CONTAINED IN SENATE COMMITTEE AMENDMENT (SEC. 2541) TO PENDING TARIFF BILL.

THE GRAPE INDUSTRY OF CALIFORNIA.

	Acres.
Wine grapes exclusively	168,500
Raisin grapes	110,500
Table grapes	61,000
Total	340,000

About one-third of the raisin and table grapes go to the wineries and distilleries. This affords a market to the growers of raisin and table grapes for their by-products, the pure grape brandies obtained therefrom being afterwards used in the fortification of pure sweet wines. The average vineyard contains less than 25 acres.

Production, 1912.

	Gallons.
Pure dry wines	24,000,000
Pure sweet wines	17,797,718
Pure commercial grape brandy	1,700,000
Total	43,497,718

Amount grape brandy used in making pure sweet wines, 4,648,842 gallons.

DIFFERENCE BETWEEN DRY AND SWEET WINES.

Pure dry wines are made by allowing all of the sugar in the pure grape juice to ferment into alcohol, 2 degrees of sugar making 1 degree of alcohol.

Pure sweet wines are made by arresting the fermentation through the addition of pure grape brandy, which acts also as a preservative. No pure sweet wine can be made any other way, for the simple reason that pure sweet wine contains nothing but the pure juice of the grape.

Total investment in vineyards and wineries	$150,000,000
Number of families engaged in grape growing	15,000
Cost of producing 1 acre bearing vines	$300
Total production sweet wines, 1912:	
United States, gallons	18,547,718
California, do	17,797,718
Produced outside of California, 1912, do	750,000
Production pure sweet wines in California, 1890, do	1,088,274
Production pure sweet wines in California, 1912, do	17,797,718
Increase under operation 1890 sweet-wine law, do	16,714,444

This tremendous increase in the production of pure sweet wines in California was due to the 1890 law permitting the use of pure grape spirits free; since 1906 a payment of 3 cents per proof gallon has been paid on the brandy so used to reimburse the Government for the cost of supervision in the making of pure sweet wine.

THIS 3-CENT CHARGE HAS NEVER BEEN REGARDED AS A TAX.

Under the provisions of the act of 1890 these pure sweet wines can not contain more than 24 per cent alcohol, which is the dividing line between wines and spirits, according to our tariff laws, as well as the act of 1890. It logically follows that inasmuch as these pure sweet wines can not be classified as spirits, the wine maker is not enjoying any special privilege, but to the contrary, he is working in harmony with the wise governmental policy that encourages the cultivation of the soil in small holdings and the production of a pure food product. Nor can it be claimed that favoritism has been shown to the California wine makers, for the provisions of the 1890 law are equally open to all wine growers in the United States.

The pure-wine law of 1890 was the first pure-food legislation in America, and its fruits have more than justified the hopes of its advocates. In 23 years there has never been a criticism of this law, nor any material changes proposed; furthermore, it has served as a model for other pure-food enactments. Once annul or interrupt the good effects of this law, and the distinct line between pure wines and counterfeit wines in this country will be wiped out, to the irreparable damage of the grape growers and producers of sweet wines and to the certain injury of the consumers of wines.

COST OF PRODUCTION, ETC.

Average cost of producing 1 gallon pure sweet wine, 20 cents.

This include payment to grower of an average of $11 per ton for his grapes.

Average selling price in bulk per gallon, 29½ cents.

Increase in cost of producing 1 gallon pure sweet wine under present methods, which are the best, should a $1.10 tax on the grape spirits be imposed, 30 cents, bringing the original cost of producing a gallon of pure sweet wine to 50 cents.

As an example of how the proposed tax will operate we submit the following instance, which applies in the same ratio to every other producer of pure sweet wines in California: In 1912 the Bradford Winery in Sacramento County, an independent concern owned and operated by the Bradford Bros., who buy 10,000 tons of grapes annually from neighboring farms, used 150,000 gallons of grape spirits in the fortification of pure sweet wines, paying 3 cents per gallon to the Government, or $4,500. Figured at $1.10 per proof gallon, this one firm would be taxed $165,000.

It thus appears that if the $1.10 tax be imposed the cost of production will be increased 150 per cent and the selling price 100 per cent. It is the common people that are now consuming the California pure sweet wines, because the present price is within their reach; but they can not afford to buy it at any material increase. An increased tax means a decrease in the use of pure wines. The market can just about take care of the present production of grapes in California, and a diminished market simply means that the grape growers will not be able to sell their crops, either for wine or brandy purposes. The grapes will be left to rot on the vines for a season until the farmer has time to pull up his vines, which pulling up will impose a cost of some $15 per acre.

REVENUE.

Those who figure that the revenue received from the imposition of a $1.10 tax upon grape brandies used in the fortification of pure sweet wines will yield many millions of dollars are laboring under a serious misapprehension. If we assume that the same amount of pure sweet wines will be made and marketed, and then further assume that the same amount of grape spirits will be so used, then of course it resolves itself into a matter of simple multiplication; but unfortunately for any sound fiscal calculations there are too many "assumptions" here. In the first place, the sale of pure sweet wine will fall off tremendously; nobody can say exactly how much, but certainly it will not amount to one-fourth of the present consumption. The present steady market that has been created for pure California wines by years of education and hard work will certainly become badly demoralized, and that condition will surely be further demoralized by the undoubted production of sweet wines (?) preserved by neutral spirits, chemicals, and what not. Secondly, the man who makes a sweet wine, if compelled to pay a tax on his spirits, is certainly going to do two things, i. e., use as little alcohol as possible and buy that alcohol as cheaply as he can. In doing this he can not be criticised, for the prudent, economical management of his business will demand it.

Let us now see how this will work out. Instead of arresting fermentation at a point of high saccharine strength, he will let the fermentation proceed until nearly all the natural grape sugar has been converted into alcohol, for every degree of alcohol that he can obtain through the natural fermentation of the grape juice will save him just so much money in the purchase of taxed spirits. For example, the average amount of sugar in sweet-wine grapes is 26°, which is equivalent to 13° of alcohol, if the juice be fermented dry. The amount of alcohol in ports and other types of sweet wines ranges from 20° to 22°. Under present methods the sweet wines are fermented until about 7½° alcohol is shown. To this wine is then added about 12½° grape spirits. Taking advantage of the provisions of the pending Pomerene amendment, the wine maker may add 20° sugar, and thus be able to produce 15° of alcohol through natural fermentation, leaving 10 per cent of sugar for the taste of the consumer. He can then rest content with his 15° of alcohol and market his wine under the claim that it is a pure sweet wine without adding a single drop of taxed alcohol, substituting as a preservative benzoate of soda or other permitted chemicals. But suppose he does wish to raise the alcoholic strength of his sweet wines to 20°. This will require him to add only 5° of taxed alcohol, where he now uses 12½° of grape brandy, thus cutting down the amount of alcohol or brandy used 60 per cent. It follows that even if the total amount of sweet wines consumed can be maintained at the present volume the above change of methods alone will reduce

the amount of spirits used 60 per cent, and therefore three-fifths of the contemplated revenue must be deducted for this reason. If the wine maker is required to pay a tax on his alcohol, he will naturally buy that which is cheapest. The use of neutral alcohol is permitted by the pending measure. This kind of alcohol can be made from "black strap," cannery refuse, pineapple refuse from the Hawaiian Islands, potatoes, and even from sawdust and shavings, and will be obtainable by the California wine maker at the cost of from 8 to 10 cents per proof gallon.

Pure grape brandy costs about 40 cents per proof gallon when grapes are selling at $11 per ton. The use of cheaper spirits will spell the destruction of five-sixths of the brandy making in California, thereby destroying the market for 137,500 tons of grapes annually. The use of untaxed preservatives will be resorted to in preference to the use of taxed spirits, which further renders it problematical whether the Government will obtain any considerable revenue from tax upon grape spirits used in the making of pure sweet wines; but whether the revenue be large or small, it can not possibly justify the wholesale destruction of the grape-growing industry that is bound to follow the levy of any tax upon the grape spirits so used.

SUMMARY.

1. The imposition of a tax on grape spirits used in fortifying pure sweet wines will utterly destroy millions of dollars' worth of property that is now devoted wholly to viticultural purposes in California.

2. The small grape grower will be hurt the most, for he and his family are entirely dependent upon the annual crop of his vineyard, and if the wineries and distilleries can not take his grapes, he will be deprived of the sole market for his product.

3. It is the custom of the grape growers and the wine makers to enter into contracts for a term of years at fixed prices for grapes, and the contracts now in force invariably provide that in the event of adverse legislation the wine maker, at his option, may cancel his contract.

4. The imposition of a tax upon a pure sweet wine is in contravention of the announced policy of our Government, backed by strong public sentiment, in favor of purity in foods, drugs, and beverages of all kinds.

5. The imposition of such a tax will inevitably lead to the breaking down of the barriers between pure wine and its many imitations, causing confusion and difficulty in securing a pure article, and leading to temptations to market cheaper adulterated brands in the place of genuine wines, thereby undermining the public health through concealment and fraud practiced upon the consumer.

6. The imposition of the proposed tax will not produce any material increase of revenue. The claims of its proponents will not be realized; but, worse than this, the attempt to raise additional revenue in this manner will bring disaster to thousands of men and women of high character and good citizenship, thrifty, patriotic, and temperate, who are now engaged in various branches of the grape industry.

7. It is contrary to our avowed policy of encouraging the intensive cultivation of the soil in small holdings and rendering the pursuits of the soil profitable and inviting.

8. California's vineyards are of imported stocks, and that State alone is able to give the people of this country a pure delectable wine in competition with the imported brands.

9. A curtailment of the market for sweet wines will result in an overproduction of dry wines, and such overproduction means that tens of thousands of tons of grapes will not be worth marketing.

10. California's present viticulture is the result of a hundred years of experimentation and development, and the work of a century should not be nullified by the imposition of the proposed tax. It is the traditional policy of all governments to foster and upbuild this industry.

11. A ton of grapes being used for making the brandy that is now required to fortify the juice of a ton of sweet-wine grapes, it is apparent that a tax on such grape brandy will destroy the market for five-sixths of the grapes that now go to the distilleries.

12. The 15,000 heads of families who are now engaged in grape culture and wine making in California earnestly protest against taxing any of the interrelated branches of the grape industry.

Respectfully submitted.

M. F. TARPEY, *Fresno, Cal.*,
THEODORE A. BELL, *San Francisco, Cal.*,
L. W. JUILLIARD, *Santa Rosa, Cal.*,
LOUIS S. WETMORE, *Stockton, Cal.*
J. C. NEEDHAM, *Modesto, Cal.*,
J. A. BARLOTTI, *Los Angeles, Cal.*,
G. E. LAWRENCE, *Lodi, Cal.*,
LOUIS LANDSBERGER, *Berkeley, Cal.*,
PERLEY K. BRADFORD, *Sacramento, Cal.*,
EDWARD L. DA ROZA, *Elk Grove, Cal.*,
Committee.

WASHINGTON, D. C., *August 1, 1913.*

Mr. PENROSE. Mr. President, does the Senator from North Carolina desire to press the conference report to-day, or would it be agreeable to him to agree to an hour to-morrow at which to vote upon it? There is absolutely no desire to delay the report, but there are several Senators on the minority side who desire to be heard upon it at some length.

Mr. SIMMONS. Mr. President, it is almost the unanimous desire of Senators on this side of the Chamber that we shall try to have a vote to-night. After talking with all of those that I have been advised are to speak, I do not think we will be here very late to-night, and I would rather that we should go on to-night. Of course it involves a sacrifice; it is inconvenient to all of us; but Senators who have engagements expected to finish the matter before this time.

Mr. PENROSE. Mr. President, I do not intend to detain the Senate at this time by a discussion of the report. There are other Senators on the minority side who desire to be heard at some length and I shall yield to them. While I am on my feet, however, I desire to call the attention of the Senate and of the manufacturing and laboring people interested to the fact that in my opinion the conference report on hosiery will not relieve the situation, but will leave the industry in a lamentable situation.

I am convinced, after careful investigation, that compared with other rates of duty written in the Underwood bill those applied to hosiery may be considered high. In fact, if I am not mistaken, they are the highest in the bill on articles of common use. But high as they are, they fail to come anywhere near covering the difference in wages paid in this country and in Germany.

Hosiery manufacturers in Pennsylvania tell me that while they will give the Underwood law a fair test, they can see nothing ahead but very dull times, unless wages are reduced to the German level.

Samples of hose have already appeared here which sell in Germany for 60 cents per dozen pairs, fine gauge, full-fashioned. They are fully as fine as the 240-needle hose produced in this country and are made of fairly good cotton yarn. Such hose entering this market under a duty of 30 per cent will be absolutely ruinous to manufacturers of the grade of hose retailing in our markets for 25 cents per pair.

Under the Wilson-Gorman law the hosiery interest languished. Under the Dingley law conditions were slightly better, but were never prosperous. Under the Payne law the slight increase in duty made competition more even, so that our hosiery mills have been prosperous, while German manufacturers have found no difficulty in sending their goods here freely. The Underwood law will reduce the rates of duty much below the rates in the Wilson-Gorman law. Consequently hosiery manufacturers see no reason why the hosiery trade should not be worse off than under the Wilson-Gorman law.

A trade paper published in Chemnitz, Germany, says, under date of September 11, the following—I have the paper here; it is in the German language, but the translation of the item is:

Should the expectations which reductions in duty on the part of the United States justify for cotton and woolen hosiery soon become true our domestic industry can surely look forward to very good times for next year.

Mr. President, protectionists claim that a heavy reduction in rates of duty always results in the transfer of business to foreign manufacturers, who divide with the importer, jobber, and retailer the added profit, thus depriving the consumer of any advantage in price and inflicting all of the damage on the American producer and operative. That the above statement is true beyond contradiction is proven by official statistics covering imports of hosiery.

The average landing value of all hosiery imported during the year ending June 30, 1913, was $2.17 per dozen pairs, while the average for the month of August, 1913, was $2.60 per dozen pairs, or a clear gain of 43 cents per dozen pairs to be divided among the foreign manufacturers and American distributors, which is a profit never dreamed of by American manufacturers of hosiery. A careful examination of the advertisements of retail dealers in hosiery fails to disclose any change in retail prices during the month of August or since.

Mr. President, I have listened with great interest particularly to the eloquent closing periods of the chairman of the Finance Committee [Mr. SIMMONS]. The familiar phrases regarding "a mandate from the people" and "the predatory interests" and "the relief from a generation of tariff abuse" did not affect me, perhaps, as they should, because I have grown callous in witnessing the difference between pretentions and performance.

While this cyclone of reform was driving along this propaganda throughout the country, ruthlessly sweeping its devastating course through many northern States, the Angora goat stood unterrified on the southern border of Texas. [Laughter.]

Mr. SHEPPARD. Mr. President, will the Senator yield to me for a moment?

Mr. PENROSE. Certainly. I am glad to see a friend of the Angora goat on his hind legs. [Laughter.]

Mr. SHEPPARD. I could compare the Senator from Pennsylvania to another celebrated animal, but for the sake of propriety in debate I will not do so.

Mr. PENROSE. I did not say the Senator was an Angora goat. I said he was a friend of the Angora goat. I would not be so discourteous to the Senator as to make a remark such as he seems to infer.

Mr. SHEPPARD. Then I misunderstood the Senator. I rose to say that the Senator will acquit me of any complicity in the matter of putting the hair of the Angora goat on the dutiable list. I am in favor of placing goat hair on the free list, along with sheep wool.

Mr. PENROSE. I have not noted any heated or violent opposition to the duty on the part of the Senator from Texas.

Mr. SHEPPARD. I made my opposition at what I considered the proper place and time, and my colleagues on this side know that I have expressed myself fully and emphatically on this subject.

Mr. PENROSE. After the villainy is perpetrated it is safe to condemn the villain. The fact remains that in the House there was placed on the hair of this inoffensive ruminant a duty fully equivalent in its ad valorem value to the paternal protection of the Dingley bill and the Payne bill. In reading the debates in the CONGRESSIONAL RECORD I was impressed by the fact that this instance of the Democratic idea of carrying out an aroused and incensed public sentiment for tariff revision by maintaining at the Dingley and Payne rates the duty on Angora hair aroused applause on the Democratic side of the Chamber when the chairman of the committee informed the House that that duty had been retained. Notwithstanding the strenuous opposition of the Senator from Texas, the duty comes out of the conference committee at 15 per cent ad valorem, a reduction from 20 per cent, as provided in the House bill. While the Wyoming ram is invited to face the inclemencies of the approaching winter unprotected by any duty, the Texas goat, living in a more tropical and beneficent climate, has thrown around him the blessings of the Republican protective rates.

I can sympathize, Mr. President, with the lover of the goat. He is one of the most ancient animals, as I understand, to be subjugated by the white races. Long before the horse or the ox was tamed to the will of man the goat and the Angora goat were found in close proximity to his habitation. He appears at the dawn of civilization.

Mr. MARTINE of New Jersey. Mr. President, will the Senator permit an interruption?

Mr. PENROSE. With pleasure, Mr. President.

Mr. MARTINE of New Jersey. I beg to say just at this juncture that we are flattered in the thought that we have the Republican goat at this time.

Mr. PENROSE. The hills in the suburbs of the cities of New Jersey are covered with goats.

They are there in the vicinity of tin cans and ash piles and shacks and other suburban adornments. I have no doubt that the Senator from New Jersey thinks that perhaps the Jersey goat will secure some advantage from the protection extended to the Angora goat, but I want to assure the Senator that as meritorious as are the attainments of the New Jersey goat it can not compete with the Texas goat.

The goat is a useful animal. One of the earliest friends of man is thus protected amidst a cyclone of reform. Why is it? I do not want to embarrass the chairman of the Finance Committee or any member of his committee by asking the question. I shall address the question to the vacant air and leave another generation to answer.

Mr. SIMMONS. The Senator does not embarrass me at all.

Mr. PENROSE. I did not know the Senator was in the room. The Senator's melting tones as he closed his speech so impressed me that I would not make any unkind remarks even about the Angora goat if I knew he was in the Chamber.

Mr. SIMMONS. The Senator made no unkind remark about me so far as I know.

Mr. PENROSE. But I thought maybe the Senator might resent any reflection on the Angora goat.

Mr. SIMMONS. I have not come to the defense of the Angora goat. I was with the committee that put the hair of the Angora goat on the free list, and I am inclined to think it ought to be on the free list, but the conferees of the House did not quite agree with me about that. If the Senator wants me to give the argument upon which they chiefly relied, it was to differentiate——

Mr. PENROSE. I will cheerfully yield to the Senator for the argument.

Mr. SIMMONS. The Senator has heard the argument made here repeatedly in connection with wool that mutton is the chief product of the sheep and wool the by-product, and so on, and that the mutton value of the sheep in many cases, especially of certain breeds, paid the entire expense of the wool and left wool absolutely free of cost to the producer. In other cases it very greatly reduced the cost of producing wool. The argument was made by the conferees on the part of the House and insisted upon that the Angora goat was not valuable at all for food purposes.

Mr. PENROSE. It is an edible article, I think, however, and cheese is extensively made of its milk.

Mr. SIMMONS. I do not know about the Angora goat. It is not raised in my part of the country, and I have never eaten any of it.

Mr. PENROSE. It is taxation upon the consumer who may like to eat it.

Mr. SIMMONS. My understanding is that the Angora goat is not a good foodstuff; but I merely state to the Senator the argument. As he knows, the committee reported in favor of putting its hair upon the free list. The Senate so voted. The conferees of the House did not agree with us, and that was one of the chief reasons assigned. We secured a reduction of 5 per cent.

Mr. PENROSE. I do not understand yet the reason of it.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Missouri?

Mr. PENROSE. Certainly.

Mr. REED. I desire to ask the chairman of the Finance Committee if he seriously tells us that this old-fashioned, worn-out, threadbare Republican argument of protection was made by the House conferees?

Mr. SIMMONS. I did not mean to say that it was made in the way of protection, but I stated that they differentiated the case of the wool of the sheep from the hair of the Angora goat.

Mr. PENROSE. I am glad another member of the conference committee on the part of the Senate rises to his feet to plead not guilty upon this oppressive act to the consumer of retaining Republican rates on the Angora goat. I suppose if the other conferees were present in the Chamber they would likewise rise to give themselves an alibi, at least upon this particular duty. Blame it on the House! The country will blame it on the Democratic Party. When the people come to consider this case they will be able to gauge the measure of the Democratic statesmanship which slaughtered the Wyoming ram and pampered the Texas goat.

I did not quite understand the explanation of the chairman of the Finance Committee as to why this duty has been imposed. The fact of the matter is, Mr. President, the chairman and his associates have been whispering in dark corners so much all winter that they have lost the art of audible debate, and this most unfortunate habit should be stopped, it seems to me, when the currency bill is pressed for consideration.

I suppose that perhaps the hair of the Angora goat, the Texan ruminant, has been retained on the dutiable list at rates approximating the iniquitous Republican rate in order to produce those tremendous revenues that the chairman of the committee stated that it was going to give us. I was impressed with the rosy view he gave of the Federal Treasury; and while he was talking, it is true, I had visions of millions spent in building armor-plate factories, and many millions to be paid to railroads for carrying the parcel post, and millions of dollars to be expended under the ambitious régime of the present administration, and I could picture to myself awful chasms of deficits opening up before me in the next two years, as far as the Federal Government is concerned. Yet I can now see that the Senator's confidence as to revenue is sustained by the duty on the hair of the Angora goat. There must have been some reason like that, because the authorities on natural history say that this ruminant quadruped is about the same as the domestic sheep, so closely allied to it as to have no real difference, although frequently widely different in appearance. Why, then, if it is, the same as the sheep, a genus of ruminant quadrupeds of the family Bovidæ, should this difference be made in an American tariff law? It is no more difficult to ruminate in Texas than it is in Wyoming.

The encyclopædia says:

One of the most marked of the distinguishing characters is that the horns of goats, present in both sexes, but smaller in the females, are long and directed upward, backward, and outward, while those of the sheep are more or less spirally twisted.

That would not surely furnish a logical difference for a 15 per cent ad valorem duty upon the Texas goat. I want the Senate to understand that a vicious female sheep can butt with any kind of a horn. But there is another difference. I quote again:

Other characteristics are the beard on the chin of the male goats, which is wanting in the sheep.

Has the Democracy still retained the regard for the unshaven aspect that the comic papers credit to it? Are they absorbed in profound veneration for the beard of the male goat, and do they retain the duty provided for under Republican administrations for this by no means backward animal?

It further appears that the goat "has a straight line in the face as compared with the arched line in sheep." As you often have to look backward to see a goat the writer of this article was a keen observer. [Laughter.] But this difference does not constitute a valid reason for the difference in duty.

We read further this:

The tail of goats is also much shorter than that of sheep.

Did these considerations enter into the conference when the Senator from Texas was engaged in his violent repudiation

of the duty and the Senator from North Carolina had thrown up his hands in helpless despair? It may be this was not the reason.

A constant mark of distinction is the absence in goats of a small pit between the toes of the hind feet (in some cases of all four feet) producing a fatty secretion, which exists in sheep.

That is too trivial a difference for anyone to think for a moment that the Democratic conferees gave any consideration to it. It would have taken a very strong, insidious lobby to have made that argument. But here, this may have been the reason.

Still another difference has been noted:

And another constant mark which is absent in sheep is the strong smell of goats.

[Laughter.]

But I abandon further efforts to penetrate the secrets of the Democratic caucus as to why the Angora goat of Texas is provided for and the ram of Wyoming is left to his fate.

Mr. POINDEXTER. Mr. President, it is not my purpose to discuss the particular items in this conference report, but it is rather because this affords the last opportunity for an expression of opinion upon this bill as a whole that I have addressed the Chair.

Naturally many inquiries are made, especially among a Senator's own constituents, as to the reason for his vote upon this bill. The inquiry is made as to the effect the new tariff act as reported from the conference between the two Houses of Congress will have upon business in general, upon wages, and the cost of living, and especially with reference, so far as I am concerned, to my own State.

In the first place, I desire to say that in the consideration of the bill in the Senate I spoke and voted against many of its provisions, although upon its final passage I voted for it as a whole in preference to the existing law. I especially urged that there should be a reasonable tariff upon shingles, while conceding that the rates should be reduced. I believe that the bill is wrong in immediately reducing wool and sugar from a high tariff to the free list.

I am inclined to think it is right in putting a tax of 15 cents on the hair of the Angora goat. I voted for various amendments for moderate tariffs upon those articles. I also opposed and voted against the entire removal of the tariff upon wheat. In these, as well as in many other respects, the bill does not accord, in my judgment, with the tariff policy which either the Progressive, the Republican, or the Democratic Parties have advocated in platforms and in campaigns. Strange as it may seem, all three of these parties in their most solemn and authoritative declarations upon the subject, in which they have gone before the people of the country for support, have formally declared in favor of practically the same tariff rule or policy, and the same measure of rates, namely—without quoting the platforms, and stating it only in general terms—that the tariff rates should compensate the American producer or manufacturer for the difference in the cost of production in this country and abroad, or, as sometimes stated, the difference in wages in America and in foreign countries, the intention being, in whatever form stated by those various parties, that the American producer or manufacturer should be protected against lower cost of production or lower wages prevailing in foreign countries. During the tariff debate I stated specifically the platform declarations of the various parties upon which I base the foregoing statement.

In my opinion the bill about to become a law is not well balanced in this respect, in that it discriminates against the producers of some of the great staple products in the class of so-called raw materials or products, such as lumber and shingles, of the lower class of manufactures. I regret that in conference some of these discriminations were not modified by the adoption of the House rates as opposed to the Senate rates, as, for instance, in the case of wheat, covered in the House bill by a tariff of 10 cents per bushel, but put upon the free list in the Senate bill, and so reported by the conference committee.

Taking the bill as a whole, however, and especially regarding its effects upon the country as a whole rather than upon any particular locality in the country, my opinion is that it will not in any way impair business activity or prosperity, so far as the rates of the bill itself are concerned. Continued tariff agitation and uncertainty, and particularly when that agitation involves complete recasting of the entire tariff law, as in this case, necessarily has a deterrent effect upon not only manufactures, but commercial enterprises and material development of all kinds. Taking for granted that the bill aims to protect American industries as the pending bill demonstrably does, the thing of paramount importance is not the particular classifications and the rates of the various schedules, but that the question should be settled upon some certain basis, that the agitation in regard to details, at least, should be suspended, and that the country should have at least a reasonable opportunity to plan, project, and execute its business enterprises upon known conditions.

Upon this question my opinion is that this bill will have little or no direct effect upon wages, but will in the aggregate reduce the cost of living. Whatever effect it may have upon either of these conditions will depend in part upon the answer to the first proposition, namely, what effect the bill will have upon the volume and activity of the business of the country, including all of its various forms. Knowing as we do that this is affected by multitudinous circumstances, many of them of the most complex nature, many of them purely fortuitous, many of them constantly changing from month to month and year to year, it is impossible for anyone to predict with certainty what effect upon commercial enterprises, manufactures, or material development any such change in the fiscal policy of the Government might have. We have had hard times and good times under Democratic tariffs and under Republican tariffs; but it is to be observed that in all the changing conditions of business the influences which have most affected us have generally likewise at the same time affected the entire civilized world; in other words, that the most pronounced fluctuations in business activity and financial prosperity have been brought about by world-wide influences rather than by local laws or circumstances.

The effect of excessive and, in many instances, prohibitive rates in our tariff has been in many instances, as in the wood pulp and paper manufactures, to demoralize methods of manufacture and to put an incubus upon enterprise and progress, resulting in obsolete methods and machinery being employed. In the most comprehensive and elaborate investigation made by the late Tariff Board into certain manufactures, as, for instance, wool, it was demonstrated from the information collected that so far as the cost of production is concerned, it was lowest in those institutions paying the highest wages. A pampering, undue tariff, especially where it is, as is so often the case, accompanied by domestic monopoly, removes the spur and incentive which competition so well supplies for economy and scientific methods. Inefficient methods naturally tend to low wages and high costs, and upon this theory the facts disclosed by the Tariff Board's investigation may be explained, and that rule is applicable to the entire field of manufactures. Excessive rates and prohibitive rates which encourage private monopoly and shut out reasonable foreign competition are not justified upon any considerations of the public welfare and are utterly opposed to the solemn pledges of all of the great political parties in this country.

In determining the important question of a vote in the Senate for or against the pending measure it is absolutely necessary to a correct conclusion to study the pending bill in the light of the tariff policy desired. Aside from the individual opinions of Senators and the interests of their constituents a just conclusion can be reached only after carefully weighing the formal campaign declarations of the various political parties upon which the present Congress was chosen. As stated above, these declarations of all political parties, not always, but at one time or another, have been substantially the same, and the effect of the declarations is that it is evidently the consensus of public opinion in this country that the tariff should be fixed at such a rate as would be a "competitive" tariff, as it is called; that is, that the American manufacturer and his foreign competitor should meet upon fairly equal competitive conditions in the American market. In my opinion, this is the just view, as well as the party promise. Of course, there are many public men, as well as private citizens, who go to the extremes; very different from this policy. On the one hand, there are those who would write a tariff bill in one line, and that would be that no foreign articles which can be produced in this country should be imported; in other words, a prohibitive tariff. On the other hand, there are those who would abolish all tariffs and, to use their figure of speech, would tear down the customhouses. Neither of these extreme views, however, can prevail; neither of them have been declared by any political party.

Measuring the pending bill by the American rule and the accepted platform declarations, in my judgment the rates upon manufactures are, with very few exceptions, sufficiently high and in some cases are still entirely too high.

There is much evidence that the profits of lead and zinc mine owners and the price of zinc and lead to the consuming public is absolutely under control of the Smelting Trust; also that the producers of lead ores do not get the benefit of existing tariffs. However, the Senate raised the duty upon lead ores from one-half cent per pound in the House bill to three-fourth of 1 cent per pound, to what was considered a competitive basis,

and this was retained in conference. It is extremely doubtful, however, whether any change, either raising or lowering the tariff upon lead, under the present conditions of the smelting industry in this country will have any appreciable effect either upon the price paid to the producer of lead ore or by the user of lead. Pig iron can be produced in this country as cheaply, if not more cheaply, than anywhere in the world and was properly placed upon the free list. In some portions of the country, as on the Pacific coast, this will be a very great advantage to manufacturers of iron products. Coal is placed upon the free list, and properly so, in my judgment, since the American public as a whole is paying an exorbitant annual tribute to the Coal Trust and the great transportation companies which constitute a part of it, and any possible relief which can be granted to the consumers of this necessary article is not only justifiable but is demanded by common justice. In the city of Spokane, Wash., which I mention because it is my home, and the so-called great inland empire, as well as to the entire Northwest, this will be a benefit by making accessible to them the coal deposits of British Columbia, and can not interfere with any legitimate profits of coal operators anywhere in the United States. The rates of duty retained upon manufactures of steel and iron, while substantially reduced, are in most cases more than enough to comply with the rule of protection as stated above. On cotton cloth the rate under the Wilson tariff, reduced to ad valorems, was 41.62 per cent; under the Dingley Act, 38.54 per cent; under the Payne-Aldrich tariff, 42.75 per cent; under the pending bill as agreed upon in conference it is estimated to equal 27.15 per cent. On woolen cloths and knit fabrics under the Wilson tariff the rate equaled 47.88 per cent ad valorem; under the Dingley tariff, 95.34 per cent; under the Payne-Aldrich tariff in 1910, 97.20 per cent; under the pending bill as agreed upon in conference, 44 per cent. These rates retained in the present bill, without attempting in this statement to go into detail, are, generally speaking, far higher than is justified by the party declarations of any political party.

The rates of the Payne-Aldrich bill, which these rates supplant, were unjustified by any tariff policy ever advocated by a political party. The rates in Schedule K, as demonstrated by the report of the late Tariff Board, as set forth in a message to Congress by President Taft, were prohibitive as to the medium grades of woolen goods, and resulted in increasing the price of such goods in this country 66 per cent over the price in foreign countries, with the result that foreigners are better clothed than Americans, and that many Americans, in fact, the large mass of them, are wholly deprived of good woolen clothes.

As between the East and the West, whatever losses, imaginary or otherwise, the West may possibly suffer from reduced rates on certain of its productions will be compensated a thousand times over by the relief which the West will immediately receive from the reduction to a reasonable and legitimate point of the tariff rates upon woolen and cotton goods, iron and steel manufactures, and a thousand and one articles which the West buys from the East. For a generation the West has been paying an unconscionable tribute to eastern manufacturers, made possible by exorbitant tariff rates upon the manufactures mentioned, and hundreds not mentioned. There should be an immediate and direct reduction of the cost of living by reducing to our consumers to, at least, the same prices at which our American manufacturers sell their products abroad, the cost of iron and steel utensils, structural iron, cotton and woolen cloth, and shoes, which are placed on the free list. The Payne-Aldrich bill put hides on the free list and retained a duty upon shoes. This discrimination against the West is equalized in the pending bill by placing shoes on the free list, and millions of dollars will be saved to that section by this one item alone. It is not contended with any seriousness that the American shoe manufacturers stand in need of tariff protection; the fact is they have successfully invaded the European market in many lines of shoes. The people of the State of Washington will be benefited from twenty to thirty millions of dollars annually by these reductions in all of the long line of articles of clothing, food, shelter, and the implements of agriculture and the trades; while their loss, if any, from the reduction in the tariff upon wheat, wool, and sugar will be negligible in comparison. In fact, they will be benefited by placing sugar on the free list, because, notwithstanding the tariff, and notwithstanding a bounty granted by the State legislature, the effort to produce beet sugar in the State of Washington has, so far, not been successful; although from a broader and national standpoint I favor the retention of a just and moderate duty upon that great staple, for reasons not necessary to go into here.

I have a statement from a lumberman in the State, of as much experience and as much success as any lumberman in the State, to the effect that the lumber manufacturers in Washington do not need the protection of a tariff upon lumber. This is probably true, and if true, notwithstanding our apprehensions, the same thing is possibly true to a greater or less extent of the shingle manufacturers, although I was opposed to placing shingles upon the free list, though favoring a substantial reduction in this rate. Our farmers will be benefited by the reduction in the tariff upon grain sacks from 33 per cent ad valorem under the present law to 10 per cent under the Senate bill as reported from conference; and I might add by the placing of jute bagging, out of which grain sacks are made, upon the free list, while the removal of the tariff upon wheat will probably have no effect whatever upon the price of wheat in that State, although it may in some of the other border States to a limited degree. The farmers of the State of Washington, and consequently all the people of the State of Washington, will derive more benefit from the provisions in the pending bill, which places agricultural implements on the free list and thus saves them many millions of dollars each year from the excessive prices of the Farm Machinery Trust, than the State can possibly lose from the removal of the tariff on wool. The entire removal of the tariff on fencing wire, saddles, harness, and leather will be a substantial benefit to the entire West.

Wages in the protected industries can not be affected by this bill, for the reason that they are already at the lowest possible point at which labor can be obtained, or, where labor is plentiful, at the lowest possible point at which labor can do the work and live. I visited the woolen mills at Lawrence, Mass. American labor was first displaced by Canadian and English labor, and this, in turn, by a lower class and lower-paid labor from Portugal and other Mediterranean countries, some twenty-odd different languages being represented among the operatives in those mills.

The labor in the cotton mills is largely child labor and poorly paid. It could not be reduced to a lower point. The labor in the steel industry, particularly the common labor, is poorly paid and overworked—tens of thousands of the employees in this industry working 12 hours a day, some of them 7 days a week, and many of them 16 hours a day. While under certain conditions and in certain industries the tariff does affect wages to a limited extent, it does not in general. The most highly protected industries in many instances pay the lowest wages to their employees; while, as pointed out above, the industries employing the highest priced labor frequently have the lowest cost of production, consequently needing lower rates of protection.

While the conditions stated above will directly and indirectly affect the cost of living, yet the effect of the tariff upon this great question is small compared to the influence of other problems with which the tariff is only collaterally concerned. Monopoly of transportation—and all the consequent abuses of inefficiency, extravagance, destruction of life—and excessive and discriminatory rates have a much more extensive effect upon the cost of living. Another essential element which enters into this question and which must be dealt with before it is settled is overcapitalization of industrial and transportation companies, by which device the mass of the people is taxed to the extent of billions to build up in a few years the swollen fortunes of a few. Another element is the monopoly of the necessities of life, which question reaches far beyond the tariff; and perhaps equally important is the problem of good roads as bearing upon all of the conditions of country and city life.

More than all other influences, however, tending on the one hand to increase the cost of living and on the other hand to deprive the masses of the people of means to meet this cost is the unnatural and dangerous power which has been gradually centered in the hands of that small group of men who control the supply of money and, directly or indirectly, regulate the rates of interest and the expansion or restriction of credits. That such insidious and insupportable concentration of power does actually exist was demonstrated in the recent investigation by the Pujo committee in the House of Representatives. By means of this centralized money power in private hands, operated for selfish purposes, the resources of the people are periodically squeezed to satisfy the inordinate avarice of this small group of manipulators.

Many of those who ostensibly have been especially grieved over my vote for this bill and who claim to be greatly exercised as to the evil consequences which will follow its enactment are, as a matter of fact, really but little interested in the tariff schedules of the bill. That feature of the bill which really arouses their bitter hostility, although they are curiously silent upon it, is not the tariff at all, but the income tax. As a rule those who are in favor of prohibitory or excessive tariff rates are opposed to a properly graduated income tax. Some of this class have been compelled by force of public opinion to favor an

income tax, but in reality oppose it under the guise of opposition to the tariff reductions in the pending bill. This bill, so far as it modifies the existing law, shifts to that extent the burden of taxation from the poor consumer to the rich possessors of great incomes. Its tendency is to lighten the taxes upon mere sufficiency and increase them upon superfluity. This has been the policy and theory of every wise system of taxation in the most enlightened civilizations. The graduation of the income tax in the pending bill is not perfect, just as the schedules of tariff rates are imperfect, but no law formulated out of the conflicting interests and complex opinions and judgments of a vast Nation such as this can meet in all aspects the wishes or the opinions of anyone. We must take it as a whole and determine upon its final analysis and total effect whether it is a beneficial or injurious change in the existing law.

For a generation the liberal elements in our politics have been striving for a graduated income tax. Through the great progressive movement of recent years, operating not only in the Progressive Party, but both directly and indirectly compelling action of all parties, the opportunity is now presented of obtaining through the passage of this bill a fair and progressive scheme of income taxation whereby the incomes of the poor are exempt and the rate of taxation upon the incomes of the rich increases with the increasing wealth. In other words, it places a somewhat larger share of the direct financial burdens of government upon those who can carry it with the greatest ease and who at the same time require and receive more of the care and expense of government and who are most concerned in the maintenance of the laws. If we reject this opportunity and defeat this bill, as both the open and secret opponents of an income tax desire, whether they are frankly avowing the real cause of their opposition or are concealing it in an outcry against tariff reductions, another generation may pass by in the uncertainties and complexities of political warfare before this just measure could be enacted into law.

Mr. President, I desire to say, in addition to what I have just said in regard to the income tax, that the strictures which I have directed at some of those who are opposing this bill are not intended in any way to apply to any Member of the Senate. I have in view certain objectors and critics in my own State.

My vote for this bill has been attacked by certain newspapers as a vote for free trade and as a vote for a Democratic tariff. These are both regarded in certain quarters as offensive epithets. It seems to be claimed that because this bill puts upon the free list certain items it is a free-trade bill. If that is the test of free trade, then every tariff bill ever enacted in this country was a free-trade bill, because every one contained an extensive free list. It has never been contended by any political party in this country that every article of commerce should be subject to a customs duty, and neither has it ever been contended by any political party that every item should be free.

In the framing of every tariff bill in the history of such legislation in this country what should be upon the free list has been the subject of dispute both between opposing political parties and between members and factions of the same party. This has always been the case and always will be the case. War has been waged, for instance, over hides. Under the McKinley bill they were free. In the Democratic Wilson bill they were free. In the Republican Dingley tariff they bore a rate of 15 per cent ad valorem. Under the reactionary Payne-Aldrich tariff they are free, notwithstanding the protests of the West, and under the pending bill they remain free. Under the Democratic Wilson bill shoes were taxed in the tariff rates 20 per cent ad valorem, under the reactionary Payne-Aldrich bill 15 per cent, and under the pending Democratic bill they are placed upon the free list. Does the placing of shoes upon the free list make this bill a free-trade bill? It does as to shoes, assuredly, but assuredly not as to the other thousands of items upon which tariffs, ranging all the way from a mere nominal rate up to 169 per cent ad valorem, are placed. Does the placing of shoes upon the free list violate the campaign pledges of the Progressive Party or, for that matter, of the Republican Party? Apparently so from the standpoint of some critics of my vote upon this bill, because they cite the declaration of the Progressive platform:

> We believe in a protective tariff • • • both for the farmer and the manufacturer and which shall maintain for labor an adequate standard of living.

Does this mean that there shall be no free list, or does it mean that any particular article shall not be placed upon the free list, such as agricultural machinery, saddles, harness, fencing wire, sugar, or wool? Does it mean that the rates of the Payne-Aldrich bill shall be maintained and that the rates in the pending bill shall not be substituted for them? Assuredly not. It is not a declaration for any particular schedules any more than the Republican platform of 1896, which expressly declared:

> We are not pledged to any particular schedules.

If the placing of the articles mentioned upon the free list makes the bill a free-trade bill, then assuredly the Payne-Aldrich bill must be a free-trade bill, because under it, in 1912, $881,512,987 of merchandise were imported entirely free of duty, while only $759,209,915 of imports were dutiable.

There has been no subject in American politics about which there has been as much misinformation, as much campaign buncombe, as much sophistry, as the tariff. As a matter of fact, the supposed warfare between free trade and protection has been and is purely an imaginary one. In 1840 there was imported into this country, free of duty, merchandise to the value of $42,110,829, while in the same year merchandise subject to duty was admitted to the value of $44,139,506. In 1842, long before the Republican Party had been born into the world, there was imported into the United States, free of duty, merchandise to the value of $23,346,171, while that which was imported in that year subject to duty amounted to $64,650,147. In 1892, under the Republican McKinley bill, there was admitted, duty free, merchandise to the value of $448,771,192, while that admitted subject to duty was to the value of $355,526,741. On the other hand, in 1896, under the Democratic Wilson bill, $386,897,523 of imports were free, while the much larger amount of $390,796,561 were subject to duty. This difference was due in part to the different theories and classes of articles upon which the respective tariffs were levied, but, nevertheless, in 1830, under Democratic rule, the average ad valorem rate of duty upon dutiable imports was 44.88 per cent; in 1840, it was 30.37 per cent; in 1850, it was 25.85 per cent; in 1855, it was 26.82 per cent. Under Republican rule in 1864, it was 36.69 per cent; in 1870, it was 47.08 per cent; in 1880, 43.46 per cent; in 1890, 44.39 per cent; in 1893, under the McKinley bill, 49.56 per cent; in 1895, under Democratic law, the average ad valorem rate on dutiable imports was 41.75 per cent; in 1900, under the Dingley law, it was 49.24 per cent; in 1912, under the Payne-Aldrich law, it was 40.12 per cent; and as nearly as I can make an approximation of the bill as reported from the conference committee, the average ad valorem rate will be very close to 31.75 per cent upon all dutiable articles.

These figures are cited to show that throughout our growth as a nation we have, under all parties, lived under a protective tariff. Both the Democratic and Republican Parties, as heretofore stated, have often declared that the tariff policy should be that duties levied to obtain revenues for the support of the Government should be so placed as to encourage American industry; both Democratic and Republican Parties have likewise repeatedly declared that the measure of tariff duties should be the difference in the cost of production or the difference in wages between this country and Europe. The people have been induced oftentimes to neglect the most vital and important social and political problems and to be lured off into a sham war over the tariff when both parties were in agreement, as demonstrated by their platform declarations, as to tariff policies. This is demonstrated not only by platform declarations in times past but by the action of both parties at the present time, including the specific declarations of the framers of the pending bill in this Congress. The fact that the tariff deals with a multitude of articles entering into the most intimate uses and necessities of domestic life has afforded an opportunity for politicians to secure the attention of the people in political campaigns to discussions, promises, and denunciations in regard to tariff rates. In this way, and because no adequate agency was provided for the framing of scientific classifications of articles and the accurate ascertainment of rates to comply with the measure of protection declared by all parties, the tariff has been kept constantly an issue in politics. It was largely a sham issue. The controversy, whatever may have been the opposing views of individuals, between the great political parties has been one about particular rates and schedules enacted into statutes by their political opponents and affording lodgment for the arrows of political ridicule and sarcasm, and not in regard to measures and rules and policies of tariff legislation.

The pending bill is not a free-trade bill, although its rates are lower than those of the existing law. The question is, Do these rates measure up to the rule laid down in Progressive, Republican, and Democratic platforms? That question is seldom discussed by the critics of those outside of the Democratic Party who have voted for this measure.

As indicated above, the average ad valorem rate of duty on dutiable articles under the pending bill as reported from conference is 31.75. Although this includes all merely revenue rates, still, being considerably more than one-quarter of the entire value of the articles, it may be safely assumed to represent in general the difference between this country and others in the cost of production of the same. But this is not an adequate test, because it includes a number of low and nonprotective rates. The average ad valorem rate upon 51 protected articles from the principal schedules of the bill, typical of American manufactures, is 32.15 per cent, leaving out exceedingly high rates, as on tobacco, and merely revenue rates, which is far more than the measure of tariff protection advocated in the party platforms.

In citing the paragraphs quoted above from the Progressive platform, the measure of tariff protection demanded by that platform is overlooked by the critics referred to. That measure is stated as follows:

> We believe in a protective tariff which shall equalize conditions of competition between the United States and foreign countries.

Furthermore, the platform declares:

> We declare that no industry deserves protection which is unfair to labor or which is operating in violation of Federal law. We believe that the presumption is always in favor of the consuming public.
>
> We demand tariff revision because the present tariff is unjust to the people of the United States. Fair dealing toward the people requires an immediate downward revision of those schedules wherein duties are shown to be unjust or oppressive. • • • We condemn the Payne-Aldrich bill as unjust to the people.

Even the Republican platform in 1912 declared—

> We hold that the import duties should be high enough, while yielding a sufficient revenue, to protect adequately American industries and wages. Some of the existing import duties are too high and should be reduced. Readjustment should be made from time to time to conform to changed conditions and to reduce excessive rates—

thus furnishing the only example of a political party which, after having repudiated its platform pledges and having enacted a tariff law in violation of its campaign promises, in the first succeeding presidential campaign admitted that the rates it had so lately fixed were too high and should be reduced.

The party treachery which the Payne-Aldrich tariff represents was the most potent factor in the downfall of the Republican Party. The attacks which are being made upon those who vote to repeal it now are identical with the opposition to those who voted against it in 1909. For four years we have denounced it before the country. It was on trial in 1910 and again in 1912, and was repudiated in both elections by the most scathing verdict by which a people ever rebuked a faithless party. Where are its chief authors? Four years ago they were in the seats of power and controlled every branch of the Government of the United States. They arrogantly defied the instructions of the people and forswore their own party platform. They had declared to the people throughout the campaign that if elected they would revise the tariff to a rate equal to the difference in the cost of production at home and abroad with a reasonable profit to the manufacturer. Given power on this promise they laughed at their campaign promises and in their greed took two or three times as much as had been proposed. One of them was Speaker of the House; one was President of the United States; one was leader of the Senate and chairman of its Finance Committee; one was chairman of the Appropriations Committee of the House; one, while Speaker, controlled every committee of the House, because he had the power to appoint them all. They were all his creatures. These "iron dukes of American politics" had behind them a supple and obedient majority. They enacted the Payne-Aldrich bill, went before the country on it, and out of the ruck and turmoil of their fight for it they emerged with the electoral votes of Utah and Vermont. Protesting against the recall, they were recalled. Their memory is already growing dim in the places that knew them so long. Now we are asked to approve their work and to retain the tariff which was the very essence of their condemnation.

The Payne-Aldrich law is no better to-day than when it was enacted. If it represented broken promises and party perfidy then, it does so now. Some people seem to think that it is all right to make tariff rates higher than the platform calls for, but that under no circumstances should they be made lower. The truth is that it is just as much a breach of party faith to exceed the measure authorized as it is to go under it. It is worse, in fact, because in the nature of things the principal benefit of the tariff is received by the private beneficiary, and if for the general welfare the people vote to allow him a certain rate it is an imposition upon them for Congress to allow him more. The people must bear the excess.

It seems to be argued by those critics that this declaration of the Progressive Party calls for a tariff upon every article and opposes a reduction of the tariff upon any article. Obviously this is not the case. It is not proposed either by the Progressive platform or by the Republican platform of 1908 or any other year that a tariff should be placed upon any article unless there is some difference between this country and foreign countries in the cost of production or in the wages employed in its production; unless there is some advantage which the foreigner has, of cheap production, against which the American manufacturer needs and is entitled to protection. It is not a violation of these platforms to place shoes on the free list, because it has been demonstrated that shoes can be manufactured in this country as cheaply as they can be manufactured abroad, largely by reason of the patent monopoly of improved shoe machinery, and there is no need for the protection which has heretofore been placed upon them. The party promises stated above do not call for a retention of 100 per cent tariffs upon woolen goods and do not oppose a reduction of these excessive rates. On the contrary, the platform declarations of both the Republican and Progressive Parties not only demand protective tariffs at a rate which meets the rule set forth in the platforms, but by equal logic and with just as much moral compulsion require a reduction of all rates which exceed that measure. The rates retained in the present bill upon the great mass of manufactures, as stated above, are fully equal to the measure set forth in the Republican and Progressive Party platforms. It behooves the vehement critics of some who voted for this bill to point out the great mass of items upon which its tariff rates do not comply with Progressive or even Republican Party promises.

As stated, it is charged that it is a Democratic bill. It is true that the bill was framed—principally at least—by the Democratic majority in the House and Senate, or by some alleged representatives of that majority. What of it? The question is not by what party the bill was framed, but as to the merits of the bill itself. The time has long gone by when the people of this country can longer be deceived by a sham war for the spoils of office between two caucus-dominated political organizations fighting political battles upon fictitious issues.

As pointed out above, the tariff policies of the great political parties of this country, as expressed in their platforms in most of the great tariff campaigns, have been identical, but, whether they are identical or not, the people are indifferent, and ought to be indifferent, as to whether legislation bears one party name or another. They are concerned in the effect of legislation upon the people and are not concerned, otherwise, with the triumph or defeat of political organizations. The time has long gone by when a Member of this body can justify his vote upon legislation here by the cry of party regularity. If the bill is bad, it should be defeated by whatever party it is proposed. If the bill is an improvement upon existing conditions, it should be supported regardless of the name of the party which proposed it. The truth of the case is, unfortunately, that in the eyes of many the theories of tariff platforms lose their force when the polls are closed, and in certain quarters an actual resentment is felt toward any attempt to make the schedules of the law square with the rule of the campaign pledge.

The time has long gone by when campaigns can either be won or lost upon rhetorical claptrap and campaign eloquence about good times and hard times, which, in many instances, are due to causes quite remote from tariffs. It is quite difficult to understand how the reduction of American tariffs can cause hard times in England, and yet, in campaign after campaign, it has been argued that a tariff bill, which slightly reduced rates and yet maintained a very high degree of protection, was the cause of a depression of business which extended throughout the civilized world. The farmers in this country have grown too intelligent and too well informed, partly due to the opportunities afforded by more plentiful literature and its free distribution by the rural-delivery system, to allow themselves to be taxed year after year exorbitantly upon every roll of fencing wire, upon every ton of coal, upon every agricultural implement or machine, upon their saddles and harness, upon every mechanic's tool, upon the cotton and woolen clothing, which they wear, and to pay this excessive and unnecessary tax contentedly because of a largely exaggerated benefit held up before their hopes in the shape of a tariff upon agricultural products. I, myself, believe that the farmer should have the same rate of protection upon his products that the manufacturer has upon his, but, nevertheless, the benefits which the farmer has received from a tariff are pitifully small and insignificant compared with the tributes which he has paid to manufacturers on this account.

The woolen, cotton, steel, tool, and farm machinery manufacturers in their several lines of business have agreements among themselves as to prices. In some of the more important instances the business is controlled by private monopoly, with the tariff as one of its foundations and factors. The farmers have never been able, and probably never will be able, in the very nature of things, to have any binding agreement among themselves as to prices. Tariff or no tariff, there is competi-

tion in agricultural products. The farmer has been compelled to compete not only with other farmers in this country but with the farmers of the world in the open markets, where we are compelled to go to find sale for the surplus products of our soil. In all the artificial advantages of tariffs used as a function of private aggrandizement of the scandalous carnival of overcapitalization and stock jobbery, of corporate abuses and the extortion practiced upon the people through the private control of the great necessary public transportation utilities, the farmer has been the victim, not the beneficiary; and when there is an opportunity not to destroy a great principle but to correct one of these scandalous abuses, the farmer can not be brought like the slaves of the South to arm and equip himself to fight against his own liberation by holding up before him the glittering but empty promise of high tariffs on farm products. The farmer has only been allowed what was left after special privilege had extracted "all that the traffic would bear"; just as with the laborer in the high-tariff industries, while tariffs were going up his wages were reduced all that life would bear.

The farmer, as well as every other citizen, will feel the benefit accruing from the tendency which this bill will have to reestablish an American merchant marine by reducing prohibitory rates and a slight discrimination in favor of American ships. A needed impetus will be given to the employment of American capital and labor in this great avocation of the human race, for which our people have a natural genius.

High protection has been made a fetich and worshipped as a sacred principle. The idea was more or less current that there could not be too much of this good thing. Of course, under such a notion no tariff commission was needed—no scientific classifications of articles, no nice estimate of rates. It was a grab for all that one could get. The notion was prevalent in certain high quarters that while the special beneficiaries might profit very greatly from extremely high rates, everyone would profit to some extent. The propaganda was put out that high tariffs were a burden to no one. It was an enchanted lamp in whose magic power to create wealth there was no limit, and which suffered no diminution of its virtue from the golden prosperity which it gave out. Of course, such a notion was the veriest superstition. As stated above, no political party ever declared such a belief; but, on the contrary, all parties, with the utmost care and with unanimity, laid down a limit, a certain carefully estimated measure, an authoritative rule to which every rate was to be adjusted, and it was recognized that positive evil, injustice, and injury would come from rates above that measure, while there would be a negative failure to secure benefits if the rates were placed lower than that measure. The trouble came not from any tariff policy declared by a political party, but from the perverted ideas and schedules of individuals in power, some superstitious worshippers of a fetich, some with premeditation and malice aforethought. To their excesses is attributable whatever losses the sane principle of a measured protective tariff may have suffered. In whatever degree certain rates in the pending bill may fall below a just measure of protection it is due to a reaction from tariff intemperance and intoxication. It is, however, as a whole, a step forward toward a normal condition and the rule of reason.

Mr. MARTINE of New Jersey. Mr. President, I regret that the Senator from Michigan [Mr. SMITH] and the Senator from Pennsylvania [Mr. PENROSE] are not present. I beg to say that I listened some hours ago with a throbbing heart and bated breath to the tremulous voice of the Senator from Michigan. The Senator from Michigan painted a sad and doleful picture of our country through the accession of the Democratic Party to power and through the adoption of the new tariff bill. It is a sad yet most remarkable fact, according to the dictum of the Republican side of this Chamber, that God in His infinite wisdom seems to have imparted to and confided in the Republican Party all the wisdom in legislation on questions of taxation and financial subjects. The Senator spoke in most glowing terms of the great revenues and the magnificent surplus which the Republican Party had gathered and garnered into our Treasury as a result of their tariff policy. I submit, Mr. President, that a highwayman might boast of his large revenues and income through similar methods with quite as much propriety.

The Senator from Michigan intimated very broadly that the President of the United States has driven the Democratic majority to this tariff measure. Far from it. The voice of an outraged and long-burdened people demanded relief through this measure, and under this Democratic measure they will get it.

We do not claim that this measure is perfect. Only a hand and mind divine could pen and frame a measure that would be perfect. But that this bill is a great relief to the burdened people of this land, to the toiler and the breadwinner, none will attempt to gainsay. It is hailed to-day with gratification by the toilers and breadwinners of our land. The only opposition that has come to this bill has been through the protected tariff barons.

Now, as to my neighbor just across the historic Delaware. Oh, the pictures of woe he has held up to us. He said something about a New Jersey goat; he dissertated very largely and very lengthily and very learnedly on the New Jersey goat. He said we had the tin-can variety, if I heard him aright.

There was a day, Mr. President, when the Jersey goat was a genuine fighting, butting goat, and we needed no aid or protection from anybody. But the Delaware sometimes goes dry, and there was a bounding across of the Jersey goat with the Pennsylvania goat that produced a sort of hybridized animal, and I regret to say the product is of a measly kind. So that may be a pardon, too, for the goat.

Mr. President, I have listened to our friend from Pennsylvania. I heard him talk to-day, and I admire him in a thousand ways. I think his religion would gee with mine. I know his sociability and social habits are largely mine. But God help his politics.

While he was discoursing to-day I had on my desk a paper from the great city of New York that has never leaned to us, the Journal of Commerce, and I thought, while he was talking and while he was drawing a picture of the sad and doleful condition of our land, I would copy from it. I find in the issue of the Journal of Commerce of October 1, 1913, this fact:

New factory for Hartford, Conn., Lovell Engine Co., capital $50,000 initial.

But he will tell me that is too far from home and too small. So I get back to your own Commonwealth:

The Pittsburgh Coal Co. will pay to-day, October 1, 1913, deferred dividends, $39.50 per share.

If your tariff proposition brought this magnificent prosperity, why in the name of God was that dividend deferred until the new sunlight came to the dawn of equality and justice under a Democratic tariff? So to-day with the hope and assurance that on the morrow or the next day the Democratic tariff will be in vogue, they declare a dividend of $39.50 a share.

You told us, too, that threatened free-trade tariff was sending emigrants from our shores. It may be this will not apply to you, but it has been the theme of your party that the Democratic Party was sending emigrants abroad. Let us see. I will have to quote from good authority, so I take a Philadelphia paper. A Philadelphia paper says:

The arrivals in September at the port of Philadelphia were 8,647.

This I copied out of to-day's Journal of Commerce:

This will increase the total over the last year. September, 1913, was the greatest in the history of the port of Philadelphia.

Pray God, why did they come here if desolation, poverty, and woe were to be their portion?

Mr. PENROSE. They are chiefly Italians settling in south Jersey.

Mr. MARTINE of New Jersey. Certainly; and they are scattered through middle Jersey, and many of them have cropped up in Pennsylvania in the rugged fastnesses of that State. I say to an Italian who may come to New Jersey and endeavor to carve his fortune out of New Jersey soil, "God speed you." If he is an honest, sober, industrious citizen, I am quite willing that we shall have multiplied sons of liberty of the Garibaldi type in New Jersey.

Now, let us see what else.

The glass workers ask more pay in Cleveland, Ohio. The workers ask more pay and ask from 13 to 14 per cent increase. It will affect 5,000 workers. President Newman predicted the acceptance of these terms.

How, pray Heaven, could they have the audacity, in the face of this cloud and gloom that you have predicted, to ask for an increase under this condition?

You tell us that Europe is growing happy and glorifying over our tariff. You told us a week or two ago that the Sharples separators were going to Germany and Heaven knows where else; that they were going to separate the milk of the Milky Way, and were going to depart from our land. Now, let us see. I quote from the same paper, October 1, that Lancaster, England, mills are to close. Why close, if we are going to be still?

But I read again:

Hope for woolen company.

How does that strike you?

I am not overenthusiastic—

Says the president of the woolen company—

over the Underwood bill. Still, free wool will be of inestimable value to the manufacturers of the North and hence to the people.

That is all taken from to-day's paper. The Senator from Michigan is now here.

Outlook good in the West.
Chicago City Bank believes new tariff law will be most helpful.

But that is far away. Let us come back to the Keystone State:

PITTSBURGH, *October 1.*

Plate mills will resume operation.

Yet that will not do. I must go to Massachusetts:

Boston copper shares firm, reflecting New York's advance.

But that covers only a certain patch.

Now, let us go out to the great artery of trade and commerce, the Missouri Pacific Railroad. What are they doing? Are they discharging hands and shutting up shops because this Democratic tariff bill that they say was inspired by Wilson, but was in fact inspired before Wilson entered into politics? For 30 years we have pressed this tariff reform measure on every stump and hustings. Within my lifetime, since I was 18 years old, have I pleaded against the iniquities and wrongs of a system of taxation that was burdensome and onerous to the masses of the people and enriching a few. But what are they doing out in Missouri? I read that the Missouri Pacific Railroad ordered yesterday 20,000 tons of steel rails. Why in the name of God did they do that with this pall and gloom hanging over this fair land?

The Southern Railroad, the same paper says, made contracts for 6,000 tons of steel rails. Steel mills are much encouraged. Total orders placed this month will reach 550,000 tons.

The orders of the Pennsylvania and New York Central Railroads alone will reach 300,000 tons. Their export orders aggregate 20,000 tons. The New York Central has just placed an order for 75 first-class passenger cars, making, with other orders recently given, a total of 450 cars.

The United States Steel Co. have secured contracts for 300 boxes of tin for export to Canada. Still you claim that chaos, ruin, poverty, degradation, and woe are to be our portion. What would you tell us in face of this? Do you say that financial conditions are wrong and ruinous and that industry is stagnant and still?

In Pittsburgh, again, the People's National Bank regards the financial situation in this country as sound. The Murchison National Bank, of North Carolina, voted to increase its capital on yesterday to $1,000,000, and this in face of the stories you tell. I am willing to concede you are honest and believe them, but, great heavens, you have leaned so long on a crutch that you can not think of standing a freeman alone. What is in store for us when the Nashville Road has decided to buy some other road in Alabama?

Mr. President, I can not for the life of me understand what comfort and satisfaction Senators can get from depicting this scene of despair and poverty. I had always thought that it was the part of a patriot and a statesman in times of excitement, of panic, of alarm, or of gloom to pacify and calm the people by counsel and advice and not to inflame and alarm them; to hold out hope and anticipation, and not to picture gloom and disaster; rather to voice from the hustings and the great halls of legislation better days and brighter hopes.

That a shop or a mill here or there may close for individual reasons of their own, I do not deny; but that a general closing will ensue or is to-day in progress because of the passage of this bill, I do deny. Ah, no; a hundred million people blessed in this fair land can not, they never will stop. The anvils in our mills and throughout the land will still ring out the clarion notes of industry; the shafts and the spindles and the pulleys of our mills will hiss and grow hot with the busy whirl of industry, despite the forebodings of the Senators from the great Commonwealth of Pennsylvania. No spot on God's earth, Mr. President, is more blessed than the soil of that State; it fairly groans with undeveloped resources of iron and coal and oil and gas; its pure crystal-like waters flow through the valleys and meadows filled with sleek and fattening cattle; its hilltops at harvest time are crowned with golden grain. Surely the great God has bounteously blessed that fortunate Commonwealth. Yet amidst all these favors and blessings it is sad to contemplate that a Senator can be found in the Senate of the United States to rise in his place and sound the bugle blast of disaster, idleness, and poverty.

Mr. President, the Senator from Pennsylvania knows, as we know and as the country knows, that this bill is practically a law this minute. Then cease the cry of "mad-dog" and help along the general weal. The people have spoken in thunder tones; the great Democratic Party has a mission to perform; the decree has gone forth; the fiat is spoken; and we shall press on to the goal of equal opportunity for all mankind—heart within and God o'er head.

Mr. GRONNA. Mr. President, it is with some embarrassment that I proceed at this late hour to give a few facts, especially so when I am reminded of the circumstance that the Senate has been listening to the logic, the rhetoric, and the flow of oratory of the Senator from New Jersey [Mr. MARTINE]. So I shall not at this time enter into a general discussion of the merits of this bill. I have formerly called attention to some of the objectionable features and offered amendments proposing to change the provisions which, in my judgment, will do an injustice to the farmer of this country.

While I believe in the principles of protection, I have always maintained that it should apply to the industries for the benefit of the people who are most in need of protection. I have often said that I believed that any industry controlled by a monopoly or trust is in need of very little or no protection unless it be for the benefit of labor employed by such a monopoly or trust; but under the provisions of this bill those engaged in the production of the basic necessities of life, or, in other words, in the production of food products, are placed in open competition with the entire world.

Mr. President, I believe it is true, as the Senator from Washington [Mr. POINDEXTER] has just stated, that this is not a free-trade bill; but it is true that it is a free-trade measure so far as the basic necessities of life are concerned; it is a free-trade bill so far as the food products produced by the farmers are concerned. But, Mr. President, I have been reminded of the fact that the hour is getting late, and I do not wish unnecessarily to delay the Senate, so I shall offer to the Senate only a few brief remarks, especially touching upon the agricultural industries of the United States.

I emphasize what I have so often said—that the system of protection can not be maintained unless even-handed justice is extended to the industries and all the people of our entire country. This bill is protective in spots; it extends protection to certain industries, but denies to the industry which is the foundation of all our wealth the benefit of sharing in this protection.

I care very little what you call the tariff duties as applied to certain industries in this bill. The fact of the matter is that some of the industries which could easily be dispensed with are given a certain amount of protection. On the other hand the toiling millions engaged in farming, who produce the basic necessities of life, must content themselves with free trade.

I believe this an unjust discrimination against the farmer. I emphasize what I said before, that we are adopting a policy contrary to the policy of the leading nations of the world. In my opinion it is not a wise policy; it certainly is not giving encouragement to those who have been engaged in the production of the articles now placed on the free list, and the only excuse that can be offered will be to say that we believe it will not hurt them. But if it is not going to injure them, why take away from these most deserving people any of the benefits which they heretofore enjoyed? If the provisions of this bill will not be the means of reducing the price to the producer, then how is it going to benefit the consumer? The makers of this bill have maintained that if will not reduce the price to the producers; time will tell what benefit it will extend to the consumer.

Mr. President, the chairman of the Finance Committee [Mr. SIMMONS] was kind enough to give to the Senate this afternoon an estimate prepared, as he stated, by the experts who have for years been employed to do this work of the receipts and expenditures of the United States for the fiscal year 1914–15. I find that the estimate of customs duties for 1914 is $270,000,000. I find in the Statistical Abstract of the United States for 1912 that the customs duties collected in 1909 amounted to $246,212,643.39; in 1910 to $289,933,519.45; in 1911 to $322,529,200.79; and in 1912 to $321,612,190.66.

Mr. President, I want some Senator on this floor to tell me whence this $270,000,000 estimated by your own experts is to come? Let us be perfectly honest about this matter. An effort has been made on this floor to mislead the people of the United States and to make them believe that from now on no customs or tariff duties will be collected. You admit in your own estimate that for the year 1914 you propose to collect under this very bill $270,000,000. On an average that will be a reduction only of about $50,000,000 from the amount which has been collected under the Republican administration.

The chairman of the Finance Committee—and I wish he were here, because I do not desire to make a misstatement—as I understood him, said that under this bill we will remit to the American public one-third of what has formerly been collected under our customs tariff laws. Mr. President, I am not able to understand how that computation is made. It can not be sustained under this bill according to the statement presented by the chairman of the Finance Committee, which he says has been prepared at the direction of the majority party, and which he claims to be correct. I am going to show in a few moments that more than one-half of this $50,000,000 will be lost from the revenue formerly collected under a Republican tariff law, which gave protection to the agricultural industry, just as the Demo-

crats are giving protection in this bill to the manufacturing industries of this country.

I believe there is not a Senator on this floor who will deny that there is a discrimination in this bill against the toiling millions who live on the farm. I am not going to take the time of the Senate to read all the figures which I have here; I shall only give a few of them. But I will ask unanimous consent to have the table which I have here printed in connection with my remarks.

The PRESIDING OFFICER (Mr. ASHURST in the chair). In the absence of objection, that order will be made.

The table referred to is as follows:

Estimates of receipts and expenditures of the United States.

	1914	1915
RECEIPTS.		
Customs	$270,000,000	$240,000,000
Internal revenue (ordinary)	305,000,000	305,000,000
Internal revenue (excise tax)	38,000,000	39,000,000
Internal revenue (income tax)	66,000,000	83,000,000
Sale of public lands	5,000,000	5,000,000
Miscellaneous	55,000,000	55,000,000
Postal service	290,000,000	290,000,000
Total	1,029,000,000	1,026,000,000
EXPENDITURES.		
Civil and miscellaneous	175,000,000	175,000,000
War Department	178,000,000	175,000,000
Navy Department	147,000,000	145,000,000
Indian Service	20,000,000	20,000,000
Pensions	180,000,000	180,000,000
Interest on public debt	23,000,000	23,000,000
Postal service	290,000,000	290,000,000
Total	1,013,000,000	1,008,000,000
Surplus	16,000,000	18,000,000

Mr. GRONNA. One would imagine that from now on economy will be practiced; that the people of the United States will be benefited by an adherence to the principle of economy; but I find in this same statement that for the year 1914 it is proposed to expend $1,013,000,000 of the people's money; I also find that for the year 1915 it is proposed to expend $1,008,000,000 out of the Treasury of the United States.

I am simply calling attention to these facts to tell the truth and to show to the people of this country that while it is proposed under the provisions of this bill to collect some $83,000,000 by what is called an income tax, it is also proposed to collect $270,000,000 under the old system of a customs tariff, which, according to Democratic doctrine, must be paid by the people of the United States.

I indorse the income-tax provision of this bill; and, if it were a separate measure, I should be very glad to vote for it. But as it is contained in this bill, which does an injustice to a class which has never unduly profited under the system of protection, and upon whom this burden should not be imposed, I can not vote for the bill.

Who will pay the $270,000,000? You have so often complained about the system of taking money from the pockets of the people under our Republican administrations. We have seldom, if ever, as I said, collected more than $300,000,000 a year. You are proposing, under this bill, to reduce this amount approximately $50,000,000. Will the ultimate consumer get it, or will it disappear in the pockets of those who, according to the platform pronouncements of Democratic campaign speakers, are now receiving too great a benefit from the tariff?

The campaign promises last fall of the Democrats included a tariff bill which should reduce the high cost of living. In the discussion of this bill the Democrats have attempted to justify the different rates assessed by holding forth the benefits to the consumer of the proposed rate. The advantage or disadvantage to the producer has apparently not occupied the Democratic mind, so far as the discussion in the Senate has shown, although echoes from the Democratic caucus have indicated that when Democratic Senators really spoke their minds they held the welfare of the manufacturers in their own States a matter of some concern. The justification of the measure which has been offered to the Senate and to the public, however, has been the benefit which the consumer was supposed to derive from it.

Now, if the tariff is to be revised so as to especially benefit the ultimate consumer, it would seem logical to reduce and remove the duties on the articles that the ultimate consumer buys—on the finished products. Is that a distinctive feature of this bill? It is not. The greatest reductions have been made on goods that the consumer does not buy, but that the manufacturer buys, and out of which he manufactures articles that he sells to the consumer. The removal of duties on raw materials directly benefits the manufacturer who uses those materials, instead of the consuming public. Ultimately the consumer may receive some benefit from the cheaper raw material that the manufacturer gets, but at best it is problematical. In the case of hides, the best illustration which we have so far had of the result of placing the raw material on the free list, the removal of the duties does not appear to have benefited the consumer in the least. The price of shoes and harness increased instead of decreasing.

The noticeable feature of this bill is that it places raw materials, especially those produced by the farmer, on the free list, while retaining duties on the articles manufactured from those materials, and the benefit of these reductions, instead of going to the consumer, is more likely to go mainly to the manufacturer.

What is especially objectionable in this bill, however, is the unfair way in which the different classes of producers are treated. This bill is in effect protective to a certain extent, no matter what may be said about the principle on which it was drafted. It is protective to the extent that it gives the manufacturer a greater or less degree of protection—some of them a very high degree; as, for instance, the silk manufacturer—while compelling the farmer to sell most of his products in competition with the entire world.

It is estimated that the customs duties collected under this bill will be $50,000,000 less than the amount collected under the Payne law. At least half of this reduction will be on products that the farmer has to sell.

I wish at this point to insert in my remarks a table showing the revenues from duties on farm products under the Payne law and under the bill now under consideration. This table was prepared before the bill passed the Senate. The only material change which has been made, however, is the restoration of the House duty of 20 cents per bushel on flaxseed, which it is estimated will increase the revenue from this duty $300,000.

Mr. President, I shall not take the time of the Senate to read and comment on this table, but I ask unanimous consent to have it printed in connection with my remarks.

The PRESIDING OFFICER. In the absence of objection, that order will be made.

The matter referred to is as follows:

Revenues from duties on farm products in 1912, and estimated revenues from duties on farm products under tariff bill as reported to Senate.

Article.	Imports, 1912.	Revenue, 1912.	Proposed rate.	Estimated imports.	Estimated revenue.
Horses	$335,684	$68,323	10 per cent	$475,000	$47,500
Mules	53,053	34,590	do	137,500	13,750
Cattle	4,486,306	1,214,481	Free		
Swine	10,372	1,497	do		
Sheep	123,832	20,326	do		
Other animals	79,407	15,880	10 per cent	100,000	10,000
Barley	1,929,214	830,542	15 cents	1,300,000	300,000
Oats	1,053,609	408,156	6 cents	945,000	162,000
Rice	4,185,686	1,323,338	Various	3,970,000	853,000
Corn	47,858	8,006	Free		
Wheat	998,014	352,245	do		
Rye	111,325	13,395	do		
Broom corn	157,909	4,024	do		
Buckwheat	15,967	3,025	do		
Butter and substitutes	236,483	60,337	2½ cents per pound	325,000	32,500
Cheese and substitutes	8,683,947	2,760,900	do	11,000,000	375,000
Beans	1,456,656	371,252	25 cents per bushel	1,600,000	250,000
Beets	147,466	15,095	5 per cent	153,000	7,500
Hay	6,472,376	2,796,855	$2 per ton	9,000,000	2,400,000
Honey	51,709	16,284	10 cents per gallon	60,000	11,000
Hops	2,223,895	477,313	16 cents per pound	1,575,000	560,000
Onions	1,233,907	572,519	20 cents per bushel	1,350,000	360,000
Garlic	283,289	93,332	1 cent per pound	275,000	90,000
Peas	1,897,707	299,709	Various	1,661,500	116,070
Flaxseed	13,048,513	1,718,065	15 cents per bushel	11,000,000	900,000
Straw	56,891	15,402	50 cents per ton	75,000	7,500
Vegetables	1,035,163	232,033	15 per cent	1,503,000	225,750
Poultry	154,175	33,044	Various	156,000	18,000
Eggs	150,986	54,935	Free		
Flax straw	6,940	353	do		
Milk, fresh	6,283	326	do		
Cream	923,787	56,012	do		
Potatoes	7,175,376	3,484,535	do		
Wool	33,141,408	14,454,234	do		
Hair of Angora goat, etc.	632,330	243,591	do		
Total		32,026,266			6,739,570

Estimated revenue and estimated imports taken from tariff handbook prepared by Finance Committee. Fruits not included in above statement. Where the article is placed on the free list the handbook contains no estimate as to probable imports.

Mr. GRONNA. This table includes only such articles as the farmer actually sells and does not include fruits or sugar cane. On the articles included there were collected in 1912 duties to the amount of more than $32,000,000, while according to the estimate of the committee under the bill as reported to the Senate there would be collected on those same articles only about $6,700,000. With the rate on flaxseed raised to 20 cents per bushel, this would increase the duties to $7,000,000. While on all products the duties have been reduced from, in round numbers, $300,000,000 to $250,000,000, on such products as the farmer has for sale the duties have been reduced from $32,000,000 to $7,000,000.

In other words, while the duties to be collected from farm products under this bill are only 22 per cent of the duties on the same products under the Payne law, the duties on other products will amount to 90 per cent of what they were under the Payne law in 1912. Is it necessary to go any further to show the unfairness of the treatment of the farmer by the framers of this law?

I am not opposed to the reduction of a number of the rates contained in the Payne law, and I have offered amendments to this bill further reducing some of its duties, which amendments have promptly been voted down by Democratic Senators. What I am opposed to is the unfair treatment accorded the agricultural interests in this bill. There are parts of this bill which I could heartily support if standing alone. I am glad to see the income tax finally made a part of our system of raising revenues, and would vote for it if it were a separate measure. There are many rates in this bill which I believe to be preferable to the rates in the Payne tariff law. I do not feel, however, that the fact that certain features appeal to me would justify me in voting for the bill as a whole when those features are coupled with such a glaring discrimination against the American farmer as this bill embodies.

When a Republican President, by offering the Canadian reciprocity agreement, proposed to make the American farmer sell his products in competition with Canada, while he was still compelled to do his purchasing in a protected market, I felt it my duty to oppose such a policy. In the course of the consideration of the pending bill I have felt it just as much my duty to oppose the same policy when presented by a Democratic administration, even though the duties on the products which the farmer buys have been reduced somewhat. The slight benefit which the farmer may derive from the reduction of duties on what he buys will not begin to be a compensation for the losses which this law will make him suffer.

For the reasons stated I shall vote against the bill.

I ask unanimous consent to have printed as an appendix to my remarks certain extracts from the Washington Post and also an editorial from the Washington Star.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

[From the Washington Post, Saturday, Sept. 27, 1913.]

PROMISES CHEAP BEEF—EX-PRESIDENT OF PERU SAYS 10 CENTS WILL BUY POUND—CANAL TO AID IMPORTERS—AUGUSTO LEGUIA SEES BIG SAVING BY CUTTING 4,000 MILES OFF COMMERCIAL LINES TO HIS COUNTRY—WANTS TO INTEREST SECRETARY HOUSTON IN BREEDING NEW TYPE OF HORSE.

Augusto B. Leguia, former President of Peru, has arrived in Washington bearing a message of hope to the American people. He is going to reduce the high cost of living. He is going to see that the American people get beef at less than one-third what it costs to-day.

Beef will sell in this country for 10 cents a pound, according to former President Leguia, when the Panama Canal is opened. "When the canal is opened," he said last night at the Shoreham Hotel, where he is stopping, "the commercial line between the United States and Peru will be shortened by at least 4,000 miles."

TALKED TO EXPORTERS.

Before the American Manufacturers and Exporters' Association in New York Thursday night Mr. Leguia made the same contention. He said there is enough pasturage in Peru to comfortably feed cattle for the entire consumption of the United States.

Mr. Leguia will remain in this city for at least three days. During that time he will visit many officials of the Government in an attempt to strengthen relations between this country and Peru. It is understood that he will call upon Secretary Bryan this morning. He also will try to see President Wilson.

It is also understood that Mr. Leguia will call upon Secretary Houston and try to interest him in the production of a new breed of horses on the grazing lands of Peru. The former President owns more than 400,000 acres of grazing land and wants to obtain a thoroughly American type of horse for his country.

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CANADA PRODUCTS SHIPPED.

ST. PAUL, MINN., *September 26.*

Canadian butter and farm products are being shipped to commission men here and held in bonded warehouses under the prospect of the tariff, which it was expected would lower the duty approximately $1,000 a carload. Several large shipments of produce also are being held on the Canadian side of the border.

[From the editorial page of the Washington Star, Tuesday, Sept. 30, 1913.]

REVENUE AND EXPENDITURES.

Chairman SIMMONS's latest statement concerning the new tariff contains two very interesting points—(1) a surplus of $18,000,000 will be produced, and (2) the Government will be well provided for.

Some weeks ago an estimate given out fixed the surplus at only $2,000,000. That was drawing the line pretty fine—too fine. It was not advisable to leave the matter in that shape. A slump in customs receipts for some unexpected reason might cause embarrassment. Never a deficit when avoidable. The larger figure makes things safer. There is a fair leeway in eighteen or twenty millions.

That the Government would be well supported was to be expected. The Democratic Party, for all its charges of waste against the Republican Party, would not dare signalize its return to complete control by a policy of skimp. There is too much at stake. The Government's needs are too apparent and too pressing. In the 18 years that have passed since the Democracy controlled both the Presidency and Congress Uncle Sam has grown considerably, and it takes a good big sum now to fit him out properly.

There are Democrats—Mr. BAILEY, of Pennsylvania, is one—who are on record on the economy issue, and, having charged extravagance on the Republicans so long and so severely, are in earnest about applying the pruning knife; but they will find it difficult, if not impossible, to bring a majority of their party friends around to their point of view. With many others the economy cry was but a campaign cry, forgotten as soon as the campaign ended; and now they would have Mr. BAILEY and his friends "forget it."

What the effect will be on the electorate when it is discovered that the new tariff, whatever its merits, has not revised the cost of living downward, and that the Democrats in power can not redeem their promise of reducing appropriations $300,000,000 a year, is a question. "Never prophesy unless ye know." Never promise unless you have reason to believe you can redeem your promise.

The Democracy's danger is in the extravagance indulged in last year by its flamboyant stump speakers, who, with a great wealth of language and nothing else, went from State to State promising all things to all men and committing their party to utter impossibilities. Hundreds of thousands of votes were obtained in that way, and a reckoning approaches. A billion-dollar session of Congress? Terrible! And yet here it comes under Democratic auspices. Say what you please, the world do move.

Mr. BORAH. Mr. President, when this bill came over from the House it had in it a provision as follows:

That all goods, wares, articles, and merchandise manufactured wholly or in part in any foreign country by convict labor shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited, and the Secretary of the Treasury is authorized and directed to prescribe such regulations as may be necessary for the enforcement of this provison.

When the bill was in the Senate I offered the following amendment:

That all goods, wares, articles, and merchandise manufactured wholly or in part in any foreign country by convict labor, or by children under 14 years of age, or by children under 16 years of age employed for more than 8 hours per day or 48 hours per week, or by boys under 18 years of age or women over 16 years of age employed for more than 9 hours per day or 54 hours per week, shall not be entitled to entry at any ports of the United States, and the importation thereof is hereby prohibited; and the Secretary of the Treasury is authorized and directed to provide such regulations as may be necessary for the enforcement of this provision.

The Committee on Finance of the Senate offered, in lieu of the House amendment, an amendment which I shall not take time to read, but which I shall ask to insert in the RECORD in connection with my remarks.

The PRESIDING OFFICER. In the absence of objection, that may be done.

The matter referred to is as follows:

That no goods, wares, articles, and merchandise—except immediate products of agriculture, forests, and fisheries—manufactured wholly or in part in any foreign country by convict labor, or principally by children under 14 years of age in countries where there are no laws regulating child labor, shall be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited. Any shipment consigned for entry at any of the ports of the United States of goods, wares, articles, and merchandise—except immediate products of agriculture, forests, and fisheries—manufactured in any foreign country, Province, or dependency, where the industrial employment of convicts is not prohibited by law, or of children not regulated by law, shall be accompanied by an affidavit of the shipper of such merchandise, or his legal agent, to the effect that the merchandise covered by the invoice has not been manufactured wholly or in part by convict labor or principally by children under 14 years of age, the form of the affidavit to be prescribed by the Secretary of the Treasury, who is also authorized and directed to issue such further regulations and to collect all information pertinent thereto through cooperation with the Consular Service of the United States, as may be necessary for the enforcement of the provision.

Mr. BORAH. After the bill went back to conference the amendment which was adopted in the Senate, although an emasculation of the amendment which I offered, was cut out, and the conference report goes back to the original provision as it came over from the House; so that the bill as it now stands has eliminated from it everything in regard to the subject matter of the importation of goods made by child labor.

When I offered this amendment I was perfectly aware, of course, that it was considered radical, but I did think that the amendment as adopted by the Senate certainly could not be considered radical by anyone. Nevertheless, the conference report has eliminated even that, so that the matter stands exactly as it came from the House in the first instance. I think

this is a mistake. I think it was an unwise and an unjust thing to do.

I perfectly understand the general theory by which some people figure that we can get cheaper goods into this country. They believe that we can have cheaper goods and cheaper living without cheaper labor—a consummation devoutly to be wished.

I perfectly understand, also, how desirous we all are of having the things which we buy cheap and the things which we sell dear—a rather difficult problem in practical economics, but a theory of perennial charm.

I understand, also, that there is a class of people in this country, growing more and more every year, who desire foreign-made goods even at the same price in preference to home-made goods. There seems to be an exhilaration about the touch of the foreign-made cloth that the home weave fails to excite. They belong to the class of people who prize the acquisition of a foreign accent above all earthly things.

I can know of these things, and I can comprehend them; but I can not understand the calculating, insatiate greed which would have things a little cheaper from the hands of the unhoused, unclothed, and almost unfed children who work in the hell holes of Europe.

The conditions which exist there, I presume, are unknown to a great many who have not had occasion and time to go into the condition of affairs. There can be no ground for cutting out this amendment with reference to the importation of child-made goods other than the hope that we may have the goods a pittance cheaper. We therefore advertise to the world that we, a great Christian Nation, are willing to live, to save, and to garner at the expense of those who, though still children, are old, sad in face, broken limbed, and broken hearted, the miserable annual spawn of this age of avarice and greed. These children eat and sleep and live and die in places where those who would benefit by their labor would not kennel their dogs. Yet we take the position that we prefer to have the goods under those conditions rather than not have them at what is supposed to be a little higher price.

Some call this economy, and we may flatter ourselves that it is twentieth century statesmanship—and I rather think it is—but whatever we call it, it is in fact nothing but narrow, selfish, inhuman, brutal greed, the base and groveling instinct of a wealth-grabbing, pleasure-hunting era.

But there is another influence which we have always had to contend with in the matter of child-labor legislation, whether at home or abroad. We have in this country a class of manufacturers, particularly in the cotton industry, though not all of them, who are in every instinct of their sordid natures slave drivers and slave masters. They would not hesitate, if they had the power to do so, to weave the flesh and blood of the children of the poor into cotton fabrics. As a fact, figuratively speaking, they do do so. I have in my office photographs of scenes in these mills, from Puritan New England to the Gulf coast, showing how these children, mere children, tug and toil by day and by night, literally being worked to death in order to swell the already swollen dividends of the operators.

To my mind, there is nothing so pathetic, neither is there anything so menacing to the citizenship of this Republic, as the fact that this happens here in our country continuously, year after year, and there seems no sufficient appreciation of the evil.

Mr. President, this influence, sinister and selfish and overshadowing, is always alert for just such proposed legislation as this.

They regard any legislation in whatever form it appears as an attack upon their citadel of brutal greed and selfishness, and therefore they oppose it though it related alone at this time to foreign importations.

So, Mr. President, we have had to deal not only with the importer who flooded Congress with telegrams the moment this amendment was offered, and who seems to be a power in the land in these days, but we have to contend with this unnatural combination which would work unto exhaustion and for a mere pittance the children of the Republic.

I do not think that the defeat of this amendment will give any particular gratification or satisfaction to the Members of Congress after they have come to consider it. I do not think that they will feel very proud to say to their constituency, the manhood and the womanhood of America, "we have possibly given you some cheaper goods, a pittance cheaper if it reaches you and is not taken up by the middleman; and if you will go with me I will show you a photographic view of those from whom we take the goods to make them cheaper."

Mr. President, I have no sympathy nor no tolerance with that rule or principle of legislation which regards the human being as so many foot-pounds of mechanical power to be worked out at the highest pitch and then cast like a bulk upon the refuse heap.

Every law which a Republic writes should have in it not only a principle of economy, but it should have in it also the principle of humanity, a consideration not only for the economic well-being of its citizens, but a consideration for the manhood and the womanhood upon which the Republic has to rest. There is a soul and a human heart, as well as a stomach and a sensitiveness to hunger, in this being to whom God has given dominion over this earth.

If there is any one thing going unnoticed, and unchecked, and unchallenged in this Republic it is the undermining of the manhood and the womanhood of this country by destroying the children—making them old in their youth—upon whom the Republic must rest in the future if it is to rest substantially at all. How happy, oh, happy, we will be to go home to our constituency and say we think we have gotten something cheap from Europe, and while it may wear the stain of a child's tired and feeble touch, it will bring great comfort, no doubt, to you. You greatly mistake your constituency—they want no such goods.

Now, what would have been the effect of this amendment? The effect would have been to either make them conform to humane laws with reference to the employment of children or to stay out of our markets. They would not have stayed out of our markets. They would have complied with the humane laws which we requested them to comply with and would have come into our markets anyway. They would not have stayed out. We would have, simply by refusing to share with them their infamy, compelled them to share their profits with their employees by giving them better hours and employing under more humane conditions. It was a just thing to do. It was a moral thing to do. It ought not to have required any courage, only an ordinary sense of decency, a common touch of human sympathy.

Mr. PENROSE. Mr. President, I recognize the impropriety of detaining the Senate at this late hour, and I assure my colleagues that I have no intention of so doing. I simply want to call the attention of the Senate before this bill is finally voted on to the fact that burlaps are left on the free list while grain bags receive a duty of 10 per cent ad valorem. An article used throughout the South is free. An article essential to the farmer of the Northwest and the Pacific coast is put upon the dutiable list. Both are similar articles.

Mr. SHIVELY. Will the Senator allow me right there?

Mr. PENROSE. Yes.

Mr. SHIVELY. Does the Senator refer to cotton bagging as free?

Mr. PENROSE. I refer to burlaps.

Mr. SHIVELY. Well, that is cotton bagging. I understood the Senator to be making the point that there was something sectional about the bill in that respect.

Mr. PENROSE. It seems to me it is largely sectional in that respect.

Mr. SHIVELY. Burlaps are just as free to the northern farmer—the wheat raiser and the wool grower—as burlaps are free to the southern cotton raiser.

Mr. PENROSE. I know, but it is used primarily by the southern cotton grower.

Mr. SHIVELY. Burlaps?

Mr. PENROSE. I think so. The great consumption of burlaps is in the South; I think the figures will show that; while grain bags, which are an exactly similar article, and are used by the farmer in the Northwest, are put on the dutiable list.

Mr. SHIVELY. If the Senator will reflect a moment he will see that both are placed on an equality in that respect. The farmer will get his burlaps free if he sees fit to make his own bags just as the cotton raiser gets his burlaps free to sew on his cotton.

Mr. PENROSE. The differential is much larger in this bill than in the present law. I know the question of burlaps is a sore one with the Democratic Party, and I do not intend to press it or to get into a controversy this late in the evening. All I know is that the granges, in the grain district especially on the Pacific coast, universally condemn this 10 per cent duty on grain bags, while cotton bagging is free, and they have written to me quite numerously.

Another evidence of the sectionalism of the bill is the 1 cent per pound on rice, while wheat is on the free list. If that is not sectional I do not know what is. Perhaps the Senator from Indiana can explain how that affects the rice fields of Pennsylvania and North Dakota.

Mr. SHIVELY. I presume the Senator knows that in one instance the article is an article of import from which the Government receives substantial revenue, and in the other case the article is export and the Government receives practically no revenue.

Mr. PENROSE. The Senator means wheat?

Mr. SHIVELY. Certainly.

Mr. PENROSE. I think the Senator understands that there will be plenty of importations of wheat under this bill.

Mr. SHIVELY. What is the Senator thinking about? The last year 143,000,000 bushels of wheat were exported.

Mr. PENROSE. If the Senator from North Dakota [Mr. GRONNA] were here, I would ask him if we are likely to produce enough wheat this year for the consumption of the American people.

Mr. SHIVELY. Does the Senator say we are not likely to produce enough wheat? Is the Senator banking on starvation?

Mr. PENROSE. No; we will be importing Canadian wheat.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Pennsylvania yield to the Senator from North Dakota?

Mr. PENROSE. Yes.

Mr. GRONNA. I have looked into that matter quite closely, and I am free to state that so far as spring wheat is concerned there will be no spring wheat exported from the United States during this year.

Mr. SHIVELY. Does the Senator mean by that that there is a short crop; that there is a scarcity?

Mr. GRONNA. I do not state that there is a scarcity, but there is a short crop. Last year we had a surplus.

Mr. SHIVELY. There is a scarcity of wheat, and therefore the Senator concludes that there will not be a large exportation.

Mr. GRONNA. That is the statement of the Senator from Indiana. I say that the crop is shorter this year than it was last year. It is an average crop. The yield is an average yield.

Mr. SHIVELY. I was curious to arrive at the philosophy of the situation.

Mr. PENROSE. All I state is that the product of the South receives a duty of 1 cent per pound and the product of the North is on the free list. I also maintain that with the machinery in use rice can be produced as cheaply in Arkansas as wheat in Minnesota, with the added cost of flooding the rice fields by pumping. This cost is but a small fraction of the 60 cents a bushel imposed upon rice in this bill.

I have already referred to the duty on the hair of the Angora goat, and I will not enlarge on that subject.

I observe with very great regret that the Senate conferees were unable to agree to the House provision on the anti-dumping clause in the House bill. This imposed a duty not exceeding 15 per cent additional on foreign goods sold here below the foreign market price. It was cut out at the request, apparently, of the Senate conferees on account of their objection to it.

Anyone who is familiar with tariff legislation knows that many of these duties are not prohibitive or protective, but serve in the capacity of a dumping provision. They are only nominal. If you include the free list, the average rate in the Payne law is between 17 and 18 per cent. There are many duties which simply act as an antidumping provision. The duties in the pending bill are very greatly reduced, and no dumping clause is added, and it should have been added.

I also observe with great regret, Mr. President, that the 5 per cent reduction on goods brought here in American vessels in the House bill and stricken out in the Senate was not put back in conference. It is said that this was done because the treaties must not be impaired. It seems to me that is a judicial question, and we might well have taken this step in the interest of American shipping and ascertained later on whether it would hold or not.

Mr. President, in addition to the sectional features of this bill, I want here to assert to the Senate, with all due solemnity, that since the inauguration of the civil service in the Federal Government there never has been a more unscrupulous, a more radical, or a more vicious invasion of the civil-service principle than the paragraph in the bill which opens the way for some 1,000 employees who will be permanent, in violation of the civil-service law, and legislates so that the appropriation can be increased any year, thereby increasing the number. The conference agreement provides that these men eventually may take the places of the other employees in the Internal Revenue office when not engaged in their own work.

Mr. President, when the civil-service associations of the different States of the United States and the vast body of good citizens all over the country who are pledged to civil service become conversant with this outrageous and flagrant violation of every principle to which the Government is committed, they will hereafter look with scorn and scoffing on the high moral professions of Democracy.

Mr. President, the complete departure from the traditional economic policy of this country which the party temporarily in power has made in framing the pending tariff bill, a policy that has been indorsed by a majority of American voters at nearly every opportunity which has been presented for the last 50 years—and I include in this generalization the national election of 1912—leads me to say a few words by way of review, first, of the manner in which the bill was prepared for introduction; secondly, the way it was handled after it was introduced; and, thirdly, of the merits or demerits of the measure itself. This program may seem formidable, but I shall make my remarks brief. The friends of this bill have been eloquent in pointing out the care with which it was prepared and have claimed that ample opportunity was afforded to all parties interested to be heard, both manufacturers and importers, and that it was after hearing both sides and considering the interests of both, not forgetting, either, the interests of the ultimate consumer, that the rates which appear in the bill were selected. Now, I do not need to be told of the impropriety of criticizing the actions of the other House of Congress, nor do I intend to transgress the rule, but certainly a review of the career of this bill from the beginning would be defective if it did not deal with the feature of the hearings which were held prior to the introduction of the bill.

The reports of the hearings themselves, as well as the many statements, oral and written, which have been submitted to me show that before the tribunal which conducted the hearings one set of suitors was received with open arms and courteous treatment, while the other set met with a chilly atmosphere and treatment that sometimes bordered upon the discourteous. American manufacturers pleading that their business should not be destroyed by legislation met with sardonic smiles and caustic cross-examinations, while those who represented importing interests seeking for a reduction or removal of duty, entirely indifferent to the effects of such action upon the interests of any persons but themselves, were received and welcomed as if they were public benefactors, as were certain sectional interests asking for certain protective duties. This striking difference in the demeanor of the majority toward the two classes of interests was reflected strongly in the bill which was subsequently reported. It is true that, owing to bungling, some of the rates in the present law have been, through misuse of language, raised, yet the bill represents sweeping and enormous reductions in duty; the rates are even lower than those proposed in Democratic tariff bills of recent years, and the general impression one receives from a perusal of the measure is that where there was not deliberate discrimination shown there was a lack of intelligence exhibited.

However, the bill, such as it was, passed the House of Representatives with the aid of the enormous Democratic majority there, and in view of the fact that the House had its mandate direct from the people and that the bill which the House passed was the bill that was favored by the one man who seems to have more power than both Houses of Congress combined, it would seem that that was the bill that should have been enacted into law. Strange to say, however, not only did not the Senate fail to pass the House measure, but they kept it in committee for over two months and made in it no fewer than 676 amendments. Six hundred and seventy-six amendments to a measure which was passed by an overwhelming majority of the Democratic House of Representatives and which had the delighted approval of the Executive! Many of these amendments were made by the Finance Committee; many more were made by the party caucus, which was resorted to for the first time in the history of the Senate; and still more were made on the floor of the Senate. In fact, the tinkering continued up to the very last moment before the bill was put to a vote, and it may not be amiss to call attention to the fact that a large number of these amendments were made necessary by crudities in the bill which escaped the notice of those who framed the bill and passed it through the Senate, and who acted only when their attention was invited by Republican Senators. It is no wonder that a bill produced under such auspices is what it is, namely, a mass of sweeping and unreasonable changes in duty, involved phraseology, and senseless discriminations.

It can not be said that the efforts of the conference committee resulted, upon the whole, in any improvement to the bill. Their action did not go deep enough for that.

All through the bill we find persistent reductions of duty in the face of increasing importations under the present low rates and in the face of the heavier manufacturing costs of American production. Granting, for the purpose of argument, that some

of the present low rates could be reduced without serious disadvantage to our own interests and to the benefit of the Government's revenues, what sense is there in heavy cuts in rates that are already competitive and under which large importations are being made? Yet, that is just what has been done, and there are even instances where, notwithstanding that the imported goods have already more than half the market, the rates have been reduced.

In some remarks which I had the honor of making on the chemical schedule during the course of the debates I pointed out the inconsistencies, incongruities, and palpable discriminations in the great chemical industry, and I regret now to find that the conference did not utilize its opportunity to correct them. In spite of all that has been said showing the inapplicability of ad valorem rates to chemicals, the faint effort which the Senate made to substitute specific rates was abandoned in conference. A little bit of logrolling in connection with the placing of cyanides on the free list here comes to mind. It can not have escaped observation that the Senators who requested this action represented States in which wool raising and beet-sugar production are important industries. Was the free listing of cyanide, which they consume, a consolation to them in view of the free listing of the wool and sugar, which they produce? I fear that when these Senators take the sense of their constituents on the subject they will realize that the people will not approve the exchange.

In Schedule B the conference accepted the action of the Senate in free listing cement and asphalt, but rejected amendments intended to secure a consistent classification of china and glassware. The bill is that much worse. I notice, however, that the relatively high rates on fluorspar and mica were not lowered.

Of all the industries marked for slaughter, apart from lumber, sugar, and wool, those represented in the metal schedule of the tariff law have suffered the worst. Pig iron has had all the duty removed. I know that the statement has been frequently made—so that some people now think it is true—that no duty on pig iron is necessary because of the cheapness of its production in this country; but the stubborn fact remains, and the figures prove it, that pig iron is produced even in England at a price that will undersell American pig on the Atlantic seaboard and for some distance into the interior.

This metal schedule has peculiar interest for me, and I find in scanning it what would be called by the opposition a joker if found in a Republican tariff bill. Paragraph 522 of the free list enumerates wrought iron among the other products there made free of duty, and yet in paragraph 105 of the dutiable list provision is made for the various commercial forms of wrought iron. What will the customs officers do? Wrought iron clearly does not belong on the free list. It is a machine-shop product, can be made only in small quantities, and the labor cost in it is considerably higher than in the production of steel. The steel paragraph, 112, presents another anomaly, and ingots, slabs, blooms, and billets made by the Bessemer, Siemens-Martin, open-hearth, or similar process not containing alloys are made free of duty, while steel castings made by the same process are dutiable. What facts or figures have you to justify this discrimination? Steel products made by other processes or containing alloys are covered by a duty of 15 per cent, and I am not sure that the differences in origin of the steel can be revealed by mere inspection. A comparison of this last-named paragraph, 112, with paragraph 113 reveals another anomaly. Steel bars, dutiable at 15 per cent under paragraph 112, are to be admitted at 10 per cent under paragraph 113 if they have been "cold-rolled, cold-drawn, cold-hammered, or polished in any way in addition to the ordinary process of hot rolling or hammering." It is not my purpose to go further into detail, but it is evident that the revision of the metal schedule has proceeded in utter recklessness of its consequences to domestic interests and without any intelligent effort to balance the rates between raw material or semifinished products and the finished products. One curious fact I notice is that, in spite of the long speeches made here denunciatory of the Aluminum Trust, the rate carried by table, kitchen, and hospital utensils of aluminum is among the highest in the metal schedule and is higher than the rate carried by the basket clause of the metal schedule. There are many curious provisions in this schedule, but there are two to which I wish to call particular attention. They are paragraphs 155 and 164. The former deals with various lead products and articles, including pig lead, sheet lead, lead pipe, and lead wire and levies an ad valorem duty "on the lead contained therein." Paragraph 164 deals with zinc-bearing ores and levies an ad valorem duty "upon the zinc contained therein." The question that comes to my mind is, What is the value upon which this ad valorem rate is to be levied? Is it to be upon the value of the lead or the zinc as it is in the condition imported mixed with or in company with other material, or is it the value of the lead or the zinc after it has been segregated from the other materials? It is manifest that there would be a great difference in these relative values. It is equally manifest that an ad valorem rate of duty levied in this manner is preposterous.

SCHEDULE D.

I shall pass over the wreck of Schedule D, wood and wood products, with the remark that while the patriotic attempt to encourage and extend the use of Maine box shooks by enlarging the preference granted to them when imported filled with foreign fruit seems to have failed, some vestigial phrases of the proposed amendment have been left in paragraph 174 with the effect of making it unintelligible. It is clear enough that the sides, tops, and bottoms of the boxes will be free of duty, but what of the end pieces?

SCHEDULE E.

On the subject of the sugar schedule, while deeply sympathizing with the people of Louisiana and our other sugar-producing localities in their misfortune, it seems very singular to me that the Democratic majority gave this industry what it denied to all others, namely, some time to adjust itself to the new conditions placed upon it. This is additional evidence of the sectional discriminations which disfigure the pending tariff bill.

SCHEDULE F.

While it is true that no changes were made in the tobacco schedule, it is proper here to point out two new provisions in other sections of the bill which have a bearing upon the domestic cigar and tobacco industry. I refer to paragraph B of section 5 and to the new matter added to paragraph M of the same section. The former establishes absolute free trade in cigars and tobacco from the Philippine Islands. The latter permits the importation of foreign tobacco in bond, its manufacture into cigars in a bonded manufacturing warehouse, and the postponement of the payment of the duty upon the tobacco and the internal-revenue tax upon the cigars made from it until the cigars are withdrawn from the warehouse. The former provision means destructive competition and ultimate annihilation to the leaf-tobacco growers and the cigar manufacturers in the North, West, and East. The latter provision is a boon and a great privilege to cigar manufacturers in Florida, and it will add to their prosperity.

SCHEDULE G.

Under the head of the agricultural schedule it must at least be said for the Senate that it succeeded in correcting the aberration that made food animals dutiable and meat free, oats dutiable and oatmeal free, wheat dutiable and flour free, poultry dutiable and canned and preserved poultry free. Nevertheless the various provisions relating to agricultural products constitute the bill a monument of indifference to and outrageous disregard of the rights and interests of the millions of our fellow citizens who are engaged in agricultural pursuits. This is not a good time to discriminate against the farmer, and every principle of sound policy, fair play, and square dealing cries out against such action.

The best interests of the Nation, now perhaps more than ever before, demand that every possible encouragement be given to agriculture. We are closely approximating—if, indeed, we have not already arrived at—a period where great changes in the conditions under which agricultural production must be carried on are imperative. Farming will now be more than ever an intensive pursuit and will require quite as much ability, ingenuity, and patience as manufacturing occupations require.

Rough treatment has been accorded to the products of the farm. On the free list have been put broom corn, buckwheat and buckwheat flour, corn, corn meal, eggs, flax straw, hemp, milk and cream, potatoes, rye, rye flour, cattle, sheep, swine, wheat, wheat flour, and wool—all of them products of the farm and all of them subject to severe competition from contiguous countries, and especially from our northern neighbor. The placing of these products on the free list and the wholesale reductions on barley, oats, butter, cheese, hay, and fruits, and vegetables generally, fall heavily on the farmers of the North, Northeast, and Northwest; but rice, surely a food product of the masses, continues to bear a heavy duty. This discrimination is most unfair, unstatesmanlike, and exposes the majority to deserved criticism. I do not like to raise the cry of sectionalism, but I do not propose to ignore that which is plainly to be seen, and it can not be denied that duties which are plainly protective are retained on many products mined, grown, or made in the southern sections of this country, such as barytes earth, mica, zinc ore, sugar, tobacco, coarse cotton cloth, Angora goat hair, and tops and yarns of Angora goat hair. The same selfish partiality and discrimination are exhibited in

the transfers made to the free list. The bagging which is used for covering bales of cotton and the metal ties or bands that secure the bales, for both of which the southern producer receives the price per pound of cotton, are made free of duty. So are the press cloths that are used by the rich cottonseed-oil producers of the South. Yet the making of bagging, cotton ties, and press cloths are important industries in the North and East and give employment to large numbers of men.

SCHEDULE I.

The cotton schedule of the new bill was certainly made by the rule of thumb. It is a mass of conflicting provisions, doubtful constructions, and verbal puzzles, whereby in some instances, possibly unknown to its authors, rates are actually made higher than those in the present law. Here, too, we find evidences of the same baleful policy of discrimination, for fine fancy cottons have been subjected to the same measure of reduction as the coarse simple weaves. The former are, even under the present law rates, the subject of large and growing importations, and a reduction of duty on them is not good business sense from the revenue standpoint, while of the latter few or none is imported.

The explanation is that the former are made in New England and the latter in the Carolinas and Georgia. In this schedule, too, certain industries which are largely followed in the State which I have the honor to represent in part have received what will in some instances prove a mortal blow. In Philadelphia the manufacture of tapestries and other woven figured upholstery goods had attained a high degree of perfection under the fostering influence of the present law. Beautiful fabrics, equal in design, coloring, material, and finish to those made in Europe, have been turned out in large quantities to beautify American homes with a combination of good taste and a small expenditure. Quite naturally in this class of work the labor costs here are materially higher than in Europe, for they include the compensation of artists and designers who can be had very cheap in France and Germany, but who command high wages in this country. Yet, without regard to any of these considerations and to the advantage of no human being whatsoever excepting the foreign producer the duty on these goods has been reduced 30 per cent, and all the effort which has been expended in building up the industry goes for naught and the men who have been trained to make these fabrics must seek other employment.

The item of hosiery furnishes a striking example of the advantages to the consumer brought about by an active domestic competition made possible by a protective duty. Never before has hosiery been better or cheaper than it has been under the present law, and the domestic industry has been fairly prosperous. Yet the importations have been very large and there has been at all times active competition between the foreign and the domestic product. It would seem that the existence of these facts provided no reason for the extraordinary reduction of duty which has been made on hosiery, but it is perfectly apparent that no reason had no place in the incubrations of the majority. It is idle to say that the consumers will get any benefit from these reductions. Stockings will be sold no cheaper. Already, I am informed, the German manufacturers have been quick to absorb the benefit of the reduction in duty and have raised their prices accordingly. This, I may say, is not peculiar to hosiery, for I have information from many lines of business that the same action is being taken by foreign exporters. My friends of the majority will find that the promises they have made to the people of reductions in the cost of living will not and can not be made good.

SCHEDULE K.

It is difficult to review with moderation or patience the action taken in reference to the wool schedule of the tariff law. The changes and reductions made in it are utterly senseless and unjustified upon any economic or political theory. All duty has been taken from raw wool, and yet manufactures of woolen goods are protected by a duty. This is opposed to what passed for Democratic doctrine. On the other hand, the reductions in duties on the manufactured goods are out of all proportion to whatever benefit the manufacturers may realize from free wool, and what duty is left is totally inadequate to enable them to compete with foreign producers. This is opposed to Republican doctrine.

The throwing away of the large revenue received from importations of wool is opposed to the doctrines of those who favor a tariff for revenue purposes. In this schedule, too, we find one of the most glaring of the many instances of discrimination that is characteristic of this bill. Wool and the varieties of goat hair that are suitable for spinning have been treated alike for tariff purposes for a great many years. They are used for the same purposes and they closely approximate each other, it being a fact that in some varieties the distinction between hair and wool is not very well marked. Any wool which is raised in a great many States in this country, chiefly in the West, North, and East, is put on the free list, while Angora goat hair, the bulk of which is raised in a single congressional district in Texas, is protected by a duty of 15 per cent, although it is a raw material as that term is generally used. This action is indefensible. This duty is purely a protective duty because the revenue to be derived from importations of this material is as nothing compared to the revenue which the wool duties bring in now. It is an exhibition of the rankest favoritism, and it is wholly unworthy of the representatives of a great party. To make matters worse, notwithstanding the placing of a duty on the raw hair and corresponding compensatory duties on the tops and yarns made therefrom, an enormous reduction in duty has been made upon the plushes and other fabrics which are made from Angora goat hair. The result is disaster to an industry which has been built up in this country entirely by reason of protective duties. Many years ago one of the largest of the English houses established a manufacturing branch in this country which now employs several thousand people, but whose activities will be very materially curtailed. It is quite impossible for manufacturers of such fabrics to compete with England and continental manufacturers under the conditions imposed by this bill. I have information that a very large manufacturer remarked some weeks ago that he expected to reduce his weekly pay roll by about $10,000 in consequence of the transfer of the manufacture to England. That remark was made during the stage of the bill when Angora goat hair was on the free list along with wool. The action of the conference, of course, puts this man in a more unfavorable position than ever and seems likely that the curtailment he mentioned that time was an underestimate.

Mr. JONES. Mr. President, I simply desire to ask the chairman of the committee a question relating to shipping, but I do not see him present. I should like to ask if any of the other members of the conference committee on the part of the Senate can tell me how many countries there are with whom we have no treaties that would be affected by the provision inserted by the House. I know the chairman of the committee has a letter giving the countries with which we have no treaties, and I should like to have that letter inserted in the RECORD. I will ask permission, Mr. President, to have that letter inserted in the RECORD when the chairman of the committee comes in and I can get it. That will answer the question I desire to have answered and which I want to appear in the RECORD.

The PRESIDING OFFICER. The Senator from Washington asks unanimous consent to have a certain letter incorporated in the RECORD. Is there objection? There being none, it is so ordered.

The letter referred to is as follows:

DEPARTMENT OF STATE,
OFFICE OF THE SOLICITOR,
Washington, October 1, 1913.

MY DEAR SENATOR: Referring to your letter of September 30, 1913, addressed to the Secretary of State, requesting certain information relative to treaties concluded between the Government of the United States and other nations, which may be affected by the enactment into law of the paragraph in the pending tariff act providing for a discount on importations brought into this country in American vessels, I beg to invite your attention to certain treaty provisions which it would seem pertinent for you to consider in connection with the proposed legislation. As you of course understand, the interpretation of treaties between this Government and other countries is a judicial question, and the department therefore is not in a position to give you an authoritative answer as to the matters referred to in your letter.

Nearly all of the so-called commercial treaties between this Government and other nations contain provisions securing for the citizens and subjects of each of the contracting parties reciprocal equality in the matter of duties imposed on the cargoes of the vessels of each country in the ports of the other. The following is an example of a comprehensive provision of this character:

AUSTRIA-HUNGARY, *August 27, 1829.*

ARTICLE III.

"All kinds of merchandise and articles of commerce, either the produce of the soil or the industry of the United States of America or of any other country, which may be lawfully imported into the ports of the dominions of Austria, in Austrian vessels, may also be so imported in vessels of the United States of America, without paying other or higher duties or charges of whatever kind or denomination, levied in the name or to the profit of the Government, the local authorities, or of any private establishments whatsoever, than if the same merchandise or produce had been imported in Austrian vessels. And, reciprocally, all kinds of merchandise and articles of commerce, either the produce of the soil or of the industry of the dominions of Austria or of any other country, which may be lawfully imported into the ports of the United States, in vessels of the said States, may also be so imported in Austrian vessels without paying other or higher duties or charges, of whatever kind or denomination, levied in the name or to the profit of the Government, the local authorities, or of any private establishments whatsoever, than if the same merchandise or produce had been imported in vessels of the United States of America."

Provisions similar to that quoted above are found in treaties concluded between this Government and the following-named countries: Argentine Republic, July 27, 1853, article 6; Belgium, March 8, 1875,

article 5; Bolivia, May 13, 1858, article 4; Colombia, December 12, 1846, article 4; Denmark, April 26, 1826, article 3; Greece, December 22, 1837, article 3; Hanseatic Republics, December 20, 1827, article 1; Italy, February 26, 1871, article 5; Japan, February 21, 1911, article 8; Liberia, October 21, 1862, article 3; Mecklenburg-Schwerin, December 9, 1847, article 1; Netherlands, August 26, 1852, article 1; Paraguay, February 4, 1859, article 6; Prussia, May 1, 1828, article 3; Spain, July 3, 1902, article 8; Sweden and Norway, July 4, 1827, article 3.

Presuming that the effect of the enactment into law of the provision granting to importations in vessels of the United States a discount of 5 per cent on the duties levied by the act would be to permit the entry of goods imported in American vessels at a lower rate of duty than that charged on the same kind of goods imported in foreign vessels—a judicial question—then there would seem to be no question that the result would be a violation of treaty provisions, such as those above referred to, obligating this Government not to impose on the cargoes of the foreign vessels higher or other duties than those imposed on the cargoes of its own vessels.

I beg further to invite your attention to certain treaty provisions which appear to have a narrower scope than those to which attention has been called. Article 2 of the convention of commerce and navigation, concluded between this Government and Great Britain July 3, 1815, contains the following provision:

"The same duties shall be paid on the importation into the United States of any articles the growth, produce, or manufacture of His Britannic Majesty's territories in Europe, whether such importation shall be in vessels of the United States or in British vessels, and the same duties shall be paid on the importation into the ports of any of His Britannic Majesty's territories in Europe of any article the growth, produce, or manufacture of the United States, whether such importation shall be in British vessels or in vessels of the United States."

You will observe that this provision appears to guarantee to the contracting parties equality in the matter of duties only on such articles of commerce as are the "growth, produce, or manufacture" of each country; and that in the case of the British Government, the stipulations of the treaty apply only to articles having their origin in British "territories in Europe."

Provisions which appear to be of the same scope and effect as that in the British treaty are found in the following treaties: Costa Rica, July 10, 1851, article 6; Honduras, July 4, 1864, article 6.

I have not referred above to the commercial convention concluded between the United States and Cuba December 11, 1902. I understand that the pending tariff measure specifically provides that nothing therein contained shall be so construed as to abrogate or impair the effect of the provisions of this agreement.

The following countries which have diplomatic representatives in this country do not appear to have any treaty provisions which would be violated by the enactment into law of the paragraph under consideration: Brazil, Chile, China, Dominican Republic, Ecuador, France, German Empire, Greece, Guatemala, Haiti, Mexico, Nicaragua, Panama, Persia, Peru, Portugal, Russia, Salvador, Siam, Switzerland, Turkey, Uruguay, and Venezuela.

It should be observed that while no commercial treaty has been concluded between the United States and the Government of the German Empire, agreements of this character, concluded with certain of the independent German States which now form parts of the Empire, as indicated above, are regarded by each of the contracting Governments and by the central Government of the Empire as being still in effect.

Trusting that the above may answer your inquiries satisfactorily, I am,

Yours, very sincerely, JOS. W. FOLK, *Solicitor.*

Hon. F. M. SIMMONS,
United States Senate.

Mr. LA FOLLETTE. Mr. President, I present to the Senate some telegrams and one letter which I have received to-day protesting against certain features of the conference report; also a telegram directed to the senior Senator from Utah [Mr. SMOOT], who is unavoidably detained from the Senate. It was given to me by his secretary with the request that I present it to the Senate.

The PRESIDING OFFICER. The Senator from Wisconsin presents certain telegrams and a letter and asks unanimous consent to have them incorporated in the RECORD, the Chair understands.

Mr. LA FOLLETTE. I ask that they be presented to the Senate.

The PRESIDING OFFICER. And read at the desk?

Mr. LA FOLLETTE. Yes.

The PRESIDING OFFICER. The telegrams and letter will be read, as requested.

The Secretary read as follows:

NEW YORK, *September 30, 1913.*

Hon. R. M. LA FOLLETTE.
Washington, D. C.

Proposed glucose rate victory for starch and glucose trust controlling 80 per cent of entire domestic business; not 1 pound of potato glucose made here; proposed potato dextrin rate a victory for incompetency of domestic tapioca dextrin makers who enjoy free tapioca starch clause conflicts with tapioca clause, tapioca starch, and flour cassava starch, and flour both used as starch in dextrin making and also in the sizing of textiles and by many others using same as starch; all these proposed duties are for the big interests and the incompetents. Where is the promised consideration for the consumer who uses these superior products?

CHAS. MORNING STAR & CO.

APPLETON, WIS., *September 30, 1913.*

ROBERT M. LA FOLLETTE,
Washington, D. C.:

We are advised woven-wire cloth schedule has been canceled by House and duty placed at 15 per cent. We protest vigorously against reduction to below 30 per cent. We have produced figures to show that difference in wages in United States and abroad entitle us to at least 30 per cent protection. Fifteen per cent ruinous to Fourdrinier wire-cloth industry.

LOUIS A. SCHROEDER,
President.
C. E. MAESER,
Executive Board Wisconsin Division,
American Wire Weavers' Protective Association.

APPLETON, WIS., *October 1, 1913.*

Senator ROBERT M. LA FOLLETTE,
Washington, D. C.

HONORABLE SIR: We beg to call to your attention the action taken by the House September 30 on paragraph 116, H. R. 3321, referring therein to Fourdrinier wire cloth. Ways and Means Committee had cut from 45 to 20 per cent, Finance Committee raised it back to 30 per cent, House yesterday reduced it to 15 per cent. If you will investigate, you will find this unfair. Read Schedule C, No. 5, metals and manufactures of, for our brief; also CONGRESSIONAL RECORD, May 1, page 782.

Yours,
C. E. MAESER,
American Wire Weavers' Protective Association.

APPLETON, WIS., *September 30, 1913.*

Senator ROBERT LA FOLLETTE,
Washington, D. C.:

We are advised that 30 per cent duty on woven wire cloth recommended by Senate has been cut to 15 per cent by House. American wire weavers receive about three times as large wages as wire weavers abroad, and only 15 per cent duty would be a severe blow to our industry and work great hardship to our workmen. We have facts and figures to show that we are entitled to at least 30 per cent protection. We urge 30 per cent can be restored.

APPLETON WIRE WORKS.

MILWAUKEE, WIS., *September 30, 1913.*

Hon. ROBERT M. LA FOLLETTE,
Washington, D. C.:

Am advised that an ad valorem duty is proposed on cheese. I believe that duty on cheese should be made a specific one, no matter how high, as an ad valorem duty will lead dishonest importers to make crooked declarations. Will you kindly use your influence?

H. B. STANX CHEESE IMPORTING CO.

NEW YORK, *September 30, 1913.*

Senator R. M. LA FOLLETTE,
Washington, D. C.:

Ad valorem on cheese invites fraud; must be specific.

REYNOLDS & CO.

NEW YORK, *September 30, 1913.*

Senator R. M. LA FOLLETTE,
Washington, D. C.:

Ad valorem on cheese invites fraud; new tariff no material reduction.

O. ROTH & CO.

SPOKANE, WASH., *September 30, 1913.*

Hon. WILLIAM LA FOLLETTE,
Washington, D. C.:

Representing Spokane Business Property Association, I respectfully request use your influence with conferees tariff bill; have provision income-tax law stricken, which authorizes lessees deduct tax certain rentals. It is only fair and right that owners should pay net income tax direct, same as any other corporation or individual.

R. F. HANKE, *Secretary.*

NEW YORK, *October 1, 1913.*

Hon. R. M. LA FOLLETTE,
United States Senate, Washington, D. C.:

Income-tax proviso re collectors contains clause that employees when not employed on income-tax work shall be employed on general internal-revenue work. Would allow packing service with politicians by avoiding appointments through examination for two years. Can it be shown up in Senate?

ROBERT W. BELCHER,
National Civil Service Reform League.

AMERICAN SWISS FILE & TOOL CO.,
New York, September 30, 1913.

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SENATOR: From this morning's report in the Times on the tariff bill I notice with deep regret that the duty of 35 per cent on hand-cut files and "files of precision," which the Senate Finance Committee agreed to after you had so kindly interested yourself in our case, has been reduced in conference to 25 per cent, on a dead level with common files and rasps.

As this is positively unjust to the higher branch of the file industry, which we represent, I would ask you to do what you can to give us the 35 per cent duty asked for, since without it we are positively unable to compete in price with the same class of files made in Germany and Switzerland.

Should we be compelled to abandon our specialty the consumers as well as ourselves would surely suffer, for if we once give up the manufacture of hand-made files and "files of precision" the importers will have no competition and will monopolize the market, charging their own prices.

Can nothing be done to ward off this blow from an industry which while small yet leads the world in the excellence of its product and surely deserves preservation?

Over 100 of the very best file makers to be found anywhere in the world will bless you for anything you can do to restore that little 35 per cent of needed protection against labor which costs 150 per cent less in Switzerland, though of course not equally as efficient as are our American file makers.

Twenty-five per cent is entirely too low to preserve the industry.

Asking your pardon for again troubling you in this matter, I remain, with kindest regards,

Very truly, yours, E. P. REICHHELM.

APPLETON, WIS., *October 1, 1913.*

Senator REED SMOOT,
United States Senate, Washington, D. C.

HONORABLE SIR: We beg to call to your attention the action taken by the House September 30 on paragraph 116, House bill 3321, referring therein to Fourdrinier wire cloth; Ways and Means Committee had cut from 45 to 20 per cent; Finance Committee raised it back to 30 per cent; House yesterday reduced it to 15 per cent. If you will investigate, you will find this unfair. Read Schedule C, No. 5, metals and manufactures of, for our brief; also CONGRESSIONAL RECORD, May 1, page 782.

Yours,
C. E. MAESER,
American Wire Weavers' Protective Association.

The PRESIDING OFFICER. The question is, Shall the Senate agree to the report of the conference committee?

Mr. BRANDEGEE. Let us have the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BORAH (when Mr. BRADY'S name was called). I desire to state that my colleague [Mr. BRADY] is unavoidably absent. If he were present, he would vote "nay."

Mr. NELSON (when Mr. CLAPP'S name was called). I desire to say that my colleague [Mr. CLAPP] is unavoidably absent, and, I believe, unpaired. If he were present, he would vote against the adoption of the conference report.

Mr. CLARKE of Arkansas (when his name was called). I have a pair with the junior Senator from Utah [Mr. SUTHERLAND]. That Senator is not present, and I therefore withhold my vote. If that Senator were present, I should vote "yea."

Mr. FLETCHER (when his name was called). I have a pair with the Senator from Wyoming [Mr. WARREN]. He being absent, I withhold my vote. If he were present, I should vote "yea."

Mr. GRONNA (when Mr. MCCUMBER'S name was called). My colleague [Mr. MCCUMBER] is unavoidably absent on important business. If he were present, he would vote "nay."

Mr. PITTMAN (when Mr. NEWLANDS'S name was called). I desire to announce the unavoidable absence of my colleague [Mr. NEWLANDS] and to state that he is paired with the junior Senator from South Dakota [Mr. STERLING].

Mr. O'GORMAN (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. GALLINGER]. If I were at liberty to vote, I should vote "yea."

Mr. PENROSE (when Mr. OLIVER'S name was called). My colleague [Mr. OLIVER] is necessarily absent from Washington. Were he present in his seat and permitted to vote, he would vote "nay."

Mr. CLARKE of Arkansas (when Mr. ROBINSON'S name was called). My colleague [Mr. ROBINSON] is absent on official business. If he were present, he would vote "yea." He is paired with the junior Senator from Michigan [Mr. TOWNSEND].

Mr. SHAFROTH (when his name was called). I have a pair with the junior Senator from California [Mr. WORKS], and therefore withhold my vote. If I were privileged to vote, I should vote "yea."

Mr. WEEKS (when Mr. SHERMAN'S name was called). I desire to state that the junior Senator from Illinois [Mr. SHERMAN] is absent on account of important business. If he were present, he would vote "nay."

Mr. SMITH of Georgia (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. LODGE]. I therefore withhold my vote. Were I at liberty to vote, I should vote "yea." In this connection I wish to add that our pair has this qualification, that either of us may vote when necessary to constitute a quorum.

Mr. REED (when Mr. STONE'S name was called). My colleague [Mr. STONE] is necessarily absent, his absence being occasioned by sickness in his family. If he were present, he would vote "yea" upon this vote, as he would have voted on all other votes to sustain the report of the conference committee. He is, in his absence, paired with the Senator from Wyoming [Mr. CLARK].

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Wisconsin [Mr. STEPHENSON]. If he were present, I should vote "yea." I will announce that that pair was made under the same conditions as the pair just announced by the Senator from Georgia [Mr. SMITH].

Mr. SMITH of Michigan (when Mr. TOWNSEND'S name was called). As announced by the Senator from Arkansas [Mr. CLARKE], my colleague [Mr. TOWNSEND] is paired with the junior Senator from Arkansas [Mr. ROBINSON]. I merely desire to say that if he were present my colleague would vote "nay."

Mr. WALSH (when his name was called). I have a pair with the senior Senator from Rhode Island [Mr. LIPPITT]. It does not, however, extend to the vote on the conference report. I accordingly vote "yea."

The roll call was concluded.

Mr. SHEPPARD. My colleague [Mr. CULBERSON] is unavoidably absent. He is paired with the Senator from Delaware [Mr. DU PONT].

Mr. LEA. I am paired with the senior Senator from South Dakota [Mr. CRAWFORD]. If I were at liberty to vote, I should vote "yea."

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. In his absence, I am compelled to withhold my vote. If permitted to vote, I should vote "yea."

Mr. JONES. I am requested to state that the senior Senator from Kentucky [Mr. BRADLEY] has been necessarily absent during the evening and is absent on this vote. If he were present, he would vote "nay."

Mr. KERN (after having voted in the affirmative). On account of the absence of the Senator from Kentucky [Mr. BRADLEY], with whom I am paired, I withdraw my vote.

Mr. BANKHEAD. I have a general pair with the junior Senator from West Virginia [Mr. GOFF]. If he were present, I should vote "yea."

Mr. WEEKS. The junior Senator from Georgia [Mr. SMITH] has stated that he is paired with my colleague [Mr. LODGE], who on account of illness will be absent until the completion of this bill. I wish to say that if my colleague were present, he would vote "nay."

Mr. PENROSE. In order to complete the record, I think I ought to state that the junior Senator from Maine [Mr. BURLEIGH] is detained at his home away from Washington on account of illness; and that the Senator from New Mexico [Mr. CATRON], the senior Senator from Vermont [Mr. DILLINGHAM], the junior Senator from Vermont [Mr. PAGE], the Senator from New York [Mr. ROOT], and the Senator from Utah [Mr. SMOOT] are necessarily absent from Washington. While I am not authorized to speak for any of these Senators, I feel confident that they all, if present, would vote "nay" on the pending question.

The result was announced—yeas 36, nays 17, as follows:

YEAS—36.

Ashurst	Johnson	Pittman	Smith, Ariz.
Bacon	La Follette	Poindexter	Smith, Md.
Bryan	Lane	Pomerene	Smith, S. C.
Chilton	Lewis	Reed	Swanson
Gore	Martin, Va.	Saulsbury	Thomas
Hitchcock	Martine, N. J.	Sheppard	Thompson
Hollis	Myers	Shields	Vardaman
Hughes	Overman	Shively	Walsh
James	Owen	Simmons	Williams

NAYS—17.

Borah	Gronna	Norris	Thornton
Brandegee	Jackson	Penrose	Weeks
Bristow	Jones	Perkins	
Burton	McLean	Ransdell	
Colt	Nelson	Smith, Mich.	

NOT VOTING—42.

Bankhead	Cummins	Lodge	Smoot
Bradley	Dillingham	McCumber	Stephenson
Brady	du Pont	Newlands	Sterling
Burleigh	Fall	O'Gorman	Stone
Catron	Fletcher	Oliver	Sutherland
Chamberlain	Gallinger	Page	Tillman
Clapp	Goff	Robinson	Townsend
Clark, Wyo.	Kenyon	Root	Warren
Clarke, Ark.	Kern	Shafroth	Works
Crawford	Lea	Sherman	
Culberson	Lippitt	Smith, Ga.	

So the conference report was agreed to.

Mr. SIMMONS. I move that the Senate disagree to the amendment of the House of Representatives to Senate amendment numbered 609.

The VICE PRESIDENT. The question is on the motion of the Senator from North Carolina.

The motion was agreed to.

Mr. SIMMONS. I offer the following resolution:

Resolved, That the Senate recede from their amendment No. 609 to said bill.

There being no objection, the Senate proceeded to consider the resolution.

The VICE PRESIDENT. The question is on agreeing to the resolution offered by the Senator from North Carolina.

The resolution was agreed to.

HOUR OF DAILY MEETING.

On motion of Mr. KERN, it was

Ordered, That the hour of daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

EXECUTIVE SESSION.

Mr. BACON. There are one or two small executive matters requiring attention, and I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 8 minutes spent in executive session the doors were reopened, and (at 8 o'clock and 38 minutes p. m.) the Senate adjourned until to-morrow, Friday, October 3, 1913, at 12 o'clock m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate October 2, 1913.

ASSISTANT TREASURER OF THE UNITED STATES.

Irving Shuman to be Assistant Treasurer of the United States at Chicago, Ill.

COLLECTOR OF INTERNAL REVENUE.

William H. L. Pepperell to be collector of internal revenue for the district of Kansas.

UNITED STATES MARSHAL.

Henry H. Wilson to be United States marshal for the western district of Pennsylvania.

APPOINTMENT IN THE NAVY.

Roscoe M. Waterhouse to be an assistant surgeon in the Medical Reserve Corps.

REGISTER OF THE LAND OFFICE.

Hilmar Schmidt to be register of the land office at Wausau, Wis.

POSTMASTERS.

ARKANSAS.

James L. Cannon, De Queen.
William E. Floyd, Little Rock.

NORTH DAKOTA.

Nicholas Johnston, Aneta.

PENNSYLVANIA.

James W. Hatch, North Girard.
James F. Timlin, Taylor.

SOUTH CAROLINA.

George M. Anderson, Ninety Six.

HOUSE OF REPRESENTATIVES.

THURSDAY, *October 2, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, our Father in heaven, for the preservation of our lives, the sanctity of our homes, the stability of our Republic, that we may worship Thee according to the dictates of our conscience and none shall make us afraid. Strengthen us for the duties of the hour, that we may go about our Father's business doing whatsoever our hands findeth to do in the spirit of the Lord Jesus Christ. Amen.

The proceedings of Tuesday, September 30, 1913, were read and approved.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. SHARP, indefinitely, on account of illness in his family.

To Mr. ALLEN, for five days, on account of illness in his family.

To Mr. KINKAID of Nebraska, indefinitely, on account of the death of his sister.

REPORT OF ENGINEERS ON FLOODS IN THE OHIO RIVER, ETC. (H. DOC. NO. 246).

Mr. HUMPHREYS of Mississippi. Mr. Speaker, I desire to submit a request for unanimous consent. Last spring, after the floods in the tributaries of the Ohio River had wrought such great havoc, the President requested the Secretary of War to have the Engineer Corps of the Army make an investigation and ascertain, if possible, the cause of the floods, and report a plan by which they might be prevented in the future, and so forth. The engineers have made the investigation and have just made their report. This was not done in response to any resolution by Congress. The report which the engineers have made is simply a typewritten report to the Secretary of War, and I ask unanimous consent that this may be printed as a public document.

The SPEAKER. The gentleman from Mississippi asks unanimous consent that the document which he names be printed as a public document. Is there objection?

Mr. MOORE. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Mississippi if this is the report in which the engineers dealing with the flood question suggest that there have been constructed innumerable bridges across streams, which have affected the flow of the water?

Mr. HUMPHREYS of Mississippi. Yes, sir.

Mr. MOORE. Mr. Speaker, that report ought to be published so we can get it. I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. RAGSDALE. Mr. Speaker, if the gentleman will permit an interruption——

Mr. HUMPHREYS of Mississippi. Certainly.

Mr. RAGSDALE. I would like to know how these documents are to be distributed.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, my understanding is that on a request of this sort there are about 1,500 or 1,600 printed. They go to several places in the Government that are designated, and enough go to the document room for each Member to receive one copy. That will happen on the request I have submitted just now. Of course, if a larger number is to be printed, then it will have to be stated in the request.

Mr. BATHRICK. Mr. Speaker, will not the gentleman make a request for a larger number? I ask him to do so for this reason: In my district we were sufferers by this flood and the people there are very much interested in this report. Agents of the department have been through my district, as well as other districts, and the people would like to read that report, and I ask the gentleman to make his request for a number sufficient to be sent out for that purpose.

Mr. McKELLAR. Mr. Speaker, I ask the same request for the same reason.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, I would not object at all to make request for just as many as are desired. I do not believe the chairman of the Committee on Printing is in the House. My understanding is that if the printing will cost more than $500 it would have to be by joint resolution.

The SPEAKER. The rule is that you can not exceed $500 except by joint resolution.

Mr. HUMPHREYS of Mississippi. I take it, Mr. Speaker, as this is a very short report that it will cost very little to have it printed. I would suggest, then, to the gentlemen who are interested in it, that if it is printed as a document they can then introduce a resolution and have just as many printed as they desire. Suppose I ask for 5,000 copies now?

Mr. BATHRICK. That will be all right.

Mr. HUMPHREYS of Mississippi. I am quite sure that will come within the $500.

Mr. RAGSDALE. I would suggest to the gentleman from Mississippi [Mr. HUMPHREYS] that he exhaust the amount that is now allotted for this purpose, and, if necessary, and they want a further publication, it can be had by joint resolution.

Mr. BATHRICK. Mr. Speaker——

Mr. SPARKMAN. Mr. Speaker, that is a very important report, and I would suggest there be no objection to printing the larger amount mentioned.

The SPEAKER. The Chair will admonish all gentlemen that the rule is they can not have a print of anything that costs over $500 without a resolution.

Mr. TOWNSEND. Mr. Speaker, I have made inquiries and have learned that something more than 20,000 copies can be printed with the amount allowed under the rule.

The SPEAKER. Why not make it this way, if the Chair will be permitted to make a suggestion, namely, for the largest number or quantity that can be printed in the $500 limit? That will be a very simple solution of the matter.

Mr. HUMPHREYS of Mississippi. I make that request.

The SPEAKER. The gentleman from Mississippi [Mr. HUMPHREYS] asks unanimous consent that this report be printed as a public document to the number of the largest quantity that can be printed under the $500 limit. Is there objection?

Mr. ELDER. Reserving the right to object, will they be equally distributed among the Members?

Mr. HUMPHREYS of Mississippi. They will go under this resolution to the document room and would not be distributed equally among the Members.

Mr. ELDER. Then I object.

The SPEAKER. Is there objection?

Mr. ELDER. Reserving the right to object, I would like to ask the gentleman——

Mr. HUMPHREYS of Mississippi. I will not change my request, because I think that would be a very poor way to have them printed.

Mr. ELDER. I object.

The SPEAKER. The gentleman from Louisiana [Mr. ELDER] objects.

VOCATIONAL EDUCATION.

Mr. HUGHES of Georgia. Mr. Speaker, I move that we proceed under the regular order.

The SPEAKER. The regular order is to call the roster of the committees, which the Clerk will do.

The Clerk proceeded with and concluded the call of the committees.

Mr. HUGHES of Georgia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering Senate joint resolution No. 5.

The SPEAKER. The gentleman from Georgia moves that the House resolve itself into the Committee of the Whole House on the state of the Union to consider Senate joint resolution No. 5.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of Senate joint resolution 5, providing for the appointment of a commission to consider the need and report a plan for national aid to vocational education, with Mr. FITZGERALD in the chair.

Mr. HUGHES of Georgia. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the resolution.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Georgia [Mr. HUGHES] is recognized for one hour.

Mr. HUGHES of Georgia. Mr. Chairman, the Committee on Education, to which was referred the Senate joint resolution No. 5, providing for the appointment of a commission to consider the need and report a plan for national aid to vocational education, having had the same under consideration, report it back to the House with the following amendments, with a recommendation that the amendments be agreed to and that the resolution as amended do pass:

On page 1, line 4, strike out the word "men."

This amendment was adopted because of the fact that the committee was under the impression that the President should have full power to exercise his discretion in that appointment.

Page 1, lines 5 and 6, strike out "not later than."

On page 1, line 6, after the word "next," insert "or as soon thereafter as practicable."

The reason for those amendments was that when this joint resolution was submitted to the House or referred to the Committee on Education, could action have been taken at once, the commission would have had a sufficiency of time to have made their report by the 1st day of December, or soon thereafter; but action was so delayed the committee believed it would be impossible for the commission to make a report in the time named. That, Mr. Chairman, is the reason of the amendment granting more time.

Now, Mr. Chairman, I wish to state that this resolution was agreed to by Senator PAGE, of Vermont, and Senator HOKE SMITH, of Georgia. It also passed the Senate. Senator PAGE, however, had introduced a very comprehensive bill on the subject of vocational education. That bill passed the Senate, but owing to the magnitude and importance of this great question it was taken under consideration both by Senator PAGE and Senator HOKE SMITH, and they agreed to the proposition that it was wise and best to authorize the President to appoint this commission to submit a plan of vocational education.

I wish to say, Mr. Chairman and gentlemen of the House, that this merely means a plan to be submitted to this House. It is not in any manner, form, or shape binding; no more so than it would be for a man who wished to build a house to have plans submitted to him for the purpose of his consideration. In the event they did not suit, he would reject them.

This question of vocational education is a question which today is occupying the attention of the people throughout the broad limits of every State of this Union. Sooner or later we must act on this great and important question—a question which reaches every home in this land, from the fact that it reaches every child in the Nation.

It appears to me that the consideration of this question as to the adoption of this resolution should occupy a very short time and that the resolution should meet the approval of this entire House. I wish to say, Mr. Chairman, that this resolution meets the approval of the Senate. It meets the approval of Senator PAGE, the author of a bill on this subject.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. HUGHES of Georgia. I do.

Mr. MOORE. This bill proposes to create a commission?

Mr. HUGHES of Georgia. It does.

Mr. MOORE. To take up the question of national aid in the matter of vocational education?

Mr. HUGHES of Georgia. It does.

Mr. MOORE. And proposes to expend $15,000 for the purposes of the commission?

Mr. HUGHES of Georgia. Yes, sir.

Mr. MOORE. Will the gentleman say whether the appointment of such a commission would mean that bills like the Page bill and the Lever bill will be considered by the commission, or will they be brought into the House and brought up for consideration here before the commission reports?

Mr. HUGHES of Georgia. I understand, sir, that that commission will merely make or submit, after thorough investigation, a plan for a bill on vocational education.

Mr. MOORE. The Page bill is now before the Senate.

Mr. HUGHES of Georgia. It has passed the Senate.

Mr. MOORE. And the Lever bill is before the House?

Mr. HUGHES of Georgia. The Lever bill is also pending before the Senate.

Mr. MOORE. The Page bill has not been before the House, but the Lever bill has?

Mr. HUGHES of Georgia. Yes; and passed the House.

Mr. MOORE. And these bills differ upon certain material points?

Mr. HUGHES of Georgia. Yes; they differ upon certain material points, upon which both Senator HOKE SMITH and Senator PAGE differ.

Mr. MOORE. Would the appointment of the commission mean that the question of vocational training would be taken up anew, independent of those bills and without reference to those bills?

Mr. HUGHES of Georgia. I think so.

Mr. MOORE. Then we would treat those bills as not being longer under consideration by Congress, but would wait until a new plan is reported?

Mr. HUGHES of Georgia. That is my idea, that the bill on vocational education is to remain as it is and not be acted upon until this commission presents its plan. I do not think that observation appertains to the Lever bill, however.

Mr. MOORE. Can there be any understanding that action will be deferred upon those two bills until they, along with any new project, can be considered by this commission?

Mr. HUGHES of Georgia. My understanding is that it is already understood that action on the vocational educational bill which has passed the Senate will be deferred until this plan shall have been submitted.

Mr. MOORE. Then we may have the benefit of the views of this commission before any further action is had on either of the pending bills?

Mr. HUGHES of Georgia. I think the Lever bill is a bill that is not to be considered, perhaps, in this plan of vocational education. I am quite sure that is Senator SMITH'S opinion.

Mr. MOORE. I want to know, if the gentleman can give the information, whether there will be an understanding that we shall not take up the question of vocational education until this commission shall have reported.

Mr. HUGHES of Georgia. So far as a man can say so, that is my understanding, that the vocational education bill will not be urged until this plan, to be submitted by this commission, has been presented to the House.

Mr. AUSTIN. Mr. Chairman, will the gentleman yield?

Mr. HUGHES of Georgia. Yes.

Mr. AUSTIN. Is it true that Senator PAGE, the author of that bill, agreed to the passage of this resolution?

Mr. HUGHES of Georgia. Yes; he did. I am much obliged to the gentleman for his inquiry.

Mr. HAUGEN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Georgia yield to the gentleman from Iowa?

Mr. HUGHES of Georgia. I do.

Mr. HAUGEN. Is not the status this, that the Lever bill passed the House?

Mr. HUGHES of Georgia. Yes.

Mr. HAUGEN. And the Page bill passed the Senate?

Mr. HUGHES of Georgia. Yes.

Mr. HAUGEN. And it went to conference, and has been considered for as long as a year?

Mr. HUGHES of Georgia. Yes.

Mr. HAUGEN. Now, here is a proposition to appoint a commission, that will delay action, to begin with, up to December 1, or whatever date is fixed in the resolution, or for whatever time is consumed by the commission. And is it not a proposition to delay the work rather than to expedite it?

Mr. HUGHES of Georgia. As I understand it, it is a proposition not to delay the work, but it is a proposition to urge the work forward and to give it proper consideration.

Mr. HAUGEN. I will ask the gentleman if this matter has not been under consideration by the committees both of the Senate and House, and if they have not given it the most exhaustive investigation for years past, so that no additional information can be had through any commission? It would simply get us further away from the subject which we are trying to reach.

Mr. HUGHES of Georgia. I am sorry to say that I disagree with my distinguished friend. The very object of the introduction of this resolution is to secure a more speedy result. There are differences of opinion even as to the Page bill and the necessity of it, and it is desired that the subject be carefully considered by a commission of nine, who will give their thoughtful attention to the plan which is to be submitted, so that a bill may be presented that will meet with the approval of both the Senate and House.

Mr. TOWNSEND. The gentleman from Pennsylvania [Mr. MOORE], in what he said, intimated his belief that the provisions of this resolution, if adopted, would affect the subjects of the Lever bill. I want to ask the gentleman if I am right in my assumption that the subjects treated in the Lever bill will not be investigated by this proposed commission?

Mr. HUGHES of Georgia. The gentleman is correct. They will not be investigated at all.

Mr. BATHRICK. Will the gentleman yield?

Mr. HUGHES of Georgia. Yes.

Mr. BATHRICK. I notice that the Senate in this resolution has stricken out the words "not later than December 1" and amended the resolution so as to read "or as soon thereafter as practicable." What was the purpose of that?

Mr. HUGHES of Georgia. The purpose was this: This matter is just being brought before the House now. It is impossible for that commission to take up this great question and formulate a plan by the 1st of December.

Mr. BATHRICK. I did not finish my question. Why not have it read "not later than January 1" or "February 1," or have some definite time fixed?

Mr. TOWNSEND. Or "during the next session"?

Mr. BATHRICK. Or "during the next session," or something of that kind?

Mr. HUGHES of Georgia. The committee had that very point under consideration, and they were united in the conclusion that these words were the best words to adopt.

Mr. BATHRICK. Is it the gentleman's impression that that commission will report early in the next session?

Mr. HUGHES of Georgia. I think they will report at the very earliest possible moment.

Mr. WILLIS. While the gentleman is yielding I want to ask him a question or two. I understand that the Lever bill, providing for a system of agricultural education, has passed the House and is pending in the Senate. Is that true?

Mr. HUGHES of Georgia. That is true. It has passed the House, but it has not passed the Senate.

Mr. WILLIS. I said it has passed the House and is pending before the Senate.

Mr. HAUGEN. Not in this session of Congress.

Mr. TOWNSEND. It has not been introduced.

Mr. HUGHES of Georgia. Another bill, incorporating perhaps somewhat different ideas than those incorporated in the original bill, has been introduced in the House by the gentleman from South Carolina [Mr. LEVER], and that bill has been introduced in the Senate by Senator SMITH.

Mr. WILLIS. Then the correct statement is that the Lever bill, providing for a system of agricultural education, passed the House in the last Congress?

Mr. HUGHES of Georgia. Yes.

Mr. WILLIS. And the Page bill, providing for a system of vocational training, passed the Senate in the last Congress?

Mr. HUGHES of Georgia. Yes.

Mr. WILLIS. I am asking these questions because I am greatly interested in both these branches of work. How will the passage of this resolution in any way expedite this matter? Does not the gentleman think these two committees, the Committee on Agriculture of the House and the Committee on Education and Labor of the Senate, that have already given a great deal of attention to these subjects, can more quickly reach a conclusion than a new commission can?

Mr. HUGHES of Georgia. My belief is that they did not reach the same conclusion as that of my distinguished friend, because they favor this very resolution. It is thought that this plan, submitted by nine gentlemen who would go into the question with all carefulness and diligence and thoroughness, would be better than the other and would meet with the approbation of both the Senate and the House.

Mr. POWERS. Will the gentleman yield?

Mr. HUGHES of Georgia. I will.

Mr. POWERS. Is it not the purpose to have nine men appointed who have given years of study to this particular proposition, men chosen from among the best educationists in the country?

Mr. HUGHES of Georgia. That is correct.

Mr. POWERS. And these men, of necessity, will be much better prepared to deal with this question than the committees of the House, swamped with numerous other duties to perform.

Mr. HUGHES of Georgia. I will say to the gentleman that that statement fully expresses the idea.

Mr. HAUGEN. Let me suggest that the very gentlemen referred to by the gentleman from Kentucky have appeared before the committee of the House and also of the Senate, and numerous volumes of testimony have been printed, and there is no new information to be had on the subject.

With the new language injected into this bill it delays action indefinitely, for it leaves the matter to the discretion of this commission. You have injected new language which practically leaves it to the discretion of this one commission, and that commission may see fit to report at the next session of Congress, or it may take years from now.

Mr. HUGHES of Georgia. Mr. Chairman, I will say to the gentleman that I apprehend the President will appoint capable, earnest gentlemen to consider this very important question. I say this, that I believe the commission will push the matter to the limit, and come to a conclusion at the very earliest possible moment.

Mr. HAUGEN. After all, it leaves it to the discretion of the commission.

Mr. McLAUGHLIN. Mr. Chairman, will the gentleman yield?

Mr. HUGHES of Georgia. Certainly.

Mr. McLAUGHLIN. Mr. Chairman, I think the gentleman from Georgia has given a wrong impression in regard to the status of the Lever bill, and as to the effect the passage of this resolution may have upon it. The Lever bill was passed in the last Congress by this House and went to the Senate. The Page bill was passed by the Senate with the Lever bill as an amendment. As thus amended, or the two incorporated into one, the bill did not pass the House. The Lever bill has been reintroduced in this Congress, has been considered by the Committee on Agriculture, and has already been reported favorably. I want the House to understand, if we pass this resolution, it does not and ought not to affect the status of the Lever bill. It is not a vocational educational bill. It provides for an appropriation for practical demonstration and instruction, in the field, as you may say, to farmers in their practical work. It is not vocational education. The Page bill does provide for vocational education, and there is considerable difference of opinion among members of the Committees on Agriculture in the House and in the Senate as to what kind of a bill along those lines ought to be framed. In my opinion this commission may very well be appointed to study this great question, and give the committees of the House and the Senate the benefit of its research; but I want it distinctly understood that the Lever bill, which is not a vocational educational bill, will not be influenced or affected by this resolution, and that the Committee on Agriculture proposes at the first opportunity to bring up the Lever bill.

Mr. HUGHES of Georgia. Mr. Chairman, that is what I tried to make plain to the House.

Mr. HAMMOND. Mr. Chairman, if the gentleman from Georgia will yield, I would like to make an inquiry of the gentleman from Michigan [Mr. McLAUGHLIN].

Mr. HUGHES of Georgia. Certainly I yield.

Mr. HAMMOND. Mr. Chairman, the gentleman has stated that his committee has had consideration of the Lever bill. May I inquire about what expenditure of money will be entailed if that bill passes?

Mr. McLAUGHLIN. Mr. Chairman, the Lever bill calls for an appropriation of $10,000 a year for each State for extension purposes, and for an increase of $300,000 a year for 10 years, or until the total increase reaches $3,000,000, making a total of $3,480,000.

Mr. HAMMOND. A year?

Mr. McLAUGHLIN. Yes; finally, at the end of 10 years.

Mr. HAMMOND. That is the maximum?

Mr. McLAUGHLIN. That is the maximum to be expended in the States in cooperation with the Department of Agriculture; but this increase above $10,000 a year will be conditional upon the State appropriating an equal amount.

Mr. HAMMOND. The point I want to get at is this, that there will be finally an expenditure of something like $3,500,000 a year under the Lever bill?

Mr. McLAUGHLIN. Yes; to be exact, $3,480,000.

Mr. HAMMOND. Can the gentleman tell me about what the proposed expenditure will be under the vocational educational bill?

Mr. McLAUGHLIN. It could only be estimated, but it was thought it would call for $14,000,000 or $15,000,000 annually, and the Page bill involved a great and complicated plan.

Mr. HAMMOND. So that the two measures together will approximately take some $20,000,000 a year?

Mr. McLAUGHLIN. Yes; but their purposes are entirely different and distinct, and I was afraid that if the House accepts the statement of the gentleman from Georgia [Mr. HUGHES], or if it is permitted to go unchallenged, when the Lever bill comes before the House, as it will very soon, from the Committee on Agriculture, that it may be thought it is improperly before the House. That bill is not a vocational educational bill; it will provide for practical assistance, by way of advice, to farmers, right on the farms. Vocational education is good and ought to be provided for by Federal law which will carry sufficient appropriation, but plans suggested involve so much, and call for such large sums of money, that it is advisable, it seems to me, to have the entire subject thoroughly investigated and the best possible plan suggested to Congress. The Committee on Agriculture will finally frame the bill for vocational education and present it to the House; the committee needs all information that can be obtained.

Mr. HUGHES of Georgia. Mr. Chairman, I wish to say that I agree with the gentleman from Michigan, and I intended to convey the very idea that he has expressed. His idea conforms altogether with mine.

Mr. Chairman, how much time have I?

The CHAIRMAN. The gentleman has 45 minutes remaining.

Mr. HARDY. Will the gentleman yield before he takes his seat?

Mr. HUGHES of Georgia. I do.

Mr. HARDY. Has the gentleman considered that farming is one vocation, and other vocations would come in on the same level of right to be cared for, and that if we start into this matter with the prospect of $14,000,000 to be annually expended by the Federal Government we are entering on a wide field, which in the near future will place the general welfare of the people in the care of the Federal Government and end State care for their own citizenship?

Mr. HUGHES of Georgia. I will answer the gentleman by saying that is one of the very objects in appointing this commission to conduct this investigation.

Mr. HARDY. Just one question. Do we need any commission to tell us what the effect of such a program would be if we go into all fields of vocation?

Mr. HUGHES of Georgia. It seems as though the Senate thought so. Mr. PAGE, who introduced this bill on the subject of vocation, thought so, and Senator HOKE SMITH, who introduced the Lever bill in the Senate, thought so.

Mr. HARDY. Does not the gentleman from Georgia see where it will go without the aid of a commission?

Mr. HUGHES of Georgia. I am in favor of a commission, because I believe it is the right course, and there will be men upon the commission of such information and of such experience that they will facilitate the settlement of this great question.

Mr. BARTLETT. May I ask the gentleman a question?

Mr. HUGHES of Georgia. I yield to my colleague.

Mr. BARTLETT. The gentleman has no apprehension, in the event this commission is appointed and the purposes these gentlemen who are probably to be appointed have in view are carried out, that eventually the control and regulation of schools of the character here proposed to be established will be under the control of Congress and the Government of the United States?

Mr. HUGHES of Georgia. Not at all. It is expected that the State autonomy will not be affected, and that is one question that will be considered by this commission.

Mr. BARTLETT. If my colleague will pardon me, I want to say to him I know that is the expectation, and I will say to my colleague they could not get such a proposition ordinarily unless they claimed that to be their purpose; but from correspondence with quite a number of men—presidents, teachers, and others—the purpose seems to be to have the Treasury of the United States opened for this purpose, and an indifference is manifested—I do not mean by my colleague, but the gentlemen with whom I have corresponded—an indifference is manifested as to what power should exercise the authority in controlling and regulating these schools, and for one I do not mean to say that I am going to oppose this resolution, but for one I shall never bring myself to the point of voting for any proposition that will transfer from the local authorities of the State to the national authorities the regulation over their schools.

Mr. HUGHES of Georgia. Mr. Chairman, I yield the balance of my time to the gentleman from Alabama [Mr. ABERCROMBIE].

Mr. GOULDEN. Will my friend yield for one question?

Mr. HUGHES of Georgia. I yield for one question.

Mr. GOULDEN. I would like to ask the gentleman why he has stricken out this definite period of December 1 and inserted "as soon thereafter as possible"?

Mr. HUGHES of Georgia. From the fact that it was impossible for the commission to report by December 1.

Mr. GOULDEN. Why not fix it some definite time—February 1 or March 1? I have had some experience with these commissions and they run along almost indefinitely, and I think it is well to fix some definite date.

Mr. HUGHES of Georgia. I assure the gentleman that the Committee on Education considered every possible feature of that question, and they thought it was best to give that latitude, believing they would present their report at the very earliest possible moment.

Mr. GOULDEN. I am willing to yield to the superior judgment of the committee.

Mr. HUGHES of Georgia. I thank the gentleman.

Mr. POWERS. Mr. Chairman——

Mr. HUGHES of Georgia. I now yield the balance of my time to the gentleman from Alabama [Mr. ABERCROMBIE].

The CHAIRMAN. The gentleman from Alabama is recognized for 38 minutes.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. FLOOD of Virginia having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 7596. An act to increase the limit of cost of the United States post-office building at Beloit, Kans.;

H. R. 7875. An act to increase the limit of cost of the public building at Augusta, Ga.;

H. R. 1681. An act to extend the time for constructing a bridge across the Red Lake River in township 153 north, range 40 west, in Red Lake County, Minn.;

H. R. 1985. An act to authorize the county of Aitkin, Minn., to construct a bridge across the Mississippi River in Aitkin County, Minn.;

H. R. 5891. An act authorizing the construction of a bridge across White River at Newport, Ark.;

H. R. 6378. An act to authorize Robert W. Buskirk, of Matewan, W. Va., to bridge the Tug Fork of the Big Sandy River at Matewan, Mingo County, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky;

H. R. 6582. An act to authorize the city of Fairmont to construct and operate a bridge across the Monongahela River at or near the city of Fairmont, in the State of West Virginia;

H. R. 6635. An act to authorize the county of Hamilton, in the State of Tennessee, to construct a bridge across the Tennessee River at Chattanooga, in the State of Tennessee;

H. R. 7469. An act to authorize the construction, maintenance, and operation of a bridge across the Little River at or near Lepanto, Ark.;

H. R. 7470. An act to authorize the construction, maintenance, and operation of a bridge across Black River at or near the section line between sections 8 and 9 in township 20 north, range 5 east, being a short distance south and east of the town of Corning, Clay County, Ark.; and

H. R. 7472. An act authorizing Beaufort and St. Helena Townships, Beaufort County, S. C., to construct, maintain, and operate a bridge and approaches thereto across Beaufort River in Beaufort County, S. C.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 99) to fix the times and places of holding district court for the district of Arizona.

VOCATIONAL EDUCATION.

The committee resumed its session.

Mr. ABERCROMBIE. Mr. Chairman, the Democratic platform of 1912 contained the following declaration:

We recognize the value of vocational education, and urge Federal appropriations for such training and extension teaching in agriculture, in cooperation with the several States.

The pending resolution was introduced in the Senate by Mr. SMITH of Georgia, and, as amended by the Committee on Education of the House, is in the following language:

Resolved, etc., That the President of the United States is hereby authorized to appoint a commission consisting of nine, whose duty it shall be to consider the need and report a plan December 1 next, or as soon thereafter as practicable, for national aid to vocational education.

SEC. 2. That the members of said commission shall be paid their actual traveling expenses and subsistence while engaged upon the work of said commission.

SEC. 3. That said commission shall have authority to employ a secretary and to make such investigations of the respective States as they may deem necessary, the entire expense of the commission not to exceed the sum of $15,000.

SEC. 4. That the sum of $15,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated to meet the expenses of the said commission.

Every Member on this side of the aisle is committed to the policy which this resolution seeks to inaugurate, and is therefore under obligation to give it prompt and serious consideration. It is the hope of the committee that the subject will appeal with equal interest to the Members on that side of the aisle, for if there is a matter of paramount concern to all of our people, regardless of party, creed, or race, it is their adequate preparation for productive capacity and efficient citizenship.

OUR NATURAL RESOURCES.

In natural resources that portion of the earth's surface embraced within the boundaries of the United States of America has been "favored by heaven o'er all the world beside." No other country can boast a greater variety or a more bountiful supply of nature's gifts. None other possesses soils more diversified and fertile, minerals more numerous and valuable, forests more extensive and useful, streams more plentiful and serviceable, climatic conditions more varied and healthful. Sky and air, earth and sea, forest and stream, mountain and valley, soil and climate, all conspire to make our land a delightful habitation for man.

HUMAN DEVELOPMENT.

And the greatest of nature's productions is man. Man himself is the most important of our natural resources and his development is inseparable from the development and use of those things over which he has been given dominion. Indeed, those things can be developed and appropriated only to the extent that man develops himself. Self-development is peculiar to man, and it is one of nature's laws that his development must precede the development of brute life and the utilization of things inanimate.

The power to acquire and utilize knowledge is the characteristic which, more than all others, save his spiritual nature, distinguishes man from other branches of the animal kingdom, and through the exercise of this power he has made wonderful progress in civilization. Nowhere else in the world has this progress been greater than in the United States of America. Considering the obstacles to be overcome, the hardships to be endured, and the problems to be solved, our advancement in commerce, industry, and government has been marvelous.

A PRIME REQUISITE FOR DEVELOPMENT.

But marvelous as has been this advancement we, as a people, are still lacking in one of the requisites for complete development, namely, a thoroughly and generally efficient citizenship—a citizenship whose masses have been adequately trained individually and collectively to live sanely and ethically, and to utilize wisely and in fullest measure the unrivaled natural advantages with which our land has been endowed. In other words, except here and there, our progress in educational achievement has not been such as to render certain or possible the best of development—civic, social, or economic.

TWO TYPES OF EDUCATION.

That education which has for its chief aim preparation for social life through personal culture is called "liberal education"; that which has for its primary object the development of productive capacity through the cultivation of individual efficiency for the performance of the world's work is designated "vocational education." Except as preparation for the so-called learned professions of law, medicine, and theology, most of the education of the past has been liberal rather than vocational, and has been given in colleges and universities, institutions that are beyond the reach of the average man. Within modern times certain other callings, notably engineering, architecture, journalism, and so forth, have come to be regarded as learned professions, and for preparation for these provision is also made in the higher institutions. The tendency is to extend the designation of "learned profession" to all occupations for admission to which special academic or vocational training is generally conceded to be necessary.

Much of the so-called "liberal education" given in colleges and universities and most of such education given in elementary and secondary schools is largely vocational. All of it that serves as a necessary foundation for or as a natural concomitant of the preparation for one's life work, whatever such life work may be, is essentially vocational.

On the other hand, much of the training designated as "vocational education" is liberal. All of it that tends to widen one's mental horizon, to expand one's store of general information, to broaden one's sympathies, is essentially liberal.

Indeed, it is impossible to determine definitely just where liberal education ceases to be vocational or where vocational education ceases to be liberal. The two are so related, so inseparably connected, that it is impossible to draw a line of demarcation.

As before stated, the distinction is to be found in the chief aim, in the dominant purpose. If that be personal culture, the education is liberal; if that be preparation for efficiency in one's occupation, it is vocational.

Until within a recent period, except for the learned professions, the chief aim of education the world over has been cultural, the vocational feature being minimized. Especially has this been the case in our own country. It has been taken for granted that our youths would naturally choose or drift into the calling for which they were best adapted. As a result there are and have been countless misfits, millions of failures, and much of unhappiness, poverty, and crime.

EDUCATIVE AGENCIES.

Educative powers and processes are broadly distributed. Of the numerous agencies for education the most potent are home, school, church, press, stage, library, occupation, workshop, playground, and community life. Each is supplemented and reinforced by some or all of the others.

The distribution of educative functions among these agencies of society is continually shifting. Under the rapidly changing social and industrial conditions of modern life new and perplexing adjustments are constantly taking place. As a natural result some of these agencies are growing less powerful as educative forces, while others are becoming more effectual in influencing and fashioning the lives of the people.

When the various means upon which we have relied for incidental and informal training in the vocations have proved to be inadequate to meet the demands of an increasingly complex social environment, the failing functions have been transferred by common consent to the school, the public school—the one educative instrumentality that is completely under governmental direction. This changing of conditions, this breaking away from long-established customs, this shifting of the offices and processes of vocational training from former agencies to the school, has produced one of the most perplexing of educational problems. Indeed, the most important problem confronting State and Nation to-day is that of providing adequate vocational instruction for the masses of the people. It overshadows tariff reductions, currency revisions, and preparations for war, for upon its wise solution depend the peace, prosperity, and happiness of our people individually and collectively. The person who is adequately trained vocationally is qualified both for efficiency in citizenship and for success in life.

Mr. MOORE. Mr. Chairman——

The CHAIRMAN. Will the gentleman from Alabama yield to the gentleman from Pennsylvania?

Mr. ABERCROMBIE. I will.

Mr. MOORE. Considering the magnitude of the question, does the gentleman think this commission can complete its work and give to Congress an intelligent report by the 1st of December, as provided in the resolution?

Mr. ABERCROMBIE. In my opinion it is doubtful, and it is for that reason that the committee recommends that the resolution be amended so as to extend the date somewhat.

Mr. FESS. Mr. Chairman, would the gentleman from Alabama allow me to answer the gentleman from Pennsylvania?

Mr. ABERCROMBIE. Briefly. But I will try to do that later myself.

Mr. FESS. I was going to say that the original resolution was introduced and passed the Senate in April, and the 1st of December was a sufficient time if it had come over here and been acted upon promptly, but now it can not possibly be done by the 1st of December.

Mr. ABERCROMBIE. I thank my friend for his suggestion. As amended the resolution calls for a report by the 1st day of December or as soon thereafter as practicable.

THE NEW EDUCATION.

The world is coming to a realization of the fact that the vocationally educated man or woman succeeds best in business and industry as well as in the so-called learned professions; that commercial and industrial callings are as important and honorable as are civic, cultural, and professional pursuits, requiring as high a type of intelligence and character; and that if, as individuals or as a people, we would equal or surpass our competitors in skillfulness we must possess equal or superior skill. [Applause.]

Experience has shown that the chances for success and distinction of the person who possesses native talent alone, whatever may be his occupation, are far inferior to those of the person who combines with native ability the systematic and disciplinary training of a thorough and wisely selected course in vocational instruction. An education of the eye to see, a training of the hand to do, a teaching of the mind to think, a discipline of the will to execute—these, combined with a properly cultivated conscience, are absolutely essential in this age of specialization in material development. [Applause.]

The old type of education, which was dominantly liberal in its purpose, no longer suffices, and is called upon to make place for the new; and the new type, which must be dominantly vocational in its aim, will be varied and specialized, as specialized and as varied as are the occupations of the human race.

The task with which we are confronted is a most difficult one and raises many questions that educational tradition and civic experience do not answer. Lawmaker and schoolmaster must cooperate in finding a solution. Meantime our school system enters upon a period of transition. Unfortunately the situation is complicated by the confusion incident to the conflict of two sets of ideals, one of them old and rooted in tradition, the other young and extremely vigorous. As is usually the case under such conditions, sane reasoning is hindered by the controversies engendered.

SUGGESTED SOLUTIONS.

Various methods have been suggested for the solution of this problem. By some students of education and sociology it is contended that the solution is to be found in the revival and extension of the apprenticeship system; by some that it lies in the establishment of independent trade schools; by some that it can best be secured through vocational courses of study given by specially trained teachers in the schools already in operation.

There is a difference of opinion also as to the attitude that the Federal Government should assume in the matter of providing vocational training for the masses. Some contend that it should remain a State function, while others, perhaps a majority, favor national aid. Personally I believe that it is as much to the interest of a State that the people of every other State should be adequately educated as it is to the interest of a county in a State that the people of every other county in that State should be properly trained. If it is the duty of the richer counties to assist the poorer counties in the State, equally is it the duty of the wealthier States to assist the less wealthy States in the Nation. This is essential to national solidarity and national efficiency. [Applause.]

Mr. HARDY. Will the gentleman yield for a question there?

Mr. ABERCROMBIE. I will yield for a moment.

Mr. HARDY. Does not that same reasoning apply to all education? And under that reasoning, would not you establish national schools from A to Z?

Mr. ABERCROMBIE. In great measure the same reasoning does apply to all education, and I favor Federal appropriations for general educational purposes; that is, I favor cooperation of State and Nation in the support of education, especially elementary and secondary education of a vocational type.

It is probable that the solution will be found in a wise utilization of all of the methods suggested. Our commercial, industrial, occupational, and educational conditions are so numerous, diversified, and complex as to render it practically impossible to apply everywhere exactly the same method to the solution of any social problem. But so far as it is possible there should be uniformity of method, and so far as they can be utilized existing agencies should be employed. Such a policy will conduce to economy in both school and governmental administration.

RESULTS OF VOCATIONAL TRAINING.

Vocational education of the right kind for everybody would remedy many untoward conditions, check many alarming tendencies. Briefly stated, these would be some of the results of such education:

First. It would hold in the schools for a longer period the millions of children who under existing conditions withdraw at about 14 years of age, vocationless, aimless, and helpless. The majority now quit school at that age, most of them to follow juvenile occupations—blind alleys that lead nowhere.

Second. It would equip for productivity and self-support a majority of the 95 per cent of the people who are now forced to enter upon life's work untrained vocationally. It is estimated that under present methods not more than 5 per cent receive special vocational training. Preparation for life is the great desideratum.

Third. It would check the rapid and alarming drift of population from the country to the city, and thereby promote the development of agriculture, one of the results of which would be a reduction in the cost of living. The country boy moves to the city because he believes that there the possibilities of success are greater.

In former times one or two members of a farmer's family moved to the city—now the entire family moves. In 252 counties of the United States, nearly all of them rural, the population is less than it was 30 years ago; in numerous others it is stationary in rural communities. If this tendency is not checked, we will ultimately cease to be a food-exporting Nation. We may become a food-importing people in a country whose agricultural possibilities can not be estimated.

Agriculture is a national problem, and the people must be taught what is possible in agriculture. Soil depletion must be supplanted by soil repletion. Let us not forget that food production must precede food consumption.

France, the greatest producer nation in the world, has in great measure solved the problem of agriculture. She maintains numerous agricultural schools. Why not follow her example?

Fourth. It would tend to make producers rather than consumers of the boys and girls reared in the cities, a large percentage of whom are foredoomed under existing conditions to lives of idleness and failure.

The city youth, no less than the country child, suffers from lack of vocational guidance and preparation. Only 38 per cent of our people are breadwinners. The Nation's greatest task is to convert its idlers into producers.

Fifth. It would greatly ameliorate the condition of those who labor, whether in mine or factory, in countinghouse or field, in commerce or industry. The sons and daughters of the men who toil should not longer be neglected.

Every child should be guaranteed an equal chance in life with every other child. For the untrained there can be no equality of opportunity.

Sixth. It would diminish poverty and crime, which in large measure are due to lack of definite occupation and inadequate vocational instruction.

Pauperism and criminality are usually the results of untrained or misdirected energy.

Criminals and beggars come chiefly from the ranks of the unskilled and vocationless.

Ignorance and idleness, shiftlessness and inefficiency, imperil State and Nation. Prevention is the remedy. [Applause.]

A FOREIGN VIEW.

But, Mr. Chairman, it is impossible in the time allotted for me to enumerate the benefits that would accrue to individuals, to the States, and to the Republic from the operation of a properly organized, adequately supported, and efficiently administered system of vocational education.

Mr. CLAYTON. Mr. Speaker, may I interrupt my colleague just a moment?

Mr. ABERCROMBIE. Yes.

Mr. CLAYTON. I understand that two propositions have had the consideration of the Congress, one known as the Lever bill and the other known as the Page bill, and that the object of the pending resolution which my colleague now advocates is to have appointed by the President a commission of experts who have given thought and study to the matter to consider the subject and bring to the Congress a plan for our intelligent guidance, so that we may formulate proper legislation on the matter of vocational education. And I want to say, Mr. Speaker, before my colleague answers that question, that I am in hearty sympathy with the object of his resolution. And I want to say further to the House, because he is too modest to say it himself, and perhaps the House does not know it, that there is no Member here who has devoted more years and more intelligent thought to the great and overshadowing question of education than my colleague who now addresses the House. He has distinguished himself in the line of educational endeavor in my own State, and I am glad that he is here to contribute his services to this great cause of the country at large. [Applause.]

Mr. ABERCROMBIE. I thank my colleague and friend for his compliment, and in further reply I will say that he is entirely correct as to the object of the pending resolution. There is great diversity of opinion among the people and among the Members of Congress as to what is the best method of procedure. Some claim that we should enact the Lever bill, others that we ought to pass the Page bill. Whatever legislation is enacted will result in great and increasing expenditures on the part of the Government. Congress will be called upon ultimately for very large appropriations, and the Committee on Education is of the opinion that we ought not to run the risk of making a mistake in the very beginning; that we ought to know where we are going before we start; that before the Government enters upon the policy of making large expenditures for education in any form, time should be taken to have a committee of experts, as is suggested by this resolution, investigate the subject thoroughly and recommend a plan of action.

Mr. TALCOTT of New York. Will the gentleman yield?

Mr. ABERCROMBIE. I will.

Mr. TALCOTT of New York. Is it the idea of the gentleman from Alabama that this commission will take under consideration matters in the scope of both the Page bill and the Smith bill?

Mr. ABERCROMBIE. That is my idea. I believe it ought to do so, because agricultural training is as much vocational education as is any other form of occupational instruction. Indeed, in my opinion, agricultural training is the most important form of vocational education.

Mr. TALCOTT of New York. I understand the idea is that the proposed commission shall take up for consideration matters of a larger scope, including matters of law, for example, and things of that kind.

Mr. ABERCROMBIE. That is not my idea, and that is not the contention of the committee. How much time have I left, Mr. Chairman?

The CHAIRMAN (Mr. ALEXANDER). The gentleman has three minutes left.

Mr. ABERCROMBIE. I see very clearly, Mr. Chairman, that I shall not have time to complete the line of thought that I had in mind.

Mr. ELDER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. ABERCROMBIE. I will yield for a question.

Mr. ELDER. If this is started, and the Federal Government should start the general control of the schools, does the gentleman think that we people of the South could afford to turn over our public schools to the Federal Government?

Mr. ABERCROMBIE. I do not think we could, and I do not advocate that, and this committee does not advocate that. I favor Federal aid under State supervision; but I will answer that question more fully later when I come to it.

Mr. ELDER. Does not the gentleman think that would be the logical conclusion of it?

Mr. ABERCROMBIE. I do not. The Federal Government is making appropriations to-day, and has for 50 years, for education in every State of the Union. The land-grant colleges of the various States are supported in large measure by Federal appropriations, and we have had no trouble there in the matter of Federal intervention or interference.

Mr. CLAYTON. Mr. Chairman, I ask unanimous consent, in view of the interruptions that have been made of my colleague, and in view of the most excellent argument that he is giving us, that his time be extended for 30 minutes.

Mr. ABERCROMBIE. I should appreciate that, although I do not ask it.

Mr. CLAYTON. I ask it, Mr. Chairman. I know the modesty of my colleague.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama [Mr. CLAYTON]?

Mr. PAYNE. Mr. Chairman, I hope there will be no objection to that. I unite in the gentleman's request.

The CHAIRMAN. Without objection, the time of the gentleman will be extended 30 minutes.

There was no objection.

Mr. ABERCROMBIE. While in a few widely separated communities considerable progress has been made in the establishment of vocational schools, it is recognized by students of education that the task is only begun. This neglect of duty upon our part not only weakens our capacity for internal production and trade, but also gives encouragement to our competitors in international commerce and hampers us in our efforts to secure our share of the business of the world.

Not long after the St. Louis Exposition had been closed certain German critics who had visited the exposition reported to their countrymen that, notwithstanding our superior natural advantages and wonderful industrial achievements, Germany had nothing to fear from the United States in competition for international trade. With all of our advantages, they found offsetting disadvantages sufficient, in their opinion, to warrant them in reassuring their fellow citizens of Germany's ability successfully to continue to compete with us in the markets of the world.

Perhaps the most significant of the offsetting disadvantages reported was that described as "a feeling of complacent satisfaction with everything American." As an evidence of this "complacent satisfaction with everything American" they called attention to our lack of adequate provision for the industrial training of the masses and to our "reliance on a general and more or less superficial education, together with natural adaptation." Overconfidence and inadequate vocational education were, in their opinion, sufficient to retard greatly the development of the most favored nation on earth.

It behooves us to investigate the conditions upon which this intelligent criticism is based.

PHYSICAL RESOURCES AND INDUSTRIAL TRAINING.

In this connection permit me to quote from Industrial Education, by Dr. Harlow Stafford Person, of Dartmouth College:

Had these German critics—

He says—

wished to give an analysis of the advantages possessed by the United States they could have done no better than to adopt * * * the analysis presented by our own Federal census. The industrial strength of the United States is to be attributed to five primary causes:

1. Agricultural and similar resources; in the production of wheat, corn, cotton, animal products, and forest products the United States stands first.

2. Mineral resources; in the production of coal, iron ore, and copper, basic materials of industry, the United States stands first, and in the production of the precious metals ranks with the leading countries.

3. The development and perfection of her transportation system the United States possessing more miles of railroad than all the countries of Europe combined, maintaining lower rates than obtain in any other country.

4. Freedom of trade between all the States and Territories, which combines into one commercial area regions as diversified climatically as Italy and Scandinavia, thus forming the greatest home market in the world.

5. A doubly selected population possessing a freedom from inherited and over-conservative ideas; energetic, active, adventurous, but not undisciplined.

For a similar analysis of the disadvantages suggested—

Continues Dr. Person—

they (the German critics) might have offered the following:

1. The very prodigality of nature in this virgin region has made the acquisition of wealth so easy that there has developed on the part of the American people a liking only for the accomplishment of big things at whatever cost—a wasteful disposition. Such a wealth of resources has been offered to the relatively sparse population of this extensive region, that nature has in effect borne the cost of this waste—as in the exploitation of forest resources—and has developed a careless confidence. But now that the surplus of natural wealth has been generally appropriated success must come to the individual, not as a matter of the mere further appropriation of nature's wealth, but by the creation of wealth by effort. Under these new conditions a careless, wasteful disposition handicaps the American in his competition with more thrifty peoples.

2. The freedom from inherited and overconservative ideas and the individualistic habit of thought of the settlers, accentuated by a physical environment which has promoted the success of individual as opposed to concerted effort, has tended to cause self-reliance to degenerate into a state of mind approaching conceit, into a careless confidence in the success of all things American.

3. The physical wealth of the country has been so reflected in a high standard of living on the part of all classes, in large profits and high wages, that success in competition by the cutting of wage cost, on the one hand, or by accepting decreased profits, on the other hand, can be accomplished only with great confusion.

4. The vast supplies of cheap power and cheap raw material have been already appropriated by a limited number of industrial explorers, and their future value already capitalized in "prospective earnings" and distributed by "business enterprise" to the public. To the great mass of enterprisers in the United States, therefore, their properties do not represent nature's bounty but capital invested. Nature's bounty has been gathered in in advance by comparatively few. For the great number of enterprisers to conserve invested capital means to resist any considerable decrease in profits based on values partly artificial. The necessity of maintaining fictitious values is a handicap in international competition.

5. Notwithstanding their great system of public education, the American people do not yet possess, and do not seem to appreciate the value of, the most efficient human instrument for increasing competitive efficiency under given conditions of natural resources—a system of technical education. This the Germans do possess, and it gives them an advantage in competition with the Americans.

In short—

Concludes Dr. Person—

the German observers console themselves by recognition of the plain fact that now, except for a few world monopolies, such as the mineral-oil industry, the profit on invested capital for the individual producer in the United States is narrow; that the German or any other people, in spite of inferior natural resources, by careful, economical methods, by the development of the greatest skill not only in the fashioning of goods but in the art of exploiting markets, may compete on equal terms with a people possessing superior resources but self-confident, complaisant, and disdainful of effort.

For a continuance of the ability to cope with us in international trade Germany relies not upon superior natural advantages—her resources are very meager in comparison with ours; not upon extraordinary climatic or agricultural conditions—her climate is rigorous and her soils are unfertile; not upon a rapidly increasing population—no other country excels ours in that respect; not upon her supply of raw materials—most of her raw materials are imported from other countries, some of them from our own; not upon a superior type of citizenship—in grade of citizenship America is unexcelled.

Germany places reliance in her one advantage—an acquired advantage—a highly developed system of technical (vocational) education. And she competes with us not only in foreign markets, but also in our home market. Even in America the best recommendation that a manufactured article can bear is expressed in these words: "Made in Germany."

What is true of Germany is true in great degree of several other foreign countries. It is clear, therefore, that we can not longer rely entirely upon our unrivaled natural resources for success in the markets of the world. Our chief resource, the children of the land, must be trained as well or better than the children of other lands. Nothing short of this will suffice.

OUR EDUCATIONAL POLICY.

Our educational policy, whether State or National, should be all-comprehensive in scope and extremely individualistic in application.

Unwise and full of error is the contention that the citizen is under obligation to provide educational advantages for his own children, and his own children only. Equally untenable is the contention when applied to States. Woe unto that government which makes provision for courthouse, prison, and scaffold and at the same time neglects adequately to train its children for self-support and for the responsibilities of citizenship!

If there is a matter of supreme importance to both State and Nation, surely that matter is the establishment and maintenance in each of the States of a well-organized, adequately supported, and efficiently administered school system—a system which will guarantee to every child such training of head and hand and heart as will fit for intelligent, independent, and patriotic citizenship and as will qualify for successful effort in the occupations of life.

This should be our educational ideal; this our educational policy.

EDUCATIONAL CONDITIONS IN THE SOUTH.

Each of the States has established a system of public schools, but this ideal has been attained in few, if any. Certainly no Southern State has reached that standard. And I will speak now of educational conditions in that section.

Prior to the War between the States conditions in the South, civic, social, and economic, were not such as to conduce to the development of the doctrine of universal education at public expense. Not until the close of the period of reconstruction did that principle take deep root, and not until within a recent period did it become popular. Even now there are many people who, if they do not openly oppose, are extremely lukewarm in their advocacy of government-supported schools for all of the people.

This attitude upon their part is due chiefly to the fear that the education of the negro along old-time conventional lines will tend to disturb social, civic, and industrial conditions, and thereby render more acute the already tensely acute racial situation. That such fear exists, and that upon the part of many it is an honest apprehension, there is no question.

Our policy relative to negro education in the South has to do directly with several perplexing problems, among which are the labor problem and the problem of the adjustment of the races. Every section is engaged in the solution of a labor problem, and every section is coming to have an increasing interest in the solution of the problem of the races.

Each of these problems calls for prompt and serious consideration. Alike to both races do they appeal, and so related, so inseparably interwoven are they, that it is impossible to consider them as distinct propositions. With us the labor problem is largely a race problem, and for the same reasons the race problem is largely a labor problem.

On account of the enormous influx of people from other nations, amounting to more than a million annually, the problem of labor as it relates to the entire country is growing in complexity. Indeed, labor and capital seem to be destined to the waging of an unending contest. At times the fierceness of the conflict shakes the foundations of government, threatens a disruption of business and industry, and presents an appalling spectacle of man's inhumanity to man. Students of government, lovers of justice, friends of humanity, all have been shocked and dismayed.

The South's labor problem is peculiar to the section, and grows out of the occupancy of the same territory by two very dissimilar races, one of which was for generations under involuntary servitude to the other. It would be useless to undertake in this presence to place the burden of blame for the existence of slavery. Suffice it to say that all impartial students of history are agreed that the sections were jointly responsible, and that so long as slavery was financially profitable, neither section questioned either the ethics or the wisdom of its continuance.

While its abolition was accomplished through the most stupendous expenditure of blood and treasure known to history, the people of both sections, of the South no less than of the North, rejoice that human slavery no longer exists. [Applause.]

SOME RESULTS OF SLAVERY.

The effect of slavery upon labor was to degrade it—to degrade it in the estimation of each race. To the white man, labor, especially physical labor, came to be regarded as fit only for the slave. To the negro, it came to be looked upon as an attribute of slavery, and therefore to be despised and evaded. Is it any wonder, then, that freedom brought to both races economic confusion and industrial disaster? The negro regarded it as freedom from work; the white man as subjection to an ignoble existence. The natural, the inevitable result was many mistakes upon the part of each. Each suffers to-day from those mistakes, though many of them were committed almost a half century ago.

But, Mr. Chairman, the southern whites and blacks were not the only people who blundered in the beginning of freedom. The greatest of the mistakes of that exciting period was committed by those who administered the affairs of the Federal Government. The sudden and wholesale enfranchisement of three millions of people steeped in ignorance and superstition, and who had received no preparation whatever for the grave and exacting duties of citizenship, was the colossal mistake of the times, and was as unfair to the ex-slave as it was unjust and cruel to his former master. It drove a poisoned dagger to the heart of the white South, and retarded temporarily, if not for all time, the civic growth and educational development of both races. It complicated if, indeed, it did not create the race problem. The disastrous effects of that stupendous error are still visible and burdensome. For almost 50 years they have obscured the visions of men.

THE RACE PROBLEM.

And there is a race problem. Close our eyes to it as we may, try to evade it as we will, the problem remains. To teach two dissimilar races to live upon the same soil in harmony and mutual helpfulness, to develop without friction a race within a race, to establish a civilization within a civilization—that seems to be the problem of the races. There has been nothing like it in history; there is no lamp of experience by which to guide our footsteps.

The problem is not open to immediate and complete solution. If it is ever solved, the solution will come through cooperative efforts upon the part of intelligent and patriotic representatives of both races and all sections. Great intelligence, unswerving honesty, unfaltering patriotism, wisest discretion, and untiring consecration will be necessary. There will be needed also much of toleration, patience, confidence, earnestness, courage, and true religion.

In other words, for the race problem, as with all other problems, there is no solution outside of education. This education must be of the right kind and must be universally applied. The most ignorant are not the most efficient, even in the performance of so-called menial tasks. On the contrary, the most ignorant are the most inefficient and at the same time the most immoral, the most criminal, the most dangerous to society and government.

Every white home in the Southland is jeopardized by the presence of the great horde of ignorant, superstitious, unclean, disease-breeding members of that race. The negro cooks our food, nurses our children, washes our clothing, tends our homes, and in self-defense, if not from a spirit of altruism and patriotism, it devolves upon the dominant race in both State and Nation to see to it that he is taught how to live intelligently, morally, and hygienically. He must be trained for his environment, and his education must be industrial, technical, and moral rather than literary, professional, and cultural. [Applause.]

NATIONAL AID NECESSARY.

While each of the Southern States has recognized the necessity for universal education at public expense, while each is striving heroically to meet its obligations in that respect, and while under existing conditions each is making commendable

progress, in many of them the task is only begun. Indeed, to students of economics it is coming to be clear that the task of providing adequate educational facilities for all of the people is beyond the power of some of the States to perform.

Mr. AUSTIN. Mr. Chairman, in that connection I want to ask the gentleman if we did not make a great mistake in not passing what is called the Blair educational bill, so far as the interests of the South were concerned?

Mr. ABERCROMBIE. In my opinion, yes; and I may say that it was then, as a schoolboy, that I became an advocate of Federal aid to education.

Mr. KINDEL. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to the gentleman from Colorado?

Mr. ABERCROMBIE. I do.

Mr. KINDEL. If you had better freight rates in the South, would you not fare better in your section? Is not the lack of better freight rates a hindrance to the development of the South, the same as it is of the West?

Mr. ABERCROMBIE. I think, perhaps, that does contribute somewhat to the material conditions there.

Mr. KINDEL. And is not that one reason why Germany and other European countries are better situated than we? Take, for example, the parcel post. You can ship an 11-pound package by parcel post from Germany to this country for 51 cents. The same package sent from here to Salt Lake City, for example, would cost $1.32.

Mr. ABERCROMBIE. I can not answer that question. I am not so well posted on parcel-post rates as is the gentleman from Colorado.

Mr. KINDEL. In addition to vocational education, would it not be well to add commercial geography, as you might put it?

Mr. ABERCROMBIE. Perhaps so. However, I am unable to yield further at this time.

If the South were as wealthy and productive as other sections of equal area and population, which is not true by reason of the ravages of war and the presence of the negro, it would require about one and one-half times their rate of taxation to give to her children advantages equal to those provided by other sections for theirs, for the reason that the South is confronted with the irremovable necessity of maintaining a dual system of schools. To provide equal advantages under existing conditions would require a rate of taxation many times larger than that levied elsewhere. Such a rate would be oppressive, impoverishing, confiscatory, and most of the burden would have to be borne by about half of the population.

If this be a correct diagnosis of the case, what is the remedy? In the absence of action by the National Government there is no hope of prompt and effective relief. Congress should make an adequate annual appropriation for purposes of education, general and vocational, to be apportioned among all of the States, chiefly upon an illiteracy basis, and to be expended under the supervision of the several States. Such apportionment would place most of the appropriation where it is most needed and therefore where it would accomplish most good for the entire country. It would also leave the direct administration of the fund with the individual States, where it properly belongs.

Shall the Federal Government make appropriations for the building of locks and dams, for the deepening of rivers and digging of canals, for the irrigation of arid lands, for the construction of public highways, for farm demonstration purposes, for the eradication of the boll weevil and cattle tick, and at the same time neglect the nobler and more important duty of preparing the masses of its people for intelligent, productive, and patriotic citizenship? Such a policy is little less than social and governmental suicide. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. FIELDS. I ask unanimous consent that the gentleman be permitted to conclude his remarks.

Mr. ABERCROMBIE. Five minutes will suffice.

The CHAIRMAN (Mr. ALEXANDER). The gentleman from Kentucky asks unanimous consent that the time of the gentleman from Alabama be extended five minutes. Is there objection?

There was no objection.

Mr. ABERCROMBIE. In view of the importance of this question of adequate vocational training for all of our people, in view of the fact that the Federal Government will probably be called upon ultimately for many millions of dollars, in view of the great diversity of opinion in this House and the other, the Committee on Education believes that before we enter upon a policy we should authorize the President, who is eminently qualified for that service, to appoint the commission proposed in the resolution—a commission to be composed of students of education, of experts in vocational training. The House will not be compelled to adopt the report which may be submitted; but it is the opinion of the committee that it would be wise to authorize the appointment of the proposed commission, defer action for two or three months, and get the benefit of the opinion of recognized experts.

Senator SMITH of Georgia, who advocates one of the theories advanced here, and Senator PAGE, of Vermont, who leads another school of thought, appeared before the Committee on Education and requested jointly that the resolution be reported favorably. I hope every Member will vote for its adoption. [Applause.]

Mr. LAZARO. Mr. Chairman, I have received two letters on this important pending question, one from T. H. Harris, superintendent of public education of Louisiana, and the other from Thomas D. Boyd, president of Louisiana State University, and I ask unanimous consent that these letters be published in the RECORD.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to print two letters in the RECORD. Is there objection?

There was no objection.

The letters referred to are as follows:

STATE OF LOUISIANA,
DEPARTMENT OF EDUCATION,
Baton Rouge, June 17, 1913.

Hon. L. LAZARO,
Washington, D. C.

DEAR DR. LAZARO: I understand that a joint resolution (S. J. Res. 5) has been introduced by Senator HOKE SMITH, of Georgia, and reported favorably out of the Senate Committee on Education and Labor, providing for a commission charged with the duty of investigating carefully the question of industrial education, with the view of making a report to the National Congress which would be of value to that body in determining what should be done, if anything, in the way of aiding the States in promoting education of a practical nature.

I am perhaps not far wrong when I say that one of the most important educational questions before this country is this question of what should be done in bringing the industries into the schools and fitting boys and girls for efficiency along practical lines. A commission of able men with the National Congress behind it ought to be able to gather information of great value and to make a report which would in some measure, at least, settle this important question. I trust, therefore, that you will give your hearty support to the resolution mentioned above, using your influence to have such a commission appointed and to supply it with the funds that will place it in position to gather valuable information.

With good wishes,
Yours, sincerely,
T. H. HARRIS.

LOUISIANA STATE UNIVERSITY AND
AGRICULTURAL AND MECHANICAL COLLEGE,
PRESIDENT'S OFFICE,
Baton Rouge, September 13, 1913.

Hon. L. LAZARO,
House of Representatives, Washington, D. C.

DEAR SIR: On the 6th instant a bill was introduced in the Senate by Mr. SMITH of Georgia, and in the House by Mr. LEVER, of South Carolina, which is of special interest to the university as the agricultural college of Louisiana. It is designated S. 3001 and H. R. 7951, and provides for agricultural extension work by the agricultural colleges in cooperation with the United States Department of Agriculture.

This bill is the outcome of efforts that have been made for several years to secure congressional legislation on this subject. After numerous revisions, the bill is now in such shape that it should be entirely satisfactory to the agricultural colleges, the United States Department of Agriculture, and the friends of such legislation in Congress. The passage of this bill will be of vast benefit to the people of Louisiana. It will enable the university to continue and extend the agricultural extension work begun some years ago. This work has already accomplished much good for the farmers of Louisiana and there is a growing demand for its extension. It is impossible for the university to meet this urgent demand from the farmers of the State with its present limited means. I hope, therefore, that you will give to the agricultural extension bill your earnest and active support, not only because it will be especially beneficial to the State of Louisiana at this time, but because it will satisfy the universal demand of American farmers for legislation of this kind.

This bill is less complicated and carries a smaller appropriation than the bill for vocational education introduced by Senator PAGE, but there is no necessary opposition between the two. In my judgment, it would be better to pass the Smith-Lever bill now, because it meets a pressing need, while the Page bill, of much wider scope, may safely be left for future consideration.

Very respectfully, THOS. D. BOYD, *President.*

Mr. MONDELL was recognized.

Mr. MOORE. Before the gentleman from Alabama [Mr. ABERCROMBIE] takes his seat, I want to ask him a question.

The CHAIRMAN. The time of the gentleman from Alabama has expired. The gentleman from Wyoming [Mr. MONDELL] has the floor.

Mr. MOORE. Will the gentleman from Wyoming yield?

Mr. MONDELL. I will yield.

Mr. MOORE. I would like to ask the gentleman from Alabama, who is unquestionably an authority on this subject, how long he thinks it will take this commission to make this investigation and complete its report?

Mr. ABERCROMBIE. Personally I believe it will take anywhere from three to six months, but I may be mistaken about that.

Mr. MOORE. The resolution fixes December 1, or as soon——

Mr. ABERCROMBIE. Or as soon thereafter as practicable.

Mr. MOORE. Does not the gentleman think we had better fix a definite time?

Mr. ABERCROMBIE. The only trouble about fixing a definite time is that the commission may not be able to report within the time fixed.

Mr. MOORE. We have two other bills to consider, and it is indicated by the chairman of the committee that one of them will not be affected at all by this resolution; that is to say, the Lever bill, which pertains to agricultural education. It might be important for us to have whatever information we can get from this commission before we consider either of the pending bills.

Mr. ABERCROMBIE. That is my opinion. However, I am not speaking for the committee. Personally I have no objection to fixing a definite time.

Mr. MOORE. Does the gentleman think three months would be sufficient?

Mr. SIMS. No.

Mr. ABERCROMBIE. I doubt it.

Mr. MOORE. Does the gentleman think the 1st of April would be time enough?

Mr. ABERCROMBIE. I think they might report by the 1st of April.

Mr. MONDELL. Mr. Chairman, we have listened with a great deal of interest, and I think with much profit, to the remarks of the gentleman from Alabama [Mr. ABERCROMBIE]. I think most of us agree to a very large extent with the views he has expressed. He expressed one view, however, just at the close of his remarks, that I can not altogether approve, in view of the fact that we had hoped that through the passage of the contemplated legislation we might derive some benefit up our way. If, however, the suggestions of our good friend from Alabama [Mr. ABERCROMBIE] are adopted, that Federal appropriations when made ought to be based on illiteracy, we in Wyoming will not get much benefit, for we have very few illiterates in our State.

Mr. ABERCROMBIE. May I interrupt the gentleman?

Mr. MONDELL. Certainly.

Mr. ABERCROMBIE. Does not the gentleman believe that such appropriations ought to be placed where they will do the most good?

Mr. MONDELL. I agree with the gentleman, and I appreciate and sympathize with the peculiar difficulties that confront the people of the South in the matter of education by reason of the fact that they must maintain two systems.

Mr. ABERCROMBIE. Another question. Leaving out the peculiar conditions in the South, leaving out the special needs of the South, does not the gentleman think adequate vocational training for all the people is desirable?

Mr. MONDELL. I do; but does not the gentleman think that it might be a temptation to increase illiteracy in order to get Federal appropriations if appropriations were based on illiteracy?

Mr. ABERCROMBIE. Will the gentleman yield further?

Mr. MONDELL. Certainly.

Mr. ABERCROMBIE. That is simply my personal opinion. Of course, the committee is not committed to any such proposition.

Mr. MONDELL. I realize that, and personally I would be favorable to legislation that would have the effect of giving the greatest aid where it is the most needed; that is, in sections where there is the largest amount of illiteracy; but I should scarcely want to have Federal appropriations for these purposes based on the percentage of illiteracy any more than I should want to have the appropriations for roads, which gentlemen hope to get in future, based on the depth of the mud, because we do not have much mud out our way, except very rarely, and if appropriations for roads were based on the depth of mud that had to be traversed, as the gentleman from Oklahoma [Mr. MURRAY] suggests, our name would be mud, so far as appropriations are concerned, while Oklahoma, with its rich and rare gumbo, would probably benefit very largely.

Mr. Chairman, on August 23, 1912, the House passed a bill to establish agricultural extension departments in connection with agricultural colleges in the several States, and so forth, providing for agricultural extension work in the agricultural colleges, and, through the agricultural colleges, agricultural extension work of a practical character upon the farms. That bill was amended in the Senate by striking out all after the enacting clause and inserting legislation the effect of which would be to make direct appropriations for agricultural and vocational instruction in the higher and intermediate schools of the country. The conferees were unable to agree as between these widely differing propositions, and it is now proposed to have the President appoint a commission of nine, whose duty it shall be to consider and report a plan by December 1, or as soon thereafter as practicable, for national aid to vocational education.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. MOORE. Will the gentleman advise us if the bill he refers to is not commonly known as the Lever bill?

Mr. MONDELL. Mr. Chairman, the bill to which I refer is commonly known as the Lever bill, and the amendment made in the Senate is commonly known as the Page bill.

Mr. MOORE. So that we may clearly understand what we are discussing, the Lever bill does not pertain to vocational education, generally speaking, but pertains only to agricultural education, or the sending out of lecturers to farmers?

Mr. MONDELL. No; the Lever bill would to a certain extent aid vocational education in the agricultural colleges and in connection with the agricultural colleges; but it is more distinctively a bill for agricultural education and practical agricultural extension work.

Mr. MOORE. It has been stated here by the chairman of the committee presenting the resolution that if this commission were appointed to investigate and report upon the matter of vocational education, in all probability it would not in any way affect the so-called Lever bill to which the gentleman refers. Does that mean, then, that the matter of instruction to the farmers of the country, as contemplated by the Lever bill, would be taken away from the commission and would confine its work solely to investigating the question of educational instruction in other occupations, such as the mechanical arts and the industries?

Mr. MONDELL. Mr. Chairman, I would say that the suggestion made by the gentleman from Pennsylvania has a good deal of meat in it, unless we consider agricultural education as vocational and agricultural instruction as vocational, and I think the resolution is open to that criticism.

My objection to the resolution, Mr. Chairman, is not due to the fact that the language does not clearly indicate what I assume to have been the thought of the committee in reporting it. There are few Members of the House—at least from the agricultural districts—who are not well informed with regard to the two general plans of Federal aid which have been proposed, and there are many Members of the House who are, in my opinion, as well informed on that subject as any gentlemen whom the President could possibly select as a commission. To mention only two out of a multitude, the gentleman from South Carolina [Mr. LEVER] and the gentleman from Michigan [Mr. MCLAUGHLIN] have given a great amount of study to these questions, and they and many of our colleagues are as well informed in the matter as any members of a commission which the President may appoint. The House generally is as well informed on the subject; the Senate is as well informed on the subject.

The two plans differ from each other very greatly, and most Members have considered the matter sufficiently that their minds are pretty well made up with regard to them. It is true that there is a difference of opinion between the House and the Senate, and it seems to have occurred to some gentlemen that the differences between those opposing views might be composed by the appointment of a commission. I can not think of any new facts, of any convincing arguments that might be presented that have not already been presented or that have not already occurred to gentlemen in regard to the relative merits of those two plans or of any possible combination of them. But when there is a difference of opinion between Members of the House and the Senate or between the committees of the House and Senate in regard to matters of legislation passed by one body or the other a plan is provided whereby those differences may be composed, if it is possible to accomplish that result. If gentlemen can be brought into agreement, we have a way in which that can be accomplished, to wit, through a committee of conference, and a committee of conference of the House is just as well qualified—in my opinion, very much better qualified—to hear the arguments of both sides, to judge of the views of the two bodies, and to reach an agreement with regard to the differences between the two Houses, if it is possible to reach such agreement. This is a most unusual method to adopt in an attempt to compose differences between the two Houses, and it is, in my opinion, a method which would be much more honored in the breach than in the observance.

If every time we have a disagreement between the two Houses and conferees are unable to agree the suggestion is made that the President or some one else appoint a commission to investigate the subject matter—if every time that condition occurs we proceed along those lines, it is an admission that the method established by the Constitution does not work well, is not effective, and I do not think gentlemen are willing to admit that at this time. It further involves an admission that somewhere outside of Congress the President or some one else may find some gentlemen who as members of a commission can bring arguments which will influence Members of Congress or inform them on important subjects and influence them when their colleagues are unable to do so. Now, I do not claim that Congress is all wise or that in the breasts and minds and hearts of Members of those two bodies reposes all the information in the world by any manner of means, but I do believe that on subjects which properly come before the two bodies in the regular way Members can generally be found who are quite as well informed on those subjects as anyone in the country; and if they are not, certainly the membership of this House is capable of securing information in the usual way and proceeding to an adjustment of the differences which may exist between them. The precedent, I say, is a bad one, an unfortunate one; it is one that will have a tendency to incline gentlemen who by reason of pride of authorship or for other reasons are inclined to insist on a disagreement to do so in the hope that by the appointment of a commission an easy method may be provided whereby gentlemen may recede from positions they have taken without loss of prestige. There is another thing about this appointment of a commission. If the House approves the appointment of a commission, the House is to a certain extent bound by the report of the commission.

Mr. HUGHES of Georgia. Will the gentleman allow me to ask him a question there?

Mr. MONDELL. Yes.

Mr. HUGHES of Georgia. In the event that this commission is appointed, the object of that commission is to report a plan for vocational education. That does not, in your opinion, does it, bind the House to that plan? Could they not reject it if they saw fit and proper to do so?

Mr. MONDELL. Well, I will say to my friend that we have been trying for some time to evolve a plan. The House did evolve a plan for agricultural training. The Senate evolved a plan for vocational training. The conferees were unable to agree as between them. I do not believe that it is necessary to go outside of Congress and ask the opinion of a commission of gentlemen, no matter how well informed they may be, as to what, in their opinion, would be a feasible and a workable and a satisfactory plan.

But if I were to arrive at the conclusion that that was necessary, that the appointment of a commission was the only way of arriving at an agreement as to what the plan should be, I should feel that I was under obligation, at least, if I did not fully agree with the plan, to very largely accept the judgment of the commission that I had proposed should be appointed. I do not think that we ought to abrogate our functions as legislators in that way. If we had not considered this subject at all, if this were comparatively a new subject, and if the Congress before beginning an investigation of the subject desired all the information that experts could give it, then it might be all right to appoint a commission, as we did in the case of the monetary commission, to study the subject and to make suggestions and recommendations. But the House has considered the matter fully. I assume that the Senate has done so also. There are gentlemen in the House who have given years of study to those questions, and I think are as well qualified to pass upon them as any commission that the President might appoint.

There is another proposition involved. The differences between the two Houses are in a sense fundamental. As between the extension of Federal aid through channels already established, intended to reach the farmer primarily and principally, and a proposition that the Federal Government shall take out of the Public Treasury large sums of money and turn them over to school districts for the purpose of having those sums used for various educational purposes throughout the country, whatever your views may be with regard to the merits of those two systems we must all agree that they are radically and fundamentally different.

I for one am not inclined to suggest the appointment of a commission to tell me whether or no I should depart from the views I now hold with regard to the relative merits of those two plans. I have a very clear idea in regard to them. I do not believe that I will be persuaded in a matter of principle by a commission that might be appointed, and that is one reason why I am not inclined to vote for a commission which would possibly recommend a policy which would be an unwise one—an unwise one because of the precedent it would establish with regard to Federal expenditures generally.

Mr. MOORE. Will the gentleman yield?

Mr. MONDELL. I will be glad to do so.

Mr. MOORE. Has the gentleman indicated that he does not intend to support the resolution?

Mr. MONDELL. The gentleman supposed that he had so indicated. If the gentleman from Pennsylvania has been out of the Hall while I have been speaking and desires definite information on the subject, I will say I do not expect to support the resolution.

Mr. MOORE. In view of the statement of the gentleman, I want to ask him two questions: The first is as to our common understanding of the Lever bill, which is that it is intended to afford national aid to the various States for educational purposes in an agricultural way. That is my understanding of the Lever bill.

Mr. MONDELL. Yes.

Mr. MOORE. That it is intended to extend Federal aid to the States to promote agricultural education.

Mr. MONDELL. That is the fundamental idea of the Lever bill.

Mr. MOORE. That is the gentleman's understanding?

Mr. MONDELL. That is my understanding.

Mr. MOORE. In view of the fact that the majority of this House has voted for the Lever bill and is likely to do so again, and as a majority of the Senate apparently has indicated its favor toward the bill having the provisions of the Lever bill, would it not then leave all other vocational educations high and dry if we pass the Lever bill without passing a resolution of this kind?

Mr. MONDELL. Well, I am not so sure about that. In fact, I do not think so at all. I do not think that necessarily follows.

But I did not rise to express any opinion as to the details of these matters. I think as a matter of fact I have not thus far indicated which of the plans I approve, although if the gentleman will read the RECORD of some time since he will discover that I voted for the Lever plan.

My objection to the resolution is that it attempts, in an unusual way and a way that, in my opinion, ought not to be adopted, unless it shall be absolutely necessary, to compose the differences between the two Houses in regard to a legislative matter. I think that we will have no difficulty whatever in coming to an agreement in regard to the matter, and whether the agreement be in the line of the views of the gentleman from Pennsylvania [Mr. MOORE] or in the line of my views or in the line of the views of both of us, we shall at least have arrived at it in the usual and orderly way provided by the Constitution of the United States and the statutes of the United States thereunder.

Mr. POWERS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. MONDELL. Very briefly, because my time flies.

Mr. POWERS. I want to inquire of the gentleman if he is constitutionally opposed to commissions?

Mr. MONDELL. Oh, no.

Mr. POWERS. I believe the gentleman voted for the continuation of the Tariff Commission.

Mr. MONDELL. I am in favor of tariff commissions; yes.

Mr. POWERS. Then why oppose this character of a commission, since the educational matter is as much confused between the Senate and the House as the tariff has been?

Mr. MONDELL. Well, we never had the President appoint any commission of nine gentlemen to compose any differences between the House and the Senate in the matter of the tariff. The House and the Senate appointed very select committees of their own to perform that function.

Mr. MOORE. Will the gentleman answer my second question?

Mr. MONDELL. I will answer a brief question. There are other gentlemen who desire to be heard.

Mr. MOORE. Notwithstanding the gentleman's position in regard to the resolution, he is in favor of educating the farmer's boy?

Mr. MONDELL. I am very much in favor of doing so.

Mr. MOORE. Which means to educate the farmer's son.

Mr. BUTLER. Tell us something about the education of the farmer's daughter. [Laughter.]

Mr. MONDELL. It means to raise the standard of agricultural education. It means the wider dissemination of knowledge relative to country life. It means practical information to the farmer. It means help in the direction of returning the urban population to the farm. It means aid in the reduction of

the high cost of living in case the Democratic tariff, soon to be enacted, does not accomplish that happy result. [Laughter on the Republican side.]

Mr. MOORE. Then why not extend that sort of education to the boy on the street, to the boy who works in the mill, or to the boy who takes up some other vocation than that of farming?

Mr. MONDELL. I am perfectly willing to have that done, and, as I said to the gentleman a moment ago, I am not discussing the relative merits of these two plans. I have simply remarked that the two plans are dissimilar.

Mr. MOORE. Would not the resolution give a half loaf to the boy on the street?

Mr. MONDELL. It would probably settle the difference between the two Houses, unless there may be gentlemen somewhere—I can not imagine that there are—who have become so fixed and set in their views that they want an unusual way of coming to an agreement.

Mr. PAYNE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. MONDELL. Yes.

Mr. PAYNE. Does not the gentleman think, considering the majorities of these two committees of the Senate and the House, that it would be better to refer this matter to a commission than to refer these differences to a Democratic caucus? [Laughter.]

Mr. MONDELL. A joint Democratic caucus, does the gentleman mean?

Mr. PAYNE. Joint or several; any kind of a Democratic caucus.

Mr. MONDELL. Well, I have never been particularly enamored of Democratic caucuses, and yet it can be said in their favor that Democratic caucuses are composed of Members of the legislative branch of the Government.

Mr. WILLIS. The Democratic caucus is the legislative branch.

Mr. MONDELL. As the gentleman from Ohio suggests, for the time being it is the legislative branch of the Government. It is the whole thing when the President does not intervene to upset or fix the decision of the caucus.

But this is an altogether different matter. This is a proposition to ignore the Democratic caucus, which, from the standpoint of our Democratic friends, has been doing such glorious work. This is a time when it is proposed to ignore the Democratic caucus, to proceed to the creation of a commission outside of the legislative branch of the Government, the duty of which commission is to inform the Members of Congress how they ought to vote with regard to a matter we have had under consideration for the last two or three years.

Mr. GOULDEN. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. GOULDEN. I should like some information, because the gentleman from Wyoming, aided by my distinguished colleague from New York [Mr. PAYNE], is making a very illuminating address. I would like to ask wherein the Democratic caucus is different from caucuses of the Republican Party, in which the gentleman took part for a number of years, when he was a very faithful adherent to that plan of legislation.

Mr. MONDELL. I regret that my friend from New York has exposed, in this little speech of his, failure to listen to remarks of mine in which I have called attention to the fact that you gentlemen have been bound by caucus action more times in 1 year than the Republicans were in the 18 years that preceded. As the gentleman was not here when I made that statement the other day, I reiterate it for his benefit and satisfaction.

Mr. BUTLER. Can not the gentleman enlarge on it?

Mr. MONDELL. If pressed, I might do so. I have no desire to add to the agony of the gentlemen on the other side.

Mr. GOULDEN. I want to say that I served here for eight years when the House was Republican, and I know that the Republican caucuses were very frequent and very binding, and their action was usually in the shape of a rule when it came into this House.

Mr. MONDELL. As the gentleman never attended one of them and never had any opportunity to attain any particular information with regard to them, I am sure that his testimony on the subject would not be held to be the best in the world. But to return to our muttons, Mr. Chairman, I am opposed, and earnestly opposed, to this proposition. Some gentlemen here seem to be jocular about this, seem to be under the impression that I am not serious and earnest in what I have said. That is not the fact at all. I hope that in the near future Congress will pass a bill providing for agricultural extension work, for vocational education as a part of that work in the agricultural colleges, for the extension of aid in the practical teaching of agriculture and allied industries. I hope that will occur soon, and I fear that the reference of this matter to a commission will delay action by Congress. It may delay it indefinitely.

Mr. BUTLER. Can we not provide for a commission to report in about two days?

Mr. MONDELL. I presume that would do just as well. The appointment of this commission may delay action indefinitely, and in any event if it has any effect at all it must somewhat bind Members who vote for it to approve the recommendations of that commission, whatever those recommendations may be. In view of the fact that the House is full of Members, numbers of them on both sides, who are thoroughly familiar with these subjects and that there are numbers of gentlemen in the Senate who, I assume, are well informed; in view of the further fact that the Constitution has provided a method, in use every day, under which differences between the two Houses may be adjusted, I am very much opposed to this unusual plan of attempting to secure an agreement with regard to legislation.

Mr. COX. Will the gentleman yield for a question?

Mr. MONDELL. Yes.

Mr. COX. I wish to say that the gentleman has discussed this question of the difference between the two Houses very intelligently. Can the gentleman inform the committee now how much what is known as the Smith bill carries on its face?

Mr. TOWNER. It is practically the same as the Lever bill.

Mr. MONDELL. The Smith bill and the Lever bill are practically the same.

Mr. COX. I refer to the amount of money.

Mr. WILLIS. Three million dollars.

Mr. COX. My recollection is that the Smith bill carried $20,000,000.

Mr. TOWNER. It is the Page bill the gentleman has in mind.

Mr. FESS. The Page bill carries $13,000,000 and the Lever bill $3,000,000.

Mr. MONDELL. My understanding is that the Senate provision would lead to a very much larger expense than the House bill, but that may not be a good argument against it. If the work to be done is work that ought to be done by the Federal Government, it is no argument against it that it is going to cost a considerable amount of money. That is not the proposition. Without regard to the merits of the two plans, the two Houses have the subject before them. They can pass upon it at any time that these gentlemen can reach an agreement, and there is no more reason why they should fail to reach an agreement with regard to this legislation than with regard to the vast volume of legislation that is taken up and passed through the two Houses of Congress. There is no more reason for the appointment of a commission in regard to these matters than in regard to scores of other matters of legislation which come before us. It means delay, I fear, and I am therefore opposed to it.

Mr. Chairman, how much time have I remaining?

The CHAIRMAN. Twenty minutes.

Mr. MONDELL. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. WILLIS].

Mr. WILLIS. Mr. Chairman, I do not know whether I shall desire to occupy all of the time that has been so generously yielded to me, but I do want very seriously to say something about this resolution. I am strongly in favor of national aid for vocational education. I am strongly in favor of national aid for agricultural education. I voted for and spoke for the Lever agricultural extension bill, and will do so again if I have the opportunity. Every time the agricultural appropriation bill has been before the House I have strongly advocated by vote and voice enlarged appropriations for the cooperative demonstration and farm-management work of the Department of Agriculture. I did this because I believe in agricultural education that will bring the benefits of scientific investigation right to the farmer's door. Because I am thus in favor of national aid to both agricultural and vocational education I am opposed to this resolution. The adoption of this resolution means further delay; I want action now. It seems to me that by no stretch of the imagination can it be made clear that the adoption of this resolution will be an aid in the advancement of either of those two forms of education. As I understand the situation, it is substantially this: The House by a large vote passed the Lever bill, which provided for a system of agricultural extension and education. The Senate passed the Page bill, which provided a very extensive system of vocational educational training, and, as I understand, there the matter is suspended, as it were, between the two Houses. In this case, instead of having the two committees of these two branches of the legislative department get together and work out some sort of a measure, as they do

upon every other proposition that comes before the Congress, it is proposed that a commission shall be appointed, in the first place, to spend $15,000, and, in the second place, to report some time, we do not know when.

Mr. Chairman, I agree with what the gentleman from Wyoming [Mr. MONDELL] has said with reference to the ability of the committees of this body and of the body at the other end of the Capitol properly to draft legislation along these lines.

I mean it as no matter of pleasantry or fulsome eulogy when I say that I would rather trust the chairman of the House Committee on Agriculture, the gentleman from South Carolina [Mr. LEVER], aided by the gentleman from Iowa [Mr. HAUGEN] and the gentleman from Michigan [Mr. MCLAUGHLIN]—I would rather trust those three gentlemen to draft the legislation that we have in mind than to trust any commission of theorists and experts that might be appointed for this particular purpose. [Applause.] The difference that is alleged to exist, which to some extent does exist, between the two Houses is a difference that arises not out of a lack of accumulation of facts, but out of lack of agreement as to constitutional theories. My friend from Kentucky [Mr. POWERS], in the inquiry that he propounded to the gentleman from Wyoming [Mr. MONDELL], suggested that there was some analogy between this and a tariff commission. There is not the slightest analogy on earth. The object of the tariff commission, or Tariff Board, is to collect the facts upon which a tariff law may be based. We already have the facts here. Everybody who has looked into the subject at all admits the necessity for and desirability of vocational training. Everybody admits the desirability of and necessity for national aid to agricultural training, but a question has come up as to certain constitutional principles. Some gentlemen say these matters ought to be in the control of the States, and other gentlemen say these questions ought to be settled by the Federal Government. When the dispute is not as to questions of fact, but as to questions of fundamental policy and constitutional law, why, forsooth, should we appoint a commission to settle those questions? But it has been said here that we do not need to adopt the plan that this commission shall propose. Then, if we are not to adopt the plan, what is the use of spending $15,000 of the people's money when there is to be no result. It is alleged that the formation of a plan is to be the only thing. They are not to collect the facts, for we already have the facts. They are to work out a plan and draft a bill. Then, if we are not to adopt that plan, we will have made no progress at all, and $15,000 of the taxpayers' money will have been spent in vain.

It has been alleged here, and in the most perfect good faith I am sure, that the passage of this resolution will not interfere at all with the passage of the Lever bill. I am opposed to the adoption of the resolution because, in my opinion, the passage of this resolution at this time will unavoidably and necessarily delay, if it does not actually defeat, the Lever agricultural extension bill and probably also the Page bill, and thus prevent the immediate national aid to agricultural and vocational training which the farmers and the boys and girls of the country desire and expect, and which the welfare of the Nation demands. Mr. Chairman, the chairman of the committee [Mr. HUGHES of Georgia], with his usual foresight and absolutely unfailing ability, eloquence, and frankness, stated the matter correctly before he was led to change the statement by the gentleman from Michigan [Mr. MCLAUGHLIN]. What is the fact? It is simply this: If you pass this resolution, there will be no legislation along the line of agricultural extension or of vocational training until you get a report from this proposed commission, and nobody on earth knows when that report will be made. Why do I say that? Because, as was suggested by the gentleman from Michigan [Mr. MCLAUGHLIN], the very moment a bill to provide national aid to agricultural or vocational training is called up, gentlemen will rise in their places and say: "We have a commission investigating this general subject of vocational and agricultural training. Let us wait until the commission reports."

Mr. Chairman, I am opposed to this resolution because the inevitable result of it will be delay. Where the character of our citizenship and the welfare of our people depend, as they do in this case, upon prompt action, delays are dangerous. It should not be forgotten that more than 90 per cent of the pupils in our public schools never reach the high school at all. These 90 per cent go into active life from the grades. Are we doing for them all that we ought to do? Are we sending them forth as well equipped as they ought to be? Do they leave the schools feeling that what they have obtained helps them to earn a better living and live a better life? When a boy studies carpentry or blacksmithing or agriculture it does not necessarily mean that he is to be a carpenter or blacksmith or farmer. His work has helped him to find himself, to discover his own possibilities; he has learned that toil is honorable; that it is as meritorious to plow a field or make a chair or shape the glowing iron as it is to sell goods or write a book. Agricultural education will solve economic problems and elevate our citizenship.

Hence the desirability of the earliest possible legislation in the direction of Federal aid and encouragement to agricultural and vocational training.

I am further opposed to this resolution because it is an abdication of the proper functions of this House and of its committees. It has been said here, and well said, by others that we have ample ability in the membership of our own committees. I have already suggested some gentlemen on the Committee on Agriculture who are thoroughly equipped to draft this bill. If there are not enough gentlemen on that committee, certainly additional ones can be found in the Committee on Education. I would be perfectly content to intrust the drafting of this bill to the three gentlemen I have already named, aided by the gentleman from Alabama [Mr. ABERCROMBIE], who has spoken here so instructively to-day, and by my colleague from Ohio [Mr. FESS], both of whom are experienced school men and educators of national reputation, both of whom understand the needs of the hour and have the ability to draft the necessary legislation. In view of this situation, when we have upon our committees men who have already spent a lifetime in investigating these questions and getting at the facts, why not proceed to do the work that ought to be done and not wait on a commission? Simply because we have now come up against a position where there is a difference of opinion, largely upon constitutional grounds, between the House and the Senate, why should we come to a full stop and say, contrary to our practice upon every other kind of legislation, "We will appoint a commission to settle it"? Why not go right ahead and settle it now through the instrumentality of the able Committees of the House on Agriculture and Education instead of courting delay by adopting a program of procrastination? Here we are waiting for the return of the tariff bill, waiting for the conferees to compose the differences between the two Houses. What would be thought if we would say, "Well, let us appoint a commission of nine gentlemen to report upon this thing some time, we do not know when, but whenever they get ready"?

Mr. RAKER. Will the gentleman yield for a question?

Mr. WILLIS. I will.

Mr. RAKER. Is the gentleman constitutionally or otherwise opposed to a committee being appointed from both Houses to go into this question fully and report back to the two Houses?

Mr. WILLIS. I do not know what the gentleman implies by the use of the word "constitutionally." I do not think there is any objection from the standpoint of constitutional law, but I am opposed to the appointment of a commission to attend to the business of Congress——

Mr. RAKER. I meant objection.

Mr. WILLIS (continuing). I will say to the gentleman, as clearly as I may, that when we have a proposition as nearly thrashed out as we have this one, when every man in the country who has investigated the subject at all admits the necessity for vocational training, when every man admits the necessity for agricultural training and for national aid to both, when the committees of the House and the Senate have been at work upon these subjects, and there are Members in both Houses who have spent years in working out this proposition—now, when we have got that far, I say to the gentleman that it is a mistake to say we will stop and appoint a commission and spend $15,000 to do what the committees of the House ought to do, and can do better and more quickly than a commission can do it.

Mr. RAKER. What I desire to get at is this: Suppose the committee of the House and the committee of the Senate felt as though they are not thoroughly prepared at the present time? Now, could not the gentleman's objection be entirely eliminated if a joint committee of the House and Senate be appointed, five taken from the House and five from the Senate, to report to their respective bodies as provided in this resolution?

Mr. WILLIS. I should have no special objection to that, but I do not think it is necessary.

Mr. RAKER. I was asking the gentleman if further information is necessary in his view——

Mr. WILLIS. I do not think there is need for further information as to the necessity for the legislation, as to the collection of facts; I think we are prepared to vote. We were prepared to vote a few months ago on the Lever agricultural-extension bill, and did vote for that measure; I did and the gentleman did.

Mr. RAKER. That being the case, the committee from the House reporting this resolution and the committee of the Senate reporting the resolution, does not it to some extent——

Mr. WILLIS. The committee in the Senate did not report this resolution.

Mr. RAKER. Oh, yes——

Mr. WILLIS. All right.

Mr. RAKER. That being the case, is not that some evidence of the fact that the committees are lacking in some information desired in this case, and ought not the committee to be a joint committee from the House and the Senate to go into this matter?

Mr. WILLIS. I should have no objection to a joint committee of the House and Senate, but I want to say to the gentleman further, in reply to his observation, that sometimes it becomes necessary to save a man from his friends; and, likewise, it sometimes becomes necessary to save a bill from its author and from its friends.

It has been stated here, and it is shown in the hearings, that two distinguished Senators appeared before the House committee and urged that this resolution be adopted. While I have great deference for their opinions, I think they are in error in the program they have mapped out in this case. I believe the best way to advance this legislation is to proceed along the lines that we follow with reference to every other kind of legislation in the House.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. WILLIS] has expired.

Mr. MONDELL. Mr. Chairman, I yield the gentleman five minutes more.

Mr. COX. A parliamentary inquiry.

Mr. RAKER. Will the gentleman yield?

Mr. WILLIS. Very briefly.

Mr. RAKER. If neither the Committee on Education of the House nor the Committee on Education of the Senate reported this bill, would it not be some evidence that they wanted further light, and would not the House and the Senate get better results if the members of those respective committees were appointed to go into the matter and make a full investigation and report?

Mr. WILLIS. I agree with the gentleman if further investigation is necessary that it should be done by the committees of the House and Senate.

Mr. RAKER. I agree with you on that.

Mr. WILLIS. Then we are agreed on that point at least. I do not see any reason for having a commission appointed to spend $15,000 of the people's money without any tangible results.

I just want to say one more word, and then I think I will have expressed all I care to say on this proposition, and that is as to the absolute necessity for early action along the line of aid to vocational education and agricultural education. I wish that every Member of the House could have the pleasure of coming in personal contact with the work that is being done in many of the great schools of this country along the line of vocational training. I have in mind one school just now, not so very far from here, in the city of York, Pa. I have gone into the shops with the high-school boys, where I have seen them working at the anvil and the forge, working in the carpenter shop, working in the foundries and machine shops, and studying all the things that would be necessary in order to develop them as skilled mechanics. They work there in the shops one week, and the next week are back in the high school, and the next week back in the shops. That is the system they have worked out there. The same system has been applied in the schools of Cincinnati, Ohio, Fitchburg, Mass., and some other places. It is splendid work, and I think it is perfectly proper and highly desirable that there should be national aid along this line of vocational training.

Mr. HARDY. Will the gentleman yield?

Mr. WILLIS. For a brief inquiry.

Mr. HARDY. I do not know as I ought to ask, but are those schools under State supervision entirely?

Mr. WILLIS. Entirely so. Along the line of agricultural education everybody from every section of the country knows of the immense advantage of that work. In December we will have here in Washington 1,000 corn boys from Ohio to show you what work is being done in agricultural education in that State. I think the Federal Government ought to take up the work of agricultural education and ought to aid, so far as it may be able, to bring to all the boys and girls of our country the benefits of agricultural training, a training that makes for better citizenship, with a larger and loftier outlook upon life.

Mr. GARRETT of Tennessee. Does the gentleman think that aid ought to be in the form of making appropriation conditioned upon an appropriation by the State?

Mr. WILLIS. That was the plan that was adopted in the Lever agricultural-extension bill, as the gentleman will remember.

Mr. GARRETT of Tennessee. I know that.

Mr. WILLIS. And was probably about as wise a plan as could be thought of. The gentleman voted for the Lever bill?

Mr. GARRETT of Tennessee. No; I did not.

Mr. WILLIS. Well, I did. Now, Mr. Chairman, I repeat what I said in the beginning: That it seems to me it is important that we act. The people of the country expect us to do something along these lines, and to do it now, and in my judgment they will not be at all satisfied if we put them off by saying, "Well, we have appointed a commission to investigate this question and make a report some time in the dim and distant future, after it has spent $15,000 of the taxpayers' money to do what we are already amply prepared to do through the committees of the House and Senate."

Mr. MONDELL. I reserve the balance of my time.

Mr. POWERS. Mr. Chairman, I have no set speech, but will make a few impromptu remarks.

There has been no objection raised on the part of the opponents of this resolution to vocational education. The difference has arisen as to the way that object can be most efficiently and thoroughly met. I want to state for the information of the House that Senator PAGE, who is the author of the Page bill in the Senate—and a bill that passed that body—appeared before the Committee on Education and urged the adoption of this resolution. This resolution has already been adopted by the Senate, and Senator SMITH, who is heartily in favor of the Lever bill, likewise appeared before the Committee on Education and urged the adoption of this resolution.

Naturally, in the discussion of a measure of this character a good number of questions arise. When this matter finally comes before the House for action, there will probably be those who will oppose this national aid to vocational education, not that they are opposed to vocational education, but they take the position that the States and not the Federal Government are the proper instrumentalities to appropriate the money to further the interests of vocational education in the respective States of this Union.

None of these questions is presented, so far as this individual resolution is concerned. This resolution merely empowers the President to appoint a committee of nine to consider the needs—that is the language of the resolution—of vocational education in the various sections of this great country and to report a plan to put in operation that character of a system.

The argument was made here by the distinguished gentleman from Wyoming [Mr. MONDELL] that the House would be bound by the report of this commission. The gentleman is entirely mistaken as to the purport of the resolution that we are considering. We are not bound by anything of the sort, and will not be. By voting for this resolution the House is not bound to support the plan brought in. It does not even bind the House in favor of vocational education of any character. All that this resolution proposes to do is to empower the President of this great Republic to appoint a committee of nine men who, by reason of their learning, by reason of their intense interest in this subject, by reason of their study of this great question, can bring to light the facts and formulate some kind of a plan to be put in operation.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. POWERS. I will yield with pleasure.

Mr. WILLIS. If Congress should not adopt the plan that would be formulated under this resolution, what would be gained by the expenditure of this $15,000?

Mr. POWERS. I will answer the gentleman. Suppose Congress does not adopt the plan reported by this commission? There is no doubt in that event but that Congress will get a good deal of needed information, by reason of the report of the learned men whom the President of this country will undoubtedly appoint. And I want to say for the present occupant of the White House that he is as well qualified and knows the people of education and those interested in vocational education throughout this country equally as well if not better than any President who ever occupied the White House. He is a school man. His life has been devoted to work of this character. He knows the people throughout this country who have made a study of this great question. I shall have every confidence in the ability of the men that he will appoint upon this commission; and although this House in all probability will change the report of the plan in some particular, and we do not expect the House to adopt bodily the plan brought in, yet we do expect from the men appointed by the President much needed information upon this great question.

Mr. COX. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. POWERS. With pleasure.

Mr. COX. Does the gentleman believe for a moment that if a committee of nine were appointed by the President of the United States, no matter how high their character and standing, they will ever be able to report a plan to Congress that, if adopted by Congress, will enable the farmers of this country to increase their yield of wheat from 15 to 30 bushels an acre, or their yield of corn from 20 to 40 bushels an acre?

Mr. POWERS. If I did not believe that this commission could aid a plan of that character, I would be opposed to this resolution. I have no doubt but that they can help solve that problem.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to the gentleman from Pennsylvania?

Mr. POWERS. With pleasure.

Mr. MOORE. Is it the gentleman's understanding of this resolution, he being the ranking member on the minority of the committee, that its passage would result in a report by the commission upon vocations other than agricultural?

Mr. POWERS. I do so understand it.

Mr. MOORE. The Lever bill applies solely to agriculture. These occupations not pertaining to the farm would also receive consideration at the hands of this commission? Is that the plan?

Mr. POWERS. That is one of the purposes of this resolution. And I want to say further in regard to this proposition, and in answer to the gentleman from Ohio [Mr. WILLIS], that an erroneous intimation has been given that the purpose of this resolution is to again force delay in the passage of needed legislation along this line.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. POWERS. Yes.

Mr. WILLIS. I wish to disclaim any suggestion that I thought that was the purpose. I did not mean that. I meant to say that was the probable effect, but surely not the purpose of the committee.

Mr. POWERS. And in further answer to the gentleman from Ohio I desire to say that both the author of the Page bill in the Senate and the Committee on Education in the House, all of whom are in favor of this legislation and all of whom are extremely anxious that this matter get under way at the earliest possible moment, are of opinion that this resolution, instead of retarding needed legislation along this line, will greatly accelerate legislation of this character.

The objection has been made here that there is no time limit within which this commission shall report. That can easily be modified in this resolution. It could be provided that they should report not later than the 1st of April or the 1st of May or the 1st of June, giving them ample time to consider this matter. But I have no doubt in the world that these men, appointed by the President, will make the earliest possible report. They are to get nothing for their services. The nine men appointed by the President on this commission do not get a cent. They are to receive no salary; they are to do it for the love they have of the cause; and men who are so intensely interested in vocational education as to devote their time and labor to it without a cent of compensation will, I believe, accelerate the work with the utmost speed consistent with gathering the information necessary to make a proper report.

Mr. GOULDEN. Will the gentleman from Kentucky yield?

Mr. POWERS. I yield with pleasure.

Mr. GOULDEN. I have no doubt the gentleman has given considerable attention to this matter. How long will it take a commission of this character to complete their work and make a report if the House passes this resolution?

Mr. POWERS. Giving merely my own opinion, in my judgment it ought not to take longer than two months, or three months at the outside. I think we will have a report in three months if this resolution is adopted. I am expressing merely my personal opinion.

Mr. GOULDEN. Would there be any objection, then, to inserting an amendment limiting the time to three months or, say, to the 1st of February or the 1st of March?

Mr. POWERS. I am not the chairman of this committee.

Mr. GOULDEN. I am simply asking for the gentleman's opinion.

Mr. POWERS. I am merely giving my own personal views on the matter. I would have no objection to making it three months, except for the delay which might necessarily come about by reason of the fact that this resolution would have to go back to the Senate.

Mr. RUPLEY. Will the gentleman yield?

Mr. POWERS. I yield, with pleasure.

Mr. RUPLEY. I am asking the gentleman as a member of the committee: As I understand the proposition, the Page and Lever bills are at the present time tied up in the Senate for want of knowledge of a plan on the part of the United States Senate?

Mr. POWERS. That is correct, as I understand it.

Mr. RUPLEY. I ask the gentleman, as a member of the Committee on Education, do we have the knowledge, do we know where to obtain the information as to a plan to cover this great work of vocational education?

Mr. POWERS. I can only state for myself; I have not the information.

Mr. RUPLEY. I notice that in this resolution the word "men" has been stricken out, and if the resolution passes the President can appoint nine persons—nine men or women—on this commission.

Mr. POWERS. He will be so empowered, as I understand it. I think he could have done it anyway.

Mr. RAKER. The very purpose of striking out the word "men" is to give the President power to appoint, and with the idea that he will appoint, women educators as part of the members of this commission.

Mr. POWERS. I can not speak for the President.

Mr. RAKER. No; I mean the intention of the committee in striking out the word "men."

Mr. POWERS. There is some question about the word "men," and it was stricken out so as to give the President all the power he wants in the premises.

Mr. RAKER. Without any restriction whatever.

Mr. POWERS. Without any restriction whatever.

Mr. RAKER. He can appoint women educators if he sees fit.

Mr. POWERS. He can if he so desires, under this resolution.

Mr. RAKER. Sure.

Mr. POWERS. How much time have I consumed, Mr. Chairman?

The CHAIRMAN (Mr. RUSSELL). The gentleman has consumed 15 minutes.

Mr. POWERS. I shall consume no more time in my own right, but will yield 10 minutes to the gentleman from Iowa [Mr. TOWNER].

The CHAIRMAN. The gentleman from Iowa [Mr. TOWNER] is recognized for 10 minutes.

Mr. TOWNER. Mr. Chairman, I am very sure there is no man who really favors any form of vocational education in this country—or, rather, national aid for it—who would oppose this resolution if he throughly understood the conditions under which it is presented to us. I think I can make that clear to everyone here. I agree with the gentleman that if originally this resolution had been suggested without any seeming or actual necessity for it, I would not have favored it particularly. I rather would have acquiesced in the view of those who said that, perhaps, it was unnecessary. But we must take conditions as they exist. And now I ask the attention of gentlemen of the committee while I state very briefly the reasons why I favor the passage of this resolution. The Committee on Education, of which I am a member, have thoroughly examined this matter, and we have ascertained, as we think, the conditions that surround this bill and its consideration at the present time. Originally this proposition came from the agricultural colleges of the country. It was introduced into the Sixtieth Congress by the gentleman from Michigan [Mr. MCLAUGHLIN], and was then practically what is now known as the Lever bill. No action was taken by the Sixtieth or the Sixty-first Congresses, but in the Sixty-second Congress Mr. LEVER introduced a bill which has since been known by his name. It was considered by the Agricultural Committee and favorably reported and passed by the House. It then went to the Senate; but in the Senate Senator PAGE, of Vermont, had introduced a bill, which was known as the Page bill, very much more extensive in its scope, not limited by any means to vocational education in agriculture, but extending aid to all vocational schools of every kind and character in the United States. It was ably supported in the Senate, and after a time passed the Senate.

The Lever bill having passed the House, went to the Senate. The Senate bill having passed the Senate, came to the House. These bills were referred to the respective committees of the Senate and House. Nothing was done in that Congress, as gentlemen may well believe. Various efforts were made to secure some plan by which the various supporters of both bills could perhaps agree on a compromise, but nothing resulted from these efforts. Such was the condition of affairs at the beginning of this Congress, when Mr. LEVER again introduced into the House the Lever bill. Senator SMITH, who strongly advocated the Lever bill in the Senate in the Sixty-second Congress, introduced substantially the same bill in the Senate in this Congress, and Senator PAGE again introduced his vocational bill in the Senate. When the matter came before the Senate for consideration neither of these bills could muster enough votes to insure passage in the Senate. Gentlemen should thoroughly understand, those especially who favor the Lever bill, that the Smith bill introduced in the Senate is substantially the Lever bill introduced in the House, and if they favor the passage of the Lever bill here, they would favor the passage of the Smith bill there, and its friends and supporters and sponsors there have the same view of it that you have here. What should these gentlemen do? The committee could not agree or did not think it wise to attempt to agree, and those especially who supported the Smith bill said that while there had been a vast amount of testimony taken on the Page bill and a large amount of evidence in favor of that, there had not been a like opportunity afforded for those who favored the Smith or the Lever bill to make their showing. So, upon the suggestion of Senator SMITH, this resolution was prepared. It was urged by him before the committee.

The committee finally favorably reported it unanimously, and it went before the Senate and was unanimously passed, because it was understood by each side that some compromise must be made. Of course, gentlemen will understand that the Senator from Georgia probably thought it would further the interests of his bill to have this commission appointed, and the Senator from Vermont probably thought it would favor the interests of his bill to have this commission appointed. But that makes no difference. The question is this: Are we in favor of doing something? The House committee, when it came to consider this resolution, called Senator PAGE before it and received his testimony. It also called Senator SMITH, representing the other idea, and his testimony is published. Both of these gentlemen stand for their respective bills, but they are a unit in declaring that in order to get some legislation passed they must adopt some plan of compromise such as this.

Mr. Chairman, I ask the attention of the House to this proposition. Both of these gentlemen say it is not likely or probable that they can secure the passage of any legislation unless this resolution is passed. Gentlemen here say that the passage of this resolution will delay legislation. In view of the facts I have stated I can not see how gentlemen who really favor legislation can so believe. They say they are in favor of the Lever bill, and yet they are opposing this proposition which, if defeated, will have the practical effect of killing the Lever bill, because it is admitted that if the Lever bill should pass the House, this or some other resolution would be substituted in the Senate. Of what use is it for gentlemen to cavil? They say this will cause delay. Their constituents, the farmers of the country, will not believe that.

They will understand that conditions are such as to demand the passage of this resolution if legislation is to be secured. They will understand that the passage of this resolution will facilitate and not delay substantial legislation. Gentlemen object to the expense, when every dollar spent will secure for Congress and the country information which is greatly needed and without which intelligent action can hardly be taken. Gentlemen object to a commission whose report and recommendation they say may be entirely ignored. It should be remembered, on this side at least, that the reports and recommendations of the Tariff Commission were not carried out. But the information which they accumulated has been used by all students of the subject, ever since it became available, to the manifest benefit of all. Such objections ought not to go far in influencing the action of this committee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARDY. Mr. Chairman——

The CHAIRMAN. The gentleman from Kentucky [Mr. POWERS] has the floor.

Mr. HARDY. Mr. Chairman, I thought the gentleman's time had expired.

The CHAIRMAN. The gentleman from Kentucky has 35 minutes remaining.

Mr. HARDY. Will the gentleman permit me to ask a question which is in the interest of what seems to be nothing more than fair discussion? Nearly all the speeches so far have been made in support of this measure. I want to speak against it, and only for about 10 minutes, and I will ask the gentleman if he could not allow me to present a few observations now, and thus break the one-sided flow of argument.

Mr. POWERS. Without coming out of my time?

Mr. HARDY. Without prejudice to the gentleman's time.

Mr. POWERS. That is satisfactory to me.

Mr. HARDY. The gentleman can reserve the balance of his time.

Mr. POWERS. I want to state, however, that I do not yield the floor except for that purpose.

The CHAIRMAN. The gentleman from Kentucky has 35 minutes remaining.

Mr. POWERS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. POWERS. When the gentleman from Texas has finished, I again obtain possession of the floor, do I not?

The CHAIRMAN. If there is no objection to it. The gentleman could not yield the floor to the gentleman from Texas and reserve that right if any objection is made to it.

Mr. POWERS. I will yield to the gentleman with that understanding.

Mr. MONDELL. Mr. Chairman, before the gentleman yields the floor I wish the gentleman would yield two minutes to the gentleman from Iowa, as I desire to ask the gentleman a question.

Mr. POWERS. Well, I can not possibly do that.

The CHAIRMAN. It is the understanding of the Chair that the gentleman from Kentucky reserves his time.

Mr. POWERS. I will yield to the gentleman from Texas, but I understand I am not to yield the floor, the time not to be taken out of my time, and when the gentleman from Texas has finished I am to have the floor for the remainder of my time. With that understanding, I yield to the gentleman from Texas.

Mr. HARDY. Mr. Chairman, at this late hour of the day, with the few Members present who have studied this question more than I, doubtlessly there is no opportunity for me to change anybody—if, indeed, I otherwise could—but I mainly wish to make these remarks to let the people I represent understand the situation here and the position I take. I want to say that this country could live and would live if our General Government were one perfectly centralized in form and if the several States were converted into mere districts or provinces; but I do say it would not be the country or Government it has been and, I hope, will always be—that is, a federal or confederated Government of sovereign States. Through the gold-baited hook which is being held out by the Congress and the Treasury of the United States to the different States we are in danger of being caught and landed in the net of complete centralization. We are in danger of surrendering to the Federal Government all of the natural powers of our original State governments. Now, I want to say furthermore that the Democratic Party has twice given utterance in its platform to expressions upon this subject, or one similar to it. In 1908 they used this expression:

> The Democratic Party favors the extension of agricultural, mechanical, and industrial education. We therefore favor the establishment of district agricultural experiment stations and secondary agricultural and mechanical colleges in the several States.

And that would cover the broad scope of this resolution to extend national aid to vocational education. But mark you how that clause in our 1908 platform is concluded:

> We therefore favor the establishment of district agricultural experiment stations and secondary agricultural and mechanical colleges in the several States.

Evidently that platform plank was put there with reference to a special bill something like the Lever bill, passed by a Democratic House, to aid agricultural training, and while it starts out with agricultural, mechanical, and industrial, it winds up with only agricultural. This was in pursuance of the policy of aiding agricultural and mechanical colleges, a policy inaugurated, as I remember it, largely on account of the fact that we had a great public fund in the National Treasury that came not from taxation but from a sale of public domain. In its inception it was fought, I think, by some who feared the encroachment of Federal upon State authority and powers, and its opponents were silenced or beaten by safeguards against what was deemed its evil trend and by the golden bait it held out to the States. We have traveled this road some time, and the Agricultural Department is doing all it can to aid the farmer, and the Bureau and Department of Labor is doing all it can to aid labor, and I am in favor of all these things, as my votes will show, in so far as we can go within the purview of our Constitution and without surrendering the rights of local self-government.

A similar plank occurs in the platform of 1912, as follows:

> We recognize the value of vocational education, and urge Federal appropriations for such training and extension teaching in agriculture in cooperation with the several States.

Mr. POWERS. Will the gentleman yield?

Mr. HARDY. Certainly.

Mr. POWERS. Is it your construction of the Democratic platform that it meant to indorse only agricultural education?

Mr. HARDY. Specifically it does only indorse agricultural education, or agricultural aid, but it says that "we recognize the value of vocational education."

Mr. MURRAY of Oklahoma. Will the gentleman yield?

Mr. HARDY. Most assuredly.

Mr. MURRAY of Oklahoma. I want to suggest to the gentleman that in all agricultural colleges there is also the allied principle of mechanical arts, and the intention of that language was to continue that system. I might say I drew that plank and submitted it to the committee at Denver.

Mr. HARDY. That all the more confirms my view that the plank was drawn with reference to bills favoring such agricultural institutions and specifically aiding agriculture and not in the broad sense of vocational education in general.

Mr. MOORE. Will the gentleman yield?

Mr. HARDY. Certainly.

Mr. MOORE. Under those conditions, would the gentleman oppose a resolution providing for an inquiry as to education other than that of agriculture?

Mr. HARDY. Under my present apprehension of my duty, I would oppose a resolution of inquiry on agricultural education or any other, but I would not oppose such a bill as the Lever bill, for the simple reason that I feel bound by my platform to support that bill or some similar bill.

Mr. MOORE. That would not prevent the gentleman from considering the propriety of educating boys that are not being trained in agriculture exclusively?

Mr. HARDY. I want to say, probably to meet the point the gentleman is thinking of, that as a Democrat, as an American, as a citizen, I believe that every other vocation ought to stand on a level with agriculture.

Mr. MOORE. That is fair.

Mr. HARDY. And therefore as a matter of principle, I would support or favor the National Government providing training schools for the miner, the engineer, and for every other vocation as quickly as for agriculture. That is the reason why this broadened resolution has a tendency to open my eyes to the ultimate consequence of embarking on this sea of legislation.

Now, let me see what it amounts to when we get fairly embarked on the sea, as the policy has been unfolded here to-day by its friends. Its early years will cost the Government fourteen million to fifteen million of dollars per annum, and I apprehend before we are long on the voyage it will cost the Federal Government up in the hundreds of millions of dollars.

Now, why do I oppose it? I oppose it because the Democratic platform of 1912 gives me ample and just reasons why I should oppose it in principle, notwithstanding I might be bound to vote for a specific bill. In another paragraph of that platform we say:

> Believing that the most efficient results under our system of government are to be attained by the full exercise by the States of their reserved sovereign powers, we denounce as usurpation the efforts of our opponents to deprive the States of any of the rights reserved to them and to enlarge and magnify by indirection the powers of the Federal Government.

I want to tell you the danger to the State governments in the future years will all come from the fact that the Federal Treasury hangs its glittering and alluring bait of dollars and cents before our patriotism and the local self-government principle that we have espoused and stood by for so long. We do not stop to think of the hook when we look at the bait. The temptation comes when we see the opportunity to get our hands into the Federal Treasury, to reach them down and pull out a little of the coin of Uncle Sam and devote it to the uses of the State. I am not a stickler for restricting the powers of this Congress by strained construction of the Constitution when the rights of the people are sought to be upheld, but I do want to warn the Democrats of this country that every time we take a step toward putting our hands into the Treasury of the United States for the benefit of our people, without full or at least strong warrant of the Constitution, we are surrendering the policies and principles of our fathers, and not only that but we are surrendering the soundest policy that was embedded in the framework of this Government when the Constitution was instituted; that is, the policy of local self-government.

Mr. POWERS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Kentucky?

Mr. HARDY. Certainly.

Mr. POWERS. May I ask if the gentleman from Texas is opposed to Federal aid to the agricultural colleges throughout the country?

Mr. HARDY. I am going to give the gentleman my view on that as I go along.

The gentleman from Alabama [Mr. ABERCROMBIE] in a very able address stated, in answer to a question of mine, that the logic of his argument was that the Federal Government should aid in the training of children for all vocations, and when I asked him if his logic did not lead him further to the conclusion that the Federal Government should aid in the education of the children of the land in all lines from A to Z, he said it did; and then he supplemented that by saying that he was in favor of that proposition; that is, to start in with our common schools, with the toddling child learning its letters, and go on up to the ripe and finished scholar or industrial expert.

I want to tell you that when you take from the local governments the right to have something to do with the training of the minds and principles of the children that are coming up and surrender it to the Federal Government, which comes in due order and in due season, following the policies foreshadowed by this resolution, you will say to California: "It is not a matter for California to say whether the oriental races and her people shall go to school together." You will say to the South: "It is not a question for you to determine whether the white child and the black child shall go to school together," for where the pocketbook which runs the institution is, there the control evermore must be.

I know that the bills which have been introduced have provided that the Federal Government shall pay one-half and the States one-half, but if we take as our warrant the general welfare clause of the Constitution, so eloquently presented by the gentleman from Alabama, and say that every State is equally interested in the education of the children of every other State, and therefore their education is a duty devolving upon the Federal Government, then we will soon reach the point where we shall call upon the Federal Government to supply all the funds necessary to run our schools; and when you do it, who will control your schools but the Federal Government?

Mr. Chairman, I propose to stand bound by the platform of my party, but whenever that platform, in my judgment, is wrong I shall not go further than the platform calls on me to go, and if a bill in aid of an agricultural college within the purview of that platform came before this House I should vote for it, not because I wanted to, but because I thought in honor I was bound to. But I think it is high time now to utter a word of warning and strike a note of alarm to notify our people of the direction in which we are tending and where we are going.

You people on that side, as well as our people in the Southland, do not want to surrender the autonomy of your States, to have them become provinces or districts of a single State. When the Federal Government interfered with the enforcement of your railroad legislation in Iowa, a Republican attorney general of that State was the first attorney general in the United States to go to jail rather than to submit to the authority of the Federal Government forbidding him to bring a suit under a State law.

If we are lured by the golden bait the time will come when we shall have spread the authority of the Federal Government over all walks of life in all this land, North and South, East and West, and in the little State of Rhode Island and in the big State of Texas we will find our people appealing from the power of the Federal Government when it is exercised contrary to their sense of justice and right, but I fear appealing in vain. [Applause on the Democratic side.] This precedent will rise to plague us, as bad precedents always do.

Our Government is now being carried along various lines by good men who, however, are looking at things with a oneness of vision that sees but in a straight line—sees but the end desired. They are asking that the Federal Government take up this line of treatment and another line of treatment. Now it is education—vocational education; soon it will be—indeed some are now ready to ask—that the Government shall see to the education of all the children in all matters.

And there is another thing that I want to say, and that is that when you remove the power of training your children from your locality and place it in a central control—for instance, at Washington, where general knowledge of conditions exists but local knowledge of your conditions does not exist—you will lose interest in the training school, especially when you do not pay direct taxes for it. I have paid taxes since I reached the age of maturity in order to uphold the public-school system in my State, and I am glad of it. I want to say one thing about that. While we have a magnificent school system, yet the patrons of that system do not take as much interest in it now as they took in schools when each parent went down in his pocket

to pay the tuition of his child, as they did when I was a child. And in future, further pursuing the idea, if instead of paying 1 per cent tax for the support of a public school, as we do in Texas now, we learn to know that the fund to support the public school comes from the National Treasury, derived from the collection of duties on imports or from income taxes on the wealth of the land, how much will our people be interested in the character of the schools or the system of schooling? Little by little you will turn over to the Federal Government the entire training of the children of this land. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. POWERS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. POWERS. I understood the gentleman from Texas desired more time. How much time does he desire?

Mr. HARDY. I shall not take longer, Mr. Chairman. I had not thought of discussing this subject till it came up unexpectedly to me, and I want to apologize for having detained the committee thus long.

Mr. POWERS. I will yield further time to the gentleman if he desires.

Mr. HARDY. I thank the gentleman. I want simply to add that I want our people to study this question before we again put a plank in our platform about it.

The CHAIRMAN. Did the gentleman from Kentucky yield to the gentleman from Texas [Mr. HARDY] out of his own time?

Mr. POWERS. No.

The CHAIRMAN. The gentleman from Kentucky has 35 minutes remaining.

Mr. POWERS. I yield 10 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, I have been very much interested in the remarks of the last speaker, the eloquent gentleman from Texas [Mr. HARDY], and I have been particularly struck with one vein of thought which he has brought out here, and that is the bringing into this debate of the element of partisanship. I am extremely sorry that that thought seems to be uppermost in the mind of the gentleman from Texas, because to my mind, if there is any one thing wherein we all, Republicans, Democrats, or Progressives, ought to lose sight of our party allegiance, it is in the question of the education of the rising generation. [Applause.]

The Committee on Education listened attentively to the representative of the Democratic Party, Senator SMITH, and to the representative of the Republican Party, Senator PAGE, not as Democrats or Republicans, but as men interested in the uplifting and welfare of our country and in the proper education of our children. I am surprised that any gentleman on this floor is disposed to say that his judgment will in any way be warped on the question of education by some plank that may or may not at some time have been included in some party platform. I say let us put partisanship to one side when the question of education arises. I am very glad to say that that is what has been done by the Committee on Education under the able leadership of the chairman of that committee, Mr. HUGHES of Georgia.

Mr. Chairman, I do not propose to take the time of the House to elaborate upon what in my own mind I consider to be the origin and the desire on the part of the proposers of this resolution. My colleague on the committee, the gentleman from Iowa [Mr. TOWNER], has described the difference of opinion between the two branches as regards the so-called Page bill and the so-called Lever bill. Sufficient it is to say, perhaps, that the enactment of the Lever bill calls for an appropriation of something like $3,000,000, while the enactment of the Page bill calls for something like $15,000,000.

In the committee I suggested a change in the phraseology of one clause, because of the fact that it seems to me when we ask this commission to "study the need and report a plan" we are to a certain extent binding the House and Congress to affirmative legislation looking toward Federal aid to industrial education. I for one believe that the point this commission ought to study principally is the broader question whether or not Federal aid shall be granted to vocational education. It seems to me that that is the basis and foundation of this legislation; but I was perfectly willing not to raise that point to the extent of personally offering that amendment. I think that is the great question, whether or not we are to change the policy of our Government and bring in Federal aid for education, a subject which, as the gentleman from Texas [Mr. HARDY] has said, has so far been limited to a State proposition. Let us first study that question. If the commission are to do anything at all, let them study that question first; and then, if Congress sees fit to adopt a policy of Federal aid, report a plan under which that aid shall be given. I for one am heartily in favor of vocational education, the extention of the opportunity for the young people of the land to better their mental condition and at the same time secure a means of livelihood. But this relationship between the State and the Federal Government is a very broad one, indeed, and, as I have already stated, should be given the first consideration. It seems to me it will be difficult to establish the true relationship between the National Government and the general education already in vogue as provided by the separate States.

In that connection I want to say that about 10 years ago the State I have the honor in part to represent in this body adopted a law whereby a commission on vocational education was established. It was soon found that it was impossible to separate the relationship between the subject of general education and that of vocational education, so that eventually the two boards were consolidated. It seems to me that some trouble is liable to arise when Federal aid is established in its relationship with the other forms of education. Let me state briefly the condition as we find it to-day as the result of the one board having both lines of work to do in Massachusetts.

From the latest report of the board of education I find the present situation to be that 23 approved State-aided vocational schools are in operation in 19 cities and towns of the Commonwealth, having an enrollment of 7,164 pupils and a force of 233 teachers. A number of schools in process of organization have asked for the approval of the board also. The variety of instruction is shown by the fact that during the school year 1911–12, 99 courses in 40 different subjects were given in the evening industrial schools, covering the building trades, electrical trades, engineering, granite workers, jewelry workers, machine trades, ship fitters, woodworking trades, textile trades, and household arts for women. In the day schools in the larger cities very thorough courses are given in the mechanic arts.

Agricultural education is also receiving its rightful attention in our State. Under a law passed by the legislature of 1911 State aid is furnished to the extent of two-thirds the salary of special instructors having approved agricultural departments of a distinct vocational character in rural high schools. A special agent is employed by the board for the sole purpose of stimulating the interest in this department among the various high schools of the State.

The subject of vocational education is regarded as so important that some of our large corporations conduct schools of their own while the pupils are employed by the corporations. Great advancement has been made in Massachusetts, and I am informed similar results have been obtained in other States.

I submit that these State boards, in hearty sympathy with the great subject, are better able to meet the local needs than any Federal authority would be. Should Federal aid be established there will be one of two results—either the National Government will interfere in local and State affairs or else the States will feel themselves in a sense pensioners upon a national bounty, neither condition a desirable one to bring about.

Let this commission be appointed to study this question of the relationship between Federal and State aid before positively binding Congress to furnish Federal aid to industrial education. It has been a success under State authority. Why disturb that present arrangement? Let us do everything possible to extend the system whereby the most practical results may be obtained in behalf of those in whom we are so deeply interested. It must first be positively demonstrated that there will not be a conflict of authority between the Nation and the State which will be prejudicial to the interests of those intended to be benefited. We know that vocational education along with agricultural extension can be successfully carried out under State authority, and the resulting benefits are being daily proven. I therefore urge that a most careful study shall be made of the principle involved before we take any chances of destroying the good methods already in vogue and experiment under a new system and a new principle of national method. Experimenting with education is a dangerous proposition, and Federal aid to industrial education is bound to be an experiment. I therefore urge this House to be very sure that we do not commit ourselves to this policy before thoroughly studying its results and realizing the necessarily complete reorganization of our educational system and the relationship in educational matters between the Nation and the State that would result in Federal aid being granted to vocational education.

Mr. COX rose.

The CHAIRMAN. For what purpose does the gentleman from Indiana rise?

Mr. COX. For the purpose of getting recognition in my own right.

The CHAIRMAN. The gentleman from Kentucky has yet remaining 25 minutes of his hour.

Mr. POWERS. Mr. Chairman, I yield to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. Chairman, the statement of the gentleman from Massachusetts [Mr. TREADWAY] is certainly very interesting. I did not understand him to say that anything had been done in his State along the line of carrying vocational training out on the farms. In the State of North Dakota a considerable fund of experience has already been gained along this line, where education is being taken directly to the farmers. There is a corps of able, well-educated, trained men, who go right out on the farms. It is their business to carry education to the farmers, to come in personal contact with them as they do their work throughout the State. The first year under that system, partly supported by subscription and partly by taxes raised from the different counties served, with only 12 counties partially covered, there were over 2,346 farmers who had received instruction directly on the farm from these field demonstrators. So if this resolution should pass and if this commission should be named, I believe that they can find in North Dakota some very useful information gained from actual experience under a very direct system of vocational education.

The kind of vocational training which was proposed in the Lever bill is perhaps better illustrated in the work now being done in North Dakota than anywhere else in the Union. First of all it should be understood that the work is not done by or through the agricultural college, though our agricultural college is friendly to it. The work is under the direction, management, and supervision of the Better Farming Association of North Dakota, of which Prof. Thomas P. Cooper is secretary and director. Prof. Cooper was formerly a member of the faculty of the University of Minnesota School of Agriculture, and was selected as director of the work of the association in North Dakota on account of his special training and fitness for the work.

The money to carry on the work of the association is partly furnished by personal or private subscriptions and partly from taxes levied by the county boards of such counties as desire to cooperate in raising the money necessary to carry on the work of the association.

The first year of demonstration work was that of 1912, and the association from the beginning realized that the present agricultural problems are so broad and far-reaching that a comprehensive plan of development must touch the very foundations of the economic and social life of those who actually live on the farms. In planning the work it has been clearly kept in mind that progress in any industry is dependent on the individual, and this is particularly true on the farm, where the unit of production consists usually of a family and perhaps one employee, seldom more than that. Hence the plan, very wisely worked out by the Better Farming Association, has been based on the principle of personal contact with the individual who is actually engaged in production.

The plan consists of demonstrations to illustrate certain agricultural facts as they apply to the locality, culminating finally in a general advisory work in regard to the management of the farm and any special farm problems which may exist, and consists of field demonstrations, live-stock demonstrations, and farm-management advisory work.

The demonstration work has been done along the lines indicated in a very interesting statement made by Prof. Cooper, as follows:

Field demonstrations have been instituted in the following forms:

(a) Demonstration plats, areas of 20 to 150 acres, on which a rotation has been adopted involving methods of culture and tillage that are applicable to the local conditions.

(b) Demonstration fields, areas of one-third to several acres, on which the growing of new and special crops is demonstrated.

(c) Demonstration farms in which the farm as a whole, including its live stock and all its operations, is used to demonstrate the application of modern agricultural knowledge.

Live-stock demonstrations: The demonstrations in live stock consist in assistance in compounding rations, the breeding, selection, or methods of care of the various classes of stock now found in the State.

Advisory farm management work: Farmers in districts where work is carried on find that with the development of the specific field and live-stock demonstrations there is need for further information in regard to the development of the farm as a unit or in the solving of some particular problem which may not be definitely connected with the demonstrations as given. Hence, there arises a demand for forms of advisory work which shall deal with the specific problems at hand on the individual farm. This form of work is born out of the confidence that has developed from thorough systems of demonstration and will eventually be found most useful to the community and the State, although it must first be based upon careful demonstrational work which shall develop the confidence of the people to the extent that they will accept the advice and aid of the agricultural expert.

Agricultural experts of broad training and experience are placed in counties or districts thereof to develop agricultural interest and induce a change in method. Each man is assigned to a county or part of a county, consisting of from 500 to 800 square miles. He makes his home at some central point and covers the territory often and thoroughly, and is ready to assist and advise those who care to avail themselves of his services.

The work is primarily not one of investigation but of taking personally to the individual operating his own farm the results of investigations as obtained by the Department of Agriculture, the experiment stations, and similar agencies. The field men of this association interpret the results of work and experiments and show their possible application to local conditions. The field demonstrations and personal contact of the field have as their purpose the converting of knowledge now existent into the common practice of large numbers of people engaged in agriculture. All forms of experimental work on the farm are carefully avoided, and only those methods which have been amply demonstrated and worked out are applied to the farms in each locality.

All field or live-stock demonstrations are carried on in cooperation with the farmers without expense to the association. The farmer furnishes labor, machinery, land, seed, etc., and is required to operate under the direction of the agriculturist and is the owner of all crops or products obtained. Summarized, the features of the plan of work are, first, the competent agricultural field agent in personal contact with the farmer receiving assistance, and, second, the cooperation of the farmer in the demonstration, thus securing a maximum of interest.

I believe I have already said that each county pays one-half the cost of the demonstration work. During the first year, 1912, there were 12 counties that went into this very practical scheme of vocational training. The actual work done by the association last year is told in a most interesting statement made to the association in the annual report of Prof. Cooper, from which I quote a few paragraphs, as follows:

The form of work is such that it is difficult to properly convey to the mind the various activities that have been carried on and their effect upon the community. It is only after a period of years that the value of work can be shown, and then as reflected in the changed conditions that prevail in the community or county. Specific forms of field work have been carried on the past year with 2,346 farm cooperators. Each of these men carried on some special form of work under the direction of the representative of the association. The results of the work, so far as possible, are expressed in numerical terms. The following summaries show, so far as possible, the classification of the work and the cropping results obtained this year:

Summary of cooperative work for the season 1912.

Demonstration plats operated under supervision	84
Demonstration fields operated under supervision	643
Acreage of demonstration plats operated under supervision	3,996.9
Acreage of demonstration fields operated under supervision	8,377.8
Total acreage operated under supervision	12,374.7
Farmers signing cooperative agreements	801
Farmers cooperating but not signing agreements	238
Farmers with whom definite advisory work was carried out to completion—no agreement other than verbal	555
Definite advisory work—no agreements:	
Live-stock demonstrations	16
Building construction	57
Planning farmstead and layout of same	8
Live-stock purchases	35
Special feeding methods	25
Special cropping methods	58
Special tillage methods	43
Seed-corn work	151
Weed eradication	31
Live-stock work	288
Miscellaneous work	144
Drainage	5
Total	861
Total number of farmers carrying advisory work not under agreement	306
Individuals accepting definite advice on farm problems, returns unreported	446
Total number farmers cooperated with	2,346

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The field agent of the association covers his territory regularly, yet he must be available at practically any time to a cooperator needing assistance. Each demonstration is carefully watched, and the agent endeavors to be at the farm whenever a critical condition exists, making it possible to give the directions needed at the time. The number of visits made each cooperator depends upon the character of the cooperation. Some forms of work require but two visits, while others will require several during the season. The fact that there are certain periods during which the great majority of cooperators must be reached promptly is the limiting factor in the number of cooperators each agent can care for.

Acreages and yield per acre in field demonstrations in 1912 compared with individual averages and State averages.

Crop.	Acres under demonstration.	Yield of field under demonstration.	Yield of field in locality.	Average yield for State.
		Bushels.	*Bushels.*	*Bushels.*
Corn	2,520	42	30.5	26.7
Wheat	1,172.3	23.2	18.5	18
Oats	733	59	57	41.6
Barley	826	30.25	31.3	29.7
Flax	1,118.6	15	11.5	9.7
Potatoes	196.2	142.7	105.9	125

The yields on the demonstration plats and fields as obtained in 1912 are presented as a matter of record rather than of comparison. One year's time is insufficient in which to obtain results from systematic rotations and tillage methods. The results of rotation and better tillage methods will not be developed for a period of from three to five years. Any increase in the crop yields that has been obtained this year has been due solely to better tillage methods, better varieties of grain, or the use of better seeds, and to the extremely favorable year for crop production.

The results of demonstration work have already been reflected in the desire of many farmers to adopt some form of rotation to the entire farm. The results of the year's cropping have not proven the value of a rotation, but the rotations adopted for use on the different farms appear so logical that already farmers are preparing to adopt them bodily on the entire farm. No standard form of rotation has been adopted. Varying conditions of soil, altitude, and climate have presented different problems. The effort has been made to consider each individual case and to adopt a system of cropping that would fit its need. So far as possible clover and timothy have been made use of as the grass crop. The farm manures have been applied on sod or to the corn ground.

The methods of cultivation and tillage recommended by the field agents have been such as were capable of adoption on the entire farm. The economies of the farm business have been kept in mind and the application of labor limited to the amount that would prove profitable. Generally speaking, the extra cost of farming land under direction of the association has been approximately $2 per acre. It is seldom that additional labor of men and horses would exceed in cost $1.50 over the ordinary methods of culture.

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Demonstration plats or fields have been located so far as possible on soils that represent the average conditions of the locality. Average land has been obtained and soils avoided that were to a marked degree better or worse than the surrounding lands. Thus the future results as obtained from demonstration should reflect the possibilities of the vicinity.

Especial attention should be given to the acreage of alfalfa sown this year under the direction of the association. In the districts where work is developed a much larger acreage, three to four times as much, has been sown, due to the interest aroused in this crop by the field agents. There is little question but what the crop will be uniformly successful over the greater portion of the State. The work of this year will result in the seeding of a large acreage in 1913. Experience of this past year and the condition of the alfalfa crop before going into the winter give every reason to believe that with more common knowledge as to the successful methods of culture the crop will become important and profitable.

Attention is being directed to the production of corn more generally throughout the State. In spite of its manifest advantages as a crop the latest estimates of the Bureau of Statistics of the United States Department of Agriculture show an average of slightly over 4 acres of corn per farm. The acreage sown to the corn crop should be much increased and varieties of corn grown which will mature in the average season. The results of this year's corn contest have demonstrated that corn may be matured in all sections of the State and that satisfactory average yields may be secured. Future corn production in the State depends almost entirely upon the use of home-grown seed and the development of suitable local strains or varieties. This is to be accomplished locally through the demonstration fields and breeding plats.

The development of interest and the use of live stock on the farm is an essential part of the work of the association. Demonstrations in this phase of the work have been limited the past season because of the necessity of starting field work and preparing a sound basis for the future development of the live-stock industry. Interest is very much increased in this phase of agriculture. Some definite cooperation in the way of feeding, care, and selection of the dairy cow, swine, and poultry has been given. Much additional help will be offered this winter. Already plans are well developed for the organization of cow-testing associations, community breeding circuits, and the purchase of special types of live stock for these groups.

In addition to the work which has been presented in tabular form a large amount of work has been reported which is of definite value to the public, but which can not be estimated numerically. The representatives of this association have assisted the farmers along practically every line of endeavor which affects the profit and home life of the farm. To illustrate some of the features of the field work which have not been otherwise presented, but which represent actual accomplishment, the following examples are given:

The furnishing of plans and assistance in the construction of all farm buildings, including special assistance and advice in the construction of silos; securing and distributing farm labor—two representatives of the association secured and placed where most needed 320 farm laborers; the organization of marketing associations and the construction of potato warehouses; the reorganization of farms for better systems of farm management or crop rotation; securing and distributing large quantities of special varieties of grains and grasses; the adjustment of farm machinery; simple veterinary work; the organization of community breeding circuits; purchase of live stock; organization of circuits for testing of cattle for tuberculosis; work in the country schools—instructing the boys and girls as to better agricultural methods or forming corn clubs; cooperation with local commercial clubs; county superintendents of schools interested in work affecting rural conditions; the holding of numerous local fairs, grain and corn contests, and a colt show; the oversight and judging of the State acre-yield corn contest; and much special work in relation to the farm home, the planning of grounds, the growing of wind breaks, and numerous other forms of work, small in themselves, but significant from the viewpoint of the farmer as showing actual accomplishment that is on a par with the production of more or better grains.

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The board of directors consists of Hon. J. E. Phelps, Bowman, N. Dak.; H. C. McCartney, Oakes, N. Dak.; Hon. F. W. Cathro, Bottineau, N. Dak.; R. C. Kittel, Casselton, N. Dak.; R. S. Adams, Lisbon, N. Dak.; Hon. E. Y. Sarles, Hillsboro, N. Dak.; J. J. Nierling, Jamestown, N. Dak.; C. W. Kelley, Devils Lake, N. Dak.; C. L. Timmerman, Mantown, N. Dak.; E. J. Weiser, Fargo, N. Dak.; C. B. McMillan, Hannah, dan, N. Dak.; Hon. J. Austin Regan, Fessenden, N. Dak.; A. E. Rogers, Minneapolis, Minn.; P. L. Rowe, Minneapolis, Minn.; L. M. Davis, Minot, N. Dak.; W. L. Richards, Dickinson, N. Dak.; H. S. Helm, Minneapolis, Minn.; Hon. J. D. Bacon, Grand Forks, N. Dak.; Hon. W. C. McDowell, Marion, N. Dak.; Hon. Charles MacLachlan, New Rockford, N. Dak.; Hon. C. F. Mudgett, Valley City, N. Dak.

Prof. Cooper concludes his report to the Better Farming Association in these words:

The ideal of education and instruction has been to make knowledge useful to a large proportion of the population. This the Better Farming Association has attempted to do from an agricultural standpoint. With the counties of the State as schoolrooms, the farm, the growing crops, and the live stock as illustrative material and texts, and with the farmers and their families as cooperating students, the representatives of this association have, under all kinds of conditions, endeavored to present the fundamental agricultural truths in a way and in such a form that they would be immediately useful. The year's work has proven that the method of organization and forms of work adopted by the association are effective; that farmers are ready to cooperate along lines that promise results, and that many people find use for a district or county agriculturist who is in position to give definite advice and help. Work of this nature is no longer an experiment. With a force of 20 men in the field, the year past has convinced all who have watched the progress of the association that this is one of the most effective methods of carrying on agricultural work that has been attempted. It may safely be assumed that with the foundation for work that has been laid this year the next year will show much greater results along more specific lines. It may be expected that in time the cumulative effect of the succeeding years' work will take an important part in placing the agriculture of North Dakota upon a permanent and profitable basis.

A number of additional counties of our State have been added to the list this year for field and other demonstration work, and while I have no official report and no statistics respecting what has been done this year, the work of the Better Farming Association, Director Cooper, and his very able corps of assistants, has received the commendation and approval of those who live in counties where the vocational training is being done.

Mr. Chairman, permit me to again suggest that if this joint resolution is adopted the commission appointed by the President should investigate with special care the results of the Better Farming Association of North Dakota working in cooperation with certain of its counties, which furnish perhaps the best practical example in the United States of vocational training as applied to agriculture.

Mr. POWERS. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. MCLAUGHLIN].

Mr. MCLAUGHLIN. Mr. Chairman, there seems to be some confusion in the minds of the committee as to what vocational education is, and as to the provisions of the two great bills, the names of which we have heard so often this afternoon, the Page bill and the Lever bill. I understand the purpose and object of those bills are entirely different, and that there is no reason in the world why they should be considered together, or why there should be confusion in the mind of anyone respecting them. The Page bill provides for Federal aid to teach vocations in the schools and for the establishment of schools. The Lever bill provides for the employment of educated, experienced, practical men to go from the agricultural colleges and from the Department of Agriculture right out into the country and onto the very farms themselves and give to the farmers the results of experiments and investigations which the department and colleges have been making during years and years by the use of Federal and State money. The Lever bill passed the House and it went to the Senate. A great deal had been done in making sentiment favorable to that bill.

It was found to be very popular. The author of the Page bill and those who were particularly anxious to secure its passage through the Senate realized the popularity of the Lever bill, and, thinking that they might have a chance to pass their bill by attaching it to the Lever bill, they offered it as an amendment to the Lever bill and passed them together through the Senate. The House refused to accept the Lever bill so amended, and the two measures, or the one composite measure as it were, died between the two Houses. Now, when the suggestion is made that the question of vocational education be investigated and studied and a report made to Congress, it is suggested that that will delay consideration of the Lever bill. It seems to me that can come only from those who altogether misunderstand the purpose and object of the Lever bill and misunderstand altogether what vocational education is.

A word in regard to the Lever bill. Starting away back in 1862, when the Morrill Act was passed, agricultural colleges were established in the States by Federal aid, and from time to time acts have been passed by Congress providing money for assistance to those colleges in the establishment and maintenance of experiment stations. Those colleges have been making experiments and investigations, and have been piling up results until the shelves are literally loaded and groaning with the information, and the heads of the men who have been devoting their time to this work are filled with this information, but there has been absolutely no means by which the information could be taken out to the people who needed it and could make use of it. It was thought at first when those appropriations were made, when the colleges were established, when

the Hatch Act and the Adams Act supplemented the Morrill Act, that it would be only necessary to conduct those colleges where the scientific part of agriculture could be studied and investigated and the result could be taken to the farm by way of bulletins and other literature and by way of institutes and lectures. But it has been found that those methods have entirely failed. Educated men representing the department and the colleges within the last year, almost without number, have come before the Committee on Agriculture and told us that their methods of work and their methods of acquiring knowledge have been effective, but their methods of disseminating it have been found altogether wanting, they have been found ineffective, and they are with one voice now advocating the Lever bill, which provides for practical instruction, not in the schools, not by way of teaching a vocation, but by sending men who know right out on the farm to get down to the soil alongside the farmer, who wants to know, to talk to him about the results of the investigations and the experiments which the agricultural colleges and the department have made.

The Lever bill, which passed this House a year ago, contained a provision that 75 per cent of all the money appropriated by Congress and by the States for this particular purpose should be spent in this practical work, realizing as we did that when money was appropriated by Congress heretofore it was used within the colleges. When we asked them to take some of the money appropriated under former laws and use it outside, they said the laws did not permit them to do so; that they must use that money within the colleges, so it is absolutely necessary to have the money provided by the Lever bill to carry the practical work out to the men upon the farms. Now, that bill provides for one line of work and the Page bill for one radically different from it, as it provides for work within the schools. The Lever bill when it has matured, if it becomes a law, will carry an annual appropriation of $3,480,000. The Page bill, if it were to become a law, would call for an annual appropriation of upward of $15,000,000. I have examined the Page bill, I have read it over and over again in an effort thoroughly to understand it, and I fail to comprehend what it means, and I doubt if anyone—well, I doubt if the ordinary man can read that bill and understand the line of work to be provided for under it. I was very forcibly impressed, Mr. Chairman and gentlemen of this committee, with the broad nature of this vocational-education proposition and the need of much more study than any committee of this House has ever given to it before a proper bill can be framed and a proper plan put into operation.

I do not doubt the ability of the Committee on Agriculture of the House or the Committee on Agriculture of the Senate, by giving plenty of time, to devise a proper plan. But I have favored this resolution because I have confidence in the President that he will appoint good men to give exhaustive study to the question of vocational education, and I have thought that they will present to Congress a mass of information that will be valuable to the committee, and suggest a plan that will be the beginning of the work to be done by the committee in framing a bill for vocational education.

Mr. KINDEL. Mr. Chairman——

The CHAIRMAN. Will the gentleman yield?

Mr. McLAUGHLIN. Yes.

Mr. KINDEL. I would like to ask you as to the adoption of a plan for geographical education, or commercial geographical education, as well as vocational education. What would the one be without the other? If you had everything at hand, with the knowledge to perform it, and did not have the wherewith to get there, how would you make the people prosperous? In other words, without the transportation-question study in connection with the vocational, how would you make them prosperous? Has the gentleman given that any thought? That is what I wanted to ask him.

Mr. McLAUGHLIN. That kind of education has not been suggested to us in committee as vocational education, although I suppose it might be included, and it might be proper for Congress to make appropriation to carry it on. [Applause.]

Mr. HUGHES of Georgia. Mr. Chairman, I ask unanimous consent that the discussion of this resolution shall be closed at 5 o'clock.

Mr. FOSTER. Mr. Chairman, reserving the right to object, I can not agree to that. Nearly all the speaking has been done by those who favor the resolution. It is now about 4 o'clock, and I do not believe that the gentlemen can finish the consideration of it to-day. I suggest that the committee rise and the House adjourn.

The CHAIRMAN. The gentleman from Illinois [Mr. FOSTER] objects.

Mr. FOSTER. I have not objected yet.

Mr. GARRETT of Tennessee. The general debate can not be closed in Committee of the Whole House on the state of the Union.

Mr. HUGHES of Georgia. There is a gentleman whom I am very anxious should present his views, and as he leaves here this afternoon I sincerely hope that the gentleman will withdraw his motion until we hear from the gentleman from Ohio [Mr. FESS]. It will only take a short time. He is a member of the committee.

Mr. FOSTER. I do not think any arrangement ought to be made whereby Members may leave here at this particular time. So if it will help to hold Members in the city of Washington I think I should object for that reason.

Mr. MONDELL. May I inquire how long the gentleman from Ohio [Mr. FESS] desires to talk?

Mr. HUGHES of Georgia. He desires 30 minutes.

Mr. FESS. Mr. Chairman, I do not care to be heard, but I would like to have the privilege of extending some remarks in the RECORD.

Mr. FOSTER. No. I would like to hear from the gentleman from Ohio.

Mr. TOWNER. Let me make this suggestion. Suppose the time be yielded to the gentleman from Ohio [Mr. FESS] to make his address, with the understanding that the committee at the end of the address shall rise.

Mr. FOSTER. That would be satisfactory to me.

Mr. HUGHES of Georgia. I agree with that.

Mr. COX. I do not know whether we will all agree to that or not, Mr. Chairman.

Mr. FOSTER. How much time does the gentleman want?

Mr. POWERS. Mr. Chairman, I want to ask unanimous consent that any Member of the House, whether he has spoken on this resolution or not, shall have the right to extend his remarks in the RECORD.

The CHAIRMAN. The Chair understands that you can not make a blanket order like that in the Committee of the Whole House on the state of the Union.

Mr. POWERS. I will make this proposition, then, namely, that any Member who has spoken——

The CHAIRMAN. The Chair understands such an order can not be made in the Committee of the Whole House on the state of the Union. Each individual can ask it for himself, but not for anyone else.

Mr. POWERS. I will grant the remainder of my time to the gentleman from Ohio [Mr. FESS].

The CHAIRMAN. The gentleman from Ohio [Mr. FESS] is recognized for 14 minutes.

Mr. KINDEL. Before the gentleman proceeds——

The CHAIRMAN. Will the gentleman from Ohio yield to the gentleman from Colorado?

Mr. FESS. Certainly.

Mr. KINDEL. I would like to ask unanimous consent to publish some statistical reports on transportation, freight, and parcel post in connection with the remarks I have made here to-day.

The CHAIRMAN. The gentleman from Colorado [Mr. KINDEL] asks unanimous consent to extend his remarks upon transportation charges and parcel post in connection with his remarks made here to-day. Is there objection?

There was no objection.

Mr. MOORE. Mr. Chairman, will the gentleman from Ohio yield to me so that I may make a request?

Mr. FESS. Certainly.

Mr. MOORE. I desire to offer an amendment fixing the time when this resolution shall go into effect.

Mr. TOWNER. That can only be done when the resolution is taken up under the five-minute rule.

The CHAIRMAN. That is not in order under general debate.

Mr. MOORE. If I may be permitted to make my request, I wanted to have it offered now and read for information and have it considered as pending.

Mr. FOSTER. I make the point of order, Mr. Chairman, that that can not be done now.

The CHAIRMAN. The gentleman from Illinois [Mr. FOSTER] makes the point of order, and the point of order is sustained. The gentleman from Ohio [Mr. FESS] is recognized for 14 minutes.

Mr. FESS. Mr. Chairman, one-fifth of the entire population of the United States is in school now. As much money is being expended by the States and the Nation for education as for almost any other subject. There is no one phase of national life that ought to be a subject of national concern with deeper meaning than that of education. [Applause.] And while we in Congress are speaking of the wealth of our country and saying that the farms in a single year will produce something like

$9,000,000,000 and that the manufactures of the country are producing in wealth so many billions of dollars until the wealth of our whole country would approximate something like $125,000,000,000; while we are doing that—sometimes I think that the real source of the wealth of the country is in the children of the country and its surest guaranty is in the education of those children. [Applause.]

While we become very enthusiastic here upon the floor in speaking for the material advantage of the country, the one thing that this Congress ought never to forget is that the real source of this wealth is not to be measured in the markets. You can not measure it out by the yardstick. It can not be measured by the bushel. It can not be estimated by dollars. It is a matter of soul and heart culture, and the one chiefest of all functions of a government is to supply the needed education of the boys and girls who are to become the energizing forces in the production of this wealth in the future. [Applause.]

Everybody seems to be agreed that something ought to be done, but gentlemen are at some variance as to how it should be done. They are also a little in doubt as to who should do it. Of the millions of children that go to school, less than 2 per cent graduate in college and less than 6 per cent graduate in high schools. Ninety-three per cent of all the children that enter the schools of this country in every State leave the schools before they reach the high school. Ninety-three per cent.

I ask, What are we doing for the benefit of the 93 per cent that leave the schools in the grades? What is their position, going out of the grades, in order to do the work with which they have to make their living? Is our education adapted to-day to enabling my child when he leaves the grades to live a better life, a more productive life? What have we done to insure this? State after State has tried to do something. The Federal Government, assisted in 1862 by the Morrill Act, and then again in the second Morrill Act of 1890, and then again in 1906, and still again in 1907, and there did not seem to be very much objection to the Nation helping at that time.

I am sorry that my distinguished and eloquent and fair-minded friend from Texas [Mr. HARDY] is not at this moment present here. Every single objection that that distinguished Member of the House offered to this proposed vocational education resolution could be opposed legitimately to every effort of this Government, whether it be in the line of agricultural or industrial education or along the line of education in improved transportation, as suggested by the gentleman from Colorado [Mr. KINDEL].

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Tennessee?

Mr. FESS. Certainly; with pleasure.

Mr. GARRETT of Tennessee. I wanted to ask the gentleman from Ohio what he thinks about the principle involved in the Lever bill, and that is that an appropriation out of the Federal Treasury shall be conditioned upon an appropriation by the State? That is, the State shall not obtain an appropriation from the Federal Government unless it first makes an appropriation itself. Does the gentleman think that is a correct principle?

Mr. FESS. I want to answer my good friend from Tennessee that I have not sufficiently gone into the merits of the specific question he asks, which demands a specific answer, to enable me to commit myself here. But I will say this: I oppose any plan in this Congress in matters of education that would take the education out of the States. I do, however, want such a mutuality between the State and Nation that if the Government assists the State the State will also pull up and do its part. However, that is not in this resolution.

Mr. GARRETT of Tennessee. Oh, no; it is not in this resolution.

Mr. FESS. My point is that State after State has offered certain things. Individual after individual has proposed certain things. Association after association has proposed certain things. We have a national association for the promotion of industrial education, a great movement in this country. They have proposed a certain thing. We have the famous National Educational Association of the country. They have proposed a certain thing. We have the National Association of Superintendents of the country. They have proposed a certain thing. We have 17 different fugitive associations that have interests in the vocational life of the country suggesting certain things, but we do not unify on anything. One pulls this way and another pulls that way. Here is a suggestion raised by my friend from Tennessee [Mr. GARRETT], which indicates a difference, and we do not get together. The Lever bill offers some objections, and we do not reach them. The Page bill offers some objections, and we do not reach them. There seems to be a lack of a clarifying plan to unify a system of vocational training. And let nobody confuse the idea of vocational training with the idea of agricultural training or with the idea of industrial training. Industrial training is one thing. That is for the urban community. On the other hand, agricultural training is another thing, and that is for the rural community. But vocational training is a combination of the industrial and the agricultural, and this bill is to provide for the appointment of a commission of experts to look into these conflicting ideas and to report back to this House a clarifying plan, if they can decide upon it, for us to have something concrete to work upon. And that is no reflection upon the committees of this House. These committees have plenty of work.

What we want is not a Member of this House to devote his time to making this investigation, but we want—and I am sure every Member here will understand the sentiment and the spirit in which I speak it—we want one of the best-equipped men in the world to make this appointment, and I want it done when he is in the presidential chair. For there is no man who touches upon the needs of education, both industrial, agricultural, and cultural, in a more clarifying sense than Woodrow Wilson. [Applause.] He knows how to do it, and if we do not do it at this time I do not know whether we will come any closer to it hereafter. And the thing that concerns me is, Why can not we who believe in vocational education, who believe in industrial education, who believe in agricultural education, who believe in cultural education, agree to have a commission of experts to make their report? Then we will have something to work upon. This, to me, is the thing that is most important.

Now, who are objecting? One is objecting upon the constitutional ground. That can be relieved. If the Nation is to take full control and dominate the education of my State of Ohio, I am opposed to a measure like this, because education is a local matter, and I think most of this House would oppose the idea of national domination of local education. Others are objecting upon the ground that vocational education is not a function of this Government; that we do not have a national system of education, and should not have a national system of education; that we ought to have 48 State systems of education, but not a national system; and they say education is not a national function. Do we really, sincerely believe that education is not a function of the National Government? We found bad food and we passed the pure-food law for the sake of the stomachs of our citizens. We found bad conditions in labor centers, and we passed laws here making better conditions for labor in the country by saying to certain centers of business, "You must improve; you must do away with certain things, and make sanitation a greater asset of the Government." If we have not yet regulated child labor, we will do it, because that is a function of this Government. We can go into the subject of a national law on divorce and marriage, because that reaches the home, and that is what we are going to do.

Mr. COX. Why not religion, then?

Mr. FESS. Religion is a horse of another color. There are too many. There is only a man and a woman to be married.

Mr. COX. And there is only one soul to be saved or lost.

Mr. FESS. And does the gentleman think the Government ought to save it?

Mr. COX. That is your argument.

Mr. FESS. The biggest thing you can do is to save a soul to the usefulness of a useful life, and there is nothing like education to put a boy on his feet and help him to do that. [Applause.]

Mr. COX. By law?

Mr. FESS. Make the law help him. This good friend from Indiana wants to reduce the cost of living. You can not do it by tariff legislation—and you will find that out later on—but I will tell you how you can do it. You will increase the production of the acreage of this country through scientific agriculture, and as you increase the production you will meet the demand and your prices will come down. [Applause.]

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. FESS. Certainly.

Mr. COX. In my judgment you will never increase the yield of the acreage in this country by virtue of a few theoretical professors, as the gentleman from Ohio [Mr. WILLIS] said a moment ago, but you will increase it by virtue of the farmer who knows what is practical.

Mr. FESS. I would say to my friend from Indiana, if the theoretical professor is an obstacle to legislation, what about your President to-day? Is he an obstacle? [Applause.]

Mr. COX. He is a practical man in addition to being a theoretical professor.

Mr. FESS. And we want a practical man to appoint a practical commission to report a practical plan of vocational education.

Mr. COX. But are you going to get him?

Mr. FESS. Yes.

Mr. COX. Have you got him selected?

Mr. FESS. Oh, we do not presume to say what the President will do. I say to you, my friend, that President Woodrow Wilson has his eyes now upon 20 men, any one of whom has become a tremendous power in vocational training. Think about President Van Hise, of the University of Wisconsin, and other men who can be named. Think of your own Secretary of Agriculture, Prof. Houston, and others—Dr. Claxton, if you please. But, then, we do not want to take them out of Congress, and we do not especially want to take them out of the Cabinet or out of the Presidency. We want President Wilson to use his best judgment in the selection of the men who will not do it for political reasons, but who will do it for the good of the public.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. WILLIS. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to conclude his remarks.

Mr. POWERS. Mr. Chairman, I ask unanimous consent that the gentleman may continue for 15 minutes more. I promised the gentleman that much time, but was compelled to give it to others.

Mr. ABERCROMBIE. Mr. Chairman, I hope the gentleman from Kentucky will modify his request and ask that the gentleman be permitted to conclude his remarks.

Mr. GARRETT of Tennessee. Mr. Chairman, the gentleman from Ohio is speaking now in the time of the gentleman from Kentucky. The gentleman from Ohio would be entitled to recognition if he should rise and ask for it. There is no need for asking unanimous consent.

The CHAIRMAN. He is entitled to recognition, except that the Chair has promised to recognize the gentleman from Tennessee.

Mr. GARRETT of Tennessee. Mr. Chairman, the gentleman from Tennessee will waive his rights.

The CHAIRMAN. The gentleman from Ohio, then, is recognized in his own right.

Mr. MONTAGUE. Mr. Chairman, may I ask the gentleman a question?

Mr. FESS. Certainly.

Mr. MONTAGUE. The gentleman spoke just now of a unified system of education. Would it be the gentleman's idea that there ought to be a unified system of vocational education throughout the length and breadth of the Union?

Mr. FESS. I would say to the gentleman that I used the phrase very loosely.

Mr. MONTAGUE. The gentleman would not hamper the States in their initiative?

Mr. FESS. Oh, no.

Mr. MONTAGUE. Or in any given measure that would differentiate their education from that of any other State?

Mr. FESS. Certainly not. I would not want to make a system that would apply to every State alike, or make boxes all of the same size and put everybody in those boxes. I think there is not anything so serious in educational matters as to cut the cloth for everyone after the same pattern. I thank the gentleman for bringing that question to my mind. I used the expression in a very loose manner.

Mr. TAYLOR of New York. Will the gentleman yield?

Mr. FESS. Certainly.

Mr. TAYLOR of New York. The gentleman's idea and purpose is to offer inducements to the States in the form of money so the States might perfect their system along the line of the system outlined by the National Government?

Mr. FESS. That was the idea.

Mr. TAYLOR of New York. That is substantially the gentleman's idea.

Mr. FESS. That is the idea. There is not to be a uniform system that every State must follow out.

Mr. TAYLOR of New York. The gentleman did not intend, as was implied by the gentleman from Texas, that this Government should take over the entire educational system and say to one State, "You have got to do just what we want," whether its conditions required it or not?

Mr. FESS. No; I would oppose that.

Mr. TAYLOR of New York. The gentleman just offers inducements to the States by the payment of money. You say to them, "If you will live up to this requirement in your educational system and in accordance with this resolution, we will give you so much money."

Mr. FESS. That is the idea. Or, in other words, it seems to me we ought to appeal to the man who is making the laws for the Nation to plan for an increased productiveness of the citizens of the State and the citizens of the Nation, and productiveness is not to be confined to this or that particular field. For example, we have a decline of agriculture in the New England States. As you know, people have gone to the West, and now they are working the farms of the West until the farms there are not producing as much as they used to produce when they first began cultivation. In other words, our population is increasing by leaps and bounds. The demands upon our people are increasing, and yet our supply of the needs of these demands are not increasing, but rather are decreasing. That is what I think we ought to look after, and the gentleman from Michigan [Mr. MCLAUGHLIN] made it very clear that we should not simply build schools for the education of teachers in the schools, for the education of trainers of agriculture, but we ought to establish a system or create an atmosphere whereby the boy or the girl who will go to a training school in agriculture or in any industry, when that boy and girl gets through they will return to the farm; so that they will not be educated away from the farm, but will be educated back to the farm. In other words, we ought not simply to train teachers or experts, but we want our experts to take their children and train them to be producers in anything they themselves have studied.

Mr. MOORE. Will the gentleman yield?

Mr. FESS. Certainly.

Mr. MOORE. The discussion always comes back to the farm, and I am very glad to have it come back there; but the question of industrial centers always arises, and we ought to consider that, and that comes to me in view of the question raised by the gentleman from Virginia—that among the producers of the country are not only the farmers, and we propose to provide for that particular industry, but there are other industrialists who ought to be considered—those who live in the congested cities, the men who toil in the mines, the men who fish for a living, all of whom are producers and conduce to the wealth of the country just as much as the farmer does in proportion. Now, how are you going to educate those; how are you going to provide for those by this system of educational aid?

Mr. FESS. The gentleman from Pennsylvania asks a question that certainly gives new impetus to the argument for the need of such a commission. He puts a question which goes beyond what we have here discussed. We have been confining what we have said to what could be done on the farm. Now, the question of the gentleman from Pennsylvania is, What are you going to do with the child who is not in the centers, who is not some specialist, who is some unskilled worker; what are you going to do for those who are unskilled? It seems to me that so much more is the need of a commission to study the needs of our people; and while this commission probably would not cover it, it might be so enlarged that it could cover it.

Mr. RAKER. Will the gentleman yield?

Mr. FESS. Certainly.

Mr. RAKER. Do I understand that the gentleman is in favor of this commission reporting by the 1st of December?

Mr. FESS. The bill was introduced early in the Senate, and then it was reported, I think, some time about June, and at the time it was introduced they put in it the phrase "December 1st," and when it came to our committee we at once said that no commission that would go into the details of the work could scarcely report that soon, and we asked that that be changed.

Mr. RAKER. Now, what I was driving at was this: How long does the gentleman, from his experience, believe that it would take a commission to gather the appropriate data on which to report back to the House a plan on which the House or the Congress could act?

Mr. FESS. I would answer the gentleman from California that there can be men named in the United States, known to President Wilson, who could report it, I think, in two months easily.

Mr. RAKER. Now, I want to ask the gentleman this question: Is it not peculiar and is it not strange that we have been driving the boys from the farm and from industrial education when we have had these great men who could have given them a plan, but who have not given them any, when now in two months you are going to select 10 men that are going to revolutionize this whole thing?

Mr. FESS. I would answer my friend from California that there has been plan after plan proposed, submitted to committees, and special committees of investigation—dozens of them—have reported plans, but every single committee was voluntary, and there was no official character about it at all. Now, why do you not give it an official character?

Mr. RAKER. Then the real purpose is, whoever is appointed, to give it an official character, and if anyone differs from the report of the commission when they bring it back then he is opposed to all educational propositions along this line?

Mr. FESS. No; nothing of the kind. No committee should be so arrogant as to think that they have recommended a plan that must not be modified.

Mr. RAKER. I am seeking information. There have been several committees appointed and have made reports. Are not those reports accessible?

Mr. FESS. Those reports are accessible in the records of these associations.

Mr. RAKER. Can they not be obtained?

Mr. FESS. I will insert some of those reports in my address if the House will allow.

Mr. RAKER. I am more than willing to let you do it.

Mr. FESS. They will be in the RECORD.

Mr. RAKER. They are all different?

Mr. FESS. They differ in detail—that is, in minor matters.

Mr. RAKER. But in the principal proposition there is no difference?

Mr. FESS. No difference. There are certain elements of objection, and, strange to say, they come from college men.

Mr. RAKER. That is nothing against them.

Mr. FESS. That is nothing against them; but, strange to say, it comes from them. Their objection is that you are going to destroy the value of education if you enter the field of vocational education. They say that education should be for culture, and not to make a living.

Mr. RAKER. It ought to be determined under resolution by the House and Senate that if you are going to have vocational education the subject you speak of now ought to be eliminated.

Mr. FESS. Which subject?

Mr. RAKER. Culture.

Mr. FESS. We do not have to eliminate it, because it is not in this resolution.

Mr. RAKER. Do not misunderstand. If that is the only objection, it ought not to defeat vocational education.

Mr. FESS. That is the objection of some college men. I do not mean that is the only objection. There have been other objections made here; but that is the objection of college men.

I will say to my friend from California that objection grows out of a misconception of education. Simply because a man can read Greek and translate Latin is no evidence that he is cultured; but if a man who does not know any Greek and can not understand Latin can do a piece of work, and every man who sees the work sees the mark of reflection and thought, that man is a man of culture, as well as the fellow who can appreciate a piece of music. And why not make skilled workmen out of the men who are going to make a living by the work of their hands, and when they are making the living they are making a life at the same time? And the chief pleasure is in the life rather than in making the living. [Applause.] In other words, if Sallie, your daughter, is an artist on the piano, the question is, Can she at the same time bake a biscuit that is not a sinker? [Laughter.]

Mr. RAKER. She ought not to be able to play on the piano until she has learned to bake biscuits first.

Mr. FESS. Yes; and we want her to be able to do both.

Mr. MONTAGUE. Referring to the statement the gentleman has made in regard to the young lady, does not the gentleman think she should be a first-class cook rather than a musician?

Mr. FESS. I do. Both are worthy accomplishments.

Mr. MOORE. Does the gentleman think a young man who understands Greek should also be able to black his own boots?

Mr. FESS. I do. In that case he would not need to do both.

Mr. TAYLOR of New York. The gentleman does not think that this education should be confined to agricultural pursuits?

Mr. FESS. No; certainly not.

Mr. TAYLOR of New York. The gentleman thinks that Members from the cities should be just as much interested in this as Members from sections where the people are engaged in agricultural pursuits?

Mr. FESS. Yes.

Mr. TAYLOR of New York. Take the boy who wants to become a plumber. He does not need to study botany and biology and psychology, and all that, but he wants to receive thorough instruction in reading and writing and spelling and then receive instruction in the art of scientific plumbing, so that when he goes out into the world and engages in his trade he can not only wipe a joint, but he can also make a set of specifications.

Mr. FESS. Exactly. The gentleman has it exactly.

Now, Mr. Chairman, I desire to thank the members of the committee for listening to this disjointed discussion of a subject that is so near to my heart, to which I have given a good deal of study. In conclusion I want to say most sincerely that it seems to me the best education for the children of this great Nation of ours is that which will send the child from the schoolroom better equipped to live the life in the environment he is bound to live in. If he is going to be a farmer, let him be a skillful farmer. If he is going to live in an industrial center, let him be a skillful workman, as much so as he can be in an industrial center, so that while he is making a living he will at the same time have the discipline that will enable him to have some culture beyond it.

Mr. Chairman, I ask the privilege of extending my remarks in the RECORD.

The CHAIRMAN. The gentleman from Ohio [Mr. FESS] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. FESS. Mr. Chairman, the first and chief duty of any Government republican in form, in which its character must depend upon the intelligence of the body politic, is education, the broadest possible training for service to the State and Nation.

The real function of government is to produce a high-grade citizenship. Indeed, that is the ground for government, with all the burdens entailed. This citizenship may and must be viewed from two angles—first, the State, and, second, the individual. The character of the citizen's activity is twofold; it is purely mental, which until recently expressed itself in professional occupation, or it may be physical, largely, which is seen in manual labor. The latter represents the great bulk of any nation's people. The educated product of a community is divided into three groups, viz, the college graduate, the high-school graduate, and those who leave school before the high school is reached. The college graduate represents less than 2 per cent, the high-school graduate numbers less than 6 per cent, while those below the high school are at least 93 per cent. Most obviously the 93 per cent must be the chief concern of the State.

With no systematic vocational program, our present system does not reach the great mass of the youth by giving that sort of education that will best fit them to adjust their lives to the work they must follow after leaving school. The maximum results of education stop short of the professional rank. It is not adapted to the most needed knowledge and training; it does not seek to produce the highest skill, and really is that unsettling process that educates for failure rather than success.

The country's error with the great mass of our people is due to the wrong conception of the object of education, which is confined to simply culture, with little reference to the real work of the citizen.

Broad general culture is the chief goal of the teacher—the altruistic leader. In this class are placed all great educational lights and leaders—Pestalozzi, Kant, Fichte, Arnold, Channing, Wayland, Horace Mann, and Emerson.

Most of these spiritual leaders regarded education as its own reward. A boy or a girl should be educated primarily because of the human soul, which would be most sinful to allow to remain unopened. The chief measure of any system of education is the amount of soul power expressed by spiritual appreciation that can be realized.

While this conception should be kept before the Nation, it is perfectly apparent in this workaday world that this goal is not the lot of the vast mass of the human family. The Nation must face the problem as it is and not as it ought to be; however, the final goal should not be lost sight of. In the condition which confronts the Nation rather than a theory, over 90 per cent, or nine pupils out of every ten, will be called on by the State to make a living by the employment of manual labor—work with their hands. A system of education that does not care for the nine-tenths is notoriously faulty. This great body of pupils are not necessarily what they are by choice, but by circumstances which they can not control, whether by lack of foresight and ability is not at issue. However, the State by a proper system of education can minimize the evil influences and multiply greatly the useful products of the talents awaiting development. This system should seek to enable the youth to command his environment. If he is on the farm and is to follow the plow, sow the crop, and reap the harvest he should be trained to do it, not as his father did, necessarily, but in the best way to compel the earth to yield its maximum product with a minimum expenditure of energy. His agriculture should be scientific. If he is in the city, then the work of his hand should

not be after the methods of his ancestors for generations past, but should reflect knowledge of the subject, science, and skill in handling—art.

The interests of the farm call for agricultural training schools. The congested urban life calls for vocational schools, combining the science of the technical school and the art of skill of the industrial school.

What has been accomplished, and how, on the farm? What can and should be done among the urban peoples?

The real purpose of the State should be to keep open to every youth an equal opportunity to make the most of life. It should assist in clarifying purpose and presenting opportunity. The boy who is to till the soil should be lead to it in the best possible way. The boy or girl who is to work in a shop should be educated for it. In other words, the State should assist in preparing every citizen for some vocation. This duty is twofold—first, its reflex upon the worker, and, second, its effect upon the State.

It was Paschal who said every faculty of the mind existed for the sake of activity. This dictum may be viewed from a positive and a negative angle. The use of the faculty gives pleasure to the possessor, as well as increasing the good of the community. Negatively speaking, if it is not used it will be lost. The old adage, "Use or lose, rest and rust," is herein applied. Malebranche said: "The chief joy in life is in pursuit; therefore were truth a bird, and I held her in my hand, I should let her go that I might have the superior joy of recapturing her."

The reflex influence of a thing accomplished upon the doer is apparent. The performance of something by dint of compulsion and without thought is irksome. It becomes a task. It may be most burdensome. If, on the other hand, it is by a skillful hand, directed by a trained mind, it becomes a real accomplishment, a satisfying achievement. It not only bears the marks of reflection, but it has the brand of discipline, of skill. It has been well said that character can be best read in the manner in which we end our work. A piece of work slovenly performed displays a slovenly character. Herein is the serious evil of allowing anything short of best performed to satisfy the worker. The "about correct" pupil is not bad because of an error in result, but because of the serious effect that such habits of work will have upon the life of the worker. Work that is slovenly thrown off never adds anything worth while, either to the sum of accomplishment or to the good of the worker. "The good is the evil of the best," says the Spanish proverb.

The old cobbler sitting at his bench day after day doing nothing but driving the wooden pegs into the soles of the shoe was asked whether his work did not become wearisome to him. He replied: "No; I do not allow it, because I always try to drive the next peg just a little slicker." Here is the philosophy of work.

Every citizen should be trained to do some one thing, not only because of its value to the individual citizen but because of its ethical value to the community in which he lives. Too many citizens measure life by what they get out of it. The real measure is what one puts into life. The chief worth of a citizen is not what he has been able to get out of a community, but rather what he is able to add to a community. The successful accomplishment of a task often has its largest meaning by its influence upon others in a community. In other words, instead of its meaning being selfish it is altruistic, instead of it being individual it is community in its real significance. A deed useful in character, well performed, can not be confined to the doer, but is community wide. The ethical value to a community of vocational education is apparent. This is why such a system of education is not for the poor boy or girl alone, but is also for the child of the well-to-do family, who never needs give a thought to the task of a mere livelihood. It must be for such as well, since he has no assurance that he will always thus find the world. But entirely aside from such a consideration he should be admitted to the real joy of an appreciation of accomplishment and should be taught also to respect the pupil who is compelled to accomplish for a livelihood. In this manner he will not confine himself to the making of a living, but rather will make his chief purpose in the making of a life, which is very much better, for, after all, the wealth of any community does not lie in the thing to be measured off or weighed out or marked, but in the men and women in the community.

Herein may be seen the common error so oft expressed in the argument against vocational training. The chief opposition in certain educated circles is the charge that such education is inevitably at the expense of culture. This is an error, first, because culture as the chief desideratum is limited to a very small proportion of pupils; second, such education, rather than being a hindrance, would be supplemental. It would not necessarily subtract from the cultural classes, but more certainly add to them. Again, this contention arises out of the proposition so well stated by Emerson. He declared it was not the educated farmer the country needed, or the educated artisan, or the educated professional man, as lawyer, minister, teacher, and so forth. The country demanded the educated man on the farm rather than the educated farmer. The latter's knowledge is confined to the farm, while the former extends beyond the farm, and includes the education needed by a wide-awake citizen of the community.

All will agree that Emerson's dictum is ideal, and is worthy the goal of any community, but the deduction that skill of hand means want of heart; that ability to do is loss of ability to feel or think; that vocational education is versus cultural education, such deduction is entirely erroneous. The field of Edison or Burbank may not be classified as classical culture, yet it is a matter of serious doubt whether a knowledge of the letters and languages indicates a higher degree of genuine culture than the insight into the laws of nature that are brought to light by the wizards of the scientific world. When the real astronomer broke forth, "O God, we but think Thy thoughts after Thee," he was expressing one type of culture. We usually confine culture to subjects that arouse emotions, intellectual and spiritual. We say our imaginations are enlarged, our feelings are edified, our purposes and determinations are ennobled, and so forth. Herein are the suggestions of culture. Their trappings are not in things material; they can not be handled, even though they are skillfully worked. Anything which has its product in the market excludes culture. The time is here when such definitions will no longer rule. Limits are not so placed in the world of culture. In other words, culture extends beyond the make-believe, and takes in the real accomplishment.

Some one has said the eighteenth century was marked by authority. Few gave the command; the many obeyed. Its chief result was a blind obedience which suppressed individuality.

The nineteenth century was marked by opinion. The ruling passion was independence almost to the approach of arrogance. This opinionated century gives us the work of protest in all fields of thought and action.

But the twentieth century is marked by achievement. To-day the biggest word known to man is service. The supreme question is not, Who are you? or What is your name? or Whence came you? The one question asked of all alike by the present century is, What can you do? The answer to that question fixes the rank of the queried. It matters not whether it is in the field of science, letters, or arts, or out in the big world of invention and discovery in the various applications of these various bodies of knowledge; the differentiation between success and failure is here.

If the real purpose of public education is the character of citizenship, then the desirable character results from the skill of vocation as certainly as from the knowledge of profession.

A painting is the product of culture. An appreciation of it is also a mark of culture. The great musical composition is the product of culture. An appreciation of the symphony is the mark of culture. But often the great musician is totally incompetent to appreciate the great painting, and vice versa. However, one would scarcely deny to either the title of culture. So it is with the product of the vocation. Anything well done need not blunt appreciation of other things well done; neither need vocational schools prevent desirable qualities of appreciative culture in the higher arts.

The common objection of certain citizens to vocational training generally arises out of a total misconception of results.

The need of vocational schools in our country is quite apparent to all. Growth of sentiment within the past decade has been phenomenal. It has been recommended by both the employer of labor and capital and by the employee, as indicated by the position of the leading associations and various organizations.

Commissions are at work investigating the progress of such schools in Prussia and various parts of Europe. Also systematic investigations are in progress in the United States. These demands have been responded to by consistent efforts and some fugitive plans. Hundreds of cities have undertaken the work of manual training for the boys and domestic science for the girls within the last 10 years.

The agitation has almost assumed the character of a propaganda. A glance at the bibliography will reveal the surprising fact that every phase of the subject has been most copiously covered. In the last decade there have come from the press 120 books upon industrial education alone in this country, to say nothing of the great number from each of the countries in Western Europe.

Aside from this, a most distinctive work has been done, and is now being done, by associations, committees, and commissions. Not less than 50 reports have been made by associations and committees, and at least 30 commission reports have also been made. In these various reports every phase of the subject has been covered. In addition to these reports, books have been published on the trade-unions phase of industrial education. At least a dozen books touching this phase have come from the press within the past decade. A bibliography of the subject issued this year by the Bureau of Education, including periodicals with the monographs, reports, and books on the various phases of vocational education, numbers 885 publications, all of comparatively recent issue.

No propaganda can succeed without a healthful backing of public opinion. In this realm there has been a most marked activity. The Bureau of Education issued this year a statement of this side of the movement, which I wish to incorporate in this address.

INDUSTRIAL PROPAGANDA.

Much of the credit of creating and directing public opinion along the lines of vocational needs, both as to training and vocational guidance, is due to the aggressive publicity of the Educational Department of the National Government. Recently there have come from the Bureau of Education the following important bulletins:

1911, No. 2. Opportunities for graduate study in agriculture.
1912, No. 1. Courses of study for rural school teachers.
1912, No. 4. Mathematics in technical secondary schools.
1912, No. 6. Agricultural study in secondary schools.
1912, No. 9. Country schools for city boys.
1912, No. 18. Teaching language through agriculture and domestic science.
1912, No. 20. Readjustment of an American rural high school to the needs of the community.
1912, No. 28. Cultivating school grounds in Wake County, N. C.
1913, No. 3. Training courses for rural teachers.
1913, No. 6. Agricultural instruction in high schools.

Mr. C. A. Prosser, secretary of the Association for the Promotion of Industrial Training, said in a recent address before the National Educational Association:

The unquestionable tendency in American education is toward broadening the responsibility of the State for the educational conservation of the child up to 16 years of age. In this forward movement the following principles and steps seem to be demanded in connection with vocational as well as general education: (1) The State should have the care and the responsibility for the training and educational welfare of all children, at least until they become 16 years of age. (2) No child under 16 years of age should be permitted to go to work unless he is at least 14 years of age and has reached a prescribed minimum educational standard which should not be less than that necessary to meet the test for entering the sixth grade of the regular schools or its equivalent. (3) All children between 14 and 16 years of age should be compelled either to attend school or to enter employment, and when not employed should be required to return to school. (4) Where State-wide action is not yet practicable, local communities should be authorized by law to decide either by a referendum or by the action of a local board of control whether children between 14 and 16 years of age, employed during the day, should be required to attend part-time classes for a period of not less than four hours a week out of their working time. (5) As fast as conditions permit, we should move in every State in the direction of State-wide compulsory part-time education for those between 14 and 16 years of age who are employed as wageworkers.

The almost universal demand for vocational training is voiced by the following organizations, representing the best thought upon the subject in the Nation:

National Metal Trades Association.
National Association of Manufacturers.
American Federation of Labor.
National Society for the Promotion of Industrial Education.
National Child Labor Committee.
National Committee on Prison Labor.
American Association for Labor Legislation.
National Education Association.
American Society for the Prevention and Study of Infant Mortality.
Southern Commercial Congress.
Southern Educational Association.
General Federation of Women's Clubs.
United Textile Workers of America.
American Society of Equity (representing more than 6,000,000 farmers).
National Farmers' Grange.
National Farmers' Congress.
Department of Superintendence, National Education Association.
International Congress of Farm Women.
American Foundrymen's Association.
National Domestic Science Association.
National Committee on Agricultural Education.
American Education and Cooperative Farmers' Union.
Chamber of Commerce of the United States of America.

This is not a movement by professional educators. It appeals to all phases of our life. The National Association of Manufacturers, fairly representing the employers' side of the question, asserts that the loss of the Nation from children leaving school in the grades would be at least $250,000,000,000. Much of this loss can be prevented by a systematic vocational training which is in easy reach of the Nation. At its annual meeting in 1912 it made the following recommendations:

1. Continuation schools for that half of the children who leave school at 14 years of age, and mostly in the fifth and sixth grades, these continuation schools to be liberally cultural and at the same time to be extremely practical and related as directly as possible to the occupations in which the several students are engaged.

2. The development of a modern apprenticeship system, wherein by contract the respective and equal rights of employer and employee are fully recognized, the entire trade is taught, together with such other subjects as are essential to good citizenship.

3. The development of secondary continuation or trade schools, by which the more efficient of the great army of boys and girls who will enter the continuation schools may progress from these lower continuation schools, as in some other countries, to the foremost places in industry and commerce.

4. Compulsory education through adolescence, being until the seventeenth or eighteenth year, attendance being in the all-day school until the fourteenth year, and thereafter in either the all-day schools or in the continuation schools for not less than one-half day per week, without loss of wages for hours in school.

5. The strengthening of all truancy laws and the development of public sentiment in support thereof.

6. The training of teachers in thoroughgoing methods of industrial practice, including, as part of such training extended experience in actual shopwork.

7. The establishment of independent State and local boards of industrial education, consisting of one-third each, professional educators, employers, and employees, thereby insuring, as in the more successful European countries, the proper correlation of the schools and the industries.

8. The development of the vocational and creative desires of the concrete or hand-minded children now in the grades, discouraged, anxious to quit, and often called backward, only because the education now tendered them is abstract and misfit.

9. The establishment of shop schools and part-time schools whenever practicable.

10. The establishment of departments or centers of vocational guidance, so that the great majority of the children who now enter industry at 14 with no direction, 85 per cent falling into the "blind-alley" occupations, may with the reversal of these figures, as in some other countries, enter, under advice, intelligently and properly into the progressive and improving occupations.

Resolved by the National Association of Manufacturers, That it is the imperative need of the industrial workers and employers of the country that thoroughgoing systems of industrial education be everywhere established, so that our factories may be more constantly and better employed, that standards of skill and of output may continuously be improved, and that foreign and domestic markets may be better held and extended.

One of the most widely effective associations of the country is the one for the promotion of industrial education. Its latest pronouncement was in the following resolutions:

State aid is necessary to stimulate and encourage communities to carry on work in vocational education.

Vocational education includes all forms of specialized education, the controlling purposes of which are to fit for useful occupations, as industrial education, agricultural education, commercial education, and household-arts education.

Industrial education denotes the field of vocational education designed to meet the needs of the manual wageworker in the trades and industries and the household.

Agricultural education is that form of vocational education which fits for the occupations connected with the tillage of the soil, the care of domestic animals, forestry, and other useful work on the farm.

Commercial education denotes the field of vocational education designed to meet the needs of the wage earner employed in such business and commercial pursuits as bookkeeping, stenography, typewriting, clerical work, salesmanship.

Household arts education is that form of vocational education which fits for nonwage-earning occupations connected with the household.

Vocational schools include all agricultural, industrial, commercial, and household arts schools, the controlling purpose of which is to fit for useful occupations, and which deal with pupils above 14 years of age and below college grade, as indicated below.

An all-day vocational school is a school giving training to young useful employment, which provide instruction directly related to such preparation before entering employment.

A part-time vocational school is a school for persons engaged in useful employment which affords instruction during a portion of the working time of the pupils that is supplementary to such employment.

Evening schools or classes in industry or agriculture are schools or classes attended by persons over 16 years of age, already engaged in useful employment, which provide instruction directly related to such employment.

Evening schools or classes in household arts are schools or classes giving instruction in home making to pupils over 16 years of age however employed during the day.

The proper expenditure of State moneys for vocational schools should be fully safeguarded, but initiative should be left to local authorities. State aid should be sufficient to justify participation by the State in control and administration. Experience seems to show that the best results are secured when the local community furnishes the plant and equipment and pays approximately half of the operating expenses.

This very broad insistence by so numerous voluntary associations is finding expression in concrete plans introduced in many towns by local authorities, and in a larger sense in many States by statutory enactment. At least a score of States have taken action. Literally hundreds of towns have made some effort. Some form is in operation in such considerable cities as the list given out by Mr. Prosser:

Hammond, Lafayette, Muncie, Indianapolis, Terre Haute, Vincennes, Ind.; Saginaw, Kalamazoo, Grand Rapids, Detroit—Cass Technical High School and the Detroit Technical Institute, Detroit University, Mich.; Harrisburg, Scranton, Philadelphia, Pittsburgh, and Lancaster, Pa.; Hartford, Waterbury, Bridgeport, New Britain, Conn.; in Chicago, the Lewis Institute part-time class carried on under the auspices of the National Metal Trades Association; the Lucy Flower Technical High School, the Crane Technical High School, and the Lane Technical High School and evening industrial classes; Moline, Decatur, Springfield, Joliet, Rock Island, Rockford, Ill.; David Ranken, jr., School of Mechanical Trades in St. Louis, Mo.; Bayonne, Paterson, Newark, Trenton, Jersey City, Passaic, in New Jersey; Cleveland, Toledo, and

Cincinnati, Ohio, through cooperative part-time and continuation courses; Portland, Oreg.; Chattanooga, Tenn.; Baltimore, Md.; Boise, Idaho; and Providence, R. I.

In Massachusetts alone there are 35 towns and cities reported using some form of vocational training, serving nearly 11,000 pupils. In 1911–12 the following schools were approved by the State authorities:

Boston Continuation School of Home Making.
Everett Independent Evening Industrial School.
Holyoke Independent Evening Industrial School.
Lowell Independent Industrial School.
Quincy Independent Evening Industrial School.
Somerville Industrial School for Girls.
Springfield Day Industrial School for Boys.
Watertown Evening Industrial School.
Westfield Day Industrial School for Boys.
Worcester Trade School for Girls.

Other States active in the movement are Wisconsin, Indiana, Illinois, New York, Pennsylvania, Connecticut, New Jersey, Rhode Island, and Washington.

The success of many cities has attracted sufficient attention to warrant the Bureau of Education here in Washington to publish special monographs setting forth the work. This was done for Columbus, Ga.; also Worcester, Mass. A similar publication was made of the gardening work done in Wake County, N. C. In all of these specific investigations and reports the advocate of vocational training is abundantly rewarded by the results achieved.

A scheme for the education of boys was worked out by some of the leaders in the movement, including Dr. Snedden, commissioner of education in Massachusetts:

TEACHERS FOR BOYS' WORK.

1. One of the most serious problems of the industrial school of the future is to deal with adolescents, taking them as they come and fitting them for practical tests of social and industrial efficiency.

2. The ordinary type of pedagogical training given to prospective teachers will not serve to adequately prepare them for successful service in such industrial schools.

3. Successful teaching must be based upon the real experience in the line taught.

4. Trade training alone will not make good teachers.

5. The industrial school has problems peculiar to itself which call for special training for teachers in such schools.

6. We are not likely to secure good teachers for industrial schools by drawing teachers from regular public schools and giving them additional training.

7. Pseudo experience, such as is gained by ordinary students in school and college shops, will not replace actual practical experience.

8. "Student" experience under real conditions, such as is gained by a short period of contact with industrial environment, will not replace real experience.

9. A person who has passed through college, whether general or technical, by a continuous school process, is not likely to make a successful industrial-school teacher nor to afford good material for a special training course for such teachers.

10. We can not secure as teachers in industrial schools those competent to hold desirable and profitable positions in industry as long as we pay them on the same basis as regular public-school teachers.

11. In training competent industrial-school teachers we must expect a greater per capita cost than we are in the habit of expecting in the training of ordinary school-teachers.

12. A scheme for training industrial-school teachers, starting with adults who have already had successful experience as teachers in regular schools, is not likely to succeed.

13. A scheme of training will not be efficient which proposes to deal with those who bring to it only a general secondary school preparation, and which proposes to give them during the college phase of their education all necessary training to fit them for successful teaching in industrial schools.

14. The evening course, which proposes to train persons with experience employed during the day, is only a partial solution of the problem, owing to its inability to afford an opportunity for observation and practice in teaching during the course.

15. The German experience shows that the most effective teachers must be drawn from the industries.

16. The most effective scheme known thus far is the German scheme, involving the following steps: (a) A technical training in the middle technical school, followed by (b) a prolonged experience as an actual worker in the industry which is to be taught; (c) a return to a training course giving special training for teaching in an industrial school, accompanied by an experience as an assistant teacher in an actual school.

17. In view of the fact that (a) we must get our efficient teachers from the industries, and (b) that these people can not afford to take full-time day courses, the most promising plan would seem to be a course which provides for a series of evening unit courses, each unit dealing with some specific phase of the special instruction required for an efficient teacher; following this by employment in industrial schools as an assistant teacher, with an obligation on the part of the industrial school to conduct a certain amount of further normal training work with these assistant teachers.

18. The most promising plan for training teachers for industrial schools would involve the following steps: (a) The gathering of the pupils with successful experience in the industries; (b) evening unit courses for the student while he continues to work at his calling; (c) each unit dealing with some phase or factor of the preparation required for an efficient teacher; (d) followed by employment as an assistant teacher in an industrial school; (e) with obligation on the part of the school to give a certain amount of additional normal training to him after he enters the service.

Many States have instituted an elaborate survey of the conditions, both rural and urban, of the public-school situation. While these various surveys in city, county, and State have been fairly complete, they can serve this House but little, as they are all independent, fugitive, as it were, in character, and can therefore observe no unity whatever. What the research department of the Women's Educational and Industrial Union of Boston did for the city of Worcester this committee desire this Congress shall do for the entire Nation. The scope of the investigation is suggested by the outline of the committee's activity:

1. Industrial opportunities for women in Worcester.
2. The exodus of young girls from the schools:
(a) Number of girls leaving school.
(b) Age of girls leaving school.
(c) Schooling grade when leaving.
(d) Nationality.
(e) Status of family, economical and intellectual.

These inquiries showed very significant facts:

(a) More than 700 girls under 16 years of age left to go to work.
(b) Sixty per cent leave at the earliest age the law allows—14.
(c) Eight per cent were unable to pass fifth grade; 33½ per cent were unable to pass seventh grade; 50 per cent were unable to pass the ninth grade.
(d) Leaving school is not due to economic status of parents.
(e) Out of over 200 families studied, over one-half lived in comfortable homes.

3. Industries entered by girls:
(a) Less than one-fourth go into mercantile industries.
(b) Three-fourths go into factories and mills.

4. Kinds of work done by young girls:
(a) Unskilled industries.
(b) Mercantile establishments.
(c) Medium-skilled trades.
(d) Instability of workers in factories.

These facts show that the girl of 14 or 16 can not enter any but unskilled work. This makes a monotonous life, which causes drifting from one to another kind of work, thereby preventing proficiency in anything. The almost inevitable result is that the masses which enter unskilled work never leave it for a higher grade.

5. Women-employing industries in Worcester:
Seven hundred women and 138 minors were employed in mercantile industries, while 8,000 women and 1,000 minors were employed in manufacturing. Four industries employ 90 per cent of all the women employed in the city.
These are the machine-operating trades:
1. Textile industries.
2. Wire and metal goods.
3. Metal trades.
The other small per cent are engaged in dressmaking and millinery.

Summarizing these figures, we find the following results:

(a) The exodus of young girls from the schools is both very large and unnecessary.
(b) Most of the girls go into a small number of industries.
(c) The unskilled labor or "blind alley" occupations claim most of these school delinquents. Their entrance into such employment closes the door to opportunity. Unskilled they enter, unskilled they remain.

These employments are further classified into groups:

1. Where little training is required (textile mills, paper industry, and metal trades).
2. More or less skill is required.
3. Where skill is demanded (dressmaking and millinery).

The problem of the city of Worcester, as shown by this survey, is to care for this 90 per cent of her girls in such a way that they may become productive personalities, useful citizens instead of mere automaton machines eking out a livelihood, and in turn sapping all the womanhood dormant in them, and inevitably unfit them for home life.

The solution is the training school which will enable each to either enter a high-grade industry or else elevate the lower grade. If nothing is considered save the effort to perform, work becomes irksome. But if the manner and skill of hand is considered it may become a joy. What has been done for individual places in a larger sense may be done for the State or Nation.

President Wilson, with his keen perception, due to his training and devotion to matters educational, and his extended acquaintance with the leaders in education in its every phase, would be admirably prepared to select a commission to make a Nation-wide report.

Personally, I am in most hearty accord with the recommendations of the committee to create this commission with power to investigate the needs and to report to this Congress at its earliest convenience the results of its finding, together with recommendations.

AGRICULTURAL TRAINING.

Fifty-three and seven-tenths per cent of population is rural; 58.5 per cent of children of school age are rural. Therefore 53.7 per cent of our population have the task of educating 58.5 per cent of the pupils. The urban, or 46.3 per cent, need educate but 41.3 per cent of the children. The burden is not measured by numbers, but rather by work. The illiteracy in the country is estimated to be twice as great as in towns, notwithstanding the vast foreign population drifting to centers. In this classification of rural and urban preparation all towns below 2,500 population are placed in the rural column.

The following figures from the department of education are suggestive of the superior advantages of the urban over the rural schools in school organization, and the less burdens to bear:

Urban and rural school population and school attendance.

	Total population.	Illiterate (10 years of age and over).	School population.	School enrollment.	Average daily attendance.	Aggregate attendance.	Days in annual session.	Aggregate amount paid teachers.
	Per ct.	*Per ct.*	*Per ct.*	*Per ct.*	*Per ct.*	*Per ct.*		*Per ct.*
Urban	46.3	5.1	41.5	37.7	41.3	48.7	164.3	64.5
Rural	53.7	10.1	58.5	62.3	58.5	51.3	137.7	46.5

The Bureau of Education is active in the work, and has already done much with its limited means and authority at its disposal.

I desire to incorporate the following from one of the department's bulletins:

DIVISION OF RURAL EDUCATION IN THE BUREAU OF EDUCATION.

In the United States Bureau of Education a division of rural education was created November 1, 1911. This was made possible by a provision included in the legislative, executive, and judicial appropriation bill for the year ended June 30, 1912, approved on March 4, 1911. This congressional act provides the sum of $6,000 to be expended "for the investigation of rural education, industrial education, and school hygiene, including salaries."

During the one year of its existence the work of the division has been largely a study of the status of rural education in the United States, the results of which are included in Bureau of Education Bulletin, 1913, No. 5. This publication contains data relative to the rural population, illiteracy, school enrollment, attendance, and the one-teacher school; also a summary of the present status of the rural school teaching force, the supervision and the organizations for the management of school affairs. The information for the bulletin was obtained from State reports, from the Bureau of the Census, and from personal visits to rural schools by representatives of the bureau. The division also collected the material, and with the assistance of President Robert H. Wright, of the East Carolina Teachers' Training School, Greenville, N. C., prepared and published Bureau of Education Bulletin, 1913, No. 2, Training Courses for Rural Teachers. It also assisted in preparing for publication several other bulletins mentioned under the section on recent publications on rural education included later in this chapter.

The division has affiliated with it about 50 special collaborators, each appointed at a nominal salary, to cooperate in keeping it in touch with the best things done in rural education. These collaborators are all persons whose work is directly connected with rural education in State departments of education, in State normal schools, or in other similar positions. Several of them are making special studies for the division on various phases of rural education, the results of which will probably be published by the bureau.

In the appropriation bill approved August 23, 1912, the amount allotted for "rural education, industrial education, and school hygiene" was increased from $6,000 to $15,000.

The next most significant movement on behalf of the country schools was taken by the National Educational Association at its annual meeting in 1911, when the following committee was appointed to investigate and make a report upon the needs of our country schools, with recommendations for improvement:

E. T. Fairchild, president of New Hampshire College of Agriculture and Mechanic Arts, Durham, N. H., chairman.
L. H. Bailey, dean of the State College of Agriculture, Ithaca, N. Y.
Henry C. Morrison, State superintendent of public instruction, Concord, N. H.
A. C. Nelson, State superintendent of public instruction, Salt Lake City, Utah.
Edward C. Elliott, University of Wisconsin, Madison, Wis.
Miss Adelaide Steele Baylor, State Department of Education, Indianapolis, Ind.
T. H. Harris, State superintendent of public education, Baton Rouge, La.
John R. Kirk, president State Normal School, Kirksville, Mo.
Edward Hyatt, State superintendent of public instruction, Sacramento, Cal.
Luther L. Wright, State superintendent of public instruction, Lansing, Mich.
James Y. Joyner, State superintendent of public instruction, Raleigh, N. C.
Charles H. Keyes, president of Skidmore School of Arts, Saratoga Springs, N. Y., and president of the National Council of Education. (Added to the committee by vote of the council.)

This committee set forth the following statement of facts:

Of the 12,000,000 rural school children less than 25 per cent are completing the work of the grades. The teaching body is immature and lacks proper training. Terms are too short. School buildings are poor, insanitary, and ill equipped. The school enrollment is constantly decreasing. The supervision is wholly inadequate. High-school privileges are denied to the great majority of these boys and girls. The strong, virile rural school of a generation ago has gone, and in its place is a primary school weak in numbers and lacking in efficiency. The country boy and girl of this strenuous and complex twentieth century are not afforded equal educational opportunities with the city children.

With this knowledge it seems unnecessary to enter upon an extensive investigation having as its aim the gathering of information relative to the present rural school situation. The committee on rural schools, therefore, will address itself to the problem of suggesting ways and means for the betterment of these schools and for awakening the public to a definite sense of the needs of the rural schools.

The committee's work was designed to cover the following heads:

I. ORGANIZATION.
A. The unit of school organization.
B. Consolidation.
C. Classification.
D. Minimum term.

II. ADMINISTRATION.
A. Funds—source and application.
B. Compulsory attendance.
C. School plant.
D. Libraries.
E. Supervision.
F. Statistics.

III. INSTRUCTION.
A. Courses of study.
B. Textbooks.
C. Preparation of teachers.
D. Training courses in high schools.
E. Tenure of teachers.

IV. SOCIAL ELEMENTS.
A. Cooperation—school as a social center.
B. The home and the school.
C. Organized games and plays.

V. SECONDARY EDUCATION.
A. Free tuition.
B. Consolidated township and county high schools.

Mr. Chairman, this is the most significant voluntary movement in the country, the most comprehensive yet undertaken to study the needs of the country and to suggest ways and means of improvement. These movements by voluntary associations are not confined to professional educators, but they extend to farmers' organizations, women's clubs, and various other cooperative associations for rural betterment.

STATE RURAL SCHOOL COMMISSIONS.

In addition to these purely voluntary efforts, many of the States are taking action through State commissions. Iowa is a good example. The commission of 21 members subdivided itself into 9 subcommittees, each to cover a different phase of the school situation in Iowa.

A. Administration—State, county, and local.
B. Rural schools.
C. Graded schools.
D. High schools.
E. Industrial education.
F. State aid.
G. School as community center.
H. Publicity.
I. Teachers—training, etc.

The committee on rural schools report that they find—

the Iowa rural school shows unwarranted weakness. This is due to several causes rather than to any one. There is no definite purpose in the minds of patrons to improve the schools. They are meagerly equipped and in some instances very much neglected. There is a lack of definite standards of work on the part of teachers, and in many instances the schools are presided over by young teachers of little training or experience. Close supervision under the present system is an impossibility * * *. The greater sources of weakness in our rural schools are a dearth of properly trained teachers, a cumbersome system of government, a lack of close supervision, and failure to apply a thorough business policy in handling them.

The committee makes eight recommendations, as follows:

1. We favor voluntary consolidation for Iowa schools with a minimum area of 16 sections, with State aid annually from $500 to $1,500, to be classified by the department of public instruction; the teaching of agriculture and domestic science to be required, and no consolidated school to have less than two departments.
2. We recommend that the rural independent districts be discontinued.
3. We recommend that rural schools be under the inspection and supervision of the department of public instruction.
4. We recommend one rural inspector, one grade inspector, and one high-school inspector, under the supervision of the department of public instruction.
5. We recommend that provisions be made to properly safeguard the health of rural school children.
6. We recommend that practical courses of study be adopted for the rural schools.
7. We recommend the enactment of a law providing a suitable and sane plan for the adoption of textbooks, which will protect the people.
8. We recommend that additional normal schools be established and that normal training be provided in every high school that can successfully carry on such a course.

This same committee made the following report covering the needs of the farm boys and girls for vocational training:

1. That the county educational board be empowered to employ two special supervisory teachers to have charge of the industrial work of the rural schools.
2. That some form of State aid be granted counties employing special teachers.
3. That State aid be given to township high schools when a satisfactory course in industrial work is offered.
4. That all State-aided schools be required to maintain courses in agriculture, domestic science, and manual training and be under the direct supervision of State inspectors.

On the matter of agricultural needs and possibilities in the education of our boys and girls on the farm the committee made the following recommendations:

1. An extension of normal training facilities to all high schools of the State which can properly qualify for it.

2. Legislation providing for a knowledge of the subject of agriculture on the part of those who are to teach.
3. Further summer-school facilities for the instruction in agriculture of teachers who are already in the service but not qualified to teach agriculture.
4. Courses of study which shall classify and outline the work in elementary agriculture and suggest methods of procedure which will enable the great mass of the teachers to apply effectively the teaching of agriculture along with the other essential branches in the general courses of study.
5. Further provision for training special teachers of agriculture for work as high-school and normal-school instructors.

In no part of the country has the need of agricultural training taken deeper hold than in the Southern States. Students of the history of ante bellum days will recall the insistent claim of many scientific writers that the southern half of our country was suffering most from the total dominance of cotton culture to the almost entire exclusion of other farm products. That country in the new South era is to-day teaching the Nation along lines of scientific agriculture. In at least a dozen States the "supervisors of rural schools" are heading the new work of agriculture. This movement is made possible by the great work of the Southern Education Board and the Peabody fund.

Activities on behalf of the boys and girls on the farm looking to keep them on the farm are directed by many organizations, official and unofficial. The Bureau of Plant Industry here in Washington, the farmers' cooperative demonstration work in the South, have been quite active in the stimulation of various agricultural clubs, whose purposes are given in the following statement:

1. To afford the rural teacher a simple and easy method of teaching practical agriculture in the school in the way it must be acquired to be of any real service, mainly by actual work upon the farm.
2. To prove that there is more in the soil than the farmer has ever gotten out of it; to inspire boys with a love of the land by showing them how they can get wealth out of it by tilling it in a better way, and thus be helpful to the family and the neighborhood.
3. To give the boys a definite, worthy purpose, and to stimulate a friendly rivalry among them.

The organization and methods of the girls' garden and canning clubs are similar to those of the boys' corn clubs. The usual crop raised is one-tenth of an acre of tomatoes. The girls cultivate the crop under the directions furnished by the Department of Agriculture. They preserve the tomatoes in glass or tin cans. The object of the work is—

1. To stimulate interest and wholesome cooperation among members of the family in the home.
2. To provide some means by which the girls may earn money at home and at the same time get the education and viewpoint necessary for the ideal farm life.
3. To encourage rural families to provide purer and better food at a lower cost and to utilize the surplus and otherwise waste products of the garden and orchard.
4. To furnish earnest teachers a plan for aiding their pupils and helping their communities.

In college circles it is not so long since agriculture had no standing whatever. Even the ridicule carried in the nickname "Ags" is still heard on the campus. No standing in scholarship was permitted. No entrance requirements of significance were published. To-day over 50 universities and technical colleges, the best in the country, offer courses to candidates for graduation in agriculture. In most of these institutions the courses rank with the courses given in the liberal arts departments. The entrance requirements range from one to four years' high-school work. One year is required by each of five States—Alabama, Mississippi, North Carolina, South Carolina, and Texas. Two years are required by five States—Connecticut, Kansas, Maryland, Oregon, and Virginia. Three years high school are required by Florida, Delaware, South Dakota, Tennessee, Utah, and West Virginia. Four years are required by 34 States. These agricultural colleges, most of which are State institutions, in 1912 catalogued 7,582 teachers, 906 of whom were women. These teachers were classed under the head of professors, assistants, instructors, extension workers, and experiment-station investigators. The total number of students enrolled was 93,000. Over 7,000 diplomas were granted with the bachelor of arts degree. Nine hundred and fifty-one degrees of master of arts, master of science, and doctor of philosophy. These degrees represent agriculture and home economics.

A glance over the courses offered for graduate study in these higher institutions of learning will indicate the advanced rank agricultural science is taking. No longer will the student of the chemistry of the soil be regarded with an apology. It is not saying too much to assert that the agriculturist of the near future will be regarded equal to any of the devotees of any of the professions. Already it is admitted that the requirements of ability to scientifically work the soil make greater demands upon the intellect than do the liberal professions.

The successful agriculturist must know the chemistry of the soil, what depletes it, how it is replenished, and how it is enriched; how can he compel the soil to yield to human wants and still increase its fertility. Glance at these subjects: Agronomy, bacteriology, entomology, pomology, plant pathology, agricultural chemistry, agricultural engineering.

One institution, in announcing the range of its work, listed the following:

Farm crops; soils, including drainage, fertilizer, soil chemistry, and soil management; animal husbandry; dairy husbandry; experimental plant and animal breeding; poultry husbandry; bacteriology; plant pathology; agricultural chemistry, including animal nutrition, plant nutrition, and beet-sugar analysis; entomology; agricultural engineering, including rural architecture, farm machinery, and road building; horticulture; agricultural economics; farm accounting; agricultural education; agricultural journalism.

Another names the following subjects:

Farm crops; soil technology; drainage; animal husbandry; dairy husbandry; poultry husbandry; agricultural and dairy bacteriology; animal parasites and parasitology; plant physiology and pathology; agricultural chemistry; agricultural engineering; farm mechanics; horticulture; pomology; plant breeding; floriculture; rural art, including landscape gardening; nature study; rural economy; farm management; rural sociology; agricultural education.

My own great State university, at Columbus, modestly enumerates the following subjects:

Animal husbandry; the education, training, care, and management of the horse; dairy husbandry; animal nutrition; bacteriology; plant pathology; agricultural chemistry; economic entomology; farm equipment and agricultural engineering; rural economics; farm accounting and records; farm management.

AN OBJECT LESSON.

On the 30th of September of this year I, in company with a group of public-spirited men called at the famous ——— farm just outside of Wheeling, W. Va., owned by Mr. W. Oglebay, a member of the State board of regents. Here is one of the finest examples of what may be done by a man of brains and means it has ever been my lot to witness. The manner in which a farm of a thousand acres has been formed out of many smaller farms; the way worn-out farms have been replenished and made to yield abundantly; the heavy yield of alfalfa on the hilly portions in proof that the oft-repeated statement that alfalfa can not be grown upon such hills is groundless. The superior advantage of keeping high-grade stock, hackney horses, Guernsey cows, Shropshire sheep, hogs, and so forth; the insight displayed in the location of the various orchards to insure the advantage of shelter and protection; the growth of the small wood lots which dot the great farm; and the beautiful landscape gardening, both by fruit and flowers and shrubs—the wonderful plan that is unity in variety, in which nothing seems left undone to approach the perfection of life upon the farm—all combined, is a liberal education to any honest inquirer after the possibilities of modern agriculture.

One of the most encouraging phases in this campaign for intensive farming is the activity of great business organizations like railway corporations, speaking through their presidents, and banking associations, speaking through their representatives in annual meetings assembled.

For the past half decade the name of President Brown, of the New York Central lines, has become identified with the new era of farm production. It is nothing against his efforts to charge that he is not speaking on behalf of the producing farmer, but rather on behalf of the transporting railroad. Even were this statement true, his service is none the less valuable.

He has called attention to the possibilities of the soil when scientifically treated; how soil is being depleted by lack of scientific agricultural methods; how farms of virgin wealth are becoming poor, to-day returning a less yield than formerly. He has also called attention to the possibility of making over these declining farms, some of which are already abandoned, into veritable gardens of production. He is now establishing a second of the great farming stations in the State of New York, which will become an eye opener to the entire country interested in the problem of production.

Similar interest and activity have been displayed by James J. Hill, of the great Northwest. While this name will always be connected with railroading, it will also be identified with the possibilities of the soil.

Similar interest has been displayed by President Elliott, of the New Haven lines. His observations in the Northwest while at the head of the Northern Pacific have convinced him that the many New England farms which have been given up for richer soil in the great West can and will be reclaimed under scientific, intensive farming. This new era will be ushered in when the agriculturally trained man will apply his training to the farm. The close proximity to the world's greatest markets will induce the rejuvenation of the soil. Experimentally it is now well known that New York can rival any State in the production of apples.

Many denuded hills under proper care will be made to support the finest live stock, both in quality and quantity.

The organized interest of these men, whether transportation agent or banker, is discovering what certain sections of the country can do best. They assure the country that while the great Northwest will continue to produce wheat, it must and will find a secret by which the yield will be greatly augmented.

While the great Middle West will continue to be the corn belt, many of our investigators assert that the Southland, and especially Louisiana, will become the great corn country of the earth.

They also claim that in the southern belt along the Atlantic and Gulf coasts at least 5,000,000 acres are admirably adapted to small fruits, which to-day yield so small a proportion of their possible yield as to be almost negligible.

The striking information that science is revealing on the possibilities of the soil, through both the organized and the fugitive efforts of our people, has stimulated some men wonderfully in their devotion to this real constructive business of life. This remarkable activity of interest in the possibilities of the farm is due to an awakening of our democracy to its greatest needs. This conviction finds expression in the following avenues:

1. Extension work, where university assistance is given to the farmers at their own doors.
2. High schools, where an army of trained teachers are conveying fresh knowledge to the youth.
3. Cooperative farm associations, where the wide-awake of each community are emphasizing the value of improved methods to farmer and community.
4. Grange, representing the most important organized movement for generating public opinion in support of agriculture in the land.
5. Agricultural county and State associations—fairs where the latest in the interest to the farmer is on exhibition.
6. Farmers' institutes, which bring to the towns in the winter season experts from State and Nation to discuss before both farmer, wife, and family specific phases of farm life.
7. Women's clubs, which are enlisting the women of the town as well as of the country. What can be of more interest to the housewife of the city than a knowledge of home economics, based upon the farm?
8. Chautauquas, of which there are over 2,000, which supply the platform and audience for such topics of rural interest. Here is perhaps one of the chiefest of all the agents of publicity.
9. Kindred to the latter, the press publicity is closely allied.
10. All this created public opinion finally embodies itself in legislation by the State and Nation. Every State has taken a step. What should be done by the Nation?

When it appears for the welfare of the citizen, the Nation enacts sumptuary laws. When the rights of trade are infringed, the Nation, under the head of interstate-commerce power, regulates rates, forbids discriminations among shippers, and so forth. When it appears for the general welfare, the Nation defines a day by limiting the hours of labor, designates safety conditions for labor, provides against occupational diseases, enacts workmen's compensation laws, and even provides a minimum wage. For the same reason it proposes to enact laws regulating child labor, employment of women, and even suggests old-age pensions. The chief province of government is for justice, welfare, and liberty of the citizen. In the interest of the citizen it deals with the question of high cost of living which is not answered by tariff legislation. In the present legislation we have offered by the sponsors of the Underwood tariff bill the chief reason for its enactment the reduction of the high cost of living. If this statement is a sincere expression of the authors, the results of the legislation must be woefully disappointing. Meat on the free list is not the way to reduce the price to the consumer. The national way is to increase the production of meat.

One of the chief causes of high cost of living, aside from our decrease of production and our growing extravagance, is seen in the exodus from the farm to the city of the farmer's boy, who ought to be induced by a better system of education and a more attractive community life to remain on the farm and become a producer rather than a consumer. Every time a farmer's lad, who by education might have made a scientific agriculturist, leaves the farm for the city to make a mere clerk, a consumer of the product he could produce, you have an additional cause of high cost of living.

Placing farm products upon the free list will not do it. But make the farm life attractive. Make the soil more productive. Increase the output per acre, so that a small farmer with his small capital can own and till his land. Make it possible for these small farmers to profitably cultivate their small holdings, keep their families together, educate them in the way in which they can best pursue their future occupation with assurance of a balance between the outgo and income, and the high cost of living will not have its terrors.

The problem is not one of consumption so much as production. Legislation should attempt to facilitate production in the interest not only of the farmer but for the thousands in the commercial and industrial centers who must inevitably feel the stress of prices which will ultimately reach distress. The best antidote is to increase the ability of the small farmer, to augment the output of his small acres. Where it now produces but a modicum, induce him to enter the fields of discovery, to increase his yield twofold, fourfold, or tenfold. Here, together with his lessons of rational economy and his defense against foolish extravagance, is the solution of the high cost of living. It is within the province of education. It is an educational situation. It will be solved only by education.

The Illinois bankers' annual meeting reported on income, population, and condition of the State, which report indicated that the State had declined as an agricultural State. It recommended, among other things—

(a) Better rural conditions to make farm life more inviting.
(b) Improvement of schools, providing better plans for making the child's schooling respond to his after avocation.
(c) Better roads.

These recommendations are in keeping with the newer ideas of the Government's functions.

Whatever act can have a civil reason assigned as its real purpose is within the sanction of legislation. A citizen has a right to work in unhealthy trades at unhealthy times or under unhealthy conditions, just as he has a right to consume unhealthy food and drink, provided by so doing he does not injure the public. If he is forbidden, it is not placed upon individual grounds, but for the general welfare.

The law would not forbid me as a railroad engineer working 15 hours a day, so far as I am personally concerned. But for the sake of the public, whose citizens I am carrying, 15 hours per day may cause frightful loss of life by wrecks induced by an overworked engineer. Here the law steps in and interferes with personal contracts.

So in the care of regulation of employment of women, so far as she is personally regarded, the law does not concern itself so much; but so far as an employment in fields dangerous, immoral, unhealthy, the State has a right to interfere for the sake of the public.

Upon the same basis of reasoning the Government has regulated night labor to a certain degree. For the same reason it is within the province of the Government to regulate life in tenement houses against vicious violations of the laws of health. On the same basis of reasoning the Government has a clear right to regulate racial relations.

It has already done some service. The Morrill Act, back in 1862, made the start. The 30,000 acres to each Congressman amounted to about $13,000,000 national aid to education. This was supplemented in 1887 by the Hatch Act, which added an annual appropriation of $15,000. In 1890 the second Morrill Act gave an additional $25,000 annually. In 1906 the Adams Act provided an additional $15,000 annually. The Nelson amendment, in 1907, provided $25,000 additional, making in all the munificent sum of $80,000 additional annual assistance of the work begun back in 1862.

The Government's right to do this will not be questioned seriously. Whether it ought to enlarge upon it is no question in my mind. Education is most certainly a suitable field for national concern. The Government in the past has been active in its relation to slavery. It will act as freely to-day against any form of peonage. It has in the past taken position on sumptuary laws. It is to-day aggressive in reducing the evils of the use of narcotics by similar laws.

It will in the future be more active on regulation of capital and labor to conserve the rights of both factors in the interest of the public. Employers' liability, workmen's compensation, social and industrial readjustment, are all prominent topics of legislation by this body. The numerous efforts made, both voluntary and legal, by city, county, and State are more or less fugitive. There is no approach to unity and no attempt to systematize. The one feature of our education hard to understand by the educated foreigner is our complete lack of a national system of education. Perhaps we shall never have such a system, for it is not at all certain we want it, not, most certainly, if it means to supersede our various State systems.

But there are some features of which the Nation should take cognizance. Whatever affects citizenship is a matter the Nation is interested in. Whatever affects the health of the citizen, the Nation takes notice. Whatever affects the rights and welfare of the citizen, the Nation becomes interested. The very end of

government, as stated in the Constitution, is to establish justice, to promote the general welfare, and to secure the blessings of liberty to the people.

When the health of the citizen is in question, the Nation enacts the pure-food laws; exercises its police power in regulation of the quarantining of its subjects, for the good of the public. It also can supervise, if it so desires, certain elections, with some authority over the citizen. The Government also has a right to regulate, in a sense, the laws of marriage and divorce; while this entire subject is generally left to the State, it is of such general importance that Congress is free to exercise a controlling influence.

The law is free to enter upon the protection of the public from the evils of child labor. The real grounds are to conserve the child's time for the better employment of schooling. No action is taken on a single topic that does not find its reasons for it in the public weal.

National highway or road building is a theme which has from the beginning held the attention of our people as a whole. In Washington's day next to canal building "better roads" was of interest to the erstwhile surveyor boy. The history of the Cumberland Road, generally known as the National Pike, is familiar to all Members of this House. For the past decade no question has been more forcibly brought to the attention of State and Nation than the best method of road building. Just now one of the most important congresses held in the country is that in Detroit in the interest of a national system of good roads. While there will be a sharp difference on method, most people are agreed upon the importance and the assurance that the need will be met in a satisfactory manner. At least few will question the wisdom of making more easy the communication and transportation among our people

In all this present legislation on the tariff-reform agitation, the chief reason assigned is to reduce the burden of the consumer, to reduce the cost of living. Some of us have insisted that the chief concern of the Government should be to insure the consumer the ability to purchase the needed article rather than to lose sight of the producer in an attempt to so legislate that an imaginary benefit will come to the consumer in the way of lower prices. Low price is not a boon to the consumer if he does not possess the wherewithal with which to buy. However, cost of living is a subject of legislation. The Government should investigate into the causes of ascending prices. In the face of the continued increasing price of meats, due not to a tariff—and free meats will not lower the price—but to a disturbance between the amount demanded and the amount supplied, the former increasing while the latter is decreasing, what is the plain duty of the Government, acting within its domain in relation to the high cost of living?

The same reports which tell us of the decreasing production of meat and the subsequent increase of prices also tell us that millions of acres in New England and the Atlantic States are available for stock raising.

The finely watered and well-sheltered pasture sections of the mountains stretching from the north into the south country, comprising the States of New York, Pennsylvania, Maryland, the Virginias, the Carolinas, Tennessee, and Georgia, are ready to support millions of sheep, cattle, and hogs in close proximity to the great markets of this eastern section. These millions of heads of live stock would give added enthusiasm to the agriculturist in the production of the needed corn, oats, wheat, alfalfa, and other farm products, which would relieve the price of meats, dependent upon the big western rancher thousands of miles from the consumer. If high cost of living is a legitimate subject of legislation, why does not the Government enter upon a constructive policy, looking not for a foreign market in which to buy, but rather inducing a development of our home resources, to increase our home production and thus reduce the cost to the consumer by increasing the supply of the producer? Why does not the Government set out upon an investigation of this problem?

It is purely a matter of education. The greatest farming lands under the sun are ours. But instead of their increasing in production per acre they are decreasing, and at the time when our demands are increasing. This can be changed only by education.

We have the finest mountain ranges, well watered, ready for abundant stock raising. But in the face of all this, we are declining in this enterprise at the very time when meats are soon to become prohibitive in price, due not to tariffs but lack of wisdom in keeping the supply apace with demand. This policy can only be changed by education.

What is the most important problem of production?

In the face of phenomenal growth of population, and a consequent increase of demand upon production, our source of supply—the acreage of the country—remains stationary. What is the problem? How to make the acre produce beyond what it now does.

This can not be done by our boys and girls living in the rut of our fathers. The farmer is not the man who holds the plow and drives the team. He is the thinker, the student of production, distribution, and consumption. The farm must become something more than a workshop. It is now a laboratory. Its chief labor is not of the hand, but of the head as well. It must not remain the place simply to work, eat, and sleep. It must be the unit of the social and industrial interests of a community and, in a still larger sense, the State.

When this position of the farmer is recognized by our legislators, keeping the boy or girl upon the farm will no longer be a problem. The frightful drift from country to city, with all its consequences, will be reversed. The boy and girl as to the "manor born" will see not only his interests but his joy and pleasure on the farm. Our people will be producers as well as distributors and consumers. After all, it is a matter of education.

If the country is warranted in its interests in the multiform classes of legislation involved in the past activities of the Government in behalf of a better citizenship, why should it not investigate the real source of the cure? A commission of nine distinguished educators and citizens such as President Wilson, so well qualified for the purpose, would appoint, could set the agencies at work covering such fields as in their judgment, in conjunction with that of the President, should be covered, and report their findings to the President, who would in turn report to this body. Such a commission would render the country a service difficult to estimate.

All the work heretofore done, however well done, has been purely voluntary, by private enterprises or public-spirited and professional organizations. They have been without official stamp, fugitive and various in character; their efforts have been attenuated, detached parts of no possible whole, no unity of effort in any sense, and at best are simply recommendatory. What our country now needs most is to unify these reports, classify the recommendations, proceed as upon an educational platform to define the needs and suggest the remedy. I am satisfied there is no greater field of useful investigation than vocational needs, agriculture, and industrial training, and I express the hope that no serious objection may be raised to the proposition that this first step be taken, so that after this commission makes its report this Congress may thence proceed in legislation on the lines suggested by previous attempts to care for these great and important factors in our national life.

Mr. TAYLOR of New York. Mr. Chairman, I had some remarks I would like to have made in regard to vocational education. I would like to have permission to extend them in the RECORD if possible.

The CHAIRMAN. The gentleman from New York [Mr. TAYLOR] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Chairman, I ask unanimous consent that I may extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. HUGHES of Georgia. Now, Mr. Chairman, I move that the committee rise.

Mr. RAKER. Before the gentleman does that, will he yield to me for a moment?

Mr. HUGHES of Georgia. Yes.

Mr. RAKER. I understand that this resolution is to be taken up again to-morrow.

Mr. HUGHES of Georgia. That is my understanding.

Mr. RAKER. So that some of us who have gone into the matter will have an opportunity to be heard on it?

Mr. HUGHES of Georgia. Yes.

Mr. TALCOTT of New York. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York [Mr. TALCOTT] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HUGHES of Georgia. Now, Mr. Chairman, I renew my motion that the committee do now rise.

The CHAIRMAN. The gentleman from Georgia [Mr. HUGHES] moves that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RUSSELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration Senate joint resolution 5 and had come to no resolution thereon.

PRESIDENTIAL APPROVAL.

A message from the President of the United States informed the House of Representatives that he had approved and signed bill of the following title:

On September 30, 1913:

H. R. 8364. An act to authorize the President to provide a method for opening lands restored from reservation or withdrawal, and for other purposes.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 99. An act to fix the times and places of holding district court for the district of Arizona; and

S. 2254. An act to amend chapter 1, section 18, of the Judicial Code.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 8364. An act to authorize the President to provide a method of opening lands restored from reservation or withdrawal, and for other purposes; and

H. R. 7377. An act extending to the port of Perth Amboy, N. J., the privileges of section 7 of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement.

ADJOURNMENT.

Mr. HUGHES of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 31 minutes p. m.) the House adjourned until to-morrow, Friday, October 3, 1913, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LANGLEY: A bill (H. R. 8707) to provide cumulative sick leave with pay to storekeepers, gaugers, and storekeeper-gaugers; to the Committee on Expenditures in the Treasury Department.

Also, a bill (H. R. 8708) providing that storekeepers, gaugers, and storekeeper-gaugers shall be allowed their actual expenses, not to exceed $1 a day, while on duty under an assignment away from their legal residences; to the Committee on Expenditures in the Treasury Department.

By Mr. BEALL of Texas: A bill (H. R. 8709) detaching the counties of Dallas, Ellis, Hunt, Johnson, Kaufman, Navarro, and Rockwall from the northern judicial district of Texas, and attaching said counties to the eastern judicial district of Texas, and changing the times of holding the terms of court of the eastern judicial district of Texas, and for other purposes; to the Committee on the Judiciary.

By Mr. RAUCH: A bill (H. R. 8710) to authorize the county of Miami, Ind., to construct a bridge across the Wabash River in Miami County, Ind.; to the Committee on Interstate and Foreign Commerce.

By Mr. CARY: A bill (H. R. 8711) to amend an act entitled "An act for the widening of Benning Road, and for other purposes," approved May 16, 1908; to the Committee on the District of Columbia.

Also, a bill (H. R. 8712) for the extension of Maryland Avenue east of Fifteenth Street to M Street NE.; to the Committee on the District of Columbia.

By Mr. MOORE: A bill (H. R. 8713) designating the first Sunday in June of each and every year Father's Day; to the Committee on the Judiciary.

By Mr. ALEXANDER: A bill (H. R. 8714) to establish a fish-cultural station at some point in the third congressional district of Missouri; to the Committee on the Merchant Marine and Fisheries.

By Mr. SMITH of New York: A bill (H. R. 8715) requiring the Secretary of War to assume control and jurisdiction over all docks and piers used for the landing of licensed passenger boats on the navigable waters of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. LANGLEY: Resolution (H. Res. 271) instructing the commission in control of the House Office Building to consider a subdivision of the rooms of said building; to the Committee on Public Buildings and Grounds.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CROSSER: A bill (H. R. 8716) granting an increase of pension to Amelia C. Robertson; to the Committee on Invalid Pensions.

By Mr. DEITRICK: A bill (H. R. 8717) for the relief of George C. Bucknam; to the Committee on Claims.

By Mr. GUDGER: A bill (H. R. 8718) granting an increase of pension to Samuel M. Bradshaw; to the Committee on Pensions.

By Mr. KENT: A bill (H. R. 8719) authorizing the Secretary of War to procure a medal of honor for W. F. Ambrose, who distinguished himself during the War with Spain; to the Committee on Military Affairs.

Also, a bill (H. R. 8720) authorizing the payment of salary of ensign due to J. A. McCreary, of Forestville, Cal.; to the Committee on Naval Affairs.

By Mr. LONERGAN: A bill (H. R. 8721) granting an increase of pension to Joseph C. Bell; to the Committee on Pensions.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 8722) granting an increase of pension to Charles E. Weeks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8723) granting an increase of pension to John Taft; to the Committee on Invalid Pensions.

By Mr. MAHER: A bill (H. R. 8724) granting an increase of pension to Catherine Riley; to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 8725) granting an increase of pension to Henry Snyder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8726) granting an increase of pension to Jacob Kuhn; to the Committee on Pensions.

By Mr. ROUSE: A bill (H. R. 8727) granting a pension to William Dickson; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 8728) granting a pension to Elizabeth L. Bennett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8729) granting an increase of pension to Julia A. Wilcoxen; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 8730) granting a pension to George L. Dikeman; to the Committee on Pensions.

By Mr. VARE: A bill (H. R. 8731) for the relief of Rose McIlwain; to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER: Papers to accompany House bill 7439, a bill for the relief of Vincent Rust; to the Committee on Military Affairs.

Also, evidence in support of House bill 7397, a bill granting an increase of pension to Arthur D. Graham; to the Committee on Invalid Pensions.

By Mr. GARDNER: Petition of the Riverdale Grange, No. 330, of Gloucester, Mass., protesting against any legislation which will tend to decrease the efficiency of parcel post; to the Committee on the Post Office and Post Roads.

By Mr. HINDS: Memorial of the Portland Local of the Socialist Party, of Portland, Me., favoring a national constitutional amendment for female suffrage; to the Committee on the Judiciary.

By Mr. MAHER: Petition of the department of taxes and assessments of the city of New York, Borough of Manhattan, favoring gathering of facts about taxes and assessments through the United States Census Bureau; to the Committee on Ways and Means.

By Mr. RAINEY: Petitions of citizens of the twentieth congressional district of the State of Illinois, favoring passage of the pure-fabric bill; to the Committee on the Judiciary.

Also, petitions of citizens of the twentieth Illinois congressional district, favoring legislation to compel mail-order houses to pay taxes where goods are sold; to the Committee on the Judiciary.

By Mr. RAKER: Memorial of the Chamber of Commerce of San Francisco, Cal., protesting against the abolishment of the Commerce Court; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of New York: Memorial of the department of taxes and assessments, Borough of Manhattan, favoring gather-

ing facts about taxes and assessments through the United States Census Bureau; to the Committee on Ways and Means.

By Mr. STEPHENS of California: Memorial of the board of directors of the San Francisco Chamber of Commerce, protesting against the abolishment of the Commerce Court; to the Committee on Interstate and Foreign Commerce.

By Mr. UNDERHILL: Petition of the department of taxes and assessments of the Borough of Manhattan, favoring gathering facts about taxes and assessments through the United States Census Bureau; to the Committee on Ways and Means.

By Mr. WILSON of New York: Petition of International Association of Machinists, favoring revising the naval regulations so as to permit representation of the employees on the wage boards; to the Committee on Naval Affairs.

SENATE.

FRIDAY, *October 3, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. OVERMAN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House recedes from its amendment to the amendment of the Senate No. 609 to the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 1681. An act to extend the time for constructing a bridge across the Red Lake River in township 153 north, range 40 west, in Red Lake County, Minn.;

H. R. 1985. An act to authorize the county of Aitkin, Minn., to construct a bridge across the Mississippi River in Aitkin County, Minn.;

H. R. 3321. An act to reduce tariff duties and to provide revenue for the Government, and for other purposes;

H. R. 5891. An act authorizing the construction of a bridge across White River at Newport, Ark.;

H. R. 6378. An act to authorize Robert W. Buskirk, of Matewan, W. Va., to bridge the Tug Fork of the Big Sandy River at Matewan, Mingo County, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky;

H. R. 6582. An act to authorize the city of Fairmont to construct and operate a bridge across the Monongahela River at or near the city of Fairmont, in the State of West Virginia;

H. R. 6635. An act to authorize the county of Hamilton, in the State of Tennessee, to construct a bridge across the Tennessee River at Chattanooga, in the State of Tennessee;

H. R. 7469. An act to authorize the construction, maintenance, and operation of a bridge across the Little River at or near Lepanto, Ark.;

H. R. 7470. An act to authorize the construction, maintenance, and operation of a bridge across Black River at or near the section line between sections 8 and 9, in township 20 N., range 5 E., being a short distance south and east of the town of Corning, Clay County, Ark.;

H. R. 7472. An act authorizing Beaufort and St. Helena Townships, Beaufort County, S. C., to construct, maintain, and operate a bridge and approaches thereto across Beaufort River, in Beaufort County, S. C.;

H. R. 7506. An act to increase the limit of cost of the United States post-office building at Beloit, Kans.; and

H. R. 7875. An act to increase the limit of cost of the public building at Augusta, Ga.

NATIONAL CORN EXPOSITION AT DALLAS, TEX.

Mr. SHEPPARD. From the Committee on Agriculture and Forestry I report back favorably without amendment the joint resolution (H. J. Res. 132) authorizing the Secretary of Agriculture to make an exhibit at the Sixth National Corn Exposition, to be held at Dallas, Tex., during the month of February, 1914, and I ask for its immediate consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. JONES. I think it ought to be read if it is to come before the Senate.

The VICE PRESIDENT. It will be read.

The Secretary read the joint resolution, as follows:

Resolved, etc., That the Secretary of Agriculture be, and he is hereby, authorized to make such exhibit as may be convenient and practicable at the Sixth National Corn Exposition, to be held at Dallas, Tex., during the month of February, 1914.

SEC. 2. That the said exhibit shall be of such nature as the Secretary of Agriculture deems appropriate: *Provided*, That the Secretary of Agriculture shall make such arrangements with the proper officers of the said exposition that the Department of Agriculture shall be at no expense for transportation of said exhibit to and from the exposition: *Provided further*, That the Secretary of Agriculture shall also make such arrangements with the proper authorities of said exposition that there shall be no expense to the department for any breakage or damage that may occur to the exhibit nor for the living expenses of such appointees as he may see fit to send to said exposition to demonstrate the exhibit sent.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FLORENCE E. QUIGLEY.

Mr. WILLIAMS, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 185, submitted by Mr. MARTINE of New Jersey on the 25th ultimo, reported favorably thereon, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, out of the miscellaneous items of the contingent fund of the Senate, to Florence E. Quigley, widow of Thomas Quigley, deceased, late chief of police of the United States Capitol, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHIVELY:

A bill (S. 3189) granting a pension to Josephine Moore; and

A bill (S. 3190) granting an increase of pension to Jefferson Thomas; to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 3191) granting a pension to Jacob C. Robinson (with accompanying papers); to the Committee on Pensions.

By Mr. WILLIAMS:

A bill (S. 3192) waiving the age limit for appointment as cadet engineer in the Revenue-Cutter Service of the United States in the case of John S. McKinney; to the Committee on Commerce.

By Mr. RANSDELL:

A bill (S. 3193) granting an increase of pension to John O. Ackerson; to the Committee on Pensions.

By Mr. JOHNSON:

A bill (S. 3194) to remove the charge of desertion from the record of Orsemus B. Goldsmith (with accompanying papers); to the Committee on Military Affairs.

TARIFF LAW OF 1913.

Mr. SIMMONS submitted the following concurrent resolution (S. Con. Res. 9), which was considered by unanimous consent and agreed to:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of Congress 80,000 copies of the tariff law of 1913 in pamphlet form, indexed, with paper cover, to be apportioned as follows: Thirty-five thousand copies for the use of the House of Representatives; 30,000 copies for the use of the Senate; 5,000 copies for the use of the Committee on Finance of the Senate; 5,000 copies for the use of the Committee on Ways and Means of the House; 5,000 copies for the use of the document room of the Senate; and 10,000 copies for the use of the document room of the House; and that the Public Printer be authorized to print for sale such copies of said document as in his discretion may be required.

SENATOR TILLMAN'S RETROSPECT OF 18 YEARS (S. DOC. NO. 210).

Mr. TILLMAN. Mr. President, a few days ago I asked unanimous consent for the publication of Hon. Charles Francis Adams's retrospect of his life, called "'Tis Sixty Years Since." Senators who have not read it will enjoy it, I know, and find it most profitable reading.

I am going to indulge in something of the same kind for myself, and I ask unanimous consent to have published in the RECORD and also as a public document an article I prepared 18 years ago for the New York World, giving my impressions and the then beliefs about Wall Street and what is called "the money power."

I am asking for its republication because so much that was mere surmise and prophecy has come true, that I feel it very appropriate for me to reproduce it. I shall incorporate in it, if the Senate will permit, statistics and facts to make the

picture a photograph of present conditions, to be compared with conditions which existed in 1896—something on the order of "before and after taking"; or TILLMAN on conditions in 1896 and those conditions now, brought down to date.

The growth of wealth in New York has been marvelous, and all thoughtful men must realize that the processes by which this wealth has been taken from the producers and transferred to the pockets of those Wall Street sharks have been both morally and legally wrong. The unscrupulous methods which have been used are nothing but robbery, pure and simple.

Charles Francis Adams's retrospect is for 60 years; mine for only 18.

When I came to the Senate 18 years ago I was looked upon as an ultra radical and semi-anarchist, and the plutocratic press have never ceased to hold the prejudice they then imbibed against me, though of recent years they have become more liberal—some of them even generous—in their comments about my personal characteristics.

One point that will strike everybody—and it is a most important one—is that the income tax which the Supreme Court then declared unconstitutional has just been enacted into law, the Constitution having been amended so as to make it lawful for Congress to do it.

We have had a great howl in the Senate about the inequality and injustice of the income tax. Some eastern Senators have lamented the wrong done to their constituents, the well-groomed and well-fed rich men and millionaires, who will have to contribute to the expenses of running the Government because of this tax. They have spoken about the injury done their "people"—"my people" collectively—seemingly unconscious of the fact, which is very patent to anyone, that while the well to do in New England and the Middle States will bear most of the burden of the income tax, these very men have been robbing their fellow citizens, who are workingmen, and keeping them poor. These rich men have systematically milked the poor man's cow in the East just as constantly as they have milked the farmer's cow in the West and South, but they have been shrewd enough to make them believe the contrary. They have appealed to the poorer classes to vote with them to keep the Democrats out of power, and have succeeded until the last election.

I do not believe that these poor men can be longer bamboozled into voting against our Democratic President and his policies by any such claptrap or illogical appeals in future. The time is coming very rapidly when the poor men everywhere will line up at the ballot box against wrong and oppression without regard to party, and a demand for laws which will secure equality of opportunity with equality of burden will be made in thunder tones.

The Democratic platform at Chicago, instead of declaring for a revision of the Constitution, attacked the Supreme Court, asserting that it needed reforming more than the Constitution. But whatever may be the opinion now on that subject—for men will differ—we have just enacted an income-tax law graduated as it should be and cumulative; and the enormous fortunes which have been created by reason of Republican favoritism and class legislation are going to bear their just share of the burden of maintaining this Government. I predict this is only a beginning. An inheritance tax will follow soon.

It is peculiarly gratifying to me to have lived long enough to see this consummation; and I congratulate my brother Democrats throughout the United States on the victory for the people which has at last come. I did my share of the fighting while I had strength and health. I am enjoying to the limit of my ability the victory which we won; and, like an old soldier fallen on the battle field, ill, though not yet dead, I love to think I can hear the shouts of victory; and want to raise one myself—a regular war whoop!

But we have only just begun to undo the deviltry which has been perpetrated by the Republican Party during and since the war. Let us continue the good work until we enact laws which will insure the country against manufactured panics, such as was produced in 1907, and against the robberies of trusts and monopolies. The Republicans have heretofore been shrewd enough to play one half of the working people and farmers against the other half under the plea of protecting American labor. They have preached this lie from every stump, while at the same time they were importing "pauper labor" from Europe by the millions to take the places of the American workingman and his family. The European laborer was called a pauper as long as he was on the other side of the Atlantic and held up as a scarecrow. To admit his goods to our markets was almost a sin against the Holy Ghost. But he became a pet as soon as he landed on this side and was turned into a Republican voter, giving the protected interests more Congressmen at Washington and more opportunity to rob the producers.

The tariff law, which we have just enacted, will have demonstrated, before the next general election, whether there is any foundation in the prediction made on the floor of the Senate about the ruinous consequences which would follow its enactment. With free sugar and free wool the cost of living is bound to come down, and such falsehoods will no longer influence the men who have ballots to protect themselves. Heretofore the ballots have been cast often directly against their own interests, and in favor of the plutocrats who had debauched the Government at Washington, causing laws to be enacted to make their wealth increase while the poor were growing poorer every day.

The "silver craze," as it was called in derision, has quieted down. Whether or not it was a "craze" at all and whether the world will not be compelled to remonetize silver only time can tell. The "goldbugs" promised all sorts of blessings to the country if the gold standard was maintained. But somehow the high cost of living continues to climb, the poor people are getting more and more restless, and many are becoming angry. Some of them are almost desperate and hopeless of any relief.

I do not know myself what is wrong with the world, but I do know this: The unrest is growing daily and socialists multiplying apace, and Congress should set itself honestly and earnestly to the task of righting things and furnishing relief. Charles Francis Adams's address will throw a great flood of light from the viewpoint of that distinguished publicist and patriot now verging on 80 years.

The essential parts of the Democratic platform of 1896 are going to be enacted into law sooner or later, I firmly believe.

The people have chosen a wise and patriotic leader, who will neither betray nor sell them out. Woodrow Wilson is "making good" every day of his life and will go down in American history as one of the greatest of our Presidents. Let all laggard Democrats, if there be any, buckle on their armor and fall into line under his leadership; and let us move forward toward the restoration of our Republic, to Lincoln's grand and glorious ideal, "a Government of the people, for the people, and by the people."

The VICE PRESIDENT. Is there objection to the request of the Senator from South Carolina that the matter referred to by him be published in the RECORD and also as a public document? The Chair hears none, and it is so ordered. (S. Doc. No. 210.)

The matter referred to follows:

[From the New York World, Sunday, March 1, 1896.]

"TILLMAN'S BLAST—THE FARMER ICONOCLAST AMONG WALL STREET MONEY KINGS—HIS PARABLE OF THE COW—FED ON FRUITFUL FARMS OF THE COUNTRY, BUT MILKED ONLY BY EASTERN SPECULATORS—TWO CARTOONS OF HIS OWN DESIGN—THE KIND OF ARGUMENT WHICH MADE TILLMAN FIRST GOVERNOR AND THEN SENATOR FROM SOUTH CAROLINA—CLEVELAND AND THE 'MONEY POWER'—ELECTED AS A PROTEST AGAINST GOVERNMENTAL PARASITES, BUT HAS ADDED TO THEIR POWER.

"A STRANGE FIGURE APPEARED IN WALL STREET ON MONDAY MORNING AND WANDERED WITH THE CROWDS THAT ROARED BETWEEN THE TOWERING BUILDINGS—A TALL, STRONG MAN WITH BROWN, SHAVEN FACE, NAPOLEONIC FEATURES, AND A SINGLE FIERCE EYE. THE BLACK SLOUCH HAT WAS PULLED DOWN IN FRONT AND TURNED UP BEHIND. THERE NEVER WAS A MORE STRIKING FIGURE SEEN IN THE CITADEL OF THE MILLIONAIRES, NOR ONE OF DEEPER SIGNIFICANCE. AS HE STOOD IN FRONT OF THE SUBTREASURY, GRIMLY EYEING THE OFFICE OF J. PIERPONT MORGAN, A FEW MEN TURNED AROUND TO LOOK A SECOND TIME AT THE DARK, ALMOST SAVAGE COUNTENANCE. BUT NONE IN THAT VAST, RESTLESS MULTITUDE SEEMED TO RECOGNIZE SENATOR BENJAMIN RYAN TILLMAN, WHO HAD COME TO NEW YORK TO WRITE UP WALL STREET FOR THE WORLD.

"'SO THAT'S WHERE MORGAN LIVES, YONDER!'

"THE ONE EYE BURNED WITH A SUDDEN ENTHUSIASM. THE VOICE WAS SHRILL AND HARSH. THEN THE SENATOR TURNED AND GAZED AT TRINITY CHURCH, STANDING LIKE A BENEDICTION AT THE TOP OF THE STREET.

"'HOW MUCH DID YOU SAY TRINITY CHURCH HAS ACCUMULATED?'

"'MORE THAN A HUNDRED MILLIONS.'

"'AND SO MUCH POVERTY! SO MUCH SUFFERING! IT'S VERY STRANGE.'

"WITH A SIGH THE SENATOR STRODE ACROSS TO THE STOCK EXCHANGE, CLIMBED UP TO THE GALLERY, AND PEERED DOWN AT THE

SWIRLING, SHRIEKING SPECULATORS ON THE MAIN FLOOR. THE LINES IN HIS FACE DEEPENED.

"'I HAVE BEEN HERE BEFORE,' HE MUTTERED. 'I CAME AS GOVERNOR OF SOUTH CAROLINA TO SELL THE BONDS OF MY STATE. I KNOW WHAT A HORDE OF WOLVES THEY ARE. THESE ARE THE MEN WHO HAVE THE NATION BY THE THROAT.'

"SO FOR TWO DAYS SENATOR TILLMAN WENT ABOUT IN THE STRONGHOLDS OF THE MONEY KINGS OF AMERICA SEARCHING FOR FACTS.

"'THERE ISN'T A DROP OF PATRIOTIC BLOOD IN THIS CROWD,' HE SAID. 'AND YET IT WRITES THE LAWS AND CONTROLS THE POLICY OF THE COUNTRY. NOTHING BUT A REVOLUTION CAN OVERTHROW THE MONEY POWER. WE MUST TRY THE BALLOT BOX FIRST, AND THEN IF WE FAIL—BUT I HAVE SAID IT ON THE FLOOR OF THE SENATE. THE AMERICAN SPIRIT IS NOT YET DEAD, THANK GOD, AND YOU FELLOWS IN NEW YORK WILL SOON HEAR FROM THE SOUTH AND THE WEST.'

"AND PRESENTLY THE SENATOR SAT DOWN IN DELMONICO'S TO SEE THE YOUNG AND OLD BUCKS EAT AND DRINK THE WEALTH CREATED BY THE TOILERS. WHEREAT HE RETURNED TO HIS HOTEL AND WROTE WHAT HE HAD TO SAY.

"THESE ARE THE VIEWS WHICH TILLMAN HOLDS. THEY HAVE MADE HIM GOVERNOR OF SOUTH CAROLINA AND UNITED STATES SENATOR—THE IDOL OF THE CAROLINA FARMERS. THE WORLD HAS OBTAINED AND NOW PUBLISHES HIS OPINIONS, BUT DOES NOT INDORSE THEM.

"SENATOR TILLMAN'S VIEWS—HIS VISIT TO WALL STREET AND HIS OPINION OF ITS POWER IN THE WHOLE COUNTRY.

"Wall Street is a term in very common use, and most people have an essentially clear idea as to its meaning. As understood by the masses, it stands for what has come to be known as the money power, the force exerted by aggregated capital.

"There is at this time a double interest attaching to the term 'Wall Street' by reason of the fact that everything of a political nature indicates that the struggle for the mastery of this country—whether the people shall govern it or whether money shall govern it—is approaching a climax.

"The financial question and its settlement is now the uppermost one in the minds of men. Interested persons may attempt to push it aside and belittle it and to substitute other issues for it, but in the coming presidential election it must be the issue.

"Feeling thus, and having had cause recently to give expression to my ideas and opinions in the Senate in no uncertain terms and no uncertain manner, I have thought it well to ask the use of the columns of America's greatest newspaper with a view to presenting phases of the question with more clearness than was possible on that occasion.

"With that purpose in mind I have devoted during the past week a couple of days to the gathering of some facts by a personal visit to New York and to Wall Street. It so happened that during my term as governor of South Carolina I had the opportunity while negotiating for refunding our State debt to study the methods employed by those who manipulate and control the complex machinery by means of which a few men, not exceeding 500, have laid the industries, the politics, and, in fact, the Government of this country under tribute and are gathering for themselves wealth beyond computation in a period of time so short as to stagger belief.

"For the reader unfamiliar with New York City it is well to give a brief description as to what Wall Street, taken as a district of New York City, really is to the eye. When Manhattan Island, on which New York stands, was first settled by the Dutch, they chose to locate on its extreme southern point, where meet the East and the Hudson Rivers. A town grew up, composed of a network of irregular, crooked streets, without seeming order, and all very narrow.

"A few hundred yards up Broadway from Battery Park, where the historic Castle Garden, now transformed into a public aquarium, still stands, is Trinity Church. In the small graveyard surrounding it repose the bones of Alexander Hamilton, Capt. Lawrence, of 'Don't give up the ship!' memory, and other great historic characters.

"When a note is struck on Trinity's chimes it is carried into every office and institution in the Wall Street district, for that district is so small that from Trinity's spire it appears to lie directly beneath. The office of Russell Sage looks right out over the old burying ground, and a dingy office it is, in a dingy building, where this one of the great money kings of America, sits and cuts his coupons and calls his high-rate loans. Casting their shadows on Trinity when the morning sun rises in the east stand the great office buildings, running over 20 stories in height in some cases, in which some of the great trust companies and banks have invested portions of their enormous surplus and in which they have their homes.

"Directly in front of Trinity's bronze portals—the gift of an Astor—opens Wall Street proper, a narrow, asphalted thoroughfare, less than one-third of a mile long and banked on either side with massive stone structures, some of great height. One of these is the Stock Exchange, which also has entrances on Broad Street and New Street, a block or two of which streets may be included in the Wall Street district, as can a block or two of Nassau Street, where a large number of the richest banks and trust companies in the land have their headquarters.

"Just across from the New Street entrance to the Stock Exchange stands the Consolidated Exchange, where a stock-gambling game of the same character is carried on, but on a rather smaller scale. Within easy gunshot of both, were it not for the obstruction that the buildings offer, are the Produce Exchange and the Cotton Exchange, where the products of the country, representing the toil of millions of farmers and other workers, are tossed up or down in prices according to the whims or interests of the greedy gamblers.

"Strange to say, the most insignificant of all the structures on Wall Street proper—or, at least, the lowest and one which would be the most insignificant were it not for its massiveness—is the subtreasury of the United States, at Wall and Broad Streets. In front of it stands the bronze figure of Washington, on the very spot where he took the oath of office when sworn in as the first President of the United States.

"Just across the way is the office of Morgan & Co. The office of the Sugar Trust is down the street a few hundred feet, just beyond the customhouse. In the immediate vicinity of the subtreasury are to be found the offices of the largest private banking houses of this country, the representatives of the foreign houses, and the headquarters of the bullion dealers.

"So much, by way of explanation as to localities. I propose now briefly to outline the methods by which the millions of honest toilers throughout this country are laid under tribute and their earnings absorbed by this devilfish generally known as Wall Street.

"It has been said that if anything is more timid than $1,000,000 it is $2,000,000, and sad experience has shown that if there is anything more greedy and tyrannical, more insatiate and remorseless, than $50,000,000 it is $100,000,000. Enough is an unknown word in the vocabulary of those who own this much capital. Their cry is 'More! Ever more!'

"The great power and influence of Wall Street, which has doubled and quadrupled and become more and more appalling, was laid during the war, when by the establishment of the national banks and the control of legislation in their interest, together with the speculations in gold and national securities, a few hundred men, utterly lacking in patriotism and without any regard for the public welfare, seized the Government by the throat and threatened it with bankruptcy and paralysis if their demands were not granted.

"Enormous fortunes multiplied. The owner of a million soon found himself possessed of many millions. Money bred money by reason of the violent fluctuations in the national credit as the fortunes of war changed on the battle fields of the South.

"The greenbacks, which were the salvation of the Union, were speculated in daily. The National Treasury, under stress of war, was forced to exchange bonds for them, and as soon as the war terminated the schemers set about securing legislation, under the pretense of strengthening the public credit, looking to the payment of the bonds in coin.

"This did not satisfy them, however. In a brief time the demonetization of silver followed, and ever since the fell purpose of those who have conspired together has been to force payment in gold.

"The national banks have received interest from the Government on the bonds. They have received interest from the people on the notes based on those bonds. Thus the industries of the country have been laid under double tribute for the benefit of these pets. No wonder they have grown rich enough to buy steel yachts while the poor are sweating for a bare living.

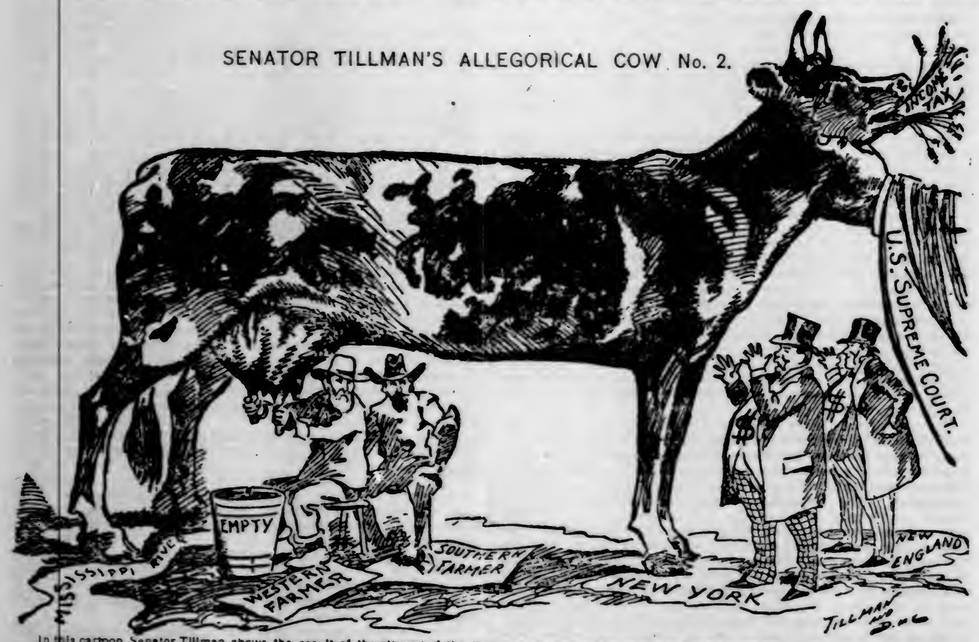
"The banking business of New York is concentrated in the New York Clearing House, which is simply a trades-union of all the banks, and has palatial quarters within a stone's throw of Wall Street. These 66 banks (63 banks and trust companies in 1912) have aggregate capital of about $61,000,000 ($179,619,000 in 1912), and in addition they have a surplus and accumulated profit of $73,000,000 ($300,145,700 in 1912). They hold on deposit from customers about $490,000,000 ($1,788,619,000 in 1912). They have loaned out at interest about $460,000,000 ($1,946,186,000 in 1913). Their cash on hand consists of about $64,000,000 ($336,335,000 in 1912) in gold and $87,000,000 ($78,044,000 in 1912) in paper money. Their holdings of silver are quite insignificant, for it is an understood practice among them never to offer silver money or silver certificates one to another in payment of balances. The New York Subtreasury is a member of the New York Clearing House, and is equally careful in boycotting silver and never offers it in daily settlements with banks. This notwithstanding the fact that all our Government obligations are payable in coin, silver as well as gold.

"The aggregate bank clearings in exchanges of checks for 1895 was $30,000,000,000 ($100,743,967,000 in 1912) in New York City alone. In all the other clearing houses in the country the aggregate for the same time was $23,500,000,000 ($74,170,264,000 in 1912). New York does more money exchanging than all the rest of the country, and the man who handles money takes care that plenty of it sticks to his fingers, and the New York bankers

SENATOR TILLMAN'S ALLEGORICAL COW.

This cartoon, designed by Senator Tillman, shows his idea of the present American situation. The cow, symbolical of national resources, is feeding on the produce of the farmers of the West and South, while her golden milk is all drawn by the "sharpers," gamblers, and speculators in Wall Street.

SENATOR TILLMAN'S ALLEGORICAL COW No. 2.



In this cartoon Senator Tillman shows the result of the attempt of the farmers to turn the big cow around, to let her feed on income tax in the East while they should milk her in the West and South. But the cow, as Senator Tillman draws her, was not a reversible cow. As soon as she tried to feed on income tax the Supreme Court seized her by the throat as a reminder that she must do her eating exclusively in the agricultural regions. The farmers in the West are disappointed and get no income-tax milk.

are no exception. The Chemical Bank has for years paid 150 per cent annually on its capital, and another bank has paid 100 per cent, and the average of all is a very high one.

"In 1895 the New York Stock Exchange, which is an unchartered body—a mere club, in fact—and entirely independent of the obligations of a corporation to State and Federal law, bought and sold 66,440,576 shares of stock (131,128,425 in 1912), of an average par value of about $6,000,000,000 ($11,562,129,835 in 1912). In addition $500,000,000 ($675,213,500 bonds of all kinds in 1912) of railroad and State bonds were sold and about $16,000,000 of Government bonds.

"The two latter classes of securities are largely dealt in over the counters of banking houses, so the figures do not represent all transactions. Besides, there is another exchange within the Wall Street precinct actively engaged in the same line of manipulation. There are now listed on the New York Stock Exchange a par value of $4,067,210,334 in stocks and $5,122,092,469 in bonds of various classes. In 1895 about $500,000,000 in new issues of securities were placed or sold. Of these, $125,000,000 were purchased abroad and $375,000,000 were purchased or placed here. This includes the Morgan Government-bond syndicate issue of February, 1895. Present par value of stocks and bonds listed not obtainable.

"But this is only one phase of the matter. It is only one of the many schemes that have been invented and carried to success by the harpies who frequent the gambling dens known as the stock exchanges. The products of labor throughout the country have been manipulated from Wall Street as a center so that those who produce the wealth receive as little as possible, while the men represented in and by Wall Street have continued to amass wealth at an unexampled rate. Speculation drives prices down when farmers have to sell and drives prices up after the farmers' products have passed into other hands.

"Cotton, wheat, and other staples have been governed in prices by futures and not by the natural law of supply and demand. Prices have been raised or depressed as this syndicate of bankers and brokers have sold the market up or down. There are now several hundred industrial trusts, the principal ones being listed in Wall Street—all founded on the simple principle of founding a monopoly, minimizing the cost of production, and forcing the prices to the consumers to the highest possible point.

"An illustration or two:

"The American Sugar Refining Co. is a New Jersey corporation, intended to monopolize the entire sugar trade of the country, which it most effectually does. It has an outstanding stock issue of $75,000,000. This is supposed to represent the value of their several refineries and tools of trade. It really represents the amount of money on which the sugar barons desire the American people to pay tribute. The Havemeyers and others engaged in the sugar-refining industry in 1887 turned their properties into the Sugar Refineries Co. and took stock in the concern to the extent of two or three times the actual value of their plant.

"In other words, according to competent experts, an appraisement of the properties comprising the present company would show an actual value of about $25,000,000. The trust, in order to pay its princely dividends of 1 per cent per month, is extorting from the masses a tribute which would be wholly unnecessary if it were working on an honest basis. Even now it is claimed in Wall Street that the trust has invested in cash no less than $11,000,000 in raw sugars. The management hold their sessions in secret, and no one but the Havemeyers and their intimates are permitted to know anything as to the profits, investments, or anything else to which stockholders are justly entitled.

"Even more outrageous is that great combination of capital known as the Coal Trust.

"The entire hard-coal district is comprised within a very limited area. That area is traversed by the lines of 11 railroads, known as 'the coalers.' They have formed a combine and control absolutely the entire matter of coal consumption. Many of them own large areas of coal lands and are miners as well as transporters. There are a large number of private miners, but they are entirely under control of the roads embraing the coal combine, since they can get no transit to market or tidewater except over these roads.

"Once each month the sales agents of these roads meet and fix upon the output of coal for the coming month and the price at which it shall be sold. This combine includes several roads now in the hands of receivers, and therefore under the control of the United States courts.

"These roads enter into the agreements and are as greedy for their share of the coal output as any of the others. The output and price is fixed by the weather and the demands of trade, and is generally about as much as the roads think they can squeeze out of the public. The consumption is about 40,000,000 tons a year, so that a rate of only 10 cents a ton means an extra $4,000,000 a year in the pockets of the coal barons. A dollar means $40,000,000 a year.

"A private mine owner is compelled to turn over his coal to the railroad company at their price as soon as it comes from his pit. Any attempt on his part to send it to market and sell it at his own price would be met by a refusal to give him cars in which to transport it.

"The farmers of the land, representing many millions of people, after long agitation and enormous petitions, have sought in vain to get Congress to stop this nefarious traffic. The cotton, produce, and other exchanges, whose members number less hundreds than there are millions of farmers and persons dependent on farmers, have outweighed in the councils of the Nation at Washington the cry for relief that has come from the sufferers.

"Yet there are statutes which make it obligatory upon the Attorney General of the United States to protect the people against these unjust combinations. How many suits has he brought? Not one.

"What further proofs do we need that the Government at Washington is absolutely controlled by the money power of Wall Street, and that the President, the Cabinet officers, the Senators—for many of whom seats are purchased—the Congressmen, and the courts are the tools and agents of the octopus which has its tentacles fastened upon the people throughout this vast country, sucking their substance year in and year out.

"Following close on the heels of the demonetization of silver came the resumption of specie payments, entailing an enormous contraction of the circulating medium. These two causes have steadily hammered prices down, until to-day they are lower than at any time within the last three centuries. The masses of the producers throughout the country, the men who create its wealth, are being rapidly pauperized. Farmers who have struggled to obtain homes are driven to the most desperate straits to keep from losing them, or have already lost them, while these financial vampires, who produce nothing, are reveling in wealth undreamed of in any past age of the world's history.

"We are rapidly coming to be a country in which what should be a large, well-to-do, contented class of yeomen, such as must ever be the strength of a nation, are hopelessly staggering under burdens of debt, with no prospect of relief—slaves bound to the soil by mortgages.

"The growth and development of the United States since the war has been the wonder of the world. One of the most remarkable things in connection with that development has been the expansion in railroad building.

"Who owns these roads, and in whose interests are they run? Built, as many of them were originally, by the aggregation of capital in small amounts from genuine stockholders, they have been absorbed in a manner almost phenomenal, until to-day it is safe to say that three-fourths of the railroad mileage of the country is owned and controlled by a few score of men, most of whom have their offices on Wall Street.

"How could such things happen, will be asked? They simply stole them; that is all.

"The railroads of the land are now represented by a capital stock of $5,150,000,000 ($8,582,463,256 in 1911), a funded or bond debt of $5,700,000,000 ($10,989,608,551 in 1911), and a floating debt of nearly $400,000,000. The gross earnings per year is now about $1,100,000,000 ($2,848,468,965 in 1911), leaving, after paying operating expenses, net earnings of about $325,000,000 ($903,219,137 in 1911). This is divided into interests on bonds of about $235,000,000 per year ($377,973,479 in 1911), and dividends on stock of about $85,000,000 ($316,402,684 in 1911). The passengers carried reach nearly 600,000,000 a year (1,019,658,605 in 1911), and the freight traffic is nearly 700,000,000 (1,817,562,049 in 1911) tons a year.

"Every cent of the enormous income from this leading industry of the country comes directly from the people. An examination would show that the money honestly expended in the production of all railroads and their equipments is but a tithe of the capital nominally invested in them; the rest is water, pure and simple; but it figures as 'invested capital,' as 'vested interests,' upon which the capitalists claim the protection of the courts and the whole Government machinery, and always get it.

"No better illustration of the power exercised by the monopolists is needed than the history of the West Shore enterprise of New York State. The Vanderbilts and their cohorts, up to the time the West Shore road was started, held the merchants and the agriculturists in an iron grasp, dictating rates and conditions for the handling of traffic with absolute despotism. The prospect of a competitive line reaching from New York to the Lakes put the New York Central people on their mettle, and from the very inception of the former, measures were taken to crush it out.

"After the new line had been completed every obstacle possible was thrown in the way, and the road finally went into bankruptcy, a condition which had been regarded as inevitable by everyone who at the time was acquainted with the tactics of the Vanderbilts. When the West Shore became hopelessly involved, the Vanderbilts, through Mr. J. P. Morgan, gobbled it up at their own price.

"Those who had put money into it were crowded out, all competition was crushed, and the business interests of the State placed under the Vanderbilt control as completely as ever. The Vanderbilts and their friends were the only ones who profited by the deal, which is only one of a hundred carried through successfully, despite public sentiment, and without interference from the courts and judges whose duty it was to interfere.

"Take another case that is local to New York City:

"For years New York City pleaded for rapid-transit facilities, and two companies were created to supply them, one taking the east and one the west side of the city. The Metropolitan road ran up Sixth Avenue and the New York Co. took the Third Avenue route. Each issued stock to the amount of $6,500,000, together with a small lot of bonds. This amount was put in cash in the roads.

"Wall Street saw the possibilities of profit in rapid transit, and proceeded to take advantage of it. The first step was to consolidate the two roads, not by adding the two capitals together, making $13,000,000, but by creating a new company, called the Manhattan, merely to take the lease of the other two roads.

"This lease had such large prospective earning capacity that it was capitalized at $13,000,000, making a total of $26,000,000, of which one-half was clear water or wind. It represented no investment in the property, and was merely so much stock printed to order, to be unloaded on an innocent public.

"For months before the amalgamation of the roads they were the center of a cyclone of villification and abuse until the stocks were pounded down to 17 cents on the dollar. Once the property had passed into Jay Gould's hands it was manipulated upward until it reached 175, and then in a day, because of a quarrel between Cyrus W. Field and the Gould interest, it fell 20 points.

"It has been a favorite gambling stock since then, being specially useful in cases where deals were made with local politicians, they being let in with points on the market in return for the granting of public privileges.

"It can not be gainsaid that Congress has legislated steadily in the interest of the corporations and to curtail and restrict the power of the States in controlling the railroads and protecting the small investors and shippers. The machinery of the Federal courts has been the main engine in the robbery and ruin. During the past 30 years, with very few exceptions—and I speak of the exceptions to the honor of the few judges who have withstood the almost overpowering temptations with which they have been beset—the decisions of the Supreme and Circuit Courts have been uniformly against the people and in furtherance of the aims of those who have stolen, under forms of law, the larger portion of this railroad property from its original owners.

"The reason why the Federal judiciary has been thus antagonistic to the best interests of the country and to justice is that the judges are almost uniformly selected from among corporation attorneys, and I have no doubt their names have been frequently suggested or dictated to the President for appointment by the corporations.

"In addition to this, the raw products hauled to market, together with the manufactured products transported to the interior in exchange, have had to pay freight far in excess of what is reasonable, in order to yield a fair dividend on the capital originally invested. This in spite of the fact that the interstate-commerce law was passed by Congress essentially with a view to the control of the extortions of railroads in handling freight and to prevent discriminations and rebates.

"The United States Treasury is run as though it were a private corporation. The Secretary of the Treasury goes to New York when called upon by his masters to receive instructions. His deputies are constant visitors at the offices of the men who control the Treasury from this city.

"It is notorious—at least, it was generally reported in the newspapers—that Mr. Cleveland, in the early part of 1893, said that Wall Street had the country by the throat. We would have naturally looked to a man who appreciated that fact, and who sought to loosen Wall Street's grip on the country's throat, to have selected other advisers than men who are the leaders and directors in Wall Street.

"But he coolly and deliberately opened the doors of the Treasury and bid those leaders in Wall Street enter and work their own sweet will.

"There have already been issued $262,000,000 of bonds to add to the burdens of the already desperate taxpayers, and the end is not yet. Still, we are told that the financial question will not be an issue in the next campaign.

"The best illustration of the existing conditions, and one which will appeal directly to every farmer in the United States, is a picture which I will draw. The idea, however, is not original with me.

"Spread the map of the United States before you. Let us consider, for purpose of illustration, that there is an enormous milch cow, so large that she can reach halfway across the continent. Suppose her mouth to be in the Mississippi Valley, and see the myriad wagons and freight trains of that granary of the world in motion to transport into her capacious maw all the surplus products of the farms of the South and West.

"It is a never-ending stream, and the sturdy toilers in the field, with brawny arms and sun-browned, toil-stained faces, push forward with the products of their labor to satisfy her omniverous appetite.

"So much food should produce some milk. But where is her udder? Stretch one of her legs back in the usual attitude for milking, so that it will rest in New England. The other hind leg will rest in New Jersey.

"The bag hangs over Manhattan Island. See the streams of rich, golden milk drawn from the udder of that great cow. The farmers feed and ever feed. The milk streams into the receptacles of the capitalists—the bankers, brokers, and speculators of Wall Street.

"How much longer, O benighted sons of toil, will you feed that cow? You are getting no milk. How much longer will you vote like dumb, driven cattle without considering why you vote or for whom you vote?

"Let us reverse this picture. The last Congress, after a bitter struggle, passed an income-tax measure. The idea was to have wealth bear some proportionate share of the burdens of government. From those who had much it was intended to take just a little.

"Congress turned the great milch cow around and placed her head in New York and her udder at Washington. What happened? The Supreme Court of the United States took the cow by the throat, choked it to death, and the poor farmers standing at gaze have not yet recovered from their amazement.

"No milk!

"How much longer will the farmers submit to have the Supreme Court, which has become the tool and instrument of the oppressors, make the few more wealthy and the millions poorer?

"On this very island of Manhattan an Astor owns 11,000 houses, I have been told. We are asked to fortify New York Harbor to protect this property from destruction by a hostile fleet. Astor has quitted his country and moved to England, but the Supreme Court of the United States tells us we can not tax his income on his New York property.

"When will the American people have enough?

"BENJAMIN R. TILLMAN."

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. OVERMAN. I ask unanimous consent for the consideration of House bill 7898, the urgent deficiency appropriation bill.

Mr. BACON. I ask the Senator from North Carolina if he will not consent before that is taken up to act on House bill 7384, to authorize the payment of an indemnity to the Italian Government for the killing of Angelo Albano, an Italian subject. The bill was reported yesterday from the Committee on Foreign Relations. It makes provision for the payment of an amount agreed upon between the United States Government and the Italian Government to compensate for the killing of an Italian in Florida by a mob. The two Governments have agreed upon the amount and the Italian Government does not understand why it is that the money can not be paid. It was reported yesterday and is now on the calendar. The bill has already passed the House.

Mr. OVERMAN. I should like to consent to anything the Senator from Georgia wants, but I can say to the Senator that that bill will take considerable debate.

Mr. BACON. It is not liable to lead to any debate at all.

Mr. OVERMAN. There will be an amendment offered to it.

Mr. BACON. No.

Mr. OVERMAN. There will.

Mr. SHEPPARD. I call attention to the claims of certain American citizens growing out of injuries to Americans on the border between this country and Mexico resulting from battles near the line. These claims are as meritorious as this Italian claim and should have equal consideration.

Mr. BACON. Did these Mexican claims pass the House?

Mr. SHEPPARD. No; but they have been favorably reported by the House Committee on Foreign Affairs, if I am correctly informed, and they have passed the Senate on a former occasion.

Mr. OVERMAN. Those claims will be offered as an amendment to that bill.

Mr. BACON. This is an international matter and the two Governments have agreed upon the amount.

Mr. OVERMAN. There is no reason why the Senator should not wait and call up the bill after the appropriation bill has been disposed of.

Mr. BACON. I will state very frankly to the Senator what I want to do is to have the amount placed on the pending deficiency appropriation bill.

Mr. OVERMAN. Then the Senator can offer it as an amendment.

Mr. BACON. I suppose I could offer it, but necessarily it would go out on a point of order. I may say that it has already passed the House and no doubt it will pass the Senate. It is a very small matter, but delay is likely to produce a little friction between the Governments. The amount has been agreed upon between the two Governments, and it seems to me it would be very proper to make an exception in a case of this kind.

Mr. OVERMAN. I hope the Senator will not insist on it now. I shall press the consideration of the appropriation bill.

The VICE PRESIDENT. The Senator from North Carolina moves that the Senate proceed to the consideration of House bill 7898, the urgent deficiency appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7898) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes, which had been reported from the Committee on Appropriations with amendment.

Mr. OVERMAN. I ask unanimous consent to dispense with the formal reading of the bill, and that it be read for action on the amendments of the committee.

The VICE PRESIDENT. Is there objection? The Chair hears none. The formal reading of the bill will be dispensed with, and the bill will be read for amendment, the committee amendments to be first considered.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, on page 1, after line 7, to insert:

BOTANIC GARDEN.

For assistants and laborers, under the direction of the Joint Committee on the Library, $630.21.

The amendment was agreed to.

The next amendment was, at the top of page 2, to insert:

For procuring manure, soil, tools, fuel, purchasing trees, shrubs, plants, and seeds; and for services, materials, and miscellaneous supplies, and contingent expenses in connection with repairs and improvements to Botanic Gardens, under direction of the Joint Committee on the Library, $276.44.

The amendment was agreed to.

The next amendment was, on page 2, after line 5, to insert:

For general repairs to buildings, heating apparatus, painting, glazing, repairs to footwalks and roadways, general repairs to packing sheds, storerooms, and stables, under the direction of the Joint Committee on the Library, $324.44.

The amendment was agreed to.

The next amendment was, under the head of "Civil Service Commission," on page 2, line 13, after the word "examinations," to strike out "$30,000" and insert "$25,000"; in line 16, after the word "commission," to strike out "$9,000" and insert "$4,000"; and in line 17, after the words "in all," to strike out "$39,000" and insert "$29,000"; so as to make the clause read:

Examination of fourth-class postmasters: For necessary additional office employees, printing, stationery, travel, contingent, and other necessary expenses of examinations, $25,000; field examiners at the rate of $1,500 per annum each, for work in connection with members of local boards and other necessary work as directed by the commission, $4,000; in all, $29,000, to be available during the fiscal year 1914.

Mr. BRISTOW. As to the field examiners at the rate of $1,500 per annum, let me inquire what is the nature of the field examination?

Mr. OVERMAN. I want to be frank with the Senator, and I was just about to make an explanation. I move to add, after the words "nineteen hundred and fourteen," in line 18, at the end of the paragraph, the words "*Provided*, That hereafter," and to transpose section 4, on page 70, the last page of the bill, so as to come in after "That," so as to read:

Provided, That hereafter any deputy collector of internal revenue or deputy marshal—

And so forth.

If the Senator from Kansas will look at the last page of the bill he will see where this amendment appears and why, if it is adopted, the amendment already read should be adopted. If that amendment is not adopted, I will ask to restore the amount stricken out by the committee. In order to have them considered together I move this amendment to the amendment of the committee. Let the Secretary read it so that all may understand it.

Mr. BRISTOW. I think the Senator from North Carolina misunderstood me. I was inquiring about the item for the examination of fourth-class postmasters under the Civil Service Commission.

Mr. OVERMAN. It includes not only fourth-class postmasters, but examinations as to deputy collectors and deputy marshals.

Mr. BRISTOW. Why should not those examinations be made by the Civil Service Commission? It is my understanding that fourth-class postmasters' examinations are conducted by the Civil Service Commission now.

Mr. OVERMAN. They are.

Mr. BRISTOW. This is an additional appropriation for the Civil Service Commission.

Mr. OVERMAN. Yes.

Mr. BRISTOW. I understand it now. I did not understand it.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 2, line 18, after the words "nineteen hundred and fourteen," add a colon and the following:

Provided, That hereafter any deputy collector of internal revenue or deputy marshal who may be required by law or existing regulations to execute a bond to the collector of internal revenue or United States marshal to secure faithful performance of official duty may be appointed by the said collector or marshal, who may require such bond without regard to the provisions of an act of Congress entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, and amendments thereto, or any rule or regulation made in pursuance thereof, and the officer requiring said bond shall have power to revoke the appointment of any subordinate officer or employee and appoint his successor at his discretion without regard to the act, amendments, rules, or regulations aforesaid.

Mr. BURTON. Mr. President, I raise a point of order on that amendment. It is substantive legislation.

The VICE PRESIDENT. The Chair rules that it is germane to an appropriation bill for the purpose of carrying out the provisions of the civil-service law.

Mr. BURTON. I should like to be heard briefly on that. This is a very material modification of the civil-service law. It does not have to do with appropriations save in the most indirect way. Let us notice this provision:

Any deputy collector of internal revenue or deputy marshal who may be required by law or existing regulations to execute a bond to the collector of internal revenue or United States marshal to secure faithful performance of official duty may be appointed by the said collector or marshal, who may require such bond without regard to the provisions of an act of Congress entitled—

And so forth.

It refers to the appointment and discharge of employees of the Government. It has no proper connection with appropriations.

Mr. OVERMAN. This is a decrease of the appropriation. If the amendment to the amendment is not adopted, then I will ask to restore the estimate asked for by the commission. We have decreased the appropriation for both in this amendment. In other words, if the amendment is adopted they will not need the amount of money estimated; but if the amendment is adopted it decreases the appropriation, and that makes it in order.

Mr. BURTON. How much does it decrease the appropriation?

Mr. OVERMAN. Ten thousand dollars.

Mr. BURTON. How does it decrease it?

Mr. OVERMAN. It decreases it by reducing the amount estimated.

Mr. BURTON. It is arbitrarily cut down.

Mr. OVERMAN. It is cut down because it will not be needed if the amendment to the amendment is adopted.

Mr. BURTON. How is any estimate arrived at by which $10,000 will be saved?

Mr. OVERMAN. There is an estimate of $40,000 to hold these field examinations, including fourth-class postmasters and others. Therefore, if these are taken out of the civil service, there will be $10,000 saved, and the committee decreased the estimate by $10,000, which decrease should stand if the amendment to the amendment is adopted.

Mr. BURTON. Mr. President, it seems to me this is clearly an attempt to make a very material modification in the civil-service law and in the service of those two branches of the public service—Internal revenue and United States marshals. The fact is these examinations for deputy United States marshals and deputy collectors of internal revenue are held at times when there are examinations of other officers who are not removed from civil service.

Ten thousand dollars is a most extravagant estimate of the amount that would be saved; but whether that is so or not, it is not the saving of the $10,000 that this amendment aims at. It is to remove these men from the civil service, where they have been for years past.

The argument in favor of this is that these men—deputy collectors of internal revenue and deputy marshals—have a special and peculiar responsibility to their superiors. But the question arises, To whom are these men responsible—the Government of the United States or their immediate superiors? Which are we to seek, efficiency and competency in the office or subserviency to the United States marshal and the internal-revenue collector?

I regard this as one of the most dangerous attacks upon the merit system which has been attempted for a long while.

We can afford, Mr. President, to take no backward step in maintaining a high standard in these positions. In many of the offices of the collector of internal revenue there are subordinates now acting who were appointed under one or the other administrations of Grover Cleveland, who are presumably Democrats. There is abundant opportunity to remove them if they are incompetent, if they are inharmonious with their superiors; but this amendment proposes at one fell swoop to take them out of the merit system and make them subject to the spoils system.

I desire to enter my emphatic protest against this change under the guise of an amendment that will, it is said, save $10,000.

Mr. OVERMAN. I understand the Chair has already ruled on the point of order.

The VICE PRESIDENT. It is not for the Chair to express any opinion as to the advisability or inadvisability of legislation, but it is for the Chair to rule whether an amendment is germane or not. The Chair rules that it is germane, on the statement of the Senator from North Carolina that the reduction in the appropriation makes it necessary to eliminate from examination by the Civil Service Commission the officers named in the proviso. As to the advisability of its adoption the Chair has no right to an opinion and expresses none, but the Chair does rule that the amendment is germane to the bill.

Mr. BRANDEGEE. Mr. President, I may be mistaken, but I understood the point of order raised by the Senator from Ohio [Mr. BURTON] was not whether the amendment was germane, but whether it was legislation upon an appropriation bill.

Mr. BURTON. That is true.

The VICE PRESIDENT. There is a rule of the Senate to the effect—and the Chair has already once ruled upon the question since the present occupant has been here—that the burden rests upon the Chair of determining whether an amendment is germane. Whether it is relevant is a question for the Senate to settle. The Chair does not know the difference between the two words.

Mr. BRANDEGEE. Mr. President, I make the point of order not that the amendment is not germane, not that it is not relevant, but that it is general legislation upon an appropriation bill and in contravention of the rule of the Senate.

The VICE PRESIDENT. The Chair states to the Senator from Connecticut that the opinion of the Chair is that the point of order raised by the Senator from Connecticut is identical with the point of order raised by the Senator from Ohio. Rule XVI, paragraph 3, provides:

No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received; nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto; and all questions of relevancy of amendments under this rule, when raised, shall be submitted to the Senate and be decided without debate.

Mr. BRANDEGEE. It appears, I think, that it is mandatory to submit the question of relevancy to the Senate, if it has been raised, but the question of relevancy not being raised, and the other portion of the rule being distinctly differentiated from the question of relevancy, the point of order raised is as to whether general legislation is in order upon an appropriation bill, and on that I would like a ruling of the Chair.

The VICE PRESIDENT. The Chair thinks that the ruling has already been made. In the opinion of the Chair this amendment is germane to the pending bill, and is therefore not general legislation.

Mr. BRANDEGEE. Mr. President, the Chair has just read to the Senate the rule, which states that the question of whether or not an amendment is germane shall be submitted by the Chair to the Senate.

The VICE PRESIDENT. No; the Chair did not.

Mr. BRANDEGEE. And the Chair has also read a rule, a part of which says that general legislation shall not be in order on an appropriation bill. That question of order not now being raised, I claim that it has nothing whatever to do with the question of relevancy or with the question of germaneness, and when the Chair states that he has already ruled upon that question, I respectfully beg leave to differ with the Chair. The Chair has not ruled whether general legislation is in order upon an appropriation bill.

Mr. BURTON. The Senator from North Carolina [Mr. OVERMAN] seemed to argue that this amendment is in order because it diminishes an appropriation. That is a rule of the other House, but while I may be ignorant of it I am not familiar with any rule of the Senate to that effect. The question has been very much discussed in the other House as to what was the scope of the provision that amendments were in order which diminish expenses or appropriations. I take it it is not intended to revolutionize the whole system of legislation. Why, the Senator from North Carolina will realize that we could abolish and repeal the whole civil-service law on the theory that it would save a thousand dollars in the expenses. You could bring in a provision for repeal on an appropriation bill; you could tack onto an appropriation bill a proposition that was of supreme importance.

Mr. OVERMAN. If it would save a million dollars to the country, and Congress decided that it would save a million dollars, could it not in any appropriation bill strike out the million-dollar appropriation and wipe out the system?

Mr. BURTON. No. If it is a matter of merit enough so that it will save a million dollars or accomplish any other important purpose, why not bring it in as you would any other legislation, and let us have a fair chance to discuss it as an independent proposition?

Mr. OVERMAN. I understand the ruling of the Chair has already been made.

Mr. BURTON. The ruling of the Chair has already been made.

The VICE PRESIDENT. The ruling of the Chair has been made. It is not general legislation, and the amendment is germane.

Mr. BURTON. Most respectfully I appeal from the decision of the Chair, and on that I call for the yeas and nays.

Mr. OVERMAN. I move to lay the appeal from the decision of the Chair on the table.

Mr. PENROSE. On that I call for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is, Shall the appeal from the decision of the Chair be laid on the table?

The Secretary proceeded to call the roll.

Mr. CLARKE of Arkansas (when his name was called). I am paired with the junior Senator from Utah [Mr. SUTHERLAND]. That Senator is absent. If he were present, I should vote "yea."

Mr. FLETCHER (when his name was called). I am paired with the Senator from Wyoming [Mr. WARREN]. I transfer that pair to the Senator from Maryland [Mr. SMITH] and vote "yea."

Mr. KERN (when his name was called). On account of the absence of the senior Senator from Kentucky [Mr. BRADLEY], with whom I am paired, I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. WEEKS (when Mr. LODGE's name was called). I desire to state, and to have this statement stand for the day, that my colleague [Mr. LODGE] is absent from the Senate on account of illness. He has a general pair with the junior Senator from Georgia [Mr. SMITH].

Mr. GRONNA (when Mr. MCCUMBER's name was called). I wish to announce that my colleague [Mr. MCCUMBER] is necessarily absent on important business.

Mr. REED (when his name was called). I have a pair with the Senator from Michigan [Mr. SMITH], and therefore withhold my vote. If I were permitted to vote, I should vote "yea."

While I am on my feet I desire to announce that my colleague [Mr. STONE] is necessarily absent for reasons which I stated yesterday. If he were present, my colleague would vote "yea." In his absence he is paired with the Senator from Wyoming [Mr. CLARK].

Mr. SMITH of Arizona (when his name was called). I have a pair with the Senator from New Mexico [Mr. FALL], and therefore withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. SMITH of Georgia (when his name was called). I have a pair with the senior Senator from Massachusetts [Mr. LODGE], who is absent. Under the terms of that pair I am not at liberty to vote unless my vote be necessary to make a quorum upon a question pending before the Senate. Were I at liberty to vote, I should vote "yea."

Mr. JONES (when the name of Mr. TOWNSEND was called). I desire to announce that the junior Senator from Michigan [Mr. TOWNSEND] is necessarily absent on official business. I make this announcement for the day. He is paired with the Senator from Arkansas [Mr. ROBINSON].

Mr. WALSH (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. LIPPITT] and therefore withhold my vote.

The roll call was concluded.

Mr. SHEPPARD. My colleague [Mr. CULBERSON] is unavoidably absent. He is paired with the Senator from Delaware [Mr. DU PONT].

Mr. TILLMAN (after having voted in the affirmative). I voted inadvertently a little while ago, and desire to withdraw my vote because I have a pair with the Senator from Wisconsin [Mr. STEPHENSON], who is absent.

Mr. SHAFROTH. I have a pair with the junior Senator from California [Mr. WORKS]. I therefore withhold my vote. If I were permitted to vote, I should vote "yea."

Mr. LEA. I transfer my pair with the senior Senator from South Dakota [Mr. CRAWFORD] to the senior Senator from Indiana [Mr. SHIVELY] and vote "yea."

Mr. KERN. I transfer my pair with the Senator from Kentucky [Mr. BRADLEY] to the Senator from Louisiana [Mr. RANSDELL] and vote "yea."

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. In his absence, I withhold my vote.

Mr. WEEKS. I desire to announce that the junior Senator from Illinois [Mr. SHERMAN] is unavoidably absent on account of business.

Mr. SMITH of Georgia. Mr. President, if there is no quorum voting, I shall exercise my right to vote under my pair.

The VICE PRESIDENT. A quorum has voted.

The result was announced—yeas 33, nays 15, as follows:

YEAS—33.

Ashurst	Hughes	O'Gorman	Swanson
Bacon	James	Overman	Thomas
Bankhead	Johnson	Owen	Thompson
Bryan	Kern	Perkins	Thornton
Chilton	Lea	Pittman	Vardaman
Fletcher	Lewis	Pomerene	Williams
Gore	Martin, Va.	Sheppard	
Hitchcock	Martine, N. J.	Shields	
Hollis	Myers	Smith, S. C.	

NAYS—15.

Brandegee	Gronna	Lane	Penrose
Bristow	Jackson	McLean	Poindexter
Burton	Jones	Nelson	Weeks
Goff	La Follette	Norris	

NOT VOTING—47.

Borah	Cummins	Ransdell	Smith, Mich.
Bradley	Dillingham	Reed	Smoot
Brady	du Pont	Robinson	Stephenson
Burleigh	Fall	Root	Sterling
Catron	Gallinger	Saulsbury	Stone
Chamberlain	Kenyon	Shafroth	Sutherland
Clapp	Lippitt	Sherman	Tillman
Clark, Wy.	Lodge	Shively	Townsend
Clarke, Ark.	McCumber	Simmons	Walsh
Colt	Newlands	Smith, Ariz.	Warren
Crawford	Oliver	Smith, Ga.	Works
Culberson	Page	Smith, Md.	

So the motion of Mr. OVERMAN to lay the appeal from the decision of the Chair on the table was agreed to.

The VICE PRESIDENT. The question recurs upon the adoption of the amendment to the amendment.

Mr. BRISTOW. Mr. President, before that amendment is adopted I want to make an observation. I can not understand why the majority in control of this legislation are not willing to leave it to the President of the United States to exempt officers from the civil-service rules. They have the Presidency, and control the executive branch of the Government. The President has the authority under the law to make exemptions from the civil service if he thinks that in the administration of the internal-revenue service such offices ought to be exempted. It is proposed here by legislation—and with due respect to the Senate and the Chair, I think in violation of the rules of this body—to exempt certain employees and mutilate the civil-service law. It is a deliberate attempt to cripple the civil service of the United States for partisan purposes, and for nothing else; it is an effort to get into the Public Treasury for pillage and spoils. This proposition is not in the interest of the public service; it is in the interest of political organizations that want to use public offices to promote political campaigns, and for nothing else. It is an outrage upon the civil service of the United States.

Mr. OVERMAN. Mr. President, in relation to this matter, I desire to put in the RECORD some opinions of Mr. Bonaparte and Mr. Wickersham, former Republican Attorneys General of the United States. There has been a long line of decisions of the Department of Justice to the effect that both deputy marshals and deputy collectors are to be differentiated from all other civil-service employees, and that differentiation has been made. It is said that those officers have no specified term. I desire to publish the opinions of the Attorneys General and ask permission to publish them in the RECORD.

A collector of internal revenue. I suggest to the Senator from Kansas, who gives to the Government a bond for $500,000 for the performance of his duty, must have certain deputies to carry out the law. The question is, Shall he have the right to appoint those deputies, who by the law are required to give a bond not to the Government but a bond to him? The collector is responsible.

Mr. BRISTOW. Let me ask the Senator if a postmaster does not have to depend upon different employees in the postal department to handle the cash for which he is responsible under his bond?

Mr. OVERMAN. Yes; but he has them right under his eye. When, however, a marshal sends a man to break up a counterfeiting camp he wants a man upon whom he can rely, and not some school-teacher who has passed a civil-service examination.

Mr. BRISTOW. Yes; that is the argument against the civil-service law.

Mr. OVERMAN. Not at all. I am as much in favor as is the Senator of the civil-service law as contended for by Pendleton and Blaine and such men; but when men have to go out sometimes and perform dangerous service, such as sheriffs have to perform, I do not think they ought to be under the regulations of the civil service; Mr. Blaine said so, and said that the law should never be carried to that extent. Mr. Pendleton, in his great speech upon the civil service, said it would never be carried to that extent. It is only by rules and regulations and Executive orders that it has been carried to an extent never contemplated or intended by the authors of the bill or by the men who voted for it and advocated it upon the floor of the Senate and of the other House.

Mr. BRISTOW. But the Congress gave the President the authority to extend the civil-service regulations, and Presidents of the United States for 25 years, in the exercise of that authority, have covered thousands of Federal employees into the civil service. Any President can revoke any order of his predecessor; it is open to the President of the United States now to exempt any man from the civil service if, in his judgment, he believes that the Government will be better served by such exemption; but the Congress now do not propose to leave it to the Executive. The majority in this Chamber evidently mistrust or distrust their own Executive, because they fear he will turn over these offices to be preyed upon by political spoilsmen, and, fearing that, they propose to take from him—to take from under his jurisdiction—the authority which he now has under the law, and so it is proposed to turn over to the political spoilsmen the offices.

Mr. OVERMAN. That is just an opinion of the Senator from Kansas. Mr. President, I want to read just the syllabus of this opinion. I am not going to read the whole thing. This is by Mr. Wickersham:

The term of office of deputy collectors of internal revenue expires automatically upon the appointment of a successor to their own collector, and this limitation of tenure is not affected by section 6 of the act of August 24, 1912 (37 Stat., 555).

In order to continue in office after the appointment of a successor to their own collector, deputy collectors must be affirmatively reappointed and recommissioned.

So they are not really in the civil service, according to the opinion of your own Attorney General.

I want to read just one section from another opinion by Mr. Wickersham along this line as to deputy marshals.

Section 3149, in connection with the original common law (2 Ops. Atty. Gen., 410; 3 Comp. Dec., 648), has always been construed both by administrative officers and legal authorities as defining the length of tenure of the deputy collectors. It makes the term of the deputies coincident by definition with the term of the collector by whom they are appointed, with the qualification that they continue in office until the appointment of a successor collector. And this is so notwithstanding the provisions of the civil-service act of 1883 (22 Stat., 403).

Going on to name the authorities:

The two opinions of Judge Jackson, Priddle v. Thompson (82 Fed., 186) and Butler v. White (83 Fed., 578), which are contrary to these cases on some points, are not contrary on this main question concerning the duration of the term of office. They deal chiefly with the power of removal.

In view of these authorities and of the uninterrupted administrative practice, it must be considered as settled that, even since the civil-service act, the term of office of these deputy collectors expires automatically upon the appointment of a successor to their own collector.

I want the whole opinion put in the RECORD, Mr. President, so that anybody can see what it means and what has been decided by the department itself. I ask permission to print both of these opinions in full.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

DEPUTY COLLECTORS OF INTERNAL REVENUE—TENURE OF OFFICE.

The term of office of deputy collectors of internal revenue expires automatically upon the appointment of a successor to their own collector, and this limitation of tenure is not affected by section 6 of the act of August 24, 1912 (37 Stat., 555).

In order to continue in office after the appointment of a successor to their own collector, deputy collectors must be affirmatively reappointed and recommissioned.

DEPARTMENT OF JUSTICE,
January 3, 1913.

SIR: I have the honor to reply to your note of November 6, 1912, requesting my opinion on the question stated in a letter dated November 6, 1912, addressed to you by the United States Civil Service Commission.

This question is as follows:

"What is the effect of the provision of section 6 of the act of August 24, 1912 (37 Stat., 539, 555), upon the provision of section 3149, Revised Statutes, as interpreted by the Attorney General, in the matter of the termination or vacation of the office of deputy collector of internal revenue?"

Section 6 of the act of August 24, 1912, reads, so far as is now material, as follows:

"That no person in the classified civil service of the United States shall be removed therefrom except for such cause as will promote the efficiency of said service and for reasons given in writing, and the person whose removal is sought shall have notice of the same and of any charges preferred against him, and be furnished with a copy thereof, and also be allowed a reasonable time for personally answering the same in writing; and affidavits in support thereof; but no examination of witnesses nor any trial or hearing shall be required except in the discretion of the officer making the removal; and copies of charges, notice of hearing, answer, reasons for removal, and of the order of removal shall be made a part of the records of the proper department or office, as shall also the reasons for reduction in rank or compensation; and copies of the same shall be furnished to the person affected upon request, and the Civil Service Commission also shall, upon request, be furnished copies of the same: * * *."

Section 3149, Revised Statutes, as amended, reads, so far as is material, as follows:

"* * * In case of a vacancy occurring in the office of collector, the deputies of such collector shall continue to act until his successor is appointed: * * *."

I am of opinion that the said section 6 of the act of August 24, 1912 (the postal appropriation act), does not prevent the vacation of the offices of the deputy collectors, as implied by the said section 3149, Revised Statutes.

Section 3149, in connection with the original common law (2 Op., 410; 3 Comp. Dec., 648), has always been construed both by administrative officers and legal authorities as defining the length of tenure of the deputy collectors. It makes the term of the deputies coincident by definition with the term of the collector by whom they are appointed, with the qualification that they continue in office until the appointment of a successor collector. And this is so notwithstanding the provisions of the civil-service act of 1883 (22 Stat., 403; 2 Comp. Dec., 648, 653; 26 Op., 363; 17 Comp. Dec., 502; Taylor v. Bercheval, 82 Fed., 497; Dudley v. James, 83 Fed., 345; Carr v. Gordon, 82 Fed., 373; Fleming v. Stahl, 83 Fed., 940). The two opinions of Judge Jackson (Priddle v. Thompson, 82 Fed., 186, and Butler v. White, 83 Fed., 578) which are contrary to these cases on some points are not contrary on this main question concerning the duration of the term of office. They deal chiefly with the power of removal.

In view of these authorities and of the uninterrupted administrative practice, it must be considered as settled that, even since the civil-service act, the term of office of these deputy collectors expires automatically upon the appointment of a successor to their own collector. In order to continue in office after that time they must be affirmatively reappointed and recommissioned.

This being so, it is apparent that the provision in section 6 of the postal appropriation act of 1912 does not affect the situation, for that act deals only with "removals," which are, of course, quite distinct from automatic terminations by law of terms of office. (Parsons v. United States, 167 U. S., 324, 342.) The distinction is clearly brought out by Revised Statutes, section 3148, which deals with the removal of the deputies in advance of the expiration of their terms referred to by Revised Statutes, section 3149.

I am of opinion, therefore, as above stated, that section 6 of the post-office appropriation act of August 24, 1912, does not repeal the existing limitation upon the tenure of these deputy collectors.

Respectfully,

GEORGE W. WICKERSHAM.

The PRESIDENT.

(T. D. 1827.)

TERMINATION OR VACATION OF OFFICE OF DEPUTY COLLECTOR OF INTERNAL REVENUE—OPINION OF ATTORNEY GENERAL.

Status of deputy collectors of internal revenue not affected by section 6 of "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes."

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., January 13, 1913.

The appended opinion of the honorable Attorney General is published for the information of internal-revenue officers and others concerned.

ROYAL E. CABELL, *Commissioner.*

cases on some points, are not contrary on this main question concerning the duration of the term of office. They deal chiefly with the power of removal.

In view of these authorities and of the uninterrupted administrative practice, it must be considered as settled that, even since the civil-service act, the term of office of these deputy collectors expires automatically upon the appointment of a successor to their own collector. In order to continue in office after that time they must be affirmatively reappointed and recommissioned.

This being so, it is apparent that the provision in section 6 of the postal appropriation act of 1912 does not affect the situation, for that act deals only with "removals," which are, of course, quite distinct from automatic terminations by law of terms of office. Parsons v. United States (167 U. S., 324, p. 342). The distinction is clearly brought out by Revised Statutes, section 3148, which deals with the removal of the deputies in advance of the expiration of their terms referred to by Revised Statutes, section 3149.

I am of opinion therefore, as above stated, that section 6 of the Post Office appropriation act of August 24, 1912, does not repeal the existing limitation upon the tenure of these deputy collectors.

Respectfully,

GEO. W. WICKERSHAM,
Attorney General.

The PRESIDENT.

Mr. CLARKE of Arkansas. Mr. President, I should like to ask the Senator from North Carolina a question. When you found things coming your way, why did you limit your bounty to such deputies as are required to give bond? Why did you not include all deputies?

There is no reason why those who are not required to execute a bond should be omitted. My judgment is that all of the deputies who serve under a principal and who are to come in with him, should be upon an equal footing.

Mr. OVERMAN. I think all the deputy collectors do give bond.

Mr. CLARKE of Arkansas. Deputy marshals do not, in a great many cases.

Mr. OVERMAN. I should be in favor of that.

Mr. WEEKS. I should like to ask the Senator from North Carolina a question. If it could be shown that by dispensing with examinations or otherwise money could be saved, would it not be possible to repeal every section of the civil-service law in this manner?

Mr. OVERMAN. I think Congress might do it if it wanted to do it.

Mr. WEEKS. Does the Senator think it could be done in an appropriation bill?

Mr. OVERMAN. I think if we wanted to strike out a million-dollar appropriation, if Congress desired to do so, and thereby practically repeal the law, we could do it.

Mr. WEEKS. Let me ask the Senator one more question, and that is if he does not think it is bad policy to repeal or enact great pieces of legislation in an appropriation bill?

Mr. OVERMAN. We do not undertake to repeal the civil-service law in any way. Certain deputies, deputy marshals, and deputy collectors were put under the civil service by an Executive order. That did not repeal the law in any way. The law is still upon the books. There is no line, there is no letter, there is no comma, there is nothing that is repealed or stricken out of the law.

Mr. WEEKS. I will say to the Senator that there is a decided suspicion that, step by step, the party now in power is going to modify or repeal the civil-service law.

Mr. OVERMAN. Not at all; I deny that, Mr. President. I do not propose to go into a discussion of that subject, but I do not think anybody has any idea of doing that. I think the Senator will agree with me, however, that a deputy collector who gives a bond to the Government for the faithful performance of his duty ought to have a right to select his own deputies.

Mr. WEEKS. There may be no ground for the suspicion which exists, but I will call the Senator's attention to the fact that ministers to foreign courts, who have been selected as such because of their service as secretaries, who have been selected because it was generally understood, though not perhaps part of the law, that they would be retained in the service, have been replaced with others who belong to the dominant party, and that policy, which many believe was an excellent one, in connection with our foreign service, has been entirely destroyed by this administration. That is one of the reasons why the suspicion prevails that this administration proposes to repeal, step by step, every paragraph of the civil-service law.

Mr. JAMES. Let us have a vote, Mr. President.

Mr. NORRIS. Mr. President, I have no doubt but that the Senator from North Carolina means what he says when he says that he is opposed to repealing the civil-service law. There can be no doubt, however, but that the particular proposition now before the Senate takes out of the civil service quite a large number of employees and makes them subject to appointment under the old spoils system. So, to that extent at least, this amendment will take out from under the civil-service law all the deputy marshals and all the deputy United States collectors that we have in the country.

I think that is a fair statement of the effect of the amendment. If that is not right, I should like to be corrected by the Senator from North Carolina.

Mr. OVERMAN. The Senator is correct about that as to all deputy collectors who give bonds.

Mr. NORRIS. I think that includes all of them; does it not?

Mr. OVERMAN. I do not know whether it does or not. I think that is not the case as to all of them. As the Senator from Arkansas [Mr. CLARKE] says, there are many who do not give bonds.

Mr. NORRIS. The argument the Senator from North Carolina makes, that these men are under the control of a collector and give bond to the collector, and that they ought to be subject to removal and appointment by him, is an argument which, to a greater or a less degree, will apply to practically all the employees in the United States who are under the civil service. In every post office in the United States where the employees, clerks, or deputy postmasters are under civil service they are under the control of the postmaster, who is, if it is a presidential office, a political appointee. There might arise cases, and there do arise cases, where that very question is raised, and has been raised on the floor of Congress in the payment of defalcations that have been made by such employees when the principal was not to blame. But the law provides that every one of these appointees may be removed if he disregards the proper instructions of his superior officer, or in any other way violates the law, or fails in the performance of his duty.

A postmaster, especially in a large city, can not personally supervise the various employees in his office, and it is the same in every other department of government. For all practical purposes he is just as far removed from him, as far as his official duty is concerned, as a collector is removed from a deputy collector when he is a thousand miles away.

What will be the effect of this amendment? It places upon the political partisan pie counter every office of deputy in the Internal Revenue Department and every office of deputy marshal in the Department of Justice. Does the Senator think that because these offices are taken out from the operation of the civil-service law we are going to get better deputies?

Mr. OVERMAN. Why, certainly; I am sure of it.

Mr. NORRIS. Let us see whether we will or not. I do not believe we will get as good deputies.

The collector of internal revenue in each district, being himself a subject of political appointment, will appoint the men recommended by the men who made him. That will be true in the other department as to the deputy marshals. The marshals are themselves political appointees, and in appointing their subordinates they will act upon partisan political representations. So the amendment puts all of these officers, every one of them, as much on the political bargain counter as though you removed all of the civil-service law as it pertains to the Post Office Department, for instance.

Mr. KERN. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Indiana?

Mr. NORRIS. I do.

Mr. KERN. I wish to inquire if the Senator from Nebraska knows how many of the gentlemen who will be affected by this amendment were appointed as a reward for their services to the Republican Party?

Mr. NORRIS. I can not give the answer, but I presume there are quite a good many.

Mr. KERN. Yes.

Mr. NORRIS. There are also quite a good many who were appointed as a reward for their services to the Democratic Party.

Mr. KERN. When these men who were appointed as a reward for their services to the Republican Party were by Executive order still further rewarded for their services to the Republican Party by being given life positions without regard to their merit, was there any protest on the part of the Senator or any of the civil-service reformers of the country?

Mr. NORRIS. Not that I know of; but that is true of every order that has ever been made in the extension of the civil service, both by Democratic Presidents and by Republican Presidents.

I think the Senator reaches a point that is a debatable proposition. I admit that there is some merit in it. I am not myself in favor of putting men under the civil service without providing for an examination. I would stand with the Senator on that proposition. I am not speaking for any appointees who are connected in any way with any political organization with which I have had anything to do.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Missouri?

Mr. NORRIS. In just a moment I will yield to the Senator. These different departments come under the civil service, as long as the President makes these orders, by degrees. When he covers into the civil service a large number of employees, the probability is that the most of those he covers in are members of his own political party.

It may be said that the President is moved by improper motives when he makes that kind of an order. I do not claim that. It may be that some of these orders have been made in that way. But I believe that President Cleveland and President Roosevelt and even President Taft, who never had any use for me, were moved by patriotic motives in more instances than they were moved by any other.

The fact that the President puts all of these political appointees into these positions is, in a way, objectionable, and I concede that point in every order that has ever been made. But in some way, if we are ever going to get men in the civil service, we must have a beginning. If it is wrong that they should be put in without an examination, then we ought to provide by law that an examination should be held.

I had a great deal of sympathy with the order of President Wilson when he set aside the order made by President Taft in regard to the fourth-class postmasters and decided that they should be examined before they were entitled to permanent life tenure.

I yield now to the Senator from Missouri.

Mr. REED. Does the Senator think that a civil-service examination would be a proper test for a United States Senator?

Mr. NORRIS. I would not deny that we might have an improvement in some cases, probably, if we had men selected in that way.

Mr. REED. That might be true.

Mr. NORRIS. But I will say to the Senator, in all seriousness, that I do not suppose that would be practical.

Mr. REED. That may be true; and the Senator might or might not have qualified.

Mr. NORRIS. Yes; I probably would have failed. I am willing to admit that, as far as I am concerned.

Mr. REED. I am not prepared to say. I think the Senator would have qualified. The reason I asked the question was to point to the fact that there are certain offices and certain positions for which no civil-service examination can furnish any test.

Mr. NORRIS. I will concede that.

Mr. REED. Just what kind of a civil-service examination would the Senator prescribe for a man who was called upon to go out into the mountain regions, let us say, of Arkansas or North Georgia, and run down an illicit still? Just what kind of examination would you have in arithmetic or geometry or trigonometry? The truth is that what you need is a man of courage and cunning and one who can shoot straight.

Mr. NORRIS. If that is what the Senator wants, he can very easily get it in an examination by furnishing them cartridges and a good revolver and seeing what they can do.

Mr. REED. When you had examined him in regard to his shooting you would not know whether he had the necessary nerve to follow up a man who was shooting at him.

Mr. NORRIS. Then the Senator, I presume, could provide some means by which to test his nerve.

Mr. REED. Just what test would the Senator provide as to a man's nerve, for instance?

Mr. NORRIS. I would come very much nearer providing a test for a man's nerve than to decide it on this basis: "Did you support Mr. John Doe for Congressman? If you are appointed, will you always vote the Democratic ticket straight? Will you go out into the country here, if it is a Republican administration, and go all over this congressional district, and see that you turn up all the votes you can for the Republican candidate; or, if it is in a Democratic administration, that you will help the Democratic Party?" Is that a test of a man's nerve, or his marksmanship, or his arithmetic?

Mr. REED. No.

Mr. NORRIS. That is the kind of test we are going to have if we adopt this amendment.

Mr. REED. The Senator now proceeds to set up arbitrarily a test of his own.

Mr. NORRIS. Yes.

Mr. REED. If the Senator himself were called upon to make a recommendation for a United States marshal in his district, would he recommend a man for the base and ignoble reasons he has just described?

Mr. NORRIS. I will say to the Senator——

Mr. REED. Would you do it?

Mr. NORRIS. I am going to answer the Senator, and I think the Senator ought to permit me to answer in my own way. I have the floor.

Mr. REED. Certainly; I could not be other than courteous to my friend.

Mr. NORRIS. I do not claim to be in any way superior to the balance of humanity. The Senator himself and myself, if we were going to name the deputy United States marshal in our respective districts, would see that first of all he must be somebody who is loyal to us and to our party, if we were party men. I concede that the Senator would try to get a man whom he thought to be all right. He would not know him, though he would have recommendations come in from various men all over his State or his district, and they would state that this man ought to be appointed. The principal argument they would make every time would be, if it was the Senator's case, that he has always been loyal to the Democratic Party.

Mr. REED. The Senator is mistaken. We have a higher class of politics in Missouri than they have in Nebraska if that is the theory they act on there.

Mr. NORRIS. They have acted on that theory in Missouri, and they have acted on that theory in every State of the Union, and every one who has had any acquaintance with politics knows it.

Mr. REED. Let me tell the Senator what I would do and what would be done, I think, by most of the Senators here if they came to them for recommendations. They would undoubtedly in almost every instance find a man from their own party. That much would I grant freely. But in the Republican Party or in the Democratic Party there are always plenty of men abundantly qualified to fill any position. Whenever we get a position in this country that can not be filled by some Republican or by some Democrat we had better abolish it, because that particular Republican or Democrat might die, and we would be in a desperate situation.

But, having settled that one question, I would think, under my oath of office and my duty as a man, and so would the Senator from Nebraska think, that it was my duty to recommend a man fully and abundantly qualified for the position. I would find some man in my State for deputy marshal who had the nerve and had shown the nerve in the actual tests of life, who had intelligence and had demonstrated that intelligence, who had the honesty and had proven it to his neighbors and friends, and I would give that man my recommendation. But your system would permit an anemic schoolmaster, who would not know how to make an arrest or have the nerve to make one, to be promoted over a man of iron nerve, of superb courage, and of splendid intelligence and capacity. You have filled many departments of the Government with absolutely inefficient men, who could not obtain a job and hold it in any responsible place in this country.

Mr. NORRIS. The argument the Senator has just made, if carried out to its logical conclusion, will wipe off from the statute books every law that we have in regard to civil service.

Mr. REED. No, Mr. President, I want to correct the Senator. There are a great number of positions that are purely mechanical in their nature—that is, in this sense. There are certain fixed duties to perform, and when they are performed with intelligence that is all that is necessary. But then there is another large field requiring discretion, the exercise of independent judgment, and that calls into play qualities of heart and of mind that can never be demonstrated by a schoolmaster's examination.

In that great latter class are Members of the House and Senators, and Presidents preeminently. Beneath them are men who must exercise a wide discretion, when you come to those classes, and great discretion must be exercised. We recognize it. The Cabinet officers are not picked by civil-service examinations. Ministers to foreign countries are not picked by civil-service examinations. The marshals themselves are not picked by civil-service examinations. The postmasters in important cities are not picked by civil-service examinations, because their positions are not merely clerical, they are not merely routine. They call into play the native qualities of the man, and there is only one examination which can ever be held to determine that, and that is in the great school of examination known as the world, where in public life and in every-day conduct you must demonstrate your ability in a competitive examination with your fellows, where genius wins supremacy and where the inefficient go down. So this class of office we are now discussing involves discretion, involves those native qualities; it is not routine work, it requires skill of the highest character.

What man would propose to make a chief of the detective service of a great city a man selected by a civil-service examination upon questions written by a man who could not catch a thief if he was surrounded by a hundred pickpockets? Who is there would make chief of police of New York City a man selected by a civil-service examination and expect any real results? What man is there would have the general of an army selected by a civil-service examination on questions written out by a board of civilians who could not correctly give the order, Shoulder arms? It is because you carry this system to an absurdity and go beyond its legitimate bounds that men properly protest.

Now, when you come to a letter carrier, it is all right. When you come to an ordinary clerk, it is all right. When you come to those things where discretion is not necessary, where the native natural abilities of man are not necessarily called in question, then civil service is proper.

But I appeal to the Senator, who has always been a fair man here and elsewhere, if there is not a great reason why a man who is put in the responsible position of running down criminals, of detecting violators of the law, of bringing them to justice, should be put in a class where the head of the office has the right to pick from the body of the people of his State and find men who are qualified.

Mr. NORRIS. Mr. President, I repeat that, in my judgment, the Senator's argument would obliterate the civil service. No one has claimed that the civil-service system ought to cover the Presidency of the United States or the general of the Army. Yet there is not a man or a woman in this country to-day in the civil service but what in his or her official capacity must exercise in a great many instances some discretion. Here are the two systems: One is that a man shall be picked for these important places without regard to his political affiliations; the other is that he shall be picked principally on account of his political affiliations.

The Civil Service Commission can make more of an examination than the Senator from Missouri can. They have time to devote to it. They can provide tests for a man's courage the same as the Senator from Missouri would provide tests for a man's courage if he were going to appoint a man to a deputyship. He would have to make some inquiry and some investigation, the only difference being that when he or any other Member of the Senate investigates he is moved by partisan considerations rather than by the good of the service. The theory, at least, of the law is that the Civil Service Commission shall not be moved by anything that is in any way partisan and shall be controlled entirely on account of and by the general fitness of the applicant for the position.

If the Senator or I or any other man were going to appoint a deputy marshal and follow the course the Senator has out-

lined—a very good one, I concede—it would take all the time that he has got here to look for the pieces of political pie. He would not have the time to devote his energies and abilities to the work of the Senate here, where he is so much needed.

Mr. REED. Oh, Mr. President, the Senator is mistaken.

Mr. NORRIS. I hope the Senator will be brief in his interruption.

Mr. REED. I apologize for having so long trespassed before; but I can count upon my fingers now the names of 50 men in my State whom I personally know who have been sheriffs and deputy sheriffs or chiefs of police, all of whom are qualified for the position of deputy marshal; and I can count on my fingers men who have been collectors of counties, men who have been auditors of cities, men of the highest qualifications, who could fill these positions. It would not take me much time to fill the 8 or 10 offices that would come to my State.

Mr. NORRIS. The Senator may be better than the balance of the men in public life——

Mr. REED. No; I am not.

Mr. NORRIS. In this particular respect.

Mr. REED. I just claim——

Mr. NORRIS. But I want to say before the Senator would appoint those men he knows he would probably say to Mr. John Smith, "I know you; you are eminently fitted; you have got the nerve and can shoot straight; you are honest and reliable, and you are a Democrat. I am willing to name you deputy, but before I appoint you to that office I should like to have the indorsement of the Democratic county central committee. I should like to have this man and that man behind you."

Mr. REED. I never asked that in my life.

Mr. NORRIS. The Senator would not do that, but I want to say that in the past and at the present time for all appointments that are made by Senators and Members of the House those are the things that are done. A man can not get an appointment, as a rule, unless he gets that kind of an indorsement. There are some exceptions. I presume the service would be better if there were more of them, but everybody here knows the method that is pursued. Go to the Post Office Department and look over the recommendations for postmasters. We find there the reasons that are given why a certain man should be appointed. Then take the man who makes the recommendation, the Congressman or the Senator. See what he says, as I have often seen, and as you can see any day: "I know this man; he would be my choice, he would make a good man, and all that, but I could not appoint him. Great heavens! this other fellow had all the indorsements of the campaign committees of my party from the State committee down to the precinct committeeman. I could not turn him down. I had to appoint him." That is the spoils system and that is what you will have in the appointment of all the deputy United States marshals and all the deputy internal-revenue collectors if this amendment is adopted.

Now, it is just up to the two systems. Are you going to allow these men to be appointed along political lines or are you going to say to a nonpartisan board, the Civil Service Commission, "You shall make this appointment. You can investigate as to a man's ability. You have got more time than we have; that is your business. You can formulate a set of questions. You can make an investigation through the agent that you send out into the field. You can consider this from a nonpartisan standpoint, from the good-of-the-service point only"; or will we turn it over to the politicians of the country? That is the difference between the two systems. There is no other difference in it as I see it. You are going to come to one or to the other.

Mr. REED rose.

Mr. NORRIS. I will yield in just a moment.

The Senator says he knows a great many men who would make good deputy marshals. I presume that is true of every man. Yet when he comes into office and finds one of those men in office—a deputy marshal whom he knows to have the nerve, to be honest, to be efficient, and can shoot straight and work a sum in arithmetic, if he wants it that way; who has all the qualifications and has the experience; who knows, in a general way, all about the territory that he covers; who knows something about crooks; who knows where to look for them; who knows where the dangerous points are—when the Senator comes in the office and that is the kind of man in office, and he finds that he is a Republican, that man has got to go, notwithstanding all his efficiency. Then the Senator will do his best to get another man just as good. It may be that he will succeed. The probabilities are he will fail. The Senator would fill his place, but the appointee would have to be a Democrat, and he would be untried and inexperienced. The other man would have to go. The service would be crippled. The political machine would be a little better off. I refer to the Senator from Missouri not because he is an exception to humanity, but on the theory that he is about like the rest of us.

Mr. REED. No, Mr. President; the Senator is mistaken. That man would have to go—that far he is correct—and he would have to go for a reason that is higher and greater than the matter of his experience. He would have to go because no general can fight a battle with a lot of soldiers back of him who want to see him destroyed, because no man can run an office and run it right unless he is not only the boss of that office but has the loyal support of the men who are under him. No man can properly fill the office of marshal of a great district unless he has men working with him who are responsive to his will and who will go to all reasonable lengths to carry out his policy. No man can properly detect criminals who can not make a confidant of the men he sends out after the criminals. When you put a man in an important position and surround him with a lot of political enemies who are seeking the first opportunity to strike him down and destroy him, you put that man in a position where neither he nor his office can bring efficient service to the public. That is the reason why I advocate this and the reason why I would make the change.

Now, the Senator has spoken about politicians, and I hear the word "politician" constantly, particularly upon the lips of those who claim to be somewhat of reformers. We are told there are wicked political machines, wicked politicians, and constantly there is held before our mind the vision of an awful thing known as a politician. Every man in the Senate of the United States is here because he is a politician. If there is a man here who is not a politician, he has no business to be here. This is what I mean by that statement: Our Government is based upon the idea of the rule of the people. Any man who is here and is not here by virtue of the will of the people is wrongfully here, and if a man is here by virtue of the will of the people it is because he appealed to the people; and the minute you appeal to the people for a political position you are in the high and proper sense of the term a politician, for you have sought the popular favor. That is not all. There is not a man in this Chamber, no, not even excepting my exceptional friend, the Senator from Nebraska, who has not called upon political organizations for support when he waged the battle which he did wage in behalf of decent government and offered himself as the candidate. If the regular political organization was not with him, he created one for himself; he had his committees in counties; he had his representatives in precincts; he kept in touch with them; he organized the voters; he massed his forces; he marched them to the polls; and he employed political machinery from the day he made his announcement until he was triumphantly returned to this body. That has been true of every other man here, and it is right that it should be true. If we are to have government by the people, then the more we are compelled to appeal to the people or the more the people are consulted the more the people rule.

Mr. President, I go a step further. If in that great political battle which the Senator from Nebraska waged so valiantly, when his white banner was floating at the head of the legions of reform, when his clarion voice was summoning the cohorts of virture from all parts of his great State, there were other officers beneath him. He had his colonels, his captains, his lieutenants, his sergeants, his corporals, and his privates, all gallant sons of Nebraska, walking forward in the magnificent crusade for virtue and all goodness. When the fight was over the Senator thought that it was in the interest of reform that he should take all the spoils and the rest of the men who fought with him should be denounced as mere politicians and excluded from any of the rewards.

Mr. NORRIS. Will the Senator yield there?

Mr. REED. Certainly.

Mr. NORRIS. I should like to say to the Senator in relation to his description of my campaign that from the very beginning to the end of it I stood for the very propositions for which I am standing now, and I said so.

Mr. REED. I am not claiming that the Senator changed front, for the Senator never changes front.

Mr. NORRIS. But the Senator rather indicates there was not any man who supported me who when he did so had any idea that I was going to change front and be in favor of turning over the civil-service employees to the spoils of office.

Mr. REED. Now, honestly, Senator, if one of your good cohorts came up and said: "Senator, now, of course, I am not asking you to make any pledge; I would not do that; but you know I am putting in a good deal of time in this campaign, and will you not consider me on my merits after it is over?" you did not tell that man "I am going to insist on excluding you," did you?

Mr. NORRIS. No; and there was not any such man who came to me.

Mr. REED. He may not have been in Nebraska, but, if so, then your soil fails to produce one article which springs up from the soil of every other land beneath the sun.

Mr. NORRIS. Well, the Senator from Missouri would be surprised if he would start out on the proposition that he was opposed to building up political machines and turning over all the appointees to politicians—I speak that word in a perfectly respectful sense, but I will say "officials," if he wants to put it that way—if he would start out with that kind of a theory he would be surprised to discover that there are more people in the country who are opposed to this political machinery than there are who are in favor of it. There are more people in the country who either support or fight men from a purely patriotic desire of good government than there are men who support candidates because they want to get something for themselves.

Mr. REED. I know that. That is true in every community. Neither can the Senator from Nebraska go further than I will go in denouncing a political machine, if you mean by a political machine an organization that is brought together for corrupt purposes. If you mean by a politician a man who does not seek the public favor, but who organizes for the purpose of plundering the Public Treasury, I will go as far as the Senator in denouncing that; and that is what the Senator denounced on the plains and in the beautiful cities of his splendid State. He did not say that he was opposed to anybody except himself having office.

Who are those whom the Senator calls "politicians"? Is it the man who does not possess his splendid ability, whose voice can not in persuasive and melting tones induce the voter to cast his ballot for him? Is it the man who has not been to school so long as the Senator may have had the good fortune to go? Is it the man who takes an active interest in affairs, who from patriotic motives is constantly found ready to perform his duty? Surely none of these. The man the Senator has in mind is the scoundrel who seeks to plunder the public and to render poor service for large pay. Of that kind of man we all have the same opinion; but I protest that because a man has been active from patriotic motives he should not be excluded from consideration.

I want, however, to get back to the main question. What is it? I will suppose a case: That the Senator from Nebraska is not possessed of his great ability; that he is simply a man of good, ordinary capacity. We will say he is appointed United States marshal for the great State of Nebraska. There may be some moonshiners in his State; there may be some white slavers operating through his State; there may be counterfeiters in his State, or that come into his State to pass their counterfeit coin; there may be a thousand other classes of criminals who are violating in some way the laws of that State. He is sworn in as an officer, and he gives a heavy bond for the faithful discharge of his office; he becomes responsible for all that takes place therein. I put it to the Senator whether he ought not to be allowed to pick the 8 or 10 men who are to serve with him; whether he can not render a better service to the public, whether you have not fully met all the requirements of the civil service in its proper sense when you have made him give his bond and made him responsible for the men under him?

Mr. NORRIS. Now, I should like to ask the Senator——

Mr. REED. I want to ask further, would he feel safe with a lot of men whom he not only did not know but who would be glad to see him trip and fall, and who would be glad to secretly place an obstacle in his path?

Mr. NORRIS. Now, if the Senator from Missouri will permit me, he is describing a condition that will not be remedied by the method that he proposes.

Mr. REED. But I think it will.

Mr. NORRIS. Oh, I beg the Senator's pardon. The man at the head will not appoint these subordinates, except as a matter of form. In reality these deputies will be appointed by some one who has had the political influence to make him.

Mr. REED. By whom?

Mr. NORRIS. Well, it may be the chairman of a county committee; it may be the chairman of a State committee, and a large number——

Mr. REED. They will be appointed either by the marshal himself or they will be appointed upon the recommendation of the United States Senator who recommends the marshal.

Mr. NORRIS. Probably.

Mr. REED. When the Senator states that improper men will be recommended he, in effect, states that he as a Senator—for he will not claim to be better than the rest of us—would recommend improper men for these responsible positions.

Mr. NORRIS. Oh, no; I do not claim that. The Senator from Missouri must not put me in that attitude; I am not claiming anything of that kind; but all of us would be influenced by the recommendations and petitions of men whom we knew in politics. We ourselves would not and could not know and could not take the time from our official duties to investigate and pass upon all these cases and have personal knowledge of them; it would be a physical impossibility to do so.

Mr. REED. I can only say, in reply to that, that as to the 8 or 10 deputies who will be appointed in my State, as I said a while ago, if I were called upon to make a recommendation I not only know the 8 or 10 men necessary, but 50 men who are qualified, and I would not be going by the recommendation of county committees or State committees. But again I ask when it was——

Mr. NORRIS. Would the Senator appoint them of his own knowledge or would he invite recommendations?

Mr. REED. On my own knowledge; but of course I would consult people who knew.

Mr. NORRIS. If the Senator did that he would be doing something different from what is ordinarily done.

Mr. REED. And that is not all. When did it happen that the county committee of a great agricultural State like yours, composed, as it is, of the leading spirits of your own party—representative farmers, merchants, and mechanics of your State—sank to so low a point that they could be recognized only during the campaign, when they were helping you, and ceased to be safe counselors after the fight was over? I do not make that personal; I mean to use you as illustrative of all.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment. [Putting the question.] The "ayes" have it, and the amendment to the amendment is agreed to.

Mr. NORRIS. I think we ought to have a roll call on that amendment.

The VICE PRESIDENT. The Senator from Nebraska calls for the yeas and nays. Is there a second?

Mr. MARTIN of Virginia. The Chair having announced that the amendment had been adopted, I hope the Senator will not insist on a roll call.

The VICE PRESIDENT. Is the request of the Senator from Nebraska seconded by one-fifth of the Senators present? [A pause.] The demand is not seconded by one-fifth of the Senators present. The amendment to the amendment is agreed to.

Mr. NORRIS. I make the point that there is no quorum present.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. MARTIN of Virginia. Did the Chair announce that the amendment had been adopted?

The VICE PRESIDENT. The Chair did. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Myers	Simmons
Bacon	Hollis	Newlands	Smith, Ariz.
Bankhead	Hughes	Norris	Smith, Ga.
Borah	Jackson	O'Gorman	Smith, S. C.
Brandegee	James	Penrose	Swanson
Bristow	Johnson	Perkins	Thomas
Bryan	Jones	Pittman	Thompson
Burton	Kern	Poindexter	Thornton
Chamberlain	Lane	Pomerene	Tillman
Chilton	Lea	Ransdell	Vardaman
Clarke, Ark.	Lewis	Reed	Walsh
Fletcher	McLean	Shafroth	Weeks
Gore	Martin, Va.	Sheppard	Williams
Gronna	Martine, N. J.	Shields	

The VICE PRESIDENT. Fifty-three senators have answered to their names. There is a quorum present.

Mr. POINDEXTER. Mr. President, a parliamentary inquiry. I should like to inquire the status of the amendment which was being debated a moment ago. I understood that a request was made for the yeas and nays and that at that time a point of no quorum was made.

The VICE PRESIDENT. No; that is not correct. The request was made for the yeas and nays. The Chair inquired whether it was seconded by one-fifth of the Members present. It was not seconded by one-fifth of the Members present. The Chair then declared the amendment carried. Thereupon the point of no quorum was made. So the amendment has been agreed to.

Mr. POINDEXTER. My further inquiry is, When the point of no quorum was made whether or not the matter at that time before the Senate was disposed of until the presence of a quorum was ascertained?

The VICE PRESIDENT. It had already been disposed of. The Chair has no desire to prevent a roll call. The Chair will say, for the information of the Senator from Washington, that there not having been any roll call upon the adoption of this amendment, the Senator from Washington can raise the question by a motion to reconsider the vote whereby the amendment was adopted.

Mr. NORRIS. If the Senator will permit me, I will suggest to him that the bill is now being considered in Committee of the Whole. It will be possible to make the application for a roll call, I think, when the bill gets into the Senate. There were not enough Members here to get a roll call; at least, I will say to the Senator from Washington, there were not enough seconding the motion.

The VICE PRESIDENT. The Chair has stated the record correctly, has he not?

Mr. NORRIS. Yes; I will say that the Chair has stated the record correctly, as I understand.

Mr. POINDEXTER. I am very much obliged for the suggestion of the Senator from Nebraska, but it is possible that I shall not be present at the time the matter is reached in the Senate. The same question is presented now. All that I desire is an opportunity at least to make an application for a roll call, and if possible to secure one; and I prefer to make it now.

For that purpose I move to recousider the vote by which the amendment was adopted. And upon that motion, if I may be permitted, I should like to say a few words.

I do not think the question is so much that which has been debated by the Senator from Missouri [Mr. REED], about the kind of examinations that are given under the civil-service law for appointments. I am in entire agreement with him as to the proposition that many of those examinations are not appropriate for the ascertainment of fitness for the particular office that is to be filled. Sometimes the questions asked are absurd. But that does not touch the important proposition at issue. Those examinations can be changed and some other test for appointment can be adopted.

The question is as to whether or not these offices are going to be turned over to what is called the spoils system. I do not care whether it is the spoils of one party or the spoils of another party. The question is whether or not every time there is a change of party all the men that fill these offices, however well qualified, however experienced, however faithful, however loyal they may have been to the Government, are to be turned out, and other men put in their places who are inexperienced and untried, simply because they belong to the political party that has carried the election.

The Senator from Missouri has said a great deal about the difficulty through any civil-service system of getting men with nerve, brave men, to be deputy marshals, to go out and arrest criminals, to run down moonshine whisky distilleries, and so forth. If I am correctly informed, the entire Secret Service of the Government is on some sort of a civil-service basis. At least, as I understand, it is not under the system which it is proposed to establish by this amendment. The best work that is done by men who have to have judgment and nerve in a line of work similar to that of deputy marshals is done under the Secret Service of the Government. There is some means found for testing the qualifications of applicants for those offices, and it seems to be satisfactory. I do not know that anybody is contending that those offices ought to be turned over as the spoils of political victory.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Missouri?

Mr. POINDEXTER. I do.

Mr. REED. Is the Senator now ready to make a wholesale indorsement of the Secret Service of this Government, as it has been conducted?

Mr. POINDEXTER. I am not ready to make a wholesale indorsement of everything that the Secret Service has done, but I am ready to make a wholesale indorsement of the manner in which the men are appointed to those places.

Mr. REED. How are they appointed?

Mr. POINDEXTER. They are appointed by certain tests which the Chief of the Secret Service applies as to the fitness of the men for office, and when they are in office they are kept in office.

Mr. REED. That puts it up to the Chief of the Secret Service to pick them, does it not?

Mr. POINDEXTER. It puts it up to him to apply the test.

Mr. REED. That is all this bill proposes to do—to allow a marshal to make his own tests and his own selections.

While I am on the matter, unless the Senator really means to indorse the methods of the Secret Service Department of this Government, I hope he will not do so by making his statement so broad that it may be misunderstood; for I think if there is any department of the Government that needs a thorough renovation it is that particular department.

Mr. POINDEXTER. No doubt the Secret Service has been guilty of doing things that it ought not to have done. On the other hand, it has done a great deal of good work. If a method could be devised of appointing deputy marshals, such as the Senator says he is willing to agree to or which he says is the same method, so that they would be retained in office when they are competent and when they are faithful and not turned out of office for no fault of their own simply because there is a change of administration, I would agree with the Senator about it. That is really the question that is involved here.

I am perfectly willing to agree to any reasonable test for appointment if we can avoid the spoils system. I do not want it. Even if I had the power to name these men in my State or district, it would not do me any good politically, and it would not do the Senator from Missouri any good politically. It does not do any political party any good, and it does the country a great deal of harm.

I ask for the yeas and nays upon the motion to reconsider.

The VICE PRESIDENT. Is the request for the yeas and nays seconded?

Mr. HUGHES. Mr. President, I wish to say a few words on this question. If I am too late, I ask unanimous consent to do it.

The VICE PRESIDENT. The Senator is not too late.

Mr. HUGHES. Mr. President, this is a proposition to take from the operation of the law known as the civil-service law certain employees, deputies, and so forth, subordinate to the various revenue collectors throughout the country.

The civil-service law was passed in 1883. Every Democratic platform since that time has indorsed in specific terms that law and the principles it sought to establish.

The particular officers with whom we are dealing now have never been fully covered into the civil service. They occupy an unusual relation, in that, while their term of office terminates with the term of the collector, the collector can not appoint the men whom he desires to appoint in their stead, but must have recourse to an established list.

It is not true, as some Senators seem to think, that an internal-revenue collector now taking up the duties of his office is bound to continue in the service the deputies appointed by his predecessor. He can turn out and dismiss every single deputy collector under his jurisdiction, but when he attempts to fill their places he is compelled to go to a properly established list.

I suppose I may be properly termed and designated a civil-service reformer. I believe in civil-service reform. I am against what is sometimes improperly and unfairly called the spoils system. I do not take the position that every public man, politician or statesman—whichever way you choose to designate him—is necessarily going to pay his political debts out of the Treasury rather than out of his own pocket. I do feel, however, that individual Senators are not nearly so well qualified to pass upon the qualifications of a man for an office with the duties of which they are unfamiliar as a tribunal organized for that purpose.

I have been in favor of civil-service reform ever since it became a Democratic tenet and a Democratic principle. Before and since the passage of the law of 1883 every Democratic platform has declared in unmistakable terms in favor of this principle, at which, it seems to me, the Democratic Party to-day is on the point of delivering a blow which may mean the beginning of a struggle that will end, if I am any judge of the temper of my colleagues, in the absolute annihilation and destruction of civil-service reform.

I would as soon vote for a law that would permit me to turn out every letter carrier, clerk, and rural free-delivery carrier in the United States as to vote for this provision. It would be precisely the same in principle. A great deal can be said against the present system; arguments have been made, scores of them, pro and con; but I do not propose to thrash over that straw now. The question is whether or not the Democratic Party is committed to the principle of civil-service reform, and whether or not this proposition calls for a departure from that principle.

I wish to read some of the declarations in Democratic platforms that attracted me to this principle and that are responsible for the attitude I now take.

The Democratic Party in convention assembled in the year 1904 inserted this plank in its platform:

> The Democratic Party stands committed to the principles of civil-service reform, and we demand their honest, just, and impartial enforcement.
>
> We denounce the Republican Party for its continuous and sinister encroachments upon the spirit and operation of civil-service rules, whereby it has arbitrarily dispensed with examination for office in the interests of favorites and employed all manner of devices to overreach and set aside the principles upon which the civil service was established.

Here we are, in a Democratic platform, denouncing precisely the thing we are asked to vote for in this appropriation bill.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from New Jersey yield to the Senator from Washington?

Mr. HUGHES. Certainly.

Mr. POINDEXTER. Does the Senator from New Jersey think the country will regard with favor the declaration of the Democratic platform, which he has just read, commending in very strong terms what has come to be known as civil-service reform, when as soon as the party comes into power, apparently, judging from this amendment and some others, at every opportunity they strike a blow at the system called civil-service reform? Does the Senator think the country will approve of the party upon the promise which it repudiates in action at the first opportunity?

Mr. HUGHES. I am neither a prophet nor the son of a prophet, and I am simply trying to give the reason why I am taking the stand I take now. I regard the Democratic Party as being absolutely committed to civil-service reform. I am not wedded to the present law. I hear almost universal criticism of it. It may be that it needs drastic and fundamental change.

Mr. POINDEXTER. Will the Senator yield to me further?

Mr. HUGHES. Certainly.

Mr. POINDEXTER. The Senator says he is committed to civil-service reform, and he reads the platform of his party. The purpose of the question I asked him a moment ago was to emphasize what seems to me the manner in which a committee treats a platform declaration, with apparent indifference as to whether that platform is carried out or not. That seems to be the situation. The Democratic Party can not establish itself, and the Senator can not establish himself, as an advocate of taking these appointments out of the political spoils system, by reading platforms. The question is, What are you going to do about this amendment?

Mr. HUGHES. I must be very dense or else the Senator must be. I am on my feet for the purpose of telling what I am going to do and my reasons for it.

I want to read another declaration from a Democratic platform in reference to the question. The platform of 1908 had the following declaration in it:

> The law pertaining to the civil service should be honestly and rigidly enforced to the end that merit and ability shall be standard of appointment and promotion rather than services rendered to a political party.

The last platform, which we have heard quoted a great deal in the recent tariff debate and adverted to by gentlemen on both sides of the Chamber, declared as follows:

> The law pertaining to the civil service should be honestly and rightly enforced, to the end that merit and ability shall be the standard of appointment and promotion rather than service rendered to a political party; and we favor a reorganization of the civil service, with adequate compensation commensurate with the class of work performed, for all officers and employees; we also recommend the extension to all classes of civil-service employees of the benefits of the provisions of the employers' liability law.

As I said in the beginning, I am in favor of civil-service reform. I am against a return to the old system under which it was the custom to tear the uniforms off the letter carriers and clerks at every change of administration. Not one man in ten thousand of the citizens of the United States can hope to be a Federal employee or a Federal officeholder, and they are not interested in who gets the job or whether I pay my political debts or not. They are interested in an honest and just enforcement of the law and administration of the affairs of government, and they want proper and fit men intrusted with the discharge of these duties.

I sympathize with the feeling which exists, and is bound to exist, where a party after being 20 years out of power is suddenly swept upon a great wave of popular approval into the possession of every branch of the Government. I sympathize with the feeling that must be in the breast of every man at all partisan that so far as possible every office should be in the hands of the party which has been placed in power and stamped with the popular approval of the people. I am willing to go as far as I think any man properly should go to see that tried and true Democrats are put in the places that have not already been covered into the civil-service law.

Mr. REED. May I ask the Senator a question?

Mr. HUGHES. Certainly.

Mr. REED. If the Senator so much loves the civil service, it must be because it is a good thing; and it seems to me that instead of wanting to fill with Democrats the places that have not been covered into the civil-service law, if he was entirely logical he would be insisting on covering everything into the civil-service law to the end that no wicked Democrats might get in unless they pass the ordeal of an examination.

Mr. HUGHES. There is nothing in what the Senator says to call for any reply from me that I can see.

Mr. REED. There is nothing that can be replied to.

Mr. HUGHES. I think I am logical, but nobody, perhaps, is logical except the Senator from Missouri. I have stated that I have great sympathy for the feeling that this party, which has been denied the soft places in political life, should have its share; but I am not willing to throw away one of the most revered and beloved principles of the Democracy for the sake of a few places. If it is to be done let it be done in the daylight, with our eyes open and in cold blood. Let us say to the people, "We have been elected, we are entitled to these offices, and we mean to have them"; but do not let us go skulking around behind a subterfuge of this sort. There is a great deal to be said in favor of that proposition, and it should be said. The issue should be joined.

Mr. JAMES. I should like to ask the Senator from New Jersey if he did not support the provision in the tariff bill which we just passed which provides that deputy collectors to collect the income tax shall be taken without regard to the civil service?

Mr. HUGHES. I expected that question from some one on the other side of the Chamber. I did not expect a Democrat to throw in my teeth that while I voted against the proposition in caucus I supported it and voted for it on the floor. I will say to the Senator, in order that he may humiliate me as far as he can, yes; I voted for that proposition because we caucused on it, and I felt that I was in honor bound to vote for it.

Mr. JAMES. I would not suppose it would be any humiliation to the distinguished Senator to merely inquire of him how he voted.

Mr. HUGHES. The Senator knew how I stood.

Mr. JAMES. I was in that caucus; and eloquent and forceful as the distinguished Senator always is, I have not any recollection of any vehement protest or any eloquent utterance upon his part against that provision which is now in the tariff act.

Mr. HUGHES. The Senator is absolutely correct. There was no eloquent or vehement protest from me, because it was apparent that the proposition was going to carry overwhelmingly, and I did not waste the time of the caucus. I did what my conscience dictated; I voted against the proposition in the caucus. If the Senator does not recollect that, I am not responsible for the failure of his recollection.

Mr. JAMES. I am very frank to say that I do not recollect that any vote was called for in the Democratic caucus upon that question.

Mr. HUGHES. There was no vote called for except a viva voce vote. If the Senator insists, of course, he can say before the Senate and the country that he does not believe what I say. I say to him——

Mr. JAMES. The Senator has not stated that. I merely stated my recollection as to the fact, which the Senator himself admits is true.

Mr. HUGHES. I have not admitted that the Senator's recollection is true. I have said that there was a viva voce vote, and I voted "no." I have admitted that I made no speech.

Now, Mr. President, that is all I care to say on this subject. I feel that the Democratic Party, over a period of years which runs back as far as my recollection, has been committed to the principle of civil-service reform. As I said before, I do not say that the civil-service law is perfect. From the universality of the criticism of it I am forced to the conclusion that it has many errors, and that fundamental changes are demanded. I am willing to go into a changing of the law with an open mind, and I am willing to go as far as I think a man can safely go who has the interests of the Republic at heart to see that a partisan may get office. Further than that I decline to go.

Mr. THOMAS. Mr. President, I believe most thoroughly in a legitimate civil service. In the public positions which I have heretofore held I have at all times done what I could to secure the establishment of such a service. I believe that the great body of the American people are thoroughly in support of and would not countenance any other than a system of legitimate civil service. It is too late to turn our backs in the other direction. But the experiments which have been made along that line have in many respects been successful; in others they have not been.

Mr. President, a civil-service system must be one which covers all offices from that of President of the United States down to the lowest and humblest position of a civil character, or there must be a dividing line somewhere. I think that much of this discussion and much of the difference of opinion, of honest political opinion, on this subject find their origin in the difficulty of determining where that line ought to be.

The debate which has occurred here this morning has emphasized, in my mind, the fact that there should be some distinct line of division—scientific perhaps, arbitrary perhaps—between those positions which should fall within and those which should fall without that line when once fixed.

Now, there is a great deal of hypocrisy in both political parties—in all political parties—upon the general abstract subject of civil service. When you Republicans are in power and enjoying the fruits of office, we Democrats are most vehement civil-service men. When we Democrats are in power, and entitled to the fruits of office, our Republican friends develop a very vehement, enthusiastic, and critical civil-service spirit. That is human nature; that is a proper human nature, because it results in criticisms which keep the other side from too arbitrarily attempting to go beyond a proper limitation.

Mr. President, I supported the first draft of the amendment of the Senate Finance Committee to the tariff bill relating to this subject, because I thought it was legitimate. I did not support the last extended amendment, because I thought it went entirely beyond its legitimate province. My own belief is that all executive positions which carry with them the responsibility of executive authority, which form a part and parcel of the administration of the country, should be in sympathy with its head, and in the selection of the persons filling these positions the appointing power should not be subjected to any limitation except that discretion which always should be exercised with reference to the general standards, the general merits, and general qualifications of the respective candidates; and that as to those positions which simply are mechanical, so to speak—clerical, if you please—or which involve the exercise of technical knowledge of a high degree, or of an ordinary degree, should not be subject to the political changes that necessarily come to every country under a democratic form of government.

If it be true, Mr. President, that a deputy marshal, or a deputy revenue collector, should be under the civil service, then it is equally true that the heads of the offices should be under the civil service. If it be true that a deputy marshal should only be appointed after an examination and qualification for the position to which he aspires, it is equally true that the marshal himself, instead of being appointed by the President of the United States, should be taken from a list of names representing men who have passed creditable examinations and who are presented to the appointing power for that purpose.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Nebraska?

Mr. THOMAS. Certainly.

Mr. NORRIS. Will not the same argument apply to deputy postmasters?

Mr. THOMAS. I think so.

Mr. NORRIS. Does the Senator mean to argue, then, that because a postmaster is not under the civil service we should therefore take the deputy postmasters out?

Mr. THOMAS. I do, most emphatically.

Mr. NORRIS. Why does not the Senator take the other course and, if the civil service is good, put the other fellow in?

Mr. THOMAS. Simply because, Mr. President, I think the postmasters of the country—that is, the first and second class postmasters—are a part of the administrative processes of the country, just as marshals are, just as revenue collectors are, just as the other heads of bureaus and departments are.

Mr. NORRIS. I should like to ask the Senator, when he gets through that process and puts it into active operation, what part of the civil service will be left?

Mr. THOMAS. I have stated—or I have attempted to state, Mr. President—those parts of the civil service which I think are left, and that is all below those who are responsible for and who represent these administrative processes; all the vast army of clerks, all the vast army of employees throughout the country, I do not care where they are.

Mr. NORRIS. Does not the Senator think that as long as the man who appoints the clerk is not under civil service the clerk ought not to be under the civil service, if his argument is good?

Mr. THOMAS. No; I think not, unless you carry the contention to the heads of the departments. You must draw the line somewhere.

Mr. NORRIS. As I understand the Senator's logic, there will be no line. He would obliterate the whole entire civil service.

Mr. THOMAS. That may be the Senator's understanding. I think something was said a moment ago about logic in this discussion, but it seems to me that the logic of those who are now contending for the general application of our civil-service doctrines and our law ought to begin with the Secretary of War, with the Secretary of the Navy, with the Secretary of the Interior, with the Postmaster General, and all the heads of departments, or else recognize the fact that those charged with the duty of carrying out the functions and the policy of the existing administration successfully should be in sympathy with that administration, should be a part and parcel of it, and inasmuch as the deputy marshal, or the deputy postmaster, or the deputy collector, performs the same functions as his principal, then he should be included in the same class and appointed in the same way.

Mr. President, a house divided against itself can not very well stand. If, to illustrate, a marshal or a Cabinet officer representing one administration is surrounded entirely by deputies and assistants who have held over from another administration of a different political faith, of different political tendency, not in harmony with new processes and policies, in what respect can such an administration expect to be entirely successful? Of course I am simply singling out for illustration one or two of the many positions to which the same argument would apply.

And there is another point, Mr. President, I want to emphasize right here, which is that all the deputy marshals in the country, all deputy collectors in the country, unless my recollection is incorrect, have been certified into the classified service by the past administration and consist of men who never took any examination of any sort whatever.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Washington?

Mr. THOMAS. I yield.

Mr. POINDEXTER. The objection which the Senator has just made is a meritorious one, I think. Many who do not agree with him in his general position would agree with him upon that. I should like to ask the Senator if it could not be avoided, without a wholesale change such as is proposed by this amendment, by providing that those who are now in office, who have not been subjected to the test of civil service, should pass those tests and take the examination as a condition of retaining the office? That would obviate the objection of the Senator.

Mr. THOMAS. If I thought that that class of officials should be included within the civil-service regulations at all, yes; but I am not prepared to concede that they should be so included unless you include as well the principals of these different positions.

I stated this condition for the purpose of emphasizing the fact that the civil service has been unduly and improperly extended, not alone by Republican Presidents, but by all administrations, State and Federal, to include men who have not been properly classified, and then protest against anything which looks like removing them from the positions they occupy.

Mr. President, I believe and I have always contended for a civil service which would exempt the heads of departments, the heads of bureaus, and other officers directly connected with the administration, and by the force of argument such a position necessarily includes the exemption of the deputies who are clothed with the same powers, who exercise and perform the same duties, and for the exercise and proper performance of which the principal is necessarily held responsible. The fact that a bond has been executed and approved conditioned for the faithful performance of these duties seems to me to be entirely outside of the question.

I would not for a moment, Mr. President, vote for any measure which would in any wise affect the application of existing civil-service rules beyond the point which I have mentioned.

I have referred to the fact that there was a great deal of hypocrisy in our advocacy of a universal civil-service condition, and that this was not peculiar to any political party, but common to all of them and to their members.

Now, let me give you a recent instance. The present cashier of the United States mint in my city was appointed, if I remember correctly, on the 29th of last December. He was at that time a citizen of the State of Iowa, a friend of the superintendent of the mint, as I am informed. That appointment at that time was not within the classified civil service. The assistant cashier did occupy that position, and he had served the country faithfully ever since 1898. He was entitled to promotion under the principles and rules of the civil service and by every just consideration of ordinary equity and fairness.

On the 20th day of February last, by an Executive order, this place was covered into the classified service, whereby the deserving subordinate, entitled to promotion and presumably certain of it, was set entirely aside for a gentleman perfectly competent, a good citizen, but nevertheless a gentleman from another State. He was given the position; and then, in the expiring days of the administration, permanently certified into the civil service with no examination or other preliminary requirement.

I am not complaining about this because a Republican President made the order. I have no question but that a Democratic President would have done the same thing and may do the same thing before this administration expires.

I am simply citing it as an instance, Mr. President, and it is only one of many, to show how we preach the doctrine of civil service to the multitude and violate it in our common practice in a great many of the opportunities that present themselves where it can be done.

But I think, Mr. President, it is unfortunate that our methods of procedure here are such that matters of this kind can be included in an appropriation bill. I do not question the practice. It is unquestionably perfectly legitimate and warranted by the terms of the Constitution of the United States. But I believe it would be far better if our method of legislation here were that of most of the States of the Union, to wit, that every bill shall have a title and that nothing not contained within that title, except appropriation bills, can appear within the body of the statute. It would do away with much of this general legislation, with what are called riders, and which necessarily form the subject of much abuse.

I differ with my friend the Senator from New Jersey [Mr. HUGHES] in that while he is perfectly right in so far as all official positions except those which are enumerated are concerned, I think he is entirely wrong as to the other positions. The time will come, and I hope soon, I trust under this administration, when a systematic, scientific line of division, arbitrary perhaps, as I have stated, to some extent, but nevertheless a line of division between appointive executive officers and appointive clerical and technical positions will be drawn, there being upon the one side all the former class of positions and upon the other all of the latter class of positions. It will very largely clarify the situation. It will be an intelligent system, and one which no administration and no Congress will care to violate.

Mr. BRISTOW. Mr. President, before the vote is taken I desire to say that it seems to me that the political spoils system is one of the dangerous things in American politics, and I think in time it will affect in a serious way the fortunes of the Republic. I do not believe that the present civil-service law is a perfect law. I think it is very imperfect in many particulars. I agree with the Senator from Colorado [Mr. THOMAS] that it has been administered imperfectly many times, and many abuses have been committed by indirect evasion of the law and by hypocritical pretense evasions have been covered up.

But this must be said for it: It has greatly improved the methods of administering the civil affairs of our Government, and it seems to me that we ought to try to correct the imperfections, to improve the methods of administration, and to enlarge its scope rather than to pick it to pieces from time to time, as we are about to do.

I can not agree with my friend from Colorado in that a subordinate to the chief officer should be exempt from the civil service because that officer is——

Mr. THOMAS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Colorado?

Mr. BRISTOW. I do.

Mr. THOMAS. I do not think I said that a subordinate of a chief officer should be exempt from the civil service. What I said or intended to say was that a deputy of a chief officer, who performs and is supposed to perform, and whose duties include the duties of the chief officer himself, and who is therefore as to everything except his title the chief officer when he is in action, should be exempt.

Mr. BRISTOW. I probably gave a broader interpretation to the words of the Senator than was justified from what he said. My personal opinion is that the marshal and the collector of revenue should both be under the classified civil service. I see no reason why the collector of internal revenue for the State of Kansas or for the State of Colorado should not be a classified officer. It should not be partisan in any sense. He is simply an administrative officer, a ministerial officer, who performs certain routine functions in the administration of our Government.

Mr. THOMAS. Mr. President, I think the Senator is perfectly logical, and evidently he does not hesitate to carry his logic to its legitimate end. I should like to ask whether he would carry it one step further and include the Commissioner General of Internal Revenue here in the city of Washington.

Mr. BRISTOW. Well, that is a different question and much broader than the other. The Commissioner General of Internal Revenue deals with policies of the Government to a certain extent—more so than his deputies do. It may be altogether proper, being here in Washington and more or less in personal contact with the administrative head of the Government, that he should not be a classified officer, although I am not entirely clear as to that. But certainly he can direct any policies of administration through the various deputies throughout the country if they are loyal to the service of the Government; and if they are not, he should have the power to promptly remove them from office. From some experience and a more or less extensive observation, I want to say here on the floor of the Senate that, in my opinion, civil-service employees are just as faithful to one administration as they are to another in the performance of their public duties. I have myself had some experience, and have found as loyal and as faithful subordinates who were of the opposite political party in carrying out the policy of the administration with which I was connected as those of my own party. I never hesitated to trust them with the secrets of the administration, and I never yet was betrayed in the discharge of any public duty by such men.

You may ask any honest executive officer in the present administration who has been there for any length of time and had opportunity to learn from experience, and he will tell you that such subordinates of his who are carrying out his policies are loyal, regardless of their political belief or party affiliation in the past. They never think of partisanship in the proper discharge of their duty.

With due respect to Senators who are taking the other position here I believe that this piece of legislation is against the interests of this country and is directly in the interest of corrupt machine politics. The men who are trying to get these offices out of the civil service want to use them in political campaigns, and they will become a source of political scandal and corruption, as all spoils systems do in the end.

It has been a source of gratification to me to observe the conduct of the civil-service employees who came into the service of the United States under the Cleveland administration without examination, who were covered under the civil service by Mr. Cleveland when he went out of office. I do not blame him, nor do I blame any other President for extending the civil service at the close of his administration, although it was not a consistent thing to do; but there is a practical side in the administration of the Government as well as a theoretical side, and Mr. Cleveland extended the civil-service system then because he believed it ought to be done, and he could do it much easier then than at any other period in his administration, for if he had undertaken to have covered in appointees of another administration, he would have had a hungry horde of Representatives and Senators besieging him to withhold his hand in order that they might put their partisans into the service and thus pay their political debts. Rather than stand up against the spoilsmen of his party he waited until the opportunity for them to assail him for such conduct was gone, and that has been the practice of other Presidents since his time.

I will join cheerfully with Senators on the other side of the Chamber to improve the present method of civil-service administration; to improve the law. Indeed, I think it needs improvement in many respects. I think it ought to be very largely extended to cover in many offices that are not now covered. I hope that this administration before it goes out of office will extend the civil service further than it has ever been extended before, and that it will be done at the most opportune time—the quicker the better—but from the spirit which prevails here, the President, if he should undertake to cover in officers who have rendered faithful service, but who can be plucked out of their positions in order that political adherents of Senators and Representatives now in public life may receive political reward, would meet violent and determined opposition. So probably it will not be done now, and he will follow the same practice his predecessors have followed, that extends the service after his partisans are in office. If by any fortune of political events in the future I should be in this Chamber and a President should be elected who belongs to the party to which I belong, if he undertook or if the majority of which I might happen to be a member undertook, to destroy, weaken, and tear to pieces the civil-service law I would stand upon this floor and denounce it then the same as I denounce this effort now.

Patronage is the bane of American politics. It has been used in the past by Presidents to purchase congressional support for political policies favored by an administration; it has been used in the past by Senators and Representatives to force appointments which the President thought ought not to be made; and it will be used in the future by both the executive and the legislative branches of the Government the same as it has been in the past. So the best thing that can happen to this Government of ours is to curtail the power of patronage as quickly as it can be done, so as to put into the law a merit system and correct the abuses that have been indulged in under the system which we now have.

Mr. LANE. Mr. President, I would like to say in a general way that I believe the civil-service system, properly adminis-

tered, to be preferable to the spoils system. I think there is no doubt of that as an economic proposition. But I believe also that it has not been and is not being administered in the interests of the people at large; that the law governing it, the regulations, and the manner of administration need remedy and should be remedied soon. I believe that it is the duty of Members on both sides of the Chamber to get together and reorganize the system of rules and regulations and the method of administration so as to make the civil-service system more amenable to the needs and uses of the Government. At the same time, I prefer, even as it exists now, the civil-service system to any return to the spoils system. I think that any changes which are made in the law should be made along the lines of general principles, which will reach into the heart of the conditions and remedy them to the general good of the people.

I am, as a Democrat, a bit jealous of any attack which is made in an insidious manner to break down the system piecemeal. I think it poor policy for the party, and that it will defeat the purpose which we should have in view and which is emergently needed at this time.

I am perfectly willing to concede, and I believe, that there is a system of sabotage, if you please, being practiced upon the party now in power by many of the persons who are employed under civil-service regulations, yet they are protected by these regulations from the treatment which they properly deserve; but I am against this amendment upon principle. I believe it to be the wrong method of correcting the evil. It is my opinion that the law should be changed so as to give to all executive officers the power to remove any appointee who does not do his full duty both to his superior officer and to the Government by which he is employed. Nothing short of that will remedy the condition which exists at this time. For that reason, I am not in favor of the amendment.

Mr. OVERMAN. I move to lay the motion to reconsider upon the table.

Mr. POINDEXTER. I make the point of no quorum.

The PRESIDING OFFICER (Mr. HUGHES in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hughes	Nelson	Simmons
Bacon	Jackson	Norris	Smith, Ariz.
Bradley	James	O'Gorman	Smith, Ga.
Brandegee	Johnson	Overman	Smith, S. C.
Bristow	Jones	Owen	Swanson
Bryan	Kern	Perkins	Thomas
Burton	Lane	Poindexter	Thompson
Chamberlain	Lea	Pomerene	Thornton
Chilton	Lewis	Reed	Tillman
Clarke, Ark.	McLean	Shafroth	Walsh
Fletcher	Martin, Va.	Sheppard	Weeks
Gronna	Martine, N. J.	Shields	Williams
Hollis	Myers	Shively	

Mr. REED. I again announce the necessary absence of my colleague [Mr. STONE].

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. A quorum of the Senate is present.

Mr. POINDEXTER. I ask for the yeas and nays on the pending motion.

The PRESIDING OFFICER. The Chair is informed that the yeas and nays have been ordered.

Mr. JAMES. The yeas and nays have not been ordered on the motion of the Senator from North Carolina [Mr. OVERMAN].

The PRESIDING OFFICER. The Senator from Washington [Mr. POINDEXTER] asks for the yeas and nays on the motion of the Senator from North Carolina [Mr. OVERMAN] to lay on the table the motion of the Senator from Washington to reconsider the vote by which the amendment to the amendment was agreed to. Is the demand seconded? [After counting.] In the opinion of the Chair not a sufficient number have seconded the demand.

Mr. POINDEXTER. I ask that the other side be counted.

The PRESIDING OFFICER. The Chair will again inquire if the demand for the yeas and nays is seconded? Senators favoring the calling of the yeas and nays will indicate by holding up their hands. [After counting.] In the opinion of the Chair not a sufficient number have raised their hands.

Mr. NORRIS. Can we not have the other side counted? It only requires one-fifth of those present to order the yeas and nays.

The PRESIDING OFFICER. The present occupant of the chair knows of no rule whereby the other side can be taken. Fifty-one Senators are present, and but 10 Senators have raised their hands.

Mr. POINDEXTER. I do not think that 51 Senators are now present.

The PRESIDING OFFICER. The roll call has disclosed the fact that there are 51 Senators present.

Mr. POINDEXTER. That was at the time the roll was called, but not at this time.

Mr. BRANDEGEE. I want to suggest, if I may, that it seems to me, inasmuch as the Constitution provides that the yeas and nays shall be entered on the Journal at the request of one-fifth of the Members present, a Senator has a right to have the evidence as to whether or not one-fifth of those present do demand the yeas and nays. If one side is counted, namely, those who do demand the yeas and nays, in order to know whether or not the demand is seconded by one-fifth, a Senator has a right to have the other Members on the floor counted, irrespective of what a previous roll call may have indicated.

Mr. NORRIS. I should like to say——

Mr. MARTIN of Virginia. I ask for the regular order. The Chair has ruled.

The PRESIDING OFFICER. The Chair is compelled to rule that the roll call just concluded showed the presence of 51 Senators.

Mr. NORRIS. I should like to call the Chair's attention to the fact that the Chair said there were 10 Senators seconding the demand for the roll call. That would be one-fifth of fifty. Now, there are no 50 Senators present, and there were not that many present when the Chair made that announcement. I can call the Chair's attention to one Senator, if he desires, who answered the roll call who is not now present.

The PRESIDING OFFICER. The Senator knows that the Chair can not go into that question of fact. As the Chair understands the precedents laid down by former occupants of the Chair, a roll call is conclusive on a proposition of this kind.

Mr. NORRIS. The Constitution says that on the demand of one-fifth of those present the yeas and nays shall be entered on the Journal. Now, it must be ascertained whether there are more than 50 Senators present.

The PRESIDING OFFICER. There is no way for the Chair to ascertain that fact except by having the roll called, and when the roll is called——

Mr. BRANDEGEE. If the Presiding Officer will allow me, the way the Chair ascertains the number who have asked for the yeas and nays is to count them, and the Chair did count them. It is just as mathematically possible for the Chair, if he desires to do so, to count the other Senators present as it is to count those who have asked for the yeas and nays.

Mr. MARTIN of Virginia. I ask for the regular order.

Mr. BRANDEGEE. It is repeatedly done, if I may be allowed to say so. Acquiescence to the request that the other side be counted is simply in another form a method of division.

Mr. NELSON. Mr. President, it seems to me that when the Chair took pains to ascertain how many Senators demanded the yeas and nays, he did so by having us stand up or by having us hold up our hands. He did not pass upon the demand from any previous roll call. The way to ascertain whether that number is one-fifth is to count the other side in the same manner. That has always been the custom heretofore, and I have never known it to be deviated from when the point was raised.

Mr. BACON. I want to call the attention of the Senator to the fact that the language of the Constitution is not "one-fifth of those voting," but "one-fifth of those present." I think the Chair is correct in saying that the only way to ascertain who are present, according to a practice of the Senate, is by a roll call; in other words, we do not have the counting of those who are present, but the presence of a Senator is indicated by his answer to his name. There had been a roll call immediately preceding the demand for the yeas and nays. The very last thing done was to ascertain that there were 51 Senators present, and that is the best evidence of the fact.

Mr. NELSON. I have been here as long as the Senator, and, according to my recollection, invariably when a demand is made for a roll call the question is asked, "Is the demand seconded by a sufficient number?" If there is any doubt about the sufficiency of the number, the Presiding Officer has always asked Senators on the other side to stand up and be counted. This is a plain departure from that rule, and I do not think it is treating us fairly. We ought to be treated in the same spirit that we treated you when we were in the majority.

Mr. OVERMAN. I am willing to have the yeas and nays.

The PRESIDING OFFICER. The yeas and nays are demanded. Is there a second?

The yeas and nays were ordered.

The PRESIDING OFFICER. The Secretary will call the roll.

Mr. LEWIS. I rise to a parliamentary inquiry. Upon what is the roll call, Mr. President?

The PRESIDING OFFICER. The question is upon the motion of the Senator from North Carolina [Mr. OVERMAN] to lay on the table the motion of the Senator from Washington [Mr. POINDEXTER] to reconsider the vote whereby the amendment to the amendment was agreed to.

Mr. ASHURST. Mr. President——

Mr. OVERMAN. The Senator from Washington [Mr. POINDEXTER] has moved to reconsider the vote by which the amendment to the amendment was agreed to. I have moved to lay that motion upon the table. That is the question before the Senate, as I understand.

Mr. ASHURST. Mr. President, the exhibition of propriety, circumspection, and order for which the Senate is so famous was so pronounced that I was unable to hear what the question was. I ask that the question be again stated.

The PRESIDING OFFICER. The reason the Senator did not hear was that he was addressing the Chair when the Senator from North Carolina [Mr. OVERMAN] was stating it. The Senator from North Carolina moves to lay upon the table the motion of the Senator from Washington [Mr. POINDEXTER] to reconsider the vote.

Mr. ASHURST. What vote?

The PRESIDING OFFICER. The vote of the Senate upon the last proposition, having to do with the amendment to the civil-service provision. The Secretary will call the roll.

The Secretary proceeded to call the roll, and called the name of Mr. ASHURST.

Mr. ASHURST. I refuse to vote until we know what we are voting on.

Mr. JAMES. As I understand the parliamentary situation, the Senator from Washington [Mr. POINDEXTER] has moved to reconsider the vote by which the amendment relative to deputy collectors and deputy marshals was agreed to, and the Senator from North Carolina [Mr. OVERMAN] has moved to lay that motion on the table. Our vote is "yea."

Mr. BRANDEGEE. I rise to a point of order, which is that after the Chair has ordered the Secretary to call the roll and a Senator has answered to his name it can not be interrupted for discussion and debate.

Mr. JAMES. The Senator himself interrupted the roll call a moment ago and argued for half an hour about a proposition that was not germane at all.

Mr. BRANDEGEE. I have not interrupted the roll call. I demand the regular order.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary resumed the calling of the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. In his absence I withhold my vote.

Mr. CLARKE of Arkansas (when his name was called). I am paired with the junior Senator from Utah [Mr. SUTHERLAND], who is not here, and therefore withhold my vote.

Mr. FLETCHER (when his name was called). I have a pair with the Senator from Wyoming [Mr. WARREN]. I transfer that pair to the Senator from Maryland [Mr. SMITH] and vote "yea."

Mr. REED (when his name was called). I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Oklahoma [Mr. OWEN] and vote "yea." At the same time I desire to announce that the Senator from Oklahoma [Mr. OWEN] is absent from the Chamber on account of committee work.

I also desire to announce that my colleague [Mr. STONE] is unavoidably detained from the Senate by sickness in his family. In his absence he is paired with the Senator from Wyoming [Mr. CLARK]. If present, my colleague would vote "yea."

Mr. SHAFROTH (when his name was called). I am paired with the junior Senator from California [Mr. WORKS], and therefore withhold my vote.

Mr. SMITH of Georgia (when his name was called). I desire again to announce my pair with the senior Senator from Massachusetts [Mr. LODGE], and I refrain from voting. I will not make this announcement again during the day, but will let it continue for the day. I also wish to add that if at any time my vote is necessary to make a quorum, under our agreement I have the right to vote, as has the Senator from Massachusetts in my absence.

Mr. WILLIAMS. I desire to inquire if the senior Senator from Pennsylvania [Mr. PENROSE] has voted upon this roll call?

The PRESIDING OFFICER. The Chair is informed that he has not.

Mr. WILLIAMS. Then I can not vote, as I have a pair with that Senator.

The roll call was concluded.

Mr. WALSH (after having voted in the affirmative). I inadvertently voted upon this question without reflecting that I am paired with the Senator from Rhode Island [Mr. LIPPITT]. I therefore desire to withdraw my vote.

Mr. SMITH of Arizona. I have a pair with the Senator from New Mexico [Mr. FALL]. Under that pair I have reserved the right to vote at all times when it is necessary to do so in order to make a quorum of the Senate. I vote "yea."

Mr. LEA. I announce my pair with the senior Senator from South Dakota [Mr. CRAWFORD]. If at liberty to vote, I should vote "yea."

Mr. O'GORMAN. I have a pair with the senior Senator from New Hampshire [Mr. GALLINGER], reserving the right, however, to vote when necessary for the purpose of constituting a quorum. I do not know whether it is necessary, and until I ascertain whether it be necessary or not, I will withhold my vote.

The PRESIDING OFFICER. The Chair will state to the Senator that his vote will not be necessary to make a quorum.

Mr. O'GORMAN. Then I withhold my vote.

Mr. TILLMAN (after having voted in the affirmative). In view of what the Chair has just stated, I desire to withdraw my vote, because I only voted to make a quorum, as I have a pair with the Senator from Wisconsin [Mr. STEPHENSON].

The PRESIDING OFFICER. The Chair will state that if a sufficient number of Senators withdraw their votes there will not be a quorum, of course.

Mr. TILLMAN. I will allow my vote to stand until the fact is ascertained whether a quorum has voted.

Mr. GRONNA. I wish to announce that my colleague [Mr. MCCUMBER] is absent from the city on important business.

Mr. WALSH. I observe that the Secretary, in recapitulating the vote, called my name as having voted. I announced that I withdrew my vote, although the pair expressly stipulated that I should have the right to vote at any time in order to make a quorum.

The PRESIDING OFFICER. The Chair is informed that the Senator's vote is necessary to make a quorum.

Mr. WALSH. Then I will let my vote stand.

The PRESIDING OFFICER. The Chair is now informed that a sufficient number of Senators have voted, so that if the Senator from Montana desires to withdraw his vote he may do so.

Mr. WALSH. Under that statement, I will withdraw my vote.

Mr. TILLMAN. A quorum having voted, I withdraw my vote.

The result was announced—yeas 32, nays 16, as follows:

YEAS—32.

Ashurst	James	Perkins	Simmons
Bacon	Johnson	Pittman	Smith, Ariz.
Bryan	Kern	Pomerene	Smith, S. C.
Chilton	Lewis	Ransdell	Swanson
Fletcher	Martin, Va.	Reed	Thomas
Gore	Martine, N. J.	Sheppard	Thompson
Hitchcock	Myers	Shields	Thornton
Hollis	Overman	Shively	Vardaman

NAYS—16.

Borah	Burton	Jones	Nelson
Bradley	Gronna	La Follette	Norris
Brandegee	Hughes	Lane	Poindexter
Bristow	Jackson	McLean	Weeks

NOT VOTING—47.

Bankhead	Dillingham	Oliver	Smoot
Brady	du Pont	Owen	Stephenson
Burleigh	Fall	Page	Sterling
Catron	Gallinger	Penrose	Stone
Chamberlain	Goff	Robinson	Sutherland
Clapp	Kenyon	Root	Tillman
Clark, Wyo.	Lea	Saulsbury	Townsend
Clarke, Ark.	Lippitt	Shafroth	Walsh
Colt	Lodge	Sherman	Warren
Crawford	McCumber	Smith, Ga.	Williams
Culberson	Newlands	Smith, Md.	Works
Cummins	O'Gorman	Smith, Mich.	

So the motion of Mr. OVERMAN to lay on the table the motion of Mr. POINDEXTER to reconsider was agreed to.

The PRESIDING OFFICER. The question recurs on agreeing to the amendment as amended.

The amendment as amended was agreed to.

The reading of the bill was resumed, and the Secretary read to line 24, on page 2.

Mr. OVERMAN. To the next paragraph, on page 3, at the request of the department, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 3, line 4, after the word "States," the committee proposes to insert:

And for other purposes connected with the present disturbed conditions in Mexico.

The amendment was agreed to.

Mr. SMITH of Arizona. Mr. President, I offer an amendment, which I send to the desk.

Mr. MARTIN of Virginia. I call the attention of the Senator to the unanimous-consent agreement that the committee amendments shall be first disposed of.

Mr. SMITH of Arizona. Very well. With the understanding, then, that matters of this kind will stand undisposed of until the committee amendments are disposed of, I will not press the amendment at this time.

The PRESIDING OFFICER. Without objection, the amendment will be considered as pending.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Treasury Department," on page 3, after line 12, to insert:

OFFICE OF AUDITOR FOR THE WAR DEPARTMENT.

The money accounts of the Panama Canal, under the Panama Canal act of August 24, 1912 (Stat. L., vol. 37, p. 560), shall continue to be audited by the Auditor for the War Department.

Mr. BRANDEGEE. I should like to ask the chairman of the committee having the bill in charge in relation to that provision, why does that need to be continued?

Mr. OVERMAN. The committee was informed that under the new act there would be confusion as to which auditor should audit these accounts, and legislation upon the subject was desired, so as to make it definite. We have placed it where it is now, under the same auditor.

Mr. BRANDEGEE. Oh, yes; I notice that it says they "shall continue to be audited."

Mr. OVERMAN. Yes.

Mr. BRANDEGEE. I did not know but that the authority originally given in the bill had expired, or something like that.

Mr. OVERMAN. The comptroller says that under the new act he can not tell exactly where the accounts should be audited.

Mr. BRANDEGEE. I understand now.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 3, after line 18, to insert:

Boston, Mass., immigrant station: The existing legislation authorizing the acquisition of a site and the construction and furnishing of an immigrant station at Boston, Mass., be, and the same is hereby, so amended as to authorize and direct the Secretary of the Treasury to construct upon the site heretofore acquired for such station a suitable building or buildings, exclusive of sea wall, piers, approaches, and the furnishing of such building or buildings; all within the limit of cost of $375,000, heretofore fixed for said site and building or buildings; and any unexpended balances of appropriations heretofore made under said limit of cost are hereby transferred to the Treasury Department and are to be expended under the direction of the Secretary of the Treasury.

Mr. WEEKS. Mr. President, I should like to ask the Senator in charge of the bill just what that means, and what the purpose of the amendment is.

Mr. OVERMAN. As I understand, it is to give to the Secretary of the Treasury, instead of the Secretary of Commerce and Labor, the right to control the letting of contracts for the erection of those buildings. It has been in the hands of the Secretary of Commerce and Labor by mistake. All public buildings are in the hands of the Secretary of the Treasury. The Architect of the Treasury is under the Secretary of the Treasury. For some reason this was taken out of his hands and put in the hands of the Secretary of Commerce and Labor. We wish to have it transferred back.

Mr. WEEKS. It is simply a transfer from one department to another?

Mr. OVERMAN. That is all.

Mr. WEEKS. Was it done at the request of the Treasury Department?

Mr. OVERMAN. It was done at the request of the Secretary of the Treasury.

Mr. WEEKS. And with the assent of the Secretary of Commerce and Labor?

Mr. OVERMAN. There was no objection at all from him. It is something unusual to put it in the hands of that department.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. NORRIS. Mr. President, I should like to inquire of the Senator in charge of the bill, not only as to the item on page 4 in regard to the post office at Bronx, N. Y., but in regard to the others that are in the bill. Have they been provided for under the public-buildings act?

Mr. OVERMAN. All of these public buildings have been previously authorized. We put nothing new in the bill as to public buildings. They are all authorized by laws heretofore enacted by Congress.

Mr. NORRIS. Then why were not these appropriations made in the regular appropriation bill? How do they happen to be made in this one? Is it not customary to place them in the regular appropriation bill?

Mr. OVERMAN. Does the Senator refer to the public-buildings bill?

Mr. NORRIS. No; the public-buildings bill does not carry appropriations. I refer to the sundry civil appropriation bill.

Mr. OVERMAN. The sundry civil bill usually carries them, but this has come up since that time. It is in accordance with an estimate made by the Treasury Department itself.

Mr. NORRIS. I notice a great number here reading, "For completion of building under present limit," and so forth. Most of them are very small. I was under the impression that the sundry civil bill carried sufficient appropriation.

Mr. OVERMAN. The sundry civil bill, if the Senator will remember, carried only certain amounts for certain buildings, and not all the amounts necessary to complete the buildings. It appropriated $5,000, $50,000, and so forth, for various buildings.

Mr. NORRIS. I know it does not necessarily give them the full amount; but, for instance, a little further down is this item:

Corinth, Miss., post office: For completion of building under present limit, $3,500.

It is a very small amount.

Mr. OVERMAN. That was necessary to complete the building under the appropriation already made or authorized.

Mr. NORRIS. There are so many of these items that I was led to make the inquiry. The practice has always been in the sundry civil bill, if we came as near to the total as $3,500, to appropriate in the sundry civil bill all that was authorized by law; and I wondered why so many of them had been omitted.

Mr. OVERMAN. These are estimates sent down by the Treasury Department, all within the limit of cost. We would not include a single new public building in the bill.

Mr. NORRIS. I should like to inquire of the Senator whether there was any investigation made by the committee in regard to this subject. I think there were 48 buildings provided for in the last buildings act where the amount that had been authorized before was increased, and plans, specifications, and so forth, have been prepared and submitted, but no contract let, because the bids were all larger than the authorization. The last public buildings act, I think, had 48 of those cases in different parts of the United States.

Mr. OVERMAN. I do not think the Senator will find anything of that sort here. These are all small amounts.

Mr. NORRIS. What I was going to inquire was whether the matter was given any consideration.

Mr. OVERMAN. It was not.

Mr. NORRIS. The Supervising Architect of the Treasury, as I understand, had the matter up, at least with the House committee, and was desirous of getting some additional employees in his office, in order that those buildings should not lose their place.

Mr. OVERMAN. The question did come up as to whether or not we should allow additional clerks. The House declined to allow them, and we accepted what the House did.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 4, after line 17, to insert:

Charleston, W. Va., rent of buildings: For rent of temporary quarters at Charleston, W. Va., for the accommodation of Government officials, $5,500, or so much thereof as may be necessary.

The amendment was agreed to.

Mr. BRISTOW. Do I understand that other amendments are not in order until the committee amendments have been passed on?

Mr. OVERMAN. That was the unanimous-consent agreement.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 5, after line 2, to insert:

Galveston, Tex., appraisers' stores: The appropriations of $40,000 (act of Congress March 4, 1911, 36 Stat., 1372) and $25,000 (act of Congress approved August 24, 1912, 37 Stat., 420) for the enlargement, extension, remodeling, or improvement of the appraiser's stores building at Galveston, Tex., under the authorization contained in section 2 of the act of Congress approved June 25, 1910 (36 Stat., 680) are hereby reappropriated and made available for carrying into effect so much of the revised authorization contained in section 1 of the act of Congress approved March 4, 1913, as provides for the purchase of a suitable building and site for an appraisers' stores, warehouse, and other purposes, and providing suitable offices therein, at a limit of cost of $65,000; and any balance remaining of said $65,000 from said purchase and provision of suitable offices is hereby reappropriated and made available toward carrying into effect either, or both, of the other two purposes contemplated by said authorization contained in section 1 of said public act of March 4, 1913.

The amendment was agreed to.

The next amendment was, at the top of page 6, to insert:

Galveston, Tex., quarantine station: For placing riprap alongside the bulkhead at the quarantine station, Galveston, Tex., in order to prevent the same from being washed away due to its exposed position and the effect of storm and wave action and the scour of tidal currents, $50,000.

The amendment was agreed to.

The next amendment was, on page 6, line 9, after "$10,000," to insert: "*Provided*, That not to exceed $7,000 of this amount may be used, in the discretion of the Secretary of the Treasury, for the acquisition of additional land adjoining the present site," so as to make the clause read:

Hanover, Pa., post office: For completion of building under present limit, $10,000: *Provided*, That not to exceed $7,000 of this amount may be used, in the discretion of the Secretary of the Treasury, for the acquisition of additional land adjoining the present site.

The amendment was agreed to.

The next amendment was, on page 6, after line 19, to insert:

Pittsburgh, Pa., Bureau of Mines: Section 26 of the act approved March 4, 1913, which authorizes the Secretary of the Treasury to enter into a contract or contracts for the erection of fireproof laboratories for the Bureau of Mines in the city of Pittsburgh, Pa., etc., is hereby amended so as to authorize the Secretary of the Treasury, in his discretion, to accept and expend, in addition to the limit of cost therein fixed, such funds as may be received by contribution from the State of Pennsylvania, or from other sources, for the purpose of enlarging, by purchase, condemnation, or otherwise, and improving the site authorized to be acquired for said Bureau of Mines, or for other work contemplated by said legislation: *Provided*, That the acceptance of such contributions and the improvements made therewith shall involve the United States in no expenditure in excess of the limit of cost heretofore fixed.

The amendment was agreed to.

The next amendment was, on page 7, after line 12, to insert:

Portland, Oreg., post office: The unexpended balance ($160,000) of the appropriation for the acquisition of a site for a post-office building at Portland, Oreg., is hereby reappropriated and made available toward the construction of said building within the present limit and for the purposes stipulated in the public buildings act of March 4, 1913: *Provided*, That section 6 of the public buildings act, approved March 4, 1913, is hereby amended so that authority is given to construct said public building to accommodate any other governmental purposes in the city of Portland, Oreg., said additional accommodations herein authorized to be made within the limit of cost heretofore fixed.

The amendment was agreed to.

The next amendment was, on page 8, after line 3, to insert:

Tampa Bay, Fla., quarantine station: For the construction of attendants' quarters on shore, wharf, and causeway, including disinfecting house thereon, and a house on shore for the storage of inflammable materials, to replace the damage done by the fire of June 18, 1913, $65,000.

The amendment was agreed to.

The next amendment was, at the top of page 9, to insert:

Memphis, Tenn., customhouse, courthouse, and post office: Authority is hereby given to use the sum of $20,000 of the amount heretofore authorized for the purchase of a site toward the construction of said customhouse, courthouse, and post office, at Memphis, Tenn.: *Provided*, That the limit of cost heretofore fixed shall not be exceeded.

The amendment was agreed to.

The next amendment was, on page 9, after line 8, to insert:

New York, N. Y., appraisers' stores: The appropriation of $75,000 contained in the sundry civil act approved August 24, 1912, for installing in the appraisers' stores building, New York, N. Y., certain metal conduits and wiring, fire-alarm system, etc., be, and the same is hereby, made available in lieu thereof for the following purposes, namely: For completing the inclosing of the central elevator shaft, inclosing the lift in the northeast corner, new inclosed staircase on the south side, remodeling wiring system, installing a new fire-alarm system, and extending watchman's clock system; any balance within said limit of $75,000 to be expended in reassigning changes incident thereto.

The amendment was agreed to.

The next amendment was, at the top of page 10, to insert:

Wytheville, Va., post office: The post-office building heretofore authorized at Wytheville, Va., shall be so constructed as to provide quarters for all governmental purposes in that city: *Provided*, That said post-office building, together with any additional accommodations herein authorized, shall be constructed within the limit of cost fixed for said building.

The amendment was agreed to.

The next amendment was, at the top of page 11, to insert:

Mechanical equipment for public buildings: The limitation of $9,000 for the Treasury, Butler, and Winder Buildings, contained in the appropriation for "Mechanical equipment for public buildings, 1914," is increased to $15,000 for repairs.

The amendment was agreed to.

The next amendment was, on page 11, line 9, after the word "compensation," to strike out "(not exceeding in the aggregate $15,000 and at a monthly compensation not exceeding $300 each, to be fixed by the Secretary of the Treasury)" and insert "not exceeding in the aggregate $15,000, to be fixed by the Secretary of the Treasury," so as to make the clause read:

For compensation, not exceeding in the aggregate $15,000, to be fixed by the Secretary of the Treasury, and traveling expenses of agents to select and recommend sites that have been authorized by law for public buildings, for the fiscal year 1914, $30,000.

The amendment was agreed to.

Mr. POINDEXTER. I offer an amendment, which I send to the desk.

The PRESIDING OFFICER. The Chair will call the attention of the Senator from Washington to the fact that under the unanimous-consent agreement amendments other than committee amendments are not now in order.

Mr. POINDEXTER. What is the unanimous-consent agreement?

The PRESIDING OFFICER. The unanimous-consent agreement is that the committee amendments are to be first considered.

Mr. POINDEXTER. I was not aware of that. I was not present when the agreement was entered into.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 11, after line 16, to insert:

MINTS AND ASSAY OFFICES.

For freight on bullion and coin, by registered mail or otherwise, between mints and assay offices, additional for the fiscal year 1914, $10,000.

The amendment was agreed to.

The next amendment was, on page 11, after line 20, to insert:

Mint at Carson City, Nev.: For incidental and contingent expenses, additional for fiscal year 1914, $1,000.

The amendment was agreed to.

The next amendment was, on page 11, after line 23, to insert:

Assay office at Boise, Idaho: For incidental and contingent expenses, additional for fiscal year 1914, $1,000.

The amendment was agreed to.

The next amendment was, at the top of page 12, to insert:

Assay office at Deadwood, S. Dak.: For incidental and contingent expenses, new machinery, etc., additional for fiscal year 1914, $500.

The amendment was agreed to.

Mr. LEA. I should like to give notice that after the conclusion of action on the committee amendments, I desire to offer an amendment to be inserted on page 11, just before "Mints and Assay Offices."

The PRESIDING OFFICER. Without objection, the amendment will be considered as pending.

Mr. NELSON. Mr. President, one matter occurs to me here, and I do not mention it to be critical. For instance, when a committee amendment is up for consideration, it may be that some Senator will wish to amend that amendment. If he can not do it at that time, he must get some time in which to do it.

The PRESIDING OFFICER. The unanimous-consent agreement does not prevent an attempt to amend a committee amendment, as the Chair understands.

Mr. OVERMAN. I have no objection to proposals to amend committee amendments.

Mr. NELSON. That is what I mean. When a committee amendment is up for consideration, it is certainly open to amendment, is it not?

Mr. OVERMAN. I think so.

The PRESIDING OFFICER. That is the understanding of the Chair.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 12, after line 3, to insert:

Assay office at Helena, Mont.: For incidental and contingent expenses, additional for fiscal year 1914, $1,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 6, to insert:

Assay office at Salt Lake City, Utah: For incidental and contingent expenses, additional for fiscal year 1914, $1,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 9, to insert:

COLLECTING INTERNAL REVENUE.

For salaries and expenses of 40 revenue agents provided for by law, and fees and expenses of gaugers, salaries and expenses of storekeepers and storekeeper-gaugers, fiscal year 1913, $6,500.

The amendment was agreed to.

The next amendment was, on page 13, after line 2, to insert:

PUBLIC HEALTH SERVICE.

Authority is granted to transfer the sum of $2,100 from the item "For medical examinations, care of seamen, care and treatment of all other persons entitled to relief, and miscellaneous expenses other than marine hospitals, which are not included under special heads," for the fiscal year 1912, to the item "For freight, transportation, and traveling expenses," for the fiscal year 1912.

The amendment was agreed to.

The next amendment was, under the head of "Interstate Commerce Commission," on page 14, line 13, after the words "nineteen hundred and fourteen," to insert "and this appropriation shall be charged with all expenses properly incurred on and after July 1, 1913," so as to read:

To enable the Interstate Commerce Commission to carry out the objects of the act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof, by providing for a valuation of the several classes of

property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities," approved March 1, 1913, of which sum not exceeding $15,000 may be expended for rent of buildings in the District of Columbia, being for the fiscal year 1914, $300,000, together with the unexpended balance of the appropriation of $100,000 made for this purpose in the general deficiency appropriation act approved March 4, 1913, which is reappropriated and made available for the fiscal year 1914, and this appropriation shall be charged with all expenses properly incurred on and after July 1, 1913.

Mr. BRANDEGEE. I wish to ask a question regarding the amendment. Of course I assume that the expenses were properly incurred in the sense that they were necessary, but that the amendment is designed to apply to a case where some money was expended perhaps not strictly and technically according to the provisions of the statute, in some emergency. So much as a preliminary to get to my question. If that is the intention will not the use of the word "properly," in line 14, effectually bar the curing of the very trouble the amendment is designed to cure, because they were not properly incurred if they were not incurred strictly in accordance with the law.

Mr. OVERMAN. This item was sent down and inserted after conference with the comptroller. The men are already employed. I do not know whether they were properly employed or not, but no provision was made for their payment.

Mr. BRANDEGEE. I do not know either. If he does not know enough to extricate himself from his own difficulties that he has got into, I have nothing more to say.

The amendment was agreed to.

The next amendment was, on page 15, line 3, after the word "appointment," to strike out *"Provided further*, That this appropriation shall be available for payment of persons duly appointed, qualified, and actually employed prior to July 1, 1913." So as to make the proviso read:

Provided, That no person in the classified service of the United States on March 1, 1913, or employed therein since that date, other than in the Interstate Commerce Commission, shall be employed hereunder, by certificate or otherwise of the Civil Service Commission or by transfer from other branches of the public service, at a rate of compensation exceeding that received from the United States on or since March 1, 1913, nor shall the rate of compensation of any person appointed hereunder be increased within 12 months after such appointment.

The amendment was agreed to.

The next amendment was, on page 15, after line 21, to insert:

UNITED STATES BOARD OF MEDIATION AND CONCILIATION.

To enable the United States Board of Mediation and Conciliation to carry out the objects of an act entitled "An act providing for mediation, conciliation, and arbitration in controversies between certain employers and their employees," approved July 15, 1913, for the fiscal year 1914, $10,000.

The amendment was agreed to.

The next amendment was, under the head of "District of Columbia," on page 16, after line 11, to insert:

The Commissioners of the District of Columbia are hereby authorized and directed to use so much as may be necessary of the appropriation of $4,800 contained in the District of Columbia appropriation act for the fiscal year ending June 30, 1914, approved March 4, 1913, under the head of "General Expenses," subhead "Excise Board," to pay the salaries of the four employees of the old Excise Board for services actually rendered by them from July 1, 1913, to August 21, 1913, both dates inclusive, at the rates of compensation set forth in the law granting said appropriation, and the said appropriation is hereby made available for this purpose.

Mr. BURTON. I should like to ask the object of that. They are employees of the board under the old law and held over?

Mr. OVERMAN. The clerks held over, and now we can not pay them because the law was changed. The comptroller held that he could not pay them on that appropriation, and so we have authorized the payment. The clerks have been doing the work, and they are to be paid out of the $4,800 heretofore appropriated.

Mr. BURTON. Is it due to delay in the confirming of the excise commissioners or to the fact that certain clerks held over who had been employed by the old board?

Mr. OVERMAN. They were employed by the old board, and they were just continued. There was no confirmation, but the clerks went on, and there is no money to pay them.

Mr. BURTON. I suppose it is just to them that they should be paid; but what duties did they have to perform in the meantime?

Mr. OVERMAN. They were under the employment of the Government at the time and they held on until the confirmation of the new board. We thought it was right to pay them out of the appropriation made for that purpose.

Mr. BURTON. Did they act as clerks under the new board as well.

Mr. OVERMAN. The same men.

The PRESIDING OFFICER. The amendment is agreed to.

Mr. BRANDEGEE. The Chair ruled so quickly; I had been waiting to offer an amendment to the committee amendment.

The PRESIDING OFFICER. Without objection the order by which the amendment was agreed to will be vacated.

Mr. BRANDEGEE. I send an amendment to the amendment to the desk and ask that it be read. It is to come in on page 16, after line 25, at the conclusion of the committee amendments.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. At the end of the committee amendment, at the bottom of page 16, insert:

For the expenses of jury commissioners of the District of Columbia, including stationery and clerical assistants——

Mr. OVERMAN. I object to that as an amendment to the amendment.

Mr. BRANDEGEE. Of course it is not a matter concerning the Commissioners of the District, but I thought this was the proper place for it.

Mr. OVERMAN. It is an entirely different subject. I ask the Senator to wait until we get through with the committee amendments.

Mr. BRANDEGEE. It is immaterial to me. I will withdraw it until the bill is open to individual amendment.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn. The question is upon agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was continued to line 9 on page 20, the last paragraph read being as follows:

International Waterways Commission: Not exceeding $5,100 of the sum appropriated in the sundry civil appropriation act for the fiscal year 1914 for the work of the International Waterways Commission shall be available for the payment of obligations incurred subsequent to January 1, 1913.

Mr. BURTON. I should like to ask a question about the International Waterways Commission. As I recall it, certain expenses had been incurred before the sundry civil act was passed, and the commission was unable, under the terms of the act, to pay those expenses from the appropriation; that is to say, from January 1 up to the date when the bill became a law.

Mr. OVERMAN. I think this is to legalize that payment.

Mr. BURTON. It is to provide for that period.

Mr. OVERMAN. For the interim.

The reading of the bill was continued.

The next amendment was, under the head of "War Department," on page 20, after line 19, to insert:

RIVER AND HARBOR WORK.

The sum of $150,000, or so much thereof as may be necessary, of the unexpended balance of the appropriation heretofore made for the improvement of the Tennessee River between Chattanooga, Tenn., and Browns Island, Ala., be made available for expenditure in the section of the Tennessee River between Florence and Riverton, Ala., for the purpose of allowing immediate and continuous work of improvement in said latter section of the river.

Mr. BURTON. I should like to make an inquiry about that amendment. This amount of $150,000 has already been appropriated or authorized in the river and harbor act. The object of the amendment is to expend a portion of the amount heretofore appropriated, to wit, $150,000, for another section of the river.

Mr. OVERMAN. It is the section adjoining—the section between Florence and Riverton. I understand that all the money has been expended on that portion of the river where work is being done; $150,000 is a part of the amount that was appropriated for the section between Browns Island and Chattanooga. They want to take that $150,000 and apply it to the other section. It is recommended by the department. They are not able to do anything in that portion of the river between Browns Island and Chattanooga. The Secretary of War recommends it.

Mr. BURTON. There has been no action by the House on the recommendation of the River and Harbor Commission.

Mr. OVERMAN. No.

Mr. BURTON. I presume this is continuing the improvement, and I shall not raise a point of order on it. It is entirely contrary to precedents we formerly observed to shift the appropriation from one section to another without the action of the River and Harbor Board.

Mr. OVERMAN. I inquired if all the parties concerned had consented, and they came before us from the House and said they had. As I said, the Secretary of War has recommended it.

The amendment was agreed to.

The next amendment was, on page 21, after line 3, to insert:

For protecting the shore of Anastasia Island, Fla., by groins, $15,000.

The amendment was agreed to.

The next amendment was, under the head of "Navy Department," on page 25, line 8, after the word "House," to strike out "document" and insert "documents"; in line 9, after the words "one hundred and eighty-five," to strike out "$1,059" and insert "and Senate Document No. 194, $1,781.39," so as to make the clause read:

To pay the claims adjusted and determined by the Navy Department, under the naval appropriation act for the fiscal year 1911 (36 Stat. L., 607), on account of damages occasioned to private property by collisions with vessels of the United States Navy and for which the naval vessels were responsible, certified to Congress at its present session in House Documents Nos. 151 and 185 and Senate Document No. 194, $1,781.39.

The amendment was agreed to.

The next amendment was, on page 25, after line 11, to insert:

NAVAL ESTABLISHMENT.

The "Improvement of hydraulics, Mare Island Straits, etc., in accordance with the report submitted in House Document No. 1103, Sixtieth Congress, second session," authorized by the naval appropriation act approved March 4, 1911, may be effected by the Secretary of the Navy in accordance with such modifications of the plan recommended in said report as he may approve, subject, however, to the limitation of cost fixed by said act.

The amendment was agreed to.

The next amendment was, under the head of "Interior Department," subhead "General Land Office," on page 25, after line 23, to insert:

To enable the Commissioner of the General Land Office to temporarily employ additional clerks and stenographers, at not exceeding the rate of $1,000 per annum each, for the purpose of bringing up such arrears of work as may exist in his office, the unexpended balances amounting to $8,377.88 of the appropriations of $22,620 contained in the act approved August 24, 1912, entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ended June 30, 1913," providing for temporary employment of additional clerks in the General Land Office, is hereby continued and made available for the fiscal year ending June 30, 1914.

The amendment was agreed to.

The next amendment was, at the top of page 27, to insert:

SURVEYING THE PUBLIC LANDS.

To pay William T. Evans, United States deputy surveyor, for surveys and resurveys of public lands in Oregon, under contract No. 784, dated January 21, 1909, the sum of $1,428.16, as found due him by the Auditor for the Interior Department by certificate No. 32100 of September 16, 1913, and payable from the appropriation "Surveying the public lands," fiscal year 1909.

The amendment was agreed to.

The next amendment was, on page 27, after line 22, to insert:

INDIAN OFFICE.

For the temporary employment of eight clerks in the Office of Indian Affairs, at the rate of $1,200 per annum each, for the balance of the fiscal year 1914, for work in connection with determining heirs of deceased Indian allottees, $7,200, or so much thereof as may be necessary, to be paid from the $50,000 appropriated in the Indian appropriation act of June 30, 1913, for such work in the Indian field service.

The amendment was agreed to.

The next amendment was, on page 28, after line 6, to insert:

The unexpended balance remaining upon the books of the Treasury on June 30, 1913, of the appropriation of "$15,000 for improvements at Fort Bidwell School, in California, as follows: $7,000 for the erection and construction of a water and electric-light system; $3,000 for sewerage system; $3,000 for a steam laundry; and $2,000 for a complete heating system of the school and accessory buildings," under the act of August 24, 1912, entitled "An act making appropriations for current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with the various Indian tribes, and for other purposes," for the fiscal year ending June 30, 1913 (37 U. S. Stats., pp. 518-520), and under the terms of said appropriation of $15,000, is hereby reappropriated and made available for the fiscal year ending June 30, 1914.

The amendment was agreed to.

The next amendment was, on page 29, after line 13, to insert:

Capitol Building: For work at Capitol and for general repairs thereof, including flags for the east and west fronts of the center of the Capitol and for Senate and House Office Buildings; flagstaffs, halyards, and tackle, wages of mechanics and laborers; purchase, maintenance, and driving of office vehicle, and not exceeding $100 for the purchase of technical and necessary reference books and city directory, $1,650.

The amendment was agreed to.

The next amendment was, under the head of "Department of Justice," on page 29, after line 22, to insert:

Office of the Attorney General: For salary of the Assistant to the Attorney General, which is hereby fixed at the rate of $9,600 per annum; in addition to the $7,000 heretofore appropriated, for the balance of the fiscal year 1914, $1,950, or so much thereof as may be necessary.

Mr. BRANDEGEE. I wish to ask the Senator in charge of the bill a question. This is evidently an increase of the salary of this official. I want to know what the demand for it was. I assume it is legislation on an appropriation bill and subject to a point of order.

Mr. OVERMAN. The Attorney General came before the committee and said this is a very valuable man, and that he could make a good deal more money practicing in New York City, but he brought him here and he thought his salary ought to be increased. The House committee allowed $9,600, and it went out on a point of order in the House. We inserted it in the bill upon the recommendation of the Attorney General.

Mr. BRANDEGEE. Is there any particular significance in the figures $9,600 instead of $10,000?

Mr. OVERMAN. Twelve times 8 are 96.

Mr. BRANDEGEE. I do not know why we should not make it a salary in round numbers.

Mr. NELSON. Mr. President——

Mr. BRANDEGEE. I yield to the Senator from Minnesota.

Mr. NELSON. I want to say to the Senator that this position is the most important in the Department of Justice and it is next to that of the Attorney General. This is his main assistant, his main reliance, and he needs a first-class lawyer. I do not think the compensation is any too high.

Mr. BRANDEGEE. I am acquainted with the name of the gentleman and I voted to confirm him; I think he is a very excellent gentleman; but the salary was $7,000 when he took the office, and I wanted to know what the emergency is which requires an increase in this emergency appropriation bill.

Mr. OVERMAN. It is very hard to get a man at that salary.

Mr. BRANDEGEE. It was not hard to get him.

Mr. OVERMAN. He could not keep a man at $7,000 in this position, as the Senator from Minnesota said.

Mr. BRANDEGEE. Is the gentleman threatening to resign?

Mr. OVERMAN. I have not heard that he is.

Mr. BRANDEGEE. He did not accept the position with the understanding that the salary would be raised?

Mr. OVERMAN. I expect the Attorney General brought him here at his special request. He says he is a good man.

Mr. BRANDEGEE. He has been here for some time. He is a very competent gentleman. I shall not make a point of order against it. I wanted simply——

Mr. OVERMAN. I did not know that the Senator was a cheap-john man before. I thought he was pretty liberal.

Mr. BRANDEGEE. I am liberal. I am so liberal about it that I shall not make the point of order which I think would lie if made. I simply wanted a frank statement of what the intention was and what there is about the amendment, which I now have.

The amendment was agreed to.

The next amendment was, on page 30, after line 3, to insert:

For two charwomen, at the rate of $240 each per annum, for the balance of the fiscal year 1914, $360, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 30, after line 9, to insert:

For furniture and repairs, including carpets, file holders, and cases, for the fiscal year 1914, $1,000.

The amendment was agreed to.

The next amendment was, on page 30, after line 12, to insert:

For miscellaneous expenditures, including telegraphing, fuel, lights, foreign postage, labor, repairs of buildings, care of grounds, books of reference, periodicals, typewriters and adding machines and exchange of same, street car tickets not exceeding $200, and other necessaries directly ordered by the Attorney General, for the fiscal year 1914, $1,200.

The amendment was agreed to.

The next amendment was, on page 30, after line 19, to insert:

For rent of buildings and parts of buildings in the District of Columbia for the fiscal year 1914, $6,200.

The amendment was agreed to.

The next amendment was, on page 31, after line 19, to insert:

Enforcement of antitrust laws: For the enforcement of antitrust laws, for the fiscal year 1913, $8,540.26.

The amendment was agreed to.

The next amendment was, on page 31, after line 22, to insert:

For the enforcement of antitrust laws, for the fiscal years 1910 and 1911, $947.98.

The amendment was agreed to.

The Secretary continued the reading of the bill to line 18, page 32, subhead "Commerce Court."

Mr. OVERMAN. There will probably be some debate on that part of the bill. I ask that all that follows from line 18, page 32, down to and including line 12, on page 40, be passed over temporarily.

The PRESIDING OFFICER. Unless there is objection it will be so ordered.

The Secretary continued the reading of the bill to line 13, page 40.

The next amendment was, under the head of "United States courts," on page 40, after line 20, to insert:

The accounting officers of the Treasury are hereby authorized to allow in the accounts of the United States marshal for the district of Connecticut amounts paid by him from the appropriation pay of bailiffs, etc., United States courts, 1912, to Selah G. Blakeman, $192, and from the appropriation pay of bailiffs, United States courts, 1913, to Selah G. Blakeman, $363, and to Timothy E. Hawley, $513, notwithstanding the fact that said payees also served and received compensation as field deputy United States marshals.

Mr. BRANDEGEE. I should like to have printed in the RECORD, so that it may show the reason for the amendment, the report made by the Senator from Florida [Mr. FLETCHER] from the Judiciary Committee. I will not, however, ask to encumber the RECORD with it. I will simply cite here that it may appear in the RECORD that the reasons for the amendment appear in communications from the Department of Justice and the report made by the Senator from Florida [Mr. FLETCHER] from the Judiciary Committee, on pages 1734 and 1735 of the CONGRESSIONAL RECORD of the present session, under date of May 28, 1913.

The amendment was agreed to.

The Secretary continued the reading of the bill.

The next amendment was, on page 41, after line 6, to insert:

For payment of assistants to the Attorney General and to United States district attorneys employed by the Attorney General to aid in special cases, for the fiscal years 1913 and 1914, $20,000.

The amendment was agreed to.

The next amendment was, under the head of "Postal Service," subhead "Out of the postal revenues," on page 43, line 24, after the words "nineteen hundred and fourteen," to insert "except for such purposes as the appropriations under the Supervising Architect may be available," so as to make the clause read:

The unexpended balance of the appropriation of $750,000 made by the general deficiency appropriation act, approved March 4, 1913, not exceeding $15,000, for the Parcel Post Service for the fiscal year 1913 is reappropriated and made available for the same purpose for the fiscal year 1914 except for such purposes as the appropriations under the Supervising Architect may be available.

The amendment was agreed to.

The next amendment was, under the head of "Department of Commerce," subhead "Bureau of Fisheries," on page 45, after line 8, to insert:

Fish pathologist, Division of Inquiry, for the balance of the fiscal year 1914, at the rate of $2,500 per annum, $1,873, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 46, after line 17, to insert:

OFFICIAL REGISTER OF THE UNITED STATES.

Hereafter the Official Register of the United States shall not contain the names of those persons heretofore published in Volume II relating to the postal service, namely, postmasters, assistant postmasters, clerks in post offices, city and rural carriers, employees of the sea-post service, employees of the Railway Mail Service, employees of the mail messenger service, and mail contractors; nor shall it contain the statement of allowances made to contractors for carrying the mails or the list of ships and vessels belonging to the United States, as heretofore published in the said Official Register; and all acts or parts of acts inconsistent with the foregoing provision are hereby repealed.

Mr. BURTON. For information I should like to inquire about this amendment. Is the publication of the names discontinued because the book is made so voluminous? Is that the reason?

Mr. OVERMAN. It is published in another place. There is no need of it. It would be a saving to the United States Government, I think, of some $25,000.

Mr. BURTON. In what other place are the names published?

Mr. OVERMAN. I have a letter here from the Postmaster General, which is as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., October 1, 1913.

Hon. THOMAS S. MARTIN,
Chairman Committee on Appropriations, United State Senate.

MY DEAR MR. MARTIN: The CONGRESSIONAL RECORD indicates that my letter of September 19 to the Joint Committee on Printing, wherein I recommend the discontinuance of volume 2 of the Official Register, relating to the postal service, was referred to the Committee on Appropriations for consideration in connection with the pending deficiency appropriation. I trust that the department will be authorized at an early date not to prepare the data for this book, inasmuch as under the existing law the information must be compiled for submission to Congress early in December, and work thereon should be started in the near future. As previous correspondence shows, the compilation of this book involves a cost to the Government of from $20,000 to $25,000, for which no benefit accrues, so far as this department is concerned.

Very sincerely, yours,

A. S. BURLESON,
Postmaster General.

Mr. BURTON. What publication, do I understand, is submitted to Congress which gives those names? That would be a very voluminous publication.

Mr. OVERMAN. The Senator is familiar with the Blue Book.

Mr. BURTON. Yes. The second volume contains the names of postal employees.

Mr. OVERMAN. We do not need it now, because everything is under the civil service.

The amendment was agreed to.

The Secretary continued the reading of the bill.

The next amendment was, on page 47, after line 4, to insert:

COAST AND GEODETIC SURVEY.

Officers of the Coast and Geodetic Survey may be reimbursed for food, clothing, medicines, and other supplies furnished for the temporary relief of distressed persons in remote localities and to shipwrecked persons temporarily provided for by them, not to exceed $500 per annum, from the appropriation for field expenses, Coast and Geodetic Survey.

The amendment was agreed to.

The next amendment was, on page 50, line 8, after the words "mark the," to strike out "dredged channel at or near the west end of the draw near the Lehigh Valley Railroad bridge in Newark Bay, N. J.," and insert "channel in Newark Bay, N. J.," so as to make the clause read:

Beacon lights, Newark Bay, N. J.: The Secretary of Commerce is authorized and directed to use the unexpended balance of the appropriation of $15,000, made by the act approved March 4, 1907 (34 Stat., p. 1318), "For light and fog-signal station at or near the west end of the draw near the Lehigh Valley Railroad bridge at Passaic, N. J.," for establishing beacon lights to mark the channel in Newark Bay, N. J.

The amendment was agreed to.

The next amendment was, under the head of "Department of Labor," on page 51, line 4, after the words "nineteen hundred and fourteen," to strike out "$5,000" and insert "$10,000," so as to make the clause read:

Contingent expenses: For additional amounts for contingent and miscellaneous expenses for the offices and bureaus of the Department of Labor, to be available for the objects named in the appropriation for contingent expenses for the Department of Commerce and Labor, contained in the act approved March 4, 1913, and for all other miscellaneous items and necessary expenses not included therein, fiscal year 1914, $10,000.

The amendment was agreed to.

The next amendment was, on page 51, line 12, after the words "Department of Labor," to strike out "$5,000" and insert "$25,000" so as to make the clause read.

Commissioners of conciliation: To pay the expenses of commissioners of conciliation in labor disputes, whenever appointed in pursuance to section 8 of the act creating the Department of Labor, $25,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, under the head of "Legislative," on page 53, after line 16, to insert:

For investigating and reporting to Congress a suitable design for a memorial bridge across the Potomac River from the city of Washington to a point at or near the Arlington estate in the State of Virginia by the commission authorized pursuant to section 23 of the public buildings act approved March 4, 1913, $25,000, to be disbursed one-half by the Secretary of the Senate and one-half by the Clerk of the House of Representatives, on vouchers approved by the member of the commission designated by it to consider and approve vouchers for its expenditures.

The amendment was agreed to.

The next amendment was, on page 54, after line 2, to insert:

For additional members of the Capitol police force for the balance of the fiscal year 1914, as follows: One lieutenant, at the rate of $1,200 per annum; and 20 privates, at the rate of $1,050 each per annum; one-half of said privates to be selected by the Sergeant at Arms of the Senate and one-half by the Sergeant at Arms of the House of Representatives; in all, $16,650, or so much thereof as may be necessary, one half to be disbursed by the Secretary of the Senate and the other half to be disbursed by the Clerk of the House of Representatives.

The amendment was agreed to.

The next amendment was, on page 54, after line 12, to insert:

SENATE.

To pay Mrs. Carrie B. Sherman, widow of Hon. James S. Sherman, late Vice President, United States, $12,000, being a sum equal to one year's salary as Vice President.

The amendment was agreed to.

The next amendment was, on page 54, after line 17, to insert:

To pay Therese Hooper Johnston, widow of the late Senator Joseph F. Johnston, from the State of Alabama, $7,500.

The amendment was agreed to.

The next amendment was, on page 54, after line 20, to insert:

For 23 stenographers to Senators, from December 1, 1913, to June 30, 1914, both dates inclusive, at the rate of $1,200 per annum each, for Senators having less than three employees in connection with their official work, $16,100.

The amendment was agreed to.

The next amendment was, at the top of page 55, to insert:

For miscellaneous items, exclusive of labor, $19,500.

The amendment was agreed to.

The next amendment was, on page 55, after line 2, to insert:

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers to committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding $1.25 per printed page, $1,000.

The amendment was agreed to.

The next amendment was, on page 55, after line 6, to insert:

To reimburse the official reporters of the proceedings and debates of the Senate for expenses incurred from March 4 to September 15, 1913, for clerk hire and other extra clerical services, $3,150.

The amendment was agreed to.

The next amendment was, on page 55, after line 10, to insert:

For purchase of an automobile, including driving, maintenance, and care of the same, for the use of the Vice President, for the fiscal year 1914, $7,000.

Mr. VARDAMAN. I wish to ask the chairman of the committee how many automobiles are provided for the Vice President?

Mr. OVERMAN. Only one.

Mr. VARDAMAN. He has one.

Mr. OVERMAN. He has one and it is worn out. It is the one that was given to Vice President Sherman. I will state that the amount appropriated before for an automobile was $7,000. That automobile is worn out, and we appropriate the same amount now that was appropriated before.

Mr. VARDAMAN. Only one is provided?

Mr. OVERMAN. Only one.

Mr. GRONNA. I may have misunderstood the Senator from North Carolina. Did I understand the Senator to say that the price of the automobile will be $7,000?

Mr. OVERMAN. There was an appropriation some years ago for an automobile for the Vice President. The automobile is about worn out. We are giving the Vice President the same amount that was given to the former Vice President, including the driving and the maintenance and the care of the automobile, $7,000.

Mr. GRONNA. So this appropriation is not simply for the automobile?

Mr. OVERMAN. Oh, no.

Mr. GRONNA. But it is for the service?

Mr. OVERMAN. It includes the driving, maintenance, and care of the automobile.

Mr. GRONNA. Very well.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 55, after line 14, to insert:

For purchase and maintenance of motor vehicles for carrying the mails, $4,000, for the fiscal year 1914: *Provided*, That the unexpended balance of the appropriation for expenses of maintaining and equipping horses and mail wagons for carrying the mails for the fiscal year 1914 is hereby made available for maintaining and equipping motor vehicles.

The amendment was agreed to.

The next amendment was, on page 55, after line 21, to insert:

For rent of warehouse for storage of public documents for the Senate for the balance of the fiscal year 1914, $2,700.

Mr. NELSON. I should like to have some explanation of that amendment.

Mr. OVERMAN. That item has been appropriated for ever since I have been on the Appropriations Committee, but the appropriation has generally been $3,600. The House at the last session refused to agree to that amount, stating that our documents ought to be put over in the Senate Office Building. I investigated the matter and found that we had thousands and indeed hundreds of thousands of documents stored there and that it was impossible to remove them. There was a resolution passed authorizing them to be catalogued and allowing each Senator within six months to select as many of such documents as he might wish. Those remaining were to be sold as waste paper. We hope that finally the documents which may be of use may be removed to the Senate Office Building.

Mr. NELSON. Where is this warehouse located?

Mr. OVERMAN. This warehouse is at the foot of Capitol Hill. It is the old car barn. We have had it for about 20 years.

Mr. NELSON. Is this appropriation to provide for one year's rent?

Mr. OVERMAN. It is for the balance of the year.

Mr. NELSON. That is an enormous amount of rental for that old building. I do not believe that any private parties would pay so much rent for it.

Mr. OVERMAN. It is too much; but what are we going to do? Where are you going to put these documents? We can not get the building any cheaper. We want these documents sold as waste paper as soon as Senators shall make their selections of such documents as they desire; documents that are of recent publication will be taken care of, we hope, in some other building.

Mr. NELSON. Mr. President, I had a suspicion when I arose that the building referred to was that old car barn which we have heard of before. I do not know what they would do with that car barn if they did not have the Government to rent it.

Mr. BORAH. That is not the only building that would be unfortunate in that regard.

Mr. BURTON. Have the six months in which Senators may make their selections yet expired?

Mr. OVERMAN. No.

Mr. BURTON. When does the time expire?

Mr. OVERMAN. The catalogue was issued about 60 days ago, I think.

Mr. BURTON. Is that a rare collection of documents?

Mr. OVERMAN. A copy of the catalogue has been sent to the Senator's office, I hope.

Mr. BURTON. Is it a rare collection of books and documents?

Mr. OVERMAN. There are many old documents there that the Senator might desire.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, at the top of page 56, to insert:

Senate Office Building: For maintenance, miscellaneous items and supplies, and for all necessary personal and other services for the care and operation of the Senate Office Building, under the direction and supervision of the Senate Committee on Rules, $1,750.

Mr. NELSON. I inquire whether that provision, in the view of the Appropriations Committee, will put the Senate Office Building under the control of the Committee on Rules of the Senate? I think it ought to be under the control of that committee and not under the control of the Interior Department. Will that amendment put it under the control of the Senate?

Mr. OVERMAN. I fully agree with the Senator from Minnesota, and I advocated that two years ago, but the Senate refused to take that action. This is only $1,750, to be spent under the direction of the Committee on Rules of the Senate as to changing matters and as to the force to be used there; but the building itself is under the Secretary of the Interior.

Mr. NELSON. It seems to me the building ought to be under the control of the Senate.

Mr. OVERMAN. I agree with the Senator from Minnesota as to that.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead, "House of Representatives," on page 56, after line 12, to insert:

To pay the widow of S. A. RODDENBERY, late a Representative from the State of Georgia, $7,500.

The amendment was agreed to.

The next amendment was, under the head of "Government Printing Office," on page 58, line 1, after the word "Washington," to insert "fiscal year 1914," so as to make the clause read:

To enable the Public Printer to meet the additional operating expense made necessary by reason of handling and disposing of the waste paper from the various departments of the Government in Washington, fiscal year 1914, $9,000.

The amendment was agreed to.

The next amendment was, under the head of "Judgments, Court of Claims," on page 58, line 15, after the words "One hundred and fifty-six," to insert "and Senate Document No. 195," so as to read:

For the payment of the judgments rendered by the Court of Claims, reported to Congress at its present session in House Document No. 156, and Senate Document No. 195, namely:

The amendment was agreed to.

The next amendment was, on page 58, line 18, after the words "War Department," to strike out "$82,869.89," and insert "$89,114.52," so as to read:

Under War Department, $89,114.52.

The amendment was agreed to.

The next amendment was, on page 58, line 20, after the words "In all," to strike out "$86,358.22" and insert "$92,602.85"; so as to read:

In all, $92,602.85.

The amendment was agreed to.

The next amendment was, under the subhead "Claims allowed by the Auditor for the Interior Department," on page 66, after line 6, to insert as a new section the following:

SEC. 3. That for the payment of the following claims, certified to be due by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1911 and other years, unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in Senate Document No. 193, reported to Congress at its present session, there is appropriated as follows:

CLAIMS ALLOWED BY THE AUDITOR FOR THE TREASURY DEPARTMENT.

For salaries and expenses of collectors of internal revenue, $100.
For punishment for violation of internal-revenue laws, $4.60.
For redemption of stamps, $22.92.
For expenses of Revenue-Cutter Service, 45 cents.
For Life-Saving Service, $1.
For Public Health and Marine-Hospital Service, $9.26.
For general expenses of public buildings, $82.10.

CLAIMS ALLOWED BY THE AUDITOR FOR THE WAR DEPARTMENT.

For pay, etc., of the Army, $4,794.96.
For mileage to officers and contract surgeons, $84.08.

For extra-duty pay to enlisted men as clerks, etc., at Army division and department headquarters, $1,426.80.
For subsistence of the Army, $627.72.
For incidental expenses, Quartermaster's Department, $4.97.
For transportation of the Army and its supplies, $3,901.70.
For headstones for graves of soldiers, $30.80.
For National Home for Disabled Volunteer Soldiers, Southern Branch, $14.65.
For pay, transportation, services, and supplies of Oregon and Washington volunteers in 1855 and 1856, $67.28.

CLAIMS ALLOWED BY THE AUDITOR FOR THE NAVY DEPARTMENT.

For pay of the Navy, 1912, $5,343.65.
For pay of the Navy, $14,156.40.
For pay, miscellaneous, $97.74.
For pay, Marine Corps, $401.81.
For pay, Naval Academy, $30.76.
For transportation, Bureau of Navigation, $238.75.
For ordnance and ordnance stores, Bureau of Ordnance, $83.36.
For freight, Bureau of Supplies and Accounts, $240.33.
For maintenance, Bureau of Yards and Docks, $32.56.
For construction and repair, Bureau of Construction and Repair, $69.12.

CLAIMS ALLOWED BY THE AUDITOR FOR THE INTERIOR DEPARTMENT.

For expenses of hearings in land entries, 1912, 85 cents.
For protecting public lands, timber, etc., $11.91.
For surveying the public lands, $4,461.95.
For Geological Survey, $5.88.
For Indian schools, support, $20.45.
For purchase and transportation of Indian supplies, 1913, $5,036.82.
For telegraphing and telephoning, Indian service, 1912, $14.63.
For telegraphing, transportation, etc., Indian supplies, 16 cents.
For water supply, nomadic Papago Indians, Arizona, $1.63.
For Army pensions, $141.
For fees of examining surgeons, pensions, $6.

CLAIMS ALLOWED BY THE AUDITOR FOR THE STATE AND OTHER DEPARTMENTS.

For salaries, chargés d'affaires ad interim, $367.25.
For allowance for clerks at consulates, 82 cents.
For contingent expenses, United States consulates, 1912, $138.03.
For contingent expenses, United States consulates, $48.92.
For general expenses, Bureau of Plant Industry, $1.49.
For purchase and distribution of valuable seeds, $2.93.
For rent, Department of Commerce and Labor, $1.25.
For expenses of light vessels, $700.
For miscellaneous expenses, Bureau of Fisheries, 90 cents.
For contingent expenses, Department of Commerce and Labor, $78.85.
For naturalization of aliens, $3.90.
For salaries, fees, and expenses of marshals, United States courts, $10.50.
For fees of clerks, United States courts, $330.
For fees of commissioners, United States courts, 1912, $5.
For fees of witnesses, United States courts, $27.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. OVERMAN. We will now recur to page 32, Mr. President.

The PRESIDING OFFICER. The Secretary will resume the reading of the bill at the point indicated by the Senator from North Carolina.

The Secretary resumed the reading of the bill, on page 32, beginning in line 18, and read as follows:

Commerce Court: For expenses of the Commerce Court during the first half of the fiscal year 1914, namely: clerk, at the rate of $4,000 per annum; deputy clerk, at the rate of $2,500 per annum; marshal, at the rate of $3,000 per annum; deputy marshal, at the rate of $2,500 per annum; for rent of necessary quarters in Washington, D. C., and elsewhere, and furnishing same for the Commerce Court; for books, periodicals, stationery, printing, and binding; for pay of bailiffs and all other necessary employees at the seat of government and elsewhere, not otherwise specifically provided for, and for such other miscellaneous expenses as may be approved by the presiding judge, $17,500; in all, $23,500, or so much thereof as may be necessary.

The Commerce Court, created and established by the act entitled "An act to create a Commerce Court and to amend the act entitled 'An act to regulate commerce,' approved February 4, 1887, as heretofore amended, and for other purposes," approved June 18, 1910, is abolished from and after December 31, 1913, and the jurisdiction vested in said Commerce Court by said act is transferred to and vested in the several district courts of the United States, and all acts or parts of acts in so far as they relate to the establishment of the Commerce Court are repealed.

Mr. WALSH. Mr. President, at that point I desire to offer an amendment.

Mr. OVERMAN. Mr. President, I think the entire section should be read, and then probably we can take a vote on it. Then the Senator from Montana can offer his amendment.

The PRESIDING OFFICER. The Chair will call attention to the fact that there is a committee amendment that should be first acted on.

Mr. WALSH. The committee amendment is within the portion of the bill which my amendment proposes to strike from the bill.

The PRESIDING OFFICER. The Chair is of the opinion that the committee has a right to perfect the text of the bill before an amendment is offered to it.

Mr. OVERMAN. I suggest that the whole paragraph be read.

The Secretary resumed and continued the reading, as follows:

The five additional circuit judgeships provided for by the act of Congress approved June 18, 1910, and by chapter 9 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, are hereby abolished.

The next amendment of the Committee on Appropriations was, on page 33, line 24, after the word "abolished," to insert "effective December 31, 1913."

The PRESIDING OFFICER. If there be no objection, the amendment will be regarded as agreed to.

Mr. NELSON. Mr. President, in the amendment which has just been read I want to move to strike out, commencing with the words——

The PRESIDING OFFICER. The Senator will withhold his amendment for a moment. The amendment has not been acted on. Has the Senator from Minnesota any objection to the amendment that has been read? The Secretary has not completed the reading of the paragraph.

Mr. NELSON. I have no objection to that being done.

The PRESIDING OFFICER. Without objection, the amendment will be agreed to.

Mr. BURTON. The provision relating to the Commerce Court beginning on page 32, line 18, makes appropriation for the first half of the fiscal year of 1914. That would be until June 30, 1914, while the amendment reported by the committee seeks to repeal the law providing for the court to be effective December 31, 1913. What is the reason why there should be a difference in these two provisions? The House of Representatives, though seeking to abolish the court and to repeal the law for the appointment of the judges, left them in office until June 30, 1914, apparently, while the Senate committee amendment continues the court without the judges.

Mr. OVERMAN. The Senator is correct about that. I had not noticed that there was a little inconsistency. The appropriation for the expenses of the Commerce Court during the first half of the fiscal year 1914 carries that court, of course, until July next, but the Commerce Court is abolished to take effect on the 31st of December, 1913. We will have, therefore, an appropriation for six months that can not be used; but if the Senate should adopt this provision, we could make the change necessary in the paragraph after it is adopted.

Mr. BURTON. The best way to harmonize that is to vote down the Senate amendment and agree to the provision as it came from the House. It is summary enough in any event.

Mr. NELSON. Mr. President, before we dispose of this entire section it seems to me there are two important questions that should first be determined: First, whether we shall abolish the Commerce Court, and, second, whether we shall abolish the judges. I am in favor of abolishing the court, but I doubt our right to abolish the judges, and I do not believe in legislating them out of office. Therefore I shall move, either now or whenever it suits the convenience of the Senator who has the bill in charge, to strike out all of the first paragraph commencing after the word "repealed" in line 18, page 33, down to and including the end of line 12, on the next page; in other words, all that part of the bill which eliminates the judges. I will either make the motion now or subsequently, to suit the convenience of the Senator from North Carolina.

Mr. OVERMAN. I would prefer that the Senator should make his motion after the reading of the paragraph is concluded.

Mr. NELSON. Very well.

Mr. OVERMAN. I want to say to the Senator from Ohio [Mr. BURTON] that my attention has been called to the fact that both he and I are probably in error in regard to the application of the appropriation for the first half of the fiscal year 1914. The provision reads:

For expenses of the Commerce Court during the first half of the fiscal year 1914—

Which would be to December 31, 1913.

The PRESIDING OFFICER. The question is on agreeing to the amendment inserting the words "effective December 31, 1913," on page 33, line 24.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 34, line 11, after the word "repealed," to insert "effective December 31, 1913," so as to read:

And the authority in said acts of Congress for the President, by and with the advice and consent of the Senate, to appoint 5 additional circuit judges is hereby repealed, and the number of circuit judges is hereby reduced to 29. So much of the acts of June 18, 1910, and of March 3, 1911, as authorize or direct the said 5 judges to preside in the circuit or district courts of the United States or in the circuit courts of appeals or to exercise any of the powers, duties, or authority of circuit or district judges, or of said circuit or district courts or of said circuit courts of appeals, is hereby repealed, effective December 31, 1913.

The amendment was agreed to.

Mr. BORAH. Mr. President, do I understand that the Senator in charge of the bill desires to complete the reading relating to this subject before we take it up for discussion?

Mr. OVERMAN. I should like to complete the reading of the whole paragraph and have the committee amendments disposed of where they are unobjected to before we take up the paragraph and discuss it.

The reading of the bill was resumed, beginning with line 13, on page 34, and the Secretary read as follows:

The venue of any suit hereafter brought to enforce, suspend, or set aside, in whole or in part, any order of the Interstate Commerce Commission shall be in the judicial district where some or all of the transportation covered by the order has either its origin or destination, except that where the order does not relate to transportation the venue shall be in the district where the matter complained of in the petition before the commission arises, and except that where the order does not relate either to transportation or to a matter so complained of before the commission the matter covered by the order shall be deemed to arise in the district where one of the petitioners in court has either its principal office or its principal operating office. In case such transportation relates to a through shipment the term "destination" shall be construed as meaning final destination of such shipment.

The procedure in the district courts in respect to cases of which jurisdiction is conferred upon them by this act shall be the same as that heretofore prevailing in the Commerce Court. The orders, writs, and processes of the district courts may in these cases run, be served, and be returnable anywhere in the United States; and the right of appeal from the district courts in such cases shall be the same as the right of appeal heretofore prevailing under existing law from the Commerce Court.

The next amendment of the Committee on Appropriations was, on page 35, after the words "Commerce Court," in line 12, to strike out:

No preliminary injunction, or restraining or stay order, suspending the enforcement, operation, or execution of, or setting aside, in whole or in part, any order made or entered by the Interstate Commerce Commission shall be issued or granted by any district court of the United States, or by any judge thereof, or by any circuit judge acting as district judge, unless the application for the same shall be presented to a circuit or district judge, and shall be heard and determined by three judges, of whom at least one shall be a circuit judge, and unless a majority of said three judges shall concur in granting such application. When such application as aforesaid is presented to a judge he shall immediately call to his assistance to hold and determine the application two other judges. Said application shall not be heard or determined before at least five days' notice of the hearing has been given to the Interstate Commerce Commission, to the Attorney General of the United States, and to such other persons as may be defendants in the suit: *Provided*, That if of opinion that irreparable loss or damage would result to the complainant unless a temporary restraining order is granted, any justice of the Supreme Court or any circuit or district judge may grant such temporary restraining order at any time before such hearing and determination of the application for an interlocutory injunction, but such temporary restraining order shall remain in force only until the hearing and determination of the application for an interlocutory injunction upon notice as aforesaid. The hearing upon such application for an interlocutory injunction shall be given precedence and shall be in every way expedited and be assigned for a hearing at the earliest practicable day after the expiration of the notice hereinbefore provided for. An appeal may be taken direct to the Supreme Court of the United States from the order granting, after notice and hearing, a preliminary injunction, or restraining or stay order, in such case if such appeal be taken within 30 days after such preliminary injunction or restraining order or stay order is granted and upon the final hearing of any suit brought to suspend or set aside, in whole or in part, any order of said commission the same requirement as to judges and the same procedure as to expedition and appeal shall apply.

And in lieu thereof to insert:

No interlocutory injunction suspending or restraining the enforcement, operation, or execution of, or setting aside, in whole or in part, any order made or entered by the Interstate Commerce Commission shall be issued or granted by any district court of the United States, or by any judge thereof, or by any circuit judge acting as district judge, unless the application for the same shall be presented to a circuit or district judge, and shall be heard and determined by three judges, of whom at least one shall be a circuit judge, and unless a majority of said three judges shall concur in granting such application. When such application as aforesaid is presented to a judge he shall immediately call to his assistance to hold and determine the application two other judges. Said application shall not be heard or determined before at least five days' notice of the hearing has been given to the Interstate Commerce Commission, to the Attorney General of the United States, and to such other persons as may be defendants in the suit: *Provided*, That if of opinion that irreparable loss or damage would result to the complainant unless a temporary restraining order is granted, any justice of the Supreme Court or any circuit or district judge may grant such temporary restraining order at any time before such hearing and determination of the application for an interlocutory injunction, but such temporary restraining order shall remain in force only until the hearing and determination of the application for an interlocutory injunction upon notice as aforesaid. The hearing upon such application for an interlocutory injunction shall be given precedence and shall be in every way expedited and be assigned for a hearing at the earliest practicable day after the expiration of the notice hereinbefore provided for. An appeal may be taken direct to the Supreme Court of the United States from the order granting or denying, after notice and hearing, an interlocutory injunction, in such case if such appeal be taken within 30 days after the order, in respect to which complaint is made, is granted or refused; and upon the final hearing of any suit brought to suspend or set aside, in whole or in part, any order of said commission the same requirement as to judges and the same procedure as to expedition and appeal shall apply.

Mr. WALSH. Mr. President, I rise to inquire of the Senator in charge of the bill concerning this proposed amendment. I notice that it was suggested in the course of the hearings that the provision found in the bill when it came to the Senate so operated as to affect, if not to nullify, the existing general provision in relation to the issuance of injunctions. What is the fact about that?

Mr. OVERMAN. The fact is that the committee, as nearly as possible, have incorporated section 266 of the Judicial Code as it now is in regard to interlocutory injunctions.

Mr. WALSH. That is to say, you have made that provision in section 266 applicable to injunctions to restrain the execution of orders?

Mr. OVERMAN. Yes, exactly; as nearly as possible.

Mr. WALSH. In what way, then, could it be contended that it repeals or annuls the provisions of section 266?

Mr. OVERMAN. I do not understand that it is contended that it is a repeal of section 266.

Mr. WALSH. That contention was made before your committee, was it not?

Mr. OVERMAN. Not that the provision in regard to a preliminary hearing repealed it, but that it was in opposition to section 266. In regard to other matters it would be in the nature of a repeal. Of course, the words "preliminary injunction," as used in the House provision, are not used in section 266. Section 266 relates to interlocutory injunctions, and the House provision covered preliminary injunctions, using those words.

Mr. BRYAN. Mr. President, that criticism, I will say to the Senator from Montana, was directed against the House provision.

Mr. WALSH. In what respect is there a difference? Why was the House language changed and the language found in the amendment substituted?

Mr. BRYAN. The Senator will find, on line 14 of page 36——

Mr. BORAH. We can not quite hear on this side.

Mr. LA FOLLETTE. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Wisconsin?

Mr. LA FOLLETTE. I did not rise to address an inquiry to the Senator from Montana, but to ask a question of the Senator in charge of the bill regarding another provision in this same amendment. I thought the Senator from Montana had concluded when I addressed the Chair.

Mr. BRYAN. I was trying to say, Mr. President, that the provision as it came from the House gave no right of appeal if an order was denied, and it was contended that in that way section 266 of the Judicial Code would be very greatly changed. Again, the House provision modified section 266 in that one judge could not grant a preliminary injunction until three judges could be gotten together. So the committee restored the provisions contained in section 266 of the Judicial Code.

Mr. WALSH. And that provision commences in line 10, page 37?

Mr. BRYAN. Yes, sir.

Mr. WALSH. So that it is now in entire conformity, by the amendment proposed, with the provisions of section 266?

Mr. BRYAN. We think so.

Mr. LA FOLLETTE. Mr. President, the proposed amendment makes important changes in the existing law with respect to the granting of interlocutory injunctions and temporary restraining orders. I wish to inquire of the Senator in charge of the bill whether the Interstate Commerce Commission, or any member of that commission, has been consulted with regard to the important changes which this provision makes in the existing law?

Mr. OVERMAN. We do not understand that it makes any changes at all, except to allow an appeal in case of the denial of as well as the granting of an injunction.

Mr. LA FOLLETTE. The existing law provides that no temporary injunction restraining any order of the commission can be granted without notice to the commission. This provision permits the granting of a temporary injunction without any notice to the commission. That is a very important and material change.

Mr. OVERMAN. Our attention was not called to that. I will say frankly to the Senator that this is the provision contained in section 266 of the Judicial Code as it applies to injunctions and to matters where the constitutionality of a State statute is involved.

Mr. LA FOLLETTE. Mr. President, the provisions of the interstate-commerce act regarding interlocutory injunctions and restraining orders have been the subject of very extended discussion in the Senate. I remember when the act of 1906 was before the Senate that provision was discussed here for weeks, and I do not believe that this body ought to seek to make applicable to this important and special proceeding the general provisions of law.

I have called the Interstate Commerce Commission on the telephone, and I am authorized to say for the chairman of the commission, to whose attention this contemplated change in the law has just been called for the first time, that upon a hasty conference of the commission they regard these changes as serious and very prejudicial to the work of the commission.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Connecticut?

Mr. LA FOLLETTE. I do.

Mr. BRANDEGEE. I entirely agree with the Senator from Wisconsin that this is an exceedingly important question. I have been looking over, as best I could while the debate has been going on, the provisions as to several points.

As to the particular point the Senator has just suggested, that the amendment does not provide for notice to the Interstate Commerce Commission of a pending application, I am somewhat confused as to the particular part of the bill from which he thinks that provision is absent. I notice that on page 37, in line 6, it provides:

Said application shall not be heard or determined before at least five days' notice of the hearing has been given to the Interstate Commerce Commission.

Mr. LA FOLLETTE. That does not refer to temporary injunctions.

Mr. BRANDEGEE. That is what I wanted to get in mind.

Mr. LA FOLLETTE. If the Senator will look at the language of the proviso that immediately follows that, beginning in line 10, he will see that the amendment as framed would permit the granting of a temporary injunction without any notice whatever.

Mr. BORAH. Mr. President——

Mr. LA FOLLETTE. Just a moment, if the Senator will pardon me.

I have in my hand a compilation of the various acts to regulate commerce revised to July 1, 1911, since which time I am confident that no change has been made in this particular provision of the law. The provision with regard to notice for temporary injunctions is as follows. I read from page 44 of this compilation, section 3, of the act of 1910, which the Senator will remember:

No order or injunction so restraining or suspending an order of the Interstate Commerce Commission shall be made by the Commerce Court otherwise than upon notice and after hearing, except that in cases where irreparable damage would otherwise ensue to the petitioner, said court, or a judge thereof, may, on hearing, after not less than three days' notice to the Interstate Commerce Commission and the Attorney General, allow a temporary stay or suspension in whole or in part of the operation of the order of the Interstate Commerce Commission for not more than 60 days from the date of the order of such court or judge, pending application to the court for its order or injunction, in which case the said order shall contain a specific finding, based upon evidence submitted to the judge making the order and identified by reference thereto, that such irreparable damage would result to the petitioner and specifying the nature of the damage. The court may, at the time of hearing such application, upon a like finding, continue the temporary stay or suspension in whole or in part until its decision upon the application.

There is provision also for requiring notice of five days in case of application for an interlocutory injunction or a restraining order.

Mr. OVERMAN. Suppose we add that here, then, and I shall not object to it. I intended to cover the point just as the Senator does.

Mr. LA FOLLETTE. I have dictated an amendment to this provision which is now being prepared.

Mr. OVERMAN. If the Senator will look at section 266, he will see that this is the same as that section; but that is in regard to the Interstate Commerce Commission. Therefore I should like to have it inserted.

Mr. LA FOLLETTE. I will have the language before me in just a moment.

There is another change in the law to which I think the attention of the Senate should be called. I beg the pardon of the Senator from Idaho. I intended to yield to him when I had finished answering the Senator from North Carolina.

Mr. BORAH. I hope the Senator will proceed.

Mr. LA FOLLETTE. I was about to say that under the terms of the proposed amendment, the temporary injunction or restraining order "shall remain in force," to quote the language of the proposed amendment, "only until the hearing and determination of the application for an interlocutory injunction upon notice as aforesaid." That language is very indefinite. It takes the place of definite limitations upon such temporary injunctions provided in the existing law. It has been followed, however, by the expediting provision, which is intended to take the place, I assume, of the 60-day limitation of the existing law. The temporary injunction can be maintained, under existing law, for only 60 days. Under the pending provision if it becomes the law it may be maintained indefinitely. If the hearing upon the interlocutory order be postponed from time to time, and postponed indefinitely, then the temporary injunction granted without notice might be continued indefinitely. I think this is a very important and serious modification of the existing law.

Mr. OVERMAN. The amendment says that the temporary restraining order shall remain in force only until it is heard and determined, and that they shall call in at the earliest practicable moment three judges to determine it. Does the Senator contend that these judges might continue it?

Mr. LA FOLLETTE. It is my contention that upon applications many delays may occur. We all understand perfectly well how those cases are managed. They are strung along sometimes for a year or two, while the order of the Interstate Commerce Commission, which prima facie is right and ought to go into effect at once, is suspended, awaiting the long-delayed court proceeding. It was because Congress desired to make it impossible to delay these cases indefinitely that there was inserted in the act of 1910 the provision that when a temporary injunctional order was secured it must be determined and disposed of within 60 days.

Mr. KERN. Has the Senator the language of the act here?

Mr. LA FOLLETTE. I have the act here.

Mr. KERN. What is the language?

Mr. LA FOLLETTE. I have dictated an amendment to this provision. I will ask that this provision may be passed over for the present.

Mr. OVERMAN. We are in full accord with each other in regard to it.

Mr. LA FOLLETTE. Yes; I think that is perfectly true.

Mr. OVERMAN. It may be just as the Senator prefers about that. If he prefers to wait until his typewritten amendment comes in, that may be done.

Mr. LA FOLLETTE. I took a little pains to prepare an amendment on the subject. I have not that amendment with me now.

Mr. OVERMAN. We will pass this over, then, Mr. President.

The VICE PRESIDENT. It will be passed over for the present. The Secretary will continue the reading of the bill.

The reading of the bill was resumed, beginning on page 38, line 7.

The next amendment of the Committee on Appropriations was, on page 38, line 12, after the words "existing law," to strike out "from the Commerce Court to the Supreme Court" and insert "in equity cases"; in line 24, after the words "district courts," to strike out "except" and insert "including," and in line 25, after the words "final decree," to insert "and all cases wherein injunctions or other orders or decrees, mandatory or otherwise, have been directed or entered prior to the abolition of the said court shall be transferred forthwith to said district courts, which shall have jurisdiction to proceed therewith and to enforce said injunctions, orders, or decrees," so as to read:

A final judgment or decree of the district court may be reviewed by the Supreme Court of the United States if appeal to the Supreme Court be taken by an aggrieved party within 60 days after the entry of such final judgment or decree, and such appeals may be taken in like manner as appeals are taken under existing law in equity cases. The provisions of this section shall also apply to the issuing and granting of preliminary injunctions and restraining or stay orders suspending the enforcement, operation, or execution of, or setting aside, orders made by any administrative board or commission created by and acting under the statute of a State. And in such case the notice required shall be served upon the defendants in the case and upon the attorney general of the State. All cases pending in the Commerce Court at the date of the passage of this act shall be deemed pending in and be transferred forthwith to said district courts, including cases which may previously have been submitted to that court for final decree, and all cases wherein injunctions or other orders or decrees, mandatory or otherwise, have been directed or entered prior to the abolition of the said court shall be transferred forthwith to said district courts, which shall have jurisdiction to proceed therewith and to enforce said injunctions, orders, or decrees.

The amendment was agreed to.

Mr. WALSH. Mr. President, a further word of explanation. On page 38, line 14, is the following:

The provisions of this section shall also apply to the issuing and granting of preliminary injunctions and restraining or stay orders suspending the enforcement, operation, or execution of, or setting aside, orders made by any administrative board or commission created by and acting under the statute of a State.

That, as I understand, is the tenor and effect of the recent amendment adopted to section 266.

Mr. OVERMAN. The Crawford amendment.

Mr. WALSH. Why put it in here? It is the law.

Mr. OVERMAN. I think, really, its provisions are embodied in the amendment recommended by the committee on page 36.

Mr. WALSH. No; that part of the bill applies only to orders made by the Interstate Commerce Commission.

Mr. OVERMAN. Yes.

Mr. WALSH. This is a general provision, not referring to the Interstate Commerce Commission, but apparently is entirely inappropriate here. It has application to injunctions generally; not in any action brought to review any order made by the Interstate Commerce Commission at all.

Mr. OVERMAN. It is a House provision that the Senator is now reading.

Mr. WALSH. Exactly. The Senator will understand, of course, that the Interstate Commerce Commission makes no order suspending the enforcement, operation, or execution of any orders made by any administrative board under a stay.

Mr. OVERMAN. I see the point.

Mr. WALSH. Such an order as that would be made by one of the district courts in an action brought to restrain and enjoin the enforcement of such an order. This statute deals only with the review of orders made by the Interstate Commerce Commission, and the provision is entirely incongruous in this bill.

Mr. OVERMAN. Undoubtedly so; I agree with the Senator.

Mr. WALSH. The matter is now entirely covered in a way that seems to be satisfactory to everybody.

Mr. OVERMAN. I think the Senator is correct about it. It has no place in this bill. It is a House provision, and my attention had not been called to it; but I see it has nothing to do with injunctions in this matter.

Mr. BORAH. Mr. President, down to what point did the Senator from Montana deem it necessary to go?

Mr. WALSH. It will extend to the word "State," in line 21. It begins at line 14 and goes down to and includes the word "State," in line 21—the two sentences.

Mr. BORAH. I thought the Senator stopped at the word "State," in line 18. I was going to suggest that the next sentence seemed to be a part of it.

The VICE PRESIDENT. Does the Senator from Montana move to strike out those words?

Mr. WALSH. I move to strike out those sentences.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 38, beginning with line 14, it is proposed to strike out that line and all down to and including the word "State," in line 21, in the following words:

The provisions of this section shall also apply to the issuing and granting of preliminary injunctions and restraining or stay orders suspending the enforcement, operation, or execution of, or setting aside, orders made by any administrative board or commission created by and acting under the statute of a State. And in such case the notice required shall be served upon the defendants in the case and upon the attorney general of the State.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Montana.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 39, line 14, before the word "days," to strike out "ten," and insert "thirty," and in line 21, after the words "district courts," to insert "All administrative books, dockets, files, and all papers of the Commerce Court not transferred as part of the record of any particular case shall be lodged in the Department of Justice," so as to read:

Each of said cases and all the records, papers, and proceedings shall be transferred to the district court wherein it might have been filed at the time it was filed in the Commerce Court if this act had then been in effect; and if it might have been filed in any one of two or more district courts it shall be transferred to that one of said district courts which may be designated by the petitioner or petitioners in said case, or, upon failure of said petitioners to act in the premises within 30 days after the passage of this act, to such one of said district courts as may be designated by the judges of the Commerce Court. The judges of the Commerce Court shall have authority, and are hereby directed, to make any and all orders and to take any other action necessary to transfer as aforesaid the cases and all the records, papers, and proceedings then pending in the Commerce Court to said district courts. All administrative books, dockets, files, and all papers of the Commerce Court not transferred as part of the record of any particular case shall be lodged in the Department of Justice.

The amendment was agreed to.

The Secretary resumed the reading of the bill, and read to and including line 12 on page 40.

Mr. OVERMAN. I understand that all amendments have been adopted except the amendment beginning on page 36.

The VICE PRESIDENT. On pages 36 and 37.

Mr. WALSH. Mr. President, I assume that that does not preclude the adoption of an amendment which would abrogate any portion——

Mr. OVERMAN. Not at all. These amendments are only perfecting the amendments of the committee and the little suggestions made by the Attorney General as to the House provisions, and we have stricken out on page 38, upon the motion of the Senator from Montana, lines 14 to 21. The only question remaining is upon the amendment beginning on page 36 and extending to page 37. The Senator from Wisconsin is not here.

Mr. NELSON. I offer an amendment that does not relate to the part referred to by the Senator from Wisconsin. I move to strike out all of the paragraph relating to the Commerce Court commencing on page 33 after the word "repealed," in line 18, and going down to and including line 12 on page 34.

Mr. LEWIS. May I beg to say to the Senator from Minnesota that I have prepared that amendment in writing? Does he care to accept it?

Mr. NELSON. It simply needs an amendment to strike it out. That is all it needs.

Mr. LEWIS. I will adopt the Senator's suggestion as to the course.

Mr. OVERMAN. Will the Senator please read the lines?

Mr. NELSON. I move to strike out the part of the paragraph commencing after the word "repealed," in line 18, page 33, and extending to the end of line 12 on the next page. It is that part of the paragraph which abolishes the judges. I will briefly state my reasons for making this motion.

While I am in favor of abolishing the Commerce Court and relegating the power of the court back to the respective district courts, I think it is unwise, and I think it is contrary to the spirit and the letter of the Constitution, to legislate these judges out of office.

Mr. OVERMAN. Mr. President, this amendment is not exactly in order now, but inasmuch as the Senator from Wisconsin [Mr. LA FOLLETTE] is absent, I am willing to take it up at this time.

Mr. NELSON. It does not relate to his amendment.

Mr. OVERMAN. Not at all. But all amendments to this section, by unanimous consent, were to be deferred until after the committee amendments were perfected.

Mr. NELSON. We had finished the section, as I understood.

Mr. OVERMAN. We had finished it, but there is one section to be adopted. However, I have no objection to the Senator going on at this time.

Mr. NELSON. Under the act of 1910 creating the Commerce Court and amending the interstate-commerce law these judges were appointed. Here is the language relating to their appointment:

The President shall, by and with the advice and consent of the Senate, appoint five additional circuit judges, no two of whom shall be from the same judicial circuit, who shall hold office during good behavior, and who shall be from time to time designated and assigned by the Chief Justice of the United States for service in the circuit court for any district, or the circuit court of appeals for any circuit, or in the Commerce Court.

So that these five judges are exactly on the same footing as other circuit judges; and although we may abolish the court, they remain in office, and can be assigned by the Supreme Court to work in the respective districts.

The other day I had a letter from Judge Sanborn, of the eighth circuit, which is one of the largest in the country, and I think has the most business. He said that the calendar in that circuit was crowded, and he was very anxious to detail one of these judges who belongs to that circuit for work on his circuit, and wanted to know whether the judges would remain in office. I did not know what answer to make to him, because I could not tell what course Congress would take.

It seems to me that as these are circuit judges of the United States, appointed by the President and confirmed by the Senate, so far as the tenure of office is concerned they are on exactly the same footing with the other circuit judges of the United States.

Section 1 of Article III of the Constitution reads as follows:

The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior.

That is the language of the Constitution. I think under the Constitution we have no more right to legislate out of office these five circuit judges than we have to legislate out of office other circuit judges of the country or the judges of the Supreme Court, although, perhaps, they are beyond our reach because they are constitutional judges.

I do not intend to enter into any lengthy discussion of this matter. Not only do I think that we have not the constitutional right, but certainly we have not the moral right to legislate these judges out of office.

I want to call attention to another matter, to show how unjustly this works. I happen to be well acquainted with one of these circuit judges—Judge Carland, a Democrat, appointed by President Cleveland as district judge in South Dakota. He was regarded by the bar of that State and by the bar in the eighth circuit as one of the leading, prominent, and able lawyers of the State. He was on the district court when he was appointed on this court. His position with that court gave him a life tenure—that is, during good behavior he could remain as district judge until he reached the period both as to age and service, when he could have retired. He was promoted from that district bench to this circuit bench on the Commerce Court. Now, to legislate him out of office, in his case it seems to me would be perpetrating a great wrong. I know Judge Carland well. He is an able, honest, and fearless man, and his services are needed very much in the eighth circuit. They have only three circuit judges there, and it is the greatest circuit, if not in territorial area, in business in the entire country.

Mr. President, while we may think this court ought to be abolished, and I certainly feel that it ought to be abolished, and while we may unite on that question, I think that our antipathy

to this court ought not to go to the extent to legislate these judges out of office. I am not acquainted with the other members of this court; I do not know whether they are in the same condition as Judge Carland; but if they are, and perhaps some of them are, it would be a great injustice in their case.

Therefore, whatever else the Senate may do, if the Senate sees fit to adopt the provision abolishing the court, I sincerely trust that these judges will be left in office. I think that will be complying with the letter and spirit of the Constitution, and it would be nothing more than an act of justice.

Mr. SMITH of Georgia. Mr. President, I very cordially agree with the action taken by the House upon this subject. I do not think that the Commerce Court ought to be left in existence. I do not consider it in any sense an act of injustice to any man to abolish the office which he fills.

I can not conceive any property right in an office to any man or the propriety of any man filling an office except upon the theory that those outside the office are to be benefited by his occupying the office. Offices should only be created for the public good, and should only be continued for the public good. Each individual who is so fortunate as to be honored either by the votes of his people or by designation through the appointing power with office takes the office for public service, not for private benefit, and it is no injustice to him that he should give up the office just so soon as the public no longer need his services.

The Supreme Court of the United States has generally recognized that doctrine. The leading courts of the entire country now agree that there is no property right in an office, and there being no property right in the office it is no injustice to a man to say, "We need the office no longer, therefore you are not to be a public officeholder any longer."

Mr. President, I do not think we need these judges any longer with the Commerce Court abolished. Indeed, I object to their existence any longer after the court has been abolished. If we need additional circuit judges in any circuit court let them be named, let the acts of Congress be passed requiring additional circuit judges in those circuits, and let the judges be appointed from the circuits.

I object to four or five circuit court judges without a circuit perambulating over the country, coming into our circuit and holding our circuit courts, though they are from a distance. They are not men who would have received the support of the bar of our circuit or who could have obtained an appointment by the indorsement of the bar of the fifth circuit.

The remaining question to which I desire to direct my attention is the constitutional right of Congress to abolish these offices. We had a certain number of circuit courts. We had a certain number of circuit court judges. In my own circuit we had two circuit court judges. Congress in its wisdom concluded that there was needed in that circuit another circuit judge, and they created the office of third circuit court judge in that circuit.

Suppose Congress should conclude that only two circuit court judges were needed in that circuit; that only two offices of circuit court judge were required in that circuit. Could not Congress repeal the act which created the last circuit court judge, and, repealing the act, abolish this third office? What constitutional limitation is there that prevents Congress, which created this third circuit court judge in the fifth circuit, from abolishing the third circuit court judgeship in the fifth circuit?

Now, what Congress did in this particular instance was to create five additional offices of circuit court judge and place them in the Commerce Court. This bill proposes to repeal the act of creation and reduce the number of circuit court judges to the number we had before these last offices were created. The only provision of the Constitution which is cited to take from Congress the power here required is found, as the Senator from Minnesota [Mr. NELSON] stated, in Article III, section 1, of the Constitution. It provides that—

> The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their office during good behavior.

The same clause of the Constitution which says that the judge of an inferior court is to hold his office during good behavior provides that Congress may establish and ordain inferior courts from time to time. It clearly was contemplated that the power of control over the courts so far as their existence, so far as their organization, so far as the number of judges to be found in the courts, was to be with Congress, and this power of creation was to be from time to time. It broadly gave the power of change, and to Congress was given the power to say what inferior courts we should have, how many judges should be upon them, changing, if Congress saw fit, the number of the judges, increasing the number if Congress saw fit, decreasing the number if Congress saw fit.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Mississippi?

Mr. WILLIAMS. Will the Senator pardon an interruption in line with what he is saying now?

Mr. SMITH of Georgia. Certainly.

Mr. WILLIAMS. It is well to recall the fact that immediately prior to John Adams going out of the Presidency the Federalists created a lot of Federal judgeships—what were known, some of them, as midnight judges later on—and that the very first act of the very first Democratic Congress that ever existed in this country was to pass a law repealing that act and thereby abolishing those courts.

Mr. LEWIS. Let me ask my friend if they ever abolished them? I am not very clear on that point, and I ask my friend did those judges ever qualify and take office in that case? I was never myself quite certain of the fact; and in that, I think, lies the test of the application of that instance.

Mr. WILLIAMS. These were abolished. There were a lot of them appointed at the same time whose commission had been signed but whose commission had not been delivered. Mr. Jefferson took the position with regard to them—and they are in the Senator's mind—that as long as the commission had not been delivered they had not been appointed at all. But some of them had been appointed and the commission had been delivered, and in the case of those judges the Democratic Congress repealed the act creating them.

Now, I come to a little curious point of history, which I did not know myself until I was engaged in some other investigations and ran across it. James A. Bayard, of Delaware, was at that time the leader of the Federalist Party in the Senate under Jefferson's administration, and Alexander Hamilton wrote to him to know why they could not attack the constitutionality of that act. James A. Bayard wrote back to him. I came across his letter in making some investigation in connection with some lecture I was to deliver. Just at this minute I can not cite where the letter is to be found, but I have a note of it. Bayard said that he had talked the matter over with Chief Justice Marshall and that Marshall had said that the act was constitutional and could not be impeached. That was an opinion not from the bench, but in private conversation.

Mr. SMITH of Georgia. I thank the Senator for anticipating me by his remarks. I was coming to that historical feature as a part of my own remarks, and I had about reached it. He has presented it in that clear and most interesting way which he so often presents history to us.

Mr. President, what I was endeavoring to say was that the good-behavior tenure of the judges was in no sense inconsistent with the power of Congress from time to time to change these courts, and having established that proposition, there is no constitutional interference with our action.

The Senator from Mississippi has already pointed out to the Senate that early in the history of the Government the exact view I am taking was asserted by Mr. Jefferson and followed by Congress as to the appointees of President Adams who had received their commissions. The Senator says a part of them had received their commissions and a part of them had not. A part of them had actually become judges under the act approved by President Adams and a part of them had not. But Congress proceeded to abolish those circuit-court judgeships, those specific offices that had been created, those inferior courts that had been established, and with their abolition went out of office the men who had filled them, and they did not dare seek by legal procedure to enter a claim for salary. So, Mr. President, it seems to me that logically it is clear that power is with Congress.

Mr. LEWIS. May I ask my very distinguished friend from Georgia a question? Do I gather your argument, then, as follows: If there be an inhibition in the Constitution against the removal of these judges after having assumed a life office, that inhibition is against the Executive removing them but not against Congress?

Mr. SMITH of Georgia. It is an inhibition against removal from office while the office continues, but not a limitation upon the power of Congress to abolish the office itself. While that office continues, these men are entitled by good behavior to continue in office.

Mr. WILLIAMS. If the Senator from Georgia will pardon me, I do not think you can abolish the judge unless you abolish the district to which he was appointed. In other words, you can abolish the office, and that necessarily will carry an unpleasant consequence to the judge.

For myself I hope that the amendment which is offered by the Senator from Montana [Mr. WALSH] will be accepted. That amendment proposes simply to say that these district judgeships which were created shall not be abolished, but that as the entire vacancies occur their offices shall not be filled until the number of judges is reduced to the number before its creation. I have some doubt as to whether you have a right to abolish the judge unless you abolish the judgeship. I do not think you can abolish the judge that the Senator has spoken of as going to the third circuit, I think he said, unless you abolish that circuit.

You can abolish the Commerce Court, undoubtedly. That is the end of the Commerce Court. You could further, if you wanted, abolish any district court or any circuit court in the United States. There is nothing except the Supreme Court which is a constitutional judgeship. The balance of them are inferior judges created by Congress and to be changed by Congress from time to time as Congress may see fit.

Mr. BORAH and Mr. SHIELDS addressed the Chair.

Mr. SMITH of Georgia. I see the Senator from Idaho has risen.

Mr. BORAH. I yield to the Senator from Tennessee.

The VICE PRESIDENT. The Senator from Georgia has yielded first to the Senator from Idaho.

Mr. BORAH. As I understand the position of the Senator from Georgia, then, it is to the effect that Congress could, if it saw fit to do so, proceed to retire from office any judge lower than that of the Supreme Court of the United States.

Mr. SMITH of Georgia. I believe that any judgeship created by Congress can be abolished.

Mr. BORAH. Then it does seem that the fathers were a little unfortunate in their language, because the Constitution says judges both of the Supreme Court and inferior courts shall hold their office during good behavior, and so forth. The logic of the Senator's argument is to the effect that we could proceed to wipe out of existence the Federal courts entirely, except the Supreme Court of the United States.

Mr. LEWIS. Without regard to any behavior at all.

Mr. BORAH. Without regard to the question of behavior or anything else. It will not do to say that you can abolish the office and thereby abolish the judge, without considering the question of tenure fixed by the Constitution. The Constitution says that the judges of Supreme or inferior courts shall hold their office during good behavior, and then the Constitution provides the manner in which we shall determine their good behavior.

Mr. SMITH of Georgia. Mr. President, I have no doubt of the power of Congress to abolish——

Mr. SHIELDS. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Tennessee?

Mr. SMITH of Georgia. I should like just to answer my friend from Idaho.

Mr. SHIELDS. The question I wish to ask is germane to that.

Mr. SMITH of Georgia. Very well; I yield.

Mr. SHIELDS. Are not these judges created circuit judges of the United States, and not merely judges of the Commerce Court, which it is proposed to abolish, and has not the Chief Justice the authority to assign them to any circuit or to hold a circuit court of appeals?

Mr. SMITH of Georgia. Yes.

Mr. SHIELDS. Or to hold a district court?

Mr. SMITH of Georgia. Yes.

Mr. SHIELDS. Is their tenure of office in any way dependent upon the existence of the Commerce Court?

Mr. SMITH of Georgia. Not entirely.

Mr. SHIELDS. Is it at all?

Mr. SMITH of Georgia. I do not know that it is.

Mr. SHIELDS. Then is not a statute which removes them from office another mode of removing the judges when the Constitution provides that they can only be removed by impeachment?

Mr. SMITH of Georgia. It is not a mode of removing the judge. There is no office left, and therefore he does not hold it.

Mr. NELSON. Mr. President——

Mr. SHIELDS. Can he not be assigned to any district court in the United States? Can he not be assigned to any circuit court of appeals?

Mr. SMITH of Georgia. I answer the Senator that that act of Congress increased the number of judges, while this act of Congress decreases the number of judges. There is nothing in the Constitution that limits the power of Congress to increase or decrease the number of judges of the inferior courts. I take issue with the proposition that having once increased their number they must remain increased during the life of the incumbents.

Mr. BORAH. Well, Mr. President, the Senator from Georgia will not take the position which was taken by a distinguished adviser of the Interior Department here three or four years ago, that we can do anything that the Constitution does not prohibit. We can only do such things as the Constitution gives us power to do.

Mr. SMITH of Georgia. Yes.

Mr. BORAH. The Senator sees nothing in the Constitution which prohibits us from doing so and so, but the Constitution says certain things, and it gives us no power to transcend them.

Mr. SMITH of Georgia. There are things that follow to Congress in national matters given generally by the Constitution. The power over the inferior judiciary is given squarely to Congress in this paragraph of the Constitution.

Mr. NELSON. Mr. President, will the Senator from Georgia yield to me for a moment?

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Minnesota?

Mr. SMITH of Georgia. Yes.

Mr. NELSON. I want to call the Senator's attention to the fact that these judges are not primarily judges of the Commerce Court; that the Commerce Court could be composed of any of the circuit judges of the United States. Let me quote from the statute creating the court. It provides that the Commerce Court shall be—

> A court of record, and shall have a seal of such form and style as the court may prescribe. The said court shall be composed of five judges, to be from time to time designated and assigned thereto by the Chief Justice of the United States, from among the circuit judges of the United States.

Mr. SMITH of Georgia. I am perfectly familiar with the statute.

Mr. NELSON. I want to call the Senator's attention to the fact that these five judges are no more judges of the Commerce Court than are the other circuit judges of the United States.

Mr. SMITH of Georgia. And I have never contended that they were.

Mr. NELSON. Now, while we are abolishing this court we would abolish the circuit courts of the United States.

Mr. SMITH of Georgia. No; but we are abolishing these five additional circuit-court officers; that is what we mean to do. If the Senator will listen to me he will see that my argument is not predicated upon the fact that these judges are not circuit-court judges. I began my argument by calling attention to the fact that, as to the fifth circuit, recently an act of Congress was passed granting and adding three additional circuit-court judgeships for that circuit. I began my argument by taking the position that that act could be repealed and the number of circuit-court judges in the fifth circuit reduced to two. I deny that there is anything in the Constitution that limits the control of these inferior courts, which is given to Congress to be changed from time to time, which limits the power of Congress to increase or to decrease the number of judgeships of these courts. What I contend is that the power is in Congress to repeal the act adding these five additional circuit-court judgeships.

Mr. BORAH. Then, Mr. President, the Senator from Georgia will agree with me in this proposition, that we not only have the means of impeachment by which to remove these judges, but we can remove any judge of an inferior court of the United States that Congress sees fit to remove.

Mr. SMITH of Georgia. No; I do not agree with the Senator at all in that claim.

Mr. BORAH. Well, Mr. President, we can abolish, for instance, a certain district, we can abolish the circuit, and if we abolish the district and the circuit, according to the argument of the Senator, that district or circuit judge goes out of existence. We can do all this without doing it in conformity with the provision relative to tenure.

Mr. SMITH of Georgia. That is true.

Mr. BORAH. And all we have to do is to proceed around the circuits and close up at Washington, and all we have then got left is the Supreme Court of the United States.

Mr. SMITH of Georgia. It was not necessary to frame the Constitution upon the theory that Senators and Members of the other House would seek to accomplish by indirection what they could not do by direction. I deny that any Senator could in his place vote simply for the abolition of a particular circuit or of a particular district because his object was in that way simply to remove a judge. Such conduct would be highly improper; it would be violative of the spirit of the Constitution, if not of the oath that the Member took. But, Mr. President, I can not conceive that it is necessary to so write a constitution as to prevent Senators and Members of the other House in all instances from doing things that they might think it improper for them to do.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Idaho?

Mr. SMITH of Georgia. I will listen to the Senator.

Mr. BORAH. But, Mr. President, the Senator says that he can not conceive of a Senator who would vote to abolish a particular judge or a particular district for the purpose of getting that particular party out of office; but this is purely a question of power. The Constitution is not framed upon the theory that we will be guided by this or that motive. We have the power provided we have the conscience to abolish all of these courts, according to the argument of the Senator. We are now arguing solely the question of power. Have we the power to terminate at pleasure, without hearing and without any reason, save our own volition, to terminate the office of every Federal judge, notwithstanding the express provision of the Constitution that they shall hold office during good behavior?

Mr. SMITH of Georgia. I think Congress can abolish every circuit court of the United States if it sees fit, and thereby retire every occupant of the circuit-court bench.

Mr. BORAH. Exactly. Then we come back to the proposition, Mr. President, that the country will be glad to know, in view of this urgent propaganda for the recall of judges, that they need not wait for the slow process of impeachment or recall, but that they can call upon their Senators and Representatives to eliminate any man from the bench that they want off the bench. They can simply abolish his circuit, get him out, and re-create the circuit.

Mr. SMITH of Georgia. Mr. President, I have no doubt of the fact that this constitutional provision which gives Congress the power from time to time to ordain and establish, as it sees fit, inferior court judgeships is not limited by the mere language that the occupant of the office shall have it during good behavior. The two must be construed together; they must be construed in the light of the fact that a man can have no vested right in an office, and that he therefore would only hold the office, if the office continued, during good behavior. I think that is a fair construction of the paragraph.

Mr. BORAH. Mr. President, suppose, if I may be permitted to again interrupt the Senator from Georgia, that instead of abolishing the court at this time, we had not concluded to do so until about 10 years from now, when no man serving upon the bench, according to the rotation, would have been one who would have been called into existence officially by reason of this act, but they would have rotated out of the regular circuit court offices into this court, then would the Senator say that by merely abolishing the court we abolish those judges that were not specifically called into existence officially by this act, but who had passed on to the circuit court to the performance simply of this duty?

Mr. SMITH of Georgia. It would be far more difficult to then handle the question than it now is, because it might be difficult to determine what judge would go out of office by abolishing a particular office; but where it is perfectly clear that a particular man still holds the particular office that we are abolishing there is no difficulty at all. When you abolish the office you get rid of the man.

Mr. SHIELDS. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Tennessee?

Mr. SMITH of Georgia. I do.

Mr. SHIELDS. The Constitution does not provide the number of judges that shall coustitute the Supreme Court. The Senator's position is, as I understand, that all circuit judges might be abolished. Does it follow that this Congress might practically abolish the Supreme Court by reducing the number of its membership to one?

Mr. SMITH of Georgia. Oh, no.

Mr. SHIELDS. Well, what is there in the way of it? The Constitution merely provides that:

> The judicial power of the United States, shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish.

There is nothing in the Constitution fixing the number of judges. Now, carrying out the Senator's idea, what is there in the way of this Congress passing an act to-day abolishing the Supreme Court by abolishing those now holding the office?

Mr. SMITH of Georgia. In the first place, the Supreme Court occupies an entirely different position from the inferior courts.

Mr. SHIELDS. As a court, but not as to the personnel. Those judges get their office in the same way as does the circuit judge. The Constitution merely says there shall be a Supreme Court. It does not provide the number of judges. It afterwards provides that the judges thereof shall be appointed, just as it provides that the judges of the circuit courts created by Congress shall be appointed. How, then, are you going to draw a distinction between them?

Mr. SMITH of Georgia. I answer, Mr. President, that the Supreme Court is a constitutional court, which puts it in a class by itself; that there is no provision in the Constitution that from time to time the Supreme Court shall be established and ordained just as Congress sees fit. It is in a different attitude from the inferior courts. The inferior courts are expressly put within the control of Congress, and Congress is expressly given authority as to them from time to time to change them as it sees fit. With that expressed declaration in the Constitution, coupled with the further proposition that a judge is to hold his office during good behavior, the only fair interpretation of the two is that Congress is to have the power to increase or to lessen the inferior courts as it sees fit. The judge is to hold his office during good behavior. Congress can take the office out from under him, because that power is expressly given to Congress; but if the office remains, he holds it during good behavior.

Senators can not escape that construction of this language by seeking to point out effects broader, perhaps, than they would wish to have follow such a construction. I simply stand upon the proposition that the two clauses construed together limit the tenure of office of the judge to the existence of the office itself.

Mr. LEWIS. Mr. President, I desire to add my support to the amendment tendered by the Senator from Minnesota [Mr. NELSON]. I do not wish to disguise that I have a reason for that somewhat of a personal nature. My anxiety lies in the fact that I wish to maintain the present circuit judge who was appointed and assigned from Chicago, as the business of that circuit very much necessitates at this time assistance.

The provision, Mr. President, as it comes here to us from the House carries with it apparently the contention of the very able Senator from Georgia [Mr. SMITH]. If there be any one thing that would cause me to hesitate in feeling complete security in my own views upon any legal or constitutional question, it would be that the able Senator from Georgia held a variant opinion.

At the outset I am impressed with this thought—I may be in error, as my examination at this moment is a superficial one, my contemplation of it casual, and my observations not to be regarded as born of any fundamental reflection—but I have heretofore held the idea that when the circuit courts in this country were established there was in the mind of the creators a system of courts then existing in England, and that after that formation we copied, and after that design emulated. The judges of that system of courts, known as the King's bench, were appointed for life.

The power to remove for want of good behavior then rested in Parliament. Subsequently, after we, emulating the English system, had devised and established our courts, we made one change, allowing the question of good behavior to be primarily passed upon by the Executive by directing the resignation, if need be, of the official; but we still retained the spirit of the English system that the question of good behavior should be passed upon by Congress. I am, therefore, moved to this consideration—and I invite the attention of my distinguished friend from Georgia to it so that I may have the benefit of his views: Assuming that the Constitution of the United States is an expression conveying to the Federal Government the things it might do, having been conceded to it from the States, and adopting the other theory, which I feel is the school of my learned friend and my own, that only what the Federal Constitution commits to us can we do, and only by the method which it commits to us can we execute, I am advised within myself to the following conclusion: That where the Constitution provides that these judges shall be named by and with the advice and consent of the Senate, and they are thus named, and then it is provided that they shall be removed by impeachment, and that they shall hold during their whole course of good behavior, I am inclined to the thought that the only removal provided by the Constitution is for want of good behavior, and that to be determined by impeachment. Is there any other method that my distinguished friend can see in the Constitution by which we could remove a judge under that clause?

Mr. SMITH of Georgia. No; I think that if the office is to continue and the purpose were to remove the judge from the office, leaving the office in existence, without changing in any way under the former part of the constitutional provision the inferior courts, then you must remove him from that existing inferior court by impeachment.

Mr. LEWIS. I think I see the distinction that the learned Senator has in his mind. He draws a very clear line between the abolishment of the court and the removal of the judge of the court. Am I right in that assumption?

Mr. SMITH of Georgia. Yes.

Mr. LEWIS. Well, no man who has reflected upon the creation of our institutions, the meaning of our Constitution and the casual construction it has obtained from the courts, can deny that there is great ground for that distinction. For myself I do not find it necessary to the object I have either to take issue with that view or to affirm it. I recognize it to be a question of such serious doubt that I am not able to see the wisdom of Congress entering into that path of what at least might be called embarrassment and great difficulty.

I have conferred with the Senator from Minnesota, and if there be any fault in his amendment I wish to take full blame for it, for I think it was prepared at my suggestion. My position is this: That since this court was established and since it does appear that there are great troubles arising now and then in different parts of the country growing out of disputations touching the decisions of the Interstate Commerce body, we need these judges. I think it would be wise that we abolish the court, because that seems to be the spirit of the people.

It is my clear judgment—and in this I am so convinced that nothing could move me—that, whenever the citizens of a free country lose their confidence in any established court, to maintain that court as an institution is a useless proceeding, because, once that confidence is gone, all respect for its adjudications is ended and the court loses its usefulness either to itself as a court or as an agency of welfare to the community which it assumes to serve. Since this seems to be the view concerning the Commerce Court located at Washington, I affirm the opinion of the people, as expressed by them in different branches and through different avenues, that the court should go. But it was not the character of all the judges which was aspersed; it was not the conduct of the men individually that was assailed; it was neither the want of capacity, as I understood, on the one hand nor their character on the other that called for this uniform condemnation; it was, rather, the assumption of jurisdiction and usurpation on the part of the court—a thing which the public mind was not willing to accept or indorse. The House of Representatives having expressed clearly the wish of the people in abolishing the court as a court, the question for us purely is, What should be the disposition of the judges?

I agree with my friend the distinguished Senator from Georgia that if these judges had no other office to perform than to serve as judges of the Commerce Court, then to abolish the court and not to abolish the judges would be something of frivolous conduct. The abolishment of one would necessarily entail, in good sense, the abolishment of the other. But as the Senator from Minnesota has clearly pointed out, and as all concede, since these judges are judges of the United States circuit courts, appointed to discharge the duties and functions of a circuit judge wherever they may be located, I hold it wise, in order that litigation may be promptly disposed of and there may be sufficient agencies to accomplish the relief of the people, that we continue the judges; and, instead of bringing the people here to Washington to the court, that we carry the court to the people where they are, and where their grievances exist, and have these judges assigned in the several localities from whence they came, that they may discharge the public business as circuit judges.

It is because of that view, without regard to the constitutional question raised by the eminent Senator from Georgia, that I wish to sustain and give my indorsement to the amendment tendered by the Senator from Minnesota.

Mr. WALSH. Mr. President, I cheerfully give my support to the amendment proposed by the distinguished Senator from Minnesota; but I am quite sure that without some further provision the act will be left in the greatest confusion, and the extent of the powers of the judges left very largely to speculation. Accordingly, simply for the purpose of making the matter more clear, I offer an amendment as a substitute for the amendment of the Senator from Minnesota, and ask that it may be read.

The VICE PRESIDENT. The Secretary will read the amendment.

The SECRETARY. It is proposed to strike out all after the word "repealed," in line 18, page 33, down to and including line 12, on page 34, and to insert in lieu thereof the following:

> Nothing herein contained shall be deemed to affect the tenure of any of the judges now acting as circuit judges by appointment under the terms of said act, but such judges shall continue to act under assignment, as in the said act provided, as judges of the district courts and circuit courts of appeals; and in the event of and on the death, resignation, or removal from office of any of such judges his office is hereby abolished and no successor to him shall be appointed.

Mr. WALSH. It will be observed that by the amendment proposed by me the same language is excised from the bill as that referred to by the amendment of the Senator from Minnesota; but it simply adds that the judges shall continue to act as is now provided by law under assignment by the Chief Justice, as is directed by the existing act, and that when their offices become vacant by death, resignation, or removal they shall thereupon be abolished, and no successors shall be appointed.

I count it singularly unfortunate that the consideration of so important a matter as the abolition of a court or a system of courts should be thrust upon the Senate as a part of an appropriation bill, which of necessity must receive very hurried consideration in most of its features, and particularly that it should be a part of an urgent deficiency appropriation bill.

Mr. THORNTON. Mr. President, I ask for order in the Chamber. The Senator from Montana is discussing a very important proposition, and I for one should like to hear him.

Mr. WALSH. As I say, Mr. President, it is especially unfortunate that this provision should be part of an urgent deficiency appropriation bill, which by its very terms deals with matters that require speedy action.

If this matter were here for consideration as a separate measure I should feel disposed to speak at some length against the abolition of the Commerce Court or at least against reposing the important duties now devolving upon that court in the various district courts throughout the country. Although there may be other and better reasons for the action we are asked to take, we need not attempt to disguise the fact that the sentiment which is back of this provision is a sentiment of disappointment at and disapproval of the brief history of the court. The stoutest defender the court has is obliged to confess that it has indeed made a sorry record. But in abolishing the court we are obliged to consider the consequences. We ought to consider where the important cases now heard by the court shall be determined, and likewise to consider whether the substitute provision proposed will accomplish the results which are hoped for.

The bill provides that all cases over which the Commerce Court has jurisdiction shall go to the district courts of the country for determination. I desire presently to invite your attention to what I consider a dangerous provision of the bill in that respect; but I will remark in passing that these courts are now, as a general rule, overburdened. They usually have heavy calendars; and these important cases, all of which have a public aspect, must go upon those crowded calendars to await their disposition in due course of time, or else they must have a preference and thus crowd out the remainder of the business, public and private in its character, awaiting disposition before those courts.

Moreover, it must be borne in mind that the judges of the district courts were appointed by exactly the same officials, under exactly the same conditions, and subject to exactly the same influences, as the judges of the Commerce Court. How, then, can you expect substantially different results in those courts?

While I am speaking about that, let me call attention to another matter. The bill provides that these cases shall go for disposition to the various district courts of the country. It provides, further, that the venue of the action shall be in any district in which the transportation which is involved either originates or terminates.

Mr. THOMAS. Mr. President, I have to ask for order. The Senator is debating a very important subject, and it is almost impossible to hear him.

Mr. LEWIS. I beg to advise the Senator from Montana that his very excellent suggestion has been met. An amendment has been prepared by the committee to meet the very evil which is rightly being pointed out by him.

Mr. WALSH. It will be noted, Mr. President, that under the decision made by the Supreme Court the shipper is practically denied the right, whenever he is refused redress, to appeal to the court from the decision of the commission. Accordingly, in nearly every instance except when the carrier asks for a reduction in the rates or other relief, the appealing party is the carrier, and not the shipper. The appealing party is given the right under this bill to have a review of any adverse order in any district in which the shipment originates, or in that in which it has its termination.

To illustrate: A petition is filed concerning shipments made from the State of Washington to the State of Minnesota, and the decision is in favor of the petitioner, who resides in the State of Washington. The origin of the transportation is in the State of Washington; the destination is in the State of Minnesota. The decision is in favor of the shipper. The railroad company appeals to the court from the order of the com-

missions. The railroad company is entitled to take its choice of instituting its suit either in the State of Minnesota or in the State of Washington. If, perchance, the State of Idaho, the State of Montana, or the State of North Dakota should choose to join with the State of Washington and ask for a reformation of the rates as they affect all shipments going into all these States, and the decision accords them the relief which they ask, the railroad company is entitled to take its choice of any one of the district courts of those States.

We can not fail to recognize that the railroad companies have their choice among judges, and they would not be actuated by the motives that ordinarily influence the action of men if they did not select the judge whom they thought most favorable to their contention.

But I pass that, because at this time I do not propose to urge the retention of this court. I believe, however, that it might be retained with good results, and other duties might be reposed on the court. For instance, the American Bar Association has repeatedly recommended the establishment of a patent court. We in the West have been for years asking for the establishment of a court for the trial of questions arising under the public-land laws, permitting appeals from the Department of the Interior. Such a court as that would be, as I think, of inestimable benefit to the country.

However that may be, it is suggested that these judges have not much of anything to do. But they do, as a matter of fact, serve upon the circuit and district benches, and they have performed very extensive service in that way. I find that the Attorney General submitted a statement in which he says as follows:

Judge Carland has participated in the decisions of 145 cases in the Circuit Court of Appeals for the Eighth Circuit during the past two years and has written 48 of these cases. He is now on his way to Denver to participate in the coming session of that court.

Judge Hunt sat in the circuit and district courts in Montana during part of December and all of January, 1912, and in the district court for Arizona during April, 1912, and in the Circuit Court of Appeals for the Ninth Circuit during May, 1912, and May, 1913. He also held district court for the southern district of New York during November and December, 1912, February, 1913, and a part of January, 1913. He is now assigned to hear cases in the latter court during the coming months of October, November, and December.

And a similar statement is made with respect to Judge Mack.

I wish to say a word, however, in relation to the abolition of the judges. The bill recognizes that the judgeships would not be abolished by the abolition of the Commerce Court, and there is therefore incorporated in the bill a provision to which the amendment offered by the esteemed Senator from the State of Minnesota and that offered by myself are directed. There is a recognition in the bill that you do not abolish the judgeships by abolishing the Commerce Court, by reason of provisions in the act creating the Commerce Court, to which reference has been made, and which I shall not now detain you to repeat.

I insist, however, that the legality of this provision, this method of getting rid of obnoxious judges, is open to the most serious doubt upon constitutional grounds. I insist, in the second place, that it is eminently unjust and impolitic.

I am not one of those who believe that our system of appointment of judges of the Federal courts is perfect. Neither am I one of those who will claim that it is to be preferred over the system of electing judges for stated periods. This body did me the honor to publish as a public document, before I came here, an address which I delivered before the Bar Association of the State of Washington some two years ago upon the subject of the recall of judges, in which I took the position, in the first place, that this country has had just as good judges who have been chosen by the people for stated periods as those who have graced the Federal bench; likewise, that nothing has ever been asserted against the doctrine of recall of judges by a vote of the people that can not be equally urged against the system of electing judges in the first place. That, however, is aside from the matter before us.

In reaching a just conclusion on the question of the constitutionality of a measure of this kind we are obliged, whatever our own individual views on the system devised for us may be, to assume the attitude and the frame of mind of the men who prepared the Constitution of the United States. At that time the question of the independence of the judges of the appointing power was one which was acutely before the public mind, because of the abuses which had prevailed in England; and the independence of the judges was something which all parties at that time deemed of the very first consequence. The friends of the Constitution pointed to its provisions as guaranteeing the independence of the judges. The opponents of the Constitution pointed to other provisions which, they said, rendered more or less precarious the independence of the judges.

For instance, Patrick Henry insisted that there should be a provision that the salary of a judge should not be increased during his term of office as well as that it should not be diminished, that the judges might be even more secure in their independence. But now the question arises as to whether we have the right, under the Constitution, to abolish these judgeships, so as to cut short the terms of the incumbents.

The provisions of the Constitution have been read. By clause 9 of section 8 of the first article Congress is given power to constitute tribunals inferior to the Supreme Court, and by the first section of Article III it is provided that "the judicial power of the United States shall be vested in one Supreme Court and such inferior courts as Congress may from time to time ordain and establish." Then it continues that "the judges of the Supreme and inferior courts shall hold their offices during good behavior, and they shall receive at stated times for their services a compensation which shall not be diminished during their continuance in office."

So, of course, there is no doubt in the world that Congress has the power to create courts inferior to the Supreme Court and to designate the number of judges thereof, and likewise that these provisions give to Congress the power to abolish those courts.

All the provisions of the Constitution are, however, to be taken into consideration, and although Congress has power to abolish any court which it creates it must do so in subordination to the other provision of the Constitution, which provides that the judges of the Supreme and the inferior courts as well shall hold their offices during good behavior. That provision had been construed often by the courts of England as signifying for life or until removed in the manner provided by the Constitution.

But, Mr. President, this is not a question strictly of the power of Congress to abolish the courts, because under the bill as it stands, and there is no amendment directed at that, the Commerce Court will be abolished. That is not the question. These judges are circuit judges, judges of the district courts, judges of the courts of appeals, and neither district courts nor circuit courts of appeals are to be abolished.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Colorado?

Mr. WALSH. I do.

Mr. THOMAS. It seems to me the last position taken by the Senator is unanswerable; but as to the other proposition I should like to inquire whether he thinks there can be such a thing as the incumbent of an office, the office itself having been abolished?

Mr. WALSH. I think not. The answer to that, however, is that if these judges were judges only of the Court of Commerce and you abolished that court there would be no doubt that they would fall with it. That is not the question, however, as I have indicated. We really do not encounter that interesting inquiry. The question is this: A certain number of district or circuit judges having been provided by law, and the judges having been appointed, is it within the power of Congress, without touching the court at all, to reduce the number of the members of the court and to designate who shall suffer by reason of the act?

The Senator from Georgia made a very persuasive argument in this connection and inquired whether it would not be possible for Congress now, even at this extra session, to repeal the act that it passed creating an additional judgeship in the fourth judicial circuit, and declaring that the judge thus appointed should retire from office. That might seem a rather difficult question to answer, but let me ask the Senator from Georgia this question. Is it within the power of Congress to repeal the act under which was first appointed a judge in the fourth judicial circuit and to say that he shall serve no longer? Let me ask the Senator another question. The Supreme Court of the United States consists of nine justices. It began with six, the number was reduced to five, and from time to time increased until there are now nine.

The act which increased the number may be repealed, but are we to understand that the Senator from Georgia claims that if we shall repeal the act by which the number of the judges of the Supreme Court was increased from six to nine, three of the judges of the Supreme Court will thus be retired, and that Congress may designate which shall go? Let me inquire likewise, if the Senator from Georgia contends that we can repeal or amend the act which creates the office of Chief Justice of the Supreme Court of the United States and declare that that office is abolished and the number of justices reduced to eight, so that the Chief Justice shall now retire?

Mr. SHIELDS. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Tennessee?

Mr. WALSH. I do.

Mr. SHIELDS. Has the Senator from Montana noticed that while the Supreme Court was originally created with 6 judges, the number was then reduced to 5, and then, again, it was increased to 7 and to 9, and that, with the Chief Justice, to 11 at one time, and then by various statutes it was reduced, and in each statute reducing the number, although it was thought advisable at that time that the number be reduced, it was especially provided, not that any of them should go out of office, but that no vacancy should be filled upon the death of those incumbents? It was never attempted to legislate them out of office.

In regard to the case in 1803, when the 16 judges were legislated out, the fact is that was a case of a political statute; those judges never brought suit in a court, although they petitioned Congress that provision be made for their salary, and that a hostile partisan Congress denied them. As I understand, they never quallified.

They were commissioned at midnight, and hence their name, but they were never qualified and never assumed any duty. Furthermore, with that exception, for more than 100 years, until this act was introduced and passed by the House, it was never attempted to substitute a statute for the mode pointed out by the Constitution of removing judges by impeachment, because these are judges of the circuit courts of the United States, of each and every circuit under the statute, and there is nothing in the Constitution providing that they shall come from any particular circuit. The circuit courts are in no way affected by the repealing act now being discussed. They are left in full force. These particular circuit-court judges are singled out and, in effect, impeached by us.

Mr. WALSH. I was about to address myself to the act of 1802, to which reference has been made here, but I seize the opportunity presented by the suggestion made by the Senator from Tennessee to remark that in the very act, which reduced the number of judges of the Supreme Court from six to five, it was expressly provided that the reduction should be accomplished only when a vacancy should occur in the Supreme Bench, that such vacancy should not be filled, and thus the number should be reduced from six to five. But even that body did not have the hardihood to attempt to legislate, as is here attempted, to retire any of the judges from office the court of which they were judges still remaining.

Mr. President, the legislation to which reference has been made, which gave rise to the appointment of what are known as the "midnight judges," was the subject of the fiercest kind of political contention. That legislation was debated in Congress for several months. It was argued by many of the men who had contributed to the preparation of the Constitution itself.

The debates may be read by all students of constitutional law with the greatest profit.

Mr. President, I am not going to detain the Senate now with any extended reference to what was said in the course of that debate. I prefer, sir, to invite your attention to the comment of a great Democrat, made after the fierce passions of that time had in a measure subsided, made in his great work on the Constitution that he wrote for the students of all ages. I refer to Justice Story. After referring to the provisions of the Constitution intended to guarantee the independence of the judges, he said:

It would be a matter of general congratulation if this language had been completely borne out by the perusal of our juridical annals. But, unfortunately, a measure was adopted in 1802, under the auspices of President Jefferson, which, if its constitutionality can be successfully vindicated, prostrates in the dust the independence of all inferior judges, both as to the tenure of their office and their compensation for services, and leaves the Constitution a miserable and vain delusion. In the year 1801 Congress passed an act reorganizing the judiciary and authorizing the appointment of 16 new judges, with suitable salaries, to hold the circuit courts of the United States in the different circuits created by the act. Under this act the circuit judges received their appointments and performed the duties of their offices until the year 1802, when the courts established by the act were abolished by a general repeal of it by Congress, without in the slightest manner providing for the payment of the salaries of the judges or for any continuation of their offices. The result of this act, therefore, is, so far as it is a precedent, that notwithstanding the constitutional tenure of office of the judges of the inferior courts is during good behavior, Congress may at any time, by a mere act of legislation, deprive them of their offices at pleasure, and with it take away their whole title to their salaries. How this can be reconciled with the terms or the intent of the Constitution is more than any ingenuity of argument has ever as yet been able to demonstrate. The system fell, because it was unpopular with those who were then in possession of power, and the victims have hitherto remained without any indemnity from the justice of the Government.

Upon this subject a learned commentator has spoken with a manliness and freedom worthy of himself and of his country.

The commentator referred to is St. George Tucker, at that time professor of law in the College of William and Mary, and one of the delegates sent by Virginia with Edmund Randolph and James Madison to the Annapolis convention in 1787, called to revise the Articles of Confederation. He became a distinguished judge of the State of Virginia and afterwards served as United States district judge of that State. He said:

To those who are alive to the just interpretation of the Constitution; those who, on the one side, are anxious to guard it against usurpations of power injurious to the States; and those who, on the other side, are equally anxious to prevent a prostration of any of its great departments to the authority of the others; the language can never be unseasonable, either for admonition or instruction, to warn us of the facility with which public opinion may be persuaded to yield up some of the barriers of the Constitution under temporary influences and to teach us the duty of an unsleeping vigilance to protect that branch which, though weak in its powers, is yet the guardian of the rights and liberties of the people. "It was supposed," says the learned author, "that there could not be a doubt that those tribunals, in which justice is to be dispensed according to the Constitution and laws of the confederacy; in which life, liberty, and property are to be decided upon; in which questions might arise as to the constitutional powers of the executive, or the constitutional obligation of an act of the legislature; and in the decision of which the judges might find themselves constrained, by duty and by their oaths, to pronounce against the authority of either, should be stable and permanent and not dependent upon the will of the executive, or legislature, or both for their existence; that, without this degree of permanence, the tenure of office during good behavior could not secure to that department the necessary firmness to meet unshaken every question, and to decide as justice and the Constitution should dictate without regard to consequences.

These considerations induced an opinion which, it was presumed, was general, if not universal, that the power vested in Congress to erect, from time to time, tribunals inferior to the Supreme Court did not authorize them at pleasure to demolish them. Being built upon the rock of the Constitution, their foundations were supposed to partake of its permanency and to be equally incapable of being shaken by the other branches of the Government. But a different construction of the Constitution has lately prevailed. It has been determined that a power to ordain and establish, from time to time, carries with it a discretionary power to discontinue or demolish; that although the tenure of office be during good behavior, this does not prevent the separation of the office from the officer by putting down the office, but only secures to the officer his station upon the terms of good behavior so long as the office itself remains. Painful, indeed, is the remark that this interpretation seems calculated to subvert one of the fundamental pillars of free governments and to have laid the foundation of one of the most dangerous political schisms that has ever happened in the United States of America.

As expressing the judgment of this learned author as to how the matter was then regarded by the great lawyers of the time he has the following language in the note:

The act gave rise to one of the most animated debates to be found in the annals of Congress, and was resisted by a power of argument and eloquence which has never been surpassed. These debates were collected and printed in a volume at Albany in 1802, and are worthy of the most deliberate perusal of every constitutional lawyer. The act may be asserted, without fear of contradiction, to have been against the opinion of a great majority of all the ablest lawyers at the time; and probably now, when the passions of the day have subsided, few lawyers will be found to maintain the constitutionality of the act. No one can doubt the perfect authority of Congress to remodel their courts, or to confer or withdraw their jurisdiction at their pleasure, but the question is, whether they can deprive judges of the tenure of their office and their salaries after they have once become constitutionally vested in them.

Mr. President, this matter has received the consideration of the courts in this country a great many times since that day. The question is exactly the same when the tenure of the office is fixed by the Constitution, although the office itself is created by the statute, the office being statutory but the Constitution providing that when it is created it shall exist for a definite period. Is it within the power of the legislature then to abolish a court thus established and so cut short the term, a result that could not be accomplished by a direct act?

Unfortunately the courts are divided in opinion upon the subject. It is held that such legislation is forbidden by the constitution in the States of Mississippi, Pennsylvania, Indiana, Wisconsin and Illinois. It is held that it is not in the States of Kansas, Arkansas, and Iowa, the argument urged being substantially that made by the distinguished Senator from the State of Georgia to which we have listened this afternoon.

In the State of Tennessee the matter has received repeated consideration from the courts. It was held in the case of the State *v.* Leonard, reported in Eighty-sixth Tennessee, that you could not abolish the office, and thus get rid of an undesirable judge; but the contrary was held in the case of McCulley *v.* The State, reported in Fifty-third Southwestern, but by a divided court, three judges asserting that the office could be abolished before the expiration of the period for which the judge was elected and two holding that it could not be done.

You will find in the opinions in that case a review of practically all the law there is upon the subject. The dissenting opinion is written by Chief Justice Snodgrass, and is, as it seems to me, well-nigh unanswerable in its logic.

However, Mr. President, we may regard it, or whatever view may be taken of it, the best that can be said of it is that it is a question the ultimate determination of which is extremely difficult to forecast. The constitutionality of the act proposed

is one that is involved, to say the least, in the very gravest doubt. Obviously the serious question involved ought not to be determined in this hurried manner and without giving the matter the deliberate consideration which its importance demands.

But, Mr. President, I do not fully agree with the distinguished Senator from Georgia when he says that we are not to consider the equities, if so they might be described, of the judges who are thus to be relegated to private life. Of course there is no gainsaying the proposition that there is no contract whatever between a public officer and the State whose servant he is, and yet the relation is one which comes as close to that of contract as one can well conceive. Three of the judges appointed to the Commerce Court were, at the time of their appointment, judges of the district court. Two of these still remain. They were then occupying positions which gave them a life tenure.

The act was evidently framed so that, even though in the course of time it should be deemed advisable to abolish the court, the judges would still have judicial duties to perform, and would be judges of courts which in all probability would not be abolished. It was probably thought, and with abundant reason, that thus they could not be deprived of their official character. With these inducements before them, they quit what was practically a life position and took these positions on the Commerce Court. It does seem to me that we may well consider whether, in view of the fact that courts inferior to the Supreme Court must in the future be established, it is wise to declare now by our action that if any man does occupy a position such as judge of the district court, and he is invited to go to a court which may eventually pass out of existence, he must have in mind that he surrenders a life tenure for one the duration of which is precarious and uncertain. I inquire whether we will not thus deprive ourselves of the opportunity to get upon these new courts, which must in the course of time be created, men of experience upon the bench, men of approved discretion and judgment, and whether we will not be restricted in the filling of these offices to men who are untried in judicial work?

Mr. SMITH of Georgia. Will the Senator allow me to ask him a question?

Mr. WALSH. Yes.

Mr. SMITH of Georgia. Does the Senator not think there are just as good judges on the supreme courts of the States as there are on the district courts of the United States? Do they hold life tenures? Does the Senator not think that we shall really get better material there?

Mr. WALSH. I will gladly answer the Senator. In the address to which I referred, I pointed to the fact that to a very great extent United States district judges are selected from men who had attested their fitness for the position by experience as judges of State courts; and I have no doubt in the world that you can get good judges from those courts, but that is not the question.

Here is a man who holds a position. He has a position, we will assume, upon a State supreme court; he has a position which probably means a life tenure, if he cares to occupy the place; he is sought for to fill a position on one of these courts created by Congress, and he does not know, when he is called upon to determine whether or not he shall accept it, but what Congress will abolish that court the year after and leave him without any position at all. I put it to you that it is not simply a matter of fairness to the judges themselves, but it is a question as to whether it is a wise public policy to thus peremptorily terminate their tenure.

But beyond that, Mr. President, I fear that if you shall establish this precedent, if you shall adopt this method of getting rid of an obnoxious or an objectionable judge, it may return to plague us.

To-morrow you may pass an act that abolishes the district judge of the State of Montana, joins that State to the State of Idaho, and directs that the judge of the district of Idaho shall preside over the district that is thus consolidated; you may the next day provide that the State of Nevada shall be attached to the State of Arizona, and that the district judge of Nevada shall preside over the consolidated district so constituted, and thus legislate out of office the judge of the district of Arizona.

It may not become, as may be feared, an evil precedent, but upon sober reflection we may well dread whether the enactment of this measure will not eventually be condemned both by history and by our own consciences.

The VICE PRESIDENT. The question is on the substitute proposed by the Senator from Montana [Mr. WALSH] to the amendment offered by the Senator from Minnesota [Mr. NELSON].

Mr. VARDAMAN. Let the amendment be read, Mr. President.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to strike out all after the word "repealed," in line 18, on page 33, down to and including line 12, on page 34, and to insert in lieu thereof the following:

Nothing herein contained shall be deemed to affect the tenure of any of the judges now acting as circuit judges by appointment under the terms of said act, but such judges shall continue to act under assignment, as in the said act provided, as judges of the district courts and circuit courts of appeal; and in the event of and on the death, resignation, or removal from office of any of such judges his office is thereby abolished, and no successor to him shall be appointed.

Mr. NELSON. Mr. President, that amendment is entirely satisfactory to me, and I am well content to have that adopted in place of the amendment which I offered.

Mr. BACON. Mr. President, I should like to inquire of the learned Senator from Montana [Mr. WALSH]—I have not the amendment before me, and therefore I wish to know—whether the effect of it is to keep in office all of the judges or only such of them as have been assigned to the circuit courts?

Mr. WALSH. It continues in office the four judges.

Mr. BACON. Are there not five?

Mr. WALSH. There are only four now.

Mr. BACON. Oh, yes; I remember that one has been removed. But it continues the four in office?

Mr. WALSH. It continues the four as circuit judges.

Mr. BACON. Mr. President, I want to suggest one view of this subject which has not yet been suggested, and which is a pertinent one to my mind. I confess that the question is not free from very great difficulty. I do not go so far as my colleague [Mr. SMITH of Georgia] in the statement made by him to the effect that the repeal of the law which created, for instance, an additional circuit judge in the fifth circuit would abolish the office of that judge and remove him. I am inclined to the opinion that, unless the circuit court to which he was appointed should itself be abolished, he himself could not by act of Congress be removed from office. I do, however, entirely subscribe to the proposition that where the office itself is abolished the officer goes with it. Of course, that can not relate to any judge of the Supreme Court, because we are without power to abolish that court. I do not think, for instance, if Congress should find the present Supreme Court so embarrassed by the accumulation of business that it was deemed necessary to add a judge to the Supreme Court bench, that when that emergency had passed we could by law, in repealing that particular act, remove that judge.

The particular point, however, to which I wish to call attention is this: That is due to the fact that the Supreme Court is an entirety—you might say an entity—an entity and an entirety; in other words, it is indivisible, and the judge of the Supreme Court, when he becomes such, can not thereafter be separated from the other judges. He is as much a judge of that court, when appointed by that supplementary act, as is any judge holding office under a previous act, and you can not divide it. But the further point to which I wish particularly to call attention is that that is not true of the circuit courts of the United States and never has been true of the circuit courts of the United States.

No judge of the circuit court of the United States has ever been commissioned, prior to this particular enactment, as a judge of the circuit courts of the United States. The law under which every circuit-court judge has heretofore been appointed has made him the judge of a particular circuit court and not of the circuit courts of the United States.

As we all know, originally there was no such officer as a circuit court judge of the United States. Until the year 1869, while we had circuit courts, the only circuit court judges were the justices of the Supreme Court of the United States, who were assigned to duty by allotment among themselves in the several circuits. They were simply ex officio circuit judges. Their office was that of Supreme Court justice. In 1869, however, there was created the office of judge of the circuit courts, but in each instance the original act provided that there should be a circuit judge of each circuit.

There was no such thing as an act providing that the judges should be appointed judges of the circuit courts and allotted to the several circuits, but Senators who will search the statutes will find it to be a fact that in each instance in the original law there was a provision for a circuit judge of each circuit. As the development of the country and the enlargement of business required, there was an increased number of circuits, and in each case there was a judge of that particular circuit. For instance, if you turn to the law which created the ninth circuit—which was the last one created—it will be seen that there was authorized the appointment of a circuit judge of the ninth circuit, not a judge of the circuit courts of the United States to be allotted to the ninth circuit, but the distinct creation of the

office of judge of the ninth circuit, and so on as to the other circuits. It is true in every instance, from the first circuit to the ninth circuit, that the judge is a judge of a particular circuit.

Now, the proposition that I make is this: The abolition of the ninth circuit, for instance, would carry with it the abolition of the office of judge of the ninth circuit. Necessarily, if the proposition is correct that the abolition of the office carries with it the officer, and if the history which I have recounted is a correct narration, the abolition of the ninth circuit would carry with it the abolition of the office of judge and carry with it the abolition of the right of anyone to hold the office of judge of the ninth circuit.

Mr. President, it seems to me that it is a very clear proposition. It is just as true of a circuit-court judge as it is of any other officer, if it be true that in each instance the judge was appointed as a judge of that particular court and not appointed generally as a circuit-court judge of the United States.

We are now confronted with this situation: The act creating the Commerce Court made an innovation. It did not authorize the appointment of any judge for any particular circuit; there was no appointment and no authorization for the appointment of a judge as a circuit court judge of any particular circuit. If there was, I am very strongly inclined to the opinion that his office could not be abolished, for the reason I have previously stated, just for the same reason that I have stated that I do not incline to the opinion that the repeal of the law creating the third judge in my own circuit, the fifth circuit, would abolish him as an officer. In the same way, if the judges of the Commerce Court had been authorized as appointees of particular circuits, I do not think they could themselves be removed from office by the repeal of the law, because they would become attached to those circuits and be judges of those circuits.

But now here is the question: Here is a law separate and apart from any other law we have had on that subject. I say a new class of judges was created—judges who were simply denominated circuit judges, but not appointed as judges of any particular circuit. It was the creation of an entirely new class of judges. It is true there was a provision by which they would be put to work in the same courts that the other judges were who had been previously created under a distinct classification, of which I have already spoken—appointed as judges of a circuit court and not generally as circuit judges. Here is a distinct class of judges appointed. Now, if it be true that if the law creating the ninth circuit were repealed that would carry with it the judges of that circuit, and if it be also true that the repeal of the law creating this entirely new class of judges does not carry with it those judges, then we would stand in the position that these particular five judges are favored above all other judges, and that while the judges of the ninth circuit might be removed by repealing the law which created the ninth circuit, carrying with it the judges who were appointed as judges of that ninth circuit, these five judges can not be removed unless we repeal the law as to all the nine circuits. That is the necessary conclusion to which we must come.

Mr. President, I recognize to the fullest the strength of the argument which has been presented on the subject by Senators here; it is a very strong argument, but it occurs to me as a legitimate proposition that the judges of the Commerce Court are to themselves and apart; that they were not appointed each as the judge of any circuit; that they were appointed under a law peculiar to itself, and that when that law is repealed these judges would necessarily go with it. I am led to a conclusion about which I confess I did not have a fixed idea, to the effect that the judge when appointed as a judge of a particular court, even though he be an additional judge created subsequent to the original appointment of judges, has equal right to the tenure of office with the original judges; but the judges of the Commerce Court were not appointed as the judges of any particular court except the Court of Commerce, and they were given certain ex officio rights as judges of the Court of Commerce, and whenever you abolish a law standing by itself and peculiar to itself, a law creating a class of judges which theretofore did not exist, it has the same effect as if you repealed the law creating a court to which a judge has been authorized to be appointed.

Mr. President, I confess that after the argument I have heard to-day, unless my mind can rest upon that proposition, I would have to vote against the provision of the law which removes these judges or declares that they are removed.

Mr. WALSH. Will the Senator allow me to bring to his attention the language of the act?

Mr. BACON. With pleasure.

Mr. WALSH. With respect to the appointment of these judges they were not appointed judges of the Commerce Court at all.

Mr. BACON. I understand that.

Mr. WALSH. But their floating character ceased immediately, because the act provided that they should be assigned to specific circuits.

Mr. BACON. But not permanently.

Mr. WALSH. No; of course not.

Mr. BACON. That is the reason I say that these judges are very different from any other judges.

Mr. WALSH. Let me call the attention of the Senator to the language, if he will permit me:

The President shall, by and with the advice and consent of the Senate, appoint five additional circuit judges no two of whom shall be from the same judicial circuit, who shall hold office during good behavior and who shall be from time to time designated and assigned by the Chief Justice of the United States for service in the circuit court for any district, or the circuit court of appeals for any circuit, or in the Commerce Court.

You will observe, Mr. President, that service in the Commerce Court comes last, and that they are not any more judges of the Commerce Court than they are judges of any other court to which they are assigned.

Mr. BACON. That does not change the proposition, though, that they are judges created by a law altogether different from the law which creates the other judges known as circuit judges.

Mr. WALSH. I should like, however, to ask the Senator another question before I take my seat. If I understand him aright, now, if a law is enacted giving an additional judgeship in any circuit, an act repealing that law would not be effective to remove the judge from office, because he is attached to that particular circuit?

Mr. BACON. Yes.

Mr. WALSH. But as I understand the Senator, without reference to the Commerce Court at all—let us pass this and abolish the whole thing—suppose we enact a law providing that there shall be appointed five additional circuit judges, to be assigned to the various circuits throughout the country by the President of the United States or the Chief Justice, as he may see fit, to aid in the work wherever their services may be needed. I understand the Senator to say that the repeal of that law would abolish the judges.

Mr. BACON. Yes; the Senator correctly states my position.

Mr. WALSH. But upon what basis in the Constitution does the distinction rest? You can not abolish the judge who is attached to a particular circuit because of the provision of the Constitution of the United States to the effect that he shall hold his office during good behavior. That is the only constitutional provision that stands in the way; but that constitutional provision is as applicable to the floating judges as to the man who is anchored.

Mr. BACON. The answer to that is that that provision of the Constitution does not stand in the way of removing a judge by abolishing the court of which he is a judge. The two things are not inconsistent. It is true that the Constitution, in effect, says that a judge shall be appointed for life; but it is equally true that that is in perfect harmony with the other principle that if the court to which he is thus appointed for life is itself abolished he himself goes with the court.

Mr. WALSH. But, Mr. President, I assume that you do not abolish the court. You leave the circuit courts, but you have appointed five judges who are not attached.

Mr. BACON. Yes; I understand that, Mr. President; but the question is, How can you apply the same principle in the one case that you do in the other? That is the question. It is a sound principle. How can you apply it to the cases of these judges? By abolishing all the nine circuits? Manifestly, that would be unreasonable. Yet that principle must be as live a principle as to them as it is as to any other judge.

The thought in my mind and the suggestion which I have made rest upon the proposition that this is an entirely different class of legislation from the other; that it does not create judges of any particular court. These courts are not, in the aggregate, the creation of any statute. They are not created in the aggregate. They are created separately, each one of them. Every circuit court judge has been authorized, not as the judge of these several courts, which he could not properly be, because each is a separate court, the one liable to be abolished without affecting the other. Either one of these courts can be abolished without affecting the other courts.

You can not abolish a part of the Supreme Court, because that is an entirety, one and indivisible; but these circuit courts are separate courts, and any one of the nine can be abolished without affecting the remaining eight, or the eight can be abolished without affecting the remaining one. That is the situation; and in each case the judges will go with them.

Here is a case where we create an entirely new jurisdiction, one that did not exist before, and authorize the appointment of judges for the purpose of performing the duties of that juris-

diction. I think it is a reasonable conclusion that when we abolish that jurisdiction it is the same thing as abolishing a court. You have got to analogize it, because you can not directly and distinctly parallel it. It can not be done.

I think it is an unreasonable proposition that these five judges shall stand supremely above the other judges known as judges of the circuit courts of the United States; that whereas the judges of the nine courts could be removed from office by the repeal of the law which created the nine circuits, while that would be true of the judges of any of the circuits, at the same time these five emergency judges, if we may so speak of them, stand supremely above all and could not themselves be removed from office by legislation unless we repealed the law as to all the nine circuits; that if the Congress of the United States should see fit to abolish eight of these circuits and leave one, while the judges of all these eight circuits would by such a law go out of office, these five judges would still remain as the judges of the one remaining circuit.

Mr. WALSH. Let me make an inquiry of the Senator. Are there two districts in Georgia or one?

Mr. BACON. There are two.

Mr. WALSH. Could we pass an act here abolishing one of the districts and consolidating the two and designating the judge who was to retire?

Mr. BACON. You could undoubtedly repeal the law creating any district court in the United States, and I have no hesitation in expressing the opinion that whenever you did the judge of that district would go with his district. What we would do about consolidating two districts and what judge we would have in the consolidated district would be matters for Congress to determine.

Mr. President, I beg pardon for trespassing so long upon the attention of the Senate. I simply wished to present the view that these judges are not judges of any circuit court; that it was an entirely new jurisdiction, and that when that jurisdiction is itself abolished the judges go with it.

Mr. BRANDEGEE obtained the floor.

Mr. OVERMAN. Mr. President——

Mr. BRANDEGEE. I yield to the Senator from North Carolina.

Mr. OVERMAN. I should like to dispose of this bill to-night, if possible, and I will ask Senators to make their speeches as short as possible.

Mr. BRANDEGEE. I was about to inquire of the Senator from North Carolina whether it was his intention to attempt to pass the bill to-night, or whether we could not adjourn until to-morrow.

Mr. OVERMAN. I think we ought to pass the bill to-night. There are only two amendments to be voted upon.

Mr. BRANDEGEE. Of course I do not know what may lie in the minds of other Senators, but personally I shall be exceedingly brief in what I have to say. I shall want to take perhaps 5 or 10 minutes, but not more than that. What I shall say is in line with the inadvisability of acting upon this proposition at this time in this way.

Mr. BORAH rose.

Mr. BRANDEGEE. If the Senator from Idaho desires to say anything now, I will yield to him.

Mr. BORAH. No; I only wanted to say that if we could have a vote on the substitute we could tell whether we should adjourn to-night or not, because if the substitute is not adopted I would not be willing to see an adjournment take place without further discussion of the matter, and rather extended discussion.

Mr. BRANDEGEE. Mr. President, some conference is evidently desirable. I do not desire to interrupt any negotiations if they will expedite business. I do not care to talk if there is some attempt to agree upon a course of procedure in the future, other than to proceed with the debate.

The Senator from Washington [Mr. POINDEXTER] says he fears somebody will think that that is sarcasm, but it is not meant so at all. I did not know but that there was some conference going on with relation to adjournment or recess.

I will say, and then let the bill take its course, that it is perfectly evident to everybody and known to everybody that there is not a quorum in the Chamber. This is an exceedingly important proposition. It is evident that the best lawyers in this body—and there are as good lawyers here as there are almost anywhere in the country, I think—differ in their views of our constitutional power to pass this bill as it stands. I myself feel, I will say, not exactly ashamed to be concerned in an act of this importance being taken up in this time, in the absence of a quorum——

Mr. OVERMAN. Mr. President, will the Senator yield to me?

Mr. BRANDEGEE. Certainly.

Mr. OVERMAN. We have a quorum now, probably; we will not have one to-morrow. We will not have as many Members present then as we have now. So we will have more votes if we act on the matter to-night than if we postpone it until to-morrow.

Mr. BRANDEGEE. If I should agree with the Senator, I do not think that would militate very strongly against what I am about to say, because if it is known that we have a bare quorum now, with many or at least some of the very ablest lawyers in this body absent, and will not have to-morrow, it seems to me that that is not really a very convincing reason why the Senate of the United States should be driven practically by the threat of the absence of a quorum to-morrow to pass what is contained in this bill from page 33 to page 41—seven or eight pages of matter involving a great court, a national court, that had its first session as a court only two years ago. It is hardly a sufficient reason for insisting upon the passage of these seven or eight pages of legislation upon an emergency deficiency appropriation bill, vitally changing the interstate-commerce law, and abolishing a great court that has existed only two years.

I voted for the establishment of the Commerce Court. It may have made some blunders. Of course we know that it was unfortunate in some things that concerned one of its members. But I believed that court was necessary when I voted for it, and I believe it is wise to maintain it. I think many other jurisdictions, or some, at least, can be conferred upon it with great benefit to the country. I agree to a very large extent, if not entirely, with the sentiments expressed here this afternoon by the Senator from Montana.

These appeals from the orders of the Interstate Commerce Commission on applications for writs restraining the enforcement of their orders, instead of being tried expeditiously here in the city of Washington, at a convenient point for the Department of Justice and the Interstate Commerce Commission and the governmental authorities to appear before the court, are to be scattered to the four winds of this country through 86 district courts of the United States.

I have been, as best I could—the bill having been reported yesterday and printed to-day for the first time—attempting to listen to the very able debates that have gone on here pro and con upon this question this afternoon, and to refresh my recollection in regard to the laws governing the Interstate Commerce Commission, and to read a very able public document that was presented here yesterday afternoon upon this question by the Senator from Florida [Mr. BRYAN], being Document No. 203, by the Hon. R. F. BROUSSARD, of the House of Representatives.

I feel that we are not treating ourselves fairly to rush this great question through here upon the eve of the dispersion, at least, if not the recess or adjournment of Congress. Yet I do not want to raise the question of the absence of a quorum; neither do I want to defeat the immediate adoption of this meritorious deficiency bill. Yet there we are. These eight pages of technical legislation fairly bristle with intricate legal questions that have been matters of controversy in the courts, and in this body, and before the committees that generally and appropriately would have jurisdiction of this matter.

The proposed legislation, I am satisfied, is more or less confusing. I have certain amendments to it that I should like to prepare and offer. I should like to hear discussion upon them. I wish this matter could be stricken from the bill, and let the appropriation bill be passed. If it should be the firm, fixed intention of the Senate to abolish this court, it can do it on the first Monday in December, when Congress reconvenes. Under the committee amendment it is proposed to continue the court until the 31st of December. I do not feel that it is fitting for this great body to rush lightly into a mass of legislation that we have not made up our minds about; and I, for one, feel the seriousness of it. I feel my individual responsibility as keenly as I feel my powerlessness to treat the subject as it deserves to be treated, and to inform myself as well as I should like to be informed.

I promised to take not over five minutes. I will conclude now, and will simply say that I can not vote for this measure as it stands. I am going, at some time or other—I suppose it will be an abortive attempt, but at any rate it will relieve me of the responsibility of rushing into what I consider this very unwise procedure and action—to move to strike this matter out of the bill. I will make that motion now, if it is in order. If not, I will renew it later. I will move to strike from the bill all after line 6, on page 33, down to and including line 12, on page 40, and make it what it purports to be—an urgent deficiency appropriation bill.

The VICE PRESIDENT. The Senator from Minnesota [Mr. NELSON] has accepted the substitute motion of the Senator from Montana [Mr. WALSH].

Mr. NELSON. I have accepted the amendment of the Senator from Montana.

The VICE PRESIDENT. So the question is on the amendment of the Senator from Minnesota, as modified by the amendment proposed by the Senator from Montana.

The amendment as modified was agreed to.

The VICE PRESIDENT. The question is on the motion of the Senator from Connecticut to strike out from the bill, beginning with page 32——

Mr. BRANDEGEE. No; beginning with page 33, line 7. I want the appropriation to stay in the bill. The matter I have moved to strike out commences at page 33, line 7.

The SECRETARY. Beginning at page 33, line 7, and going down to and including line 12, on page 40.

Mr. BORAH. I understand the motion of the Senator from Connecticut would have the effect of eliminating the entire subject matter of the abolishment of the court?

Mr. BRANDEGEE. Yes.

Mr. LEWIS. May I ask the Senator if it would have the effect of retaining the court? Is that the object?

Mr. BRANDEGEE. Yes; it would leave the appropriation in the bill.

Mr. SMITH of Georgia. And leave the subject also for future consideration?

Mr. BRANDEGEE. Certainly.

Mr. SMITH of Georgia. Whether the court should be abolished or retained?

Mr. BRANDEGEE. It would.

Mr. LEWIS. It would vitiate the whole House legislation.

Mr. SMITH of Georgia. We have already vitiated a very important part of it.

The VICE PRESIDENT. The question is on the amendment of the Senator from Connecticut. [Putting the question.]

Mr. SMITH of Georgia. I call for a division.

Mr. LA FOLLETTE. I call for the yeas and nays.

The yeas and nays were not ordered.

Mr. LA FOLLETTE. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hughes	Nelson	Shields
Bacon	James	Newlands	Simmons
Bankhead	Johnson	O'Gorman	Smith, Ariz.
Borah	Jones	Overman	Smith, Ga.
Brandegee	Kern	Owen	Smith, S. C.
Bristow	La Follette	Pittman	Swanson
Bryan	Lane	Poindexter	Thomas
Burton	Lea	Pomerene	Thompson
Chilton	Lewis	Ransdell	Thornton
Fletcher	Martin, Va.	Reed	Tillman
Gore	Martine, N. J.	Shafroth	Vardaman
Hollis	Myers	Sheppard	Walsh

Mr. LANE. My colleague [Mr. CHAMBERLAIN] is absent. He is paired with the Senator from Pennsylvania [Mr. OLIVER].

The VICE PRESIDENT. Forty-eight Senators have answered to the roll call. There is a quorum present.

Mr. BRANDEGEE. I make the point of order that the committee amendment in italics in relation to this matter is legislation upon an appropriation bill and is not in order.

The VICE PRESIDENT. The Chair may perhaps have made an inappropriate ruling this morning, in ruling that the amendment is germane to the bill, but the Chair so holds.

Mr. BRANDEGEE. The Chair may have made the ruling on something in his own mind, but I appeal from the ruling of the Chair, very respectfully, Mr. President.

The VICE PRESIDENT. There is no objection. The question is, Shall the ruling of the Chair be sustained? [Putting the question.]

Mr. BRANDEGEE. On that I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. BRANDEGEE. I ask that the count may be had of the other side.

Mr. OVERMAN. There has been a roll call showing 48 Senators present.

Mr. JAMES. There has been a roll call showing that a quorum is present, and only three sustained the call for the yeas and nays.

Mr. BRANDEGEE. That is not the point. The point is whether one-fifth of those present have demanded the yeas and nays.

The VICE PRESIDENT. Only four hands are up for the yeas and nays. The Chair, since it has been occupied by the present incumbent, has not tried to take advantage of any Senator.

Mr. BRANDEGEE. This Senator does not claim that the Chair has tried to do so.

The VICE PRESIDENT. Only four hands were up, and that is not a sufficient number, as is perfectly apparent.

Mr. BRANDEGEE. I suggest the absence of a quorum, Mr. President.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hughes	Nelson	Shields
Bacon	James	Newlands	Simmons
Bankhead	Johnson	Overman	Smith, Ga.
Borah	Jones	Owen	Smith, S. C.
Brandegee	Kern	Pittman	Swanson
Bryan	Lane	Poindexter	Thomas
Burton	Lea	Pomerene	Thompson
Chilton	Lewis	Ransdell	Thornton
Fletcher	Martin, Va.	Reed	Tillman
Gore	Martine, N. J.	Shafroth	Vardaman
Hollis	Myers	Sheppard	Walsh

Mr. REED. I desire to announce that my colleague [Mr. STONE] is unavoidably absent from the city.

The VICE PRESIDENT. Forty-four Senators have answered to their names—not a quorum.

Mr. KERN. I move that the Sergeant at Arms be instructed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. SMITH of Arizona, Mr. O'GORMAN, and Mr. BRISTOW entered the Chamber and answered to their names.

Mr. KERN (at 7 o'clock and 35 minutes p. m.). Mr. President, I ask that the names of the absentees be called.

The VICE PRESIDENT. The Secretary will call the roll of absent Senators.

The Secretary called the names of the absent Senators.

Mr. JONES. I desire to announce that the senior Senator from Kentucky [Mr. BRADLEY] was compelled to leave the Chamber some time ago, and will be absent for the evening.

Mr. LEWIS. Mr. President, has any order gone forth ordering the absent Senators to be brought in by the Sergeant at Arms?

The VICE PRESIDENT. There has been no motion of that kind. The Chair will entertain one, if made.

Mr. HITCHCOCK (at 7 o'clock and 47 minutes p. m.) entered the Chamber and responded to his name.

The VICE PRESIDENT. Since the roll call began 48 Senators have answered to their names. There is a quorum present.

Mr. KERN. I move that further proceedings under the call be dispensed with.

The motion was agreed to.

Mr. MARTIN of Virginia. Is the committee amendment now before the Senate?

The VICE PRESIDENT. The state of the record, as the Chair understands, is that there was an arrangement between the Senator from North Carolina [Mr. OVERMAN] and the Senator from Wisconsin [Mr. LA FOLLETTE] that a certain amendment was to be presented, and it was agreed that the matter contained on page 37 was not to be taken up until that amendment was presented.

Mr. MARTIN of Virginia. There is no other committee amendment to be presented, as I understand. The Senator from Indiana [Mr. KERN] has an amendment which we might consider to use the time while we are waiting for the Senator from Wisconsin.

Mr. BRISTOW. I understood that the Senator from North Carolina had agreed to accept the amendment.

Mr. MARTIN of Virginia. He is in charge of the bill, and will be here in a moment. We will pass over that matter in the meantime.

Mr. THOMAS. The Senator from Montana [Mr. WALSH] has a very important amendment still open.

Mr. BRANDEGEE. Mr. President, if this matter can be passed over until the return of the Senator from Wisconsin, I have an amendment which I should like to offer as an individual.

Mr. MARTIN of Virginia. We are awaiting the return of the Senator from Wisconsin. In the meantime there are some other amendments to be offered. The committee amendments have been disposed of, as I understand.

Mr. BRANDEGEE. I say I have one I should like to offer, to use the time until the Senator from Wisconsin arrives. It will take but a minute, if it is in order to do so.

The VICE PRESIDENT. The Chair rules that it is in order.

Mr. BRANDEGEE. Very well. It is the same amendment that I offered, when it was not in order, as an amendment to the committee amendment. I now offer it as an amendment to the bill.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 17, after line 12, it is proposed to insert:

To pay the expenses of the jury commission of the District of Columbia, including stationery and clerical assistance, for the fiscal year ending June 30, 1914, $400.

Mr. BRANDEGEE. Mr. President, that amendment was adopted by the Senate when the District appropriation bill was before it, and it went out in conference.

Mr. OVERMAN. Let it go, Mr. President. It is accepted.

Mr. BRANDEGEE. I should like to refer, for the benefit of the conference committee——

Mr. OVERMAN. We know all about it. We have had it before.

Mr. MARTIN of Virginia. We are thoroughly familiar with it.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KERN. I offer an amendment, which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 56, after line 5, it is proposed to insert:

To enable the Secretary of the Senate and the Clerk of the House of Representatives to pay to the clerks and employees of the Senate and House of Representatives borne on the annual and session rolls on the 1st day of October, 1913, for extra services rendered during the first session of the Sixty-third Congress, a sum equal to one month's pay at the compensation then paid them by law, the same to be immediately available.

Mr. OVERMAN. While I personally am in favor of that amendment, and I have always voted to give the clerks an extra month's salary, I think it ought to be submitted to the Senate. I can not accept it.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. REED. I offer an amendment, which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 55, after line 10, it is proposed to insert:

To pay David L. Frawley, as additional compensation for extra services rendered the subcommittee of the Committee on the Judiciary engaged in the investigation of the maintenance of a lobby, pursuant to Senate resolution 92 during the first session of the Sixty-third Congress, $465.

Mr. OVERMAN. I think that is all right. I accept it.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. POMERENE. I offer an amendment, which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 21, line 15, it is proposed to insert:

Arming and equipping the militia, allotment State of Ohio: For replacing military stores, supplies, and equipments lost by the National Guard of the State of Ohio during the recent floods in Ohio during March and April, 1913, $78,670.87.

Mr. OVERMAN. Is that the Senator's amendment?

Mr. POMERENE. That is the amendment relating to the Ohio State National Guard.

Mr. OVERMAN. I understand that since the Senator was before the committee the Secretary of War has recommended it.

Mr. POMERENE. I will say to the Senator that the Secretary of War has recommended it. I have here a letter from him which I send to the desk and ask to have read.

Mr. OVERMAN. Let it go in the RECORD. It is not necessary to read it. I want it to go in the RECORD, however.

Mr. POMERENE. Very well; let it be printed then.

The matter referred to is as follows:

WAR DEPARTMENT,
Washington, October 3, 1913.

Hon. ATLEE POMERENE,
United States Senate, Washington.

MY DEAR SENATOR: Touching the matter of militia stores, supplies, and equipment lost by the National Guard of Ohio during the recent floods in that State, an estimate of appropriation for the replacement of which was submitted August 1 last by the Assistant Secretary of War, acting as Secretary of War at the time, I wish to add to the approval of the Assistant Secretary my own personal approval of this bill and to express the hope that it will receive favorable consideration and action by Congress.

This United States property in question has been surveyed, as required by law, and the governor of the State of Ohio authorized to drop the supplies from his property returns.

The original estimate of the appropriation required was $74,243.92, but since that estimate was submitted corrections of the same have been made, which corrections I approve, bringing the estimate up to $78,670.87.

With kindest regards, I am,
Very respectfully,
LINDLEY M. GARRISON,
Secretary of War.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SIMMONS. I offer an amendment, which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. After line 10, page 55, it is proposed to insert:

For the following, on account of additional services to the Committee on Finance, namely, to pay Joseph S. McCoy $1,000; Thomas M. Robertson $500; in all, $1,500.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LEA. I desire to call up an amendment which I have pending on the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. At the end of the bill it is proposed to insert the following:

MONUMENT TO COMMEMORATE THE WOMEN OF THE CIVIL WAR.

To make payment of a part contribution to the acquisition of a site and the erection thereon of a memorial in the District of Columbia to commemorate the service and the sacrifices of the women of the United States, North and South, for the sick and wounded in war, $400,000: *Provided*, That said memorial shall be a building monumental in design and character and shall be used as the permanent headquarters of the American Red Cross and shall cost, with the site, not less than $700,000: *Provided further*, That the sum hereby appropriated shall not be payable until there shall have been assured by private subscription an additional sum of $300,000: *Provided further*, That the money hereby appropriated shall not be paid for any site nor toward the construction of any memorial unless the site and plan for the proposed building shall have been approved by a commission consisting of the Secretary of War of the United States, the chairman of the Joint Committee on the Library of Congress, and the president of the American Red Cross. The plans of said memorial shall likewise be approved by the Commission of Fine Arts. The expenditure for said site and memorial shall be made under the direction of the commission consisting of the Secretary of War, the chairman of the Joint Committee on the Library of Congress, and the president of the American Red Cross, and the said memorial shall be constructed under the supervision of an officer of the Corps of Engineers appointed by the Secretary of War, who shall act as the executive disbursing officer of the commission: *Provided further*, That the title to the site procured shall be taken by and the building erected thereon shall be the property of the United States, but the American Red Cross shall at all times be charged with and be responsible for the care, keeping, and maintenance of the said memorial and grounds without expense to the United States, subject to such further direction and control as may be provided by law: *And provided further*, That should the commission hereby created be unable to acquire a suitable site at a price deemed by the commission to be fair, it is authorized to institute condemnation proceedings in accordance with the provisions of the act of Congress approved August 30, 1890, providing a site for the enlargement of the Government Printing Office (U. S. Stat. L., vol. 26, chap. 837).

Mr. OVERMAN. That amendment was before our committee and it was heard thoroughly by all parties. The committee did not think that this was a proper amendment for a deficiency bill. This is an urgent deficiency appropriation bill, to take care of deficiencies of the Government, and the subcommittee unanimously turned it down, and it went before the full committee and was rejected. It has not been estimated for. I understand the Committee on the Library has recommended it, however.

Mr. LEA. Mr. President, I want to say a word in behalf of the amendment. I believe everyone is in sympathy with the purpose and object of the amendment to erect a memorial to the women of the sixties in which the Government will participate and patriotic citizens who desire to express their appreciation of the sacrifices and the heroism of these noble women of the North and South will be permitted to participate also.

It is true that this is not perhaps the legitimate object of an amendment to an urgent deficiency appropriation bill, but there is a peculiarly delicate situation existing regarding certain of the proposed donors of the $300,000 to be made up by private subscription, and if the fund is ever to be available I believe this appropriation will have to be made at this time.

On that account I very earnestly hope that the amendment will be adopted. I supported the amendment in the Committee on Appropriations, and it failed there, but it has been recommended by a standing committee of the Senate and is therefore in order, and I hope it may be adopted.

Mr. OVERMAN. The committee thought that it might wait for another appropriation bill.

Mr. LEA. The situation is such, I will say to the Senator from North Carolina, that it can not wait, if it is to be carried out according to the present plan.

Mr. BURTON. Mr. President, I recognize the general rule that a deficiency appropriation bill is to provide for some branch of the public service which has been insufficiently provided for. But let us consider for a minute what we have been doing in this bill. We have not confined it to appropriations. We have abolished a court. We have sought to settle the question whether certain judges shall be removed from office or remain. We have provided for a statement of certain appropriations to be made by the Treasury Department. There are numerous items in the bill for relief operations for the benefit of sufferers. We have made an appropriation to repair an injury done by a vandal. On page 53—I wish especially to call the attention of the Senator having the bill in charge to that—there is an appropriation of $25,000 for a suitable design for a memorial bridge across the Potomac River in the city of Washington.

Mr. OVERMAN. That is authorized by law. The bridge is to be constructed, and this is a deficiency simply according to a law passed by the House of Representatives and the Senate appointing the commission, and they have no money with which to act.

Mr. BURTON. That item was right alongside of this amendment pertaining to the Red Cross in the bill which passed the Senate last winter. The Senate not only included this Red Cross item in the bill passed last winter, which went to conference, but also by joint resolution in the year 1912, on the 16th of August, we passed a joint resolution identical with this amendment.

I recognize the temper of the Senate, and no one can expect that Members will listen to any argument regarding the work of the Red Cross, but that organization has accomplished a wonderful work. There has been occasion for them in an unusual degree this year and the last, because of calamities by flood and by fire and from accidents in mines.

Their activities have not been confined to this country. Their work in China did as much to create a friendly feeling toward this country as any action of diplomacy. This society is officially recognized not only by the Geneva convention, to which we are a party, but also by statute of the United States.

The President of the United States is at the head of this organization. He appoints a central committee which includes representatives from five of the great departments of the Government. There is a war relief board presided over by the Surgeon General. The Senator understands that the contributions which would be made available if the Government is committed to this appropriation are liable to be dissipated.

Mr. OVERMAN. I am in favor of it and at the proper place next winter it can be taken care of in the sundry civil bill. There is no question about the merit of it.

Mr. BURTON. I recognize that the Senator from North Carolina is friendly to this appropriation, but I fear if it is postponed there will not only be delay, but it will seriously hamper the work of the Red Cross. They are doing a colossal work and spent $7,500,000 in the eight years from 1905 to 1913, yet their office is a simple room in the War Department, very limited in the amount of space. I will add, without reading, a statement showing the wide extent of their operations and the amounts expended:

AMERICAN RED CROSS.

Amounts expended for fields of relief operations, 1905–1913.

1905.	
Philippine typhoon	$1,150.00
1906.	
Japanese famine	245,855.67
Vesuvian earthquake and eruption	12,759.25
San Francisco earthquake and fire	3,087,469.44
Valparaiso earthquake	12,353.38
Gulf States storm	671.37
1907.	
Chinese famine	325,725.43
Kingston earthquake	5,699.23
Russian famine	9,000.00
1908.	
South Carolina and Georgia floods	642.67
Mississippi cyclone	960.91
Monongah mine disaster	3,782.11
Chinese flood (Canton)	2,000.00
Canadian forest fires	1,000.00
Michigan and Minnesota forest fires	300.00
Calabrian earthquake	233.60
Italian earthquake	985,300.21
Cyclone relief at Clinton, Mich	6,245.53
1909.	
Monterey flood	8,707.60
Portugal earthquake	1,300.00
Cherry Mine disaster	97,247.11
Turkish Armenian atrocities	30,500.00
Key West hurricane	1,140.30
Tokio flood (Japan)	5,000.00
Darr Mine disaster	402.32
Nicaraguan sick and wounded soldiers	3,776.00
Mulga and Palos mine disaster	500.00
1910.	
Mulga and Palos mine disaster	12,531.74
Servian flood	490.52

Costa Rica earthquake	$9,050.12
Paris flood	44,942.03
Montana forest fires	1,046.59
Chinese famine	251,677.55
Minnesota forest fires	95,114.24
1911.	
Manchurian plague	2,711.56
Michigan forest fires	2,500.00
Ontario forest fires	3,500.00
Austin flood	1,891.32
Taal Volcano (Philippines)	16,050.00
Mexican soldiers and American refugees	7,307.40
Pancoast Mine disaster (Scranton)	1,021.00
Albanian refugees	1,000.00
Stamboul fire (Turkey)	500.00
South Carolina storm	500.00
Hankow flood (China)	1,000.00
Nicaragua suffering	2,000.00
Persian suffering	1,500.00
Washington Place factory fire, New York City	70,000.00
Colon fire relief	5,901.65
1912.	
Marmora earthquake (Turkey)	500.00
McCurtain mine disaster (Oklahoma)	500.00
Jed mine disaster (West Virginia)	500.00
Colliers flood (West Virginia)	1,000.00
Syrian destitute (Beirut)	200.00
Balkan war	75,651.60
Titanic wreck	125,000.00
Washington Place factory fire, New York City	37,018.16
Mississippi flood	27,480.24
Sundry special relief items	87.00
Miscellaneous from contingent fund	639.85
JANUARY 1 TO JULY 31, 1913.	
Relief of American refugees in Mexico	23,850.00
Mine disaster, Finleyville, Pa	2,336.00
River conservancy in China (famine prevention)	1,000.00
Relief of sufferers from Titanic wreck	543.00
Mississippi flood	20,000.00
Balkan war relief	6,852.00
Storm and flood relief in Middle West	1,800,000.00
Veterans' reunion, Gettysburg (approximately)	5,000.00
Total	7,510,111.76

I trust the Senate will adopt this amendment. The amendment is not subject to a point of order. It has already been recommended by the Committee on the Library; there is no question on that score.

Mr. OVERMAN. I have not made a point of order. I am willing to leave it to the Senate.

Mr. BRANDEGEE. Mr. President, there is no point of order made against this amendment. I hope the Senate will allow it to go on the bill and receive the consideration of the conference committee. It is a very commendable and a very important measure. As the Senator from Ohio [Mr. BURTON] has so well said, there are certain conditions about it that make it risky to wait several months. In that case a large portion of the money that is to be subscribed through the generosity of private parties might not be obtained. Every month something may happen to prevent it. All we ask is that it may go to conference, and I hope that will be the judgment of the Senate.

Mr. BACON. Mr. President, I am not going to detain the Senate with any argument, but simply wish to express my concurrence in what the Senator from Connecticut has said. I hope very much the amendment will be acted on favorably. We remember that at the last session there was a controversy here because we thought there was a discrimination. All that has been removed, and it is not only for a noble purpose but will furnish a very noble monument to those who are entitled to it.

Mr. THOMAS. Mr. President, I think it is setting a bad precedent to load a bill of this kind with so many extraneous matters. The Senator from Ohio has very properly called attention to a number of matters that have already been considered in this bill and which would be better for the country as matters of outside and special legislation. This is an urgent deficiency appropriation bill, and we have in this bill determined to abolish one of the great courts of the country.

Mr. BRANDEGEE. We have not done so yet.

Mr. THOMAS. I am talking about what is proposed. We have also proposed to take their commissions away from four judges. We have also provided a method of procedure with reference to business belonging to that court by means of which it is to be distributed over 86 other courts in the country. We have also provided for some change in the civil-service law.

It seems to me we ought to reach the limit somewhere and some time in the matter of subjects that are brought within a bill the principal purpose of which is entirely foreign to it.

While I want to see the Red Cross recognized in every possible way, I certainly hope that this large appropriation, which is not a deficiency appropriation, will not be passed in this way. Each and every of these additions to a bill which is designed for some other purpose simply serves as a precedent for the continuing of such legislation. The practice is a vicious one, and I hope that the amendment will not be ingrafted on this

measure. If I thought there was any prospect of it, I would make the point of order.

Mr. JONES. Mr. President, I simply desire to say that I am in favor of the amendment and I expect to vote for it. Personally I would much prefer, however, to see the National Government furnish all the money for the construction of this building, which is to be a memorial to all the women of the country. I do not like to see the Government put in the position of admitting that it must go into partnership with private individuals for the erection of a memorial of this kind.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Tennessee [Mr. LEA].

The question being put, there were on a division—ayes 17, noes 9; no quorum voting.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hughes	Myers	Sheppard
Bacon	James	Nelson	Shields
Borah	Jones	O'Gorman	Smith, Ariz.
Bradley	La Follette	Overman	Smith, Ga.
Brandegee	Lane	Pittman	Smith, S. C.
Bristow	Lea	Poindexter	Swanson
Bryan	Lea	Pomerene	Thomas
Burton	Lewis	Ransdell	Thompson
Chilton	McLean	Reed	Thornton
Fletcher	Martin, Va.	Shafroth	Walsh
Hitchcock	Martine, N. J.		

Mr. REED. I desire to announce that my colleague [Mr. STONE] is absent from the city on account of sickness in his family.

Mr. JONES. As the Senate knows, the senior Senator from Kentucky [Mr. BRADLEY] is not very strong, and he was compelled to go to his home. I make this announcement for any other roll call.

Mr. BRISTOW. I desire to state that the senior Senator from Mississippi [Mr. WILLIAMS] was not feeling well, and he felt that it was necessary to leave the Chamber and go to his home.

The VICE PRESIDENT. Forty Senators have answered to their names—not a quorum.

Mr. OVERMAN. I suggest that the names of the absent Senators be called.

The Secretary called the names of absent Senators and Mr. HOLLIS and Mr. KERN answered to their names when called.

Mr. SIMMONS, Mr. JOHNSON, and Mr. BANKHEAD entered the Chamber and answered to their names.

Mr. OVERMAN. I suggest that the Sergeant at Arms be directed to request the attendance of absent Senators.

Mr. SWANSON. Mr. President, we have been here nearly two hours and we have requested the attendance of Senators. They do not respond to the request. I move that the Sergeant at Arms be directed to arrest absent Senators and bring them to the Senate. It is useless to stay here unless we bring in the absentees.

The PRESIDING OFFICER (Mr. JAMES in the chair). The Senator from Virginia moves that the Sergeant at Arms be directed to arrest absent Senators.

Mr. KERN. There are a number of Senators just below at their lunch. I have just returned from there. They are scarcely to blame for that.

The PRESIDING OFFICER. The Chair will state to the Senator from Indiana that the question is on the motion made by the Senator from Virginia that the Sergeant at Arms be directed to arrest and bring before the Senate the absent Senators.

Mr. KERN. I move to amend it by striking out the word "arrest" and inserting "request the attendance of."

Mr. SWANSON. I think it is not treating Senators right who stay here four or five hours trying to get a quorum when we deal so generously with absent Senators. We are expected to stay here and constitute a quorum, and we should be properly treated by having absent Senators brought in.

Mr. CLARKE of Arkansas entered the Chamber and answered to his name.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Indiana to the motion made by the Senator from Virginia that the Sergeant at Arms be directed to request the attendance of absent Senators.

The amendment was agreed to.

Mr. SWANSON. I wish to say that I am not going to stay here four or five hours waiting on the courtesy of some Senators who are simply requested to come here. I am willing to stay here if Senators will come and attend to business, but, with 45 Senators, it is not right to be dillydallying in this way. If it is the intention to stay here and pass the bill to-night the proper way is to have Senators arrested and brought here and proceed with the bill.

The PRESIDING OFFICER. The question is on the motion of the Senator from Virginia as amended by the motion of the Senator from Indiana that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms is directed to request the attendance of absent Senators.

At 8 o'clock and 20 minutes p. m. Mr. OWEN entered the Chamber and answered to his name.

At 8 o'clock and 21 minutes p. m. Mr. VARDAMAN and Mr. NEWLANDS entered the Chamber and, respectively, answered to their names.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present. The pending question is upon the amendment offered by the Senator from Tennessee [Mr. LEA]. [Putting the question.] The ayes seem to have it.

Mr. BRYAN. Mr. President, I raise the point of order on the amendment that it is general legislation on an appropriation bill.

Mr. BURTON. Mr. President, attention has already been called to that matter. This amendment was reported by the Committee on the Library on the 4th of September last, and, as has already been conceded by the Senator from North Carolina [Mr. OVERMAN], having the bill in charge, it is in order.

Mr. BRYAN. May I inquire of the Senator from Ohio when the amendment was reported by the committee?

Mr. BURTON. On the 4th of September, 1913. On July 21, 1913, the amendment was referred to the Committee on the Library and ordered to be printed; on September 4, 1913, it was reported favorably by the Senator from Tennessee [Mr. LEA], referred to the Committee on Appropriations, and ordered to be printed.

The PRESIDING OFFICER. Does the Senator from Florida insist upon his point of order?

Mr. BRYAN. I did not know the amendment had been proposed by a standing committee of the Senate. If that is true, I withdraw the point of order.

The amendment was agreed to.

Mr. REED. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. In the committee amendment heretofore agreed to, in line 2, on page 56, it is proposed to strike out the word "clerks" and insert the word "officers."

Mr. OVERMAN. I accept that amendment, because it only corrects the committee amendment.

The amendment was agreed to.

Mr. OWEN. I wish to offer an amendment to the bill, proposing to pay to Thomas P. Kane, who is acting as Comptroller of the Currency, the salary as comptroller while he is serving as such.

The PRESIDING OFFICER. The amendment proposed by the Senator from Oklahoma will be stated.

The SECRETARY. It is proposed to insert the following amendment, under the heading "Office of the Comptroller of the Currency":

To pay to Thomas P. Kane the difference between the compensation allowed by law for the Comptroller of the Currency and the compensation allowed by law for the Deputy Comptroller of the Currency, for services as acting Comptroller of the Currency from April 28, 1913, when the office of Comptroller of the Currency was vacated, and continuing so long as the duties and responsibilities of said office of the Comptroller of the Currency shall devolve upon said Thomas P. Kane, as Acting Comptroller of the Currency, such an amount as may be necessary, to be paid from the $5,000 appropriated for salary of the Comptroller of the Currency by the act of August 23, 1912 (37 Stat. L., p. 377), for such part of such services as may be rendered during the fiscal year ended June 30, 1913; and such amount as may be necessary to be paid from the $5,000 appropriated for salary of the Comptroller of the Currency by the act of March 4, 1913 (Stat. L., p. 756), for such part of such services as may be rendered during the fiscal year ending June 30, 1914.

Mr. OVERMAN. I raise the point of order on that amendment that it has not been estimated for or recommended by any department and would be setting a very dangerous precedent.

Mr. OWEN. I should like to say, in connection with that matter, that it was my fault that the amendment was not presented to the committee, it having been introduced by me and reported on favorably by the Secretary of the Treasury. His letter is here on the files of the committee, and the matter was not properly presented. That was because I was called away by my duties as chairman of the Committee on Banking and Currency. I hope the Senator from North Carolina will not insist upon the point of order, because the amendment is recommended by the Secretary of the Treasury.

Mr. OVERMAN. It was not before our committee.

Mr. OWEN. Yes; it is here.

The PRESIDING OFFICER. Does the Senator from North Carolina insist upon his point of order?

Mr. OWEN. I repeat that it was my fault that the matter was not presented to the committee, I having been called away from the committee, although I went to the committee for the purpose of presenting it.

Mr. OVERMAN. I think it would be setting a very dangerous precedent to pay a man who performs services because some other man was getting a greater salary than he is getting. If we begin this thing, we shall have to pay every subordinate an increase of salary when he temporarily performs the duties of a higher officer.

Mr. OWEN. This man is really performing the services of Comptroller of the Currency. He has been in that office a long time acting as deputy and is now acting as comptroller. Since he is performing the work and is worthy of performing it and is well qualified for it, I thought it was a measure of justice that he should be paid, and the Secretary of the Treasury thought that he should be paid, the compensation which would have been paid to him if he had been regularly appointed as the comptroller. Of course it is only a temporary matter until the comptroller is regularly appointed. It only involves a small sum.

Mr. BRISTOW. Is there any more reason——

Mr. OWEN. Deputy Comptroller Kane is serving as comptroller, and it is only proposed to give him what the comptroller would otherwise receive, and which has been appropriated for the salary of the comptroller.

Mr. BRISTOW I know that, but I am in entire sympathy with the statement of the Senator from North Carolina [Mr. OVERMAN] that it would be setting a very dangerous precedent, because it is not infrequent that subordinate officers for months perform the duties of their superiors during their absence.

Mr. OWEN. I shall not insist upon it strenuously at all if Senators feel that it is not right, but I thought it was right.

The PRESIDING OFFICER. Does the Senator from North Carolina insist on his point of order?

Mr. OVERMAN. I am bound to do so, Mr. President, because of the precedent which the adoption of the amendment would establish.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. SMITH of Arizona. Mr. President——

The PRESIDING OFFICER. The Senator from Arizona has proposed an amendment, which is now pending and which will be stated by the Secretary.

The SECRETARY. At the end of line 11, on page 3, it is proposed to insert as a new paragraph the following:

That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $72,000, to be paid to the following-named persons in the amount specified to each, for injuries sustained by shots fired across the American boundary line by soldiers and revolutionists on the Mexican side of the line in the year 1911, to wit: Adolfo Varela, of El Paso, Tex., $3,000; Virginia Moorhead, of El Paso, Tex., $3,000; Abundio Soto, of El Paso, Tex., $4,000; Edwin G. Heaton, of El Paso, Tex., $2,000; Celia Griffiths, of El Paso, Tex., $15,000; A. R. Chandler, of El Paso, Tex., $12,000; Emma Larson, of Douglas, Ariz., $1,000; Elmer E. Crowe, of Douglas, Ariz., $5,000; Francis F. Williams, of Douglas, Ariz., $5,000; John W. Keate, of Douglas, Ariz., $5,000; Joseph W. Harrington, of Douglas, Ariz., $15,000; William R. White, of Douglas, Ariz., $2,000.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Arizona.

Mr. OVERMAN. That amendment was before the committee, but we did not think that we ought to settle questions growing out of the Mexican War in this way on an urgent deficiency appropriation bill. I make the point of order that the amendment has not been estimated for.

Mr. SMITH of Arizona. Mr. President, it is true that I went before the Committee on Appropriations and attempted to get this amendment placed in the bill. I left the committee under the impression that there would be no objection to it. If I understand the rules, the amendment is not subject to a point of order, for a bill embodying the provisions of this amendment has passed the Senate and has been favorably reported in the House of Representatives. A similar item was placed on an appropriation bill at the last session, but the conferees on the part of the Senate, as usual whenever it comes to a matter that a man will not fight for, conceded it, and the bill came back with the item left out.

I attempted a second time, in connection with another appropriation bill, to secure the incorporation of this item, but out of deference to the committee, and owing to the fact that they did not desire any amendments at all put on the bill, I submitted to their wishes. Now, after a judgment by a tribunal established by the Government to adjudicate these claims, and after their report with the testimony is filed here, after the Senate has passed the measure as a separate bill, and passed it a second time as an amendment to an appropriation bill, I am met to-night with the suggestion that it is not a proper item to be incorporated on an urgent deficiency appropriation bill. Mr. President, I want this item added to this bill. I do not think a point of order will lie against it; and I ask the Senator from North Carolina to withdraw the point of order.

The PRESIDING OFFICER. The Chair will submit the point of order to the Senate. Those who believe the amendment offered by the Senator from Arizona is in order will say "aye"; those opposed "no." [A pause.] The "noes" seem to have it, the "noes" have it, and the amendment is rejected.

Mr. SMITH of Arizona. The Chair, as I understood, decided that the "noes" had it and that the amendment was not subject to the point of order. If it is not obnoxious——

The PRESIDING OFFICER. The Chair put the question to the Senate whether or not the amendment was in order, and the vote was in the negative—that it was not in order.

Mr. SMITH of Arizona. I misunderstood.

The PRESIDING OFFICER. The Chair will put the question again, in order that there may be no misunderstanding. Those who believe the amendment is in order will say "aye"; opposed "no." The "noes" seem to have it.

Mr. SMITH of Arizona. I call for a division.

Mr. OVERMAN (to Mr. SMITH of Arizona). Do not ask for a division.

The PRESIDING OFFICER. A division is called for. Those who think the amendment is in order will rise and stand until counted.

Mr. SMITH of Arizona. Wait a moment, Mr. President. My patience and my devotion to the business of this legislative body are such that I would rather take whatever medicine they see fit to give me than to unduly delay the passage of the pending measure.

The PRESIDING OFFICER. Does the Senator withdraw the amendment?

Mr. SMITH of Arizona. If the Chair will be a little patient with me——

The PRESIDING OFFICER. The Chair will be abundantly patient with the Senator.

Mr. SMITH of Arizona. I withdraw the demand for a division.

The PRESIDING OFFICER. The Senator from Arizona withdraws the demand for a division. The amendment is rejected.

Mr. BACON. I have an amendment, Mr. President, which was presented to the Senate by the Senator from Massachusetts [Mr. LODGE], referred to the Committee on Foreign Relations, and reported back from the committee favorably, which I now, for the Senator from Massachusetts, offer. I wish to make a short statement in regard to it. I desire that the amendment be inserted on page 3, after line 11

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 3, after line 11, it is proposed to insert as a separate paragraph the following:

To the heirs of Angelo Albano, $6,000, in accordance with the recommendations of the President contained in his message dated June 26, 1913 (H. Doc. No. 105, 63d Cong., 1st sess.).

Mr. BACON. Mr. President, that is an amount agreed upon between the Executive Department of this Government and the Italian Government, to be paid for the homicide of an Italian who was killed by a mob in the State of Florida. It is a liquidated amount, and its payment has been recommended to Congress in a special message from the President of the United States. A bill introduced for the same purpose has passed the House of Representatives, is now in the Senate, and has had a favorable report at the hands of the Committee on Foreign Relations.

The only reason why I ask that this amendment be put upon the appropriation bill rather than to pass the House bill, is that the peculiar phraseology of the House bill, while it authorizes payment does not make specifically an appropriation, and there would still have to be an appropriation made. I have in my hand the report of the House committee, which states the circumstances under which this man was killed. It was recognized as an unjustifiable homicide.

In this case the Government has done what it has heretofore done in several other cases where there have been homicides. In several of the States there have been payments made to foreign governments as some compensation for the homicide. There was one in the case of a homicide by a mob in Louisiana, one in Colorado, one, I think, also in Washington, one possibly in Oregon, and one or two others. Of course, it is recognized that the State is primarily liable, but under the circumstances the Government of the United States has always assumed to settle and pay these debts.

Mr. LANE. There was not such a case in Oregon.

Mr. BACON. Possibly not; but there was in Washington, I think, in the case of some Chinese.

Mr. LANE. That was in Washington.

Mr. BACON. Very well. This particular amendment is now recommended by the Committee on Foreign Relations.

I want to state further, Mr. President, that the Italian Government, not knowing the methods which are peculiar to ourselves, does not understand the reason why it is that after the amount has been agreed upon between the two Governments the money is not paid, and the Italian ambassador is making constant application at the State Department and entering protests about it.

The amount involved is $6,000; and I trust that the amendment may be put upon the bill and that it may be retained in conference. It is going to have a very bad effect in its irritating influence if it is not done. Of course, it is not going to lead to war or anything of that kind; I do not mean that; but there will be dissatisfaction, and we owe it, I think, to our obligations and to the agreement which has been made and recognized in every way it can be recognized, except by the final passage of an appropriation, that the claim should be paid. I hope the amendment will be agreed to.

Mr. OVERMAN. Mr. President, I can not make a point of order against the amendment; but I want to say that the Italian can wait. This bill is not the proper place for such an amendment, and if the amendment should be adopted I am in favor of paying the claims of Americans if we are to pay the claim of a foreigner.

Mr. CLARKE of Arkansas. Let me ask the Senator from North Carolina why he can not make a point of order against the amendment.

Mr. OVERMAN. Because it comes, as I understand——

The PRESIDING OFFICER. The Chair will state that it has been reported by a standing committee.

Mr. OVERMAN. Because it comes, as I understand, from a standing committee of the Senate.

Mr. CLARKE of Arkansas. But was it referred to the Committee on Appropriations one day before it was offered here? If it was not it can not be considered.

Mr. BRANDEGEE. If the Senator will permit me, I do not think that the mere report by a standing committee will make an amendment in order upon a general appropriation bill. The language of the rule is that the amendment must be moved at the suggestion of a committee. Unless a committee moves its adoption it is not in order.

Mr. OVERMAN. The chairman of the Committee on Foreign Relations has moved the amendment.

Mr. BRANDEGEE. If the chairman does it by instruction of the committee, of course that makes a difference.

Mr. CLARKE of Arkansas. That does not satisfy the rule.

Mr. BACON. I want to state further, if my colleague on the committee will permit me a moment——

Mr. CLARKE of Arkansas. I believe I will present this matter, and then the Senator will understand the inquiry I addressed to the Senator from North Carolina. Rule XVI provides:

> All amendments to general appropriation bills moved by direction of a standing or select committee of the Senate, proposing to increase an appropriation already contained in the bill, or to add new items of appropriation—

That is the case here—

> shall, at least one day before they are considered, be referred to the Committee on Appropriations.

Mr. OVERMAN. That has been done; the amendment was referred to the committee.

Mr. CLARKE of Arkansas. That is the question I asked the Senator.

Mr. OVERMAN. Yes, sir.

The PRESIDING OFFICER. The Chair will state to the Senator from Arkansas that the amendment was reported by the Committee on Foreign Relations and referred to the Committee on Appropriations on August 13, 1913.

Mr. CLARKE of Arkansas. And the Committee on Appropriations refused to put it on the bill?

Mr. OVERMAN. The committee refused to incorporate it in the bill.

Mr. CLARKE of Arkansas. I did not want the impression to go out that simply because some committee of the Senate has reported in favor of an amendment to an appropriation bill it could be put on here without further action.

Mr. BACON. I want to state that not only has this amendment been reported favorably from the committee, but on yesterday at a meeting of the committee I was instructed to move the acceptance of this amendment by the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia.

The amendment was agreed to.

Mr. REED. I offer an amendment, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to add to the bill the following:

> Pay L. J. Hennessy, for 20 days' extra labor, at $5 per day, rendered as special clerk for the Judiciary Committee lobby investigation, $100.
>
> Pay F. M. Broscius, for 30 days' extra labor, at $5 per day, rendered as special clerk for the Judiciary Committee lobby investigation, $150.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SMITH of South Carolina. I offer an amendment, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 50, line 16, before the word "clerks," it is proposed to insert:

> Appointment clerk, at the rate of $2,500 per annum.

And, in line 20, it is proposed to strike out "$8,416.70," and insert in lieu thereof "$10,291.70."

Mr. OVERMAN. That simply increases the appropriation $2,500. If the Senator will change it by striking out "$2,500" and inserting "$1,800," I will accept it.

Mr. SMITH of South Carolina. I should like to state that this is a new department, and this office has been recommended by the Secretary. All the others have an appointment clerk, and the position in the other cases carries with it a salary of $2,500. It looks like a discrimination against a department that is of sufficient importance for us to create. I think it should be made as efficient as all the others have been.

Mr. OVERMAN. The Secretary himself estimates only $1,800 for this man. In a letter which the Senator gave to me he said $1,800 was a sufficient amount. If the Senator will make it $1,800, I shall be willing to let it go in. Otherwise, I can not consent to it.

Mr. SMITH of South Carolina. Will not the Senator split the difference and let us make it $2,000?

Mr. OVERMAN. Not when the Secretary has asked for only $1,800.

Mr. SMITH of South Carolina. I think it needs explanation beyond the statement made by the chairman of the committee. I am not going to argue it any further, however.

Mr. OVERMAN. I am going by the Secretary's letter; that is all. In a letter from the Secretary himself he says $1,800 is sufficient. I can not stand here and agree to give a man $2,000 when the Secretary says $1,800 is enough.

Mr. SMITH of South Carolina. I think the Senator will understand that there were quite a number of others that were of less importance which caused him to reduce it to $1,800.

Mr. OVERMAN. We will have a legislative appropriation bill here——

Mr. SMITH of South Carolina. I will accept the modification.

The PRESIDING OFFICER. The Senator from South Carolina strikes out "$2,500" and inserts "$1,800." The question is on the amendment as modified.

The amendment, as modified, was agreed to.

Mr. SMITH of Arizona. Mr. President, I withdrew my demand for a division, and the amendment which I offered was left in that position without further action. Since then the Senate has agreed to the item proposed by the Senator from Georgia, giving a certain amount to an Italian who was killed in the State of Florida. I am asking this for American citizens killed on American soil by foreigners on the other side of the line. No point of order can be raised against it, because the bill has passed the Senate once, and the item has been put on an appropriation bill once, and has been favorably reported by the House.

The PRESIDING OFFICER. The Chair desires to inquire of the Senator from Arizona whether he reintroduces his former amendment?

Mr. SMITH of Arizona. Certainly I reintroduce it.

Mr. OVERMAN. I wish to state that I gave the Senate notice that I would not raise a point of order on this amendment. It is subject to a point of order, but I will not raise it, since the amendment of the Senator from Georgia has been adopted.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Arizona, which has been heretofore stated.

The amendment was agreed to.

Mr. POINDEXTER. I offer an amendment, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After line 18, page 8, it is proposed to insert a new paragraph, as follows:

> Washington, D. C., Office of Supervising Architect: For the preparation of designs and estimates for National Archives Building, as authorized by the act of March 4, 1913, $5,000, or so much thereof as may be necessary.

Mr. OVERMAN. I will accept that amendment, because the Secretary has estimated for it, and it is provided for in a bill that has been passed.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BANKHEAD. I offer an amendment, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 56, after line 5, it is proposed to insert:

> The salaries of the clerk and messengers to the Committee on Expenditures in the Post Office Department, from August 10, 1913, are hereby made available for payment of services rendered by Thomas B. Stallings, Richard M. Nelson, and Thomas A. Speight from the above date until their successors are appointed.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MYERS. I offer an amendment, which I send to the desk.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. It is proposed to add, at the end of the bill, the following:

> The expenditure authorized to be made from the reclamation fund by public resolution No. 56, approved August 24, 1912, entitled "Joint resolution appropriating money for the payment of certain claims on account of labor, supplies, materials, and cash furnished in the construction of the Corbett Tunnel," is hereby increased $15,750, or so much thereof as may be necessary, for the purposes enumerated in said resolution and paying for the spillway to said tunnel: *Provided*, That claims on account of the construction of the Corbett Tunnel and Spillway not presented to the Secretary of the Interior for investigation before the passage of this act shall be forever barred; and no assignment of such claims after date of public resolution No. 56, approved August 24, 1912, shall be recognized: *And provided further*, That the Secretary of the Interior shall deduct from the amounts to be certified for payment hereunder and under the said resolution to each claimant a proportionate sum to cover the expense of and fair compensation for the person or persons through whose time and services this matter has been laid before Congress, except such claimants as have agreed with such person or persons for compensation; and such deductions shall be certified for payment to such person or persons in like manner as other claims.

Mr. OVERMAN. I am bound to make the point of order on that, that it is not estimated for. When the amount is fully ascertained the Senator probably will get it—next fall or next spring; but it is subject to a point of order now.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. MYERS. I regret very much that the point of order is made, as I believe it is as germane as some other amendments, but I will have to submit to the ruling.

Mr. JONES. I offer an amendment, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 51, after line 8, it is proposed to insert:

> Bureau of Statistics: For continuing investigations and collection of data relating to wages, hours of labor, and other information affecting labor, $15,000.

Mr. JONES. In view of some information that has come to me, I hope the chairman will allow this to go in and be considered in conference. It has been estimated for.

Mr. OVERMAN. Has it been estimated for?

Mr. JONES. Yes; $50,000 was estimated for.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Washington.

The amendment was agreed to.

Mr. OVERMAN. I think that is all, except the amendment to be offered by the Senator from Wisconsin.

Mr. LA FOLLETTE. I offer the following amendment to the amendment of the committee:

I move to strike out, after the word "*Provided*," in line 10, page 37, the remainder of that line and all of lines 11, 12, 13, 14, 15, 16, 17, and 18, and in line 19 down to and including the word "aforesaid," and to substitute therefor the matter which I send to the desk.

Mr. OVERMAN. I understand that that is practically the language of the interstate-commerce law.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 37, in the amendment proposed by the committee, it is proposed to strike out all after the word "*Provided*," in line 10, down to and including the word "aforesaid," in line 19, and to insert:

> That in cases where irreparable damage would otherwise ensue to the petitioner a majority of said three judges concurring may, on hearing, after no less than three days' notice to the Interstate Commerce Commission and the Attorney General, allow a temporary stay or suspension in whole or in part of the operation of the order of the Interstate Commerce Commission for not more than 60 days from the date of the order of said judges pending the application for the order or injunction, in which case the said order shall contain a specific finding, based upon evidence submitted to the judges making the order and identified by reference thereto, that such irreparable damage would result to the petitioner and specifying the nature of the damage. The said judges may at the time of hearing such application, upon a like finding, continue the temporary stay or suspension in whole or in part until decision upon the application.

Mr. OVERMAN. I understand from the Senator that that is substantially the language of the present interstate-commerce act.

Mr. LA FOLLETTE. It is substantially the language of the present interstate-commerce act.

The PRESIDING OFFICER. The question is upon the amendment offered by the Senator from Wisconsin to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. WALSH. Mr. President, before this matter is disposed of I wish to recur for a moment to the subject of venue, to which I referred in my remarks some time ago.

I have prepared an amendment which I think will cover the requirements of the case. I do not desire to press it unless the Senate feels that it is desirable to perfect the bill. I feel that to give the carrier an opportunity to make a choice of the venue is a privilege which it ought not to be given.

Mr. OVERMAN. I hope the Senator will introduce his amendment, and I will let it go into conference and be considered in conference. I will accept it.

Mr. WALSH. I move, then, to strike out all of line 16, page 34, after the word "district," and also all of line 17, to and including the word "destination," and to insert in lieu thereof the following:

> Wherein is the residence of the party or any of the parties upon whose petition the order was made.

Mr. OVERMAN. I accept that amendment.

Mr. WALSH. In line 18, after the word "transportation," I move to insert the following:

> Or is not made upon the petition of any party.

Mr. OVERMAN. I accept that.

Mr. WALSH. Then it will be necessary, in order to perfect it, to strike out the sentence commencing on the last line on page 34 and going to and including line 3 on page 35.

Mr. OVERMAN. I accept that, Mr. President.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 34 it is proposed to strike out all of line 16 after the word "district," also all of line 17, to and including the word "destination," or to strike out the following words:

> Where some or all of the transportation covered by the order has either its origin or destination—

And to insert in lieu thereof the following:

> Wherein is the residence of the party, or any of the parties, upon whose petition the order was made.

Also, in line 18, after the word "transportation," it is proposed to insert:

> Or is not made upon the petition of any party.

Also, in line 25, beginning with the word "In," it is proposed to strike out:

> In case such transportation relates to a through shipment, the term "destination" shall be construed as meaning final destination of such shipment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BRANDEGEE. Mr. President, I wish to give notice that I shall ask for a separate vote on section 4, page 70, when the bill gets into the Senate, and I shall also make the point of order against it.

Mr. SMITH of Georgia. I desire to give notice that when the bill gets into the Senate I shall resist the adoption of the amendment of the Senator from Montana [Mr. WALSH] by which these four circuit judges were to be kept in existence.

The PRESIDING OFFICER. If there be no further amendments to be proposed as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole, with the exception of those which have been reserved.

The amendments, except those reserved, were concurred in.

Mr. BRANDEGEE. Mr. President, I make the point of order, if I understand the situation correctly, upon section 4, on page 70, which was transposed in the bill, I think, to another section. The point of order is that it is general legislation upon an appropriation bill, and is in violation of clause 3 of Rule XVI of the Senate.

Mr. LA FOLLETTE. What page is it?

Mr. BRANDEGEE. The last page in the bill. It is the civil-service matter. It is the amendment which authorizes internal-revenue collectors and United States marshals to appoint deputies irrespective of the civil-service law.

The PRESIDING OFFICER. This is the same question upon which the Vice President has previously ruled?

Mr. BRANDEGEE. Yes.

The PRESIDING OFFICER. The Chair overrules the point of order.

Mr. BRANDEGEE. Of course that has been reserved. I ask for a separate vote upon it.

The PRESIDING OFFICER. The question is upon concurring in the amendment.

Mr. SMITH of Georgia. Which amendment is it, Mr. President?

Mr. OVERMAN. The amendment that was adopted this morning—the civil-service amendment.

The PRESIDING OFFICER. The question is upon concurring in the amendment.

The amendment was concurred in.

Mr. SMITH of Georgia. I desire to call attention to the amendment offered by the Senator from Montana [Mr. WALSH].

Mr. WALSH. I ask that the amendment may be read.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 33 of the bill the Senator from Minnesota [Mr. NELSON] offered an amendment, which was modified by the Senator from Montana, as follows:

On page 33, line 18, after the word "repealed," strike out the bill down to and including line 12, page 34, and in lieu of the words stricken out insert the following words:

Nothing herein contained shall be deemed to affect the tenure of any of the judges now acting as circuit judges by appointment under the terms of said act, but such judges shall continue to act under assignment, as in the said act provided, as judges of the district courts and circuit courts of appeals, and in the event of and on the death, resignation, or removal from office of any of such judges his office is hereby abolished, and no successor to him shall be appointed.

Mr. SMITH of Georgia. Mr. President, I desire to say only a few words in addition to what I said this afternoon. I called attention this afternoon to the fact that the Constitution placed in Congress the power to control from time to time the creation and establishment of inferior courts of the United States. I undertook to urge the fact that this language contemplated in Congress the right to determine just what inferior courts there should be, just what inferior judges there should be, and from time to time to change the same. I urged that the additional language in that paragraph which declared that one of these judges should hold during good behavior must be construed in connection with the power given to Congress to change from time to time, as Congress saw fit, the inferior courts of the country, and construing it in connection with the power vested in Congress the only logical construction must be that this right to hold office during good behavior was conditioned upon Congress leaving the office in existence.

If the right to hold during good behavior fastened upon Congress the obligation to maintain the office during the life of an appointee, you would shackle Congress in its authority to change the inferior judiciary of the country from time to time as Congress saw fit. I insist that it is in the power of Congress to abolish the entire circuit court of appeals if it sees fit. It has control of the creation, establishment, and suspension of the inferior courts of the country. The fact that Congress may have the power should not shock anybody. It does not mean, and we are not to suppose, that Congress would recklessly tear to pieces the judiciary system of the country in so far as it concerns all the inferior courts.

Now, let us see what class these particular judges fall under. When I turn to the act I find that positions for five additional circuit-court judges were created to the end that they might be assigned to the Commerce Court. They were not like the other circuit judges. They were appointed under an entirely different system.

Mr. BORAH. Mr. President——

Mr. SMITH of Georgia. I will be glad if the Senator will just let me go on a little further. The other circuit judges are appointed as circuit judges from circuits with their jurisdiction limited to those circuits. The circuit court judge of the fifth circuit and the circuit court judge of the first circuit are appointed as such and commissioned as such, and their jurisdiction is limited to the fifth and the first circuits unless by special assignment the judge is sent elsewhere. He can not grant an injunction outside of his circuit. He can not exercise jurisdiction outside of the circuit to which he is appointed, except where he is designated as the statute permits to aid the holding of court somewhere else. He has no general jurisdiction throughout the United States simply as the result of his commission, but he has jurisdiction in the specific circuit to which he is appointed.

Now, these men have no jurisdiction anywhere except in the Commerce Court unless a specific order attaches to them sending them somewhere. The law makes them circuit court judges of no particular place. They are entirely a class by themselves. They were created to establish this Commerce Court and for nothing else, as the language of the law clearly shows. They were limited to sit upon the court for five years, and then to be assigned somewhere else to sit and hold court; but they do not go back when they cease to sit upon the Commerce Court to the circuit in which they lived and become a circuit court judge of that circuit. They never, under the terms of the law, take their place in the judiciary of this country along with the other circuit court judges appointed for the specific circuits in which they reside. They are mere floats, created solely for the purpose of creating this Commerce Court. They stand by themselves in that respect; and now when we come in our wisdom or nonwisdom and decide that we no longer need a Commerce Court, that we are going to abolish this one of our inferior tribunals, and when we provide, further, that these men turned loose and afloat can not longer be assigned wherever the Chief Justice thinks well to assign them to go into some other circuit, to come down into our circuit and hold court as circuit court judges—when we propose to say that they shall no longer be assigned, the Senator from Montana comes forward with an amendment providing that they shall be preserved, though the object of their creation has ceased, and that they still shall be assigned as circuit judges differing from all others, out of the class of the others.

Mr. President and Senators, what the House has done is this: It has abolished the court and it has provided that these men, appointed solely for that court, shall not be assigned anywhere else to hold court as circuit court judges.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Connecticut?

Mr. SMITH of Georgia. Yes, sir.

Mr. BRANDEGEE. Has the Senator at hand the language of the act which created these judges and this court?

Mr. SMITH of Georgia. I have it, I think.

Mr. BRANDEGEE. The House provision in the bill says "five additional circuit judges provided for by act of Congress approved June 18, 1910," and so forth. Will the Senator cite the language of that act, if he has it there?

Mr. SMITH of Georgia. The act is quite lengthy. This is the paragraph that created it——

Mr. BRANDEGEE. Will the Senator read simply that portion of it?

Mr. SMITH of Georgia (reading):

The five additional circuit judges authorized by the act to create a Commerce Court, and for other purposes, approved June 18, 1910, shall hold office during good behavior, and from time to time shall be designated and assigned by the Chief Justice of the United States for service in the district court of any district, or the circuit court of appeals for any circuit or in the Commerce Court, and when so designated and assigned for service in a district court or circuit court of appeals shall have the powers and jurisdiction in this act conferred upon a circuit judge in his circuit.

Mr. BRANDEGEE. The Senator is reading from the Code?

Mr. SMITH of Georgia. Yes.

Mr. BRANDEGEE. I asked for the language of the original act creating the judgeship.

Mr. SMITH of Georgia. I have not the original act in my hand.

Mr. WALSH. I have it here, if the Senator wants to hear it read.

Mr. BRANDEGEE. I should like to have it in the RECORD.

Mr. WALSH. There are three paragraphs of the act which deserve consideration in this connection. One is as follows:

The said court—

That is, the Commerce Court—

shall be composed of five judges to be from time to time designated and assigned thereto by the Chief Justice of the United States, from among the circuit judges of the United States, for the period of five years, except that in the first instance the court shall be composed of the five additional circuit judges to be appointed as hereinafter provided.

That refers to this paragraph:

The President shall, by and with the advice and consent of the Senate, appoint five additional circuit judges——

Mr. SMITH of Georgia. Will the Senator give me the paragraph from which he is reading?

Mr. WALSH. I read now from public print, page 2, the third paragraph:

The President shall, by and with the advice and consent of the Senate, appoint five additional circuit judges, no two of whom shall be from the same judicial circuit, who shall hold office during good behavior, and who shall be from time to time designated and assigned by the Chief Justice of the United States for service in the circuit court for any district or the circuit court of appeals for any circuit or in the Commerce Court.

And finally this:

If at any time the business of the Commerce Court does not require the services of all the judges, the Chief Justice of the United States may, by writing, signed by him and filed in the Department of Justice, terminate the assignment of any of the judges or temporarily assign him for service in any circuit court or circuit court of appeals.

Mr. SMITH of Georgia. That language is not substantially different from the language which I read. So these circuit court judges are not circuit court judges of a circuit. They stand off in a class utterly distinct from the other circuit court judges. They have no circuits. They are five floats created for the purpose of establishing this Commerce Court. They have no jurisdiction anywhere unless assigned to go. They have no continuing jurisdiction in the circuit in which they reside. They can not try a case in the circuit in which they reside or entertain an application for an injunction unless they are assigned there to sit on a court. There is no difficulty to differentiate them from the others.

And now we are abolishing the Commerce Court. We are dispensing with one of our inferior judicial tribunals, and as we abolish it, the amendment of the Senator from Montana seeks to perpetuate the men in office, who were put in office solely because we needed this court, not only on account of the present instance but on account of the general power of the Congress to regulate the inferior judiciary—to make a new court or to abolish a new court as the exigencies of the country require—I object to seeking to perpetuate in office five men, whose office is gone and whose services are not necessary according to the terms of their creation.

Mr. OWEN. Mr. President, I join with the Senator from Georgia in opposing the continuance in office of these judges who have been serving upon the Commerce Court, not only because I am convinced of the constitutional power and legislative right of Congress to abolish the office and to do away with the tenure of the judges who have been holding the offices, but as a matter of public policy.

Why is it that the Senate has three times, I believe, voted for the abolishment of this Commerce Court? Why is it that the House of Representatives has three times voted for the abolishment of this Commerce Court? It is because of their decisions. It is because these particular men sitting as judges on this court have ignored and disregarded the public interest, and their decisions have been unworthy of public support and public approval, and the most convenient way of doing away with their positions of power and trust was to abolish the court. The other House and the Senate have been fully justified in their action with regard to these men.

In the bill it is provided that any case coming up with regard to the Interstate Commerce Commission shall go before three judges, at least one of whom shall be a circuit judge, and since there are proposed to be left by the terms of this amendment these four itinerant judges, what more natural than that these very men shall be assigned by the Supreme Court or called for by a judge having a case to pass upon? Then we would have the spectacle of a judge taking up a case involving the affairs of the Interstate Commerce Commission being aided by two of these gentlemen, with a majority of the court controlling, and while we are doing away with the court we are continuing the very men in a position where they can do the very thing which led to the abolishment of the court. I am amazed at the amendment.

Mr. BORAH. Mr. President, the Senator can not be more amazed at the amendment than I am amazed at the doctrine he announced in the Senate. The Senator states a proposition the logic of which would naturally follow from the argument of the Senator from Georgia, that we can abolish the ninth circuit and abolish the judges who are judges of that circuit, and we could the next day create the ninth circuit and have a new judge and the same circuit. It places in our hands, if they are correct, the power to get rid of any judge that Congress might think we ought not to have, and the next day pass an act which would create the same jurisdiction and the same court and the President would be called on to name a new judge.

Now, Mr. President, that, in my judgment, is precisely the logic of the argument of the Senator from Georgia, but not stated quite so earnestly and clearly as by the Senator from Oklahoma [Mr. OWEN].

Mr. President, I do not want to enter upon a discussion of this matter at this late hour, but if we should adopt the amendment of the Senator from Montana [Mr. WALSH] we will simply be passing upon a question of policy. If we should refuse to adopt it, we would then be construing the Constitution in reference to a matter which has been a subject of debate for more than a hundred years. It has been one of the things upon which the great men of this country have at times differed. It has been a power that has never been exercised but once in the history of the country. It was exercised under conditions and circumstances and environments which have always been looked upon as such as not to be regarded as a calm determination of the power which was sought to be exercised. I am not willing, therefore, to have this matter determined in this way at this hour of the night with this portion of the Senate and no more here. If the Senate were here in full and if, when the attendance is complete, in its wisdom it should determine that it has power to abolish these judges, whenever it gets ready to do so, so far as I am concerned, of course I will abide by the judgment of the Senate.

But I do not propose to have it said that the Congress of the United States can abolish any Federal judge that the Congress sees fit to abolish at a time when there is less than a quorum here, when we are carrying it through on an appropriation bill, and establishing a precedent which, while once established, has never been exercised in the whole history of the country.

I do not propose, either, to criticize that particular precedent which was established, but I only need to remind the readers of history that the most earnest advocates, the most earnest eulogists of the men who were responsible for that have never hesitated to speak of it in words of apology, and that the great lawyers of the country have never since given their approval of it either upon the bench or in matters of legislation.

So if we are going to establish a precedent let us do it after a full consideration, at a time when the Senate is here, when the membership is complete, and we will establish a precedent that we will not have to reconsider in a few years.

Mr. President, this entire legislation in regard to the Commerce Court illustrates how unsatisfactory it is to deal with these questions as we are dealing with this particular matter. This Commerce Court was created under the lash. It did not represent the judgment of the Senate or of Congress at the time it was created. It was created under the influence of the Executive authority and against the judgment of the Legislature which enacted the law.

It has never been satisfactory because it did not receive the deliberate judgment and the deliberate affirmation of Congress in the first place. It was not asked for by the people. There was no public demand for it. Now, we are undertaking, in order to amend the situation, to abolish the court at a time when we are not prepared to consider it as such a measure ought to be considered. While this may be adopted here tonight, I want to suggest that if the conference report comes back, the Senate will have to be here in its complete membership before this body establishes the rule that the Congress of the United States can work its will upon any Federal judge that it sees fit. So profound a precedent should only be established after the most deliberate consideration by a full Senate.

The PRESIDING OFFICER. The question is, Will the Senate concur in the amendment offered by the Senator from Minnesota [Mr. NELSON] as modified by the amendment offered by the Senator from Montana [Mr. WALSH]?

Mr. SMITH of GEORGIA. Mr. President, I only want to say to Senators just one word. Twice this subject was debated at the last Congress before the Senate, and the Senate voted in favor of the provision that the House has now sent us, to strike out the authority to assign these judges throughout the country after the Commerce Court was abolished.

Mr. BRANDEGEE. Mr. President, I will not take more than one minute. Section 1 of Article III of the Constitution provides:

The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall at stated times receive for their services a compensation, which shall not be diminished during their continuance in office.

If it is admitted that Congress has established the circuit court and the Constitution having reposed a part of the judicial power of the United States in the circuit court, and these gentlemen, four of them—if that be the number—being duly commissioned as circuit court judges, whether they are attached to a particular territorial circuit or not, I do not see how we can abolish the particular judgeships held by those circuit judges unless we abolish the institution of the circuit court. There-

fore I voted for the amendment proposed by the Senator from Montana, and shall vote for it again.

Mr. O'GORMAN. Mr. President, there has been great doubt expressed from time to time during the history of our Government as to whether the power resided in Congress to do what is contemplated by this proposed act. Only once, as has been stated, has Congress attempted to exercise the power. From such consideration as I have given to the question, I entertain no doubt in my own mind as to the existence of a power in the Congress of the United States to do what is provided for in this bill. The power expressly conferred upon Congress to ordain and establish inferior courts carries with it, by necessary implication, the right to maintain, regulate, modify, change, or abolish. If, for instance, it were deemed necessary at one time to create eight or nine or more circuits, and the business of the country could subsequently be provided for with fewer circuits and fewer judges, where would be the power, if not in Congress under the constitutional provision, to make the necessary change?

I desire, however, to say, Mr. President, although this is my view of the law involved, I have no hesitation in expressing my earnest approval of the amendment offered by the Senator from Montana [Mr. WALSH], because I can conceive of no greater injury that could be done to the judicial department of the country than to have it adopted as the policy of Congress to use this great constitutional prerogative as a substitute for impeachment.

These judges who have been the subject of comment during this discussion have not been heard in their own defense. It is not conceivable that a President of the United States would have appointed these judges if he did not believe them worthy citizens and able lawyers.

The reason that the Commerce Court has failed to receive the favor of the public is largely the reason stated a moment ago by the Senator from Idaho [Mr. BORAH]. There was no popular demand for the court at the time of its creation; the bill proposing to establish the court found no hearty support in the very Congress that passed it with reluctance. I think it would be very unfair—after four or five lawyers have accepted a commission from the President of the United States to take what they had a right to understand was a life position, subject to good behavior—that within 3 or 4 or 5 years the Congress for the first time in 111 years should undertake to exercise a power confessedly used as a substitute for the impeachment process. If any of these judges have been found untrue or unworthy, we have a familiar procedure established by the Constitution for removing them. That they have not been guilty of offense justifying impeachment is clear from the circumstance that at no time has such a proceeding been threatened against them.

I think this Congress would do an unwise act in rejecting the amendment offered by the Senator from Montana. It should do something to preserve that love for law and order which is so essential in these days. No great harm can be threatened, no wrong can be done, no mischief can go beyond correction if the amendment offered by the Senator from Montana is adopted; and I shall vote for it, not, as I say, that I have any doubt as to the power of Congress, but I think, in fairness and in justice to these men, whose names and reputations are trembling in the balance to-night, I should give my support to the amendment offered by the Senator from Montana.

The PRESIDING OFFICER. The question is, Will the Senate concur in the amendment made as in Committee of the Whole?

Mr. REED. Mr. President, there can be no doubt to my mind of the right of Congress to abolish a court which it has the right and power to create. If Congress does not possess that right, then we had better be careful hereafter about creating new courts or judicial districts in the United States. If Congress were to create an additional district in the State of New York and that additional district were to be filled by a judge, and afterwards, because of the failure of business, Congress were to discover that that court was wholly unnecessary, could there be any question as to the power of Congress to abolish that district and unite it with some other district? Manifestly there would be no question as to that power.

If the power exists to abolish a given district, then, by the abolition of the office, the tenure of the officeholder is clearly determined and ends when the office ends. If Congress has the power to create an additional district, and under the law it is filled by a judge, and then it has the power to abolish the district and by that act to end the tenure of the judge, surely Congress has the power, for the same reason, to create additional circuit judges, and when the hour has arrived that those judges are no longer necessary, in the opinion of Congress, to abolish the office of additional circuit judge. If the power exists in the first case I mentioned it exists in the latter case.

Mr. President, I put my vote upon this proposition upon a different ground than that mentioned by my good friend the Senator from Oklahoma [Mr. OWEN]. I put it upon the ground, first, that Congress has the power, and has the right to exercise that power, to abolish the office of additional circuit judge, which it created and which it can abolish. I am in favor of abolishing the Commerce Court, and with it the office of judge of the Commerce Court, not upon the ground that the individual occupants of that office may or may not have decided questions of law as I think they should have been decided, but upon the ground that the court itself ought never to have been created and ought no longer to exist; and because I believe the court no longer ought to exist I shall vote to abolish the court; and since I shall vote to abolish the only thing which made a judge necessary and shall vote to terminate the very office he fills, I shall therefore, in logical sequence, vote to abolish the office of additional circuit judge, a thing not heard of before.

Mr. President, about the human side of this question, we are told that men were appointed to office and had a right to expect that they should hold it for life. Not so, Mr. President. No man has any right to any office, as a matter of natural right, in this country. When he is placed in an office he has the right to expect to hold that office so long as the law gives him the right to hold it; and when a man is appointed to the office of additional circuit judge, he takes it with the full knowledge that if the law is changed the office may fall, and his tenure of office thereby also fail. There is no contract when we appoint a man judge of a United States court that the court will never be abolished. If there were such a monstrous doctrine as that, then this Government had better never create another court or another district, or place in office another man who can claim you have no right to abolish the court, however useless it may have become.

Mr. LEWIS. Mr. President, one moment will be the sum of the time I shall occupy to address myself to what is either a misconception on the part of the able Senator from Oklahoma [Mr. OWEN] as to the meaning of the provision or to confess that I myself have indulged in so great an error as to have some responsibility for this amendment. If the position of this bill were that it left the judges where they could again exercise a final jurisdiction in the matter of commerce and render such orders as were complained of, the strictures of the Senator from Oklahoma should be very weighty with us, for we would be abolishing the court only in name and yet be establishing it in power in another form. I beg to inform the Senator that my construction of the provision is—and I think its letter and its spirit will bear out that construction—that they are now judges merely assigned on circuit to district court duty and if they render an opinion touching commerce matters an appeal may be taken from them to the Circuit Court of Appeals and from there to the Supreme Court of the United States, in appropriate cases, whereas formerly their decisions were filed unless, on their invitation, the Supreme Court of the United States should review their decision. That being so, this new provision makes a very considerable change and avoids the very evil which the Senator rightly apprehends would be dangerous if continued.

The VICE PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole upon the motion of the Senator from Minnesota [Mr. NELSON] as modified by the Senator from Montana [Mr. WALSH]. [Putting the question.] By the sound the "ayes" seem to have it, and the amendment as modified is concurred in.

Mr. SMITH of Georgia. I ask for a division.

There were, upon a division—ayes 25, noes 23.

Mr. SMITH of Georgia. I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. In his absence I withhold my vote.

Mr. CHILTON (when his name was called). I am paired with the junior Senator from Maryland [Mr. JACKSON], and withhold my vote unless it should be necessary to make a quorum. Then I will vote.

Mr. CLARKE of Arkansas (when his name was called). I am paired with the junior Senator from Utah [Mr. SUTHERLAND]. As that Senator is not present I do not feel at liberty to vote.

Mr. JAMES (when his name was called). I have a general pair with the junior Senator from Massachusetts [Mr. WEEKS]. In his absence I withhold my vote unless it should be necessary to make a quorum.

Mr. KERN (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. BRADLEY], except in case my vote is necessary to make a quorum. In his absence I withhold my vote.

Mr. LEA (when his name was called). I transfer my pair with the senior Senator from South Dakota [Mr. CRAWFORD] to the senior Senator from Indiana [Mr. SHIVELY] and will vote. I vote "nay."

Mr. NEWLANDS (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. STERLING] and therefore withhold my vote.

Mr. THORNTON (when Mr. RANSDELL'S name was called). I announce the necessary absence from the city of my colleague. If he were present, he would vote "yea."

Mr. SHAFROTH (when his name was called). I am paired with the junior Senator from California [Mr. WORKS], and therefore withhold my vote.

Mr. SMITH of Georgia (when his name was called). I have the privilege of voting to make a quorum. As it appears now that my vote is necessary, I will vote. If, later on, I find that it is not necessary, I will withdraw it. I vote "nay."

Mr. SMITH of Arizona (after having voted in the negative). I should like to have the RECORD show that I make the same declaration. I voted, under the right reserved to me, in order to make a quorum. If there is a quorum present without my vote, I will withdraw it.

Mr. WALSH (when his name was called). I am paired with the senior Senator from Rhode Island [Mr. LIPPITT], with the privilege, however, of voting if necessary to make a quorum. I inquire whether a quorum has voted?

The VICE PRESIDENT. Not yet.

Mr. WALSH. I vote "yea."

The roll call was concluded.

Mr. BRISTOW. I was requested to announce that the senior Senator from Mississippi [Mr. WILLIAMS] is necessarily detained from the Chamber to-night.

Mr. BANKHEAD (after having voted in the affirmative). I voted inadvertently. I have a pair with the junior Senator from West Virginia [Mr. GOFF], and I withdraw my vote.

Mr. REED. I desire to say, in explanation of my vote, that when I voted I knew, or felt, that my vote would be necessary in order to make a quorum. My pair with the senior Senator from Michigan [Mr. SMITH] gives me that right.

While I am on my feet I desire again to announce the necessary absence from the city of my colleague [Mr. STONE].

Mr. OVERMAN. I have a general pair with the senior Senator from California [Mr. PERKINS], but when he left the Chamber he insisted upon my voting. I vote "nay."

Mr. HOLLIS. I desire to announce that the junior Senator from Delaware [Mr. SAULSBURY] is necessarily absent from the city. He is paired with the junior Senator from Rhode Island [Mr. COLT].

Mr. KERN. My vote being necessary to make a quorum, I vote "nay."

Mr. BANKHEAD. I transfer my pair with the junior Senator from West Virginia [Mr. GOFF] to the senior Senator from Maryland [Mr. SMITH] and will vote. I vote "yea."

The result was announced—yeas 17, nays 22, as follows:

YEAS—17.

Bankhead	Hollis	Myers	Thornton
Borah	Johnson	Nelson	Walsh
Brandegee	Jones	O'Gorman	
Bryan	Lewis	Shields	
Burton	McLean	Thomas	

NAYS—22.

Ashurst	Lane	Poindexter	Smith, S. C.
Bacon	Lea	Reed	Swanson
Bristow	Martin, Va.	Sheppard	Thompson
Gore	Martine, N. J.	Simmons	Vardaman
Hughes	Overman	Smith, Ariz.	
Kern	Owen	Smith, Ga.	

NOT VOTING—56.

Bradley	du Pont	Newlands	Shively
Brady	Fall	Norris	Smith, Md.
Burleigh	Fletcher	Oliver	Smith, Mich.
Catron	Gallinger	Page	Smoot
Chamberlain	Goff	Penrose	Stephenson
Chilton	Gronna	Perkins	Sterling
Clapp	Hitchcock	Pittman	Stone
Clark, Wyo.	Jackson	Pomerene	Sutherland
Clarke, Ark.	James	Ransdell	Tillman
Colt	Kenyon	Robinson	Townsend
Crawford	La Follette	Root	Warren
Culberson	Lippitt	Saulsbury	Weeks
Cummins	Lodge	Shafroth	Williams
Dillingham	McCumber	Sherman	Works

The VICE PRESIDENT. Not a quorum has voted. The Secretary will call the roll.

Mr. OVERMAN. I ask that the Secretary be directed to call the roll of absent Senators.

The VICE PRESIDENT. The Secretary will call the roll of the Senate.

Mr. OVERMAN. I have a right to ask that the names of absent Senators be called.

The VICE PRESIDENT. The Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	Myers	Smith, Ariz.
Bacon	Hughes	Nelson	Smith, Ga.
Bankhead	James	Newlands	Smith, S. C.
Borah	Johnson	O'Gorman	Swanson
Brandegee	Jones	Overman	Thomas
Bristow	Kern	Owen	Thompson
Bryan	Lane	Poindexter	Thornton
Burton	Lea	Reed	Vardaman
Chamberlain	Lewis	Shafroth	Walsh
Chilton	McLean	Sheppard	
Clarke, Ark.	Martin, Va.	Shields	
Gore	Martine, N. J.	Simmons	

Mr. THORNTON. I again announce the necessary absence of my colleague [Mr. RANSDELL]. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Forty-five Senators have answered to the roll call—not a quorum. The Secretary will call the names of absent Senators.

The Secretary called the names of absent Senators.

Mr. KERN. I move that the Sergeant at Arms be directed to compel the attendance of absent Senators.

Mr. BACON. I think there ought to be an exception made of such of them as are known to be ill.

Mr. KERN. The Sergeant at Arms will probably exercise some discretion in the matter. I am using the language of the rule.

The VICE PRESIDENT. The Senator from Indiana moves that the Sergeant at Arms be directed to compel the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms is directed to compel the attendance of absent Senators who are well.

At 10 o'clock and 8 minutes p. m. Mr. PITTMAN entered the Chamber and answered to his name.

At 10 o'clock and 21 minutes p. m. Mr. HITCHCOCK entered the Chamber and answered to his name.

At 11 o'clock and 2 minutes p. m. Mr. GOFF entered the Chamber and answered to his name.

The VICE PRESIDENT. Forty-eight Senators have answered to their names. A quorum is now present. Without objection, proceedings under the call will be vacated.

Mr. BORAH. Mr. President——

Mr. SMITH of Georgia. Mr. President, I rise to a point of order. The roll call having begun under the order of the Senate, it was suspended for lack of a quorum, and that is still the order of business and excludes debate.

Mr. BORAH. When the roll had been called, it was found that there was no quorum, and there being no quorum there was no roll call. Besides, the Senator from Idaho has the floor.

Mr. SMITH of Georgia. I rise to a point of order, which I can make when the Senator from Idaho has the floor.

Mr. BORAH. Exactly.

Mr. SMITH of Georgia. My point of order is that the Senator from Idaho is out of order, and that the business before the Senate is the roll call, which was begun. There was no completed roll call, because there was no quorum present, and the calling of the roll is the continuing order when a quorum is announced until it is finished.

Mr. VARDAMAN. The question is on the adoption of the amendment.

Mr. SMITH of Georgia. The question is on the adoption of the amendment.

Mr. BORAH. The moment the roll call disclosed that there was no quorum, the roll call and everything else ended and was a nullity until there was a quorum present. It could not attach to that which happened when there was no quorum, but that which happened after there was a quorum and made it complete.

Mr. SMITH of Georgia. Does the Senator then claim that there has been no roll call?

Mr. BORAH. I do not.

Mr. OVERMAN. There ought not to have been any call. The Vice President ordered it himself. It is the first time I have ever known that to be done in the Senate.

Mr. SMITH of Georgia. There was a call for a vote by yeas and nays on the amendment proposed by the Senator from Montana [Mr. WALSH], and the Chair decided that the Senate had sustained the call for the yeas and nays and the roll call proceeded. A quorum not having voted the roll call was not complete.

Mr. OVERMAN. The Senator is mistaken about that. The vote was taken on the amendment by a division, and the vote stood 25 to 23, I think, and no quorum having voted on the roll call, the Chair ordered the roll to be called.

The VICE PRESIDENT. No.

Mr. SMITH of Georgia. The Senator from North Carolina is mistaken.

Mr. OVERMAN. The Senator from North Carolina asked that the names of the absentees be called when the roll was called on the amendment. The Senator is right about that. Then there was no quorum. I suggested that the absentees be called, and the Chair very discourteously to me ordered that the roll be called when he had no right to order a roll call.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. The Senator from Idaho is in order and will proceed.

[Mr. BORAH addressed the Senate. See Appendix.]

Mr. OVERMAN. Will the Senator from Idaho yield to me to make a request?

Mr. BORAH. I will yield to the Senator for a request if the Senator will not take advantage of the fact that I yield the floor to him.

Mr. OVERMAN. This bill involves some $4,000,000 of urgent deficiencies of the Government, actual deficiencies. The Government must have the money in order to keep house. We have a quorum here, but we lack about 10 of a voting quorum. In order that this bill may pass and the Government may have its money to keep house, I ask unanimous consent that the order for the yeas and nays be vacated.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

Mr. VARDAMAN. I object.

Mr. OVERMAN. The objection comes too late. It has been ordered.

Mr. BORAH. Mr. President, did the Senator from North Carolina ask unanimous consent?

Mr. OVERMAN. I did.

Mr. BORAH. Mr. President, I take it the Senator would not ask for unanimous consent until I have an opportunity to object, under the circumstances under which he got the floor?

Mr. OVERMAN. Certainly not. I thought the Senator from Idaho was perfectly willing.

Mr. BORAH. I do not yet know what the request was.

Mr. OVERMAN. Frankly, I asked that unanimous consent be given to vacate the order for the yeas and nays in order that we might have a viva voce vote or a division.

Mr. BORAH. I have no objection to the vacation of the order. I did not understand what was the unanimous consent asked.

Mr. OVERMAN. My purpose in asking unanimous consent was that we might do something to-night, and it is impossible to do it without a voting quorum. If we could get unanimous consent to vacate the order for the yeas and nays, then we could take a viva voce vote or a vote by division.

Mr. BORAH. Well, Mr. President, I am perfectly willing, and shall not object to unanimous consent that the order now pending for the yeas and nays may be vacated; but I do not want to be understood as consenting that whenever we do vote, we vote viva voce. We will determine that when we reach it, but I am willing now that this particular order may be vacated, and I shall not object.

Mr. OVERMAN. I said either by viva voce vote or by a rising vote—a division.

Mr. BORAH. I am perfectly willing that the order for a yea-and-nay vote shall be vacated as the order now stands. I will not object to that.

The VICE PRESIDENT. Is there objection?

Mr. VARDAMAN. I object, Mr. President.

Mr. OVERMAN. Well, Mr. President, will the Senator yield to me to make a motion to adjourn?

Mr. BORAH. I will.

Mr. JAMES. I hope the Senator from North Carolina will not do that.

Mr. OVERMAN. It is absolutely impossible to get a voting quorum to-night.

Mr. BORAH. May I make a suggestion, Mr. President? If this matter could be put in such condition that the conference committee could consider it, so far as I am concerned I would be willing to defer the argument until such time as we can make it under more convenient circumstances.

Mr. OVERMAN. Mr. President, this is not the end of this matter, even if the amendment of the Senator from Montana [Mr. WALSH] be adopted. That, of course, would send it to conference. The House is very insistent upon this bill as it came from that body. The vote there was two to one in favor of the abolition of these judges. It will probably come back here, and we could have a discussion of the matter when we have a quorum; but it ought to go to conference at once, if possible.

Mr. BORAH. Well, as I have said, so far as I am concerned, I have no desire, Mr. President, to do what might be considered by my colleagues an unseemly or improper thing; but I feel so earnestly about the matter that I am not willing that it shall pass off under the circumstances under which it is passing now. If it goes to conference and comes back here, and there is a Senate here, I shall be perfectly willing and perfectly content to submit as briefly as I can my objections and let the Senate pass upon the matter; but I say, without, of course, any feeling toward any particular Member, that I would not consent, if I could prevent it, to the Senate of the United States under these peculiar conditions establishing this precedent. When it comes, it must come as the result—as the deliberate judgment of a full Senate of the United States after full discussion. If that can not be had, one thing will be had, the debate of 1802 will go completely into this RECORD if I have the physical ability to stand here and put it into the RECORD.

Mr. BRANDEGEE. Mr. President, will the Senator yield for a question?

Mr. BORAH. Yes.

Mr. BRANDEGEE. Of course, the Senator understands that the only thing that would go to conference would be the Senate amendments. That part of the bill which abolishes the Commerce Court would not be in conference.

Mr. OVERMAN. Oh, no; that has been adopted by the Senate and does not go to conference. The only thing that would go to conference would be the amendment of the Senator from Montana [Mr. WALSH] and the amendments we have put on the bill in the Senate to-day.

Mr. BRANDEGEE. The Senator and I agree exactly. He has said just what I said.

[Mr. BORAH addressed the Senate. See Appendix.]

Mr. MARTIN of Virginia. I desire to ask the Senator if he is willing to yield for a motion to adjourn?

Mr. BORAH. I am always willing to accommodate the Senator from Virginia.

Mr. MARTIN of Virginia. It would be an accommodation.

Mr. OVERMAN. Before the motion is made, I move that the Sergeant at Arms be instructed by the Senate to telegraph Senators who are absent from the city that their presence is needed here to attend to the important business of the Senate, that there is urgent and important business before the Senate, and that their presence is desired here.

The VICE PRESIDENT. The question is on the motion of the Senator from North Carolina.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will be instructed to telegraph absent Senators to return.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to a concurrent resolution (H. Con. Res. 19) providing for the printing of 80,000 copies of the tariff law of 1913, etc.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 20) providing for the printing of 30,000 copies of the income-tax section of the tariff law of 1913, etc.

TARIFF LAW OF 1913.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (H. Con. Res. 19) of the House of Representatives, which was read:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of Congress 80,000 copies of the tariff law of 1913 in pamphlet form, indexed, with paper cover, to be apportioned as follows:

Thirty-five thousand copies for the use of the House of Representatives, 30,000 copies for the use of the Senate, 5,000 copies for the use of the Committee on Finance of the Senate, 5,000 copies for the use of the Committee on Ways and Means of the House, 5,000 copies for the use of the document room of the Senate, and 5,000 copies for the use of the document room of the House; and that the Public Printer be authorized to print for sale such copies of said document as in his discretion may be required.

Mr. SIMMONS. This resolution from the House is identical with the concurrent resolution passed by the Senate this morning. I move that the Senate concur in the resolution.

The resolution was concurred in.

THE INCOME TAX.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (H. Con. Res. 20) of the House of Representatives, which was read, considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of Congress 30,000 copies of the income-tax section of the tariff law of 1913, in pamphlet form, 20,000 copies for the use of the House of Representatives and 10,000 copies for the use of the Senate, and that the Public Printer be authorized to print for sale such copies of said income-tax section of said law as in his discretion may be necessary.

Mr. MARTIN of Virginia. Mr. President, I move that the Senate adjourn.

The motion was agreed to; and (at 11 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Saturday, October 4, 1913, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *October 3, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou Great Jehovah, Architect and Builder of the Universe, Father of all souls, enter Thou more completely into our hearts and enlarge them by Thy grace, that our sympathies may have a wider sweep, going out to our fellow men in all the conditions and circumstances of life, that as workers with Thee we may hasten the coming of Thy kingdom, that evil may take wings and fly away, wars cease to be, peace and goodwill reign in every heart. For Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes, had disagreed to the amendment of the House of Representatives to Senate amendment No. 609 and had receded from Senate amendment No. 609 to said bill.

NETTIE JACKE.

Mr. GOULDEN. Mr. Speaker, I ask unanimous consent for immediate consideration of House resolution 259, to pay the funeral expenses of the late Arthur C. Jacke, who for nearly three years was an efficient Capitol policeman, and also to pay to his widow the usual six months' salary—the usual resolution in cases of this kind.

The SPEAKER. Is that a resolution from the Committee on Accounts?

Mr. GOULDEN. It is not; but I have the consent of the acting chairman, Mr. SMITH of Texas, and others of the Committee on Accounts to make this request this morning.

The SPEAKER. The gentleman asks unanimous consent for the present consideration of a resolution which the Clerk will report.

The Clerk read House resolution 259, authorizing the Clerk of the House to pay to Nettie Jacke, widow of Arthur C. Jacke, six months' salary and funeral expenses of said Arthur C. Jacke, late a United States Capitol policeman, as follows:

Resolved, That the Clerk of the House is hereby authorized to pay, out of the contingent fund of the House, to Nettie Jacke, widow of Arthur C. Jacke, late United States Capitol policeman, a sum equal to six months of his salary as such policeman, and an additional amount not exceeding $332.50 for the funeral expenses of said Arthur C. Jacke.

With the following amendment:

In line 6 strike out "$332.50" and insert in lieu thereof "$250."

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The amendment was agreed to.

Mr. GOULDEN. Mr. Speaker, I move the adoption of the resolution.

The resolution as amended was agreed to.

THE TARIFF—COTTON FUTURES.

Mr. UNDERWOOD. Mr. Speaker, I desire to have the Speaker lay before the House the tariff bill, H. R. 3321.

The SPEAKER. The Chair lays before the House the tariff bill.

Mr. HARDWICK. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. HARDWICK. For what purpose does the Chair lay this bill before the House?

The SPEAKER. He lays it before the House because the gentleman from Alabama requests it.

Mr. HARDWICK. For what purpose does he lay it before the House?

Mr. UNDERWOOD. Mr. Speaker, I move that the House recede from its amendment to Senate amendment 609, and agree to the action of the Senate in receding from said Senate amendment.

The SPEAKER. The gentleman from Alabama moves that the House recede from its amendment to Senate amendment No. 609 to House bill 3321, and agree to the recession of the Senate from that amendment.

Mr. HINDS. Mr. Speaker, I make the point of order that that procedure is unnecessary and might be dangerous.

Mr. FITZGERALD. I make the further point of order that the amendment is not before the House and is not subject to any action by the House.

Mr. UNDERWOOD. Mr. Speaker, if gentlemen will hear me a moment—of course all I desire is to pass this bill in such a way that there can be no question about it. I recognize that there is a parliamentary question that has been raised in the past, but never directly decided, as to whether when the Senate recedes from a Senate amendment that has been passed by the House the recession of the Senate carries the whole thing out of the bill. Of course, there are two sides to it. I recognize that; but I would not be performing my duty to the country properly, in my opinion, if I left any question or any doubt about this bill.

Mr. HARDWICK. Will the gentleman yield?

Mr. UNDERWOOD. In a moment.

Mr. HARDWICK. It is right on that point, or I would not interrupt.

Mr. UNDERWOOD. I prefer not to be interrupted.

Mr. HARDWICK. All right; I will speak in my own time.

Mr. UNDERWOOD. Of course, the situation is this, Mr. Speaker: The Senate agreed to an amendment to this tariff bill, an entirely new matter, independent of the subject matter of the bill. It came to the House, and the House amended it by striking out the Senate amendment and substituting an entirely new amendment. The bill then went back to the Senate, and, so far as this particular item is concerned, the Senate itself recognized that there was something in issue by disagreeing to the House amendment and then receding from its own amendment.

Mr. Speaker, if a recession on the part of the Senate carried this whole matter out of controversy, it would not have been necessary for the Senate to disagree to the House amendment; but the Senate has disagreed to the House amendment, thereby making an issue, and it then receded from its amendment. I am not concerned about this matter in respect to the parliamentary situation, except that I want no doubt about it. I should have been glad to see action by the two Houses on the subject matter of the controversy. I was unwilling to agree to the Senate amendment, because I thought it was both dangerous and radical, but I did believe that the amendment which was sent to the Senate by the House was safe, and would have produced remedial legislation which would have been satisfactory to the country. Realizing the fact, however, that this great piece of legislation is pending before the country, and the necessity for immediate action, and realizing the fact that the subject matter of Senate amendment 609 can be taken up in the House at a later day and legislated upon, I also realize that this is no time for anyone to stand in the way of the legislation becoming a law, simply because of this Senate amendment. The two Houses are in absolute disagreement. Legislation can not be reached along the line that is proposed in the Senate amendment to either tax out of existence the cotton exchanges of the country or regulate them, whichever line you desire to take. That is impossible at this time. Therefore, it is necessary for us to recede from our action in reference to the matter in order that the two Houses may reach a concurrent opinion and pass this bill.

Mr. Speaker, I do not intend to go into a lengthy argument in reference to the parliamentary situation. I recognize the fact that Mr. Reed at one time, when a similar question had been raised, wrote a letter to the Senate in which he stated that where the Senate receded from its original amendment to an appropriation bill it carried with it the House amendment but, as a matter of fact, that question has never been lawfully decided in this House.

Mr. SHERLEY. Mr. Speaker, if the gentleman will permit, it had to be decided at that time, because the bill went on to conference and became a law without that provision being considered again.

Mr. UNDERWOOD. But the issue was never directly raised. I make this motion, Mr. Speaker, and if the Chair desires to hold that any further action is unnecessary, of course that is for the Chair to decide. I make the motion, however, which will bring the two Houses together at once, as I believe it to be the desire of every Member here, and then there can be no question about the matter, there can be no issue in respect to it. I do not suppose that any gentlemen on this side of the House who desires to see the bill pass, or on that side of the House if he is favorable to the passage of this bill, desires to do otherwise at this stage of the procedure than to bring the two Houses together and produce an immediate passage of this legislation. Therefore my purpose in making the motion is simply to avoid any controversy that may arise in the future. I take it that if we sent a bill relating to cotton futures to the Senate, or if the Senate should send a bill to the House, and the House should take the bill and adopt an entirely new substitute, that the Senate would not dispose of that bill until there had been a concurrence of opinion between the two Houses in refer-

ence to the House substitute. This proposition stands in the same relation, in my judgment, but I am willing to have the Speaker rule upon it without any extended argument.

Mr. SHERLEY. Mr. Speaker, I think all are agreed in the desire to see the pending tariff bill become a law as early as possible—certainly no one is more desirous of that than I am—but in the judgment of some of us there is nothing that this House can or need now do, and the only thing required to make the bill a law is for it to receive the signatures of the Speaker of the House, the Vice President of the United States, and the President of the United States. The situation is this: The Senate adopted various amendments to the bill, the House disagreed to the Senate amendments, and the bill went to conference. The conferees agreed on all items of the bill except one Senate amendment, relating to cotton futures. As to that the conferees reported an inability to agree. The matter came back to the House. The partial conference report was adopted and then the House agreed to the Senate amendment with an amendment. It went back to the Senate. The Senate disagreed to the House amendment to its amendment and then receded from its own amendment. In my judgment, the action of the Senate in disagreeing to the House amendment was entirely unnecessary and improper, because when it once receded from its own amendment, cutting away the foundation carried with it all of the superstructure. Now, the trouble with the motion of the gentleman from Alabama is that it is predicated upon the assumption that there was an affirmative individual act of the House in amending the Senate amendment.

But that seems to me an error in that the House amendment to the Senate amendment of necessity rested on the Senate amendment and can not exist except by virtue of that amendment. Now, if it were in order for the House to recede from its amendment, it would be in order not only to recede from the amendment, but to agree to the Senate amendment to which it is an amendment, and then you would have the position of the House of Representatives agreeing to an amendment that did not exist. Now, the gentleman says that it would not be possible, if the Senate had passed an original bill and it had come to the House and they had stricken all out except the enacting clause and then had agreed to a substitute, for the Senate to have disposed of the matter without considering the House substitute. Why, the Senate could have laid its own bill on the table and it would have ended then and there, and their act of recession from the amendment they adopted is in effect laying it on the table and disposing of it forever. Now, the precedent is clear, and the fact that there was no ruling by the Chair does not take away from the binding effect of it.

In the Fifty-fifth Congress, second session, when a bill relating to appropriations for the District of Columbia was up, it went to conference with a disagreement between the two Houses. There was an amendment known as amendment numbered 74, upon which the conferees could not agree. That amendment came back to the House and was agreed to by the House with an amendment. It went back to the Senate, and the Senate thereupon disagreed to the House amendment and receded from its own amendment. The bill then went to further conference on other disagreements between the two Houses. Those disagreements were solved, and the two Houses came into accord and the bill became a law and was never questioned. Now, the gentleman from Alabama says, and properly says, that in a matter of this great importance no one desires to have any doubt about the matter, but there is no doubt about the matter.

The Supreme Court of the United States has expressly settled any doubt that might exist as to whether the question could be raised afterwards. When this bill receives the signature of the Speaker of the House, of the presiding officer of the Senate, and of the President of the United States, and when the Journals of the Houses show, as they will show, that this has occurred, the matter is beyond collateral attack and there is no more possibility of involving the validity of this act by virtue of our step here than there is involving the validity of any other act about which no question is ever raised, and to entertain a motion about a matter that has ceased to exist I believe sets a precedent that is fraught with very great danger in the future. In regard to this motion the gentleman may be in a position to know what the House will do, but in a parliamentary sense the House could do several things. It could refuse to agree to the gentleman's motion and it would be in order to agree to some other motion that would find us much further from a final solution of the tariff matter than we are at this moment.

The SPEAKER. If the gentleman will permit, the Chair would like to ask the gentleman what harm could possibly be to pass the motion which the gentleman from Alabama offers——

Mr. SHERLEY. Well, I do not think that the House——

The SPEAKER (continuing). Even if it is superfluous?

Mr. SHERLEY. I do not think that the House is confronted with the proposition of what harm it will do. The House is confronted with the question of power. In my judgment it can not do it because the matter is not before the House and can not be before the House, and while it might in this instance do no harm to go through what I believe to be a perfectly void action, there are conceivable instances in which it might do great harm, and I again suggest to the Chair this, that if the Chair thinks the motion of the gentleman from Alabama is in order and that motion should not be agreed to, then there are other motions which are also in order that if adopted might present a situation where you would have a very serious tangle touching the passage of this bill, and for that reason I am not willing, without at least voicing a protest, to see the House take an action that I believe is without warrant.

There is nothing before the House. You can not have this House amendment, like Mahomet's coffin, suspended between heaven and earth. It only existed as an amendment to the Senate amendment, and when that amendment disappeared the superstructure went with it, the House amendment went with it, and there is nothing before the House now to consider, and the Chair has nothing to lay before the House.

The SPEAKER. The gentleman from Georgia [Mr. CRISP] is recognized.

Mr. CRISP. Mr. Speaker, it is with reluctance that I rise to take a few moments of the time of the House to oppose the point of order made by the gentleman from Maine [Mr. HINDS]. But I believe the motion of the gentleman from Alabama [Mr. UNDERWOOD] is the correct motion for the final passage or disposition of this bill.

Mr. Speaker, I am familiar with the citation from Hinds' Precedents, quoted in this case, holding that under existing conditions it is not necessary for the House to take further action. I will not discuss the case in detail, for the gentleman from Kentucky [Mr. SHERLEY] has ably narrated the facts relative to such citation. I wish to add, however, that the decision is in no way binding as a precedent, for it was clearly obiter, as the Speaker never made a ruling in the House on the subject.

Now, Mr. Speaker, it is fundamental that before any act can pass Congress the minds of both Houses must agree upon all details of the legislation. Now, what is the history of this bill? The House passed it, it went to the Senate, and the Senate adopted a number of amendments. All of those amendments became a part and parcel of this bill. As to the Clarke amendment, while the House did not originally legislate on the subject, the Senate did legislate on it, and it was built onto the tariff bill and became as much a part of the tariff bill as a room built on an existing house. The Senate amendments were all referred to conference, the House disagreeing to the Clarke amendment with the other amendments. The conferees met and reached a final agreement on all the amendments, each of them being a part of the tariff bill save the Clarke amendment, and they reported a disagreement on that amendment. The Journal of the House will show that the House adopted a conference report which disposed of all the amendments save the Clarke amendment. The Clarke amendment was a part of this tariff bill as much as any other item in it, and by it the bill was held up and could not go to the President until both Houses of Congress had reached an agreement as to that.

The Senate having incorporated in this bill legislation on this subject, the House, acting within its powers, saw fit to add additional formative legislation on that subject, that subject being a part of this tariff bill, and they adopted the Underwood-Lever amendment. The Journal of this House shows that the House has agreed with the Senate in everything pertaining to this bill, save this Clarke amendment. But the House Journal shows that the House adopted formative legislation on it, adopting a part of the Clarke amendment and adding a new legislative proposition. And if the contention of the gentleman is sound, when this tariff bill is enacted into law, the bill will show that it does not include this Underwood-Lever proposition, and the Journal of the House will show that the House did adopt that legislative proposition.

Mr. SHERLEY. Will the gentleman permit an inquiry?

Mr. CRISP. With pleasure.

Mr. SHERLEY. Is it not true, as decided by the Supreme Court in connection with the McKinley tariff law, that when the Journal of the House shows the approval of the Speaker of the House and the Journal of the Senate shows the approval of the presiding officer of the Senate to a bill and the bill has received the approval of the President, the court will not go into the question as to the correctness of the passage of the bill, but will hold it a valid law? Was not that expressly decided where an entire paragraph was involved in the McKinley tariff law?

Mr. CRISP. I think that is true; but the Journal did not affirmatively show that the House had adopted the legislative proposition, and the Journal failed to show any recession of the House from that legislative affirmative proposition it had previously adopted.

Mr. SHERLEY. Will the gentleman answer me another inquiry? What is now before the House? The Senate amendment amended?

Mr. CRISP. The proposition before the House is the disagreement of the Senate to the House amendment to the Clarke amendment.

Mr. SHERLEY. You have only an amendment to a Senate amendment. Now, if the Senate amendment has disappeared, as it clearly has, where is your House amendment? I repeat: Is it in the air?

Mr. UNDERWOOD. If the gentleman from Georgia will allow me just a moment, I think clearly the proposition before the House is not a question of the Senate amendment, but that the question before the House is the action of the Senate on the amendment.

Mr. GARRETT of Tennessee. Will the gentleman from Georgia [Mr. CRISP] allow me to ask the gentleman from Kentucky [Mr. SHERLEY] a question?

Mr. FITZGERALD. What is it the Speaker laid before the House?

Mr. UNDERWOOD. The bill.

Mr. GARRETT of Tennessee. Mr. Speaker, by the permission of the gentleman from Georgia [Mr. CRISP], I wish to propound this inquiry to the gentleman from Kentucky [Mr. SHERLEY]. In numerous instances there were amendments placed upon this bill by the Senate, and those amendments went to conference, and the conferees reported an agreement upon the Senate amendments with amendments. That action of the conference was brought to the House and was ratified by the House.

Now, suppose the Senate had not ratified one of these items, but had receded from the Senate amendment. Would that have left the matter up in the air? What would have been the result?

Mr. SHERLEY. That would have the result of destroying the conference report. Upon a new conference being asked, it would be asked only as to any matters upon which there were disagreements, and that that particular amendment would have been eliminated.

Mr. GARRETT of Tennessee. Suppose there had been no further conference asked?

Mr. SHERLEY. Then there would have been no final action on the bill. But that does not touch the point. Here is a case where a complete agreement has been reached except as to one matter. Now, the Senate, after action by the House as to the disagreement, withdraws the subject matter of that disagreement; and under those circumstances I contend there is nothing respecting that disagreement before the House.

Mr. CRISP. Now, Mr. Speaker, I do not desire to yield further to the gentleman in discussing this question.

Mr. ADAMSON. Mr. Speaker, will the gentleman from Georgia permit me to ask him a question?

Mr. CRISP. I will.

Mr. ADAMSON. Is not the only issue here between the gentlemen the question as to whether or not the Senate, without consent of the House, can end a matter in issue between the two Houses by receding from its own proposition after the House has concurred in it with an amendment?

Mr. CRISP. Yes; that is the proposition.

Mr. ADAMSON. Can the Senate, after the House has concurred in its amendment with an amendment, take it out of issue without the consent of the House?

Mr. CRISP. I do not think so; and that was exactly the point I was proceeding to address myself to when the gentleman from Kentucky asked me to yield.

Mr. ADAMSON. If the House had not amended the Senate amendment, it is clear that the gentleman from Kentucky would be right in his position and the Chair would be right in sustaining the point of order. But inasmuch as the House has amended the Senate amendment and made it an issue, it is in issue between the two Houses and can not cease to be an issue until it has been disposed of by the two Houses.

Mr. CRISP. Yes.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Georgia yield to the gentleman from Texas?

Mr. CRISP. I regret I can not yield. I want to finish my speech.

The SPEAKER. The gentleman from Georgia declines to yield.

Mr. CRISP. Now, Mr. Speaker, as I said, it was fundamental for the two Houses to agree on the same legislation before it was passed. The House has legislated upon a part and parcel of this tariff bill by saying that it favored the regulation of the New York Cotton Exchange. The House is on record, through its Journal, through the votes of the Members, as advocating that legislation. The Senate is opposed to that legislation.

Now, I believe that the House is coordinate with the Senate and has every right and power for the purpose of legislation that the Senate has, and that the contention——

Mr. SHERLEY. Mr. Speaker, will the gentleman yield?

Mr. CRISP. I decline to yield further. I have already yielded to the gentleman.

The SPEAKER. The gentleman declines to yield.

Mr. CRISP. And if the Senate can withdraw its amendment, then it destroys the power of the House—it having started to legislate upon this proposition—to do so.

I believe, Mr. Speaker, that this is the greatest bill that has passed Congress in many decades, and I have always believed as a lawyer in pursuing the policy of safety. If it is essential that the House recede from its amendment, the Smith-Lever amendment—and I believe it is, because the Journal shows that is the action of the House; the Journal does not show that the minds of the two Houses have met on every detail—if it is essential to recede, and if you do not recede, the bill is not lawfully passed. If on the other hand the contention of my friends on the other side, for whom I have the profoundest respect, is correct, and it is not essential to recede, then if we did recede it is mere surplusage and hurts nothing, and I believe that the motion of the gentleman from Alabama is in order and proper. [Applause on the Democratic side.]

Mr. SHERLEY. Now, Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD rose.

The SPEAKER. The gentleman from New York is recognized.

Mr. SHERLEY. With the courtesy of the Chair and the permission of the gentleman from Georgia, I would like to ask the gentleman a question.

Mr. CRISP. I will answer it if I can.

Mr. SHERLEY. If it be proper to recede from the House amendment, would it not be possible also for the House to recede and agree to the Senate amendement which it has amended?

Mr. CRISP. It probably would; but, if so, it would be necessary for the Senate to take further action in receding from their action, in receding from that amendment, because until both Houses unite and agree upon the same legislative proposition contained in the bill the bill is not legally passed.

Mr. SHERLEY. Then, if the gentleman will permit, you put yourself in the position of agreeing to an amendment that does not exist. Does the gentleman consider that the Senate action has disposed of the Senate amendment?

Mr. CRISP. I do not concede that the Senate has the right to take away from the House the power to legislate upon this proposition. [Applause on the Democratic side.]

Mr. FITZGERALD. Mr. Speaker, harmless action taken in parliamentary bodies frequently results in disaster in the future; and the result of the entertainment of the motion proposed by the gentleman from Alabama is fraught with great danger to this House in its future practice.

I made a point of order, and no one except the gentleman from Kentucky [Mr. SHERLEY] has addressed himself to that point of order; that there is nothing before this House to which the gentleman from Alabama [Mr. UNDERWOOD] can attach his motion. The Senate adopted its amendment No. 609 and the House disagreed to it. It went to conference. A disagreement was reported. The House then receded from its disagreement and amended the Senate amendment, and then adopted the Senate amendment as amended. It went to the Senate, and the Senate receded from its amendment and sent to the House a message stating that it had receded from the Senate amendment. What is the Speaker laying before the House? The papers? What papers? This bill is agreed to as effectively as both Houses can ever agree to it. There is no action that this House can take upon any part of the bill not contained in the so-called Clarke amendment. That amendment no longer exists.

The confusion of gentlemen about this matter is due to the fact that the amendment of the gentleman from Alabama [Mr. UNDERWOOD] to the Clarke amendment was in the nature of a substitute. Suppose his amendment, instead of being a substitute, had been a change in the amount of the tax imposed upon transactions in future trading. Suppose instead of 50 cents a bale the gentleman from Alabama had proposed an amendment

making it $50 a bale and had agreed to the Clarke amendment with that amendment and then sent it to the Senate?

Mr. UNDERWOOD. I do not think it concerns anything, but the gentleman is not correctly quoting my amendment.

Mr. FITZGERALD. I was assuming a supposititious amendment. The gentleman's amendment was a substitute for the Clarke amendment; but to make this matter clearer, suppose that instead of offering a substitute the amendment had consisted in striking out the tax of 50 cents a bale and making it $50 a bale, and that amendment went to the Senate and the Senate then receded from its amendment and sent a message to the House announcing that fact. What would be before the House? Not the House amendment to the Senate amendment, because there is no Senate amendment. The House amendment does not exist apart from the Senate amendment upon which it had been ingrafted.

Mr. Speaker, it is easy to illustrate this situation so that there will be no misunderstanding. A offers to sell his house to B for $5,000. B says, "I will accept your offer if you will include the barn on the adjoining lot." A says, "I withdraw my offer." In law that is not necessary. The mere suggestion of an independent proposition terminates the offer. B could not afterwards withdraw his conditional acceptance and accept the original offer. The proffer of a new offer is not an acceptance of the original one. It does not constitute an agreement between the parties.

The Speaker, in order to entertain the motion of the gentleman from Alabama, must determine that, although the Senate receded from its amendment, that amendment is still before the House. The gentleman from Kentucky [Mr. SHERLEY] has pointed out what may happen if that be done. The House may recede from its amendment to the Senate amendment, as proposed by the gentleman from Alabama.

If it does, that must leave the Senate amendment before us. We have amended the Senate amendment. If we recede from our amendment to it the Senate amendment must then be before the House. Then, suppose the House should concur in the Senate amendment? We would have the House concurring in an amendment from which the Senate has receded. If the House sent such a message to the Senate, what would the Senate do? The House would say, "The House has concurred in your amendment"; the Senate would say, "But we have no amendment. We have receded from our amendment." Where would the tariff bill be then? The Senate had withdrawn its amendment; the House had concurred in it after the Senate had withdrawn it. Who would act next? Would the Senate send back a message? What could its message be? There was no Senate amendment before the House in which to concur. The Senate had withdrawn the suggestion that that amendment be placed in the bill. Mr. Speaker, the philosophy and the logic of our whole parliamentary procedure is inconsistent with the suggestion that any such motion can be entertained. There is nothing before this House now, so far as this tariff bill is concerned; nothing to be done except to await the report of the Committee on Enrolled Bills and to have the Speaker affix his signature to the enrolled bill. The bill is passed as effectively as it may or can be passed.

This motion can not do any harm now, can not affect this bill; but the decision that any motion at all is in order at this time, that any motion can be made, will rise in the future to plague this House and to involve the Congress in interminable difficulty. We should not do things merely because they will do no harm. We should act only because it is necessary and essential to do the things that are necessary to enact legislation.

Mr. MONTAGUE. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. MONTAGUE. I desire to ask the gentleman from New York this question: Where is the disagreement of the Senate with the amendment proposed by the House?

Mr. FITZGERALD. There is no disagreement.

Mr. MONTAGUE. Did not the Senate disagree with the amendment proposed by the House?

Mr. FITZGERALD. There was a motion made in the Senate to disagree to the amendment of the House to the Senate amendment.

Mr. MONTAGUE. I just wish to catch the procedure, if I can, and therefore I repeat my question: Did the Senate agree to the amendment adopted by the House?

Mr. FITZGERALD. They disagreed.

Mr. MONTAGUE. Then where is that disagreement now?

Mr. FITZGERALD. There is not any. It is wiped out because the Senate has withdrawn its amendment.

Mr. MONTAGUE. I just wish to get the gentleman's attitude.

Mr. FITZGERALD. I agree with the gentleman from Kentucky [Mr. SHERLEY]. The Senate adopted an entirely unnecessary motion in first disagreeing to the amendment proposed by the House to its amendment, and then receding from its own amendment. The Senate proposed a change in a tariff bill. The House declined to accept that change, but said that it would accept it upon certain conditions. The Senate then said that it would withdraw its proposed change. Then what is left?

Mr. ADAMSON. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. ADAMSON. When the bill was returned to the House from the Senate, it contained the Clarke amendment. When the House the other day adopted the Underwood amendment, the bill went back to the Senate with the Underwood amendment to the Clarke amendment contained in it. Does the gentleman contend that the Senate, by receding from a thing which the House had already concurred in, and added to, namely, the Underwood amendment, can now, without consent of the House, undo what the House did, and take out of issue the action of the House?

Mr. FITZGERALD. Oh, the gentleman, if he will pardon me for saying so, does not understand the philosophy of the action of bringing the two Houses together.

Mr. ADAMSON. I may not know much about parliamentary law, for I have always had something more important to do, but I know the common sense of it. [Applause.]

Mr. FITZGERALD. Oh, I have heard other gentlemen applaud equally inapt statements regarding parliamentary procedure.

Mr. ADAMSON. Yes; the gentleman has had that sort of applause himself many times. [Laughter.]

Mr. FITZGERALD. Yes; Mr. Speaker, I have had that kind of applause, but there was some assumption for the belief that I knew what I was speaking about when I was discussing parliamentary procedure.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. HARDY. I interrupt in this manner because it seems to me reasonable. I may not know much about parliamentary law, but the question I desire to ask is this: Have the two Houses ever yet so far passed the same bill? We sent a bill over there with certain amendments. They sent it back without the amendments, we having sent the bill over there as we passed it. The Senate did not agree to it up to this time. The Senate has never up to this time passed the same bill that the House passed.

Mr. FITZGERALD. I think they have now, and I think I can illustrate it. Let us assume that the House passed a tariff bill and that the only amendment made by the Senate is the so-called Clarke amendment.

Mr. HARDY. Let me supplement that question. Have we ever passed a bill up to this time just as it comes to us from the Senate now?

Mr. FITZGERALD. Both Houses have passed the bill.

Mr. HARDY. As it comes from the Senate now?

Mr. FITZGERALD. Yes; as it now comes from the Senate. Let me assume this case, to eliminate what might be confusing: Assume that the House passed a tariff bill and the Senate made but one amendment to it, and suppose that to be the so-called Clarke amendment. The Senate returns the bill, and after going into conference there is a disagreement reported. Then let us suppose that the House recedes from its disagreement to the Clarke amendment with an amendment and that is sent to the Senate, and that the Senate then recedes from its amendment. I contend that passes the bill.

The Senate proposes this change. What does the action of the House mean? It says that it will not accept this change, but that it will accept it upon condition that the Senate agree to certain modifications, and then the Senate says that it withdraws the suggestion it made. The counter proposition falls with such a withdrawal. That leaves the House in a position where it can not make any change in its bill. There is nothing upon which it can act.

Mr. HARDY. We passed the bill the last time with the Underwood amendment on it, did we not?

Mr. FITZGERALD. That is an amendment to the Senate amendment.

Mr. HARDY. But we passed it that way. We have never passed it just as it comes back to us from the Senate.

Mr. FITZGERALD. We did not pass it that way at all. We had not passed it then.

Mr. CANDLER of Mississippi. Will the gentleman permit a question?

Mr. FITZGERALD. Yes.

Mr. CANDLER of Mississippi. Is not the situation this: The House concurred in the Clarke amendment with the Underwood amendment to it; then it went back to the Senate, the Senate receded from the Clarke amendment, and then they disagreed to the Underwood amendment?

Mr. FITZGERALD. They did that first.

Mr. CANDLER of Mississippi. And they sent it back to us with the notification that they disagreed to that, and that is the question before the House now.

Mr. FITZGERALD. The gentleman is mistaken. The RECORD shows the motion was made to disagree to the amendment of the House to the Senate amendment known as the Clarke amendment——

Mr. CANDLER of Mississippi. But did not the report from the Senate, made by the Secretary, state that they receded from the Clarke amendment and disagreed to the Underwood amendment, which leaves that still in disagreement?

Mr. FITZGERALD. I did not read the message, but I know what happened, because it could not have been any other way. If it receded from its amendment, there was no amendment to the amendment to which they could disagree, because it fell to the ground. Mr. Speaker, if there were any doubt in my mind as to the necessity of any motion made at this time I should not——

Mr. BARKLEY. Will the gentleman yield for a question?

Mr. FITZGERALD. I yield.

Mr. BARKLEY. Can the Senate recede from an amendment it had first adopted until the House has disagreed to that amendment?

Mr. FITZGERALD. Of course it can.

Mr. BARKLEY. How?

Mr. FITZGERALD. By a vote. That is a simple parliamentary proposition that the Senate can recede from its amendment, take advantage of the House, and prevent it from agreeing to it.

Mr. BARKLEY. It might do so, could it not, before the House acted upon that specific amendment? But after the House has agreed to that amendment, although in an amended form, can the Senate recede from it without a specific disagreement on the part of the House?

Mr. FITZGERALD. It can, because the House——

Mr. POWERS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. POWERS. I desire to know if the Chair does not think that it would be a splendid idea to dispatch the Sergeant at Arms for JIM MANN?

The SPEAKER. The Chair does not think we have any necessity for him here.

Mr. SIMS. Mr. Speaker, will the gentleman from New York permit an inquiry?

Mr. FITZGERALD. Certainly.

Mr. SIMS. If this House amendment is before the House now for some substantial action, why can not we move to change the terms of it and then adhere?

Mr. FITZGERALD. We can do so if that contention be correct.

Mr. SIMS. I would like very much to make a motion that where it says 50 cents a bale to make it $10, and accept it and send it back to the Senate, because I believe that will be good legislation.

Mr. FITZGERALD. Mr. Speaker, the Speaker must find before he can entertain this motion that the Senate amendment is before the House, for the so-called House amendment does not exist apart from the Senate amendment. It is an amendment to the Senate amendment, and before the House can take any action upon it he must decide that it is laid before the House and that the House has some right to take action, and if it has the right to take action it has the right to agree to the amendment that the Senate has already receded from.

Mr. ALEXANDER. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. I will yield.

Mr. ALEXANDER. This is a proposition that comes from the Senate to which the House agrees with an amendment. Now, is it not within the power of the House to prevent the Senate from withdrawing the original proposition?

Mr. FITZGERALD. Only by agreeing to it.

Mr. ALEXANDER. Is it in the power of the House to prevent the Senate from withdrawing the original resolution?

Mr. FITZGERALD. It could have done so if it agreed to it.

Mr. ALEXANDER. It did not agree to it?

Mr. FITZGERALD. It did not agree to it. There never has been an agreement. The action of the House in concurring with the amendment is not an agreement between the Houses. It is a counter proposition which it offers to the Senate as a basis for agreement. The Senate then withdraws its original proposition and there is no counter proposition then existing.

Mr. Speaker, if there were any doubt about it I would not discuss it, but this House should never take any action merely on the theory that it is harmless and will have no effect or that it will not in any way jeopardize things. Our procedure should be so fixed, so definite, and so positive, and it is so fixed and definite and positive, that unnecessary, harmless action is not only unnecessary but would be very dangerous if it be indulged in. I hope the Chair will not entertain the motion.

Mr. FLOYD of Arkansas. Will the gentleman yield?

Mr. FITZGERALD. I will.

Mr. FLOYD of Arkansas. The gentleman from New York states that the Senate has power to withdraw this amendment because the House never agreed to it. I suggest to the gentleman from New York that the House never disagreed to it. The House did agree to it with an amendment. That is the status. There were portions of the Clarke amendment embodied in the substitute amendment adopted by the House, and if we take no further action in the premises the records of this House will not show where we ever disagreed to the Clarke amendment or receded from the substitute adopted by the House in lieu of the Clarke amendment.

Mr. FITZGERALD. It is withdrawn. We do not have either to agree or disagree. It is withdrawn. It is taken from us.

Mr. FLOYD of Arkansas. The record submitted here this morning of the action of the Senate shows that the Senate withdrew the Clarke amendment and disagreed to the House amendment, and that disagreement is shown by the report now before this House. Now, what harm could come from the adoption of the motion made by Mr. UNDERWOOD if no further attempt is made to modify it?

Mr. FITZGERALD. That is the danger of the gentleman's argument.

Mr. FLOYD of Arkansas. You say the danger is in establishing a precedent?

Mr. FITZGERALD. Yes, sir.

Mr. FLOYD of Arkansas. If your position is correct, then you establish what I would consider a more dangerous precedent, and that is this, that whenever the Senate offers amendments to House bills, and they offer sometimes hundreds of them, and did in this case, then it is within the power of the Senate, if your contention is correct, to defeat the will of the House as to every Senate amendment, which the House has seen fit to amend by merely withdrawing it.

Mr. FITZGERALD. The assumption is, of course—I do not know what the gentleman's theory is—that changes made by the other body are not what the House wishes, because it has passed the bill as it desires it. I can not understand the theory upon which the gentleman argues; that when the Senate is willing to withdraw their amendments they are defeating the will of the House by not permitting the House to agree to something which the House did not propose.

Mr. FLOYD of Arkansas. My proposition is this: In case the Senate has offered an amendment to a House bill, to which the House is unwilling to agree in the form in which it was offered, but if the House desires to attach additional provisions to that and agrees to it in an amended form, which becomes the action of the House, you should not permit the Senate, then, by withdrawing its own amendment to defeat affirmative legislation attempted in the House.

Mr. FITZGERALD. It does not, Mr. Speaker, because the consent of the Senate would be required to that modification. If the gentleman's theory were correct, that the mere adoption by the House of an amendment would make it a part of the bill, regardless of what action the Senate would take, his contention would be correct; but it would require the assent of the Senate to this proposed modification, and the House could not compel that assent unless the Senate did it.

Mr. FOSTER. I notice by the RECORD that in the Senate proceedings there were two motions—one, first, to disagree to the House amendment. Now, the Journal of the Senate will show those two motions, namely, that the Senate had disagreed to the House amendment and then receded from its own amendment—a separate action upon the two propositions. Now, then, the House Journal will not show any action by the House upon the amendment.

Mr. FITZGERALD. Mr. Speaker, a study of any standard work on parliamentary law and of the procedure and practice of either body will not justify the action of the Senate in disagreeing to the amendment of the House to the amendment of the Senate. The motion that was proper in the Senate was that the Senate either insist upon its own amendment or recede from its amendment or agree to the amendment of the

House to its amendment, and no other motion can properly, within parliamentary precedents, be made.

Mr. FOSTER. Does not the RECORD show that the House still had an interest in that amendment that it sent to the Senate?

Mr. SHERLEY. Mr. Speaker, will the gentleman yield for a question?

The SPEAKER. Does the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. SHERLEY. What assurance has the gentleman from Alabama [Mr. UNDERWOOD] or anybody else that the House will agree to his motion? And if the House did not agree to his motion, but receded from its own amendment and agreed to the Senate amendment, which no longer exists, what position would we be in then? [Applause and cries of "Rule!" "Rule!"]

Mr. FITZGERALD. There is one other point, Mr. Speaker, to which I wish to call attention. If I understood the gentleman from Alabama correctly, he moved that the House recede from the amendment of the House to the Senate amendment, the so-called Clarke amendment.

The SPEAKER. The Chair will read the amendment as sent up. I read:

I move to concur in the action of the Senate relating to Senate amendment No. 609.

Mr. FITZGERALD. That is the latter part of it.

The SPEAKER. That is the whole of it.

Mr. FITZGERALD. The point to which I call attention is that the House is asked to concur in the Senate's action on its own amendment. If such action as that is necessary to be entertained, there would never be an end to the proceedings of the two Houses. I submit that the motion proposed by the gentleman from Alabama [Mr. UNDERWOOD] is not in order.

Mr. MURRAY of Oklahoma. Mr. Speaker——

The SPEAKER. The Chair promised to recognize the gentleman from Oklahoma and will now do it. The gentleman from Oklahoma is recognized.

Mr. MURRAY of Oklahoma. Mr. Speaker, this question is a question of whether the bill is constitutionally passed rather than a question of whether it is parliamentarily passed.

Now, replying to the gentleman from Kentucky [Mr. SHERLEY], I wish to call attention to the fact that there is a distinction, both in essence and parliamentarily, between a substitute and a mere amendment. If this had been a mere amendment to the Senate provision, then the amendment would have failed with the failure of the provision. But the essence of legislation, to illustrate by a figure of the law of contract, is to bring the mind of this House together with the mind of the Senate upon a given question, and the question arises whether their minds have met upon the bill itself.

Now, we know that when they submitted amendments and we submitted other amendments, some of those amendments may have been predicated upon other amendments; and I concede that if the Senate had only offered the Clarke amendment and none other and then we had offered a substitute to the Clarke amendment and the Senate had receded, then the bill would have been disposed of, because our minds would have met upon the remaining portion of the bill. But we know there are other amendments and modifications; and since that is so, the question arises whether our minds have met.

That brings us to this question: Had this House, to begin with, the right to offer a substitute to the Clarke amendment? It certainly did. Then if this House had the right to do it, has the Senate the right to repeal it without our consent? That is the issue. [Applause on the Democratic side.]

Mr. SHERLEY. Mr. Speaker, will the gentleman yield for a question.

Mr. MURRAY of Oklahoma. No. Wait until I get through. Then I will answer. We have the right to offer an amendment. They have sought to change their position. But they have no right to assume that because we change their amendment we did not adopt the individual amendment predicated upon other amendments in this bill. I see no way by which this question can be brought before the House except as by the motion of the gentleman from Alabama [Mr. UNDERWOOD].

It will require either the adoption of the motion of the gentleman from Alabama [Mr. UNDERWOOD] or a ruling by the Chair, which is tantamount to its adoption if such ruling is not appealed from, because, under the powers of the three coordinate branches of our Government, the courts will have to hold that on a parliamentary question the Congress has the right to construe for itself the terms of the Constitution. I might recite in that connection an Arkansas case, where for 10 years they had fought over a capitol bill. The constitution of Arkansas provided that no appropriation could be passed, except a general appropriation, without a two-thirds vote. Under that provision of the constitution Speaker Vandeventer ruled that a capitol appropriation put into the general appropriation bill was an appropriation under "general provisions," and the court upheld the appropriation under that authority. So I say if the Chair will rule that it is passed, and that ruling is not appealed from, that is tantamount to the adoption of the motion of the gentleman from Alabama [Mr. UNDERWOOD], but one or the other must be done. It is, however, decidedly better to vote upon the question, that no doubt may exist.

Mr. ADAMSON. Mr. Speaker, the gentleman has doubtless observed that the Senate, contrary to the view advocated by the gentleman from Kentucky [Mr. SHERLEY] and the gentleman from New York [Mr. FITZGERALD], did not content itself with receding from its original amendment, but deemed it necessary to go further and disagree with the Underwood amendment, thereby leaving the matter in issue. Now, if this House had a right to put the Underwood amendment into that bill and the Senate has disagreed to it, is it not yet in issue in the bill, and has not this House the right to insist upon it if it wants to or recede if it wants to?

Mr. MURRAY of Oklahoma. That is exactly true.

Mr. SHERLEY. Now, will the gentleman yield to me?

Mr. MURRAY of Oklahoma. If this House had the right to put it there, the fact that the Senate disagreed is an acknowledgment on the part of the Senate that the House had a right to put it there to begin with, and this House, therefore, must take it away.

Mr. SHERLEY. Now, will the gentleman yield to me?

Mr. MURRAY of Oklahoma. Certainly.

Mr. SHERLEY. Suppose, instead of being an amendment, the Senate had passed as an original bill the terms of the Clarke amendment, that it had come back to the House and we had agreed to it with an amendment striking out all of that bill after the enacting clause and substituting the Underwood amendment. Then it goes back to the Senate and the Senate disagrees to the action of the House, and then lays its own bill on the table. Would you not have just as much reason to argue, as you have been arguing here to-day, that the Senate has no right to prevent the House from proceeding with a matter that it has once started to proceed with? It takes two bodies to legislate.

Mr. MURRAY of Oklahoma. That case is not parallel with the one before the House. The only question is whether the minds of the two Houses have met. They have not met upon all of these amendments.

SEVERAL MEMBERS. Rule! Rule!

The SPEAKER. The Chair promised to hear the gentleman from Pennsylvania [Mr. KELLY] for three minutes.

Mr. KELLY of Pennsylvania. Mr. Speaker, I want just a word; first, to call attention to the fact that the course of action of the gentleman from Alabama [Mr. UNDERWOOD] has been eminently fair and just in this matter, as it has been in connection with the progress of this tariff bill which bears his name through this House. If he had not made the motion, I feel sure the point of order would have been raised against the enrollment and signing of the bill, so that a ruling would have been had at this time. But it seems to me this question has already been decided in section 44 of Jefferson's Manual, which is regarded as an authority here and is a part of the rules, under Rule XLIII. It states that—

Either House may recede from its amendment and agree to the bill; * * * but the House can not recede from or insist on its own amendment with an amendment, for the same reason that it can not send to the other House an amendment to its own act after it has passed the act.

[Applause.]

That is a clear and plain explanation of the proposition.

Mr. SHERLEY. Will the gentleman yield?

Mr. KELLY of Pennsylvania. I can not yield in three minutes. The proposition is clear and plain, and no precedent can show a ruling which would hold this motion out of order. In 1868 Senator Sherman——

Mr. FITZGERALD. Will the gentleman yield?

Mr. KELLY of Pennsylvania. I can not yield.

Mr. FITZGERALD. Simply to call the attention of the gentleman to something he has overlooked.

Mr. KELLY of Pennsylvania. I have not overlooked the facts. In 1868 Senator Sherman had this same proposition under consideration, and the case is cited in section 6217 of Hinds' Precedents. After a careful study he declared that such action as is contemplated by the gentleman from New York [Mr. FITZGERALD] and others is improper and contrary to parliamentary law, and it was necessary in that case to ask for a conference in order to settle the disagreement. The only other precedent is cited in section 6227, on the District of Columbia appropriation bill, and no action was ever taken by the House.

The matter was brought in and amendments 143 to 169 were agreed to, and amendment 74, the amendment in point, was never considered. The history of House procedure shows not a single additional precedent that has any bearing on this question and that a ruling has never been made.

Mr. SHERLEY. Does the gentleman consider the Senate's action in disagreeing to this amendment valid or void?

Mr. KELLY of Pennsylvania. The Senate had a right to disagree to the House amendment, but the House still is interested in the matter until it recedes from its amendment.

Mr. SHERLEY. Suppose we recede from our amendment and concur in the Senate amendment, what then?

Mr. KELLY of Pennsylvania. We have a right to do that.

Mr. SHERLEY. But the Senate says there is no such amendment.

Mr. KELLY of Pennsylvania. Then the matter is in issue between the Houses yet, for no disposition has been made of our amendment to the Senate amendment. The point of the gentleman from New York [Mr. FITZGERALD] in making the illustration of the price of $5,000 for a house and an offer which it was not necessary to refuse is not apropos, for the reason that the offer has been made here by the Senate to the House and has been accepted by the House, with, however, a preference, just as though the purchaser should say, "I will accept your price of $5,000 for the house, but I would prefer to have you give me time on $500." It is simply a preference and the offer is accepted, and the contract holds until both parties finally disagree. The Senate action in receding must be approved by the House before it is conclusive and binding. Both justice and parliamentary law declare that the motion of the gentleman from Alabama is in order and is the only proper method of procedure in this instance.

The SPEAKER. In order to get this record straight the Chair lays before the House the bill H. R. 3321, of which the Clerk will report the title.

The Clerk read as follows:

H. R. 3321. An act to revise tariff duties and to provide revenue for the Government, and for other purposes.

The SPEAKER. The gentleman from Alabama moves to concur in the action of the Senate relating to Senate amendment No. 609 to House bill 3321. The gentleman from Maine [Mr. HINDS] makes the point of order against the motion. The history of the transaction stated in brief is that the conferees agreed to this entire bill except the so-called Clarke cotton-futures amendment. The gentleman from Alabama [Mr. UNDERWOOD] offered an amendment in the nature of a substitute to the Clarke amendment, which passed the House, and the Underwood amendment went to the Senate. The Senate disagreed to the Underwood amendment, and also receded from the Clarke amendment. The only question in issue is whether the two Houses have ever come to an agreement—to the same state of mind.

It is suggested that the Supreme Court has decided, in Field v. Clark (143 U. S.), as follows, reading from the syllabus:

The signing by the Speaker of the House of Representatives and by the President of the Senate in open session of an enrolled bill is an official attestation by the two Houses of such bill as one that has passed Congress, and when the bill thus attested receives the approval of the President and is deposited in the Department of State according to law its authentication as a bill that has passed Congress is complete and unimpeachable.

That opinion was rendered by Mr. Justice Harlan. Mr. Justice Lamar dissented.

Mr. BARTLETT. But not upon that point, Mr. Speaker.

The SPEAKER. Not upon that point. The Chair reads now from the case of United States v. Ballin (144 U. S., p. 9). The Supreme Court in that case, on the question of counting a quorum, said:

Summing up this matter, this law is found in the Secretary of State's office properly authenticated. If we appeal to the Journal of the House, we find that a majority of its Members were present when the bill passed, a majority creating by the Constitution a quorum, with authority to act upon any measure; that the presence of that quorum was determined in accordance with a valid rule theretofore adopted by the House; and that of that quorum a majority voted in favor of the bill. It therefore legally passed the House, and the law as found in the office of the Secretary of State is beyond challenge.

Of course, the Speaker, as well as everyone else, has great respect for a decision of the Supreme Court of the United States, but a man does not have to forget everything he knows in order to pass on a parliamentary point, and the Chair knows and a great many others know that the Supreme Court has changed its opinion in days gone by and may do so in days to come. That was notably the case in the Legal Tender cases. Since the rendition of the cases cited the personnel of the Supreme Court has been changed almost completely.

What is the situation? Did the Senate by disagreeing to the Underwood amendment and receding from its own amendment clear up the whole matter? If so, where is the Underwood amendment. What is its status? The House passed it. The House has never receded from it, the two Houses have never come to an agreement on this proposition, and, therefore the Chair overrules the point of order made by the gentleman from Maine [Mr. HINDS]. The question is on concurring in the action of the Senate relating to Senate amendment 609.

Mr. SIMS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SIMS. If I caught the gentleman's motion, was it not to recede and concur in the action of the Senate?

Mr. UNDERWOOD. No; my motion was that the House concur in the action of the Senate.

Mr. SIMS. Without receding from its own action?

Mr. UNDERWOOD. The Senate disagreed to our amendment and receded from their own. My motion is that the House concur in the action of the Senate.

Mr. SIMS. I do not think the gentleman ought to put it in that shape, to concur in the action of the Senate. Those of us who are in favor of the Clarke amendment do not wish to concur in the Senate receding. I am perfectly willing to vote to recede and concur in the action of the Senate on the House substitute.

Mr. UNDERWOOD. I understand; but the gentleman from Tennessee at present is not making this motion.

Mr. SIMS. But I want to make such a motion.

Mr. FITZGERALD. Mr. Speaker, it is a very important matter, and it is for the gentleman from Alabama, if it is in order, to submit a motion that is in order upon which the House is to act and not on some action of the Senate. His motion must be something that applies to the so-called Underwood substitute to the Clarke amendment.

Mr. SIMS. Mr. Speaker, I make the point of order that we must recede from our own action before we can concur in the Senate's action on our substitute.

Mr. SHERLEY. Mr. Speaker, I would like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SHERLEY. If the motion of the gentleman from Alabama prevails, what becomes of the House amendment to the Senate amendment, it not having been acted upon by the House since the Senate's action?

The SPEAKER. The Chair thinks this motion of the gentleman from Alabama is equivalent to receding and concurring.

Mr. SIMS. Mr. Speaker, the other day the point was made that a motion to recede and concur was divisible, and we must first recede before we can concur by way of amendment or do anything else.

The SPEAKER. That would be true if a motion was made in that form.

Mr. SIMS. Then I want to make the point of order it must be made in that form to be in order.

The SPEAKER. The Chair overrules the point of order. [Applause.]

If the House will pardon the Chair for just one moment. There is no question whatever in the mind of the Chair that the last motion of the gentleman from Alabama removes even a shadow of doubt from the integrity of the passage of this bill. It is a bill of too vast importance to leave even the shadow of doubt upon it, and it should be so cautiously passed as to prevent skilled lawyers from picking flaws in this bill after it is passed. [Applause.]

Mr. UNDERWOOD. Mr. Speaker, the Chair stated the motion, I believe, that is pending?

The SPEAKER. Yes.

Mr. UNDERWOOD. Mr. Speaker, I desire to ask the gentleman from New York [Mr. PAYNE] whether he desires any time on the pending motion, because I do not desire to discuss the pending motion, and unless the gentleman from New York desires time I shall therefore move the previous question.

Mr. PAYNE. I do not think anyone here cares to discuss it, and I desire to say only one word myself.

Mr. UNDERWOOD. I yield the gentleman three minutes.

Mr. PAYNE. Mr. Speaker, I agree with the Speaker in what he has said, that it would be a calamity to have any litigation over the integrity of this bill. Whatever view I may take of it, I think the conditions will be a great deal worse if there are differences in the immediate future as to whether this bill was the law or whether the present law was the law in regard to the collection of import duties. [Applause.]

Mr. KELLY of Pennsylvania. Mr. Speaker——

Mr. UNDERWOOD. What time does the gentleman desire?

Mr. KELLY of Pennsylvania. I would like to yield 10 minutes——

[Cries of "Vote!"]

Mr. UNDERWOOD. Mr. Speaker, if the gentleman wants two minutes I will yield that to him.

Mr. KELLY of Pennsylvania. I have a request for 10 minutes from the gentleman from Michigan [Mr. MACDONALD].

Mr. UNDERWOOD. Mr. Speaker, I move the previous question on the motion.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] moves the previous question on his motion.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Alabama [Mr. UNDERWOOD].

The motion was agreed to.

[Loud applause on the Democratic side.]

On motion of Mr. UNDERWOOD, a motion to reconsider the vote by which the motion was agreed to was laid on the table.

LEAVE OF ABSENCE.

Mr. THOMAS, by unanimous consent, was granted an indefinite leave of absence.

WITHDRAWAL OF PAPERS.

Mr. TALCOTT of New York, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, papers in the case of Hannah M. Brodock (H. R. 21847, 62d Cong.), no adverse report having been made thereon.

PRINT OF TARIFF BILL.

Mr. UNDERWOOD. Mr. Speaker, the Speaker has just signed the tariff bill, and it will go to the President before night. I know that there will be a demand on every Member of the House for copies of this bill. I therefore ask for the present consideration of the resolution which I send to the Clerk's desk, providing for the printing of copies of the bill.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House concurrent resolution 19.

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of Congress 80,000 copies of the tariff law of 1913 in pamphlet form, indexed, with covers, to be apportioned as follows:

Thirty-five thousand copies for the use of the House of Representatives.

Twenty thousand copies for the use of the Senate.

Five thousand copies for the use of the Committee on Ways and Means of the House of Representatives.

Five thousand copies for the use of the Committee on Finance of the Senate.

Ten thousand copies for the use of the House document room.

Five thousand copies for the use of the Senate document room, and that the Public Printer be authorized to print for sale such copies of said law as in his discretion may be necessary.

Mr. EDWARDS. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Alabama a question as to how these are going to be distributed?

Mr. UNDERWOOD. It provides that most of them shall go into the folding room, a few of them into the document room, and some of them to the committees.

Mr. EDWARDS. I did not catch the reading of the resolution that stated they would be distributed through the folding room.

The SPEAKER. The House will be in order. The Clerk will read the resolution again.

Mr. UNDERWOOD. I will say to the gentleman that when a resolution does not specifically say where the copies shall go, they go to the folding room.

Mr. EDWARDS. And in that way they are prorated among the Members of the House?

Mr. UNDERWOOD. Yes.

Mr. EDWARDS. That is all right.

Mr. UNDERWOOD. There are a certain number of these that will go to the document room, but a greater part will go to the folding room, where each Member will have a share.

Mr. PALMER. It has been suggested to me that there will be a large demand for copies of the income-tax law from persons who have no interest in the tariff features of this bill. Would it not be possible and advisable to have a number of copies of the income-tax provision printed separately?

Mr. UNDERWOOD. I understood that under this resolution they could be printed separately from the general bill.

Mr. PALMER. How many of them could be printed separately?

Mr. UNDERWOOD. That would be discretionary with the printer.

Mr. PALMER. It could be done that way?

Mr. UNDERWOOD. They so informed me when I drew the resolution.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The question is on agreeing to the resolution.

The motion was agreed to.

On motion of Mr. UNDERWOOD, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

ADJOURNMENT UNTIL TUESDAY NEXT.

Mr. UNDERWOOD. Now, Mr. Speaker, I desire to ask unanimous consent that when the House adjourns to-day it adjourn to meet on Tuesday next.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that when the House adjourns to-day it adjourn to meet on Tuesday next. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE. Mr. Speaker, will not the gentleman from Alabama indicate whether any important business is expected to be transacted on that day?

Mr. UNDERWOOD. I understand that it is probable that the urgent deficiency bill will be back here by Tuesday.

Mr. MOORE. Is it contemplated that we shall run along on the three days' program, as usual?

Mr. UNDERWOOD. I had intended, when this proposition was agreed to, to propose a pact to the leadership on the other side of the House.

CONSERVATION EXPOSITION AT KNOXVILLE, TENN.

The SPEAKER. Some time ago the House authorized the Chair to appoint a committee to attend the Knoxville Conservation Exposition, which he did. The Chair desires to make the following announcement with reference to the members of that committee: He appoints Mr. STRINGER, of Illinois, in lieu of Mr. UNDERHILL, of New York; Mr. WHALEY, of South Carolina, in lieu of Mr. PEPPER, of Iowa; Mr. ADAMSON, of Georgia, in lieu of Mr. JONES, of Virginia; Mr. MCKELLAR, of Tennessee, in lieu of Mr. KONOP, of Wisconsin; Mr. JOHNSON, of Washington, in lieu of Mr. WOODS, of Iowa; and Mr. RAKER, of California, in lieu of Mr. HAMLIN, of Missouri. Those names will be inserted in the RECORD.

ENGINEERS' REPORT UPON FLOODS IN THE OHIO RIVER (H. DOC. NO. 246.)

Mr. BATHRICK. Mr. Speaker, I desire to ask unanimous consent that there be printed as many copies of the report of the United States engineers upon the Ohio flood situation as can be printed under the $500 limit.

The SPEAKER. The gentleman from Ohio [Mr. BATHRICK] asks unanimous consent to print as many copies of the report of the engineers on the Ohio flood situation as can be printed under the $500 limit. Is there objection?

Mr. ELDER. Reserving the right to object, Mr. Speaker, I want to say that the reason why I objected yesterday to this same request was that all the copies were to go to the document room and none to the folding room. On account of the present situation, where the Members are arranging to leave, most of them intending to go to the West Virginia district, I wish to say that I shall not insist upon my objection to-day; but I will say now that hereafter at any time I am on the floor, unless a reasonable proportion of these documents goes to the folding room, where all the Members can get some of them, I shall object. The reason for it is this: Since I have been here, at least, a few Members, when they go to the document room, go there and gobble up the entire edition, and others when they desire to procure copies can not get any of them. I think it is an unfair way to distribute such documents.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

MIGRATORY BIRDS.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to have printed as a House document as many copies of the Government rules regarding the right to kill migratory birds as can be printed under the usual limit. Many requests are coming from California and elsewhere for that document. Inasmuch as the law affects the game law of the State, and the national law is supreme, people want to know what they have to do.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent to have printed as many copies as can be printed under the $500 limit of the law relating to migratory birds.

Mr. FITZGERALD. Mr. Speaker, I call attention to the fact that unless an order be adopted, a mere request for unanimous consent will not print anything. The gentleman must have an order of the House. A request for unanimous consent is not effective.

The SPEAKER. Does the gentleman from New York object?

Mr. FITZGERALD. No; I do not object. I was just stating the fact.

Mr. GARNER. Mr. Speaker, reserving the right to object, I want to make an inquiry of the gentleman from California whether he has gone to the Agricultural Department to get copies of this law that he speaks of?

Mr. RAKER. In answer to the gentleman from Texas, I may say that one can get some few copies there; but there are numerous requests coming in from people who want to go to California to hunt, and we want to be able to inform them about the law in regard to it.

Mr. MOORE. Mr. Speaker, I object.

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] objects.

ORDER OF BUSINESS.

Mr. UNDERWOOD. Mr. Speaker, the Members of the House on both sides have been working here all summer doing their duty. I believe they are tired. I think it will be some time before the currency bill will come back from the Senate. I would like to see if we can enter into a pact with the gentlemen on the other side of the House for an agreement to do no business except pass the urgent deficiency bill for a certain length of time, three or four weeks.

Mr. FITZGERALD. Mr. Speaker, I wish to say to the gentleman from Alabama and the Members on this side of the House that a quorum will probably be required to pass the urgent deficiency bill. There are certain matters in it, inserted by the Senate, in which Members on this side are vitally interested, and I believe the presence of a quorum will be required.

Mr. GARNER. The gentleman from New York suggests that there will have to be a quorum here to pass the urgent deficiency bill. I suspect that if the gentleman gets that quorum he will have to call Members back here. It has been quite difficult to keep a quorum here to pass the tariff bill.

Mr. FITZGERALD. Other Members are interested more than I am in what is in the bill. The Senate committee has recommended one amendment which takes from the classified service deputy marshals and deputy collectors required by law or regulation to give bond. [Applause on the Democratic side.] I am inclined to believe that Members will be required to vote upon that proposition, and unless there is a quorum here the bill will not pass.

Mr. PAYNE. I want to supplement what the gentleman says. If that amendment is in the bill when it comes here, it will not be passed without a record vote, if I can get a record vote on it.

Mr. BARTLETT. The amendment will be in the bill when it comes here, in all probability.

Mr. GARNER. The result will be that when the bill comes back into the House there will not be a quorum here. There are enough gentlemen in this Hall now who have made arrangements to go home and who, in my judgment, are entitled to go home. There will not be a quorum here next Tuesday. Now, I want to suggest to the gentleman from Alabama that if there is a quorum here next Tuesday, with the knowledge that after that there will be no necessity for the House to meet for 30 days, why can not this House take a recess for 30 days and give the membership an opportunity to go home?

Mr. UNDERWOOD. The reason we can not is that the Senate will not pass such a resolution.

Mr. GARNER. Has the gentleman submitted that matter to the Senate for the purpose of ascertaining that fact?

Mr. UNDERWOOD. I am satisfied, from information I get——

Mr. GARNER. I would like to put that up to the Senate and let them say whether they want to keep us here while they are doing the work it is necessary for them to do.

Mr. UNDERWOOD. If the gentleman will communicate with the Senate and can bring to me assurances that they will agree to it, I am sure I shall be in accord with it.

Mr. GARNER. It would not humiliate the House very much to pass a resolution and send it over to them officially and give them an opportunity to pass on it.

Mr. UNDERWOOD. I think it can be ascertained without that difficulty.

The SPEAKER. What is the request of the gentleman from Alabama?

Mr. PAYNE. I want to suggest to the gentleman that he defer this matter until next Tuesday. In the meantime, I would like to have some conversation with him on the subject. There are some reasons why I can not consent to it this morning.

Mr. UNDERWOOD. The gentleman states that he can not consent to the arrangement to-day and asks that it be deferred until Tuesday or later. I therefore withdraw the request.

LEAVE TO EXTEND REMARKS.

Mr. HARDY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the currency question.

The SPEAKER. The gentleman from Texas [Mr. HARDY] asks unanimous consent to extend his remarks in the RECORD on the currency question. Is there objection?

There was no objection.

RHETTA WILLIAMS.

Mr. BELL of Georgia. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Georgia asks unanimous consent for the present consideration of a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 274.

Resolved, That the Clerk of the House is hereby authorized and directed to pay to Miss Rhetta Williams the sum of $125 for services rendered during the month of September, 1913, as clerk of Hon. S. A. Roddenbery, late a Member of the House from the second congressional district of the State of Georgia.

With the following amendment:

Line 6, after the word "Georgia," insert the following: "The same to be paid out of the contingent fund of the House; and House resolution No. 264 adopted September 27, 1913, is hereby repealed."

The SPEAKER. Is that a committee amendment?

Mr. BELL of Georgia. No.

The SPEAKER. The Chair will state to the House that this resolution as first read was passed by the House some time ago and that the officer refuses to pay the money on it because it did not appropriate it out of the contingent fund. The proposed amendment is to make it payable out of the contingent fund, and also to repeal the other resolution. The Chair had that repealing clause added so as to remove any doubt about there being two resolutions adopted for the payment of the same sum of money to the same person. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

INCOME TAX.

Mr. PALMER. Mr. Speaker, I am clear that the resolution offered by the gentleman from Alabama [Mr. UNDERWOOD] providing for copies of the tariff law permits no discretion on the part of the Public Printer. He will be required to print the entire bill, and House officials who have had experience in the matter confirm that. I therefore ask unanimous consent for the present consideration of the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House concurrent resolution 20.

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of Congress 30,000 copies of the income-tax section of the tariff law of 1913, in pamphlet form—20,000 copies for the use of the House of Representatives and 10,000 copies for the use of the Senate; and that the Public Printer be authorized to print for sale such copies of said income-tax section of such law as in his discretion may be necessary.

Mr. PAYNE. Mr. Speaker, reserving the right to object, I would suggest to the gentleman that I have understood from the public prints that the Secretary of the Treasury or the Commissioner of Internal Revenue, or both, were about to print copies of the income-tax section of the law, with directions to individuals, interpreting the law and presenting, probably, forms for their application. It seems to me that if that is correct, it would be better in this connection to print the whole thing than to print simply the income-tax sections, because the gentleman will probably agree that it requires a legal mind to interpret exactly what the income-tax provisions are.

Mr. PALMER. Undoubtedly the Treasury Department will prepare and print regulations governing the collection of the tax, but my thought is that the demand upon Members will be supplied by having the income-tax section printed by itself.

Mr. PAYNE. I have no objection to that, but I think it will be better to have the two things coupled.

Mr. PALMER. I think it might be desirable, but I do not know what that is or how large it is or of what it consists. I would not like to put it into this resolution without knowing.

Mr. PAYNE. Would not the gentleman consider a proposition to let it go over until next Tuesday, in which time he might consult the Treasury Department?

Mr. PALMER. I should not personally have any objection, but we may not have a quorum here at that time, and we may not be able to do anything. That could be done by another resolution.

Mr. PAYNE. It would have to be done by unanimous consent then, as now, of course.

Mr. PALMER. I think this ought to go through now.

Mr. PAYNE. I am not going to make any captious objection.

Mr. PALMER. If the Treasury Department prints such a thing, it can easily be published as a public document for distribution.

Mr. PAYNE. I shall make no objection.

Mr. ELDER. I would like to ask the gentleman where these cordes go?

Mr. PALMER. I understand under the statute they go to the folding room.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

On motion of Mr. PALMER, a motion to reconsider the vote by which the resolution was passed was laid on the table.

SPEAKER PRO TEMPORE TUESDAY.

The SPEAKER. The Chair designates Mr. SHERLEY, of Kentucky, to preside on next Tuesday.

CLERK TO COMMITTEE ON ENROLLED BILLS.

Mr. SMITH of Texas. Mr. Speaker, I desire to present a privileged report from the Committee on Accounts.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 255.

Resolved, That the Committee on Enrolled Bills be allowed a clerk at the rate of $6 per day for such time as is needed during the remainder of the first session of the Sixty-third Congress, said clerk to be paid out of the contingent fund of the House of Representatives on certification of the chairman of said committee that service has actually been rendered and the number of days of said service.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 1, line 2, strike out the words "allowed a" and insert in lieu thereof the words "authorized to appoint an additional," so that it will read, "That the Committee on Enrolled Bills be authorized to appoint an additional clerk at the rate of $6 per day," etc. Line 6, after the word "that," insert the word "such," and after the word "service," insert the words "was necessary and," so that it will read, "to be paid out of the contingent fund of the House of Representatives on certification by the chairman of said committee that such service was necessary and has actually been rendered and the number of days of said service."

Mr. FOSTER. Mr. Speaker, I would like to inquire of the gentleman for what purpose the Committee on Enrolled Bills needs an additional clerk for the balance of this session when practically all the bills that will be passed have been passed up to this time, and it is generally understood among the Members of the House now that for the balance of this session up to the 1st of December there will be very few bills that will become law necessary to be enrolled, and I do not believe——

Mr. SMITH of Texas. I will state to the gentleman that is true; but this tariff bill that is now to be enrolled——

Mr. FOSTER. It has already been enrolled, I will say to the gentleman, and it has been signed by the Speaker and will go to the President in a very few hours.

Mr. SMITH of Texas. I did not know that, and if that is true——

Mr. GARNER. It has been signed and——

Mr. FOSTER. It may have been necessary before, but I do not believe it is now.

The SPEAKER. The Chair would like to make this statement and have the resolution changed so as to fit, even though it is rather unusual procedure for the Chair to take. The chairman of the Committee on Enrolled Bills came to the Chair three or four days ago or four or five days ago and said it was absolutely necessary to have an additional man to enroll this tariff bill in any reasonable time, and the chairman of the Committee on Accounts had gone and it seemed impossible to get a meeting of the committee, and the Chair told him to go on and employ the man for the number of days necessary and that the House would take care of him; and if it does not, the Chair will take care of the matter himself.

Mr. FOSTER. Mr. Speaker, I think the Speaker did exactly right in the case, and I believe the House will be perfectly willing to pay whatever has been necessary to have this bill enrolled; but as I understood the resolution, it gave the right to employ him in the future.

The SPEAKER. That is true in reference to this resolution.

Mr. GARNER. Why not amend the resolution, Mr. Speaker, so as to cover the identical services rendered which have been authorized by the Speaker—reimburse him for whatever has been paid out extra on account of the enrollment of the tariff bill.

The SPEAKER. The Chair will suggest, if the gentleman will permit, to let the entire matter go over until Tuesday.

Mr. SMITH of Texas. Mr. Speaker, in view of the statement of the gentleman from Illinois about the enrollment of the tariff bill I will ask for the present to withdraw this resolution.

The SPEAKER. The gentleman from Texas withdraws the resolution. The Chair has been requested to state from the chair that it is very desirable and even necessary to have a quorum here next Tuesday for the transaction of public business. [Applause.]

DEMOCRATIC CAUCUS RULES.

Mr. MOORE. Mr. Speaker, in the interest of history—and we have made history to-day in the passage of what is probably the lowest tariff bill ever passed—I ask unanimous consent to insert in the RECORD as a part of my remarks the Democratic caucus rules under which this work was so successfully done.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to publish in the CONGRESSIONAL RECORD the caucus rules of the Democratic Party in the House of Representatives. Is there objection?

Mr. ELDER. I object.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 132. Joint resolution authorizing the Secretary of Agriculture to make an exhibit at the Sixth National Corn Exposition to be held at Dallas, Tex., during the month of February, 1914.

ENROLLED BILLS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 3321. An act to reduce tariff duties and to provide revenue for the Government, and for other purposes;

H. R. 7875. An act to increase the limit of the public building at Augusta, Ga.;

H. R. 6378. An act to authorize Robert W. Buskirk, of Matewan, W. Va., to bridge the Tug Fork of the Big Sandy River at Matewan, Mingo County, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky;

H. R. 7469. An act to authorize the construction, maintenance, and operation of a bridge across the Little River at or near Lepanto, Ark.;

H. R. 6635. An act to authorize the county of Hamilton, in the State of Tennessee, to construct a bridge across the Tennessee River at Chattanooga, in the State of Tennessee;

H. R. 1681. An act to extend the time for constructing a bridge across the Red Lake River in township 153 north, range 40 west, in Red Lake County, Minn.;

H. R. 1985. An act to authorize the county of Aitkin, Minn., to construct a bridge across the Mississippi River in Aitkin County, Minn.;

H. R. 7596. An act to increase the limit of cost of the United States post-office building at Beloit, Kans.;

H. R. 7472. An act authorizing Beaufort and St. Helena Townships, Beaufort County, S. C., to construct, maintain, and operate a bridge and approaches thereto across Beaufort River in Beaufort County, S. C.;

H. R. 5891. An act authorizing the construction of a bridge across White River at Newport, Ark.;

H. R. 7470. An act to authorize the construction, maintenance, and operation of a bridge across Black River at or near the section line between sections 8 and 9, in township 20 north, range 5 east, being a short distance south and east of the town of Corning, Clay County, Ark.; and

H. R. 6582. An act to authorize the city of Fairmont to construct and operate a bridge across the Monongahela River at or near the city of Fairmont, in the State of West Virginia.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1.54 p. m.) the House, under its previous motion, adjourned until Tuesday, October 7, 1913, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MOORE: A bill (H. R. 8732) to increase the number of Daily Consular and Trade Reports; to the Committee on Printing.

By Mr. CLAYTON: A bill (H. R. 8733) for the prevention of fraud in certain pension cases, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 8734) to amend an act entitled "An act to prevent the disclosure of national-defense secrets," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. AIKEN: A bill (H. R. 8735) to provide for the appointment of a district judge, a district attorney, and a marshal for the western judicial district of South Carolina; to the Committee on the Judiciary.

By Mr. TAYLOR of New York: A bill (H. R. 8736) to regulate the payment of salaries of post-office clerks in first and second class post offices, and letter carriers in the City Delivery Service; to the Committee on the Post Office and Post Roads.

By Mr. McCOY: Resolution (H. Res. 272) authorizing the Clerk of the House to pay Florence E. Quigley, widow of Thomas Quigley, funeral expenses of the said Thomas Quigley, late captain of the Capitol police; to the Committee on Accounts.

By Mr. RAKER: Resolution (H. Res. 273) relative to navigation in Alaskan waters; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRISON: Joint resolution (H. J. Res. 135) authorizing and requesting the President of the United States to invite the Governments of Great Britain and other countries to appoint representatives to join representatives of the United States to consider the question of eliminating the gambling features of the cotton exchanges in such countries; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLANCY: A bill (H. R. 8737) granting a pension to Frank Murphy; to the Committee on Pensions.

Also, a bill (H. R. 8738) granting a pension to Nellie S. Burns; to the Committee on Pensions.

Also, a bill (H. R. 8739) granting a pension to Charles F. Walker; to the Committee on Pensions.

By Mr. FAISON: A bill (H. R. 8740) granting a pension to George H. Boland; to the Committee on Pensions.

By Mr. FESS: A bill (H. R. 8741) granting a pension to Catherine A. Crainer; to the Committee on Invalid Pensions.

By Mr. GRIEST: A bill (H. R. 8742) granting an increase of pension to James Swegar; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 8743) granting a pension to Charles G. Ashby; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 8744) granting an increase of pension to John Boler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8745) granting an increase of pension to Alice O. Crippen; to the Committee on Invalid Pensions.

By Mr. RICHARDSON: A bill (H. R. 8746) for the relief of heirs of John C. McMahen, deceased; to the Committee on War Claims.

By Mr. SELDOMRIDGE: A bill (H. R. 8747) granting an increase of pension to Carrie E. Finch; to the Committee on Invalid Pensions.

By Mr. STONE: A bill (H. R. 8748) granting an increase of pension to Carrie A. Briggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8749) granting an increase of pension to Andrew F. Sewards; to the Committee on Invalid Pensions.

By Mr. TEN EYCK: A bill (H. R. 8750) granting a pension to Rosella Magee; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CLANCY: Petition of Isaac and Helen Webb, Camillus, N. Y., favoring the passage of House bill 4981 to prevent the misbranding of goods; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petition of the San Francisco Chamber of Commerce, San Francisco, Cal., relative to improving and making safer navigation in Alaskan waters; to the Committee on Interstate and Foreign Commerce.

By Mr. RICHARDSON: Papers to accompany bill for the relief of the heirs of John C. McMahen, of Lauderdale County, Ala.; to the Committee on War Claims.

By Mr. ROUSE: Petition of citizens of the sixth congressional district of Kentucky favoring the passage of legislation compelling concerns selling goods direct to the consumer by mail to contribute their portion of the funds for the development of the local community, county, and State; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITACRE: Petition of employees of the Roll and Machine Works, American Sheet & Tin Plate Co., Canton, Ohio, protesting against the dissolution of the United States Steel Corporation; to the Committee on the Judiciary.

SENATE.

SATURDAY, *October 4, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Vice President being absent, the President pro tempore took the chair and directed that the Journal be read.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. OVERMAN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. OVERMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from North Carolina suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Myers	Simmons
Bacon	Hollis	Nelson	Smith, Ariz.
Bankhead	Hughes	Norris	Smith, Ga.
Borah	Jackson	O'Gorman	Smith, S. C.
Bradley	James	Overman	Swanson
Brandegee	Johnson	Owen	Thomas
Bristow	Jones	Perkins	Thompson
Bryan	Kern	Pittman	Thornton
Burton	La Follette	Poindexter	Tillman
Chamberlain	Lane	Pomerene	Vardaman
Chilton	Lea	Reed	Walsh
Clarke, Ark.	Lewis	Shafroth	Weeks
Crawford	Martin, Va.	Sheppard	Williams
Gore	Martine, N. J.	Shields	

Mr. BRYAN. My colleague [Mr. FLETCHER] is necessarily out of the city on important public business. I make this announcement for the day.

Mr. GRONNA. I wish to announce that my colleague [Mr. MCCUMBER] is unavoidably absent on important business.

Mr. THORNTON. I announce the necessary absence of my colleague [Mr. RANSDELL] from the Capital.

Mr. SHEPPARD. My colleague [Mr. CULBERSON] is unavoidably absent. He is paired with the Senator from Delaware [Mr. DU PONT]. This announcement may stand for the day.

Mr. JONES. I desire to announce that the junior Senator from Michigan [Mr. TOWNSEND] is absent on important Government business. I make this announcement for the day.

Mr. KERN. I desire to announce that my colleague [Mr. SHIVELY] is detained from the Senate on account of illness, and he was so detained yesterday afternoon.

Mr. HOLLIS. I was requested to announce that the junior Senator from Delaware [Mr. SAULSBURY] is unavoidably absent from the city. He is paired with the junior Senator from Rhode Island [Mr. COLT]. This announcement will stand for the day.

The PRESIDENT pro tempore. Fifty-five Senators have answered to their names. A quorum of the Senate is present.

Mr. OVERMAN. I believe the first amendment pending to the deficiency bill is what is known as the Walsh amendment.

The PRESIDENT pro tempore. The morning business has not been transacted.

Mr. OVERMAN. I ask unanimous consent to dispense with morning business.

The PRESIDENT pro tempore. If there be no objection, the morning business will not be called at this time. The Chair hears no objection.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had, on October 3, 1913, approved and signed the following acts:

S. 99. An act to fix the times and places of holding district court for the district of Arizona;

S. 2254. An act to amend chapter 1, section 18, of the Judicial Code; and

S. 2727. An act to create an additional land district in the State of Nevada.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. OVERMAN. I ask the Senate to resume the consideration of House bill 7898, the urgent deficiency appropriation bill.

The PRESIDENT pro tempore. The Senator from North Carolina asks unanimous consent that the Senate proceed to the consideration of House bill 7898. Is there objection?

There being no objection, the Senate resumed the consideration of the bill (H. R. 7898) making appropriations to supply urgent deficiencies for the fiscal year 1913, and for other purposes.

Mr. OVERMAN. I ask unanimous consent that the clerks may be authorized to correct the totals after the passage of the bill. Certain amendments have been made to the bill which changed the totals as the bill came from the committee.

The PRESIDENT pro tempore. The Senate has heard the request of the Senator from North Carolina. Is there objection? The Chair hears none, and it is so ordered. The Secretary will state the pending question.

The SECRETARY. The pending question is upon concurring in the Senate in the amendment made as in Committee of the Whole, proposed by the Senator from Minnesota [Mr. NELSON], as modified by the Senator from Montana [Mr. WALSH].

Mr. OVERMAN. I ask unanimous consent to vacate the order for the yeas and nays granted last night.

The PRESIDENT pro tempore. The Senator from North Carolina asks unanimous consent that the order directing that the yeas and nays be called on the adoption of this amendment be vacated. Is there objection? The Chair hears none, and it is so ordered. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

The PRESIDENT pro tempore. The bill is in the Senate and still open to amendment.

Mr. OVERMAN. I have a short amendment from the committee to offer which I will ask the Secretary to read.

The PRESIDENT pro tempore. The Secretary will read the amendment.

The SECRETARY. In the amendment offered by the Senator from Indiana [Mr. KERN] and adopted it is proposed to insert, before the word "borne," the words "and the employees on the maintenance roll of the Senate Office Building."

The PRESIDENT pro tempore. The pending amendment will necessitate a reconsideration of the amendment heretofore adopted. Unless there is objection such will be the order. The Chair hears none, and it is so ordered. The amendment proposed by the Senator from North Carolina will be again stated.

The SECRETARY. Before the word "borne" insert "and the employees on the maintenance roll of the Senate Office Building" and a comma.

The PRESIDENT pro tempore. Unless there is objection the amendment will be agreed to. The Chair hears none, and it is agreed to. The amendment as amended will now be agreed to, unless there is objection. The Chair hears none, and it is agreed to.

Mr. OVERMAN. I think that finishes the bill.

The PRESIDENT pro tempore. Unless there be further amendments the amendments will be ordered to be engrossed and the bill to be read a third time.

Mr. LANE. Mr. President, I have listened with much interest to the arguments which have been presented here upon the question whether Congress has or has not the constitutional right to abolish the Commerce Court. Also to the contention that, once having authorized the appointment of the judges of said court, it is the duty of Congress to refrain from any action which would deprive them of their positions of trust as the representatives of this Government, it being urged that to do so would be unfair treatment meted out to men who had been led to believe that their tenure of office was to continue during the period of their natural lives, and I do not wish to vote upon this question without first having given my reasons for voting to abolish the Court of Commerce.

It is urged as one argument in favor of retaining the court that but once in the history of this Government has action of a like character been taken by Congress, and ever since that time the lawyers of this country have only dared to refer to it on rare occasions and then only with averted heads and bated breath.

Not being a member of that learned profession, I find myself not only unable to properly appreciate the full enormity of that act but ingiously filled with a sense of satisfaction in learning that some one did actually do something which caused a blush to mantle their cheeks.

Laying aside any expression of personal feeling in the matter, however, it seems to me that the question is a simple one and easy of solution. We as members of this body are merely the agents of the people of this country. Acting as their agents, we have the constitutional right, and it is our duty as well, to create as many courts of this kind as are required to meet the needs of the people. By the same token we have not only the same constitutional right, but also it is our duty to abolish any and all of such courts whenever it is for the best interests of the people of this country for us to do so.

It is a question of whether or not it is best for us to do so. No personal motives or question of personal emotions of benevolence or prejudice either for or against the court or the judges should be allowed to weigh with us in deciding the question.

If the members of the court, by the acts of the Congress, have been placed in a position whereby they will suffer personal loss if the court is abolished, it is unfortunate, and it may be that they should be retired on pension. In the last analysis, however, the interests of the people of this country are the only ones which are or can be legitimately concerned, and I deprecate the idea that any personal feeling of benevolence should cause us to continue any man or set of men in office at the expense of the people of this country after those people have expressed their wish to be rid of their services.

The suggestion that impeachment provides a proper remedy for the situation does not appeal to me, for the reason that it is a remedy which it is almost impossible to apply. As agents of the people it is our imperative duty to exercise our full authority to speedily create courts when needed and to as speedily abolish them when they become either unnecessary or inimical to the welfare of the country.

At this time in the history of the country, when the courts are coming to be viewed by many honest people with questioning glances, to say the least, it is our duty to all honorable courts, in order that they may retain the high estate of respect and honor which is due them, and the retention of which means so much to the liberties of the people, that we free them from the odium and the burden which unnecessary, arbitrary, and unjust courts place upon them.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill was read the third time.

Mr. VARDAMAN obtained the floor.

Mr. BRANDEGEE. Will the Senator from Mississippi kindly yield to me?

Mr. VARDAMAN. With a great deal of pleasure.

Mr. BRANDEGEE. I would like to have the attention for a minute of the Senator from North Carolina in charge of the bill, in relation to the order that was passed by the Senate last night that the Sergeant at Arms be directed to procure the attendance of Senators who are out of town. Telegrams are being received constantly by the secretaries of absent Senators asking them if it is absolutely necessary for them to come here. I am informed that there is some prospect that the bill can be passed without the question of a quorum being raised, and the order should be vacated if it is no longer necessary.

Mr. OVERMAN. In a few minutes the Senator will have the information he wants.

Mr. BRANDEGEE. It will be a great convenience to absent Senators.

Mr. OVERMAN. If the Senator will wait a few minutes, he will have that information.

Mr. VARDAMAN. Mr. President, I was absent from the Chamber and I rise for the purpose of asking what disposition was made of the amendment moved by the Senator from Montana [Mr. WALSH].

The PRESIDENT pro tempore. The amendment offered by the Senator from Minnesota [Mr. NELSON] as modified by the Senator from Montana [Mr. WALSH] has been adopted and is now a part of the bill.

Mr. VARDAMAN. What is the attitude of the bill?

The PRESIDENT pro tempore. The question is on the final passage of the bill. It has been read the third time, and the question is, Shall the bill pass?

Mr. VARDAMAN. Mr. President, I am not going to consume much of the time of the Senate this morning in the discussion of this measure, but I can not support this bill with the amendment which perpetuates the tenure of the judges of the Commerce Court. The court, I understand, has been abolished, but the judges who formed the court and who were the offensive feature of that much discredited tribunal are to be retained and kept upon the pay roll of the Government. Now, we may dispute as to the right of the Congress to legislate a judge out of office save by impeachment proceedings, but there is no ground for disputation on the question as to the duty of the Congress; if Congress has the power to do so, in removing the officer after the function which he was appointed to perform has been abolished.

It was stated by the distinguished Senator from New York [Mr. O'GORMAN] yesterday that these men ought to be retained in the service of the Government because some of them made sacrifices in accepting the places, and now to be parted from the pay roll would be an act of injustice. I would not be unjust to anyone, but the injustice was done when this court failed of the purpose of its creation. It is a self-imposed penalty, for which this Senate is in no way responsible.

I was very much amused when the distinguished Senator, in commending the personnel of the Commerce Court, stated that it was inconceivable that the President of the United States would name a man for this place who would misuse its functions in any way, when, as a matter of fact, the echoes from

the impeachment trial of one of the members of that court had not died out in this Hall, wherein that distinguished gentleman referred to by the Senator from New York had been convicted and put out of office.

My friend the learned Senator from Illinois [Mr. LEWIS] was not in favor of retaining in the service the members of the Commerce Court if the court had not been abolished, but since their power for harm has been minimized by the abolition of the court and these men consigned to the limbo of "innocuous desuetude" he is in favor of retaining them.

Mr. President, a public office is a public trust and not a private perquisite. When the functions of the office to which these men were appointed have been destroyed their use to the Government no longer exists, and no Senator can justify his vote in retaining them on the pay roll after the office has been abolished. I am going to vote against this bill for another reason, namely, the appropriation of $25,000 to make preliminary plans for a memorial bridge across the Potomac River. There is no necessity for this bridge, and I deem it an unwarranted prodigality of the public funds.

I am going to vote against the bill because of an appropriation it contains of $7,000 to buy an automobile for the Vice President. I do not believe it is the duty of the Government of the United States to furnish automobiles and other luxuries for its officers, with the possible exception of the President. I think the time has come when these unnecessary expenditures should cease. I want to go back to the old Democratic simplicity of Thomas Jefferson. I believe in the reduction of expenditures in all public matters to the necessities of the Government.

Now, I do not want to do anything distasteful to the Senators who are in charge of this bill. There seems to be a disposition here to pass it. While I disapprove of it most heartily, I am not going to use dilatory tactics to prevent its passage, and therefore shall not insist upon a roll call.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

The bill was passed.

PETITION.

Mr. PERKINS presented a petition of the Commercial Club of Oakland, Cal., praying for additional aids to navigation in Alaskan waters, which was referred to the Committee on Commerce.

ADOLPH UNGER.

Mr. CHAMBERLAIN. From the Committee on Military Affairs I report back favorably without amendment the joint resolution (H. J. Res. 111) to authorize the reinstatement of Adolph Unger as a cadet in the United States Military Academy, and I submit a report (No. 119) thereon. I ask unanimous consent for the present consideration of the joint resolution.

The joint resolution has been passed by the House. It provides for the readmission of the young man named therein to the Military Academy. It is desirable, if he can be entered, that it be done just as soon as possible.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Oregon for the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. CHAMBERLAIN. I move that the joint resolution S. J. Res. 62, which is identical with the House joint resolution just passed, be indefinitely postponed.

The motion was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES:

A bill (S. 3195) granting a pension to Victoria A. Parsons; to the Committee on Pensions.

By Mr. BANKHEAD:

A bill (S. 3196) for the relief of heirs or estate of John C. McMahen, deceased (with accompanying paper); to the Committee on Claims.

FLOOD CONTROL OF THE MISSISSIPPI RIVER (S. DOC. NO. 204).

Mr. THORNTON. At the request of my colleague from Louisiana [Mr. RANSDELL], I ask unanimous consent for the printing as a Senate document of a report of the engineer of the Mississippi River Commission made to the Chief of Engineers of the United States Army by instruction of the Chief of Engineers in connection with flood prevention in the Mississippi River. Attached to it is a copy of an address by Col. C. McD. Townsend on the flood control of the Mississippi River, which has already been published as a Senate document, but which is referred to and which makes this report more comprehensible; also a copy of another address by Col. C. McD. Townsend, president of the Mississippi River Commission, on the flood control of the Mississippi River and delivered before the National Drainage Congress at St. Louis, Mo. The report and addresses are linked together, and for that reason it is desired that they be printed, with the illustrations, as a single Senate document.

The PRESIDENT pro tempore. The Senator from Louisiana asks unanimous consent that certain papers, together with the illustrations, be printed as a public document. Is there objection? The Chair hears none, and the order is entered.

SAN FRANCISCO WATER SUPPLY.

Mr. PITTMAN. I move that the Senate proceed to the consideration of House bill 7207.

Mr. CHAMBERLAIN. I ask for order, Mr. President. It is impossible to hear what is going on.

The PRESIDENT pro tempore. The Chair admonishes Senators to preserve order.

Mr. PITTMAN. Mr. President——

The PRESIDENT pro tempore. The Senator from Nevada.

Mr. BRANDEGEE. Mr. President, I rise to a question of order. The Senator from Nevada, as I understand, has moved that the Senate proceed to the consideration of a certain bill. That motion, as I understand, is not debatable.

The PRESIDENT pro tempore. Nobody is debating it, as the Chair understands.

Mr. BRANDEGEE. I call for the regular order.

The PRESIDENT pro tempore. The motion of the Senator from Nevada is the regular order.

Mr. BRISTOW. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Kansas?

Mr. PITTMAN. I do.

Mr. BRISTOW. May I make a suggestion to the Senator from Nevada?

Mr. PITTMAN. I yield for that purpose, with pleasure.

Mr. BRISTOW. I desire to state that it will be impossible to dispose of the matter referred to by the Senator from Nevada to-day. There will be a lengthy debate on it, and it does not seem to me that it is fair to the Senate, tired and worn as it is, to precipitate a controversy at this time in regard to this matter. I simply want to ask the Senator from Nevada not to impose upon a worn-out Senate at this late period after such a long——

Mr. KERN. Mr. President, there is so much confusion immediately in the rear of the Chamber that we can not hear one word that is being said. This confusion has continued all the morning.

The PRESIDENT pro tempore. The Chair has no power to compel Senators to observe the rules and to keep order. The Chair can only admonish them that other Senators insist that they shall do so; and the Chair indicates that to the Senate very emphatically, and hopes that they will observe it. The Senator from Kansas will proceed.

Mr. BRISTOW. Mr. President, I was merely suggesting to the Senator from Nevada [Mr. PITTMAN] that the bill moved by him will precipitate a long debate. There is a great deal of objection to this measure throughout the country, and it is not fair to a tired and worn Senate, struggling as we have been for months and months here and late at night for two nights, to precipitate this matter on this Saturday afternoon. So I hope the Senator will not insist upon his motion being put.

Mr. PITTMAN. Mr. President, I should like to comply with the request of the Senator from Kansas. I know the bill involves an important question.

The PRESIDENT pro tempore. Let the title of the bill indicated by the Senator from Nevada be read to the Senate, so that the Senate may understand what the request is.

The SECRETARY. A bill (H. R. 7207) granting to the city and county of San Francisco certain rights of way in, over, and through certain public lands, the Yosemite National Park, and Stanislaus National Forest, and certain lands in the Yosemite National Park, the Stanislaus National Forest, and the public lands in the State of California, and for other purposes.

Mr. PITTMAN. Mr. President, this is the bill that is known as the Hetch Hetchy bill, a bill to provide a right of way for carrying water from the Hetch Hetchy Valley to San Francisco. I know there will be some debate on the bill, but I do not think that the Senator from Kansas is right as to the extensiveness of the debate. I think that if the debate——

The PRESIDENT pro tempore. The Chair desires to call the attention of the Senator from Nevada to the rule of the Senate

which provides that a motion to proceed to the consideration of a bill before 2 o'clock is not debatable.

Mr. PITTMAN. I am not debating that question. I was only——

The PRESIDENT pro tempore. The Senator can not debate anything until his motion is disposed of. The question is on the adoption of the motion made by the Senator from Nevada that the Senate proceed to the consideration of House bill 7207. [Putting the question.] The Chair is in doubt.

Mr. BRANDEGEE. I ask for the yeas and nays, Mr. President.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

The PRESIDENT pro tempore. The Secretary will suspend. There is unusual disorder prevailing this morning in the Chamber, which the Chair is wholly unable to account for. If Senators do not desire that business be conducted in such a way that it can be understood, let them say so in some definite form. The Chair admonishes them to preserve order. The Secretary will proceed with the roll call.

Mr. CHAMBERLAIN. It is impossible to hear even what the President pro tempore says.

The Secretary resumed the calling of the roll.

Mr. SHAFROTH (when his name was called). I am paired with the junior Senator from the State of California [Mr. WORKS] and therefore withhold my vote.

Mr. SMITH of Georgia (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. LODGE]. I only have the right to vote in case my vote is necessary to make a quorum. I therefore refrain from voting at present.

Mr. WILLIAMS (when his name was called). I inquire if the senior Senator from Pennsylvania [Mr. PENROSE] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not.

Mr. WILLIAMS. I have a pair with that Senator, and for the present I will withhold my vote, but there is an understanding that I may vote when it is necessary to make a quorum. If later on that fact develops, I shall avail myself of the privilege of voting.

The roll call was concluded.

Mr. O'GORMAN. I have a general pair with the senior Senator from New Hampshire [Mr. GALLINGER]. I transfer that pair to the senior Senator from Indiana [Mr. SHIVELY] and vote "yea."

Mr. SHAFROTH. I transfer my pair with the junior Senator from California [Mr. WORKS] to the senior Senator from Maryland [Mr. SMITH] and vote "yea."

Mr. WALSH (after having voted in the affirmative). I voted inadvertently, without announcing my pair with the senior Senator from Rhode Island [Mr. LIPPITT]. I transfer that pair to the junior Senator from Louisiana [Mr. RANSDELL] and allow my vote to stand.

Mr. MARTINE of New Jersey (after having voted in the negative). I voted "nay," but I desire to change my vote to "yea" in order that the question may be brought up.

Mr. REED. I transfer my pair with the senior Senator from Michigan [Mr. SMITH] to the Senator from Oklahoma [Mr. GORE] and vote "yea."

While I am on my feet I desire to state that my colleague [Mr. STONE] is unavoidably absent. If he were present, I am satisfied he would vote "yea." In his absense he is paired with the Senator from Wyoming [Mr. CLARK].

Mr. TILLMAN (after having voted in the affirmative). I voted inadvertently. I have a general pair with the Senator from Wisconsin [Mr. STEPHENSON], and therefore I desire to withdraw my vote.

Mr. CHAMBERLAIN (after having voted in the affirmative). I desire to withdraw my vote, in the absence of my general pair, the junior Senator from Pennsylvania [Mr. OLIVER].

Mr. KERN. I desire again to announce the illness of my colleague [Mr. SHIVELY]. He is unavoidably detained from the Senate on that account. I ask that this announcement stand for the day.

Mr. GRONNA. I wish to announce that my colleague [Mr. MCCUMBER] is necessarily absent from the city on important business.

Mr. WEEKS. I desire to announce that my colleague [Mr. LODGE] is absent on account of illness. He has a general pair, as has already been stated, with the junior Senator from Georgia [Mr. SMITH].

I wish also to state that the junior Senator from Illinois [Mr. SHERMAN] is absent from the Senate on account of important business. I desire to have these statements stand for the day.

Mr. THORNTON. I desire again to announce the necessary absence of my colleague [Mr. RANSDELL]. I ask that this announcement stand for the day.

Mr. REED (after having voted in the affirmative). A moment ago I voted, transferring my pair to the Senator from Oklahoma [Mr. GORE]. I now understand that he has already voted, which I did not know. I therefore withdraw my vote.

The result was announced—yeas 37, nays 15, as follows:

YEAS—37.

Ashurst	Johnson	Overman	Smith, S. C.
Bacon	Kern	Owen	Swanson
Bankhead	Lea	Perkins	Thomas
Bryan	Lewis	Pittman	Thompson
Chilton	Martin, Va.	Pomerene	Thornton
Gore	Martine, N. J.	Shafroth	Vardaman
Hitchcock	Myers	Sheppard	Walsh
Hollis	Nelson	Shields	
Hughes	Norris	Simmons	
James	O'Gorman	Smith, Ariz.	

NAYS—15.

Borah	Burton	Jackson	McLean
Bradley	Crawford	Jones	Poindexter
Brandegee	Goff	La Follette	Weeks
Bristow	Gronna	Lane	

NOT VOTING—43.

Brady	du Pont	Penrose	Smoot
Burleigh	Fall	Ransdell	Stephenson
Catron	Fletcher	Reed	Sterling
Chamberlain	Gallinger	Robinson	Stone
Clapp	Kenyon	Root	Sutherland
Clark, Wyo.	Lippitt	Saulsbury	Tillman
Clarke, Ark.	Lodge	Sherman	Townsend
Colt	McCumber	Shively	Warren
Culberson	Newlands	Smith, Ga.	Williams
Cummins	Oliver	Smith, Md.	Works
Dillingham	Page	Smith, Mich.	

So Mr. PITTMAN's motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7207) granting to the city and county of San Francisco certain rights of way in, over, and through certain public lands, the Yosemite National Park, and Stanislaus National Forest, and certain lands in the Yosemite National Park, the Stanislaus National Forest, and the public lands in the State of California, and for other purposes.

The Secretary read the bill, as follows:

Be it enacted, etc., That there is hereby granted to the city and county of San Francisco, a municipal corporation in the State of California, all necessary rights of way along such locations and of such width, not to exceed 250 feet, as in the judgment of the Secretary of the Interior may be required for the purposes of this act, in, over, and through the public lands of the United States in the counties of Tuolumne, Stanislaus, San Joaquin, and Alameda, in the State of California, and in, over, and through the Yosemite National Park and the Stanislaus National Forest, or portions thereof, lying within the said counties, for the purpose of constructing, operating, and maintaining aqueducts, canals, ditches, pipes, pipe lines, flumes, tunnels, and conduits for conveying water for domestic purposes and uses to the city and county of San Francisco and such other municipalities and water districts as, with the consent of the city and county of San Francisco, or in accordance with the laws of the State of California in force at the time application is made, may hereafter participate in the beneficial use of the rights and privileges granted by this act; for the purpose of constructing, operating, and maintaining power and electric plants, poles, and lines for generation and sale and distribution of electric energy; also for the purpose of constructing, operating, and maintaining telephone and telegraph lines, and for the purpose of constructing, operating, and maintaining roads, trails, bridges, tramways, railroads, and other means of locomotion, transportation, and communication, such as may be necessary or proper in the construction, maintenance, and operation of the works constructed by the grantee herein; together with such lands in the Hetch Hetchy Valley and Lake Eleanor Basin within the Yosemite National Park, and the Cherry Valley within the Stanislaus National Forest, irrespective of the width or extent of said lands, as may be determined by the Secretary of the Interior to be actually necessary for surface or underground reservoirs, diverting and storage dams; together with such lands as the Secretary of the Interior may determine to be actually necessary for power houses, and all other structures or buildings necessary or properly incident to the construction, operation, and maintenance of said water-power and electric plants, telephone and telegraph lines, and such means of locomotion, transportation, and communication as may be established; together with the right to take, free of cost, from the public lands, the Yosemite National Park, and the Stanislaus National Forest adjacent to its right of way, within such distance as the Secretary of the Interior and the Secretary of Agriculture may determine, stone, earth, gravel, sand, trees, and other materials of like character actually necessary to be used in the construction, operation, and repair of its said water-power and electric plants, its said telephone and telegraph lines, and its said means of locomotion, transportation, or communication, under such conditions and regulations as may be fixed by the Secretary of the Interior and the Secretary of Agriculture, within their respective jurisdictions, for the protection of the public lands, the Yosemite National Park, and the Stanislaus National Forest: *Provided*, That said grantee shall file, as hereinafter provided, a map or maps showing the boundaries, location, and extent of said proposed rights of way and lands for the purposes hereinabove set forth: *Provided further*, That the Secretary of the Interior shall approve no location or change of location in the national forests unless said location or change of location shall have been approved in writing by the Secretary of Agriculture.

SEC. 2. That within three years after the passage of this act said grantee shall file with the registers of the United States land offices, in the districts where said rights of way or lands are located, a map or maps showing the boundaries, locations, and extent of said proposed rights of way and lands required for the purposes stated in section 1 of this act; but no permanent construction work shall be commenced on said land until such map or maps shall have been filed as herein provided and approved by the Secretary of the Interior: *Provided, however*, That any changes of location of any of said rights of way or lands may be made by said grantee before the final completion of any of said work permitted in section 1 hereof, by filing such additional map or maps as may be necessary to show such changes of location, said additional map or maps to be filed in the same manner as the original map or maps; but no change of location shall become valid until approved by the Secretary of the Interior, and the approval by the Secretary of the Interior of said map or maps showing changes of location of said rights of way or lands shall operate as an abandonment by the city and county of San Francisco to the extent of such change or changes of any of the rights of way or lands indicated on the original maps: *And provided further*, That any rights inuring to the grantee under this act shall, on the approval of the map or maps referred to herein by the Secretary of the Interior, relate back to the date of the filing of said map or maps with the register of the United States Land Office as provided herein, or to the date of the filing of such maps as they may be copies of as provided for herein: *And provided further*, That with reference to any map or maps heretofore filed by said city and county of San Francisco or its grantor with any officer of the Department of the Interior or the Department of Agriculture, and approved by said department, the provisions hereof will be considered complied with by the filing by said grantee of copies of any of such map or maps with the register of the United States Land Office as provided for herein, which said map or maps and locations shall as in all other cases be subject to the approval of the Secretary of the Interior.

SEC. 3. That the rights of way hereby granted shall not be effective over any lands upon which homestead, mining, or other existing valid claim or claims shall have been filed or made and which now in law constitute prior rights to any claim of the grantee until said grantee shall have purchased such portion or portions of such homestead, mining, or other existing valid claims as it may require for right-of-way purposes and other purposes herein set forth, and shall have procured proper relinquishments of such portion or portions of such claims, or acquired title by due process of law and just compensation paid to said entrymen or claimants, and caused proper evidence of such fact to be filed with the Commissioner of the General Land Office, and the right of such entrymen or claimants to sell and of said grantee to purchase such portion or portions of such claims are hereby granted: *Provided, however*, That this act shall not apply to any lands embraced in rights of way heretofore approved under any act of Congress for the benefit of any parties other than said grantee or its predecessors in interest.

SEC. 4. That the said grantee shall conform to all regulations adopted and prescribed by the Secretary of the Interior governing the Yosemite National Park and by the Secretary of Agriculture governing the Stanislaus National Forest, and shall not take, cut, or destroy any timber within the Yosemite National Park or the Stanislaus National Forest, except such as may be actully necessary in order to construct, repair, and operate its said reservoirs, dams, power plants, water power and electric works, and other structures above mentioned, but no timber shall be cut or removed from lands outside of the right of way until designated by the Secretary of the Interior or the Secretary of Agriculture, respectively; and it shall pay to the United States the full value of all timber and wood cut, injured, or destroyed on or adjacent to any of the rights of way granted, and the proper officers of the Interior or the Secretary of Agriculture: *Provided*, That no timber shall be cut by the grantee in the Yosemite National Park except from land to be submerged or which constitutes an actual obstruction to the right or rights of way or to any road or trail provided in this act: *Provided further*, That in consideration of the rights and privileges hereby granted to it the said grantee shall construct and maintain in good repair such bridges or other practicable crossings over its rights of way within the Stanislaus National Forest as may be prescribed in writing by the Secretary of Agriculture, and elsewhere on public lands along the line of said works, and within the Yosemite National Park as may be prescribed in writing by the Secretary of the Interior; and said grantee shall, as said waterworks are completed, if directed in writing by the Secretary of the Interior or the Secretary of Agriculture, construct and maintain along each side of said right of way a lawful fence of such character as may be prescribed by the proper Secretary, with such suitable lanes or crossings as the aforesaid officers shall prescribe: *And provided further*, That the said grantee shall clear its rights of way within the Yosemite National Park and the Stanislaus National Forest and over any public lands of any débris or inflammable material as directed by the Secretary of the Interior and the Secretary of Agriculture, respectively; and said grantee shall permit any road or trail which it may construct over the public lands, the Yosemite National Park, or the Stanislaus National Forest to be freely used by the officials of the Government and by the public, and shall permit officials of the Government, for official business only, the free use of any telephone or telegraph lines, or equipment, or railroads that it may construct and maintain within the Yosemite National Park and the Stanislaus National Forest, or on the public lands, together with the right to connect with any such telephone or telegraph lines private telephone wires for the exclusive use of said Government officials: *And provided further*, That all reservoirs, dams, conduits, power plants, water power and electric works, bridges, fences, and other structures not of a temporary character shall be sightly and of suitable exterior design and finish so as to harmonize with the surrounding landscape and its use as a park; and for this purpose all plans and designs shall be submitted for approval to the Secretary of the Interior.

SEC. 5. That all lands over which the rights of way mentioned in this act shall pass shall be disposed of only subject to such easements: *Provided, however*, That the construction of the aforesaid works shall be prosecuted diligently, and no cessation of such construction shall continue for a period of three consecutive years, and in the event that the Secretary of the Interior shall find and determine that there has not been diligent prosecution of the work or of some integral and essential part thereof, or that there has been a cessation of such construction for a period of three consecutive years, then he may declare forfeited all rights of the grantee herein as to that part of the works not constructed, and request the Attorney General, on behalf of the United States, to commence suit in the United States District Court for the Northern District of California for the purpose of procuring a judgment declaring all such rights to that part of the works not constructed to be forfeited to the United States, and upon such request it shall be the duty of the said Attorney General to cause to be commenced and prosecuted to a final judgment such suit: *Provided further*, That the Secretary of the Interior shall make no such finding and take no such action if he shall find that the construction or progress of the works has been delayed or prevented by the act of God or the public enemy, or by engineering or other difficulties that could not have been reasonably foreseen and overcome, or by other special or peculiar difficulties beyond the control of the said grantee: *Provided further*, That, in the exercise of the rights granted by this act, the grantee shall at all times comply with the regulations herein authorized, and in the event of any material departure therefrom the Secretary of the Interior or the Secretary of Agriculture, respectively, may take such action as may be necessary in the courts or otherwise to enforce such regulations.

SEC. 6. That the grantee is prohibited from ever selling or letting to any corporation or individual, except a municipality or a municipal water district or irrigation district, the right to sell or sublet the water or the electric energy sold or given to it or him by the said grantee: *Provided*, That the rights hereby granted shall not be sold, assigned, or transferred to any private person, corporation, or association, and in case of any attempt to so sell, assign, transfer, or convey, this grant shall revert to the Government of the United States.

SEC. 7. That for and in consideration of the grant by the United States as provided for in this act the said grantee shall assign, free of cost to the United States, all roads and trails built under the provisions hereof; and further, after the expiration of five years from the passage of this act the grantee shall pay to the United States the sum of $15,000 annually for a period of 10 years, beginning with the expiration of the five-year period before mentioned, and for the next 10 years following $20,000 annually, and for the remainder of the term of the grant shall, unless in the discretion of Congress the annual charge should be increased or diminished, pay the sum of $30,000 annually, said sums to be paid on the first day of July of each year. Until otherwise provided by Congress, said sums shall be kept in a separate fund by the United States, to be applied to the building and maintenance of roads and trails and other improvements in the Yosemite National Park and other national parks in the State of California. The Secretary of the Interior shall designate the uses to be made of sums paid under the provisions of this section under the conditions specified herein.

SEC. 8. That the word "grantee" as used herein shall be understood as meaning the city and county of San Francisco and such other municipalities or water district or water districts as may, with the consent of the city and county of San Francisco or in accordance with the laws of the State of California, hereafter participate in or succeed to the beneficial rights and privileges granted by this act.

SEC. 9. That this grant is made to the said grantee subject to the observance on the part of the grantee of all the conditions hereinbefore and hereinafter enumerated:

(a) That upon the completion of the Hetch Hetchy Dam or the Lake Eleanor Dam, in the Yosemite National Park, by the grantee, as herein specified, and upon the commencement of the use of any reservoirs thereby created by said grantee as a source of water supply for said grantee, the following sanitary regulations shall be made effective within the watershed above and around said reservoir sites so used by said grantee:

First. No human excrement, garbage, or other refuse shall be placed in the waters of any reservoir or stream or within 300 feet thereof.

Second. All sewage from permanent camps and hotels within the watershed shall be filtered by natural percolation through porous earth or otherwise adequately purified or destroyed.

Third. No person shall bathe, wash clothes or cooking utensils, or water stock in, or in any way pollute, the water within the limits of the Hetch Hetchy Reservoir or any reservoir constructed by the said grantee under the provisions of this grant, or in the streams leading thereto, within 1 mile of said reservoir; or, with reference to the Hetch Hetchy Reservoir, in the waters from the reservoir or waters entering the river between it and the "Early Intake" of the aqueduct, pending the completion of the aqueduct between "Early Intake" and the Hetch Hetchy Dam site.

Fourth. The cost of the inspection necessary to secure compliance with the sanitary regulations made a part of these conditions, which inspection shall be under the direction of the Secretary of the Interior, shall be defrayed by the said grantee.

Fifth. If at any time the sanitary regulations provided for herein shall be deemed by said grantee insufficient to protect the purity of the water supply, then the said grantee shall install a filtration plant or provide other means to guard the purity of the water. No other sanitary rules or restrictions shall be demanded by or granted to the said grantee as to the use of the watershed by campers, tourists, or the occupants of hotels and cottages.

(b) That the said grantee shall recognize the prior rights of the Modesto Irrigation District and the Turlock Irrigation District as now constituted under the laws of the State of California, or as said districts may be hereafter enlarged to contain in the aggregate not to exceed 300,000 acres of land, to receive 2,350 second-feet of the natural daily flow of the Tuolumne River, measured at the La Grange Dam, whenever the same can be beneficially used by said irrigation districts, and that the grantee shall never interfere with said rights.

(c) That whenever said irrigation districts receive at the La Grange Dam less than 2,350 second-feet of water, and when it is necessary for their beneficial use to receive more water the said grantee shall release free of charge, out of the natural daily flow of the streams which it has intercepted, so much water as may be necessary for the beneficial use of said irrigation districts not exceeding an amount which, with the waters of the Tuolumne and its tributaries, will cause a flow at La Grange Dam of 2,350 second-feet; and shall also recognize the rights of the said irrigation districts to the extent of 4,000 second-feet of water out of the natural daily flow of the Tuolumne River for combined direct use and collection into storage reservoirs as may be provided by said irrigation districts, during the period of 60 days immediately following and including April 15 of each year, and shall during such period release free of charge such quantity of water as may be necessary to secure to the said irrigation districts such 4,000 second-feet flow or portion thereof as the said irrigation districts are capable of beneficially directly using and storing below Jawbone Creek: *Provided, however*, That at such times as the aggregate daily natural flow of the watershed of the Tuolumne and its tributaries measured at the La Grange Dam shall be less than said districts can beneficially use, and less than 2,350 second-feet, then and in that event the said grantee shall release, free of charge, the entire natural daily flow of the streams which it has under this grant intercepted.

(d) That the said grantee whenever the said irrigation districts desire water in excess of that to which they are entitled under the foregoing, shall on the written demand of the said irrigation districts sell to the said irrigation districts from the reservoir or reservoirs of the said grantee such amounts of stored water as may be needed for the beneficial use of the said irrigation districts at such a price as will return to the grantee the actual total costs of providing such stored

water, such costs to be computed in accordance with the currently accepted practice of public cost accounting as may be determined by the Secretary of the Interior, including, however, a fair proportion of the cost to said grantee of the conduit, lands, dams, and water-supply system included in the Hetch Hetchy and Lake Eleanor sites; upon the express condition, however, that the said grantee may require the said irrigation districts to purchase and pay for a minimum quantity of such stored water, and that the said grantee shall be entitled to receive compensation for a minimum quantity of stored water and shall not be required to sell and deliver to the said irrigation districts more than a maximum quantity of such stored water to be released during any calendar year: *Provided, however*, That if the said irrigation districts shall develop sufficient water to meet their own needs for beneficial use and shall so notify in writing the Secretary of the Interior, the said grantee shall not be required to sell or deliver to said irrigation districts the maximum or minimum amount of stored waters hereinbefore provided for, and shall release the said districts from the obligation to pay for such stored water: *And provided further*, That said grantee shall without cost to said irrigation districts return to the Tuolumne River above the La Grange Dam for the use of the said irrigation districts all surplus or waste water resulting from the development of hydroelectric energy generated by the said grantee.

(m) That such minimum and maximum amounts of such stored water to be so released during any calendar year as hereinbefore provided and the price to be paid therefor by the said irrigation districts are to be determined and fixed by the Secretary of the Interior in accordance with the provisions of the preceding paragraph.

(n) That the Secretary of the Interior shall revise the maximum and minimum amounts of stored water to be supplied to said irrigation districts by said grantee as hereinbefore provided, whenever the said irrigation districts have properly developed the facilities of the Davis Reservoir of the Turlock Irrigation District and the Warner-Dallas Reservoir of the Modesto Irrigation District to the fullest practicable extent up to a development not exceeding in cost $15 per acre-foot storage capacity, and whenever additional storage has been provided by the said irrigation districts which is necessary to the economical utilization of the waters of said watershed, and also after water losses and wastes have been reduced to such reasonable minimum as will assure the economical and beneficial use of such water.

(o) That the said grantee shall not be required to furnish more than the said minimum quantity of stored water hereinbefore provided for until the said irrigation districts shall have first drawn upon their own stored water to the fullest practicable extent.

(p) That the said grantee shall not divert beyond the limits of the San Joaquin Valley any more of the waters from the Tuolumne watershed than, together with the waters which it now has or may hereafter acquire, shall be necessary for its beneficial use for domestic and other municipal purposes.

(q) That the said grantee shall, at its own expense, locate and construct, under the direction of the Secretary of the Interior, such weirs or other suitable structures on sites to be granted, if necessary, by the United States, for accurately measuring the flow in the said river at or above La Grange Dam, and measuring the flow into and out from the reservoirs or intakes of said districts, and into and out from any reservoirs constructed by the said grantee, and at any other point on the Tuolumne River or its tributaries, which he may designate, and fit the same with water-measuring apparatus satisfactory to said Secretary and keep such hydrographic records as he may direct, such apparatus and records to be open to inspection by any interested party at any time.

(r) That by "the flow," "natural daily flow," "aggregate daily natural flow," and "what is naturally flowing," as are used herein, is meant such flow as on any given day would flow in the Tuolumne River or its tributaries if said grantee had no storage or diversion works on the said Tuolumne watershed.

(s) That when the said grantee begins the development of the Hetch Hetchy Reservoir site, it shall undertake and vigorously prosecute to completion a dam at least 200 feet high, with a foundation capable of supporting said dam when built to its greatest economic and safe height.

(t) That the said grantee shall, upon request, sell or supply to said irrigation districts, and also to the municipalities within either or both said irrigation districts, for the use of any land owner or owners therein for pumping subsurface water for drainage or irrigation, or for the actual municipal public purposes of said municipalities (which purposes shall not include sale to private persons or corporations) any excess of electrical energy which may be generated, and which may be so beneficially used by said irrigation districts or municipalities, when any such excess of electric energy may not be required for pumping the water supply for said grantee and for the actual municipal public purposes of the said grantee (which purposes shall not include sale to private persons or corporations) at such price as will actually reimburse the said grantee for developing and maintaining and transmitting the surplus electrical energy thus sold and no power plant shall be interposed on the line of the conduit except by the said grantee, or the lessee, as hereinafter provided, and for the purposes and within the limitations in the conditions set forth herein: *Provided*, That said grantee shall satisfy the needs of the landowners in said irrigation districts for pumping subsurface water for drainage or irrigation, and the needs of the municipalities within such irrigation districts for actual municipal public purposes, after which it may dispose of any excess electrical energy for commercial purposes.

(u) That the right of said grantee in the Tuolumne water supply to develop electric power for either municipal or commercial use is to be made conditional for 20 years following the completion of any portion of the works adapted to the generation of electrical energy, as follows: The said grantee shall within 3 years from the date of completion of said portion of the works install, operate, and maintain apparatus capable of developing and transmitting not less than 10,000 horsepower of electric power for municipal and commercial use, said 10,000 horsepower to be actually used or offered for use; and within 10 years from the completion of said portion of the works not less than 20,000 horsepower; and within 15 years therefrom not less than 30,000 horsepower; and within 20 years therefrom not less than 60,000 horsepower, unless in the judgment of the Secretary of the Interior the public interest will be satisfied with a lesser development. The said grantee shall develop and use hydroelectric power for the use of its people and shall, at prices to be fixed under the laws of California or, in the absence of such laws, at prices approved by the Secretary of the Interior, sell or supply such power for irrigation, pumping, or other beneficial use, said prices not to be less than will return to said grantee the actual total costs of providing and supplying said power, which costs shall be computed in accordance with the currently accepted practice of public cost accounting, as shall be determined by the Secretary of the Interior, including, however, a fair proportion of cost of conduit, lands, dams, and water-supply system; and further, said grantee shall, before using any of said water for the purpose of developing hydroelectric power, file such maps, surveys, field notes, or other data as may be required by law, and shall conform to any law existing and applicable to said subject of development of said hydroelectric power for municipal or commercial uses.

(v) That after the period of 20 years hereinbefore provided for the development, transmission, use, and sale of electric power, the Secretary of the Interior, under authorization hereby given, may require the grantee, within a time fixed by the Secretary, to develop, transmit, and use, or offer for sale, such additional power, and also such power less than 60,000 horsepower as the grantee may have failed to develop, transmit, use, or sell, within the 20 years aforesaid, as in the judgment of said Secretary the grantee may or ought to develop under this grant, and which in his judgment the public interest demands or convenience requires; and in case of the failure of the grantee to carry out any such requirements of the Secretary of the Interior the latter is hereby authorized so to do, and he may, in such manner and form and upon such terms and conditions as he may determine, provide for the development, transmission, use, and sale of such additional power and such power not so developed, transmitted, or used by the grantee at the end of said 20 years up to 60,000 horsepower; and for that purpose the Secretary of the Interior may take possession of and lease to such person or persons as he may designate such portion of the rights of way, structures, dams, conduits, and other property acquired or constructed by the grantee hereunder as may be necessary for the development, transmission, use, and sale of such power.

(w) That the rates or charges to be made by the grantee or by any lessee under the last preceding paragraph for the use of power for commercial purposes shall at all times conform to the laws of the State of California or, in the absence of any such statutory law, be subject to the approval of the Secretary of the Interior, and in the absence of such law no rates or charges shall be made, fixed, or collected without such approval, and the grantee shall at any time, upon the demand of the Secretary of the Interior, allow the latter or such person or persons as he may designate full and free access, right, and opportunity to examine and inspect all of the grantee's books, records, and accounts, and all the works constructed and property occupied hereunder by the grantee.

(x) That this grant is upon the further condition that the grantee shall construct on the north side of the Hetch Hetchy Reservoir site a scenic road or trail, as the Secretary of the Interior may determine, above and along the proposed lake to such point as may be designated by the said Secretary, and also leading from said scenic road or trail a trail to the Tlhtll Valley and to Lake Vernon, and a road or trail to Lake Eleanor and Cherry Valley via McGill Meadow; and likewise the said grantee shall build a wagon road from Hamilton or Smiths Station along the most feasible route adjacent to its proposed aqueduct from Groveland to Portulaca or Hog Ranch and into the Hetch Hetchy Dam site, and a road along the southerly slope of Smiths Peak from Hog Ranch past Harden Lake to a junction with the old Tioga Road, in section 4, township 1 south, range 21 east, Mount Diablo base and meridian, and such roads and trails made necessary by this grant, and as may be prescribed by the Secretary of the Interior. Said grantee shall have the right to build and maintain such other necessary roads or trails through the public lands, for the construction and operation of its works, subject, however, to the approval of the Secretary of Agriculture in the Stanislaus National Forest, and the Secretary of the Interior in the Yosemite National Park. The said grantee shall further lay and maintain a water pipe, or otherwise provide a good and sufficient supply of water for camp purposes at the Meadow, one-third of a mile, more or less, southeasterly from the Hetch Hetchy Dam site.

That all trail and road building and maintenance by the said grantee in the Yosemite National Park and the Stanislaus National Forest shall be done subject to the direction and approval of the Secretary of the Interior or the Secretary of Agriculture according to their respective jurisdictions.

(y) That the said grantee shall furnish water at cost to any authorized occupant within 1 mile of the reservoir, and in addition to the sums provided for in section 7 it shall reimburse the United States Government for the actual cost of maintaining above roads and trails in a condition of repair as good as when constructed.

(z) That in case the Department of the Interior is called upon, by reason of any of the above conditions, to make investigations and decisions respecting the rights, benefits, or obligations specified in this act, which investigations or decisions involve expense to the said Department of the Interior, then such expense shall be borne by said grantee.

(aa) That the grantee shall file with the Secretary of the Interior, within six months after the approval of this act, its acceptance of the terms and conditions of this grant.

(bb) That the grantee herein shall convey to the United States, by proper conveyance, a good and sufficient title, free from all liens and encumbrances of any nature whatever, to any and all tracts of land which are now owned by said grantee within the Yosemite National Park or that part of the national forest adjacent thereto not actually required for use under the provisions of this act, said conveyance to be approved by and filed with the Secretary of the Interior within six months after the said grantee ceases to use such lands for the purpose of construction or repair under the provisions of this act.

(cc) That the city and county of San Francisco shall sell to the United States, for the use of the War Department, such water as the War Department may elect to take, and shall deliver the same through its system in or near the city of San Francisco to the mains or systems of such military reservations in that vicinity as may be designated by the Secretary of War, under such rules and regulations as he may prescribe. In payment for such water and the delivery thereof the United States shall pay to the said city and county of San Francisco a rental, to be calculated at a fixed rate per 1,000 gallons, said rate not to exceed the actual cost of said water to said city and county for all the water so furnished, as determined by meter measurements: *And provided further*, That payment of said rental shall be made by the local disbursing officer of the War Department in the usual manner: *Provided, however*, That the grantee shall at all times comply with and observe on its part all the conditions specified in this act, and in the event that the same are not reasonably complied with and carried out by the grantee, upon written request of the Secretary of the Interior, it is made the duty of the Attorney General in the name of the United States to commence all necessary suits or proceedings in the proper court having jurisdiction thereof, for the purpose of enforcing and carrying out the provisions of this act.

SEC. 10. That this grant, so far as it relates to the said irrigation districts, shall be deemed and held to constitute a binding obligation upon said grantee in favor of the said irrigation districts, which said districts, or either of them, may judicially enforce in any court of competent jurisdiction.

SEC. 11. That this act is a grant upon certain express conditions specifically set forth herein, and nothing herein contained shall be construed as affecting or intending to affect or in any way to interfere with the laws of the State of California relating to the control, appropriation, use, or distribution of water used in irrigation or for municipal or other uses, or any vested right acquired thereunder, and the Secretary of the Interior, in carrying out the provisions of this act, shall proceed in conformity with the laws of said State.

Mr. PITTMAN. Mr. President——

Mr. OVERMAN. Will the Senator from Nevada yield to me for a moment?

Mr. PITTMAN. Certainly.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. OVERMAN. I move that the Senate request a conference with the House of Representatives on House bill 7898, the urgent deficiency appropriation bill, and that the conferees on the part of the Senate be appointed by the Chair.

The PRESIDENT pro tempore. That can only be done by unanimous consent without displacing the pending bill.

Mr. OVERMAN. I ask unanimous consent.

The PRESIDENT pro tempore. The Senator from North Carolina asks unanimous consent that the Senate request a conference with the House of Representatives on House bill 7898 and the amendments thereto, and that the Chair appoint the conferees on the part of the Senate. Is there objection? The Chair hears none, and it is so ordered. The Chair appoints the Senator from Virginia [Mr. MARTIN], the Senator from North Carolina [Mr. OVERMAN], and the Senator from California [Mr. PERKINS] as the conferees on the part of the Senate.

Mr. OVERMAN. The order instructing the Sergeant at Arms to direct Senators to return to Washington was made last night. I ask unanimous consent that that order be now vacated.

The PRESIDENT pro tempore. Unless there is objection the order will be vacated. The Chair hears none.

Mr. PITTMAN. I shall have to object to the vacation of that order until the passage of the pending bill.

The PRESIDENT pro tempore. Very well. The Chair having made the announcement, will recall it. The Senator from Nevada objects, and the request of the Senator from North Carolina will not be granted. The pending bill is before the Senate as in Committee of the Whole.

SAN FRANCISCO WATER SUPPLY.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7207) granting to the city and county of San Francisco certain rights of way in, over, and through certain public lands, the Yosemite National Park, and Stanislaus National Forest, and certain lands in the Yosemite National Park, the Stanislaus National Forest, and the public lands in the State of California, and for other purposes.

The PRESIDENT pro tempore. If no amendment be proposed as in Committee of the Whole, the bill will be reported to the Senate.

Mr. LA FOLLETTE. Does that refer to the bill that has just been read?

The PRESIDENT pro tempore. Yes, sir; the bill is in Committee of the Whole and open to amendment. If no amendment be proposed, the bill will be reported to the Senate.

Mr. LA FOLLETTE. I wish to inquire whether an effort is to be made to pass this bill through the Senate without consideration in Committee of the Whole and without debate upon it?

Mr. PITTMAN. It will not be.

Mr. LA FOLLETTE. If that be so, I want to demand a quorum right now.

The PRESIDENT pro tempore. The Senator from Wisconsin is probably misinformed about what has taken place. The bill has been read for the information of the Senate.

Mr. LA FOLLETTE. I am aware that the bill was read.

The PRESIDENT pro tempore. Then the Chair stated that the bill is now in Committee of the Whole and unless amendments be offered it will be reported to the Senate.

Mr. LA FOLLETTE. I am aware of that. I followed the proceedings up to that point. I raise the question of a quorum.

Mr. PITTMAN. Mr. President——

The PRESIDENT pro tempore. The Senator is in his right in making that point, but the Chair thought that he might have proceeded under a misapprehension and does not want him to think that at this end of the Senate there is anything improper being done.

Mr. LA FOLLETTE. No; but I expected that the reading of the bill would be followed by some explanation of the bill—some discussion of it in Committee of the Whole. However, if there is a disposition to put this bill through in that manner——

Mr. NORRIS. Will the Senator yield to me for a moment? I am sure there is no disposition on the part of those in favor of this bill to prevent a discussion of the bill and of any amendment. There is no intention, so far as I know, to limit the debate or in any way interfere with any debate.

The PRESIDENT pro tempore. The Senator from Wisconsin having suggested the absence of a quorum, debate is not in order. The Secretary will call the roll.

Mr. PITTMAN. Will the Senator from Wisconsin withdraw it?

Mr. LA FOLLETTE. I can not.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	Newlands	Smith, Ga.
Bacon	Hughes	Norris	Smith, S. C.
Bankhead	James	O'Gorman	Swanson
Borah	Johnson	Overman	Thomas
Bradley	Jones	Perkins	Thompson
Bristow	Kern	Pittman	Thornton
Bryan	La Follette	Poindexter	Tillman
Burton	Lane	Pomerene	Vardaman
Chamberlain	Lea	Reed	Walsh
Chilton	Lewis	Shafroth	Weeks
Clarke, Ark.	McLean	Sheppard	Williams
Crawford	Martin, Va.	Shields	
Gronna	Martine, N. J.	Simmons	
Hitchcock	Myers	Smith, Ariz.	

The PRESIDENT pro tempore. Fifty-three Senators have answered to their names. A quorum of the Senate is present.

Mr. PITTMAN. Mr. President, I should like very much to respect the requests of some of the Senators on the other side of the Chamber with regard to a postponement of this matter, but I do not believe there is any reasonable ground for such postponement. This subject has been under consideration, more or less, for a period of 12 years. It has been considered by committees of Congress on two separate occasions. It was considered in the House of Representatives on a former occasion, and again at this session of Congress.

There is a persistent lobby against the passage of the bill, and I regret to say that that lobby is affecting the minds and the judgment of Members of this body, of people in public life, and of citizens all over the country. That lobby has not only appeared before the Public Lands Committee of the other House and given its testimony, but after that testimony had been weighed in the balance by a committee composed of the members of three parties, and the verdict of that committee was unanimously against them, they were not satisfied, but they came before the Public Lands Committee of this body and again made the same effort, with the result that again an impartial committee, composed of all parties and Senators from all parts of the United States, decided unanimously against them.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. PITTMAN. I do.

Mr. BORAH. The Senator from Nevada has stated that there is a lobby in opposition to this bill and that it is affecting the minds of some of the Members of Congress. Would the Senator object to putting into the RECORD the names of those who constitute the lobby in order that it may not appear that this is an "insidious lobby"?

Mr. PITTMAN. I have no objection whatever to that, and I think it is perfectly fair that their names should be put into the RECORD. I refer particularly to Mr. Underwood Johnson, to a Mr. Whitman, who represents a society for the protection of national parks, and to a Mr. Parsons, who, I believe, represents some civic body, the name of which I do not recollect at the present time. I do not mean to charge that this lobby is an "insidious lobby" in such sense as the word is generally used; but I think, nevertheless, that the effectiveness of the lobby is far greater than if its methods were of an insidious character. Its methods, however, consist in misrepresenting the facts which affect this bill. Whether those misrepresentations are willful or through ignorance, the fact remains that Senators in this body, Representatives in the other House of Congress, and public officials in Washington are receiving thousands and thousands of letters from people throughout this country protesting against the passage of this bill, basing that opposition upon statements that they have received from the lobby to which I have referred.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER (Mr. BRYAN in the chair). Does the Senator from Nevada yield to the Senator from North Dakota?

Mr. PITTMAN. With pleasure.

Mr. GRONNA. If I understood the Senator from Nevada correctly, he stated that on all occasions the reports of committees having had this bill under consideration had been unanimous?

Mr. PITTMAN. The Senator is mistaken. I did not say on all occasions; I said at the last hearing.

Mr. GRONNA. If the Senator from Nevada stated "at the last hearing," then I will stand corrected, Mr. President; but I want, if the Senator will permit me, to make the statement that when I was a member of the other House I was a member of the Committee on the Public Lands of that body. I had the opportunity of hearing both those who are for and those are against this measure.

There was great opposition to it; and, designate it as you please, whether you choose to call it a lobby or something else, there was great opposition to the bill from people who live in the State of California, and I was one of the members of the Committee on the Public Lands in the other House who at that time made an adverse report on this particular measure.

Mr. PITTMAN. Mr. President, I know that at one time——

Mr. MYERS. Will the Senator from Nevada permit me to make a statement in that connection?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Montana?

Mr. PITTMAN. I do.

Mr. MYERS. I am informed and understand that the pending bill in many material particulars is very different from the former bill which was reported adversely by the House Committee on the Public Lands when the Senator from North Dakota [Mr. GRONNA] was a member of that committee. I am informed that many of the objections that were made to that bill then have been obviated and overcome in the pending bill. I merely wanted to call attention to the fact that the bills are not identical.

Mr. GRONNA. If the Senator from Nevada [Mr. PITTMAN] will permit me, that statement can not go unchallenged. The provisions of the bill have not been changed. It may be that some arrangement has been made that is satisfactory to certain people; but I will say to the Senator from Montana that if he will take the bill which the Committee on the Public Lands of the House had under consideration at that time and compare it with the pending bill, I believe he will find that the provisions of the two bills are about the same.

Mr. MYERS. Mr. President, of course the object of the bill is in the main the same—to get a water supply for the city of San Francisco. While I was not in Congress when the former bill was before the House, I am told by those who are interested that there are many material points of difference between the two bills.

Mr. PITTMAN. Mr. President, I realize that at one time there was violent opposition to this bill. That opposition might have been based upon conditions in the bill or have been occasioned by reason of absence of provisions that should be in the bill or by reason of an ignorance of the actual conditions surrounding it, but let me state that there has been a change of mind going on the more that this subject has had publicity. I believe that those who are opposing this bill are, in nearly every case, opposing it through ignorance of the exact conditions, and I am simply striving to bring about greater information on the subject.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield further to the Senator from North Dakota?

Mr. PITTMAN. I do.

Mr. GRONNA. Does the Senator from Nevada think that it is fair, then, to try to railroad this bill through without giving those of us who may perhaps be ignorant of the conditions and surroundings an opportunity to investigate the matter?

Mr. PITTMAN. Mr. President, I am not trying to railroad this bill through, and I do not understand how the Senator could ask that question, when years and years ago he says he sat upon a committee that had a thorough hearing on this same subject.

Mr. GRONNA. I do not admit that I am ignorant about the bill; but that was the charge of the Senator from Nevada.

Mr. PITTMAN. I want to say also that this bill has been on the table of the Senate, together with the report and the hearings in relation to it, for two or three months, and I want to know how long it is going to take the Senator to equip himself with regard to this matter?

Mr. GRONNA. Mr. President, will the Senator permit me to ask him a question?

The PRESIDING OFFICER. Let us have a little order in the procedure. Does the Senator from Nevada yield further to the Senator from North Dakota?

Mr. PITTMAN. I do.

Mr. GRONNA. May I ask the Senator from Nevada this question: Did the Committee on Public Lands of the Senate at this time consider the question whether there were any other available sources——

Mr. PITTMAN. They did.

Mr. GRONNA. Whereby the city of San Francisco and other bay cities of the Pacific coast were to be supplied with water?

Mr. PITTMAN. I will answer that question very fully. The Committee on Public Lands of the Senate, when those opposed to this bill first came before them, asked them if there was to be a hearing in the matter before the Public Lands Committee of the House, and they stated that there would be. It was therefore understood by the Public Lands Committee of the Senate that there would be no hearings before the Public Lands Committee of the Senate, but that we would act upon the hearings before the Public Lands Committee of the House, permitting, of course, arguments and statements with regard to it by anyone. There has been printed as a House document a report on the Hetch Hetchy Valley by the advisory board of the Army engineers to the Secretary of the Interior on investigations relative to sources of water supply for San Francisco and bay communities, under date of February 13, 1913. That report contains a description of all the available water supplies of San Francisco, with a discussion of the relative costs and advantages.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Washington?

Mr. PITTMAN. Certainly.

Mr. POINDEXTER. Does it contain a report on the Eel River source of supply?

Mr. PITTMAN. It does. As I was saying, Mr. President, the view taken by those of us on this side who are at this time urging the consideration of the bill is that there has been ample time for investigation and study of this question; that there have been full hearings on several various occasions; that there has been an examination by a board of Army engineers of the United States into the sources of water supply for San Francisco, and a full report on that subject, which is available to any Senator here or to anyone else who may be interested in the matter; that there is a full report of the Committee on the Public Lands of the House discussing this subject in detail; that all the hearings have been printed and are within the reach of the Members of the Senate; that everyone has had an ample opportunity to be heard either for the purpose of giving testimony or for the purpose of debating this question; and it seems to us that the request for further time in this matter is unreasonable, that it can accomplish no good purpose whatever, and that it will simply mean an endless delay to legislation that ought to be enacted.

We have been crowded out by the tariff bill; we have been crowded on further by the appropriation bill, and the minute the currency bill comes into the Senate we will be crowded on and on again; and each time after one of these important measures is finished Senators fly from this Hall and we cease to have a quorum. It seems to me that unless there is some serious question, unless there is something suggested that might be in the nature of new evidence that would change this whole situation, we ought to go on with the discussion at this time.

I am sure that there is no one on the Public Lands Committee of the Senate who has any desire whatever to railroad this bill through. In fact, I want to say to you that there is not a member of the Public Lands Committee of the Senate who has any interest whatever, to my knowledge, in the State of California, except the junior Senator from California. This matter has been considered purely from a disinterested and unselfish standpoint.

I know that when the facts are placed clearly before this body there will be Senators here who are now inclined to oppose this measure who will recognize that they have been mistaken. I am satisfied that they will see that the declarations scattered throughout the country, which have been influencing the minds of the people to the effect that this work is going to destroy a great national park, are not only untrue, but that there is nothing upon which to base the statement, and that the statement in itself is absolutely absurd. I think that if they will investigate the evidence and listen to the facts presented here they will find out that some of those men who have written those letters have never been in the Hetch Hetchy Valley.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. PITTMAN. I do.

Mr. BORAH. Mr. President, I have not been disposed to delay unnecessarily the consideration of this bill. I wanted to know the facts as nearly as I could before I voted upon it, and upon that theory I objected to its consideration on two former occasions. But there has a phase arisen concerning the controversy which it seems to me we ought to consider while we are considering the necessity of disposing of it at this time. I have a telegram here from the junior Senator from California [Mr. WORKS] as to the necessity of postponement, and presenting a phase of the matter, which I understand was not known in its fullness to the committee. While I do not desire to interrupt the Senator to read it, unless he consents; but I will do so if the Senator will permit me at this time.

Mr. PITTMAN. I consent that the telegram be read.

Mr. BORAH. The telegram is dated Coronado, Cal., October 2, 1913, and is as follows:

Hon. REED SMOOT,
United States Senate, Washington, D. C.

I have sent the following telegram to Senator MYERS. I have satisfied myself that the Hetch Hetchy bill should not pass without further investigation. Ninety-nine per cent of water users in the irrigation districts are strongly opposed to it and claim that they were betrayed by those who consented to the compromise measure. They claim that thousands of acres of lands in their districts and outside of them will be deprived of water to which they are entitled, and that they can show that this sacrifice of the best and most fertile lands in the State is not necessary in the interest of San Francisco. Because of this compromise, that they indignantly repudiate, this phase of the question has not been investigated. The bill should not be rushed through this session under such circumstances. It is too serious not only to the parties directly interested but to the whole State.

JOHN D. WORKS.

I did not know of that telegram until last evening, Mr. President, and I do not know what the committee has to say with reference to that feature of it; but it is evident that there are a great many people vitally interested in the proposition who will be deprived of a hearing if we pass the bill at this particular time.

Mr. MYERS. Mr. President, I will ask the Senator from Nevada to yield to me, as chairman of the Public Lands Committee of the Senate, while I make a preliminary statement before the debate opens up. I had intended to do so at the first opportunity, as soon as the Senator from Nevada yielded the floor; but as long as the Senator from Idaho [Mr. BORAH] has mentioned that phase of the matter, I think it best to do so at this time, and to say now what I intended to say as soon as I could get an opportunity.

In regard to the matter of taking up the bill for consideration and putting it upon its passage in the Senate at this time, I had intended to say before the debate progressed far and at the first opportunity, and now take occasion to say what I think I ought to say, that there are two Senators who have expressed a strong desire to be present during the consideration of the bill and a desire to have the bill postponed until they could be present. They are the Senator from Utah [Mr. SMOOT] and the Senator from California [Mr. WORKS].

The Senator from Utah [Mr. SMOOT] went to his home in Utah immediately after the vote on the tariff bill. He wanted the matter postponed, both in the committee and before the Senate, until he could return. The date of his intended return was somewhat indefinite, and the committee postponed consideration of the bill on his account for one week, hoping that he would be back in that time and understanding that he probably would be; but at the end of that time the majority of the committee did not see fit to postpone consideration any further, for a number of reasons. One of those reasons was that a large number of people, both for and against the bill, had come here to appear before the committee. The majority of the committee thought it best to proceed with the hearing, and did so.

After the bill had been reported out of committee by the unanimous vote of all in attendance at the hearing, in order to ascertain the feeling of the Senator from Utah [Mr. SMOOT] about its consideration on the floor of the Senate, I wired him and asked him if he insisted on postponement of consideration in the Senate until he could be here, and, if so, to let me know, and state when he would be here. The answer that I received to that telegram simply stated that he could not be here until the 12th day of this month, and did not state whether or not he insisted on postponement until that time. It left my mind in a rather uncertain condition as to whether or not he wanted a postponement until he could be here.

That is all I have heard from the Senator from Utah [Mr. SMOOT]. I did not consider his telegram sufficiently clear to authorize me to protest against the consideration of the bill at this time. That is, I did not take it as an insistence on his part for further postponement.

I heard nothing about the matter from the junior Senator from California [Mr. WORKS] until about day before yesterday. Within the last two days I have received two telegrams from the junior Senator from California, one of which is about like the telegram just read by the Senator from Idaho [Mr. BORAH], saying in effect that the bill ought not to be considered at this time, that there were strong objections to it, and expressing opposition to its passage unless it should be amended.

As I understand, the senior Senator from California [Mr. PERKINS] is in favor of the passage of the bill as it now is, unamended, and is in favor of the immediate consideration of the bill and of putting it upon its passage at this time. One of the Senators from California being in favor of the bill as it is and desiring its immediate consideration, and living in San Francisco, and the other being opposed to the bill as it is now and opposed to its present consideration, I did not feel disposed to take any part as between their conflicting views. As long as California is represented here on the floor of the Senate by one Senator to speak for that State, I did not feel like getting in and undertaking to speak for the State, especially when, as I understand, the two Senators from the State maintain different views.

Mr. PERKINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from California?

Mr. MYERS. With great pleasure.

Mr. PERKINS. I wish to state that as soon as the committee reported I wired to Los Angeles to my colleague that the committee had unanimously reported in favor of the passage of this bill and that it would undoubtedly be taken up the first of this week. I sent that telegram a week ago yesterday. I have received no reply; and therefore I have assumed that he is no longer interested in the bill.

Mr. MYERS. I know from my conversations with the senior Senator from California [Mr. PERKINS] that he is strongly in favor of the bill, and he has been insisting for some days that it ought to be brought up for immediate consideration, while, as I say, the junior Senator from the State is opposed to that course. All of the Representatives from California of all three political parties who have spoken to me about the matter—and quite a number of them have done so—have expressed a strong desire that the bill be brought up at once for consideration, and have expressed the opinion that it ought to be put upon its passage and passed without any further delay; and, of course, they are strongly in favor of the bill. The majority of the Senate Committee on Public Lands was strongly in favor of the bill, and was of the opinion that it ought to be brought up and put upon its passage without any further delay.

Under these circumstances I did not feel that it was incumbent on me to make a fight in behalf of anyone against the consideration of the bill at this time, or to take any part in the matter either for or against the consideration of the bill at this time; and therefore I have not done so. But the bill having been taken up for consideration, I will say that I am unqualifiedly and most heartily in favor of its passage at this time in an unamended form. As to that, I have no hesitancy in expressing my personal attitude toward the bill. As to the question of taking it up at this time, I took no part further than merely to cast my individual vote in accordance with my views of what ought to be done.

At this time I ask that the telegrams which I have received from the senior Senator from Utah [Mr. SMOOT] and the junior Senator from California [Mr. WORKS] may be printed in the RECORD in connection with the discussion of the bill, and, further, that the report of the House Committee on the Public Lands may be published in the RECORD as a part of the discussion of the bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. LA FOLLETTE. I should like to hear the telegrams read.

Mr. MYERS. They are at my office. I will go and get them.

Mr. LA FOLLETTE. I should be glad to hear the telegram from the Senator from Utah [Mr. SMOOT]. I understand the telegram from the Senator from California [Mr. WORKS] is the same as the one that has been read here by the Senator from Idaho.

Mr. MYERS. Yes. I ask leave at this time to have the telegrams and the report printed in the RECORD; and I assure the Senator from Wisconsin that I will go and get the telegrams and read them as soon as I can do so. There is no objection, as I understand, to my request for the printing.

The report referred to is as follows:

[House Report No. 41, Sixty-third Congress, first session.]

HETCH HETCHY GRANT TO SAN FRANCISCO.

Mr. BAKER, from the Committee on the Public Lands, submitted the following report to accompany H. R. 7207:

The Committee on the Public Lands has had under consideration bill H. R. 7207, a bill "granting to the city and county of San Francisco certain rights of way in, over, and through certain public lands, the Yosemite National Park, Stanislaus National Forest, and certain lands in the Yosemite National Park, the Stanislaus National Forest, and the public lands in the State of California, and for other purposes." Having had the same under consideration and after full hearing and due consideration thereof, the committee unanimously reports that the bill do pass. The bill as finally passed upon and unanimously approved by the committee is as follows:

"[H. R. 7207, Sixty-third Congress, first session.]

"A bill granting to the city and county of San Francisco certain rights of way in, over, and through certain public lands, the Yosemite National Park, and Stanislaus National Forest, and certain lands in the Yosemite National Park, the Stanislaus National Forest, and the public lands in the State of California, and for other purposes.

"*Be it enacted, etc.*, That there is hereby granted to the city and county of San Francisco, a municipal corporation in the State of California, all necessary rights of way along such locations and of such width, not to exceed 250 feet, as in the judgment of the Secretary of the Interior may be required for the purposes of this act, in, over, and through the public lands of the United States in the counties of Tuolumne, Stanislaus, San Joaquin, and Alameda, in the State of California, and in, over, and through the Yosemite National Park and the Stanislaus National Forest, or portions thereof, lying within the said counties, for the purpose of constructing, operating, and maintaining aqueducts, canals, ditches, pipes, pipe lines, flumes, tunnels, and conduits for conveying water for domestic purposes and uses to the city and county of San Francisco and such other municipalities and water districts as, with the consent of the city and county of San Francisco, or in accordance with the laws of the State of California in force at the time application is made, may hereafter participate in the beneficial use of the rights and privileges granted by this act; for the purpose of constructing, operating, and maintaining power and electric plants, poles, and lines of generation and sale and distribution of electric energy; also for the purpose of constructing, operating, and maintaining telephone and telegraph lines, and for the purpose of constructing, operating, and maintaining roads, trails, bridges, tramways, railroads, and other means of locomotion, transportation, and communication, such as may be necessary or proper in the construction, maintenance, and operation of the works constructed by the grantee herein; together with such lands in the Hetch Hetchy Valley, and Lake Eleanor Basin within the Yosemite National Park, and the Cherry Valley within the Stanislaus National Forest, irrespective of the width or extent of said lands, as may be determined by the Secretary of the Interior to be actually necessary for surface or underground reservoirs, diverting and storage dams; together with such lands as the Secretary of the Interior may determine to be actually necessary for power houses, and all other structures or buildings necessary or properly incident to the construction, operation, and maintenance of said water-power and electric plants, telephone and telegraph lines, and such means of locomotion, transportation, and communication as may be established; together with the right to take, free of cost, from the public lands, the Yosemite National Park, and the Stanislaus National Forest adjacent to its right of way, stone, earth, gravel, sand, tufa, and other materials of like character actually necessary to be used in the construction, operation, and repair of the said water-power and electric plants, its said telephone and telegraph lines, and its said means of locomotion, transportation, or communication, under such conditions and regulations as may be fixed by the Secretary of the Interior and the Secretary of Agriculture, within their respective jurisdictions, for the protection of the public lands, the Yosemite National Parks, and the Stanislaus National Forest: *Provided*, That said grantee shall file, as hereinafter provided, a map or maps showing the boundaries, location, and extent of said proposed rights of way and lands for the purposes hereinabove set forth: *Provided further*, That the Secretary of the Interior shall approve no location in the national forests unless said location shall have been approved in writing by the Secretary of Agriculture.

"SEC. 2. That within three years after the passage of this act said grantee shall file with the registers of the United States land offices in the districts where said rights of way or lands are located a map or maps showing the boundaries, locations, and extent of said proposed rights of way and lands required for the purposes stated in section 1 of this act; but no permanent construction work shall be commenced on said land until such map or maps shall have been filed as herein provided and approved by the Secretary of the Interior: *Provided, however*, That any changes of location of any of said rights of way or lands may be made by said grantee before the final completion of any of said work permitted in section 1 hereof, by filing such additional map or maps as may be necessary to show such changes of location, said additional map or maps to be filed in the same manner as the original map or maps; but no change of location shall become valid until approved by the Secretary of the Interior or the Secretary of Agriculture, as his jurisdiction may appear; and the approval by the Secretary of the Interior of said map or maps showing changes of location of said rights of way or lands shall operate as an abandonment by the city and county of San Francisco to the extent of such change or changes of any of the rights of way or lands indicated on the original maps: *And provided further*, That any rights inuring to the grantee under this act shall, on the approval of the map or maps referred to herein by the Secretary of the Interior relate back to the date of the filing of said map or maps with the register of the United States Land Office as provided herein, or to the date of the filing of such maps as they may be copies of as provided for herein: *And provided further*, That with reference to any map or maps heretofore filed by said city and county of San Francisco or its grantor with any officer of the Department of the Interior or the Department of Agriculture, and approved by said department, the provisions hereof will be considered complied with by the filing by said grantee of copies of any of such map or maps with the register of the United States Land Office as provided for herein, which said map or maps and locations shall, as in all other cases, be subject to the approval of the Secretary of the Interior.

"SEC. 3. That the rights of way hereby granted shall not be effective over any lands upon which homestead, mining, or other existing valid claim or claims shall have been filed or made and which now in law constitute prior rights to any claim of the grantee until said grantee shall have purchased such portion or portions of such homestead, mining, or other existing valid claims as it may require for right-of-way purposes and other purposes herein set forth, and shall have procured proper relinquishments of such portion or portions of such claims, or acquired title by due process of law and just compensation paid to said entrymen or claimants, and caused proper evidence of such fact to be filed with the Commissioner of the General Land Office, and the right of such entrymen or claimants to sell and of said grantee to purchase such portion or portions of such claims are hereby granted: *Provided, however*, That this act shall not apply to any lands embraced in rights of way heretofore approved under any act of Congress for the benefit of any parties other than said grantee or its predecessors in interest.

"SEC. 4. That the said grantee shall conform to all regulations adopted and prescribed by the Secretary of the Interior governing the Yosemite National Park and by the Secretary of Agriculture governing the Stanislaus National Forest, and shall not take, cut, or destroy any timber within the Yosemite National Park or the Stanislaus National Forest, except such as may be actually necessary in order to construct, repair, and operate its said reservoirs, dams, power plants, water power and electric works, and other structures above mentioned, or is actually necessary in the construction, repair, and operation thereof, but no timber shall be cut or removed from lands outside of the right of way until designated by the Secretary of the Interior or the Secretary of Agriculture, respectively; and it shall pay to the United States the full value of all timber and wood cut, injured, or destroyed on or adjacent to any of the rights of way and lands, as required by the Secretary of the Interior or the Secretary of Agriculture: *Provided*, That no timber shall be cut by the grantee in the Yosemite National Park except from land to be submerged or which constitutes an actual obstruction to the right or rights of way or to any road or trail provided in this act: *Provided further*, That for and in consideration of the rights and privileges hereby granted to it the said grantee shall construct and maintain in good repair such bridges or other practicable crossings over its rights of way within the Stanislaus National Forest as may be prescribed in writing by the Secretary of Agriculture, and elsewhere on public lands along the line of said works, and within the Yosemite National Park, and such as may be prescribed in writing by the Secretary of the Interior; and said grantee shall, as said waterworks are completed, if directed in writing by the Secretary of the Interior or the Secretary of Agriculture, construct and maintain along each side of said right of way a lawful fence of such character as may be prescribed by the proper Secretary, with such suitable lanes or crossings as the aforesaid officers shall prescribe: *And provided further*, That the said grantee shall clear its rights of way within the Yosemite National Park and the Stanislaus National Forest and over any public land of any débris or inflammable material as directed by the Secretary of the Interior and the Secretary of Agriculture, respectively; and said grantee shall permit any road or trail which it may construct over the public lands, the Yosemite National Park, or the Stanislaus National Forest to be freely used by the officers of the Government and by the public, and shall permit officers of the Government, for official purposes only, the free use of any telephone or telegraph lines, or equipment, or railroads that it may construct and maintain within the Yosemite National Park and the Stanislaus National Forest, or on the public lands, together with the right to connect with any such telephone or telegraph lines any telephone wires for the exclusive use of said Government officers: *And provided further*, That all reservoirs, dams, conduits, power plants, water power and electric works, bridges, fences, and other structures not of a temporary character shall be sightly and of suitable exterior design and finish so as to harmonize with the surrounding landscape and its use as a park; and for this purpose all plans and designs shall be submitted for approval to the Secretary of the Interior.

"SEC. 5. That all lands over which the rights of way mentioned in this act shall pass shall be disposed of only subject to such easements: *Provided, however*, That when such construction shall not be prosecuted with due diligently prosecuted without cessation of such construction for a period of three consecutive years, and in the event that the Secretary of the Interior shall find and determine that there has not been diligent prosecution of the work or of some integral and essential part thereof, or that there has been a cessation of such construction for a period of three consecutive years, then he may declare forfeited all rights of the grantee herein as to that part of the works not constructed, and request the Attorney General, on behalf of the United States, to commence suit in the United States District Court for the Northern District of California for the purpose of procuring a judgment declaring all such rights forfeited to the United States, and upon such request it shall be the duty of the said Attorney General to commence and prosecute to a final judgment such suit: *Provided further*, That the Secretary of the Interior shall make no such finding and take no such action if he shall find that the construction or progress of the works has been delayed or prevented by the act of God or the public enemy, or by engineering or other difficulties that could not have been reasonably foreseen and overcome, or by other special or peculiar difficulties beyond the control of the said grantee: *Provided further*, That, in the exercise of the rights granted by this act, the grantee shall at all times comply with the regulations herein authorized, and in the event of any material departure therefrom the Secretary of the Interior or the Secretary of Agriculture, respectively, may take such action as may be necessary in the courts or otherwise to enforce such regulations.

"SEC. 6. That the grantee is prohibited from ever selling or letting to any corporation or individual, except a municipality or a municipal water district or irrigation district, the right for such corporation or individual to sell or sublet the water or the electric energy sold or given to it or him by the said grantee: *Provided*, That the rights hereby granted shall not be subject to sale, assignment, or transfer to any private person, corporation, or association.

"SEC. 7. That for and in consideration of the grant by the United States as provided for in this act the said grantee shall assign, free of cost to the United States, all roads and trails built under the provisions hereof; and further, after the expiration of five years from the passage of this act the grantee shall pay to the United States the sum of $15,000 annually for a period of 10 years, beginning with the expiration of the 5-year period before mentioned, and for the next 10 years following $20,000 annually, and for the remainder of the term of the grant shall, unless otherwise provided by Congress, pay the sum of $30,000 annually, said sums to be paid on the 1st day of July of each year. Said sums shall be kept in a separate fund by the United States, to be applied to the building and maintenance of roads and trails and other improvements in the Yosemite National Park and other national parks in the State of California. The Secretary of the Interior shall

designate the uses to be made of sums paid under the provisions of this section under the condition specified herein.

"SEC. 8. That the word 'grantee' as used herein shall be understood as meaning the city and county of San Francisco and such other municipalities or water district or water districts as may, with the consent of the city and county of San Francisco or in accordance with the laws of the State of California, hereafter participate in or succeed to the beneficial rights and privileges granted by this act.

"SEC. 9. That this grant is made to the said grantee subject to the observance on the part of the grantee of all the conditions hereinbefore and hereinafter enumerated:

"(a) That upon the completion of the Hetch Hetchy Dam or the Lake Eleanor Dam, in the Yosemite National Park, by the grantee, as herein specified, and upon the commencement of the use of any reservoirs thereby created by said grantee as a source of water supply for said grantee, the following sanitary regulations shall be made effective within the watershed above and around said reservoir sites so used by said grantee:

"First. No human excrement, garbage, or other refuse shall be placed in the waters of any reservoir or stream or within 300 feet thereof.

"Second. All sewage from permanent camps and hotels within the watershed shall be filtered by natural percolation through porous earth or otherwise adequately purified.

"Third. No person shall bathe, wash clothes or cooking utensils, water stock, or in any way pollute the water within the limits of the Hetch Hetchy Reservoir or any reservoir constructed by the said grantee under the provisions of this grant, or in the streams leading thereto, within 1 mile of said reservoir; or, with reference to the Hetch Hetchy Reservoir, in the waters from the reservoir or waters entering the river between it and the 'Early Intake' of the aqueduct, pending the completion of the aqueduct between 'Early Intake' and the Hetch Hetchy Dam site.

"Fourth. The cost of the inspection necessary to secure compliance with the sanitary regulations made a part of these conditions, which inspection shall be under the direction of the Secretary of the Interior, shall be defrayed by the said grantee.

"Fifth. If at any time the sanitary regulations provided for herein shall be deemed by said grantee insufficient to protect the purity of the water supply, then the said grantee shall install a filtration plant or provide other means to guard the purity of the water. No other sanitary rules or restrictions shall be demanded by or granted to the said grantee as to the use of the watershed by campers, tourists, or the occupants of hotels and cottages.

"That the said grantee shall recognize the prior rights of the Modesto Irrigation District and the Turlock Irrigation District, as now constituted under the laws of the State of California, or as said districts may be hereafter enlarged to contain in the aggregate not to exceed 300,000 acres of land to receive 2,350 second-feet of the natural daily flow of the Tuolumne River, measured at the La Grange Dam, whenever the same can be beneficially used by said irrigation districts, and that the grantee shall never interfere with said rights.

"(c) That whenever said irrigation districts receive at the La Grange Dam less than 2,350 second-feet of water, and when it is necessary for their beneficial use to receive more water, the said grantee shall release free of charge, out of the reservoirs and from the stream into which it has interested, so much water as may be necessary for the beneficial use of said irrigation districts not exceeding an amount which, with the waters of the Tuolumne and its tributaries, will cause a flow at La Grange Dam of 2,350 second feet; and shall also recognize the rights of the said irrigation districts to the extent of 4,000 second-feet of water out of the natural daily flow of the Tuolumne River for combined direct use and collection into storage reservoirs as may be provided by said irrigation districts during the period of 60 days immediately following and including April 15 of each year, and shall during such period make free of charge such quantity of water as may be necessary to secure to the said irrigation districts such 4,000 second-feet flow or portion thereof as the said irrigation districts are capable of beneficially directly using and storing below Lawbone Creek: *Provided, however*, That whenever the daily mean aggregate natural flow of the watershed of the Tuolumne and its tributaries measured at the La Grange Dam shall be less than said districts can beneficially use and less than 2,350 second-feet, then and in that event the said grantee shall release free of charge the entire natural daily flow of the stream which it has under its control.

"(d) That the said grantee whenever the said irrigation districts desire water in excess of that to which they are entitled under the foregoing, shall on the written demand of the said irrigation districts sell to the said irrigation districts from the reservoir or reservoirs of the said grantee such amounts of stored water as may be necessary for the beneficial use of the said irrigation districts at such a price as will return to the grantee the actual total costs of providing such stored water, such costs to be computed in accordance with the currently accepted practice of public cost accounting as may be determined by the Secretary of the Interior, including, however, a fair proportion of the cost to said grantee of the conduit, lands, dams, and water-supply system included in the Hetchy Hetchy and Lake Eleanor sites; upon the express condition, however, that the said grantee may require the said irrigation districts to purchase and pay for a minimum quantity of such stored water, and that the said grantee shall be entitled to receive compensation for a minimum quantity of stored water and shall not be required to sell and deliver to the said irrigation districts more than a maximum quantity of such stored water to be released during any calendar year: *Provided, however*, That if the said irrigation districts shall develop sufficient water to meet their own needs for beneficial use and shall so notify in writing the Secretary of the Interior, the said grantee shall not be required to sell or deliver to said irrigation districts the maximum or minimum amount of stored waters hereinbefore provided for, and shall release the said districts from the obligation to pay for such stored water: *And provided further*, That said grantee shall without cost to said irrigation districts return to the Tuolumne River above the La Grange Dam for the use of the said irrigation districts all surplus or waste water resulting from the development of hydroelectric energy generated by the said grantee.

"(e) That such minimum and maximum amounts of such stored water to be so released during any calendar year as hereinbefore provided and the price to be paid therefor by the said irrigation districts are to be determined and fixed by the Secretary of the Interior in accordance with the provisions of the preceding paragraph.

"(f) That the Secretary of the Interior shall revise the maximum and minimum amounts of stored water to be supplied to said irrigation districts by said grantee as hereinbefore provided, whenever the said irrigation districts have properly developed the facilities of the Davis Reservoir of the Turlock Irrigation District and the Warner-Dallas Reservoir of the Modesto Irrigation District to the fullest practicable extent up to a development not exceeding in cost $15 per acre-foot storage capacity, and whenever additional storage has been provided by the said irrigation districts which is necessary to the economical utilization of the waters of said watershed, and also after water losses and wastes have been reduced to such reasonable minimum as will assure the economical and beneficial use of such water.

"(g) That the said grantee shall not be required to furnish more than the said minimum quantity of stored water hereinbefore provided for until the said irrigation districts shall have first drawn upon their own stored water to the fullest practicable extent.

"(h) That the said grantee shall not divert beyond the limits of the San Joaquin Valley any more of the waters from the Tuolumne watershed than, together with the waters which it now has or may hereafter acquire, shall be necessary for its beneficial use for domestic and other municipal purposes.

"(i) That the said grantee shall, at its own expense, locate and construct, under the direction of the Secretary of the Interior, such weirs or other suitable structures on sites to be granted, if necessary, by the United States, for accurately measuring the flow in the said river at or above La Grange Dam, and measuring the flow into and out from the reservoirs or intakes of said districts, and into and out from any reservoirs constructed by the said grantee, and at any other point on the Tuolumne River or its tributaries, which he may designate, and fit the same with water-measuring apparatus satisfactory to said Secretary and keep such hydrographic records as he may direct, such apparatus and records to be open to inspection by any interested party at any time.

"(j) That by 'the flow,' 'natural daily flow,' 'aggregate daily natural flow,' and 'what is naturally flowing,' as are used herein, is meant such flow as on any given day would flow in the Tuolumne River or its tributaries if said grantee had no storage or diversion works on the said Tuolumne watershed.

"(k) That when the said grantee begins the development of the Hetch Hetchy Reservoir site it shall undertake and vigorously prosecute to completion a dam at least 200 feet high, with a foundation capable of supporting said dam when built to its greatest economic and safe height.

"(l) That the said grantee shall, upon request, sell or supply to said irrigation districts, and also to the municipalities within either or both said irrigation districts, for the use of any land owner or owners therein for pumping subsurface water for drainage or irrigation, or for the actual municipal public purposes of said municipalities (which purposes shall not include sale to private persons or corporations) any excess of electrical energy which may be generated, and which may be so beneficially used by said irrigation districts or municipalities, when any such excess of electric energy may not be required for pumping the water supply for said grantee and for the actual municipal public purposes of the said grantee (which purposes shall not include sale to private persons or corporations) at such price as will actually reimburse the said grantee for developing and maintaining and transmitting the surplus electrical energy thus sold; and no power plant shall be interposed on the line of the conduit except by the said grantee, or the lessee, as hereinafter provided, and for the purposes and within the limitations in the conditions set forth herein: *Provided*, That said grantee shall satisfy the needs of the landowners in said irrigation districts for pumping subsurface water for drainage or irrigation, and the needs of the municipalities within such irrigation districts for actual municipal public purposes, after which it may dispose of any excess electrical energy for commercial purposes.

"(m) That the right of said grantee in the Tuolumne water supply to develop electric power for either municipal or commercial use is to be made conditional for 20 years following the completion of any portion of the works adapted to the generation of electrical energy, as follows: The said grantee shall within 3 years from the date of completion of said portion of the works install, operate, and maintain apparatus capable of developing and transmitting not less than 10,000 horsepower of electric power for municipal and commercial use, said 10,000 horsepower to be offered for use; and within 10 years from the completion of said portion of the works not less than 20,000 horsepower; and within 15 years therefrom not less than 30,000 horsepower; and within 20 years therefrom not less than 60,000 horsepower, unless in the judgment of the Secretary of the Interior the public interest will be satisfied with a lesser development. The said grantee shall develop and use hydroelectric power for the use of its people and shall, at prices to be fixed under the laws of California or, in the absence of such laws, at prices approved by the Secretary of the Interior, sell or supply such power for irrigation, pumping, or other beneficial use, said prices not to be less than will return to said grantee the actual total costs of providing and supplying said power, which costs shall be computed in accordance with the currently accepted practice of public cost accounting, as shall be determined by the Secretary of the Interior, including, however, a fair proportion of cost of conduit, lands, dams, and water-supply system; and, further, said grantee shall, before using any of said water for the purpose of developing hydroelectric power, file such maps, surveys, field notes, or other data as may be required by law, and shall conform to any law existing and applicable to said subject of development as said hydroelectric power for municipal or commercial uses.

"(n) That after the period of 20 years hereinbefore provided for the development, transmission, use, and sale of electric power, the Secretary of the Interior, under authorization hereby given, may require the grantee, within a time fixed by the Secretary, to develop, transmit, and use, or offer for sale, such additional power, and also such power less than 60,000 horsepower as the grantee may have failed to develop, transmit, use, or sell, within the 20 years aforesaid, as in the judgment of said Secretary the grantee may or ought to develop under this grant, and which in his judgment the public interest demands or convenience requires; and in case of the failure of the grantee to carry out any such requirements of the Secretary of the Interior the latter is hereby authorized so to do, and he may, in such manner and form and upon such terms and conditions as he may determine, provide for the development, transmission, use, and sale of such additional power and such power not so developed, transmitted, or used by the grantee at the end of said 20 years up to 60,000 horsepower; and for that purpose the Secretary of the Interior may take possession of and lease to such person or persons as he may designate such portion of the rights of way, structures, dams, conduits, and other property acquired or constructed by the grantee hereunder as may be necessary for the development, transmission, use, and sale of such power.

"(o) That the rates or charges to be made by the grantee or by any lessee under the last preceding paragraph for the use of power for commercial purposes shall at all times conform to the laws of the State of California or, in the absence of any such law, be subject to the approval

of the Secretary of the Interior, and in the absence of such law no rates or charges shall be made, fixed, or collected without such approval, and the grantee shall at any time, upon the demand of the Secretary of the Interior, allow the latter or such person or persons as he may designate full and free access, right, and opportunity to examine and inspect all of the grantee's books, records, and accounts, and all the works constructed and property occupied hereunder by the grantee.

"(p) That this grant is upon the further condition that the grantee shall construct on the north side of the Hetch Hetchy Reservoir site a scenic road or trail, as the Secretary of the Interior may determine, above and along the proposed lake to such point as may be designated by the said Secretary, and also leading from said scenic road or trail a trail to the Tiltill Valley and to Lake Vernon, and a road or trail to Lake Eleanor and Cherry Valley via McGill Meadow; and likewise the said grantee shall build a wagon road from Hamilton or Smiths Station along the most feasible route adjacent to its proposed aqueduct from Groveland to Portulnca or Hog Ranch and into the Hetch Hetchy Dam site, and a road along the southerly slope of Smiths Peak from Hog Ranch past Harden Lake to a junction with the old Tioga Road, in sec. 4, T. 1 S., R. 21 E., Mount Diablo base and meridian, and such roads and trails made necessary by this grant, and as may be prescribed by the Secretary of the Interior. Said grantee shall have the right to build and maintain such other necessary roads or trails through the public lands, for the construction and operation of its works, subject, however, to the approval of the Secretary of Agriculture, in the Stanislaus National Forest, and the Secretary of the Interior in the Yosemite National Park. The said grantee shall further lay and maintain a water pipe, or otherwise provide a good and sufficient supply of water for camp purposes at the Meadow, one-third of a mile, more or less, southeasterly from the Hetch Hetchy Dam site.

"That all trail and road building and maintenance by the said grantee in the Yosemite National Park and the Stanislaus National Forest shall be done subject to the direction and approval of the Secretary of the Interior or the Secretary of Agriculture, according to their respective jurisdictions.

"(q) That the said grantee shall furnish water at cost to any authorized occupant within 1 mile of the reservoir, and in addition to the sums provided for in section 7 it shall reimburse the United States Government for the actual cost of maintenance of the above roads and trails in a condition of repair as good as when constructed.

"(r) That in case the Department of the Interior is called upon, by reason of any of the above conditions, to make investigations and decisions respecting the rights, benefits, or obligations specified in this act, which investigations or decisions involve expense to the said Department of the Interior, then such expense shall be borne by said grantee.

"(s) That the grantee shall file with the Secretary of the Interior within six months after the approval of this act its acceptance of the terms and conditions of this grant.

"(t) That the grantee herein shall convey to the United States, by proper conveyance, a good and sufficient title free from all liens and encumbrances of any nature whatever, any and all tracts of land which are now owned by said grantee within the Yosemite National Park or that part of the national forest adjacent thereto not actually required for use under the provisions of this act, said conveyance to be approved by and filed with the Secretary of the Interior within six months after the said grantee ceases to use such lands for the purpose of construction or repair under the provisions of this act.

"(u) That the city and county of San Francisco shall sell to the United States, for the use of the War Department, such water as the War Department may elect to take, and shall deliver the same through its system in or near the city of San Francisco to the mains or systems of such military reservations in that vicinity as may be designated by the Secretary of War, under such rules and regulations as he may prescribe. In payment for such water and the delivery thereof the United States shall pay to the said city and county of San Francisco a rental, to be calculated at a fixed rate per 1,000 gallons, said rate not to exceed the actual cost of said water to said city and county for all the water so furnished, as determined by meter measurements: *And provided further*, That payment of said rental shall be made by the local disbursing officer of the War Department in the usual manner."

"SEC. 10. That this grant, so far as it relates to the said irrigation districts, shall be deemed and held to constitute a binding obligation upon said grantee in favor of the said irrigation districts, which said districts, or either of them, may judicially enforce in any court of competent jurisdiction.

"SEC. 11. That this act is a grant upon certain express conditions specifically set forth herein, and nothing herein contained shall be construed as affecting or intending to affect or in any way to interfere with the laws of the State of California relating to the control, appropriation, use, or distribution of water used in irrigation or for municipal or other uses, or any vested right acquired thereunder, and the Secretary of the Interior, in carrying out the provisions of this act, shall proceed in conformity with the laws of said State."

Bill H. R. 6281 was substituted for bills H. R. 112 and 4319, Sixty-third Congress, first session. Full and exhaustive hearings were had on bill H. R. 6281, which hearings were printed. Bill H. R. 6914 was introduced in place of H. R. 6281, and after further hearings bill H. R. 7207 was introduced to take the place of all former bills, and after full hearings bill H. R. 7207 received the unanimous approval of the Committee on the Public Lands and is the one set out in full herein.

Bill H. R. 7207 was referred to the Department of the Interior, and following is the report received thereon:

DEPARTMENT OF THE INTERIOR,
Washington, August 2, 1913.

Hon. SCOTT FERRIS,
Chairman House Committee on the Public Lands,
House of Representatives.

MY DEAR MR. FERRIS: Your committee has referred to this department for report and recommendations H. R. 7207, being a bill granting to the city and county of San Francisco certain rights of way in, over, and through certain public lands, the Yosemite National Park, and Stanislaus National Forest, and certain lands in the Yosemite National Park and Stanislaus National Forest, and the public lands in the State of California, and for other purposes.

In this connection, I call your attention to your letter of June 23, 1913, transmitting to the Secretary of the Interior a copy of proof print of a House bill to be introduced by Representative RAKER, requesting that he furnish the committee with report thereon; and to the Secretary's letter of June 24, 1913, in reply thereto, wherein he discussed the matter at length, suggested certain amendments, and approved, with his reasons therefor, the object of the bill and the grant therein proposed.

The proof print became H. R. 6281, and I call your attention to the Secretary's letters of July 9, 1913, July 10, 1913, and July 11, 1913, reporting on H. R. 6281 and supplementing said letter of June 24.

I find that the various suggestions for amendment proposed in the said letters have been substantially incorporated in the present bill with the exception of section 7 thereof, which now provides for annual payment by the grantee. This amendment of section 7 has met with the approval of the Secretary of the Interior, and I am advised that he has wired you to that effect.

The department, therefore, has no objection to make to H. R. 7207, and heartily recommends that it can be enacted into law.

Very truly, yours,

A. W. JONES, *Acting Secretary.*

Bill H. R. 7207 was also referred to Hon. David F. Houston, Secretary of Agriculture, who made report thereon, which report is as follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., August 2, 1913.

Hon. SCOTT FERRIS,
Chairman Committee on the Public Lands,
House of Representatives.

DEAR MR. FERRIS: I have before me a copy of the bill, H. R. 7207, approved unanimously by the Committee on the Public Lands, granting to the city and county of San Francisco certain rights of way through the public lands, national forests, and Yosemite National Park, and your request that this department make a report thereon and such suggestions as it may see fit to offer.

This bill, H. R. 7207, now before me does not differ in any essential particular, so far as the matters pertaining to the Department of Agriculture are affected, from the bill which was considered by your committee at the time I testified before it and on which I submitted to you a formal report with the approval of this department. So far as the Department of Agriculture is concerned in this bill I can see no objection to its passage.

Sincerely, yours,

D. F. HOUSTON,
Secretary.

For the purpose of presenting bill H. R. 7207, with its provisions fully before the House, analysis is made thereof, as follows:

ANALYSIS OF H. R. 7207.

A bill granting to the city of San Francisco rights of way for water-supply system and incidental hydroelectric power plant in the Yosemite National Park, the Stanislaus National Forest, and public lands in the State of California.

The theory on which this bill is drawn is that the United States, having sole jurisdiction over the national park, has the right to refuse the grant and also has the right in making the grant to impose certain conditions upon the grantee.

The bill is not drafted nor designed nor intended to usurp the powers of the State of California in the matter of control of the distribution of water. The conditions imposed, which acquiesced in by the grantee, relate only to the protection of certain rights of the Turlock-Modesto Irrigation District, by recognizing, without affecting one way or the other, prior rights of the said districts to certain waters in the Tuolumne River, the source of this river being the Hetch Hetchy Valley.

Section 1 provides a grant of necessary rights [illegible] not exceeding 250 feet, as in the judgment of the Secretary of the Interior and the Secretary of Agriculture are required for the construction and operation of a water-supply system for the city of San Francisco and other cities which may hereafter join in the Metropolitan Water District about San Francisco Bay. The grantee is required to file maps showing proposed location of rights of way, power houses, pole lines, roads, trails, bridges, etc., and procure the approval of the Secretary of the Interior as to these locations. Within the jurisdiction of the Stanislaus National Forest the approval of the Secretary of Agriculture must be procured. This section is analogous to and practically identical with the grant made to the city of Los Angeles for a water-supply system from the Owens River.

Section 2: This section requires the grantee to file with the registers of the United States land offices within three years all maps showing boundaries or locations, and prohibits permanent construction work until maps shall have been filed and approved. Proviso 1 permits changes in location by approval when engineering problems are met and such changes are advisable. Proviso 2 provides that the rights of the grantee already procured shall be given due consideration and relate back to the filing of maps as provided in this section. Proviso 3 is to the effect that copies of maps already filed and approved under previous permits may be approved by the Secretary of the Interior.

Section 3 provides that the rights of way granted shall not be effective over unpatented, mining, or other valid claims which in law constitute prior rights unless the grantee shall procure relinquishment by due process and just compensation; and further, the section provides that any such entryman or claimant shall have the right to sell and the grantee shall have the right to purchase rights of way over homestead or other claims. A proviso prescribes that the act shall not apply to lands embraced in rights of way heretofore approved for the benefit of any party other than the said grantee or its predecessors in interest.

(The language of section 3 and preceding sections is designed to protect the reserved rights heretofore procured by the grantee or others.)

Section 4 provides that the grantee shall conform to all regulations prescribed to govern the Yosemite National Park and the Stanislaus National Forest, and further provides that no timber shall be cut in the national park or in the forest reserve except such timber as may be actually necessary to construct, repair, and operate its water and electric power system. All timber cut shall be designated by the Secretary of the Interior or the Secretary of Agriculture where such timber is outside the right of way. Proviso 1 prohibits the cutting of any timber in the Yosemite National Park, except from land to be submerged or which constitutes an actual obstruction to the rights of way or to any road or trail provided in the act, and to preserve artistic harmony the grantee is compelled to submit designs and structures to the Secretary of the Interior for approval. It is intended that all permanent dams, buildings, etc., shall conform to the landscape surroundings.

(The grantee acquiesces in this proviso, which is designed to prevent the cutting of a stick of timber in the Yosemite National Park, and thus prevent any possible destruction of trees within the reservation, and also to make the park as artistic as possible.)

Proviso 2 of section 4 requires the grantee to construct and maintain bridges and crossings over its rights of way of such character and construction as may be prescribed by the Secretary of the Interior or the Secretary of Agriculture, and, further, the grantee shall, upon order of the United States officials, construct and maintain fences along the rights of way. It is still further provided that the grantee shall clear its rights of way of debris and inflammable material, thus preventing forest fires, and also shall permit the free use by Government officials of all trails, telephone and telegraph lines, railroad and other utilities which may be constructed as adjuncts to the water-supply system. (The requirements of this section cause the grantee to expend a considerable sum in the improvement of the park and the forest reserve and make access to these public places easy and comfortable. The expenditure of this money for this purpose is a consideration, in part, for the grant.)

Section 5 provides that the grant by the Federal Government is an easement and that the lands shall be disposed of only subject to such easement. Proviso 1 compels the grantees to diligently prosecute its construction work without cessation, and in the event that such construction work ceases for a period of three years and the Secretary of the Interior determines the grantee has not been duly diligent, all rights under the grant may be declared forfeited by suit in the United States District Court for the Northern District of California. The Attorney General is required to prosecute such suit to final judgment when requested to do so by the Secretary of the Interior. Proviso 2 provides that the Secretary of the Interior shall not attempt to make a forfeiture if the work of the grantee has been delayed or prevented by the act of God or the public enemy, or by engineering or other special or peculiar difficulties which could not have been reasonably foreseen and overcome and were beyond the control of the grantee. Proviso 3 compels the grantee to at all times comply with the regulations authorized by the act, and in the event of material departure from said regulations the United States officials may take such action as may be necessary, in the courts or otherwise, to enforce such regulations.

Section 6 provides that the grantee is prohibited from selling or letting to any corporation or individual, except a municipality, a water district, or an irrigation district, the right to sell or sublet the water or electric energy sold or given to it by the grantee; it is provided also that the rights under the grant shall not be subject to sale, assignment, or transfer to any private person, corporation, or association.

(This provision, acquiesced in by the grantee, was designed to prevent any monopoly or private corporation from hereafter obtaining control of the water supply of San Francisco.)

Section 7 provides that for and in consideration of the grant the grantee shall make certain payments, the proceeds of which are to be used exclusively for the construction of roads and other improvements in the Yosemite National Park and other national parks in the State of California. The theory of this section is that San Francisco is receiving certain privileges and benefits from the national park, and that the consideration is for the use of public lands now owned by the United States. The payments proposed will, it is estimated, amount to more money annually than is at present charged to private corporations under similar Federal conditions. It is proposed that the grantee shall pay, beginning five years after the passage of the bill, the sum of $15,000 annually for a period of 10 years; $20,000 for a period of 10 years; thereafter, unless otherwise provided by Congress, $30,000 annually for the remainder of the term of the grant. The moneys so paid are to be kept in a separate fund by the United States and applied to park improvements as designated by the Secretary of the Interior, Congress retains the power to revise the schedule.

(The amounts specified in this section are approved by the Secretary of the Interior and his subordinates. The method of providing for improvement of the park is also approved.)

Section 8 defines the grantee as the city of San Francisco and such other municipalities or water districts which may, with the consent of the city or in accordance with the laws of the State of California, hereafter participate in or succeed to the beneficial rights and privileges of the act.

(The cities about the Bay of San Francisco have always approved the granting of the Hetch Hetchy reservoir site to San Francisco, with the understanding that these cities may in the future join with the city of San Francisco in a metropolitan water district. The State law of California provides for the creation of a metropolitan water district, and because of this law the bay cities have not requested at this time to be made cograntees. They know they will have the privilege to share in the benefits after San Francisco has made the necessary investment and brought the needed water to the bay cities for domestic use.)

Section 9 requires the grantee to observe sanitary regulations within the Hetch Hetchy watershed and around reservoir sites. These regulations provide that no human excrement, garbage, or other refuse shall be placed in the waters of any reservoir or stream, or within 300 feet thereof; and, further, that all sewage from permanent camps or hotels within the watershed shall be filtered by natural percolation through porous earth or otherwise adequately purified; and, further, no person shall bathe, wash clothes or cooking utensils, water stock, or in any way pollute the water of the reservoirs constructed under this grant or the streams leading thereto within 1 mile of said reservoir. The cost of inspection necessary to enforce sanitary regulations is to be paid by the grantee, and such inspection shall be under the direction of the Secretary of the Interior. Should these regulations prove insufficient to the grantee, then the grantee shall install a filtration plant, and no other sanitary rules or restrictions shall be granted.

(These sanitary regulations were prepared by experts of the United States Government, and Mr. Allen Hazen and Prof. Whipple and are approved by the Board of Army Engineers, the Secretary of the Interior, the Director of the Geological Survey, and others. It is intended that the use of the watershed shall be free to campers and visitors, and that no onerous or prohibitive sanitary regulations shall ever be imposed. The sanitary experts assert that the storage of water in the Hetch Hetchy Reservoir will insure adequate purity, and the Government officials assert that the regulations herein are only those required by common decency and for the protection of campers themselves—and, further, these regulations are practically identical with the rules now in force in the Yosemite National Park.)

Paragraph (b), section 9, provides that the grantee shall recognize the prior rights of the Modesto and Turlock Irrigation Districts to 2,350 second-feet of water. This provision permits of the enlargement of the districts as now constituted by an additional area of 43,000 acres, but does not affect the distribution of water.

(The irrigation districts having prior rights desire that those rights be recognized on the theory that the Government, having the right to refuse the grant to San Francisco, has, therefore, the right to place lawful conditions therein. The recognition of these priorities does not impinge upon California State law or modify existing rights.)

Paragraph (c), section 9, is a condition that the grantee shall be required to release the necessary amount of stored water to assure the flow of 2,350 second-feet included in the priorities of the irrigation districts; and, further, condition (c) recognizes the rights of the said irrigation districts to take 4,000 second-feet of water out of the natural flow of the Tuolumne River during a period of 60 days following and including April 15, of each year.

(Condition (c) is a limitation upon the grant, according to the theory of the bill, and is protective of rights already acquired and which can not be disturbed so far as they relate to the irrigation districts. The provision relating to the 4,000 second-feet of water is to provide for the beneficial use by the irrigationists of water which otherwise goes to waste. In the period mentioned, April 15 to June 15, the Tuolumne River is a torrential flood. Fifty miles of watershed intervene between the Hetch Hetchy Dam and the dam of the irrigationists at La Grange. It is proposed that the irrigationists may take up waste waters, store them, and thus lessen the possible draft upon the stored waters of the city. It should be borne in mind that San Francisco does not contemplate interfering with the natural flow of the Tuolumne. The intent is to store flood waters which come from melting snows and leave the normal flow of the river uninterrupted. The benefit to the irrigation districts in this provision is that the landowners will receive the benefit of an investment of approximately $50,000,000 without being compelled to put up any part of the cost, and the construction of the system will insure the priorities of the irrigationists and they will receive water in the dry period when it is most needed. Without the construction of the Hetch Hetchy Dam there can be no flow in the river during the summer and fall.)

Paragraph (d), section 9, provides that the grantee shall sell unused stored water needed for beneficial use on irrigable lands at cost, to be computed by the Secretary of the Interior. The minimum amount of such stored waters to be so delivered to the irrigation districts is to be regulated each calendar year, and if the irrigation districts develop sufficient water in the foothill reservoirs for their own needs then the said grantee shall not be required to sell or deliver any stored waters. It is also provided that water used for the generation of electric power be released in the Tuolumne River free.

(The theory of condition (d) is that after the domestic needs of the city are satisfied and a surplus remains then the irrigation districts shall have the right to purchase so much of this surplus as may be beneficially used. In the event of any dispute the Secretary of the Interior may be called in to adjust the differences.)

Paragraph (e), section 9, provides that the Secretary of the Interior shall fix the minimum and maximum of stored waters to be released, and he shall also fix the price to be paid therefor, in accordance with the provisions of paragraph (b).

Paragraph (f), section 9, provides that the Secretary of the Interior shall revise the maximum and minimum amounts of stored water to be released whenever the irrigation districts shall have properly developed certain reservoir and storage dams in the foothills. In the purview of this condition the irrigationists may not be required to expend more than $15 per acre-foot storage capacity for the development of local storage, and it is further provided that the grantee may require the stoppage of excessive water losses and waste because of defective ditches.

(This and preceding conditions are acquiesced in by the grantee and by the irrigation districts. The provision is the result of an amicable settlement between the two parties.)

Paragraph (g), section 9, provides that the grantee shall not be required to supply stored water to the irrigation districts until the latter shall have first drawn upon their own stored water to the fullest practicable extent.

(This is also agreeable to all parties.)

Paragraph (h), section 9, provides that the grantee shall not divert beyond the limits of the San Joaquin Valley any waters of the Tuolumne watershed in excess of the amount to be used for domestic and municipal purposes.

(The purpose of this provision is to make possible the use of surplus waters in the San Joaquin Valley and prevent the use of possible surplus for irrigation of lands remote from the Tuolumne River. John R. Freeman, consulting engineer for San Francisco, suggested that surplus water might be economically used for intensive farming in lands contiguous to San Francisco Bay. Inasmuch as San Francisco expects to purchase the local water supply, and thus acquire sufficient water for local irrigation purposes, it was deemed advisable and economical to provide that surplus from the Tuolumne should be used in the San Joaquin Valley. This is an economic use of water for the highest purpose of all concerned.)

Paragraph (i), section 9, provides that the grantee shall at its own expense provide water-measuring apparatus and keep hydrographic records, which apparatus and records shall be open to inspection by any interested party at any time.

Paragraph (j), section 9, is the engineers' definition of the flow of the Tuolumne River.

Paragraph (k), section 9, requires San Francisco to build a dam at least 200 feet high.

(This means that the city will expend from $500,000 to $1,000,000 in excess of initial expenditures necessary for its immediate needs. The intent is to build the dam high enough to provide adequate storage to meet the conditions of the grant, and is primarily a benefit for the irrigationists.)

Paragraph (l), section 9, provides that the grantee shall sell excess of electrical energy to the irrigation districts and municipalities within the irrigation districts for the beneficial use of landowners, whenever such excess is not required for the actual municipal purposes of the grantee. It is also provided that no power plant shall be interposed on the conduit of the grantee, except by the grantee itself. The proviso of the paragraph is that the grantee shall first satisfy the needs of landowners for pumping water for drainage or irrigation and the needs of the municipalities within the irrigation districts for municipal purposes before excess of electrical power may be sold for commercial purposes.

(This is a direct benefit to the irrigationists, and places no burden or hardship upon the grantee.)

Paragraph (m), section 9, provides for the development of electric power. The grantee is required to develop 10,000 horsepower within three years after the completion of that portion of the system which is usable for power development. Within 10 years thereafter the grantee shall develop 20,000 horsepower; and within 15 years 30,000 horsepower; and within 20 years 60,000 horsepower, unless in the judgment of the Secretary of the Interior the public interests will be satisfied with a lesser development.

The prices of electricity are to be fixed under the laws of California, or if there be no such laws, at prices approved by the Secretary of the

Interior, such prices to return to the grantee actual cost of construction.

Paragraph (n), section 9, provides that if the grantee fails to develop horsepower as directed herein, then the Secretary of the Interior may lease to such person or persons as he may designate those portions of the rights of way, structures, dams, etc., as may be necessary for development, use, and sale of power which the grantee has failed or neglected to develop.

(This is a forfeiture penalty to prevent cold storage of power possibilities.)

Paragraph (o), section 9, provides that rates to be charged for power for commercial purposes (in the event that lease is made to another party under paragraph (n)) shall conform to the laws of the State of California, or in the absence of any such law shall be subject to approval by the Secretary of the Interior; and it is also provided that all records, books, etc., shall be open to inspection by the Secretary of the Interior.

Paragraph (p), section 9, provides for the building of roads and trails in the Yosemite National Park as designated by the Secretary of the Interior.

(The routing of these roads and trails was made by Mr. Marshall, of the Geological Survey, who surveyed the Hetch Hetchy Valley and is familiar with all the scenic and topographical conditions there. These roads will cost the city of San Francisco $500,000 to $1,000,000, and are to be turned over, free of charge, to the United States. This is one of the important considerations, and carries compensation to the Government for the rights of way granted. The construction of these roads will make the Hetch Hetchy Valley accessible and will provide a convenient and easy way for mountaineers to reach the higher parts of the Sierra. The paragraph also contains a requirement that the grantee shall provide a water supply for camp purposes at the Meadow camping place, a third of a mile from Hetch Hetchy. It is also provided that all trail and road building shall be done subject to the approval and direction of the Secretary of the Interior or the Secretary of Agriculture, according to their respective jurisdictions.)

Paragraph (q), section 9, provides that the grantee shall furnish water at cost to any authorized occupant within 1 mile of the reservoir, and shall repair and maintain roads and trails constructed under the provisions of the grant.

Paragraph (r) provides that the grantee shall pay all the cost of inspection and investigations which may be required of the Department of the Interior where such investigations and inspection involve expense to the department.

Paragraph (s) provides that the grantee shall file an acceptance of the conditions of this act within six months after its passage.

Paragraph (t) requires the grantee to convey to the United States any and all tracts of land now owned by the city within Yosemite National Park or the national forest, which lands are not actually required for use under the provisions of this act.

(The city of San Francisco purchased private lands for the purpose of exchanging the same with the Government in lieu of that portion of the floor of the Hetch Hetchy Valley, which is not owned by the city. The purpose of this plan is to provide suitable and desirable camping places for visitors who may wish to visit the Sierra and who would otherwise have camped in the Hetch Hetchy, and at the same time compensate the United States for lands to be submerged.)

Paragraph (u) provides that the grantee shall sell the water at cost to the military reservations at San Francisco. This was requested by the Secretary of War and is acquiesced in by the city.

Section 10 provides that the conditions of this grant shall be a binding obligation upon the grantee so far as the conditions relate to the irrigation districts.

Section 11 provides that this act shall not be construed as affecting or intending to affect or in any way to interfere with the laws of the State of California relating to the control, appropriation, use, or distribution of water or any vested right acquired thereunder, and the Secretary of the Interior is directed to proceed in conformity with the laws of the State of California in carrying out the provisions of this act.

CITY OWNS WATER RIGHTS.

The city and county of San Francisco, under the laws of the State of California, has taken and performed all necessary acts to acquire, appropriate, and use the waters of the Tuolumne River, which has been done in strict compliance with the laws regulating the appropriation and use of waters in the State of California, and now has and holds a valid water right by virtue of its acts performed under the laws of said State.

The committee heard all parties who desired to be heard upon the bill, and granted full and free opportunity for such hearing, and at such hearings all parties were heard, and the committee were unanimously of the opinion that the legislation provided for in bill H. R. 7207 is of an urgent character, and should be acted upon at this session of Congress; and by unanimous vote of said committee said bill is approved and action by Congress urged to be taken during the present session.

A statement of the facts and of the testimony presented before the committee follows, the better to enable the Members of the House to fully understand the true conditions surrounding the proposed grant by the Government to San Francisco under bill H. R. 7207.

FACTS ABOUT HETCH HETCHY.

HISTORY OF SAN FRANCISCO'S EFFORT TO OBTAIN A MUNICIPAL WATER SUPPLY FROM THE SIERRA.

The use of the Hetch Hetchy Valley in the Yosemite National Park as a reservoir for storing water for the city of San Francisco and other cities and for irrigation purposes is urged by the following:

Hon. Franklin K. Lane, Secretary of the Interior.
Hon. David F. Houston, Secretary of Agriculture.
Dr. George Otis Smith, Director United States Geological Survey.
Hon. F. H. Newell, chairman United States Reclamation Commission.
Hon. Henry S. Graves, Chief Forester, United States Forest Service.
The Board of Army Engineers: Col. John Biddle, Lieut. Col. Harry Taylor, and Col. Spencer Cosby.
Hon. Gifford Pinchot, former Chief Forester.
Two Senators and 11 Representatives from the State of California.
The people of Oakland.
The people of Berkeley.
The people of Alameda.
The people of Palo Alto.
The people of San Jose.
The people of Menlo Park.
The people of Richmond.
The Legislature of the State of California.
The governor of the State of California.
The engineer of the State of California.
The Conservation Commission of the State of California.
The people of San Francisco.
The Chamber of Commerce of San Francisco.
The labor unions of San Francisco.
The improvement clubs of San Francisco.
The newspapers of San Francisco and cities about San Francisco Bay.
The landowners of the Turlock irrigation district.
The landowners of the Modesto irrigation district.
The Commonwealth Club of California.
Many members of the Sierra Club of California.
The Native Sons and Daughters of California.
The Public Lands Committee of the House of Representatives.

CITY'S URGENT NEED.

San Francisco urgently needs an additional supply of water.

The city is confronted by an emergency—practically one-third of the municipality is without adequate water supply.

The condition is so grave that the water company now supplying the city has advertised in all the papers warning the people not to wash down their steps, sprinkle their lawns, or otherwise waste water.

The reason for this is that there have been two years of light rainfall, and the storage reservoirs have not been refilled.

San Francisco is situated on a narrow, arid peninsula, where there are no summer rains, and it is necessary to store a water supply during the rainy season.

The city has a population of 500,000 and its water supply is approximately 40,000,000 gallons a day.

Denver, with half that population, has a supply of 200,000,000 gallons a day.

SITUATION DEPLORABLE.

Half the present water supply of San Francisco is brought from gravel beds beneath agricultural lands in Alameda County. The other half is stored water in peninsular reservoirs. Proof of this emergency is given by William Bourn, president of the Spring Valley Water Co., who testified under oath before the water-rates committee of the board of supervisors on May 19, 1913, as follows:

"The situation to-day in this city—there is nothing as deplorable, there is nothing in my life that I regret as much as the water situation in San Francisco to-day. It is doing this city more harm than the earthquake ever did it."

At that same hearing, referring to the Hetch Hetchy project, Mr. Bourn said:

"If I had it in my power to give you Hetch Hetchy to-morrow, I would give it to you. If you think the Spring Valley Water Co. is going to make any objection to your application to Congress, you are greatly mistaken."

For 12 years San Francisco has been endeavoring to procure a water supply from the Hetch Hetchy Valley.

The city's object was opposed until this year by the Spring Valley Water Co., the irrigationists of the Turlock-Modesto irrigation district, the promoters of several water schemes which the city did not want, and by a small group of men who based their objections upon love of nature and opposed the creation of a lake where a canyon now exists.

All this opposition, except that of the nature lovers, is withdrawn.

The city has arranged for an amicable condemnation proceeding to acquire the property of the Spring Valley Water Co.

The city has agreed to protect the prior rights of the irrigationists, and will spend from $500,000 to $1,000,000 more than is required at this time to increase storage to guarantee water for irrigation.

CITY OWNS HETCH HETCHY VALLEY.

The city owns two-thirds of the floor of the Hetch Hetchy Valley, and also owns a portion of the dam site.

The city has spent $1,750,000 in the purchase of privately owned rights in the Hetch Hetchy Valley and the Yosemite Park, and now asks Congress for permission to build a dam and for rights of way for conduits, pole lines, etc., over the public lands.

In creating this water system the city agrees to supply water at cost to irrigationists, and will also supply electric energy at cost to landowners in the Turlock-Modesto district.

The power potentiality of the stream is estimated at 115,000 horsepower in its ultimate development. It is proposed to develop this energy in 10,000 horsepower units and use the power for public purposes in San Francisco and adjoining cities.

The following data, from the report of the Army engineers and from the testimony of the engineers before the Public Lands Committee, give the acreage and capacity of the proposed reservoirs:

	Elevation, dam site.	Maximum height of dam.	Acres in reservoir site.	Storage capacity.
	Feet.	*Feet.*		*Acre-feet.*
Hetch Hetchy	3,500	325	1,339	352,000
Lake Eleanor	5,000	245	1,443	288,000
Cherry Valley	5,000	130	960	56,900

	Acres.
Stanislaus National Forest	1,135,500
Yosemite National Park (1,124 square miles)	719,422
Lands owned by San Francisco in Yosemite National Park	1,960.33
Lands owned by San Francisco in forest reserve	1,446.13
	3,406.46

Total area which will be flooded in three reservoirs, 3,373 acres. (See H. Doc. 54, 63d Cong., 1st sess.)

BAY CITIES UNITE IN PETITION.

The cities around San Francisco Bay join in asking that San Francisco be given the Hetch Hetchy grant. These cities propose—and the State law permits—to organize a metropolitan water district, and the Hetch Hetchy system, together with the local water, will insure an adequate supply for the future.

No injury can possibly be done to any one or to any interest by the construction of this system. On the contrary, it will be a development of resources for the beneficial use of millions of people.

The ultimate cost of the project is estimated at $77,000,000. The initial cost for the first installation necessary to bring 200,000,000 gallons of water to the city is $37,500,000.

BONDS VOTED IN 1910.

In 1910 the city voted overwhelmingly $45,000,000 in bonds for the construction of this water system. There were 30,000 votes cast for and 1,200 against this bond issue.

A water famine is impending, and the city desires to get to work at once on its Hetch Hetchy supply. Pending the construction, emergency development of water has to be made, and this work ought to begin at once. It is impossible for the city to do the emergency work until the larger question—the source of the mountain supply—is settled, as no part of the bond money available can be used unless it is expended for an integral part of the Hetch Hetchy system.

With the Hetch Hetchy grant assured, additional pipes, which ultimately can be used in the Hetch Hetchy scheme, will be laid, and the stored waters now available can be drawn lower and wells sunk for neighborhood supplies.

COSTLY WATER.

To-day San Francisco pays higher rates for water than any city of its size in the world. The rates are 15 to 21 cents per 1,000 gallons.

When these water rates are added to a burdensome tax rate caused by a $500,000,000 loss from earthquake and fire in 1906, no reasonable person should object to the city obtaining an adequate supply at the cheapest cost.

Any alternative supply would cost the city $20,000,000 more, with no credit for power development. This $20,000,000 difference in cost does not represent the full amount of difference, as any other source in the State of California which the city might use is now owned by power companies and other corporations.

TO CONVERT CANYON INTO LAKE.

Hetch Hetchy Valley is a gorge in the Yosemite National Park. It is 30 miles from Yosemite Valley proper. The watershed is composed wholly of granite mountains, on which there is a heavy snowfall every winter. It is proposed to convert the valley into a magnificent lake and store the water from the melting snows which now run off in torrential floods each year, doing good to no one and at times causing great damage.

HISTORY OF SAN FRANCISCO WATER PROBLEM.

In 1900 engineers and thoughtful citizens realized that the existing local supply from the peninsula and across the bay was not sufficient for the progressive growth of the city. In 1901 the city engineer of San Francisco was directed to examine available sources of water supply from the mountains. Mr. C. E. Grunsky, that engineer, afterwards selected as commissioner on the Panama Canal, and still later engineer of the Reclamation Service, made a comprehensive survey of Sierra sources. In his work he spent $50,000 and something over a year of time. He and his assistants examined, first, the Spring Valley waterworks, with 12 separate sources as auxiliaries; second, Lake Tahoe; third, the Yuba River; fourth, the Feather River; fifth, the American River; sixth, the Sacramento River; seventh, the Eel River; eighth, Clear Lake; ninth, the San Joaquin River; tenth, the Stanislaus River; eleventh, the Mokelumne River; twelfth, the Tuolumne River; thirteenth, the bay shore gravels, in and around San Francisco and Alameda County; and, fourteenth, the Bay City Water Co.'s reserve.

As a result of this investigation, the Tuolumne River, its source in the Hetch Hetchy Valley, draining 1,501 square miles of the Sierra Mountains, with an annual rainfall of from 20 to 50 inches and a mean annual run-off of 24 inches, or nearly 2,000,000 acre-feet, was selected.

SCIENCE AND SENSE APPROVE PROJECT.

Every engineering, sanitary, and economic factor favored the Hetch Hetchy as the source. Added to these factors were freedom from complicating water rights and additional power possibilities outside the initial installation.

The distance which the water is to be brought is 142 miles. It is proposed to install 10-foot pressure tunnels, lined with concrete, through the mountains, and 10-foot steel pipes across the valley. This system will bring water to San Francisco under sufficient pressure to boost it to the highest levels without pumping. The plans originally made by city engineers, C. E. Grunsky and Marsden Manson, were revised by Mr. John R. Freeman, probably the most noted hydraulic engineer in the world. Mr. Freeman brought to his assistance a group of noted experts, and now the work is in charge of M. M. O'Shaughnessy, city engineer, who has had extended experience in the construction of water systems in California, the Southwest, and Hawaii. Mr. Freeman remains as consulting engineer.

Immediately following Mr Grunsky's report selecting the Hetch Hetchy Valley, the then mayor of the city, Hon. James D. Phelan, set about to perfect wer rights. At that time, 1901, the Hetch Hetchy Valley was not in a national park. The city could not as a municipality make filings for water under the laws of California at that time. Therefore Mr. Phelan, in his individual capacity, made filings, perfected them, and transferred them to the city of San Francisco. By this procedure San Francisco obtained priorities and has, in spite of all obstacles, kept the city's rights alive.

Subsequently the Hetch Hetchy Valley was included in the national parks at the time the State of California receded the Yosemite Valley to the United States.

Application was made to Secretary of the Interior Hitchcock for a permit to construct the dam and for rights of way. Mr. Hitchcock refused the permit and directed the city to buy out the Spring Valley Water Co. This was the beginning of trouble. Bitter contention arose over the character of the water rights claimed by the company and over a purchase price. No agreement could be reached, and for several years the problem remained unsettled.

GARFIELD GAVE LIMITED PERMIT.

When James R. Garfield became Secretary of the Interior San Francisco renewed her application for a permit. There was bitter opposition. After investigation Secretary Garfield, on May 11, 1908, authorized the city to use Lake Eleanor and Cherry Creek, sources contiguous to the Hetch Hetchy Valley, and part of the Tuolumne watershed. About this time a group of men adverse to the city's interests secured an option on 720 acres of land which the city had to have, and immediately ran up the price. This scheme caused delay. In 1909 the city voted $600,000 bonds for the purpose of acquiring privately owned lands and water rights, and part of the expenditure of this sum was $174,311.20 for the 720 acres of land in the Hetch Hetchy Valley. This land was of value to the city, and a number of private interests were trying to acquire it for the purpose of developing power, and as the Government had made the condition that private ownership be bought out the city had to pay the price asked.

ARMY BOARD INVESTIGATES.

In 1910, at the request of the President of the United States, a board of three Army engineers was appointed to investigate and analyze the data and report on all available sources for a water supply for San Francisco.

This board was composed of Col. John Biddle, Col. Harry Taylor, and Col. Spencer Cosby. The investigation was completed in December, 1912, and the Army board report was filed in February, 1913. (H. Doc. 54, 63d Cong., 1st sess.)

Secretary of the Interior Fisher, with the Army board, the engineers of the Geological Survey, the Directors of the Reclamation Service and the Geological Survey, and other Government experts, conducted a 10-day oral hearing on all the reports submitted in November and December, 1912.

UNITED STATES ENGINEERS APPROVE.

As a result of all this, the Army board reported in favor of San Francisco, stating that the Hetch Hetchy was the most economical and available source of water supply for the bay cities.

Secretary Fisher did not issue the permit. He received the Army board report a few days before his retirement from office, and passed the question on to his successor and to Congress.

Secretary Lane, having been the city attorney of San Francisco and an attorney of record in the Hetch Hetchy proceedings, while he urges the grant, felt that it were better procedure for the city to obtain its authorization from Congress.

These facts and additional data are more clearly set forth in the transcript of proceedings by Hon. Percy V. Long, city attorney of San Francisco. (See Vol. I of hearings, beginning at p. 94; see also engineering history by M. M. O'Shaughnessy, p. 130, Vol. I.) Mr. O'Shaughnessy says in part:

"In California we are often subject to a succession of two and sometimes three dry years. For a municipal supply this involves having a reservoir and storage capacity able to tide over such a dry period. In San Francisco for the past two years there has been a shortage of over 50 per cent of rainfall, and this has resulted in leaving our reservoirs in a very depleted condition, so that the public is very much alarmed as to what the outcome is going to be. Personally, as the city official most directly responsible for improving conditions, it is a subject of very grave alarm, and for the past three or four months I have been making explorations all over the city in our narrow peninsula trying to develop what strata there is that will be capable, in this emergency, of relieving our situation. There is no other city in the United States at the present time of the size of San Francisco confronted with such a situation."

Mr. O'Shaughnessy says further that the Spring Valley Water Co. is supplying about 41,500,000 gallons per day. In addition there are drawn from private wells about 8,000,000 gallons per day, so that the daily consumption is about 50,000,000 gallons. He adds that if the present demands were supplied, the consumption would be 75,000,000 gallons per day.

When it is considered that San Francisco is growing very rapidly, and that whole districts can not be improved, homes built, and sanitary requirements fulfilled because of lack of water, it is apparent that San Francisco must have more water than is available from any near-by source.

ALL WATER NEEDED FOR USE.

Supplementing Mr. O'Shaughnessy's judgment is the following from the report of the Board of Army Engineers:

"In one important respect the situation in California requires special consideration. In California all water has great value; due to the large extent of arid and semiarid land that can be made fertile by the use of water, irrigation is assuming great importance; due to lack of coal and the opportunity for economical water-power development, the use for the latter purpose will surely be greatly extended. *In a relatively few years practically all available water will doubtless be appropriated for one or the other purpose, and it will then be possible to obtain it for municipal use only at great cost and damage to existing communities and industries. It is therefore necessary to-day for the cities of California to look further ahead than in most other parts of the country and to take such steps that in the future when they may need the water they shall have the right to take it.* For this reason it is believed that in making provision for the future supply of San Francisco and other bay cities, a source should be selected, if possible, that is capable of supplying the needs of the communities for the balance of this century. Such a course would seem both wise and reasonable, provided it involves no sacrifice of economy."

With a full knowledge of this entire subject, Gifford Pinchot, leading conservationist of the country, declares to the Land Committee that San Francisco's proposition is the highest form of conservation he has seen, and he urges the passage of the bill.

CITY READY TO HELP STATE.

Encouraged by the friendly aid of neighboring cities, San Francisco stands ready—money in hand—to make a great investment which will bring incalculable benefit to the State of California. This willingness to pack the burden is not wholly self-interest. The people of the city realize that economic development of the great San Joaquin Valley will help to produce cheaper foodstuffs, attract home builders, and enhance the progress of the State. Imbued with this sentiment and characteristic generosity, the city is willing that an additional million dollars shall be spent for storage of water to be used solely by irrigationists.

And, further, proud of the glories of the State the beauties of the Yosemite, the delights of the Sierra, the city proposes to expend another million dollars in making the sublime scenery of the Hetch Hetchy and Yosemite accessible to people of small means and limited leisure. The historical associations and the league for the preservation of California landmarks are more jealous of the preservation of California's natural beauties than can be the residents of remote cities—men who never have seen California and probably would never go to the Hetch Hetchy if they had time and opportunity.

A people who undauntedly met the greatest disaster in all the world's history and who rebuilt a devastated city ought to be given sufficient consideration to enable them to select their own water supply and to ease the tax burden which falls most heavily upon those who work for a living. The Hetch Hetchy question is not "a raid upon the Yosemite"; it is a question solely of providing pure water in ample supply to human beings.

ARMY BOARD FINDINGS.

[Extracts from conclusions of Board of United States Army Engineers. (H. Doc. No. 54, 1st sess. 63d Cong.)]

The project proposed by the city of San Francisco, known as the Hetch Hetchy project, is about $20,000,000 cheaper than any other feasible project for furnishing an adequate supply.

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The Hetch Hetchy project has the additional advantage of permitting the development of a greater amount of water power than any other.

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The board is of the opinion that the use of the Hetch Hetchy Valley as a reservoir site is necessary if the full flow of the upper Tuolumne is to be conserved.

The board further believes that there will be sufficient water, if adequately stored and economically used, to supply both the reasonable demand of the bay communities and the reasonable needs of the Turlock-Modesto irrigation districts for the remainder of this century.

* * * * * * *

The board believes that on account of the fertility of the lands under irrigation and their aridness without water the necessity of preserving all available water in the Valley of California will sooner or later make the demand for the use of Hetch Hetchy as a reservoir practically irresistible. The board does not think that a delay of a few years in transforming the Hetch Hetchy Valley into a reservoir is of importance, and therefore does not think it necessary to require delaying construction of this reservoir until the Lake Eleanor and Cherry sources have been fully developed.

* * * * * * *

The board believes that the regulations proposed by the city will be found sufficient to protect the waters from pollution, and that these regulations will tend toward the protection of campers and others using the park and will not be onerous upon them. It recommends, however, that the permit to the city require the city to take other means, such as filtration, to purify its water supply if these regulations are ever deemed insufficient.

The construction of reservoirs, especially the Hetch Hetchy, will destroy a few camping grounds in the park. The construction of the proposed trails will, however, render accessible other parts of the park not now readily reached, and the number of camping places within the park is large.

* * * * * * *

Construction of Tuolumne system as proposed by city of San Francisco, to be extended over about 50 years, $77,000,000.

Against the above expenditures there will be developed 115,000 horsepower, having an estimated capitalized net value of $45,000,000.

LANE URGES ACTION.

[Copy of letter from Hon. Franklin K. Lane, Secretary of the Interior, to Hon. OSCAR W. UNDERWOOD, House of Representatives, which letter was transmitted to Hon. SCOTT FERRIS, chairman Public Lands Committee.]

THE SECRETARY OF THE INTERIOR,
Washington, May 29, 1913.

MY DEAR MR. UNDERWOOD: I have been in receipt for some time of communications from San Francisco respecting their water situation. The newspapers and others are keeping it as quiet as possible, but the situation is one of emergency and of actual distress. As you doubtless know, there has been pending here for some 10 years or more an application before this department for rights of way which will permit the use of the Hetch Hetchy Valley as a reservoir for San Francisco's water supply.

When I was city attorney of San Francisco I made an argument before Secretary Hitchcock in this matter and have been interested in it ever since. Secretary Fisher just before he went out of office said that the matter was one that should be dealt with by Congress. I was opposed to the revoke this decision, but said that owing to the fact that I had been a constant advocate of such a permit and was one of the attorneys of record in the matter I felt it would be improper for me to act further than to express to Congress my opinion that this was a matter almost vital to San Francisco's growth as well as her present needs.

I am advised to-day that the matter of securing the necessary legislation under which the Tuolumne waters may be used for a municipal water supply can be taken up by Congress as an emergency matter if you will say the word. San Francisco's need is so great that I think such action would be entirely justifiable. There is absolutely no politics in the matter. The president of the Spring Valley Water Co., which now supplies the city, in describing the water supply in that city recently said: "It is doing the city more harm than the earthquake ever did."

I quite realize the pressure that is brought to bear upon you with respect to legislation that Members desire to push at this session. This fact, however, is not to be lost sight of—that a delay as to the Hetch Hetchy water supply now means the postponement for at least a year of securing the relief for San Francisco. There are sufficient data already in the Land Committee to act upon and there is no question of policy involved affecting anything other than this one proposition.

I hope from these considerations that you will find it practicable to make the exception and permit this proposition to be considered during this session of Congress.

Respectfully, yours, FRANKLIN K. LANE.

Hon. OSCAR W. UNDERWOOD,
House of Representatives.

LANE TESTIFIES AT HEARING.

[Extracts from statement of Hon. Franklin K. Lane, Secretary of the Interior, to the Public Lands Committee, House of Representatives, June 25, 1913.]

San Francisco needs a new and adequate water supply. The water supply that she has now has been developed from time to time during the last 50 years, and the city has outgrown it. The situation in San Francisco now is that there are many homes where sufficient water can not be had for a bath; where it is necessary in the new and growing portions of the city to leave a spigot turned on at night in order to get sufficient water for the morning breakfast. More than that, you know the situation that developed immediately after the earthquake. San Francisco attempted to supplement her fresh-water supply with a salt-water supply drawn from the ocean—an emergency supply in case of fire.

There is every kind of reason why San Francisco should have a larger supply of water than she has. At the present time they are advertising in the papers that people must stop washing down their steps, washing off the sidewalks, and watering their lawns because the water is not to be had. * * *

The Hetch Hetchy Valley is distant from the Yosemite Valley and in no way touches that beautiful scenic valley. The Hetch Hetchy Valley I have never seen; but it is a valley in a canyon which is partly submerged during a part of the year, which, as I learned 10 years or more ago, was for the greater part even of the summer season an impossibility for camping purposes because of the mosquitoes there, there being so much swamp. Great cliffs arise around it. * * * I think that I have as much appreciation of natural beauty as anyone, and as much of a desire to conserve the natural beauties of my own home State as anyone, and my conclusion, after thinking of this thing a long while, has been that to turn that valley into a lake would add to the beauty of the whole thing rather than to detract from it in any way. * * *

Both the private engineers and the War engineers have reached the conclusion that this dam site must eventually be used. California needs water for other than municipal purposes, for irrigation purposes, and she needs this water that comes down from these high mountains for power, because she has no coal, so that it is probably a matter of but a few years, even if this application were denied, and if this bill should fail to pass, *it would be only a very few years before you would find yourselves pressed by the State of California or by private parties with large public influence behind them to set aside this identical site as a dam site for the holding back of the flood waters which run to waste*, so that those waters might be used for irrigation purposes and for power purposes, if not for municipal purposes; and it has seemed to me, in looking over the whole situation, that San Francisco's demand or request made to the Secretary of the Interior in times past was a perfectly reasonable one. My concern as Secretary of the Interior has been to see that the interests of the Government were protected. I have looked over this bill, and in the very brief time I have had it seems to meet a great many of the objections that have been heretofore raised to such bills. * * *

My judgment is unequivocally in favor of the use of the floor of the valley. If San Francisco does not get it, some one else must; it is too precious a reservoir site to remain unused.

* * * * * * *

In building this dam San Francisco will necessarily build roads which will make the high sierra accessible—will make that whole portion of the park accessible to hundreds of thousands of people who never will have any chance to go in there if it remains as at present. *Therefore it seems to me that as a park proposition alone this thing is worth while.* * * *

I think, as one having charge of the park, that it will be beneficial, and that anyone who really knows the country and appreciates the advantages that will come by the opening up of it and making it accessible and putting it to use must indorse this proposition as against some rather doubtful esthetic consideration.

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San Francisco has absolutely needed an additional water supply for years.

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I am advised by the irrigation people themselves that they are satisfied that this (bill) protects their rights, and I think it becomes quite evident when you consider that the city puts up a great dam which will hold back flood waters that run idly by their land, that it must work out for their benefit if they have any right whatever to the use of the waters.

* * * * * * *

The general principle of the bill is that these lands belong to the Federal Government and that we have control of them. The water originates in them, the water flows through them, and we have control over the dam site, and if we are to allow these lands to be submerged we have got the right to make certain conditions. Certainly no one can come in and use lands in a national park without our consent, and if you give consent you have got the right to make conditions.

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I think the rights of the irrigation districts are very well protected here, and that they have the right to call upon the city for additional water.

* * * * * * *

I think that it is very proper that the Federal Government should use whatever power it has over the public lands, over the parks, and over the forests to compel the fullest use of these waters, and indirectly to require through its power to make conditions, the lowest possible rate for consumers.

* * * * * * *

In my judgment, the permission desired by San Francisco to secure water from the Yosemite National Park for municipal purposes, etc., should be accorded. The communities on San Francisco Bay constitute the largest center of population on the Pacific coast and are urgently in need of an adequate supply of pure, wholesome water for domestic consumption and for fire protection.

This project would insure the development of a dependable supply of water for the use of the adjacent irrigation district, and it would also provide for the development of power now going to waste. The city of San Francisco has evidenced its good faith in this matter by providing a large bond issue looking to securing money to effectuate the grant if accorded. The bill under consideration fully protects the interests of the United States in the park and elsewhere. Under the project as proposed by the city, the floor of the Hetch Hetchy Valley, now difficult of access and frequently unhealthy, will be converted into a lake of great beauty and be provided with suitable approaches. Under the provisions of this bill the revenues derived by the Government, which in time will grow into a very considerable sum, are to be used for the maintenance and improvement of the Yosemite National Park, and the city of San Francisco has undertaken to construct and maintain roads, trails, and bridges which will practically result in a great enlargement of the park areas of the high Sierra by making them more safely and easily accessible.

HOUSTON APPROVES.

[Extracts from statement of Hon. David F. Houston, Secretary of Agriculture, before the Public Lands Committee, House of Representatives, June 25, 1913.]

I have examined this proposed bill, and I am in hearty accord with what the Secretary of the Interior says as to the general features. So far as the Department of Agriculture is concerned, I think that all of the interests of the Government are safeguarded in the bill.

* * * * * * *

It is unnecessary for me to repeat anything that has been said about the need of the city of San Francisco for water. There is no doubt, from the representations made, that they have a great and growing need for this water supply. It is a prerequisite to the development of a great city. Now, I am also informed that this has been determined as the best way to secure the additional water required. It seems to me that we can not afford to stand in the way of that. * * * I have carefully examined the bill, and I can see no reason why it should not go through.

The CHAIRMAN. In your opinion the development of roads and trails might mean an additional protection to the forest, might it not?

Secretary HOUSTON. Yes, sir.

The CHAIRMAN. Have you considered the matter from the point of view of the people who may think it is a great wrong to put this water to beneficial use because of the possible injury to the natural beauties of the valley or because of the destruction of scenic values?

Secretary HOUSTON. In the first place, if I am correctly informed, it will add to the beauty rather than injure the appearance of the forest and the park. So that answers the question from that point of view. *But I think there is a great deal of beauty in San Francisco to be conserved, and I think that the thousands of people there have some claims upon the Government.* * * *

PINCHOT INDORSES BILL.

[Extracts from statement of Hon. Gifford Pinchot, former Chief Forester, before Public Lands Committee, House of Representatives, June 25, 1913.]

"We come now face to face with the perfectly clean question of what is the best use to which this water that flows out of the Sierras can be put. As we all know, there is no use of water that is higher than the domestic use. Then, if there is, as the engineers tell us, no other source of supply that is anything like so reasonably available as this one, if this is the best and within reasonable limits of cost, the only means of supplying San Francisco with water, we come straight to the question of whether the advantage of leaving this valley in a state of nature is greater than the advantage of using it for the benefit of the city of San Francisco.

"Now, the fundamental principle of the whole conservation policy is that of use—to take every part of the land and its resources and put it to that use in which it will best serve the most people—and I think there can be no question at all but that in this case we have an instance in which all weighty considerations demand the passage of the bill. * * * The construction of roads, trails, and telephone systems which will follow the passage of this bill will be a very important help in the park and forest reserves. The national forest telephone system and the roads and trails to which this bill will lead will form an important additional help in fighting fire in the forest reserves. As has already been set forth by the two Secretaries, the presence of these additional means of communication will mean that the national forest and the national park will be visited by very large numbers of people who can not visit them now. I think that the men who assert that it is better to leave a piece of natural scenery in its natural condition have rather the better of the argument, and I believe that if we had nothing else to consider than the delight of the few men and women who would yearly go into the Hetch Hetchy Valley, then it should be left in its natural condition. But the considerations on the other side of the question, to my mind, are simply overwhelming, and so much so that I have never been able to see that there was any reasonable argument against the use of this water supply by the city of San Francisco, provided the bill was a reasonable bill. * * * The (sanitary) regulations which are required are substantially what ought to be followed by any well-intentioned camper. * * *"

In a colloquy with Hon. JOHN E. RAKER, member of the Public Lands Committee, Mr. Pinchot discussed the effect of the construction of roads and dam site in the Hetch Hetchy Valley. Mr. RAKER agreed with Mr. PINCHOT that this work would make the valley more accessible and that the use of the park would be enormously increased. Mr. Pinchot, in reply to a question by Mr. RAKER, said he had never been able to agree with John Muir in the latter's attitude toward the Sierras.

Mr. Pinchot unequivocally favored this bill, and said there was no reason to delay its passage, as every possible phase of the subject had been investigated and discussed for 10 or 12 years. He said:

"I am thoroughly and heartily in favor of it. I am in favor of reporting the bill now before the committee and passing it at this session."

GEOLOGICAL SURVEY CHIEF FAVORS BILL.

[Extracts from statement of Dr. George Otis Smith, Director of United States Geological Survey, before Committee on the Public Lands, House of Representatives, June 25, 1913.]

The Hetch Hetchy Valley must eventually be made into a reservoir. Now, I believe that the sooner that dam site is actually used, the sooner that reservoir is utilized, the better. * * * There are three parties, it seems to me, to this proposition. San Francisco, by reason of its claim for the highest use of the water; the Turlock-Modesto irrigation districts, by reason of their prior use and their actual dependence upon the Tuolumne watershed for their water; and, thirdly, the general public, which is interested in the full utilization of our water resources here, as elsewhere, and also interested by reason of special rights which they have in the national parks. I believe that the citizens of San Francisco and the other bay cities will receive pure water from the cheapest source, and they will also receive municipal power at a lower price. The irrigation interests, with their prior rights, are assured under the terms of this bill of a larger supply than they at present have upon what seems to me to be absolutely equitable terms. The third party to this contract, in the form of legislation, is the general public. The visitors to the park, if this plan is carried out, will have the northern part of the Yosemite National Park made more accessible, if not indeed also more attractive. And right there I would say that in my opinion natural beauty has little value unless there is the human eye to see it.

The sanitary restrictions in the bill are not a bit more than should be placed upon any users of a national park, this and other national parks, whether San Francisco is to get the water from the park or not. In addition, this is necessary in order to protect the campers from themselves. * * *

To sum up, the proposed legislation appears to me to serve present needs without in the least compromising future needs. If we look ahead, there is also in this project some future possibilities of general benefit to the public, and not the least of these benefits will be in the increased degree in which these national playgrounds of the high Sierra will be made more attractive to the general public because they will be more accessible.

I base my opinions on actual observation of the Hetch Hetchy Valley itself.

* * * * * * *

I do not think that anyone else (than San Francisco) is liable to develop the Hetch Hetchy dam site, unless there is a reasonable hope that the irrigation use can be connected with the municipal and power use.

* * * * * * *

No extensive argument is needed to show that the full utilization of the Tuolumne River is not only desirable, but absolutely essential.

CHIEF FORESTER O. K'S PLAN.

[Substance of statement of Hon. Henry S. Graves, Chief Forester, before Public Lands Committee, House of Representatives, June 25, 1913.]

Mr. Graves analyzed the bill before the Committee on the Public Lands so far as it relates to the jurisdiction of the Forest Service. He approved the provisions and said that the telephones, trails, roads, etc., would materially assist in the proper conduct of the Stanislaus National Forest, and would result in good for all concerned. As to the bill itself, Mr. Graves said he had assisted in the preparation of Secretary Lane's report, which represented the agreed policy of the department, including the Forest Service.

NEWELL WANTS DAM BUILT.

[Extracts from statement of Hon. F. H. Newell, chairman United States Reclamation Commission, before Public Lands Committee, House of Representatives, June 25, 1913.]

"I agree fully what has been stated by the representatives of the departments in this particular case. I made a study of the water supply of the higher Sierras 18 years ago. I made this study in the Hetch Hetchy Valley as well as in the surrounding area. It was found then that the irrigation development of the valley (San Joaquin) would require the building of a reservoir in that place. At that time we did not anticipate the needs of the city of San Francisco, and in fact gave that no consideration; but we are now fully aware that the ultimate development of the city of San Francisco will require the use of this reservoir site. Now, touching the question of the destruction of the natural beauty of the valley, I will say that, having been concerned with the building of many large reservoirs, I have naturally come to believe that there is nothing more beautiful than a well-built dam with a reservoir behind it. * * *

"Those of us who have been handling this water-supply question feel that the municipal or domestic use is so far superior to any other use that it does not enter my mind that there can be any competition. * * * You can supply, perhaps, one hundred times as many people with water for domestic use in a city as could be supplied for irrigation purposes."

Mr. Newell discussed at great length with the members of the committee the cost of water for irrigation and the reasonable investment that should be made by landowners. He stated that in his opinion no encouragement could be held out to irrigationists that the Government would build a reservoir at Hetch Hetchy, the water to be used for irrigation purposes. In his opinion the construction by San Francisco of the Hetch Hetchy Dam would materially benefit the irrigationists and promote conservation. He approved the passage of the bill.

ARMY BOARD TELLS COMMITTEE BILL SHOULD PASS.

[Extracts from statement of Col. John Biddle, chairman of the Board of Army Engineers which investigated and reported upon the San Francisco water problem, before the Public Lands Committee, House of Representatives, June 26, 1913.]

Responding to Chairman FERRIS, Col. Biddle stated that he was stationed in San Francisco from 1907 to 1911 and was in general charge of the rivers of California, and in that way became familiar to a certain extent with them, and also with the water situation in California. He further stated that the Army board was appointed in 1910 while he was stationed in California, and the other members of the board went out there. In 1911 the board went over several of the important sources of supply, and in 1912 the board again went out there and went over a number of these sources. In addition, Col. Biddle said that he had personally seen most of the sources in question.

Following are quotations from testimony of Col. Biddle:

"The city of San Francisco obtains its water supply at present from sources all within about 60 miles of the city. It has been recognized for some years past that these sources were insufficient, and therefore San Francisco has been investigating supplies from other points. Early investigation convinced the engineers employed by the city that the most economical supply was from the upper Tuolumne River, making use of two main reservoir sites, Lake Eleanor and Hetch Hetchy Valley, lying within the Yosemite National Park." * * *

Col. Biddle recited the appointment of the Board of Army Engineers, and stated that two inspections of the reservoirs in the Yosemite Valley and other proposed sites were made, and also that very comprehensive inspections of the available sites were made. In addition, Mr. H. H. Wadsworth, assistant engineer, United States Engineer Service, was secured by the board to make further investigations and examinations. Mr. Wadsworth had been in the employ of the engineer department in California and is familiar with the rivers and reservoir sites in central California. Mr. Wadsworth spent about a year and a half on duty in connection with the work of the Army board.

Resuming, Col. Biddle says:

"While the city of San Francisco makes the application, the other cities on the bay are also vitally interested, as in most cases the water supply in those communities is nearing its limit of development, and the more important ones have already taken such steps as seem desirable to join San Francisco in obtaining a new water supply.

* * * * * * *

"The board took into consideration all possible sources of water supply.

* * * * * * *

"The Hetch Hetchy supply is estimated to cost $77,000,000, spread over a number of years. The second and third sources are estimated to cost from $97,000,000 to $99,000,000."

The data and analysis of these projects appear in the Army board report (H. Doc. No. 54) and also in the hearings before the Public Lands Committee, beginning at page 50. Reference to these reports and hearings is hereby made.

Resuming extracts from the hearings:

"Mr. TAYLOR of Colorado. If you know of any reason why we should pass this bill, tell us that reason.

"Col. BIDDLE. *The reason why you should is that San Francisco has to have the water; that it is a perfectly practicable way and by far the most economical way. * * * The power development in the Hetch Hetchy is greater than it is at any other source of supply.*"

Col. Biddle then analyzed the possible alternative sources, which analysis is to be presentation. In the printed hearings, page 56 et seq. He said that all these alternative sources were much more expensive and presented greater engineering difficulties than the Hetch Hetchy. He stated further that, in his judgment, San Francisco would meet opposition from the irrigationists and others if other sources were selected. Further, Col. Biddle stated that it would take San Francisco longer to obtain water rights in other systems, whereas the city now owns the water rights in the Hetch Hetchy. He also stated that the city owns the greater part of the floor of the Hetch Hetchy Valley and a small part of the dam site.

Resuming extracts:

"The CHAIRMAN. Are you acquainted with the sentiment of the people of San Francisco touching the supply they desire?

"Col. BIDDLE. Yes, sir; the sentiment is overwhelmingly in favor of the Hetch Hetchy supply.

"The CHAIRMAN. There can be no question about that?

"Col. BIDDLE. None whatever.

* * * * * * *

"Col. BIDDLE. *There is no question in my mind that the Hetch Hetchy is the best water supply for San Francisco, and that it is the most economical that can be obtained; it can be obtained more promptly and is better in every way.* * *

"The CHAIRMAN. With the information before you, coupled with the results of these two investigations, if you were a member of this committee, having due regard for the rights of the irrigation people and having due regard for the rights of the nature lovers, who believe that you should not interfere with the Yosemite National Park, and having due regard for the needs of San Francisco, which system would you vote for?

"Col. BIDDLE. I would vote for the Hetch Hetchy system.

"The CHAIRMAN. You would vote for the Hetch Hetchy system?

"Col. BIDDLE. Yes, sir.

"The CHAIRMAN. Would you feel, in casting a vote of that kind, that you had inflicted a greater wrong upon the irrigation people and the nature lovers than if you voted for one of the other systems?

"Col. BIDDLE. No, sir; so far as the nature lovers are concerned, my own preference is for a valley, for the reason that the Sierras are full of beautiful lakes. While there are, of course, a number of valleys there are very few like the Hetch Hetchy. There are very few in the whole Sierras; still it would be very beautiful as a lake. The difference between the Yosemite Valley and the Hetch Hetchy, in my opinion, is that the Yosemite is far grander than the Hetch Hetchy, but the floor of the Hetch Hetchy is more attractive. The cliffs and waterfalls of that valley are wonderful, and would not be injured by the creation of a lake. So, with this lake you would still have a wonderful piece of scenery. Then, of course, the facilities that the city would give would afford more people an opportunity to visit the valley.

* * * * * * *

"I think the city of San Francisco is agreeing to do a very reasonable thing and that the roads and trails required will satisfy the demand.

"The CHAIRMAN. As matters now stand, it would be pretty extravagant for poor people to undertake to go there?

"Col. BIDDLE. It is impossible for them to go in there, unless they go in with knapsacks on their backs. In the early summer the mosquitoes are very bad, and in the late summer it is too hot in the Hetch Hetchy Valley."

Col. Biddle stated that the Hetch Hetchy Lake would be 6 or 7 miles long by 1½ miles wide, and would flood an area of approximately 1,100 acres.

Col. Biddle also stated that the proposed sanitary regulations "are such as should be made anyhow, if the park is to be used by any large number of people." Answering a question on this subject, Col. Biddle added:

"I think that as soon as the park begins to be used to any extent it will be necessary to have the same rules for the protection of campers as for the protection of the people of San Francisco."

Discussing necessity for a long look ahead in California, on account of the general lack of water, Col. Biddle said:

"Cities situated as San Francisco have to look a long time forward. Here at Washington, for instance, you have the Potomac River, and the chances are that the water situation, so far as Washington is concerned, 50 years hence will be the same as it is to-day. In the case of San Francisco, however, there will be danger of so many water rights and water-use developments that it might be almost impossible 50 years from now to obtain water rights without great expense and even hardship to agricultural communities. That is the reason we take that advanced date."

Responding to the chairman, the other members of the Army board expressed their views:

"Col. COSBY. I concur fully in the statement of Col. Biddle. There is only one small point of difference, and that is as to whether the Hetch Hetchy Valley would be more attractive with this reservoir in it than in its present condition. *I believe that with the lake it would be even more beautiful than it is in its natural condition.*"

TAYLOR AND COSBY INDORSEMENTS.

Col. TAYLOR. *There is not the slightest question in my mind but that this should be used as the source of water supply, and not only that, but that it will be used as a water supply in a very short time independently of whether this project is adopted or not. I think that the pressure will be so great to conserve the water up there that it will be used as a storage reservoir. It is by far the best storage reservoir in that section of the country, and water is so valuable up there that they can not afford to let it run to waste. If you deny the use of it to San Francisco, sooner or later the water will be put to other uses. Somebody will be asking for permission to utilize the Hetch Hetchy Valley as a storage reservoir for irrigation purposes. This water will certainly be used for the city of San Francisco or for irrigation purposes.*

Col. COSBY. I presume the members of the committee fully understand how inaccessible the Hetch Hetchy Valley is. I think the roads will make it accessible to a greater number of people. At the present time I think that there are practically only two classes of people who use it, people who are unusually wealthy, or people who are unusually strong and healthy and are able to make the trip.

CITY'S POINT OF VIEW.

[Extract from statement of Hon. James D. Phelan, former mayor of San Francisco, and representative of Mayor James Rolph, jr., and the city of San Francisco.]

"I will emphasize the fact that the needs of San Francisco are pressing and urgent. A large number of our population has been lost to Oakland, Alameda, and Berkeley by reason of the fact that we have never had adequate facilities, either of transportation or of water supply. So San Francisco, the chief Federal city on the Pacific coast, asks the Federal Government for assistance in this matter by grant and not by money. It has obligated itself to pay $70,000,000 for a water supply. We have endeavored to satisfy the needs of the irrigationists in good faith, as well as the local water monopoly, and we come this year to Washington, I think, with the good will of those heretofore opposed to us, possibly with the exception of the gentlemen who are devoted to the preservation of the beauties of nature.

"As Californians, we rather resent gentlemen from different parts of the country outside of California telling us that we are invading the beautiful natural resources of the State or in any way marring or detracting from them. We have a greater pride than they in the beauties of California—in the valley, in the big trees, in the rivers, and in the high mountains. We have the highest mountain in the United States in California, Mount Whitney, 15,000 feet above the sea, as we have the lowest land, in Death Valley, 300 feet below the sea. We have the highest tree known in the world, and the oldest tree. Its history goes back 2,000 years, I believe, judged by the internal evidences; as we have the youngest tree in the world, Luther Burbank's plumeot.

"All of this is of tremendous pride, and even for a water supply we would not injure the great resources which have made our State the playground of the world. By constructing a dam at this very narrow gorge in the Hetch Hetchy Valley we create not a reservoir but a lake. Because Mr. Freeman has shown that by planting trees or vines over the dam the idea of a dam, the appearance of a dam, is entirely lost; so coming upon it it will look like an emerald gem in the mountains; and one of the very few things in which California is deficient, especially in the Sierra, is lakes, and in this way we will contribute, in a large measure, to the scenic grandeur and beauty of California. I suppose nature lovers, suspecting a dam there not made by the Creator will think it of no value, in their estimation, but I submit man can imitate the Creator—a worthy examplar. I remember the story of John Hay's "Little Breeches," which describes the old fellow who, believing in nothing that was religious or good, and having been told, after his child recovered, that he had wandered away in the woods and must have been restored by the angels, said:

> "To restore the life of a little child
> And bring him back to his own,
> Is a darn sight better business
> Than loafing 'round the throne."

"To provide for the little children, men, and women of the 800,000 population who swarm the shores of San Francisco Bay is a matter of much greater importance than encouraging the few who, in solitary loneliness, will sit on the peak of the Sierra loafing around the throne of the God of Nature and singing his praise. A benign father loves his children above all things. There is no comparison between the highest use of water—the domestic supply—and the mere scenic value of the mountains. When you decide that affirmatively, as you must, and then on top of that, that we are not detracting from the scenic value of the mountains, but enhancing it, I think there is nothing left to be said."

All the Members of Congress from California were favorable to the grant to San Francisco under the provisions of the bill.

A written statement for the Turlock and Modesto Irrigation Districts was presented by the authorized representatives of said water districts, which approved the bill as drafted and reserved the right to object should the conditions relating to those irrigation districts be eliminated or materially modified.

MR. WHITMAN'S VIEWS.

Mr. Edmund A. Whitman, of Boston, Mass., president of the Society for the Preservation of National Parks, presented his views to the committee.

Mr. Whitman, in response to interrogations of the chairman of the Land Committee, said that the society he represented was composed of approximately 200 members, and that not more than 25 of these members had ever visited the Hetch Hetchy.

ROUGHEST COUNTRY IN THE WORLD.

Describing the Hetch Hetchy Valley, Mr. Whitman says (p. 206):

"It is some of the roughest country that God ever made. You do get little places here and there where there is grass and water, but the large part of the country is the roughest sort of country, where camping is as impossible as it would be on the top of this table. * * * The Hetch Hetchy Valley—the floor is perfectly level and grass-covered. The floor is two or three miles long and nearly half a mile wide. That is surrounded by steep cliffs, where there are gorges, out of which one can not solemnly climb to stopping places, * * * where a few people go and camp for a short time. * * * and it would take a strong man four days to go through those 20 miles of canyon, because it is so rough. Those who are not so strong would go as we went, over the mountain side, just above the Hetch Hetchy Valley. *I have gone out from the top of the mountain there and dangled my feet down into scenery from a position where I could look down 3,000 feet to the river below and across to the other bank a distance of some few or twelve thousand feet.* * * * There is no other place like it on the face of the globe."

THE BLUE LAKES.

Mr. Eugene J. Sullivan, president of the Sierra Blue Lakes Water & Power Co., appeared before the committee. For several years Mr. Sullivan and his associates have been opposing the Hetch Hetchy water system and attempting to sell to the city of San Francisco the Blue Lakes system. The fact that Mr. Sullivan and his company have nothing to sell which is of value to San Francisco has not deterred this gentleman from traducing the Board of Army Engineers and the city officials of San Francisco.

When announcement that the Land Committee of the House was to hold hearings on the Hetch Hetchy bill was published in San Francisco, Mr. Sullivan and his engineer, Taggart Aston, sent numerous telegrams to Members of Congress demanding delay and charging that a "great national scandal" would follow if action was had upon the bill. Coupled with this was a charge that the city engineer of San Francisco had suppressed data and maps which showed the Sierra Blue Lakes project to be preferable and better than the Hetch Hetchy system.

To give Mr. Sullivan a chance to make good, the Public Lands Committee took a recess of more than a week to allow him to come and make his presentation. His statement occupies 91 pages of the printed hearings, Part II.

San Francisco's engineers investigated the Sullivan project and rejected it. The Board of Army Engineers and Mr. H. H. Wadsworth, the civilian engineer of the board, also investigated the Sullivan project, and reported adversely thereon. See Army board report (H. Doc. 54, 63d Cong., 1st sess.). Mr. Sullivan informed the Land Committee that Taggart Aston, his engineer, is employed on a 10 per cent contingent fee—Aston's compensation depending upon the sale of the Blue Lakes project.

Mr. Sullivan repeatedly charges that a report by Bartel, one of a hundred assistant city engineers, was suppressed. In refutation of this, members of the Army board say they personally visited the watershed which Mr. Sullivan claims to own, and further they had conferences with Bartel and the latter's superiors while the board was investigating various water-supply systems in California.

COL. BIDDLE REPORTS ON BLUE LAKES.

In the absence of Chairman FERRIS, Hon. WILLIAM KENT, member of the committee, sent to the members of the Army board the transcript of Mr. Sullivan's testimony. Col. Biddle, chairman of the board, replies as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, July 31, 1913.

MY DEAR MR. KENT: Having reference to your communication of July 21, asking for comment from the Board of Army Engineers on the testimony of Mr. E. J. Sullivan, representing the Sierra Blue Lakes water project on the Mokelumne River, proof sheets of which testimony were sent by you, the following is submitted by the whole board:

The two main questions raised by Mr. Sullivan appear to be first, whether San Francisco needs water from the Sierras at all, and second, whether the Mokelumne River is not the best and cheapest source of such a supply.

According to the estimates made by the board, the amount of water now used by the communities surrounding San Francisco Bay is 133,000,000 gallons daily. It is estimated that by the year 2000, 540,000,000 gallons daily will be needed. The board believes that about 100,000,000 gallons daily additional can be economically developed from near-by sources and that for the remainder it will be necessary to go to some outside source, such as the Sierras. The city of San Francisco in its ordinances provides for obtaining 400,000,000 gallons daily from the Sierra sources, partly because of the doubt of the city engineers that the near-by sources can be developed to the amount above estimated, and partly because the full amount could be used to advantage. There can be no question, however, but that from 300,000,000 to 400,000,000 gallons daily additional will be needed by the year 2000, and on account of the situation in California, where all of the available water will be eventually used for irrigation or power, it is most desirable for San Francisco and the other cities to establish now their rights.

NO SUPPRESSION OF DATA.

As to the Mokelumne River, it is stated in the testimony of Mr. Sullivan that Gen. G. H. Mendell, Corps of Engineers, reported favorably on the Mokelumne River as a source of supply. This report was dated about 1877, and provided for only 25,000,000 gallons daily, so that, of course, it has no bearing on the present investigation. Mr. Sullivan makes much of the point that a report by Mr. Bartell, assistant city engineer, in April, 1912, was never submitted to the Board of Army Engineers, and that if this report had been submitted the conclusion of the board would have been very different. This report was not seen by the board. *The board, however, attaches no importance to this report for the reason that the assistant engineer in the employ of the board, Mr. H. H. Wadsworth, has written that he had several conversations with Mr. Bartell on the subject and was generally familiar with considerable, at least, of the data obtained by him and his deductions therefrom. The main point, however, is that the board itself had such independent examinations and investigations made of the Mokelumne, as well as other streams, as seemed necessary in order for the board to form its opinion on this source of supply. Mr. Bartell's report could not have changed the facts thus ascertained. The report of the chief engineer of the company was in the hands of the board.*

In determining the supply of water that can be obtained from any of the Sierra sources there are two main considerations: First, the amount of water that flows down the stream; and, second, the reservoir capacity for storage of water during the dry seasons of the year and especially during dry years, which frequently occur in California.

The method of determining the flow of any river, such as the Mokelumne, is to measure the flow at such points and at such times as may be practicable and to have the record of the rainfall from which the run-off may be deduced. The records of rainfall and run-off are not very complete, North Fork of Mokelumne for a length of time on these Sierra rivers. Some have been made by the State of California, some in recent years by the United States, and others to a certain extent by corporations or individuals. All these records, as far as known, were at the disposal of the board, and the board was therefore able to deduce with as much accuracy as anyone what is the total flow of the Mokelumne.

RESERVOIRS TOO COSTLY AND INFERIOR.

As to the reservoirs, the assistant engineer of the board made personal examinations and reconnoissances of the three principal reservoir sites—the Railroad Flat, North Fork, and Middle Fork, Forest Creek—and directed special surveys to be made of the two largest ones by the city of San Francisco, which was done. The board itself inspected one of the two main reservoir sites, the Railroad Flat, for the special reason that the use of this reservoir was considered of doubtful value on account of its cost. One of the reservoirs specially mentioned by Mr. Sullivan is the Blue Lakes. This reservoir is, however, of little value, as the catchment area is only 4½ square miles, and therefore but little water will flow into it.

Furthermore, investigations by the Geological Survey in the last few years have indicated that the reservoir capacity on this watershed outside of the few mentioned is very small. The reservoirs on the Mokelumne are very inferior to those on the Tuolumne. For instance, with a dam somewhat over 300 feet in height, the amount of masonry in the dam at Hetch Hetchy is less than 5 cubic yards for each million gallons stored, while for the main reservoir on the Mokelumne, on the North Fork, it is 23 cubic yards and that at the Railroad Flat reservoir but little less. The capacity of the Hetch Hetchy reservoir with a 300-foot dam is about 120,000,000,000 gallons; that at the North Fork of the Mokelumne about 282,000,000,000 gallons; the Railroad Flat reservoir about 21,500,000,000 gallons. It is therefore very evident that the relative cost of the reservoirs on the Mokelumne River is much greater than at Hetch Hetchy Valley.

The amount of land that could well be irrigated from the Mokelumne and the rights for power and irrigation were obtained by the board after such investigation as was possible and are believed to be correct. As stated, much of this land is not yet irrigated, but the tendency in that part of California is toward irrigation, and it is believed that in time it will be desired to irrigate much more land than at present. The amount assumed for irrigation is 200,000 acres, less than half of what is allowed for irrigation in the discussion of the supply from the Tuolumne River.

INADEQUATE SUPPLY OF WATER.

The board therefore believes that the estimate of 128,000,000 gallons daily is about all that could be counted on from the Mokelumne River unless the existing water rights be purchased at great expense and unless the land tributary to this river be perpetually deprived of water from this source for irrigation. Even if all the water from the Mokelumne could be used for San Francisco, it would not be sufficient on account of the relatively small reservoir capacity in this watershed and the impossibility of using reservoirs in other watersheds on account of the prohibited expense. In California the floods last but a short time; dry years occur along with the wet ones and large storage possibilities are imperative.

It does not appear from the testimony of Mr. Sullivan just where the large supply he estimates, 350,000,000 to 500,000,000 gallons daily, is to be obtained. It is thought possible that he may make use of some of the water falling on the foothills and lower. This, however, has not been considered allowable in making estimates on any of the supply from the Sierras, for the reason that these foothills are fast becoming more and more thickly inhabited and it was desired to obtain water from a source which lies above ordinary habitation.

ARMY BOARD GOT ITS OWN DATA.

To sum up, there is nothing in the testimony of Mr. Sullivan, and it is believed that there can be nothing in the report of Mr. Bartell, which would affect the conclusions of the board, for the reason, as stated above, that the board obtained, as far as was considered desirable, its own data, excepting that which was of a public nature and therefore available to the board. As to the relative cost of the projects, the report indicates that the Tuolumne supply is much the more economical. The distance over which Mokelumne River water would have to be transported is about the same as for the Tuolumne, and difficulties in construction of aqueduct are about the same, while the cost of the reservoirs is relatively very much greater. For the amount of water that is needed by the bay communities there can be no question but that the Tuolumne supply is more economical than any other and that the Mokelumne can be used only in connection with supplies from other sources, as it is not in itself sufficient.

FULL HEARING GIVEN COMPANY.

It might be added that the board gave to the Sierra Blue Lakes Water & Power Co. on July 5, 1911, a hearing, which was stenographically reported. At this hearing were present Messrs. E. J. Sullivan, president; C. M. Burleson, chief engineer; James N. Gillett and W. H. H. Hart, attorneys for the company. Every opportunity was given them to thoroughly present the project, and in addition, a report on this source of supply prepared by the chief engineer, Mr. C. M. Burleson, was submitted to the board.

Very respectfully,

JOHN BIDDLE,
Colonel, General Staff, Chairman Board of Officers of Corps of Engineers, United States Army.

Hon. WILLIAM KENT,
House of Representatives, Washington, D. C.

BRIEF OF THE CITY AND COUNTY OF SAN FRANCISCO.

Including a brief history of the Hetch Hetchy project to date and a résumé of the testimony and arguments adduced at the hearing before the Public Lands Committee of the House of Representatives.

To the honorable chairman and members of the Public Lands Committee of the House of Representatives the following brief and argument in support of the above-entitled bill is respectfully submitted.

GEOGRAPHICAL SITUATION.

For the benefit of those Members who are not wholly familiar with the relative geographical location of the cities, districts, and water sources affected by this bill the following brief statement is made:

The cities of San Francisco, Burlingame, San Mateo, Redwood, Palo Alto, Hayward, Alameda, Oakland, Piedmont, and Berkeley, which are to be organized into a municipal water district for development of the Hetch Hetchy water supply, form an almost continuous chain around the Bay of San Francisco. Their combined population at the present date is more than 700,000. Directly east of these bay cities the Coast Range Mountains form a low barrier between the bay cities and the San Joaquin Valley, one of the two great interior valleys of California. Through the middle of this valley the San Joaquin River flows north to the Carquinez Straits and thence into San Francisco Bay. On the east side of the valley the Sierra Nevada Range rises, reaching heights of over 12,000 feet at the summit. Down the western slopes of the Sierras the Tuolumne River winds in a general westerly direction to its confluence with the San Joaquin River. For the purpose of irrigating during the dry season the part of the valley floor which is normally drained by the Tuolumne River, the Modesto and Turlock irrigation districts were formed, comprising 257,000 acres in extent. Conjointly they have built the La Grange diverting dam at the point where the Tuolumne leaves the foothills on its westward course, and divert its waters through irrigating canals to the extent of their needs. About 50 miles farther up the Tuolumne and about 165 miles due east from San Francisco the river flows through the Hetch Hetchy Valley, which lies within the boundaries of the Yosemite National Park, about 25 miles north of the Yosemite Valley and on an entirely different watershed. The valley floor is about 3,530 feet in elevation. To the north of Hetch Hetchy and about 9 miles distant lies Lake Eleanor, one of the numerous mountain lakes of the Sierras. A short distance west of Lake Eleanor the ground falls off into Cherry Valley, through which the Cherry River flows to join the Tuolumne about 12 miles below the Hetch Hetchy Valley. The relative positions of the foregoing points will more readily appear from the map on file with your committee.

HISTORICAL SUMMARY.

(See statement of Percy V. Long, transcript. References to transcript are to the transcript of proceedings before the Public Lands Committee of the House of Representatives, June 25–July 7, 1913, printed as a House document; p. 94.)

The city of San Francisco is now, and for many years past has obtained its water supply from the Spring Valley Water Co., whose reservoirs and sources of supply are situated in the adjoining Coast Range Mountains. As much as 12 years ago it became apparent to the municipal authorities that the supply afforded by the company was becoming inadequate for the city's needs. Requests from outlying districts for water extensions were being met by refusals from the water company, owing to its inability to properly supply a larger number of consumers. In 1901 the city engineer was ordered to and did make an investigation of various possible sources. Out of 14 sources then considered feasible, the Tuolumne River was selected as being superior in quantity, quality, and accessibility to all the others. Appropriations were duly filed in the city's behalf in accordance with the law then in force. Application was forthwith made to the Secretary of the Interior for permits to impound the water at Hetch Hetchy and Lake Eleanor and conduct the same to the city. The application was denied; was renewed in 1905, and again denied. The great fire of 1906 caused a suspension in proceedings, and in 1907 the matter was again taken up before Secretary Garfield, who in 1908 issued a revocable permit requiring the construction of the Lake Eleanor Dam and full development of that source before anything could be done at Hetch Hetchy. Two serious objections presented themselves to procedure under this permit.

First, the Eleanor Dam was vastly more expensive to construct than the Hetch Hetchy Dam and impounded far less water. Every principle of economy dictated that the less expensive dam should be first built and the Lake Eleanor source developed later as a supplemental supply.

Second, bonds for construction issued on the basis of a revocable permit would be extremely difficult to sell.

Nevertheless the people of San Francisco proceeded in good faith to comply with the terms of the Garfield permit. They voted $600,000 in bonds, in 1909, to acquire lands near Lake Eleanor held in private ownership and $45,000,000 in bonds, in 1910, for construction purposes. Then they were suddenly served with notice by Secretary Ballinger to show cause why their permit should not be revoked as to the Hetch Hetchy source. Hearings on this order were postponed by the department until the fall of 1912. In the meanwhile the city of San Francisco had engaged the services of John R. Freeman, one of the most eminent engineers in the country, to examine all available sources and particularly the Tuolumne source, with a view to determining which was best adapted to the city's needs and the proper method of development. Mr. Freeman, after a long and careful investigation made with the assistance of a corps of experts, unhesitatingly recommended the Tuolumne supply and insisted that the only proper course of development would be to use the Hetch Hetchy Valley first and the Lake Eleanor and Cherry Valley Reservoirs as adjuncts. Concurrently with the investigation by the city's experts a board of engineer officers of the United States Army made an independent study of the situation. Their conclusions were, in brief, that the Hetch Hetchy supply was the most economical for the city to use, being at least $20,000,000 cheaper ultimately than any other available source. In addition the board states as a conclusion on page 50 of its report.

"The board further believes that there will be sufficient water if adequately stored and economically used to supply both the reasonable demand of the bay communities and the reasonable needs of the Turlock-Modesto irrigation district for the remainder of the century."

This report, together with Mr. Freeman's report as to sources of water supply for the bay communities and the city attorney's report as to the condition of titles on the Tuolumne, were before Secretary Fisher at the hearing held in November, 1912. At this hearing all parties, proponents and opponents of the plan, were present and the case was presented from every aspect. Secretary Fisher reached the conclusion that the matter could only be properly handled by Congress and continued it for that purpose into the present year. The bill before this committee is a counterpart of House bill 6281, which has been favorably reported by the House Committee on Public Lands.

WHAT SAN FRANCISCO IS ASKING FOR.

In the bill presented for your consideration, the city of San Francisco has set forth the rights which Congress must grant before the city can proceed with this great project. These rights are, briefly, as follows:

1. The right to construct a dam at the mouth of Hetch Hetchy, Lake Eleanor, and Cherry Valley and to flood said valleys to the height of their respective dams.
2. Rights of way through the Yosemite National Park and Stanislaus National Forest for tunnels, aqueducts, and water conduits, also for telephone, telegraph, and power transmission lines, roads, and trails.
3. Necessary power-house sites and diverting or storage dam sites.
4. The right to take stone, earth, and other materials for construction purposes from the land covered by the rights of way and adjoining land.

The water which San Francisco has appropriated under the laws of California and expects to store and beneficially use by means of the above works is the storm water of the Tuolumne—the water which has been going to waste every year over the La Grange irrigation dam during the high-water months.

CONDITIONS TO WHICH SAN FRANCISCO CONSENTS.

In order that the Government and the public may be amply protected in the exercise of this grant, the bill proposes that all procedure thereunder shall be carefully regulated by the Secretary of the Interior. Maps are to be filed and approved before the city can proceed. Work is to be commenced within a reasonable time and prosecuted diligently. The usual charges are to be paid to the Government for timber taken and the bill fixes an annual rental to be paid the Government as compensation for the rights granted. Campers are to be restricted by only a few simple sanitary regulations, which are fully set forth and can never be amplified by the city. All regulations of the Department of the Interior and Bureau of Forestry shall be complied with by the city. The city is prohibited from ever selling to private corporations or individuals the right to sell water, thus protecting this grant from ever falling into the hands of speculators.

WHAT SAN FRANCISCO PROPOSES TO DO IN RETURN FOR THIS GRANT.

In return for this grant San Francisco proposes:

1. To adequately protect all existing irrigation rights to the waters of the Tuolumne with ample allowance for future requirements. This feature will be discussed more fully a little later.
2. To build at its own expense a magnificent system of roads and trails which will make one of the most beautiful scenic parts of the Sierra, now reached only by tedious journeys afoot or on mule back, generally accessible to the public.
3. To furnish stored water to the irrigationists over and above the amount to which they are now entitled at actual cost of storage, where the same can be spared from municipal use.
4. To furnish electric power at cost to the Modesto and Turlock irrigation districts and to municipalities situated therein.

OBJECTIONS WHICH HAVE BEEN OFFERED TO GRANT.

In seeking the grant of rights necessary to the development of its Hetch Hetchy project the city of San Francisco has endeavored to meet every objection interposed in a fair-minded way. Some of these objections, which were made in good faith by people who conscientiously believed that the grant would infringe on their rights, the city has silenced by conceding practically all that was asked. Other objections, which have been made or instigated by persons who are actuated purely by a desire to sell other projects to the city, San Francisco has been impelled to resist by force of logic.

At the hearing before the House Public Lands Committee these objections, offered by opponents to the bill, sifted down to a very few. We enumerate the more important ones:

1. That in using the Hetch Hetchy Valley as a reservoir site San Francisco will destroy a camper's paradise.
2. That the irrigation interests of the San Joaquin Valley are being insufficiently protected.

1. Taking up these objections seriatim, we find no justification for the first conclusion. It is true that if the grant is made the city will flood the floor of Hetch Hetchy Valley and destroy its availability as a camp site. But the valley floor is not particularly well adapted to camping purposes. Col. Biddle, of the Army board, in his testimony before the House committee (transcript, p. 65), says:

"The point is this: In the early summer the mosquitoes are bad and in the late summer it is too hot in the Hetch Hetchy Valley. It is about 3,000 or 4,000 feet in altitude, and the people want to go up to 6,000 or 8,000 feet."

It is a well-known fact to those who have ever visited Hetch Hetchy that the mosquitoes make the valley almost uninhabitable in the early summer, it being even necessary to wear veils for protection. With the establishment of a permanent lake in the valley, this evil will disappear. Moreover, the best part of the land which is now used for camping purposes by the two or three hundred people that venture into the valley during the season belongs to the city of San Francisco in fee simple (transcript, p. 145; see also p. 63), and campers could be excluded therefrom at present if the city were inclined to take such action.

On the other hand, in return for these camping grounds which can only be used by sufferance of the city and are only suitable for that purpose during about two months of each year, the city proposes to surrender other lands owned by it outside of the valley to the Government for camping purposes. We refer to the Tiltill Valley, containing 160 acres, situated about 3 miles northwest of Hetch Hetchy; the canyon ranch of 160 acres, situated about 3 miles southwest of the valley; the Rock ranch, comprising 322.45 acres, about 5 miles southwest of the valley; and a considerable area of good camping land in the vicinity of Lake Eleanor. (Transcript, pp. 145–147.)

The board of Army engineers, on page 51 of their report, say:

"The construction of reservoirs, especially the Hetch Hetchy, will destroy a few camping grounds within the park. The construction of the proposed trails will, however, render accessible other parts of the park not now readily reached, and the number of camping places within the park is large."

2. The best answer to the cry heard from stray quarters that the irrigation interests are not being sufficiently protected is the attitude of the official representatives from those districts at Washington. The San Francisco representatives conferred with them as soon as the bill was introduced, with the result that as now amended the bill meets practically every demand they have made, and they have withdrawn the objections to it. The only substantial point the city has never conceded is the contention advanced that San Francisco should never be allowed to take one drop of water from the San Joaquin Valley watershed, because the valley might some day be able to use it. The city does not concede either the truth of the premise or the logic of the conclusion reached therefrom. Let us examine the figures and conclusions reached by the Army board.

On page 50 of their report the Army engineers find:

"That there will be sufficient water if adequately stored and economically used to supply both the reasonable demand of the bay communities and the reasonable needs of the Turlock-Modesto irrigation district for the remainder of this century."

The city of San Francisco in the proposed bill has conceded to the Modesto-Turlock Irrigation district the full amount of flow of the Tuolumne to which they are legally entitled, viz, 2,350 second-feet; has allowed them to take for storage purposes during the two months of the year when the water is highest up to 4,000 second-feet of the daily flow; has agreed to sell them stored water from the city's reservoirs at cost whenever they need it; and has allowed them to increase their maximum irrigation area from 257,000 acres to 300,000 acres, so as to permit of their sharing their supply with the newly organized Waterford district. In addition to all this it has agreed to furnish both districts with hydroelectric power at absolute cost. Could anything be more equitable than this proposition? The Army board characterizes, on page 45 of its report, the proposition made by San Francisco to Secretary Fisher for protection of the irrigation districts as a "reasonable one." The present proposition goes further than that one. It is more than reasonable. It is distinctly generous, and has been so recognized by the representatives of the irrigationists, with the sole exception of those who believe San Francisco should never be allowed to use the Tuolumne watershed at all.

With reference, however, to certain telegrams which have been sent to Members of the House and Senate purporting to come from chambers of commerce of various San Joaquin Valley towns who are in nowise interested in or affected by this project, asking that the city be required to furnish them with hydroelectric power at cost as a condition of the grant, it is submitted that these requests are both unfair and impossible of fulfillment. In the first place, none of these towns have invested or ever will invest one dollar in this project; they are not asked for any concessions; their request is for a sheer gratuity which some of the more ingenious members of their councils doubtless thought that San Francisco could be compelled to give. In the second place, it is extremely problematical whether after having developed the maximum power that can be derived under this project the city will ever be able to supply more than the needs of the bay cities and the Modesto-Turlock district. Under such circumstances it is contended that these demands are unwarranted and should not be granted.

POSSIBLE ALTERNATIVE SOURCES.

While the city's engineers and the Army board made independent investigations of all alternative sources of supply which gave any promise of availability, the only ones which by any course of development could be made adequate are the four enumerated on page 50 of the Army board's report and by Col. Biddle in his testimony before the House committee. (Transcript, p. 56.) These are: (1) The Eleanor-Cherry-Stanislaus-Mokelumne source, (2) the American-Cosumnes-Stanislaus-Mokelumne supply, (3) the McCloud River, (4) the Sacramento River. Very briefly we submit the fundamental and we believe insurmountable objections to each of these sources as compared with the Tuolumne.

(1–2) Each of the first two alternative projects is subject to the same objections as the Hetch Hetchy project in that they take water which some of the irrigationists have claimed will be ultimately needed for development of the San Joaquin Valley. As Hetch Hetchy is eliminated as a reservoir site, it is probable that the objections of the nature lovers would be removed, although Lake Eleanor is in the Yosemite Park. From the city's standpoint the great objection is the almost prohibitive increase in cost, coupled with a much smaller power yield. Whereas the total power development of the Hetch Hetchy project is 145,000 horsepower, the maximum yield from the first alternative source is but 95,000 horsepower, and from the second alternative source but 62,000 horsepower. Owing to the necessity of purchasing outstanding water rights and building numerous dams, either of these projects would cost at least $20,000,000 more than the Hetch Hetchy, an increase which makes them practically impossible of acquisition without serious injury to San Francisco's credit. (Testimony Col. Biddle, transcript, pp. 56–59.)

(3) The McCloud River has been examined as an alternative source. This river rises at the foot of Mount Shasta and joins the Sacramento near its headwaters. While the river carries at present an ample supply of water of good quality, the following objections are deemed sufficient to preclude its adoption by San Francisco: First, its great distance from the city, over 250 miles; second, its waters will eventually be required for the irrigation of the Sacramento Valley (testimony Col. Biddle, transcript, pp. 60, 61); third, the prohibitive cost (testimony O'Shaughnessy, transcript, p. 150); fourth, the impracticability of developing any hydroelectric power from this source. The great length of aqueduct would involve for the initial outlay that is proposed for the conduct of water from the Hetch Hetchy source. It is a financial impossibility for San Francisco to undertake this project for many years to come, and she needs the water now.

(4) As a fourth alternative it has been proposed that the city pump water from the Sacramento River and filter it. This project contemplates the establishment of a pumping plant near Antioch, filtration reservoirs, and a conduit through which the water could be pumped to storage reservoirs. Even if it be conceded that the sentimental objection to the use for domestic purposes of water taken from a river into which the sewage of every town finds its way is without foundation and that filtration would make the water fit for use, a question which is by no means undisputed (see statement Mr. Newell, transcript, p. 49), there remain very serious objections to this source: First, the heavy operating cost of such a system; second, the impossibility of generating any power through its use; third, the probability that irrigation needs within the next century will withdraw so much water from the upper Sacramento that the high tides of the bay will mingle with the stream below Sacramento and render it unfit for use. (Testimony O'Shaughnessy, transcript, pp. 150, 151.) There are also engineering difficulties to be met with in both the McCloud and Sacramento projects, in that the water would have to be brought under the Carquinez Straits in the case of the McCloud source, and under San Francisco Bay from either source, to reach the city, unless an exceedingly long and expensive detour were made to the east. We have the further serious question raised by Col. Biddle in his testimony before the House committee (transcript, p. 55) as to whether the withdrawal of large quantities of water from the Sacramento or its tributaries would not eventually impair the navigability of the river, a question which does not arise in the case of the San Joaquin, as it is not navigable above the city of Stockton anyway.

The foregoing are the principal objections raised to the only alternative sources which either the civil or Army engineers found would furnish an adequate supply of water under any degree of development. None of them is as satisfactory as the Hetch Hetchy source; they all entail a tremendously increased investment, and at least one of them—the Sacramento project—promises to become an ultimate failure if adopted.

CONGRESS HAS THE POWER TO IMPOSE THE CONDITIONS CONTAINED IN THIS GRANT.

The question has been raised at the hearing on this bill that Congress is exceeding its powers in imposing the conditions set forth in this grant. This idea doubtless arises from a mistaken apprehension that Congress is being asked to legislate upon matters which are distinctly within the jurisdiction of the State, under guise of inserting it as a condition in a grant. Such, however, is not the case. The United States in making this grant to the city of San Francisco is not acting in its governmental capacity or exercising governmental powers. It is acting purely as a landowner, disposing of its domain upon such conditions as it sees fit to a grantee who accepts those conditions and is bound by them as a matter of contract, not as a matter of statutory regulation.

"The authority of Congress over the public lands is granted by section 3, Article IV, of the Constitution, which provides that 'the Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.' In other words, Congress is the body to which is given the power to determine the conditions upon which the public lands shall be disposed of. The Nation is the owner and has made Congress the principal agent to dispose of its property." (Butte City Water Co. v. Baker, 196 U. S., 119, 126.)

Judge Lindley, in his work on Mines, section 80, speaks of the Federal Government as the "absolute owner" of the public lands, with the power to "sell or otherwise dispose of them absolutely or conditionally, and prescribe the terms and conditions under which private individuals might acquire permanent ownership or the right to temporary enjoyment."

In support of this contention are cited:

Gibson v. Chouteau (13 Wall., 92, 99), where the Supreme Court said:

"With respect to the public domain, the Constitution vests in Congress the power of disposition and of making all needful rules and regulations. That power is subject to no limitations. Congress has the absolute right to prescribe the times, the conditions, and the mode of transferring this property, or any part of it, and to designate the persons to whom the transfer shall be made. No State legislation can interfere with this right or embarrass its exercise."

United States v. Gratiot (14 Pet., 526, 527):

This case arose over the lease of a lead mine to the defendants. The lease contained a great many clauses fixing the terms of the lease and the royalties to be paid to the Government. In a suit brought by the United States on defendant's bond, a demurrer was interposed whether Congress had acted within its powers in authorizing the President to make such a contract. In upholding the validity of the contract and bond the Supreme Court said:

"The Constitution of the United States (Art. IV, sec. 3) provides: 'That Congress shall have the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.' The term 'territory' as here used is merely descriptive of one kind of property and is equivalent to the word 'lands.' And Congress has the same power over it as over any other property belonging to the United States; and this power is vested in Congress without limitation, and has been considered the foundation upon which the Territorial governments rest."

Note the words "without limitations." The conditions may thus be imposed for the benefit of the whole country or any part thereof.

Black v. Elkhorn Mining Co. (163 U. S., 445, 448):

"Being the owner of the lands, the Government could of course impose its own terms upon which to grant any right, whether of possession or of purchase."

Light v. United States (220 U. S., 523):

This was a suit by the United States to enjoin the grazing of stock on public lands in breach of the regulations of the Department of Agriculture. The validity of the regulations as being an infringement on State rights was attacked by the defendant. The Supreme Court held, after citing with approval Butte City Water Co. v. Baker, supra:

"The United States can prohibit absolutely or fix the terms on which its property may be used. * * * All the public lands of the Nation are held in trust for the people of the whole country. And it is not for the courts to say how that trust shall be administered. That is for Congress to determine. * * *

"These are rights incident to proprietorship, to say nothing of the power of the United States as a sovereign over the property belonging to it."

There can be no question but that the foregoing cases established the right of Congress to impose such conditions as it sees fit upon a public grant. In the bill now before Congress it is asked to grant to the city of San Francisco valuable reservoir sites. As a condition to such grant it has been thought best to provide for the future protection at San Francisco's expense of the natural scenery of the Yosemite Park in the vicinity of Hetch Hetchy Valley, and for the present and future irrigation needs of the San Joaquin Valley. If, in the mind of Congress, these conditions are wise, and it sees fit to enact this grant with such conditions attached, then in accepting the grant the city of San Francisco accepts the conditions and is bound by them as a matter of contract. If the city should ever attempt to repudiate the conditions its case would no be as strong even as that of a street railway company which accepted a franchise and later attempted to repudiate the conditions thereof on the ground that they were not within the powers of the municipality which granted it. The court held:

"Even though it might be held that the condition upon which the permit or license was granted to the defendant railway company was ultra vires, the city not having the power to impose it, nevertheless the ordinance having been accepted by the company with the condition attached, agreeing thereby to perform it, it became a valid contract between it and the city, the validity of which the defendant is now estopped to deny." (Chicago General Ry. Co. v. Chicago, 176 Ill., 253.)

PRECEDENTS.

A grant of this sort, with various conditions requiring affirmative performance by the grantee, is far from being without precedent in congressional annals.

Congress has required a grantee of a permit to build a dam for water-power purposes to build fishways for protection of fish in the stream. (Act of June 21, 1906, 34 Stat., 386; act of Apr. 23, 1909, 34 Stat., 130.)

It has required the grantee in a similar permit to furnish to the Government light and power and electric current free of cost. (Act of Mar. 4, 1907, 34 Stat., 1288; act of Apr. 26, 1904, 33 Stat., 309; act of June 29, 1906, 34 Stat., 628.)

All power permits granted by the Forestry Department under authority of the act of 1901 are subject to payment of royalties to the Government by the permittee, and to various other terms and conditions.

On the authority of the foregoing cases and precedents, it is submitted that there can be no question as to the power of Congress to impose the conditions set forth in the Hetch Hetchy bill.

HETCH HETCHY AND THE CONSERVATION POLICY.

In the foregoing paragraphs we have attempted to review in a concise manner the different features of the bill now before Congress and to show briefly why each of the several conditions was inserted and what it is expected to accomplish. In conclusion we desire to survey the measure as a whole and demonstrate that it is wholly in accord with the great policy of "conserving the natural resources" to which this administration is committed.

"Conserving the natural resources." What does this phrase mean? Does it mean to lock up our forests and power sites and mineral deposits until some future time, for the use of posterity, without regard for the needs of the present generation? Or does it mean to so regulate the development of these resources that they may be put to the greatest beneficial use, may yield the maximum economic return for all the people of all generations? We incline to the latter view as being that of the Nation's leaders to-day.

Applying the "conservation" policy as above interpreted to the Hetch Hetchy project, we have to consider three classes of people to be affected: (1) The population of the San Francisco Bay communities, present and future, who sorely need water for domestic purposes; (2) the population of the San Joaquin Valley, present and future, who have irrigation interests and prospects to be protected; (3) the constantly growing number of people from all over the country who seek rest and recreation in the great Yosemite Park. How can the Hetch Hetchy Valley be developed so as to yield the maximum benefit, not to any one class of people, but to all classes? This has been the thought constantly in the minds of the legislators who have thus far considered it. The Secretary of the Interior, Secretary of Agriculture, Director of the Reclamation Service, Director of the Geological Survey, Hon. Gifford Pinchot, and Col. Biddle, president of the Board of Engineers, all examined the bill from this standpoint and testified before the House committee as to their approval of it in its present form. We

quote briefly from their testimony given at the hearing before the Public Lands Committee of the House of Representatives. Secretary of the Interior Franklin K. Lane gives as his opinion (transcript, p. 21):

"In my judgment, the permission desired by the city and county of San Francisco to secure water from the Yosemite National Park for municipal purposes, etc., should be accorded. The communities on San Francisco Bay constitute the largest center of population on the Pacific coast and are urgently in need of an adequate supply of pure, wholesome water for domestic consumption and for fire protection."

Secretary of Agriculture Houston concurs (transcript, p. 22):

"I examined the first draft of the bill that I saw and have examined this proposed bill, and I am in hearty accord with what the Secretary of the Interior says as to the general features. So far as the Department of Agriculture is concerned, I think that all of the interests of the Government are safeguarded in the bill."

Director George Otis Smith, of the Geological Survey, stated to the House committee (transcript, p. 35):

"Hetch Hetchy Valley must eventually be made into a reservoir. Now, I believe it can be stated that the sooner that dam site is actually used—the sooner that reservoir is used—the better, under the plan as set forth in the provisions of this bill."

Mr. Henry S. Graves, Chief Forester, Department of Agriculture, expressed himself as thoroughly satisfied with the bill. (Transcript, p. 42.)

Mr. Frederick H. Newell, Director of the Reclamation Service, stated (transcript, p. 45):

"We are now fully aware that the ultimate development of the city of San Francisco will require the use of this reservoir site."

Col. Biddle, president of the Army Board of Engineers, gives as his conclusions (transcript, p. 64):

"There is no question in my mind that the Hetch Hetchy is the best water supply for San Francisco, and that it is the most economical that can be obtained; it can be obtained more promptly and is better in every way."

Gifford Pinchot, whose familiarity with the conservation policy of the Government is well known, stated his views as follows (transcript, p. 25):

"The fundamental principle of the whole conservation policy is that of use, to take every part of the land and its resources and put it to that use in which it will best serve the most people, and I think there can be no question at all but in this case we have an instance in which all weighty considerations demand the passage of the bill."

The development of the Hetch Hetchy project in the manner now proposed represents the highest beneficial use to which this magnificent land site could be put. The domestic needs of more than 700,000 people, a population which Prof. Marx, of Stanford University, estimates will be 3,000,000 by the end of the century, will be served with pure cold water. The irrigation needs of all that part of San Joaquin Valley which is reasonably tributary to the Tuolumne will be adequately protected for all time. A comparatively inaccessible portion of the beautiful Yosemite Park will be made easy of access to the nature-loving public. The largest possible amount of hydroelectric power is to be developed and distributed to the parties directly interested, making possible a higher development of agricultural and municipal resources. The Government will receive a handsome revenue from the annual rentals, which is to be devoted to further improvement of the Yosemite Park. This is indeed true conservation.

The sole uncertainty which has been presented is whether, if every drop of water in the Tuolumne River is conserved, there will not some day be a shortage in water for the needs of portions of the San Joaquin Valley not protected by this bill, and which might by the construction of expensive irrigation works ultimately use it. What the rainfall in California will be during the next hundred years we can not accurately predict. If it is going to prove insufficient for the needs of all the people of the State, then it will have to be pro rated. But, as Mr. O'Shaughnessy pointed out to the House committee in his testimony (transcript, pp. 151, 152), the irrigationists have not demonstrated that there is likelihood of shortage, as they have not yet begun to use the natural sites available for storage dams on adjoining rivers, such as the Merced, and much water is annually going to waste.

The objections which have been put forward so earnestly by the opponents to the measure from irrigation sections are objections which go to every single source of supply which has been proposed for San Francisco. They have not been forced upon the committee by citizens and chambers of commerce from sections of the State adjacent to other sources, because San Francisco is not now seeking to use those sources. Let her seriously undertake to use the Mokelumne or the McCloud or any other source except possibly the lower Sacramento, and the cry will come just as loud from the citizens and chambers of commerce of those districts. And with respect to the lower Sacramento it has been already shown that the advance of the tidal stream resultant upon the withdrawal of water for irrigation is going to render that source unfit for drinking purposes within the century, and that the withdrawal of quantities of water for municipal purposes in addition to that needed for irrigation may interfere with navigation.

The question still remains, Is the ever-growing urban population of the bay cities to be deprived of pure water—a real, present necessity of life—in order that a few acres of arid land far distant from any river may some day receive intensive cultivation? We can not think that true conservation dictates such a policy. Perhaps the only true answer was the suggestion made last fall to Secretary Fisher by an ardent nature lover, that San Francisco might use the waters of the Pacific Ocean, but we trust that Congress is not going to limit the city to that supply.

NEED FOR PRESENT ACTION.

Many attempts have been made by opponents of this measure to delay action until the December session. We submit that nothing can be gained by delay. Every possible objection that can be raised to the acquisition by San Francisco of the Tuolumne supply has been raised during the past 10 years. They are to be found set forth in full in the transcript of the proceedings before Secretaries Ballinger and Fisher and before the House committee at this session. The answer to them is in the report of the board of Army engineers—San Francisco is willing to submit its case on that alone. But San Francisco urges immediate action. Her people need water, and the need grows every year. Her growth is restricted because outlying districts can not be supplied. The Spring Valley Water Co. is not only refusing to make extensions and take on new consumers, but is advertising to its present customers that a water famine is imminent, and that they must use water economically. If action is had now on this bill a whole year will be saved; the city can go to work at once on this project. If action is delayed until December the winter's snows will make it impossible to do any work until next summer. A year's delay may have serious consequences. Nearly 1 per cent of the people of the United States are petitioning this Congress for relief. They trust that their petition will not go unheard.

Respectfully submitted.

PERCY V. LONG,
City Attorney, City and County of San Francisco.
ROBERT M. SEARLS,
Assistant City Attorney.

(Population, 425,000.)

In behalf of our respective municipalities who expect to share with San Francisco in the benefits of the Hetch Hetchy project, we join with the city attorney of San Francisco in the above brief and petition:

Ben C. Woolner, city attorney of Oakland	206,000
Redmond C. Staats, city attorney of Berkeley	45,000
James A. Ballentine, city attorney of Piedmont	2,800
Samuel Poorman, jr., city attorney of Alameda	27,000
Charles N. Kirkbride, city attorney of San Mateo	5,000
Albert Mansfield, city attorney of Redwood City	3,500
John F. Davis, city attorney of Burlingame	3,000
Norman E. Malcolm, city attorney of Palo Alto	10,000
Frank Mitchell, jr., city attorney of Hayward	3,500
J. N. Frank, city attorney of San Leandro	3,471
Total population of bay cities	734,371

Mr. JONES. Mr. President, will the Senator yield to me for just a moment? I am obliged to leave the Chamber, and I have here a telegram relating to this matter that I should like to have read so that it may be printed in the RECORD.

Mr. PITTMAN. Certainly.

Mr. JONES. I am very much obliged to the Senator. I send the telegram to the desk.

The PRESIDING OFFICER. The Secretary will read the telegram.

The Secretary read as follows:

NORTH YAKIMA, WASH., *October 3, 1913.*

Senator WESLEY L. JONES, *Washington, D. C.:*

The 5,000 club women citizens of the State of Washington protest, through their executive board, against the despoliation of the Hetch Hetchy Valley, believing that it is to the interest of the country as a whole that such scenic places be preserved.

RUTH KARR MCKEE,
President Washington State Federation Women's Clubs.

Mr. PITTMAN. Mr. President, referring to the question asked by the Senator from Idaho as to whether or not there has been any investigation of the treatment of the irrigationists along the Tuolumne River, I wish to say that while the Public Lands Committee of the House were considering this question there were present at all times, participating in that work and giving their testimony, five duly appointed and elected representatives of the people of these irrigable lands. They were Judge Fulkerth, Mr. Jones, Mr. Griffith, and two engineers. At the time this bill was being prepared by the Public Lands Committee of the House Mr. CHURCH, Congressman from California, from this very district, was there representing the irrigationists. At the same time ex-Congressman Needham, who holds an office in that district to-day, I believe, and who is a member of the Republican Party, was also present before the committee, representing the interests of the irrigationists. The report contains a statement by Mr. Needham before the House committee in which he approves of this bill, and states that those representing San Francisco have been entirely fair and entirely courteous to the people who are interested in irrigation.

I wish to call attention to the fact that when this matter last came before the Public Lands Committee of the Senate, only three or four days ago, these matters were again given careful consideration. A gentleman from California, Judge Le Hane, then came before the committee, claiming to represent some dissatisfied irrigationists, and protested against the bill on the ground that the land subject to irrigation by these waters had not been properly protected in the bill. He asked the Committee on Public Lands to deny to San Francisco or the bay cities the right to build a dam at Hetch Hetchy or to utilize any of the water of the Tuolumne River.

There were present at that time ex-Congressman Needham and Congressman CHURCH; Mr. CHURCH as the Representative in Congress from such district and Mr. Needham as the duly accredited representative of the water users of the same district. Judge Le Hane was answered by Congressman CHURCH, who stated that the people of the district living where this water might be used for irrigation were all in favor of the bill; that it was a great benefit to them instead of a damage; that all of the water to which they were legally entitled in the Tuolumne River was guaranteed to them by the bill; and more than that that the bill provided for saving the flood waters of the Tuolumne River, which could be saved only by this dam. That by such means alone could such flood waters be made available for them at a period of time of drought or at the end of the season when in greatest demand.

Mr. LANE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Oregon?

Mr. PITTMAN. I do.

Mr. LANE. I do not wish to interfere with the proceedings in any way; but yesterday I received a letter from some gentlemen who said that a large body of land in the San Joaquin Valley under this water, which could be irrigated by it, and who protested against the bill on the ground that such lands will be deprived of water for irrigation purposes. I call attention to the fact that a protest has been filed on that ground. I will send over to my office and get it now.

Mr. PITTMAN. Never mind about it; I do not care about the letter. I do not doubt that there have been thousands of letters of that kind written by individuals who know nothing of the facts.

As I say, Judge Le Hane was here before the committee. Who did he represent? Why, Judge Le Hane wanted the opportunity to sell real estate down in that community, and he told us so. That is what he wanted to do.

Mr. THOMAS. Mr. President, if the Senator from Nevada will permit me, I wish to state in that connection that the statement of Judge Le Hane before the committee impressed me very much, because he was there evidently representing the farmers of the valleys that were dependent upon this stream for their water. I therefore made several inquiries of him during the course of his statement, one of which, and I think the first, was whether any water filings or diversions of water from this stream or any of its tributaries under the laws of California, or under the laws of the United States, or both, had been made prior to the filings of the city of San Francisco, which had not been taken care of in the allotment of water that the bill provides for these two great irrigation districts. His reply was that no such legal right existed, but that those whom he represented felt that they had a moral right to the use of waters upon that watershed for the reclamation of such lands as might afterwards be brought under cultivation. I asked him if he had any right which was not susceptible of enforcement under the laws of the State of California under the last section of the bill, and he said, "None whatever."

Mr. President, it is A B C irrigation law in the arid West that appropriations, in order to be valid, must be made by legal locations, and followed by diversion and the application of the water to some substantial beneficial use. I gathered from what this gentleman said—and he answered very candidly—that in his opinion the only thing which had been overlooked in the preparation of the bill, as affecting the users of water rights along the proposed line of way, was that there were potentialities that might be developed through the subsequent location and diversion of the flood waters of this basin, all of which belong to San Francisco under previous filings which have been made in legal form. Consequently, I do not see that there is anything which the bill does not cover and provide against that has not been the subject of the fullest and most complete investigation.

I thank the Senator from Nevada for permitting me to make that statement.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. PITTMAN. I do.

Mr. BORAH. When this telegram from the Senator from California [Mr. WORKS] was placed in my possession, of course I felt that it was my duty to give it to the Senate. In doing so I did not mean to intimate that the Public Lands Committee had not done its full duty. I know that that committee is composed of some of the most painstaking and accurate investigators in the Senate. But it did occur to me that possibly there was one thing in the telegram which the committee had not had an opportunity to investigate, and for that reason I asked the question if the committee had had an opportunity to know whether the committee representing or purporting to represent the farmers had, to use the exact language of the telegram, betrayed their interests. I do not know the gentlemen who represented the farmers; they may be men of unimpeachable character and standing; but that is the intimation in the telegram. That, of course, is an important matter to all parties. If there has been fraud, it will be contested some time and likely to the detriment of all parties. My judgment would be that we ought to be sure that nothing of that kind can be justly charged should this measure become a law.

Mr. NORRIS. Will the Senator from Nevada yield to me?

Mr. PITTMAN. With pleasure.

Mr. NORRIS. I asked the Senator to yield because Mr. Lehane, who appeared before the committee, is a personal acquaintance and friend of mine. He formerly lived in my State. I was glad to hear the Senator from Colorado [Mr. THOMAS] speak in the terms he did speak of Mr. Le Hane. I think he impressed the committee as being a very fair man.

Mr. THOMAS. He certainly so impressed me.

Mr. NORRIS. That is the reason why I want to state here, with the permission of the Senator from Nevada, that when this bill was brought forth there was a claim on the part of certain irrigation companies that they were entitled to certain water. Mr. Le Hane is a member of one of those irrigation companies. Those companies were represented in the consideration of the bill originally before the House by Mr. Needham, who was formerly their Representative in Congress. He is now a private citizen, and was here representing those irrigation companies. The committee of the House in charge of the bill in drawing it so adjusted it as to make it satisfactory to Mr. Needham in his representative capacity as representing those irrigation companies.

There was a contest as to whether the bill should specifically give to those irrigation societies the water that they were entitled to under the laws of California or whether it should say nothing about it and let them have those rights that we could not take away from them if we wanted to do so. But they insisted through their representative there, I understand, that they should be specifically named and taken care of in the bill, and that was done in a manner entirely satisfactory to their representative.

Now, Mr. Le Hane, one of the members of one of those companies, is taking this view of the situation, that while they were given under the bill everything that they had filed or had any legal claim or right to, if in the future there were lands there that could not be irrigated by the irrigation companies now in force they could be irrigated if they had use of all the water that would be taken to San Francisco; and he appeared rather in behalf of those people, himself among the number. They want this water, as they specifically asked the committee. They said: "Instead of giving it to San Francisco give us the water and let us build the dam; let us develop the power and use the water for irrigation." He made no claims that they were not getting under the bill everything that they were entitled to—in other words, that their legal rights were not preserved—but said that they could, by developing some other land now undeveloped and using more on the land that is entirely developed, use this water; and they would prefer to do that rather than to have it go to San Francisco. I submit to the Senator that that was about the position of Mr. Le Hane in the matter. It may be different, but, as I understand it, this telegram from the junior Senator from California refers to those same people; it refers to the same class of people whom Mr. Le Hane represented at that time.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Kansas?

Mr. PITTMAN. I do.

Mr. BRISTOW. I desire to say, with the permission of the Senator from Nevada, that I have not been in the Senate a great while, but I have been here something over four years and I have never known when a request was made by a Senator from a State which is affected by a bill and that Senator is absent and asks that it be not considered until he can get back that such a request has been denied.

Not only was such a request made by the junior Senator from California [Mr. WORKS], but the Senator from Utah [Mr. SMOOT], who was until the 4th of last March the chairman of the committee that reports this bill, is absent from the city and he desires to be present when it is heard. For the first time in my short service here has such a request been ignored by the Senate, and I can not understand why this request is not heeded.

Mr. NORRIS. I can tell the Senator why. Personally, I have no objection to postponing it as far as I am concerned, although I voted to consider it. If I understand the telegram of the junior Senator from California, he referred in his telegram to men who have no legal right involved in this bill, men who are not even organized into an irrigation district, men who have made no filing, who have not taken any steps to get the water, who have not any legal claim to it, and if we gave them all they wanted it would be a question whether we should use the water to let people drink or have for domestic use or whether we should use it for irrigation. They have not any legal filing.

Mr. BRISTOW. Let me ask the Senator from Nebraska, through the kindness and courtesy of the Senator from Nevada——

Mr. PITTMAN. Certainly.

Mr. BRISTOW. If the Senator from Nebraska were in Nebraska and there was a bill pending here affecting the State of Nebraska, and he should send a telegram here asking that its consideration be deferred until he could be heard, does not the Senator think it would be a courtesy to him for the Senate to grant his request?

Mr. NORRIS. I think it would be, and it would be a courtesy to the Senator from California, as the Senator from Kansas knows. I do not think there can be any doubt about this proposition.

The Senator from California in his telegram is referring to something that, even if he were here, could not possibly make any difference with this bill one way or the other. These men who are unorganized, who have no legal claim to the water, who have made no filing during all these years that this has been under consideration, have never before until the last days that the bill was before the Senate committee made any protest or any claim of any kind. Mr. Le Hane very fairly and squarely stated that he had no legal right; but he said, "We can get our men together, we can organize, and we can use this water; let us have it." In the first place, the committee hearing had been had, the bill had been really passed upon by the committee, and at the very last minute somebody comes in who has no claim, and no one will contend that he has any, and says, "We would like to have this water."

Mr. LANE. Will the Senator from Nevada allow me to make a suggestion to the Senator from Nebraska?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Oregon?

Mr. PITTMAN. I will yield.

Mr. LANE. Thank you. If we now give the possession of the entire water flow from that stream to some one else, the people who own the land down the stream—two or three hundred thousand acres——

Mr. NORRIS. The land is not in there.

Mr. LANE. The land, I understand, is in there.

Mr. NORRIS. The land is practically as far away from it as San Francisco—perhaps not so far.

Mr. LANE. The land has not been moved.

Mr. NORRIS. No; the land has not been moved.

Mr. LANE. That is what I understood. The people who own the land in San Joaquin Valley could make use of this water, and if they do not secure the right to use the water, if they have not filed now, and it is given away to somebody else before they can file on it, they will be fixed so that they never can get possession of it.

Mr. NORRIS. No; there is not enough to supply everybody. Under all the laws relating to irrigation, assuming that the application they want to make of the water is the same, the one who files has the prior right; and, as between the domestic use for water and the use for irrigation, I think the Senator would admit at once that we should use it for domestic purposes.

Mr. LANE. If the Senator pleases, I am not questioning that. I was just making a suggestion.

Mr. NORRIS. There is another thing the Senator ought to consider. Although I have not gone into that phase of it, I think the preponderance of everything I have heard in regard to it is that if for the purpose of using this water for irrigation purposes they went into the work that San Francisco is to go into, and must under this bill, and build this dam, it would cost more than they could possibly pay. If these farmers could raise sufficient money to build this dam, they could, of course, get their money back by the sale of power; but I believe any fair-minded man who has given it consideration will admit that they would not be able to raise the money that San Francisco can raise to build this enormous dam and do the other work which the bill provides they must do.

Mr. LANE. If the Senator pleases, the point I was trying to make, and to which I want to call his attention, was this: If some one files a prior right and takes up all the water from the stream to convey some place down on his private property, naturally that will deprive all persons above him and below the head of the stream; and will the Senator say that is not an unfair proposition at all? If you want to say that it is more necessary to bring it to San Francisco for domestic purposes than for agricultural purposes, that is a different proposition; but I do not see the philosophy of the point the Senator is making.

Mr. NORRIS. On the other proposition I do not believe there has been anyone except Mr. Le Hane who has ever claimed it, because he said we would not spend as much money to build this dam and we would not do a good many things that San Francisco provides for. These men are now unorganized; they have no claim to the water; they own no desert land; and if they had to raise the money on the land it is absolutely out of the question, I think. I do not believe any man who gives any consideration to it for a minute will agree that they could do it, and hence they could not develop the proposition.

Mr. POINDEXTER. I should like to ask the Senator from Nebraska why they could not do it?

Mr. NORRIS. An irrigation district, in order to raise the money to do it, would bond the land; and to raise the necessary funds to make the improvement provided for in this bill they would have to bond that land for a great many times more than it is worth.

Mr. POINDEXTER. I suppose the Senator draws his conclusion very largely upon the estimate of the cost of the dam?

Mr. NORRIS. Not only the cost of the dam, but the other things provided in the bill which they have to do.

Mr. POINDEXTER. May I ask the Senator what the dam would cost, according to his estimate?

Mr. NORRIS. There are various estimates.

Mr. POINDEXTER. Of course, whether or not the land owners could build the dam, it would seem, would depend in a very material degree on the cost. I am informed that the dam could be built at much less cost than the estimates here.

Mr. NORRIS. Probably it can not. The engineers' estimate put it away beyond that of these people for practical use. There are a great many other things in the bill that have to be done. If you turn it over to these people and say you do not have to build the kind of a dam the bill provides for and do not have to be careful, but may build some cheaper affair, and not have the dam of the same color as the surrounding rock, of course it can be built for less money; but San Francisco will build on certain plans and specifications laid down in the bill. I beg the Senator's pardon.

Mr. THOMAS. The Senator in his last statement anticipated what I rose to say.

Mr. PITTMAN. I was very glad to have the statement the Senator gave. I think his statement of Judge Le Hane's position was correct. When I said he wanted to make a real-estate matter out of it I meant just exactly that. Mr. Le Hane, in reply to a question I asked him, admitted that they had no legal method of depriving San Francisco of the water of the Tuolumne which they were to store in Hetch Hetchy; that they had no legal way to obtain any more water than was granted them in this bill. Then I said to Mr. Le Hane, "What you want us to do is to prohibit San Francisco from building a dam and thus prevent the use of the water that they themselves own, to the end that they will lose their water rights." He said, "Well, we want it ourselves, and if that is the result of it we want it." So the whole result of Judge Le Hane's attempt was to obtain the assistance of Congress to deprive San Francisco of a legal water right by placing them in a position where they could not use that water for the purposes for which they acquired it. Remember that all the water rights that are owned by those irrigationists are protected in this bill. The only persons who are complaining are men like Judge Le Hane, who want more than they are legally entitled to.

Mr. MYERS. Will the Senator yield to me just a minute to read into the RECORD the telegrams I have mentioned, and then I will not interrupt him any further?

Mr. PITTMAN. Certainly.

Mr. MYERS. It was asked from the floor that they be read. I find there is in response to an inquiry from me a telegram from the Senator from Utah [Mr. SMOOT], which reads:

SALT LAKE, UTAH, *October 1, 1913.*

Senator H. L. MYERS,
Washington, D. C.:

I can not reach Washington before October 12.

REED SMOOT.

That was in answer to a telegram from me asking him to state if he insisted still that action be put off until he could return, and if so, to name the date of his return. A prior telegram from the Senator from Utah, intended for the committee only, was laid before the committee and read at the last meeting of the committee and was by it taken into consideration.

The first telegram that I received from the junior Senator from California [Mr. WORKS] is sent from Coronado, Cal., which I will read:

CORONADO, CAL., *October 1, 1913.*

Hon. HENRY L. MYERS,
Chairman Public Lands Committee, Washington, D. C.:

Postpone action on Hetch Hetchy bill until you hear from me further. Will wire you again to-morrow. Bill should not pass without further hearing on its merits.

JOHN D. WORKS.

The second telegram that I received from him was from the same place. It reads:

CORONADO, CAL., *October 2, 1913.*

Hon. HENRY L. MYERS,
Chairman Committee on Public Lands,
Senate Chamber, Washington, D. C.:

I have satisfied myself that Hetch Hetchy bill should not pass without further investigation. Ninety-nine per cent of water users in the irrigation districts are strongly opposed to it and claim that they were betrayed by those who consented to the compromise measure. They claim that thousands of acres of land in their districts and outside of them will be deprived of water to which they are entitled and that they can show that this sacrifice of the best and most fertile lands in the State is unnecessary in the interest of San Francisco. Because of the compromise, that they indignantly repudiate, this phase of the question has not been investigated. The bill should not be rushed through at this session under such circumstances. It is too serious not only to the parties directly interested but to the whole State.

JOHN D. WORKS.

I will say in comment on this last telegram that the statement that the water users in certain irrigation districts, those who use the water agriculturally for irrigation, have not been heard is incorrect and it was made by the junior Senator from California under a misapprehension, if I correctly interpret his telegram. Those people at the last meeting of the Public Lands Committee were represented by Judge Le Hane, of California, who came on here for that purpose. He made a very masterly, clear, and concise presentation of their claims and argument in their behalf, which was listened to very carefully and patiently by the Senate Public Lands Committee and given full consideration in determining its action. The junior Senator from California was evidently not aware of that when he sent his last telegram, but those gentlemen have been represented and fully heard before the Senate committee. It is true that Mr. Le Hane in his talk before the committee made some allusion to the action of a delegation that came on here and appeared before the House committee in consenting to a compromise without authority and thereby betraying his people, but that was all explained by him and taken into consideration, and he himself repudiated such action and made a strong and plausible argument before the committee. So that the committee feels that the irrigationists referred to had a full hearing and were given thorough consideration.

Mr. PITTMAN. Mr. President, as between the use of water for the irrigation of land that has no right to the water and the use of water for domestic purposes by the millions of people who are surrounding San Francisco Bay there can be no ground for debate. And remember that this bill grants to those irrigationists everything that they are entitled to and everything that their representative asked.

The only thing now that is being contended for is that those who have no right to the water should be given the water for the purpose of irrigation, and those who have a right to it in San Francisco should be deprived of that right for the purpose of granting it to those who desire it for irrigation. I contend that if there is water there that was not even disposed of, and there was any way for Congress to dispose of it, which of course there is not, because the States have the sole right of disposition of that water, and it was up to Congress to decide whether such surplus water should go to the irrigation of 200,000 acres more of land not at the present time inhabited by any human being, or whether it should go to those people who have been paying the most outrageous water rates to one of the most outrageous water monopolies that ever existed, whether it should go to aid a real-estate project in the irrigation of 200,000 acres of land, or whether it should go to 2,000,000 people for the purpose of relieving them of a water famine and the grasp of a monopoly, I say there would be no question as to what Congress should do.

Now, then, these people come to us who have no interest in that water, who have no right to that water, who never sought heretofore to use that water, and simply say: "We have got land out in that country that we can irrigate; therefore we want you to prohibit San Francisco from building a dam up in the Sierra Nevada Mountains, and thereby cause them to lose the water that they have acquired for the benefit of millions of people." I do not know that there is any higher or better use that water could be put to than to carry it to those millions of people who have been suffering under the grasp of that monopoly.

I happened to be in the City of San Francisco in 1906 when that great catastrophe came. I was there when the earth was shaken by that terrible quake. I saw the fire break out all over that city and sweep from one end of it to another. I saw homes crumble and swept away as the wind might blow away a stack of cards. I saw women with children at their breasts filling those parks.

I saw the hillside covered by homeless people. I saw such suffering as I never expect to see again, and I know that a lot of it was caused by reason of the inefficient system of water that was being supplied to the people of San Francisco. I know it was largely due to the greed of that water monopoly in its efforts to spend as little as possible and to grasp just as much as possible, and I never want to see such a condition again exist in any city. Those are the conditions that exist in that city.

I hope to see the time when every city in this country will own its own water supply of the purest and the best that this country can possibly furnish to its people, and that the charges for such use will permit everybody, no matter how poor, to enjoy this necessity of life.

I want to read the names of some of the men and some of those institutions that indorse this bill, but before I do that, and before the Senator from Kansas [Mr. BRISTOW] leaves the Chamber, I want to refer to what he said. He says he never knew of an occasion when a Senator refused to delay a hearing of this kind at the request of another Senator. I think that the conditions existing at the present time are an exception. Every opportunity has been given to the junior Senator from California to present these facts to the committee. Right now when he should be on the floor of the Senate, if he has the complaint that his telegram would indicate, he is back in the State of California, from which point he telegraphs us to stop legislation without even giving us a hint when he will return here for the purpose of attending to his official duties. He is a member of the Public Lands Committee of the Senate; he has heard all the testimony; he should have read all the reports. I want to ask these gentlemen if a motion was made for a continuance of a case on such a flimsy showing as that whether there would be any ground for postponing it for one minute?

I should like to accommodate the Senator from Kansas; I should like to accommodate the Senator from California; but when it comes down to a question of accommodating a Senator just simply to please him, without any just ground, when such accommodation is going to work an injury and a hardship on nearly half of the people of a great State whom he was elected to represent, I am compelled to withhold my consent on such ground.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from North Dakota?

Mr. PITTMAN. I do.

Mr. GRONNA. Will the Senator from Nevada inform the Senate as to the probable time contemplated before this water will be used by the people of San Francisco?

Mr. PITTMAN. It is very probable that if every delay were permitted on the ground of such telegrams as we have received, long after the Senator and I have died the water would still not be in use. I want to say that for 12 long years that water has not been in use, and yet during all that time the people have been trying to get this thing started and they have been obstructed on every hand.

Mr. GRONNA. The Senator misunderstood my question. Has it not been stated here by Mr. Freeman, the chief engineer of the city, that it is not expected that they will get any supply of water from the Hetch Hetchy Valley before 1915?

Mr. PITTMAN. I want to state this to the Senator: I realize that they can not build a great water system in a day, but it must occur that every postponement delays the beginning of those operations just that much. The same argument might have been made by the Senator four years ago. He might have asked then what is the need of crowding this matter; it will take four years to build it; and here again the same argument is used, and time and time again it is crowded off by more important matters; matters of national importance. Here and now we have an occasion when there is no other bill pressing, and I think it is our duty to occupy the time of the Senate on such occasions to put through bills like this. When this bill passes, I understand, there will be a portion of the $45,000,000, which can be utilized for the purpose of repairing and extending the present water system. It is greatly needed. Therefore, to that extent an emergency exists.

Mr. GRONNA. If the Senator will pardon me for another interruption I will not interrupt him again. It is true, is it not, that the people of San Francisco or any of the bay people who will use this water do not expect to get any supply of water from the Hetch Hetchy before 1915?

Mr. PITTMAN. Oh, no; but the passage of this bill grants to them an immediate remedy, such as I have stated, which remedy they can not avail themselves of until this bill passes.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Nevada yield to the Senator from Connecticut?

Mr. PITTMAN. I do.

Mr. BRANDEGEE. The Senator from Nevada has alluded to the fact that the junior Senator from California [Mr. WORKS] was himself a member of the Committee on Public Lands and was present at a part of the hearings. What was the report of the committee? Was it unanimous? If not, what proportion of the committee favored this measure and what proportion opposed it?

Mr. PITTMAN. The report of the committee was unanimous, I believe, so far as those who were present were concerned.

Mr. BRANDEGEE. There are no views of the minority, or what we call a minority report?

Mr. PITTMAN. No; there was no vote against the bill.

Mr. BRANDEGEE. There was no vote against it? Was there a roll call in the committee?

Mr. PITTMAN. No; it was a viva voce vote.

Mr. BRANDEGEE. And there were no votes against it? That is equivalent to a unanimous report.

Mr. PITTMAN. It is equivalent to a unanimous report.

Mr. President, I want to branch off just for a minute to another phase of this matter. I have called attention to those men who seem to be the principal movers against this bill in this country. They are men who base their fight, not on the ground that it will take the water away from irrigation, but on the ground that it will destroy a great national park. Let me state right here, in answer to that argument, that I have a Government map here [exhibiting] of the Yosemite National Park, which shows that there are 719,622 acres of land in that park. This Government map also shows the Hetch Hetchy Valley and the amount of land that will be submerged by the dam. The amount of land that will be submerged by the dam and by the lake that will be created by the dam will be 1,330 acres. One thousand three hundred and thirty acres will be submerged by water, and, as I have stated, there are 719,622 acres in the park.

Mr. BRANDEGEE. Can the Senator from Nevada tell me how many acres there are in the so-called Rock Creek Park here?

Mr. PITTMAN. No, I can not; but I should judge there are about 1,000 acres in it.

Mr. BRANDEGEE. I wanted to get an idea as to its extent, if I could.

Mr. PITTMAN. In other words, Yosemite National Park is about 700 times as big as is Rock Creek Park.

Mr. BRANDEGEE. Well, Mr. President, I will ask the Senator, is any Senator here claiming that this would be a serious invasion upon the Yosemite National Park? Has anybody made that argument on this floor?

Mr. PITTMAN. Not yet; there has been no argument made and I do not know what argument will be made, if the Senator please. The only argument that has been made by anyone against the bill, mind you, has been by the gentlemen whom I have mentioned, who place their opposition upon the ground of the injury to a national park, and Judge Le Hane, whose objections have already been stated——

Mr. BRANDEGEE. Far be it from me to make any suggestions to the Senator, because he understands his business, and he needs none from me, but I will simply take this occasion, if the Senator will pardon me for saying so, to state that I have been through the Yosemite National Park years ago and I am perfectly familiar with what a magnificent valley it is. I do not regard the proposed flooding of this small portion of the park, picturesque as it may be, as any serious invasion of either the natural beauties of the park or of its public utility; and I am inclined to think that a great deal of the natural, patriotic feeling that exists in behalf of protecting our national parks and the scenic beauties of this country is being taken advantage of by well-meaning but mistaken people to oppose this proposition, which I think is a meritorious one and is one in the interest of the welfare of human beings and of a large section of the country, and that the opposition to it is largely mistaken. While I voted against proceeding to the consideration of this bill at this time because I thought the situation was such that we possibly would wind up with the absence of a quorum in the end, as there is opposition to the measure, still if it comes to a question on the passage of the bill I shall vote for its passage. I think it is a wise and proper measure, and I for one do not propose to be stampeded or to be in any way—I will not use such harsh terms as "bulldozed" or "boycotted"—but I do not propose to be influenced against my own judgment on subjects of this kind by any cry, no matter in what lofty or commendable interest it is raised, if I think it is mistaken in the particular case.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. PITTMAN. I do.

Mr. BORAH. I fully agree with the views expressed by the Senator from Connecticut [Mr. BRANDEGEE], but there is an intimation in his suggestion that somebody who is opposed to this bill has been stampeded or bulldozed. I have not seen a "nature fakir," as they call them—which is, I understand, a term which means a nature lover—since this investigation began, and I have not been in communication with a single one of them. The only men who have thoroughly presented this matter to me have been those who are in favor of the measure; and I am frank to say that they have impressed me a great deal with their views and with the justice of their cause; but that, Mr. President, ought not to preclude a Senator from making his own investigation without having the imputation left upon the situation that these men have unduly controlled his judgment. I hope the Senator from Connecticut will not get the view that those of us who want to know the facts before the bill is passed have come under the improper influence of those men who are truly impressed with the scenic display of the Yosemite Park.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Connecticut?

Mr. PITTMAN. I do.

Mr. BRANDEGEE. Mr. President, I rarely have seen the Senator from Idaho [Mr. BORAH], who usually stands squarely on his feet, with a mind conscious of rectitude, so thin-skinned and sensitive about a remark that was purely general and not cast with any significant or sinister slant in the direction of Idaho or of the position where the Senator sits. I think the Senator from Idaho, if he needs any certificate of character or of bravery from anybody—and I know he does not—would be almost the last man, I think—modesty prevents me from saying the "very last," but among the last—in this Senate that anybody would approach with the idea that he could secure the attendance of the Senator upon any ground where the Senator did not desire to stand.

Mr. BORAH. Mr. President, I am not sensitive, but I do not want to hazard the esteem of the Senator from Connecticut; hence I seemed perhaps unduly sensitive.

Mr. PITTMAN. Mr. President, when interrupted I was calling attention to the infinitesimal portion of this national park that this bill provides shall be used in the storing of this water for San Francisco. To be exact, there are in the Yosemite National Park 1,124 square miles, or 719,622 acres. If San Francisco is given the right to build a dam in the Hetch Hetchy Valley, it will flood 1,330 acres of the bottom of the valley. San Francisco already owns one-half of the floor of the valley that will be flooded. It is exchanging for the other half of that 1,330 acres more land in the national park that it owns in fee in lieu of that land. The land that it is exchanging is situated at various points which afford good camping spots for anyone desiring to go and visit that national park. I want to call the attention of the Senator from Connecticut to the fact that I do not think that he was ever in the Hetch Hetchy Valley.

Mr. BRANDEGEE. The Senator from Nevada is correct about that.

Mr. PITTMAN. The reason I said that is this: There are not over a dozen people a year who go into Hetch Hetchy Valley. Hetch Hetchy Valley is not in the Yosemite Valley at all; it is in this national park, which includes nearly 1,500 square miles of territory. It is in the Sierra Nevada Mountain Range, north of the Yosemite Valley. It is no part of that great, beautiful Yosemite Valley; it is no part of the valley that contains such wonders of scenic beauty—the valley that gave the name to that whole national park. It never came into notice—in fact, its existence was not recognized—until the engineers, looking for an adequate water supply for the municipality of San Francisco and the other municipalities around the bay, discovered this little, narrow valley with its precipitous mountains. Then it was that San Francisco acquired the land in this little valley, with the exception of a few hundred acres. Now they come to the Government, and they ask what? They ask no grant of water; they ask no gift of land. They say: "Exchange seven hundred and odd acres of land with us for three or four times that much land in other parts of the park, land that is more valuable than the land that you are trading us and far better situated; permit us to build a dam, so as to make a lake upon our land; give us a right of way—that is all we ask—to carry this water to the people who need it for domestic purposes throughout that great State." That is all they have asked.

Do you believe that the people of this country, who have become interested in this matter because of all the letters which have been sent out by Mr. Underwood Johnson and Mr. Parsons, understand the situation? Do you believe that they know that the beautiful Yosemite Valley is not touched by this project at all? Do you believe that they know that only 1,300 acres of land out of 719,000 acres are to be used in this project?

Mr. Parsons comes before the Senate Public Lands Committee and says: "But it injures the peculiar beauty of that little valley." He says, "One of the especial beauties of that little valley is the peculiar growth of its flora, the intermixture of ferns, with here and there a scattered oak tree. That," he says, "adds immensely to its beauty, and its destruction would be a national calamity." He says, "Now if you go there everything is natural and wild; but if you put a lake there where to-day they have ferns you will destroy the nature sounds," meaning the sounds, probably, of some animal that might have inhabited the floor of that valley. When it was called to his attention that two members of the Army boards sent out to investigate that proposition believed that the lake would add to the beauty of Hetch Hetchy Valley, he answered by saying that there were many other beautiful lakes in the park, and that it was thought having one valley full of ferns would be more beautiful than if there was a lake there.

Some of the greatest landscape artists have contended that that valley would be more beautiful with a lake than it is to-day. Here [exhibiting] is a picture of Hetch Hetchy Valley as it exists to-day. There [exhibiting] is a picture of the valley with the lake in it. Mr. Keith, of California, one of the greatest landscape artists of this country, made a painting of that valley, and in that painting he placed a lake, just as shown on this picture [indicating].

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. PITTMAN. I do.

Mr. BORAH. Can the Senator designate, so that we can know where the waterfalls are situated, which it is said would be affected by the lake?

Mr. PITTMAN. Yes, sir. The water line, being at 200 feet, will make the surface of the lake——

Mr. NORRIS. I think the Senator is mistaken about the water line being 200 feet; it is 300 feet, is it not?

Mr. PITTMAN. Yes; I beg pardon. It is 300 feet. The water line at 300 feet, the line as marked upon the map, will cause the surface of the lake to be over 100 feet below the base of the water fall.

Mr. BORAH. How far is it from the point of the falls to the water which will be in the lake when the lake is formed? How far does the water fall?

Mr. PITTMAN. The water falls in one of those cataracts 800 or 900 feet, but it strikes the rocks 100 feet or more above where the surface of the lake will be when raised to its highest point by the proposed dam.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Connecticut?

Mr. PITTMAN. I do.

Mr. BRANDEGEE. I have seen it stated somewhere, stating it roughly, that the floor of the Hetch Hetchy Valley is some 3,500 feet above sea level, or something like that.

Mr. PITTMAN. That is correct.

Mr. BRANDEGEE. And that the precipices which form the sides of the chasm or valley are some 2,000 feet above the floor of the chasm. Is that correct?

Mr. PITTMAN. That is correct.

Mr. BRANDEGEE. Does the Senator mean that after the dam is constructed and the lake is formed the surface of the water will be only 300 feet above the floor of the present chasm?

Mr. PITTMAN. That is true.

Mr. BRANDEGEE. So that there would still be left 1,700 feet of sheer precipice of wall out of the 2,000 feet?

Mr. PITTMAN. Yes; and the difference in height would not be appreciable to the eye.

Mr. BRANDEGEE. Under the restrictions of this bill, how close will the tourist or the observer be able to get to the brink of this precipice, or from what point in the country could he get a view of the lake which is to be formed?

Mr. PITTMAN. I thank the Senator for that inquiry, as it brings up a very natural subject. The Senator from Connecticut has been in the Yosemite Valley, but he never was in the Hetch Hetchy Valley, because——

Mr. BRANDEGEE. I do not claim to have been. The Hetch Hetchy Valley, I assume, is in the Yosemite National Park, but I have not been in that valley at all.

Mr. PITTMAN. The reason why the Senator could not get there, and the reason why he was not taken there, is the same reason why probably only a dozen people in a year ever see it; and that is, that it is about 30 miles north of the Yosemite Valley and separated by a precipitous mountain range of barren granite, rising to an altitude of 8,500 feet. The Hetch Hetchy Valley to-day is a pleasure to no one, except to a few venturesome spirits who may climb across those rocks for the purpose of looking down into it. Even Mr. Underwood Johnson, who has been describing the beauties of that valley, admitted before the Public Lands Committee of the Senate that he had never seen it; that the nearest he had ever been to it was 10 or 15 or 20 miles away. We want that valley accessible to all people, and this bill provides that it shall be made accessible. It provides that the grantee under this bill shall build such roads and boulevards as will allow the people of all this country to get into the valley with wagons or automobiles, by foot or on horseback; to go up the boulevards to the top of those peaks, which are 8,500 feet high, drive around the border of that lake, and see all the beauties of that great national park, which to-day are reserved for those who have unlimited time and means to participate in such explorations.

This bill provides for the building of these roads; and, mind you, not only does it provide for the building of roads, but it provides that the grantee shall pay to the Government a specific sum of money to keep these roads in eternal repair. That sum of money will eventually amount to something like a million and odd dollars, if not more. After five years they commence to donate to the Government for 10 years $15,000 a year for this work, for the next 10 years $20,000, and from that time on $30,000 a year for the purpose of keeping these roads in repair and for the purpose of keeping that park protected and in such a condition that it will be accessible to and can be enjoyed by others than mountain climbers.

Is not that a great benefit to the people of this country? Is there any reason why anybody should object to or fight that proposition? Yet the literature with which we are being flooded is based solely on the ground that the national park is going to be destroyed. It is true that they come back to you and say, "The principle is wrong; you should not allow any part of a great national park to be used for any purpose other than to go and visit it." There must be exceptions to a principle of that kind; in fact, there is hardly a principle on earth to which there is not an exception. Is this not an exceptional case? Is it not a case where the city of San Francisco owns nearly all the land it desires to flood, and it is going to give up other land in that same national park for a little more land to be flooded by this water? Is it not an exceptional case when this valley to-day is practically inaccessible and is going to be made accessible at the expense of the grantee of this right? It seems to me that it is an exceptional case.

Eliminating, just for the sake of argument and for the time being, the millions of people who live around San Francisco Bay, but considering all the people of California, considering all the people of this country who have the time and the means to visit that great national park, will they be benefited or will they be injured by the work that is to take place under this bill? At the present time they can never see the Hetch Hetchy Valley; at the present time they can not make their way into any except the Yosemite Valley. When this bill becomes a law they will have access by great boulevards to every point in that great national forest, and the Government will be given a fund, to be supplied by San Francisco, to keep up those roads and to protect that national forest against forest fires and vandalism. If that is the case, wherein is the objection? Wherein is the wrong?

These men tell us that one of the great wrongs in this bill is that campers are prohibited from throwing refuse within 300 feet of that lake or of the streams running into the lake. That is a sanitary provision that is enforced in nearly every national park in existence, and where it is not enforced it should be. There is no reason why campers or anyone else in a national park should not be required to use common decency. Yet that is one of their main arguments.

I received two days ago from Mr. Parsons a pamphlet, with blue penciling on it and a little note on the side, saying, "Read this carefully; this is one of the objectionable provisions." That objectionable provision is that campers shall not throw any filth or any refuse matter within 300 feet of the lake.

I am surprised that a man who has traveled as much as Mr. Parsons; a man who has such admiration for the beauties of that valley; a man of education and advancement, should object to a sanitary provision with regard to the waters of our national parks. Whether there was a basin there or not; whether there was a reservoir there or not, it would be necessary to the safety of other campers in that national park that such a regulation should exist.

It is on those slim grounds that these men are fighting this bill, without any idea of what they are talking about. I am satisfied that when the good people of this country, the men and women who are writing to us now from various States, basing their reasons on these letters and inclosing these letters to us, ascertain the facts; when those people know of the little land that is to be used; when they know of the conditions under

which it is to be used; when they know of the great benefit it will mean to millions of suffering people in the State of California; when they know that this project is upheld by everybody in the State of California, with the exception of those who have been named here to-day, I think they will be inclined to change their opinions.

You who are in favor of conservation of the highest type; you who look forward; you who look to Mr. Pinchot as the light of conservation, would you for one moment doubt his sincerity in a matter of this kind? Would you for one moment doubt his judgment in a matter of this kind? And yet Mr. Pinchot states that this is one of the best bills that was ever drafted; that this bill not only aids, not only does more to conserve the national parks, but that it is the highest form of conservation, and places to the best possible use the natural resources of this country.

Let me read, for just a minute, the names of some of the men and some of the institutions who are indorsing this bill. Here they are:

Hon. Franklin K. Lane, Secretary of the Interior.
Hon. David F. Houston, Secretary of Agriculture. As Secretary of Agriculture he has charge of the forests of this country.
Dr. George Otis Smith, Director of the United States Geological Survey.
Hon. F. H. Newell, chairman of the United States Reclamation Commission.
Hon. Henry S. Graves, Chief Forester of the United States Forest Service.
The Board of Army Engineers: Col. John Biddle, Lieut. Col. Harry Taylor, and Col. J. Spencer Cosby.
Hon. Gifford Pinchot, former Chief Forester.
Two Senators and 11 Representatives from the State of California.
Since that time we subtract one Senator from the State of California.
The people of Oakland.
The people of Berkeley.
The people of Alameda.
The people of Palo Alto.
The people of San Jose.
The people of Menlo Park.
The people of Richmond.
The Legislature of the State of California.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Washington?

Mr. PITTMAN. I do.

Mr. POINDEXTER. Does not the Senator believe that if the city of San Francisco had taken up the proposition of getting water from some other source—say the McCloud River or the Eel River, or some others that might be mentioned—and had devoted to it the time and attention that it has devoted to the Hetch Hetchy project and had put that forward as an affirmative proposition, every one of the cities and public bodies in California that the Senator has mentioned would have indorsed the proposition just as it has indorsed the Hetch Hetchy project, because of relief from the tyranny and oppression of the Spring Valley Water Co.?

Mr. PITTMAN. I will state that to a great extent the Senator is right, of course. All of these cities have been suffering from that monopoly, and I know that they would have welcomed obtaining a municipal water supply practically at any place rather than to continue that suffering. But, as a matter of fact, for 10 or 12 years they have been obstructed in every move they made to obtain a municipal water supply by those to whose interest it was to make as much out of the people of those cities as they possibly could by a monopoly of water. They have been fought up to the last year with regard to the matter.

Do you not know——

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada further yield to the Senator from Washington?

Mr. PITTMAN. I do.

Mr. POINDEXTER. I did not intend to interrupt the Senator right in the midst of a sentence. The Senator will pardon me for that.

I wanted to ask the Senator, leaving aside the proposition of the availability and cost of the alternative sources of supply which have been mentioned and discussed, whether the same influences which are now advocating the Hetch Hetchy proposition would have supported the other proposition. In addition to that, I wanted to ask the Senator, in case it can be demonstrated to the Senate that there is another available source of supply, at least at no greater cost than the Hetch Hetchy proposition, whether there is any reason why San Francisco can not drop the Hetch Hetchy proposition and take up another one? Is there any insurmountable obstacle to that?

Mr. NELSON. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Minnesota?

Mr. PITTMAN. I do.

Mr. NELSON. My recollection is that some five or six years ago, while I was chairman of the Committee on Public Lands, this same bill, or a bill relating to the same subject, was before the committee, and we had a thorough investigation of the matter at that time. The question was raised at that time whether San Francisco could not, at reasonable figures, or at a cost approximating the cost of this, obtain a water supply elsewhere as good as this. My information is, and I wish to inquire of the Senator from Nevada whether it is not true, that a board of Army engineers since that time have investigated and reported upon that question.

Mr. PITTMAN. I will answer the Senator by stating that that is true.

Mr. NELSON. They have reported, as I understand, that there is no available supply of water for San Francisco except this that can be secured at any reasonable cost. That is my understanding.

Mr. PITTMAN. As I interpret the report of the Army engineers, that is the substance of it.

Mr. NELSON. If the Senator will allow me further, I now have in my hand the report. The senior Senator from California [Mr. PERKINS] has just handed it to me. I was not aware that the report had been printed, but here it is. It is House Document No. 54, first session, Sixty-third Congress. It was printed during this Congress. The report indicates that the next cheapest available supply would cost at least $20,000,000 more than this one. That, I understand, is the conclusion of the report.

Mr. PITTMAN. I will read briefly from the report.

Mr. POINDEXTER. Mr. President, before the Senator starts in with that, I hope he will not be diverted from the question I asked him. I will restate it, in brief. That is, leaving aside just for the moment the question of whether or not there is another available source of supply, if it can be demonstrated that there is another available source of good water at approximately the same or less cost, is there any reason why San Francisco could not drop this matter and take up that one? In other words, has San Francisco become so far committed to and tied up with the Hetch Hetchy project that it can not consider the question with an open mind and a free hand?

Mr. PITTMAN. I am satisfied that as far as concerns considering the matter with an open mind and a free hand, that would be possible if there were anything else left to consider. But the city of San Francisco and all of the people of California have already considered the matter with an open mind and a free hand; and this board, appointed from the United States Army to investigate every available water supply for San Francisco and the surrounding cities, have exhausted that field. Their report shows that the Hetch Hetchy project is the most available and the best supply of water for domestic purposes for those communities, and the cheapest.

Mr. POINDEXTER. What I meant by the question as to whether San Francisco could consider the question with an open mind and a free hand was simply as to whether or not at this stage of the proposition and discussion, in view of all that has gone before and all that San Francisco has done, it has invested such an amount of money in this thing already that it would be tied up to it, or whether it could consider the proposition with an open mind in the sense of considering it as though it were an original proposition or ab initio, as the lawyers say—an original question. What I meant by asking if they could deal with it with a free hand was whether or not they would be as free to take up some other proposition as they are to take up this proposition, in view of all that has gone before.

In order to conclude what I had in mind in this respect, I will say that I understand that the city of San Francisco has invested only $166,000 in property rights which it has acquired relative to this project. If that is true, that is comparatively a very small item, and no doubt it could readily sell what it has acquired for that much, if not more, and take up some other proposition.

Mr. PITTMAN. I will answer the Senator's question. It is not possible that San Francisco and those to be benefited by this bill would, at the present time, consent to the consideration of any other proposition, nor would they be in a frame of mind to listen for one moment to the presentation of any other proposition. I think that is what the Senator wants.

That is for this reason, if the Senator please: For 10 long years they have been making a study of this proposition. They have been delayed and delayed and delayed by the investigation of various plans and propositions, by trying to buy this and trying to buy that, by trying to compromise, and by trying to make arrangements of one kind and another. They have invested a million and a half dollars, up to date, on this particular project. After all that time and consideration and delay, after this matter has been before Congress on three separate occasions, after it has been fully investigated by two Congresses——

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada further yield to the Senator from Washington?

Mr. PITTMAN. I do.

Mr. POINDEXTER. Will the Senator state what the million and a half dollars has been spent for? I am asking very largely for information. I am not sure the information I had was correct, which was to the effect that they had spent only about $166,000 in cash. I think that referred to the property. I do not mean to say that that refers to the employment and reports of engineers. I understand they paid Mr. Freeman a very large amount of money, $300 a day. Everybody knows that when you pay an expert $300 a day to investigate a proposition in which you are interested he usually finds in favor of it. I say that, however, without any reflection on Mr. Freeman or his integrity, because I know that he is an engineer who is above suspicion; but I am speaking generally of the operation of the human mind, particularly as applied to the class of humanity known as experts. I do not think the investment I refer to has reference to those expenses, but to the property which they have.

Has the city of San Francisco spent a million and a half dollars for the purchase of property which it now owns, to be used as a part of the project?

Mr. PITTMAN. If the Senator will permit me to answer one question at a time, and will permit me to finish my answer, it will facilitate matters considerably. I was answering the Senator's former question, and had not finished when he started in and asked me the other one with regard to the million and a half dollars. I will continue my answer to his first question.

I will say that after spending 12 years' time in trying to obtain an adequate water supply for the people of those communities; after spending a vast sum of money; after appearing before two Congresses of the United States and having long and thorough hearings; after finally working up to such a point that an examination was made by an Army board of every available water supply, and a report was made by the Army board favorable to this proposition wherein they stated that it was the best and most economical; after the question had been tried out before the Public Lands Committee of the present House, composed of members of all parties, who decided unanimously in favor of it; after the matter had been tried out before the Public Lands Committee of the Senate, who decided unanimously in favor of it—after all these things I am satisfied that they would fight any attempt to substitute another proposition, and that, if the Senator please, they would not be in a frame of mind to consider it, because they know that such consideration would be futile, that examination has been made as fully as possible, and that any other matter would be a subterfuge.

There are other available water supplies. There are several that are for sale to San Francisco. The prices the owners have been asking for them have been much higher than the cost of this one, and they are not nearly so good.

Mr. POINDEXTER. May I ask the Senator——

Mr. PITTMAN. I will ask the Senator to wait until I get through, and then ask his question, if he pleases. They are not nearly so good water supplies as the Hetch Hetchy supply, because instead of depending upon snowfall, they depend upon rainfall; and as has been the case in the last two or three years, those rainfalls have been frequently insufficient, and the amount of water supplies has decreased. Again, most of those water supplies are not capable of creating any incidental power. They are located in a section of country that requires the constant protection of a much larger watershed, at a much higher and greater expense. There are those objections to the other water supplies.

Now I will answer the Senator's question.

Mr. POINDEXTER. I will only say, in passing, that some of the other projects have discounted the suggestion which the Senator makes as to shortage in rainfall in certain years by providing reservoirs in which there is a surplus supply of water for one year, and in some cases for two years. But, as far as I am concerned, let us pass that by until we take up that phase of the question. There are a number of propositions which we have in mind in regard to which I will ask to put some statistics in the RECORD, which have taken into consideration the matter to which the Senator refers.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Colorado?

Mr PITTMAN. I do.

Mr. THOMAS. I should like to inquire of the Senator from Washington whether the various projects to which he has just referred include one of the distillation of a supply of water from the Pacific Ocean?

Mr. POINDEXTER. No: I did not have that in mind.

Mr. THOMAS. My reason for asking the question is that when Mr. Johnson was before our committee the Senator from Nebraska called his attention to a previous statement of his, which was to the effect that if the city of San Francisco could do no better—I do not pretend to give the exact language—it might distill its supply of water from the waters of the Pacific Ocean, and even at a cost of $100,000,000 it would be better than to desecrate any of nature's scenery in this valley.

Mr. POINDEXTER. I am afraid the Senator from Colorado is allowing his well-known decided views on conservation to prejudice him in this question on account of some extremist who may have entered an appearance here. I agree with the Senator as to that phase of the matter.

Mr. THOMAS. Oh, Mr. President, not in the slightest. On the contrary, I am delighted that in one particular feature of western conservation I can cordially agree with my personal friend Mr. Pinchot.

Mr. POINDEXTER. I desire to say, before sitting down, that my object in rising was simply to emphasize the statement the Senator from Nevada has just made, that apparently the chief objection San Francisco has to some of the other projects—I will not name them now, but I will undertake to name a few of them later on—is that they are for sale. That immediately puts the matter in the proper light. This proposition is free, and, in all candor, I am inclined to think that is the reason San Francisco is so wedded to it.

Mr. PITTMAN. Mr. President, that is one of the arguments that is being used by Mr. Underwood Johnson and Mr. Parsons. They have used that argument. I do not think the Senator has a right to put that construction upon my remarks. I said there were others for sale in that vicinity.

San Francisco has already acquired this water. It owns this water to-day by legal acquisition under the laws of the State of California. It is not asking Congress to give it any water. Congress could not grant it an inch or a gallon of water. It is not giving San Francisco anything. The people of that city are simply asking the Congress of the United States not to obstruct them in the use of that which they already own—not to make them go and buy from those who have grabbed all of the waters around San Francisco at the sellers' own price, when they already own the purest water in the Sierra Nevada Mountains.

It is not a question of gift. The people of San Francisco are simply asking the Congress of the United States not to prevent them from using what is theirs. That is all they are asking.

The Senator seems to think the only objection is that San Francisco will have to buy those other water supplies. The Army board did not put the matter solely on that ground. I have not put it solely on that ground. None of the Public Lands Committee reports have put it solely on that ground.

The grounds on which they have put it are these: Because a disinterested Army board, appointed by the President of the United States, which sought the information on behalf of the Secretary of the Interior, reported that it was the most economical, the most desirable, and the most satisfactory water supply for the people in that vicinity; because that Army board reported that it was practically the only available water supply that would furnish a certain amount of hydroelectric power for the use and benefit of all of the irrigationists down in that valley, at cost, for the purpose of pumping subsurface waters to the surface, and eventually irrigating the outside land; because only by such a dam could the flood waters of the Tuolumne River be conserved for the benefit not only of the people around San Francisco, but the irrigationists and the farmers in the immediately contiguous territory; because they believed that eventually the dam would have to be built, and that it might as well be built now, and that it would not injure the beauties of the scenery, but would be a distinct aid for domestic purposes not only to the people of San Francisco and the bay cities but to all the people on the adjoining irrigable lands.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Nebraska?

Mr. PITTMAN. I do.

Mr. NORRIS. As bearing directly on the question propounded by the Senator from Washington, I should like to call the attention of the Senator from Nevada to the fact that as far as I have heard, nobody has disputed the fact that any other source of supply would cost many millions of dollars more. Mr. Parsons, whom many of the Senators know and who served in Congress quite a while with a great deal of credit,

admitted that it would cost $20,000,000 more for San Francisco to get its supply anywhere else.

Mr. POINDEXTER. I understood that Mr. Parsons was a nature lover and not an engineer.

Mr. NORRIS. He is a nature lover.

Mr. POINDEXTER. I would rather take the report of engineers.

Mr. NORRIS. All right. The Board of Army Engineers say any other water supply would cost $20,000,000 more. I suppose the Senator from Washington, if he would follow out the suggestion he made about Mr. Freeman, would say they were hired, and their estimate was not good. I am taking one of the witnesses on the other side. Mr. Johnson said he did not think it would take $20,000,000 more. As I remember his figures, he got the additional cost down to $11,000,000; but he admitted it would cost that much more.

Mr. POINDEXTER. Will the Senator point out where the Army engineers made that report?

Mr. NELSON. On page 50 of their report, if the Senator will excuse me for interrupting. Will the Senator yield to me?

Mr. PITTMAN. I will.

Mr. NELSON. On page 50 of the document from which I quoted a moment ago is this statement, under the head of "Conclusions":

> The project proposed by the city of San Francisco, known as the Hetch Hetchy project, is about $20,000,000 cheaper than any other feasible project for furnishing an adequate supply. The only exception is the filtered Sacramento project, which in actual cost is about thirty millions greater than the Hetch Hetchy project, but by discounting to 1914 becomes only $13,000,000 greater.

Then the board adds, in another place:

> The board is of the opinion that the use of the Hetch Hetchy Valley as a reservoir site is necessary if the full flow of the upper Tuolumne is to be conserved.
>
> The board further believes that there will be sufficient water, if adequately stored and economically used, to supply both the reasonable demand of the bay communities and the reasonable needs of the Turlock-Modesto irrigation district for the remainder of this century.

The report is signed by John Biddle, colonel, Corps of Engineers; Harry Taylor, lieutenant colonel, Corps of Engineers; and Spencer Cosby, major, Corps of Engineers. Col. Taylor I know very well. He is at the head of the River and Harbor Division of the Engineer Department in this city.

Mr. POINDEXTER. If the Senator from Nevada will allow me to comment on the citation which the Senator from Minnesota has just made from the report of the Board of Army Engineers on this project——

Mr. PITTMAN. Certainly.

Mr. POINDEXTER. I desire to call attention to a rather peculiar circumstance. That is that one of the alternative sources of supply which was proposed to this board, and upon which they made some comment, apparently very favorable comment—the Eel River project—and which, as far as I could judge from the remarks in regard to it, would be much less expensive than the Hetch Hetchy project, was not considered by them at all in the conclusion which the Senator from Minnesota has just read; that any other project than the Hetch Hetchy project would cost at least $20,000,000 more, but was discarded by them for the reason, as they state specifically, after giving a very favorable report on the Eel River project—I did not intend to refer to this matter at this time, but I might as well do it—that the owners of it have not made any proposition to sell it to the city of San Francisco. That is a very unnecessary consideration, it seems to me, because, of course, the city of San Francisco can condemn that as it is condemning the Spring Valley water property, or as it is condemning a portion of the Hetch Hetchy right of way owned by private parties, or will have to in case it adopts this project.

On page 84 of the engineer's report it is stated near the bottom of the page:

> The president of the Snow Mountain Water & Power Co. states that he has plans for the utilization of this supply in the Russian River Valley, and has made no proposition to the city of San Francisco regarding its acquirement by the city.
>
> A supply from Eel River could not be advantageously combined with one from other sources. The investigation of this project has not been carried further.

Mr. PITTMAN. Why?

Mr. POINDEXTER. For the reason just stated, I suppose.

Mr. PITTMAN. The reason just stated was that a supply from Eel River could not be advantageously combined with one from other sources.

Mr. POINDEXTER. And also the statement made immediately preceding, that no proposition was made by the owner to sell it to the city of San Francisco, but he had other uses for it.

Mr. PITTMAN. There might be a different construction as to that; but as a matter of fact he said it could not be advantageously combined with the other water system.

I want to finish reading what I started when interrupted, the names of some of those who are indorsing this project. While it is not in the nature of testimony, their opinions will be accepted very largely by this body and throughout the country.

As I said before, we have the Secretary of the Interior, Hon. Franklin K. Lane, indorsing this project. Mr. Lane is a man who has lived in California for many years. He is familiar with every foot of that part of the country. He is a man who would not impose on anyone.

> Hon. David F. Houston, Secretary of Agriculture.
> Dr. George Otis Smith, Director United States Geological Survey.
> Hon. F. H. Newell, chairman United States Reclamation Commission.
> Hon. Henry S. Graves, Chief Forester, United States Forest Service.
> The Board of Army Engineers: Col. John Biddle, Lieut. Col. Harry Taylor, and Col. Spencer Cosby.
> Hon. Gifford Pinchot, former Chief Forester.
> Two Senators and 11 Representatives from the State of California.

As I stated before, the junior Senator from California [Mr. WORKS] says the matter needs more investigation.

> The people of Oakland.
> The people of Berkeley.
> The people of Alameda.
> The people of Palo Alto.
> The people of San Jose.
> The people of Menlo Park.
> The people of Richmond.
> The Legislature of the State of California.
> The governor of the State of California.
> The engineer of the State of California.
> The Conservation Commission of the State of California.
> The people of San Francisco.
> The Chamber of Commerce of San Francisco.
> The labor unions of San Francisco.
> The improvement clubs of San Francisco.
> The newspapers of San Francisco and cities about San Francisco Bay.
> The landowners of the Turlock irrigation district.
> The landowners of the Modesto irrigation district.
> The Commonwealth Club of California.
> Many members of the Sierra Club of California.
> The Native Sons and Daughters of California.
> The Public Lands Committee of the House of Representatives and the Public Lands Committee of the United States Senate.

Those indorsements, I will state to the Senator from Washington, are very strong indorsements of this project. All the State of California is practically petitioning for this remedy, and in answer to that appeal from all the people of California we have Judge Le Hane appearing before the Senate Committee on Public Lands and saying that he wants to have this right denied to San Francisco, so that it can be acquired by some one else.

Mr. POINDEXTER. I admit that the persons and association the Senator has referred to constitute a very formidable body of public opinion, and that they are entitled to very great respect, and their opinions have great weight; and in the consideration of these questions I have attached great weight to their opinions. A number of gentlemen in whose judgment I have the greatest confidence do not take the same view, and to their opinions I have given great weight. They are insistently opposed to the proposed law. I have had the matter taken up personally with a number of them, and the conclusion which I have reached I have been forced to reach notwithstanding the great respect I have for the opinions of the gentlemen the Senator has named.

Mr. PITTMAN. There are just two classes of people opposing this proposition. We have in California opposing this proposition Judge Le Hane, and he is opposing it on the ground that he wants the water taken away from San Francisco so that some one who has no right to it now may acquire a right to it for irrigation purposes. We have the junior Senator from California [Mr. WORKS] asking for a further hearing of this matter.

It is called to my attention that the city of Los Angeles was granted practically the same privilege in carrying from the eastern slope of the Sierra Nevada Mountain nearly all the water of Owens Valley and depriving many farmers of its use so that it might be put to the higher purpose of supplying the people of Los Angeles and its vicinity with a good domestic supply of water. That act passed through Congress, and that great project has been carried on successfully. Now, in the northern part of the State, around the bay, where nearly a million people reside, those people are asking exactly the same thing that has already been granted to the city of Los Angeles, the home of the junior Senator from California. Yet he wires to us protesting against action and demanding further hearing, without suggesting that there will be any further hearing; without suggesting that there are to be any other witnesses; without stating what is to be investigated; without stating when he will be here; without stating why he is absent from here. That is the opposition in California.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. MYERS in the chair). Does the Senator from Nevada yield to the Senator from Idaho?

Mr. PITTMAN. I do.

Mr. BORAH. I know the Senator from Nevada does not intentionally overstate his position; but does the Senator feel sure, from the information which he has, that that is the only opposition in California? I am informed by telegraph, and also otherwise, that the people of the entire San Joaquin Valley are opposed to this measure—that 99 per cent of the people there are opposing it. Necessarily that would have some effect upon a man who is casting his vote here, because there must be some reason for it when an entire people feel that way.

However, the Senator has stated that only those whom he has named are opposed to it. Does the Senator feel, from the investigation he has made and from information which he has—and I know he has stated it according to his belief—that he is prepared to say that the sentiment of California is universally for it?

Mr. PITTMAN. I do not think that I have overstated the proposition. I am prepared to state that the sentiment of California is almost unanimously in favor of it. I am prepared to say that there was no objection made in the Public Lands Committee or to the Senate by anyone except Judge Le Hane on behalf of the parties he represents, and the junior Senator from California on behalf of the same people, and the grounds of their objection have been most accurately stated on this floor. The ground simply is that they want to take away from San Francisco a water right so that it may be used on some public lands that to-day are not occupied nor included within an irrigation district. As to an irrigation district, the people of the Modesto or Turlock irrigation district, which embraces all of the irrigable lands now in the district, are heartily in favor of this bill. I want to say that if 99 per cent of the people of the San Joaquin Valley are opposed to this bill, do you not know that Congressman CHURCH, who was elected from that district, and who is more directly interested than any Member in either branch of Congress, would be before the Senate trying to stop any further action on this matter? Do you think if 99 per cent of that irrigation district were making such complaints, that Congressman RAKER, elected from that congressional district, would not have heard of it? Do you believe that Mr. RAKER, who drafted the bill and who conducted most of the examination before the Public Lands Committee of the House, and who is now sitting beside me, would permit this matter to proceed without objection? Do you believe that if there was any foundation for the insinuations contained in Senator WORKS's telegram that Mr. RAKER would hesitate to ask delay until the matter could be further considered?

Do you not know that if that telegram were stating facts Mr. Needham, the ex-Congressman from that district, and who came here to represent the people of that district, and who stayed here during all the preparation of this bill, would be back here and would be urging all Senators in this body to stop the bill right where it is until further investigation could go on? Do you think for one moment that Mr. RAKER, Mr. CHURCH, Mr. Needham, Mr. KENT, and men of that class would stand under an imputation that they had misrepresented 99 per cent of their district without having an investigation before this matter could go to a vote? Do you not think it strange that the junior Senator from California sent a telegram here stating that 99 per cent of the people of a district represented by a Democratic Congressman, the party now in power in Congress, without communicating that fact to the Congressman representing that district?

Mr. BORAH. I am bound to say, in the absence of the junior Senator from California, that no Senator upon this floor—and I am not making any invidious comparison—would, I believe, more accurately state a fact as he believes it to be than that Senator.

Mr. PITTMAN. I agree with the Senator that he believes any statement he makes to be true.

Mr. BORAH. I am sure the junior Senator from California has been misled if he is not stating a fact. I think also that he is a man who would have the courage to state the fact, if it were believed to be a fact upon his part, notwithstanding powerful influences might be brought to bear on the other side.

Mr. WALSH. Will the Senator from Nevada yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Montana?

Mr. PITTMAN. I do.

Mr. WALSH. I should like to inquire of the Senator from Idaho if the statement made concerning the attitude of the residents of the San Joaquin Valley is made upon the telegram from Senator WORKS which has been read here? Has the Senator any other information on the subject?

Mr. BORAH. Yes; I have some private letters and also private communications personally delivered.

Mr. WALSH. Will the Senator advise us from what portion of the valley they come and whether they come from the portion of the San Joaquin Valley which might be irrigated from this source?

Mr. BORAH. I did not catch the question.

Mr. WALSH. Can the Senator tell us from what portion of the valley these protests come?

Mr. BORAH. No; the Senator from Idaho is not advised as to what portion of the valley, but the representations are to the effect that practically the people of the entire valley have come to the conclusion that they ought not to consent to the passage of the pending bill at this time.

Mr. WALSH. But the Senator knows that the San Joaquin Valley is at least 300 miles long?

Mr. BORAH. That is the fact which convinced me that there must be some tremendous sentiment against it.

Mr. WALSH. I was very curious to know what particular interest the people up in the Tulare Lake region, in Kings County, for instance, and Kern County, would have in the matter other than a public interest.

Mr. BORAH. I assume that public sentiment in California and public spirit are not entirely dead, and that there would not necessarily have to be any private or personal interest in order to interest men in favor of or against the measure.

Mr. WALSH. That is why I inquired. I wanted to know from the Senator upon what ground those people who live remote from the region put their opposition to it.

Mr. BORAH. The statements which have come to me have been almost entirely by telegraph or letter, and have not undertaken to state the reason or to segregate the people in the different portions of the State. But the statement which has been made to me is practically the statement in the telegram of the junior Senator from California.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Washington?

Mr. PITTMAN. I do.

Mr. POINDEXTER. I only rose to answer the question of the Senator from Montana [Mr. WALSH]. Representations of the kind he inquires about have been made to me with a good deal of detail by water users of the Modesto irrigation district. The Senator is familiar with the San Joaquin Valley; he will understand where the persons are located; and also by the owners of other lands in the San Joaquin Valley which are susceptible of irrigation by these waters.

Mr. PITTMAN. May I ask the Senator whether there was anyone other than Judge Le Hane?

Mr. POINDEXTER. There was.

Mr. PITTMAN. In Washington here?

Mr. POINDEXTER. No; representatives of residents and of landowners in the Modesto irrigation district or purporting to represent them. I have no doubt whatever as to their authority.

Mr. PITTMAN. Was that in the form of written or oral communications?

Mr. POINDEXTER. Both oral and written. Later on I will present them.

Mr. PITTMAN. I was going to suggest, if not objectionable, that those communications might aid in clarifying the situation.

Mr. NEWLANDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to his colleague?

Mr. PITTMAN. I do.

Mr. NEWLANDS. Let me suggest to the Senator from Idaho that the demand of San Francisco for this water as opposed to that of the San Joaquin Valley means the demand of 750,000 human beings about the Bay of San Francisco, whilst the demand of the San Joaquin Valley represents simply the demand of 200,000 acres of land. We have therefore the thirst of 750,000 human beings on the one side to supply and on the other side the thirst of the land. The people of California have decided in favor of the demand of human beings, and that is evidenced by the action of their legislature and by the universal demand of that State, leaving out a very limited area in the San Joaquin Valley, whose requirements can be met from other sources.

Mr. BORAH. That all raises the question which has been the one question which has concerned me—that is, recognizing the rights of the people of the San Joaquin Valley and the rights of the people of San Francisco, what were the other sources of supply for water? I am frank to say if the people of San Francisco have no other source of supply, I do not hesitate for

a moment to leave unreclaimed the public lands in order to supply the people of San Francisco. The representation is constantly made that there is a difference of opinion as to the supply for either or both.

Mr. PITTMAN. May I ask the Senator a question? Would you be in favor of taking away from San Francisco a water right it has acquired legally for the purpose of granting it to some one else, even if San Francisco could purchase water somewhere else?

Mr. BORAH. I do not know that I caught the drift of the Senator's question exactly.

Mr. PITTMAN. I will try to make it plainer. It is admitted by everyone concerned that San Francisco owns a certain portion of the waters of the Tuolumne River; that it owns all the waters of the Tuolumne River except that which in this bill is guaranteed to the Turlock-Modesto Irrigation District. Would you favor preventing San Francisco from using that water if by purchasing it it could acquire an adequate supply somewhere else at somewhat near the same figure?

Mr. BORAH. If there were no other conditions and limitations in the naked proposition which the Senator presents, I think I would agree with the Senator from Nevada. If that question stood alone——

Mr. PITTMAN. Now, the facts presented in this matter and which are undisputed are that San Francisco does own that water and that it has guaranteed to deliver to all others all waters that they own in that river. That is the situation. That is undisputed.

Now, the only people who are at present protesting against this matter are not those who have any vested water rights, not those who have any rights to the use of the Tuolumne water, but simply those who desire that Congress shall destroy San Francisco's right to the water so that it may be utilized to irrigate other lands. That is all the situation is.

Mr. BORAH. How could they destroy a vested water right?

Mr. PITTMAN. They could destroy it by making it practically unavailable for use.

Mr. BORAH. I suppose that what the Senator has reference to is the fact that if they could not overflow this ground or submerge this particular piece of territory they could not use the water right which they had.

Mr. PITTMAN. It would be largely destroyed.

Mr. BORAH. Then, as a matter of fact, they have not a complete water right. If I understand the water-right laws of California—is it not necessary in California, the same as in other arid-land States, before you can have a water right you must not only appropriate it but apply it to a beneficial use?

Mr. PITTMAN. Yes.

Mr. BORAH. Has the city of San Francisco appropriated and applied this water to a beneficial use?

Mr. PITTMAN. They are given under the laws of California, I believe, a reasonable time in which to acquire the necessary facilities for placing it in use, and so long as they show a bona fide intention of carrying that out as expeditiously as possible their rights are preserved.

Mr. BORAH. Then they have an inchoate right.

Mr. PITTMAN. They have an inchoate right and they are trying to protect it. Every one agrees that it shall be protected so far in this matter, and the only persons who are not taking that position are Mr. Le Hane's supporters and associates, who believe that the Government should place San Francisco in such a position that the city could not use that water for domestic purposes. That is exactly what Mr. Le Hane admitted before the Committee on Public Lands of the Senate.

All this matter has been thrashed out before the Committee on Public Lands. Is it not perfectly reasonable, if there had been some great conspiracy against the interests of the people of those valleys in California, that the Public Lands Committee would have had some notice of it? Is it not strange that the Public Lands Committee have not been flooded with petitions and letters? That is one reason, I say, why I do not think there has been any such thing. I think the only thing that exists is that Mr. Le Hane's associates are protesting. He has made his protests before the Public Lands Committee. We understand the ground of his protest. We do not think there is anything in his ground of protest, and we have denied his ground of protest unanimously.

Mr. BORAH. May I ask the Senator from Nevada what are the estimated power capacities of this proposition and what is its value and how it is to be disposed of?

Mr. PITTMAN. I take pleasure in answering that. The report has been placed in the RECORD in full. The exact language is there, but the bill requires that this power shall be delivered at cost. It is sold at cost. They must develop it and they must sell it at cost to users, including the irrigation district, for pumping; and that brings me to this question. The testimony before the Public Lands Committee shows that nearly all this land in that valley is underlaid with water at a shallow depth, and all they need to supply the irrigation is the power to pump water. In fact, Judge Le Hane went before the Committee on Public Lands of the Senate and said what they wanted particularly was the water power, and then they could pump the water and cover the land with it. Now, then, the land has an available supply of subsurface water, but San Francisco could not use that subsurface water for domestic purposes without distillation.

Mr. BORAH. What is the estimated value of this water power?

Mr. PITTMAN. It is $45,000,000, in round figures.

Mr. BORAH. Is there a consideration moving to the Government for that water power?

Mr. PITTMAN. There is. That consideration consists of $15,000 a year after the first year, and then from that time on for the first five years after the fifth year $15,000 a year, for the next five years $20,000 a year, and from that time on $30,000 per annum. The engineers have estimated that that will be a great deal in excess of the price universally paid throughout the country for Government power in such conditions.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Colorado?

Mr. THOMAS. I want to correct slightly the statement of the Senator from Nevada with reference to the compensation demanded by the Government. That compensation is very largely for the use of the land of the Government to be submerged by this lake, and the amounts which the Senator mentioned are paid for that very largely, and are to be expended in the upkeep of those roads. The Government requires in this bill that the water power shall be developed, and at certain times must be developed to its full capacity, failing in which the Government reserves the right to arrange with others to make that extra development, accompanied by a condition that under no circumstances nor at any time shall this water power directly or indirectly pass into private hands.

Mr. WALSH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Montana?

Mr. PITTMAN. I do.

Mr. WALSH. I trust the question addressed to the Senator from Nevada by the Senator from Idaho does not carry an intimation from the Senator from Idaho that the Government of the United States has any water power out there which it has to sell. Are we to so understand him?

Mr. BORAH. I do not. What I am trying to point——

Mr. WALSH. My understanding about the matter is that the Government of the United States is granting an easement to flood, and likewise an easement for the transmission of the water, and that is all it is granting, and that whatever consideration there is is for the conveyance of those easements.

Mr. BORAH. That is my understanding, but I understand the Government is giving permission to impound the waters upon the lands which it now owns, and that by reason of the impounding of these waters and the transmission of them that water power is created. Upon the theory of many of our conservation friends that power would then belong to the Government.

Mr. WALSH. I simply rose to ascertain definitely whether the Senator coincided with that view.

Mr. BORAH. No; I do not want that kind of a precedent established in this bill, and it is the one thing that has interested me in the proposition. I understand that this payment which is being made of so much per year is a part of the consideration for the purchase price of the right of way and the right to flood the land. Is that correct? The Government is not undertaking to regulate and control the waters of the State of California, but it is simply attaching a condition to a specific grant which it is making to the city of San Francisco.

Mr. PITTMAN. That is correct.

Mr. BORAH. As a proprietor and not as a sovereign?

Mr. PITTMAN. That is correct.

I will state, Mr. President, that the Government does not pretend that it can grant any water rights either to San Francisco or to the Modesto-Turlock irrigation district. This bill does not recognize any such right in the Government of the United States. It recognizes that right to be fully in the States, the right of disposing of those waters. It simply says that it having been agreed that there are certain persons now undisputably owners of certain water rights, if you are given this right of way you will permit that water belonging to them to pass over the same right of way, and that is about all. It is one of the conditions of easement, and nothing else.

Mr. President, this bill is also a great conservation measure in this: It not only provides that the water power developed by the impounding of these waters shall be supplied at cost to these municipalities and to these irrigation districts, but it further provides that none of this power and none of this water can ever be sold or disposed of in any other way or to any other than these municipalities and these irrigation grantees. It provides absolutely that neither this water nor this power can ever fall into the hands of a monopoly.

Now, then, you have in a nutshell all of the advantages of this bill. It conserves the surplus waters of that river not only for the supply of the domestic use around those cities, but for the benefit of the irrigationists of the valley—water that to-day is wasted and that can not be saved except by the building of this dam. It creates a water power, a hydroelectric energy of over 115,000 horsepower, which must be supplied to all of these people at cost, thereby being the greatest aid to relieve them from the monopoly that has been supplying them with light and power in that section of the country for years.

It not only serves the purposes of irrigation and domestic purposes, but it gives power to pump the subsurface water to irrigate hundreds of thousands of acres that can never be irrigated in any other way. It will not only accommodate all of those people, but it goes further. It holds back the flood waters of Tuolumne River, which have on occasions caused great destruction down through those valleys. It goes further than that, it provides a fund for building roads and boulevards and opening up one of the greatest national parks that exist in this country, not alone for the observation and enjoyment of some half dozen men who might make their way through those mountain peaks, but for all the people of this country who want to go in there for recreation or for health or for the purpose of looking at the beauties of nature.

It seems strange to me, except under the theory that they have been misinformed—and I know they have been misinformed—that many good women in various parts of the country should be trying to prevent the millions of people who are suffering from inadequate water supply on the Pacific coast from obtaining relief solely on the ground that a little valley, with two or three thousand acres in it, is proposed to be changed as to its floor from a beautiful valley of moss and ferns to a beautiful crystal lake. It does not seem to me that such arguments should weigh against the absolute need of all of the people of that section of the country, and yet those are the arguments we hear. I confidently believe, I confidently expect, when these facts have reached out through the country to those same good women who are to-day petitioning their representatives against the passage of this bill, that they will no longer look to the beauties of the floor of Hetch Hetchy, but that they will listen to the demands of the monopoly-ridden people of the Pacific coast; that they will be no longer listening to the sounds of nature on the floor of that valley, but that they will be listening to the cry of humanity all up and down the Pacific coast. I believe that when they have studied this question, when they have considered it, that they will see that on the one hand this bill is opposed by greed and monopoly and on the other hand it is opposed by a great many good people who have been led to believe that, instead of being for the benefit of crying humanity, it is simply willful destruction of a national park.

Mr. NEWLANDS. Mr. President, I have always believed that a community should exhaust its near-by supplies of water instead of reaching out a long distance to the possible future supply of other communities. Accordingly for many years I hesitated as to giving my support to San Francisco for the inclusion in its water supply of the far-off sources in the Sierra Nevada. I thought it ought to be demonstrated that the Coast Range Mountains could not supply the water needed for San Francisco and the surrounding neighborhoods before she should be permitted to reach out to remote communities. I have modified my views very materially as the result of the prolonged investigation that has been made of this subject, and I propose to give briefly the reasons for my present views.

We are considering now the water resources of an immense valley of the Pacific coast, extending from north to south a distance of 400 or 500 miles and from east to west a varying distance of from 50 to 150 or 200 miles, the watersheds comprising that enormous valley having their only outlet into the Pacific Ocean through the Bay of San Francisco and the Golden Gate, this valley being surrounded on the west by the Coast Range Mountains and on the east by a very large and high range of mountains, the Sierra Nevada. The Coast Range Mountains necessarily empty a large proportion of the waters that fall upon them directly into the Pacific Ocean, and only a small part spreads toward the east and empties into this valley, whereas the Sierra Nevada, having a very much larger watershed and having a very much greater height, shed their waters toward the west into the valley of which I have spoken. So the main water supply is not upon the Coast Range, but is in the Sierra Nevada.

The first question that arises is as to whether there is sufficient water within a convenient distance to be secured at a reasonable cost from the Coast Range. We have the reports of eminent engineers and the reports of various investigating bodies to the contrary. So it is necessary for San Francisco to reach out, and to reach out a long distance. Los Angeles, also on the coast, has been compelled to reach out away beyond the Sierra Nevada, a distance of 125 miles.

Then comes up the question of the demand—how many people will be dependent upon the future supply. We have around the Bay of San Francisco numerous towns and cities—San Francisco, with a population of over 400,000, and Oakland, with a population of over 200,000.

It is safe to say that in the bay area, the demands of which this water supply is intended to meet, there are nearly 750,000 people, nearly one-third—fully, I imagine one-fourth—of the population of California. So that we have the future demands and, I may say, the present demands of 750,000 people.

What demand is there opposed to this bill? It is not contended that the people of the San Joaquin Valley and of the Sacramento Valley, constituting this enormous valley to which I have referred—the Sacramento River with its tributaries flowing from the north toward the south, and the San Joaquin River with its tributaries flowing from the south toward the north, and both joining their waters near the Bay of San Francisco—it is not contended that the people of those valleys need the water in controversy for domestic uses; they are abundantly supplied; but it is claimed that there are or may be 200,000 acres of land that this water will supply. So, on the one hand, we have the thirst of man to supply, and, on the other, the thirst of land. I imagine that there will be no question of the superiority of the claim of man over land, so far as this water is concerned.

Mr. President, there will come a time when every drop of water that falls within those valleys or within the watersheds of those areas will be conserved, so that they will serve a useful purpose to man before they flow into the Bay of San Francisco and thence into the ocean. At present large volumes of water flow through these waterways into the ocean without being put to any use, and they serve only the purpose of gratifying the thirst of the sun. Man has not yet invented any way of controlling the output of the clouds, and probably there never will be a method devised by which nature will supply water just as it is required by man; but man can take hold of the water falling from the heavens just as soon as it touches the land and can control that water and can put it to beneficial uses, instead of allowing it to be diverted to destructive uses. The beneficial uses are the domestic use and the uses for irrigation and water power; the destructive use is the force of the floods, which in the United States destroy almost $200,000,000 worth of value annually. Therefore we have a beneficial use to promote and an injurious use to avert. I have not the slightest doubt that the time will come when, by cooperation of the United States with the State of California, this enormous valley, with its various watersheds, will be treated as a unit and the superabundant waters of one watershed will be taken over into the lands insufficiently covered by other watersheds, and we shall have one great valley of vast, rich cultivation from the north to the south instead of, as at present, having the northern half of the valley adequately supplied and the southern half of this valley inadequately supplied. It does seem to me that this can——

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Illinois?

Mr. NEWLANDS. I do.

Mr. LEWIS. If I may be pardoned for interrupting the Senator, knowing, as I do, his personal acquaintance with that whole geography, I having had the honor of serving in the House of Representatives with him and having heard him present the needs of that whole coast so often, I should like him to let me know what there is in the contention of many communications reaching other Senators besides myself, and certainly myself, that there are other accessible bodies of water to the city of San Francisco than this which could be just as easily obtained and with less expense. I would like to have the distinguished Senator inform the Senate, as I am seeking information myself, is there any other source to which they can go to obtain fresh water for the needs of their people?

Mr. NEWLANDS. There are other sources, Mr. President, but not so good, and involving a very much larger expenditure, an increased expenditure, which I believe is put by the engineers at something like $20,000,000. I will say that all these various sources of supply have been investigated by various boards of engineers, and that almost the unanimous conclusion seems to be that this is the best source of supply for San Francisco, and that this supply can be utilized in such a way as to be vastly beneficial to the cities around the bay without working an injury to the neighborhood adjoining its source.

We have presented to us simply the best plan which can be devised by the engineers, a plan which has been approved by public opinion throughout California. That approval has been manifested by expressions of the press, by resolutions passed by the California Legislature, and by every other form of public expression.

The only opposition to it is the opposition of the near-by neighborhood, comparatively limited in population, insisting not that this water is required to supply the wants of human beings to satisfy their thirst, but that it is required for the future development and cultvation of perhaps 200,000 acres of land with a view to its cultivation.

I am simply dwelling upon the possibilities of so conserving in the future the water supply of this enormous valley, stretching from the north to the south a distance of 300 or 400 miles and embracing numerous watersheds which unite and empty into the Pacific Ocean—the possibilities of so conserving that supply as to supply every acre in that entire area with water sufficient to satisfy its thirst, and I have insisted that the present demand that we should yield to is the demand of human beings, and that we should postpone to the future the satisfaction of the thirst of the land.

Mr. President, it must be recollected that this is a great public enterprise; it is not a private enterprise; it is an enterprise entered into for the benefit of 750,000 people, at least one-fourth of the entire population of California, that population surrounding the bay of San Francisco. It means not only a supply to satisfy the thirst, but an enormous supply of water under a head that will develop 200,000 horsepower. It must be recollected that electricity is entering more into the lives of our people than almost any other force in the way of promoting their comfort and their convenience, and that 200,000 horsepower will be available not only for the supply of the bay cities but will be available for the supply of the San Joaquin Valley itself, and will be a great agency in enabling the people of the valleys to which I have referred to pump up the subterranean waters to the surface of the ground and utilize them for purposes of irrigation; the people of that region discovering that they have not only to rely upon the streams and upon the storage of water in great natural and artificial reservoirs, but that there are subterranean reservoirs immediately at hand, which can be availed of and made just as useful as the reservoirs above the surface of the land.

So that from every point of view this may be regarded not only as a local enterprise affecting San Francisco, but as a great State enterprise, affecting the development of the entire State and as a national enterprise leading the way toward the great public utilization of the resources of nature. As such I believe it is entitled to our support.

Mr. GRONNA. Mr. President, this is an important matter, and I think we ought to have a full attendance. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Newlands	Smith, Ga.
Bacon	Johnson	Norris	Smith, S. C.
Bankhead	Jones	O'Gorman	Swanson
Bradley	Kern	Overman	Thomas
Brandegee	La Follette	Perkins	Thompson
Bryan	Lane	Pittman	Thornton
Burton	Lea	Poindexter	Tillman
Chamberlain	Lewis	Pomerene	Vardaman
Chilton	McLean	Shafroth	Walsh
Clarke, Ark.	Martin, Va.	Sheppard	Williams
Crawford	Martine, N. J.	Shields	
Goff	Myers	Simmons	
Gore	Nelson	Smith, Ariz.	

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum of the Senate is present.

Mr. PERKINS. Mr. President, this bill is for the purpose of securing for the cities and towns on the shores of San Francisco Bay an adequate supply of pure water—a population at the present time of over 700,000 people.

It grants to the city and county of San Francisco a reservoir site in the Hetch Hetchy Valley, located in the Yosemite National Park; it also grants minor rights, such as rights of way, and so forth.

The people of the city and county of San Francisco have taken the work in hand and have issued bonds for the purpose of purchasing reservoir sites, building dams, and constructing a conduit line from the Hetch Hetchy Valley to San Francisco.

THE HETCH HETCHY VALLEY.

The Hetch Hetchy Valley is located in the Yosemite National Park, 142 miles due east of San Francisco and 25 miles north of the Yosemite Valley, but on an entirely different watershed.

The Hetch Hetchy Valley is a deep gorge gouged out of solid granite; its floor is about 3,530 feet above sea level, the precipitous walls of the valley extending about 2,000 feet above this level.

It is proposed, by erecting a dam at the lower outlet of the valley, to store the water deposited on the mountain watershed above, thereby securing for the people living about San Francisco Bay a water supply incomparable in purity and sufficient in amount to make it assured that there will be no more water famines in San Francisco for generations to come.

THE POPULATION TO BE SERVED.

The cities of San Francisco, Burlingame, San Mateo, Redwood, Palo Alto, Hayward, Alameda, Oakland, Piedmont, and Berkeley, which are to be organized into a municipal water district for development of the Hetch Hetchy water supply, form an almost continuous chain around the Bay of San Francisco.

As stated, their combined population at the present date is more than 700,000.

WATER IN CALIFORNIA.

To gain a proper conception of the value of water in California it is necessary to understand the climate in that State.

We have only two seasons—during six months of the year one may expect rain, but most often rainfall is limited to four months; during the balance of the year there is practically no rain throughout the State. It will, therefore, be readily seen that to supply that present population of the metropolitan district of San Francisco and environs, which we may confidently expect to double within a decade, involves the storage of water for a much longer period and in much greater volume than in a climate where rain may be expected during each month of the year.

San Francisco is supplied with water by the Spring Valley Water Co., a corporation.

This corporation gets its water from the Coast Range of mountains and from Alameda County, on the east side of the bay, and its sources of supply are all within 50 miles of the city.

It is admitted by everyone concerned that these sources do not furnish sufficient water to supply the present needs of the city of San Francisco; in fact, the strictest economy of water must be practiced there now, and the shortage of water is a matter of grave concern to all thoughtful citizens.

Records kept by the Spanish missionaries and well-known traditions tell of certain phenomenally dry seasons which have afflicted our State, separated by intervals of about 50 years.

These dry seasons have been remarkable in the fact that for the whole year but a few inches of rain have fallen throughout the State of California.

One authentic record shows that this phenomenal drought was continuous for two years in succession.

The cattle in the State perished in enormous numbers, and the suffering among the few people in the State at that time for lack of water was intense.

None of these terrible droughts has occurred in recent history, although, in my recollection, we have had two or three seasons in succession when less than 10 inches of rain per annum was precipitated.

My mind draws back from even the contemplation of the suffering that would come to the people of our State, with our present population, should one of these droughts again come in California; but, of course, one must admit the possibility of such a calamity.

A storage reservoir in the Sierra Nevada Mountains, with a supply of stored water, would be the means of saving thousands of human lives in such a drought.

Against this argument the protests against the use of Hetch Hetchy Valley for a reservoir site because it would perhaps destroy some scenic beauty of some camping grounds utterly fall to the ground.

For these reasons it is absolutely necessary that the population living on the shores of San Francisco Bay should secure additional reservoir facilities in the Sierra Nevada Mountains for the storage of their water supply.

There can be no doubt but that an insufficient water supply for the city and county of San Francisco seriously retards the growth of that section of California in population and wealth.

An inadequate and insufficient water supply can not fail to also have a serious effect upon the health and welfare of the whole community, and I believe this situation is one of which Congress should properly and promptly take cognizance and afford what relief it deems in its wisdom justifiable.

After an exhaustive study and consideration of the available sources of water supply in California the engineers for San Francisco, men most eminent in their profession, and a board of United States Army engineers finally decided on the Hetch Hetchy Valley as a reservoir site, which, of course, involves the building of a conduit line from that place to San Francisco.

The city and county of San Francisco, under the laws of the State of California, have taken and performed all necessary acts to acquire, appropriate, and use the waters of the Tuolumne River, which has its source above the Hetch Hetchy Valley, all of which has been done in strict compliance with the laws regulating the appropriation and use of waters in the State of California, and the city now has and holds a valid right by virtue of its acts performed under the State laws.

The route of the conduit line has been determined, the State law gives the city the right of eminent domain to secure the right of way, and active construction only awaits the passage of this bill.

PURPOSE OF THE BILL.

This bill, H. R. 7207, was given careful consideration by the House Committee on the Public Lands.

That committee had extended hearings on the measure, and in their report to the House emphatically and unanimously recommended its immediate passage by that body.

The only opposition to the passage of the bill was on the part of gentlemen, nearly all nonresidents of California, who endeavored to make the point that the utilization of the Hetch Hetchy Valley as a reservoir would destroy the scenic beauty of that section; but it is believed by all concerned that the effect will be just the reverse. It is proposed to convert the valley into a magnificent lake and store the water from the melting snow which now runs off in torrential floods each year, doing good to no one and at times causing great damage.

I believe I am safe in saying that it is the consensus of opinion that this lake will add to the beauties of this wonderful canyon in a great measure.

In addition, the city and county of San Francisco are obliged, under the terms of this bill, to build roads and trails through this inaccessible country to the Hetch Hetchy Valley and the higher reaches of the Sierra, thereby making these mountain beauty spots easily accessible to thousands of people who under present conditions are unable to view the natural wonders there.

I have recently received protests from people who make the point that to flood the floor of the Hetch Hetchy Valley would destroy the camping grounds now used by people in the lowlands in the summer time.

The area of the Yosemite National Park is 1,124 square miles; the area of the reservoir site in the Hetch Hetchy Valley is 1,330 acres.

I can find no justification for this conclusion.

It is true that if the grant is made the city will flood the floor of the Hetch Hetchy Valley and destroy its availability as a camping site, but the valley floor is not particularly well adapted for camp purposes.

Col. Biddle, of the Army board, in his testimony before the House committee, says:

> The best part of the land which is now used for camping purposes by the two or three hundred people that venture into the valley during the entire year now belongs to the city of San Francisco in fee simple, and campers could be excluded therefrom at present if the city were inclined to take such action.

On the other hand, in return for these camping grounds, which can only be used by sufferance of the city, and are only suitable for that purpose during about two months of each year, the city proposes to surrender other lands owned by it outside of the valley to the Government for camping purposes.

I refer to the Tiltill Valley, containing 160 acres, situated about 3 miles northeast of Hetch Hetchy; the Canyon ranch, of 160 acres, situated about 3 miles southwest of the valley; the Hog ranch, comprising 322.45 acres, about 8 miles southwest of the valley; and a considerable area of good camping land in the vicinity of Lake Eleanor.

The Board of Army Engineers, on page 51 of their report, says:

> The construction of reservoirs, especially the Hetch Hetchy, will destroy a few camping grounds within the park.

The construction of the proposed trails will, however, render accessible other parts of the park now not readily reached, and the number of camping places within the park is large.

This bill is introduced into Congress and urged by the people of California for the purpose of giving the city and county of San Francisco a definite status in respect to their water rights in the Hetch Hetchy Valley and their right of way over Government land.

The theory upon which the bill is drawn is that the United States, having sole jurisdiction over the national park, has the right to refuse the grant, and also has the right in making the grant to impose certain conditions upon the grantee.

The conditions in the bill are designed, first, for the protection of the Federal Government and the users of the national park; second, to secure, beyond the possibility of a doubt, to the agricultural water users who live below the Hetch Hetchy Valley the riparian rights to which they are by law entitled.

I believe the bill accomplishes all these objects; that it is a most meritorious and worthy measure; and I sincerely trust the Senate will favorably consider its passage.

EXECUTIVE SESSION.

Mr. KERN. Mr. President, it is desired to have a very short executive session, after which we will ask for a further legislative session. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 20 minutes spent in executive session the doors were reopened.

URGENT DEFICIENCY APPROPRIATION BILL—COMMERCE COURT.

Mr. BORAH. In connection with some remarks I made last evening, I ask leave to insert some legal references or citations upon the subject I was discussing.

The PRESIDING OFFICER. Is there any objection? Hearing none, it is so ordered.

ADJOURNMENT TO TUESDAY.

Mr. WILLIAMS. I move that when the Senate adjourns today it adjourn to meet on Tuesday next at 12 o'clock meridian.

The motion was agreed to.

Mr. BRANDEGEE. The Senator from Mississippi once gave notice that when the hour of 5 o'clock arrived each day he would make another motion.

Mr. WILLIAMS. Unless there was something of vital importance going forward before the Senate.

Mr. BRANDEGEE. Does the Senator think this bill is going forward at any perceptible rate?

Mr. WILLIAMS. Half past 5 is my hour.

SAN FRANCISCO WATER SUPPLY.

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 7207) granting to the city and county of San Francisco certain rights of way in, over, and through certain public lands, the Yosemite National Park, and Stanislaus National Forest, and certain lands in the Yosemite National Park, the Stanislaus National Forest, and the public lands in the State of California, and for other purposes.

The PRESIDING OFFICER. If there are no further amendments to be offered as in Committee of the Whole, the bill will be reported to the Senate.

Mr. POINDEXTER. I make the point of no quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Borah	La Follette	Perkins	Thomas
Brandegee	Lane	Pittman	Thompson
Burton	Lea	Poindexter	Thornton
Chamberlain	Martine, N. J.	Pomerene	Vardaman
Chilton	Myers	Sheppard	Williams
Clarke, Ark.	Nelson	Shields	
Goff	Norris	Simmons	
Gronna	O'Gorman	Smith, S. C.	

The PRESIDING OFFICER. Twenty-nine Senators have answered to their names. A quorum is not present. What is the pleasure of the Senate?

Mr. KERN. I move that the Senate do now adjourn until Monday at 12 o'clock.

The PRESIDING OFFICER. The Chair will inform the Senator from Indiana that a motion has already been adopted that when the Senate adjourns to-day it shall adjourn until Tuesday next at 12 o'clock noon.

Mr. KERN. I will not move to reconsider, but I move that the Senate do now adjourn.

The motion was agreed to; and (at 5 o'clock and 2 minutes p. m.) the Senate adjourned until Tuesday, October 7, 1913, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate October 4, 1913.

ASSISTANT TREASURER OF THE UNITED STATES.

Martin Vogel, of New York, to be assistant treasurer of the United States at New York, N. Y., in place of Charles S. Millington, resigned.

SPECIAL EXAMINER OF DRUGS, MEDICINES, AND CHEMICALS.

Thomas O. Cooper, of Delaware, to be special examiner of drugs, medicines, and chemicals in the district of Philadelphia, in the State of Pennsylvania, in place of Frederick W. Heyl, resigned.

UNITED STATES DISTRICT JUDGE.

John Randolph Tucker, jr., of Virginia, to be United States district judge for the District of Alaska, second division, vice Cornelius D. Murane, removed.

UNITED STATES ATTORNEY.

F. M. Saxton, of Oregon, to be United States attorney for the District of Alaska, second division, vice Bernard S. Rodey, resigned.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Lieut. John M. Enochs to be a lieutenant commander in the Navy from the 1st day of July, 1913.

Lieut. John P. Jackson to be a lieutenant commander in the Navy from the 1st day of July, 1913.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1913:

Gardner L. Caskey,
Albert C. Read,
Robert A. Theobald, and
Fletcher C. Starr.

Passed Asst. Surg. John D. Manchester to be a surgeon in the Navy from the 29th day of September, 1913.

John T. Borden, a citizen of North Carolina, to be an assistant surgeon in the Navy from the 30th day of September, 1913.

POSTMASTERS.

ALABAMA.

James A. Anderson to be postmaster at University, Ala. Office became presidential January 1, 1913.

B. C. Gibson to be postmaster at Tuskegee, Ala., in place of James A. Grimmet, resigned.

S. M. Roberts to be postmaster at Monroeville, Ala., in place of Mary M. Seymour, resigned.

ARIZONA.

Carmen Robles to be postmaster at Sonora, Ariz. Office became presidential October 1, 1913.

ARKANSAS.

A. B. Cone to be postmaster at Wilmot, Ark., in place of Albert M. Keller, resigned.

Abbie Gatling to be postmaster at Bearden, Ark., in place of J. A. McLeod, resigned.

Robert C. Gore to be postmaster at Gurdon, Ark., in place of John Edwards, resigned.

George R. Hays to be postmaster at Newport, Ark., in place of James W. Grubbs, resigned.

GEORGIA.

Belle D. Burke to be postmaster at Guyton, Ga. Office became presidential October 1, 1913.

Mamie E. Wright to be postmaster at Metter, Ga. Office became presidential October 1, 1913.

ILLINOIS.

W. J. Bixler to be postmaster at Eldorado, Ill., in place of John Yost. Incumbent's commission expired December 11, 1911.

John Coleman to be postmaster at Rochelle, Ill., in place of George W. Dicus, resigned.

M. J. Sullivan to be postmaster at Braidwood, Ill., in place of David Young, resigned.

IOWA.

Jasper W. Morris to be postmaster at Panora, Iowa, in place of Warren C. Spurgin, resigned.

KENTUCKY.

Jacob Fisher to be postmaster at Russell, Ky. Office became presidential October 1, 1913.

LOUISIANA.

C. C. Johnson to be postmaster at Melville, La. Office became presidential October 1, 1913.

MASSACHUSETTS.

Edgar E. Sargent to be postmaster at Belchertown, Mass., in place of Fred D. Walker. Incumbent's commission expired March 29, 1913.

MISSOURI.

Luther E. Thomas to be postmaster at Herculaneum, Mo. Office became presidential October 1, 1913.

MONTANA.

Chester E. Wofford to be postmaster at Roundup, Mont., in place of August Schrump, resigned.

OHIO.

John P. Grassbaugh to be postmaster at Bigprairie, Ohio. Office became presidential October 1, 1913.

Henry Holzbach to be postmaster at Hubbard, Ohio, in place of E. C. Gething. Incumbent's commission expired December 17, 1912.

L. W. Kunning to be postmaster at New Bremen, Ohio, in place of August C. Gobrecht, resigned.

PENNSYLVANIA.

John M. Eshleman to be postmaster at Parkesburg, Pa., in place of John H. Dunn, deceased.

Oscar M. Koller to be postmaster at Fleetwood, Pa., in place of Charles S. Madeira, resigned.

Bartly P. McNulty to be postmaster at Ridgway, Pa., in place of William H. Baker, removed.

Lenore J. Pipes to be postmaster at Monaca, Pa., in place of Ida M. Kaye, resigned.

Elwood S. Taylor to be postmaster at Kennett Square, Pa., in place of John Cuncannon. Incumbent's commission expired March 25, 1913.

SOUTH DAKOTA.

Mart Coffman to be postmaster at Dallas, S. Dak., in place of Ferd Reichmann. Incumbent's commission expired July 26, 1913.

L. E. Corey to be postmaster at Lake Andes, S. Dak., in place of William Lester. Incumbent's commission expired July 3, 1913.

TEXAS.

Elias Barry to be postmaster at Fort Stockton, Tex., in place of William N. Fowler, resigned.

C. E. Culpepper to be postmaster at Palmer, Tex., in place of W. J. Harkey, resigned.

Thomas W. Hooks to be postmaster at Donna, Tex., in place of G. D. Martin, declined.

Charles H. Jones to be postmaster at Bishop, Tex. Office became presidential October 1, 1913.

E. C. Langhammer to be postmaster at Somerville, Tex., in place of Morriss Mills, resigned.

J. H. Logan to be postmaster at Blessing, Tex., in place of George W. Walker, jr., resigned.

H. M. Stevenson to be postmaster at Breckenridge, Tex. Office became presidential October 1, 1913.

John C. Walker to be postmaster at Naples, Tex., in place of Andrew A. Grob, removed.

VERMONT.

Daniel F. Carmody to be postmaster at Fair Haven, Vt., in place of Charles E. Little, removed.

CONFIRMATIONS.

Executive nominations confirmed by the Senate October 4, 1913.

COLLECTOR OF INTERNAL REVENUE.

C. Gregg Lewellyn, of Pennsylvania, to be collector of internal revenue for the twenty-third district of Pennsylvania, in place of Daniel B. Heiner, superseded.

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

Lieut. Col. Harry L. Hawthorne to be colonel.
Lieut. Col. John D. Barrette to be colonel.
Maj. Henry D. Todd, jr., to be lieutenant colonel.
Maj. Thomas W. Winston to be lieutenant colonel.
Capt. William Forse to be major.
First Lieut. Carr W. Waller to be captain.

CAVALRY ARM.

Second Lieut. Murray B. Rush to be first lieutenant.

INFANTRY ARM.

Lieut. Col. Charles W. Penrose to be colonel.
Maj. Tredwell W. Moore to be lieutenant colonel.
Capt. Edward Sigerfoos to be major.
First Lieut. William S. Neely to be captain.
Second Lieut. Stanley L. James to be first lieutenant.

CORPS OF ENGINEERS.

Capt. Gilbert A. Youngberg to be major.
First Lieut. Frederick B. Downing to be captain.

MEDICAL CORPS.

First Lieut. Llewellyn P. Williamson to be captain.

APPOINTMENTS IN THE ARMY.

CORPS OF ENGINEERS.

Col. Dan C. Kingman to be Chief of Engineers, with the rank of brigadier general.

MEDICAL RESERVE CORPS.

To be first lieutenants.

John Edgar Burnett Buckenham.
Clarence Edward Burt.
Eugen Cohn.
Walter Addison Jayne.
William Elston Leighton.
Earle Francis Ristine.

COAST ARTILLERY CORPS.

To be second lieutenants.

Corpl. Edward Oliver Halbert.
Master Gunner Harry Lee King.
Robert Duncan Brown.

CAVALRY ARM.

To be second lieutenants.

Corpl. Ray Wehnes Barker.
Corpl. Henry Abbey, jr.
Corpl. Earl Howard Coyle.
Pvt. Mack Garr.
Corpl. Stanley Carl Drake.
Pvt. Maxwell Kirby.
Sergt. Edmund Peyton Duval.
Corpl. Robert E. Carmody.

FIELD ARTILLERY ARM.

To be second lieutenant.

Corpl. Ernst Sedlacek.

INFANTRY ARM.

To be second lieutenants.

Corpl. Frank Bonne Jordan.
Sergt. Alfred Eugene Sawkins.

POSTMASTERS.

ALABAMA.

W. T. Morris, Ragland.
Sterling P. Rainer, Union Springs.
D. F. Sugg, Ensley.

ARKANSAS.

A. B. Cone, Wilmot.
Abbie Gatling, Bearden.
Robert C. Gore, Gurdon.
George R. Hays, Newport.

COLORADO.

Lilian A. Hawks, Wray.

GEORGIA.

Annie P. Harper, Stillmore.
Jeptha H. Rucker, Athens.
I. J. Slaughter, Jackson.

INDIANA.

Nehemiah Littlefield, Rensselaer.

KANSAS.

J. K. Stinson, Marquette.

KENTUCKY.

Jacob Roll, Newport.

LOUISIANA.

A. J. Alford, Amite.
Lester L. Bordelon, Marksville.
Louis Hebert, White Castle.
Jane McWilliams, Longville.

MASSACHUSETTS.

John W. Baldwin, North Wilbraham.
Edward W. Welch, Foxboro.

MISSOURI.

John C. Downing, Cameron.

NEBRASKA.

D. A. Berkey, Davenport.
James H. Carroll, Cambridge.
Edwin Cutts, Giltner.
R. G. Hall, Fairmont.
Ira Lucy, Long Pine.
N. Pearson, Shickley.
John G. Porter, Bridgeport.

NEW JERSEY.

Thomas Hennessey, jr., Fort Hancock.

NEW YORK.

Frank Tamany, Washingtonville.

OKLAHOMA.

T. J. Brown, Tuttle.
A. S. Foreman, Sallisaw.
Edward Learnard, Shattuck.
Bertha M. Nash, Fort Gibson.
J. M. Staten, Helena.
T. J. Way, Haskell.

SOUTH CAROLINA.

Pierce M. Huff, Piedmont.

TEXAS.

A. F. Loftis, Manor.
William R. Sharpe, Wolfe City.
Almyra L. Williams, Taft.

WASHINGTON.

Ann E. Sykes, Grandview.

WEST VIRGINIA.

Thomas G. Burke, Oak Hill.
P. H. Kelly, Thurmond.
William H. McCutcheon, Webster Springs.

WISCONSIN.

G. W. Bishop, Wonewoc.
William H. Campfield, Hancock.
Nicolaus Elmer, New Glarus.
Henry W. Graser, Menomonee Falls.
L. L. Henthorn, Viola.
J. P. Keating, Neenah.
George B. Keith, Milton Junction.
John T. Lee, Corliss.
Louis Locke, Shiocton.
George F. Mader, Winneconne.
J. M. Melchior, Gillett.
P. F. Melchior, Wausaukee.
John H. Moller, Bruce.
George Paquette, Shullsburg.
Frank Samson, Cameron.
John G. Solverson, Nashotah.
Franklin C. Watson, Owen.
W. H. Weed, Weyauwega.

WITHDRAWAL.

Executive nomination withdrawn October 4, 1913.

SPECIAL EXAMINER OF DRUGS, MEDICINES, AND CHEMICALS.

Joseph L. Murray, of Pennsylvania, to be special examiner of drugs, medicines, and chemicals in the district of Philadelphia, in the State of Pennsylvania, sent to the Senate on August 11, 1913.

SENATE.

TUESDAY, *October 7, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Journal of the proceedings of Saturday last was read and approved.

AMBASSADOR TO SPAIN (S. DOC. NO. 207).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of State submitting an estimate of appropriation to pay the compensation of the ambassador of the United States to Spain, appointed by the President by virtue of the provisions of the act of Congress approved September 4, 1913, etc., which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. FLETCHER presented a petition of the Board of Trade of Tampa, Fla., praying for the enactment of legislation to extend the powers of the Interstate Commerce Commission so as to permit the same to control coastwise steamship lines engaged in interstate commerce, etc., which was referred to the Committee on Interstate Commerce.

Mr. SMITH of Arizona presented a petition of the Chamber of Commerce of Globe, Ariz., praying for the enactment of legislation providing a substantial increase in the Pacific coast naval defense, which was referred to the Committee on Naval Affairs.

He also presented a memorial of Local Union No. 60, Western Federation of Miners, of Globe, Ariz., remonstrating against

the use and acts of the State militia in the copper country of Michigan, which was referred to the Committee on Military Affairs.

AGRICULTURAL EXTENSION WORK.

Mr. SMITH of Georgia. Mr. President, I desire to present to the Senate and ask to have printed in the RECORD several letters from presidents of universities and colleges of agriculture with reference to Senate bill 3091. Before presenting them to the Senate I wish to call attention to the fact that this bill is a redraft of a bill which was introduced in the Senate by myself and in the House by Congressman LEVER during January, 1912, and was known as a bill to provide for agricultural extension work and demonstration work from the State colleges of agriculture. The bill passed the House at the last session and reached the Senate. In the Senate it was amended by the substitution of what is known as the Page bill. The substitute went to conference, and both measures failed. At the present session we reintroduced the original bill both in the House and in the Senate, and Senate bill 3091 is a redraft of the original bill, we think substantially improved.

It is my desire as early as possible to obtain from the Committee on Agriculture and Forestry a favorable report on Senate bill 3091, which provides for agricultural extension work in the nature of farm demonstration work from the colleges of agriculture. As there are a number of Senators now Members of this body who were not Members in the last Congress, I wish to call attention to the fact that 50 years ago the Morrill bill was passed, establishing the State colleges of agriculture. Then 25 years ago the Hatch bill was passed, establishing the experiment stations. The purpose of this legislation is to take the information, scientific and accurate in its nature, which has been gathered at the colleges of agriculture and at the experiment stations and place it alongside the home of the farmer and there, by demonstration, give him the benefit of all the information thus acquired.

Mr. President, in pressing this measure it is not my purpose in any sense to oppose technical vocational education. We have passed at this session through the Senate a joint resolution providing for the appointment of a commission of nine to take up the subject of vocational education. That joint resolution is now pending in the House. I hope to see the commission created. If it is not created, I hope still to bring the subject before the Committee on Education and Labor and at the coming session develop and present a separate bill on the subject of vocational education.

What I desire to state distinctly, in view of the debate that has been going on in the other House, is that in pressing the joint resolution for a commission on vocational education in no sense do we abandon as a separate measure the bill for demonstration work from the State colleges of agriculture. A number of us expect here, as I know they do in the House, to press as a separate measure the agricultural extension work from the State colleges of agriculture, similar to the bill which passed the House at the last session, and as a separate measure a bill along the line of vocational education.

Now, Mr. President, as the bill S. 3091 was not read when I introduced it, I ask unanimous consent that it be placed in the RECORD.

The PRESIDENT pro tempore. If there is no objection, such will be the order. The Chair hears none.

The bill is as follows:

A bill (S. 3091) to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture.

Be it enacted, etc., That in order to aid in diffusing among the people of the United States useful and practical information on subjects relating to agriculture and home economics, and to encourage the application of the same, there may be inaugurated in connection with the college or colleges in each State now receiving, or which may hereafter receive, the benefits of the act of Congress approved July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts" (12 Stat. L., p. 503), and of the act of Congress approved August 30, 1890 (26 Stat. L., p. 417), agricultural extension work which shall be carried on in cooperation with the United States Department of Agriculture: *Provided*, That in any State in which two or more such colleges have been or hereafter may be established the appropriations hereinafter made to such State shall be administered by such college or colleges as the legislature of such State may direct.

SEC. 2. That cooperative agricultural extension work shall consist of the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in said colleges in the several communities, and imparting to such persons information on said subjects through field demonstrations, publications, and otherwise; and this work shall be carried on in such manner as may be mutually agreed upon by the Secretary of Agriculture or his representative and the State agricultural college or colleges receiving the benefits of this act.

SEC. 3. That for the purpose of paying the expenses of said cooperative agricultural extension work and the necessary printing and distributing of information in connection with the same there is permanently appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $480,000 for each year, $10,000 of which shall be paid annually in the manner hereinafter provided to each State which shall, by action of its legislature, assent to the provisions of this act: *Provided*, That payment of such installments of the appropriation hereinbefore made as shall become due to any State before the adjournment of the regular session of the legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury: *Provided further*, That there is also appropriated an additional sum of $500,000 for the fiscal year following that in which the foregoing appropriation first becomes available, and for each year thereafter for nine years a sum exceeding by $300,000 the sum appropriated for each preceding year, and for each year thereafter there is permanently appropriated for each year the additional sum of $3,000,000: *Provided further*, That before the beginning of each fiscal year projects setting forth the proposed plans for work to be carried on under this act shall be submitted by the proper officials of each college and approved by the Secretary of Agriculture before the funds herein appropriated shall become available to such college for that fiscal year. Such additional sums shall be used only for the purposes hereinbefore stated and shall be allotted annually to each State by the Secretary of Agriculture and paid in the manner hereinbefore provided in the proportion which the rural population of each State bears to the total rural population of all the States, as determined by the next preceding Federal census: *Provided further*, That no payment out of the additional appropriations herein provided shall be made in any year to any State until an equal sum has been appropriated for that year by the legislature of such State, or provided by State, county, college, or local authority for the maintenance of cooperative agricultural extension work.

SEC. 4. That there shall be in the Department of Agriculture a director of cooperative agricultural extension work, to be appointed by the Secretary of Agriculture and report directly to him. The salary of such director shall be such as may be provided for by law from time to time.

SEC. 5. That the sums hereby appropriated for extension work shall be annually paid in equal semiannual payments on the 1st day of January and July of each year by the Secretary of the Treasury upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer of the State duly authorized by the laws of the State to receive the same; and such officer shall be required to report to the Secretary of Agriculture, on or before the 1st day of September of each year, a detailed statement of the amount so received during the previous fiscal year and of its disbursement on forms prescribed by the Secretary of Agriculture.

SEC. 6. That if any portion of the moneys received by the designated officer of any State for the support and maintenance of cooperative agricultural extension work, as provided in this act, shall by any action or contingency be diminished or lost, or be misapplied, it shall be replaced by said State to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to said State, and no portion of said moneys shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings, or the purchase or rental of land or in college-course teaching, lectures in colleges, promoting agricultural trains, or any other purpose not specified in this act, and not more than 5 per cent of each annual appropriation shall be applied to the printing and distribution of publications. It shall be the duty of each of said colleges annually, on or before the 1st day of January, to make to the governor of the State in which it is located a full and detailed report of its operations in the direction of extension work as defined in this act, including a detailed statement of receipts and expenditures from all sources for this purpose, a copy of which report shall be sent to the Secretary of Agriculture and to the Secretary of the Treasury of the United States.

SEC. 7. That on or before the 1st day of July in each year after the passage of this act the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury as to each State whether it is entitled to receive its share of the annual appropriation for cooperative agricultural extension work under this act and the amount which it is entitled, respectively, to receive. If the Secretary of Agriculture shall withhold a certificate from any State of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the expiration of the Congress next succeeding a session of the legislature of any State from which a certificate has been withheld, in order that the State may, if it should so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury.

SEC. 8. That the Secretary of Agriculture shall make an annual report to Congress of the receipts, expenditures, and results of the cooperative agricultural extension work in all of the States receiving the benefits of this act, and also whether the appropriation of any State has been withheld; and if so, the reasons therefor.

SEC. 9. That Congress may at any time alter, amend, or repeal any or all of the provisions of this act.

Mr. SMITH of Georgia. I have eight short letters of about a page each from presidents of universities and agricultural colleges discussing the bill, which I ask to have placed in the RECORD.

There being no objection, the letters were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

ALABAMA POLYTECHNIC INSTITUTE,
OFFICE OF THE PRESIDENT,
Auburn, Ala., September 27, 1913.

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

MY DEAR MR. SMITH: I am just in receipt of your letter, together with the inclosure of the agricultural extension bill, and I am hastening to say that I regard the provisions of this bill as of greater significance to the interest of the farmer than any measure since the foundation of the agricultural colleges.

The experiment stations have worked out an immense mass of valuable data for the benefit of agriculture. The colleges are a great teaching agency for training leaders. Now comes this bill opening the way for these leaders from the colleges to carry the results of the experiment station back to the great mass of the people who remain on the farm.

It seems to me that your bill finally completes the great circuit of the land grant colleges. I sincerely trust that the measure will have a speedy passage.

With high personal regards and best wishes, I am

Very sincerely, yours,

CHAS. C. THACH, *President.*

UNIVERSITY OF ARKANSAS,
PRESIDENT'S OFFICE,
Fayetteville, September 20, 1913.

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

DEAR SIR: Your letter of September 17, addressed to former President Reynolds, of the University of Arkansas, and a copy of Senate bill 3091 have been received.

I have carefully read the provisions of this bill, and am of the opinion that its passage would be productive of an amount of good the value of which could not be estimated in dollars and cents.

The college of agriculture of the University of Arkansas has in the last few years made a beginning in a small way in agricultural extension work. It has been difficult to secure from the legislature adequate appropriations for this purpose. The members of the faculty of the agricultural college have devoted two months in the summer of 1913 to extension work in eight counties in Arkansas. In each case the work was done in cooperation with the Department of Agriculture, and the manner in which the farmers have taken hold of it has proved that they are eager for the opportunity.

We have now an enormous amount of agricultural knowledge that is of little benefit to the great majority of the farmers. The attempt to reach them through publications has not succeeded. It requires personal contact between the farmer and the agricultural expert to vitalize the work.

There is no question I think, that if Senate bill No. 3091 should pass the farmers in every State would quickly realize the value of this work, and their demands on the various State legislatures would become so insistent that ample appropriations by the States would easily be obtained.

Yours, very truly,

JOHN C. FUTRALL.

COLLEGE OF AGRICULTURE, UNIVERSITY OF ARKANSAS,
Fayetteville, Ark., September 29, 1913.

Hon. HOKE SMITH,
Senate Chamber, Washington, D. C.

DEAR SIR: In a joint meeting of the experiment station staff and the faculty of the College of Agriculture of the University of Arkansas, September 27, your bill, S. 3091, to provide for cooperative agricultural extension work between the agricultural colleges in the several States and the United States Department of Agriculture, was read and its several sections were discussed at length. At the close of the discussion a resolution that a committee be appointed to notify you of their unqualified approval and indorsement of the bill was unanimously adopted. As the committee, we therefore take pleasure in rendering you this report.

Respectfully,

MARTIN NELSON,
W. R. WHEELOCK,
R. R. DINWIDDIE,
W. L. FOWLER,
Committee.

PURDUE UNIVERSITY, PRESIDENT'S OFFICE,
La Fayette, Ind., September 24, 1913.

Hon. HOKE SMITH,
Senate Chamber, Washington, D. C.

MY DEAR MR. SMITH: I am glad to know of the introduction of the new bill, S. 3091, on behalf of agricultural extension. The terms of the bill have been carefully considered; it conforms in its general aspects to other Federal legislation in aid of the work of the agricultural colleges, and if enacted will beyond any question be in harmony with and accomplish desirable results as has all similar legislation preceding it.

I am strongly in favor of its enactment for the following reasons: First, the principle of agricultural extension, while comparatively recent in its application and operation, has given greater results in proportion to the expenditure of money than any other one agency under the direction of Federal and State Government for promoting a better knowledge and practice of agriculture.

Agricultural extension is the third phase of Federal and State aid to agriculture now needed to round out a complete organization. We have the work of formal instruction at the colleges; we have the work of investigation in the stations; what we now need more than anything else is the dissemination of the knowledge at hand and its demonstration before the individual farmer. This agricultural extension does.

Second, I am in favor of the particular form of this bill because it does not create a new organization but utilizes the institutions already established and successfully working in the different States. A machinery already exists capable of obtaining the most effective results from a minimum expenditure of money. Appropriations for agricultural extension in various States should invariably be expended through the medium of the State organizations—that is, the agricultural colleges, experiment stations, and extension departments.

Third, I am in favor of that feature of the bill which contemplates a coordination of State with Federal resources. It is right and proper for the States to help themselves so far as possible and it is fair for the Federal Government in making such appropriations as contemplated in this bill to expect the State to meet these halfway.

Our experience in Indiana is that the farmers are quickly responsive to the work of extension; that it is of practical and real aid to them; and that there is no limit, if wisely directed, to the amount of practical educational work which can be done in this way or to its real and genuine benefits.

I beg to be permitted to render any assistance in my power to you and your colleagues in the promotion of this legislation.

Very truly, yours,

W. E. STONE, *President.*

MASSACHUSETTS AGRICULTURAL COLLEGE,
PRESIDENT'S OFFICE,
Amherst, October 3, 1913.

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I noted with great interest that you have again introduced a bill providing for Federal appropriations for extension work at the land-grant colleges of the United States.

As you know, I believe most heartily and thoroughly in the need of this work, and I am still of the opinion that in order to give it national direction and application it needs the stimulus of a moderate appropriation from the National Treasury, such as you have suggested.

Under another cover I am sending you copy of an article of mine printed some months ago which gives in detail my argument for this important bill. You are at liberty to use that article as you may desire.

While abroad this summer with the commission on rural credit I had a good opportunity to observe the development of European agriculture in general, and I was impressed with the universal testimony that one of the chief reasons for the remarkable growth of successful agriculture in all European countries during the past two decades was the popular education of the working farmer. Personally I do not believe that Congress can make any appropriation of a similar amount of money that will do more to stimulate on right lines the development of our American agriculture, and I hope that your bill will become effective as law the 1st of next July.

Yours, very truly,

KENYON L. BUTTERFIELD,
President.

THE UNIVERSITY OF MINNESOTA,
DEPARTMENT OF AGRICULTURE,
University Farm, St. Paul, September 24, 1913.

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

DEAR SIR: We have your letter of September 17, with copy of your bill, S. 3091, to provide for cooperative agricultural extension work. Among the most important advances being undertaken in educational work at the present time is the organized extension work in agriculture and home economics. The States working alone can accomplish very little compared with what might be accomplished through plans organized on a national basis. The great research bureaus of the National Department of Agriculture and the facilities for gathering information in the various national departments should be more readily available to the workers in these lines in the States. The plan proposed in your bill unifies this work. If it is carried out, it will bring to the great masses of the farming population assistance in improving agricultural methods and country-life conditions generally. This will aid the city dweller also by increasing the food supply through better methods of cropping and marketing.

The only suggestions we have to make is that in section 6, line 20, the second word "specified" should be changed to "included." You have specified certain things in section 6 which are not to be allowed under this act, but the classes of work allowed are specified only generally in section 2.

Very truly, yours,

GEORGE E. VINCENT,
President.

A. F. WOODS,
Dean and Director.

OREGON AGRICULTURAL COLLEGE,
OFFICE OF THE PRESIDENT,
Corvallis, Oreg., September 24, 1913.

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

MY DEAR SIR: Acknowledging receipt of your favor of the 17th instant, will say that I have carefully read the copy of Senate bill 3091. There are no changes that I would suggest. I sincerely trust that the passage of the bill in its present form may be secured in the near future. I have kept in touch with your work in the Senate in the interest of legislation providing Federal support for agricultural college extension work, and I am sure that all of the land-grant college people throughout the entire country very much appreciate your efforts.

Very sincerely, yours,

W. J. KERR, *President.*

THE UNIVERSITY OF WISCONSIN,
OFFICE OF THE PRESIDENT,
Madison, September 29, 1913.

Hon. HOKE SMITH,
United States Senate.

MY DEAR SENATOR: In regard to Senate Bill No. 3091, Sixty-third Congress, first session, a copy of which you send to me for an expression of opinion, I respectfully submit the following:

Without entering into the details of the bill, which have been very carefully worked out, its fundamental principle is to have the United States Government, through the Department of Agriculture, assist in carrying agricultural knowledge to the farmers of the country, in order that they may apply in their various communities the knowledge which meets their needs. This work is to be done through cooperation of the United States Department of Agriculture and the agricultural colleges of the different States. The United States and the States are both to contribute.

During the past decade our population has increased by 21 per cent, while agricultural production has increased by only 9 per cent. This is one among various factors which have led to the enhanced price of food products. Enough is known about agriculture so that if that knowledge were applied in all districts to each of the products raised, the value of the products of the land could be doubled within a decade. It is therefore imperative that methods be devised by which the people will apply the knowledge which has been worked out in the United States Department of Agriculture, at the various State stations, and in other parts of the world.

When an important discovery is made satisfactory results are not achieved by publishing such discovery in a bulletin. While this method is sufficient to carry the discovery to the specialists in agriculture, it does not reach the common people. There is no way which a discovery in agriculture can reach the farmers upon an extensive scale except by going out among them and by explanation and demonstration showing them the advantages which will come to them from an application of the discovery. In a number of States this method has already been

introduced, and there is a well-established service in agricultural extension. In such States the agricultural output has been vastly increased. In regard to certain crops in certain sections, the United States Government has had a similar experience, notably with regard to cotton.

It is therefore already demonstrated that when the movement for carrying out agricultural knowledge to the people is in operation on a sufficiently broad scale throughout the country, the financial returns from the campaign will be nothing short of amazing. In a relatively short time, instead of population outrunning production, production will outrun population. Not only will there be a sufficient amount of food products to feed our own people, but there will be an increasing supply to be sent abroad to other countries.

For the above and for many other reasons which might be given, I am glad to give my unqualified approval to the agricultural extension bill.

Very truly, yours, CHARLES R. VAN HISE.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHEPPARD:

A bill (S. 3198) for the erection of a Federal building at Huntsville, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. FLETCHER:

A bill (S. 3199) to authorize the Secretary of Commerce, through the Coast and Geodetic Survey and the Bureau of Fisheries, to make a survey of natural oyster beds, bars, and rocks, and barren bottoms contiguous thereto, in waters within the State of Florida; to the Committee on Fisheries.

By Mr. MYERS:

A bill (S. 3200) relating to desert-land entries; to the Committee on Public Lands.

By Mr. NELSON:

A bill (S. 3201) for the relief of John J. Duncan (with accompanying paper); to the Committee on Military Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 3202) to regulate the filling of vacancies in the Corps of Cadets at the United States Military Academy not otherwise provided for by existing law, and for other purposes; to the Committee on Military Affairs.

By Mr. McLEAN:

A bill (S. 3203) granting an increase of pension to Fannie C. Keeney (with accompanying papers); to the Committee on Pensions.

NATIONAL-BANK GUARANTEED CREDIT NOTES.

Mr. BRISTOW. I introduce by request a bill for the issue and redemption of national-bank guaranteed credit notes. It is a short bill and I should like to have it read. I introduce it by request because I do not care to indorse its details, but I think it contains an idea that is a very valuable one, and I should like to call it to the attention of the Senate in this way.

The bill (S. 3197) for the issue and redemption of national-bank guaranteed credit notes was read the first time by its title and the second time at length, as follows:

A bill (S. 3197) for the issue and redemption of national-bank guaranteed credit notes.

Be it enacted, etc., That from and after the passage of this act any national banking association having $100,000 capital, which has been in business for one year, and has a surplus fund equal to 20 per cent of its capital, may, in addition to its bond-secured circulation, take out for issue and circulation national-bank notes without a deposit of bonds as now provided by law. Said notes shall be issued in same form and appearance and denominations as the bond-secured national-bank notes. The amount of said notes so taken out by any national banking association may not exceed 100 per cent of the amount of its capital stock.

SEC. 2. That every national banking association taking out notes, as provided in the preceding section, shall pay to the Treasurer of the United States, in the months of January and July, a tax at the rate of 5 per cent per annum upon its average circulation in excess of the amount of its bond-secured circulating notes outstanding during the preceding six months.

SEC. 3. That said taxes so paid shall constitute an expense or guaranty fund to redeem notes of failed banks and to pay cost of printing and redemption.

SEC. 4. That on all of such unsecured notes not provided for by deposit of lawful money with the Treasurer of the United States at the end of six months the rate of tax shall be increased to 6 per cent, and on all of such unsecured notes not provided for by deposit with the Treasurer of the United States at the end of nine months the rate of tax shall be increased to 7 per cent per annum, and after 12 months the Comptroller of the Currency shall order the retirement of such notes.

In the event of the failure of any national bank its circulating notes unsecured and outstanding shall be redeemed in the same manner as if provided for and charged to the expense or guaranty fund, and the Treasurer of the United States shall for any notes of a failed bank so redeemed have a claim as a preferred creditor and first lien on the assets of said bank, and any amount recovered shall be credited back to the said fund.

SEC. 5. That any national banking association taking out notes in excess of its bond-secured notes shall maintain on deposit with the Treasurer of the United States an amount equal to 5 per cent of such notes for a redemption fund, as required for redemption of bond-secured notes, and redemption of such notes shall be in all respects the same as for bond-secured notes.

When any national banking association desires to retire any part of its unsecured notes it shall pay such amount to the Treasurer of the United States, and tax on such amount shall then cease, and such notes in excess of bond-secured notes may be retired at any time without regard to the laws regulating the retirement of bond-secured notes.

The PRESIDENT pro tempore. The bill will be referred to the Committee on Banking and Currency.

DEPUTY COLLECTORS OF INTERNAL REVENUE.

Mr. OVERMAN. Mr. President, I ask leave to put into the RECORD a little information I received this morning from the Civil Service Commission. It shows that on May 6, 1896, Mr. Cleveland put all deputy collectors under the civil service. They were then Democrats. In 1899 all positions of deputy collectors of internal revenue were excepted from competitive examination. Then, of course, our Republican brethren put in their friends. Then in 1906 they were put back in the civil service. I think the paper will prove to be quite interesting.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

The positions of deputy collector of internal revenue were first brought into the competitive service by the Executive order of May 6, 1896; later, by Executive order of November 2, 1896, one position of chief deputy collector in each district was excepted from competitive examination. By Executive order of July 27, 1897, one additional position of deputy collector in each district in which the number of employees in the office of the collector exceeded four and one position of deputy collector in each stamp agency or branch office were excepted from competitive examination. By Executive order of May 29, 1899, all positions of deputy collectors of internal revenue were excepted from competitive examination. All positions of deputy collectors of internal revenue then remained excepted from competitive examination until the Executive order of November 7, 1906, which restored them all to the competitive classified service except those receiving less than $300 a year compensation.

SOUTH AMERICAN TRADE (S. DOC. NO. 208).

Mr. WEEKS. I ask unanimous consent to have printed as a Senate document an article by Charles Lyon Chandler, of the American Consular Service, published in the World's Work of January, 1913, entitled "The world race for the rich South American trade." It relates particularly to the banking situation in South America, and I think will be of value in connection with legislation now pending.

The PRESIDENT pro tempore. Does the Senator from Massachusetts wish to have it inserted in the RECORD also, or simply to have it printed as a document? What is the request of the Senator?

Mr. WEEKS. I ask that it be printed as a Senate document.

The PRESIDENT pro tempore. Unless there is objection, the request of the Senator from Massachusetts will be granted. The Chair hears none, and it is so ordered.

PRISON REFORM.

Mr. ASHURST. The State of Arizona is giving much careful attention to wholesome prison reform.

I ask unanimous consent to include in the RECORD a part of the illuminating report of Hon. J. J. Sanders, the parole clerk of the Arizona State Prison. Mr. Sanders is a leader in the humanitarian and now nation-wide movement to bring a reform in our prisons, so that when an erring brother emerges from prison he will emerge reclaimed to society instead of ruined.

The PRESIDENT pro tempore. Without objection, the request of the Senator from Arizona will be granted.

The matter referred to is as follows:

REPORT OF PAROLE CLERK.

A convict is now considered a human being in Arizona. By the same token, these convicts are now believed to have divine attributes inherent within them the same as all other human beings. This attribute is what is known as good. To cultivate and nurture this good in the inmates of State prisons is the goal sought by all advanced penologists. Education and kind treatment are working wonders in all penal institutions of the progressive type in the conservation and regeneration of human beings. The great principles of Christianity are just being introduced into American prisons. Pagan customs of cruel torture were in vogue previous to the dawn of this new Christian era. America has been pagan for the last 50 years in a mad worship of dollars. Humanity has been forgotten in that dark and dismal age of our history. The writing of the Arizona constitution marks the beginning of a new epoch in American history. That bold instrument proclaimed the rights of men and deposed the dollar czar. The Nation has caught the spirit. * * *

A pagan custom of punishment still remains upon the statute books of this State. The pagans threw Christians to the wild beasts in the arena in ancient Rome, or nailed them to crosses until they died. We execute Christians by hanging them by the neck until they are dead. This pagan custom has been grafted onto our Christian civilization.

Quit emulating these pagan Romans by having legal executions and get under the influence of twentieth century progress. Repeal all laws relating to legal executions in this State.

THE INDETERMINATE SENTENCE.

The indeterminate-sentence law, passed by the last legislature, is working nicely. The next step will bring the indefinite sentence. Instead of sending a prisoner to the prison for an indeterminate period, the State will send the convicted party to prison until cured, the same as the State now commits insane patients to the State insane hospital. An abnormal human being has psychic or physical defects. These defects should be cured or remedied before the person is released on parole. The legislature, in creating the board of commissioners of paroled prisoners, placed added duties upon the attorney general and the State auditor. These two officials have been unable to attend any of the meetings of the parole board, because their time was all taken up with the duties of their respective offices. The legislature should remedy this defect, for the State of Arizona should deal squarely with all of its wards incarcerated in the State prison. The letter and spirit of the indeterminate-sentence law will be violated when the minimum sentences expire, if the prisoner has kept faith with the State; the State should in turn keep faith with the prisoner by having a full board at every meeting to hear each application for a parole after having served faithfully his minimum sentence.

PAROLED PRISONERS.

We now have 46 men out upon parole. Twenty-six of this number have been paroled by this administration since March 1, 1912. Only one of this last number broke his parole, and he has been apprehended and is now in prison to serve the maximum of his sentence. Most of our prisoners on parole are holding good jobs or positions and are working steadily, providing for their families and for themselves. The State has been relieved of the expense of keeping them in prison, and they are now respected in the communities in which they reside, thus vindicating the parole system as a great conserver of human beings. The rules and regulations governing these men out on parole are submitted in this report. The sovereign State of Arizona is acting the part of the parent to the child. The danger spots are mapped and the way to higher ideals is pointed out monthly in personal letters to each and every paroled man, who has to report monthly. We have a few paroled by former administrations, who are required to report quarterly. This is not as satisfactory as the monthly report.

MAIL PRIVILEGES.

The present administration inaugurated a daily mail for the prisoners. All inmates can now write as many letters to their relatives and friends as they may wish. They are also at liberty to receive as many letters as are written them by their friends and relatives, subject to ordinary inspection. Many of the daily newspapers of the State and Nation enter the prison reading room. All of the leading magazines and periodicals also are allowed into the reading room. A great many scientific books have been added to the library. Many books and magazines have been presented by kind friends in the State and elsewhere. This reading room and library was established since March 1 last by the present administration. There were a very few books here at that time, and what were here were securely boxed up in the prison morgue.

The letters from mothers, sisters, brothers, relatives, and friends to the inmates always bring cheer and wholesome advice. This one avenue alone is working wonders in the upbuilding of the characters of all the men incarcerated here. Let me pause here to remark—and I say it with a full knowledge of great and lasting results attained—if Gov. Hunt never did anything else for the convicts, their mothers, sisters, relatives, and friends, he would deserve a monument as rugged and lasting as the silent sentinel of Yavapai—Old Thumb Butte. Not only has the letter mail driven gloom and despair from within the gray walls, but the instructive features of our family newspapers and magazines have lent their balm to heal the sores caused by worry and blasted hopes.

PRISONERS' MAIL OF OTHER STATES.

Warden Tynan stated recently at a banquet in the city of Denver, Colo., that prisons are breeding places of crime. This is not the case in the Arizona State prison.

Noting the influence of the daily letter, newspaper, and magazine mail on the inmates of this institution, I caused a circular letter to be sent to all the wardens of the various State penal institutions of the various States that compose our Nation, asking what restrictions, outside of ordinary inspection, they place on prisoners' letter, magazine, and newspaper mail. Nearly all of the States responded, and their replies are summarized in this report.

There is no valid reason why a prison should be a breeding place for crime—no more than any other institution where a body of people are gathered together. A prison should be a place where high ideals are taught, more so than any other institution of man, for the inmates are in greater need of such training. If restrictions are placed on these great educators—personal letters, newspapers, and magazines—it at once becomes apparent that all such institutions employing this primitive method or custom are in a very backward condition, and it must necessarily follow that such prisons can not be rated other than breeding places for crime. To change a man we must change the current of his thoughts and this can be done only by education. Restrictions on this character of mail by any State of its prisoners becomes at once the concern of all the other States. A State penal institution that places restrictions upon any of these great avenues of education other than ordinary inspection becomes a menace to the welfare of all the other States and in the interest of progress, justice, and twentieth-century enlightenment this mail restriction should be abolished.

In connection with this subject I wish to quote from one or two of the letters which I received from the various wardens over the country to whom I wrote in regard to this matter.

Mr. S. M. Melick, warden of the Nebraska State prison, says:

"We consider the newspapers great factors and aid in prison discipline."

PAROLE OFFICE.

Number of men on parole Jan. 31, 1913	6
Number of men paroled by the present administration between Feb. 29, 1912, and Jan. 31, 1913	26
Number of men paroled by this administration who have violated their parole	1
Number of men paroled by this administration returned to prison for violation of parole	1
Total number of men who violated parole during the 11 months beginning Mar. 1, 1912, and ending Jan. 31, 1913	5
Total number returned to prison for violation	4
Number of parole violators who escaped	1
Number of men pardoned from parole under the present administration	5
Number of men released from parole by expiration of sentence	16
Number of men released from parole by expiration of sentence whose citizenship has been restored	2

A little less than 4 per cent of the men paroled by this administration have violated the conditions of their parole. These conditions, as follows, appear in the body of the certificate of parole which is delivered to the prisoner when he is sent out from this institution on parole:

First. That he abstain from the use of intoxicants.

Second. That he shall not frequent places where intoxicants are sold.

Third. That he shall not engage in any form of gambling or frequent places where gambling is done, including pool halls and other such places.

Fourth. That he shall abstain from vicious, lewd, or unworthy companions and associates, keeping his conduct at all times consistent with that of the best and most worthy citizens of his community.

Fifth. That he shall on the first day of each month report in writing to the parole clerk of the Arizona State prison, giving a statement of his occupation, condition, earnings, savings, the name of his employer, and such other information as the parole clerk may require.

The paroled prisoner is at all times in the custody of the parole clerk and may be ordered rearrested and returned to prison at any time at the discretion of the parole clerk or any member of the board of commissioners of paroled prisoners.

All men now out on parole are reporting regularly to the parole clerk, who is in direct communication personally with each and every paroled prisoner who has not been released from parole.

All paroled prisoners are now employed and earning good wages, with the exception of two men who are physically unable to work.

During the 11 months beginning March 1, 1912, and ending January 31, 1913, there has passed through the hands of the parole clerk, for credit of the inmates of the institution, $6,664.39. This amount represents returns from the sale of novelties and trinkets manufactured by the inmates, together with donations from their friends and relatives.

THE PRISON LIBRARY.

When the present administration took charge of the institution the prison library consisted of the following volumes, which were kept in a box in the prison morgue:

One Webster's Unabridged Dictionary; very bad condition.
Ten volumes Century Dictionary; fair condition.
Twenty-six volumes bound magazines; fair condition.
Nine volumes Harper's Encyclopedia of American History; 22 years.
Forty volumes, more or less, of schoolbooks in poor condition.
Thirty-three volumes Bancroft's Americana; medium condition.
Seven volumes Spark's American Biographies.
Thirty-seven volumes English Men of Letters.
Twenty-four volumes Thackeray's complete works; good condition.
Ten volumes fiction; very poor condition.
Thirty Bibles, which had never been opened.
Total, 227 volumes.

Out of the library fund, which has been collected at the institution and presented by private individuals, we have purchased the following:

Fifty volumes The Harvard Classics.
Twenty-five volumes Funk & Wagnalls's Encyclopedia.
Forty-five volumes Contemporary Science Series.
Six volumes Power Book Library—Frank Haddock.
Seven volumes philosophical works, Essays of Ralph Trine.
Fifteen volumes philosophical works, Essays of C. D. Larson.
Eleven volumes philosophical works, Essays of C. S. Marden.
Seven volumes history (in the Nineteenth Century—Various Lands).
Six volumes Landmarks of Civilization.
Twenty-four volumes fiction—Dumas, Hawthorne, Bronte, etc.
Fourteen volumes Spanish fiction.
One hundred volumes school books, mostly languages designed to aid the Mexican inmates as well as the illiterate Americans in acquiring the fundamentals of the English language. Many penmanship copy books, slates, and various other school supplies have been purchased out of this fund.
Total, 310 volumes.

In addition to the above, we have expended out of this fund $264.04 for newspapers and magazines for the library. This includes subscription for the year 1913 to about 80 of the leading magazines of the country and the following newspapers:

The Rocky Mountain News, Denver, Colo.
The New York World, New York, N. Y.
The Atlanta Constitution, Atlanta, Ga.
The Los Angeles Examiner, Los Angeles, Cal.
The Los Angeles Tribune, Los Angeles, Cal.

The following donations have been made to the prison library by private individuals and corporations:

Miss Alice Robe, Denver, Colo., 50 volumes, divided as follows: 26 fiction, 7 poetical, 4 essays, 13 scientific and sociological.
The Outlook, New York, 15 volumes, as follows: 7 fiction, 2 travel, 3 sociological, 3 philosophical.
Mr. Roland B. Molineux, New York, 11 volumes, as follows: 8 fiction, 1 historical, 2 sociological.
Miss Kate Barnard, Oklahoma, 11 volumes political economy.
C. Lawrence Edholm, Los Angeles, 6 volumes fiction.
Alvin W. Knapp, Detroit, Mich., 8 volumes business and accountancy.
Mr. Joe Connors, Phoenix, 1 volume history, 1 fiction.
Mr. Logan, Prof. Farmer, and others of University of Arizona, about 20 volumes of school books and a large number of magazines.
Hon. Charles R. Osburn, secretary board of control, 7 volumes inspiration fiction, 1 psychology.
Swedenborgian Society of New York, 4 volumes theological discussion.
Walter De Voe, 2 volumes New Thought.
Hon. Sidney Osborn, secretary of state, 1 volume session laws.
R. H. Bowman, Canon City, Colo., 2 volumes theological.
A. A. Oakes, inmate No. 3559, 5 volumes fiction.
L. Y. Eytinge, inmate No. 2608, 8 volumes fiction, 2 business.
W. W. Powell and Dr. W. G. Randall, 8 volumes fiction.
Parker Woodman, Bisbee and Phoenix, cash with which was purchased 6 volumes Emerson, 2 volumes poetry.
Mrs. G. W. Shutz, Somerton, Ariz., 1 volume travel.
Miss Louise Maertz, Quincy, Ill., 5 volumes Christian Science, subscriptions to several magazines, and a large number of loose magazines.
Miss G. Gilchrist, for associated charities, Phoenix, large shipment loose magazines.
Mr. Thomas Drier, Cambridge, Mass., 3 books and large number loose magazines.

In addition to the donations mentioned above, we have received, through the courtesy and interest of the Hon. HENRY F. ASHURST, United States Senator, and the Hon. CARL HAYDEN, a Member of Congress, numerous and valuable governmental publications, including many bound volumes of the reports of the Agricultural Department and the United States Geological Survey, paper monographs and professional papers and bulletins. About 500 of these have been catalogued, and we are in receipt of publications as issued, including the CONGRESSIONAL RECORD.

By the courtesy of the various editors, the following papers are being received at the prison library, free of charge:

The Arizona Gazette, Phoenix, Ariz.
The Arizona Republican, Phoenix, Ariz.

The Christian Science Monitor (2 copies), Boston, Mass.
The Tucson Star, Tucson, Ariz.
The Tucson Citizen, Tucson, Ariz.
The Bisbee Review, Bisbee, Ariz.
The Silver Belt, Globe, Ariz.
The Yuma Examiner, Yuma, Ariz.

A second copy of the Tucson Citizen is received, courtesy of the Hon. Allen B. James.

We now have in the library 987 volumes, not including 6 cases of Bibles received through the board of control, which are now on hand awaiting distribution among the men. This number is also exclusive of about 200 very valuable governmental papers which are not bound.

J. J. SANDERS, *Parole Clerk.*

DATA COMPILED BY J. J. SANDERS, PAROLE CLERK OF THE ARIZONA STATE PRISON, SHOWING RESTRICTIONS PLACED ON MAIL OF THE INMATES OF THE VARIOUS STATE PENAL INSTITUTIONS OF THE UNITED STATES.

Arizona: The inmates of the Arizona State prison are all allowed the privilege of an unlimited daily letter mail. All of the leading magazines and periodicals and several of the leading daily newspapers of the country are subscribed to and paid for by the State. These are turned into the library for the use of all the prisoners.

Alabama: The inmates of the Alabama State prison are allowed the privilege of an unlimited daily letter mail. They are also allowed the daily newspapers and such of the current magazines and periodicals as they may desire.

California: The inmates of the California State prisons at Folsom and San Quentin are allowed to write one letter each per month. In addition, they may write special letters by permission of the warden. They are allowed to receive all letters of proper character sent to them. They are allowed the newspapers and magazines with the exception of those published within the bounds of California.

Colorado: The inmates of the Colorado State prison, while their conduct is good, are allowed to write five letters per month. If any special letters in regard to important matters are necessary, permission to write them may be obtained from the officials. They are allowed to receive all the mail sent to them. They are also allowed the daily newspapers and the current magazines and periodicals.

Connecticut: The inmates of the Connecticut State prison are divided into three grades, according to their general conduct. The men of the first grade are allowed to write one letter each week and receive any reasonable number; the men in the second grade are allowed to write one letter each month and receive any reasonable number; the men in the third grade have no mail privileges. The men in the first and second grades are allowed to receive weekly newspapers and two current magazines. No daily newspapers are allowed.

Georgia: The inmates of the Georgia State prison are divided into three grades. The men in the first and second grades are allowed to write two letters per month and receive all that are sent to them. The men in the third grade are not allowed to write or receive letters. All prisoners are allowed the daily newspapers and the current magazines and periodicals.

Idaho: The inmates of the Idaho State prison are allowed to write four letters per month and receive all letters sent to them. They are not allowed to read the daily newspapers, but are allowed the magazines and periodicals.

Illinois: The inmates of the Illinois State prison are allowed to write one letter every five weeks. They are allowed to receive all the letters sent to them. One daily newspaper is allowed them, also the current magazines and periodicals.

Indiana: The inmates of the Indiana State prison are allowed to write one letter every two weeks. They are allowed to receive all the letters sent them, but are not allowed the daily papers. They are allowed to receive weekly newspapers and two magazines per month.

Iowa: The inmates of the Iowa State prison are allowed to write four letters per month and receive all letters sent to them. They are also allowed the daily newspapers and the current magazines and periodicals.

Kansas: The inmates of the Kansas State prison are allowed to write one letter every three weeks. Permission can be obtained to write special letters on important matters. They are allowed to receive all letters sent them and are also allowed the daily newspapers and current magazines and periodicals.

Kentucky: The inmates of the Kentucky State prison are divided into three grades, according to their conduct. The men in the first grade are allowed to write four letters per month; the men in the second grade may write one letter per month, and the men in the third grade are not allowed to write any letters. The inmates are allowed to receive all letters sent them. They are not allowed the daily papers, but are allowed the weekly papers and magazines.

Maine: The inmates of the Maine State prison are allowed to write four letters per month and receive all letters sent to them. They are not allowed the daily newspapers, but are allowed the weekly newspapers and current magazines.

Maryland: The inmates of the Maryland State prison are allowed to write one letter per month and receive all letters sent to them. They are not allowed to read the daily newspapers, but are allowed the current magazines and periodicals.

Massachusetts: The inmates of the Massachusetts State prison are allowed to write one letter every three weeks and receive all the letters sent to them. They are not allowed to read the daily newspapers, but have the privilege of the weekly papers and current magazines.

Michigan: The inmates of the Michigan State prison are allowed to write three letters per month and receive all letters sent to them. They are also allowed the daily newspapers and the current magazines and periodicals.

Minnesota: The inmates of the Minnesota State prison are allowed to receive all the letters sent them. The first grade men are allowed to write four letters per month; the second grade may write two per month, but the third grade men have no mail privileges. The men are not allowed the daily papers, but are allowed the weekly papers and current magazines.

Mississippi: The inmates of the Mississippi State prison are allowed an unlimited daily letter mail. They are also allowed to have the daily papers and all such magazines and periodicals as they may desire.

Missouri: The inmates of the Missouri State prison are allowed to write four letters per month and receive all letters sent them. They are allowed the daily newspapers and current magazines and periodicals.

Montana: The inmates of the Montana State prison are allowed to write one letter each week and receive all letters sent to them. They also have the privilege of the daily newspapers and the current magazines and periodicals.

New Hampshire: The inmates of the New Hampshire State prison are allowed to receive all letters sent to them. The first grade men are allowed to write two letters per month; the second grade one letter per month, and the third grade men none. They are not allowed any newspapers, but are allowed the current magazines.

New Mexico: The inmates of the New Mexico State prison are allowed to write five letters per month, and all letters received for them are delivered daily. They are also allowed the daily newspapers and the current magazines and periodicals.

New York: The inmates of the New York State prisons at Auburn and Clinton are allowed to write one letter per month and receive all letters sent to them. They are allowed the weekly papers and current magazines, but no daily newspapers. The inmates of the State prison at Comstock are allowed to write two letters per month and receive all letters sent them. They are also allowed to receive the daily papers and the current magazines. At Sing Sing Prison the privileges are the same as Auburn and Clinton. At Elmira the men are allowed to receive all letters. The first grade men may write one letter per month; the second grade men one letter every two months, and the third grade men are allowed to write no letters. The Elmira inmates are not allowed the daily newspapers, but the current magazines may be had from the prison reading room.

New Jersey: The inmates of the New Jersey State prison are allowed to write one letter each month. They are allowed to receive one letter each week. Are not allowed the daily newspapers, but are allowed the magazines and periodicals and one weekly newspaper.

North Carolina: The inmates of the North Carolina State prison are allowed to write 10 letters per month and receive all letters sent to them. They are also allowed the daily newspapers and the current magazines and periodicals.

North Dakota: The inmates of the North Dakota State prison are allowed to write four letters per month and receive all letters sent to them. They are also allowed the daily newspapers and the current magazines and periodicals.

Ohio: The inmates of the Ohio State prison are divided into four grades. The men in the first and second grades are allowed to write three letters per month and receive all letters sent to them. They are also allowed the daily newspapers and the current magazines and periodicals. The men in the third and fourth grades are not allowed to write or receive any letters, neither are they allowed any papers or magazines of any kind.

Oklahoma: The inmates of the Oklahoma State prison are allowed to write one letter every three weeks and are allowed to receive all letters sent to them. They are also allowed the daily newspapers and the current magazines and periodicals.

Oregon: The married inmates of the Oregon State prison are allowed to write four letters per month and the single men only one letter per month. All the inmates are allowed all letters sent to them. All are allowed the current magazines and the daily newspapers.

Pennsylvania: The inmates of the Pennsylvania State prison are allowed to write one letter per month. They are also allowed to receive all letters which may be sent to them. They are not allowed the daily newspapers, but are permitted to read the current magazines and periodicals.

Rhode Island: The inmates of the Rhode Island State prison are allowed to write and receive as many letters as they may desire. They are also allowed the daily newspapers and the current magazines and periodicals.

South Carolina: The inmates of the South Carolina State prison are allowed to receive only one letter per month and write only one letter per month. They are not allowed any newspapers of any description, but are allowed to receive the current magazines.

Florida: The inmates of the Florida State prison are allowed to write and receive such letters as they may desire so long as the letters contain nothing which the officials do not think is all right. They are also allowed the daily newspapers and the current magazines and periodicals.

Nevada: The inmates of the Nevada State prison are allowed an unlimited daily mail, both incoming and outgoing. They are also allowed the daily newspapers and the current magazines and periodicals so long as their conduct is good.

South Dakota: The inmates of the South Dakota State prison are divided into three grades. The first and second grade men are allowed to write two letters per month and receive all letters sent them. They are also allowed the current magazines and the daily papers after they have been censored by the officials. The third-grade men have no mail privileges.

Texas: The inmates of the Texas State prison at Huntsville are allowed to write two letters per month and receive all that are sent them. They are also allowed the daily newspapers and the current magazines. The inmates of the State prison at Rusk are allowed practically the same mail privileges, although the warden there states that he allows his men to write special letters upon request.

Utah: The first-grade inmates of the Utah State prison are allowed to write four letters per month and the second-grade men are allowed to write one letter per month. All are allowed to receive all letters sent to them. Both grades are allowed the daily newspapers and the current magazines and periodicals.

Vermont: The inmates of the Vermont State prison are allowed to write one letter each per week and are allowed to receive all letters sent to them. They are also allowed the daily newspapers and the current magazines and periodicals.

Virginia: The inmates of the Virginia State prison are allowed to write one letter every two months and are allowed to receive all letters sent them by their friends and relatives. They are not allowed to read newspapers of any description, but are allowed to read the current magazines and periodicals.

Washington: The inmates of the Washington State prison are allowed to write one letter every month, and all mail received for them is delivered. They are also allowed the daily newspapers and the current magazines and periodicals.

West Virginia: The inmates of the West Virginia State prison are divided into two grades. The first-grade men are allowed to write two letters per month and the second-grade men are allowed to write one letter per month. All inmates are allowed to receive all letters sent to them. All are allowed the daily newspapers and the current magazines and periodicals.

Wyoming: The inmates of the Wyoming State prison are allowed to write three letters per month and receive all letters that are written to them. They are not allowed the daily or weekly newspapers, but are allowed the current magazines and periodicals.

Wisconsin: The inmates of the Wisconsin State prison are allowed to receive all letters written them by their friends and relatives. They are allowed to write two regular letters each month and as many extras as the deputy warden deems necessary. They are allowed the current magazines and religious and weekly papers, but no daily papers.

LAWS OF PORTO RICO (S. DOC. NO. 206).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, ordered to be printed, and, with the accompanying papers, referred to the Committee on Pacific Islands and Porto Rico.

To the Senate and House of Representatives:

As required by section 31 of the act of Congress approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I transmit herewith copies of the acts and resolutions enacted by the Legislative Assembly of Porto Rico during the extraordinary session, beginning June 20 and ending August 19, 1913.

WOODROW WILSON.

THE WHITE HOUSE, *October 7, 1913.*

LAWS OF THE PHILIPPINES (S. DOC. NO. 205).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, ordered to be printed, and, with the accompanying papers, referred to the Committee on the Philippines:

To the Senate and House of Representatives:

As required by section 86 of the act of Congress approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," I transmit herewith a set of the laws enacted by the Third Philippine Legislature, during its first session, from October 16, 1912, to February 3, 1913, inclusive, and its special session, from February 6, 1913, to February 11, 1913, inclusive, and also certain laws enacted by the Philippine Commission.

WOODROW WILSON.

THE WHITE HOUSE, *October 7, 1913.*

RAILROAD FRANCHISES IN PORTO RICO (S. DOC. NO. 209).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, ordered to be printed, and, with the accompanying papers, referred to the Committee on Pacific Islands and Porto Rico:

To the Senate and House of Representatives:

As required by section 32 of the act of Congress approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I transmit herewith certified copies of franchises granted by the Executive Council of Porto Rico, which are described in the accompanying letter from the Secretary of War transmitting them to me. Such of these as relate to railroad, street railway, telegraph, and telephone franchises, privileges, or concessions have been approved by me as required by the joint resolution of May 1, 1900 (31 Stat., 715).

WOODROW WILSON.

THE WHITE HOUSE, *October 7, 1913.*

EXECUTIVE SESSION.

The PRESIDENT pro tempore. The morning business is closed.

Mr. OVERMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 12 minutes spent in executive session the doors were reopened.

ADJOURNMENT TO THURSDAY.

Mr. KERN. I move that when the Senate adjourns to-day it adjourn to meet on Thursday next at 12 o'clock meridian.

The motion was agreed to.

SAN FRANCISCO WATER SUPPLY.

Mr. PITTMAN. I ask that the Senate proceed to the consideration of the unfinished business, being House bill 7207.

Mr. BRISTOW. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. Before the roll is called, if the Senator from Kansas will withhold the suggestion for a moment, the Chair will inquire if that bill was made the unfinished business?

Mr. BRANDEGEE. It so appears on the calendar.

The PRESIDENT pro tempore. The Chair is advised that it was. The Senator from Kansas suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Norris	Sutherland
Bacon	Hitchcock	Overman	Swanson
Borah	Hollis	Page	Thomas
Brandegee	James	Pittman	Thompson
Bristow	Kern	Poindexter	Thornton
Chamberlain	Lane	Pomerene	Vardaman
Chilton	Martin, Va.	Shafroth	Weeks
Clarke, Ark.	Martine, N. J.	Sheppard	Williams
Cummins	Myers	Shields	
Fletcher	Nelson	Simmons	
Goff	Newlands	Smith, Ariz.	

Mr. GRONNA. I wish to announce that my colleague [Mr. MCCUMBER] is necessarily absent on important business.

Mr. THORNTON. I announce the necessary absence of my colleague [Mr. RANSDELL], and ask that this announcement stand for the day.

Mr. KERN. I desire to announce that my colleague [Mr. SHIVELY] is unavoidably detained from the Senate.

Mr. FLETCHER. I announce the necessary absence of my colleague [Mr. BRYAN], and will let this announcement stand for the day.

Mr. SHEPPARD. My colleague [Mr. CULBERSON] is unavoidably absent. He is paired with the Senator from Delaware [Mr. DU PONT].

The PRESIDENT pro tempore. Forty-one Senators have answered to their names. There is not a quorum present. The Secretary will call the names of absent Senators.

The Secretary called the names of absent Senators, and Mr. SMITH of Georgia answered to his name.

The PRESIDENT pro tempore. The second roll call discloses the presence of 42 Senators. There is not a quorum present.

Mr. BACON. I move that the Sergeant at Arms be instructed to request the presence of absent Senators.

The PRESIDENT pro tempore. The Senator from Georgia moves that the Sergeant at Arms be directed to request the attendance of absent Senators. The question is on that motion.

The motion was agreed to.

Mr. TILLMAN, Mr. BANKHEAD, Mr. MCLEAN, Mr. REED, Mr. OWEN, Mr. GORE, Mr. LEWIS, and Mr. LEA entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. ASHURST in the chair). Fifty Senators having answered to their names, a quorum of the Senate is present.

Mr. PITTMAN. I ask that House bill 7207 be proceeded with as the order of business.

The PRESIDING OFFICER. The Senator from Nevada asks unanimous consent that House bill 7207, granting to the city and county of San Francisco certain rights of way, be now considered. Is there objection?

Mr. POINDEXTER. Mr. President, I should like to have the matter suspended for a moment until I can confer with the Senator from Nevada.

Mr. PITTMAN. That is satisfactory.

The PRESIDING OFFICER. In the absence of objection, the matter will be suspended.

EMPLOYERS' WELFARE WORK.

Mr. FLETCHER, from the Committee on Printing, to which was referred Senate resolution 184, submitted by Mr. BURTON on the 25th ultimo, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That there be printed 5,000 additional copies of House Document No. 1480, Sixty-second Congress, entitled "Employers' Welfare Work," for the use of the Senate document room.

SAN FRANCISCO WATER SUPPLY.

Mr. PITTMAN. Mr. President, I withdraw my request that the Senate proceed with the consideration of House bill 7207, which is the unfinished business, and ask unanimous consent that it be taken up for consideration on Monday, December 1, 1913, and that it then be and remain the unfinished business of the Senate until disposed of, and that it be disposed of not later than the calendar day of December 6, 1913, together with all amendments.

Mr. BORAH. That includes the consideration of any amendment which may be offered?

Mr. PITTMAN. Yes.

Mr. BACON. I wish to make a suggestion to the Senator in the interest of accuracy. I understood the Senator to ask that the bill should be made the unfinished business. He should ask that it be made the regular order. It becomes the unfinished business when it is the regular order.

The PRESIDING OFFICER. The Senator from Georgia will permit the Chair to state that the bill is now the unfinished business, according to the calendar.

Mr. BACON. I withdraw the suggestion.

Mr. PITTMAN. I should like to have the Secretary read the agreement.

The PRESIDING OFFICER. The Secretary will read the proposed agreement.

The Secretary read as follows:

It is agreed, by unanimous consent, that on Monday, December 1, 1913, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 7207) granting to the city and county of San Francisco certain rights of way, etc., and that before adjournment on the calendar day of Saturday, December 6, 1913, the Senate will vote upon any amendment that may be pending to the bill, any amendments that may be offered, and upon the bill, through the regular parliamentary stages, to its final disposition.

Mr. GRONNA. Not the calendar day, but the legislative day.

The PRESIDING OFFICER. If the Senator will permit the Chair to make an observation, an order has already been entered that the Senate shall take up another matter December 8, and that, therefore, if made the legislative day it might interfere.

Mr. BRANDEGEE. The point is, the Senator from Nevada asked unanimous consent that it be concluded not later than the legislative day of December 6, and the Secretary can not change the request of the Senator.

Mr. PITTMAN. I will ask the Senator from Idaho if he has any particular reason to have the agreement fix the calendar day?

Mr. BORAH. I have a particular reason, but I do not know that I would urge it. But the legislative day of the 6th will not interfere on this bill with the calendar day of the 8th, and there need not be any objection upon that ground. I would prefer to have it the legislative day, because my experience is that these calendar-day agreements are very unsatisfactory in disposing of a serious measure.

Mr. BRANDEGEE. I understand that the effect of the consent to vote upon the legislative day would be possibly to force recesses and cut out morning business between the 6th and 8th instead of having morning business. That is the only practical difference between the calendar day and the legislative day.

Mr. BORAH. A recess is a very convenient affair.

Mr. BRANDEGEE. Yes; I do not know that it is objectionable.

Mr. BORAH. I can see no objection to making it the legislative day of the 6th when we have not anything until the calendar day of the 8th. Taking up the bill on the 1st it will likely be voted on even before the 6th.

Mr. BRANDEGEE. That is true, but if the 6th arrived and it were not finished, what would happen under the agreement for a legislative day would be that the Senate could not adjourn until the 7th, but would have to take recesses until the 8th, and it would be the legislative day of the 6th until the 8th.

Mr. BRISTOW. It would not interfere with anything.

Mr. BRANDEGEE. I do not know that it would interfere with anything except to cut out the morning business.

Mr. SUTHERLAND. I call attention to the fact that the 7th would be Sunday and probably we would not want to sit here on Sunday if we could avoid it.

Mr. BORAH. That is a matter which we would determine at that time. It is likely that we would not have to do it.

Mr. SUTHERLAND. I called attention to it because the Senator from Idaho said that the consideration could go on upon the 7th as I understood him.

Mr. BORAH. Of course we could go on upon the 7th by ignoring Sunday.

Mr. SUTHERLAND. We could, but I think we would prefer not to do so.

Mr. BRANDEGEE. If I may be allowed to make a suggestion, I should think that six entire days, from the 1st to the 6th, inclusive, would be enough time to give all Senators an opportunity to express their views. I hope the Senator will ask that the bill be voted upon on the calendar day, and that that request will be granted.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nevada?

Mr. BORAH. I yield to the Senator from Nevada.

Mr. PITTMAN. I will ask that it be the calendar day. I do not want to ask for anything that would be objectionable, but I want to have it fixed for the calendar day because it would seem that between now and then there will be ample time for examination and debate, and that there need not be over five days' debate on this subject under any consideration. I think we would be placing it in a position where we might impose on some Senators by fixing upon the legislative day. The object in entering into an agreement at this time is to suit the convenience of all Senators. I therefore ask that it be the calendar day, and then we will know that the debate will be terminated and the bill disposed of at least by that date.

Mr. BRANDEGEE. In view of that, I ask that the Secretary may again read the proposed agreement.

The PRESIDING OFFICER. The Secretary will read the agreement proposed.

The Secretary read as follows:

The Senator from Nevada [Mr. PITTMAN] asks unanimous consent that on Monday, December 1, 1913, immediately upon the conclusion of routine morning business, the Senate will proceed to the consideration of the bill (H. R. 7207) granting to the city and county of San Francisco certain rights of way, etc., and that before adjournment on the calendar day of Saturday, December 6, 1913, the Senate will vote upon any amendment that may be pending to the bill, any amendments that may be offered, and upon the bill, through the regular parliamentary stages, to its final disposition.

Mr. BRANDEGEE. I ask the Senator if that contemplates the laying aside of this matter for the rest of the special session?

Mr. PITTMAN. It does, except when anyone wishes to speak on it.

The PRESIDING OFFICER. Is there objection to the entering of the order as read by the Secretary? The Chair hears none. The unanimous-consent agreement is entered into and ordered.

Mr. BRISTOW. Mr. President, on this matter I desire to read into the RECORD an editorial from the Independent of October 2, which is as follows:

SAVE HETCH HETCHY.

Last week the Public Lands Committee reported favorably to the Senate the bill giving the Hetch Hetchy Valley over to San Francisco for a municipal water tank. As the House has already passed this bill, the existence of one of the world's beauty spots is now trembling in the balance against commercial greed.

The sifting of the evidence in the matter reveals the following facts:

1. San Francisco is in need of a new water supply.

2. There is no water-famine emergency which can be relieved by the taking of the Hetch Hetchy Valley, for it would take eight years to develop Hetch Hetchy, and San Francisco must have more water before then.

3. There are several other available and abundant sources of water supply. This is stated by the Board of Army Engineers, who declare that these sources are practicable and abundant and that the matter is simply a question of cost.

4. The board reports that with the exception of the Sacramento River no thorough or able investigation has been made of other sources than the Hetch Hetchy.

5. The board estimates that a maximum difference of cost between the Hetch Hetchy and the next available source of water supply is $20,000,000, or 25 per cent of the cost.

Thus the question is reduced to one of pure commercialism—whether the National Government, in order to save San Francisco additional expense, will sacrifice to it a phenomenal natural treasure house, undoubtedly one of the wonders of the world. It must be borne in mind that a difference of utility exists between the forest reserves and the national parks. The former are created for the purpose of preserving waters and forests for the good of the surrounding public. The national parks, on the contrary, are scenic marvels, of which the United States is properly the trustee for civilization and the future.

San Francisco has endeavored to minimize both the value of the Hetch Hetchy and the damage that will be done by its conversion into a reservoir. They say it is remote, difficult of access, and that it contains mosquitoes at certain times of the year. All these objections would have justified San Francisco a generation ago in taking the Yosemite Valley itself. The time to reserve great scenery is before the hands of the covetous have tightened upon it. The beauty of Hetch Hetchy is the beauty of wildness, and this wildness will be entirely destroyed by the submersion of the valley. Frederick Law Olmsted, the great landscape authority, said that the beauty of these gorges of the Sierras consists in the contrast between the grandeur of the lofty walls, running from 2,000 or 3,000 feet in height, and the exquisite sylvan character of the floors of the valley. Hetch Hetchy has been pronounced by John Muir a marvelous counterpart of the Yosemite, with very attractive differences. William Keith, the California artist, thought it more beautiful than the Yosemite. Were there no Yosemite Valley, it would be visited for the same reasons that the public now flocks to the sister wonder.

In the light of all these facts a duty to humanity lies upon the Senate of the United States. There is no doubt that the enlightened sense of the whole country is against the unnecessary profanation. The persistence with which it is being urged may be partly understood when it is borne in mind that the bill will provide contracts involving the expenditure of $122,000,000.

It is to be hoped that Senators from the East and South, if not from the West, will see their duty to the public by refusing to give away national property to San Francisco without adequate reason.

Mr. THOMAS. May I ask who is the author of that article?

Mr. BRISTOW. It is an editorial in the Independent.

Mr. GRONNA. In the same connection I ask to have read a short telegram which I send to the Secretary's desk.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

MODESTO, CAL., *October 6, 1913.*

Hon. A. J. GRONNA,
United States Senate, Washington, D. C.:

I congratulate you on your stand on Raker bill. In addition to preventing the irrigation and development of thousands of acres of the finest land in the world it gives San Francisco an exclusive franchise absolutely free of the best undeveloped water power in California, and all this in the face of the fact that San Francisco has plenty of water for its present need and other sources of supply that will not injure anyone. A delay until the regular session can not possibly injure San Francisco, and will give those interested further time to be heard.

C. R. GAILFUS,
Formerly of Rolla, N. Dak.

Mr. PITTMAN. I ask in this connection that the Secretary read the following telegram.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The telegram will be read.

Mr. PITTMAN subsequently said: Now, I ask unanimous consent that the telegram I have sent to the desk when read be printed after the editorial article read by the Senator from Kansas [Mr. BRISTOW] and the telegram submitted by the Senator from North Dakota [Mr. GRONNA], as it is in the nature of an answer to them.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada to print in the RECORD the particular telegram to which he has referred following in sequential order the editorial and telegram already ordered printed in the RECORD?

Mr. PITTMAN. I should like to have the telegram read.

The PRESIDING OFFICER. Is there objection to its being read? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

MODESTO, CAL., *October 6, 1913.*

ALEXANDER VOGELSANG,
Care Senator Pittman, Washington, D. C.:

Le Hane represents none of the authorized organizations in the irrigation districts and only small percentage of irrigators. The Modesto and Turlock irrigation districts have indorsed action of local committee sent to Washington. This committee nor its actions has never been recalled, repudiated, or discredited. We stand by the record in Washington.

ED. KIERNAN,
Chairman of Joint Meeting of Boards of Directors of Modesto and Turlock Irrigation Districts.
T. C. HOCKING,
Editor of Modesto Herald.
E. L. SHERMAN,
Editor of Modesto Evening News.
A. V. HOFFMAN,
Editor of Turlock Journal.
F. M. WICKIZER,
Editor of Hughson Citizen.
J. W. CORSON,
President of Modesto Chamber of Commerce.

Mr. NORRIS. Before that telegram is read, will the Senator yield for a statement that I should like to have go in after the telegram and the editorial, because the Senator's telegram is of a different nature, as I understand.

Mr. PITTMAN. No; I think not.

Mr. NORRIS. I want to make a statement that will fit very well at this point.

Mr. PITTMAN. I yield with pleasure.

Mr. NORRIS. I simply want to call the attention of the Senate, first, to the editorial read by the Senator from Kansas [Mr. BRISTOW], then to the telegram read directed to the Senator from North Dakota [Mr. GRONNA], both opposing the bill—one for one reason and the other for another. They are absolutely antagonistic. If in answer to the irrigationists this bill should be defeated and this proposition turned over to the irrigation of the San Joaquin Valley, that would be in direct conflict with the ideas of those who believe as the editorial sets forth, because if the irrigationists use this water and develop this power it must deface beautiful nature just the same as though it were done for the people who are thirsty in San Francisco. The opponents of this measure are united as far as opposition to San Francisco is concerned, but if the irrigationists were to have their way they would be just as bitterly opposed.

Mr. GRONNA. I wish, Mr. President, to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from North Dakota?

Mr. PITTMAN. Yes; I yield.

Mr. GRONNA. Of course the Senator from Nebraska understands that this telegram does not express my views on the subject.

Mr. NORRIS. Oh, no.

Mr. GRONNA. I simply presented the telegram and asked to have it read just as I received it.

Mr. NORRIS. Certainly, I am not finding fault with the Senator.

Mr. GRONNA. As I said on Saturday, and as the Senator, I think, knows, when a Member of the House I was also a member of the Committee on Public Lands, and this same matter was considered for weeks and months, and those who were members of the Public Lands Committee of the House at that time and who heard the testimony for and against this proposed measure certainly received information enabling them to understand it.

Mr. NORRIS. I am not finding fault with any Senator, whether he opposes the bill on one ground or the other. I am not making complaint of the men who are opposing it along the line outlined in the editorial read by the Senator from Kansas. Do not misunderstand me. I am not finding fault with the other class of opponents to the bill, who say we ought not to give this water to San Francisco, but we ought to defeat the bill and let those who have land to irrigate develop this power.

I am not complaining; I am simply calling attention to the fact that as between those two interests they are diametrically opposed to each other. I suppose those who are opposed to defacing nature there, as they call it, or obliterating some of its beauties because San Francisco wants the water, would be just as bitter against those who want to use the water for irrigation.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield further to the Senator from North Dakota?

Mr. PITTMAN. I yield.

Mr. GRONNA. If the Senator from Nevada will pardon me, I find no fault with the Senator from Nebraska or anyone who is in favor of the bill. I am sure that all Senators who are members of the Committee on Public Lands of the Senate, and all Representatives who are members of the Public Lands Committee of the House, have done their duty as they saw it and as they believed to be for the best interest of the people.

But, Mr. President, I have read the hearings over somewhat, as carefully as I could, since Saturday, and the question of water power has not been discussed. According to the figures presented by Mr. Freeman, the engineer who represents San Francisco, this water power is worth $50,000,000 and has an annual rental value of $2,900,000. According to the report made by the Board of Army Engineers, it is worth more than $50,000,000. The board estimates that 115,000 horsepower can be developed, worth at the plants $20 per horsepower year, or a total of $2,300,000 per year.

For that reason, Mr. President, I believe that the least thing the Senate should do is to defer action so that the people of California and of the United States who are directly interested may have an opportunity to be heard.

Mr. THOMAS and Mr. NORRIS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nevada yield further, and to whom?

Mr. PITTMAN. I will yield first to the Senator from Colorado who has been on his feet for some time. Then I will yield to the Senator from Nebraska.

Mr. THOMAS. Mr. President, I expect before this bill is finally submitted to a vote to speak at some length upon it. My only purpose this morning is to add a word or two to what has been suggested by the Senator from Nebraska [Mr. NORRIS], who, in his very incisive way, has called attention to the fact that here are two diametrically conflicting interests, each of which front its own standpoint is opposing this grant. It is evident that these interests are not reconcilable, because the one proposes to forever prevent the use of the water for any purpose whatever, while the other designs the diversion of the same water, but for an entirely different purpose from that proposed by the pending bill; the one being based upon the sentimental view that the scenic beauties of the Hetch Hetchy Valley should not in anywise be altered or defaced, the other upon the practical view that the water should be diverted because the water is needed more insistently for irrigation than for municipal purposes. Yet, Mr. President, there seems to be in some way a union of these forces for the accomplishment, I presume, of a common object, which means the defeat of the bill.

I have here a letter dated the 1st of October from Boston, signed by Mr. Edmund A. Whitman, president, and Mr. Allen Chamberlain, secretary, of the Society for the Preservation of National Parks, Eastern Branch. In this letter my attention is called to the water shortage in San Francisco; to the Tuolumne, which flows through the Hetch Hetchy Valley and which empties into the San Joaquin Valley; to the fact that this valley is excessively arid and that every drop of water that runs into it can be used for irrigation; to the claim that there are various other sources from which San Francisco and other bay cities can get abundant water; and then I am urged to see that action is delayed upon this bill until the relative rights of the farmers, who must store water in foothill reservoirs, and the people of San Francisco can be more fully determined.

If this society is what it purports to be, Mr. President, it is strange that the effort should be made by it to contend for the right to divert this water for irrigation purposes, instead of for

municipal purposes, when the effect upon the floor of the valley must be precisely the same.

Mr. President, I believe that all of the great beauty spots of the mountains should be preserved as a heritage not only for the next but for all future generations, but I am not one of those who believe that any part or any resource of nature should be preserved if that which it contains is essential to human well-being. If the demands of the growing population upon the waters of the arid West require the diversion of those waters for the use of human kind, that ought to be our first and greatest consideration.

We have heard a great deal about conservation in the last few years, but in its discussion the conservation of man, woman, and child has been largely lost sight of; yet I can conceive of nothing that should appeal to the legislature of a great people's government more eloquently and irresistibly than the needs of the people who compose that government. Every other consideration should give way to that; and I confess, Mr. President, that I hear with a little impatience the various assertions made here and elsewhere that the people of San Francisco can obtain an adequate supply of water by going somewhere else if they have the mind to spend a trifle of $20,000,000 more for it. Twenty million dollars is a bagatelle in the minds of many people of this country in these modern days of huge financial enterprise, but nevertheless $20,000,000 is an enormous sum of money to those who must assume and bear it as a burden of debt. When we consider that the great city of San Francisco has passed through an ordeal of affliction never yet endured by any other community in America; that out of its smoke and its ashes and its destruction it has risen phœnixlike and to-day crowns the bay of the Golden Gate with a beauty and a splendor and a promise unparalleled in all its past; that it is to-day engaged in the construction of buildings for one of the greatest expositions ever held, all at its own expense, in order to properly commemorate and celebrate the completion of the greatest of engineering undertakings of which the world's history gives account; and that it has indebted itself all that it is possible for it to endure, first, for its recreation, and, next, for this great work, $20,000,000 is a tremendous sum, which it is insisted shall be superposed upon it in order that a place which nature seems to have designed for the purpose of furnishing a water supply to a great community should be left untouched and its resources wasted forever and forever, to the end that some of its beauties may not be destroyed—when not even that is contemplated. It will only be transformed by the erection of the dam and the retention of the waters for the use of man. Mr. President, $20,000,000 may mean to San Francisco all the difference between the success and the failure of its very laudable effort to procure for itself a proper and needed water supply.

In this connection, before I take my seat I want to refer to one other matter that has come to my attention. I refer to the protest of some citizens of Los Angeles to the making of this grant. Los Angeles is a magnificent city in southern California. It is growing more rapidly than any other city in the world, and in all probability the next census will show it to have a population in excess of that of San Francisco. It occupies a similar region, so far as concerns the matter of moisture. As a consequence, it has been obliged to ask aid at the hands of Congress, which it has received, and received generously and freely, to the end that its water supply might be adequate to its present and its future needs. The Congress granted it the same right to the waters of the Owen River that the people of San Francisco ask to the waters of the Tuolumne. Its aqueduct is longer—I do not think I can be mistaken about that—than the one which must be constructed to convey these waters to San Francisco. It has completed that magnificent enterprise, Mr. President, and I hold in my hand here an invitation to attend the celebration that is to be held on the 5th and 6th of next month in that city to commemorate the completion of that wonderful enterprise; and yet, curiously enough, some of the good people of Los Angeles, doubtless with the best motives in the world, are protesting that Congress shall deny to its sister city the same largess, the same generosity, and the same grant of a necessity of life which that beautiful city asked for and received. If there is a community in the United States anywhere that should unite with San Francisco in its effort to obtain this needed water supply, it is the magnificent city of southern California, which must continue to grow and improve, confident in the fact that it has an adequate water supply from the resources of the territory and domain belonging to the Government of the United States.

Mr. SMITH of Arizona. Mr. President, would the Senator object to a question at that point?

Mr. THOMAS. Not at all.

Mr. SMITH of Arizona. Is not the Senator satisfied that the Hetch Hetchy Valley, being filled with clear water, in that part of those rugged mountains would add to the beauty of the scenery there, rather than detract from it?

Mr. THOMAS. Mr. President, there is no question about it. The lake which will be created by the construction of this reservoir for the retention of the flood waters of the river will add—it must add—to the natural beauties of its surroundings. The photographs which we have had exhibited, the report of the engineers, and everything else confirm it.

Mr. WILLIAMS. In this connection, if the Senator will pardon me, I want to say that I have heard that a great landscape painter, who wanted to paint a picture of Hetch Hetchy Valley, considered it necessary to put in the picture, in order to make it really beautiful, a lake which did not exist.

Mr. THOMAS. All of which, Mr. President, justifies our contention that this great enterprise will result in the improvement, rather than in the destruction, of the beauty of that section.

Now, just one word more and I am through; I did not intend to say as much as I have said, but I want to emphasize the fact that while Hetch Hetchy Valley is a part of a national park, the Government does not own all of it. The city of San Francisco long ago acquired the title to two-thirds of the valley of Hetch Hetchy; owns it, as I understand, in fee simple, and if it were disposed to be at all vandalistic, it might enter its own territory and destroy, change, cut away, and remove the growth that at present encumbers the ground which it owns.

I merely mention this to emphasize the fact that this is no newborn project of San Francisco, but that it has long been making an effort to free itself from the monopoly of a private water supply and to obtain a free municipal supply for all time, not only for itself—for San Francisco is generous—but for Oakland, Alameda, Berkeley, Palo Alto, and all that beautiful string of communities encircling the shores of the Golden Gate and of San Francisco Bay, those communities now representing an aggregate population of over 700,000. It is no new thing on the part of San Francisco; and I am amazed that anyone could imagine that any attempt has been made here to force a measure, or what some are unkind enough to designate as a job, through the Senate of the United States, when the city has been knocking at the gates of Congress, begging for the relief which it needs, and needs so badly, for the last 10 or 12 years. I thank the Senator from Nevada for yielding me the floor.

Mr. FLETCHER. Mr. President, let me inquire of the Senator before he takes his seat what is the present system of supplying water to San Francisco?

Mr. THOMAS. The system is known as the Spring Valley system; that being the name of the company which supplies San Francisco with water.

Mr. FLETCHER. Is it a private corporation?

Mr. THOMAS. Yes; and its supply is inadequate. San Francisco is in a region of country which has a wet and a dry season. When the wet season is on, of course water is abundant; but when the dry season is on, water is the most precious thing in the country. During the dry season the company is unable to furnish the city of San Francisco with more than 40,000,000 or 45,000,000 gallons a day, which is about 50 per cent of what the people of my city, with a population of 225,000, consume. The company has confessed its inability to meet the present emergency and the future demand.

Mr. FLETCHER. Is it possible that some of the opposition to this measure arises by reason of that interest?

Mr. THOMAS. It has, Mr. President, I will say to the Senator, in the past been a source of opposition; but this company perceives its inability to meet the growing needs of the community, and has, in conjunction with other interests in the city of San Francisco, united in the request that this grant be made.

Mr. FLETCHER. I presume it is likely that the city will take over the rights and interests of the present company in case this bill passes?

Mr. THOMAS. It intends to do so; it must do so.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. PITTMAN. Certainly.

Mr. BORAH. I merely desire to suggest to the Senator from Florida that I do not understand that the Spring Valley Water Co. could have any particular objection to this enterprise so far as it is concerned, because I understand San Francisco must take over that property anyway. It does not militate against the interests of that monopoly.

Mr. POINDEXTER. Mr. President, in that——

Mr. FLETCHER. In reply to the Senator's suggestion, I presume the city could take it over under condemnation proceedings; and if that is what is meant, the city could acquire the present system of water supply by condemnation proceedings.

Mr. BORAH. I am not altogether familiar with the details, but I have always understood that one of the elements of a complete water system for San Francisco would be the Spring Valley Water properties.

Mr. PITTMAN. I desire to answer the question——

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. The Senator from Nevada has the floor. Does he yield to the Senator from Washington?

Mr. POINDEXTER. I did not so understand. I thought that I had the floor, Mr. President.

The PRESIDING OFFICER. The Chair at first thought so, too, but the Chair was in error.

Mr. PITTMAN. I have been trying to retain the floor to secure reading of the telegram which I sent to the desk some time ago, and I have yielded from time to time. Before having the telegram read I should like to state that the whole plan of San Francisco, under which it will supply this water and issue bonds, proposes a purchase of all the existing water rights in the city. That is an understood proposition.

Mr. BORAH. Mr. President, in order that we may have a variety of views in reference to the situation, I ask to have printed in this connection the telegram which I send to the desk.

The PRESIDING OFFICER. If there is no objection, it is so ordered.

Mr. BORAH. I will ask that the telegram may be read.

The PRESIDING OFFICER. Without objection, the telegram will be read.

The Secretary read as follows:

SAN FRANCISCO, CAL., *October 6, 1913.*

Hon. W. E. BORAH,
United States Senate, Washington, D. C.:

Hetch Hetchy issue not understood: have wired Senator PITTMAN Tuolumne water needed for development; 42 organizations in San Joaquin water problem association voting on protest submitted by committee; returns not all in; bill should go over till Congress has complete data.

A. L. COWELL,
Secretary Association.

Mr. PITTMAN. Secretary of what association?

The PRESIDING OFFICER. The Chair is informed the telegram does not state.

Mr. BORAH. I am not responsible for the telegram, and so I do not know what the association is.

I ask to have read the telegram which I send to the desk, beginning with the word "have." The first part of it is a mere personal reference, which I do not think is necessary to go into the RECORD.

The PRESIDING OFFICER. Is there objection to the reading of the telegram presented by the Senator from Idaho? There being none, the Secretary will read as requested.

The Secretary read as follows:

MODESTO, CAL., *October 5, 1913.*

Hon. Senator BORAH, *Washington, D. C.:*

Have Hetch Hetchy bill postponed to give us chance to be heard on our rights, which we have never had in Congress or Senate; 99 per cent of water users oppose Raker bill, and should it pass and this great injustice be imposed upon us the results can not be measured at this time. May God help to defend the interests of the thousands of home builders.

LEVI WINKLEBLECK,
Acting Chairman Water Users Modesto Irrigation District.

Mr. BORAH. While I am on my feet I desire to say a very few words in regard to this measure. As I was one of those who felt that this matter ought to go over, I desire to say that the object I had in view was not necessarily permanent or final opposition to the bill, but rather that before I voted on the bill I might be informed more thoroughly than I was able to be informed in regard to it.

Naturally I am in sympathy with the desire of San Francisco to have sufficient water. I think everyone would have to concede that if San Francisco needs this particular source of supply her interests are paramount, and that neither scenic beauties nor the demands of arid lands which might be irrigated by it should supersede the demand of San Francisco. But the question in which I was most concerned was whether or not this was the only source of supply for San Francisco; whether there were other means by which she could secure water for the purpose of furnishing it to the people of that city, or whether this was the sole source of supply.

I was unable myself to determine from the record, in so far as I have had time to investigate it, whether or not this was the only source of supply. If I find in the end that it is, I shall unhesitatingly vote for the bill. On the other hand, there was a feature of this measure which came up at a late hour which did interest me, and that was the one concerning which I have just introduced a telegram.

I do not think this bill settles the rights of those farmers, nor do I think we can settle the rights of those farmers by an act of Congress. If the users of water upon those lands think their rights have been adjudicated, as it were, they are simply being misled—not intentionally, perhaps, because I understand that was not put in at the suggestion of San Francisco, but rather at the suggestion of other people. But I do not know of any power which Congress has to go into any State and adjudicate the priority of water rights as between water users; and the undertaking upon the part of Congress to insert it in an act here is a vain thing, because, in my judgment, it will not determine the rights of anyone nor settle any question of priority.

Nevertheless, it seems that these people came here, through their representatives, and agreed to certain terms, and added to the bill certain conditions which they supposed would protect their rights. Afterwards they claimed that those who were to represent them did not represent them in good faith; that their interests were not properly protected, even if we should concede that this could be done legally; so they have telegraphed here to have the matter postponed. For that reason I felt that it ought to go over, although by urging that it shall go over I do not indicate what shall be my final verdict when I come to examine the facts.

Mr. POINDEXTER. Mr. President, I rose rather to comment upon the question of the Senator from Florida [Mr. FLETCHER] in regard to the attitude of the Spring Valley Water Co. as to this bill. The fact of the case is, as I understand, that the Spring Valley Water Co., which now supplies San Francisco with water, is a defendant in a suit already instituted in the courts by the city of San Francisco for the condemnation of the properties of the Spring Valley Water Co.; and whatever may be the fate of this bill that suit will go on, and that property will be acquired. So there can not be any interest or motive on the part of the Spring Valley Water Co. either to promote or to defeat this bill.

Furthermore, as to the "great emergency" that has been spoken of here, that is rather irrelevant just now, in view of the agreement that has been reached that the bill shall go over until December; so that all concerned will have reasonable opportunity, I think, in the intervening time, to make a showing as to their interests in the water involved in this proposition. But there is no emergency in San Francisco which will be affected in any way whatever by taking up this bill now or by taking it up in December. There is a shortage of water in San Francisco; but the Spring Valley Water Co. has already begun work upon a dam, called the Calaveras Dam, which will be completed a long time before the Hetch Hetchy project could be completed, even if work were begun upon it to-day. That dam will be completed in two years, and when it is completed it will add some 40,000,000 gallons a day to the water supply of the city of San Francisco, which will meet its needs for the next 20 years.

Before taking my seat, and not to go into this question at length at all, I wish to say that it seems to me the proper solution of the question requires a comprehensive view of the water supply of the great valley of California, its sources, and the comparative needs, not only as between San Francisco and the landowners in the San Joaquin Valley, but as between them and the entire people of the Sacramento Valley and the San Joaquin Valley, and a consideration of the comparative supply of water and need for that water in the two valleys.

Taking that view of it, we are confronted at once with the proposition that the San Joaquin Valley, into which the Hetch Hetchy water flows, is a great, dry, arid region, generally speaking, over 7,000,000 acres in extent, with a very small supply of water, and that it will take all the water tributary to the San Joaquin Valley to irrigate one-half of the land which is estimated to be susceptible of irrigation from an engineering standpoint; while, on the other hand, there is available to San Francisco the water supply of the great Sacramento Valley, which has more than double the quantity of water which the San Joaquin Valley has, and less than half the need for water which the San Joaquin Valley has. The rainfall in the San Joaquin Valley is 10 inches a year, while in the Sacramento

Valley it is 20 inches a year. The depth of water which comes out annually over the area of the San Joaquin Valley, as estimated by measurements taken at a certain point in the lower valley, is 18 inches covering the floor of the valley, while the depth of water covering the floor of the Sacramento Valley and flowing out annually is 8 feet.

The deduction is that all the water San Francisco will ever need can be taken from the Sacramento Valley without in any way depriving a single soul of water which he may need for irrigation or any other purpose; whereas, if the water which San Francisco will need for all time, as proposed by this measure, is taken out of the San Joaquin Valley, it will deprive a great many people, landowners in that valley, of the only possible source of water for irrigating their land.

That is one of the great, underlying questions which ought to be considered, and must be considered, in the proper solution of this problem.

I want to add only one word more, as to the possibility of getting this water, of which there is such a vast quantity, in the Sacramento Valley. On that point I wish to call attention to the report of the Board of Army Engineers.

It is said that there is no available means of securing water from the Sacramento Valley; but the report of the Board of Army Engineers shows the availability of the McCloud River project. Everybody who has traveled on the Southern Pacific Railroad to San Francisco is familiar with that beautiful stream, which the railroad follows for many miles around and through the foothills of Mount Shasta, fed by the glaciers and the eternal snows of Mount Shasta and the surrounding mountains. On page 138 of the Engineers' report the cost of procuring from the McCloud River 400,000,000 gallons of water a day is stated at $64,951,100, while on the same page the cost of procuring the same amount of water from the Hetch Hetchy project, through the bill under consideration, is stated at $77,367,400.

In order to avoid the effect and force of the lower cost of the McCloud River supply as compared with the Hetch Hetchy supply—I do not mean with any improper motive at all, but avoiding its effect—the engineers' report goes on to show that a larger amount of money will be required for immediate expenditure on the McCloud River project than on the Hetch Hetchy project, and that the entire capacity of the McCloud River project will have to be developed at once, requiring larger capitalization. Upon such considerations as that, considering the saving of interest, the engineers' report arrives at the conclusion that the Hetch Hetchy project would be cheaper than the McCloud River project, although the amount of money required for the complete development of the two projects is only $64,000,000 for the McCloud River project in the Sacramento Valley as against $77,000,000 for the Hetch Hetchy project in the San Joaquin Valley.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER (Mr. OWEN in the chair). Does the Senator from Washington yield to the Senator from Colorado?

Mr. POINDEXTER. I yield.

Mr. THOMAS. May I ask the Senator whether or not the cost of the McCloud River project includes an electric current supply?

Mr. POINDEXTER. The Senator means the development of power?

Mr. THOMAS. Yes; whether the McCloud River project is not one of water supply only.

Mr. POINDEXTER. I am so informed; that it is not contemplated as a part of the McCloud River project that hydroelectric power shall be developed.

Mr. THOMAS. Of course the Senator is aware that San Francisco is operating a municipally owned railway system and expects to furnish itself with a supply of current for that purpose, and also for light and power, as well as these other cities, and also the owners of land in the San Joaquin Valley for the purpose of pumping subterraneous waters to the surface, which could not be done with the McCloud River system at all.

Mr. POINDEXTER. The value of the power which can be developed in the Hetch Hetchy project will be just as great if the water from which the power is derived is used for irrigation as if it is used for domestic purposes in the bay cities. In other words, whenever that project is carried out power can be developed when the water is put to its best use, whatever that may be. I think its best use is to supply the urgent needs of those people who have no other recourse rather than to furnish it to the city of San Francisco simply because the city has set its heart on it and has been trying to get it for so long.

Mr. THOMAS. That is true, Mr. President; but it is equally true that these advantages are entirely absent from the McCloud system, if my recollection from reading the report is correct.

Mr. POINDEXTER. I have already stated my agreement with the Senator in that regard; but it seems to me the important consideration in this question is to make the best use of these great resources. Everybody who has ever lived in a dry country knows the immense value of water. It is life itself.

Mr. THOMAS. That constitutes the only difference, I think, between the Senator from Washington and myself. His contention is that the right of the irrigator who up to this time has made no location, and who consequently has no legal right, should be the first object of consideration. My contention is that the municipal and domestic needs of the people of the cities around the Golden Gate should be the first object of consideration.

Mr. LANE. Mr. President——

Mr. POINDEXTER. If the Senator from Oregon will allow me just one second, then I will yield to him. I did not intend to go into a debate on this question at this time, because, as the Senator from Colorado has said, I expect later on to go into it at some length.

Mr. THOMAS. I did not intend, of course, to intrude upon the Senator's time or to change the course of his discussion.

Mr. POINDEXTER. I will say, however, since the Senator from Colorado has stated the proposition from his standpoint, that I do not think he has included in the question all the elements that should go into it. I might agree with the Senator from Colorado that if there were a question, all other things being equal, between giving the water to landowners for irrigation and giving the water to the people of San Francisco for drinking and for all domestic purposes, the city of San Francisco should have the water. But when you put into the equation these conditions, which I believe exist in this case, that the city of San Francisco can get just as good water, as ample a supply, at just as low a cost from some other source, while the landowners can not get it from any other source, it leads to a very different conclusion.

Mr. THOMAS. I quite agree that that would make a difference, but of course I do not concede the assumptions. However, as the Senator has said, that will be a subject of debate when the bill is reached under the order which was made to-day.

Mr. POINDEXTER. Mr. President, there are a great many other elements that enter into this case.

Mr. LANE rose.

Mr. POINDEXTER. Does the Senator from Oregon wish to interrupt me?

Mr. LANE. I just wish to ask a question of the Senator from Washington.

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Oregon?

Mr. POINDEXTER. I do.

Mr. LANE. The Senator said the development of the Tuolumne or Hetch Hetchy plan would allow the generation of power, and they have granted the right to the people at the head of the San Joaquin Valley to pump the subterranean water to irrigate their lands. I wanted to know if there was any information respecting the amount of subterranean water and its accessibility at hand or whether there is water there under the ground. I presumed that it was a very dry country.

Mr. THOMAS. It has been some time since I have read all these reports, and my memory may not be entirely clear as to the details. My recollection, however, is that there is a supply of water not at a very great distance under the surface which only needs pumping facilities to make it adaptable for irrigation purposes, and that with cheap electric power which can be used for that purpose this subterranean water can be made to furnish an abundant supply for a very large extent of territory.

Mr. LANE. My information in regard to that matter was that the water which is now closely under the surface at the upper end of the San Joaquin Valley is the surface water which goes down through the Tuolumne River, and when they divert it above and develop the power to carry it off in flumes their supply will immediately cease, and there will be no water to pump, and they will be pumping dry bedrock.

Mr. THOMAS. That may or may not be the result, with the introduction of power. The engineers, according to my recollection, do not think so.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Nevada?

Mr. POINDEXTER. I yield.

Mr. PITTMAN. On that point I want to say at the present time there is a certain amount of water being pumped from the valleys for use in San Francisco, and that has reduced the subsurface water level from 15 and 20 feet to about 45 feet. That was taken into consideration.

It has also appeared, and it has been taken into consideration, that if this plan is adopted by the city of San Francisco, a level of about 15 or 20 feet below the surface will be maintained and this level is a feasible pumping proposition.

But, what I rose to say is in regard to the McCloud proposition. On page 49 of the report of the Army board, after some of the tabulations, they reached the following conclusion, stated in this language:

From the above table it is seen that in actual expenditures the cost of the Hetch Hetchy project is about $20,000,000 less than for any of the others proposed except for the McCloud River. If the dates of expenditures are discounted, the Hetch Hetchy project is about $20,000,000 cheaper than the McCloud. Moreover, there can be no power development on the McCloud under the proposed plan. If it be necessary to store water to supplement the low-water flow of the Sacramento, the cost of the McCloud project will be still larger.

I wish to call attention to just one other thing in the report. On page 20 of the report by the Army officers we find their discussion of the Sacramento project as follows:

(c) Sacramento River: The plan in this case would be to pump water from near Rio Vista, the point nearest to San Francisco at which it is always free from sea water, and filtered before delivery. The cost of delivery would be relatively great on account of the filtering and pumping. The water, though harder than Sierra water, would be good in quality and ample in quantity. As population and irrigation increase in the valley, the quality is liable to deteriorate. This is considered a perfectly practicable source, if no better is available. In cost for 400 M. G. D. and in quality it is inferior to the Tuolumne supply.

Mr. POINDEXTER. Mr. President, I should like to read from the Army engineer's report on the McCloud River, from page 122 of their report. I have already commented, I think, on the phases of the question that the Senator from Nevada has just spoken of, and I think there is no disagreement between us in regard to those matters. The exact figures are given, showing much less initial cost of the full development of the two projects in favor of the McCloud River, but the money having to be expended sooner in the McCloud River, because it must be developed in an entirety and to its full capacity, there will be more interest to pay. That was the only difference that I saw.

Mr. PITTMAN. And the fact that the power would be created incidentally in the Tuolumne and could not be created in the McCloud project.

Mr. POINDEXTER. That does not affect in any way the question of the expenditure of money for the development of the project. If power is developed, that is an asset which results from it; but it does not lessen in any way the amount of money to be expended, and as I have already said the power would be there, whatever purpose the water is used for. Speaking of the McCloud River:

McCloud River: The remarkably even flow of this river, as compared with those of other California streams which have been reported upon, is well shown on the mass diagram (fig. 22). It is this feature that renders the construction of large and expensive storage reservoirs in connection with a municipal water-supply scheme, depending on the McCloud River, unnecessary.

The snow banks and glaciers of Mount Shasta, together with the porous lava formation, through which the water from the melting snow and ice (as well as the precipitation on other parts of the watershed) percolate before they emerge as springs, serve as most effective reservoirs in regulating the flow of the McCloud.

United States Geological Survey records of run-off measurements extend back to 1902 only. No record was kept or measurements taken between June, 1908, and December, 1910.

There has been a United States fish hatchery at Baird, about 2 miles above the mouth of McCloud River, for many years. In a letter replying to a request for information as to a possible record of gauge heights that it was thought might have been kept by the Bureau of Fisheries, Mr. G. H. Lambson, the superintendent, said that in January, 1911, the river was lower than at any other time during the 15 years that he had been there, and that the oldest residents on the river stated that it was lower than ever known before.

The United States Geological Survey gauging records show a flow in the river at Baird of 1,240 second-feet for a period of five days in January, 1911. On January 4, 1912, the same low stage was again reached, but the river raised the following day. On September 28 and 29, 1912, the discharge fell to 1,210 second-feet. Since the latter date it has been greater.

The earlier gaugings (1902–1908) were at a point about 12 or 15 miles above Baird. A minimum discharge of 1,180 second-feet is recorded. The catchment area above Baird is enough larger than that above this station to account for a difference in minimum discharge of 30 second-feet (1,210–1,180).

The Weather Bureau records of precipitation for stations in the vicinity of Mount Shasta do not extend further back than 1889. A study of these records indicates that the only period during which a materially smaller flow in the McCloud than in September, 1912, seems probable is that from 1897 to 1899. At Sisson from 1893 to the winter of 1899, six years, the seasonal precipitation was continuously below the normal, and for the season 1898–99, the last of the series, it was but 40 per cent of normal.

Filings prior to those of the proponents of this project on water for power development and applications for rights of way over public lands have been made. Conflicting rights are still unadjudicated.

There are extensive lumbering operations on this catchment area. There are also some agricultural and dairy interests.

Analyses of the water at Baird show it to be a very pure soft water, and the Government fish culturists have found it particularly well adapted to their uses.

Contamination by sewage from the sawmill town of McCloud will have to be guarded against, though no evidence of such contamination has been noted.

Delivery of the water for San Francisco directly to the Crystal Springs Reservoir (via Dumbarton Point, as for supplies from sources south of American River) would add unnecessarily to the cost. But the peninsula reservoirs and others in Alameda or Contra Costa County would have to be given the greatest possible capacity, to be filled and held in reserve against the contingency of the McCloud River conduit being closed for repairs.

The plan proposed by the Mount Shasta Aqueduct Corporation for a water supply from the McCloud River provides for the delivery by gravity of 400 M. G. D. at an elevation of 300 feet into twin reservoirs, having an estimated capacity of 30,000 M. G., on Pinole and San Pablo Creeks, in the Contra Costa Hills north of Berkeley. From these reservoirs the conduit would have a capacity of 400 M. G. D. to Oakland, thence across the bay to San Francisco 200 M. G. D. Delivery in San Francisco would be at elevation 200 feet above sea level.

The distance to San Francisco from the San Pablo Reservoir is substantially the same as from Crystal Springs Reservoir. The distance to center of Oakland from San Pablo Reservoir is no greater than from Lake Chabot, to which Oakland water would be delivered from the Hetch Hetchy Aqueduct by a branch conduit about 16 miles long.

The route of the proposed Mount Shasta Aqueduct is such that for most of the distance it can be kept very near the hydraulic grade line, thus permitting the use of cut and cover gravity section and reenforced concrete pressure pipe instead of the heavy steel pipe under a head of from 300 to 600 feet for a distance of 40 miles across the San Joaquin Valley, as is the case with supplies from the Sierras east of San Francisco.

Summary of distant supplies: The following table shows, for each of the sources of supply from which it has been shown that a suitable supply might be made available to San Francisco and the bay cities, the quantity of such supply and the feasible combinations of such supplies to produce a total of 400 M. G. D. or more.

I have read that in order that it may be a portion of the proceedings in this case for the consideration of anyone who is interested in it. It can not be disputed that there is in the McCloud an ample supply of as good water as there is in the world probably, which can be had at much less cost than the Hetch Hetchy for the actual expenditure of money for the complete development of the project.

Mr. SUTHERLAND. Will the Senator permit me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Utah?

Mr. POINDEXTER. I yield to the Senator.

Mr. SUTHERLAND. I ask it entirely for information, because I am not at present advised with reference to this matter, and I have not at all made up my mind as to whether I shall support it or not.

As I understand the position of the Senator, it is that San Francisco ought to take the McCloud proposition rather than the Hetch Hetchy proposition, because in taking the McCloud it will not interfere with the use of water for irrigation, whereas if they take the Hetch Hetchy they will deprive the farmers in the San Joaquin Valley of the opportunity of using that water. I wanted to ask the Senator in that connection whether or not the waters of the Hetch Hetchy Valley in their natural flow are tributary to the San Joaquin Valley.

Mr. POINDEXTER. They are.

Mr. SUTHERLAND. And have they been appropriated for use in the valley?

Mr. POINDEXTER. They have.

Mr. SUTHERLAND. The entire natural flow of the stream of the Hetch Hetchy Valley?

Mr. POINDEXTER. I do not think the entire natural flow has been appropriated, but a large quantity of water. San Francisco also has claims to water in the Tuolumne. I will read into the RECORD in a moment the exact amount that has been appropriated, but it is stated, and I do not think it can be successfully denied, that the entire flow is needed for the irrigation of the lands that are susceptible of irrigation.

Mr. SUTHERLAND. I have no doubt there is a very large area of land in that valley that is capable of successful cultivation if it had water.

Mr. POINDEXTER. In that connection I will read to the Senator now, so that he may have in mind in his consideration of the question, a statement which was filed with me by Mr. W. C. Le Hane, referred to in the telegram introduced by the Senator from Nevada. Mr. Le Hane's authority to represent the landowners in this valley is shown by telegrams, copies of which are attached to the statement which I will read into the

Record later. On the question which the Senator from Utah asks, Mr. Le Hane says:

Let me quote from a letter written May 27, 1913, to Dr. Thomas F. Hunt, dean and director, Berkeley, Cal., by Frank Adams, irrigation manager of the irrigation investigations conducted by the United States Department of Agriculture office at Berkeley, Cal., the seat of the State University—

Quoting:

As I have heretofore stated to you in our conversations about the use of Hetch Hetchy by San Francisco, it is my notion that the important consideration is not how much water Modesto and Turlock irrigation districts need, but how much San Joaquin Valley needs. Our studies show a total irrigable area in San Joaquin Valley of about 7,576,000 acres, including plains but exclusive of foothills. Of this, 1,728,975 acres were figured as being irrigated in 1913, with 3,850,000 acres estimated as the probable future maximum irrigated area. The total mean annual flow of all streams entering the valley is about 12,000,000 acre-feet. Our studies show a total irrigable area of valley and plains most naturally tributary to Tuolumne River of about 450,000 acres, of which approximately 240,000 acres are within Modesto and Turlock districts. Further, there are additional areas of irrigable land both north and south of the Modesto-Turlock on which Tuolumne River water could be advantageously used if that river furnished a supply in excess of the needs of the 450,000 acres of plains and valleys most naturally tributary to it.

Mr. SUTHERLAND. There is one other question I wanted to ask the Senator. I understand from the report that by an expenditure of something like $77,000,000 there can be developed approximately 400,000,000 gallons of water daily. Am I correct about that?

Mr. POINDEXTER. The Senator has overstated the cost. Do you refer to the McCloud River project?

Mr. SUTHERLAND. No; I am referring to the Hetch Hetchy.

Mr. POINDEXTER. Yes; that is correct.

Mr. SUTHERLAND. About $77,000,000.

Mr. POINDEXTER. $77,367,050.

Mr. SUTHERLAND. Can the Senator tell me approximately how many acres that quantity of water would irrigate?

Mr. POINDEXTER. I can not answer that question at this moment.

Mr. SUTHERLAND. Perhaps the Senator can tell me whether there would be a sufficient area of land capable of irrigation with that quantity of water to justify the expenditure of that sum of money?

Mr. POINDEXTER. I am not prepared to answer that question, but I will say in regard to that that $77,000,000 would not have to be expended if the water is used for the purpose of irrigation.

Mr. SUTHERLAND. It would not need to be expended?

Mr. POINDEXTER. It would not need to be expended. By far the greater part of the $77,000,000 would be for conduits and for appurtenances of the water-supply system of San Francisco, such as conveying it under the bay, which is a very expensive process.

Mr. SUTHERLAND. That is included?

Mr. POINDEXTER. That is included. It will not be needed in irrigation at all. Approximately $3,000,000 will cover the cost of impounding the water for irrigation. The canals are already constructed.

Mr. SUTHERLAND. What would be needed in the Hetch Hetchy Valley would be simply to build a large impounding dam leading to the land.

Mr. POINDEXTER. It is contended that a greater part of this water could be impounded by dams lower down in the stream than the Hetch Hetchy, for irrigation, but that would not develop the hydroelectric power.

Mr. SUTHERLAND. What information has the Senator which indicates that if they were permitted to do it the landowners of the San Joaquin Valley would take hold of a project of this kind?

Mr. POINDEXTER. I have information from representatives here of those people that they are in a position to take hold of it, and if the Senator will pardon me a moment, I will read a statement which they make on that subject.

I read from the statement filed by W. C. Le Hane, chairman of the committee of water users. He says:

In the debate on the Raker bill last Saturday, Senator NEWLANDS said, in effect, that in a struggle for water the "thirst of the people" must prevail over the "thirst of the land," even though 200,000 acres of land must remain forever without water.

In California, with its long seasons and high-priced products, the yearly crop on 200,000 acres of land is worth from $10,000,000 to $50,000,000. This is too valuable to be lost forever.

The only reason San Francisco is going to the Tuolumne instead of the McCloud River or other sources is because of cheapness. She does not need to take a drop of water out of the dry San Joaquin Valley in order to have an ample supply of mountain water.

Levi Winklebleck, acting chairman of this committee of water users' association, sends this telegram to the Senator from Montana [Mr. MYERS]. A part of the telegram sent to the Senator from Montana has a direct bearing upon the question of the Senator from Utah.

We, the undersigned committee, representing the water users of the Modesto irrigation district, 475 of whom have signed a petition to the effect that the lands tributary to the Tuolumne River are able and willing to store the Hetch Hetchy waters, are asking and urging that the Senate postpone action on the Raker bill and appoint a commission to investigate and report on our claims. Said petition was signed by 99 per cent of the water users to whom it was presented. W. C. Le Hane, of this committee, will represent us in person before your committee—

With the climate of the San Joaquin Valley and the immense fertility of the land, I should think there would be no question about the practicability of developing and paying for practically any project which would put water on it.

Mr. SUTHERLAND. If it will irrigate 200,000 acres of land, of course it would be well worth while to expend that amount of money.

Mr. POINDEXTER. That statement is made by a resident and one who is directly interested in it, and I think it is reliable.

Mr. NORRIS. Mr. President——

Mr. SUTHERLAND. If the Senator from Nebraska will pardon me just one final question, the Senator has undertaken to show that it would really be more economical for the city of San Francisco to take hold of the McCloud proposition rather than the Hetch Hetchy proposition.

Mr. POINDEXTER. If the Senator will pardon me, I did not undertake to show that it would be more economical if the city borrows the money and pays interest on it, which it would have to do. What I did say was that it would cost a less amount of money by some $14,000,000 to develop the McCloud River project with 400,000 000 gallons daily supply than it would to develop the Hetch Hetchy project to that full capacity.

Mr. SUTHERLAND. The question which occurred to me was, why is it that San Francisco prefers the Hetch Hetchy proposition if the other is less expensive?

Mr. POINDEXTER. I think that is due to a number of causes, Mr. President. Of course I will not underestimate the fact I have already stated in every statement I have made upon the proposition, that the McCloud River project, as I understand it, will have to be developed to its full capacity at one time while the Hetch Hetchy project can be developed by degrees; in other words, that the full amount of its cost will not have to be expended now, but that it can wait until some future time, thereby saving the investment during that time.

Mr. SUTHERLAND. That is, the Hetch Hetchy can be gradually developed?

Mr. POINDEXTER. Yes; while the McCloud River project must be developed as a whole. Furthermore, in addition to that I will say in answer to the Senator——

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER (Mr. KERN in the chair). Will the Senator from Washington yield to the Senator from Nevada?

Mr. POINDEXTER. I will in just one moment. San Francisco apparently by degrees has committed itself to the Hetch Hetchy project.

First, it owned this land and then conveyed it to the Government—or at least the State owned it and conveyed it to the Government—and in one way or another they became interested in the proposed supply and put it forward as a San Francisco project. They have acquired more or less property. They have invested some money. I think there is less than $200,000 of actual investment in the property, but there has been a very large amount of money expended in the employment of engineers in making minute plans for the complete development in detail of the project. It has been put forward in San Francisco as the great alternative relief of the city of San Francisco from the oppression of the Spring Valley Water Co.

So, as I suggested the other day, I am inclined to think that they have got in a state of mind there where they are not in a position—and I think that is frankly admitted by the Senator from Nevada—to consider with an open-minded attitude other propositions. They have gradually become committed to this one.

I yield to the Senator from Nevada.

Mr. PITTMAN. I want to say that the advantage of the Tuolumne River project or of the Hetch Hetchy Valley project is that it is capable of supplying 400,000,000 gallons daily, and at the same time it is capable of being constructed at a smaller capacity at the present time, and it can be increased as needed. In other words, the report shows that $37,500,000 will at the present time construct all that is necessary, still leaving the opportunity to increase as there is use for it.

Another reason for it is this: We must eliminate the Sacramento River, because it is a filtration proposition. The McCloud River project requires to be constructed all at once and possesses no power features. In addition to that, the grantees in this bill can build the Hetch Hetchy plant or proposition for $20,000,000 cheaper than any other, according to the report of the Army board. Of course, interest on the money constitutes part of the cost, as the Senator from Washington says; but no matter how you figure, the cost will be $20,000,000 greater.

That is what the Army board figures it will eventually be. While Hetch Hetchy costs them less by $20,000,000 it really saves the grantees much more than that because it not only furnishes them their water at reduced rates by reason of the municipal ownership of it, but it equally furnishes them their light and power at municipal rates. That is another reason why it is more desirable. The other reason, why it is more desirable——

Mr. POINDEXTER. I will ask the Senator from Nevada, if he will allow me to ask him right in that connection, if San Francisco gets this water from the McCloud River, and the Government allows the landowners to take the Hetch Hetchy for irrigation, developing by that irrigation project this same power which the Senator is now talking about, is it not still within the power of the Government to give favorable conditions by which its use can be had for the public on every principle of generosity that would be involved in the pending bill?

Mr. PITTMAN. I will answer that by saying that, if the Government should expend $88,000,000 on the McCloud project, and not develop any power, and then the irrigators should attempt to build power plants as an individual enterprise on the Hetch Hetchy, the combined enterprises would be then nearly twice as great as the joint enterprise would be on the Hetch Hetchy; and the use of the Hetch Hetchy would reach the same people, whether built by the joint enterprise or by the single enterprise, because the bill itself provides that this power shall be sold to these same irrigators at cost; but if they build it themselves as an individual enterprise, they could not build it any cheaper. That is the reason of that.

Another reason is that they can not build that project, except they build it under one of two ways: Either to syndicate it and give control to a water concern for advancing the money, which would place them in the grasp of a monopoly, or to bond their lands to raise money.

The lands that are inhabited to-day are in the Modesto-Turlock irrigation district. These lands are already mortgaged and bonded, and those people realize that they can not mortgage and bond the land for enough more money with which to build this project. They have therefore gladly accepted the proposition of San Francisco to build that project and convey to them the water to which they are legally entitled, the water that has been granted to them, and at the same time to sell to them at cost the electric power that is created. Everyone who resides in those districts is satisfied with that proposition. The telegram that I have just read comes from one of those districts. The only people who are dissatisfied with it are people who wish to utilize it for speculative purposes, to put under irrigation land that is not now under irrigation, land that is not now occupied by anybody whatsoever; in other words, as Mr. Le Hane testified before the Public Lands Committee of the Senate, he admitted that we could not by this bill either grant to anyone any additional water or deprive anyone of any water rights. He admitted that every water right that was prior to the water right of San Francisco was taken care of in the bill; that any persons who were protesting against the bill at this time, if they had any rights to water at all, were subject and inferior to the filings and rights of San Francisco. Then it comes down to the plain, simple proposition, Do you want to destroy San Francisco's water rights by prohibiting them from using it, by prohibiting them from building the necessary structures to use it, so that the water may go to irrigate 200,000 acres of land that to-day are not occupied and have no rights whatever to water? That is the simple question.

Mr. POINDEXTER. Mr. President, the Senator from Nevada can not in this day, after the proof which we have had of the bountiful returns from irrigation, cry down a proposition to irrigate 200,000 acres of land, even though it is not now irrigated.

Mr. PITTMAN. I do not think it compares with furnishing wholesome water in sufficient quantities to nearly a million people.

Mr. POINDEXTER. I would agree with the Senator upon that if that were the question; but that is not the question at all. Nobody is proposing to deprive the city of San Francisco of wholesome water; but what we are asking is that attention be given to the fact that there is not only one source but that there are several other sources from which the city of San Francisco can supply all of its wants.

Mr. PITTMAN. May I——

Mr. POINDEXTER. Just a moment. As to the question of water rights, of which the Senator speaks, stating that all of them are cared for in the bill, if that were determinative of the question, there would be no occasion to have a bill. If all the essentials in this proposition, if these water rights, as the Senator says, can not be effected by the bill, then we are talking about something that is of no consequence, and we are uselessly taking up the time of the Senate in discussing the bill. Those water rights can not be used without certain appurtenant land rights; certain other property rights which are necessary to be used in connection with the water rights for the development of the whole into a useful and paying proposition. If San Francisco has water rights, then those rights are protected. If she gets her water supply from some other source and wants to sell the water rights, if she has water rights which are worth money, she can sell them. The proposition is made to pay San Francisco for any water rights which she may have in the Hetch Hetchy Valley, which she would surrender by going elsewhere for her city water.

Mr. PITTMAN. And who will pay San Francisco for those rights?

Mr. POINDEXTER. I have a statement of that kind in letters which I have received.

Mr. PITTMAN. The only land that is settled is in the Modesto and Turlock irrigation district. The only land that has any value at present is in that district, and those people do not offer to pay San Francisco for her water rights. On the contrary, they request in this bill that San Francisco be allowed to utilize those water rights.

Mr. POINDEXTER. It seems to me that those questions are perfectly obvious, as I say. I have statements in letters that San Francisco can dispose of her rights, and it is obvious she can dispose of them if she has rights, and water which is needed for the irrigation of valuable land, of course, she can dispose of.

I want to pass on and only say one word about the Eel River source of supply. The Army Engineers did not include the Eel River source of supply in their estimate of cost or in the conclusion which they reached that the Hetch Hetchy was the cheapest. On page 83 of the Army Engineers' report is a description of the Eel River source of supply. In order that it may be in the RECORD, as it is only very brief, I will read it:

2. Eel River: Eel River is a Coast Range stream rising in the northerly part of Lake County, flowing generally north and emptying into the Pacific Ocean about 15 miles south of Humboldt Bay. It is in a region of high precipitation. At a point near Potter Valley the South Fork of Eel River is separated from the South Fork of Russian River by a narrow ridge through which a tunnel has been bored. Below this the Snow Mountain Water & Power Co. has a power plant, under a head of 450 feet, with a capacity of 350 cubic feet per second. The Russian River, into which this water is discharged, flows to the south, toward San Francisco, a distance of over 60 miles.

Above the Snow Mountain Water & Power Co.'s point of diversion on South Fork of Eel River there is a drainage area of 326.5 square miles. Of this, 268 square miles are tributary to an excellent reservoir site at Gravelly Valley, which, with a dam 140 feet high, will store 180,000 acre-feet. A detailed report on the available water supply of the Snow Mountain Water & Power Co. by Messrs. W. R. and N. A. Eckart, consulting and resident engineer, respectively, has been presented to your board.

A mass diagram showing run-off from watershed above the company's power plant accompanied my preliminary report of April 8, 1911. Actual measurements of discharge cover a period of 5 years. In deducing the run-off from precipitation records for 33 of the 38 years covered by the diagram, Mr. N. A. Eckart used what he calls a "minimum curve," which not only gives results more conservative than the usual "mean curve," but gives a value for the run-off month by month instead of annual totals only. The diagram shows that, with the storage capacity given above, this watershed would have yielded a supply of 180 M. G. D. through the most critical seasons occurring within the period of observations, viz, 1877 to date. Mr. Eckart estimates that by taking advantage of large storage capacity at the San Francisco end of the conduit, or on the peninsula, and by giving the conduit a capacity a little in excess of 200 M. G. D., the mean supply may be increased to that figure through the most critical periods.

A conduit to carry this water from Potter Valley to San Francisco across the Golden Gate would be about 125 miles long. If instead of crossing the Golden Gate its route were via San Pablo Bay and Oakland and thence across San Francisco Bay, it would be 10 miles longer.

Even this greater length of conduit is less than that for any of the Sierra sources. This scheme has also the advantage that the pipe line could be laid much nearer the hydraulic grade line, and thus the weight of steel pipe would be less than for the Sierra schemes, or reenforced-concrete pipe could be used over portions of the distance.

The tailrace of the Potter Valley power plant is at about elevation 1,000 feet, giving sufficient head for delivery of water to Crystal Springs Reservoir by gravity.

The crossing of the Golden Gate, where the water is 360 feet deep for the shorter line, or the double crossing of the bay, for the line via Oakland introduces features which, in point of great depth, would be

somewhat similar to the tunnel crossing of Hudson River at Storm King by the Catskill Aqueduct. The elements of cost are not comparable with those of the other schemes.

To use the Russian River itself as a conduit and thus save 60 miles of pipe line, as has been suggested, would require a large increase in power over that which could be developed from the water supply itself to deliver the water and would make thorough filtration necessary, so that the scheme would not have advantage over one for using Sacramento or San Joaquin water—

That is, supposing they use the Russian River itself as a conduit—

The president of the Snow Mountain Water & Power Co. states that he has plans for the utilization of this supply in the Russian River Valley, and has made no proposition to the city of San Francisco regarding its acquirement by the city.

A supply from Eel River could not be advantageously combined with one from other sources. The investigation of this project has not been carried further.

Mr. PITTMAN. Right in that connection, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Nevada?

Mr. POINDEXTER. I yield to the Senator from Nevada.

Mr. PITTMAN. That was taken from the report to the board by Mr. Wadsworth, who was one of the assistant investigators on behalf of the board. The board itself, however, on page 19, has this to say about the Eel River—and remember that their report was made up from the consideration of more matters than the report of one deputy—

(a) Eel River rises in Mendocino County and flows northwest to the Pacific. Investigations show it could be developed to supply from 170 to 200 M. G. D. of suitable water. As this amount is not sufficient and as it would be unduly costly to develop this in connection with other supplies, it is not considered available and no estimate of cost has been made.

Mr. POINDEXTER. Mr. President, one purpose I had in reading the matter I have read was to supplement it by a statement which I have in my hand, showing in detail that the Eel River source of supply can be combined with other sources of supply, and that the entire combined supply will be much cheaper than the Hetch Hetchy supply. A letter from Mr. Henry M. McDonald, of Stockton, Cal., who refers to a number of Senators as being willing to vouch for his standing in the community, states with reference to this Eel River source of supply as follows:

I inclose you sketch map. I have indicated on the map by green ink the sources of the supply, line of aqueduct, and location of impounding reservoirs connected with the proposed system to which I refer at the beginning of this letter.

(1) The proposition contemplates securing 200 M. G. D. from the southerly Eel River watershed. This source of supply is considered by H. Wadsworth, assistant engineer (pp. 83 and 84 of the advisory board's report). This source of supply, although favorably spoken of by Mr. Wadsworth, was not given full consideration by the Army board of engineers, for the reason, as stated by Mr. Wadsworth, that "a supply from Eel River could not be advantageously combined with other sources."

(2) The Eel River supply is to be carried by a gravity conduit along the westerly slope of a spur of the Coast Range Mountains to a point 5 miles north of Calistoga, Cal.; thence by a short turnael into the Putah Creek watershed basin. This procedure is entirely feasible, since the elevation of the intake at the point where the Eel River supply would enter the conduit is 980 feet above sea level; the elevation of the point north of Calistoga at the westerly entrance of the tunnel mentioned is 720 feet; the elevation of the point at which the Eel River water is to be discharged from the easterly end of the tunnel into Pope Creek, a tributary of Putah Creek, is 640 feet, while the elevation of the northerly end of the impounding reservoir described in the following paragraph is 325 feet.

(3) The Eel River supply will then discharge itself into the northerly end of an impounding reservoir having a storage capacity of 727,700 M. G. This storage is to be secured by the construction of a dam 300 feet in height at Devils Gate, a narrow defile in the Putah Creek Canyon, located 10 miles west of Winters, Cal. This dam will flood a natural reservoir embracing 15,000 acres to an average depth of 145 feet.

(4) The reservoir just mentioned will also impound the run-off of that section of the Putah Creek watershed located above the Devils Gate Dam. The entire watershed contains, according to a report of the United States Geological Survey, 810 square miles, of which area 668 square miles is located above Devils Gate. The average yearly run-off of the Putah Creek watershed, as shown by the United States Government reports, was, for a six-year period extending from 1906 to 1911, 310,000 acre-feet. As the section of the watershed above Devils Gate is approximately 75 per cent of the entire watershed, the run-off which would be impounded in the Putah Creek Reservoir would average, per year, 382,500 acre-feet, which is equivalent to 124,695 M. G., or a daily supply of 341 M. G.

(5) From Devils Gate Dam the water would be conducted through an aqueduct to Carquinez Strait at a point near Benicia, Cal.; under the strait by a tunnel; thence by tunnel and conduit to a point on the Oakland water front, from which place submerged iron pipes would carry the water across the San Francisco Bay into the city of San Francisco.

Length of Eel River-Putah Creek supply system.	Miles.
From Gravelly Valley reservoir to Eel River supply intake	15
From Eel River supply intake to the point of discharge into Pope Creek, a tributary of Putah Creek	85
From point of discharge into Pope Creek to Devils Gate Dam	30
From Devils Gate Dam to San Francisco	65
Total	195

At the 30 miles included between the point where the Eel River supply is discharged into Pope Creek and Devils Gate Dam is open waterway, the distance covered by construction work is 165 miles.

It is, however, to be borne in mind that the 100 miles construction carrying the Eel River supply conveys less than two-fifths of the aggregate supply, while the construction carrying the entire supply does not exceed 65 miles; consequently, if the 100 miles construction were considered on the basis of the capacity of the 65 miles construction, the full capacity mileage would not exceed 115 miles, as against the 180 miles involved in the Hetch Hetchy project.

Amount of water supply.	Gallons daily.
As stated, the Eel River watershed will supply	200,000,000
The Putah Creek watershed will supply	341,000,000
Total	541,000,000

Deducting 20 per cent to cover evaporation, the net daily supply is 446 M. G., or 46 M. G. D. in excess of the highest estimate of the daily supply procurable from the Hetch Hetchy.

In addition, the Putah Creek Reservoir would impound 595,276 M. G., which, upon the basis of supplying San Francisco and the bay cities with 400 M. G. per day, represents a full four-year supply for the cities mentioned. Under these conditions it is utterly impossible that the supply would run short at a "critical" period.

On the other hand, the utmost total Hetch Hetchy Reservoir storage (Army Advisory Board Report, p. 36) which can be made utilizable will not in "critical" years furnish sufficient water to meet the demands of San Francisco and the bay cities, and also the requirements of the Turlock and Modesto Irrigation Districts for even one year.

Cost of construction.

Taking as a basis of estimate the units of cost adopted by the advisory board, the cost of the Eel River-Putah Creek system would be	$53,874,000
The estimated cost of the Hetch Hetchy project is (Army Advisory Board Report, p. 30)	77,367,000

This estimate includes only the construction of the Hetch Hetchy, the Lake Eleanor, Cherry Valley, and Poopenaut Reservoirs. The tabulation (Army Advisory Board Report, p. 36) includes 20 additional reservoirs which the board finds necessary to supply the required storage. The construction of these additional reservoirs would add several million dollars to the cost of the Hetch Hetchy system.

The entire Eel River-Putah Creek supply system could be fully completed within three years from the date of commencement of the work. In this connection it may be stated that the construction of the Hetch Hetchy system will unquestionably require from 8 to 10 years.

The Eel River water supply can develop 15,000 horsepower just above the intake of the conduit. The Army board values the Hetch Hetchy power at $20 per horsepower. On this basis the Eel River power has a value of $3,000,000.

Very truly, yours, H. M. MCDONALD.

Mr. President, that is all that I desire to present at this time, and I present that as showing, though not as a complete showing in any way, at least two alternative sources of supply for the water needs of San Francisco, which will leave the water of the Hetch Hetchy and the San Joaquin for the irrigation of lands in the valley, which can not otherwise be irrigated.

My attention has been called to the statement of the Senator from Nevada that these lands are already bonded to their full value, or something to that effect. I have some figures in regard to that. The Turlock district is bonded for $15 an acre; the Modesto district is bonded for $20 an acre; and the San Joaquin adjoining lands are bonded for $56 an acre.

A statement is made by representatives of the Turlock and Modesto districts that they can bond their land, which is now bonded at fifteen and twenty dollars an acre, respectively, to the amount of $50 an acre, leaving a very considerable margin of resources for the development of irrigation, if the matter is left so that they can have the water.

Mr. PITTMAN. Mr. President, I did not state that the lands referred to were bonded at their full value, but I stated that they were already heavily bonded, and that I did not believe the owners could raise sufficient upon that land to carry out this project, and I do not think so now; in fact, I think that they have made several efforts to do so during the last few years which have utterly failed.

Mr. POINDEXTER. The statement which I have just made, Mr. President, is direct from the representatives of the district, and I assume that they are equally as well informed about the matter as is the Senator from Nevada.

Mr. PITTMAN. Mr. President, I wish to state that the official representatives of both of those districts have petitioned for the passage of this bill, and therefore they can certainly have no desire to attempt to build this project at their own expense.

In this connection I desire to state that there are a great many people who are claiming to represent these districts. Telegrams and letters have been sent to Senators purporting to come from representatives of these districts. As a matter of fact, these are irrigation districts legally organized under the laws of the State of California and in accordance with the land laws of this country. They have officers just the same as a corporation has officers; they have their meetings for the purpose of determining the policy of such irrigation districts in the same manner as the stockholders of a corporation have meetings to determine questions. The people of those districts have met; they have determined upon a policy; they have determined as to what is to the best interest of those districts,

and they have expressed that determination through their duly elected and qualified agents whom they sent to the city of Washington and who were present during all the time this bill was being prepared in the House of Representatives. They sent here five men whom they elected, and those five men testified before the Public Lands Committee of the House; they assisted in framing this bill, and they stayed here until this bill passed the House of Representatives in the form in which their people wanted it.

We are constantly having a telegram or a letter read here purporting to be from the representative of some district. The official representatives of those districts are known. Representative CHURCH, from that very district, knew them, and he was on the Public Lands Committee of the House; ex-Representative Needham, of that very district, knew them, and he was one of the representatives before the committee of the House; Representative RAKER knew them, because he was from the congressional district where the Hetch Hetchy Valley is located, and he was a member of the Public Lands Committee of the House; Representative KENT, of California, knew them, and he is known to be one of the greatest conservationists in California, and he was a member of the Public Lands Committee of the House.

I am simply calling attention to this for the purpose of warning Senators against being influenced by telegrams and letters which are coming from unauthorized sources. The idea of a deliberative body of this kind being influenced by a telegram which is signed by some one saying he represents the water users of a certain district or represents 5,000 women in the State of Washington or the State of Kansas! Has there been a meeting of 5,000 women in any of those States? Has there been any public assemblage whatever for the purpose of taking action on the subject of this bill? Do you not know that if there had been an assemblage in any State in this country for the purpose of taking united action with regard to this bill the press would have been full of it? Yet we are flooded with telegrams signed by some individual, which say "representing 5,000 women in this State" or "representing 5,000 women in that State."

I tell you that the thousands of women of the various States, whom these people have assumed to represent and whom they are in fact misrepresenting, will be sending individual telegrams to the Senator from Washington and to other Senators in this body repudiating such representation before the discussion of this question is finished.

I do not understand how a Senator who is sent here to determine questions in a deliberative body can be influenced by telegrams sent by individuals throughout the country, except to the extent of giving the question consideration.

As I stated before, this question has been discussed for 12 years. Four years ago it was taken up in the House of Representatives and had a thorough, full hearing and discussion. Again, at this Congress, it has had a long, full hearing and discussion in the House of Representatives. I do not believe there are Senators in this body who are going to be influenced in their determination by these unauthorized telegrams and letters when there are now lying upon their desks, or in the public document room, subject to their inspection, copies of a long, exhaustive report by a disinterested, impartial, capable board, composed of Army engineers, and two volumes of public hearings before the Public Lands Committee.

I wish to say, on behalf of the proponents of this bill, that we have to-day gladly postponed voting on this matter until December 6, in the hope that some of the Senators who are relying on these unauthorized letters and telegrams will do their constituency and the country the honor to investigate this matter as United States Senators should investigate it.

I trust that when the matter comes up for discussion again, instead of a United States Senator saying that he has formed his opinion from what some landscape artist has written him, or from what some dear friend has told him is his opinion of the Hetch Hetchy matter, he will be able to place it upon sounder and better reasoning, and that he will at least be able to say that he has performed his duty by reading the hearings and the reports upon the subject.

Mr. POINDEXTER. Mr. President, I shall not assume that the lecture which the Senator has just delivered as to the duty of Senators is directed at me. I suppose he is referring to some other Senator.

Mr. PITTMAN. I most certainly am.

Mr. POINDEXTER. I say that because I have read the report, and I have not formed my conclusion, and furthermore I have not said that I have formed my conclusion upon unauthorized telegrams or upon authorized telegrams. I have formed my conclusion very largely upon the admissions of the Senator from Nevada as to certain great, essential facts in this matter. I shall be a little more generous than the Senator from Nevada, and readily concede that men may honestly draw differing opinions from the same facts. I do not think any Senators have been misled in regard to any material facts in the case.

The representative of the landowners to whom I referred a moment ago is here present. He comes directly from meetings of the landowners of these districts. Out of 481 landowners, 475 unanimously concurred in appointing Mr. Le Hane as one of a committee of three to represent them in this matter. I assume that the absent Senator from California, who sent the telegram here the other day stating that 99 per cent of these landowners were opposed to the consideration of this measure at this time, and wanted further hearing in regard to it, knew his ground before sending such a telegram, and was assured that it was correct.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Colorado?

Mr. POINDEXTER. I yield to the Senator from Colorado.

Mr. THOMAS. I should like to inquire of the Senator from Washington whether the 481 people represented by Mr. Le Hane constitute all of the landowners in the valley?

Mr. POINDEXTER. They do not.

Mr. THOMAS. Are they not a very small proportion of the total?

Mr. POINDEXTER. I think they are a very large proportion of those whose interests are affected by this measure.

Mr. THOMAS. The statement of Mr. Le Hane before the committee was not reported; but it was a very interesting one, a very intelligent and a very earnest one. In response to my question as to whether any legal right existed, by way of location or attempted diversion of any of these waters for irrigation purposes that had not been fully provided for by the terms of the bill, he said no, but that he thought the people of that watershed had a moral right to the water for the lands that were not covered by irrigation, in consequence of which he protested against the diversion of the water to another watershed.

I say very freely that if he had mentioned any legal rights to any of that water—and by "legal rights" of course I mean rights which are acquired by compliance with the requirements of the statutes of the State upon the subject, and the State statutes in the arid regions are practically all the same—I should have insisted upon some recognition of those rights in this bill. But certainly we can not consider what is called a moral right when that so-called moral right conflicts directly with the legal locator's rights of the city of San Francisco. While I do not doubt that these gentlemen are perfectly earnest and sincere in their claims, it certainly seems to me that after these investigations and hearings these gentlemen should come here with something more than a general, undefined, so-called moral right to something which legally belongs to somebody else.

Mr POINDEXTER. Mr. President, I will assume that this committee, which was appointed at a public meeting of these landowners, was authorized to represent them in that respect. However, if other Senators differ, that is a matter which can be easily ascertained and determined. I will pass it over for the present, and comment upon the objection to Mr. Le Hane's position as stated by the Senator from Colorado.

I would not use the language that Mr. Le Hane used in calling it a moral right. I would prefer to call it a great public policy. I do not think this matter ought to be determined upon investigation as to what legal rights to a certain number of inches of this water have been heretofore acquired by somebody. It is now within the power of Congress to influence the future disposition of this water, and it is a question of public policy for a great portion of the State of California as to whether it shall have water available to which, if the people who now live there have not a legal right, they will have an opportunity to acquire a legal right.

Mr. THOMAS. Mr. President, of course public policy is an element that enters into every discussion of this sort. It is a general and somewhat indefinable term. Like charity, it sometimes covers a multitude of sins as well as a multitude of very desirable elements.

From my standpoint, my consideration of public policy, I can not conceive how that subject can be involved in a proposition represented on one side by legal vested rights and on the other by what is called a moral claim. Certainly public policy is entirely inconsistent with the proposition that you must take away from a man what he has simply because somebody else wants it. That is true whether the contest be between individu-

als or between communities. I say again that if these gentlemen had any right, public or otherwise, of a legal character which had not been guarded against, I should feel very much disposed to insist upon inserting in this bill some provision a little broader than the one already made, which gives to the holders of legal rights to the water of this great river 2,350 second-feet, and at certain times of the year 4,000 feet or more. Certainly public policy can not be stretched so far as to deprive a great city of its right to use this water when that right, among other things, is vested upon prior acquired appropriations in compliance with law, and when it is also united with a fundamental proposition of law and of morals and of necessity that domestic use is superior to agricultural or any other use of the water of the country.

Mr. POINDEXTER. Mr. President, when a corporation or individual applies to the Congress of the United States for the grant of certain property rights, as is proposed in this bill, and it appears to Congress that by granting those rights by the passage of the bill a great section of a State will be deprived of the water needed for irrigation, then the question of whether or not the bill should pass becomes a question of public policy.

There are no vested rights in the rights which are proposed to be granted by this bill. If the bill passes, they will be vested rights; but they are not vested now. The question is whether or not they shall be vested.

We will suppose, for the sake of argument, that the city of San Francisco has filed upon the flow of the water to a certain extent and has what is called a water right. She proposes to use that water for domestic purposes in the city of San Francisco. Our contention is that she can get an ample supply at less cost in other places. Suppose our contention should prevail and this bill should not pass. San Francisco then would not have the privileges granted by this bill, which are necessary to enable her to use whatever water right she may have for the domestic supply of the city of San Francisco. Consequently she would have to do something else with her water right.

What would she do with it? She would do something. She could do anything she chose to do that was possible without the privileges granted by this bill. One of those things is the irrigation of the San Joaquin Valley. She could use the waters for that purpose; and if, by virtue of her constitution and nature as a municipal community, she could not go into that enterprise, the natural thing for her to do would be to dispose of whatever water right she may have to other people, who would use it for the irrigation of the San Joaquin Valley.

Mr. PITTMAN. Mr. President, the Senator has now made the issue very clear, admitting that San Francisco has a right to the water, except——

Mr. POINDEXTER. No, no, Mr. President.

Mr. PITTMAN. Let me state the question, then. I will state this without saying that the Senator said it.

Mr. POINDEXTER. I did not admit that, but I said "suppose she did have." I do not know.

Mr. PITTMAN. Suppose, then, that San Francisco had a right to all of that water with the exception of the 2,350 second-feet owned by the Modesto and Turlock irrigation districts. The Senator's proposition is that it is for us to determine whether it is the best policy for this country to utilize all of the water of that river for the irrigation of more arid lands or whether we shall take that water to the seven hundred and odd thousand people around San Francisco Bay and furnish it to them for domestic purposes.

The Senator says his policy is that it should go for the irrigation of land, providing San Francisco can get water anywhere else for domestic use, no matter if it does cost San Francisco more; and he goes to the extent of saying that he will take away by an act of Congress a right that has been granted by the act of a State; that by an act of Congress he will commit the crime—because it is illegal—of divesting some one of a vested right so that that right may be subsequently acquired by some one else for another purpose. If that be the case, then this Government is in a position constantly where it can obstruct the vested rights of States, and thereby nullify the law of those States.

As a matter of fact, this bill does not grant any water rights to anyone; it does not take away any water rights from anyone; because, no matter what the bill may say, the jurisdiction is in the State to adjudicate who is entitled to the flow of this water. All the bill says is simply this: We are not going to obstruct a great use of this water. You ask us to allow you to place a dam away up in the Sierra Nevada Mountains, across the mouth of a little gulch, and flood 1,320 acres of land, two-thirds of which you yourself own to-day. That is all you ask of us. You ask us not to interfere with you in the use of something that is already yours. You ask us not to interfere with your furnishing 750,000 people with the water that they have bought, with the water for which they have fought for 12 long years, and we will not interfere.

That is all they ask of us. That is all this bill grants. That is all it means.

In opposition to that, we find men coming here holding the same policy as the Senator from the State of Washington, who say they believe it should be the policy of this Government to destroy a vested right if, in its judgment, the vested right can be used by some one else for a more convenient purpose.

Take the question of water power as raised by the Senator from North Dakota. The value of that water power is estimated to be $45,000,000. When? After the city of San Francisco has expended $77,000,000 in making it worth $45,000,000.

What is it worth to-day as the flood waters run down that canyon and run out to sea without irrigating the land? Nothing. What would it be worth without the expenditure of the $77,000,000? Nothing. Who is to spend that $77,000,000? The only people who have been able to show their capability of doing it within the last 12 years are the people of the city of San Francisco. The real members of the Turlock irrigation district and the Modesto irrigation district believe it is a godsend to them. They want it. They believe this power will furnish them the means to pump up the subsurface water to irrigate that whole country.

The subsurface water is just as good for the irrigationist as any other water; but the subsurface water is not just as good for domestic purposes as the mountain water. When you are weighing two conveniences ought you not to be just and fair in the matter? The irrigationist can get all the subsurface water he wants when he is furnished power at cost, and the people around that bay will get pure water, and get relief from monopoly.

I heard some one say: "Are you going to give away $45,000,000 worth of power?" That power is created by water. That water is owned by the city of San Francisco, and the Government has nothing to do with it. All on earth the Government could do would be to follow the policy of the Senator from the State of Washington and act as an obstructionist to the development of the natural resources of the country. The power of the Government is not sufficient to grant water rights. The power is in the Government, if it wants to do so, to obstruct the development of nearly everything. That is the policy that the Senator from Washington seems to advocate.

If the power is created by water, and the water is owned by the city of San Francisco, and the money is put up by the city of San Francisco to turn that water into power, how much should the National Government require? The National Government does nothing except to say that a part of the public domain, about a mile square, shall be utilized for the building of a dam and a reservoir to turn that water into power.

To what better use could the Government put that power than that to which it is to be put by the city of San Francisco? The power could not be carried to the city of Washington. It could not be carried anywhere else except within the range of the power. The bill provides that within the range of the power—that is, down in those irrigation districts and along the bay cities—it shall be furnished at cost to the people who need it, and it could not be furnished any cheaper by anyone else on earth.

I want to know if there is any higher use on earth to which that water power could be put than to furnish it to the people in the vicinity at cost? I want to know if there is any higher use to which that water could be put than to furnish 700,000 people with pure, healthful, invigorating drinking water? I want to know if the irrigation district is not being protected today in this bill as far as it can be protected, and if the outside land will not be put in a position where it will be irrigated by subsurface water?

Those are the conditions. To those who say, "Do not give away this power for nothing; do not give away the power of the Government for nothing," I want to say this: While the Government is not entitled to collect 1 cent for power that does not belong to it, as far as concerns the right of way for placing this dam the Government of the United States is to receive from the city of San Francisco $15,000 a year for the five years immediately following the first five years, and $20,000 a year for the next five years, and $50,000 a year for every year after that; and I want to say to the Senator from Washington that the Government experts have testified that that payment is a better consideration to the Federal Government than is being received from any of its other leased powers.

That is the situation as it appears to those who favor the bill to-day.

In closing, I simply want to say that in what I said awhile ago I was not referring to the Senator from Washington, nor to the other able Senators on the other side who have so far participated in this debate, because the words they have used in the debate and the study they have shown would negative any such idea on my part. I have the highest admiration for those Senators and for their opinions, and hope I have manifested it in this whole debate.

Mr. POINDEXTER. Mr. President, I do not desire to prolong the debate; but I can not refrain from saying that if I had the view of the purpose and effect and nature of this bill which the Senator from Nevada has just stated, I should be compelled to support it. If I thought that by failing to pass this bill we would destroy vast property interests, or if I went to the extent to which the Senator has gone, and thought it would be a criminal thing to do not to pass the bill, I undoubtedly should be in favor of its passage.

I have understood, up to the present time, that the question before Congress in this bill was whether or not we should grant certain privileges to the city of San Francisco; not whether we should take away from San Francisco anything that it has, or whether we should destroy any property that it has, but whether or not we should grant to San Francisco certain property which it does not now have. That is the question before Congress.

The Senator from Nevada says it amounts to nothing. It seems to me that San Francisco is putting forth a tremendous effort to obtain something which amounts to nothing. If the privileges and grants set forth in this bill are not valuable to San Francisco or to any grantee, I fail to understand why she has put forth such a tremendous effort to acquire it.

Mr. PITTMAN. I said it amounted to nothing to the Government, but everything to San Francisco and the other grantees.

Mr. POINDEXTER. If the Senator will permit me, I am sorry to see a public corporation assume the attitude the private beneficiaries of bills of this kind usually assume, asking on the one side of Congress for the largess of the Nation and upon the other side expressing a contempt for the property which they seek to obtain by national legislation.

It seems to me if San Francisco gets the grant which is contained in this bill, instead of assuming a contemptuous attitude and saying it is of no value or of small value, the municipality ought to be thankful to the United States for a great gift of enormous value to her and her people.

I agree with the Senator from Nevada that that city ought to be relieved from the domination and the oppression of a private water monopoly. I think it ought to have been relieved a long time ago. I believe that a great deal of the insistence of San Francisco upon the passage of this bill and the feeling of her people upon the subject is nothing more nor less than the concentration of the resentment and of the hostility on the part of the population of San Francisco against the Spring Valley Water Co. But it does not follow that because she is oppressed by this private holder of a monopoly of one of the necessities of life it is necessary for her to take this great park which belongs to the Government and to obtain grants which will enable her to use water which is the only resource of the people of San Joaquin Valley for irrigating their desert lands. She can be relieved from her situation and leave this power to be developed, this water to be used, and possibly this park with its wonderful natural beauties to be preserved for the enjoyment of all the people of this country.

Mr. NORRIS. Will the Senator yield to me before he sits down?

Mr. POINDEXTER. I yield to the Senator.

Mr. NORRIS. How will the Senator preserve the beauties of this park that he fears is going to be destroyed if he gives to the irrigation people the same rights that the bill gives to San Francisco?

Mr. POINDEXTER. The Senator did not state the proposition as I made it.

Mr. NORRIS. I understood the Senator in his closing remark to make some allusion of that kind. Nevertheless I may be mistaken. If I am, my question need not be answered.

Mr. POINDEXTER. The Senator is correct in saying that I referred to the subject, but the Senator injected an element into it which I did not include, and that is that the landowners be given the same right which San Francisco is seeking; that is, the right to construct a dam at the outlet of the Hetch Hetchy Valley.

Furthermore, I qualified the statement which I made by saying that this water could be used, "possibly," without destroying the park, because I am informed, and I have seen the reports, that the water can be impounded lower down the stream for the purposes of irrigation, without damming the Hetch Hetchy Valley.

Mr. NORRIS. What would the Senator say in that respect, then, about the development of this power?

Mr. POINDEXTER. Power could be developed, but not to the same extent. I assume the full amount of power would not be developed, to the extent of $45,000,000 worth. A large portion of the power development contemplated in this project would be in the Cherry and Lake Eleanor portions of the project, which, with Hetch Hetchy, are the three constituent sources of supply, but which are entirely outside of the national park and whose development would not affect the Hetch Hetchy Valley in any way.

Mr. NORRIS. In regard to the irrigation, I want to ask the Senator if he has any information that the full extent of the waters of this spring can be used for irrigation, or for any other purpose, unless somewhere dams are built to preserve the flood waters of the stream?

Mr. POINDEXTER. Undoubtedly not. That is perfectly obvious.

Mr. NORRIS. I do not believe there is any other place where you could build a dam that would hold back the waters in sufficient quantity unless you went to the very same expense and a very much greater expense than this dam will cost.

Mr. POINDEXTER. Even if that were true, while we would have then to concede the sacrifice of the park, it would still leave a choice between supplying the water for irrigation and taking it for domestic purposes.

Mr. NORRIS. I concede that; but I want to call the Senator's attention to the fact that if we did what these irrigationists want us to do, it seems to me that it would necessarily follow that we would come in direct conflict with the other objectors who want to preserve the park just as it is now.

Mr. POINDEXTER. That would be a question which would have to be further investigated before a satisfactory answer could be given. If we eliminate the project for supplying water to San Francisco, a new project will have to be taken up, and it is perfectly possible, I am informed, that water could be taken out of this stream for irrigation without destroying the park. It undoubtedly would not develop power to the same extent that San Francisco wants to develop it.

Mr. NORRIS. There are seasons of the year when that stream practically goes dry, I understand, late in the season. I believe it is conceded—I have not heard the contrary advocated—and if the Senator has any information to that effect I wish he would give us the source of his information—I believe it is conceded that there is only one way to use this water either for municipal purposes or for the purpose of irrigation, and that is to store the flood waters of the stream.

Mr. POINDEXTER. I will undertake to furnish the Senator from Nebraska before this debate is concluded the sources of my information as to the possibility of using the water for irrigation without damaging the Hetch Hetchy Valley.

Mr. LA FOLLETTE and Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. LA FOLLETTE. I will inquire if the Senator from Colorado was going to address himself to the pending bill?

Mr. THOMAS. No, Mr. President; I was going to make a motion to adjourn.

THE MERCHANT MARINE.

Mr. LA FOLLETTE. I move that the Senate proceed to the consideration of the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea. I will state that I make the motion not with the expectation that there will be any debate upon the bill to-day——

Mr. THOMAS. I certainly, even if there were to be any debate, would not interpose a motion to adjourn against it.

Mr. LA FOLLETTE. But that the bill may become the unfinished business.

The PRESIDING OFFICER. The question is on the motion of the Senator from Wisconsin to proceed to the consideration of the bill.

The motion was agreed to.

Mr. LA FOLLETTE. I ask unanimous consent to temporarily lay the bill aside.

The PRESIDING OFFICER. If there is no objection the bill will be temporarily laid aside.

Mr. THOMAS. If there is no other business to come before the Senate, I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 38 minutes p. m.) the Senate adjourned until Thursday, October 9, 1913, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate October 7, 1913.

COLLECTOR OF CUSTOMS.

Edmund Billings, of Massachusetts, to be collector of customs for the district of Massachusetts, in place of Edwin U. Curtis, resigned.

COLLECTOR OF INTERNAL REVENUE.

Ephraim Lederer, of Pennsylvania, to be collector of internal revenue for the first district of Pennsylvania in place of William McConach, resigned.

APPOINTMENTS IN THE ARMY.

CAVALRY ARM.

To be second lieutenants with rank from October 4, 1913.

Albert James Myer, jr., of Maine.
George Payne Nickerson, of Georgia.
Robert Ogden Annin, of the District of Columbia.
Daniel Gordon Morrissett, of Virginia.
Edwin Smith Blackwell, jr., of Virginia.
Augustin Mitchell Prentiss, of South Carolina.
Ralph Hospital, of the District of Columbia.
Theodore Barnes, jr., of the District of Columbia.
Casey Hewitt Hayes, of California.
Harvey Buckingham Steel Burwell, of Connecticut.
Chapman Grant, of California.
Roger Sherman Blaine Hartz, of Pennsylvania.
Charles Bellows Hazeltine, of Maine.
Eugene McSwyney Owen, of Maryland, now serving as corporal, Quartermaster Corps.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Lieut. Alfred G. Howe to be a lieutenant commander in the Navy from the 1st day of July, 1913.

Lieut. (Junior Grade) Hamilton F. Glover to be a lieutenant in the Navy from the 1st day of July, 1913.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 6th day of June, 1913:

Abel T. Bidwell,
Walter K. Kilpatrick,
Francis J. Comerford,
George W. Struble.
Henry T. Markland,
Thomas C. Kinkaid, and
Robert E. Rogers.

Asst. Surg. Clyde B. Camerer to be a passed assistant surgeon in the Navy from the 28th day of March, 1913.

The following-named citizens to be assistant surgeons in the Medical Reserve Corps of the Navy from the 2d day of October, 1913:

Roxwald Brown, a citizen of California;
Thomas A. Ratliff, a citizen of Ohio;
Daniel Hunt, a citizen of Mississippi;
Walter L. Haworth, a citizen of New York; and
Warren E. Bradbury, a citizen of Wisconsin.

The following-named citizens to be assistant surgeons in the Medical Reserve Corps of the Navy from the 4th day of October, 1913:

John B. Bostick, a citizen of California; and
Harvey R. McAllister, a citizen of Pennsylvania.

UNITED STATES DISTRICT JUDGE.

John Randolph Tucker, of Virginia, to be United States district judge, District of Alaska, division No. 2, vice Cornelius D. Murane, removed, effective November 1, 1913.

CONFIRMATIONS.

Executive nominations confirmed by the Senate October 7, 1913.

UNITED STATES DISTRICT JUDGE.

John Randolph Tucker to be United States district judge for the District of Alaska, second division.

UNITED STATES ATTORNEY.

F. M. Saxton to be United States attorney for the District of Alaska, second division.

POSTMASTERS.

MICHIGAN.

George Arthur, Elkton.
George F. Carrier, Three Oaks.
Cornelius Cronin, Kalkaska.
Robert E. Foley, Mohawk.
John J. Galster, Boyne Falls.
Michael W. Gibbons, Roscommon.
Charles Curtis Jackson, Algonac.
John La Belle, Grosse Pointe Farms.
John Lutz, Saline.
Barton R. Osborn, Tekonsha.
George W. Parker, Le Roy.
Frank D. Perkins, Flushing.
Clare E. Rann, Perry.
Albert J. Raymond, Memphis.
James E. Sharp, Grant.
Charles A. Standiford, Athens.
Allen E. Stebbins, Sheridan.
David E. Storms, Harrisville.
R. D. Watson, Rochester.
William H. Wint, Williamston.

OHIO.

George B. Beacham, Williamsburg.
Barbara Crosser, Sallneville.
Louis W. Dean, Rocky River.
Benjamin S. C. McBride, St. Clairsville.
Harry E. Miller, New Concord.
J. H. Newton, Newark.
A. R. Wolfe, Chillicothe.

WITHDRAWAL.

Executive nomination withdrawn October 7, 1913.

UNITED STATES DISTRICT JUDGE.

John Randolph Tucker, jr., of Virginia, to be United States district judge, District of Alaska, division No. 2.

HOUSE OF REPRESENTATIVES.

TUESDAY, *October 7, 1913.*

The House was called to order by the Speaker pro tempore [Mr. SHERLEY] at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We lift up our hearts in gratitude to Thee, Almighty God, our heavenly Father, for life and health and strength. Help us to realize day by day that we are here in this world for a purpose; that Thou dost measure our acts by the motives which prompt them. Help us, therefore, to live to the highest ideals, that our acts may be accounted worthy in Thy sight. In the name of Christ the Lord. Amen.

The Journal of the proceedings of Friday, October 3, 1913, was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment resolutions of the following titles:

H. J. Res. 111. Joint resolution to authorize the reinstatement of Adolph Unger as a cadet in the United States Military Academy.

House concurrent resolution 19.

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of Congress 80,000 copies of the tariff law of 1913 in pamphlet form, indexed, with covers, to be apportioned as follows:

Thirty-five thousand copies for the use of the House of Representatives.

Twenty thousand copies for the use of the Senate.

Five thousand copies for the use of the Committee on Ways and Means of the House of Representatives.

Five thousand copies for the use of the Committee on Finance of the Senate.

Ten thousand copies for the use of the House document room.

Five thousand copies for the use of the Senate document room, and that the Public Printer be authorized to print for sale such copies of said law as in his discretion may be necessary.

House concurrent resolution 20.

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of Congress 30,000 copies of the income-tax section of the tariff law of 1913, in pamphlet form—20,000 copies for the use of the House of Representatives and 10,000 copies for the use of the Senate; and that the Public Printer be authorized to print for sale such copies of said income-tax section of such law as in his discretion may be necessary.

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 9.

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of Congress 80,000 copies of the tariff law of 1913 in pamphlet form, indexed, with paper cover, to be apportioned as follows: Thirty-five thousand copies for the use of the House of Representatives; 30,000 copies for the use of the Senate; 5,000 copies for the use of the Committee on Finance of the Senate; 5,000 copies for the use of the Committee on Ways and Means of the House; 5,000 copies for the use of the document room of the Senate; and 5,000 copies for the use of the document room of the House; and that the Public Printer be authorized to print for sale such copies of said document as in his discretion may be required.

The message also announced that the Senate had passed with amendments bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 7898. An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 3321. An act to reduce tariff duties and to provide revenue for the Government, and for other purposes;

H. R. 7596. An act to increase the limit of cost of the United States post-office building at Beloit, Kans.;

H. R. 7875. An act to increase the limit of cost of the public building at August, Ga.;

H. R. 6582. An act to authorize the city of Fairmont to construct and operate a bridge across the Monongahela River at or near the city of Fairmont, in the State of West Virginia;

H. R. 7470. An act to authorize the construction, maintenance, and operation of a bridge across Black River at or near the section line between sections 8 and 9, in township 20 north, range 5 east, being a short distance south and east of the town of Corning, Clay County, Ark.;

H. R. 6378. An act to authorize Robert W. Buskirk, of Matewan, W. Va., to bridge the Tug Fork of the Big Sandy River at Matewan, Mingo County, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky;

H. R. 7472. An act authorizing Beaufort and St. Helena Townships, Beaufort County, S. C., to construct, maintain, and operate a bridge and approaches thereto across Beaufort River, in Beaufort County, S. C.;

H. R. 7469. An act to authorize the construction, maintenance, and operation of a bridge across the Little River, at or near Lepanto, Ark.;

H. R. 1985. An act to authorize the county of Aitkin, Minn., to construct a bridge across the Mississippi River in Aitkin County, Minn.;

H. R. 1681. An act to extend the time for constructing a bridge across the Red Lake River, in township 153 north, range 40 west, in Red Lake County, Minn.;

H. R. 5891. An act authorizing the construction of a bridge across White River at Newport, Ark.; and

H. R. 6635. An act to authorize the county of Hamilton, in the State of Tennessee, to construct a bridge across the Tennessee River at Chattanooga, in the State of Tennessee.

SECURING A QUORUM.

Mr. LEVY rose.

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, will the gentleman just reserve his point for a moment?

Mr. MANN. No.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] makes the point of order that there is no quorum present. The Chair will count.

Mr. FITZGERALD. Mr. Speaker, will the gentleman yield for a moment before he makes the point?

Mr. MANN. No.

Mr. FITZGERALD. I want to ask the gentleman a question.

Mr. MANN. No.

Mr. FITZGERALD. I just wanted to ask the gentleman when he came to town?

Mr. FOSTER. He just came to town to-day. He wants to get into the RECORD this morning. [Laughter.]

Mr. MANN. I got to town before the gentleman from New York [Mr. FITZGERALD] did, and I have been here when he was not here. Now does the gentleman want to ask another question? [Laughter.]

The SPEAKER pro tempore (after counting). Evidently there is no quorum present.

Mr. FITZGERALD. Mr. Speaker, did the urgent deficiency bill come from the Senate?

The SPEAKER pro tempore. It did.

Mr. FITZGERALD. Would the gentleman from Illinois object to sending that bill to conference?

Mr. MANN. I made the point of order that there is no quorum present, and the Chair has declared that there is no quorum present. The House could not do anything with it now.

Mr. FITZGERALD. The gentleman was not here the other day when a quasi agreement was made with the gentleman from New York [Mr. PAYNE] to the effect that——

Mr. MANN. I do not see how the gentleman from New York [Mr. FITZGERALD] knew I was not here. The gentleman himself is seldom here.

Mr. PAYNE. I think, Mr. Speaker, it should be made clear what gentleman from New York is being referred to.

Mr. FITZGERALD. I was speaking of the other gentleman from New York [Mr. PAYNE] when I said that a sort of agreement was made.

CALL OF THE HOUSE.

Mr. CLARK of Florida. Mr. Speaker, I move a call of the House.

Mr. LEVY. And I move a call of the House.

The SPEAKER pro tempore. The gentleman from Florida [Mr. CLARK] moves a call of the House.

Mr. FITZGERALD. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The gentleman from New York [Mr. FITZGERALD] moves that the House do now adjourn. The question is on agreeing to that motion.

The question was taken, and the motion was rejected.

The SPEAKER pro tempore. The House refuses to adjourn.

Mr. FITZGERALD. Mr. Speaker, I move a call of the House.

Mr. CLARK of Florida. Mr. Speaker, I made a motion for a call of the House.

The SPEAKER pro tempore. The Chair put the motion of the gentleman from Florida.

A call of the House was ordered.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will summon the absentees, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Adair	Dunn	Kettner	Reilly, Wis.
Adamson	Dupré	Key, Ohio	Richardson
Alexander	Dyer	Kiess, Pa.	Riordan
Allen	Elder	Kinkaid, Nebr.	Roberts, Nev.
Ansberry	Esch	Kinkead, N. J.	Rogers
Anthony	Fairchild	Knowland, J. R.	Rothermel
Ashbrook	Ferris	Konop	Rubey
Aswell	Fess	Langham	Rucker
Austin	Finley	Langley	Rupley
Avis	Fitzhenry	Lazaro	Russell
Bailey	Flood, Va.	Lee, Ga.	Sabath
Barchfeld	Fordney	Lee, Pa.	Scott
Barnhart	Francis	Lenroot	Scully
Bartholdt	Gallagher	Lewis, Pa.	Seldomridge
Blackmon	Gardner	Lindbergh	Sells
Booher	Garner	Linthicum	Shackleford
Borchers	Gillett	Lloyd	Sherwood
Borland	Gilmore	McAndrews	Shreve
Bowdle	Godwin, N. C.	McClellan	Siemp
Bremner	Goeke	McKellar	Sloan
Britten	Goldfogle	McKenzie	Small
Brodbeck	Good	McLaughlin	Smith, Idaho
Broussard	Goodwin, Ark.	Madden	Smith, J. M. C.
Brown, N. Y.	Gordon	Maher	Smith, Saml. W.
Browne, Wis.	Gorman	Mahan	Smith, Minn.
Browning	Goulden	Martin	Smith, N. Y.
Bruckner	Graham, Ill.	Merritt	Sparkman
Bryan	Graham, Pa.	Metz	Stafford
Buchanan, Ill.	Green, Iowa	Miller	Stanley
Bulkley	Greene, Mass.	Mitchell	Stedman
Burgess	Griest	Montague	Stephens, Cal.
Burke, Pa.	Griffin	Moon	Stephens, Nebr.
Burke, S. Dak.	Gudger	Moore	Stephens, Tex.
Burke, Wis.	Guernsey	Morgan, Okla.	Stevens, Minn.
Byrnes, S. C.	Hamill	Morin	Stringer
Calder	Hamilton, Mich.	Mott	Sumners
Callaway	Hamilton, N. Y.	Murdock	Sutherland
Cantrill	Hamlin	Murray, Mass.	Switzer
Carew	Harrison	Murray, Okla.	Taylor, Ala.
Carr	Haugen	Neeley	Taylor, Ark.
Carter	Hay	Nolan, J. I.	Taylor, Colo.
Cary	Hayes	Norton	Taylor, N. Y.
Church	Heflin	O'Brien	Temple
Clancy	Helgesen	O'Leary	Ten Eyck
Cline	Henry	O'Shaunessy	Thacher
Connelly, Kans.	Hensley	Padgett	Thomas
Conry	Hinds	Page	Thompson, Ill.
Copley	Hinebaugh	Palmer	Treadway
Cramton	Hobson	Patten, N. Y.	Tribble
Crisp	Houston	Patton, Pa.	Underhill
Cullop	Howell	Peters, Me.	Underwood
Curley	Hoxworth	Peters, Mass.	Volstead
Dale	Hughes, W. Va.	Peterson	Wallin
Danforth	Humphrey, Wash.	Phelan	Walsh
Davenport	Igoe	Platt	Walters
Decker	Jacoway	Porter	Webb
Deitrick	Johnson, Wash.	Post	Whitacre
Dershem	Jones	Prouty	White
Dickinson	Kahn	Quin	Williams
Dies	Keating	Ragsdale	Willis
Dillon	Kelley, Mich.	Rainey	Wilson, Fla.
Donohoe	Kelly, Pa.	Raker	Wilson, N. Y.
Dooling	Kennedy, Conn.	Ranch	Wingo
Doughton	Kennedy, R. I.	Reed	Winslow
Driscoll	Kent	Reilly, Conn.	Woodruff

The SPEAKER pro tempore. The roll call discloses the presence of 162 Members, not a quorum.

Mr. BARTLETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BARTLETT. Is it in order now to move that the Sergeant at Arms be instructed to bring absent Members back?

The SPEAKER pro tempore. That motion is in order.

Mr. BARTLETT. Mr. Speaker, I move that the Sergeant at Arms be directed to notify and to send for and arrest absent Members, in order to secure and retain their attendance, and that for this purpose the Speaker pro tempore issue his warrant, and that absent Members be arrested wherever they may be found by the officers appointed by the Sergeant at Arms for that purpose.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MANN. Would the present occupant of the chair have authority to sign such a warrant?

The SPEAKER pro tempore. In the opinion of the Chair the Speaker pro tempore has the same authority as the Speaker himself would have in securing a quorum. That matter was raised once in the Forty-fourth Congress, and upon a point of order being made the Speaker pro tempore, Mr. Sunset Cox, of New York, ruled that the Speaker pro tempore had such power.

Mr. MANN. I would mildly suggest that the Sergeant at Arms be a little careful about arresting Members under such a warrant.

Mr. BARTLETT. Mr. Speaker, I understand that motion is not debatable.

The SPEAKER pro tempore. Debate is not in order.

Mr. BARTLETT. I ask unanimous consent for just a minute or two, to make a statement.

The SPEAKER pro tempore. The Chair is of the opinion that it is not in order to submit a request of that kind in the absence of a quorum.

Mr. BARTLETT. I think the Chair is correct.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Georgia.

The motion was agreed to.

Mr. DIFENDERFER. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. DIFENDERFER. I rise for the purpose of notifying the Speaker and the House that my colleague, Mr. ROTHERMEL, who is sick in this city, is absolutely unable to appear here and has sent word to that effect.

Mr. BARTLETT. And he requests the statement to be made.

Mr. MANN. The statement is out of order unless the gentleman moves that he be excused.

Mr. DIFENDERFER. I move that my colleague, Mr. ROTHERMEL, be excused on account of illness.

The SPEAKER pro tempore. The gentleman from Pennsylvania moves that his colleague, Mr. ROTHERMEL, be excused from attendance upon the House on account of sickness.

The motion was agreed to.

Mr. FITZGERALD. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The gentleman from New York moves that the House do now adjourn. The Chair is in doubt as to whether a call of the House having been ordered under clause 2 of Rule XV such a motion should be seconded by a majority of those present. Being in doubt, the Chair puts the question of seconding the motion. Those favoring seconding the motion of the gentleman from New York that the House do now adjourn will rise. [After counting.] Those opposed to seconding the motion will now rise.

The question being taken, the House divided; and there were—ayes 29, noes 27.

The SPEAKER pro tempore. The motion to adjourn is seconded.

Mr. COX. I demand the yeas and nays.

The SPEAKER pro tempore. There are no yeas and nays upon seconding a motion. The question now is upon the motion to adjourn.

The question being taken, on a division (demanded by Mr. FOSTER and Mr. COX) there were—ayes 28, noes 32.

Accordingly the motion to adjourn was rejected.

Mr. ROBERTS of Massachusetts. Mr. Speaker, I desire to be recorded as present.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MANN. Has the Clerk the roll at the desk in order to call the name of the gentleman? I understand that the original roll has gone out of the hands of the Clerk.

The SPEAKER pro tempore. The Chair is of the opinion that it is the duty of the Clerk to record a gentleman as present upon his request.

Mr. MANN. But the Clerk must call the gentleman's name from the roll.

The SPEAKER pro tempore. The Chair understands that the Clerk has noted the gentleman from Massachusetts as present.

Mr. MANN. The Clerk must call his name.

The SPEAKER pro tempore. The Clerk will call the name of the gentleman from Massachusetts.

Mr. MANN. The Clerk must call his name, and he can not do it through the tally clerk. He must call it from the roll, and the roll has been sent out in connection with the warrant.

Mr. HARDWICK. Mr. Speaker, a point of order. The roll is constructively always in the possession of the House.

The SPEAKER pro tempore. The Chair so holds. The Clerk will call the name of the gentleman from Massachusetts.

The Clerk called the name of Mr. ROBERTS of Massachusetts, and he answered "Present."

Mr. McCOY. Mr. Speaker, my colleague, Mr. BREMNER, of New Jersey, is confined to his home by an attack of serious illness, and I therefore move that he be relieved from the operation of any process under the order of the House.

The SPEAKER pro tempore. The gentleman from New Jersey moves that his colleague, Mr. BREMNER, be excused from attendance in the House under the order.

The motion was agreed to.

Mr. DONOVAN. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The gentleman from Connecticut moves that the House do now adjourn. The question is on seconding the motion to adjourn. As many as are in favor of seconding the motion of the gentleman will rise and stand until counted. [After counting.] As many as are opposed will rise and stand until counted. [After counting.] Six Members have voted in favor of seconding the motion to adjourn and 22 Members have voted against seconding the motion to adjourn.

So the motion was not seconded.

Mr. DONOVAN Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DONOVAN. Is it proper to suggest where a quorum may be obtained in order to aid the Sergeant at Arms to find a quorum?

The SPEAKER pro tempore. The gentleman does not present a parliamentary inquiry.

Mr. MANN. Mr. Speaker, may I submit a parliamentary inquiry?

The SPEAKER pro tempore. The gentleman will state it.

Mr. MANN. Several new leaders on the Democratic side having been voted down on the motion to adjourn, would it be proper to inquire if the Sergeant at Arms is endeavoring to secure the presence of the real Democratic leader so that he may move to adjourn?

The SPEAKER pro tempore. The Chair is not advised as to what action the Sergeant at Arms is at present taking.

Mr. MANN. May I submit another parliamentary inquiry? The hour of 2 o'clock will shortly arrive. Will we then be notified in reference to the ball game in the city of New York?

The SPEAKER pro tempore. The gentleman does not state a parliamentary inquiry.

Mr. MANN. That is where the Members are.

Mr. DONOVAN. Mr. Speaker——

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). For what purpose does the gentleman rise?

Mr. DONOVAN. To make a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DONOVAN. Mr. Speaker, I have in my mind that if the Sergeant at Arms is directed to find a particular Member we will not have to wait long for a quorum. Is it proper to direct the Sergeant at Arms to seek a certain Member?

The SPEAKER pro tempore. The Sergeant at Arms is directed to seek all absent Members and to cause their attendance on the House.

Mr. DONOVAN. Is this a proper question: What knowledge has the Chair as to how the Sergeant at Arms is performing his duty—whether he is in his office neglecting his duty or whether he is out seeking absent Members?

The SPEAKER pro tempore. That is not a parliamentary inquiry; but as a matter of information the Chair will state that he has no knowledge.

Mr. DONOVAN. Has any report or information come from the Sergeant at Arms?

The SPEAKER pro tempore. Not to the present occupant of the chair.

Mr. DONOVAN. Then, in other words, we are here like so many dolts and can not get any information from the Chair. Is that the situation?

The SPEAKER pro tempore. The gentleman, of course, can size up the situation for himself.

Mr. MANN. Mr. Speaker, would the gentleman from Connecticut yield while he is making his parliamentary inquiry?

Mr. DONOVAN. I am delighted to yield to the gentleman from Illinois.

Mr. MANN. My private information is that the Sergeant at Arms has notified every Member who is in the city and that they have all been here.

Mr. DONOVAN. I was going to suggest, Mr. Speaker, if permitted to do so, that for several months there have been some flagrant cases of absenteeism—most flagrant.

The SPEAKER pro tempore. The gentleman from Connecticut is not in order.

Mr. DONOVAN. Does the Chair so rule?

The SPEAKER pro tempore. The Chair so rules.

Mr. DONOVAN. Then, I appeal from the decision of the Chair.

The SPEAKER pro tempore. In the absence of a quorum the Chair declines to entertain the appeal of the gentleman.

Mr. MANN. Not in the absence of a quorum.

The SPEAKER pro tempore. The Chair is entitled to have a quorum present.

Mr. MANN. Mr. Speaker, I submit that is not an appealable matter, but if it were, and if it is right to submit a proposition in the absence of a quorum, he would have a right to appeal on any matter of procedure on the calling in of any absent Members.

The SPEAKER pro tempore. But the gentleman did not state anything about the calling in of absent Members.

Subsequently,

Mr. DONOVAN. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from Connecticut rise?

Mr. DONOVAN. To a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DONOVAN. Are we now acting under a call of the House?

The SPEAKER pro tempore. We are.

Mr. DONOVAN. Well, is a Member permitted to state a fact in connection with the call?

The SPEAKER pro tempore. Nothing except in the nature of a parliamentary inquiry.

Mr. DONOVAN. It would be a parliamentary inquiry, because it would state a fact in connection——

The SPEAKER pro tempore. Oh, that is not a parliamentary inquiry, the Chair takes it. Nothing is in order except the calling of the roll.

Mr. DONOVAN. I wanted to say the minority was absent altogether.

Mr. MANN. The gentleman might want to say it, but it will not be so.

Mr. LEVY. Mr. Speaker, it looks now as if it were impossible to obtain a quorum here to-day, and I therefore move that the House do now adjourn.

The SPEAKER pro tempore (Mr. SHERLEY). The gentleman from New York moves that the House do now adjourn. As many as favor seconding the motion will rise and be counted. [After counting.] Seven have voted in favor of seconding the motion and 27 against it, and therefore the motion is not seconded.

ADJOURNMENT.

Mr. FOSTER. Mr. Speaker, I move that the House do now adjourn.

The question was taken, and the motion was seconded—ayes 26, noes 5.

The SPEAKER pro tempore. The question is on the motion to adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 36 minutes p. m.) the House adjourned until Wednesday, October 8, 1913, at 12 o'clock noon.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 8006) granting an increase of pension to Sarah A. Tillard, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LOBECK: A bill (H. R. 8751) to incorporate the Virginia Terminal Co.; to the Committee on the District of Columbia.

By Mr. McKELLAR: A bill (H. R. 8752) regulating shipments of freight to foreign ports and prohibiting discrimination in the receipt and shipment of such freight; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 8753) to amend an act entitled "An act relating to navigation of vessels, bills of lading, and to certain obligations, duties, and rights in connection with the carriage of property," approved February 13, 1893; to the Committee on the Merchant Marine and Fisheries.

By Mr. CLARK of Florida: A bill (H. R. 8754) to authorize the Secretary of Commerce, through the Coast and Geodetic Survey and the Bureau of Fisheries, to make a survey of natural oyster beds, bars and rocks, and barren bottoms contiguous thereto in waters within the State of Florida; to the Committee on the Merchant Marine and Fisheries.

By Mr. EDWARDS: A bill (H. R. 8755) to repeal an act to establish a uniform system of bankruptcy throughout the United States, approved July 1, 1898, and all amendments thereto; to the Committee on the Judiciary.

By Mr. KORBLY: A bill (H. R. 8756) to amend Subchapter XI of Chapter XVIII of the Code of Law for the District of Columbia; to the Committee on the District of Columbia.

By Mr. MURRAY of Massachusetts: A bill (H. R. 8757) to provide for additional equipment for shipbuilding purposes at the Charlestown Navy Yard, Boston, Mass.; to the Committee on Naval Affairs.

By Mr. HAMMOND: A bill (H. R. 8758) authorizing national banking associations to make loans upon improved agricultural land; to the Committee on Banking and Currency.

Also, a bill (H. R. 8759) for the erection of a public building at Pipestone, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Maryland: A bill (H. R. 8760) to limit United States judges to declaring the law when charging juries; to the Committee on the Judiciary.

By Mr. FITZGERALD: Resolution (H. Res. 275) to provide a special order for the disposition of H. R. 7898; to the Committee on Rules.

By Mr. CARLIN: Resolution (H. Res. 276) to pay R. T. Cook $581.95 for services rendered as acting assistant foreman of the branch folding room, House of Representatives; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 8761) granting an increase of pension to William Roberts; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 8762) for the relief of the legal representatives of Col. John Sloane, deceased; to the Committee on War Claims.

By Mr. BELL of California: A bill (H. R. 8763) for the relief of William J. L. Carder; to the Committee on Military Affairs.

By Mr. BUCHANAN of Illinois: A bill (H. R. 8764) granting a pension to Asa Boyington; to the Committee on Pensions.

By Mr. CARLIN: A bill (H. R. 8765) for the relief of Nelson Wallace; to the Committee on Claims.

By Mr. FOSTER: A bill (H. R. 8766) granting a pension to Harriet Kitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8767) granting a pension to Harriett Wheeler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8768) granting a pension to Lee Monroe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8769) granting an increase of pension to Alvin Lewis; to the Committee on Pensions.

Also, a bill (H. R. 8770) granting an increase of pension to Michael Frost; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8771) granting an increase of pension to Isaac W. Waters; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8772) to remove the charge of desertion from the record of Frederick Feninger; to the Committee on Military Affairs.

By Mr. GERRY: A bill (H. R. 8773) granting an increase of pension to Mary Denny; to the Committee on Invalid Pensions.

By Mr. HAMMOND: A bill (H. R. 8774) granting a pension to Mary U. Hull; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8775) granting an increase of pension to Elizabeth McClarg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8776) granting a pension to Phidelia Osborn; to the Committee on Invalid Pensions.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 8777) granting an increase of pension to Milford A. Bates; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8778) granting a pension to James P. Whitlow; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 8779) to correct the military record of William Steward; to the Committee on Military Affairs.

By Mr. SMITH of Maryland: A bill (H. R. 8780) to authorize the settling and certifying of the exceptions taken by Walter Murphy at the trial in the Supreme Court of the District of Columbia of a suit between the said Murphy and the Capital Traction Co.; to the Committee on the Judiciary.

By Mr. STEENERSON: A bill (H. R. 8781) granting an increase of pension to Henrietta Brawand; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII,

Mr. WILSON of New York introduced a petition of the department of taxes and assessments of the city of New York, Borough of Manhattan, favoring collecting of statistics of taxes, etc., through the United States Census Bureau, which was referred to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *October 8, 1913.*

The House was called to order by the Speaker pro tempore [Mr. SHERLEY] at 12 o'clock noon.

The SPEAKER pro tempore. The Clerk will read the following order.

The Clerk read as follows:

SPEAKER'S ROOM,
HOUSE OF REPRESENTATIVES,
Washington, D. C., October 8, 1913.

Hon. SOUTH TRIMBLE,
Clerk of the House of Representatives, Washington, D. C.

MY DEAR SIR: I hereby designate Hon. SWAGAR SHERLEY Speaker pro tempore for Wednesday, October 8.

CHAMP CLARK, *Speaker.*

Mr. MANN. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MANN. Is it signed by the Speaker of the House, Hon. CHAMP CLARK?

The SPEAKER pro tempore. It is.

Mr. MANN. Does it bear his signature?

The SPEAKER pro tempore. It does.

Mr. MANN. Of course, that is an impossibility, because he is not here this morning. He is out of the city and could not sign it.

Mr. ADAMSON. I think it will require a plea of non est factum to make that point hold.

Mr. BARTLETT. I suggest, Mr. Speaker, that the letter is on the letterhead of the Speaker's room, and I suppose that is all there is about it.

Mr. MANN. Of course, the fact of the matter is that somebody has undoubtedly signed his name to the letter.

Mr. ADAMSON. The prudent man forseeth the evil, and provideth therefor.

Mr. BARTLETT. Does the gentleman state that somebody forged the Speaker's name?

Mr. MANN. If that is the fact.

Mr. BUTLER. Let us have the Chaplain's prayer. Go ahead.

The SPEAKER pro tempore. The Chair will hold that this is the signature of the Speaker of the House and that it authorizes the present occupant of the chair to act as Speaker pro tempore.

Mr. MANN. I do not criticize the holding of the chair, notwithstanding I suppose that the Speaker's secretary signed his name to the letter without his authority.

The SPEAKER pro tempore. The Chaplain will offer prayer.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, who hast made us and endowed us with wonderful faculties of mind and soul, and hast made it possible for us to develop those faculties to perfection under the leadership of the world's great Exemplar, we bless Thee for the noble souls who by their integrity and the rectitude of their behavior have added to the sum of human happiness, and we most fervently pray that our lives may be so ordered that we may press forward to larger attainments for ourselves and for our fellow men. In the spirit of the Lord Christ. Amen.

The Journal of the proceedings of yesterday was read.

The SPEAKER pro tempore. Without objection, the minutes as read will be approved.

Mr. MANN. Reserving the right to object, Mr. Speaker, I would like to ask if it would be proper to have the Journal record the fact that, owing to so many Members being absent, even the bats have taken possession of the Hall of the House? [Laughter.]

The SPEAKER pro tempore. Without objection, the Journal as read will stand approved.

There was no objection.

URGENT DEFICIENCY BILL.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7898) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes, disagree to the Senate amendments, and ask for a conference.

The SPEAKER pro tempore. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent to take from the Speaker's table the bill H. R. 7898, disagree to the Senate amendments, and ask for a conference. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, does the gentleman wish to make an agreement to give the House an opportunity to vote on a number of these amendments?

Mr. FITZGERALD. I will say very frankly that, so far as I am concerned, there are a number of these amendments to which I shall not agree, and the House, I am inclined to think, will be compelled to vote on them.

Mr. MANN. Well, why would it not be just as well to vote on them now as to vote on them at some other time? The House has plenty of time on its hands. There are a number of amendments which are subjects of controversy.

Mr. FITZGERALD. What are the amendments to which the gentleman refers?

Mr. BUTLER. No. 8 is one, for instance.

Mr. MANN. I have listed a number.

Mr. FITZGERALD. I wish the gentleman would proceed.

Mr. MANN. No. 8, No. 38, No. 44, No. 54, No. 61, No. 71, No. 74, No. 82, No. 83, No. 93, No. 97, and No. 107.

Mr. HARDWICK. Mr. Speaker, will the gentleman yield to me just for a moment?

Mr. MANN. Certainly.

Mr. HARDWICK. Would the gentleman mind telling in just a word what those amendments are? I make that inquiry because some of the balance of us may want to vote on some of those amendments, and we want to know if the gentleman includes what we are after.

Mr. MANN. If the gentleman will refer to any special amendment, I will answer him.

Mr. HARDWICK. Is the amendment relating to deputy collectors and deputy marshals one of them?

Mr. MANN. That is one.

Mr. HARDWICK. Is the amendment referring to marshals of courts one of them?

Mr. MANN. That is one of them, too.

Mr. FOSTER. Does the gentleman include amendment No. 93?

Mr. MANN. I did. That is the automobile amendment.

Mr. FOSTER. Yes; the automobile amendment.

Mr. PAYNE. No. 8 is the amendment relating to the civil service, is it?

Mr. MANN. Yes.

Mr. FOSTER. May I inquire of the gentleman from Illinois if he includes the appropriation of $100,000 for a Red Cross building?

Mr. MANN. No. 107 is the Red Cross amendment. That is included.

Mr. FITZGERALD. Mr. Speaker, of course all of these amendments will be disagreed to by the House if it grants this request.

Mr. MANN. I understand that; but there are some gentlemen in the House who desire to have these amendments rejected and other gentlemen desire to have the House concur in them. Some Members would like to have a vote.

Mr. FITZGERALD. I suggest to the gentleman that we might make an arrangement that these amendments be brought back in disagreement. We might be able to clean up the bill pretty well otherwise. As far as I am concerned I have no desire——

Mr. MANN. Yesterday we went to considerable pains, those of us who were here—sometimes a very small number—to try to get Members who had been called out of the city to return, at least temporarily. It seems to me it would be best to take a vote now rather than to wait until perhaps nobody is here.

Mr. BARTLETT. May I ask the gentleman a question, Mr. Speaker?

Mr. MANN. Certainly.

Mr. BARTLETT. I understand the gentleman's suggestion is that if the Senate amendments are disagreed to and the bill is permitted to go to conference now without further objection, either by being required to be sent to the Committee on Appropriations or otherwise, it shall be agreed that the House shall have an opportunity to vote upon these amendments to which the gentleman has called attention when the conference report is presented, and that if that agreement is reached, the gentleman will then raise no objection to the bill going to conference. Is that his suggestion?

Mr. MANN. My suggestion is to have these amendments acted upon separately now while the House has a fair membership here.

Mr. BARTLETT. There are some of these amendments which, if agreed to, ought perhaps to be agreed to with amendments. Will the gentleman permit me to make the suggestion that the bill go to conference, with the understanding that when it comes back from conference, whatever the agreement of the conferees may be, the House shall be permitted to vote separately upon these amendments that the gentleman has suggested instead of having the House act upon them now, because if the House acts upon them now it might be that the conferees would be compelled to take the action of the House as an instruction. It occurs to me it would not be wise for the House in the beginning, before any conference is had, to take such action as would in effect be an instruction to the conferees as to what the House desires in the matter. Of course, when the conference report is made, unless such an agreement as the one suggested by the gentleman is made, we would have to act upon the conference report as a whole and would have to vote it up or down.

Mr. FITZGERALD. We would have to do that anyway, unless these amendments came back in disagreement.

Mr. BARTLETT. Yes.

Mr. MANN. Of course, if the House should concur in any Senate amendment, that would not be in disagreement, and would be beyond the jurisdiction of the conferees. Of course, if the House should vote to nonconcur in any particular amendments, those amendments would still be in conference, and the conferees would understand the attitude of the House, but would not be bound by it. I think we ought to have a vote to-day upon these amendments.

Mr. FITZGERALD. The difficulty about voting now would be this: If a motion is made to concur in one of these Senate amendments and the House refuses to concur, that is in effect an instruction to the conferees not to agree to that amendment.

Mr. MANN. I do not quite agree with the gentleman. It would be an instruction to the conferees that the attitude of the House was opposed to the amendment; but of course that is not binding upon the conferees. The gentleman himself proposes to disagree to the Senate amendments and to take the attitude of the House on that. Of course the conferees would understand the attitude of the House, and then it would depend upon the attitude of the Senate.

Mr. FITZGERALD. It would be very difficult to reach any agreement in conference unless the conferees brought the matter back to the House and tested the sentiment of the House a second time.

Mr. MANN. Here is a situation which seldom arises in Congress. Under the rules of the House these Senate amendments have to go to the Committee on Appropriations, and when reported back are referred to the Committee of the Whole House on the state of the Union. That is the rule of the House, but it is a rule that is practically never followed. It might be very good instruction for us all when the House is not occupied with much other business—nothing else that I know of at present—to take up a few of these amendments, a few out of 107 amendments, and follow the rules of the House just, for instance, to see how it works. We might want to do it again in the future some time. I think myself that a reform is very much needed in the matter of making appropriation bills in conference. Whether it is possible to do it in the House on Senate amendments under pressure of business at a regular session of Congress I do not know.

Mr. FITZGERALD. The gentleman, of course, understands that there are 107 Senate amendments?

Mr. MANN. I have just so stated, and so understand.

Mr. FITZGERALD. The rule to which the gentleman refers has not been literally followed in my experience in the House——

Mr. MANN. I think that is correct.

Mr. FITZGERALD. Because of the practical impossibility of attempting to consider all of the Senate amendments to appropriation bills in Committee of the Whole House on the state of the Union.

Mr. MANN. And, on the other hand, it is also true that in the gentleman's experience there never has been a time when the House was expected to remain in session for two months with nothing else to do except to pass this one appropriation bill.

Mr. FITZGERALD. We hope that we will not be on this appropriation bill for the next two months.

Mr. MANN. I hope not; but still we have the time.

Mr. FITZGERALD. Because the Committee on Appropriations has serious work to do in the next few months that will probably require its absence from the floor.

Mr. MANN. The Committee on Appropriations has taken plenty of time to bring in this bill, and it ought now to be willing to give the House an opportunity to consider at least one dozen out of 107 amendments.

Mr. FITZGERALD. A dozen is correct.

Mr. CANDLER of Mississippi. If we proceed under the rule, as the gentleman from Illinois suggests, would it require two months to dispose of it?

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. MANN. Mr. Speaker, for the present I reserve the right to object.

Mr. FITZGERALD. Mr. Speaker, there are some of the Senate amendments that I have not examined sufficiently to know what their effect would be, and there would be considerable embarrassment in an attempt to discuss them if the matters were now called up in the House.

Mr. MANN. Perhaps some other Members of the House can give my distinguished friend from New York information that would be of great assistance to him in conference when considering these Senate amendments.

Mr. FITZGERALD. That is undoubtedly true; but I would be in the unfortunate position of being compelled to submit certain motions and discuss them without information that I should have.

Mr. MANN. But the gentleman can at all times submit the same motion that he now asks unanimous consent for, namely, to disagree to the amendments, and he will know just as much when he makes that motion as he knows now, and perhaps more.

Mr. FITZGERALD. No; some gentlemen may take advantage of the situation and move to concur in some amendment, and, being in charge of the bill, I will be compelled to antagonize the amendment, and I should be in possession of information that the House is entitled to expect when such a motion is made.

Mr. BUTLER. Mr. Speaker, I shall object to the request in so far as it relates to amendment No. 8, the civil-service provision, unless the gentleman from New York will consent that the House may vote specifically upon it.

Mr. FITZGERALD. If I am a conferee on the bill, and I assume that under the practice——

Mr. MANN. There is some possibility of it.

Mr. FITZGERALD (continuing). Under the practice of the House I shall be——

Mr. BUTLER. We hope the gentleman will be.

Mr. FITZGERALD (continuing). I shall not agree to the amendment in conference, and if it be adopted it will have to be adopted by the House.

Mr. BUTLER. We all have confidence in the gentleman from New York, but some of the rest of us want to be squarely upon record on that amendment.

Mr. FITZGERALD. If the gentleman's colleague, who will be named a conferee, Mr. GILLETT, of Massachusetts, is as sincere in advocating civil-service reform as I am myself——

Mr. BUTLER. I hope he is.

Mr. MANN. A little more sincere, I think.

Mr. FITZGERALD (continuing). I do not think there will be any desire on the part of anyone representing the House to assent to that amendment.

Mr. MANN. But we are notified, Mr. Speaker, that the amendment can not go to conference and be finally disposed of without a vote in the House at the same time, and from that side of the House.

Mr. FITZGERALD. We have other amendments——

Mr. MANN. I say we are notified from that side of the House privately that the amendment can not possibly be disposed of without a vote in the House.

Mr. FITZGERALD. I will make that statement, that that amendment will not be disposed of without a vote.

Mr. MANN. Then I say let us dispose of it and give our attitude on it to-day instead of waiting until everybody has gone out of the city.

Mr. FITZGERALD. There are a number of other amendments——

Mr. PAYNE. Mr. Speaker, will the gentleman from Illinois yield to me?

Mr. MANN. Certainly.

Mr. PAYNE. I want to suggest, Mr. Speaker, there is no hardship in compelling the House to vote on some of these amendments, because when the matter was up just after the tariff bill was finally voted upon I gave my colleagues and the House notice that they had better keep a quorum here, because I should insist in the first instance on a record vote on some of these amendments, having in mind, and I do not know but what I stated it, the amendment in regard to the civil service and the amendment in regard to the automobile and another amendment in regard to the Commerce Court judges. I stated they would be required to have a record vote upon them before we would send the bill to conference and they had better keep their quorum here.

Mr. FITZGERALD. I have the same notion. I do not believe a Democratic House, having taken an automobile from a Republican Vice President and a Republican Speaker, would be justified then in giving one to a Democratic Vice President, although I was not in sympathy with the movement to take the automobiles away from both of those officials.

Mr. MANN. I believe in giving both automobiles myself, and I want to test the temper of the House on that if I can.

Mr. PAYNE. I would vote for an amendment giving the Speaker and the Vice President both automobiles. I voted for that before and I have not changed my attitude. I heard a great deal about the extravagance of it at that time, and I want some gentlemen who were so exercised over the extravagance that they carried it all through the campaign to be on record now on that subject. It is a matter of curiosity largely now, and I want to see the House vote on knocking out that amendment, and the same way with the civil-service amendment and the item in regard to the Commerce Court. I want to save what little the Senate has saved of that amendment and want a vote on that on its merits. The other, on the automobile, is simply a matter which you gentlemen on that side of the House believe in and have sworn to so often during the campaign and put into your handbook and into your platform almost.

Mr. BATHRICK. Mr. Speaker, I desire the attention of the chairman of the committee. I wish to ask if he is willing for the House to have a vote on Senate amendment No. 44 when the conferees report?

Mr. CANDLER of Mississippi. What is amendment No. 44?

Mr. BATHRICK. Amendment No. 44 is to make good the supplies of the Ohio National Guard which they lost during their service in the recent flood disaster in Ohio.

Mr. MANN. That is one of the amendments which I included as wanting to have voted on now, I will say to the gentleman from Ohio.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. FITZGERALD]?

Mr. MANN. As it is put, I shall have to object if the time has come when you have to dispose of it.

Mr. COX. Will the gentleman from New York [Mr. FITZGERALD] yield for a question? I want to get clear the chairman's attitude on two amendments. I want to say that I have most implicit confidence in the gentleman, and when he gives me his word that is all I want. I would like to know if whether or not before the gentleman will yield in conference on the automobile proposition to the Senate he will bring it back and let the House vote on it?

Mr. FITZGERALD. I shall not as conferee agree to such an amendment in view of the history of the transaction.

Mr. COX. And also in regard to the amendment giving employees an extra month's salary?

Mr. FITZGERALD. So far as I am concerned.

Mr. TALCOTT of New York. And so, in regard to the amendment asked about by the gentleman from Ohio [Mr. BATHRICK]?

Mr. FITZGERALD. The House has a right to determine these questions. I do not wish to force my views in opposition to the House.

I ask unanimous consent that the bill with the Senate amendments be taken from the Speaker's table, the Senate amendments be disagreed to, and that the conference requested by the Senate be agreed to.

Mr. MANN. My suggestion is that there be time given for general debate in the House, a length of time to be agreed upon, and a separate vote be permitted on the amendments which I enumerated.

Mr. FITZGERALD. How much time? Under the five-minute rule?

Mr. MANN. I think there should be some general debate first, and after that I am perfectly willing to have the amendments considered under the five-minute rule.

Mr. FITZGERALD. How much general debate does the gentleman believe we should have? An hour?

Mr. MANN. There ought to be more than that. There are several gentlemen who want to be heard. There probably is not a quorum in town to-day. I presume there will be to-morrow. I do not see why you should try to hurry the matter. It is almost certain there will be a roll call on some of these amendments.

Mr. BARTLETT. May I ask the gentleman a question?

Mr. MANN. Yes.

Mr. BARTLETT. The gentleman speaks about general debate. Does he mean general debate on these amendments alone, or on anything?

Mr. MANN. On anything. The ordinary rule, I will state.

Mr. BARTLETT. The gentleman uses the term "general debate" in its real sense?

Mr. MANN. Yes.

Mr. FITZGERALD. How much debate does the gentleman suggest?

Mr. MANN. Well, I should say two hours and a half of general debate on this side.

Mr. FITZGERALD. I will not consent to that.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. FITZGERALD]?

Mr. MANN. I reserve the right to object. I am quite willing, if you wish to do so, that you pass the appropriation bill under a rule when you have nothing else to do, instead of considering it in the House. Some gentlemen suggest a rule. That does not bother me any.

Mr. METZ. I would like to inquire of the chairman of the committee if he has any idea of when the bill is likely to come back here from conference?

The SPEAKER pro tempore. The gentleman from New York [Mr. METZ] asks the attention of the chairman of the Committee on Appropriations.

Mr. MANN. My colleague wants to know whether he can get to New York to make a speech.

Mr. METZ. I do not care anything about staying here listening to hot air for nothing. Why not be frank amongst ourselves, at least?

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. FITZGERALD]?

Mr. MANN. I object.

The SPEAKER pro tempore. Objection is made.

Mr. MANN. I was not objecting, Mr. Speaker, to the request of this gentleman from New York, Mr. METZ. It was to the request of the other gentleman from New York, Mr. FITZGERALD.

Mr. METZ. Oh, I beg the gentleman's pardon. My inquiry was what the prospect was of having this bill come back from conference.

The SPEAKER pro tempore. Objection is made.

Mr. MANN. The objection I made was to the request of the gentleman's colleague; not his.

The SPEAKER pro tempore. The regular order has been demanded, and this being Calendar Wednesday, the call of committees is the regular order.

Mr. MANN. Mr. Speaker, is that correct? Is not the vocational education bill the unfinished business? Does not the House automatically resolve itself into Committee of the Whole House on the state of the Union?

The SPEAKER pro tempore. The Chair is not advised at present whether that is the unfinished business or not.

Mr. PAYNE. Mr. Speaker, I have a request to make, and that is that my colleague [Mr. METZ] be excused from further attendance to-day. He wants to go home to New York.

Mr. METZ. And to-morrow.

Mr. PAYNE. I will include to-day and to-morrow. Mr. Speaker, I ask that my request for unanimous consent be put, that my colleague [Mr. METZ] be excused from further attendance to-day and to-morrow.

The SPEAKER pro tempore. The gentleman is out of order.

Mr. HARDWICK. Mr. Speaker, I make the point of order that this being Calendar Wednesday, this is all out of order.

VOCATIONAL EDUCATION.

The SPEAKER pro tempore. The Chair has so ruled. On the last Calendar Wednesday the House had under consideration Senate joint resolution No. 5. Under the rule the House automatically resolves itself into Committee of the Whole House on the state of the Union for the further consideration of said resolution as the unfinished business on Calendar Wednesday, and the gentleman from Tennessee [Mr. GARRETT] will take the chair.

Mr. HUGHES of Georgia rose.

Mr. FITZGERALD. Mr. Speaker, the gentleman from Georgia [Mr. HUGHES] did not call his bill up.

The SPEAKER pro tempore. The understanding of the Chair is that automatically on Calendar Wednesday the House resolves itself into the Committee of the Whole House on the state of the Union for the purpose of considering unfinished business in order on Calendar Wednesday.

Mr. FITZGERALD. It does not, Mr. Speaker.

Mr. MANN. It does.

Mr. FITZGERALD. Under the rule the committee must be called, and the gentleman has not called his bill.

Mr. MANN. The gentleman from New York is mistaken.

The SPEAKER pro tempore. The Chair thinks that the gentleman is mistaken, but would be glad to hear him if he can cite any authority.

Mr. HUGHES of Georgia. Mr. Speaker, I move that we lay that resolution aside temporarily.

The SPEAKER pro tempore. The gentleman's motion is not in order. The Chair holds that automatically the House resolves itself into Committee of the Whole House on the state of the Union for the further consideration of Senate joint resolution No. 5.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of Senate joint resolution No. 5, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of Senate joint resolution No. 5, which the Clerk will read by title.

The Clerk read as follows:

Joint resolution (S. J. Res. 5) providing for the appointment of a commission to consider the need and report a plan for national aid to vocational education.

Mr. HUGHES of Georgia. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Georgia [Mr. HUGHES] moves that the committee do now rise. The question is on agreeing to that motion.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. MANN. A division, Mr. Chairman.

The committee divided; and there were—ayes 119, noes 35.

Accordingly the committee rose; and the Speaker pro tempore [Mr. SHERLEY] having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration Senate joint resolution No. 5, and had come to no resolution thereon.

The SPEAKER pro tempore. The Clerk will proceed with the call of committees.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MANN. The call of committees having passed beyond the committee that called up that vocational educational bill, I suppose that is dead until that committee is reached again.

The SPEAKER pro tempore. The Chair will rule on that matter when it is presented, and would not care to express an opinion prior to that time.

The Clerk proceeded with the call of committees.

The Committee on Appropriations was called.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. HUMPHREYS of Mississippi. Will the gentleman withhold that for a moment?

Mr. GARRETT of Tennessee. I will.

Mr. MANN. I make the point of order that there is no quorum present.

Mr. BARTLETT. That point has been made over on this side.

Mr. MANN. But the gentleman withdrew it.

Mr. HUMPHREYS of Mississippi. No; he withheld it.

Mr. MANN. He can not withhold it.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. GARRETT] and the gentleman from Illinois [Mr. MANN] both make the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and sixty-one Members present, not a quorum.

Mr. FITZGERALD. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will summon absentees, and the Clerk will call the roll.

The Clerk proceeded to call the roll, when the following Members failed to answer to their names:

Adair	Dooling	Keating	Reed
Alexander	Doughton	Keller, Mich.	Reilly, Wis.
Allen	Driscoll	Kelly, Pa.	Richardson
Anderson	Dunn	Kennedy, Conn.	Riordan
Ansberry	Dupré	Kennedy, R. I.	Roberts, Nev.
Anthony	Dyer	Kent	Rogers
Ashbrook	Elder	Kettner	Rubey
Aswell	Esch	Key, Ohio	Rucker
Austin	Fairchild	Kinkaid, Nebr.	Russell
Avis	Falson	Knowland, J. R.	Sabath
Bailey	Ferris	Kopp	Scott
Barchfeld	Fess	Langham	Seldomridge
Barnhart	Finley	Langley	Sells
Bartholdt	FitzHenry	Lazaro	Shackleford
Blackmon	Fordney	Lee, Ga.	Sherwood
Booher	Gallagher	Lenroot	Shreve
Borchers	Gardner	Levy	Slemp
Borland	Garner	Lewis, Pa.	Sloan
Bowdle	Gillett	Lindbergh	Small
Bremner	Gilmore	Lindquist	Smith, J. M. C.
Britten	Giffins	Lloyd	Smith, Saml. W.
Broussard	Glass	McAndrews	Smith, Minn.
Brown, N. Y.	Goeke	McClellan	Smith, N. Y.
Bruckner	Good	McGuire, Okla.	Sparkman
Bryan	Goodwin, Ark.	McKellar	Stafford
Buchanan, Ill.	Gordon	McKenzie	Stanley
Burgess	Gorman	McLaughlin	Stephens, Cal.
Burke, Pa.	Graham, Ill.	Madden	Stephens, Nebr.
Burke, S. Dak.	Graham, Pa.	Maher	Stephens, Tex.
Burke, Wis.	Green, Iowa	Martin	Stevens, Minn.
Byrnes, S. C.	Greene, Mass.	Merritt	Sumners
Callaway	Griest	Miller	Sutherland
Cantrill	Griffin	Mitchell	Switzer
Caraway	Gudger	Moon	Taylor, Ala.
Carew	Guernsey	Moore	Taylor, Ark.
Carter	Hamilton, Mich.	Morgan, Okla.	Taylor, Colo.
Cary	Hamilton, N. Y.	Mott	Temple
Church	Hamlin	Murdock	Ten Eyck
Clancy	Harrison	Murray, Mass.	Thacher
Cline	Hart	Murray, Okla.	Thomas
Connelly, Kans.	Haugen	Neeley	Thomson, Ill.
Conry	Hay	Nolan, J. I.	Treadway
Copley	Hayes	Norton	Tribble
Covington	Heflin	O'Shaunessy	Underhill
Cramton	Helgesen	Palmer	Underwood
Crisp	Henry	Parker	Volstead
Cullop	Hensley	Patten, N. Y.	Walker
Curley	Hinds	Peters, Mass.	Wallin
Dale	Hinebaugh	Peters, Me.	Walsh
Danforth	Hobson	Peterson	Webb
Davenport	Houston	Phelan	Whitacre
Decker	Howell	Platt	Williams
Deitrick	Hoxworth	Post	Willis
Dershem	Hughes, W. Va.	Pou	Wilson, Fla.
Dickinson	Humphrey, Wash.	Prouty	Wingo
Dies	Igoe	Quin	Winslow
Dillon	Jacoway	Rainey	Witherspoon
Donohoe	Jones	Rauch	Woodruff

Mr. EDWARDS. Mr. Speaker, I ask unanimous consent that Mr. J. R. WALKER, my colleague, be excused from attendance on the House on this call for the reason that he is confined to bed on account of illness at the Congress Hall Hotel in this city.

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent that his colleague, Mr. WALKER, be excused from attendance on the House on account of illness. Is there objection?

There was no objection, and it was so ordered.

The SPEAKER pro tempore. The roll call discloses that 187 Members have answered to their names—not a quorum.

Mr. FITZGERALD. Mr. Speaker, I move that the Sergeant at Arms be directed to bring in the absentees and that the Speaker be authorized to issue the warrants therefor, and that they be arrested wherever found.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York that the Sergeant at Arms be instructed to arrest and bring before the House the absentees and the Speaker issue the warrants authorizing him so to do.

The question was taken, and the motion was agreed to.

Later,

Mr. DONOVAN rose.

The SPEAKER pro tempore (Mr. PAGE). For what purpose does the gentleman from Connecticut rise?

Mr. DONOVAN. Mr. Speaker, is it true that not a Member from Missouri has been here to-day or yesterday?

The SPEAKER pro tempore. The Chair is not able to answer the gentleman's question as to whether it is true or not.

Mr. BARTLETT. The roll call shows.

The SPEAKER pro tempore. The roll call will disclose whether or not that is true.

Mr. FITZGERALD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FITZGERALD. Is a quorum present?

The SPEAKER pro tempore. No; there is not a quorum present.

Mr. MANN. And the Chair might further answer there will not be to-day.

The SPEAKER pro tempore. The Chair will not take that liberty.

Mr. FITZGERALD. How many are present, Mr. Speaker?

The SPEAKER pro tempore. We lack 20 of a quorum.

Mr. FITZGERALD. Mr. Speaker, as notice of this proceeding will probably result in a quorum being present to-morrow, and we will be able to proceed, I move that the House do now adjourn.

Mr. FOSTER. Mr. Speaker, will the gentleman from New York permit me to ask him a question?

Mr. FITZGERALD. Certainly.

Mr. FOSTER. I want to ask the gentleman from New York if it is his intention to stay in session to-morrow until we do secure a quorum?

Mr. FITZGERALD. I do not think it will be necessary.

Mr. MANN. I am in favor of staying in session to-day until we get a quorum.

The SPEAKER pro tempore (Mr. SHERLEY). As many as second the motion of the gentleman from New York that the House do now adjourn will rise and stand until they are counted. [After counting.] Twenty-five gentlemen second the motion and 15 oppose it, therefore the question is, Shall the House now adjourn?

The question was taken, and the Speaker pro tempore announced the ayes seemed to have it.

Mr. MANN. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER pro tempore. The gentleman from Illinois demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted.

Mr. FITZGERALD. How many demand the yeas and nays; the record shows how many are present.

Mr. MANN. Oh, it does not.

Mr. FITZGERALD. The record shows those who have answered to their names, and the gentleman must have one-fifth of those Members who answered present.

The SPEAKER pro tempore. The Chair thinks those actually present determine whether a sufficient number have risen to order the yeas and nays, and, in order that the Chair may accurately determine those who are present, those who have not risen to order the yeas and nays will please rise. [After counting.] Twenty-seven have risen to order the yeas and nays, and there being present in the Chamber 60 Members, the yeas and nays are ordered, and the Clerk will call the roll on the motion of the gentleman from New York that the House do now adjourn.

The question was taken; and there were—yeas 87, nays 62, answered "present" 8, not voting 269, as follows:

YEAS—87.

Abercrombie	Donovan	Howard	Padgett
Baker	Doremus	Hughes, Ga.	Page
Baltz	Eagan	Hullings	Pepper
Bathrick	Eagle	Hull	Rayburn
Beakes	Evans	Humphreys, Miss.	Reilly, Conn.
Beall, Tex.	Fergusson	Johnson, Ky.	Sims
Bell, Ga.	Fitzgerald	Kinkaid, Nebr.	Slayden
Brockson	Flood, Va.	Kirkpatrick	Smith, Md.
Brown, W. Va.	Floyd, Ark.	Korbly	Smith, Tex.
Browne, Wis.	Foster	Lee, Pa.	Stevens, N. H.
Buchanan, Tex.	Gard	Losher	Stringer
Butkley	Garrett, Tenn.	Lieb	Taggart
Byrns, Tenn.	Garrett, Tex.	Linthicum	Talcott, N. Y.
Carr	George	Lobeck	Thompson, Okla.
Casey	Gerry	Lonergan	Townsend
Claypool	Godwin, N. C.	Maguire, Nebr.	Walsh
Clayton	Goldfogle	Mahan	Watkins
Connolly, Iowa	Hammond	Montague	Weaver
Crosser	Hardy	Morgan, La.	Whaley
Dent	Hayden	O'Brien	White
Difenderfer	Helm	O'Hair	Wilson, N. Y.
Dixon	Helvering	O'Leary	Young, Tex.

NAYS—62.

Ainey	Farr	Kitchin	Rupley
Barkley	Fowler	Kreider	Sharp
Barton	Francis	La Follette	Sinnott
Bell, Cal.	Frear	McCoy	Sisson
Butler	French	MacDonald	Smith, Idaho
Calder	Goulden	Mapes	Stephens, Miss.
Campbell	Gray	Morin	Stone
Candler, Miss.	Greene, Vt.	Moss, Ind.	Tavenner
Chandler, N. Y.	Hawley	Oldfield	Taylor, N. Y.
Cooper	Hill	Patton, Pa.	Towner
Cox	Johnson, Utah	Payne	Tuttle
Curry	Kelster	Plumley	Vare
Davis	Kennedy, Iowa	Powers	Walters
Doolittle	Kless, Pa.	Raker	Young, N. Dak.
Edmonds	Kindel	Roberts, Mass.	
Falconer	Kinkead, N. J.	Rouse	

ANSWERED "PRESENT"—8.

Adamson	Hardwick	Mann	Morrison
Fields	Holland	Mondell	Wallin

NOT VOTING—268.

Adair	Dooling	Kennedy, Conn.	Reed
Aiken	Doughton	Kennedy, R. I.	Reilly, Wis.
Alexander	Driscoll	Kent	Richardson
Allen	Dunn	Kettner	Riordan
Anderson	Dupré	Key, Ohio	Roberts, Nev.
Ansberry	Dyer	Knowland, J. R.	Rogers
Anthony	Elder	Konop	Rothermel
Ashbrook	Esch	Lafferty	Rubey
Aswell	Estopinal	Langham	Rucker
Austin	Fairchild	Langley	Russell
Avis	Falson	Lazaro	Sabath
Bailey	Ferris	Lee, Ga.	Saunders
Barchfeld	Foss	L'Engle	Scott
Barnhart	Finley	Lenroot	Scully
Bartholdt	Fitzhenry	Lever	Seldomridge
Bartlett	Fordney	Levy	Sells
Blackmon	Gallagher	Lewis, Md.	Shackleford
Booher	Gardner	Lewis, Pa.	Sherley
Borchers	Garner	Lindbergh	Sherwood
Borland	Gillett	Lindquist	Shreve
Bowdle	Gilmore	Lloyd	Slemp
Bremner	Gittins	Logue	Sloan
Britten	Glass	McAndrews	Small
Brodbeck	Goeke	McClellan	Smith, J. M. C.
Broussard	Good	McDermott	Smith, Saml. W.
Brown, N. Y.	Goodwin, Ark.	McGillicuddy	Smith, Minn.
Browning	Gordon	McGuire, Okla.	Smith, N. Y.
Brueckner	Gorman	McKellar	Sparkman
Brumbaugh	Graham, Ill.	McKenzie	Stafford
Bryan	Graham, Pa.	McLaughlin	Stanley
Buchanan, Ill.	Green, Iowa	Madden	Stedman
Burgess	Greene, Mass.	Maher	Steenerson
Burke, Pa.	Gregg	Manahan	Stephens, Cal.
Burke, S. Dak.	Griest	Martin	Stephens, Nebr.
Burke, Wis.	Griffin	Merritt	Stephens, Tex.
Burnett	Gudger	Miller	Stevens, Minn.
Byrnes, S. C.	Guernsey	Mitchell	Stout
Callaway	Hamill	Moon	Sumners
Cantrill	Hamilton, Mich.	Moore	Sutherland
Caraway	Hamilton, N. Y.	Morgan, Okla.	Switzer
Carew	Hamlin	Moss, W. Va.	Talbott, Md.
Carlin	Harrison	Mott	Taylor, Ala.
Carter	Hart	Murdock	Taylor, Ark.
Cary	Haugen	Murray, Mass.	Taylor, Colo.
Church	Hay	Murray, Okla.	Temple
Clancy	Hayes	Neeley	Ten Eyck
Clark, Fla.	Heflin	Nelson	Thacher
Cline	Helgesen	Nolan, J. I.	Thomas
Collier	Henry	Norton	Thomson, Ill.
Connelly, Kans.	Hensley	Oglesby	Treadway
Conry	Hinds	O'Shaunessy	Tribble
Copley	Hinebaugh	Palmer	Underhill
Covington	Hobson	Parker	Underwood
Cramton	Houston	Patten, N. Y.	Vaughan
Crisp	Howell	Peters, Me.	Volstead
Cullop	Hoxworth	Peters, Mass.	Walker
Curley	Hughes, W. Va.	Peterson	Watson
Dale	Humphrey, Wash.	Phelan	Webb
Danforth	Igoe	Platt	Whitacre
Davenport	Jacoway	Porter	Williams
Decker	Johnson, S. C.	Post	Willis
Deitrick	Johnson, Wash.	Pou	Wilson, Fla.
Dershem	Jones	Prouty	Wingo
Dickinson	Kahn	Quin	Winslow
Dies	Keating	Ragsdale	Witherspoon
Dillon	Kelley, Mich.	Rainey	Woodruff
Donohoe	Kelly, Pa.	Rauch	Woods

So the motion to adjourn was agreed to.

Mr. MANN. Mr. Speaker, I voted "nay," but I am paired with the gentleman from Alabama, Mr. UNDERWOOD, and I think he is not recorded. Therefore I wish to vote "present."

The SPEAKER pro tempore. The Clerk will call the gentleman's name.

The name of Mr. MANN was called, and he voted "present."

The Clerk announced the following pairs:

For the session:

Mr. SCULLY with Mr. BROWNING.

Mr. UNDERWOOD with Mr. MANN.

Mr. HOBSON with Mr. FAIRCHILD.

Mr. METZ with Mr. WALLIN.

From October 1 for remainder of extra session:

Mr. REED with Mr. WINSLOW.

Until further notice:

Mr. WEBB with Mr. GREENE of Massachusetts.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. FINLEY with Mr. GREEN of Iowa.

Mr. BREMNER with Mr. KIESS of Pennsylvania.

Mr. NEELEY with Mr. GRAHAM of Pennsylvania.

Mr. CLINE with Mr. NORTON.

Mr. FERRIS with Mr. SHREVE.

Mr. HOUSTON with Mr. WILLIS.

Mr. KETTNER with Mr. SCOTT.

Mr. PETERSON with Mr. LINDQUIST.

Mr. TALBOTT of Maryland with Mr. MERRITT.

Mr. HENRY with Mr. LEWIS of Pennsylvania.

Mr. BURKE of Wisconsin with Mr. CARY.

Mr. CANTRILL with Mr. HELGESEN.

Mr. LLOYD with Mr. GILLETT.

Mr. GORMAN with Mr. MCKENZIE.

Mr. ROTHERMEL with Mr. FESS.

Mr. ANSBERRY with Mr. HUGHES of West Virginia.

Mr. KEATING with Mr. PLATT.

Mr. CARTER with Mr. MCGUIRE of Oklahoma.

Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.

Mr. STEPHENS of Nebraska with Mr. SLOAN.

Mr. MADDEN with Mr. RAINEY.

Mr. HARRISON with Mr. HAMILTON of New York.

Mr. GALLAGHER with Mr. PARKER.

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. WILLIAMS with Mr. BRITTEN.

Mr. SUMNERS with Mr. DUNN.

Mr. BAILEY with Mr. MOTT.

Mr. GRAHAM of Illinois with Mr. PETERS of Maine.

Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.

Mr. HOXWORTH with Mr. ROBERTS of Nevada.

Mr. RICHARDSON with Mr. MARTIN.

Mr. BOOHER with Mr. SLEMP.

Mr. CRISP with Mr. HINDS.

Mr. BUCHANAN of Illinois with Mr. THOMSON of Illinois.

Mr. DECKER with Mr. WOODRUFF.

Mr. EDWARDS with Mr. PROUTY.

Mr. WILSON of Florida with Mr. GOOD.

Mr. BORLAND with Mr. BARTHOLDT.

Mr. DICKINSON with Mr. KINKAID of Nebraska.

Mr. MCGILLICUDDY with Mr. GUERNSEY.

Mr. ASWELL with Mr. MCLAUGHLIN.

Mr. EVANS with Mr. MILLER.

Mr. HENSLEY with Mr. DYER.

Mr. ALLEN with Mr. J. M. C. SMITH (except on currency).

Mr. HARDWICK with Mr. FORDNEY.

Mr. STEPHENS of California with Mr. WITHERSPOON.

Mr. HOLLAND with Mr. VOLSTEAD.

Mr. UNDERHILL with Mr. MOSS of West Virginia.

Mr. ADAIR with Mr. ANDERSON.

Mr. AIKEN with Mr. ANTHONY.

Mr. ASHBROOK with Mr. AUSTIN.

Mr. BARNHART with Mr. AVIS.

Mr. BARTLETT with Mr. BRYAN.

Mr. BLACKMON with Mr. BARCHFELD.

Mr. BROWN of New York with Mr. COPLEY.

Mr. BRUCKNER with Mr. DANFORTH.

Mr. BURNETT with Mr. DILLON.

Mr. BYRNES of South Carolina with Mr. ESCH.

Mr. CARLIN with Mr. HAUGEN.

Mr. CLARK of Florida with Mr. HAYES.

Mr. COLLIER with Mr. HOWELL.

Mr. CONRY with Mr. HINEBAUGH.

Mr. CULLOP with Mr. JOHNSON of Washington.

Mr. COVINGTON with Mr. KAHN.

Mr. CURLEY with Mr. J. R. KNOWLAND.

Mr. DAVENPORT with Mr. KELLY of Pennsylvania.

Mr. DIES with Mr. LAFFERTY.

Mr. DONOHOE with Mr. MANAHAN.

Mr. DOUGHTON with Mr. LANGHAM.

Mr. DRISCOLL with Mr. LANGLEY.

Mr. DUPRÉ with Mr. MOORE.

Mr. ESTOPINAL with Mr. MURDOCK.

Mr. FAISON with Mr. NELSON.

Mr. GARNER with Mr. J. I. NOLAN.

Mr. GILMORE with Mr. PORTER.

Mr. GLASS with Mr. SELLS.

Mr. GUDGER with Mr. ROGERS.

Mr. HAMILL with Mr. SAMUEL W. SMITH.

Mr. HAMLIN with Mr. STEENERSON.

Mr. PALMER with Mr. SUTHERLAND.

Mr. PETERS of Massachusetts with Mr. SMITH of Minnesota.

Mr. PHELAN with Mr. SWITZER.

Mr. RAUCH with Mr. TEMPLE.

Mr. RUBEY with Mr. TREADWAY.

Mr. RUCKER with Mr. WOODS.

Mr. SMALL with Mr. GRIEST.

Mr. SABATH with Mr. BURKE of Pennsylvania.

Mr. SAUNDERS with Mr. CRAMTON.

Mr. FIELDS with Mr. LANGLEY.

Mr. CANDLER of Mississippi. Mr. Speaker, I would like to be recorded. Is this a call of the House?

The SPEAKER pro tempore. It is a roll call on a motion to adjourn, pending the obtaining of a quorum.

Mr. CANDLER of Mississippi. Am I entitled to vote?

The SPEAKER pro tempore. The Chair thinks the gentleman is. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. CANDLER of Mississippi, and he answered in the affirmative.

Mr. SIMS. Mr. Speaker, I desire to vote "aye."

The SPEAKER pro tempore. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. SIMS, and he voted in the affirmative.

Mr. MANN. Mr. Speaker, is the gentleman qualified?

The SPEAKER pro tempore. The Chair thinks a motion to adjourn, pending the obtaining of a quorum, is such a proceeding as entitles anyone appearing, prior to the announcement by the Chair of the vote, to the right to vote.

Mr. MANN. May I inquire whether or not that is a settled opinion of the Chair or whether he has looked it up?

The SPEAKER pro tempore. The Chair would be glad to hear from the gentleman if he has any information on the subject.

Mr. MANN. My recollection is that on a roll call under the rule a man is not entitled to vote unless the roll call is an automatic roll call on a motion to adjourn or a roll call which requires a quorum. A motion to adjourn does not require a quorum to vote

The SPEAKER pro tempore. The Chair at first was rather inclined to that opinion, but in the limited time allowed it to investigate it was unable to find an authority, and it seems to the Chair, in the absence of a quorum, this motion being a motion made while an attempt was being made to obtain a quorum, that the reason applying in the case that the gentleman has cited of an automatic roll call ought to obtain here, and it should be so held in the absence of a prior ruling to the contrary.

Mr. MANN. But, Mr. Speaker, the theory upon which a Member can vote where no quorum appears is that the purpose of the House is to obtain a quorum. Hence on an automatic call a Member can vote, although he was not present at first, and on any roll call when no quorum appears Members are permitted to vote after the roll call is had in order to help make up a quorum. But these are votes where a quorum is required. Now, a quorum is not required on this vote.

The SPEAKER pro tempore. That is true; but in the opinion of the Chair, if the vote should not be determined in the affirmative—and it can not be assumed that it will be so decided—the need of a quorum to be ascertained would still exist.

Mr. MANN. But should the House not adjourn, these gentlemen will have their names called at once on a call of the House to ascertain whether a quorum is present. This roll call does not require a quorum, and if the House should not adjourn the gentlemen coming in will have their names called on the roll call just now pending, this latter roll call being an automatic roll call. I am not concerned whether these gentlemen vote or not, although it may later become important, and I would not wish that question to be considered as settled unless the Chair has had opportunity to look it up.

The SPEAKER pro tempore. The Chair has not looked it up.

Mr. GARRETT of Tennessee. Mr. Speaker, if the gentleman will permit, there is no conceivable circumstance under which it could do any harm, because the only motion in order is a motion to adjourn.

Mr. MANN. There are conceivable circumstances where it would do harm to permit a rule of the House by which Members can refrain from voting when their names are called and then walk down, one at a time, and ask to vote later on on any question. That is the purpose of the rule of the House. One of the purposes is to prevent obstructive tactics, and this method could be easily used in that way. Suppose one-half of the Members of the House should refuse to vote on the roll call and have their names called twice, and then come down and be recorded. It takes a great deal of time, and——

Mr. GARRETT of Tennessee. It makes a difference when the motion to adjourn is in order.

Mr. MANN. Yes; but the motion to adjourn is a favorite filibustering motion.

Mr. KINKEAD of New Jersey. Mr. Speaker, the gentleman from Illinois knows that we are not attempting to filibuster to-day.

Mr. MANN. No. The gentleman from New Jersey [Mr. KINKEAD] knows nothing about anything except his preconceived notion of the Beef Trust.

Mr. KINKEAD of New Jersey. I will say to the gentleman from Illinois that the gentleman from New Jersey knows what he is talking about in connection with the Beef Trust. A newspaper dispatch from Detroit says that a carload of Canadian beef has been coming in every hour since the tariff bill was passed, thus proving my contention that once the tariff wall was cut away that we would have competition from Canada.

Mr. MANN. May I ask whether the Chair has examined the rule?

The SPEAKER pro tempore. The Chair is trying to ascertain if there is any precedent upon the matter and has been unable to find any.

Mr. MANN. Will the Chair permit me to call his attention to the language of Rule XV, paragraph 1, where, after referring to the second call, it says:

> And thereafter the Speaker shall not entertain a request to record a vote or announce a pair unless the Member's name has been noted under clause 3 of this rule.

That is the rule providing for the noting of the presence of Members, which is not to be done unless the roll call requires a quorum.

The SPEAKER pro tempore. The question that is worrying the Chair is whether under a proceeding to obtain a quorum the ordinary rule to which the gentleman from Illinois has referred would apply, and whether the exception stated in clause 3 of Rule XV does not apply. The language of clause 3 is not limited to questions requiring a quorum to decide. Manifestly, if there had been no call of the House, it would not have been the right of any gentleman to have himself recorded on a motion to adjourn or on any other roll call, unless he qualified under the rule by stating that he had been present when his name was called, giving attention, and had failed to hear it. The question that raises the doubt in the mind of the Chair is whether, there being a proceeding pending to ascertain the presence of a quorum, even though not arising by an automatic call of the House, and any Member having the right to come in and have himself recorded, a subsidiary motion like the motion to adjourn would not also carry with it the right of the Member to be recorded prior to the announcement of the vote.

Mr. MANN. I think it is plain that that is not the case under the rule. The rule provides that after the second call of the roll a Member can not vote unless his name is noted under paragraph 3 of Rule XV. It can not be noted in this case under paragraph 3 of Rule XV, because that can only be done where a quorum is required upon the vote. This vote does not require a quorum. On an ordinary roll call, if no quorum is present and the roll has been called twice, it has been customary for a Member who comes in to vote, although the point of no quorum has not been made, upon the theory that under clause 3 of Rule XV the Speaker has noted the presence of that Member, as he has the authority to do; and having noted the presence of a Member, he is entitled to vote.

The SPEAKER pro tempore. Prior to the announcement of the vote upon the motion to adjourn, would it not be within the power of the Chair to note the presence of a Member, the House then being without a quorum and desiring to obtain one? And that being so, would not the Member have the right to have his name recorded?

Mr. MANN. The Chair could note the presence of the Member after the motion to adjourn is disposed of, if that motion does not prevail; but the motion to adjourn not requiring a quorum to dispose of it comes at this time as it does at any other time. The reason for the rule which prevents a Member voting after two roll calls is that the Member has had fair opportunity; and if nearly half the House are permitted to refuse to vote when their names are twice called, and then they come up and ask to be recorded, it might become a favorite method of filibustering, and I do not believe in giving any more opportunities to filibuster than are necessary. They are plentiful now.

Mr. GARRETT of Tennessee. I ask unanimous consent that the gentleman from Mississippi, the gentleman from Tennessee, and the other gentlemen may be permitted to record their votes on this motion.

Mr. MANN. I have no objection to their being recorded on the original call of the House.

Mr. GARRETT of Tennessee. I mean on this motion to adjourn. They have been recorded on the other. I ask unanimous consent that they may be recorded upon this motion to adjourn.

Mr. MANN. Of course the rule provides that the Speaker shall not entertain a request to permit a Member to vote after the roll has been twice called, unless the Member qualifies.

The SPEAKER pro tempore. The Chair appreciates the importance, as a precedent, of a ruling of this kind, although of no importance in its bearing upon the present situation. Not having had an opportunity to examine the precedents, and as far as the Chair is aware, the point not having been raised heretofore, the Chair would prefer not to have to make such a precedent.

Mr. CANDLER of Mississippi. Mr. Speaker, I withdraw my request to have my vote recorded. Having stepped out of the Hall, I asked leave to be recorded, and I withdraw my request.

The SPEAKER pro tempore. The Chair will take the liberty of putting the request of the gentleman from Tennessee [Mr. GARRETT] for unanimous consent that those present who have not voted on this roll call be permitted to vote, which will avoid the necessity of the Chair passing upon the question of their right so to vote.

Mr. MANN. The Chair will note that the rule provides that thereafter the Speaker shall not entertain a request that a Member be permitted to vote.

The SPEAKER pro tempore. The Chair is aware of that. The Chair is also aware of the fact that many matters of this kind are arranged by unanimous consent. If the gentleman insists upon his point of order, which is equal to an objection, the Chair will hold that the gentlemen whose names have been called and have been permitted to vote have the right so to vote.

Mr. MANN. I do not think the House can give permission to change the rule.

The result of the vote was announced as above recorded.

Accordingly (at 2 o'clock and 45 minutes p. m.) the House adjourned until to-morrow, Thursday, October 9, 1913, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII,

Mr. HAMMOND introduced a bill (H. R. 8782) to amend section 29 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOOLITTLE: A bill (H. R. 8783) granting a pension to Cordelia B. Miracle; to the Committee on Invalid Pensions.

By Mr. EAGAN: A bill (H. R. 8784) for the relief of Martin Huhn; to the Committee on Claims.

By Mr. GERRY: A bill (H. R. 8785) granting an increase of pension to Joseph Walker; to the Committee on Invalid Pensions.

By Mr. HAMILL: A bill (H. R. 8786) for the relief of Martin Huhn; to the Committee on Claims.

By Mr. LIEB: A bill (H. R. 8787) granting an increase of pension to Eliza J. Corn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8788) granting an increase of pension to Joseph W. Dawson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8789) granting an increase of pension to Joel M. Morgan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8790) granting an increase of pension to Fred Geiger, sr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8791) granting an increase of pension to Joel Skelton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8792) granting an increase of pension to William Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8793) granting an increase of pension to William C. Fisher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8794) granting an increase of pension to William D. Henderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8795) granting an increase of pension to George W. Shull; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8796) granting an increase of pension to Alfred Qwen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8797) granting an increase of pension to Wesley Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8798) granting an increase of pension to William M. McClure; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8799) granting an increase of pension to Thomas M. Banes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8800) granting an increase of pension to George W. Roberts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8801) granting an increase of pension to John Lichtenberger; to the Committee on Pensions.

Also, a bill (H. R. 8802) granting a pension to Eliza Burns; to the Committee on Pensions.

Also, a bill (H. R. 8803) granting a pension to Clint E. Rose; to the Committee on Pensions.

Also, a bill (H. R. 8804) granting a pension to Nancy A. Tyler; to the Committee on Pensions.

Also, a bill (H. R. 8805) granting a pension to Jennie Meredith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8806) granting a pension to Amos Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8807) granting a pension to Martha J. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8808) for the relief of Baley W. Hamilton; to the Committee on War Claims.

Also, a bill (H. R. 8809) removing the charge of desertion against Lambert F. Haberstrow; to the Committee on Military Affairs.

By Mr. MAHAN: A bill (H. R. 8810) granting an increase of pension to Sarah E. Parker; to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 8811) to execute the findings of the Court of Claims in the case of Sarah B. Hatch, widow of Davis W. Hatch; to the Committee on War Claims.

By Mr. VAUGHAN: A bill (H. R. 8812) for the relief of the heirs of Michael Mayers, deceased; to the Committee on War Claims.

By Mr. WHITE: A bill (H. R. 8813) granting an increase of pension to James M. Dutro; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BELL of California: Petition of board of trustees of the California State Library, favoring the extension of the parcel-post system to include books; to the Committee on the Post Office and Post Roads.

By Mr. CURRY: Petition of the board of trustees of the California State Library, favoring the passage of House resolution to extend the parcel post to include books; to the Committee on the Post Office and Post Roads.

By Mr. KIESS of Pennsylvania: Papers to accompany House bill 3583, for the relief of George H. Poust; to the Committee on Pensions.

By Mr. PAYNE: Petition of citizens of Sodus, Wolcott, Dundee, Ontario, Ontario Center, Rushville Center, Gorham, Victor, Naples, Holcomb, Williamson, and East Williamson, N. Y., favoring the passage of H. R. 5308, which provides for a tax on interstate mail-order business; to the Committee on Ways and Means.

By Mr. RAKER: Petition of Alameda County Colored American Center of California Civic League, Oakland, Cal., protesting against discriminating in the Government departments against colored employees; to the Committee on the District of Columbia.

Also, petition of board of trustees of the California State Library, favoring the passage of House resolution 227, for the extension of the parcel post to include books; to the Committee on the Post Office and Post Roads.

By Mr. TALCOTT of New York: Petition of the Third Annual State Conference on Taxation, Binghamton, N. Y., favoring the passage of legislation for the immediate collection of statistics of wealth, debt, and taxation as authorized by the permanent census act; to the Committee on the Census.

SENATE.

THURSDAY, *October 9, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The VICE PRESIDENT resumed the chair.

The Journal of the proceedings of Tuesday last was read and approved.

BANKING AND CURRENCY.

Mr. OVERMAN. Mr. President, there is a great deal of talk in the newspapers about what is being done by the Committee on Banking and Currency and when we are to have a report. We have been here some time waiting for a report from the committee. This Congress is not going to adjourn until we have some currency legislation. The committee has been having hearings for three weeks. There was spent $100,000 or more in sending a commission abroad to study this great question. Now we are marking time here in Washington, adjourning from day to day, and I should like to inquire of the chairman of the committee, whom I see on the floor, when we are going to have a report from his committee, in order that we may know something about whether we can stay here or go home to our families until the committee does report.

It does seem to me that there is some effort on the part of some people, not Senators, to prevent any action from being taken during this session. I notice in the papers this morning that there was a great convention held in Boston yesterday by the bankers of the country and also that a resolution was introduced by a man who is not a banker, so far as I know—a defeated Member of Congress, a very able man, who knows a great deal about the tariff and is a tariff expert; but I never heard of him as a banker—and when it was announced who should control the money and the currency of the country, the bankers or the Government, with one accord they shouted, "We should! We, the bankers, should!"

I hold in my hand a telegram received from a man who was in the convention who is vice president of a million-dollar bank, and he says that the whole and the only plan of leaders here is to defeat if possible any action on the bill at this session; and the resolution adopted yesterday has that underlying object. The country banks are all right, but simply have been hoodwinked, and will catch on later.

I know the sentiment of the country. The people in my State and the country banks there want action taken on this subject. If we get the bill back here, we can discuss it in open session and pass a bill that will be satisfactory to the people. I should like to know from the chairman of the committee when we may expect a report from his committee.

Mr. OWEN. Mr. President, if the chairman of the committee had his own way about it he could report the bill next week. The chairman of the committee has not had his own way about it. I do not know when the committee will be ready to act. The hearings, I believe, have had a beneficial result upon the minds of the country, at least, and also upon the members of the committee who approached this matter with more or less lack of complete information with regard to it. By these hearings we have had the point of view of a great number of men—bankers and, in some few cases, business men—but for the most part the bankers have desired to be heard, claiming that they wanted to have their views understood by the committee; and they have been heard with great patience and with great repetition of what we have heard over and over again.

We have now taken testimony that will probably fill 2,000 pages, a copy of which has been promptly sent to every Member of the Senate as it has been printed. The bankers had been heard quite extensively by the House committee during last winter, and those hearings comprise over 700 pages of printed matter and were made available to every member of the committee. The examination by the Pujo committee, also of several thousand pages, has been available, as well as the 32 volumes of the National Monetary Commission.

Mr. OVERMAN. Did the same bankers who are appearing before your committee appear before the House committee?

Mr. OWEN. Practically; their leaders did.

Mr. OVERMAN. Is it expected that every banker in the United States will be heard before reporting the bill?

Mr. OWEN. I am not answering for the committee; I am answering only for myself when I say we have heard a great many of them and that the committee thought it well to continue the hearings not later than the 25th of October. It passed a resolution a day or two ago to that effect. The 25th of October is next Saturday two weeks. I was only recounting the hearings that had been given and the volumes of information available to the committee and to those attempting to make the preliminary draft of a bill that might be made satisfactory to the country and which would seem to be in accord with the best opinion of the country. I myself took part in it, and a very active part, and before venturing to put into form my own ideas in the bill I did consult not only this record which was taken in the House—I read that record—but I consulted also with the members of the American Bankers' Association who were designated by that association as the currency commission. I spent hours and hours with them trying to ascertain with precision and as intimately as possible their views. They were also heard by the Secretary of the Treasury and by the President of the United States in connection with this preliminary draft of the bill. Somebody had to draft it. It could not be drafted by everybody, of course. It had to be drafted by some men who would give it special attention, and they did the best they could with it. It was a preliminary draft and is fundamentally sound, although, of course, it can be improved by common counsel. It went before the House, was discussed at great length in Democratic caucus, was variously amended, and then on the House floor it was further discussed and an extensive record made. The debates on it are before the Members of the Senate.

I think that in reality we have had about all the hearings necessary for me to make up my mind. I can not speak for any other member of the committee.

Mr. OVERMAN. I should like to ask the Senator if, in his opinion, there is any concerted effort on the part of the bankers of this country to prevent legislation at this session?

Mr. OWEN. I have no way of ascertaining what their motive is. I think this Boston meeting had for its obvious purpose to work up opposition to this bill and either force the bankers'

view or to delay or defeat the bill. What the purpose may be beyond that I have no means of knowing. It is difficult to ascertain the purposes of men. We generally have to judge of purposes by the actions of men. I do not like to attribute any ulterior purpose to the bankers; but I, of course, recognize the fact that they are having a very active propaganda carried on about it, because there have been called numerous State bankers' meetings, and they have passed various resolutions about this bill. I attended several of those State meetings myself, one of them in Virginia, where I explained the bill quite fully, and they passed a vote in favor of the principles of the bill quite unanimously. Not very long afterwards, when they had had an opportunity, I suppose, of consulting with the leaders of the propaganda, they met and passed a resolution against it.

So I do not know what the motive is. I simply know that we have given a great deal of time to hearing their point of view. The committee has been very patient about it. In fact, I think that the hearings have gone so far that they are not really necessary to be continued any longer. But that is a matter which is in the control of the committee, not in the control of the chairman. I really hope that the committee will soon be ready to report the bill.

Mr. OVERMAN. I understand, then, by the official action taken, the committee will not report before the 25th of October?

Mr. LA FOLLETTE. That is when the hearings will be closed.

Mr. OWEN. The hearings might close before that time, if the committee orders it to be done. The matter is in the hands of the committee.

Mr. OVERMAN. I understand, then, the committee has taken action that the hearings will close on the 25th?

Mr. OWEN. Not later than the 25th.

Mr. OVERMAN. And there is no telling when we will get a report from the committee on the bill.

Mr. OWEN. No, sir; there is no definite information I could give the Senator upon that matter. The hearings will conclude not later than the 25th. The committee has it in its power to conclude the hearings earlier if it sees fit.

Mr. OVERMAN. Does the Senator think we can get a report from the committee by the 1st of November?

Mr. OWEN. I greatly regret that the chairman can not definitely forecast when the report will be made.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Iowa?

Mr. OWEN. I yield to the Senator from Iowa.

Mr. CUMMINS. I read last night rather a remarkable statement in one of the evening papers, and I should like to ask the chairman of the committee whether he has any information upon the subject. One of these papers, in the endeavor to right the President with respect to an alleged interview that had been given out in the Post, attributed to the President this statement, that he neither expected nor wanted the support of any Republican to this measure. Does the Senator from Oklahoma know whether the President made the statement which I have just quoted?

Mr. OWEN. The statement is obviously preposterous.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Colorado?

Mr. OWEN. I do.

Mr. THOMAS. I wish to say in answer to the query of the Senator from Iowa that I have it from the President's own lips that the statements attributed to him are without foundation—a statement which I assured him I would repeat on the floor of the Senate if the occasion arose requiring it. Those of us who know the President intimately know that this assurance from him was unnecessary. The statement does not sound like him, it is not characteristic of him, and it is entirely foreign to the tenor of his whole political life. I am sure the President would welcome, as we all would, the cooperation of both sides of this Chamber in the accomplishment of any great act of national legislation that is designed for the general welfare.

Mr. CUMMINS. Mr. President, I am very glad to hear what the Senator from Colorado has just said. It seemed to me inconceivable that a President of the United States could say what is imputed to him. A President who would utter a sentiment of that kind is not worthy of the high place which the occupant of that office holds, and I asked the question because I felt that the people of this country ought to be advised definitely whether a statement of that kind had been made. I am sure that they will receive with great relief the denial of the Senator from Colorado, and I accept it absolutely and implicitly as the truth.

Mr. THOMAS. I am sure the Senator does, and I think he will agree with me also that those who are responsible for placing such words in the mouth of the Chief Magistrate of the United States are themselves unworthy of public confidence.

Mr. CUMMINS. I do not know who is responsible for it.

Mr. THOMAS. Neither do I.

Mr. CUMMINS. The statement to which I referred appeared in the Evening Star yesterday.

Mr. MARTINE of New Jersey. Mr. President, will the Senator from Oklahoma yield to me?

Mr. OWEN. I yield to the Senator from New Jersey.

Mr. MARTINE of New Jersey. I feel that a declaration or publication of that character is utterly scandalous, and it is so utterly at variance with the thoughts and expressions of President Wilson that it seems to me it can find but little lodgment in the mind of any sensible man in this country. His whole life and his political life in New Jersey during the time when he was a candidate for governor and during the time when he was governor of our Commonwealth have been so utterly contrary to any such thought and expression as to make it sheerly senseless and ridiculous.

He has courted, and our party in New Jersey has courted, the fair-minded, honest men of all parties to join with us and with him in the matter of reform and clean, good government to advance the welfare of our Commonwealth, and I believe thus far it will be the universal consensus of opinion in this broad land that whatever act has prompted President Wilson it has been not to advance partisan supremacy but for broad, patriotic, and just purposes. I feel that the country may rely upon his judgment and his wisdom, at least upon his fairness, to urge the assistance of all parties for better government, for cleaner government, and for relief from conditions that have burdened the masses of our country.

Mr. OWEN. Mr. President, these numerous misrepresentations appearing in the press, not only with regard to the President but also with regard to members of the committee, with regard to the chairman of the committee, are obviously inspired by some desire to create mischief by exciting hostility, and by stirring up ill feeling between members of the committee and between members of the committee and the President, and between the President and the Congress of the United States. Numerous false statements have appeared in the press. I have not felt called upon to enter a public denial, much less to defend the President with regard to the absurd and unreasonable charge that he should have said such a thing as that he did not expect nor care for Republican support on a great public measure. No human being knowing the President's high character, his delicate consideration for others and for the proprieties, would believe such an utterly unreasonable statement, and the country will not give a sigh of relief to be informed that the President has not said this for the very common-sense reason that no common-sense citizen has believed it for a moment.

Mr. SUTHERLAND. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. OWEN. I yield to the Senator.

Mr. SUTHERLAND. Mr. President, I have heard with a good deal of satisfaction, as I think the other Senators on this side have heard, the disclaimers on behalf of the President. I am very glad to know that the President has no intention of doing the things which it has been stated in the newspapers that he had in mind to do; but there is another matter which I regard as of quite as much importance, and upon which I should like to have the disclaimer of the Senator quite as emphatically, if he is in a position to make it.

It has also been stated in the newspapers that, unless this bill can be forced through the committee and brought to the attention of the Senate within what some regard as a reasonable time, it is the intention to take it into the Democratic caucus. I would regard it as exceedingly unfortunate if a bill of this character should be treated in that way; and I should like to ask the Senator, who has been exceedingly frank in his statements, whether or not, to his knowledge, there is any such intention on his part or upon the part of any considerable number of Senators upon the other side?

Mr. OWEN. I will answer the Senator presently, when I have concluded my remarks, which he interrupted.

This obvious propaganda carried on in the press really would seem to have some other than a patriotic purpose. Why should the President of the United States be misrepresented day after day, and why should he be compelled to enter disclaimer after disclaimer with regard to these obvious falsehoods circulated about him? Who is responsible for it? Nobody? Has it no source, no purpose? It justifies the suspicion or the statement

of the telegram sent from Boston to the Senator from North Carolina, to which he has just called attention.

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from North Carolina?

Mr. OWEN. I yield to the Senator from North Carolina.

Mr. SIMMONS. The Senator from Oklahoma said earlier in his statement that the bankers of Virginia had first indorsed this bill.

Mr. OWEN. The principles of this bill.

Mr. SIMMONS. But that later they had held a meeting, after probably conferring with others, in which they had condemned it. The Senator from North Carolina, my colleague [Mr. OVERMAN], has stated that the bankers of his State and my State are in favor of this measure. I believe that statement to be true, from information in my possession. I want to ask the Senator from Oklahoma what particular class of bankers in this country, in his opinion, are making this opposition and are responsible, if the bankers at all are responsible, for this propaganda that the Senator is talking about?

Mr. OWEN. Mr. President, it is difficult to describe them as a class, and I do not like to enter into a description of a class responsible for anything. I think that these bankers' conventions are often engineered by a few active gentlemen who have what they conceive to be a class purpose to serve, and that they do not of necessity at all represent the sentiment of the bankers of the country. I have great respect for the bankers of the country; I believe they comprise a class of honorable and useful men; and, as a rule, I believe they are as patriotic as other citizens. Where they have an interest to serve, an interest which they think it their duty to protect, I should expect them to actively do those things which they think necessary to protect that interest; but I do not believe that those who conduct these conventions in reality always represent the great body of the bankers by any means. More than that, the attitude of mind of these gentlemen was fairly illustrated in a meeting which I had the honor of addressing at Cleveland, Ohio, not long since, where there was a State bankers' convention of the State of Ohio.

The question arose before them whether or not we should have prompt action on this subject matter. They voted almost unanimously in favor of that. That did not satisfy one of the bankers who was present and who, I afterwards was informed, had a large volume of country-bank deposits in his bank, and he arose and put this question to the assemblage of bankers: "All of those who are in favor of this bill passing in its present form hold up your hands." Well, there was only a very negligible quantity, perhaps four or five, who held up their hands. I then put this question to them: "Let every man who has read this bill or who knows what it is in its present form hold up his hand." Not a single man held up his hand, not even the gentleman who had made the first proposal. They had not read it, they did not know its meaning, and were in no position, therefore, to pass upon its merits. My own opinion is that the country bankers and the bankers in general will almost unanimously rejoice to avail themselves of the opportunities provided in this bill when it is perfected and submitted as a statute.

The Senator from Utah [Mr. SUTHERLAND] has asked me the question whether——

Mr. SIMMONS. Before the Senator from Oklahoma leaves the present aspect of the subject he is discussing, I wish to say that my understanding is that the bill that passed the other House and was referred to the Banking and Currency Committee of the Senate will, if it becomes a law, decentralize the reserves which are now held in a few of the larger financial centers of the country. Has the Senator from Oklahoma any reason to believe that this persistent opposition, this agitation, this propaganda against this bill, is in any way influenced, brought about, or carried on by the bankers in the financial centers who are interested in preventing a decentralization of these reserves?

Mr. OWEN. I believe that there is violent and intense opposition on the part of some of those who would like to have these reserves pyramided in New York, where they may be used for speculative purposes. I want to say, also, that some of the greatest bankers in New York state very frankly that they favor this bill in its reserve aspect for the very reason that it will enable those banks to withdraw loans from the speculative market. The president of the National City Bank of New York, Mr. Frank Vanderlip, formerly Assistant Secretary of the Treasury and now president of that great bank, with $250,000,000 of deposits, is before the committee to-day, and has stated to the committee that under the present law the great banks in the central reserve cities, having no place where they can go for discounts, and being led by their natural interest to earn money for their stockholders and being compelled to use their funds down to the 25 per cent reserve limit, have been thus led to make these call loans on stocks and bonds, subject to an immediate sale, because it affords them a species of quick reserve in case of demand on them for any urgent need.

It is perfectly obvious that these men are almost compelled by necessity to carry the call stock loans, and the natural tendency is to make loans on stocks and bonds subject to immediate sale—call loans—because they have no other place to go where they may supply themselves with funds in case of necessity, that it would enable them to withdraw their resources from the call loans on the New York Stock Exchange and invest them in the commerce and industries of the Nation. Call on collateral has thus grown up because of the deficiencies of the law which we are now about to correct.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Connecticut?

Mr. OWEN. I yield to the Senator.

Mr. BRANDEGEE. If we are going to debate the provisions of this bill——

Mr. OWEN. I am not going to debate the bill.

Mr. BRANDEGEE. I should feel called upon to suggest the absence of a quorum, which I do not do at present, however.

Mr. OWEN. I am not going to debate it. I was simply answering the question which the Senator from North Carolina asked me.

Mr. BRANDEGEE. It struck me that the discussion was proceeding to the merits of the provisions of the bill.

Mr. OWEN. I do not propose to debate the bill. I was simply answering the question and speaking of the opposition and attitude of mind on the part of certain people.

It was pointed out by the witness to whom I have referred that if the banks had a Federal reserve bank to which they might go in times——

Mr. BRANDEGEE. Did not that witness also state that if this bill should pass in its present form it would increase the domination of New York over the money markets of the country? I so read his testimony as reported in one of the local newspapers, and that is the reason I have asked the question.

Mr. OWEN. That is not an accurate statement of what he said. I can not remember his exact language, of course, but the substance of what he said was——

Mr. BRANDEGEE. I am stating the substance of what the newspapers reported that he said. I have not seen the official report of the hearings.

Mr. OWEN. He only spoke of the dominant size of the New York reserve bank in comparison with the size of other reserve banks, if they should be multiplied in number. That was all.

Mr. SHAFROTH. Mr. President, if the chairman of the committee will yield to me, I will remind him of the fact that Mr. Vanderlip stated that his bank would lose $50,000,000 of country bank deposits by the enactment of this measure in the way of having less money to lend on call; but he also stated that, by diverting the money they had on call, they could lend it in legitimate commercial transactions, and thereby make considerable money. I think that is about all he said on that phase of the matter.

Mr. BRANDEGEE. Mr. President, if the Senator from Oklahoma will yield to me, I desire to ask him a question.

Mr. OWEN. Certainly.

Mr. BRANDEGEE. Inasmuch as the attitude of Senators and other distinguished officials of the Government is freely commented on by the press now—not always quite accurately, however—I will state my recollection of a part of an interview that I read in one of the "palladiums of the liberties of the people" last evening as to the attitude of the distinguished Senator from Missouri [Mr. REED] who is a member of the committee. It was something to the effect that 20 days have been consumed now in the hearings before the committee on this great bill; and I wanted to ask the Senator from Oklahoma whether he thinks that up to date the information elicited by the committee in those 20 days of hearings has justified the expenditure of time on this great question or whether the time has been wasted?

Mr. OWEN. I do not think it should be regarded as wasted, although there has been much said over and over again, merely repeating the arguments of the Chicago conference; in fact, almost all of the evidence has been but a repetition of the arguments of the Chicago conference in one form or another. There has been no attempt made expressly to summon before the committee witnesses who advocate the bill. It was thought better to let those who were opposed to the bill have as full opportunity as possible to indicate its weak points, and that that would be a more useful course of procedure. That course has been substantially followed by having those who were not

in favor of the bill in its present form suggest amendments and changes and give the reasons therefor. The Senate, in so far as they have read the reports of the hearings, will doubtless perceive that that is the case. Does the Senator wish to interrupt me any further?

Mr. BRANDEGEE. The Senator does not criticize the policy of the committee, does he?

Mr. OWEN. The Senator from Oklahoma has not criticized the committee.

Mr. BRANDEGEE. But the Senator himself does not favor the passage of the bill as it came from the other House, does he?

Mr. OWEN. I favor certain amendments to it, but in the main I think it is the most valuable banking bill that has ever been written.

Mr. BRANDEGEE. The Senator favors quite a number of amendments, does he not?

Mr. OWEN. Yes; verbal and otherwise, and some in punctuation that I should like to have made, but the great principles of the bill are sound.

Now, answering the Senator from Utah [Mr. SUTHERLAND], I will state that from the time I became a member of the committee and its chairman I have with great freedom consulted the Republican members. I have felt at perfect liberty to do so, and have done what I could to secure their cordial and friendly cooperation in writing this bill from a high and patriotic standpoint. We held our meetings in common, and while occasionally we have had conferences of the majority members in connection with the bill, it has been more for the purpose of studying the bill out than for taking any concrete steps independently of the Republican members.

The Senator from Utah asked me the question point-blank as to whether or not I would favor a party conference on this bill or whether there would be one. I do not really know whether there will be one or not, nor have I consulted with any sufficient number of my colleagues to justify me in drawing a conclusion upon that matter.

Mr. OVERMAN. Mr. President, may I ask the Senator a question? Has it not been the consensus of opinion on this side of the Chamber that this should be a nonpartisan bill? Has it not been thought that it is a great question that ought to be settled without regard to politics and without regard to any partisanship?

Mr. OWEN. I think that has been the consensus of opinion. But I will say to the Senator very frankly that if I thought it was necessary, in order to pass this measure, to have a Democratic caucus, I should strongly and directly favor it. I believe in responsible party government. We have two great parties in this country——

Mr. LA FOLLETTE. Mr. President——

Mr. OWEN. Or perhaps three.

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Wisconsin?

Mr. OWEN. I yield to the Senator.

Mr. LA FOLLETTE. I did not rise to ask anybody to yield to me. I rose, Mr. President, to inquire how this debate is proceeding?

The VICE PRESIDENT. The Chair can only answer that it is proceeding, as about everything does in the Senate of the United States, by common consent.

Mr. LA FOLLETTE. Not quite everything, Mr. President. I do not wish to interpose the rules of the Senate to prevent a reasonable latitude on any subject matter that is taken up in this way. I will say that I have myself been in favor of the continuance of this session for the consideration of this subject matter. I believe the committee is considering it seriously, as its importance demands. I do not believe any discussion is necessary to justify the committee in taking all the time that in their judgment should be taken. I do not believe any discussion of this sort is necessary to be used as a spur or a whip or a lash upon them to hurry them. I can not help saying that to me this has the appearance of a prodding of the committee. Mr. President, I ask for the regular order.

The VICE PRESIDENT. The regular order is the presentation of petitions and memorials, there being an objection to the further discussion of a matter that does not appear to be properly before the Senate. If there be no petitions or memorials, reports of committees are in order. If there be no reports of committees, the introduction of bills and joint resolutions is in order.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHAFROTH:

A bill (S. 3204) granting an increase of pension to Wallace W. Chaffee; to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 3205) granting an increase of pension to Nettie Randolph (with accompanying papers); to the Committee on Pensions.

RELIEF OF SUFFERERS IN ALASKA.

Mr. POINDEXTER. I introduce a joint resolution, and ask that it go over.

The VICE PRESIDENT. The Senator from Washington offers a joint resolution the title of which will be stated.

The SECRETARY. A joint resolution (S. J. Res. 71) for the relief of sufferers from the recent storms in Alaska.

The VICE PRESIDENT. The joint resolution will lie on the table and be printed.

SENATOR TILLMAN'S RETROSPECT OF 18 YEARS (S. DOC. NO. 210).

Mr. FLETCHER. I have been requested by the Senator from South Carolina [Mr. TILLMAN] to move that the order of the Senate of October 3 providing for the printing as a public document of an article prepared 18 years ago for the New York World, giving the impressions and the then beliefs of Senator TILLMAN about Wall Street and what is called "the money power," be reconsidered.

The VICE PRESIDENT. Without objection, the order of the Senate of October 3 will be reconsidered.

Mr. FLETCHER. On behalf of the Senator from South Carolina [Mr. TILLMAN] and at his request, I offer the following order and ask for its adoption.

There being no objection, the order was read, considered by unanimous consent, and agreed to, as follows:

Ordered, That the remarks of Senator TILLMAN of October 3, 1913, together with an article prepared 18 years ago for the New York World, giving the impressions and the then beliefs of Senator TILLMAN about Wall Street and what is called "the money power," be printed as a document, with accompanying illustrations.

The VICE PRESIDENT. Concurrent and other resolutions are in order.

THE NAVY.

Mr. BRANDEGEE. Mr. President, I do not rise to introduce a concurrent resolution, but to make an inquiry concerning one which I introduced about two months ago.

On August 15 I introduced Senate concurrent resolution No. 7, which was referred to the Committee on Naval Affairs, and it directed them to inquire and report to the Senate and House:

First. What increase is desirable in the Naval Establishment.

Second. Whether it is desirable and feasible to provide a definite naval program, to extend over a series of years, with respect to the construction of new ships.

Third. In what order the United States Navy ranks among the first eight naval powers in naval efficiency, in view of the number, type, age, armor, and armament of its ships and the quality, skill, and discipline of its personnel.

Fourth. What proportion of our naval fighting efficiency is constantly available for instant active sea service in case of emergency.

As I stated before, the concurrent resolution was referred to the Committee on Naval Affairs. I should like to ask some member of the committee, several of whom I see present, whether that committee has been able to give the resolution any consideration.

Mr. PAGE. Mr. President, so far as I am aware the Senate Committee on Naval Affairs has been unable to muster a quorum of late; and about all the business we have done has been in the way of reporting upon nominations. Nothing has been done by a quorum of the committee; and I doubt whether a majority of the committee could be convened to-day, with the limited number of Senators present.

Mr. BRANDEGEE. Mr. President, I have counted on the floor of the Senate to-day a majority of the committee—a majority of the Republican membership and one-half of the Democratic membership. While I do not know that to-day is the regular meeting day of the committee, I simply wish to urge that the committee shall give this matter some consideration.

I did not ask that the Senate should instruct the committee at the time I introduced the resolution, but being framed as a concurrent resolution, if the committee think there is any merit in it at all, it would involve going to the House as well as to the Senate. I should like the committee at least to consider it and see whether or not they care to report it.

I bring up this matter particularly at this time, because I am not an alarmist nor a jingo nor a quarrelsome person, and I have no object in doing anything or saying anything in relation to our military affairs that can involve us nationally in any trouble or compromise us at all with foreign nations or in any way detract from the utmost friendliness of this Nation with all foreign nations. It goes without saying, however, that it is the duty of the Government to maintain an adequate Navy. I believe all party platforms agree to that. Unfortunately in the use of words, there is some difference of opinion as to what is adequate.

I had some experience in these matters as a member of the Committee on Naval Affairs of the House of Representatives. My State also is a maritime State. The entire southern border of the State is practically upon the ocean, being upon Long Island Sound, which immediately connects with the ocean. My constituents are interested in the Navy, and we feel the necessity of an adequate Navy at all times being maintained by the United States. Whether it is in any party platform or not, the Government of course should maintain an adequate Navy, as much as it should maintain an adequate police force in the District of Columbia.

I introduced an amendment to the last naval appropriation bill proposing to increase the number of battleships provided by the bill from one to three. In the wisdom of Congress, one was provided. I introduced that amendment, because I considered that it had been the established policy of the Congress to appropriate for two battleships each year; and inasmuch as the previous bill had appropriated for only one, I thought if we appropriated for three in the last bill it would make the average good for two. I am still of the same opinion about the necessity of keeping our naval efficiency up to the standard which had been agreed upon, I thought, as a policy of Congress several years ago.

I shall not make any motion this morning in relation to this concurrent resolution or in relation to the committee, but shall simply express the hope that the committee will call up this matter and consider it. A majority of the committee is in town, and the Senate is not especially busy at this time about other matters. I make this statement now in order that the matter may be considered at a time when there is no acute foreign question pending before the country and when the inquiry can not be thought by anybody to have any particular drift or slant or reflection upon any foreign power or application to any particular nation. I think this is a proper time to consider this question, which I deem very important, indeed.

The VICE PRESIDENT. Are there further concurrent or other resolutions? If not, morning business is closed.

BANKING AND CURRENCY.

Mr. THOMAS. Mr. President, I desire to recur for a moment to the subject of the earlier discussion of this session—the subject which was presented by the Senator from North Carolina [Mr. OVERMAN] by the presentation of a telegram from a member of the bankers' convention now being held in the city of Boston.

I am one of those who believe that the time of the Committee on Banking and Currency has not been wasted in giving to this all-important subject full opportunity for hearings. My experience—and I do not think it differs from that of the average man—is that there is more difference of opinion, and of arbitrary opinion, among men upon the subject of banking, currency, and coinage than any other subject of public importance, and each man who has an opinion is generally very tenacious of its soundness. As a consequence it is quite natural that these hearings should be extended and should involve the statements of all sorts and conditions of men. I believe that out of it much good will come, because while the people of this Nation, almost without exception, believe that legislation of this character is demanded by existing conditions, they are also very naturally and very properly solicitous as to the nature and ultimate scope of any measure that may be adopted.

I believe, too, that the great mass of bankers in this country are honest, conscientious, capable, upright, and patriotic citizens. I have no doubt that they are quite as anxious to secure the enactment of a proper measure as we are or as any other class of citizens are. At the same time we must recognize the fact that banking in this country has become greatly concentrated, and therefore subject very largely to the domination of the great banking institutions at the great centers of trade and commerce, and that this domination is so extensive and so complete as very largely to mold the expression of official sentiment and course of action taken by this body of gentlemen as a class when speaking through their conventions and conferences.

Those who are in power, those who are in control of the credits of the country, are also anxious for banking legislation, provided that legislation can be made to accord with their sentiments and policies. Unless it is so in accord, they will have none of it. Hence these conventions and conferences which are being held all over the country by men engaged in the business of banking, and that common consensus of expression of disapproval of the bill which reaches the committee and the country through the press, all designed in my judgment, either to postpone the ultimate passage or enactment of a banking measure at the special session, if not indefinitely, or to secure such a measure as will address itself to the interests, the purposes, and the ambitions of the few overshadowing institutions and individuals who are at the head of financial affairs in this country.

There is nothing new in that attitude of the banking world. There is nothing remarkable about it, except that in these days its scope, and its power, and its influence are much more extensive and far-reaching than at any previous time in the Nation's history.

I believe that a part of the propaganda having for its purpose the framing and enactment of a measure satisfactory to the great financiers of the country finds expression in efforts to antagonize the President of the United States with the Democratic majority in the Senate, and also to antagonize the President with the Republican minority; in other words, to create dissension, and through dissension to prevent the community of work which is essential for the enactment of a great national measure like this.

Yesterday morning on reading in the Washington press what purported to be certain statements of the President concerning this measure, and the Senate Committee on Banking and Currency, I at once came to the conclusion I have just stated, knowing that it was impossible that such sentiments could either have been entertained or expressed by the head of the Nation, and that there was some sinister purpose behind it, a purpose to create through dissension, through misunderstanding, which might serve to lead this bill into the channels of disaster. I believe this is going to continue, unless it is promptly exposed and the attention of the country riveted upon it; and I believe that if continued it may, to some extent, consummate the purpose for which it is designed. To speak plainly, I think it is part of a conspiracy to defeat any financial legislation whatever, except such as can be dictated by the interests which, as shown by the report of the Pujo committee, have for a long time controlled and directed the credits of this country through the centralization of the financial affairs of the Nation in the hands of a few men.

Some time ago, Mr. President, the chairman of the Committee on Banking and Currency gave public utterance to his views concerning the character of this bill, and some of the criticisms that had been made against it, which brought forth much comment, and among others this statement from Mr. Vanderlip, the president of the National City Bank of New York, which claims to be, and probably is, the greatest of the financial institutions in this country. He says:

> We are not leading in any movement to kill the currency bill, but I consider any move for the purpose of bettering legislation a wise and patriotic thing. It is all moonshine about a propaganda to defeat the bill. I want to see financial legislation effected. This bill has some correct principles, but it must be changed according to the lines suggested at Chicago.

Mr. Vanderlip's statement has all the arrogance of the Aldrich régime. It takes us back to a very short time ago, when men in high position in the financial centers of this country could speak with authority and with the voice of command. This gentleman says that this bill must be changed according to the lines suggested at Chicago. In other words, the American people, through their representatives in Congress, must act according to the direction of a bankers' convention in the city of Chicago.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Missouri?

Mr. THOMAS. Certainly.

Mr. REED. I might say to the Senator that while I have received some letters like that, I have also received a great many letters saying that this bill must be passed just as it came from the House, and that it must be passed immediately. Now, I do not believe that the Senator from Colorado, with his learning and experience and ability, or any other Senator, ought to allow the extreme statements made by any man or by any class of men to in the slightest degree affect our judgment or indicate our course. We ought to proceed in this matter as we would with any other grave and important question—carefully, patiently, and with that degree of expedition which is possible under the circumstances.

I believe the less we have of agitation until the bill is ready to report, and then when it is reported the more nearly we approach it in a judicial frame of mind, having in mind that the welfare of the country is largely concerned, the more nearly we will accomplish a good result.

If the Senator will pardon me, for I am trespassing upon his time, I want to say this before I go: So far as I am concerned, I hope that this bill will receive the careful, unbiased thought and attention of the Members who sit upon the other

side of the Chamber, and I hope it will be taken up as a great national question and not as a partisan question.

Mr. THOMAS. Mr. President, the Senator from Missouri has anticipated to some extent what I intended to say, and has said it so much better than I can that I shall not attempt to refer to that phase of the subject further than to say that I believe every member of the Committee on Banking and Currency has regarded and will continue to regard this measure as one of great national importance, every provision of which must appeal to their judgment and should receive their candid criticism. I believe that each member of the committee is striving to the best of his ability, notwithstanding the influences to which I have referred, to work out some measure that will receive the support of a majority of Congress and be acceptable to the Nation.

I want to say further, Mr. President, that in common with others I find much in the House bill to criticize and reject. Whether upon further information my views will change as to some of its provisions I do not know. I have endeavored, as far as possible, to look at this great question from the standpoint suggested by the Senator from Missouri. I believe that every Member of this body on both sides of this aisle has been actuated by the same purpose and the same motive. Nothing would give me greater concern, I might say alarm, than that this bill should assume or be required to assume a partisan aspect, and I think it will assume no such aspect unless it becomes absolutely necessary to prevent the failure of all financial legislation.

Mr. President, I am aware of the fact that others have been equally imperative in their demands that this bill must pass as have been some in their demands that certain changes shall be made. But it makes all the difference in the world, Mr. President, who speaks and by what authority, and when we find a great body of influential gentlemen, having great interests at stake, announcing a certain policy with reference to financial legislation, followed by the assertion of a man who sits higher than all in authority, that a bill must be changed according to certain lines laid down by his associates, I think it is not only a subject of proper criticism upon the floor of this Chamber but a decided indication of the trend which financial opposition is taking to this measure.

I am confirmed, Mr. President, in that conclusion by an occurrence in the city of Boston yesterday, where the American Bankers' Association is holding its session. That association, as I stated, is composed of men of the highest character and standing, men just as patriotic and just as sincere in their desire to subserve the welfare of this country as am I. But it is the statements which are made, the influence which governs, that must determine our criticism of what occurs. After a practically unanimous vote had been taken condemning this measure as socialistic in its nature, Mr. McRae attempted to be heard in protest against the resolution. It was almost impossible for him to obtain a hearing.

I am a banker myself—

He said—I read from the report of yesterday's proceedings—

but I am unwilling to sanction the language of Chairman Hepburn, of the currency commission, when he charged the President and Congress of this Republic with being a pack of socialists.

Mr. President, no movement of any sort or character opposed to the interests or the views of a powerful class of people in this country can escape the charge of socialism, if by the application of that epithet it can be brought into disrepute.

The word "socialism," Mr. President, has no terrors for me. I hold no brief for the socialistic movement nor am I in any wise identified with that propaganda. But if I were compelled to choose between socialism, as I understand it, and the domination of the banking interests of the great interests of this country I would prefer socialism; and I say that deliberately, for I do not understand that that word which bears a cast of reproach by constant repetition and by the custom of attaching it to everything that relates to the varied movements of the industrial and social world deserves the stigma popular opinion seems to take for granted as one of its attribute. Socialism has taught us many things in this country; it has brought about many changes for the better; and as all movements have their extremes, so between the two extremes lie much that is good, that is desirable, that is plausible, and that is frequently necessary. If this bill be socialistic, then so be it; but if, nevertheless, it embodies something desired by the people, should it therefore be condemned by the application of a term generally applied to everything repellant to the tastes, the judgment, and the interests of those who until recently have dominated the political and industrial and economic world? Let us proceed, Mr. President:

Do not sidestep this issue——

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Idaho?

Mr. THOMAS. I yield to the Senator.

Mr. BORAH. One of the arguments the socialists advance is that this assembling or congregating of the different powers and business is a step in the direction of socialism. They say that the gathering of our great industries in the United States into a few corporations and gathering of commerce into three or four corporations and the assembling of them and congregating them is just a step in the direction of socialism. It might be that the bankers had in view that phase of it, because it will be found, of course, that this is an assembling of the banking power in the hands of a few men—some seven men. It is socialistic in the sense that it gathers up and assembles the banking powers. I presume that is what the bankers had reference to. The wisdom of the matter I do not now discuss, but it is just as socialistic to assemble the banking powers and turn them over to the Government as it would be the railroads.

Mr. THOMAS. Mr. President, I quite agree that the argument on which is based the conclusion that these large combinations are socialistic in their character is sound. Our school system is socialistic. The most socialistic law on the statutes of the United States is the tariff law. I disagree with the conclusion of the Senator from Idaho as to what the Boston conference meant, for it was not the thing itself to which this epithet was applied but to those who are behind it. It was declared "that the President and the Congress are a pack of socialists."

Mr. CUMMINS. Mr. President, I am interested in that. Did anyone say that the President and Congress were a pack of socialists?

Mr. THOMAS. I read again——

Mr. CUMMINS. And if so, who said it?

Mr. THOMAS. I read again. Mr. McRae, formerly a Member of Congress from the State of Arkansas and a banker, got up to defend President Wilson and Congress. I read from the World of to-day:

When Mr. McRae got up to defend President Wilson and Congress the 2,400 bankers began to howl at him.

"No! No! Question! Question!" they shouted. Mr. McRae demanded a hearing. "I am a banker myself," he said, "but I am unwilling to sanction the language of Chairman Hepburn of the currency commission when he charged the President and Congress of this Republic with being a pack of socialists."

Mr. CUMMINS. Precisely, Mr. President; but that is the statement of the gentleman who was then on his feet. That is not the statement of the chairman of the association or committee, and to whom reference is there made. I think in the same paper will be found what Mr. Hepburn said with regard to the matter. He did not say that the President and Congress were a pack of socialists, although I am not using that word in any disparaging sense.

Mr. THOMAS. Mr. President——

Mr. CUMMINS. I think a man can be called a much worse thing than to be called a socialist. But Mr. Hepburn said nothing of the kind, as I read the paper. He said that the bill was socialistic in its character, and in my own opinion you can not praise a thing more than to say that it is socialistic, if it is socialistic in the right way.

I think the Senator from Colorado is doing Mr. Hepburn a very great injustice in accepting the characterization of the man from Arkansas instead of going to the language that Mr. Hepburn actually used.

Mr. THOMAS. If I am using language which Mr. Hepburn did not use, I am unconsciously doing him an injustice. I, of course, speaking from long experience, can say without reservation that the newspapers of the country are not always entirely reliable, and it may be that this report and this statement are incorrect and do not properly represent Mr. Hepburn as he should be represented.

Mr. CUMMINS. Mr. President——

Mr. THOMAS. If that is so, I wish to withdraw every criticism based upon Mr. McRae's assertion.

Mr. CUMMINS. I am not questioning the accuracy of the report. Undoubtedly this gentleman from Arkansas did say, at least I have no reason to doubt that he did say, what the Senator from Colorado has read.

Mr. THOMAS. I understand the Senator's position perfectly; that Mr. Hepburn did not say it.

Mr. CUMMINS. That Mr. Hepburn did not say what was there attributed to him, but did say that this bill in certain features was socialistic, and I think the Senator from Colorado will agree with me that in certain things it is socialistic, and every act of Congress ought to be somewhat socialistic.

Mr. THOMAS. I do not object to it because it is socialistic. Not at all. What I was criticizing was that the word was used as an epithet of reproach and hostility not only against the bill but against the governing body, something that characterized it as vicious and which should cause it to be rejected by the committee.

Mr. CUMMINS. I agree with the Senator from Colorado. If Mr. Hepburn had risen and said that the President and Congress are a pack of socialists, it would have been obvious that he was using those words with some sinister meaning, but he did not say anything such as is reported in the newspapers.

Mr. THOMAS. I will accept the Senator's word for that, as he has read the full report.

Mr. CUMMINS. He did not characterize them at all. He characterized this bill as one socialistic in its nature. I think we ought to be more and more careful with regard to attributing to men sentiments that they do not hold and utterances which they have never put out.

Mr. THOMAS. I quite agree with the Senator as to that and accept his assurance that Mr. Hepburn did not use the language attributed to him.

Mr. CUMMINS. We have an instance this morning. The President of the United States has been injured by just that practice.

Mr. THOMAS. Before I proceed with what I was going to say, let me further reply to the Senator from Iowa. While he may have done so, and the report does not appear in the daily press, yet I think that Mr. Hepburn should either have denied or challenged the accuracy of the statement at the time, or this bankers' convention should have given Mr. McRae an opportunity to be heard. The charge of Mr. McRae was a serious one, and I think made the same impression upon the minds of others that it made upon me. But having accepted the authority of the Senator from Iowa, I fully acquit Mr. Hepburn of any improper criticism of the Congress and the President. But, Mr. President, my principal object in referring to this report was to emphasize what afterwards occurred between Mr. McRae and the convention. Mr. McRae continued:

"Don't sidestep this issue," he went on. "The question really at stake in the currency bill is this: 'Shall the bankers of the United States control the currency of the country or shall the Government of the United States control it?'"

"We should! We should!" came in a chorus from the bankers.

There is the milk in the coconut. Shall the Government of the United States control the currency of the people or shall the bankers of the country control it? The issue is clear, well defined, and well understood; and it is fortunate that in a moment of excitement that issue was admitted so enthusiastically and so forcibly by the American Bankers' Association in convention assembled in the city of Boston.

This bill could pass to-morrow, if it were here, without reference to those criticisms that have been made of its other features, if Congress would only surrender to the banking interests of the country the power of note issue. It is needless to say that that will not be done by this Congress, and I trust in God the day will never come when the Government of the United States shall surrender to private hands the most stupendous power in its possession. A poet once said:

Let me write the songs of a nation, and I care not who writes the laws.

The bankers can well say:

Let us have the power of currency control over this country, and we care not who writes its laws.

That is the issue, Mr. President; and it is because of that issue that the incidents have occurred which inspired the discussion of this morning. There are some financial powers centered in the great city of New York that have always placed their interests above those of the Nation and above those of the people of the Nation. Those are the interests which control the currency, and through the currency the credit of the country, for with the control of the one, the other can be manipulated, and, through the agency of the stock exchange, made the most effective of all modern instruments for the transference of the property and wealth of the many to the few. This is no new manifestation; it is as old as the age of the power itself.

Mr. President, in this connection it may be interesting to read an extract from the Report on the Finances, of November 2, 1864, signed by Hugh McCulloch, Comptroller of the Currency, and William Pitt Fessenden, then Secretary of the Treasury. The report says:

Hostility to the Government has been as decidedly manifested in the effort that has been made in the commercial metropolis of the Nation to depreciate the currency as it has been by the enemy in the field; and, unfortunately, the effort of sympathizers with the rebellion and of agents of the rebellious States to prostrate the national credit has been strengthened and sustained by thousands in the loyal States whose political fidelity it might be ungracious to question. Immense interests have been at work all over the country and concentrated in New York to raise the price of coin, and splendid fortunes have been apparently made by their success. The loyal importer and manufacturer of the East, and the produce and provision merchant of the West have locked hands with the enemies of the Republic in a common effort, although for a different object, and sometimes have produced results which have created serious apprehensions that the Union might be lost for want of means to prosecute the war, or rather on account of the excessive and unnecessary costliness of the war. The Government in its struggles with a gigantic rebellion has not only been contending with armed rebels in the field, but with unarmed rebels in the loyal States, backed by an immense interest in the hands of loyal citizens.

Gold has been a favorite article to gamble in. It has been forced up and down by those tricks and devices that are so well understood at the stock board. The reverses of our arms have been used by the operators for an "advance" to send it up and our military successes have been turned to the advantage of those who were interested in a "decline." When the banks and the Government suspended specie payments and a new standard of value was created in the legal tenders, gold and value, whose legal value had been fixed by the same authority, became an article of traffic, subject to the influences that have control of the market; and yet, unfortunately, everything necessary for use or consumption was made to follow their upward tendency, as if they were still the proper and only regulator of prices.

The effect of all this has been not to break down the credit of the Government, but to increase enormously the cost of the war and the expense of living; for however small may have been the connection between the price of coin and our domestic products, every rise of gold, no matter by what means effected, has been used as a pretext by holders and speculators for an advance of prices, to the great injury of the Government and the sorrow of a large portion of the people. It is unquestionably true that the abundance of money has facilitated the operation against the credit of the Government and that a more stringent market would have tended to check and restrain them, but it is a mistaken notion that the high price of coin is an evidence of an overissue of currency or of its depreciation. If it were generally believed that the war would be ended by the 1st of January, gold would fall before that time to 25 per cent premium, if not lower, although the paper money in circulation might in the meantime be largely increased. (From Report on the Finances, November 2, 1864, by Hugh McCulloch, Comptroller of the Currency, and W. P. Fessenden, Secretary of the Treasury.)

At that time, Mr. President, when the Nation was engaged in a struggle for its life the same interests I now criticize were utilizing the then existing conditions for the purpose of manipulating the exchanges and credits and gold of the country to their profit. Those interests, Mr. President, have always been of a sinister and disloyal character. The bonds of this country issued during the war and made necessary for the preservation of the Union were made payable in lawful money, but by manipulation they were afterwards made payable in coin and yet afterwards in gold, each successive step increasing their value and the value of the money in the hands of the men who owned and controlled these securities. Finally the last great step of all was taken when one half of the metallic money of the country was stricken down, disgraced, and demonetized, and the other half made twice as valuable as it was before. These successive steps all led and pointed to the final one—"Give us control of the issue of the paper currency of the Nation and then our power and our opportunities for absorbing the rest of the wealth of the country will have no limitation."

Mr. BORAH. Mr. President——

Mr. THOMAS. Mr. President, I want to see a good banking bill enacted, and I want to see a bill enacted that is drafted in and for the interest and welfare of the great mass of the people of the country. The very fact that these great financial powers are arrayed against this bill is, to my mind, the very strongest argument that can be advanced to-day in favor of it.

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Idaho?

Mr. THOMAS. I beg the Senator's pardon. I was unaware of the fact that he sought recognition. I certainly yield to him.

Mr. BORAH. Mr. President, in reading the report of the proceedings before the committee and trying to keep somewhat in touch with the literature of the day upon this subject I do not recall but one leading banker in New York who has expressed decided objection to the bill in its fundamental provisions.

Mr. THOMAS. Well, that is not surprising.

Mr. BORAH. Mr. Vanderlip's testimony yesterday seemed to disclose that that class of bankers have really no objection to the bill at all, such as might be considered fundamental objections. In fact, there is one feature of the bill which has greatly interested me as probably fundamentally objectionable which they seem to approve.

Mr. THOMAS. Mr. President, I think a number of the eastern bankers have been before the committee. I recall distinctly being present once or twice when some of them were being heard. I know there are a great many bankers right in the city of New York who want to see this bill or something like it enacted. I started out by saying that the great mass of the bankers, I thought, were friendly to the general principles of this measure, and I thoroughly believe they are. But why,

Mr. President, should the men standing at the head of the financial world assume a position of outspoken opposition when, through their control of the banking world, they can secure expressions through conventions and conferences and associations which are assumed more nearly to represent the spontaneous sentiment of the banking world?

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. THOMAS. Certainly.

Mr. CUMMINS. I do not know what the situation is elsewhere, but in my State the opposition comes from the small bank, the bank in the town of 2,500 people and under. I should like to know, Mr. President, what the Senator from Colorado deems to be the "general principles" of this bill. He says that he thinks the smaller banks generally are in favor of the "general principles" of the bill. I should like to know what the "general principles" of the bill are, because there are many things in the bill which I heartily favor, and I do not like to hear it said here without dispute that the opposition to the bill comes from the organized selfishness of big bankers. That is not true in my State at all, and if the Senator from Colorado will develop the "general principles" of this bill we may be able to reach a conclusion much more readily.

Mr. THOMAS. Mr. President, it is not my intention to go into a discussion of the merits of the bill now. I will say, however, in answer to the Senator's question, that what I regard as the principal features of the bill—speaking, of course, very generally—are the direct issue of currency by the Government upon approved securities, the prevention of the congestion of the loose money of the country and of the greater portion of the reserves in the great centers of the country, where they are used, very naturally and perhaps necessarily, for the promotion of speculation, but which deprive outlying sections of the use of money properly belonging to them. Another general feature of the bill, which more bankers disapprove of than any other, is Government control of the reserves and of currency issues through a board appointed by the President and also consisting, ex officio, of two members of the Cabinet and the Comptroller of the Currency. I also think, Mr. President, that another feature of the bill, which is decidedly commendable in connection with those that I have mentioned generally, consists in the power that is proposed to be given to the Federal reserve board to shift the assets or the reserves of the reserve banks from one to the other as the exigencies of business or the requirements of the country may make necessary or expedient; and, above all, the taking away from a few hands of the power to control and direct the credit of the country.

CONTRIBUTIONS FOR CAMPAIGN PURPOSES.

Mr. CLAPP. Mr. President, in view of the passage of the tariff bill, I think it is obvious to all, without impugning the motives of anyone, that between now and the next general election every special election for a Representative in Congress that will be held to fill a vacancy will invite the utmost effort of all who are directly or indirectly interested in the result of such election, because of the supposed bearing that that election may have upon the verdict of the people on the tariff bill.

On the 11th of September I had the honor to report from the Committee on Privileges and Elections a bill to limit the use of campaign funds in presidential and national elections, the purport of the bill being to prevent money being sent from one State to another to be used in the election of President, Vice President, Senators, or Representatives. Without any reflection upon anyone, but simply recognizing the inherent weakness of humanity, it is our duty, so far as we can, to remove temptation, and it seems to me that it is important that this bill should be passed at an early date. This morning I ask unanimous consent for the present consideration of Order of Business 93, being the bill (S. 192) to limit the use of campaign funds in presidential and national elections.

The VICE PRESIDENT. Is there objection to the request of the Senator from Minnesota?

Mr. BRANDEGEE. I object.

Mr. CLAPP. Then, Mr. President, I ask unanimous consent that the bill may be taken up and voted on, with all amendments pending or to be offered, at the close of morning business at the next legislative session of the Senate.

The VICE PRESIDENT. Is there objection to the request of the Senator from Minnesota?

Mr. BRANDEGEE. Mr. President, I will not object to the consideration of the bill, but I do object to the limitation of time as to voting upon it.

Mr. CLAPP. I will not place any limitation, but I will ask that the bill be taken up for consideration at the next legislative session at the close of morning business.

Mr. BRANDEGEE. I have no objection to that, Mr. President, but I do object to its being taken up to-day, because the unfinished business will come up at 2 o'clock, and there are only 20 minutes left.

Mr. CLAPP. Very well; I understand there is no objection.

The VICE PRESIDENT. Is there objection to the request of the Senator from Minnesota that at the close of morning business at the next legislative session of the Senate, Senate bill No. 192 shall be taken up for consideration by the Senate? Is the request of the Senator from Minnesota that it should be made the unfinished business until disposed of?

Mr. CLAPP. Yes; until finished.

The VICE PRESIDENT. Is there objection?

Mr. BRANDEGEE. Mr. President, there is a matter of unfinished business on the calendar, and I do not see how we can have two unfinished businesses at the same time.

Mr. CLAPP. We can dispose of this in a very short time.

Mr. BRANDEGEE. If it is disposed of before we reach the unfinished business it will be disposed of; but if it is not it could not become the unfinished business with the present unfinished business pending.

The VICE PRESIDENT. Let us try to get an accurate statement of the unanimous-consent agreement asked by the Senator from Minnesota. As the Chair understands, it is that at the conclusion of morning business at the next legislative session Senate bill 192 shall be taken up and considered by the Senate, and that it shall then be made the unfinished business after Senate bill 136.

Mr. BRANDEGEE. I object to that.

Mr. CLAPP. Is there any objection to unanimous consent that we shall proceed to the consideration of the bill at the close of morning business at the next legislative session of the Senate?

Mr. BRANDEGEE. Not by me.

Mr. CLAPP. I make that request.

Mr. THOMAS. I do not want to object to the Senator's motion; but at the last session the Senator from Wisconsin [Mr. LA FOLLETTE] obtained unanimous consent to make Senate bill 136 the unfinished business of the Senate. He is here now.

The VICE PRESIDENT. This does not interfere with that. The request is to take up Senate bill 192 at the conclusion of the routine morning business. The unfinished business comes up at the close of the morning hour. Is there objection to the unanimous-consent agreement asked for by the Senator from Minnesota? The Chair hears none.

ADJOURNMENT TO MONDAY.

Mr. KERN. I move that when the Senate adjourns to-day it adjourn until Monday next at 12 o'clock meridian.

Mr. CUMMINS. Mr. President, I assume that the motion is not debatable.

Mr. BRANDEGEE. Oh, yes; it is. It is a motion to fix the time to which the Senate shall adjourn.

Mr. CUMMINS. I am advised that it is debatable.

The VICE PRESIDENT. The Chair thinks it is debatable.

Mr. CUMMINS. I wish to say a word or two in reference to it, then.

Mr. KERN. The rules declare that such a motion is not debatable.

Mr. CUMMINS. I understand the Chair has ruled that it is debatable.

The VICE PRESIDENT. The Chair finds, upon examining the rules, that it is not debatable.

Mr. CUMMINS. I move to amend the motion by providing that when the Senate adjourns to-day it shall adjourn to meet to-morrow at 12 o'clock; and I should like to say a word about it. I suppose I may say it by unanimous consent, even though the motion is not debatable.

I am one of the Senators on this side of the Chamber who believes that the financial and currency bill should be disposed of at this session, or just as soon as it possibly can be done, having due regard to fair consideration and debate. I thought that after we had passed a tariff bill it might be well to take a month's recess to give the Committee on Banking and Currency an opportunity to hear whatever was to be said upon the bill and to prepare a report upon it, and that then we ought to come together about the 1st of November and take it up and consider it continuously until it should be disposed of.

That, however, did not meet the approval of a majority of the Senate, and it is assumed that we must remain in session. If we are to remain in session I think we ought to do business, and do it with reasonable continuity. There are a great many very important bills before the committees, and there are a great many important bills on the calendar. We either ought to take a recess or an adjournment until we are ready to consider the currency bill, or we ought to proceed to do the business of the Senate, not only that which is before the Senate on the calendar but that which is before the committees upon reference.

I do not believe it is fair to keep us here with the understanding that we are to do nothing; that we are to meet on Monday and adjourn until Thursday, and to meet on Thursday and adjourn until Monday again. So far as I can effect it, I shall do whatever is in my power either to bring about a recess until the currency bill can be brought before the Senate—and I do not propose that now; I think the time really has passed for that—or to have the committees of the Senate meet and dispose of the bills before them, and have the Senate meet regularly and take up and consider and pass or reject the bills that are on the calendar and that will be on the calendar.

Mr. KERN. If the Senator will allow me to make a suggestion, the fact must be considered that at this time there is not a quorum in the city. There probably will be a quorum here on Monday, because of the required action on the conference report on the urgent deficiency appropriation bill. I think at that time I will join the Senator in his proposition to proceed to work; but at this time there is no use in going through the idle ceremony of meeting here when there is not a quorum in attendance.

Mr. CUMMINS. The Senator from Indiana may be mistaken about that. I rather think there is a quorum of Senators in the city.

Mr. KERN. There is not a quorum either of the Senate or of any committee of the Senate.

Mr. CUMMINS. If there is not, it is because Senators generally understand that we are not going to do anything until the Committee on Banking and Currency reports, or at least not anything of importance. If there is a quorum here, they can be easily summoned.

I am not so much protesting against an adjournment until next Monday, but I am protesting against a policy of meeting on Monday and adjourning until Thursday and continuing that until the Banking and Currency Committee shall make its report. I do not believe the committee will make its report before the middle of November, and it may be even later than that. If the committee is to continue its hearings until the 25th of October, and then take up this very important and very comprehensive subject for its own consideration, we have no reason to expect a report of the committee before the middle of November.

We must decide whether we shall continue here and do the business that is before us or whether we shall adjourn or take a recess until the time the committee is ready to report. I am quite willing to continue here. I think there is enough for us to do, and that we can do it to the great advantage of the next session, which will be congested, in view of the fact that we have done nothing at this session save consider the tariff and the currency.

I withdraw my proposed amendment and yield to the Senator from Indiana in his desire to adjourn until next Monday. I have taken this opportunity, however, to say that at that time I shall hope to press this view of mine that we should go ahead in the regular way and do the business we are here to do, if we are to remain in session.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Indiana.

The motion was agreed to.

THE TARIFF—GENERAL BUSINESS CONDITIONS.

Mr. MARTINE of New Jersey. Mr. President, the morning hour has been occupied almost entirely with matters referring to finance and general conditions in the country. I have in my hand a circular of a very reassuring character, issued monthly by the oldest bank in the State of New Jersey, organized in 1804. I desire that the Secretary may read the portion which refers to the general business outlook. This circular comes from a conservative bank, and sets at naught the general story of what we were told to anticipate in October. I ask that the Secretary may read the first page, going over to the other side, and I should like to have it published in the RECORD.

The VICE PRESIDENT. Is there objection to the request that the Secretary shall read as indicated?

Mr. BRANDEGEE. Reserving the right to object, what is the bearing of this circular?

Mr. MARTINE of New Jersey. It bears on the general financial conditions of the country and the general business outlook. It is dated in October,

Mr. BRANDEGEE. I know the date; but, I mean, does it refer to currency legislation or to tariff legislation?

Mr. MARTINE of New Jersey. It refers to tariff legislation. It has no reference at all to banking.

Mr. BRANDEGEE. I had hoped we had finished with the tariff for this session.

Mr. MARTINE of New Jersey. We have; but the effects of the tariff are coming afterwards.

Mr. BRANDEGEE. They will be evidenced, I think, by the result.

Mr. MARTINE of New Jersey. Then I will ask that the circular may be printed without reading.

Mr. BRANDEGEE. I do not object to either the printing or the reading. I simply desired to be informed as to what it was. If it is rosy, I should like to hear it.

Mr. MARTINE of New Jersey. It is rosy; there is no doubt about that.

The VICE PRESIDENT. Shall the matter be read, or not?

Mr. BACON. I hope it will be printed without being read.

Mr. MARTINE of New Jersey. It is satisfactory to me to have it printed without being read. If the Senator from Connecticut desires something rosy, however, I will state to him that it is quite rosy.

The VICE PRESIDENT. In the absence of objection, the matter will be printed in the RECORD.

The matter referred to is as follows:

NATIONAL NEWARK BANKING CO.,
Newark, N. J., October, 1913.

It is remarkable that the outlook for general business should be so good in view of the fact that a radical change is about to take place in the tariff; that very important banking legislation is pending; that there is a world-wide condition of dear capital, and that prices are so high. But it is true that most manufacturers believe themselves able to arrange their business to meet the tariff changes and are anticipating a heavy business in the near future. So much was said early in the year about the necessity of preparing for an acute crisis in the fall that almost all business men began to curtail and strengthen their position, the result being that they are now able to adjust their business to the present condition. This provision undoubtedly averted a serious strain.

The tariff uncertainty will soon be over, the crop conditions on the whole are not bad, the general political situation is brighter, especially in regard to the troubles in Mexico; the liquid money market, while not easy, is more nearly normal, and a more optimistic feeling prevails. There is as yet no snap to business, but the general feeling is that it is coming. The number of idle freight cars September 15 was 40,150 as against 58,306 on September 1, and an average for five years at this time of 44,400. The steel business seems to be holding up, especially in the matter of exports, and the demand for copper is increasing.

It is interesting to note the statistics of the foreign trade in the United States during August as recently made public by the Department of Commerce, which show that although imports for that month fell off when compared with figures for the same month last year exports increased to such an extent that they surpassed figures of any other August on record. Imports for the month totaled $137,704,195, while exports aggregated $187,812,636. The figures for the same month last year were $154,756,770 and $167,844,871. For the eight months ending with August imports to this country were valued at $1,156,575,670; its exports amounted to $1,515,085,733.

Department and other local stores report an excellent trade during September, and they are placing generous orders in the belief that the fall and winter business will reach above the normal in demand. Close collections is the order of the day among local business houses, and careful consideration is given in the opening of new accounts.

Manufacturers are for the most part encouraged over the increased number of orders, and some are working to full capacity. The importance of Newark's manufacturing interests is evident when it is considered that there are 252 distinct lines of industry here, 50 lines each turning out values of from one to thirty million dollars a year, and with the world as their market. The local manufacturing jewelers report that the demand for their products is very good, and it would not be at all surprising if they had the largest business in several years. This fact is an excellent indication of general good conditions. An optimistic frame of mind is also to be found in the leather trade. Among manufacturers as a whole a healthy increase of orders is noticeable, and this will become more pronounced with cooler weather.

RECORDS OF IMPEACHMENT TRIALS.

Mr. BACON. I offer a Senate resolution for which I ask present consideration. Before the request is put I wish to say a word. I should like to have the resolution read.

The resolution (S. Res. 190) was read, as follows:

Resolved, That the Committee on the Judiciary be directed to examine and report to the Senate the measures necessary to gather and place in proper form the complete record of each impeachment trial which has been had by and before the Senate of the United States, with the view to the publication of the same in a suitable and uniform series of volumes; and to make such other recommendation in regard thereto as may be deemed proper by the committee.

Mr. BACON. Mr. President, I wish to say that, so far as the later impeachment trials are concerned, there is no particular difficulty, because they were quite fully reported and gathered in volumes. All of the later ones, since the impeachment of President Johnson, are in volumes. The records of the earlier impeachment trials, however, have never been placed in anything like complete volumes showing what occurred. Some of them are in little pamphlets, mere synopses of what occurred. The proceedings of the trials are to be found in the records of Congress and can be easily gathered together and placed in

such form that they may be published uniformly, perhaps, with those which have already been published as the later volumes.

I think it really important that this shall be done, as these are records of most important trials. It has been said that the Impeachment Court is the highest court known to our law; and certainly the records of that court, the records of these trials, are entitled to as careful preservation as the records of our other courts.

Mr. SUTHERLAND. Mr. President, I did not quite understand the resolution offered by the Senator from Georgia. My attention was diverted. Does the Senator propose to have printed, and so far as may be necessary reprinted, the volumes of all the impeachment trials that have been had?

Mr. BACON. The resolution simply directs the Judiciary Committee to inquire into the matter to see what is necessary. It may be that the committee will find that the volumes of the later trials are now sufficiently printed; that all that will be necessary will be to have the earlier volumes printed in similar form, and that the later ones will not have to be reprinted. The records of the earlier trials, however, have never been collected together in volumes which adequately record what occurred.

It is true, I repeat, as to all the later trials—those which have occurred since the Civil War—that the records are quite complete, and the volumes are possibly in sufficiently good form not to have to be reprinted; but the earlier reports have never been properly printed. It may be that the Judiciary Committee will find it is only necessary to print the earlier ones, making them of uniform size and style with the publications already made of the later impeachment trials.

Mr. SUTHERLAND. I quite agree with the position of the Senator from Georgia about that. The earlier trials are not recorded in any accessible form, as I discovered when I undertook to make some study of the subject.

Mr. BACON. I hope it may be found that it will not be necessary to reprint any of the later ones.

Mr. SUTHERLAND. I think it very important that they should be printed, and I quite agree with the purpose of the resolution.

The VICE PRESIDENT. Does the Chair understand that the resolution also calls for a recommendation from the committee with reference to the procedure in impeachment trials?

Mr. BACON. No; it does not. It has no reference whatever to anything except gathering together these records and having them printed in proper form.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution? The Chair hears none.

The resolution was considered by unanimous consent and agreed to.

ELECTION OF SENATORS.

Mr. POINDEXTER. Mr. President, observing that the chairman of the Committee on Privileges and Elections is about to leave the Chamber, I should like before he goes to ask him a question in regard to the bill (S. 2800) which was referred to the committee a short time ago, providing as an emergency measure a method of conducting elections of Senators under the seventeenth amendment to the Constitution. I should like to ask if the Senator can give me any information as to the present status of that measure and the prospect of its being reported out of the committee. The matter is one in which a great many States are interested, and a great many people are interested in some early disposition of the question.

My information is that the committee had referred the measure to a subcommittee, with instructions to report it out. Whether it has agreed upon the final form or not I do not know, but my purpose is to call attention to it and to the importance of some action being taken upon it, and to get some information, if possible, from the chairman of the committee as to the present status of the bill.

Mr. KERN. The measure was referred to a subcommittee. The subcommittee reported a substitute to the full committee at its last meeting, and I think typewritten copies of the substitute have been furnished the members of the committee. The matter doubtless will be disposed of at the next meeting of the committee and reported within a short time thereafter.

Mr. POINDEXTER. I trust that will be done, so we can get the bill before the Senate. I thank the Senator for the information.

Mr. SUTHERLAND. May I ask the chairman of the committee if he expects to have a meeting of the committee soon?

Mr. KERN. Within the next week or two.

Mr. SUTHERLAND. This is a subject that ought to be dealt with, I think, with some promptness. The matter has been pending here for a considerable time. The subcommittee has considered the proposed bill and has agreed upon a substitute, I understand. I think there would be no difficulty in having it reported, as I understand the attitude of mind of the various members of the committee.

I take the liberty of suggesting to the chairman of the committee that it would be well if a meeting of that committee could be called very soon, so that we could take up the subject and dispose of it.

THE MERCHANT MARINE.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, it becomes the duty of the Chair to lay before the Senate the unfinished business, which is Senate bill 136.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States, to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto, and to promote safety at sea.

Mr. LA FOLLETTE. Mr. President, it is not my purpose to press the bill for consideration at to-day's session. After I make a request and ask to have some printing done, I will ask to have it temporarily laid aside.

Before that, however, Mr. President, I should like to say that I do not press the bill for consideration to-day because I am advised that some members of the committee, among others the chairman of the committee, are absent from the city and that many of them are not advised that Senate bill 136 has been made the unfinished business. I wish to give an opportunity for the members of the committee and all Members of the Senate who are interested in this legislation, and who desire to be present, to be here when it is considered.

I understand that the Senate has already agreed that when it adjourns to-day it will meet on Monday.

Mr. KERN. Yes.

Mr. LA FOLLETTE. To-day is Thursday. I think perhaps if the notice were given to-day that the bill would be taken up next Monday it would give opportunity for Senators who are absent to be here.

Mr. VARDAMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. LA FOLLETTE. Certainly.

Mr. VARDAMAN. I wish to suggest to the Senator from Wisconsin, as I said personally to him on the floor, that when this bill was reported by the committee it was understood by some members of the committee that it was not to be considered at this session. I agree with the Senator from Wisconsin that some legislation is very much needed, and I join with him in his desire that the matter shall be pressed at the earliest possible moment. I think, however, that next Monday would hardly give the Senators who are interested in the measure time to return. One of them I know has been here since the convening of Congress last year and he has a little private business at home that he is now attending to. I wish to suggest to the Senator from Wisconsin that it might be better to fix the time, say, next Wednesday.

Mr. LA FOLLETTE. I had some discussion personally with members of the committee who were present on the floor during the session this morning—the Senator from Mississippi, among others—and also with the senior Senator from Florida [Mr. FLETCHER], who reported the bill and who gave me information that makes just a slight correction in the statement of the Senator from Mississippi as to the understanding of the committee. I see the Senator from Florida is now on the floor. I was about to say that I understood from the Senator from Florida that the understanding when the bill was reported from the committee was that, so far as the wishes or views of the members of the committee were concerned, they preferred that the bill should not be considered at this session, but that the question of consideration was a matter which the Senate would have to determine. Do I state that correctly, I inquire of the Senator from Florida?

Mr. FLETCHER. I think that is quite correct.

Mr. LA FOLLETTE. I am certainly desirous that all Senators who would care to participate in the discussion should have the opportunity to be present. Perhaps we might right at this time agree that the bill should be taken up on Wednesday of next week and its consideration continued from day to day until, say, Saturday of next week at 4 o'clock, when we might vote upon it.

Mr. VARDAMAN. Mr. President, the purpose of my suggestion to the Senator from Wisconsin was that especially two Senators, the Senator from Arkansas [Mr. CLARKE], the chairman of the Committee on Commerce, and the Senator from Ohio [Mr. BURTON], might be permitted to finish up their private affairs at their homes and be here by that time, because I know that they are very anxious to be present when the bill is considered.

Mr. LA FOLLETTE. My attention was diverted just for the moment. Did I understand the Senator to say he thought that would give them an opportunity to be here?

Mr. VARDAMAN. I would think so.

Mr. LA FOLLETTE. That would give them an entire week. Then I will make the request in this form:

I ask unanimous consent that on Wednesday, the 15th of October, 1913, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States, and so forth, and that not later than Saturday, the 18th of October, at 4 o'clock on that day——

Mr. WILLIAMS. The calendar day.

Mr. LA FOLLETTE. On that calendar day the Senate will proceed without further debate to vote upon any amendment that may be pending, any amendments that may be offered, and upon the bill, through its regular parliamentary stages, to its final disposition.

Mr. LEA. I should like to ask the Senator from Wisconsin if he would change those dates to Thursday, the 16th, and Monday, the 20th, for the reason that a committee of which I am a member has an engagement that will take us out of town on Saturday, and perhaps 11 Members of the Senate will be absent.

Mr. LA FOLLETTE. I will make that substitution of those dates.

Mr. BRANDEGEE. Mr. President, I have no objection to the portion of the agreement that provides as to proceeding to the consideration of the bill immediately after the morning business on any day, but I know at least one and, I think, other Senators are absent who want to be heard upon the bill extensively. I do not think that unanimous consent for the termination of debate upon the bill ought to be given now in their absence. I would not object myself, and I am not making this objection for myself, but simply speak from what has been said to me. I am quite confident that they desire to be here, and they are away. I do not know what their engagements are and whether they can return in time.

I assure the Senator from Wisconsin I am not making any captious objection to the agreement at all; but I wish he would defer his request for unanimous consent until the next meeting of the Senate, so that if after those gentlemen have had notice that such a request was made, and those gentlemen care to do so, they themselves may appear and object, if they see cause. I will not object, because I have not been requested to do it, and I have no objection myself, but I simply state what I have in mind.

Mr. LA FOLLETTE. If the Senator thinks that the time would not be sufficient for a full discussion of the measure, and that we should vote upon it on Tuesday, or even upon Wednesday—I do not wish to curtail debate at all.

Mr. BRANDEGEE. I have no doubt of that. I know the Senator wants to be perfectly fair about it, and I have no idea——

Mr. LA FOLLETTE. There are very urgent reasons why this legislation should be enacted. It goes to the safety of human life upon the sea, and we are in peril every hour of having repeated just such a disaster as shocked the entire world a little more than a year ago.

I do feel, Mr. President, that we ought to dispose of this legislation as soon as it can be done in an orderly and proper way.

Mr. BRANDEGEE. I have no doubt of that myself, and I have no disposition to thwart it in any way. I am uninformed as to the provisions of the bill; as far as I am concerned, I do not expect to take part in the discussion of it; but I hope to learn the merits of it from the debate; and, of course, I shall read the bill. I have not read it; I do not know what its merits are. I am utterly unable to form an opinion as to whether two days or three days or four days will be sufficient for the discussion that Senators will want to give it. I do not intend to object.

Mr. LA FOLLETTE. I understand.

Mr. BRANDEGEE. I simply leave it to the Senator.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. LA FOLLETTE. I yield.

Mr. THOMAS. I was simply going to say that the Senator from Wisconsin has been here constantly during the summer. It has been a very long session and one of a very arduous character. A few of us have stayed here upon the theory that the Senate of the United States was the place where a Senator should be when the Senate is in session. The Senator from Connecticut has been very regular in his attendance here. Of course, Senators have to leave frequently upon urgent business.

It seems to me, in view of the fact that the Senator from Wisconsin has been here right along giving his time and attention constantly to the public business, when he states that he has a measure which is of prime importance, one which ought to be enacted at this session, particularly if the Senate has no other important business before it, time should to some extent be given according to his idea of what is necessary and proper under the circumstances.

Mr. ASHURST. Mr. President, will the Senator yield to me for a moment?

Mr. LA FOLLETTE. I yield.

Mr. ASHURST. While I do not happen to have the honor to be a member of the committee which reported this bill, I must not let this occasion pass without saying here that I am extremely pleased that the bill has been reported. I have given the bill considerable study, not only during this session but during the last session. Before I came to Congress I gave a bill somewhat similar to this measure much study.

This bill has for its object the promotion of the safety of human life at sea. Do we need another *Titanic* disaster to convince us of our duty on this bill? How much longer must we delay when matters of such supreme importance are before us? The bill not only promotes the safety of passengers and the crew of the vessel at sea, but it also has for its beneficent purpose the abolition of a very odious form of involuntary servitude that has been carried on and imposed upon many helpless seamen.

We are here; Congress is supposed to be in session; and we ought in good faith to the people of the United States manfully to legislate on all subjects upon which we have jurisdiction or manfully adjourn.

I join with those who say we ought not to ping-pong about from Thursday to Monday, then from Monday to Thursday. Let us diligently take up subjects of legislation and treat them as they should be treated, or have the nerve and pluck to adjourn—I was about to say resign; yes, if we can not do our work we ought to resign.

I earnestly hope that no objection will be made, for this bill or some bill of this same general character should have been passed years ago.

Mr. BRANDEGEE. Mr. President, just a word. Some of the Senators, at least, who desire to be heard on this bill are absent. It has been generally understood by Senators on both sides that we were adjourning three days at a time for a report on the banking and currency bill. It has also been assumed by Senators who have gone away that if contested matters were to be brought up Senators would raise the question of a quorum. That question has not been raised to-day; but the Senator from Wisconsin asks for a unanimous-consent agreement to take up this bill and to vote upon it and all amendments on a certain day. The question of the particular day or the time, in my opinion, is of not so much importance. By count there are not to exceed 19 Senators upon the floor out of a body of 95, and the unanimous consent of these 19 binds all the other absent Senators.

I think that Senators who are away should be informed that this request has been made to-day and is going to be made again, so that they could be here to speak for themselves.

As I have said, I shall not object to this consent if the Senators think that it is fair to the absentees who are away on the kind of reliance or understanding I have indicated; but there is always more or less trouble about unanimous-consent agreements when Senators feel that they are cut off in what they want to say, although I agree they have no excuse for protesting against anything that is done while they are away, if it is done under the rules of the Senate. They should be here to protect themselves.

The Senator from Arizona [Mr. ASHURST] has indicated by his expression "ping-ponging" what has been happening here for some time, adjourning three days at a time because nobody wanted to press any contested matter. If that game is to be stopped—and it ought to be stopped, in my opinion—Senators will be here to protect their right.

Now, I have said all I care to say.

Mr. SHEPPARD. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. LA FOLLETTE. I do.

Mr. SHEPPARD. I think the Senate ought to understand that it was the understanding in the Committee on Commerce

that if this bill was reported it would not be considered until the regular session.

Mr. ASHURST. Will the Senator yield to me?

Mr. SHEPPARD. In just a minute. And the members of that committee who are absent went away with that understanding in their minds. It is for the Senate to say whether that understanding of the committee should be observed on the floor. I think it due to them that the statement ought to be made here.

Mr. LA FOLLETTE. The Senator from Texas will remember that when the bill was reported and laid before the Senate in the presence of those Senators, members of the committee who had attended at that session of the committee which agreed to report it, and when it was attempted to have it go to the calendar, the proposition was made that it should go to the calendar with the understanding that it should not be taken up at this session, thereupon I interposed an objection and it went to the calendar, subject to be called up at any time. So that these Senators were advised then that the Senate had not followed their wishes in that regard.

Mr. SHEPPARD. I recall the occurrence to which the Senator alludes, and I thought it due to those Senators to make the statement to-day. I am in hearty sympathy, as the Senator knows, with this legislation.

Mr. LA FOLLETTE. I know it.

Mr. FLETCHER. Mr. President, when the bill was reported by the committee, as the RECORD shows, it was with the statement that in the judgment of the committee action should not be taken on the measure until the regular session next December. That was the judgment of the committee, and there are a number of members of the committee who are away and who are interested in this subject and want to be present when it is discussed.

I would suggest to the Senator from Wisconsin that perhaps as far as he ought to go to-day, in justice to those absent Senators, is to state that on a certain day—on Monday, for instance—he would ask unanimous consent for a time to take up the bill and vote upon it. In other words, I scarcely feel that it would be fair to those members of the committee who are absent to-day to agree that on a certain date we would dispose of the bill. I think perhaps the Senator will be willing to give notice that on Monday next he will ask for that consent. That perhaps is as far as we ought to go in justice to those who are absent, believing that the matter would not be taken up at this session of Congress.

Mr. LA FOLLETTE. I do not think that any wrong can be done to any Senator if time enough is allowed for debate of the bill. It has waited consideration for 22 years, and I do not think that the matter of senatorial convenience should be strained to the last point to postpone consideration of the bill any longer, and I am going to ask unanimous consent that——

Mr. ASHURST. Before the Senator makes that request may I make an observation? Certainly the precedent should not be established that the creature of the Senate, the committee of the Senate, can in any way bind the action of the Senate. If that be true, then the creature could rise higher than its creator, because the committee is the creature of the Senate. The committee might take the view that the bill ought never to be considered. That could not bind the Senate if the Senate saw fit to consider the bill. Therefore, while I have the most profound respect for all the members of the committee and for the view of the committee and in its idea that it would not be expedient to proceed to the consideration of the bill now——

Mr. VARDAMAN. The committee is not seeking to bind anybody.

Mr. ASHURST. I say it could not in any way seek to bind the Senate or bind a Senator who is not a member of the committee and preclude him from moving to proceed to the consideration of this bill.

Mr. WEEKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Massachusetts?

Mr. LA FOLLETTE. I do.

Mr. WEEKS. The senior Senator from Ohio [Mr. BURTON] has been called from Washington on account of some important engagements. Before leaving Washington he said to me that he is interested in this legislation, and he hoped to be able to get back before it was given consideration in the Senate. I am interested myself, but my time is being taken entirely at the hearings of the Banking and Currency Committee, and I was surprised when I found that this bill had been made the unfinished business. I am quite sure the Senator from Wisconsin wishes to give everyone who is interested in this legislation and wishes to take part in the debate reasonable opportunity to be present. I can be myself, I suppose, by neglecting duties in other places, but I think the senior Senator from Ohio, who is a member of the committee, would be very much embarrassed if he were asked to return here before the middle of next week. Therefore I hope in asking unanimous consent that the Senator from Wisconsin will take that into consideration.

Mr. LA FOLLETTE. Mr. President, I was about to make my request that the bill be taken up on Thursday, the 16th of October, and that following the usual form of the request the vote be taken at 4 o'clock on the 22d of October.

Mr. WILLIAMS. The calendar day?

Mr. LA FOLLETTE. The calendar day. That allows a full week for debate, and I do not think that anyone, whether present or not, can have any reason to complain of such an agreement.

The VICE PRESIDENT. This seems to be a free discussion. The Chair has no right to say anything; but the Chair suggests that on account of the absence of the President pro tempore, the chairman of the committee, the date should be made the 23d.

Mr. LA FOLLETTE. Certainly.

Mr. WEEKS. Mr. President, may I suggest to the Senator from Wisconsin that the time he names for the commencement of the debate seems to be perfectly satisfactory, but the time of closing the debate and taking a vote on the bill, it seems to me, should be determined when the members of the committee are here, and especially those who are largely interested in the proposed legislation. I hope the Senator will limit his request for unanimous consent to the proposition to commence the debate.

Mr. LA FOLLETTE. I could not do that, because I do not have to ask unanimous consent to commence the debate.

Mr. WEEKS. I understand; the bill is the unfinished business.

Mr. LA FOLLETTE. If it is to run without limit, I must seek to get it up for debate on Monday.

Mr. WEEKS. I will not object to the request.

The VICE PRESIDENT. The Secretary will state the request made by the Senator from Wisconsin.

The SECRETARY. The Senator from Wisconsin [Mr. LA FOLLETTE] asks unanimous consent that on Thursday, October 16, 1913, immediately upon the conclusion of the routine morning business the Senate will proceed to the consideration of the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States, and so forth, and that not later than 4 o'clock p. m., Thursday, October 23, 1913, the Senate will proceed, without further debate, to vote upon any amendment that may be pending, any amendments that may be offered, and upon the bill, through the regular parliamentary stages, to its final disposition.

The VICE PRESIDENT. Is there any objection? The Chair hears none. The order is entered.

Mr. LA FOLLETTE. I wish to have printed for the convenience of the Senate the letter written by Secretary Redfield and Secretary Wilson to the chairman of the Senate Committee on Commerce. I have the letter as printed in my hand, but it bears no document number. I understand the edition has been exhausted from the files and I ask to have a reprint made of it. (S. Doc. No. 211.)

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened and (at 2 o'clock and 35 minutes p. m.) the Senate adjourned until Monday, October 13, 1913, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate October 9, 1913.

REAPPOINTMENT IN THE ARMY.

QUARTERMASTER CORPS.

Brig. Gen. Henry G. Sharpe to be brigadier general in the Quartermaster Corps for the period of four years.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Lieut. Commander David F. Sellers to be a commander.

Lieut. Commander Joseph M. Reeves, an additional number in grade, to be a commander.

Ensign Cary W. Magruder to be a lieutenant (junior grade).

Paymaster Timothy S. O'Leary to be a pay inspector.

Asst. Paymaster Ulrich R. Zivnuska to be a passed assistant paymaster.

Lieut. John M. Enochs to be a lieutenant commander.

Lieut. John P. Jackson to be a lieutenant commander.

The following-named lieutenants (junior grade) to be lieutenants:

Gardner L. Caskey,
Albert C. Read,
Robert A. Theobald, and
Fletcher C. Starr.

Passed Asst. Surg. John D. Manchester to be a surgeon.

John T. Borden, a citizen of North Carolina, to be an assistant surgeon.

POSTMASTERS.

ARIZONA.

Carmen Robles, Sonora.

KANSAS.

Elmer H. Epperson, Scott City (late Scott).

KENTUCKY.

J. D. Caudill, Morehead.
W. B. Crabb, Eminence.
O. D. Procter, Adairville.

MINNESOTA.

Charles Spillane, Waseca.

OHIO.

John P. Grassbaugh, Bigprairie.
Henry Holzbach, Hubbard.
L. W. Kunning, New Bremen.

TEXAS.

H. M. Stevenson, Breckenridge.

VIRGINIA.

S. C. Cox, Galax.

HOUSE OF REPRESENTATIVES.

THURSDAY, *October 9, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord, our Lord, how excellent is Thy name in all the earth, who hast set Thy glory above the heavens.

Out of the mouths of babes and sucklings hast Thou ordained strength.

We come to Thee in our weakness praying for strength, in our ignorance praying for light, in our sins praying for forgiveness, in the temptations, perplexities, and discouragements of life praying for inspiration and courage, that we may press toward the mark for the prize of the high calling of God in Christ Jesus our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

CONSERVATION EXPOSITION AT KNOXVILLE, TENN.

Mr. GOULDEN. Mr. Speaker, I desire to make a statement in reference to the RECORD of Tuesday in reference to the absence of a number of gentlemen who went under the direction of the House to attend the Conservation Exposition at Knoxville, Tenn. Among those recorded I find the following gentlemen, on page 6085, as being absent, but while in the discharge of a duty, whereas their names appear as failing to answer and therefore they may be subject to criticism in their respective districts. The names are the Speaker of the House, Mr. ADAMSON, Mr. AUSTIN, Mr. CANTRILL, Mr. FRANCIS, Mr. GOULDEN, Mr. JOHNSON of Washington, Mr. KAHN, Mr. LANGLEY, Mr. MOON, Mr. RAKER, Mr. SMITH of Idaho, and Mr. STRINGER. In this connection I also desire to ask unanimous consent while upon the floor to extend my remarks in the RECORD so as to print the admirable patriotic address made by Speaker CLARK upon the occasion of our visit to Knoxville before a vast assemblage in the auditorium of the exposition, a highly creditable and successful one, published in the daily press of that enterprising city.

Mr. ADAMSON. Mr. Speaker, reserving the right to object, I wish to call attention to the fact that that committee was absent by a vote and order of the House. They not only were charged with the duty of encouraging the purposes of that exposition, but they were in the personal charge of the Speaker and the Sergeant at Arms, and it would be an irreparable loss to the world to lose the Speaker and nobody here could get along without the Sergeant at Arms. [Laughter and applause.]

Mr. GOULDEN. I thank my colleague from Georgia for his statement.

ENROLLED JOINT RESOLUTIONS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolutions of the following titles, when the Speaker signed the same:

H. J. Res. 111. Joint resolution to authorize the reinstatement of Adolph Unger as a cadet in the United States Military Academy; and

H. J. Res. 132. Joint resolution authorizing the Secretary of Agriculture to make an exhibit at the Sixth National Corn Exposition, to be held at Dallas, Tex., during the month of February, 1914.

OHIO FLOOD REPORT (H. DOC. NO. 246).

Mr. HUMPHREYS of Mississippi. Mr. Speaker, I wish to submit a request for unanimous consent. A day or two ago, at the request of the gentleman from Ohio [Mr. BATHRICK], an order was made authorizing and directing the printing of a document relating to the flood situation in the Ohio Valley to the number that could be printed under the $500 limit. The Public Printer subsequently communicated with me, because it was at my request that the document had originally been printed, to say that $500 would print 180,000 copies, which is very much more than anybody wanted. I saw the gentleman from Ohio [Mr. BATHRICK], and he said that 25,000 would be all that was needed. I ask unanimous consent, therefore, that the order be so modified as to authorize the publication of 25,000 of those documents instead of 180,000.

The SPEAKER. The gentleman from Mississippi [Mr. HUMPHREYS] asks unanimous consent that the previous order made by the House as to printing the flood reports be so modified as to authorize the printing of 25,000 copies. Is there objection?

Mr. MANN. Reserving the right to object, it is a very good illustration of the improvidence and danger of the House in ordering printing without any knowledge of the subject. The proposition now is to print 25,000 copies of the document, really an excessive number, where the House had ordered 180,000. Without somebody knowing about it, the consent ought never to be granted.

Mr. BATHRICK. I will say to the gentleman that an examination of the report as it appeared before the House seemed to indicate that $500 would not print anywhere near that number. The Committee on Printing were not present, but those familiar with the cost thought that $500 would cover, under the circumstances, all that were needed.

Mr. MANN. I will say to the gentleman from Ohio that there is an officer of the Printing Office right here near the Hall of the House. It is very easy to ascertain at any time the cost of any document.

Mr. BATHRICK. It was intended as a compromise, in view of the objections that were made, to have a certain number printed, and the gentleman will understand that it is not always practical to leave this floor when a motion is made in order to consult a printer about the cost.

Mr. MANN. Well, it is always feasible before a motion is made, and before the gentleman comes into the House to make a motion, to ascertain the information.

Mr. BATHRICK. This subject was presented to the House and it came up spontaneously.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted—

To Mr. HOWARD, indefinitely, on account of the serious illness of his mother.

To Mr. FARR, indefinitely, on account of critical illness in his family.

To Mr. RIVERA, indefinitely, on account of important business.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. KREIDER was granted leave to withdraw papers filed in support of the bill H. R. 3382, Fifty-eighth Congress, first session, to remove the charge of desertion from the record of John F. Kelly, no adverse report having been had thereon.

ELECTION TO A VACANCY ON THE COMMITTEE ON WAYS AND MEANS.

Mr. UNDERWOOD. Mr. Speaker, I desire to move the election of Mr. MICHAEL F. CONRY, of New York, to fill a vacancy on the Committee on Ways and Means.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] moves the election of Mr. MICHAEL F. CONRY, of New York, to fill a vacancy on the Committee on Ways and Means. The question is on agreeing to that motion.

The motion was agreed to.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. HARDWICK. Mr. Speaker, I present a privileged report from the Committee on Rules. (H. Rept. 90.)

The SPEAKER. The gentleman from Georgia [Mr. HARDWICK] presents a privileged report from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

The Committee on Rules, to whom was referred the resolution (H. Res. 275) to provide a special order for the consideration of H. R. 7888, having considered the same, beg leave to report it back to the House with the recommendation that it be adopted.

House resolution 275.

Resolved, That immediately upon the adoption of this order the bill (H. R. 7888) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes, together with the amendments of the Senate thereto, be taken from the Speaker's table, that the amendments of the Senate thereto be disagreed to in gross, that the conference asked by the Senate be agreed to, and that the Speaker, without intervening motion, appoint managers on the part of the House.

Mr. HARDWICK. Mr. Speaker, I move the previous question on the resolution.

Mr. MANN. Mr. Speaker, I make a point of order that this is a report which the Committee on Rules has no authority to make, and hence it is not a privileged report.

The Speaker will notice that clause 56 of Rule XI, in reference to reports from the Committee on Rules—page 310, paragraph 725—referring to the Committee on Rules, provides:

Nor shall it report any rule or order which shall operate to prevent the motion to recommit being made as provided in paragraph 4 of Rule XVI.

Now, the rule reported from the Committee on Rules, prepared by my distinguished friend from New York [Mr. FITZGERALD], provides that immediately the Senate amendments be disagreed to, the conference asked for be granted, and that without intervening motion the conferees be appointed by the Speaker. That is in direct conflict with this rule of the House, and with the construction heretofore made by the present Speaker of the House. On a former occasion, in the last Congress, when the distinguished gentleman from Texas [Mr. HENRY], chairman of the Committee on Rules, reported a similar rule providing that a motion to recommit should be cut out, I made a similar point of order, and it was sustained by the Chair.

Mr. HARDWICK. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. MANN. Certainly.

Mr. HARDWICK. Was it on a motion to send a bill to conference?

Mr. MANN. No; but that does not make any difference.

Mr. HARDWICK. It makes a great deal of difference.

Mr. MANN. Oh, no. The Speaker heretofore has ruled that the motion to recommit is in order on Senate amendments. On the Post Office appropriation bill last year, when I was making a fight to have the parcel-post proposition inserted in the Post Office appropriation bill, a somewhat similar rule, which was not subject to this point of order, was brought in.

It did not cut out the motion to recommit, and I made the motion to recommit, although otherwise the situation was identical, and the Chair sustained the motion to recommit.

Mr. FITZGERALD. Mr. Speaker, will the gentleman yield for a question?

Mr. MANN. Certainly.

Mr. FITZGERALD. Suppose this rule contained a clause excepting the motion to recommit, what motion to recommit could be made?

Mr. MANN. A motion to commit, which is the same thing as the motion to recommit, could be made, and it was made by me on the Post Office appropriation bill last year after a rule had been brought in providing for the disagreement to all of the Senate amendments and the sending of the bill to conference.

Mr. FITZGERALD. But the gentleman is mistaken. The rule was brought in after the conference report was made.

Mr. MANN. The gentleman is not mistaken.

Mr. FITZGERALD. At that time a motion to commit was in order.

Mr. MANN. The gentleman from New York [Mr. FITZGERALD] ought to be better posted and is better posted. The gentleman from New York himself, when the tariff commission bill came before the House in the closing days of the Sixty-first Congress and laid upon the Speaker's table, insisted upon his right to move to commit the bill to the Committee on Ways and Means, on the Senate amendments, and the Speaker, Mr. Cannon, sustained his contention, and he made the motion.

Mr. FITZGERALD. I made the motion to recommit a bill that was brought in by a conference report.

Mr. MANN. I beg the gentleman's pardon. There was no conference report on the tariff commission bill. It lay on the Speaker's table, with Senate amendments, and had gone no further. The gentleman's recollection is not as accurate as it usually is. The precise question arose on the motion to commit many times, and when last year the Post Office appropriation bill laid upon the Speaker's table, with Senate amendments, the gentleman from Tennessee [Mr. GARRETT] introduced a rule to provide that it should be in order to move to disagree to the Senate amendments and ask for a conference, and that conferees be appointed. At that time that order was passed, and the Speaker immediately named the conferees. The next morning I raised the point of order that the Senate amendments had not been disagreed to, that the rule only provided that it should be in order to disagree to them. The Speaker sustained the point of order, and received my motion to commit the bill to the Committee on the Post Office with instructions. The gentleman from Tennessee offered a motion to amend. That is the way the parcel post came along.

There can be no question that this rule cuts out the motion to recommit. There can be no question that the motion to recommit is in order, and the rules specifically provide that the Committee on Rules can not report a rule which cuts out the motion to recommit, and therefore this is not a privileged report.

Mr. FITZGERALD. Mr. Speaker, the gentleman from Illinois has not been quite as ingenious on this occasion as he usually is.

Mr. MANN. It does not take any ingenuity, this is so plain.

Mr. FITZGERALD. Let me read the rule:

The Committee on Rules shall not report any rule or order which shall provide that business under paragraph 7 of Rule XXIV shall be set aside by a vote of less than two-thirds of the Members present—

That is the Calendar Wednesday rule—

nor shall it report any rule or order which shall operate to prevent the motion to recommit being made as provided in paragraph 4 of Rule XVI.

Paragraph 4 of Rule XVI, the part applicable and referred to in the rule quoted by the gentleman from Illinois, is as follows:

After the previous question shall have been ordered on the passage of a bill or joint resolution one motion to recommit shall be in order, and the Speaker shall give preference in recognition for such purpose to a Member who is opposed to the bill or joint resolution.

If at any time the previous question can be ordered under this rule upon the passage of this bill, the gentleman's point of order might be good; but there is no possible chance in disagreeing to these amendments to have any action taken by the House under this rule that results in the passage of the bill.

The gentleman has refreshed my memory regarding the tariff commission bill. That bill came from the Senate with certain Senate amendments. A rule was reported that the House should agree to the Senate amendments in gross, and it was held that the rule providing for the agreement to those amendments was equivalent to the passage of the bill, and under such circumstances a motion to recommit would be in order.

Mr. MANN. The rule was brought in to agree to the Senate amendments en bloc—a case on all fours.

Mr. FITZGERALD. Not at all. The rule provided for the agreement to the Senate amendments, the effect of which was to pass the bill, and therefore the motion to recommit would be in order. The rule is clear:

After the previous question shall have been ordered on the passage of a bill or joint resolution one motion to recommit shall be in order.

The Committee on Rules shall report no rule to prevent such a motion being made, but under the rule reported by the Committee on Rules at this time the previous question is not to be ordered on the passage of the bill, and the vote to be taken by the House will not pass the bill. It is to prevent the passage of the bill in its present form. I submit it is clear that the motion of the gentleman from Illinois is not well taken.

Mr. MANN. Mr. Speaker, it is strange what small holes some gentlemen try to crawl through.

Mr. FITZGERALD. The hole will be large enough for the gentleman from Illinois to crawl through.

Mr. MANN. The precise question as to whether a motion to recommit is in order was raised by the gentleman on the tariff commission bill when a rule was presented to agree to the Senate amendments, and Mr. Speaker Cannon held that the motion to recommit was in order. The precise question now before the House—exactly the same—was raised on the Post Office appropriation bill, when it was proposed under a rule to disagree to all of the Senate amendments.

The SPEAKER. The Chair would like to ask the gentleman from Illinois a question for information. What does the gentleman say about this last sentence of subdivision 4, Rule XXVI?—

After the previous question shall have been ordered on the passage of the bill or joint resolution, one motion to recommit—

And so forth—

shall be in order.

This is not on the passage of the bill or a joint resolution, is it?

Mr. MANN. Yes.

Mr. FITZGERALD. Oh, no.

Mr. MANN. That is what it is.

Mr. FITZGERALD. It is on the adoption of this order.

The SPEAKER. It is one step to get rid of this bill, but surely the gentleman will not contend it is on the passage of the bill.

Mr. MANN. Why, it is on the passage of the bill. If the matter gets before the House and I move to concur in the Senate amendments, that disposes of the bill, that is a vote on the final disposition of the bill; but the rule does not mean you have got to pass the bill before you can move to recommit it.

Mr. UNDERWOOD. Mr. Speaker, if the gentleman will permit, if this rule is adopted there never would be an opportunity for the gentleman to make the motion to concur in the Senate amendments. If it is not adopted, then the gentleman under the rule can have his opportunity, so the question of the adoption of this rule does not pass the bill in any sense.

Mr. MANN. Oh, it is not necessary to pass the bill; you can not determine whether a bill is passed until you have a vote on it.

The SPEAKER. There is no obscurity about this thing.

Mr. MANN. Not the slightest.

The SPEAKER. After the previous question shall have been ordered on the passage of a bill or joint resolution, and so forth, one motion to recommit shall be in order.

Mr. FITZGERALD. Mr. Speaker, I desire to call the attention of the Chair to the rule which was reported on the tariff commission bill, referred to by the gentleman from Illinois on the 4th of March, 1911:

Resolved, That when the bill H. R. 32010, "An act to create a tariff board," shall have been received from the Senate the Speaker shall immediately, without regard to pending business, lay it before the House, and thereupon the previous question shall be considered as ordered on a motion to concur in the Senate amendments in gross.

That is on the motion to concur in the Senate amendments in gross.

The SPEAKER. That is practically the passage of the bill.

Mr. FITZGERALD. That is the passage of the bill, and therefore the motion to recommit after the previous question was ordered under the rule was in order and Mr. Speaker Cannon so held, but the adoption of this order does not put the bill upon passage; in fact, it prevents any attempt to pass the bill.

Mr. MANN. Mr. Speaker, we went over this matter very thoroughly on the Post Office appropriation bill last year.

Mr. FITZGERALD. Where is the gentleman's reference? I do not recall it. I desire to see what happened.

Mr. MANN. My reference is here.

Mr. FITZGERALD. A good many things, Mr. Speaker, in the gentleman's head——

Mr. MANN. But that is not all; I was here at the time and the gentleman probably was not.

Mr. FITZGERALD. That is not correct, but at the same time, in view of the fact that the gentleman got somewhat involved in reference to what happened on the floor March 4, I should like to look over the reference.

Mr. MANN. I stated what took place in reference to the tariff commission bill and the gentleman stated entirely differently.

Mr. FITZGERALD. Well, I corrected my statement. I admit that the gentleman corrected me in part, and I accepted that correction.

Mr. MANN. I stated what took place. Now, Mr. Speaker, we argued that last year on the Post Office appropriation bill. When the rule provided for the appointment of conferees at once and making it in order to disagree to all the Senate amendments in gross, the Speaker held that on that motion we were entitled to a motion to recommit the bill. What is the motion to recommit the bill for? To give the minority under the existing rules an opportunity to test the temper of the House upon the proposition. There are two rules in reference to a motion to recommit—one making it in order to move to recommit generally and one providing that even after the previous question is ordered there shall be a motion to recommit; and the Speaker then held, as I recall it, that the rule meant that the motion to recommit was to be saved to the minority and that the Committee on Rules could not cut out the motion to recommit at any time where it was provided in the rule.

What is the purpose of this rule? To prevent the motion to recommit. They would have a right to make the motion to recommit. Would the Speaker hold that, if we had in the House this bill and proceeded to pass through all the parliamentary stages, but no motion for the previous question was actually made, then we would not have the right to move to recommit, and that the motion to recommit depends upon the previous question? Not at all. The motion to recommit comes in in spite of the previous question under paragraph 4 of Rule XVI, and we have the right under the rules to move to recommit the bill before it is put on its final passage. Under the rulings both of this Speaker and previous Speakers we have the right to move to recommit a bill which has Senate amendments pending in the House.

Mr. SHERLEY. Mr. Speaker, the exception on the power of the Committee on Rules to report a rule is confined to a particular motion to recommit. And that motion came into being in order to prevent the minority being denied an opportunity of presenting its position before final disposition of a matter. That was the reason for the rule. Now, here there can be, by a disagreement to the Senate amendments, no final disposition of the bill. The minority are not denied the opportunity that will come later on in the consideration of this bill of presenting their proposition, and the only exception made to the power possessed by the Committee on Rules was, I repeat, in order to prevent the final disposition of a matter so far as this House is concerned without giving to the minority an opportunity to be heard. But here, by the very action of the rule itself, there can be no final disposition of this matter so far as the House is concerned, and therefore the exception does not apply.

Mr. MANN. Now, Mr. Speaker, one word more.

Mr. SAUNDERS. Mr. Speaker——

Mr. MANN. Just one word more.

The SPEAKER. The gentleman from Illinois states that he wants just one word more.

Mr. MANN. The gentleman from Kentucky made an exceptionally clear statement of the purpose of the rule, but he did not go quite far enough. If the motion to recommit can not be made now, it never can be. It can not be made when the conference report comes in. The conference report is not subject to a motion to recommit.

Mr. FITZGERALD. Oh, yes; it is.

Mr. MANN. I beg the gentleman's pardon.

The SPEAKER. Of course it is.

Mr. FITZGERALD. If the gentleman will permit me, the gentleman from New York [Mr. PAYNE] made a motion to recommit the conference report on the Payne tariff bill.

Mr. MANN. I can not help whether he did or not——

The SPEAKER. If the gentleman will permit, the other day when these questions were floating around here in the air and being threatened, the Chair took particular pains to investigate that question. And the Chair has no doubt in his mind whatever that you can make a motion to recommit a conference report, and make it with instructions at that.

Mr. MANN. If the Chair went far enough, the Chair discovered that after one body has acted on a conference report the motion to recommit can not be made.

The SPEAKER. After the conferees of the other House have been discharged.

Mr. MANN. After the conference report has been acted upon by one body the conference report can not be made, and hence it is a pure matter of argument as to whether it can be made, and hence we have a right to assert we would not have an opportunity to make a conference report. Now, unless we have a right to move to recommit now we will never have the right to move to recommit.

The SPEAKER. If the gentleman will permit, he does not contend that if this rule be adopted it passes this bill, does he?

Mr. SHERLEY. It does not do that.

Mr. MANN. It passes it so far as making a motion to recommit is concerned.

Mr. SAUNDERS. Mr. Speaker——

The SPEAKER. What does the gentleman make of the language of subsection 4?

Mr. MANN. I make the same thing that the Speaker himself made when he ruled on the Post Office bill.

The SPEAKER. The Chair makes the same distinction now.

Mr. SHERLEY. If the Speaker will permit, I should like to suggest another matter: The Senate having asked a conference and the conference being ordered, the matter will have to come to this House before the Senate can act on it, and therefore the

condition that the gentleman presents when a motion to recommit would not be in order on a conference report can not arise as to this particular matter.

Mr. MANN. That practice has not been followed since the Democrats have had control of the House.

The SPEAKER. It never was violated but once——

Mr. MANN. It has been violated a number of times.

The SPEAKER (continuing). And it is very questionable whether it was violated then.

Mr. MANN. It was violated several times.

The SPEAKER. On the tariff bill in the Sixty-second Congress the Senate was entitled to the papers, and the gentleman from Alabama [Mr. UNDERWOOD] came in here with the report and the papers. The gentleman from Illinois [Mr. MANN] raised the point that the Senate was entitled to the papers, and the Chair interrogated the gentleman from Alabama [Mr. UNDERWOOD] as to how he obtained the papers; whether he threw the Senate conferees down and took them away vi et armis, or whether they delivered them to him, or how he got hold of them. And he explained that the Senate conferees, whether they agreed in terms or not, showed their disposition to let him have the papers, and under that state of affairs the Chair ruled his way.

Mr. MANN. And the Chair having so ruled, it was done a number of times since.

The SPEAKER. It was not disputed.

Mr. MANN. Oh, what's the use? It was disposed of.

Mr. SAUNDERS. Mr. Speaker, the plain difference in the situation as presented to the House is this: The rule in one case looked to the passage of the bill and the rule in the present instance looks to keeping from passing the bill at this time. That being so, of course the objection urged by the gentleman from Illinois is not valid.

Mr. HELM. Mr. Speaker, a parliamentary inquiry. Would a motion to instruct the conferees to agree to amendments numbered 5, 6, 7, and 8 be in order now?

The SPEAKER. The Chair thinks not.

Mr. MANN. It is not before the House yet.

The SPEAKER. Not as a rule. Let us see what it is. The resolution reads:

Resolved, That immediately upon the adoption of this order the bill (H. R. 7898) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes, together with the amendments of the Senate thereto, be taken from the Speaker's table; that the amendments of the Senate thereto be disagreed to in gross; that the conference asked by the Senate be agreed to; and that the Speaker, without intervening motion, appoint managers on the part of the House.

The Chair does not think that it comes within section 4 of Rule XVI, and overrules the point of order.

Mr. HARDWICK. Mr. Speaker, I demand the previous question on the adoption of the resolution.

Mr. SHARP. Mr. Speaker, before the gentleman does that, I want to offer an amendment or I want to offer it at the proper time, if it is in order.

Mr. MANN. The proper time has gone by.

The SPEAKER. The Chair did not understand what the gentleman from Ohio [Mr. SHARP] said.

Mr. SHARP. I wish to know, Mr. Speaker, whether an amendment to the resolution offered by the gentleman from Georgia [Mr. HARDWICK] is now in order?

The SPEAKER. If you vote down the previous question, any amendment that is germane can be offered.

Mr. HELM. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HELM. If this rule is adopted, will the Members of the House who are in favor of agreeing to Senate amendments Nos. 5, 6, 7, and 8 have an opportunity to vote on that proposition?

The SPEAKER. If the previous question is ordered?

Mr. HELM. Yes.

Mr. FITZGERALD. Mr. Speaker, will the gentleman yield there?

Mr. HELM. Yes.

Mr. FITZGERALD. Does the gentleman have in mind the amendment exempting the deputy collectors from civil-service examinations?

Mr. HELM. Yes; the amendment relating to collectors.

Mr. FITZGERALD. That amendment will be brought back here, and the House will have an opportunity to vote on it.

The SPEAKER. The matter that the gentleman from Kentucky [Mr. HELM] inquires about is not in order. The regular order is on agreeing to the motion for the previous question.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. MANN. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Illinois [Mr. MANN] demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until they are counted. [After counting.] Forty gentlemen have arisen in the affirmative. Those opposed will rise and stand until they are counted. [After counting.] One hundred and sixteen gentlemen have arisen in the negative. Forty is a sufficient number, and the yeas and nays are ordered. The Clerk will call the roll. Those in favor of ordering the previous question will, when their names are called, answer "yea;" those opposed will answer "nay."

The roll was called.

The SPEAKER. On this vote the yeas are 144, the nays are 56, answering "present" 8—not a quorum. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The vote is on the previous question. Those in favor of ordering the previous question will, when their names are called, answer "yea," and those opposed will answer "nay."

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Is that the correct procedure?

The SPEAKER. The Chair thinks it is. It has been done both ways—the way the gentleman is thinking of and the way the Chair is thinking about. If the Chair could make a rule, he would make it so that there would be no more roll calls, but that the Clerk would be directed to call the names of those who came in later. That, however, is not the rule, and the Chair is not authorized to fix it in that way.

Mr. MANN. The rule in reference to an automatic call provides that where a quorum is not shown and anyone objects to the vote for that reason, there shall be an automatic roll call. That rule does not provide for an automatic roll call where the roll is being called. If the Speaker orders another automatic roll call and some gentleman who has answered on this call fails to answer on the other, the Speaker does not add any in making a quorum.

The SPEAKER. If the Chair happens to see him, he will add one.

Mr. MANN. If he be not in the Chamber, the Chair might have to hunt around to see the absentees, and the Sergeant at Arms has not seen them yet.

The SPEAKER. What is the gentleman's contention? The roll call does develop the fact that there is no quorum present, and the Chair is bound to take notice of that fact.

Mr. MANN. Certainly. The question is whether the roll call should stand and possibly the House order the absentees to be brought in. We did this once before, Mr. Speaker, on one occasion, when a roll call failed to develop a quorum, I believe, on a division in the Committee of the Whole. In any event a quorum failed to develop. We had a vote, and then another vote, and then we had another vote, which, of course, might go on ad infinitum, for some Members who would be recorded on one roll call might be absent on the next.

We are in a position where I am very anxious to develop a quorum, and I hope that all who are recorded on this roll call will keep their names on the next roll call until we get enough others to make a quorum.

Mr. UNDERWOOD. Mr. Speaker, I think the question has been decided both ways, and both practices have been followed by the House; but I think the safer way is that when the House finds itself without a quorum, under the circumstances that exist now, it is for the Speaker to order the doors closed and send for absentees and let them vote on this roll call.

The SPEAKER. On the one that is being had?

Mr. UNDERWOOD. On the one now being had.

The SPEAKER. That is exactly what the Chair stated awhile ago, that if he had the ordering of it he would order it that way.

Mr. BARTLETT. Mr. Speaker, I desire to call the attention of the Chair to the fact that Rule XV, paragraph 4, provides for the proceeding:

Whenever a quorum fails to vote on any question and a quorum is not present and objection is made from that cause, unless the House shall adjourn there shall be a call of the House, and the Sergeant at Arms shall forthwith proceed to bring in absent Members, and the yeas and nays on the pending question shall at the same time be considered as ordered.

Mr. MANN. Mr. Speaker, that rule is where it contemplates the point of order being made that no quorum is present where the vote is taken without a roll call.

The SPEAKER. Evidently that is the case.

Mr. BARTLETT. I think, Mr. Speaker, the gentleman from Illinois is not exactly correct, because it says the roll shall be called and the Sergeant at Arms shall proceed to arrest Members and bring them in to make a quorum.

The SPEAKER. If the gentleman will read the first part of the section, he will see it says, "Where objection is made." That evidently has reference to the fact it is not a record vote, but when there is a record vote the Chair must take cognizance of the fact that there is a quorum present or not.

Mr. BARTLETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARTLETT. When the call of the House discloses the absence of a quorum, can not the Speaker direct the Sergeant at Arms to bring in absent Members in order to make a quorum under this rule?

Mr. MANN. Mr. Speaker, without having looked up the precedents recently, my own opinion would be that the House, pending the roll call, would have the right to order the Sergeant at Arms to arrest absentees and bring them before the House. The gentleman from New York [Mr. FITZGERALD] shakes his head, he may be correct.

Mr. FITZGERALD. That is my own opinion. Upon the demand for the yeas and nays, the roll being called, the absence of a quorum is ascertained. Now, there must be a call of the House either automatically or by order of the House in order to determine who the absentees may be.

Mr. MANN. That is already determined.

Mr. FITZGERALD. No; because Members may be present and not voting.

Mr. MANN. If Members are present, the Speaker has the right to designate them under the rule so they can be counted as present.

The SPEAKER. The Chair did that a few moments ago in the case of Mr. FAISON.

Mr. FITZGERALD. In my opinion, under the practice, a call of the House must be one way or the other, either automatically or by order of the House, and I am inclined to think the Speaker is justified on a roll call under the rule, a quorum not being disclosed, in automatically ordering the call.

Mr. MANN. Well, the question is whether he automatically orders a call on this same question and we vote on the same question over again.

The SPEAKER. Now, here is the rule:

Whenever a quorum fails to vote on any question, and a quorum is not present and objection is made for that cause—

Now, that is on the other kind of vote, where you stand up or call out "aye" or "no," and does not apply to a roll call, evidently—

unless the House shall adjourn, there shall be a call of the House and the Sergeant at Arms shall forthwith proceed to bring in absent Members—

That is his duty without the Speaker saying a word, although the Speaker does say—

and the yeas and nays on the pending question shall at the same time be considered as ordered.

Mr. SLAYDEN. Mr. Speaker, does that mean the yeas and nays shall be reordered on the pending question or continue on the question under which we are operating?

The SPEAKER. The Chair will rule—and if anybody differs, he can appeal—that the Sergeant at Arms bring in Members who have not voted on this roll and let them vote on the roll call.

Mr. BARTLETT. Mr. Speaker——

Mr. BROWNING. Mr. Speaker——

Mr. BARTLETT. Mr. Speaker, as I understand the rule, the Sergeant at Arms not only brings in the absent Members, but he detains those who are here.

The SPEAKER. The Chair saw 6 or 8 or 10 Members march out of here in a body just now.

Mr. BARTLETT. I want to call the Speaker's attention to the fourth volume of Hinds' Precedents, paragraph 3045, which says that the duty of the Sergeant at Arms shall be, without any action of the House, to detain those who are present, and without any order of the House bring those who are absent to the House.

The SPEAKER. The rule does not seem to be very clear. It says:

Whenever a quorum fails to vote on any question, and a quorum is not present, and objection is made for that cause—

Evidently that has nothing to do with where a roll is called—

unless the House shall adjourn there shall be a call of the House—

That is automatic—

and the Sergeant at Arms shall forthwith proceed to bring in absent Members, and the yeas and nays on the pending question shall at the same time be considered as ordered. The Clerk shall call the roll, and each Member as he answers to his name may vote on the pending question, and after the roll call is completed each Member arrested shall be brought by the Sergeant at Arms before the House, whereupon he shall be noted as present, discharged from arrest, and given an opportunity to vote, and his vote shall be recorded.

It seems that rule contemplates a roll call.

Mr. BROWNING. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BROWNING. I voted "nay," but I withdrew my vote and voted "present," as I had a pair with my colleague Mr. SCULLY. He has since come into the Hall. Can we both vote now if we wish to do so?

Mr. MANN. Well, Mr. Speaker, that question is perfectly plain. The gentleman from New Jersey [Mr. BROWNING], of course, has the right to have his name called again and to vote as he pleases. The Speaker has the right to designate the gentleman from New Jersey as "present," and then he has the right to vote.

The SPEAKER. The trouble about that is the Speaker has already announced the vote.

Mr. MANN. That is not the final announcement, because the Speaker announced the vote as it stood then. It is not a final vote.

The SPEAKER. The Clerk will call the name of the gentleman from New Jersey [Mr. BROWNING].

The Clerk called the name of Mr. BROWNING, and he voted "nay."

The SPEAKER. The Clerk will call the name of the gentleman from New Jersey [Mr. SCULLY].

The Clerk called the name of Mr. SCULLY, and he voted "yea."

Mr. FITZGERALD. Mr. Speaker, I offer the following resolution.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] offers the resolution which the Clerk will report.

The Clerk read as follows:

House resolution 278.

Resolved, That all leaves of absence heretofore granted, except on account of sickness, are hereby revoked, and the Sergeant at Arms is instructed to notify the absent Members by telegraph of the passage of this resolution.

[Applause.]

Mr. BUTLER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BUTLER. Is that in order until we have a quorum?

Mr. FITZGERALD. It is in order. I have two precedents for that.

The SPEAKER. The Clerk will call the name of the gentleman from North Carolina [Mr. FAISON].

The name of Mr. FAISON was called, and he voted "yea."

Mr. FITZGERALD. I refer to section 3004, volume 4, of Hinds' Precedents. A similar resolution was offered on the 10th day of September, 1890, identical in terms, and it was held to be in order as a part of the proceedings necessary to enable the House, under the Constitution, to require the attendance of a quorum. It is apparent that the House must assert its power to compel Members to come here in order to transact the public business.

The SPEAKER. The question is on the resolution of the gentleman from New York [Mr. FITZGERALD].

The question was taken, and the resolution was agreed to.

The SPEAKER. The Sergeant at Arms will act accordingly. The common sense of the situation in which the House finds itself is this—It may not be the rule—that as the call of the House is ordered the vote stands as it is until somebody else comes in to vote. That is what the Chair thinks of it.

Mr. BARTLETT. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BARTLETT. It is the duty of the Sergeant at Arms also to bring the Members in?

The SPEAKER. The House has just ordered him to bring them in. The Chair simply announced it.

Mr. FESS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FESS. If there is no objection to the fact that there is no a quorum, do we not constructively have a quorum to do business?

The SPEAKER. No. That is one of the things that is imperative on the Chair, that under the Constitution and the rule he is called on to decide whether there is a quorum when the roll is called.

Mr. FESS. Without anybody raising an objection?

The SPEAKER. That objection goes to a vote that is not a record vote. For instance, the Chair puts the question, "Those in favor will say 'aye' and those opposed 'no,'" and decides it one way or the other. Then some gentleman demands a division. The Members stand up and are counted, when finally somebody demands tellers, and you get the count by tellers. It does not show a quorum present, but the Chair does not have to take cognizance of that unless somebody raises the point. Then the rule applies. Neither the Chair nor anybody else can get around a roll call.

Mr. SAUNDERS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SAUNDERS. Heretofore warrants have been issued to absent Members, but owing to adjournment later those warrants have failed. It seems to me it would be necessary now to have warrants issued to all absent Members even if that motion had not been made.

The SPEAKER. That is true under the old style of roll call, but not under this.

Mr. SAUNDERS. Under the automatic call?

The SPEAKER. Yes.

Mr. SAUNDERS. That would be true under the automatic call, but I think at least warrants should be issued for absent Members.

The SPEAKER. That is true.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Are we now waiting for a quorum to develop on this roll call?

The SPEAKER. That is what we are doing.

Mr. MANN. I move that the Sergeant at Arms be directed to arrest absent Members and that the Speaker be directed to sign warrants for their arrest.

The SPEAKER. The gentleman from Illinois [Mr. MANN] moves that the Speaker issue warrants to absent Members and that the Sergeant at Arms serve them and bring them in.

Mr. RAKER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RAKER. Under the automatic order that the Speaker stated was had under the rules will not the Sergeant at Arms proceed without the order of the Speaker for the arrest of the Members?

The SPEAKER. The Chair believes he can.

Mr. MANN. He can notify absent Members.

Mr. RAKER. I was asking directly whether under that automatic order, if the Speaker does not issue his warrant, the Sergeant at Arms can proceed and arrest the absent Members without the motion?

The SPEAKER. The Sergeant at Arms might not want to take the chance of being sued, but the Speaker can, under the rule, hold that the Sergeant at Arms has the right to go out and arrest them without a warrant.

Mr. MANN. This is not an automatic call of the House. When a quorum has failed to develop on a roll call and the yeas and nays are demanded, the House has authority to send for absent Members. The Sergeant at Arms has no authority to arrest them unless he is directed by a vote of the House.

The SPEAKER. The Chair will put the question. The question is on agreeing to the motion of the gentleman from Illinois [Mr. MANN].

The question was taken, and the motion was agreed to.

Mr. RAKER. Mr. Speaker, another parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RAKER. The warrant of arrest is signed and issued by the Speaker and delivered to the Sergeant at Arms. This may be telegraphed and the Members may be arrested at their homes under such a warrant. Is not that correct?

Mr. BARTLETT. Wherever they may be found.

Mr. RAKER. I want to get the thing straight.

The SPEAKER. Whenever the House orders it they can be arrested.

Mr. RAKER. I may put it this way: Can not the Sergeant at Arms telegraph, for instance, to California or to Nevada a warrant of arrest issued by the Speaker and arrest Members there?

The SPEAKER. The Chair does not think he can. That would be a very loose way of exercising authority.

Mr. RAGSDALE. Mr. Speaker, is there not a law requiring a forfeiture of $25 a day from the salary of every Member for every day he is absent from the House without leave?

The SPEAKER. The Chair does not know whether it is exactly $25, but it is a sum of money equal to $7,500 divided by 365.

Mr. BARTLETT. Mr. Speaker, there is an old statute which provides that Members who are absent without leave shall be mulcted a certain amount of their pay. The Sergeant at Arms shall deduct from their pay during the time they are absent without leave. During the Fifty-third Congress that was done. Mr. Speaker Crisp directed the Sergeant at Arms not to pay men who were absent without leave of the House during the period they were absent.

A number of them were mulcted in that way, and I know that some of them have never yet been able to have the money returned to them, because since I have been in Congress there has been a resolution before the Committee on Accounts asking that the money thus deducted be returned to those Members.

The SPEAKER. The Chair remembers very well that he was mulcted himself for two days during the time that he was down in Virginia making Democratic speeches.

Mr. SHARP. What Congress was that?

Mr. BARTLETT. The Fifty-third Congress.

Mr. MANN. My recollection is that it was afterwards repaid. An appropriation was afterwards made to repay it, and if it be deducted now the same thing will be done again.

The SPEAKER. The Chair knows that he never got his part of it.

Mr. MANN. The Speaker probably did not go after his two days' pay.

Mr. BARTLETT. Mr. Speaker, I know a resolution has been introduced before the Committee on Accounts, and I believe it has come up here on the floor of the House. I do not remember that it ever was passed. There is such a law on the statute books, and it is regarded as obsolete unless sought to be enforced.

Mr. MANN. All some gentleman has to do is to demand of the Sergeant at Arms that he obey the law.

The SPEAKER. Speaker Reed used to sneer at it as a police-court regulation.

Mr. MANN. It hardly comes up to the dignity of that.

The SPEAKER. It is the business of the Sergeant at Arms. It is not the business of the Speaker.

Mr. BARTLETT. I understand that, Mr. Speaker.

Mr. GARRETT of Tennessee. How is the Sergeant at Arms to determine that?

The SPEAKER. He will have to take a man's word for it.

Mr. BARTLETT. He can determine it by an examination of the roll call and the Journal, which will show who has leave of absence.

Mr. MANN. I do not know whether he can determine it by a roll call or not. I know I shall endeavor to help him do it for the next 60 days by having one each day.

Mr. MCGUIRE of Oklahoma appeared at the bar of the House.

Mr. MCGUIRE of Oklahoma. Mr. Speaker, I am paired with the gentleman from Oklahoma, Mr. CARTER, and therefore can not vote, but I desire to answer "present."

The SPEAKER. The gentleman will be recorded as answering "present."

Mr. FESS. Mr. Speaker, on yesterday, in Ohio, I received a telegram stating that I was needed in Washington, and asking me to respond at once. I sent a telegram in reply that I would be here. I notice that these warrants must be signed by the Speaker and attested by the Clerk. I would like to know whether the Speaker signed the warrant, and I would like to know whether the Clerk, who, I understand, is absent, attested the warrant.

The SPEAKER. The Speaker pro tempore signed the warrant and the Chief Clerk of the House has the right to sign the Clerk's name, under special resolution of the House.

Mr. FESS. That resolution was passed in the last Congress. Has it been adopted in this Congress?

The SPEAKER. The Chair does not know.

Mr. FESS. I do not think it has.

The SPEAKER. The Chair is rather inclined to believe that that is a statute.

Mr. FESS. In looking over the RECORD, I find that a resolution was passed in the last Congress. I do not think it has been passed in this.

The SPEAKER. What sort of a resolution was it?

Mr. FESS. Authorizing the Chief Clerk to sign the name of the Clerk in the absence of the Clerk.

The SPEAKER. Was it a joint resolution?

Mr. FESS. I think it was.

The SPEAKER. Then it is a part of the law of the land.

Mr. MANN. I think it was not a joint resolution, Mr. Speaker, but a House resolution, and the rules of the House have been adopted since it was passed, because that was in the last Congress.

Mr. FESS. Would that be counted as one of the rules?

Mr. MANN. Certainly not.

Mr. FESS. Then the laws of the last Congress would not include that?

Mr. MANN. We have not adopted the rules of the last Congress.

Mr. FOSTER. I call the attention of the gentleman from Ohio to the fact that that is a part of the rules of the House which were adopted at the beginning of this session. I refer to the Chief Clerk having the right to sign in the absence of the Clerk. That is a part of the rules of the House that were adopted at the beginning of the session.

Mr. GARRETT of Tennessee. Mr. Speaker——

The SPEAKER pro tempore (Mr. SAUNDERS). For what purpose does the gentleman rise?

Mr. GARRETT of Tennessee. Mr. Speaker, I would like to ask the gentleman from Georgia [Mr. BARTLETT], who is one of the gentlemen in charge of this bill, if it would be feasible to fix a day in the future and give notice that upon that day this bill will be called up.

Mr. BARTLETT. For action on the conference report?

Mr. GARRETT of Tennessee. No; I mean on the rule.

Mr. BARTLETT. Mr. Speaker, I apprehend if I shall answer it will have to be by unanimous consent.

Mr. GARRETT of Tennessee. Well, of course, I am proceeding in that way, as nobody objected.

Mr. BARTLETT. Therefore I presume, Mr. Speaker, I am to proceed by unanimous consent, subject to objection. This bill having quite a number of important provisions and a number of Senate amendments in it, I think that the conferees upon the part of the Senate and upon the part of the House, and acting upon the idea that I would be one of the conferees, having heretofore been one upon the conferences on deficiency bills, would not find much difficulty in being able to make a report to the House.

I do not say reach a final agreement, because probably we will not be able to reach a final agreement at once, but I do not believe that the conferees on the part of the House and Senate would find much difficulty in coming to such a stage in the conference that we should not be able to report to the two Houses in a very short while. Of course there are certain things in the bill on which the conferees on the part of the House would not be willing to finally act, and will not unless the House by a vote first acts upon them. Now, I would not say whether it is feasible to designate any particular day to send this bill to conference. I am afraid to say that because the moment you do that the Members who are here probably would leave the city and would not return unless you force them to return.

Mr. GARRETT of Tennessee. If the gentleman will permit me just there, I had wondered if it would be feasible to set a day, say in the early part of November. Are there involved in this bill matters of such moment as that they should be acted upon at once?

Mr. BARTLETT. I am glad the gentleman asked that question. So far as I am concerned, I am unwilling—and I speak only for myself as a member of the Committee on Appropriations and as a Member of this House—to consent that this bill shall not be pressed to a consideration as soon as possible. There is involved in this bill some very important items. We have in this bill a provision of $39,000 for the examination——

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MANN. I have no desire to prevent the gentleman from discussing the bill, if we can have some agreement about a division of time. I suppose an agreement can not be formally made, but if the gentleman is going to tell us about the meritorious things in the bill, I would like to refer to——

Mr. BARTLETT. I called attention to the fact that I am only proceeding by unanimous consent.

Mr. MANN. Proceed; I did not hear the gentleman say that, although I know that and so did the gentleman.

Mr. GARRETT of Tennessee. I also knew it.

Mr. MANN. I am not criticizing the gentleman.

Mr. BARTLETT. I premised my statement by saying that I would not make any statement except by unanimous consent.

The SPEAKER pro tempore. It was so understood by the Chair.

Mr. BARTLETT. And I am perfectly willing my friend should have any time he wants. Assuming, Mr. Speaker, I may proceed, I will say there is in this bill a provision of $39,000 to enable the Civil Service Commission to hold examinations in all fourth-class post offices that pay over the sum of $480 per annum. And this affects every fourth-class office and the appointment of fourth-class postmasters.

The Civil Service Commission have not the funds, and they can not hold these examinations for the appointment of fourth-class postmasters until this bill shall pass. There are some 300 sites of public buildings provided for in the public buildings act of March 4, 1913. This bill contains a provision of $30,000 to authorize the inspection and the selection of those sites. There is a provision of nearly $400,000 in this bill to authorize the Interstate Commerce Commission to proceed to make physical valuation of railroads.

There is in this bill an amendment from the Senate which takes from the classified service the deputy marshals and deputy United States internal-revenue collectors, which the constituents of many Members of this House and Members of the Senate think of very great importance, they having been placed under the civil-service law by executive order in 1906, finally.

There are also deficiencies of money in the various departments, which the departments insist are necessary, and which are necessary, in order to carry on the public business.

I think, Mr. Speaker, answering the gentleman's inquiry, that this bill carries enough important items to demand that the representatives of the people should come here, make a quorum, and vote and pass it. As is true with many others, at much inconvenience to myself, I have remained here, not having been at my home for six months, or out of the city hardly a week altogether, with the hope of passing this bill, which contains so many important appropriations for the Government and legislation in the interest of the people. I think it is the duty of every man on both sides of this House to be here now, or to come here as soon as possible, and pass this bill, and, so far as I am concerned, I shall not consider any proposition for a postponement of it.

Does the statement answer the gentleman?

Mr. GARRETT of Tennessee. I think it does. The gentleman knows, of course, that there are a very large number of us who, without undue self-exploitation, may claim some proper credit for remaining here at very great embarrassment.

Mr. BARTLETT. I have stated that I have done that myself at great inconvenience.

Mr. GARRETT of Tennessee. And, unfortunately, there are a great many who do remain here who are just now being punished by the absenteeism of a number of Members. I had wondered if it would be feasible to fix a day, say, in November, and give notice that upon that day the bill would be passed. That notice would go to the country, and there would then be full opportunity, and I have no doubt a quorum could appear at that time.

Mr. FITZGERALD. I will not be here then.

Mr. BARTLETT. I do not think they will come any faster then than they are coming now.

Mr. FITZGERALD. Under the law the Committee on Appropriations for the last five or six years has gone to Panama to examine the estimates there. A conservative estimate is that those visits have resulted in a saving of at least $10,000,000 in the work on the canal. Arrangements have been made for the committee to leave on the 5th of November in order to be back in time for the regular session. At this time in the preparation of estimates arrangements are to be made for the permanent organization of the canal force, and it is perhaps more imperative than ever that the examination be conducted on the Isthmus. So a date in November for the consideration of this bill, I think, is impracticable.

Mr. BARTLETT. Of course I was simply speaking for myself, I will say to the gentleman from New York. He will understand I was not undertaking to speak for him.

Mr. FITZGERALD. I understand. I was just explaining this situation to the gentleman from Tennessee [Mr. GARRETT].

Mr. BARTLETT. I am satisfied the gentleman from New York [Mr. FITZGERALD] would not be willing to consent that this bill would be displaced until every effort was made to get a quorum.

Mr. FITZGERALD. I believe that Members should be here in order to pass this bill and furnish funds imperatively required for certain branches of the public service.

Mr. GARRETT of Tennessee. Can the gentleman from New York suggest any way by which one who has worked day and night through the hottest part of the year in about the most delicate committee service he has ever worked on could get some kind of relief from this situation?

Mr. FITZGERALD. If the gentleman from Tennessee does not go away voluntarily, he should be sent away very soon, in order to get some opportunity to recuperate, because of the arduous labors imposed upon him in the heat of this summer as chairman of the committee appointed to investigate certain charges.

Mr. MANN. The gentleman from Tennessee [Mr. GARRETT] has had arduous labors, but he is not the only one. I take it that everybody has had arduous labors, and we all want and all need a vacation. There is no possible excuse for keeping them here next month doing nothing.

Mr. FITZGERALD. The statement of "arduous labor" on the part of Members of the House reminds me of a statement that was made in the law school by one of the professors. He was accustomed to make the statement that it was a presumption of law that all lawyers had an equal knowledge of

the law, but it was a very violent presumption. [Laughter.] The same is true about the arduous labors of Members of Congress. The presumption is that the labors of all are equally arduous, but it is a pretty violent presumption.

Mr. MANN. My observation in connection with Members of the House is that every Member who comes here does hard work; and while I have seen a good many Members who plume themselves with the idea at times that they do all the hard work, yet when you figure around you will sometimes find some man who is not conspicuous before the House who is doing just as much work——

Mr. FITZGERALD. Or more——

Mr. MANN. Yes; or more than those who are more prominent on the floor of the House. I do not say that in detraction of the gentleman from Tennessee [Mr. GARRETT], because we all recognize that he has had arduous labors this summer.

Mr. GARRETT of Tennessee. The labor that the gentleman from Tennessee has performed on that committee has not been any more arduous upon him than it has been on all the members of the committee, irrespective of party. This should be said in justice to them. So far as my experience has gone, it has been the best working committee I ever saw. For days and days we sat from 10 o'clock in the morning until 5 o'clock in the evening, and then sat at night; and with the exception of once or twice, when one or two members were compelled to be absent on the floor of the House, every member of the committee, of all parties, was present and participating in the proceedings. The labors of the chairman have not been more arduous than those of the other members of the committee.

Mr. MANN. The members of the committee have done great work, but not more than other Members have done. I was feeling pretty good myself, and yet I went home for a couple of weeks. I freely admit it. I was not worried about roll calls in the House. I spent a couple of weeks out of doors, and came back feeling like a fighting cock.

Mr. FITZGERALD. And acting like one. [Laughter.]

Mr. MANN. And I leave it to the House to determine as to the fact. [Laughter.]

Now, I know perfectly well that if the House or the Congress should adjourn this week or next week and go home and take a vacation until the first Monday in December it would be to the interest of the Government and to the interest of legislation. The Members would do a great deal better work and much better tempered work when they came back.

Mr. BARTLETT. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman yield?

Mr. MANN. Certainly.

Mr. BARTLETT. Does not the gentleman think, however, that we ought to pass this bill before we go home?

Mr. MANN. Oh, this bill could be passed by the House in less than 15 minutes if the other matter were settled.

Mr. BARTLETT. We could not settle that now.

Mr. MANN. Who can settle it? Does the gentleman mean he must go up to the other end of the Avenue in order to settle it?

Mr. BARTLETT. Oh, no. Permit me to say that the gentleman does not understand me. I meant the House could not settle that question. It takes the concurrent action of both Houses to do that.

Mr. MANN. The House has not passed any concurrent resolution as yet, although it has the right to.

Mr. HARDWICK. Mr. Speaker, I offer the following resolution which I send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 277.

Resolved, That except as to the revocation of leaves of absence and the arrest by the Sergeant at Arms of absent Members of the House, as heretofore ordered, all further proceedings under the call of the House be, and the same are hereby, dispensed with.

Mr. MANN. Mr. Speaker, may I ask to have that read again?

Mr. HARDWICK. I have no objection.

The SPEAKER pro tempore. Without objection, the Clerk will report the resolution again.

The resolution was again read.

Mr. HARDWICK. Mr. Speaker, the motion that I offer is one that is perfectly in order at this stage of the proceedings, and one which, of course, will be followed by a motion to adjourn, to be made by the gentleman from Alabama [Mr. UNDERWOOD].

I want to say just this: We have been proceeding for the last few days on the theory that less than a quorum could not adjourn from day to day without destroying the call entirely.

Mr. MANN. I have not entertained such a theory.

Mr. HARDWICK. I have not been proceeding on that theory myself, but that is the theory upon which the House has been acting. Of course that is not the rule, as the gentleman from Illinois [Mr. MANN] says he himself understands. This question was decided in the Fifty-third Congress by Mr. Speaker Crisp. On an order presented by Mr. Blount, of Georgia, like the order I have presented, when a point of order was presented, Mr. Crisp held this:

It seems to the Chair that it must be competent for the House in the present situation to continue the order of arrest, notwithstanding an adjournment. A recess can not be taken in the absence of a quorum, and a motion for a recess is not in order pending a call of the House. If an adjournment dispenses necessarily, notwithstanding the desire of the House to the contrary, with all proceedings under the call, including the order for the arrest of absent Members, then if the House wanted to send for a Member, say, in Texas, it would have to stay in session until the Sergeant at Arms could go there and return. The House could not adjourn without causing the proceeding to fail, and could not take a recess in the absence of a quorum. So that it seems to the Chair it must be in the power of a minority of the House, when a call has been entered upon, to adopt a resolution to continue the order of arrest and then to adjourn, the Constitution contemplating that less than a quorum may adjourn from day to day and may also enforce the attendance of absent Members. It seems, therefore, to the Chair that this resolution is in order.

Mr. FOSTER. Mr. Speaker, will the gentleman yield?

Mr. MANN. Will the gentleman yield?

The SPEAKER pro tempore. To whom does the gentleman yield?

Mr. HARDWICK. To which gentleman? Does the gentleman from Illinois, Mr. FOSTER, desire me to yield?

Mr. FOSTER. Yes.

Mr. HARDWICK. I yield to the gentleman.

Mr. FOSTER. We are, it seems to me, in this sort of a situation, where it requires a certain number of Members to make a quorum, and there are, say, over a hundred Members at this time who have not answered to their names. Now, suppose the House should take an adjournment and we permitted all the Members here to go away—that is, out of the Hall. Theoretically, the Hall is locked to keep the Members here. Now, they are turned out, permitted to go, the doors are opened. What are you going to do with the Members who are here to-day whose arrest has not been ordered, but who may not be present to-morrow to answer to a roll call? It seems to me that that may prove to be a ridiculous proceeding and accomplish nothing. Let us stay in session until we get a quorum.

Mr. HARDWICK. Did the gentleman from Illinois desire to ask me a question?

Mr. MANN. I desire to ask a question and submit an observation. The gentleman proposes to dispense with certain proceedings under the call. There has been no call of the House.

Mr. HARDWICK. Yes; there has been an automatic call, if the gentleman will pardon me.

Mr. MANN. That is what I thought the gentleman had in his mind. The precedent that the gentleman has is based upon an automatic call. There was no technical call, but a regular call of the House. The only thing that has been done since the absence of a quorum was disclosed was to revoke leaves of absence and order the Sergeant at Arms to arrest absent Members.

Mr. HARDWICK. Yes.

Mr. MANN. The gentleman says he proposes to dispense with "other proceedings" under the call. There was no call and no "other proceedings."

Mr. HARDWICK. The Speaker held to the contrary, if I understood his ruling, that a call resulted automatically, because a vote of the House on a question pending disclosed that a quorum was not present.

Mr. MANN. The Speaker first ordered an automatic call of the House, and there being some doubt under the procedure of the House as to what ought to be done, upon reflection, seeing that that would put the House into the absurd position of calling the roll and disclosing the absence of a quorum on a question, and immediately again calling the roll on the same question, with less likelihood of getting a quorum the second time than the first, the Speaker declared he would consider that the roll call was still pending.

Mr. HARDWICK. Yes.

Mr. MANN. And that absent Members brought in would have the right to vote; but that was not under a call. Then we proceeded to revoke leaves of absence.

Mr. HARDWICK. And order the arrest of absent Members, so that, after all, the gentleman is superfining, because all of the proceedings, actual and practical, incident to a call of the House and necessarily attached to it have been taken in this case.

Mr. MANN. But what is it that the gentleman proposes to dispense with? Here is a roll call in progress. An adjournment, I take it, dispenses with that.

Mr. HARDWICK. Yes; that, of course, would be the only thing dispensed with.

Mr. MANN. That is what I want to know.

Mr. HARDWICK. The gentleman and I agree on that. The roll call on the previous question will be the only thing dispensed with. What I am anxious to get at is, not what we are going to dispense with, but what we are not going to dispense with.

Mr. MANN. Except for the precedent, I should think that excepting something would not continue. The gentleman says that everything shall be dispensed with except something.

Mr. HARDWICK. Yes.

Mr. MANN. And then he proposes to adjourn. Suppose we should adjourn anyway. Would that dispense with the arrests?

Mr. HARDWICK. Yes; it would.

Mr. MANN. Saying you except that is a very negative way of saying that you keep it in force, and I doubt whether it would amount to anything if anyone should actually be arrested.

Mr. HARDWICK. It has been ruled precisely, and I have no fear on that point. Of course the gentleman and I are really splitting hairs about nothing.

Mr. MANN. We are trying to split hairs about the form of a very technical matter affecting the arrest of Members, and my observation is that technicalities invariably follow when people are arrested under any doubtful authority.

Mr. HARDWICK. Just one other word. The gentleman is quite right in a way, although I do not think the technicality he raises is important, but we have had here to-day what amounts to an automatic call of the House, attended with all of the phenomena that usually attend an automatic call of the House. What I am trying to do is to put the House in condition so that it can adjourn and yet preserve the orders that it has entered and agreed upon to-day, to wit, first, revoking all leaves of absence, and, second, providing that absent Members shall be arrested and brought here by the Sergeant at Arms. The gentleman is quite right on one proposition. The only important thing that will be done away with after we adjourn will be the vote already taken, so far as it has been taken, on the demand for the previous question made by myself. From a practical standpoint we do not lose very much by that, because we know very well that if the gentleman from Illinois or any other Member on that side, or any Member on this side, wishes to demand the presence of a quorum to-morrow we must have a quorum before the resolution itself can be agreed to.

Mr. MANN. Will the gentleman submit to a question?

Mr. HARDWICK. Yes.

Mr. MANN. The yeas and nays were ordered?

Mr. HARDWICK. Yes.

Mr. MANN. Would not that order still stand to-morrow?

Mr. HARDWICK. I think so.

Mr. MANN. Whether or not any Member really desired a roll call on the previous question?

Mr. HARDWICK. Yes; I think the yeas and nays, unless vacated by unanimous consent, would be considered as already ordered for to-morrow, and that the first thing in order would be to call the roll on my demand for the previous question. It would be the unfinished business.

Mr. MANN. I should think we could adjourn and on to-morrow—as far as I am personally concerned; I can not answer for anybody else—a roll call on the rule itself might be sufficient unless some other gentleman desired a roll call upon the previous question.

Mr. UNDERWOOD. If the gentleman will allow me, I understand the gentleman from Illinois will insist on a roll call on the rule itself on the main question.

Mr. MANN. I will do the best I can toward it.

Mr. UNDERWOOD. Under those circumstances I will say it will of necessity require a quorum to do business to-morrow. I am not going to indulge in any captious criticism of Members who are not here, because I realize the membership of this House has worked very hard this summer and are worn out and many of them need a rest; but this is an important bill and, in order to carry on the Government, it is necessary for it to become a law and many of the items in it can not be delayed much longer.

It is of the utmost importance that we should secure a quorum. There is probably a quorum in town. Under this order the Sergeant at Arms is already advised concerning Members who have reported present. He has the warrants for the arrest of those who have not reported to-day, and if they are found in town to-night they can be brought before the bar of the House to-morrow. I think this order will be salutary in enabling us to get a quorum here and maintain it until this bill goes to conference. Therefore I hope that the resolution offered by the gentleman from Georgia [Mr. HARDWICK] will pass. I do not think we could accomplish any result by spending two or three hours here this afternoon, and we probably can reach the absentees who are in town by the Sergeant at Arms to-night. I hope Members will all be here in the morning, and that we can get a vote on this resolution sending the bill to conference.

Mr. MANN. Now that the gentleman from Alabama is here, will he permit an interruption?

Mr. UNDERWOOD. Certainly.

Mr. MANN. I offered yesterday to allow this bill to go to conference if we could have a little discussion and vote upon a dozen amendments, or such a matter. Does not the gentleman think we might more wisely have put in the time that way than spending three days in trying to get a quorum?

Mr. UNDERWOOD. Well, that is a question; of course I am not familiar with the terms of the bill, and would not attempt to interfere with the management of the bill in the hands of the able gentleman from New York [Mr. FITZGERALD]. I happened to be absent myself out of town——

Mr. MANN. I think the gentleman was entitled to the absence. I think we all think that, and there is no criticism of the gentleman.

Mr. FITZGERALD. If the gentleman will permit me, the gentleman was so insistent that a quorum should be here to transact business that I was of the opinion it would be very improper and very unfair to have the important discussion the gentleman wished take place in the absence of a quorum.

Mr. MANN. Well, there was nothing to indicate a quorum was absent at the time the gentleman objected. The record showed a quorum was present until after that time.

Mr. FITZGERALD. It was in the air.

Mr. HARDWICK. Mr. Speaker, I ask for a vote on my resolution.

The SPEAKER pro tempore. The question is on agreeing to the resolution offered by the gentleman from Georgia.

The question was taken, and the resolution was agreed to.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 18 minutes p. m.) the House adjourned to meet to-morrow, Friday, October 10, 1913, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GOULDEN: A bill (H. R. 8814) making the 12th day of October in each and every year a national holiday and designating it Discovery Day; to the Committee on the Judiciary.

By Mr. EAGLE: A bill (H. R. 8815) for the erection of a Federal building at Huntsville, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of Washington: Joint resolution (H. J. Res. 136) for the relief of sufferers from recent storms in the Territory of Alaska; to the Committee on Appropriations.

By Mr. FALCONER: Joint resolution (H. J. Res. 137) for the relief of the people of the town of Nome, Alaska; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CULLOP: A bill (H. R. 8816) granting a pension to Jesse A. Curts; to the Committee on Pensions.

By Mr. DONOVAN: A bill (H. R. 8817) granting an increase of pension to Helen M. Benson; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 8818) granting an increase of pension to John Wise; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8819) granting a pension to Jane Lewis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8820) granting a pension to Rebecca E. Fowler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8821) granting a pension to J. L. Hull; to the Committee on Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 8822) granting an increase of pension to Ellery W. Price; to the Committee on Invalid Pensions.

By Mr. STONE: A bill (H. R. 8823) granting an increase of pension to Edward Brady; to the Committee on Invalid Pensions.

By Mr. TUTTLE: A bill (H. R. 8824) for the relief of Samuel Baker; to the Committee on Military Affairs.

Also, a bill (H. R. 8825) granting an increase of pension to William H. Struble; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Evidence to accompany the bill (H. R. 8762) for the relief of the legal representatives of Col. John Sloane, deceased; to the Committee on War Claims.

By Mr. RAKER: Memorial of the Sacramento Chamber of Commerce, of Sacramento, Cal., favoring more battleships and a naval reserve; to the Committee on Naval Affairs.

HOUSE OF REPRESENTATIVES.

FRIDAY, *October 10, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We invoke Thy blessing, Almighty God, our heavenly Father, upon these Thy servants, here to subserve the interests of a great people. Grant that by Thy holy influence their work may be faithfully and efficiently done, that our Nation may increase in all that makes a nation great, and its gospel of liberty be felt by all the peoples throughout the earth. And Thine shall be the praise through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

URGENT DEFICIENCY BILL.

Mr. HARDWICK. Mr. Speaker, I desire to ask unanimous consent that the action of the House in ordering the yeas and nays on my demand for the previous question yesterday shall be rescinded. And I give notice in connection therewith——

Mr. MANN. Provided the gentleman will simply withdraw his motion for the previous question, if he has the right to do so.

Mr. HARDWICK. I do not think I have the right to do that after the yeas and nays have been ordered. If the Chair shall hold otherwise, I am perfectly willing. I wish to give notice that I intend to withdraw my demand for the previous question—temporarily at least.

The SPEAKER. The gentleman from Georgia [Mr. HARDWICK] asks unanimous consent to vacate the order for the yeas and nays. Is there objection? [After a pause.] The Chair hears none.

Mr. HARDWICK. Mr. Speaker, I desire to withdraw my demand for the previous question, and I now desire to ask unanimous consent that there be one hour's general debate on the resolution, one half of the time to be controlled by the gentleman from Kansas [Mr. CAMPBELL] and the other half by myself, at the end of which time the previous question shall be considered as ordered.

The SPEAKER. The gentleman from Georgia [Mr. HARDWICK] asks unanimous consent to withdraw his demand for the previous question, coupled with the further proposition that there shall be one hour's debate on the resolution, one half of the time to be controlled by him and the other half by the gentleman from Kansas [Mr. CAMPBELL].

Mr. MANN. Will not the gentleman make that 40 minutes on a side?

Mr. HARDWICK. Well, 40 minutes. I will amend it.

Mr. MANN. Make it 40 minutes on a side.

Mr. HARDWICK. At the end of which time the previous question shall be considered as ordered.

The SPEAKER. Forty minutes on a side, at the end of which time the previous question shall be considered as ordered. Is there objection?

Mr. KELLY of Pennsylvania. Reserving the right to object, I would like to know if it is possible for us to have 10 minutes here?

Mr. HARDWICK. You will have 40 minutes over there. I suppose the gentleman from Kansas [Mr. CAMPBELL] will yield you 10 minutes.

Mr. KELLY of Pennsylvania. I would like to have that understanding.

Mr. CAMPBELL. I will yield 10 minutes out of the 40 to the gentleman.

Mr. KELLY of Pennsylvania. That is satisfactory.

The SPEAKER. Is there objection to the motion of the gentleman from Georgia [Mr. HARDWICK], with the understanding that the gentleman from Pennsylvania [Mr. KELLY] is to have 10 minutes? [After a pause.] The Chair hears none. The gentleman from Georgia [Mr. HARDWICK] is recognized for 40 minutes.

Mr. HARDWICK. Mr. Speaker, I yield five minutes first to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker, the object of this rule is to enable the urgent deficiency bill to be sent to conference in order to adjust the differences on the various amendments between the two Houses. The bill as it passed the House carried about $3,900,000, recommended by the committee out of estimates aggregating over $9,000,000 from the departments, and the Senate added, in round numbers, between eight and nine hundred thousand dollars. There are 107 Senate amendments. Unless the bill be sent to conference and a number of these amendments are adjusted in the manner customary in the transaction of the business of the two Houses, it would take an interminable time to dispose of them. There are certain Senate amendments, Mr. Speaker, in which so many Members of the House have indicated a very keen interest that I have heretofore stated that if this rule be adopted and the bill go to conference no final disposition will be made of these amendments.

The report made by the managers upon the part of the House will be in such shape that a separate vote can be had in the House upon the amendments to be indicated. So that Members may understand what, at least, my attitude is, I shall state the amendments I have in mind.

First is amendment No. 8, which takes from the classified service deputy marshals and certain internal-revenue employees; amendment No. 44, to reimburse the State of Ohio for militia equipment lost during the recent floods; Senate amendment 61, which amends the provision of the bill as passed by the House so as to continue either during their lifetime or until they resign or are otherwise removed the five additional circuit judges appointed under the act creating the Court of Commerce. The House not only abolished the Court of Commerce, to take effect the 31st of December, but it abolished the five additional circuit judges created by the act. The Senate amendment changes the provision so as to continue those five judges until either they resign or are removed or die. The next amendment is No. 93, which provides an appropriation for an automobile for the Vice President. The next amendment is amendment No. 97, providing an extra month's pay to the employees of Congress.

There is one other amendment, Mr. Speaker, which I had on the list and overlooked. That is amendment No. 82, providing an appropriation of $25,000 for the commission appointed to report relative to the memorial bridge.

It may be that the managers on the part of the two Houses may not be able to reconcile the differences existing between the two Houses upon other amendments, but these amendments which I have enumerated are the ones that so many Members have indicated a desire to have an opportunity to pass upon, and I believe it to be but proper at this time to state what the attitude would be of those who, under the practice of the House, would be appointed to represent the House relative to these amendments. This will prevent misunderstanding among Members that the adoption of this rule will not prevent a separate vote upon these amendments.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. I yield.

Mr. MANN. We did not hear what the amendments were.

Mr. FITZGERALD. I shall read them again. No. 8, relative to deputy marshals in internal-revenue offices.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. HARDWICK. How much time does the gentleman desire?

Mr. FITZGERALD. It will take two or three minutes more to finish.

Mr. HARDWICK. I yield to the gentleman five minutes.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] is recognized for five minutes more.

Mr. FITZGERALD. No. 44, to reimburse the State of Ohio for militia equipment; No. 61, relative to the judges of the Commerce Court; No. 82, relative to the Memorial Bridge Commission; No. 93, relating to the Vice President's automobile; and No. 97, relating to the extra month's pay to the employees of Congress.

Mr. AUSTIN. Mr. Speaker, can I ask the gentleman about the provision in the bill for the Red Cross Building?

Mr. FITZGERALD. I did not enumerate it. I do not know whether the managers representing the two Houses will be able to reach an agreement regarding it. If not, it will come back.

Mr. AUSTIN. We shall have an opportunity to vote on that if the House conferees fail to agree?

Mr. FITZGERALD. I can not say as to that. I am not in a position to state, for the reason that I have not consulted the probable managers on the part of the House as to that amendment, and I am not prepared to state at this time even what my own attitude may be. Of course, as the representatives of the House it is the duty of Members appointed as managers on these conferences to antagonize amendments incorporated in this bill by the Senate, regardless of what their personal views may be, and that necessarily must be my attitude as to all of the Senate amendments.

Mr. AUSTIN. I think we ought to have a separate vote on that Senate amendment unless the House managers are going to yield.

Mr. FITZGERALD. I am unable to state just what the position of the Senate is, and I am equally unable to state what the position of the managers on the part of the House is.

Mr. Speaker, unless somebody wishes further information——

Mr. FOWLER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. FITZGERALD. I yield to the gentleman.

Mr. FOWLER. I desire, Mr. Speaker, to inquire as to the amendment on page 32 where there is an apparent increase of salary for the Assistant Attorney General from $7,000 to $9,600. That is amendment 54. Is that a real increase of the salary?

Mr. FITZGERALD. It is a real increase of the salary by $2,600. The Committee on Appropriations recommended that provision. The Attorney General pointed out that the Government was engaged in the most extensive and most important litigation known to the country in connection with the prosecution of trusts. He desired to so reorganize that part of the Department of Justice which has charge of this work that he could put the work in a shape that would enable him to eliminate to some extent the necessity for the payment of large fees to special counsel. He expressed the belief and advanced reasons to show that the compensation of $9,600 to an attorney competent to have charge of this work, to systematize the drafting of the bills to be filed, was not only not excessive but required by the interests of the Government, if they should be properly served, and the Committee on Appropriations acquiesced when the matter was presented by the department in the idea that this was a wise increase of salary.

Mr. FOWLER. Is it not a fact that there has been an increase over the increase which the House allowed?

Mr. FITZGERALD. It may be that there is a $600 increase.

Mr. FOWLER. Will the gentleman give the House an opportunity for a separate vote on this amendment after the bill comes back from conference?

Mr. FITZGERALD. I can not say that that will be agreed to. I do not think it is an amendment of such importance that the managers representing the House would be bound regarding it. I do not think that a difference of $2,000 in the salary of the man who is to conduct this litigation on behalf of the Government should be used to delay an agreement upon this bill and thus compel Members to remain here longer than otherwise would be necessary.

Mr. FOWLER. Is it not a fact that this is a statutory salary, already fixed by the statute?

Mr. FITZGERALD. Yes; but this proposes to change the statute.

Mr. FOWLER. And it is proposed to be permanent?

Mr. FITZGERALD. Yes. It would be unfair to give the man $9,600 for the balance of this year and then reduce him to $7,000 next year. If the salary is going to be fixed at $9,600, it ought to be permanent.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. FOWLER. Is it not subject to a point of order as it now stands?

Mr. FITZGERALD. Not now.

Mr. HARDWICK. Mr. Speaker, I wish the gentleman from Kansas [Mr. CAMPBELL] would use some of his time.

Mr. CAMPBELL. I yield, Mr. Speaker, five minutes to the gentleman from Massachusetts [Mr. GILLETT].

The SPEAKER. The gentleman from Massachusetts [Mr. GILLETT] is recognized for five minutes.

Mr. GILLETT. Mr. Speaker, I presume I shall be one of the conferees and therefore shall probably have an opportunity to discuss more adequately these amendments, which of course five minutes time does not allow me to do.

I am in favor of some of these amendments, and I am opposed to some. I am even in favor of some which the chairman says he opposes and will bring back to the House, but in these five minutes I simply wish to refer to one amendment which, to my point of view, is in principle and in effect more important and more vicious than any other in the bill. That is amendment No. 8, which provides practically for taking the deputy marshals and deputy collectors of internal revenue out of the civil service. I appreciate how attractive that amendment must look to the majority. I appreciate that Members of the House, whichever party is in the majority, will instinctively be glad to take very many of the officials now under the civil service out from that service because Members of Congress are the ones whom this civil-service act most affects. We are the ones who get the patronage, if there is patronage, and we are the ones who lose it when it is under civil service. Therefore it is very natural for any party which is in power to begin by trying to take from the civil service some of the officers already in it. That side of the House has already in a number of instances manifested its disposition to act in that way.

I remember, as a conferee, having already declined to sign one conference report, because I thought it attacked the civil-service principle. I am glad to hear the chairman say that amendment No. 8 will come back to the House, and I certainly shall support him in that, so you may be sure that the conferees will not agree to this amendment.

President Cleveland was the first one to take these officials out from patronage and put them under the civil service. They remained so a couple of years, I think, and then President McKinley, with the power which the President had and which every President has now, removed them from under the civil service in 1899 and restored them to patronage. And, of course, President Wilson can, by an Executive order, at any moment accomplish just what this amendment accomplishes. I regret that President McKinley did that. Then, in 1906, President Roosevelt put them back under the civil service, and I presume that side of the House will be disposed to intimate that, having filled the offices with Republicans, he then wished to cloak them under the civil service and make them permanent. I believe that President Roosevelt did it for the genuine purpose of making this branch of the Government a permanent civil service and for taking it away from patronage.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. GILLETT. I have not the time. I believe he did it, not for the purposes of patronage, but from real zeal for civil service. From that time until now seven years have elapsed, and during those seven years about one-third of the places have been filled by competitive examinations, so that now a little over two-thirds of them are filled with the old appointments—some made clear back under President Cleveland, but of course a majority made later—and one-third under competitive examination. Of course, the same argument is open which has always been made against any extension, that it is a mere attempt to cover under civil service the officials which are there now, that it is done not because of the merit system, but to protect them from patronage. But if you are not afraid to trust your President, if he thinks that the arguments which are made that these men are of such a class that they ought to be excepted from the civil service, he can except them by an Executive order.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. HARDWICK. Mr. Speaker, I yield five minutes to my colleague [Mr. BARTLETT].

Mr. BARTLETT. Mr. Speaker, I presume that because of my membership upon the Committee on Appropriations and the fact that I may be called upon to act as a conferee on the part of the House upon this bill, and in view of that fact I desire to state this for the information of the Members: The conferees who have been appointed on the part of the Senate and those who probably will be appointed by the House have been in conference informally upon this bill, and I think in all probability we will be able to report either late this afternoon or at the morning session to-morrow to the House our action upon the bill, and be in a position to have submitted to the House at that time for vote the amendments which the gentleman from New York has stated the House will be permitted to vote upon. I make this statement on account of the importance of the measure, in order that Members may be informed and may govern themselves accordingly. I deem it most important, Mr. Speaker, that this bill be passed as early as possible, that the public service may be performed, and that Members may have an opportunity to go home, and until the conference report upon this bill is disposed of I think it is the duty of the Members of the House, those who are here to remain here, and those who are not here to come back and remain with those who have been here all summer, who have been attending to the public business in order that that public business may be disposed of. [Applause.]

Something has been said with reference to amendment No. 8 by the gentleman from Massachusetts [Mr. GILLETT] and by the gentleman from New York [Mr. FITZGERALD]. As far as I am

concerned, I want to say that upon that amendment I am virtually upon record in this House, and when the opportunity occurs again I shall go on record as being in favor of it. [Applause.]

I offered in substance the same amendment when the bill was before the House in September, and it was ruled out on a point of order. The amendment I then offered is as follows:

All Executive orders heretofore made placing the positions of deputy marshal and deputy internal-revenue collector in the classified service and all regulations made thereunder are hereby revoked, and hereafter appointments to said positions shall be made in the same manner as obtained prior to the making of such Executive order.

Mr. Speaker, I do not admit that the Democratic Party or its members are to be classed as spoilsmen acting in violation of the civil-service law when we undertake to say that deputy United States collectors and deputy United States marshals shall not remain in the civil service, where they are required by law or by regulation to give a bond to their superior officer for the faithful performance of their duty. The law as it stands now, under section 3148 of the Revised Statutes, requires every deputy collector to give a bond to his superior collector and requires the collector to give a bond to the Government. It does not require the deputy marshal to give a bond to his superior, but it requires the marshal to give a bond to the Government, and these men are in every instance responsible for the acts of their deputies. I do not concede that it is proper administration of law that a deputy marshal or a deputy internal-revenue collector, who is sent out to serve processes, who is sent out to arrest men in the mountains or elsewhere for violation of internal-revenue laws, shall be fresh from college or school and be able to compete successfully with professors or school-teachers or schoolboys in respect to the performance of their duties. [Applause.] Mr. Speaker, the gentleman from Massachusetts [Mr. GILLETT] has stated that Mr. Cleveland placed these officers under the civil-service law by an Executive order. None of them have been placed under the civil service by action of the House or of the Senate or of the Congress. They are there today by Executive order, and when the time comes when the House, which has the supreme power in enacting the law, can not change an Executive order made by a President, it is time for us to adjourn and leave the administration and enactment of laws to the Executive. [Applause on the Democratic side.]

The positions of deputy collector of internal revenue were first brought into the competitive service by the Executive order of May 6, 1896; later by Executive order of November 2, 1896, one position of chief deputy collector in each district was excepted from competitive examination. By Executive order of July 27, 1897, one additional position of deputy collector in each district in which the number of employees in the office of the collector exceeded four, and one position of deputy collector in each stamp agency or branch office were excepted from competitive examination. By Executive order of May 29, 1899, all positions of deputy collectors of internal revenue were excepted from competitive examination. All positions of deputy collectors of internal revenue then remained excepted from competitive examination until the Executive order of November 7, 1906, which restored them all to the competitive classified service except those receiving less than $300 a year compensation.

From 1897 to 1906, nine years during a Republican administration, every United States deputy collector, every deputy United States marshal was subject to the spoils system of the Republican Party. [Applause on the Democratic side.] Now, in 1906, President Roosevelt was to retire in 1908, and when he was preparing to have nominated and reelected his own successor, having filled the offices of deputy collector and marshals with Republicans—and some very disagreeable Republicans in my part of the country, some who could not be appointed and should not be appointed to any office in any part of the country—restored these offices by Executive order to the civil service. Now, with all that done, when Congress says that, in answer to the mandate of our constituents, representing the people, we will do that by law which McKinley and Roosevelt did by Executive order, we are confronted with an appeal for the "snivel service." [Applause on the Democratic side.] Mr. Speaker, I have no hesitancy in saying, without any desire to affect the efficiency of the civil-service officers in proper offices, that I for one, representing my people, representing good government, desiring to have the best service obtainable in those offices, shall, when this amendment comes back, join with a sufficient number of men in this House to agree to the Senate amendment and abolish this miserable pretext of "snivel service." [Applause.]

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. SHARP].

Mr. SHARP. Mr. Speaker, yesterday when this resolution was under discussion, had not a parliamentary situation intervening prevented it, I would have offered the following amendment:

That the House conferees are hereby instructed to reject the Senate amendment to H. R. 7898, page 2, beginning at line 19, and ending at line 8, page 3, and to refuse to agree to any modification thereof providing for the impairment of the full efficiency of the act approved January 16, 1883, to "regulate and improve the civil service of the United States," or any amendments thereto.

Had I heard or known of the intentions expressed in the frank statement just made by the capable chairman of the Appropriations Committee of this House, I would not have looked so much to the offering of that amendment as being important at this particular time. I was informed soon afterwards that it was the conviction of a majority, at least, of the conferees that that amendment could not prevail, in so far as an agreement by them is concerned, and after the statement made upon this floor that there would be ample time for debate allowed to every Member upon this amendment numbered 8, as well as a number of others, I am thoroughly satisfied that every opportunity will be given to all Members to express themselves upon this question—to my mind one of the most momentous in consequences to follow that this new House of Representatives has had to consider since the beginning of the session. The limited time I have in which to debate this question will not permit me to go at length into the history of the civil-service reform movement. I am very glad to say that 30 years ago last January this act was placed upon the statute books, that it was enacted by a Republican Congress, but introduced by an illustrious Democrat from Ohio, Senator George H. Pendleton.

The enactment of the civil-service law of 1883 was the culmination of an agitation for some such reform, following almost every change in the administration for a half century previous. The abuses which grew up under the wholesale dismissal of an army of officeholders became more and more apparent. Not only did the efficiency of the public service suffer from such change, but there was justly laid at the door of the spoils system the complaint that it was responsible for the powerful political machines which the disposition of patronage created. While during that long period of time no administration was exempt from such charges, it rarely followed that the party in power did not have to pay for its excesses in the loss of the support of the voters. With the tremendous growth of the country came an added responsibility to those in authority, and more and more the need of efficiency of service became apparent. The example alone of its benefits in the establishment of a civil-service system in the Postal Department of our Government bespeaks not only its value but indeed its necessity. The increase of the volume of business in that particular department, involving the expenditure of but a few millions per year in the days of the Jackson administration to that of nearly $300,000,000 annually at the present time, is not much more superlative in comparison than the increased efficiency in the manner of the distribution of mail from that period to this. The development in the business transacted by other departments of the Government differs from this illustration only in degree. Almost insensibly the unparalleled growth of the Nation, necessarily resulting in the creation of new departments with many additional offices to be filled, brought to the minds of the best thinkers of the country the fact that after all the running of a Government was a business matter; in fact, even if its size alone be considered, the greatest business in the Nation. Such a matter of prime importance was efficiency of service. It was not strange, therefore, that when the act in question was passed it received in its favor a 5 to 1 vote in the Senate and more than 3 to 1 in the House. From that day to this its operation has been so successful that no party dare assail it. One result of its enactment was the establishment of the same principle in a considerable number of the States, as well as in many of the leading cities of the country. In both State and city government the establishment of the spoils system—popularly called machine politics—has been in almost all cases the only cause for the ultimate overthrow of those in authority.

It seems to me, my colleagues, that if there ever was a time when the Democratic Party can afford to—nay, ought to—resist encroachments upon the civil-service system, it is now. Surely such a policy is not inconsistent with the tenets of Democratic faith. One of the things that will be longest remembered of the Cleveland administration, aside from his exhibition of courage of conviction, was his consistent support of the civil service as applied to the Government. But we need not go back as far as that period. Let me call the attention of my fellow Democratic Members to the civil-service plank of our platform at our last national presidential convention at Baltimore. I quote as follows:

The law pertaining to the civil service should be honestly and rightly enforced to the end that merit and ability shall be the standard of appointment and promotion rather than service rendered to a political party; and we favor a reorganization of the civil service, with adequate compensation commensurate with the class of work performed, for all officers and employees; we also recommend the extension to all classes of civil-service employees of the benefits of the provisions of the employers' liability law; we also recognize the right of direct petition to Congress by employees for the redress of grievance.

That, gentlemen, is what we said at our last convention, and upon that platform we appealed for a vote of confidence to the electors of the country.

Indeed, Senator Miller, during the debates upon this question incident to the passage of the civil-service act of 1883, hardly overstated the matter when he said:

Instead of patronage being necessary for the existence of a party, I do not hesitate to say that patronage will sooner or later destroy any or every party which may have control of patronage.

The conspicuous examples as they had to do with the ups and downs of both political parties in the State of New York given by him fully sustained the Senator's statement.

I do not know that I can give any better reason why this basal law of reform ought to stay upon the statute books inviolate from the hands of the spoilsman than to cite the remarks of the gentleman from Georgia [Mr. BARTLETT], who just preceded me, in his complaints of the flagrant violation of its provisions. I want to say for the encouragement of my good Democratic friends, because I have always been a Democrat and cast my first vote for Gen. Hancock way back in 1881, if we want to build an enduring party structure, maintaining it upon a rock foundation, keep this statute inviolate. We are going to stay in power so long, my friends, with the wise and patriotic man who has been guiding the affairs of the Nation at the other end of the Avenue, that long before we lose our control of the Government we will have our full share of these offices filled with good loyal Democrats in the natural order of things without the abrogation of this salutary measure. Gentlemen, do not become impatient. One of the highest tributes ever paid to Democracy was by a Republican Senator, Warner H. Miller, over in the Senate during the debates upon this measure, in which he pointed out the fact that the Democratic Party did not need patronage, because it could survive without it.

I remember many years ago when a very talented predecessor of mine, Judge Geddes, from the city of Mansfield, in my district, said to me right after Grover Cleveland's first election, "Why, Mr. SHARP, we are a great deal stronger without patronage than we are with it." I am inclined, after this 30 years of time, to heartily agree with him in so far as militant aggressiveness is concerned. It is because I want Democratic principles to triumph and the party to continue in power that I deplore this attack on the merit system.

The SPEAKER pro tempore (Mr. SAUNDERS). The time of the gentleman has expired.

Mr. SHARP. I wish to ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it will be so ordered. [After a pause.] The Chair hears no objection.

Mr. HARDWICK. Mr. Chairman, I yield three minutes to the gentleman from Kentucky [Mr. JOHNSON].

Mr. JOHNSON of Kentucky. Mr. Speaker, I find myself constrained upon this occasion to vote against the rule brought in by the Committee on Rules. I feel that I am compelled to do so because I am not in sympathy with that part of it which says that we shall disagree to the Senate amendment generally known as the Overman amendment, the amendment which takes out of the civil service deputy collectors and deputy marshals. I see that the author of that amendment, Senator OVERMAN, is upon the floor of this House, and I for one wish to congratulate him most heartily for having gotten it into the bill. [Applause.]

A deputy, whether he be a collector or a marshal, carries with him the right to act for his principal. I do not believe that any deputy should act for his principal unless that deputy be chosen by the principal. I would take the same position if this amendment were to be to the advantage of the Republican Party. I do not believe, as I said, that a deputy should act for the principal unless the deputy is selected by the principal. But this amendment has for its purpose now a correct one, the Democratic one, that when Democrats are in control they should have the offices. [Applause.]

I am one who does not believe that when we have a Democratic President and a Democratic Congress that that completes and makes a Democratic administration. I do not believe we will have or can have a Democratic administration until every office is administered by a Democrat. [Applause.] We find the departments in Washington, we find the departments in every part of the United States, full of Republicans not in sympathy with the Democratic administration; and they are asked to administer the affairs of the Democratic administration. [Applause on the Democratic side.] They are there to make trouble for and to betray a Democratic administration. [Applause on the Democratic side.]

Mr. HELM. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I have but three minutes.

Mr. HELM. Were you ever collector of internal revenue?

Mr. JOHNSON of Kentucky. Yes; I was collector of internal revenue under the last Cleveland administration for the second largest internal-revenue collection district in the United States, and I know whereof I speak. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman has expired.

Mr. JOHNSON of Kentucky. May I have two minutes more?

Mr. HARDWICK. I yield two minutes more to the gentleman.

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. JOHNSON] is recognized for an additional two minutes.

Mr. JOHNSON of Kentucky. When I was interrupted, Mr. Speaker, I was about to say that I am against the adoption of this rule, because I believe we ought to instruct the conferees upon the part of the House to accept that amendment in advance of their appointment, and then if they do not want to accept it we ought to have other conferees.

Mr. BARTLETT. May I say to the gentleman that he can not be more in sympathy with the amendment than I am, but I believe the amendment requires some little amendment in order to make it effective.

Mr. JOHNSON of Kentucky. I know to what part of the amendment the gentleman refers, and I am not prepared to admit that it needs amendment. The gentleman from Georgia refers to that part of the amendment which says that deputy collectors must give bonds to the principal, or to the collector.

Mr. BARTLETT. No; I do not. If the words "existing regulations" are left in this amendment, it will be ineffective. That is what I mean.

Mr. JOHNSON of Kentucky. I am not prepared to admit that. I am in favor of adopting this amendment just as it is, rather than to take chances of its going into unfriendly hands, into the hands of conferees that we have reason to believe are not in favor of taking these offices out of the protection of the civil service. [Applause on the Democratic side.]

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. CAMPBELL. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY of Pennsylvania. Mr. Speaker, the gentleman from Kentucky who has just spoken has stated that he is opposed to the adoption of this rule, and for a logical reason. The gentleman from Georgia [Mr. BARTLETT] looks at it in another way, from a logical standpoint. The gentleman from Ohio [Mr. SHARP] objects to it on another proposition. Therefore the point seems to me——

Mr. BARTLETT. The gentleman misstates me. I am not opposed to the rule.

Mr. KELLY of Pennsylvania. I understand. The gentleman is only opposed to a certain attitude on the part of the gentleman from Ohio [Mr. SHARP].

Mr. BARTLETT. Yes; I am glad I am.

Mr. KELLY of Pennsylvania. Certainly. But the point I want to make is that your arguments and those of the gentleman from Ohio are arguments as to why we should oppose the adoption of this rule. This rule declares that we are opposed to all these Senate amendments, and there is not a Member on the floor of this House who would disagree to every amendment. Each Member is in favor of some of them and opposed to others. Then why should we pass a rule which is directly in opposition to our wishes? We do not wish to disagree to the Senate amendments in gross, and when the gentleman from New York [Mr. FITZGERALD] says that these matters in difference will come back on the floor of the House for full debate we ask what assurance we have of that situation. The same thing was promised in regard to the tariff bill amendments. The tariff bill contained an unjustifiable Senate provision—that relating to the civil service. The bill came back from the Senate with an amendment tacked on to it taking from the civil-service protection the general force of the Internal Revenue Bureau, and 400 to 600 men to be appointed under this bill, according to the estimate of Mr. HULL, of Tennessee, with 290 men now in the employ of the Internal Revenue Bureau, means 790 men taken out of the classified service. Yet when that

legislation came back to the House we had no chance to vote on it. We were perfectly helpless. We disagreed in gross to the Senate amendments, and in that way had no opportunity to vote on the proposition on its individual merits.

Another proposition that was brought to this House from the Senate was the cotton-futures amendment, called the Clarke amendment. Gentlemen arose on the floor of this House and said that President Wilson was in favor of the Underwood amendment as a substitute for the Clarke amendment. With all the earnestness and apparent sincerity in the world it was declared that that substitute was ingrafted upon the tariff bill in good faith; and yet in the final action a preconceived plan was carried out by which there was no legislation whatever.

I ask, Why should we not take up these amendments in order and vote on them honestly? If we are opposed to amendment numbered 8, on page 2, which is a vicious blow against the merit system, let us vote against it. If we favor the spoils system, we should not be afraid to say so.

There is another amendment in regard to arbitration and conciliation that I would like to have a special vote on.

Mr. HARDWICK. Mr. Speaker, will the gentleman yield?

Mr. KELLY of Pennsylvania. Yes.

Mr. HARDWICK. Has the gentleman any idea how long it would take to vote on these 106 amendments if they were voted on separately?

Mr. KELLY of Pennsylvania. I will say that the House has sufficient importance and dignity as a law-making body to express its opinion directly on these amendments without taking them entirely on faith.

Mr. HARDWICK. It could not be done in two weeks, and it is hard to get a quorum here even for a single day.

Mr. KELLY of Pennsylvania. I will ask the gentleman what else we are going to do more important than careful consideration of these vital questions.

Mr. HARDWICK. Some gentlemen want to go home. The gentleman himself has been away, has he not? [Laughter.]

Mr. KELLY of Pennsylvania. You notice I am here on the job this morning. [Laughter.]

There is at the present time a proposition for an electrical switchboard, introduced by a gentleman on the other side, and no attention is paid to it. Other matters ought to be taken up and should be given attention.

But just now I want to call to the attention of the House a strong plea which comes from the National Civil Service Reform League on the question directly at issue. It is indorsed by prominent members of the Democratic Party. I read:

The urgent deficiency appropriation bill (H. R. 7898) as it passed the Senate October 4 contains, on page 2, beginning at line 18, the following proviso, inserted by the Senate:

"*Provided*, That hereafter any deputy collector of internal revenue, or deputy marshal, who may be required by law or existing regulations to execute a bond to the collector of internal revenue or United States marshal to secure faithful performance of official duty may be appointed by the said collector or marshal, who may require such bond without regard to the provisions of an act of Congress entitled 'An act to regulate and improve the civil service of the United States,' approved January 16, 1883, and amendments thereto, or any rule or regulation made in pursuance thereof, and the officer requiring said bond shall have power to revoke the appointment of any subordinate officer or employee and appoint his successor at his discretion without regard to the act, amendments, rules, or regulations aforesaid."

On behalf of the National Civil Service Reform League, and in the interests of efficiency and sound administration, I respectfully but earnestly urge that you aid in securing the elimination of this vicious provision.

Mr. BARTLETT. Mr. Speaker, has the gentleman any information as to whether those gentlemen ever made a protest like that under the McKinley administration?

Mr. KELLY of Pennsylvania. I may say that one of these men is the Hon. George Gray, of Delaware, who, it will be remembered, was a very prominent candidate for the Democratic presidential nomination some years ago.

Mr. BARTLETT. Those Republicans who are prominent in that organization never raised an objection to this proposition under the McKinley administration.

Mr. KELLY of Pennsylvania. The gentleman from Georgia [Mr. BARTLETT], with all the honesty and earnestness and frankness so characteristic of him, is opposed to civil service in these positions. [Laughter.] But he should have an opportunity to vote on the proposition, and so should every other Member.

When the bill was under consideration in this House I took occasion to make a point of order against the provision that increased the salary of the Assistant Attorney General $2,000 a year, and it was taken out without any word of protest whatever, because it was in violation of the rule.

Now it comes back in this bill in aggravated form, appropriating a sum in excess of the original amount. On page 32 you will find that that salary is increased $2,000 instead of $2,000, making the salary of the Assistant Attorney General $9,600, when the Attorney General himself originally started at a salary of $1,500, that salary being increased subsequently, with monotonous regularity, along with all the other department heads and subordinate employees.

Now, this is a Senate amendment putting $2,600 increase on the salary of the Assistant Attorney General without any reason whatever, and here we are put in a position where we shall not have an opportunity to vote on that iniquitous proposal.

I claim that it is not fair, Mr. Speaker, for us to disagree in gross to Senate amendments here, thus preventing an honest vote upon them. Here is a proposition which will take out of the classified service 1,500 employees and put them under the old spoils system [applause on the Democratic side] which the gentleman from Georgia [Mr. BARTLETT] and others, I notice, are so much in favor of in this hour of Democratic sway. There are 1,257 deputy collectors of internal revenue and there are over 200 deputy marshals now in the classified service who will be directly affected, along with many others indirectly affected.

Mr. BARTLETT. Mr. Speaker, will the gentleman yield?

Mr. KINKEAD of New Jersey. Will the gentleman yield at that point?

Mr. KELLY of Pennsylvania. I will yield to the gentleman from Georgia [Mr. BARTLETT].

Mr. BARTLETT. Does the gentleman know how long it will take the Civil Service Commission now if the deputies to be appointed under the income-tax provision and under this bill are required to be examined under civil-service rules? Does the gentleman know how long it will take to get the necessary number? There are 200 on the roll now. It would take 90 days to hold even an examination.

Mr. KELLY of Pennsylvania. I want to say that in the past, from 1896 to 1912, the service under the merit system has increased in efficiency of collection 120 per cent, and the expenses have increased but 26 per cent. I want to say it is worth while to wait even 90 days to carry on the merit system and assure a continuance of the efficiency under the present methods.

Mr. BARTLETT. I grant that is true with reference to certain sections of the classified service.

Mr. KINKEAD of New Jersey. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. KINKEAD of New Jersey. I asked the gentleman from Pennsylvania [Mr. KELLY] to yield, and he did not. Why did he yield to the gentleman from Georgia and not to me? [Laughter.]

Mr. BARTLETT. The gentleman from New Jersey can not take the gentleman from Pennsylvania off the floor in that way.

The SPEAKER pro tempore. That is a Member's right.

Mr. BARTLETT. Mr. Speaker, I do not want to take the gentleman's time, but if the gentleman lived in the section of the country where I live he would see how inefficient and vicious is the service that we have had under the administration for eight years, during which time we have had a negro collector of internal revenue.

Mr. KELLY of Pennsylvania. Mr. Speaker, I do not yield for a speech on the race question.

Mr. BARTLETT. I withdraw that, if it is offensive to the gentleman.

Mr. KELLY of Pennsylvania. Oh, that is all right. My friend from Georgia is always fair and square and out in the open. I only want to say that when you can increase the efficiency of the service under the merit system 120 per cent and only increase the expenses 26 per cent——

Mr. KINKEAD of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. KELLY of Pennsylvania. I will yield for a brief question.

Mr. KINKEAD of New Jersey. But it is not a brief question. It is something that will enlighten the House.

Mr. KELLY of Pennsylvania. I have not time to yield for any speech. The gentleman from New Jersey can get time himself. I have no time to yield for a speech or a statement, however enlightening the gentleman thinks it is.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. KELLY of Pennsylvania. Mr. Speaker, the point I make is that such violation of a principle by which efficiency is increased 120 per cent as compared with expense of 26 per cent——

Mr. KINKEAD of New Jersey. Mr. Speaker, a parliamentary inquiry.

Mr. BARTLETT. Mr. Speaker, I make the point that the gentleman can not make a parliamentary inquiry without making a point of order and taking the gentleman off his feet.

The SPEAKER pro tempore. That is true.

Mr. KELLY of Pennsylvania. Mr. Speaker, I desire to continue.

Mr. KINKEAD of New Jersey. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. KELLY of Pennsylvania. I have not time to yield for any statement.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. KINKEAD of New Jersey. But the gentleman said that it was a statement.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. KELLY of Pennsylvania. The gentleman from New Jersey can get all the time he desires in which to make any speech that he wishes to make.

Mr. KINKEAD of New Jersey. It is not a speech, but it is a question.

The SPEAKER pro tempore. The gentleman from New Jersey is out of order.

Mr. KELLY of Pennsylvania. Mr. Speaker, the civil-service system, as was so ably described by the gentleman from Ohio [Mr. SHARP], with its efficiency, is based upon a certain rule, and this Senate provision is so violently destructive of that rule that I desire to quote it word for word:

In all cases selections shall be made with sole reference to merit and fitness and without regard to political considerations. No inquiry shall be made as to the political or religious opinions or affiliations of any eligible, and no recommendation in any way based thereon shall be received, considered, or filed by any officer concerned in making selections or appointments. Any such recommendation in writing forwarded to any such officer shall be at once returned to the writer with attention invited to the purport of this order, and attention hereto shall be similarly directed in connection with any verbal recommendation. Where it is found that there has been a violation of these provisions by any officer concerned in making selections or appointments such fact shall be cause for the immediate removal of such officer from the service.

Mr. RAGSDALE. Mr. Speaker, will the gentleman yield?

Mr. KELLY of Pennsylvania. This Senate provision is clearly in violation of the fundamental rule of the civil service.

Mr. RAGSDALE. Mr. Speaker, will the gentleman yield?

Mr. KELLY of Pennsylvania. I yield to the gentleman from South Carolina.

Mr. KINKEAD of New Jersey. Mr. Speaker, I ask the gentleman from Pennsylvania if he will not yield to me?

The SPEAKER pro tempore. The gentleman from Pennsylvania has already yielded to the gentleman from South Carolina.

Mr. KELLY of Pennsylvania. Mr. Speaker, I will say that I will yield to the gentleman from New Jersey after the gentleman from South Carolina if he has a question.

Mr. RAGSDALE. Mr. Speaker, does not the gentleman from Pennsylvania think it a remarkable condition when the appointments are so regulated under that civil-service regulation that every single civil-service employee in the town from which I come should be a negro, and that the outgoing administration so administered that law that every employee selected there is a negro, and that a white man could not come in for any position under that whatever.

Mr. KELLY of Pennsylvania. Mr. Speaker, I will say to the gentleman——

Mr. KINKEAD of New Jersey. Mr. Speaker——

Mr. KELLY of Pennsylvania. Just one moment.

Mr. KINKEAD of New Jersey. Mr. Speaker, I desire to ask the permission of the gentleman from Pennsylvania to yield.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. KELLY of Pennsylvania. I simply want to say, in commenting upon the statement made by the gentleman from South Carolina, that when we adopt a proposition here which puts party loyalty or loyalty to a political boss in a State ahead of efficiency we have come to the parting of the ways. It is not a question of race, it is a question of merit and efficiency.

Mr. GORDON. Why does not the gentleman answer the question?

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. KELLY of Pennsylvania. I desired to yield to the gentleman from New Jersey.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. KINKEAD of New Jersey. I am in sympathy with the gentleman from Pennsylvania.

Mr. HARDWICK. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. FOWLER].

Mr. FOWLER. Mr. Speaker, if the civil-service law is to be maintained on our statute books, it ought to be administered on rules of fairness and equity, and should not be subverted and made to serve partisan greed and political graft. In glancing over the past administration of this law we are forced to the conclusion that it has been shamefully abused.

I am informed by the Civil Service Commission that on June 30, 1912, the public employees in the Government service were divided as follows:

Competitive classified civil service	236,061
Noncompetitive classified civil service	61,388
Unclassified civil service	59,423
Panama Canal service	28,191
Total	385,063
Presidential appointments	10,397
Grand total	395,460

Since June 30, 1912, Mr. Taft has placed 36,333 fourth-class postmasters under the classified civil service, and Mr. Wilson has placed them under the competitive classified civil service. Add this number to the 236,061 and we now have 272,393 Government employees under the competitive classified civil service. This is not quite all, but I will not now go into further details.

By an investigation of the political complexion of the employees in the various departments of our Federal Government it has been approximately ascertained that on the 4th of March, 1913, 95 per cent of all the civil-service employees were Republicans, while only 5 per cent were Democrats.

At the time of the passage of the civil-service law in 1883 practically all of the public positions were filled with Republicans, which constitutes about 60 per cent of our present civil-service force. Since that time about 40 per cent has been added on account of civil service; but it is remarkable when we find that three-fifths of this 40 per cent came into the public service under Executive orders, and that only two-fifths came in under competitive civil-service examination.

It is more remarkable when we consider that 4½ per cent of the Democrats in the public service on the 4th of March last came in under Executive orders, while only three-fourths of 1 per cent of that number came in under competitive civil-service examination.

If this be true, it is a terrible indictment either against the intelligence of Democrats or against the administration of the civil-service law, and each Member of this House has a right to his own opinion concerning the matter. [Applause.] For my own part, I can not indorse the administration of a law which gives 95 per cent of the employees in the public service to a party which registers less than one-half of the votes of the country and only 5 per cent to an equally great party with a better understanding of government and more devoted to the wants of the common people. [Applause.]

Mr. RUPLEY. Will the gentleman yield for a question?

Mr. FOWLER. Yes; I will yield, although I only had three minutes to begin with.

Mr. RUPLEY. I want to inquire where the gentleman got those figures?

Mr. FOWLER. They came through an investigation of the various departments with the assistance of a Republican of 20 years' service in the Government.

Mr. RUPLEY. Who is this Republican; name him?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FOWLER. Mr. Speaker, I desire unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Speaker, I am very sure there are many on the other side who join me in the regret that so many very important amendments which are to be passed on by this House can not be considered by this House. There has been ample opportunity for such consideration, and one wonders why at least a dozen of these questions should not have been considered and discussed by the House. If the proposition had been accepted which was made by the leader on the Republican side [Mr. MANN] three days ago, all of the dozen questions that he then suggested that ought to be considered might have been considered and debated in this House. And is this a proper method? I challenge an inquiry in the conscience of any Member of this House. Is it a proper method of legislation when men are compelled, no matter how they may vote, to stultify themselves? Either he must vote for or against this motion. There are certain of these questions for which I desire to vote and some of them against which I desire to vote. There is no opportunity for expression of individual judgment by individual legislators. Take this question, for instance, regarding this violation of the spirit and the letter of the law with reference to civil service. Gentlemen here say that the Republi-

cans have violated the law. I challenge the accuracy of the statement of gentlemen who contend that 95 per cent of Government employees under the civil service are Republicans, and we have not been able to get any authority whatever regarding the suggestions——

Mr. FITZGERALD. Will the gentleman yield for a question?

Mr. TOWNER. Certainly.

Mr. FITZGERALD. I put in the RECORD to show the law was violated when this matter was up in the House.

Mr. GORDON. Will the gentleman yield?

Mr. TOWNER. I am sorry, but I can not grant further time, Mr. Speaker. I can not go into a discussion of that question further than to say that I do not believe that the civil service shows that 95 per cent of those who are eligible are Republicans.

I do not believe that such facts exist, and, gentlemen, if that be true, that does not excuse your present violation of the law nor does it excuse your attempt to pass laws that will make the merit system noneffective or that will strike them from the statute books. Is it the way to cure the maladministration of a law to repeal it? You now have the execution of the law. It is a just law; it is a righteous law. If you say the Republicans have been violating the law, have not been properly enforcing it, have been guilty of maladministration regarding it, then you enforce it as it ought to be; you put it into operation as it should be; you do what the law requires in both letter and spirit and——

Mr. FOWLER. Will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman yield?

Mr. TOWNER. No, Mr. Speaker; I can not yield; and therefore I say I should be glad of an opportunity to vote against such proposal, and, Mr. Speaker, I should be glad of the opportunity, if I could, to vote for the amendment that is known as 107. It is called here a proposition to secure a building in commemoration of the women of the Civil War; but we all know, Mr. Speaker, what it is. It is to establish headquarters and administration facilities in this city for the Red Cross to do its work efficiently in the United States, and, in a sense, to put it under Government supervision. We all know what the Red Cross work is. There is no present arm of the Government, either in war or in peace, that is doing more practically for the betterment of humanity than that voluntary association known as the Red Cross. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HARDWICK. Mr. Speaker, I yield three minutes to the gentleman from Connecticut [Mr. DONOVAN].

Mr. DONOVAN. Mr. Speaker, having only three minutes, I prefer not to be interrupted. We are saying a great deal here about the employees. There ought to be a word said about ourselves. I had stated the other day that our leaders, so to speak, were in fault as to the conditions here on account of absenteeism. We had the spectacle here the other day of a great measure before us, leaders absent; there was a conference committee appointed which took away four of the great men from our side——

Mr. KINKEAD of New Jersey. And KINKEAD of New Jersey.

Mr. DONOVAN. And left our side in the charge of the Banking Committee——

Mr. BARTLETT. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BARTLETT. The point of order is that no gentleman from the floor is entitled to discuss matters not pertaining to the rule.

The SPEAKER. The point of order is sustained.

Mr. KINKEAD of New Jersey. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KINKEAD of New Jersey. I ask unanimous consent that the gentleman from Connecticut [Mr. DONOVAN] may proceed in the three minutes that have been allotted to him, in order.

The SPEAKER. The gentleman from New Jersey moves that the gentleman from Connecticut be allowed to proceed in order. Those in favor of the motion will answer "aye," and those opposed "no." [After a pause.] The ayes have it, and the gentleman from Connecticut will proceed in order.

Mr. DONOVAN. Mr. Speaker, in order to remove the charge I made, it deserves an explanation or an apology. I had in my mind, gentlemen, our leaders who have been absent from here for more than four months. I had in mind the gentleman from Alabama, whose last appearance here was on the 7th of May, 1913, when he talked upon the subject of economic conditions in the South and especially in Alabama. Now, that great leader is responsible for the absenteeism, because when men of his type leave this House the new Member, or a Member of a shorter term of service than he, will leave. When that great naval constructor, so to speak, who thinks he is fit to be President of these United States, has taken himself away from his duties in this House, when we have sent out an order by the way of the Sergeant at Arms——

Mr. KINKEAD of New Jersey. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. KINKEAD of New Jersey. Since I got the time for the gentleman from Connecticut [Mr. DONOVAN], is it not only fair, under parliamentary usage, that he should say something nice about me and not talk about these other gentlemen? [Laughter.]

Mr. DONOVAN. Mr. Speaker, when a Congressman——

The SPEAKER. The time of the gentleman from Connecticut has expired. [Laughter.] If there is nobody else who wishes to address the House, the Chair will put the question.

Mr. HARDWICK. Mr. Speaker, I yield two minutes to the gentleman from New Jersey [Mr. KINKEAD].

The SPEAKER. The gentleman from New Jersey [Mr. KINKEAD] is recognized for two minutes.

Mr. KINKEAD of New Jersey. Mr. Speaker, I want to compliment the last speaker on his faithful attendance on the gatherings of this House. There has never been an occasion when a quorum was necessary when the gentleman from Connecticut was not present to add his presence to the number of those who were required to constitute a quorum in this House. I sincerely hope that the good people of Connecticut, irrespective of party, recognizing honest worth, will send back to us a man that every one of us, whether we are on this side of the House or on the other side of the House, hope will be returned to this body. But, Mr. Speaker, that is not my particular purpose in rising to-day. There has been some doubt as to the reason why there is a quorum present to-day. Let no man who is within the range of my voice question at another time the reason for the presence of a quorum.

The SPEAKER. The time of the gentleman from New Jersey has expired. [Laughter.]

Mr. KINKEAD of New Jersey. Mr. Speaker, I ask unanimous consent that I may extend and revise my remarks.

The SPEAKER. The gentleman from New Jersey asks unanimous consent to extend and revise his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. CAMPBELL. Mr. Speaker, I yield to the gentleman from Nebraska [Mr. BARTON].

ECONOMY.

Mr. BARTON. Mr. Speaker, the word "economy" is the watchword of every platform orator and is preached to the people in the platforms of the several political parties. This word seems to admit of so many interpretations, when applied to State and governmental business that a retrospective view of the work that is now and has been done convinces one that Webster made an error when he wrote his definition.

I look out of the window of my office and can see one definition of economy in the destruction of expensive and useful buildings now being razed to the ground. To do this costs the Government practically $4,000,000, and while the work has just commenced it will take much more of the public fund to fulfill the object of this devastation and build a park.

No one on earth appreciates a park more than I. The green grass, the green trees, and the open air add to the many comforts afforded, and were it not for the fact that the city of Washington already has scattered throughout her confines many beautiful parks, built mostly by the United States Government, I would feel that such action is economy, as it provides for the rich and poor alike a haven of rest.

But as the United States Government is now paying to the property owners of Washington approximately $600,000 per annum in rent for buildings in which are housed various Government offices, and in which are contained many of our valuable and precious records in unsafe quarters, it seems to me that a better definition of the word "economy" would be to cease building parks and build for the various branches of the Government buildings and homes and thereby furnish a safe place for keeping the records and valuable papers of the departments.

Right here let me call attention to our main thoroughfare—Pennsylvania Avenue. Would it not have been far better for the Government to have purchased the unsightly buildings, especially those adjacent to the Capitol Building, and razed them and have erected in their stead imposing structures to house the various offices of the different departments that cost the Government an annual rental of $600,000? This, in my

mind, would be more in keeping with the plan to beautify Washington and at the same time be a saving to the Government.

ARMOR PLATE AND ARMOR PLANTS.

Since 1887 we have been contributing to the Steel Trust more than a million dollars' profit annually. While it seems impossible to ascertain the exact cost of producing armor plate, gun forgings, and building an armor plant, for at all times has our Government investigators been baffled by this monopoly; yet throughout the various reports issued by the investigators we have gained enough information and sufficient light to enable us to know without a doubt that we are being systematically robbed.

The problem of a Navy is a big one and involves one of the great expenditures of the Government, and while the American people as a whole desire that we be in a position to protect our country, they do not desire that we pay tribute to the trusts and moneyed interests in securing this protection, especially to those that have from time immemorial fattened on war, war scares, and the necessities of the public.

The building of a Navy is like Tennyson's Brook, it goes on forever; and it may also be likened to fashions for women, as it seems but a short time a woman's skirt or hat becomes old-fashioned; and thus it is with an armored cruiser, they soon become obsolete and are relegated to the scrap heap of "has beens." In proof of this statement I insert a statement from the Navy Department showing a list of vessels stricken from the Navy Register during the past three years:

List of naval vessels stricken from the Navy Register during the fiscal year 1911.

Alliance, sailing ship.
Hist, converted yacht.
Mindoro, gunboat.
Paragua, gunboat.
Pensacola, receiving ship.
Stiletto, wooden torpedo boat.

During the fiscal year 1912.

San Marcos, ex-*Texas*, old battleship.
Locust, tug.
Yosemite, ex-*Ingalls*, old Army transport.
McKee, torpedo boat.
Cushing, torpedo boat.
Ericsson, torpedo boat.
Yankee, transport; lost.
Atlanta, old cruiser.
Talbot, torpedo boat.
Isla de Cuba, captured Spanish gunboat.
Alvarado, captured Spanish gunboat.

During the fiscal year 1913.

Jamestown, returned to Navy by Marine Hospital Service.
Rowan, torpedo boat.
Porter, torpedo boat.
Wabash, receiving ship.
Nipsic, prison ship.
Puritan, old monitor.
A–1, old submarine.
Chickasaw, tug.
Manila, prison ship.
Newark, old cruiser.

A constant warfare is waged by the manufacturers of armor and the manufacturers of projectiles to pierce it, so that a ship that to-day may be a first-class battleship, which costs us millions, next year may be useless. A most powerful influence is back of the building of battleships—patriotism; the trusts, that furnish the material to build them; the ambitious naval officer seeking promotion, are the most potent—so that until all nations agree to cease building battleships and leave their destinies and differences to a board of arbitration the building will go on.

The Bureau of Corporations have been making an extensive investigation of the steel industry, and quite naturally one would think that in this inquiry some attention would be devoted to the production of armor plate and gun forgings. Thinking that possibly some information had been gleaned along this line I communicated with the department, which brought forth the following letter:

DEPARTMENT OF COMMERCE,
BUREAU OF CORPORATIONS,
Washington, January 14, 1913.

Hon. SILAS R. BARTON,
House of Representatives, Washington, D. C.

DEAR SIR: Your letter of the 12th instant making inquiry whether this bureau's report on the steel industry discusses the cost of armor plate is duly received.

All data regarding cost of production are contained in part 3 of the above-mentioned report, which you have apparently already received. Part 2, which also discusses cost of production, was merely a preliminary report on the subject. The costs of armor plate are not shown or discussed in either of these reports, and no investigation was made by the bureau on this subject.

Practically all the armor plate produced in the United States is made at three plants, and the United States Government is the only important purchaser. The Navy Department has from time to time made investigations as to the cost of armor plate and the prices. For these reasons the bureau did not deem it necessary to include this product, especially as it was not practicable to cover the entire field of the steel industry.

In compliance with your request, I have directed that there be sent to you the two previous volumes of the report on the steel industry, namely, parts 1 and 2.

Very respectfully,
FRANCIS WALKER,
Acting Commissioner.

The only reason given for not making inquiry concerning this branch of the steel industry is that the Navy Department has from time to time made investigations as to the cost of armor plate and prices. Let us examine these reports of the naval investigators and see if they have given us dependable data on which to base definite conclusions:

On December 31, 1895, the United States Senate passed a resolution inquiring into the increase of the price of armor; whether same is fair and reasonable; whether the issuance of any patents was expedited at the request of the Navy Department, and who were the owners of said patents; and whether any legislation is necessary to cheapen the price of armor for vessels. On February 11, 1897, the Senate Committee on Naval Affairs submitted a report in conformity with this resolution, and which report was confined principally to recommendations providing for legislation to regulate the action of naval officers and Government officials who had patents issued to them as well as to regulate the employment of naval officers by Government contractors. But the report shows that the Government was paying, and had paid, to the Carnegie Co. and The Bethlehem Steel Co. under Secretaries Herbert, Whitney, and Tracy, sums for armor plate ranging from $500 per ton for the lowest to $600 for the highest, the Cleveland Rolling Mill Co. being the only other bidder. The same report shows that the Bethlehem Iron Co. sold to England this same armor for sums ranging from $413 to $438 per ton. While it was impossible for the Government to secure any information from the companies direct regarding the cost of the manufacture of armor plate, naval officers acting in the capacity of Government inspectors reported that in their opinion the average cost of labor and material to produce a ton of armor plate would amount to $250. The report further states "this sum now appears excessive," and the committee reached the conclusion that until further inquiry is made $350 per ton ought to be the limit for armor purchased by the United States. However, in 1896, when this sum was specified by amendment to the naval appropriation bill for the year ending June 30, 1897, the House disagreed and the matter went to conference, and in the disagreement a clause was inserted in its stead directing the Secretary of the Navy to examine into the actual cost of armor plate and the price for same which should be equitably paid.

In compliance with the instructions given in this clause Secretary Herbert caused an investigation to be made, and issued a voluminous report in House Document No. 151, Fifty-fourth Congress, second session, which tells the difficulty of securing information from the officials of the armor plants, but through Government inspectors, naval officers, and others detailed by the Government various estimates were submitted, giving the value of armor plants, and so forth; also an English and French estimate of the cost of the erection and establishing of an armor plant. The English estimated cost of establishing an armor plant, exclusive of the cost of land, is $1,590,074, and the French estimate 3,500,000 francs. A board consisting of Lieut. Karl Roher, Lieut. Kossuth Niles, and Lieut. A. A. Ackerman, which was called the "Roher board," reported that a complete plant, including land and everything, can be built for the sum of $3,537,000, and while the Roher board reported the components of the cost of 3,000 tons of armor amounted to a sum sufficient to make one ton cost $423.41 they included in their estimate every possible expense and contingency that they could think of, thus giving the manufacturers the benefit of their estimate. Lieut. Commander Rogers, inspector of ordnance, Bethlehem Iron Works, reports his estimate as follows: Reforged armor, $227.63; single-forged armor, $215.24.

However, these prices may vary some, and the variation depends upon the output per annum. This confirms the statement in the previous report that the estimated cost of $250 per ton made at that time was excessive. In this same report, on page 21, the Secretary of the Navy states that the Bethlehem and Carnegie companies were in sharp competition for the Russian trade, and that the Bethlehem Co. secured the contract for armor for one ship at the low price of $249 per ton, at the same time agreeing to manufacture armor for two other ships, if required, at the same price, but in the same report, in Exhibit No. 7, the following statement was noted:

It is known that after the first Bethlehem contract with the Russian Government there was a meeting in Paris of representatives of nearly all, if not all, the armor makers of the world. Whether any definite arrangements were made as to the price to be paid for armor in the

future is not known. It would seem, however, that some general arrangement was reached fixing the minimum price of nickel-steel face-hardened armor of superior quality at not less than about $520 per ton.

On February 8, 1898, Mr. Hale, chairman of the Committee on Naval Affairs, United States Senate, issued a report and hearings before the committee relative to the construction of an armor-plate plant, and in which Hon. John D. Long, Secretary of the Navy, stated that bids were received and opened by the Navy Department for the construction of an armor plant, but that he was not authorized by Congress to contract for same, thus placing the blame direct on Congress. (S. Doc. No. 127, 2d sess. 55th Cong.)

Pursuant to the requirements of the clause in the naval appropriation bill of March 3, 1905, making appropriations for the naval service for the year ending June 30, 1906, for making a thorough inquiry as to the cost of armor plate and armor plant, the Acting Secretary of the Navy, Hon. Truman H. Newberry, issued a report (H. R. Doc. No. 193, 59th Cong., 2d sess.), in which the following statement is made:

From both the Bethlehem and Carnegie companies the board received much interesting information covering the value of investments in their armor plants and the scale of wages at present prevailing therein. Beyond a broad statement of the amount of the capital invested in its armor plant the Midvale company, for reasons of policy, declined to furnish the board with any detailed information along the line of its inquiry; all the companies declined, as violating a proper business secrecy and as contrary to their interests, to submit to the board a detailed statement of the cost of armor production as determined by them.

This same report refers to part 2, House Document No. 151, Fifty-fourth Congress, second session, in which Secretary Herbert makes a supplementary report on the price of armor and the cost of an armor plant. It was deduced that the Carnegie plant was worth $3,000,000; however, Prof. Philip R. Alger and Mr. A. S. Dunham, who were appointed by the Secretary of the Navy to make this appraisement, made a report of their estimate, which was $3,376,000.

On page 32, House Document No. 193, the board again calls attention to the difficulty in securing information from the manufacturers, and goes on to say that—

for obvious reasons each armor-making company has declined to give the board figures showing what it estimates as the actual cost to it of armor production.

However, thus handicapped, they continue on with their investigation, and after having gone over and revised their estimate as given in House Document No. 151, so as to agree with the present cost of labor and material, come to the conclusion that the production cost per ton amounts to $244.27 and the full cost from $273.38 to $295.89.

On May 27, 1913, the Senate passed a resolution requesting information from the Secretary of the Navy with reference to armor plate and its manufacture; and on July 12, 1913, the Secretary of the Navy, through Senate Document No. 129, Sixty-third Congress, states two important things, namely: First, the present situation in regard to armor plate and the reasons which have convinced him that the question of a Government manufactory should be taken up at the earliest possible moment; second, the practical problem that must be solved before the determination as to the wisdom of constructing a Government plant. No figures sufficiently accurate to base an actual appropriation for the construction of an armor-plate factory are at present available, nor can any such figures be obtained until an investigation has been made by some committee or agent given power by Congress to go over the books of steel corporations now making Government armor.

It appears also from this report that the foreign Governments are awakening to the fact that they are being overcharged by the manufacturers of armor plate, which bears out the statement given in Exhibit No. 7, House Document No. 151, that there is a world-wide understanding among the manufacturers to keep up the price. However, France, Russia, Japan, and other countries have built, or are building, plants of their own, while Italy is buying abroad to break up the monopoly there.

This report further states that the last investigation, made at the beginning of President Roosevelt's second term, recommended that a plant be erected; and the appropriation of the year following gave the Secretary money and authority to build such a plant, but for some reason the administration failed to construct a Government plant after authority was given. Later o the armor-plate manufacturers raised their prices from $346 per ton in 1906 to $420 per ton in 1907, and last year they advanced it to $454 per ton.

I have read with considerable amusement editorial comment declaring the idea of the Government building and operating an armor plant revolutionary and impractical, and that a plant operated by the Government would not be a success. No doubt the same argument was used when a powder plant was proposed, but the plant was erected and is now and has been since 1901 operated by the Government. The tables following will disprove by actual application those editorial comments:

Smokeless powder ordered by the Navy from private manufacturers since the establishment of the powder factory at Indianhead, Md.

Year.	Amount ordered.	Cost per pound.	Total cost.
	Pounds.		
1901	100,000	$0.80	$80,000.00
	101,000	.75	75,750.00
	900,000	.70	630,000.00
1902	1,000,000	.70	700,000.00
1903	1,818,000	.70	1,272,600.00
1904	3,012,000	.70	2,108,400.00
1905	5,450,000	.70	3,815,000.00
1906	2,817,000	.70	1,971,900.00
	875,000	.69	603,750.00
1907	1,500,000	.67	1,005,000.00
	1,400,500	.67	938,335.00
1908	3,050,000	.63	1,921,500.00
1910	4,305,000	.60	2,583,000.00
1911	3,000,000	.60	1,800,000.00
1912	1,500,000	.60	900,000.00
1913	830,000	.60	498,000.00
	2,400,000	.53	1,272,000.00
Total	34,058,500	.....	21,475,235.00

No small-arms powder has been ordered by the Bureau of Ordnance since 1901. It has always obtained ammunition for small arms in the form of complete cartridges, either from private manufacturers or from the War Department.

Smokeless powder manufactured at the naval powder factory, Indianhead, Md., since date of completion of the plant.

Year.	Actual weight.	Price per pound.	Invoice price.
	Pounds.		
1901	235,902	$0.484	$114,134.33
1902	484,425	.455	220,393.38
1903	736,469	.438	323,071.12
1904	665,708	.469	312,074.25
1905	708,758	.50	353,212.35
1906	994,598	.462	459,743.10
1907	1,056,614	.44	465,619.74
1908	1,079,895	.459	495,808.63
1909	801,004	.452	362,103.83
1910	837,641	.439	367,630.06
1912	1,056,312	.3379	350,190.14
	1,467,281	.3051	447,692.57
Total	10,104,608	.....	4,273,585.50

The Secretary of the Navy is deeply interested in establishing an armor plant, and gives as his reason that it will break up the combination of the steel interests and give us this necessity at cost. I hereby insert a letter addressed to me September 29th, which gives you his opinion and the benefit of his researches:

SEPTEMBER 29, 1913.

MY DEAR MR. CONGRESSMAN: I am deeply interested to know from you that the Navy Department is to have your earnest support in the effort to secure a Government armor-plate factory, and in view of your advocacy of such a plant I take the liberty of saying to you that I do not believe any permanent relief from prices which are too high and fixed without competition can be had unless such a factory is established. Because this is my absolute conviction, I sent to Congress on July 12 last a letter in response to a resolution of the Senate of May 27 asking for information relative to the cost and manufacture of armor plate. In this letter I earnestly recommended that Congress make a thorough investigation of the cost of a Government armor-plate factory as well as the cost of manufacturing armor plate in private concerns dependent upon Government patronage. There is scant data available at present upon which to base an estimate, but I requested the Chief of the Bureau of Ordnance to make an estimate, which was, in substance, as follows:

"The cost of a plant capable of turning out 10,000 tons a year, which is enough to build one battleship every year, is estimated at $8,466,000, and the cost of the armor at $314 a ton. This estimate is considerably in excess of the figures given the Government by the last board which investigated the subject. But even at this estimated cost of the plant and the cost of $314 per ton of armor plate there would be effected a saving of $140 a ton over the price now paid, i. e., $454. On 10,000 tons the Government would save $1,400,000 per annum. Deducting 4 per cent as the interest on the money used in building the plant, there still remains a net saving to the Government of $1,061,360.

This is a saving well worth the consideration of Congress.

The three companies equipped for turning out armor plate—Carnegie, Bethlehem, and Midvale—have for years been getting the Government contracts at practically their own figures. There has been but the slightest variation in their bids—a few dollars one way or the other. I hoped it would be different this year, but when bids for the armor of battleship No 39, now building, were opened during the latter part of August it became more than ever apparent that if the Government is to secure the benefits of competition additional responsible sources of supply must be secured, even if it is necessary for the Government itself to go into the business of erecting an armor plant. In response to the department's invitation for bids the prices named by the Carnegie, Bethlehem, and Midvale companies on armor were precisely the same, viz: On class A-1, $454 a ton; on class A-2 (turret armor), $518 a ton; on class B, $496 a ton; on class C (bronze), $1,875 a ton. On class C armor the Carbon Steel Co., of Pittsburgh, put in a bid of $448 a ton—$190 a ton lower than any of the other three—and were awarded the contract. Unfortunately, the Carbon Steel Co. is not in a position to make the heavier armor. The three companies submitting identically the same bids, even to the minutest particulars, strangely enough attest in affidavits submitted with their respective bids that "said company is not engaged in any such combination, agreement, conspiracy, or understanding as is prohibited by the naval appropriation act of August 22, 1912." Thus is afforded to science and psychology probably the most startling instance of telepathy on record.

I refused to accept these bids unless the companies laid before me figures as to the cost of production which would justify their rates. They all offered to give me the figures if I would see them in confidence, but, as I was acting as a public official, I could not accept their offer. Any information given me must be open to Members of Congress and the public.

I feel sure that Congress will not fail to back up the department in whatever steps seem best to obtain armor at a fair price. The untold possibilities for saving in a Government armor plant are indicated by the fact that the Government is now manufacturing a good part of its own guns for the armament of its ships, and also a large part of its own powder, at greatly reduced prices over those formerly paid to private concerns. The output of the Indian Head powder factory, operated by the Government, is about 3,000,000 pounds of powder, new and reworked, per year, and it is estimated by the Bureau of Ordnance that the saving over powder bought on contract is 23 cents a pound, which makes the annual saving to the Government by its own manufacture $690,000. It is estimated that, considering the building program for this year, the annual requirements for the next four years would be 6,650,000 pounds, and at a cost of 23 cents per pound the annual saving to the Government would amount to $1,529,500. As to the saving on guns, it is estimated that fifteen 14-inch guns, would cost by contract $1,188,000 and by Government manufacture $825,000, representing a saving of $364,000; of twenty-eight 5-inch guns, by contract $289,800, and by Government manufacture $212,800, a saving of $77,000. The battleship building program for 1914 contemplates one battleship, six destroyers, one transport, and one supply ship. It is estimated that the armament for these vessels would cost the Government $1,856,560 if bought in open market and $1,274,110 if manufactured at a Government gun factory. The saving in the latter case would be $582,440. If we can save so much by manufacturing a part of our powder and guns, it stands to reason that we could save more by manufacturing our own armor.

As a matter of fact, within the past few weeks the hospitality of the Navy Department to competition has resulted in the saving, in round figures, of half a million dollars on the equipment of battleship No. 39. The Government has saved this much on a comparatively small part of what goes into the battleship. If we can reduce the price on structural steel, medium steel plates, castings for turbines, etc., why not on armor plate? The old identical price of Bethlehem and Midvale on structural steel plates had been set at about $284 a ton. There was a welcome newcomer which ventured in when the bids were opened, on August 22—the Carbon Steel Co.—and its bid was $187.04 a ton, a saving on the 3,800 tons required of $387,261. This was 34 per cent less than the previous prices. Bids on other material, with outside competition, resulted in a saving of $19,000 on medium steel plates and of over $2,000 on angles, irons, and similar small parts. When it came to the castings for the enormous turbines of No. 39, Bethlehem and Midvale, apparently feeling safe in their conviction that they were the only plants capable of tackling the manufacture of these huge forgings, submitted bids of $160,272 and $169,568, respectively. But the new policy of the department had attracted the attention of a great foreign firm, which instructed its New York agents to put in a really competitive bid. Its price was only one-third of that offered by the two American firms. It was against the desire of the department to go abroad for anything that could be purchased at home, but the situation demanded heroic treatment, and the bid of the English firm was accepted at a saving of $102,000 on this item alone. Thus, on the turbine forgings, the structural steel, etc., the saving has run over the half million dollar mark, thanks to competition.

Of course I recognize that there are difficulties in the way of any new departure, and it is not my desire that the Government should make all the armor plate needed, if private concerns shall meet us on a competitive basis. But this is too great a Government to sit still and allow any two or three companies to fix identical prices. Unless something is done they have the Government at their mercy.

Thanking you for your cooperation, I am,

Faithfully, yours, JOSEPHUS DANIELS.

Hon. S. R. BARTON,
House of Representatives, Washington, D. C.

The first investigating committee, like a new-born calf, wended its wabbly way through the meadow and emerged at the starting place without gathering much substance and each subsequent investigation has followed the same winding trail with the same result. We have not secured enough reliable data on which to base a plan for introducing a bill for the erection of an armor plant. While we know that it would be a great saving to the Government, to be businesslike, we should know the cost of erecting a plant and the cost of producing the different grades of armor plate.

The Secretary in his letter of July 12, Senate Document 129, recommended that Congress make full, thorough, and early investigation of the cost of an armor-plate factory and the cost of manufacturing armor plate in concerns dependent upon Government patronage.

Promptly responding to his recommendation I introduced House resolution 204, July 18, which reads as follows:

Resolved, That the Commissioner of Corporations be directed, and he is hereby authorized, to make a full and complete report of the cost of an armor-plate factory and the cost of armor plate and gun forging in factories owned by concerns dependent on Government patronage, and that he report his findings to this body within four months after the adoption of this resolution.

This resolution is now in the hands of the Naval Committee, and I plead for an early favorable report.

Coming from a purely agricultural country, I am deeply interested in this subject and can see great future possibility in the development of semiarid sections of our great country; but to secure results Government assistance is necessary and Government funds could not be turned into more profitable channels for the benefit of the people as a whole.

In the last 17 years, or dating from the Forty-sixth Congress, when the first agricultural appropriation was made as a separate and distinct item, we have appropriated for agriculture $146,151,999.06. At the same time and for the same period we have appropriated to the Naval Department $1,718,759,451.97. These appropriations tell more than pages of record. I do not desire to be understood as opposing adequate appropriation for the Army and Navy, but I do desire to be understood in standing for economy in the conduct of these great departments to the end that the great savings that it is possible to make may be turned into the agricultural development of this great country.

The Secretary has told you in his letter about the savings of our powder plant. The actions of Congress in the years past proves that they were convinced that an armor plant would be a great saving to this country. The fact that other countries have installed plants prove their conviction. Why should we longer delay? We have bureaus empowered to go to the very heart of all other business of this country; we have done what the world proclaimed was impossible—built the Panama Canal. Must we with all our power, all our strength, and all our intelligence again run up the white flag for the steel barons?

This temporary saving spoken of by our Secretary only comes when the trusts are threatened. Just as soon as danger clouds disappear they again, like Shylock, demand their pound of flesh. The great majority of this Congress has declared that they were in favor of economy in Government, and I feel sure that with me they will plead for early action on this resolution, so that we can free ourselves from the tremendous selfish power of this trust, a power exercised so potently when our Nation is at peace and so arbitrarily when our Nation is involved in war. In taking this action and saving our country over a million dollars annually, we at the same time deal a tremendous blow to the mother of trusts—the Steel Trust.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

The SPEAKER. The gentleman from Illinois [Mr. MANN] is recognized for five minutes.

Mr. MANN. Mr. Speaker, there are 107 Senate amendments to this deficiency bill. The other day I offered, on behalf of this side of the House, to have debate and consideration of an even 12 of those amendments and let the rest go to conference and be considered as the House might dispose of them. Gentlemen on that side of the House, being always afraid of debating questions, always afraid to have these subjects fully considered in public, being unable to do it in a secret caucus on this occasion, objected and proposed to have matters disposed of in secret conference. [Applause on the Republican side.]

There has been some discussion this afternoon, and so far it has been confined to but one amendment, although there are a number of other amendments in the bill of far greater importance, except to the pap suckers, to the patronage suckers, to the place hunters, the men who try to destroy instead of building up the Government.

Now, we have been two days in the House with a majority of the House absent, and a majority of the House is still absent; and while gentlemen on that side who are here are all earnestly or practically all earnestly in favor of breaking down the civil-service law, they have not yet been able to get their conferees here and a majority of the House is still absent, although the Chair is not yet required to take notice of that fact.

We have had nothing else to do except to consider these items. There never was such a good opportunity for the House of Representatives to show that it could give consideration to public questions in the way of amendments to a bill as has been given this week. But gentlemen on that side of the House have been afraid to meet these questions.

In reference to amendment No. 8, the civil-service amendment, the President now has the power to do what you propose to do, but he is afraid to exercise that power and proposes to hide behind an unnecessary provision in the bill. [Applause on the Republican side.] And so he refuses to veto it, but hides behind it.

Mr. KINKEAD of New Jersey. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from New Jersey?

Mr. MANN. I do not yield to the irrepressible gentleman from New Jersey. [Laughter.]

The SPEAKER. The gentleman from Illinois declines to yield.

Mr. MANN. Why does not the President take the responsibility? The President has the power; he is leading you around; you do not dare to adjourn and go home. You all want to go home and adjourn after this bill is finished. You could do it in a few minutes. But the President is afraid, and you are afraid, to adjourn. If we have to remain here to discuss this bill and other bills, gentlemen should be here. This bill goes to conference by the rule. When it comes back, where will gentlemen be? Will they be here when the conference report comes back? Will they stay?

SEVERAL MEMBERS. Yes.

Mr. MANN. The gentleman from New York [Mr. FITZGERALD] confesses he would not be here if he were not compelled to be, but says if he were not compelled to be here he would go away.

Mr. FITZGERALD. Oh, no; the gentleman is mistaken.

Mr. MANN. If Congress, which has not the nerve on your side to say to the President, "We have finished our business for this session and propose to go home, where we belong at this time"—if Congress, failing to do that, proposes to stay here, I propose to do the best I can to keep them here [applause on the Republican side]——

Mr. BARTLETT. That is all right——

Mr. MANN. In the hope that they will attend to business. If I have to stay in Washington to watch Democrats I want enough of them to watch to make it useful and playful to me. It takes more than an ordinary bunch of them to lend the usual fun.

Mr. CAMPBELL. Mr. Speaker, how does the time stand?

The SPEAKER. The gentleman from Kansas has nine minutes remaining and the gentleman from Georgia nine minutes remaining.

Mr. HARDWICK. Mr. Speaker, I yield two minutes to the gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. Speaker, we all recognize the fact that the gentleman from Illinois [Mr. MANN] is actuated solely by patriotic motives in undertaking to filibuster against the passage of this bill now under consideration, and we recognize how honest and sincere he is about maintaining the civil service now that the Democrats have charge of the Government.

It is impossible for me to express my ideas on some of these amendments in two minutes. I expect to vote against this rule, because I do not wish to be understood as voting to disagree to Senate amendment No. 8, taking deputy United States marshals and deputy revenue collectors out of the civil service. I shall vote for this amendment, because I believe that every United States marshal and every collector of internal revenue ought to have the right and the power to name his own deputies without going to a civil-service list and having to select some man or having some man selected for him whom he does not know or has never seen. [Applause on the Democratic side.]

Neither am I in sympathy with the Senate amendment, Mr. Speaker, which proposes an expenditure of $7,000 for an automobile for the Vice President. [Applause.]

I am not in sympathy with that amendment which appropriates $25,000 to be expended by a commission to look into plans for the building of a memorial bridge. We have committees of this House whose duty it is to look into such matters as this, and a subcommittee of the Committee on Interstate and Foreign Commerce has already been appointed and has been at work looking into the matter of the construction of this proposed bridge. Neither am I in sympathy with the amendment of the Senate which appropriates $400,000 to construct a building here in Washington to memorialize somebody. I am in sympathy with the organization, the purposes, and the great work of the Red Cross Society. I think it has accomplished much and has measured up to a great need in this country in administering to the wants and requirements of suffering humanity everywhere. But I do not conceive it to be a proper expenditure of the people's money to erect a costly building such as is proposed at Government expense merely as an ornament to what has already been accomplished.

But, Mr. Speaker, I am in sympathy, as I stated a moment ago, with the amendment proposed by Senator OVERMAN taking these deputy marshals and deputy collectors from under the protection of the civil service; and I deny the statement of the gentleman from Illinois [Mr. MANN] that the President is afraid to issue an Executive order taking them out of the civil service, and I demand, if he has any proof of the President's fear on that subject, that he produce it and not make charges indiscriminately that the President is afraid to do it. The question here is not whether the President is or is not afraid to issue such an order. Everybody knows, even the gentleman from Illinois [Mr. MANN] knows, if he would admit it, that the President is not afraid to issue such an order if he thought it was his duty to do it. But if the President were afraid to do it, which he is not, the Members of this House are not afraid to do it, and we propose to do it. [Applause on the Democratic side.]

Mr. MANN. Mr. Speaker, does the gentleman want the proof now?

Mr. BARKLEY. Yes; if you have any proof.

Mr. MANN. The President has the power to do it. Why has he not done it?

Mr. BARKLEY. Because he may not be in favor of doing it or he may not want it done. I do not know what his sentiments are upon this amendment, but he recognizes the fact that Congress has a right to legislate upon this subject, and the mere fact that he has not issued an Executive order taking these offices from the classified service does not indicate that he is afraid to do it or that we ought not to do it here in this House. [Applause on the Democratic side.] I called on the gentleman to produce the proof in support of his statement. He has produced none. But, on the contrary, the proof is that the President is not afraid to do anything that he thinks ought to be done and that he wants done. [Applause on the Democratic side.]

You may as well tell me that a sheriff of a county ought not to have the right to name his own deputies or that a county clerk ought not to be permitted to name his own deputies as to say that a United States marshal or collector of revenue ought not to have the right to do the same thing. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. CAMPBELL. Mr. Speaker, does the gentleman from Georgia [Mr. HARDWICK] desire to use any more of his time now?

Mr. HARDWICK. Not at present.

Mr. CAMPBELL. Mr. Speaker, the officers of the Civil Service Reform Association should be in the galleries here to-day to note the applause that every assault upon the merit system has received from the Democratic majority in this House. That applause simply expresses the sentiment of the Democratic Party and indorses the assaults that have insidiously been made upon the merit system since the 4th day of March of this year. It was given out to the country by this administration immediately upon its inauguration that the merit system would not be disturbed. Statements were given to the press that went further than that, that the political officeholders whose commissions had not expired and who were rendering faithful service would not be disturbed during the life of the commissions under which they were holding office. The country took the word of the leader of this administration and applauded it throughout the land when he said to the country that he was not going to run a purely political administration in his conduct of the civil service of the country. But within 48 hours after the statement had been given to the country a political distribution of offices began, and has been going on ever since just as fast as Democratic Representatives and Senators could agree on men to take the offices.

Mr. FRANCIS. That is right.

Mr. CAMPBELL. I was sure no man would dispute the fact. The Democratic platform, however, indorsed the merit system and pledged the administration to the enforcement of the civil-service laws of the land.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL. I decline to yield. I could give instances, if it were necessary to do so, to show the perfidy of this administration with regard to the administration of the civil-service laws of the land, and to show how absolutely insincere the President and his advisers were when they gave out to the country that they were going to retain the officers until the terms of the commissions expired who were holding under commissions confirmed by the Senate.

I know of a number of instances in which men of the highest grade of ability, who were rendering the very best possible service to the country, were removed to make place for mere politicians. That has been done in the Pension Office and has been done in the Post Office Department. It has been done in every department of the Government. The civil-service laws have been ignored in the departments of this Government. Men who have been serving their country as civil servants, known to be Republicans, have been told by the heads of the departments that they must take a reduction to a mere clerkship from the position of chief of bureau or get out of the service, and the only reason for that direction to these chiefs of bureaus was the fact that they were not Democrats. This action has occurred in the Department of Agriculture, which is in direct violation of the civil-service law, and yet the President would hold out to the country that he is a civil-service reformer.

Mr. BARTLETT. Mr. Speaker, may I ask the gentleman a question?

Mr. CAMPBELL. I yield for a brief question.

Mr. BARTLETT. Is it not a fact that the present Assistant Secretary of Agriculture, Dr. Galloway, is the same man who has been in the Department of Agriculture for years; and is it not a fact that the man appointed as chief clerk down there the other day is a lifelong Republican, and that he was appointed by the present Secretary of Agriculture?

Mr. MANN. It must hurt you bad over there.

Mr. BARTLETT. It does hurt me very bad.

Mr. CAMPBELL. This administration is only about six months old——

Mr. SHERLEY. Will the gentleman permit a question?

Mr. CAMPBELL. I yield to the gentleman.

Mr. SHERLEY. Has the gentleman reported and taken up with the Civil Service Commission these violations of law of which he speaks?

Mr. CAMPBELL. I have talked to a Republican member of the Civil Service Commission, who has been asked for his resignation——

Mr. SHERLEY. But has the gentleman made a formal complaint to the civil-service authorities instead of standing here and talking about being an advocate of civil service?

Mr. MANN. We have the right as legislators to call attention to these facts without having to go to the departments and——

Mr. CAMPBELL. I do not crawl on my knees to a political Civil Service Commission to tell them the civil-service law has been violated, because they know it.

Mr. SHERLEY. The head of that commission was not appointed by this administration.

Mr. CAMPBELL. He is a Democrat.

Mr. SHERLEY. The gentleman ought to be fair.

Mr. CAMPBELL. My recollection is—I know one of the avowed Republican members of the commission has resigned because he would not violate the very letter and spirit of the civil-service law.

Mr. SHERLEY. What proof has the gentleman of that statement? The gentleman says he knows it; give us the proof besides his statement.

Mr. CAMPBELL. I can give you proof if it becomes necessary.

Mr. SHERLEY. I do not think any man who has not the proof ought to stand upon this floor and make a charge involving the honor of men.

Mr. CAMPBELL. Consult the Republican member of the Civil Service Commission who has been recently asked for his resignation.

Mr. SHERLEY. The gentleman comes and makes a charge, and he becomes responsible for it.

Mr. CAMPBELL. I am responsible.

Mr. SHERLEY. Well, make your proof.

Mr. MANN. Give us time and we will give you plenty of proof.

Mr. CAMPBELL. Why, the proof of it is in every department of the Government civil service where employees have been replaced by Democrats.

Mr. FITZGERALD. They are incompetent.

Mr. CAMPBELL. They are not incompetent.

Mr. POU and Mr. FITZGERALD rose.

The SPEAKER. To whom does the gentleman yield?

Mr. CAMPBELL. I do not yield to anybody.

The SPEAKER. The gentleman declines to yield.

Mr. POU. Mr. Speaker, will the gentleman permit a question?

Mr. CAMPBELL. I yield to my colleague on the committee for a question.

Mr. POU. I desire to ask the gentleman if he knows any worse betrayal of the civil-service law than President Taft's order covering thirty-odd thousand postmasters into the service without an examination?

Mr. CAMPBELL. That was in the interest——

SEVERAL DEMOCRATIC MEMBERS. Of what?

Mr. CAMPBELL (continuing). Of efficiency and the classified service, classifying men into the civil service who had shown efficiency as postmasters, following exactly the example set by Grover Cleveland during the closing days of his administration. Cleveland covered these deputy marshals, deputy internal-revenue collectors, and many others into the civil service. I had a Democratic deputy internal-revenue collector in my district and he remained through the McKinley and Roosevelt and Taft administrations.

Mr. POU. Even if Mr. Cleveland did what he ought not to have done, I want to ask the gentleman candidly if he thinks the order of President Taft was in furtherance of the merit system?

Mr. CAMPBELL. I do. [Laughter on the Democratic side.] I think it was in the interest of the postal service, and this has been shown conclusively by the efficiency and economy of the administration of postal affairs in the country.

The SPEAKER. The time of the gentleman has expired.

Mr. HARDWICK. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has seven minutes.

Mr. HARDWICK. I yield that to the gentleman from Illinois [Mr. FOSTER].

Mr. FOSTER. Mr. Speaker, it may be an easy thing for any gentleman upon the other side of the Chamber to rise in his place upon this floor and state upon his responsibility as a Representative that there has been perfidy in the administration of the civil-service law by the President and those who are in authority, and yet we have no further proof of this fact except the statement of the gentleman from Kansas, which nobody, I think, upon this side at least, and some of those on the other side of this House, would accept as being the case——

Mr. MANN. We will accept it all right.

Mr. FOSTER. Mr. Speaker, we have heard a good deal about civil service to-day; and, gentlemen, we all believe in the merit system.

There is not anybody here who does not have that idea, and yet we have seen the civil-service law in the last 16 years administered entirely in the interests of one party. It has been stated that 90 per cent of all the officeholders of the country under the civil service come from one party.

Mr. MANN. Nobody believes that.

Mr. FOSTER. Well, it is true. The gentleman may sit there and deny the fact, but he simply denies it because he does not know the facts.

I have not the time, and do not yield at this particular time to answer my colleague further on that point. He made the statement upon the floor of the House in reference to the President of the United States, charging him with being a coward. Why, Mr. Speaker, the gentleman from Illinois must realize, as every other man on that side of the House must realize, that if there is one attribute which the President has it is the courage of his convictions. [Applause on the Democratic side.] He has brought that side of the House to a realization of the force of his character and the courage to make them stand up and vote upon some propositions that they did not like to vote upon, and that their party had dodged for a long time.

Mr. MANN. We have not found them yet.

Mr. FOSTER. Mr. Speaker, the rule which we have before us for adoption to-day means the sending of these amendments to conference, with the statement of the gentleman from New York [Mr. FITZGERALD], chairman of the Committee on Appropriations, that there are certain ones that will be brought back here on which the House will have an opportunity to vote; and I think it is the duty of the Members on this side of the House to stand by this rule and adopt it and get this bill into conference just as soon as possible. The statement has been made by the minority leader that without a quorum we will be unable to transact any business whatever. After remaining here in session the whole summer through, having passed the best tariff bill that was ever passed in the history of the Government, now waiting for the Senate to act upon the currency bill, which the President has asked to be passed and the American people want, I ask you to-day to adopt this rule and then on the conference report we will have an opportunity to vote upon some of these propositions that you do not stand for, that I do not stand for and propose to vote against.

I want to say that so far as amendment No. 8 is concerned I stand for a proposition of that kind [applause on the Democratic side], because I believe when a chief selects his aids, the men who personally represent him, the men who must go out and look after interests directly concerning him, he should have the opportunity to select the men whom he wants to transact that business.

Why, you remember that in a previous Congress a bill was passed to pay $173,000 for a shortage in the Subtreasury in the city of Chicago. We paid in St. Louis $61,000 of a shortage which occurred in the Subtreasury located in that city.

The claim was made upon this floor that we ought to remit that money to the subtreasurers for the reason that these clerks were in the office and the subtreasurers were compelled to take them and had no alternative of getting men of their own selec-

tion. In this case all we ask is that these men, these deputy revenue collectors and deputy marshals, who represent the United States marshal and the revenue collector, shall be taken out from under this civil service, and that the collectors be given an opportunity to appoint the officials that they desire to have in those offices.

Mr. BURKE of Pennsylvania. Will the gentleman yield?

Mr. FOSTER. Yes, sir.

Mr. BURKE of Pennsylvania. Does the gentleman believe the President will sign this bill containing this provision, unless he is in favor of its enforcement?

Mr. FOSTER. I have no doubt, Mr. Speaker, so far as my opinion is concerned, at this time—of course I do not know what the attitude of the President will be—but I believe that as a good Democrat and wise statesman that he is, and standing with Congress as he has stood, and as Congress has stood with him, if this Democratic Congress passes this bill as it will finally be passed, he will sign it. The President stands for an honest enforcement of the civil service, but he is trying to correct some of the abuses of the law which have existed in the past.

Mr. BURKE of Pennsylvania. Then the gentleman does not agree with his colleague who stated a few moments ago that he did not know what the President's attitude was, but if the President were opposed to this you proposed to force him to it?

Mr. FOSTER. We are not proposing to force the President. We are not obliged to force the President. We have faith in him that he will do what is right. The President of the United States is ready and anxious to do what is right by the American people, and he does not have to be forced to do what, in his judgment, is for their best interests. You may think the proper thing to do is to force a President to do certain things; Democrats do not have to do that with their President. [Applause on the Democratic side.]

Mr. BURKE of Pennsylvania. If that is the case, then what is the purpose or necessity of adding legislation when he already has the power?

Mr. FOSTER. Congress desires to express its will to the President of the United States, and Congress has a perfect right to do so. I will ask the gentleman from Pennsylvania [Mr. BURKE] if he has read in the RECORD of anyone on that side who has arisen in his place to call the attention of a former President or the country to the fact that men had been taken from under the civil service by Executive order? No one on the other side has ever called attention to any abuses under the present civil-service law. Many abuses of the law could be found, but gentlemen on that side did not want to find them. They were satisfied so long as members of their own party were being appointed and promoted. No; when it comes to removing men from the civil service and giving them an opportunity to put in men of their own kind there is no objection from that side of the House; but now, when the gentleman from Pennsylvania [Mr. BURKE] sees that a few of these pap suckers, who have been on the pay roll for years, have a chance of vanishing, he is very much afraid that some great injustice will be done to the merit system of the country. [Applause on the Democratic side.]

Mr. BURKE of Pennsylvania. Does not the gentleman sincerely believe that this is what will happen in case the bill passes: That the President will sign it and make another apology to the people of the United States for another piece of bunko on the part of the Democratic House? [Applause on the Republican side.]

Mr. FOSTER. Oh, the President does not have to make an apology. [Applause on the Democratic side.]

Mr. BURKE of Pennsylvania. Did he not make an apology when he signed the sundry civil bill with its vicious class legislation?

Mr. FOSTER. In the last administration it was not necessary for you to make an apology, because the country kicked you out so earnestly and forcibly that you did not have time to apologize before you went. [Applause and laughter on the Democratic side.]

Mr. BURKE of Pennsylvania. The difference between our party leader—our President—and yours is that our party President had the courage to veto an obnoxious measure, whereas your President attached his signature to it and apologized to the world for doing it, admitting he did wrong. [Applause on the Republican side.]

Mr. FOSTER. The last President called on his party for solidarity for his policies and made an apology to the American people when he signed the Payne bill, and you saw very soon what the solidarity of your party meant in the country. [Applause on the Democratic side.]

Mr. BARKLEY. Is it not a fact that the country has been apologizing ever since for putting them in power? [Applause on the Democratic side.]

Mr. FOSTER. Oh, there is no question about that. The administration has changed. The party to which the gentleman from Pennsylvania [Mr. BURKE] belongs is out, and, we hope, is out to stay. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman from Illinois [Mr. FOSTER] has expired. All time has expired. The previous question is considered as ordered.

Before the Chair puts this question, he wants to make a remark or two to the House. Part of the business of the Speaker is to maintain order and decorum. When a Member gets the floor and is recognized, whether for one minute or one hour, or for any other length of time, he is entitled to the floor. Any gentleman who wants to interrupt him must first address the Speaker. The Speaker asks the permission of the gentleman on the floor, asks the gentleman on the floor if he yields, and if he does not yield, the gentleman interrupting ought to sit down, and stay down. It creates an unseemly scene. The Speaker does not like to name a gentleman, as he has the right to, and he does not like to send the Sergeant at Arms after him. Some of the oldest Members of the House are the greatest offenders in this matter of interruptions.

Another thing; no Member is permitted to sit in his seat and inject remarks in another gentleman's speech. It is disconcerting; it creates disorder; and it is not right; and the Chair asks the Members to refrain from that practice.

Another thing; so far as the Speaker is concerned, he is absolutely at the mercy of the Members about parliamentary inquiries. If a gentleman gets up and states that he has a parliamentary inquiry, he ought really to have one, because the Speaker, when a gentleman says that he rises to a parliamentary inquiry, must, under the rule, recognize him. It is not fair to inject a stump speech into a parliamentary inquiry. Of course the Chair takes no exception to arguing things that are really parliamentary inquiries; but every Member, when he sits down and studies about it, will confess that he wants to see the business of this House transacted in decency and in order, and the present occupant of the chair is going to enforce that rule with all the power he has. [Applause.] The Chair will enforce it hereafter to the extent of naming Members who do not obey the mandate of the Chair [applause], and if that does not do any good, the Chair will send the Sergeant at Arms after them. [Applause.]

The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER. Under the resolution House bill No. 7808, with the Senate amendments, is taken from the Speaker's table, the amendments of the Senate are disagreed to in gross, the conference asked by the Senate is agreed to, and the Speaker, without intervening motion, appoints the conferees. The Clerk will report the names of the conferees on the part of the House.

The Clerk read as follows:

Messrs. FITZGERALD, BARTLETT, and GILLETT.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CHANDLER] be permitted to address the House for 30 minutes.

Mr. UNDERWOOD. Mr. Speaker, I have no objection to the gentleman from New York [Mr. CHANDLER] making a speech, but I think it is possible that the conference report on this bill may come back this afternoon. I would like to couple with the request of the gentleman from Illinois [Mr. MANN] the additional request that at the end of the 30 minutes granted to the gentleman from New York [Mr. CHANDLER] the House stand in recess until 4 o'clock.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent——

Mr. DONOVAN. Mr. Speaker, reserving the right to object, as this requires unanimous consent, I ask to be allowed 10 minutes——

A MEMBER. Make it five——

Mr. DONOVAN. Five minutes in connection with the request of the gentleman from Illinois.

The SPEAKER. The Chair did not understand the gentleman's request exactly.

Mr. DONOVAN. My request is that I be allowed to address the House for five minutes.

The SPEAKER. At the conclusion of the remarks of the gentleman from New York [Mr. CHANDLER]?

Mr. DONOVAN. Yes.

Mr. UNDERWOOD. If the gentleman will allow me, I ask unanimous consent that the gentleman from New York [Mr. CHANDLER] address the House for 30 minutes and the gentleman from Connecticut [Mr. DONOVAN] for 5 minutes, at the conclusion of which time the House shall stand in recess until 4 o'clock this afternoon.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the gentleman from New York [Mr. CHANDLER] be permitted to address the House for 30 minutes. The gentleman from Alabama [Mr. UNDERWOOD] amends that request by asking that five minutes be granted to the gentleman from Connecticut [Mr. DONOVAN] at the end of the address of the gentleman from New York [Mr. CHANDLER], and that at the end of the 5 minutes granted to the gentleman from Connecticut [Mr. DONOVAN] the House stand in recess until 4 o'clock. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I desire to get some information. Suppose the conferees are not ready to report at 4 o'clock?

Mr. UNDERWOOD. If they are about ready to report, I shall then ask the House to remain for a time. If it appears at that time that they can not get ready to report this evening, then I shall ask for an adjournment.

Mr. FITZGERALD. Mr. Speaker, I think it possible that the conferees will probably be ready to report by 4 o'clock.

Mr. BARTLETT. We will have to put the conference report in the RECORD in any event, the gentleman from Illinois will remember.

Mr. MANN. Mr. Speaker, I have no objection to the request.

The SPEAKER. Is there objection to the request of the gentleman from Illinois as amended by the gentleman from Alabama? [After a pause.] The Chair hears none, and at the conclusion of the addresses the House will automatically stand in recess until 4 o'clock.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CONRY, indefinitely, on account of serious illness of his father.

To Mr. DUPRÉ, indefinitely, on account of death in family.

To Mr. FINLEY, indefinitely, on account of illness.

To Mr. ADAIR, indefinitely, on account of illness.

To Mr. DALE, indefinitely, on account of illness.

To Mr. UNDERHILL, for three days, on account of death of a friend.

To Mr. DAVIS, indefinitely, on account of illness in family.

To Mr. PATTEN of New York, indefinitely, on account of illness.

To Mr. WEAVER, indefinitely, on account of serious illness of a member of his family.

EXTENSION OF REMARKS IN THE RECORD.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. PAGE. Mr. Speaker, I ask unanimous consent to print in the RECORD a speech made by Mr. SHACKLEFORD, a Member of the House from the State of Missouri, at Detroit, Mich., on September 30 before the Good Roads Congress.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to print in the RECORD a speech by Judge SHACKLEFORD, of Missouri, made at Detroit recently on the subject of good roads. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask if the gentleman's colleague, Mr. BORLAND, is around anywhere. He usually objects to these requests, and I was wondering where he is.

Mr. PAGE. Possibly I preferred this request because he was not present. I hope the gentleman from Illinois will not take his place.

The SPEAKER. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent that if I do not conclude my remarks in the five minutes allotted to me, I have permission to extend them in the RECORD.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that in the event he does not conclude his remarks in the five minutes granted him, at the conclusion of the address of the gentleman from New York [Mr. CHANDLER], he may extend his remarks in the RECORD. Is there objection?

There was no objection.

The SPEAKER. The gentleman from New York is recognized.

PERSECUTION OF JEWS IN ROUMANIA.

Mr. CHANDLER of New York. Mr. Speaker, I wish now to address myself to the subject of Roumanian persecution of the Jew in defiance of the treaty of Berlin, and I preface my remarks by reciting a joint resolution which I have introduced this afternoon.

The joint resolution is as follows:

House joint resolution 138.

Whereas the following is the literal text of Articles XLIII and XLIV of the treaty of Berlin of July 13, 1878:

"XLIII. The high contracting parties recognize the independence of Roumania, subject to the conditions set forth in the two following articles.

"XLIV. In Roumania the difference of religious creeds and confessions shall not be alleged against any person as a ground for exclusion or incapacity in matters relating to the enjoyment of civil and political rights, admission to public employments, functions, and honors, or the exercise of the various professions and industries in any locality whatsoever.

"The freedom and outward exercise of all forms of worship shall be assured to all persons belonging to the Roumanian state, as well as to foreigners, and no hindrance shall be offered either to the hierarchical organization of the different communions or to their relations with their spiritual chiefs.

"The subjects and citizens of all the powers, traders or others, shall be treated in Roumania, without distinction of creed, on a footing of perfect equality."

Whereas the Government of Roumania accepted the terms of said articles of said treaty as a condition precedent to the recognition of her independence; and

Whereas it is a matter of certain knowledge that the Jews of Roumania, numbering about 250,000, have been the barbarized and impoverished victims of Roumanian discriminatory legislation and of Roumanian riots and massacres for a period of more than 30 years in violation of both the letter and the spirit of the treaty of Berlin: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of the American Congress that the interests of civilization, the rights of humanity, the principles of eternal justice, and the dignity and sanctity of international law demand that the signatory powers of the treaty of Berlin compel Roumania to observe the stipulations of the treaty of Berlin in the matter of the treatment of the Jews.

Resolved, That the Secretary of State be requested to transmit a copy of this resolution to the Governments of Great Britain, Germany, Austria, Russia, France, Italy, and Turkey.

Mr. Speaker, in all the history of prejudice the persecution of the Jew has no parallel. Whether born of human wickedness or divine vengeance, Jewish persecution is the strangest of all historical phenomena. When and where it originated and what have been its intensifying and perpetuating causes are still subjects of grave doubt and speculative debate.

When we come to trace the history of prejudice against the Jew and to seek its cause we are led by many labyrinthian paths through shadows of doubt and mystery to a remote antiquity. The popular notion that hatred against the Jew originated in the crucifixion of the Savior is without basis in reason or in fact. The tragedy of Golgotha might have been a perpetuating, an intensifying means, but it was not the origin—the originating principle.

To ascertain the real beginning of Jewish persecution we must antedate the Christian era by several centuries. We must go back to the days of ancient Egypt. We learn from Genesis xliii, 32, that "the Egyptians might not eat bread with the Hebrews: for that it is an abomination unto the Egyptians." Social discrimination and ostracism seem to have been keen and bitter even in those early times. And in the Book of Esther, iii, 8, we find an epitome of much of the complaint made by the anti-Semites and Jew baiters of modern times: "And Haman said unto the king, Ahasuerus, there is a certain people scattered abroad and dispersed among the people in all the provinces of thy kingdom; and their laws are diverse from all people, neither keep they the king's laws." Then Haman added: "If it please the king, let it be written that they may be destroyed." Those were plain, fierce days when thoroughgoing measures were unhesitatingly advised.

How thoroughly the old Romans hated and despised the Jews may be learned from early Roman writers. Cicero, Pro Flacco, says: "Their barbarous superstitions must be fought." "The Jews are nothing but a superstitious nation," says Persius. "Their Sabbath is a lugubrious day," adds Ovid. "They worship the hog and the ass," affirms Petronius. Of course, the charge of worshiping the hog was a gratuitous slander, a lie born of calumny and ignorance and perpetuated by hate and superstition.

In the annual carnivals of ancient Rome the Jews were compelled to play the rôles of clowns and buffoons, were forced to run in the races ridiculously dressed, and were compelled to ride through the streets mounted backward on donkeys, holding the animals' tails in their hands.

When the night of the Middle Ages fell upon the human race Jewish persecution often assumed forms of peculiar malignity and hate. King John of England once caused one of his Jewish subjects to be cast into prison, and then ordered that a tooth should be drawn from his mouth each day until he had surrendered his money. Seven teeth were extracted, one on each subsequent day, until, on the eighth, the unhappy and unlucky man ransomed the remainder of his teeth at the price demanded, 10,000 marks of silver.

In Toulouse, France, it was an ancient custom on certain holidays to slap the Jews in the face publicly and ostentatiously.

All the Jews in town were compelled to assemble in the public square. The Count of Toulouse then opened the miserable proceedings by slapping in the face the elder of the Jewish community, and his subjects followed suit, until all the Jews had been slapped and thoroughly humiliated.

In Germany in the eighteenth century even so grand a King as Frederick the Great persecuted the Jews by contemptible and irritating exactions. He permitted only a certain number of them to marry annually, and then only on condition that they would buy $300 worth of chinaware from his royal porcelain factory. We are reminded by this that Frederick was not only a scholar and philosopher under the tutelage of Voltaire, but that he was a money-maker as well.

But time does not permit a recital of all the laws of ancient and medieval ages whose effect was to embitter the life and degrade the condition of the Jew. The world is already too sadly familiar with the history of his woes. The references already made have been merely academic and introductory.

It now becomes my painful duty to be pointed and practical; to discuss and denounce the brutal and savage persecutions of the Jews by Roumania, reputed to be a Christian nation, pretending to be civilized and enlightened, while violating the most sacred and solemn treaty obligations to her sister nations, while trampling under foot all the charities of the heart, all the tenets of religion, and all the sentiments of humanity; and this at the beginning of the twentieth century, more than a hundred years after the American Revolution established the immortal principle that all just powers of government are derived from the consent of the governed; more than a hundred years after the French Revolution sent the cry of "Liberty, equality, fraternity," reverberating around the globe; and more than nineteen centuries after the Prophet of Nazareth delivered the Sermon on the Mount—the chart of the soul on the sea of life, whose beatitudes are the glorifications of the virtues of meekness, mercy, peace, gentleness, and love.

The modern Kingdom of Roumania was formed by the union of the ancient Principalities of Moldavia and Wallachia. Provinces situated near the mouth of the Danube, having an area of about 50,000 square miles, and occupying an extent of territory some 350 miles in length and 160 miles in breadth. The shape of the country is an irregular half-moon, touching the Black Sea near the center of the crescent.

The people of Roumania proudly boast a classic antiquity in their supposed descent from the Romans who conquered the ancient Scythian Kingdom of Dacia, which was practically the modern territory of Roumania.

If not classic in history the country of Roumania is at least classic and historic in soil, for the legions of Rome, the hordes of Attila, the crusaders of Richard and Barbarossa, and the Cossacks of Peter the Great have crossed its borders and traversed its plains.

The language of Roumania has a groundwork of Latin and Slavonic, with a superstructure of Turkish, Greek, and French.

The social, political, religious, and intellectual life of the people is a strange, weird blending of the cruder forms of occidental and oriental civilizations.

The population of Roumania in 1910 was about 6,850,000. Fully 6,000,000 of these were Roumans or Vlachs; the rest were Jews, Armenians, gypsies, Greeks, Germans, Turks, Magyars, Servians, and Bulgarians.

Of the total population of Roumania the Jews number about 250,000. And it is with the Jews of Roumania, in their relationship as citizens and subjects to the Government of Roumania, and with the Government of Roumania in its relationship to its Jewish population, under binding treaty obligations entered into by Roumania with the great powers of Europe, that I shall hereafter in this address deal particularly and pointedly.

I desire especially to discuss the persecution of the Jews by Roumania, in defiance of the treaty of Berlin of July 13, 1878. I shall, however, in the first place, as a foundation for that discussion, submit for your consideration a classified list of Roumanian laws, passed during the half century preceding the assembling of the congress of Berlin, which were intended to discriminate against the Jews. This list, though short, may be tedious and tiresome to study and contemplate, but it will be decidedly illuminating and enlightening when we come to consider the motive and conduct of the great powers in forcing Roumania, through treaty stipulations, to accord better treatment to her Jewish subjects. The following is a résumé, with authorities cited, of the leading Roumanian legal enactments against the Jews between the years 1802 and 1876:

1803. Alexander Monize forbids Jews to rent farms. (American Jewish Year Book, 1901, p. 48.)

May 18, 1804. Alexander Monize, of Moldavia, forbids Jews to buy farm products. (Loeb, "La Situation des Israelites en Turquie, en Serbie et en Roumanie," p. 212, Paris, 1877, hereafter cited as Loeb.)

1817. Code Cahmachi, section 1430, forbids Jews of Roumania to acquire real property. (Loeb, p. 213.)

By 1818. Code of John Caradja, of Wallachia, repeats the church laws against allowing Jews to be witnesses against Christians. (Am. Jew. Yearbook, 1901, p. 50.)

By 1819. Code of Kallimachor of Moldavia gives civil rights to Jews, who, however, may not own land. (Am. Jew. Yearbook, 1901, p. 50.)

1831. Fundamental law of Moldavia, chapter 3, section 94, orders all Jews and their occupations to be registered; Jews not of proved usefulness are to be expelled; others of same class shall not be allowed to enter. (Loeb, p. 214.)

March 11, 1839. Tax of 60 piasters per annum placed on Jews of Moldavia. (Loeb, p. 215.)

December 12, 1850. No Jew allowed to enter Roumania unless possessed of 5,000 piasters and of known occupation. (Loeb, p. 216.)

May 5, 1851. Appointment of commission of vagabondage at Jassy to determine right of entry of foreign Jews. (Loeb, p. 216.)

June 17, 1861. Circular of Roumanian ministry preventing Jews from being innkeepers in rural districts. (Loeb, p. 217.)

April 12, 1864. Communal law of Roumania permits only those Jews to be naturalized who (1) have reached the grade of noncommissioned officers in the army (2) or have passed through college (3) or have a recognized foreign degree (4) or have founded a factory. (Loeb, pp. 107–108.)

December 4, 1864. Jews excluded from being advocates. (Loeb, p. 124.)

December 7, 1864. Elementary education of all children between the ages of 8 and 12. (Sincerus, "Les Juifs en Roumanie," hereafter cited as Sincerus.)

April 14, 1866. Ghika, Roumanian minister of interior, permits Jews already settled in rural districts to keep farms till leases run out, but they must not renew them. (Loeb, p. 218.)

March, 1868. Law submitted to chamber preventing Jews from holding land, settling in the country, selling food, keeping inns, holding public office, trading without special permits. Jews already settled in rural districts were to be driven therefrom. This was withdrawn April 5 in fear of the intervention of the powers. (Loeb, pp. 169, 311–312.)

June 23, 1868. All Roumanians forced to serve in Army, "but not strangers." (Loeb, p. 109); therefore Jews who served were for this purpose regarded as Roumanians.

December 27, 1868. Jews excluded from medical profession in Roumania. (Loeb, p. 124.) Clause omitted in decree of June, 1871.

January 15, 1869. Jews not allowed to be tax farmers in rural communes. (Loeb, p. 112.)

July, 1869. Note of M. Cogalniceano to French consul at Bucharest refuses to consider Jews as Roumanians. (Loeb, p. 102.)

October, 1869. Extra tax put on kosher meat at Roman and Focsan. (Loeb, p. 127.)

October 25, 1869. Jews prevented from being apothecaries in Roumania, except where there are no Roumanian apothecaries. (Loeb, p. 125; Sincerus, p. 102.)

November 10, 1870. Servian Jews obliged to serve in Army. (Loeb, p. 57.)

February 15, 1872. All dealers in tobacco in Roumania must be "Roumanians." (Loeb, p. 120.)

April 1, 1873. Law forbidding Jews to sell spirituous liquors in rural districts. (Loeb, p. 188.) A license may be given only to an elector. (Sincerus, p. 19.)

These enactments show the legal disabilities of the Jews. But they do not tell the full story of shame and humiliation of a long-suffering and wretched people. Written in the calm and dignified phraseology of the law they can not and do not recount the bloody details of riot and massacre, whose occurrence was the disgrace of civilization and whose horrors compose the blackest chapters of Roumanian history. I will not harrow your feelings with a recital of the details. I shall content myself with a simple and dispassionate discussion of legal rights and treaty obligations in the matter of Roumania and the Jews.

It was at the close of the War of the Crimea that the great Governments of Europe first gave serious attention to the oppressions of the Jews by the rulers of the principalities of Moldavia and Wallachia, the Provinces from which the kingdom of Roumania was afterwards formed. At that time the first decisive effort was made to relieve the legal disabilities of the Jews.

The following articles of the protocol of the conference of Constantinople of the 11th of February, 1856, imposed, it must be admitted, rather exacting terms upon Moldavia and Wallachia:

XIII. All the religions and those who profess them shall enjoy equal liberty and equal protection in the two Principalities.

XV. Foreigners may possess landed property in Moldavia and Wallachia on discharging the same liabilities as natives and on submitting to the laws.

XVI. All Moldavians and Wallachians, without exception, shall be admissible to public employments.

XVIII. All classes of the population, without any distinction of birth or religion, shall enjoy equality of civil rights and particularly of the right of property in every shape, but the exercise of political rights shall be suspended in the case of natives placed under a foreign protection.

The language of these articles was an emphatic and unequivocal declaration in favor of civil and religious liberty for all the inhabitants of Roumania. A complete realization of the protection afforded by these articles would have been all that the Jews could reasonably have asked. But such a thing was not to be. No such blessing was in store for them. The reigning Prince of Moldavia, Gregory Ghika, began at once a course of subterfuge and evasion for the purpose of rendering abortive the intentions and efforts of the powers. He contended that a strict application of the provisions of these articles was impracticable, if not impossible, on account of the great number of unassimilated

Jews in the Principalities; and two years later he presented a memorial to the congress of Paris asking that the realization of the principle embodied in the articles of the protocol of the conference of Constantinople, which he admitted to be excellent within itself, should be left to the discretion of the local Government, which alone, he contended, knew how to apply the principle. His arguments were plausible, if not sound and righteous, and at last, out of deference to the wishes and pledges of Ghika, the powers modified their intentions by the adoption of Article XLVI of the convention of Paris, which runs as follows:

All Moldavians and Wallachians shall be equal in the eye of the law and with regard to taxation, and shall be equally admissible to public employments in both principalities.

Their individual liberty shall be guaranteed. No one can be detained or prosecuted but in conformity with the law. No one can be deprived of his property unless legally for causes of public interest and on payment of indemnification.

Moldavians and Wallachians of all Christian confessions shall equally enjoy political rights. The enjoyment of these rights may be extended to other religions by legislative arrangements.

Indeed, the pledge of Ghika and the expectations of the powers based upon this pledge were that the Jews would be gradually enfranchised and emancipated politically by legislative arrangements. But Roumanian legislation during the past 50 years shows how badly founded were those expectations and how complete has been the evasion of that pledge.

Instead of relieving their legal disabilities, the efforts of the powers to help the Jews through stipulations of the conventions of Constantinople and Paris proved to be a positive misfortune. "So far," says a modern writer, "from ameliorating the condition of the Jews, the convention of Paris by a regrettable accident led to more burdensome disabilities and a more barbarous persecution than they had ever before endured. Under the old organic laws, by which the principalities were governed previously to 1859, the people had no effective voice in the government. Hence there was little cause for jealousy between Christians and Jews, and with the exception of occasional explosions of religious fanaticism, they lived together in harmony. The new order of things established in 1858 destroyed this equality. It gave to the Christian population a monopoly of political power which they were not slow to use against their trade rivals among the unenfranchised Jews. This unfortunate incidence of the convention of Paris was aggravated by the new electoral law under which a preponderating franchise was reserved for the mercantile classes, with whom the Jews, being chiefly of the same classes, most directly competed. The result was that not only was the fulfillment of Article XLVI of the convention of Paris rendered impossible, but the whole influence of the mercantile electorate was employed to obtain the imposition of fresh disabilities upon the Jews and to inflame the religious and racial prejudices of the populace against them. Instead of gradually emancipating them in accordance with the provisions of the convention of Paris, even their status as 'non-Christian Moldo-Wallachs,' acknowledged in that instrument, was denied them. They were assimilated by the civil code of 1864 to aliens, though admitted by the code to be 'indigenes,' and were made dependent on a difficult and tedious process of naturalization for their acquisition of political rights (Arts. VIII, IX, and XVI). Even the privilege was withdrawn from them by the constitution of 1866, which declared (Art. VII) 'that only Christians may obtain naturalization.' Consequently Article XLVI of the convention of Paris remained a dead letter."

In the meantime the Jews of Roumania were more bitterly oppressed than ever. New laws discriminating against them were passed; riots and massacres were renewed with greater fury. They were languishing in a bondage worse than that endured by their fathers in ancient Egypt when hope was revived again among them by the adoption of Article XLIV of the treaty of Berlin of July 13, 1878.

The Berlin congress of 1878 was a gathering at the German national capital of the brainiest and most brilliant statesmen of Europe. The purpose of the congress was to settle the questions growing out of the Russo-Turkish War of 1877–78.

On the 24th of April, 1877, Russia declared war against Turkey with the avowed object of protecting the Christian inhabitants of the Ottoman Empire. Bulgaria, Roumania, Servia, and Montenegro were either tacitly or openly the allies of the Czar. After varying successes the fortunes of war finally favored the Russians, and the fall of Plevna opened the way to Constantinople. The Turks sued for peace, and on March 3, 1878, the treaty of San Stefano was signed. Some of the terms of this treaty were displeasing to several of the Governments of Europe. Austria and England were decidedly dissatisfied. The political changes made and the territorial readjustments provided for in the treaty, together with the exaction of 1,400,000,000 rubles war indemnity, which promised to cripple most seriously the resources of the Turkish Empire for years to come, practically made the Czar permanent arbiter of Balkan affairs. To avert such a catastrophe had been the traditional policy of Austria, and to prevent a result so disastrous to her interests England had waged the war of the Crimea.

Assuming the initiative in the matter Count Andrassy, in the name of the Austrian Government, dispatched a circular note to the signatory powers of the treaty of Paris of 1856 and the London protocol of 1871 suggesting an international congress for the purpose of establishing "the agreement of Europe on the modifications which it might become necessary to introduce into the above-mentioned treaties," in view of the provisions of the treaty of San Stefano. The suggestion of Count Andrassy met with a ready response. Germany was especially willing to cooperate with England and with Austria, her ally, in the assembling of a congress of which her own great statesman, Bismarck, was sure to be the dominating figure. Russia was naturally displeased with the turn events had taken. She felt intuitively that she would lose all that she had gained in the war with Turkey if she consented to the revision of the articles of the treaty of San Stefano by an international conference dominated by her enemies.

But she was powerless to resist. She demanded, however, as a condition of giving her consent to the assembling of the proposed congress and of her participation in its proceedings, that the scope of its powers be limited by the exclusion of certain clauses of the treaty of San Stefano from its consideration. The reply of Disraeli, on behalf of England, to this demand was to mobolize the militia and to bring Indian troops to the Mediterranean. Finding that the diplomatic support which she had hoped to receive from Bismarck had failed her, she took the hint, and finally consented to submit the whole question of the Balkan situation to the determinations of a new international conference.

On the 3d of June, 1878, Count Münster, in the name of the German Emperor, invited the delegates of the signatory powers of the treaty of Paris of 1856 to assemble at Berlin. The invitation was accepted. Great Britain was represented by Lord Beaconsfield, Lord Salisbury, and Lord Russell; Germany by Prince Bismarck, Prince Hohenlohe-Schillingsfürst, and Baron von Bülow; Austria by Count Andrassy, Baron Karolyi, and Baron von Haymerle; Italy by Count Corti and Count Launay; France by William H. Waddington, Félix Désprez, and Le Compte de Saint-Valliers; Russia by her imperial chancellor, Prince Gorchakov, Count Shuvalov, and Paul D'Oubril; Turkey by Alexander Pasha, Ali Pasha, and Sadullah Bey.

These distinguished representatives of the leading nations of the world—lords, princes, barons, counts, ambassadors, and prime ministers—men renowned in statesmanship, diplomacy, law, and letters, convened, and organized the Congress of Berlin, on the 13th day of June, 1878, under the presidency of Prince Bismarck.

On the 13th of July, a month after the assembling of the congress, the treaty of Berlin was signed. It consists of 64 articles.

Two great purposes of the delegates of the congress are revealed in the terms of the treaty:

(1) The reconstruction, upon an equitable basis, of the map of southeastern Europe;

(2) The establishment of the independence of certain Balkan States upon a foundation of civil and religious liberty.

The first great purpose was achieved, in the main, by certain territorial changes. Bulgaria was divided into two parts—Bulgaria proper and eastern Rumelia. Parts of Armenia were given to Russia and Persia. Bosnia and Herzegovina were transferred to Austria, and Bessarabia was restored to Russia.

The second great purpose was accomplished by the recognition of the independence of Roumania, Servia, and Montenegro under terms of guaranty by them of civil and religious liberty to all the inhabitants of their territories.

In the archives of history are few more important documents than the treaty of Berlin. It readjusted the boundaries of kingdoms and empires. It proclaimed the independence of states and the freedom of races. It was, above all, a grand proclamation of religious emancipation.

The conditions of life among the Jews of Roumania were far more pitiable and their political situation was infinitely worse when the Berlin Congress convened in 1878 than they had been 20 years before when the conferences of Constantinople and Paris met. In 1858 the legal status of the Jews was admitted to be that of unenfranchised Roumanians. In 1878 they had been declared to be outcasts and aliens, and were cruelly treated as such. A succession of barbarous persecutions, culminating in riots and massacres had reduced them to such a state of misery and degradation that the pity of mankind was excited

and the indignation of the civilized world found vigorous expression in official protests to the great powers of Europe. This was the state of affairs when Roumania asked the delegates to the Congress of Berlin to recognize her independence as a kingdom.

The representatives of the powers knew well the cunning character of Roumanian statesmanship. They remembered distinctly the subterfuge and chicanery employed to evade the pledges given at the time of the conferences of Constantinople and Paris. They recalled that discretion had been allowed and that it had been abused in the matter of the promise of Ghika to emancipate the Jews gradually by legislative enactment. They now resolved to withdraw all discretion from the Government of Bucharest in the matter of the emancipation of its non-Christian subjects. And to the demand of Roumania that her independence be recognized the powers responded with Articles XLIII and XLIV of the treaty of Berlin of July 13, 1878, which imposed as a condition of recognition the absolute equality of all religious creeds and confessions in the Kingdom. The following is the text of those articles:

XLIII. The high contracting parties recognize the independence of Roumania, subject to the conditions set forth in the two following articles:

XLIV. In Roumania the difference of religious creeds and confessions shall not be alleged against any person as a ground for exclusion or incapacity in matters relating to the enjoyment of civil and political rights, admission to public employments, functions, and honors, or the exercise of the various professions and industries in any locality whatsoever.

The freedom and outward exercise of all forms of worship shall be assured to all persons belonging to the Roumanian State, as well as to foreigners, and no hindrance shall be offered either to the hierarchical organization of the different communions or to their relations with their spiritual chiefs.

The subjects and citizens of all the powers, traders or others, shall be treated in Roumania without distinction of creed on a footing of perfect equality.

Such were the terms offered by the Congress of Berlin to Roumania as a condition of the recognition of her independence.

Strangely and unfortunately the powers were once again persuaded to agree to a compromise. "That only Christians may obtain naturalization" was a provision of Article VII of the Roumanian constitution of 1866. Acting upon the arbitrary and illegal assumption that all Jews were aliens, Roumania contended that the only disability imposed upon them was exclusion from naturalization under this article, and she consequently proposed to revise Article VII of her constitution as a satisfaction of Article XLIV of the treaty of Berlin. The offer of Roumania, in other words, was to open the door of naturalization to the Jews, the inference then being, of course, that all other blessings would flow from citizenship.

The powers pointed out in reply that by the Roumanian naturalization law the "equality of citizen" could only be obtained after a probation of 10 years, and then by individual act of Parliament, which was liable to be defeated by the Chambers; and the offer of compromise was consequently declined.

Roumania then changed her ground by deserting her legal position and urging a plea of expediency. She insisted that if the Jews were not aliens in law they were aliens in fact, "not only by their religion, but by language, custom, manners, aspirations—in a word, by all that constitutes distinctive character in a man as a member of society." She contended, further, that the Jews were "illiterate and fanatical," and that they were "peculiarly accessible to foreign influences, and that, owing to their large numbers, they were calculated to strike a fatal blow at the homogeneity of the Roumanian national character." And as a final plea it was urged that "the nation was strongly opposed to an immediate and wholesale emancipation, and that if the powers insisted upon it the effect would be that the cause of religious liberty in Roumania would be endangered rather than promoted."

The powers seem to have been somewhat impressed by the force of these contentions, but, nevertheless, they still declined to admit that a revision of Article VII of the Roumanian constitution would, in full measure, meet the requirements of Article XLIV of the treaty of Berlin.

It was then that Roumania, fearing the shipwreck of her hopes to become an independent nation, gave the most solemn assurances that if the proposed solution was accepted, it would be made to apply at once to all assimilated Jews, and that the naturalization of unassimilated Jews would be provided for and accomplished within a reasonable time.

Sir William White was told by Boeresco, the Roumanian foreign minister, "that if the present bill could only become a law, a more complete measure of emancipation would be accepted by the electorate later on when the present agitations had subsided."

But more specific and emphatic than this were the promises contained in a circular dispatch sent out by Boeresco under date of August 31, 1879, a document that he himself described as "a sort of exposé des motifs of the measure we are about to submit to the Chambers." The essential passages of this dispatch are the following:

Will the Jews who do not immediately obtain naturalization remain foreigners? No; they will remain what they always have been—Roumanian. But in the measure that they identify themselves with the population of the country, in the measure that by schools and other means of preparation they become enlightened men and attached to the country, they will be able to obtain and exercise political rights.

* * * * * * *

There will be three categories of Jews—foreigners, Roumanian subjects, and citizens. Hitherto both the foreign and native Jews have been the objects of certain prohibitions, but in their quality of Jew alone. From the moment that article 7 of the constitution shall be suppressed all these prohibitions will disappear, and no distinction will be made between the foreign Jew and the foreign Christian. It will be the same with the Jews who are Roumanian subjects. Hitherto certain civil rights have been denied them. Thus they could not be advocates, professors, State engineers; they could not serve on juries, etc. Under the new régime they will have, in the first place, all the rights enjoyed by foreigners in general. Then, as Roumanian subjects they will have the right of serving in the army and the national guard, the right of acquiring real estate, the right to be advocates, to serve on juries, to exercise freely every profession and every trade; they will, in short, have the same civil rights as Roumanians and will be protected in the same way by the same law and by the authorities. (Official documents extracted from the diplomatic correspondence of 2/14 September, 1878; 17/29 July, 1880. Bucharest, 1880, pp. 121–123.)

The Governments of Austria and Italy were somewhat inclined to accept these assurances, but England, France, and Germany still demanded that legislative guaranties be given for the faithful observance of the treaty and that this be done within a reasonable time, if not immediately.

The negotiations between Boeresco and the powers were still in progress when the Roumanian Parliament passed an act revising Article VII of the constitution, which was soon afterwards promulgated by the Prince in the following terms:

In room of Article VII, which is revised, the following shall be placed:

"ART. VII. The difference of religious creeds and confessions does not constitute in Roumania an obstacle to the acquirement of civil and political rights and their exercise.

"1. Every foreigner, without distinction of creed, whether enjoying any foreign protection or not, can acquire naturalization under the following conditions:

"(a) By addressing to the Government an application for naturalization, in which must be declared the capital he possesses, his profession, and his wish to establish his domicile in Roumania.

"(b) By residing in the country for 10 years after having made this application and by proving by his acts that he is useful to the country.

"2. The following may be exempted from this delay of residence (10 years):

"(a) All who shall have introduced into the country industries, useful inventions, or distinguished talents, or who shall have founded large commercial or industrial establishments.

"(b) All who have been born and educated in Roumania of parents domiciled in the country and have, neither in their own case nor that of their parents, at any time been in the enjoyment of any foreign protection.

"(c) All who have served with the colors during the war of independence, and these can be naturalized collectively on the proposition of the Government by a single law, without further formalities.

"3. Naturalization can only be granted by a law, and individually.

"4. A special law will determine the manner in which foreigners can establish their domicile on Roumanian territory.

"5. Roumanian and naturalized Roumanian citizens can alone acquire rural estates in Roumania.

"Rights acquired up to the present time are respected."

The international conventions existing at present remain in force, with all their clauses and for the term mentioned therein.

This decisive action of the Parliament of Bucharest, bold in design and prompt in execution, seems to have changed the notions of the powers, for they soon afterwards consented, though reluctantly, to the Roumanian solution. But before giving their final consent they required the Roumanian Government to make a formal declaration of acceptance of the principle of Article XLIV of the treaty of Berlin and of its resolution to act upon it "loyally and sincerely." The required obligation was expressed in the following note:

Article 7 of the Roumanian constitution, sanctioning the principle of article 44 of the treaty of Berlin, has opened to the Jews access to citizenship and has abrogated all existing laws. That principle will continue to be observed sincerely and loyally. The organic powers will devote themselves to assuring its respect and will pursue its application with the view of securing a more complete assimilation of the Jews.

* * * Meanwhile all Jews residing in the country will possess, from the point of view of private civil law, an assured juridical position, and will have no cause to fear arbitrary administrative measures or exceptional laws aimed at confessions or religions. (Statement by Signor Calroli in the Italian Parliament, Dec. 9, 1879.)

Upon the receipt of this note Austria and Italy signified their willingness to recognize the independence of the new Kingdom.

After considerable hesitation Great Britain, France, and Germany did the same, but not before they had made it perfectly clear to the Roumanian Government that they were well aware that the conditions of the treaty of Berlin had not been fulfilled and that they relied upon the solemn pledges of the principalities "to observe them in the spirit and to execute them gradually in the letter."

That there might be a clear understanding of the situation the three last-mentioned powers presented an identic note to M. Boeresco on the 20th of February, 1880. The following are the essential paragraphs of that note:

Her Majesty's Government can not consider the new constitutional provisions which have brought to their recognizance—and particularly those by which persons belonging to a nonchristian creed domiciled in Roumania, and not belonging to any foreign nationality, are required to submit to the formalities of individual naturalization—as being a complete fulfillment of the views of the powers signatories of the treaty of Berlin.

Trusting, however, to the determination of the prince's Government to approximate more and more in the execution of these provisions, to the liberal intentions entertained by the powers, and taking note of the positive assurances to that effect which have been conveyed to them, the Government of her Britannic Majesty being desirous of giving to the Roumanian Nation a proof of their friendly sentiments, have decided to recognize the principality of Roumania as an independent State. Her Majesty's Government consequently declares themselves ready to enter into regular diplomatic relations with the prince's Government.

Such was the result of the diplomatic negotiations of nearly two years in which the great powers of Europe had again been cajoled and hoodwinked by a contemptible little Balkan principality. Roumania had secured the recognition of her sovereignty and, in return, had given promises and pledges which the developments of the last 30 years show she never intended to fulfill.

The congress of Berlin of 1878 accomplished nothing more in fact than did the convention of Paris of 1858. The illusory pledges of Prince Gregory Ghika remained unfulfilled for 20 years. The promises of the Government of King Charles have been equally false and hypocritical, for more than three decades have passed and yet nothing has been done to meet the just expectations of the powers. A new generation of Roumanian Jews have been born in the land, and yet they are as far from emancipation as were their fathers. The night of oppression and persecution still hovers over them and the day of freedom and regeneration still seems far away. They are still held to be aliens and outcasts in the land of their birth; naturalization is still practically inaccessible to them; and the sufferings of persecution are still as great and painful as ever.

Roumanian statesmanship triumphed in the matter of the compromise of 1880, not by honest methods of skillful diplomacy, but by craft and cunning and through the negligence of the powers themselves.

It was a regrettable mistake that the Governments of Europe should have overlooked two fatal defects in the compromise. In the first place they should by all means have forced from the Roumanian Parliament a legislative acknowledgment that Jews "belonging to no other nationality and enjoying no foreign protection were Roumanian nationals in the sense of article 46 of the convention of Paris and of the admission of M. Boeresco in his dispatch of August 31, 1879."

Again the Roumanian Parliament consists of two chambers. All naturalization bills are individual and must pass each chamber by a two-thirds majority. Paragraph 3 of the revised Article VII of the constitution left Jewish petitions for naturalization at the absolute mercy of the Parliament. This was the second fatal defect of the compromise which should not have been overlooked by the powers.

These defects are all the more to be lamented because they furnish loopholes of escape to Roumania in the matter of keeping her naturalization pledges under the treaty. They gave ground for the practice of rank hypocrisy, and at the same time for a plea of seeming justification in terms of law.

The unfortunate result has been that in the matter of naturalization, so far from keeping her pledges, Roumania has almost completely ignored them, for the Roumanian chambers have in nearly every case refused to pass bills intended to confer citizenship upon the Jews. Since 1880, the date of the recognition of the new Kingdom, only 176 Jews have been naturalized out of a total population of 100,000 adult males, the greater part of whom are natives, and many thousands of whom have bravely and patriotically performed military service for the Roumanian fatherland.

When arraigned at the bar of the nations and charged with bad faith in the matter of broken pledges, the defense of Roumania is at once astonishingly simple and amazingly cynical. She simply revives her ancient argument that the Jews are now and have always been strangers and aliens in the land, and that the treaties of 1858 and 1878, under strict interpretation, did not alter their status. When pointed to the formal and categorical pledges of 1880, and the admission of M. Boeresco in 1879, which directly contradicted and repudiated her contentions in this regard, and, moreover, when reminded that Great Britain, France, and Germany had recognized her independence only after she had specifically and emphatically renounced such a theory, she simply points to the equivocal revision of Article VII of her constitution, which Europe had accepted under pressure and protest, and declares that she is bound by that alone.

Strange to say, no attempt is ever made by Roumania to conceal the hypocrisy or to hide the bad faith of her astonishing defense. Indeed, eminent writers of Roumania have frequently boasted of the trick which was successfully played on Europe. One of these, M. Sulliotis, writes in this manner:

The treaty of Berlin was thought to work wonders in favor of the strangers, but Roumania has been wise enough to escape the inconveniences which might have resulted from the application of Article 7 in the sense of the treaty of Berlin, which has had no other effect than to render more difficult the situation of the aliens.

Again, writing in the Romanul of December 25, 1881, M. Rosetti, an ex-minister and one of the leading statesmen of the Kingdom, has this to say:

We may congratulate ourselves to-day on having solved the Jewish question in a national sense, and that—we may now avow loudly—contrary to the manifest will of the powers and even contrary to the spirit of the treaty of Berlin.

The solution of "the Jewish question" in "a national sense," it will be readily seen, was by the simple method of having the Roumanian Parliament pass laws antagonistic to "strangers," and then have all public officials of Roumania regard the Jews as "strangers" in the application of those laws.

Nothing can better illustrate the determined efforts of the Roumanian Government to evade its pledges in the matter of the treaty of Berlin than its systematic legislation against "strangers," which was, in fact, intended to apply only to the Jews. The following classified list of laws, discriminating against the Jews, will prove conclusively that Roumania, from the very beginning, never had any intention of fulfilling her obligations under Article XLIV of that treaty:

October 21, 1879. Roumanian Senate passes law stating that distinction of religion shall not be a bar to civil or political rights, but that "strangers" may obtain naturalization only by special law on individual demand and after 10 years' residence. (Act VII of constitution; Sincerus, pp. 3–4.)

June 6, 1880. The directors and auditors of the National Bank of Roumania must be Roumanians. (Sincerus, p. 77.)

March 18, 1881. Law of expulsion passed, authorizing minister of interior to expel or order Jews to place to place, without giving reason, any "stranger" likely to disturb public tranquillity. (Sincerus, p. 146). (Originally intended against Nihilists after murder of Czar, but afterwards applied to Jews.)

July 16, 1881. Law promulgated declaring that all "agents de change" or "courtiers de marchandie" must be Roumanians or naturalized, except in the ports (where there are Christian "strangers"). (Sincerus, p. 46.)

October 21, 1881. Ministerial council extends the law excluding Jews from the sale of liquors in rural districts to cities and towns included in such districts. (Sincerus, pp. 22–23.)

November 11, 1881. All "strangers" in Roumania required to obtain a permit of residence before they may pass from place to place. (Sincerus, p. 163.)

February 20, 1882. Jews forbidden to be customhouse officers. (Sincerus, p. 53.)

November 3, 1882. Roumanian Senate passes law declaring all "inhabitants" liable to military service, except subjects of alien States. (Sincerus, p. 35.) See above, June 23, 1868.

January 31, 1884. Roumanian Senate decides that "strangers" have no right of petition to Parliament. (Sincerus, p. 197.)

March 19, 1884. Law passed prohibiting hawkers from trading in rural districts. (Sincerus, p 65.)

April 15, 1885. Pharmacy law permits minister of interior to close any pharmacy not under direction of a recognized person; pharmacies may be acquired only by Roumanians or by naturalized citizens; permission to employ "strangers" extended to 1886. (Sincerus, p. 104.)

March 13, 1886. Electors of chambers of commerce must be persons having political rights. (Sincerus, p. 75.)

June 16, 1886. Druggists must be Roumanians or naturalized citizens. (Sincerus, p. 84.)

December 7, 1886. Account books must be kept in Roumanian or in a modern European language. (Sincerus, p. 81.) (The object was to keep out Yiddish.)

February 28, 1887. All employees of the "regie" must be Roumanians or naturalized. (Sincerus, p. 29.)

April 28, 1887. Farmers of taxes in Roumania must be persons capable of being public officers. (Sincerus, p. 89.)

May 22, 1887. Majority of administrators of private companies must be Roumanians. (Sincerus, p. 78.)

May 24, 1887. Five years after the foundation of a factory two-thirds of its workmen must be Roumanians. (Sincerus, p. 94.)

August 4, 1887. Ministerial circular orders preference to be given to children of Roumanians in the order of admission to public schools. (Sincerus, p. 123.)

1889. Of 1,307 permits issued to hawkers, only 123 went to Jews; of these, only 6 were held in Wallachia. (Sincerus, p. 70.)

August 21, 1892. Retired Jewish soldiers are not allowed to serve as rural gendarmes. (Sincerus, p. 40.)

April 21, 1893. Professional education permitted to "strangers" only when places are available and on payment of fees. The number of "strangers" on the roll of such an educational institution must not exceed one-fifth of the total roll, and these may not compete for scholarships. "Strangers" are not admitted at all to schools of agriculture. (Sincerus, p. 138.)

May 20, 1893. Roumanian Senate passes law giving preference to children of Roumanians in elementary public schools and placing a tax on children of "strangers" admitted. (Sincerus, p. 129.) This tax amounted to 15 francs for rural and 30 francs for urban schools. (Ib., 127.)

June 20, 1893. Royal decree declaring all functionaries in the sanitary service must be Roumanians except in rural districts. "Stranger": Invalids may be admitted to free public hospitals only on payment of fees, and they may not in any case occupy more than 10 per cent of the beds. A "stranger" may be taken as an apprentice by an apothecary only where there is a Roumanian apprentice. (Sincerus, pp. 106, 110, 115.)

January 26, 1894. Farmers may be represented in law courts by their stewards if the latter be Roumanians, not Jews. (Sincerus, p. 44.)

May 22, 1895. Students in the military hospitals and army doctors must be either Roumanians or naturalized citizens. (Sincerus, p. 117.)

April 13, 1896. Jews may not act as intermediaries at the customs in Roumania. (Sincerus, p. 54.)

June, 1896. A ministerial order declares that letters on school business—excuses for absence, etc.—need not be stamped except in the case of "strangers"; only children of "strangers" are required to pay entrance fees at examinations. (Sincerus, p. 150.)

June 26, 1896. Ministerial order instructs rural council that permission to remain in a rural district may be revoked at any moment. (Sincerus, p. 185.)

April 4, 1898. Law permitting secondary instruction of children of "strangers" only where places are available and on payment of fees, though to Roumanians tuition is free. (Sincerus, p. 133.)

October, 1898. Admission to public schools in Roumania refused to 11,200 Jewish children. (Sincerus.)

February 18, 1899. Only Roumanians henceforth admitted as employees on State railways. (Sincerus, p. 97.)

October 21, 1899. Ministerial order closes private Jewish schools in Roumania on Sundays. (Sincerus, p. 141.)

1900. Number of Jewish children in elementary public schools in Roumania reduced to 5½ per cent; in secondary schools, from 10½ per cent (in 1895) to 7½ per cent. (Sincerus, p. 133.)

February 27, 1900. Ministerial circular orders pupils to receive instructions in Jewish private schools with heads uncovered. (Sincerus, p. 143.)

March 28, 1900. On private railways 30 per cent of the employees must be Roumanians. (Sincerus, p. 90.)

April 13, 1900. Ministerial circular orders Jewish private schools to open on Saturdays. (Sincerus, p. 142.)

March 13, 1902. Artisans' bill requires special authorization from the authorities to carry on any trade, only to be obtained by "strangers"—i. e., Jews—on production of foreign passports, and proof that in their "respective countries" reciprocal rights are accorded to Roumanians. (Am. Jew. Yearbook, 1902–3, p. 30.)

The culmination of Roumanian meanness and malignity was reached in the passage of the artisans' bill. Other measures had been designed to cripple and harass, to degrade and humiliate them, but this bill was evidently intended to starve the Jews to death, for it inevitably deprived many thousands of Jewish artisans of the only means of earning their daily bread. The ludicrous absurdity as well as the fiendish cruelty of such a law are shown by the fact that, under its provisions, no "foreigner" was permitted to exercise a handicraft in Roumania unless "he could show reciprocity for Roumanians in his own country." The Jews being "foreigners not under any foreign protection" were unable to prove this reciprocity. They were therefore unable to carry on any trade without violating the law.

Another characteristic illustration of the ingenious method employed by the Roumanian Parliament in framing laws to evade the spirit, if not the letter, of the treaty of Berlin is afforded by the military law of November 3, 1882. By Article I of this law "all the inhabitants" of the country are liable to military service. By Article II "subjects of foreign States" are declared ineligible for entrance into the army. The Jews being "inhabitants" of the country, but not "subjects of foreign States," are required to perform military service, although deprived of all civil and political rights, because of their status as "strangers." Although forced to risk the dangers and bear the burdens of war as privates in the rank they are denied promotion on the ground that "service in the army is a duty, while the rank of officer is a public function reserved for Roumanian citizens." These distinctions and the reasons for them were all solemnly declared in a speech by M. Bratiano in the Roumanian Senate May 27, 1882. But it is needless to elaborate the question at greater length.

The hideous result of long years of persecution and oppression, of riot and massacre, has been that the Jews of Roumania have been barbarized and impoverished and that life for most of them has been rendered an intolerable burden. Within the last 10 years 60,000 of them have been forced to emigrate and 100,000 others have been reduced to a state approaching vagabondage.

Shall these frightful conditions continue to exist? Shall the barbarous practices of a semicivilized people forever violate the precepts and shock the sentiments of civilization? Shall Article XLIV of the treaty of Berlin become as dead a letter upon the statute books of nations as did Article XLVI of the conference of Paris? What says old England, the land of Magna Charta, of the Bill of Rights, the petition of rights, and habeas corpus, the birthplace of Hampden, Pym, and Cromwell, the grandest and most majestic among the commonwealths of the earth? What says she, a party to the treaty of Berlin? Shall the mighty power that conquered Napoleon and preserved the liberties of Europe be forever defied and mocked by a petty and contemptible little Balkan State? What says France, the brilliant and beautiful among the nations, whose chivalric sympathies sent Rochambeau and Lafayette as ambassadors of freedom to our shores? What says she, a party to the treaty of Berlin? Shall the bad faith and insolence of Roumania go forever unpunished and unrebuked while France, the dauntless and eternal champion of the rights of man, stands mute and motionless? And last, but not least, what says America, the country of Washington, the Republic of Jefferson, the Union of Lincoln, whose Goddess of Liberty in the harbor of New York brandishes forever a torch of freedom as a beacon light to the oppressed and distressed of all the world? What says America, the protagonist of republican virtue and the model of newborn Republics throughout the earth? Shall she give no response and make no protest when a suffering and helpless people ask for sympathy and aid?

But it is contended that America was no party to the treaty of Berlin and that it would be improper therefore for her to seek to interfere in the local affairs of Roumania. There is a grain of truth in this contention, but only a grain. The fatal defect in the argument is that the barbarous persecution and merciless oppression of any race within the borders of any country causing wholesale emigration of the members of that race to other countries as a means of preserving life are the internal affairs of the state guilty of the persecution and oppression with which other countries have no concern and in which they should not interfere. Such a contention wrongfully assumes that the intercessory and intervening powers of civilized nations are suspended and paralyzed when the laws of humanity and the rights of races happen to conflict with the local arrangements of some small despotic government.

Whether rightfully or wrongfully, America has already protested, in vigorous and solemn terms, against Roumanian oppression of the Jews; and this protest was not born of the hurry and heat of a political convention or of any other voluntary association of irresponsible persons. It was a calm and deliberate act of American diplomacy, the product of one of the noblest and finest of American intellects.

Following the passage of the artisans' bill of March 16, 1902, which was designed to prevent the Jews from earning a livelihood by any form of handicraft or trade, Mr. Secretary Hay, on August 11, 1902, addressed a ministerial note of protest to the Roumanian Government, pointing out the tendency of such legislation to produce an abnormal stream of emigration to the United States. The following is the essential passage of that note:

> The teachings of history and the experience of our own Nation show that the Jews possess in a high degree the mental and moral qualifications of conscientious citizenhood. No class of immigrants is more welcome to our shores when coming equipped in mind and body for entrance upon the struggle for bread and inspired with the high purpose to give the best service of heart and brain to the land they adopt of their own free will; but when they come as outcasts, made doubly paupers by physical and moral oppression in their native land and thrown upon the long-suffering generosity of a more favored community, their migration lacks the essential conditions which make alien immigration either acceptable or beneficial. So well is this appreciated on the Continent that even in the countries where anti-Semitism has no foothold it is difficult for these fleeing Jews to obtain any lodgment. America is their only goal.
>
> The United States offers asylum to the oppressed of all lands, but its sympathy with them in no wise impairs its just liberty and right to weigh the acts of the oppressor in the light of their effects upon this country and to judge accordingly.
>
> Putting together the facts now plainly brought home to this Government during the past few years, that many of the inhabitants of Roumania are being forced by artificially adverse discriminations to quit their native country, that the hospitable asylum offered by this country is almost the only refuge left to them, that they come hither unfitted by the conditions of their exile to take part in the new life of this land under circumstances either profitable to themselves or beneficial to the community, and that they are objects of charity from the outset and for a long time, the right of remonstrance against the acts of the Roumanian Government is clearly established in favor of this Government. Whether consciously and of purpose or not, these helpless people, burdened and spurned by their native land, are forced by the sovereign power of Roumania upon the charity of the United States. This Government can not be a tacit party to such an international wrong. It is constrained to protest against the treatment to which the Jews of Roumania are subjected, not alone because it has unimpeachable ground to remonstrate against the resultant injury to itself, but in the name of humanity. The United States may not authoritatively appeal to the stipulations of the treaty of Berlin, to which it was not and can not become a signatory, but it does earnestly appeal to the principles contained therein because they are the principles of international law and eternal justice, advocating the broad toleration which that solemn compact enjoins and standing ready to lend its moral support to the fulfillment thereof by its cosignatories, for the act of Roumania itself has effectively joined the United States to them as an interested party in this regard.

It might be well to add that a copy of this note of Mr. Hay, American Secretary of State, to the Government of Roumania was simultaneously sent to the Goverments of Great Britain, France, Germany, Italy, Russia, and Turkey, the signatory powers of the treaty of Berlin. By this act the United States served notice upon Roumania and upon the great powers of Europe that she considered herself a party to that treaty, if not by direct signature then at least by the laws of humanity, by the principles of eternal justice, by the binding obligations of international law in which all civilized peoples have a common interest, and by the right of self-preservation involved in the necessity of protecting her own population and her own civilization against the barbarized and impoverished victims of Roumanian persecution.

This authoritative action of our State Department some 10 years ago is still a landmark and a precedent. No one will question the righteousness of the motive or the soundness of the political principle involved in this action. No one can effectively contend that this diplomatic step should not have been taken. The only regret that can be expressed is that the results accomplished were not greater.

Historical considerations affecting the discussion of the present question are these: A great Balkan war has just been terminated. Roumania was involved indirectly in the struggle. Changes in territory, similar to those brought about at the close of the Russo-Turkish War of 1877–78, will probably be made. The Roumanians, it is said, contemplate revising their present constitution in view of changed conditions. It is more than probable that the great powers of Europe will again be called upon to adjust, in international conference, various questions growing out of the recent war.

Now, after the lapse of 10 years, Roumanian persecution of the Jews exists in more acute and malignant form than when Mr. Hay dispatched his note of diplomatic protest. Roumanian laws against the Jews have become more stringent and oppressive. Social discrimination and ostracism have become more pitiless and humiliating. Riot and massacre are still as imminent as ever.

In view of the approaching conference of the powers, what shall be done, what can be done, to compel Roumania to act justly and humanely by the Jews within her borders? The powers will have no difficulty, in the matter of the Jews, with any other Balkan State. At the same time and in exactly the same language as that employed in the case of Roumania, Servia and Montenegro promised the congress of Berlin to guarantee civil and religious freedom to the Jews within their territories in consideration of the recognition of their independence. Both Servia and Montenegro have faithfully kept these pledges, which demonstrates conclusively that there was no inherent difficulty, no insuperable obstacle in the way of Roumania's doing the same thing.

My own opinion is that the United States should accept the invitation of the European powers to become a member of the approaching international congress, if such an invitation is extended. I have been reliably informed that our Government was invited to participate in the proceedings of the Berlin Congress, but declined. If we are not invited we should ask that the United States be permitted to be a party to the next conference of the powers. We should then join with other nations in reminding Roumania of existing obligations, and in imposing fresh ones upon her in a manner that will preclude any possibility of violating them in the future. If no new conference of the powers is called, or if the United States for any reason should not be a party to it if one is called, then let us again, and repeatedly if need be, in the language of Mr. Hay, lend our "moral support" to the great cause of civil liberty and religious emancipation, by such representations to the great Governments of Europe as will secure prompt and vigorous action on their part, in compelling Roumania, even at this late date, to perform her pledges under Article XLVI of the conference of Paris and Article XLIV of the treaty of Berlin. If her sense of national honor and international obligation does not incline Roumania to deeds of justice and righteousness, then let the strong arm of force be used and the wrath of the nations be visited upon her.

But why should we do all these things for the Jews, you ask? The reply is that these things are not to be done primarily for the Jews. They are to be done to promote and maintain civil liberty and religious freedom among men; to prevent offenses against international morality and to uphold the dignity and sanctity of international law; and, above all things, to compel respect for the laws of humanity and regard for the principles of eternal justice. These are the primary objects of action to be taken against Roumania.

But if you challenge me to open declaration I will candidly say to you that I am in favor of doing all manner of good things at all times for the Jews simply because they are Jews. And in this declaration is no sickly sentimentality, no maudlin sentiment. I am well aware that the Jewish race is not a perfect one. The Jews, along with all the balance of us, have inherited the curse of Eden. The stamp of sin is upon the Jewish as well as upon the gentile brow. From the records of the courts we gather that there are Jewish as well as Christian criminals. And undoubtedly the sons of Abraham are afflicted at times with all the faults and frailties to which human flesh is heir.

And, again, it should be cheerfully admitted that individual Jews are not entitled to receive and should not receive any particular consideration; any special clemency in the exigencies and crises of life. If Jews steal, they should be sent to prison along with gentile thieves. If they murder, the death penalty should be administered to them as in the case of others. If Jews are physically, mentally, or morally unclean, they should be socially ostracized and banished, as should gentiles who are similarly afflicted. If Jews are guilty of unpardoned sins against the laws of God, they should be consigned to the same place and for the same length of time in the hereafter as in the case of gentile sinners. These statements and concessions I gladly and cheerfully make. But having said these things, I must be permitted to repeat the declaration that where the Jewish race as such is concerned and its rights are involved in terms of religious persecution all doubts should be resolved in favor of the Jews.

The marvelous contributions of the Jewish people to the spiritual and intellectual wealth of the world entitle them to the gratitude and homage, not the hatred and persecution, of mankind. If gratitude were a supreme virtue of nations, as it should be of individuals, there would never be any organized governmental persecution of the Jews. The civilized nations of this earth are too deeply and everlastingly indebted to the Jews to be able ever to cancel the obligation. They should at least treat them with humanity and accord them those considerations which are the absolute essentials of happiness in a civilized state.

The ghastly feature of Jewish persecution is the fact that it was probably born of the refusal of the Jews to yield the divine unity of Jehovah to the polytheistic demands of ancient Rome. Pompey the Great conquered Palestine and made it a dependent Roman state some 63 years before the birth of Christ. The ordinary results and usual incidents of Roman provincial administration followed. Among these was the attempt to blend the religion and mingle the god or gods of the conquered country with the religion and gods of Rome. Jewish monotheism, which civilization to-day prizes as its most precious jewel, was then sought to be destroyed.

The civil and religious differences between Jews and Romans were at once fundamental and fatal. In the first place, these two races have shown themselves to be, by all odds, the most masterful of mankind. The Romans founded the world's greatest physical empire. The Jews founded the earth's most illustrious kingdom of the spirit. In the fiber of both Jew and Roman were to be found those elements of mastery and control that have nowhere else been seen in the organization of any race, with the possible exception of the English. The Romans would brook no earthly opposition and the Jews would submit to none but God. The Romans worshiped a whole host of greater and lesser deities, who inhabited earth and sky, mountains, seas, and streams. Against this polytheism of a most extravagant kind the Jews plited the doctrine of monotheism, the jealous and exclusive worship of one great God. Again, polytheism was an integral part of the government of the Roman state and could not be attacked or derided, without constituting an act of treason against the laws of Rome and the sovereignty of Cæsar. On the other hand, the religion of the Jews and their law were identical. To submit to the worship of Roman gods was not only an act of treason to Jehovah, but was also an abrogation of Jewish nationality and a repeal of all Jewish laws. These considerations constituted a definite and acute issue between the Roman masters of the world and the chosen seed of God. The character of each race was such that neither would surrender, and the result was, of necessity, a mere struggle of the survival of the fittest. Both were victorious. The Romans destroyed the physical kingdom of the Jews; the Jews destroyed polytheism, the religious empire of the Romans; and out of the struggle, which lasted for centuries, grew a bitterness and hate that has been handed down to the modern world as a hideous legacy and from which massacre and persecution have been born and multiplied.

Monotheism is Judaism's great contribution to the religious thought of mankind and to the civilization of the earth. And for consenting that their country should be conquered, their nationality destroyed, and their race dispersed throughout the world, in order that this best and noblest gift of God to man might not be sacrificed to pagan and barbarian superstition, but might instead be transmitted as a heavenly heritage to all future generations of men, the Jews have received, not the gratitude and love but the hate and oppression of the nations.

The Jew is the Prometheus of history. The Æschylean Prometheus snatched fire from the skies and gave it to mankind as a priceless boon. As a reward for his trouble he was chained

to a rock while a vulture preyed upon his liver. The Jew received the fire of monotheism from Heaven and gave it to man. For his care and solicitude he has been chained to the rock of the ages while the vultures of hatred, persecution, riot, and massacre have preyed upon his heart.

Another hideous feature of Jewish persecution is the fact that its chief intensifying cause for nearly 20 centuries has been a total misunderstanding and misconception of the real facts and true meaning of the crucifixion of Jesus. The cruel and senseless notion of the implacable wrath of Deity has prevailed in all the ages as an explanation of the destruction of Jerusalem and the dispersion and persecution of the Jews. It is worse than nonsense to see in this event anything but the operation of vulgar physical forces of the most ordinary kind. The fall of Jerusalem was a most natural and consequential thing. It was not even an extraordinary historical occurrence, even in Jewish history. Titus did not so completely destroy Jerusalem as did Nebuchadnezzar before him. Razing cities to the ground was a customary Roman act, a form of pastime, a characteristic Roman proceeding in the case of stubborn and rebellious towns. Scipio razed Carthage and drove Carthaginians into the most remote corners of the earth. Was any Roman or Punic god interested in this event? Cæsar destroyed many Gallic cities and scattered Gauls throughout the world. Was any deity concerned about these things?

Roman admiration was at times enkindled, but Roman clemency was never gained by deeds of valor directed against the arms of Rome. Neither Hannibal nor Mithridates, Vercingetorix nor Jugurtha, the grandest of her enemies, received any mercy at her hands. To oppose her will was to invite destruction; and the sequel was a mere question of "the survival of the fittest." The most turbulent, rebellious, and determined of all the imperial dependencies was the Province of Judea. The Jews regarded the Romans as idolaters, and instead of obeying them as masters despised and defied them as barbarians. When this spirit became manifest and promised to be perpetual the dignity of the Roman name, as well as the safety of the Roman State, demanded the destruction of Jerusalem and the dispersion of the Jews; and destruction and dispersion followed as naturally as any profane effect follows any vulgar cause.

But the advocates of the divine-wrath theory quote Scriptures and point to prophecy in support of their contention. Then Scriptures must be pitted against Scriptures. The last prayer of the Master on the cross must be made to repeal every earlier Scriptural prophecy or decree. "Father, forgive them, for they know not what they do," is the sublimest utterance in the literature of the world. It is the epitome of every Christian virtue and of all religious truth. This proclamation from the cross repealed the Mosaic law of hereditary sin, placed upon a personal basis responsibility for offenses against God and man, and served notice upon future generations that those who "know not what they do" are entitled to be spared and forgiven. To believe that God ignored the prayer of Christ on the cross, and that the centuries of persecution of the Jews which followed were but the fulfillment of prophecy and fate, is to assail the Messiahship of Jesus and to question the goodness and mercy of Jehovah. Jesus knew the full meaning of his prayer and was serious unto death. To believe that the Father rejected the petition of the Son is to destroy the equality of the persons of the Trinity by investing one with the authority and power to review, revise, and reject the judgments and petitions of the others.

If the Christian doctrine be true that Christ was God "manifest in the flesh"; if the doctrine of the Trinity be true that God the Father, God the Son, and God the Holy Ghost are one and the same, eternal and inseparable, then the prayer of Jesus on the cross was not a petition, but a declaration that the malefactors of the crucifixion who, in the blindness of ignorance, had helped to kill the Son of Man, would receive at the last day the benefits of the amnesty of the Father of mercy and forgiveness.

If the perpetrators of the great injustice of the Sanhedrin and of the Pretorium are to be forgiven because they knew not what they did, is there any justice, human or divine, in persecuting their innocent descendants of all lands and ages? When Sir Moses Montefiore was taunted by a political opponent with the memory of Calvary and described by him as one who sprang from the murderers who crucified the world's Redeemer, the next morning the Jewish philanthropist, whom Christendom has learned to honor, called upon his assailant and showed him the record of his ancestors which had been kept for 2,000 years and which showed that their home had been in Spain for 200 years before Jesus of Nazareth was born." This half-humorous anecdote illustrates the utter absurdity and supreme injustice of connecting the modern Jew with ancient tragic history. The elemental forces of reason, logic, courage, and sympathy wrapped up and interwoven in every impulse and fiber of the human mind and heart will be forever in rebellion against the monstrous doctrine of centuries of shame, exile, and persecution visited upon an entire race because of the sins and crimes of a handful of their progenitors who lived more than a thousand years before.

But if the visitation of the sins of the fathers upon the sons is to be maintained and perpetuated as a form of divine, if not of human justice, why not, at least, be consistent in the application of the principle? Many philosophers and critics have detected a striking kinship between the teachings of Socrates and those of Jesus. A celebrated historian closes a chapter of the history of Greece with this sentence:

> Thus perished the greatest and most original of the Grecian philosophers (Socrates), whose uninspired wisdom made the nearest approach to the divine morality of the Gospel.

The indictments against the philosopher of Athens and the Prophet of Nazareth were strikingly similar. Socrates was charged with corrupting Athenian youth; Jesus, with perverting the nation. Socrates was charged with treason against Athens; Jesus, with treason against Rome. Both were charged with blasphemy—The Athenian with blasphemy of the Olympic gods, the Nazarene with blaspheming Jehovah. Both sealed with their blood the faith that was in them. If the descendants of the crucifiers of the Christ are to be persecuted, brutalized, and exiled for the sins of the fathers, why not apply the same pitiless law of hereditary punishment to the descendants of the Athenian dicasts who administered hemlock to the greatest sage of antiquity? Why not persecute all the Greeks of the earth, wherever found, because of the injustice of the Areopagus?

Let no persecutor of the Jew lay the unction to his soul that he is justified by the tragedy of Golgotha, for he who persecutes in the name of religion is a spiritual barbarian, an intellectual savage. Let this same persecutor not make the mistake of supposing that the Jews are wholly responsible for the persecution that has been heaped upon them. Before he falls into the foolish blunder of such a supposition let him ponder the testimony of several gentile experts upon the subject. Let him read The Scattered Nation, a brilliant lecture on the Jew by the late Zebulon Vance, of North Carolina, in which occurs this sentence: "If the Jew is a bad job, in all honesty we should contemplate him as the handiwork of our own civilization." Let him find Shakespearean confirmation of this statement in The Merchant of Venice, act 3, scene 1. If the Jew baiter objects that this is the imagination of a poet, let us then point him to the testimony of a great historian and statesman to prove to him that the gentile is in great measure responsible for the causes that have produced Jewish persecution.

In the British House of Commons on April 17, 1833, a bill for the removal of the disabilities of the Jews was the subject of parliamentary discussion. Lord Macaulay took part in the debate and spoke as follows:

> The honorable member for Oldham tells us that the Jews are naturally a mean race, a money-getting race; that they are averse to all honorable callings; that they neither sow nor reap; that they have neither flocks nor herds; that usury is the only pursuit for which they are fit; that they are destitute of all elevated and amiable sentiments.
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> Such, sir, has in every age been the reasoning of bigots. They never fail to plead in justification of persecution the vices which persecution has engendered. England has been legally a home to the Jews less than half a century, and we revile them because they do not feel for England more than a half patriotism.
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> We treat them as slaves and wonder that they do not regard us as brethren. We drive them to mean occupations and then reproach them for not embracing honorable professions. We long forbade them to possess land and we complain that they chiefly occupy themselves in trade. We shut them out from all the paths of ambition and then we despise them for taking refuge in avarice.
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> During many ages we have, in our dealings with them, abused our immense superiority of force, and then we are disgusted because they have recourse to that cunning which is the natural and universal defense of the weak against the violence of the strong. But were they always a mere money-changing, money-getting, money-hoarding race? Nobody knows better than my honorable friend, the member for the University of Oxford, that there is nothing in their national character which unfits them for the highest duties of citizens.
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> He knows that in the infancy of civilization, when our island was as savage as New Guinea, when letters and art were still unknown to Athens, when scarcely a thatched hut stood on what was afterwards the site of Rome, this contemned people had their fenced cities and cedar palaces, their splendid temple, their fleets of merchant ships, their schools of sacred learning, their great statesmen and soldiers, their natural philosophers, their historians, and their poets.
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> What nation ever contended more manfully against overwhelming odds for its independence and religion? What nation ever, in its last agonies, gave such signal proofs of what may be accomplished by a brave despair? And if, in the course of many centuries, the depressed descendants of warriors and sages have degenerated from the qualities of their fathers; if, while excluded from the blessings of law and bowed down under the yoke of slavery, they have contracted some of the vices of outlaws and slaves, shall we consider this is a matter of reproach to them? Shall we not rather consider it as a matter of shame and remorse to ourselves? Let us do justice to them. Let us open to them the door of the House of Commons. Let us open to them every career in which ability and energy can be displayed. Till we have done this let us not presume to say that there is no genius among the countrymen of Isaiah, no heroism among the descendants of the Maccabees.

What more eloquent tribute to the Jew and his achievements could be found in the literature of the earth? And is every word of it not as true to-day when applied to the Jews of Roumania as it was when spoken by Macaulay of the Jews of England more than 70 years ago?

But, if the persecutor of the Jew is not moved by the eloquence of Macaulay or by the satire and sarcasm of Shakespeare, then let him call the roll of Hebrew great names and watch the mighty procession as it moves. Abraham among patriarchs; Moses among lawgivers; Isaiah and Jeremiah among prophets; Solomon and David among kings; Philo, Maimonides, Spinoza, and Mendelssohn among philosophers; Herschel, Sylvester, Jacobi, and Kronecker among mathematicians and astronomers; Josephus, Neander, Graetz, Palgrave, and Geiger among historians; Mendelssohn, Meyerbeer, Offenbach, Goldmark, Joachim, Rubinstein, and Strauss among musicians; Sonnenthal, Possart, Rachel, and Bernhardt among actors and actresses; Disraeli, Gambetta, Castelar, Lasker, Crémieux, and Benjamin among statesmen; Halévi and Heine among poets; Karl Marx and Samuel Gompers among labor leaders and political economists; the Rothschilds, Bleichröders, Schiffs, and Seligmans among financiers; Auerbach and Nordau among novelists; Sir Moses Montefiore and Baron Hirsch among philanthropists.

Civilization may well rush to the rescue of the Jew when threatened with destruction as a terrified and frantic mother struggles to save a favorite child, for if the Bible and the Talmud of the Jews, with all that they teach and mean, should be stricken from the earth, mankind would relapse with frightful speed into savage and barbaric night.

Liberty may well complain when Jews are persecuted and oppressed, for from the days of Isaiah and Jeremiah, the first great revolutionists of earth, to the times of Gambetta and Castelar, the fierce and uncompromising advocates of republican government in France and Spain, freedom's cause has had no nobler, braver champions than the sons of Israel.

Religion and Literature will gladly join hands with Liberty and Civilization, their dearest children, in protesting against mistreatment of the sons of Abraham, for, in every century of history, with their hands tied behind them and their hearts burdened to the breaking point, with a bitter load of hatred and persecution, Jews have yet managed, from the cave of the prophets and from the manger of the Christ, from the filth of the Judengasse, and from the darkness of the hovels of the Ghetto, to plant in the garden of life, in the soil of the soul, the most beautiful and fragrant flowers that bloom and blossom there.

This race deserves the gratitude and homage, not the hatred and persecution of mankind. The parliaments and congresses of enlightened nations, whose peoples are truly grateful, civilized, and free, will in the future extend to the Jewish race, the chief benefactors of mankind, a positive protection, and will guarantee to each and every one of them who is honestly guided and righteously disposed, a free hand with a full swing in the struggle of life. [Loud applause.]

ABSENCE OF MEMBERS FROM HOUSE.

Mr. DONOVAN. Mr. Speaker, I read from an editorial in the Bridgeport (Conn.) Farmer, of September 20, the following:

> When a Congressman runs away from his work and is consistently and frequently absent from the scene of his duties, he defrauds the people of that which he agreed to give them. He does wrong.

Mr. Speaker, the other day I perhaps did an injustice to the Representatives from Missouri in stating that for two days all were absent, for I should have also stated that the Representatives from Massachusetts were absent at the same time. Massachusetts is regarded by the world as the center of American intellect, and as the great Bay State is regarded also as the home of all social and religious freedom it is certainly of more importance that its members should be here upholding the high standards of their State more than perhaps any other State in the Union. Has the time arrived when Massachusetts, founded by the Puritans, will not look askance at absenteeism?

Inadvertently, the other day, while mentioning delegations that were absent I mentioned the State of Kentucky. That was wrong to some of her members, because if there are Members who are faithful in attendance and who give very able service to their people it is certainly Messrs. SHERLEY, BARKLEY, HELM, FIELDS, THOMAS, JOHNSON, and ROUSE.

Some few days ago I called attention to the fact that some of the leaders had practically abandoned their duties here and left the management of the business of the House to new men. A great currency measure was up for action, and at the same time a great tariff bill that had taken months to construct had come into the House with the Senate disagreeing.

The tariff bill had to be taken up in conference, and that took four of our leaders away from the deliberations upon the currency bill. The great leader from Alabama, Mr. UNDERWOOD; the very able and distinguished KITCHIN, from North Carolina; one of the great intellects from our side, the gentleman from Illinois, Mr. RAINEY; and the most skillful and practical Member, Mr. DIXON, of Indiana, were called away to take part in the conference with the Senate. Therefore, we could not have the benefit of their advice and support. And the rest of the so-called leaders had taken themselves away, and when the discussion of the currency bill was commenced they were not here to participate in that great measure.

A most noticeable absentee was one who is considered by himself to be presidential timber, and who is, perhaps, one of the most able ones amongst us. He has been seen here once or twice since about May 7. Now, when this great mind from Alabama absented himself from his duties and left the affairs of the Nation to new Members, how can it be expected that some of the new Members will not feel that the country will surely run along without them if it can run along without the services of the gentleman who is considered of presidential timber? We were called here by our President on April 7 last; and what an example it was that this naval constructor, who would have a battleship in every man's front yard, remained with us until May 7, when he left us as though the session was over as far as he was concerned? What sort of a condition would we have here if every Member who has been here a lesser number of terms should absent himself in the same way?

Now, there has been a daily absenteeism that averages 250 Members for several weeks past.

Honor should at least dictate that they who can not attend should resign or do their duty as they promised by their oaths. They receive good pay, and are honored by being Members of the National House, to say nothing of the prestige it gives a Member to be sent to Congress. It is likewise true that absenteeism is prevalent amongst the older members of the minority. What a spectacle for one of the great leaders, Mr. GARDNER, of Massachusetts, to take himself away in the middle of July seeking other honors and another position. It would seem as if this House liked absenteeism, for when he returned the other day after being nominated for governor of his State, he tarried a few moments in the House, was applauded, and then he left us again only to return to-day. What an example to the new Members is set by this great parliamentarian who is one of the leaders of his party?

I think it was Mr. SHACKLEFORD who told us of a member of the Ways and Means Committee resigning from a conference committee. But with this we note that the gentleman from Minnesota was careful not to resign from the position with the fine salary. This same observation might lead us to the gentleman from Massachusetts, but what a picture it presents when it is held up to comparison with some others who have held high places in the councils of their party and Nation. Augustus H. Van Wyck resigned a position paying $17,500 a year when he accepted the Democratic nomination for governor of New York; Alton B. Parker, who as chief justice of the Court of Appeals of the State of New York, resigned when he accepted the Democratic nomination for President; and that very dignified and able young man whom our President selected for collector of the port of New York has resigned his position in order to be a candidate for mayor of Greater New York. Can it be said by anyone that it is possible for a man to serve two masters?

What a spectacle it is to the American people to have men in our highest positions take the oath that they will "freely, without mental reservation, faithfully discharge the duties" of the office they are about to enter, calling upon the Almighty to witness, and then what? Is being away days, weeks, and months, seeking other duties, other honors, and possibly other profits, in keeping with that oath?

Mr. GOULDEN. According to the agreement which I made with the distinguished gentleman from Connecticut, I must now ask that he be allowed to proceed by unanimous consent. What time does the gentleman desire?

Mr. DONOVAN. Five minutes.

The SPEAKER pro tempore. The gentleman from New York [Mr. GOULDEN] asks unanimous consent that the gentleman from Connecticut [Mr. DONOVAN] be allowed to proceed for five minutes. Is there objection?

Mr. HARDWICK. Mr. Speaker, reserving the right to object, I want to say to my friend from Connecticut that, according to one of the rules of the House, it is improper to assail the conduct of Members and their motives, and if the gentleman's object in continuing his speech is to assail one of our colleagues who is absent—I do not care who he is or on what side he sits—I am going to object. If the gentleman desires to speak on some question, I do not care.

The SPEAKER pro tempore. It is impossible for the Chair to say what course the gentleman intends to pursue. Is there objection?

Mr. DIFENDERFER. I object, Mr. Speaker.

The SPEAKER pro tempore. According to the rule previously adopted, the House will now stand in recess until 4 o'clock p. m.

Accordingly (at 2 o'clock and 55 minutes p. m.) the House stood in recess until 4 o'clock p. m.

AFTER THE RECESS.

The recess having expired, the House was called to order by the Speaker.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, the managers on the part of the two Houses of the conference on the disagreeing votes of the two Houses on the urgent deficiency bill have been in conference and have finished the work. They have reached the conclusion that they will report to the two Houses. It is merely a question of the time that will be required to prepare the report and the accompanying statements. I therefore ask unanimous consent that the House take a further recess for, say, 20 minutes.

RECESS.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that the House take a recess for 20 minutes. Is there objection? [After a pause.] The Chair hears none, and accordingly the House stands in recess until 4.23 o'clock.

AFTER THE RECESS.

The recess having expired, the House was called to order by the Speaker.

RESTORATION OF CONGRESS HALL, PHILADELPHIA, PA.

Mr. LOGUE. Mr. Speaker, I ask unanimous consent that the Committee on Rules be discharged from further consideration of House joint resolution No. 134, providing for the appointment of a committee from the House of Representatives and, as well, from the Senate, to attend, without expense to the Government, a celebration to be held in Philadelphia on the 25th of this month in connection with the exercises covering the restoration of Congress Hall.

The SPEAKER. The gentleman from Pennsylvania [Mr. LOGUE] asks unanimous consent to discharge the Committee on Rules from the further consideration of House joint resolution No. 134.

Mr. MANN. Mr. Speaker, until the deficiency matter is disposed of, I shall object to the transaction of any other business.

The SPEAKER. The gentleman from Illinois [Mr. MANN] objects.

URGENT DEFICIENCY APPROPRIATION BILL—RECESS.

Mr. HARDWICK. Mr. Speaker, the gentleman from New York [Mr. FITZGERALD] has just sent in word that it will be 5 o'clock before the conference report and statement are ready. I therefore ask unanimous consent that the House do recess until 5 o'clock.

Mr. BUTLER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Georgia yield to the gentleman from Pennsylvania?

Mr. HARDWICK. Certainly.

Mr. BUTLER. You can not do more than file the report under the rule, can you?

Mr. HARDWICK. Except by unanimous consent, no.

Mr. MANN. Reserving the right to object. Mr. Speaker, will not the gentleman send for the gentleman from New York [Mr. FITZGERALD]?

Mr. HARDWICK. One of the other conferees is present, Judge BARTLETT.

Mr. BARTLETT. Does the gentleman desire to ask me a question?

Mr. HARDWICK. I yield to the gentleman.

Mr. MANN. The proposition is to take a recess until 5 o'clock. What I wanted to ask was whether it was the intention then to adjourn when the conference report was presented?

Mr. BARTLETT. The conference report will be presented in 15 or 20 minutes.

Mr. MANN. I know; and a request has been made to take a recess until 5 o'clock. I wanted to see if the intention was to take an adjournment then or whether it was the intention to try to keep the House in session continuously to dispose of the conference report, or whether it was desired to take a recess and work on the conference report to-night.

The gentleman from Georgia [Mr. HARDWICK] just a moment ago asked unanimous consent that the House stand in recess until 5 o'clock, which is about the ordinary time for adjournment. Of course, under the rules the conference report would be presented for printing in the RECORD. So far as I am concerned, I am quite willing to waive that requirement and proceed with the disposition of the conference report, and, assuming that certain items will not be included in the report, proceed with the disposition of those to-night, if it can be done.

Mr. FITZGERALD. Mr. Speaker, if the House is willing to do so and will waive the requirement of the rule that the conference report be printed in the RECORD before being considered, in order to accommodate a great many Members who are here, I am perfectly willing to ask the House to consider the report at the present time. [Applause.]

Mr. BARTLETT. But may I suggest that if in case of a roll call it was developed that there was no quorum present——

Mr. FITZGERALD. We would have to adjourn, anyway.

Mr. BUTLER. On one amendment, at least, there will be an opportunity for a roll call?

Mr. FITZGERALD. Undoubtedly.

Mr. HARDWICK. If the gentleman from New York will pardon me, we could at least debate Senate amendment 108.

Mr. MANN. We could debate one amendment, but I would not be willing to have a lot of amendments debated and not acted upon. Suppose the gentleman bring the matter before the House by asking unanimous consent that the House take a recess until 8 o'clock, and that at that time it would be in order to consider the conference report on the deficiency appropriation bill.

Mr. HARDWICK. Mr. Speaker, since the gentleman from New York [Mr. FITZGERALD] is now on the floor himself, I will withdraw my request and let him make whatever request he thinks proper.

Mr. FITZGERALD. Mr. Speaker, in order to ascertain the disposition of the House I ask unanimous consent that the House stand in recess until 8 o'clock to-night, and that at that time it shall be in order to consider the conference report on the urgent deficiency appropriation bill.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that the House stand in recess until 8 o'clock, at which time it shall be in order to consider the conference report on the urgent deficiency appropriation bill without printing in the RECORD under the rule. Is there objection?

Mr. BUTLER. Mr. Speaker, reserving the right to object, it may be unimportant that I should be here when this is considered, but I have been sitting about for four days, waiting for this quorum to do something. If the gentleman will make his request to go on at 5 o'clock for the consideration of that, I will be willing to stay until 12 o'clock. But I should object to taking a recess until 8 o'clock.

Mr. FITZGERALD. Let me make this suggestion to the gentleman from Pennsylvania: There are certain amendments which I stated would be reported to the House in disagreement. Many gentlemen desire to debate them. Eight o'clock was suggested so that Members might have an opportunity to have dinner and come back here then prepared to work. If we should take up the conference report at 5 o'clock with the purpose of continuing in session, I know that at about half past 6, having had very little opportunity to have any lunch and compelled to go without dinner, I myself would develop such an acrimonious temper that it would not accelerate the business of the House. [Laughter.]

Mr. MANN. And I have not had any since breakfast.

Mr. BUTLER. But suppose the gentleman considers other people.

Mr. FITZGERALD. Mr. Speaker, the gentleman from Illinois feeds on different meat from the rest of the Members of the House and does not require the same character of nourishment.

Mr. BUTLER. There will be plenty here to listen to the argument, and this means that we will stay until very late to-night. The rest of us have been sitting here waiting now for four days, and we ought to be considered. A man of my age ought not to be expected to stay here all week and then stay here all night.

Mr. FITZGERALD. Suppose the gentleman allows me to suggest something. The gentleman must remember that personally I occupy a different position in this matter from many others. Once the debate starts I can not leave the floor, but must remain here, while everybody else can escape a sufficient time to have dinner. Because of the manner in which these amendments will be considered I would be required, as well as two or three other Members, to remain here continuously, and that would be unfair.

Mr. MANN. Mr. Speaker, will the gentleman permit a suggestion right there? If you are going to have a long debate, well and good; but here are a number of Senate amendments which, as I understand it, are not covered by the conference report. I take it that debate on any one of these will not be very extensive, and then will come the vote on the amendments. On some of them there will be a roll call, and the probability is

that we would have a roll call at 6 o'clock and would not be able to get a quorum. Those who stayed here at that time would not get their dinner.

Mr. HARDWICK. It happens that the very first amendment to be considered is Senate amendment No. 8, on which the principal debate will occur.

Mr. FITZGERALD. There might be some discussion of the report itself before we reach any of the amendments.

Mr. MANN. If we are to come here to-night, why not make it half past 7 or 7 o'clock?

Mr. BUTLER. Make it 7 o'clock. I do not say this to be captious.

Mr. FITZGERALD. The gentleman from Pennsylvania is a man of peace. How about 7 o'clock?

Mr. BUTLER. I do not care anything about peace, but I have been waiting here all week for a quorum, and if it is here let us go ahead and do something. If the gentleman will modify his request and make it 7 o'clock, I will make no objection.

Mr. FITZGERALD. Very well, Mr. Speaker, I modify the request and make it 7 o'clock.

The SPEAKER. The gentleman from New York asks unanimous consent that the House stand in recess until 7 o'clock to-night, at which time it shall be in order to consider the conference report on the urgent deficiency appropriation bill, the rule to the contrary notwithstanding. Is there objection? [After a pause.] The Chair hears none, and it is so ordered, and the House stands in recess until that time.

Accordingly (at 4 o'clock and 38 minutes p. m.) the House stood in recess until 7 o'clock p. m.

AFTER THE RECESS.

The recess having expired, the House was called to order by the Speaker.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I present a conference report on the urgent deficiency bill.

The SPEAKER. The Clerk will read the report.

The Clerk read as follows:

CONFERENCE REPORT (NO. 91).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7898) making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1913, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 6, 7, 9, 17, 18, 21, 22, 25, 26, 40, 43, 48, 51, 66, 73, 75, 80, 81, and 100.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 12, 14, 16, 19, 20, 24, 34, 35, 37, 38, 39, 41, 42, 45, 46, 47, 49, 50, 52, 53, 55, 56, 57, 59, 60, 62, 63, 64, 65, 68, 70, 71, 72, 74, 76, 78, 79, 84, 85, 86, 87, 88, 89, 90, 91, 92, 94, 95, 96, 98, 99, 101, 102, 103, 104, 105, and 106, and agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Boston, Mass., immigrant station: The authority to construct the immigration station at Boston, Mass., is transferred to the Treasury Department, together with the unexpended balances of appropriations heretofore made therefor, to be expended under the direction of the Secretary of the Treasury for the construction of said station within the existing limit of cost and under conditions of existing law."

And the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: Strike out all after the word "cost," in line 18 of said amendment down to and including the last line thereof, and insert the following: "not exceeding $65,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: Beginning in line 11 of said amendment, after the word "system," strike out all of the matter proposed up to and including the word "thereto" in line 13; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows: Strike out the word "properly," in line 2 of said amendment, and insert in lieu thereof the word "necessarily"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In line 3 of said amendment in lieu of the sum "$9,600" insert the sum "$9,000," and in line 5 of said amendment in lieu of the sum "$1,950" insert the sum "$1,500"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert the following: "$3,000"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: Add before the matter inserted by said amendment the following: "And the latter to be transferred to the district courts if not decided by the Commerce Court before December 1, 1913"; and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: After said amendment insert the following: "All furniture, carpets, and other property of the Commerce Court is turned over to the Department of Justice and the Attorney General is authorized to supply such portion thereof as in his judgment may be proper and necessary to the United States Board of Mediation and Conciliation"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: Strike out of said amendment the word "appointment"; and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In line 4 of said amendment strike out the word "twenty" and insert in lieu thereof "fourteen," and in line 7 of said amendment strike out "$16,650" and insert in lieu thereof the sum "$11,925."; and the Senate agree to the same.

The committee of conference have been unable to agree on amendments numbered 8, 10, 11, 27, 28, 29, 30, 31, 32, 33, 44, 61, 82, 93, 97, and 107.

JOHN J. FITZGERALD,
C. L. BARTLETT,
FREDK. H. GILLETT,
Managers on the part of the House.

THOMAS S. MARTIN,
LEE S. OVERMAN,
Managers on the part of the Senate.

The statement is as follows:

STATEMENT.

The managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7898) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report, namely:

On amendments Nos. 1, 2, 3, and 4: Supplies certain small deficiencies on account of the Botanic Garden.

On amendments Nos. 5, 6, and 7: Appropriates $39,000, as proposed by the House, instead of $29,000, proposed by the Senate, for the Civil Service Commission.

On amendment No. 9: Strikes from the provision for relief and transportation of destitute Americans in Mexico the provision proposed by the Senate, making the same available "for other purposes connected with the present disturbed condition in Mexico."

On amendment No. 12: Inserts the provision, proposed by the Senate, to continue the audit of Panama Canal expenditures by the Auditor for the War Department.

On amendments Nos. 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26, all relating to public buildings: Inserts a provision to purchase a suitable site for an appraiser's stores and warehouse at Galveston, Tex., as authorized by law; appropriates $50,000 to protect the quarantine station at Galveston, Tex.; strikes out the provision, proposed by the Senate, authorizing acquisition of additional land for the Hanover (Pa.) post office; strikes out the provision relative to the bureau of mines at Pittsburgh, Pa.; inserts the provision, proposed by the Senate, relative to the Portland (Oreg.) post office; appropriates $65,000 for reconstruction of the quarantine station at Tampa

Bay, Fla.: strikes out the appropriation of $5,000 for designs and estimates for the national archives building; strikes out the provision relative to the Memphis (Tenn.) post office; inserts the provision relative to the New York appraiser's stores modified by striking therefrom the provision for reassigning incidental changes; inserts the provision relative to the Wytheville (Va.) post office; strikes out the provision extending the limit of expenditures for the Treasury, Butler, and Winder Buildings; and appropriates $30,000 for public buildings site agents in the terms proposed by the House.

On amendment No. 34: Appropriates $6,500 for collecting internal revenue.

On amendment No. 35: Authorizes the transfer of an unexpended balance in an appropriation for the Public Health Service.

On amendments Nos. 36 and 37: Makes the appropriation for valuation of railroads available for expenses necessarily incurred after July 1, 1913.

On amendment No. 38: Appropriates $10,000, as proposed by the Senate, for the United States Board of Mediation and Conciliation.

On amendments Nos. 39 and 40. Authorizes payment of employees of the old excise board of the District of Columbia until their successors were appointed; and strikes out the appropriation of $400 for expenses of the jury commission of the District of Columbia.

On amendments Nos. 41, 42, and 43: Inserts the provision proposed by the Senate relative to the improvement of the Tennessee River between Florence and Riverton, Ala., and strikes out the appropriation of $15,000 for protecting Anastasia Island, Fla.

On amendments Nos. 45 and 46: Provides for payment of additional adjusted claims in collision cases under the Navy Department.

On amendment No. 47: Inserts the provision, proposed by the Senate, relative to the improvement of hydraulics, Mare Island Straits, Cal.

On amendments Nos. 48, 49, 50, 51, 52, and 53, under the Interior Department: Strikes out the appropriation for additional clerks in the General Land Office; appropriates $1,428.16 for surveying the public lands; strikes out the appropriation of $7,200 for additional clerks in the Indian Office; inserts the provision relative to the Fort Bidwell School in California; and appropriates $1,650 for work at the Capitol.

On amendments Nos. 54, 55, 56, 57, 58, 59, 60, 70, and 71, under the Department of Justice: Fixes the salary of the Assistant to the Attorney General at $9,000 per annum; provides for two additional charwomen, $1,000 for furniture, $1,200 for miscellaneous items, and $3,000, instead of $6,200, for rent of buildings; and appropriates ascertained amounts for expenses of enforcement of antitrust laws.

On amendments Nos. 62, 63, 64, 65, 66, 67, 68, and 69, relating to the Commerce Court: Inserts the modifications, proposed by the Senate, in the provision of the House bill abolishing said court, except with reference to the abolishment of five additional circuit judgeships.

On amendment No. 72: Makes a verbal correction in the reappropriation for expenses of the parcel-post service.

On amendments Nos. 73, 74, 75, and 76, under the Department of Commerce: Strike out the appropriation for a fish pathologist; inserts the provision with reference to the Official Register of the United States; strikes out the provision to relieve officers of the Coast and Geodetic Survey for expenses incurred in relieving distressed persons; and modifies the provision with reference to beacon lights, Newark Bay, N. J., as proposed by the Senate.

On amendments Nos. 77, 78, 79, 80, and 81, under the Department of Labor: Provides for an additional clerk at $1,800; increases the appropriation for contingent expenses from $5,000 to $10,000; and strikes out the appropriation of $15,000 for the Bureau of Statistics and the increase from $5,000 to $25,000 for commissioners of conciliation.

On amendment No. 83: Provides for one additional lieutenant and 14, instead of 20, additional privates in the Capitol police force.

On amendments Nos. 84, 85, 86, 87, 88, 89, 90, 91, 92, 94, 95, 96, 98, 99, and 100, all relating to the Senate: Inserts the provisions covered by said amendments as proposed by the Senate, except the one with reference to employees of the Committee on Expenditures in the Post Office Department, which is stricken from the bill.

On amendment No. 101: Appropriates $7,500 to the widow of the late Representative S. A. Roddenbery.

On amendments Nos. 102, 103, 104, and 105: Makes a verbal correction in the text of the bill and appropriates for an additional judgment of the Court of Claims certified since the bill passed the House.

On amendment No. 106: Appropriates for the payment of claims against the Government audited and certified since the bill passed the House.

The committee of conference have been unable to agree on the following amendments, namely:

No. 8, exempting from the operation of the civil-service law certain deputy collectors of internal revenue and deputy marshals.

No. 10, appropriating $6,000 to Angelo Albano.

No. 11, appropriating $72,000 for payment of certain persons for injuries sustained from shots fired across the American boundary by soldiers and revolutionists in Mexico.

Nos. 27, 28, 29, 30, 31, 32, and 33, making additional appropriations for mints and assay offices.

No. 44, for payment to the State of Ohio on account of "Arming and equipping militia" of the sum of $78,670.87.

No. 61, striking out the provision of the House abolishing the five additional circuit judgeships provided for in the act establishing the Commerce Court.

No. 82, relating to the memorial bridge.

No. 93, appropriating $7,000 for an automobile for the Vice President.

No. 97, appropriating for an additional month's pay to officers and employees of the House and Senate.

No. 107, appropriating $400,000 for a monument to commemorate the women of the Civil War.

JOHN J. FITZGERALD,
C. L. BARTLETT,
FREDK. H. GILLETT,
Managers on the part of the House.

The SPEAKER. The Clerk will read the statement.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. The report having been read, is it necessary to read the statement?

The SPEAKER. It is not necessary.

Mr. MANN. I suggest the gentleman from New York give us some information concerning these amendments as the Clerk read the report rapidly, and I am glad he did, and we could not follow the amendments. Is the gentleman from New York able to give some information by numbers, so the House can follow as to what amendments are still in disagreement?

Mr. FITZGERALD. I can do that. I ask unanimous consent to dispense with the reading of the statement.

Mr. MANN. The rule does not require the statement to be read where the report is read.

Mr. FITZGERALD. The following amendments are still in disagreement: Nos. 8, 10, 11, 27 to 33, inclusive—those are the assay-office amendments—44, 61, 82, 93, 97, and 107.

Mr. MANN. May I ask the gentleman what was done with amendment numbered 66? Was that agreed to? That is an amendment concerning the Commerce Court, where the Senate struck out "except" and inserted "included." Was that agreed upon?

Mr. FITZGERALD. We agreed to that with a modification. The word "except" is reinstated, and after the word "decree," in line 12, certain language was inserted. I will ask the Clerk to read the language that was suggested.

Mr. MANN. Under the language agreed to, that would still leave the court authority to determine those cases which have been argued before it.

Mr. FITZGERALD. It is to transfer certain cases pending in the Commerce Court on the 1st of December to the district courts.

Mr. BARTLETT. Cases that have not been determined.

Mr. MANN. The way the Senate had the amendment those cases which had been argued in the Commerce Court would have to be reargued in some other court.

Mr. BARTLETT. This amendment of ours obviates that necessity.

Mr. PALMER. Will the gentleman yield?

Mr. FITZGERALD. I will.

Mr. PALMER. Was the Senate amendment to this bill providing for a monthly allowance for employees agreed to?

Mr. FITZGERALD. That is in disagreement. That is Senate amendment No. 97.

Mr. PALMER. That is to be voted upon by the House?

Mr. FITZGERALD. Yes.

Mr. PALMER. How about the Senate amendment providing for 21 additional Capitol police?

Mr. FITZGERALD. That was adjusted by agreeing to 14.

Mr. PALMER. The conference report contains an agreement of the committee for 14?

Mr. FITZGERALD. Yes.

Mr. PALMER. Well, it is a great mistake.

Mr. COOPER. Will the gentleman from New York yield?

Mr. FITZGERALD. I will.

Mr. COOPER. I desire to ask the gentleman from New York what was done with Senate amendment relating to interlocutory injunctions suspending or restraining the enforcement, and so forth?

Mr. FITZGERALD. What page?

Mr. COOPER. It is on page 39, amendment 64.

Mr. FITZGERALD. The House agreed to the amendment.

Mr. COOPER. Without any change?

Mr. FITZGERALD. Without any change.

Mr. BURNETT. What was done with the Vice President's automobile?

Mr. FITZGERALD. It is in disagreement.

Mr. BURNETT. That is good.

Mr. KELLY of Pennsylvania. Will the gentleman from New York inform me what was done with amendment 54, on page 32?

Mr. FITZGERALD. It was agreed to at $9,000.

Mr. KELLY of Pennsylvania. The original figure of the House bill?

Mr. FITZGERALD. The amount the House had recommended, fixing it at $9,000, instead of $9,600 as suggested by the Senate.

The SPEAKER. The question is on agreeing to the conference report.

Mr. PALMER. Mr. Speaker, will the gentleman yield to me about five minutes?

Mr. GILLETT. Will the gentleman yield me five minutes?

Mr. FITZGERALD. I shall yield first five minutes to the gentleman from Massachusetts [Mr. GILLETT], a member of the committee.

Mr. AUSTIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. AUSTIN. I desire at the proper time to make the motion that the House recede on amendments numbered 97 and 107.

The SPEAKER. The time has not come for that yet.

Mr. FITZGERALD. We have not disposed of the report itself.

Mr. AUSTIN. Is this motion to dispose of what you have agreed to?

Mr. FITZGERALD. Yes; the amendments in disagreement will be taken up in order. I now yield to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT. Mr. Speaker, I simply wish to call the attention of the House to one or two features in this bill illustrating the boasted zeal of the Democratic Party for economy. I signed this report because I did not think there was anything in it so fundamentally bad as to require my dissent, although there are various features in it to which I do not agree, and I presume that is true of every member of the conference committee, that none of us had exactly what he wished.

I desire to call the attention of the House to the increase of the Capitol police force. Those of us on this side of the House remember how in the last Congress the Democratic Party, proclaiming economy as their watchword, boasted of this great reduction in the Capitol police force. It was reduced by the legislative bill against the opposition of the Senate, and that was one of the features which was heralded as proof of the Democratic earnestness for economy.

Now, they having acquired power, we see them coming back and restoring 14 of those who were cut out, so that that side of the House will now be able to have about $15,000 more of patronage to be divided among its Members. I believe at the last Congress it was caucus action which cut down this police force. If I remember rightly, the Democratic caucus decreed this reduction, and, if I remember rightly, the Democratic caucus also decreed that the one month's extra pay, which follows shortly after that in this bill, was also to be cut out. I am wondering if, after the House has these 14 more policemen, they are going to proceed to break their promises and boasts of the last session again and give the month's extra pay to the employees of the House.

This is simply, Mr. Speaker, the beginning. It is exactly the process which we on this side of the House predicted they would follow, namely, cut down when they are out of power and as soon as they are in power forget their professions, ignore their promises, and begin to agitate the question of patronage which they were so boastful about giving up.

Mr. PAYNE. I would like to ask the gentleman a question before he sits down. What was done with the amendment giving an additional clerk to each Senator who has only two at present?

Mr. GILLETT. If I remember rightly, the House yielded upon that.

Mr. PAYNE. Yielded upon that? I can hardly see upon what theory. Here are over 400 Members of the House with only one clerk each, and the Senators, one of whom only represents the undivided congressional district, are to have three. I think the House is humiliating itself by any such legislation as that.

Mr. GILLETT. I will refer the gentleman to the chairman of the committee for explanation.

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. PALMER].

The SPEAKER. How much time does the gentleman yield?

Mr. FITZGERALD. I yield five minutes now. If the gentleman wishes more time, I will yield it.

The SPEAKER. The gentleman from Pennsylvania [Mr. PALMER] is recognized for five minutes.

Mr. PALMER. Mr. Speaker, in my judgment, the criticism of the gentleman from Massachusetts [Mr. GILLETT] is well taken. [Applause.] This question of the Capitol police has been a controverted one between the House and the Senate ever since the beginning of the last Congress, and our side of the Congress and our committees of conference have uniformly insisted upon the maintenance of the reduced force, and up to this time have never receded from that position. And I am surprised that the committee now, without anything like notice to the Members of the House, should have brought in an agreement adding 14 men to this roll of policemen. For one I earnestly and vigorously protest against it.

Mr. BARTLETT. May I interrupt the gentleman?

Mr. PALMER. In just a minute.

Mr. BARTLETT. There was no suggestion or request of any Member that this amendment be submitted separately.

Mr. PALMER. But what I say is that inasmuch as this thing has been up so many times in the House and the House so overwhelmingly insisted on the roll remaining as we determined it should be at the beginning of the last Congress, we had a right to assume that the conference committee would not deliberately change this number of policemen without coming to the House with it.

Now, what are the facts about this thing? I want to say for one that, so far as I am concerned, although this is a conference report upon an appropriation bill and we must vote the whole report up or vote the whole report down, I would vote it down rather than commit this absolute breach of faith with the American people upon this question. [Applause on the Democratic side.] For it is precisely as the gentleman from Massachusetts [Mr. GILLETT] has said. We came before the House two years ago with an honest and a sincere effort to show the country that we would stand for economy and begin that economy here in the House, and we cut off something like $200,000 of the House's expenses. The country approved it; our own judgment approved it, and I say to you, my fellow Members of the majority here, that we ought to stand by it right through. [Applause on the Democratic side.]

Now, there is absolutely no merit in the demand for more policemen here in the Capitol, in my judgment. What are the facts? Two years ago, when we came into power here in the House, we found that the Capitol had 73 policemen—3 lieutenants, 2 special officers, and 67 privates— while the House Office Building had 1 captain, 1 lieutenant, and 15 men; a total of 17, making a grand total of 90 policemen for the Capitol Building and the House Office Building. We cut that down so that in the House Office Building we left 1 lieutenant and 10 men, and in the Capitol itself we left 1 captain, 2 lieutenants, 2 special officers, and 33 men.

Now, I submit that, so far as this Capitol Building is concerned, 33 policemen, being 11 men for each shift of 8 hours in the day, are absolutely ample for the protection of the building and the keeping of order here. Why, here we have a single building in a park about as big as four city squares with more policemen now than many a city in the country with forty or fifty thousand population employs.

When this matter was up in the House before, I called the attention of the House to some cities and their police forces. I remember particularly calling attention to the city of Harrisburg, a city of 64,186 persons, which has a police force of 54 men, with a pay roll of $49,920. And yet here are we in a single building, populated by not over a thousand or fifteen hundred souls at the outside, employing 73 policemen to maintain order. It was foolish, it was absurd, and we were dead right in cutting it out.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. PALMER. May I have five minutes more?

Mr. FITZGERALD. I yield five minutes more to the gentleman.

The SPEAKER. The gentleman from Pennsylvania is recognized for five minutes more.

Mr. PALMER. In the city of Harrisburg, that I was referring to, with a population of 64,000 people, there is a capitol building in a capitol park almost as large as this Capitol Building and park, and a body of legislators that are no more law-abiding than we are, and they have not had any trouble with a police force of 54 men. The city of Easton, the biggest city in my district, with a population of nearly 40,000, has 20 policemen, with a pay roll of $14,700. The city of Trenton, N. J., with a population of 100,000, has a hundred policemen.

Now, I do not believe for a minute that these men are necessary, and what our friends on the other side are going to say is what they have a perfect right to say, namely, that although they are not necessary, we are putting them back in order to supply jobs for somebody.

Mr. BATHRICK. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from South Carolina?

Mr. PALMER. Yes; I yield.

Mr. BATHRICK. I ask for information, in order to get some facts on which I may predicate my own action in this matter. I desire to know how many doors there are in this building, upstairs and downstairs, into which a marauder could get at night if only 11 policemen were watching them?

Mr. PALMER. I can not tell offhand, but——

Mr. BATHRICK. I understand there are 14 downstairs.

Mr. PALMER. I can not say offhand, I say, but I know this, that we have been operating ever since the beginning of the last Congress with a total of 33 men, 2 special officers, 2 lieutenants, and a captain, and, so far as I have heard, there has been no disorder, there has been no crime, there has been no danger resulting to men here by reason of that small force.

Mr. BATHRICK. Will the gentleman yield again? I am seeking for information. I do not care to be a party to any unusual or unreasonable expense to the Government, but we have here some paintings that are worth from $20,000 to $30,000, and 14 entrances to the building, with 11 men on a shift to watch them. I do not say that we need 14 men, but it seems to me that we need more than we have.

Mr. MANN. Will the gentleman from Pennsylvania yield for a question?

Mr. PALMER. If the gentleman will wait until I answer the gentleman from Ohio. You have got that many policemen and 430 Members of Congress, with ninety-odd Members of the Senate, constantly passing back and forth, who are helping to guard the building against vandals. The doors are locked at night.

Mr. MANN. Does the gentleman from Pennsylvania know of any doors that are not locked up after 5 o'clock with the exception of the one on the House side and one on the Senate side?

Mr. PALMER. I know the most of them are locked.

Mr. MANN. If a Member wants to get out after 5 o'clock he has to go that way.

Mr. PAYNE. If the gentleman from Pennsylvania will yield, I want to ask if he ever saw a policeman at the south door or the west door at any time in the day?

Mr. PALMER. I have not seen many policemen.

Mr. PAYNE. There is only one in this end of the building.

Mr. PALMER. Now, as to the House Office Building, I understand that there has been some claim made that we cut too deeply in the House Office Building police force. There was a single building with probably five entrances, and we cut it to 1 lieutenant and 10 policemen. Now, I say about that as I say about the Capitol Building, that I have yet to hear of any disorder or any crime having been committed in the House Office Building which would have been prevented if there had been more policemen there.

I took occasion to examine into this question of policemen for these buildings two years ago, and I will state one instance. The Land Title Building in the city of Philadelphia has 1,100 rooms, with 365 tenants and about 1,500 occupants. It is situated on the corner of Broad and Chestnut Streets, one of the busiest thoroughfares in that great city, where thousands and thousands of people sweep past every day. It has three large entrances upon both streets, and they have four policemen to maintain order and decorum in all that building.

Now, I say, it is absurd for us, after having justified this decrease in the last Congress in the interest of economy, by starting out to run the House on a businesslike basis, to now, by reason of any fancied necessity on the part of any Member, take a back track and make ourselves ridiculous on this question. [Applause.]

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. BROCKSON. Will the gentleman from New York yield five minutes to me?

Mr. FITZGERALD. I will yield five minutes to the gentleman from Delaware.

Mr. BROCKSON. Mr. Speaker, I am unwilling to sit by or aid in the increase of the police force here without sufficient proof that they are needed. What has been said on the Republican side and said by the gentleman from Pennsylvania [Mr. PALMER] is true as to my district as in other districts. We did preach economy in my district, and one of the items of economy to which we pointed was the reduction of the unnecessary force about this Capitol, specifically pointing to this reduction, and pointed to it with pride. Now we are asked to put back 14 policemen without any reason that I have heard. I have been here since the 7th of April last and I have heard of no disorder here or in the House Office Building. I have heard of no misconduct and of no attempt at vandalism that would require additional police force. I submit that the Democratic Party is committed to a policy of economy and not to extravagance, and I am opposed to this increase in the police force.

Mr. FITZGERALD. Mr. Speaker, as one of the managers on the part of the House I agreed to the compromise arrived at with the Senate in its proposition to increase the Capitol police force by 21 members. In the House Office Building, this Capitol, and the Senate Office Building there are 61 police officers. Their duty is not solely and entirely to keep order. They are needed more in the capacity of watchmen. The value of these properties is conservatively estimated at $20,000,000, and with three shifts a day there can be on duty at one time guarding the entrances and patrolling the buildings but 20 men. There is no fire-alarm system in the Capitol, there is no fire-protection system, and the only protection there is against disastrous fire in this building is that which may come from the vigilance of the men appointed in the capacity of policemen properly to patrol and watch the building. The Senate, which is a coordinate branch of the Congress, believe that 21 additional men are necessary. After the Senate had adopted that amendment I conferred with men in charge of this force, with the Sergeant at Arms, and with the Speaker. The Speaker related some experiences that he personally had as chairman of the House Office Building Commission, and I reached the conclusion that on this side of the Capitol these additional men were required. I assume that if 6 additional men were required here, 6 additional men would be required upon the other side. The Senate conferees insisted that at least 7 additional men were required on each side, and the House conferees, because of the insistence of the Senate, acquiesced in the additional 2 men in order to reach an agreement. I believe that the House did wrong when it cut down so extensively the Capitol police force two years ago [applause], and I do not hesitate to make that admission when convinced that that is the fact.

Mr. HARDWICK. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. HARDWICK. I just want to ask the gentlemen if this is not true, that to this Capitol great throngs of visitors are coming, and these men ought to be on hand to direct people where to go?

Mr. BURNETT. Have we not guides for that purpose?

Mr. HARDWICK. No; the guides are paid. People who want to go on exploration tours hire the guides, but these men ought to be stationed around the building at convenient places to direct people where they should go to transact public business.

Mr. FITZGERALD. I repeat, Mr. Speaker, that in my opinion the House made a too radical cut in the police force of this Capitol, and it is easy to understand how it was done, and I can appreciate the criticism made by the gentleman from Pennsylvania [Mr. PALMER]. The cut was not made upon an investigation conducted by any of the regularly constituted committees of this House. Before the Democrats had organized the House the gentleman from Pennsylvania himself made an investigation of the conditions existing around this Capitol, and he suggested to a Democratic caucus that, as a result of his investigation, there were certain places in the House and Capitol organization that were unnecessary, and as a result of his investigation, and upon his recommendation, the Democratic caucus agreed that there should be a certain cut in the police force of the Capitol.

Mr. PALMER. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. PALMER. I just want to correct the statement of the gentleman. The investigation was made by a committee consisting of the gentleman from North Carolina [Mr. KITCHIN], the gentleman from Tennessee [Mr. HULL], and myself, who reported to the Committee on Ways and Means, which was considering the question, which committee reported it to the caucus, where the report was adopted by a practically unanimous vote.

Mr. FITZGERALD. It was, and any report made by the Committee on Ways and Means to that caucus would have been adopted. [Laughter.] Why not be perfectly frank about it? These gentlemen were a self-constituted committee who undertook to discharge the duties of the regular committees of the House, and the caucus, upon their presentation of the question, made up, as it was, of men who had never had anything to do with the consideration of the necessity for these matters, because of the committee service of these gentlemen, agreed to their report.

I have made such investigation as I could in my position, and I agreed to this increase because I believe that 12 of these men are absolutely necessary and the Senate insisted 14 were necessary. Mr. Speaker, I place my record for economy in this House against that of the gentleman from Pennsylvania [applause], or the gentleman from Delaware, or any other gentleman, and I challenge anyone in this House to point to a single act of mine in this House where I have supported or recommended or urged the creation of positions, either in this House or the Senate or in any of the executive departments, merely to supply patronage that some one might have an opportunity to fill it.

I have stood here for 14 years waging the battle of Democracy for economy and it comes with ill grace from any Member upon this side to charge me in the discharge of my duties, endeavoring against great odds to have the Democratic Party to carry out its pledges for economy, with being actuated by a desire merely to supply places for Members, when in the conscientious discharge of my duties I am honestly convinced that those places are necessary. I am willing to go to the country on this record. I am willing to present to the country my judgment as to the desirability and necessity of these places against the judgment of either gentlemen upon that side or gentlemen upon this side. Gentlemen upon that side, in view of their record, can not criticize this side of the House either for its cuts or for the putting back of places we might consider necessary. I recall when the House Office Building was first opened and the proposition was made to create a very large number of police for that building, I was one of the Members from both sides who prevented the enactment of legislation that would create those positions. Members speak of 10 men being sufficient in the House Office Building. Mr. Speaker, there is no more comparison between that building and the Land Title Office Building in Philadelphia than there is between day and night. The Land Title Office Building is a 12 or 15 story modern office building. One man stationed in the central corridor on the main floor can see every person who comes into that building. When a person enters an elevator and goes to the upper portion of the building—some of the floors are occupied entirely by a single business concern—from the elevator the step is directly into a business office.

On the other floors you step into a small corridor and can go only into some office. People go there to transact business. Not all of those who go to the House Office Building go to transact business. A large proportion go to pester and to annoy and to bother and to interfere with Members of Congress in an attempt to discharge properly their official duties. [Applause.] When the Capitol police force was cut down it became necessary for the House Office Building to close at different times some of the entrances to the building. There was more complaint and more grumbling and there was more dissatisfaction because gentlemen were compelled to go out one door rather than another than there is over Congress being compelled to continue in session at this time. Those who come to this Capitol, Mr. Speaker, come here from all over the country—come here from all over the civilized world. They are not a disorderly lot of persons, they are for the most part, an orderly, intelligent, interested class of people, anxious to see this Capitol, and yet watchmen are necessary. The iconoclasts and souvenir seekers constantly are here. They act as if it were desirable to go to the bronze doors on the east front of the Capitol and knock off a leg here or a head there or an arm some other place or some other portion of those doors and bring them home and keep them as souvenirs. There have been times when some of the paintings in the Capitol have been injured. It is easy to say that 10 men on this side of the Capitol on each shift are sufficient.

The records of the Sergeant at Arms' office show that 5 per cent of those men on the average are incapacitated because of sickness during the year and 8 per cent of them are unavailable if the usual leave of absence be given to them, so that when the matter is carefully investigated, when it is properly investigated, when the facts are known, I believe that no charge can honestly be made against the House for extravagance or for an unnecessary or unjustifiable number of men in keeping this Capitol in order and preserving it. Gentlemen talk about the police force in small communities. There can be no comparison and there is none between conditions in such communities and the situation here. And I say that, so far as I am concerned, believing that an additional number of these men were necessary, and the only difference existing between those representing the Senate and those representing the House being a question of two policemen in the Capitol, I did not think it sufficient to justify disagreement upon this item.

Mr. GOULDEN. Mr. Speaker, will the gentleman pardon a statement?

Mr. FITZGERALD. I will yield to the gentleman.

Mr. GOULDEN. At the time the new Office Building was opened, the Committee on Accounts, of which I had the honor of being a member, after a thorough investigation of the matter, brought in a report that 21 men and 3 officers were necessary. There was opposition on the part of the gentleman from New York [Mr. FITZGERALD], as well as on the part of a few on the other side of the House, and it became so bitter that the gentleman from Georgia [Mr. BARTLETT], a member of the committee, moved to amend by making the number 14 men. I thought that it was a mistake at the time. I think so now. During this session of Congress the gentleman sitting on my left [Mr. BRUCKNER] has had an overcoat stolen from his office, and I believe that is not the only depredation which has been committed there. I think it necessary to make this statement from the facts known to me, that they may know my observation and experience since this Office Building was opened five years ago, as well as the rumors flying around the corridors of the building that may affect the character of the membership of this House.

Mr. MANN. Will the gentleman yield?

Mr. GOULDEN. I will.

Mr. MANN. The gentleman from New York has just stated that when the original proposition came from the Committee on Accounts it provided for 21 policemen?

Mr. GOULDEN. That was the unanimous report.

Mr. MANN. Well, his recollection may be better than mine, although my recollection is that the original report provided for 35 policemen in the House Office Building. I led the fight against it, and we skinned the proposition. I think the number was 35.

Mr. FITZGERALD. I do not remember the number. At present they have 10, with 1 officer, and I do not believe it is sufficient.

Mr. PALMER. Would the gentleman be willing, in order that the sense of the House may be tested, to make an exception of this item?

Mr. FITZGERALD. There is no way in which it can be done.

Mr. PALMER. It can be done by unanimous consent.

Mr. FITZGERALD. It can not. There is no parliamentary procedure by which this item can be taken out of this report.

Mr. PALMER. But we can, however, have a vote on this without taking it out of the report.

The SPEAKER. The conference report must be voted on as a whole.

Mr. O'SHAUNESSY. Mr. Speaker, I have listened with a great deal of interest and attention to the statement of the gentleman from New York [Mr. FITZGERALD] with reference to the action of the Ways and Means Committee on the report of the committee, of which the gentleman from Pennsylvania [Mr. PALMER] was one.

Now, were the objections that you urge now urged then?

Mr. FITZGERALD. Where?

Mr. O'SHAUNESSY. In the committee that had the determination of the number?

Mr. FITZGERALD. I do not know. I was not on the Committee on Ways and Means and I do not know what transpired in that committee.

Mr. O'SHAUNESSY. But you have made a statement that anything coming from the Ways and Means Committee would go through.

Mr. FITZGERALD. I meant at that time. Anybody who was here at that time would agree to that statement. The Democratic caucus had selected that committee for the purpose of organizing the House, and I was not in particularly good odor anyway, and any suggestion I might have made in the caucus would have been futile.

Mr. O'SHAUNESSY. I want to urge upon the gentleman that if his objection is good now, it should have been good then, and the wisdom of the committee, or the caucus, whichever was the determining factor, should have excluded the number of people they want now to put on.

Mr. FITZGERALD. I did not participate in the discussion of the caucus.

Mr. O'SHAUNESSY. Another question I want to ask the gentleman. From what source does the objection come now as to the inefficiency of the number, or lack of numbers, and what proof has the gentleman that there is no sufficient number, or that the force is not doing its duty properly?

Mr. FITZGERALD. I have not said it is not doing its duty properly, or that it is inefficient. I believe it is insufficient. I base that upon information that comes to me as a Member of the House Office Building Commission and from the Sergeant at Arms, under whom these officers are.

Mr. MANN. Will the gentleman yield for a second? I am also a member of the House Office Building Commission. My office is not in the House Office Building, and I do not have occasion to visit that building often. I seldom go there, except when I go on business.

I have had a number of complaints, from that side of the House especially, that there was danger of scandal in the House Office Building. I think that we are in considerable danger of scandal that may be caused by some employee or some Member of the House in the House Office Building that may be very injurious to every Member of the House, and there is no question whatever that in some way, either by additional policemen or by some other method, greater care will have to be taken about people who go into the House Office Building, especially at night—and not all men—or there will be trouble for a great many Members of Congress, nobody knowing who may be suspected. [Laughter.]

Mr. FITZGERALD. Mr. Speaker, I yield three minutes to the gentleman from Florida [Mr. CLARK].

The SPEAKER. The gentleman from Florida [Mr. CLARK] is recognized for three minutes.

Mr. CLARK of Florida. Mr. Speaker, I desire to submit an observation or two with reference to this question.

I believe that it was a mistake when we adopted the resolution cutting off a large number of House employees. I believe I violate no confidence when I say that I voted against it in the caucus. For more than two years the door at the southeast corner of the House Office Building has been closed, and there is no watchman at that door. All during the Sixty-second Congress and to this date during the Sixty-third Congress I have not received a bound volume of the CONGRESSIONAL RECORD. The fact is that this cutting off of the help has crippled the service. [Applause.]

There is no question about it; and I want to say as a Democrat, and, Mr. Speaker, an Andrew Jackson Democrat [applause], that I believe the Democratic Party will come nearer challenging the respect and confidence of this country when it abandons this "peanut" plan of economy and goes after the millions of dollars that are being squandered in the various departments. [Applause.]

We can not make any reputation by cutting off a few janitors and charwomen, but we can make a reputation by going into these great executive departments of the Government and uncovering Republican misrule, by which millions of dollars of the people's money have been squandered. [Laughter on the Republican side.]

I am opposed to this "peanut" plan of economy. I do not believe in it. I believe that the American people will applaud us when we give to the Congress every facility for the proper discharge of our duties here. We can not discharge the duties of our office unless we have the help that we ought to have.

This question of discharging a few charwomen, murdering a few janitors, and killing a few ordinary second-class clerks does not challenge the admiration of the people and does not rise to the dignity of American statesmanship. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman from Florida has expired. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

Mr. FITZGERALD. Mr. Speaker, I ask the Clerk to report Senate amendment No. 8.

The SPEAKER. The Clerk will report Senate amendment No. 8.

The Clerk read as follows:

Page 2, line 19, after the word "fourteen," insert a colon and the following: "*Provided*, That hereafter any deputy collector of internal revenue or deputy marshal who may be required by law or existing regulations to execute a bond to the collector of internal revenue or United States marshal to secure faithful performance of official duty may be appointed by the said collector or marshal, who may require such bond without regard to the provisions of an act of Congress entitled 'An act to regulate and improve the civil service of the United States,' approved January 16, 1883, and amendments thereto, or any rule or regulation made in pursuance thereof, and the officer requiring said bond shall have power to revoke the appointment of any subordinate officer or employee and appoint his successor at his discretion without regard to the act, amendments, rules, or regulations aforesaid."

Mr. FITZGERALD. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendment. I ask that the Clerk report the motion.

The SPEAKER. The gentleman from New York moves to insist on the disagreement to Senate amendment No. 8.

Mr. BARTLETT. Mr. Speaker, I move that the House recede and concur in this amendment with an amendment which I send to the Clerk's desk.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Does a motion to agree to the Senate amendment take precedence to a motion to concur with an amendment?

The SPEAKER. A motion to recede and concur would take precedence to a motion to recede and concur with an amendment.

Mr. MANN. I thought some brave man would like to make that motion.

The SPEAKER. The gentleman from Georgia moves to recede and concur with an amendment. That is a preferential motion to the motion of the gentleman from New York. The Clerk will read.

The Clerk read as follows:

Mr. BARTLETT moves to recede and concur in Senate amendment No. 8 with the following amendment:

"On page 2, line 21, strike out the words 'or existing regulations' and insert 'or by authority or direction of the collector of internal revenue or the United States marshal.'"

Mr. BATHRICK rose.

The SPEAKER. For what purpose does the gentleman from Ohio rise?

Mr. BATHRICK. I desire to ask when it is in order for me to offer an amendment?

The SPEAKER. To what?

Mr. BATHRICK. To amendment No. 8.

The SPEAKER. Does the gentleman offer it as an amendment to the motion of the gentleman from Georgia?

Mr. BATHRICK. Yes.

The SPEAKER. Will the gentleman send his amendment to the desk that the Chair may determine whether it is in order? The Clerk will report it.

The Clerk read as follows:

After the word "thereof," in line 4, page 3, insert a period and strike out the balance of the paragraph.

Mr. BARTLETT. Mr. Speaker, I make the point of order that that is not an amendment to my amendment.

The SPEAKER. The point of order is well taken.

Mr. BATHRICK. I have no means of knowing what the amendment of the gentleman from Georgia is except from hearing it read.

The SPEAKER. The Clerk will read the motion of the gentleman from Georgia again.

The Clerk read as follows:

Mr. BARTLETT moves to recede and concur in Senate amendment No. 8 with the following amendment:

"On page 2, line 21, strike out the words 'or existing regulations' and insert 'or by authority or direction of the collector of internal revenue or the United States marshal;' so that the paragraph will read: '*Provided*, That hereafter any deputy collector of internal revenue or deputy marshal who may be required by law or by authority or direction of the collector of internal revenue or the United States marshal to execute a bond to the collector of internal revenue.'"

And so forth.

Mr. FITZGERALD. Mr. Speaker, I do not know what the disposition of the House is as to debate on this amendment.

Mr. MANN. I think we want some time to debate on the amendment.

Mr. FITZGERALD. I did not know whether an hour would be sufficient.

Mr. MANN. We think an hour would be sufficient if we can have one-half of the time.

Mr. FITZGERALD. I am willing to yield 30 minutes to the gentleman from Georgia. I am opposed to his amendment.

Mr. MANN. But we want some time on this side of the House.

Mr. BARTLETT. Are there not some Members in favor of my amendment over there?

Mr. MANN. Oh, we are all patriotic people over here, and I do not think anyone favors the gentleman's amendment.

Mr. Speaker, while we are waiting, I would like to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Would it be a matter of privilege in the House for me to rise now and say that I have sent three times to the document room for a copy of the sundry civil act of this session and have been unable to receive any attention from the document room, through the incompetency of the officials of the House?

Mr. FITZGERALD. I do not think that is a privileged question.

Mr. MANN. Well, we maintain a document room, and when we want the documents there is no way of getting them. The document room is open, and I sent a very intelligent page there three times without getting the document I want.

The SPEAKER. The Chair was about to suggest to the gentleman that possibly the document might be exhausted.

Mr. MANN. Then certainly that would be another evidence of incompetency. If we pass acts and there are no copies in existence in the document room, that is evidence of incompetency, for the Committee on Printing has the authority to provide them. We want a copy of the sundry civil act of this session of Congress.

Mr. FITZGERALD. Mr. Speaker, we will supply the gentleman with a copy.

Mr. MANN. Well, do it quickly. [Laughter.]

Mr. FITZGERALD. We will supply the gentleman with a copy in a few moments.

The SPEAKER. The Chair thinks that the question the gentleman from Illinois has raised is a question of high privilege.

Mr. MANN. I thought it was a question of privilege, Mr. Speaker, but I did not wish to raise it in the form of a question of privilege. I wanted to call the attention of officers in charge of the document room to the fact that it is their business when the House is in session to supply copies of current laws.

Mr. TOWNSEND. Mr. Speaker, I will state to the gentleman from Illinois that probably his trouble arises from the fact that a man named Rupel, from New Jersey, was demoted in the document room. If he had been left there the gentleman would have gotten what he wanted.

Mr. MANN. Oh, I did not send to the folding room. That would be closed up.

Mr. FITZGERALD. Mr. Speaker, there are gentlemen on this side of the House who desire to speak in opposition to the motion of the gentleman from Georgia, and there are gentlemen who wish to speak in favor of it, and I should like to have an adjustment of the time.

Mr. MANN. Well, say 20 minutes over here.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that debate on this Senate amendment be limited to 1 hour and 30 minutes, one-half to be controlled by the gentleman from Georgia [Mr. BARTLETT] and one-half by myself.

Mr. MANN. How much time will this side get out of that?

Mr. FITZGERALD. The gentleman said he desired 20 minutes.

Mr. MANN. But if the gentleman is going to extend the time beyond an hour, I want 30 minutes.

Mr. FITZGERALD. Twenty-five minutes are desired on this side in opposition to the motion of the gentleman from Georgia. I am entitled to control the time in opposition.

Mr. MANN. That is all very true; but that side of the House is not entitled to all of the time.

Mr. FITZGERALD. Mr. Speaker, the House is not divided on this question by the center aisle. It is divided by the way gentlemen think about the matter.

Mr. MANN. It will be divided that way when we come to make unanimous-consent agreements.

Mr. FITZGERALD. That may be true; but I suggest to the gentleman that he said he wanted 20 minutes.

Mr. MANN. Twenty minutes out of the hour, and since that time I have had applications for 20 minutes' more time.

The SPEAKER. The gentleman from New York asks unanimous consent that debate on this amendment be limited to 1 hour and 30 minutes; that he control one half of the time and the gentleman from Georgia [Mr. BARTLETT] the other half, with the understanding that the gentleman from Illinois [Mr. MANN] is to be granted 30 minutes' time out of that hour and 30 minutes.

Mr. MANN. No; Mr. Speaker, the gentleman from Massachusetts [Mr. GILLETT] will have control of the 30 minutes.

The SPEAKER. The gentleman from Massachusetts, then, Mr. GILLETT.

Mr. BATHRICK. Mr. Speaker, I desire to offer the following amendment to the amendment offered by the gentleman from Georgia.

The SPEAKER. The gentleman from Ohio [Mr. BATHRICK] offers an amendment to the amendment.

Mr. FITZGERALD. Mr. Speaker, no amendment is in order at this time. I have the floor, and I am submitting a request for unanimous consent. I decline to yield for an amendment until we get this matter adjusted.

The SPEAKER. What is the request of the gentleman from New York?

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that debate on this matter be limited to 1 hour and 30 minutes, one-half of that time to be controlled by myself and one-half by the gentleman from Georgia, and that at the conclusion of that time the previous question shall be considered as ordered upon the pending motion, and I to yield 20 minutes of my time to the gentleman from Illinois.

Mr. MANN. But we want 30 minutes.

Mr. FITZGERALD. But I can not give the gentleman 30 minutes out of 45 minutes.

Mr. MANN. Then add 10 minutes to the time for debate.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that debate be limited to 1 hour and 40 minutes, one-half to be controlled by the gentleman from Georgia [Mr. BARTLETT] and one-half by myself, and the gentleman from Georgia and myself out of that time will yield to the gentleman from Massachusetts [Mr. GILLETT] 30 minutes, and that at the end of that time the previous question shall be considered as ordered on the pending motion.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that debate extend for an hour and 40 minutes, one half to be controlled by himself and the other half by the gentleman from Georgia [Mr. BARTLETT], with the agreement that 30 minutes of that time be yielded to the gentleman from Massachusetts [Mr. GILLETT], and at the end of that time the previous question shall be considered as ordered.

Mr. BATHRICK. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BATHRICK. Mr. Speaker, reserving the right to object, I desire to inquire if the gentleman, having the power to raise the point of order on my amendment, will permit the injection of that amendment to the amendment offered by the gentleman from Georgia?

The SPEAKER. The Chair can not tell.

Mr. FITZGERALD. Mr. Speaker, the gentleman from Georgia has moved to concur in the Senate amendment with an amendment. Unless the gentleman from Georgia is willing to accept what the gentleman from Ohio wishes to offer as a part of his motion there is no way I can consent to its being placed before the House.

Mr. HARDWICK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HARDWICK. Is it not in order under the rules of the House for the gentleman from Ohio to move to amend the motion of the gentleman from Georgia by amending his proposition?

The SPEAKER. That would depend entirely upon whether the gentleman has the floor and whether or not it is germane.

Mr. HARDWICK. If it is germane and the previous question is not ordered, the gentleman's amendment to the amendment offered by the gentleman from Georgia is in order.

Mr. BATHRICK. I want to offer an amendment to the amendment if I can get that privilege.

Mr. FITZGERALD. The amendment which the gentleman suggests is not an amendment to the motion proposed by the gentleman from Georgia.

Mr. BATHRICK. I think it is. If the gentleman will read it I think he will find that is true.

Mr. FITZGERALD. Unless the gentleman from Georgia consents there is no way I know of to get it before the House.

The SPEAKER. This amendment of the gentleman from Ohio is not germane, anyway, to the Bartlett amendment.

Mr. FITZGERALD. I ask the Chair to submit the request.

The SPEAKER. Is there objection?

Mr. RAKER. Mr. Speaker, reserving the right to object, I do not know whether at this time I ought to state it or not, but the gentleman from Illinois [Mr. MANN] just made the statement it was impossible to obtain a copy of the last sundry civil bill——

Mr. FITZGERALD. I ask the gentleman either to object or to withdraw and not to inject an independent matter in here under the guise of reserving the right to object.

Mr. MANN. Give him a chance to make a statement.

Mr. RAKER. I reserve the right to object, it will not take but a moment to state it. I touched a bell here at my right and a page brought in one of the bills. On the other hand, I touched the bell and another page came and brought the bill in here, so

there are plenty of these bills in the House if the gentleman will send a page for them.

The SPEAKER. Is there objection?

Mr. MANN. I want to say the document room is not correctly informed, I sent an intelligent page to the document room——

Mr. BARTLETT. Regular order, Mr. Speaker.

The SPEAKER. Is there objection?

Mr. RAKER. Mr. Speaker, reserving the right to object——

Mr. FITZGERALD. Does the gentleman object or not?

Mr. RAKER. I reserve the right to object.

Mr. BARTLETT. Then let the gentleman object.

Mr. RAKER. Then I will.

Mr. BARTLETT. Well, do it, then.

The SPEAKER. The regular order is demanded and the question is, Is there objection?

Mr. RAKER. Mr. Speaker, I object.

Mr. FITZGERALD. Mr. Speaker, I yield 30 minutes to the gentleman from Georgia [Mr. BARTLETT], and I give notice that within my hour I shall move the previous question upon the pending motion.

The SPEAKER. The gentleman from Georgia is recognized for 30 minutes.

Mr. FITZGERALD. How much time does the gentleman from Illinois wish?

Mr. MANN. I suggest to the gentleman that instead of moving the previous question within his hour that at the end of a certain length of time the gentleman from Massachusetts take the floor and then he will have the right to move the previous question at the end of the time originally agreed upon.

The SPEAKER. The gentleman from Georgia [Mr. BARTLETT] is recognized for 30 minutes.

Mr. BARTLETT. Mr. Speaker, the purposes of amendment No. 8 were discussed this afternoon, and I stated that I was in favor of that amendment, but that it was necessary, in order to carry out the purposes of the amendment, to concur in the Senate amendment with an amendment. The Senate amendment reads this way:

Provided, That hereafter any deputy collector of internal revenue or deputy marshal who may be required by law or existing regulations to execute a bond to the collector of internal revenue or United States marshal.

There are no existing regulations that require the deputy marshal or deputy collector to give bonds. Section No. 3148 of the Revised Statutes requires deputy collectors to give bonds when required to do so by the collector. But deputy marshals give bonds not by reason of any law or by reason of any regulation of the Department of Justice, but because the marshal who appoints them requires them to do so and has authority to require them to give bonds.

One of the Assistant Attorneys General, in discussing this proposition yesterday, stated that there were no existing regulations of the Department of Justice requiring a deputy marshal to give bond. And the chairman of the Civil Service Commission has written a letter in which he takes the position that if Congress passes this act in the language in which it comes from the Senate it will be futile and ineffective to carry out the purpose which the Senate has in view, because Congress has put into it the words "under existing regulations," while there are no existing regulations. Therefore, to carry out the purpose which the framers of this amendment had in view, and to accomplish what we hope to accomplish by it; that is, to take from under the Executive order of 1906 of President Roosevelt the deputy United States collectors and deputy United States marshals, I move to concur in this amendment with the amendment which I have sent to the Clerk's desk, which is a plain proposition that the deputy collectors and the deputy marshals of the United States who are by law or may be required by their superior officers to give a bond for the faithful discharge of their duties shall not be taken from the eligible list or be confined to the civil-service law.

Now, that is the whole of it. I could not make it any plainer if I were to discuss the question for one hour or more. My effort is simply to perfect this amendment in order to make it mean what we intended it to mean, and not leave in it the words "existing regulations," which were put upon this bill from the floor of the Senate about 10 or 11 o'clock at night, when the Senate had no quorum present, and when the Senator in charge of the bill was compelled to accept that amendment in order to get his bill through.

We hear a good deal, Mr. Speaker, said about civil service, and what the Republicans have done in the way of civil service. I undertook to make some remarks to-day upon that subject, but I want to call attention to one particular instance of the civil service which is a matter of record in this House. Mr. Speaker, I want to call attention to one instance of the way in which civil service was carried out by the last Republican administration. We know that this House granted to the Department of the Interior at one time $1,000,000, and $750,000, and $500,000, to bring up the work in the Land Office. We know that a public scandal grew out of the administration of affairs in the Interior Department, and that this House had what was known as the Ballinger investigation by reason of that. It was developed in that investigation that when they went to appoint these hundreds and hundreds of employees, numbers of whom have since been covered into the civil service, that they were appointed by the officer whose authority it was to make the appointment under the direction from Mr. Ballinger, to appoint those that were recommended by Mr. Hitchcock, who at that time was the Postmaster General and chairman of the Republican national committee.

Now, I would not make a statement like that unless I had the proof. You will find in the hearings of the Ballinger committee a statement of Mr. Vertrees, who was then on oath, that Mr. Schwartz had received this telegram:

I am just advised by Commissioner Dennett of your telegram in reference to the increase in the number of special agents of the excepted class. I desire that you, in making any of these appointments, in addition to the President being consulted, Gen. Hitchcock be also consulted, provided the appointees are not directly suggested by the President.

Now, the Interior Department was filled with men appointed, not by the President, not by the Secretary of the Interior, but by the direction of the Postmaster General, who was at the time chairman of the Republican national executive committee. And numbers of those men, I have been informed, have since been covered into the civil service. That is characteristic of the administration of the civil-service law under the past Republican administration. They appoint men for political reasons, cover them into the civil service by Executive order, and then hold up their hands in holy horror and proclaim that this is the holy of holies of all things connected with the Government, which no man shall lay his profane hand upon.

For one I detest such hypocrisy, and whenever I get an opportunity, such as I have to-night, to strike at that kind of pretentious hypocrisy I shall do so. [Applause on the Democratic side.]

Now, Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman from Georgia reserves the balance of his 30 minutes.

Mr. BARTLETT. How much time have I used, Mr. Speaker?

The SPEAKER. Eight minutes.

Mr. FITZGERALD. Mr. Speaker, I am opposed to the motion of the gentleman from Georgia [Mr. BARTLETT], and I am opposed to the amendment proposed by the Senate taking these employees out of the protection of the civil-service law.

I make no hypocritical pretense of being an extreme civil-service reformer. I am one of those who believe that in the administration of the affairs of the Government, while a large number of positions in which the tenure of office of the occupants should be protected, so that there shall be a permanent civil establishment, at the same time there are a large number of positions the occupation of which so affects the politics of the country and is so identified with the administration politically that they should be filled by men who are known to be politically in sympathy with the administration.

Mr. Speaker, the positions affected by the Senate amendment are now in the classified service. Under the civil-service law the President of the United States has the power to exempt these places from the operation of the law.

Mr. COX. Mr. Speaker, will the gentleman yield for a question?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Indiana?

Mr. FITZGERALD. I yield to the gentleman.

Mr. COX. Can the gentleman inform the House as to whether or not this class of employees, covered by Senate amendment No. 8, was turned into the civil service by Executive order in the first instance, or did they stand a competitive examination?

Mr. FITZGERALD. I believe everybody in the classified service, so far as I recall, has been put there by Executive order. These particular positions were put into the classified service by a Republican President after the places had been filled with active Republican political workers. I believe the efficiency of the service would be very greatly increased in many instances if they were taken out and men appointed who are qualified and have demonstrated their capacity for the positions.

I believe also, Mr. Speaker—and I do not hesitate to say so—that I am so constituted politically that I believe a Democrat is always more likely to render efficient service to the public than a man of any other political faith. [Applause on the Democratic side.]

It may be that I am somewhat prejudiced and partisan in my professions, but I have so much sympathy with the theories of the Democratic Party, and I believe so firmly in the principles of the party, that I have more confidence in men professing the same political principles as myself being efficient public servants than men of any other political faith. But as the President, under the law, has the power to exempt these positions it seems to me under the circumstances that it is unwise for Congress to enact legislation which takes out of the President's hands these questions and takes these employees out of the classified service.

Without occupying any more of the time of the House in giving expression to my views, but simply desiring to state my position, I reserve the balance of my time. I suggest, Mr. Speaker, that the gentleman from Massachusetts [Mr. GILLETT], a member of the committee, desires to be recognized.

The SPEAKER. How much time does the gentleman from New York yield?

Mr. GILLETT. I understand, Mr. Speaker, that the gentleman from New York yields to me to be recognized in my own time.

The SPEAKER. The gentleman from Massachusetts [Mr. GILLETT] is recognized for one hour.

Mr. GILLETT. Mr. Speaker, this Democratic administration is characterized so far by an extreme partisanship and a greed for patronage. The partisanship has been exemplified in this House beyond any precedent in my experience by passing every considerable measure under the whip of the party caucus. Even the currency bill, which to-day we are told from high authority is not a partisan question in the Senate, where they need some Republican votes, was in this House considered in a strictly partisan manner and as a strictly partisan question, and Republican votes and opinions were disregarded, and the bill was determined in a party caucus.

As a natural result of extreme partisanship comes greed for patronage, and this amendment is the latest manifestation of that characteristic.

Last week we had an extreme instance of it in connection with the conference report on the tariff bill. The Senate there put on a provision exempting the income-tax collectors in the Internal-Revenue Bureau from civil-service examination, and then the House conferees amended the Senate provision so ingeniously that it allowed the whole internal-revenue office to be filled with spoilsmen. Apparently neither House dared to accomplish it openly and straightforwardly; apparently they were both afraid of public opinion and wanted to cover up their purpose, so the House adroitly accomplished their end by adding the following innocent-looking amendment:

Provided further, That the force authorized to carry out the provisions of section 2 of this act, when not employed as herein provided, shall be employed on general internal-revenue work.

What was the purpose and effect of that harmless-appearing amendment? The effect is that the men appointed to collect the income tax and who by the Senate amendment can be appointed without any examination, and so will be mere political employees, can be used to do other internal-revenue work. Consequently, by appointing more than are necessary to do the income-tax work the present force of experienced civil-service employees in the Internal Revenue Division can be gradually dropped out and their places filled by these Democratic patronage appointees. That I believe was the purpose of that amendment. They did not dare to openly and avowedly provide that all employees of this great division should be appointed under the old spoils system, but they saw the opportunity to indirectly attain that result and they could not resist the temptation. The greed for patronage was stronger than their platform pledge, and they abandoned the merit system in order to give themselves patronage.

Here in this amendment is another manifestation of the same spirit. This is even going a step further. The other applied to new offices only, while this goes back and takes a set of offices which for years have been under civil service and makes them the spoils of party. Arguments are offered now, as always, that there are special reasons why these places should be exempt, but we know, and you know, that the only real reason for this amendment was the one admitted this afternoon by the gentleman from Kentucky—because the Democrats want the offices and ought to fill them. The gentleman from Illinois [Mr. FOWLER] this afternoon said that 95 per cent of the men in office under the civil service were Republicans. He said that that indicated one of two things—either the Democrats were sadly lacking in intelligence or there was not a fair administration.

Now, Mr. Speaker, the Civil Service Commission ever since Theodore Roosevelt resigned from it nearly 20 years ago has had a Democratic chairman. Most of that time the commission has been made up of two Democrats and one Republican, and this under Republican Presidents who at any time could have changed it. It was not until the present administration came in that there was any indication of partisanship in making up that commission.

President Wilson at once reorganized it, the Republican was turned out, and two new members of the commission put in, although he kept as chairman one admirably qualified for the position. Of course, he put in two Democrats and one Republican—the law would not allow him to put in three Democrats—so that partisanship seems under this administration to apply even to the composition of the Civil Service Commission. And it is suggestive and suspicious that this reorganization of the commission was simultaneous with the Executive order which changed the tenure of all the fourth-class postmasters and forced them all to be examined and obtain their appointment by this Civil Service Commission. That order was generally accepted as a device to get rid of competent Republican postmasters in a large section of the country without an open and flagrant departure from the civil-service practice of the recent Republican Presidents, and we shall watch with interest to see whether the plot is successfully carried out.

But there certainly has never been any unfair partisanship by the commission in favor of Republicans in recent years, because the chairman and a majority of that commission, though appointed and kept in office by Republican Presidents, have been Democrats, and so if 95 per cent of the classified service are Republicans, as asserted by the gentleman from Illinois [Mr. FOWLER], it can not be because the Civil Service Commission has been unfairly partial to them; and the other alternative suggested by the gentleman from Illinois must be the explanation, that Democrats have not been able to pass the examinations. However, I will admit that I do not agree with the gentleman from Illinois that that is the alternative. I think the real explanation is that the gentleman's figures are wrong, for I do not believe that he or anyone else can estimate at all the political faith of the Government employees, though I am quite ready to believe that a great majority of those who have entered by competitive examination and on their merits are Republicans.

It is interesting to me to note the difference between the debate now and the debates on this question when I first came to Congress 20 years ago. Then a majority of Congressmen were not only covertly, but openly and eagerly, in favor of the old patronage system. Many of the leaders of the House on both sides took delight in avowing their scorn for the merit system, and in those days it took some courage for a man on this floor to defend the cause of civil service. To-day those who oppose it generally admit the merit of the system, but assail its administration or give ingenious reasons for exceptions. This change in temper here is, of course, a mere reflection of a change in public opinion. I believe in the last 20 years the people—throughout the North, at least—have become convinced that the system of competitive examinations is a fair and efficient method, and would no longer permit the old system of favoritism and patronage; and consequently to-day the attack is not made in front, as it used to be, by refusing to appropriate for the Civil Service Commission, but it is made by a flank and half-concealed movement like this amendment, where they hope to get all the fruits and advantages of patronage and yet hope that their purpose is so concealed by ambiguous language and ingenious argument that the public will not penetrate their real purpose.

But while Congress was until quite recently hostile to the merit system, every President, from the passage of the act in 1883 until this year, has supported it by word and conduct. We had every reason to suppose that President Wilson would be no exception, and I have no doubt his convictions and beliefs are the same, but apparently his inclination has not been able so far to withstand the stress of political pressure. Appointments have been made with marked disregard of fitness, and this morning's paper tells of a Democratic Congressman being punished for voting against the President's wishes on the tariff bill by having his recommendations for office disregarded.

The President issued the ingenious order about fourth-class postmasters and changed the existing rules in order, as we believe, to oust Republican officeholders; he signed, without any manifestation of disapproval, the bill which turned over the great Internal Revenue Office to the spoilsmen, although President Roosevelt had the courage to veto the census bill because of a spoils provision much less flagrant; and now, if this

amendment goes to him and he approves it, he will, I believe, destroy all faith in the sincerity of his civil-service convictions. I trust that this House will not violate the pledges of both the political parties by taking this backward step and adopting this amendment. If it does, I trust the President will condemn it by his veto, as I am sure he will with his judgment.

Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

Mr. FITZGERALD. Mr. Speaker, I yield 30 minutes to the gentleman from Georgia [Mr. BARTLETT], but previous to that I will yield 4 minutes to the gentleman from Pennsylvania [Mr. BUTLER].

Mr. BUTLER. Mr. Speaker, I know how absolutely weak I am and how helpless I feel in making a useless protest against this raid which is about to be made upon a fixed and favored American institution. I came to this House about the time that the gentleman from Massachusetts [Mr. GILLETT] appeared to become one of its distinguished Members. We both know that it required some courage, Mr. Speaker, to be for the civil service at that time. It was not then understood. You remember it, sir. We were courageous outside this Chamber, but were filled with fear when the time for the attack on the floor approached. We agreed among ourselves, when the public neither looked nor listened, that we would oppose the enforcement of the civil service by withholding the appropriations for its maintenance; but when the time was reached to make the record here but few of us dared to stand up and defy the American people that which they determined to have for the benefit of American institutions and the whole Government service.

Mr. Speaker, I sympathize with our friends on the other side, and I speak with sincerity in the use of the word, for I feel toward you as I would like to have you feel toward me in your struggle to help those who have helped you. But let me suggest to you—to quote the wise words of the old philosopher who said that all good things were intended to be seen and not possessed—that public office is to be reached through merit, which is the latest decree of the American people. Therefore, if you can work it into the minds of your people that these places of profit which they consider good to have and which belong, as you say, to the Democratic Party because of party success, they shall get by earning them, you will have done the country a great service and one which it will hereafter appreciate. Right here let me say it is positively wrong to attempt to legislate in an hour and a half upon a subject that involves the well-being of the Nation. It is wrong to put upon an appropriation bill an amendment or rider of this importance and rush it through in the dead of night with but little discussion. The country will not stand for either the manner or the result which you expect and have determined to obtain.

How do we know this is right, except in our partisanship and zeal we so declare it? Who says to us that this is good for the country and according to the wishes of the people? Who better informed than we says that your attempt to provide public office for your own will not endanger our Government life and prosperity? Pass this, my friends, if you dare——

Mr. GORDON. Oh, we will pass it all right.

Mr. BUTLER. Yes; selfishly. I want you to do it. In this instance I feel like the boy watching the painter on the ladder. I am only afraid that you will not. Pass it, and you will have the time of your life convincing your constituents that you can not pass more such provisions and relieve other departments from the operation of the civil service. So you can. You can offer no good excuse for your refusal. Pass this law to-night—and I think you will—and you will not only give the administrative feature of our Government a great wound that may never be healed, but you will get yourselves into trouble with your own people, for we will not permit you to say that you can not relieve the customhouses and the post offices and all other departments where Republicans are employed, so that Democrats can be substituted for them. If in one instance you can relieve from the operation of the civil service, why can you not do it in another? Mark my words, aside from the damage you do established Government rule, for your own preservation, for your own comfort, you do not want such power as the passage of this amendment will give you. After an experience of many years in this House, with ample opportunity for observation, I am candid in saying that I could not have remained and performed my duty if it had not been for the rules of the civil service. [Applause.]

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. GILLETT. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Speaker, among the earliest votes I cast in Congress was one in favor of the civil-service law and the merit system. There was a great deal of sentiment in the country for it at that time. A good many Members of Congress had come in pledged to vote for it. I remember one Democrat who had the courage of his convictions—a rare bird nowadays—the late Sunset Cox, then of New York and formerly of Ohio. He said after the bill had passed that it would not live a year, but Mr. Cox was wrong, as he frequently was, and the bill has grown stronger from that day to this. Once in a while we have seen a man who was bold enough to come out and openly attack the whole system, but they have been very rare. I remember some in the last few years who had the courage and manliness to come out and attack it and say they did not believe in it. Of course there are lots of people who want to sneak around and destroy it, and once in a while we find a man like the gentleman from Georgia [Mr. BARTLETT] and the gentleman from Kentucky, who come out and who are not afraid to say in their districts that they are in favor of the abolition of the whole thing and want to destroy it, root and branch, but most of you dare not do it.

Mr. BARTLETT. Mr. Speaker, may I interrupt the gentleman?

Mr. PAYNE. Oh, do not interrupt me. I have only four minutes.

The SPEAKER. The gentleman declines to yield.

Mr. BARTLETT. But I will yield the gentleman some of my time.

Mr. PAYNE. Oh, I beg the gentleman's pardon. I will answer his question if he will yield me one minute.

Mr. BARTLETT. Certainly. The gentleman misstated my position. I did not state and never have stated that I was opposed to the entire system.

Mr. PAYNE. Then the gentleman has not his usual courage upon this question, and I take it all back.

Mr. BARTLETT. I am at least not a hypocrite.

Mr. PAYNE. Mr. Speaker, when this administration came in it was very evident that the boys wanted the jobs, and there was great pressure brought all along the line. Men were taxing themselves and their ingenuity to find out some way to circumvent the civil service. Take, for example, the gentleman who was lately a very popular Member of this House, and who is now at the head of the Post Office Department.

The boys wanted to get at the fourth-class postmasters, and it took the genius of a Burleson to invent a scheme "in the interest of civil-service reform" to get rid of all the fourth-class postmasters then in office and appoint others. How did he do it? Simply by making a provision that the incumbents must go through some sort of a civil-service examination, and if they could not stand it—no matter how long they had been in office, no matter how well they had discharged their duties, no matter how efficient their service had been—they would have to go. All of these things would stand for nothing. They go out of the way and have some sort of a civil service to get one in.

Mr. BUTLER. They select one out of three.

Mr. PAYNE. Of course there are only three eligibles, and they have a chance to select one of the three, and they always get the Democrats that they want, and they always will when they can, because they can take one of the three. They are getting rid of the civil service in the fourth-class postmasters. Oh, you people will get mighty sick of that job within two years. I had fourth-class postmasters in my district to deal with once, and every time an office brought in $50 or $100 there would be two healthy candidates, storekeepers on opposite sides of the street, and each one had behind him a clique about equally divided according to their location, and "the old Harry was to pay," and I had more trouble with one little fourth-class post office, on an average, than in the big towns in my whole district. You will get mighty sick of that job before you get through. You are going a little further, and you passed a tariff bill, and one of the worst provisions of the many bad provisions in that bill, and it would take two weeks to enumerate them all, is one in regard to the appointment of people to collect the income tax.

The SPEAKER. The time of the gentleman has expired.

Mr. BARTLETT. I yield the gentleman from New York one minute of my time.

Mr. PAYNE. And that provided for the appointment of these men outside of the civil service; and not content with that—it did not go far enough to suit them—they put in an amendment by which they can get rid of every civil-service man in the internal-revenue department. Then they come in here with this amendment. The gentleman from Georgia is not satisfied, but adds an amendment to the Senate proposition. For fear some guilty man may escape—some Republican—he puts in here "existing regulations applying to bonds required wherever the marshal or the collector shall require a bond," and that takes in every deputy of both departments. He was not content with getting after those already in office, but he wanted to get after the whole raft of them.

Mr. BARTLETT. May I interrupt the gentleman?

Mr. PAYNE. And so, one by one, they tried to get into this civil service and destroy it. Why do you not have the courage of your convictions; why do not you come out and repeal it? You have the power to do it; you have a two-thirds majority in this House; why do not you dare do it? Why do you come here with a subterfuge; why do you come here with hypocrisy? Oh, ye Scribes and Pharisees, hypocrites, who shall deliver you from the wrath to come? [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. BARTLETT. I desire to say the gentleman in attempting to quote the Bible ought to quote it correctly; that is all.

Mr. MANN. No one over there knows any differently.

Mr. PAYNE. You have got a different kind of Pharisee now; you have to change the language to suit the person.

Mr. BARTLETT. The gentleman ought to learn something about the Bible and courtesy as well. I yield six minutes to the gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. Speaker, I desire to occupy the short space of time which has been allotted to me by the gentleman from Georgia in amplifying somewhat the remarks which I made in this House this afternoon. Mr. Speaker, those on the other side of the Chamber may criticize Members on this side and charge them with undertaking to break down the civil-service law that is now upon the statute books, but I am satisfied that those charges and those threats will not deter any man on this side of the Chamber from performing his duty as he sees fit to perform it as a Member of this House. I am not against civil service, Mr. Speaker. On the contrary, I am for a proper civil service; but I am for a civil service that is a real civil service, and I am not for one that is a farce and a fraud and a contempt in the nostrils of the American people such as the one we have at the present time. [Applause.]

Mr. Speaker, it was stated upon the floor of this House this afternoon by some Republican Members in reply to charges from Members on this side that the civil-service laws of the United States had not been enforced by the Republican Party from a partisan and political standpoint, and that no discrimination had been shown in the exercise of the powers of appointment and in the enforcement of the civil-service regulations, and they demanded that we give instances of such discrimination. I can give those instances in one county in my district here to-night.

I have a county which has 5,500 Democratic votes and 1,700 Republican votes, and many of the Republican voters are members of the colored race, who can neither read nor write. And yet, notwithstanding the overwhelming preponderance of the Democratic vote in that one county, out of 31 rural mail carriers I am informed that only 4 of them are Democrats and 27 are Republicans. Now, it can not be true, Mr. Speaker, that in a proportionate voting population of 5,500 Democrats to 1,700 Republicans, 27 out of 31 rural mail carriers would be Republicans unless there were rank discrimination.

Not only that, but in a certain post office a Republican postmaster saw fit to overleap the heads of four Democrats in order to reach the fifth man on the eligible list in order to appoint a Republican a city carrier, instead of a Democrat, who was entitled to the appointment.

You say that the Civil Service Commission has been two Democratic and one Republican. The Civil Service Commission does not make these appointments except upon the recommendations of others. The local postmaster has the right to recommend the appointment of rural mail carriers and the appointment of city carriers and clerks, and the charge can not be laid successfully to the Civil Service Commission that they have in all cases discriminated; but the discrimination has come about by reason of the fact that the local examiner has in every case been a Republican, and the local officer who had the power to recommend the appointment has been a Republican.

Now, Mr. Speaker, it was never the intention of the makers of this law, and it was never the intention of the Congress of the United States, that these officers should be shifted about by the President of the United States, one President putting them under the civil service and another putting them out of the civil service and another in return putting them back for political purposes. I do not believe that the President of the United States ought to have the power even to put in or take out of the civil service a certain class of officers as he may see fit to do.

I think if Congress wants any class of officers in this Government to be under the civil service it ought to specify them and say by an authoritative act that certain political positions shall be in the civil service or shall not be in the civil service, and not leave it to the discrimination of one President or another President to take them out or put them in as he chooses.

In the next place, Mr. Speaker, I do not believe that deputy marshals should be under the civil service, or the deputy internal-revenue collectors ought to be under the civil service, and I am not making any charge or underhanded threat or committing any midnight assassination of the rules and regulations of the merit system in order to make that statement. There is not a sheriff of any county in the United States who has not the power under the law, at least in the great majority of the States, to name the deputies who shall serve under him in his county. There is not a county clerk, there is not a mayor, there is not an executive officer of any State or any county or any municipality who has not the power under the laws to name the deputies who are directly responsible to him for the performance of their duties. Yet we do not hear any charges of discrimination against members of the municipal boards, sheriffs, county clerks, or probate judges of county courts, or that members of the State administration appointed by the governors of the respective States are guilty of any incompetence, and that they do not perform their duties faithfully, even though they are appointed by the officers in charge of those various departments.

The SPEAKER. The time of the gentleman has expired.

Mr. BARTLETT. Mr. Speaker, I yield to the gentleman three minutes more.

Mr. BARKLEY. Yet, notwithstanding the fact that this is true, there are Members of Congress—and I do not doubt their honesty of purpose and I do not impugn their motives, but grant to them the sincerity of purpose that I expect from them in return—but there are Members of Congress and there are some other people in this country who seek to make it appear that if a deputy United States marshal, whose duty it is to go out and arrest people charged with crime under a warrant issued by the district court of the United States, is taken out from under the protection of the civil service, the courts of justice can no longer exist and that the Government itself will go out of business. There are others who pretend to claim that if a deputy revenue collector, whose duties are those of a detective, to run down violators of the revenue laws and to arrest bootleggers and moonshiners, the chief requirement of whom is nerve and grit and courage, is taken out from under the protection of the civil-service law, thereby making it unnecessary for him to answer some questions as to the location of Bangkok or whether Arizona cactus will grow in the Province of Saskatchewan, which have nothing whatever to do with the duties of deputy collectors or deputy United States marshals, no more revenue will be collected, and that incompetence and corruption and neglect of duty will ensue by reason thereof.

I for one, Mr. Speaker, am opposed, as a matter of principle, to life tenure in office, from President down to the smallest officer in this country. [Applause on the Democratic side.] I believe in a real civil service, but I deny the proposition that the humblest citizen of the United States has no right to aspire to serve the Government in one capacity or another.

We have heard a great deal of criticism of the so-called office seeker in this country since the Democratic administration came into power, but I say to you that there is not a man on the floor of this House to-night who is not an office seeker and has been one for many years. [Applause.] And yet here in this sanctum sanctorum of this Congress such men sit under an assumption of virtue and attempt to criticize every American citizen who desires to hold an office, either as a Congressman or as a district attorney or a United States marshal or a revenue collector or a deputy collector or a cashier or any other officer.

I honor the spirit of the American people in wanting to have a part in the service of their Government. I honor the patriotism which inspires a man, whether he be educated in a great university or grew up under adverse circumstances, to want to serve his country and bear a part in the service of the people of the United States, and I have no sympathy with that ridiculous criticism which has been hurled at every man in the United States who has the ambition and the desire and the courage to ask for an appointment under the Government. Therefore I am in favor of giving the marshals and the revenue collectors the right to name the men who are directly responsible to them, and for the faithful performance of whose duties they must give bond. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. GILLETT. Mr. Speaker, I yield four minutes to the gentleman from Wisconsin [Mr. COOPER].

The SPEAKER. The gentleman from Wisconsin [Mr. COOPER] is recognized for four minutes.

Mr. COOPER. Mr. Speaker, the gentleman who has just addressed the House [Mr. BARKLEY] apparently does not understand the real principles which underlie the civil-service law.

Mr. BARKLEY. I will say this to the gentleman, if he gives me the opportunity, that——

The SPEAKER. Does the gentleman from Wisconsin yield?

Mr. COOPER. I can not yield. I have only four minutes.

The SPEAKER. The gentleman declines to yield.

Mr. COOPER. The gentleman from Kentucky [Mr. BARKLEY] says that he admires any American citizen who aspires to hold office, and the gentleman, in effect, insinuates that the civil-service law prevents such aspirations. But this is a complete misstatement of the whole intent and purpose of that law, for the spirit of the civil-service law is that every American citizen shall have an equal right with every other American citizen to seek appointment to office. Under that law the son of the poor man has the right to take a civil-service examination, and if he passes the examination with a better average than does the son of the rich man he shall receive the appointment. That law opens the door of opportunity to rich and poor on equal terms and makes merit the test.

But the gentleman's theory of politics is that the millionaire's son and the poor man's son and everybody else in his district aspiring to office shall come to the Congressman to get the office. That is the old spoils system, under which appointments are made not upon the merits of applicants, but merely to serve the purposes of a political boss.

Let me read for the edification of the gentleman something about the conditions in this country under the old spoils system, of which, notwithstanding his positive denials, his argument shows him to be a champion. Here is what Senator Bayard, the distinguished Democrat from Delaware, said in the Senate:

> No man obtained an office except he was a violent partisan, and the office was given to him as a reward for party services; and so things went on until the offices generally were filled under that system, which was false and dangerous in the extreme—a system which, as my friend from Ohio said, is absolutely fatal to the integrity of republican institutions, and I care not what party or under what name it may be organized and carried on.

Now, listen to what another equally famous Democrat, Senator Vest, from the State of our distinguished Speaker, said on the floor of the Senate:

> When I entered the Senate I became chairman of the Committee to Examine the Several Branches of the Civil Service, and for two years I was engaged with the rest of that committee in taking testimony on the subject of civil-service reform. That very great evils exist there can be no sort of question—evils so monstrous, so deadly in their effects, that men of all political parties have come to the conclusion that some remedy must be applied.

And here is the powerful statement made by Gen. Garfield, afterwards President, in debate on this floor:

> We press such appointments upon the departments; we crowd the doors; we fill the corridors; Senators and Representatives throng the offices; and business until the public business is obstructed; the patience of officers is worn out, and sometimes, for fear of losing their places by our influence, they at last give way and appoint men not because they are fit for their positions but because we ask it.

In an article in the Atlantic Monthly Gen. Garfield declared that—

> One-third of the working hours of Senators and Representatives is hardly sufficient to meet the demands made upon them in reference to appointments in office. * * * *
>
> The present system * * * impairs the efficiency of the legislators; * * * it degrades the civil service; * * * it repels from the service those high and manly qualities which are so necessary to a pure and efficient administration; and, finally, it debauches the public mind by holding up public office as the reward of mere party zeal.
>
> To reform this service is one of the highest and most imperative duties of statesmanship.

President Grant, speaking of the great evils in 1870 of the spoils system, said in a message:

> There is no duty which so much embarrasses the Executive and heads of departments as that of appointment, nor is there any such thankless labor imposed on Senators and Representatives as that of finding places for constituents. The present system does not secure the best men, and often not even fit men, for the public places. The elevation and purification of the civil service of the Government will be hailed with approval by the whole people of the United States.

The SPEAKER. The time of the gentleman from Wisconsin is exhausted.

Mr. FITZGERALD. Mr. Speaker, how much time have I used?

The SPEAKER. The gentleman from New York has used four minutes.

Mr. FITZGERALD. I yield to the gentleman from Michigan [Mr. BEAKES].

Mr. BEAKES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BEAKES. Mr. Speaker, I am opposed to Senate amendment No. 8 for two reasons: First, because it is a rider on an appropriation bill, and I believe there is no more vicious system of legislating than by means of riders; and, second, because it constitutes a return to the old spoils system. I admit that the gentlemen who advocate this amendment have had great provocation for their stand. I admit that the administration of civil-service reform has been vicious and partisan. But I am a believer in the nonpartisan administration of the civil service in a filling of clerical positions with a view solely of competency and efficiency. If civil-service reform had been administered in the spirit as well as the letter of the law, I believe that positions in the service would be held about equally by members of the great parties. That 95 per cent of these positions are held by Republicans is a terrific indictment against the Republicans who have filled these jobs. But that does not alter the fact that character and efficiency rather than partisanship should govern in the selection of clerical positions. The country is interested in results rather than the giving of offices to ward heelers or spoilsmen.

It is true, Mr. Speaker, that Democratic workers should have at least an equal chance with Republican workers to serve their country in office, and that they have not had this chance furnishes in itself an ample reason why the Republicans should no longer be intrusted with the making of appointments. But putting this rider on this appropriation bill is no way in which to correct the evils of the Republican administration.

There are two ways in which this unfairness in the division of clerical positions has crept into the civil servce. One is by the covering into the service by Executive orders thousands of appointees who have never taken an examination, but whose appointment was due solely to their Republican partisanship, and the other is the unfair marking of examination papers, and more especially the oral examinations, and the unlawful consideration of partisanship in making the selection between the eligibles.

The first way can be easily corrected by a general bill, and if no gentleman with more legislative experience than myself does it I propose to introduce in the regular session a bill throwing open to being filled by examination all civil-service positions in the Government now required to be filled by examination, where the occupants have not been appointed as the result of such examination. I would let these partisan gentlemen take their chances with others who are hungry to serve their country in clerical positions. I would no longer throw around them the protection of the civil-service laws in keeping men in positions who are not as competent as men outside wanting these positions. As to correcting the second of the ways in which the offices have been filled with Republicans, it requires more thought than I have yet been able to give it. But I believe there must be some nonpartisan way to correct even the abuses that have thus crept in; some way in which competent clerks can be kept in while weeding out the incompetents without the appointing official in any way laying himself open to the suspicion of partisanship. Whether this way should be the reexamination of Government employees at stated periods or otherwise I am not prepared at present to say.

I do believe that the whole subject of the civil-service laws should be thoroughly investigated; that rules made for partisan purposes should be eliminated. To show what I mean, let me give a concrete illustration of a rule which I discovered was put in force for a partisan purpose. When President Taft attempted to keep in office all Republican fourth-class postmasters by covering them into the civil service, the vacancies to be filled by examination, a joker was even put in this examination. Applicants were marked on the location in which they proposed to keep the office, and this mark was supposed to be so important that it was multiplied by three. Now here is where the joker came in: The present location of the post office was marked 100, and other locations were marked down in percentage according to their distance from "the present location." Do you not see the advantage this gave the Republican applicants? If you do not, I have merely to remind you that most of these fourth-class offices are in small villages or hamlets. Usually they are found in a country store. Their chief value is to draw the people into that store.

In most of these small villages there is a Republican store with the post office and a Democratic store without it, and this system of marking was devised with the purpose in view of keeping the office in the Republican store. Happily, this rule was so flagrant that, on its being called to his attention, the

present Postmaster General abolished it; but that there ever was such a rule shows how Republican partisanship has sought to perpetuate Republicans in office under the guise of civil service. It is such violations of the spirit of civil-service reform which justify in some degree the attacks made on the system.

I believe, however, that the people of this country are in favor of the merit system. I am frank to say that I am thoroughly in favor of a merit system. All three parties have declared in favor of it. And so I would not abolish the reform, but I would reform the reform; and the way to do this is not to insert an ill-considered rider on an appropriation bill, but by an independent bill, carefully considered and debated and passed in Congress on its merits.

Mr. FITZGERALD. Mr. Speaker, I yield three minutes to the gentleman from Rhode Island [Mr. GERRY].

Mr. GERRY. Mr. Speaker, I am opposed to this Senate amendment No. 8 because I believe it is an unjustifiable attack upon the civil service. This proviso has a greater scope than first appears from a casual reading. It takes from the classified service not only the deputy marshals and the deputy collectors of internal revenue, but also all of the subordinates that the collectors and deputy marshals may appoint. The Democratic Party has always been the supporter of civil service. Mr. Cleveland was its strong advocate and friend. The Baltimore platform of 1912 contained the following:

> The law pertaining to the civil service should be honestly and rigidly enforced, to the end that merit and ability shall be the standard of appointment and promotion rather than service rendered to a political party. We favor a reorganization of the civil service, with adequate compensation, commensurate with the class of work performed, for all officers and employees.

The gentlemen on the other side of the House are trying to make us believe that they are the only supporters of the civil service; that they are moved entirely by altruistic motives. Anybody who has studied this subject at all realizes what hypocrisy this is, for they have so manipulated the rules in the past, when they were in control, that Republican officials have greatly predominated, and they are defending it now because they wish to retain their placemen. I believe that one of the greatest injuries ever done to the civil service was when the fourth-class postmasters were put under it, for it was simply a cloaking of the spoils system under the garment of civil-service reform. But because the Republicans have not kept faith is no reason why the Democrats should not. Two wrongs do not make a right. The country expects more of the Democracy than it does of the Republican Party, and I hope that this Senate amendment will not be agreed to by this House, but that it will place good government before political gain and that merit and ability shall be the standard. [Applause.]

Mr. BARTLETT. I yield, Mr. Speaker, to the gentleman from Florida [Mr. CLARK].

Mr. CLARK of Florida. Mr. Speaker, I am in favor of Senate amendment No. 8. I am in favor of it principally because I am opposed to the whole civil-service propaganda. [Applause.] I am opposed to it because I believe it is hypocritical, insincere, and fraudulent in its every aspect, and, as my friend at my right suggests, damnable. Mr. Speaker, I am opposed to it because I believe, with Andrew Jackson, that to the victor belongs the spoils.

I do not believe that any President of these United States can successfully carry into execution his policies unless every agent under him is in line with his policies and believes as he believes. Take it to-day. An eminent Federal official only a few days ago told me that the two stenographers in his office were Republicans; that he could not dictate a letter that had not to be dictated to a Republican. Here we are undertaking to conduct a government upon Democratic lines with Republican agencies to execute them.

Mr. STEENERSON. Mr. Speaker, will the gentleman yield for a question?

Mr. CLARK of Florida. For a short one if the gentleman will be quick.

Mr. STEENERSON. Does the gentleman believe in the Democratic platform?

Mr. CLARK of Florida. Mr. Speaker, I decline to yield to have the gentleman read to me from the book which he has in his hand, under the guise of asking a question. I believe in the Democratic platform which declares for Democratic principles, and those principles can not be enforced except by Democrats.

Mr. STEENERSON. For the civil service?

Mr. CLARK of Florida. Which principles can not be carried into execution except through Democratic agencies. They can not be executed by Republicans.

Mr. STEENERSON rose.

Mr. BARTLETT. Mr. Speaker, I call the gentleman from Minnesota to order.

Mr. STEENERSON. Mr. Speaker, I understood the gentleman to yield.

The SPEAKER. The gentleman declined to yield.

Mr. BARTLETT. I call the gentleman to order.

Mr. STEENERSON. The gentleman yielded once.

The SPEAKER. He yielded for a question and the gentleman undertook to read him a book. [Laughter.]

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Is it out of order to read the Democratic platform in a Democratic House?

The SPEAKER. It is out of order to read a book under the guise of asking a question.

Mr. STEENERSON. I want to state that I did not intend to read the book.

The SPEAKER. The gentleman from Florida is entitled to the floor.

Mr. BURNETT. Mr. Speaker, I move to strike out the remarks of the gentleman from Minnesota.

The SPEAKER. The gentleman will have to have his words taken down if he desires to deal with them. The gentleman from Florida is recognized.

Mr. CLARK of Florida. Mr. Speaker, I have noticed during my eight years of service in this House that when the gavel was wielded by Mr. Cannon, and partisanship ran riot throughout this country, none of these gentlemen were demanding a close adherence to civil-service reform. [Applause on the Democratic side.] They had everything. They did not ask for anything of this character, but they stood for Republicans in office everywhere and on all occasions.

And they were right in doing so, Mr. Speaker. No matter what party is in power, the members of that party should administer the affairs of the Government. This is a government of parties, and it is folly for any political party to undertake to administer the affairs of government through officials who are opposed to such party, or to carry its policies into execution through the medium of agents who are the bitter enemies of such policies.

If civil service was honestly enforced, it would not result in bettering governmental administration, but it is not honestly and fairly enforced and, in my judgment, it never will be. A graduate of Harvard or Yale might be entirely unfit to fill the office of deputy United States marshal, while the most ignorant of men would be first-class deputies, although they could not stand the examination. The whole crooked, fraudulent civil service should be wiped from the statutes.

The SPEAKER. The time of the gentleman from Florida has expired.

Mr. BARTLETT. Mr. Speaker, I yield three minutes to the gentleman from Pennsylvania [Mr. DIFENDERFER].

Mr. DIFENDERFER. Mr. Speaker, I desire first of all to preface what I have to say by the fact that I believe in the merit system, absolutely, and I do not want any Member on this floor to turn and say to me that that is hypocrisy. I do not believe in full what has been attributed to the Hon. Benjamin F. Butler, that if office is a good thing it should be divided, and that if it is a bad thing it is too much to put upon any party or any individual.

There is one department, however, in this city where 437 employees take part in the execution of its work every day of the week. Four hundred and fourteen of those 437 employees are Republicans. The other 23 are near Democrats. I have no objection to the Democratic Party employing officials who are Republicans, if they are meritorious men and can sustain their positions, but I am absolutely and unqualifiedly against a near Democrat, who is simply playing politics by holding a Republican position.

I have in my possession a letter written by a consul of the United States in Switzerland, who states that there is at this time, and has been for several years, an employee of this Government appointed by the Treasury Department who is under the civil service, who has taken the oath of allegiance to the United States, and who has never seen America and whose family have never been here. If civil service is to be extended to the other side of the ocean in that manner, then I for one protest against it. This particular individual I have referred to is a man by the name of Carl Kauffmann. Charges have been brought against him. The consul himself has been trying for some time to convince the Treasury Department of this country that this man is not a proper person to perform the duty of inspector of laces at St. Gall, for the reason that he altered an

official certificate under the hand and seal of the consul and filed it with the Treasury Department as a voucher——

The SPEAKER. The time of the gentleman has expired.

Mr. DIFENDERFER. I desire, Mr. Speaker, to place this letter in the RECORD as a part of my remarks.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The letter referred to is as follows:

The Hon. ROBERT E. DIFENDERFER,
House of Representatives, Washington, D. C.

MY DEAR MR. DIFENDERFER: I was greatly pleased to receive your favor of the 18th instant, with its assurance that you are moving in the Kaufmann matter.

When I received from President McIlhenny, of the Civil Service Commission, information that "Mr. Kaufmann has the status of a competitive classified employee" (as per his letter of June 12, 1913) I was thunderstruck. How can a foreigner, who never even saw the United States, be given the protection of our American civil-service law? How can such a man consistently take the required oath of office? These questions recur to me continuously. I could understand the thing under the Reynolds-Wilkie régime in the Treasury Department, but can't think a Democratic administration will stand for it, when so many worthy Democrats are kept out in the cold by this same civil-service law. The thing is bad enough were Kaufmann an honest man—which he is not, as I have been endeavoring to convince the department for a year or two past. He altered an official certificate under my hand and seal and filed it in the Treasury Department as a voucher in a bogus furniture sale. I have reported this several times and asked for an investigation, which, by the way, has been promised.

He has acted as a czar here for years; he has terrorized the trade and his record is bad, although he has managed so far to deceive the Treasury officials. When you are calling at the State Department you might take time to read my last report regarding Kaufmann, No. 148, Re St. Gall Treasury Affairs, dated September 4, 1913.

This will give you an idea of the man's methods. * * *

With many good wishes, believe me to be,

Yours, sincerely,

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. METZ].

Mr. METZ. Mr. Speaker, I will not require the five minutes so kindly yielded to me, but simply desire to state that I am opposed to this amendment. In the first place, as a new man possibly I do not know just what is proper, but it does not appear to me the right thing to include legislation of this character upon an urgent deficiency appropriation bill. A certain amount of money is devoted to certain purposes, provided such and such a thing is done, and that certain thing will remove certain men in the civil service. If these men are incompetent or improperly there, there are other means of getting rid of them. Furthermore, I believe they have been in the civil service and out and in again, and they should not be juggled with any further. If I may be permitted, I will yield back my unexpired time, and I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman yields back three minutes. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. How much time has the gentleman used?

The SPEAKER. The gentleman only used two minutes.

Mr. GILLETT. Mr. Speaker, I yield to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, I think it takes a very courageous man in 1913 to stand up on this floor and say that he is in favor of the spoils system, as has been said here to-night. I have noticed this has been argued from three angles. One opposes the merit system because he is opposed to the civil-service reform idea altogether; another opposes it because it is not administered aright, and still another opposes it because he thinks he will have to deal with people who belong to an opposite party to which he belongs. It does not matter in 1913 what is the ground of opposition. It is a step backward, and I am sure that you can not fight against the future. Time is against you. You are bound to lose by such conduct of this House in taking this backward step against the civil-service reform idea. [Applause.] How is it possible for leading Democrats, representing ideas of modern times, in view of what has taken place in the past, to stand in opposition to civil service, when you remember that the only well-regulated civil-service law up to 1883 was introduced by a distinguished Democratic Senator, George H. Pendleton, and passed by a Republican Senate and by a Democratic House and signed by a Republican President? Then how can a Democrat stand up in opposition to the civil service when he remembers that it was upon that theory that Grover Cleveland was elected? Why was it that such men as George William Curtis refused to vote for Mr. Blaine? Why was it that James Russell Lowell refused to vote for Mr. Blaine? Why was it that the mugwumps were organized, and, under the leadership of Carl Schurz and others, voted against Mr. Blaine for Mr. Cleveland? The chief pretext was upon the question of reform in the civil service, and Grover Cleveland came into power upon that issue. He went out of power after having extended the civil service as no President up to that time had extended it.

And when you indict President Taft for doing the same thing before he went out of office you are indicting him for doing what Grover Cleveland did. You applauded Grover Cleveland because of what he did, and we ought to have applauded President Taft for what he did.

Mr. DONOVAN. Will the gentleman yield to a question?

Mr. FESS. I can not yield.

The merit system is a part of the organized movement for a better Government; that stands for efficiency and economy in this country. It is only one form of this mighty movement that you see to-day in the cities where the commission form of government is sweeping the land, and in the States which are insisting upon the short ballot, as well as in different municipalities, where no attention is paid in the matter of administration whether the man is a Republican, whether he is a Democrat, or whether he is a "Bull Mooser." What difference should it make to me whether an administrative officer is voting with me or not? [Applause.]

Mr. Speaker, from the very first days of the Republic the question of removals has been before the people. Washington laid down the principle, naming certain conditions to be considered.

Geography, fitness, and past service were especially specified in making appointments, but this specification rather went to appointments than to removals.

Jefferson was the first President to emphasize the principle of removal. He exercised his power in 142 removals, all told. He stood upon the basis that as the victor in a contest decided by the ballot he would be held responsible, and was therefore justified in removing anyone for cause, whether political or otherwise, if it became necessary to do so for the sake of carrying out his policy. Removal was necessary, since none resign and few die.

But the spoils system as we know it to-day was not practiced prior to Jackson's era. He proceeded upon the principles expressed by Marcy, of New York, that the spoils of office belong to the victors, and removed most of the employees holding what would be considered political positions. From that day until the eighties little was done by party or individual to correct the evil.

It had been thoroughly established by the end of Jackson's time and adopted by Van Buren. It had been followed by all the Presidents down to the close of the Civil War with only here and there an effective voice of opposition heard against it.

Seward wrote a friend that the country seems to be divided into two general classes, and both are on the move, one class to California in search of gold and the other to Washington in search of office.

From the close of the war to 1883 patronage stimulated political activity into a genuine struggle, with spasmodic efforts of individuals and associations to reform it. Its effects were visibly noted upon the heads of the administration.

Charles Sumner was one of the first statesman to make an effective attack. As early as 1864 he introduced a bill to provide for the "greater efficiency in the civil service." Four years later Thomas Jenckes, of Rhode Island, succeeded in having a committee report on the civil service of this and other countries. This is the real beginning of the civil-service reform movement.

This committee reported in favor of reform, first, for greater efficiency in the service, and, secondly, relief of the President and the heads of departments from pressure of office seekers.

Gen. Grant gave the movement his approval and actual aid. In his second annual message he recommended it to cover not only the tenure of office, but to regulate the matter of removals. Later he placed George William Curtis, the famous civil-service reformer, at the head of a commission of seven to report on measures to be adopted to secure a better service. And while the proposed law was attached as a rider to an appropriation bill, President Grant announced that if Congress did not act favorably he would interpret the act as unfriendly to the proposed reform and he would abandon further efforts, except to require competitive examinations to secure fitness. By this time the advocates were strong enough to make demands. Many of them joined the Liberal Republican movement in 1872. The platform of this party is the first national pronouncement upon the issue. The platform declared that—

> The civil service of the Government has become a mere instrument of partisan tyranny and personal ambition and selfish greed. It is a scandal and reproach upon free institutions and breeds demoralization dangerous to the perpetuity of republican government.

The regular Republican Party adopted a similar plank in the same campaign.

President Hayes took a decided stand in favor of the reform. Two incidents are historic, viz: The appointment of Carl Schurz, the famous civil-service reformer, as Secretary of the Interior, and the commissioning of Dorman B. Eaton, sometimes known as the father of civil-service reform, to write a history of the movement, extending to European countries. From this on the movement gained strength. Under this administration competitive examinations were introduced to determine the appointment in the New York customhouse, and in 1880 the same rule was applied to the New York post office. The agitation by the early eighties had reached the plan of a real propaganda. The papers and magazines were filled, as well as books were written, upon the subject. Many civil-service reform associations, such as the New York Civil Service Reform Association, were organized. The national league was formed in 1881, headed by George William Curtis. This was the direct outgrowth of the assassination of President Garfield. The agitation hitherto of a fugitive nature now takes a legal aspect. Eaton framed a law which was presented in 1881 by George H. Pendleton, an Ohio Democrat. It was passed in 1883 by a Republican Senate and concurred in by the Democratic House and signed by President Arthur.

This is the first enactment the main features of which are now in operation. Henceforth civil-service reform has been a plank in every party platform of the leading parties down to the present time. The campaign of 1884 was made by the Democrats upon a platform of reform, chief of which, next to the tariff, was civil service. The defection among Republican leaders, which gave the election to Cleveland, grew out of the civil service. It was upon this issue, as I said before, that Curtis, Schurz, Beecher, and many other life-long Republicans declined to vote for the Republican candidate and supported Cleveland.

These same independent voters were greatly disturbed to see Cleveland remove 90 per cent of the presidential officers in a little over a year's time, 68 per cent of the unclassified employees of the Interior Department, and all the fourth-class postmasters. However, before leaving office in 1889 he covered the railroad mail service with the protection of the civil-service regulation. In the succeeding administration of Harrison the closing act of his predecessor came in for attack upon the ground of insincerity toward the merit system. At the close of the second administration of Cleveland in January, two months before he left office, he placed the employees of the President under the civil-service regulations. Under McKinley, in 1899, an order was issued that removed nearly 4,000 places from the classified service, with some changes in the rules for transfers and reinstatements.

President Roosevelt extended the civil service to cover the employees in the customhouses.

President Taft took a decided stand upon the merit system. In 1911 over 4,000 employees were added. Later about 37,000 all told. Taft included fourth-class postmasters.

In September, 1911, President Taft said at Detroit:

> They have charged me with using patronage to accomplish something. If I have I have not been conscious of it, but I challenge the men who make the charge to come forward and join with me in legislation which will enable me to put every local officer, be he postmaster, internal-revenue collector, customs collector, or anybody else filling an office in the United States in any of the States of the Union, under the classified civil service.

If I had the making of the laws the first thing I would do would be to include in the civil service every collector, deputy collector, and everybody connected with the internal-revenue system, and put the whole service on a nonpartisan basis.

I know it would be a source of economy. I know it would give the President a great deal more time to devote to other necessities. I know it would save a great many Congressmen their seats, and I know it would tend to evoke the public service.

The movement has not been confined to the Nation, but has spread to the States and cities. Even by 1910, 6 States had made it the law. Over 200 cities, a score of counties, 7 villages, or 250 political divisions in all, had adopted the merit system. Since that date the Ohio constitutional convention adopted it for State, county, and municipality with little opposition.

The wonderful movement for commission government in cities that has swept the country within the last half-dozen years is based upon the application of civil-service classification in all appointive officers.

The fundamental grounds for the short ballot, in which movement President Wilson is so prominent, is based entirely upon a sincere regard for the principles of civil service upon the merit system. The national mind for the past decade has been running against the corrupt spoils system. No louder protests were offered than those by the Democrats.

Says the Philadelphia Ledger, referring to Cleveland's position:

> There was a man at the head of the Democratic Party, now nearly 30 years ago, who spoke with no uncertain sound against such corruption in politics. His name was Grover Cleveland, and although dead he yet speaketh. In the quotations which are made from his letters and public papers it would seem that he has shown the way to honest men of all parties, and particularly to honest men in his own party.
>
> When mayor of Buffalo, to the New York Civil Service Reform Association, October 28, 1882:
>
> "When contests between parties are waged for the purpose of securing places for professional politicians of high or low degree whose only recommendation for appointment is their supposed ability to do partisan service, the people are apt to be defrauded by the displacement of tried and faithful servants, well able to perform the duties for which they are paid with the people's money and the substitution of those who are unfit and incompetent."
>
> From letter accepting the Democratic nomination for governor of New York, October, 1882:
>
> "Subordinates in public place should be selected and retained for their efficiency and not because they may be used to accomplish partisan ends."
>
> From speech at unveiling of Garfield statue in Washington, May 12, 1887:
>
> "If our watchfulness against the dangers of a mad chase after partisan spoils be quickened, the dedication of this statue to the people of the United States will not be in vain."
>
> From speech at reception given by the Democratic Club in New York, April 27, 1889:
>
> "Any body of men that would associate themselves together, proclaiming openly that their purpose was supremacy in government, with the sole intent of distributing offices and the spoils of victory among their associates, would be treated with ridicule and scorn. * * * When high party aims and professions are lost sight of and abandoned and the interests of officeholding and personal pelf are all that remain to inspire party activity, not only is the support expected from patriotic people forfeited but the elements of cohesion and of effective and lasting political strength are gone."
>
> From the first annual message to Congress in December, 1887:
>
> "The allurements of an immense number of offices and places exhibited to the voters of the land and the promise of their bestowal in recognition of partisan activity debauch the suffrage and rob political action of its thoughtful and deliberate character."

In the light of these utterances of the last Democratic incumbent of the Presidency, the numerous professions of Democratic statesmen, the quadrennial pronouncement of Democratic platforms since the eighties, what should be thought of this amendment to reverse the policy of merit in the interest of the spoils hunter?

Under date of September 8 the Philadelphia Ledger, a Democratic journal, says:

> DEMOCRATIC SCRAMBLE.
>
> This incident acquires special point just now because of the utterly shameless course of the Democratic caucus at the Capitol in adopting a resolution that the committee on organization of the House "shall not allow any Republican to hold any position which should be included in Democratic patronage, no matter how long he may have served." And this resolution, offered by Mr. CLARK of Florida, was adopted after only a few feeble protests from a handful of the "truly loil." It is a shame and a reproach to the party in power, and discovers as nothing else could the true intent of the majority on the inside and the beggars at the door of patronage.
>
> Several days ago there was a discussion in the Senate on the question of suspending the civil-service rules so as to admit a shoal of incompetents into the Government service, because they were Democrats and could be used in political service. The air is filled with the odor of spoils. It is the offices, always the offices: a clean sweep of Republicans without regard to fitness or faithful performance of duty, to make room at the public trough for the political friends of Congressmen and Senators.
>
> Doorkeepers and janitors, old and experienced public servants, however humble their station or small their pay, must give way because the spoilsmen insist that they must have their henchmen rewarded, not for public service but for political favor.
>
> The Fairplay Democratic Association insists that the colored employees of the Government shall be turned out on account of their color, and now the Democratic caucus declares it to be the policy of the party that there shall be a clean sweep of Republican place holders on account of their politics. And no firm voice of leadership or authority or high statesmanship has yet spoken a word in public protest against this orgy of office brokers and office seekers.
>
> There has been nothing more disgraceful than the scramble for offices at Washington since the change in administration; nothing more out of keeping with the professions of the party in power; nothing, it is believed, that has caused the President more distress, for he must see, as other clear-eyed men see, that the Democratic victory last November was not worth winning if it meant only, or in appreciable degree, the distribution of offices. Some of the Congressmen talk about "my share of the patronage," "my offices," my doorkeepers, and pages, and janitors, and postmasters, and the rest. It is a shame that such things can be.

The defense of this policy of reversal is placed upon grounds similar to those that have gone before.

Alleged objections to the classified-service regulation are not serious. While there seems to be some ground for the argument, it is not conclusive against the reform in our civil service.

One class of objectors favors the spoils system because the offices should be open to every citizen—a democratic principle. These denounce the classified service on the ground that it limits ambition to serve the country.

Of course no one would seriously make such a contention—that efficiency in service which by competitive examination

retains the most efficient in the service is closing the door to any aspirant who is prepared to compete for the place. It does close the door, however, to the unfit, the political huckster, the party tool whose only claim to appointment is his party services, clean or otherwise.

Another objection is that the present system produces arrogance on the part of the employee. The system places him upon an independent plane, and he refuses to respect the wishes of his superior. There is some truth in this claim, but the real question of importance here is whether such independent conduct is not an advantage rather than a detriment to the service. In some cases it would be, while in others not. However, this objection is certainly not conclusive against the merit system in favor of the spoils system.

Another objection urged is that the present plan is inferior on the ground that the chief can know the needs of the office and the fitness of a candidate better than an examining board under the direction of the Civil Service Commission. There is positively no argument in this contention. It is begging the question. It is simply saying the spoils system is superior to the merit system because it is so.

A second objection on this score is that most frequently the examination is not representative, does not take on the character of testing which is designed to secure the most effective servant. If this be true, the error is of easy correction and does not necessarily go against the merit system.

A third objection heard on this phase is that the applicant under competitive system is likely to come fresh from high school or college, familiar with questions, but not adapted to the character of service he seeks, while his competitor may be the most devoted and competent official in the line of service, but owing to his habits of life, not adapted to study, is incapable of making as creditable a test as his less competent competitor fresh from the study room.

There is some argument in this position, but it is not sufficient to abandon the merit system.

The argument most often heard, pressed with greatest vigor, is that the merit system is not workable on merit lines as now administered. This charge is weak upon several grounds. First, if the law is not sincerely administered, it is not the fault of the principle, but of the administration of it. The law or principle should not be attacked, but the manner of its application. We do not repeal all criminal law because in its application we do not exterminate crime.

This charge must fall in the light of the character of our National Civil Service Commissions. No one can seriously charge these men of stultifying their high trust where there is no occasion for it.

It is always made by the fellow who is out beyond the stalls who desires to break within the inclosure. It is totally indefensible and must react upon the party that ignores the widespread demand for service of efficiency and economy rather than that of partisan fealty.

Mr. Speaker, the spoils system, to which it is now proposed to return, is the one indefensible practice against which the conscience of our people has been battling for a half century. To Democrats and Republicans alike it is the one feature of Jackson's presidential career that both supporter and opponent never refer save with an apology. From that date to this the practice of regarding the offices of the Republic as so much stock in trade, to be transferred upon consideration of partisan service rendered, has been the chief point of attack by thinkers and writers in both America and Europe. It proceeds upon the basis that public office is for public plunder and not a public trust. We hear it stated upon this floor, and we can not help wondering at the baldness of expression of some Members who have torn off the mask of deception, usually so common in debate on the subject, that the offices should be parceled out as spoils to be distributed among the party heelers. At least such advocates should be respected for their frankness in admitting the full meaning of this Senate amendment. Their statements stand in striking contrast with professions of other Members, who argue that this amendment is not an assault upon the merit system. They attempt to shield themselves against the shafts of an aroused public conscience, which they fear, by the insipid and futile pretension that the law in the past has not been administered in the interest of a wise public service. The folly of such pretensions is apparent. If that is their only objection, these political pie servers should crave this opportunity to show that law can be administered in the spirit of the enactment. Because a principle of law or administration has not been carried out in practice is no justifiable argument against the wisdom of the principle. If these detractors are sincere in these charges against President Taft's order enlarging the scope of the classified service, they would seek it as a rare opportunity to prove their charge by enforcing the regulation in keeping the merit system.

No; this amendment, which removes nearly 2,000 employees from the classified service and places them as so much stock in the political market, to be struck off to the highest bidder, goes beyond the classes specified. In this case, as in all lawmaking, it is not so much what is expressed as what is implied by the enactment. While the expression is limited to deputy collectors and marshals, the sweeping implication is in the following words of the amendment, to wit:

> And the officer requiring said bond shall have power to revoke the appointment of any subordinate officer or employee and his successor at his discretion without regard to the act, amendments, rules, or regulations aforesaid.

There can be no doubt as to the purpose of this act and the extent of the power it carries. Members have frankly admitted, indeed they have gleefully asserted, that civil service based upon the merit system must be reversed in order that the subordinate officers may be swept out of the way for the hungry horde that are in waiting.

While I have never taken seriously the professions of Democratic politicians of this devotion to the principle of civil service based upon merit, as expressed in every platform, I have always recognized these professions, so far as the practical politician goes, as one of the planks upon which an opposing party hoped to walk into power; yet, in the light of the Pendleton Commission, the program of the "Reform President," Cleveland, the character of the campaign of the Mugwumps, led by Curtis, Lowell, Beecher, Schurz, and others, the advanced position taken by Cleveland at the close of his second term, which covered these very officers you now propose to expose with the protection of the classified service, the bitter and relentless attacks the Democratic Party made upon McKinley for reversing the order, all this so recent and so prominent before friend and foe, this assault upon the very system upon which you rode into power in 1884 only indicates the extent to which men will submit to the wishes of the sordid elements in our body politic.

The SPEAKER. The time of the gentleman has expired.

Mr. GILLETT. Mr. Speaker, I yield four minutes to the gentleman from Pennsylvania [Mr. TEMPLE].

Mr. TEMPLE. Mr. Speaker, it is interesting to notice that if this amendment is passed the appropriations proposed for the Civil Service Commission can be granted only on condition that a good deal of the work of the Civil Service Commission is to be broken down. They ask for appropriations in connection with the examination of fourth-class postmasters. Under the language of the proposed amendment they get that appropriation provided the reform of the civil service already in operation as to collectors of internal revenue and United States marshals shall be given up. After a long and somewhat involved sentence, which can not be construed on a hasty reading, we come to the real meat in the coconut. It has been said here two or three times that this provision which removes certain appointments from the requirements of the civil-service law will apply only to those persons who occupy confidential positions, and it is argued that the collectors of internal revenue and the United States marshals ought to have the right to appoint their immediate subordinates, without regard to the requirements of that law.

But it is not their immediate subordinates alone that are covered by this provision. Let me read the very plain language of the last part of the amendment:

> The officer requiring said bond shall have power to revoke the appointment of any subordinate officer or employee and appoint his successor at his discretion without regard to the act, amendments, rules, or regulations aforesaid.

Mark that phrase, "any subordinate officer or employee."

Now, who are some of the subordinate officers and employees of an internal-revenue collector whose appointments may be revoked and whose successors may be appointed without regard to the requirements of the civil-service law? Only the deputy who gives bonds? Why, it would include the whole force—the clerks, the stamp clerks, the assistant clerks, the telephone operators, the storekeepers, the gaugers, the overseers of storekeepers and gaugers. In the larger cities there are subofficers of the internal-revenue collector which have their chief clerks, and assistant clerks, and stenographers, and typewriters, and these are all subordinate officers or employees, who, if this amendment passes, may be thrown out, and whose successors may be appointed without regard to the civil-service law. That is the very plain language of the last four lines of the amendment

found on page 3.

And if we would take up the officers and employees subordinate to the United States marshal we would find that this amendment attacks and throws into disorder the whole civil service in two great departments—all the subordinate officers and employees under the internal-revenue collectors and all the subordinates and employees under the United States marshals.

Now, let it not be said, as it has been said heretofore, that the amendment applies only to the immediate subordinates and confidential appointments of the collectors and marshals. It applies to all subordinates and employees in both offices, as the language of the amendment, already quoted above, very plainly shows.

Mr. BARTLETT. Mr. Speaker, I yield three minutes to the gentleman from Indiana [Mr. COX].

The SPEAKER. The gentleman from Indiana [Mr. COX] is recognized for three minutes.

Mr. COX. Mr. Speaker, in a few words I want to say that I am going to support the amendment offered by the gentleman from Georgia in his motion to concur in the Senate amendment. A great many arguments have been made on that side of the House this evening, some extending sympathy to us and saying that we are going to get into trouble if we adopt this amendment.

Now, so far as one is concerned, I am perfectly willing to assume the trouble. I am in favor of an honest civil-service law. But the trouble is, gentlemen, you have not administered it aright.

The gentleman from Ohio [Mr. FESS] said it certainly took courage for a man to stand on this side and say that he is today in favor of abandoning the civil-service law. I want to say to him in return that it certainly took courage from the gentleman's party to absolutely pollute and destroy this law. How many Democratic rural-route carriers are in your district? How many Democratic fourth-class postmasters are in your district? How many Democratic officeholders are in your district to-day? No wonder you are "hollering."

The gentleman from New York [Mr. PAYNE] takes a fall at this proposed amendment. I wonder how many Democratic officeholders there are in his district, how many Democratic mail carriers?

Mr. PAYNE. Mr. Speaker, will the gentleman yield? I will answer.

The SPEAKER. Does the gentleman yield?

Mr. COX. No; I can not yield.

The SPEAKER. The gentleman declines to yield.

Mr. COX. I can not yield. I relate circumstances, gentlemen, in my own State. I heard the gentleman from Iowa [Mr. TOWNER] to-day challenge this side of the House for specific information. I want to say to you that I have got it, and I can lay it down on the desk of the Civil Service Commission in Washington City, if you want to see it, and I have laid it there. I investigated the conditions in my own State last winter. There we have 92 counties. I got a report from 81 of those counties, and out of 2,100 rural route carriers there was less than 5 per cent of them Democrats; there was less than 4 per cent of the fourth-class postmasters who were Democrats in the 81 counties that I got a report from. How do you account for it, gentlemen? Oh, the Civil Service Commission upholds it, you say.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. COX. No; I can not yield. I have not the time.

The SPEAKER. The gentleman declines to yield.

Mr. COX. Now that you are out of power, you oppose a change in the present system. You do not stand the test. A year ago 50,000 Federal officeholders were turned into the civil service by your President.

The gentleman from New York [Mr. PAYNE] took Mr. Burleson to task because he says there is some kind of an examination that we are required to hold.

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. COX. Can the gentleman from Georgia yield to me a few minutes more?

Mr. BARTLETT. I can not; I am sorry.

Mr. COX. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Indiana [Mr. COX] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BARTLETT. Mr. Speaker, I yield three minutes to the gentleman from South Carolina [Mr. RAGSDALE].

The SPEAKER. The gentleman from South Carolina [Mr. RAGSDALE] is recognized for three minutes.

Mr. RAGSDALE. Mr. Speaker, I am from the South, and being from the South I want to tell you Republicans that your actions in the past, if nothing else, make almost every decent man down there against the civil service.

I am for this amendment because of the manner in which you have treated our people, because you have absolutely ignored the real civil service that you promised to give. In a Government building in my town there is not a single employee under the civil service who is not a negro. There are not 200 Republican votes in my county, and practically every civil-service job there, as well as every civil-service job in my district that you can command, has gone to the negro race.

Why? Did you expect votes in the general election? No.

The gentleman from Pennsylvania [Mr. BURKE] knows you did not, and you did not have the manhood in your Republican convention to deny them the vote. You tried to take a great dragnet and go through the country and get a great horde of these "black voters," as you call them, and take them to your Republican convention and pay for their work with your dirty money and your civil-service jobs. You know it. Oh, yes; I remember distinctly the remainder of the quotation that the gentleman from New York omitted when he tried to quote from the Bible and referred to us as scribes, Pharisees, and hypocrites, and I now finish that quotation and say to your side and party, "Oh, ye generation of vipers!" [Applause on the Democratic side.]

Mr. PAYNE. I accept the amendment and apply it to the gentleman himself. [Laughter.]

Mr. RAGSDALE. Oh, no; you have earned it. Keep it. [Laughter.]

Mr. Speaker, down in my part of the country we people are against civil service because it is a stench. It is hypocrisy. You do not have the decency, with the Republicans in office, to even try to carry it out.

I am against it from top to bottom. If I had my way, I would blot it off the statute books and turn Republicans out of office, because the people of America have spoken at the polls and the Democrats are entitled to the reward of their labors. [Applause.]

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from New Hampshire [Mr. STEVENS].

Mr. STEVENS of New Hampshire. Mr. Speaker, I am a Democrat from the Northland. I have a few remarks to make to my brethren from the Southland. I beg of them not to be carried away and have their judgment overturned by the local conditions in the South. I realize that the civil-service law has not been honestly enforced by the Republican Party. [Applause on the Democratic side.] I realize that you have had Republican officeholders put upon you who were not competent, men who were offensive and distasteful to the people of the South. I sympathize with you in your desire to get rid of these Republican Federal officeholders, but it is not necessary for you to break down the civil-service law, as this Senate amendment will do, to bring about that result. [Applause.] You have only to carry out the promises of the Democratic platform and enforce the present civil-service law honestly and rigidly, and you can get decent, competent officeholders in the South. If you can not do it, then reorganize the law.

There is a great difference between the order issued by Mr. Taft putting the fourth-class postmasters under the civil-service law and the order issued by President Roosevelt eight years ago putting the deputy marshals and deputy collectors under the civil service. Mr. Taft's order protected and covered for the period of their natural lives every man who held a fourth-class office. The deputy marshals' and deputy collectors' terms of office expire when the term of the superior officer expires, and every Democratic marshal in the South or the North or the East or the West and every Democratic collector of internal revenue has a right under the law to appoint every deputy marshal and deputy collector. The only restriction upon his power of appointment is that he must make that appointment from a list of men who have taken the civil-service examination and have passed high enough to be on the eligible list. I would rather have that restriction in the law for the benefit of the party and my own personal benefit than to have the deputy marshals and deputy collectors appointed, not by the superior officer looking for competent men, but appointed by the political man who got the superior officer his job.

There are many men here who believe, and I think honestly believe, that these deputies ought to be appointed by the superior officer, because they are responsible to him; but there are a few men here so innocent as to believe that the United States marshals, or the United States revenue collectors, are going to appoint their own deputies. They will not do it in the State of New Hampshire, even if this provision goes through.

Mr. BARTLETT. Who will appoint them?

Mr. STEVENS of New Hampshire. I may appoint them, or some of them. There are some things I would rather see than

to see my friends get an office. I would rather see the Democratic Party keep its pledges that it has made for 30 years to the American people and uphold and sustain the civil service.

Mr. BROCKSON rose.

The SPEAKER. Does the gentleman from New Hampshire yield to the gentleman from Delaware?

Mr. STEVENS of New Hampshire. Yes.

Mr. BROCKSON. If the gentleman from New Hampshire has the appointment of the deputy collectors of internal revenue and the deputy marshals, will he appoint competent men?

Mr. STEVENS of New Hampshire. I will appoint competent men; yes.

Mr. BROCKSON. Then why have the civil-service law if you will appoint competent men?

Mr. STEVENS of New Hampshire. The gentleman from Delaware knows as well as I do that when appointments are made under the spoils system, that while we all want competent men, the first dominant reason why we recommend a man is because he has rendered efficient service to the Democratic Party. Now, let me read to the gentleman the plank in the Democratic platform of 1912.

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. STEVENS of New Hampshire. Not until I have answered the gentleman from Delaware. I will read this plank in the platform:

> The law pertaining to the civil service should be honestly and rigidly enforced, to the end that merit and ability shall be the standard of appointment and promotion rather than service rendered to a political party.

Mr. BROCKSON. Will the gentleman read the rest of it?

Mr. STEVENS of New Hampshire. Yes.

> We favor a reorganization of the civil service with adequate compensation commensurate with the class of work performed for all officers and employees.

This is not a reorganization of it. It is a destruction of it. [Applause.]

Mr. BROCKSON. Mr. Speaker, will the gentleman yield for another question?

Mr. STEVENS of New Hampshire. Yes.

Mr. BROCKSON. The gentleman said that he would appoint competent officers?

Mr. STEVENS of New Hampshire. Yes.

Mr. BROCKSON. Is it any objection that a man has done work for his party, if he be competent?

Mr. STEVENS of New Hampshire. No; but let me say this to the gentleman: If he is opposed to the civil-service system, if he is in favor of the spoils system as applied to the purely administrative offices of this Government, I do not propose to waste one moment's time in discussion with him, because he is out of line with his party platform for the last 30 years.

The SPEAKER. The time of the gentleman from New Hampshire has expired.

Mr. BARTLETT. Mr. Speaker, I yield five minutes to the gentleman from North Carolina [Mr. POU].

Mr. POU. Mr. Speaker, the country is to be congratulated upon the sudden appearance in this Chamber of two great civil-service reformers. I refer, of course, to Civil Service Reformer SERENO E. PAYNE and Civil Service Reformer JAMES MANN. It might be well to bear in mind, however, that these gentlemen have only decided to reform the civil service since the Republican Party went out of power. [Laughter and applause on the Democratic side.]

Now, Mr. Speaker, let me give the House just a little of my own experience with respect to the conduct of our Republican friends in reforming this service.

About 1901 we began the great work of installing the Rural Free Delivery Service. In the beginning rural carriers were appointed upon the recommendation of Members and Senators. Later on they were appointed in a different manner entirely. While they were being appointed upon the recommendation of Members and Senators I had a friendly agreement with a distinguished Republican Senator from my State to divide these places in the district I represent equally between that Senator and myself. We got along very nicely with that agreement, and I honestly believe that the carriers we recommended have given as good service as any who have been appointed since. Then Mr. Roosevelt, Mr. PAYNE, and Mr. MANN decided to reform the civil service and make it apply to rural carriers. Within a few months after it was decided to extend free rural delivery service in the Nation the original manner of appointing carriers was changed.

It was decided to appoint them in accordance with civil-service rules and regulations, and from that day until the last hour of Mr. Taft's term of office I was not able to secure the appointment of a single Democratic carrier. Of course we had "examinations" conducted by Republican inspectors, but I do not recall a single instance where a Democrat was appointed, no matter how many stood, where a Republican with any education at all wanted the place and stood the examination. [Laughter and applause on the Democratic side.]

Now, Mr. Speaker, this was not accidental. It was so notoriously true that no Democrat could get one of these places that many of them ceased to try. I say the result could not have been accidental, for down in my country we Democrats as a rule are as well educated as our Republican adversaries. Indeed, I think I may say as a rule we are somewhat better educated and better fitted to stand any sort of examination for the public service. [Applause on the Democratic side.] While all this was going on, so far as I recall, there was never a word of protest or criticism from either of the great reformers named.

Yes, Mr. Taft was a great civil-service reformer. How did he proceed with this great work? When he saw certain defeat staring him in the face he decided to reform this service by "covering in" more than 30,000 fourth-class postmasters. And how were these postmasters appointed? Down in my country if a Democratic sorehead left our ranks and joined the Republican Party, he stood a mighty good chance to get the post office if the leaders of that party thought well of his partisan services. If he abused Democratic leaders, if he confessed himself guilty of frauds while a Democrat, and made himself generally notorious, his almost certain reward was the nearest fourth-class office. Why, Mr. Speaker, some of these officials are utterly incompetent. I can myself name several who can hardly read and write. The leaders of the Republican Party would move these Democratic renegades hither and thither to make them eligible for appointment.

With almost no exceptions they were appointed purely for partisan service. Few of them are as competent as these officials should be, and some of them are men without character. Now, Mr. Speaker, during the last days of Mr. Taft's administration he proceeded to reform (?) the civil service by issuing an order keeping these people in office for life. Think of that, if you please. Without examination thirty-odd thousand officials put in and kept in office solely for party service, reappointed for life, and this in the name of civil-service reform. Nobody heard a word from Mr. PAYNE or Mr. MANN when this was done. That order of Mr. Taft was all right. It was "in furtherance of the merit system," as one of your Republican leaders claimed this morning. [Applause on the Democratic side.]

O Mr. Speaker, it is enough to make one sick—all this Republican furor in behalf of civil service. If we appoint some decent fellow because he is a Democrat and a man of character, we violate the merit system, but when you Republicans try to keep in office for life thirty-odd thousand partisan postmasters, that is "in furtherance of the merit system." [Applause on the Democratic side.]

Mr. Speaker, surely we have had enough of hypocrisy for one debate. You Republicans will hardly be able to fool the people into believing that you are sincere in your civil-service professions. When you were in you debauched that system under the leadership of Mr. Taft, your President. [Applause on the Democratic side.] There may be real sincere civil-service reformers in this Nation, but they will hardly be found in the ranks of the stand-pat Republican Party in this Chamber. [Applause on the Democratic side.]

Mr. GILLETT. Mr. Speaker, I yield four minutes to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Speaker, several months ago at the other end of the Capitol a distinguished Senator, in speaking of his party associates, said:

> The wild asses of the desert are athirst, and hungry. They have broken into the green corn.

The trouble is that the opening through which they entered the green corn does not seem to be wide enough to suit some of the gentlemen on the Democratic side of the House. They want to tear down the civil-service wall entirely, but they have not the courage to try directly to repeal the laws creating and extending the merit system. So they have added this provision regarding deputy collectors of the internal revenue and deputy marshals to this deficiency bill in order that it may be used as an entering wedge wherewith to upset the entire structure of the classified service of this Government.

The gentleman from New York [Mr. PAYNE] hit the nail squarely on the head when he said that it was the pressure from home on those who favor the amendment that brought about the effort to pass this legislation. For 16 years you on the Democratic side have been outside the inclosure which surrounds the green corn. The boys at home have been saying to you, "For years and years we have supported you in your candidacy. We have not had a job heretofore because you were in the minority. Now that you are in the majority, we demand of you that you give us the jobs."

SEVERAL MEMBERS (on the Democratic side). That is right.

Mr. KAHN. Of course that is right from your standpoint. I am glad you admit it; but the American people will not stand for this attack upon the merit system. [Laughter on the Democratic side.] Oh, you gentlemen may laugh——

Mr. GORDON. Will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. KAHN. I do not. I decline to yield. You gentlemen may laugh; but your laughter will turn to a sickening smile when the American people can be heard from upon this subject. About one-third of the appointees in the marshals' offices and in the collector of internal revenue offices have passed the civil-service examinations since the ægis of the civil-service laws and regulations was thrown over the employees of those offices.

You desire to break down the system and put your political henchmen into the offices. You have referred to the right of the superior officer to surround himself in the confidential positions with men of his selection. That is pure hypocrisy. The gentleman from Pennsylvania [Mr. TEMPLE] pointed out the joker in this thing. The last lines of the section read:

> And the officer requiring such bond shall have power to revoke the appointment of any subordinate officer or employee and to appoint his successor, at his discretion, without regard to the act, amendments, or regulations aforesaid.

Under that provision the superior officer can discharge his messenger; he can discharge his typewriter; he can discharge everybody who is in the office, even to the unfortunate charwoman.

SEVERAL MEMBERS (on the Democratic side). That is what we want.

Mr. KAHN. Of course you gentlemen on the Democratic side want to do that. You are ready and willing and anxious to go back on the civil-service plank of the Democratic platform. That plank, according to your attitude this evening, was simply bait to catch suckers at the election of 1912. But the people have found you out, as you will learn to your sorrow. I know that many of you are under severe pressure from home, but the assault which you are making upon the civil-service system of the United States will be resented by the voters of this country when you again go to the polls appealing for the votes of the American electorate.

Much has been said during this debate about the order of President Taft extending civil service over 30,000 fourth-class postmasters. If that order was wrong, why did not the present President revoke the order? By failing to revoke it he gave it his tacit approval. And if the present occupant of the White House will stand by his guns, if he will adhere to the principles he espoused when he was an honored member of the Civil Service Reform League, he will promptly return this bill with a veto message in case you gentlemen of the majority succeed in your efforts to rape the civil-service system of our Government.

The SPEAKER. The gentleman from South Carolina [Mr. JOHNSON] is recognized for three minutes.

Mr. JOHNSON of South Carolina. Mr. Speaker, I want to appeal to the gentlemen on this side of the House who are so greatly concerned about the civil service. Nobody is assailing the civil service. Nobody is proposing by the legislation now pending to destroy the civil service. It has been customary from time to time, by legislative enactment, to provide that certain officials should be selected outside of the civil service.

When we passed the oleomargarine law it was specifically provided that the force to carry into effect provisions of the law should be selected without regard to the civil service. When we passed the denatured-alcohol bill the law carried in its body a provision that the force to carry into effect its provisions should be selected without regard to the civil service. When we passed the Payne-Aldrich bill the corporation-tax section provided that the force for the collection of that tax should be selected outside of the civil service. Now, to-night, when it is proposed by legislation to except a small class of public officers from the civil service, men who must be employed on account of their tact, on account of a peculiar ability that can not be determined by an examination, you raise your hands in hypocritical protest that you think it is an assault, and an unjustifiable assault, upon the civil service. You know that it is not true. In the Sixty-second Congress, when the sundry civil bill came back from the Senate with a provision in it carrying $300,000 to expedite the pension claims under the Sherwood law and the gentleman from Illinois, Mr. Cannon, moved to concur in the Senate amendment, every Republican on that side of the House except the gentleman from California [Mr. KENT] voted "aye"——

The SPEAKER. The time of the gentleman has expired.

Mr. JOHNSON of South Carolina. And that appropriation was to employ a force outside the civil service. [Applause on the Democratic side.] There are substantially 450,000 persons in the classified service. It is idle and preposterous to say that legislation that takes a few hundred employees from the civil service is an assault or destruction of the system.

Mr. BARTLETT. Mr. Speaker, I yield three minutes to the gentleman from Ohio [Mr. GORDON].

Mr. GORDON. Mr. Speaker, I am heartily in favor of this Senate amendment, because I believe that every United States marshal ought to be permitted to appoint his own deputies and also that every collector of internal revenue, who is responsible to the Government and gives bond for the faithful discharge of the duties of that office, either by himself or his deputies, should have the right to select his deputies.

And I believe in the merit system, too. I want it distinctly understood, however, that I do not believe in this bastard system that has been in force in this country as administered by the Republican administrations of the last 16 years. I say it is a farce and a fraud. Gentlemen on the other side come here to-night weeping bitter tears over the stabbing of the civil service. "Liberty lies bleeding in the streets!"

I wonder what the gentleman from New York [Mr. PAYNE] said when President McKinley made an Executive order providing for the same thing this amendment does? We did not hear him protest then. Mr. McKinley revoked the civil-service order made by President Cleveland that put these men under the civil service, and they stuffed all the offices with Republicans, and then Roosevelt extended it over them again. Somebody produced figures in the House here to-day to prove that 95 per cent of these deputies were Republicans. So far as deputy United States marshals are concerned, 100 per cent of them are Republicans.

I defy any man on the floor of this House to name one chief assistant United States marshal in the United States to-day who is not a Republican. Give us his address! You can not name one! Of course not. The deputy United States marshal of the district in which I live was appointed under this civil-service rule, as they call it. He took the examination, and he failed ignominiously. They sent down here to Washington and got a special dispensation, took it back there, and gave him a secret examination; and he is there yet. [Applause on the Democratic side.] Of course, it makes a great difference whose ox is gored. I admit that. I am under no delusion about the political potency and power of patronage. I think it is a liability and not an asset, but that does not require me to sit here and listen to these hypocritical speeches from the other side of the House without saying anything. [Applause on the Democratic side.]

As a mere matter of spoils I would not support this amendment for a minute, but I say that any man who is big enough and broad enough to represent the Government of the United States as a United States marshal or as a collector of internal revenue ought to have the right to select the men that he intrusts with the discharge of the official duties for which he is responsible. Now, that is my position.

We have a strange combination here of Tammany and the Republicans defending the civil-service law. Ye gods! [Applause on the Democratic side.]

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. GOULDEN].

Mr. GOULDEN. Mr. Speaker, it seems to me this is about the right time for some one from the city of New York to rise and reply to the distinguished gentleman from Ohio [Mr. GORDON], who has just taken his seat, in his untruthful charge against the Democratic organization in the city of New York. I deny the charge he makes; while we are ready to admit that the administration of the civil-service law in the past has been rather of a partisan and one-sided character. If so, and I think no one will deny it, two wrongs do not make a right. I want to place myself squarely upon the Democratic national platforms for the past nine years and ask my friend from Ohio, who has just sat down, if, as a Democrat, he is ready to stand upon those platforms?

Now, I am opposed to these amendments, because I believe it would be radically wrong to adopt them. I believe first that the system of placing riders of this character upon appropriation bills is radically wrong. Never in my nearly 10 years of service here have I voted for any rider placed upon an appropriation bill. I believe they ought to be placed before this House upon their merits and not brought in in this manner. Therefore, for that reason, if no other, I shall oppose these amendments.

Now, as to the Democratic platforms. In the first place, back in 1904, a good many years ago——

Mr. BARTLETT. May I ask the gentleman a question before he touches that?

Mr. GOULDEN. Certainly.

Mr. BARTLETT. Did not the gentleman vote for the sundry civil bill here this session?

Mr. GOULDEN. No; I think not.

Mr. BARTLETT. Did the gentleman vote against it?

Mr. GOULDEN. Yes; I think I did. That is my recollection. [Laughter.] In 1904 the civil-service plank of the Democratic platform read:

The Democratic Party stands committed to the principles of civil-service reform, and we demand their honest, just, and impartial enforcement.

In 1908 we find a plank in the national platform of the party at that time to read:

The law pertaining to the civil service should be honestly and rigidly enforced to the end that merit and ability shall be the standard of appointment and promotion rather than services rendered to a political party.

In 1912 this plank is found:

The law pertaining to the civil service should be honestly and rightly enforced to the end that merit and ability shall be the standard of appointment and promotion rather than service rendered to a political party; and we favor a reorganization of the civil service, with adequate compensation commensurate with the class of work performed for all officers and employees.

Now, Mr. Speaker, as a Democrat I yield not one jot or tittle to my friend the gentleman from Ohio [Mr. GORDON] as to my Democracy or to his claim in that direction. I have helped fight the battle of Democracy in the great State of Pennsylvania at times when to be a Democrat was to be ostracized politically, and I doubt very much if he can show any better record.

Mr. Speaker, I am opposed to the amendment offered here to-day as well as to the Senate amendment, and I trust they will be voted down in the interest of good, honest government. The civil-service law has been a great boon to all parties.

Mr. SHARP. Mr. Speaker, will the gentleman yield for just a question at this time?

The SPEAKER. Does the gentleman yield?

Mr. GOULDEN. If my time has not expired, certainly; with pleasure.

Mr. SHARP. Does the gentleman, as a northern Democrat, believe that one-half of his associates to-day from the Northern States would be in their seats now had they announced in their public speeches in last fall's campaign that they were in favor of this amendment?

Mr. GOULDEN. Certainly not. Many of them would not have been here, occupying seats of honor, faithfully serving their constituents, as they are to-day. [Applause.]

Mr. JOHNSON of South Carolina. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from South Carolina [Mr. JOHNSON] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The SPEAKER. The time of the gentleman from New York [Mr. GOULDEN] has expired. If no gentleman wants to speak, the Chair will put the question. [Cries of "Vote!" "Vote!"]

Mr. BARTLETT. Mr. Speaker, I yield three minutes to the gentleman from Kentucky [Mr. FIELDS].

The SPEAKER. The gentleman from Kentucky [Mr. FIELDS] is recognized for three minutes.

Mr. FIELDS. Mr. Speaker, while our Republican friends on the other side of the aisle are almost having hysterics because they say we are going to take from under the civil service the deputy collectors and deputy marshals, I would like to ask them how many Democrats they have recommended for appointment in their districts since they have been in Congress? Gentlemen, be honest about it. To each individual Member on the other side I propound this question. You are now holding up the civil service as the form of civic virtue and claiming to us that we are striking a blow at this Republic by attempting to remove deputy collectors and deputy marshals from this service. How many Democrats, I repeat, have you recommended in your respective districts? Not one, I will venture to say. If there has been a Democrat appointed in any one of your districts, it has been by accident, and not by your consent.

Now, Mr. Speaker, I favor this amendment for two reasons—first, from a business point of view; and second, from a standpoint of fair play among the people. The duties of the deputy collectors and deputy marshals are unlike the duties imposed upon the clerks in the executive departments. These deputies are not continuously under the supervision of their superior. The deputy marshal must go out into the field and on his own initiative and by his own business ability and skill handle the business of his department or the business of his superior. Now, who is the most competent to pass upon the ability of a man to perform that particular function—the officer who is responsible to the Government for the faithful performance of that duty or some examiner whose business it is to propound to the applicant some questions contained in some textbook, the subject of which has no part in the performance of that duty? The same may be said of the deputy collectors.

I look at the matter from the business point of view. What business firm, what successful business man, would not reserve to himself the right to select his own employees? [Applause.]

The SPEAKER. The time of the gentleman from Kentucky has expired. [Cries of "Vote!" "Vote!"]

Mr. GILLETT. Mr. Speaker, I yield the balance of my time to the gentleman from Illinois [Mr. MANN].

The SPEAKER. The gentleman from Illinois [Mr. MANN] is recognized for two minutes.

Mr. MANN. Mr. Speaker, in the two minutes that I have I shall not discuss the general proposition. But a number of gentlemen here to-night, with not much experience in connection with the Civil Service Commission, at various times have taken the opportunity on the floor to reflect upon the action of the Civil Service Commission heretofore, and the gentleman from Ohio [Mr. GORDON] a moment ago referred to the appointments under the commission as fraudulent.

During my service in this House Mr. Proctor, of Kentucky—I think his initials were J. R.—was chairman of the Civil Service Commission, a gentleman of high character, and a Kentucky Democrat; and when he passed away a distinguished citizen of my State, whom I am sorry to say my colleague [Mr. FOWLER] reflected on to-day by his criticism of the Civil Service Commission, a distinguished Democrat who held office under Democratic administration; a distinguished gallant soldier, who has the respect of Democrats and Republicans alike in the State of Illinois, Gen. John C. Black [applause], for years was the chairman of the Civil Service Commission. These two distinguished Democrats, chairmen of the Civil Service Commission under Republican administration since March 4, 1897, are a guaranty that the Republicans did not conduct that commission fraudulently, and the high character of the two chairmen is a guaranty that they did not conduct the office fraudulently.

Mr. FOWLER. Will the gentleman yield?

Mr. MANN. Yes.

Mr. FOWLER. I desire to say to my distinguished colleague from Illinois that I did not reflect upon the Civil Service Commission.

Mr. MANN. Oh, the gentleman reflected upon the commission and said these appointments had been made fraudulently and contrary to law, and they could not have been made so without the connivance of Gen. John C. Black, who stands higher than my colleague or myself combined will ever reach.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Rhode Island [Mr. O'SHAUNESSY].

Mr. O'SHAUNESSY. Mr. Speaker, I am opposed to Senate amendment No. 8, not because I think it is going to revolutionize the civil service, but because I think the civil service is too great an institution to be revolutionized by one sporadic effort of any party. I think it has come to be a settled institution in this country.

I am in sympathy with the man who is hungry for a job, but not in accord with any system that would substitute political pull for honest merit.

I sympathize with the Congressmen and the gentlemen at the other end of the Capitol who will have to dispense the lean patronage to the applicants. But by not agreeing to this amendment we save ourselves from a mountain of trouble and we certify to the Nation that we believe in our declarations set forth in our platform. [Applause.]

As I said, the civil service has come to be a settled institution. It is recognized as such, and that merit and character should be the sole passports to certify a man for a position, and not his cringing at the feet of a political boss, even if such be a Congressman or a Senator. [Applause.]

I believe it was Garfield who said that this Republic should spell opportunity, and no better way can be found to carry his prophecy into execution than to throw open all of the positions to every applicant who has the ability to pass a prescribed examination. Then we shall make in this Republic an opportunity for every citizen in the land.

I believe that I can say with a great deal of confidence that I am a believer in the civil service. I am one of the products of the civil service. I took the civil-service examination years ago in the city of New York and became an employee in the New York post office, and without anybody's influence, without anybody to speak for me or say a word in my behalf, I was appointed. There was not a question of politics in it, as I knew it. I was advanced by merit, as many other men were. It was under a Democratic administration. [Applause.] Henry G. Pearson was postmaster, and perhaps, for all I know, the biggest part of the force was Republican. There was no question as to a man's politics.

Now, I presume abuses have crept into the civil service in 16 years under a Republican administration. It is natural that defects should attach to human institutions under any party. Are we going, on the threshold of the great administration of Woodrow Wilson, to turn our backs upon the platform of the Democratic Party? Are we going to say to the citizens of this country that we have no faith in our own party, in our own administrative officers? Are we going to say that the Civil Service Commissioners who have been appointed by a Democratic administration are not going to give the administration a faithful and honest service? Must we anticipate in this legislative rider which attacks the civil-service law their proposed honest endeavors to satisfy all the people by an impartial service?

Mr. CLAYPOOL. Will the gentleman yield?

Mr. O'SHAUNESSY. Yes.

Mr. CLAYPOOL. Have our Democratic administrative officers any power to-day under the present system?

Mr. O'SHAUNESSY. I presume they will under appointments that are being daily confirmed by the United States Senate.

Mr. CLAYPOOL. I think it is a long chance.

Mr. O'SHAUNESSY. There is no question in the world but that the man who has merit, honesty, and ability under our civil-service examination can get upon the list. If through some influence some man may be picked from that list, then I am against that system, because I believe that to the man who is highest in the qualifications the position should be given; but we are going to make a sorry spectacle of ourselves by turning our backs, right at the threshold of this administration on the Baltimore platform, and saying to the country that we have forgotten our promises, and that our pledges are to be set at naught. [Applause.]

The SPEAKER. The time of the gentleman from Rhode Island has expired.

Mr. FITZGERALD. Mr. Speaker, I yield three minutes to the gentleman from New Jersey [Mr. TOWNSEND].

Mr. TOWNSEND. Mr. Speaker, if some humble statistician had been interested in the matter and had, during the Sixty-second and Sixty-third Congresses, tabulated the exact amount of time which has been taken up in this House in discussing this question of patronage, he would have supplied one of the best possible arguments in favor of civil-service reform. I think very probably that, reduced to terms of money, this House has expended some hundreds of thousands of dollars in talking about patronage instead of leaving the detestable subject alone, as it ought to be left alone in this House.

Gentlemen upon this side of the House have said that our Republican friends have debauched the civil service; and, therefore, what are we asked to do? Debauch it more? The answer would seem to be as though a county prosecuting officer, being inducted into office, had found that the antigambling laws had been violated, that his predecessor in office had not punished those guilty of gambling, and he therefore would recommend that the laws against gambling should be repealed instead of prosecuting the gamblers.

I have been very much interested in one aspect of the civil service, not covered by any statute, but in effect civil service. It was that great Secretary of State, Richard Olney, who wrote the first Executive order, which President Cleveland signed, in effect putting our Consular Service under civil service; and it seems to me that no Democrat should for a moment, by any vote or otherwise, do anything to stop the progress of that great reform, which had its first great incentive under Grover Cleveland.

The Senate amendment which we are now considering provides that certain appropriations involved can be used only on condition that much of the Civil Service Commission's work is to be broken down. In the latter part of this amendment, to which I am opposed, we find this language:

The officer requiring said bond shall have power to revoke the appointment of any subordinate officer or employee and appoint his successor at his discretion, without regard to the act, amendments, rules, or regulations aforesaid.

As the gentleman from Pennsylvania [Mr. TEMPLE] who preceded me asserted, the provision I have quoted would permit internal-revenue collectors and United States marshals to remove, without regard to the civil-service acts, not only the subordinates who are required to give bonds, but "any subordinate officer or employee."

Now, Mr. Speaker, I do not criticize—indeed, I sympathize with—my colleagues upon the floor here from the South who favor this Senate amendment. We know that in some portions of the South the operation of the civil-service laws has brought about conditions in the service which I certainly regret and which I believe to be almost intolerable to a great majority of the estimable people of the South. But I am here representing, in part, the State of New Jersey, wherein the civil service has been greatly improved because of the operation of the civil-service laws. The spirit of reform which brought those laws into operation has been actively at work in New Jersey for many years. My people believe in reforms; in sensible, workable reform in governmental affairs—municipal, State, and national—and I am reflecting their views, as I consider it my duty to do, when I resist the passage of an amendment calculated in any degree to weaken the reforms already established in our civil service. The remedy for the condition which exists in the South must be sought, and I hope will be found, elsewhere than in the adoption of such an amendment as this.

As a matter of fact, so far as my own district is concerned, I know of no department of the Government service in which my people would be more interested in having competent and efficient subordinates than in the ranks of the collectors of the income tax. There will be few, if any, congressional districts in the United States where a greater number of citizens will be called upon to pay income taxes than in my district. In my home town this proportion is especially great, because my home town of Montclair is ranked in the statistics concerning such matters as the third richest town in the United States.

It would surely be an intolerable thing for the inquisitorial powers to be exercised by the collectors of the income tax to be employed by a personnel made up wholly of political appointments. We want these men selected after competitive examinations; we want them to be well equipped intellectually, morally, personally, if you please, to perform their duties, and we do not want them selected only because the collector of internal revenue is told to appoint them to help some aspiring politician to strengthen his political fences.

Mr. BARTLETT. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. FOWLER].

Mr. FOWLER. Mr. Speaker, I did not intend to speak upon this question at this time, and would not do it if it had not been for the unwarranted assault made upon me by my colleague from Illinois [Mr. MANN]. This is the second unwarranted assault which he has made upon me upon the floor of this House. I denounce his statements now as being false, and I charge him with a deliberate intention of misrepresenting facts on the floor of this House as a Member of Congress. The charge that he makes that I said there were appointments made in the civil service by the Civil Service Commission that were fraudulent and contrary to law is wholly untrue, and without a scintilla of truth in it, and he knows it. The Civil Service Commission has no power to make civil-service appointments. Its powers are confined to the examination of applicants and certifying to the appointing power an eligible list from which the appointment is made. The only thing I did do was to promulgate a series of figures which have been compiled on the appointment to civil-service positions under the administrations in the past, and I said not a word about the Civil Service Commission at all, and I challenge the RECORD, which will be published to-morrow, to show one word that I said about the Civil Service Commission. [Applause on Democratic side.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. BARTLETT. Mr. Speaker, I yield three minutes to the gentleman from South Carolina [Mr. BYRNES].

Mr. BYRNES of South Carolina. Mr. Speaker, the gentleman from Illinois [Mr. MANN] can not, by paying tribute to the character of the men who have served on the Civil Service Commission, defend the action of the Republican Party in making a farce of the civil-service law. Here in Washington the people understand the procedure by which the Republicans have succeeded in filling every department of the service with those who swear allegiance to their party. Whenever a Representative with influence, such as the gentleman from Illinois, has desired to secure employment for one of the "faithful" whose name was on the classified list, he has simply requested the appointment clerk or the chief clerk of the department to look after the interest of the person indorsed, and whenever that name has been certified to the department with two others, in accordance with the law, he has landed the job, regardless of

whether he was first or third on the list. If his rating was such that his name was not certified by the commission, the appointment clerk would simply call for an additional certification, and continue to do so until the name of the favorite was certified to the department. Not being able to secure by this procedure as many positions as was desired, you have secured Executive orders covering into the civil service hundreds who could not have stood the test prescribed by the Civil Service Commission.

In the Southern States this kind service has been rendered to the Republican job hunters by Republican referees. In some cases it has been done upon the recommendation of negro politicians, and whether or not they received any contribution for their services can be best determined by those of you who have had experiences with them at your national conventions. All we know is that the manner in which the law has been enforced has been so partisan and the merit system so disregarded that to-day our people have no regard for the civil-service law.

Notwithstanding the superior intellect and the superior educational advantages of the white men, by some strange operation it has been almost impossible for a Democrat to secure a position in the Railway Mail Service. In my own district more than 80 per cent of the railway mail clerks are negroes, and a similar condition exists wherever Republicans have resorted to the civil service to secure positions.

By Mr. Taft's order covering fourth-class postmasters into the classified service negro postmasters have been appointed solely for political reasons at the request of negro politicians and have been clothed with the protection of the civil-service law. Many of them can barely read and write and under no circumstances could they stand the test prescribed by the Civil Service Commission. In view of these facts, the country will most likely regard the attack upon this amendment by the Republicans of the House as nothing more than hypocrisy.

The passage of this amendment can not be construed as an attack upon the civil-service system. Like many others, these officers were covered into the civil service by the Executive order of President Roosevelt. It was done simply to perpetuate Republicans in office and not because it was deemed wise or proper that applicants for these offices should be caused to stand a civil-service examination. As a matter of fact, in the interest of the service they should not be forced to stand such examination.

The fitness of a man to discharge the duties of a deputy marshal can be better determined by the United States marshal, who can give to the applicant due credit for his courage and character and his experience in like work. If forced to stand an examination and required to demonstrate his knowledge of arithmetic, geography, and history the courageous and experienced officer would have no chance in competition with the inexperienced but studious schoolboy. The Democratic Party can not be charged with violating its platform pledge or attacking the civil-service system because it fails to place in the classified service every employee of the Government. With greater force could it be contended that every employee of the Senate and of the House, and especially the Capitol police, should be placed in the classified service; and yet the Republicans, who now are so enthusiastic in their support of the civil-service system, have never seen fit to place these employees in the classified service.

Having been in power for years, you have manned every post with Republicans and you are now doing your best to enable these Republican officeholders to continue their relationship with the salary roll. For this you can not be blamed, but if the Democratic Party shall fail to divorce from this enjoyable relation to the salary roll every Republican who has been covered into the service by Executive order or appointed in any way other than as a result of an examination prescribed by the Civil Service Commission it will justly be blamed by the rank and file of the Democratic Party.

Mr. BARTLETT. Mr. Speaker, I yield two minutes to the gentleman from Delaware [Mr. BROCKSON].

Mr. BROCKSON. Mr. Speaker, I am in favor of the pending Senate amendment with the amendment offered by the gentleman from Georgia. I shall vote for that amendment, and in doing so I believe I am complying with the Democratic platform rather than antagonizing it. We declared in the Democratic platform in favor of the civil service wherein merit and ability shall be the standard of appointment. We also declared for reform of the civil service, and I contend that this is a proper reform of the civil service. [Laughter on the Republican side.] My Republican friends, your argument about our wanting offices does not conclude this argument. It is simply begging the question. A deputy is a person appointed to act for another. The question is: Are these deputies such persons as should be appointed by their superiors so that they will be responsible to their superiors and will act in accord with them? I contend, Mr. Speaker, that these deputies should be appointed by their superiors—the marshals or collectors—and everyone under them should be in accord with the head officer of that office. The Democrats are in power and are responsible for a proper execution of the laws. The people at the last election voted for a change. How can we give them the change of government demanded by them if we keep in office Republicans who prefer to carry out Republican policies rather than put in force Democratic policies?

The SPEAKER. The time of the gentleman has expired.

Mr. BARTLETT. May I ask how much time remains?

The SPEAKER. Ten minutes. The gentleman from New York has three.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. What was the time remaining?

The SPEAKER. The gentleman from Georgia has 10 minutes and the gentleman from New York 3.

Mr. BUTLER and Mr. COOPER rose.

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. BUTLER. To get some information from the Speaker which will be reliable. I would like to ask under what arrangement debate is going on?

The SPEAKER. Under the arrangement that the gentleman from New York had an hour and gave the gentleman from Georgia 30 minutes, and the gentleman from Massachusetts had an hour and gave the gentleman from Georgia 30 minutes, so the gentleman from Georgia got an hour.

Mr. COOPER. Debate has now been going on about two and a half hours.

The SPEAKER. Oh, no; the gentleman counts in the debate on the conference report. Two or three others have done the same thing.

Mr. BARTLETT. Mr. Speaker, I yield all the time remaining to me to my colleague [Mr. HARDWICK], except two minutes, and those two minutes I yield to my colleague upon the committee [Mr. FITZGERALD].

Mr. HARDWICK. Mr. Speaker and gentlemen of the House, it seems to me that the House, and possibly the country as well, is attaching undue importance to this particular matter. It does not seem to me that the pending proposition is any assault on the principles of the merit system nor that any action we may take to-night one way or the other will be any violation of any platform pledge that the Democratic Party has ever made, or of any position it has ever taken. I wish to address myself briefly to those questions. In the first place, I want to say to my Democratic colleagues that we understand full well the position and attitude that our Republican friends are occupying on this question. It is a position that reeks with cant; it is a position that is full of hypocrisy.

For 16 years they have prostituted the civil service. For 16 years they have manipulated the civil service so that no man but a Republican had much of a chance to get in, and few but Republicans did get in, and now after having had 16 fat years, with their people in power all the time, with Democrats given but little opportunity for public service, they now profess a sudden virtue and an unexampled and unequaled devotion to the principles of civil service and of the merit system. If they want to be fair about this matter, if they want to be honest about this thing, what would they do? They would say: We will wipe out the slate and start over. We will not contend that these men, whom we have covered into all the branches of the service by the thousands by Executive order and not by competitive examination, ought to keep their offices, but that there ought to be a real merit examination and the men who stand highest—absolutely in order, right down the list, whether they are Democrats or Republicans—ought to be given the places.

That is the real civil service that obtains to-day in Great Britain. That is the real civil service that we have promised the people of the United States. But that is not the civil service that has existed in this country, and the prostitution of which has been and is a public scandal, notorious and malodorous.

In the next place, let me tell you, my colleagues, that not one of these places to which this amendment applies was ever put under the civil service by law at all. Therefore we violate no provision of the Democratic platform, because that platform refers solely to the civil-service law, and not to Executive orders that were issued by Republican Presidents. They say that Mr. Cleveland covered Democrats in, and my colleague from Ohio [Mr. GORDON] very pertinently called attention to the fact that no sooner had the Republicans carried the next election than Mr. McKinley revoked Mr. Cleveland's order and covered the Democrats out.

Gentlemen, that is exactly what we have objected to in this existing sham called "civil service." We have objected to making the civil-service cause the football of either Republican or Democratic politicians. We have objected to this covering in and covering out. We say that that sort of civil service is a fraud, a sham, a delusion, and a snare, and a stench in the nostrils of all honest and self-respecting men. [Applause on the Democratic side.]

It seems to me if our Republican brethren wanted to be fair they would be perfectly content to wipe out the slate and start over and have a real merit system, and I believe the Democratic Party, pledged as it is to this great cause, is bound during this administration to establish a real civil service instead of the sham that now exists, and to give the people a real civil-service shrine at which they can worship, instead of a whited sepulcher. That is what we want to do.

Now, let me tell you another thing about these particular offices. In the first place, we violate no Democratic platform if we adopt this amendment; we violate no pledge we have ever made to the people if we simply change an Executive order and not a law.

In the next place, there are reasons—and good reasons, too—why these particular offices ought not to be under the civil service at all, and I want to state them to you. In the first place, the United States marshal is responsible for every act of his deputies. The marshal himself can be sued on his own bond for every act of his deputy that is unlawful. The United States collector of internal revenue is responsible for every act of his deputy, and he can be sued on his own bond for every act of that deputy. Now, I want to ask you who would undertake to appoint a cashier to run a bank under a civil-service examination? Nobody on this earth, as some one suggests. I want to tell you another thing. They have school examinations for those places, or are undertaking to have them. They asked in one examination that was held in a southern city a question somewhat like this: "Give the population of five Ohio towns (of about 7,000 or 8,000 population) and tell what their principal industries are."

None of our people could stand that sort of an examination, and I doubt if any Ohio man could have stood it if you had asked him any questions about Georgia towns of that size and character. They asked, also, all sorts of questions about higher mathematics, and the result was, in one case that I heard of, that a gentleman who had had long practical experience as sheriff, the executive officer of a great county in Georgia, could not stand the examination, it was so inapt and inappropriate for the duties of the required service, and at the same time his son, a schoolboy, stood the examination with flying colors. That is the sort of examinations we have had, and I say that it is all a sham, a delusion, and a snare. In these examinations for deputy collector or deputy marshal, experience ought to be rated at fully 75 per cent of the total mark. You take a man who has been the sheriff of a great county in Georgia, Ohio, or Illinois, and who has shown he has practical knowledge of men and affairs, a practical ability to execute process and enforce orders, and he will make a forty-times better collector or marshal than some boy out of school, who will beat him to death on a book examination. For that reason I say there ought to be no examination for these places. We who are charged with the responsibility for administering these offices ought to see that men of practical ability and practical common sense, whether they know about the Bering Straits or something like that in geography, or whether they can analyze a compound sentence or not, or whether they can answer all the questions that might be propounded in grammar or history or geography or not, ought to have these places; and nine times out of ten such men will make more efficient officers, and efficiency and honesty of service will be promoted by it. All of this cant and hypocrisy about examinations for these places does not appeal to me. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. FITZGERALD. Mr. Speaker——

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] is recognized for five minutes.

Mr. FITZGERALD. The remark of the gentleman from Ohio [Mr. GORDON] constrains me to say something I had not intended to inject into this debate. The gentleman referred contemptuously to the fact that Tammany Hall was defending the civil service. I am not a member of Tammany Hall and I am not eligible for membership in Tammany Hall. It is popularly the designation that is given to the Democratic organization of the county of New York, in the State of New York. I do not live in that county, but in Kings County. If I did live in New York County, I would be affiliated with Tammany Hall. It is vilified by the opponents of the Democratic Party, not only in New York City, but throughout the country, and Democrats should not be parties to these vilifications.

I sympathize with my colleagues from the South and West in their desire to have these offices filled by Democrats. But think of the situation now existing in the city of New York! A campaign of momentous importance to the Democratic Party is being waged. All the enemies of Democracy in the city and in the country are aligned in an effort to overthrow the organized Democracy in their attempt to place Democratic officials in power. The candidate of these enemies of the Democratic Party is a Democratic official, appointed by a Democratic President, and confirmed by a Democratic Senate. Every other Federal office in the city of New York is filled with bitter partisan Republicans, and they are all actively engaged in an effort to elect this candidate at the expense of the Democratic Party.

What will happen one year from this fall if this attempt by the combined enemies of Democracy in a great city to defeat the Democratic Party is successful and Democratic candidates for Congress appeal for the suffrages of the people?

This Democratic official, who is the candidate of the Republican Party, nominated in a Republican primary, issued a statement to the effect that under no circumstances would he accept a nomination from or would he consent to be the candidate of the Democratic Party organized under the primary law and holding a primary conducted by officials appointed under that law, but that he would consent to be the candidate of all the opponents of the Democratic Party, which he desired to drive out of power. He charges that they desire to have a government of corruption "by contract," as he says, and at unjustifiable expense to the people of the city.

Here is my colleague, the gentleman from New York [Mr. GOULDEN], serving honorably his fifth term in this House [applause], a candidate on the regular Democratic ticket in the city of New York for the office of president of the board of aldermen. Here is my colleague from Brooklyn [Mr. METZ], serving his first term in this House, who served the city of New York as a Democratic comptroller for four years [applause], and after the most minute and thorough investigation by all the opponents of the Democracy not a single charge could be made against the efficiency or honesty of his administration [applause], again a candidate of the regular Democracy for the office of comptroller; and these two men are charged by this Democratic official, the only important Federal officer appointed by this administration in the city of New York, with being candidates of the men who are opposed to decency and respectability in government in the city of New York. They spent this long session of Congress here, Mr. Speaker, carrying out the pledges of the Democratic Party to put on the statute books the Democratic tariff bill; and at a time when it is more important that collectors of the port, particularly the collector at the port of New York, where 67 per cent of the revenues under the customs law is collected, should be devoting all of their regular working hours and most of their overtime to an attempt to see that this law is administered in such a way that there can be no criticism, that there can be no faultfinding by our opponents—the man selected by this Democratic administration for this important duty is spending his days and his nights vilifying the Democracy. [Applause.]

Mr. Speaker, I have served in this House as a representative of the New York Democracy for nearly 15 years. I apologize to no man for my record here, and I assert that I and those associated with me in the Democratic Party in the city of New York are just as patriotic and just as honest and just as sincere in our desire for decent, honest, efficient government as any man in the United States. [Applause.]

The SPEAKER. The time of the gentleman from New York has expired.

Mr. FITZGERALD. Mr. Speaker, we do not deserve the criticism nor condemnation of our Democratic colleagues; rather we should have their sympathy. [Applause.] I move the previous question.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Georgia [Mr. BARTLETT].

Mr. BARTLETT. Mr. Speaker, before that question is put I want to ask unanimous consent that the gentlemen who have spoken on this amendment shall have the right to extend their remarks in the RECORD.

The SPEAKER. The gentleman from Georgia [Mr. BARTLETT] asks unanimous consent that the Members who have spoken on

this amendment shall have the right to extend their remarks in the RECORD. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois [Mr. MANN] objects.

The question is on the motion of the gentleman from Georgia [Mr. BARTLETT] to recede from the disagreement of the House to Senate amendment No. 8 and concur in the same with an amendment.

Mr. MANN. On that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 111, nays 106, answered "present" 4, not voting 207, as follows:

YEAS—111.

Abercrombie	Dixon	Holland	Rayburn
Adamson	Donovan	Hughes, Ga.	Reilly, Conn.
Aiken	Driscoll	Hull	Rothermel
Bailey	Eagan	Humphreys, Miss.	Rouse
Baker	Eagle	Johnson, Ky.	Saunders
Balta	Edwards	Johnson, S. C.	Sherley
Barkley	Falson	Key, Ohio	Sims
Barnhart	Fergusson	Kirkpatrick	Sisson
Bartlett	Fields	Kitchin	Slayden
Beall, Tex.	Fitzhenry	Lee, Pa.	Small
Bell, Ga.	Flood, Va.	Lesher	Smith, Tex.
Borchers	Floyd, Ark.	Lever	Stedman
Brockson	Foster	Lieb	Stephens, Miss.
Brodbeck	Fowler	Lonergan	Stringer
Brown, W. Va.	Francis	McAndrews	Tavenner
Buchanan, Tex.	Garrett, Tenn.	Maguire, Nebr.	Thompson, Okla.
Burnett	Garrett, Tex.	Montague	Tribble
Byrnes, S. C.	George	Morgan, La.	Underwood
Byrns, Tenn.	Gillmore	O'Hair	Vaughan
Candler, Miss.	Godwin, N. C.	Oldfield	Walker
Carr	Gooke	Padgett	Watkins
Clark, Fla.	Gordon	Page	Watson
Claypool	Gray	Pepper	Webb
Clayton	Gregg	Peterson	Whaley
Collier	Hardy	Post	White
Cox	Hayden	Pou	Wilson, N. Y.
Dent	Helm	Ragsdale	Young, Tex.
Difenderfer	Hill	Rauch	

NAYS—106.

Almy	Evans	Lafferty	Platt
Austin	Falconer	La Follette	Plumley
Avis	Fess	Lewis, Md.	Powers
Barton	Fitzgerald	Linthicum	Prouty
Bathrick	Frear	Lobeck	Raker
Beakes	Gallagher	Logue	Rupley
Bell, Cal.	Gard	McClellan	Scully
Bowdle	Gerry	McDermott	Sharp
Brown, N. Y.	Gillett	McGillicuddy	Shaw
Browne, Wis.	Goulden	MacDonald	Smith, Idaho
Browning	Greene, Vt.	Maher	Steenerson
Bruckner	Griffin	Manahan	Stevens, N. H.
Brumbaugh	Hamill	Mann	Stone
Burke, Pa.	Hammond	Mapes	Stout
Butler	Hart	Metz	Talcott, N. Y.
Campbell	Hawley	Mondell	Taylor, N. Y.
Casey	Helvering	Moore	Temple
Chandler, N. Y.	Johnson, Utah	Moss, Ind.	Towner
Clancy	Johnson, Wash.	Moss, W. Va.	Townsend
Connolly, Iowa	Kahn	Nelson	Tuttle
Cooper	Keister	O'Brien	Wallin
Crosser	Kelly, Pa.	O'Leary	Walsh
Davis	Kennedy, Conn.	O'Shaunessy	Walters
Dershem	Kennedy, Iowa	Palmer	Whitacre
Dooling	Kindel	Patton, Pa.	Woods
Doolittle	Kinkead, N. J.	Payne	
Doremus	Korbly	Phelan	

ANSWERED "PRESENT"—4.

Hardwick	McCoy	McGuire, Okla.	Morrison

NOT VOTING—207.

Adair	Conry	Gittins	Humphrey, Wash.
Alexander	Copley	Glass	Igoe
Allen	Covington	Goldfogle	Jacoway
Anderson	Cramton	Good	Jones
Ansberry	Crisp	Goodwin, Ark.	Keating
Anthony	Cullop	Gorman	Kelley, Mich.
Ashbrook	Curley	Graham, Ill.	Kennedy, R. I.
Aswell	Curry	Graham, Pa.	Kent
Barchfeld	Dale	Green, Iowa	Kettner
Bartholdt	Danforth	Greene, Mass.	Kiess, Pa.
Blackmon	Davenport	Griest	Klnkaid, Nebr.
Booher	Decker	Gudger	Knowland, J. R.
Borland	Deitrick	Guernsey	Konop
Bremner	Dickinson	Hamilton, Mich.	Kreider
Britten	Dies	Hamilton, N. Y.	Langham
Broussard	Dillon	Hamlin	Langley
Bryan	Donohoe	Harrison	Lazaro
Buchanan, Ill.	Doughton	Haugen	Lee, Ga.
Bulkley	Dunn	Hay	L'Engle
Burgess	Dupré	Hayes	Lenroot
Burke, S. Dak.	Dyer	Heflin	Levy
Burke, Wis.	Edmonds	Helgesen	Lewis, Pa.
Calder	Elder	Henry	Lindbergh
Calaway	Esch	Hensley	Lindquist
Cantrill	Estopinal	Hinds	Lloyd
Caraway	Fairchild	Hinebaugh	McKellar
Carew	Farr	Hobson	McKenzie
Carlin	Ferris	Houston	McLaughlin
Carter	Finley	Howard	Madden
Cary	Fordney	Howell	Mahan
Church	French	Hoxworth	Martin
Cline	Gardner	Hughes, W. Va.	Merritt
Connelly, Kans.	Garner	Hulings	Miller
Mitchell	Reed	Smith, J. M. C.	Taylor, Colo.
Moon	Reilly, Wis.	Smith, Md.	Ten Eyck
Morgan, Okla.	Richardson	Smith, Minn.	Thacher
Morin	Riordan	Smith, N. Y.	Thomas
Mott	Roberts, Mass.	Smith, Saml. W.	Thomson, Ill.
Murdock	Roberts, Nev.	Sparkman	Treadway
Murray, Mass.	Rogers	Stafford	Underhill
Murray, Okla.	Ruby	Stanley	Vare
Neeley	Rucker	Stephens, Cal.	Volstead
Nolan, J. I.	Russell	Stephens, Nebr.	Weaver
Norton	Sabath	Stephens, Tex.	Williams
Oglesby	Scott	Stevens, Minn.	Willis
Parker	Seldomridge	Sumners	Wilson, Fla.
Patten, N. Y.	Sells	Sutherland	Wingo
Peters, Mass.	Shackleford	Switzer	Winslow
Peters, Me.	Sherwood	Taggart	Witherspoon
Porter	Shreve	Talbott, Md.	Woodruff
Quin	Slemp	Taylor, Ala.	Young, N. Dak.
Rainey	Sloan	Taylor, Ark.	

So the motion of Mr. BARTLETT was agreed to.

Mr. MANN. Mr. Speaker, I suggest that the vote be recapitulated.

The SPEAKER. We can not tell whether a recapitulation ought to be granted until we know how the vote is.

Mr. MANN. Of course after the result is announced it is too late to recapitulate it, and the vote, as I understand it, is only three or four apart. The ayes have it, according to the count, by only three or four on the roll call as it stands, and that is very close.

The SPEAKER. The Chair thinks the roll call ought to be concluded. There are certain gentlemen present before the desk who desire to ascertain how they voted.

Mr. MANN. Very well.

Mr. McCOY. Mr. Speaker, I desire to know whether the gentleman from Minnesota, Mr. STEVENS, is recorded as having voted?

The SPEAKER. He is not recorded.

Mr. McCOY. Mr. Speaker, I have a general pair with the gentleman from Minnesota. I voted "nay." I desire to withdraw my vote and answer "present."

The name of Mr. McCOY was called, and he answered "Present."

Mr. ADAMSON. Mr. Speaker, I answered "present" under the apprehension that I was paired. I am not paired and I desire to vote.

The SPEAKER. The Clerk will call the gentleman's name.

The name of Mr. ADAMSON was called, and he answered "Yea."

Mr. MANN. Did not the gentleman have a pair with the gentleman from Minnesota, Mr. STEVENS?

Mr. ADAMSON. I have had on several occasions, but when he and this gentleman went to Europe, I agreed that they should stand paired until he returned. The gentleman from Minnesota [Mr. STEVENS] has not returned, and, in fairness, I am holding him to his pair.

Mr. HARDWICK. Mr. Speaker, did the gentleman from Michigan, Mr. FORDNEY, vote?

The SPEAKER. He did not.

Mr. HARDWICK. Mr. Speaker, having a general pair with the gentleman, I feel constrained to withdraw my vote of "aye" and answer "present."

The name of Mr. HARDWICK was called, and he answered "Present."

Mr. POU. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. POU. How are we going to know whether a recapitulation of the vote is necessary until the vote is announced?

The SPEAKER. The Chair knows what the result is. The Clerk will recapitulate the vote.

The Clerk recapitulated the vote.

The Clerk announced the following pairs:

For the session:

Mr. HOBSON with Mr. FAIRCHILD.

Commencing October 1 for remainder of the session:

Mr. REED with Mr. WINSLOW.

Until further notice:

Mr. BROUSSARD with Mr. KELLEY of Michigan.

Mr. GITTINS with Mr. YOUNG of North Dakota.

Mr. KONOP with Mr. MORIN.

Mr. DIES with Mr. SWITZER.

Mr. CALLAWAY with Mr. SUTHERLAND.

Mr. CONRY with Mr. KREIDER.

Mr. CARLIN with Mr. HULINGS.

Mr. SPARKMAN with Mr. HOWELL.

Mr. JONES with Mr. HINEBAUGH.

Mr. UNDERHILL with Mr. HAYES.

Mr. RUCKER with Mr. HAUGEN.

Mr TAYLOR of Alabama with Mr. GUERNSEY.

Mr. SHERWOOD with Mr. FRENCH.

Mr. HEFLIN with Mr. DUNN.

Mr. MOON with Mr. DILLON.

Mr. BULKLEY with Mr. BRYAN.

Mr. CULLOP with Mr. CALDER.

Mr. HAMLIN with Mr. COPLEY.

Mr. JACOWAY with Mr. CURRY.

Mr. MURRAY of Massachusetts with Mr. SAMUEL W. SMITH.

Mr. RUSSELL with Mr. DANFORTH.

Mr. HAY with Mr. CRAMTON.

Mr. ALEXANDER with Mr. ROBERTS of Massachusetts.

Mr. ASHBROOK with Mr. HAMILTON of New York.

Mr. LEE of Georgia with Mr. PORTER.

Mr. LLOYD with Mr. PARKER.

Mr. GOODWIN of Arkansas with Mr. GREENE of Massachusetts.

Mr. COVINGTON with Mr. MILLER.

Mr. DUPRÉ with Mr. ANTHONY.

Mr. DOUGHTON with Mr. LANGHAM.

Mr. BLACKMON with Mr. BARCHFELD.

Mr. GRAHAM of Illinois with Mr. PETERS of Maine.

Mr. CRISP with Mr. HINDS (transferable).

Mr. BUCHANAN of Illinois with Mr. THOMSON of Illinois.

Mr. DECKER with Mr. WOODRUFF.

Mr. BORLAND with Mr. BARTHOLDT.

Mr. PETERS of Massachusetts with Mr. SMITH of Minnesota.

Mr. CURLEY with Mr. J. R. KNOWLAND.

Mr. GUDGER with Mr. ROGERS.

Mr. GARNER with Mr. J. I. NOLAN.

Mr. WILLIAMS with Mr. BRITTEN.

Mr. McKELLER with Mr. MOTT.

Mr. GLASS with Mr. SELLS.

Mr. FINLEY with Mr. GREEN of Iowa.

Mr. BREMNER with Mr. KIESS of Pennsylvania.

Mr. RUBY with Mr. TREADWAY.

Mr. ESTOPINAL with Mr. MURDOCK.

Mr. ANSBERRY with Mr. HUGHES of West Virginia.

Mr. GORMAN with Mr. McKENZIE.

Mr. CANTRILL with Mr. HELGESEN.

Mr. BURKE of Wisconsin with Mr. CARY.

Mr. HENRY with Mr. LEWIS of Pennsylvania.

Mr. TALBOTT of Maryland with Mr. MERRITT.

Mr. PETERSON with Mr. LINDQUIST.

Mr. KETTNER with Mr. SCOTT.

Mr. HOUSTON with Mr. WILLIS.

Mr. FERRIS with Mr. SHREVE.

Mr. CARTER with Mr. McGUIRE of Oklahoma.

Mr. CONNOLLY of Kansas with Mr. HAMILTON of Michigan.

Mr. STEPHENS of Nebraska with Mr. SLOAN.

Mr. MADDEN with Mr. RAINEY.

Mr. ADAIR with Mr. ANDERSON.

Mr. RICHARDSON with Mr. MARTIN.

Mr. HOXWORTH with Mr. ROBERTS of Nevada.

Mr. BOOHER with Mr. SLEMP.

Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. SUMNERS with Mr. ESCH.

Mr. HARRISON (for Bartlett amendment) with Mr. GRAHAM of Pennsylvania (in favor civil service).

Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on tariff conference report, currency excepted at option of either).

Mr. STEPHENS of California with Mr. WITHERSPOON (commencing Oct. 3, 1913, except on cotton-future amendment).

Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1, except on currency and tariff).

Mr. HENSLEY with Mr. DYER (commencing Oct. 1).

Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).

Mr. CLINE with Mr. NORTON (commencing Oct. 1).

Mr. ASWELL with Mr. McLAUGHLIN (commencing Sept. 8).

Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).

On this vote:

Mr. TAYLOR of Arkansas with Mr. LANGLEY.

Mr. WINGO with Mr. VOLSTEAD.

Mr. McCOY with Mr. STEVENS of Minnesota.

Mr. QUIN (for Bartlett amendment) with Mr. GARDNER (against).

Mr. STANLEY (for Bartlett amendment) with Mr. FARR (against).

Mr. THOMAS (for Bartlett amendment) with Mr. EDMONDS (against).

Mr. HOWARD (for Bartlett amendment) with Mr. GRIEST (against).

Mr. CARAWAY (for Bartlett amendment) with Mr. KENNEDY of Rhode Island (against).

The result of the vote was announced as above recorded.

On motion of Mr. BARTLETT, a motion to reconsider the vote just had was laid on the table.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. FOWLER. Mr. Speaker, I desire the same privilege.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I desire to state that there were several days here when I wanted to have debate. The Democrats would not permit, and I do not propose that they shall now put remarks in the RECORD which were not made upon the floor. I object.

The SPEAKER. The gentleman from Illinois objects.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. The gentleman from New York asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, may I ask whether, if the consent is granted, it is the intention of the gentleman to soon move to adjourn?

Mr. FITZGERALD. Mr. Speaker, I think the next few amendments can be disposed of without any difficulty.

Mr. MANN. I have no objection.

Mr. McCOY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I do not object to the gentleman from New Jersey extending his remarks in the RECORD, because of the peculiar situation in which he finds himself, having a pair, and being compelled to withdraw his vote.

The SPEAKER. The Chair hears no objection, and permission is granted.

Mr. MOORE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

Mr. RAKER. Mr. Speaker——

Mr. BATHRICK. Mr. Speaker, reserving the right to object——

The SPEAKER. It is too late.

Mr. BATHRICK. To do what?

The SPEAKER. To object to the gentleman from New Jersey extending his remarks. Is there objection to the request of the gentleman from New York that when the House adjourns to-night it adjourn to meet at 11 a. m.?

Mr. BATHRICK. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if he will not make that 10 o'clock. I think we can meet at 10 o'clock and get through so as to go home to-morrow night.

The SPEAKER. Is there objection?

Mr. FITZGERALD. Mr. Speaker, in order to ascertain what Members desire, I ask the Speaker to submit the request first for 10 o'clock.

Mr. MANN. I shall object.

Mr. SISSON. Mr. Speaker, reserving the right to object, what is the objection to going on to-night?

The SPEAKER. That is not a parliamentary inquiry.

Mr. SISSON. I reserved the right to object. I want to ask the gentleman from New York what is the objection to going on to-night.

Mr. MANN. There is no quorum here now.

Mr. SISSON. We have got a quorum here.

Mr. FITZGERALD. We can not finish to-night.

Mr. MANN. There is no quorum here now.

The SPEAKER. Is there objection to the request of the gentleman from New York that when the House adjourns to-night it adjourn to meet at 10 o'clock to-morrow?

Mr. MANN. I told the gentleman I would object to that. It is entirely too early.

Mr. FITZGERALD. Then, Mr. Speaker, I ask that when the House adjourns to-night it adjourn to meet at 11 o'clock.

The SPEAKER. The gentleman from New York asks unanimous consent that when the House adjourns to-night it adjourn to meet at 11 o'clock. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. MOORE. Mr. Speaker, I could not get time from either side to speak for half a minute on the civil-service question, and I ask unanimous consent to extend my remarks in the RECORD.

Mr. RAGSDALE. Mr. Speaker, reserving the right to object, will there be objection to my extending my remarks in the RECORD?

The SPEAKER. The Chair can not tell.

Mr. RAGSDALE. I would just like to know.

The SPEAKER. The gentleman can hitch his request on to that of the gentleman from Pennsylvania.

Mr. RAGSDALE. I would like to have my request extended in connection with that of the gentleman from Pennsylvania [Mr. MOORE].

Mr. KINKEAD of New Jersey. Mr. Speaker, I am in the same predicament of my good friend from Pennsylvania. I was unable to get time from either side, and I ask that my request be hitched on to his.

The SPEAKER. The gentleman from New Jersey [Mr. KINKEAD] makes the same request.

Mr. RAKER. Mr. Speaker, I tried to obtain five minutes time in regard to this amendment, being opposed to this amendment, and therefore make the same request as the gentleman from Pennsylvania [Mr. MOORE] to extend my remarks.

The SPEAKER. The gentleman from California couples with the request of the gentleman from Pennsylvania a request to extend his remarks. The gentleman from Pennsylvania [Mr. MOORE], the gentleman from South Carolina [Mr. RAGSDALE], the gentleman from New Jersey [Mr. KINKEAD], the gentleman from California [Mr. RAKER], and the gentleman from Kentucky [Mr. BARKLEY] all ask unanimous consent to extend their remarks in the RECORD.

Mr. THOMPSON of Oklahoma. And I make the same request.

The SPEAKER. And also the gentleman from Oklahoma [Mr. THOMPSON] asks unanimous consent to extend his remarks.

Mr. KIRKPATRICK. And I ask unanimous consent.

The SPEAKER. And the gentleman from Iowa [Mr. KIRKPATRICK] also asks unanimous consent. Is there objection?

Mr. MANN. As gentlemen refused the opportunity and objected to debate here for two or three days, I object.

Mr. FITZGERALD. I demand the regular order, Mr. Speaker.

The SPEAKER. The Clerk will report the tenth amendment.

The Clerk read as follows:

Page 4 of the printed bill, after line 2, insert the following:

"(10) To the heirs of Angelo Albano, $6,000, in accordance with the recommendation of the President contained in his message dated June 26, 1913 (H. Doc. No. 105, 63d Cong, 1st sess.).

Mr. FITZGERALD. Mr. Speaker, I move that the House further insist on its disagreement to Senate amendment No. 10.

The SPEAKER. The gentleman from New York moves that the House further insist on its disagreement to Senate amendment No. 10.

The motion was agreed to.

Mr. FITZGERALD. Mr. Speaker, the next amendment is No. 11.

The SPEAKER. The Clerk will report amendment No. 11.

The Clerk read as follows:

Amendment No. 11, page 4, line 8. Insert the following:

"That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $72,000, to be paid to the following-named persons in the amount specified to each, for injuries sustained by shots fired across the American boundary line by soldiers and revolutionists on the Mexican side of the line in the year 1911, to wit: Adolfo Varela, of El Paso, Tex., $3,000; Virginia Moorhead, of El Paso, Tex., $3,000; Abundio Soto, of El Paso, Tex., $4,000; Edwin G. Heaton, of El Paso, Tex., $2,000; Celia Griffiths, of El Paso, Tex., $15,000; A. R. Chandler, of El Paso, Tex., $12,000; Emma Larson, of Douglas, Ariz., $1,000; Elmer E. Crowe, of Douglas, Ariz., $5,000; Francis F. Williams, of Douglas, Ariz., $3,000; John W. Keate, of Douglas, Ariz., $5,000; Joseph W. Harrington, of Douglas, Ariz., $15,000; William R. White, of Douglas, Ariz., $2,000.

Mr. FITZGERALD. Mr. Speaker, I move that the House further insist on its disagreement to Senate amendment No. 11.

The SPEAKER. The gentleman from New York moves that the House further insist on its disagreement to Senate amendment No. 11.

Mr. SMITH of Texas. Mr. Speaker, I move as a substitute that the House recede and concur in this amendment.

The SPEAKER. The gentleman from Texas [Mr. SMITH] makes the preferential motion that the House recede and concur in the Senate amendment No. 11.

Mr. FITZGERALD. Mr. Speaker, I will just state briefly what the situation is. Down on the border between Mexico and the United States during two engagements between the Federal and insurgent forces in Mexico a number of persons were killed and injured on the American side. The Mexican Government offered to settle some of these claims, but everybody to whom it made the offer rejected the offer as too small. A board of Army officers was appointed, made an investigation, and reported in favor of payment of certain sums. I have examined the record, and in some instances, Mr. Speaker, it appears that part of these claimants went to exposed positions to witness the battles. They were driven away and later returned, when the opportunity came, and were injured. The parents of a man who earned about $50 a month, and which man, it is asserted, contributed something to the support of his parents, were awarded, because of his death, $15,000. That illustrates the character of the awards that have been made.

There is no claim against the United States, but the contention is that the United States should pay these claims and then present them to the Government of Mexico as a national claim. In my opinion, the United States is not responsible for these claims; and if these persons have any claims at all they are against the Government of Mexico and should be presented by the United States to the Government of Mexico and adjusted there. In my opinion, if the United States pays this $72,000, Mexico will never reimburse us, and, in my opinion, it should not.

Mr. MANN. Will the gentleman yield for a question?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Illinois?

Mr. FITZGERALD. I yield.

Mr. MANN. If the Government of the United States pays these claims, is there any escape, as a matter of precedent, hereafter for the United States from paying the claims of all American citizens in Mexico who allege they have been injured in the insurrection down there, and then depending upon us afterwards to collect them?

Mr. FITZGERALD. That states the facts, I think, fairly. There is another reason why I hope the House will insist on its disagreement to this amendment. It is our desire—and we endeavor as far as possible to do it—to keep from these appropriation bills items for the payment of claims that have no business upon them. Members in charge of these bills should not be burdened with the necessity of wading through reports aggregating 500 and 600 pages in an attempt to determine whether the claims are proper and just. These bills should carry the money necessary to defray the legitimate and authorized expenses of the Government.

Mr. TEMPLE. Will the gentleman yield for a question?

Mr. FITZGERALD. In just a moment I will.

These claims should be carried in a separate bill and investigated by the committees having jurisdiction of them, and the House should be given an opportunity to consider them at length. I understand there is a bill pending for these matters now before the Committee on Foreign Affairs in the House. The House managers refused to agree to Senate amendment No. 10, although the House had passed a bill to do that very thing, and we took the position that if the Senate wishes to pass that bill it now has the opportunity. I hope the House will not encourage the passage of these matters on these bills.

Mr. TEMPLE. Can the gentleman say whether all these persons are American citizens or whether some of them are citizens of Mexico? The reason I ask that question is because there are two bills now in the hands of the Committee on Foreign Affairs, one of them covering American citizens and the other covering citizens of the Republic of Mexico domiciled in Texas, and the question is where the appropriation should be made.

Mr. FITZGERALD. I am informed that these claims are claims of American citizens, and those who were not American citizens were eliminated.

Mr. SMITH of Texas. Mr. Chairman, I would like to have a little time.

Mr. FITZGERALD. I have stated the facts.

Mr. SMITH of Texas. I would like a little time.

Mr. FITZGERALD. Well, I will yield five minutes to the gentleman.

Mr. SMITH of Texas. Mr. Speaker, I would like to have a little time.

Mr. FITZGERALD. I yield five minutes to the gentleman.

The SPEAKER. The gentleman from Texas [Mr. SMITH] is recognized for five minutes.

Mr. SMITH of Texas. Mr. Speaker, I want to say in reply to the statement of the gentleman from Illinois [Mr. MANN] that the payment of these claims will not set a precedent for the payment of claims of American citizens accruing in Mexico. These are claims for damages to American citizens who were injured on this side of the line, in our own country, and under our own protection. When American citizens go to Mexico they take their chances on Mexican jurisdiction and Mexican protection, and the settlement of these claims would not be a precedent for the settlement of those.

Now, Mr. Speaker, these claims, I believe, ought to be paid, and they ought to be paid now. They have already been adjudicated. On August 9, 1912, Congress passed a joint resolution providing for a commission to investigate and pass upon these claims, fixing the amount of damages due. There was a commission appointed and an investigation was made, and any man who will read this report will see that the gentlemen who made the investigation and made the report were well versed in international law and had large experience and knowledge of claims of this sort, and every claim that is in this bill that is presented here is absolutely in accordance with the judgment of that commission, and the purpose for which the commission was appointed was that these claims should be adjudicated, so that Congress could pay them.

Now, I want to say to gentlemen of the House that these injuries occurred——

Mr. JOHNSON of South Carolina. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Texas yield to the gentleman from South Carolina?

Mr. SMITH of Texas. In just a minute. These injuries occurred when these people were at home, nearly all of them about their business; some of them in their own homes, one of them in her own home in bed; and the only two that there is any question raised about were the two that were referred to by the gentleman from New York [Mr. FITZGERALD], who were said to be standing several hundred yards up in the center of the city of El Paso, across the river from where the fighting took place, looking over in that direction.

Now, the theory of these claims is this: When the Mexican troops fired across the border and wounded our own people they violated the sovereignty of this Nation, and it is the opinion of all the international lawyers and authorities that I have consulted that it is the duty of this Government to pay these claims and present them for payment as a whole to the Mexican Government.

Now I want to call attention for a moment to the history of the proceedings with reference to these claims. These damages occurred more than two years ago. The claimants presented these claims to our State Department. Nothing was done with them except to transmit them to the City of Mexico. These claimants were required to present their claims to a Mexican tribunal in the City of Mexico, which disregarded them. Subsequently the Mexican Government authorized Mexican consuls on the border to investigate and report them. These claimants went before those consuls and presented their claims, but nothing ever came of them except the offer of $500 to men who were injured and not killed and a thousand dollars apiece for those who were killed.

The gentleman from New York [Mr. FITZGERALD] says that a settlement has been offered by Mexico. That was the so-called settlement that was offered—compensation that was absolutely inadequate.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. SMITH of Texas. I would like to have five minutes more.

Mr. FITZGERALD. I yield to the gentleman five minutes.

The SPEAKER. The gentleman from Texas is recognized for five minutes more.

Mr. SMITH of Texas. Then these claimants came to Congress. They were presented to the Committees on Foreign Affairs of the House and Senate. The result was this joint resolution and this commission. Then they went before this commission and presented their cases and their evidence, and this commission made its report.

Now, then, bills have been presented to both Committees on Foreign Affairs of the House and the Senate for the payment of these claims in accordance with said report. The House committee has considered these claims and made a unanimous report in favor of them, and this is the third time that the Senate has passed these claims and sent them to this House.

Now, after all of these efforts made by these claimants to have these damages settled, I do not see why they should go out on a technicality here. Why not pay them? Why say that we must go to the Committee on Claims when we have been to the proper committees of this House?

Mr. PAYNE. Will the gentleman yield for a suggestion?

Mr. SMITH of Texas. Yes.

Mr. PAYNE. I want to ask the gentleman why he did not have the Democratic caucus release these claims, so that they might come before the House in regular order?

Mr. BARTLETT. Because they were not emergency claims.

Mr. SMITH of Texas. I did not submit them to the Democratic caucus for that reason—that the caucus was desirous of limiting legislation at this extra session. If the Committee on Foreign Affairs of this House was free to report this bill at this session, it would have been reported. It unanimously reported them at one time. There is not a claim in this whole bunch that there is any question about or in regard to which any question was ever raised by the Senate or the House committee.

Mr. BARTLETT. May I ask the gentleman a question?

Mr. SMITH of Texas. Certainly.

Mr. BARTLETT. Does not the gentleman think that the amount of $12,000 or $15,000 for these claims is exorbitant?

Mr. SMITH of Texas. I do not. In the Griffith claim, which was awarded to the amount of $15,000, Col. Kernay, chairman of that commission, wanted to allow $32,000. He is a man who is an expert in the business, because he spent years in Cuba examining Spanish-American claims after the war and reported upon war claims.

Mr. BARTLETT. Does the gentleman think that we ought to make the Government pay more than a jury would award in a railroad case?

Mr. SMITH of Texas. A jury in El Paso would allow $15,000.

Mr. BARTLETT. If they had, a judge would have set it aside.

Mr. SMITH of Texas. No judge would have been justified in doing so. In the case of Chandler, in which $12,000 was awarded, Col. Kernan wanted to allow $22,000.

Mr. BYRNS of Tennessee. Who appointed this commission?

Mr. SMITH of Texas. The Secretary of War.

Mr. MONTAGUE. Will the gentleman yield for a question?

Mr. SMITH of Texas. Certainly.

Mr. MONTAGUE. Perhaps the gentleman may know that I am a new Member and I am asking for information. The title of this bill is to supply urgent deficiencies and appropriations, and glancing through the bill the item that the gentleman speaks of is a prominent one. I would like to ask in what way is this an urgent deficiency when it is a claim against the Government of the United States?

Mr. SMITH of Texas. What does the gentleman mean by "deficiency"? If the gentleman understands the meaning of the word "deficiency" as I do, I want to say to him that there are a number of items in this bill that are not strictly deficiencies. There always has been and always will be.

Mr. MONTAGUE. Appropriations are made to carry on the Government, and if a given appropriation becomes inadequate a further appropriation to cover this deficiency I would, generally speaking, denominate an urgent deficiency appropriation.

Mr. SMITH of Texas. Mr. Speaker, again I want to urge the adoption of my substitute. These claims ought to have been paid long ago. These people were injured by foreign guns, and in the presence of a sufficient force of American troops to have afforded protection. Having failed to afford protection, the Government ought to make compensation, especially as these claimants have no private means of redress.

As to Mexico, the claims are national. Her offense was against the Nation and she should be held responsible to the Nation. But what we are here now asking is that our Nation shall deal justly with our own people.

The SPEAKER. The time of the gentleman from Texas has again expired.

Mr. MANN. Will the gentleman from New York yield me five minutes?

Mr. FITZGERALD. I yield five minutes to the gentleman from Illinois.

Mr. MANN. Mr. Speaker, I have the honor of having one son, who, on account of his health, spends his time in the southwest, and on the occasion which is referred to by this amendment, being like his father, not very much afraid of things, he was at El Paso watching the battle. He was on the Santa Fe Railroad bridge, knowing perfectly well that he was taking his chances, and knowing perfectly well that if anything happened to him his father would not be asking the Government of the United States to pay the damages. [Applause.]

What is the character of these claims? I will cite you one. A man by the name of Griffith was killed at a point west of the Santa Fe bridge by a bullet fired from the direction of Juarez, Mexico. A short time previous to his death the deceased had been warned to keep out of danger and had been driven off the railroad embankment where he was watching the battle at Juarez, Mexico, and he returned to the embankment in violation of the orders.

Mr. SMITH of Texas. Will the gentleman yield?

Mr. MANN. Not at present. That is the report of the commission, and the commission awarded him $15,000 for marching in front of a bullet which he knew was dangerous. Having violated the orders he walked into the battle where he knew he would be in danger, and the gentleman from Texas has the gall to come here and ask the Government of the United States to pay him $15,000 after the Government of Mexico had offered to pay $2,000, and that was a swindle against the Government of Mexico to make the demand.

This man deliberately walked into danger. The Government of the United States is not responsible for men who are killed through battles that occur in Mexico by bullets which cross the line. This man took his chances like my boy did, and we ought to stand fair to the Government of the United States.

Mr. SMITH of Texas. Mr. Speaker, will the gentleman yield?

Mr. MANN. Certainly.

Mr. SMITH of Texas. Has the gentleman read the testimony in that case?

Mr. MANN. I have read the complete volume of testimony that thick [indicating]. Has the gentleman from Texas read it?

Mr. SMITH of Texas. I will say that I have read the testimoney in that case, and I do not find any testimony of any witness that supports that summary.

Mr. MANN. Oh, but the gentleman comes here and asks us to pay, and bases that on the report of a commission—and I have read the complete report of the commission on the proposition—and then the gentleman repudiates the report of the commission. I repudiate the whole thing.

Mr. SMITH of Texas. I find no such evidence in that case. It is not in the book.

Mr. MANN. What is not in the book?

Mr. SMITH of Texas. The testimony.

Mr. MANN. I am not speaking of the testimony here. I read the report of the commission, and I have also read the testimony.

Mr. SMITH of Texas. I would like to ask the gentleman another question about the Varela case. Did the gentleman notice that that person was shot in the head while she was lying in bed in her own home? Also, about the Moorehead case? There the victim was shot in the side while in her own home, and in the case of Soto, he was shot while in his own home.

Mr. MANN. Mr. Speaker, I will say to the gentleman from Texas that it may be that the Government of the United States should hold the Government of Mexico responsible in some of these cases. If I had my way about it, President Wilson would hold the Government of Mexico responsible now for the damages that are being perpetrated against American citizens and American property in Mexico, but I am unwilling to fix a precedent here which, because he is afraid to do that, would make the Government of the United States pay all these claims in the end, commencing here with fraudulent claims which have no merit to begin with.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. FITZGERALD. Mr. Speaker, I yield three minutes to the gentleman from Arizona [Mr. HAYDEN].

Mr. HAYDEN. Mr. Speaker, in my opinion these are just claims and ought to be paid. The gentleman from Illinois [Mr. MANN] has taken the only two cases among the whole list and pointed out where anyone was warned away from the international boundary line. One of the largest items in this bill is for the life of a locomotive engineer who was killed in the city of Douglas, Ariz., while sitting in the cab of his engine, more than a mile away from the Mexican border. He was struck by a bullet and instantly killed. Another man was shot three-quarters of a mile north of the line while on the way to his home. The gentleman has picked out the only two cases where the claimant was warned to keep out of danger, and wants to make us believe that all of these claims are in a similar situation. These claims have been examined by a commission appointed under authority of Congress, and they have been favorably reported by the Committee on Foreign Affairs of this House. They have been passed by the Senate three times, and it is time that these people were paid. Two years now have gone by, and if the claimants are ever to get any benefit of this money they should get it now and not wait until eternity.

To show that none of the persons injured during the fight at Agua Prieta had any warning that they were in danger, I desire to print the findings of fact approved by the military commission respecting the injuries sustained by citizens of the United States at Douglas, Ariz., in April, 1911:

Claimant: Emma Larson.
Residence: Douglas, Ariz.
Nationality: American.
Nature of claim: Abrasions on face and neck caused by splintered glass as a result of a bullet shot.

The evidence in this case shows that the claimant was born in Christiania, Norway, in 1860; that in 1877 she married Tom Larson, a native-born citizen of the United States; that he died in 1892; that on the 17th day of April, 1911, during the Battle of Agua Prieta, while the claimant was engaged in her duties as housekeeper for Horace Rutherford, a bullet struck the window of the kitchen, causing some broken glass to strike the side of her face and neck; that as a result of said injury the claimant received some shock and pain and nervous tension, but no disability. It is further shown that the representative of the Mexican Government offered the claimant, through her attorneys at Douglas, an indemnity of $200, which was refused by claimant.

Amount of damage assessed at $1,000.

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Claimant: Elmer E. Crowe.
Residence: Douglas, Ariz.
Nationality: American citizen.
Nature of claim: Gunshot wound in right arm and through the body.

In this case it is conclusively proven that claimant was wounded in Douglas, Ariz., on the 13th day of April, 1911, by a bullet fired from the direction of Agua Prieta, Mexico, said bullet passing through the right arm and through the right side of claimant's body; that the claimant is a native-born citizen of the United States, born in Mercer County, Ill., on the 14th of September, 1867; is a married man, having a wife and minor child; that at the time he was wounded he was performing his regular duties in the El Paso Southwestern Railroad yards; that he has received some permanent disability as a result of said wound; and that the Mexican Government made an offer of $500 in satisfaction of this claim, which offer was refused by claimant.

Amount of damage assessed at $5,000.

—

Claimant: Francis Forrester Williams.
Residence: Douglas, Ariz.
Nationality: American citizen.
Nature of claim: Gunshot wound through body.

In this case it is conclusively shown that the claimant was wounded in Douglas, Ariz., on the 17th day of April, 1911, by a bullet fired from the direction of Agua Prieta, Mexico, said bullet entering claimant's body near left shoulder blade and coming out near left nipple; that the claimant is a native-born citizen of the United States, born in Decatur, Ill., May 10, 1869; is a married man, having a wife and a minor child; that at the time he was wounded he was about three-quarters of a mile north of the international line on his way home; that he has received some permanent disability as a result of said wound; and that the Mexican Government made an offer of $500 in satisfaction of this claim, which offer was refused by claimant.

Amount of damage assessed at $5,000.

—

Claimant: John W. Keate.
Residence: Hurley, N. Mex.
Nationality: American.
Nature of claim: Gunshot wound, right side of left foot.

In this case it is proven that claimant was born in Arizona in 1882; that on the 17th day of April, 1911, he was a resident of Douglas, Ariz., and while watching a battle between the Mexican federals and insurgents from the Douglas lumberyard claimant was hit in the left foot by a bullet fired from the direction of Agua Prieta; that as a result of said wound claimant has received some permanent disability. It is further shown that a representantive of the Mexican Government offered the claimant, through his attorneys at Douglas, the amount of $500 as an indemnity for said injury, which was refused by claimant.

Amount of damage assessed at $5,000.

—

Claimant: Joseph W. Harrington, on behalf of heirs.
Residence: 114 Plum Street, Atlanta, Ga.
Nationality: American.
Nature of claim: Death of brother, Robert H. Harrington.

In this case it is conclusively proved that Robert Homer Harrington, brother of the claimant, was killed at Douglas, Ariz., on April 13, 1911, by a bullet fired from the direction of Agua Prieta; that at the time the deceased was struck by a bullet he was riding on a switch engine of the El Paso Southwestern Railroad.

It is also proved that the deceased, Robert H. Harrington, was born May 31, 1873, in Gainesville, Ga.; that he was 38 years old, a single man, and contributed to some extent toward the support of his mother.

It is further shown that the Mexican Government offered the heirs of Robert H. Harrington, through their attorneys, the sum of $1,000 as an indemnity for his death; that this offer was refused; that subsequently the above offer was increased to $2,000; said offer also was declined.

Amount of damages assessed at $15,000.

—

Claimant: William R. White.
Nationality: American.
Residence: Cananea, Mexico.
Nature of claim: Gunshot wound through left leg.

In this case the attorneys were unable to bring before the commission the claimant, William R. White, or to secure his signature to a petition addressed to the commission, but at the request of the attorneys a copy of the petition addressed to the Secretary of State was filed with this commission and made the basis of this investigation.

The evidence produced shows the claimant to be a citizen of the United States, about 21 years of age, and single; that on April 13, 1911, he received a flesh wound in the left leg below the knee while on American territory and during an engagement then in progress near Agua Prieta, Mexico, between Mexican federal troops and insurgents; that in all human probability the bullet came from the Mexican forces engaged as above; and that no permanent disability has resulted, and the commission assesses the damage at $2,000 United States currency.

The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. SMITH] to recede from the House disagreement to Senate amendment No. 11 and concur in the same.

The question was taken; and on a division (demanded by Mr. SMITH of Texas) there were—ayes 10, noes 87.

So the motion was rejected.

The SPEAKER. The question now is on the motion of the gentleman from New York that the House further insist on its disagreement to Senate amendment No. 11.

The motion was agreed to.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that Senate amendments 27 to 33, inclusive, be considered together. They all affect the assay offices.

Mr. MOORE. Mr. Speaker, reserving the right to object, I would like to know how many more amendments the gentleman proposes to have action upon to-night?

Mr. FITZGERALD. This batch.

The SPEAKER. The gentleman from New York asks unanimous consent that amendments 27 to 33, inclusive, be considered together.

Mr. MOORE. Mr. Speaker, I make the point of order there is no quorum present.

Mr. FITZGERALD. Let me suggest——

Mr. MOORE. The gentleman does not indicate or seem to want to indicate——

Mr. FITZGERALD (continuing). There will be no controversy over these amendments.

Mr. MOORE. I understood the gentleman to say he wanted to get through with this batch.

Mr. BARTLETT. They all relate to the same subject.

Mr. MOORE. Very well; then I will withdraw the point of order.

The SPEAKER. The gentleman from New York asks unanimous consent to consider amendments 27 to 33, inclusive. Is there objection?

Mr. RAKER. Mr. Speaker, reserving the right to object, do I understand the Senate is willing to recede on these amendments?

Mr. FITZGERALD. No; they insist on their amendments.

Mr. RAKER. It is getting very late to-night, and some of our people——

Mr. FITZGERALD. The gentleman is not interested in these amendments. They do not affect anything in which the gentleman is interested.

Mr. RAKER. Yes; these people deserve and are entitled——

Mr. FITZGERALD. I think they can be considered together; gentlemen have time to protect themselves——

Mr. RAKER. They are all practically upon the same basis, and there is no reason why they should not be considered together. Then why not get unanimous consent and take them up to-morrow?

Mr. FITZGERALD. It will not take two minutes. In the last sundry civil bill an agreement was reached, and now it is an attempt on the part of the Senate to go back on what they said in that agreement.

Mr. RAKER. I see.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendments.

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

Mr. HAYDEN. Mr. Speaker, I make the same request.

Mr. MANN. That is, in regard to these claims?

Mr. SMITH of Texas. Yes.

The SPEAKER. The gentleman from Texas and the gentleman from Arizona ask unanimous consent to extend their remarks on amendment numbered 11. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks upon amendment numbered 8.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks on amendment numbered 8. Is there objection?

Mr. MANN. Mr. Speaker, I object. I could hardly hear the Chair.

The SPEAKER. The Chair is about played out.

Mr. MANN. If the Speaker is about played out——

The SPEAKER. That is what the Chair stated.

Mr. MANN. I said, if the Speaker is played out, I think it is time to quit.

The SPEAKER. The gentleman from Illinois objects to the extension of the remarks of the gentleman from California.

Mr. RAKER. Now, Mr. Speaker, if we are all played out, and the gentleman objects to my extending my remarks in regard on a subject that I feel interested in and upon which I tried to obtain some time but could not do so——

Mr. FITZGERALD. I will get the gentleman time to-morrow to make a speech.

Mr. RAKER. No; but it is passed then, you see.

Mr. PAYNE. On the question of unanimous consent to make a speech, I make the point that there is no quorum present.

The SPEAKER. The gentleman from California asked unanimous consent to extend his remarks in the RECORD on amendment numbered 8.

Mr. PAYNE. That is making a speech.

The SPEAKER. Well, it is and it is not. Is there objection?

Mr. MANN. What is the request?

The SPEAKER. To extend his remarks in the RECORD on amendment No. 8.

Mr. MANN. I objected some time ago very loudly, and I gave the reason why, and the gentleman from California [Mr. RAKER] knows it.

The SPEAKER. The gentleman from Illinois objects. The Clerk will report these amendments.

The Clerk read as follows:

Page 13, after line 14, insert the following.

Mr. MANN. Mr. Speaker, I suggest to the gentleman that when even as strong a man as the Speaker is tired——

Mr. FITZGERALD. Let us dispose of them.

Mr. MANN. If it will take only a minute to-night, it will take but half a minute to-morrow.

Mr. FITZGERALD. It will not take more than that to-night. I will not adjourn unless I am forced to do so.

Mr. MANN. If the gentleman wants me to do so, I will make a point of no quorum to-night, but if I do not I will make it when we first meet to-morrow.

ADJOURNMENT.

Mr. FITZGERALD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 7 minutes a. m.) the House adjourned until 11 o'clock a. m. Saturday, October 11, 1913.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LAFFERTY: A bill (H. R. 8826) limiting the hours of labor of persons engaged in producing interstate commerce; to the Committee on Labor.

Also, a bill (H. R. 8827) granting old-age pensions; to the Committee on Pensions.

By Mr. WATKINS: A bill (H. R. 8828) to carry into effect the provisions of the act of Congress forming the Public Health Service by providing penalties for the pollution of the navigable streams and waterways of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. PALMER (by request): A bill (H. R. 8829) to make December 2 of each and every year a public holiday in the District of Columbia, to be known as Monroe Doctrine Day; to the Committee on the Judiciary.

By Mr. LINTHICUM: A bill (H. R. 8832) to reclassify the salaries of assistant postmasters and employees above the clerical grades in post offices of the first and second class; to the Committee on the Post Office and Post Roads.

By Mr. CHANDLER of New York: Joint resolution (H. J. Res. 138) that it is the sense of the American Congress that the powers take steps to compel the acquiescence of Roumania in the treaty of Berlin; to the Committee on Foreign Affairs.

By Mr. KAHN: Resolution (H. Res. 279) directing the Secretary of the Treasury to transmit to the House the names of all employees in the Treasury Department in the classified or unclassified service who have been reduced or advanced in rank since March 4, 1913; to the Committee on Reform in the Civil Service.

Also, resolution (H. Res. 280) directing the Postmaster General to transmit to the House the names of all employees in the Post Office Department in the classified or unclassified service who have been reduced or advanced in rank since March 4, 1913; to the Committee on Reform in the Civil Service.

Also, resolution (H. Res. 281) directing the Public Printer to transmit to the House the names of all employees in the Government Printing Office in the classified or unclassified service who have been reduced or advanced in rank since March 4, 1913; to the Committee on Reform in the Civil Service.

By Mr. MONDELL: Resolution (H. Res. 282) calling upon the Secretary of the Treasury for facts relative to the provision contained in tariff act of October 3, 1913, providing for a reduction of 5 per cent in tariff duties on all goods imported in certain vessels; to the Committee on Ways and Means.

Also, resolution (H. Res. 283) calling upon the Secretary of State for facts relative to the provision contained in tariff act of October 3, 1913, providing for a discount of 5 per cent in tariff rates on goods imported in certain vessels; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUCHANAN of Illinois: A bill (H. R. 8830) for the relief of the heirs of William H. Whiteside; to the Committee on Claims.

By Mr. PALMER: A bill (H. R. 8831) granting a pension to Mrs. William Snyder; to the Committee on Invalid Pensions.

By Mr. EAGAN: A bill (H. R. 8833) to remove the charge of desertion and grant an honorable discharge to Claus Dentzau; to the Committee on Military Affairs.

By Mr. GEORGE: A bill (H. R. 8834) for the relief of Leon Greenbaum; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. MAPES: Petitions of sundry citizens of the cities of Holland, Zeeland, Coopersville, and Grand Haven, Mich., favoring H. R. 5308 for the taxation of mail-order houses for the development of the communities in which they sell goods; to the Committee on Ways and Means.

By Mr. ROUSE: Petition of citizens of the sixth district of Kentucky, favoring change in the interstate-commerce laws relative to mail-order houses paying their share of taxes, etc.; to the Committee on Interstate and Foreign Commerce.

HOUSE OF REPRESENTATIVES.

SATURDAY, *October 11, 1913.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, God our Father, our hearts go out in gratitude to Thee for the splendid achievements of men in the material, intellectual, moral, and spiritual fields of endeavor, making the world a better place for our sojourn, and which tends to solidify the race into one family. Especially do we thank Thee for the wonderful skill and energy which have just connected the two great oceans, bringing the world of mankind closer together, lessening the danger of navigation, making it less difficult for the exchange of products between nations, bringing out the latent possibilities of brain and brawn, which promise still greater achievements. And we most fervently pray that as nation is thus brought nearer to nation, a better understanding may obtain in all the relationships of life and Thy love be reflected in every movement toward the peace and happiness of mankind. In the name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

URGENT DEFICIENCY BILL.

Mr. FITZGERALD. Mr. Speaker, I call up the conference report on the urgent deficiency bill (H. R. 7898).

The SPEAKER. By order of the House last night amendments numbered 27 to 33, inclusive, were to be considered together.

Mr. RAKER rose.

The SPEAKER. For what purpose does the gentleman from California rise?

Mr. RAKER. To make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RAKER. After the agreement of the House last night that amendments numbered 28 to 33, inclusive——

The SPEAKER. Numbered 27——

Mr. RAKER. Yes; numbered 27 to 33, both inclusive—that they should be considered as one amendment, the motion of the gentleman from New York [Mr. FITZGERALD] was to insist on the disagreement to the amendments.

Mr. FITZGERALD. They have not been reported yet. I have made no motion.

The SPEAKER. They have never been reported. The House adjourned just after that order was made.

Mr. RAKER. Very well. What I wanted to know was whether it is too late now to make the motion to recede and concur?

The SPEAKER. No motion has been made at all. When the House reports these amendments anybody can make any motion he pleases. The Clerk will report the amendments from 27 to 33, both inclusive.

The Clerk read as follows:

On page 13 of the printed bill, beginning with line 14, insert the following:

"MINTS AND ASSAY OFFICES.

"For freight on bullion and coin, by registered mail or otherwise, between mints and assay offices, additional for the fiscal year 1914, $10,000.

"Mint at Carson City, Nev.: For incidental and contingent expenses, additional for fiscal year 1914, $1,000.

"Assay office at Boise, Idaho: For incidental and contingent expenses, additional for fiscal year 1914, $1,000.

"Assay office at Deadwood, S. Dak.: For incidental and contingent expenses, new machinery, etc., additional for fiscal year 1914, $500.

"Assay office at Helena, Mont.: For incidental and contingent expenses, additional for fiscal year 1914, $1,000.

"Assay office at Salt Lake City, Utah: For incidental and contingent expenses, additional for fiscal year 1914, $1,000."

Mr. FITZGERALD. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendments.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] moves that the House further insist on its disagreement to the Senate amendments numbered 27 to 33, both inclusive.

Mr. RAKER. Mr. Speaker, I desire to make a preferential motion that the House recede and concur in the Senate amendments.

The SPEAKER. The gentleman from California [Mr. RAKER] makes the preferential motion that the House recede from its disagreement to the Senate amendments numbered 27 to 33, both inclusive, and concur therein. Those in favor of the motion——

Mr. MANN. Mr. Speaker——

Mr. RAKER. Just a moment. There are several others from the West who would like a little time. I would like to have 10 minutes myself, and the gentleman from Idaho [Mr. SMITH] would like to have about 5 minutes.

Mr. FITZGERALD. I yield to the gentleman five minutes. I do not think this is a matter on which we need take very much time.

Mr. MANN. The gentleman from Utah [Mr. JOHNSON] and the gentleman from Idaho [Mr. SMITH] each desire to have five minutes.

Mr. FITZGERALD. Mr. Speaker, I will give the gentleman from California [Mr. RAKER] five minutes. I yield five minutes to the gentleman from California.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] yields five minutes to the gentleman from California [Mr. RAKER].

Mr. RAKER. Mr. Speaker, I want to call the attention of the House to this amendment, found on pages 13 and 14. The first one provides for the freight on bullion and coin by registered mail or otherwise between the mint and assay offices, additional for fiscal year 1914. Only those who have had practical knowledge and experience in the mining districts of the West can appreciate what this means. The intent of the amendment is to encourage mining and to make it as convenient as possible for those interested in the mines to have some place and some method to dispose of and handle the gold and silver and other minerals they obtain from the earth.

The question of the mint at Carson City, Nev., "For incidental and contingent expenses, additional for fiscal year 1914, $1,000," is another amendment. The mint has been there for many years. It is in a highly mineralized district, and it has done much good to this country to maintain this mint and to give the miners and those interested an opportunity to have their product disposed of and handled properly.

I am advised that if this appropriation is not made there will not be a sufficient amount of money to run the mint to its full capacity during the end of the year. Certainly this House does not want to cripple the service; it does not want to shut down the mint at Carson City.

It is the same way at Boise, Idaho, and at Deadwood, at Helena, and at Salt Lake. The committee passed upon this matter two years ago by a very strong vote. It reported the abolition of these various mints and assay offices. It went to the House and they were retained and put back, and by a direct vote squarely upon these matters the House retained them in the bill, and they have been in use and operation ever since. But they did not give a sufficient amount of money to run them during the entire fiscal year, and the committee says in the report that the appropriation and estimate was lowered at that time.

Now, while we are providing for other industries, while we are providing for other services, the Government ought to make a sufficient appropriation for this. We trust that the House at this date is not going to say that we are not entitled to this appropriation, that it is opposed to the mining industry, and that we are not to give the miner who takes the gold and silver from the earth an opportunity to dispose of it. He is the man who adds much to the wealth of the country without injuring anyone. We are not going to deprive him of an opportunity to dispose of this material. It has been a great thing for the West to have these mints and assay offices. We are talking to-day about markets, of having places for the disposal of material in good markets, where the producers can dispose of it at a proper price. And yet you are asked to turn backward, so far as this mineral industry is concerned, and you will if you do not appropriate for the proper maintenance and proper officering of the various mints. It is a case of the proper handling and shipment of bullion from place to place. If the Government buys it at Deadwood and needs it at Denver, it is the duty of this Government to see that the majerial is sent to Denver at its expense for the purpose of coining and using it, and not to give the express companies an opportunity to reach in and take what little profit the miner may make from taking it from the bowels of the earth. There is no man in this country to-day that has been of more service than has been the miner, and you ought not to take his opportunity away for disposing of this material or take away what little profit he may get out of it.

The SPEAKER. The time of the gentleman from California has expired.

Mr. FITZGERALD. I yield the gentleman two minutes more.

Mr. RAKER. Now, the question of expense in this matter is a small one. It is only $10,000 for the freight on coin and bullion—$1,000 for Carson, Nev., $1,000 for Boise, $500 for Deadwood, $1,000 for Helena, and $1,000 for Salt Lake. When the Government desires to coin money at San Francisco or at Denver it can go to Boise, it can go to Salt Lake or Deadwood, where the miners, right on the ground, can in turn go to these mints and deliver their gold bullion and obtain the coin of the realm, and then the Government in turn can send that bullion where it is desired for coinage.

We ought to give them every opportunity, we ought to permit everything that can be done which will give a better chance to bring more gold into the mint, where it will be coined, and we ought not to take the opportunity away from these people, who have a chance now to dispose of their bullion at the mine. I trust that these amendments will not be voted down, but that the House will recede and adopt the Senate amendments.

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Idaho [Mr. SMITH].

Mr. SMITH of Idaho. Mr. Speaker, on general principles I am very much interested in and in favor of all the Senate amendments from 27 to 33, inclusive; but I am especially interested in amendment No. 30, which grants $1,000 additional for the contingent expenses at the assay office at Boise, Idaho. While we have great regard for the judgment of the gentleman from New York [Mr. FITZGERALD] with reference to the needs of the Government in the eastern section of the country, we of the West feel that he is not correctly advised regarding its needs in the western country. We feel that we are not given that consideration which we deserve. The assay office at Boise, Idaho, was established about 60 years ago. It has been a very important factor in the development and prosperity of that section of the country, as have the other assay offices throughout the West. The contingent expenses for last year and for previous years for the Boise assay office amounted to $2,500. In the agreement reached when the appropriation bill was under consideration last year with reference to the conduct of the Boise assay office it was decided that the general expenses should be cut down very materially in salaries and wages; but without any estimate from the Director of the Mint the committee arbitrarily fixed the amount for contingent expenses at $1,000, while heretofore, as I have said, it had been $2,500 per annum.

It is very easy to adjust the appropriation for salaries and wages by reducing the number of employees or the amount of their compensation, but when it comes to economizing on contingent expenses it is an entirely different proposition. This additional money for contingent expenses is needed for fuel, light, water, crucibles, acids, and other supplies incidental to running an assay office. These are items which must be furnished if the business of the office is to continue. I do not understand why the gentleman from New York [Mr. FITZGERALD] utterly disregards the recommendation of the Director of the Mint. He is at the head of this branch of the service and is in close touch with the needs of the various assay offices, and his recommendations are contained in the hearings that were had before the Senate Committee on Appropriations. He recommended the items which are contained in this bill and asserts that the proposed appropriation is necessary to conduct these assay offices.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Idaho. Certainly.

Mr. RAKER. I do not believe the House fully grasps the position of the gentleman, that the department recommended these items and that it is in the report.

Mr. SMITH of Idaho. These items are all recommended by the Director of the Mint.

Mr. RAKER. As being necessary?

Mr. SMITH of Idaho. As being absolutely necessary, otherwise on the 1st of January, or at least by the 1st of February, these assay offices will have to cease business, because they will not have the money to pay for these supplies, and of course under the law a deficiency can not be contracted.

Senators from the Western States, the States that are interested in these amendments, were before the committee and their statements are contained in the hearings. They are men whose judgment should be entitled to consideration, as they are familiar with the needs of that section of the country; and yet it appears that the opinion of the gentleman from New York [Mr. FITZGERALD] is to be followed instead of the opinion of the Representatives and Senators from the Western States.

Because of the curtailment of the appropriation in the assay office at Boise, Idaho, it has been necessary for the assayer in charge—a very distinguished man, who has heretofore been receiving a salary of $2,500, and who is one of the most honored and loved men in our State—to act as watchman at this assay office. He is unable to leave the office during office hours because of the important nature of his duties, and the only time he can leave the building is just about half an hour before the office closes and before the other employees leave. He is actually performing not only the duties of the assayer but the duties of a watchman at this office.

It seems to me that this appropriation should be granted; and if it is not all needed, of course it will not be expended; but to cripple the service by absolutely refusing to appropriate money to continue it seems to me to be a very singular and unusual way to transact the public business.

Mr. MOORE. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Idaho. Yes; certainly.

Mr. MOORE. If the appropriation should not be made and the office should be in effect abolished, where would the work hereafter be done?

Mr. SMITH of Idaho. Of course the work would then have to be sent to Denver or San Francisco. In that connection I wish to mention the great advantage it is to the prospectors in the western country to have some convenient place to which they can send their gold dust or bullion, if they should melt it into bullion in the camps.

Under existing conditions the prospectors, of which there are thousands roaming the hills of the Rocky Mountain country, can send in their gold dust or bullion by registered mail to these assay offices and get a draft back within two or three days, whereas if these assay offices are abolished they would have to send their bullion a long distance, and it would necessarily take from 10 days to 2 weeks to get returns. Thousands of these men have no other income than the result of their explorations in the ground in digging out the precious metals. They send this gold dust and bullion to the assay offices, just as a man in this section sends his products to the market. They depend upon their daily labor for their sustenance, and it is working great injustice upon the western country to curtail these offices and thus discourage prospecting and mining and cripple the service in the manner proposed. I therefore earnestly hope that the amendment proposed by the Senate will be adopted. [Applause.]

Mr. Speaker, it has been the policy of our Government ever since it was established to encourage the pioneer in his efforts to push forward to the frontier in the development of the country. In furtherance of this policy legislation was enacted lending Government aid to the construction of transcontinental railroads. A homestead law was enacted giving to every citizen 160 acres of public land without cost, excepting filing fees; and we have recently, I am glad to say, enacted legislation to establish a bureau in the Department of Agriculture to assist the farmer in finding a profitable market in which to sell his products. We are spending hundreds of thousands of dollars toward the eradication of disease among every kind of domestic animals. We are appropriating hundreds of thousands of dollars toward counteracting the effects of injurious insects attacking our fruit trees and vegetation. Hundreds of thousands of dollars are being appropriated for experimental stations and the employment of those having a technical knowledge of plant and vegetable life in the development of our agricultural resources. There is even in operation in connection with the Bureau of Immigration in this city and conducted at a great expense a system under which we are endeavoring to find an advantageous location for the foreigner as soon as he reaches our shores; and yet, Mr. Speaker, the gentleman from New York and other Members on the Democratic side are endeavoring to take away from the prospector and miner the only encouragement he has ever received from the Government by abolishing the assay offices throughout the western country. Is no further consideration to be accorded to the intrepid prospector who endures the hardships and exposure to the elements incident to his calling, and as a result of whose labors a stream of gold has been pouring into the coffers of the Government for the past 60 years, simply because the receipts of these offices are not quite up to the expense of managing them? Why this discrimination against the prospector and miner? Why should you not be as willing to encourage this class of brave men as those in any other walk of life? By the abolishment of these assay offices you compel

the prospector and miner to either sell his gold dust at whatever price he can get for it or endure the inconvenience incident to the delay of sending his dust thousands of miles to be assayed and made ready to be coined. If the proposed appropriation is refused by the Democratic majority, you will have struck a cruel blow at thousands of honest prospectors and miners who are endeavoring to bring forth the virgin wealth from the depths of the mountain States, and they will naturally reach the conclusion that the Democratic Party believes in retrogression rather than advancement, as these assay offices can not be continued in operation for many more months without the additional appropriation called for in the proposed amendment.

Mr. MANN. Will the gentleman from New York yield to the gentleman from Utah [Mr. JOHNSON] five minutes?

Mr. FITZGERALD. I yield five minutes to the gentleman from Utah [Mr. JOHNSON].

Mr. JOHNSON of Utah. Mr. Speaker, I sincerely hope that the Senate amendment in reference to these items mentioned in the bill will prevail. I will say at the outset that I have but little information as to some of these items, but I doubt not they are on a par and in a similar condition with the assay office at Salt Lake City. The assay office at Salt Lake City is a very important one. It has to deal with the bullion not only of the State of Utah, but from adjoining States—for instance, the eastern parts of Nevada and partially from other States—and it is the central market for the deposits of the bullion not only of the State of Utah but of some of the adjoining States. I am informed that this appropriation is absolutely necessary if these assay offices shall be continued in operation. Of course, if there shall be continued a market in a central location for the product of the miner, then there must be an assay office there in order to determine the value of the various kinds of bullion produced. It is, Mr. Speaker, a great industry not only of our State and of the States involved, but also of the Nation. I have before me the figures of the production of metals of the State of Utah for the year 1912, and I find that it amounts of $44,414,000, of which $4,300,000 is in gold bullion and $7,995,000 is of silver bullion, all of which requires a ready market, and a ready market can not be at hand unless there is some way of ascertaining the value of this bullion in some place approximately close to the point where the bullion is produced. I therefore sincerely hope, Mr. Speaker and gentlemen of this House, that this amendment of the Senate with reference to these items may prevail. [Applause.] I yield back the balance of my time.

Mr. FITZGERALD. I yield five minutes to the gentleman from Montana [Mr. STOUT].

Mr. STOUT. Mr. Speaker, there has been an effort made at several past Congresses to do away with the assay offices in the West. The usual method of procedure is simply to leave off the appropriation which would, of course, automatically put the offices out of business. The people who live in the West appreciate the very great necessity for these offices. There is one of them located in my State at Helena, Mont., through which approximately $2,000,000 worth of gold bullion passes every year, and the discontinuance of that office would work a tremendous hardship upon the hundreds or thousands of small miners in that State. To do away with this office and permit even the offices at Boise or Salt Lake City to remain in operation would mean the miners would still have to ship their bullion from 400 to 600 miles, whereby a great sum would be lost to them and a lot of inconvenience occasioned. The assay offices are provided for by law, and it seems to me to be entirely a wrong system that we shall wipe out a statute by failure simply to make the necessary appropriation. It would be the same thing if we were to fail to make appropriations for our courts. We would still have the judges and court rooms, but of necessity there could not be any courts held, so I trust that the House will adopt the amendment that has been submitted by the Senate.

Mr. BARTON. Mr. Speaker——

The SPEAKER. Will the gentleman from Montana [Mr. STOUT] yield to the gentleman from Nebraska?

Mr. STOUT. I will.

Mr. BARTON. As I understand the motion of the gentleman from California [Mr. RAKER], it carries with it the amendments from 28 to 33?

Mr. STOUT. All of them.

Mr. BARTLETT. Discussion on this subject has appealed to me, but I have not yet heard anyone discuss amendment No. 28. I would like to hear you discuss that.

Mr. STOUT. My colleague, the gentleman from California [Mr. RAKER], just a moment ago, I think, entered into that item quite fully, and since he is better acquainted with that particular item than I am, I should prefer to have him discuss it. I just simply wanted to call the attention of the House to the necessity for these offices and the necessity for these appropriations. If they do not get them, the offices will have to go out of business, which will work a hardship on all the mining industries of the Rocky Mountain States. [Applause.]

Mr. RAKER. Mr. Speaker, I hate to be persistent in a matter of this kind.

Mr. FITZGERALD. I think we have given these amendments all the time necessary.

Mr. RAKER. Will the gentleman yield me five minutes?

Mr. FITZGERALD. I think not. We have given time to the gentleman interested in this matter.

Mr. STOUT. Mr. Speaker, did I use all the five minutes allotted to me?

The SPEAKER. The gentleman used only three minutes.

Mr. FITZGERALD. Then I yield two minutes to the gentleman from California [Mr. RAKER].

Mr. RAKER. Mr. Speaker, I want to call the attention of the gentleman who made the request of the gentleman from Montana [Mr. STOUT] that the Director of the Mint in his estimates makes special reference to the $10,000 appropriation, and says it is necessary in order to transfer the coin and bullion between assay offices and the mints. On page 5 of Document 88, which I will ask unanimous consent to incorporate in the RECORD on this subject, it shows the necessity for all of these items. Then in the hearings before the Senate committee, commencing on page 29 with the statement of Mr. Roberts, Director of the Mint, to and including the end of Senator MYERS's statement on page 38, I will ask unanimous consent to insert in the RECORD as a part of my remarks. That shows that the Director of the Mint says that these items are necessary in order to maintain the work in these several mints as well as to transport the bullion and coin between the various assay offices and mints, and that the appropriation ought to be made. If the Government or if the present administration desires to change the matter and wipe out one of the great industries of the West, let that come up in proper form in the regular session later. But the administrative officer to-day says that this money is necessary; that it ought to be had in order to keep these offices going, for otherwise they will be closed down. I trust that the present administration will never lend its aid to the question of shutting up the mints and doing away with the mining interests in the West without giving, as my friend from Montana [Mr. STOUT], my friend from Utah [Mr. JOHNSON], and my friend from Idaho [Mr. SMITH] have said, the miner an opportunity to be heard as other classes of citizens of this country are heard.

Here we have the administrative officer behind this. Here we have the Senators appealing for it, who have appeared before the committee, and we have the Senate adopting this proposition, showing that it is necessary. I trust that in behalf of the great mining interests of the West, notwithstanding this is only $16,000, it will not be voted down. I want to call the attention of the House to the fact that there was about $15,000 added to the New York assay office, and if it is necessary to continue the assay office in New York and add more money, and the same way in Philadelphia, why cut out the little offices in the West, where they are absolutely necessary?

The matter referred to is as follows:

Supplemental estimates of appropriations required by the various departments for the service of the fiscal year ending June 30, 1914, and for deficiencies for prior years.

TREASURY DEPARTMENT—MINTS AND ASSAY OFFICES.

Detailed objects of expenditure, and explanations.	Total amount to be appropriated under each head of appropriation.	Amount appropriated for the fiscal year for which the appropriation is required.
Freight on bullion and coin, mints and assay offices:		
For an additional amount for freight on bullion and coin, by registered mail or otherwise, between mints and assay offices, for the fiscal year 1914 (act Mar. 4, 1913, vol. 37, pp. 781, 782, sec. 1)	$15,000	$10,000
Contingent expenses, mint at Carson, Nev.:		
For an additional amount for incidental and contingent expenses for the fiscal year 1914 (same act)	1,000	1,000
Contingent expenses, assay office at Boise, Idaho:		
For an additional amount for incidental and contingent expenses for the fiscal year 1914 (same act)	1,000	1,000
Contingent expenses, assay office at Deadwood, S. Dak.:		
For an additional amount for incidental and contingent expenses for the fiscal year 1914 (same act)	1,000	500
Contingent expenses, assay office at Helena, Mont.:		
For an additional amount for incidental and contingent expenses for the fiscal year 1914 (same act)	1,000	1,000
Contingent expenses, assay office at Salt Lake City, Utah:		
For an additional amount for incidental and contingent expenses for the fiscal year 1914 (same act)	1,000	1,000
Total mints and assay offices	20,000	

TREASURY DEPARTMENT,
OFFICE OF DIRECTOR OF THE MINT,
Washington, May 9, 1913.

The SECRETARY OF THE TREASURY.

SIR: The appropriations carried by the act of March 4, 1913, for the legislative, executive, and judicial expenses of the Government, and for other purposes, include the sum of $10,000 for the use of the Bureau of the Mint in defraying the transportation of coin and bullion between assay offices and mints. The actual expenditures for this purpose during the fiscal year ended June 30, 1912, were $26,577.74; the appropriation for the current year is $25,000 and will all be required. The estimate for the fiscal year 1913–14 was $25,000; the reduction from this amount to $10,000 was originally made by the House of Representatives undoubtedly upon the theory that the assay offices at Deadwood, Helena, Boise, Salt Lake City, and Carson City would be abolished, but when these offices were restored to the bill by the conference committee the appropriation for the transportation was not increased. The result is that after the $10,000 available is exhausted, bullion will accumulate in these small offices, and must be held at considerable risk, as they are not equipped with vaults and safes of the most modern make, and the number of employees in each office must be reduced. An additional appropriation of $15,000 will be necessary for the transportation of coin and bullion.

In restoring the above-named assay offices to the appropriation bill, the conference committee made radical reductions, not only in salaries and wages, but in the fund for incidental and contingent expenses. It will probably be possible to continue to operate the offices throughout the coming year upon the amounts available for salaries and wages, but it will not be possible to reduce the expenditures from the contingent funds to the sums appropriated. These expenditures are for heat, light, water, crucibles, fluxes, and other necessary supplies, and if the amount of bullion handled by the offices is undiminished, the amount of these supplies can not be reduced to any important extent. It will be necessary to increase the appropriations for each of the above-named assay offices for incidental and contingent expenses by the sum of $1,000.

Section 3679, Revised Statutes, as amended (see vol. 33, pt. 1, p. 1257), requires, with some qualifications, that all appropriations made for contingent expenses or other general purposes "shall, on or before the beginning of each fiscal year, be so apportioned by monthly allotments as to prevent undue expenditures in one portion of the year that may require deficiency or additional appropriations to complete the service of the fiscal year."

In view of this state of affairs, I have the honor to recommend that the facts be reported to the Congress immediately in order that it may have opportunity during the present extra session to make the supplemental appropriations which will be necessary in order to handle the business of these assay offices throughout the fiscal year 1913-14.

Respectfully,

GEO. E. ROBERTS,
Director of the Mint.

STATEMENT OF GEORGE E. ROBERTS, DIRECTOR OF THE MINT.

(Hon. FRANCIS G. NEWLANDS and Hon. KEY PITTMAN, Senators from the State of Nevada, and Hon. HENRY L. MYERS and Hon. THOMAS J. WALSH, Senators from the State of Montana, appeared.)

The ACTING CHAIRMAN (Senator OVERMAN). Mr. Roberts, we will be glad to hear you. You have Document No. 88 before you?

Mr. ROBERTS. Yes, sir. The items on the assay offices are at page 5.

Senator OVERMAN (to Senator NEWLANDS). Do you desire to be heard before Mr. Roberts proceeds?

Mr. ROBERTS. Perhaps you had better let me state the facts.

Senator NEWLANDS. All right.

ASSAY OFFICES.

Mr. ROBERTS. My appearance, Mr. Chairman, is due to differences which arose between the Senate and House over the assay offices at the close of the last session in the legislative, executive, and judicial appropriation bill. You will remember that differences arose, and the conferees were deadlocked up to the last day of the session.

Senator OVERMAN. Yes; all night long.

Mr. ROBERTS. They finally came to an agreement in the last hours of the session by making a severe cut in the appropriations for five of the assay offices. Those cuts were made without any consultation with the department, and it is because the sums appropriated are inadequate to carry these offices through the year and in some respects to carry them even into the next session of Congress, that I appear before you.

Senator OVERMAN. They all ought to be abolished, however.

Mr. ROBERTS. That is not the question I suppose to-day.

Senator NEWLANDS. Oh, no.

Senator OVERMAN. The only way it seems to get rid of them is not to make the appropriations.

Mr. ROBERTS. It is for the reason stated that I thought it necessary to make a statement to you.

The House committee proposed to abolish the offices at Carson, Boise, Deadwood, Helena, and Salt Lake City. The bill passed the House in that state. The Senate restored the appropriations and finally in conference these cuts were made.

We had estimated that we would require $25,000 for the transportation of coin and bullion between the mints and assay offices. Nearly all of that is expended for the transportation of the bullion which is purchased at the assay offices to the mints. We buy the bullion at the assay offices; it becomes the property of the Government, and in order to become available at all of course it must be transported to a mint. We asked for $25,000 for that purpose, and the House cut it to $10,000, no doubt upon the theory that there were going to be five less assay offices than the previous year. Then they put back the five offices in the bill and did not restore the appropriation for the transportation of bullion. They gave us only $10,000 instead of the $25,000 we asked for and which will be necessary.

Senator OVERMAN. Are you buying any bullion at these offices?

Mr. ROBERTS. We are buying it. We have expended for the transportation of bullion since the 1st of July $6,576.69.

Senator OVERMAN. In three months?

Mr. ROBERTS. In less than three months. It will be three months at the end of September.

Senator PERKINS. To-day is the 22d.

Mr. ROBERTS. To-day is the 22d. Our appropriation for the transportation of bullion will be exhausted before Congress meets in regular session in December. These offices are not equipped with modern vaults or safes. We do not consider it desirable or prudent to be accumulating bullion in any considerable quantity there. It is absolutely necessary to transport the bullion.

Senator PERKINS. How much do you estimate is required?

Mr. ROBERTS. We ask for our original estimate, $25,000 in all, or $15,000 in this bill.

Senator OVERMAN. Have you transported more in the past three months than you will transport in the next three?

Mr. ROBERTS. Perhaps so. The summer season is rather heavier, but we will require the full appropriation of $25,000. There is some question whether it will be enough, but that was our original estimate.

Senator OVERMAN. How do you transport the bullion, by express?

Mr. ROBERTS. By express.

Senator OVERMAN. Express charges have gone down somewhat, have they not?

Mr. ROBERTS. I have not heard of it.

Senator PERKINS. It is claimed that the parcel post is ruining their business.

Senator OVERMAN. You could not ship bullion by parcel post?

Senator PERKINS. As a matter of fact, it has been shipped by registered mail.

Mr. ROBERTS. There is some bullion shipped by registered mail. The chief difficulty arises in the delivery from the post office to the mint. The postmaster at San Francisco declines to deliver the bullion to the mint; he will not assume that risk, and the superintendent of the mint declines to go to the post office for it and assume the risk himself, and there you are.

Senator PERKINS. That presents a rather embarrassing situation.

Senator OVERMAN. Yes; that is very plain. How about the next item, contingent expenses, mint at Carson, Nev., $1,000?

Mr. ROBERTS. The conference committee made a very heavy reduction in wages and salaries; too heavy, in my opinion, but I have not asked for anything to supplement that for the remainder of this year. We have had two resignations as a result of it, but have been able to fill the places temporarily any way, and I think we can perhaps get through the year. But when it comes to incidental and contingent expenses they can not be arbitrarily reduced. Those are expenditures for fuel and lights and water and crucibles and acids and things of that kind. If the business of the offices keeps up, if their receipts are as heavy as they were before, those expenses will necessarily have to be just about what they have been in the past. All these things are bought under proposals from the lowest bidder, and I do not know how to reduce those expenses. We have asked for $1,000 additional. For instance, here is Boise. Last year——

Senator OVERMAN. But that is not a deficiency. You are asking for an additional appropriation, and that will come in the next regular appropriation bill.

Mr. ROBERTS. Senator, the law is very strict about creating deficiencies nowadays. Furthermore, section 3679 provides—let me read the statute:

"No department of the Government shall expend in any one fiscal year any sum in excess of appropriations made by Congress for that fiscal year or involve the Government in any contract for the future payment of money in excess of such appropriations. * * *

"* * * All appropriations made for contingent expenses or other general purposes, except appropriations made for the fulfillment of contract obligations expressly authorized by law, or for objects required or authorized by law without reference to the amounts annually appropriated therefor, shall, on or before the beginning of each fiscal year, be so apportioned by monthly or other allotments as to prevent undue expenditures in one portion of the year that may require deficiency or additional appropriations to complete the service of the fiscal year. * * * Any provision of this section

shall be summarily removed from office and may also be punished by a fine of not less than $100 or by imprisonment for not less than one month."

I doubt whether we ought to spend from month to month now more than the monthly proportion of the year's expenditure. We have been obliged to do it so far, but I have felt warranted in doing it under the conditions, and I felt it was my duty to bring the facts before the committee.

These appropriations will not run one-half through the year. We will be out of money probably before the regular deficiency bill is acted upon at the next session, and inasmuch as it is now a criminal offense to create a deficiency I do not intend to create one myself in any office under my jurisdiction.

Senator OVERMAN. I wish all officers were like you.

Mr. ROBERTS. At the Boise office last year we had an appropriation of $2,500 for contingent expenses. This year it is cut to $1,000. The actual expenditures last year were $1,966.03. We have asked for another thousand dollars there.

At Helena last year we had an appropriation of $3,250. That was cut to $1,000. The actual expenditures last year were $2,328.58.

At Salt Lake City last year the appropriation was $3,500. The appropriation is $1,000. The actual expenditures were $2,711.35. We have asked for another thousand dollars there.

At Carson City last year the appropriation was $3,000. The actual expenditures were $1,997.12. We have asked for another thousand dollars.

At Deadwood the appropriation last year was $1,500. The amount now given is $500. The actual expenditures were $1,368.18. We have asked for another thousand dollars there.

Those appropriations are absolutely necessary if the offices are to be continued through the present fiscal year.

All of these reductions were effected, as I have said, in conference in a very hasty and arbitrary way, without any consultation with the department. I thought it was important that the committee should have the facts put before them, because the assay offices will have to be closed unless some additional funds are provided for them. I will turn the case over to Senators NEWLANDS and PITTMAN.

Senator NEWLANDS. Mr. Chairman, may I ask Mr. Roberts a question or two?

Senator OVERMAN. You may ask him any question you desire, Senator NEWLANDS.

Senator NEWLANDS. Mr. Roberts, assuming that these appropriations that you asked for are made in this deficiency bill, what will be the total expense for the year of maintaining the five assay offices mentioned in the bill?

Mr. ROBERTS. I will give you the total by putting down the sum for each office.

Senator OVERMAN. $20,000 is what is asked.

Senator NEWLANDS. What was the total amount appropriated last year for the assay offices at Carson, Boise, Deadwood, Helena, and Salt Lake City?

Mr. ROBERTS. I will have to figure that out.

Mr. REA. The incidental and continuent expenses for Carson were $3,000; Boise, $2,500; Deadwood, $1,500; Helena, Mont., $3,250; and Salt Lake City, $3,500.

Senator NEWLANDS. Now, what is the total of that?

Senator OVERMAN. $13,750.

Senator NEWLANDS. Then $25,000 is to be added?

Mr. ROBERTS. The total expense would be $43,000 this year if you grant the additional appropriation we have asked.

Senator NEWLANDS. $43,000 for this year?

Mr. ROBERTS. Yes; for all. That does not include the transportation of coin and bullion.

Senator NEWLANDS. That would be $15,000 more?

Mr. ROBERTS. It would be $25,000 more.

Senator NEWLANDS. Then what would be the total?

Mr. ROBERTS. $68,000.

Senator NEWLANDS. That includes the $20,000 you ask for now as a deficiency?

Mr. ROBERTS. Yes.

Senator NEWLANDS. Would those sums adequately provide for these assay offices?

Mr. ROBERTS. Senator, I think some of these salaries were cut too low, and if the offices are to be maintained there should be a little more money for the men. These are responsible positions. These men assay the bullion and pay for it. They are authorized to draw checks on the Treasury of the United States in payment for bullion. They buy several million dollars' worth in a year. They should be competent assayers and men of some standing and some responsibility.

Furthermore, there should be help enough in each office so that it is not all dependent upon one man. We would like to have two men competent to check each other. In assay work there should be one man there in case the other is sick, and there should be some opportunity for vacations, and so on. All that is wiped out by the reductions that were made in conference. But I have not asked for any reconsideration of the appropriation for wages or salaries this year.

Senator NEWLANDS. I simply inquire what sum would be required to adequately meet the demands at these assay offices for the purposes for which they are intended. How much would you add to the $68,000?

Mr. ROBERTS. Just let me make some figures and I will give you the total amount that was given to us last year, and that is not very far out of the way.

Senator OVERMAN (to Senator NEWLANDS). Do you propose to ask for an appropriation for that purpose in this bill?

Senator NEWLANDS. No; not in this bill. I thought it might be well to get the information just now for the committee and for ourselves.

Senator OVERMAN. You can send an estimate down in the next appropriation bill for all these items.

Mr. ROBERTS. Yes; we will submit our estimate, of course, for the next year, but I will give you these figures. Our appropriations last year were $91,890.

Senator NEWLANDS. That was sufficient to meet all the requirements?

Mr. ROBERTS. Yes.

STATEMENT OF SENATOR FRANCIS G. NEWLANDS.

Senator NEWLANDS. Mr. Chairman, I wish to present briefly the views of myself and my colleague regarding this matter. There is general legislation now upon the statute books providing for an assay office at each one of these places and fixing the salaries of the officials.

Senator OVERMAN. No.

Senator NEWLANDS. I think so.

Senator OVERMAN. A statute fixing the officers and all that, but the salaries are fixed in the legislative, executive, and judicial appropriation bill every year.

Mr. ROBERTS. Excuse me. I think the salaries were carried in the original act for a part of the officials anyway—the important ones.

Senator OVERMAN. For a part of them, not all of them.

Mr. ROBERTS. For the head of the office, I think, in nearly every case.

Senator NEWLANDS. Yes; and probably you will find that the salaries of some of the subordinates were stated.

Senator OVERMAN. That may be.

Senator NEWLANDS. Congress has determined that these assay offices shall exist at these places. It has determined that there shall be certain officials at them. It has determined that those officials shall have certain salaries, and the implication, of course, is that the Appropriation Committees will annually appropriate all the moneys that are necessary to conduct those offices in order that they may satisfy the purpose of their existence.

There is but one orderly way of getting the will of Congress regarding the legislation that is now on the statute books, and that is either to repeal it or to amend it. What do we find? We find that the department, in the interest of economy and without taking the general welfare of the mining industry into consideration, has recommended annually that these assay offices shall be abandoned.

Now, what is the orderly way of complying with that recommendation? It is to introduce a bill to repeal the existing law. Instead of that we have been compelled practically to submit to the will of but one body, and that is the House, because the Senate has uniformly been against the repeal of the legislation. So we find the law practically annulled by the action of the House, and that annulment is secured through the coercion of the Senate. I say it is time that the Senate should, in defense of its own dignity as well as in the maintenance of the law, take a firm stand against that position.

Senator OVERMAN. It did last year.

Senator NEWLANDS. It did; but it had to surrender at last.

Senator OVERMAN. No; we have not surrendered.

Senator NEWLANDS. I mean to say it had to yield, in a measure.

Senator OVERMAN. It yielded in the amount of money appropriated.

Senator NEWLANDS. I understand. I am not casting any reflections upon the Senate committee, because under all the circumstances it did the best it could, but it seems to me the fight ought to be renewed. We have this fight now, and the Senate ought to take a firm stand. It seems to me the thing to do is to put here in the deficiency bill the amounts that the department says are necessary in order to properly conduct these offices and to insist upon their retention in the bill.

If this matter comes up in an orderly way before the proper committee, for the first time the men in the mining States will be allowed an opportunity to be heard before a committee that is constituted for the purpose of hearing that particular matter. The Committee on Appropriations, of course, is called upon to make the appropriations authorized by law. It has nothing whatever to do with the original legislation, of course, upon these subjects. If we can go before the proper committee, then we will have the opportunity to present this matter.

Mr. ROBERTS. The conferees did reach an agreement that the offices should be maintained, and I think it was purely through inadvertence that the appropriations were cut as much as they were. The reduction for the transportation of bullion, I take it, was a matter of pure inadvertence.

Senator NEWLANDS. It may be so, but I assume that the real purpose was to cripple this service.

Mr. ROBERTS. The House intended to abolish the offices.

Senator NEWLANDS. As I said, if these matters should come up before the proper committee, a committee having jurisdiction, the men representing the mining regions would then have an opportunity to present not only the question of economy of administration but also to present the question of meeting a great public want. The National Government has throughout its legislation done certain things in the interest of certain occupations and industries. It has treated the agricultural industry as one that ought to be sustained. It is appropriating millions of dollars annually for educational and experimental work regarding agriculture. The mining industry is one just as important, and it is a more important one in those States.

What we contend is that the consideration addressed to this subject should not be merely as to how the Treasury Department can be most economically administered, but what proper legislation the Congress of the United States should adopt with a view to meet the conveniences and the wants of the great mining industry. Of course, all that could be presented before the Committee on Appropriations, but it would necessarily prolong your hearings. However, there is a side to be presented, and most vigorously presented, on behalf of the mining States. We do not present it to you now or to the entire committee simply because we think that there is an orderly way of presenting it.

Senator OVERMAN. I fully agree with you. I took that position before, as you will remember.

Senator NEWLANDS. I know.

Senator OVERMAN. But the House insisted upon it, and we had to reduce the allowance. Now, having succeeded in our fight to hold these offices, the only question is whether we will increase this appropriation, which was a matter of compromise. It seems to me that the Secretary has made a good showing here for increasing the contingent expenses.

Senator NEWLANDS. I think so, and also for the transportation charge.

STATEMENT OF SENATOR THOMAS J. WALSH.

Senator WALSH. Mr. Chairman, I had some correspondence some time ago with Mr. Miller, the assayer in charge at Helena.

Mr. ROBERTS. I have his letter making his bottom estimate of what he could get along with for ordinary contingent expenses. They have given us only $1,000. He has placed $2,200 as the least he can get along with. However, I have cut him $200. My estimate is $2,000.

Senator NEWLANDS. I was just contending that these assay offices are authorized by law, that the salaries are fixed by law, and the functions of the officers are fixed by law, and, of course, those laws should not be practically annulled by legislation on an appropriation bill. The orderly way would be to bring in a bill and have it considered by the proper committee, where all parties interested in the measure could be heard.

Senator WALSH. As a surrender of the functions of government. It would be exactly the same as if Congress refused to make an appropriation for the salaries of judges. Of course the judgeships would still exist, the courts would exist, but you could not do anything. They stand upon exactly the same footing. As you see, these assay offices were established by law, and the law fixes the salaries, and if you do not make provision for them it is simply the same as if you did not make provision for other necessary governmental functions.

Senator NEWLANDS. It is my understanding that the entire people of the mining region regard these assay offices as great aids to convenience in the mining industry.

Senator WALSH. Of course; 40 years' experience has demonstrated their utility and the necessity for them.

Senator OVERMAN. We have one at Salt Lake City, one at Deadwood, S. Dak., one at Boise, one at Helena, and one at Carson. I fully agree with you. The Senate has taken the same position, and by reason of it we have succeeded in holding these offices after a very hard fight lasting for four weeks here. I will ask you if, in your opinion, we could get along without so many of these assay offices? They are all situated in that particular territory. There is one at Helena and one at Deadwood. How about the one at Deadwood?

Senator WALSH. Of course I do not undertake to speak about the one at Deadwood, but you can readily see how that would operate. Take the assay office at Deadwood. Of course there is no territory tributary to that except the Black Hills. Suppose you abolish the assay office at Deadwood. Every man who goes out and works a little prospect in the hills and establishes a mill there operates it by the cyanide process or amalgamation. He takes his retort, and he has then got to either ship it, with the chances of loss, to Salt Lake City or to Helena or to some of the other places, or else he has got to sell it to a dealer. The opportunities are not given for testing the fineness and that kind of thing. Naturally it is a loss to him, and it is a discouragement to prospecting and to the development of the mines in that region.

Senator OVERMAN. Is it not the truth that notwithstanding they have this assay office they ship, say, 100 miles, and they would only have to ship it farther?

Senator WALSH. Of course there is this to be said about Deadwood. The Homestake Mine, I presume, represents perhaps 90 per cent of the output of the Black Hills region, and probably they are fairly well equipped to handle their business and to take care of shipments by express, and all that. So I do not undertake to speak of that. I do not know exactly how it is, but take any of these other offices. Take the assay office at Carson City, Nev., for instance. I do not know where those people would go with their dust from their placer mines or their retorts or their bullion in case of amalgamation or the cyanide process. The assay office at San Francisco would be of no use to them. They might just as well send to the mint at Philadelphia.

Senator PITTMAN. Another element enters into it, and that is delay in the receipt of returns. I will state simply as an illustration that I was operating a placer proposition in Nevada. It is a placer proposition where there is just a little profit out of it, and a man must have a quick return to keep his mine going. The idea is that they can get their bullion turned in on Saturday and get their money back on Monday, so that they can keep their crews going. I know other men operating in that country the way I was doing business sent some of their bullion to San Francisco, and they found it very impracticable, because it would be a week or 10 days before they got a return, and that made a big difference to them.

Senator WALSH. Of course there is only a right understanding of this matter in the locality, and that is only by reason of the fact that that is the only place where there is any occasion for it.

Senator OVERMAN. We had one in my own State which was abolished. Of course we have a good deal of it in my State, and we ship to Philadelphia, 500 miles away.

Senator WALSH. It is not any farther from your State to the mint in Philadelphia than it is between any of the assay offices here. The nearest to us would be Salt Lake City, which is about 450 miles from Helena.

Senator OVERMAN. How about Boise?

Senator WALSH. Boise would be 100 miles farther.

Senator PITTMAN. We have a lot of buildings in most of those places, and the expense of keeping watchmen to watch those buildings would call for an appropriation which would go far in carrying on the office.

ADDITIONAL STATEMENT OF GEORGE E. ROBERTS, DIRECTOR OF THE MINT.

Senator OVERMAN. I think Mr. Roberts has made a good showing, and I am inclined to allow his estimate as far as I am concerned.

Mr. ROBERTS. Excuse me, Mr. Chairman, it seems to me that the conference committee agreed that the offices should be maintained, and I take it they supposed that the amount allowed would be enough to maintain them. They seem to have thought that a great economy might be effected. Whatever one may think about the necessity for these offices, and there may be some difference of opinion about that, if they are going to be conducted there ought to be money enough to conduct them properly, and I think there certainly should be an appropriation sufficient to carry them through this fiscal year.

Senator OVERMAN. You have been in favor of abolishing these offices. I should like to have these Senators from mining States hear the reasons why you think they should be abolished.

Mr. ROBERTS. I am perfectly willing to go into that, if you think this is the proper time to do it, but really I have never talked with the present Secretary of the Treasury upon the subject, and I do not feel that I am authorized to express the view of the department upon it.

Senator OVERMAN. I will not insist upon it.

Mr. ROBERTS. The one thing that is before us now is the question of supplying money enough to continue these offices through the present fiscal year. I am trying my best to get that. When the regular appropriation bill comes up next winter for the following fiscal year then the whole question of the policy in regard to these offices would properly come up.

Senator OVERMAN. I see why you should confer with the Secretary of the Treasury, because he might have a different opinion in regard to it.

Mr. ROBERTS. He may have. It seems to me that the proper thing to do is to give us the money that is absolutely necessary, if you make the estimate as low as possible, to carry these offices through the present fiscal year.

Senator WALSH. In fact, on examining the rolls at Helena I am surprised at the meager salaries that are paid to maintain that office.

Senator NEWLANDS. They are very small.

Mr. ROBERTS. I think they cut the salaries too low. I have stated that here.

Senator WALSH. An assayer gets $1,800 a year, $150 a month.

STATEMENT OF SENATOR HENRY L. MYERS.

Senator MYERS. Mr. Chairman, I desire to be put on record as being in very hearty accord with Senators WALSH, NEWLANDS, and PITTMAN in this matter. I am satisfied that these offices ought to be continued. I am very much impressed with what Mr. Roberts has said, that appropriations ought to be made to run through the current year, and then at the regular session of Congress next winter the present administration will have an opportunity to consider the policy to be adopted in regard to them. This administration was not in power a year ago when the attempt was made to cut them off. I think the appropriations ought to be made for the full year, and then let the administration go on record. The offices ought to be permitted to have sufficient funds to run until the end of the fiscal year without being crippled in their work.

I know that in Montana this is a matter of very great importance, and I assume it is equally so in Idaho, Utah, Nevada, and other mining States. It would be a very great handicap to the mining men of Montana to be deprived of their assay office. I hope that the appropriation will be rounded out at least for the current year.

Senator OVERMAN. We are very much obliged to you, gentlemen.

Mr. FITZGERALD. Mr. Speaker, the gentleman from California [Mr. RAKER] who is so much interested in the mints and assay offices should be aware of the fact that there is no mint in New York City, and that there is no allowance for any mint in New York City in this bill, or for the mint in Philadelphia. If it were intended merely to arouse the prejudices of Members of the House, at least it should be based upon facts and not merely upon some imaginary things coined from the brain of the gentleman from California.

Mr. SMITH of Idaho. Mr. Speaker——

The SPEAKER. Will the gentleman from New York [Mr. FITZGERALD] yield to the gentleman from Idaho [Mr. SMITH]?

Mr. FITZGERALD. No; not at present. I wish to make a statement of a few moments to the House. These useless assay offices have been pressed for abolition for the last five or six years. The report of the Secretary of the Treasury for 1912, summing it up, says:

On the whole these offices involve an expense to the Treasury altogether disproportionate to the slight service rendered to the mining industry in whose supposed interest they are maintained.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from New York yield to the gentleman from California?

Mr. FITZGERALD. No; I will not yield to the gentleman at present.

The SPEAKER. The gentleman declines to yield.

Mr. RAKER. But, Mr. Speaker——

Mr. FITZGERALD. I insist, Mr. Speaker, that the gentleman take his seat.

Mr. RAKER. A parliamentary inquiry, Mr. Speaker.

Mr. FITZGERALD. I decline to yield to a parliamentary inquiry. The gentleman can not take me off my feet in that way.

Mr. RAKER. Now, Mr. Speaker——

Mr. FITZGERALD. I will not yield to the gentleman from California at this time.

Mr. RAKER. Is there any way to get the Speaker's attention at all?

The SPEAKER. Not until the gentleman gets through.

Mr. RAKER. With any kind of a statement?

The SPEAKER. The gentleman can not interrupt the gentleman from New York without his consent.

Mr. RAKER. Well, my purpose is to call the Speaker's attention to a certain matter. Is there not a chance to get the Speaker's attention at all?

The SPEAKER. Not when another gentleman has the floor.

Mr. RAKER. Is there not a chance on a parliamentary inquiry?

The SPEAKER. No.

Mr. RAKER. I have seen it done here ever since I have been a Member of the House.

Mr. FITZGERALD. I do not propose to have gentlemen interfere with my rights on the floor, however much they may do it with others. It seems impossible for anybody to attempt to make a connected statement lasting more than one minute without some gentleman, convinced that he knows so much more than everybody else in the House, desiring either to make a speech under the guise of a question or under a so-called parliamentary inquiry [applause], and a gentleman can not be heard while some one else is on the floor without his consent, because two men can not speak at one time under the rules of the House.

Mr. Speaker, I think I have been fairly liberal to Members interested in these items, considering the stage of the business at this session. While I have no desire to be discourteous, but to give gentlemen an opportunity to present their views, gentlemen should at least respect my request that I be permitted to make a statement about this matter to the House, and I shall not yield for interruptions until I have completed the statement. I wish to give notice to the House generally that I do not propose at any time to have gentlemen, upon the presumed right to present a parliamentary inquiry, take me from the floor or interrupt me in my right to the floor when I have it. They have no right to do it, and I shall not tolerate, so far as I am concerned, such interruptions when I occupy the floor. It is becoming an intolerable nuisance to everybody.

Mr. RAKER. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. RAKER. Is it permissible to inquire of the Chair and raise a point of order when a gentleman is not discussing at all the question at issue before the House?

The SPEAKER. That point of order is always in order.

Mr. RAKER. I just supposed from what the gentleman said that it was impossible to suggest anything when he was on his feet.

Mr. FITZGERALD. I protest, Mr. Speaker, that the gentleman is not in order.

Mr. RAKER. We are both in the same condition.

The SPEAKER. The gentleman from New York has the floor.

Mr. RAKER. A point of order, Mr. Speaker.

The SPEAKER. If the gentleman from California has a point of order that is applicable, the Chair will hear him.

Mr. RAKER. My point of order is, whether or not it is in order for any gentleman to be scolding and lecturing Members on something that does not apply to the bill?

The SPEAKER. The gentleman is not making a point of order at all.

Mr. FITZGERALD. Mr. Speaker, to return now to these worthless assay offices, two years ago, after a very thorough investigation, the Committee on Appropriations recommended that all of the assay offices, including the one at Seattle and the one which was operated in connection with the San Francisco Mint, be abolished. There was no question as to the propriety of that action, but there were so many different offices involved, affecting sections of the country represented by so many Members of Congress, and certain other collateral issues assisting in the matter that the House restored all of these offices to the bill. In the last session of Congress the Committee on Appropriations reported the bill without any provision being made for those at Boise, Idaho, Helena, and Salt Lake City. The Deadwood office was in the bill as reported by the Committee on Appropriations, and the appropriation for that office was stricken out in the House. After the legislative bill went to the Senate the Senate inserted, by way of amendment, appropriations for the maintenance of all of these offices in amounts equal to the amounts that had been appropriated for the prior year. In the adjustment of differences between the

two Houses the amounts allowed for these various offices were reduced by the sums which now appear in this bill as Senate amendments. In other words, the Senate having made certain concessions in the legislative bill, in order to obtain concessions from the House so that an agreement might be reached, now undertakes to take back the things that it gave up as a consideration for certain action by the House. Gentlemen are very much mistaken when they assert that these assay offices are necessary or essential or highly valuable to the mining industry. The testimony that has been adduced before the committees of Congress is that they are of unnecessary expense and that the work can be much better and more economically conducted by the abolition of these particular offices.

These offices have had some provision made for them, and the Director of the Mint says that in order to have them maintained and conducted at the same capacity that they were conducted during the preceding year it is necessary that these amounts be appropriated. But the purpose of the Congress was indicated that they should not be conducted at the same capacity, and this was the first step taken toward the abolition of these offices. If they are ever to be abolished, if they are ever to be eliminated because they are unnecessary, it seemed necessary that it be done by degrees. Unless the House wishes to reverse its action, ignore the recommendations of everyone who has been connected with the service and who has been endeavoring to eliminate unnecessary and useless services, it will not restore these items, but will insist upon the disagreement of the House to the Senate amendment. Now, I am willing to yield to the gentleman from California.

Mr. RAKER. Mr. Speaker, I would like to be in a position to ask the gentleman from New York a question and make a statement. I know the gentleman from New York would not under any circumstances make a statement that he thought was not borne out by the facts, and he would not accuse me of making a statement that the facts did not warrant. I want to call attention to the fact that the law provides in the public act 437 for an assay office at New York, with an expenditure in the neighborhood of $1,000 at one place, $80,000 at another, and $60,000 at another. I want to call attention to the further fact that the Director of the Mint has himself stated, on page 50 of the hearings before the subcommittee on the bill for 1914, after giving the names of those that are reduced:

At New York there is an increase of $14,250. The statute provides for an assay office at New York, for an expenditure very near $150,000.

And I know that the gentleman from New York did not intend to make the statement——

Mr. FITZGERALD. The gentleman from California did not speak of an assay office at New York; he said a mint.

Mr. RAKER. If I said so, it was a lapsus linguæ.

Mr. FITZGERALD. I suppose everybody understands that there is an assay office at New York. There is a reason for it. There is more gold brought into the city of New York, perhaps, than any other city in the United States where there is an assay office. The constant shipping of bullion to this country from Europe in settlement of trade balances makes it absolutely essential that the Government have facilities for assaying and determining the value of that bullion which is used in the settlement of customhouse duties.

Mr. RAKER. That being so relative to New York, which we all admit, why should not the little communities of the West have some place that they may have a clearing house and settle their differences and dispose of their bullion? Give the little fellow a chance.

Mr. FITZGERALD. It is not at all essential for the little communities to have an assay office, but it is essential to have an assay office at New York. If some other port had the commercial supremacy possessed by the port of New York, that is where the assay office and refinery should be. It is anticipated that with the completion of the improvements being made there in time there will be $1,000,000,000 of gold stored in that office. Provision is being made for a much larger amount. The assay office is there because the transportation from Europe to this country of gold, both in bullion and coin, makes it essential, so that when an attempt is made to settle balances in gold it can be assayed at once. I think the House understands the situation, and I ask for a vote.

Mr. SMITH of Idaho. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. Certainly.

Mr. SMITH of Idaho. In view of the fact that the Director of the Mint has stated that the amount appropriated for the contingent expenses under the last appropriation bill would be expended by the 1st of January or February, what does the chairman of the Committee on Appropriations propose to do with reference to continuing these offices until the close of the fiscal year?

Mr. FITZGERALD. Mr. Speaker, the law provides that appropriations for contingent expenses shall be apportioned so as to prevent the expenditure of more in any one quarter or period of the year than in another; and how the Director of the Mint proposes to expend this money all in the first six months of the year without violating the law I am unable to comprehend. If he obeys the law, he can not expend the contingent fund in the first six months; and if he proposes to do it, then he should suffer the penalty provided by the statute. He should be compelled to retire from office.

Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on agreeing to the motion of the gentleman from California [Mr. RAKER] that the House recede from its disagreement to Senate amendments 27 to 33, both inclusive, and concur in the same.

The question was taken; and on a division (demanded by Mr. RAKER) there were—ayes 44, noes 94.

Mr. RAKER. Mr. Speaker, I demand tellers.

The SPEAKER. The gentleman from California demands tellers. Those in favor of ordering tellers will rise and stand until counted. [After counting.] Nine Members; not a sufficient number, and the motion of the gentleman from California is rejected.

The question now is on the motion of the gentleman from New York that the House further insist on its disagreement to Senate amendments 27 to 33, both inclusive.

The question was taken, and the motion was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to—

Mr. SLEMP, for two days, on account of important business.

Mr. ALEXANDER, indefinitely, on account of sickness in family.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I ask that the Clerk report the next amendment.

The Clerk read as follows:

Amendment 44:

MILITARY ESTABLISHMENT.

Arming and equipping the militia, allotment State of Ohio: For replacing military stores, supplies, and equipments lost by the National Guard of the State of Ohio during the recent floods in Ohio during March and April, 1913, $78,670.87.

Mr. FITZGERALD. Mr. Speaker, I move that the House further insist on its disagreement to Senate amendment 44.

Mr. WHITE. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment 44 and concur in the same.

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. WHITE].

Mr. WHITE. Mr. Speaker, I need not call the attention of the House to the fact that we had a flood, or what might be more properly termed a calamity, in Ohio during the later part of March and the first part of April of this year, and that the loss in life and property due to that flood was tremendous. The State was weighed down under the great calamity. The Nation at large was charitable, and through the Red Cross Society funds and supplies poured in at this time of our distress.

This amendment provides:

For replacing military stores, supplies, and equipments lost by the National Guard of the State of Ohio during the recent flood in Ohio during March and April, 1913, $78,670.87.

The National Guard, 6,000 strong, was ordered out at the time of the flood, and I can testify to the efficiency and bravery of three companies of the Seventh Regiment, Col. Harry Knox commanding, in my home town of Marietta, where, with 15,000 inhabitants, three-fourths of the city in area and population was under water for five days. These men in skiffs that were frail and inadequate rescued, under my own observation, women and children from the roofs of houses coming down the Muskingum River in a terrific current. These men were in service for some six weeks, over the State. There were several cities and sections of the State in the same condition that we were in. They used up clothing, shoes, and overcoats and other equipment because they were forced to labor in a sea of mud, which was naturally very destructive to all kinds of wearing apparel.

Now, perhaps I might say for the information of the House that, under section 1661 of the Revised Statutes, $2,000,000 are annually appropriated for the National Guard of the country, and under the Dick law $2,000,000. The first amount is given out to the several States in proportion to their Congressmen and Senators, and under the other, the Dick law, in proportion to the registered strength of the Organized Militia of the State, not including the officers. The State of Ohio appropriates annually about $248,000 for the National Guard, and in this disaster she appropriated in addition $350,000 for the National Guard. The fact that the National Government recognizes the National Guard in appropriations annually under one bill for rifle practice and under another for Army supplies and equipment justifies us, in my opinion, in coming before the House and asking that the supplies, clothing, and equipment that were lost or rendered unfit for use through the service of the men in the flood should be replaced by the National Government. It is, in other words, asking the Government to put back the National Guard in the shape it found itself at the beginning of the flood.

Mr. SHARP. Will the gentleman yield to a question?

Mr. WHITE. I will.

Mr. SHARP. Is it not also true in that connection that very recently the Secretary of War has written a letter indorsing this proposition and this appropriation?

Mr. WHITE. I understand so. The appropriation, I might have stated, has the indorsement of the Secretary of War.

Mr. TOWNER. Will the gentleman yield?

Mr. WHITE. I will.

Mr. TOWNER. I would like to ask the gentleman if this is for the purpose of replacing munitions, matériel, and arms furnished by the National Government to the Ohio National Guard?

Mr. WHITE. I so understand it.

Mr. TOWNER. In other words, the situation is this: The National Government has supplied the Ohio National Guard with this equipment, and so forth, for service. It was destroyed by the flood, and all that is now asked is that the Government should make this appropriation to place them in the condition they were before the flood occurred.

Mr. WHITE. That is correct. The accounts have been audited by the Quartermaster's Department of the Army and we feel justified in asking the House to concur in the Senate amendment and to put back the National Guard of Ohio so that in case of call, which we all hope will not occur, she will be ready to go to the front as Ohio has always been ready to go to the front in defense of the Nation. [Applause.]

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Speaker, I desire to pay my tribute, from personal observation, to the merits of the bill in question. In common with many people in my State, and possibly in other States, I may have had an insufficient idea of the value of the citizen soldiery. But in my congressional district two towns suffered the most from the flood which swept the Ohio Valley. They were the cities of Dayton and Hamilton; and with the receding of the muddy waters the civil government was entirely lost, and the first thing which the people did was to stretch out their arms for aid and make appeals to the National Government and the State government for troops; and I am proud to say that both responded in a most fitting way; and the Government of the United States is to be commended by the people of all the country for the service it rendered on that occasion in the Ohio Valley; and the National Guard of the State of Ohio, every company partaking of the work there, is to be commended for its work in behalf of its stricken fellow citizens. Now, I know that the National Guard of the State of Ohio stayed from four to seven weeks in mud and in water and discharged the duties imposed upon them as courageously as it was possible for them to do, and I know that when the waves went down and the waters receded that along with this temporary cessation from flood came the visitation of the ghoul and the looter, and the cities of Dayton and Hamilton and Marietta and Zanesville and Columbus, in the State of Ohio, were entirely at the mercy of the marauder, and it was none other than the National Guard which stood firm in the protection of the lives and the property of my fellow citizens. And I know that the merits of this bill must appeal to every man upon this floor, because it is not a thing of obtaining something for nothing; it is a matter of placing the National Guard of Ohio back where they were, so that they can perform military duty again.

These uniforms, the issues of equipment, everything necessary for their aid in action, had been apportioned to them by the Federal Government. They have been destroyed. The National Guard of Ohio faces an urgent deficiency in uniforms and necessary equipment. The men are there, the spirit of self-sacrifice is there, the desire to aid their fellow citizens is there, but the equipment is gone, rendered useless and destroyed by the action of the Ohio flood; and in this connection now, all that is asked in this bill——

Mr. BARTLETT. May I interrupt the gentleman just a moment?

Mr. GARD. Certainly.

Mr. BARTLETT. Will the gentleman give us some idea—of course I have no doubt they did a great deal—of how much the State of Ohio had appropriated to aid these sufferers? It did its duty, no doubt.

Mr. GARD. To aid the sufferers?

Mr. BARTLETT. Yes; or the National Guard.

Mr. WHITE. Three hundred and sixty thousand dollars.

Mr. GARD. Three hundred and sixty thousand dollars has been appropriated to aid the National Guard, I understand. The State of Ohio and every other State in the American Union, as well as foreign countries, have been swift to respond to appeals for aid not alone for the State of Ohio but other States in the Union stricken by this flood, and this speaks most highly for the spirit of brotherhood which should prevail between us.

Mr. SHERLEY. If the gentleman will yield, do I understand that you have voted $300,000 for the use of the National Guard that would not have been voted except for the flood?

Mr. GARD. No; I think not.

Mr. WHITE. Yes. Three hundred and sixty thousand dollars.

Mr. SHERLEY. What does that go for?

Mr. WHITE. It goes for transportation and subsistence.

Mr. SHERLEY. For the work they did then and there. But what have you done toward equipment? Have you done anything?

Mr. WHITE. I do not believe so. That came on a national appropriation.

Mr. SHERLEY. And the fact that you received the gift in the first instance makes a reason for the gift in the second instance?

Mr. GARD. It is a continuing appropriation, I think.

Mr. RATHBRICK. The gentleman must understand it is not a gift. It is a payment under the law.

Mr. SHERLEY. It is a gift by a law or it could not come out of the Treasury. It is a gift to the State for the use of the National Guard, and your position is, having made the gift in one instance, because the National Guard has been used for State aid and in such use has destroyed this equipment, it should be paid over again?

Mr. GARD. My position is that the equipment of the National Guard, being a part of the equipment that belongs to the Government, and that equipment being destroyed, it should be restored to the National Guard where it belongs.

Mr. SHERLEY. How much did the State of Ohio contribute as a result of the flood, for all causes?

Mr. GARD. I am unable to state the exact amount contributed by the State of Ohio, but the sum expended ran into the millions of dollars.

Mr. SHERLEY. Is not the gentleman very much mistaken when he says it ran into millions of dollars? I think this is important for the House to know. The State is one of the richest States in the Union and able to take care of itself splendidly, and I have no doubt it has done so.

Mr. GARD. It has.

Mr. SHERLEY. And I think it is rather material to know what it has expended. The Government has gone to great expense already in connection with the flood; and if the gentleman can give me the information I would like to know how much was paid out.

The SPEAKER. The time of the gentleman from Ohio [Mr. GARD] has expired.

Mr. FITZGERALD. Mr. Speaker, I yield to the gentleman three minutes more.

Mr. HARDWICK. Will the gentleman yield to me for a question? I am asking for information, as I want to vote intelligently on this matter. As I understand it, under the law certain equipment was given to the National Guard of Ohio by the National Government?

Mr. GARD. Yes, sir.

Mr. WHITE. May I correct that? It was loaned.

Mr. HARDWICK. It was loaned. It is no matter. They went out on this flood duty, and while engaged in that duty the equipment was destroyed, and the proposition now is, as I understand it, that the Government ought to replace it, is it not?

Mr. GARD. Yes.

Mr. HARDWICK. I thoroughly agree with that. I wanted to understand it.

The SPEAKER. The gentleman from Ohio [Mr. GARD] is recognized for three minutes.

Mr. GARD. So that the House may understand, I will say that it is merely to place the National Guard of Ohio in the condition it was before the coming of this most disastrous flood.

As to the interrogation made by the gentleman from Kentucky as to Ohio taking care of its people, I am frank to say—I am proud to say—that the State of Ohio and all of its people rallied to the protection of those in the stricken districts. But I am also proud to say that every State in this American Union,

wherever the news of this disaster was heard, rallied likewise to the relief of the stricken cities in Ohio and Indiana and Kentucky and Illinois and wherever men were oppressed by this mighty flood, so that it is not alone the United States which has done its part, and I am free to admit that it has, but the people of the States and the individuals in all the States; and every man who realized his duty toward a brother man in distress has done his little part; and from all of this there has been builded up such a contribution as to rehabilitate not only the actual loss, but to give us back our confidence and hope for the future, so that the people of Ohio face with the utmost confidence that which is to come in the years which are before us.

And regarding the immediate merits of this bill I may only impress upon the Members of this House that it is simply to restore the Ohio National Guard to a position where they may be again active in the public defense or in the public protection. [Applause.]

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. BATHRICK].

The SPEAKER. The gentleman from Ohio [Mr. BATHRICK] is recognized for five minutes.

Mr. BATHRICK. Mr. Speaker, I think this is a plain business proposition. The Government of the United States under the law gave to the State of Ohio certain equipment. An itemized list of all the equipment that was lost in this flood appears in the RECORD. This list was sworn to by all the officers required to certify to it, including the adjutant general and the governor of the State of Ohio. It was shown that in some armories the water had risen as high as 13 feet, and while much equipment was lost in active duty by men in the field carrying on the work of saving lives and property, a great deal of this equipment was lost in the armories themselves.

Now, I believe that in the future the country will rely for the common defense largely on the militia in the States, our great reserve forces.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

The SPEAKER. Does the gentleman yield?

Mr. BATHRICK. Yes.

Mr. MANN. If I understand the matter correctly, the equipment that was lost was the equipment owned by the Government and loaned to the State?

Mr. BATHRICK. Yes. That is the statement in the RECORD.

Mr. BARTLETT. Mr. Speaker, if the gentleman will permit me, that is correct, but it was furnished under authority of a law passed by Congress, and the militia being a part of the Army of the United States, it is done by the direct law and authority of Congress.

Mr. MANN. Of course; loaned by authority of Congress; but the National Guard is to account to the Government for the equipment.

Mr. BARTLETT. The governor of the State, if the gentleman from Ohio [Mr. BATHRICK] will permit me, is responsible for it, and the various officers of the National Guard are compelled to give to the governor of the State a bond to account for all this equipment.

Mr. MANN. That is what I said. The National Guard is responsible for it.

Mr. BATHRICK. Now, if the gentleman will permit for just a second.

Mr. MANN. I wanted to ask the gentleman a question.

Mr. BATHRICK. The Secretary of War has written a letter relieving the governor of Ohio, the adjutant general, and all officers from responsibility for this equipment that was lost in the flood, and I think it remains only for the Government of the United States to make good under those circumstances. Now I will yield to the gentleman.

Mr. MANN. What is the effect of this proposition? Is it to further relieve or to refurnish equipment?

Mr. BATHRICK. To refurnish the equipment that was lost and given by the Government.

Mr. MANN. The equipment having belonged to the Government and being loaned to the National Guard, to be accounted for, and having been destroyed by this flood, the question is whether the Government will now reequip the National Guard?

Mr. BATHRICK. Exactly; and the Government, through the proper officer, the Secretary of War, has relieved the State of Ohio of responsibility for this lost equipment, and now it is desired that that equipment be replaced, not only for the good of the State of Ohio, which is a part of our national defense, but also because it is for the good of the whole country in maintaining our reserve militia.

The Secretary of War, under authority given him by law, having relieved the State, as shown, the Federal Government has assumed responsibility.

It is not requested that the State be the recipient of charity; we simply request that the National Guard in the Ohio branch of the whole service be not allowed to lapse into inefficiency because of disaster by act of God.

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. SHARP].

Mr. SHARP. Mr. Speaker, I have read the hearings before the House committee upon this appropriation, and it does seem to me as though there was no substantial reason why this amendment should not be agreed to. I do not know that I can add to—certainly not improve—the graphic description of my colleague [Mr. GARD] who comes from a city that was inundated by this tremendous flood. I am not in a position to give an adequate description of the horrors of it, because my home lies to the northward, high upon the shores of Lake Erie; but there was a common and sympathetic response all over Ohio. When the question was asked by the gentleman from Kentucky [Mr. SHERLEY] as to the amount of money expended by the State, I think possibly my friend and colleague [Mr. GARD] misunderstood when he replied that there were several million dollars expended. It was hardly responsive. There were several million dollars expended by the citizens of the State of Ohio, but I presume there were several hundred thousand dollars directly expended by the State government. But lest we lose sight of the material point at issue here, let me call attention to it.

This is not a gift. This is not for the personal benefit of any one of the 6,000 members devoted to the common defense, not alone of the State of Ohio but the entire Union. It is simply a replacing of goods that were destroyed, equipment that was destroyed, not by any fault of theirs, but through the active service performed and in obedience to the sworn duty of these guardsmen in an overwhelming catastrophe. The Secretary of War officially indorses this appropriation. Only a few weeks ago we remember that we had a serious threatened trouble down on the southwest border of the United States. The Ohio National Guard became very prominent at that time. It was ready at a moment's notice to supplement the national forces, to take up arms in our defense.

I sometimes think there is an unjust criticism upon the National Guard. They are pictured by their detractors as men who have very little, if anything, to do. I hope that they will never have anything to do in the terrible execution of war, because that would mean perpetual peace, contentment, and happiness. But the crucial test comes when they do have something to do, and I want to say not only for that of my own State of Ohio but for the National Guard throughout the country that it is made up of excellent citizens, and if we ever have a war or serious outbreaks their services will be appreciated as they never have been in the past. In agreeing to this amendment we simply enable them to better carry out the duties that the institution was created to perform. I hope the amendment will prevail.

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, if the Members of this House could have been in Ohio, either about Dayton or Hamilton or Columbus or Marietta or Delaware or Portsmouth, or any other of the cities along the Ohio River, with the tributaries entering, and especially along the Miami River, there would not be, I think, very much hesitancy in what the House would do on this amendment. The horrors of that flood are simply indescribable. In the city of Dayton, represented by our honored friend Mr. GARD, the water was up beyond the second story, and all through one section of that city to-day, although it is rejuvenated very largely, you will notice that the water mark is up very nearly to the roof on the second story of the building. The same thing can be said of the city of Hamilton, and I hope that the reports that Hamilton may not be able to rejuvenate itself are not correct. But if she does, it will be one of the most striking examples of regeneracy of business and enterprise that we can find anywhere in America, for that city was almost totally destroyed.

Right in the city of Dayton, down Third Street, the water was simply a river, flowing with a tremendous current, something like 30 miles an hour, and over in the city of Delaware some great building was lifted and started down through one section, sweeping a swath of destruction, taking every building that it struck, until through the city there was a river channel not alone of flowing water but no houses whatever left.

The same thing can be said of the city of Columbus; and during this terrific flood a tremendous loss of property occurred,

including the loss that we are asking now to have replaced. I do not believe that we ought to ask for a defense of the National Guard. That is not a question now; but it does seem to me that those men who were out on duty, taking care of lives in jeopardy by a destructive flood, that had already appealed to the Red Cross Society and to all the humanistic organizations of the country, and which had received responses to appeals from East, South, West, and North, ought now to be taken into consideration, and that such devastation as that ought to strike a chord of sympathy here, and that we ought to replace this loss, for which no one is responsible. I do not think we ought to do it simply as a defense for any organization especially, but rather to recognize the good work that those men did in their performance of duty in trying to save the lives of the residents of those destitute communities. Therefore I hope that we will not think that this is Ohio asking relief, or any State or section asking it, or any organization asking it, but rather that it is a duty on the part of our Government, in the interest of appreciation and efficient service, to step in and relieve, in a sense, the deplorable condition produced by that flood, especially when it is not doing any more than it had already done before the flood came. Why should not the Government come in now and assist, when the property literally belonged to the Government and when it was destroyed by no fault of anyone? I trust there will be no serious opposition to the Government taking this position, which seems to be in the interest of humanity and national defense. [Applause.]

Mr. FITZGERALD. Mr. Speaker, there is annually appropriated by the National Government some $4,000,000 to aid the National Guard in the respective States. Of this amount the State of Ohio receives annually about $166,000. The law provides that when the equipment is issued under this appropriation to the various States the State is required to give security to account for this equipment. If the equipment be lost or destroyed or rendered worthless by wear or obsolescence without fault by the State, the War Department under the law has authority to relieve the State from liability for the equipment. If the equipment be lost or destroyed or can not be accounted for in some way that can be justified, that State must make good. In this case the Department of War has relieved the State of Ohio from liability for the equipment. The sole question involved here is whether Congress should appropriate $78,000 additional to the National Guard of Ohio over the allotment to which the State is entitled under the law.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. BARKLEY. If the State of Ohio is required to re-equip this National Guard, there will be no benefit that would accrue to Ohio by reason of being released by the War Department, will there?

Mr. FITZGERALD. Mr. Speaker, the gentleman uses a peculiar expression—"if the State of Ohio is required to re-equip this National Guard." The appropriation made by the Federal Government is not the primary appropriation. It is an aid to the National Guard of the respective States. The respective States have been jealous of their rights to organize and control their own militia, and they have not surrendered to the Federal Government many things that some contend should be surrendered. This same question will arise in this way: Suppose a fire takes place and an armory and the equipment contained in the armory is destroyed. Under the law the Federal Government would release the State from liability for the equipment. Should the Federal Government also increase the annual appropriation to replace that equipment? Suppose the National Guard in some State were called out for service in a strike and that during the strike there would be such service as would result in the same destruction or use of the tents and overalls and trousers, uniforms, and equipment, as has taken place in this flood service. Would anyone contend that the Congress, in addition to relieving the State from liability, should make an additional appropriation to resupply the equipment thus used? No, Mr. Speaker; the theory is that the annual allotment made to each State is sufficient to supply whatever equipment the Government will allot to the National Guard of such State.

Mr. BATHRICK. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. BATHRICK. I desire to ask whether the apportionment to each State is not in relation to the efficiency of the National Guard in that State.

Mr. FITZGERALD. I believe it is based largely on numbers and the records of attendance at drills.

Mr. BATHRICK. In other words, efficiency—in other words, the purpose of the Government was to encourage efficiency.

Mr. FITZGERALD. There is no question about that.

Mr. BATHRICK. Now, if the annual appropriation under present circumstances is granted next year, will not the efficiency of the National Guard in the State of Ohio be depleted by just the amount of the loss of this equipment?

Mr. FITZGERALD. One thing has been lost sight of in the discussion of this question, both by those representing the National Guard and by gentlemen representing Ohio itself, and that is the utter absence of any information as to just how much the State of Ohio appropriates for the National Guard. My recollection is that the State appropriated $250,000 only toward the flood condition, and the other moneys which were obtained were obtained either by direct appropriation from the Federal Treasury or by the generosity of the people of the United States. It seems to me a great State like Ohio should not come here as suppliants.

Mr. MANN. Will the gentleman yield for a question?

Mr. FITZGERALD. I will.

Mr. MANN. Is it the gentleman's opinion that this equipment which is furnished by the General Government to the National Guard in the different States is for the benefit of the State or for the benefit of the common people and the General Government?

Mr. FITZGERALD. The gentleman and I agree as to the purpose for which it is furnished. It is to encourage the training of civilians for military service in case of necessity.

Mr. MANN. But the gentleman would not contend it is made as an act of charity. The General Government makes the general appropriation because it believes it is for the benefit of the General Government and the people. If that be the case——

Mr. FITZGERALD. That is not always the theory upon which the Government appropriates money.

Mr. MANN. That may not always be the fact; of course that is the theory. If that be the theory and the fact, what is the distinction in this case between replacing the equipment which the General Government has furnished for its own good, which has been destroyed, and replacing a building which the General Government owns in a town and which is burned up?

Mr. SHERLEY. Will the gentleman from New York yield to me?

Mr. FITZGERALD. Yes.

Mr. SHERLEY. The trouble with the position of the gentleman from Illinois is that he assumes that the Federal Government is going not simply to aid but support the National Guard. Now, the reason that we do not support the National Guard and only aid it is on the theory that the State should do something. The loss here was a loss by the militia in performing work for the State and the building illustration is not a pat illustration. There the Government has a Federal building, used by the Federal Government and furnished in its entirety by the Federal Government.

Mr. MANN. But used for the benefit of the local people.

Mr. SHERLEY. That may be; but it is for an entire Federal purpose. There is a distinction running all through this Government between Federal and State provinces, and that is the point in this matter, as the gentleman from New York [Mr. FITZGERALD] well states. Suppose a fire occurs in an armory. Suppose in the city of Louisville at this moment a fire should come and destroy the handsome armory which we have there for our National Guard, and with it the equipment of the National Guard.

Mr. MANN. Then the gentleman would be here with a bill to-morrow.

Mr. SHERLEY. I might; yes. I might have a bill, following the same local pressure which is exerted upon all of us. I have no criticism of Ohio Members, but simply because they have a local pressure is no reason why the House as a whole should necessarily yield to that pressure.

Mr. MANN. After all, what is the distinction between where the General Government furnishes an equipment, not for the benefit of the State, not as a matter of charity, but for the benefit of the General Government, and that is destroyed, and where the Government sends the Army and the Life-Saving Service into this flooded district and its property was destroyed and it replaces that?

Mr. SHERLEY. The reason is simply this: Because in the one instance the instrumentality that is destroyed is entirely a Federal one, and in the other one it was primarily a State one with Federal aid.

Mr. MANN. Is not the equipment directly a Federal equipment?

Mr. SHERLEY. Yes; but it is given to a State agency.

Mr. MANN. Well, all we replace is the equipment.

Mr. SHERLEY. But on that theory whenever the State used up its equipment for any sort of purpose—through neglect or

anything else—then, because we want to always see that it is equipped, we should replace it.

Mr. MANN. Suppose in the course of time this equipment is worn out and destroyed. Does anyone suppose the State government——

Mr. FITZGERALD. It is replaced each year out of its allotment.

Mr. MANN. The Government will never be called upon to replace it?

Mr. FITZGERALD. Not at all. I have explained that. The State should replenish it out of its annual allotment and out of its annual appropriation. In this flood the State of Illinois used its National Guard and the State of Nebraska used its National Guard, and the State of Nebraska used its National Guard in the disaster at Omaha. They saw service. The men subjected their equipment to service and to wear. They have not come here asking for additional allotment. I have no doubt that the amount marked off properly each year for the National Guard of Ohio equals $73,000, because they receive $166,000 of equipment each year from the National Government. The only question involved here is whether, when the equipment is used up, lost, or destroyed and the State relieved from liability for that equipment, Congress will make additional appropriation to that State to the allotment to which it is entitled under the law. That is the sole question

Mr. MOORE. Mr. Speaker——

The SPEAKER. Does the gentleman from New York yield to the gentleman from Pennsylvania?

Mr. FITZGERALD. Yes.

Mr. MOORE. Will the gentleman inform us whether the militia was ordered out in this instance by the governor of the State or by the War Department?

Mr. FITZGERALD. The War Department can not order out the National Guard of Ohio or the National Guard of any other State. It was ordered out by the governor of Ohio.

Mr. MOORE. Then does not that leave us in this position, that we are asked to reimburse the State of Ohio for equipment allotted to it by the Government which was used under the instructions of the governor and was not used under the instructions of the War Department at all?

Mr. FITZGERALD. Mr. Speaker, we might just as well have been asked to replace the equipment that was worn, or used, or made worthless, by the calling out of the National Guard of Ohio in the strike at Columbus within recent times.

Mr. HARDWICK. Will the gentleman yield for a short question?

Mr. FITZGERALD. Yes.

Mr. HARDWICK. After all, is not this the same question we had when we passed the first bill, of how much money we are willing to appropriate for the National Guard, and have we not as much right to make this appropriation as we had to make the original one, and is it not on the same ground?

Mr. FITZGERALD. The question is as to the wisdom of Congress making the original allotment.

Mr. COOPER. Will the gentleman permit an interruption?

Mr. FITZGERALD. Certainly

Mr. COOPER. The gentleman has propounded a question two or three times, or rather made the statement, implying that there is some analogy between the destruction of property as the result of a strike or mobs in a State and the destruction of property by the act of God. Now, will the gentleman answer this question? Does he think that the State should be held equally responsible at its own peril to protect the property of its citizens by the exercise of its police power against mobs or against trouble through strikes and to protect property against floods or earthquakes? The State must protect property against violence by mobs as must also the municipality, or if negligent in furnishing such protection, must respond in damages. But the municipality is not responsible if a cyclone blows a man's property to destruction. The municipality or a State ought not to be held——

Mr. FITZGERALD. I think the gentleman from Wisconsin misunderstood what I said.

Mr. COOPER. The gentleman said we might as well ask the United States to replace property destroyed as the result of a strike as to claim that we ought to replace these arms and other equipment destroyed by that flood.

Mr. FITZGERALD. The gentleman misunderstood what I said.

Mr. COOPER. The gentleman asked that question.

Mr. FITZGERALD. I said you might just as well ask the United States to replace the equipment of the National Guard that was worn out or used up or rendered useless because of service resulting from the calling out of the troops at the time of a strike or some other emergency or other service in the field.

If it were not for the fact that this equipment was lost because of the service of the National Guard during this flood, creating conditions which have appealed to the sympathies of everybody, no one would ever suggest that an additional allotment should be made to the State of Ohio. It seems to me, Mr. Speaker, that everyone understands this question so thoroughly that we may now vote upon it. I ask for a vote. [Cries of "Vote!" "Vote!"]

The SPEAKER. The question is on the motion of the gentleman from Ohio [Mr. WHITE] to recede from the disagreement on the part of the House to the Senate amendment numbered 44 and to concur in the same.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. FITZGERALD. I ask for a division, Mr. Speaker.

The SPEAKER. The gentleman from New York asks for a division.

The House divided; and there were—ayes 90, noes 19.

So the motion was agreed to.

Mr. FITZGERALD. Mr. Speaker, I ask that the Clerk report amendment numbered 61.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment numbered 61, page 36 of the printed bill: Strike out the following: "The five additional circuit judgeships provided for by the act of Congress approved June 18, 1910, and by chapter 9 of the act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved March 3, 1911, are hereby abolished, and the authority in said acts of Congress for the President, by and with the advice and consent of the Senate, to appoint five additional circuit judges is hereby repealed, and the number of circuit judges is hereby reduced to 29. So much of the acts of June 18, 1910, and of March 3, 1911, as authorize or direct the said five judges to preside in the circuit or district courts of the United States or in the circuit courts of appeals or to exercise any of the powers, duties, or authority of circuit or district judges, or of said circuit or district courts or of said circuit courts of appeals, is hereby repealed"; and insert in lieu thereof the following: "Nothing herein contained shall be deemed to affect the tenure of any of the judges now acting as circuit judges by appointment under the terms of said act, but such judges shall continue to act under assignment, as in the said act provided, as judges of the district courts and circuit courts of appeals; and in the event of and on the death, resignation, or removal from office of any of such judges, his office is hereby abolished and no successor to him shall be appointed."

Mr. FITZGERALD. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and concur therein.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] moves that the House recede from its disagreement to Senate amendment numbered 61 and concur therein.

Mr. KELLY of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KELLY of Pennsylvania. I wish to ask if it is possible in any way to have separate consideration of amendment numbered 54, on page 32?

Mr. FITZGERALD. That has already been agreed to in the conference report. That is not now before the House.

Mr. KELLY of Pennsylvania. It is not possible to have a vote on that?

Mr. FITZGERALD. No.

The SPEAKER. There is a rule about that.

Mr. FITZGERALD. Mr. Speaker, the effect of the Senate amendment is to strike out of the provision in the bill abolishing the Court of Commerce as it passed the House—the provision that abolishes the five additional circuit judges provided in the act creating the Commerce Court—and insert a provision to the effect that the judges appointed under that act shall continue in office until they cease to be circuit court judges, either by death, resignation, or removal from office. As each one of these offices becomes vacant it is abolished and provision is made that no successor can be appointed for these judges.

Mr. BUCHANAN of Illinois. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. BUCHANAN of Illinois. I would like to ask what disposition has been made of amendments Nos. 59 and 60?

Mr. FITZGERALD. I will answer the gentleman's question after we have disposed of this amendment. We have now before us amendment No. 61, which I wish to discuss.

Mr. BUCHANAN of Illinois. I would like to know how you jumped over No. 59?

The SPEAKER. The gentleman from New York declines to yield.

Mr. BARTLETT. The House receded from its disagreement to that amendment.

Mr. FITZGERALD. Those amendments were concurred in, and they are not now before the House. The conference report has been adopted.

Mr. Speaker, there has been a difference of opinion among lawyers as to the power of Congress to abolish these five additional circuit judges. I am so interested in having the Court of Commerce abolished that I have never been so particular about the abolition of the five judges created by the act establishing the Court of Commerce.

I am inclined to think, from information that has come to me, that there are some men in another body who are so firmly convinced that Congress has not the power to abolish these judgeships that they will resort to every expedient to prevent the passage of this bill if an attempt be made to pass it carrying the provision abolishing the judges, and anxious as I am to have the Court of Commerce abolished, believing that its abolition is highly desirable, I prefer to agree to the proposition of the Senate that these men be permitted to continue in their offices and as these various offices become vacant they be abolished, in order to accomplish the more important matter, the abolition of the court.

Now I yield 10 minutes to the gentleman from Georgia [Mr. BARTLETT].

The SPEAKER. The gentleman from Georgia is recognized for 10 minutes.

Mr. BARTLETT. Mr. Speaker, it is known to the House and shown by the RECORD that the provisions of the bill as it left the House, which are now stricken out by the amendment of the Senate and which we are now considering under the proposition of the gentleman from New York to recede and concur, was enacted by the House by a vote of 171 to 78, and is in the identical words and terms and phrases of the amendment placed upon the executive, judicial, and legislative bill last year by the Senate, and which passed the Senate but was disposed of in conference. The Senate, now that the House adopted the amendment which the Senate adopted last year, strikes that amendment out and submits another amendment which continues the judges beyond the term of office for which this court was established.

Now, the gentleman from New York says he understands that there is in another body certain gentlemen who, if this amendment is not agreed to, will not permit this bill to pass; who, by reason of their opinion as to the unconstitutionality of the action we have taken, will not submit to it. I do not believe, Mr. Speaker, and I have read the debates on the question in the Senate, that the gentlemen to whom the gentleman from New York refers are guided so much by what they deem to be the unconstitutionality of this bill as they are by other reasons not founded upon the Constitution; because they say that while they are doubtful about the constitutionality of it they object to the policy of it.

Now, Mr. Speaker, this is an important bill. The House by a vote I have stated passed this provision. I do not believe that we ought simply to abolish this useless court, but we also ought to abolish and get rid of the useless and unnecessary judges that go with the court. [Applause.]

We are sometimes, Mr. Speaker, fearful of increasing the Army. I have less fear of increasing the American Army from the body of the citizens of the United States than I have of increasing an army of judges. I have no doubt myself—I have never had any doubt myself—as to the absolute constitutionality of the action of this House. I do not conceive how under a Government founded like ours, with limited powers, with the authority granted as to what they may do, and when the power is given to Congress to establish such inferior courts as it may from time to time determine upon, ordain, and establish—I use the exact language of the Constitution—that the stream can rise higher than the source, that the creature can ever become greater than the creator. If we shall consider that to be a legal truism, that Congress can not take away from a judge hereafter created the office, and thereby deprive the judge of the office, we ought to be very careful, indeed, how we hereafter create any judicial office. If it means a judge for life, if it means that you can not abolish his office, no matter how we may desire to change our judicial system, then, so far as I am concerned, as long as I remain in Congress and can exercise any influence upon the legislative body we will never create another judge or another judicial circuit, because if we are in this anomalous position which the framers of the Constitution never conceived could exist, that the creature could rise greater than the creator, that Congress loses its power to destroy when it creates, we ought to see to it that no more judges are created.

I have in my hand the debates in the Senate, and I have read the debates in the House, upon an occasion in 1802 when Congress not only repealed an act creating the judicial system enacted in 1801 under President Adams, but it repealed the law and took away from 16 circuit court judges their office, abolishing the office of judge, and the judges from that day to the time they died never applied to Congress to pay their salaries, and their salaries were never paid, and no effort was ever made in Congress to pay the salaries on the ground that the act was unconstitutional or that when Congress abolished the office the judge could still continue in office. Is it not a singular fact that these 16 circuit court judges in the time of President Adams, who qualified and held court for a year, when the court was abolished by a vote of 16 to 14 in the Senate and 61 to 34 in the House, who had their salaries taken away from them, is it not singular that none of these judges who lived long lives afterwards ever claimed that they had the right to receive their salaries?

I apprehend that men who were of sufficient ability to go upon the bench as judges, to be appointed by President Adams, if they and their friends believed then that it was unconstitutional to repeal the act creating the circuit judges and take away the office and salary, would have taken some steps and that we would have heard something of it in the courts or in Congress. Yet, I undertake to say—and it is even stated by gentlemen who advocate this amendment—that nowhere does it appear that these judges ever sought to enforce their right to a salary which it is now claimed these judges would have if we unconstitutionally, as they claim, abolish this court.

Mr. Speaker, I have done my duty in this matter. I believe the establishment of that court was a mistake. I voted against it when it was established. I made a minority report, with two of my Democratic colleagues on the Interstate and Foreign Commerce Committee, against its establishment. We failed to keep it out of the bill upon the floor of the House by a tie vote. Either a baseball game or some other amusement took away from the floor some of our Members when they ought to have been here.

Mr. KELLY of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. BARTLETT. Yes.

Mr. KELLY of Pennsylvania. Is it not a fact that this provision stricken out by the Senate amendment was the result of careful consideration on the part of the House?

Mr. BARTLETT. I have already stated that it was the same identical amendment that was carefully considered and prepared by the Senate at the last session and passed by the Senate and sent to the House, and carefully considered at this session and passed by a vote of 171 to 78.

Mr. KELLY of Pennsylvania. And if we withdraw from our position at this time it is simply saying that we will allow the opinion of those at the other end of the Capitol to sway our judgment here?

Mr. BARTLETT. I do not want to say that. I will say this, that if it endangers the bill to the effect that they say it does it might be wise to recede. If the House shall vote to recede, I desire to say that I do not recede one iota from the conviction that I had when I offered the provision on the floor of the House and was successful in having it put upon the bill, because it was voted down in the Committee on Appropriations and I reserved the right to bring it up on the floor of the House, and after the House had considered it, by a vote of 2 to 1 the amendment was adopted. It is for the House to say whether it shall recede.

Mr. HARDWICK. Mr. Speaker, will the gentleman yield?

Mr. BARTLETT. Yes.

Mr. HARDWICK. Did I understand my colleague correctly to say a moment ago that about a year ago the Senate agreed to this very thing?

Mr. BARTLETT. Not only agreed to it, but the Senate placed it on the legislative bill by its own action.

Mr. HARDWICK. And that as soon as we agree to it now the Senate takes back what it originally did. Is that the situation?

Mr. BARTLETT. That is the situation, with the exception that there are some new Senators in the Senate now who were not there when the Senate acted on this before.

Mr. HARDWICK. Was there a full vote in the Senate, a quorum present, when the Senate put in that provision?

Mr. BARTLETT. No; but there was not a full vote when the Senate disagreed to the provision that the House put in, and as I gather the parliamentary situation from reading the RECORD, it was such that the men in control of the bill were compelled to accept it or lose consideration of the bill, because there was no quorum present.

Mr. HARDWICK. So that a minority of the Senate is enforcing its views on the House?

Mr. BARTLETT. A majority of the Senate, when it can be obtained, will favor the House provision

Mr. HARDWICK. If that is the correct situation, I do not know but that we ought to force the Senate to have a quorum here.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. FITZGERALD. I yield the gentleman five minutes more.

Mr. HAMMOND. Mr. Speaker, will the gentleman yield?

Mr. BARTLETT. Certainly.

Mr. HAMMOND. I do not understand the situation. Our conferees move now to recede?

Mr. BARTLETT. Mr. FITZGERALD, the chairman of the Committee on Appropriations and one of the conferees, is moving to recede and concur in the Senate amendment.

Mr. HAMMOND. And the effect of the Senate amendment is to abolish the court, but to retain the judges?

Mr. BARTLETT. To retain the judges as long as they shall live or not resign or be removed, and each place is abolished as it becomes vacant.

Mr. HAMMOND. Is there another motion pending?

Mr. BARTLETT. That is the only motion pending. Now, Mr. Speaker, are we always to be bound by the follies of a law that ought never to have been passed? I hope not, for there is only one constitutional court—created by the Constitution—namely, the Supreme Court. This Congress can not abolish; that right is left with the people to abolish or change by constitutional amendment; and it can hardly be denied that if the people should abolish the Supreme Court by constitutional amendment they could at the same time provide for a different tenure of office for the new judges and take away the office from the present Justices of the Supreme Court.

The inferior courts and the judges of such courts are just as subject to the control of Congress as the judges of the Supreme Court are to that of the people.

No stream can rise higher than its source. No office created by the legislative branch can be greater than the creator.

With full power vested in the Congress to from time to time establish such inferior courts as it may deem proper, surely the makers of the Constitution did not intend to say that when Congress created an office of judge to preside and the court it thereby created something which was beyond its power to remove.

If such were the case, we would be in fact as well as in theory a judge-ruled people; and while we might destroy the instrument through or by which the judge tyrants might injure the people still they would remain in office—in office that no longer existed—and be foisted on the people to be supported from the Public Treasury. Such a view is so abhorrent to every view of construction, and so destructive of the right of the people to control their own affairs as they had provided by the Constitution, that I can not entertain it for a moment. If anyone will read the debates had on the bill to repeal the judiciary act of 1801, by which 16 "midnight judges" were appointed by President Adams, and by the terms of which not only were the offices of these judges abolished, but the judges themselves removed, he will be convinced that Congress has this power now asserted. The votes in the Senate were cast mainly on partisan lines, being 16 for and 14 against. The vote in the House, whose Members had come directly and fresh from the people, was 60 to 34. And it is also true that while vigorous opposition was made both in the House and Senate against the passage of the bill on the ground that it was unconstitutional to take away from the judges their life tenure of the offices created by the act of 1801, yet 16 judges were deprived of their offices. They were removed, a new judiciary system was created, new judges were appointed to the newly created judgeships, and no appropriation was made for the salaries of the judges thus removed. Neither at that Congress nor at any subsequent Congress were the salaries of these judges thus removed ever paid, and no case was ever brought to test the validity of the act of Congress. Surely if the act was so clearly unconstitutional some one of the 16 judges would have endeavored to collect the salary which, according to those who contended for the unconstitutionality of the act, should be for the life of the judge.

The truth is the Constitution, when properly construed, makes the life of the inferior courts of the United States depend entirely upon the will of Congress, and the tenure of the judge can continue no longer than the existence of the office; for how can there be such an anomaly as that a judge should have his salary undiminished "during his continuance in office" when there was no "office" to continue in, because Congress had abolished the office? No one contends seriously that Congress can not abolish the office of the judge; the contention is that Congress can not remove the judge from the office or take away his salary for continuing in an office which no longer exists, which, to my conception of the Constitution, is almost an absurdity, a paradox in legislation. Congress is empowered by the Constitution, "from time to time, to establish inferior courts," and the judges shall hold their offices during good behavior; their salaries are not to be diminished during their continuance in office.

Mr. Speaker, after careful consideration; after much study both of the debates had when this bill was before the Senate last year, and the other night—when it was before the Senate then—after reading the words of those undertaking to write upon the Constitution and position of the Supreme Court upon what character of courts we have, I close with this statement: The Supreme Court is the only constitutional court created by the Constitution. It is the court of the people. The people can change it when they please in a constitutional manner by constitutional amendment. All other courts are courts of Congress. Congress has as much constitutional power to change a court created by it, taking away the office of the judges thus created, as the people have the right to change or abolish the office of the Supreme Court of the United States in the manner provided in the Constitution. Believing that to be true, I can not vote to recede from this amendment and will not. [Applause.]

Mr. MONDELL. Mr. Speaker, will the gentleman from New York yield to me?

Mr. FITZGERALD. I yield five minutes to the gentleman from Wyoming.

Mr. MONDELL. Mr. Speaker, the argument just made by the gentleman from Georgia is one of the most remarkable illustrations I have ever heard of the truth of the old saying that consistency is a rare jewel. Consistency is such a rare jewel that the gentleman from Georgia, who is generally a consistent defender of the Constitution, who prides himself, among other things, and very properly, on being a defender and upholder of the Constitution, in this case is attempting to argue that the Constitution does not mean what it says in the very plainest of language. The Constitution of the United States says that the judges, both of the Supreme and inferior courts, shall hold their offices during good behavior. The gentleman from Georgia does not deny that statement and does not attempt to prove that the Constitution does not mean what it says, but he says that it should not be so, because, forsooth, the creature should not be greater than its creator. And he assumes in this statement that the Congress is the creator of these judges and therefore ought to have the power to undo what it has once done and place its creature, the judge, back in the position in which he originally was. The gentleman's argument is not sound. There are many cases in which creatures of legislative act are placed in positions from which they can not be removed by their creator. In other words, there are many things done that can not be undone legally. We, through due and proper processes of law, grant American citizenship to those who are qualified to receive that great boon. We have no more power, neither the Congress nor the courts, to take away from the naturalized citizen the boon of citizenship granted him than to take away from a judge that tenure which the Constitution grants him. Either can be taken away for the same reason, to wit, on account of misbehavior or commission of crime. But there is another fault in the gentleman's logic, there is another difficulty with the logic of the gentleman from Georgia. The Congress is not the creator of the judges of the superior or inferior courts in the sense that the gentleman has in mind.

Mr. BARTLETT. Will the gentleman yfield?

Mr. MONDELL. In just a moment. All the authority they have granted them by the Constitution they receive under the Constitution.

Mr. BARTLETT. May I ask the gentleman——

Mr. MONDELL. If the gentleman will let me finish my sentence.

Mr. BARTLETT. Of course I will.

Mr. MONDELL. The only province of Congress in the matter is to act as the instrument under the Constitution for the creation of the office. The Constitution has decided what the tenure shall be after the judge is appointed.

Mr. CARLIN. Will the gentleman yield?

Mr. MONDELL. I would like, Mr. Speaker, to finish just one sentence.

Mr. CARLIN. I have no desire to interrupt you. I am sure the gentleman had finished more than one sentence.

Mr. MONDELL. I will say finish the statement, then.

The SPEAKER pro tempore (Mr. FLOYD of Arkansas). The gentleman from Wyoming [Mr. MONDELL] declines to yield.

Mr. MONDELL. The Constitution has fixed the tenure of Federal judges. The gentleman from Georgia and the other gentlemen on that side may not like it, but the Constitution is as clear in that regard as it is in any sentence or in any provision of that immortal document. There is nothing clearer than the words I have just referred to.

The SPEAKER pro tempore. The time of the gentleman from Wyoming [Mr. MONDELL] has expired.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that I may have five minutes more.

Mr. FITZGERALD. It seems to me that——

Mr. MONDELL. The gentleman from Georgia [Mr. BARTLETT] discussed the matter for five minutes.

Mr. FITZGERALD. Well, I will yield five minutes more to the gentleman from Wyoming.

Mr. MONDELL. I do not want any more time if the gentleman does not consider that gentlemen on this side are entitled to time.

Mr. CARLIN. I hope the gentleman will allow the gentleman from Wyoming [Mr. MONDELL] to finish his sentence.

Mr. FITZGERALD. I supposed the Members wanted to get away.

Mr. MONDELL. This is the first five minutes. I will say to the gentleman, that I have taken in the consideration of this bill. The gentleman from Georgia is entirely faulty in his logic, then, in two particulars: First, in his proposition that the creator, as he sees fit to term it, is greater than the creature in the sense that it can always take from the creature a privilege or a right once granted. We all know that is not true. I used a moment ago as an illustration the granting of citizenship. The gentleman's logic is further lame, as I have suggested, in that these judges are not the creatures of Congress. They are creatures of the Constitution. We may not like that provision of the Constitution which says that if Congress creates judges, if Congress under the Constitution provides for judges, their tenure shall be during good behavior. I think the gentleman from Georgia [Mr. BARTLETT] will be the last person on the floor to suggest that the Constitution is the creature of Congress, and that Congress has powers over and above the Constitution or that Congress has any right to fly in the face of the clear and explicit provisions of the Constitution.

But the gentleman from Georgia [Mr. BARTLETT] is illogical in another way. There is no man on that side of the House who has more frequently expressed abhorence of the doctrine of the recall of judges and the doctrine of the recall of judicial decisions than the gentleman from Georgia. And yet to-day we find the gentleman from Georgia lining himself up with those who believe in the recall of judicial decisions and with those who believe in the recall of judges.

Mr. BARTLETT. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. BARTLETT. The gentleman misstates my position. He can not state that I line myself up with those people. I have not heard a dozen people on this side say that they were in favor of the recall of judges or recall of decisions. I have never lined myself up with those people.

Mr. MONDELL. While constantly protesting, the gentleman takes a position not consistent with his protestation.

Mr. CARLIN. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Wyoming yield to the gentleman from Virginia?

Mr. MONDELL. Yes.

Mr. CARLIN. Is the gentleman in favor of the Senate amendment?

Mr. MONDELL. I am.

Mr. CARLIN. Then, if the gentleman's position be correct, that this is a constitutional matter and not a matter for legislation, does he not admit that the Senate amendment is a useless thing?

Mr. MONDELL. A useless thing?

Mr. CARLIN. Yes; of course. If the gentleman's position is that these judges hold a constitutional office and can not be legislated out of office, is it not useless, then, for the Senate to legislate and say that these judges shall retain their offices?

The SPEAKER pro tempore. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Will not the gentleman from New York give me two minutes more?

Mr. FITZGERALD. I yield two minutes more to the gentleman.

The SPEAKER pro tempore. The gentleman from Wyoming is recognized for two minutes more.

Mr. MONDELL. Mr. Speaker, the intention of the language contained in the bill was to legislate these men out of office. Now, I admit that it might be possible for these judges in some way or other to bring that question before the courts.

Mr. CARLIN. That Senate amendment expressly provides that those judges shall retain their offices. If the gentleman's position is correct, Congress has nothing to do with it, and therefore the amendment is a useless thing.

Mr. MONDELL. I presume that the gentleman from Virginia has read the amendment. Has he?

Mr. CARLIN. I have.

Mr. MONDELL. The Senate amendment strikes out the provision in the bill as it passed the House, which attempted to legislate these judges out of office. That language was stricken out, and I imagined that nothing more would be necessary; but the Senate saw fit to add some other provisions, and, to say the least, they are not objectionable from the standpoint of those who do not believe that Congress has the power to legislate these judges out of office.

Mr. CARLIN. But is it not in effect a senatorial expression of the contention that the Congress has the power to legislate in the matter?

Mr. MONDELL. No; I do not think that is so. Anybody who will read the constitutional provision can make up his mind on that subject in a moment.

Mr. CARLIN. Why, then, the necessity on the part of the Senate to legislate to retain those judges if legislation was not necessary?

Mr. MONDELL. The House attempted to legislate these judges out of office. The Senate amendment assures us that that attempt shall not be successful.

Mr. CARLIN. And that they shall be retained in office?

Mr. MONDELL. Yes; that they shall be retained in office.

The SPEAKER. The time of the gentleman from Wyoming has expired.

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. SAUNDERS].

Mr. SAUNDERS. Mr. Speaker, a question of considerable difficulty and of undoubted interest is presented in this connection by the motion of the gentleman from Georgia. In support of this motion it is argued that when a court is directly abolished by a statute of the United States, or when there is such a rearrangement of districts as in effect abolishes the district to which any particular judge belongs the Congress has the power thereafter, or in that connection to abolish that judge, and terminate his tenure.

I think, Mr. Speaker, that in this debate we have lost sight of the substantial difference between the court that is created, and the judge that is assigned to hold that court. Undoubtedly we can create a court, and in that connection we enjoy the power to abolish the same; but we do not elect the judge of that court, and a very different situation is presented when it is contended that a judge once appointed pursuant to the Constitution can be abolished after the same fashion that we abolish a statutory court, or that his tenure is terminated merely because some court over which he presides is swept away by statutory enactment. The judge has a tenure fixed by the Constitution, and not related to the court over which he presides, or to which he may happen to be assigned. Congress may afford him, a court, or take it away at pleasure, but the determination of his jurisdiction does not thereby determine his tenure.

If we look to the act by which this court was established, we find that Congress created a Court of Commerce, and provided that the judges to hold that court should be circuit judges of the United States. It was further provided that five additional circuit judges should be appointed. In due course these judges have been appointed.

As soon as that court was brought into existence, and the creation of these judges provided for, then another functionary under the Constitution of the United States was empowered to make these appointments. This functionary was the President of the United States, and by virtue of the power vested in him by the Constitution he proceeded to appoint the five additional circuit judges provided for by the act creating the Commerce Court.

Mr. MONTAGUE. Will the gentleman yield for a suggestion?

Mr. SAUNDERS. Yes.

Mr. MONTAGUE. I make the suggestion to the gentleman that when he says the President came into action in making these appointments of circuit judges the Senate likewise had some connection with it.

Mr. SAUNDERS. Certainly, the action of the President was by and with the advice and consent of the Senate. The Constitution of the United States, after saying where the judicial power shall be vested, proceeds to say that the judges of the Supreme Court, and inferior courts shall hold their office during good behavior. Mr. Speaker, having in mind the declarations of the Constitution in this respect, fixing as they do the tenure of the judges appointed by the President, and having further in mind the essential difference between the creation of a court, or the establishment of a district, or circuit, it does seem to me that our power to take the step suggested by this motion is, to say the least of it, highly questionable. This question has been mooted in my State, but it has never been held under circumstances parallel to, or analogous to this situation that we could destroy a judge by abolishing his district during his term. Mr. Speaker, in view of these considerations, I insist that we should not embark upon the highly doubtful policy

that is presented in this motion of the gentleman from Georgia, or seek to essay the destruction of these judges who have been duly appointed under the authority of law.

Mr. LOGUE. Will the gentleman yield?

Mr. SAUNDERS. Yes, if I have time.

Mr. LOGUE. I think the gentleman has time. In the creation of the new additional five circuit judges were those five judges appointed specifically and definitely to the Commerce Court?

Mr. SAUNDERS. I will read from the act which established the court:

The Commerce Court shall be a court of record and shall have a seal of such form and style as the court may prescribe. Said court shall be composed of five judges, to be from time to time designated and assigned thereto by the Chief Justice of the United States, from among the circuit judges of the United States, for the period of five years, except that in the first instance the court shall be composed of the five additional circuit judges to be appointed as hereinafter provided.

And so forth.

Mr. LOGUE. In their original appointment they are given the same powers as other circuit-court judges of the United States?

Mr. SAUNDERS. They are simply appointed as circuit judges.

Mr. LOGUE. And become a part of the new judicial system?

Mr. SAUNDERS. No, the same old system, but with an enlarged number of judges in that system.

We have abolished the Commerce Court, thereby circumscribing, but not terminating the area in which these additional circuit judges may be assigned for duty. The case is not so strong as it would be if the judges had been appointed exclusively for the Commerce Court. With the fall of the Commerce Court, the judges now serving therein, remain as circuit judges, and it is expressly provided by the act that the additional circuit judges provided for therein shall hold office during good behavior (this provision was superfluous), and from time to time be designated and assigned by the Chief Justice of the United States, for service in the circuit court of any district, or the circuit court of appeals. Hence even with the abolition of the Commerce Court, the judges thereof have a large body of duties to which they may be assigned, and which they are competent to discharge. The argument that the creator is greater than the thing created, is sound, but it has no application here. A judge of the United States is no official created and elected by Congress. We set in motion the machinery which leads to his selection, but when we have performed our constitutional functions in this regard, namely, created a court which it is competent for us to erect, our activities cease, and certain other officials come to the front of the stage. The President, with the advice and consent of the Senate, makes an appointment, thereby calling into existence a new official, and the moment that he comes into being the Constitution of the United States provides that his tenure shall be during good behavior. I submit that until they are impeached it is not competent for congressional action to determine the tenure of these judges.

Mr. FITZGERALD. Mr. Speaker, I yield to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Speaker, I have not risen for the purpose of discussing the constitutionality of this provision. We might as well, as far as arriving at a definite result is concerned, discuss the modes of baptism; we could deal with one about as quickly as with the other. But I want to print in the RECORD some suggestions that I intended to submit to the conferees with reference to the other Senate amendments. I had them ready and intended to hand them to the conferees, but I did not dream that the conferees would get along as rapidly as they did, for which I commend them.

I know it is now too late to have these suggestions considered by the conferees or by the House, as the report has been agreed to; but I think I ought to place them in the RECORD as expressing my own views and opinions on the Senate amendments to which they relate.

Mr. FITZGERALD. In respect to the amendment on injunctions, the Senate amendment was agreed to by the managers on the part of the House, and this morning I had a communication from the Interstate Commerce Commission requesting and urging that such action be taken.

Mr. SIMS. Mr. Speaker, I desire to print these memoranda as a part of my remarks.

Mr. BARTLETT. I want to say in reference to the present injunction amendment that it mainly is the present law.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The remarks of Mr. SIMS, above referred to, are as follows:

"(H. R. 7898.)

"Memoranda pertaining to the above-numbered act as it passed the Senate.

"The language of the act as it passed the House, so far as it relates to the issuance of preliminary injunctions, restraining orders, and stay orders in Interstate Commerce Commission cases, contained in lines 15 to 25, inclusive, on page 38, and lines 1 to 21, inclusive, on page 39, should be restored, and the amendments inserted by the Senate in lieu thereof contained in lines 21 to 25, inclusive, on page 39, in lines 1 to 25, inclusive, on page 40, and in lines 1 to 17, inclusive, on page 41, should be stricken out.

"Prior to the passage of the Commerce Court act of June 18, 1910, no distinction was made between a preliminary injunction on the one hand and a restraining or stay order on the other hand, and it is difficult to see why any such distinction should be made now. A restraining order or a stay order would interfere with the work of the commission in the same way and to the same extent as would a preliminary injunction. It is true that the act limits to 60 days the time the stay order is to remain in force, but it is also provided that the same judges who issue the stay order may afterwards continue it in force by making an additional order.

"The stay-order provision appears to have been prompted by the belief that orders of the commission should not be permitted to become effective until after the carriers against whom they are directed have had an opportunity to prove that they are invalid and have failed to do so, provided the carriers are able to show that irreparable injury to them will result if the orders are put in force and finally held to be invalid; and such a showing the carriers could of course make in every case. It is apparent that if, by reason of an order of the commission, a carrier is compelled to accept 10 cents for a service which would otherwise yield 12 cents it will, so long as the order is in force, lose the difference of 2 cents, and that such difference can not thereafter be recovered by the carrier if the order is finally held to be invalid. In other words, it is true, generally speaking, that where a carrier is compelled to obey an order of the commission it will be thereby irreparably injured if, upon final hearing in court, the order is held to be invalid; but the reverse of this proposition is also true. If enforcement of a valid order is suspended, the party in favor of whom the order is made will be irreparably damaged thereby. It is said that such damage may be offset by an order of reparation, but while this may be all right theoretically it is not correct as a practical matter. Damages caused by demoralization of a shipper's business, which results from unreasonable rates or undue discriminations, can not be definitely measured or described, and, as a consequence, can not be offset by an award of reparation. It is therefore evident that there will be risk of irreparable injury regardless of whether the order of the commission is allowed to become effective in accordance with its terms, and under these circumstances it is also plain that a court should not prevent an order of the commission from taking effect unless it entertains grave doubt from the evidence submitted concerning the validity of the order. Up to the time the commission decides the case the shipper has to take the risk of irreparable injury, and after that time and until hearing and determination by the court it does not seem unfair to require the carriers to assume a similar risk.

"The act as it passed the Senate provides for the issuing of a stay order upon three days' notice, and in some instances this would not enable an attorney to go from Washington so as to be present at the hearing. The commission must give the carrier at least 30 days' notice before the order can become effective, and it would seem as though the carrier ought to be required to give at least five days' notice of hearing on motion for a preliminary injunction, restraining order, or stay order. In this connection, the provision of the Hepburn Act was as follows:

"That no injunction, interlocutory order, or decree suspending or restraining the enforcement of an order of the commission shall be granted except on hearing after not less than five days' notice to the commission.

"Under the laws heretofore enacted a carrier has never been given a right to appeal from a decree of the court refusing a preliminary injunction, but in the act here in question, as it passed the Senate, such right is conferred. This provision will enable parties who so desire to increase the litigation connected with an order of the commission and cause more delay in reaching a final result than would otherwise be possible.

"The words 'in equity cases,' contained in line 5, on page 42, should be stricken out, and the words 'from the Commerce Court' should be inserted in lieu thereof.

"The words 'in equity cases' are new to the act to regulate commerce and might afford opportunity for differences of opinion concerning the procedure in taking an appeal to the Supreme Court; also, the amendment above suggested would be in the interest of harmony, as will be seen by examining lines 12 to 15, inclusive, on page 38 of the act.

"The words 'in case such transportation relates to a through shipment the term "destination" shall be construed as meaning final destination of such shipment,' contained in lines 3, 4, 5, and 6, on page 38, in the venue paragraph, as it passed the Senate, appear to be surplusage and should therefore be stricken out.

"The words 'and in such case the notice required shall be served upon the defendants in the case and upon the attorney general of the State,' contained in lines 5, 6, and 7, on page 42, because of an amendment made in the Senate, appear to be surplusage and should therefore be stricken out."

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Speaker, I had not intended to say a word on this item. During the entire discussion of this bill I have not said a word, because I did not want to delay the passage of the bill; but I believe it perfectly clear under the Constitution that the conclusion reached by the gentleman from Virginia [Mr. SAUNDERS] is erroneous. The article which provides for the creation of the judiciary, without reading the whole article, reading only that portion which affects the tenure in office, is as follows:

Judges, both of the superior and inferior courts, shall hold their office during good behavior, and shall at stated times receive for their services compensation, which shall not be diminished during their continuance in office.

The Supreme Court of the United States is the only one of these courts that is created by the Constitution. The power to create carries with it the power to destroy, and when the Congress shall see fit and proper to abolish an office, with the office goes the salary. You will find in the various States of the Union where there are constitutional provisions just like this not a single court that has ever held that when you abolish the office that the salary does not go with it, but as long as the office is in existence you can not reduce the compensation of the officer so holding and performing the duties of that office.

This is the distinction. I concur heartily with the conclusion of the gentleman from Georgia [Mr. BARTLETT], that this Congress has the power to abolish the judges along with the abolishment of the court.

Mr. MONTAGUE. Have we abolished the court?

Mr. SISSON. Absolutely.

Mr. MONTAGUE. Are not these judges of the United States Circuit Court, and have you abolished the United States Circuit Court?

Mr. SISSON. Indeed, sir, you might not abolish the entire circuit court system, but you could abolish one of the circuits. You could abolish the office of one of the judges. If you have more judges than you need you can abolish the office of judge, and with the abolishment of the office would go the salary. I have no patience with that sentiment that when you find you have more judges than you need you can not abolish the office, and with the abolishment of the office carry the salary also.

Mr. CARLIN. Mr. Speaker, I would suggest that the Senate amendment abolishes the office upon the death or resignation of either of these gentlemen.

Mr. MONTAGUE. We have a right to do that under the Constitution.

Mr. SISSON. It is an absurd situation to say that when Congress shall have created an office, as it has a right to do under the Constitution, it can not also abolish the office, and if we abolish the office the salary goes with it; but just as long, under the Constitution, as the office is in existence, then you can not drive a man out of office by reducing his salary during his tenure of office, and thereby compel him to resign. The only method by which you could reduce the salary at all would be to abolish the office.

Mr. SAUNDERS. Mr. Speaker, will the gentleman yield?

Mr. SISSON. Yes.

Mr. SAUNDERS. When we abolish the Commerce Court, does it not leave the judges still judges of the circuit court?

Mr. SISSON. Not if we specifically abolish the specific office of circuit judge.

Mr. SAUNDERS. Are they not subject to assignment like any other circuit judge?

Mr. SISSON. But there is a great deal of difference between a circuit judge and the office of a circuit judge.

Mr. BARTLETT. There is not any such thing known to the law except in the case of these five judges. We have judges of the circuit court.

Mr. SISSON. That is absolutely true, and when the President of the United States under the law assigns a particular Federal judge to a circuit, it does not mean that that circuit court is a court which has been created to such an extent that you can not abolish the office of the circuit judge after he has been assigned to a circuit. It is absurd to me to reach any such conclusion as that and therefore I have no patience with it, and for that reason and for that only have I opened my mouth about it, and in the subcommittee where this matter was thrashed out fully I agreed absolutely with the gentleman from Georgia [Mr. BARTLETT], and he and I were thoroughly in accord with this idea.

Mr. SAUNDERS. May I now ask my friend a question?

Mr. SISSON. The gentleman may.

Mr. SAUNDERS. Assignment to this circuit court is only part of the duties of circuit court judges of the United States?

Mr. SISSON. That is true by statute.

Mr. SAUNDERS. When you abolish the circuit courts are there not other duties to which you may assign those judges which you have not abolished, so you have not abolished the jurisdiction and function of these judges.

Mr. SISSON. There is a difference between the abolishment of the Commerce Court and the abolishment of the office of one of these judges. I do not believe Congress sits here bound and tied under this provision here because the very language says that the salary shall not be reduced during his continuance in office. It does not say during his term, it does not say during his life, but the language is as specific as it can be made. It is during his continuance in office, and when you abolish the office he can no longer continue there, and there is a great distinction between reducing the salary of a man in office and abolishing the office, and I do not believe there can or ever will be a court of law that will hold to the contrary.

The SPEAKER pro tempore. The time of the gentleman has expired. [Cries of "Vote!"]

Mr. COOPER. Mr. Speaker, I desire to have five minutes if I can secure it.

Mr. FITZGERALD. I yield five minutes to the gentleman.

Mr. COOPER. Mr. Speaker, I wish to say a word in reply to the gentleman from Mississippi [Mr. SISSON]. He admits that Congress has no power to legislate a justice of the Supreme Court out of office——

Mr. SISSON. I will state to the gentleman I made a distinction between offices created by the Constitution and those offices created by Congress.

Mr. COOPER. But I call the attention of the gentleman to the fact that the clause of the Constitution which retains the judges of the Supreme Court in office during good behavior is exactly one and the same clause that retains the judges of the inferior courts in office during good behavior. The clause is as follows:

The judges both of the Supreme Court and inferior courts shall hold their offices during good behavior.

Suppose that we make that clause into two sentences. One sentence would be, "The judges of the Supreme Court shall hold their offices during good behavior." The other sentence would be, "The judges of the inferior courts shall hold their offices during good behavior." Why should you construe one sentence differently from the other, the phraseology being exactly the same?

The reasoning applicable here is the reasoning of the Supreme Court in discussing the interstate-commerce clause of the Constitution, which confers upon the Congress the power to regulate commerce with foreign nations, between the States, and with the Indian tribes. The court in construing that provision has called attention more than once to the fact that the power over foreign commerce, interstate commerce, and with the Indian tribes is given in the same clause and in the same words without qualification, and has therefore held that it was the same power over each.

Now, here is a prohibition against legislating out of office the judges of the Supreme Court in exactly the same words and in the same clause with the inhibition against legislating out of office the judges of the inferior courts. Not only that, Mr. Speaker, but in establishing this Commerce Court Congress, by law, in express terms declared that these judges should be circuit judges; and the Constitution expressly provides that "the judges both of the Supreme Court and of the inferior courts shall hold their offices during good behavior."

This being so, they can not be deprived of their offices except by impeachment.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. FITZGERALD. Mr. Speaker, I ask for a vote.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York that the House recede from its disagreement to Senate amendment No. 61 and concur in the same.

The question was taken, and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. BARTLETT. Let us have a division, Mr. Speaker.

The House divided; and there were—ayes 82, noes 42.

So the motion was agreed to.

Mr. BARTLETT. Mr. Speaker, may I have a minute, by unanimous consent?

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent for one minute. Is there objection?

There was no objection.

Mr. BARTLETT. Mr. Speaker, I want to state that I acquiesce in this vote, but I do not recede from my position as to the importance of this bill. The other provisions of the bill constrain me to accept the vote as it is without further action.

Mr. FITZGERALD. Mr. Speaker, I ask the Clerk to report Senate amendment No. 82.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 57, amendment No. 82:

"For investigating and reporting to Congress a suitable design for a memorial bridge across the Potomac River from the city of Washington to a point at or near the Arlington estate in the State of Virginia, by the commission authorized paramnt to section 23 of the public buildings act approved March 4, 1913, $25,000, to be disbursed one-half by the Secretary of the Senate and one-half by the Clerk of the House of Representatives, on vouchers approved by the member of the commission designated by it to consider and approve vouchers for its expenditures."

Mr. FITZGERALD. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and concur therein.

The SPEAKER pro tempore. The gentleman from New York [Mr. FITZGERALD] moves that the House recede from its disagreement to this amendment and concur therein.

Mr. TOWNSEND. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. TOWNSEND. What act of March 4, 1913, is that?

Mr. FITZGERALD. The public-building act, which creates the commission, consisting of the President of the United States, the Vice President, the Speaker of the House, and the chairmen of the Public Buildings Committees of the Senate and the House, for the purpose of investigating and reporting on the plans for a memorial bridge across the Potomac. It authorizes the expenditure of $25,000.

Mr. TOWNSEND. It is not involved in any way with the Lincoln Memorial?

Mr. FITZGERALD. Not at all. This commission has submitted an estimate for this money.

Mr. MANN. Will the gentleman yield me two or three minutes?

Mr. FITZGERALD. Yes; but I wish to make a statement first. The question has been before Congress for a great many years, and numerous plans have been prepared and are in existence. It seems to me that since this commission is organized and may possibly require the money, so far as I am concerned, in view of the complexion of the commission, I can do nothing else than invite the House to concur in the amendment of the Senate.

I yield to the gentleman from Illinois [Mr. MANN] for three minutes.

Mr. MANN. Mr. Speaker, I was a member of the Committee on Interstate and Foreign Commerce 16 years ago. There was pending before that committee at that time a proposition to construct a memorial bridge under some name or other across the Potomac River at a very large expense. I was opposed to it, as were other members of the committee, and I think there has never been a session of Congress since that time when the same proposition was not pending before that committee which happens to have jurisdiction over the subject. I was always opposed to the proposition, but last year, when we had the Lincoln Memorial proposition up in the House—and the opposition to it had us defeated here for several months—I finally became an enthusiastic advocate of the memorial bridge across the Potomac River to connect the Lincoln Memorial on this side of the Potomac with Arlington on the other side of the Potomac and, as I hope, in the future to connect still further with Mount Vernon and Richmond, Va. [Applause.] I made the statement at that time in the House, and I feel obligated at all times to support these propositions following along the lines I mentioned then. I think, with the Lincoln Memorial, as it will be, a creation of beauty and affectionate regard, standing over here and connecting with the land on the other side, which was in the Confederate Government, and with roads and monuments which connect the city of Washington with the city of Richmond, we will have shown to those who follow us many years from now that really, after all, we have forgiven if we have not forgotten. [Applause.]

Mr. FITZGERALD. Mr. Speaker, I yield three minutes to the gentleman from Ohio [Mr. SHARP].

The SPEAKER pro tempore. The gentleman from Ohio [Mr. SHARP] is recognized for three minutes.

Mr. SHARP. Mr. Speaker, fully concurring in the very beautiful sentiments expressed by the gentleman from Illinois [Mr. MANN], and recognizing that without question this amendment will pass, inasmuch as the chairman of the committee [Mr. FITZGERALD] has added his request for it, yet I regret very much that that will be the result.

I think we are proceeding at altogether too rapid a pace in expending the revenues derived from the people's money in this country. Only the other day an estimate was made upon the revenues that were expected to be realized from the operation of the new tariff bill, and the best showing that could be made left a very narrow margin of a few million dollars at the end of the first year. That is a tariff, mind you, that in one sense is largely experimental, in so far as the revenues to be received from it are concerned; and yet if this project is carried out it will involve, in my judgment, the expenditure of at least half—more likely the entire amount—of the surplus or balance that it is estimated will come from this tariff bill and other sources of revenue during the first year.

It seems to me, my colleagues, that it would be wiser for us not to take this step at this time. Let us give this great economic measure, this tariff bill of ours, a fair chance to determine whether or not it is the revenue producer that we expect it will be.

I am not surprised, however, at the insistence of those who are back of this particular measure. I saw it coming when there was a compromise last year in favor of the Lincoln Memorial, and I could see then that not a few of my colleagues who were in favor of this great bridge were won over with the subtle argument—and even stronger than that, the downright promise—that the next thing on the program would be the advocacy of the building of this great bridge, costing several millions of dollars, which would connect the Monument Grounds of the National Capital with the other side of the Potomac.

I have no feeling of sectionalism in my mind at all in opposition to this project. My position would be the same if it were proposed to construct a bridge to connect any northern points. But we are now preparing at this moment to put into inauguration a new system of highway building by cooperation between the Nation and the different States, and I want to say in advance that, next to the public building and river and harbor appropriations, that system of highway improvements will draw the largest revenues from our Treasury. If I had my choice to-day, personally, so far as I am concerned, of devoting the amount of four or five million dollars that that bridge will cost, which can not be of any particular practical benefit except in a sentimental way, to that project or to the extension of better highways, I would rather devote it to the latter project. [Applause on the Democratic side.]

One growing need, especially to those who are intrusted with the guidance of the affairs of the Government—the majority, to which I belong—is economy in administration, and it goes along hand in hand with efficiency; and I fear that we are striking a gait altogether too rapid even for the great revenues of this rich country. [Applause on the Democratic side.]

Mr. COOPER. Mr. Speaker, will the gentleman from New York [Mr. FITZGERALD] yield me five minutes?

Mr. FITZGERALD. I yield to the gentleman five minutes.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. COOPER] is recognized for five minutes.

Mr. COOPER. Mr. Speaker, I shall be glad to vote for the motion of the gentleman from New York [Mr. FITZGERALD] to recede and concur in the Senate amendment.

I regret that the gentleman from Ohio [Mr. SHARP] takes a mere dollars-and-cents view of this proposition. He seems to fear that it means extravagance hereafter. The fact is that if the amendment should be enacted into law it would not bind Congress ever to spend one penny after the preliminary investigation and report for which it provides. I can vote for a proposition to-day that appeals to my better judgment without binding myself to vote for something else in the future that I may then deem unworthy of support.

Mr. SHARP. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Wisconsin yield to the gentleman from Ohio?

Mr. COOPER. I regret that I can not yield now. I have only five minutes.

I do not look at this as an extravagance, Mr. Speaker. On the contrary I look upon it as an investment that will pay to this Nation dividends not to be measured in dollars and cents.

It astonished me to hear the gentleman from Ohio [Mr. SHARP] say that the Lincoln Memorial bill, which became a law last winter, was passed as the result of a compromise and of an express promise that the next thing to follow would be the memorial bridge. As for myself, I advocated the building in this city a memorial to Lincoln on the banks of the Potomac, but I had no thought of any bribery or other improper influence of any sort in connection with that legislation. Not until the gentleman from Ohio spoke a few moments ago had I ever heard an intimation that there had been anything of the kind, and never until the gentleman's speech had I ever heard of the alleged promise as to the memorial bridge.

Mr. MANN. Will the gentleman from Wisconsin yield?

Mr. COOPER. Certainly.

Mr. MANN. I did not understand the gentleman from Ohio [Mr. SHARP] to make that statement. If he did, it is incorrect. There was no compromise or agreement made or anything that led up to it.

Mr. COOPER. Precisely so. My vote was cast for that bill because I desired to see in this Capital City a memorial to Abraham Lincoln worthy of his glorious fame.

I wished this memorial to be after the design recommended by the Burnham commission and made a leading feature of that commission's great plan for the improvement and beautification of the city of Washington. That plan provides for the removal of the Botanic Garden and the conversion of the site into Union Square; for the making of an avenue, bordered by trees, straight from the Capitol to the Potomac, this avenue to contain two monuments, one the towering shaft to the memory of Washington, the father of the Republic, and the other a beautiful memorial to Lincoln, the man who saved it; and that from the memorial to Lincoln a great bridge shall span the river to Arlington, where sleep the Nation's dead.

In the last Congress and also in the present Congress I introduced a bill to provide for such a bridge. Other Members introduced similar bills for the same purpose. I suggested that it be called the Grant-Lee Bridge, or the Bridge of Peace.

Mr. Speaker, the whole conception of this avenue as proposed by the Burnham commission is magnificent. The Capitol, Washington, Lincoln, the memorial bridge, Arlington! No other avenue in all the world would be so beautiful nor mean so much to the friends of free government.

It is not extravagance to make reasonable efforts gradually to complete such a project.

Mr. FITZGERALD. Mr. Speaker, I yield one minute to the gentleman from Ohio [Mr. SHARP].

Mr. SHARP. Mr. Speaker, my only purpose in taking the floor is to emphatically deny that I used any such expression as "bribery" in this connection. There certainly was no intention to convey such a thought. I said there was a compromise. I said it advisedly. I was present at a meeting or a distinguished gathering of Congressmen in which that word "compromise" was used. There was a suggestion that if the Lincoln Memorial could be put through the memorial bridge would logically follow next. That is the literal truth.

Mr. Speaker, if I am to be criticized for advocating economy on the floor, I can stand that criticism. I was in favor of and voted for the appropriation when it was made for the Lincoln Memorial. My desire expressed in a bill introduced in the House for that purpose took the form of a vocational institution to commemorate the virtues and services of the great savior of the Republic. And yet, Mr. Speaker, I cheerfully fell in line after the defeat of what I thought a better memorial with the proposition for the monument, and I am glad they are going to build it. I still say, however, that I have a right and intend to exercise it, to express my opinion, although it may not be at all times popular, on the side of reason and prudence in the expenditure of the public revenues. [Applause.]

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Kentucky [Mr. JOHNSON].

Mr. JOHNSON of Kentucky. Mr. Speaker, I am entirely satisfied in my own mind that the name of Lincoln is being used upon this occasion to conjure up a lot of sentiment strictly for mercenary purposes. [Applause.] I am not only from the South, but Lincoln's birthplace is in my district, and I have as much reverence for his memory as has any other man. I think that one of the greatest disasters that ever befell the South was the death of Lincoln at the time it came. [Applause.] I will go as far as the next man to do reverence and honor to his memory, but I am not willing to vote millions of money—for this is but an advance for millions of money—to further a real estate project near the Potomac River. [Applause.]

Mr. CARLIN. Will the gentleman state where that project is?

Mr. JOHNSON of Kentucky. The gentleman's opportunities to know ought to be better than mine.

Mr. CARLIN. I do not know any such thing, and I want the gentleman to state if he knows.

Mr. JOHNSON of Kentucky. I said that I was entirely satisfied with it, and I am. A man named Gude, who has served a great many times on condemnation juries in the District of Columbia during the last five years, was before the Committee on the District of Columbia but recently and practically admitted that this was a real estate project. This, I repeat, in my judgment is but a real estate project to conjure votes under the sacred name of Abraham Lincoln. This thing ought to be stopped, and it ought to be stopped right here; and I am glad to see the gentleman from Ohio [Mr. SHARP] join in an attempt to stop a raid on the Treasury in the interest of the real estate people of the District of Columbia and the surrounding communities.

You are building a two-million-dollar memorial to Abraham Lincoln on Potomac Park, near one end of where it is contemplated this bridge is to be, and that ought to suffice. One gentleman has just referred to Sixteenth Street. I had occasion not long ago to refer to that myself. One hundred and eighty thousand dollars was appropriated for a bridge there, and it cost $734,000 to condemn the land at this end of that bridge to get to it; and when you have spent millions of dollars to build this bridge, then I say that the expense of it is only barely begun. The people who are behind it will then want millions more to improve the surroundings. Look at this scheme to acquire the park between this building and the Union Station. That was represented as being nothing more or less than an endeavor to beautify the Capitol Grounds by making a park. But what is that? That is but a scheme of the Baltimore & Ohio Railroad to sell their million and a half dollars' worth of property between here and the Union Station. All these things, I say, when you ferret them out, have a mercenary scheme behind them; and this is no exception to the rule. Ninety-one years ago the people from Pennsylvania came to this body and asked that the Chesapeake & Ohio Canal be exempted from taxation because that would make a link of union between the North and the South. Of what benefit has it been to anybody except that that corporation escaped taxation. And who owns it now? The Baltimore & Ohio Railroad—all for the purpose of stifling and cutting off any other railroad from coming into the District of Columbia through the cut and the natural gap this side of Harper's Ferry. To-day they are escaping taxation, notwithstanding the fact that when it comes to extending the park from the Potomac across Massachusetts Avenue and over to the Zoo they have property to sell to the District of Columbia and the Federal Government which for 91 years has borne no tax.

Mr. Speaker, I say that when you vote this $25,000 to start this scheme you let in the camel's nose, and millions of dollars will follow it, all for a false sentiment. [Applause.]

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I have been in favor of the building of a memorial bridge to unite the city of Washington and the soil of old Virginia ever since I have been in Congress. I remember during the very earliest days of my service here standing on the heights of the Potomac, the historic family residence of the Lees, now the God's acre of the Nation, and regretting that we did not have spanning the Potomac a great monument which by reason of its location, would, more than any other we could build, exemplify and typify a reunited country. The Potomac, more than any other natural boundary, marks the dividing line in that historic struggle, now happily but a memory. It was the waterway across which back and forth the contending forces made their way. A bridge across that stream between the Capital of the Nation and the State which contained the capital of the Confederacy, a memorial structure of monumental design would be an inspiration to every patriotic American. It would be the one thing of all others that to my mind would exhibit to the world in lines of grandeur and beauty the change that has come with the passing years, and the cementing bond of love and affection which now binds the Union, North and South. Of course it will cost some money, and gentlemen say that it is largely a matter of sentiment. Well, that is true to a certain extent, although this bridge will have its important practical uses; but as a matter of sentiment it would pay ten thousand times what it cost, and I hope we may provide for this small appropriation to start the work on plans, and that in the near future we will inaugurate the work of building this great memorial bridge which would typify the unity of our beloved country. [Applause.]

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. CARLIN].

Mr. CARLIN. Mr. Speaker, I regret exceedingly that any gentleman on this side of the House could be found to object to the motion made by the chairman of the Appropriations Committee at this time. Both gentlemen, in my judgment, are mistaken in the view that they take of this appropriation. In the first place, the gentleman from Ohio [Mr. SHARP], while favoring the general plan, is opposed to it now upon the ground of extravagance, and yet the same gentleman voted this morning for $97,000 for the State of Ohio, or rather to be returned—in quilty given—to that State; and while I have no complaint to make against the gentleman who voted for heavy pension bills, yet I do feel I have the right to call attention to the fact when he argues for economy.

Mr. SHARP. Will the gentleman yield for a question?

Mr. CARLIN. If it is not to be taken out of my time. Yes; I yield to the gentleman.

Mr. SHARP. I merely want to say I hope the time never will come when as a Member of this House I shall refuse to vote for just pensions to the saviors of our country.

Mr. CARLIN. The gentleman may continue to do that with perfect consistency, but he ought not to rail out at the time he does it against extravagance when the country is now paying, I think, $180,000,000 for that purpose. Now, the gentleman from Kentucky [Mr. JOHNSON] says that he sees a rat in the meal tub. That is a remarkable statement. My friends, long before the gentleman from Kentucky ever occupied a seat in this House this Congress appropriated $25,000 for plans and estimates for a bridge across this river, and it was expended and plans were drawn and no real estate scheme has ever developed by reason of that expenditure. It is true they will not answer now, and if it be a real estate grab it has lived longer than the gentleman's service in Congress. I do not believe that such a thing is in the mind of any man who supports this project. I hope the gentleman is correct in one of his statements, namely, that it is the beginning of an appropriation which means the construction of a bridge across that river. My friends, let me say to you to-day that the Potomac River is a barrier to traffic between the North and the South and it is now only bridged by one small bridge. Private concerns are not permitted, corporations are not allowed to construct bridges across that river, and the only person that can build that bridge is the Federal Government itself, and if it rested upon no stronger ground than the mere necessity for the bridge in order to promote intercourse between the North and the South that ground alone would be sufficient. But, my friends, there is an additional ground. Is sentiment dead in our land? I hope not. I have never conjured upon the name of Lincoln in order to add this bridge. Though born and reared under southern skies, it was one of the great pleasures that I have exercised since I have been a Member of this House to vote for the Lincoln Memorial. I believe it was a tribute which was due him by the Nation and its representatives.

The SPEAKER. The time of the gentleman has expired.

Mr. FITZGERALD. I yield the gentleman two minutes additional.

Mr. CARLIN. And now when it is proposed to connect that memorial with the home of Lee on the other bank of the Potomac River, while I do not conjure with the name of Lincoln, but Lincoln himself, in my judgment, if he lived to-day, would vote for a bridge across that river if for no other purpose than to connect the two sections of the country by an artistic memorial emphasizing the fact that we have a united country.

Some gentlemen see a rat somewhere in every appropriation that is proposed in this House. I have no objection to real estate people living. They have as much right to live as anybody else. I have no doubt that somebody, somewhere, may be benefited by the construction of this bridge from the mere standpoint of real estate. But that is not the motive behind the structure, that does not impel me or any other gentleman on this floor to its support, and it ought not to have been used here in this debate.

The Baltimore & Ohio Railroad is brought in as a bugaboo. In the name of conscience, what has the Baltimore & Ohio Railroad Co. to do with this bridge? It has not a pound of rail within a hundred miles, so far as I know, of where this bridge is to be constructed.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. CARLIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. FITZGERALD. Mr. Speaker, I desire to make this statement: This commission was created in the public-building act which passed Congress in the last session. The authority for this expenditure was contained in that act. I recall that when that bill was brought into the House I endeavored to have it considered in some other way than under suspension of the rules. I had very little assistance from gentlemen who now condemn the recommendation that the appropriation be made. The commission consists of the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, the chairman of the Committee on Public Buildings and Grounds of the Senate, and the same committee in the House. That commission has submitted an estimate, in accordance with law, requesting this appropriation. While I have no desire to encourage, and I do not advocate, extravagant appropriations, I have frequently pointed out that when these authorizations are made and the time comes there is nothing left for Congress but to appropriate the money.

Mr. GOULDEN. Mr. Speaker——

The SPEAKER. Does the gentleman from New York [Mr. FITZGERALD] yield to his colleague [Mr. GOULDEN]?

Mr. FITZGERALD. Yes.

Mr. GOULDEN. While I am in favor of the proposition, I would like to ask the gentleman how much money has been already expended for the plans, and why were not these plans appropriated for by Congress?

Mr. CARLIN. They were prepared years ago, and they are obsolete.

Mr. FITZGERALD. I understand that there were plans, and plans, and more plans, of bridges, of every style and character and type, estimated to cost from $3,000,000 to $20,000,000. But this commission will undoubtedly require the services of technical and expert men to examine and report to them, and to advise them, so that they may intelligently recommend action by Congress. In view of the circumstances, I can not, in the performance of my duty, assume that the three chief officials of this Government, selected by the Democratic Party, will be guilty of unjustifiable extravagance in the expenditure of money authorized to be appropriated and put at their disposal to perform certain duties which the law devolves upon them. For that reason I urge the adoption of the amendment of the Senate.

Mr. SISSON. Mr. Speaker, I want just a minute or two.

Mr. FITZGERALD. Mr. Speaker, I yield to the gentleman two minutes.

Mr. SISSON. Mr. Speaker, I am a member of the subcommittee on deficiencies. My objection to this project is that the State of Virginia and the District of Columbia will be the parties principally benefited. This scheme contemplates building a bridge that benefits this locality only, and taxing all the people of the balance of the United States for it. If the Federal Government, using the bridge, should be called upon to pay a certain portion of the expense of it, and the District of Columbia a certain portion, and the State of Virginia a certain portion, by reason of the fact that the Government is located here in Washington close to the bridge, then I should have no objection, because I do not want the Federal Government not to bear its pro rata share of expense where it is benefited. But I have no sort of sympathy with the idea of "conjuring" with sentimental ideas for the purpose of building the bridge, because that means great marble entrances, means great boulevards and approaches, and means the condemnation of a great deal of property at exorbitant prices.

I recall well the night when I surrendered on the fight as to the purchase of the ground between here—the Capitol—and the Union Station, and so will the gentleman from Illinois. Once they beat me by 3 votes, and then by 2 votes, and then by 1 vote, and then, I believe, by 6 votes once. I did not believe when they started they ought to purchase property between here and the Union Station, but with all my efforts they succeeded with just a few Democratic votes and a solid Republican vote.

Mr. MANN. I said then that the gentleman would thank God that we beat him. He is not yet ready to do so, but after we have beautified the spot he will.

Mr. SISSON. The gentleman from Illinois [Mr. MANN] told me so one night. But let me tell the new Congress here this: I have learned there are few friends of the Public Treasury in Congress, as a rule, on either side of the House; when you come to conjure around the names of certain great men they all become cowards.

As Madame Roland stepped upon the guillotine and the ax was about to fall upon her devoted neck, she cried aloud, "O Liberty, how many crimes are committed in thy name!" And I say it is so with Lincoln and with Lee and Grant and with all the other great national heroes. How many extravagances

are committed in your names, O great shades of the past! [Applause.]

The SPEAKER. The proposition before the House is the motion of the gentleman from New York [Mr. FITZGERALD] to recede from the disagreement of the House to the Senate amendment numbered 82 and concur in the same.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. FITZGERALD. Mr. Speaker, I ask for a division.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] asks for a division. Those in favor of the motion will rise and stand until they are counted. [After counting.] Fifty-five gentlemen have risen in the affirmative. Those opposed will rise and stand until they are counted. [After counting.] Fifty-seven gentlemen have risen in the negative.

Mr. CARLIN. Mr. Speaker, I ask for tellers.

Mr. MANN. I ask for the yeas and nays, Mr. Speaker.

The SPEAKER. On this vote the ayes are 55 and the noes are 57. The gentleman from Illinois [Mr. MANN] asks for the yeas and nays. Those in favor of taking the vote by yeas and nays will rise and stand until they are counted. [After counting.] Thirty-seven gentlemen have risen—a sufficient number. The Clerk will call the roll. Those in favor of the motion of the gentleman from New York [Mr. FITZGERALD] to recede from the disagreement of the House to the Senate amendment numbered 82 and concur in the same will, when their names are called, vote "yea"; those opposed will vote "nay."

The roll was called, and prior to the announcement of the result the following occurred:

Mr. MANN. Mr. Speaker, before the vote is announced I ask unanimous consent to vacate the proceedings under which the yeas and nays were ordered.

The SPEAKER. The gentleman from Illinois asks unanimous consent to vacate the order for the yeas and nays and the roll call under the order. Is there objection?

Mr. SISSON. Reserving the right to object, I want to know——

Mr. MANN. That leaves it so that you win.

Mr. CARLIN. Reserving the right to object, Mr. Speaker, that leaves the vote standing 57 against the motion to 55 in favor of it.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. FITZGERALD. Mr. Speaker, I move that the House further insist on its disagreement to Senate amendment 82.

The SPEAKER. The gentleman from New York moves that the House further insist on its disagreement to Senate amendment 82.

Mr. COOPER. Mr. Speaker, will the gentleman from New York kindly yield me three or four minutes in which to say what I feel I ought to say?

Mr. FITZGERALD. I wish the gentleman would wait until some other time.

Mr. COOPER. What amounted to a direct reflection upon my integrity was made here on the floor of the House.

Mr. FITZGERALD. I beg the gentleman's pardon. How much time does he want?

Mr. COOPER. Three or four minutes.

Mr. FITZGERALD. Mr. Speaker, I yield the gentleman from Wisconsin three minutes.

Mr. COOPER. I am greatly obliged to my friend from New York.

Mr. Speaker, immediately after I concluded my remarks in support of the motion of the gentleman from New York to concur in the Senate amendment respecting a memorial bridge across the Potomac River the gentleman from Kentucky [Mr. JOHNSON] arose and said that back of the proposition for a bridge, and, of course, back of the proposed amendment, was a real estate scheme, or a real estate ring, or something of that sort. I observed approving smiles not only upon that side but upon this side of the aisle, although there was no evidence to support a statement which amounted to a severe reflection upon me and upon other Members of the House.

Mr. Speaker, I have never owned, I do not now own, even so much as the slightest interest in any real estate except in the State of Wisconsin.

I have no relative who owns any interest in any real estate in the District of Columbia or in the State of Virginia. I do not, to my knowledge, know any person who owns real estate within 10 miles of what would be the Virginia end of the proposed bridge, and this end of which would be in a national park. No one, man, woman, or child, in the District of Columbia or elsewhere, citizen of this District or of the State of Virginia, that I now recall, has ever spoken to me concerning a memorial bridge nor concerning the bill which I introduced for such a bridge except three old ex-Confederate veterans, who did not look as though they owned any real estate, but who did me the honor to come to my hotel, introduce themselves to me, a perfect stranger, and say, "Mr. COOPER, as ex-Confederate veterans, we were glad to see you introduce a bill proposing to construct a memorial bridge across the Potomac and call it the Grant-Lee Bridge. We love the name of Lee."

Mr. Speaker, if there be any real estate speculation involved in this proposal for a memorial bridge, I ask the gentleman from Kentucky [Mr. JOHNSON] to acquit me of participation in it. He made the statement without qualification. He was challenged to produce his proof by my friend the gentleman from Virginia [Mr. CARLIN]. He did not produce it.

Mr. Speaker, it is a serious thing to rise on this floor, after a Member has honestly made a speech in favor of a measure in which he thoroughly believes, and impugn the motives of that Member, particularly when the imputation carries with it a reflection upon his personal honor. [Applause.]

The SPEAKER. The time of the gentleman from Wisconsin has expired. The question is on the motion of the gentleman from New York [Mr. FITZGERALD] that the House further insist on its disagreement to amendment 82.

Mr. THOMAS. Mr. Speaker, I move to concur in Senate amendment No. 82 with an amendment which I send to the Clerk's desk and ask to have read.

The SPEAKER. The Clerk will report the motion of the gentleman from Kentucky.

The Clerk read as follows:

Add to the amendment the following: "That fourth-class postmasters shall not"——

Mr. MANN. Mr. Speaker, I make the point of order that the amendment is not germane.

Mr. THOMAS. But the amendment has not yet been read.

Mr. MANN. Enough of it has been read to show that the amendment is not germane, and I make the point of order. The Chair can easily determine that anything relating to fourth-class postmasters is not germane to this amendment.

The SPEAKER. The point of order is well taken. The question is on the motion of the gentleman from New York that the House further insist on its disagreement to Senate amendment No. 82.

The question was taken, and the motion was agreed to.

Mr. FITZGERALD. Mr. Speaker, I will ask the Clerk to report the next amendment.

The Clerk read as follows:

Page 59, amendment 93:

"For purchase of an automobile, including driving, maintenance, and care of the same, for the use of the Vice President, for the fiscal year 1914, $7,000."

Mr. FITZGERALD. Mr. Speaker, I move that the House further insist upon its disagreement to the Senate amendment.

Mr. MANN. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and concur in the same with an amendment.

The SPEAKER. The gentleman from New York moves that the House further insist upon its disagreement to the Senate amendment numbered 93, and the gentleman from Illinois [Mr. MANN] offers another amendment which the Clerk will report.

Mr. THOMAS. Mr. Speaker, I object to its being reported.

The SPEAKER. The objection is not well taken until the Chair can find out what it is.

Mr. THOMAS. The Chair did not find out what my amendment was.

The SPEAKER. The Chair found out the gentleman's amendment was about fourth-class postmasters. The gentleman named the men too quickly in his motion. If he had put them in at the other end of the amendment he might have had it read.

The Clerk read as follows:

Amend Senate amendment No. 93 by striking out the language proposed in the Senate amendment and inserting in lieu thereof the following:

"For the purchase of two automobiles, including the driving, maintenance, and care of same, one for the use of the Vice President and one for the use of the Speaker of the House of Representatives, for the fiscal year 1914, $14,000, one half to be disbursed by the Secretary of the Senate and the other half to be disbursed by the Clerk of the House of Representatives."

Mr. FITZGERALD. Mr. Speaker, I make the point of order that the motion is not in order, because the amendment is not germane to the amendment proposing an automobile for the Vice President of the United States and an amendment proposing an automobile for another officer of the Government is not in order.

Mr. MANN. Mr. Speaker, I ask the gentleman, as the gentleman would have full responsibility, in fairness to the House to withdraw his point of order.

Mr. FITZGERALD. No; I will not. I insist upon it.

The SPEAKER. The point of order is well taken. [Applause.]

Mr. MANN. I will tell you that ruling came high, Mr. Speaker.

The SPEAKER. The question is on the motion of the gentleman from New York to further insist on the disagreement to Senate amendment numbered 93.

The question was taken, and the Speaker announced the ayes had it.

Mr. MANN. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 121, noes 13.

So the motion was agreed to.

Mr. FITZGERALD. Mr. Speaker, I ask that the next amendment be reported.

The Clerk read as follows:

Page 60, amendment 97:

"To enable the Secretary of the Senate and the Clerk of the House of Representatives to pay to the officers and employees of the Senate and House of Representatives and the employees on the maintenance roll of the Senate Office Building, borne on the annual and session rolls on the 1st day of October, 1913, for extra services rendered during the first session of the Sixty-third Congress, a sum equal to one month's pay at the compensation then paid them by law, the same to be immediately available."

Mr. FITZGERALD. Mr. Speaker, I move that the House further insist upon its disagreement to the Senate amendment.

The SPEAKER. The gentleman from New York moves that the House further insist upon its disagreement to Senate amendment numbered 97.

Mr. HARDWICK. Mr. Speaker, I submit a preferential motion to recede and concur with an amendment.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. HARDWICK moves to recede from the disagreement of the House to Senate amendment 97 and to concur in said amendment with the following amendment: "Page 61, line 16, after the word 'thirteen' insert 'including the Capitol police, the official reporters of the Senate and the House, and W. A. Smith, CONGRESSIONAL RECORD clerk.'"

Mr. FITZGERALD. Mr. Speaker, I reserve a point of order against the amendment.

Mr. HARDWICK. I would like the gentleman to make it. I do not think it is good.

Mr. BARTLETT. Mr. Speaker, I desire to amend the motion of the gentleman from Georgia by adding to it the words which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend the amendment by adding the following: "And clerks to Members, Delegates, and Resident Commissioners who have been placed upon the roll of employees of the House in accordance with existing law."

Mr. FITZGERALD. Mr. Speaker, I also reserve a point of order on that amendment.

Mr. HARDWICK. Mr. Speaker, I would like the point of order to be settled first.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] also reserves a point of order on the amendment.

Mr. HARDWICK. Mr. Speaker, I would rather the points of order would be discussed and settled now.

Mr. MANN. I would rather have the points of order reserved.

Mr. FITZGERALD. I make the point of order that the motion of the gentleman from Georgia [Mr. HARDWICK] is not in order.

Mr. HARDWICK. For what reason?

Mr. FITZGERALD. Because it proposes an amendment to the Senate amendment which is not germane. The Senate amendment proposes to pay an extra month's salary to the Secretary of the Senate and the Clerk of the House, the officers and employees of the Senate and House of Representatives, and employees on the maintenance roll of the Senate Office Building. The gentleman from Georgia [Mr. HARDWICK] proposes to include other employees who are not categorically referred to in the pending amendment, and it would make it not germane. The Capitol police are not on the same roll or any roll that brings them within the provisions of the Senate amendment.

Mr. HARDWICK. Mr. Speaker, it seems to me the point of order made by the gentleman from New York [Mr. FITZGERALD] is not well taken. It would be the superfinement of parliamentary hairsplitting for the Chair to hold arbitrarily that when the Senate undertakes by amendment to provide compensation for certain employees of both Houses of Congress that the House has no right to provide for compensation for certain other employees of the two Houses of Congress. In other words, it would narrow and restrict and limit the power of the House by formal construction beyond endurance to say when the Senate has opened up the subject matter of compensation for the officers and agents and employees of the Congress that we can not deal with the general subject that the Senate deals with but simply with the specific objects that the Senate mentions.

It seems to me, Mr. Speaker, that when the Senate undertakes to say that we will increase the salary of certain employees of the two Houses of Congress, or of either House of Congress, it opens up the subject of salaries of all classes of employees of the two Houses of Congress.

The SPEAKER. Where would the gentleman from Georgia [Mr. HARDWICK] set the limit?

Mr. HARDWICK. It would be, to give the Chair my opinion, within the limit of the general classes described in the Senate amendment, but not confined to the specifications of the Senate amendment. For instance, let me illustrate: Suppose it said in express language, "We will increase the salaries of the secretaries to Senators," then undoubtedly no one would contend the House would not have the right, because it was not germane, to say we could not include similar employees of the House. So, if the Senate undertakes to say, "We will deal with this subject relating to employees of the Senate, or of the House, or of the two Houses generally," it seems to me, by any fair construction of parliamentary law, we open up that general subject.

The two Houses could never meet in agreement if the parliamentary rule as to germaneness was so strictly construed as that on every proposition. Then we could do nothing except to agree to the precise proposition the Senate submits, and if the Senate submitted this one proposition, describing it in precise, specific, and exact language, then, according to the narrow idea the gentleman from New York now advances, we would have no option except to agree to precisely what the Senate suggests or disagree thereto.

I have not had the time to examine the precedents, and I did not do so, because I never anticipated such a point of order as this. I do not think such a point of order as this has ever been made against this sort of a proposition, although it is not a new question. But I believe that an examination of the precedents will not disclose a single instance in which any such narrow construction as the gentleman from New York [Mr. FITZGERALD] seems to try to invoke was ever given in this matter of germaneness. It seems to me that when the Senate opens up this sort of a question they open up the broad question of all employees of the two Houses of Congress and of each House of Congress and of the two Houses of Congress generally.

Mr. CARLIN. Will the gentleman yield?

Mr. HARDWICK. I yield to the gentleman.

Mr. CARLIN. I was going to suggest to the gentleman that this Senate amendment deals with certain Federal employees, and the amendment which you offered deals with Federal employees.

Mr. FITZGERALD. Then the gentleman thinks that post-office employees would be included?

Mr. CARLIN. I am speaking now of similar classes. I want to call the gentleman's attention to a resolution of the House which was passed here, I think, at the last session, making the clerks to Members, in effect, Federal employees in this case, and requiring them to register, and at present the warrants on the Treasury are made out to them.

SEVERAL MEMBERS. Oh, no.

Mr. FOSTER. No; the gentleman is mistaken about that.

Mr. HARDWICK. Well, Mr. Speaker, I only want to add another word, that if any such rule of parliamentary construction as that contended for by the gentleman from New York [Mr. FITZGERALD] were to obtain in this body, it would be impossible for the two Houses of Congress to legislate, and we could do nothing but simply say we accept or reject a Senate proposition, without modification or amendment, except within the most narrow limitations.

Every one of us has common sense enough to know that that is not what we do here day after day. If the gentleman from New York, by technical parliamentary tactics, can succeed in keeping the House from going into this subject which the Senate amendment raises, hereafter when a Senate amendment comes up on any proposition this same ruling could be invoked to keep us down to exactly what the Senate amendment specifies.

Mr. FITZGERALD. Mr. Speaker, the gentleman must show some authority to demonstrate that his amendment is in order.

Mr. HARDWICK. If the gentleman from New York will permit me to interrupt him, I think he ought to show some authority indicating that it is not in order.

Mr. FITZGERALD. No; that is not the rule.

Mr. HARDWICK. There is not any sense in that. [Laughter.]

Mr. FITZGERALD. It is not required to have any sense. It is sustained by the rule. That is the advantage which the gentleman from New York has over the gentleman from Georgia.

This amendment refers to a specific class of employees, and the amendment, in order to be germane, must not only be related to them in a general sense, but must have such a particular relationship to make this germane to the principle of the amendment. The gentleman proposes to bring in an employee of the Government Printing Office. He claims that that is germane to an amendment giving a month's extra pay to the employees of the Senate and of the House.

The Capitol police are not upon the rolls of either the Senate or the House. They are appropriated for under a special and distinct head. If the gentleman's theory is correct, not only would the inclusion of these employees be in order, but of employees in the Library of Congress or in the Department of Justice or in any other department of the Government would be in order.

Mr. CAMPBELL. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. FITZGERALD. I have finished, Mr. Speaker. It is so clear to me that this matter is not germane that I do not care to discuss it further.

Mr. CAMPBELL. I would like to submit a question to the gentleman from New York.

The SPEAKER. Does the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. CAMPBELL. Would it not be within the power of the conferees to agree upon exactly the same proposition as is made by the gentleman from Georgia [Mr. HARDWICK]?

Mr. FITZGERALD. I think not.

Mr. CAMPBELL. Do not conferees make compromises on germane subjects?

Mr. FITZGERALD. Oh, no.

Mr. HARDWICK. It is done constantly in conference.

Mr. CAMPBELL. Mr. Speaker, while I am on my feet, since the gentleman from New York [Mr. FITZGERALD] has yielded the floor, I want to say that the conferees between the House and the Senate upon germane subjects in almost every appropriation bill have arrived at compromises upon these subjects, and what the conferees can do the House can certainly do.

The SPEAKER. It is a good while since the limitations on the action of the conferees have been stated here, and there are a good many new Members now in the House. In June, 1812, Henry Clay laid down the limitations about the power of conferees. In brief, they were these: That a subject to be treated by the conferees must have been treated originally in the House bill, or in a bill that originates in the House, or in a Senate amendment to that bill, or in a House amendment to a Senate amendment. The conferees can not go outside of that, and if the class of officers which it is sought to bring under this rule was not dealt with either in the bill itself as it left the House or in a Senate amendment, then the conferees have no business with it. It shuts them out completely.

Mr. MANN. Mr. Speaker, the statement made by the Speaker would not be sustained by the Speaker ordinarily, because he did not make it as broad as it should be or as he usually has made it. The Speaker has made a good many statements to the House at different times with reference to the power of conferees, and has made them exceedingly well; but the Speaker does not mean to say, I am sure, that the conferees can not insert any new matter in a Senate amendment. For instance——

The SPEAKER. They can perfect a Senate amendment.

Mr. MANN. For instance, take the proposition now pending. The Senate amendment proposes to give an extra month's pay to officers and employees of the Senate and the House, so far as the House is concerned, borne on the annual and session rolls on the 1st of October. What is the proposition? First, to pay to the officers and employees of the House an extra month's pay. That includes the official reporters of the House, and it includes all persons who are employees of the House. Thereupon a Senate amendment contains a limitation upon that and says that these officers and employees who are borne on the annual or session rolls. Now, certainly no one will contend that if we have a daily roll of the House we can not include the employees on the daily roll, although it would not be included because of the limitation in the Senate amendment.

The Senate amendment covers all employees of the House. To begin with, the limitation fixes the 1st of October on the annual and session rolls. Would anyone contend that we could not change the date from October 1 to October 10 or October 20 or November 1 if we chose to, although it might include somebody who had not been on the rolls October 1? That is where the Speaker made a narrow limitation, unintentionally, because we are not confined to the persons who would be covered by the Senate amendment. We may include other persons if we can do it by including another class within the scope covered by the Senate amendment.

Now, I do not undertake to say whether there is any item in the amendment subject to a point of order, for I have not examined it carefully. Certainly the House, with the Senate amendment before it, has the right to so enlarge it as to include other employees of the House or so diminish it as not to include all those named in the Senate amendment.

The SPEAKER. The Chair would like to ask the gentleman from Illinois if he contends that employees of the Government Printing Office could be put in under this amendment?

Mr. MANN. The Speaker, I suppose, has reference to the CONGRESSIONAL RECORD clerk.

The SPEAKER. Yes; and a very efficient officer, too.

Mr. MANN. I think there may be a question of doubt about it as to whether he could be named by name or whether he could be considered an employee of the House. As a matter of fact, he is an employee of the House and of the Senate, although he draws his pay through the Government Printing Office.

Mr. HARDWICK. He is under the direct control of the Joint Committee on Printing. Now, Mr. Speaker, I have some authorities here.

The SPEAKER. The Chair would be glad to hear the gentleman.

Mr. HARDWICK. I will read:

A general subject may be amended by specific propositions of the same class. Thus the following have been held to be germane: To a bill admitting several Territories into the Union, an amendment adding another Territory.

So when the Senate amendment provides for a class of employees it is germane for the House to specify another class of employees entirely different whose salary it wishes to increase. It seems to me that the precedent is precisely on all fours. Here is another precedent:

To a bill providing for the construction of buildings in each of two cities an amendment providing for similar buildings in several other cities; to a resolution embodying two distinct phases of international relationship, an amendment embodying a third.

These are the decisions in the Manual. We are not confined to the classes of employees whose compensation the Senate wants to increase; we can add another and separate class by amendment if we want to, because the subject matter of the Senate amendment is the increasing of the compensation of certain employees who perform services for the two Houses of Congress. Certainly it would be a most narrow construction of parliamentary law if the Speaker were to hold arbitrarily that the House could not specify another class of employees in connection with the Senate proposition. There is no rule of parliamentary law, no precedent, and I challenge the gentleman from New York to produce one anywhere, to the effect that when the Senate names certain classes of employees whose compensation it desires to increase the House can go no further in naming another class of employees whose compensation it wishes to increase. It seems to me that the proposition I announce is founded on such evident common sense and that the precedents are so squarely on all fours with it, that there ought not to be any doubt in the mind of the Speaker as to how he should rule. I do not care on what roll they are carried. These men perform service for the two Houses of Congress. I do not care whether they are paid from the Printing Office, the Post Office Department, or anywhere else. If the Senate undertakes to increase the pay of certain classes of employees who serve the two Houses of Congress or either House of Congress, we, by amendment, if we wish to, have the right to either add to or subtract from their proposition, and unless that be true, there will be no possibility of the two Houses meeting each other on equal terms and finally enacting legislation with equal rights and equal privileges with each other.

The SPEAKER. To begin with, the Chair thinks the suggestion of the gentleman from Illinois that the Chair stated the limitation too narrowly, is correct. The Chair has long been familiar with the precedents cited by the gentleman from Georgia [Mr. HARDWICK], but never could see the reason for them. It seems to be the rule, and it has been so decided more than once, that where a bill is under consideration to admit one Territory, it is obnoxious to the rule to add another, or where there is under consideration a bill to construct one public building, it is obnoxious to the rule to undertake to amend it by adding others; but where there are several in the original proposition—that is, where there is a bill under consideration for the construction of more than one public building—then it is within the rule to amend by adding another public building or

buildings, or where there is a bill to admit two or more Territories, it is in order to add another or others; but in a bill to admit only one Territory an amendment to add another or others is not in order. The current of opinion seems to be uniform in respect to that.

Let us see what this case under consideration is. The amendment reads:

To enable the Secretary of the Senate and the Clerk of the House of Representatives to pay to the officers and the employees of the Senate and House of Representatives—

And so forth.

That is one class. The second class follows—

and the employees on the maintenance roll of the Senate Office Building—

And so forth.

There we have two classes. The Hardwick amendment proposes to add another class. The Chair thinks the point of order not well taken, and therefore the Chair overrules the point of order.

Mr. FITZGERALD. Mr. Speaker, I now make the point of order against the amendment of the gentleman from Georgia [Mr. BARTLETT], who offers an amendment to the amendment of his colleague, the effect of which is to increase the allowance under the law paid to each Member of Congress for clerk hire. I call attention to the fact that under the law each Member of Congress is paid $1,500 annually to reimburse him for money paid in the employment of clerks, and that a provision to appropriate an additional month's compensation, or one-twelfth of the amount fixed by law, is not germane to the provisions to give extra compensation to employees of the Senate and of the House. These men are not employees of either the Senate or the House. They are the employees of the Members of Congress.

Mr. BARTLETT. Mr. Speaker, I desire to detain the Chair and the House for just a moment. The legislative, judicial, and executive act of 1912, and also the act of 1911, contained a provision that the salaries for the clerks of Members shall be paid to them, provided there shall be placed upon the roll of employees of the House the name of such clerk of Member, Delegate, or Resident Commissioner.

The SPEAKER. Has the gentleman the statute there?

Mr. BARTLETT. I have sent for it.

Mr. FITZGERALD. Mr. Speaker, I have before me the act containing the appropriation for 1914, and there is no such provision as that in it.

Mr. BARTLETT. And it was in the act of 1913.

Mr. FITZGERALD. The act of 1914 provides—

That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and any Member, Delegate, or Resident Commissioner may appoint one or more clerks, who shall be placed on the roll as the clerk of such Member, Delegate, or Resident Commissioner making such appointments.

But the appropriation itself reads as follows:

Clerk hire, Members and Delegates: To pay each Member, Delegate, and Resident Commissioner, for clerk hire, necessarily employed by him in the discharge of his official and representative duties, $1,500 per annum, in monthly installments.

Mr. BARTLETT. Mr. Speaker, the act of 1911 and the acts of 1912 and 1913, after providing for money to pay clerk hire for Members, Delegates, and Resident Commissioners, provided that the clerks to Members, Delegates, and Resident Commissioners should be placed upon the roll of employees of the House. I will read it. The act of 1913 provided as follows:

To pay each Member, Delegate, and Resident Commissioner for clerk hire necessarily employed by him in the discharge of his official and representative duties, $1,500 per annum, in monthly installments; and Representatives and Delegates elect to Congress whose credentials—

And so forth.

Provided, That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and any Member, Delegate, or Resident Commissioner may appoint one or more clerks, who shall be placed on the roll as the clerks of such Member, Delegate, or Resident Commissioner making such appointments.

Mr. FITZGERALD. That is what I read.

Mr. BARTLETT. Did the gentleman read the proviso?

Mr. FITZGERALD. I did. It does not say what the gentleman from Georgia asserted—that the payment should be direct to the clerk

Mr. BARTLETT. I did not say that.

Mr. FITZGERALD. I understood the gentleman to so contend, and I read the proviso to show it did not.

Mr. BARTLETT. The gentleman misunderstood me.

Mr. FITZGERALD. I beg the gentleman's pardon; I did misunderstand him.

Mr. BARTLETT. But this provision I never misunderstood, Mr. Speaker, because the provision of this act is the result of my own work. In 1911 by a vote of the House an amendment was made to the appropriation bill providing that before any money should be paid for clerk hire to Members that the clerks should be placed upon the roll of employees of the House and that the money should be paid only to such Members as complied with this requirement. That passed the House and went to the Senate and came back in this form.

Mr. JOHNSON of South Carolina. O Mr. Speaker, may I interrupt the gentleman?

Mr. BARTLETT. Yes.

Mr. JOHNSON of South Carolina. The gentleman from Georgia is mistaken. The Senate never undertook to interfere with the House. That provision as it is now in the act of 1914 is in the exact form in which it was adopted by the House the first time. It is not legislation. It was a limitation upon that particular appropriation bill, and it only got in as a limitation, and it is carried in the present appropriation bill as a limitation and not as legislation.

Mr. BARTLETT. Oh, well, the gentleman can call it what he pleases. Mr. Speaker, it may not be legislation, but it ought to be legislation that put the clerks to Members upon the roll of the House, as they ought to be, and paid as employees of the House. That is what ought to be done and that is what was attempted to be done. Of course we did not accomplish all we wanted.

Mr. CRISP. Will my colleague yield?

Mr. BARTLETT. Yes.

Mr. CRISP. The gentleman offered an amendment providing that they be paid directly?

Mr. BARTLETT. Yes.

Mr. CRISP. But that amendment was amended in the House before it was adopted in accordance with existing law.

Mr. BARTLETT. I take the statement of the gentleman from South Carolina to be the fact; I do not know. Now, Mr. Speaker, the secretaries to the Senators are provided for in this amendment of the Senate, and will be paid an extra month's pay if agreed to. The clerks to Members of the Senate are on the Senate roll, and if you pass this provision for an extra month's pay you pay every clerk of a Senator an extra month's pay who already receive $150 per month. Now, if we are to do this—if we are to pay the employees of the Senate and the House and pay the clerks to Senators—if we agree to this amendment, I think in fairness we ought to agree to pay our own clerks, and this provision provides that the Clerk of the House shall pay, not to the Members, Mr. Speaker, but shall pay to the clerks who are on the roll of the employees of the House, as provided for by existing law.

Mr. FITZGERALD. The gentleman is mistaken. That is what he said before I called his attention to it. The provision does not provide——

Mr. BARTLETT. I said my amendment provided for it.

Mr. FITZGERALD. The gentleman's amendment did, but the House adopted a different one.

Mr. BARTLETT. I said this amendment of mine provides for the payment to the clerks who are upon the roll of the employees of the House in pursuance of this and not for payment of it to the Members. Now, that is what the amendment provides. Mr. Speaker, it is as germane as the one that was offered, because they are on the roll of the employees of the House, and if the roll be consulted it will be ascertained that the Clerk of the House does not pay any Member——

Mr. MANN. Will the gentleman from Georgia yield for a question?

Mr. BARTLETT. In a minute. He does not pay any Member unless his clerk's name is on the roll. He ought not to do so unless that Member's employee is enrolled on the employees' roll, and I apprehend the Clerk follows the rule. My first object was that you might have a roll, and the next purpose I had in view was that the clerk of a Member should receive the money.

Mr. MANN. The gentleman has just stated the effect of his amendment on the roll of the Clerk's office.

Mr. BARTLETT. On the roll of the employees of the House. That is the language of the statute.

Mr. MANN. It is the roll of the clerks in the office of the Clerk of the House.

Mr. BARTLETT. This would authorize the clerks to have the extra compensation.

Mr. MANN. The gentleman probably did not notice the language. These clerks do not now receive any compensation from the Government, and this amendment which the gentleman inserts his amendment into provides for the Clerk of the House to pay these employees a sum equal to one month's pay at the compensation then paid them by law. Now, these clerks do not receive any compensation now paid to them by law; hence they would not if the gentleman's amendment prevailed. They would if he could get by a point of order. I would not have raised the point of order on the gentleman's amendment, hoping that if the House is to pay an extra month's salary it might fix up the gentleman's proposition. But as a point of order has been raised, let us understand, if it gets by the point of order, it has to be perfected in order to be of value.

Mr. FITZGERALD. The act here provides the appropriation is to pay Members of Congress.

The SPEAKER. What is it that the gentleman from New York [Mr. FITZGERALD] is going to read?

Mr. FITZGERALD. The Chair desires the act showing the appropriation, and I send it to him.

The SPEAKER. The statute making appropriations for the fiscal year ending June 30, 1914, on page 9, under the title of "Clerk hire, Members and Delegates," reads as follows:

To pay each Member, Delegate, and Resident Commissioner for clerk hire necessarily employed by him in the discharge of his official and representative duties, $1,500 per annum, in monthly installments, $660,000, or so much thereof as may be necessary; and Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives in accordance with the provisions of section 31 of the Revised Statutes of the United States shall be entitled to payment under this appropriation: *Provided*, That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and any Member, Delegate, or Resident Commissioner may appoint one or more clerks, who shall be placed on the roll as the clerk of such Member, Delegate, or Resident Commissioner making such appointments.

Mr. ADAMSON. Is not that clearly paid by the Member as trustee for the clerk?

The SPEAKER. The Chair supposes that in a sense that is true; but it does not say it shall be paid to the clerk. The point of order is sustained. The question is on agreeing to the amendment of the gentleman from Georgia [Mr. HARDWICK].

Mr. MANN. The Hardwick motion.

Mr. HARDWICK. Mr. Speaker, I want to discuss the amendment a little.

Mr. FITZGERALD. I believe I have the floor. Mr. Speaker, how much time have I?

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] is unquestionably, under the practice, entitled to the floor for an hour.

Mr. HARDWICK. How much time will the gentleman give me?

Mr. FITZGERALD. Five minutes.

Mr. HARDWICK. Let us have 10 minutes to a side.

Mr. FITZGERALD. I yield 10 minutes to the gentleman from Georgia [Mr. HARDWICK].

Mr. HARDWICK. Of course I will take it, but we ought to have an understanding about it.

Mr. FITZHENRY rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. FITZHENRY. I have a preferential motion which I send to the Clerk's desk.

The SPEAKER. The Chair will hear it read, to see if it is preferential.

Mr. MANN. It can not be preferential.

The Clerk read as follows:

Mr. FITZHENRY moves that the House recede from its disagreement to Senate amendment No. 97 and concur in it with the following amendment: "Page 60, line 15, strike out the word 'first' and insert in lieu thereof the word 'fifteenth.'"

Mr. MANN. Mr. Speaker, I make a point of order against it.

The SPEAKER. The point of order is sustained.

Mr. MANN. A similar motion is pending, and it is not now in order.

Mr. BARTLETT. I myself wish to amend the motion of the gentleman from Georgia and strike out the words "October 1" and insert "October 15."

Mr. MANN. The way to reach that is to divide the motion of the gentleman from Georgia [Mr. HARDWICK], and for that purpose I will ask for a division of the motion.

The SPEAKER. The amendment of the gentleman from Georgia is in order.

Mr. FITZGERALD. The gentleman from Georgia [Mr. HARDWICK] made a motion.

Mr. MANN. Another amendment would be in order if you had the right of way.

Mr. FITZGERALD. How much time does the gentleman from Illinois desire?

Mr. MANN. I want 10 minutes on this side.

Mr. FITZGERALD. On what side of the question?

Mr. MANN. I do not know which side it shall be on. [Laughter.]

The SPEAKER. The gentleman from New York is entitled to the control of an hour.

Mr. FITZGERALD. I want to know which side the gentleman from Illinois is on, because I want to divide the time fairly.

Mr. MANN. We will take 10 minutes on this side of the House.

Mr. FITZGERALD. I am not concerned with the sides of the House, but with the sides of the question. I would like to know how much time is desired in favor of and against the proposition of the gentleman from Georgia.

Mr. MANN. We will take care of that on this side.

Mr. HARDWICK. It might otherwise be 20 minutes on one side.

Mr. MANN. The gentleman can do as he pleases about it. If he does not propose to yield, it will take more than 10 minutes.

Mr. FITZGERALD. If I can find out which side the gentleman will speak on, I will be able to divide the time.

Mr. MANN. If a gentleman comes to me and wants time, I do not ask him which side he wants to speak on. That is a very bad practice, which has grown up on that side of the House.

Mr. FITZGERALD. It is the practice of that side when they have control of the time. The gentleman from Georgia [Mr. HARDWICK] requested that an adjustment of the time be made on each side. I control an hour, to dispose of it as I please, but I wish to be perfectly fair and allot it equally on both sides of the question. If the gentleman from Illinois will indicate on which side he will speak, I can allot the time.

Mr. MANN. The gentleman can do as he pleases about it. I have made my request, and I stand by it.

Mr. FITZGERALD. Mr. Speaker, I yield 10 minutes to the gentleman from Georgia [Mr. HARDWICK].

The SPEAKER. The gentleman from Georgia [Mr. HARDWICK] is recognized for 10 minutes.

Mr. HARDWICK. Mr. Speaker and gentlemen of the House, the motion that I make, if it prevails, would restore what has been the practice of this House from the Twenty-seventh Congress down to and including the Sixty-first Congress.

For a period of 75 years, during every session of this Congress, long or short, this allowance was made to the employees of the two Houses of Congress once a year. It was made when the Democrats controlled this body, when great statesmen like Randall, Carlisle, and Crisp were in power and authority on this side. It was made when great statesmen like Henry Clay sat in power on this side of the Chamber, when it was occupied by the Whigs. This same provision was made under the leadership of equally distinguished Republicans—Blaine, Conkling, McKinley, Reed, and Cannon, and so on through a long and brilliant list of names. For 75 years without question the House and the Senate have dealt out this moiety to its honest, its hard-working, and in some cases its poorly paid employees. The Senate amendment included the officers and employees on the rolls of the Senate and House of Representatives and the employees on the maintenance roll of the Senate Office Building. Now, in the Senate, on the Senate roll are the clerks of each one of the 96 Senators of the United States. Unfortunately, I regret that the same is not true in this House, and the clerks of the different Representatives of the United States are not on any House roll. Therefore the Senate language does not include our clerks, although it does include their clerks.

The Senate language does not include the honest, hard-working reporters of this House and of the Senate; it does not include the faithful and efficient clerk of the CONGRESSIONAL RECORD. It does not include the faithful and efficient Capitol police.

It seems to me, Mr. Speaker and gentlemen of the House, that we ought to agree to the Senate amendment, with the amendment I propose, including also the classes of employees last named. We have had a long and arduous session of Congress. To me and many of my colleagues on this side it has, it is true, been a labor of love; but after all, Mr. Speaker, it seems to me that we make nothing by cheeseparing on this question. It seems to me that by petty economies, while larger economies are neglected, we do not make reputation or capital for ourselves here or in the country, in our own estimation or in the estimation of our constituents.

Why, some men may ask, Should we pay these employees for an extra month? I will address myself to that question with the utmost candor, because, in the first place, these men get no mileage. Very few of these men live in the city of Washington. They come on a salary that may look reasonable to people on the outside who have not our intimate knowledge of the question, but, after all, after paying Washington prices and supporting their families, it does not amount to very much.

For 75 years they have had this extra month's pay without any question, and now, when prices are high, when these men are harder pushed than ever, when prices have been raised all along the line, they do not get as much as they did then. Personally, I would prefer, infinitely prefer, to increase their salaries 10 per cent on a level, all the way around.

Mr. KINDEL. Why not?

Mr. HARDWICK. Because we have not the opportunity at this time. But there are special reasons, if this is never done again, why these men should have this allowance now. They have been here through the snows of winter, through the suns of summer, through the winds of autumn, and it looks like the snow will fall again before they get any rest at all. They have been here in this city of high prices and expensive living all this time, working twice as long as they ordinarily would have to work during an ordinary session of Congress. We get mileage to compensate us to some extent for the expense of traveling between our homes and the Capital. They get no such compensation. In the majority of cases they are not highly paid. Some officers of the House do get good salaries. Six thousand five hundred dollars is, I believe, the highest, but the great mass of the men who will get this extra compensation get $1,500 a year or under. The doorkeepers that stand around the doors performing services for the House, and the elevator men, get, when it comes to support their families, what amounts to a mere pittance; and to-day I will venture the statement that the majority of them have not got money enough to get home unless they borrow it from some one here.

As far as I am concerned, and I am going to be perfectly frank, I believe in dealing with these men generously. I do not believe in cheeseparing economy, in small, pettifogging, peanut politics. I thought two years ago, when we adopted this so-called "reform," that we made a serious mistake.

I have seen men who were most vociferous in their protests against this extra month's compensation turn and raid the Treasury for millions when they thought it would help them in their districts. That is fine ecocomy that takes it out of a few of our own employees; economy that does not strike at the heart of things and hold down big appropriations and is not worth a cent to the people in this country. They balk at pennies, while they appropriate millions and hundreds of millions without the slightest hesitancy. Battleships, public buildings, good roads, river and harbor improvements, militia pay, and a thousand other projects are reaching out their insatiate hands toward the Federal Treasury. Most of these projects are worthy and necessary. To some extent they must be provided for, but while we are lavishing hundreds and thousands of millions it seems to me that if we really wish to economize we will have to turn our guns on larger game than our humble employees, and that if we are to finally present a creditable balance sheet for the inspection of the American people we can never accomplish it by skimping our faithful employees and economizing on them to the extent of a few hundreds or thousands of dollars while the outgo of the millions continues or increases.

I want to say, Mr. Speaker, that in my humble judgment the people of this country do not expect us to be niggardly with our employees. The people of our country do not think it wrong that we should give these men this extra compensation when they have had to undergo the extra expense and the extra and arduous labors of this long-drawn-out session. I know not what others may think, but for myself I say, without doubt, without hesitation, without fear, that I believe the people of the congressional district which I have the honor to represent on this floor have not that niggardly, narrow spirit that would lead them to condemn me for my stand on this matter. That, however, is not a controlling matter with me. I think the proposition I present is right. I think our employees ought to have this extra compensation, for they have given us extra service. I believe in efficient, well-paid help. I believe in being not only just, but if you want to put it in that way, generous, with these people. I know of scores of them who can hardly make both ends meet on the salaries that we allow. I know they have been here month after month under heavy expense, some of them with their families, and for one I do not begrudge this extra salary that will carry them back to their respective homes. They have given us faithful, honest, efficient service, and while I would prefer, if we could, to directly increase their salaries, particularly the lower grades of them, yet as we can not do it now, as the session is drawing to a close, and as they have been put to this heavy expense during all of this time and have performed these extra labors, I do not see why we can not safely follow the practices of 75 unbroken years and give them this extra month's pay.

The gentleman from New York [Mr. FITZGERALD] may contend that it amounts to too much in the case of some of the elected officers of the House. It may be that will give them more than there was really any necessity for doing, in just one or two cases, but I think in the great majority of cases, particularly in the cases of men who get the smaller salaries, and of men who have salaries that hardly meet their bare necessities, this is not only right, but almost an act of necessity. The Senate does it without hesitation.

The SPEAKER pro tempore (Mr. SAUNDERS). The time of the gentleman from Georgia has expired.

Mr. FITZGERALD. Mr. Speaker, I yield the gentleman three minutes more.

Mr. HARDWICK. Mr. Speaker, I do not think we can afford to be small about this. I do not know how the majority of the Members feel on this question. Of course, as far as my position is concerned, I do not care; although I hope that we will win. I believe in a liberal policy in this matter, and I have no fear that the country will misjudge those of us who feel as I do on this question. On the contrary, I believe the country is in favor of liberality in our dealings with these public servants, and I urge it upon every Member of this House. I do not know what the gentleman from New York [Mr. FITZGERALD] may contend about this matter.

Usually I have thought he was liberal about these things; but it may be that the onerous duties of the position which he holds has inclined to make him another Holman; but I would not want him to out-Holman Holman and jump on a thing which for years all of the great watchdogs of the Treasury, all of the great economists of the House, whether Whig, Democrat, Republican, Know-nothing, or what not, thought beneath them, thought too small to be legitimate game for the lions of debate in this House. I would hate to see the gentleman pounce on this sort of game. I suppose the gentleman does not want to hold out entirely against the Senate amendment. I suppose he wants to allow them to pay their employees extra compensation, even down to their private clerks; but I say let us treat our own, as far as we can, with equal liberality. Let us assert ourselves; let us not have such an unreasonable fear, such a great distrust of our people on this sort of matter. I believe the country is too big for it, too broad for it, too liberal for it, and I do not believe there is any necessity for any of us being intimidated by any such fear. [Applause.]

Mr. FITZGERALD. Mr. Speaker, I am not only not in favor of concurring in the Senate amendment with the amendment proposed by the gentleman from Georgia, but I am not in favor of the Senate amendment at all. The most vicious practice of which I have knowledge has been the practice of the Congress of the United States voting an extra month's pay to the employees of the two Houses of the Congress. It is easy to be very generous with the money of the public to aid the persons who are closely identified with us in our work, but there is no justification for it under any circumstances. I assert that the employees of the two Houses of Congress are liberally paid for the services that they are called upon to render. They are not all high-class officials, but no matter what the grade occupied by any employee about this Capitol may be, in comparison with the compensation paid in other departments of the Government or the compensation paid in private life, these employees are liberally paid.

How can we justify the proposition to increase by one-twelfth the compensation of these employees because they are really called upon to render some services in the positions to which they have been appointed? Heretofore the practice has been, as the gentleman has stated, in the long session and in the short session to increase the compensation of these employees one-twelfth; employees who would come here in December and quit on the 4th of March would beseech and annoy and harass Members of Congress upon the theory that they were being unjustly treated, unfairly treated, while if the most of them would have had to perform the services of their position throughout the entire year as employees in other departments of the Government we would hear nothing about it. I know the employees of the House and of the Senate are competent, efficient, ambitious, and enthusiastic. I should like to know, however, and I do not speak now of any particular individual occupying any of these places—I should like to know some good reason why the Clerk of the House of Representatives, receiving a compensation of $6,500 a year, should be given an extra month's salary because we are required to remain in Washington so long. He should stay here anyway properly to discharge the duties of his office. Because we have had extra labor imposed on us some one argues that he should be given an extra month's pay.

The Sergeant at Arms is paid the same as the Clerk of the House—$6,500. He is the disbursing officer of the House. He should, if he properly performs his work, remain here in charge of the funds of the House; but because Congress is compelled to remain here, is that any reason that he should be given an extra month's pay? Mr. Speaker, I favor liberal compensation for the employees of the two Houses. I say I favor liberal compensation because of the character of the tenure of their office. Their tenure depends upon the fluctuations of the control of the House by the two political parties. It may be long or it may be short. I would pay these employees more liberally than they would be paid in any other department or in private life. I would not run so lavish in the payment of them that I could not justify under any circumstances the compensation they receive. I know it is not pleasant to antagonize these motions.

I should like, as most Members would, as all Members would, that the greatest prosperity should come to these employees, but this practice has been demoralizing to the House. It has been, in my opinion, demoralizing to the employees, because they have not only been accustomed to look for this extra compensation, but the tendency has been to create unnecessary and useless positions because it was so easy to get money for employees of the two Houses. Two years ago a Democratic House started a reform. It declared, upon examination, that the compensation of these employees was sufficient, was ample, was liberal. It stopped this practice, and it should never be again restored.

Mr. HARDWICK. Will the gentleman yield to me right there?

Mr. FITZGERALD. In a moment. No one can justify the adoption of this amendment, that will incur an additional expenditure of $140,000, in order to furnish this additional compensation to these employees of the two Houses.

Mr. HARDWICK. Will the gentleman now yield?

Mr. FITZGERALD. Yes.

Mr. HARDWICK. Now, the fact that in some previous Congress some Democratic caucus adopted some resolution on this matter did not seem to interfere with the gentleman yesterday when he stood up and fought very vigorously the assault of the gentleman from Pennsylvania——

Mr. FITZGERALD. Not a Democratic caucus.

Mr. HARDWICK. The Democratic House, then, of a year or two ago. It did not bother the gentleman when we had the policemen up yesterday.

Mr. FITZGERALD. It did not. I said then it was a mistake.

Mr. HARDWICK. I want to say to the gentleman right now——

Mr. FITZGERALD. I am not criticizing the gentleman.

Mr. HARDWICK. I know that; but I say this: That we do not agree with you in your proposition that these men are overpaid.

Mr. FITZGERALD. I know you do not agree with me, or I do not think you would make the statement or introduce the amendment which you have. I am not criticizing the gentleman from Georgia. I am not surprised that what I have said has made him feel it necessary to say something further in justification of taking $140,000 out of the Treasury to pay this extra compensation to these employees.

I have no criticism of any Member of this House for what he does in the conscientious discharge of his duty. I am not the one to pass upon the propriety of the acts of Members. Those questions are settled elsewhere. I am simply presenting my reasons for antagonizing and opposing the payment of this extra money.

Mr. HARDWICK. Will the gentelman yield?

Mr. FITZGERALD. I yield for a question.

Mr. HARDWICK. It is a question. The gentleman says the propositions included in my amendment amount to $140,000 a year?

Mr. FITZGERALD. They do.

Mr. HARDWICK. With the Senate amendment?

Mr. FITZGERALD. Yes.

Mr. HARDWICK. The ones I have included in my amendment do not amount to that much.

Mr. FITZGERALD. The proposition is to include those mentioned in the gentleman's motion, which is to concur in the Senate amendment with an amendment.

Mr. HARDWICK. The House part of it is almost infinitestimal. About $25,000.

Mr. FITZGERALD. The gentleman adds about $25,000 to about $115,000 proposed by the Senate, but he is in favor of the entire sum. I am opposed to any. We should be fair and liberal in these compensations. Anyone who will examine the appropriation act containing the salaries paid to these employees will easily ascertain that Congress has been liberal, if not very generous, in practically every instance.

How much time have I used myself, Mr. Speaker?

The SPEAKER. Nine minutes.

Mr. FITZGERALD. I yield 10 minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee [Mr. AUSTIN].

Mr. AUSTIN. Mr. Speaker, I want to call the attention of this House to the statement made by the chairman of the Committee on Appropriations, the gentleman from New York [Mr. FITZGERALD], to the effect that the adoption of this amendment would be in the nature of vicious legislation. This House has for years passed appropriation bills carrying larger salaries for the Senate employees than for the House employees. We are appropriating in every legislative bill $1,440 per annum for the services of the Senate messenger, and the same bill carries appropriations of $1,180 and $1,200 for messengers in the House.

Mr. FITZGERALD. The Committee on Appropriations, the gentleman understands, can not carry more than is authorized by law.

Mr. AUSTIN. We are discrediting the services of our own employees by appropriating in these appropriation bills from $20 to $90 a month less than we are voting to the corresponding officials of the Senate. Now, that is not only true of the messengers who have custody of the various doors leading into this Chamber, but it is virtually true of every corresponding officer in the Senate. Here is the last legislative appropriation bill, and the first thing this House ought to do—and I commend it to the chairman of the Committee on Appropriations—is to have an equalization in the salaries of the employees of the respective Houses. There is no more justice in paying a messenger in the Senate, or a clerk in the Senate, from $20 to $50 more a month for performing identical services to those the corresponding officers perform here, than there would be in paying a Senator of the United States $100 more per month than we pay the Members of the House.

Why, the gentleman from New York [Mr. FITZGERALD], who fights this meritorious proposition, yielded in the committee to a proposition to vote $16,100 to the Senators; for what? For 23 stenographers to such Senators as did not already have at least three appointments. In other words, we deny a simple act of justice to our faithful and efficient employees, and in the same breath we vote the people's money out to give a Senator of the United States an extra stenographer so as to give him four officials or subordinates about his office to do the work that we are forcing the Members of this House to do with one stenographer or one secretary. [Applause.]

Mr. HARDWICK. Mr. Speaker, will the gentleman yield for a second?

Mr. AUSTIN. Yes.

Mr. HARDWICK. In other words, we are yielding to the Senate, under the leadership of the gentleman from New York [Mr. FITZGERALD], the right to give to each Senator, even when he represents a State that is not half as big as some of the congressional districts, three stenographers to our one?

Mr. AUSTIN. Yes. Let me read this provision:

For 23 stenographers to Senators, from December 1, 1913, to June 30, 1914, both dates inclusive, at the rate of $1,200 per annum each, for Senators having less than three employees in connection with their official work, $16,100.

Now, our votes are going to write that provision into the law, and yet we are called upon here not to attempt to equalize the difference in the pay of the employees of the coordinate Houses of this Congress by voting our employees an extra month's pay. It is a reflection upon the manhood, the justice, and the fairness of the Members of this House that we ought not to tolerate for a moment. [Applause.] A Member of Congress who is afraid to vote for this piece of legislation, which is fair and just, is too much of a coward to sit here and make laws for the American people. Let him base it on something else. [Applause.]

Now, we are running this House with at least 100 officials less than we ran the Sixty-first Congress—thirty-odd less in the Doorkeeper's department and thirty-odd less in the Clerk's department of this House. They are doing the work now that it required a hundred more men to do. We voted for the 100 more men in that large force under the Republican administration of this House, and we voted a month's extra pay during every one of the sessions of the Sixty-first Congress—the first session, the special session, and the last regular session, and you sat on that side of the House without a protest against it and without a record vote against it. Now, simply because you have assumed responsibility here and are in the majority you are going to deny to your own people, your own employees, your own constituents, what you were willing to vote to your political opponents. [Applause.]

Mr. FITZGERALD. If we had followed the Republican example in every instance, we would have been thrown out, just as you were thrown out. [Applause.]

Mr. AUSTIN. That never cut any figure whatever in the last campaign, and never influenced it. Over there you have said time and time again that you won the last election on the tariff question. You won it by virtue of a division in the Republican Party, and by nothing else.

Now, Mr. Speaker, we began in 1844 with a Democratic Congress, that set the first precedent for a month's extra pay. In 10 Democratic Congresses a month's extra pay was voted—the Twenty-eighth, Twenty-ninth, Thirty-first, Thirty-second, Thirty-third, Forty-sixth, Forty-eighth, Fiftieth, Fifty-second, and Fifty-third Congresses. In one Whig Congress, the Thirtieth, an extra month's pay was voted. The Republicans began voting an extra month's pay in the Thirty-fourth Congress, and continued that practice in the Thirty-eighth, the Thirty-ninth, the Forty-seventh, the Fifty-first, the Fifty-fifth, the Fifty-sixth, the Fifty-seventh, the Fifty-eighth, the Fifty-ninth, the Sixtieth, and the Sixty-first Congresses, making 12 Congresses in all. We for 34 years voted this increase in the way of percentage—10 per cent, then 20 per cent, and then 25 per cent. Since that time we have voted an extra month's pay.

Now, I want to say, as a Republican, that I will not stultify myself by voting against giving the Democratic employees a month's extra pay, when I voted to give it to the Republican employees. [Applause on the Republican side.] While I had no hand in the appointment of these men, yet they are faithful and efficient and deserve the encouragement and support of every Member of this House. [Applause.]

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. MANN. Mr. Speaker, I have three employees accorded to me, as Republican floor leader, who are on the annual roll, and outside of the few minority employees of the House those would be the only ones on the minority side of the House, with the exception of the employee under the control of the gentleman from Kansas [Mr. MURDOCK], who would receive any financial benefit from this proposition.

I should like very much, so far as my own employees are concerned, to give them the extra money. I have often felt that way about personal employees. I would have liked to give them more money than they have ever received. I voted consistently, whenever the question was up and the Republicans were in control, to give the employees of the House the extra month's pay, and I have justified the position many times in my own opinion.

I am not prepared to force down the throats of economical Democrats this gross extravagance. [Laughter.] They won a presidential campaign upon the proposition of economy, based on cutting off the extra month's pay, and it seems to me they might keep up a consistent course for at least one year after the presidential election. Of course, I know full well that at the end of this Congress, the end of the short session, when half the Members on the Democratic side have not been returned, each having a petty employee working for the House, gentlemen on the Democratic side will rise with patriotic motives of charity superior to past and gone notions of economy, and that for that session at least they will vote the extra month's pay. But this is the first time in the history of the Government when it has been seriously proposed to pay the extra month's pay for an extra session of Congress. The gentleman from Georgia [Mr. HARDWICK] gives that as a reason. Why, at the session of Congress when the Payne law was passed the employees of the House swarmed around the Republican Members of the House, many of them coming to me, and wanted support, and we refused to give the extra month's pay.

Mr. HARDWICK and Mr. PALMER rose.

The SPEAKER. To which gentleman does the gentleman from Illinois yield?

Mr. MANN. To either one.

Mr. PALMER. Mr. Speaker, I just want to say that the gentleman must remember that at the extra session of 1909 the extra month's pay was given by the Republican Congress.

Mr. MANN. I did not so remember it.

Mr. PALMER. That is the fact.

Mr. HARDWICK. It is true that every year while the Republicans had the House they did give that extra month's pay.

Mr. MANN. If we did not, we made a mistake.

Mr. HARDWICK. I thoroughly agree with the gentleman.

Mr. MANN. I think I favored it and made many speeches in favor of the proposition. I am not prepared now to vote for the proposition until after I see—and I am not going to wait to find out—a majority of Democrats doing so. You have two-thirds majority in this House. If you do not have nerve enough to pay your own employees the money you would like to pay them and think they have not earned, do not ask us to do it for you. I do not think you have nerve enough to do it.

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Speaker, I think gentlemen are in error respecting the length of time Congress has been paying the extra month's pay, or at least that is the information furnished by the clerk of the Committee on Appropriations, who looked into the matter for Democrats when we came into power in this House two years ago. This matter was considered then very fully, and I think you will find that the first extra month's pay which was given was in the Fifty-fourth Congress, on March 3, 1879. In rare instances has Congress ever paid an extra month's pay for an extra session.

I do not know whether these employees want these places or not. They seem to. I do know that I have two young men on the pay roll as session employees, and I do know that the patronage committee notified me that owing to the increased membership I would have to give up one of them, and now these young men are both anxious to hold on and do not want to give up their places. These employees of the House and Senate who are on the annual roll get a 30-day leave with pay. Therefore they are working 11 months in the year, and now we propose to give them 13 months' pay in the year. It was justified here by some gentleman that it should be done on the mileage basis. On this theory it is grossly unfair, because a man living out in Washington or out in the middle portion of the Union would spend a great deal of money to come to Congress to perform the duties, while those living nearer would not have to spend any such sum. The reason as shown in debate why they ever paid congressional mileage was because in the location of this Capital, in the fixing of the salaries, there was necessarily involved the expense of getting to Congress, and it was at that time agreed that if the Congress should locate the Capital here on the Potomac River, the people living in Maine and Georgia might have mileage so that the compensation for services would be equalized.

What Congress ought to do, if it wants to do the fair thing, would be to put all of these employees on a mileage basis and let their salaries be the same. It is unwise legislation.

What sort of attitude will the Democrats be in before the country if we pass this amendment now? At the last session by an overwhelming majority, in a Democratic caucus, we voted that it was wrong. A resolution passed that Democratic caucus of Congressmen denouncing the extra month's pay. We took the position then before the election that the proper way to begin economy was to economize at home. We did that and in our campaign literature called attention to this economy. It is said by Josephus that Jerusalem was the cleanest city in the world because, according to the laws in Jerusalem, every man was called upon to sweep in front of his own door. Now, there are Members of Congress who have relatives on the pay roll; there are Members who perhaps have their sons and daughters on the pay roll. I have no criticism of them for that. I know there are Senators who do the same thing, and yet they are put in the attitude of voting an extra month's pay to their own family; and these men that do it do that which, at least, would be embarrassing to me.

Do we mean what we say? Do we mean that we believe in economy? If we do then we ought not, when just before a presidential election, before we carried the country, a Democratic House presided over by the Speaker, led by Mr. UNDERWOOD, our floor leader—when we were before the people in that presidential election we said that we believed in economy, and we then stated in the campaign and in the speeches and we filled the RECORD in reference to cutting off the extra month's pay with statements that the only place where the Democrats could economize was in the House, because that was the only branch of the Government that we held.

When we made that statement I believed it; but if we shall turn our faces now because you have brought a few men from home, put them on the pay roll, you will be doing the very thing that my good Republican friends have been doing in the past. In God's name, do not do it. I would not have an employee on the pay roll with me—I would discharge him if I had the power to do it—who would endeavor to influence my vote on a proposition involving, as I think it does, a matter of principle and honesty.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. SISSON. I ask for two minutes more.

Mr. FITZGERALD. I will yield the gentleman two minutes.

Mr. SISSON. Somebody stated a moment ago that it would be cowardly and pusillanimous for a man to take the position that I now take; that he ought not to have the right to represent the people on the floor of this House. I want to say to the gentleman that when men are willing to vote for men to do

11 months' work and get 12 months' salary and then put an extra thirteenth month on, it comes devilish near being that which might be denounced in stronger language than mere cowardice.

When you say that a man is cowardly because he endeavors to protect the Public Treasury, when you say that a man is cowardly because he is not willing to stand by that which he believes to be right—when you make a statement of that kind you make it evidently without well considering what you are doing, and you have a contempt for every man who does not vote for what you wish. I believe the gentleman says that he never voted for a bill to tax the people and never voted against an appropriation bill except because it is too small. I do not believe in that proposition. I believe that the taxes put into the Public Treasury should be paid out for good, honest, and efficient service. [Applause.]

This Democratic House can not afford to support this amendment. It was known and understood that when any Congressman put a man's name on the pay roll of the House that the Democratic policy would be to only pay for 12 months' work in each year. No employee can complain, for he knew that when he asked for the job. Let us stand by our platform and our principles.

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. PALMER].

Mr. PALMER. Mr. Speaker, it is an extremely difficult and disagreeable thing, if not indeed an ungracious act, on the part of any man who has a spark of generosity within him to oppose gifts, gratuities, or increase of compensation to loyal, faithful, and efficient employees. My experience with the employees of this House has been that they are uniformly efficient, that they have done their work well. Some of them are underpaid, and many of them, in my judgment, are overpaid. But as for me, I have no hesitation in saying that such of them as are underpaid ought to have their salaries increased, and if any are receiving too much they ought to have their salaries cut rather than to return to the vicious practice of appropriating large sums of money out of the Public Treasury without any consideration whatever.

I oppose this Senate amendment, not on the ground of economy, because I recognize the amount, as figures go in this great Government, is not large; but I oppose it because I am against the principle of taking the public money and distributing it without any quid pro quo. These gentlemen who are upon the rolls of the House have come here at a salary which they knew about in advance, with a full knowledge that the House had taken a position in the last Congress almost unanimously against the extra month's pay, willing to serve their country here for the salaries fixed by the statute, and it seems to me it does not lie in their mouths to claim that the salaries are not as high as they would like them to be.

I thought that in the last Congress this practice had been definitely and finally disposed of, because, after a good deal of argument and we came to a vote, it was decided with practical unanimity that that practice should cease. The vote in the last Congress, two years ago, upon that question was 181 to 6. Not a single Democrat voted to take this money out of the Treasury, and only six Republicans upon a roll call had the courage to say to the people that they were in favor of making this gratuity of the public money.

Mr. HARDWICK. Will the gentleman yield?

Mr. PALMER. Yes.

Mr. HARDWICK. The solidity of the Democratic vote is explained by the fact that at that time we had some caucus action pretty hastily jumped up, is it not?

Mr. PALMER. I believe the Democrats voted that way because they believed that way, and there has not anything happened since which would change their judgment.

Mr. BURNETT. The gentleman, I believe, was chairman of the caucus; there has been no caucus action this year.

Mr. PALMER. There has been no caucus action this year. The gentleman from New York [Mr. FITZGERALD] says this will add $150,000 to this appropriation bill. As a matter of fact, what it means is an increase in the pay of employees of the House and Senate of at least $420,000 in every Congress, because if this proposition is agreed to to-day it will establish a precedent from which we can not escape next time; and with three sessions in a Congress, as we have been having ever since I have been here and as we are likely to have in the future, it means that 3 months' extra pay shall be given to every employee during the 24 months of his service. That would amount to nearly half a million dollars. Well, I would like to see these efficient employees have the money; I would like to see them rewarded for their services; but I can not bring myself to believe that we have any right to take from the Public Treasury this large sum as a gift to them. [Applause. Cries of "Vote!"]

Mr. FITZGERALD. I will yield two minutes to the gentleman from Georgia [Mr. HARDWICK]. [Cries of "Vote!"]

Mr. HARDWICK. Mr. Speaker, I want to ask unanimous consent to modify the amendment I have submitted in the following respect: Add to the end of the Senate amendment the following language:

To Members and Delegates in Congress and Resident Commissioners a sum equal to one month's allowance for clerk hire.

Mr. FITZGERALD. Mr. Speaker, I object.

Mr. HARDWICK. I am ready to vote.

Mr. FITZGERALD. Mr. Speaker, I ask for the previous question upon the Senate amendment and pending motion.

Mr. BURNETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURNETT. I would like to hear the amendment read, so as to know the parliamentary status.

Mr. MANN. It has been read a half a dozen times.

The SPEAKER. Does the gentleman object?

Mr. MANN. I object, and demand the yeas and nays on the motion.

The SPEAKER. The gentleman from Illinois objects to another reading of the amendment, and demands the yeas and nays on the motion of the gentleman from Georgia [Mr. HARDWICK].

The yeas and nays were ordered.

The roll was called, and prior to the announcement of the result the following occurred:

Mr. MANN. Mr. Speaker, I ask unanimous consent to vacate the order by which the yeas and nays were ordered, and to dispense with the further call of the roll.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent to vacate the order by which the yeas and nays were ordered and the roll call itself and to dispense with a further roll call. Is there objection?

Mr. FITZGERALD. I suggest to the gentleman that he add to his request that the motion is disagreed to.

Mr. HARDWICK. There will be no opposition on that point.

Mr. FITZGERALD. All right.

Mr. FOWLER. Reserving the right to object, Mr. Speaker, will that vacate the roll call so far as its appearance in the RECORD is concerned?

The SPEAKER. Yes.

Mr. MANN. I take it that the roll call, so far as it went, would appear in the RECORD. The roll call is not finished yet. The roll call was not completed.

Mr. BARTLETT. Mr. Speaker, may I ask the gentleman from Illinois [Mr. MANN] a question?

Mr. MANN. My colleague [Mr. FOWLER] has the floor.

Mr. BARTLETT. The gentleman does not want the roll call to appear in the RECORD?

Mr. MANN. It has not been completed, because there is no quorum present.

The SPEAKER. It seems to the Chair that the roll call ought to be left out.

Mr. MANN. The roll call has not yet been completed.

Mr. FITZGERALD. What is the gentleman's request?

Mr. MANN. The request was to vacate the order and to dispense with further proceedings under the roll call.

Mr. FITZGERALD. And vacate the order by which the yeas and nays were ordered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FALCONER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FALCONER. Do I understand that there is no objection to the request of the gentleman from Illinois that the roll call appear up to the place where the roll was made or is the roll expunged from the RECORD?

Mr. FITZGERALD. It will not be a part of the RECORD if the order is vacated. It can not be in the RECORD.

The SPEAKER. The whole goes out. From the time that the gentleman from Illinois [Mr. MANN] rose and demanded the roll call down to the present minute, everything goes out. That is the only way to make a clean RECORD.

Mr. MANN. As I understand, up to this point in the call of the roll the "ayes" are a little over 50, and the "noes" are about 150.

The SPEAKER. The Chair is not informed.

Mr. MANN. That statement will appear in the RECORD anyway. [Laughter.]

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The question is on agreeing to the motion of the gentleman from Georgia [Mr. HARDWICK].

The question was taken, and the motion was rejected.

The SPEAKER. The question now is on the motion of the gentleman from New York [Mr. FITZGERALD] to further insist on the disagreement of the House to Senate amendment numbered 97.

The question was taken, and the motion was agreed to.

Mr. FITZGERALD. Now, Mr. Speaker, I ask the Clerk to report Senate amendment numbered 107.

Mr. JOHNSON of Kentucky rose.

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON] asked for two minutes in which to make a personal statement. Is there objection?

There was no objection.

Mr. JOHNSON of Kentucky. Mr. Speaker, this afternoon the gentleman from Wisconsin [Mr. COOPER] took some exceptions to some remarks that I made because he construed my remarks to be a reflection upon his integrity. I wish to say, Mr. Speaker, that such a thought never entered my mind, and if the gentleman from Wisconsin realized just how high he stands in this House for integrity such a thing would never have entered his mind. [Applause.]

I disclaim, Mr. Speaker, any purpose or any intention to reflect upon the integrity of the gentleman for the reason that I have stated, that there has never been since I have been in the House with him—and I feel quite sure that there never will be—any occasion for anybody to reflect upon his integrity. [Applause.]

Mr. RAKER rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. RAKER. To ask unanimous consent to extend my remarks in the RECORD on amendments numbered 27 to 33, inclusive, which I thought I had obtained when I spoke, but which the Clerk advises me that I did not obtain.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent to extend his remarks in the RECORD on amendments numbered 27 to 33, both inclusive. Is there objection?

There was no objection.

Mr. SMITH of Idaho. Mr. Speaker, I wish to make the same request.

The SPEAKER. The gentleman from Idaho [Mr. SMITH] asks unanimous consent to extend his remarks in the RECORD on amendments numbered 27 to 33, inclusive. Is there objection?

There was no objection.

Mr. THOMPSON of Oklahoma. Mr. Speaker, I make a similar request.

Mr. JOHNSON of Utah. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. THOMPSON] and that of the gentleman from Utah [Mr. JOHNSON]?

There was no objection.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 107: On page 75, line 1, insert the following:

"MONUMENT TO COMMEMORATE THE WOMEN OF THE CIVIL WAR.

"To make payment of a part contribution to the acquisition of a site and the erection thereon of a memorial in the District of Columbia to commemorate the service and the sacrifices of the women of the United States, North and South, for the sick and wounded in war, $400,000: *Provided*, That said memorial shall be a building monumental in design and character and shall be used as the permanent headquarters of the American Red Cross and shall cost, with the site, not less than $700,000: *Provided further*, That the sum hereby appropriated shall not be payable until there shall have been assured by private subscription an additional sum of $300,000: *Provided further*, That the money hereby appropriated shall not be paid for any site nor toward the construction of any memorial unless the site and plan for the proposed building shall have been approved by a commission consisting of the Secretary of War of the United States, the chairman of the Joint Committee on the Library of Congress, and the president of the American Red Cross. The plans of said memorial shall likewise be approved by the Commission of Fine Arts. The expenditure for said site and memorial shall be made under the direction of the commission consisting of the Secretary of War, the chairman of the Joint Committee on the Library of Congress, and the president of the American Red Cross, and the said memorial shall be constructed under the supervision of an officer of the Corps of Engineers appointed by the Secretary of War, who shall act as the executive disbursing officer of the commission: *Provided further*, That the title to the site procured shall be taken by and the building erected thereon shall be the property of the United States, but the American Red Cross shall at all times be charged with and be responsible for the care, keeping, and maintenance of the said memorial and grounds without expense to the United States, subject to such further direction and control as may be provided by law: *And provided further*, That should the commission hereby created be unable to acquire a suitable site at a price deemed by the commission to be fair, it is authorized to institute condemnation proceedings in accordance with the provisions of the act of Congress approved August 18, 1890, providing a site for the enlargement of the Government Printing Office (U. S. Stat. L., vol. 26, chap. 837)."

Mr. FITZGERALD. Mr. Speaker, I move that the House further insist on its disagreement to Senate amendment No. 107.

Mr. GILLETT. Mr. Speaker, I offer a preferential motion that the House recede from its disagreement to Senate amendment No. 107 and concur with an amendment which I send to the desk.

The Clerk read as follows:

Amend, page 75, line 10, by adding, after the word "Congress," the words "the chairman of the House Committee on the Library."

Mr. FITZGERALD. Mr. Speaker, I would like to know if it is possible for the House to agree on some brief period for debate on this amendment. If so, I would be glad to do it.

Mr. GILLETT. I only want 5 minutes. I think 20 minutes on this side would be sufficient.

Mr. FITZGERALD. We have been in session nearly 7 hours. If the gentleman has 20 minutes on that side, I suppose we will have to have 20 minutes on this side.

Mr. GILLETT. I will agree to 15 minutes.

Mr. FITZGERALD. Are Members who will speak on that side in favor of your proposition?

Mr. BARNHART. Mr. Speaker, I want to say that I want a little time on that side.

Mr. GILLETT. If I give the gentleman from Indiana time, I shall want 20 minutes.

Mr. FITZGERALD. If the gentleman will agree to let me make a five-minute statement, I will present it in such a way that I will present both sides, and I think it will be unnecessary for other Members to speak. [Laughter.]

Mr. GILLETT. I am perfectly willing to wait until the gentleman makes his five-minute speech.

Mr. MANN. I think we had better agree on some time. If we do not, it will take longer.

Mr. FITZGERALD. I think I can state what the facts are, and that gentlemen on my statement will be satisfied that I have presented both sides so clearly that we can vote and quit.

Mr. GILLETT. I am willing to try the experiment.

Mr. FITZGERALD. Mr. Speaker, this amendment proposes to appropriate $400,000 as a part contribution for a building in the city of Washington for the Red Cross. The total limit for the site and building is $700,000. It is not now authorized by law. The situation about the matter is as follows: A gentleman in New York, quite old—I think in the neighborhood of 80 years of age—is willing to contribute $300,000 toward this structure if the other $400,000 can be obtained. It is proposed that the United States shall contribute the other $400,000; that a commission consisting of the Secretary of War, the chairman of the Joint Committee on the Library, and the president of the Red Cross Society shall have charge of the acquisition of the site, either by purchase or condemnation, and the control of the construction of the building, the plans for which must be approved by the Fine Arts Commission.

The work is to be under the control of an engineer officer appointed for that purpose by the Secretary of War, who shall be the executive officer of the commission. The title to the property is to be taken in the name of the United States. The premises and the building are to be in the name of the United States, and the Red Cross is to give suitable guaranty that the United States will forever be absolved from any expense toward the upkeep of the building.

The Red Cross Society since its incorporation has collected and distributed to relieve distress, not only in this country but throughout the world, something in the neighborhood of $12,000,000. It is suggested by those who are so much interested in this organization and its good work that as it has been incorporated by Congress, as the President of the United States, if I recollect correctly, is now and has been for some time made the honorary president, as its work is of such an extraordinary character that Congress should take advantage of this opportunity to make this appropriation and furnish these headquarters, and to do it to commemorate the services and sacrifices of the women of the United States, both of the North and of the South, in their care and attention to the wounded during the Civil War. [Applause.]

I believe that accurately states the situation. The building is not authorized by law. It is put on this bill as a Senate amendment. I was inclined myself to move to concur in the amendment earlier in the day, but after my experience in attempting to concur in an amendment for an appropriation of $25,000 which Congress authorized at the last session to enable the President, the Vice President, and the Speaker of the House to perform certain duties devolving upon them, I thought I should prefer to test the sentiment of the House and its desire for rigid economy by moving to insist on its disagreement to the Senate amendment. I believe that the Members of the House understand the situation, and I hope we may have a vote. I believe it to be so well understood, Mr. Speaker, that we can take a vote at this time.

Mr. UNDERWOOD rose.

Mr. GILLETT. Mr. Speaker, I yield to the gentleman from Alabama if he desires to address the House.

Mr. FITZGERALD. Mr. Speaker, I should state that the gentleman from Alabama [Mr. UNDERWOOD] and the gentleman from Illinois [Mr. MANN], leaders on each side of the House, as I am informed, intend to vote with the gentleman from Massachusetts in favor of the proposition. [Applause.]

Mr. GILLETT. Mr. Speaker, I think the gentleman from New York has stated the matter very clearly, and my judgment is inclined to leave it to the House now.

Mr. UNDERWOOD. Mr. Speaker, I desire to address the House for merely two minutes.

Mr. FITZGERALD. Mr. Speaker, I yield two minutes to the gentleman from Alabama.

Mr. UNDERWOOD. Mr. Speaker, I am not in favor of reckless expenditures. I think I vote for economy about as regularly as any Member of this House, but if there is one great meritorious organization in this country for the relief of the destitute and the sick it is this great Red Cross organization. [Applause.] Here is an opportunity to construct this building at half the cost of what it would ordinarily be, because a patriotic citizen is willing to give half of the money. I believe the hour has come when Congress ought to accept. It will be a credit to the Nation, and it will sustain and hold up this organization which is so much needed in times of distress and want. I shall most heartily favor concurring in the Senate amendment. [Applause.]

Mr. AUSTIN rose.

The SPEAKER. For what purpose does the gentleman from Tennessee rise?

Mr. AUSTIN. Mr. Speaker, I merely wish to give the name of the gentleman who contributed this money. He is Mr. Scrymser, of New York.

The SPEAKER. The question is on the motion of the gentleman from Massachusetts to recede from the House disagreement to Senate amendment 107 and concur in the same with an amendment which has been reported.

The question was taken, and the motion was agreed to.

On motion of Mr. FITZGERALD, a motion to reconsider the several votes on the several Senate amendments was laid on the table.

Mr. SISSON. Mr. Speaker, I would inquire of the gentleman from New York whether he can inform us when the conferees will be able to again report?

Mr. FITZGERALD. Mr. Speaker, I have not asked for a conference. Inasmuch as the House has considered very thoroughly all of these amendments, and that upon those upon which it has insisted on its disagreement to the Senate amendments the vote has been so overwhelming, I anticipate it is useless to have a further conference—that the Senate will recede from its amendments.

Mr. SISSON. Then, I take it, it would be well for Members to remain here until this bill is finally disposed of?

Mr. MANN. It will be well for them to remain here until Congress has finally adjourned.

Mr. UNDERWOOD. Mr. Speaker, I desire to ask the gentleman from Illinois if it is possible to enter into a pact about adjourning until further business comes up?

Mr. MANN. Mr. Speaker, it is quite possible to enter into a pact by a vote of the House and the Senate to adjourn until the next regular session of Congress. [Applause.] That will be until business comes up. But I will say frankly to my friend from Alabama that if the House remains in session I expect to remain here and to make it just as unpleasant as I possibly can for Democrats who go home. I think they ought to stay here and do business if the Congress is to remain in session.

Mr. UNDERWOOD. Mr. Speaker, may I ask the gentleman from Illinois if he can advise me as to the position on that side of the House with respect to resisting an effort to adjourn for three days at a time unless we have a quorum present?

Mr. MANN. Mr. Speaker, I shall ask to have the House meet every day, as long as we have the power, and have a roll call every day when the gentleman moves to adjourn.

Mr. FITZGERALD. Mr. Speaker, does the gentleman intend to desecrate Columbus Day by working?

Mr. MANN. I intend to honor it by working.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. Will the gentleman from Alabama withhold that motion for a moment?

Mr. UNDERWOOD. Certainly.

LEAVE OF ABSENCE.

The SPEAKER laid before the House the following personal requests, which the Clerk read:

Mr. MCKELLAR requests leave of absence indefinitely, on account of important business.

Mr. SMITH of New York requests leave of absence indefinitely, on account of illness.

Mr. FRANCIS requests leave of absence for one week, on account of important business.

The SPEAKER. Without objection, these requests will be granted.

Mr. MANN. Mr. Speaker, I object to any leave of absence on account of business.

The SPEAKER. The gentleman from Illinois objects to the request of Mr. MCKELLAR and Mr. FRANCIS. Without objection, the request of the gentleman from New York [Mr. SMITH] will be granted.

There was no objection.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I understand the gentleman from Illinois will not consent to make an agreement respecting adjournment. Unquestionably we have not a quorum here at this time, and therefore I move that the House adjourn until Monday.

The SPEAKER. The gentleman from Alabama moves that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 48 minutes p. m.) the House adjourned to meet on Monday, October 13, 1913, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, communications were taken from the Speaker's table and referred as follows:

1. A letter from the Assistant Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination of Lemon Bay, Fla., to Gasparilla Sound (H. Doc. No. 247); to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the Assistant Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Sinepuxent Bay, Md., from the mouth of St. Martins River south, with a view to a channel 5 feet in depth (H. Doc. No. 248); to the Committee on Rivers and Harbors and ordered to be printed.

3. A letter from the Assistant Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Quiver River, Miss. (H. Doc. No. 249); to the Committee on Rivers and Harbors and ordered to be printed.

4. A letter from the Assistant Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of New Meadows River, Me. (H. Doc. No. 250); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

5. A letter from the Assistant Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Bayou Chastaing, La. (H. Doc. No. 251); to the Committee on Rivers and Harbors and ordered to be printed.

6. A letter from the Assistant Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of the channel from St. Johns River, through Lake Dexter, thence to Lake Woodruff, thence to St. Johns River below Hawkinsville, Fla. (H. Doc. No. 252); to the Committee on Rivers and Harbors and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LAFFERTY: A bill (H. R. 8835) to provide for the issuance of legal-tender Treasury notes of the United States, redeemable in gold coin or its equivalent, to be secured by the deposit in the Treasury of outstanding bonds of the United States or first mortgages upon agricultural lands, not exceeding 60 per cent of the value of such lands, exclusive of improvements, and for the loaning of the Treasury notes so secured to the owners of the security at 2 per cent interest, payable semi-annually, and for other purposes; to the Committee on Banking and Currency.

By Mr. HAYDEN: A bill (H. R. 8844) opening the surplus and unallotted lands in the Colorado River Indian Reservation to settlement and entry under the provisions of the Carey Land Acts, and for other purposes; to the Committee on Indian Affairs.

By Mr. KINKEAD of New Jersey: A bill (H. R. 8845) to purchase a motor vehicle for the excise board of the District of Columbia; to the Committee on Appropriations.

Also, resolution (H. Res. 284) directing the Committee on Naval Affairs to report a bill for the construction of three battleships; to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. EDWARDS: A bill (H. R. 8836) for the relief of James A. Miller, representative of the heirs of James M. Miller, deceased; to the Committee on War Claims.

By Mr. FREAR: A bill (H. R. 8837) for the relief of George W. Moore; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 8838) to correct the naval record of George R. Gray; to the Committee on Naval Affairs.

By Mr. LEE of Pennsylvania: A bill (H. R. 8839) granting a pension to Julia A. Oswald; to the Committee on Invalid Pensions.

By Mr. MORGAN of Louisiana: A bill (H. R. 8840) to quiet title and possession with respect to certain private land claims in the State of Louisiana; to the Committee on the Public Lands.

By Mr. MOSS of West Virginia: A bill (H. R. 8841) granting a pension to Dora Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8842) granting an increase of pension to Frances Rollins; to the Committee on Invalid Pensions.

By Mr. SMALL: A bill (H. R. 8843) granting a pension to William R. Hardison; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the American Roumanian Jewish Emancipation Committee of New York, N. Y., relative to oppression of and discrimination against the Jews by the Roumanian Government; to the Committee on Foreign Affairs.

By Mr. ASHBROOK: Petition of 417 employees of the Dorce Works, American Sheet & Tin Plate Co., protesting against the dissolution of the United States Steel Corporation; to the Committee on the Judiciary.

By Mr. FIELDS: Petition of citizens of the ninth congressional district of Kentucky, favoring the passage of legislation compelling concerns selling goods direct to the consumer by mail to contribute their portion of the funds for the development of the local community, county, and State; to the Committee on Ways and Means.

SENATE.

MONDAY, *October 13, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Journal of the proceedings of Thursday last was read and approved.

MEMORIAL.

Mr. GRONNA presented a memorial of the Woman's Club of Hope, N. Dak., remonstrating against the passage of the so-called Hetch Hetchy bill, granting to the city and county of San Francisco certain rights of way, etc., which was ordered to lie on the table.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7898) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FITZGERALD, Mr. BARTLETT, and Mr. GILLETT managers at the conference on the part of the House.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7898) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes; recedes from its disagreement to the amendments of the Senate numbered 44 and 61 to the bill, and agrees to the same; recedes from its disagreement to the amendment of the Senate numbered 8 and agrees to the same with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House recedes from its disagreement to the amendment of the Senate numbered 107, and agrees to the same with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House insists upon its disagreement to the amendments of the Senate numbered 10, 11, 27, 28, 29, 30, 31, 32, 33, 82, 93, and 97 to the bill.

ENROLLED JOINT RESOLUTIONS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled joint resolutions, and they were thereupon signed by the Vice President:

H. J. Res. 111. Joint resolution to authorize the reinstatement of Adolph Unger as a cadet in the United States Military Academy; and

H. J. Res. 132. Joint resolution authorizing the Secretary of Agriculture to make an exhibit at the Sixth National Corn Exposition, to be held at Dallas, Tex., during the month of February, 1914.

TARIFF DUTY ON WOOL.

Mr. TILLMAN. Mr. President, I ask the Secretary to read the paper I send to the desk.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

In the tariff debate of 1889 Senator Zeb Vance, of North Carolina, read in the Senate a piece of doggerel entitled, "A Girl with One Stocking—A Protective Pastoral."

("Composed and arranged for the old spinning wheel; and respectfully dedicated to that devoted friend of protected machinery and high taxes, the Senator from Rhode Island.")

It is so appropriate to reproduce it just at this time, when we have enacted another tariff law, that I ask for its republication.

With free wool, "Mary" will have to forego the 56 per cent and let her women friends wear stockings on both legs instead of only one—something they have not been able to do in more than 20 years. I read it years ago, and clipped it for my scrapbook. I have recently had it looked up in the RECORD, and find it appeared January 21, 1889.

Our Mary had a little lamb,
And her heart was most intent
To make its wool beyond its worth
Bring 56 per cent.

But a pauper girl across the sea
Had one small lamb also,
Whose wool for less than half that sum
She'd willingly let go.

Another girl who had no sheep,
No stockings—wool nor flax—
But money enough just to buy
A pair without the tax,
Went to the pauper girl to get
Some wool to shield her feet,
And make her stockings, not of flax
But of wool complete.

When Mary saw the girl's design
She straight began to sweat
That she'd make her buy both wool and tax
Or let one leg go bare.

So she cried out: "Protect Reform!
Let pauper sheep wool free!
If it will keep both her legs warm
What will encourage me?"

So it was done, and people said
Where'er that poor girl went,
One leg was warmed with wool and one
With 56 per cent.

Now praise to Mary and her lamb,
Who did the scheme invent,
To clothe one-half a girl in wool
And one-half in per cent.

All honor, too, to Mary's friend,
And all protective acts,
That clothe the rich in wool
And wrap the poor in tax.

The correspondent of the Chicago Herald of that date, in sending the account of it to his paper, commented as follows:

The reading of this piece of doggerel was received with shouts of laughter, even Republican Senators leaning back in their seats and giving unrestrained way to their mirth. As for the people in the galleries, they screamed and veiled frantically, and when Senator Vance sat down they kept up their uproarious applause until the North Carolina orator gravely inclined his head in acknowledgment.

WOMAN SUFFRAGE.

Mr. ASHURST. I ask unanimous consent to present the following unanimous-consent agreement, and I ask that the same be read.

The VICE PRESIDENT. The Secretary will read the proposed agreement.

The SECRETARY. The Senator from Arizona [Mr. ASHURST] asks unanimous consent that on Thursday, January 8, 1914, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of Senate joint resolution No. 1, being a joint resolution proposing an amendment to the Constitution of the United States extending the right of suffrage to women; and that not later than the hour of 4 o'clock p. m. on Thursday, the 29th day of January, A. D. 1914, the Senate will proceed without further debate to vote upon any amendment that may then be pending, any amendments that may be offered, and upon the joint resolution, through the regular parliamentary stages, to its final disposition.

The VICE PRESIDENT. The question is on the unanimous-consent agreement offered by the Senator from Arizona. Is there objection?

Mr. SMITH of Georgia. Mr. President, while I hope the currency bill will be disposed of long before January, I think we should not give unanimous consents to consider other bills until it has been disposed of. For that reason for the present I shall object. I hope long before January that the currency bill will have passed, and then I will be pleased to consent that the measure pressed by the Senator from Arizona be assigned to a special day.

The VICE PRESIDENT. There is objection.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 3206) for the protection of the water supply of the city of Baker, a municipal corporation of the State of Oregon; to the Committee on Public Lands.

A bill (S. 3207) for the relief of the State of Oregon; to the Committee on Claims.

By Mr. NELSON:

A bill (S. 3208) to amend section 29 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

A bill (S. 3209) granting a pension to Jane E. Stewart; to the Committee on Pensions.

By Mr. THORNTON:

A bill (S. 3210) to establish a fish-cultural station at some point in the State of Louisiana; to the Committee on Fisheries.

By Mr. WILLIAMS:

A bill (S. 3211) donating cannon to the city of West Point, Miss.; to the Committee on Military Affairs.

By Mr. HUGHES:

A bill (S. 3212) amending paragraph 81 of the act creating a public-utilities commission; to the Committee on Interstate Commerce.

By Mr. O'GORMAN:

A bill (S. 3213) granting a pension to Oscar C. Dunlap; to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 3214) granting an increase of pension to Oden Gibson (with accompanying paper); to the Committee on Pensions.

By Mr. SIMMONS:

A bill (S. 3215) for the relief of John E. Griffin; and

A bill (S. 3216) for the relief of Benjamin F. Lancaster; to the Committee on Military Affairs.

A bill (S. 3217) to acquire a site and erect buildings for a school for the Indians of Robeson County, N. C., and for other purposes; to the Committee on Indian Affairs.

A bill (S. 3218) for the relief of James E. Walker; to the Committee on Naval Affairs.

A bill (S. 3219) for the erection of a monument to Gen. James Moore upon Moores Creek battle ground, North Carolina; to the Committee on the Library.

A bill (S. 3220) to establish a fish-cultural station on Lumber River, in Moore County, N. C.; to the Committee on Fisheries.

(By request.) A bill (S. 3221) for the relief of William C. Staples;

A bill (S. 3222) for the relief of Thomas Monteith;

A bill (S. 3223) for the relief of the heirs of Felix B. Parks, deceased;

A bill (S. 3224) for the relief of the heirs of William Parks, deceased;

A bill (S. 3225) for the relief of the heirs of Isaac Brown;

A bill (S. 3226) for the relief of heirs or estate of William R. Tatum, deceased;

A bill (S. 3227) for the relief of Mary J. Tatham, heir of Robert D. McCombs, deceased;

A bill (S. 3228) for the relief of the estate of W. F. Sanderson;

A bill (S. 3229) for the relief of George A. Russell, administrator of Stephen Chadwick, deceased;

A bill (S. 3230) to carry out the findings of the Court of Claims in favor of Harriet Andrews;

A bill (S. 3231) for the relief of Sidney T. Dupuy and George R. Dupuy, the only surviving heirs of George R. Dupuy, deceased;

A bill (S. 3232) for the relief of the estate of William C. Lewis;

A bill (S. 3233) for the relief of the heirs and distributees of H. W. Hargrove;

A bill (S. 3234) for the relief of John Burke Morris;

A bill (S. 3235) for the relief of W. B. Whitfield;

A bill (S. 3236) for the relief of William Foy and H. B. Lane, executor of Mrs. H. B. Lane;

A bill (S. 3237) for the relief of John G. Young;

A bill (S. 3238) for the relief of John Wise;

A bill (S. 3239) for the relief of L. A. Garner, administrator of Samuel C. Garner, deceased;

A bill (S. 3240) for the relief of Ben Pigott;

A bill (S. 3241) for the relief of George Jerkins;

A bill (S. 3242) for the relief of the estate of L. G. Smith, deceased;

A bill (S. 3243) for the relief of Fannie E. Gardner;

A bill (S. 3244) for the relief of the heirs of Mary Leecraft;

A bill (S. 3245) for the relief of Frank Gibble;

A bill (S. 3246) for the relief of William Lewis Bryan;

A bill (S. 3247) for the relief of Frederick Pate;

A bill (S. 3248) for the relief of David J. Middleton;

A bill (S. 3249) for the relief of John L. Brown and the estates of A. T. Redditt and William G. Judkins;

A bill (S. 3250) for the relief of the estate of H. D. Coley, deceased;

A bill (S. 3251) for the relief of Martha A. Moffitt, widow of Eli A. Moffitt;

A bill (S. 3252) for the relief of Franklin Foy;

A bill (S. 3253) for the relief of the heirs of Nancy Barfield, deceased;

A bill (S. 3254) for the relief of W. J. Craddock;

A bill (S. 3255) for the relief of J. A. Denny;

A bill (S. 3256) for the relief of James F. White;

A bill (S. 3257) for the relief of I. F. Hill, executor of W. E. Hill;

A bill (S. 3258) for the relief of the heirs of D. W. Morton;

A bill (S. 3259) for the relief of the heirs of John S. Askin, Arthur Ipock, and John T. Ipock;

A bill (S. 3260) for the relief of Sarah R. Hay;

A bill (S. 3261) for the relief of C. G. Perkins;

A bill (S. 3262) for the relief of the heirs of Cicero M. Davis;

A bill (S. 3263) for the relief of the estate of D. L. Pritchard, deceased;

A bill (S. 3264) for the relief of Joseph B. Banks;

A bill (S. 3265) for the relief of the heirs of Lemuel Freeman, deceased;

A bill (S. 3266) for the relief of Mrs. A. M. Bacon;

A bill (S. 3267) for the relief of the estate of John Henry Jackson, deceased;

A bill (S. 3268) for the relief of Cleveland L. Short;

A bill (S. 3269) for the relief of H. D. Norcom, administrator de bonis non of E. H. Norcom, deceased;

A bill (S. 3270) for the relief of the heirs of John Fairley, deceased;

A bill (S. 3271) for the relief of John A. Norris;

A bill (S. 3272) for the relief of heirs or estate of Joseph D. Hayes, deceased;

A bill (S. 3273) for the relief of D. S. Barrus and I. H. Barrus;

A bill (S. 3274) for the relief of the heirs of Elijah D. Guthrie;

A bill (S. 3275) to refund the cotton tax to the States wherein collected;

A bill (S. 3276) for the relief of Calvin J. Cowles; and

A bill (S. 3277) for the relief of Sidney Maxwell; to the Committee on Claims.

A bill (S. 3278) granting a pension of Charles G. Bryant;

A bill (S. 3279) granting an increase of pension to Stephen M. Buckner;

A bill (S. 3280) granting an increase of pension to Jacob C. Ramsey;

A bill (S. 3281) granting a pension to James Carroll;

A bill (S. 3282) granting an increase of pension to John Clark;

A bill (S. 3283) granting a pension to Robert H. Cowan;

A bill (S. 3284) granting a pension to Edward W. Trice;

A bill (S. 3285) granting a pension to Mary E. Gosnell;

A bill (S. 3286) granting a pension to Henry Young;

A bill (S. 3287) granting an increase of pension to Thomas Loyd;

A bill (S. 3288) granting an increase of pension to William Norton;

A bill (S. 3289) granting an increase of pension to William M. Stanley;

A bill (S. 3290) granting an increase of pension to Thomas M. Wilson;

A bill (S. 3291) granting a pension to Christopher M. Saunders;

A bill (S. 3292) granting an increase of pension to Annie E. Milliken;

A bill (S. 3293) granting a pension to Louisa D. Stewart; and

A bill (S. 3294) granting a pension to Frank C. Freeman; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 3295) for the relief of George E. Zimmerman (with accompanying papers); to the Committee on Public Lands.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. OVERMAN. I ask that the message from the House relative to the urgent deficiency appropriation bill be laid before the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives on House bill 7898, which was read, as follows:

Resolved, That the House recedes from its disagreement to the amendments of the Senate numbered 44 and 61 of the bill (H. R. 7898) entitled "An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes," and agrees to the same.

That the House recedes from its disagreement to the amendment of the Senate numbered 8, and agrees to the same with an amendment as follows: In line 3 of the said amendment strike out "or existing regulations" and insert "or by authority or direction of the collector of internal revenue or the United States marshal."

That the House recedes from its disagreement to the amendment of the Senate numbered 107, and agrees to the same with an amendment as follows: In line 19 of said amendment, after "Congress," insert "the chairman of the House Committee on the Library."

Mr. OVERMAN. I move the adoption of the conference report, and I will then move that the Senate recede from its amendments in dispute and concur in the amendments of the House to the amendments of the Senate Nos. 82 and 107. I ask for the adoption of the conference report.

Mr. BORAH. May I ask the Senator whether there were any changes made in the conference report with reference to the transfer of cases which are pending before the Commerce Court?

Mr. OVERMAN. No change was made, except a verbal change in regard to the transfer by the 31st of December, when the court expires. The cases will be transferred, but there are some cases which have been argued and are now in the hands of judges, and we inserted some verbiage in order that the judges might decide those cases that already have been argued. But everything is to be transferred on the 31st day of December.

Mr. BORAH. Those were the cases I had in mind, cases which have been argued and submitted and which are now in such a condition that the judges may decide them.

Mr. OVERMAN. The judges may decide those. That is the amendment of the House to the amendment of the Senate I am going to ask the Senate to concur in. The only difference made by the House amendment is some verbal change. I want to inform the Senate as to what the disagreements are, but first I will ask the Senate to adopt the conference report.

Mr. BURTON. I should like to inquire what is the amendment to amendment numbered 8. I ask that that be read again.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

That the House recedes from its disagreement to the amendment of the Senate numbered 8, and agrees to the same with an amendment as follows: In line 3 in said amendment strike out the words "or existing regulations" and insert "or by authority or direction of the collector of internal revenue or the United States marshal."

Mr. OVERMAN. That is verbiage where the bond required by the department is to be given. Now I ask for the adoption of the report.

The VICE PRESIDENT. The Chair will inquire whether the Senator from North Carolina has yet sent to the desk the report?

Mr. SMOOT. I suggest to the Senator from North Carolina that he make his explanation before the adoption of the conference report.

Mr. OVERMAN. The rule is first to adopt the report, and then I shall move to concur in the amendment of the House to the amendment of the Senate and to disagree to the other Senate amendments.

The VICE PRESIDENT. The Chair suggests that no report has yet been made.

Mr. OVERMAN. I send the report to the desk and ask for its adoption.

Mr. ASHURST. Mr. President, before any motion is made or question put on the adoption of the report I should like to inquire what has been the fate of the appropriation for the purpose of maintaining mints and assay offices in the West.

Mr. OVERMAN. That will come up after the reading of the report. I will explain it after the report has been read.

The VICE PRESIDENT. The Senator from North Carolina submits a conference report, which will be read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7898) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 6, 7, 9, 17, 18, 21, 22, 25, 26, 40, 43, 48, 51, 66, 78, 79, 80, 81, and 100.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 12, 14, 16, 19, 20, 24, 34, 35, 37, 38, 39, 41, 42, 45, 46, 47, 49, 50, 52, 53, 55, 56, 57, 59, 60, 62, 63, 64, 65, 68, 70, 71, 72, 74, 76, 78, 79, 84, 85, 86, 87, 88, 89, 90, 91, 92, 94, 95, 96, 98, 99, 101, 102, 103, 104, 105, and 106, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Boston, Mass., immigrant station: The authority to construct the immigration station at Boston, Mass., is transferred to the Treasury Department, together with the unexpended balances of appropriations heretofore made therefor, to be expended under the direction of the Secretary of the Treasury for the construction of said station within the existing limit of cost and under conditions of existing law."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: Strike out all after the word "cost," in line 18 of said amendment down to and including the last line thereof, and insert the following: "not exceeding $65,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: Beginning in line 11 of said amendment, after the word "system," strike out all of the matter proposed up to and including the word "thereto" in line 13; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: Strike out the word "properly," in line 2 of said amendment, and insert in lieu thereof the word "necessarily"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In line 3 of said amendment in lieu of the sum "$9,600" insert the sum "$9,000," and in line 5 of said amendment in lieu of the sum "$1,950" insert the sum "$1,500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert the following: "$3,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: Add before the matter inserted by said amendment the following: "And the latter to be transferred to the district courts if not decided by the Commerce Court before December 1, 1913"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: After said amendment insert the following: "All furniture, carpets, and other property of the Commerce Court is turned over to the Department of Justice and the Attorney General is authorized to supply such portion thereof as in his judgment may be proper and necessary to the United States Board of Mediation and Conciliation"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: Strike out of said amendment the word "appointment"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In line 4 of said amendment strike out the word "twenty" and insert in lieu thereof "fourteen," and in line 7 of said amendment strike out "$16,650" and insert in lieu thereof the sum "$11,925"; and the Senate agree to the same.

The committee of conference have been unable to agree on amendments numbered 8, 10, 11, 27, 28, 29, 30, 31, 32, 33, 44, 61, 82, 93, 97, and 107.

THOMAS S. MARTIN,
LEE S. OVERMAN,
Managers on the part of the Senate.
JOHN J. FITZGERALD,
C. L. BARTLETT,
FREDK. H. GILLETT,
Managers on the part of the House.

Mr. NELSON. Mr. President, was amendment numbered 61 agreed to as it is printed in the bill on page 37?

Mr. OVERMAN. Mr. President, we finally concurred in the Walsh-Nelson amendment. The House conferees insisted on the provision as it came from the other House; the conferees on the part of the Senate insisted on the Senate amendment; the conferees could not agree, and the matter was taken up upon the floor of the other House. The House then agreed to the Senate amendment known as the Walsh-Nelson amendment.

Let us first have the report adopted, Mr. President, and then I will make my statement. I move the adoption of the conference report.

Mr. POINDEXTER. Mr. President, I should like to inquire of the Senator from North Carolina what considerations induced the Senate conferees to recede on amendment No. 21, carrying out the law of March 4, 1913, authorizing the expenditure of $5,000 for the preparation of designs and estimates for a national archives building in the city of Washington, D. C.

Mr. OVERMAN. Mr. President, the Senate and the House conferees could not come to an agreement on that matter, as well as on some other matters. The appropriation for the memorial bridge of $25,000 was similarly situated. The House and the Senate had agreed to appoint a commission and to authorize an appropriation of $25,000 for the preparation of designs for the memorial bridge, as they had also agreed to provide an appropriation for designs for a national archives building. The conferees on the part of the House of Representatives refused to agree to any of these propositions, saying that they could come in on a bill subsequently; that this bill was not the proper place for such appropriations, and that under the rules of the House, this being an urgent deficiency appropriation bill, they would not agree to those amendments. Of course, the Senate conferees insisted on all of those amendments; some of them were carried to the floor of the other House, and the House stood by their conferees on the matter.

Mr. POINDEXTER. Mr. President, I fail to understand the theory upon which all of these construction propositions, or measures for the construction of buildings or other structures, should be grouped together and treated as one whole, as if there were no distinction between them. I could readily understand that there might not be any emergency for the construction of a memorial bridge. I am in favor of it, but it is not an emergency. We have been trying for 25 years to get started upon a plan that would provide a fireproof building to preserve the invaluable records of the Government. We are having fires almost every few months which jeopardize millions of dollars' worth of records and documents which could not be replaced at all if they were destroyed, as, for instance, the fires which have occurred periodically in the Geological Survey Building—I think the last one burned up $25,000 worth of documents, and very nearly burned up records and documents estimated to be worth $2,000,000—and which are liable to occur any day. It is a very small item; and I fail to see why a distinction should not have been made between an appropriation of that kind, which would put this project in the way of fulfillment, and appropriations for other purposes not urgent or important.

Mr. OVERMAN. There really was no exception made, as I think the Senator from Washington will see if he will examine the bill. There is no question but that the Senator can hereafter get his proposition through, because the conferees on the part of the Senate were thoroughly in favor of it, and I think the House also favors it. I think there will be no trouble about getting a proposition for the purpose through in its proper place; but the conferees on the part of the other House did not think that it was an urgent deficiency. The only exception made, if it might be termed an exception, was with regard to the Red Cross Building. There was an emergency in that matter, as the Senator will appreciate without my going fully into the details here. The reason for that action was because certain persons, some of whom are very old, are going to subscribe large amounts to the society, and the society desires to get the money. If they are to get the money, something must be done for the Red Cross Society at once. That, however, was all thrashed out here on the floor; and, in a measure, while it looks to be an exception, it is an emergent matter. I think the Senator will find that is the only exception in the conference report. The House would not stand for any other exception. We endeavored to secure a complete agreement, though, in fact, we did not get an agreement, but broke up with a disagreement, and the bill was carried back to the other House. The amendments which I am going to discuss directly were taken up on the floor of the House; some of them were agreed to and some of them were disagreed to. The Senator's amendment providing an appropriation of $5,000 for plans for an archives building went out; but I think it will be provided for in a few months, when there will be another appropriation bill.

Mr. POINDEXTER. Of course, that is what is always said in such cases. The Senator from North Carolina has just as much interest, I assume, in this amendment as I have.

Mr. OVERMAN. I am in full accord with the Senator, but I take the position the House takes, that it is not an emergency right now.

Mr. POINDEXTER. I differ from the House in that regard. I think if there are any emergencies contained in this bill, that is certainly one of them.

Mr. SHAFROTH. It is simply, however, to provide for plans for the construction of a building. It seems to me every building has to go through the same process, and it can not be considered an emergency. It may be an important thing, and necessary to be put through without loss of time under ordinary methods, but a deficiency bill is not presumed to cover matters of that kind.

Mr. POINDEXTER. It does cover them, and has from time immemorial covered them. Whether or not the provision for a public building is an emergency depends upon what the building is intended for. It might not be an emergency to provide for the building of a post office in some town that does not need a new post-office building, but if the Senator were informed about the condition of the public records in this city, the manner in which they are kept, corded up like dry wood, in buildings that are not fireproof, being destroyed by moisture in some places and ruined by the accumulation of dust and by the manner in which they are stored in other places, the Senator would agree that it is an emergency measure to begin the plans for an adequate archives building to preserve those records of the Government.

Mr. SMOOT. Mr. President, I wish to say to the Senator from Washington that I am in full accord with the idea expressed by him that there should be erected a national archives building. We all recognize the fact that that is absolutely necessary; but this bill is to supply urgent deficiencies. An appropriation for the purpose indicated by the Senator from Washington does not fall under the designation of a deficiency, and I myself believe that the House was perfectly right in disagreeing to the amendment. I wish to say to the Senator, however, that I have not the least doubt that an item covering this matter can be put into an appropriation bill at the regular session without any opposition either in the Senate or in the House. I have confidence in Congress that this action will be taken, because four or five cases within the last three or four years have demonstrated the fact that some of the most valuable records of the Government of the United States have been put in jeopardy for want of such a building.

Mr. POINDEXTER. Many of them can not be reproduced at all. They are invaluable, and you can not replace many of them.

Mr. SMOOT. It would be impossible to reproduce many of them, especially the records of the Geological Survey.

Mr. THOMAS. Mr. President, with the permission of the Senator——

Mr. POINDEXTER. I yield to the Senator from Colorado.

Mr. THOMAS. With the permission of the Senator from Washington, I should like to ask the Senator from Utah why he calls this an urgent deficiency bill? This bill was up for discussion some time ago, and I discovered the fact that it abolishes one of the courts of the United States, assumes to abolish two or three circuit judgeships; in addition to that, provides rules of procedure for our Federal courts, and during the expiring hours of the session, when the bill was considered, an amendment appropriating several hundred thousand dollars was tacked on to it for the purpose of constructing a Red Cross memorial. I am heartily in sympathy with the intention and purpose of the Congress to provide an appropriate home for the Red Cross Association, but I am not able to see or to understand how it can be urgent at the present time.

Mr. SHAFROTH. Mr. President, if the Senator will yield to me——

Mr. SMOOT. I can explain that to the Senator if he will yield to me a moment.

Mr. THOMAS. Certainly; perhaps I accompany my question with too much in the way of a statement.

Mr. SMOOT. The reason that the item referred to is an emergency matter at this time is that there are certain donations to be given to the Red Cross by men in this country who are very aged indeed.

Mr. SHAFROTH. One proposed donation is as much as $100,000.

Mr. SMOOT. In one case it is more than $100,000.

Mr. THOMAS. I think the Senator misunderstands my question. I concede that it is an emergency; but the Senator stated that this was an urgent deficiency bill, and I can not reconcile the position——

Mr. SMOOT. In answer to that I will call attention to the fact that the title of the bill is "A bill making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes."

Mr. THOMAS. In other words, the Senator has reference to the time for which the appropriations are made.

Mr. SMOOT. I also recognize the fact that there never has been a deficiency bill passed in Congress for years and years in which items have not been put upon it which never should have been.

Mr. THOMAS. Precisely.

Mr. SMOOT. And I simply rose to say that I agree with the House in this particular instance.

Mr. THOMAS. So do I.

Mr. SMOOT. I believe that it would be better policy for the Senate and the House to strike out appropriations that do not properly belong to the particular bill of which they are made a part.

Mr. THOMAS. So do I. But the difficulty—and it is a very serious one—is that a number of items always creep into bills of this kind which upon their merits never could secure the sanction of Congress. In other words, these bills are made the vehicles for an immense amount of misleglslation and for misappropriation of money, by which I mean appropriations which upon their merits would not secure the votes of a majority of the Members of the Senate and of the House of Representatives.

Mr. OVERMAN. Will the Senator yield to me there?

Mr. THOMAS. Certainly.

Mr. OVERMAN. I want to say to the Senator from Colorado that your committee did not let anything not properly belonging to the bill creep into it. This amendment was turned down by the Senate Committee on Appropriations. It was, however, put upon the bill on the floor of the Senate, as the Senate had a right to do, although in so doing it did not follow the recommendations of the committee. Then the matter went over to the House, and the bill was sent to conference. There was a disagreement between the conferees on the ground that the amendment had no right to be on this bill, and yet when the matter was taken before the House that body stood by the action of the Senate, so that the incorporation of this provision in the bill is the action of the lawmaking body and not of the committee.

Mr. THOMAS. My criticism is not directed against the committee at all.

Mr. OVERMAN. I understand the Senator.

Mr. THOMAS. But it is against that practice of logrolling, which has become a custom that ought to be "more honored in the breach than the observance," under and by means of which urgent deficiency bills and other bills which have a title reciting the purpose—I might say an ostensible purpose—for which they are introduced are repeatedly made general appropriation bills and bills embodying general legislation; in fact, in some instances it is impossible to determine by the title of a bill what it is about, and you are apt to find everything in the bill except something covered properly by the title.

While I am on my feet I want to call attention to another matter that is extremely emergent, which the House did not see fit to legislate upon favorably and which ought to go into this bill. The last general Indian appropriation act contains an appropriation of $50,000, the purpose of which is to enable the Indian Bureau to ascertain the heirs of certain deceased Indian allottees pursuant to the act of June 25, 1910. That is one of the most important subjects, Mr. President, in which the Indian Bureau should immediately interest itself. I am informed that somewhere in the neighborhood of $60,000,000 worth of property is involved in the investigation. The Indian Bureau is prepared to go ahead with this work immediately, but it asks for an allotment of $10,000 of the $50,000, and requests that it be made immediately available for this purpose. The Senate was willing that it should be done, but the House has not given its consent thereto. There is an emergency that is most exigent, and one which, if emergencies are to be the test of the contents of this bill, certainly appeals to me with as much, if not more, force than anything else the bill ought to contain, but which is outside and beyond it. The commissioner informs me that with this money he can easily put his force at work and begin the investigation of the titles to these properties, which as every day passes become more and more difficult and obscure.

Mr. OVERMAN. Mr. President, I will say to the Senator from Colorado that the conferees on the part of the Senate of course insisted on the Senate amendments. The House conferees said it would be only a short time before what is known as the legislative appropriation bill would come up, and all these matters could be put on that bill. In other words, we must have some system. Representatives of the Land Office, the Treasury Department, and every other department of the Government came before the committee and asked for appropriations to carry out certain things, for the employment of more men to do this and to do that. We had to say to them, "Your estimates will be made on the 1st of December for all of these things. There is a legislative appropriation bill, there is a sundry civil appropriation bill, and there are half a dozen other appropriation bills. These matters can wait two or three months. Do not let us crowd these things into this bill. If we put on this bill matters for the Indian Office, we will have to put on matters for the Land Office, for the Department of Justice, for the Treasury Department, and so on. Let each department come and make its estimates at the regular time and let us have some system about this matter. Great appropriation bills, carrying millions of dollars, will be considered here in December, and that is the time to do it."

There is something in that. Surely these departments can wait a few months. In other words, we appropriated here in July millions of dollars for all of these departments. They really have no deficiency. If they can not do the work with the amount they have, they will come forward with a deficiency later on. Only three months of the year have gone by.

Mr. THOMAS. I quite agree that there should be some system in these appropriation bills, but what I am complaining of is that there is no system. Emergencies and deficiencies seem to be intermingled; some emergencies are recognized, and other emergencies are excluded. There is a great deal more necessity for the immediate availability of this appropriation for the examination of the titles of Indian allottees than there can be for a memorial building. The same argument applies to the one that applies to the other.

If the Senate would cut out all of these emergencies and confine this bill to its appropriate purpose and legislate only with reference to deficiencies, then, of course, there would be not only some system but a rule of common sense, which would have the added virtue of excluding a vast number of appropriations that have no merit in themselves. If emergencies are going to be considered, however, I wish to urge that this is an emergency upon which the Senate should insist when the conference report comes up for final approval or rejection.

Mr. MYERS. Mr. President, I am advised that the matter which has just been described by the Senator from Colorado is an emergency of the very greatest gravity. I am informed by the Commissioner of Indian Affairs that the sum of $150,000 has been appropriated heretofore for field work in these Indian heirship cases and the examination of titles and the insignificant sum of $10,000 for office work has been stricken out. If we can not have some office force to keep up with the field work, there is absolutely no use in expending the $150,000 for field work. It is a monstrosity, an absurdity, to go ahead and expend the sum of $150,000 for field work and have no money for the office end of it, to keep track and make a record of what the men are doing in the field.

Mr. OVERMAN. Mr. President, let me say to the Senator that last July we appropriated all the money asked for by the department.

Mr. MYERS. Yes; but not by this administration.

Mr. OVERMAN. This administration comes in, after we have given the department the amount of the estimate, and says there is an emergency here, three months after we have appropriated millions of dollars for this department. Here is a new administration coming to us before we are ready for an appropriation bill and asking for $120,000 in an urgent deficiency bill.

It does not look right for these men to come in here asking for these appropriations at this time. This is not the time for it. If they are Democrats, I say they have come at an inopportune time.

Mr. MYERS. But does not everybody make mistakes at times, and are not mistakes likely to occur in these estimates?

Mr. OVERMAN. I am not talking about mistakes. It has been only three months since we passed the great legislative appropriation bill. The estimates were made up by the heads of the departments, the Secretary of the Treasury, and the President, and we passed the appropriation bill three months ago and gave them what they wanted. Six months from now we are to have another great appropriation bill for the next fiscal year. In the meantime, when only three months have gone by, here comes a department asking for $120,000 more. This is not the time to make the appropriation.

I did not want to say that, but I am forced to do it. They come here and ask for these great appropriations in the meantime, when we shall be making appropriations regularly only a few months hence.

Mr. MYERS. Notwithstanding all that, Mr. President, I insist that this $10,000 is of very great importance to the Western States, and that it is a matter of emergency and urgency and deficiency.

Mr. OVERMAN. Does the Senator know how much we gave these people in the last appropriation bill, just a few months ago?

Mr. MYERS. For clerical work?

Mr. OVERMAN. Yes.

Mr. MYERS. No; I do not.

Mr. OVERMAN. Three hundred and ten thousand dollars.

Mr. MYERS. Well, it takes some money to run the Government.

Mr. OVERMAN. We gave them every dollar they asked for. We will have an estimate for more money on the 1st of next July, and in the meantime they want $120,000 after the lapse of three months. Why, Mr. President, we can not stand for that.

Mr. MYERS. They need some more now.

Mr. OVERMAN. They have all the clerical force they asked for. I do not think they ought to come in here at this time and ask for these great appropriations.

Mr. MYERS. If the committee can not stand for it, I appeal to the Senate to stand for it. I believe there is merit in it.

Mr. LANE. Mr. President, I wish to ask a question for information. I do not understand that the officials of the department are asking for any appropriation at all. I understand they are asking that $10,000 of the total sum which has been appropriated for the purpose of determining the heirs of deceased Indian allottees may be set aside for office help, to keep the office at work. They are simply asking for $10,000 out of the appropriation already made, according to my understanding.

Mr. OVERMAN. We gave them $310,000 in the last appropriation bill for clerical force in this department.

Mr. LANE. Not for this particular line of work.

Mr. OVERMAN. Yes; for clerks in that department and all of these departments. It was a lump appropriation. They can use that $310,000. I will say to the Senator that only three months of this fiscal year have gone by. If the head of this department has a deficiency and has not enough money, he can come and ask for it in the next deficiency bill. We will have another deficiency bill before long.

Senators will understand that we have appropriated $310,000 for this office, beginning with the 1st of July. July, August, and September have gone by, and part of October; and they have a total of $310,000. Suppose they have not enough money. Along in the spring we will have another deficiency bill, and the head of the department can come in at that time if he is behind and ask for more money.

I think the trouble is that these new officers who are coming in do not exactly understand that they have only run for three months of the fiscal year; and while they want more money, and perhaps need more money, this is not the time to get it and not the place to get it.

Mr. LANE. I understand that; but I should like to say, for the Senator's information, that my understanding is that they are not asking for one cent—not a penny. All they are asking for is the authority to use $10,000 of this money for carrying on the clerical work of the office. In other words, you provide them with plenty of money, but do not give them the power to expend it in a way in which they need to expend it.

Mr. OVERMAN. In response to demands from the Senator from Montana [Mr. MYERS], who was very urgent about this, and the Senator from Oregon [Mr. LANE], the Senate agreed to it; but we can not make the House of Representatives agree to it, and they will not agree to it for the very reason I have stated. If the Senate now insists on it, the House will never agree to it.

Mr. MYERS. I am informed that the House Committee on Appropriations are willing to agree to it now if we will only give them an opportunity.

Mr. OVERMAN. Willing to do it, when the conferees on the part of the Senate have been contending and contesting with them all the time?

Mr. MYERS. They want another chance, I understand.

Mr. OVERMAN. Why, they had a chance on Saturday. That was the time when they disagreed to the Senate amendment. The Senate conferees insisted on it.

Mr. LANE. Mr. President, the statement I made was intended to correct the impression that the officials of the department were asking for additional money, when, as I understand the facts, they are asking for permission to use money already appropriated in a manner which is necessary in order properly to expend the appropriation. I simply wished to make that statement.

Mr. CLAPP. Mr. President, without criticizing the conferees, because I have no doubt they did the best they could, I wish to say that the Senator from Oregon is correct. This is not an additional appropriation. After the Indian appropriation bill passed, providing for some service with reference to determining these heirships, it was thought necessary, and I think it was, that the office should be permitted to use this particular amount for this purpose out of the $50,000 appropriated by the Indian appropriation bill.

The Senator from Oregon is right, although I do not share in any reflections upon the conferees. I have no doubt, of course, that they did all they could.

Mr. SMOOT. Mr. President, I think that is correct; but it seems to me the only object of the amendment is to authorize the employment of eight additional clerks at $1,200 a year. In the Indian appropriation bill we made an appropriation of $50,000 for field service; and at the end of the year we will find, perhaps, an additional amount asked for in the next urgent deficiency bill. I think the House is perfectly right in not agreeing to this amendment.

Mr. CLAPP. I do not think that reflection on the office should be permitted to stand unchallenged. We made additional work for the department in the Indian bill; and it was understood then that we would try to secure for the office, out of the $50,000 appropriated for field work, pay for these clerks whose work would have to be done in the office instead of in the field. The department, I think, was perfectly justified in making the request.

Mr. SMOOT. Mr. President, I have no desire whatever to cast any reflection on the department.

Mr. CLAPP. No; I know that.

Mr. SMOOT. But I do wish to say that wherever temporary clerks have been put in a department, and a special act has been passed appropriating money for those particular temporary clerks, my experience has been that they thereafter remain in the department.

Mr. CLAPP. That may be; but instead of all the work we imposed being field work, part of it had to be office work; and it involved additional labor and the necessity for some additional clerks.

Mr. OVERMAN. Mr. President, the Senator understands about these matters. These officials asked for $50,000 for field work. We gave it to them.

Mr. CLAPP. I know we did.

Mr. OVERMAN. Now, three months after that they say, "We want 12 more clerks up here, and we want to take the money to pay them out of this $50,000 for a temporary purpose."

What are they going to do with that amount of money? They wanted it for field work—to do work out in the field. We gave it to them, and they will come back next time, the Senator understands, with a deficiency, saying that that $50,000 was used in the office. If the Senator were on the Appropriations Committee, he would understand this—and he does. He has been on many committees.

Mr. CLAPP. Mr. President, I am not finding fault with the conferees, but I do think we have fallen into the habit of criticizing the departments too readily. The $50,000 was appropriated for field work and could not be used for clerk hire in the office. We required certain work to be done in the office, and it was the suggestion of the committee that payment for it be made out of the $50,000. It was part of the same general purpose of settling these heirships, but it could not be taken out of the $50,000 without specific authority. The department was justified in asking for it under the circumstances.

That is all I am discussing. I expressly disclaimed any criticism upon the conferees in this matter, because there is no question that they did the best they could.

The VICE PRESIDENT. The question is on agreeing to the report of the conference committee.

The report was agreed to.

Mr. OVERMAN. I ask that the Senate concur in the House amendments to the Senate amendments.

Mr. BURTON. Mr. President, I should like a separate vote on those amendments. No. 8, I believe, is the first.

The VICE PRESIDENT. The question is on agreeing to the House amendment to Senate amendment numbered 8.

Mr. BURTON. I wish to be heard on that.

According to the amendment as it appears on page 2 of the bill, amendment No. 8 as adopted by the Senate provides:

> That hereafter any deputy collector of internal revenue or deputy marshal who may be required by law or existing regulations to execute a bond to the collector of internal revenue or United States marshal to secure faithful performance of official duty may be appointed by the said collector or marshal, who may require such bond without regard to the provisions of an act of Congress entitled—

and so forth.

That is changed by this proposed House amendment so as to make it much more comprehensive. The words "existing regulations" are stricken out, and in place thereof the words "or

by authority or direction of the collector of internal revenue or the United States marshal" are inserted.

Mr. NORRIS. Mr. President, I should like to inquire of the Senator the number of the line he refers to, and just what the change is in the Senate amendment.

Mr. BURTON. It is in line 21, page 2. As it appeared when adopted by the Senate, wherever a bond was required for a deputy in a United States marshal's office, or in the office of a collector of internal revenue, by existing regulations——

Mr. NORRIS. What is the language that is stricken out by the House amendment?

Mr. BURTON. The words "or existing regulations."

Mr. NORRIS. Is that the only change that is made?

Mr. BURTON. And in lieu thereof these words are substituted:

Or by authority or direction of the collector of internal revenue or the United States marshal.

Mr. NORRIS. Where does the Senator get those words?

Mr. BURTON. They are found on page 6181 of the RECORD, in the discussion for Friday, in the second column.

Mr. NORRIS. That is what I was hunting for.

Mr. BURTON. That is, whether or not a bond is required by existing regulations or by law, the collector of internal revenue or the United States marshal may order that a bond shall be given. That is, he can make a regulation, he can make a law, applicable to this appointment where none now exists; and in covert form what was already too sweeping, and what was already a violation of the letter and spirit of the civil-service law, is rendered much broader.

I wish to call attention to another feature of this report. When this amendment was proposed here, it was argued most strenuously that it was in order because it reduced expenses. I am unable to accept the ruling of the Chair upon that matter as in accordance with parliamentary law, but it has been made. It has been twice made—in the Committee of the Whole and in the Senate. I trust, however, that it will not be adopted as a precedent in the future.

But let us see. It was said that this amendment was in order because it reduced the amount in line 14 from $30,000 to $25,000, the amount in line 17 from $9,000 to $4,000, and the amount in line 17 from $39,000 to $29,000. It was asserted with great earnestness that there would be a saving of $20,000, and that was the plausible excuse for so vital a change in the law. But how does this come back to us from the conference committee? With every one of those amendments nonconcurred in. The $25,000 is restored to $30,000; the $4,000 to $9,000; the $29,000 to $39,000; so that which was made the reason for this amendment has disappeared entirely. I suppose we could not say the reason for the amendment having failed the amendment itself falls. It has gone too far for that.

But, Mr. President, I am decidedly opposed to this amendment. I shall ask for a yea-and-nay vote on it.

The VICE PRESIDENT. The Senator from Ohio demands the yeas and nays on the motion to concur in the amendment of the House to the amendment of the Senate.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. I transfer that pair to the junior Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. MYERS (when his name was called). I ask if the Senator from Connecticut [Mr. MCLEAN] has voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. Unless he appears and votes, as I am paired with that Senator, I will withhold my vote.

Mr. O'GORMAN (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. GALLINGER], and in his absence withhold my vote.

Mr. THORNTON (when Mr. RANSDELL'S name was called). I announce the necessary absence of my colleague [Mr. RANSDELL]. I ask that this announcement may stand for the day.

Mr. SHAFROTH (when his name was called). I have a pair with the junior Senator from California [Mr. WORKS], and on that account I withhold my vote, unless I find that my vote is necessary to constitute a quorum.

Mr. STERLING (when his name was called). I have a pair with the senior Senator from Nevada [Mr. NEWLANDS]. I transfer that pair to the Senator from New Mexico [Mr. CATRON] and vote "nay."

Mr. STONE (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. CLARK]. I transfer that pair to the junior Senator from Virginia [Mr. SWANSON] and vote "yea."

Mr. SUTHERLAND (when his name was called). I am paired with the Senator from Arkansas [Mr. CLARKE]. I understand that he is absent. I transfer that pair to the Senator from Maine [Mr. BURLEIGH] and vote "nay."

Mr. WALSH (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. LIPPITT]. In his absence, I withhold my vote.

Mr. WILLIAMS (when his name was called). I have a general pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I transfer that pair to the Senator from Maine [Mr. JOHNSON] and vote "yea."

The roll call was concluded.

Mr. WEEKS. I will state that my colleague [Mr. LODGE] is absent from the Senate on account of business and that the junior Senator from Illinois [Mr. SHERMAN] is absent on account of important business. I will let those statements stand for the day.

Mr. TILLMAN. I am paired with the Senator from Wisconsin [Mr. STEPHENSON], but am at liberty to vote to make a quorum. I vote "yea."

Mr. BANKHEAD. I transfer my pair with the junior Senator from West Virginia [Mr. GOFF] to the junior Senator from Louisiana [Mr. RANSDELL] and vote "yea."

Mr. SHAFROTH. I transfer my pair with the junior Senator from California [Mr. WORKS] to the senior Senator from Indiana [Mr. SHIVELY] and vote "yea."

Mr. REED (after having voted in the affirmative). When my name was called I voted, forgetful of the fact that my pair, the Senator from Michigan [Mr. SMITH], is absent from the city. I transfer that pair to the Senator from South Carolina [Mr. SMITH] and allow my vote to stand.

Mr. SMITH of Georgia (after having voted in the affirmative). I had arranged a transfer of my pair with the senior Senator from Massachusetts [Mr. LODGE] to the junior Senator from Oklahoma [Mr. GORE], and I voted without mentioning it. I desire to announce that transfer now, and will let my vote stand.

Mr. OVERMAN. I wish to state that I have a general pair with the senior Senator from California [Mr. PERKINS]. Before he left he sent for me and authorized me to vote whenever I saw fit, especially on this appropriation bill, he being a member of the committee and one of the conferees.

Mr. SHEPPARD. My colleague [Mr. CULBERSON] is unavoidably absent. He is paired with the Senator from Delaware [Mr. DU PONT].

Mr. WALSH. I transfer my pair with the senior Senator from Rhode Island [Mr. LIPPITT] to the junior Senator from Tennessee [Mr. SHIELDS] and vote. I vote "yea."

Mr. MYERS. Understanding that a quorum has not voted, under my agreement with my pair, the Senator from Connecticut [Mr. MCLEAN], I believe I am justified in voting, for the purpose of making a quorum. I vote "yea."

The result was announced, yeas 31, nays 18, as follows:

YEAS—31.

Ashurst	James	Reed	Thomas
Bacon	Lewis	Shafroth	Thompson
Bankhead	Martin, Va.	Sheppard	Thornton
Bryan	Martine, N. J.	Simmons	Tillman
Chamberlain	Myers	Smith, Ariz.	Vardaman
Fletcher	Overman	Smith, Ga.	Walsh
Hitchcock	Owen	Smith, Md.	Williams
Hollis	Pomerene	Stone	

NAYS—18.

Brady	Gronna	Nelson	Sterling
Bristow	Hughes	Norris	Sutherland
Burton	La Follette	Page	Weeks
Clapp	Lane	Poindexter	
Cummins	McCumber	Smoot	

NOT VOTING—46.

Borah	du Pont	Lodge	Sherman
Bradley	Fall	McLean	Shields
Brandegee	Gallinger	Newlands	Shively
Burleigh	Goff	O'Gorman	Smith, Mich.
Catron	Gore	Oliver	Smith, S. C.
Chilton	Jackson	Penrose	Stephenson
Clark, Wyo.	Johnson	Perkins	Swanson
Clarke, Ark.	Jones	Pittman	Townsend
Colt	Kenyon	Randell	Warren
Crawford	Kern	Robinson	Works
Culberson	Lea	Root	
Dillingham	Lippitt	Saulsbury	

So the amendment of the House to the amendment of the Senate No. 8 was concurred in.

Mr. OVERMAN. I move that the Senate concur in amendment of the House to the amendment of the Senate numbered 107.

Mr. SUTHERLAND. Before that motion is put I should like to ask the Senator from North Carolina what was done with amendments 62 and 63, on page 37 of the Senate print?

Mr. OVERMAN. The House receded and those amendments have been concurred in in the report.

Mr. SUTHERLAND. I should like to say to the Senator from North Carolina that as I read the amendments a good deal of confusion is likely to result, particularly from amendment No. 63. The provision as it came from the House was that "the venue of any suit hereafter brought to enforce, suspend, or set aside, in whole or in part, any order of the Interstate Commerce Commission shall be in the judicial district"——

Mr. OVERMAN. I can not understand what the Senator is reading from. Is he reading from page 3763 of the RECORD?

Mr. SUTHERLAND. I am reading from the Senate print of the bill, page 37.

Mr. OVERMAN. The Senator is reading beginning in line 13?

Mr. SUTHERLAND. Beginning in line 13.

Mr. OVERMAN. If the Senator pleases, these amendments, I think, were recommended by the Attorney General, and we put them on in the Senate and the House agreed to them.

Mr. SUTHERLAND. I am not prepared to discuss the question as to whether the House provision was wise or whether it should not have been amended as evidently it was intended to be amended, but I think that amendment No. 63 is quite likely to introduce an element of confusion into the matter. Let me finish the reading of the provision from the House, continuing at the point where I was interrupted:

Where some or all of the transportation covered by the order has either its origin or destination, except that where the order does not relate to transportation, the venue shall be in the district where the matter complained of in the petition before the commission arises,

That is understandable, at any rate, and it is enforceable, at any rate. But the Senate introduced, after the word "transportation," the words "or is not made upon the petition of any party," so that in all cases where the order is not made upon the petition of any party the exception which was introduced by the House, "except that where the order does not relate to transportation," does not apply. In other words, where the order is not made upon the petition of any party, but relates to transportation, the venue shall be in the district where the matter complained of in the petition before the commission arises.

Now, a matter relating to transportation may arise in more than one district. For example, articles being transported from Omaha to San Francisco are in transportation through several States, therefore through several Federal judicial districts, and that particular matter will not arise in any particular district, but will arise in several districts; and when you have that kind of a case you have one that will not come within the provision of your law. I do not know whether I make the matter clear or not.

Mr. OVERMAN. I think the Senator is clear about that, and I think probably there ought to be an amendment, but it is now too late to do anything, because we have agreed to the conference report. That is settled, as far as this bill is concerned.

Mr. CLAPP. But we can reconsider the vote.

Mr. WALSH. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Montana?

Mr. SUTHERLAND. I do.

Mr. WALSH. It does not occur to me that the provision needs any further amendment. In any case, the provision to which our attention is now directed by the Senator was in the bill when it came from the House. The Senate acceded to that provision of the bill and added a provision of its own. No question has ever been raised up to the present time touching the feature of the bill to which the Senator from Utah adverts, and it would seem as though the time had quite gone by when any amendment to the bill affecting that particular clause could be properly considered.

I desire to say in this connection, however, it does not occur to me that any difficulty at all will arise under circumstances such as are mentioned by the Senator. If, indeed, the subject does arise in two or three different States, obviously the venue will be in any one of the States in which the proceeding may be begun; that is to say, if the matter does not relate to transportation or "is not made upon the petition of any party," and it should arise in the States of Utah, Wyoming, and Nebraska, for instance, it seems to me the venue could be laid in any one of those three States.

Mr. SUTHERLAND. I am not at all certain that that is so.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Washington?

Mr. SUTHERLAND. In just a moment. The original House provision, beginning in line 15, reads:

Shall be in the judicial district where some or all of the transportation covered by the order has either its origin or destination—

showing that the House evidently considered that it was necessary, if it was desired to put the venue in any one of several districts, to say so, because they say, "where some or all of the transportation covered" had its origin.

The element of confusion, as I understand it, is introduced by the Senate amendment, which alters the sense of the original House provision, and with that amendment it provides, in substance, that in some cases which relate to transportation the venue shall be in the district where the matter complained of in the petition arose.

Mr. WALSH. I desire to say to the Senator from Utah in explanation of the Senate amendment, because my recollection is he was not here at the time, that it was suggested upon the consideration that under the provision of the bill as it came from the other House the carrier, who under all ordinary circumstances would be the party who would appeal to the court for relief from any order that was made by the Interstate Commerce Commission, would have an option to lay the venue either in the State in which the transportation originated or in the State in which it terminated, notwithstanding the petitioners would be confined to only the one State; in other words, it was not intended to give an option to the carrier to select the venue as his own interests might seem to dictate, but to fix it definitely in the place where was the residence of the petitioners who gave rise to the proceedings in the first place.

Mr. SUTHERLAND. Mr. President, I do not care to pursue that matter further; it has probably passed beyond the stage where we can help it, but I——

Mr. POINDEXTER. Mr. President, before the Senator from Utah leaves that subject, I think he ought to call attention also to the confusion which is involved in the statement of the class of actions, being those which do not relate to transportation, and cases that do not come up on the petition of any party. Then the language fixes the venue of that class of cases by reference to a matter complained of in the petition before the commission.

Mr. SUTHERLAND. I was just going to call attention to that.

Mr. POINDEXTER. The matter complained of in the petition before the commission is described as that in which there is no petition.

Furthermore, I make this further suggestion: It seems to me if there is any possibility of revising the form of this provision, it ought to be borne in mind. The language goes on to add another class:

And except that where the order does not relate either to transportation or to a matter so complained of before the commission—

That is exactly the same class that was described in the previous phrase where the number "63" occurs—

where the order does not relate to transportation or is not made upon the petition of any party.

That is the same class of cases. Then it goes on to say:

And except that where the order does not relate either to transportation or to a matter so complained of—

That is, upon the petition of the party—

the matter covered by the order shall be deemed to arise in the district where one of the petitioners in court has either its principal office or its principal operating office.

The language is absolutely conflicting and almost impossible of construction so as to be consistent or coherent.

Mr. SUTHERLAND. I was about to call attention to the very thing of which the Senator from Washington has spoken. The whole trouble arises from the introduction by the Senate of the amendment. If the Senate had let the House amendment alone, the trouble could not have arisen. The Senate amendment is:

Or is not made upon the petition of any party—

Having already provided substantively with reference to cases which do not arise upon any petition at all, then it is provided that—

the venue shall be in the district where the matter complained of in the petition before the commission arises.

It is an absolute contradiction in terms. Provision is first made for a case in which there is no petition at all, and then the venue is to be tested by a petition which does not exist.

Mr. WALSH. Mr. President, I think the Senator is quite in error about that. It is the petition of a party. Every proceeding is commenced upon petition or it is initiated by the commission itself. Of course there has got to be some kind of a proceeding; some kind of a basis for it.

Mr. SUTHERLAND. How can there be a petition without a party to the petition?

Mr. WALSH. Because the Interstate Commerce Commission itself may institute proceedings before the Interstate Commerce Commission. Then it is not made on petition.

Mr. SUTHERLAND. Not on petition, certainly. The Interstate Commerce Commission does not petition itself.

Mr. WALSH. The word "petition" there, I apprehend, does not necessarily imply a prayer, because the term, as the Senator from Utah well knows, is frequently used to signify the declaration of complaint on original proceedings in any cause.

Mr. SUTHERLAND. If a matter comes before a commission or before a court upon a motion of the body itself, certainly that matter does not arise by petition; it is a matter that is brought up on the motion of the court or by the commission. When we speak of a petition, we necessarily imply the petition of somebody, and that somebody is a party. Then we provide that in cases of that kind, which do not arise upon petition, the petition, which does not exist, shall govern the matter of venue.

Mr. OVERMAN. Mr. President, there is no question upon this. It is already agreed to. I move——

Mr. SUTHERLAND. I should like to ask the Senator from North Carolina whether it would be possible to reconsider the vote by which amendment numbered 63 was agreed to?

Mr. OVERMAN. No, Mr. President; because the matter has been in conference; it has been agreed to by the House of Representatives, and it is out of our hands. This can be corrected by future legislation if there is any trouble about it, but it can not be now corrected here. It has passed beyond that stage. The language was not put in the bill on the floor of the Senate, but it came from the other body.

Mr. CLAPP. While it may be better to let the matter go, to be subsequently corrected, I would not want to sit in the Chamber and be estopped by a declaration that a motion for the adoption of a conference report is no less subject to reconsideration in this body than any other motion, though I quite agree with the Senator from North Carolina that perhaps, in view of the situation, it is better to let this go now and correct it by subsequent legislation.

Mr. MARTIN of Virginia. Mr. President, while there is some little confusion in the language, I do not think there will be any trouble in the proper court taking jurisdiction. I do not believe, as a matter of practice, in the interpretation of this law and its enforcement that there can be any difficulty about the court taking jurisdiction and placing the venue in the place where the matter arose. Although it was not supported by a petition, the court would not be deterred by the inaccurate use of that language without explanation to forego a jurisdiction manifestly intended to be vested in it.

My own judgment is that it will not lead to any serious disturbance in the administration of this law; but, granted, we are really consuming time unnecessarily. It is impossible for us to correct this matter now. If this bill were to go back to conference we would be confronted with difficulties. I have no idea that there is a quorum of the House of Representatives in the city of Washington, and it would be absolutely futile for us to throw this bill back into conference unless we intend to indefinitely postpone it.

Mr. SUTHERLAND. Let me ask the Senator from Virginia this question: He thinks it is a matter that would be easily taken care of. The language of the provision now is that where the order "is not made upon the petition of any party the venue shall be in the district where the matter complained of in the petition before the commission arises."

Mr. MARTIN of Virginia. I think——

Mr. SUTHERLAND. Just a moment. That is the test of jurisdiction or of venue. Let me ask the Senator this question: Suppose that an order is made hereafter not upon the petition of any party, where is the venue of that order?

Mr. MARTIN of Virginia. It will be held where the cause of action arose under it.

Mr. SUTHERLAND. Oh, no; it does not say so.

Mr. MARTIN of Virginia. I think that is the way the court would interpret it.

Mr. SUTHERLAND. Where does the Senator find that provision?

Mr. MARTIN of Virginia. That is, if the court treated the language "in the petition" as having been obliterated, as having no intelligent application to the case, they would place the venue where the cause of action arose.

Mr. SUTHERLAND. But this is an exception, and it must be tested by its own provision. That exception is that where the order "is not made upon the petition of any party the venue shall be in the district where the matter complained of in the petition"—which does not exist—"before the commission arises."

Mr. MARTIN of Virginia. My interpretation of the provision, that when the order does not relate to transportation or is not made upon the petition of any party the venue shall be in the district where the matter complained of in the petition before the commission arises, is that they will treat it as if the words "complained of in the petition" were omitted from the statute entirely.

Mr. POINDEXTER. Mr. President——

Mr. MARTIN of Virginia. The court would treat it in fixing the venue as if those words were omitted from the statute, because they can not be controlling, they can not be pertinent, when no petition has been filed. Therefore the court would treat those words as omitted and fix the venue in the place where the matter complained of arose. I do not believe that there will be the slightest difficulty in the way of the court in giving an interpretation that would fix the jurisdiction exactly as the statute intended it to be fixed. It is a little——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Washington?

Mr. MARTIN of Virginia. In one moment I will yield to the Senator.

It is a little inaccurately expressed; there is a little confusion in the language; I can not undertake to gainsay that; but I believe it is a confusion for which the courts would readily find relief.

Now, I will say to the Senator from Washington that I was occupying the floor by the courtesy of the Senator from Utah [Mr. SUTHERLAND].

Mr. POINDEXTER. If the Senator from Utah will allow me, before the Senator from Virginia takes his seat I will say that I know courts frequently do relieve statutes of patent inconsistencies by disregarding certain words which have no meaning when the statute can not be construed without such action. The sentence which the Senator has read, it is true, might be so construed; but how would the Senator relieve the embarrassment which comes up in the next phrase, which not only includes a word which is without meaning but states an exactly opposite and contrary venue? The phrase which the Senator has just discussed fixes the venue in the district where the matter arises, if we leave out the words which the Senator says a court will leave out. The next one fixes it in the same class of cases upon an entirely different rule, namely, in the district "where one of the petitioners in court has either its principal office or its principal operating office"—an exactly opposite rule in the same class of cases. The fact of the case is, there is no occasion at all to have that clause in the statute. It merely repeats a statement of the same class of cases and provides a different venue for them. I would state, merely by way of suggestion, for there is apparently no way of correcting it now, that the provision would be cleared up if you would strike out entirely the words "complained of in the petition before the commission," and then strike out further, beginning with the word "and," in line 23, the remainder of that line, all of lines 24 and 25, and lines 1 and 2 on page 38, down to the word "office," and including that word in line 3 on page 38. With those words stricken out the provision would be complete and would be perfectly clear.

Mr. MARTIN of Virginia. The trouble is that the bill is not in the stage——

Mr. POINDEXTER. If the Senator will allow me to complete my sentence—that would cover every possible case. In the first place, in those cases which arise upon petition the venue would be in the district in which the petitioner resided upon whose petition the order was made, and in those cases which do not relate to transportation and are not brought upon petition the venue would be where the cause of action arises.

Mr. BORAH. Mr. President, I agree with the suggestion of the Senator from Utah [Mr. SUTHERLAND] as to what might be called the ambiguous or unfortunate use of the words referred to, but I am inclined to agree with the Senator from Virginia [Mr. MARTIN] as to the manner in which the court would construe the provision. The provision reads:

Or is not made upon the petition of any party, the venue shall be in the district where the matter complained of in the petition before the commission arises.

The words "in the petition" are, of course, in a sense merely explanatory of the complaint. There might not be a technical petition, and yet in contemplation of law there would be a petition in whatever form a matter arose before the commission, and it seems to me that the court would not have very much difficulty in arriving at the conclusion that what Congress intended in its unfortunate use perhaps of the language was that the venue should rest where the subject matter complained of arose. I think that would be the construction of it.

Now, as to the suggestion which has been made by the Senator from Washington [Mr. POINDEXTER]. I do not exactly catch his suggestion, but the provision goes on to say:

And except that where the order does not relate either to transportation or to a matter so complained of before the commission—

If it arose out of a proposition covered by neither one of those expressions, then—

the matter covered by the order shall be deemed to arise in the district where one of the petitioners in court has either its principal office or its operating office.

Does not the Senator from Washington think that that covers a venue which is not covered by the other propositions at all, because one of the others relates alone to transportation and the other to the matter complained of; but when neither matter is covered; that is to say, where the matter before the commission relates neither to transportation nor the matter complained of, the venue shall be at the principal place of business.

Mr. POINDEXTER. Mr. President, it seems to me that it describes the same class of cases described in the clause immediately preceding. I do not see how a matter could be complained of before the commission unless it is complained of by petition, and in all that class of cases where complaint is made by petition and where it relates to transportation the venue is stated in amendment No. 62. Where it is not complained of by petition and does not relate to transportation the venue is stated in amendment 63. They cover all cases, but a third venue is stated for the same class of cases.

Mr. WALSH. Mr. President, I want to add just a word with respect to this discussion. The significance of the language is to be determined in connection with the proceedings before the Interstate Commerce Commission. Those proceedings belong to two classes. One class are proceedings that are initiated upon the petition of a party; the other class are proceedings that are initiated by the Interstate Commerce Commission itself. The language was intended to cover the venue of both of those classes.

The first provision covers the cases in proceedings initiated upon the petition of a party in relation to transportation, while the other is intended to cover the cases in proceedings initiated by the commission itself and not brought by any party at all. When the commission itself initiates proceedings it does so upon some foundation, some charge, some writing. That may not be properly denominated by the word "petition," but no one doubts what the significance of the word there is. Exactly the same difficulty would arise if you should cut out the words "of the petition" and should say that "the venue shall be where the matter complained of arose," but inasmuch as no one has filed any technical complaint you might say that the matter is not complained of. Of course if you give an exceeding technical meaning to the language there could be no complaint without a party who is complaining, and yet the word "petition" is frequently used—and used in many of the code States—simply to designate the initial pleading upon which proceedings are instituted, and that is undoubtedly what it means here.

Mr. SUTHERLAND. Mr. President, it may be that the courts will come to relieve this situation and straighten out this matter. As has been said by the chairman of the committee, the matter has passed the point where this body can do anything about it; but I can not let the matter be finally disposed of without saying that it is a piece of exceedingly loose legislation. It is so unhappily worded and there is so much confusion in it that a responsible legislative body like the Senate of the United States ought to be ashamed to let it go upon the statute books.

Mr. OVERMAN. I will say to the Senator that if he feels that way about it it is his duty as a Member of the Senate to introduce a resolution to correct it. It can be done in that way.

Mr. CUMMINS. Mr. President, May I ask the Senator from North Carolina whether amendment No. 61 has passed beyond consideration here?

Mr. OVERMAN. Yes. Does the Senator wish to know what has been done with that amendment?

Mr. CUMMINS. I should like to know.

Mr. OVERMAN. The House agreed to the Senate amendment introduced by the Senator from Montana [Mr. WALSH], which struck out those lines.

Mr. CUMMINS. So it has really gone beyond the jurisdiction of the Senate?

Mr. OVERMAN. Yes.

Mr. MARTIN of Virginia. Absolutely.

Mr. CUMMINS. I desire to call the attention of the Senator from North Carolina to some inaptness in that amendment. I read:

Nothing herein contained shall be deemed to affect the tenure of any of the judges now acting as circuit judges by appointment under the terms of said act.

These judges are not acting as circuit judges. They are circuit judges, and were so appointed definitely by authority of the statute.

Again, it says:

But such judges shall continue to act under assignment, as in the said act provided, as judges of the district courts.

They are not assigned to act as judges of the district courts. The statute says that they—

Shall hold office during good behavior, and from time to time shall be designated and assigned by the Chief Justice of the United States for service in the district court of any district, or the circuit court of appeals for any circuit.

Mr. BACON. Mr. President, with the Senator's permission, I will suggest that while that is true, they not having been assigned to any of the circuit courts at the time when we abolished the Commerce Court, leaving them with no active duties except those connected with the Commerce Court, is it not appropriate to speak of them as now being assigned by this legislation, or making provision for their being assigned by this legislation, to duty in the district courts? If the Commerce Court were to be continued, of course, then the language of the original law would determine under what circumstances the judges would be assigned to duty in the district courts; but the law being changed and the Commerce Court being abolished before they have been so assigned, it seems to me it is entirely proper that this language should be used in the law for the purpose of indicating that while they have not been assigned as contemplated by the original law, being situated as they are, provision is now made for their direct assignment.

Mr. CUMMINS. That is the very thing of which I complain. I think the present bill ought to provide for their disposition in the future; but, unfortunately, it simply provides for their disposition in the manner provided in the original law. The original act does not contemplate their assignment as district judges, although it does contemplate their assignment for certain services in the district courts.

I am calling this matter to the attention of the Senator from North Carolina, not to embarrass or delay the consideration of the report; but to me it is obvious that if we intend to keep these five judges—or four judges, rather; I am not sure about this. I was about to say that whoever drew this amendment overlooked the fact that we had abolished the office of one of them, at least. I do not remember whether the House passed the bill in which that was done or not. But whether that be so or not, we ought to make definite disposition of these judges in a law to control the future, now that the Commerce Court has been abolished, and ought not to refer to the disposition which the original law made of the judges, under the direction of the Chief Justice.

I had it in mind also to call the attention of the Senator from North Carolina to the second line on page 38. The Senator from Washington [Mr. POINDEXTER] and the Senator from Utah [Mr. SUTHERLAND] have developed what they regard as inadequacies in that section. Whether they be right or not, however, the use of the words "where one of the petitioners in court has either its principal office or its principal operating office" can not properly describe the situation. There are no petitioners in court in such cases until a suit is brought, and it is the venue of the suit to be brought which is intended to be provided for in this bill.

I can not close without expressing my regret that I happened not to be present when this part of the bill was considered by the Senate, and I am very sorry that the House had an opportunity to recede from its original proposition.

Mr. OVERMAN. The House, I think, intended to copy very nearly the language of the amendment of the Senator from Iowa to the original appropriation bill. Whether this was covered in the bill or not, I am sorry the Senator from Utah and the Senator from Iowa were not here when the bill was considered, as I am sure if they had been they would have pointed out the inconsistency. I hope it may be corrected in the future by a resolution or by a bill.

I now move that the Senate concur in amendment No. 107, which is with regard to the Red Cross building.

The PRESIDING OFFICER (Mr. OWEN in the chair). As amended by the House?

Mr. OVERMAN. Yes.

The PRESIDING OFFICER. The Senator from North Carolina moves that the Senate agree to amendment No. 107, as amended by the House.

Mr. CUMMINS. Does that mean that the Senate recedes from the amendment?

Mr. OVERMAN. No; the Senate concurs in the House amendment. The House concurred in the Senate amendment, but added these words, making the chairman of the Committee on the Library, who is the chairman of the joint committee, a member of the commission.

Mr. SMOOT. Mr. President, may I ask the Senator to let that amendment be passed over for a few minutes? I am informed that the Senator from Ohio [Mr. BURTON] desires to speak for just a few moments on it.

Mr. OVERMAN. Then I make the motion, en bloc, that the Senate recede from its amendments Nos. 10, 11, 27, 28, 29, 30, 31, 32, 33, 82, 93, and 97. They contain the Angelo Albano and Mexican claims, the appropriation for mints and assay offices, the memorial bridge, the automobile for the Vice President, and the extra month's pay to the employees of Congress.

Mr. WALSH. Before that is done I should like some information from the Senator from North Carolina concerning the appropriation for mints and assay offices, and what the attitude of the House was with respect to the matter.

Mr. OVERMAN. In regard to that, the conferees on the part of the Senate would not yield. They insisted on the Senate amendments, knowing how the Senator from Montana and other Senators felt about them. The House conferees said: "Then we will take the matter to the floor of the House." They took it to the floor of the House, and the House refused to agree to the Senate amendments. The House conferees called our attention to this fact, however. I do not think the Senator from Montana was here last year at the time there was a great question before the Senate as to whether or not we would abolish these mints absolutely. The House had repeatedly voted to do it. The Senate refused to agree to it. The question was whether or not we would pass the great appropriation bill. We had it in conference here for a week, and all night long one night, and we made a compromise about 3 o'clock in the morning. The compromise was that we should do away with some 34 policemen, cut in two the contingent expenses of the mints, and the mints should stand. That was agreed to.

The House conferees called our attention to the compromise that was made about four months ago. We told them how insistent the Members from the West were in favor of these mints, but they would not yield. They referred the matter back to the House, and the House stood by its original position.

This question will come up again in the next appropriation bill, doubtless, and whenever it does come up the House of Representatives evidently will insist upon the abolition of these mints. They have done it two times, I think, if not three different times. The Senate has refused to yield. On this matter, which is only in reference to the contingent expenses of the mints for the next six months, I hope Senators will agree to yield their opposition upon those amendments.

The PRESIDING OFFICER. Without objection, the motion to recede is agreed to.

Mr. MARTIN of Virginia. The Senate recedes from its amendments?

The PRESIDING OFFICER. The motion of the Senator from North Carolina was that the Senate recede from its amendments numbered 10, 11, 27, 28, 29, 30, 31, 32, 33, 82, 93, and 97.

Mr. OVERMAN. Now, I call up amendment numbered 107.

Mr. BURTON. As I understand, the only modification in this respect is that the chairman of the House Committee on the Library is added to the commission which has the duty of approving the plans and site of the building?

Mr. OVERMAN. That is all.

Mr. BURTON. I do not think there is any objection to that.

Mr. OVERMAN. I move that the Senate concur in the amendment of the House to Senate amendment 107.

The PRESIDING OFFICER. It is moved that the Senate concur in amendment No. 107, as amended?

Mr. OVERMAN. The House has agreed to amendment 107, which was a Senate amendment with an amendment. Now the question is whether we shall concur in the House amendment. I move that we concur.

The PRESIDING OFFICER. Without objection, the amendment is concurred in, and the conference report is agreed to.

SENATOR TILLMAN'S RETROSPECT OF 15 YEARS.

Mr. SMOOT. Mr. President, in the RECORD of October 7 I find that the Senator from South Carolina [Mr. TILLMAN] asked unanimous consent to have printed in the RECORD two cartoons designated "Senator TILLMAN's allegorical cows." Those were allowed to be printed in the RECORD by unanimous consent of the Senate, nobody objecting. Therefore, of course, I have nothing more to say further than that if I had been present I should have objected to those cartoons going into the RECORD.

The PRESIDING OFFICER. The Chair is informed that that has been reconsidered, and they will not go into the permanent RECORD.

Mr. SMOOT. They will not go into the permanent RECORD?

The PRESIDING OFFICER. The matter is to be printed as a document.

Mr. SMOOT. I have not any objection whatever to its being printed as a public document; but I did want to make my position clear, not only to the Senate, but to every member of the Joint Committee on Printing of the House of Representatives——

The PRESIDING OFFICER. The Chair is informed that the matter is to be printed as a public document and is not to appear in the permanent RECORD.

Mr. SMOOT. Then I will be content with what I have already said.

ADJOURNMENT TO THURSDAY.

Mr. MARTIN of Virginia. I move that when the Senate adjourns to-day it adjourn to meet at 12 o'clock meridian on Thursday.

The motion was agreed to.

SAN FRANCISCO WATER SUPPLY.

Mr. BORAH. Mr. President, I offer a resolution, which I ask may be read.

The resolution (S. Res. 191) was read, as follows:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to furnish the Senate with the following information:

1. The drainage area east of La Grange on the Tuolumne River, Cal.
2. The run-off from said drainage area by years or seasons and for such a period of time as the records will permit.
3. The total area of land irrigable or that can be irrigated from this river and for which the waters of the Tuolumne River and tributaries can be put to beneficial use.
4. The quantities of waters that can be stored in feasible reservoir sites on the river and its tributary streams.
5. The quantities of water that it is deemed advisable to store for beneficial use of the lands properly irrigable from said stream or tributaries.
6. The drainage area and run-off of such part of said total drainage area as may then be available as a water supply for incorporated cities and towns, the capacities of feasible reservoir sites within said area after provision is made for beneficial use of the lands properly irrigable from these sources, and the quantity of water per day in gallons that would be available as a water supply for such incorporated cities and towns.
7. That he be directed to furnish the same information for the Stanislaus River east of Knights Ferry;
8. For the Mokelumne River east of Clemento; and
9. For the Consumne River east of Michigan Bar.

Mr. BORAH. I ask unanimous consent for the present consideration of the resolution.

The PRESIDING OFFICER. A request has been made by the Senator from Idaho for the present consideration of the resolution which has just been read. Is there objection? The Chair hears none.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. POINDEXTER. Mr. President, will the Senator from Idaho consider an amendment to the resolution?

Mr. BORAH. I will.

Mr. POINDEXTER. I should like to suggest, as an amendment, that the information called for in the resolution include a separate statement of the amount of flow in the Eleanor and Cherry tributaries, which, with the Hetch Hetchy, make the Tuolumne River, and that it include a statement of the amount of power that is capable of being developed in each one of those three streams, stated separately. The importance of this, it seems to me, is that the Eleanor and Cherry tributaries of the Tuolumne are outside of the national park, while the Hetch Hetchy, one of the three constituent parts of the proposed project, is in the park.

Mr. BORAH. Mr. President, I have no objection to the amendment if the Senator will state it so that the Secretary can take it down.

The PRESIDING OFFICER. Will the Senator state the proposed amendment?

Mr. POINDEXTER. I will state it. I propose to add, at the close of the resolution, the following:

That the statement include a separate statement of the average annual flow of water in the Cherry, Lake Eleanor, and Hetch Hetchy tributaries of the Tuolumne, and a separate statement of the amount of hydroelectric power capable of being developed in each one of these three tributaries of the Tuolumne.

Mr. NORRIS. I should like to make an inquiry of the Senator from Idaho if the Senator from Washington is through.

Mr. POINDEXTER. I am through. I understand that the Senator from Idaho accepts the amendment.

Mr. BORAH. I accept the amendment in so far as I can do so.

Mr. NORRIS. My attention was diverted and I did not hear the reading of the resolution. I wish the Senator from Idaho would be kind enough to state the substance of it.

Mr. BORAH. The object of the resolution is to get the amount of annual flow and the run-off in the different streams which may be involved in the discussion of the Hetch Hetchy matter when it comes up the 1st of December. It asks the Secretary of the Interior to make a report upon the different physical facts which will throw light upon that question. I do not think it is a thing that anyone could object to, as it is solely for the purpose of acquiring information.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea.

Mr. LA FOLLETTE. I ask unanimous consent that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BORAH. Now, I ask, if no one desires to make a suggestion, for the adoption of the resolution as amended.

Mr. NORRIS. I should like to have it read as it has been amended.

The PRESIDING OFFICER. The Secretary will read the proposed resolution as amended.

The Secretary read the resolution (S. Res. 191) as amended, as follows:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to furnish the Senate with the following information:

1. The drainage area east of La Grange on the Tuolumne River, Cal.
2. The run-off from said drainage area by years or seasons and for such a period of time as the records will permit.
3. The total area of land irrigable or that can be irrigated from this river and for which the waters of the Tuolumne River and tributaries can be put to beneficial use.
4. The quantities of waters that can be stored in feasible reservoir sites on the river and its tributary streams.
5. The quantities of water that it is deemed advisable to store for beneficial use of the lands properly irrigable from said stream or tributaries.
6. The drainage area and run-off of such part of said total drainage area as may then be available as a water supply for incorporated cities and towns; the capacities of feasible reservoir sites within said area, after provision is made for beneficial use of the lands properly irrigable from these sources; and the quantity of water per day in gallons that would be available as a water supply for such incorporated cities and towns.
7. That he be directed to furnish the same information for the Stanislaus River east of Knights Ferry;
8. For the Mokelumne River east of Clemento; and
9. For the Consumne River east of Michigan Bar.
10. That the statement include a separate statement of the average annual flow of water in the Cherry, Lake Eleanor, and Hetch Hetchy tributaries of the Tuolumne, and a separate statement of the amount of hydroelectric power capable of being developed in each one of these three tributaries of the Tuolumne.

The VICE PRESIDENT. The question is on agreeing to the resolution as amended.

Mr. ASHURST. Mr. President, obviously what I am going to say will not be pertinent to this subject, but——

Mr. BORAH. Could we not have the resolution disposed of first? I understand there is no objection to it.

Mr. ASHURST. Very well.

The VICE PRESIDENT. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

BUSINESS OF THE SESSION.

Mr. ASHURST. Mr. President, a moment ago a motion was made and carried that when the Senate adjourns to-day it adjourn until Thursday next. I am a new Senator here, and would be presumptuous if I attempted to put my limited experience into the scales against the experience of elder Senators. But I warn the Senate, I warn especially the Democratic Members of the Senate, that no party can fool the American people. Let us either manfully work or manfully adjourn.

I protest with all the vehemence of which I am capable against trying to make the American people believe that we are at work when we are not. On the calendar there are 40 or 50 bills that have been reported. They should be passed or defeated. Is the United States Senate afraid to meet the bills that are upon the calendar? Is any Senator afraid to vote yea or nay on the bills?

We are drawing salaries paid to us for performing our duties, and I again protest, and shall continue to protest, against a procedure of pretending to be at work when we are not. Now, why may we not meet at 2 o'clock every afternoon and take up the calendar? Many bills of great importance to the country are pending on that calendar requiring attention. There is an enormous work and an immense responsibility just ahead of the Democratic Party. The serious economic conditions facing us require that we give studious, assiduous, and careful attention to legislation in addition to the tariff and the currency.

Mr. SHAFROTH. Mr. President, as a usual rule I concur in pretty nearly everything that the Senator from Arizona puts forth in the Senate, but I must say I can not concur with him in resisting the motion to adjourn over until Thursday. Unquestionably the Democratic Party is pledged to the enactment of a currency bill. That bill is now being considered by the Committee on Banking and Currency of the Senate. Every time we take an adjournment for only a day the members of that committee desire to attend the session of the Senate and it retards the operation of the committee in the hearings as well as it will retard it in the consideration of the bill. It is a very important measure. We are trying to expedite it in every way that we can, and each one of these sessions from day to day, instead of an adjournment for three days at a time, is bound to make a delay in the ultimate consideration and determination by the Senate of the bill. It being considered one of the great bills, it being absolutely necessary that it should be considered by the Senate, it seems to me that an adjournment for three days at a time is a proper course for the Senate to take.

CONTRIBUTIONS FOR CAMPAIGN PURPOSES.

Mr. POMERENE. Mr. President——

Mr. CLAPP. Mr. President, I rise to a point of order.

The VICE PRESIDENT. The Senator from Minnesota will state his point of order.

Mr. CLAPP. Have we finished the morning business?

The VICE PRESIDENT. The morning hour has expired.

Mr. CLAPP. Then I call for the unanimous-consent agreement, under which the Senate agreed to proceed to the consideration of the bill (S. 192) to limit the use of campaign funds in presidential and national elections. I will say that I am in hearty accord with what the Senator from Arizona [Mr. ASHURST] has said, and I would like now to proceed to the consideration of this legislation.

Mr. MARTIN of Virginia. It was agreed by unanimous consent to take up the bill.

Mr. SMITH of Georgia. The Senator from Minnesota has simply to ask the Chair to lay it before the Senate.

Mr. MARTIN of Virginia. The regular order I understand is to lay the bill to which the Senator from Minnesota refers before the Senate.

Mr. CLAPP. Certainly.

The VICE PRESIDENT. The Chair lays before the Senate the bill (S. 192) to limit the use of campaign funds in presidential and national elections. The bill will be read.

The Secretary read the bill, which had been reported from the Committee on Privileges and Elections with amendments.

Mr. MARTIN of Virginia. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Overman	Smith Ga.
Bacon	Hollis	Owen	Smith, Md.
Bradley	Lane	Page	Smoot
Brady	McCumber	Poindexter	Sutherland
Bryan	Martin, Va.	Pomerene	Thomas
Burton	Martine, N. J.	Shafroth	Thompson
Chamberlain	Myers	Sheppard	Tillman
Clapp	Nelson	Shields	Vardaman
Cummins	Norris	Simmons	Walsh
Fletcher	O'Gorman	Smith, Ariz.	Williams

The VICE PRESIDENT. Forty Senators have answered to the roll call. There is not a quorum present.

Mr. MARTIN of Virginia. I move that the Senate adjourn.

Mr. CLAPP. Mr. President, a parliamentary inquiry. If in order, I ask that the names of the absentees be called.

The VICE PRESIDENT. A motion to adjourn has already been made and must be first passed upon.

Mr. CLAPP. All right.

The VICE PRESIDENT. The question is on the motion of the Senator from Virginia that the Senate adjourn.

The motion was not agreed to.

Mr. CLAPP. I move that the roll of absentees be called.

The VICE PRESIDENT. The Secretary will call the names of absent Senators.

The Secretary called the names of absent Senators, and Mr. BRISTOW and Mr. THORNTON answered to their names when called.

The VICE PRESIDENT. Forty-two Senators have answered to the roll call. There is not a quorum present.

Mr. CLAPP. I move that the Sergeant at Arms be directed to request the attendance of absentees.

The VICE PRESIDENT. The question is on the motion of the Senator from Minnesota.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms is instructed to request the attendance of absent Senators.

Mr. CUMMINS. In behalf of my colleague [Mr. KENYON], I desire to announce that he is detained from the Senate by illness in his family.

Mr. CLAPP. If it were not for the fact that we have already had a quorum here this morning, I would not have asked for this order, but in view of the fact that the RECORD shows we have had a quorum I think it is only fair that we should send for absentees.

Mr. MARTIN of Virginia. I will say to the Senator from Minnesota that I would be very reluctant to see the Senate adjourn, but I knew that more than a majority of Senators were away or were leaving the city. When the roll was called this morning many Senators came to me and stated that they were going away. I had the greatest difficulty by personal appeal in keeping Senators here until we disposed of the deficiency appropriation bill, and a number told me that immediately after that they were going to leave. I believe there is barely a quorum in the city now, and that is the reason why I moved an adjournment. The motion was not made on account of any hostility to the bill, but owing to the circumstances.

Mr. LEWIS, Mr. STONE, Mr. REED, and Mr. STERLING entered the Chamber and answered to their names.

Mr. HOLLIS. Mr. President, I desire to announce that the junior Senator from Delaware [Mr. SAULSBURY] is absent on important business, and that he is paired with the junior Senator from Rhode Island [Mr. COLT].

Mr. LA FOLLETTE and Mr. WEEKS entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-eight Senators have answered to the roll call. There is a quorum present. Without objection, further proceedings under the call will be dispensed with. The bill is being considered as in Committee of the Whole. The committee have reported certain amendments, which will be stated.

The first amendment of the Committee on Privileges and Elections was, in section 1, on page 1, line 6, after the word "send," to insert "or to furnish to be sent or transmitted, or to carry or cause to be sent or carried," so as to read:

That hereafter it shall be unlawful for any person, firm, corporation, association, or committee, or any officer or agent of any person, firm, corporation, association, or committee, to send or to furnish to be sent or transmitted, or to carry or cause to be sent or carried, any money or other thing of value from any State or Territory of the United States to any person, firm, corporation, association, or committee in any other State or Territory of the United States, including the District of Columbia.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

BANKING AND CURRENCY.

Mr. REED. Mr. President, I ask unanimous consent to interrupt the proceedings just a moment, because I find it necessary to go to a committee meeting.

I have been engaged, as the other members of the Banking and Currency Committee have been engaged, constantly upon the bill now pending before that committee. The committee has been proceeding as rapidly as it could. It has been the hope, I think, of all Members of Congress that the bill should be reported as soon as a proper consideration could be had, and that when reported it might be promptly considered by the Senate.

I have said that I have been absent from the Senate much of the time because of service upon that committee. If I had not been working on the committee, I would have been in my seat in the Senate and would not have occasion to make the statement I am about to make or to complain of what has transpired.

Mr. President, I find that we have now a unanimous-consent agreement, entered into on October 9, to consider Senate bill 192, to limit the use of campaign funds in presidential and national elections; we have another unanimous-consent agreement, entered into on the same date, to consider the bill (S. 136) to promote the welfare of American seamen in the merchant marine; there is another unanimous-consent agreement to consider the bill (H. R. 7207) granting to the city and county of San Francisco certain rights of way, which agreement provides that the bill shall be voted on before adjournment on the calendar day of Saturday, December 6; and there is a further unanimous-consent agreement providing for the consideration on December 8 of the bill (S. 48) to authorize the President of the United States to locate, construct, and operate railroads in Alaska.

Mr. President, I do not know just how soon the Banking and Currency Committee can report the bill now before it. That it will report it at the earliest possible day is, in my opinion, without question. I am simply expressing my individual opinion, but it is an opinion based upon the attitude of the members of the committee. When the bill comes before the Senate it will be the most important bill we have had before us since my membership here, at least; and, as I have said, it ought to receive prompt and careful consideration. If we continue to enter into unanimous-consent agreements fixing arbitrary dates for the consideration of various measures, when that bill does arrive in the Senate the legislative road will be so obstructed by unanimous-consent agreements that delay in the consideration and passage of the currency bill will be inevitable, the degree of delay depending, of course, upon the number of unanimous-consent agreements entered into and depending upon the length of the debate which may ensue.

For my part, if I were to be permitted to sit here in the Senate, instead of being upon the Banking and Currency Committee, I would refuse to give unanimous consent unless it were a matter to be then and there acted upon and disposed of. I am now calling the attention of Senators who want to see banking and currency legislation enacted within a reasonable time to the fact that unanimous-consent agreements are likely to prevent prompt consideration and passage of that bill or any other important bill which may come before us, and I am taking this opportunity to suggest that we ought not to grant unanimous consent further. As I have stated, if I could be here on the floor I would myself make the objection.

Mr. STONE. Mr. President, I should like to ask my colleague a question. The unanimous-consent agreements to which my colleague refers, at least the two more important ones, as I understand, have reference to dates in December—one to December 1 and the other to December 8—at the next regular session. There is a unanimous-consent agreement affecting the bill which the Senator from Minnesota [Mr. CLAPP] is now seeking to bring before the Senate. I should think there would be no obstacle in the way of bringing that up, if the Senate cares to take it up on its merits, so far as banking and currency legislation goes, if I judge correctly as to the likelihood of getting that legislation before the Senate. I should like to ask the Senator from Missouri when the Senate can probably expect the currency bill to be reported, and, in this view, do the unanimous-consent agreements for the next session, in the opinion of the Senator, stand in the way of currency legislation?

Mr. REED. Mr. President, I can best answer that question by simply stating the facts—and, mark you, I do not profess to be speaking for the committee; I can only give my own opinion as a member of the committee. The hearings, by resolution of the committee, are to be terminated on the 25th of this month. There is constantly a greater demand for hearings, and there are awaiting the committee to-day probably 25 or 30 men who desire to be heard. The committee in fixing the date of October 25 thought they were fixing as short a time for hearings as was proper. When those hearings are terminated, of course, the committee will immediately take the bill up for consideration. That there will be many amendments offered in the committee I think I can say without challenge—I mean by that that my statement to that effect will go without challenge. In order to discuss and to dispose of those amendments the committee must have a reasonable amount of time. I can not tell how long or how short that time will be and, therefore, I can not say when the committee will be able to report; but I can say that it will report with all diligence, as it will work to the extent of the physical ability of its members in order to accomplish a result.

I am constrained to speak in this conservative way, Mr. President, because this bill involves the entire currency system of the United States and it involves to a greater or less extent the entire banking system of the United States. Every man who has given a question of that kind a moment's serious reflection and consideration knows that haste is the highest sort of unwisdom and that because of the serious nature of the questions involved, care and thought ought to be given; but at the same time because of the weighty nature of the propositions and their importance to the country prompt action and consideration should be had; by all of which I mean to say that just as the question is important, it ought to be gravely considered, and just as it is important it ought to be promptly considered and acted upon.

Mr. VARDAMAN. Mr. President, I should like, if he will permit me, to make one suggestion to the Senator from Missouri while he is on his feet. I will occupy only a moment. I agree with the Senator very heartily in what he has said as to the gravity and importance of the problem to be solved, but I should like to have him state while he is on his feet, since it has been suggested that probably some effort has been made in the committee by certain Senators to delay action, whether or not there is any foundation for that statement?

Mr. REED. Why, Mr. President, I have not seen the slightest manifestation on the part of any Senator on the committee of a desire to delay this bill one moment. I almost regret that the question was asked, and I almost regret that it is necessary to answer that kind of a question; but I know the Senator asked it because there has been some criticism——

Mr. VARDAMAN. Some intimation that that was true.

Mr. REED. In the public press to that effect.

Mr. President, there are possibly in this world some men wise enough to know just how to frame a great bill that will work perfectly when it is applied to the banking and currency system of the United States, but unfortunately the members of this committee, being all human beings and possessed of ordinary fallibility, judgment, and limitations of knowledge, find it necessary to make some inquiries and to endeavor to learn something about the subject with which they are dealing. Therefore the members have asked every man appearing before the committee such questions as were suggested, and I can say for my own part, speaking only in reference to my individual limitations, that there has not been a man who has appeared before the committee who has not given me some light I did not theretofore possess.

I believe the members of the committee will be able to agree upon a bill regardless of party alignment. I have seen no disposition manifested to draw party lines on this bill. It has seemed to me that every member of the committee has been doing the best he can do.

Now, Mr. President, once and for all with reference to this question of delay, I will say that the tariff bill reached the Senate on the 9th day of May. It passed the Senate on the 9th day of September, and finally became a law on October 3. It was held in conference for a longer time than the currency bill has been before the committee, and yet the tariff is a question that has been discussed ever since most of us can remember. The two parties had adopted their respective policies, and when the election was held and the Democrats were returned to power it was known that a certain policy was to be followed, and all that was necessary was to fit a schedule to a known and determined policy; and yet, acting with great diligence and care, with great industry and labor, it took us all that time to write a tariff bill. Now, here is a bill that went to the Committee on Banking and Currency on the 18th day of September. It has been before the committee a total now, I think, of 23 days, including Sundays. It has never been a party measure; it is not bottomed upon a party policy; it is a great scheme of banking and currency to apply to the entire country; it is a measure upon which our Republican friends have never taken a position, so far as this particular bill is concerned, and upon which our party has never committed itself. It is a matter in which, if we make a serious mistake, we will involve the commerce, the industries, and the currency of the United States. It is a question of such character that, if we act upon it wisely and prudently, we can probably bring great benefit to the commerce and industry of the people of the United States. But only those who are possessed of superhuman wisdom can act with safety in regard to a measure of that kind without considering it and giving the different parts of the country an opportunity to be heard. I believe the committee will speedily submit a report on the bill to the Senate, considering the character and nature of the bill. All I rose to say was that I hope when the bill is reported the legislative highway will not be so blocked by unanimous-consent agreements with reference to other legislation as to make it impossible to pass the bill within a reasonable time.

Mr. SMITH of Georgia. Mr. President, I wish to say to the Senator from Missouri I think the members of the Banking and Currency Committee have a right to expect their colleagues here to keep the way open for them. I agree with him that we should not block the road by unanimous-consent arrangements, so as to prevent the Senate from giving its entire time to the banking and currency bill when it shall be reported. We do not know how soon the bill will be before us; we do not know how long it will take for us to discuss and perfect it when it is here. It was for that reason this morning I objected even to a request for unanimous consent by which the time of the Senate early in January was to be set aside for a measure suggested by the Senator from Arizona [Mr. ASHURST].

Mr. President, we are also entitled to the time between now and the report of the committee for all Senators to study the currency bill and for the committee to do its work satisfactorily. It should not be subject constantly to calls for the lack of a quorum to come here to the Senate to attend our sessions. We break up the work of the committee by our sessions now. I think every Senator is entitled to his time to study this measure. We should give the currency bill all of our time until it is passed.

We have been in session a long while. Had I not found a consent order setting a measure for next Thursday, I should have moved this morning a joint resolution to adjourn or to take a recess until some time in November, the earliest time when the Committee on Banking and Currency might advise that their report would be ready. But the consent order has been given at our last session for the seamen's bill to come up next Thursday, and for that reason I made no effort for a recess.

I have been carefully examining these consent orders, and I am gratified to find that those for December are not very much in our way. The first is a consent order simply to begin the consideration of a measure. Having begun it, the Senate can dispose of it at once. It does not require us to continue the consideration of the measure until we vote upon it. The other consent order for December requires us to begin the consideration of the measure, and requires us to vote upon it at a certain time, but does not require us to continue to consider the measure until we dispose of it.

Therefore I do not think those consent orders for December, unless they are amended, will seriously hinder the work of the Senate, and if any effort is made to perfect them by unanimous consent I hope objection will be made.

Mr. President, I hope we will so shape our work as to give our time to the banking and currency bill until we act upon it in the Senate, and allow nothing to be placed in the way to hinder as careful consideration of the question and as speedy action as possible.

Mr. O'GORMAN. Mr. President, the inquiry addressed by the junior Senator from Mississippi [Mr. VARDAMAN] to the Senator from Missouri [Mr. REED] as to when the Banking and Currency Committee will probably make its report leads me to call attention to a feature of the situation about which there is manifestly much confusion in the public as well as in the legislative mind.

Bankers and business men from all sections of the country have applied to the Senate committee for an opportunity to present their views regarding this universally recognized great problem confronting the American people. It has been said from time to time that they have had ample opportunity to present their views elsewhere. The fact is that the Banking and Currency Committee in the House that reported this bill never had a public hearing and never examined a single witness.

It is true that during a part of the session of the Sixty-second Congress the then existing Banking and Currency Committee did hear certain witnesses. As a matter of fact, they devoted 50 hours during the year preceding the 4th of March, 1913, to an examination bearing more or less remotely upon probable banking and currency legislation. Of the 21 members of the committee that participated in those hearings in the Sixty-second Congress, however, only 3 were members of the Banking and Currency Committee in the Sixty-third Congress that reported this bill to the House. Therefore, of the 21 members of the Banking and Currency Committee of the House at the present time only 3 have had the opportunity of hearing business men and bankers regarding necessary changes in our banking system. But unless witnesses may have been examined before the Democratic members alone—and of that I am in doubt—I do know that no witness was called at any time or given an opportunity to be heard by the committee that stood sponsor for this bill in the other branch of Congress.

I can well understand the surprise that must be felt throughout the country when it is seriously questioned as to whether business men and citizens and bankers intensely interested in a great piece of legislation shall or shall not be accorded the privilege, which ought to be the right of every American citizen, of coming before their Representatives in Congress and pointing out where they think a structure that is about to be erected is weak or faulty, when if it be weak or faulty it will carry in its train a mischief such as this generation has never experienced.

There is no subject upon which the thought of Congress can be concentrated that so vitally affects the happiness, the prosperity, and the well-being of the entire country as the subject of banking and currency. At times I can scarcely believe my ears or trust my eyes when I hear and read suggestions that this important piece of legislation should be passed at once, be the consequences to the American people what they will.

Mr. President, the members of the Banking and Currency Committee of the Senate have a high sense of the responsibility under which they rest in considering the legislation now before them. To their colleagues, if it be necessary, the assurance can be given that they will discharge that responsibility and perform that duty as their own consciences and their own intellects

tell them it should be performed for the benefit of the American people.

Mr. STONE. I should like to ask the Senator from New York now when he thinks the Committee on Banking and Currency will likely report this measure?

Mr. O'GORMAN. I regret that I can not answer the question, perhaps, as satisfactorily as the Senator would like to have it answered. I will tell him, as his colleague told him, that when the committee reports a bill it will have exhausted all necessary deliberation and consideration of the subject. Some minds move more quickly than others. Some members of the committee can perhaps report a bill or come to a conclusion with regard to vital points in this measure quicker than other members.

Mr. STONE. All that is true; but the question I ask is what the Senator thinks as to when the bill will be reported.

Mr. O'GORMAN. I will say this: On the 25th of October the hearings will close.

Mr. STONE. Yes; so I see.

Mr. O'GORMAN. I did not know that the Senator was aware of that. He has been absent for some time, while we have been taking care of these hearings.

Mr. STONE. I read that in the newspapers.

Mr. O'GORMAN. The members of the committee will then attempt to take up the present bill section by section, with the hope that as a result of the joint deliberation of the members a measure will be framed free from the defects, the blemishes, and the deficiencies which are apparent upon this bill, although in certain places it has been regarded as the last word on banking and currency legislation. It is possible that toward the end of November the committee may agree upon a bill.

Mr. STONE. "Possible"—"toward the end of November"?

Mr. O'GORMAN. Yes.

Mr. STONE. Does the Senator think the committee will be better prepared to evolve the matter of which he speaks a month hence than it is now?

Mr. O'GORMAN. We have heard from bankers and business men from the State of Missouri. I rather think some other business men from that State may want to be heard; and, as the Senator's colleague assured him, I have listened to no witness before the committee without deriving benefit from the views expressed. Therefore I have some hope and expectation——

Mr. STONE. I wish to say——

Mr. O'GORMAN. If the Senator will permit me to conclude——

Mr. STONE. Yes.

Mr. O'GORMAN. That every day from now up to the 25th of October will contribute something to the fund of knowledge and learning upon the subject now possessed by members of the committee.

Mr. STONE. Between now and the 25th of October is it the purpose of this honorable committee, which has great labors upon it, I know, and great responsibilities, to attempt the work of considering the bill itself and the amendment of it?

Mr. O'GORMAN. No.

Mr. STONE. Does the committee intend to wait until it is through with all the hearings?

Mr. O'GORMAN. We intend to devote all our time in the interval to hearing the views of witnesses. We can not do two things at one time.

Mr. STONE. Oh, but you can do two things running along parallel lines. When we had the tariff bill up we had hearings, and we also considered the bill in the committee. The two things ran along somewhat together.

Mr. O'GORMAN. Of course the Senator knows there are a great many citizens who say they had no hearing before the Finance Committee.

Mr. STONE. Oh, yes; there are a great many who said they did not, and there were a vast number who indicated that they wished to be heard. If we had heard every man who wished to be heard, we would be having hearings now. What I desire to impress upon the committee is that I have been from the beginning, and am now, unqualifiedly and unconditionally in favor of the consideration and disposition of currency legislation at this extra session.

Mr. O'GORMAN. The Senator is not exceptional in that attitude. I think it is true of all the Senators.

Mr. STONE. I do not think I am exceptional in it. I will go further than that and call the attention of the honorable Senator particularly to the fact that his colleagues on this side of the Chamber have formally expressed themselves, by a resolution, in favor of the consideration and disposition of banking and currency legislation at this session.

Mr. O'GORMAN. I should like to correct the faulty memory of the Senator from Missouri. The only action taken by the Democratic caucus was that they favored the consideration of banking and currency legislation at this session.

Mr. STONE. Yes.

Mr. O'GORMAN. It is receiving consideration.

Mr. STONE. Yes.

Mr. O'GORMAN. The caucus did not seek to impose upon the committee the necessity of concluding its labors——

Mr. STONE. I will not undertake to join issue with the Senator without reference to the resolution itself. My remembrance, however, is that the resolution provided that banking and currency legislation should be considered and disposed of.

Mr. WILLIAMS. The language was "determined," I think.

Mr. STONE. That it should be considered and determined at this session.

Mr. O'GORMAN. I again assure the Senator that the word "determined" was not used in the resolution.

Mr. STONE. But if only the word "considered" was used in the resolution, I say it was the sense of the Democrats of this body that it should be considered at this session.

Mr. O'GORMAN. It is being considered, and has been considered, while many Members——

Mr. STONE. Of course it is being considered in committee; but——

Mr. O'GORMAN. I insist upon being permitted to conclude. It has been considered during this session, and has been considered by the members of the committee, while certain Senators who now see light and are manifesting extraordinary interest in the legislation have been away from Washington, not giving their time as required of committee members.

Mr. STONE. I assume the Senator means that as a reflection upon me.

Mr. O'GORMAN. No; it reflects on nobody, but it is intended to relate to those to whom it can be truly applied.

Mr. STONE. It does apply to me. I have been away for more than two weeks. The Senator knows why I have been away, and it is hardly a kindly reference to my absence. If I had been in my seat every day, however, I would have had no opportunity to consider this bill in the legislative sense. I am trying now to ascertain in as gentle and kindly a way as I can when I may have an opportunity to consider it.

Mr. O'GORMAN. I am afraid the Senator is assuming too great a labor on the first day of his return to the active work of the Senate.

Mr. STONE. Too great a labor to ascertain a fact from a member of the committee?

Mr. O'GORMAN. In trying to ascertain a specific date.

Mr. STONE. That is a strange remark for the Senator to make. I did return to-day, and I ask the Senator for information, and he says I am assuming too great a labor on the first day of my return. I am sorry the Senator leaves the matter at that point. It was not controversy that I sought; far from it. I sought information, with the hope that I would learn that we would have this measure before the Senate at an early date, when we might take it up and consider it in the Senate.

Mr. O'GORMAN. I am simply giving the Senator the information that was in substance given to him a few minutes since by his colleague.

Mr. STONE. My colleague expressed, as he said emphatically, his personal opinion. Now I turn from him to the Senator from New York to ask him his opinion.

Mr. O'GORMAN. The Senator has received it.

Mr. STONE. I do not know what it is.

Mr. O'GORMAN. I said that some time in November there will be a report from the committee, perhaps.

Mr. STONE. "Perhaps."

Mr. REED. Mr. President, when I rose to suggest that in order to expedite this business unanimous-consent agreements should not be made, that it would be unfortunate if they were made, and that when the banking and currency bill came before us we should find its way obstructed by these agreements, I had no thought of provoking a discussion in regard to the bill or the time of the report.

My colleague asked me the same question that he has asked the Senator from New York. I only in part answered it, stating that the hearings would end on the 25th of October, and that the committee would then immediately try to work out the details of the bill. I might have said, as I now say, that it seems to me as one member of the committee, that 10 or 12 days will be necessarily consumed in that work; but that is only my own individual opinion.

It is conceded now that there must be some amendments. I mean, it is conceded in the committee. I do not know what the opinions of my colleagues on the committee are, except as they are reflected in occasional remarks or by questions; but judging from those remarks I think there is a coming together of the minds of the members of the committee with reference to certain vital propositions in the bill. That being the case, and knowing that there are many things to consider, I think it will take that long, and I believe we shall be able to get a report. Possibly every member of the committee will not agree——

Mr. WILLIAMS. Mr. President, then the Senator from Missouri does not agree with the Senator from New York that it will take 30 days in the committee, after the hearings are closed, before the committee will be ready to report to the Senate?

Mr. REED. I did not so understand the Senator from New York.

Mr. WILLIAMS. The Senator said the hearings would close on the 25th of October, and that toward the end of November, perhaps, the committee would be ready to report to the Senate.

Mr. REED. I am giving my judgment, and it is a little different from that construction of the statement of the Senator from New York, if he intended it in that way. I think in 8 or 10 days we ought to come to an agreement, or to find that we can not agree, and then have certain members come to an agreement, but I may be mistaken. I know that we shall gain time by thoroughly considering each matter and endeavoring to thrash it out.

Mr. President, before I leave my feet I want to say, in reference to my colleague's absence, that I know why he left the Senate, and some other men here know why he left it. He would not say, but I say, that most serious illness in his family called him away, and that his devotion to public duty kept him here for a good many days when I know his heart called him elsewhere.

With reference to the suggestion my colleague made, that we might be considering the bill while the hearings are going on, I will say that the hearings have not been sporadic and occasional. They have begun at 10 o'clock in the morning, and they have run through the day until 5 or half past 5 or 6 o'clock in the evening. That is about the limit of what a man can do.

I wish to say in conclusion—for I certainly did not rise to my feet in order to start a discussion—that under ordinary and normal conditions, if we were running as we ordinarily do, no one would think of asking the committee to report in haste. Everyone would rather gladly welcome the fact that the committee was trying to find out what it ought to do. I make the prediction that every day spent in the committee will save 10 days' discussion and battle upon the floor of the Senate. Perhaps that is an overstatement, but I think I am perfectly safe in saying that it will save much time on the floor of the Senate.

I know something of this body, although not, perhaps, as much as the older Members. I know that the Senate of the United States will not railroad a banking and currency bill; and if it should do so it would abdicate the high place it has held in the councils of this Nation.

So, Mr. President, I renew my suggestion as to the unwisdom of making unanimous-consent agreements now that will block the consideration by the Senate of the banking and currency bill when the committee is able to report.

Mr. BRISTOW. Mr. President, in connection with the remarks that have just been made by the Senator from Missouri, I desire to say that I am in hearty accord with his views as to these unanimous-consent agreements. First, I do not think it is a good policy to have unanimous-consent agreements when there is a bare quorum, or perhaps less than a quorum, of the Senate present.

I have no objection to any of the agreements that have been made, so far as I am concerned. If I had been present, I would not have objected, because I am perfectly willing to take up any of these measures at the time that has been agreed upon. But since the Senate and the country are interested in currency legislation, since the committee of the Senate is devoting its attention to that measure, I think, as industriously as any committee of the Senate has ever worked on any great bill, these meetings of the Senate, where there is a continuous struggle for a quorum, necessarily break into the deliberations of the committee. To-day the larger part of the day has been interfered with, so that our work has been delayed because of our necessary attendance here in order to maintain a quorum.

Mr. CLAPP. Will the Senator pardon me an interruption?

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Minnesota?

Mr. BRISTOW. I do.

Mr. CLAPP. Aside from the mere call of a quorum there has not been a moment of the time of the committee taken up on the subject matter of the call of a quorum. The entire time of those who are members of the committee has been taken during the consideration of this bill upon the question of the meetings and hearings of the committee.

Mr. BRISTOW. I desire to refresh the Senator's recollection. We had a vote on an important bill that was pending here, and it took every vote that could be secured in order to get a constitutional majority.

Mr. CLAPP. That was before the pending bill came up, and I think before there was a call for a quorum this morning the first call of the Senate was a call on a yea-and-nay vote.

Mr. BRISTOW. The fact remains.

Mr. WILLIAMS. I should like to ask the Senator from Kansas a question for my own information.

Mr. BRISTOW. Very well.

Mr. WILLIAMS. It seems to be settled that the hearings before the Committee on Banking and Currency will be closed on the 25th. I should like the Senator to give me his judgment as to how much longer time will be consumed in the committee after the hearings are closed before he thinks the committee will be ready to report. The Senator from Missouri seems to think 8 or 10 days, and the Senator from New York about 30.

Mr. BRISTOW. It is difficult to give any satisfactory answer, because there is a divergence of views on the part of the members of the committee as to what provisions should be incorporated in the bill and what changes should be made. These differences of opinion are quite marked. They are not along party lines, I will say. They come from the conviction and judgment of the individual members of the committee as to what is the best thing to do.

Mr. WILLIAMS. I understand that, and I hope——

Mr. BRISTOW. If the Senator will permit me, I will undertake to answer his question as nearly as can be done.

Mr. WILLIAMS. I hope that condition of things will continue to exist.

Mr. BRISTOW. As to how long it will take the committee to weigh the testimony which has been taken and to deliberate upon the various amendments that are to be offered is a rather difficult thing to approximate.

Mr. WILLIAMS. Yes, it is; but I should think that the committee, having heard the testimony, ought not to have to spend a great amount of time either reading it or weighing it. I know the membership of that committee so well, their intellect so well, that I know they are weighing testimony as they go along. It struck me that perhaps if they would get right down to work, to vote upon every amendment would require not over four days, at any rate.

Mr. BRISTOW. I can say to the Senator that that will be utterly impossible. If we undertake to report the bill out in four days after the hearings are closed, the committee would be recreant to its duty and unworthy of the high responsibility placed upon it.

Mr. WILLIAMS. I should think that they could consider the various amendments in that length of time. They understand already what they are. They have heard the testimony, and they have weighed the subject matter. For myself, knowing each one of them intimately, I think they would have formed their opinion by the time the testimony closes.

Mr. REED. May I ask the Senator from Mississippi a question, with the consent of the Senator from Kansas?

Mr. WILLIAMS. If the Senator from Kansas yields.

Mr. BRISTOW. Certainly.

Mr. REED. What subcommittee of the Committee on Finance was the Senator on when dealing with the tariff bill?

Mr. WILLIAMS. I was on the subcommittee dealing with three schedules of the dutiable list, and the income tax and the administrative section and agricultural products.

Mr. REED. How long did the Senator have those matters before the subcommittee?

Mr. WILLIAMS. We were fixing most of them as we went along, while we were hearing them, and a very few days after we got through with the hearings we reported back to the main committee; I have forgotten how many days, but I think about five days after the hearings before the subcommittee were closed.

Mr. REED. That is still vague, indefinite, and uncertain——

Mr. WILLIAMS. No; it is not.

Mr. REED. Because you had hearings from day to day before parts of the committee a part of the time and then you would work; but, as a matter of fact, the committee, taken as a whole, had the tariff bill under consideration from the 9th of May.

Mr. WILLIAMS. After the subcommittees had reported back, of course then the members of the committee who had not an opportunity to hear the testimony before the subcommittees, had to have time to read it. That is not the case with this bill. The full committee is sitting.

Mr. REED. Now the whole committee is sitting.

Mr. WILLIAMS. Yes.

Mr. REED. And it is sitting all day, not a part of the day, and it is hearing testimony. Then, after that has been done, various members of the committee will have their suggestions and amendments to bring forward, and each of them will have to be considered and discussed.

As no one knows just what amendments will be offered or what suggestions will be made, and as we are dealing not with schedules but with great principles and then with the application of those principles to a business that ramifies the country and is as varied almost as the products of the country, it is necessary of course to give each of those matters proper consideration. It is not a question of merely voting upon certain amendments. Therefore I say to the Senator——

Mr. WILLIAMS. The Senator must recognize the fact that it takes a much shorter time to settle the various opinions on general principles than the schedules of a tariff bill.

Mr. REED. That may be true; but I know some people thought it was an utter waste of time to take the length of time taken by the Finance Committee in considering mere schedules. Men who were advised knew that they had a most difficult problem before them, and men who are advised with regard to this matter know the same thing. A bill may be an admirable bill for New York City and a very bad bill for the small banks of the State of Mississippi. It may be an admirable thing for the business men of New York City and yet it may be a very bad thing for the business men of Mississippi or Missouri and——

Mr. WILLIAMS. There is no doubt about that.

Mr. REED. It is not merely a question of settling a general principle. I think the general principles of this bill, speaking in the very broad sense, are acceptable to most of the members of the committee, but when you come to put necessary limitations upon them and safeguard the variations that must be made, you have a problem that is as intricate and as delicate as can be imagined; and I wish, so far as I am concerned, that some greater man than myself—you would perhaps not have to search far to find him—might have my place on this committee, somebody who knew better than I know what ought to be done; but I should not want to see somebody there who less than myself appreciated the gravity of the work we are entering upon.

Mr. WILLIAMS. Of course, when considering a responsible and important question we always regret our inability to face it with thorough information, and that is a tribute to the Senator's honesty as well as his modesty.

But I did not intend to enter into a debate at all. I wanted, if I could, for my own guidance and the guidance of my own conduct, to find out about how soon we might hope that the bill would be back in the Senate.

Mr. BRISTOW. Mr. President, I am sorry that I can not give the Senator from Mississippi the accurate information that he would like to have, but I want to say, in corroboration of what has been said by other members of the committee, that we are working industriously and conscientiously. I never have been a member of a committee that has been working more industriously or more conscientiously on any question than the Committee on Banking and Currency is now working on the present bill. I do not think that legislation as grave and important as this is, which affects the vital interests of every community in the United States and the business fortunes of hundreds and thousands of men, which may result in failure here or failure there if mistakes are made, should be hurried. I think that if the committee does its duty to the Senate and to the country it ought to know from men whose fortunes are involved in the legislation how the provisions of the bill may affect them, not only in one section of the country, but in all sections of the country; and having ascertained that fact as nearly as it can be ascertained, then we should proceed to frame the bill so as to promote the welfare of the country and interfere as little as possible with the normal operations of our business life. With that in view, every member of the committee is working and concentrating his mind upon this great question.

I do not feel that the committee is subject to insinuating criticisms by Members of the Senate. Members of other committees on bills no more important have taken far more time than has been suggested even by the Senator from New York [Mr. O'GORMAN] in the consideration of this measure. So I hope that the committee in its effort to work out the best legislation that can be worked out will have the support of the Senate and the aid and help of Members of the Senate in solving this problem, and not captious criticism because, indeed, it seems to them we are not making the progress that might be made if abler men were in charge of this responsible work.

Mr. ASHURST. Mr. President, it occurs to me that any attempt improperly to hurry the Committee on Banking and Currency would be a most injudicious act.

As has been well said by the Senator from Kansas [Mr. BRISTOW], the Senator from New York [Mr. O'GORMAN], the Senator from Missouri [Mr. REED], and other Senators, this is a question of extreme importance, affecting the very lifeblood, the circulating medium of the country. Knowing as I do that every hour which this great committee devotes to the bill is profitable to the Senate and to the country, I feel that no person should, and that no person has attempted to hurry the committee, because to attempt to hurry it, when it is doing all that a committee can do, would be most injudicious and harmful and might result in an ill-considered, misshapen law.

A Senator a moment ago reprobated the unanimous-consent agreements. Mr. President, I do not object to the unanimous-consent agreements. I have, and I am somewhat proud of it, had a part in assisting to secure some of these unanimous-consent agreements. I knew that the Banking and Currency Committee could not be hurried and that it ought not to be hurried. That committee will carefully, calmly, and properly consider the great measure which is before it.

The reason why I have been active in trying to promote certain unanimous-consent agreements was because I felt the Banking and Currency Committee would require sufficient time in which to formulate this important measure and that the balance of the Senate ought to be equally as assiduously at work. Here is the Banking and Currency Committee working six days a week and many hours out of each day, and it would well become the remainder of the Senate to devote its attention to some other needful legislation.

That was one of the reasons why I took a small and unimportant but to me a proud part in assisting to secure the unanimous-consent agreement to consider the seamen's bill. It might be appropriate to reflect at this time that while we were attempting to secure unanimous consent to consider the seamen's bill, the same being a bill which has for one of its purposes the safety of human life and the reducing of the number of accidents to ships at sea, the *Volturno* was on fire, and hundreds of human lives were placed in a perilous position. A calamity was occurring on the high seas to this vessel, and doubtless some lives were lost because seamen were not properly trained in the art or the method of lowering lifeboats.

So I repeat, knowing the Banking and Currency Committee was diligently at work; knowing that no Senators could more earnestly desire to promote the public weal than that committee; knowing that its chairman, the Senator from Oklahoma [Mr. OWEN], is one of the ablest, most learned, and conscientious men in American public life, I justify my activity in attempting to consider other business upon the hypothesis that while that committee was at work the balance of the Senate, the eighty-odd Senators, might proceed to other matters upon the calendar.

In conclusion, I must not be understood by my attitude in trying to promote other needful legislation as in any way attempting, directly or indirectly, to hurry the Banking and Currency Committee. Least of all was it my intention to interpose other business or block and impede the progress of the currency bill when it reached the Senate. I venture the assertion that no Senator thought of interposing other legislation in order to block or impede the progress of the currency bill, but many Senators believed that while that committee was at work the remainder of the Senate should not stand idly by.

Mr. WILLIAMS. Mr. President, I feel like this was about as good a time as any other to take up a few minutes of the Senate to express a few and perhaps unnecessary remarks.

Mr. CLAPP. Will the Senator yield for a moment? While the Senator is on his feet, inasmuch as the bill under consideration has not been referred to yet, possibly the Senator will also include that in the observations.

Mr. WILLIAMS. I will; thank you.

Mr. CLAPP. I should like to have some little discussion of that bill.

Mr. WILLIAMS. As a preface to the consideration of the bill I wish to say that I hope we have not reached a time when it will be regarded as beneath the dignity of any Senator of the United States to be hastened in the great work of the people. I do not say "to be hurried," because "hurrying" is a word involving the idea of confusion and of leaving work not perfected behind it. But I certainly hope that the Banking and Currency Committee will not consider it beneath the dignity of the committee or of any individual member of it to regard the wishes and demands of some ninety-odd million people as a reason for hastening in their work.

Mr. HITCHCOCK. Will the Senator submit to an interruption?

Mr. WILLIAMS. Certainly.

Mr. HITCHCOCK. I wish to state to the Senator that members of the Banking and Currency Committee are now detained on the floor by reason of this discussion. We had a meeting scheduled for half past 3 to listen to a delegation of witnesses who were to appear at that time. We would like to be released from presence here for the purpose of attending that meeting.

Mr. WILLIAMS. I understand that; and I understand also the purpose of the interruption. But prior to the interruption itself the time of the Senate had been taken up explaining why the members of the committee could not be hastened, and so I thought I would suggest the idea that it was not beneath a Senator's dignity to be hastened and not beneath the dignity of a committee to be hastened. The idea of wanting to get through as soon as possible with a great work for which 90,000,000 people are waiting is not and should not be offensive to anybody who is charged with the responsibility and labor in that connection. I do not believe that there is a member of the committee who will so regard it when he looks at it from a reasonable standpoint.

Now, with regard to these unanimous-consent agreements, I was perfectly willing to see unanimous consent given for the consideration of the seamen's bill. That is a bill involving life and death. It involves more than that; it involves the health of sailors on board, the prevention of the overcrowding of the crew, and giving enough cubic feet of atmosphere for a man to breathe and to keep in good health. It is as emergent as almost anything else. It does not cover as broad a scope of ground as the tariff and the currency bills, but within the scope that it does cover its emergency is much more intense.

But with regard to unanimous-consent agreements generally, the Senator from Nebraska [Mr. HITCHCOCK] is mistaken when he thinks that no unanimous consent entered into by the Senate will be later on used for the purpose of blocking the currency bill.

Mr. HITCHCOCK. The Senator from Nebraska has made no observation to that effect.

Mr. WILLIAMS. I meant the Senator from Arizona [Mr. ASHURST]. I beg the Senators' pardon. I was looking at the right Senator, but named the wrong one. There are people in the United States very bitterly opposed to any reformation of the banking and currency laws in this country in the interest of the people. There are people who represent an invisible board of control whose mastership and domination are being threatened by a visible board of control, to be put in control of the issues of currency in this country and the general conduct of its currency business. If the Senator from Arizona thinks there will be nobody here at that time to take advantage of the fact that unanimous consent has been given in order to keep the ball rolling and keep the banking and currency bill off this floor, then he has reached a state of optimism about the United States Senate not justified by its past history. So much for that.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Will the Senator from Mississippi yield to the Senator from Idaho?

Mr. WILLIAMS. I yield.

Mr. BORAH. It is the purpose then, I understand, of the majority that no business shall be transacted of any moment except the unanimous-consent agreements which have already been had until the currency bill comes in.

Mr. WILLIAMS. No; I did not say that. My purpose is to have nothing that can block the way after the currency bill comes in to keep it from having full and complete and sufficient consideration and an early vote. If when Senators ask for a unanimous-consent agreement they will couple it with the condition that the privileges of the bill shall cease to exist when the banking and currency bill is entitled to the floor, I shall have no objection.

Mr. BORAH. Are we going to transact any other business between now and the time when the currency bill comes in? May we expect to take up the calendar and dispose of bills which are here, or is it the desire of the majority that those matters shall be postponed? I ask the question for the reason that there are measures here in which we of the West are greatly concerned, and if measures are going to be taken up and considered we would like to get ready to urge those. On the other hand, I am perfectly willing, if I know it to be the policy of the majority, to abide by their judgment until the currency bill does come in. But what are we going to do in the meantime?

Mr. WILLIAMS. I could add nothing to what has been said by the Senator from Kansas [Mr. BRISTOW] or the Senator from Missouri [Mr. REED] and other Senators upon the floor to this effect, that every day spent in session here is a day subtracted from the work of the Banking and Currency Committee in thrashing out as far as possible the differences there in order that those differences might not have to be thrashed out here later on.

Mr. BORAH. That is all right if that is understood to be the policy. If it is understood that we are not to transact business here, but that we are to give the committee and the Senate the time from now until the 25th to work on this matter, perhaps not very many will object to it, but we have no such understanding. We proceed from day to day, and when we come here we take up matters unexpectedly and consider them. The committee is called out to its work and there is no system of order or procedure marked out in advance at all.

Mr. WILLIAMS. The criticism of the Senator from Idaho is in the main part just, yet there is no way I know of upon the days when the Senate does meet to keep one Senator from talking, or another Senator from calling up a bill on the calendar, or another Senator from proceeding to the measure already agreed by unanimous consent to be considered.

Now, I come to the main business of the day, much to the pleasure, I have no doubt, of my friend the Senator from Minnesota.

Mr. CLAPP. That depends upon how the Senator lines up on the main business of the day.

Mr. WILLIAMS. Every Senator has to wind up at some time. The Senate itself, composed of many Senators, has been known to wind up business at times.

Mr. CLAPP. The Senator misunderstood me; I said "lined up."

Mr. WILLIAMS. I misunderstood the Senator. I thought he used the term "wind up" in the sense of concluding.

Mr. CLAPP. Oh, no.

Mr. WILLIAMS. But the compound verb has two meanings. At one time you wind up in the sense of concluding, and at another time you wind up in the sense of proceeding to talk; and the Senator is a past grand master in both performances.

Mr. SHAFROTH. If the Senator will yield to me, I should like to say a few words on this subject.

Mr. WILLIAMS. Certainly; I yield with pleasure to the Senator from Colorado.

Mr. SHAFROTH. I have been one of the members of the Committee on Banking and Currency who have wanted to expedite the matter of hearings as much as reasonably could be done, but I can not see much profit to come from this discussion with relation to that subject now, because we have fixed on the 25th day of October for the closing of the hearings, and I do not believe that it is possible to change that order. That being the case, we must look to the future for expediting the measure. I felt that there had been a great deal of testimony taken before in the hearings on financial legislation and that a great many volumes had been issued concerning it, and I thought we could get a great deal of the information that we derive now by reading those reports. I therefore favored early closing of the hearings before the Banking and Currency Committee. But I recognize that is over, and the only question now is to determine what we ought to do here in the way of expediting the legislation after the 25th day of October.

When matters are up for consideration here the members of the Banking and Currency Committee come to hear what is going on in the Senate. In fact, there never has been a meeting of the Senate when the members of the committee have not been here to attend the session of the Senate. If you are continually to have these sessions and if you are continually to consider measures in the Senate, the Banking and Currency Committee can never complete its consideration of the bill unless it holds night sessions.

I am not one of those who believe that we should consider other legislation during this session. Ordinarily a governor of a State will call an extra session of the legislature for the consideration of one, two, or three measures and name them, and nothing can be considered at the legislative session except that which was named by the governor. That same power was intended to be given to the President. When the President calls an extra session of Congress and specifies that there shall be the consideration of certain measures, those measures, it seems to me, in deference to the fact that he has the power to call an extra session or not, must be considered by Congress as the proper course to take during that extra session.

Mr. SUTHERLAND. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Utah?

Mr. SHAFROTH. Yes, sir.

Mr. SUTHERLAND. Was the currency question included in the call of the President for the special session?

Mr. SHAFROTH. There was no legislation expressed, I understand, in the call of the President.

Mr. SUTHERLAND. Then how does the Senator arrive at the conclusion that the business of the Congress was to be limited?

Mr. SHAFROTH. Because the President delivered two messages, one of which took into consideration the tariff measure and the other took into consideration the currency measure.

Mr. SUTHERLAND. I know; but the President never has suggested that Congress should not deal with other matters?

Mr. SHAFROTH. Inasmuch as the inclusion of one excludes the other, it seems to me that it was evidently the object and the intention of the Executive that those measures at least should be the principal measures which should be considered.

Mr. SUTHERLAND. Then the view of the Senator from Colorado is that the Senate ought to wait, before it does anything affirmatively, until the President tells it what to do?

Mr. SHAFROTH. No; it is not, but when the President is vested with the power alone of calling an extra session and calls it and designates what shall be considered, I think the power ought to be exercised in the same way that legislation is enacted at the direction of a governor when he calls an extra session for the purpose of considering only certain measures.

Mr. LEWIS. Will my friend from Colorado yield to me to respond to the Senator from Utah?

Mr. SHAFROTH. Yes, sir.

Mr. WILLIAMS. The Senator has my consent, which I grant very readily and very graciously.

Mr. LEWIS. I should like the attention of my friend from Utah. The Senator from Utah who has just addressed himself to the Senator from Colorado asked the Senator from Colorado if the President in his call of Congress made any reference to banking and currency legislation, leaving the intimation very clearly that if he had not there was not any duty imposed upon as such as was indicated by the Senator from Colorado.

I desire to say to the learned Senator from Utah that if the Senate is now taking up the question of currency following a call that was limited to the question of the tariff it is pursuing a very respectable precedent. I invite the attention of the learned Senator from Utah to history. In 1897, after the election of 1896, President McKinley convened Congress in special session ostensibly for the object of passing a tariff bill that became known as the Dingley tariff law; and while we were in session in response to what the able President felt was the popular opinion he sent a message to Congress with a view of amending the then banking and currency laws to carry into effect the gold-standard idea which he thought the popular vote at the ballot had expressed. We passed in the lower House of Congress and in this body an amendment, which is now the law, and it was done without the call of President McKinley specially comprehending the question of banking and currency.

Mr. WILLIAMS. Mr. President——

Mr. SUTHERLAND. Mr. President, will the Senator from Mississippi yield to me a moment just for a word?

Mr. WILLIAMS. Very well.

Mr. SUTHERLAND. The suggestion which I made to the Senator from Colorado [Mr. SHAFROTH] was not with a view of insisting that we ought not to take up the currency measure, but it was to obtain the view of the Senator from Colorado upon the suggestion which he had made, that we ought not to take up anything else. The view of the Senator from Colorado seemed to be that the President, having called the Congress originally for the purpose of dealing with the tariff, the Congress ought to devote its time and attention to that subject to the exclusion of everything else; then, the President having sent in another message with reference to the currency question, that we ought to confine our attention to that subject. It seems to me, if Congress is to remain in session, that it ought to do business; that 70 or 75 men ought not to sit here idly in the city of Washington awaiting the action of the Committee on Banking and Currency. We either ought to come together and do whatever business is upon the calendar, sit here day after day and attend to the business of the country, or we ought to adjourn and go home and let the Banking and Currency Committee attend to its duties, and when it is ready to make its report, then the Senate and the House of Representatives can deal with it.

Mr. WILLIAMS. Now, Mr. President——

Mr. SHAFROTH. The attitude of the Senator from Utah would be perfectly justifiable——

Mr. WILLIAMS. I yield to the Senator from Colorado for a moment.

Mr. SHAFROTH. The Senator's attitude would be perfectly justifiable if it were not for the fact that the very proceedings that take place in the Senate every day are the proceedings that cause delay upon the part of the Banking and Currency Committee. We can not determine when the consideration of the bill by the committee will close. Therefore we can not say with certainty when there will be a report from the Committee on Banking and Currency. This is the same condition identically that follows the calling of every extra session of Congress. When the extra session of 1897 was called by President McKinley, there were three-day adjournments continually from the very beginning until the close of that session.

Mr. SUTHERLAND. Let me ask the Senator a question right there.

Mr. SHAFROTH. Yes.

Mr. SUTHERLAND. Does the Senator from Colorado imagine that his committee will be ready to report before the middle of November?

Mr. SHAFROTH. I hope so, but I can not say.

Mr. SUTHERLAND. Does the Senator think that it will be ready to report before the 1st of November?

Mr. SHAFROTH. No; I do not think it will.

Mr. SUTHERLAND. If that is so, then why does not the Senator endeavor to obtain the permission of the President of the United States for the Senate to take a recess for that length of time?

Mr. SHAFROTH. I am not one of those who confer with the President much; I am not one of the leaders of this House. I am a new Member, and consequently I see no objection to the adjournment for a reasonable time; but evidently, if we are here and hold these sessions we are going to delay the final report upon this bill, and I am urging that view to expedite the matter so as to get the bill before the Senate at the earliest possible time.

Mr. LEWIS. Mr. President——

Mr. WILLIAMS. Mr. President, there is not much advantage about occupying the floor in the Senate except the privilege that it gives of gracefully yielding to interruptions. I therefore always insist that I shall be addressed when I have the floor, so that if my own reasoning and eloquence shall not be projected before the country, the other gentleman shall at least have consent from me for his. Now I yield to the genial Senator from Illinois [Mr. LEWIS].

The VICE PRESIDENT. The Chair also would like occasionally to "get in" on being addressed.

Mr. WILLIAMS. If the President of the Senate would like to "get in," I would yield to him in a moment, but not right now.

Mr. LEWIS. Mr. President, I thank the Senator from Mississippi [Mr. WILLIAMS] for his yielding to me, and as he says he gladly yields and gracefully yields, I respond that there is no action of the distinguished Senator from Mississippi of any kind that is not graceful, and oftentimes he is as graceful as he is fertile in humor and delightful in expression.

I now desire to say to my distinguished friend the Senator from Utah [Mr. SUTHERLAND] that I am one of the Senators to whom he alluded, without possibly having in his mind any particular person. I am one of those who do not regard it wise that the Senate should now take a recess, and I have so expressed myself lately for the following reasons: Could we have had a recess immediately following the passage of the tariff bill, I would have regarded it as prudent.

I think we could then have gone to the country and obtained the views of our constituents upon the banking bill, so that we might have returned here better informed and in every wise better qualified to assume our duties than we now are; but the wisdom of the Senate being to the contrary, at the direction of those who have authority and the right to intimate such, we have now passed the summer; we are now in the fall. The objection I would have now to the Senate taking a recess while the committee is considering the banking and currency bill is because, among other things, of the intimation of the Senator from Mississippi, very correctly stated, that a certain number of gentlemen throughout this Union, who represent an invisible board of control, seem to feel that they can at a distance, by merely hurling anathemas at the United States Senate or the legislative body of this country, frighten it from its duties by either forcing it to surrender its obligations on the one hand, or, on the other, in the discharge of their duties to yield to their particular demands. If these particular gentlemen were content to come before the legislative body and give their views upon a question of which I will admit they are well informed, they would, so far as I am concerned, not only be welcomed—generously welcomed—but their advice received and acted upon in so far as it met the wisdom of a public man in the discharge of his duty under his conscience and under the law; but where they present the attitude to the country of having bullied the Senate, intimidated the body, held us up before the country in execration as lacking wisdom and sense, stating that we are about to do a thing that is disastrous because of lack of knowledge or patriotism, then to take a recess or to permit one at this time would give evidence that we have surrendered to that form of intimidation, that we have been frightened by that set of gentlemen, because they are in great aggregate numbers and represent aggregate strength. Therefore, lest we should give such evidence, I would prefer that we now remain in session and receive the advice of these eminent gentlemen, whosoever they are, from wheresoever they be, and continue our work along the line of our duty as we see it and not now yield, lest we are put in a position of having been forced to abandon a duty that we undertook because of threats of intimidation or of an overshadowing power that is presented by the suggestions of these gentlemen in the different assemblies where they meet. That is my reason why I am one of those who oppose the proposition for a recess at this time.

Now I will yield the floor to the Senator from Mississippi, gladly feeling and gladly admitting that he has some right to occupy it.

Mr. WILLIAMS. Mr. President, any charge previously made against me that I was either hurrying or hastening things has been fully disproven by the course of events; but I need pay no attention to that now. I do confess, however, this morning I was somewhat alarmed by having it said upon the floor of the Senate that after the Senate committee had discontinued its hearings it would take 30 days, with a perhaps—a very strongly emphasized "perhaps" at that—to report back to the Senate a banking and currency bill. I was not very much alarmed because of the banking and currency bill itself, but when I considered the great program before the Democratic Party, with which it must comply or confess itself incompetent, I felt a little bit alarmed about it. I know, and no man knows better, that a great deal of time was unnecessarily consumed in the consideration of the tariff bill. I do not want to say that time was unnecessarily consumed about everything. At the beginning of the next session of Congress we shall have to take up and grapple with the great trust problem of the United States, so called—I say "so called" because nobody knows what a trust is; nobody has ever yet succeeded in defining one, either upon the statute books or otherwise—the great question of semimonopolization of the production of industry. I want everything out of the way by that time.

Mr. President, here comes the originality of my remarks. In order to hasten things as much as possible, I want to get a vote upon Senate bill 192, which is now before the Senate. I think, as a rule, this country has never suffered from too few laws; it has suffered a great deal from too many. I am not in very much sympathy with the idea of letting the Senate do business in the way of passing laws. Except at important times and in connection with important questions, I think the population of the United States would be benefited if Congress did not meet at all; but there must be these emergency questions, and they must be taken care of. This is one of them.

This bill was reported by the Senator from Minnesota [Mr. CLAPP] with amendments, and it seems to be a bill that almost anybody in favor of honest and fair politics ought to be in favor of. It merely prohibits the mobilization of capital in a campaign toward a threatened point; it merely prevents the special interests of this country from accumulating a great mass of capital and sending it to a State which may by its electoral vote decide a presidential election or to a congressional district vitally in doubt. The currency bill is to mobilize the credit forces of the country; this bill is to demobilize the corruption forces of the country. It makes what few exceptions there ought to be, to wit, that the provisions of the bill shall not apply to the payment of bills incurred by a National or State campaign committee regularly authorized and meeting under the law, or to collections made and sent to a State or National campaign committee authorized by law and reporting under the law.

One of the best ways of getting the path clear for the consideration of the banking and currency bill when it shall come into the Senate is to dispose of what few unanimous-consent agreements there are now upon the calendar, this being one of them, and very important from the standpoint of political purity—I do not like that word much; it sounds almost like "puritan"; "political honesty" is a very much better expression.

Then there is the seamen's bill to come up, to take care of the lives of the people. I express the hope that we may have as early a vote as possible upon this measure and upon the other measures that are upon the calendar by unanimous consent, not only because they are right in themselves, but because, after they have passed, there will be, for this side of the Chamber at any rate, an opportunity to put its great program into consummation.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Idaho?

Mr. WILLIAMS. Not right now; in a moment I will. I want to say something seriously, Mr. President, outside of the drift of the remarks I have made in the last three minutes.

I am one of those men who take their democracy almost as their religion. I believe that the Democratic Party has a great future before it, and I believe that it has the capacity and the integrity to take care of that future. I therefore want to see the pathway cleared for it as much as can be. I think it has given to the country the best tariff bill since the Walker tariff bill was passed in 1846. I think that, upon the whole, so far as its general principles are concerned, the banking and currency bill offered is the best banking and currency bill ever offered to any American Congress at any time in the entire history of the United States. I think that the pending bill is in favor of political honesty, and that is the sort of people's rule I am in favor of—the rule of the unbought people, of the honestly taught people. I have never been demagogue enough to believe that the great mass of mankind alone, by themselves, when bought and influenced and taught wrong, were the wisest rulers in the world. I consider them the best because they are the most honest, because they have no axes to grind, and I would rather have them with their comparative ignorance than to have wiser men who have axes to grind; but I think the way to make the rule of the people right is to make the rule of the people honest; and the way to make the rule of the people honest is to cripple, demobilize, and disorganize those who would corrupt the people and thereby prevent the vote of that part of the people who are willing to be corrupted from counting at the elections. I think it is a very good bill, and I hope it will pass.

Mr. BORAH. Mr. President, in view of the suggestion that has just been made by the Senator from Mississippi [Mr. WILLIAMS] and others, that we ought not, until the 25th of October, to transact any business here except that which is already covered by unanimous consent, will not the Senator from Mississippi prefer a request for unanimous consent that the Senate do not transact any other business except those matters which are entered on the calendar?

Mr. WILLIAMS. I will not do that, because at almost any moment some matter of critical importance might be presented to the Senate. Nobody is wise enough, nobody is prophet enough, nobody is statesman enough to say that for two months in advance we shall not consider any business except something specially indicated; but I shall oppose upon the floor of the Senate any request for unanimous consent for the consideration of any measure, unless I believe it to be of the very highest and most vital importance, and it will have to be of high importance for me to believe that it is vital, with my view of keeping the track clear for the banking and currency bill.

Mr. BORAH. Then, as I understand, we are not to transact any business except that which is already provided for, unless it is such business as appeals to the judgment of the Senator as of exceptional importance?

Mr. WILLIAMS. Oh, well, the Senator does not mean that. Of course, when I said "I," I meant you, too. Any Senator has an equal right with me.

Mr. BORAH. I did not mean it exactly the way the Senator took it, but I supposed the Senator was to some extent speaking for his side of the Chamber. In other words, I should like to know whether it is the desire or expectation of the Senator or of the majority side to take up any matters except those exceptionally important matters?

Mr. WILLIAMS. Well, the Senator is in error. A little before the present administration came into power the Senator from Mississippi did have a sort of glimmering, remote—hardly a hope, but a distant dream—that perhaps he might be of some weight or consideration in connection with what took place on this side of the Chamber; but the Senator has long since given up any idea that he had any right to speak for anybody except himself, and he is now speaking only for himself.

Mr. BORAH. Well, the Senator's usual modesty is getting the better of him. If the Senator from Mississippi will say that that will be the program, I shall rely upon that program to be carried out.

Mr. WILLIAMS. If the Senator wants my judgment upon that question, I think it will be carried out; I think that is what Senators over here think; but that is only my thought concerning their thought and is not their thought.

Mr. BORAH. Well, we seem to have demonstrated the fact that there is no particular program outlined and none to be outlined; that we are to continue along the same line of procedure by incident when it is not by accident.

CONTRIBUTIONS FOR CAMPAIGN PURPOSES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 192) to limit the use of campaign funds in presidential and national elections.

Mr. SUTHERLAND. I am obliged to leave the Chamber, and I desire to say just a word with reference to the pending bill. The purpose of the bill—at any rate, the principal purpose of the bill—as I understand, is to prevent what I think has been a very great evil in this country, the concentrating of a large amount of money in some particular State or States which were regarded as doubtful. With that purpose I am in entire sympathy. As I understand the bill, I am in entire sympathy with it. I was a member of the committee which considered it and was one of those who agreed to the report of the bill, but there are one or two matters to which I want to call the attention of the Senator from Minnesota [Mr. CLAPP], who has charge of the bill. In the first place, it is provided:

That hereafter it shall be unlawful for any person, firm, corporation, association, or committee, or any officer or agent of any person, firm, corporation, association, or committee, to send or to furnish to be sent or transmitted, or to carry or cause to be sent or carried, any money or other thing of value from any State or Territory of the United States to any person, firm, corporation, association—

The act of sending or of carrying is not in any manner characterized. It is made an unlawful thing merely to carry money which is intended to be used for the purposes specified in the bill.

Mr. CLAPP. It is——

Mr. SUTHERLAND. In other words, if the Senator will permit me a moment, it might apply to an express company. It would in terms apply to an express company which was perfectly innocent of any intent of doing anything wrong or improper. I suggest to the Senator that in line 6, on the first page of the bill, after the word "committee," we ought to insert the word "knowingly," so as to read, "knowingly to send or to furnish," and so on.

Mr. CLAPP. Personally to that I would have no objection, although I think the language would excuse an express company or the common carrier, for it reads:

To send or to furnish to be sent or transmitted, or to carry or cause to be sent or carried.

However, I have no objection to the word "knowingly" being inserted. I think all laws should be plain, and unless the Senate objects I would have no objection.

Mr. SUTHERLAND. I wanted to call attention to that, because, as I have said to the Senator, I am obliged to leave the Chamber, and if the Senator in charge of the bill consents to that I have no doubt it will be incorporated in the measure. Now one other suggestion which I desire to make. The penalty clause provides that any person who violates the act shall be punished by a fine not exceeding $1,000 and by imprisonment for not more than one year.

I think in a statute of this character ordinarily it is a very great mistake to provide that imprisonment must be imposed under any and all circumstances. I had something to do with the preparation of the Criminal Code, and we eliminated from almost every offense the provision for minimum punishment, so as to leave the whole matter in the discretion of the court, and we also eliminated from nearly all offenses those provisions which made it incumbent on the court to impose both fine and imprisonment. The reason why that was done was that we received communications from many of the district attorneys throughout the country saying that the provisions of the law respecting minimum punishments very often resulted in juries returning verdicts of not guilty, because they knew in a given case that while the accused ought to submit to some punishment, to a fine, for example, the offense was not grave enough to justify imprisonment even for a single day, which would entail not so much hardship, perhaps, but disgrace.

Mr CLAPP. I will say, as I had the honor of serving with the Senator on that committee, that I was rather in harmony with that view, as the Senator will remember. Would the Senator object to this: In line 1, on page 3, strike out the word "and" and insert the word "or," and then, after the word "year," in line 3, to insert "or both, in the discretion of the court"?

Mr. SUTHERLAND. There is no need to say "in the discretion of the court." I suggest to substitute the word "or" for the word "and," and after the word "year" insert "or both." Of course it is in the discretion of the court.

Mr. CLAPP. I will say to the Senator that of course I do not know what the Senate will do with this matter, but I will offer those three amendments as they are reached in order in the consideration of the bill.

Mr. SUTHERLAND. With those amendments, I can very cheerfully support the bill.

Mr. CLAPP. Just a moment. I can not promise the Senator what the Senate will do.

Mr. SUTHERLAND. I understand the Senator has only given expression to his own attitude.

Mr. ASHURST. Mr. President, before the Senator from Utah leaves the Chamber I should like to submit a matter for his attention. I have had the honor and pleasure of serving with him on the Judiciary Committee of the Senate for some months, and I have a high respect for his opinion as a lawyer. I address the question also to the distinguished Senator in charge of the bill [Mr. CLAPP], for I have had no opportunity to confer with him on this point.

I am heartily in favor of this bill. I trust that when it becomes a law, as it ought, it will be an efficacious one, and that men who attempt to violate the law will not be able to escape because of some technicality. Sometimes the Federal courts are extremely technical. The bill, if it becomes a law, denounces the sending of money knowingly or willfully, if the suggestion of the Senator from Utah [Mr. SUTHERLAND] is adopted, from one State to another for the purpose of influencing the election of a President, Vice President, Senators, and so forth. Should not the words "or presidential electors" be inserted? A man might send openly $50,000 from one State to another for the purpose of influencing certain persons to vote for or against presidential electors, and when indicted for an offense under the statute plead in the Federal court or wait until the evidence against him was offered, and then object thereto on the ground that the statute simply denounces the sending of money for the purpose of electing a "President," and that the money which he sent was for the purpose of influencing the election of "electors"?

Mr. SUTHERLAND. The language of the bill is:

To be used or expended for and on behalf of the nomination or election of a President or Vice President.

I think——

Mr. CLAPP. And the election of electors would be a step toward the election of a President.

Mr. ASHURST That is the very point I wish to have cleared up. I want no doubt to remain.

Mr. SUTHERLAND. I think that would cover the question of using money for the nomination or election of electors, because, as the Senator from Minnesota has just said, that is a step in that direction.

Mr. ASHURST. The reason why I submit the suggestion is that I introduced a bill in the last Congress which made it unlawful for any person to attempt to intimidate any voter in the matter of selecting a President or Vice President, and I found in my researches that in order to have a law through the meshes of which a guilty man could not escape it was necessary to insert the words "or presidential electors." I submit that for the consideration of the Senator.

Mr. POINDEXTER. Mr. President, if the Senator will yield a minute, it seems to me directly in line with the suggestion made by the Senator from Arizona the point was made here, and I think the Senator from Utah took a very conspicuous part in the discussion, during the trial of the election case of the Senator from Wisconsin [Mr. STEPHENSON]. It was contended at that time that spending money for the election of members of the legislature, or in a primary election of members of the legislature, was not equivalent to spending it for the election of a United States Senator within certain statutes, the question being very similar to the one raised by the Senator from Arizona.

Mr. SUTHERLAND. Mr. President——

Mr. CLAPP. If the Senator will pardon me just a moment, we can very easily dispose of the discussion by offering to insert, after the word "States," in line 8, the words "or presidential electors."

Mr. ASHURST. Yes.

Mr. SUTHERLAND. There is no objection to that; but I should like to reply in just a word to the suggestion just made by the Senator from Washington. The contention in the Stephenson case was made as the Senator has indicated, but I certainly did not participate in that contention. I took exactly the contrary view. I took upon that matter exactly the view I am taking upon this—that it was a step in the direction of electing a United States Senator; and that was the view the committee took. In the investigation of that case we went into all of the proceedings relating to the election of legislators and the primaries which preceded the election, and which had for their purpose the nomination of a Senator.

Mr. POINDEXTER. Does the Senator from Utah recollect what position the former Senator from Idaho [Mr. Heyburn] took on that question? My recollection is that he took the position that it was not a violation of a statute against using money for the election of a Senator to use money in the election of members of the legislature.

Mr. SUTHERLAND. I do not recall at this moment.

Mr. POINDEXTER. I did not undertake to say that the Senator from Utah took that view, but only that he took part in the discussion. I only mention it to show that lawyers differ upon the subject, and that the point might be raised in the courts, and nobody could tell what view some judge might take of it.

Mr. SUTHERLAND. I do not remember what position the late Senator from Idaho [Mr. Heyburn] took upon that matter, but I do know that the majority of the committee, at any rate, took the other view. I see no reason, however, why the amendment should not be made.

Mr. CLAPP. No; at the proper time I will offer it.

The VICE PRESIDENT. The question is on the amendments proposed by the committee, which the Secretary will state in their order.

The SECRETARY. On page 2, line 11, after the word "national," it is proposed to insert the words "or State."

The amendment was agreed to.

The SECRETARY. In line 14, after the word "national," at the end of the line, it is proposed to insert "or State."

The amendment was agreed to.

The SECRETARY. In lines 15 and 16 it is proposed to strike out the words "transportation and hotel" and insert in lieu thereof the word "actual."

The amendment was agreed to.

The SECRETARY. After the word "national," in line 16, it is proposed to insert the words "or State."

The amendment was agreed to.

The SECRETARY. In section 2, line 22, after the word "person," it is proposed to insert: "Acting for himself, or for or in behalf of any firm, corporation, association, or committee."

The amendment was agreed to.

The SECRETARY. On page 2, line 25, it is proposed to strike out the words "be guilty of a misdemeanor and be punished" and insert "be punished by a fine of not exceeding $1,000 and."

The amendment was agreed to.

The SECRETARY. On page 3, line 2, it is proposed to strike out the words "less than six months nor."

The amendment was agreed to.

The SECRETARY. On page 3, line 3, after the word "year," it is proposed to insert a comma and the words "and any corporation violating any provision of the foregoing section shall be punished by a fine of not exceeding $5,000."

The amendment was agreed to.

Mr. POINDEXTER. Mr. President, as I observed the reading by the Secretary, he began on page 2. There seems to be an amendment on page 1.

The VICE PRESIDENT. That was agreed to before the discussion on banking and currency began.

Mr. CLAPP. I move to amend by inserting, after the word "to" where it first occurs in line 6, the word "knowingly."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 1, line 6, after the word "to," it is proposed to insert the word "knowingly," so that it will read "to knowingly send."

The amendment was agreed to.

Mr. CLAPP. In line 8, page 2, after the word "States," I move to amend by inserting the words "or presidential electors."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, line 8, after the word "States" and the comma, it is proposed to insert the words "or presidential electors."

The amendment was agreed to.

Mr CLAPP. On page 3, line 1, I move to strike out the word "and" and substitute the word "or."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 3, line 1, in the committee amendment already agreed to, it is proposed to strike out the word "and" and insert in lieu thereof the word "or."

The amendment was agreed to.

Mr. CLAPP. And in line 3, page 3, after the word "year," I move to insert the words "or both."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. After the word "year" and the comma, on page 3, line 3, it is proposed to insert the words "or both."

The amendment was agreed to.

Mr. CLAPP. Mr. President, I now offer the amendment which the Secretary has before him.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. In the committee amendment, on page 1, line 6, already agreed to——

The VICE PRESIDENT. The vote by which the committee amendment was agreed to will be reconsidered.

The SECRETARY. After the word "transmitted," in line 6, in the proposed amendment of the committee, it is proposed to insert:

Or donate or directly or indirectly give or promise to any other person, firm, or corporation to give any money, or equivalent of any money, which shall be subsequently sent or transmitted.

Mr. ASHURST. Should not that read "provided those gifts are made with the knowledge that they are to be transmitted"?

Mr. CLAPP. The word "knowingly" is already in the bill.

Mr. BURTON. Mr. President, in that connection ought not the second infinitive, "to," be omitted in line 6, so that it will read "to knowingly send or furnish to be sent," instead of "to furnish to be sent"?

Mr. CLAPP. I have no objection to that.

Mr. BURTON. I think that ought to go out.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On line 6 of the proposed amendment, before the word "furnish," it is proposed to strike out the word "to."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. CUMMINS. Mr. President, I wish to inquire of the Senator from Minnesota, for information, the meaning and application of the words in the last three lines of section 1 which I quote:

Or campaign funds raised for and sent to a national committee properly reported as required by law.

I do not remember just what the law is on that subject; but, as I recall it, the national committee is required to report the contributions made to it.

Mr. CLAPP. Yes.

Mr. CUMMINS. That report, of course, can not be made until after the contributions reach the committee. Will not this provision, therefore, make the sender of the contribution criminally liable if the national committee does not do its duty and make the report?

Mr. CLAPP. I should hope so.

Mr. CUMMINS. That is the intent?

Mr. CLAPP. Yes. Of course, the law as to gathering and reporting contributions is changing from time to time, and the only thing we could do with that was to make it so that as the law relating to contributions might be changed it would automatically fall within the scope of this bill.

Mr. CUMMINS. But I do not think the Senator from Minnesota quite gathers my meaning. The national committee begins its work. It asks for contributions. Of course, it could not secure a single contribution if the making of that contribution would become criminal in the event that the national committee did not do its duty; for no man would be willing to make a contribution for a campaign if an event over which he had no control whatsoever could make him a criminal.

Mr. CLAPP. But the Senator will bear in mind that at the foundation of this lies the condition that the contribution shall be made knowingly.

The language is "to knowingly send or furnish to be sent or transmitted, or to carry or cause to be sent or carried," and so forth. It seems to me that if the contributor is acting in good faith and the committee is acting in good faith there will be no difficulty about its getting contributions.

Mr. CUMMINS. Mr. President, I do not care whether there are any contributions made or not. There are a good many exceptions here that I do not think ought to be made.

Mr. CLAPP. I rather agree with the Senator.

Mr. CUMMINS. But to enact a law that will permit a national committee to solicit contributions from all over the country, which, of course, must be sent from State to State in order to reach their object, and then to say that a contribution, innocent when made, made for an entirely proper purpose, shall become criminal if the national committee does not make the report required by law, is indirectly to prohibit all contributions to a national fund, it would seem to me.

Mr. CLAPP. Either the Senator misunderstood me or I misunderstood him. The criminality would not attach to a contribution made in good faith by a man to the committee, and the committee subsequently sending it without reporting the contribution. The committee would then be the party offending or whoever of the committee did the act.

Mr. CUMMINS. The Senator from Minnesota knows much more about the bill than I do, because I have given it only hasty consideration.

Mr. CLAPP. The language is, briefly:

That this act shall not apply to * * * campaign funds raised for and sent to a national committee properly reported as required by law.

Mr. CUMMINS. Precisely. If the Senator from Minnesota will listen to me for just a moment, he will see my point. It may be good, or it may not be good.

In the first place, it is made unlawful for any person, firm, corporation, association, or committee to send money from one State to another to be expended for and on behalf of the nomination or election of a President, Vice President, elector of President and Vice President, or Member of Congress.

If the bill were to stop there, of course not a penny could be contributed to a national committee for any of these purposes, except that which was raised in the State in which the national committee was actively doing its business.

But you then introduce certain exceptions. You say that this prohibition shall not apply to the payment of bills incurred by a National or State campaign committee in the fitting out and maintenance of speaking campaigns, and so forth; nor shall it apply to contributions to cover the actual expenses of speakers, and so forth; nor to the expenses of the distribution of literature by a national committee. Then it is provided that the prohibition shall not apply to campaign funds raised for and sent to a national committee properly reported as required by law.

Suppose they are not reported as required by law. Then the person who sent them—it may be months before—instantly becomes subject to the criminal provisions of this statute.

Mr. CLAPP. Mr. President, I think the important thing here is to guard against the improper use of money. The last remark of the Senator brings me back to my first understanding of his question. If a man makes a contribution to a national campaign committee, the law requires that contribution to be reported. If there is such a condition existing between the contributor and the committee that the committee does not report it, I think the contributor ought to be held responsible for it. I do not think the contributor will have any trouble in contributing to a national committee where it is done in good faith.

It has been difficult to frame this bill. There are exemptions here that it would seem we might have avoided; and yet of course everyone understands what is necessary to get bills reported. I think if the bill is weak anywhere, if it fails to accomplish a meritorious purpose, it will be in failure to prevent rather than in limitation upon the honest exercise of the rights that are exempted.

I have no objection to a modification in this respect, if the Senator from Iowa can frame it in a manner that will be more satisfactory. I have no pride of language in this bill.

Mr. VARDAMAN. Mr. President, I would suggest to the Senator from Minnesota that that defect might be cured by inserting, after the word "committee," in line 20, the words "which shall be properly reported by the committee."

Mr. CLAPP. Will the Senator repeat his suggestion?

Mr. VARDAMAN. I suggest that it be made to read, "or campaign funds raised for and sent to a national committee, and which shall be properly reported as required by law."

Mr. CLAPP. I have no objection to that language.

Mr. WILLIAMS. Mr. President, of course the language just suggested does not change the meaning in any degree. What the Senator from Iowa is aiming at is that a person who had contributed funds and sent them to a national committee, thinking himself protected by this exemption, might subsequently find that he was penalized because of the failure of the committee to report, accidentally or on purpose. What the Senator from Iowa really wants is about this:

Sent to a national committee required by law to report.

Then he wants to add at the end of that:

But the members of such committee shall be responsible and penalized if the contribution be not reported as required by law.

Mr. CUMMINS. Certainly. I should like to see those punished who are guilty of the offense, and I should like to see those who are not guilty have some immunity.

Mr. CLAPP. Mr. President, the writing which I have been handed by the Senator is a little difficult to read. I should appreciate it if the Senator would state, on behalf of the committee, the proposed amendment.

Mr. WILLIAMS. I will state it if the Secretary will take it down.

After the word "committee," in line 20, strike out the balance of the language in lines 20 and 21 and substitute the following:

Required by law to report.

Then insert a comma and add the following language:

But the members of the committee shall be responsible and penalized as hereinafter provided if the contribution be not reported as required by law.

Mr. CLAPP. I offer that amendment, Mr. President.

Mr. BACON. Mr. President, I confess that I am not favorably disposed toward the enactment of criminal laws subjecting men to imprisonment in the penitentiary for transgressions which are not in themselves criminal. I think we are going, not only in this instance, but in many others, too far in the enactment of criminal laws, and subjecting men either to imprisonment or to the annoyance and expense and mortification of having to defend themselves on the criminal side of the court on account of charges which in themselves carry no moral turpitude. I am not in favor of surrounding all of our people with a perfect network of criminal law to such an extent that men in the ordinary avocations of life and the pursuit of their ordinary business affairs can not put out hand or foot in either direction without being in danger of being caught in the meshes of the criminal law.

It is difficult to know exactly what is in this bill, because of the great number of amendments which have been proposed and accepted and adopted, which have not been put into print. As I understand the general purpose of the bill, however, it is to make those who are engaged in the transmission of money in one way or another criminally liable if they transmit money which is intended to be used in furthering the nomination or the election of various officers who are named in the bill, from the President of the United States down.

That, of course, is an object designed to further the general purpose of securing pure elections in this country. All of us want pure elections. I certainly want them myself. I favored the legislation, in furtherance of that purpose, requiring publicity on the part of those who are themselves candidates, not only as to money expended by them but as to money received by them. I have favored the provisions of law which have been proposed and enacted which limit the amount of contributions and the amount of money which may be expended. I favor the general purpose of this legislation; but I think we are going too far when we propose to invade the ordinary business world, and subject to the danger of having to undergo trial, if not actual punishment, men engaged in the ordinary business avocation of transmitting money in one way or another, either by check or draft, through express companies or otherwise, who themselves have no connection with these elections and possibly no interest in the candidates.

Am I correct in all that?

Mr. CLAPP. Will the Senator repeat his inquiry?

Mr. BACON. It is a pretty long one. I do not know that I could repeat it without almost rehearsing what I have already said.

Mr. CLAPP. The inquiry is——

Mr. BACON. I will state it somewhat more briefly than I did before. As I understand the purpose of the bill, it is to subject to criminal prosecution men who are engaged in the transmission of money which is designed to further the candidacy of any man in a nomination or in an election of the various officers specified in the bill.

Mr. CLAPP. Except under certain conditions.

Mr. BACON. I am speaking of it generally, without the exceptions. That is the general purpose; then there are certain exceptions made.

Mr. CLAPP. The object of the bill is to prevent money from money centers being sent into States to influence the election of Congressmen and Senators and presidential electors in those States. I could not put it as well as the Senator from Mississippi put it when he said it was to prevent the mobilization of money where there is a crucial campaign.

I do not think the Senator from Georgia was here the other day when it was stated that every special election between now and the next general election will be of unusual interest and unusual temptation by reason of the benefit that the result may be supposed to bring to the party that can carry the particular district involved. That was one reason for the more immediate pressure of this bill.

The bill exempts the payment of bills incurred by a National or State campaign committee in the fitting out and maintenance of speaking campaigns by a candidate for the office of President or Vice President where a train is fitted out and maintained by the National or State committee. It exempts the actual expenses of speakers sent out by a National or State committee. It exempts the expenses of literature distributed by a national committee. Of course the broad purpose is, where capital is gathered and mobilized, to prevent its being sent and used in crucial, critical districts. The bill goes further than that and seeks to prevent also the sending of money even to influence or secure the nomination of candidates for office.

Of course I realize, as the committee realizes, that this is going into a broad domain; but conditions exist which I do not need to rehearse. I think every Senator knows the conditions that have existed in the past. It does seem as though a State where there are no great capitalists, where there is no great

concentration of wealth, should not be deluged and debauched from any common center of wealth in the political activities of the country.

I share somewhat with the Senator the disinclination to be constantly invading the domain of the citizen, but I believe we have reached a point in this matter where it is justified.

Mr. BACON. I am waiting for the Senator to finish.

Mr. CLAPP. I have finished, unless the Senator has some other question.

Mr. BACON. I was not asking the Senator a question. I had the floor in my own right.

Mr. CLAPP. I understood the Senator to ask me a question.

Mr. BACON. Oh, no. In the course of my presentation of the matter I asked whether I was right, if that was what the Senator meant. He asked me to repeat my question, and I have repeated it, and he has answered it.

Mr. CLAPP. I beg the Senator's pardon. I certainly thought the Senator asked me a question as to what was intended.

Mr. BACON. The Senator thought I had interrupted him?

Mr. CLAPP. Oh, no; the Senator from Minnesota was sitting here in conference with another Senator. The Senator from Georgia was speaking. He put his language in the form of a question, and he looked directly at the Senator from Minnesota

Mr. BACON. I have repeated it and the Senator has answered it.

Mr. CLAPP. Then I was justified in answering the question?

Mr. BACON. Certainly. I merely wished to know if the Senator was through. I did not wish to interrupt him until he was through.

Mr. CLAPP. Yes; the Senator is through unless there is some further question to be asked.

Mr. BACON. We have now on the statute books, if I recollect correctly, laws which prohibit the contribution by corporations to these elections. I fully sympathize with the purpose of the bill. I certainly desire in every proper way to prevent the electorate from being debauched. I sympathize in every proper way with the preventing of sending a flood of money from any money center or elsewhere to any particular community for the purpose of influencing and controlling an election. Therefore I have favored, as I said, the legislation which we have had along this line, which requires a candidate to make a full exhibit as to how much money he has spent in a campaign and which limits the amount of money which he shall use in a campaign. If I recollect correctly, the legislation which we have had recognizes the right of a candidate to receive contributions, provided those contributions do not swell his expenditures beyond the limitation which the law has placed upon them.

Yet according to his bill, if I read it correctly, if any man sends to a candidate money to aid him in his campaign, the person through whom he sends it will be liable to criminal prosecution and liable to be put in the penitentiary. It seems to me that there is a gross inconsistency in that, and not only a gross inconsistency but a gross injustice.

Mr. President, it is not safe because an evil exists to endeavor to correct that evil by something which may be a greater evil.

Mr. CLAPP. Will the Senator permit an interruption?

Mr. BACON. I will.

Mr. CLAPP. Is there any inherent evil in prohibiting a man from receiving money other than that which is authorized by law and which is to be accounted for?

Mr. BACON. That is not this bill.

Mr. CLAPP. That is this bill exactly. It is hard enough to meet this situation under any frame of law. If the Senator will pardon me, we have our committees. This proposed law recognizes the committees. It recognizes the right of a committee to collect contributions and to use those contributions, but it does seek to prevent the subterranean transfer of money from one section to another, and under the guise of contributions——

Mr. STERLING. Mr. President——

Mr. BACON. I hope the Senator will permit me to go on. I will not occupy very much time.

Mr. STERLING. Very well.

Mr. BACON. I should join the Senator in any legislation which he proposes which will operate upon the candidate to prevent his making an undue use of money in elections. If it is deemed proper to do so, I am willing to go further and join in legislation which shall reach the party who is making the contribution and make it unlawful for a contribution, if you wish, just as we have made it unlawful for corporations to contribute. But the thing that I have in mind is a provision which does not reach either the contributor or the party who is to be benefited, but is seeking to lay the hand of the criminal law upon an innocent man. I say innocent. You say he must be knowingly guilty, but still, however clear the provision might be, he would be liable when innocent to prosecution, although he might escape conviction. You take a man who has nothing to do with a campaign, who is neither a contributor nor a recipient, but simply the man through whom it is transmitted, and you are making him by this bill the object of the vengeance of the law.

I say, Mr. President, however worthy the purpose may be and however pronounced an evil may be, it is a mistake, in my opinion, to attempt to correct that evil by the enactment of a law which itself may be a greater evil in its effect.

I do not think that the business men of this country engaged in the ordinary avocation of transmitting money from one place to another should be the men who should be subjected to criminal processes of law for the purpose of correcting this evil.

There is one thing certain. It is just as easy to reach the man who makes the contribution as it is to reach the man who carries the contribution, and it is very much better to correct this evil by reaching the man who makes the contribution and say he shall not make it than it is to reach the man who is simply engaged in the transmission of it. The man who is transmitting it is engaged in a regular business in which he is transmitting a great many other things which are not prohibited, and you are putting upon him a burden which it is improper to lay, it seems to me, upon the men engaged in a legitimate business in requiring them to scrutinize every package of money that is transmitted through them or any draft that is bought for the purpose of being transmitted, because while it may be true that upon the trial that man could prove he did not know for what purpose it was designed, yet he is subjected to the annoyance of a trial and the danger of a trial. Sometimes innocent men are convicted. At last it depends upon the judgment of other men.

I am very frank to say while I would go as far as the Senator in my desire to secure pure elections in this country, and I will go as far as he will or as may be deemed proper in the exercise of the judgment of the Senate or of Congress in reaching both the contributor of money and the recipient of money, unless I very much change my mind I am not going to be a party to legislation which will put a man engaged in the ordinary business of banking or in the ordinary business of transmitting money by one agency or another in the position of being subject to prosecution and possible confinement in a penitentiary because of a contribution made by one which we do not approve and a contribution received by another which we do not approve, he being the innocent intermediary through which the contribution has been transmitted.

Unless I change my mind very much, even at the risk of being thought to be unfriendly to the purpose of this legislation, I can not support this bill. I repeat that I am not unfriendly to the purpose of the legislation. I joined in the legislation which made it unlawful for corporations to make these contributions. I joined in the legislation which limited the amount which any candidate could receive and could expend. I will go further and join in other legislation to make it equally illegal, if we can constitutionally do so—I have not looked into that—for a person to contribute. Then let us punish the men who violate that law. I am in favor of the law of publicity, which requires a man to publish not only every dollar which he has received but the name of every person from whom he has received a dollar, and the amount he has received. That is proper legislation. If that is carried out, we will have the means of remedying the evil which the Senator deprecates and which he proposes to remedy by this drastic bill.

I repeat, I am not in favor of extending the criminal law of this country so that men engaged in the ordinary avocations of life, in their ordinary legitimate business, will not know how to reach a hand to the right or to the left without danger of its being stuck into the meshes of the criminal law. I am very much averse to criminal law being applied to anything that has not moral turpitude in it. Sometimes it is necessary to protect our revenue, and otherwise, that it should be done. Sometimes it is necessary in order to protect people from frauds which others not engaged in legitimate business criminally adopt for the purpose of carrying out nefarious purposes. Unless it is necessary, I think it is unwise that the criminal law should be extended to matters which in themselves have no moral turpitude. There is nothing in this which would indicate moral turpitude.

I repeat, Mr. President, it is not a sufficient answer to say that no man shall be convicted unless he has knowingly violated this proposed law. It is not sufficient to say that for the reason while a man may be acquitted he is not protected from annoyance and humiliation, to say nothing of the danger of

being convicted, when he himself may be a perfectly innocent man engaged only in the ordinary avocations of life.

Mr. CLAPP. Mr. President, whatever attitude the Senator from Georgia [Mr. BACON] takes with reference to this bill, no man who knows him will impugn his motive. He is thoroughly alive to these evils, even though he may find it according to his convictions to vote against the bill.

I think in every law that we pass prohibiting the transmission of obscene matter and dangerous articles by express we provide that the carrier, if he knows he is transmitting such articles, is equally guilty. The carrier does not, under this bill, have to examine the package that he is carrying. He does not have to examine the source of the draft which may be sent. Presumably, what he does is legal and proper, but like the case of obscene literature transmitted by express, like the case of dangerous articles transmitted by carriers, if the carrier knows that he is transmitting obscene literature, if he knows that he is transmitting dangerous articles, I do not think there is a law on our statute books seeking to regulate and prohibit the transmission of such articles that does not include the carrier in the offense, if the carrier knows that he is a party to the violation of the law.

Mr. BACON. Will the Senator certainly would not cite as a parallel case the attempt of the lawmaking power to preserve the morals of the country in the prohibition of the transmission of obscene, vulgar, and equally filthy productions of any kind. The Senator would not consider that a parallel case to this?

Mr. CLAPP. No.

Mr. BACON. The men who would be engaged in sending obscene literature have nothing of that line that is legitimate. It is all of it illegitimate; it is all of it unlawful; all of it calls for the strong hand of the law.

Mr. CLAPP. But the literature that may be sent may not be obscene. The man who was engaged in sending the literature may be engaged in doing something a part of which is legal and right and a part of which is wrong.

I do not care to take advantage of this opportunity to speak of the importance of the purity of the electorate or the evils of the corruption and debauchery of the electorate, but I do not know of anything that in the long history of this Republic means more to the weal or woe of this Republic than the honesty of political activities. I think the man who will send money to debauch an electorate is no better than a man who sends out obscene literature. The man who is carrying money, whether through a banking process or by express, is doing just what the man who is carrying literature is doing. He may carry literature that is good or he may unknowingly carry literature that is bad. He may carry money that is good or he may unknowingly carry money the purpose of which is bad. It is only when it can be shown that he knows he is voluntarily a party that he is to be punished. Underlying all this proposition is the broad question of our right and duty to prevent the sending of money from money centers into other States to be used for these purposes. Owing to the fact that the carrier is an incident to this situation, we can do no less than make him liable if he is knowingly a party to what is recognized as the proper subject of prohibition by law.

Mr. BACON. Will the Senator permit me to make a suggestion?

Mr. CLAPP. Certainly.

Mr. BACON. Of course, in order to convict the carrier, there would have to be an illegal sending, because unless the thing was illegally sent there would be no crime. In order to show that you would have to show who was the sender. You could not convict a carrier unless you could ascertain both the person who sent it and the person to whom it was sent.

Now, they are the people to reach; and if you can reach the carrier, you can reach them. Make it unlawful for the man to send it, if you wish, and then the man sends the money at his own risk. Make the man who receives it the perpetrator of the crime, if he does take it. There you have two men whom you can inspect. Why do you go to the carrier when you can reach both the others?

Mr. CLAPP. For several reasons, which I will explain in a moment. But in the case of obscene literature we have the man who sends it, and we have the man who receives it for the purpose of distribution, and still we include the carrier who knowingly is a party to the distribution of the obscene literature. This is still more difficult. If this carrier is not included, a man may take money in person and carry it to the State where it is to be used. No one in that case has sent it; he has simply put in his pocket his own money, we will snppose. In order to reach that sinister purpose, in order to reach that condition, if we do anything with this matter, we have to do just what we do with the ordinary carrier whom we prohibit, namely, make the party who carries it and who knows he is a party to it respond equally with the others.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. CLAPP. With pleasure.

Mr. CUMMINS. I do not rise to ask anything with regard to the point now under discussion, but I do want an expression from the Senator from Minnesota upon another phase of the bill. It goes without saying that we are all in favor of preventing the improper use of money for political purposes. I hardly need assert that. But there is danger sometimes in the effort to reach an acknowledged evil of presenting a law which will intensify a wrong rather than correct it.

I put now to the Senator from Minnesota a question. He will observe that the question involves a great problem of government. Suppose Samuel Gompers, as president of the American Federation of Labor, were to send money into the State of New Jersey in order to assist in the election or nomination of a candidate for Congress in that State, the money to be expended, of course, in a legitimate way for speakers or for literature. Would he become a criminal under the terms of this act?

Mr. CLAPP. If the Standard Oil Co.——

Mr. CUMMINS. I did not ask about the Standard Oil Co.

Mr. CLAPP. If the Standard Oil Co. sent money into New Jersey to be used for campaign purposes, they would be guilty under this statute.

Mr. CUMMINS. I took the case of the president of the Federation of Labor. I am asking about things that have been done.

Mr. CLAPP. Exactly; and I am illustrating it with illustrations that have occurred.

Mr. CUMMINS. But the Senator from Minnesota does not answer my question. Does he understand that under those circumstances the officers of the Federation of Labor would become liable to the penal provisions of this act?

Mr. CLAPP. I will answer that very promptly, very candidly, and, I think, very definitely. If this bill becomes a law, any person, firm, copartnership, or corporation that sends money into the State of New Jersey to influence the nomination of a Member of Congress or the election of a Representative or a Senator, or the election of a President or Vice President or of their electors, would be guilty.

Mr. CUMMINS. Then, we have, Mr. President, the peculiar situation, that if the money is sent to and is distributed by what is known here as a Republican national committee or a Democratic national committee, or any other political committee, it may be done without offense; but if any other great society, however altruistic in its purpose, attempts to influence the election or nomination of Members of Congress it becomes an offender against the law.

Mr. CLAPP. No, sir; the committee——

Mr. WILLIAMS. Representing a special interest——

Mr. CUMMINS. This bill does not say anything about "a special interest." It says any person sending any money or causing any money to be sent from one State to another shall commit the offense if that money is to be used to secure the nomination or election of a President or Vice President, or the electors of either, or a Member of the House of Representatives or of the Senate. The committee, however, having charge of this bill saw very clearly that it must make certain exceptions, and the exceptions were made in behalf of recognized political committees. Moneys may be properly sent to and expended by those committees; but I take it that there are other societies in the country that may properly interest themselves in the public welfare to the extent of taking a part in political campaigns for or against the nomination of Members of Congress.

Mr. WILLIAMS. Mr. President, with the permission of the Senator from Minnesota——

Mr. CLAPP. Certainly.

Mr. WILLIAMS. If the Senator from Iowa will yield——

Mr. CUMMINS. I yield.

Mr. WILLIAMS. The distinction in this bill is perfectly clear. It is the distinction between the receipt of money by a committee required by law to make a report and a committee not so required by law to make a report. This bill does not say "political committee" at all. If a committee of capitalists intending to destroy labor or a committee of laborers intending to destroy capital, not required by law to make a report, shall undertake to mobilize capital and money and to direct it to a particular point for the purpose of accomplishing this object, that falls within the purview of the bill; and it ought to fall within the purview of the bill, for it is subserving a private and class interest at the expense of the general public.

Now, if the Senator will read the provisions of the bill carefully, he will see that the exceptions direct themselves toward committees which are required by law to make a report; and in the amendment which I suggested a moment ago, and which was accepted by the Senator from Minnesota [Mr. CLAPP], that point was maintained.

Mr. CUMMINS. Mr. President, if I may be permitted still further to trespass upon the time of the Senator from Minnesota——

Mr. CLAPP. Certainly.

Mr. CUMMINS. I will say that the view of the Senator from Mississippi as to the subject is a correct view, but that view is not covered by this bill as I read it. Let us get it clearly in our minds. The bill provides:

That hereafter it shall be unlawful for any person, firm, corporation, association, or committee, or any officer or agent of any person, firm, corporation, association, or committee, to send—

I need not read more of that—

to any person, firm, corporation, association, or committee in any other State or Territory of the United States, including the District of Columbia; or from any insular possession of the United States to any person, firm, corporation, association, or committee in any State or Territory of the United States, including the District of Columbia, to be used or expended for and on behalf of the nomination or election of a President or Vice President of the United States, or of any Member of the House of Representatives, or any Member of the United States Senate—

and so forth.

Mr. WILLIAMS. Now, the exception follows it.

Mr. CUMMINS. Just a moment. That is the statement of the prohibitions; that is the declaration of the law, the violation of which makes the person who violates it a criminal. Now, let us see about the exceptions. There are certain exceptions to that, namely:

Provided, That this act shall not apply to the payment of bills incurred by a national or State campaign committee in the fitting out and maintenance of speaking campaigns by a candidate for the office of President or Vice President where a train is fitted out and maintained by the national or State committee; nor shall it include the actual expenses of speakers sent out by a national or State committee, the expenses of literature distributed by a national committee, advertisements marked as such paid for by a national committee, or campaign funds raised for and sent to a national committee properly reported as required by law.

I make no point as to the latter, because while I have not examined it critically I assume that the amendment suggested by the Senator from Mississippi will cover the point I originally made.

Mr. WILLIAMS. Precisely.

Mr. CUMMINS. But what I am now calling to the attention of the Senator from Minnesota [Mr. CLAPP] is this: That the bill makes it impossible for an innocent person to send money under any circumstances to another innocent person in another State to be used in a political way; that is, to be used for the nomination or election of these various candidates. That will make it impossible for an association like the American Federation of Labor to send any money anywhere, no matter how worthy the purpose may be—that is, in the circulation of literature or to pay the expenses of a speaker—if the object is to affect the nomination of a candidate for Congress or the election of a candidate for Congress. It will make it impossible for the National Association of——

Mr. CLAPP. Woman Suffrage.

Mr. CUMMINS. Woman suffrage——

Mr. CLAPP. I will attend to that in a moment.

Mr. CUMMINS. To send any money. I am simply going over the list. At the same time, it would make it impossible for the National Association of Manufacturers to send any money. The Senator from Minnesota can not segregate the selfish interests and prohibit them without at the same time including the altruistic societies and prohibiting them. If he can find any way in which to do it, I would be very glad to assist in it; but I am not prepared to say, so far as I am concerned, that committees are the only persons who can honestly and for the public welfare expend money in the nomination and election of Members of Congress.

Mr. CLAPP. Mr. President, if the Senator will pardon me, it seems to me there is a complete misunderstanding of this provision.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Colorado?

Mr. CLAPP. I should like to finish my statement.

Mr. THOMAS. What I had to say had reference to the inquiry of the Senator from Iowa.

Mr. CLAPP. Of course, we can not in this bill name the American National Manufacturers' Association—I think that is what the association referred to by the Senator from Iowa is called—we can not name any particular organizations. The purpose of the bill is to bring political activities as much into the light as they can be brought. The law already recognizes committees, National and State, and any association of American citizens, no matter what their purpose may be, if they desire to take part in the election of Representatives, Senators, the President, and presidential electors may organize their committees. They will then be required to make public their contributions and their disbursements. The same opportunity is offered to the most highly altruistic as to the most partisan political organization. All they have to do is to avail themselves of the law of this country, organize their committees, call them political committees, and then come within the requirements of the law as to publicity.

I am most heartily in favor of woman suffrage, but yet if money is to be sent into a State to influence the election of Representatives or Senators by those who are interested in woman suffrage, if the sentiment back of woman suffrage is to be a political force taking part in political activities in the propaganda preceding the final securing of woman suffrage, then that propaganda ought to be an open, organized propaganda, submitting to the laws requiring reports of receipts and expenditures the same as any other political propaganda.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. CLAPP. Certainly.

Mr. CUMMINS. Is it true that any of these societies could bring themselves into the existing law with regard to reports by simply filing reports? I may be wrong about it, but I did not know that such an organization as the American Federation of Labor, for instance, could bring itself within the statute requiring reports of campaign expenditures and contributions. If that be so, very much of my objection disappears.

Mr. CLAPP. I will answer the Senator very readily. Under the laws of the United States the American Protective Association can meet, call itself a political body, organize its committees, and by making its reports as required of political organizations can come within the exceptions of this bill.

Mr. WILLIAMS. If the Senator will pardon me, they need not even go that far; they need not call themselves "political" at all. All they have to do is to organize a national or a State committee.

Mr. CLAPP. It might be necessary to adopt some name.

Mr. WILLIAMS. They may call it a campaign committee, whether they are responsible to a political party or not. They may enter as a State or national campaign committee opposed to all political parties.

Mr. CLAPP. The fact remains that under this bill any body of American citizenship, whatever their purpose, can avail themselves of the exemptions of this bill by organizing their national and State committees and making public their contributions and expenditures.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Colorado?

Mr. CLAPP. I do.

Mr. THOMAS. The Senator from Iowa [Mr. CUMMINS] asked a question a few moments ago, and the Senator from Minnesota [Mr. CLAPP] answered it by referring to the Standard Oil Co., which was for purposes of illustration; but the question and the answer suggested to my mind what may be a serious objection to this measure, to which I wish to call the attention of the Senator from Minnesota. Such great institutions as the Standard Oil Co. have their headquarters and their business in every State of the Union and every Territory in the Union. As a consequence, if they desire to take part in political campaigns, it is not necessary for them to transmit money from one State to another at all. The money is there. All that is necessary under those circumstances is to dispose of the money as may be desired, whereas in the case of organizations and institutions less widespread in character the prohibition against the transmission of any money is effective; in consequence of which, it seems to me that the bill gives a tremendous advantage to the huge concerns which the bill is aimed to restrict as against a class whose activities do not so much need to be so restricted.

Mr. CLAPP. If the Senator will pardon me a moment, if this bill becomes a law and the Standard Oil Co. through its agencies directs the payment of money in Iowa for political purposes prohibited by this act, and that fact can be established, there can be no question that they would be punishable under the law.

Mr. THOMAS. If this proposed statute goes as far as that, the Senator may be correct——

Mr. CLAPP. Of course, they are prohibited from making any contributions at all.

Mr. THOMAS. But I do not so read it. For instance, the Standard Oil Co. at present consists of perhaps a score or more of corporations.

Mr. CUMMINS. How many?

Mr. THOMAS. Quite a number—a score or more.

Mr. CUMMINS. Thirty-four. The original Standard Oil Co. was divided into 34 corporations.

Mr. THOMAS. These corporations are located and have their domiciles in a great many States in the Union. I do not understand that this bill would reach, for example, a contribution in the State of Indiana by the Indiana Standard Oil Co.

Mr. CLAPP. No; but the law against corporations making contributions would reach them.

Mr. THOMAS. That is another law.

Mr. CLAPP. That is another law, and it is another case from this. This law does not seek to reach that at all.

Mr. THOMAS. I do not see how this bill can reach that situation; and if we have such a law, why the necessity of this?

Mr. CLAPP. The necessity for this is to prevent their sending money from one State into another.

Mr. BURTON. Mr. President, is this not quite different? The statute of 1907 makes it unlawful for "any national bank or any corporation organized by authority of any law of Congress to make a money contribution in connection with any election to any political office." It provides that "it shall also be unlawful for any corporation whatever to make a money contribution in connection with any election at which presidential and vice presidential electors or a Representative in Congress is to be voted for, or any election by any State legislature of a United States Senator."

The object of the pending bill is to prevent the sending of contributions by an individual from one State into another. Is not that the case?

Mr. CLAPP. That is the primary object. Of course to-day a corporation can not openly make a contribution, but a corporation in one State might in a subterranean way send money to another State. Nobody claims that this law is a cure-all. It is an effort to reach the sinister, subterranean transmission and deluging of districts and States with money from centers where they have it in abundance.

Mr. BURTON. Is it not true that the words "corporation" and "association" are used here out of abundant caution, to repeat the existing law?

Mr. CLAPP. Why, of course.

Mr. BURTON. What the bill really includes for the first time is a person, a firm, and, perhaps, a committee. The corporations were forbidden to contribute before.

Mr. CLAPP. They were forbidden to make any contribution.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Minnesota [Mr. CLAPP].

Mr. BURTON. What is that amendment? As I understand, it is on page 2.

Mr. CLAPP. Let the Secretary report it.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 2, at the end of section 1, lines 20 and 21, it is proposed to strike out the words "properly reported as required by law" and in lieu thereof to insert:

Required by law to report, but the members of the committee shall be responsible and penalized as hereinafter provided if the contribution be not reported as required by law.

Mr. BURTON. I am inclined to think the second provision is rather severe. A political committee is oftentimes made up of a very considerable number of persons, only a few of whom have to do with the disbursement or receipt of money. Two of the statutes already passed on that subject—that of June 25, 1910, and that of August 19, 1911—require that there shall be a treasurer, and that all contributions shall be reported to him; and he is the one made responsible for making these statements.

Mr. CLAPP. If the Senator will pardon me, I think the Senator's position is correct. At least, the previous language would make any member of the committee liable who knowingly did it and I think would free the matter from complications.

Mr. BURTON. It seems to me "required by law to report" covers the case sufficiently. There might be a member entirely innocent of any wrongdoing who did not know of these contributions and who would be penalized by the language suggested by the Senator from Mississippi.

Mr. WILLIAMS. The object of the amendment was to make the members of these committees keep track of what was being done and to punish them if they did not. We have a good deal of this careless director business and a good deal of other things of that sort in the country. If you undertake to punish merely the secretary or the treasurer, I believe the Senator said, you do what has been done too much all the time.

A number of men are appointed members of a campaign committee, which is a branch subcommittee of a national committee. They surrender the entire management to one man, and he reports, or does not report, as recently happened in the great Empire State of this country. Everybody else claims ignorance of what has happened, as the directors of a bank claim ignorance of the fact that the bank has been violating the law. I think they all ought to be punished—the directors in one case and the members of the committee in the other—because they do not attend to their work.

Mr. BACON. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Georgia?

Mr. WILLIAMS. Certainly.

Mr. BACON. I simply wish to ask the Senator from Minnesota [Mr. CLAPP] and also the Senator from Mississippi [Mr. WILLIAMS], who are interested in this bill on behalf of the committee, if they are not willing to lay it aside now in order that we may have a short executive session? It is nearly 6 o'clock.

Mr. WILLIAMS. I think it would be better to finish the bill, if we can.

Mr. CLAPP. We are through with all the amendments. It will not take five minutes.

Mr. WILLIAMS. It will not take long.

The repetition of the latter part of that language, "as required by law," I think does not cut much figure. It was repeated for the sake of greater clearness of expression and lucidity of thought. The object of the amendment was to keep an innocent party who had sent money on to a committee which had not made a report as provided by law from being punished and to punish the committee.

I wish to call the attention of the Senator from Ohio [Mr. BURTON] to this matter of common knowledge and common sense: He knows as well as I do that if the members of this committee knew they were going to be punished unless these reports were made, they would see to it that the man who was put in the position of making the report was a man upon whom they could rely to make the report. He would be that sort of a man. There would be no practical difficulty about it at all. He would never dare to fail to make a report of a contribution, partially because he himself would be punished—and, with the divergence of punishment meted out to offenders, he would be chiefly punished—and partially because of the fact that the other men upon the committee would be bound up with him, would be in precisely the same boat, and the very first instructions they would give to him would be that under all circumstances, always, every contribution must be reported.

Mr. MARTIN of Virginia. Mr. President, I will say to the Senator from Minnesota that I hardly think it is a proper thing for us to go on and dispose of an important bill like this, which seems to be the subject of a great deal of doubt in the mind of every Senator, with only a dozen Senators on the floor; and I hope he will realize that it is necessary to lay it aside. For one, I am not willing to see the bill passed with only a dozen Senators present. I think it is an exceedingly questionable bill. I am not satisfied with its provisions, and I am not prepared to vote for it. It seems to me to be very crude and very difficult of comprehension. I for one am not willing to see it enacted into law with only a dozen Senators on the floor.

Mr. CLAPP. The Senator can defeat it, of course.

Mr. MARTIN of Virginia. I do not care to suggest the absence of a quorum, but I thought the Senator would realize the wisdom of laying the bill aside at this time.

Mr. CLAPP. No, sir; I am not willing to lay the bill aside. We commenced its consideration at 2 o'clock. If the bill had been considered continuously, we could have finished it in two or three hours. It was laid aside by reason of a discussion with reference to the action and doings of the Committee on Banking and Currency. We have now completed the bill except for one simple amendment. I can not, in justice——

Mr. BACON. I wish to ask the Senator from Minnesota, with all the amendments which have been made to the bill, if he does not think it ought to be printed, so that we can see what it is before we vote upon it?

Mr. CLAPP. No, sir. Every amendment has been simply to strengthen and make plainer the purpose of the bill. The bill was thoroughly considered in the committee by some of the strongest Senators here, and every amendment but one or two is printed, and they are merely verbal changes. The Senator must either let the bill pass or he must defeat it.

Mr. MARTIN of Virginia. I move that the Senate proceed to the consideration of executive business.

Mr. CLAPP. I suggest the absence of a quorum.

Mr. MARTIN of Virginia. It was to avoid that that I made the suggestion that it would be well to lay the bill aside until it could be taken up when more Senators were on the floor. I do not think two or three Senators ought to legislate for the whole United States.

Mr. SMITH of Georgia. I make the point of order that the call for a quorum ends debate.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Chamberlain	Norris	Sterling
Bankhead	Clapp	Page	Thomas
Bradley	Cummins	Poindexter	Vardaman
Brady	Lane	Sheppard	Williams
Bryan	Martin, Va.	Smith, Ariz.	
Burton	Martine, N. J.	Smith, Md.	

The VICE PRESIDENT. Twenty-two Senators have answered to the roll call—not a quorum.

Mr. CLAPP. I ask that the names of the absentees be called.

Mr. MARTIN of Virginia. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 55 minutes p. m.) the Senate adjourned until Thursday, October 16, 1913, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *October 13, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God of hosts, Father of all souls, we bless Thee, that the holy of holies is always accessible to Thy children, that all who will may enter in and drink freely from the fountain of life, be exalted, ennobled, purified. Impart unto us grace sufficient unto our needs, that we may live to the full measure of Christian manhood this day. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of Saturday, October 11, 1913, was read and approved.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages, in writing, from the President of the United States were communicated to the House of Representatives by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On September 30, 1913:

H. R. 8364. An act to authorize the President to provide a method for opening lands restored from reservation or withdrawal, and for other purposes.

On October 3, 1913:

H. R. 3321. An act to reduce tariff duties and to provide revenue for the Government, and for other purposes;

H. R. 7377. An act extending to the port of Perth Amboy, N. J., the privileges of section 7 of the act approved June 10, 1880, governing immediate transportation of dutiable merchandise without appraisement;

S. 99. An act to fix the times and places of holding district court for the district of Arizona;

S. 2254. An act to amend chapter 1, section 18, of the Judicial Code; and

S. 2727. An act to create an additional land district in the State of Nevada.

On October 6, 1913:

H. R. 1681. An act to extend the time for constructing a bridge across the Red Lake River in township 153 north, range 40 west, in Red Lake County, Minn.;

H. R. 1985. An act to authorize the county of Aitkin, Minn., to construct a bridge across the Mississippi River in Aitkin County, Minn.;

H. R. 6378. An act to authorize Robert W. Buskirk, of Matewan, W. Va., to bridge the Tug Fork of the Big Sandy River at Matewan, Mingo County, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky;

H. R. 6582. An act to authorize the city of Fairmont to construct and operate a bridge across the Monongahela River at or near the city of Fairmont, in the State of West Virginia;

H. R. 6635. An act to authorize the county of Hamilton, in the State of Tennessee, to construct a bridge across the Tennessee River at Chattanooga, in the State of Tennessee;

H. R. 7469. An act to authorize the construction, maintenance, and operation of a bridge across the Little River at or near Lepanto, Ark.;

H. R. 7470. An act to authorize the construction, maintenance, and operation of a bridge across Black River at or near the section line between sections 8 and 9, in township 20 north, range 5 east, being a short distance south and east of the town of Corning, Clay County, Ark.;

H. R. 7472. An act authorizing Beaufort and St. Helena Townships, Beaufort County, S. C., to construct, maintain, and operate a bridge and approaches thereto across Beaufort River in Beaufort County, S. C.;

H. R. 7596. An act to increase the limit of cost of the United States post-office building at Beloit, Kans.; and

H. R. 7875. An act to increase the limit of cost of the public building at Augusta, Ga.

On October 7, 1913:

H. R. 5891. An act authorizing the construction of a bridge across White River at Newport, Ark.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7898) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes.

The message also announced that the Senate had agreed to the amendments of the Senate Nos. 8 and 107 to the bill (H. R. 7898) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes, and recedes from its amendments Nos. 10, 11, 27, 28, 29, 30, 31, 32, 33, 82, 93, and 97.

QUESTION OF PERSONAL PRIVILEGE.

Mr. HOBSON. Mr. Speaker——

The SPEAKER. The gentleman from Alabama [Mr. HOBSON] is recognized.

Mr. HOBSON. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. HOBSON. Mr. Speaker, in the RECORD of October 10 appears the following. I was not present at the time, being absent in Alabama conducting my senatorial campaign.

Mr. MANN. On what page is it?

Mr. HOBSON. It is on page 6150 of the RECORD. I quote the following:

Mr. DONOVAN. Mr. Speaker, in order to remove the charge I made it deserves an explanation or an apology. I had in my mind, gentlemen, our leaders who have been absent from here for more than four months. I had in mind the gentleman from Alabama, whose last appearance here was on the 7th of May, 1913, when he talked upon the subject of economic conditions in the South, and especially in Alabama. Now, that great leader is responsible for the absenteeism, because when men of his type leave this House the new Member, or as Member of a shorter term of service than he, will leave. When that great naval constructor, so to speak, who thinks he is fit to be President of these United States, has taken himself away from his duties in this House, when we have sent out an order by the way of the Sergeant at Arms—

In order to understand that, I will read from the previous column Mr. DONOVAN'S remarks that were interrupted, as follows:

Mr. DONOVAN. Mr. Speaker, having only three minutes, I prefer not to be interrupted. We are saying a great deal here about the employees. There ought to be a word said about ourselves. I had stated the other day that our leaders, so to speak, were in fault as to the conditions here on account of absenteeism.

And then again on page 6174, in the RECORD of the same date, is found the following:

Mr. DONOVAN. Mr. Speaker, I read from an editorial in the Bridgeport (Conn.) Farmer of September 20 the following:

"When a Congressman runs away from his work and is consistently and frequently absent from the scene of his duties, he defrauds the people of that which he agreed to give them. He does wrong."

Then, again, a little farther down in the same column, he proceeds:

Some few days ago I called attention to the fact that some of the leaders had practically abandoned their duties here and left the management of the business of the House to new men. A great currency measure was up for action, and at the same time a great tariff bill, that had taken months to construct, had come into the House with the Senate disagreeing.

And then farther down in the same column is the following:

A most noticeable absentee was one who is considered by himself to be presidential timber.

I do not suppose the record of the Clerk can notice the laughter of the reader to inject there.

A most noticeable absentee was one who is considered by himself to be presidential timber, and who is, perhaps, one of the most able ones amongst us. He has been seen here once or twice since about May 7. Now, when this great mind from Alabama absented himself from his duties and left the affairs of the Nation to new Members,

how can it be expected that some of the new Members will not feel that the country will surely run along without them if it can run along without the services of the gentleman who is considered of presidential timber? We were called here by our President on April 7 last; and what an example it was that this naval constructor, who would have a battleship in every man's front yard, remained with us until May 7, when he left us as though the session was over as far as he was concerned? What sort of a condition would we have here if every Member who has been here a lesser number of terms should absent himself in the same way?

Now, there has been a daily absenteeism that averages 250 Members for several weeks past.

Honor should at least dictate that they who can not attend should resign or do their duty as they promised by their oaths. They receive good pay and are honored by being Members of the National House, to say nothing of the prestige it gives a Member to be sent to Congress. It is likewise true that absenteeism is prevalent amongst the older Members of the minority. What a spectacle for one of the great leaders, Mr. GARDNER, of Massachusetts, to take himself away in the middle of July, seeking other honors and another position.

And so forth.

Mr. Speaker, the press dispatches of the next day took up the same matter. I quote from the Birmingham Age-Herald of October 11 briefly. The headlines are:

CONGRESSMAN DONOVAN ATTACKS HOBSON FOR ABSENTEEISM FROM HOUSE—ALABAMA CONGRESSMAN ALLUDED TO AS THE "GREAT NAVAL CONSTRUCTOR" WHO HAS BEEN ABSENT FROM POST SINCE MAY 7—MINORITY LEADER MANN DEFENDS MISSING CONGRESSMAN.

[By C. E. Stewart.]

WASHINGTON, *October 10* (special).—An echo of the Senatorial fight in Alabama was heard in the House to-day when Representative DONOVAN, of Connecticut, vigorously attacked RICHMOND PEARSON HOBSON for absenteeism.

Mr. DONOVAN did not refer to Mr. HOBSON by name, but alluded to the "gentleman from Alabama, the great naval constructor," who, he said, had been absent from his post since May 7.

Then the item proceeds:

"Any Member of Congress who remains away from his duties is defrauding the people of the United States out of the money they pay him as salary," charged Mr. DONOVAN.

That is quoted from an Alabama paper. Again, on the same day, I quote a local paper to indicate the interpretation of the press in the report that went to the country at large. I quote this from the Washington Post of October 11, under the heading—

CALLS OFF CLAYTON—PRESIDENT'S REQUEST TAKES HIM FROM SENATE RACE—BIG BOOST FOR UNDERWOOD—JUDICIARY CHAIRMAN IS BADLY NEEDED IN THE HOUSE, SAYS WILSON—REGARDING MR. WILSON AS PARTY LEADER, MR. CLAYTON WILL YIELD—HOBSON WOULD THEN BE ONLY OPPONENT OF THE AUTHOR OF THE TARIFF BILL TO SUCCEED THE LATE SENATOR JOHNSTON—DONOVAN ATTACKS HOBSON.

President Wilson yesterday gave a big impetus to the candidacy of Representative OSCAR UNDERWOOD, the Democratic leader, for the United States Senate from Alabama. Through the personal efforts of the President, Representative HENRY D. CLAYTON has decided to withdraw as a candidate for the Senate. This leaves the field to Mr. UNDERWOOD and Representative RICHMOND PEARSON HOBSON, one of whom will probably succeed to the place made vacant by the death of Senator Joseph F. Johnston.

A little farther down in the same paragraph appears this statement from Mr. DONOVAN. I shall not take the time to read the President's letter and other matters that are not relevant to the matter at issue. The caption of this subhead is "'Defrauding the people,' says DONOVAN," and then it proceeds:

An echo of the senatorial fight was heard in the House yesterday. Representative HOBSON was attacked by Representative JEREMIAH DONOVAN, of Connecticut, in the course of a speech denouncing absenteeism. He did not mention Mr. HOBSON'S name, but addressed his remarks to "the gentleman from Alabama, the great naval constructor." Mr. DONOVAN said that Mr. HOBSON had been absent from his duties since May 7.

"Any Member of Congress who remains away from his duties," said Mr. DONOVAN, "is defrauding the people of the United States out of the money they pay to him as salary."

Some Members of the House interpreted Mr. DONOVAN'S remarks as a direct accusation against Mr. HOBSON.

Mr. Speaker, the gentleman mentions that for some weeks the average absenteeism has amounted to 250 Members. Now, I would not have troubled the House if he had simply included me with those.

Mr. MANN. Mr. Speaker, I make the point of order that the gentleman has not stated a question of personal privilege.

Mr. HOBSON. If the gentleman will permit me, I will state it.

Mr. MANN. If the gentleman desires to address the House I think the House is perfectly willing to hear him.

Mr. HOBSON. I will state the question of personal privilege. I was coming to that. It is because my name is used specifically and because of such words as those which I have read and which the gentleman heard, "Defraud the Government" and "Honor should at least dictate that they who can not attend should resign or do their duty," that I rise to a question of personal privilege. Mr. Speaker, those references now directly involve a question of personal privilege, and I desire to address the House thereupon.

Mr. MANN. But, Mr. Speaker, I do not think the gentleman has raised a question of personal privilege. If any gentleman on the floor had used language that was derogatory to the gentleman from Alabama, that language was subject to a point of order at the time, and could have been taken down, and the gentleman even punished by the House for the use of it. But when the House did not do that it is too late to raise a question of personal privilege on it. However, if the gentleman desires to address the House, and if, as is apparent, a certain situation in Alabama is introduced into the House, I submit that if my distinguished friend from Alabama [Mr. HOBSON] addresses the House, the other two candidates for Senator in the House should have an equal opportunity to speak.

Mr. HOBSON. I shall certainly raise no objection.

The SPEAKER. The Chair does not care how many Members address the House, if they can put themselves in a position where they are entitled to address it; and the Chair thinks that the gentleman from Alabama [Mr. HOBSON] has stated a question of personal privilege. The charge is made almost in the language of the rule itself.

Mr. MANN. I was going to suggest——

The SPEAKER. The gentleman will suspend for a moment. The charge goes to the conduct of the gentleman from Alabama [Mr. HOBSON] in his representative capacity, and that is the language of the rule.

Mr. MANN. But, Mr. Speaker——

The SPEAKER. Now, if the Washington Post or any newspaper in the country wanted to attack any Member of this House for things done in his personal capacity rather than his representative capacity, that would not furnish any question of privilege; but the offense charged against the gentleman from Alabama [Mr. HOBSON], both by the gentleman from Connecticut [Mr. DONOVAN] and by these newspapers, is that he is derelict in his duty as a Member of the House and is defrauding the Government out of his salary; and if that does not raise a question of privilege, the Chair can not understand what would raise one.

Mr. MANN. Mr. Speaker, before the Speaker finally rules let us see. The language used by the gentleman from Connecticut, which is the basis of the newspaper article, was that Members who were absent were defrauding the public. Can each one of the Members who has been absent during this session of Congress rise to a question of personal privilege based upon that, and first make a statement as to how long he has been absent and when; and second, argue the question as to whether he has defrauded the public?

The SPEAKER. The Chair would not hold anything of the sort, but——

Mr. MANN. The gentleman from Alabama [Mr. HOBSON] is no different from the other Members.

The SPEAKER. He is in this different situation from the other Members. This matter divides itself into two parts, one what the gentleman from Connecticut [Mr. DONOVAN] said and one what these newspapers said; and while the gentleman from Connecticut did not say "RICHMOND P. HOBSON," or "the gentleman from Alabama, Mr. HOBSON," he described him, so that——

Mr. MANN. I think the gentleman from Alabama could plead not guilty on this description. He is described as a great naval constructor, and certainly the gentleman could plead not guilty on that.

The SPEAKER. The Chair is not certain whether he could plead not guilty on that. If a Member were to get up in this House and not say anything except to call for the naval constructor who is a Member of this House, everybody would know that it was Capt. HOBSON whom he was talking about. Now, we have what the gentleman from Connecticut [Mr. DONOVAN] said, and then these newspapers came out and called him by name. It makes no difference what made them do it. Some of them, no doubt, had malice and some of them simply did it because they wanted to create a sensation; but, anyhow, the papers named Capt. HOBSON by name and charged him with defrauding the Government out of his salary.

Mr. MANN. But the gentleman from Connecticut, as far as he charged anything, based it upon the newspaper report that all absentees——

The SPEAKER. Well, but leave the gentleman from Connecticut [Mr. DONOVAN] entirely out of this question——

Mr. MANN. Can each one of these Members now argue the question here as to whether he is defrauding the public by being absent? That is a matter of argument.

The SPEAKER. Suppose that the Washington Post should charge the gentleman from Illinois [Mr. MANN] with getting money out of the Government on false pretenses, under some pretext?

Mr. MANN. I should consider it beneath me to rise to a question of personal privilege.

The SPEAKER. The gentleman might consider it beneath him, but it is a question that goes to the integrity of the Member.

Mr. MANN. But these charges are made in the House. No quotation has been made here from any newspaper except to state what took place in the House.

The SPEAKER. I know, but the gentleman from Alabama [Mr. HOBSON] has read from two newspapers, one the Washington Post and one the Birmingham Age-Herald. The Birmingham Age-Herald had great headlines stating that the gentleman from Connecticut, Congressman DONOVAN, attacked HOBSON; and then the article went on to state what he attacked him about, defrauding the Government. The Chair does not have any doubt about that being a question of personal privilege, leaving the gentleman from Connecticut [Mr. DONOVAN] and his speech clear out of it.

Mr. MANN. I shall endeavor to confine the gentleman from Alabama purely to the question of personal privilege, unless we reach an agreement as to time, and so forth.

The SPEAKER. The gentleman from Alabama would relieve the situation, as far as the gentleman from Illinois is concerned, if he would ask permission to address the House.

Mr. HOBSON. I will put it in that form, Mr. Speaker, in order to relieve the situation.

Mr. MANN. How much time does the gentleman desire?

Mr. HOBSON. I do not know. I think it will take me 30 or 40 minutes, Mr. Speaker. I ask unanimous consent——

Mr. MANN. Make it an hour.

Mr. HOBSON. Well, a Member rising to a question of personal privilege is allowed an hour, but I ask unanimous consent to address the House for one hour.

Mr. MANN. I couple with that the request that the gentleman from Alabama [Mr. CLAYTON] and the gentleman from Alabama [Mr. UNDERWOOD] have permission to address the House for one hour each.

The SPEAKER. But they have not asked permission of the House. If either one of them should ask permission to address the House, the Chair has no doubt in the world that it would be granted.

Mr. MANN. But I ask unanimous consent.

The SPEAKER. The gentleman from Illinois asks unanimous consent that each of these three gentlemen be permitted to address the House for one hour.

Mr. FITZGERALD. What was the request?

The SPEAKER. That the three gentlemen from Alabama mixed up in this senatorial matter shall each have an hour to address the House.

Mr. DENT. I object to the request of the gentleman from Illinois.

Mr. MANN. They do not have to address the House unless they want to.

Mr. COOPER. Mr. Speaker, I think the gentleman from Illinois will modify his request when he is reminded of the fact that the gentleman from Alabama [Mr. CLAYTON] has formally withdrawn from the senatorial contest.

Mr. MANN. I did not know that; but that being the case, I will modify the request and ask that the gentleman from Alabama [Mr. UNDERWOOD] have an hour in which to address the House if he wishes.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] has not intimated that he wanted to address the House.

Mr. MANN. But he might if we get into the senatorial situation.

The SPEAKER. The gentleman from Alabama [Mr. HOBSON] asks unanimous consent that he may address the House for an hour. The gentleman from Illinois modifies the request of the gentleman from Alabama by including in it one hour for the gentleman from Alabama [Mr. UNDERWOOD] if he wishes to address the House for that length of time, or any time within the hour.

Mr. DENT. I will withdraw my objection.

Mr. DONOVAN rose.

The SPEAKER. For what purpose does the gentleman from Connecticut rise?

Mr. DONOVAN. Reserving the right to object, I would like to have coupled with that leave for me to speak 10 minutes following the distinguished gentleman——.

The SPEAKER. The gentleman from Connecticut [Mr. DONOVAN] couples with that the right to speak 10 minutes after the other gentlemen have got through.

Mr. DONOVAN. Mr. Speaker, I had not completed my request.

The SPEAKER. The gentleman will state it.

Mr. DONOVAN. I desire to have 10 minutes to follow the distinguished gentleman from Alabama, who has seen fit to return to his post.

The SPEAKER. The gentleman from Connecticut [Mr. DONOVAN] couples with that the request that he be permitted to speak 10 minutes after the gentlemen have concluded. Is there objection? [After a pause.] The Chair hears none.

Mr. HOBSON. Mr. Speaker, this question of personal privilege brings up first a question of fact which is very easily settled. The gentleman from Connecticut makes the first statement that I was absent from the House and have been absent continually since May 7. In the next quotation he said that I had been back once or twice. I desire to make the statement that I was here on May 8, 9, and 10, June 23, 24, 25, 26, August 26, 27, 28, September 16, 17, 18, 19, 29, and 30.

I notice that September 30 comes very near to the date of the gentleman's speech, and I may mention to him that I was not only present but I actually made a speech of a whole minute in length barring the part that was taken up by an interruption. The gentleman's remarks included the assumption that I was away during the preparation and passage of the tariff bill and the currency bill. Mr. Speaker, I was here during that time.

Mr. DONOVAN rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. DONOVAN. I do not want the gentleman to injure himself.

The SPEAKER. The Chair wishes the gentleman would speak a little louder.

Mr. DONOVAN. Mr. Speaker, I intended to be courteous——

The SPEAKER. Yes; but the Chair could not hear what the gentleman was saying.

Mr. DONOVAN. I will try and emphasize it. I wish to save the gentleman from injuring himself, if he will permit an interruption.

The SPEAKER. Does the gentleman from Alabama yield to the gentleman from Connecticut?

Mr. HOBSON. Very gladly.

Mr. DONOVAN. The gentleman from Alabama is starting off wrong by saying that I had suggested that he was absent during the tariff bill or the preparation of the tariff bill. There was no such statement.

Mr. HOBSON. I will correct that, for I will say that the tariff bill passed before the 7th of May. The statement in the gentleman's speech was:

Some few days ago I called attention to the fact that some of the leaders had practically abandoned their duties here and left the management of the business of the House to new men. A great currency measure was up for action, and at the same time a great tariff bill that had taken months to construct had come into the House with the Senate disagreeing.

Now, Mr. Speaker, this Congress was called together for the express purpose of the preparation and passage of these two great measures, and by our caucus action and by the action of the House practically all other business, with a few exceptions, has been excluded from the business of this session. I desire to state that I was present continually during the caucus proceedings and the preparation of the tariff bill. I do not mean to say that I was in the caucus personally all the time, but I was here expressly to attend that work and did so attend. I wish also to state, Mr. Speaker, that while I did not remain here for the general debate upon the tariff bill—and all gentlemen realize how few Members, exceedingly few, do so remain, because in general debate the subject is not confined to the bill itself—I came expressly for the purpose of taking part in the consideration of the tariff bill in its second reading under the five-minute rule. I was present through that consideration. I was present when the tariff bill passed.

I wish also to state, Mr. Speaker, that I came expressly for the purpose of taking part in the caucus preparation of the currency bill, and did so take part. I wish to say also that I was here and came expressly for the purpose of taking part in the consideration of the currency bill under the five-minute rule, not coming for the general debate for the reasons stated above. I did take part finally in the consideration and second reading of that bill and voted on the bill.

I wish further to state that I came to Washington expressly for the purpose of hearing the President's special message upon the relations with Mexico. I wish also to state that I came expressly to Washington and was here when the tariff bill came back from the Senate, and I took part in and voted upon the report of the conference committee.

Mr. Speaker, to put it briefly, I find that since May 7 I have voted upon 13 roll calls, and I was paired on all of the roll calls that I missed. I will not add the roll calls in the caucus. I was here, as far as I know, on every important bill except this last deficiency appropriation bill, which is nonpartisan. I wish to say, furthermore, that even upon the routine matters and unimportant roll calls there was not a day when I did not have my position as a Democratic voter with my party protected by a pair.

Mr. Speaker, while I was looking at these matters I thought I would see what the gentleman from Connecticut had been doing. I find that he failed to vote on a roll call on May 9 on the question of no quorum—on the second roll call on May 9. I note that he failed to vote on a roll call on June 27 and on a roll call on July 9. I may remark incidentally that upon those roll calls I find I was present and voted. Perhaps that is the reason the gentleman did not know that I was present. On July 22 he failed to vote, and again on July 22 on a roll call; and on July 23 he failed to vote, and on July 24. I notice this, Mr. Speaker, that in these eight cases where he failed to vote he had no pair and did not protect his party by having such a pair. I do not know that I would have been away from Congress at all—I will not say that, either; but, generally speaking, when important matters are liable to come up—unless I had gotten a pair.

The gentleman referred briefly to the new Members and their inexperience. It just occurs to me that perhaps in charity I might mention this. Perhaps the gentleman's experience has not been sufficient yet for him to find out respecting pairs, or, if he has found out, perhaps he thought, being so inexperienced, it did not matter very much whether a new Member was paired or not.

Mr. Speaker, while I was absent, I think it is due this House that I should tell it, that part of the time I was conducting a senatorial campaign in Alabama and part of the time I was lecturing, and if any gentleman would like to know the fractional part of the time, or anything further about these lectures, I would be glad to tell him; and I would like to say about my lectures generally, that they are like the Speaker's, subject to cancellation, subordinate to public duty. I want to say that during part of my absence I was also in the sixth district of Alabama conducting an expedition of Government experts through my district, the greatest experts in the world on farm sanitation, being the third of a series of expeditions that I have taken through my district when Congress was not in session. This time Congress happened to be in session, and I had to break away before this last expedition was completed to come back to one of the important votes to which I referred. I may mention incidentally, Mr. Speaker, that the first expedition to my district—and it is a rural district—dealt with plant life, and the Government's great experts dealing with plant life applied the principles to soil fertility, to crop rotation, and so forth, and preparation for the coming of the boll weevil.

The second expedition took account of animal life, and the great experts in the Government interpreted the principles of animal life as applied to live stock, cattle, hogs, poultry, the dairy, and the like, and the question of farm management, the financing of animal industry with plant industry, and making farming a real business enterprise, and again took up the question of preparation for the coming of the boll weevil. I may mention incidentally in regard to the boll weevil that my district began preparation for the coming of the boll weevil six years before it arrived. It is perhaps—I do not say absolutely, but it is as far as I know—the only district in the United States that has ever been prepared for the boll weevil or even approximately prepared for the boll weevil before it arrived. Enter Alabama on the Alabama Great Southern Railroad, coming from Meridian, Miss., the railroad strikes the State line in one of my counties—Sumter County. On the Mississippi side of the line it is devastated by the boll weevil and the moment you cross the Alabama line it is blossoming like the rose. I mention that fact to gentlemen who may be interested in such matters. Now, the expedition I helped to conduct this year was devoted to human life.

The first was plant life, the second was animal life, and the third was human life, and, as I said, we had the greatest experts in the world, and this expedition demonstrated how, by the simple precaution of providing for the disposal of human waste—human excreta—we could save 1,200 to 1,500 deaths from typhoid alone in the rural districts of Alabama every year, and we could save thousands and thousands of babies who die in infancy. By simple precautions against the malaria mosquito we can practically eliminate malaria, chills, and fever. This will be of great value to my people. I mention this incidentally, because I want the gentleman from Connecticut, and also my colleagues here, whose opinion I cherish very highly, to realize that even though I am not here answering roll calls on unimportant matters I am not necessarily neglecting my duty or defrauding the Government.

Mr. DONOVAN. Will the gentleman yield?

The SPEAKER. Does the gentleman from Alabama yield to the gentleman from Connecticut?

Mr. HOBSON. Very gladly.

Mr. DONOVAN. The basis of my premise was that the gentleman was such a valuable man I wanted the gentleman among us, and I made my appeal along that line to bring the gentleman back.

Mr. HOBSON. I am delighted to hear it, and I will proceed at once to make my return valuable to the gentleman, and I think it will be something interesting before I get through. Mr. Speaker, I do not care to pursue further the question of the gentleman from Connecticut [Mr. DONOVAN] and his charges, I think, though, that they could be summed up in very simple language. There were the records to verify that I was here. There were the roll calls where I was registered as being here in the transaction of practically all the important business of the House. The gentleman has made specific charges which the facts do not substantiate. His charges are false and there is no excuse that I can see for making them so.

Now, Mr. Speaker, I think the time has come for me to tell my colleagues about this question of so-called absenteeism and the question of my lecturing, and then very briefly about my interpretation of my duty. I concede that each one of us has the right to interpret his own duty for himself. We are not schoolboys. Our duty is not that of answering roll calls. Our duty is not that of routine. Just a few weeks ago—four weeks ago—in Clay County during my campaign a country school was awarding its medals. They honored me by allowing me to pin the gold medals upon the breasts of five little pupils who went the whole winter season—one of them lived 5 miles away—during all the inclemency of the winter weather without missing a single roll call. They far outstripped even the gentleman from Connecticut in his record since the 7th of May in the matter of answering roll calls. I may mention incidentally here that I used to give in the olden days perhaps too much importance to roll calls and the letter rather than the spirit. If I remember correctly, I went through Annapolis four years and, with possibly one exception, I am not clear about it, but I think it was when I had a boil on my neck, I never missed one roll call or one practice exercise or anything else.

And the Government sent me abroad with other colleagues to take postgraduate work. I was three years in Paris with no one to report to, absolutely in the heart of that city without any superior officer. The Government thought well enough to trust me there, and I thought enough of the responsibility to go through with the record, that never once in those three years did I miss a single lecture or a single practical exercise. And I will tell, incidentally, my friend from Connecticut [Mr. DONOVAN] that it was over there that I was studying shipbuilding, marine engineering, and naval architecture. That is where I gathered the timbers for "the great naval constructor." But I do not know where I got the timbers that make me presidential size. I suppose the gentleman will locate those some of these days.

But, Mr. Speaker, as I say, we are not schoolboys. I think it is unfortunate that I practically am driven to tell my colleagues what my simple philosophy in life is. I believe that a man should render a maximum of useful service to his fellow man in his day and generation, and he alone, with his own conscience, being honest with himself, must work out what in his best judgment at various times will contribute that maximum. [Applause.]

I am trying to follow that little philosophy in my work in Congress. I put the important action of Congress first and foremost, and I would leave any occupation that I can think of, anywhere, to come and take part in this first duty where it affects important legislation for the country.

But I not only look upon this public office as a public trust, but I look upon it as an opportunity to serve. I have been doing my little best to try to get in the maximum of useful service during my career in this House. I know that I leave at times to lecture. I want my colleagues to know this, that I never fix a regular lecture tour in a regular session of Congress. My regular lecture period is confined to the chautauquas in the summer and to the lyceum in the autumn months when Congress is not in session. When there are extra sessions of Congress—as a rule it has been my experience thus far—there is special business to transact and that special business only, and that the House transacts that business first, and then marks time until the Senate follows. During that time I have looked upon it as though it were a recess of Congress, but always holding myself ready to come back at a moment's notice where anything important arises. Now, in regular sessions I sometimes go out for the Christmas holidays. That is the nearest to being a regular lecture trip. Not infrequently I go out at week ends, very rarely in the middle of the week, to make a special address on a special occasion.

Now, if my colleagues want to find out any more about my plans and my practices, I have kept a diary, which may be imperfect in some cases on account of cancellations, but I think on the whole I could tell them just where I was, and if anybody wants to know I will be glad to show him.

Mr. Speaker, I do not claim to have done much in my three completed terms in this House. I do not believe that my colleagues on the Naval Committee, when the essential work of that committee was being performed, would intimate that I had not done my duty there. I am on the subcommittee to prepare the naval appropriation bill. That is perhaps the most onerous bill of all the regular supply bills prepared by standing committees. It is always one of the last bills completed. I am chairman of the special subcommittee to conduct the difficult and intricate scientific investigations on ordnance matters, and not infrequently these matters take me away from Congress.

In the Committee on the Election of President, Vice President, and Members of Congress I had my little part in helping to frame a report and then passed the joint resolution for the election of Senators by the direct vote of the people.

I have been chairman of three special investigating subcommittees of that committee. One of them was the Committee on Woman Suffrage. Some one said, "You will rue the day when you got on that committee." Well, Mr. Speaker, I will say this: We differ in judgment. My mind in any investigation of that kind remains open, but I simply want to announce here the general proposition that as I go along I make it a rule to try to find out the truth and not only to do it diligently, but in humiliation and prayerfully. It is hard to find it out, but I want to say that when I do find it out, I try to stand by it. [Applause.] Loyalty to the truth is the test of a man.

And I have been chairman of the special subcommittee to investigate the question of popular nomination of President and Vice President, also of a special subcommittee to investigate the question of direct election of President and Vice President. I do not believe my colleagues on the committee would say that I have not done my share of the committee's work.

Then on the Committee on Education, it is true, we had no chance to work collectively; it has been a more or less inactive committee; but I will say here that I have put in as hard work along that line, perhaps harder than in any line of investigation that I am trying to make. In fact, I am endeavoring, so far as I can, to help in my little way to have the machinery of this Government develop the educational side and in the end, without interfering with its political activities and operations, to become a great engine of education. It was with that idea that these expeditions were organized.

But, further than that, I am trying to bring about a condition where the Agricultural Department will not only issue the technical bulletins available to any, but will also conduct correspondence courses in scientific agriculture, so that any poor boy or any poor man in this country, without paying a cent, by merely giving his name in, can carry on a course of instruction and equip himself to become a scientific farmer.

I would also do what I could to bring about a condition whereby the Department of Commerce would conduct business courses, so that a poor boy or a poor man could take a business course of instruction. And I would have the Department of Labor conduct courses in the trades and mechanic arts, so that any wage earner, any poor man engaged in a trade, could learn from the hands of his Government, without cost, how to become skilled and expert.

Mr. SHARP. Mr. Speaker, will the gentleman yield?

Mr. HOBSON. Certainly.

Mr. SHARP. Recalling a very pleasant and profitable trip that I took with the gentleman from Alabama, witnessing some armor tests, some months ago, I will ask the gentleman if he does not think his plan could be put into effect to a great deal of advantage among the enlisted men of the Navy, the men who are now paying out of their own pockets, out of their own wages, money for instruction in business courses, and so forth, and if some means could not be devised whereby the retired officers themselves could occupy their time in helping the young men instead of compelling those young men to spend their own money for that purpose?

Mr. HOBSON. Yes; I am in accord with the gentleman as well as with his colleague from Ohio [Mr. BATHRICK] on that, and I am glad to say that the department now has under consideration the details of carrying that out. I believe that in both the military branches, the War Department and the Navy Department, opportunities should be opened up for the development of this educational side for the benefit of the American men enlisted in that service.

Now, I would also, so far as I can, help the Diplomatic and Consular Service of this country to develop a service so that our agents in all lands would gather vital information from all other countries bearing on the educational equipment of youth, especially vocational equipment, and other matters vital to the prosperity of the American people, and report these matters continually to the American Government; and if I could I would have a central bureau established here that would receive similar vital information every week from all the departments of the Government and would then issue weekly a report, as it were, to the American people on all the great vital facts of the previous week that bear upon their vocations, their health, and their welfare, making it in the nature of an official journal, so that any man, through his postmaster or by arrangement through his Congressman or in some other way, could get the best information the world has ever seen, free of cost, as a part, and an inexpensive part, of the educational work of this Government.

But, Mr. Speaker, I have other ambitions to try to be helpful in this educational work. It is a fact that if a boy goes to school only until he is 14 years of age, at the age of 25 he will be earning only $2 a day on the average; but if he goes to school until he is 16 years of age, then at the age of 25 he will actually be earning $4 a day on the average. No brighter than the first boy, he begins work two years later; and yet, as a result of only two years of additional schooling that second boy is able to catch up with the first boy, to pass him, and double him by the time they are 25. Mr. Speaker, the nation that helps to add two years more to the average school period of the rising generation is the nation that is going to capture the commerce and the markets of the world in the next generation.

To-day 97 per cent of the American children do not attain to the full age of 14 years before they leave school. I am told that there are two and one-half million American children below the age of 12 who are working for a daily wage. Of the boys who go to the common school only and go no further only 1 boy out of 9,000 will ever attain a place among the 10,000 men who are the actual leaders in all the walks of life. Out of the boys who go through high school 1 out of every 400 will attain that leadership. The four years more of training at the plastic period increases twenty-two fold the equipment of that citizen and his chances of leadership. And of those who go to college 1 boy out of every 40 will become one of these great leaders.

To-day the American Nation is confined to 3 per cent of its people from whom to recruit its leaders, because of the lack of education. See the inequality it works. Ninety-seven per cent of the bright boys of this country, with good blood in their veins, get a chance to go to common school only. The remaining 3 per cent go to college—boys with no better blood in their veins and boys who are no brighter. While we in this Republic, founded upon the principle of equality, discuss this equality in theory and split hairs about it, the actual test of practice shows that in the lives of our citizens the second boys have 220 times the chances of becoming leaders that the first boys have. Thus the doors of highest opportunity are closed to 97 per cent of our people. Three per cent of the American people have a monopoly of the highest opportunities.

Perhaps gentlemen will understand my idea on the subject when I go a little further. This question of the development of youth in the plastic period is unquestionably the great question of this age and all ages. You can not change a man much after he gets beyond that period, but you can do wonders in that period, as I have just illustrated by these great and astounding facts.

Mr. Speaker, if we wish best to insure that this Nation of ours shall successfully stand the shocks that may come upon it in generations to come through the problems confronting us in the economic and industrial world, the best way to insure our meeting those problems successfully is to raise the standard of education.

If I were to state what I regard as the best way to enable America to meet the industrial competition of Germany and those nations that are scientifically and systematically developing their children, a way to meet them in competition in the markets of the world—in fact, to meet the dangers, even, in the armies in future generations—I would say raise the average standard of education for the rising generation.

If I were asked to state what would guarantee that our Republic should endure, that liberty and free institutions shall not perish from the earth, I would say insure against debauchery, insure for a high average standard of education of the people.

Mr. Speaker, I will not dwell on that now; I have gone more into it than I intended, but the gentleman asked some pertinent questions that incited me. I simply want to point out that in this Committee on Education I have been doing hard work.

I have drawn several bills, I believe, of a constructive nature, to bring about a condition where this matter of an average standard of education of the people, being vital to the Nation as it is to the State, county, or family, being closely allied to the principle of self-preservation, a legitimate field for the Federal Government, shall be taken in hand by the Federal Government, with its vast resources unmatched by individual States. There is a vital, constructive, progressive field and domain where the Federal Government ought to help establish a standard of education for the Nation and then encourage the States and counties to all work toward that standard. Then when they do so work I believe that the Federal Government, without giving any board or any agency the authority to go into a State and to interfere with its machinery of education, should be willing to bear, say, one-third of the cost, that the State should bear the second third, and that the county or locality should contribute the third third.

I pass now to the point of answering what the gentleman said about roll calls. Mr. Speaker, you understand perfectly well, and Members here also, that because a Member does not answer a roll call it does not mean that he is away from Washington and neglecting his duty. I have a session pair every year, and that session pair was gotten up not only to protect my party and vote when I was away from Washington, but also to enable me to better attend to duty of the moment in my committee or in the department work. Now, I will give you an illustration. My friend from Alabama, the floor leader, is on a great committee, and perhaps, without speaking invidiously, I would be pardoned if I said that in my judgment it is the greatest Ways and Means Committee that has been in this House since I have had the honor to be a Member. It is but once in a decade that it frames a great bill. And permit me to say also, Mr. Speaker, that there were some things in this last bill that I would have voted against if I had had a chance; but as a whole I regard that bill as the greatest piece of constructive legislation not only since my short service in this House but perhaps since the foundation of this Government. Now, my friend's committee has a bill to construct about once in a decade. My committee, the Committee on Naval Appropriations, has a bill carrying around $140,000,000 to construct every year. When his committee was engaged in the construction of its bill my friend was absent from the floor of the House continually, as near as I remember. For weeks and weeks he did not answer a single roll call, and I do not think he ought to have answered a single roll call. I commend his attention to duty in his committee.

I want to ask my friend from Connecticut or any other gentleman not to assume, for the past or for the future, that because I may not answer roll calls I am absent, but that they look up and see where I actually am before they assume that I am neglecting my duty.

Now, Mr. Speaker, I will conclude that part of my remarks by saying that I was brought up in the Navy. They teach you in the Navy to do your duty first. Gen. Lee gave Annapolis and West Point a little motto embraced in the observation that "duty is the greatest word in the English language." Now, I am not talking lightly; I think it is unfortunate that I should have to talk in this way at all.

I lived for two years at Annapolis in complete ostracism because I interpreted the duty of a cadet put on duty as officer of the day to report his classmates just as he reports anyone else. [Applause.]

Mr. Speaker, I went to the Spanish War not as an ordinary duty. My routine duty was at Annapolis. I was in charge of the post-graduate course there, but my little philosophy had led me to believe I might render temporarily more service at the front, and I went. It was extra duty. I will say to my friend from Connecticut [Mr. DONOVAN] that I suppose he knows what a naval constructor is. If he is thoroughly familiar, he will know this, that a naval constructor never has to command a ship. I was a naval constructor in that war. I knew how to build a ship. I felt that I knew how to sink a ship. I sought the extra duty. I sank the ship. I will say to my friend from Connecticut that here in Congress this work of special expeditions in my district is not routine work. I have sought to do it as extra duty.

I will say to him further that in the course of my educational investigation I found that, in my judgment, the true solution of our greatest national ill, that of the liquor question, lies in education. This element of truth has lead me into very difficult paths. Mr. Speaker, you may drink yourself—I know individually that you do not, and I want to congratulate you a thousand times and say God bless you for the man you have been—but, speaking figuratively, you may drink yourself, but if you are a good man you do not want your boy to grow up drinking, nor even your neighbor's boy. Mr. Speaker, you may be wet in your politics, and I will not criticize you. I try to be as broad as the horizon. There are good men who believe that on this matter things ought to be wide open. There are other good men who believe there ought to be regulation in various forms. There are other men who believe there ought to be local option in various forms. There are still others who believe there ought to be prohibition in various forms. I do not think this is essential, because, pass what law you please, you are not going to change the old drinkers very much. They are going on until they die. It is too late to change the old, but you can shape the young. Here is the vital matter. You may be wet in your politics, but if you are a good citizen and a good man you would love to see the young people of this country grow up sober. Is not that true? Then let us all join to bring up the next generation of Americans to be sober, and we can do it by molding them in the plastic period with the truth on the subject.

Mr. Speaker, I can not obtain the use of the antagonistic press, particularly those papers that carry large advertising contracts with the liquor interests. I can not get anything of the truth on this subject to help educate the American youth.

I can not get access to the press, but while I am in Congress I can get access to governmental machinery, and I have put the truth about alcohol into the CONGRESSIONAL RECORD in the form of a speech, called The Great Destroyer. I have not thrust my ideas upon Members, but for many years I have been trying to do my little part to help mold the rising youth of this country. Yes; I lecture, Mr. Speaker, and I command a big fee, and, barring yourself and the Secretary of State, as I remember, it is the biggest fee paid, and there is demand for more than all of my time; and I will say to those who imagine that I am mercenary in it, that I can make three to four times as much out of Congress as the salary amounts to.

Mr. Speaker, I have used my substance, and some good friends believing in my work have helped me, and I have mailed 2,000,000 copies of that speech, not to the old people, who may throw it aside, upon whom it could have had but little effect, but I have mailed it systematically to the youth of this land—to all of the college boys, many in the high schools and the graduate schools, and to all of the teachers—and I find this: That a personal letter to a boy at an impressionable age from a Member of Congress has a powerful effect. I have written a million and a half personal letters to the youth of this country upon that subject. This work of mine, which I know every good man must indorse, has led me into many troubles. It has begun to affect, I believe, the national view of this great question. I believe it is causing the divergent elements to come to recognize that they can all get together on the educational proposition.

And it bids fair in the course of time to help solve this great question. Let all the good forces of the Nation cooperate and we will surely bring up a sober race in America. As I say, I do not regard the law as everything, but this is an infectious disease. Taking human nature as it is, if you have it in your presence you will drink it; a drinking boy will contaminate the others; wet territory will contaminate dry. That is human nature. When we have finally put this organic disease out of the body it must be kept out. I believe that is simply scientific. In the end, when we have brought up the race to be sober—and we will attain that end because drinkers die off and are not recruited—we will proceed to put prohibition into the Constitution of the United States. I have ventured simply in a scientific way to draw a joint resolution to that effect.

Mr. Speaker, since this work of mine I find I can not make a political campaign like other Members, but find the heavy and brutal hand of the liquor interests raised to destroy me politically. Last year, when I went into my district and asked my constituents to return me, I found the hand of the liquor interests there. Now, I weigh every word I say, and I know exactly what I am talking about. They fought behind one of the best men in my district, one of the most upright, who is known as the father of prohibition. They had a huge corruption fund there. Again I say, I know what I am talking about, for indictments and confessions have been made. One check alone was for $20,000. They had space, Mr. Speaker, in every paper, not only in the district there but in the cosmopolitan press, and used it to say mean things about me, and among the mean things are the same things that are now coming up here about the charges that I am away and neglecting my duty because not answering unimportant roll calls.

They tried also to say that I believed in negroes mixing with white people and in negro domination, because one bright morning here in the House the question came up whether the Brownsville matter was to be opened up or not. There had never been a trial of any kind. The investigation might lead to a trial

I voted for the bill. I said that if they were guilty, they should hang; if they were innocent, they should be exonerated, white or black. [Applause.] They used that with other malicious defamations against me. And they had the speakers, Mr. Speaker. They turned 25 speakers loose in my district on me and I was single-handed. They organized them into flying squadrons. Before we got through with them we called them the "fleeing" squadrons, but that is what they called them, flying squadrons—25 speakers. Well, when I went to my constituents my constituents answered by quadrupling my majority. Mr. Speaker, several conferences were held prior to that campaign, and, incidentally, I was attacked on the floor of this House just prior to that campaign just as I have now been attacked here again, and in those conferences I had a report that the politicians, gathered from all parts of the State, were trying to find a way "to beat HOBSON for Congress." Mr. Speaker, when Senator Johnston's untimely death, mourned by all Alabamians, brought about the question of his successor, politicians gathered in Birmingham in a similar way from all parts of the State. They held their caucuses at the Morris Hotel, morning, afternoon, and night. Members who took part——

The SPEAKER. The time of the gentleman has expired.

Mr. HOBSON. Mr. Speaker, I did not think so. I thought I had 10 minutes more. I ask unanimous consent to proceed for 15 minutes more.

The SPEAKER. The gentleman from Alabama asks unanimous consent to proceed for 15 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HOBSON. Members taking part in that caucus came and told me direct from the caucus, and they spoke it on the street, that the politicians were trying to find a way not to carry out the practice of the Democratic Party in Alabama by a call of a primary to choose a Democratic candidate at the hands of the people, and not to bring about a general election under the seventeenth amendment to the Constitution by which the people could elect, but how to find a way "to beat HOBSON for the Senate."

There is a distinguished editor in Birmingham—Mr. Glass—one of the greatest editors in the State, if not the greatest. He, in a way, is spokesman for the administration and he took part in those conferences. Here is an editorial by Mr. Glass the day after the appointment of my friend Mr. CLAYTON. I will read a part of it:

A number of the most astute politicians in the State pressed with the greatest energy the view upon the governor that he should appoint a man who could cope with Mr. HOBSON for the permanent place; that the most available man should be pitted now, so that he might be groomed and strengthened as the representative of the local optionists for the coming struggle with Mr. HOBSON as the leader of the prohibition element. There seems little doubt that this was the view that prevailed, and upon which Gov. O'Neal acted.

Now then, later Mr. Glass, this editor, in another editorial, says:

Nevertheless it was Mr. Glass's judgment from the very start that if a candidate was to be put in training to beat Mr. HOBSON, Mr. UNDERWOOD was preeminently the man.—Birmingham News.

This was soon followed by a call from the News that my friend Mr. UNDERWOOD should enter the race.

In the Washington Star of October 12, under the heading "Willing to remain Member of House," the following occurs, referring to the President's request upon my friend Mr. CLAYTON:

The letters were made public after several days of conference in which the President, Gov. O'Neal, former Gov. W. D. Jelks, and other Alabama political leaders took part. The entire subject of the Alabama senatorial situation was gone over.

And amongst those was Mr. Glass.

I have a special edition of Mr. Glass's paper when he wired this from Washington, saying the President had just handed him a copy of the letter. So I assumed he was present. It is assumed that he came to Washington on the same business as the governor.

Now, Mr. Speaker, we come to an attack upon me by an anonymous Member of Congress. It appears in the Birmingham Age-Herald from its Washington correspondent. It is dated October 10, 1913, under the head:

HOBSON's attack regarded as joke by Congressmen—Georgian asks why he supported UNDERWOOD for Presidency—Republicans admit leader's integrity—"How can HOBSON know more of UNDERWOOD than we who work with him?" question asked.

Now, this is under a Washington headline of October 9. Mr. Speaker, I do not know who this anonymous Congressman is. I assume that only an unimportant Congressman would give out that kind of an interview anonymously. I hope the gentleman is here. I would be glad to know if he is. If I had known his identity, I would have asked him to be present, as I asked my colleague from Alabama [Mr. UNDERWOOD] and the gentleman from Connecticut [Mr. DONOVAN] to be present. The article is as follows:

"It is indeed strange that Capt. HOBSON, who spends so little of his valuable time in Washington, has found out more about OSCAR UNDERWOOD than those of us who see him and are with him every day," said a Georgia Member to-day.

"It is also strange that if Capt. HOBSON knew all these dark and evil things that he so earnestly supported Mr. UNDERWOOD for the Presidency, unless perhaps he thought it was the popular thing for him to do with all Alabamians."

I assume that the gentleman is quoting from the reports of a speech of mine made at Wetumpka last Monday. I want to say at the outset that the correspondent who was there is a correspondent of a hostile paper; that reports of what I did really say there have been very much misrepresented. I also will remark incidentally, though, that even if these reports had been what the reporter alleges they were, I hope all fair men will recognize that the charges or the references were made not on the eve of an election but on the day after an announcement. I indulged in no mud slinging, no reflections upon Mr. UNDERWOOD's character, but paid him a tribute. What I did say is based on the sworn testimony, which I will now read, on pages 937 and 938 of the Senate hearings on the campaign-contributions investigation, Senate committee:

Senator BANKHEAD. Mr. Chairman, I undertook the management of Mr. UNDERWOOD's campaign, and I want to say to the committee that I assume the whole responsibility. Mr. UNDERWOOD knew nothing of any of the contributions nor how any of it was expended. I am responsible for the whole thing.

And then, in putting in the evidence his detailed statement, he cites:

Contributions to O. W. UNDERWOOD's campaign for the presidential nomination, Thomas F. Ryan, $35,000.

And then he quotes others of smaller dimensions.

Mr. Speaker, in the late stages of the preliminary campaign for choosing delegates to the Baltimore convention Mr. Bryan, editor of the Commoner, in his issue of May 10, 1912, under the head "The game exposed," makes the following statement:

The campaign has now progressed far enough to enable the Democratic voters to know the methods that are being employed by the Wall Street crowd to capture the Baltimore convention. Mr. Harmon and Mr. UNDERWOOD are the reactionary candidates.

That is not my statement, Mr. Speaker. That is the statement of William Jennings Bryan, and however men may differ with Mr. Bryan's political policies I have yet to see a man who doubts his integrity, his honesty, and his truthfulness.

I proceed to quote from Mr. Bryan:

Mr. Harmon was picked out first, but the "big" business began to smile on Mr. UNDERWOOD as soon as it became evident that Mr. Harmon was not making headway as a candidate. They have now divided up the territory in which they think a reactionary has a chance, and Mr. Harmon is running in a few States in the North and Mr. UNDERWOOD in six States in the South.

I think I am not out of etiquette to say that this statement of Mr. Bryan had been made to me several weeks before and I practically challenged him and told him before we left the board—we were taking breakfast together—that I was for OSCAR UNDERWOOD. I had told President Wilson the same thing—he is now President; he was then governor—that while I was in accord with his progressive policies, I proposed to support Alabama's candidate, OSCAR W. UNDERWOOD.

Finally the charges were being made publicly that Mr. UNDERWOOD's candidacy was being financed from Wall Street. Vehement denials were made on the part of his management. I did not know what to think, and in Alabama I gave out a statement that no Alabamian had more State pride than I had, or would more gladly and more loyally support Mr. UNDERWOOD, but I made a statement in the presence of Editor Glass—he was vigorously attacking Mr. UNDERWOOD at the time and accusing him, with Mr. Harmon, of being the tool of Mr. Ryan—the same Mr. Glass to whom I made this statement, in his presence to his own reporter, a stenographic statement, that I did not propose to submit, and that the State would not submit, to Wall Street's game being worked behind OSCAR W. UNDERWOOD.

The vehement denials on the part of his management at last allayed my fears, and I supported Mr. UNDERWOOD.

This anonymous Member of Congress asks why I did; how could OSCAR W. UNDERWOOD get my support? Mr. Speaker, my support and the support of the loyal Democrats and the progressive citizens of Alabama was obtained under false pretenses. Had I known that Thomas Fortune Ryan, the man whom Mr. Bryan rebuked and named at the Baltimore convention and accused of being the tool of Wall Street and of trying to capture the party in the interest of Wall Street was financing the major part of the campaign of OSCAR W. UNDERWOOD, not only would I not have supported him, but I would have fought him; and, what is more, he never would have been the choice of the people of Alabama.

Mr. Speaker, the support of the people of Alabama was secured for Mr. UNDERWOOD for the Presidency under false pretenses. I here declare that their support of him for the United States Senate shall not be similarly obtained under false pretenses.

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. HOBSON. It is two minutes yet, Mr. Speaker. I was watching it.

The SPEAKER. These clocks are not very reliable.

Mr. HOBSON. I am closing, and I know no one objects.

The SPEAKER. Without objection, the gentleman from Alabama is recognized for two minutes more.

There was no objection.

Mr. HOBSON. And I want to say to this anonymous Congressman and to the one who went down with the funeral party of Senator JOHNSTON and could not wait until the remains were buried before he made a vicious attack on me—and I want to say to the gentleman from Connecticut [Mr. DONOVAN], and I want to say to any gentleman who injects himself into this campaign in Alabama—that the right of Alabama to choose her own Senator without dictation from the outside is a constitutional right, and that the right of the people of Alabama to choose their Senator is likewise a constitutional right, and neither the gentlemen that I have mentioned nor any other gentleman who may appear with them can terrify these free citizens of Alabama. My friend Mr. UNDERWOOD may not know the people of Alabama; but I know them, for I was born among them, and the blood of my father and of my uncles and of my people stains the soil there. Yes; those people are simple people living close to nature; they are sober, they are God-fearing; but, Mr. Speaker, they are courageous and undaunted. They are the same men that met at Mecklenburg and drew the indictment of a king. They never submitted to dictation from a king. They will submit to dictation in their children to-day from no one in this world. [Applause.]

Mr. UNDERWOOD rose.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] is recognized for one hour. [Applause.]

Mr. UNDERWOOD. Mr. Speaker, I regret that Alabama politics should be dragged to the floor of this House; but no man has an asset more valuable in his life than his good name, and when his good name is challenged, no matter where it may be, he must meet the issue; and it is with that apology to my colleagues that I rise to speak of local issues in the State of Alabama.

Mr. Speaker, I saw in the public press of Alabama a statement some days ago that the gentleman from Alabama [Mr. HOBSON] had stated in a public speech and in public interviews that I was a tool of Wall Street and a tool of the liquor interests. I have waited patiently to answer that charge until I could look Capt. Hobson in the face and challenge the truthfulness of the statement.

Now, I should like to ask the gentleman from Alabama to say here—because I was not in Alabama, and I do not want to misquote him—if he made the statement; and if not, I ask him to deny it.

Mr. HOBSON. I shall be very glad——

Mr. UNDERWOOD. I ask him to say now did he charge me in his Wetumpka speech or anywhere else in Alabama with being a tool of Wall Street or a tool of the liquor interests?

Mr. HOBSON. I will tell the gentleman. I used the double word, and I will tell him exactly what the double word was and how I used it. I read the testimony which I have just read. I assumed that what Senator BANKHEAD said under oath was true—that Mr. UNDERWOOD did not know that his campaign in Georgia, Mississippi, and other States was financed by Wall Street.

Mr. UNDERWOOD. Well, the gentleman knows that I did not know of Mr. Ryan's contribution to my campaign fund, as Senator BANKHEAD did.

Mr. HOBSON. I am glad that the gentleman will make that statement now. I asked the people of Alabama, and I ask him now, when the charge had been made publicly why did not my friend and the people's friend at least look at the books and find out, and then with that preface——

Mr. UNDERWOOD. I will ask the gentleman not to take up my time in making a speech. I am trying to get him to answer whether he did make the charge or not.

Mr. HOBSON. I am trying to state it. I am leading up to it so you will understand it, as well as the others. I said that if Senator BANKHEAD'S testimony is correct, and my friend admits it, if he did not know he should have known. Why did he not know? But, not knowing, I stated, and I repeat it, he was, in effect, but a dummy in the hands of managers, being used as he was used. I did not charge that he or his managers were corrupt or made any deal with Wall Street, and I do not charge that he himself or his managers now in this campaign have any direct deal or connection with the liquor interests; but I say he was a dummy, being used as their tool, and that a dummy who could be used as a tool by Wall Street could likewise, as a dummy, be used as a tool by the liquor interests or any other interests.

Mr. UNDERWOOD. I want to get the gentleman's statement correctly, because I will answer him about being a tool and about being used. But I want it understood. The gentleman says he did not charge me directly with being a tool of Wall Street or the liquor interests, but it was based on the supposition that Mr. Ryan had made this contribution, and if I was being used by somebody else that I did not know it. Is that it?

Mr. HOBSON. It is just as I say.

Mr. UNDERWOOD. Well, will the gentleman answer me?

Mr. HOBSON. I will say this——

Mr. UNDERWOOD. Did you say——

Mr. HOBSON. Yes; I am glad to say it——

Mr. UNDERWOOD. Did you say that I was a tool of the liquor interests or of Wall Street, or not?

Mr. HOBSON. I say you were a dummy in that campaign.

Mr. UNDERWOOD. You did not use the other expression?

Mr. HOBSON. And that as a dummy you were used.

Mr. UNDERWOOD. All right. Now, I want to answer——

Mr. HOBSON. And that if you were a dummy now you could be used again.

Mr. UNDERWOOD. Now, Mr. Speaker, I want to ask the gentleman one more question. I want the fact on which he bases his statement. A while ago he said he sought the truth when he got into a controversy. Now, is there any evidence that you have got of anything in my public or private career on which you based that charge when you made it? If there is, state it here.

Mr. HOBSON. I want to be very correctly understood, I want to say to the gentleman——

Mr. UNDERWOOD. If the gentleman will wait a minute.

Mr. HOBSON. I am going to answer the gentleman, but not in his way.

Mr. DONOVAN. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. DONOVAN. The gentleman has no right to interrupt the other without his consent.

Mr. HOBSON. Oh, but the gentleman from Alabama has requested me to answer him. My answer is this: I have stated and now I repeat it, that I would resent any man's statement who would make it with an intent to reflect upon my friend's integrity, who would impute the slightest moral turpitude to the gentleman from Alabama. I believe he has done his duty as he has seen it. But my interpretation was this, and I stick to it, that the gentleman is simply of a type of politician that has reigned but is to be dethroned, and a type that plays the game, and allows to come into the game agencies that help to win. Without any reflection upon his moral integrity or his character, I make that statement.

Mr. UNDERWOOD. Now, another question. The gentleman not only charged me with being the tool of Wall Street, and he bases that entirely on Mr. Ryan's contribution to my campaign fund, but he charged me with being a tool of the liquor interests. I want to know if there is anything else upon which he based that charge.

Mr. HOBSON. I want to say to the gentleman that I have not made that charge except in this way. What I said was, and I do not exonerate him from it, I say that the liquor interests conspired to defeat me in my district, and put up one politician after another, until at last they found the strongest one. I say now that I believe that is what they are doing in this fight. I am not charging the gentleman from Alabama with anything, but I did charge and do charge that if he could be used as a dummy in one election he could be used as a dummy in another.

Mr. UNDERWOOD. Mr. Speaker, I will say to this House that no man and no interest, no matter how great or important, has ever used me as a tool or a dummy. [Great applause on the Democratic side.] Not only the men on the floor of this House but the people of the United States from ocean to ocean have seen me placed in positions where temptations and powerful interests were rolled upon me to yield to influences, and I challenge any man, no matter who he may be, to point to a single blot on my public or private career. [Applause.]

I have just returned to this House a great bill placed in my hands by my party that in years gone by has been subject to those influences, and yet I challenge the gentleman from Alabama or any other man here to show that any influence has been used in my administration of that public trust.

Mr. HOBSON. Will the gentleman yield?

Mr. UNDERWOOD. Yes.

Mr. HOBSON. I think it is right to supplement the statement I made a while ago. It bears upon this point. The charge I did make in regard to the liquor interests—and I want to repeat it now and I would like for the gentleman from Alabama to correct me if I am wrong—is substantially as follows. I said three things, as I remember: First, that the gentleman was on the fence in our amendment fight there.

Mr. UNDERWOOD. That was untrue. The gentleman from Alabama may not have known where I stood, but everybody else did. [Laughter.]

Mr. HOBSON. I did not know it. I will refer that to the people of Alabama.

Mr. UNDERWOOD. I will say to the gentleman that there can be no controversy about it, because, although the gentleman from Alabama has been known as a prohibitionist in the liquor fight to amend the constitution of Alabama for State-wide prohibition, I was the first Member of Congress that came out and stated that I was a local optionist and not for State-wide prohibition. That was published in the daily press of my own city months before the election took place.

Mr. HOBSON. That may be; I had not seen it, as the gentleman took no part in the fight. But that is not material. My point was that you did finally vote on that side, as a great many good men did without being liquor men themselves.

Mr. UNDERWOOD. I did not vote for State-wide prohibition. There is no contest about that.

Mr. HOBSON. And in the contest in Birmingham and Jefferson County, the same, you voted wet. But that was only leading up to the statement I made and that I now make, that in the meetings of the conference committee on the tariff bill I am informed that the gentleman was consistently opposed to Senate amendments that would reduce the revenue, he regarding the question of maintaining the revenues as one of great importance, so that the bill would have no chance to produce a deficit, but that when he reached the amendment—I think it is called the Pomerene amendment—which repeals the clause in the tariff act of 1890 that exempts manufacturers of wine from paying the usual tax of $1.10 on brandies, although that amendment would have increased the revenue of the Government about $7,250,000, to the surprise of the members of the committee the gentleman from Alabama [Mr. UNDERWOOD] turned right around and fought the amendment, the result of which is to take out of the Treasury about $7,250,000 and transfer it into the hands of these liquor men, and the general result is to increase the amount of alcohol in the wine.

Mr. UNDERWOOD. And on that basis the gentleman charges that I am the tool of the Liquor Trust?

Mr. HOBSON. I make this statement, that you did this, and that as a result the liquor interests are seven and a quarter million dollars better off than if you had concurred in the Senate amendment.

Mr. UNDERWOOD. Very well. I will ask the gentleman now to permit me to proceed. I am obliged to him for answering the question, because I wanted him to come right out, where I can look him in the eye, and say what he has to say. So far as the Pomerene amendment is concerned, if we had passed the amendment as it stood in the bill it would have seriously affected the pure-food laws of the country, so far as they related to wine.

Mr. HOBSON rose.

Mr. UNDERWOOD. Let me finish. I told the gentleman from Alabama [Mr. HOBSON] that very same thing sitting right here before the conference report was voted on. The gentleman will recall that I told him that.

Mr. HOBSON. Before the gentleman leaves that proposition, will he permit me to ask him a question, because it is germane?

Mr. UNDERWOOD. Yes; I yield for a question.

Mr. HOBSON. My contention is not that the whole amendment should have been retained. My contention is that you could have left all of the pure-food part of it as a legitimate compromise with the Senate and simply have removed the revenue part, to increase the revenue seven and a quarter million.

Mr. UNDERWOOD. Mr. Speaker, if the gentleman will permit, that might have been done if we needed the revenue from that point. We had reached a point where we found we had, according to our estimates, a surplus of $18,000,000 of revenue. We knew that that amendment challenged the pure-food laws of this country. In other words, it taxed out of existence, practically out of existence, wine made out of grape brandy, that was pure wine, and left sweet wines to be preserved with benzoate of soda, which were impure wines. I will tell the gentleman from Alabama something; he is not informed on this question or he would not be so earnestly in favor of the passage of the amendment. I remember 10 years ago, when this same controversy occurred between the wine growers of California and these men from Ohio, who were standing behind this amendment.

One of the men from California before the Committee on Ways and Means challenged the Ohio man and said, "Your wine is impure, and the laws of Ohio will not let you sell it there." I then asked him where he was selling this impure wine, and he said it was down South—in the country that you and I hail from, sending poisoned wine to poison our people. The gentleman from Alabama is a prohibitionist, and he is conscientious in it. I do not challenge his position, but if wine is to be sold, does he want to poison the people who drink it or does he want pure wine sold to the people who drink it? [Applause.]

Mr. HOBSON. Will the gentleman be good enough to yield?

The SPEAKER. Does the gentleman yield?

Mr. UNDERWOOD. I yield, but not for a speech.

Mr. HOBSON. This is all afield from the question. If you would leave out all of the pure-food regulations, it was merely a question of revenue. It is not a question of the Ohio wines.

Mr. UNDERWOOD. I will answer the gentleman fully. When it turned out it was not necessary to have that revenue and that there was a serious issue involving the pure-food laws of this country, one that required careful investigation and could not be gone into by tired men in a few hours, I agreed to give these men a full and ample hearing before the Committee on Ways and Means next winter, when both sides could be heard and the proper legislation could be obtained; and if the gentleman had read the RECORD and had been here and had kept in touch with what was going on, he would know that that was the situation. [Applause.]

Now, Mr. Speaker, I want to say this, if the gentleman will allow me: I do not want to prevent him interrupting me, but I have but a short time. Mr. Speaker, I have had over 18 years of service in the Congress. My record has been an open one. Without criticizing other Members for what they may do, I wish to say to this House that during that 18 years of service I have never left my duty here either to go home to take part in political campaigns or to go on the lecture field to make speeches to earn additional money for myself. During that 18 years when the Congress has been in session I have not left this House to go home, except when it was either in recess or partial recess, but five times, and of those five times one of them was due to a death in my family and the other four times on account of sickness. [Applause on the Democratic side.] Now, Mr. Speaker, I have sought conscientiously to do my duty here. There is no record vote that has been dodged by me.

The record is here for inspection, and I challenge the gentleman from Alabama or anyone else, after a careful search of 18 years of record, to point to a single instance where I have been the tool of Wall Street, of the liquor interests, or of anybody else. [Applause.] If I have been the tool of Wall Street or of the liquor interests, then the Democratic Party has been the tool of Wall Street and the liquor interests, because my record is the record of the Democratic Party in 18 years of service. [Applause on the Democratic side.]

Mr. HOBSON. Will the gentleman yield just to allow me to correct an impression?

Mr. UNDERWOOD. I will.

Mr. HOBSON. The gentleman referred to my speaking to him in connection with the Senate amendment. I came and tried to arrange a way to take that particular question out and vote on it separately. It was only because it was embedded in the Senate report that it could not be voted on, and the gentleman can not say the Democratic Party stands for it simply because it stood in the tariff bill.

Mr. UNDERWOOD. Well, the members of the Democratic Party on that issue stood for it, and I have not a doubt, and I challenge anybody to say that if I had come on the floor of the House with it as a separate amendment and stated the facts to my colleagues here that it was ill advised and we were not ready to proceed to legislate, they would not have turned it down. The gentlemen may not, but the Democratic Party would. [Applause on the Democratic side.] Now I want to say this——

Mr. HOBSON. The gentleman did not give us a chance, of course.

Mr. UNDERWOOD. Well, the gentleman knows conference reports are not written that way, and does he not do the same thing on the naval appropriation bills? The conferees agree to everything that it is possible to agree to, and only matters of dispute are brought in separately, and the gentleman knows that. Now, Mr. Speaker, I want to say this: The gentleman has charged that my delegations from Alabama and the other South-

ern States to the last national convention were gotten there by fraud and misrepresentation——

Mr. HOBSON. Will the gentleman allow me to correct him? This matter is fundamental.

Mr. UNDERWOOD. Well, state it.

Mr. HOBSON. I made no such charge. I said they were obtained under false pretenses.

Mr. UNDERWOOD. Well, that is the same thing; they were obtained under false pretenses. Now, Mr. Speaker, I want to say to the gentleman from Alabama and my colleagues here that at the time this presidential campaign came on I had been selected to perform a great duty for the Democratic Party—that is, to attempt to pass through the House tariff bills that would challenge the attention of the American people—that would give us a basis for the campaign for the Presidency that we were about to undertake.

Some of them had already been passed through the House. They had challenged the attention of some American people, and friends of mine had asked me to become a candidate for the Presidency. At first I refused. They became insistent, and then I stated to them—and I stated it publicly in the prints of the country—that if I became a candidate it must be on condition that I should be allowed to stay here in my place [applause on the Democratic side], doing my duty to my party and my country and take no part in that campaign. [Applause on the Democratic side.] And I did it. I did not leave here one time to make a speech for myself, because my party was on the firing line. I took no part in the campaign.

Mr. HOBSON. Will the gentleman yield?

Mr. UNDERWOOD. I will ask the gentleman not to interrupt me now for a few minutes. I took no part in the campaign that was being waged by my friends. I was in the headquarters of my campaign committee, I think, just three times during that entire campaign. I kept my pledge to my party and my country, and I labored industriously to try to make a platform upon which the Democracy could carry the country and that the great principles of the Democratic Party might again be written on the statute books. And the gentleman from Alabama [Mr. HOBSON], because I did and because I did not know who contributed to my campaign fund, says that I am a tool of the interests or a dummy that can not be depended upon. Is there any other man here, the men who intrusted me with my commission to lead the party in the last Congress and in this—is there any other man in this Congress, except the gentleman from Alabama, who is willing to rise in his seat here and say that because I did my duty in this House to the country I should now be penalized?

Mr. HOBSON. Will the gentleman now yield to a question? [Cries of "No!" "No!"]

Mr. UNDERWOOD. I will ask the gentleman not to interrupt me now.

The SPEAKER. The House will be in order. The gentleman from Alabama [Mr. HOBSON] has the right to ask his colleague [Mr. UNDERWOOD] to yield, and the latter has a right to say whether he will yield or not, and it is none of the business of the House whether they do or do not. [Laughter and applause.]

Mr. HOBSON. That would go to the heart of it, Mr. UNDERWOOD.

Mr. UNDERWOOD. The gentleman says he wants to ask me one question in order to go to the heart of the matter, and I will be glad to let him do it.

Mr. HOBSON. I will ask no more questions against the wishes of the gentleman. It is simply this, Mr. Speaker, when the gentleman went down to his headquarters one of those three times, which he seems to have done consistently with his great duties here in the House, after the charge was made publicly that Wall Street was financing his campaign, does not he think he might have taken one minute during the visit to look at the books and see if that charge were true?

Mr. UNDERWOOD. I will say to the gentleman from Alabama I did not hear any charge made that Wall Street was financing my campaign. I did hear, after the delegates had gotten to Baltimore, a charge made that I was a Wall Street candidate, and that was the first time I heard it. And that charge was untrue. [Applause on the Democratic side.] I never was.

Now, subsequent to the election and after the printed campaign contributions had been made, I was told by the manager of my campaign that Mr. Ryan made the contribution to my campaign without asking any commitments as to any policy in that convention or by myself, saying it was given solely because he was a southern man and he was anxious to see a southern man elected to the Presidency. [Applause on the Democratic side.]

It is no unusual thing for these rich men to make such contributions. Does the gentleman from Alabama [Mr. HOBSON] charge that Col. Roosevelt was a tool of the interests because George Perkins subscribed to his campaign fund? Does he charge that the President of the United States is a tool of the interests because Mr. McCormick subscribed to his campaign fund in the presidential campaign? Does he charge that he is a tool of the interests? There was not a single candidate for the presidential nomination on either side whose campaign fund had not been subscribed to in part, at least, by men coming from New York, and men as intimately connected with the doings of Wall Street as Mr. Ryan was.

Mr. HOBSON. Of course, the gentleman knows that President Wilson scorned Ryan. I say that out of justice to him, Mr. Speaker. He scorned Ryan's contribution.

Mr. UNDERWOOD. Now, I do not say that Mr. Roosevelt is the tool of the interests. I do not say that Mr. Wilson is, because I regard him as one of the great statesmen of America, and I have been here day in and day out for seven months laboriously struggling to hold up his hands and the policies of his administration. [Applause on the Democratic side.] And the gentleman from Alabama [Mr. HOBSON] will never get the President of the United States to agree with his statement that I am a tool of the interests, liquor or otherwise [applause on the Democratic side], because the President of the United States knows where I stand and what I have fought for. [Applause on the Democratic side.]

Now, as to Mr. Bryan's statement in Baltimore——

Mr. HOBSON. This was in the Commoner on the 12th of May——

Mr. UNDERWOOD. Or in The Commoner. Everybody knows that at one time there was a serious disagreement between Mr. Bryan and myself. The membership of this House did not take Mr. Bryan's side on that occasion, and the country has not done so. Mr. Bryan was in a position at one time where he challenged and criticized nearly everything I did. I am not going into a discussion about Mr. Bryan at this time. We have forgotten our differences for the good of our party. [Applause on the Democratic side.] But I challenge the gentleman from Alabama to-day to get a statement from Mr. Bryan saying that I am the tool of any interests. [Applause on the Democratic side.] The gentleman knows very well he could not do it.

Mr. HOBSON. Will the gentleman yield?

The SPEAKER. If a gentleman desires to interrupt another gentleman, he must rise in his seat.

Mr. HOBSON. Let the gentleman change the form of that, and I will accept his challenge.

Mr. UNDERWOOD. My challenge is very clear, and what I mean is very distinctly understood. Mr. Bryan knows that I have done my duty here, that I have served my party and my country, and as a truthful, honest, God-fearing man he would not make such a charge at the behest of anybody. [Applause on the Democratic side.]

Mr. Speaker, I want the gentleman from Alabama [Mr. HOBSON] not to hang his charges against me on matters that he admits I did not know about; not to hang his charges on me with a statement such as he could charge every other candidate in the field with the same improper motive. More than that, the constituencies that sent the delegations for me from Mississippi and Alabama and Georga and Florida——

Mr. HOBSON. The gentleman is not fair to the other candidates.

The SPEAKER. The rule is that when a gentleman wants to interrupt a gentleman who has the floor he must rise and address the Chair and ask permission to interrupt.

Mr. HOBSON. I will ask permission, then, Mr. Speaker, in order that the other candidates may not misunderstand my position. I ask the gentleman to give me permission to ask one question.

Mr. UNDERWOOD. I will yield to the gentleman.

Mr. HOBSON. It is simply to prevent me from putting the gentleman in the same category as the others, because Mr. Wilson knew about his campaign contributions, and he took occasion to scorn Mr. Ryan's and others.

Mr. UNDERWOOD. I do not know whether the President understood about Mr. Ryan's campaign contribution to his campaign or not, but others were just as close to Wall Street as Mr. Ryan was.

But I wish to say this, Mr. Speaker, that the delegations from Alabama and the other Southern States did not go to that convention under any false pretenses. They went there to support a candidate in whose integrity and honesty and Democracy they believed. [Applause on the Democratic side.] And I want to say to the gentleman from Alabama that no matter who subscribed to the campaign fund, neither he nor anybody else can

challenge, either before or after that convention, the honesty or character or integrity of the candidate that Alabama and Mississippi and Georgia and Florida supported at that convention. [Applause on the Democratic side.]

I have endeavored as the floor leader of this House, under the responsibilities that have been thrown upon me, to honestly represent my constituents and honestly and faithfully perform a public duty here. Is it necessary for Alabama or Mississippi or Georgia or Florida to be ashamed of the duty I have performed here? [Applause on the Democratic side.]

A MEMBER. Not a bit.

Mr. UNDERWOOD. Would they have been ashamed had they succeeded and had placed me in the White House if I had performed my duty in the same way? It was not campaign contributions they were voting for. The gentleman is mistaken. The were voting for a man. [Applause on the Democratic side.]

Now, I want to call the attention of the gentleman to this fact: Whenever anybody has opposed the distinguished gentleman from Alabama, if I recollect aright, he has always charged that they are a tool of the liquor interests. I want to say to the gentleman that during the ten terms for which I have been elected to the Congress of the United States nobody has ever subscribed to my congressional campaign fund except myself or my own family; that I have never sought the support of any liquor interest or any other interest. More than that, the gentleman from Alabama [Mr. HOBSON] himself knows that the principal issue on which the prohibitionists and the antiprohibitionists were contending in this Congress was the queston of an antishipping bill. He knows that in years past I always voted for it, and he knows, because I told him in the last Congress, that I was not going to precipitate the issue of that vote in this House immediately before an election, but that I would stand for it and secure it immediately after an election. The gentleman from Alabama [Mr. HOBSON] knows that I did so; that my influence on this floor and in the committee was used to secure a vote on that bill; that when it came before the House I voted for it and supported it; and it was the one bill that the liquor interests of this country did not want to see become a law. When a local community determines not to have liquor sold the only possibility of securing temperance is not to allow somebody else to ship it in there. [Applause.] The gentleman knows that, and he knows that not more than 15 months ago I supported that bill and stood for it. Yet he would imply to the people of Alabama, because I happened to be a candidate against him for the Senatorship from my State, that I have become a tool of the liquor interests. Mr. Speaker, as I have told the gentleman before, I challenge him to find anything in my record that I can not stand for or anything to indicate that I have ever been subservient to any interest in all this land.

If I wanted to be unkind—and I do not state it, because I believe the gentleman has convictions on the subject—but if I wanted to be unkind——

Mr. HOBSON. The gentleman has my perfect consent.

The SPEAKER. The gentleman from Alabama [Mr. HOBSON] must observe the rule and the good sense of the rule.

Mr. HOBSON. I did not intend my remark to be heard except by the gentleman.

Mr. UNDERWOOD. If I wanted to be unkind, I could point to the fact that during the entire term of the service of the gentleman from Alabama [Mr. HOBSON] he has supported all the propositions and the propaganda of the great shipbuilding interests of this country that have ever been brought on this floor—all of them. [Applause.] Now, I do not charge an ulterior motive to the gentleman, because I believe he is honest in it; but with far more ground for making the charge than he has had for the charges he has made against me I could charge him with being a tool of the shipbuilding interests, which I do not. [Applause.]

Mr. HOBSON. Will the gentleman yield?

Mr. UNDERWOOD. No; I do not.

The SPEAKER. The gentleman declines to yield.

Mr. HOBSON. I want the gentleman to be on record as declining to yield.

Mr. UNDERWOOD. If the gentleman wishes to ask me a question, I will yield. What is the question?

Mr. HOBSON. It is merely whether he ever heard of any of the shipbuilding interests contributing anything to any campaign of mine?

Mr. UNDERWOOD. I have not. I said I thought the gentleman was sincere and honest about it, but I pointed out the fact that the gentleman was supporting the position of an interest that has contributed to other gentlemen's campaign funds. [Applause.] I do not mean that to reflect on the gentleman, not for a minute, because I do not think they ever contributed to the gentleman's campaign fund.

More than that, if I wanted to be unkind and to wander back into the record of the gentleman from Alabama——

Mr. HOBSON. Go ahead and do it.

Mr. UNDERWOOD. The gentleman to-day is standing with his party on the tariff question, but I could ask him to examine his own record on the 9th day of April, 1909, when the Payne tariff bill was before this House, and Mr. Tawney, of Minnesota, a Progressive Republican so far as the tariff was concerned, was seeking to lower the tax on lumber, and the gentleman from Alabama [Mr. HOBSON] voted with the standpat Republicans, with Mr. Dalzell and Mr. PAYNE against Mr. Tawney and against the gentleman's own party. I could also point to him that on the same day a motion was made by Judge De Armond, of Missouri, to put lumber on the free list in accordance with the then existing platform of the Democratic Party, and the gentleman from Alabama [Mr. HOBSON] voted with Mr. Dalzell and Mr. PAYNE to sustain the Payne rates on lumber and against the Democratic Party and its position to put lumber on the free list. [Applause.] The gentleman from Alabama [Mr. HOBSON] preferred to tax the shelter of the poor, rather than to stand in line with his Democratic colleagues on the floor of this House. [Applause on the Democratic side.]

Now, I know that the galleries of the House at that time were filled with a lobby in the interest of the Lumber Trust, that it was a stench in the nostrils of the people of this country the way the lumber interest was performing and the way it did succeed in maintaining the Payne rates on lumber, which the gentleman from Alabama [Mr. HOBSON] voted for. [Applause.] But I want to say to the gentleman from Alabama that, although I do not think it was to his credit to abandon his party or the true interests of his people in casting that vote, I believe myself that the gentleman voted from motives that he believed to be right. I do not stand here to challenge the motives of the gentleman from Alabama even if he does desire to challenge mine. [Applause.] I merely say that when the gentleman charges that there is a mote in my eye, that he had better examine his own eye. [Applause.] So far as the interests of the people of Alabama and to vote to uplift the lowly and to stand against the strong and powerful, I am only too glad to put my votes in comparison with those of the gentleman from Alabama. [Applause.] At the time the gentleman cast that vote on lumber there were great lumber interests in his district, and at that same time they were reducing the tax on pig iron and other iron commodities in my district. Some of my constituents were protesting, but I cast my vote in the interest of the masses of the people of this country. [Applause.]

When it came down to writing a tariff bill I did not shirk when the knife came to me. The gentleman charges me with being a tool of the interests, the representative of Wall Street, a follower of the liquor interests, and yet when it became necessary to pass a bill that would relieve the American people of unjust taxation, I allowed every single thing in my district to go on the free list, because I knew and knew well that the man who led that fight must bare his own breast to the storm before he could carry his followers over the breastworks. [Applause.]

Now, Mr. Speaker, I regret that this controversy should have been brought on the floor of the House of Representatives, but in conclusion I want to say that I challenge any man to show that I have been the tool of any interests in this country. I challenge any man to inspect my record for 18 years and show a single vote that has not been in the interest of the masses of my constituency and against the great trusts of this country. [Applause.]

I want to say to the gentleman from Alabama that, so far as I am personally concerned, no matter how much mud he may sling at me during the coming campaign, I do not intend to be involved in any such controversy. [Applause.] I welcome his criticism of my record in a legitimate way. I shall endeavor to criticize his record in a gentlemanly and legitimate way. But no matter what he may say or what he may do, I can assure him that he can not provoke me into wading in the mire of dirty politics in Alabama. [Great applause.]

Mr. DONOVAN. Mr. Speaker, before I say anything on the question I would like to have 3 or 4 minutes in addition to my 10, for fear I may not finish in 10 minutes.

Mr. THOMAS. Make it five minutes.

Mr. DONOVAN. I will ask for five minutes more.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that his time may be increased five minutes. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Connecticut is recognized for 15 minutes.

Mr. DONOVAN. Mr. Speaker, with just a quotation from the New York World, I shall confine what I have to say to matters that took place or that have failed to take place in this body. What brought about this on my part was the fact that we had been here day after day with a very small attendance. This great money bill came along, which, in my opinion, was a greater measure than the tariff measure.

The conference report came in about the same time. As everyone knows, that money bill took two or three weeks to settle, and all these men that had taken in caucus a prominent part in the conference report took a very passive part in the passing of the money bill. I said one day, "What has become of all these great men?" Some one called attention to the fact that the gentleman from Alabama [Mr. HOBSON] who addressed us was hardly ever here. It occurred to me that that was true. To me it appeared strange, Mr. Speaker, that a man gifted as he is, so capable of illustrating his ideas, should absent himself, knowing as I did the rules that we all have to agree to when the Member says to the occupant of the Speaker's rostrum, "I take this obligation freely, without any mental reservation or purpose of evasion, and I will faithfully discharge the duties of the office on which I am about to enter" [reading from oath administered to Members of the House upon taking their seats].

Did some enemy of that great gentleman from Alabama [Mr. HOBSON] put that oath in the books in order to get him in trouble at some later day? [Laughter.] Just the other day on the floor of this House I heard our great Speaker say that it did not meet the question to have the pot call the kettle black, but it seems to be ethical with the gentleman from Alabama [Mr. HOBSON] that in getting out of a hole he shall pull somebody else into it. That would be a fine way to repair a wagon on the highway. If you have one wagon in a mud hole, pull another one in it.

Mr. Speaker, there is no one present in this body as a Member of it, or in any other legislative body of which I have been a member, who would say that I hesitate to speak the truth. It would make no difference to me whether the man of whom I spoke is a member of my party or of some other party. I always try to speak the truth. I have no stock in trade but the truth, and if I have made a statement about the gentleman that is not true I am sorry. I made it honestly, and I made it, as I say——

Mr. HOBSON rose.

Mr. DONOVAN. Oh, I refuse to be interrupted. My time is limited. Of course, Mr. Speaker, if I had had any idea that this was to be turned to an artful purpose, used to parade the gentleman's hold upon the public, or used to take advantage of the public, then I apologize to the other Members of the body for having been the cause of such a thing.

Mr. Speaker, I will supplement my statement of absenteeism more fully and clearly. I take the gentleman as he appears from the amateur stage, when he graduated, and I leave out his first term. Let us take now the Sixty-first Congress. In the first session of the Sixty-first Congress there were 61 roll calls—61 yea-and-nay votes. This most delightful character was absent 12 times, voting 26. He voted once to make a quorum and once on the question of a quorum he failed to vote. Let me repeat that. The gentleman was absent 12 times in the session of the Sixty-first Congress. He voted with our friends upon the other side, the Republicans, 6 times as against 12. He voted once to make a quorum and on the question of a quorum once he failed to vote. Twenty-six times he voted.

In the second session of the Sixty-first Congress the books show that he was absent 58 times, and according to the books in that second session of the Sixty-first Congress he voted 60 times—2 times more than he was absent. In that same second session of the Sixty-first Congress he voted with the stand-pat Republicans, which was a delightful pleasure, as the books will show, 7 times, and in that Congress he voted 10 times to make a quorum, and that was the extent of his vote. He voted "present" 6 times, and he failed to vote on the question of making a quorum 11 times. In the third session of the Sixty-first Congress he did not vote 43 times. He voted 59 times. He did a little better that time. He voted with the Republicans—that great Democrat, HOBSON from Alabama—8 times in that session, and he voted 22 times to make up a quorum, and 10 times he failed to vote in the making of a quorum, and 1 time he is recorded as being present.

Now let us take the Sixty-second Congress. This is where he performed his duty in a most faithful way. In that Congress there were three sessions. In the first session he did not vote or was absent 51 times. He voted 12 times—a beautiful memory! Perhaps I am committing a crime in calling attention to this, but during the time that Mr. Speaker Crisp occupied the chair now occupied by our distinguished Speaker the following statute was passed:

The Secretary of the Senate and Sergeant at Arms of the House, respectively, shall deduct from the monthly payments of each Member or Delegate the amount of his salary for each day he has been absent from the Senate or House, respectively, unless such Member or Delegate assigns as the reason for such absence the sickness of himself or of some member of his family.

The only excuse that the distinguished gentleman makes is that he has been paired sometimes; that is, it takes two Members to make a pair, and it means that there are two absent, so that a man might pair himself with another at the beginning of the session, and neither one need ever come around and yet get the whole salary. [Laughter.] Let me finish the first session of the Sixty-second Congress. He did not vote 51 times. He failed to vote to make a quorum 14 times and voted "present" 3 times—a beautiful citizen; a beautiful Member of Congress! In the second session of the Sixty-second Congress, again, he did not vote 134 times. I wonder if there was some vicious liquor dealer who kept him away from doing his duty. [Laughter.] He voted 58 times. He voted with the Republicans 6 times, and this is the man they are going to send to represent Alabama in the upper House! He voted "present" 11 times and voted to make a quorum 15 times and failed to vote to make a quorum 30 times. He did a little better in the last session of the Sixty-second Congress. He did not vote 49 times; he voted 64 times; voted with the stand-pat Republicans 6 times, voted "present" 6, voted to make a quorum 26, and failed to vote to make a quorum 17 times.

Now, Mr. Speaker, we have had present here these pages, every one of them, for everyone to see. We have had here the attachés of this building, every one of them present. Now, what are we going to say of men with this great salary and honor and prestige? Let the ship run as it may? Suppose some more stayed away. I want to call attention to the conditions and the type of men who come to us from Alabama. We all know on the roll call the first name we hear is that of an Alabamian, and I challenge anyone if he remembers the time when he failed to vote, and that is ABERCROMBIE. [Applause on the Democratic side.] If there is one State in this Union whose Members are consistently present it is that State—Alabama—with one exception. The President from that rostrum a few months ago told us to do our duty. He appeared upon that rostrum but lately with the same appeal for us to do our duty. I have evidence here that one gentleman from Alabama mentioned here has always done his duty. I will read this letter, for it ought to go into the RECORD as an example to new Members, as an example to everyone to do his duty. It is a tribute to good work; it is a tribute to honorable men who give the best that is in them to their country, without fear or hope of reward. This is it. It is a gem, in my estimation, and it is a proud heritage to the gentleman to whom it is addressed and his family:

THE WHITE HOUSE,
Washington, October 10, 1913.

Hon. HENRY D. CLAYTON,
House of Representatives.

MY DEAR MR. CLAYTON: I am a great deal concerned at the thought of losing you from the working force of the House of Representatives. As the chief direction of affairs in the present session has lain with the Committee on Ways and Means and the Committee on Banking and Currency, I foresee that the chief responsibilities of the next session will lie with the Committee on the Judiciary, of which you are chairman. I was looking forward with great satisfaction to working with you and having your experienced counsel and assistance in the work that is before us. It seems to me, indeed, indispensable in the carrying out of our party's program.

I do not deem myself at liberty to suggest to you anything that would interfere with your own personal plans, and I feel rather selfish in saying what I am saying, but I considered it a matter of mere public duty on my part to say how earnestly I had desired that I might have your aid and counsel as chairman of the Judiciary Committee during the next session and the next Congress, for our work can not be finished in a single session. If I accomplish no more by this than giving myself the pleasure of letting you know my personal estimate of you, I shall, at any rate, have discharged my conscience in the matter and said what was really in my mind and heart. If I dared, I would beg you to remain in the House.

Cordially and sincerely, yours,
WOODROW WILSON.

Then the answer to the President from the courtly chairman of the Judiciary Committee is a missive that any State could well be proud to have come from the pen of any of her honored sons. It shows loyalty to party that is akin to religious faith:

DEAR MR. PRESIDENT: Your letter of October 10 was duly delivered by special messenger. Of course it gave me great pleasure to know your kind opinion of my past services and the possibilities of usefulness you consider me capable of in the succeeding sessions of Congress. My work heretofore in its connection with you has been exceedingly pleasant. I have been in hearty sympathy with all your patriotic plans and purposes, in so far as I have known them.

I have consulted with such friends as I could reach, and they have agreed with me that I should look upon the wish expressed by you, as the head of the party, as imperative. I will therefore give notice of my intention to remain in the House during the present Congress and retire from the race for the Senate from Alabama and submit the matter of my reelection as Representative to the loyal Democrats of the third congressional district of Alabama.

I want to say to you formally what I said to you in person in our conversation at the White House last night—that I am very deeply appreciative of and grateful for the great compliment you have paid me in your letter.

Sincerely, yours,
HENRY D. CLAYTON.

Now, gentlemen, notice the date of the President's letter mentioned of the 10th of October. That was published in the Washington Post Sunday, the 12th. Where did that letter find that great man, HENRY D. CLAYTON? Right here attending to his duty. A letter by special messenger reached him. Where was the so-called, in his own estimation, great man from Alabama? [Laughter.] He could not be found, according to the Sergeant at Arms, although I ought to apologize; he may be here by warrant of the Sergeant at Arms for all I know. [Laughter.] The Sergeant at Arms most diligently tried to find him.

The SPEAKER. The time of the gentleman has expired.

Mr. HOBSON. Mr. Speaker, I move that the gentleman be allowed to proceed indefinitely and conclude his remarks.

The SPEAKER. The gentleman from Alabama [Mr. HOBSON] asks unanimous consent that the gentleman from Connecticut may be allowed to proceed——

Mr. MANN. Mr. Speaker, reserving the right to object, how much more time does the gentleman want?

Mr. DONOVAN. I do not know that I need any more, but I will take one minute.

Mr. BARTLETT. Make it five.

Mr. DONOVAN. Five minutes, Mr. Speaker.

The SPEAKER. The gentleman asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DONOVAN. Now, Mr. Speaker, in conclusion I should say that I want the distinguished gentleman from Alabama [Mr. HOBSON] to tell some truths when he returns home, and this is the truth I want him to tell. Probably I have as much sympathy for that section of the country as anyone.

There lies in an unmarked grave an uncle of mine who fought on the Confederate side.

I realize that there have been for years in the South United States officials who are just so much barter and trade and handfuls of clay, and used for vicious purposes. You go back home and say that when the amendment to the urgent deficiency bill to regulate the appointment of deputy United States marshals and deputy revenue collectors to protect the people of the South came up for action you were absent, but that the "gentleman from Connecticut," with two associates, gave the bill its majority to free the South from that obnoxious crew that has controlled the offices in the past. [Applause on the Democratic side.] You go back to the South and say that from old New England there were only four votes for that bill, one cast by the gentleman from Massachusetts [Mr. GILMORE] and three cast by Representatives from Connecticut. You tell your people that you deserted your interests and that the South had to depend on the gentleman from Connecticut, with his associates, to bring the bill to a conclusion and right the wrong that had been existing in Dixie. Tell that to your people and keep some of your talk out of your book of imagination, which seems to be your stock in trade.

You want to say this, too—and I am going to emphasize it—that when that great measure known as the Payne-Aldrich bill came in here—and why the gentleman from Alabama [Mr. UNDERWOOD] did not tell it all I do not know—four times you [Mr. HOBSON] voted for the Payne-Aldrich crew. The bill was in this House three different times. You voted on its final passage the first time. Where were you when it came back from the Senate on the 9th of July, 1909? You were absent. You were here on the 12th, for you voted on the income tax. You were here on the 20th, for you voted with us Democrats on the urgent deficiency bill; but, gentlemen, that is when it came back from the Senate. On the final passage of the bill, July 31, there were three yea-and-nay votes, and on the first roll call there were 11 absent, and on the third and final 10 absent, and the distinguished gentlemen [Mr. HOBSON] was one of those. Out of that 11 there were 4 pairs, 3 without a pair, and the distinguished gentleman [Mr. HOBSON] was one of the three. On the last bill there were four pairs, and two without a pair, and the distinguished gentleman from Alabama [Mr. HOBSON] was one of the two. The gentleman states that he had a pair for the session. The books do not show it. I do not know how he fixes it. Once he was paired with Mr. FOWLER and at another time with Mr. CAPRON. This time it does not show that he had a pair at all. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. HOBSON. I ask unanimous consent that the time of the gentleman, or others who care to talk on this subject, may be further extended.

Mr. DONOVAN. Mr. Speaker, I only want to read this one thing, from the New York World, and that is a Democratic newspaper.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to read an article from the New York World. Is there objection? [After a pause.] The Chair hears none.

Mr. DONOVAN. The article is as follows:

HOBSON AGAIN!

Fifteen years ago last June RICHMOND PEARSON HOBSON was a hero. He has been a nuisance ever since. With his militarism, his jingoism, his anti-Japanism, he has been a visitation upon his afflicted country.

Now he is running for the United States Senate against OSCAR W. UNDERWOOD. He feels that demands for $50,000,000 for the Navy for 10 superdreadnoughts, even for immediate war with Japan, have lost their pristine charm. So he turns over a new leaf by denouncing Mr. UNDERWOOD as "the tool of the whisky ring and the money interests."

Coming on the heels of the passage of the Underwood Tariff Act, it is hard to decide whether this charge is the more outrageous or ludicrous.

With South Carolina threatening to send Cole Blease to the United States Senate, the bare possibility that Alabama might inflict HOBSON on the country is enough to arouse a nation-wide interest in Mr. UNDERWOOD'S candidacy.

[Laughter.]

FRANCHISES IN PORTO RICO (S. DOC. NO. 209).

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying documents, referred to the Committee on Insular Affairs, the message to be printed and the accompanying documents to be filed with the committee:

To the Senate and House of Representatives:

As required by section 32 of the act of Congress approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I transmit herewith certified copies of franchises granted by the Executive Council of Porto Rico, which are described in the accompanying letter from the Secretary of War transmitting them to me. Such of these as relate to railroad, street railway, telegraph, and telephone franchises, privileges, or concessions have been approved by me, as required by the joint resolution of May 1, 1900 (31 Stat., 715).

WOODROW WILSON.

THE WHITE HOUSE, *October 7, 1913.*

Mr. MANN. What was the document that accompanied the President's message? I did not catch it. What was the document ordered to be printed?

The SPEAKER. The message was ordered to be printed, but the accompanying documents, certified copies of franchises, and so forth, are sent to the committee.

LAWS OF THE PHILIPPINE ISLANDS (S. DOC. NO. 205).

The SPEAKER also laid before the House the following message from the President of the United States, which was read and, with the accompanying documents, referred to the Committee on Insular Affairs, the message to be printed and the accompanying documents to be filed with the committee:

To the Senate and House of Representatives:

As required by section 86 of the act of Congress approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," I transmit herewith a set of the laws enacted by the Third Philippine Legislature, during its first session, from October 16, 1912, to February 3, 1913, inclusive, and its special session from February 6, 1913, to February 11, 1913, inclusive, and also certain laws enacted by the Philippine Commission.

WOODROW WILSON.

THE WHITE HOUSE, *October 7, 1913.*

The SPEAKER. The accompanying documents are copies of the statutes, and they are not ordered to be printed. If the House wants them printed hereafter, it can be done.

LAWS OF PORTO RICO (S. DOC. NO. 206).

The SPEAKER also laid before the House the following message from the President of the United States, which was read and, with the accompanying documents, referred to the Committee on Insular Affairs, the message to be printed and the accompanying documents to be filed with the committee:

To the Senate and House of Representatives:

As required by section 31 of the act of Congress approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I transmit herewith copies of the acts and resolutions enacted

by the Legislative Assembly of Porto Rico during the extraordinary session beginning June 20 and ending August 19, 1913.

WOODROW WILSON.

THE WHITE HOUSE, *October 7, 1913.*

LEAVE OF ABSENCE.

Mr. STEDMAN, by unanimous consent, obtained leave of absence for 10 days, on account of death in his family.

PERSONAL STATEMENT.

Mr. UNDERWOOD. I move, Mr. Speaker, that the House do now adjourn.

Mr. AUSTIN. Mr. Speaker, if the gentleman will withhold his motion for a moment, I wish to ask that the House indulge me in a personal statement. I do not suppose it will take more than three minutes.

Mr. UNDERWOOD. I will withhold the motion.

The SPEAKER. The gentleman from Tennessee [Mr. AUSTIN] asks unanimous consent to address the House for three minutes. Is there objection?

There was no objection.

Mr. AUSTIN. Mr. Speaker, on last Saturday, in the consideration of an amendment to the urgent deficiency bill providing for an extra month's pay for the employees of the House, I addressed the House for five minutes. I was followed later by the gentleman from Mississippi [Mr. SISSON], and I wish now to direct attention to what he stated in reference to my remarks. Mr. SISSON said:

Somebody stated a moment ago that it would be cowardly and pusillanimous for a man to take the position that I now take; that he ought not to have a right to represent the people on the floor of this House.

Farther along Mr. SISSON made this further statement:

When you say that a man is cowardly because he endeavors to protect the Public Treasury, when you say that a man is cowardly because he is not willing to stand by that which he believes to be right—when you make a statement of that kind you make it evidently without well considering what you are doing, and you have a contempt for every man who does not vote for what you wish. I believe the gentleman says that he never voted for a bill to tax the people and never voted against an appropriation bill except because it was too small.

Now, Mr. Speaker, I made no such statement as that construed by the gentleman from Mississippi. I have too much respect for myself, and I certainly have too much respect and consideration for my colleagues, to make such an unwise and unjust statement as that. I can very well excuse the gentleman from Mississippi, because in a running debate here it is almost impossible at times to accurately understand statements made by the Members. But evidence of the fact that the gentleman from Mississippi misunderstood what I did say can be easily obtained by a reading of what I actually said, and it is printed in Saturday's RECORD without the crossing of a "t" or the dotting of an "i."

I know the gentleman from Mississippi would not intentionally do me an injury or misrepresent me. But the man who has a double rôle to perform in this House, like the gentleman from Mississippi, has some excuse for misunderstanding what a Member may state in the heat of a running debate, for we all know that the mantle of the great Daniel Webster has fittingly fallen on the shoulders of the gentleman from Mississippi as the expounder and defender of the Constitution; and he not only fills that position with credit to himself, but to the entire satisfaction of this House; and since the passing of Judge Holman, of Indiana, the gentleman fills his position as a Member of this House in being the never-resting, vigilant, watchful guardian of the public funds in the Treasury of the United States. A man with these two great occupations in the American Congress is to be excused if he misunderstands what a colleague may state here in a running debate. It is true that I never vote against appropriations, and I made a campaign in my district in which I stated——

Mr. MANN. Mr. Speaker, I rise to a question of order, and ask for order. I think the two gentlemen from Alabama who have been quarreling for two hours here ought not to make up on the floor of the House at the expense of the gentleman from Tennessee.

The SPEAKER. The point of order is well taken. [Laughter.]

Mr. AUSTIN. I did make a campaign in my district on the proposition that I would never vote against——

The SPEAKER. The time of the gentleman has expired.

Mr. SISSON. How much time does the gentleman want?

Mr. AUSTIN. Three minutes.

Mr. SISSON. I ask unanimous consent that the gentleman from Tennessee have three minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. AUSTIN. I did make a campaign in Tennessee on a platform to never vote for a tax and never voté against an appropriation, and I have carried out that pledge in good faith, and as a result my majority was increased from 800 to 4,000. [Laughter and applause.] But I will say to the gentleman from Mississippi that in the Committee on Public Buildings and Grounds and in the House I did vote to report one of his bills which was embraced in the last public buildings bill providing $50,000 for a public building at Water Valley, Miss., where the Government pays $440 a year rent for a post office, where the population is less than 5,000, and where the total postal receipts are under $10,000.

But, Mr. Speaker, in view of the invaluable services rendered by the gentleman from Mississippi in the two capacities I have named I felt justified, not only in voting for a handsome public building in his own district, but I am sure I would be justified in the eyes of the American people in voting for a public building at every town, village, and hamlet in the State of Mississippi. I go further, Mr. Speaker. When I consider the length, breadth, and value of the gentleman's services as "the watchdog of the Treasury" and the defender of our Constitution, I would be tempted, in fact, to vote to send the standing Army to drive out every boll weevil in Mississippi. And in addition to that, Mr. Speaker, I would be justified in voting for a levee system as high as the Washington Monument, if necessary, to preserve the sacred soil of Mississippi from the overflows of the great Mississippi River. I would not stop at that, Mr. Speaker. I would search out the men who gave to the Nation such a fitting successor of Daniel Webster and Judge Holman, and I would let every man who voted to send him to this House have the right to draw on the Treasury of the United States at his own sweet will and pleasure whenever he was out of funds, and I would vote to pension him and all of his relatives, as well as all of his descendants. Now, having made this frank and open statement, I throw myself upon the generosity of this House, and I pray to be restored quickly and fully to the hearts and affections of my honored and loved colleagues, including the gentleman from Mississippi. [Laughter.]

Mr. SISSON. Mr. Speaker, I ask unanimous consent to make a statement of a minute or so.

The SPEAKER. The gentleman asks for two minutes. Is there objection?

There was no objection.

Mr. SISSON. Mr. Speaker, the gentleman from Tennessee [Mr. AUSTIN] and I have always been good friends, and I am glad that he does not take seriously any statement which tended in any way, if it did so, to put him in a false light, because I did not intend to do that. On the contrary, it was during the heat of a debate, and I had heard my friend say so frequently in private conversations that he always made campaigns down in his district upon the idea that he never voted for a bill to tax the people, and never voted against an appropriation bill except because it was too small. So I was simply a little nettled because, as I thought, the gentleman from Tennessee was endeavoring to put some of us in the attitude of being very cowardly because we saw fit and proper sometimes to oppose some appropriations. But the gentleman evidently did not state exactly what I understood, because he says the RECORD states exactly what he said, and he did not say exactly what I quoted him as saying. Therefore I am willing to have the RECORD show that the gentleman made the other statement, and not the statement which I attributed to him.

Mr. COOPER. Mr. Speaker, I ask permission briefly to correct an error in a statement which I made here during the debate on Saturday last on the urgent deficiency bill.

The SPEAKER. How much time does the gentleman want?

Mr. COOPER. Three or four minutes.

The SPEAKER. The gentleman asks unanimous consent for four minutes. Is there objection?

There was no objection.

Mr. COOPER. Mr. Speaker, on Saturday last, during the debate on the bill containing the paragraph relating to the memorial bridge, I said that I did not own and never had owned any interest in real estate except in the State of Wisconsin. That was absolutely true as to my not owning any real estate on Saturday elsewhere than in Wisconsin.

But 20 or more years ago, through the death of a relative, I inherited an undivided one-fifth interest in about 30 acres in the State of Washington on the Pacific coast. I never have been in the State of Washington nor ever seen the land. Years ago I quitclaimed all my interest in it to the owners of the other undivided shares.

More recently another relative died, and I became the owner of an undivided one-quarter interest in two or three lots of land in the city of Tacoma, in the State of Washington. This interest I also quitclaimed.

Mr. JOHNSON of Washington. Will not the gentleman come out to Tacoma and see some good real estate?

Mr. ADAMSON. What—on the way out? [Laughter.]

Mr. COOPER. These transactions did not occur to me, probably because I never have seen any of the lands, and also because there was no money or other property consideration involved. Although this is of no great importance, yet I thought best to mention it, because it always is well to correct even minor inaccuracies appearing in the RECORD in statements which purport to present facts.

Mr. THOMAS. Mr. Speaker, I move that the balance of this session be devoted to such remarks as Members desire to make, and that the rest of us be permitted to go home.

The SPEAKER. The motion of the gentleman from Kentucky is out of order.

Mr. MANN. That would not leave anybody here except on that side of the House.

[Mr. BRUMBAUGH addressed the House. See Appendix.]

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Alabama moves that the House do adjourn.

Mr. MANN. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 109, nays 41, answered "present" 8, not voting 271, as follows:

YEAS—109.

Abercrombie	Dixon	Humphreys, Miss.	Sherwood
Aiken	Donohoe	Jacoway	Sisson
Ansberry	Donovan	Johnson, Ky.	Smith, Tex.
Baltz	Doolittle	Kennedy, Conn.	Sparkman
Barkley	Doremus	Key, Ohio	Stephens, Miss.
Barnhart	Doughton	Kirkpatrick	Stevens, N. H.
Bartlett	Eagle	Lee, Ga.	Stone
Beakes	Edwards	Lee, Pa.	Stout
Beall, Tex.	Estopinal	Lesher	Stringer
Bell, Ga.	Evans	Lloyd	Taggart
Borchers	Fergusson	Lobeck	Talcott, N. Y.
Brockson	Fitzhenry	McClellan	Tavenner
Brown, W. Va.	Flood, Va.	McCoy	Ten Eyck
Brumbaugh	Floyd, Ark.	McDermott	Thacher
Buchanan, Ill.	Foster	McGillicuddy	Thomas
Buchanan, Tex.	Gard	Maguire, Nebr.	Thompson, Okla.
Byrnes, S. C.	Garrett, Tex.	O'Hair	Tribble
Byrns, Tenn.	George	Oldfield	Tuttle
Candler, Miss.	Godwin, N. C.	Pepper	Underwood
Casey	Goeke	Phelan	Vaughan
Clark, Fla.	Gorman	Pou	Walker
Claypool	Gray	Ragsdale	Walsh
Clayton	Hammond	Raker	Watkins
Connolly, Iowa	Hardy	Rauch	Webb
Cox	Helm	Rayburn	Young, Tex.
Crosser	Helvering	Reilly, Conn.	
Dent	Hill	Rothermel	
Dershem	Hughes, Ga.	Sherley	

NAYS—41.

Anderson	French	MacDonald	Shreve
Austin	Greene, Vt.	Mann	Sinnott
Avis	Hamilton, N. Y.	Mapes	Smith, Idaho
Bell, Cal.	Hawley	Mondell	Steenerson
Bowdle	Johnson, Utah	Nelson	Temple
Browne, Wis.	Johnson, Wash.	Parker	Towner
Campbell	Kennedy, Iowa	Payne	Woodruff
Cooper	Kindel	Plumley	Woods
Falconer	Lafferty	Powers	
Fess	La Follette	Rogers	
Frear	Lindquist	Sharp	

ANSWERED "PRESENT"—8.

Adamson	Fields	McLaughlin	Smith, J. M. C.
Crisp	Hardwick	Morrison	Watson

NOT VOTING—271.

Adair	Butler	Dies	Goldfogle
Ainey	Calder	Difenderfer	Good
Alexander	Callaway	Dillon	Goodwin, Ark.
Allen	Cantrill	Dooling	Gordon
Anthony	Caraway	Driscoll	Goulden
Ashbrook	Carew	Dunn	Graham, Ill.
Aswell	Carlin	Dupré	Graham, Pa.
Bailey	Carr	Dyer	Green, Iowa
Baker	Carter	Eagan	Greene, Mass.
Barchfeld	Cary	Edmonds	Gregg
Bartholdt	Chandler, N. Y.	Elder	Griest
Barton	Church	Esch	Griffin
Bathrick	Clancy	Fairchild	Gudger
Blackmon	Cline	Faison	Guernsey
Booher	Collier	Farr	Hamill
Borland	Connelly, Kans.	Ferris	Hamilton, Mich.
Bremner	Conry	Finley	Hamlin
Britten	Copley	Fitzgerald	Harrison
Brodbeck	Covington	Fordney	Hart
Broussard	Cramton	Fowler	Haugen
Brown, N. Y.	Cullop	Francis	Hay
Browning	Curley	Gallagher	Hayden
Bruckner	Curry	Gardner	Hayes
Bryan	Dale	Garner	Heflin
Bulkley	Danforth	Garrett, Tenn.	Helgesen
Burgess	Davenport	Gerry	Henry
Burke, Pa.	Davis	Gillett	Hensley
Burke, S. Dak.	Decker	Gilmore	Hinds
Burke, Wis.	Deitrick	Gittins	Hinebaugh
Burnett	Dickinson	Glass	Hobson
Holland	Lindbergh	Palmer	Smith, N. Y.
Houston	Linthicum	Patten, N. Y.	Stafford
Howard	Logue	Patton, Pa.	Stanley
Howell	Lonergan	Peters, Mass.	Stedman
Hoxworth	McAndrews	Peters, Me.	Stephens, Cal.
Hughes, W. Va.	McGuire, Okla.	Peterson	Stephens, Nebr.
Hullings	McKellar	Platt	Stephens, Tex.
Hull	McKenzie	Porter	Stevens, Minn.
Humphrey, Wash.	Madden	Post	Sumners
Igoe	Mahan	Prouty	Sutherland
Johnson, S. C.	Maher	Quin	Switzer
Jones	Manahan	Rainey	Talbott, Md.
Kahn	Martin	Reed	Taylor, Ala.
Keating	Merritt	Reilly, Wis.	Taylor, Ark.
Keister	Metz	Richardson	Taylor, Colo.
Kelley, Mich.	Miller	Riordan	Taylor, N. Y.
Kelly, Pa.	Mitchell	Roberts, Mass.	Thomson, Ill.
Kennedy, R. I.	Montague	Roberts, Nev.	Townsend
Kent	Moon	Rouse	Treadway
Kettner	Moore	Ruley	Underhill
Kiess, Pa.	Morgan, La.	Rucker	Vare
Kinkaid, Nebr.	Morgan, Okla.	Rupley	Volstead
Kinkead, N. J.	Morin	Russell	Wallin
Kitchin	Moss, Ind.	Sabath	Walters
Knowland, J. R.	Moss, W. Va.	Saunders	Weaver
Konop	Mott	Scott	Whaley
Korbly	Murdock	Scully	Whitacre
Kreider	Murray, Mass.	Seldomridge	White
Langham	Murray, Okla.	Sells	Williams
Langley	Neeley	Shackleford	Willis
Lazaro	Nolan, J. I.	Sims	Wilson, Fla.
L'Engle	Norton	Slayden	Wilson, N. Y.
Lenroot	O'Brien	Slemp	Wingo
Lever	Oglesby	Sloan	Winslow
Levy	O'Leary	Small	Witherspoon
Lewis, Md.	O'Shaunessy	Smith, Md.	Young, N. Dak.
Lewis, Pa.	Padgett	Smith, Sami. W.	
Lieb	Page	Smith, Minn.	

So the motion was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. BLACKMON with Mr. BARCHFELD.

Mr. KONOP with Mr. MORIN.

Mr. SUMNERS with Mr. ESCH.

Mr. GARNER with Mr. J. I. NOLAN.

Mr. WILLIAMS with Mr. BRITTEN.

Mr. RICHARDSON with Mr. MARTIN.

Mr. MADDEN with Mr. RAINEY.

Mr. HARRISON with Mr. GRAHAM of Pennsylvania.

Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1, except on currency and tariff).

Mr. PAGE with Mr. GILLETT (commencing Sept. 30, after third roll call).

Mr. CANTRILL with Mr. HELGESEN.

Mr. FIELDS with Mr. LANGLEY.

Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).

Mr. REED with Mr. WINSLOW (commencing Oct. 1, remainder of extra session).

Mr. TALBOTT of Maryland with Mr. MERRITT.

Mr. CARTER with Mr. MCGUIRE of Oklahoma.

Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.

Mr. STEPHENS of Nebraska with Mr. SLOAN.

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on tariff conference report, currency excepted at option of either party).

Mr. STEPHENS of California with Mr. WITHERSPOON (commencing Oct. 3, except on cotton-futures amendment).

Mr. CLINE with Mr. NORTON (commencing Oct. 1).

Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.

Mr. BOOHER with Mr. SLEMP.

Mr. KETTNER with Mr. SCOTT.

Mr. BURKE of Wisconsin with Mr. CARY.

Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).

Mr. CRISP with Mr. HINDS (transferable).

Mr. DIES with Mr. SWITZER.

Mr. CARAWAY with Mr. KENNEDY of Rhode Island.

Mr. CONRY with Mr. KREIDER.

Mr. SPARKMAN with Mr. HOWELL.

Mr. JONES with Mr. HINEBAUGH.

Mr. UNDERHILL with Mr. HAYES.

Mr. RUCKER with Mr. HAUGEN.

Mr. MOON with Mr. DILLON.

Mr. TAYLOR of Alabama with Mr. GUERNSEY.

Mr. CULLOP with Mr. CALDER.

Mr. BULKLEY with Mr. BRYAN.

Mr. HAMLIN with Mr. COPLEY.

Mr. MURRAY of Massachusetts with Mr. SAMUEL W. SMITH.

Mr. RUSSELL with Mr. DANFORTH.

Mr. ALEXANDER with Mr. ROBERTS of Massachusetts.

Mr. DUPRÉ with Mr. ANTHONY.

Mr. GRAHAM of Illinois with Mr. PETERS of Maine.

Mr. PETERS of Massachusetts with Mr. SMITH of Minnesota.

Mr. CURLEY with Mr. J. R. KNOWLAND.

Mr. MCKELLAR with Mr. MOTT.
Mr. GLASS with Mr. SELLS.
Mr. FINLEY with Mr. GREEN of Iowa.
Mr. BREMNER with Mr. KIESS of Pennsylvania.
Mr. RUPLEY with Mr. TREADWAY.
Mr. HENEY with Mr. LEWIS of Pennsylvania.
Mr. STANLEY with Mr. FARR.
Mr. HOWARD with Mr. GRIEST.
Mr. HENSLEY with Mr. DYER (commencing October 1).
Mr. WILSON of Florida with Mr. GOOD (commencing October 1).
Mr. ASWELL with Mr. MCLAUGHLIN (commencing September 3).
Mr. WATSON with Mr. KAHN (commencing October 13).
Mr. COVINGTON with Mr. MILLER.
Mr. HOUSTON with Mr. WILLIS.
Mr. HEFLIN with Mr. DUNN.
Mr. HOXWORTH with Mr. ROBERTS of Nevada.
Mr. GREGG with Mr. MOSS of West Virginia.
Mr. DAVENPORT with Mr. MANAHAN.
Mr. KITCHIN with Mr. MURDOCK.
Mr. KORBLY with Mr. PATTON of Pennsylvania.
Mr. LEVER with Mr. PLATT.
Mr. LINTHICUM with Mr. VARE.
Mr. GERRY with Mr. WATERS.
Mr. CARLIN with Mr. PROUTY.
Mr. REUSE with Mr. RUPLEY.
Mr. CLANCY with Mr. PORTER.
Mr. TAYLOR of Arkansas with Mr. SUTHERLAND.
Mr. FITZGERALD with Mr. YOUNG of North Dakota.
Mr. GORDON with Mr. THOMSON of Illinois.
Mr. FERRIS with Mr. KEISTER.
Mr. GARRETT of Tennessee with Mr. LANGHAM.
Mr. HAY with Mr. MCKENZIE.
Mr. MORGAN of Louisiana with Mr. HULINGS.
Mr. PALMER with Mr. MOORE.
Mr. WINGO with Mr. KELLEY of Michigan.
Mr. BATHRICK with Mr. KELLY of Pennsylvania.
Mr. FRANCIS with Mr. HUGHES of West Virginia.
Mr. ASHBROOK with Mr. GREENE of Massachusetts.
Mr. MONTAGUE with Mr. DAVIS.
Mr. KINKEAD of New Jersey with Mr. CRAMTON.
Mr. STEDMAN with Mr. EDMONDS.
Mr. SAUNDERS with Mr. AINEY.
Mr. LIEB with Mr. CURRY.
Mr. HAMILL with Mr. BURKE of Pennsylvania.
Mr. GOODWIN of Arkansas with Mr. BARTON.
Mr. BURNETT with Mr. BUTLER.
For the session:
Mr. SLAYDEN with Mr. BARTHOLDT.
Mr. METZ with Mr. WALLIN.
Mr. ADAMSON with Mr. STEVENS of Minnesota.
Mr. SCULLY with Mr. BROWNING.
Mr. HOBSON with Mr. FAIRCHILD.

Mr. MORRISON. Mr. Speaker, I have a general pair with the gentleman from Washington, Mr. HUMPHREY, which I had forgotten. I answered "yea," and I desire to change my vote from "yea" to "present."

The name of Mr. MORRISON was called, and he answered "Present."

Mr. MCLAUGHLIN. Mr. Speaker, I have a pair with Mr. ASWELL, of Louisiana. I wish to withdraw my vote of "nay" and answer "present."

The name of Mr. MCLAUGHLIN was called, and he answered "Present."

Mr. HAYDEN. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman in the hall listening when his name was called?

Mr. HAYDEN. No.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was announced as above recorded.

Accordingly (at 3 o'clock and 53 minutes p. m.), the House adjourned until to-morrow, Tuesday, October 14, 1913, at 12 o'clock noon.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 4433) granting an increase of pension to John Reilly; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7058) granting a pension to Charles A. Van Atta; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GREGG: A bill (H. R. 8846) making appropriation for payment of certain claims in accordance with findings of the Court of Claims reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and Tucker Acts, and under the provisions of section 151 of the act approved March 3, 1911, commonly known as the Judicial Code; to the Committee on War Claims.

By Mr. KAHN: A bill (H. R. 8847) amending paragraph 81 of the act creating a public utilities commission; to the Committee on the District of Columbia.

By Mr. JOHNSON of Washington: A bill (H. R. 8848) to amend section 2324 of the Revised Statutes of the United States, relating to mining claims; to the Committee on the Public Lands.

By Mr. ANDERSON: A bill (H. R. 8849) to enlarge, extend, remodel, and improve the post-office building at Albert Lea, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. CARLIN: A resolution (H. Res. 285) referring the bill (H. R. 8850) for the relief of the heirs of David H. Creel to the Court of Claims; to the Committee on Claims.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARLIN: A bill (H. R. 8850) for the relief of the heirs of David H. Creel; to the Committee on War Claims.

By Mr. CASEY: A bill (H. R. 8851) to place the name of Jedediah C. Paine upon the unlimited retired list of the Army; to the Committee on Military Affairs.

By Mr. CLAYPOOL: A bill (H. R. 8852) granting a pension to Isaac Cary; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8853) granting an increase of pension to Franklin T. Alderman; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 8854) granting an increase of pension to Anne Darcy; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 8855) granting a pension to Martha A. Kaiser; to the Committee on Pensions.

By Mr. STEENERSON: A bill (H. R. 8856) granting an increase of pension to James Carroll; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARLIN: Papers to accompany bill (H. R. 8850) for the relief of the heirs of David H. Creel; to the Committee on War Claims.

By Mr. FITZGERALD: Petition of the Third Annual State Conference on Taxation, Binghamton, N. Y., requesting Congress to provide for collecting statistics of wealth, debt, and taxation, as authorized by permanent census act, at the earliest practicable moment; to the Committee on the Census.

Also, petition of the District Lodge, No. 44, International Association of Machinists, Washington, D. C., favoring an immediate change in the naval regulations so as to permit representation of the employees on the wage boards; to the Committee on Naval Affairs.

By Mr. KIESS of Pennsylvania: Papers to accompany bill (H. R. 6841) for the relief of William Lammerhirt; to the Committee on Pensions.

Also, papers to accompany bill (H. R. 1202) for the relief of Julius Widdigen; to the Committee on Invalid Pensions.

By Mr. MCGILLICUDDY: Petition of Camden (Me.) Board of Trade, favoring passage of legislation for protection from floods of the territory adjacent to the lower Mississippi River; to the Committee on Rivers and Harbors.

By Mr. UNDERHILL: Petition of citizens of the thirty-seventh congressional district of New York, favoring the passage of legislation compelling concerns selling goods direct to the consumer, by mail, to contribute their portion of the funds for the development of the local community, county, and State; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

TUESDAY, *October 14, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Coudeu, D. D., offered the following prayer:

Our Father in heaven, impress us with the fact that it is Thou who hast made us and endowed us with wonderful faculties of mind and soul and dignified us with the power of choice, which reflects Thy glory in us; that we are here to subdue every evil intent and rise to the dignity of self-control, and thus become conquerors of the now and be fitted for the then by the development of the divine within, that we may present ourselves before Thee with a character after the similitude of the world's great Exemplar. Amen.

CALLING OF THE ROLL.

Mr. MANN. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The point of order is well taken.

Mr. UNDERWOOD. Mr. Speaker, I would like to inquire whether the deficiency bill has been signed or not?

The SPEAKER. It has not.

Mr. UNDERWOOD. Is it on the Speaker's desk?

The SPEAKER. The Chair has not seen or heard of it.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. Here it is now.

Mr. MANN. Mr. Speaker, there is no quorum present——

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present.

Mr. UNDERWOOD. Mr. Speaker, I ask the gentleman to withhold that for a moment.

Mr. MANN. Well, I make the point. The Speaker has already declared there is no quorum present, and it is too late to withdraw that declaration.

Mr. UNDERWOOD. Mr. Speaker, I doubt whether there is a quorum in town, but to demonstrate the fact I will move a call of the House.

The SPEAKER. The gentleman from Alabama moves a call of the House.

Mr. MANN. Mr. Speaker, is not that motion debatable?

The SPEAKER. The Chair does not think the motion is debatable.

Mr. MANN. I do not think the Chair has any authority for saying it is not debatable.

The SPEAKER. The Chair does not know whether it is debatable or not. He has never heard the question raised, never heard anybody attempt to debate it, and has always taken for granted that it is not debatable.

Mr. MANN. I have not been able to find any authority that it is not.

Mr. HARDWICK. On principle it is not, Mr. Speaker.

The SPEAKER. The Chair would hold, as a matter of ordinary common sense, that it is not debatable. It is one of those motions that is intended to expedite business like a motion for the previous question.

Mr. MANN. Well, I will not appeal from the decision of the Chair, although I think it will be well for him to have the parliamentary clerk look it up.

The SPEAKER. Well, the Chair will hunt it up before it is raised the next time, but the Chair is reasonably certain, unless it has been decided half a dozen times the other way, that it is not debatable.

Mr. HARDWICK. I submit to the gentleman from Illinois the Speaker's ruling is correct, because when it develops a quorum is not present no business can be transacted except to adjourn or a call of the House to bring in absentees.

The SPEAKER. It is on all fours with a motion to table, with a motion for the previous question, and those other motions that are intended to expedite business. It is a kind of summary process.

Mr. HARDWICK. Exactly.

Mr. MANN. But, Mr. Speaker, the motions that occur in connection with bringing in a quorum are debatable unless——

Mr. HARDWICK. If the gentleman will permit, suppose the previous question was demanded, then you would have an intervening roll call on something else with a quorum not present.

Mr. MANN. That might be; but there are a great many motions that can be made during a call of the House, some of which are debatable.

Mr. HARDWICK. No; nothing except such propositions as relate to the calling of a quorum.

Mr. MANN. Certainly; but that is what this is.

The SPEAKER. The Chair has ruled. Those in favor of the call of the House will answer "aye" and those opposed "no." [After a pause.] The ayes have it. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Adair	Eagan	Keister	Post
Ainey	Eagle	Kelley, Mich.	Quin
Alexander	Elder	Kelly, Pa.	Rainey
Allen	Esch	Kennedy, R. I.	Reed
Anthony	Evans	Kent	Reilly, Wis.
Ashbrook	Fairchild	Kettner	Richardson
Aswell	Falconer	Kiess, Pa.	Riordan
Bailey	Farr	Kinkaid, Nebr.	Roberts, Mass.
Baker	Ferris	Kinkead, N. J.	Roberts, Nev.
Bartholdt	Finley	Kitchin	Rouse
Bathrick	Fordney	Knowland, J. R.	Rubey
Blackmon	Francis	Konop	Rucker
Booher	Gallagher	Korbly	Rupley
Borland	Gardner	Kreider	Russell
Bremner	Garner	Langham	Sabath
Britten	Garrett, Tenn.	Langley	Saunders
Brodbeck	Garrett, Tex.	Lazaro	Scott
Broussard	George	L'Engle	Scully
Brown, N. Y.	Gerry	Lenroot	Seldomridge
Browning	Gillett	Levy	Sells
Bruckner	Gilmore	Lewis, Md.	Shackleford
Bryan	Gittins	Lewis, Pa.	Sharp
Bulkley	Glass	Lieb	Slemp
Burgess	Goeke	Lindbergh	Sloan
Burke, Pa.	Goldfogle	Lonergan	Small
Burke, S. Dak.	Good	McAndrews	Smith, S. W.
Burke, Wis.	Goodwin, Ark.	McKellar	Smith, Minn.
Burnett	Gordon	McKenzie	Smith, N. Y.
Butler	Gorman	McLaughlin	Stafford
Calder	Goulden	Madden	Stanley
Callaway	Graham, Ill.	Mahan	Stedman
Cantrill	Graham, Pa.	Maher	Stephens, Cal.
Caraway	Green, Iowa	Martin	Stephens, Nebr.
Carew	Griest	Metz	Stephens, Tex.
Carr	Griffin	Miller	Stevens, Minn.
Carter	Gudger	Mitchell	Sumners
Cary	Guernsey	Mondell	Sutherland
Chandler, N. Y.	Hamill	Montague	Switzer
Church	Hamilton, Mich.	Moon	Taggart
Clancy	Hamilton, N. Y.	Moore	Talbott, Md.
Cline	Hamlin	Morgan, La.	Talcott, N. Y.
Collier	Harrison	Morgan, Okla.	Taylor, Ala.
Connelly, Kans.	Hart	Morin	Taylor, Ark.
Connolly, Iowa	Haugen	Moss, Ind.	Taylor, Colo.
Conry	Hay	Moss, W. Va.	Taylor, N. Y.
Copley	Hayes	Mott	Temple
Covington	Heflin	Murdock	Thomson, Ill.
Cramton	Helgesen	Murray, Mass.	Treadway
Cullop	Helvering	Murray, Okla.	Underhill
Curley	Henry	Neeley	Vare
Curry	Hensley	Nolan, J. I.	Volstead
Dale	Hinds	Norton	Wallin
Danforth	Hinebaugh	O'Brien	Watson
Davenport	Hobson	O'Leary	Weaver
Davis	Holland	O'Shaunessy	Webb
Decker	Houston	Padgett	Whitacre
Deitrick	Howard	Page	White
Dickinson	Howell	Palmer	Williams
Dies	Hoxworth	Parker	Willis
Difenderfer	Hughes, W. Va.	Patten, N. Y.	Wilson, Fla.
Dillon	Hulings	Patton, Pa.	Wilson, N. Y.
Dooling	Humphrey, Wash.	Peters, Me.	Wingo
Driscoll	Igoe	Peters, Mass.	Winslow
Dunn	Jones	Peterson	Witherspoon
Dupré	Kahn	Platt	Woodruff
Dyer	Keating	Porter	Young, N. Dak.

The SPEAKER pro tempore (Mr. CRISP). One hundred and fifty-four gentlemen have responded "Present."

Mr. UNDERWOOD. Mr. Speaker, I am satisfied that there is not a quorum in town to-day. I shall attempt to get one to-morrow by sending out for the absentees. I therefore move that the House do now adjourn.

Mr. BARTLETT. Mr. Speaker, will the gentleman from Alabama withhold his motion for a moment?

Mr. UNDERWOOD. Yes; I will withhold it.

Mr. BARTLETT. Mr. Speaker, I wish to make a parliamentary inquiry and submit a personal request.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BARTLETT. Mr. Speaker, I want to inquire—I have my own views about it—whether it is in the power of the House now to grant me leave of absence for to-morrow and the other sessions for a week?

The SPEAKER pro tempore. The Chair is of opinion that the House, when without a quorum, can only adjourn or take steps necessary to secure a quorum. The Chair is of opinion that the House can revoke leave of absence, and therefore the Chair is of opinion that those present could grant leave of absence.

Mr. MANN. Mr. Speaker, it has been frequently ruled——

The SPEAKER pro tempore. The Chair is a temporary one, and he was just giving his opinion.

Mr. MANN. It has been ruled consistently that the House could not give a leave of absence without a quorum.

The SPEAKER pro tempore. The Chair is of opinion that this is obiter, so far as anything before the House is now concerned, and is not binding on the Speaker.

Mr. BARTLETT. Mr. Speaker, I have been here for six months continuously, and I am advised by my physician that I ought not to remain here and am instructed not to remain here. I make this statement to let those present take notice of the fact and give me leave of absence. Whatever the effect of my request may be, whether it is granted now or hereafter, I am advised that I should go. I have been here continually in season and out of season in attendance on the sessions of the House. I am compelled to leave, not on account of business, but on account of my physical condition. I ask to be excused from to-morrow's session.

The SPEAKER pro tempore. Does the gentleman from Georgia [Mr. BARTLETT] make any formal request?

Mr. BARTLETT. I request, Mr. Speaker, that I be excused from attendance on to-morrow's session and the other sessions this week.

Mr. MANN. Mr. Speaker, I shall have to make a point of order that that request could not be granted by the House in the absence of a quorum. To-morrow, without question, the leave of absence will be granted to the gentleman.

Mr. BARTLETT. The gentleman from Illinois understands I am not asking this for reason of business.

The SPEAKER pro tempore. If the Chair may be indulged for a moment, he would state to the House that other Members have come in and the Chair would suggest that they be allowed to be recorded as present.

Mr. BARTLETT. I am advised now, Mr. Speaker, that my request can not be put, and I therefore withdraw it.

Mr. CLARK of Missouri. I will see to it to-morrow that the gentleman gets his leave.

Mr. BARNHART. Mr. Speaker, I ask unanimous consent now that the gentleman from Georgia [Mr. BARTLETT] be excused on account of ill health. That is the fact of the matter.

Mr. MANN. Mr. Speaker, there have been many rulings to the effect that the House, when without a quorum, could not grant a leave of absence. The House can excuse the gentleman without having the matter brought before the House to-day. To-morrow there will be difficulty about that.

The SPEAKER pro tempore. The Chair understands that the gentleman from Georgia [Mr. BARTLETT] withdraws his request, and therefore there is no occasion for the Chair to rule on the point of order made by the gentleman from Illinois [Mr. MANN]. The Clerk will call the names of those gentlemen who are in the Hall and who have failed to answer to the roll call.

Mr. CLARK of Missouri. Mr. Speaker, I would like to have my name called.

The SPEAKER pro tempore. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. CLARK of Missouri, and he answered "Present."

Mr. SISSON. Mr. Speaker, I should like to ask the gentleman from Alabama [Mr. UNDERWOOD], who is making the motion to adjourn, what he thinks can be accomplished by adjourning at this time? Would we be any nearer to a quorum to-morrow than we are now?

Mr. UNDERWOOD. I hope so. I expect to ask the whips to telegraph Members to return to the city to make a quorum and to make a statement in the papers as to the necessity of having the quorum here. I am satisfied that there is not a quorum in town to-day. That is the reason why I do not hold the House here now.

Mr. MANN. Mr. Speaker——

Mr. SISSON. It strikes me, Mr. Speaker, that perhaps this is not the way to get a quorum, because Members leaving town will not come back merely by having a straw thrown at them. Sometimes they do not come back when we throw clods at them. You sometimes have to adopt the old blue-backed spelling-book story and get some rocks to throw.

If the House remains in session, and a call of the House is ordered, and notice goes out to the country that Members are absent and not here attending to their business, it will intensify the necessity of Members remaining here. Those of us who have been here all the time, those of us who have been here continuously, are being punished by Members who are absent. I know that there are numbers of gentlemen who are here who are just as anxious to get home as those men who have gone home. I have my own business affairs that I have been neglecting, and I should like to get home for business reasons.

Mr. MANN. Why do you not adjourn?

Mr. SISSON. As far as I am concerned, I will say to the gentleman from Illinois that as soon as we get this bill out of the way I shall vote to adjourn the House and permit the Senate to work on currency, so that the House can be reconvened as soon as the Senate is ready with currency. I will support such a resolution.

Mr. PAYNE. It is a privileged resolution. Why do you not offer it?

Mr. SISSON. We have not passed this bill yet.

Mr. MANN. A resolution fixing the date.

Mr. SISSON. We have not passed this bill yet. I am willing to offer such a resolution at the proper time.

Mr. RAGSDALE. I am willing that it should be passed.

Mr. SISSON. I am willing to offer a resolution that the House adjourn subject to the call of the Speaker, if a resolution of that kind is in order.

Mr. PAYNE. That would not be in order, but the other resolution would.

Mr. SISSON. If the Senate want to remain and look after the currency bill——

Mr. MANN. They do not "want" to remain.

Mr. SISSON. They can do so. It is up to them. The Constitution provides for this specific situation, so that the body that has nothing to do may, with the consent of the other body, adjourn so that the Members may go home and attend to their affairs. For that reason I do not think the House ought to adjourn at this time to-day, but I believe we ought to stay here and exhaust all the remedies we have to-day to try to bring the absent Members here who are in the city, and let the order go out to the country again to bring back absent Members, and let the papers carry it to the country again that they were compelled to be brought back and stating that an order has been issued for the arrest of absent Members, to bring them back, because it seems to me the membership of the House who have remained here should be getting tired of absenteeism.

Mr. MANN. Will the gentleman yield?

Mr. SISSON. I will.

Mr. MANN. Would not the courteous thing to do be first to have the House telegraph the absent Members to return?

Mr. SISSON. I have no objection to that course being taken to-day, but to-morrow, it seems to me, that we ought not to permit the House to adjourn again without taking all the necessary steps to get the Members back and get this bill out of the way. As I understand, it is the only thing on the calendar.

Mr. MANN. Oh, no; there are a number of bills on the calendar.

Mr. SISSON. I mean this is the only business necessary to be attended to now.

Mr. MANN. Then why not adjourn, if that is the case?

Mr. SISSON. I am willing to adjourn as soon as we get this deficiency bill out of the way, for this is all the House ought to do until the Senate sends the currency bill back to us.

Mr. MANN. The gentleman may be willing to, but——

Mr. SISSON. There is no "but" with me; absolutely none.

Mr. MANN. Why does not the gentleman from Alabama offer a motion that the Sergeant at Arms be directed to telegraph absent Members to return, without taking any further action to-day?

Mr. UNDERWOOD. Mr. Speaker, I intended to have the whips notify the absentees, but I will adopt the suggestion made by the gentleman from Illinois. I move that the Sergeant at Arms, in his official capacity, be directed to immediately telegraph and notify every absentee who has not appeared on the roll call to-day to return at once on account of important business that the House must transact.

Mr. RAGSDALE. Will the gentleman permit an interruption?

Mr. UNDERWOOD. I will yield.

Mr. RAGSDALE. I should like to suggest that the absentees be notified in that telegram that no further salaries will be paid until they do return.

Mr. UNDERWOOD. That would take an enactment of law.

Mr. MANN. We can not do that.

Mr. BYRNES of South Carolina. I should like to ask the gentleman from Alabama before he puts that motion whether the other gentleman from Alabama [Mr. HOBSON] is present to-day? [Laughter.]

Mr. UNDERWOOD. I think not.

The SPEAKER pro tempore. The gentleman from Alabama [Mr. UNDERWOOD] moves that the Sergeant at Arms be directed to telegraph all Members of the House who have not responded to the roll call to-day, notifying them that their presence is necessary for the transaction of the public business.

Mr. BARNHART. I would like to ask the gentleman from Alabama to include in that request that all of the Members of Congress be notified and not a part of them, as was done in the last notification.

The SPEAKER pro tempore. The Chair stated the motion of the gentleman from Alabama, which covers all absentees from the House. All those in favor of the motion of the gentleman from Alabama will say "aye."

Mr. RAKER. Mr. Speaker, reserving the right to object——

The SPEAKER pro tempore. This is not a request for unanimous consent; it is a motion.

Mr. RAKER. Well, let us not be in a hurry. I want to ask a question of the gentleman from Alabama.

The SPEAKER pro tempore. But the House was dividing on the proposition.

Mr. RAKER. I was on my feet trying to get recognition.

The SPEAKER pro tempore. The Chair is of the opinion that as the House was dividing the gentleman is too late to interrupt.

The question was taken, and the motion of Mr. UNDERWOOD was agreed to.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 42 minutes p. m.) the House adjourned until to-morrow, Wednesday, October 15, 1913, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 8857) for the establishment of a fish-cultural station in the State of Tennessee; to the Committee on the Merchant Marine and Fisheries.

By Mr. FRANCIS: A bill (H. R. 8858) to prohibit the pollution of navigable waters or their tributaries, and in the interest of the public health; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMAS: A bill (H. R. 8884) to take fourth-class post-office appointments from under civil-service rules and regulations; to the Committee on Reform in the Civil Service.

By Mr. FAISON: Resolution (H. Res. 286) to investigate the manufacture and sale of commercial fertilizers; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DIXON: A bill (H. R. 8859) granting a pension to Laura A. Cumback; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8860) granting a pension to Allen Roseberry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8861) granting a pension to Elizabeth Brondhead; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8862) granting an increase of pension to Amelia Raschig; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8863) granting an increase of pension to Leroy M. Manis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8864) granting an increase of pension to Norval G. Sparks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8865) granting an increase of pension to William Seal; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8866) granting an increase of pension to James A. Simmons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8867) granting an increase of pension to Rebecca J. Forry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8868) granting an increase of pension to John Baer, jr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8869) granting an increase of pension to Mary B. Lawless; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8870) granting an increase of pension to Martha A. Riker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8871) granting an increase of pension to Orphia Corya; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8872) granting an increase of pension to Ephraim A. McWilliams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8873) granting an increase of pension to Emeline Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8874) granting an increase of pension to Edwin I. Bachman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8875) granting an increase of pension to Frank Robinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8876) granting an increase of pension to Charles C. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8877) for the relief of the estate of John M. Abbott, deceased; to the Committee on War Claims.

By Mr. DRISCOLL: A bill (H. R. 8878) granting an increase of pension to Thomas O'Brien; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8879) granting a pension to Frank Gravins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8880) granting a pension to Mary B. Gullow; to the Committee on Pensions.

By Mr. SPARKMAN: A bill (H. R. 8881) granting a pension to Hershel C. Ferrell; to the Committee on Pensions.

Also, a bill (H. R. 8882) granting an increase of pension to Luman G. Heusted; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8883) granting an increase of pension to Lyndon Y. Jenness; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. PROUTY: Petition of citizens of Roland, Colo. Dexter, De Soto, Earlham, Marksburg, Valley Junction, Van Meter, Gilbert, and Story City, all in the State of Iowa, favoring the passage of legislation compelling concerns selling goods direct to the consumer by mail to contribute their portion of the funds for the development of the local community, county, and State; to the Committee on Ways and Means.

By Mr. J. M. C. SMITH: Petition of H. N. Turrel & Co. and 10 others, of Litchfield; A. G. Butler and 10 others, of Bellevue; C. R. Garrett and 6 others, of Augusta; Jones, Aldrich & Moreaw Co. and 9 others, of Galesburg; F. H. Gage and 9 others, of Olivet; F. E. Demming & Co. and 10 others, of Homer; G. W. Schneider and 17 others, of Albion; James H. Parks and 15 others, of Eaton Rapids; L. W. Robinson Co. and 12 others, of Battle Creek, all in the State of Michigan, in support of H. R. 5308, to equalize transportation rates on merchandise; to the Committee on Ways and Means.

By Mr. UNDERHILL: Petition of citizens of the twenty-seventh congressional district of New York, favoring the passage of legislation compelling concerns selling goods direct to the consumer by mail to contribute their portion of the funds for the development of the local community, county, and State; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *October 15, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, as the sun rises morning after morning and fills the earth with light, warmth, and beauty, so may our minds be illumined with new light and our hearts warmed with brotherly love, that we may worship Thee in the beauty of holiness and go forth to the new duties of the new day with joy and gladness, speaking and living the truth as it is given us to see the truth, that the waste places may be made glad and the desert places blossom as the rose and the Christ spirit shall possess every heart. And everlasting praise be Thine, O God, our Father. Amen.

The Journals of the proceedings of Monday, October 13, 1913, and Tuesday, October 14, 1913, were read and approved.

ENROLLED BILL SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 7898. An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes.

ENROLLED JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following joint resolutions:

H. J. Res. 111. Joint resolution to authorize the reinstatement of Adolph Unger as a cadet in the United States Military Academy; and

H. J. Res. 132. Joint resolution authorizing the Secretary of Agriculture to make an exhibit at the Sixth National Corn Exposition, to be held at Dallas, Tex., during the month of February, 1914.

CONTESTED-ELECTION CASES.

The SPEAKER. The contested-election case in the twelfth district of Missouri is referred to Committee on Elections No. 3. The case in the third district of the State of Michigan is referred to Committee on Elections No. 1. The cases in the first district of Oklahoma and the second district of Oklahoma are referred to Committee on Elections No. 2.

ADJOURNMENT OF CONGRESS.

Mr. UNDERWOOD. Mr. Speaker, I would like to have the attention of the gentleman from Illinois [Mr. MANN] for a moment. With the signing by the Speaker of the general deficiency bill, which has just been laid before the House, the work that the majority side of the House desires to be responsible for between now and the first Monday in December is completed, unless the currency bill comes back in the meantime from the Senate. I wish to say to the Members of the House that there will be no attempt on the part of the majority to legislate further at this session—that is, up until the first Monday in December—unless the currency bill should come back to the House. In the meantime I think it would be entirely proper for those Members who desire to do so upon either side of the House to go home, and in case an agreement to that effect is reached, a reasonable notice will be given by the majority side to both sides of the House before any business is transacted. If it is necessary for us to adjourn for one day at a time in order to carry out this program, we will have to do so; but I hope very much that the gentleman from Illinois [Mr. MANN] will be willing to enter into a pact with me to adjourn for three days at a time, with the understanding that no business will be transacted in the House between now and the 1st day of December unless the currency bill comes back and several days' notice is given to Members on both sides of the House.

The SPEAKER. Does the gentleman make that as a request?

Mr. UNDERWOOD. I do not make it as a request for unanimous consent, but when the gentleman from Illinois and myself make a pact we live up to it, and I notice that our fellow Members always sustain us. My remarks are directed not to the House particularly, but to the gentleman from Illinois.

Mr. MANN. Mr. Speaker, there is one way by which the House can avoid doing business and that is by adjourning. It is a very queer proposition which the gentleman from Alabama presents. Congress being in session, the Democratic majority proposes to do nothing. If that is the case, why not adjourn? The gentleman from Alabama [Mr. UNDERWOOD] says there will be no business unless the currency bill comes back from the Senate, and everyone who is familiar with the methods and course of legislation in Congress knows that there is no more chance of the currency bill passing the Senate before the 1st day of December than there is of the sun not rising to-morrow morning. I am unwilling to be a party to a proposition which endeavors to place Congress in session and yet not in session at the same time. I would much prefer to be a member of the Mexican Parliament and be arrested by a dictator there than to lack the nerve to face a dictator here and say when we have gotten through business that we are ready to go home.

Mr. UNDERWOOD. Mr. Speaker, if the gentleman will permit, I desire to be candid with the House and with the gentleman. I know that all of the Members of the House would like to have an adjournment. Most of the Members of this House on both sides have worked earnestly for their constituents during the last year. They have gone through a long and trying summer. There is no one who desires more than I do to give them an opportunity to go home, to be with their friends and constituents and families for a few weeks before the beginning of the December session; but I want to say to the gentleman from Illinois that the administration is earnestly in favor of an early passage of the currency bill; that the President of the United States has asked me, representing this side of the House, not to agree to an adjournment until the currency bill can be passed in the Senate or some satisfactory arrangements made.

Now, I think it is the duty of this side of the House—this is a great party measure; it is one that our party stands for and indorsed both in our platform and by our votes in this House—to sustain the President of the United States in his efforts in that direction, and we intend to do so; but there is no legislation that it is necessary for us to attend to now in the House. We can not adjourn until the Senate adjourns, and it is necessary for us to go through the form of staying here. Last spring when we were working on the tariff bill the Senate was practically in recess. Now that our labors have been completed and the Senate is doing this work there is no necessity for our taking up general legislation. We can not expedite the appropriation bills by staying here, because the estimates will not come in until about the 1st of December.

The other legislation can be taken care of during that session. There is no legislation of importance to keep us here now except the passage of the currency bill, and I make this request for a pact on both sides of the House because we have got to support our policy whether we meet every day and adjourn or whether we meet every three days and adjourn. I make the request not as a party proposition but merely for the convenience of the membership on both sides of this House, and I hope that the gentleman from Illinois will see his way to agree with me, because I have candidly announced our policy and candidly announced the policy of the administration. If it is subject to criticism, we are subject to criticism, anyhow, and we are willing to accept what criticism may lie at our doors for the way in which we support this policy. Now, the question involved is not a question of in any way avoiding our responsibility for our action here; it is merely a question of the convenience of the membership of this House for whom I make the request.

Mr. COX. I quite agree with the gentleman from Alabama that at this time we can not take up the question of the supply bills, because the estimates are not yet prepared and will not be, I think, under the statutes, until the 15th of November; but here is the question: We declared in our last platform for several things, particularly and notably a declaration of our policy in regard to the Philippines. I understand the chairman of that committee is anxious to report a measure to the House, and he wanted to report it at our caucus last spring—a measure which the gentleman well knows when it comes on the floor of the House ought to have considerable discussion. There are other measures, the immigration question, and the question of interlocking directorates that our caucus referred to the Judiciary Committee when we were considering the currency bill. There are probably five or six important platform declarations which we declared for that ought to require considerable discussion on the floor of the House. Now, I want to ask the gentleman what objection is there and what objection can there possibly be on our lifting the ban prescribed against that legislation as it was in our last caucus and turning all the committees loose and let them go to work instead of staying around here doing nothing? [Applause on the Republican side.]

Mr. UNDERWOOD. I say to the gentleman there never has been a ban in this session of Congress on any committee of this House doing its work. The committees of the House have been at perfect liberty to prepare the legislation for the coming session of Congress. The only inhibition that rested on them was to report those bills to the House. Now, I have not been advised by the chairmen of these committees that at the present time they are prepared to report the legislation to the House. They may be, but if they are they have not advised me of that fact. Now there is this problem: The legislation that the gentleman refers to I am as earnestly in favor of considering as he is, and it ought to be considered. This extra session of Congress was called primarily for the purpose of passing the tariff bill. That bill has become a law. The membership of this House have been here for nearly a year. Men are away from their homes and their districts. In my judgment they will do better, more efficient, and more effective work if they are allowed to go back for a month to see their families and their friends and arrange their private business. [Applause on the Democratic side.]

Mr. COX. Will the gentleman yield further?

Mr. UNDERWOOD. Yes.

Mr. COX. There are a large number of us, I want to say to the gentleman, who do not relish very much going back to our districts when there is a roll call every day here and the absence of a quorum disclosed. Now, if the gentleman will yield a minute further, I will say that I do not want to misquote anything that transpired in our caucus last spring, when the policy was practically agreed upon which the majority side should pursue. I think it was agreed, and admonition probably made to the majority side by our splendid Speaker, that the committees get together and hold their hearings; but they were prohibited from putting bills upon the calendar and calling them up. Now, then, there has not been very much motive or incentive to any of the committees before which any important legislation was pending, knowing there was no chance in the world to call it up, and the query with me is, inasmuch as it is perfectly sure and patent to everybody almost that we are not going to be able to adjourn, Why not let us go to work?

Mr. UNDERWOOD. I will say to the gentleman that the inhibition was only against reporting bills. Now, I do not think that the work the gentleman is talking about is prepared by the committee. It will probably take at least a month, or up to the 1st day of December, to have that work ready to report to the House. But if the chairman of any of these committees or the membership of any of these committees desire to do that work that they think it is proper to do now, there is no inhibition whatever against their remaining in Washington and preparing their legislation.

Mr. HARDY. Will the gentleman yield?

The SPEAKER. Does the gentleman from Alabama yield to the gentleman from Texas?

Mr. UNDERWOOD. I do.

Mr. HARDY. I think it right to say that the committees of investigation have not been able to do anything because they have not had any clerks or clerical force; that those committees might have done something, but they could not do anything in such disorganized state.

Mr. HARDWICK. Will the gentleman yield to me just a moment?

The SPEAKER. Does the gentleman from Alabama yield to the gentleman from Georgia?

Mr. UNDERWOOD. I do.

Mr. HARDWICK. The gentleman said just now the President's request was that the majority side of the House do not adjourn pending the passage of the currency bill in the Senate or securing some satisfactory agreement in that body.

Now, is it the gentleman's idea to urge upon us that we stay in session either until that bill is passed or until some agreement looking to its passage next session and its early consideration in the Senate then is had if it becomes apparent it can not be passed this session?

Mr. UNDERWOOD. I will say to the gentleman from Georgia that the question involved in the currency bill now is between the President of the United States and the Senate of the United States. We are not involved in that controversy. I think it is our duty to uphold the President's hands in this matter. [Applause on the Democratic side.] The bill that we passed meets with our approval, because it received the indorsement of our caucus and our votes in this House. The President is endeavoring to secure the passage of our bill. Now, so far as I am concerned, I am not willing to send an adjournment resolution to the United States Senate under these circumstances, but at the same time I do not desire to punish the membership of this House by compelling them to stay in Washington when we have no further business to transact at this time.

Mr. HARDWICK. One further question. What I was trying to get at was this: What was it the gentleman meant by the expression he used as to either the passage of the currency bill in the Senate during the present session or some satisfactory agreement about it?

Mr. UNDERWOOD. Well, I mean some agreement that can be entered into between the President and those that control the legislation of the Senate that will be satisfactory to both.

Mr. HARDWICK. The gentleman has some hopes, then?

Mr. UNDERWOOD. I think the matter can be arranged in some way or another.

Mr. ADAMSON. Will the gentleman yield?

Mr. UNDERWOOD. I yield.

Mr. ADAMSON. Touching the suggestions of the gentleman from Indiana [Mr. COX], I call your attention to the fact that it is just as difficult to get a quorum of the committees as it is a quorum of the House. It is impossible for us to do any work in the committees unless we can have a quorum of the committees, and that is impossible under existing circumstances.

Mr. UNDERWOOD. Exactly. I want to say this to the gentleman from Georgia [Mr. ADAMSON], that I do not think that, now we have seen this deficiency bill passed, a great tariff bill passed, and have sent to the Senate a currency bill that will be a great relief to the American people, there is a man, woman, or child that is going to criticize a single Member of this House who has been here all this long summer doing his duty, because he wants to go home for 30 days and get a rest. [Applause.]

Mr. ADAMSON. The gentleman knows that I, together with others similarly situated, have remained here for the sole purpose of helping to have a quorum?

Mr. UNDERWOOD. Yes; I understand that.

Mr. ADAMSON. I have realized that all the time it was impossible to do any committee work because it is impossible to keep a quorum present.

Mr. UNDERWOOD. I realize that no Member of this Congress can be properly criticized for lack of work; that is, those Members who have stayed here and attended to business.

Mr. SLAYDEN. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Alabama yield to the gentleman from Texas?

Mr. UNDERWOOD. I do.

Mr. SLAYDEN. Mr. Speaker, I wanted to ask the gentleman a question. I know it is rather a delicate question for him to undertake to pass upon, and he can perhaps speak only of current rumors. It is this: Only about 45 days remain until the regular session of Congress begins. Is it likely, if there is any truth in the rumors that come to us about the condition in the Banking and Currency Committee of the Senate, that there will be any legislation by the Congress prior to that time?

Mr. UNDERWOOD. I regret I can not answer the gentleman's question——

Mr. MANN. Of course he does not wish to——

Mr. UNDERWOOD. Because in so doing I would have to invade the jurisdiction of another body.

Mr. SLAYDEN. I stated in my request for permission to make that inquiry that I did not expect the gentleman to answer positively.

Mr. UNDERWOOD. I will say to the gentleman that I must decline to answer the gentleman's question for that reason.

Mr. SLAYDEN. Assuming that there are only 45 days until the regular session begins in December, would it not relieve gentlemen from embarrassment to adjourn for a time without impeding legislation?

Mr. CLAYTON. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Alabama yield to his colleague?

Mr. UNDERWOOD. I do.

Mr. CLAYTON. I wish to say, Mr. Speaker, in corroboration of the views expressed by the gentleman from Georgia [Mr. ADAMSON], that it is as difficult a matter to have a quorum of a committee present at any meeting that the chairman might call as it is to have a quorum of the House present called pursuant to law. I have endeavored, as chairman of the Committee on the Judiciary, to have repeated meetings of the committee during the discussion of the tariff bill and during the discussion of the currency bill and since, and I have found myself confronted nearly every time by the fact that there is not a quorum of the committee present to do business.

Now, I am not going to reflect upon the membership of either side of this House, but I may say that members of the committee—the minority members and the majority members—many of them, or a number of them, have been absent from the city, and I do not believe that to-day or to-morrow, should I call a meeting of the Committee on the Judiciary, there would be a quorum present.

In addition to this, Mr. Speaker, I wish to say that the membership of the House understood, and I think the country understood, that at this session, an extraordinary session of Congress, we would deal with the tariff and with the currency bill and nothing else, except necessary appropriation bills; that other legislation would be deferred until the regular session of Congress.

Mr. UNDERWOOD. I think that is correct.

Mr. CLAYTON. And I therefore think that the position assumed by the gentleman from Georgia [Mr. ADAMSON] is correct. We are not ready. For instance, Mr. Speaker, in speaking of this matter of interlocking directorates, which was referred to the committee of which I am the chairman, I have been giving such attention to that as I could in connection with other duties, in connection with attendance on the House and answering roll calls and attendance upon caucuses and attendance upon the discussion of the various matters before the House. The committee itself has not been able to consider that matter as a committee, and I have not been able to work it out in such a way that I would be willing to submit to the House a measure that I would advise this body to enact into law.

I may say that I have talked with those in the other branch of Congress, and with those in high authority; that I have been doing as much reading and studying on the interlocking directorates and cognate subjects and on other phases of the trust question as I could in view of other duties that were incumbent upon me. We are not ready to report. The country did not expect us to report upon important measures from the Judiciary Committee. We can not report now; but we will, as early as possible in the next session, take up these matters in the committee for deliberate consideration, when the country expects us to act and report to the House. It is hoped that the committee will then bring in such measures as will meet the judgment of the Democrats of the House and I hope the Republicans as well, and, I believe, the judgment of the country.

Mr. MANN and Mr. THOMAS rose.

The SPEAKER. Does the gentleman from Alabama yield? Does he yield to the gentleman from Illinois?

Mr. UNDERWOOD. I yield to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, the gentleman from Alabama [Mr. CLAYTON] and the gentleman from Georgia [Mr. ADAMSON] both stated that it has been impossible and would be impossible to get a quorum of committees. That seems to be a rather remarkable statement, that at this session of Congress, with such an overwhelming Democratic majority in the House and with a two-thirds majority in each of these committees, they have been unable to get a meeting of the committees for lack

of a quorum, with a great deal of important legislation pending in those committees.

When does the Judiciary Committee expect to take action upon trust legislation? If it waits until December to have a meeting, that matter will not come before the House until late next winter, and then we will be told we can not debate it more than an hour or two, or a very few hours at most, because lack of time prevents full consideration. Gentlemen all seem to assume that there is something sacred about a meeting in December. If there is no adjournment of Congress now, there will be no regular session of Congress. The special session will run into the regular session, and the second session will be the last session of this Congress. October and November are just as good months in which to work as is December, with the Christmas holidays interfering. I notice the distinguished Speaker shakes his head as though I were mistaken. It will not be the first time that a session of Congress in October or November has run over into the regular session; and there will be no adjournment of Congress at the end of the special session in order to meet in regular session, because the only possible excuse for such action would be for Members to put mileage in their pockets which they have not earned, and they do not dare to do it.

Now we are here. The gentleman proposes to make me stay here. A very respectable number of the membership of the House are here this morning, and it is easy enough to get a quorum of committees by Congress stating that it proposes to continue and do business. There is trust legislation; there is the Philippine legislation; there is the immigration legislation. The Alaskan railroad bill is all ready to be reported. While the Senate was waiting upon the House for the tariff legislation it passed a great many bills, some of them of great importance, which are now pending in committees of the House without action. They are waiting. If we proceed now to do business we can adjourn next June. If we wait until December to commence to do business, Congress will again be in session next September, and gentlemen will desire to be away before that time. I say to the gentleman that, with the slowness which, possibly of necessity, characterizes a new administration in the House, it will be impossible for the House to get through with its work next winter and adjourn before next September unless it begins now.

Gentlemen on that side of the House desire to go home. Unless I am mistaken, most of them, when they get home and get into the various rows that they will get into concerning appointments of internal-revenue collectors and postmasters, will wish they had a chance to give an excuse for getting away from home and get back to Washington. I think we ought to stay here and do business. The gentleman says that that side of the House proposes not to do so and to sustain the President. The gentleman might better have said that that side of the House do not propose to do business, but propose to stay here and obey the President. But I do not take it that we are school children in the grammar school, compelled to stay in or go out at the behest of the President or of a school-teacher.

Mr. UNDERWOOD. I will say to the gentleman that I am perfectly willing to take the responsibility, for good or bad, of the procedure that I have outlined. As the floor leader on this side of the House, I think it is my duty to sustain the President of the United States in his attempt to secure the passage of the currency bill at an early date.

Mr. MANN. I do not criticize the gentleman for that attitude.

Mr. UNDERWOOD. That is my responsibility. I admit that the gentleman from Illinois has a perfect right to criticize that position if he desires to do so.

Mr. MANN. I do not criticize the position of the gentleman from Alabama. He is entitled to take that responsibility, but I am not willing to.

Mr. UNDERWOOD. But the proposition we submit to the gentleman from Illinois now is a question of mere convenience. I am not going to attempt to hold a quorum here any longer. If subsequently it may appear that the membership of this House is required to be here and a quorum to be here before the 1st day of December, I will send out notice two or three days ahead, or in time to allow the Members to return.

Mr. CRISP. May I interrupt the gentleman?

Mr. UNDERWOOD. Yes.

Mr. CRISP. I agree thoroughly with the gentleman from Alabama. Would there be any impropriety in the House passing a concurrent resolution asking the Senate to consent to the House taking an adjournment for 30 days? That would meet the constitutional requirement which provides that neither House shall adjourn for more than three days without the consent of the other.

Mr. UNDERWOOD. I am not satisfied that that could be done.

Mr. BUCHANAN of Illinois. Will the gentleman yield?

Mr. UNDERWOOD. I yield.

Mr. BUCHANAN of Illinois. It is not my purpose and has not been my purpose to raise any objection to what the majority of the Members here seem to desire to do, but as long as some of the important bills have been mentioned it is no more than proper to say that, in my judgment, we have other important legislation the passage of which is necessary to protect the lives and liberties of the working people of the country. I believe the Democratic platform declared that they were opposed to government by injunction, which is simply the usurpation of power by some of the judges of the country. In the last session we passed a very meritorious bill, and when it came to a vote in this House I believe it had only about six or eight in opposition to it. That is the bill known as the seamen's bill. We have recently had another sea disaster, which has resulted in great loss of life. We do not know the cause of that disaster, but it might be possible that it was due to inefficient seamen. Such a catastrophe might happen to one of the American vessels.

Much has been said in the newspapers about encouraging the American merchant marine. This seamen's bill has a provision in it that, in my judgment, will tend to encourage and build up the American merchant marine. It also has a provision which equalizes the cost of the operation of the foreign vessels with American vessels, which, in my judgment, would make it a condition that would be bearable for American workingmen to go to sea, and a provision which I believe is indeed of great importance.

We hear it often spoken as to the necessity of building up our Navy, our naval defenses, and those who are well informed know that one of the weaknesses of the Navy is the lack of suitable men. If we build up a condition in the merchant marine where it would encourage the young men of the country to go to sea, it would fit them for naval service in time of emergency.

Therefore it seems to me that this important legislation should be passed by this House, and those who have mentioned other important legislation seem to have overlooked this that I have mentioned. I therefore say that if it was decided that the roll call is to go on, to be kept up, and it becomes necessary for Members to stay here, I think we ought to get busy and do something, instead of sitting here, as we have been recently, and doing nothing.

Personally I have been in favor of taking up some of this important legislation and passing on it, but I felt that I have been greatly in the minority about it. I am not going to oppose the request that is made by the gentleman from Alabama, our leader, but since the question has arisen I felt that I desired to state my position in regard to the matters of important legislation that should be considered at an early date in this Congress.

Mr. POU. Will the gentleman yield?

Mr. UNDERWOOD. I will yield to the gentleman from North Carolina.

Mr. POU. Mr. Speaker, it seems fitting that we ought to get this situation straight. Gentlemen on the other side of the aisle and the minority leader seem disposed to complain because we are not legislating as if this were a regular session. Is it not true, Mr. Speaker, that those gentlemen have been obstructing legislation quite considerably during this session? Does anybody believe that these gentlemen are so patriotic in their contention that they want to legislate, or are they simply playing for political capital?

Mr. MANN. We do not ask that side of the House to show us patriotism by a long shot.

Mr. POU. The truth of it, as I believe, is that gentlemen think by calling the President of the United States a schoolmaster autocrat, by demanding a roll call now and then to develop the absence of a quorum, they can gain a little cheap political advantage. They will hardly fool the American people into the belief that they are sincere in these professions that they really want to stay here and legislate, and the answer of the people to these sneers that they are constantly casting at the President of the United States will probably in the future be just the answer they got from a West Virginia congressional district yesterday. [Laughter and applause on the Democratic side.]

Mr. MANN. Mr. Speaker, I am very glad to hear the gentleman from North Carolina. It has not been often that we have had the privilege of hearing from him in recent months, and probably he will not be here the rest of the session.

Now, I think it is to our advantage on this side of the House—and I am perfectly willing to avow it—to show that while Congress is in session most of the Democrats are at home. When they come to answer to the gentlemen who are against them, "Why were you absent so many times on roll calls?" it will be very poor solace to only be able to reply that the gentleman from Alabama excused them. Members of Congress are elected by their constituents; they are paid a reasonably good salary to stay in Washington and attend to business while Congress is in session. I will do my utmost to show that the Democratic majority, instead of attending to business, is at home individually attending to private affairs.

Mr. POU rose.

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from North Carolina?

Mr. MANN. Yes.

Mr. POU. Does the gentleman deny that there is just as large a percentage of Republicans absent on that side of the Chamber as there are Democrats on the Democratic side?

Mr. MANN. But we are not responsible for legislation.

Mr. POU. You are responsible for legislation. What are you in your seats for?

Mr. MANN. I am not responsible for legislation which is enacted, because I am not, like the gentleman from North Carolina, led around by a hook in my nose by a Democratic caucus.

Mr. POU. Mr. Speaker, the gentleman from North Carolina is never led around by anybody. I will state now, that I am perfectly willing to stay here, and I have stayed here. I do not believe I have missed two roll calls. I know I have not missed one important roll call. I am willing to stay here every minute of the time from now until December—yes, until Christmas of next year, if necessary—to put through this great bill which is now pending before the Senate and which the party of the gentlemen from Illinois [Mr. MANN] failed to put through during 16 years of uninterrupted power.

Mr. MANN. Yes; a bill which is copied mainly from the Aldrich currency bill, which is a flat denial of the Democratic platform.

Mr. POU. I want also to correct a statement the gentleman made. I misunderstood it at the time, but I am informed that he threw out an intimation that I had been absent for quite a while. As a matter of fact, I have not been absent at all.

Mr. MANN. Mr. Speaker, we will test whether the gentleman will be here. I welcome the gentleman being here for the next 45 days. He says he is going to stay here. Let others confess. I hope they will. I will do my utmost to show they are absent if they are not here.

Mr. POU. The point I wanted to make is simply this—and there is no getting away from it—that all of this is a play to the gallery purely for partisan purposes.

Mr. MANN. The play to the gallery is in staying in session when you do not propose to do business, simply because you are ordered to stay.

Mr. BOWDLE rose.

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Ohio?

Mr. MANN. Certainly.

Mr. BOWDLE. Mr. Speaker, I have listened with a great deal of patience to the sublimated bunk emanating from the other side, from my distinguished friend, Mr. MANN. I heard him the other day say to this House that he had been absent some two or three weeks and had finally returned here feeling like a fighting cock. I want to say to this House now that I feel like a hen. [Applause.]

Mr. MANN. And the gentleman looks it. [Prolonged laughter.]

Mr. BOWDLE. Mr. Speaker, the other night I heard Lew Dockstader sing a song entitled "There is no fun in a graveyard; therefore give me my flowers now." I want to advance somewhat on that theory hereafter in this House, and occasionally I want to rise and pay a genuine tribute to myself.

I have faithfully sat in this House for six months, barring six days. The only time I returned home I was arrested by wire. [Laughter.] I am thoroughly played out, Mr. Speaker. I want to return home to attend to several matters. I have sat here so incessantly and listened to so many things that every morning when I get up and put on my clothes I am admonished sternly that my clothing needs attention. I must return home and give it some attention, for where a man's district is close he ought to make his purchases at home. [Laughter.]

Mr. Speaker, I cordially indorse the benevolent and hospitable attitude of our leader, Mr. UNDERWOOD. I want very much to get away at the earliest possible moment, and a little later in the day, if we do not succeed in making an agreement with the distinguished gentleman from Illinois, I desire to ask unanimous consent to be absent for two days.

Mr. MANN. Mr. Speaker, I demand the regular order.

LEAVE OF ABSENCE.

The SPEAKER. The regular order is to lay before the House the following requests for leave of absence, which the Clerk will report.

The Clerk read as follows:

Mr. BARTLETT requests leave of absence indefinitely, on account of illness.

Mr. GOOD requests leave of absence for three weeks, on account of serious illness.

Mr. ALLEN requests leave of absence for 10 days, on account of sickness.

Mr. GARRETT of Tennessee requests leave of absence indefinitely, on account of sickness in his family.

Mr. SHARP requests leave of absence for 10 days, on account of illness in his family.

Mr. PATTEN of New York requests leave of absence indefinitely, on account of serious illness.

The SPEAKER. Without objection, these requests will be granted.

Mr. MANN. Mr. Speaker, reserving the right to object, after to-day I shall have to object to requests of this character.

The SPEAKER. The Chair hears no objection.

Mr. HILL. Mr. Speaker, I desire to submit a request for unanimous consent. I have received letters from my family in the last two days stating that my son is very sick, under the care of a physician. I ask unanimous consent that I may be excused for the purpose of returning home. I do not know how long I shall be gone.

The SPEAKER. The gentleman from Illinois asks unanimous consent that he be excused indefinitely on account of sickness in his family. Is there objection?

There was no objection.

The SPEAKER. The Chair has a note from a physician to the effect that Mr. BATHRICK is sick and desires a leave of absence for 15 days. Is there objection?

There was no objection.

The Clerk read as follows:

TISHOMINGO, OKLA., October 13, 1913.

Hon. CHAMP CLARK,
Speaker, Washington, D. C.

I request to be excused for eight days, to complete important private business while at home.

WM. H. MURRAY, *of Oklahoma.*

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

The Clerk read as follows:

Mr. SLEMP requests leave of absence for one week, on account of important business.

The SPEAKER. Is there objection?

Mr. MANN. I object.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. J. M. C. SMITH was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Henry R. Miller (H. R. 22572), Sixty-second Congress, second session, no adverse report having been made thereon.

LEAVE OF ABSENCE.

The Clerk read as follows:

SIOUX CITY, IOWA, October 9, 1913.

Hon. CHAMP CLARK,
Speaker House of Representatives, Washington, D. C.

September 29 I was paired with Mr. KETTNER and my request to be excused for 30 days, account important business. Was objection made to my request? Is my presence demanded?

GEO. C. SCOTT.

The SPEAKER. Is there objection to the gentleman being excused 30 days?

Mr. MANN. Mr. Speaker, all these leaves of absence have been revoked.

The SPEAKER. Well, the gentleman is practically asking for 30 days' leave of absence, and that is the reason the Chair laid it before the House. Is there objection? [After a pause.] The Chair hears none.

Mr. THOMAS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Kentucky rise?

Mr. THOMAS. I want to make a few remarks.

The SPEAKER. How long does the gentleman desire?

Mr. THOMAS. About a couple of minutes.

The SPEAKER. The gentleman from Kentucky asks unanimous consent——

Mr. MANN. Mr. Speaker, I demand the regular order.

Mr. AUSTIN. Mr. Speaker, I offer a privileged motion.

The SPEAKER. The gentleman from Illinois demands the regular order. Is there objection to the request of the gentleman from Kentucky that he have two minutes? [After a pause.] The Chair hears no objection.

Mr. THOMAS. Mr. Speaker, I do not happen to live in the State of Ohio, and therefore I do not feel like an old hen. I live in the State of Kentucky, and therefore I feel like a Democratic rooster. [Laughter and applause on the Democratic side.] But that is not what I started to say. [Laughter.] The gentleman from Illinois [Mr. MANN] stated that the Republican

Party is not responsible for legislation. It is not, and we all ought to thank God for it. [Laughter and applause on the Democratic side.] And I believe that the people of this country will see that the Republican Party will not be responsible for any legislation for many, many years yet to come. [Laughter and applause on the Democratic side.]

Mr. AUSTIN. Mr. Speaker, I offer the following privileged resolution.

The SPEAKER. The gentleman from Tennessee offers a privileged resolution, which the Clerk will report.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That on the adjournment of the House to-day, October 15, 1913, it meet again at 12 o'clock noon, Monday, November 17, 1913.

Mr. UNDERWOOD. Mr. Speaker, I make the point of order that the resolution is not in order, because, as I understood, it was not with the concurrence of the Senate.

The SPEAKER. Yes; it is.

Mr. UNDERWOOD. Then, Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Alabama moves that the House adjourn.

Mr. RAKER. Will the gentleman yield to me to make a personal request?

Mr. UNDERWOOD. I withhold for the gentleman to make a personal request.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that I may be excused until the 1st of December. I have been from home since the middle of last November.

The SPEAKER. The gentleman from California asks unanimous consent that he may be excused until the 1st of December. Is there objection?

Mr. MANN. Mr. Speaker, I love the company of the gentleman from California too much.

ADJOURNMENT.

The SPEAKER. The gentleman from Illinois objects and the gentleman from Alabama moves that the House adjourn.

The question was taken, and the Speaker announced the ayes had it.

Mr. MANN. Mr. Speaker, I demand the yeas and nays.

Mr. AUSTIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. AUSTIN. Having offered a privileged resolution fixing the time for adjournment in the future, am I not entitled to a vote upon it?

The SPEAKER. Why, a motion to adjourn is the supreme motion known to parliamentary bodies.

Mr. AUSTIN. But my motion was pending.

The SPEAKER. It is privileged, but that does not cut out a motion to adjourn. That is the supreme motion.

Mr. AUSTIN. Will my motion be in order to-morrow? Should it not be pending for action then?

The SPEAKER. The Chair thinks so, but has not looked into it.

Mr. DOOLITTLE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DOOLITTLE. Has the Speaker signed the deficiency bill?

The SPEAKER. The Speaker has signed it and submitted it to the House, and it is on the way to the White House. [Applause.]

The gentleman from Illinois [Mr. MANN] demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 123, nays 43, voting "present" 12, not voting 250, as follows:

YEAS—123.

Abercrombie	Carr	Flood, Va.	Kirkpatrick
Aiken	Casey	Floyd, Ark.	Kitchin
Ansberry	Clark, Fla.	Foster	Lee, Ga.
Bailey	Claypool	Gard	Lee, Pa.
Baker	Clayton	Glass	Lesher
Balta	Connolly, Iowa	Godwin, N. C.	Lever
Barkley	Cox	Gorman	Lewis, Md.
Barnhart	Crosser	Gray	Linthicum
Beaker	Dent	Gregg	Lloyd
Beall, Tex.	Dershem	Hammond	Lobeck
Bell, Ga.	Dixon	Hardy	Logue
Borchers	Donohoe	Hayden	Lonergan
Bowdle	Donovan	Helm	McClellan
Brockson	Doolittle	Hill	McCoy
Brown, W. Va.	Doremus	Hughes, Ga.	McDermott
Brumbaugh	Doughton	Hull	McGillicuddy
Buchanan, Ill.	Eagle	Humphreys, Miss.	Maguire, Nebr.
Buchanan, Tex.	Edwards	Jacoway	Oldfield
Byrns, Tenn.	Evans	Johnson, Ky.	O'Leary
Candler, Miss.	Fergusson	Johnson, S. C.	Pepper
Cantrill	Fitzgerald	Kennedy, Conn.	Peters, Mass.
Carlin	Fitzhenry	Key, Ohio	Phelan
Pou	Sims	Stout	Underhill
Ragsdale	Sisson	Stringer	Underwood
Raker	Small	Tavenner	Vaughan
Ranch	Smith, Md.	Ten Eyck	Walker
Needham	Smith, Tex.	Thacher	Watkins
Reilly, Conn.	Sparkman	Thomas	Whaley
Rothermel	Stephens, Miss.	Townsend	White
Sherley	Stevens, N. H.	Tribble	Young, Tex.
Sherwood	Stone	Tuttle	

NAYS—43.

Anderson	Frear	Lafferty	Rogers
Austin	French	La Follette	Shreve
Avis	Greene, Mass.	Lindquist	Sinnott
Barton	Greene, Vt.	MacDonald	Smith, Idaho
Bell, Cal.	Hawley	Manahan	Steenerson
Browne, Wis.	Johnson, Utah	Mann	Sutherland
Byrnes, S. C.	Johnson, Wash.	Mapes	Towner
Campbell	Keister	Mondell	Vare
Cooper	Kennedy, Iowa	Nelson	Walters
Edmonds	Kindel	Plumley	Woods
Fowler	Kreider	Powers	

VOTING "PRESENT"—12.

Adamson	Estopinal	Holland	Smith, J. M. C.
Browning	Fields	Morrison	Talbott, Md.
Crisp	Hardwick	Slayden	Watson

NOT VOTING—250.

Adair	Elder	Kelly, Pa.	Prouty
Ainey	Esch	Kennedy, R. I.	Quin
Alexander	Fairchild	Kent	Rainey
Allen	Faison	Kettner	Reed
Anthony	Falconer	Kless, Pa.	Reilly, Wis.
Ashbrook	Farr	Kinkaid, Nebr.	Richardson
Aswell	Ferris	Kinkead, N. J.	Riordan
Barchfeld	Fess	Knowland, J. R.	Roberts, Mass.
Bartholdt	Finley	Konop	Roberts, Nev.
Bartlett	Fordney	Korbly	Ronse
Bathrick	Francis	Langham	Rubey
Blackmon	Gallagher	Langley	Rucker
Booher	Gardner	Lazaro	Rupley
Borland	Garner	L'Engle	Russell
Bremner	Garrett, Tenn.	Lenroot	Sabath
Britten	Garrett, Tex.	Levy	Saunders
Brodbeck	George	Lewis, Pa.	Scott
Broussard	Gerry	Lieb	Scully
Brown, N. Y.	Gillett	Lindbergh	Seldomridge
Bruckner	Gilmore	McAndrews	Sells
Bryan	Gittins	McGuire, Okla.	Shackleford
Bulkley	Goeke	McKellar	Sharp
Burgess	Goldfogle	McKenzie	Slemp
Burke, Pa.	Good	McLaughlin	Sloan
Burke, S. Dak.	Goodwin, Ark.	Madden	Smith, Saml. W.
Burke, Wis.	Gordon	Mahan	Smith, Minn.
Burnett	Goulden	Maher	Smith, N. Y.
Butler	Graham, Ill.	Martin	Stafford
Calder	Graham, Pa.	Merritt	Stanley
Callaway	Green, Iowa	Metz	Stedman
Caraway	Griest	Miller	Stephens, Cal.
Carew	Griffin	Mitchell	Stephens, Nebr.
Carter	Gudger	Montague	Stephens, Tex.
Cary	Guernsey	Moon	Stevens, Minn.
Chandler, N. Y.	Hamill	Moore	Sumners
Church	Hamilton, Mich.	Morgan, La.	Switzer
Clancy	Hamilton, N. Y.	Morgan, Okla.	Taggart
Cline	Hamlin	Morin	Talcott, N. Y.
Collier	Harrison	Moss, Ind.	Taylor, Ala.
Connelly, Kans.	Hart	Moss, W. Va.	Taylor, Ark.
Conry	Haugen	Mott	Taylor, Colo.
Copley	Hay	Murdock	Taylor, N. Y.
Covington	Hayes	Murray, Mass.	Temple
Cramton	Heflin	Murray, Okla.	Thompson, Okla.
Cullop	Helgesen	Neeley	Thomson, Ill.
Curley	Helvering	Nolan, J. I.	Treadway
Curry	Henry	Norton	Volstead
Dale	Hensley	O'Brien	Wallin
Danforth	Hinds	Ogleshy	Walsh
Davenport	Hinebaugh	O'Hair	Weaver
Davis	Hobson	O'Shaunessy	Webb
Decker	Houston	Padgett	Whitacre
Delirick	Howard	Page	Williams
Dickinson	Howell	Palmer	Willis
Dies	Howorth	Parker	Wilson, Fla.
Difenderfer	Hughes, W. Va.	Patten, N. Y.	Wilson, N. Y.
Dillon	Hulings	Patton, Pa.	Wingo
Dooling	Humphrey, Wash.	Payne	Winslow
Driscoll	Ione	Peters, Me.	Witherspoon
Dunn	Jones	Peterson	Woodruff
Dupré	Kahn	Platt	Young, N. Dak.
Dyer	Keating	Porter	
Eagan	Kelley, Mich.	Post	

So the motion was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. FRANCIS with Mr. HUGHES of West Virginia.

Mr. BROUSSARD with Mr. KELLEY of Michigan.

Mr. BATHRICK with Mr. KELLY of Pennsylvania.

Mr. GORDON with Mr. THOMSON of Illinois.

Mr. WEAVER with Mr. BURKE of Pennsylvania (commencing Oct. 11).

Mr. FAISON with Mr. CURRY.

Mr. WHITACRE with Mr. TEMPLE (commencing Oct. 14).

Mr. SHARP with Mr. YOUNG of North Dakota.

Mr. SABATH with Mr. FALCONER.

Mr. BURNETT with Mr. FESS.

Mr. POST with Mr. MURDOCK.

Mr. GOEKE with Mr. PARKER.

Mr. MCANDREWS with Mr. PLATT (commencing Oct. 12).

Mr. BORLAND with Mr. PAYNE.

Mr. IGOE with Mr. PROUTY.

Mr. DIFENDERFER with Mr. SMITH of Minnesota.

Mr. LONERGAN with Mr. HAYES.

Mr. WINGO with Mr. WOODRUFF.

Mr. BOOHER with Mr. SLEMP (rest of special session, except when two-thirds vote required; on party questions, record to show one for and one against measure).

Mr. BLACKMON with Mr. BARCHFELD.

Mr. KONOP with Mr. MORIN.

Mr. SUMNERS with Mr. ESCH.

Mr. GARNER with Mr. J. I. NOLAN.

Mr. WILLIAMS with Mr. BRITTEN.

Mr. RICHARDSON with Mr. MARTIN.

Mr. MADDEN with Mr. RAINEY.

Mr. HARRISON with Mr. GRAHAM of Pennsylvania.

Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1, except on currency and tariff).

Mr. PAGE with Mr. GILLETT (commencing Sept. 30, after third roll call).

Mr. CANTRILL with Mr. HELGESEN.

Mr. FIELDS with Mr. LANGLEY.

Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).

Mr. REED with Mr. WINSLOW (commencing Oct. 1, remainder of extra session).

Mr. TALBOTT of Maryland with Mr. MERRITT.

Mr. CARTER with Mr. MCGUIRE of Oklahoma.

Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.

Mr. STEPHENS of Nebraska with Mr. SLOAN.

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on tariff conference report, currency excepted at option of either party).

Mr. STEPHENS of California with Mr. WITHERSPOON (commencing Oct. 3, except on cotton-futures amendment).

Mr. CLINE with Mr. NORTON (commencing Oct. 1).

Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.

Mr. KETTNER with Mr. SCOTT.

Mr. BURKE of Wisconsin with Mr. CARY.

Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).

Mr. CRISP with Mr. HINDS (transferable).

Mr. DIES with Mr. SWITZER.

Mr. CARAWAY with Mr. KENNEDY of Rhode Island.

Mr. SPARKMAN with Mr. HOWELL.

Mr. JONES with Mr. HINEBAUGH.

Mr. RUCKER with Mr. HAUGEN.

Mr. MOON with Mr. DILLON.

Mr. TAYLOR of Alabama with Mr. GUERNSEY.

Mr. BULKLEY with Mr. SELLS.

Mr. HAMLIN with Mr. COPLEY.

Mr. MURRAY of Massachusetts with Mr. SAMUEL W. SMITH.

Mr. RUSSELL with Mr. DANFORTH.

Mr. ALEXANDER with Mr. ROBERTS of Massachusetts.

Mr. DUPRÉ with Mr. ANTHONY.

Mr. GRAHAM of Illinois with Mr. PETERS of Maine.

Mr. CURLEY with Mr. J. R. KNOWLAND.

Mr. MCKELLAR with Mr. MOTT.

Mr. FINLEY with Mr. GREEN of Iowa.

Mr. BREMNER with Mr. KIESS of Pennsylvania.

Mr. RUBEY with Mr. TREADWAY.

Mr. HENRY with Mr. LEWIS of Pennsylvania.

Mr. STANLEY with Mr. FARR.

Mr. HOWARD with Mr. GRIEST.

Mr. HENSLEY with Mr. DYER (commencing Oct. 1).

Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).

Mr. ASWELL with Mr. MCLAUGHLIN (commencing Sept. 3).

Mr. WATSON with Mr. KAHN (commencing Oct. 13).

Mr. COVINGTON with Mr. MILLER.

Mr. HOUSTON with Mr. WILLIS.

Mr. HEFLIN with Mr. DUNN.

Mr. HOXWORTH with Mr. ROBERTS of Nevada.

Mr. GREGG with Mr. MOSS of West Virginia.

Mr. KORBLY with Mr. PATTON of Pennsylvania.

Mr. ROUSE with Mr. RUPLEY.

Mr. CLANCY with Mr. HAMILTON of New York.

Mr. TAYLOR of Arkansas with Mr. SUTHERLAND.

Mr. GARRETT of Tennessee with Mr. LANGHAM.

Mr. HAY with Mr. MCKENZIE.

Mr. MORGAN of Louisiana with Mr. HULINGS.

Mr. PALMER with Mr. MOORE.

Mr. MONTAGUE with Mr. DAVIS.

Mr. KINKEAD of New Jersey with Mr. CRAMTON.

Mr. STEDMAN with Mr. EDMONDS.

Mr. SAUNDERS with Mr. AINEY.

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.

Mr. METZ with Mr. WALLIN.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. SCULLY with Mr. BROWNING.

Mr. HOBSON with Mr. FAIRCHILD.

Mr. BARTLETT with Mr. BUTLER.

The result of the vote was announced as above recorded.

Accordingly (at 1 o'clock and 28 minutes p. m.) the House adjourned until to-morrow, Thursday, October 16, 1913, at 12 o'clock noon.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 6008) granting a pension to Francisco Montoya; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 6009) granting a pension to Donaciano Gurule; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 7177) granting a pension to Frederick Leidenberger; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8076) granting an increase of pension to Adolph C. Radtke; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8545) granting a pension to Feliciana B. de Alderete; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 8546) granting an increase of pension to Secundina Guciachowski; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 8650) granting an increase of pension to Charles Muller; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 8885) to provide Federal aid for public roads; to the Committee on Roads.

Also, a bill (H. R. 8886) to provide for the improvement of navigation on the Chattahoochee River in Georgia; to the Committee on Rivers and Harbors.

By Mr. EDWARDS: A bill (H. R. 8887) providing for site and public building for post-office purposes at Savannah, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8888) to enlarge, extend, remodel, and modernize the post-office building at Savannah, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. CRISP: Resolution (H. Res. 287) repealing clause 2 of Rule VIII; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 8889) granting a pension to Rebecca L. Scarbrough; to the Committee on Invalid Pensions.

By Mr. GORMAN: A bill (H. R. 8890) granting a pension to Mary J. Harkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8891) for the relief of Mable Rask; to the Committee on Claims.

Also, a bill (H. R. 8892) granting a pension to Mary Butler; to the Committee on Invalid Pensions.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 8893) for the relief of Mary E. Goodley; to the Committee on Claims.

By Mr. MACDONALD: A bill (H. R. 8894) granting a pension to Thomas J. McQuillen, alias Thomas J. Jones; to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 8895) granting an increase of pension to Cassius M. Rose; to the Committee on Invalid Pensions.

By Mr. WHITACRE: A bill (H. R. 8896) granting a pension to John Bash; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Evidence to accompany bill (H. R. 7528) for the relief of George Van Atta; to the Committee on Invalid Pensions.

By Mr. DOOLITTLE: Petitions of C. N. Cloud, J. A. Newlin, and M. L. Newlin, of Emporia, Kans., protesting against the passage of the Henry resolution, known as House resolution 33, relative to the work of the American Medical Association; to the Committee on Rules.

By Mr. KEISTER: Petitions of 322 employees of Old Meador Works and 538 employees of the Scottdale Works, both of the American Sheet & Tin Plate Co., and both of Scottdale, Pa., protesting against a dissolution of the United States Steel Corporation; to the Committee on the Judiciary.

SENATE.

THURSDAY, *October 16, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Journal of the proceedings of Monday last was read and approved.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 7808) making appropriations to supply deficiencies in the appropriations for the fiscal year 1913, and for other purposes, and it was thereupon signed by the Vice President.

AMENDMENT OF INTERSTATE-COMMERCE ACT.

The VICE PRESIDENT presented a joint resolution of the Legislature of North Carolina, which was referred to the Committee on Interstate Commerce, and ordered to be printed in the RECORD, as follows:

Resolution 4.

A joint resolution requesting Congress to investigate the interpretation and administration of the act to regulate interstate commerce.

Resolved by the house of representatives (the senate concurring):

Whereas by the act of Congress, commonly known as the interstate-commerce act, it is provided, among other things, that all charges made for any service rendered in the transportation of property shall be just and reasonable and every unjust and unreasonable charge is prohibited and declared to be unlawful; and

Whereas it is also further provided in said act that it shall be unlawful for any common carrier to give any undue or unreasonable preference or advantage to any person, corporation, or locality in any request whatsoever; and

Whereas said interstate-commerce act also provides that it shall be unlawful for a carrier to charge more for a shorter than for a longer distance over the same line in the same direction, when the shorter is included in the longer distance, but contains an unfortunate exception allowing more to be charged for the short than the long haul, if the Interstate Commerce Commission allows it; and

Whereas all these provisions have been and are now being ignored and violated by the carriers, especially those operating in and through the State of North Carolina, thus defying the provisions of the said law, the effect of which is to work great injury to the commercial and industrial interests of the State of North Carolina, to the people and injury of the people of this and other States; and

Whereas shippers and other citizens of North Carolina, have appealed in vain to the Interstate Commerce Commission for protection against the present intolerable situation, as guaranteed by the provisions of the act aforesaid, and the suppression of the violations of said law on the part of the carriers; that as a result of such fruitless efforts to obtain the relief sought there has been and now is much complaint that the interstate-commerce act is not enforced according to its terms or in the spirit in which it was enacted: Therefore be it

Resolved, That the Congress of the United States be, and is hereby, respectfully petitioned by the people of North Carolina to strike out the exception to the application of the long-and-short-haul principle, and further to cause an investigation to be made of the administration of the provisions of the said interstate-commerce act, to ascertain if the said act has been interpreted and enforced as Congress intended, and in accordance with the terms thereof, and if not, the reasons for such nonenforcement; that said investigation make particular inquiry as to violations of the provisions prohibiting unreasonable rates, unjust discriminations, and violations of the long-and-short-haul clause; to ascertain if the coast cities are not the victims of unjust discriminations in freight rates as the result of combinations of railroads and water lines, the effect of which is to suppress competition and deprive coast cities of advantages to which they are entitled and would naturally enjoy by reason of lower water rates were not such combinations permitted to exist; that said investigation also ascertain if the present commerce act is sufficient to meet the conditions and practices complained of, and if not to recommend such amendments as will make the law adequate to prevent the further continuance of unjust and discriminatory practices, unreasonable charges, and the elimination of competition.

Resolved further, That the Members of Congress from the State of North Carolina be, and they are hereby, respectfully requested to exercise such influence and take such action as may be proper and necessary to cause said investigation to be made by Congress, that the information herein suggested may be elicited; and that the governor of North Carolina be respectfully requested to use his influence to the same end, by cooperating with the executives of other States and in such other manner as in his judgment seems proper.

Resolved further, That a copy of these resolutions be transmitted by the governor to each of the Senators and Members of the House in Congress from the State of North Carolina, and also that copies be transmitted to the President of the Senate and the Speaker of the House of Representatives of Congress.

In the general assembly read three times and ratified this the 6th day of October, 1913.

E. L. DAUGHTRIDGE,
President of the Senate.
WALTER MURPHY,
Speaker of the House of Representatives.

Examined and found correct.

FOR COMMITTEE.

STATE OF NORTH CAROLINA,
DEPARTMENT OF STATE,
Raleigh, October 13, 1913.

I, J. Bryan Grimes, secretary of state of the State of North Carolina, do hereby certify the foregoing and attached (five sheets) to be a true copy from the records of this office.

In witness whereof I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh this 13th day of October, in the year of our Lord 1913.

[SEAL.] J. BRYAN GRIMES,
Secretary of State.

TRANSPORTATION OF COTTON.

Mr. FLETCHER. I present resolutions adopted by the Farmers' Educational and Cooperative Union of Texas, which I ask may be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the resolutions were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Be it resolved by the Farmers' Educational and Cooperative Union of Texas, That it is to the interest of all parties concerned in the production, sale, and consumption of cotton grown in the United States, if not an imperative necessity, that a comprehensive and systematic investigation be early set on foot to determine scientifically and satisfactorily what form of package and degree of density of cotton packed or compressed for transportation will best provide economies in the transportation and handling of cotton without injury to its fiber and quality. Inquiry to be made with a view to all the differing conditions, localities, and varieties of cotton involved in the decision of this question; be it further

Resolved, That for this purpose the aid of the Federal Government is invoked, through its Department of Agriculture or other proper instrumentalities, in cooperation with the producers' and buyers' organizations, the manufacturers and operators of presses and compresses, transportation agencies and manufacturers of cotton, and others interested in this important matter.

W. D. LEWIS,
President Farmers' Educational and Cooperative Union of Texas.
A. L. BAKER,
Secretary-Treasurer Farmers' Educational and Cooperative Union of Texas.

AGRICULTURAL EXTENSION WORK.

Mr. SMITH of Georgia. I desire to ask the consent of the Senate to print in the RECORD a few short letters from presidents of State colleges of agriculture upon Senate bill 3091, which provides for extension work from the land-grant agricultural colleges.

I ask to have these letters printed because I do not wish to take up the time of the Senate on the bill in any way until after the currency bill has been disposed of, and yet I am quite anxious to bring it thoroughly to the attention of those Senators who were not Members of the Senate in the last Congress, that we may be prepared to act promptly upon it and with as little debate as possible after the currency bill has passed.

The VICE PRESIDENT. Without objection, that action will be taken.

The letters were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

UNIVERSITY OF ARIZONA,
Tucson, Ariz., September 24, 1913.

Hon. HOKE SMITH,
Senate Chamber, Washington, D. C.

MY DEAR SIR: I sincerely hope that Senate bill 3091, for extension work in agriculture and home economics, may pass the present Congress. The matter has been thoroughly discussed in all its details and should receive prompt and favorable consideration.

The economic results of the extension of education in agriculture and domestic science would be immense. The bill is definite in its statements and is so clearly limited in the range of its work that the public should expect a large degree of efficiency in the administration of the act.

Very truly, yours, A. H. WILDE, *President.*

THE CONNECTICUT AGRICULTURAL COLLEGE,
Storrs, Conn., October 7, 1913.

Hon. HOKE SMITH,
Washington, D. C.

MY DEAR MR. SMITH: A considerable fund of useful knowledge has been acquired by the agricultural colleges and experiment stations. Provision should now be made for the diffusion of this practical information among the people of the several States.

Senate bill 3091, providing for cooperative agricultural extension work, should receive early consideration. I hope this bill may be enacted into law during the regular session of the present Congress.

Yours, very truly, CHARLES L. BEACH, *President.*

UNIVERSITY OF FLORIDA,
OFFICE OF THE PRESIDENT,
Gainesville, Fla., October 7, 1913.

Senator HOKE SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have carefully read Senate bill 3091, which provides for cooperative agricultural extension work by the agricultural colleges of the several States.

It seems to me that just at this time this bill promises larger and more helpful results than any measure of similar character proposed in many years. The greatest need in this territory just now is a vigorous, practical, and consistent propaganda in the fields of agriculture and home economics. The recently inaugurated movement of agricultural extension work would be made doubly more efficient by means of the support which this Senate bill provides. It would result in a tremendous forward step in behalf of the rural population of the country.

I sincerely hope that this bill will speedily become a law.

Very truly, yours, A. A. MURPHREE, *President.*

UNIVERSITY OF MAINE,
Orono, Me., September 20, 1913.

Hon. HOKE SMITH,
Washington, D. C.

DEAR SENATOR SMITH: I beg to thank you for sending me the copy of the Senate bill 3091.

I have read that bill with very great interest. I am in hearty sympathy with its purpose. I believe thoroughly that the making of this bill into law will do great good. I certainly hope that the measure may be favorably considered in both branches of Congress.

If I can be of any assistance in helping the matter along, I hope you will inform me.

Very sincerely, yours, ROBERT J. ALEY.

PRESIDENT'S OFFICE,
NEW HAMPSHIRE COLLEGE,
Durham, N. H., October 2, 1913.

Senator HOKE SMITH,
Washington, D. C.

MY DEAR SIR: I have read with great care S. 3091, being a bill to provide for cooperative agricultural extension work.

I am in hearty sympathy with the purposes of this bill. Various plans for the betterment of our agricultural conditions have been tried, but none gives such promise of real and actual help as cooperative extension work. Years of experience demonstrate that many of the best things worked out by actual experiment in our agricultural colleges and conveyed to the farmers through bulletins or through farmers' institutes make really little impression. Somehow or in some way the facts, however important, do not lay hold upon the imagination of the average farmer with sufficient force to insure their application. But cooperative work, actual and practical demonstration, where the farmer may see principles demonstrated, is actually effective. For this reason I am heartily in favor of this bill. It properly proposes to share the burden with the State and also is intended to afford a sufficient sum of money to be of real assistance.

An element of peculiar value in this bill is the recognition of the home as the basis of all national well-being. The provision for cooperative work in home economics should by all means be retained.

Very truly, yours, E. T. FAIRCHILD, *President.*

THE NORTH CAROLINA COLLEGE OF AGRICULTURE AND MECHANIC ARTS,
West Raleigh, September 20, 1913.

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR SMITH: It seems to me that no money could be better spent by our Government than money to promote the cause of agricultural development. The bill introduced by you will be of immense service to the farming interests of the United States. I trust Congress in its wisdom will pass it.

Yours, very truly, D. H. HILL, *President.*

THE PENNSYLVANIA STATE COLLEGE,
OFFICE OF THE PRESIDENT,
State College, Pa., September 19, 1913.

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

MY DEAR SIR: Senate bill 3091, providing for agricultural and home economics extension work through the State colleges, appeals to me as sane, feasible, and adequate. The need of effort along these lines is generally admitted, the cooperation of the Nation and the several States is likely to produce the most effective agency, and the enactment of this law will lead to systematic, uniform, and widespread effort where only spasmodic and desultory elements have heretofore been produced.

Pennsylvania last winter enacted its first extension law, and this action is a warrant that the State will gladly cooperate with the Nation in furthering this unparalleled public benefit. I sincerely trust the present Congress will signalize its expressed desire to legislate for the public welfare by passing this bill.

Very truly, yours, EDWIN E. SPARKS.

THE CLEMSON AGRICULTURAL COLLEGE,
PRESIDENT'S OFFICE,
Clemson College, S. C., October 11, 1913.

Senator HOKE SMITH,
Washington, D. C.

DEAR SENATOR SMITH: In answer to your request of September 17 I beg to say that Senate bill No. 3091, familiarly known as the Smith-Lever extension bill, is, in my mind, one of the most important pieces of constructive legislation ever presented to the Congress of the United States.

In South Carolina, where demonstration and extension work have been closely linked for several years and we have had a chance to judge of the results, we have brought about, even with limited funds, an agricultural transformation that is little short of marvelous. The fact that this small State will this year produce nearly $200,000,000 worth of agricultural products is to some degree a comment on the efficiency of the demonstration and extension work in which the college and the agricultural department are jointly engaged. All that is lacking to make the work effective in every State is proper organization and sufficient money. These are both provided for in the pending bill.

With best wishes for your success, I am,

Yours, very truly, W. M. RIGGS, *President.*

AGRICULTURAL COLLEGE OF UTAH,
Logan, Utah, September 24, 1913.

Senator HOKE SMITH,
Washington, D. C.

DEAR SIR: I have your letter of September 17 and also a copy of Senate bill 3091. I have examined it and, as I have written you before, I very heartily agree with the provisions of this act. No more important bill for the development of agriculture in our country can be passed than this one. The crying need at the present time is for an easy opportunity of carrying the experiment stations and agricultural colleges directly to the men and women who labor on the farms. Your bill will be a large factor in providing for this.

Sincerely, yours, JOHN A. WIDTSOE, *President.*

WEST VIRGINIA UNIVERSITY,
Morgantown, October 1, 1913.

Hon. HOKE SMITH, *Washington, D. C.*

MY DEAR SIR: Let me thank you for the copy of your bill providing for agricultural extension work (S. 3091), which you were so kind as to send me some days ago. I can not think of any other legislation at this time that Congress could enact in the interest of agricultural education that would mean so much as the passage of this bill. In West Virginia we are ready for it and waiting for it. Our State legislature has established in the university a department of agricultural and home economics extension and has given a very liberal appropriation to it. The cooperation of the United States Government contemplated by your bill would be of incalculable value to us, and I am sure the same could be said of every other State as well as of West Virginia.

I hope that you may be successful in securing favorable action upon the bill at an early date.

Very truly, yours, THOS. E. HODGES.

THE UNIVERSITY OF WYOMING,
OFFICE OF THE PRESIDENT,
Laramie, September 23, 1913.

Senator HOKE SMITH,
United States Senate, Washington, D. C.

DEAR SIR: I have received a copy of your redraft bill (S. 3091) providing for Federal support of agricultural extension work. This bill is of very great importance to the land-grant colleges of the United States, because its passage would make possible the better development of a form of education greatly needed throughout the country. The State of Wyoming, through the agricultural college of this university, is now spending $5,000 a year for agricultural extension work. This sum enables us to make only a beginning in meeting the needs of the people of the State. I hope Congress will speedily approve your bill.

Very truly, C. A. DUNIWAY, *President.*

WORLD'S PURITY FEDERATION.

Mr. SMITH of Arizona. From the Committee on Foreign Relations, I report back favorably, without amendment, the joint resolution (H. J. Res. 125) authorizing the President to appoint delegates to attend the Seventh International Congress of the World's Purity Federation, to be held in the city of Minneapolis, State of Minnesota, November 7 to 12, 1913, and I submit a report (No. 120) thereon. I ask unanimous consent for the present consideration of the joint resolution.

Mr. SMOOT. Let it be read in full.

The VICE PRESIDENT. The joint resolution will be read.

The Secretary read the joint resolution, as follows:

Resolved, etc., That the President of the United States be, and he is hereby, authorized and respectfully requested to appoint delegates to attend and represent the United States at the Seventh International Congress of the World's Purity Federation, to be held in the city of Minneapolis, State of Minnesota, November 7 to 12, 1913.

Mr. SMITH of Arizona. The joint resolution has passed the House.

Mr. SMOOT. It carries no appropriation?

Mr. SMITH of Arizona. It carries no appropriation.

The VICE PRESIDENT. The Senator from Arizona asks unanimous consent for the present consideration of the resolution.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CAPT. FRANK PARKER.

Mr. BRADY. From the Committee on Military Affairs I report back favorably without amendmnt the bill (S. 746) for the relief of Capt. Frank Parker, and I submit a report (No. 121) thereon. I ask for the immediate consideration of the bill.

Mr. SMOOT. I should like to ask the Senator from Idaho if this is a unanimous report of the committee.

Mr. BRADY. It is not a unanimous report, but it is a favorable report.

Mr. SMOOT. Are any members of the committee opposed to the bill present in the Chamber?

Mr. BRADY. The bill was introduced by the Senator from South Carolina [Mr. TILLMAN], who is present.

Mr. TILLMAN. I have here an explanation of the bill. I will send it to the desk and it can be read.

Mr. SMOOT. I will say to the Senator from South Carolina the only reason why I made the inquiry of the Senator from Idaho was that he asked unanimous consent for the immediate consideration of the bill, and I wished to know if it was unanimously reported from the committee.

Mr. TILLMAN. As the Senator from Utah knows, it is very difficult to get the unanimous agreement of a committee about anything now, because there are very few members here.

Mr. CLAPP. If the Senator will pardon an interruption. I will make a brief explanation. What the Senator from Idaho means is not that there was opposition to the bill, but that in view of the absence of some of the members of the committee all did not approve the bill.

Mr. SMOOT. Do I understand that there was no opposition in the committee to the bill?

Mr. BRADY. There was none, except by one Member, and I understand that he is not going to object to the bill. The committee gave the bill very careful consideration, and practically every member of the committee is in favor of its passage.

Mr. SMOOT. Of course I would not object to the present consideration of the bill if it was a unanimous report. The only reason why I called the Senator's attention to the matter was that if there was objection in the committee to the bill and the members objecting to it were not present, then I thought it unwise to ask for unanimous consent for its consideration. But on the explanation of the Senator from Idaho I shall not object to the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that nothing contained in the proviso under the heading "Pay of officers of the line" in the act approved August 24, 1912, entitled "An act making appropriation for the support of the Army for the fiscal year ending June 30, 1913, and for other purposes," shall be held to apply to the service of Capt. Frank Parker, United States Army, for the period necessary for him to complete his present tour of duty at L'Ecole de Guerre, France.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. BRADY. From the Committee on Military Affairs I report back the bill (S. 528) for the relief of Capt. Frank Parker, with the request that it be postponed indefinitely, as the subject matter is covered by the bill which has just passed the Senate.

The VICE PRESIDENT. The bill will be postponed indefinitely.

HEIRS OF DECEASED INDIANS.

Mr. LANE. I wish to introduce a bill and to ask unanimous consent for its immediate consideration, it being an emergency matter. The discussion of the measure will not take up much time.

Mr. SMOOT. Do I understand that it is a committee report, or is it a bill which the Senator introduces?

Mr. LANE. It is a bill that I introduce.

Mr. SMOOT. That is against the rule of the Senate.

Mr. LANE. I am sorry it is. It is unfortunate, because the bill should be passed. It has been considered by committees. It is in relation to an Indian appropriation. It proposes to assign a special fund of $10,000 out of an appropriation of $50,000 which has already been made for the purpose of carrying out the intent of the measure and the instructions of Congress. Its purpose is to determine who are the heirs to certain land, and in the determination there is a fee fixed upon each allotment by which under this act the Government will secure a profit. It is the one individual case, I presume, which has been presented by which the Government may make a gain. It has been considered by committees and is perfectly legitimate, and it ought to be passed.

Mr. SMOOT. I have no objection whatever to the consideration of the bill, but I should like to have it considered in its proper order. If the bill has been considered by the committee, I suggest that the Senator introduce it and that it be referred to the committee, and that the committee immediately report it to the Senate, and then he can ask for its immediate consideration. There will be no objection on my part if that course is taken.

Mr. LANE. Very well; let the bill be read and referred.

The bill (S. 3296) to enable the Commissioner of Indian Affairs to employ additional clerks on heirship work in the Indian Office was read twice by its title and referred to the Committee on Indian Affairs.

Mr. LANE subsequently said: After conferring with all the members of the Committee on Indian Affairs who are present, I am prepared now to report the bill (S. 3296) which I introduced this morning, and I ask unanimous consent for its consideration at this time.

The VICE PRESIDENT. The Senator from Oregon asks unanimous consent for the present consideration of a bill just reported by him, which will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Commissioner of Indian Affairs is hereby authorized to use not to exceed $10,000 for the employment of additional clerks in the Indian Office in connection with the work of determining the heirs of deceased Indians, out of the $50,000 appropriated in the Indian appropriation act for the fiscal year ending June 30, 1914, for the purpose of determining the heirs of deceased Indian allottees, pursuant to the act of June 25, 1910 (36 Stat. L., p. 855).

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LANE:

A bill (S. 3297) making an appropriation of $750,000 for the construction of a dredger to be used in the improvement of the harbor of the Columbia River; to the Committee on Commerce.

By Mr. KERN:

A bill (S. 3298) granting an increase of pension to Olive Ruark (with accompanying papers);

A bill (S. 3299) granting an increase of pension to Leonidas Folckemer (with accompanying papers); and

A bill (S. 3300) granting an increase of pension to James Edwards (with accompanying papers); to the Committee on Pensions.

By Mr. WEEKS:

A bill (S. 3301) granting a pension to Louis M. Smith (with accompanying papers); to the Committee on Pensions.

IMPORTS AND DUTIES UNDER TARIFF ACT.

Mr. SMOOT. I submit a resolution and ask for its present consideration.

The resolution (S. Res. 192) was read, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to furnish the Senate with a copy of the estimated receipts from customs made by conference committee report on H. R. 3321 for the year 1915, as prepared by experts of the Treasury Department and delivered on or shortly before September 30, 1913, to the Hon. OSCAR W. UNDERWOOD, chairman of the Ways and Means Committee of the House of Representatives, showing the estimated amount of imports and duties and ad valorem rates for each of the schedules of the bill; also the total estimated amount of imports and duties with the average ad valorem rate.

Mr. SMITH of Georgia. Mr. President, ordinarily I do not think any resolution of that sort ought to be passed without going over and being perhaps referred to the committee that has charge of the subject matter; but this seems to me such a simple inquiry for a proper matter of information, if the Senate wants it I will not insist upon what I think should be the usual rule.

Mr. SMOOT. All the resolution calls for is certain information, and I do not see why there should be any objection to its adoption.

The resolution was considered by unanimous consent and agreed to.

RICHARD M. NELSON.

Mr. BANKHEAD submitted the following resolution (S. Res. 193), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, out of the contingent fund of the Senate, to Richard M. Nelson the sum of $1,200 per annum, same being for services as messenger to the Committee on Expenditures in the Post Office Department from August 16, 1913, to ———.

Mr. BANKHEAD submitted the following resolution (S. Res. 194), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate is hereby directed to place upon the rolls of the Senate as messenger to the Committee on Expenditures in the Post Office Department, from the date of the adoption of this resolution, the name of Richard M. Nelson, such appointment to hold until the election of a chairman of said committee.

THE MEXICAN COTTON-BOLL WEEVIL.

Mr. SMITH of Georgia submitted the following order, which was read:

Ordered, That 4,800 copies of Senate Document No. 305, Sixty-second Congress, second session, Mexican cotton-boll weevil, be printed for the use of the Senate document room.

Mr. SMITH of Georgia. This document came from the President of the United States, prepared under the direction of the Secretary of Agriculture. It is a most comprehensive presentation of the investigation by the department of the boll weevil and the remedies that have been successfully used to resist its progress. The edition is exhausted, the copies having been used in the territory in which the boll weevil was at the time progressing, and now I have had calls for the publication from the State entomologists of Georgia and from eastern Alabama and northern Florida, stating that they are exceedingly anxious to put this book into the hands of their instructors.

Mr. SMOOT. I simply wish to ask a question to keep the RECORD straight. Has the Senator an estimate of the cost of the 4,800 copies?

Mr. SMITH of Georgia. I asked the Printing Office to let me know, and I was informed that this number—4,850—certainly could be printed for $500.

Mr. SMOOT. It will come within the $500 limit?

Mr. SMITH of Georgia. I was advised from the Printing Office it would come within the $500 limit.

The order was considered by unanimous consent and agreed to.

ADDRESS BY GORDON JONES (S. DOC. NO. 212).

Mr. FLETCHER. I ask unanimous consent to have printed as a public document an address on some methods of financing the farmer, delivered by Mr. Gordon Jones before the Chamber of Commerce of Denver, the conference of governors at Colorado Springs, and the Colorado Banking Association at Denver. I think it is a very valuable contribution to the subject.

The PRESIDING OFFICER (Mr. WALSH in the chair). The Senator from Florida asks unanimous consent for publication as a public document of the address sent to the desk. Is there objection. The Chair hears none.

SENATOR TILLMAN'S RETROSPECT OF 18 YEARS.

Mr. SMOOT. On October 13, at the last meeting of the Senate, I called attention to the printing in the RECORD of October 7 of certain illustrations, and while I was making the statement the Presiding Officer [Mr. OWEN] stated that he was informed that the matter was to be printed as a public document and that the order to print the cartoons had been reconsidered, and they would not appear in the permanent RECORD.

I desire to ask the chairman of the Printing Committee [Mr. FLETCHER] if it was his understanding that the action taken on October 9, wherein he asked for a reconsideration of the printing of the cartoons has the effect of preventing them from being printed in the permanent RECORD. I will call the Senator's attention to the RECORD.

Mr. FLETCHER. I have been requested by the Senator from South Carolina [Mr. TILLMAN] to move that the order of the Senate of October 3 providing for the printing as a public document of an article prepared 18 years ago for the New York World, giving the impressions and the then beliefs of Senator TILLMAN about Wall Street and what is called "the money power," be reconsidered.

The VICE PRESIDENT. Without objection, the order of the Senate of October 3 will be reconsidered.

Mr. FLETCHER. On behalf of the Senator from South Carolina [Mr. TILLMAN] and at his request, I offer the following order and ask for its adoption.

There being no objection, the order was read, considered by unanimous consent, and agreed to, as follows:

"*Ordered*, That my remarks of October 3, 1913, together with an article prepared 18 years ago for the New York World, giving the impressions and the then beliefs of Senator TILLMAN about Wall Street and what is called 'the money power,' be printed as a document, with accompanying illustrations."

The VICE PRESIDENT. Concurrent and other resolutions are in order.

Do I understand the chairman of the committee to mean that reconsideration simply allowed the document to be printed as a public document and that in the permanent RECORD the printing of the cartoons would not be included?

Mr. FLETCHER. Mr. President, I do not so understand. When the Senator from South Carolina preferred his request, it was that the illustrations be printed in the RECORD and also that the article be printed as a public document. That was agreed to. The Senator in that request omitted to ask that the illustrations also be printed; and when the question came as to the printing of the article as a public document, the words "with illustrations" having been omitted, the committee took up the question with the Senator. The object of the reconsideration was to reconsider only that portion of the original request which referred to the printing of the article as a public document. As I stated in my remarks, I moved that the order of the Senate of October 3, providing for the printing as a public document of an article prepared 18 years ago, and so forth, be reconsidered. The action of the Senate in placing the article and illustrations in the RECORD was not reconsidered, but the action of the Senate in ordering the matter printed as a public document was reconsidered. Then the motion was made to print it as a public document with accompanying illustrations. Therefore, the purpose of the reconsideration was to have the article printed as a public document with the accompanying illustrations, which language had been omitted in the original order asked for by the Senator from South Carolina. It was simply to cure that defect that the reconsideration was obtained. The reconsideration had no reference to reconsidering the action of the Senate in printing the illustrations in the RECORD.

Mr. SMOOT. Mr. President, that is exactly as I understand the RECORD, and I was quite surprised when the Presiding Officer on October 3 stated that he was informed—there is no doubt he was so informed—that the matter was to be printed as a public document, and that the order to print the cartoons had been reconsidered and they would not appear in the permanent RECORD.

The object that I have, Mr. President, in bringing this matter to the attention of the Senate is this: As I stated the other day, I have not the least objection to the matter being printed with the illustrations as a public document, but I do think it is wrong to allow cartoons of that kind to enter the permanent CONGRESSIONAL RECORD.

Mr. TILLMAN. May I ask the Senator from Utah why?

Mr. SMOOT. Well, Mr. President, I will say to the Senator that the Joint Committee on Printing of the two Houses agreed, and for the last five or six years have insisted, that cartoons of this character be kept out of the RECORD. The House has lived strictly to that agreement, and this is the first time since that agreement was made between the two Houses that cartoons of this kind have entered the RECORD.

Mr. TILLMAN. This is a special case.

Mr. SMOOT. Each cartoon is considered a special case by the one requesting its publication. For instance, the scales used in the weighing of sugar by the Sugar Trust by which the Government was defrauded of millions of dollars was asked to be put into the RECORD. The request was referred to the Joint Committee on Printing, but not granted.

I remember the Senator from Washington, Mr. Piles, in making a speech on the tariff in 1909 desired that the pictures of a number of shingle mills in the State of Washington be put into the RECORD. The Joint Committee on Printing decided otherwise, and they were kept out of the RECORD.

I say to the Senator from South Carolina I do not object at all if he desires that the article with the illustrations be printed as a public document, but I do not believe that the CONGRESSIONAL RECORD ought to be burdened with such cartoons or illustrations of any kind, with the exception of the outline of the map of the United States or a plain diagram used to illustrate some question in a speech that had been delivered.

I now simply call that to the Senator's attention, and I believe that, after due consideration, the Senator will agree that what I have suggested is the proper course, and that the RECORD is not the place in which illustrations and cartoons should appear.

Mr. TILLMAN. While agreeing to that phase of it, it seems to me that in the interest of the truth of history, as allusions may be made to this public document from time to time, it is only proper that the cartoons should also appear in the CONGRESSIONAL RECORD.

Mr. SMOOT. I do not think, Mr. President, the proper place for those cartoons is in the CONGRESSIONAL RECORD. As I said before, the article with the illustrations will be printed as a public document, and Senators can refer to that at any time. If the question ever arises in the mind of anyone, and he desires to look this up in the RECORD, he will find that it was printed as a public document, and all he would have to do would be to ask for and procure a copy of the public document.

Mr. TILLMAN. It is very much easier to look at the index for the cartoons than it is to go and look for them in another book. I insist, if I have a right to insist, that the cartoons shall go into the permanent RECORD. The Senate has already ordered them there; and unless the Senator from Utah is going to fight this to the bitter end, I want the Senate, just for my sake, to let these cartoons stay in the permanent RECORD.

Mr. SMOOT. I want to put myself clear on this point. I know how the House feels in relation to it, and I do not want the members of the Joint Committee on Printing of the House to feel that the members of that committee on the part of the Senate have virtually violated the agreement that they had arrived at in relation to the printing of cartoons in the RECORD.

Mr. TILLMAN. This is an exceptional case.

Mr. SMOOT. Mr. President, very many exceptional cases have been brought to the attention of the committee, but we have thought that no case was of sufficient importance that we should encumber the RECORD with it. For instance, I will say to the Senator from South Carolina that only a year ago a Representative from the State of New York delivered what was

called "a speech of silence." He had a cartoon, and the exhibition of the cartoon was all that he did in the way of a speech. If a speech it could be called. He insisted that the cartoon was his speech and that it should go into the RECORD. I repeat, the so-called speech was merely a cartoon. It did not appear in the RECORD, and it was right that it should not appear there.

Mr. TILLMAN. I can not conceive how you would depict silence except by a blank page.

Mr. SMOOT. I will explain to the Senator that the cartoon was of a large dinner pail with a sentence, I think, printed above it and a sentence below it. The gentleman walked down the aisle, stood in front of the House, and offered that as his speech; but it did not go into the RECORD, as I have said to the Senator. I believe, Mr. President, that the permanent RECORD should not be encumbered with such cartoons; but I shall not ask for a reconsideration of the matter to-day. I am going to say, however, to the chairman of the Joint Committee on Printing, the Senator from Florida [Mr. FLETCHER], that at our next meeting I shall bring this question before that committee. If they decide that the cartoons shall go into the permanent RECORD, all well and good; but I want it understood that, so far as I am concerned, I have adhered strictly to our rule, and I believe that the position of the joint committee is correct in keeping cartoons out of the RECORD.

Mr. SHEPPARD. Mr. President, I should like to ask the Senator a question.

Mr. SMOOT. Certainly.

Mr. SHEPPARD. Does not the Senator think that a strict application of the rule would also include maps?

Mr. SMOOT. No; because sometimes, in order to show the division of population and the location of the industries of this country, it is necessary that a map be put into the RECORD; but since the order to which I have referred was agreed to by the Joint Committee on Printing, I will say that this is the first cartoon that has appeared in the RECORD.

Mr. SHEPPARD. Would you exclude maps of other countries?

Mr. SMOOT. We always have done so. The only illustrations that have gone into the RECORD have been outlines of the map of the United States or a plain diagram.

Mr. FLETCHER. Mr. President, the action of the Senate was had on October 3, and the RECORD shows on page 5381 the request of the Senator from South Carolina, and at the conclusion the following:

The VICE PRESIDENT. Is there objection to the request of the Senator from South Carolina that the matter referred to by him be published in the RECORD and also as a public document? The Chair hears none, and it is so ordered.

That was the action of the Senate. The question of the illustrations went to the Joint Committee on Printing, and the Members of the House who are on that committee as well as those of the Senate took up the question, and the illustrations were ordered inserted with the consent both of the Senate and the House members of the Joint Committee on Printing.

Mr. SMOOT. That was in relation to the public document, and I have no objection to that.

Mr. FLETCHER. The Senate had ordered the whole thing printed in the RECORD and also as a public document. The order simply omitted the words "with illustrations" in connection with the printing as a public document.

Mr. SMOOT. I will say nothing more about it at this time, but as I have stated I shall bring the matter up in the Joint Committee on Printing.

Mr. BRISTOW. I should like to inquire of the chairman of the Joint Committee on Printing if he proposes to let other Senators have the same privilege, if they desire it, in regard to cartoons illustrating their views?

Mr. FLETCHER. Mr. President, it is impossible to answer that question. I can only say that the Joint Committee on Printing does not propose to discriminate in any way whatever. The committee must have in view the bulk of the RECORD, the space taken by illustrations, the time required for preparing and getting them in the RECORD, and the fact that the RECORD must be placed on the desks of Senators and Representatives on the morning after the matters which it records take place; so that it may be impossible to allow illustrations from time to time. It depends on the character of the illustrations. In this instance the Senator from South Carolina had the cuts and furnished them himself. They did not have to be made, and no time was required for their preparation. The circumstances will have to control in each instance.

I will say to the Senator that there is a very strong disposition on the part of the Joint Committee on Printing to exclude illustrations wherever we can reasonably do so or wherever they may possibly have the effect of delaying the printing or interfering with the publication of the RECORD.

Mr. BRISTOW. I simply wanted to know, if it is to be the policy of the Senate to permit cartoons, illustrating the ideas of Senators, to go into the RECORD, whether there is going to be any discrimination. Because the cartoons in this instance happen to be in connection with rather a popular issue should not be any reason why they should go in if the privilege is to be denied some other Senator who may have views he desires to illustrate which may not be so popular.

Mr. FLETCHER. I will say to the Senator that there is no such policy on the part of the Joint Committee on Printing. I will call his attention again to the fact that the request of the Senator from South Carolina was preferred in the open Senate and that unanimous consent was given by the Senate for the printing of this article with illustrations in the RECORD.

Mr. SMOOT. Of course the Senator knows that if I had been present I would have objected to printing the cartoons in the RECORD. I ask the Senate to look at the page of the RECORD containing the cartoons. I can say, Mr. President, that if the CONGRESSIONAL RECORD is to be filled with cartoons similar to these it will become a very grotesque publication; and I hope that the Senate hereafter will refuse to consent to their being printed in the RECORD, because I think it is absolutely wrong.

IMPORTATION OF GOODS IN AMERICAN VESSELS.

Mr. MARTINE of New Jersey. Mr. President, with the approaching completion of the Panama Canal, I have received many letters and newspaper clippings urging that the clause in the House tariff bill granting to goods imported in American vessels a rebate of 5 per cent in customs duties is in contravention of the terms of the Hay-Pauncefote treaty and urging that I use my influence and vote to secure the repeal of the clause.

Mr. President, I have felt that I might respond to my correspondents and also to the country that to my mind there are two ways in which this difficulty might be harmonized and settled, viz, one through the repeal of the clause and the other through the repeal of the Hay-Pauncefote treaty. I much prefer the latter course. It is suggested that if our bill does not fit the treaty then let us make the treaty to fit our bill. Our cousins on the other side tell us that if we do not repeal this feature "they will not use the canal; they will not play in our back yard any more"; that they will build a canal of their own at Atrato River or at some other place. Godspeed them. Let them build one at every parallel. We will get 50 cents of every dollar they expend, though they do their best. If there is not commercial use enough for them all, they will at least make drainage canals, drying up the swamps and jungles. A year or so ago we were told that the Hay-Pauncefote treaty forbade us from fixing canal tolls that favored our own ships. Now we are told that under this treaty "we can not rebate to shippers freighting in our own ships." Mr. President, I am growing to believe that if some diplomat or foreign sympathizer will look close enough into this Hay-Pauncefote treaty he will discover that we as a nation have no right to exist at all.

The Governments who claim to have a most-favored-nation clause—and most of the foreign nations have such a treaty clause—insist that we have no such right, and, if carried out, they will grant commercial reprisals. Well, let them try it. I think in such a dispute America would at least hold her own. If Germany should elect to try it on, we would shut off her supplies of cotton, copper, phosphates, and so forth. To Great Britain we would give the same medicine. Should South American throw down the gauntlet, we could shut out their coffee and rubber and in a little while ruin would stare them in the face. Japan needs our cotton, and besides this we are her best market. No Senator or citizen desires a commercial or any other kind of war. It is well known, however, that German railways and steamships discriminate in favor of their own commerce and trade. It is a fact that the German Government penalizes Americans who want to buy phosphate, restricting the amount to be purchased, and yet German owners of American phosphate mines carry shipload after shipload from our shores without even a murmur or sign of a protest.

Mr. President, Great Britain makes rebates to her vessels that pass through the Suez Canal; she also grants subsidies to her own ocean craft without let or molestation from us. To-day I have read in the newspapers a quotation from the writings of William W. Bates, who was Commissioner of Navigation under President Cleveland and is a student of this subject. He says:

It is well known that all nations that have entered into conventions with the United States for nonprotection of shipping—for that was their object—have practically repudiated their obligations, finding an advantage in an open commerce but disservice from want of protection. In one way or another an honest fulfillment of obligations has been artfully evaded on their part. They do not return to discriminating duties, but effect their purpose through subsidy, subvention, bounty, or other largess in "aid" of shipping in thorough contempt of convention equities.

Some take these facts for argument for countersubsidizing, but they are legitimate reasons for terminating all our ship conventions and returning to our original policy. Why should we feel bound to keep alive a lapsed and dishonored agreement?

Mr. President, I am satisfied that the Congress of the United States acted both wisely and patriotically when the canal tolls and rebate clauses were adopted as a part of our bill, and I feel like "standing pat" on our action.

Such policy on the part of the Joint Committee on Printing. I will call his attention again to the fact that the request of the Senator from South Carolina was preferred in the open Senate and that unanimous consent was given by the Senate for the printing of this article with illustrations in the RECORD.

Mr. SMOOT. Of course the Senator knows that if I had been present I would have objected to printing the cartoons in the RECORD. I ask the Senate to look at the page of the RECORD containing the cartoons. I can say, Mr. President, that if the CONGRESSIONAL RECORD is to be filled with cartoons similar to these it will become a very grotesque publication; and I hope that the Senate hereafter will refuse to consent to their being printed in the RECORD, because I think it is absolutely wrong.

Mr. President, I believe I am fair—yes; I know I am fair. I want no unfair advantage over any man or nation; but when it comes to the management of our own internal affairs, I say to the world, "Hands off!"

THE MERCHANT MARINE.

Mr. LA FOLLETTE. I submit an amendment in the form of a bill, or a bill in the form of an amendment, which I propose to offer as a substitute for Senate bill 136, which by unanimous consent is made a special order for to-day at the conclusion of the routine morning business. I ask to have the substitute printed and lie on the table.

The VICE PRESIDENT. It will be printed and lie on the table.

Mr. LA FOLLETTE. I ask to have printed in bill form Senate bill 136, together with the substitute which I have proposed, one in roman and the other in small capitals, showing the changes which the substitute makes in the bill as reported by the committee. I ask to have it printed in bill form. It will be a great convenience to the Senate in considering the relation of the different sections.

The VICE PRESIDENT. Without objection, it will be so ordered.

CONFEDERATE STOCKADE CEMETERY, JOHNSTONS ISLAND, OHIO.

Mr. POMERENE. I ask unanimous consent to take up for consideration Order of Business No. 73, being the bill (S. 2374) providing for the care of the Confederate Stockade Cemetery, Johnstons Island, in Sandusky Bay. It is a purely local bill.

Mr. LA FOLLETTE. I have no objection to the consideration of the bill or any other bill which may be taken up as a part of the routine business, if it is not an impairment of the unanimous-consent agreement which was entered into for the consideration of the seamen's bill.

The VICE PRESIDENT. The morning business is not closed. If there is no objection, the Secretary will read the bill.

The Secretary read the bill.

Mr. SMOOT. Mr. President, I do not wish to object at this time. I wish to ask the Senator, however, in what way has this cemetery been cared for in the past?

Mr. POMERENE. During the war a prison for Confederate officers was established on this island, and for a long time it was privately owned, as I understand. A few years ago the Robert Patton Chapter of the United Daughters of the Confederacy acquired title to the cemetery, and it has been cared for by private subscription. In this work there has been joint action between the Robert Patton Chapter and members of the Grand Army of the Republic located in Sandusky. Among the men who have been very specially interested in this matter is the Hon. John A. Mack, who is one of the leading citizens of the State of Ohio, a Republican, and an active member of the Grand Army of the Republic.

Mr. SMOOT. May I ask the Senator if the title to the cemetery is in the United States?

Mr. POMERENE. It is not, if the Senator please. There are, I think, four or five other Confederate cemeteries in the Northern States the title to which has been acquired by the Government; but in view of the fact that this title was acquired by the Robert Patton Chapter they have declined, for reasons of their own, to convey it to the Government. The matter has been submitted to the Secretary of War, however, and he recommends this appropriation notwithstanding the fact that the title is not in the Government.

Mr. SMOOT. Mr. President, it is quite a departure from all of our past customs to make an appropriation to take care of any property that does not belong to the Government of the United States. I have not the least objection to the appropriation for the cemetery. The object is a worthy one. I really believe, however, that it would be very much better to have the title to the cemetery transferred to the United States before we make any appropriation for it.

Mr. POMERENE. I recognize the fact that there is room for difference of opinion upon that subject, and ordinarily I should acquiesce in the view of the Senator from Utah. It seems to me, however, that this is an exceptional case. This cemetery for many years was neglected, until the matter was taken up by private parties. I hope there will be no objection to the consideration of the bill at this time.

Mr. SMOOT. I ask the Senator to let the bill go over to-day, and I will talk to him further about it. There are a number of questions I should like to ask him, and perhaps they would unnecessarily consume the time of the Senate now. I should like to have the bill go over to-day.

Mr. BACON. If the Senator will pardon me for a moment, I understand this is an appropriation for this year only, is it not?

Mr. SMOOT. Oh, no; it is a continuing appropriation.

Mr. POMERENE. It is a continuing appropriation.

Mr. SMOOT. It is to be made each year hereafter.

Mr. POMERENE. To be expended under the direction of the Secretary of War.

Mr. BACON. Thinking it was an annual appropriation, I was going to suggest that it might be made for this year and the question of which the Senator speaks might be taken up hereafter. I really think it ought to be done.

Mr. SMOOT. I do, too.

Mr. BACON. Johnstons Island is a very noted place and, as stated by the Senator from Ohio, for a long number of years the care of these graves has been not a little neglected. It was only after private individuals interested themselves in the cemetery that any attention whatever was paid to it. It seems to me that after all this long period of neglect it is as little as the Government can do to make this very small appropriation for the care of the cemetery.

There is practically no reason in this case why the question of title should be important. It is important as to every piece of property upon which the Government is to make expenditures, such as sites for post-office buildings, or forts, or anything else. In such cases it is a general provision of law that the Government must have title; but there is no manner in which the question of this title will ever be raised in such a way as to jeopardize any interest of the United States. It is, at last, a simple question of the care of these graves, whether the title is in the Government or in private individuals.

Mr. SMOOT. I will say to the Senator that the idea I had in mind was that as long as the property is in private ownership we will never know into whose hands it is going to fall. As long as private individuals have the title they can do with it anything they desire. It is my opinion, of course, that the property ought to remain as a cemetery and be taken care of by the Government as a noted place in the history of this country; but I do think the only proper way to accomplish that would be to have the title to the property in the name of the United States.

Mr. POMERENE. Mr. President, if this cemetery were in reality owned by private parties I certainly should agree with the Senator from Utah; but the title is in the Daughters of the Confederacy. It is a cemetery. There are 153 marked graves and 53 unmarked graves in it. I can not conceive that property of this character could be or would be used for any other purpose than a cemetery. It has been cared for each year as Decoration Day came around by the comrades of the Grand Army of the Republic in that vicinity. Necessarily we would all feel and do feel that it ought to be cared for.

Mr. BACON. If the time ever comes when it is devoted to any other purpose, it will be a very easy matter to withdraw the appropriation.

Mr. SMOOT. I was going to say that the suggestion made by the Senator from Georgia, that the appropriation be made for this year only, is a wise one. If made for this year, I think the estimate ought to be made by the War Department each year hereafter, and it ought to come in the regular appropriation bill. I think that would be the proper way to proceed, to provide for the care of that cemetery the same as we appropriate for all the other cemeteries.

Mr. BACON. I think the Senator must have misunderstood me. I did not suggest that that be done. I simply stated that I understood that it was that way in the bill. I think it is very much better that it should be a continuing appropriation.

Mr. SMOOT. I misunderstood the Senator, then.

Mr. POMERENE. Would it meet the objection of the Senator from Utah if there were a provision inserted in the bill to the effect that this appropriation should be continued only so long as the property should be used for cemetery purposes?

Mr. SMOOT. I do not believe it would ever be continued longer than the property should be used for cemetery purposes. I believe the law would be repealed, as the Senator suggests; so I have no objection as far as that is concerned.

In view of the fact that I am in favor of the object of the bill, although I believe it ought to be reached in a different way, and since the Senators seem so deeply interested in it, I shall

not object to its present consideration. I do wish to say, however, that I hope this will never be taken as a precedent for appropriating money to take care of property not owned by the Government of the United States.

The VICE PRESIDENT. Is there objection to the present consideration of the bill? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, on page 1, line 8, after the words "direction of the," to strike out "War Department" and insert "Secretary of War," so as to make the bill read:

Be it enacted, etc., That there shall be, and hereby is, appropriated each year, beginning July 1, 1913, the sum of $250 for the care and maintenance of the Confederate Stockade Cemetery, Johnstons Island, in Sandusky Bay, out of funds not otherwise appropriated, the same to be expended under the direction of the Secretary of War.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The VICE PRESIDENT. Morning business is closed.

THE MERCHANT MARINE.

Mr. FLETCHER. Mr. President, I desire to call attention to the unanimous-consent agreement that immediately upon the conclusion of the routine morning business to-day the Senate would proceed to the consideration of Senate bill No. 136. I therefore ask that the bill be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate Senate bill 136.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States, to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto, and to promote safety at sea.

Mr. FLETCHER. I ask to have the bill read.

The Secretary read the bill, as follows:

Be it enacted, etc., That section 4516 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4516. In case of desertion or casualty resulting in the loss of one or more of the seamen, the master must ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same or higher grade or rating with those whose places they fill, and report the same to the United States consul at the first port at which he shall arrive, without incurring the penalty prescribed by the two preceding sections."

SEC. 2. That in all merchant vessels of the United States the sailors shall, while at sea, be divided into at least two and the firemen into at least three watches, which shall be kept on duty successively for the performance of ordinary work incident to the sailing and management of the vessel; but this provision shall not limit either the authority of the master or other officer or the obedience of the seamen when, in the judgment of the master or other officer, all the sailors or all the firemen or the whole crew is needed for the maneuvering of the vessel or the performance of work necessary for the safety of the vessel or her cargo or for the saving of life aboard other vessels in jeopardy. While the vessel is in a safe harbor no seaman shall be required to do any unnecessary work on Sundays or the following-named legal holidays: New Year's Day, Washington's Birthday, Good Friday, the Fourth of July, Labor Day, Columbus Day, Thanksgiving, Election Day, and Christmas, but this provision shall not prevent the doing of work necessary to the dispatch of a vessel on regular schedule or when ready to proceed on her voyage. At all other times while the vessel is in a safe harbor, nine hours, inclusive of the anchor watch, shall constitute a day's work. Whenever the master of any vessel shall fail to comply with this section, the seaman shall be entitled to discharge from such vessel and to receive the wages earned. But this section shall not apply to fishing or whaling vessels, yachts, vessels of less than 300 gross tons, or vessels whose regular schedule between terminal ports does not exceed 24 hours: *Provided*, That no member of the crew shall be required to be on duty more than 12 hours out of any 24 hours, except in cases of emergency as hereinbefore provided. But this exemption shall in no way interfere with the authority of the proper officers of the Government to make such lawful regulations or orders as they may deem necessary to secure safety at sea and prevent excessive hours of labor.

SEC. 3. That section 4520 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4520. The master or owner of any vessel making coasting voyages shall pay to every seaman his wages within two days after the termination of the agreement under which he was shipped, or at the time such seaman is discharged, whichever first happens; and in case of vessels making foreign voyages, within 24 hours after the cargo has been discharged, or within four days after the seaman has been discharged, whichever first happens; and in all cases the seaman shall be entitled to be paid at the time of his discharge on account of wages a sum equal to one-third part of the balance due him. Every master or owner who refuses or neglects to make payment in the manner hereinbefore mentioned without sufficient cause shall pay to the seaman a sum equal to two days' pay for each and every day during which payment is delayed beyond the respective periods, which sum shall be recoverable as wages in any claim made before the court: but this section shall not apply to masters or owners of any vessel the seamen of which are entitled to share in the profits of the cruise or voyage."

SEC. 4. That section 4530 of the Revised Statutes of the United States be, and is hereby amended to read as follows:

"SEC. 4530. Every seaman on a vessel of the United States which, prior to the completion of her voyage, shall enter any port for the purpose of loading or delivering cargo shall, upon demand made subsequent to entering such port, be entitled to receive from the master of the vessel to which he belongs, within 48 hours after demand therefor, one-half part of the wages which he shall have earned at said port, and all stipulations of contract to the contrary shall be null and void: *Provided*, That wages earned during the first five days of service shall not be due or subject to demand prior to the completion of the voyage or expiration of contract. When the voyage is ended, every seaman shall be entitled to the remainder of the wages which shall then be due to him as provided in section 4529 of the Revised Statutes. This section shall not apply to fishing or whaling vessels or yachts: *Provided further*, That this section shall apply to seamen on foreign vessels owned in major part by American citizens, corporations, or holding companies when such vessels are in harbors of the United States, and the courts of the United States shall be open to such seamen for its enforcement:"

SEC. 5. That the second paragraph of section 4552 of the Revised Statutes of the United States be amended so as to read as follows:

"SEC. 4552. Second. Such release, so signed and attested, shall operate as a mutual discharge and settlement of all demands for wages between the parties thereto, on account of wages, in respect of the past voyage or engagement: *Provided*, That any court having competent jurisdiction may, upon good cause shown, set aside such release and take such action as justice may require."

SEC. 6. That section 4550 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4550. Upon a complaint in writing, signed by the first and second officers or a majority of the crew of any vessel, while in a foreign port, that such vessel is in an unsuitable condition to go to sea because she is leaky or insufficiently supplied with sails, rigging, anchors, or any other equipment, or that the crew is insufficient to man her, or that her provisions, stores, and supplies are not or have not been during the voyage sufficient or wholesome, thereupon in any of these or like cases the consular or a commercial agent who may discharge any of the duties of a consul shall cause to be appointed three persons of like qualifications with those described in section 4547, who shall proceed to examine into the cause of complaint and who shall proceed and be governed in all their proceedings as provided by said section."

SEC. 7. That places appropriated and used upon all merchant vessels of the United States as a lodging for crews shall be properly lighted, drained, heated, and ventilated, properly protected from sea and weather, and, as far as practicable, properly shut off and protected from the effluvium of the cargo or bilge water; and every such crew space shall be kept free from goods or stores not being the personal property of any of the crew occupying said place during the voyage; that on all merchant vessels of the United States, the construction of which shall be begun after the passage of this act, except yachts, pilot boats, or vessels of any class of less than 200 tons register, every place appropriated to the crew of the vessel for lodgings shall have a space of not less than 120 cubic feet and not less than 18 square feet, measured on the floor or deck, for each seaman or apprentice lodged therein: *Provided*, That these space allotments may be reduced not more than 20 per cent in case a separate space is provided for mess-room purposes.

That in addition to the space allotment for lodgings hereinbefore provided on all merchant vessels of the United States which in the ordinary course of their trade make voyages of more than three days' duration between ports, and which carry a crew of 12 or more seamen, there shall be constructed a compartment, suitably separated from other spaces, for hospital purposes, and such compartment shall have at least one berth for every 12 seamen, constituting her crew, provided that not more than six berths shall be required in any case.

The spaces for the crew shall have wooden flooring, or be covered with some substance impervious to water and a nonconductor of heat and which may be easily cleaned. The sides and ceilings shall be painted in a light oil color, and iron ceilings or walls, if used, must be provided with a covering which will prevent dripping. Each seaman or apprentice shall be allowed a berth at least 2 feet in width and 6 feet in length for his sole use, and the distance between the floor and the bottom of the lower berth shall be at least 10 inches, and not more than two berths shall be in a tier.

Every steamboat of the United States plying upon the Mississippi River and its tributaries shall furnish an appropriate place for the crew, which shall conform to the requirements of this section, so far as they are applicable thereto, by providing sleeping room in the engine room of such steamboat, properly protected from the cold, wind, and rain by means of suitable awnings or screens on either side of the guards or sides of such boat, reaching long from the bow to the lower or main deck, under the direction and approval of the Supervising Inspector General of Steam Vessels, and shall be properly heated.

Every merchant vessel of the United States, the construction of which shall be begun after the passage of this act, having exclusive of licensed officers a deck crew of 20 or more men (except fishing vessels, yachts, pilot boats, and vessels of less than 200 gross tons), shall have for the use of the sailors at least one light, clean, and properly ventilated wash room, which shall be provided with not less than one washbasin for each two men of a watch, except those for whom individual washing accommodations are provided elsewhere. A special wash room shall be provided for the firemen, provided that their number is not less than 10, exclusive of licensed officers, so situated that the men can reach it on the way from the engine rooms, boiler rooms, or coal bunkers before entering their quarters, and of such size that at least half the watch can wash at the same time. It shall be provided with at least one shower bath for each four men of the watch, and with at least one washbasin for each two men of the watch, except those for whom individual washing and bathing accommodations are provided elsewhere. The sides and ceilings of all wash rooms shall be painted in light oil color. The wash rooms shall be supplied with sufficient quantities of soap and running water, both hot and cold wherever practicable, and in the case of firemen at least 2 gallons of fresh water shall be available for the use of each man at the end of his watch. Wash rooms shall be cleaned at least once each day.

The equipment hereinbefore provided for shall be certified to by the local inspectors at each annual inspection.

Any failure to comply with this section shall subject the owner or owners of such vessels to a penalty of not less than $50 nor more than $500.

SEC. 8. That section 4596 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4596. Whenever any seaman or apprentice lawfully engaged on any merchant vessel of the United States commits any of the following offenses he shall be punished as follows:

"First. For desertion by forfeiture of all or any part of the clothes or effects he leaves on board and of all or any part of the wages or emoluments which he has then earned.

"Second. For neglecting or refusing without reasonable cause to join his vessel or to proceed to sea in his vessel, or for absence without leave at any time within 24 hours of the vessel's sailing from any port, either at the commencement or during the progress of the voyage, or for absence at any time without leave and without sufficient reason from his vessel and from his duty, not amounting to desertion, by forfeiture from his wages of not more than two days' pay or sufficient to defray any expenses which shall have been properly incurred in hiring a substitute.

"Third. For quitting the vessel without leave, after her arrival at the port of delivery, and before she is placed in security, by forfeiture from his wages of not more than one month's pay.

"Fourth. For willful disobedience to any lawful command at sea, by being, at the option of the master, placed in irons until such disobedience shall cease, and upon arrival in port by forfeiture from his wages of not more than four days' pay or, at the discretion of the court, by imprisonment for not more than one month.

"Fifth. For continued willful disobedience to lawful command or continued willful neglect of duty at sea, by being, at the option of the master, placed in irons, on bread and water, with full rations every fifth day, until such disobedience shall cease, and upon arrival in port by forfeiture, for every 24 hours' continuance of such disobedience or neglect, of a sum of not more than 12 days' pay, or by imprisonment for not more than 3 months, at the discretion of the court.

"Sixth. For assaulting any master or other licensed officer by imprisonment for not more than two years.

"Seventh. For willfully damaging the vessel, or embezzling or willfully damaging any of the stores or cargo, by forfeiture out of his wages of a sum equal in amount to the loss thereby sustained, and also, at the discretion of the court, by imprisonment for not more than 12 months.

"Eighth. For any act of smuggling for which he is convicted and whereby loss or damage is occasioned to the master or owner, he shall be liable to pay such master or owner such a sum as is sufficient to reimburse the master or owner for such loss or damage, and the whole or any part of his wages may be retained in satisfaction or on account of such liability, and he shall be liable to imprisonment for a period of not more than 12 months."

SEC. 9. That section 4600 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4600. It shall be the duty of all consular officers to discountenance insubordination by every means in their power and, where the local authorities can be usefully employed for that purpose, to lend their aid and use their exertions to that end in the most effectual manner. In all cases where seamen or officers are accused the consular officer shall inquire into the facts and proceed as provided in section 4583 of the Revised Statutes; and the officer discharging such seaman shall enter upon the crew list and shipping articles and official log the cause of such discharge and the particulars in which the cruel or unusual treatment consisted and subscribe his name thereto officially. He shall read the entry made in the official log to the master, and his reply thereto, if any, shall likewise be entered and subscribed in the same manner."

SEC. 10. That section 4611 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4611. Flogging and all other forms of corporal punishment are hereby prohibited on board of any vessel, and no form of corporal punishment on board of any vessel shall be deemed justifiable, and any master or other officer thereof who shall violate the aforesaid provisions shall be deemed guilty of a misdemeanor, punishable by imprisonment for not less than three months nor more than two years. Whenever any officer other than the master of such vessel shall violate any provision of this section it shall be the duty of such master to surrender such officer to the proper authorities as soon as practicable, provided he has personal knowledge of the misdemeanor or complaint thereof is made within three days after reaching port. Any failure on the part of such master to use due diligence to comply herewith, which failure shall result in the escape of such officer, shall render the master or owner of the vessel liable in damages for such flogging or corporal punishment to the person illegally punished by such officer."

SEC. 11. That section 23 of the act entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," approved December 21, 1898, be, and is hereby, amended as regards the items of water and butter, so that in lieu of a daily requirement of 4 quarts of water there shall be a requirement of 3 quarts of water every day, and in lieu of a daily requirement of 1 ounce of butter there shall be a requirement of 2 ounces of butter every day.

SEC. 12. That section 24 of the act entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," approved December 21, 1898, be, and is hereby, amended to read as follows:

"SEC. 24. That section 10 of chapter 121 of the laws of 1884, as amended by section 3 of chapter 421 of the laws of 1886, be, and is hereby, amended to read as follows:

"'SEC. 10 (a). That it shall be, and is hereby, made unlawful in any case to pay any seaman wages in advance of the time when he has actually earned the same, or to pay such advance wages to any other person, or to give any order, note, or other evidence of indebtedness of any kind whatsoever, or for any purpose, conditioned directly or indirectly on the deduction of the amount specified from the wages of a seaman, except as hereinafter provided.

"'Any person violating any of the foregoing provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than $25 nor more than $100, and may also be imprisoned for a period of not exceeding six months, at the discretion of the court. The payment of such advance wages or allotment shall in no case except as herein provided absolve the vessel or the master or the owner thereof from the full payment of wages after the same shall have been actually earned, and shall be no defense to a libel suit or action for the recovery of such wages. If any person shall demand or receive, either directly or indirectly, from any seaman or other person seeking employment as seaman, or from any person on his behalf, any remuneration whatever for providing him with employment, or shall by any threat or force dissuade or prevent or endeavor to dissuade or prevent any person from taking employment on board any vessel, or shall by any threat or force dissuade or prevent or endeavor to dissuade or prevent any person from remaining in the service of any vessel on which he has shipped, or by any threat or force induce or compel any person to disregard or disobey any lawful order or orders of the master or other licensed officer of the vessel on which he is shipped, he shall for every such offense be deemed guilty of a misdemeanor and shall be imprisoned not more than six months or fined not more than $500.

"'(b) That it shall be lawful for any seaman to stipulate in his shipping agreement for an allotment of any portion of the wages he may earn to his grandparents, parents, wife, sister, or children.

"'(c) That no allotment shall be valid unless in writing and signed by and approved by the shipping commissioner. It shall be the duty of the said commissioner to examine such allotments and the parties to them and enforce compliance with the law. All stipulations for the allotment of any part of the wages of a seaman during his absence which are made at the commencement of the voyage shall be inserted in the agreement and shall state the amounts and times of the payments to be made and the persons to whom the payments are to be made.

"'(d) That no allotment except as provided for in this section shall be lawful. Any person who shall falsely claim to be such relation, as above described, of a seaman under this section shall for every such offense be punished by a fine not exceeding $500 or imprisonment not exceeding six months, at the discretion of the court.

"'(e) That this section shall apply as well to seamen engaged in ports of the United States for service on foreign vessels as to seamen employed on vessels of the United States, and any master, owner, consignee, or agent of any foreign vessel who has violated its provisions shall be liable to the same penalty that the master, owner, or agent of a vessel of the United States would be for a similar violation.

"'The master, owner, consignee, or agent of any foreign vessel seeking clearance from a port of the United States shall present his shipping articles, so far as they relate to the engagement of seamen in the United States or a certified copy of the same, at the office of clearance, and no clearance shall be granted any such vessel unless the provisions of this paragraph have been complied with.

"'(f) That under the direction of the Secretary of Commerce and Labor the Commissioner of Navigation shall make regulations to carry out this section.'"

SEC. 13. That section 4536 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4536. No wages due or accruing to any seaman or apprentice shall be subject to attachment or arrestment from any court, and every payment of wages to a seaman or apprentice shall be valid in law, notwithstanding any previous sale or assignment of wages or of any attachment, encumbrance, or arrestment thereon; and no assignment or sale of wages or of salvage made prior to the accruing thereof shall bind the party making the same, except such allotments as are authorized by this title. This section shall apply to fishermen employed on fishing vessels as well as to seamen: *Provided*, That nothing contained in this or any preceding section shall interfere with the order given by any court regarding the payment by any seaman of any part of his wages for the support and maintenance of his wife and minor children."

SEC. 14. That no vessel, except those navigating rivers exclusively and except as provided in section 1 of this act, shall depart from any port of the United States unless she has on board a crew not less than 75 per cent of which, in each department thereof, are able to understand any order given by the officers of such vessel, unless the crew shall include a sufficient number of seamen who understand the languages of both officers and crew, through whom the orders of the officers may be communicated in a manner to be readily understood by the seamen, in any department, to whom such orders are given. The number of seamen through whom the orders of the officers may be transmitted shall not be less than the number of lifeboats such vessel is required to carry, and at least one of such seamen shall be assigned to each lifeboat.

No vessel, except those navigating rivers and harbors exclusively, shall depart from any port of the United States unless she shall have a sufficient number of efficient lifeboat hands, which in no case shall be less than two for each lifeboat that such ship is required to carry, to launch and handle the prescribed lifeboats and life rafts.

A seaman shall be entitled to the rating of efficient lifeboat hand who has shown by practical tests to the satisfaction of the board of local inspectors that he is qualified to perform any duty required in the launching and handling of lifeboats and life rafts and their equipment, including the stowing of passengers, swinging out, lowering, detaching and hoisting, and use of oars. Such tests shall be subject to regulations to be prescribed by the Secretary of Commerce, who shall, through collectors of customs, local inspectors, and other officers of the Government enforce the laws and regulations for the handling of lifeboats and life rafts and the efficiency of lifeboat hands.

This section shall take effect on and after the following dates, respectively, in the case of vessels navigating the ocean or sounds and bay connected therewith or the Great Lakes and connecting waters, and authorized by certificate of inspection to carry the following number of passengers:

On July 1, 1913, 500 passengers or over;
On August 1, 1913, 200 passengers and less than 500;
On October 1, 1913, less than 200.

Any violation of any provision of this section shall subject the master or owner of such vessel to a fine of not less than $100 nor more than $500.

SEC. 15. A seaman shall not be entitled to the rating of A. B.—that is to say, of an able-bodied seaman—unless he is at least 18 years of age, possesses a sufficient knowledge of the English language to understand the necessary orders that may be given to him in the course of the performance of his duties, and has served on deck at sea for at least three years. The service herein prescribed may be proved by certificates of discharge by a master before a shipping commissioner or by other proof satisfactory to officers designated by the Secretary of Commerce, who shall issue certificates to able-bodied seamen in a form to be prescribed by him, and in the case of seamen shipped abroad on vessels of the United States, such service may be proved by certificates of discharge by a master before consuls of the United States.

No vessel, except those navigating rivers exclusively, shall depart from any port of the United States unless she shall have as part of her crew a sufficient number of wheelsmen or quartermasters and lookout men of not less rating than that of able seaman: *Provided*, That upon examination, under rules prescribed by the Department of Commerce, as to eyesight, hearing, and physical strength and knowledge of the duties, men found competent may be so employed, although they may have served only one year at sea, and no other men than those so qualified shall be employed at the wheel or as lookout. And while at sea no wheelsmen or quartermasters and lookout men shall be divided as the wheelsmen or quartermasters, which shall be kept on duty successively; but this requirement shall not apply to yachts, vessels of less than 300 gross tons, or vessels whose regular schedule between terminal ports does not exceed 12 hours: *Provided*, That no member of the crew shall be required to be on duty more than 12 hours out of any 24 hours except in case of emergency. But this exemption shall in no way interfere

with the authority of the proper officers of the Government to make such lawful regulations or orders as they may deem necessary to secure safety at sea and prevent excessive hours of labor.

Any failure to comply with this provision shall subject the master or owner of such vessel to a fine of not less than $100 and not more than $500.

SEC. 16. That the owner, agent, or master of every barge which, while in tow for 50 miles or more through the open sea, has sustained or caused any accident, shall be subject in all respects to the provisions of sections 10, 11, 12, and 13 of chapter 344 of the Statutes at Large, approved June 20, 1874, and the reports therein prescribed shall be transmitted by collectors of customs to the Secretary of Commerce, who shall transmit annually to Congress a summary of such reports during the previous fiscal year, together with a brief statement of the action of the department in respect to such accidents.

SEC. 17. That in the judgment of Congress articles in treaties and conventions of the United States, in so far as they provide for the arrest and imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of the United States in foreign countries, and for the arrest and imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of foreign nations in the United States and the Territories and possessions thereof, and for the cooperation, aid, and protection of competent legal authorities in effecting such arrest or imprisonment, ought to be terminated, and to this end the President be, and he is hereby, requested and directed, within 90 days after the passage of this act, to give notice to the several Governments, respectively, that so much as herein before described of all such treaties and conventions between the United States and foreign Governments will terminate on the expiration of such periods after notices have been given as may be required in such treaties and conventions.

SEC. 18. That upon the expiration after notice of the periods required, respectively, by said treaties and conventions and of one year in the case of the Independent State of the Kongo, so much as hereinbefore described in each and every one of said articles shall be deemed and held to have expired and to be of no force and effect, and thereupon so much of sections 4081 and 5280 of the Revised Statutes as relates to the arrest or imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of foreign nations in the United States and Territories and possessions thereof, and for the cooperation, aid, and protection of competent legal authorities in effecting such arrest or imprisonment, shall be and is hereby repealed.

SEC. 19. That this act shall take effect, as to all vessels of the United States, 90 days after its passage, and as to foreign vessels 12 months after its passage, save and except that such parts hereof as provide for the abrogation of any stipulation by treaty or convention with any foreign nation shall only take effect after such notice, and at the expiration of such time as may be required by the terms of such treaty, stipulation, or convention.

SEC. 20. That section 16 of the act approved December 21, 1898, entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," be amended by adding at the end of the section the following:

"*Provided*, That at the direction of the Secretary of Commerce, and under such regulations as he may prescribe, if any seaman incapacitated from service by injury or illness is on board a vessel so situated that a prompt discharge requiring the personal appearance of the master of the vessel before an American consul or consular agent is impracticable, such seaman may be sent to a consul or consular agent, who shall care for him and defray the cost of his maintenance and transportation, as provided in this paragraph."

Mr. FLETCHER. Mr. President, this bill is identical with a bill which passed both Houses of Congress at the last session and went to the President just before the end of the Congress—I believe on the last day. The President stated that he did not have sufficient time to examine the measure, and therefore he did not feel, on account of its great importance, that he would be justified in giving it his approval. The bill had come from the House, was referred to the Commerce Committee, was reported by the Commerce Committee to the Senate with some amendments, and was amended in the Senate. It then went to the House, and the House accepted the bill as it came from the Senate and as amended in the Senate, and this bill, S. 136, is the bill which met with the final approval of both Houses of Congress and went to the President.

This bill, together with Senate bill No. 4 and Senate bill No. 2221, was introduced at this extra session and referred to the Committee on Commerce and by that committee referred to a subcommittee. The subcommittee reported back to the full committee in favor of S. 136. Finally the full committee reported to the Senate S. 136, with the understanding that any member of the committee would be at perfect liberty to favor any amendment that might be offered which in his judgment improved the measure, and that in the judgment of the committee a statement should be made when the bill was reported to the Senate that action ought to be deferred until the regular session. That statement was made, and subsequently the Senate, by unanimous consent, made this bill the unfinished business, and it is therefore now before the Senate.

There are objections to S. 136. Perhaps no bill could be introduced here and be referred to a committee and be considered for any length of time without developing some objections. Especially is this true with an important measure like this, because it is very important, affecting not only the rights and interests of the seamen engaged in our merchant marine, but affecting likewise the rights and interests of the shipowners, and very materially; and it is in this light that I am inclined to regard it in preference to the others, although not disregarding the rights of either of the other interests, especially the great public which does business with these ships and whose lives and property are in the keeping of these men who "go down to the sea in ships."

There are, as I stated, features in this bill which unquestionably could be improved upon in the interest of the great public and certainly in the interest of the seamen engaged in our merchant marine.

I call attention very briefly to these, because when the bill is taken up for full consideration and discussion it will be worth while perhaps to keep these matters in mind. There are many features in Senate bill 136 that are entirely agreeable both to the seamen and to the shipowners. It is a long step in advance and in the right direction. It is a most important measure considered in the light of recent experiences on the seas and in view of our great mercantile marine interests. There are some features in the bill which do not meet with the approval of the seamen and there are some features in it which do not meet with the approval of the shipowners. Altogether, I may say, I think fairly, that Senate bill 136 is rather a compromise, and at the same time beyond any question it would be very desirable legislation. If it can be improved upon, no one upon the committee is committed to it to such an extent that he is bound not to accept any improvement or suggestion that would be of value.

For instance, on page 3 of the bill it will be insisted that after the word "yacht" at the end of line 6 the remainder of that section of the bill should be stricken out.

Mr. BURTON. Will the Senator from Florida please state again the reference?

Mr. FLETCHER. On page 3, after the word "yacht," in line 6, down to the end of the section concluding with the word "labor."

It will be contended, I will say, that that portion of the bill should be stricken out. This section prohibits the lake custom of transferring men from the deck to the fireroom when out on the lakes and regulates the hours at sea and in port, so that the sailor shall not work more than 12 hours in 24 and the fireman 8 hours in 24 at sea, 9 hours to be 1 day's work in port, and no unnecessary work is to be done on Sundays and legal holidays.

This proviso, however, contains limitations and exceptions which impair that feature of the bill, it is claimed by those who have studied the subject, and those objections will be urged. The proviso exempts vessels of less than 300 gross tons or vessels whose regular schedules between terminal ports do not exceed 24 hours. It will be insisted that the portion of the section beginning after the word "yachts," in line 6, page 3, to the end should be stricken out.

Mr. SUTHERLAND. What is that—merely the proviso?

Mr. FLETCHER. A part of it is the proviso, and the other language is:

> Vessels of less than 300 gross tons, or vessels whose regular schedule between terminal ports does not exceed 24 hours.

Those words immediately precede the proviso. Those are exceptions. Then it is provided that section 2 shall not apply to fishing vessels, whaling vessels, or yachts. Then this language follows:

> Vessels of less than 300 gross tons, or vessels whose regular schedule between terminal ports does not exceed 24 hours.

This language places a limitation on the other provisions of that section.

On page 5 it will be insisted that the proviso there, beginning with the word "*Provided*," in line 1, and ending with the word "contract," in line 4, should be stricken out, for the reason that it provides "that wages earned during the first five days of service shall not be due or subject to demand prior to the completion of the voyage or expiration of contract," voyages on the Lakes not extending over that period of time. This section has reference to the right of the seaman to demand his wages or a portion of his wages before the termination of the voyage; and the proviso takes out of that the Lake business because, I repeat, such voyages do not exceed five days.

The other proviso exempts foreign vessels unless owned in major part by American citizens, corporations, or holding companies. That will be objected to and subject to very considerable criticism. The lake business is different from the business on the ocean; but at the same time the question is whether lake ships and vessels should be exempted entirely from the right of the seamen to demand wages as provided for in this section.

On page 7, line 7, after the word "of," down to and including the end of that sentence, embracing the words—

> Not less than 120 cubic feet and not less than 18 square feet, measured on the floor or deck, for each seaman or apprentice lodged therein: *Provided*, That these space allotments may be reduced not more than 20 per cent in case a separate space is provided for mess-room purposes—

Will be criticized.

There is perhaps no real objection to that provision in the bill, but at the same time it provides for taking off 20 per cent of space for a mess room, and in promising a wash room it limits that provision to vessels having 20 or more men on deck. Those vessels are comparatively few.

The following provision to that refers to the hospital, more or less important, perhaps, and the location of the forecastle would be really important, but that is not asked for by the seamen, as I understand. They are very much more interested in keeping living accommodations for the well than hospitals for the sick. The first will very much lessen the need for the other.

Then, on page 11 of the bill, objection will be made to the provision in line 16, where the words "or other licensed officer" are used, because that is rather broad language. It is perfectly well known that the mate is in command of the vessel when the master is either absent from the deck or from the vessel. Therefore, in reference to an assault on the officer in command, which is sought to be dealt with, it is suggested that the word "mate" should be used instead of the words "or other licensed officer."

On page 13, line 15, after the word "practicable," objection will be made to the language:

> Provided he has actual knowledge of the misdemeanor, or complaint thereof is made within three days after reaching port.

It will be contended—and there is considerable reason for that—that the master of the vessel ought to control the situation, so that when the assault, if an assault is made, upon a seaman by an officer of the vessel the master would guarantee that that officer would be accessible when the vessel docked, so that whatever rights the seaman had could be readily enforced. It is contended that this is a limitation on the remedy given for flogging and other forms of corporal punishment. It provides that the master must have "actual knowledge of the misdemeanor, or complaint thereof be made within three days after reaching port." It is a qualification likely to result in the vessel and the offender escaping all liability. Criticism will be made of that provision, and it is worth considering as we proceed with the bill.

On page 15, line 15, it is claimed that this exception will cause great injustice to seamen who, if arrested under this proposed law, may and will be held in prison for months before being tried; at least, it will be contended that is the danger; it will also be contended that it will be the cause of useless expense to the Government, because the witnesses must be kept and paid, and so forth, and that local laws will deal with that situation in a way that will make unnecessary that provision in the bill.

The principal criticism of the pending bill, I believe, will be made to section 14, which, with section 15, corresponds to section 12 in Senate bill 4, which passed the House about a year ago and in practically the same terms and in its present form was introduced here and referred to the committee which had all these three bills under consideration. The provision at page 18 of the present bill, in line 13, beginning after the word "vessel," employs this language:

> Unless the crew shall include a sufficient number of seamen who understand the languages of both officers and crew, through whom the orders of the officers may be communicated in a manner to be readily understood by the seamen, in any department, to whom such orders are given. The number of seamen through whom the orders of the officers may be transmitted shall not be less than the number of lifeboats such vessel is required to carry, and at least one of such seamen shall be assigned to each lifeboat.

It is also provided that there shall be three watches for the helmsmen and lookout men. This provision puts a hardship on small vessels. It prevents the training of boys, because most of the vessels carry no more than six men, and by applying this provision to foreign vessels it is claimed that it will interfere with those vessels when beyond the jurisdiction of our laws.

This section particularly, with section 15, is intended to "afford a standard of efficiency." Whether or not this language test, as it is sometimes called, goes too far in Senate bill 4, and whether or not it is too much modified and qualified and really made ineffective by this provision are matters for very serious consideration.

We have a standard of efficiency in a great many industries. For instance, under State laws a standard of efficiency as to miners; a standard of efficiency as to those who operate automobiles, and in some States even as to barbers, and why should there not be a standard of efficiency for the men who are engaged in this great business conducted on the high seas?

The point will be raised that it is just as essential for safety at sea to have capable and competent men who are in a position to receive and to understand the orders of their officers as it is important to have lifeboats or equipment so as to take care of the passengers and crew in case of accident or disaster.

This is a very important section of the bill, and will be, of course, given most careful consideration. There will be, I take it, no question raised as to sections 17, 18, 19, and 20 of the bill. So far as I am advised, those sections are really an improvement on like provisions in either of the other bills that were before the committee, and I think they put in better form the denunciation of treaties and the repeal of existing laws than any of the other bills.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER (Mr. WALSH in the chair). Does the Senator from Florida yield to the Senator from Utah?

Mr. FLETCHER. I do.

Mr. SUTHERLAND. I did not quite understand the Senator's statement about section 14. What changes in section 14 are proposed to be made by the substitute?

Mr. FLETCHER. Of course, the substitute as offered by the Senator from Wisconsin [Mr. LA FOLLETTE] this morning has not been printed, but I take it will conform very largely to Senate bill No. 4, inasmuch as that bill was introduced by him. Senate bill No. 4 provides that 75 per cent of the crew in each department of the vessel must understand the orders given by the officers; that a percentage, beginning at 40 per cent and ending at 65 per cent, of the deck crew, exclusive of officers, shall be men having three years' experience; and that there must be two such men for each lifeboat in vessels carrying passengers.

Mr. SUTHERLAND. I was interested, Mr. President, to understand what change is made with reference to the provision that 75 per cent of the crew shall be able to understand an order.

Mr. FLETCHER. I have just stated what the provision of Senate bill No. 4 is in that connection and, perhaps, the provision in the substitute which will be offered. The bill we have before us, Senate bill No. 136, provides for the crew understanding the orders, but makes an exception if there are men who can act as interpreters and communicate the orders given by the officers.

Mr. SUTHERLAND. That is, the proposed substitute omits that exception. Is that correct?

Mr. FLETCHER. It does. Senate bill 136 provides that—

> Not less than 75 per cent of which, in each department thereof, are able to understand any order given by the officers of such vessel, unless the crew shall include a sufficient number of seamen who understand the languages of both officers and crew, through whom the orders of the officers may be communicated.

Mr. SUTHERLAND. The provision beginning with the words "unless the crew shall include," and so on, is omitted from the substitute?

Mr. FLETCHER. I take it the substitute will contain a somewhat different provision from that, because Senate bill No. 4 is different from that. Senate bill No. 4 provides that 75 per cent of the crew in each department of the vessel must understand the orders given by the officers, and that a percentage, beginning at 40 per cent and ending at 65 per cent, of the deck crew, exclusive of officers, shall be men having three years' experience. It is different from the proposition here.

Mr. SUTHERLAND. Mr. President, it seemed to me as the section was read that the provision which the Senator has read, beginning with the words "unless the crew shall include a sufficient number of seamen," and so on, furnishes rather an indefinite test which, it occurs to me, would be almost incapable of practical enforcement. The provision reads:

> Unless the crew shall include a sufficient number of seamen who understand the languages of both officers and crew, through whom the orders of the officers may be communicated in a manner to be readily understood by the seamen.

Certainly, that is not a very definite test. It is a matter about which people would differ very much. One man might think that 10 seamen were enough, another might think that not less than 20 seamen would be sufficient, and so on.

Mr. FLETCHER. I will admit that is an objection to this language. The object here, I take it, is to relieve the necessity of the seamen being able to understand the language of the officer and permit a sufficient number of interpreters being engaged who will transmit the orders of the officers to the seamen. That is the purpose of that provision.

Mr. SUTHERLAND. It is couched in such very general and indefinite terms——

Mr. BURTON. I should really like to hear this conversation. I am unable to hear, especially the questions and suggestions made by the able Senator from Utah.

Mr. SUTHERLAND. The suggestion I was making to the Senator from Florida was that the language, beginning on page 18, line 13, which seems to be a limitation upon the provision of the section with reference to employing 75 per cent of the crew who can understand the language of an order, furnishes a test

that is practically incapable of enforcement. It is a matter about which people would differ. I understand that this is a penal law, the violation of which would subject a man to punishment.

Suppose a man were arrested charged with violating that provision and his defense were that the crew did include a sufficient number of seamen through whom the orders of the officers might be communicated. The provision is so indefinite, it seems to me, that it would be quite incapable of practical enforcement.

When you say that 75 per cent or any other per cent—50 per cent or 60 per cent—of the men must understand the language of an order, that is definite; that can be enforced; that is understood by all men exactly alike. But when you put a limitation upon it to the effect that that is not necessary where a sufficient number of seamen understand the language of those through whom the orders of the officers may be communicated different people would differ as to what would constitute a sufficient number. There is absolutely no test laid down. Are 10 sufficient out of a crew of 500, or would it require 50 out of a crew of 500?

Mr. FLETCHER. I am not in a position to differ with the criticism of the Senator from Utah as to that language.

Mr. THOMAS. I should like to suggest that that seems to be cleared up somewhat by the last sentence of the section:

> The number of seamen through whom the orders of the officers may be transmitted shall not be less than the number of lifeboats such vessel is required to carry.

Mr. FLETCHER. Yes; that is correct.

Mr. THOMAS. That puts a minimum limitation upon it.

Mr. SUTHERLAND. That puts a minimum limitation upon it, but it does not do away with the first requirement as to a "sufficient number." If it had said that the number should be equivalent to the number of lifeboats, then we would have had some test; but to say that it shall not be less does not mean that it shall not be more in order to constitute a "sufficient number."

Mr. THOMAS. I think that suggestion is an appropriate one.

Mr. FLETCHER. The present bill also provides a standard of efficiency, but it makes the number the same for all vessels above 300 gross tons. It provides for two skilled men to each lifeboat, but permits them to be taken from any part of the vessel, thus leaving only two; while the substitute, as I understand—Senate bill 4 does, anyhow—takes them from the deck department, and then utilizes such boatmen as may be found in any other department.

A lifeboat crew is from five to nine, and two is the very least number of really skilled men needed. The others ought to have such skill as can be obtained by drills on board passenger vessels.

That is the important section relating to the question of efficiency, and, of course, is one of the most important in the bill.

Mr. President, I did not intend to enter upon any discussion of the bill; but I thought at this time it was well to point out what I understand to be some of the vulnerable points in the bill, some of the points which have subjected it to criticism, and which I believe to be points of attack against the bill, and call attention to them. The other features of the bill, I believe, are largely approved by experts and all parties concerned. As I said a moment ago, the sections beginning with 17 and going to the conclusion are very much better than the like sections in any of the other bills that were before the committee.

I ask permission to insert here a copy of a memorial or argument submitted by the International Seamen's Union of America, addressed to the President, a copy of which has been sent to me. It discusses some of the legal questions involved and presents the matter from that standpoint.

The PRESIDING OFFICER. If there be no objection, that order will be made.

The matter referred to is as follows:

To the President:

The undersigned, the International Seamen's Union of America, respectfully brings to your attention the following conditions of fact and law and respectfully bases on such conditions the petition wherewith this paper concludes:

I. STATEMENT OF FACTS.

"Chinese persons" and "persons of Chinese descent," not being "officials, teachers, students, merchants, or travelers for curiosity or pleasure," and not being "Chinese laborers in transit across the territory of the United States in the course of their journey to or from other countries," and not being Chinese laborers once lawfully within territory of the United States and having return privileges, are habitually engaged in seaports of Asia for service as seamen aboard ships of American register, and habitually serve as seamen on board such ships in their voyaging between the Orient and ports of the United States.

Consular officers of the United States, in dealing with vessels and crews of vessels, make no distinction between Chinese persons who are seamen and other persons who are seamen.

Officers of the Department of Commerce and Labor charged with the duty of executing the Chinese-exclusion laws of this country treat such Chinese seamen as lawfully on board such ships.

II. STATEMENT OF LAW.

(a) The statutory law does not include seamen among the classes of Chinese persons expressly permitted to enter or to reside within the jurisdiction of the United States.

Section 2 of the Chinese-exclusion act of September 13, 1888, provides "that Chinese officials, teachers, students, merchants, or travelers for curiosity or pleasure shall be permitted to enter the United States," etc., in terms following the language of treaty.

It is needless for the purpose of this petition to cite the statutory provisions affecting Chinese persons in transit or the provisions affecting Chinese having "return" privilege.

Noninclusion of seamen among the classes mentioned in the quoted section of the act of 1888 is not altered by any express provision of that or any other statute or by any treaty.

(b) Judicial construction of the statutory law has not enlarged, by doctrines of implication, by considerations as to treaties, or otherwise, the number or extended the literal limits of the classes of Chinese persons permitted by such statutory law to enter or to reside within the jurisdiction of the United States.

In the case of Ah Fawn (57 Fed. Rep., p. 591) the intent of China and the United States in that treaty definition of "exempted classes," which has been incorporated into section 2 of the act of 1888, was directly considered, with this result: That the court concluded the mention of classes who might come was designated to exclude from free immigration privileges all Chinese persons not officials, teachers, students, merchants, or travelers for curiosity or pleasure.

So in the case of Lee Ah Yin v. The United States (116 Fed. Rep., p. 614) the circuit court of appeals, ninth circuit, cites approvingly the decision in the case of Ah Fawn and holds that by excluding "laborers" from free immigration privilege China and the United States in treaties, and the United States in statutes, intended to exclude "all immigration to the United States from China other than that of the privileged classes who were by the terms of the treaty permitted to come for purposes of teaching, trade, travel, study, and curiosity."

(c) The executive departments of the Federal Government accept and act upon the strict construction principle laid down in the cited decisions except as to seamen.

"The true theory of the Federal law," said the Attorney General in an opinion rendered July 15, 1898, "is not that all Chinese persons may enter this country who are not forbidden, but that only those may enter who are expressly allowed."

Rules of the Department of Commerce and Labor are to the same effect, save that they expressly except seamen from the Chinese "laborers" forbidden to reside within American territory. (See rules 1, 15, and 16, relating to the exclusion of Chinese.)

(d) A vessel of the United States is territory of the United States. "An American vessel," said Justice Field in the case of Ah Sing (13 Fed. Rep., p. 286), "is deemed to be a part of the territory of the State within which its home port is situated, and as such a part of the territory of the United States."

This is the doctrine of the Supreme Court of the United States in Crapo v. Kelly (83 U. S., p. 430) and in Wilson v. McNamee (102 U. S., p. 234). From the opinion of Justice Hunt, in the earlier case, this interesting statement is quoted:

"In the celebrated Trent case, occurring in 1862, Messrs. Mason and Slidell were removed from a British private vessel by Commodore Wilkes, of the *San Jacinto*, a public vessel of the United States. Great Britain insisted that the rights of a neutral vessel not only had been violated, for which she demanded apology, but she insisted that these persons should be replaced and returned on board a British ship. This was done, and they were actually placed on board a British vessel in or near the harbor of Boston. They were not British subjects, and their return could only have been demanded for the reason that they had been torn from British soil, and the sanctity of British soil as represented by a British ship had been violated. Citizenship or residence had no influence upon the question."

(e) When a Chinese person is on board a vessel of the United States, he is in territory of the United States.

A Chinese laborer lawfully within the United States shipped in San Francisco as a seaman on board a vessel of the United States. After a voyage to New South Wales he was denied the right to land in San Francisco, the claim being made that having gone with his ship to a foreign port he had brought himself within the prohibitions attaching under our exclusion laws to Chinese persons who had left the territory of this country. This denial of right was held unlawful in the case of Ah Sing (13 Fed. Rep., p. 286), the Federal circuit court ruling that the seaman, having remained with his ship, had not left American territory.

The same doctrine was applied in the subsequent case of Ah Tie and others (13 Fed Rep., p. 292).

(f) A vessel of the United States being territory of the United States, and a Chinese person on board a vessel of the United States being in territory of the United States, a Chinese person having no right to be in territory of the United States has no right to serve as a seaman on board a vessel of the United States.

So far as your petitioner is informed, the doctrine thus stated has never been directly presented by American seamen to any executive department of the Federal Government, although efforts have been made to obtain Executive action in prevention of the employment of Chinese persons as seamen on board American ships—Chinese persons, that is, not entitled to enter American territory. The only delay an inquirer into the law is likely to encounter in reaching acceptance of this doctrine will be due, your petitioner believes, to possible misconception of the scope and value of three judicial decisions, namely: In re Moncan (14 Fed. Rep., p. 44), in re Ah Kee (22 Fed. Rep., p. 519), and in re Jam (101 Fed. Rep., p. 989). However, the American ship is American territory principle was not invoked and was not considered in any of these cases, and the controlling principle of each of them—all may come who are not expressly forbidden—has been repudiated by the later and higher authority of Lee Ah Yin v. The United States (116 Fed. Rep., p. 614), affirming the principle of United States v. Ah Fawn (57 Fed. Rep., p. 591)—none may come who are not expressly allowed.

III. PRAYER.

In consideration of the facts and the law as hereinbefore stated, the undersigned prays application of the law to the facts to the end that American seamen may be spared further injury by nonexecution of statutes to the protection whereof they believe themselves entitled in individual right and for national welfare.

It is urged upon your attention, moreover, that a construction of Chinese exclusion statutes placing Chinese seamen outside such statutes must lead to the conclusion that Chinese persons who are by their calling as seamen saved from the prohibitions of the exclusion policy, fall under the maritime law only, a conclusion involving—unless judge-made law be used—recognition of the right to quit work in our seaports and the right of unobstructed locomotion within American territory in the usual manner of seamen shifting from port to port and from oversea trade to coastwise, lake, or river trade.

Your petitioner can not believe, now that it brings to your notice the conditions as it sees them, that you will suffer any straining of the Chinese exclusion laws as against the rights of American seamen and the national interest as represented by them or by any unauthorized abridgment of the navigation laws.

Wherefore this prayer: That you direct the consular, immigration, and other executive officers of the United States to cooperate in enforcing the Chinese exclusion laws in the matter of seamen.

INTERNATIONAL SEAMEN'S UNION OF AMERICA.
(Signed) By WM. H. FRAZIER, *Secretary-Treasurer.*
(Signed) EDWARD J. LIVERNASH, *Counsel.*

WASHINGTON, D. C., *April 30, 1904.*

Mr. FLETCHER. I also ask permission to insert as part of my remarks a copy of resolutions passed by the Brotherhood of Locomotive Firemen and Enginemen.

The PRESIDING OFFICER. In the absence of objection, the order will be made.

The matter referred to is as follows:

[From the Washington Herald of June 10, 1913.]

SEAMEN'S LAWS ARE CONDEMNED—LOCOMOTIVE BROTHERHOOD PASSES RESOLUTIONS AIMED AT MARITIME CONDITIONS.

Resolutions condemning the present inefficient seamen's laws were passed by the convention yesterday. The resolutions deplore the absence of Americans on the high seas, and declare that this fact alone is conclusive evidence that conditions are so far below the usual standards as to cause our men and boys to shun the calling. The resolutions passed yesterday are as follows:

"Whereas the absence of native Americans in our merchant marine is conclusive evidence that the living conditions of our seamen are so far below the usual standards as to cause our men and boys to shun the calling; and

"Whereas the increase in wrecks of vessels and the increase in the loss of lives prove that the standard of skill of the men employed is continually deteriorating and the danger of life at sea increasing; and

"Whereas the official investigation of wrecks all point to and demand some real and effective remedy; and

"Whereas congressional committees have had hearings during the sessions of Congress for the past 12 years, and there finally has passed the House a measure which has since had the unqualified approval of the Department of Commerce and the Department of Labor: Therefore be it

"*Resolved by this twenty-sixth convention of the Brotherhood of Locomotive Firemen and Enginemen*, That we indorse Senate bill No. 4 and urge its adoption as recommended by the departments above referred to; and be it further

"*Resolved*, That copies of this resolution be sent to the Senate Committee on Commerce, the House Committee on the Merchant Marine and Fisheries, the President of the United States, and to Senator LA FOLLETTE, the author of the bill in the Senate."

Mr. FLETCHER. I also ask permission to insert as a part of what I have said, and as bearing on the provisions of the bill, a communication from Mr. Andrew Furuseth of June 16, 1913, and from the other angle a letter from the Detroit & Cleveland Navigation Co., together with a further communication from the Independent Vessel Owners of the Great Lakes. I ask to have these communications inserted as part of my remarks.

The PRESIDING OFFICER. There being no objection, the order will be made.

The matter referred to is as follows:

WASHINGTON, D. C., *June 16, 1913.*

Hon. DUNCAN U. FLETCHER,
Senate Office Building, Washington, D. C.

DEAR SIR: Having been given the opportunity to examine the brief and papers accompanying the same sent to the Committee on Commerce by a committee of shipowners, representing the Lake Carriers' Association, I deem it my duty to the seamen, to the members of the committee, and to the country to deal briefly with the matters contained in the brief.

The seamen's bill, so-called—the legislation upon this subject—has in the main three purposes:

First. To promote safety at sea.

Second. To give freedom to the seamen, to provide better conditions for the seamen, and by so doing inducing a better class of men to seek the sea.

(There can be no safety at sea except through the right kind men properly trained in their work.)

Third. To abolish the differential in favor of foreign vessels in the wage cost of operation when competing with domestic vessels in taking passengers and cargo from American ports.

The present condition automatically keeps the right kind of boys from seeking the sea, and drives the right kind of men from the occupation. Shipowners themselves acknowledge this by insisting in communications, which no doubt have come to you, as they have to other Senators, that they can not find officers or men fit to become officers in sufficient number to obey the provisions of the act providing for officering of vessels passed at the last Congress.

Senate bill 4, introduced by Senator LA FOLLETTE, substantially as it passed the House in the last Congress, will accomplish the purpose gradually and without any undue hardship upon the shipping interests. By making its provisions dealing with freedom, safety, and the shipping of men applicable to foreign vessels coming to our ports it would tend to automatically equalize the cost of operation and to abolish the present unfair competition with domestic vessels.

Sections 6, 14, and 15 will provide the freedom.

Section 3 provides the means through which it may be exercised.

Section 12 provides for the necessary training, the standard of efficiency, the knowledge of the language of the officers; that is, it deals with safety and makes the provisions applicable to foreign vessels visiting our ports.

Senate bill 136, which is dealt with in the memorial from the lake shipowners, deals with freedom in sections 8, 17, 18, 19, and 20, but the means through which it may be exercised is denied by the proviso of five days, which exempts the lake vessels, and the proviso which deals with vessels owned in major part by American citizens or corporations and excludes from the operation of the bill vessels that are purely foreign. It deals with safety in sections 14 and 15, but in such a way as to permit vessels to continue to carry the kind of men now carried.

The present crews are condemned by experience, by commissions, and by the courts, and the exceptions, beginning on line 13, page 18, by the word "unless" and ending on the same page, on line 22, by the word "lifeboat," give statutory sanction to crews held inefficient by the courts.

Section 15, which the brief from the Lakes seek to have amended, provides that none but able seamen shall be at the wheel or lookout, that they shall stand in three watches, and this shall be applicable to foreign as well as to domestic vessels. To regulate the number and skill of men which foreign vessels must have before they can be cleared from the ports of the United States is simply following the precedent set by England. To regulate their employment while at sea and beyond the jurisdiction of the United States would seem to be a question of propriety, if not of power. This phase of section 15 is, however, not dealt with in the brief from the Lakes. They simply seek to have the lake vessels exempted. They submit the amendment in three forms. In the first form all vessels not carrying passengers are exempted from the three-watch system. In the second form it provides for the three continuous hours at the wheel. (The British commission found that more than two hours would be too long.) The third proposed form accomplishes the same purpose in a different way, but in either case it would exempt the larger number of vessels on the Great Lakes, and with the exemption made to the regulations of the hours of labor, found in section 2, it would leave the lake situation as it now is, with this exception, that they would be compelled to carry four skilled men regardless of the vessel's tonnage if she be more than 300 tons gross. There would be no improvement in the personnel, the better class of men for sea, recommended by the committee on the *Titanic* and adopted by the Senate, would not be accomplished. The development of seamen from whom officers could be made would not take place.

In conclusion I beg to state that Senate bill 4 is the House bill; it is not the seamen's bill. It is the House committee's compromise between the contention of the seamen and the contention of the shipowners, and the House committee cut from the seamen's bill all that was possible to cut and yet accomplish the purpose intended, leaving several years of development to reach a condition of efficiency necessary to safety.

The House bill provides a percentage of able seamen in all vessels above 100 tons; it thus leaves opportunity for training of seamen, while it falls with equal weight upon all vessels regardless of their size.

Senate bill 136 provides a specific number of able seamen for any vessels above 300 tons; thus while it discriminates against the smaller vessels in favor of the larger ones it does not give that opportunity for training which is provided in Senate bill 4.

The proposed lake amendment of section 15 of Senate bill 136 would sacrifice safety to profit, because it takes two vessels to go into or to avoid a collision. The skill needed in both vessels is equal.

Senate bill 4 provides for at least two watches on deck, leaving three watches, when needed, to be reached later, either by mutual agreement or through legislation.

Respectfully, yours, ANDREW FURUSETH,
President International Seamen's Union of America.

DETROIT, *June 11, 1913.*

Hon. DUNCAN U. FLETCHER,
Senate Chamber, Washington, D. C.

MY DEAR SENATOR: This company desires to make a protest against the three-watch plan now advocated by the union. You probably know that our steamers leave Detroit daily at 10.45 p. m., arrive Cleveland 6 a. m the next morning. Our steamers for Buffalo leave Detroit at 5 p. m. daily, arrive at Buffalo next morning in time for connection for all eastbound trains, and the crew operating seven hours have all day to sleep.

We also have a boat operating during the daytime between Cleveland and Put-in-Bay, Ohio, also between Toledo and Put-in-Bay, running time is about four hours each way, laying up at night.

We also have a daylight boat, every other day, between Detroit and Cleveland, running time seven hours, lay-over all night.

We could not possibly put on a three-hour watch on these lines and pay a dividend to our stockholders.

I think the three-hour watch at sea, where they have a continuous run, is perfectly proper, but for the Great Lakes they should be excepted in this bill, and we hope you will do everything you can in our behalf.

Respectfully,

DETROIT & CLEVELAND NAVIGATION CO.,
M. SCHANZ, *Vice President and General Manager.*

WASHINGTON, D. C., *June 11, 1913.*

Hon. DUNCAN U. FLETCHER,
Chairman Committee on Commerce, United States Senate, Washington, D. C.

SIR: Supplementing the several statements submitted to-day for your respectful consideration, giving the comparative time in port and at sea of nine different representative fleets engaged in commerce on the Great Lakes, we attach hereto a summarized statement showing a general average of 42.68 per cent in port of total time of commission.

These figures verify the statement made last winter before the subcommittee on the Wilson bill that the boats on the Great Lakes were in port over 40 per cent of the time. Some of the official logs from which the record was compiled were left with Senator BURTON and are open to examination as a basis for verifying the statement.

The fleets selected, we firmly believe, truly represent the general average of time in port of bulk freights on the Lakes, as the statement includes fleets which have every facility for operating their boats with the least possible time in port. There are many independent boats entirely dependent on the open market for cargoes, not included in the list, having no affiliations whatever with shipping interests, and obliged to take freights as offered, regardless of conditions at loading and un-

loading ports. Such boats would show an average of about 50 per cent in port.

We sincerely hope that the additional statistics supplied will prove conclusively that there is no occasion for legislation requiring three shifts of wheelsmen and lookoutsmen, who are really engaged in their regular duties slightly more than one-half of the time and the remainder of the time in port when the work is merely nominal.

Of all the men employed on the ships of the Great Lakes the men under discussion have the least arduous employment and are satisfied with the conditions now existing.

All the foregoing matter has reference to section 15, page 21, Nelson bill.

Respectfully, yours,

INDEPENDENT VESSEL OWNERS OF THE GREAT LAKES,
By CHARLES O. JENKINS.
A. E. R. SCHNEIDER.
WM. H. HILL.
J. M. JOHNSTON.
WM. P. RILEY.

Summary of all statements of vessels in port and outside, season 1912.

	Total hours.			
	In port.	Per cent.	Outside.	Total.
Pioneer Steamship Co. (Hutchinson)	17,352	44.8	22,008	39,360
Wilson Transit Co.	19,230	49	20,010	39,240
Shenango Steamship Co.	10,338	42	14,584	24,922
W. H. Becker (Interstate Steamship Co.)	8,681	41.5	12,297	20,978
Mitchell-Cleveland Steamship Co.	23,958	37.3	40,249	64,207
Steinbrenner (Kinsman Transportation Co.)	13,933	43.6	17,490	31,013
Jenkins Steamship Co.	8,926	41.1	12,776	21,702
Cleveland Cliff Fleet	28,608	45.9	33,672	62,280
Gilchrist Transportation Co.	61,813	42	85,331	147,144
Total	192,429	.....	258,417	450,846
Average per cent.	42.68	.....	57.32	100

STATEMENT SHOWING NUMBER OF HOURS WHEELSMEN AND LOOKOUTS ARE EMPLOYED ON DUTY WHILE THE VESSEL IS IN PORT WAITING FOR HER DOCK TO DISCHARGE CARGO.

The wheelsmen working 6 hours per day, or 6 hours out of 24, say the vessel comes into port at 8 o'clock in the morning, the wheelsman who is on watch when the vessel comes into port goes below at 12.30 p. m. and sleeps until 6 p. m.

The wheelsman below in the forenoon comes on watch at 12.30 p. m. and remains on duty until 6 p. m., and then both wheelsmen go below until 6 o'clock the following morning, then only one wheelsman goes on duty—the one who has the first watch—and the wheelsman on the after watch goes back to bed or uptown just as he pleases. This is when the vessel is not loading or unloading cargo.

The watchmen working watch and watch 6 hours on deck and 6 hours below. But each of the watchmen work 6 hours, as we only have 12 hours' daylight, so it can be readily seen that each man only works 6 hours each day. The watchman during the night goes about the ship seeing that everything is safe on board, looking after lights and seeing that the vessel's moorings are secured and that no strangers come aboard.

When the vessel is discharging or taking on cargo the wheelsmen and watchmen are then standing watch and watch, 6 hours on duty and 6 hours below. Their duty being then to look after the mooring cables of the vessel, to see that they are kept tight and the vessel is kept close to the dock. The wheelsman looking after the forward cables and mooring engine and the watchman the after cables and mooring engine.

The labor performed by these men is not hard or laborious work, and they have their regular watch and watch at all times. And we may also state that the deck hands also work watch and watch, 6 hours on deck and 6 hours below. Three deck hands are on deck on each watch. This work is carried out during the entire season on all boats.

Mr. FLETCHER. If the Senator from Wisconsin is willing, it seems to me it would be advisable to have printed the proposed substitute which he offered this morning, and the comparison of the two which I believe he also offered and asked to have printed. I think, then, it would be advisable to lay the bill over until that printed matter is on our desks and until the Senate meets again.

Mr. BURTON. Mr. President, I have no objection to that, nor to the adjournment until Saturday. I should like to be heard now, however, very briefly.

I consider very inopportune the probable disposition of the bill at this time. In the first place, there is a small attendance of the Senate here, as is illustrated right now. We were called together to consider certain other subjects and are fagged out by our labors. The bill is an exceedingly important one, and should receive the most careful attention of the committee, in the first place, and of the Senate when there is a full attendance here.

I will yield to no one in realization of the importance of the propositions involved. It has been most unsatisfactory to members of the committee because the seamen, on the one side, and the vessel owners, on the other side, have been so far apart, taking widely divergent views of these questions, and it is impossible for any committee to satisfy either of them.

Again, in our discussions last winter too much attention was paid to the relation between the employer and the employee and their respective interests and not enough to the general question of safety. Indeed, that fact has run through all these bills and all these discussions. The seamen come in on the one side, and the vessel owners on the other, and state their respective views, while in the meantime precautions for the safety of life are likely to be neglected. That is to say, safety appliances, hours of labor, and number of men are considered not from a broad general standpoint, but from the standpoint of either employer or employee. So I have no confidence that at this season, when the Senate has disposed of one very important bill and is marking time for taking up another, this bill will receive the consideration it deserves.

There is another reason, however, which affects my judgment more nearly than that. In June, 1912, the Congress passed a resolution inviting all maritime nations to join in a conference on the subject of safety at sea. In that movement we took the initiative. The resolution was introduced almost immediately after the *Titanic* disaster and when we were in the shadow of that frightful calamity. There was a great deal of delay and inertia, such as characterize diplomatic proceedings, but by midsummer of this year the invitation was generally accepted. A conference has been called at London for the 12th of next month. In pursuance of our invitation propositions have been already formulated for consideration at that time. The President had chosen some 11 or 12 delegates to attend the conference; and on the very day when, as I understand, in the presence of only eight Senators, there was a unanimous-consent agreement that this bill should be taken up, the members of that delegation met.

We are thus assuming the position that after we have invited the conference, after other nations have accepted our invitation, after the time has been fixed, and after the propositions have been formulated and delegates chosen, we are seeking to prejudge the very questions which are to be considered at the conference on the 12th of next month. We say: "We asked you to meet in conference; we initiated the proceeding, but now we will go ahead and legislate on matters which pertain not merely to domestic shipping but to foreign shipping as well before the conference is held which we invited."

It seems to me we are placing ourselves in a most inconsistent position in taking that attitude. This bill was reported by the Committee on Commerce with the express statement that action ought not to be taken until the regular session, when the results of the conference should be before us. Again, many of these questions are international. We can not settle them satisfactorily by this bill. We can impose regulations on ships that sail out from our ports, and we should impose them where they make for safety of life. Every time there is a disaster some one who has an interest to serve says it was because the legislation he advocated was not adopted. Those subjects, however, require very careful consideration and expert examination, so that they may be determined, not according to the agitation of the moment, but according to scientific principles and after careful review of the facts.

Mr. President, I think the great maritime danger of the future is from fire. We can provide lifeboats; we can provide men to handle them; we ought to provide, and it ought to be made a part of this legislation, that there should be regular lifeboat drills. For some reason which I can not understand, seamen and owners alike have opposed inserting in the bill a provision that there shall be regular lifeboat drills. The bill ought not to go to the President without compulsory drills. I have seen them on ocean steamers sometimes when I was very much impressed with their inefficiency. I should hardly have wished to trust my life, or the life of anyone, in the hands of those who were lowering those boats and pulling them up again with so little practice as they displayed. But certainly you will not find in bill No. 4, as I recall, and I think not in bill No. 136, any provision for practice in handling lifeboats, which constitutes the very first essential for safety at sea.

As regards fire, that is a question that must be settled largely by international agreement. I should be very slow to give my opinion as to the cause of the late *Volturno* disaster, but I should not be surprised if it should develop that if our laws had been enforced in loading the cargo of that ship no such disaster would have occurred. We are in advance of other maritime nations in section 4472 and the following sections of the Revised Statutes, I believe it is, in specifying the kind of cargo that may be carried on a passenger steamer. Penalties are imposed on shippers and carriers alike if they send or carry certain combustible articles at sea.

Mr. POINDEXTER. Mr. President——

Mr. BURTON. If the Senator will pardon me, I will yield to him in just a moment.

The foreign regulations are by no means so strict. Our regulations apply not only to our domestic shipping, but to foreign steamships carrying cargoes out of this country; but they do not, of course, apply to shipments made, say, from Holland or England or any other foreign country or port to this country. When this conference meets, one of the main things it ought to take up is the carrying of combustible or inflammable material in cargoes. That is a matter which can and should be reached by a general agreement or convention.

Now I shall be glad to yield to the Senator from Washington.

Mr. POINDEXTER. The Senator from Ohio was speaking of the origin of the fire on the *Volturno*. He has evidently given some thought to the matter. A dispatch was published in some of the papers a short time ago, purporting to be from an officer of the company which owned that ship, to the effect that he had received a letter threatening the destruction of the vessel by burning. Has the Senator paid any attention to that matter? Has he any information on the subject?

Mr. BURTON. I have.

Mr. POINDEXTER. I should like to hear it.

Mr. BURTON. There was a statement last night from Capt. Tinsley, the manager of the line, to the effect that the report was a canard; that he had received no such note. That illustrates the thick-coming rumors that always prevail after a great disaster of this kind. The dispatch contradicting this rumor may have lacked authenticity, but I saw such a statement saying that he had contradicted it.

One other thing—and I think I can say this with honest pride in the superiority of our regulations. We are in advance of other nations in many provisions for life-saving apparatus. Our boats are compelled to be provided with a line-carrying gun which will shoot a rope on another boat some little distance away. Here, again, I do not wish to express any opinion; it is too early; but there are some indications that such an appliance would have been very useful when one of the boats of the rescuing fleet came very near the stern of the *Volturno*.

Mr. President, I do not want to see this bill taken up and considered when the arguments pro and con proceed so largely from these conflicting interests to which I have referred. We take a broader view of the matter. We must examine the subject more elaborately, and I do not think we ought to enact legislation this coming week, when some of the best experts of the world will come together next month to consider these questions.

There is one thing in this bill, and it is in all pending bills, that I think every Member of the Senate would insist upon, the abolition of arrest for desertion, whether the seamen be domestic or foreign. It is altogether contrary to the spirit of our institutions to restrain a man's liberty by arresting him and placing him again on a boat or elsewhere in the performance of a task which he has chosen to leave. But all these things ought to be done with a due regard for diplomatic courtesy, with proper respect for existing treaties, and in such a way as to cause no irritation or jolt in our relations with foreign powers.

I do not anticipate that the American delegates would altogether agree with the foreign delegates on some questions. It would be my conjecture that they would go considerably further in their requirements for safety in the manning of boats; but let us at least give them a chance to state their side of the case in a conference that we ourselves have called.

Mr. President, I have already——

Mr. STONE. Before the Senator sits down I wish to ask him a question. The Senator made a rather striking statement that caught my attention. He was speaking of the necessity of drills in the handling of lifeboats, and remarked that, strange to say—and I agree in that thought of his, for to me it is a strange thing—the owners of ships, as well as the seamen in charge of them, are opposed to drills of that kind. Now, why is that? It would seem to me that the contrary should be the rule.

Mr. BURTON. I could not say that all of them oppose drills, but objections were presented to us. One reason, no doubt, is the time lost. For instance, if a trans-Atlantic liner lowers a boat in midocean it would cause a delay, estimated by one of our officers—I think he makes the estimate too large—of from two to five hours, due to the slackening of speed, the stopping, and the actual time employed in boat drill. Sometimes, also, the drill is rather dangerous.

That is one source of objection from the owners or managers. Then another is made by the seamen. The question is very much discussed whether a drill in port is useful or not. The relation between the master and the seaman is in a measure suspended then; many of the sailors go ashore. This bill, I think, very properly limits the hours in which seamen may be employed. Both bills agree on that. The seamen do not like to engage in drills when they are in port.

Mr. THOMAS. Mr. President——

Mr. BURTON. I should perhaps modify my statement by saying that not all object to these drills.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Colorado?

Mr. BURTON. Certainly.

Mr. THOMAS. I should like to inquire of the Senator if he thinks the first reason given is a good one.

Mr. BURTON. No.

Mr. THOMAS. I quite agree with the Senator.

Mr. BURTON. The lowering of boats ought to be tried, too, when they are out in somewhat squally weather, for a disaster is more likely to occur then than when they are in a calm.

Mr. LA FOLLETTE. Mr. President, I do not care at this time to make answer to the criticism involved in the statement of the Senator from Ohio [Mr. BURTON] as to the making of this bill a special order by unanimous consent; but when the bill comes up for debate I shall revert to that matter, and at the same time I shall take occasion to say something on the advisability of our proceeding with this legislation at this time without regard to the proposed international convention.

I trust, Mr. President, that when we come to the consideration of this bill at the next meeting of the Senate it will be with a somewhat better attendance than we have now. I believe the Senate will take as great interest in this as in any other subject of legislation considered at this session. When we have the bill, with the proposed substitute, on Senators' desks, so that the different provisions can be compared, I believe I will then be able to make full answer to the criticism which has been made here of Senate bill No. 4, a bill which I had the honor to introduce.

While on my feet I desire to say for the RECORD that in the Sixty-second Congress the House of Representatives passed a bill dealing with this subject. It was a bill that had been introduced and reintroduced in both Houses of Congress for several years. It was the result of years of careful investigation of the subject. In that study the Congress had the benefit of expert knowledge of the highest type.

I think, Mr. President, if that measure can have fair consideration by the Senate it will be accepted as a comprehensive and a very wise piece of legislation. That bill passed the House of Representatives with only 4 dissenting votes. It came over to the Senate. It came early in the session. It was referred to the Committee on Commerce, and there encountered just what this legislation has met for 20 years—the opposition of the great steamship companies. That opposition was strong enough to delay, and delay, and delay the consideration of the bill in that committee all through that session. As the close of that session drew on I, from this place, appealed to the chairman of that committee again and again to know if we could not have a report upon the bill during that session. But it went over. It went over with the promise of the chairman that he would call the committee together during the recess in order that they might be ready to report the bill back at the beginning of the next, the short, session that closed the last Congress.

But, Mr. President, when that bill did get back into the Senate and could be brought before this body it was, as I recall, within 12 hours of the life of that Congress. If I remember rightly, it was taken up on Sunday afternoon while we were in a session that had continued from Saturday. The bill reported was not the bill that had passed the House. The committee reported a bill which has been reintroduced in this session by the Senator from Ohio.

Mr. BURTON. No; not by the Senator from Ohio; by the Senator from Minnesota [Mr. NELSON].

Mr. LA FOLLETTE. By the Senator from Minnesota. The Senator from Ohio has introduced another bill, which, so far as the public interest and the urgent necessities of this situation are concerned, is, I believe, more unsatisfactory than the bill reported out by the committee. But they reported out a bill, and we had to take up its consideration in the closing hours of that session, and, of course, it could get no consideration worthy of the great subject. It was the House bill, with the best provisions cut out of it. And that is what this bill is which has come back here again from that committee.

Now, I am not going to take time and go into and make an analysis of it now, but I will before this debate is concluded. It is only necessary to examine the amendments made by the Senate committee of the last Congress to see where they came from and what interest they serve. It is the interest that for 20 years has prevented legislation for the emancipation of the seamen from slavery or for the protection of the public traveling at sea. It is the same sort of thing that we have had to wrestle with in dealing with the railroads. They resist legislation to

compel the adoption of safety appliances; they resist the proper equipment of their trains. It is human nature, I suppose; but we have had to fight every inch of the ground with those transportation companies and we have had to make the same fight to provide reasonable safety at sea. We have made some progress. We came to a time when there was an opportunity to secure consideration of the legislation. I saw that opportunity. I have no apologies to make, no explanation to offer, no regrets to express for having secured unanimous consent for the consideration of this great measure at this time.

I am just going to make a little further answer to the question asked by the Senator from Missouri [Mr. STONE] while I think of it. At first view it must strike one as strange that anybody should object to the provision for lifeboat drill; but lifeboat drill was projected by the steamship owners, or by those who represented them before these committees, for the purpose of getting rid of the provision of the bill fixing the standard of efficiency tests in the employment of seamen. In other words, they wanted to be able to get any kind of men on their vessels. They were willing to educate them by means of lifeboat drills, but they were unwilling that there should be written into the law provisions which would require that the men should be skilled seamen before life and property were ever committed to their hands as sailors. That is the issue.

Furthermore, Mr. President, it is the contention of the sailors that neither in harbor nor on a voyage on one of these trans-Atlantic steamers can you get just exactly the sort of drill so vital to the saving of life in the time of terror.

Lifeboat experience, as I understand it from the little that I have studied of this subject, is to be acquired by men in a long series of years in serving in the management of boats. The men must have the knowledge which can only be acquired by long study of the sea. They must know the sea before they can know how to lower a lifeboat. In time of disaster, we will say, when it is necessary to lower a lifeboat, the sailor must know just when to lower that lifeboat within a few feet of the water, and then he must know just how the waves run, so as to seize the exact instant to let go and put the craft into the water.

Mr. President, I did not intend to go into this matter at all at this time. I have asked to have printed the bill that passed the House of Representatives a year and a half ago perhaps. It is a bill that had received the approval of committee after committee over there. I think it needs some slight modification. Shortly after it was introduced here it went to the Committee on Commerce, and at my request the chairman sent the bill to the Secretary of Commerce and the Secretary of Labor. They made an examination of and reported upon it in a letter that discusses its provisions and in which they recommend its passage. They suggested two or three amendments. I have incorporated these in the reprint of it which I asked to have made and which will be upon the desks of Senators at the next session of the Senate. I also added another amendment providing definitely for a lifeboat equipment sufficient to furnish safety to all persons carried, crew and passengers. That bill will be printed in connection with this reported bill in different type so that Senators can readily run their eye over its provisions and note the difference between the proposed substitute and the reported bill.

Mr. KERN. Mr. President, I move that when the Senate adjourns to-day it adjourn to meet on Saturday next at 12 o'clock noon.

Mr. LA FOLLETTE. If the Senator will just permit me to say——

Mr. KERN. Certainly.

Mr. LA FOLLETTE. That is entirely satisfactory, because that will give opportunity to have this matter printed and give one day for its examination before the Senate takes it up.

The PRESIDING OFFICER. The Senator from Indiana moves that when the Senate adjourns to-day it adjourn to meet on Saturday next at 12 o'clock noon.

The motion was agreed to.

Mr. SUTHERLAND. Mr. President, I want to say just a further word in reference to section 14. I do not know that I made myself clearly understood in the questions which I submitted to the Senator from Florida [Mr. FLETCHER]. I make the suggestion in reference to it so that it may be considered by the committee.

The provision of section 14 first is:

That no vessel—

With certain exceptions—

shall depart from any port of the United States unless she has on board a crew not less than 75 per cent of which, in each department thereof, are able to understand any order given by the officers of such vessel—

Thus far the provision is perfectly clear and perfectly simple and perfectly capable of enforcement. Everybody would understand it exactly alike. But it continues—

unless the crew shall include a sufficient number of seamen who understand the languages of both officers and crew, through whom the orders of the officers may be communicated in a manner to be readily understood by the seamen—

Certainly if we stop there the test is not sufficient. What is a sufficient number of men? One man, as I have said, would think that a small number were sufficient and another that an entirely greater number were necessary. A statement of that kind in a law, and particularly in a penal law, is quite as indefinite as to say, "A large piece of chalk." If I should require that a large piece of chalk should be furnished, the Senator from Mississippi [Mr. WILLIAMS] might regard a piece of chalk as large as my fist as a large piece of chalk, while another might think it a very small piece. It furnishes absolutely no standard. This is a penal law. The violation of it subjects the master of a ship to a fine, I think, of $500. A law of that kind ought to be couched in such definite terms as that everybody reading it can understand precisely what was meant and everybody reading it would understand it precisely alike.

Now, it continues:

The number of seamen through whom the orders of the officers may be transmitted shall not be less than the number of lifeboats such vessel is required to carry, and at least one of such seamen shall be assigned to each lifeboat.

It has been suggested by the Senator from Colorado [Mr. THOMAS] that perhaps that might cure it, but it seems to me that it does not, because that fixes a minimum. If the number of seamen of this character is not equal to the number of lifeboats carried on the vessel, then conclusively it must be assumed negatively that there is not a sufficient number.

But it does not follow affirmatively that even if there was that number that it is sufficient; if there are not that many, the number is not sufficient; but confusion will arise from having put into the law these two tests: First, that there shall be a sufficient number; and, second, that it shall not be less than the number of lifeboats.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Wisconsin?

Mr. SUTHERLAND. I do.

Mr. LA FOLLETTE. I very much hope, of course, that the Senate will dispose of that matter by rejecting it altogether and by adopting the provisions of Senate bill No. 4 with regard to the standard of efficiency and the standard it provides for equipment and crew of a vessel.

Mr. SUTHERLAND. I will say to the Senator from Wisconsin that I have been comparing these two sections, section 12 as proposed in the substitute with section 14, and while I am not an expert in maritime matters—I claim to know very little about such matters—section 12 is perfectly understandable. It is a clear and definite statement of what is required; there can be no doubt about it. As I am at present advised, I can see no reason why section 12 should not be substituted for section 14; and I shall await with some curiosity to hear what the proponents of section 14 have to say in favor of it as against the very clear provisions of section 12.

Mr. LA FOLLETTE. I sincerely hope, Mr. President, that instead of building upon S. 136, reconstructing it by amendment, the bill that the Senate will pass will be a well worked out, comprehensive piece of legislation, such as that which passed the House of Representatives over a year and a half ago. I hope the bill I introduced as S. 4 will be substituted for the reported bill. In that way we shall get a much better piece of legislation than we will if we attempt to patch up S. 136 to make it acceptable.

Mr. WILLIAMS rose.

Mr. FLETCHER. I ask that the pending bill, the unfinished business, may be temporarily laid aside.

The PRESIDING OFFICER. Without objection, the unfinished business will be temporarily laid aside.

EXECUTIVE SESSION.

Mr. WILLIAMS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 25 minutes spent in executive session the doors were reopened, and (at 2 o'clock and 55 minutes p. m.) the Senate adjourned until Saturday, October 18, 1913, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate October 16, 1913.

GENERAL APPRAISER OF MERCHANDISE.

George Stewart Brown, of Maryland, to be general appraiser of merchandise, to fill an existing vacancy.

UNITED STATES DISTRICT JUDGE.

Edwin S. Thomas, of Connecticut, to be United States district judge, district of Connecticut, vice James P. Platt, deceased.

UNITED STATES MARSHAL.

John J. Richards, of Rhode Island, to be United States marshal, district of Rhode Island, vice Daniel R. Ballou, resigned.

UNITED STATES ATTORNEY.

Jeff McCarn, of Tennessee, to be United States attorney, district of Hawaii, vice Robert W. Breckons, resigned.

MEMBERS OF THE PHILIPPINE COMMISSION.

Under the provisions of the act of Congress approved July 1, 1902, entitled "An act temporarily to provide for the administration of affairs of civil government in the Philippines, and for other purposes," as amended by the act of Congress approved May 11, 1908, increasing the membership of the Philippine Commission, the following nominations were submitted:

Victorino Mapa, of the Philippine Islands, to be a member of the Philippine Commission and secretary of finance and justice, vice Gregorio Araneta, resigned.

Jaime C. de Veyra, of the Philippine Islands, to be a member of the Philippine Commission, vice Frank A. Branagan, resigned.

Vicente Ilustre, of the Philippine Islands, to be a member of the Philippine Commission, vice Juan Sumulong, resigned.

Vicente Singson, of the Philippine Islands, to be a member of the Philippine Commission, vice José R. de Luzuriaga, resigned.

PROMOTIONS IN THE ARMY.

FIELD ARTILLERY ARM.

First Lieut. Scott Baker, Second Field Artillery, to be captain from October 9, 1913, vice Capt. Edward Hill, Sixth Field Artillery, who died October 8, 1913.

CAVALRY ARM.

First Lieut. Philip Mowry, Fifteenth Cavalry, to be captain from September 23, 1913, vice Capt. Samuel A. Purviance, Second Cavalry, retired from active service September 22, 1913.

Second Lieut. Thurman H. Bane, Cavalry (detailed first lieutenant, Ordnance Department), to be first lieutenant from September 23, 1913, vice First Lieut. Philip Mowry, Fifteenth Cavalry, promoted.

Second Lieut. Augustine W. Robins, Twelfth Cavalry, to be first lieutenant from September 23, 1913, vice First Lieut. Thurman H. Bane, whose detail in the Ordnance Department is continued.

Second Lieut. William D. Geary, Thirteenth Cavalry, to be first lieutenant from October 6, 1913, vice First Lieut. James S. Jones, Eighth Cavalry, who resigned October 5, 1913.

COAST ARTILLERY CORPS.

First Lieut. David McC. McKell, Coast Artillery Corps, to be captain from October 11, 1913, vice Capt. Guy T. Scott, retired from active service October 10, 1913.

Second Lieut. John H. Hood, Coast Artillery Corps, to be first lieutenant from October 11, 1913, vice First Lieut. David McC. McKell, promoted.

CORPS OF ENGINEERS.

Lieut. Col. William C. Langfitt, Corps of Engineers, to be colonel from October 12, 1913, vice Col. Dan C. Kingman, who accepted an appointment as Chief of Engineers with the rank of brigadier general on that date.

Maj. Edgar Jadwin, Corps of Engineers, to be lieutenant colonel from October 12, 1913, vice Lieut. Col. William C. Langfitt, promoted.

Capt. Paul Stanley Bond, Corps of Engineers, to be major from October 12, 1913, vice Maj. Edgar Jadwin, promoted.

First Lieut. Edmund L. Daley, Corps of Engineers, to be captain from October 12, 1913, vice Capt. Paul Stanley Bond, promoted.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants with rank from October 11, 1913.

Henry Waters Kennard, of Maryland.
Samuel Lile, of Virginia.
Frederick Charles Huff, of Wisconsin.
Charles Joseph Whalen, of Illinois.
Dunlap Pearce Penhallow, of Massachusetts.
Russell La Fayette Cecil, of New York.
Samuel Broders Moore, of Virginia.
Malvern Bryan Clopton, of Missouri.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Lieut. Commander Arthur G. Kavanagh to be a commander in the Navy from the 1st day of July, 1913.

Lieut. Benyaurd B. Wygant to be a lieutenant commander in the Navy from the 1st day of July, 1913.

Lieut. (Junior Grade) George E. Lake to be a lieutenant in the Navy from the 9th day of November, 1912.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 6th day of June, 1913:

Rensselaer W. Clark, and
Howard B. Mecleary.

The following-named officers of the Navy to be ensigns in the Navy from the 30th day of July, 1913, in accordance with the provisions of an act of Congress approved March 3, 1901, as amended:

Boatswain Frank Hindrelet,
Chief Machinist August Schulze,
Boatswain Ralph Martin, and
Machinist Frank G. Kutz.

John F. Riordan, a citizen of Missouri, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 9th day of October, 1913.

The following-named citizens to be assistant surgeons in the Medical Reserve Corps of the Navy from the 10th day of October, 1913:

Joseph J. Kaveney, a citizen of the District of Columbia;
Claude W. Carr, a citizen of Missouri;
Louis H. Roddis, a citizen of Minnesota; and
Charles A. Costello, a citizen of Illinois.

POSTMASTERS.

CALIFORNIA.

Thomas E. Ferris to be postmaster at East San Diego, Cal. Office became presidential October 1, 1913.

Edward I. Leake to be postmaster at Woodland, Cal., in place of Jesse H. Dungan. Incumbent's commission expired February 9, 1913.

FLORIDA.

Thomas J. Weaver to be postmaster at Mayo, Fla. Office became presidential October 1, 1913.

GEORGIA.

Benjamin E. Croker to be postmaster at Dallas, Ga., in place of John W. Spinks, removed.

ILLINOIS.

Robert E. Downing to be postmaster at Golden, Ill., in place of Seneca Selby. Incumbent's commission expired January 11, 1913.

Peter Petri to be postmaster at Eureka, Ill., in place of Peter E. Low, resigned.

IOWA.

William H. Fickel to be postmaster at Glenwood, Iowa, in place of Roman C. White, resigned.

KANSAS.

Ed L. Hepler to be postmaster at Winfield, Kans., in place of John W. Skinner, resigned.

LOUISIANA.

W. T. Pegues to be postmaster at Mansfield, La., in place of William T. Pegues, deceased.

MARYLAND.

H. L. Brittingham to be postmaster at Princess Anne, Md., in place of Robert F. Duer. Incumbent's commission expired August 4, 1913.

A. B. Cochrane to be postmaster at Crisfield, Md., in place of George C. Riggin. Incumbent's commission expired February 12, 1911.

W. Jasper Harper to be postmaster at Hurlock, Md., in place of W. H. Stevens, jr. Incumbent's commission expired January 29, 1913.

MISSISSIPPI.

C. A. McCharen to be postmaster at Oxford, Miss., in place of S. M. Howry. Incumbent's commission expired January 11, 1913.

Lillian McCleary to be postmaster at Hollandale, Miss., in place of Mattie O. Golden, resigned.

W. L. Walton to be postmaster at Lexington, Miss., in place of Allen R. Frazier, removed.

MISSOURI.

James M. Settle to be postmaster at New Franklin, Mo. Office became presidential October 1, 1913.

NEBRASKA.

George Beckler to be postmaster at Deshler, Nebr. Office became presidential January 1, 1913.

Charles H. Mohr to be postmaster at Plainview, Nebr., in place of Hubert L. Buckingham. Incumbent's commission expired January 11, 1913.

NEW JERSEY.

George A. Hurd to be postmaster at Haworth, N. J. Office became presidential July 1, 1913.

C. D. Nicholson to be postmaster at Grenloch, N. J., in place of Elbert Bradshaw. Incumbent's commission expired April 19, 1913.

NEW MEXICO.

Susan S. Pace to be postmaster at Clayton, N. Mex., in place of N. Faraston Gallegos, resigned.

OHIO.

C. L. Barkman to be postmaster at Osborn, Ohio, in place of John A. Knelsly. Incumbent's commission expired May 12, 1913.

Harry H. Frazee to be postmaster at Murray, Ohio, in place of Solomon P. Solliday, removed.

Laura Emma Jones to be postmaster at Shadyside, Ohio. Office became presidential January 1, 1913.

E. R. Lash to be postmaster at Athens, Ohio, in place of Charles H. Bryson, removed.

Harry B. Mapel to be postmaster at Columbus Grove, Ohio, in place of Charles B. Morris. Incumbent's commission expired June 22, 1913.

A. E. Stilwald to be postmaster at Amherst, Ohio, in place of Adolphus Baker. Incumbent's commission expired August 4, 1913.

OKLAHOMA.

Robert Landers to be postmaster at Lawton, Okla., in place of F. A. Parkinson, resigned.

W. E. Merry to be postmaster at Perry, Okla., in place of Charles L. Watson, removed.

OREGON.

Dean S. McWilliams to be postmaster at Halsey, Oreg. Office became presidential October 1, 1913.

PENNSYLVANIA.

J. R. Detwiler to be postmaster at Williamsburg, Pa., in place of T. Dean Ross. Incumbent's commission expired July 23, 1913.

Charles N. Seltzinger to be postmaster at Reading, Pa., in place of Augustus M. High, deceased.

SOUTH DAKOTA.

Alexander H. Rogers to be postmaster at Newell, S. Dak., in place of Napoleon M. Bratton, resigned.

TENNESSEE.

Thomas E. Glass to be postmaster at Jackson, Tenn., in place of William F. Arnold, removed.

John E. Pullen to be postmaster at Waverly, Tenn., in place of James F. Fowlkes, resigned.

VIRGINIA.

Frank W. Sheild to be postmaster at Hampton, Va., in place of Harry Libbey, deceased.

WISCONSIN.

David A. Holmes to be postmaster at Milton, Wis., in place of William W. Clarke. Incumbent's commission expired March 1, 1913.

CONFIRMATIONS.

Executive nominations confirmed by the Senate October 16, 1913.

MINISTER PLENIPOTENTIARY.

William Hayne Leavell to be envoy extraordinary and minister plenipotentiary of the United States to Guatemala.

COLLECTOR OF CUSTOMS.

Edmund Billings to be collector of customs for the district of Massachusetts.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Lieut. Alfred G. Howe to be a lieutenant commander.

Lieut. (Junior Grade) Hamilton F. Glover to be a lieutenant.

Asst. Surg. Clyde B. Camerer to be a passed assistant surgeon.

The following-named ensigns to be lieutenants (junior grade):

Abel T. Bidwell,
Walter K. Kilpatrick,
Francis J. Comerford,
George W. Struble,
Henry T. Markland,
Thomas C. Kinkaid, and
Robert E. Rogers.

The following-named citizens to be assistant surgeons in the Medical Reserve Corps of the Navy:

Rexwald Brown,
Thomas A. Ratliff,
Daniel Hunt,
Walter L. Haworth,
Warren E. Bradbury,
John B. Bostick, and
Harvey R. McAllister.

POSTMASTERS.

ALABAMA.

James A. Anderson, University.
B. C. Gibson, Tuskegee.
S. M. Roberts, Monroeville.

CONNECTICUT.

William J. Thomas, Moodus.

GEORGIA.

Belle D. Burke, Guyton.
Benjamin E. Croker, Dallas.
P. D. Wootten, Abbeville.
Mamie E. Wright, Metter.

ILLINOIS.

Frederic A. Perkins, Canton.

LOUISIANA.

C. C. Johnson, Melville.

MARYLAND.

Franklin B. Beall, Cumberland.
Joseph C. Gernand, Thurmont.
F. B. McDermitt, Mount Savage.
Benjamin Mitchell, Hancock.

MASSACHUSETTS.

John D. Leonard, Whitinsville.

OHIO.

Benjamin F. Price, Lancaster.

TEXAS.

Elias Barry, Fort Stockton.
C. E. Culpepper, Palmer.
Thomas W. Hooks, Donna.
Charles H. Jones, Bishop.
E. C. Langhammer, Somerville.
J. H. Logan, Blessing.
John C. Walker, Naples.

HOUSE OF REPRESENTATIVES.

THURSDAY, *October 16, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, our Father in heaven, for the accumulated knowledge which has come down to us out of the past, for the hopes and promises of the future. Thou art an imminent God, ever working in and through Thy children for the higher and better forms of life. The last word has not been uttered, the last revelation has not been made. Make us therefore susceptible, that we may hear Thy voice, feel and know Thy presence, and go forward to new achievements for ourselves and for all the world; and Thine be the praise, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

INCOME-TAX LAW AS APPLIED TO INDIVIDUALS.

Mr. SIMS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD for the purpose of printing a synopsis of the provisions of the income-tax law as it applies to individuals. This synopsis has been prepared by my distinguished colleague Judge HULL. I myself have received many inquiries from constituents who want to know about these provisions, and no doubt other Members have received similar inquiries. I desire to have this printed so that we may avail ourselves of it in order to answer these inquiries correctly.

The SPEAKER. The gentleman from Tennessee [Mr. SIMS] asks unanimous consent to have printed in the RECORD the provisions of the income-tax law as applied to individuals.

Mr. FOSTER. I should like to ask the gentleman from Tennessee whether it would not be more convenient and proper to print it as a document?

Mr. SIMS. I want to do both. When this leave is granted, then I propose to ask to have it printed as a document.

Mr. HARDWICK. Regarding the latter part of the request, has the gentleman any idea what it will cost to print it as a document?

Mr. SIMS. No; I do not. I am asking first to print it in the RECORD. Then I will take up the other matter.

Mr. HARDWICK. I see the gentleman from Indiana [Mr. BARNHART] here, and so I will not object.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, does the gentleman yield?

Mr. SIMS. Certainly.

Mr. MANN. Is this an argument or a statement which is proposed to be printed?

Mr. SIMS. It is merely a synopsis of the provisions of the income-tax law as applied to individuals.

Mr. MANN. A synopsis made by Judge HULL?

Mr. SIMS. By Judge HULL, who prepared the income-tax provision of the law.

Mr. SAMUEL W. SMITH. I could not hear what reply the gentleman made when he was asked with reference to printing this as a document.

Mr. SIMS. I have asked to have it printed in the RECORD, because I do not think there will be any objection to that request. Then I expect to ask unanimous consent to have it printed as a House document. There may be objection to the latter request, but not to the first. That is the reason why I have submitted the request to print in the RECORD first.

The SPEAKER. Is there objection to printing it in the RECORD?

There was no objection.

The matter referred to is as follows:

"Under the new income-tax law every citizen whose net income exceeds $3,000 will be required to pay a normal tax of 1 per cent upon such excess. However, for the year 1913 the tax will be measured by the net income accruing from March 1 to December 31. The taxpayer whose annual net income exceeds $3,000 for the year 1913 will therefore only be taxed on that portion of the same accruing from March 1 to December 31 in excess of $2,500 for an individual and $3,333.33 for married persons. The normal tax of 1 per cent applies from the lowest to the highest taxable income. Each taxable person will be furnished a blank return by the district collector or a deputy, which such taxpayer will be required to properly fill out and return to the office of the collector of the district in which he resides between January 1 and March 1, 1914. If any taxpayer should fail to receive such blank, he will be required, under penalty, to apply to the collector or a deputy for a blank return. Blanks will probably be on deposit with most postmasters for the convenience of the taxpayer.

"The Treasury regulations soon to be prepared will make clear to every taxpayer the requirements of the law and its application to income derived from the various kinds of business. To any person who keeps familiar with his business affairs during the year to the extent that at its end he knows with reasonable accuracy the amount of his aggregate annual profits, the matter of executing his tax return would be both simple and convenient.

"The statutory exemption of $3,000 is allowed for personal living or family expenses; however, this and other gross income for which special deductions are allowed by the law must be embraced in the return of gross income, and the Commissioner of Internal Revenue will make these deductions when he assesses and computes the tax. Each taxpayer will be notified of the amount of tax due by June 1, 1914, and will be required to make payment by June 30, 1914.

"The normal tax upon individuals is assessed and collected by either one or both of two methods, namely, personal return of the taxpayer and deduction and payment at the source of the income. For the year 1913 all such individual taxpayers will make a personal return of income for the purpose of the assessment and payment of the tax, except as to that portion of such income from which the tax is deducted and withheld at the source during the months of November and December, 1913. This latter method of assessing and collecting the tax only relates to fixed annual or periodical income exceeding $3,000 per annum, such as fixed annual or periodical interest, salaries, rent, royalties, partnership profits, and so forth. Under the provisions of the law this method requiring tax to be withheld at the source does not take effect until November 1. The tax withheld upon any amount of taxable income during November or December will only be 1 per cent of such income exceeding $3,000. This method of withholding the tax upon income in excess of $3,000 contains one exception, which relates to interest on corporate bonds and other like indebtedness, but it does not embrace interest paid by banks to depositors or interest upon notes or like obligations unsecured by mortgage or deed of trust. The 1 per cent tax upon such interest accruing to all individual bondholders will be withheld by the debtor corporation or its paying agent and paid to the Government, even though an individual's income is under $3,000.

"If the income of a person is under $3,000, or if the tax upon same is withheld for payment at the source, or if the same is paid or to be paid elsewhere in the United States, such person may make affidavit to such fact, and thereupon no return will be required. However, this does not mean that all people will thus have to make affidavit; only those whom the collector or his deputy upon reasonable grounds might believe were subject to tax would make affidavit.

"Below is given a synopsis of the new law as it relates to the taxation of individuals. The corporation-tax provisions are not synopsized, for the reason that they are substantially a continuation of the present corporation excise tax laws.

"INCOME TAX—PERSONAL.

"INCOMES COVERED.

"Those of all citizens of the United States residing at home or abroad.

"Those of all persons residing in the United States, although not citizens thereof.

"All net incomes from property owned and from every business, trade, or profession carried on in the United States by persons (aliens or citizens) residing elsewhere.

"NORMAL TAX.

"One per cent per annum upon the amount of net income over $3,000 for individuals and over $4,000 for husband and wife living together.

"ADDITIONAL TAX.

"One per cent per annum upon the total amount of net income from all sources over $20,000 and not over $50,000 per annum.

"Two per cent per annum upon the amount of net income over $50,000 and not over $75,000.

"Three per cent per annum upon the amount by which the total net income exceeds $75,000 and does not exceed $100,000.

"Four per cent per annum upon the amount by which the total net income exceeds $100,000 and does not exceed $250,000.

"Five per cent per annum upon the amount by which the total net income exceeds $250,000 and does not exceed $500,000.

"Six per cent per annum upon the amount by which the total net income exceeds $500,000.

"For the purpose of the additional tax the total net income shall comprise that embraced in personal return, that on which tax is withheld at the source—dividends from corporations, and also undivided profits of corporations in the nature of mere holding companies or those formed to evade the tax.

"NET INCOME INCLUDES

"All gains, profits, and income derived from salaries, wages, or compensation for personal services of any kind and however paid.

"Professions or vocations.

"Business, trade, or commerce.

"Sales or dealings in property, real or personal, growing out of the ownership or use of or interest in property, real or personal.

"Interest, rent, dividends, and securities.

"Transactions of any lawful business carried on for gain or profit.

"Gains or profits or income derived from any source whatever.

"Income, but not the value, of property acquired by gift, bequest, devise, or descent.

"Neither the return of any part of principal invested in life insurance to the insured, nor proceeds of policies paid upon the death of the insured are included as income.

"DEDUCTIONS ALLOWED.

"Necessary expenses actually incurred in carrying on any business.

"All interest, accrued and payable within the year on indebtedness.

"All national, State, county, school, and municipal taxes.

"Losses actually sustained during the year in the business from which income is derived, not compensated by insurance or otherwise, arising from fire, storm, or shipwreck.

"Debts actually ascertained to be worthless and charged off during the year.

"A reasonable allowance for the exhaustion or wear and tear of property arising out of its use or employment in business, not to exceed in the case of mines 5 per cent of the gross value at the mine of the output for the year.

"All income tax upon which has been paid at the source.

"Amounts received as dividends upon the stock of any corporation, etc., which is taxed upon its net income, but such dividends shall not be deductible unless first reported in return as part of gross income.

"DEDUCTIONS NOT ALLOWED.

"All personal, living, or family expenses.

"Taxes assessed against local benefits.

"All expense of restoring property or making good the exhaustion thereof for which an allowance has been made.

"Amounts paid for new buildings, permanent improvements, or betterments made to increase the value of any property or estate.

"EXEMPTIONS.

"Interest upon the obligations of a State or any political subdivision thereof.

"Interest upon the obligations of the United States or its possessions.

"The compensation of the present President during the term for which he has been elected.

"The compensation of the judges of the Supreme and inferior courts of the United States now in office.

"The compensation of all officers and employees of a State, or any political subdivision thereof, but not including Senators and Representatives in Congress.

"AMOUNT OF INCOME EXEMPT.

"Three thousand dollars shall be deducted from the net annual income, as above ascertained, of each person, and $4,000 for husband and wife living together.

"TIME OF GOING INTO EFFECT.

"The tax shall be computed upon the remainder of the said net income for the year ending December 31, and for each calendar year thereafter, except that the tax for the year 1913 shall be computed only on that portion of income accruing from March 1 to December 31.

"RETURN OF INCOME.

"A true and accurate return of all net incomes of $3,000 or more for the year shall be made under oath or affirmation.

"It must be made to the collector of internal revenue for the district in which said person resides or has his principal place of business in the United States. A personal return of all net income shall be made for the purpose of the additional tax.

"FORM OF RETURN.

"The form shall be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury.

"Shall set forth specifically the gross amount of income from all separate sources. From this total shall be deducted the aggregate items of expenses and allowances above authorized.

"TIME OF RETURN.

"The return must be made on or before March 1, 1914, and on or before March 1 of each year thereafter.

"PERSONS REQUIRED TO MAKE RETURNS.

"1. Each taxable person of lawful age for himself.

"2. Guardians (legal or natural), trustees, and executors shall make and render a return of the net income coming into their custody or control of the person for whom they act.

"3. All persons, firms, companies, copartnerships, corporations, etc., having the control, receipt, disposal, or payment of fixed or determinable annual or periodical gains, profits, or income of another person subject to tax arising from an annual or periodical business relationship shall in behalf of such other person render a separate and distinct return for each person upon which the normal tax is paid at the source, but no tax shall be thus withheld until on and after November 1, 1913, and personal returns are required as to all income on which the tax is not thus withheld at the source.

"Persons conducting business in partnership shall be liable for tax only in individual capacity and upon each of such individuals share of the partnership profits, whether divided or not.

"EXCEPTIONS TO RETURNS.

"No return of income not exceeding $3,000 is required.

"Persons liable for the normal tax only on their own or another's account shall not be required to make returns of the income derived from dividends on capital stock of corporations taxable upon their net incomes.

"DUTY OF THE COLLECTOR OF INTERNAL REVENUE.

"The collector or deputy shall require each list to be verified by oath or affirmation of the party rendering it.

"The collector may increase the amount of any return if he has reason to believe that the same is understated.

"No such increase shall be made except after due notice to such party and upon proof of the amount understated.

"In case of disagreement between the collector and the taxable person such person may submit the case, with papers and proof, to the Commissioner of Internal Revenue.

"ASSESSMENTS.

"All persons shall be notified of the amount for which they are respectively liable on or before June 1 of each year.

"NEGLECTED, FRAUDULENT, OR FALSE RETURNS.

"In case of neglect or refusal to make returns, or in case of fraudulent or false returns, upon the discovery within three years after said return is due the Commissioner of Internal Revenue shall make such return himself.

"TIME OF PAYMENT.

"Said regular assessments shall be paid on or before the 30th day of June each year.

"Assessments made by the Commissioner of Internal Revenue are payable upon notification.

"PENALTY FOR DELAYED PAYMENTS.

"On sums due and unpaid after June 30, and after 10 days' notice and demand thereof by the collector, there shall be added 5 per cent to the amount of tax unpaid and interest at the rate of 1 per cent per month from the time the same became due.

"EXCEPTIONS AS TO PENALTY.

"Incomes from the estates of insane, deceased, or insolvent persons.

"COLLECTION AT THE SOURCE.

"All persons, firms, companies, etc., including lessees or mortgagors of real or personal property, trustees acting in any trust capacity, executors, etc., employers, and all officers and employees of the United States having control, receipt, custody, disposal, or payment of interest, rent, salaries, wages, premiums, annuities, compensation, remuneration, emoluments, or other fixed or determinable annual or periodical gains, profits, and income of another person exceeding $3,000 for any taxable year who are required to make and render a return in behalf of another, are hereby authorized and required to deduct and withhold such normal tax and pay it to the United States official authorized to receive the same.

"EXCEPTION.

"Incomes from the dividends on the capital stock or from net earnings of a corporation, etc., subject to the normal tax, are not to be included in the above.

"LIABILITY AS TO TAX WITHHELD AT SOURCE.

"Each of the persons, firms, etc., above enumerated are hereby made personally liable for such tax.

"BENEFIT OF EXEMPTION.

"Where the income tax of a person is paid at the source, the benefit of the $3,000 exemption shall not be allowed unless there shall be filed, not less than 30 days prior to the day on which the return is due, with the person or concern required to make such payment of tax at the source, a notice in writing claiming the benefit of such exemption.

"When a taxable person's tax is paid at the source, if he desires any deduction for losses, expense of business, etc., he may file claim, together with return of any other income upon which the tax is not withheld at the source, either with the collector or with the person or corporation withholding his tax, as the taxpayer may choose.

"INDIVIDUAL INCOMES NOT EXCEEDING $3,000 PER ANNUM TO BE TAXED AT THE SOURCE.

"Incomes derived from interest on bonds, mortgages, or other indebtedness of corporations, joint-stock companies or associations, insurance companies.

"Incomes composed of coupons, checks, or bills of exchange for or in part payment of interest or dividends upon stock or obligations of foreign corporations, etc., engaged in business in foreign countries.

"Interest upon bonds of foreign countries.

"Foreign mortgages or like obligations not payable in the United States.

"GENERAL PROVISIONS.

"No taxable person shall be released from liability for this tax.

"When a return is made and his tax paid at the source, no person shall be required to make a return himself unless he has other net income.

"Only one deduction of the $3,000 shall be made in case of any person.

"FAILURE OR NEGLECT TO MAKE RETURN FOR PERSONAL TAX.

"Any person, corporation, etc., liable to make a return for a personal tax refusing or neglecting to make such return shall be liable to a penalty of not less than $20 nor more than $1,000."

Mr. SIMS. Now, Mr. Speaker, I ask unanimous consent that the same be printed as a House document.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that it be printed as a House document. Is there objection?

Mr. MANN. Reserving the right to object, the mere request to print it as a House document of course will not do any good, unless a number of copies are printed.

Mr. SIMS. Certainly.

Mr. MANN. The "usual number" would not go around in the House.

Mr. SIMS. I will ask the gentleman what is the usual number?

Mr. MANN. I believe the usual number for the House is 420.

Mr. SIMS. Will the gentleman suggest what he thinks would be a reasonable supply?

Mr. MANN. I do not know.

Mr. UNDERWOOD. I think the document the gentleman desires to print is a valuable one for Members of the House, and in order to get the full benefit of it, it will be necessary to offer a concurrent resolution. You can not print over $500 worth as a House document. I suggest to the gentleman that instead of making the request now he ascertain from the Printing Committee how much it will cost and the number needed, and offer a resolution and ask unanimous consent to pass the resolution to-morrow. That will fully cover the subject.

Mr. SIMS. Then, Mr. Speaker, I withdraw the request.

The SPEAKER. If the matter is printed in the RECORD, so that it will appear to-morrow morning, the gentleman may ascertain from the Government Printing Office how many copies can be printed within the limit of $500 and give that information to the House to-morrow.

Mr. SIMS. Very well, Mr. Speaker, I will do that.

THE LATE JOHN F. LACEY.

Mr. KIRKPATRICK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD relative to the services of the late Hon. John F. Lacey, who served as a distinguished Member of this body for 14 years.

The SPEAKER. The gentleman from Iowa [Mr. KIRKPATRICK] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

CONGRESS HALL CELEBRATION.

Mr. LOGUE. Mr. Speaker, I ask unanimous consent, as I did on last Friday, that the Committee on Rules be discharged from further consideration of House joint resolution 134, and that the same be passed. It provides for the appointment of a committee from the House and the Senate to attend the Congress Hall celebration in Philadelphia on Saturday week, October 25. The attendance of that committee will be without expense to the Government. Our local committee provides entirely for that.

Mr. UNDERWOOD. Mr. Speaker, reserving the right to object, I am very glad, if the House is willing to do so, to pass the resolution by unanimous consent; but on yesterday I gave notice to Members that there would be no business transacted until further notice. I do not desire any resolution to come up that may precipitate a roll call on a legislative matter. I understand the gentleman's request is that the resolution may be passed by unanimous consent, and I have no objection to that.

Mr. MANN. That was not the gentleman's request.

The SPEAKER. The gentleman's request was to discharge the Committee on Rules from further consideration of House joint resolution 134 and for its immediate consideration.

Mr. UNDERWOOD. I desire to ask the gentleman from Illinois if the resolution comes before the House if he intends to demand the yeas and nays?

Mr. MANN. I make no promise.

Mr. UNDERWOOD. I would like to accommodate the gentleman from Pennsylvania, but I must keep my pledge to absent Members that business will not be transacted and that they will not be embarrassed by a roll call. I shall therefore be compelled to object.

Mr. VARE. I hope the gentleman from Alabama will not object.

Mr. UNDERWOOD. I will not object, and in order that there may be no question about it I ask unanimous consent that the resolution be considered as passed on the offer made by the gentleman from Pennsylvania.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the resolution be considered as passed.

Mr. MANN. Mr. Speaker, I shall have to object to any such irregular procedure. I have no objection to the resolution being considered by the House.

Mr. UNDERWOOD. Does the gentleman from Illinois expect to demand a roll call on this resolution?

Mr. MANN. I do not know what the House will do about that. I have not it in my power to call the roll.

Mr. UNDERWOOD. I will not object, Mr. Speaker, but I will move to adjourn the House immediately if there is a demand for a roll call.

The SPEAKER. Is there objection?

Mr. MANN. What is the request now?

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that the Committee on Rules be discharged from further consideration of this resolution and that it be now considered.

Mr. CAMPBELL. Mr. Speaker——

Mr. HARDWICK. Mr. Speaker, if the gentleman from Kansas will withhold, I hope the gentleman is not going to object on account of the committee. Those of us on this side have no objection.

Mr. CAMPBELL. I was going to inquire whether the proponents of this resolution had ever asked the Committee on Rules for a hearing on the resolution, or asked that the resolution be reported?

Mr. LOGUE. They have not had time, and when I consulted the committee they advised me to ask unanimous consent for its consideration.

Mr. CAMPBELL. Does it not appear to the gentleman from Pennsylvania to be a little irregular to offer a resolution and immediately ask that the committee be discharged without having asked the committee to consider it?

Mr. HARDWICK. There is nothing like that. The gentleman from Pennsylvania did apply to the acting chairman of the Committee on Rules for a hearing.

Mr. MANN. Why did not the committee give him a hearing?

Mr. HARDWICK. Because we did not have a quorum in town.

Mr. MANN. The committee ought to have a quorum in town. Of all committees the Committee on Rules ought to have a quorum in town at all times.

Mr. HARDWICK. We looked into the matter and found that it involved no expense to the Federal Government; that it looked like a proper thing to do, and therefore we suggested that he bring it up in this way, so that any Member of the House, if he wished to, could object to it. There is no intention of reflecting on the committee in any way in this matter.

Mr. CAMPBELL. I appreciate the statement made by the gentleman from Georgia, but I have not had an opportunity even to read the resolution.

Mr. HARDWICK. Let us have it read now.

Mr. CAMPBELL. The resolution never having been called to the attention of the committee, it seems to be asking a good deal of the committee and of the House to pass the resolution without giving it any consideration whatever.

Mr. HARDWICK. Suppose I reserve the right to object and let it be read.

The SPEAKER. The Clerk will read the resolution.

The Clerk read as follows:

Joint resolution for the appointment of a joint committee from House and Senate to attend Congress Hall celebration in Philadelphia in October, 1913.

Whereas Congress Hall, Philadelphia, has been recently restored to the condition in which it existed when used by the Continental Congress and the Congress of the United States at Philadelphia; and

Whereas the citizens of Philadelphia have arranged for a fitting celebration to be held upon the turning over of the building by the committee in charge of the work of restoration; and

Whereas the city of Philadelphia has extended an invitation to the Congress of the United States to have a representation of the Senate and House at the ceremonies: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the Senate be, and is hereby, authorized to appoint 13 Members, 1 from each of the 13 original States, to represent the Senate, and that the Speaker of the House of Representatives be, and is hereby, authorized to appoint from the membership of the House such number of Members as may be requested by the city of Philadelphia; and that the Members of the Senate and the Members of the House so appointed shall constitute a joint committee on behalf of the Congress of the United States to attend the above celebration: *Provided*, That the attendance of the committee shall entail no expense on the Government of the United States.

Mr. VARE. Mr. Speaker, for the information of the Members of the House, I desire to say that the city of Philadelphia has expended, through the mayor and city councils, $60,000 for the

restoration of Congress Hall. It is proposed to publicly celebrate the restoration of that historic building. The President of the United States has accepted an invitation to make an address upon that occasion. This resolution provides that there shall be a Member from each of the 13 original States, appointed from Senate, as well as some 56 Members of the House, representing the number which went to make up the American Congress that assembled in Philadelphia during President Washington's time in the old Congress Hall. I trust that the gentleman from Kansas [Mr. CAMPBELL] will withdraw his objection.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. VARE. Certainly.

Mr. MANN. How many Members of the House did the gentleman say the resolution provided for?

Mr. VARE. My information is that the purpose of the committee is to have 56.

Mr. MANN. I notice the resolution provides that the Speaker shall appoint some such number as the city of Philadelphia shall designate.

Mr. LOGUE. Mr. Speaker, will the gentleman yield?

Mr. VARE. Certainly.

Mr. LOGUE. Mr. Speaker, I will state that the purpose is to reproduce upon this occasion the same number of Members of Congress as there were at the time that the Congress sat in the city of Philadelphia. We desire to have, if possible, 56 Members of the House, which number our research shows was the number in the House at the time the Congress sat there.

Mr. MANN. When is this to be?

Mr. LOGUE. On Saturday week.

Mr. MANN. Does the gentleman think that if 56 Members of the House went over to Philadelphia on Saturday week, we would have enough left to do business here?

Mr. LOGUE. As much to do business then as we will have for a few days, and I feel this, that there are some who may, by reason of illness or otherwise, be absent from the House, residents of Philadelphia, New Jersey, and New York, who may feel it desirable to be present there.

Mr. MANN. That will make a very good excuse for their being absent, which they have not now, though most of them are absent.

Mr. LOGUE. I do not think any will be there who will want to be excused on account of sickness.

Mr. ADAMSON. In case of a tight situation they might call the roll over there.

Mr. LOGUE. The Speaker will be there, and there will be no difficulty about that.

Mr. MANN. I am very anxious to get a quorum of the House here and to keep it here and do some business.

Mr. VARE. This is a very patriotic occasion.

Mr. MANN. No more patriotic than Congress attending to its business.

Mr. CAMPBELL. Mr. Speaker, knowing now for the first time the purpose of the resolution, I shall make no objection. I should have had no objection to its consideration in the committee, even though a quorum was not present, and to having it reported regularly to the House—that is, I should not have raised the question of a quorum in the committee. I shall make no objection now.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the joint resolution.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. MANN. Mr. Speaker, I object to the vote and make the point of order that there is no quorum present.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present, and the gentleman from Alabama moves that the House do now adjourn.

Mr. HARDWICK. Mr. Speaker, a parliamentary inquiry. Did the gentleman make the point of order before the Chair announced the result of the vote on the passage of the resolution?

The SPEAKER. It has not yet been passed. The resolution has first to be engrossed and read a third time.

Mr. HARDWICK. But the House agreed to the passage of the resolution, did it not?

The SPEAKER. It did not. The House agreed to the present consideration of the resolution.

Mr. HARDWICK. Will not the gentleman withhold his point of no quorum for a moment?

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present.

Mr. MANN. Why, Mr. Speaker, the gentleman from Alabama has moved that the House do now adjourn.

ADJOURNMENT.

The SPEAKER. The question is on the motion of the gentleman from Alabama that the House do now adjourn.

Mr. MANN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 112, nays 41, answered "present" 12, not voting 263, as follows:

YEAS—112.

Abercrombie	Crosser	Jacoway	Rothermel
Adair	Deitrick	Johnson, Ky.	Sabath
Aiken	Dent	Johnson, S. C.	Sherley
Allen	Dixon	Key, Ohio	Sherwood
Ansberry	Donohoe	Kirkpatrick	Sims
Bailey	Donovan	Kitchin	Sisson
Baker	Doughton	Lee, Pa.	Small
Baltz	Edwards	Lesher	Smith, Md.
Barkley	Estopinal	Lloyd	Smith, Tex.
Barnhart	Evans	Lobeck	Sparkman
Beakes	Fergusson	Lonergan	Stephens, Miss.
Beall, Tex.	Fitzgerald	McAndrews	Stone
Bell, Ga.	Fitzhenry	McCoy	Stringer
Brockson	Floyd, Ark.	McDermott	Talcott, N. Y.
Brown, W. Va.	Foster	McGillicuddy	Tavenner
Brumbaugh	Gilmore	McKellar	Ten Eyck
Buchanan, Ill.	Glass	Maguire, Nebr.	Thomas
Buchanan, Tex.	Godwin, N. C.	Montague	Townsend
Bulkley	Gorman	O'Brien	Treadway
Byrns, Tenn.	Gray	Oldfield	Tuttle
Candler, Miss.	Gregg	Pepper	Underwood
Cantrill	Hammond	Phelan	Vaughan
Carlin	Hardy	Post	Walker
Carr	Hayden	Raker	Watkins
Casey	Helm	Rauch	Whaley
Clayton	Hughes, Ga.	Rayburn	White
Conry	Hull	Reilly, Conn.	Wilson, N. Y.
Cox	Humphreys, Miss.	Riordan	Young, Tex.

NAYS—41.

Anderson	Fowler	Lafferty	Smith, Idaho
Austin	Frear	Lindquist	Smith, J. M. C.
Avis	French	MacDonald	Smith, Saml. W.
Barton	Greene, Vt.	Manahan	Steenerson
Bell, Cal.	Hawley	Mann	Stevens, N. H.
Browne, Wis.	Johnson, Utah	Nelson	Towner
Campbell	Johnson, Wash.	Plumley	Vare
Cooper	Kelster	Powers	Woods
Edmonds	Kennedy, Iowa	Rogers	
Falconer	Kindel	Sells	
Fess	Kreider	Sinnott	

ANSWERED "PRESENT"—12.

Adamson	Fields	Logue	Slayden
Browning	Hardwick	McGuire, Okla.	Thacher
Crisp	Holland	Morrison	Watson

NOT VOTING—263.

Ainey	Decker	Harrison	McLaughlin
Alexander	Dershem	Hart	Madden
Anthony	Dickinson	Haugen	Mahan
Ashbrook	Dies	Hay	Maher
Aswell	Difenderfer	Hayes	Mapes
Barchfeld	Dillon	Heflin	Martin
Bartholdt	Dooling	Helgesen	Merritt
Bartlett	Doolittle	Helvering	Metz
Bathrick	Doremus	Henry	Miller
Blackmon	Driscoll	Hensley	Mitchell
Booher	Dunn	Hill	Mondell
Borchers	Dupré	Hinds	Moon
Borland	Dyer	Hinebaugh	Moore
Bowdle	Eagan	Hobson	Morgan, La.
Bremner	Eagle	Houston	Morgan, Okla.
Britten	Elder	Howard	Morin
Brodbeck	Esch	Howell	Moss, Ind.
Broussard	Fairchild	Hoxworth	Moss, W. Va.
Brown, N. Y.	Falson	Hughes, W. Va.	Mott
Bruckner	Farr	Hullings	Murdock
Bryan	Ferris	Humphrey, Wash.	Murray, Mass.
Burgess	Finley	Igoe	Murray, Okla.
Burke, Pa.	Flood, Va.	Jones	Neeley
Burke, S. Dak.	Fordney	Kahn	Nolan, J. I.
Burke, Wis.	Francis	Keating	Norton
Burnett	Gallagher	Kelley, Mich.	Oglesby
Butler	Gard	Kelly, Pa.	O'Hair
Byrnes, S. C.	Gardner	Kennedy, Conn.	O'Leary
Calder	Garner	Kennedy, R. I.	O'Shaunessy
Callaway	Garrett, Tenn.	Kent	Padgett
Caraway	Garrett, Tex.	Kettner	Page
Carew	George	Kiess, Pa.	Palmer
Carter	Gerry	Kinkaid, Nebr.	Parker
Cary	Gillett	Kinkead, N. J.	Patten, N. Y.
Chandler, N. Y.	Gittins	Knowland, J. R.	Patton, Pa.
Church	Goeke	Konop	Payne
Clancy	Goldfogle	Korbly	Peters, Me.
Clark, Fla.	Good	La Follette	Peters, Mass.
Claypool	Goodwin, Ark.	Langham	Peterson
Cline	Gordon	Langley	Platt
Collier	Goulden	Lazaro	Porter
Connelly, Kans.	Graham, Ill.	Lee, Ga.	Post
Connolly, Iowa	Graham, Pa.	L'Engle	Prouty
Copley	Green, Iowa	Lenroot	Quin
Covington	Greene, Mass.	Lever	Ransdale
Cramton	Griest	Levy	Rainey
Cullop	Griffin	Lewis, Md.	Reed
Curley	Gudger	Lewis, Pa.	Reilly, Wis.
Curry	Guernsey	Lieb	Richardson
Dale	Hamill	Lindbergh	Roberts, Mass.
Danforth	Hamilton, Mich.	Linthicum	Roberts, Nev.
Davenport	Hamilton, N. Y.	McClellan	Rouse
Davis	Hamlin	McKenzie	Rubey
Rucker	Smith, N. Y.	Talbott, Md.	Walters
Rupley	Stafford	Taylor, Ala.	Weaver
Russell	Stanley	Taylor, Ark.	Webb
Saunders	Stedman	Taylor, Colo.	Whitacre
Scott	Stephens, Cal.	Taylor, N. Y.	Williams
Scully	Stephens, Nebr.	Temple	Willis
Seldomridge	Stephens, Tex.	Thompson, Okla.	Wilson, Fla.
Shackleford	Stevens, Minn.	Thomson, Ill.	Wingo
Sharp	Stout	Treadway	Winslow
Shreve	Sumners	Underhill	Witherspoon
Slemp	Sutherland	Volstead	Woodruff
Sloan	Switzer	Wallin	Young, N. Dak.
Smith, Minn.	Taggart	Walsh	

The Clerk announced the following pairs:

Until further notice:

Mr. FRANCIS with Mr. HUGHES of West Virginia.

Mr. BROUSSARD with Mr. KELLEY of Michigan.

Mr. BATHRICK with Mr. KELLY of Pennsylvania.

Mr. GORDON with Mr. THOMSON of Illinois.

Mr. WEAVER with Mr. BURKE of Pennsylvania (commencing Oct. 11).

Mr. FAISON with Mr. CURRY.

Mr. WHITACRE with Mr. TEMPLE (commencing Oct. 14).

Mr. SHARP with Mr. YOUNG of North Dakota.

Mr. POST with Mr. MURDOCK.

Mr. GOEKE with Mr. PARKER.

Mr. BORLAND with Mr. PAYNE.

Mr. IGOE with Mr. PROUTY.

Mr. DIFENDERFER with Mr. SMITH of Minnesota.

Mr. BOOHER with Mr. SLEMP (rest of special session, except when two-thirds vote required; on party questions, record to show one for and one against measure).

Mr. BLACKMON with Mr. BARCHFELD.

Mr. KONOP with Mr. MORIN.

Mr. SUMNERS with Mr. ESCH.

Mr. GARNER with Mr. J. I. NOLAN.

Mr. WILLIAMS with Mr. BRITTEN.

Mr. RICHARDSON with Mr. MARTIN.

Mr. MADDEN with Mr. RAINEY.

Mr. HARRISON with Mr. GRAHAM of Pennsylvania.

Mr. PAGE with Mr. GILLETT (commencing Sept. 30, after third roll call).

Mr. CANTRILL with Mr. HELGESEN.

Mr. FIELDS with Mr. LANGLEY.

Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).

Mr. REED with Mr. WINSLOW (commencing Oct. 1, remainder of extra session).

Mr. TALBOTT of Maryland with Mr. MERRITT.

Mr. CARTER with Mr. MCGUIRE of Oklahoma.

Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.

Mr. STEPHENS of Nebraska with Mr. SLOAN.

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on tariff conference report, currency excepted at option of either party).

Mr. STEPHENS of California with Mr. WITHERSPOON (commencing Oct. 3, except on cotton-futures amendment).

Mr. CLINE with Mr. NORTON (commencing Oct. 1).

Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.

Mr. KETTNER with Mr. SCOTT.

Mr. BURKE of Wisconsin with Mr. CARY.

Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).

Mr. CRISP with Mr. HINDS (transferable).

Mr. DIES with Mr. SWITZER.

Mr. CARAWAY with Mr. KENNEDY of Rhode Island.

Mr. SPARKMAN with Mr. HOWELL.

Mr. JONES with Mr. HINEBAUGH.

Mr. RUCKER with Mr. HAUGEN.

Mr. MOON with Mr. DILLON.

Mr. TAYLOR of Alabama with Mr. GUERNSEY.

Mr. HAMLIN with Mr. COPLEY.

Mr. RUSSELL with Mr. DANFORTH.

Mr. ALEXANDER with Mr. ROBERTS of Massachusetts.

Mr. GRAHAM of Illinois with Mr. PETERS of Maine.

Mr. CURLEY with Mr. J. R. KNOWLAND.

Mr. MCKELLAR with Mr. MOTT.

Mr. FINLEY with Mr. GREEN of Iowa.

Mr. BREMNER with Mr. KIESS of Pennsylvania.

Mr. RUBEY with Mr. TREADWAY.

Mr. HENRY with Mr. LEWIS of Pennsylvania.

Mr. STANLEY with Mr. FARE.

Mr. HOWARD with Mr. GRIEST.

Mr. HENSLEY with Mr. DYER (commencing Oct. 1).

Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).

Mr. ASWELL with Mr. MCLAUGHLIN (commencing Sept. 3).

Mr. WATSON with Mr. KAHN (commencing Oct. 13).

Mr. COVINGTON with Mr. MILLER.

Mr. HOUSTON with Mr. WILLIS.

Mr. HEFLIN with Mr. DUNN.

Mr. HOXWORTH with Mr. ROBERTS of Nevada.

Mr. KORBLY with Mr. PATTON of Pennsylvania.

Mr. ROUSE with Mr. RUPLEY.

Mr. CLANCY with Mr. HAMILTON of New York.

Mr. TAYLOR of Arkansas with Mr. SUTHERLAND.

Mr. GARRETT of Tennessee with Mr. LANGHAM.

Mr. BOWDLE with Mr. MOSS of West Virginia.

Mr. BURNETT with Mr. HAYES.

Mr. CLAYPOOL with Mr. BRYAN.

Mr. DERSHEM with Mr. DAVIS.

Mr. DOREMUS with Mr. MAPES.

Mr. GOODWIN of Arkansas with Mr. PORTER.

Mr. LEIB with Mr. SHREVE.

Mr. UNDERHILL with Mr. WALTERS.

Mr. WEBB with Mr. WOODRUFF.

Mr. PETERSON with Mr. PLATT (commencing Oct. 13).

Mr. DUPRÉ with Mr. ANTHONY.

Mr. FERRIS with Mr. MONDELL.

Mr. GERRY with Mr. FALCONER.

Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16 and continuing balance extra session).

Mr. HAY with Mr. MCKENZIE.

Mr. MORGAN of Louisiana with Mr. HULINGS.

Mr. PALMER with Mr. MOORE.

Mr. KINKEAD of New Jersey with Mr. CRAMTON.

Mr. STEDMAN with Mr. EDMONDS.

Mr. SAUNDERS with Mr. AINEY.

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.

Mr. METZ with Mr. WALLIN.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. SCULLY with Mr. BROWNING.

Mr. HOBSON with Mr. FAIRCHILD.

Mr. BARTLETT with Mr. BUTLER.

The result of the vote was announced as above recorded.

So the motion to adjourn was agreed to; and accordingly (at 12 o'clock and 52 minutes p. m.) the House adjourned to meet to-morrow, Friday, October 17, 1913, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on examination of Stockton and Mormon Channels, Cal., including the diversion canal, with a view to determining what, if anything, may or should be done by the United States, either alone or in conjunction with the city of Stockton and the State of California, or with either of them, in order to increase the capacity of said diversion canal from its upper end in Mormon Channel to the mouth of Calaveras River in the San Joaquin River, so that said canal shall carry the entire flood flow of Mormon Channel and thus prevent the deposit of material in the navigable portions of Stockton and Mormon Channels (H. Doc. No. 256); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on examination and survey of Etowah, Coosa, and Tallapoosa Rivers, Ga. and Ala., with a view to their improvement for navigation, including the Alabama River in connection therewith, and investigations necessary to determine whether storage reservoirs at the headwaters of said rivers can be utilized to advantage, and what portion of the cost of any such improvements, including reservoirs, should be borne by owners of water power and others (H. Doc. No. 253); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on examination of St. Martins River in Worcester County, Md. (H. Doc. No. 254); to the Committee on Rivers and Harbors and ordered to be printed.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on examination of St. Marks River, Fla., from the town of St. Marks to the Gulf of Mexico (H. Doc. No. 255); to the Committee on Rivers and Harbors and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 6392) granting an increase of pension to Oliver T. Everhart, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HAWLEY: A bill (H. R. 8897) to amend section 2291 of the Revised Statutes of the United States, relating to homesteads; to the Committee on the Public Lands.

Also, a bill (H. R. 8898) to establish a mining experiment station at Grants Pass, in the State of Oregon; to the Committee on Mines and Mining.

Also, a bill (H. R. 8899) relating to entries on the public lands; to the Committee on the Public Lands.

Also, a bill (H. R. 8900) to provide for the purchase of a site and the erection of a building thereon at Corvallis, in the State of Oregon; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8901) amending an act approved March 4, 1911, relating to homestead entries in the former Siletz Indian Reservation in Oregon; to the Committee on the Public Lands.

Also, a bill (H. R. 8902) to provide for the purchase of a site and the erection of a building thereon at Grants Pass, in the State of Oregon; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8903) to provide for the purchase of a site and the erection of a building thereon at Ashland, in the State of Oregon; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8904) to authorize the establishment of a life-saving station at the mouth of the Siuslaw River, Oreg.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 8905) to provide for the purchase of a site and the erection of a building thereon at Oregon City, in the State of Oregon; to the Committee on Public Buildings and Grounds.

Also, joint resolution (H. J. Res. 140) providing for the publication of 25,000 copies of book containing illustrations of fruits; to the Committee on Printing.

By Mr. JOHNSON of Washington: Joint resolution (H. J. Res. 139) to relieve destitution among the native people of Alaska; to the Committee on Appropriations.

By Mr. ROGERS: Resolution (H. Res. 289) requesting of the Postmaster General of the United States certain information relative to the affairs of his department; to the Committee on Expenditures in the Post Office Department.

Also, resolution (H. Res. 288) requesting of the Secretary of the Treasury certain information relative to the affairs of his department; to the Committee on Expenditures in the Treasury Department.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FLOYD of Arkansas: A bill (H. R. 8906) to correct the military record of William Green Mboon; to the Committee on Military Affairs.

By Mr. HAWLEY: A bill (H. R. 8907) granting a pension to Almon Shibley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8908) granting a pension to John Alexander; to the Committee on Pensions.

Also, a bill (H. R. 8909) granting a pension to Frederick L. Gray; to the Committee on Pensions.

Also, a bill (H. R. 8910) granting a pension to Albert W. Kelley; to the Committee on Pensions.

Also, a bill (H. R. 8911) granting a pension to Hugh B. Paige; to the Committee on Pensions.

Also, a bill (H. R. 8912) granting a pension to Frank Meyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8913) granting a pension to Frederick Loose; to the Committee on Pensions.

Also, a bill (H. R. 8914) granting a pension to Elizabeth Mulvaney; to the Committee on Pensions.

Also, a bill (H. R. 8915) granting a pension to Frazier Ward; to the Committee on Pensions.

Also, a bill (H. R. 8916) granting a pension to James Aitken; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8917) granting a pension to Peter C. Deardorff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8918) granting an increase of pension to John H. Turpin, jr.; to the Committee on Pensions.

Also, a bill (H. R. 8919) granting an increase of pension to James Baragar; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8920) granting an increase of pension to Lienary Flatter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8921) granting an increase of pension to Daniel W. Oglesby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8922) granting an increase of pension to Rebecca M. Gaunt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8923) granting an increase of pension to William Miles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8924) granting an increase of pension to William R. Adkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8925) granting an increase of pension to Daniel C. Derby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8926) granting an increase of pension to Hathaway J. Booker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8927) granting an increase of pension to Ardell D. Grigsby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8928) granting an increase of pension to Almira M. Brayton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8929) for the relief of Orville T. Perkins; to the Committee on Claims.

Also, a bill (H. R. 8930) for the relief of William Corley; to the Committee on the Public Lands.

Also, a bill (H. R. 8931) for the relief of Jonathan J. Totten; to the Committee on War Claims.

Also, a bill (H. R. 8932) for the relief of Preston B. C. Lucas; to the Committee on Claims.

Also, a bill (H. R. 8933) for the relief of Paris R. Winslow; to the Committee on Military Affairs.

Also, a bill (H. R. 8934) for the relief of the legal representatives of Sydney W. Moss; to the Committee on Claims.

Also, a bill (H. R. 8935) for the relief of the legal representative of Joseph R. Payne; to the Committee on Claims.

Also, a bill (H. R. 8936) for camp grounds for the Order of Owls; to the Committee on the Public Lands.

Also, a bill (H. R. 8937) to reimburse Mary E. Myers, widow of Joseph Myers, deceased, for loss of personal property sustained in depredations of Indians on the Snake River, Idaho; to the Committee on Claims.

Also, a bill (H. R. 8938) to provide for the sale of fractional block No. 6 in the town of Forest Grove, Oreg., no longer needed for school purposes; to the Committee on Indian Affairs.

Also, a bill (H. R. 8939) to amend an act granting to the Siletz Power & Manufacturing Co. a right of way for a water ditch or canal through the Siletz Indian Reservation, in Oregon; to the Committee on the Public Lands.

Also, a bill (H. R. 8940) to reimburse the postmaster at Seaside, Oreg., for the loss by fire of postal savings cards and stamps; to the Committee on Claims.

Also, a bill (H. R. 8941) making an appropriation for the payment to the State of Oregon of an amount allowed by the Court of Claims in settlement of its claim for expenses incurred in raising volunteers for service in the Indian wars from 1862 to 1867, audited by the Secretary of the Treasury under the act of June 28, 1910; to the Committee on Appropriations.

By Mr. LIEB: A bill (H. R. 8942) granting an increase of pension to Archibold Leonard; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 8943) granting a pension to Olie A. Linscott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8944) granting an increase of pension to Granville Deems; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8945) granting an increase of pension to Hugh Williams; to the Committee on Invalid Pensions.

By Mr. TAYLOR of New York: A bill (H. R. 8946) granting an increase of pension to Mary A. Harris; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sportsmen of Clarksville, Mo., and vicinity, protesting against the ruling of the Department of Agriculture prohibiting the hunting of waterfowl on the Mississippi River from Minneapolis to Memphis; to the Committee on Agriculture.

By Mr. AIKEN: Petition of citizens of the third congressional district of South Carolina, favoring the passage of legislation compelling concerns selling goods direct to the consumer by mail to contribute their portion of the funds for the development of the local community, county, and State; to the Committee on Ways and Means.

By Mr. JOHNSON of Washington: Memorial of the House of Representatives of the Legislature of Illinois, favoring a definite appropriation by the Federal Government for elementary and secondary education in the various States; to the Committee on Education.

Also, petition of the Washington Bankers' Association, at Bellingham, Wash., relative to banking and currency reform; to the Committee on Banking and Currency.

Also, memorial of the Washington Retail Merchants' Association, favoring reduction of letter postage to 1 cent; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Connecticut: Papers to accompany bill (H. R. 8260) granting an increase of pension to Charles F. Hubbell; to the Committee on Invalid Pensions.

Also, papers to accompany bill (H. R. 5199) granting an increase of pension to Electa B. Merill; to the Committee on Invalid Pensions.

By Mr. SPARKMAN: Memorial of the Board of Trade of Tampa, Fla., favoring amending the interstate-commerce act, relative to established steamship lines; to the Committee on Interstate and Foreign Commerce.

By Mr. UNDERHILL: Petition of citizens of the twenty-seventh congressional district of New York, favoring the passage of legislation compelling concerns selling goods direct to the consumer by mail to contribute their portion of the funds for the development of the local community, county, and State; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

FRIDAY, *October 17, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou great spirit, Father Soul, never far from any of us, we would draw near to Thee in the spirit of Him who taught us when we pray to say, Our Father who art in heaven, hallowed be Thy name. Thy kingdom come, Thy will be done in earth, as it is in heaven. Give us this day our daily bread. And forgive us our debts as we forgive our debtors. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory, forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

WITHDRAWAL OF PAPERS.

Mr. FLOYD of Arkansas, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of E. M. Fowler, second session of the Fifty-eighth Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to—

Mr. BRUCKNER, for 10 days, on account of the serious illness of his son, Tammany Bruckner.

Mr. THOMAS, indefinitely.

The SPEAKER laid before the House the following telegram:

OIL CITY, PA., *October 16, 1913.*

Hon. CHAMP CLARK,
Speaker House of Representatives,
Congress Hall, Washington, D. C.:

By advice my physician, request that you ask House for leave of absence for me, account illness.

WILLIS J. HULINGS.

The SPEAKER. Is there objection to the request?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Carr, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 746. An act for the relief of Capt. Frank Parker;

S. 3296. An act to enable the Commissioner of Indian Affairs to employ additional clerks on heirship work in the Indian Office; and

S. 2374. An act providing for the care of the Confederate Stockade Cemetery, Johnstons Island, in Sandusky Bay.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2374. An act providing for the care of the Confederate Stockade Cemetery, Johnstons Island, in Sandusky Bay; to the Committee on Appropriations.

S. 746. An act for the relief of Capt. Frank Parker; to the Committee on Military Affairs.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 7898. An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes.

CONGRESS HALL CELEBRATION.

Mr. HARDWICK. Mr. Speaker, I ask unanimous consent that we proceed with the consideration of House joint resolution 134, which was the unfinished business when we adjourned yesterday.

The SPEAKER. The gentleman from Georgia [Mr. HARDWICK] asks unanimous consent to proceed with the consideration of House joint resolution 154. Is there objection. [After a pause.] The Chair hears none. The Clerk will report the joint resolution.

The Clerk read as follows:

House joint resolution 134.

Joint resolution for the appointment of a joint committee from House and Senate to attend Congress Hall celebration in Philadelphia in October, 1913.

Whereas Congress Hall, Philadelphia, has been recently restored to the condition in which it existed when used by the Continental Congress and the Congress of the United States at Philadelphia; and

Whereas the citizens of Philadelphia have arranged for a fitting celebration to be held upon the turning over of the building by the committee in charge of the work of restoration; and

Whereas the city of Philadelphia has extended an invitation to the Congress of the United States to have a representation of the Senate and House at the ceremonies: Therefore be it

Resolved, etc., That the President of the Senate be, and is hereby, authorized to appoint 13 Members, 1 from each of the 13 original States, to represent the Senate, and that the Speaker of the House of Representatives be, and is hereby, authorized to appoint from the membership of the House such number of Members as may be requested by the city of Philadelphia; and that the Members of the Senate and the Members of the House so appointed shall constitute a joint committee on behalf of the Congress of the United States to attend the above celebration: *Provided*, That the attendance of the committee shall entail no expense on the Government of the United States.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

FURNISHING ADDITIONAL ROOMS IN THE HOUSE OFFICE BUILDING.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] presents a resolution and asks for its present consideration. The Clerk will report it.

The Clerk read as follows:

House joint resolution 142.

Joint resolution to provide for furnishing the additional rooms in the House Office Building.

Resolved, etc., That to enable the Clerk of the House of Representatives to furnish the additional rooms in the House Office Building, authorized by the act making appropriations to supply deficiencies in appropriations for the fiscal year 1913 and for prior years, and for other purposes, approved March 4, 1913, there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $50,000.

The SPEAKER. Is there objection to the present consideration of this resolution? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FITZGERALD, a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

BRIDGE ACROSS THE WABASH RIVER, IND.

Mr. ADAMSON. Mr. Speaker, I desire to ask unanimous consent for the consideration of an uncontested bridge bill. It has not been reported from the committee for the reason that the committee is unable to procure a quorum in order to consider it, but it is favorably reported by the War Department, and I am sure that if I could secure a meeting of the committee it would be unanimously reported. It is the bill H. R. 8702, and I ask for its present consideration.

The SPEAKER. The gentleman from Georgia [Mr. ADAMSON] asks unanimous consent for the present consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 8702) to authorize the county of Miami, Ind., to construct a bridge across the Wabash River in Miami County, Ind.

Be it enacted, etc., That the county of Miami, of the State of Indiana, is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Wabash River at a point where Broadway Street of the city of Peru intersects with the right bank of said Wabash River and Broadway Street of the corporate town of South Peru, Ind., intersects with the left bank of said Wabash River, in the county of Miami, in the State of Indiana, in accordance with the provisions of section 9 of the river and harbor act of March 3, 1899, and the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Also the following report was read:

WAR DEPARTMENT,
Washington, October 4, 1913.

[Second indorsement.]

Respectfully returned to the chairman, Committee on Interstate and Foreign Commerce, United States House of Representatives.

The Chief of Engineers reports that House bill 8702, Sixty-third Congress, first session, to authorize the county of Miami, Ind., to construct a bridge across the Wabash River in Miami County, Ind., makes ample provision for the protection of navigation interests, and I know of no objection to its favorable consideration by Congress so far as those interests are concerned.

HENRY BRECKINRIDGE,
Acting Secretary of War.

The SPEAKER. The Clerk will report the amendment.

Mr. ADAMSON. Mr. Speaker, there is no amendment recommended, but I, of course, want to offer one. I have marked three lines in the bill.

The SPEAKER. The first thing is to get unanimous consent to consider it. Is there objection to the consideration of this bill?

Mr. COOPER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Georgia what makes this legislation so urgent?

Mr. ADAMSON. Is the author of the bill in the House?

Mr. BARNHART. If he is not, he is on the way over from his office; but as I am interested as a neighbor I might explain the need of present action.

Mr. ADAMSON. Then I will yield to the gentleman to answer the gentleman from Wisconsin.

Mr. BARNHART. Mr. Speaker, this proposed bridge is at the site of one of the many that were swept out of the Wabash River at the time of the awful floods last spring. The commissioners of Miami County, in which Peru is located, have ordered the construction of a bridge on the former site, but in doing so they submitted the matter to the War Department and asked if there would be any objection to the plans, inasmuch as the Wabash River has been designated as a navigable stream. The War Department approved the plans. The bridge is located in the south part of the city of Peru and divides the city. South Peru is now cut off from the main part of the city. Much of the south part of the county is virtually cut off from convenient entrance to the county seat because of lack of this bridge, and, as I understand, there is not anything in the way of the commissioners proceeding except the authority of Congress, which is required by law. Therefore, there being no objection from the War Department, and all of Peru and Miami County being interested in having this bridge as soon as possible so that north and south may no longer be isolated by much of the county center being divided into two inaccessible parts, I hope the gentleman from Wisconsin will not object.

Mr. COOPER. I have no objection. I simply wanted to know the reason.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. ADAMSON. Mr. Speaker, there is a little unnecessary language——

The SPEAKER. Is it in the bill or not?

Mr. ADAMSON. It is in the bill. I want to strike it out.

The SPEAKER. The Clerk will report the amendment.

Mr. ADAMSON. I have marked three lines there which I want struck out.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, lines 11 and 12, page 1, by striking out after the word "of" in line 11 the remainder of said line and all of line 12.

The SPEAKER. Read the language to be stricken out.

The Clerk read as follows:

Strike out after the word "of" the following: "Section 9 of the river and harbor act of March 3, 1899, and the provisions of"——

Mr. COOPER. Mr. Speaker, was that in the bill when it was submitted to the engineers?

Mr. ADAMSON. Yes, sir.

Mr. COOPER. Was not their approval of the bill based in part upon that provision?

Mr. ADAMSON. I can not tell you. I know that it has no business in this bill.

Mr. MANN. I will say to the gentleman from Wisconsin [Mr. COOPER] they have the authority to approve or disapprove plans, and this requires the bridge to be constructed under the general bridge act, which contains all the guaranties.

Mr. ADAMSON. The gentleman from Wisconsin [Mr. COOPER] will remember the section of the river and harbor act referred to applies to rivers inside of States that do not require congressional action, and it has no reference to this at all. It is a mistake to put it in the original bill.

Mr. COOPER. It is rather strange the engineers omitted to mention that.

Mr. ADAMSON. I presume it did not come to their attention.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed.

On motion of Mr. ADAMSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

MILL SLOUGH, MARSHFIELD, OREG.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 767) granting permission to the city of Marshfield, Oreg., to close Mill Slough, in said city.

The SPEAKER. The gentleman from Oregon asks unanimous consent for the present consideration of a bill which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That Mill Slough, a tidal tributary of Coos Bay, lying within the limits of the city of Marshfield, State of Oregon, is hereby declared to be not a navigable waterway of the United States within the meaning of the laws enacted by Congress for the preservation and protection of such waterways, and the consent of Congress is hereby given to the filling in of said slough by the said city of Marshfield.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, reserving the right to object, I should like to inquire if there has been a report made upon this bill and an investigation by the Chief of Engineers of the War Department?

Mr. HAWLEY. The Chief of Engineers of the War Department reports favorably upon the measure.

Mr. FOSTER. But we have no report on this bill.

Mr. HAWLEY. I yield to the chairman of the committee.

Mr. ADAMSON. Mr. Speaker, I intended to reserve the right to object for the purpose of asking the same question asked by the gentleman from Illinois [Mr. FOSTER], but he got the floor before I could secure recognition.

I wish to say that this bill came over some time ago, and one day when I was absent from the meeting of the committee the committee considered it and referred it to me for a report. I have not felt at liberty to report it, under the rule adopted by the caucus, but the Secretary of War has sent in a report, which is not only favorable but which urges action on the bill. Senator CHAMBERLAIN was very anxious that the bill be acted upon, and he urged it upon me. The Secretary of War wrote a second letter to me. I wrote him and asked him specifically why it was necessary to fill up this slough, when we were spending money to promote navigation everywhere else. He wrote at large, advocating that it be declared nonnavigable. On consulting the author of the bill and the gentleman from that part of the country who is on our committee [Mr. LAFFERTY] they assured us that the slough was a nuisance to the city and that it ought to be filled up. If it is not filled up, they will have to build a number of bridges over it, and they state that there is ample water front there without it, more than they can hope will ever be used. They urge the passage of the bill, and therefore I have offered no objection to it. Although it has not been reported by the committee, I have been authorized to report it if I want to; but the Speaker knows the reason I have not wanted to, and the gentleman from Illinois [Mr. FOSTER] knows it, too.

Mr. FOSTER. May I inquire of the gentleman from Oregon if it is proposed by the city of Marshfield to fill up this slough?

Mr. HAWLEY. Yes.

Mr. FOSTER. And it will not interfere with navigation in the future?

Mr. HAWLEY. The slough was once open, and somewhat navigable; but in the course of time a large amount of material has filled in, so that it is now navigable only for very small boats, and only a very few use it at high tide. It is an open sewer, a menace to the health of the city. The port commission proposes to spend $225,000 to dredge the bay in front of the city at its own expense, although this work ought to have been done by the Government of the United States. The people of Marshfield propose to do it at their own expense, and if they have to bulkhead along this narrow strip of water, it is going to cost the people a great deal of money. The passage of this bill is desired with practical unanimity by all the people.

Mr. FOSTER. And it has the approval of the engineers of the War Department?

Mr. HAWLEY. Yes; it has the approval of the engineers.

Mr. LAFFERTY. Mr. Speaker, will the gentleman yield to me?

Mr. HAWLEY. Yes.

Mr. LAFFERTY. I desire to say that when this bill was before the Committee on Interstate and Foreign Commerce it met with the unanimous approval of that committee, and we authorized the chairman to report the bill immediately; but owing to some caucus arrangement he did not feel at liberty to do so, as I understand it. I have gone into the merits of this bill, and I think it ought to be passed.

Mr. ADAMSON. My friend from Oregon tried to violate the Democratic caucus, and I would not allow that.

The SPEAKER. Is there objection?

Mr. SLAYDEN. Mr. Speaker, I should like to ask a question or two in reference to this project. I understand it is proposed to fill up this slough and to convert it into city lots. Now, who is going to own the city lots?

The SPEAKER. As the Chair understands it, it is proposed to permit the city to fill up the slough.

Mr. SLAYDEN. Then do these lots become the property of the city?

The SPEAKER. The Chair does not know.

Mr. SLAYDEN. I do not believe we ought to give away property to be filled up for the benefit of private landowners.

The SPEAKER. Perhaps the gentleman from Oregon can tell.

Mr. HAWLEY. If the land is not already in private ownership it will be under the control of the United States, and it is not disposed of by this bill.

Mr. SLAYDEN. But is the adjacent property privately owned?

Mr. HAWLEY. Yes. But I say if the land to be created by the filling in of the slough has not already passed from the hands of the Government into private ownership, then it will be in the United States Government after the passage of this bill.

Mr. SLAYDEN. If it has passed into the hands of private owners, why do you come to Congress to get this permission?

Mr. HAWLEY. We have to come to Congress to get it declared unnavigable.

Mr. SLAYDEN. The gentleman is not meeting the point. You are going to fill in a branch of the sea—a slough, as you call it. When you fill it in it brings it up to the level of the adjacent property.

Mr. HAWLEY. Yes.

Mr. SLAYDEN. It makes it available for town lots, does it not?

Mr. HAWLEY. Yes.

Mr. SLAYDEN. I am assured by the chairman of the committee that in his judgment the bill is for the public good and ought to pass. Nevertheless, in bowing, as I always do, to his superior wisdom in such matters, I think the ownership of the property which is made valuable by this action ought to be definitely settled somehow in the bill.

Mr. ADAMSON. The assurance that I gave to the distinguished gentleman from Texas is that this bill in no way affects or disposes of the title. The title will stand as it now stands.

Mr. SLAYDEN. Does not the Government own the stream?

Mr. ADAMSON. I did not look into that; it is a little narrow ditch.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GORMAN. Reserving the right to object, I could not hear the colloquy that took place between the gentlemen over there as to the title.

Mr. HAWLEY. The bill will not affect the title at all; the title will remain the same as it is now.

Mr. GORMAN. Will it continue to be public property?

Mr. HAWLEY. That will depend on what the present status is. It will have the same status after the bill passes as it has now. It will not be affected at all by the passage of the bill.

Mr. GORMAN. What is the present status of the title?

Mr. HAWLEY. My information is that a part of the land to be filled is in private ownership and a part may belong to the Government. Of that I am not sure. That is a question I have not gone into. This bill does not affect that question at all. If the title is now in the Government, it will be in the Government after the bill passes.

Mr. POU. As I understand, the filling in is to be done at the expense of the city.

Mr. HAWLEY. Yes; and the people have created a port commission, which has control of the matter of dredging and improving the navigation on the bay.

Mr. POU. When these lots are filled in, the part of the slough now owned by private individuals will still be owned by private individuals?

Mr. HAWLEY. Yes; but they have contributed their proportion for filling it in by the payment of taxes.

Mr. POU. They have paid taxes like other people, but they have not contributed to the $200,000, the expense of filling it in, have they?

Mr. HAWLEY. The city is going to make a deep channel along the city front, and they need a place to deposit the material dug out, and if they get this land to put it on it will be a great saving and a great benefit. Otherwise they would have to carry it off much farther.

Mr. POU. Will not the result of the filling in of this place result in the fact that certain persons who own a part of the slough will derive considerable advantage from this filling in without paying for it?

Mr. HAWLEY. That will be for them and the city and the commission to settle. I think in some instances where the filling in is beyond a certain depth the commission has the power to ask the property owners to pay something; I think it is 6 cents per cubic foot for the filling in. There will be no injustice to anyone in that matter by the passage of this bill.

Mr. ADAMSON. I will say, Mr. Speaker, that the committee has not deemed it necessary to go into the intricacies of the land titles, for the reason that the Federal Government is not interested in that matter. The local authorities there will deal with and settle all the questions that gentlemen have raised. The question submitted here is whether the United States will relinquish the right to make the slough navigable. If so, pass this bill. If not, let the bill not pass. The other questions are not involved here at all.

Mr. SLAYDEN. Does not the gentleman think that in consideration of the Government's relinquishing the control over this stream or slough that it might say that the land created by it should go to the city or to the public schools of the city, or for some public service of that sort, instead of enriching the owners of the adjacent property?

Mr. ADAMSON. Neither the city, nor the county, nor the State has made any such request, and we did not consider it necessary to go into that at all.

Mr. MANN. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. MANN. The purpose of the bill is to permit the city to do this filling?

Mr. HAWLEY. Yes; the commission; but it goes a little beyond the city.

Mr. MANN. A municipality?

Mr. HAWLEY. Yes.

Mr. MANN. I take it before they did the filling, if there is any question about the title, they would make all proper arrangements?

Mr. HAWLEY. Yes; and if there is any advantage to be derived that owners ought not to derive they will settle that.

Mr. MANN. How large a city is this?

Mr. HAWLEY. About 6,000 people.

Mr. COOPER. The principle of law as to a nonnavigable stream is that riparian owners own to the middle of the stream. The gentleman from Texas asked, If this bill passes, who would own the property made by filling in the slough? By the passing of this bill that stream or slough becomes at once nonnavigable, and the present riparian owners will then be riparian owners on a nonnavigable stream; and if the ordinary principle is to obtain, their ownership will go to the center of the stream.

The SPEAKER. The gentleman from Oregon asks unanimous consent to discharge the Committee on Interstate and Foreign Commerce from further consideration of the Senate bill and to consider it now. Is there objection?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. ADAMSON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ADJOURNMENT UNTIL MONDAY.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next.

The SPEAKER. The gentleman from Alabama asks unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next. Is there objection?

There was no objection, and it was so ordered.

HEIRS OF DECEASED INDIANS.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that the Speaker lay before the House the bill S. 3296, to enable the Commissioner of Indian Affairs to employ additional clerks on heirship work in the Indian Office, and to consider the same at this time.

The SPEAKER. The Chair lays before the House, at the request of the gentleman from New York, the bill S. 3296, to enable the Commissioner of Indian Affairs to employ additional clerks on heirship work in the Indian Office, and the gentleman

from New York asks unanimous consent for its present consideration. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Commissioner of Indian Affairs is hereby authorized to use not to exceed $10,000, for the employment of additional clerks in the Indian Office in connection with the work of determining the heirs of deceased Indians, out of the $50,000 appropriated in the Indian appropriation act for the fiscal year ending June 30, 1914, for the purpose of determining the heirs of deceased Indian allottees, pursuant to the act of June 25, 1910 (36 Stat. L., p. 855).

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FITZGERALD, a motion to reconsider the vote by which the bill was passed was laid on the table.

CONSERVATION OF FISH SUPPLIES.

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to extend my remarks on the bills H. R. 7774 and 7775, introduced by me, relating to the conservation of fish supplies.

The SPEAKER. The gentleman from Maryland asks unanimous consent to extend his remarks in the RECORD on certain bills relating to the conservation of fish supplies. Is there objection?

There was no objection.

MONROE DOCTRINE AND MEXICAN AFFAIRS.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent to proceed for 20 minutes to discuss the Monroe doctrine and the Mexican question.

The SPEAKER. The gentleman from Ohio asks unanimous consent to address the House for 20 minutes on the Monroe doctrine and the Mexican situation. Is there objection?

There was no objection.

Mr. SHERWOOD. Mr. Speaker, what about Mexico, now in chronic chaos and anarchy? What about our proposed three-million-dollar permanent protectorate over Nicaragua, in order to protect the Panama Canal from competition? What about the Monroe doctrine, as applied to the military arrest of the House of Deputies of Mexico—the supreme elective legislative body—and the autocratic assumption of absolutism by the acting President? Usurper Huerta has assumed absolute dominion over Mexico, defying all constitutional checks. These are live questions, vital questions, momentous questions, that deeply concern every individual Member of this Congress and every patriotic citizen. I shall not discuss the proposed agreement with Nicaragua, only refer to it. The proposition to pay the unstable Republic of Nicaragua some $3,000,000 in order to exclude all other nations from building another interocean canal in competition with the Panama Canal does not appeal to me. We would part with over $3,000,000 for promises easily forgotten. As stated editorially in the New York World:

The present Government of Nicaragua is weak and desperate. Its people are unstable. Their promises and our three millions would probably run out together.

Stable government in Nicaragua is desirable and valuable to all who love peace and well-ordered law, but this is a far-away question compared with the Mexican question. Mexico is at our very doors. She is our nearest neighbor on the southwest. For nearly a thousand miles of river and territory she is adjacent to our border lines. The Mexican question is now the most vital question of the hour. It has reached a crisis that this Government, in justice to its past pretenses and traditions, can not afford to ignore. The humane policy of President Wilson in using moral suasion and soft-gloved diplomacy in the settlement of the Mexican question has not pacified Mexico, nor prevented the usurping President from assuming all the functions of government. He has enforced his official ukase to dissolve the congress by sending these supreme representatives of the people to prison by the bayonets of a servile army. This autocratic military rule, the joint product of treachery, conspiracy, and assassination, calls upon the Government of the United States for active intervention for the restoration of the Republic. And such action would not violate the spirit and purpose of the much-discussed Monroe doctrine. Let me quote a few vital sentences from the message of President Monroe in his seventh special message to Congress in December, 1823, now recognized as the Monroe doctrine:

The American continents, by the free and independent condition which they have assumed and maintained, are henceforth not to be considered as subjects for future colonization by European powers. We should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the Governments who have declared their independence and maintained it, and whose independence we have on great consideration and on just principles acknowledged, we could not view any interposition for the purpose of oppressing them or controlling in any other manner their destiny by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States.

What are the fundamental ideas of the Monroe doctrine?

First, we do not propose to interfere with the policies or politics of any European power; hence, we do not propose that they should extend their system—which refers to absolute monarchy—to any portion of this hemisphere.

In 1823 President Monroe proposed that any of these Central and South American provinces which had, through revolution, achieved their independence would be protected in maintaining that independence by all the moral and physical force of the United States. In maintaining that independence, so far as the principles of the Monroe doctrine are concerned, it makes no difference to any struggling Republic in Central or South America whether the usurper be a prince of the house of Bourbon in France or the usurper of constitutional liberty like Huerta. The principle is just the same. In other words, it makes no difference to the oppressed people of Mexico, who have lived under the free constitution for nearly half a century, whether the usurper be of royal blood or a half-bred mongrel, born on the soil. So far as the Monroe doctrine is concerned, we have practically demolished that by our own diplomacy. The vital essence of the Monroe doctrine was that we would not interfere with any existing colonies or dependencies on this hemisphere and would not tolerate any interference by any European power with the new Spanish-American Republics, established by revolution.

With a hearty commendation of all that the President has done to promote constitutional government in Mexico, I hold that a crisis is now on that calls for immediate and effective action, without a resort to armed intervention by the United States alone.

Manifestly we can not extend recognition to the Huerta government. The action of Huerta in setting up a dictatorship removes him definitely beyond the pale. As I see it, one of three courses must be now adopted by the United States. We can raise the embargo which prevents the revolutionaries from obtaining arms and munitions of war from the United States, and thus encourage the Mexicans in their natural inclinations to kill each other. That would result in making a shambles of Mexico, and I do not believe President Wilson will ever consent to it. If we do not adopt this policy, we must either go to the extreme of armed intervention, involving all the cost in men and treasure of a long and difficult war, or we can, by cooperation with other powers, secure an early and, I believe, peaceful settlement.

Of these three possible courses I am heartily in favor of cooperation with other powers, even if this went to the extreme of a protectorate over Mexico. I do not believe it would go that far, however, for I am confident that if the powers get together and notify all factions in Mexico of their intention to see that a true constitutional government is set up in Mexico City no serious obstacles would be encountered in carrying out this program.

Let the United States ask the assistance of Great Britain, Germany, and France, as the three European powers having large interests in Mexico, and Argentina, Brazil, and Chile, the three great powers of South America.

This protectorate to be solely in the interest of peace and law and order until the electors of the Republic of Mexico can elect a President without military intimidation. When Mexico is again peaceful and law and order again prevail throughout the Republic the allied protectorate would be withdrawn. The claim made by some high officials in Washington that this humane scheme would be a violation of the Monroe doctrine has no validity whatever. No foreign power on either side of the Atlantic would in any event obtain either additional territory or dominion in Mexico. Owing to the marked hostility shown against the United States by both the federals and the constitutionalists, we would be involved in a costly and enduring war should this country alone assume an armed protectorate over Mexico. There is a feeling throughout Mexico that we would seek through war to annex Sonora, as our outlawry in violently seizing Panama, and our war against Spain which wrested Cuba and Porto Rico and 2,000 other islands in the Orient from Spain, has aroused grave suspicion among the Latin-American Republics of our fidelity to national pretenses in proclaiming a war for liberty, followed by continental land grabbing.

All the leading statesmen and scholars of both Brazil and Argentina repudiate the Monroe doctrine. They regard the doctrine of Monroe as the shield and buckler of United States aggression—as a sword suspended by a hair over the Latin-American Continent.

Consider these words of Prof. Gil, of the University of La Plata:

In its essence the Monroe doctrine is tutelage. No such policy of tutelage could be carried out without gravely offending the very strong national feeling of our people.

The entire press of the whole group of the Latin-American Republics repudiates the Monroe doctrine in toto. A book written by a young Peruvian student of sociology contains a chapter entitled, "The North American Peril." I quote a significant sentence from this book:

To save themselves from Yankee imperialism the American democracy of South America would almost accept a German alliance.

We shot the Monroe doctrine to death in our recent military diplomacy, the treaty of Paris, and the seizure of Panama.

What became of that vital section of the Monroe doctrine, as follows?—

With the existing colonies or dependencies of any European power we have not interfered and shall not interfere.

What became of that doctrine when, by the treaty of Paris, we wrested that vast aggregate of over 2,000 islands, known as the Philippine Islands, from Spain after Spain had held these islands for 329 years?

One of the basic principles of the Monroe doctrine is in the following sentence of President Monroe's message:

With the existing colonies or dependencies of any European power we have not interfered and shall not interfere.

How long had Spain controlled Cuba up to 1898? Almost 400 years. Did we have any cause for war with Spain, except to wrest Cuba from the boy King Alfonso and set her free? None whatever. And was not the upset and annihilation of Spanish rule in Cuba a complete abrogation and repudiation of the Monroe doctrine? No one can successfully deny it.

Before sailing to visit Latin America Col. Roosevelt was the guest of honor at a dinner given by the Progressive National Service at the "Jardin de Danse" on the roof of the New York Theater on Friday, October 3. Advance copies of his speech were sent out to the newspapers by different agencies—a 39-page oration, well conned and deliberate. In this speech, on page 12, is an enlightening reference to the manner in which Col. Roosevelt, then President, "took" Panama from its rightful owner, the Republic of Colombia, in violation of the treaty of 1846, by which the United States, as compensation for valuable consideration received, had solemnly guaranteed the rights of sovereignty and property which New Granada—now Colombia—possessed over the Isthmus of Panama.

Col. Roosevelt said:

I was finally faced by the alternative of seeing the building of the canal indefinitely postponed or else of having America, in the interest of the people of Panama, through whose territory the canal was to pass, in our interest, and in the interest of the nations of mankind, take hold and build it.

Here is an open confession of land piracy and national outlawry without even the pretense of legal justification.

Prof. Hiram Bingham, of Yale College, in his great little book just from the press of the Yale University, fittingly characterizes the seizure of Panama in the following language:

But one of the worst blows came in 1903, when we assisted in the establishment of the Republic of Panama and then took control of the Canal Zone. In other words, we went through the form of preventing a South American Republic from subduing a revolution in one of her distant Provinces and eventually took a strip of that Province and then took control of the Canal Zone.

Col. Watterson, of the Louisville Courier-Journal, in a recent double-leaded editorial criticizes our seizing of Panama, as follows:

The fly-by-night Republic of Panama, with William Nelson Cromwell working one end and Philippe Bunau-Varilla working the other—the Roosevelt administration holding whilst those two adventurers skinned Colombia—the gray wolves of the Senate looking on complacent—the 40 thieves of Paris and Washington to pocket the forty millions of swag—was bad enough. It wrote the blackest page in our diplomatic annals. But it was a bagatelle by the side of this undertaking, when we contemplate its full meaning, its reach, and consequences.

Once only have we ignored the Monroe doctrine in the interest of the highest patriotic instincts. Let me recall that era of courageous patriotism. I refer to 1849, when Daniel Webster was Secretary of State, when the Monroe doctrine was new. I remember the following year, in 1850, when a mere boy, I heard the great Hungarian leader, Louis Kossuth, speak to a vast multitude at Poughkeepsie, N. Y., on the historic Hudson. After a long and bloody contest the Hungarian rebellion of 1849 was crushed by the combined armies of Austria and Russia. Louis Kossuth, the leader of that revolution, took refuge in Turkey. His extradition was demanded by both Russia and Austria, but the Sultan refused to give him up. In order to save Kossuth from the vengeance of his foes the Congress of the United States, then in session, in violation of the basic principle of the Monroe doctrine, authorized the President of the United States to send a war vessel to Turkey to bring Kossuth to the United States. The President acted promptly and sent the man-of-war *Mississippi*, Capt. Long commanding, to the harbor of Smyrna, and brought Gen. Kossuth to the United States. An official banquet was given Kossuth by both the Senate and House of Representatives—a banquet at which Daniel Webster, then Secretary of State; Gen. Cass; and the leading statesmen of that day made notable addresses, fully justifying the bold and drastic action of Congress.

As high authority as Prof. Hiram Bingham, of Yale University, a profound student and scholar in the broad domain of civics, in a great little book on the Monroe doctrine, declared that the Monroe doctrine is now an obsolete shibboleth so far as the United States is concerned. The circumstances under which President Monroe issued his famous defy in 1823, known as the Monroe doctrine, justifies the opinion that it was issued solely to meet an emergency. It was issued when the Central and South American Provinces of Spain were seething with revolution. The Province of Nicaragua proclaimed her independence of the Spanish yoke in 1821. Venezuela won her revolution against Spain the same year of President Monroe's message. The same year the Central American Province of Honduras proclaimed her independence. Guatemala rebelled in 1821, but did not succeed in throwing off the Spanish yoke until 1823. The great Empire of Brazil was in revolt in 1823 with the erratic Dom Pedro proclaiming himself as Emperor. In 1823 Mexico was also in chaos and revolution. Only a year previous—July 21, 1822—the first Mexican Congress met, and Gen. Santa Anna proclaimed himself the head of the Republic. Spain had failed to reconquer Mexico, and appealed to the so-called Holy Alliance of Europe to come to the rescue and save her South and Central American Provinces for monarchical absolutism. Peru was also in revolution, and did not defeat the armies of Spain until a year later—1824. It was the appeals by Spain to the Holy Alliance that caused President Monroe to issue his now world-famous proclamation embodying the Monroe doctrine. The Monroe message was issued not to proclaim a new national policy but to meet an emergency. It was in response to a national instinct for safeguarding our new Republic, then in infancy, having less than 10,000,000 people. It was issued to safeguard our integrity as a young and struggling Republic by securing the environment of other neighboring republics, and encourage and uphold the patriotic efforts of other peoples who were struggling to resist the threatened invasion of the old-world monarchies, especially the so-called Holy Alliance.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. BARTHOLDT. Mr. Speaker, I ask unanimous consent that the gentleman be allowed to conclude his remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. SHERWOOD. What was this Holy Alliance that President Monroe in his message to Congress in 1823 issued his defy against? This Holy Alliance was a league born in September, 1815, after the Battle of Waterloo had sent Napoleon into exile. It was formed by Alexander the First of Russia, Emperor Francis of Austria, William the Third of Prussia, and indorsed by nearly all the second-class powers of Europe. This Holy Alliance was formed to preserve monarchical absolutism in Europe, and secondarily to see to it that no member of the Bonaparte family should ever occupy any throne in Europe. That President Monroe mainly issued his famous message embodying the Monroe doctrine against any interference by this alliance is a well-established fact. Prof. Peck in his new International Encyclopedia says:

The most noteworthy attempt of this holy alliance was to extend its operation to the New World by the coercion of Spain's revolting colonies.

It can be stated as one of the absolute verities that President Monroe issued his famous message as an emergency measure and as a notice to the Holy Alliance that we would not tolerate on this continent any interference with the struggling peoples of South America, who were at that time in war and revolution to throw off the yoke of Spain. He issued that message as a notice and a menace that in the future our environment in Central and South America should be the sympathetic environment of Republics, and not the environment of the Old World dynasties. Hence I will repeat the statement that, in the spirit and purpose of the Monroe doctrine, it is our duty to see to it that no dictator or usurper of the constitutional authority of the Republic of Mexico shall be allowed to inaugurate monarchical absolutism for free constitutional government in Mexico.

The Monroe doctrine was proclaimed to meet a critical emergency when the Central and South American Republics were weak and struggling. To-day they are strong. They repudiate our guardianship absolutely. They are strong and militant now and do not fear European colonization or either European or Asiatic aggression. The Monroe doctrine, in the language of

Prof. Bingham, of Yale University, is now an "obsolete shibboleth." It has no legitimate place in the solution of the present crisis in Mexico. We must settle this question, as we are capable of settling it, in the interest of humanity and permanent peace. We must settle it in accord with our highest national instincts and our best interests of to-day, in the light and knowledge of to-day, and not wander back a hundred years to look for advice and precedents at a time when the whole Central and South American colonies were weak and struggling for autonomy and constitutional government.

The latest development in the Mexican crisis proves that President Wilson acted with the sanest judgment in refusing to recognize the Huerta rule in Mexico. And the people of the United States have full faith in the ability and mental alertness of the President to solve the delicate and difficult problems involved without resort to war and in accord with our best-grounded national instincts.

INCOME-TAX LAW.

Mr. SIMS. Mr. Speaker, on yesterday morning I asked for the printing as a document of the synopsis of the provisions of the income-tax law as to individuals, prepared by Mr. HULL, of Tennessee, and upon the suggestion of the gentleman from Alabama [Mr. UNDERWOOD] it went over until to-day for the purpose of ascertaining about what number could be printed under this kind of a request. I have been trying to find out from the Public Printer, and have not been able to do so up to this moment. I do not find Mr. Smith out here at present; but I believe, however, that a sufficient number to answer the purpose I had in view, of assisting Members to answer inquiries, can be printed within the limit of $500 allowed on this kind of an order.

Mr. MANN. Mr. Speaker, if the gentleman will permit, I read the statement in the RECORD this morning prepared by the gentleman from Tennessee [Mr. HULL], and really I can not see that it is very much shorter or clearer than the income-tax law itself; and it seems to me that before we send out even a shorter statement it ought to be one that is approved by the Treasury Department officials, because if we send out a statement of what the law means, the people will believe that is done with some authority and may be misled by it. I could not make up my income-tax return from the law itself or from the statement of Judge HULL without further information.

Mr. SIMS. Mr. Speaker, of course if there is going to be objection to the request I will not make it.

Mr. MANN. What the gentleman ought to do would be to have that statement in some way passed upon by the Solicitor of the Treasury Department, or whoever is going to have charge of the collection of the income tax, so that when it goes out it is after it has been approved in some way by those officials who administer the law.

Mr. SIMS. Mr. Speaker, I will withdraw the request for the present.

EXTENSION OF REMARKS.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the sweet-wine industry, a great industry in the State of California.

The SPEAKER. The gentleman from Tennessee withdraws his request, and the gentleman from California [Mr. RAKER] asks unanimous consent to extend his remarks in the RECORD on the subject of sweet wines of California.

Mr. MANN. Mr. Speaker, reserving the right to object, does the gentleman wish to insert a speech or a lot of documents?

Mr. RAKER. I shall go into the matter fully and intend to cover the various features of it, giving my own views——

Mr. MANN. The gentleman does not intend to insert a lot of documents?

Mr. RAKER. I do not think I shall insert any documents; that is my idea now. There may be some small extracts that may be inserted in order to make the matter clear.

Mr. MANN. I have no objection.

The SPEAKER. Is there objection?

Mr. SINNOTT. Mr. Speaker, reserving the right to object—I will waive that for the present.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The gentleman from Alabama [Mr. UNDERWOOD] moves that the House do now adjourn.

Mr. SINNOTT. Mr. Speaker, I ask for unanimous consent to extend my remarks in the RECORD by having printed therein a letter from Frank Davey, of Burns, Oreg., to the Secretary of Agriculture, suggesting a remedy for the beef shortage. Mr. Davey is thoroughly conversant with the range situation in the West and is the first one to make the suggestion set forth in his letter, which suggestion I think deserves careful consideration, for I think it a valuable one and if acted upon will tend to restore our beef supply.

The SPEAKER. The gentleman from Oregon [Mr. SINNOTT] asks unanimous consent to extend his remarks in the RECORD on the subject of the beef supply. Is there objection? [After a pause.] The Chair hears none.

The letter is as follows:

THE HARNEY COUNTY NEWS,
Burns, Oreg., September 30, 1913.

Hon. SECRETARY OF AGRICULTURE,
Washington, D. C.

SIR: Will you permit a suggestion from a country editor who realizes the depleted condition of the herds of meat-producing animals in the United States and the consequent high price of such products to the consumer?

I notice a dispatch of the 27th from Washington disclosing a "message of hope for the reduction of the price of beef to less than half" when the completion of the Panama Canal shall permit the importation of it from Peru and Argentina, and I have noticed before, as well as in that dispatch, that Australia is now able to land beef in New York at from 7 to 10 cents per pound.

The thought inspired from this information may not be worth considering, but I will submit it. If those countries can transport beef enough at such figures to affect the markets of this country and to supply a reasonable percentage of it for consumption here, they must be well stocked with cattle and the animals must be cheap. Could not your department do something toward bringing a few hundred thousand head of yearlings and calves from those countries to restock the great ranges of the West, or even to distribute in small numbers to farmers all over the Nation, so as to once more replenish the stock at home, thus utilizing our wasting pastures and working out our meat problem among ourselves?

Under your department are millions of acres of forest reserves, and if there is any great proportion of them similar to the reserves in this part of Oregon there is sufficient grass going to waste every year and menacing the country with fire possibilities to maintain and fatten enough cattle to bring down the price of beef in every city in the Union.

The Government has its own ships in which such cattle could be transported; it could send reliable men quietly into those countries to select and purchase the young stock desired, and you could have them distributed among the several States, to be disposed of through the agricultural colleges and experiment stations, and the States could be allowed the privilege of having them grazed in the forest reserves pending their disposal to the citizens, the States to pay the General Government and the citizens to pay the State.

I am not generally credited with being a crank or impractical theorist, yet this proposition may be considered without merit, infeasible, and out of the question. If so, all right; nothing lost only a little time for me to write and you to read it.

With great respect,

Yours, very sincerely, FRANK DAVEY.

Mr. AUSTIN. Mr. Speaker, I ask permission to extend my remarks in the RECORD on the subject of why our foreign trade is growing.

Mr. MANN. Our foreign trade has been growing.

The SPEAKER. The gentleman from Tennessee [Mr. AUSTIN] asks unanimous consent to extend his remarks in the RECORD on the subject of why our foreign trade is growing. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The question was taken, and the Speaker announced the ayes had it.

Mr. MANN. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 97, nays 34, answered "present" 10, not voting 287, as follows:

YEAS—97.

Abercrombie	Dixon	Kirkpatrick	Smith, Tex.
Adair	Donohoe	Kitchin	Stanley
Aiken	Donovan	Lee, Ga.	Stephens, Miss.
Allen	Doremus	Lee, Pa.	Stevens, N. H.
Ansberry	Doughton	Linthicum	Stone
Bailey	Edwards	Lloyd	Stout
Barkley	Evans	Lobeck	Stringer
Barnhart	Fergusson	Lonergan	Talcott, N. Y.
Beakes	Fitzhenry	McAndrews	Tavenner
Beall, Tex.	Foster	McCoy	Ten Eyck
Bell, Ga.	Fowler	McDermott	Thomas
Brockson	Gilmore	McGillicuddy	Townsend
Brumbaugh	Glass	Maguire, Nebr.	Tribble
Buchanan, Ill.	Godwin, N. C.	Oldfield	Tuttle
Buchanan, Tex.	Gorman	Pepper	Underwood
Bulkley	Gray	Phelan	Vaughan
Byrns, Tenn.	Hammond	Pou	Walker
Candler, Miss.	Hardy	Raker	Watkins
Cantrill	Hayden	Ranch	Watson
Carlin	Helm	Reilly, Conn.	Whaley
Conry	Hughes, Ga.	Sabath	White
Cox	Hull	Sherley	Young, Tex.
Crosser	Humphreys, Miss.	Sherwood	
Deitrick	Jacoway	Sims	
Dent	Johnson, Ky.	Slayden	

NAYS—34.

Anderson	Fess	Kindel	Rogers
Austin	Frear	Lafferty	Sinnott
Avis	French	La Follette	Smith, Idaho
Bartholdt	Greene, Vt.	Lindquist	Smith, J. M. C.
Barton	Hawley	Manahan	Smith, Saml. W.
Bell, Cal.	Johnson, Utah	Mann	Steenerson
Browne, Wis.	Johnson, Wash.	Nelson	Towner
Cooper	Keister	Plumley	
Falconer	Kennedy, Iowa	Powers	

ANSWERED "PRESENT"—10.

Adamson	Dyer	Hardwick	Woods
Cary	Fields	Holland	
Crisp	Hamilton, Mich.	Morrison	

NOT VOTING—287.

Ainey	Edmonds	Kent	Prouty
Alexander	Elder	Kettner	Quin
Anthony	Esch	Key, Ohio	Ragsdale
Ashbrook	Estopinal	Kless, Pa.	Rainey
Ascell	Fairchild	Kinkaid, Nebr.	Rayburn
Baker	Falson	Kinkead, N. J.	Reed
Baltz	Farr	Knowland, J. R.	Reilly, Wis.
Barchfeld	Ferris	Konop	Richardson
Bartlett	Finley	Korbly	Riordan
Bathrick	Fitzgerald	Kreider	Roberts, Mass.
Blackmon	Flood, Va.	Langham	Roberts, Nev.
Booher	Floyd, Ark.	Langley	Rothermel
Borchers	Fordney	Lazaro	Rouse
Borland	Francis	L'Engle	Rubey
Bowdle	Gallagher	Lenroot	Rucker
Breimner	Gard	Lesher	Rupley
Britten	Gardner	Lever	Russell
Brodbeck	Garner	Levy	Saunders
Broussard	Garrett, Tenn.	Lewis, Md.	Scott
Brown, N. Y.	Garrett, Tex.	Lewis, Pa.	Scully
Brown, W. Va.	George	Lieb	Seldomridge
Browning	Gerry	Lindbergh	Sells
Bruckner	Gillett	Logue	Shackleford
Bryan	Gittins	McClellan	Sharp
Burgess	Goeke	McGuire, Okla.	Shreve
Burke, Pa.	Goldfogle	McKellar	Sisson
Burke, S. Dak.	Good	McKenzie	Slemp
Burke, Wis.	Goodwin, Ark.	McLaughlin	Sloan
Burnett	Gordon	MacDonald	Small
Butler	Goulden	Madden	Smith, Md.
Byrnes, S. C.	Graham, Ill.	Mahan	Smith, Minn.
Calder	Graham, Pa.	Maher	Smith, N. Y.
Callaway	Green, Iowa	Mapes	Sparkman
Campbell	Greene, Mass.	Martin	Stafford
Caraway	Griest	Merritt	Stedman
Carew	Griest	Metz	Stephens, Cal.
Carr	Griffin	Miller	Stephens, Nebr.
Carter	Gudger	Mitchell	Stephens, Tex.
Casey	Guernsey	Mondell	Stevens, Minn.
Chandler, N. Y.	Hamill	Montague	Sumners
Church	Hamilton, N. Y.	Moon	Sutherland
Clancy	Hamlin	Moore	Switzer
Clark, Fla.	Harrison	Morgan, La.	Taggart
Claypool	Hart	Morgan, Okla.	Talbott, Md.
Clayton	Haugen	Morin	Taylor, Ala.
Cline	Hay	Moss, Ind.	Taylor, Ark.
Collier	Hayes	Moss, W. Va.	Taylor, Colo.
Connelly, Kans.	Heflin	Mott	Taylor, N. Y.
Connolly, Iowa	Helgesen	Murdock	Temple
Copley	Helvering	Murray, Mass.	Thacher
Covington	Henry	Murray, Okla.	Thompson, Okla.
Cramton	Hensley	Neeley	Thomson, Ill.
Cullop	Hill	Nolan, J. I.	Treadway
Curley	Hinds	Norton	Underhill
Curry	Hinebaugh	O'Brien	Vare
Dale	Hobson	Oglesby	Volstead
Danforth	Houston	O'Hair	Wallin
Davenport	Howard	O'Leary	Walsh
Davis	Howell	O'Shaunessy	Walters
Decker	Hoxworth	Padgett	Weaver
Dershem	Hughes, W. Va.	Page	Webb
Dickinson	Hulings	Palmer	Whitacre
Dies	Humphrey, Wash.	Parker	Williams
Difenderfer	Igoe	Patten, N. Y.	Willis
Dillon	Johnson, S. C.	Patton, Pa.	Wilson, Fla.
Dooling	Jones	Payne	Wilson, N. Y.
Doolittle	Kahn	Peters, Mass.	Wingo
Driscoll	Keating	Peters, Me.	Winslow
Dunn	Kelley, Mich.	Peterson	Witherspoon
Dupré	Kelly, Pa.	Platt	Woodruff
Eagan	Kennedy, Conn.	Porter	Young, N. Dak.
Eagle	Kennedy, R. I.	Post	

So the motion was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. FRANCIS with Mr. HUGHES of West Virginia.

Mr. BROUSSARD with Mr. KELLEY of Michigan.

Mr. BATHRICK with Mr. KELLY of Pennsylvania.

Mr. GORDON with Mr. THOMSON of Illinois.

Mr. WEAVER with Mr. BURKE of Pennsylvania (commencing Oct. 11).

Mr. FAISON with Mr. CURRY.

Mr. WHITACRE with Mr. TEMPLE (commencing Oct. 14).

Mr. SHARP with Mr. YOUNG of North Dakota.

Mr. POST with Mr. MURDOCK.

Mr. GOEKE with Mr. PARKER.

Mr. BORLAND with Mr. PAYNE.

Mr. IGOE with Mr. PROUTY.

Mr. DIFENDERFER with Mr. SMITH of Minnesota.

Mr. BOOHER with Mr. SLEMP (rest of special session, except when two-thirds vote required; on party questions, record to show one for and one against measure).

Mr. BLACKMON with Mr. BARCHFELD.

Mr. KONOP with Mr. MORIN.

Mr. SUMNERS with Mr. ESCH.

Mr. GARNER with Mr. J. I. NOLAN.

Mr. WILLIAMS with Mr. BRITTEN.

Mr. RICHARDSON with Mr. MARTIN.

Mr. MADDEN with Mr. RAINEY.

Mr. HARRISON with Mr. GRAHAM of Pennsylvania.

Mr. PAGE with Mr. GILLETT (commencing Sept. 30, after third roll call).

Mr. CANTRILL with Mr. HELGESEN.

Mr. FIELDS with Mr. LANGLEY.

Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).

Mr. REED with Mr. WINSLOW (commencing Oct. 1, remainder of extra session).

Mr. TALBOTT of Maryland with Mr. MERRITT.

Mr. CARTER with Mr. MCGUIRE of Oklahoma.

Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.

Mr. STEPHENS of Nebraska with Mr. SLOAN.

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on tariff conference report, currency excepted at option of either party).

Mr. STEPHENS of California with Mr. WITHERSPOON (commencing Oct. 3, except on cotton-futures amendment).

Mr. CLINE with Mr. NORTON (commencing Oct. 1).

Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.

Mr. KETTNER with Mr. SCOTT.

Mr. COLLIER with Mr. WOODS.

Mr. FERRIS with Mr. SELLS.

Mr. FITZGERALD with Mr. CALDER.

Mr. ASHBROOK with Mr. KAHN.

Mr. KEY of Ohio with Mr. FARR.

Mr. CLAYTON with Mr. MONDELL.

Mr. JOHNSON of South Carolina with Mr. CAMPBELL.

Mr. BROWN of West Virginia with Mr. KREIDER.

Mr. CLARK of Florida with Mr. MACDONALD.

Mr. BALTZ with Mr. SHREVE.

Mr. MONTAGUE with Mr. VARE.

Mr. BURKE of Wisconsin with Mr. CARY.

Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).

Mr. CRISP with Mr. HINDS (transferable).

Mr. DIES with Mr. SWITZER.

Mr. CARAWAY with Mr. KENNEDY of Rhode Island.

Mr. SPARKMAN with Mr. HOWELL.

Mr. JONES with Mr. HINEBAUGH.

Mr. RUCKER with Mr. HAUGEN.

Mr. MOON with Mr. DILLON.

Mr. TAYLOR of Alabama with Mr. GUERNSEY.

Mr. HAMLIN with Mr. COPLEY.

Mr. RUSSELL with Mr. DANFORTH.

Mr. ALEXANDER with Mr. ROBERTS of Massachusetts.

Mr. GRAHAM of Illinois with Mr. PETERS of Maine.

Mr. CURLEY with Mr. J. R. KNOWLAND.

Mr. MCKELLAR with Mr. MOTT.

Mr. FINLEY with Mr. GREEN of Iowa.

Mr. BREMNER with Mr. KIESS of Pennsylvania.

Mr. RUBEY with Mr. TREADWAY.

Mr. HENRY with Mr. LEWIS of Pennsylvania.

Mr. HOWARD with Mr. GRIEST.

Mr. HENSLEY with Mr. DYER (commencing Oct. 1).

Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).

Mr. ASWELL with Mr. MCLAUGHLIN (commencing Sept. 3).

Mr. COVINGTON with Mr. MILLER.

Mr. HOUSTON with Mr. WILLIS.

Mr. HEFLIN with Mr. DUNN.

Mr. HOXWORTH with Mr. ROBERTS of Nevada.

Mr. KORBLY with Mr. PATTON of Pennsylvania.

Mr. ROUSE with Mr. RUPLEY.

Mr. CLANCY with Mr. HAMILTON of New York.

Mr. TAYLOR of Arkansas with Mr. SUTHERLAND.

Mr. GARRETT of Tennessee with Mr. LANGHAM.

Mr. BOWDLE with Mr. Moss of West Virginia.

Mr. BURNETT with Mr. HAYES.

Mr. CLAYPOOL with Mr. BRYAN.

Mr. DERSHEM with Mr. DAVIS.

Mr. DOREMUS with Mr. MAPES.

Mr. GOODWIN of Arkansas with Mr. PORTER.

Mr. UNDERHILL with Mr. WALTERS.

Mr. WEBB with Mr. WOODRUFF.

Mr. PETERSON with Mr. PLATT (commencing Oct. 13).

Mr. DUPRÉ with Mr. ANTHONY.

Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16 and continuing balance extra session).

Mr. HAY with Mr. MCKENZIE.

Mr. MORGAN of Louisiana with Mr. HULINGS.

Mr. PALMER with Mr. MOORE.

Mr. KINKEAD of New Jersey with Mr. CRAMTON.

Mr. STEDMAN with Mr. EDMONDS.

Mr. SAUNDERS with Mr. AINEY.

For the session:

Mr. METZ with Mr. WALLIN.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. SCULLY with Mr. BROWNING.
Mr. HOBSON with Mr. FAIRCHILD.
Mr. BARTLETT with Mr. BUTLER.

Mr. CARY. Mr. Speaker, I notice that the gentleman from Wisconsin, Mr. BURKE, is not here. I am paired with him. I voted "nay" on the proposition, and I would like to vote "present."

The SPEAKER. Call the gentleman's name.

The name of Mr. CARY was called, and he voted "present."

Mr. HAMILTON of Michigan. Mr. Speaker, I voted "nay" on the roll call, but I am paired with the gentleman from Kansas, Mr. CONNELLY, and I desire to withdraw my vote and vote "present."

The SPEAKER. The Clerk will call the gentleman's name.

The name of Mr. HAMILTON of Michigan was called, and he voted "present."

The result of the vote was announced as above recorded.

Accordingly, under its previous order, the House (at 1 o'clock and 35 minutes p. m.) adjourned until Monday, October 20, 1913, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By the SPEAKER (by request): Memorial of the Legislature of North Carolina, requesting Congress to investigate the interpretation and administration of the act to regulate interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. BAILEY: A bill (H. R. 8947) to authorize the Postmaster General to extend the Free Delivery Mail Service to towns and villages of 1,000 population or over; to the Committee on the Post Office and Post Roads.

By Mr. BREMNER: A bill (H. R. 8948) to establish a bureau of industrial safety and to provide for its powers and duties; to the Committee on Labor.

By Mr. KAHN: A bill (H. R. 8949) to amend section 9 of paragraph 6 of the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes," approved March 4, 1913; to the Committee on the District of Columbia.

By Mr. SABATH: Joint resolution (H. J. Res. 141) that it is the sense of the American Congress that the principles of justice and the interests of civilization demand that the charges that Mendel Beilis committed "ritual murder" be withdrawn; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DICKINSON: A bill (H. R. 8950) granting a pension to Hezekiah S. Williams; to the Committee on Invalid Pensions.

By Mr. DONOHOE: A bill (H. R. 8951) authorizing Capt. P. H. Uberroth, United States Revenue-Cutter Service, and Gunner Carl Johansson, United States Revenue-Cutter Service, to accept watches tendered to them by the Canadian Government; to the Committee on Interstate and Foreign Commerce.

By Mr. GLASS: A bill (H. R. 8952) granting an increase of pension to Florence P. Percy; to the Committee on Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 8953) granting a pension to Daniel Engler; to the Committee on Invalid Pensions.

By Mr. LIEB: A bill (H. R. 8954) granting an increase of pension to Louis Krott; to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 8955) granting an increase of pension to Charles W. Halls; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 8956) granting an increase of pension to Clark Christopher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8957) granting an increase of pension to Absalom Board; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BELL of California: Memorial of the Pasadena Board of Trade of Pasadena, Cal., protesting against the Secretary of the Interior granting rights of way over Government land for the diversion of water from the Grand River basin to certain corporations and individuals; to the Committee on the Public Lands.

By Mr. KIESS of Pennsylvania: Evidence in support of House bill 2080, for the relief of William S. Rote; to the Committee on War Claims.

Also, evidence in support of House bill 3584, granting an honorable discharge to Edward Hilsher; to the Committee on Military Affairs.

By Mr. UNDERHILL: Petitions of sundry citizens of the State of New York, favoring a change in the interstate-commerce laws relative to mail-order houses; to the Committee on Ways and Means.

By Mr. WHITE: Petition of Ora Blizzard and 7 others, of Frazeysburg; Rucker Bros. and 3 others, of Lowell; Turner Ehinger Co. and 17 others, of Marietta; Morris Hardware Co. and 12 others, of McConnelsville; J. L. Wolfram and 6 others, of Malta; and W. E. Wootton and 6 others, of Stockport, all in the State of Ohio, favoring the passage of legislation compelling concerns selling goods direct to the consumer by mail to contribute their portion of the funds for the development of the local community, county, and State; to the Committee on Ways and Means.

SENATE.

SATURDAY, *October 18, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Journal of the proceedings of Thursday last was read and approved.

COTTON TIES AND BAGGING (S. DOC. NO. 215).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Commerce, transmitting in response to a resolution of July 18, 1913, reports prepared in the Bureau of Foreign and Domestic Commerce of the Department of Commerce, on the recent advance in the price of bagging used in baling cotton, and also the advance in the price of ties used in handling or baling cotton, etc., which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills:

S. 767. An act granting permission to the city of Marshfield, Oreg., to close Mill Slough in said city; and

S. 3296. An act to enable the Commissioner of Indian Affairs to employ additional clerks on heirship work in the Indian Office.

The message also announced that the House had passed the following bill and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 8702. An act to authorize the county of Miami, Ind., to construct a bridge across the Wabash River in Miami County, Ind.;

H. J. Res. 134. Joint resolution for the appointment of a joint committee from House and Senate to attend Congress Hall celebration in Philadelphia in October, 1913; and

H. J. Res. 142. Joint resolution to provide for furnishing the additional rooms in the House Office Building.

ISSUE OF TRAVELERS' CHECKS.

Mr. KERN. I present the petition of John Overmyer, a prominent citizen of Indiana. As it is short and contains matter of general interest, I ask to have it read.

There being no objection, the petition was read, as follows:

NORTH VERNON, IND., *September 22, 1913.*

Hon. JOHN W. KERN,
United States Senate, Washington, D. C.:

I respectfully request that you present the following petition to the Senate: That the Senate add a section to the Glass-Owen currency bill providing that all travelers' checks shall be issued by the national reserve banks, and that a tax be laid on all such checks issued by any other bank, corporation, partnership, or person sufficient to cause the whole business of issuing such checks to be thrown into the hands of such reserve banks. All other national banks will, of course, be made agents for the issuing of such checks by the reserve banks. Checks so issued under such express provision of law will have behind them the whole consolidated banking power of all the banks in the United States so far as such banking power is represented by all the banks in the United States that do business under such currency bill. Checks so issued would be equal to, if not better than, Bank of England notes which pass as money all over the world. The issuing of such checks is a great business. The American Express Co. alone has a constant deposit of some $6,000,000 growing out of this business. The Hamburg-American and the North German-Lloyd Steamship Cos. issue a large amount of these checks in this country. Kuhn-Loeb & Co. and J. P. Morgan & Co., as also Thomas Cook & Sons, issue these checks largely. The American Bankers' Association also issues such checks, but their issuing such checks is ultra vires so far as the national banks are concerned, as no power to transact such business is granted by the national-bank act. By conferring the power to issue such checks on the national reserve banks a deposit of from $50,000,000 to $75,000,000 can be created for such reserve banks, which will constantly increase.

JOHN OVERMYER.

The VICE PRESIDENT. The petition will be referred to the Committee on Banking and Currency.

ESTATE OF WILLIAM POPE, DECEASED.

Mr. BACON presented an affidavit in support of the bill (S. 3134) for the relief of the administratrix of the estate of William Pope, deceased, which was referred to the Committee on Claims.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. STERLING:

A bill (S. 3302) to amend an act entitled "An act to prohibit corporations from making money contributions in connection with political elections," approved January 26, 1907; to the Committee on Privileges and Elections.

By Mr. BRADLEY:

A bill (S. 3303) granting a pension to Alfred G. Hawkins (with accompanying papers); to the Committee on Pensions.

By Mr. CLAPP:

A joint resolution (S. J. Res. 72) to reimburse the officers and employees of the Senate and House of Representatives for mileage and expenses incident to the first session of the Sixty-third Congress; to the Committee on Appropriations.

BANKING AND CURRENCY.

Mr. STONE. Mr. President, I desire to state that on Wednesday morning next, if the Senate should be in session, I desire to address some views in the hearing of the Senate in respect to the pending banking and currency bill, and especially respecting the great necessity of prompt and speedy action with a view to its passage at this session of Congress. If the Senate should not be in session on Wednesday, then at the very first opportunity I shall avail myself of the privilege of submitting the observations of which I have given notice.

THE MERCHANT MARINE.

Mr. BURTON. I ask unanimous consent to have printed in the RECORD certain reports and arguments relating to the seamen's bill.

First, a report from the Commissioner of Navigation on H. R. 4616, which is on the same subject as the bill pending here, transmitted by the Secretary of Commerce to the chairman of the Senate Committee on Commerce;

Second, a report to the Secretary of Commerce from the committee on efficiency of officers and crew, International Conference on Safety at Sea;

Third, a letter from Mr. Andrew Furuseth, addressed to the Secretary of Commerce in response to the last-named report;

Fourth, a letter to the Secretary of Commerce from Mr. H. H. Raymond on the subject; and

Fifth, a letter from an attorney for vessel owners of the United States, addressed to the chairman of the Senate Committee on Commerce.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

(Department of Commerce, inclosing memorandum from Commissioner of Navigation.)

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, October 3, 1913.

Hon. JAMES P. CLARKE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In connection with the seamen's bill, H. R. 4616, I have received from the Commissioner of Navigation the memorandum concerning certain details thereof, of which copy is handed you for your consideration. I have taken the liberty at the same time of handing a copy of this memorandum to my colleague, the Secretary of Labor, so that you may both be informed of the suggestions made by Mr. Chamberlain.

Yours, very truly,
WILLIAM C. REDFIELD,
Secretary.

(Memorandum for Secretary Redfield. The Alexander seamen's bill, H. R. 4616.)

SEPTEMBER 29, 1913.

I have read attentively the joint report (copy attached) which you and Secretary Wilson made May 6 on the La Follette seamen's bill, S. 4. The Alexander bill on the same subject is much more carefully drawn both in substance and in form.

The following observations, which you have authorized me to present to you, do not conflict with your approval of the general principles of the legislation. They point out certain administrative difficulties and certain embarrassments arising from our agreements with other nations, most of which could not have been readily foreseen by the authors of the bill. These in every or nearly every instance can be met by changes in the bill which will not affect its general principles which you favor. As a practical business man, head of the department which must carry out the legislation, you appreciate the need of having the principles of the legislation reduced to concrete propositions which the department can administer.

DATE OF EFFECT.

The bill is to take effect as to vessels of the United States 90 days after its passage. This is too short a time to make preparations necessary to carry out some sections. The Hardy licensed-mates act of 1913 took effect on March 4, but you will recall it has taken over five months to put it into operation, and it applies to about 300 vessels and men compared with the seamen's bill applying to about 3,000 American vessels, thousands of men, and to vessels of foreign nations. I wish you would speak with Assistant Secretary Sweet on this phase.

(a) Some sections could take effect after 60 days' notice—the time needed to print and distribute department circulars throughout the country.

(b) Other sections should not take effect until after six months' notice.

(c) The thirteenth section (able seamen), which the Seamen's Union deems the most important, creates a new rating, and in effect extends the principle of license now applied to officers of steam vessels to the deck crews of all vessels of 100 tons gross or over, except on rivers (perhaps 4,000 steam, motor, and sail vessels and barges). The application of this section to American vessels alone will require considerable administrative machinery (steamboat-inspection force, collectors of customs force, and probably shipping commissioners' force), and I believe it ought not to take effect until after the beginning of the next fiscal year, July 1, 1914, so we can provide for it in deficiency estimates next winter. We must at least point out the situation to Congress to avoid the charge of lack of foresight. Of course, if we can not get the money to carry out the bill and Congress nevertheless passes it, the responsibility for failure to administer it can not legitimately be charged against the department.

SAFETY AT SEA.

The same thirteenth section deals with the efficiency of crews, and is applicable to foreign as well as to domestic vessels. The subject matter, as you know, is of at least equal importance with lifeboats and other subjects before the international conference to meet at London on November 12. I think a more durable and practical conclusion can be reached after the conference than before it. Be this as it may, the British Government, in the ambassador's note of July 25, asked the United States to await the results of the conference before allowing the bill to become a law, and the German Government, in the ambassador's note of July 15, took the view that the willingness of the United States to take part in the conference can not be reconciled with the settlement in advance by Congress of questions before the conference. I doubt whether these requests should be ignored.

IMPRISONMENT FOR DESERTION.

Five pages (pp. 8, 9, 10, 18, and 19, sections 7, 8, 15, and 16) of the bill out of 20 are almost exclusively devoted to the abolition of the penalty of imprisonment for the desertion of seamen from American or foreign ships. In this country there is virtually no opposition to this proposition, which was favored by the Democratic and Republican national platforms. The year's notice of termination of treaties is carefully provided in sections 15 and 16. These provisions of the bill—involuntary servitude—were doubtless in your mind when you recommended early action on the La Follette bill. They have no direct bearings on safety at sea and do not require international action beyond the notice of termination of treaties.

HOURS OF LABOR AND HOLIDAYS.

The second section is one of the most important sections of the bill and should be entirely clear. The meaning to be given to the words "while at sea" is uncertain. Narrowly construed they would mean on salt water outside of headlands (case 68176–a); more broadly construed they might include voyages on the Great Lakes as well as on the ocean; and still more broadly construed they might mean any vessel when under way. An expression fixing the exact intended scope of the section which will not have to be carried to the courts for interpretation should be found.

SUBSTITUTES.

The first section of the bill deals with substitutes. This subject was treated in the first section of the Hardy licensed-mates act of March 3, 1913, which has probably been overlooked. The Hardy provision applies generally, while section 1 of this bill applies only to vessels in foreign trade. The Hardy provision applies to steam vessels; section 1 applies to steam and sail. Section 1 would repeal part of the Hardy Act. The first section, therefore, should be rewritten in view of the Hardy Act. The two sections follow:

"ALEXANDER BILL.

"SEC. 4516. In case of desertion or casualty resulting in the loss of one or more of the seamen the master must ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same or higher grade or rating with those whose places they fill, and report the same to the United States consul at the first port at which he shall arrive, without incurring the penalty prescribed by the two preceding sections."

"HARDY ACT.

"If any such vessel is deprived of the services of any number of the crew without the consent, fault, or collusion of the master, owner, or any person interested in the vessel, the vessel may proceed on her voyage if, in the judgment of the master, she is sufficiently manned for such voyage: *Provided*, That the master shall ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same grade or of a higher rating with those whose places they fill. If the master shall fail to explain in writing the cause of such deficiency in the crew to the local inspectors within 12 hours of the time of the arrival of the vessel at her destination, he shall be liable to a penalty of $50. If the vessel shall not be manned as provided in this act, the owner shall be liable to a penalty of $100, or, in case of an insufficient number of licensed officers, to a penalty of $500."

WAGES.

(a) The third section doubles the penalty for delay in paying a seaman his wages earned. This section should be passed at once, to take effect in 90 days.

(b) The fourth section provides for the payment of half the wages due to seamen at intermediate ports where cargo is loaded or discharged during a voyage. The law now permits such payment unless the contrary is stipulated in the articles, as is frequently done. This part of the section could be passed at once to take effect in 90 days.

The closing proviso of the section, applying this rule for paying wages for foreign ships, is contrary to various treaties and conventions, and we shall break faith with these nations unless we first give notice of our purpose to abrogate such treaties. The notice contained in section

15 of the bill must be extended to cover payment of wages as well as imprisonment for desertion. This part of the bill, therefore, could not take effect for over a year.

(c) The eleventh section prohibits all allotments of wages in American ports to seamen on American or foreign vessels. Without additional legislation the Commissioner of Navigation already has authority to stop allotments, which have been gradually reduced. I have not exercised this authority to its full extent because, as I have advised you, I believe to cut off all allotments would impede our foreign commerce, particularly at the cotton-export and bunker-coal ports, and that the resulting injury to labor ashore would be much greater than the possible gain to seamen from the prohibition of allotments. This matter is of slight concern to American shipowners, but it may materially affect American exporters, especially at southern ports where seamen are scarce. It may be mistaken as to the effect of stopping allotments, and if as the head of the Department of Commerce you wish me to do so, I will prepare regulations cutting down by one-half the present allotment schedule, to take effect January 1, 1914, and cutting off all allotments on April 1, 1914. This will give fair notice to all concerned, and if for any reason the results should not prove satisfactory it would be possible to retrace our steps.

NOTE.—The Supreme Court of the United States has upheld our authority under the allotment law, and the question of contracts for wages of seamen on foreign ships made in the United States is quite different from the question of such contracts made abroad.

(d) The twelfth section extends to fishermen's wages the exemption from attachment now extended to seamen's wages. At page 15, line 7, the word "title" should read "act," and in line 9 the word "other" should be omitted, because the courts and laws distinguish between merchant seamen and fishermen. This section could be passed at once, to take effect in 90 days.

FORECASTLES.

Our statutory requirements for forecastle accommodations are much below foreign requirements. The sixth section deals with this subject, but not fully. It begins inadvertently by wiping out the laws governing the subject on ships built before this act, and if passed in this form we will have no law to enforce upon older vessels. Last year I studied with some care the German, French, Norwegian, and British laws on the subject, and Appendix A is a substitute for the sixth section of the bill, and includes the best features of those laws and I believe will be recognized as distinctly better than the sixth section for new vessels. We have practically ceased to build sail vessels, so the substitute related mainly to steamers and the larger motor boats.

SEAWORTHINESS AND PROVISIONS.

(a) The fifth section enables the majority of the crew, without the concurrence of an officer, to demand a consular survey as to seaworthiness, quantity and quality of provisions, etc.

(b) The tenth section adds a quart to the daily allowance of water and an ounce to the daily allowance of butter. These two sections can be carried out at any times after 90 days' notice—sufficient to advise American consuls.

CORPORAL PUNISHMENT.

The new part of the ninth section provides that when a mate maltreats a seaman and the master does not turn him over to the authorities the owner of the vessel shall be liable in damages for the maltreatment by the mate. I think you will wish to ask Mr. Thurman about this.

BARGES.

Section 14 requires the Department of Commerce to report annually concerning accidents to barges at sea, doubtless as a basis for future legislation. This section, of course, can be carried out at any time.

E. T. CHAMBERLAIN, *Commissioner.*

SEC. 6. That section 2 of the act entitled "An act to amend the laws relating to navigation," approved March 3, 1897, is hereby amended by adding thereto the following:

"The collector or other officer of customs shall not issue a register, enrollment, or license to any merchant vessel of the United States the construction of which shall be begun after July 1, 1914, except fishing vessels, yachts, pilot boats, and all vessels under 200 gross tons, unless he shall be satisfied by inspection that the provisions of this act have been complied with; and he shall from time to time note on such document the number of the crew the vessel may carry in compliance with this section.

"PAR. A. (1) Every space appropriated to the crew of such vessel shall be securely constructed, drained, and properly protected from weather and sea, and shall have a space of not less than 120 cubic feet and not less than 18 square feet measured on the floor or deck of that place for each seaman or apprentice lodged therein. If such space have inclined sides, the superficial area may be computed at one-half the height instead of on the deck.

"(2) The spaces appropriated to the crew shall include a compartment properly built and separated from other spaces for hospital purposes on all such merchant vessels which in the ordinary course of their trade make voyages on the ocean of more than three days' duration between ports, if the number of the crew shall exceed 12, and such compartment shall have at least 1 bunk for each multiple of 12 seamen up to 6 bunks.

"(3) The spaces for the crew shall have wooden flooring or be covered with some substance impervious to water which may be easily cleaned and is a nonconductor of heat. The sides and ceilings shall be painted a light color, and iron ceilings, if used, must be provided with a covering to prevent dripping.

"(4) No space for crew accommodation shall be deducted from gross tonnage unless there is permanently cut in a beam and over the doorway of such space the number of men it is allowed to accommodate with these words: 'Certified to accommodate — seamen.'

"(5) Every space occupied by the crew shall be kept free from goods or stores of any kind not being the personal property of the crew in use during the voyage; and if any such place is not so kept free, the master shall forfeit and pay to each seaman or apprentice lodged in that place the sum of 50 cents for each day during which any goods or stores as aforesaid are kept or stored in the place after complaint has been made to him by any two or more of the seamen so lodged.

"PAR. B. (1) Each such space shall be sufficiently open to daylight.

"(2) Shall be provided with sufficient artificial illumination at night and in dark weather.

"(3) Shall be provided with sufficient ventilation by ports or doors, and, in addition, with artificial appliances for sufficient ventilation when ports are closed, to be so arranged that the cold current shall not pass directly over the berths.

"(4) Shall be properly heated during cold weather.

"(5) Shall be properly shut off as far as practicable from the effluvium of cargo or bilge water.

"(6) Each seaman or apprentice shall be allowed a berth for his sole use at least 2 feet in width and at least 6 feet in length, and the distance between the floor and the bottom of the lower berth shall be at least 10 inches, and, except for the berthing of Asiatics, not more than two berths shall be in a tier.

"(7) Where a mess room separate from sleeping quarter is not provided for the seamen, the crew spaces shall be provided with tables and seats for at least one-half of the crew, excluding Asiatics.

"PAR. C. Every merchant vessel of the United States propelled by machinery the construction of which shall be begun after July 1, 1914, having, exclusive of licensed officers, a crew of 20 or more, except fishing vessels, yachts, pilot boats, and vessels under 200 gross tons, shall have for the use of the crew:

"(1) At least one light, clean, and properly heated wash room, which shall be provided with at least one washbasin for each two men of a watch, except those for whom individual washing accommodations are provided elsewhere.

"(2) A special wash room for the engine department, if it consists of more than 10 persons, exclusive of licensed officers, so situated that the men can reach it on the way from the engines, boilers, or coal bunkers before entering their quarters, and of such size that at least a sixth of the engine department, exclusive of licensed officers, can wash at the same time. It shall be provided with running water and with at least one shower bath for each four of the watch and with at least one washbasin for each two men of the watch, except those for whom individual washing and bathing accommodations are provided elsewhere. Cold and hot water shall be supplied in sufficient quantities and at least 2 gallons of fresh water shall be available for the use of each man of the engine department at the end of his watch.

"(3) The sides and ceilings of the wash rooms shall be painted in light oil color, and the wash room shall be cleaned at least daily.

"PAR. D. After such vessel has been registered, enrolled, or licensed—

"(1) For any violation of the requirements of paragraphs A, B, or C in construction or equipment the owner shall be liable to a penalty of $500, for the recovery of which the vessel may be seized and proceeded against by way of libel in the district court of the United States for any district within which such vessel may be found.

"(2) For any willful or continued violation of any of the requirements of paragraphs A (except 5), B, or C relating to maintenance in condition for use of construction, appliances, or supplies therein provided for the master shall be liable to a penalty of $50, and, in addition, shall be liable to the suspension or revocation of his license in the manner now provided for such penalty in case of violation of the steamboat-inspection laws and regulations.

"(3) For any act or damage to or fouling or waste of any of the construction, appliances, or supplies provided for in paragraphs A, B, or C willfully committed by him a seaman shall be liable to the forfeiture of —— days' pay, and if the offense be repeated on the same voyage to double that penalty."

REPORT TO THE SECRETARY OF COMMERCE OF THE COMMITTEE ON EFFICIENCY OF OFFICERS AND CREWS—INTERNATIONAL CONFERENCE ON SAFETY AT SEA.

DEPARTMENT OF COMMERCE,
Washington, September 12, 1913.

To Hon. WILLIAM C. REDFIELD,
Secretary of Commerce.

SIR: The Committee on Efficiency of Officers and Crews submits the following report for the consideration of the Secretary of Commerce in the preparation of data for the use of the delegates of the United States to the International Conference on Safety at Sea.

The committee organized May 16, 1913, and has held seven meetings. After some study of the laws of other nations relating to the efficiency of officers and crews, of foreign reports and of bills pending in the Congress of the United States, with the accompanying testimony and reports, bearing more or less directly upon the subject, the committee on June 7 sent the attached letter of inquiry (appendix) to the principal American ocean steamship companies, to maritime exchanges and chambers of commerce at our largest seaports, to organizations of masters and masters, mates, and seamen, to representative American ship captains, and to others, the results of whose experience might be helpful to the committee. Thirty-two replies have been carefully considered.

At the outset the committee cordially concurs with the following views expressed in the closing paragraph of the report on May 15, 1913, of the British Departmental Committee on Boats and Davits:

"The efficiency of the arrangements for saving life at sea depends as much upon the competency of the officers and crew as upon the life-saving appliances on board. The boats and other appliances require efficient crews to handle them. Strict discipline and obedience are essential."

The efficiency of officers of merchant vessels is already determined in accord with regulations established by the principal maritime nations, which, though differing somewhat in scope and detail, are reasonably similar in the standards required.

1. Discipline and obedience to orders are the first essentials to efficient crews, but these are matters for local legislation and custom rather than international agreement.

2. The physical condition and health of seamen and the sanitary conditions under which they pursue their calling enter into the problem of efficiency and in our opinion are proper subjects of international regulation. Conclusions on these subjects, however, must be based on medical and hygienic investigation and we are in doubt whether the program of the conference provides for the consideration of this subject or whether the duration of the conference will permit the investigation and discussion necessary to authoritative conclusions.

3. Training of the crews is the second essential to efficiency and the standards for such training are proper and necessary subjects for international regulation.

4. The basis of such training, so far as safety is concerned, should be the fire drill, closing bulkhead doors, and lifeboat drills.

OCEAN PASSENGER STEAMERS.

5. Lifeboat drill may be divided into two parts:

(a) Training of the crew of each lifeboat in the swinging out and lowering of boats, direction and stowing of passengers, use of oars and other equipment.

(b) Training of the entire crew as a unit in their duties when it becomes necessary to abandon ship.

6. The efficiency of the crew as a unit can be attained only by frequent and thorough drills of the entire crew, or at least of not less than a full watch of all departments.

Such drills should take place:

(a) After the ship has left the wharf on her voyage.

(b) As a general rule once a week.

7. Lifeboats may be divided into two classes:

Class I—

(a) Boats under davits.

(b) Collapsible or decked lifeboats.

Class II. Life rafts—

(a) Each boat of Class I should have at least three efficient boat hands (as hereinafter defined), including the officer or petty officer in charge of the boat.

(b) Each life raft (Class II) should have at least one efficient boat hand.

8. *Definition.*—An efficient boat hand shall be a man trained in the launching, lowering, detaching, and handling of boats and the use of oars and shall also have served at least one year on vessels navigating the ocean, bays, sounds, or large inland seas or lakes.

9. The efficient boat hand shall have a Government certificate as such, which shall be recognized by other Governments reciprocally.

10. Asiatics may be certificated as efficient boat hands provided they meet the prescribed standards and also can understand and answer the orders of the officers relating to lifeboat service and duties.

11. Crews should be drilled at fire quarters and closing bulkhead doors where such exist at least once a week.

CARGO STEAMERS.

In view of the material differences between passenger and cargo steamers and of the further fact that the establishment of a new rating—efficient boat hand—has been recommended for ocean passenger steamers which will require time to carry out, the committee makes no recommendation for cargo steamers beyond the requirement of weekly boat and fire drills.

LOOKOUTS.

12. Seamen shall not serve as lookouts on ocean passenger steamers unless they have been examined as to acuity of vision, color sense, and hearing, and have Government certificates thereto; provided that ship surgeons or other reputable physicians or oculists may issue temporary certificates in cases where a Government medical officer is not accessible.

HEARING AND VISION OF OFFICERS.

13. In our judgment all licensed officers (including engineers) in the merchant marine should be required to pass tests for hearing, and all navigating or deck officers should be required also to pass tests for color sense and acuity of vision. These tests should be applied by Government medical officers—in the United States by officers of the Public Health Service. The tests should be practical and reasonable: (*a*) For hearing we suggest the requirement of ability to understand the words of ordinary conversation at 30 feet; (*b*) for acuity of vision, using the Snellen test card, we suggest a standard without spectacles of 20/20 vision in one eye and at least 20/40 in the other, provided that a candidate whose vision without glasses is less than this standard but not below 20/40 in one eye and 20/70 in the other who can show a corrected vision with spectacles of 20/20 in one eye and 20/40 in the other may be accepted; (*c*) tests for color sense should be made with the Holmgren worsteds or similar method.

14. Licensed officers at the end of five-year periods should be reexamined as to color sense, acuity of vision, and hearing, but slightly lower standards for acuity of vision and hearing would seem proper in view of the officer's increased experience.

Respectfully,

E. T. CHAMBERLAIN,
Commissioner of Navigation, Chairman.
D. P. FOLEY,
Senior Captain, United States Revenue-Cutter Service.
HENRY M. SWELEY,
Supervising Inspector, Second District, Steamboat-Inspection Service.
W. J. PETTUS,
Assistant Surgeon General, Public Health Service.

I agree with the above report, subject to the reservation that I believe it unwise for the committee to confine itself to the recommendation that fire and boat drills "should take place" after the ship has left the wharf on her voyage" (p. 2, sec. 6*a*), and after the word "certificate," section 9, add the words "of discharge."

1. While I fully realize the importance of both boat and fire drills on shipboard, and know that without proper training of ships' crews by actual drills the effectiveness of the elaborate equipment now required and further contemplated on board would be reduced to a minimum, I have considerable doubt as to the advisability of our committee confining itself to the recommendation that boat drills should take place "after the ship has left the wharf on her voyage."

2. Considering the practical fact that the recommendation as I see it, and taking trans-Atlantic voyages as a base and, say, the port of New York as a point of departure, the bay and harbor of which are second to none in North America or northern Europe for facilities for holding such drills, I believe that to stop one of the large trans-Atlantic liners in the harbor or bay, even under the most favorable weather conditions, for the purpose of holding drills, might prove a menace to navigation, not only to the ship on which such drills are held but to the vessels constantly navigating in the vicinity. Unfavorable wind and tide would necessitate much maneuvering of the ship before being brought to a safe anchorage where the drills be held. The same danger is afterwards present when maneuvering for a position to proceed to sea. The danger would be much greater in the event of unsettled weather or threatening mist or fog.

3. It is essential to general safety that a ship proceed to sea with all consistent speed after leaving her wharf, in order to avoid the dangers incident to congested waters and possible unfavorable conditions arising, such as fog, mist, snow, etc.

4. Considering the North Atlantic Ocean after leaving the United States or Europe as a suitable place for holding drills, I feel safe in saying that for months and months a ship may traverse the Atlantic without having an opportunity for holding an efficient boat drill. The drills contemplated by the committee, as I understand it, are to consist of lowering the boats to the water and the necessary hoisting of them on board again. They might often be lowered to the water in unfavorable weather on the ocean, and passengers safely disembarked, but in all probability many of the boats would be seriously damaged in process of being again hoisted on board, and thus rendered unavailable on the passage in the event of actual necessity arising for their use for abandoning the ship.

5. Another matter for consideration in connection with holding of boat drills at sea "after the ship has left the wharf on her voyage" is the danger of a panic, due to the presence of a large number of foreign emigrants on board, who do not understand the official language spoken on board, and even if they are made to comprehend that the swinging out of the boats is for drills only, will not believe it. Several cases of a panic due to such drills at sea have been called to my attention.

6. Another consideration, although commercial and secondary, is worthy of attention. The probable time required for boat drill "after the ship has left her wharf on her voyage" on one of the large trans-Atlantic liners carrying, say, about 60 lifeboats, would be, according to weather conditions, from, say, two to five hours, including rehoisting and securing of boats, and the question arises, Do conditions of the past or probable conditions in the future warrant this delay to the traveling public and to the United States and foreign mails and the attendant risk and danger as above outlined?

The lesson learned from the most deplorable disaster known, in the loss of life due to the sinking of the *Titanic*, is that the loss of life, as I understand it, was not due to a lack of discipline or training in connection with the lowering and handling of lifeboats, but rather from an insufficient number of lifeboats to accommodate all passengers. Some of the boats of the *Titanic*, I understand, were not fully loaded, not because of a lack of training in their handling but because passengers would not go into those that first left the ship.

I suggest, in connection with boat drills once each week, weather permitting, as already recommended, that all boats under davits be swung out at least once each month, and a number of them lowered, so that all boats must have been in the water at least once in six months, the report of same to be entered in the ship's log book.

I also suggest for consideration that as all departments are to be drawn upon for boat hands, that each lifeboat of Class I should have efficient boat hands, as defined, equal to 10 per cent of the number of persons the lifeboat is certified to carry; that is to say, a lifeboat certified for 50 persons would require 5 of that number to be efficient boat hands.

7. I further suggest that section 9, on page 2, be amended in the first line, immediately following the word "certificate," by adding the words "of discharge," this certificate to be included in the current official "certificate of discharge," as now signed by the master, and who shall be the judge of efficiency of the boat hand, as he now is of the sailor's "character" and "capacity."

Respectfully,

HENRY M. SWELEY,
United States Supervising Inspector, Second District.

DEPARTMENT OF COMMERCE,
BUREAU OF NAVIGATION,
Washington, June 7, 1913.

SIR: The committee designated by the Hon. William C. Redfield, Secretary of Commerce, to collect information and submit a report to him upon "Efficiency of officers and crews" of merchant vessels for the use of the American delegation to the International Conference on Safety at Sea incloses a list of questions, and would be pleased to receive your views upon the subjects thus outlined.

The committee shares in Secretary Redfield's regret that no appropriation has been made to carry out his original purpose to include in the membership of this committee expert representatives of the various organizations and companies intimately concerned with the subjects assigned as well as Government officers. Accordingly we request your cooperation through correspondence.

It would aid the work of the committee if your replies could be forwarded during June. Replies should be addressed to Commissioner of Navigation, Department of Commerce, Washington, D. C.

Respectfully,

W. J. PETTUS,
Assistant Surgeon General, Public Health Service.
HENRY M. SWELEY,
Supervising Inspector, Second District, Steamboat-Inspection Service.
D. P. FOLEY,
Senior Captain, United States Revenue-Cutter Service.
E. T. CHAMBERLAIN,
Commissioner of Navigation, Chairman.

SAFETY AT SEA—EFFICIENCY OF OFFICERS AND CREWS.

I. STANDARDS FOR MANNING LIFEBOATS.

Passenger steamers: The efficient manning of lifeboats of passenger steamers involves launching and handling of the boats and their equipment, swinging out, direction and stowing of passengers, lowering, detaching, hoisting, and use of cars.

A. Should standards be established—

(1) By statute?

(2) By regulation of the Steamboat-Inspection Service?

B. (1) Should the staudard be based on years of service on deck; should the standard be service for one, two, or three years?

(2) Should the standard be based on practical tests of the man's ability to perform the work involved in manning lifeboats? Should such tests be conducted by and certified to by Government officers?

(3) Should the standard be based both on deck service and on practical tests?

C. (1) What minimum number of the crew for each lifeboat under davits should be required to conform to such standard of efficiency?

(2) What minimum number of the crew for collapsible boats, life rafts, etc., should be required to conform to such standard?

D. Are members of the engine department and of the steward's department, by previous occupation or by training on shipboard, competent for lifeboat service?

E. (1) Assuming that the crew must be trained and organized as a whole as to the duties of each member in case it is necessary to take to the boats, can this training be secured without a drill at which all lifeboats are lowered with the crews in them?

(2) Does the personnel of the crew change so frequently that such a drill should take place once for each voyage?

F. In the case of Asiatics or other seamen who, through lack of knowledge of the language of officers, do not understand orders, what provision should be made? Should they be wholly or partly ineligible for certain duties; and if so, what duties and to what extent?

Cargo steamers: Please consider the same subjects in their relation to crews of cargo steamers, on which, through the absence of passengers, including women and children, the problems are much simpler.

II. STANDARD TESTS—HEARING OF LICENSED OFFICERS.

1. The present regulations require tests for color sense and vision by a medical officer of the United States Public Health Service for the original license issued to masters, mates, and pilots, but require no examination by medical officers for hearing, as is prescribed by certain foreign countries. Candidates' hearing is now tested by the local inspectors of steam vessels.

(a) In your judgment, should the examination for original licenses of licensed officers (including engineers) require tests for hearing by medical officers of the United States Public Health Service?

(b) Would you deem the requirement of ability to hear a whispered voice at 10 feet or tones of ordinary conversation at 30 feet a fair test?

III. STANDARD TESTS—RENEWAL OF LICENSES.[1]

In your judgment, should the same requirements for vision and hearing be prescribed for the renewal of licenses as for the issue of original licenses?

IV. STANDARD TESTS—LOOKOUTS, ETC.[1]

In view of their important work, lookout men, steersmen, and quartermasters under the law of several countries are subjected to medical tests for color sense and vision.

(a) In your judgment, should seamen serving as lookout men, steersmen, and quartermasters be subjected to tests for color sense and hearing by medical officers of the United States Public Health Service and certificates thereof be furnished?

(b) Should the tests for color sense and hearing be the same as for licensed officers?

(c) Should tests for acuteness of vision of lookout men, steersmen, and quartermasters be made without glasses, since it is not their custom or practice to wear them?

(d) Would a requirement of 20/30 vision in one eye and 20/40 in the other eye without glasses be a fair test? (The test mentioned means that at 20 feet the candidate is able to read with one eye that which the normal eye should read at 30 feet. With the other eye the candidate must be able to read at 20 feet what the normal eye should read at 40 feet.)

V. POSSIBLE EXTENSION OF STANDARD TESTS.[1]

Would you favor requiring all seamen of the deck department to be tested for vision, color sense, and hearing, the tests in these cases to be the same standard as for licensed officers; the testing for color sense in all cases to be made with the Holmgren worsteds, as prescribed in the regulations of the United States Public Health Service?

NATIONAL HOTEL,
Washington, D. C., October 6, 1913.

Hon. WILLIAM C. REDFIELD,
Secretary of Commerce, Washington, D. C.

DEAR MR. SECRETARY: A report from the committee on efficiency of officers and crews, International Conference on Safety at Sea, was submitted to you under date of September 13, 1913.

This report is made up of recommendations, which, if adopted, would to such an extent lower the standard and skill that it is very difficult for me to understand how these recommendations could be made by men of experience. The question is one of promoting safety, and as I understand it, any expense within reason or any increase in inconvenience to shipowners not to be permitted to stand in the way; such consideration should have little weight, because the expense is transmitted to the traveler, the shipper, and the general public, either through freight rates or insurance. It seems to me there can be no excuse for any reduction in standards of skill which promote safety from the existing standards set by law or the existing standards in daily practical experience to-day.

The present legal standard of skill in the crew as found in the statutes and in decisions are:

"The owner shall properly equip, man, and outfit said vessel and make such vessel seaworthy and capable of performing her intended voyage."

Among other decisions the case of In re Pacific Mail Steamship Co., C. C., V. 64, page 410, is cited as comparatively recent and upheld by the Supreme Court. In this case the court refused to grant the benefit of limited liability to the company because the crew was inefficient. The present presumption of law is that all the men shall be sufficiently skilled to understand and obey all orders; the further presumption is that these obligations rest upon all shipowners without regard to whether the vessel carries passengers or not; the law and the decisions alike take cognizance of the obvious fact that when two vessels meet it requires proper skill on board both to avoid a collision. The difficulty with the present situation is that the statute law of our country sets no definite standard of skill; it is a matter of decisions of the courts, each one resting upon testimony given by survivors; the gradual drift from the sea on the part of men of strength and skill has caused a gradual lowering of the practical standard. Up to the middle of the last century the laws and customs alike conspired to make it the shipowner's own vital interest to have the best men that could be obtained. The development of the present system of insurance and the adoption of the limited liability laws have resulted in a fundamental change in the shipowner's interest, and therefore in his point of view.

The statute law imposes no standard of skill, and the shipowners may therefore, except in the case of licensed officers, send their vessels to sea with men void of both experience and knowledge of the officers' language; yet with all this the traditions and customs that have grown up under former conditions are dying slowly, and vessels, as a general rule, have several men who are not only called able seamen, but who in experience and skill are really such; men trained under other and better conditions than the present are still obtainable to some considerable extent and are employed.

The recommendations of your committee seem to be based upon a paragraph quoted from a report made by the British committee on boats and davits to the effect that strict discipline and obedience are essential (in the crew). The crew must be able to understand and carry out the orders is the ruling of the courts; strict discipline and obedience is made the prerequisite in the recommendations by the British committee quoted and indorsed in this report; discipline is the ability to understand the orders and execute them; it is a result of training and experience, and the question arises, What training, how long experience? Germany answers, four years at sea; the English, the Australian, and the New Zealand laws answer, three years at sea; the British and Norwegian commissions recommend three years at sea. The lately adopted laws and the recommendations by commissions take cognizance of the change from sail to steam. The law of Great Britain was made three years at sea as a result of investigation and discussion running over more than 20 years. This law of Great Britain is ineffective in this, that while it sets a standard it does not compel the shipowner to carry any specified number of such men, the law having left this to the discretion of the board of trade.

[1] In case any candidate fails in the examination for color sense, he may be allowed a second examination upon the request of the proper officers. The Williams lantern for testing color sense, or some other lantern of equal merit, may be used for the second test.

The standard of efficiency recommended by your committee is the standard set for the man to be known as a "boat hand":

"The boat hand shall be a man trained in the lowering, lowering, detaching, and the handling of boats and the use of oars, and shall have served at least one year on vessels navigating the ocean, bays, sounds, or large inland seas or lakes."

The drill shall take place:

"As a general rule, once a week."

Let me try to illustrate this by using a trans-Atlantic liner: The liner makes about 12 trips a year; if the men remain with the vessel during a year—something almost unheard of—your efficient boat hand will have witnessed and perhaps participated in 24 boat drills. We know this to be a practical impossibility, because the conditions of weather and sea in the Atlantic would make it so full of danger that the boats ought not to be lowered except to save life. Let us assume that this man has been in a boat on the ocean 12 times. He has helped to swing it out 24 times and he may have done the real lowering perhaps 6 times. Real experts would not consider such men to be entitled to the rating of ordinary seamen, far less that of able seamen. Yet he is to have a "certificate from the Government." There is no provision for actual test of this man's ability, and the report of one member of the committee suggests to add after the word "certificate" the words "of discharge"; so that the certificate will be nothing more or less than the ordinary certificates of discharge issued by the master at this time and rendered purely upon his discretion, his liker or dislikes, of the man to whom it is given. If your committee had taken the worst-manned vessel as a standard, their recommendations would have been better than this. These boat hands may come from the deck, the fireroom, the engine room, the kitchen, or the saloon. The recommendations are three for each boat, one of whom is to be an officer or petty officer—that is to say, the person in charge of the boat may be an engineer, an oiler, a water tender, a chief steward—anybody with authority in any department of the vessel. A fireman coming from the heat of the fireroom with scant clothing, his pores open from the heat, is to go and once in a boat on the open ocean in the North Atlantic in the winter. How long will he last? The same applies to the engineer and the men coming from the sheltered saloon, though with less force. What are real experts to think of such rules as improving upon the present condition and for the purpose of promoting safety at sea? Politeness will induce them to cover their mouths with their hands.

One member of your committee criticizes the proposition to stop the vessel after she has left the dock and to train the men in abandoning vessels. His criticism is so obviously just and sensible that nothing said by me could improve upon it. Your committee further recommends rafts for some of the passengers and crews, and such raft is to have one sixth efficient boat hand in charge thereof. One wonders who are to go on the rafts. Presumably such of the crew as are not efficient boat hands and some steerage passengers. The men who have not been long enough at sea to be efficient boat hands as defined by your committee and the men from the steerage may not be willing to do this. They have absorbed none of the ethics or traditions of sea life, and more than likely it would be a question of who is the stronger. And the action might be based upon not women and children first but me first—let the devil take the hindmost.

I am loath to believe that any man with any real practical knowledge of the sea and its dangers would ever make any such recommendations or accept them as instructions.

Most respectfully and faithfully, yours,

ANDREW FURUSETH.

TO PROMOTE THE WELFARE OF AMERICAN SEAMEN IN THE MERCHANT MARINE OF THE UNITED STATES.

Letter from the Secretary of Commerce to the chairman of the Committee on Commerce transmitting a copy of a letter from H. H. Raymond, president of the American Steamship Association, relative to the bill S. 4, "A bill to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea."

DEPARTMENT OF COMMERCE,
Washington, May 21, 1913.

Hon. JAMES P. CLARKE,
Chairman Committee on Commerce, United States Senate.

SIR: I transmit herewith a copy of a letter dated the 19th instant, from Mr. H. H. Raymond, president American Steamship Association, concerning seamen's legislation pending before your committee.

Respectfully,

WILLIAM C. REDFIELD, *Secretary.*

AMERICAN STEAMSHIP ASSOCIATION,
New York, N. Y., May 19, 1913.

Hon. W. C. REDFIELD,
Secretary of Commerce, Washington, D. C.

DEAR SIR: Just before the close of the last session of Congress hearings extending over a period of about four weeks were given by the Committee on Commerce of the United States Senate on a bill which had passed the lower House (H. R. 23673), commonly designated the Wilson bill. Exhaustive testimony was submitted by representatives of the seamen's union and of the steamship owners. The committee did not agree on the Wilson bill, but reported a bill, known as the Burton bill, embodying many of the features of the Wilson bill, but eliminating its most unreasonable clauses, which passed the Senate and was finally concurred in by the House. This bill was, however, vetoed by President Taft, the reason assigned being that it had reached him only the day before his term expired and he did not have opportunity to give it due consideration.

At the present session of Congress Senator LA FOLLETTE has introduced into the Senate bill S. 4, which is almost identical with the Wilson bill, while Senator NELSON has introduced bill S. 136, the counterpart of the Burton bill which the President vetoed, and my information is that strong efforts are being made to have the Senate Committee on Commerce report the La Follette bill favorably to the Senate, coupled with assurances that if this is done the House will concur in it and the President sign it.

While the Burton bill, or, as it is now called, the Nelson bill, will entail hardships on our steamship interests, it does not contain the most vicious feature of the Wilson bill or the La Follette bill, viz, the section requiring that every vessel of the United States must have in her complement of deck crew, exclusive of her licensed officers, 65 per cent "able seamen" of three years' experience on the ocean or the Great Lakes, which in the latter case would be equivalent to four and a half years, since navigation on the Great Lakes is closed for four months of each year.

The designation "able seamen" belongs to the days of the sailing ship, before the advent of the steamer. The sailing ship is fast disappearing as a factor in sea transportation, and with the opening of the Panama Canal will become less so, if we may consider the effects of the opening of the Suez Canal as a criterion. The work performed by the deck hands aboard a modern steamer, with her short masts, little rigging, and almost no sails, is of the most ordinary kind of unskilled labor that can be imagined, consisting for the most part of washing decks, scrubbing paint, and polishing brasswork, the center of gravity, so to speak, having shifted from the deck to the engine department, where the really technical part of a steamer's work is now performed. Even on the deck most of the heavy work is to-day operated by machinery controlled by the engine-room forces. To insist that it requires three years' experience to acquire facility to perform such simple duties is absurd, the general opinion of practical steamship officers being that three months at most would be amply sufficient.

It needs no argument to demonstrate, it is self-evident, that the preparation necessary to become a qualified member of the engine-room force of a modern steamer should be immeasurably longer than that required for the simple duties of a deck hand, yet the law requires but three years' preliminary service in the engine room to qualify as a licensed engineer officer and the same period for a deck officer. Not only so, but a preliminary service of about six months or a year is generally considered sufficient to equip a young man of ordinary intelligence to competently perform the duties of a junior engineer, and certainly not longer to qualify as a fireman.

Mere three years' service of itself would be no indication of capacity, and the latter alone should be considered in the selection of crews for any position in all departments of a ship, but the requirements of this bill merely call for three years' service and provide for no test of skill before a Government certificate is issued. The men best fitted to fill the exceptional duties in the deck department of a modern steamer are those brought up around the rivers and harbors abounding on our enormous extent of seaboard, and in such bays as the Chesapeake and its tributaries, where they are accustomed to handle small boats of all descriptions from youth; yet by the terms of this bill these young men are prohibited from qualifying as able seamen. The experience acquired by a lifetime of navigation of the rivers, creeks, and bays of such a State as Maine, and even in the fisheries, would not avail him if he desired to devote himself to the seafaring calling. Furthermore, no young man with any self-respect would desire to enter an occupation which required him to submit to a three years' apprenticeship (which this really is) to qualify for duties which can be acquired in as many months. To do so would be tantamount to admitting incapacity; rather, it would have the effect of repelling the very kind of young men we would all gladly see attracted to the profession from which to recruit our officers. The American has the reputation all over the world, and deservedly so, for his adaptability, but should any such provision as this become enacted it would be a serious contradiction to this commendable tribute to our national capacity.

It is an admitted fact that most young men do not remain at sea for a lengthy period, either in the merchant service or in the Navy, the exceptions being among those who aspire to become officers. After a few years at most, and in many cases less than a year, when the romance and glamor of the sea has relinquished its hold over them, they seek more congenial employment ashore, or some kind of marine occupation which will permit them to be more frequently at home. This depletes the number of those from whom we could recruit the 65 per cent of certificated seamen to such an extent that it would be an utter impossibility to comply with the law even in some of the larger ports of the country. The available men would naturally concentrate in the largest ports, where opportunities were greatest, and few of them would be found at the smaller ports. The effect of this would be that should one or more of these certificated men take sick or desert a ship, or should a whole crew leave a ship for any reason at such ports as say, Norfolk, Va., Charleston, S. C., Savannah, Ga., Jacksonville, Fla., New Orleans, La., Galveston, Tex., or at any of the ports on the Pacific coast, save, perhaps, San Francisco, there would be no means of replacing them until the owner had sent to the larger ports and had certificated men brought to the lesser port, nor could the ship leave until this had been done. The embarrassment resulting from such a state of affairs can be imagined should this occur just immediately prior to the ship's scheduled hour of departure, when she would have a large number of passengers aboard and probably a highly perishable cargo.

I submit these objections to the La Follette bill for your consideration, feeling assured that you will give them the thought that they merit.

Very truly, yours,

H. H. RAYMOND, *President.*

WASHINGTON, D. C., *October 18, 1913.*

Hon. JAMES P. CLARKE,
Chairman Senate Committee on Commerce,
United States Senate.

MY DEAR SIR: Inasmuch as this bill is most technical in some features and its effect likely to be misunderstood by many who are not familiar with navigation, I venture to submit to you a brief memorandum of what appears to be the real purpose of the measure and why there is such a marked difference between the bill as advocated by the representative of the seamen and the shipowners.

It should be clearly understood that a large part of this measure is already existing law and that the bill only reenacts, with some slight changes, a number of sections of the Revised Statutes which are already in force. It should not, therefore, be assumed for a moment that the shipowners are opposed to the legislation proposed in many of the provisions of the several bills pending, because it was fully brought out at the hearings in both the Senate and House committees that the differences relate to but few features of the bill, but that those differences are quite marked, and we believe the opinions expressed by us are in the interest of safety at sea.

Briefly stated, this bill provides as to new legislation the number of hours beyond which no seaman shall be required to work unless he is paid overtime therefor, and while this feature will work a severe hardship on some of the lines, it was clearly established at the hearings that this was not the most objectionable feature contained in the proposed legislation.

Great stress has been laid upon the seaman being permitted to leave his employment without fear of arrest or imprisonment—and this notwithstanding the fact that the owner of a vessel is bound by contract to fulfill all the terms thereof while the sailor is to be given the right to abandon his agreement without question—but if it is the wisdom of Congress that such a provision should be enacted into law, it seems quite evident from the hearings that the shipowners were not entering a great protest thereto, nor has there been any serious differences of opinion as to the right of the sailor to demand his wages when leaving the employ of the steamer.

While there was some discussion over the subject of increased space for quarters and washing outfits, it was clearly established to the committee that there could be no objection to any reasonable requirement where it was mechanically possible to install the apparatus, and the committee in framing the legislation that has been proposed has dealt with this subject in a manner which seems entirely agreeable to the seamen and which also is considered as fair by the shipowner. Some of the objections which had originally been raised to this feature of the law were based upon such things as a requirement that hot and cold water should be furnished on all types of vessels, because a literal construction of the language would have been impossible of compliance with on some sailing craft where hot water was not obtainable. Proper explanation of all of these details clearly satisfied the committee that owners of vessels were acting in good faith, as was evidenced by the result being agreeable to both sides of the controversy.

No shipowner can be found who is willing to say that legislation amending or extending the laws that will protect a sailor from being defrauded by a boarding-house keeper or some other unscrupulous person should not be enacted, and anything that may have been said before the committee was not based upon an objection to that sort of legislation, but was in connection with the results that all of these provisions will obtain.

The greatest difference that arose during the discussion before your committee was in connection with that section which provides for the manning of lifeboats, and the shipowners are prepared to submit to the unbiased mind for decision whether the employment of so-called "able seamen" will insure safety to the traveling public. We have contended, and we believe from long experience rightfully so, that length of service at sea does not qualify a man to handle a lifebont. There are many instances of persons who have served on deck at sea on various vessels for years who are not experienced in handling small boats; and as the object of the legislation sought to be enacted is to better protect human life at sea, it seems it should make no great difference as to whether a man is called an "able seaman," a "skilled lifeboat man," or a "life guard," so long as he is qualified to perform that particular service which is expected of him during the hour of disaster or need for his service.

The shipowner has suggested that it would be wise for Congress to provide as a requirement to protect human life that no vessel should depart from a port of the United States unless she had in her crew not less than two skilled persons for each lifebont carried, and that such persons should be required to demonstrate to the satisfaction of the local inspectors, under rules to be prescribed by the Department of Commerce, that they are capable of swinging out, lowering, detaching from boat falls, experienced in the use of oars, and understand the proper manner of placing persons in such lifebonts. In other words, the shipowner asks that the service to be performed by the men who are to handle the boats shall be specifically set forth, so that there can be no doubt of their ability to meet an emergency when it arises. Certainly because the shipowner is aware of the fact that the "able seaman" of to-day is not the "able seaman" of the day of the sailing ship and does not possess the skill that the name would imply and recommends a specific requirement in lieu thereof is no justification for claiming the shipowner is endeavoring to underman a vessel or provide unskilled employees.

The modern steamer of to-day is so mechanical in all of its performance that there is little left for the sailor to do on deck outside of that which could be performed by any able-bodied person, except in so far as the handling of lifeboats is concerned. If that is conceded, it matters little whether a lifebont is manned by a person called an "able seaman" or by some one else possessed of the requisite skill and called a life guard or a lifeboat man.

The mere provision that three years' experience at sea on deck shall be required to qualify a person to become an "able seaman" does not carry with it any guaranty of safety to the public, because the work performed by the deck men aboard a modern steamer, with her short masts, little rigging, and almost no sails, is of the most ordinary kind of unskilled labor that can be imagined, consisting for the most part of scrubbing paint and polishing brass work. The center of gravity, so to speak, has been shifted from the deck to the engine department, where the really technical part of a steamer's work is now performed. Even on the deck most of the heavy work is to-day operated by machinery controlled by the engine-room forces. Therefore to insist that it requires three years' experience to acquire the ability to perform such simple duties is absurd.

No other nation in the world, with the exception of Australia, has ever attempted to prescribe, either by legislation or departmental regulations, that seamen shall be certificated or that any percentage of a ship's deck crew shall have a specified period of sea service, not even in the day when the sailing ship was the sole ocean carrier and when the work required of a seaman was complicated and technical.

It needs no argument to demonstrate that the preparation necessary to become a qualified member of the engine-room force of a modern steamer should be longer than that required for duty on deck—speaking specifically of the actual deck duties. Yet the law to-day demands but three years' preliminary service in the engine room to qualify as a licensed engineer. Not only so, but a preliminary service of about six months or a year is generally considered sufficient to equip a young man of ordinary intelligence to competently perform the duties of junior engineer, and certainly not longer to qualify as a fireman.

Mere three years' service of itself would be no indication of capacity. Capacity alone and not length of service should be considered in the selection of crews for any position in all departments of a ship, but the requirements of the bill proposed originally by the seamen merely provides for three years' experience at sea or on the Great Lakes shall be had as a prerequisite to obtain a certificate of "able seamanship."

The men who are to-day best fitted to fulfill the exceptional duties in the deck department of a modern steamer are those brought up around the rivers and harbors on our seaboard and in such bays as the Chesapeake and its tributaries, where they are accustomed to handle small boats of all kinds from boyhood; yet by the terms of the bill proposed by the seamen the best of these men would be prohibited from qualifying as "able seamen." Therefore we contend that length of service at sea is no guaranty of efficiency, and that the provision set forth in the bill (S. 136) as reported to the Senate by the Committee on Commerce providing for two skilled lifeboat hands for each lifeboat carried, and specifying definitely the qualifications which they shall possess before they shall be entitled to be so rated, is striking at the

very root of the thing and accomplishing the real purpose that should be in the heart of all who are seeking to safeguard life at sea and which has never met with objection from owners of vessels.

The opposition upon the part of the seamen to legislation so fairly drawn as that contained in the bill as reported to the Senate can not be understood, unless it is based upon some selfish purpose, and no such purpose should be given consideration by Congress in a matter of so great importance as that dealing with the protection of human life.

It can be conceived that the original bill presented by the seamen has a purpose in mind which is not altogether in the interest of safety, i. e., that of taking the manning of vessels entirely out of the hands of the Government and placing the same in the hands of the seamen themselves. The question might be asked, How can this be effected? The answer is clear:

By abolishing the present laws, in so far as they bring about alleged "involuntary servitude," by which right is lodged with the master of a vessel to require a seaman to perform service after signing an agreement to do so, the sailor is privileged to leave his employment without fear of being compelled to perform his contract. This is the first stage by which the seaman is allowed to effect the arrangement by which the manning of vessels will be turned over to the seamen themselves. Next, the provision by which it is made a misdemeanor for anyone to issue an allotment note or to advance any seaman wages aids in bringing about a condition by which the sailor himself is deprived of being able to seek lodging any place but the place which may be chosen by a majority of the seamen themselves; because it can readily be understood that there could be many honest boarding-house and lodging-house keepers who might hesitate to grant credit to a sailor who may be here to-day and who may ship for some foreign port before he could possibly have funds with which to pay for his keep while seeking employment.

Driving the seamen in this way to one central point will undoubtedly have the effect of combinations among the men being formed and conditions being laid down which may not be conducive to safety at sea.

The writing into the statutes of a provision that no vessel shall sail from a port of the United States unless she shall carry "in her deck department" a fixed number of men called able seamen, simply because they make affidavit that they have had three years' experience at sea, is fraught with much danger. This provision provides the finishing touches to a grand opportunity for the men to absolutely dominate the situation and does not leave to the Government any rights whatsoever.

It should not be overlooked that the seamen may not be seeking so much the protection of human life as to give themselves a dominating position over the vessel owners. A careful study of the provisions of the bill proposed by the seamen (Senate bill No. 4) will show that it is most adroitly drawn and so cleverly woven together that to him who is not well posted as to maritime affairs some dangerous clauses look most reasonable.

Think of a bill being introduced into Congress to provide an extra ounce of butter and an extra quart of water per day. What seaman to-day would stand up and claim that he is denied all the butter and water he could use? But that is one of the provisions which is calculated to bring to the cause sympathy, and it is for no other purpose.

It seems that the real and only object of the bill proposed by the seamen is to secure, by legislative enactment, a dominating position which will enable them to dictate the terms and conditions under which and how they shall perform service. They can better accomplish this purpose by limiting the effective hands to the deck department. They appear to stubbornly object to men from other departments of the ship being counted upon for service in an emergency, undoubtedly because this would probably make the situation for their purpose more difficult of control.

Is it not better to have men available for lifeboat or other duty of emergency from all departments of the ship than to limit the effective men to the "deck department"? The case of the *Volturno* answers this question conclusively. In that case a large number of the men were in their bunks and were cut off from escape, thus depriving the vessel of their services. How many of these men belonged to the deck department can not be answered, but under the three-watch system there must have been the same number off deck duty as off duty from other departments. Consequently are you not inviting disaster by limiting your effective boat hands to the deck department? Only a selfish reason can produce an answer in the negative.

Candidly, does it not seem that this is a question where the public should be considered of first importance, and that the claims of both the shipowners and the seamen should be brushed aside as a secondary consideration? That being the case, does it not seem that a provision by which two skilled lifeboat men are to be provided for each lifeboat carried, and that no person can be rated as a skilled lifeboat man until he has demonstrated conclusively to the local inspector that he is capable of swinging out, lowering, detaching from boat falls, can properly use oars, and in every way is qualified to handle a ship's lifeboat, which provision goes to the very heart of the thing sought to be accomplished, is better than a provision that there shall be in the deck department two able seamen for each lifeboat carried?

In one instance you are specifically requiring a man to possess a knowledge of that particular duty which he is expected to perform, while in the other you are simply taking a chance on three years' service at sea qualifying him to perform such duties, to say nothing of the risk that might be involved through perjury in securing certificates of able seamanship.

It must be remembered that the bill proposed by the seamen distinctly states that "any person making affidavit that he has had three years' experience at sea on deck shall be given a certificate, and that such certificate shall be prima facie evidence of his qualification." Suppose some one should stoop to perjury to obtain such a certificate; is there any way to determine this fact? If one might do this, why might not hundreds?

By the adoption of the "able-seamen" provision proposed by the seamen this Government will come dangerously close to placing the manning of ships in the hands of persons other than the shipowners and Government officials. It will be opening a way by which some boarding-house keepers, saloon keepers, etc., along the harbor fronts will get possession of these certificates and may be automatically producing able seamen for a consideration. In fact, these certificates will find their way all over the world. They will change hands from time to time, and in the course of a short while a certificate will not be worth the paper on which it is written so far as insuring that the holder thereof has any special qualifications to render extraordinary service in time of disaster.

The provision which has been recommended for adoption in the Nelson bill certainly seems to be more deducive to safety of life aboard a passenger ship than the arbitrary method proposed in the bill suggested by the seamen, and there would be some opportunity for the young men who have spent their lives on our bays and harbors in handling small boats to demonstrate their efficiency for service on some of our seagoing vessels. Under the proposition proposed by the seamen it may make a closed shop of men who have been able to get the certificates, and will deny every chance to a capable man who is not in their circle from ever securing legitimate employment on board a vessel. The query naturally arises, Why can not any experienced person get a certificate? The answer is plain. The seamen may find it rather easy within their own circles to obtain these certificates, because there will be no one to challenge the truth or veracity of their statements as to the length of sea service they have had. But consider the man who is not within the circle, but who has had a number of years' experience at sea and applies for a certificate. The seamen will undoubtedly make it a point to learn to whom such certificates are issued, and will challenge the statements of everyone who is not within their circle, thus practically making it impossible for an unattached individual from ever obtaining a certificate of seamanship unless he is willing to abide by the terms and conditions that may be laid down by the seamen. A careful consideration of this phase of the case will so fully unfold the dangers that further argument seems unnecessary.

In conclusion, it can be stated without fear of contradiction that the bill proposed by the seamen is not designed nor would it work for the safety of human life at sea. If they were seeking safety, they would not refer to the Nelson bill as a makeshift and utterly unsuitable to accomplish the results which the public should expect. The truth is the Nelson bill is 95 per cent the same, word for word, as the bill which passed the House last session. The only difference, which seems vital to the seamen, is that provision relating to "able seamen," and the reason they make such a vital point of this is not that it will not protect human life to the fullest extent, but that it will not make possible the carrying out of plans to put into their own hands the manning of vessels and to absolutely take this away from Government supervising. That is all there is to the question, and it does not seem that Congress should give much consideration to a proposition where the seamen would simply get an advantage over the vessel owner, or vice versa, when the subject of human life is at stake.

Put the seamen in a position to dominate the manning and operation of a vessel and you will absolutely destroy discipline. Without discipline there can be no safety. The ship owners ask that whatever is done shall be done under the eye of our trained Steamboat-Inspection Service, and that those officials shall be left some say as to how our vessels shall be manned and operated.

The whole bill is so important in its scope and is so put together to accomplish a purpose which we are sure Congress would not favor if the matter were fully understood that your most careful consideration of the entire subject is invited before the bill that is proposed to displace that of the committee is enacted into law.

Respectfully, yours,

EDWIN H. DUFF,
Attorney American Steamship Association.

HOUSE BILLS REFERRED.

H. R. 8702. An act to authorize the county of Miami, Ind., to construct a bridge across the Wabash River in Miami County, Ind., was read twice by its title and referred to the Committee on Commerce.

H. J. Res. 142. Joint resolution to provide for furnishing the additional rooms in the House Office Building was read twice by its title and referred to the Committee on Appropriations.

CONGRESS HALL CELEBRATION IN PHILADELPHIA.

The joint resolution (H. J. Res. 134) for the appointment of a joint committee from House and Senate to attend Congress Hall celebration in Philadelphia in October, 1913, was read the first time by its title.

Mr. MARTINE of New Jersey. Mr. President, I most respectfully ask that unanimous consent may be given for the immediate consideration of the joint resolution. I have a draft of a joint resolution similar in purport to that which I proposed to introduce, but since this joint resolution has come from the House I will not pursue that course.

I trust that this most patriotic step will be taken. It involves no expense to the Government, but simply authorizes the President to appoint one Senator and one Member of the House representing each of the original thirteen States to participate in the ceremonies and celebration in turning Congress Hall over to the city of Philadelphia. The city has provided for the celebration and will bear the entire expense. At the end of the joint resolution there is a clause wherein it declares that there shall be no expense incurred by the United States.

Mr. President, I am very much in favor of all measures that may tend to preserve the too few historic buildings and places we have in this country.

Mr. SMOOT. There was so much confusion in the Chamber that I did not hear what is the joint resolution. May I ask that it be read?

The VICE PRESIDENT. The Secretary will read the joint resolution.

The joint resolution was read the second time at length, as follows:

Whereas Congress Hall, Philadelphia, has been recently restored to the condition in which it existed when used by the Continental Congress and the Congress of the United States at Philadelphia; and

Whereas the citizens of Philadelphia have arranged for a fitting celebration to be held upon the turning over of the building by the committee in charge of the work of restoration; and

Whereas the city of Philadelphia has extended an invitation to the Congress of the United States to have a representation of the Senate and House at the ceremonies: Therefore be it

Resolved, etc., That the President of the Senate be, and is hereby, authorized to appoint 13 Members, one from each of the 13 original States, to represent the Senate; and that the Speaker of the House of Representatives be, and is hereby, authorized to appoint from the membership of the House such number of Members as may be requested by the city of Philadelphia; and that the Members of the Senate and the Members of the House so appointed shall constitute a joint committee on behalf of the Congress of the United States to attend the above celebration: *Provided*, That the attendance of the committee shall entail no expense on the Government of the United States.

Mr. BURTON. I should like to ask if there is any indication in the resolution as to the date of the visit to the city of Philadelphia?

Mr. MARTINE of New Jersey. On the 25th of October—a week from to-day.

Mr. BURTON. And for one day?

Mr. MARTINE of New Jersey. Only.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. The Chair, being desirous of appointing as nearly as possible Senators who are in the city to attend the celebration at Congress Hall, in Philadelphia, makes the following appointments:

From the State of New Hampshire, Mr. HOLLIS; from the State of Massachusetts, Mr. WEEKS; from the State of Connecticut, Mr. BRANDEGEE; from the State of Rhode Island, Mr. COLT; from the State of New York, Mr. O'GORMAN; from the State of New Jersey, Mr. MARTINE; from the State of Pennsylvania, Mr. PENROSE; from the State of Delaware, Mr. DU PONT; from the State of Maryland, Mr. SMITH; from the State of Virginia, Mr. MARTIN; from the State of North Carolina, Mr. OVERMAN; from the State of South Carolina, Mr. TILLMAN; and from the State of Georgia, Mr. BACON.

PENSIONS AND INCREASE OF PENSIONS.

Mr. SMOOT. I ask unanimous consent for the present consideration of Order of Business 35, Senate bill 834, granting pensions and increase of pensions to certain soldiers and sailors, and so forth. The reason why I make the request is that all the other omnibus pension bills have been passed by the Senate and are in the House. I ask that this bill be passed now, so that all the pension bills can be considered at once by the House committee.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 834) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which had been reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 13, line 23, after the words "per month," to insert "in lieu of that he is now receiving," so as to make the clause read:

The name of Judson P. Adams, late of Company F, One hundred and twenty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 14, after line 14, to insert:

The name of John A. Barnhouse, late of Company F, Ninth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 14, after line 18, to insert:

The name of Horace A. Hitchcock, late of Company C, Forty-eighth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 14, after line 22, to insert:

The name of Benjamin F. Jay, late of Company A, Forty-fifth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 15, after line 2, to insert:

The name of Nathaniel J. Smith, late of Company L, Second Regiment United States Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THE MERCHANT MARINE.

The VICE PRESIDENT. The morning business is closed. The Chair lays before the Senate Senate bill 136.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States, to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto, and to promote safety at sea.

Mr. LA FOLLETTE. Mr. President, so far as I have been able to ascertain there is no Senator prepared to speak to-day upon the bill which is the order of business. I myself had expected to address the Senate to-day, but being somewhat indisposed I prefer to wait until the next legislative session of the Senate. If no other Senator is ready to go on to-day, I suggest to Senators on the other side of the Chamber that if an executive session is desired it might be had at this time.

Mr. CLAPP. Mr. President, before an executive session is had I ask permission, when the other bill is laid aside, if it is laid aside, to bring up Order of Business 93, being Senate bill 192, for further consideration. If the Senate does not go into executive session, we can take up that bill. It is the bill to limit the use of campaign funds in presidential and national elections.

Mr. LA FOLLETTE. I have no objection to taking up any bill within the morning hour, provided it works no impairment of the unanimous-consent agreement.

The VICE PRESIDENT. The Chair has the understanding, and so rules, that Senate bill 136 will be the regular order of business at the conclusion of morning business at the next session of the Senate.

Mr. SMOOT. Do I understand that there has been a request that the unfinished business be temporarily laid aside? In order that the bill may hold its place, such a request should be made.

The VICE PRESIDENT. The Chair so understood.

Mr. LA FOLLETTE. I did not make that request, because the bill does not come up at this time as the unfinished business. It would come up as the unfinished business at 2 o'clock, as I understand. It comes up now, if it comes up at all, under the order made by the Senate. If, having been laid before the Senate under that order, it can be laid aside to take up any other measure before 2 o'clock without working any infringement upon the unanimous-consent agreement, I have no objection.

The VICE PRESIDENT. The Chair does not know whether the Chair will be overruled or not; but the Chair will at least hold that Senate bill 136 has at present the right of way in the Senate, and that if it be temporarily laid aside it does not thereby lose the precedence which it will have at the next session of the Senate.

Mr. SMOOT. That is as I understand it, and that is why I suggested that the bill be temporarily laid aside, because I think that then the bill will remain in the same position as it is to-day; but if other business were taken up without laying it temporarily aside, I am of the opinion that it would displace it as the unfinished business. I think the Chair is perfectly right in his ruling.

Mr. LA FOLLETTE. With that understanding, I will ask to have the bill temporarily laid aside.

The VICE PRESIDENT. In the absence of objection, that will be done.

Mr. BURTON. I have no objection to laying the bill temporarily aside, but I should like to ask until what day it is intended to adjourn the Senate?

Mr. LA FOLLETTE. Until Monday.

Mr. BURTON. I would suggest that the adjournment should be not later than Monday, for which I am not certain how long the debate will be on this measure it is desirable that there should be plenty of time for it.

Mr. LA FOLLETTE. I quite agree with the Senator from Ohio that there should be ample time for debate, and, so far as my own relation to the bill is concerned, I will say that from the session on Monday I shall urge the Senate to consider the bill continuously until it is passed or the limitation of the order is exhausted.

Mr. CLAPP. Mr. President——

Mr. BACON. I would suggest to the Senator from Minnesota, with his permission, that there is some executive business which will not occupy a very great time, and that if an executive session were held we could very readily return to legislative session immediately thereafter. There are some Senators who are anxious about certain matters which should be disposed of in executive session.

Mr. CLAPP. Well, Mr. President, if an understanding could be had that we resume legislative session, I should have no objection, of course, to an executive session.

Mr. BACON. I have no doubt that that will be done.

Mr. CLAPP. Very well. Then I will not at present make the motion which I intended to make.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 45 minutes spent in executive session the doors were reopened.

FREE AND EFFICIENT SEAMEN.

Mr. LA FOLLETTE. I find that House Report No. 645, Sixty-second Congress, second session, submitted by Mr. Wilson, of Pennsylvania, from the Committee on the Merchant Marine and Fisheries, to accompany House bill 23673, is exhausted. As it bears upon the bill which has been made the special order, and as there has been something of a call for copies of the report, I ask for the adoption of the following order.

The order was read and agreed to, as follows:

Ordered, That 500 copies of House Report No. 645, Sixty-second Congress, second session, relative to free and efficient seamen, be printed for the use of the Senate document room.

CONTRIBUTIONS FOR CAMPAIGN PURPOSES.

Mr. CLAPP. I ask unanimous consent that the Senate now proceed to the consideration of the bill (S. 192) to limit the use of campaign funds in presidential and national elections.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The VICE PRESIDENT. The pending question is on the amendment offered by the Senator from Minnesota [Mr. CLAPP], which will be stated.

The SECRETARY. On page 2, line 20, after the word "committee," strike out the words "properly reported as," and in the same line, after the words "required by law," to insert "to report; but the members of the committee shall be responsible and penalized as herein provided if the contribution be not reported as required by law," so as to make the proviso read:

Provided, That this act shall not apply to the payment of bills incurred by a national or State campaign committee in the fitting out and maintenance of speaking campaigns by a candidate for the office of President or Vice President where a train is fitted out and maintained by the national or State committee; nor shall it include the actual expenses of speakers sent out by a national or State committee, the expenses of literature distributed by a national committee, advertisements marked as such paid for by a national committee, or campaign funds raised for and sent to a national committee required by law to report; but the members of the committee shall be responsible and penalized as herein provided if the contribution be not reported as required by law.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE PRESIDENT. If there be no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

Mr. SUTHERLAND. I should like to ask the Senator from Minnesota whether the amendments which I suggested when the bill was under consideration before were adopted?

Mr. CLAPP. Yes, sir; they were.

The VICE PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. KERN. I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 20 minutes p. m.) the Senate adjourned until Monday, October 20, 1913, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate October 18, 1913.

SURVEYOR OF CUSTOMS.

Joseph A. Maynard, of Massachusetts, to be surveyor of customs in the district of Massachusetts, in place of Edward G. Graves, resigned.

NAVAL OFFICER OF CUSTOMS.

John B. Nash, of New Hampshire, to be naval officer of customs in the district of Massachusetts, in place of James O. Lyford, resigned.

ASSISTANT APPRAISER OF MERCHANDISE.

Francis X. Quigley, of Massachusetts, to be assistant appraiser of merchandise in the district of Massachusetts, in place of Rufus A. Flanders, superseded.

COLLECTOR OF INTERNAL REVENUE.

John F. Malley, of Massachusetts, to be collector of internal revenue for the third district of Massachusetts, in place of James D. Gill, resigned.

PROMOTION IN THE REVENUE-CUTTER SERVICE.

Second Lieut. Muller Stuntz Hay to be a first lieutenant in the Revenue-Cutter Service of the United States, to rank as such from July 19, 1913, in place of First Lieut. Harry Gabriel Hamlet, promoted.

SOLICITOR OF INTERNAL REVENUE.

Ellis C. Johnson, of Washington, to be solicitor of internal revenue, vice Fletcher Maddox, resigned.

UNITED STATES ATTORNEY.

Burton K. Wheeler, of Montana, to be United States attorney for the district of Montana, vice James W. Freeman, resigned.

UNITED STATES MARSHAL.

Jacob A. Herring, of Texas, to be United States marshal, southern district of Texas, vice Calvin G. Brewster, resigned.

GOVERNOR OF PORTO RICO.

Arthur Yager, of Kentucky, for appointment as Governor of Porto Rico, as provided for in the act of Congress approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," to be effective November 6, 1913, vice George R. Colton, whose resignation has been accepted to take effect November 5, 1913.

CONFIRMATIONS.

Executive nominations confirmed by the Senate October 18, 1913.

ASSISTANT TREASURER OF THE UNITED STATES.

Martin Vogel to be assistant treasurer of the United States at New York.

ASSISTANT APPRAISER OF MERCHANDISE.

Christopher C. Keenan to be assistant appraiser of merchandise in the district of New York.

COLLECTOR OF INTERNAL REVENUE.

William C. Whaley to be collector of internal revenue in the district of Montana.

POSTMASTERS.

KENTUCKY.

Jacob Fisher, Russell.

MISSISSIPPI.

W. L. Walton, Lexington.

MONTANA.

Chester E. Wofford, Roundup.

NORTH DAKOTA.

John Foran, Mandan.

UTAH.

Alonzo A. Savage, Hyrum.

VIRGINIA.

Frank W. Sheild, Hampton.

SENATE.

MONDAY, *October 20, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Journal of the proceedings of Saturday last was read and approved.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 767. An act granting permission to the city of Marshfield, Oreg., to close Mill Slough, in said city; and

S. 3296. An act to enable the Commissioner of Indian Affairs to employ additional clerks on heirship work in the Indian Office.

COTTON BAGGING AND TIES (S. DOC. NO. 213).

Mr. SMOOT. I move to reconsider the vote authorizing the printing of the communication from the Secretary of Commerce, transmitting reports prepared in the Bureau of Foreign and Domestic Commerce, on the recent advance in the price of bagging used in baling cotton, and so forth.

The motion to reconsider was agreed to.

Mr. SMOOT. I ask that an order be entered authorizing the printing of the communication from the Secretary of Commerce, transmitting reports prepared in the Bureau of Foreign and Domestic Commerce of the Department of Commerce, on the recent advance in the price of bagging used in baling cotton, and also the advance in the price of ties used in handling or baling cotton be printed with the accompanying papers and illustrations.

The VICE PRESIDENT. Without objection, it is so ordered.

LIEUT. WILLIAM S. COX, UNITED STATES NAVY.

The VICE PRESIDENT presented a petition of the Minnesota Historical Society, praying that the petition of the Legislature of the State of Minnesota, requesting an appropriation for the erection of a monument to Lieut. William S. Cox, United States Navy, be granted; which was referred to the Committee on Naval Affairs.

RURAL CREDITS AND AGRICULTURAL FINANCE (S. DOC. NO. 214).

Mr. FLETCHER. From the Committee on Printing I report a resolution which I ask unanimous consent may be considered at this time.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution (S. Res. 195), as follows:

Resolved, That there be printed as a public document the evidence secured by the American commission in cooperation with the United States commission on their inquiry into the agricultural credit and cooperative systems of European countries made between April 26 and July 26, 1913, including special reports of subcommittees, statements and addresses pertaining to the subjects submitted to the commissions, or either of them, all printed matter prepared for the commissions, or either of them, a bibliography of any literature used as material for the reports of said commissions, translations of laws and statutes under which the various institutions studied operate in the different countries, translations of constitutions, by-laws, rules and regulations, and business forms of institutions investigated, special statistical data showing the extent to which each system or set of institutions is found to exist in each country, and other material bearing on the work of the commissions.

The VICE PRESIDENT. The Senator from Florida requests unanimous consent for the present consideration of the resolution. Is there objection?

Mr. SMOOT. I was not in the Chamber when the Secretary began to read the resolution. I should like to have it read again, and I should like also to ask whether the resolution comes from the Committee on Printing.

Mr. FLETCHER. It does. I will state to the Senator that it is a resolution which the committee adopted some time ago. He doubtless can recall that we had the matter before the committee, and they authorized a favorable report on this resolution. It has taken some time to compile the data and get it in shape for the printer. I have just presented the report of the committee, though we acted on it some weeks ago. The resolution was before the committee, and we discussed it there.

Mr. SMOOT. I should like to have it read again.

The VICE PRESIDENT. The Secretary will again read the resolution.

The Secretary proceeded to read the resolution.

Mr. BRISTOW. I understand that the resolution simply proposes to make a public document of the data and the papers that have been collected by the commission.

Mr. FLETCHER. Precisely; the data and the evidence.

Mr. SMOOT. Has the Senator any idea as to the size of the publication?

Mr. FLETCHER. I can not state precisely as to the size, but I think it will all be included in one volume somewhat smaller than the volume I hold in my hand. I can not state exactly what the size will be, but the matter ought to be comprised in one volume. It will embrace all the evidence gathered by the two commissions in European countries bearing on the great question of rural credits and agricultural finance.

Mr. SMOOT. I will ask the Senator whether it will be a reprint of a great many of the documents that have already been published?

Mr. FLETCHER. No; what has taken some time is to eliminate matter in order to get it into as small a compass as possible. We have endeavored not to duplicate what has been heretofore furnished on the subject.

Mr. SMOOT. Has the Senator an estimate from the Public Printer of the cost?

Mr. FLETCHER. I have not an estimate of the cost, because it has been impossible to get at what precisely the cost will be. Until we had eliminated the matter that would have been a duplication we were not able to tell how much would be included in the volume.

Mr. SMOOT. I do not want to object to anything which the committee has passed upon, but I know there has been a great deal of printing on this subject, and I really did not know but that there would be a duplication of matter heretofore printed.

Mr. FLETCHER. No; I assure the Senator there will not be any duplication. It is new matter, gathered last summer by these commissions, and I think it is very important data.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PAGE (for Mr. BURLEIGH):

A bill (S. 3304) granting a pension to Sarah F. Robinson; and

A bill (S. 3305) granting an increase of pension to William R. Downs; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 3306) to provide for the erection of a public building at Memphis, State of Texas; to the Committee on Public Buildings and Grounds.

By Mr. KENYON:

A bill (S. 3307) for the relief of F. J. Fearis (with accompanying papers); to the Committee on Post Offices and Post Roads.

A bill (S. 3308) granting a pension to Hannah A. Thompson;

A bill (S. 3309) granting a pension to Ada S. Goodrell;

A bill (S. 3310) granting an increase of pension to Donald C. Glasgow;

A bill (S. 3311) granting an increase of pension to Alfred D. Collier; and

A bill (S. 3312) granting an increase of pension to William F. Graham; to the Committee on Pensions.

A bill (S. 3313) to amend paragraph 8, section 24, chapter 2, of the Judicial Code; to the Committee on the Judiciary.

FIRE PROTECTION AT SEA.

Mr. WEEKS. I introduce a joint resolution which I should like to have read.

The joint resolution (S. J. Res. 73) to provide for an investigation into the best methods of construction of vessels for safety, particularly with reference to fire protection, was read the first time by its title and the second time at length, as follows:

Joint resolution (S. J. Res. 73) to provide for an investigation into the best methods of construction of vessels for safety, particularly with reference to fire protection.

Resolved, etc., That the President of the United Stnes is hereby empowered to appoint a commission of three competent men whose duty it shall be to make a thorough investigation into the best methods of constructing vessels for safety, especially those engaged in passenger transportation, particularly with reference to fire protection, structural construction of hulls and bulkheads, and the character of materials used in the construction and finish of such vessels. The commission is hereby authorized to visit any ports of the United States and, if necessary, foreign ports; to issue subpœnas for and compel the attendance of witnesses within the United States; to examine them, and to require the production of books, papers, designs, drawings, documents, and other evidence. Each member of the commision shall be paid his necessary expenses, and each member, other than any in the service of the United States, shall be paid in addition compensation at the rate of $20 per diem for each day while actually engaged in the work of the commission and going to or returning from such work: *Provided*, That the entire expenses of the commission shall not exceed the sum of $20,000. The said commission shall report, through the President, to Congress its findings and recommendations, together with an itemized statement of all its expenditures, not later than March 1, 1914.

Mr. WEEKS. Mr. President, I do not ask for the immediate consideration of the joint resolution, but I should like to have it referred to the Committee on Commerce. I hope the London conference next month will take up this and kindred questions, and furnish us the basis for legislation that will protect the passengers and crews, especially on passenger steamers. But the subject is one of so much importance that I have introduced the joint resolution now, and unless the London conference takes suitable action I shall press for a report upon it as soon as that conference has completed its deliberations.

Mr. BURTON. Mr. President, I will state that a committee or committees have already been chosen to consider these subjects. The letter of Secretary Redfield of April 10, 1913, states the action of the Department of Commerce on this subject. Speaking of the large number of passengers that cross the Atlantic annually and the dangers by sea, he states:

I wish to organize a committee on which shall be represented the American Society of Naval Architects and Marine Engineers, the American Society of Naval Engineers, and the technical schools which offer instruction in naval architecture and marine engineering, such as the Massachusetts Institute of Technology, the University of Michigan, the Leland Stanford Junior University, Cornell University, and the Stevens Institute of Technology. I have also requested the principal shipbuilding companies which build ocean passenger steamers to suggest to me names of those most competent to express the views of shipbuilders on this subject. The American passenger-ship owners on the Atlantic and on the Pacific, respectively, have been asked to name those most compe-

tent to express their views, and I have also invited Mr. William Livingstone, president of the Lake Carriers' Association, to suggest a name that will carry authority throughout the marine interests of the Great Lakes. The American Record of Shipping, generally known as "American Lloyds," has also been invited to participate, and I have also designated Mr. J. Bernard Walker, editor of the Scientific American, with whose instinctive work, An Unsinkable Titanic, you are doubtless acquainted. To this committee I have asked the Secretary of the Navy to add an officer of the Construction Corps of that department, for although the hulls of battleships and ocean passenger steamships are designed to meet quite different conditions, I wish to avail myself of the high technical knowledge and standing of the members of this corps. Of course, the Steamboat-Inspection Service of the Department of Commerce will be represented. Suggestions will be welcomed from other sources, for the above list is not meant to be exclusive.

Also a committee has been chosen made up of experts from several of the different departments. It is my impression that they have already made a preliminary report. Also the delegation chosen to attend the London conference has made a preliminary statement of what should be done, giving certain suggestions in this matter.

In this connection I wish to say that we very much underrate the pains taken by officials and by others, including shipowners, seamen, and officers, to provide for safety at sea. In some remarks which I expect to make on the seamen's bill I shall set forth the legislation and conventions of recent years in that regard; and this has reached its climax in the proposed conference to be held at London, beginning on the 12th of next month, at which the best experts of the leading maritime nations will be represented.

At the same time I commend the general object of the joint resolution introduced by the Senator from Massachusetts, and if no satisfactory report or conclusion should be reached from the conference at London there would then be occasion for adopting this joint resolution.

Also it lays special stress on danger from fire, a danger emphasized by the recent *Volturno* disaster. It may be said in this connection that each marine disaster has distinctive features of its own. The steps that are taken after one calamity meet the dangers which arise from that calamity or its causes, but the next disaster is almost invariably due to different conditions altogether.

The VICE PRESIDENT. The joint resolution will be referred to the Committee on Commerce.

THOMAS R. STALLINGS AND RICHARD M. NELSON.

Mr. BANKHEAD submitted the following resolution (S. Res. 196), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate is hereby directed to place upon the rolls of the Senate as clerk and as messenger, respectively, to the Committee on Expenditures in the Post Office Department, from the date of the adoption of this resolution, the names of Thomas R. Stallings and Richard M. Nelson, such appointments to hold until the election of a chairman of said committee.

Mr. BANKHEAD submitted the following resolution (S. Res. 197), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay out of the contingent fund of the Senate to Thomas R. Stallings the sum of $2,220 per annum and to Richard M. Nelson the sum of $1,200 per annum, the same being for services as clerk and as messenger to the Committee on Expenditures in the Post Office Department, respectively, from August 16, 1913, to the date of the passage of this resolution.

THE MERCHANT MARINE.

The VICE PRESIDENT. The morning business is closed. The Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea.

Mr. BURTON. I ask unanimous consent that the unfinished business be laid aside for the present that I may make a motion to take from the table Senate resolution 94, which was brought up on the 29th and 30th of May last.

The VICE PRESIDENT. Is there consent to temporarily laying aside the regular order? The Chair hears no objection.

PERSONAL EXPLANATION—BANKING AND CURRENCY.

Mr. STONE. Mr. President, I desire a few moments to make a brief statement of a somewhat personal nature. I shall not occupy very much time. I will ask the Secretary to read what I send to the desk.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

[Special to the World.]

WASHINGTON, *October 18*.

Senator STONE announced to-day that he will address the Senate next Wednesday on the necessity of passing the currency bill at this session of Congress.

It is generally understood that he will act as a direct spokesman of President Wilson when he urges his colleagues to put aside their differences and unite on the bill.

Senator STONE'S speech is calculated to "smoke out" and put on public record Senator O'GORMAN, of New York, Senator REED, of Missouri, and Senator HITCHCOCK, of Nebraska, the three Democrats whose tactics are delaying action on the bill.

Senator STONE is expected to direct much of his fire against Senator O'GORMAN, with whom he had an altercation on the subject the other day.

The speech to be made by Senator STONE is expected to be the beginning of an active fight for the passage of the bill at this session, and other Democratic Senators are understood to be preparing to demand that the party get together and dispose of the legislation.

Mr. STONE. Mr. President, on Saturday last I gave formal notice that on Wednesday of this week, if the Senate should then be in session, or, if not, then at an early day thereafter, I would ask the attention of the Senate in submitting some remarks on the banking and currency bill, now pending before the Banking and Currency Committee, and that I would direct my remarks especially to the importance of taking action on that bill and disposing of it at this session of Congress. That is all I said at that time. This dispatch appeared yesterday morning in one of the great papers of New York, one of the great papers of this country and of the world. The statements in the dispatch are erroneous, and, I fear, are calculated to be mischievous in effect. I had no conversation whatever with any correspondent or with anyone after I gave this notice as to what I intended to say, and the author of this dispatch simply drew upon his imagination. He certainly had not any "tip" from me as to what I had in mind to say. It is said in the dispatch:

It is generally understood that he will act as a direct spokesman of President Wilson when he urges his colleagues to put aside their differences and unite on the bill.

That is a mistake. I have no authority to speak for the President; I have not been designated in any form whatever to speak for him. Whatever I may say when the time comes will be what I have to say on my own account and responsibility. I shall hope and I believe that in the main what I may say will have the approval of the President, if I correctly understand his position on this subject. I have no hesitancy in saying here now, so far as I understand the President's attitude, I am in sympathy with it. Quoting again from this dispatch:

Senator STONE'S speech is calculated to "smoke out" and put on public record Senator O'GORMAN, of New York, Senator REED, of Missouri, and Senator HITCHCOCK, of Nebraska, the three Democrats whose tactics are delaying action on the bill.

Mr. President, that is the particular thing in this dispatch to which I object. I have no idea of "smoking out" anybody. There is no one nor anything to be "smoked out." The Senators named are men of force and character; they have opinions of their own, and they have the courage of their opinions, as I have the courage of mine. I have had no thought of saying anything that could by any strained construction be offensive—quite the contrary. "Smoking out" is an offensive term that I do not like, and if I were to attempt anything along that line, Mr. President, it would defeat or tend to defeat the very thing I am anxious to accomplish—that is, speedy action on this bill. I do not wish to offend any Senator unnecessarily, but I do intend, when the time comes, to speak my own views without equivocation, hesitation, or doubt as to my meaning. I would not hesitate to appeal to members of the Banking and Currency Committee of both parties, especially of my own party, for speedy action, and not to the committee alone but to the whole Senate, for early action on this bill; and not alone to Senators on this side, but to Senators on both sides of the Chamber. Mr. President, I do not wish to be put in the attitude of contemplating an attack on anybody. I have no thought of that kind.

And right here I wish to speak particularly with regard to my colleague, the junior Senator from Missouri [Mr. REED]. I know—and I wish to put this on record now—that Senator REED is as desirous of the enactment, and the speedy enactment, of banking and currency legislation as any other Senator here, and I think I know his feeling. He has believed that he ought to take a reasonable time to investigate facts relating to this important legislation, and I think that any criticism of his conduct or that of other members of the committee in this behalf ought to wait awhile, at least until we know there is real cause for criticism. I know my colleague so well that no question can arise in my mind of his high purpose to do his utmost faithfully to serve the public welfare.

I indulge the hope and the belief that this honorable committee will dispose of the questions before them in time to bring this bill before the Senate at a very early day, so that it may be considered at this session, and so that reasonable opportunity may be given at this session to pass upon the bill; and for one I am sure that my colleague is in sympathy with that policy, and I hope that the other members of the committee—all the members of the committee—feel likewise, whether they represent one political party or another.

Mr. President, at this time I wish merely to urge considerately and kindly that the members of the committee take as speedy action as possible, and this I do with the belief—certainly with the hope—that there will be no occasion for criticism on account of undue delay.

Mr. President, I have heard some talk about the party aspect of this question. Just a word as to that. For myself I will say that I think it would be better if legislation of this importance, or if any other important legislation, could go to the country with the approval of a large number of Senators and Representatives belonging to the different parties. I think legislation so enacted would more likely immediately challenge the general confidence. I would love to see this bill passed in that way; but I wish also to make this plain—that however gratified I would be to have this legislation approved by Senators on both sides, yet the Democratic Party is the party primarily responsible for this legislation. There is really no more reason, as I see it, why banking and currency legislation should not be made the subject of party action, if that should be necessary, than that tariff legislation should be made the subject of party action—not a whit more reason why. I am still indulging the hope and the belief that it will not be necessary to put this business in that attitude, but, if it should become necessary, for one, I think the party that is responsible for legislation and for the conduct of the Government should assume the full measure of that responsibility, and not shrink from it.

Mr. President, I see again it is stated in this newspaper article that I am to make some attack on the Senator from New York [Mr. O'GORMAN]. I have had no thought of doing that; it never entered my mind. The Senator from New York can take care of himself and I leave his course to his own judgment.

The dispatch also says that the speech which I am to make "is expected to be the beginning of an active fight for the passage of the bill at this session, and other Democratic Senators are" going to take part in a movement of that kind. Well, I do not know as to that, but I do know, and I have no hesitancy in saying, that Senators on this side, so far as I have had any conferences with them, are growing impatient to take up this legislation; they are very anxious to take it up and dispose of it; and still we are all moving along here with the utmost patience expecting the members of the committee to complete their work in a very few days and bring the bill before the Senate. I am not now going to discuss why I think that that should be done. That might lead to some premature controversy with some members of the committee, and I am not seeking controversy—at least not at this time. I merely want to disabuse the minds of Senators, especially those who have been named in this dispatch, of any intention or purpose of mine to make any attack upon them.

That is all I care now to say.

POSTMASTER AT SALEM, OHIO.

Mr. BURTON. Mr. President, I ask that Senate resolution 94 be taken from the table, and that it be read.

The VICE PRESIDENT. The Chair has just been trying to find out what is the practice in such cases. On consulting the RECORD the Chair finds that on the 2d day of June, by a yea-and-nay vote, the resolution was tabled. The Chair is of the opinion that, where a matter has upon a yea-and-nay vote been laid on the table, a Senator can not call it up for consideration. There must be a motion to take it from the table and to consider it. That is the ruling of the Chair.

Mr. BURTON. Mr. President, a parliamentary inquiry. Do I understand the Chair to rule that this resolution is definitely disposed of and that no other action can be taken upon it but a motion to take it from the table?

The VICE PRESIDENT. No; that was not the ruling of the Chair. The request was to take from the table and consider a resolution which by a yea-and-nay vote has been laid on the table. The ruling of the Chair was that it would require a motion to take it from the table; and that motion must be submitted to the Senate without argument.

Mr. BURTON. I take it that that is true of a motion of this kind, that it should be submitted without argument. I make the motion that the resolution be taken from the table.

The VICE PRESIDENT. The Senator from Ohio moves that Senate resolution 94, laid on the table on the 2d day of June, be now taken from the table and considered by the Senate.

Mr. KERN. Mr. President, may I inquire what is the resolution referred to?

The VICE PRESIDENT. A resolution requesting the Postmaster General to transmit to the Senate all papers relating to the appointment of a postmaster at Salem, Ohio.

Mr. BACON. Mr President, my attention has been diverted. I beg the pardon of the Chair. I should be glad if the Chair would repeat the suggestion which has been made by the Chair.

The VICE PRESIDENT. On the 2d day of June, by a yea-and-nay vote, Senate resolution 94, requesting the Postmaster General to transmit to the Senate all papers relating to the appointment of a postmaster at Salem, Ohio, was laid on the table. The Chair has ruled that it requires a motion now to take from the table the resolution and to consider it, and that that motion is not debatable. A motion is made to take the resolution from the table and now consider it.

Mr. BACON. I think the Chair is eminently correct in that ruling. I will make two criticisms, though, with regard to the resolution. In the first place, it is not in the language usually used by the Senate in directing a communication of that kind to the head of a department. In the second place, it should not be considered in open session, because it relates to executive business. If the Senator insists upon its consideration, I shall move that the doors be closed.

Mr. BURTON. Mr. President, I have conceded the rule that the motion is not debatable; but if there is to be discussion upon it, I myself wish to be heard.

The VICE PRESIDENT. The Chair must adhere to the ruling he has made.

Mr. BURTON. It seems to me the Senator from Georgia is engaged in discussing the subject.

Mr. BACON. If the Senator desires to discuss the question, I shall move that the doors of the Senate be closed, and that the question whether the resolution shall be taken up shall be considered behind closed doors. I make that motion. Mr. President.

The VICE PRESIDENT. Does the Senator from Georgia move that the Senate proceed to the consideration of executive business?

Mr. BACON. That is not the motion, Mr. President. The rules provide that whenever a motion is made and seconded that a matter shall be considered behind closed doors the Senate shall proceed to deliberate with closed doors.

The VICE PRESIDENT. Is there a second to the motion?

Mr. BRYAN. I second the motion.

The VICE PRESIDENT. The Sergeant at Arms will clear the galleries and close the doors of the Senate.

The Senate thereupon proceeded to deliberate with closed doors. After 35 minutes the doors were reopened.

The VICE PRESIDENT. The question is on the motion of the Senator from Ohio [Mr. BURTON] to take from the table and to consider Senate resolution No. 94. [Putting the question.] The motion is lost.

Mr. BURTON. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. THORNTON (when Mr. RANSDELL'S name was called). I desire to announce the necessary absence of my colleague [Mr. RANSDELL], and ask that the announcement stand for the day.

Mr. SHEPPARD (when Mr. CULBERSON'S name was called). I wish to state that my colleague [Mr. CULBERSON] is unavoidably absent. He is paired with the Senator from Delaware [Mr. DU PONT].

Mr. KERN (when Mr. SHIVELY'S name was called). My colleague [Mr. SHIVELY] is unavoidably absent from the city. He is paired with the junior Senator from Illinois [Mr. SHERMAN]. This announcement may stand for the day.

Mr. BACON (when the name of Mr. SMITH of Georgia was called). My colleague [Mr. SMITH of Georgia] is paired with the senior Senator from Massachusetts [Mr. LODGE]. Both Senators are absent.

Mr. LEWIS (when Mr. THOMPSON'S name was called). I am requested by the Senator from Kansas [Mr. THOMPSON] to announce that he is paired, and that he has been called back to his State by public business.

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Wisconsin [Mr. STEPHENSON], which I transfer to the Senator from Oklahoma [Mr. OWEN] and vote. I vote "nay."

Mr. WILLIAMS (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I

transfer that pair to the junior Senator from Nevada [Mr. PITTMAN] and vote. I vote "nay."

The roll call was concluded.

Mr. BANKHEAD (after having voted in the negative). I have a pair with the junior Senator from West Virginia [Mr. GOFF]. I transfer that pair to the senior Senator from Maryland [Mr. SMITH] and will permit my vote to stand.

Mr. O'GORMAN. I have a general pair with the senior Senator from New Hampshire [Mr. GALLINGER]. In his absence I withhold my vote.

Mr. BRYAN. I desire to announce that my colleague [Mr. FLETCHER] has had to leave the Chamber on account of illness. I will let this announcement stand for the day. My colleague is paired with the Senator from Wyoming [Mr. WARREN].

Mr. SMITH of Arizona. I transfer the pair which I have with the Senator from New Mexico [Mr. FALL] to the Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER], which I transfer to the junior Senator from South Carolina [Mr. SMITH] and vote "nay."

Mr. CHILTON. I wish to inquire whether the junior Senator from Maryland [Mr. JACKSON] has voted?

The VICE PRESIDENT. The Chair is informed that the Senator from Maryland has not voted.

Mr. CHILTON. I have a pair with the Senator from Maryland [Mr. JACKSON], which I transfer to the Senator from Oklahoma [Mr. GORE] and vote. I vote "nay."

Mr. STONE (after having voted in the negative). I voted inadvertently, not for the moment remembering that I had a pair with the Senator from Wyoming [Mr. CLARK]. I transfer that pair to the junior Senator from Louisiana [Mr. RANSDELL], and will allow my vote to stand.

Mr. O'GORMAN. I transfer my pair with the senior Senator from New Hampshire [Mr. GALLINGER] to the junior Senator from New Jersey [Mr. HUGHES] and vote "nay."

Mr. LEWIS. I wish to announce the pair of the Senator from Delaware [Mr. SAULSBURY] with the Senator from Rhode Island [Mr. COLT]. I desire that statement to be recorded.

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Maine [Mr. JOHNSON] and vote "nay."

Mr. SUTHERLAND (after having voted in the affirmative). I voted a moment ago without remembering that the Senator from Arkansas [Mr. CLARKE] was absent. I have a pair with that Senator, which I will transfer to the Senator from Maine [Mr. BURLEIGH], and allow my vote to stand.

Mr. WEEKS. I desire to state that my colleague [Mr. LODGE] is absent on account of illness. He has a general pair with the junior Senator from Georgia [Mr. SMITH]. I desire also to announce that the Senator from Illinois [Mr. SHERMAN] is absent on account of important business.

Mr. STERLING. I have a pair with the Senator from Nevada [Mr. NEWLANDS]. I transfer that pair to the senior Senator from New York [Mr. ROOT] and vote. I vote "yea."

Mr. BACON (after having voted in the negative). I observe that the senior Senator from Minnesota [Mr. NELSON] has not voted. I have a general pair with that Senator and transfer it to the junior Senator from New Hampshire [Mr. HOLLIS], and will permit my vote to stand.

Mr. ASHURST. I have been requested to announce the necessary absence of the Senator from Tennessee [Mr. LEA], and to state that he is paired with the Senator from South Dakota [Mr. CRAWFORD].

Mr. LEWIS. I have been requested to announce the pairs of the Senator from Rhode Island [Mr. LIPPITT] with the Senator from Montana [Mr. WALSH]; the Senator from California [Mr. PERKINS] with the Senator from North Carolina [Mr. OVERMAN]; the senior Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED]; the junior Senator from Michigan [Mr. TOWNSEND] with the Senator from Arkansas [Mr. ROBINSON]; and the Senator from California [Mr. WORKS] with the Senator from Colorado [Mr. SHAFROTH].

The result was announced—yeas 13, nays 24, as follows:

YEAS—13.

Bradley	Cummins	Page	Weeks
Brady	Kenyon	Smoot	
Bristow	Martine, N. J.	Sterling	
Burton	Norris	Sutherland	

NAYS—24.

Ashurst	Hitchcock	Myers	Swanson
Bacon	James	O'Gorman	Thomas
Bankhead	Kern	Pomerene	Thornton
Bryan	La Follette	Sheppard	Tillman
Chamberlain	Lane	Smith, Ariz.	Vardaman
Chilton	Lewis	Stone	Williams

NOT VOTING—58.

Borah	Goff	Newlands	Shields
Brandegee	Gore	Oliver	Shively
Burleigh	Gronna	Overman	Simmons
Catron	Hollis	Owen	Smith, Ga.
Clapp	Hughes	Penrose	Smith, Md.
Clark, Wyo.	Jackson	Perkins	Smith, Mich.
Clarke, Ark.	Johnson	Pittman	Smith, S. C.
Colt	Jones	Poindexter	Stephenson
Crawford	Lea	Ransdell	Thompson
Culberson	Lippitt	Reed	Townsend
Dillingham	Lodge	Robinson	Walsh
du Pont	McCumber	Root	Warren
Fall	McLean	Saulsbury	Works
Fletcher	Martin, Va.	Shafroth	
Gallinger	Nelson	Sherman	

The VICE PRESIDENT. On the motion of the Senator from Ohio, the yeas are 13 and the nays are 24. No quorum has voted. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Chamberlain	Norris	Sutherland
Bacon	Hollis	Page	Thomas
Bankhead	James	Pomerene	Vardaman
Bradley	Kenyon	Shafroth	Weeks
Brady	Kern	Sheppard	Williams
Bristow	La Follette	Smith, Ariz.	
Bryan	Lane	Smoot	
Burton	Myers	Stone	

The VICE PRESIDENT. Twenty-nine Senators have answered to the roll call. There is no quorum present.

Mr. BACON. I move that the Sergeant at Arms be directed to request the presence of absent Senators.

The VICE PRESIDENT. The Senator from Georgia moves that the Sergeant at Arms be directed to request the presence of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will execute the order of the Senate.

At 1 o'clock and 45 minutes p. m. Mr. TILLMAN entered the Chamber and answered to his name.

At 1 o'clock and 46 minutes p. m. Mr. STERLING entered the Chamber and answered to his name.

At 1 o'clock and 47 minutes p. m. Mr. O'GORMAN entered the Chamber and answered to his name.

At 1 o'clock and 48 minutes p. m. Mr. CUMMINS, Mr. MARTINE of New Jersey, Mr. BORAH, and Mr. THORNTON entered the Chamber and answered to their names.

At 1 o'clock and 49 minutes p. m. Mr. LEWIS entered the Chamber and answered to his name.

At 1 o'clock and 50 minutes p. m. Mr. CHILTON entered the Chamber and answered to his name.

At 1 o'clock and 54 minutes p. m. Mr. SMITH of Maryland entered the Chamber and answered to his name.

At 2 o'clock p. m. Mr. HITCHCOCK entered the Chamber and answered to his name.

At 2 o'clock and 8 minutes p. m. Mr. MCCUMBER entered the Chamber and answered to his name.

At 2 o'clock and 15 minutes p. m. Mr. SWANSON and Mr. MARTIN of Virginia entered the Chamber and answered to their names.

At 2 o'clock and 50 minutes p. m. Mr. OWEN entered the Chamber and answered to his name.

After some further delay,

Mr. KERN. I move that the Senate adjourn until to-morrow at 12 o'clock noon.

Mr. LA FOLLETTE. I ask the Senator from Indiana to withhold the motion for a moment.

Mr. KERN. Certainly.

Mr. LA FOLLETTE. Mr. President, I trust that before adjournment is taken to-day there may be an understanding that a special effort shall be put forth on both sides to secure the attendance of a quorum to-morrow.

The legislation that has been made the special order is of the very greatest importance to the general public. It involves the question of the safety of human life at sea. With sea disasters multiplying, shocking the whole world, with the history back of the 20-year effort to secure legislation upon this subject, with the organized opposition of steamship companies to it, I feel that the public ought to be informed, so that it can place the responsibility for this delay where it rightly belongs.

I trust that every effort will be put forth to induce absent Senators to return and be in their seats at 12 o'clock to-morrow, so that this bill may be taken up, considered deliberately, and after it has been thoroughly debated that it may be passed by the Senate and sent to the House.

It has the sanction and the approval of the administration. It has already received the approval of the Secretary of Commerce and the Secretary of Labor, both of whom have investigated the subject thoroughly and have studied the pending bills.

Mr. President, there is no reason why every Senator should not feel under obligation to be here and join in securing action by the Senate upon this very important subject.

Mr. KERN. I renew my motion that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 36 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, October 21, 1913, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *October 20, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Gracious God, our heavenly Father, touch, we beseech Thee, the better angels of our nature with the Holy Spirit that they may dominate our thoughts, quicken our hearts, and direct our ways, that our affections may go out with greater warmth to those near and dear, our sympathies to those who need our help and cheer, our hearts glow with patriotic zeal and fervor. And as the heavens are new every morning and fresh every evening, so may our lives be a perpetual memorial to Thee and receive Thine everlasting praise. In the Christ spirit. Amen.

The Journal of the proceedings of Friday, October 17, 1913, was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 192. An act to limit the use of campaign funds in presidential and national elections; and

S. 834. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the Senate had passed without amendment joint resolutions of the following titles:

H. J. Res. 125. Joint resolution authorizing the President to appoint delegates to attend the Seventh International Congress of the World's Purity Federation, to be held in the city of Minneapolis, Minn., November 7 to 12, 1913; and

H. J. Res. 134. Joint resolution for the appointment of a joint committee from House and Senate to attend Congress Hall celebration in Philadelphia in October, 1913.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 192. An act to limit the use of campaign funds in presidential and national elections; to the Committee on Election of President, Vice President, and Representatives in Congress.

S. 834. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; to the Committee on Invalid Pensions.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 767. An act granting permission to the city of Marshfield, Oreg., to close Mill Slough in said city; and

S. 3296. An act to enable the Commissioner of Indian Affairs to employ additional clerks on heirship work in the Indian Office.

LEAVE OF ABSENCE.

The SPEAKER. The Chair lays before the House the following personal requests, which the Clerk will report.

The Clerk read as follows:

Mr. LOBECK requests leave of absence for three days, on account of official business.

Mr. CLANCY requests leave of absence for three days, on account of official business.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. To which one does the gentleman object?

Mr. MANN. To both.

The SPEAKER. Mr. LOBECK's request is on account of official business. The Chair did not know but that that would modify the gentleman's objection.

Mr. MANN. I do not know of any more important official business than that of attendance of a Member of Congress when the House of Representatives is in session.

The SPEAKER. The Chair will have this letter read.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES,
Washington, October 18, 1913.

Hon. CHAMP CLARK,
Speaker of the House of Representatives, Washington, D. C.

DEAR SIR: I respectfully ask leave of absence from the House for three days.

I expect to meet in New York Monday, the 20th of October, Dr. Frederick A. Cleveland, chairman of the President's Commission on Economy and Efficiency, and together with him examine the methods of accounting in the customs service branch of the Treasury Department.

Hoping the request may be granted, I have the honor to be,

Yours, respectfully,

C. O. LOBECK,
Chairman Committee Expenditures in the Treasury Department.

PERSONAL STATEMENT.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON] asks unanimous consent to address the House for three minutes. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. JOHNSON of Kentucky. Mr. Speaker, it is certain that no man in this House has taken, without protest and without complaint, half so much villification from the papers here in Washington as I have. It is with much reluctance that I refer to the subject to-day. If the matter to which I now wish to refer were only a question between me and any one of these persistently malicious and maligning papers, I would not notice it. However, the Washington Evening Star, of date October 16, 1913, contained what purported to be a statement from Mr. William F. Gude, in which he is reported as having said that he did not know me, and that he had never seen me; and, consequently, that he had not made certain statements to me relative to the contemplated memorial bridge across the Potomac River. The newspaper article to which I refer quotes Mr. Gude as having made the following statement regarding the matter:

> William F. Gude, to whom Representative JOHNSON referred as authority for the charge that the memorial bridge was a "real estate project," indignantly denies that he said anything of the kind, or anything upon which such a conclusion could be predicated. "I do not know Mr. JOHNSON," he said to a Star reporter, "and so far as I know I never saw him. I certainly did not hold any conversation with him upon the subject of the memorial bridge, nor did I appear before his committee in connection with the matter."

Mr. Gude did appear before the District Committee and make a statement. At the time of his appearance I was present and presiding as chairman of the committee. After several persons had addressed the committee, Mr. Gude arose and commenced an address. I did not know who he was. I asked several of the committee if they knew him. All replied in the negative. If I remember correctly, he was then asked his name, and he replied "Mr. Gude." I then asked several about me whether or not he was the Mr. Gude who had recently become somewhat notorious as a professional juror in land-condemnation cases. The answer received by me was that the Mr. Gude then before us was a brother to "Juror Gude." I was told this in the hearing of Mr. Godwin, a reporter for the Star who was present, and he leaned over to me and said that the man then making a statement to the committee was not a brother to the Mr. Gude who had been serving upon land-condemnation juries, but that he was the juror himself. I, as well as other members of the committee, asked Mr. Gude several questions relative to bridges across the Potomac, including the contemplated "memorial bridge," until he made the statement, in substance, that unless this "memorial bridge" was constructed the war between the North and the South might be forgotten. When he made that statement the committee dropped him, and he retired.

I say this much relative to the matter that my fellow Members here may be reassured that Mr. Gude has seen me, and that he has discussed bridges with me—the "memorial bridge" included. With this brief statement I shall dismiss the subject.

EXTENSION OF REMARKS.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by having printed the speech that I made in the Democratic caucus at the beginning of this Congress placing in nomination the Speaker of this House.

The SPEAKER. The gentleman from Missouri [Mr. RUSSELL] asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

The SPEAKER. The Chair lays before the House the following personal request:

The Clerk read as follows:

Mr. EDWARDS requests leave of absence for 10 days on account of the serious illness of his brother.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects.

Mr. WALKER. Mr. Speaker, I trust the gentleman from Illinois [Mr. MANN] will withdraw his objection to the request made by my colleague from Georgia [Mr. EDWARDS] for leave of absence. I happen to know, Mr. Speaker, that Mr. EDWARDS'S brother has been desperately ill for some time. On Saturday he received a telegram from the attending physician, stating that his brother probably could not live more than 24 hours. Thereupon he immediately went home. I trust that the gentleman from Illinois will withdraw his objection, and I ask unanimous consent that Mr. EDWARDS be granted the leave of absence requested.

Mr. MANN. Mr. Speaker, when the matter comes to the point of sending for Mr. EDWARDS, if he is then detained by the illness of his brother, the House will undoubtedly gladly excuse him; but for the present I shall object to any request for leave to be absent from the House.

LEAVE TO EXTEND REMARKS.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

FOURTH-CLASS MAIL MATTER.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

Mr. KINDEL. Mr. Speaker, before that motion is put I should like to bring to the attention of the House the matter of the Interstate Commerce Commission granting the request of the Postmaster General to put printed books into fourth-class mail matter. I have this morning filed with the Interstate Commerce Commission an objection to that. I doubt whether there is a gentleman on the floor who has noticed the invitation of the Interstate Commerce Commission that those who desired to be heard on this question should come before the commission. I did not know of it until yesterday morning, and this morning I proceeded immediately to go before the commission, just before they entered this order, in which they wished to give their consent to the request of the Postmaster General. If this order goes into effect, we shall be paying on printed matter from all points east of Pittsburgh to Salt Lake 12 cents a pound while Canada can ship the same identical matter to those points for 8 cents a pound.

Mr. MANN. That is what I told the gentleman some time ago, when he was making a speech in favor of the proposition.

Mr. KINDEL. I want to show the gentleman that he is mistaken in this matter. I want to be heard, and there are others who want to be heard. I know of one house in New York that will be at a disadvantage of $300,000 per year just in the matter of postage on catalogues.

Mr. UNDERWOOD. As I understand, the gentleman wants to be heard before the Interstate Commerce Commission and not before the House. It is not a matter for the House.

Mr. KINDEL. There are no sessions of the Post Office Committee or of the Interstate Commerce Committee, and I want the public generally to know through the RECORD that I have been before the Interstate Commerce Commission and have there filed a written protest in this matter.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Alabama moves that the House do now adjourn.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. MANN. Mr. Speaker, I ask for the yeas and nays. Let us stay here and do business.

The SPEAKER. The gentleman from Illinois demands the yeas and nays. The Chair will count. Those in favor of ordering the yeas and nays will rise and stand until they are counted.

Pending the count,

Mr. UNDERWOOD. Mr. Speaker, in order to save time I concede that there are enough Members on the other side of the House to order the calling of the roll.

The SPEAKER. Twenty-eight Members have arisen, a sufficient number, and the yeas and nays are ordered.

The question was taken; and there were—yeas 84, nays 37, answered "present" 13, not voting 294, as follows:

YEAS—84.

Abercrombie	Dent	Humphreys, Miss.	Rothermel
Adair	Dixon	Jacoway	Russell
Aiken	Donohoe	Johnson, Ky.	Sabath
Ansberry	Donovan	Keating	Sherley
Bailey	Doremus	Kinkead, N. J.	Sherwood
Barkley	Doughton	Kirkpatrick	Sims
Barnhart	Evans	Lee, Ga.	Sisson
Beakes	Fergusson	Lee, Pa.	Smith, Tex.
Beall, Tex.	Flood, Va.	Lloyd	Sparkman
Bell, Ga.	Foster	McAndrews	Stephens, Miss.
Brockson	Garrett, Tex.	McCoy	Stone
Brumbaugh	George	McDermott	Stout
Buchanan, Ill.	Gorman	McGillicuddy	Stringer
Buchanan, Tex.	Gray	Maguire, Nebr.	Tavenner
Bulkley	Hammond	Oldfield	Ten Eyck
Byrns, Tenn.	Hay	Page	Thomas
Candler, Miss.	Hayden	Pepper	Underwood
Carlin	Helm	Phelan	Walker
Cox	Hensley	Raker	Watkins
Crosser	Hughes, Ga.	Rauch	Whaley
Deitrick	Hull	Reilly, Conn.	Young, Tex.

NAYS—37.

Anderson	Fowler	La Follette	Sinnott
Austin	Frear	Lindquist	Smith, Idaho
Avis	French	MacDonald	Smith, Minn.
Barton	Greene, Vt.	Mahaban	Smith, Saml. W.
Bell, Cal.	Hawley	Mann	Steenerson
Browne, Wis.	Johnson, Utah	Nelson	Sutherland
Campbell	Johnson, Wash.	Patton, Pa.	Towner
Cooper	Kennedy, Iowa	Plumley	
Dyer	Kindel	Powers	
Falconer	Lafferty	Rogers	

ANSWERED "PRESENT"—13.

Adamson	Hamilton, Mich.	Morrison	Woods
Carr	Hardwick	Slayden	
Crisp	Logue	Smith, J. M. C.	
Estopinal	McGuire, Okla.	Stanley	

NOT VOTING—294.

Almy	Dies	Hinds	Moss, Ind.
Alexander	Difenderfer	Hinebaugh	Moss, W. Va.
Allen	Dillon	Holson	Mott
Anthony	Dooling	Holland	Murdock
Ashbrook	Doolittle	Houston	Murray, Mass.
Aswell	Driscoll	Howard	Murray, Okla.
Baker	Dunn	Howell	Neeley
Baltz	Dupré	Hoxworth	Nolan, J. I.
Barchfeld	Eagan	Hughes, W. Va.	Norton
Bartholdt	Eagle	Hullings	O'Brien
Bartlett	Edmonds	Humphrey, Wash.	Oglesby
Bathrick	Edwards	Igoe	O'Hair
Blackmon	Elder	Johnson, S. C.	O'Leary
Booher	Esch	Jones	O'Shaunessy
Borchers	Fairchild	Kahn	Padgett
Borland	Faison	Kelster	Palmer
Bowdle	Farr	Kelley, Mich.	Parker
Bremner	Ferris	Kelly, Pa.	Patten, N. Y.
Britten	Fess	Kennedy, Conn.	Payne
Brodbeck	Fields	Kennedy, R. I.	Peters, Mass.
Broussard	Finley	Kent	Peters, Me.
Brown, N. Y.	Fitzgerald	Kettner	Peterson
Brown, W. Va.	Fitzhenry	Key, Ohio	Platt
Browning	Floyd, Ark.	Kless, Pa.	Porter
Bruckner	Fordney	Kinkaid, Nebr.	Post
Bryan	Francis	Kitchin	Pou
Burgess	Gallagher	Knowland, J. R.	Prouty
Burke, Pa.	Gard	Konop	Quin
Burke, S. Dak.	Gardner	Korbly	Ransdale
Burke, Wis.	Garner	Kreider	Rainey
Burnett	Garrett, Tenn.	Lamham	Rayburn
Butler	Gerry	Langley	Reed
Byrnes, S. C.	Gillett	Lazaro	Reilly, Wis.
Calder	Gilmore	L'Engle	Richardson
Callaway	Gittins	Lenroot	Riordan
Cantrill	Glass	Lesher	Roberts, Mass.
Caraway	Godwin, N. C.	Lever	Roberts, Nev.
Carew	Gooke	Levy	Rouse
Carr	Goldfogle	Lewis, Md.	Rubey
Carter	Good	Lewis, Pa.	Rucker
Casey	Goodwin, Ark.	Lieb	Rupley
Chandler, N. Y.	Gordon	Lindbergh	Saunders
Church	Goulden	Linthicum	Scott
Clancy	Graham, Ill.	Lobeck	Scully
Clark, Fla.	Graham, Pa.	Lonergan	Seldomridge
Claypool	Green, Iowa	McClellan	Sells
Clayton	Greene, Mass	McKellar	Shackleford
Cline	Gregg	McKenzie	Sharp
Collier	Griest	McLaughlin	Shreve
Connelly, Kans.	Griffin	Madden	Slemp
Connolly, Iowa	Gudger	Maban	Sloan
Conry	Guernsey	Maher	Small
Copley	Hamill	Mapes	Smith, Md.
Covington	Hamilton, N. Y.	Martin	Smith, N. Y.
Cramton	Hamlin	Merritt.	Stafford
Cullop	Hardy	Metz	Stedman
Curley	Harrison	Miller	Stephens, Cal.
Curry	Hart	Mitchell	Stephens, Nebr.
Dale	Haugen	Mondell	Stephens, Tex.
Danforth	Hayes	Montague	Stevens, Minn.
Davenport	Heflin	Moon	Stevens, N. H.
Davis	Helgesen	Moore	Summers
Decker	Helvering	Morgan, La.	Switzer
Dershem	Henry	Morgan, Okla.	Taggart
Dickinson	Hill	Morin	Talbott, Md
Talcott, N. Y.	Townsend	Walsh	Wilson, Fla.
Taylor, Ala.	Treadway	Walters	Wilson, N. Y.
Taylor, Ark.	Tribble	Watson	Wingo
Taylor, Colo.	Tuttle	Weaver	Winslow
Taylor, N. Y.	Underhill	Webb	Witherspoon
Temple	Vare	Whitacre	Woodruff
Thacher	Vaughan	White	Young, N. Dak.
Thompson, Okla.	Volstead	Williams	
Thomson, Ill.	Wallin	Willis	

So the motion of Mr. UNDERWOOD was agreed to.

The following pairs were announced:

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.

Mr. SCULLY with Mr. BROWNING.

Mr. METZ with Mr. WALLIN.

Mr. HOBSON with Mr. FAIRCHILD.

Mr. BARTLETT with Mr. BUTLER.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Until further notice:

Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1).

Mr. ASHBROOK with Mr. KAHN.

Mr. ALEXANDER with Mr. ROBERTS of Massachusetts.

Mr. ASWELL with Mr. MCLAUGHLIN (commencing Sept. 13).

Mr. BALTZ with Mr. SHREVE.

Mr. BLACKMON with Mr. BARCHFELD.

Mr. BORLAND with Mr. KEISTER.

Mr. BREMNER with Mr. KIESS of Pennsylvania.

Mr. BOWDLE with Mr. MOSS of West Virginia.

Mr. BURNETT with Mr. HAYES.

Mr. BROUSSARD with Mr. KELLEY of Michigan.

Mr. KITCHIN with Mr. PAYNE.

Mr. BATHRICK with Mr. KELLY of Pennsylvania.

Mr. BROWN of West Virginia with Mr. KREIDER.

Mr. BURKE of Wisconsin with Mr. CARY.

Mr. CLARK of Florida with Mr. MACDONALD.

Mr. COLLIER with Mr. WOODS.

Mr. CLAYTON with Mr. MONDELL.

Mr. CLAYPOOL with Mr. BRYAN.

Mr. CANTRILL with Mr. HELGESEN.

Mr. CARAWAY with Mr. KENNEDY of Rhode Island.

Mr. CRISP with Mr. HINDS (transferable).

Mr. CLANCY with Mr. HAMILTON of New York.

Mr. COVINGTON with Mr. MILLER.

Mr. CARTER with Mr. MCGUIRE of Oklahoma.

Mr. CLINE with Mr. NORTON (commencing Oct. 1).

Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.

Mr. DERSHEM with Mr. DAVIS.

Mr. DOREMUS with Mr. MAPES.

Mr. DIES with Mr. SWITZER.

Mr. DUPRÉ with Mr. ANTHONY.

Mr. CURLEY with Mr. J. R. KNOWLAND.

Mr. FRANCIS with Mr. HUGHES of West Virginia.

Mr. FITZGERALD with Mr. CALDER.

Mr. FERRIS with Mr. SELLS.

Mr. FIELDS with Mr. LANGLEY.

Mr. FAISON with Mr. CURRY.

Mr. FINLEY with Mr. GREEN of Iowa.

Mr. GERRY with Mr. FESS.

Mr. GOODWIN of Arkansas with Mr. PORTER.

Mr. GOEKE with Mr. PARKER.

Mr. GRAHAM of Illinois with Mr. PETERS of Maine.

Mr. GARNER with Mr. J. I. NOLAN.

Mr. GORDON with Mr. THOMSON of Illinois.

Mr. GARRETT of Tennessee with Mr. LANGHAM.

Mr. HEFLIN with Mr. DUNN.

Mr. HAMLIN with Mr. COPLEY.

Mr. HARRISON with Mr. GRAHAM of Pennsylvania.

Mr. HOXWORTH with Mr. ROBERTS of Nevada.

Mr. HOWARD with Mr. GRIEST.

Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).

Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).

Mr. HOUSTON with Mr. WILLIS.

Mr. HENRY with Mr. LEWIS of Pennsylvania.

Mr. IGOE with Mr. PROUTY.

Mr. JONES with Mr. HINEBAUGH.

Mr. JOHNSON of South Carolina with Mr. CAMPBELL.

Mr. KEY of Ohio with Mr. FARR.

Mr. KONOP with Mr. MORIN.

Mr. KETTNER with Mr. SCOTT.

Mr. MONTAGUE with Mr. VARE.

Mr. MOON with Mr. DILLON.

Mr. MORGAN of Louisiana with Mr. HULINGS.

Mr. MADDEN with Mr. RAINEY.

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. MCKELLAR with Mr. MOTT.

Mr. PALMER with Mr. MOORE.

Mr. PETERSON with Mr. PLATT (commencing Oct. 13).

Mr. POST with Mr. MURDOCK.

Mr. PAGE with Mr. GILLETT (commencing Sept. 30).

Mr. RUCKER with Mr. HAUGEN.

Mr. RUSSELL with Mr. DANFORTH.

Mr. ROUSE with Mr. RUPLEY.

Mr. RICHARDSON with Mr. MARTIN.

Mr. RUBEY with Mr. TREADWAY.

Mr. SHARP with Mr. YOUNG of North Dakota.

Mr. SPARKMAN with Mr. HOWELL.

Mr. SUMNERS with Mr. ESCH.

Mr. STEDMAN with Mr. EDMONDS.

Mr. SAUNDERS with Mr. AINEY.

Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.

Mr. STEPHENS of Nebraska with Mr. SLOAN.

Mr. TAYLOR of Alabama with Mr. GUERNSEY.

Mr. TAYLOR of Arkansas with Mr. SUTHERLAND.

Mr. TALBOTT of Maryland with Mr. MERRITT.

Mr. UNDERHILL with Mr. WALTERS.

Mr. WATSON with Mr. CRAMTON.

Mr. WHITACRE with Mr. TEMPLE.

Mr. WILLIAMS with Mr. BRITTEN.

Mr. WEBB with Mr. WOODRUFF.

Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).

Mr. WEAVER with Mr. BURKE of Pennsylvania.

Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).

Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, excepted at option of either).

Mr. REED with Mr. WINSLOW (commencing Oct. 1 for remainder of extra session).

Mr. STEPHENS of California with Mr. WITHERSPOON (commencing Oct. 3, 1913, except on cotton-futures amendment).

Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, ending balance of session).

Mr. HAMILTON of Michigan. Mr. Speaker, I voted "no" on the roll call, but I am paired with the gentleman from Kansas, Mr. CONNELLY. I therefore withdraw my vote and answer "present."

Mr. SLAYDEN. Mr. Speaker, I voted "aye" on the roll call, but I find that I am paired with the gentleman from Missouri, Mr. BARTHOLDT. I wish to withdraw my vote and answer "present."

The result of the vote was announced as above recorded.

Accordingly (at 12 o'clock and 44 minutes p. m.) the House adjourned until to-morrow, Tuesday, October 21, 1913, at 12 o'clock noon.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 4267) granting a pension to Alexander Frazier, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. STEENERSON: A bill (H. R. 8958) for the relief of settlers on ceded Indian lands in the State of Minnesota; to the Committee on Indian Affairs.

By Mr. WALKER: A bill (H. R. 8959) authorizing and directing the Secretary of Agriculture to experiment with the cultivation of sea-island cotton, and to improve the seed, the staple, the production, and the cultivation thereof in Georgia, Florida, and South Carolina; to the Committee on Agriculture.

By Mr. SLAYDEN: A bill (H. R. 8960) incorporating the American Academy of Arts and Letters; to the Committee on the Library.

By Mr. CLARK of Florida: A bill (H. R. 8961) to donate to the city of St. Augustine, Fla., for park purposes, the tract of land known as the powder-house lot; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FIELDS: A bill (H. R. 8962) granting an increase of pension to Richard S. Carr; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 8963) granting a pension to Mary F. Robinson; to the Committee on Invalid Pensions.

By Mr. LEE of Pennsylvania: A bill (H. R. 8964) granting a pension to Bridget Connor; to the Committee on Pensions.

Also, a bill (H. R. 8965) authorizing the Secretary of War to donate two brass or bronze cannon and cannon balls to the city

of Pottsville, in the State of Pennsylvania; to the Committee on Military Affairs.

By Mr. MAHAN: A bill (H. R. 8966) granting an increase of pension to Charles A. McGaffey; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 8967) granting a pension to Ann Manley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8968) granting a pension to Adam Akers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8969) granting an increase of pension to Elizabeth Avers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8970) granting an increase of pension to William Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8971) to correct the military record of Adam Akers; to the Committee on Military Affairs.

By Mr. RUSSELL: A bill (H. R. 8972) granting an increase of pension to John H. Estes; to the Committee on Invalid Pensions.

By Mr. STOUT: A bill (H. R. 8973) for the relief of William Liskey; to the Committee on the Public Lands.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. KIESS of Pennsylvania: Evidence in support of House bill 5419, for the relief of William Woodhouse; to the Committee on Invalid Pensions.

By Mr. McGILLICUDDY: Memorial of the State Board of Trade of Maine, favoring arbitration as a solution of international controversies; to the Committee on Foreign Affairs.

By Mr. MAHAN: Paper to accompany House bill 8572, granting an increase of pension to Albert Smith; to the Committee on Invalid Pensions.

By Mr. MONDELL: Petitions of sundry citizens of various towns and cities of Wyoming in support of House bill 5308, relative to mail-order houses; to the Committee on Ways and Means.

By Mr. STEPHENS of California: Memorial of the board of trustees of the California State Library, favoring House resolution 227, relative to the extension of parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of the Alameda County Colored American Center of the California Civic League, protesting against the segregation of the colored employees in the Government departments at Washington; to the Committee on Reform in the Civil Service.

By Mr. UNDERHILL: Petitions of sundry citizens of the State of New York, favoring passage of House bill 5308, relative to mail-order houses; to the Committee on Ways and Means.

SENATE.

TUESDAY, *October 21, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 1673) authorizing the Secretary of the Interior to grant further extensions of time within which to comply with the law and make proof on desert-land entries in the counties of Grant and Franklin, State of Washington.

ENROLLED JOINT RESOLUTIONS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled joint resolutions, and they were thereupon signed by the Vice President:

H. J. Res. 125. Joint resolution authorizing the President to appoint delegates to attend the Seventh International Congress of the World's Purity Federation, to be held in the city of Minneapolis, State of Minnesota, November 7 to 12, 1913; and

H. J. Res. 134. Joint resolution for the appointment of a joint committee from House and Senate to attend Congress Hall celebration in Philadelphia in October, 1913.

CREMORA J. HOFFMAN.

Mr. MARTIN of Virginia presented a paper to accompany the bill (S. 2735) granting a pension to Cremora J. Hoffman, which was referred to the Committee on Pensions.

CHEYENNE RIVER AND STANDING ROCK INDIAN RESERVATION LANDS.

Mr. STERLING. Mr. President, I am just in receipt of a petition signed by more than 800 homestead settlers on the Cheyenne River and Standing Rock Indian Reservation lands, asking for legislation which will relieve them from paying the purchase price for those lands. The petition recites that there have been four successive failures of crops in that section of the country. The lands are situated in North and South Dakota, the greater part of them in South Dakota.

I deem this a matter of great importance, and I will ask to have the petition read, omitting the names of the petitioners, and that it be referred to the Committee on Public Lands.

There being no objection, the petition was read and referred to the Committee on Public Lands, as follows:

PETITION OF HOMESTEAD SETTLERS FOR RELIEF.

To the President of the United States, the Senate, and the House of Representatives:

Your petitioners respectfully represent that we are now residing on homesteads in those parts of the Cheyenne River and Standing Rock reservations in North and South Dakota open to homestead entry; that we have endeavored to procure such crops as would maintain ourselves, our families and live stock, but that there has prevailed over this territory during the past three years and to this date (Aug. 15, so late that we can expect no returns this season) a drought which has been as severe as any in the history of this territory, which has resulted in practically a total failure of all crops planted, and that there has not been sufficient growth of grass to afford the usual hay crop or pasturage, wherefore many are compelled to dispose of their live stock or ship them to other localities at a great cost; that wells and creeks which have seldom, if ever, before gone dry are now failing, and that reasonable provisions and feed are to be had only at an exceedingly high price.

That under the most favorable conditions we can not recover from the present unfortunate conditions. Having had four crop failures, many of us have exhausted all our money and credit, and it will be all and more than we can do to provide a livelihood for ourselves and families; that we can not pay the appraised price of the land or the interest on the payments of same; that if we are obliged to do so many of us will be obliged to abandon our homes and forfeit the payments and interest already made and all we have expended in improvements and cultivation.

That, owing to the four successive crop failures many are leaving their land and seeking employment, which will cause a great depreciation in the value of the land. We know that the land outside of the reservation and the Indian land within the reservation are being sold at prices not to exceed the appraised value of the reservation lands.

That a number of us have commuted our homestead entries and have paid up the Government in full for our land, and are now in destitute circumstances and can obtain neither money nor credit, and that we will be compelled to leave our land unless we obtain relief.

Wherefore we do petition Congress for relief, and pray that Congress absolve and discharge us of the obligation of making further payments or paying further interest on account of the balance now remaining unpaid on those lands, and that those of us who have heretofore commuted our homestead entries and have paid up the Government in full for our land have the money so paid refunded or our homestead rights restored, and be given the privilege to enter another quarter of land in the Cheyenne River or Standing Rock Indian Reservations, in North and South Dakota, on which payments be abated.

HOUSE OFFICE BUILDING.

Mr. MARTIN of Virginia. From the Committee on Appropriations I report back favorably without amendment the joint resolution (H. J. Res. 142) to provide for furnishing additional rooms in the House Office Building, and I ask unanimous consent for its present consideration.

There being no objection, the joint resolution was considered as in Committee of the Whole.

Mr. MARTIN of Virginia. Mr. President, I suppose I ought to explain the joint resolution. It will take only a few moments.

In the last general deficiency appropriation act an appropriation of $220,370 was made for the construction of new offices in the House Office Building. It seems that the top floor had not been subdivided into rooms, and the increase in the membership of the House resulting from the last census left nearly 50 Members of the House unprovided with offices. Those offices are now nearly completed, the $220,370 appropriated for that purpose having been expended in completing them, but they are not furnished. The House passed this joint resolution appropriating $50,000 for furnishing 53 new rooms which have been constructed in the House Office Building.

The amount of $50,000 for furnishing those 53 rooms is on the basis of the expenditure made for the rooms originally furnished in that building. I have no doubt myself that the House Members are not provided with adequate and proper offices in which to do the work devolving upon them. These offices which have been constructed must be furnished in order that they may be taken care of. The amount estimated for has been figured out by the Clerk of the House. The joint resolution has been considered by the House Appropriations Committee and has passed the House, and I think it is proper that the Senate should pass the joint resolution, so that those rooms may be furnished.

The VICE PRESIDENT. If there be no amendment as in Committee of the Whole, the joint resolution will be reported to the Senate.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH of Arizona:

A bill (S. 3314) for the relief of the water users under what is known as the Yuma irrigation project, in Yuma County, Ariz.; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. JACKSON:

A bill (S. 3315) to remove the charge of desertion from the military record of Lorenzo Dorritee; and

A bill (S. 3316) authorizing the Secretary of War to make a donation of condemned cannon and cannon balls to the city of Salisbury, Md.; to the Committee on Military Affairs.

By Mr. O'GORMAN:

A bill (S. 3317) for the relief of the estate of Bernard P. Minnack and others; to the Committee on Claims.

By Mr. ASHURST:

A bill (S. 3318) granting a pension to Letta D. Webster; to the Committee on Pensions.

SENATOR FROM ALABAMA.

Mr. BANKHEAD. Mr. President, on the 12th day of August the governor of Alabama appointed Hon. HENRY D. CLAYTON to fill a vacancy in the unexpired term ending March 3, 1915, occasioned by the death of Joseph F. Johnston, late a Senator from that State. The certificate of appointment was presented to the Senate and was referred to the Committee on Privileges and Elections. That committee has made no report. I am now authorized and requested by the Hon. HENRY D. CLAYTON to ask that the Committee on Privileges and Elections be discharged from the further consideration of the certificate of appointment, he having declined, and so notified the governor, to accept or attempt to accept the appointment. I also ask the unanimous consent of the Senate that the Committee on Privileges and Elections be discharged from the further consideration of the certificate of appointment or credentials of Mr. CLAYTON, and also that they be withdrawn from the files of the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Committee on Privileges and Elections is discharged from the further consideration of the certificate of appointment referred to and it is withdrawn from the files of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a joint resolution (H. J. Res. 139) to relieve destitution among the native people and residents of Alaska, in which it requested the concurrence of the Senate.

RELIEF OF NATIVES OF ALASKA.

The joint resolution (H. J. Res. 139) to relieve destitution among the native people and residents of Alaska was read twice by its title.

Mr. SMOOT. Mr. President, to what committee has the joint resolution been referred?

The VICE PRESIDENT. It has not as yet been referred.

Mr. SMOOT. I think it should go to the Committee on Appropriations, because it relates to part of an appropriation that has already been made.

The VICE PRESIDENT. The joint resolution is for the purpose of transferring the unexpended balance of an appropriation to another purpose. Should it go to the Committee on Appropriations?

Mr. SMOOT. I think it should go to the Committee on Appropriations.

The VICE PRESIDENT. The joint resolution will be referred to the Committee on Appropriations.

THE MERCHANT MARINE.

The VICE PRESIDENT. The morning business is closed, and the Chair lays before the Senate the special order, which is Senate bill 136.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea.

Mr. LA FOLLETTE. Mr. President, the proceedings of yesterday operated to defeat for the time the consideration of this important measure. The Senate was compelled to adjourn because no quorum was present, and a quorum could not be obtained. These facts impress me with the importance of ascertaining now whether it is possible to bring the Members of this body to a realization of the importance of this legislation in such a way as to insure their attendance so that the bill may be disposed of under the terms of the special order made with respect to it.

Two courses are open to those who are interested in this legislation. One is to raise the question of a quorum now and ascertain whether Senators are here or are absent. The other is to proceed with the discussion of the bill in the presence of some 30 or 35 Senators now on the floor and to continue in that way to-day and to-morrow and on Thursday be confronted, shortly before the order is to expire, with the fact that there is not a quorum of the Senate in the city of Washington, and then this measure, involving the safety of life at sea, must fail and receive no consideration possibly for months. The postponement of the determination of the presence of a quorum until shortly before the vote is to be taken might very easily leave us with the time so short that it would be impossible to secure the attendance of a sufficient number to insure action before the time when the order will expire.

For that reason, Mr. President, I will now test that question. If it shall be developed that a quorum is not present, I ask the Senate to take such action as will compel the attendance of a quorum of the Senate, so that a vote may be had upon this measure.

Mr. ASHURST. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Arizona?

Mr. LA FOLLETTE. I do.

Mr. ASHURST. Before the Senator calls for a quorum I should like to be heard for a moment on the same subject.

Mr. LA FOLLETTE. I yield.

Mr. ASHURST. At this time?

Mr. LA FOLLETTE. Yes; I yield to the Senator now.

Mr. ASHURST. Mr. President, very little, if anything, that I have ever said here or elsewhere deserves to live or to be resurrected, but I shall, nevertheless, now read to the Senate the brief statement I made here on October 9.

The statement is as follows:

While I do not happen to have the honor to be a member of the committee which reported this bill, I must not let this occasion pass without saying here that I am extremely pleased that the bill has been reported. I have given the bill considerable study, not only during this session but during the last session. Before I came to Congress I gave a bill somewhat similar to this measure much study.

This bill has for its object the promotion of the safety of human life at sea. Do we need another *Titanic* disaster to convince us of our duty on this bill? How much longer must we delay when matters of such supreme importance are before us? The bill not only promotes the safety of passengers and the crew of the vessel at sea, but it also has for its beneficent purpose the abolition of a very odious form of involuntary servitude that has been carried on and imposed upon many helpless seamen.

We are here; Congress is supposed to be in session; and we ought in good faith to the people of the United States manfully to legislate on all subjects upon which we have jurisdiction or manfully adjourn.

I join with those who say we ought not to ping-pong about from Thursday to Monday, then from Monday to Thursday. Let us diligently take up subjects of legislation and treat them as they should be treated, or have the nerve and pluck to adjourn—I was about to say resign; yes, if we can not do our work we ought to resign.

I earnestly hope that no objection will be made, for this bill or some bill of this same general character should have been passed years ago.

Mr. President, on October 13 I spoke as follows here in the Senate:

BUSINESS OF THE SESSION.

Mr. ASHURST. Mr. President, a moment ago a motion was made and carried that when the Senate adjourns to-day it adjourn until Thursday next. I am a new Senator here, and would be presumptuous if I attempted to put my limited experience into the scales against the experience of elder Senators. But I warn the Senate, I warn especially the Democratic Members of the Senate, that no party can fool the American people. Let us either manfully work or manfully adjourn.

I protest with all the vehemence of which I am capable against trying to make the American people believe that we are at work when we are not. On the calendar there are 40 or 50 bills that have been reported. They should be passed or defeated. Is the United States Senate afraid to meet the bills that are upon the calendar? Is any Senator afraid to vote yea or nay on the bills?

We are drawing salaries paid to us for performing our duties, and I again protest, and shall continue to protest, against a procedure of pretending to be at work when we are not. Now, why may we not meet at 2 o'clock every afternoon and take up the calendar? Many bills of great importance to the country are pending on that calendar requiring attention. There is an enormous work and an immense responsibility just ahead of the Democratic Party. The serious economic conditions facing us require that we give studious, assiduous, and careful attention to legislation in addition to the tariff and the currency.

Mr. President, when the distinguished Senator from Wisconsin [Mr. LA FOLLETTE] urged that the seamen's bill, so called, be made the unfinished business I joined in that request and also urged that the bill be passed at an early day, because the discussion of such legislation is entering now upon its twenty-third year and can not now fairly be called "hasty legislation." At the very time, at the very hour, indeed, sir, at the very moment we were urging that this bill should be discussed the *Volturno* was burning on the high seas and valuable—all human lives are valuable—lives were lost because the

seamen were not sufficiently experienced in the method and manner of lowering lifeboats.

This is a meritorious bill; no more meritorious bill has been presented to Congress since I have been a Member. It has for its purpose amongst other things the abolition of an odious form of involuntary servitude that has been imposed upon seamen far, far too long. We have made this bill the unfinished business. The Senate should either adjourn or send for the absentees to come here; and above all things we should not carry on this miserable farce of pretending that we are at work when we are not. Further to prolong the present situation would be showing bad faith, which the Senate can not show and never yet has exhibited on a question of unanimous-consent agreements.

Our word is pledged to the American people, and pledged to each other, that we will consider the bill and that at not later than 4 o'clock on next Thursday we will vote upon it. When we entered into that agreement we presupposed that we would have a quorum. For myself I do not believe, I can not believe, that any Senator would so far forget himself, would so far forget the proprieties of this place, would so far forget his duty as to defer action on this bill by any means or any motion which would seek willfully to break a quorum in view of the fact that we have agreed to vote next Thursday.

The people of the United States admire directness and boldness. If we should all resign they would be very grateful to some of us; if we should adjourn, many of them would be grateful; if we should go to work, the whole Nation would be grateful; but no one will be grateful if we pretend to be at work when we are not. Let us press forward and perform the high and important duties of these honorable positions, the seats in the Senate, to which we have been called.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Idaho?

Mr. LA FOLLETTE. I do.

Mr. BORAH. Mr. President, I think we are all agreed that it is rather an unfortunate situation in which we find ourselves, attempting to consider important measures when we are struggling at the same time to keep a quorum. There is only one way, in my judgment, in which we can keep a quorum here, and that is to have it understood once and for all that we are going to proceed to consider all such legislation as may properly come before us until such time as the currency bill arrives here. The pending bill is an important measure; everyone will concede that; but there are also other matters of importance in which Senators are vitally interested; and Senators are away because of the fact that it is not anticipated that any continuous course of legislation will be had.

I should like, if the Senate would do so, to see the announcement made that we will proceed to legislation and to consider all matters which may properly come before us in due course of business. Then Senators will return here and they will remain here. There is no reason, to my mind, why we should not do so, because the currency bill will certainly not be before us for 15 or 20 days. In the meantime we could consider other measures—some of them, it is true, of a local nature, but nevertheless very important and of more than ordinary concern to those who are interested from a local standpoint. In this way, Mr. President, we can bring the Senate here and proceed to business. I can not see why we should not proceed in the usual way to consider all such matters as may properly come before us. If we are to stay here—and I am quite willing to stay upon that program—let us dispatch business.

I am thoroughly in sympathy with the suggestion of the Senator from Wisconsin [Mr. LA FOLLETTE], but I should like to have it understood that when Senators are called back here they shall be called here for continuous work. I have not urged some measures in which I am interested for the reason that I felt absolutely certain that we would not get a quorum. I did suppose that the importance of this bill would secure the attendance of a quorum, but it seems that so far it has not done so.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. LA FOLLETTE. Certainly.

Mr. CUMMINS. I think the attitude in which we find ourselves is not only unfortunate, as suggested by the Senator from Idaho [Mr. BORAH], but that it is humiliating. We ought either to adjourn, or we ought to do the business which we are commissioned to do. I simply repeat a remark that I made a few days ago when the subject was before the Senate. It is true, as stated by the Senator from Idaho, that so long as it is understood that nothing will be done, that no general legislation will be considered, it will be found practically impossible to keep a quorum of the Senate in the city of Washington.

I do not know whether it is in the contemplation of those who really control the movement of the Senate that there shall be an adjournment; the newspapers seem to be very conflicting in their reports upon that matter; but my conclusion, from everything that I have been able to see, is that we are not to adjourn until the banking and currency bill is disposed of. If that be true—and we might as well determine that at one time as another—then the committees of the Senate ought to reassemble and resume their work.

Take the Committee on Interstate Commerce, for example. I happen to know something about its calendar, because I am a member of that committee. There are upon its calendar now bills that are of the first importance to the American people. I am not now speaking of the great measures which are intended to further regulate the trusts and monopolies of the country, but I am speaking of other legislation for which there is a universal demand. We have not had a meeting of the Interstate Commerce Committee this session, save a preliminary meeting, in which it was announced that nothing would be done save mere organization. I did not complain of that in the early part of the session, because all Senators were absorbed in the consideration of the tariff bill; but that is now over; we have time in which that work ought to be done, and Senators ought to be here doing it. Therefore, I think the Senator from Wisconsin is right. We might as well determine now whether we can secure enough Senators to do business, not alone the business now before the Senate, but all the business that would naturally come before the body.

Here is a measure that deeply concerns the welfare of a great body of men, who for years—yes; for centuries—have suffered from a brutality and a tyranny that shock the sense of civilized men whenever it is described, and we are confronted with the danger that when we come to the moment of voting we will not have a quorum of the Senate here to declare their purpose.

I think it is due the country that the Senate this morning shall proclaim that we intend from now on to consider the business of the country, to consider it diligently, and to consider it every day until an adjournment takes place. Therefore I hope that the proposal of the Senator from Wisconsin will bear fruit and that we will, before we take a vote upon this bill, have a quorum here that is willing to stay without having the Sergeant at Arms at their elbows.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. I do.

Mr. SMOOT. Mr. President, I should like to suggest to the Senator from Wisconsin that we now proceed to the discussion of the pending bill, as he, no doubt, will open the discussion and no doubt the Senator from Ohio [Mr. BURTON] will require some time to answer.

I desire also in this connection to call his attention to the unanimous-consent agreement. In my opinion, it is not necessary under that agreement that the vote shall be taken on Thursday, for it provides:

> And that at not later than 4 o'clock p. m. on Thursday, October 23, 1913, the Senate will proceed, without further debate, to vote upon any amendment that may be pending, any amendments that may be offered, and upon the bill, through the regular parliamentary stages, to its final disposition.

Or, in other words, if the bill is not disposed of upon the calendar day of Thursday, it will be disposed of just as soon thereafter as the Senate can develop a quorum and vote upon it. The Senate can not after Thursday, unless the bill is then disposed of, do any other business. The only thing after 4 o'clock Thursday that can be done is to vote upon amendments that may be offered or amendments that may be pending and on the bill itself; but there is nothing in the unanimous-consent agreement that compels a vote upon that calendar day. Generally, in unanimous-consent agreements it is provided that the vote shall be taken either upon the calendar day or the legislative day; but this unanimous-consent agreement does not so provide.

I believe there is a quorum of the Senate present in the city, and I really believe that there will be a quorum present on Thursday; but even if there is not, Mr. President, we will be in just as good a position, and better, if we discuss this question now and get the discussion back of us and then develop a quorum as we would be to do it this morning. I simply suggest this to the Senator from Wisconsin.

Mr. BORAH. Does the Senator from Utah think that it is a very dignified thing to discuss a bill in the absence of Senators, hoping we may not get a quorum after it is discussed?

Mr. SMOOT. There are more Senators now present in the Chamber than are generally present when many very important subjects are discussed.

Mr. BORAH. So much the worse for the Senate.

Mr. SMOOT. I believe the Senator will admit what I have said, will he not?

Mr. BORAH. I do not know whether I will admit it or not. I do know that Senators do not attend in the Chamber at all times, but they are generally close enough—in the cloakrooms—so that if a Senator becomes interesting they can come in.

Mr. President, I would not object to any action the Senator from Wisconsin might take in regard to his own bill, of course, and if the course suggested by the Senator from Utah [Mr. SMOOT] should be satisfactory to him I would not object; but as for myself, I do feel that we ought to have here a Senate with a readiness and showing an outward disposition to consider these matters as a Senate and that we should not simply creep along, getting the bill through by piecemeal and by calling in a quorum under great excitement and force of arms in order to pass a very important measure. There ought to be something left to this body in the way of dignity and a sense of responsibility; and I maintain that when a measure of this importance is being considered it ought not even to go into the RECORD that we propose to discuss and consider it in the absence of a quorum of the Senate, in the hope that we can force enough into the Chamber so that we can vote on the bill when that stage is reached in its consideration.

Mr. KERN. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. LA FOLLETTE. I do.

Mr. KERN. Mr. President, I am quite in sympathy with the Senator from Wisconsin [Mr. LA FOLLETTE] in his efforts in behalf of this bill. I am also quite in sympathy with him in his efforts to secure a quorum, that the Senate may proceed in the orderly conduct of its business. Speaking for the majority, on yesterday I sent out a notice to all the Members of this side who are in the city and telegraphed to all those absent who were at all likely to be able to arrive here during the day. There are now in the city, from the best information I can get, 48 Senators, 31 of whom are Democrats and 17 Republicans, there being 19 absentees on the majority side and 28 absentees on the minority side.

I do not know whether or not a quorum can be had to-day except by means of extraordinary process. I am in favor of the exercise of all the power of the Senate to bring a quorum here for the transaction of business. I think it would be a public misfortune for those present to surrender to the absentees. It seems to me it would be a confession to the country and to the world that the Senate of the United States is unable to carry on the business intrusted to it by the people, even business of this important kind.

I do not understand how any man can read the petition of the seamen to this body, which has been made a public document, without being impressed with the vital importance of this measure. It is not only a question of the preservation of human life, spoken of by the Senator from Wisconsin, but a question of human liberty as well. It is a question in which all men who love liberty are deeply interested and all those who are interested in the preservation of human life and the averting of such horrible calamities as have recently occurred upon the seas.

As to absentees, I do not desire to speak in terms of censure regarding many of those who are not here. There are members of the Finance Committee who have spent the summer here who are well-nigh broken in health. My colleague is one of them. I can understand why those men, men whose health has been impaired, are now seeking a little needed rest. There are two or three or four other Senators, not members of the Finance Committee, who are absent on account of ill health. Of course no word of censure is applicable to cases of that kind. But there is no sort of reason why a majority of the Senate should not be in attendance and why a quorum should not be maintained.

As to the suggestion of the Senator from Iowa [Mr. CUMMINS] in regard to taking up the regular business of the Senate, and as to whether or not there is to be an adjournment, I will say that I have no information upon that subject. I have no information that leads me to believe there will be a speedy adjournment of this body. I can see no reason why the regular business of the Senate should not be taken up, or why we should not proceed to work in the ordinary way.

Mr. BACON. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. LA FOLLETTE. I do.

Mr. BACON. I presume I will not be considered as one generally apologizing for those who are not present in their seats in this Chamber. I am myself a very ardent advocate of the proposition that it is the duty of every Senator to be in his seat at all times when not necessarily absent, and I have endeavored to square my own conduct with that rule throughout my service in the Senate. At the same time I think something should be said to relieve Senators who are now absent from any improper censure on account of their absence at this time.

During the time I have been in the Senate I have never seen an occasion when a quorum of the Senate was not easily obtainable until the present time. I think the absence of a quorum now, or the difficulty in obtaining one, is due to a fact which all must concede—that present conditions are abnormal and have been so recognized and in a measure consented to.

It is a well-known fact that this session was called as an extraordinary session for specific purposes. While some other measures have had some degree of consideration, it has been recognized by Senators on both sides of the Chamber that we were not expected to engage in the regular activities of legislation which are usually found in a session not called for some specific purpose, as this has been.

I think it will be conceded that among the Senators who are now absent are many of the most faithful, diligent, and painstaking Members of the Senate. Everybody will concede that. When we were first called in extraordinary session it was recognized that it was for the purpose of considering and, if found practicable, of passing a bill upon the tariff. It was recognized that during all the time the tariff bill was before the Finance Committee the Senate was practically doing what is popularly called "marking time." In other words, it was nominally remaining in session for the purpose of being in readiness to receive the report of the Finance Committee when it should come and of then proceeding to act upon it.

When the tariff was disposed of, the currency question was recognized as the measure which alone required us to remain here. I do not mean by that that it was alone what we were to do, but that in its absence we undoubtedly should have adjourned. That is what I mean.

When we disposed of the tariff bill and took up the currency bill it was generally recognized that the Senate was again going to be nominally in session, and Senators will remember that it was even proposed that there should be a formal unanimous agreement that the Senate should meet and adjourn every third day, simply complying with the requirement of the Constitution in that regard, but being in practical recess. That was objected to, if I recollect rightly, by the Senator from Washington [Mr. JONES], who insisted that if we were not to have a recess covering a period of time which would permit Senators to go to their homes and remain there for some time he would not consent to it. The consequence was that the proposal was not pressed, and we have continued in this condition.

The point I wish to make, simply in justice to absent Senators, is that while we have had no such agreement it has been recognized that that was practically what would be done; and while nothing has stood in the way of considering any matter that the Senate might decide to consider, Senators have been absent upon that idea. I see before me Senators now present who have been home and have stayed a month. Nobody criticized them for it. Since their return other Senators who were in their places during the absence of those Senators have taken advantage of the opportunity, when they understood the Senate would not be engaged in active work, to themselves enjoy a similar privilege.

I say this much simply in justification of Senators who are absent. My colleague is one of them. He has been here regularly and faithfully every day, and only three days since went home for a week's rest and for attention to some matters of business. What I say of my colleague is true of a number of other Senators whom I have in my mind and whom other Senators will readily recall as being among the most diligent, faithful, and active Members of this body. Therefore, I think, they ought not to be the subject of unqualified condemnation on account of their absence.

It is perfectly competent for the Senate, if it sees proper to do so, to say that that understood condition is no longer to continue, and that from now on we propose to take up the business of the Senate and proceed with it in the regular manner as if we were in regular session. Then every Senator will be upon notice; and every Senator who after that absents himself will be legitimately the subject of the criticism which is now passed upon those who are absent.

I have thought it proper to say this much in justice to Senators who are absent, many of whom, I repeat, are among the most valued, diligent, and faithful Members of this body, and

who are now absent because of that general understanding, and who will return to their seats and resume their active duties here as soon as they learn that that abnormal condition is no longer to continue, but that we propose to proceed actively with the business of legislation.

Mr. LA FOLLETTE. Mr. President, if there were present to-day the Senators who have absented themselves from attendance upon the Senate since the Senate made the present order a special order of business, we would have a quorum. Senators who have gone to their homes or elsewhere, either for pleasure or for business, since that order was entered by the Senate have done so, not as stated by my friend from Georgia, with the understanding that the Senate was to transact no business, but with full knowledge of the fact that the Senate was to begin on Thursday of last week the consideration of this measure. Its consideration was to continue until Thursday of this week, at which time the Senate would vote.

The suggestion of the Senator from Utah [Mr. SMOOT] that by the literal terms of the unanimous-consent agreement this measure need not be disposed of on Thursday can perhaps be sustained. Perhaps it will not be questioned. I do not know about that.

The VICE PRESIDENT. Will the Senator permit the Chair to make an observation?

Mr. LA FOLLETTE. With very great pleasure.

The VICE PRESIDENT. The Chair recognizes the fact that the United States Senate is a self-governing body. The Chair is frequently wrong in his rulings; but in order that when the Senate disagrees with the Chair it may do so deliberately, and not upon the impulse of the moment, the Chair is going to rule now that on Thursday at 4 o'clock, unless an appeal be taken from the ruling of the Chair, no motion will be considered except to send for absent Senators until the unanimous-consent agreement is disposed of.

That may be a wrong ruling, but the Chair thought it well to make it now. If the Senate thinks the Chair is wrong, an appeal may be taken at that time and the Chair's ruling reversed. The Chair thinks a unanimous-consent agreement sets aside every rule of the Senate. When the Senate has agreed to do a certain thing at a certain time, it must do it.

Mr. SMOOT. Mr. President, I quite agree with the object the Chair has in view; but do I understand the Chair to mean that a motion to adjourn would not be in order?

The VICE PRESIDENT. The Chair means there will have to be an appeal from the Chair before such a motion will be entertained.

Mr. SMOOT. I do not know that it will occur; but I believe that under the rules a motion to adjourn is in order at any time.

The VICE PRESIDENT. The Chair does not pretend to be right; but the Chair is submitting the matter to the Senate now for consideration, because the question is liable to arise.

Mr. SMOOT. Then, of course, we will not discuss it at this time.

Mr. LA FOLLETTE. Mr. President, impressed as I am with the belief that this measure is so important that the Members of the Senate should be here in full quorum when it is taken up for consideration, and because of the possibility that on Thursday, for lack of time, we may not be able to obtain the attendance of a quorum, I purpose to raise that question now and to seek, in so far as I am able, to maintain a quorum until this special order has been executed.

I therefore suggest the absence of a quorum and ask for the calling of the roll.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Martin, Va.	Sterling
Bacon	Goff	Martine, N. J.	Stone
Bankhead	Hitchcock	Myers	Sutherland
Borah	Hollis	Norris	Swanson
Brady	Hughes	O'Gorman	Thornton
Brandegee	Jackson	Page	Tillman
Bryan	James	Pomerene	Vardaman
Burton	Kenyon	Shafroth	Williams
Chamberlain	Kern	Sheppard	
Chilton	La Follette	Smith, Ariz.	
Cummins	Lane	Smoot	

Mr. SHEPPARD. My colleague [Mr. CULBERSON] is necessarily absent. He is paired with the Senator from Delaware [Mr. DU PONT]. I will let this announcement stand for the day.

Mr. THORNTON. I announce the necessary absence of my colleague [Mr. RANSDELL]. I will let this announcement stand for the day.

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. SHIVELY] from the city. He is paired with the junior Senator from Illinois [Mr. SHERMAN]. This announcement may stand for the day.

Mr. MARTINE of New Jersey. I desire to announce that the Senator from Tennessee [Mr. LEA] is absent owing to illness in his family.

The PRESIDING OFFICER (Mr. VARDAMAN in the chair). Forty-one Senators have answered to their names. There is not a quorum present.

Mr. LA FOLLETTE. I request that the names of the absent Senators be called.

The PRESIDING OFFICER. The Secretary will call the names of absent Senators.

The Secretary called the names of absent Senators, and Mr. BRADLEY, Mr. REED, Mr. THOMAS, and Mr. WEEKS answered to their names when called.

Mr. WEEKS. I wish to announce that my colleague [Mr. LODGE] is absent on account of illness, and that the junior Senator from Illinois [Mr. SHERMAN] is absent on account of important business. I will have this announcement stand for the day.

Mr. BACON. I wish to state for my colleague [Mr. SMITH of Georgia] that after having been here during the entire summer very arduously engaged in the business of the session he has been called away by some necessary matters which needed his attention for a few days, and that in his absence he is paired with the senior Senator from Massachusetts [Mr. LODGE].

Mr. SMOOT. I desire to state that the senior Senator from New Hampshire [Mr. GALLINGER] intended to be present, but he is confined to his home on account of illness. He will reach Washington just as soon as it is possible for him to leave home.

Mr. O'GORMAN. I desire to announce that the junior Senator from Delaware [Mr. SAULSBURY] is paired with the junior Senator from Rhode Island [Mr. COLT] and that the junior Senator from Delaware is necessarily absent at this time.

Mr. KERN. I think it ought to be stated that the junior Senator from Arkansas [Mr. ROBINSON] is absent on business of the Senate. He is paired with the junior Senator from Michigan [Mr. TOWNSEND], who is also absent on the same business.

The PRESIDING OFFICER. Forty-five Senators have answered to their names, less than a quorum.

Mr. KERN (at 1 o'clock and 10 minutes p. m.). I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

At 1 o'clock and 45 minutes p. m. Mr. NELSON entered the Chamber and answered to his name.

Mr. LA FOLLETTE. Mr. President, I move that the Sergeant at Arms be directed to notify by telegram all absent Senators to return immediately and attend upon the sessions of the Senate.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

At 2 o'clock and 42 minutes p. m. Mr. OWEN entered the Chamber and answered to his name.

At 2 o'clock and 43 minutes p. m. Mr. LEWIS entered the Chamber and answered to his name.

The VICE PRESIDENT. Forty-eight Senators have answered to the roll call. There is a quorum present.

Mr. LA FOLLETTE. Mr. President, I offer as a substitute for the pending bill the amendment which I send to the Secretary's desk.

The VICE PRESIDENT. Does the Senator propose the amendment as a substitute for the entire bill?

Mr. LA FOLLETTE. For the entire bill. I ask that the proposed substitute may be read.

The VICE PRESIDENT. The amendment proposed by the Senator from Wisconsin will be read.

The SECRETARY. It is proposed to strike out all after the enacting clause of the bill and to insert the following:

That section 4516 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4516. In case of desertion or casualty resulting in the loss of one or more of the seamen, the master must ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same or higher grade or rating with those whose places they fill, and report the same to the United States consul at the first port at which he shall arrive, without incurring the penalty prescribed by the two preceding sections. And in all merchant vessels of the United States of more than 100 tons gross the sailors shall, while at sea, be divided into at least two and the firemen, oilers, and water tenders into at least three watches, which shall be kept on duty alternately for the performance of ordinary work incident to the sailing and management of the vessel; and seamen serving in one department of a vessel shall not be required to do duty in another department; but these provisions shall not limit either the authority of the master or other officer or the obedience of the seamen when, in the judgment of the master or other officer, all the sailors or all the firemen or the whole crew is needed for the maneuvering of the vessel or the performance of work necessary for the safety of the vessel or her cargo or for the saving of life aboard other vessels in jeopardy. While the vessel is in a safe harbor no seaman shall be required to do any unnecessary work on Sundays or legal holidays, but this shall not prevent the dispatch of a vessel on regular schedule or when ready to proceed on her voyage; and at all other times while the vessel is in a safe harbor nine hours, inclusive of the anchor watch, shall constitute a day's work. Whenever the master of any vessel shall fail to comply with this section, the seamen shall be entitled to discharge from such vessel and shall, upon demand, receive wages then earned. But this section shall not apply to fishing or whaling vessels or yachts."

SEC. 2. That section 4529 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4529. The master or owner of any vessel making coasting voyages shall pay to every seaman his wages within two days after the termination of the agreement under which he was shipped, or at the time such seaman is discharged, whichever first happens; and in case of vessels making foreign voyages, or from a port on the Atlantic to a port on the Pacific, or vice versa, within 24 hours after the cargo has been discharged, or within 4 days after the seamen has been discharged, whichever first happens; and in all cases the seaman shall be entitled to be paid at the time of his discharge on account of wages a sum equal to one-third part of the balance due him. Every master or owner who refuses or neglects to make payment in the manner hereinbefore mentioned without sufficient cause shall pay to the seaman a sum equal to two days' pay for each and every day during which payment is delayed beyond the respective periods, which sum shall be recoverable as wages in any claim made before the court; but this section shall not apply to masters or owners of any vessel the seamen of which are entitled to share in the profits of the cruise or voyage."

SEC. 3. That section 4530 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4530. Every seaman on a vessel of the United States shall be entitled to receive, within 48 hours after demand therefor, from the master of the vessel to which he belongs one-half part of the wages which shall be due him at every port where such vessel, after the voyage has been commenced, shall load or deliver cargo before the voyage is ended; and all stipulations to the contrary shall be held as void. And when the voyage is ended every such seaman shall be entitled to the remainder of the wages which shall then be due him as provided in section 4529 of the Revised Statutes: *Provided*, That notwithstanding any release signed by any seaman under section 4552 of the Revised Statutes any court having jurisdiction may upon good cause shown set aside such release and take such action as justice shall require: *Provided further*, That this section shall apply to seamen on foreign vessels while in harbors of the United States, and the courts of the United States shall be open to such seamen for its enforcement."

SEC. 4. That section 4559 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4559. Upon a complaint in writing, signed by the first and second officers or a majority of the crew of any vessel, while in a foreign port, that such vessel is in an unsuitable condition to go to sea because she is leaky or insufficiently supplied with sails, rigging, anchors, or any other equipment, or that the crew is insufficient to man her, or that her provisions, stores, and supplies are not or have not been during the voyage sufficient or wholesome, thereupon, in any of these or like cases, such consular agent as may discharge any of the duties of a consul shall cause to be appointed three persons of like qualifications with those described in section 4557, who shall proceed to examine into the cause of complaint and who shall proceed and be governed in all their proceedings as provided by said section."

SEC. 5. That section 2 of the act entitled "An act to amend the laws relating to navigation," approved March 3, 1897, be, and is hereby, amended to read as follows:

"SEC. 2. That on all merchant vessels of the United States the construction of which shall be begun after the passage of this act, except yachts, pilot boats, or vessels of less than 100 tons register, every place appropriated to the crew of the vessel shall have a space of not less than 100 cubic feet and not less than 16 square feet, measured on the floor or deck of that place, for each seaman or apprentice lodged therein, and each seaman shall have a berth for his exclusive use and not more than one berth shall be placed one above another; such place or lodging shall be securely constructed, properly lighted, drained, heated, and ventilated, properly protected from weather and sea, and, as far as practicable, properly shut off and protected from the effluvium of cargo or bilge water. And every such crew space shall be kept free from goods or stores not being the personal property of the crew occupying said place in use during the voyage.

"Every steamboat of the United States plying upon the Mississippi River or its tributaries shall furnish an appropriate place for the crew, which shall conform to the requirements of this section, so far as they are applicable thereto, by providing sleeping room in the engine room of such steamboat, properly protected from the cold, wind, and rain by means of suitable awnings or screens on either side of the guards or sides and forward, reaching from the boiler deck to the lower or main deck, under the direction and approval of the Supervising Inspector General of Steam Vessels, and shall be properly heated.

"All merchant vessels of the United States, the construction of which shall be begun after the passage of this act, having more than 10 men on deck must have for the use of the sailors at least one light, clean, and properly ventilated washing place. There shall be provided at least one washing outfit for every 5 men of the watch. The washing place shall be properly protected. A separate washing place shall be provided for the firemen and engine-room men, if their number exceed 10, which shall be large enough to accommodate at least one-sixth of them at the same time, and have hot and cold water supply and a sufficient number of wash basins, sinks, and shower baths.

"Any failure to comply with this section shall subject the owner or owners of such vessels to a penalty of $500: *Provided*, That forecastles shall be fumigated at such intervals as may be provided by regulations to be issued by the Surgeon General of the Public Health Service, with the approval of the Department of Commerce, and shall have at least two exits, one of which may be used in emergencies."

SEC. 6. That section 4596 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4596. Whenever any seaman who has been lawfully engaged or any apprentice to the sea service commits any of the following offenses he shall be punished as follows:

"First. For desertion, by forfeiture of all or any part of the clothes or effects he leaves on board and of all or any part of the wages or emoluments which he has then earned.

"Second. For neglecting or refusing without reasonable cause to join his vessel or to proceed to sea in his vessel or for absence without leave at any time within 24 hours of the vessel's sailing from any port, either at the commencement or during the progress of the voyage, or for absence at any time without leave and without sufficient reason from his vessel and from his duty, not amounting to desertion, by forfeiture from his wages of not more than two days' pay or sufficient to defray any expenses which shall have been properly incurred in hiring a substitute.

"Third. For quitting the vessel, without leave, after her arrival at the port of her delivery and before she is placed in security, by forfeiture from his wages of not more than one month's pay.

"Fourth. For willful disobedience to any lawful command at sea, by being, at the option of the master, placed in irons until such disobedience shall cease, and upon arrival in port by forfeiture from his wages of not more than four days' pay, or, at the discretion of the court, by imprisonment for not more than one month.

"Fifth. For continued willful disobedience to lawful command or continued willful neglect of duty at sea, by being, at the option of the master, placed in irons, on bread and water, with full rations every fifth day, until such disobedience shall cease, and upon arrival in port by forfeiture, for every 24 hours' continuance of such disobedience or neglect, of a sum of not more than 12 days' pay, or by imprisonment for not more than 3 months, at the discretion of the court.

"Sixth. For assaulting any master or mate, by imprisonment for not more than two years.

"Seventh. For willfully damaging the vessel, or embezzling or willfully damaging any of the stores or cargo, by forfeiture out of his wages of a sum equal in amount to the loss thereby sustained, and also, at the discretion of the court, by imprisonment for not more than 12 months.

"Eighth. For any act of smuggling for which he is convicted and whereby loss or damage is occasioned to the master or owner, he shall be liable to pay such master or owner such a sum as is sufficient to reimburse the master or owner for such loss or damage, and the whole or any part of his wages may be retained in satisfaction or on account of such liability, and he shall be liable to imprisonment for a period of not more than 12 months: *Provided*, That in any suit to recover damages for any injury sustained on board vessel or in its service seaman having command shall not be held to be fellow servants with those under their authority."

SEC. 7. That section 4600 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4600. It shall be the duty of all consular officers to discountenance insubordination by every means in their power and, where the local authorities can be usefully employed for that purpose, to lend their aid and use their exertions to that end in the most effectual manner. In all cases where seamen or officers are accused, the consular officer shall inquire into the facts and proceed as provided in section 4583 of the Revised Statutes; and the officer discharging such seaman shall enter upon the crew list and shipping articles and official log the cause of such discharge and the particulars in which the cruel or unusual treatment consisted and subscribe his name thereto officially. He shall read the entry made in the official log to the master, and his reply thereto, if any, shall likewise be entered and subscribed in the same manner."

SEC. 8. That section 4611 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4611. Flogging and all other forms of corporal punishment are hereby prohibited on board of any vessel, and no form of corporal punishment on board of any vessel shall be deemed justifiable, and any master or other officer thereof who shall violate the aforesaid provisions of this section, or either thereof, shall be deemed guilty of a misdemeanor, punishable by imprisonment for not less than three months nor more than two years. Whenever any officer other than the master of such vessel shall violate any provision of this section it shall be the duty of such master to surrender such officer to the proper authorities as soon as practicable. Any failure on the part of such master to comply therewith, which failure shall result in the escape of such officer, shall render the master or the vessel liable in damages for such punishment to the person illegally punished by such officer."

SEC. 9. That section 23 of the act entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," approved December 21, 1898, be, and is hereby, amended as regards the items of water and butter, so that in lieu of a daily requirement of four quarts of water there shall be a requirement of five quarts of water every day, and in lieu of a daily requirement of 1 ounce of butter there shall be a requirement of 2 ounces of butter every day.

SEC. 10. That section 24 of the act entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," approved December 21, 1898, be, and is hereby, amended to read as follows:

"SEC. 24. That section 10 of chapter 121 of the laws of 1884, as amended by section 3 of chapter 421 of the laws of 1886, be, and is hereby, amended to read as follows:

"'SEC. 10. (a) That it shall be, and is hereby, made unlawful in any case to pay any seaman wages in advance of the time when he has actually earned the same, or to pay such advance wages, or to make any order or note or any other evidence of indebtedness therefor to any other person, or to pay any person, for the shipment of seamen when payment is deducted or to be deducted from a seaman's wages. Any person violating any of the foregoing provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than $25 nor more than $100, and may also be imprisoned for a period of not exceeding six months at the discretion of the court. The payment of such advance wages or allotment shall in no case, except as herein provided, absolve the vessel or the master or the owner thereof from the full payment of wages after the same shall have been actually earned, and shall be no defense to a libel suit or action for the recovery of such wages. If any person shall demand or receive, either directly or indirectly, from any seaman or other person seeking employment as seaman, or from any person on his behalf, any remuneration whatever for providing him with employment, he shall for every such offense be deemed guilty of a misdemeanor and shall be imprisoned not more than six months or fined not more than $500.

"'(b) That it shall be lawful for any seaman to stipulate in his shipping agreement for an allotment of any portion of the wages he may earn to his grandparents, parents, wife, sister, or children.

"'(c) That no allotment shall be valid unless signed by and approved by the shipping commissioner. It shall be the duty of the said commissioner to examine such allotments and the parties to them and enforce compliance with the law. All stipulations for the allotment of any part of the wages of a seaman during his absence which are made at the commencement of the voyage shall be inserted in the agreement

and shall state the amounts and times of the payments to be made and the persons to whom the payments are to be made.

"'(d) That no allotment except as provided for in this section shall be lawful. Any person who shall falsely claim to be such relation as above described of a seaman under this section shall for every such offense be punished by a fine not exceeding $500 or imprisonment not exceeding six months, at the discretion of the court.

"'(e) That this section shall apply as well to foreign vessels while in waters of the United States as to vessels of the United States, and any master, owner, consignee, or agent of any foreign vessel who has violated its provisions shall be liable to the same penalty that the master, owner, or agent of a vessel of the United States would be for similar violation.

"'The master, owner, consignee, or agent of any foreign vessel seeking clearance from a port of the United States shall present his shipping articles at the office of clearance, and no clearance shall be granted any such vessel unless the provisions of this section have been complied with.

"'(f) That under the direction of the Secretary of Commerce the Commissioner of Navigation shall make regulations to carry out this section.'"

SEC. 11. That section 4536 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4536. No wages due or accruing to any seaman or apprentice shall be subject to attachment or arrestment from any court, and every payment of wages to a seaman or apprentice shall be valid in law, notwithstanding any previous sale or assignment of wages or of any attachment, encumbrance, or arrestment thereon; and no assignment or sale of wages or of salvage made prior to the accruing thereof shall bind the party making the same except such allotments as are authorized by this title. This section shall apply to fishermen employed on fishing vessels as well as to other seamen: *Provided*, That nothing contained in this or any preceding section shall interfere with the order by any court regarding the payment by any seaman of any part of his wages for the support and maintenance of his wife and minor children."

SEC. 12. That no vessel of 100 tons gross and upward, except those navigating rivers exclusively and except as provided in section 1 of this act, shall be permitted to depart from any port of the United States unless she has on board a crew not less than 75 per cent of which, in each department thereof, are able to understand any order given by the officers of such vessel, nor unless 40 per cent in the first year, 45 per cent in the second year, 50 per cent in the third year, 55 per cent in the fourth year after the passage of this act, and thereafter 65 per cent of her deck crew, exclusive of licensed officers, are of a rating not less than able seaman: *Provided*, That no vessel carrying passengers, except those navigating rivers and harbors exclusively, shall be permitted to depart from any port of the United States unless she is provided and equipped with a sufficient number of seaworthy lifeboats to carry and transport at one time every passenger and every member of the crew licensed to be carried on board such vessel and unless she shall have a sufficient crew to man each lifeboat with not less than two men of the rating of able seaman or higher, who shall be drilled in the handling and lowering of lifeboats under rules and regulations to be prescribed by the Board of Supervising Inspectors with the approval of the Secretary of Commerce.

No person shall be rated as an able seaman unless he is 19 years of age or upward and has had at least three years' service on deck at sea or on the Great Lakes. Any person may make application to any board of local inspectors for a certificate of service as able seaman, and upon proof being made to said board by affidavit, under rule approved by the Secretary of Commerce, showing the nationality of the applicant and the vessel or vessels on which he has had service and that he has had at least three years' service on deck at sea or on the Great Lakes, the board of local inspectors shall issue to said applicant a certificate of service, which shall be retained by him and be accepted as prima facie evidence of his rating as an able seaman.

Each board of local inspectors shall keep a complete record of all certificates of service issued by them and to whom issued and shall keep on file the affidavits upon which said certificates are issued.

The collector of customs may, upon his own motion, and shall, upon the sworn information of any citizen of the United States setting forth that this section is not being complied with, cause a muster of the crew of any vessel to be made to determine the fact; and no clearance shall be given to any vessel failing to comply with the provisions of this section: *Provided*, That the collector of customs shall not be required to cause such muster of the crew to be made unless said sworn information has been filed with him for at least six hours before the vessel departs, or is scheduled to depart: *Provided further*, That any person that shall knowingly make a false affidavit for such purpose shall be deemed guilty of perjury, and upon conviction thereof shall be punished by a fine not exceeding $500 or by imprisonment not exceeding one year, or by both such fine and imprisonment, within the discretion of the court. Any violation of any provision of this section shall subject the owner of such vessel to a penalty of not less than $100 and not more than $500.

SEC. 13. That the owner, agent, or master of every barge which, while in tow through the open sea, has sustained or caused any accident, shall be subject in all respects to the provisions of sections 10, 11, 12, and 13 of chapter 344 of the Statutes at Large, approved June 26, 1874, and the reports therein prescribed shall be transmitted by collectors of customs to the Secretary of Commerce, who shall transmit annually to Congress a summary of such reports during the previous fiscal year, together with a brief statement of the action of the department in respect to such accidents.

SEC. 14. That in the judgment of Congress articles in treaties and conventions of the United States, in so far as they provide for the arrest and imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of the United States in foreign countries, and for the arrest and imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of foreign nations in the United States and the Territories and possessions thereof, and for the cooperation, aid, and protection of competent legal authorities in effecting such arrest or imprisonment, ought to be terminated, and to this end the President be, and he is hereby, requested and directed, within 90 days after the passage of this act, to give notice to the several Governments, respectively, that so much as hereinbefore described of all such treaties and conventions between the United States and foreign Governments will terminate on the expiration of such periods after notices have been given as may be required in such treaties and conventions.

SEC. 15. That upon the expiration after notice of the periods required, respectively, by said treaties and conventions and of one year in the case of the independent State of the Kongo, so much as hereinbefore described in each and every one of said articles shall be deemed and held to have expired and to be of no force and effect, and thereupon so much of sections 4081 and 5280 of the Revised Statutes as relates to the arrest or imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of foreign nations in the United States and Territories and possessions thereof, and for the cooperation, aid, and protection of competent legal authorities in effecting such arrest or imprisonment, shall be and is hereby repealed.

SEC. 16. That this act shall take effect, as to all vessels of the United States, 90 days after its passage, and as to foreign vessels 12 months after its passage, save and except that such parts hereof as provide for the abrogation of any stipulation by treaty or convention with any foreign nation shall only take effect after such notice, and at the expiration of such time as may be required by the terms of such treaty, stipulation, or convention.

SEC. 17. That section 16 of the act approved December 21, 1898, entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," be amended by adding at the end of the section the following:

"*Provided*, That at the discretion of the Secretary of Commerce, and under such regulations as he may prescribe, if any seaman incapacitated from service by injury or illness is on board a vessel so situated that a prompt discharge requiring the personal appearance of the master of the vessel before an American consul or consular agent is impracticable, such seaman may be sent to a consul or consular agent, who shall care for him and defray the cost of his maintenance and transportation as provided in this paragraph."

SEC. 18. That section 5280, Revised Statutes, except as hereinbefore provided, be, and the same is hereby, repealed.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Wisconsin.

Mr. LA FOLLETTE. Mr. President, I shall in a brief way present to the Senate the difference between the bill reported by the committee and the substitute which I have offered. I shall not discuss in great detail the difference between the two measures. It is apparent from the interest the Senate manifests in this legislation that the subject has been thoroughly studied, that Senators are well advised and have arrived at a definite conclusion as to the merits of the proposed measures. So I shall take the time of the Senate only to touch, as it were, the essential points of difference between the two measures.

The substitute provides for a nine-hour workday. The Nelson bill, reported by the committee, provides for a nine-hour workday, but admits of 12 hours, by adding a proviso that no seaman shall be called upon to do more than 12 hours' work in a day. This is a very adroit qualification of the limitation, and in effect means the establishment by law of a 12-hour workday for seamen, in port as well as at sea.

The substitute I have presented grants to a seaman one-half of the money earned and not paid to him in every port where the vessel loads or discharges cargo.

Mr. BURTON. Mr. President, will the Senator from Wisconsin yield for a question?

Mr. LA FOLLETTE. Mr. President, I should prefer to make my parallel of the two bills as I have set out to make it, and then submit to interruptions.

Mr. BURTON. It is merely on this question of 12 hours' work.

Mr. LA FOLLETTE. It is merely for the purpose of making a connected statement that I prefer to make it in this way. I shall be glad to be interrogated after I have concluded.

Mr. BURTON. I give notice, then, that I shall wish to be heard as to the 12-hour provision.

Mr. LA FOLLETTE. I anticipate that the Senator probably will wish to be heard upon all of the provisions of the substitute.

The substitute I have offered grants to a seaman one-half of the money earned and not paid to him in every port where the vessel loads or discharges cargo. This is made applicable to foreign vessels while in ports of the United States, and the courts of the United States are opened to the men to enforce the provision. The original bill seems to confer upon seamen on foreign ships the same privilege, but by a proviso it limits its application to foreign vessels owned in major part by American citizens, corporations, or holding companies. It is in main part by its provisos and exceptions that the bill reported by the committee takes away from the seamen on foreign ships the benefits which the body of the measure professes to confer upon them.

Consider this particular proviso in practical operation. The seamen do not know how a vessel is owned. If a seaman demanded a part of his wages under this proviso, the master could deny it on the ground that the vessel was not owned in major part by American capital. The seaman would be in no position to disprove the statement if it was not true, and the effect would be to deny to him altogether the benefits sought to be conferred by this section.

The substitute I have offered provides a certain amount of forecastle space and compels the installation of sanitary conveniences in vessels having a crew of 10 or more on deck. The bill reported by the committee limits this provision to vessels carrying 20 men or more on deck. I suppose there is not a

Senator here who has any idea of how significant is that limitation of the crew in the bill. How many men would be benefited by it, or how many men would be excluded from the benefits it proposes to confer. As a matter of fact, there are not a dozen vessels under the American flag to which the provision would apply in the form in which it is reported from the committee. Think of that. Here is a provision ostensibly for the benefit of American seamen, and then so limiting it that it would be applicable to only a dozen vessels.

The substitute I have offered provides a standard of efficiency for seamen, under which they are to be designated as "able seaman." An able seaman is defined to be one who is not under 19 years of age and who has had three years' experience on deck at sea or on the Great Lakes.

That is the lowest standard set by any modern foreign statute. The substitute provides that not less than two men of the grade of able seaman, or men of higher rating, shall be provided for each lifeboat. The substitute provides that every vessel before it shall be permitted to put to sea shall have an equipment of lifeboats sufficient to carry at one time all of the people on board—passengers, officers, sailors, everybody. Then it provides as a standard of efficiency for the crew that there shall be two men for each of those lifeboats who are able seamen; that is two men 19 years of age or older who have been at least three years on deck at sea or on the Great Lakes.

The substitute makes another provision, and without meeting its requirements no vessel is to be permitted to go to sea unless at least 75 per cent of the crew shall be able to understand every order issued by an officer in command. The substitute makes another requirement, and that is that, starting at 40 per cent and increasing 5 per cent a year, the crew on deck shall be able seamen, until at the beginning of the fifth year 65 per cent of the crew of every vessel that leaves an American port shall be able seamen.

Now, let us assemble those requirements. In the first place, 75 per cent of the crew in each department must be able to understand every order issued to them. This would compel at least 75 per cent of the crew on deck to understand the language of the officers. So far as men are concerned, the deck crew is the part of the equipment of every vessel responsible for its safe navigation. It is not those who are down in the hold, not those who are in the engine room, who see nothing, who know nothing about the condition of the vessel except as they are informed by the tap of a bell. It is the men on deck who see, who know, who are there to respond and to meet conditions—the men who are trained to study the face of the ocean and the sky, and to interpret their meaning. Those are the men who are charged, and must really be charged, with the safe navigation of the vessel.

The substitute provides that when a vessel puts to sea 75 per cent of the crew, to begin with—not only those on deck, but those in every department—shall understand the language of the officers of the boat, so that they can understand and comprehend the orders. Assuming the officers of the vessel to be Americans and to speak the English language, 75 per cent of the crew in every department are required to understand enough of English to be able to comprehend the orders.

That is requirement No. 1. Is that unreasonable? The committee bill has no requirement of that character. The committee bill provides that the men at the wheel and on the lookout shall be able to understand English; that is all. It provides that there shall be enough men on board who can act as interpreters to have one interpreter assigned to each lifeboat. It does not provide for the number of lifeboats, but it provides that there shall be assigned to each lifeboat one interpreter who can translate the orders of the officers when they are given to the crew; that is all.

While I am on that subject I might just as well dispose of it. Just conceive what that means! Suppose a vessel is at sea, in a storm, in a collision; it has encountered an iceberg, as the *Titanic* did; it has met some foreign boat, manned by Chinese stupefied by opium. They have not obeyed the rule of the road on the sea. There is a collision. The vessel is loaded with passengers. The shock has gone through the great craft. Perhaps it is at midnight; everywhere is consternation, confusion, and excitement. An officer is on the bridge. Let us suppose for a minute that this vessel is equipped under the committee bill. What has it?

It may have a crew representing many nationalities. It may have and comply with the terms of the committee bill some from the Mediterranean, some from India, some from South Africa, some from Germany, some from the Netherlands, some from China, and some from Japan. They know no word of English. One group can not communicate or converse with or have intercourse intelligently with the other. But that crew complies with the terms of the bill that the committee has reported to the Senate, if for every lifeboat there is a man who can interpret between the commander and all these representatives of different nations. He can communicate pretty well with the German, not so well with the Frenchman who happens to be in the crew, not half so well with the man from Turkey, but he has got along well enough so that the inspector has passed him as an interpreter for a lifeboat crew.

Suppose he was the best interpreter on earth and had only one language which he had to use besides that of the officer of the vessel in order to have the lifeboat crew understand what they were to do, just think for a minute of having to pass orders at a time like that through an interpreter. There are lawyers sitting on this floor this afternoon who have been in court and observed the interpreter, the best man who could be selected in the county, serving as a translator between the witness and the court and the jury. They have seen him surrounded by perfect order and all of the conditions that would give him the very best exercise of all his faculties, and they have seen him troubled to get the right word to convey the meaning. But here at sea, the vessel with her side stove in, it may be, no one knows whether she can be kept afloat for even an hour, orders are to be given, and have to be understood, and have to be executed upon the instant. The officer is on the bridge. The men are at the lifeboats. He issues his orders for lifeboat No. 1 in this language or lifeboat No. 2 in that, and so on; and even if there should be no mistake there is the necessary delay until the order can be thoroughly understood in the language in which it is issued before it can be translated into the language of the crew.

Now, Mr. President, is there any reason for that? There is not, except in the interest of the men who own the steamships. That is all. The paragraph of the substitute providing that 75 per cent of the crew in each department of a vessel shall understand the language of the officers has been opposed solely in the interest and for the benefit of the great capital that is in control of the large steamship lines and is behind the organized opposition to proper legislation in behalf of the preservation of life at sea. It stood in the way successfully here in the Senate and over in the other end of the Capitol for 20 years in defeating legislation. It shall prevail no longer. Justice at last shall have a day.

It must appeal to the intelligence and to the conscience of every Senator here that at least three-fourths of the crew in every department shall be able to understand the orders of the officers of the vessel. That is reasonable. That is what the substitute provides.

Mr. President, the next provision for efficiency in the substitute is that for the first year after the passage of this bill, if it shall pass, 40 per cent of the deck crew, exclusive of the licensed officers, shall be sailors of a rating not less than "able seaman." Forty per cent for the first year is not enough, in the opinion of men who have investigated and who have by study of this great subject become authorities on the subject. No man has ever suggested that a crew less than three-fourths of the total crew on deck should be able seamen. When the seamen prepared their bill—and they are interested in safety for themselves, to begin with—they wrote into their bill that 75 per cent of the crew should be able seamen. But, oh, they have been harried and delayed and worn out by the committees of Congress who have been pliant to the steamship companies. So in the hope of getting through their measure they said, "We will start with 40 per cent on deck who are able seamen for the first year"; the second year, 45; the third year, 50; the fourth year, 55; and so on up finally until they achieve 65 per cent, and they have said: "We will accept 65 per cent of the crew, if able seamen, as providing reasonable safety."

Mr. SMOOT. Will the Senator excuse me for interrupting him?

Mr. LA FOLLETTE. Certainly.

Mr. SMOOT. I should like to ask the Senator if the same requirements are made of able seamen for the crew that are made for able seamen for the lifeboats?

Mr. LA FOLLETTE. Of which bill does the Senator speak?

Mr. SMOOT. Of your substitute.

Mr. LA FOLLETTE. If I may just continue the parallel, the bill of the Senate committee does not require that men who are assigned as efficient lifeboat hands shall be able seamen. It requires only that the men shall be efficient lifeboat men before the boat is permitted to sail, and that there shall be two of them to each lifeboat, but it does not require that those men shall have had experience of a day on deck at sea. If before the inspectors in a harbor they have passed an examination in drill work, in swinging out a lifeboat and lowering it, they shall be held to be accepted as efficient lifeboat men.

I take it that almost everybody here has seen on the stage and elsewhere men drilled to the highest proficiency in the manual of arms. It is wonderful to see what they could do. But if you were going to put a regiment in a position where it would be tested to the last limit and where everything depended upon how it should acquit itself, would you take these parade fellows or would you take veterans, men who had smelt powder, men who had seen service on the field?

That illustrates the difference, Mr. President, in the two bills with respect to the efficiency of the seamen. The committee bill provides that if these men can give an exhibition drill in manning lifeboats in harbor in calm water, for that is where it would have to take place, and if they are proficient there, then they are accepted as efficient lifeboat men.

But, oh, how little that tells, Mr. President, as to what they will do in the hour of danger in midocean. But the man who has had three years on deck must have something additional to argue for him. He must have encountered some storms. He at least may have had opportunity to learn to handle the lifeboat in the open sea.

The substitute provides also, Mr. President, that there shall be two of these men for each lifeboat, not that they shall be efficient lifeboat men according to the standard fixed by the reported bill—that is, men who have just passed an examination before the inspectors on what I call a parade drill—but it provides that before the vessel can go out to sea there shall be two men for every lifeboat who are able seamen, who have had three years on deck at sea or on the Great Lakes. In addition, it provides that the inspectors shall put these men to the test and examine them.

Mr. SMOOT. I should like to have the Senator answer one question. He must have misunderstood me. In his substitute the requirement of an able seaman for a lifeboat is named. It is also required that 40 per cent and 50 and 55 per cent and up to 65 per cent of the crew shall be able seamen, but it does not state what shall constitute an able seaman. The reason why I asked the question was to learn from the Senator if the able seaman in one instance is exactly the same as the able seaman in the other, and if the requirements are the same for both.

Mr. LA FOLLETTE. Precisely. The substitute defines what able seamen shall be, that an able seaman shall be one who has had three years on deck at sea or on the Great Lakes. An able seaman assigned to a lifeboat must have those qualifications. In addition, the substitute provides that he shall pass the required examination, so that the inspector after putting him to the test can satisfy himself of the ability of the applicant to perform this work.

Now, then, returning to the point where I was when I digressed, the substitute requires that 75 per cent of each crew shall be able to understand the language of the officers, so as to comprehend every order; that is, not only the crew on deck, but the crew in every department.

Besides this, if this bill should become a law, in the first year 40 per cent of the crew on deck must be of a rating not less than able seamen; that is, at least 40 per cent of the crew must have had three years at sea on deck or on the Great Lakes, and must be 19 years of age or over. The second year that is increased 5 per cent, and it is increased 5 per cent each year until 65 per cent of the crew on deck shall be able seamen.

The substitute bill provides, in the first place, and the committee bill makes no provision in that respect, that there shall be lifeboats enough to carry at one time all the people on board the vessel.

Then, before the vessel is permitted to go to sea, it shall be ascertained that there are able seamen enough to provide two able seamen for every lifeboat. These men are required to meet the demands of the inspectors as to drill and efficiency, as shown under actual tests required of them before the vessel goes to sea.

Contrast that with the requirements of the committee bill. The committee bill has the same requirement, but with a proviso that if the vessel has one interpreter for every lifeboat the crew can be of men who do not understand the language of the officers.

The committee bill requires only enough able seamen to furnish a lookout and a quartermaster or wheelman. The latter terms are interchangeable. Three watches are required, so that six men in all are required by the committee bill to be able seamen.

But so tender was this committee, Mr. President, of the shipowners and the steamship companies, so fearful were they that they were imposing too great burdens upon these companies by that requirement, that they provide if the board of inspectors examine these wheelmen and lookouts and say they are competent then the three years' service at sea will be waived, and one year's service at sea or on the Great Lakes is declared to be sufficient to entitle the applicant to a rating as an able seaman. They also waive the limit of 19 years and say that an 18-year-old boy will be accepted. Mr. President, if legislation of that character be enacted, it will not be creditable to the Congress of the United States.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. LA FOLLETTE. I do.

Mr. CUMMINS. I should like to be able to compare two of the requirements of the substitute bill. I have not enough information of my own to enable me to institute the comparison, and therefore I ask the question. I mean the requirements; first, that there shall be 40 per cent of the deck crew able seamen to begin with; and second, that there shall be enough able seamen to provide two for each lifeboat. My knowledge of the sea is rather limited; but, take a boat that with passengers and crew and everybody will carry 1,500 people. That is a reasonably good-sized boat, but not very large for these days. How many lifeboats would be required on such a boat? Suppose there is no standard either for a lifeboat, but there would be 50 or 60 or 70 lifeboats——

Mr. LA FOLLETTE. Perhaps it will help to an understanding of the question submitted by the Senator from Iowa to revert to the *Titanic*. The *Titanic* had 2,201 people on board. Of that number 885 were crew. She had 14 lifeboats. She had some life rafts and some collapsible lifeboats. These are not standard lifeboats. She had only 14 lifeboats, each capable of carrying 65 people.

If she had been required to have a lifeboat capacity to secure every person accommodation who was on the *Titanic* at the time she went to the bottom, she would have required only 34 lifeboats. That would have required a deck crew of 68 of the rating of able seamen or higher. The *Titanic* had at least 8 officers, so that she would only have had to have 60 able seamen in the crew. She had a total crew of 885. Oh, what a small percentage of the total would have manned each lifeboat with 2 able seamen. Does that aid the Senator from Iowa?

Mr. CUMMINS. Yes; very much. I did not suppose that the ordinary lifeboat, however, was quite so large.

Mr. LA FOLLETTE. The information as to the size of these lifeboats is from the report of the Senate committee on the *Titanic*. Perhaps the ordinary lifeboat might be smaller, but the lifeboats of the *Titanic* held 65.

Mr. CUMMINS. I supposed the ordinary lifeboat would carry about 40 people. I have heard it remarked about the Chamber that there was an inconsistency between the requirement of 40 per cent, to begin with, of able seamen and the requirement of two for each lifeboat. I wanted the Senator from Wisconsin to clear up that question before he left that phase of the subject. That was the reason for my question.

Mr. FLETCHER. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Florida?

Mr. LA FOLLETTE. In just a moment. Let me reply, if the Senator please, first to the Senator from Iowa.

The bill provides that at least 40 per cent for the first year shall be able seamen, and, in entire harmony with that phraseology, it provides that not less than two able seamen shall be shipped for every lifeboat, and that there shall be lifeboats enough for all the crew and all the passengers.

Mr. WILLIAMS. What was the number of the crew of the *Titanic*?

Mr. LA FOLLETTE. The crew of the *Titanic* numbered 885.

Mr. CUMMINS. I had reached the conclusion myself that 40 per cent of the crew would in no case probably be fewer men than two for each lifeboat necessary to carry all the people on board, but there seemed to be some doubt about that in the minds of some Senators.

Mr. LA FOLLETTE. Mr. President, of course I am a landlubber and have to take my tutelage from those men who have been at sea. I never shall be able to express my very great obligation to Andrew Furuseth, who for the last four years has called upon me almost every Sunday morning to talk with me about this legislation. Andrew Furuseth is a sailor. He is a Norwegian Americanized, one of the most intelligent men it has ever been my good fortune to meet. For 19 years he has been sitting up there in that corner of the gallery waiting to be made free. Whatever I happen to know about this subject I have acquired from talking with him. I am confident that the minimum crew of 40 would in practically every case furnish two able seamen for each lifeboat; but, Mr. President, if it did not, the requirement for the two able seamen for each lifeboat would control.

Mr. WILLIAMS. If the Senator will pardon me, it depends upon the size of the crew as to a comparison between the two. If you take a ship with a crew of 885, of course 40 per cent would far exceed the requirement for the lifeboats.

Mr. LA FOLLETTE. Oh, yes.

Mr. WILLIAMS. And if you take a small ship, with a very small crew, the requirement for lifeboats would exceed 40 per cent. As I understand the Senator's substitute, there must be not less than 40 per cent, and there must be not less than two for each lifeboat.

Mr. LA FOLLETTE. That is it; exactly.

Mr. SMOOT. I may misunderstand it, but I was going to ask the Senator if the bill does not provide that there shall be not only two for each lifeboat but that there shall be 40 per cent besides?

Mr. LA FOLLETTE. No; I do not so understand it. I understand that the requirement of two for each lifeboat is absolute and that the 40 per cent requirement is absolute; but if the 40 per cent did not furnish two for each lifeboat, the two for each lifeboat would have to be forthcoming before the vessel would be permitted to sail.

Mr. WILLIAMS. And if two for each lifeboat did not furnish 40 per cent, the 40 per cent would also have to be forthcoming. It depends altogether upon the point of view. For the *Titanic* it would require three hundred and fifty-odd able seamen.

Mr. SMOOT. Three hundred and fifty-four.

Mr. WILLIAMS. Yes; and only two for each lifeboat.

Mr. SMOOT. The way I construe it, though I may be mistaken, is that it requires two able seamen for each lifeboat and 40 per cent of the crew must be able seamen. That is the reason why I asked the Senator the question.

Mr. LA FOLLETTE. I beg pardon of the Senator from Mississippi. The *Titanic* would not have been required to have had the very large number of able seamen he has mentioned—354, I think—because the provision of this substitute is that the number of able seamen shall be a percentage of the deck crew, not the entire crew. If the percentage of the deck crew be not sufficient to furnish two able seamen or men of higher rating for each lifeboat, it is required that additional able seamen be shipped so as to provide two for each lifeboat.

Mr. WILLIAMS. What was the entire deck crew of the *Titanic*?

Mr. LA FOLLETTE. The *Titanic* had a crew of 66 in her deck department. The fireroom and engine-room crews numbered something over 300. Then, of course, there were the stewards, the waiters, and others to the number of over 400.

Mr. WILLIAMS. When you speak of the crew, I take it for granted that you mean the sailormen. When you refer to the waiters, the stewards, and everybody else, of course that is an entirely different proposition.

Mr. LA FOLLETTE. But they are classified as crew.

Mr. WILLIAMS. If there were only 66 deck crew, then the 40 per cent would have been only 27 men, or, accurately speaking, it would have been 26.4 men, but as you can not divide a man into tenths you would have to put it at 27. Two for each lifeboat would have required 68, which is more than she had in the deck crew.

Mr. LA FOLLETTE. Yes; but she ought to have had more.

Mr. SMOOT. Does the Senator construe the language which I shall now read as meaning deck crew only? Section 12, on page 17, says:

> That no vessel of 100 tons gross and upward, except those navigating rivers exclusively and except as provided in section 1 of this act, shall be permitted to depart from any port of the United States unless she has on board a crew not less than 75 per cent of which, in each department thereof, are able to understand any order given by the officers of such vessel—

Does the Senator think that that applies only to the deck crew?

Mr. LA FOLLETTE. No; the requirement that 75 per cent shall understand English applies to the whole crew and to each department of the crew; but when you come to speak of able seamen, then the provision is limited to the deck crew, and 40 per cent of the deck crew are required to be able seamen the first year.

Mr. SMOOT. Then the section goes on—

> nor unless 40 per cent in the first year, 45 per cent in the second year, 50 per cent in the third year, 55 per cent in the fourth year after the passage of this act, and thereafter 65 per cent of her deck crew—

That is the provision in regard to the number of able seamen required to constitute the deck crew.

Mr. LA FOLLETTE. That explains it and makes it perfectly clear.

Mr. President, I do not remember at just what point I was interrupted; but, as I now recall, the Senator from Iowa [Mr. CUMMINS] asked me a question, and I am not certain whether or not I have answered it.

Mr. CUMMINS. I think the Senator has probably done so.

The PRESIDING OFFICER (Mr. KERN in the chair). Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. CUMMINS. I wanted to see whether the 40 per cent requirement would really ever be applicable or not. I had an idea that if you required for every boat two able seamen—and I thoroughly agree with that requirement for every lifeboat—and enough lifeboats to carry every soul on board, able seamen generally would constitute more than 40 per cent of the deck crew. I am not familiar enough with the different kinds of boats and the different ways in which they are equipped to have a very clear idea about it, but I was wondering whether the provision of 40 per cent ought not to be increased rather than diminished.

Mr. LA FOLLETTE. This 40 to 65 per cent provision will be applicable mainly to freight vessels and to vessels carrying a small number of passengers. Now, Mr. President, I will say that when this bill was introduced representing the best judgment of the men who know the sea as we know our law offices it provided that there should be not less than 75 per cent who were able seamen. However, these men have been worn down and discouraged by the delay, opposition, and harassments of a 20 years' contest, so that, in the hope finally of securing freedom, of raising their calling or business somewhat above serfdom, and of protecting their lives at sea and the lives of those for whom they are responsible, in order to get something better than the existing law, they have yielded and cut this percentage down from 75 per cent to 65 per cent, and from 65 per cent to 60 per cent, and from 60 per cent to 55 per cent, and from 55 per cent to 45 per cent, and finally down to 40 per cent, so that this legislation might get by the committees of Congress.

They consented to this, as it was only by agreeing to a low percentage that they could secure a report on some bill in which they could see some hope of relief and get a plank on which they might float while waiting and hoping for something better in the future.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. I do.

Mr. SUTHERLAND. Following up the suggestion made by the Senator from Iowa [Mr. CUMMINS], which I understood to be that the requirement that there should be two able seamen for each lifeboat would exceed the 40 per cent requirement, I ask the Senator from Wisconsin whether or not, upon vessels like the *Titanic* or any of the large passenger vessels where the requirements for lifeboats would be very large, it would not be true ordinarily that two men for each lifeboat would exceed 40 per cent, but upon boats which are largely used for freight service, carrying few passengers, the 40 per cent would exceed the two for each lifeboat, and would not that be true very largely in the coastwise service?

Mr. LA FOLLETTE. I think, perhaps, that might be true in the coastwise service, except on vessels carrying a large number of passengers. In the ocean service on the large passenger steamships I am quite sure that, starting with 40 per cent, you would not have enough men to equip the lifeboats; but, of course, the lifeboat provision here is absolute and controlling, and would provide a sufficient number. In the case of the *Titanic* there were just 66 in the deck department. It would have required 2 more—68—if they had been able seamen, to have had a number sufficient to have manned 34 lifeboats; and 34 lifeboats would have carried all the passengers and all the crew on that ill-fated vessel.

Mr. WILLIAMS. Lifeboats carrying 65 passengers each are very large lifeboats.

Mr. LA FOLLETTE. Yes, sir; I suppose they were very large. I have noticed that in some cases more than 65 people were safely taken away on lifeboats.

Mr. WILLIAMS. They were crowded.

Mr. LA FOLLETTE. Yes; that is true. The Senator from Iowa and the Senator from Utah, however, will understand how it happens that the able-seamen requirement of the substitute has finally been cut down to 40 per cent for the first year. It did not start that way, and that does not express the judgment of Mr. Furuseth and of the men who have really given their lives to working out along this line something for the betterment of the sailors and at the same time for the greater safety of the people of this country; but this bill was the best they could hope to secure.

I have done a good deal of work on this subject. I have read almost everything I could get hold of that pertained to it,

besides spending a great deal of time with Mr. Furuseth. The substitute does not go so far as I think public safety requires, but I have offered it in this form simply because committees in the other House have reported it and it has passed in this form. We should understand how difficult it is to secure legislation and to have the minds of two great legislative bodies agree upon the details of legislation. We know the value of having a bill which has been accepted by one House. This bill in substantially this form has been accepted in the other House. I have added a few things to it. I have added the lifeboat provision. I think it ought to be in the bill and that it will be accepted; I do not believe that provision will endanger the bill. I have added to it two provisions of minor importance which have been recommended by the Secretary of Commerce and the Secretary of Labor, which I think will create no trouble; but otherwise I have taken the bill just as it passed the House two years ago. I have offered it simply because the enactment of this legislation should not be delayed one moment longer for any reason. We can not hold it up any longer without assuming responsibility for whatever may happen to-morrow and to-morrow and to-morrow.

Mr. President, I have stated the requirements of an efficient equipment under the substitute bill. I had given part of the requirements of an efficient equipment under the committee bill when I was diverted by a question and I now return to that subject.

I have commented on the effect of having to pass in an hour of supreme danger the orders of the man on the bridge through an interpreter to those who are to man the lifeboats. Mr. President, just think of it; in a lifeboat, perhaps one into which, say, your daughter or your son is to go, you can not go with them; the conditions may be such that they must go alone, with the fury of an ocean storm all about them, with the vessel every moment settling lower and lower; they must go over the side into a lifeboat in the crew of which there is a Turk, a Chinese, a Jap, a Greek, a negro from South Africa, a Hungarian, and an Arabian. Under the committee bill there will be two of what are called efficient lifeboat men, not men who are able seamen, not men experienced at sea, but men who have passed the drills; one man in the boat who can interpret between the commanding officer and all the languages represented there. Some of them may understand, to some of them it may be gibberish, for all the interpreter has to do is to pass the scrutiny of the inspector.

The lowering of that lifeboat, an act requiring the greatest skill, the greatest knowledge of the sea, is in the hands, under the Senate committee bill, of two men, not able seamen, but who may be from the saloon or the fireroom, but who have been certified as efficient lifeboat men, one in the bow and one in the stern, holding the tackle. The remainder of the boat crew need not have any training; they may be waiters from the saloon. These may have 65 or 70 souls committed to their keeping. They are being lowered away under orders from the deck which none but the interpreter can understand, excepting when the order is translated as many times as there are languages represented in the lifeboat crew. What do you think about that?

Let me ask the Senator from Mississippi, suppose he had a boat of that kind on one side of the vessel, and on the other side of the vessel you had a boat manned by two able seamen, two men who had had three years at sea, and a crew who understood the language of the officers, which would he prefer? Under the substitute you would surely have that many able seamen in the boat and there would be a chance of having others, because there is provided in the substitute bill a standard of efficiency which requires at least two able seamen for every lifeboat. There is then a possibility of there being a man down in the engine room who has been at sea and who has acquired some knowledge of the sea. There may be also more men in the lifeboat having knowledge of the sea, but you are sure of the two—the man at the helm and the man at the bow. I am told that in a lifeboat those are the vital places. The ropes must be released just right; the boat must be lowered to meet the sea at the critical moment. This means life or death. Boats were crushed against the side of the *Volturno;* boats were swept down under the stern of the *Volturno* and never appeared again.

You can lower away a boat in a very high gale, and if you strike the water at just the time that judgment and experience and intelligence will tell you is the proper moment, you drop it in a comparative calm; you drop it at a time when you catch the wash just right, and the boat does not crash against the side of the vessel and crumple like an eggshell; she goes where she should go; she gets away.

I spoke here the other day of the way of the sea, something which has been impressed upon me again and again in talks with Mr. Furuseth. That is the reason why it means everything to have able seamen on deck. Men never can become able seamen by remaining in the engine room. Take the deck crew of the *Titanic.* How many men were there? That was a modern steamer, but there were only 66 men in the deck department, 325 men in the engine department, and 494—nearly 500—men in the victualing department. Those men never had an opportunity, unless they acquired it before they went on that vessel, of knowing anything about the sea. You have to look the sea in the face to know it; you have to study the sea and the sky together to know the sea; you have to observe the sea in all her moods to know the sea and to know how to grapple and wrestle with and overcome her.

Take a vessel manned by men who know the sea. She throws her head up to the coming storm; she meets every mass of water hurled at her as does the fencer in the arena the thrusts of his adversary. She has been warned, if she is in charge of able seamen, of the coming of the storm. Their weather-beaten faces have been turned skyward; they know the sea; they know the sky; and when the hour comes that in all its fury the raging storm breaks, their boat is prepared for it. Stripped like an athlete, she turns to meet it. Every man, too, is at his place and sure of himself. They are able seamen; they are not landlubbers; they are not afraid, and, oh, what their confidence is to the whole mass of humanity on the vessel! If there should come something unforeseen, perhaps some vessel in the same lane of travel driven by the storm, not obeying the rules that should control all sea travel, and it meets and wounds her to death, the perfectly managed and perfectly officered and manned vessel, when that hours comes, is prepared and cares not only for its crew, but for all intrusted to their keeping. How important, then, it is that there should be confidence on the part of all on board in the officers who understand their business and in the men who understand the officers and execute instantly every order issued; and prompt obedience to orders sometimes settles the fate of a vessel and decides the whole issue.

Mr. President, it seems like an insult to the intelligence of the Senate and trifling with a great piece of legislation to stand here and argue for things that are so manifestly right and against things that are so manifestly wrong. Travel on a well-officered vessel, manned by able seamen, with lifeboats to bear all on board, should be as safe as travel on land.

It will do us no good, Mr. President, so to equip, so to man, and so to regulate our merchant marine if all the craft that we meet on the watery way shall be undermanned, controlled by ignorance, and sailed by the very lowest element in all humanity. So the substitute goes to the extent of providing that all foreign vessels which operate to our ports must also meet the requirements imposed by the bill. As well might you enact nothing as to leave that out. One-tenth of the commerce which we have with the world is carried on in American vessels; 90 per cent of it in foreign vessels. If you do not extend the same requirements imposed upon American merchant marine to foreign vessels in our ports, you might as well prepare to see that one-tenth disappear. To put our shipping on an even keel and level with the foreign competitor the foreigner must be required to conform to the restrictions imposed upon our own ships when he leaves American ports. He bids against them in the carrying of freight from our ports. Then let him man his vessel just as we require our vessels to be manned. So it is provided in the substitute that it shall apply, as it should apply, to all foreign vessels in our ports.

Our Supreme Court has settled the question, as will be found in One hundred and ninetieth Supreme Court Reports, that we have the absolute authority to prescribe the conditions upon which foreign vessels may sail from our ports. In that opinion the court referred to the fact that nearly all the legislation that aims to improve the conditions of the American seamen would be utterly futile and would be prejudicial to the American merchant marine if foreign vessels trading in our ports were not required to meet exactly the same conditions.

Mr. President, I have very imperfectly presented the two bills, and have only touched upon one or two paragraphs of them; but I went to that which to me seemed to be the part most important to be considered.

I beg the pardon of the Senator from Florida. He rose to ask me a question some time ago. If it is not too late, I shall be very glad to yield to him.

Mr. FLETCHER. No; I do not care to interrupt the Senator now. I think the matter has been sufficiently covered in his discussion.

Mr. LA FOLLETTE. Mr. President, if there is any discussion in opposition, I will not say necessarily to the substitute, but to any legislation at this time. I apprehend it will come from the Senator from Ohio [Mr. BURTON], and that in part, at least, or to begin with, it will be the presentation of an objection to taking up this subject at all at this time in view of the proposed international maritime conference. I judge that from some observations he submitted on Wednesday or Thursday of last week.

I do not know that I care to say very much, if anything, about that matter at this time. I believe, in view of the situation as it exists to-day, this Government of ours should not wait upon anybody to mark out a line of policy for us to follow. Some things are so plain, and they are the things that are set out in this bill, that I believe there is no warrant whatever for asking for any postponement of legislation on the subjects covered in the bill as reported and in the substitute.

Mr. MARTINE of New Jersey. Mr. President, will the Senator yield to me for a question?

Mr. LA FOLLETTE. Certainly.

Mr. MARTINE of New Jersey. I beg to say that I am very much interested in this matter. I have received some letters asking that action be deferred until the action of an international conference. I am frank to say that I do not know when that international conference is expected to be held.

Mr. LA FOLLETTE. In November.

Mr. BURTON. The 12th of November.

Mr. LA FOLLETTE. I will say to the Senator that it begins on the 12th of November.

Mr. WILLIAMS. And there is no knowing when it will end.

Mr. LA FOLLETTE. There is no knowing anything about how long it will last. It may last a month.

Mr. MARTINE of New Jersey. It may last a year.

Mr. LA FOLLETTE. It may be adjourned. I will say to the Senator from New Jersey that it seems to have come out of the *Titanic* disaster. The proposal to hold the conference followed the *Titanic* disaster.

Mr. MARTINE of New Jersey. Action on this bill, I presume, could not in anywise prejudice the result of the conference that might be held in November?

Mr. LA FOLLETTE. I do not think it could. Indeed, I think the enactment of this legislation might be helpful in that conference. There are a few standards that I think are so plain and so right that we should set them up without consulting anybody on earth. One is that the sailors shall be free. If our representatives in that meeting can go into it saying that the Senate of the United States, one brauch of Congress, has at least declared for emancipating from slavery the men on the sea, perhaps that will help somewhat to lift up the other countries to that level.

Mr. MARTINE of New Jersey. I will say that I am very much in sympathy with that view. My own judgment is that it could not retard the betterment of the situation, and that it would be at least a step in the right direction to pass the bill at this time. I shall vote for the bill with a very great deal of relish and earnestness.

Mr. LA FOLLETTE. Mr. President, in 1894 the British Parliament appointed what they called a commission to investigate conditions pertaining to the British merchant marine. I believe, strictly speaking, the act provided that the board of trade should appoint a committee. In my reading on that subject I find that Mr. Bryce presided over some of the meetings of the board of trade that appointed the committee that made this investigation. It was in many ways a remarkable investigation. The commission consisted of 14 men. Some of them were members of Parliament; some of them were shipowners. The commission was a very high-class one. They spent two years, down to 1896, in investigating conditions, the troubles and the deterioration that had befallen the merchant marine of Great Britain. After two years of very careful investigation they made a most valuable report.

Perhaps at some later time, if this discussion is at all extended, I shall wish to call the attention of the Senate to that report. It is very enlightening and instructive. It shows the same struggle over there that we have had here. It shows the control of legislation by the shipowners. It deals with the question of insurance. There has been going on, of course, for decades and decades a system of insuring vessels and sending them to sea, with the seamen on board, to go to the bottom. That is what has been going on. Books have been written upon it. Investigations have been had, the reading of which would chill your blood.

The same influences which have controlled legislation in the United States Congress for 20 years, holding back everything here that was in the public interest, have to a large extent controlled legislation in every maritime country. The recommendations made by the British commission after an investigation of two years have been only very partially carried out. Yet they were so plainly right and in accord with all of the intelligent findings of every Government on earth that has investigated the subject that you marvel that it has been in anybody's power to resist and prevent their enactment into law.

I adverted to this commission at this time for just one reason. The commission of 1894, which reported in 1896, made certain very strong recommendations. I shall not detain the Senate to refer to these now. If it becomes necessary in the debate later, I shall do so. One of those recommendations, however, is as follows:

> We think it very desirable that Her Majesty's Government should take steps to invite the cooperation of maritime States to consider how far it may be possible to agree with them on identical rules for the manning of merchant vessels, and the steps to be mutually taken for enforcing such regulations.

Now, here is the point:

> But we are of opinion that there should be no delay in putting a manning scheme into practice by reason of inviting such cooperation.

You may invite the foreign powers to meet us to consider what may be done better to save life at sea, but in the meantime uncertain as to what the outcome may be. We know perfectly well that out of 14 Governments represented the views of many must be very different from the views of this country, the most enlightened and progressive country on the face of the earth. We know that what comes out of that sort of a conference must be a general average, a leveling up and a leveling down. While our and other people perish at sea, shall this progressive and enlightened country wait for the report of this conference, which may sit next month and adjourn and sit again and adjourn, and which at best will arrive at some conclusion that will be a compromise?

On the great essentials embodied in this legislation let us plant the American standard on high, safe, secure ground that shall commend us to all the people of the world as an enlightened, humane, courageous, liberty-loving nation.

Mr. BURTON. Mr. President, the hour is rather late, and I should prefer to proceed to-morrow with the body of my argument.

I shall wish to take up, in the first place, the great advance which has been made in the last three years in provisions for safety at sea. A general impression prevails that prior to the *Titanic* disaster and even since that day the American Congress and its executive officers have neglected their duty in that regard. I shall point out, by specific statutes and conventions, that such has not been the case.

In the next place, I shall seek to show that this bill touches but one phase of safety at sea—a very important and essential one—but that it by no means includes the whole of the subject, nor does it pertain to the safeguards that are the most pressing.

In the next place, I shall endeavor to show that at least some of the provisions of the proposed amendment, notwithstanding they have been advocated so earnestly and so sincerely by the Senator from Wisconsin, instead of adding to safety would diminish safety.

There are one or two points, however, that I wish to take up to-night, particularly since a considerable number of questions were asked in regard to them. One of them is as to the proportion between the number of able seamen required to man lifeboats under the proposed bill and the number provided by the requirement of 40 per cent the first year, 45 per cent the second year, 50 per cent the third year, 55 per cent the fourth year, and thereafter 65 per cent.

Let us begin, in the first place, with the greatest ship that floats, the *Imperator.*

She carries 80 lifeboats, having about the maximum capacity for carriage that is safe, about 60 each, making 4,800. It was stated in the newspapers that on a recent voyage she brought over 5,000 persons from the Old World. Two able seamen to each of those lifeboats would make a total of 160. Her deck crew is composed of 70 men—40 able seamen, 18 ordinary seamen, and 12 so-called boys. They call them boys if they have served less than a year, even though they be 23, 24, or 25 years of age. So it would be necessary for that vessel to carry 120 additional able seamen for the mere sake of complying with the provisions of this bill.

It is far from me to say that such a vessel ought not to have plenty of able boatmen on board. I shall to-morrow go more fully into a subject about which I trust Members of the Senate will reflect, namely, that the seaman of to-day has entirely different functions and is a very different kind of man from the seaman of the days of the old sailing ship. Then he had to climb the masts, to raise and lower the sails, and to provide for the unforeseen emergencies of the sea, with its frightful storms. He manned the clipper ship, and our American sailors

were the best on the seas. They were necessarily men possessed of great physical strength, of agility, of skill. But to-day the whole situation has changed.

The modern steamship is a great piece of mechanism, a colossal structure, propelled not by sails but by steam, and the greatest amount of labor in the way of propulsion is the feeding of coal into the furnace or the pumping of oil. What is left for the sailor? To close the hatches, to wash the decks, to polish the brasses, to throw out lines when approaching a dock, although in large part that is done by machinery. If there is one of exceptional brightness, he keeps track of the log at the taffrail, as it is called. There is no more similarity between the duties of a sailor on a sailing ship and a deck hand on a modern steamer than there would be between two vitally different occupations.

I shall not for a moment decry the importance of these positions, nor would I wish in any way to disparage the hardships to which the sailor is subjected; but his position is entirely different from that of old. It gives him no special skill in the handling of lifeboats. In the hearings before our committee, which continued for some five or six weeks, there was one old sea captain who said: "I went 13 times around the Horn, and I never knew a case of the lowering of the lifeboats at any time."

Why, here in the instance of the *Grosser Kurfurst*, what happened? When the *Volturno* was on fire there were vessels gathering around there from all points of the compass, all terrorized at the prospect, and all seeking to lower boats. The captain of the *Grosser Kurfurst* called for men who would volunteer to go down in the boats in that terrible raging sea. As one man, to their credit be it said, they rose up and volunteered. The captain had the whole crew to choose from. Whom did he choose? There were two men from the steward's department, one man from the scullery department, one coal passer, and one man, I believe, who fed the fires.

He picked out those as the best men he had on the vessel; and in the face of the terrible sea they lowered the boat, and—praise and blessing be upon them—they saved 21 lives at the very beginning. That which had been given up as impossible with a slight abatement in the sea they found possible. These stewards, these coal passers, these men who are spoken of with so much contempt are the men who handled that boat and put it over.

Why, it is not so much rowing that is needed; it is handling the mechanism, taking off the davits, seeing that the boat shall be lowered without one side going below the other. In handling the boats on a steamer it is mechanical ingenuity that is required quite as much as seamanship.

Mr. President, I shall go into this subject much more fully when the Senate is perhaps more disposed to listen and to take up the question and when there is a larger attendance of Senators.

Mr. VARDAMAN. Mr. President, will the Senator yield for a question?

Mr. BURTON. I shall be pleased to yield.

Mr. VARDAMAN. I should like to know if the Senator has any information as to the character of the men that were on deck in this ship that went down? He speaks of the men being selected from down in the ship. Has he any information as to the character of the sailors who were on deck and whether or not they were able seamen?

Mr. BURTON. I have no doubt there were about the ordinary number of able seamen. On a vessel of that kind, belonging to a standard line like the North German Lloyd, it would be impossible that the crew should fall below the average. It no doubt would have a considerable number of able seamen among the others.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Wisconsin?

Mr. BURTON. Certainly.

Mr. LA FOLLETTE. As perhaps throwing a little bit of light on that subject, I have here a letter which, with the indulgence of the Senator, I will read.

Mr. BURTON. Certainly.

Mr. LA FOLLETTE. This letter is from Mr. Gus Braun. He is a Swedish sailor, an able seaman of 12 or 15 years' standing. He sailed as quartermaster on the ocean for years, and as wheelsman on the Great Lakes. He is now the agent of the Eastern and Gulf Sailors' Association. It is his duty, in part, to give protection to sailors and to aid them in securing employment.

Immediately after the *Volturno* disaster was reported I asked Mr. Furuseth to communicate with some one in New York and have him in waiting, as soon as any of the rescued people landed in New York, to ascertain the conditions upon the *Volturno*, the sort of seamanship there was there, and particularly to interview any of the sailors, if any would be willing to give statements. On October 18 Mr. Braun wrote this letter to Mr. Furuseth which I now read:

MY DEAR FURUSETH: Your letter received. In regard to the first, I may say that I tried very hard to get the carpenter, boatswain, one sailor, and one of the stokers to give a statement as to the way the lifeboats were handled during the disaster. These men all agreed that there was not enough efficient men aboard to man the boats.

I take it, from the fact that he did not send their statements, that they were not willing to take the chances that would go with making a formal statement of that sort, as affecting their service in the future.

He proceeds to say:

The *Volturno* carried 8 able seamen, — ordinary, 4 quartermasters, 2 boatswains, and 2 carpenters. Nineteen lifeboats were carried in double rows on the top deck. One half of the deck crew were burned to death; they never had a chance to escape. The other half were fighting the fire in No 1 hold. The firemen were kept in the stokehold keeping up steam and fighting the fire in the bunkers. The heat was terrific, and all the firemen took turns about of 15 minutes each at their posts. The steward's department was left to handle the lifeboats and the passengers——

That is the reason why some of the results were just as they were, I think.

with the result that you have heard about. Only one boat got away, the one the second mate was in charge of, and manned by two A. B.'s, one fireman, and the steward.

The steward's department consisted of men with hardly any experience at all, and unable to speak and understand the English language. Two or three men of the stokehold crew knew how to handle boats. The boat drill on the previous Saturday, the only one they had, merely amounted to showing the men their stations; no boats were swung out; none were lowered. At the time of the accident the wind was blowing 40 to 45 miles an hour.

Yours, fraternally, GUS BRAUN.

Mr. BURTON. I have no variance with the Senator from Wisconsin in regard to the boat drills, the competency of the men, or the number of them. What I maintain is that the fact that a man has served three years at sea—he may be halt, he may be blind in one eye, he may be otherwise deficient—is no qualification over another man, very likely of better physique, to handle boats and lower them.

Another point I wish to make, in response to what the Senator from Wisconsin has said, is this: I do not know the facts in regard to what the men were or how many able seamen there were; there may be some way of contradicting or confirming that; but I do not believe a lifeboat can be fairly tested when there is a 40 or 45-mile-an-hour gale. I doubt whether any man could get down a lifeboat and make it useful at such a time.

Mr. LA FOLLETTE. Why, Mr. President, a wind of 40 or 45 miles an hour does not begin to be a gale. There ought to be no difficulty at all in lowering lifeboats with a 40 or 45-mile-an-hour wind if the men have had any experience whatever. That is the information I have.

Mr. BURTON. If the Senator had ever been out in a gale of that kind, with the resulting rough sea, I do not believe he would make that statement.

Mr. LA FOLLETTE. That is where the Senator from Ohio differs from Mr. Furuseth, who has been out in gales that neither of us would dare look in the face.

Mr. BURTON. I do not like to contradict anyone, Mr. Furuseth or anyone else, but do not try any experiments in a 40-mile-an-hour or a 45-mile-an-hour gale, and pray Heaven that if you go on an ocean voyage your vessel will not be shipwrecked by encountering such a gale as that.

Mr. President, there is one other thing that I want to speak of at this time, and that is this international maritime conference. I do not quite see how we can maintain national faith after having invited this conference ourselves; after we have chosen our delegates; after the propositions presented have been formulated; after all plans have been made for the meeting at London on the 12th of next month. Among the different subjects to be considered are the very things treated in this bill, the manning of boats, the efficiency of crews——

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Wisconsin?

Mr. BURTON. A number of these subjects will, no doubt, come up.

Mr. LA FOLLETTE. Will the Senator permit me?

Mr. BURTON. All right.

Mr. LA FOLLETTE. The Senator will recall, and I can put my hand on it in a moment, the letter issued by the Commissioner of Navigation indicating the subjects that are to come up at that time, and he says the only one touched by any provision of this bill is efficiency; and all he says about that in his letter is that if practicable they will possibly consider that question.

Mr. BURTON. If practicable? The efficiency of officers and crews is included in the propositions formulated. I want to say in this connection, since the question has been raised, that it very much inures to the credit of our Bureau of Navigation and to our Department of Commerce that, before the *Volturno* fire, suggestions were made from that bureau that the subject of prevention of fire be considered at that conference which is to be held. So we at least have this record that we did not wait for the catastrophe to occur before we suggested that as one of the propositions to be considered.

There is a great deal in the two bills, and I am talking a little longer than I intended to do; but just one word more. I am telling no secret when I state that very strenuous protests have been received from at least three of the leading maritime nations against the adoption of any legislation here before that conference is held, on the ground that it would prejudge the very questions that are to be considered by the conferees. The conference indeed is not limited to any set program. It can take up any subject.

There are some things that we are going to insist on there. It is proper that I should speak of it right now. One of them is the abolition of arrests for desertion. The delegates from the United States would certainly insist upon that. But it is much better for us to secure the abolition of such arrest, which we abolished in the domestic trade in 1898, in an orderly and regular way.

I shall later call attention to the fact that the substitute bill contains a number of provisions which contravene our treaties; for instance, the one making it compulsory in an American port for the payment of wages to seamen employed on foreign vessels. Another relates to giving our courts jurisdiction over claims by foreign seamen against foreign ships. One of the latest treaties on that subject is with Sweden. It is perhaps hardly necessary for me to read it in full; it is the general international law:

The respective consuls general, consuls, vice consuls general, vice consuls, deputy consuls general, deputy consuls, and consular agents shall have exclusive charge of the internal order of the merchant vessels of their nation, and shall alone take cognizance of any difference which may arise, either at sea or in port, between the captain, officers, and crews, without exception, particularly in reference to the adjustment of wages and the execution of contracts. The local authorities shall not interfere except when the disorder that has arisen is of such a nature as to disturb tranquillity and public order—

That is the general rule—

on shore or in the port, or when a person of the country or not belonging to the crew shall be concerned therein.

In all other cases the aforesaid authorities—

That is, local authorities, such as our authorities in New York or Boston—

shall confine themselves to lending aid to the said consular officers, if they are requested by them to do so, in causing the arrest and imprisonment of any person whose name is inscribed on the crew list whenever for any cause the said officers shall think proper.

The same thing applies to the manning of ships, their crews. That is primarily a question for the country of the flag which the ship carries. Our treaties secure that, and it is a question of international law. But, of course, I do not mean to say that we can not provide that certain equipment shall be provided, not only in machinery but in the number of men, but I do think we ought not to do it until that time.

Mr. President, I desire to give notice that to-morrow, immediately after the routine business, I shall proceed to address the Senate on the pending bill.

Mr. LA FOLLETTE. Is it the desire, I will inquire, to have an executive session to-night?

Mr. BACON. That is the purpose; but two Senators have indicated a desire to occupy a moment, and I will yield to them before making the motion.

Mr. ASHURST. Mr. President, on the 7th of this month I had incorporated into the RECORD a short excerpt from the prison report of the parole clerk of the State prison of Arizona. There has been such a wide demand for the publication I ask unanimous consent that the report printed in the RECORD may be printed as a public document. I had an investigation and an estimate made of the expense, and it will cost about $20 to print it as a public document. (S. Doc. No. 215.)

Mr. SMOOT. I am not going to object to the request made by the Senator from Arizona, only I think it is proper to call the attention of the Senator from Wisconsin to the fact that the unfinished business ought to be temporarily laid aside before any other business is done.

Mr. LA FOLLETTE. Mr. President, I ask to have the unfinished business temporarily laid aside.

The PRESIDING OFFICER. The Senator from Wisconsin asks that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none, and the unfinished business is temporarily laid aside. Is there objection to the request of the Senator from Arizona? The Chair hears none, and it is so ordered.

Mr. SHEPPARD. I move that the Senator from Texas [Mr. CULBERSON], the Senator from Maine [Mr. BURLEIGH], and the Senator from Massachusetts [Mr. LODGE] be exempted from the order to telegraph Senators requesting their presence here.

The PRESIDING OFFICER. The question is on the motion of the Senator from Texas.

Mr. BACON. There are other Senators; for instance, I know the Senator from California [Mr. PERKINS] ought not to be included; the Senator from Indiana [Mr. SHIVELY] ought not to be included; and I would suppose——

Mr. SHEPPARD. I did not know of those cases and I would be glad to include them in my motion.

Mr. BACON. There may be others.

Mr. SMITH of Arizona. I suggest that the Senator from Texas include any Senator who is absent on account of illness.

Mr. LEWIS. I should like to inform the Senate that the Senator from Kansas [Mr. THOMPSON] is engaged in a matter which makes it impossible that he should return within the time indicated. I should like to have him also included in the list of those excepted.

Mr. SMOOT. I think when the telegrams are sent each Senator will use his own judgment as to whether he should return. I do not think there need be any exclusions. Let the telegrams be sent in such a way as to indicate that the presence of Senators is desired here, and a Senator will have to use his own personal judgment as to whether he can come or not.

Mr. LA FOLLETTE. The telegram is not compulsory, of course.

Mr. SMOOT. The telegram will not be compulsory. Every Senator here knows that it is impossible for the senior Senator from Texas [Mr. CULBERSON] to be here, and almost everyone in the United States knows it. The order will not be mandatory. It will simply suggest that the presence of Senators is desired.

Mr. VARDAMAN. I suggest that if a Senator has any excuse for not returning, that excuse will be submitted to the Senate by telegraph and the Senate can pass upon it then. Of course, the Senators referred to by the Senator from Texas, who are known to be ill, might be exempt from the order, but I think it is very well that the telegrams should be sent, and if the Senator from Kansas or any other Senator finds it impossible to return at once he will make that fact known to the Senate and the Senate, I am sure, will excuse him for not returning.

Mr. LEWIS. May I ask the nature of the telegrams? I did not hear the details. If the telegram is a mere suggestion to return, I agree with the Senator from Mississippi and the Senator from Utah that a Senator conscious of his duty here will return unless he is compelled to remain away.

I received a message from the Senator from Kansas [Mr. THOMPSON] stating that for a very intimate reason he has been called to the defense of a man on trial for his life, and the trial having begun, it is impossible for him to leave the case. Unless the telegram carries the suggestion that a Senator would be in contempt of the Senate if he did not come, the suggestion of the Senator from Mississippi is all right.

Mr. LA FOLLETTE. The direction that the telegrams be sent by the Sergeant at Arms was made, I believe, on my motion.

The PRESIDING OFFICER. The Secretary will read the proceeding for the benefit of the Senator from Illinois [Mr. LEWIS].

The Secretary read as follows:

Mr. LA FOLLETTE. Mr. President, I move that the Sergeant at Arms be directed to notify by telegram all absent Senators to return immediately and attend upon the sessions of the Senate.

The motion was agreed to.

Mr. SHEPPARD. I think, in view of that language, I am justified in making the motion I have submitted.

Mr. VARDAMAN. I happened to be in the chair when the motion was made. The language is not quoted exactly. It ought to read that absent Senators be requested to return. I do not think the word "request" is used there.

The PRESIDING OFFICER. The Chair has no information except what appears in the RECORD.

Mr. VARDAMAN. The language used was the language that is employed in the rule.

The PRESIDING OFFICER. Does the Senator from Texas move to reconsider the vote by which the order was adopted?

Mr. BACON. I suggest as a shorter method that by unanimous consent the word "requested" be inserted. That is what the Senator from Wisconsin says he intended.

Mr. VARDAMAN. That is what I said.

Mr. BACON. That will put every Senator upon his obligation to return unless there is some good reason which he will give to the Senate.

Mr. LA FOLLETTE. I will not object to that.

The PRESIDING OFFICER. The Chair will state that the telegrams have already been sent to all absent Senators in pursuance of the order adopted.

Mr. LA FOLLETTE. Then, we might wait.

Mr. BACON. I think, so far as the Senators mentioned by the Senator from Texas are concerned, and others, of course, if there are reasons which are controlling with them they will not come; and if the occasion will demand it they will submit to the Senate their excuses and the Senate will be in a position to judge whether or not they are proper excuses.

Mr. SHEPPARD. In view of the discussion brought out by my motion, I will withdraw it.

The PRESIDING OFFICER. The motion of the Senator from Texas is withdrawn.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, October 22, 1913, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate October 21, 1913.

APPOINTMENT IN THE NAVY.

Joseph B. Greene, of North Carolina, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 15th day of October, 1913.

POSTMASTERS.

ALABAMA.

W. R. Kenan to be postmaster at Geneva, Ala., in place of Ida O. Tillman, removed.

ARKANSAS.

C. A. Harris to be postmaster at Junction City, Ark., in place of Charles L. Jones, removed.

J. E. Leeper to be postmaster at Dermott, Ark., in place of Ruby Jones, resigned.

CALIFORNIA.

Charles W. Fay to be postmaster at San Francisco, Cal., in place of Arthur G. Fisk, resigned.

CONNECTICUT.

Dennis C. Murphy to be postmaster at Taftville, Conn., in place of James Graham, removed.

Patrick T. Oates to be postmaster at Saugatuck, Conn., in place of Joseph Morton, resigned.

FLORIDA.

Samuel Bass to be postmaster at Glen St. Mary, Fla. Office became presidential October 1, 1913.

J. B. Griffin to be postmaster at Greenville, Fla. Office became presidential October 1, 1913.

GEORGIA.

Emmett M. Anderson to be postmaster at Statesboro, Ga., in place of William H. Blitch. Incumbent's commission expired July 20, 1913.

ILLINOIS.

Walter R. Lovett to be postmaster at Onarga, Ill., in place of George R. Palmer, resigned.

Jacob Sand to be postmaster at Roanoke, Ill., in place of Benjamin W. Belsley, resigned.

INDIANA.

W. P. Van Arsdall to be postmaster at Fairmont, Ind., in place of Gladys E. Lyons, resigned.

Benjamin A. Batson to be postmaster at Bluffton, Ind., in place of Lester E. Roush, deceased.

IOWA.

John J. Dunlevy to be postmaster at Lansing, Iowa, in place of George W. Metcalf, resigned.

KANSAS.

Lenora Maude McElheny to be postmaster at Louisburg, Kans., in place of George W. McElheny, deceased.

LOUISIANA.

Willie Harris to be postmaster at Homer, La., in place of William C. Price, resigned.

Maurice C. Wilson to be postmaster at Hammond, La., in place of Benjamin S. Gallup, resigned.

MASSACHUSETTS.

Richard F. Burke to be postmaster at Williamsburg, Mass. Office became presidential October 1, 1913.

James J. O'Donnell to be postmaster at Holyoke, Mass., in place of Charles A. Chase, resigned.

George F. Snow to be postmaster at Orleans, Mass., in place of Simeon L. Smith, deceased.

MINNESOTA.

A. H. Adams to be postmaster at Jasper, Minn. Office became presidential January 1, 1912.

Marc D. Atkinson to be postmaster at Crosby, Minn. Office became presidential January 1, 1913.

James H. Fleming to be postmaster at Virginia, Minn., in place of Mary H. James. Incumbent's commission expired December 10, 1910.

MISSISSIPPI.

J. M. King to be postmaster at Durant, Miss., in place of John W. Lockhart, removed.

NEW YORK.

John Lyons to be postmaster at Gardiner, N. Y., in place of Myron E. Stephens, removed.

George W. Tracey to be postmaster at Kinderhook, N. Y., in place of George H. Brown, removed.

Charles A. Wilkins to be postmaster at Broadalbin, N. Y., in place of Frank G. Fuller. Incumbent's commission expired August 2, 1913.

Leon B. Wright to be postmaster at Lindonville, N. Y., in place of G. A. Waterbury. Incumbent's commission expired May 17, 1913.

NORTH DAKOTA.

P. J. Bott to be postmaster at Marmarth, N. Dak., in place of Frank G. Richards, resigned.

D. J. Drummond to be postmaster at Esmond, N. Dak., in place of M. C. Knudsen. Incumbent's commission expired February 4, 1912.

Theodore F. Huston to be postmaster at Deering, N. Dak. Office became presidential October 1, 1913.

OKLAHOMA.

M. W. Ligon to be postmaster at Ada, Okla., in place of U. G. Winn, removed.

A. C. Smith to be postmaster at Ponca City (late Ponca), Okla., in place of Henry W. Headley, to change name of office.

PENNSYLVANIA.

Samuel Bulford to be postmaster at Dallas, Pa. Office became presidential October 1, 1912.

John H. Krumbine to be postmaster at Vintondale, Pa. Office became presidential April 1, 1911.

E. C. Tingley to be postmaster at Hop Bottom, Pa. Office became presidential October 1, 1913.

TENNESSEE.

Victor C. Stafford to be postmaster at Sevierville, Tenn., in place of Isham A. Watson, resigned.

TEXAS.

Bettie Jackson to be postmaster at Stratford, Tex. Office became presidential October 1, 1913.

John G. Oltorf to be postmaster at Marlin, Tex., in place of Dunn R. Emerson, resigned.

WASHINGTON.

R. A. Belvail to be postmaster at Palouse, Wash., in place of George N. Lamphere, resigned.

Thomas J. Quirt to be postmaster at Blaine, Wash., in place of J. D. Stage. Incumbent's commission expired July 26, 1913.

WEST VIRGINIA.

Jesse Craver to be postmaster at Boomer, W. Va. Office became presidential October 1, 1913.

Mary E. Davin to be postmaster at Montgomery, W. Va., in place of Luther S. Montgomery, resigned.

WISCONSIN.

Annie K. Blanchard to be postmaster at Blanchardville, Wis., in place of Samuel L. Mason. Incumbent's commission expired January 29, 1912.

Irvin H. Ecker to be postmaster at Whitehall, Wis., in place of John C. Southworth. Incumbent's commission expired January 12, 1913.

Albert F. Fuchs to be postmaster at Loyal, Wis., in place of George Green. Incumbent's commission expired January 26, 1913.

Aloys Grimm to be postmaster at Cassville, Wis., in place of Walter Kleinpell, resigned.

E. D. Singleton to be postmaster at Camp Douglas, Wis., in place of Frank L. Davis. Incumbent's commission expired April 8, 1913.

J. V. Swift to be postmaster at Benton, Wis. Office became presidential January 1, 1913.

John O'Neil to be postmaster at North Freedom, Wis., in place of Jonathan Wiggins, resigned.

Henry Wachsmuth, sr., to be postmaster at Bayfield, Wis., in place of George A. Packard, resigned.

W. M. Ward to be postmaster at Soldiers Grove, Wis., in place of Thomas Gaudet. Incumbent's commission expired March 1, 1913.

CONFIRMATIONS.

Executive nominations confirmed by the Senate October 21, 1913.

ASSISTANT APPRAISER OF MERCHANDISE.

Joseph Knox Fornance to be assistant appraiser of merchandise in the district of Philadelphia, Pa.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Lieut. Commander Arthur G. Kavanagh to be a commander.

Lieut. Benyaurd B. Wygant to be a lieutenant commander.

Lieut. (Junior Grade) George E. Lake to be a lieutenant.

The following-named ensigns to be lieutenants (junior grade):

Rensselaer W. Clark, and

Howard B. Mecleary.

The following-named officers of the Navy to be ensigns:

Boatswain Frank Hindrelet,

Chief Machinist August Schulze,

Boatswain Ralph Martin, and

Machinist Frank G. Kutz.

The following-named citizens to be assistant surgeons in the Medical Reserve Corps:

John F. Riordan,

Joseph J. Kaveney,

Claude W. Carr,

Louis H. Roddis, and

Charles A. Costello.

POSTMASTERS.

KANSAS.

Ed L. Hepler, Winfield.

MINNESOTA.

P. J. McCormick, Hopkins.

Lorenzo J. Markoe, White Bear Lake.

A. Waag, Roseau.

MISSISSIPPI.

J. M. King, Durant.

C. A. McCharen, Oxford.

Lillian McCleary, Hollandale.

MISSOURI.

Luther E. Thomas, Herculaneum.

NEBRASKA.

George Beckler, Deshler.

Charles H. Mohr, Plainview.

NEW JERSEY.

George A. Hurd, Haworth.

C. D. Nicholson, Grenloch.

OHIO.

C. L. Barkman, Osborn.

Harry H. Frazee, Murray.

Laura Emma Jones, Shadyside.

E. R. Lash, Athens.

Harry B. Mapel, Columbus Grove.

A. E. Stiwald, Amherst.

OKLAHOMA.

Robert Landers, Lawton.

WISCONSIN.

Henry Wachsmuth, sr., Bayfield.

WYOMING.

M. R. Merrill, Wheatland.

HOUSE OF REPRESENTATIVES.

TUESDAY, *October 21, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who art everywhere present, unseen, yet a potent factor in shaping and guiding the affairs of men and of nations, make us conscious of Thy presence and susceptible to Thy holy influence, that as individuals and as a nation we may render unto Thee and unto our fellow men faithful service now and always, in His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

ADJOURNMENT OF CONGRESS.

Mr. UNDERWOOD. Mr. Speaker, for the information of the House, proceeding under unanimous consent, I ask that the letter which I send to the Clerk's desk, from the President of the United States, be read.

The Clerk read as follows:

THE WHITE HOUSE,
Washington, October 20, 1913.

Hon. OSCAR W. UNDERWOOD,
House of Representatives.

MY DEAR MR. UNDERWOOD: Last week you called upon me and, in view of the very natural desire of the Members of the House of Representatives to know why it seemed necessary to keep them continuously in Washington and when they might expect to be free to go home, if only for a brief interval of adjournment, asked me what I thought the prospects were with regard to the banking and currency bill in the Senate. As I then promised you, I have had conferences with members of the Senate Committee on Banking and Currency, both Democrats and Republicans. As a result of those conferences I feel confident that a report on the bill may be expected not later than the first week in November. Most of the members of the committee with whom I have conferred have shown themselves keenly aware of the disadvantage to the country of any unnecessary delay. I believe that the action of the Senate upon the bill will follow within two or at the most three weeks after the report is made. I do not believe that there will be any attempt to delay its passage by dilatory tactics. Senators on both sides realize that the business of the country awaits this legislation, impatient of being kept in suspense, and display a most public-spirited desire to dispose of it promptly. The passage of the bill is assured.

In these circumstances I should like to confer with you, as you so kindly suggested, as to the action the House should take while awaiting the result.

Cordially and sincerely, yours, WOODROW WILSON.

Mr. UNDERWOOD. Mr. Speaker, I wish to say to the House that the President is very anxious that action should be taken on the currency bill before an adjournment of Congress is reached. He tells me that he has reason to be hopeful that that result will be accomplished. He also states that there is no desire on his part to interfere with the Members of this House returning home or the House taking a recess until the currency bill comes back from the Senate. I have been unable to reach an agreement with my friend from Illinois [Mr. MANN] in reference to a recess. Of course it is recognized that without a quorum being present we can take no action on this matter unless it is practically done by unanimous consent. More than that, after inquiry I have reached the conclusion that the Senate would not agree to a concurrent resolution allowing the House to take a recess at this time. Therefore that is impracticable; but, as I stated the other day, there is no further business for the House to transact, and as there is no desire on the part of the administration to push business in the House at this time, but a desire that Congress shall remain in session until the currency bill comes back, there is but one method that we can pursue, and that is to adjourn from day to day and allow those Members to go home who desire to do so, who undoubtedly can go home without criticism on account of their absence.

Mr. MANN. Mr. Speaker, I am afraid that Members who go home will find that they will be criticized both here and at home. I notice what the President has said in this letter, which has just been read, that he has conferred with members of the Committee on Banking and Currency of the Senate, both Democratic members and Republican members, using the plural. I think the President gives a very erroneous impression by stating that he has conferred with Republican members of the Committee on Banking and Currency. Anyone would suppose from that that he had talked to at least two Republican members of that committee. The President is usually very careful and accurate in his use of the English language. My information is that he has talked with only one Republican member of the Committee on Banking and Currency of the Senate, and has no authority for the assurance that he has from any conversation had with that one member.

The President apparently stakes his judgment on the proposition that the Banking and Currency Committee of the Senate will report the currency bill back to the Senate by the first week

in November, and will dispose of the bill in the Senate within three weeks. I am willing to stake my legislative judgment for all time upon the proposition that the banking and currency bill will not be disposed of in the Senate during the month of November nor during the month of December. With all parties desiring banking and currency legislation, and apparently with the present knowledge that the bill as it passed the House, if enacted into law in its present shape, would produce a financial panic and chaos such as this country has never before seen, it would seem desirable to make such changes in the bill as would do benefit rather than injury to the country. That will not be done at a moment's notice or without consideration. If the President desires Congress to remain in session, there is but one thing for us to do. As long as the majority side of the House is unwilling to act upon its own judgment, but prefers to follow the directions of the President, if Congress is to remain here, then it ought to remain here and do business. We ought to "fish or cut bait," to use an old expression. With the program before us, as stated by the newspapers, in reference to legislation during next winter, unless we proceed to business both in committees and in the House we will not get away from here next year until September or October. By that time my distinguished friend from Alabama will probably have left the House and gone to a less important forum of legislation. [Applause.] The rest of us are interested in having Congress proceed. A vast amount of legislation is proposed. The committees ought to be at work reporting that legislation to the House. The House ought to go to work in disposing of it. With the appropriation bills sure to receive some lengthy consideration next winter, we ought either to adjourn and get the rest that we need so that we could stay here late next year, or else we ought to go to work. Members think they can excuse themselves in their districts for being at home while Congress is remaining in session, because the President directs the Democratic majority to stay here. Well, they can take that chance. As far as I am concerned I am willing to stay here and do business, but I am not willing to take a recess to come back in the middle of November when everybody knows that if the House comes here at that time it would be of no avail, and if meanwhile an arrangement could be made in the Senate by unanimous consent that the currency bill shall be set down as the unfinished business to be followed continuously until it is disposed of, then Congress could not adjourn when the House was in recess. I prefer to take no chances.

Mr. UNDERWOOD. Mr. Speaker, I wish to say that of course I realize the uncertainty that follows any piece of legislation that is pending in the United States Senate while there is not a cloture rule, and that no man can predict with any certainty what will happen. I feel that it is the duty of this side of the House to sustain the President of the United States, the leader of our party, in his efforts to secure the passage of this currency legislation that not only meets with his approval but is a bill that was created by this side of the Chamber, many gentlemen on that side concurring with them. It is our legislation and we are responsible to the country for it. I feel it is necessary that we should have good currency legislation for the business interests of the country, and that the sooner it goes on the statute books the sooner business prosperity will respond to that legislation. Therefore I am anxious that the House should stay here in session, or nominal session, and sustain the President in his efforts to secure the speedy enactment of this legislation; but at the same time I realize that the membership of this House have been here for nearly a year. They have not been home; they are worn out, and a 30 days' recess would put them in far better condition to attend to business next winter than if we stay here and grind continuously now. For that reason I would like to secure an arrangement by which the membership of the House could take a partial recess at least, one that would enable them to go home and get rested while we were waiting upon the Senate to act, and I would like to ask my friend from Illinois [Mr. MANN] again if he is not willing to enter into a pact to allow the House to adjourn three days at a time for a couple of weeks and see what will be the result in the Senate?

Mr. MANN. Mr. Speaker, we have been no longer in session than has the Senate, and my friend from Alabama says that he knows the Members of the House would be able to do business better, more intelligently, and probably quicker next winter if we get a recess now. Now, there is no superiority in the form of human beings in the Senate over the House. If that is true as to the Members of the House, it is equally true as to the Members of the Senate.

Mr. UNDERWOOD. But the Senate has the legislation and evidence no desire to adjourn.

Mr. MANN. The Senate has not a quorum present, the same situation that the House is in. It was without a quorum yesterday, is without a quorum to-day in the city, and probably will be without a quorum to-morrow.

And everybody knows, except the President, that the Senate is not going to dispose of the currency bill in November, and if we need the rest they need the rest over there. If we stay here, I want the House to do business.

Mr. UNDERWOOD. It is evident, I will say to my friend from Illinois, that the House can not do business now. A quorum is not here.

Mr. MANN. If we stay here, some day this side of the House will catch that side of the House napping and send out for Members and bring them back. We have the chance, and we will do it.

EXTENSION OF TIME ON DESERT-LAND ENTRIES.

Mr. RAKER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from California [Mr. RAKER] rise?

Mr. RAKER. The gentleman from Washington [Mr. LA FOLLETTE] would like to be heard.

Mr. LA FOLLETTE. Mr. Speaker, I would like to ask unanimous consent to discharge the Committee on the Public Lands from further consideration of the bill S. 1673, which is strictly an emergency measure. I will say that this bill was introduced in the Senate on the 22d day of August, went to the Public Lands Committee there, was considered as an emergency measure, and they reported it back, and it passed the Senate on the 27th day of August. But, owing to conditions, we have not been able to get it up here before now, and I would like to have unanimous consent to consider it at this time.

Mr. UNDERWOOD. Mr. Speaker, reserving the right to object, I will say that I had a talk with the gentleman before coming on the floor, and I understand the purpose of this bill is merely to extend the time on which certain desert-land entrymen can perfect their entries, and that their delay in perfecting their entries has been caused by the delay on certain irrigation work of the United States Government.

Mr. LA FOLLETTE. That is practically the case, with the exception that this was private and not Government work. I will say that the Sixty-second Congress passed a bill for the relief of this kind of cases, and they used the word "construction," just the same as the gentleman from Alabama [Mr. UNDERWOOD] did now, and made no allowance in case any emergency should arise that would stop operation. In this particular case the construction of the dam was completed, but the people had built extravagantly and were badly in debt, and it went into the hands of a receiver. Through no fault of the settlers, it has not been operated, and the law we passed in the last Congress did not cover the case of operation, and we simply want to get into this law the word "operation."

Mr. UNDERWOOD. Now, as I understand it, this bill gives these settlers no more rights than they have heretofore had, except to extend the time on which they may perfect their entries?

Mr. LA FOLLETTE. Exactly; and just the same as the law in the Sixty-second Congress did.

Mr. UNDERWOOD. And if it is not passed at this time, some of the rights will be forfeited?

Mr. LA FOLLETTE. Some of them will expire in a very short time.

Mr. UNDERWOOD. I have no objection, Mr. Speaker.

Mr. MANN. Let us have the bill read.

The SPEAKER. Is there objection?

Mr. HARDWICK. I reserve the right to object.

The SPEAKER. The gentleman from Washington [Mr. LA FOLLETTE] asks unanimous consent to discharge the Committee on the Public Lands from further consideration of the bill S. 1673 and asks for the present consideration thereof. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 1673) authorizing the Secretary of the Interior to grant further extensions of time within which to comply with the law and make proof on desert-land entries in the counties of Grant and Franklin, State of Washington.

Be it enacted, etc., That the Secretary of the Interior may, in his discretion, grant to any entryman under the desert-land laws in the counties of Grant and Franklin, in the State of Washington, a further extension of time within which he is required to comply with the law and make final proof: *Provided*, That such entryman shall, by his corroborated affidavit, filed in the land office of the district where such land is located, show to the satisfaction of the Secretary that because of unavoidable delay in the construction and operation of irrigation works intended to convey water to the land embraced in his entry he is, without fault on his part, unable to make proof of the reclamation and cultivation of said lands as required by law within the time limited therefor; but such extension shall not be granted for a period of more than three years, and this act shall not affect contests initiated for a valid existing reason.

The SPEAKER. Is there objection?

Mr. HAYDEN. Reserving the right to object, which I will not do, I want to say that the Public Lands Committee, of which I am a member, has no objection to being discharged from the further consideration of this bill. I was authorized by the chairman of the committee, the gentleman from Oklahoma [Mr. FERRIS], to say that he hoped the bill would receive prompt consideration by the House.

Mr. HARDWICK. Will the gentleman yield?

Mr. HAYDEN. Yes.

Mr. HARDWICK. Has the gentleman looked into the details of this bill?

Mr. HAYDEN. Yes, sir.

Mr. HARDWICK. And into the provisions of the bill?

Mr. HAYDEN. The only difference in this bill and the law as it stands to-day are the words "and operation." The situation is this: These irrigation works were built by a private company. The law says that an entryman who is unable to get water by failure of construction on the part of any company, and through no fault of his own, may have an extension of time in which to make final proof on his entry. The works have been constructed, but they are not in operation. The promoters of this enterprise have been prosecuted by the United States postal authorities and some of them are in the penitentiary now for making fraudulent sales of stock in this irrigation company. The canal and irrigation works can not be operated until the matter is settled in court, and we have therefore added the words "and operation" to the present law. This bill has been recommended by the Secretary of the Interior, and was ordered reported unanimously by the Committee on the Public Lands of the House.

Mr. FOSTER. Mr. Speaker, will the gentleman permit a question?

Mr. HAYDEN. Certainly.

Mr. FOSTER. I observe in reading the resolution that it says "further extension." Have they already had an extension?

Mr. HAYDEN. They would be entitled to an extension of the time under the present law, and they have taken advantage of that extension so far as possible.

Mr. FOSTER. That is what is meant by the words "further extension"?

Mr. HAYDEN. Yes; that is what is meant.

Mr. FOSTER. I notice that this provides for an extension of three years.

Mr. HAYDEN. Not to exceed three years.

Mr. FOSTER. Yes. You say that this company has completed the works, but they have not been able to put them in operation to supply the water?

Mr. HAYDEN. The company is in the hands of a receiver at the present time.

Mr. FOSTER. Is it such litigation that this company can not furnish the water at the present time under the direction of the receivers?

Mr. HAYDEN. Yes. That is what I understand. Mr. LA FOLLETTE can answer more fully.

Mr. LA FOLLETTE. It is in the hands of a receiver, and they are trying to settle the rights of property. These people have been guilty of a great many frauds, and it is going to be a long-drawn-out fight, as several million dollars are at issue, and there will be a delay on account of court matters. The gentleman is well aware of the fact that sometimes these things drag along quite a while. They ask for the same limit of time as was granted in the law in case of failure of construction. This is just like the law passed by the Sixty-second Congress, with the word "operation" added, as stated by the gentleman from Arizona [Mr. HAYDEN].

Mr. SHERLEY. Mr. Speaker, I would like to ask the gentleman a question.

Mr. LA FOLLETTE. Very well.

Mr. SHERLEY. What is the proof that they are now required to make under the law?

Mr. LA FOLLETTE. They have to have a certain amount of water for a certain time on so many acres.

Mr. HAYDEN. The entryman must cultivate one-eighth of the irrigable area of his land.

Mr. SHERLEY. I would be glad if any gentleman can tell me—because I do not know myself—just what the requirements as to proof are; and I want to follow that with a question as to whether an extension of time really affects in a material sense the character of the proof to be made.

Mr. RAKER. If the gentleman will permit, I think I can explain the situation. Under the original desert-land act they are given four years in which to irrigate and cultivate their land. They must expend at least a dollar per acre upon the land, and they must irrigate each legal subdivision thereof within the four years.

Now, an act was passed several years ago—a number of acts, in fact—by which the settlers were allowed an extension of time wherein the construction works that were being constructed for the purpose of irrigating this land could be completed. These people have already had that three years' extension of time to get the water upon the land. Now, in this particular case they have completed the construction of the ditches and the dams, and the water is ready to turn upon the land; but the settlers can not prove up until they actually get the water on the land, although they have paid for their water and the ditches are ready to turn the water in, and therefore they are asking an extension of time by which they can have the questions at issue adjusted between themselves and those who built the dam. Private parties built the dam. They have had some trouble over it.

The settlers simply file on the land and pay so much for the water right. The dam and ditches are now constructed, and the settlers simply ask that an extension of three years be given by which they can adjust their interests with the construction parties, and then within the three years they will be able to turn the water upon the lands and irrigate every legal subdivision thereof. In that event they can make their final proof.

Mr. SHERLEY. How are the entries made in the first instance?

Mr. RAKER. By filing in the land office and making a partial purchase payment.

Mr. SHERLEY. Is there any conflict on entries?

Mr. RAKER. There is no conflict.

Mr. SHERLEY. As I understand the gentleman, the facts are that because of the failure to construct and operate the work required in connection with proof has been delayed?

Mr. RAKER. That is true.

Mr. SHERLEY. But the same work would have to be done as would have been done in the first instance, the effect of this being simply to extend the time?

Mr. RAKER. In substance; yes.

Mr. SHERLEY. If that is not exactly the case, what is the fact?

Mr. RAKER. In this particular case there is a law on the statute book by which the Commissioner of the General Land Office, after the first four years have elapsed, can extend the time to get water on the land by reason of works not being completed.

Mr. SHERLEY. That is all a question of time.

Mr. RAKER. Only a question of time.

Mr. SHERLEY. Now, what I wish to get at is a question of work. A man has to do certain things in order to perfect his title?

Mr. RAKER. Every year.

Mr. SHERLEY. Is the effect of this bill to change what he shall do, except in the matter of time?

Mr. RAKER. It makes absolutely no change. He has to comply with the law by filing his yearly proof each year and expending as much as a dollar an acre on the land. That is all done. The only thing they want now is an extension of three years, so that they may go to this water ditch and dam already constructed and turn the water on the land. That is all.

The SPEAKER pro tempore (Mr. JOHNSON of Kentucky). Is there objection to the request of the gentleman from Washington [Mr. LA FOLLETTE].

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. LA FOLLETTE, a motion to reconsider the last vote was laid on the table.

Mr. RAKER. Mr. Speaker, so that there may be no question about it, I ask to have the report on this bill printed in the RECORD.

Mr. MANN. The Senate report?

Mr. RAKER. Yes.

Mr. MANN. Have the House committee made any report?

Mr. RAKER. The House committee have prepared a report; but, in accordance with the policy adopted by the Democratic caucus, that report has not been filed.

The SPEAKER pro tempore. If there be no objection, the Senate report on this bill will be printed in the RECORD.

There was no objection.

The Senate report is as follows:

Mr. CHAMBERLAIN, from the Committee on Public Lands, submitted the following report to accompany S. 1673:

The Committee on Public Lands, to whom was referred the bill (S. 1673) authorizing the Secretary of the Interior to grant further exten-

sions of time within which to make proof on desert-land entries in the county of Grant, State of Washington, have given the same very careful consideration and beg leave to report it back to the Senate with the recommendation that it do pass.

The reasons for the enactment of the measure are set forth in the following correspondence:

NORTH YAKIMA, WASH., *April 19, 1913.*

Hon. WESLEY L. JONES,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Mr. Sulvely and I have been engaged for a year past in an endeavor to regain for the original owners and entrymen possession of a large body of land in the southern part of Grant County, to which they lost title and possession about a year ago through the failure of the De Larm companies (so called), in Seattle.

This De Larm and his associates, as you doubtless are aware, proposed primarily to install a large irrigation enterprise in and around that section on the Columbia River in Grant County known as Wahluke, and which is almost directly across the Columbia River from White Bluffs, and spent about $250,000 on the plant, and induced the homesteaders and desert-land entrymen and landowners in that section to mortgage their claims and lands to his corporation in exchange for promised permanent water rights for water to be furnished them for part of their land, while at the same time they (De Larm and associates) fraudulently sold and exchanged bonds secured on this enterprise and these lands to thousands of innocent purchasers all over the country, to the extent, it is said, of over $4,000,000, with a resultant total failure of the whole enterprise and prosecution, conviction, and imprisonment of the promoters by the United States Government at Portland, Oreg., for improper use of the mails.

Now, this irrigation plant has been practically completed for a year past, but has not been operated, as the company has been forced into involuntary bankruptcy, and the trustee in bankruptcy has not been able to operate the plant, and consequently the desert-land entrymen under the project who had relied upon it to furnish water to prove up on their claims are in the position that if they can not get a further extension of time from the Government within which to prove up they must either lose their claims or scrip them; and few of these people are able to pay for scrip.

Most of the settlers on these lands have already used the three years' extension from the date of expiration of their original four-year term, to which they are entitled under the present law, and their time for proving up under the present laws will expire during the autumn of the present year.

Now, we desire to know if it will be possible during the present extra session of Congress to have an amendment made to the act which you originally introduced and which was approved February 28, 1911 (36 Stat., 960), entitled "An act authorizing the Secretary of the Interior to grant further extension of time within which to make proof on desert-land entries in the counties of Benton, Yakima, and Klickitat, in the State of Washington," by having the county of Grant included in the law.

As you are doubtless aware, there are several new projects for reclaiming large bodies of land by irrigation, including the Quincy project, now being promoted in Grant and Douglas Counties, and such an amendment to the existing law would be an inestimable boon to desert-land entrymen throughout that large and important section of our State, and would be highly appreciated by the whole inland empire.

Will you kindly give this matter your earliest convenient attention and advise me at Ellensburg, Wash., as to what we may hope for in the premises?

Believe me, with kindest personal regards,

Very sincerely, yours,

I. C. LLOYD.

DEPARTMENT OF THE INTERIOR,
Washington, July 19, 1913.

Hon. GEORGE E. CHAMBERLAIN,
Chairman Committee on Public Lands, United States Senate.

SIR: I am in receipt of your request for report upon S. 1673, which proposes to give the Secretary of the interior discretion to grant extensions of time within which to make final proof to any entryman under the desert-land laws in Grant County, Wash., where it is satisfactorily shown that because of unavoidable delay in the construction and operation of irrigation works intended to convey water to the lands embraced in his entry he is, without fault on his part, unable to make proof of reclamation and cultivation of said lands, as required by law, within the time prescribed therefor. The bill further provides that such extensions should not be granted for more than three years, and that the act shall not affect contests initiated for a valid existing reason.

There are in force three general laws under which the time within which desert entrymen are required to make final proof may be extended by administrative action: Section 5, act of June 27, 1906 (34 Stat., 520), authorizing extensions where desert entry is embraced within the exterior limits of a withdrawal or project under the reclamation act of June 17, 1902; section 3, act of March 28, 1908 (35 Stat., 52), authorizing an extension of time not exceeding three years, where, because of unavoidable delay in construction of irrigating works, claimant is unable to make proof of reclamation; act of April 30, 1912 (37 Stat., 106), authorizing the Secretary of the Interior to grant a further extension of time, not exceeding three years, upon satisfactory showing of the same conditions as are required by the act of March 28, 1908, supra.

There have been enacted several statutes of special or local application authorizing extensions of time for submission of proof in desert-land cases, such as the act of February 28, 1911, authorizing the Secretary of the Interior to grant extensions, not to exceed three years, to desert-land entrymen in Benton Yakima, and Klickitat Counties, Wash., because of unavoidable delay in construction of irrigation works; and act of January 26, 1912 (37 Stat., 56), authorizing the granting of a similar extension to desert-land entrymen in the counties of Weld and Larimer, Colo.

Senate bill 1673 differs from existing laws hereinbefore described in that it authorizes relief in cases where the entrymen are prevented from making final proof because of unavoidable delay in the "operation" of irrigation works intended to convey water to the lands, as well as in those cases where there is delay in construction of same. I am not advised as to conditions existing in this connection in Grant County, Wash., but know of no objection to the enactment of the measure. In this connection I suggest the advisability of the enactment of legislation of general application authorizing the Secretary of the Interior to grant limited extensions of time to desert-land entrymen who, without fault, fraud, or negligence on their part, are unable for good and sufficient reason to comply with the requirements of the law with reference to reclamation and cultivation of lands embraced in their entries, and to make proof and payment thereon within the time specified by the existing general desert-land laws.

Respectfully,

FRANKLIN K. LANE.

JOINT RESOLUTIONS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolutions of the following titles, when the Speaker signed the same:

H. J. Res. 134. Joint resolution for the appointment of a joint committee from House and Senate to attend Congress Hall celebration in Philadelphia in October, 1913; and

H. J. Res. 125. Joint resolution authorizing the President to appoint delegates to attend the Seventh International Congress of the World's Purity Federation, to be held in the city of Minneapolis, State of Minnesota, November 7 to 12, 1913.

SUFFERERS FROM RECENT STORMS IN ALASKA.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 136, for the relief of sufferers from recent storms in the Territory of Alaska.

The SPEAKER pro tempore. The gentleman from Washington asks unanimous consent for the present consideration of a joint resolution which the Clerk will report.

The Clerk read as follows:

Resolved, etc., That the sum of $20,000, or so much thereof as may be necessary, is hereby appropriated, out of any funds in the Treasury not otherwise appropriated, to be expended at the direction of the President of the United States in giving aid and relief to the native and white people of the Territory of Alaska who have suffered from the storms occurring along the coast in the vicinity of Nome during the fore part of October.

The SPEAKER pro tempore. Is there objection?

Mr. SHERLEY. Reserving the right to object, I will say to the gentleman from Washington that I am not prepared at this time to permit the consideration of this resolution appropriating this amount of money. I have had occasion to look a little bit into the situation at Nome as the result of the recent disaster there. I think all that ought to be asked of Congress at this time is to make available an unexpended balance of $4,000 of a fund that was put at the disposition of the Revenue-Cutter Service. That would certainly carry us along in relief work to such time as would enable us to get some definite information from Alaska as to the exact extent of the damage there and how far Congress would be warranted in appropriating an additional sum.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. MANN. The gentleman has looked into the matter. Is the gentleman informed—and is it a fact—that if relief is to be granted at all it must be granted almost immediately, in order to get it to Alaska before the winter sets in?

Mr. SHERLEY. No; I do not think that the extent of the relief is to be determined by time, so to speak. The department was informed that it is probable that some of the relief, and, in fact, most of it, may be a continuing relief through the winter, in the way of giving some aid and employment to people there.

Mr. MANN. I was informed, and I asked the gentleman for information on that point, that unless Congress acts upon the matter in time so that boats which are about to sail very shortly may carry the relief it will be too late in the winter, because of lack of transportation. I do not know what the fact is.

Mr. SHERLEY. My understanding is that the money desired now is not for the purpose of bringing people out of Nome.

Mr. MANN. Oh, no.

Mr. SHERLEY. Not so much that as to provide during the winter for those there who have been rendered destitute.

Mr. MANN. What I want to get at is, will it be possible a little later, owing to the coming of winter, to send any supplies to Nome?

Mr. SHERLEY. It is not so much even to send supplies. There is certain work at which these men can be employed there that will afford them relief in the way of payment for their labor, and also relief to others by virtue of the work done. It is believed that will meet the situation. I had an informal conversation with the Secretary of the Interior about it yesterday. His original information from the marshal of the district was that the situation seemed to be exaggerated, and on the strength of that the matter was held in abeyance. Subsequently telegrams came that seemed to indicate that the view of the marshal was not fully shared, if shared at all, by the other residents there. But the Secretary said to me late yesterday, in a conversation touching the matter, that he believed if this fund was made available it would be sufficient for the immediate present, and meanwhile he would take active steps to get

information as to what additional relief, if any, should be granted.

Mr. MANN. That is the opinion of the Secretary——

Mr. SHERLEY. Of the Secretary of the Interior.

Mr. MANN. He asks to make available the balance of the fund that we appropriated on account of the volcanic eruption up there?

Mr. SHERLEY. Yes; there is about $4,000 available; and I shall not object to the consideration of a joint resolution for that purpose.

Mr. HAMILTON of Michigan. Will the gentleman yield for a question?

Mr. SHERLEY. Certainly.

Mr. HAMILTON of Michigan. What kind of employment can these people be given when the thermometer is 60° below zero?

Mr. SHERLEY. There is certain labor in bringing in fuel, and so forth.

Mr. HAMILTON of Michigan. Fuel from where?

Mr. SHERLEY. The gentleman from Washington can answer the gentleman from Michigan more in detail.

Mr. JOHNSON of Washington. There is this situation: The tidal storm on the far Alaskan coast about the first of this month was so severe that the cemeteries at Nome and the mining cities were all washed open. Many bodies are unburied and scattered along the ground. Secretary Lane has wired that he has no funds to bury them. The schools have had to close. The waterworks are gone, the lighting plant is gone, and the fuel of the people that had been laid in for the winter is gone. It is absolutely certain that the Government must take care of this Territory and help sustain the community. I am perfectly willing to accept the suggestion of the gentleman from Kentucky for the introduction of the other resolution transferring this money which was appropriated for the volcanic relief some time ago and allow the question of further relief for the peninsula to come later.

Terrific storms raged during the first three or four days of this month; fully one-third of the residences and business houses were destroyed, and conflagration, which followed, did further damage. The United States cable was out of service for several days, but was repaired, and from the 7th to the 9th telegrams began to come in telling of great distress and immediate need.

The revenue cutter *Bear* was due at Nome about the 12th, and the heads of the departments here thought it best to await a detailed report from Capt. Ballinger, of the *Bear*.

On the 15th the revenue cutter *Bear* reached Nome and her captain sent the following telegram:

TO REVENUE-CUTTER SERVICE, NOME, *October 15.*
Washington, D. C.:

Bear arrived at 6. Information received from mayor, city council, relief committee, and other prominent citizens of Nome indicate loss of about one-third taxable property. Great many homes destroyed. Entire water front devastated. Several craft wrecked. Total loss of life about 12. Estimate places homeless about 500. Abundance of provisions on hand and coming by steamers, but city is in poor financial condition, owing to damage to taxable property, and if relief is not afforded great suffering will occur this winter. Schools will have to be closed for lack of funds, and work of rehabilitation will not be possible. Strongly recommend immediate Federal aid. Minimum sum, $25,000, though $50,000 would be better. Some destitute persons need transportation. Number not known at present; possibly not to exceed 75. *Bear* leaves 15th to return destitute Eskimos to their homes at Kings Island, Diomede, and Whales.

BALLINGER, *Captain of Bear.*

Of course no one was starving at Nome, but the city authorities see clearly that they can not care for the destitute during the long dark winter. It is now too late to send the revenue cutters. The *Bear* is bringing out 100. Seattle rushed an extra boat north with more supplies and will bring out more destitutes.

But the municipality of Nome is bankrupt; has lost its water system, its electric-light plant; its people have lost their winter's fuel supply and much of their food; the schools must close, and the situation looks black, indeed, even to Alaskans, the most courageous people on the face of the earth.

Representative HUMPHREY of Washington and Delegate WICKERSHAM, of Alaska, are in Seattle, and have forwarded the most reliable information possible. The Treasury Department, the Attorney General's Office, and the Interior Department have all received reports from their Federal agents, and all insist that relief is absolutely necessary. All ask for $50,000, as do the Seattle and Nome Chambers of Commerce. The captain of the *Bear*, who has had much experience in the far north, says that $50,000 is needed, but that $25,000 is the absolute minimum. Capt. Bertholf, the commandant of the Revenue-Cutter Service, who has had much experience in the Alaskan waters, and whose brave efforts in giving relief to whalers in that frozen region has been recognized by a congressional medal, stated this morning that the sum is needed, and that it is clearly apparent that the money will have to be spent for relief during the winter, and that it will be much better to directly appropriate the money to be spent as the President may direct rather than have deficiencies come in from the various departments which must do the work.

I have asked for only $20,000, and while the $4,000 offered in the second resolution is like a penny on a church platter, I am glad to accept it, in view of the statement of the gentleman from Kentucky that if further relief is necessary the various departments which have to do with Alaskan matters will authorize additional expenditures.

Mr. SHERLEY. I suggest to the gentleman from Washington that he offer joint resolution 139 for consideration.

Mr. JOHNSON of Washington. I will do that.

Mr. SHERLEY. Let the gentleman make that request now.

Mr. JOHNSON of Washington. Mr. Speaker, I will ask unanimous consent for the present consideration of House joint resolution 139.

The SPEAKER pro tempore. The gentleman from Washington asks unanimous consent to withdraw the resolution he offered, and asks unanimous consent for the immediate consideration of House joint resolution 139, which the Clerk will read.

The Clerk read as follows:

Joint resolution (H. J. Res. 139) to relieve destitution among the native people of Alaska.

Resolved, etc., That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to expend for the relief of destitute natives of Alaska suffering from the action of a storm in the northern Bering Sea on October 6 to 7, 1912, the unexpended balance remaining of the $30,000 appropriated in the act entitled "An act making appropriation to supply deficiencies and appropriations for the fiscal year 1912, and for other purposes," approved August 26, 1912, to reimburse the Revenue-Cutter Service for expenses incurred in relieving suffering through the action of a volcano near Kodiak, Alaska; and the Secretary of the Treasury is hereby directed to transfer such unexpended balance to the credit of the Secretary of the Interior.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

Mr. MANN. Mr. Speaker, may I ask the gentleman a question?

Mr. JOHNSON of Washington. I will yield.

Mr. MANN. I think this resolution would only authorize the furnishing of aid to the Eskimos or the natives of Alaska. Is it desirable, from the gentleman's information, to give to the Secretary of the Interior authority to furnish any aid to the Americans who are located at Nome?

Mr. SHERLEY. I see no objection to enlarging the resolution so as to include natives and residents of Alaska and leaving it to the discretion of the Secretary of the Interior. There might arise an individual case, or several cases, where he should have that power. I suggest to the gentleman from Washington that he offer an amendment. Or, Mr. Speaker, I will myself offer the following amendment, that after the word "natives," in line 5, there be inserted the words "and residents."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 1, line 5, by inserting after the word "natives" the words "and residents."

The SPEAKER. The question is on the amendment offered by the gentleman from Kentucky.

The amendment was agreed to.

The joint resolution as amended was ordered to be read a third time, was read the third time, and passed.

The title was amended.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to place in the RECORD some telegrams in explanation of this matter.

The SPEAKER. The gentleman from Washington asks unanimous consent to insert some telegrams in the RECORD. Is there objection?

There was no objection.

The telegrams are as follows:

SEATTLE, WASH., *October 15, 1913.*

COMMISSIONER OF EDUCATION, *Washington, D. C.:*

Eight-thousand-dollar relief fund wired from Seattle not shared with natives. Must have immediate funds. Relief needed Chignik, Golovin, Evans wires part winter supplies lost most Norton Sound villages.

LOOP.

NOME, ALASKA, *October 7, 1913.*
(Via Seattle, Wash., October 8.)

ATTORNEY GENERAL, *Washington, D. C.:*

Many unidentified dead bodies washed up by storm. Many cases expensive inquest necessary. City wrecked and bankrupt. Can not handle. No provision payment burial without inquest. Wire clerk or marshal pay expenses burial with inquest. Will keep expenses as low as possible.

SCHOFIELD, *Commissioner.*

SEATTLE, WASH., *October 9.*

Hon. ALBERT JOHNSON:

After the San Francisco fire Nome sent $12,500 cash, the first money received in San Francisco, and her total contribution was thirteen hundred times more per capita than any other contributing city.

Now in her great calamity she needs aid, and it should be prompt. Congress should make an emergency appropriation of $25,000 to put the city on her feet. The Nation owes this and more to Alaska. Coast cities will also contribute to aid the destitute. We wired $5,000 yesterday and will send more to-day.

SEATTLE CHAMBER OF COMMERCE.

SEATTLE, WASH., *October 16, 1913.*

Hon. ALBERT JOHNSON,
House of Representatives, Washington, D. C.:

Cole, manager Miners and Merchants' Bank, Nome, Alaska, wires "400 families lost homes and winter's supply of fuel and provisions, being cared for by city. People of Safety, Solomon, and Golovin to care for. City without funds to rebuild streets and bridges. Congressional assistance advisable. United States marshal denies sending reports as stated."

JAMES WICKERSHAM.

SEATTLE, WASH., *October 13, 1913.*

Hon. ALBERT JOHNSON:

Need for Government aid to Nome imperative. Two miles of water front devastated. All buildings completely destroyed. Eight hundred whites and three hundred natives homeless. Loss of property estimated at $1,000,000. A community of 2,500 people can not support this large number of destitute through approaching winter. Navigation closes Bering Sea November 1. Last passenger and freight steamer will leave Seattle for Nome October 20. Passenger accommodation on returning steamers from Nome already engaged. People at Nome taking care of immediate demands, but can not continue long. Hope Government will immediately appropriate sufficient funds for purpose. Suggest $25,000.

W. E. HUMPHREY.

JUNEAU, ALASKA, *October 10.*
(Via Seattle, Wash., October 13.)

Hon. ALBERT JOHNSON:

Strongly indorse appropriation $20,000 by Congress for relief Nome sufferers. Half of town washed away and many people ruined and in need.

STRONG, *Governor.*

THE CURRENCY.

Mr. LAFFERTY. Mr. Speaker, I ask unanimous consent to extend some remarks in the RECORD on the subject of the currency.

The SPEAKER. The gentleman from Oregon asks unanimous consent to extend his remarks in the RECORD on the subject of the currency. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. WALKER. Mr. Speaker, I have just received a telegram from my colleague, Mr. EDWARDS, announcing the death of his brother. I ask unanimous consent that he may have 10 days' leave of absence.

The SPEAKER. The gentleman from Georgia asks unanimous consent for 10 days' leave of absence for his colleague, Mr. EDWARDS, on account of death in the family. Is there objection?

There was no objection.

POSTAL SERVICE.

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on some discriminations and inequalities in the postal service.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD on the subject of the postal service. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Alabama moves that the House do now adjourn.

Mr. MANN. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 73, nays 37, answered "present" 11, not voting 307, as follows:

YEAS—73.

Abercrombie	Doremus	Keating	Sherley
Aiken	Doughton	Kludel	Sherwood
Aswell	Evans	Kirkpatrick	Sims
Bailey	Fergusson	Lee, Ga.	Stephens, Miss.
Barkley	Flood, Va.	Lee, Pa.	Stone
Beakes	Foster	Lloyd	Stout
Beall, Tex.	Garrett, Tex.	McAndrews	Stringer
Bell, Ga.	George	McDermott	Taggart
Brockson	Gray	Maguire, Nebr.	Tavenner
Brumbaugh	Hamlin	Oldfield	Ten Eyck
Buchanan, Tex.	Hay	Pace	Thomas
Byrns, Tenn.	Hayden	Pepper	Underwood
Candler, Miss.	Helm	Phelan	Walker
Carlin	Hensley	Raker	Watkins
Cox	Hughes, Ga.	Ranch	Whaley
Crosser	Hull	Reilly, Conn.	Young, Tex.
Deitrick	Humphreys, Miss.	Rothermel	
Dent	Jacoway	Russell	
Donohoe	Johnson, Ky.	Sabath	

NAYS—37.

Anderson	Falconer	La Follette	Sinnott
Austin	Fowler	Lindbergh	Smith, Idaho
Avis	Frear	Lindquist	Smith, Minn.
Barton	French	MacDonald	Smith, Saml. W.
Bell, Cal.	Greene, Vt.	Manahan	Steenerson
Browne, Wis.	Hawley	Mann	Sutherland
Buchanan, Ill.	Johnson, Utah	Patton, Pa.	Towner
Campbell	Johnson, Wash.	Powers	
Cooper	Kennedy, Iowa	Roberts, Mass.	
Donovan	Lafferty	Rogers	

ANSWERED "PRESENT"—11.

Adamson	Fields	Logue	Smith, J. M. C.
Cary	Hamilton, Mich.	Morrison	Woods
Crisp	Hardwick	Slayden	

NOT VOTING—307.

Adair	Dyer	Kennedy, Conn.	Pou
Ainey	Eagan	Kennedy, R. I.	Prouty
Alexander	Eagle	Kent	Quin
Allen	Edmonds	Kettner	Ragsdale
Ansberry	Edwards	Key, Ohio	Rainey
Anthony	Elder	Kiess, Pa.	Rayburn
Ashbrook	Esch	Kinkaid, Nebr.	Reed
Baker	Estopinal	Kinkead, N. J.	Reilly, Wis.
Baltz	Fairchild	Kitchin	Richardson
Barchfeld	Faison	Knowland, J. R.	Riordan
Barnhart	Farr	Konop	Roberts, Nev.
Bartholdt	Ferris	Korbly	Rouse
Bartlett	Fess	Kreider	Rubey
Bathrick	Finley	Langham	Rucker
Blackmon	Fitzgerald	Langley	Rupley
Booher	Fitzhenry	Lazaro	Saunders
Borchers	Floyd, Ark.	L'Engle	Scott
Borland	Fordney	Lenroot	Scully
Bowdle	Francis	Lesher	Seldomridge
Brenner	Gallagher	Lever	Sells
Britten	Gard	Levy	Shackleford
Brodbeck	Gardner	Lewis, Md.	Sharp
Broussard	Garner	Lewis, Pa.	Shreve
Brown, N. Y.	Garrett, Tenn.	Lieb	Sisson
Brown, W. Va.	Gerry	Linthicum	Slemp
Browning	Gillett	Lobeck	Sloan
Bruckner	Gilmore	Lonergan	Small
Bryan	Gittins	McClellan	Smith, Md.
Bulkley	Glass	McCoy	Smith, N. Y.
Burgess	Godwin, N. C.	McGillicuddy	Smith, Tex.
Burke, Pa.	Goeke	McGuire, Okla.	Sparkman
Burke, S. Dak.	Goldfogle	McKellar	Stafford
Burke, Wis.	Good	McKenzie	Stanley
Burnett	Goodwin, Ark.	McLaughlin	Stedman
Butler	Gordon	Madden	Stephens, Cal.
Byrnes, S. C.	Gorman	Mahan	Stephens, Nebr.
Calder	Goulden	Maher	Stephens, Tex.
Callaway	Graham, Ill.	Mapes	Stevens, Minn.
Cantrill	Graham, Pa.	Martin	Stevens, N. H.
Caraway	Green, Iowa	Merritt	Sumners
Carew	Greene, Mass.	Metz	Switzer
Carr	Gregg	Miller	Talbott, Md.
Carter	Griest	Mitchell	Talcott, N. Y.
Casey	Griffin	Mondell	Taylor, Ala.
Chandler, N. Y.	Gudger	Montague	Taylor, Ark.
Church	Guernsey	Moon	Taylor, Colo.
Clancy	Hamill	Moore	Taylor, N. Y.
Clark, Fla.	Hamilton, N. Y.	Morgan, La.	Temple
Claypool	Hammond	Morgan, Okla.	Thacher
Clayton	Hardy	Morin	Thompson, Okla.
Cline	Harrison	Moss, Ind.	Thomson, Ill.
Collier	Hart	Moss, W. Va.	Townsend
Connelly, Kans.	Haugen	Mott	Treadway
Connolly, Iowa	Hayes	Murdock	Tribble
Conry	Heflin	Murray, Mass.	Tuttle
Copley	Helgesen	Murray, Okla.	Underhill
Covington	Helvering	Neeley	Vare
Cramton	Henry	Nelson	Vaughan
Cullop	Hill	Nolan, J. I.	Volstead
Curley	Hinds	Norton	Wallin
Curry	Hinebaugh	O'Brien	Walsh
Dale	Hobson	Oglesby	Walters
Danforth	Holland	O'Hair	Watson
Davenport	Houston	O'Leary	Weaver
Davis	Howard	O'Shaunessy	Webb
Decker	Howell	Padgett	Whitacre
Dershem	Hoxworth	Palmer	White
Dickinson	Hughes, W. Va.	Parker	Williams
Dies	Hulings	Patten, N. Y.	Willis
Difenderfer	Humphrey, Wash.	Payne	Wilson, Fla.
Dillon	Igoe	Peters, Mass.	Wilson, N. Y.
Dixon	Johnson, S. C.	Peters, Me.	Wingo
Dooling	Jones	Peterson	Winslow
Doolittle	Kahn	Platt	Witherspoon
Driscoll	Kelster	Plumley	Woodruff
Dunn	Kelley, Mich.	Porter	Young, N. Dak.
Dupré	Kelly, Pa.	Post	

So the motion to adjourn was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.
Mr. SCULLY with Mr. BROWNING.
Mr. METZ with Mr. WALLIN.
Mr. HOBSON with Mr. FAIRCHILD.
Mr. BARTLETT with Mr. BUTLER.
Mr. ADAMSON with Mr. STEVENS of Minnesota.

Until further notice:

Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1).
Mr. ASHBROOK with Mr. KAHN.
Mr. ALEXANDER with Mr. DYER.
Mr. BALTZ with Mr. SHREVE.
Mr. BLACKMON with Mr. BARCHFELD.

Mr. BORLAND with Mr. KEISTER.
Mr. BREMNER with Mr. KIESS of Pennsylvania.
Mr. BOWDLE with Mr. MOSS of West Virginia.
Mr. BURNETT with Mr. HAYES.
Mr. BROUSSARD with Mr. KELLEY of Michigan.
Mr. BATHRICK with Mr. KELLY of Pennsylvania.
Mr. BROWN of West Virginia with Mr. KREIDER.
Mr. BURKE of Wisconsin with Mr. CARY.
Mr. CLARK of Florida with Mr. MACDONALD.
Mr. COLLIER with Mr. WOODS.
Mr. CLAYTON with Mr. MONDELL.
Mr. CLAYPOOL with Mr. BRYAN.
Mr. CANTRILL with Mr. HELGESEN.
Mr. CARAWAY with Mr. KENNEDY of Rhode Island.
Mr. CRISP with Mr. HINDS (transferable).
Mr. CLANCY with Mr. HAMILTON of New York.
Mr. COVINGTON with Mr. MILLER.
Mr. CARTER with Mr. MCGUIRE of Oklahoma.
Mr. CLINE with Mr. NORTON (commencing Oct. 1).
Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.
Mr. DERSHEM with Mr. DAVIS.
Mr. DOREMUS with Mr. MAPES.
Mr. DIES with Mr. SWITZER.
Mr. DUPRÉ with Mr. ANTHONY.
Mr. CURLEY with Mr. J. R. KNOWLAND.
Mr. FRANCIS with Mr. HUGHES of West Virginia.
Mr. FITZGERALD with Mr. CALDER.
Mr. FERRIS with Mr. SELLS.
Mr. FIELDS with Mr. LANGLEY.
Mr. FAISON with Mr. CURRY.
Mr. FINLEY with Mr. GREEN of Iowa.
Mr. GILMORE with Mr. MCKENZIE.
Mr. GARD with Mr. PLUMLEY.
Mr. GOODWIN of Arkansas with Mr. PORTER.
Mr. GOEKE with Mr. FESS.
Mr. GRAHAM of Illinois with Mr. PETERS of Maine.
Mr. GARNER with Mr. J. I. NOLAN.
Mr. GORDON with Mr. THOMSON of Illinois.
Mr. GARRETT of Tennessee with Mr. LANGHAM.
Mr. HEFLIN with Mr. DUNN.
Mr. HARRISON with Mr. GRAHAM of Pennsylvania.
Mr. HOXWORTH with Mr. ROBERTS of Nevada.
Mr. HOWARD with Mr. GRIEST.
Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).
Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).
Mr. HOUSTON with Mr. WILLIS.
Mr. HENRY with Mr. LEWIS of Pennsylvania.
Mr. IGOE with Mr. PROUTY.
Mr. JONES with Mr. HINEBAUGH.
Mr. KITCHIN with Mr. PAYNE.
Mr. KEY of Ohio with Mr. FARR.
Mr. KONOP with Mr. MORIN.
Mr. KETTNER with Mr. SCOTT.
Mr. MCCOY with Mr. COPLEY.
Mr. MCGILLICUDDY with Mr. GUERNSEY.
Mr. MONTAGUE with Mr. VARE.
Mr. MOON with Mr. DILLON.
Mr. MORGAN of Louisiana with Mr. HULINGS.
Mr. MORRISON with Mr. HUMPHREY of Washington.
Mr. MCKELLAR with Mr. MOTT.
Mr. PALMER with Mr. MOORE.
Mr. PETERSON with Mr. PLATT (commencing Oct. 13).
Mr. POST with Mr. MURDOCK.
Mr. PAGE with Mr. GILLETT (commencing Sept. 30).
Mr. RAINEY with Mr. MADDEN.
Mr. RUCKER with Mr. HAUGEN.
Mr. RUSSELL with Mr. DANFORTH.
Mr. ROUSE with Mr. RUPLEY.
Mr. RICHARDSON with Mr. MARTIN.
Mr. RUBEY with Mr. TREADWAY.
Mr. SHARP with Mr. YOUNG of North Dakota.
Mr. SPARKMAN with Mr. HOWELL.
Mr. SUMNERS with Mr. ESCH.
Mr. STEDMAN with Mr. EDMONDS.
Mr. SAUNDERS with Mr. AINEY.
Mr. SMITH of Texas with Mr. MCLAUGHLIN.
Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.
Mr. STEPHENS of Nebraska with Mr. SLOAN.
Mr. TAYLOR of Arkansas with Mr. SUTHERLAND.
Mr. TALBOTT of Maryland with Mr. MERRITT.
Mr. UNDERHILL with Mr. WALTERS.
Mr. WATSON with Mr. CRAMTON.
Mr. WHITACRE with Mr. TEMPLE.
Mr. WILLIAMS with Mr. BRITTEN.
Mr. WEBB with Mr. WOODRUFF.
Mr. WHITE with Mr. NELSON.
Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).
Mr. WINGO with Mr. PARKER.
Mr. WEAVER with Mr. BURKE of Pennsylvania.
Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).
Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).
Mr. REED with Mr. WINSLOW (commencing Oct. 1 for remainder of extra session).
Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, 1913, except on cotton-futures amendment).
Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, ending balance of session).

Mr. J. M. C. SMITH. Mr. Speaker, I desire to change my vote of "no" to "present," because I am paired with the gentleman from Ohio, Mr. ALLEN.

The name of Mr. J. M. C. SMITH was called, and he answered "Present."

Mr. HAMILTON of Michigan. Mr. Speaker, I am paired with the gentleman from Kansas, Mr. CONNELLY, and I desire to change my vote of "no" to "present."

The name of Mr. HAMILTON of Michigan was called, and he answered "Present."

The result of the vote was announced as above recorded.

Accordingly (at 1 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Wednesday, October 22, 1913, at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Assistant Secretary of War, transmitting, with a letter from the Chief of Engineers, report on examination of Amite River, from the mouth of Bayou Manchac to a point west of the town of Liberty, in Amite County, Miss. (H. Doc. No. 257), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FLOOD of Virginia: A bill (H. R. 8974) to increase the limit of cost of the public building at Covington, Va.; to the Committee on Public Buildings and Grounds.

By Mr. BYRNS of Tennessee: A bill (H. R. 8975) to increase the limit of cost for the addition to the Federal building at Nashville, Tenn., and to authorize the Secretary of the Treasury to acquire additional land by purchase, condemnation, or otherwise, if in his discretion it is necessary to do so for the enlargement of said building; to the Committee on Public Buildings and Grounds.

By Mr. REILLY of Connecticut: A bill (H. R. 8976) to provide for the purchase of a site and the erection of a public building thereon at Guilford, in the State of Connecticut; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8977) to provide for the purchase of a site and the erection of a public building thereon at Milford, in the State of Connecticut; to the Committee on Public Buildings and Grounds.

By Mr. CARY: A bill (H. R. 8978) to make October 12 in each year a public holiday, to be called Columbus Day; to the Committee on the Judiciary.

By Mr. KEATING: Resolution (H. Res. 290) authorizing the appointment of a committee to make an investigation of conditions in the coal fields in Las Animas, Huerfano, Fremont, Grand, Routt, Boulder, Weld, and other counties in the State of Colorado; to the Committee on Rules.

By Mr. KINKEAD of New Jersey: Joint resolution (H. J. Res. 143) to provide for the establishment of a plant for the manufacture of armor plate for the United States Navy; to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AVIS: A bill (H. R. 8979) for the relief of the heirs of Nancy Montgomery; to the Committee on War Claims.

By Mr. DONOHOE: A bill (H. R. 8980) granting a pension to Thomas McGuinness; to the Committee on Invalid Pensions.

By Mr. FLOOD of Virginia: A bill (H. R. 8981) for the relief of N. B. Woods; to the Committee on War Claims.

By Mr. FOSTER: A bill (H. R. 8982) granting a pension to Thomas Stiffler; to the Committee on Pensions.

Also, a bill (H. R. 8983) granting a pension to J. T. Braddy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8984) granting an increase of pension to Daniel H. Mills; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8985) to remove the charge of desertion from the record of Henry Benjamin; to the Committee on Military Affairs.

Also, a bill (H. R. 8986) authorizing the Secretary of War to deliver two mounted bronze cannon on carriages to post, Grand Army of the Republic, Vandalia, Ill.; to the Committee on Military Affairs.

Also, a bill (H. R. 8987) authorizing the Secretary of War to deliver one mounted bronze cannon on carriage to post, Grand Army of the Republic, Hunt, Ill.; to the Committee on Military Affairs.

By Mr. KAHN: A bill (H. R. 8988) granting a pension to Letta D. Webster; to the Committee on Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 8989) granting an increase of pension to Alpheus Danley; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 8990) granting an increase of pension to Adelaide H. Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8991) granting an honorable discharge to Patrick Bolan; to the Committee on Military Affairs.

Also, a bill (H. R. 8992) granting an honorable discharge to James McKenzie; to the Committee on Military Affairs.

By Mr. RAKER: A bill (H. R. 8993) granting relief to R. R. Baker, P. H. Trendt, Mary H. Manning, Mrs. Fred Schadler, S. S. Garrett, A. C. Lowell, and Harry Watson, of Fort Bidwell, Cal., and for other purposes; to the Committee on the Public Lands.

By Mr. RUSSELL: A bill (H. R. 8994) for the relief of Elisha K. White; to the Committee on Military Affairs.

Also, a bill (H. R. 8995) granting an increase of pension to Hezekiah Bradds; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 8996) granting an increase of pension to Robert A. Robinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8997) granting a pension to Catharine L. Jones; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 8998) to remove the charge of desertion from the military record of Ed Pruett; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. FLOOD of Virginia: Evidence to accompany bill H. R. 8981 for the relief of N. B. Woods; to the Committee on War Claims.

By Mr. REILLY of Connecticut: Petition of the Central Labor Union of Meriden, Conn., favoring the passage of the Booher-Hensley bill, to regulate merchandise produced by convict labor; to the Committee on Labor.

SENATE.

WEDNESDAY, *October 22, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

OCTOBER 22, 1913.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. H. F. ASHURST, a Senator from the State of Arizona, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. ASHURST thereupon took the chair as Presiding Officer and directed that the Journal of yesterday's proceedings be read.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BRANDEGEE and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MEMORIAL.

The PRESIDING OFFICER presented a memorial of the Chamber of Commerce of New York, remonstrating against the passage of the pending seamen's bill until after the meeting of the international conference on safety to life and property at sea has been held, which was ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McLEAN:

A bill (S. 3319) granting an increase of pension to Emily H. Harrington (with accompanying papers); to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 3320) granting an increase of pension to Alexander H. Farmer (with accompanying paper); to the Committee on Pensions.

CORBETT TUNNEL CLAIMS.

Mr. MYERS. I introduce a joint resolution and ask that it be read to the Senate.

The joint resolution (S. J. Res. 74) appropriating money for the payment of certain claims on account of labor, supplies, materials, and cash furnished in the construction of the Corbett Tunnel was read the first time by its title and the second time at length, as follows:

Resolved, etc., That there be, and is hereby, appropriated out of any moneys in the reclamation fund in the Treasury supplemental and additional to the appropriation made in public resolution 56, Sixty-second Congress, the sum of $15,750, or so much thereof as may be necessary, for the payment of and to be paid to those persons who have presented claims, remaining unpaid, on account of labor, supplies, materials, or cash furnished to the contractor or the subcontractor and used in the construction of the Corbett Tunnel, including the spillway connected therewith, as a part of the Shoshone irrigation project, in the State of Wyoming, under any contract or contracts let for that purpose by the Government of the United States; and the Secretary of the Interior is hereby authorized and directed to forthwith, and as soon as may be, investigate, hear evidence about, determine, and declare the several amounts due and remaining unpaid, if any, on account thereof, and to whom so due, and to certify the amounts due to the Secretary of the Treasury, who is hereby authorized to pay the several amounts so ascertained to the persons entitled to the same: *Provided*, That no such claims not now filed shall be considered: *And provided further*, That the Secretary of the Interior shall deduct from the amounts to be certified for payment hereunder and under the said resolution to each claimant a proportionate sum to cover the expense of and fair compensation for the person or persons through whose time and services this matter has been laid before Congress, except such claimants as have agreed with such person or persons for compensation; and such deductions shall be certified for payment to such person or persons in like manner as other claims.

Mr. MYERS. Mr. President, substantially this same measure was considered by the Senate Committee on Appropriations of the Sixty-second Congress and reported favorably and unanimously passed by this body as an item in the deficiency appropriation bill. So it has once passed this body unanimously and has had substantially the unanimous approval of this body after consideration by a committee. But in the closing hours of the Sixty-second Congress the House rejected all amendments to the bill of which it was a part, and in the hurry it was lost in conference.

Substantially this same measure was again introduced in this the Sixty-third Congress as an amendment to the urgent deficiency bill and referred to the Committee on Appropriations. So this measure at this session has been referred once to a committee of this body and considered by the Committee on Appropriations as an amendment to the urgent deficiency bill. It was not recommended by that committee to be adopted by the Senate because the committee did not consider it technically a deficiency or as having a proper place in an urgent deficiency appropriation bill. There appeared to be no objection to the merits of it. I appeared before the committee and discussed it exhaustively with the committee, and not one objection was made to the merits, but merely to giving it a place in the urgent deficiency bill.

So it has been before a committee of this body at this session as well as unanimously passed by the Senate in the Sixty-second Congress. It is only supplemental to something that has been done by Congress before in order to piece out and supply a deficiency, as I call it, that has already been recognized upon its merit by Congress.

I ask unanimous consent for the immediate consideration of the joint resolution.

Mr. BRYAN. Mr. President, I hardly think that is a proper course, and I move that the joint resolution be referred to the Committee on Appropriations. I make this motion in the absence of the chairman of the committee, because I think it ought to go there.

Mr. CUMMINS. I could not quite hear the statement of the Senator from Florida.

Mr. BRYAN. I move that the joint resolution be referred to the Committee on Appropriations.

Mr. CUMMINS. Before the Senator from Florida makes that motion, may I be permitted to say a word to the Senate and to him?

Mr. BRYAN. Certainly.

Mr. CUMMINS. The Senate very carefully investigated the merit of the proposal long ago. When it originally came before Congress it was believed that the claims which ought to be paid or which were asked to be paid amounted to but $42,000, and Congress appropriated $42,000 to make the payment, recognizing the justice of the general demand. Under the act passed then the Secretary of the Interior gave notice and the claimants came in to prove their demand. It then appeared that instead of being $42,000 the real amount was $57,000.

The claims are now proved before the Secretary of the Interior, and the Secretary has $42,000 to distribute as a dividend among holders of claims aggregating $57,000. Of course the equities of those claims that were not then known are just as strong as the equities of those that were known. Accordingly, as the Senator from Montana has stated, in the Sixty-second Congress we added to the original appropriation the $15,000 necessary to pay the additional claims in full. Unfortunately our action in that respect was not ratified by the House, not because the House disagreed with regard to the merit of the matter but because in the confusion of the last hours the subject could not be considered.

Mr. BRYAN. Mr. President——

Mr. CUMMINS. I am coming to what I want the Senator from Florida particularly to know. When the matter came up the other day the Senator from North Carolina [Mr. OVERMAN], who, as I understood it, had charge of the matter on behalf of the Committee on Appropriations, objected. There is a very grave reason, and it is a pathetic reason really, for action at this time. There is a woman who has been here for three or four years endeavoring to secure relief. Her home is involved in these demands. Her fidelity to the work in which she has been engaged, I think, has challenged the admiration of everyone who has come in contact with her.

The Secretary of the Interior holds—and very properly—that the claims for labor which had really been paid by the merchants in that vicinity who had supplied the laboring men with the necessities of life in exchange for their time checks for labor must be proven by the affidavits of the laborers themselves. The laborers have been dispersed. They are scattered over three or four States. The time fixed for this proof expires, I think, some time in January. I am not sure about the date. There is no other person, save this woman, who has labored so honorably and so persistently and so successfully here for this matter, to collect this proof. She is the only person who can do it, and unless this appropriation can be made, so as to relieve her from the work in which she has been engaged here, there will be another delay and still further confusion.

I had a discussion of the matter with the Senator from North Carolina [Mr. OVERMAN], who was rather acting, I think, in a way for the Committee on Appropriations. He made an objection, founded, I think, upon a misapprehension. Yesterday I telegraphed to him asking him if he still felt that he ought on behalf of the committee to object to the immediate consideration of this joint resolution, and I have from him this telegram, and that is the real thing that I wanted to call to the attention of the Senator from Florida:

SALISBURY, N. C., *October 21, 1913.*

I withdraw all opposition to passage of bill in McDonald matter, so far as I am concerned.

If the Senator from Florida, in consideration of what I have said, and in consideration of the present attitude of the Senator from North Carolina in the matter, can waive the suggestion of referring the joint resolution to the Committee on Appropriations, I am sure that justice will be done and a very meritorious proposal can be at once effected.

Mr. BRYAN. Mr. President, I desire to assure the Senator from Iowa that I did not make the motion with any intention that the joint resolution should be delayed. The matter was brought before the Committee on Appropriations a few weeks ago. I happened to be on the subcommittee. I think it ought to go back to the committee, and I have no doubt it will be promptly reported.

The Senator will notice that in the joint resolution there is a provision that no other claims, except those which have already been presented at this time, shall be paid.

Mr. MYERS. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Montana?

Mr. BRYAN. I do.

Mr. MYERS. It has been seven years since the last of this work was done, and I think there ought to be a statute of limitations to everything except murder. This surely is not to be classed as murder, and there should be a statute of limitations.

Mr. BRYAN. The Senator is not asking me a question.

Mr. MYERS. Does not the Senator think there ought to be some limit?

Mr. BRYAN. I do.

Mr. MYERS. Are not seven years long enough, I would ask the Senator?

Mr. BRYAN. I think a joint resolution providing for an appropriation ought at least to be considered by the committee which usually deals with such a subject. No harm can be done by allowing the joint resolution to go to the committee, so that it may be considered there. I voted for the bill——

Mr. BORAH and Mr. MYERS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Florida yield, and to whom?

Mr. MYERS. Will the Senator allow me to interrupt him?

Mr. BRYAN. In a moment. I voted for the bill before. I remember to have voted to pass it over the President's veto. There is in the bill, one might as well admit, a very dangerous precedent. It is that the Government shall undertake to make good the loss of money by merchants when trusting men who are working for the Government on public works. However, because of the fact that the amount of money appropriated by the former act and by this joint resolution will be charged up against the land and will be repaid by those who hereafter purchase it——

Mr. MYERS. Mr. President, let me interrupt the Senator.

Mr. BRYAN. It is thought——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Montana?

Mr. BRYAN. Will the Senator wait a moment?

The PRESIDING OFFICER. The Senator from Florida declines to yield.

Mr. BRYAN. It was thought proper to make that requirement as to this project.

Again assuring the Senator from Iowa that there is no purpose in my mind to delay the matter, I think the orderly and usual course should be followed by referring the joint resolution to the Committee on Appropriations, as it deals with an appropriation. As I said, I made the motion in the absence of the chairman of the committee, because I was a member of the subcommittee that considered it.

Mr. MYERS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Montana?

Mr. BRYAN. I yield to the Senator from Montana.

Mr. MYERS. I wish to inform the Senator from Florida that he is under a misapprehension in one respect. This money is not chargeable to the particular land involved. That was undertaken to be made the method when the proposition was first launched in the Senate and there was objection to it. Then it was changed and the original appropriation of $42,000 was made, so that it simply comes out of the general reclamation fund, and it is taxed upon no land in particular. This supplemental joint resolution is drawn in the same way. So the money does not come out of the particular land.

Mr. BRYAN. The Senator from Montana is asking a most unusual thing. The Senator knows how the committee feel about it. I submit to him that the joint resolution ought to go to the committee for its consideration.

I yield now to the Senator from Idaho [Mr. BORAH].

Mr. BORAH. Mr. President, I presume the motion of the Senator from Florida will likely prevail, assuming that the Senate takes the course on that kind of a motion it ordinarily follows; but does the Senator from Florida think there would be a report on the joint resolution in a reasonable time?

Mr. BRYAN. I have no doubt a report will be made during the week.

Mr. BORAH. Well, Mr. President, while I am very much interested in the passage of this joint resolution, knowing a great deal about the circumstances and conditions which surround the particular transaction, I think if the joint resolution could be reported out in a very few days that we should be satisfied with that statement of the Senator from Florida.

Mr. CUMMINS. Mr. President, I recognize that that would be the usual course; I recognize, too, that it requires but an objection to prevent the consideration of the joint resolution; and while I am not in charge of it, I have such implicit faith in the justice of the claim and in the willingness of the Senator from Florida to forward its course through the Committee on Appropriations that I suggest to the Senator from Montana not to resist the motion made by the Senator from Florida.

Mr. MYERS. Mr. President, I wish to make the statement that the Committee on Appropriations is not the proper committee to handle this joint resolution anyway, if it is to go to a committee. The original legislation which appropriated $42,000 never went to the Committee on Appropriations, but it

went to the Committee on Irrigation and Reclamation of Arid Lands. If this joint resolution is to go to a committee, it ought to go to the same committee; and the Senator from Arizona [Mr. SMITH], who is sitting here, would be the one to object to the joint resolution being adopted without going to a committee. His committee is the one that has always had jurisdiction and charge of this matter and is the committee which originally considered it. I repeat, the original appropriation of $42,000 was favorably reported by that committee and then passed by the Senate. If this supplemental joint resolution is to go to any committee, it should consistently go to the same committee.

Mr. SMOOT. Mr. President, I understood the Senator from Montana to state that this joint resolution had already been considered by the Appropriations Committee.

Mr. MYERS. The joint resolution has been referred to that committee in the form of an amendment and has been considered by the committee.

Mr. SMOOT. Then, why should the Senator from Montana object now to the reference of the joint resolution to the Committee on Appropriations? It is for the appropriation of certain money; and that committee has already considered it, as the Senator states. I think the joint resolution should very properly go to the Appropriations Committee.

Mr. SMITH of Arizona. I would suggest to the Senator from Montana——

Mr. BRANDEGEE. I rise to a parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator from Connecticut will state it.

Mr. BRANDEGEE. Did the Senator from Montana ask unanimous consent for the present consideration of the joint resolution?

Mr. MYERS. I did.

The PRESIDING OFFICER. The Senator did.

Mr. BRANDEGEE. Then, if I understand the matter, the question is, Is there objection to the present consideration of the joint resolution?

Mr. MYERS. I have not heard any such objection.

Mr. BRANDEGEE. Very well. A motion was attempted to be made to refer the joint resolution to a committee, and I assume that a single objection would prevent further consideration of it at the present time. I should think that would be the first thing to be determined.

Mr. MYERS. Sometimes Senators are prevailed upon not to make objections. I simply want to reply to the Senator from Utah [Mr. SMOOT] by saying that when this joint resolution was referred to the Committee on Appropriations it was considered in the shape of an amendment to the deficiency appropriation bill. That is the reason it went to that committee, but the original proposition went to and was considered by the Committee on Irrigation and Reclamation of Arid Lands.

Mr. SMOOT. The Senator from Montana is perfectly right in that. I remember very well the history of the original measure, and I would not have objected, and do not now object, if the Senate sees proper to refer the joint resolution to the Irrigation Committee, but it seems to me that the committee——

Mr. BRYAN. Mr. President, if the Senator from Montana will permit me, I do not see——

The PRESIDING OFFICER. To whom does the Senator from Montana yield?

Mr. MYERS. I will continue to yield to the Senator from Utah [Mr. SMOOT] until he concludes.

Mr. SMOOT. I wish to say to the Senator from Montana that my only object in speaking was to state that the joint resolution already having been referred and having been considered by the Committee on Appropriations, as stated by the Senator himself, I thought quicker action could be secured by that committee than by referring the joint resolution to any other committee.

Mr. MYERS. So far as I am concerned, I do not care to what committee the joint resolution be referred, if it has to be referred.

Mr. SMITH of Arizona. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Arizona?

Mr. MYERS. I do.

Mr. SMITH of Arizona. I would suggest to the Senator that if reference is to be made of the joint resolution, it would be safer and speedier now to have it referred to the Committee on Appropriations, because the Senator will appreciate that at this particular time it is impossible to get a quorum of Senators in attendance on the Committee on Irrigation and Reclamation of Arid Lands, and there would consequently be delay.

I desire to suggest to the Senator from Florida [Mr. BRYAN] that the facts in this case have heretofore been fully presented to and passed upon by the Senate. I am heartily in favor of the passage of this joint resolution or of similar legislation which might be reported by the committee, but I should like at this time to see the joint resolution pass without objection.

Mr. MYERS. Mr. President, I simply wish to ask the Senator from Florida if he will not be as magnanimous as the Senator from North Carolina [Mr. OVERMAN] has been in his telegram. Both Senators have been consulted freely about this matter, and there is no doubt that one has had as much to do with it as the other in the way of objecting to it. We may not have a quorum after to-morrow for quite a while, and I doubt if we shall have another opportunity to do anything at this session in regard to passing this joint resolution. A little later currency legislation will wholly engross the attention of this body.

Mr. BRYAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Florida?

Mr. MYERS. I do, to answer a question.

Mr. BRYAN. Mr. President, it has been my experience with the Senator from Montana that when he asks for unanimous consent he generally gets it, and I shall not now make an exception. However, I think it is a bad practice to bring in a bill or a joint resolution making appropriations the same as would be made in a bill and have it passed by the Senate without any reference ever having been made to a committee. If, however, the Senate wants to consent to that, so far as I am concerned, I will withdraw the objection.

Mr. MYERS. I thank the Senator from Florida.

Mr. NORRIS obtained the floor.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. The Senator from Nebraska has the floor.

Mr. NORRIS. Mr. President, I have been in entire sympathy with the position which the Senator from Florida [Mr. BRYAN] has taken, and it seems to me he ought not to withdraw his objection, but that the joint resolution ought to go to a committee.

Mr. MYERS. May I interrupt the Senator from Nebraska a moment?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Montana?

Mr. NORRIS. I do.

Mr. MYERS. I would say to the Senator from Nebraska that this matter has already been before the Committee on Appropriations at this session.

Mr. NORRIS. Yes; it has been before both Houses of Congress, and has provoked a great deal of debate.

Mr. MYERS. It has been before the committee.

Mr. NORRIS. And there was a great deal of opposition to it.

Mr. MYERS. It was before the committee at this session only a few days ago.

Mr. NORRIS. It was once vetoed by the President of the United States.

Mr. MYERS. Not this joint resolution, but another one.

Mr. NORRIS. Well, some legislation having the same object in view.

Mr. BORAH. That legislation was not vetoed by the President, but it was vetoed by the Secretary of the Interior.

Mr. NORRIS. Be that as it may, it does not seem to be the proper thing to appropriate, particularly out of the reclamation fund, this amount of money to pay claims that as I understand—I may be misinformed—have no legal basis. It is admitted, I presume, that they are not legal, though there may be a great many equities in them; but I know that perhaps two or three years ago the matter provoked a great deal of debate. I am not saying that I am opposed to the joint resolution; I do not know that I will oppose it, but I do not think the Senator from Montana ought to ask the Senate to pass by unanimous consent a joint resolution so important as this, as to which there are at least two sides and a great deal of opposition.

Mr. MYERS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Montana?

Mr. NORRIS. I yield.

Mr. MYERS. If we had a quorum here right along, if the committees were meeting, and we were doing business as usual, I would not think of asking for immediate action on the joint resolution, but the situation is becoming desperate so far as securing the consideration of any matter before this body or before any committee of this body at this time is concerned. The subject has been considered so long and so thoroughly that the peculiar exigencies of the situation impel me to make this

request. I hope now, the objection having been withdrawn on this side of the Chamber, that the Senator from Nebraska may find it in his heart to withdraw his objection from that side.

Mr. NORRIS. I should like to suggest to the Senator from Montana that if this joint resolution should pass, there is not a quorum of the House of Representatives in the city, and I do not see how the matter would be expedited. There is not a quorum of the other House present, and it has been announced on the floor of that body by the leader of the majority side that Members of that body will not be expected to be here, and nobody expects the House to have a quorum during the remainder of the special session.

Mr. MYERS. I understand that they are to have a quorum to-morrow; but, aside from that, I must say, with all due respect to the Senator, that the plea that it is of no use trying to get anything through the Senate at this time because the House will not give it attention has long ago made me heartsick. I feel that we owe a duty to the country; I want to discharge my duty, and I want to see this body discharge its duty. If it does do so, and the House will not discharge its duty or attend to business, then we are not responsible. I understand, however, as I have said, that there is almost a certainty that they will have a quorum in the House to-morrow.

Mr. NORRIS. Now, Mr. President, as to that——

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Connecticut?

Mr. NORRIS. In just a moment. I desire first to reply to what the Senator from Montana [Mr. MYERS] has said. As an abstract proposition I agree with him that what the other House is going to do perhaps ought not to influence us in the transaction of the business which comes before the Senate; but the Senator offers this resolution now and asks that it be taken out of its regular course, because he is in a hurry and wants to get it through. To meet his contention I made the suggestion that it will not expedite it a particle if we pass it here by unanimous consent. It could just as well go to the committee and be reported back, and let the committee investigate it, if they think it necessary to investigate it.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Iowa?

Mr. NORRIS. I yield.

Mr. CUMMINS. The resolution could pass the House unless the question of no quorum were raised.

Mr. NORRIS. Well, does the Senator think that it is good practice to appropriate money out of the Treasury of the United States when there is not a quorum of either body present?

Mr. CUMMINS. Three-fourths of the appropriation bills are passed without the presence of a quorum. That has been my observation. This matter stands on a very different footing from an ordinary appropriation bill which involves a new subject. This question has been before Congress and its merits have been fully discussed. I do not want to go into them now. It would take too long.

Mr. NORRIS. I think the Senator owes it to those of us who do not understand the matter to go into its merits.

Mr. CUMMINS. It is sufficient to say that the contract that was entered into for the building of the tunnel was entered into shortly after the law was changed, which took away from material men and laboring men the remedy which they theretofore had upon the bond given to the United States for the fulfillment of the contract. The people who furnished the material and did the labor had not been informed of the change in the law, and they, therefore, furnished the subcontractors with the necessities for building this tunnel, believing that they had a remedy that would give them their money in the event the subcontractor was unable to do so.

Mr. BORAH. Mr. President, will the Senator allow me to make a suggestion before we go into the debate upon this matter?

Mr. CUMMINS. Certainly.

Mr. BORAH. The Senator from Nebraska has referred to the fact that a bill or joint resolution similar to this passed the Senate and was vetoed by the President. I desire to say that the bill was also passed over the President's veto. Certainly, Mr. President, the bill was given a vast amount of consideration if we were prepared to pass it over the veto of the President; and to delay the matter any longer, after the thorough consideration which has certainly been given to it by both Houses of Congress, not only when the bill was originally discussed, but after the veto of the President, is simply to deny these people justice.

Mr. CUMMINS. Moreover——

Mr. BORAH. If the Senator will pardon me a moment, if the matter had not been properly considered and an appropriation were now sought as an original proposition, I certainly should not advocate for a moment adopting any unusual course; but we have given it all the consideration that it needs and all the consideration that we will ever give it. If it goes to the Committee on Appropriations or to any other committee it will receive no more consideration than it has already had.

Mr. CUMMINS. To complete what I was beginning to say——

The PRESIDING OFFICER. Does the Senator from Nebraska yield further to the Senator from Iowa?

Mr. NORRIS. I yield.

Mr. CUMMINS. These considerations and the further fact that the United States had received the benefit of every dollar which had been advanced to the subcontractor——

Mr. NORRIS. Now, is it not true that this will be a second payment on behalf of the United States?

Mr. CUMMINS. Not at all.

Mr. NORRIS. I do not like to vote to appropriate money out of the Treasury of the United States until I know what the facts are.

Mr. CUMMINS. The facts have all been developed. There was a hearing, at which every circumstance was related. It was believed then, as I said a few moments ago, that the claims against the subcontractor amounted to $42,000. That was the best information the Congress could get at that time. We passed the act recognizing the justice of the claims. The Secretary of the Interior then gave notice for the proving of the claims in accordance with the terms of the act; and it then appeared that instead of the claims amounting to $42,000 they amounted to $57,000. The time has expired for the proving of those claims. We know now how many claims there are against the project, and we recognized them when we passed the original bill.

This joint resolution is simply to add $15,000 to the amount heretofore appropriated, to be expended for the very same purpose and for the same reason, because the $42,000 which we have already appropriated will be distributed pro rata among the $57,000 of claim holders.

Mr. NORRIS. Now, Mr. President, I think we are getting some facts here that are material. I want to ask the Senator a question. I understand that there has already been an appropriation made of $42,000. Is that true?

Mr. CUMMINS. That is true.

Mr. NORRIS. To cover the identical claims that this is to cover. Is that true?

Mr. CUMMINS. No; the appropriation of $42,000 was made, believing that all the claims that came within the class that we——

Mr. NORRIS. I understand.

Mr. CUMMINS. That we recognized would amount to $42,000.

Mr. NORRIS. That amount would not pay the claims in full?

Mr. CUMMINS. It was intended to pay them all in full.

Mr. NORRIS. I understand; but later developments disclosed the fact that there had not been money enough appropriated to cover all of them?

Mr. CUMMINS. That is true.

Mr. NORRIS. The $42,000 heretofore appropriated, without this joint resolution, would be distributed pro rata among all the claimants. Is not that true?

Mr. CUMMINS. That is true, I believe.

Mr. NORRIS. This is to make up the deficiency?

Mr. CUMMINS. That is true.

Mr. NORRIS. Is there anything else in it?

Mr. CUMMINS. Nothing else that I know of.

Mr. NORRIS. If those are the facts, I will not make any objection to the joint resolution. I want to ask the Senator who offered it if that is a fair statement of the facts in the case?

Mr. MYERS. Absolutely. The facts are very few and simple, and the Senator from Iowa has correctly stated them, as brought out at the hearings heretofore had.

Mr. NORRIS. While I do not feel called upon to urge an objection, being a new Senator here, it does seem to me that this method of legislation is not wise, particularly where it is proposed to appropriate money out of a special fund, which I think ought to be guarded with jealous care. It may develop later on that somebody else has a claim, and we may find out that the $57,000——

Mr. MYERS. It is limited.

Mr. NORRIS. Has that been covered?

Mr. MYERS. This joint resolution limits it, and provides that no more claims shall be considered.

Mr. NORRIS. I know that; but I presume the $42,000 limited it also; did it not?

Mr. MYERS. No; it did not. That is a mistake. It did not limit it.

Mr. CUMMINS. I will say to the Senator from Nebraska that this happened six or seven years ago, and after the passage of the original measure, which was passed by the Sixty-second Congress, the Secretary of the Interior gave notice as widely and as publicly as he could, asking all claimants to come forward and prove their demands. In answer to that notice these claims have been filed. While theoretically it is not impossible that there may be another claim somewhere, it is practically certain that there are no other claims than these.

Mr. NORRIS. Have the claims been paid once? Has the contractor himself been paid by the Government?

Mr. CUMMINS. When the contractor failed the Government took over the work and completed it. The contractor has not been paid. The contract was taken at a price that rendered it utterly impossible to complete the work for the contract price.

Mr. NORRIS. And the Government completed the contract?

Mr. CUMMINS. The Government completed the contract, and has taken the penalty of the bond, or a portion of it. I do not remember what portion, for reimbursement. The reimbursement from the surety on the bond does not entirely make the Government whole, but it helps along that line.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Connecticut?

Mr. NORRIS. I do.

Mr. BRANDEGEE. I simply wish to suggest to the Senator from Nebraska, if he will allow me, that I understood him to say he would make no objection to the present consideration of the joint resolution. If consent is given for its present consideration, all this information can be elicited in a very short time.

Mr. NORRIS. Yes; but the Senator knows that is not the usual course.

Mr. BRANDEGEE. In other words, I think it is simply a question of order. If consent is not going to be given, of course there is no use in wasting an hour in debating the matter on its merits. If we can have consent for the present consideration of the joint resolution, we can take half an hour, if necessary, in considering it on its merits.

The PRESIDING OFFICER. The question is, Is there objection to the present consideration of the joint resolution proposed by the Senator from Montana?

Mr. BURTON. Mr. President, we have an important matter pending before the Senate. I gave way for this joint resolution, understanding that it would take only about 10 minutes to discuss it. I should like to know how long there is likely to be discussion of the subject?

Mr. MYERS. I think there will be practically none at all. The facts are practically all understood by Senators.

Mr. SMOOT. I simply have one or two questions to ask of the Senator. I do not rise to object to the consideration of the joint resolution, but I do wish to ask one or two questions before it is voted upon.

The PRESIDING OFFICER. The question is, then, Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. SMOOT. Mr. President, I notice in the joint resolution a proviso, and I wish to ask the Senator from Montana a question as to his understanding of the effect of that proviso.

Mr. BRANDEGEE. Mr. President, for my information, may the joint resolution be again read, so that I may see the effect of what the Senator is going to ask?

The PRESIDING OFFICER. The Secretary will again read the joint resolution.

The Secretary again read the joint resolution.

Mr. SMOOT. Mr. President, it is the last proviso about which I desire to ask the Senator from Montana. The proviso is:

> That the Secretary of the Interior shall deduct from the amounts to be certified for payment hereunder and under the said resolution to each claimant a proportionate sum to cover the expense of and fair compensation for the person or persons through whose time and services this matter has been laid before Congress, except such claimants as have agreed with such person or persons for compensation, and such deductions shall be certified for payment to such person or persons in like manner as other claims.

That is rather a remarkable provision in a joint resolution; and I wish to ask the Senator from Montana if he has any knowledge as to what persons are interested in receiving compensation out of this appropriation?

Mr. MYERS. Yes, Mr. President; only one, and that is Mrs. Katherine McDonald, of Butte, Mont. She has spent three or four years of time here at the Capitol, at her own expense, in pressing this matter and putting it through. If it had not been for her efforts, labor, and time spent, and the money she has expended, none of these claimants would have been reimbursed.

It is just on the same principle that when a matter is laid before the Court of Claims by a resolution of Congress it has often been the practice, as I understand, to authorize the Court of Claims to fix what may be a reasonable attorney's fee and say what the fee shall be. This proviso leaves it to the Department of the Interior to investigate and hear evidence about the labor, the time, and the expenditure involved, and leaves it to the Secretary of the Interior to say what would be a reasonable and fair percentage to reimburse this lady for her efforts and money expended, except, of course, where some few claimants, as I understand, have agreed with Mrs. McDonald to pay her upon stated terms, in which case they are governed by their own agreement as to what they shall pay her, if the appropriation shall be made. In other cases the joint resolution leaves it to the court, you might say, to decide what is a reasonable compensation. That is the object of it.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. SMOOT. In just a minute. I wanted to say to the Senator that, as I understand this matter, the original claim of $42,000 was nearly all due to Mrs. McDonald.

Mr. MYERS. No; not all of it; the Senator is mistaken about that—not nearly all of it; I feel safe in saying, not over half of it.

Mr. SMOOT. Then, of course, this proviso applies only to the $15,000 provided in this resolution. It does not apply to the original amount of $42,000, does it?

Mr. MYERS. That would depend upon its wording. I was under the impression that it would apply to the whole appropriation.

Mr. SMOOT. I was undecided as to whether it did or not. That is the reason I asked the Senator the question.

Mr. MYERS. If not, she would be that much worse off. I think it ought to apply to the whole amount. If not, she would have to stand the loss.

Mr. SMOOT. I certainly think it ought to apply to the whole if to any. That is one of the reasons I asked the Senator whether, in his opinion, it did or did not.

Mr. MYERS. The amendment was suggested by an official of the Department of the Interior, and his language was simply adopted. It says "hereunder and under the said resolution." "Hereunder" would mean "under this resolution." The words "and under the said resolution" would refer to public resolution 56 of the Sixty-second Congress, mentioned up here at the top of the resolution, I think. It reads:

> *Provided*, That the Secretary of the Interior shall deduct from the amounts to be certified for payment hereunder and under the said resolution,

Mr. SMOOT. It says "said resolution to each claimant."

Mr. MYERS. I should like, then, to ask unanimous consent to insert, after the words "said resolution," the words "No. 56," so as to refer to the resolution mentioned up at the top. I ask unanimous consent to amend the resolution in that respect and at that place so as to make it read, "said public resolution No. 56 of the Sixty-second Congress."

The PRESIDING OFFICER. Is there objection to the modification proposed by the Senator from Montana? The Chair hears none.

Mr. MYERS. That was the intention. I thank the Senator for calling attention to it, because the language is a little obscure; but that is what was meant.

Mr. SMOOT. That is what I thought.

I have just one other word to say in connection with the joint resolution. In many of our appropriations, particularly those where pensions are granted, and I believe in nearly all cases of claims coming from the Claims Committee, we prohibit the payment of attorneys' fees in the collection of any part of a pension or of a claim. This joint resolution provides for the payment of a compensation to those who have been interested in securing its passage through Congress.

Mr. BRISTOW. Mr. President, does it provide for the payment of a fee to go to an attorney?

Mr. SMOOT. It is not to an attorney; it is a fee to go to Mrs. McDonald, who is personally interested in the matter financially, and has also been interested in gathering together claims and presenting them to Congress, and getting through Congress a joint resolution appropriating money to pay the same.

Mr. BRISTOW. Is that a part of the collections that are to be made?

Mr. SMOOT. It is a part of the collections that are to be made.

Mr. CUMMINS. There is no additional sum to go to her.

Mr. MYERS. Nothing extra.

Mr. CUMMINS. I will say to the Senator that Mrs. McDonald is not an attorney. Mrs. McDonald and her husband kept a little store in the vicinity of this work; and they advanced to those who were engaged on the work, out of their store, the necessities of life, until they had invested in the enterprise practically all that they had. Moreover, they mortgaged their home in order to enable them to carry forward their business. When this disaster came, all that Mrs. McDonald wanted was reimbursement for the money or groceries or dry goods or what not that they had advanced; but she could not get pay for the amount due her without making like provision for the other creditors who stood in the same case. She has been here pleading with the Government and with Congress for three or four years now for her pay, and to save her home. The other creditors, who have been under no expense, will secure from this legislation the same benefit that she secures; and it is only equitable and fair that they should contribute to the expense that has been incident to the work of developing and laying before Congress the facts in the case. Not a penny is to be paid to Mrs. McDonald or anybody else under this joint resolution in addition to the claims that exist against the Government.

Mr. SMOOT. I hope the Senator will not infer I said that Mrs. McDonald was an attorney.

Mr. CUMMINS. No.

Mr. SMOOT. I did not refer to her in any such terms.

Mr. CUMMINS. No; I did not understand the Senator to do so.

Mr. SMOOT. I fully agree with every statement the Senator has made in relation to the hardships she has passed through. The only thought in my mind was that while Mrs. McDonald ought to be paid, under the wording of this proviso she will be paid by certain persons who have already made an agreement with her; and it seems proper that such an agreement should be made with all, and not be provided for in this resolution. I do not care what agreement it was, or how much they agreed to pay her; I think she is entitled to compensation. If compensation is provided for in this resolution, it shall be worded so as to apply to the original appropriation of $42,000.

Mr. CUMMINS. I understand it does.

Mr. SMOOT. It will now, with the amendment that was agreed to.

Mr. BRISTOW. May I inquire what percentage of the collections she is to get?

Mr. CUMMINS. I do not know.

Mr. BRISTOW. I wish to say that I shall not vote for any general appropriation for a claim of which some agent is to get an indefinite percentage. I think one of the curses of claims before the Government is that there are hanging around this town men who make their living by getting the largest percentage they can get out of somebody who may have a claim against the Government. Millions of dollars are taken out of the Public Treasury by constructive claims in this way where some attorney or representative is to get a large part of the appropriation.

Mr. CUMMINS. But, Mr. President, this is not such a case. It is not Mrs. McDonald's business to collect claims against the Government. By very force of circumstances she has been driven into this effort. It can not be said that the principle just mentioned, which is a very just one when applied to a professional claim agent, who makes it a business to solicit claims against the Government for his living, should be applied to her. If the Senator from Kansas knew her as I know her, he would realize that the general prejudice against claim agents does not lie against her.

Mr. BRISTOW. I wish to say that the reason I made the inquiry was to get information. Some of us who are members of the Committee on Claims have tried to get a law enacted which would limit the extortions of these men in regard to such claims. I do not want to vote for a bill in violation of the principle that I think ought to be laid down in that regard. If it is a reasonable claim, I think it is a very proper thing, from what I have learned, that Mrs. McDonald should have a reasonable percentage of these claims which she has aided in collecting.

Mr. SMOOT. Mr. President, the only reason I mention this question is that being a member of the Committee on Claims and agreeing through experience with the statement of the Senator from Kansas just announced to the Senate, and knowing that it has been the policy of the Committee on Pensions, of which I am a member, not to include in any resolution or bill a provision for the payment of an attorney's fee, but prohibiting them, I do not want to vote for this resolution, and have it pointed to in future as a precedent, and have some Senator remind me that I voted for this measure, and therefore should not object to attorneys' fees being provided for in future bills. This is one reason why I bring the question to the attention of the Senate, and for the still further reason that if we are going to provide compensation for the expenses and compensation incurred, it should not apply only to the $15,000 appropriation in this resolution but to the former appropriation of $42,000 as well.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WITHDRAWAL OF PAPERS—WILLIAM HOBERG.

On motion of Mr. SMITH of Arizona (for Mr. CATRON) it was

Ordered, That the papers in the case of William Hoberg, accompanying Senate bill No. 4539, introduced in the Sixty-first Congress, be withdrawn from the files of the Senate, no adverse report having been made thereon.

TRIAL OF MENDEL BEILIS.

Mr. LEWIS. Mr. President, I tender a resolution which I ask to have read and referred to the Committee on Foreign Relations.

The resolution (S. Res. 198) was read and referred to the Committee on Foreign Relations, as follows:

> Whereas the public press reports that the Government of the Empire of Russia is now engaged in the prosecution of a Jewish laborer, Mendel Beilis, upon the charge of having murdered a Christian boy for the purpose of using Christian blood for religious purposes;
> Whereas there appears absolutely nothing in the Jewish religion or doctrines requiring such a practice, but on the contrary the use of blood in any manner is absolutely prohibited by the Mosaic law, Leviticus xvii, 10;
> Whereas eminent divines and scholars of all religions and denominations have testified to the falsity of the accusation that the Jewish religion requires the use or the sacrifice of human blood;
> Whereas the constant and relentless persecution of the Jews in Russia is bringing to our shores thousands of Russian Jewish refugees, who must be taken care of, and the United States Government is therefore directly interested in this matter; and
> Whereas the Beilis trial is calculated to incite the ignorant people in Russia to commit outrages against Jewish people, and as a result of such fear the Jewish immigration to the United States since the commencement of the Beilis trial has already increased: Therefore be it
>
> *Resolved by the Senate of the United States*, That the Senate of the United States looks with disfavor upon the prosecution of the Beilis case, and that the proper officers of the Government be directed to use the good offices of the Government of the United States with the Government of Russia, to the end that the unjust ritual charge against the Jewish people at large, and Mendel Beilis in particular, be withdrawn, and the Jewish people receive the vindication justice requires.

THE MERCHANT MARINE.

Mr. BURTON rose.

Mr. LA FOLLETTE. I suggest that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which is Senate bill 136.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea.

Mr. FLETCHER. If the Senator from Ohio will yield to me for a moment, I will state that the Senator from Michigan [Mr. TOWNSEND], who is absent on business of the Senate, had some telegrams sent to him with reference to the pending bill which he has sent to me, and I ask to have them printed in the RECORD. They are to the effect that the senders prefer that the bill should not be acted on until after the international conference in London has been held.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

DETROIT, MICH., *October 20, 1913.*

Hon. CHARLES TOWNSEND,
United States Senate, Washington, D. C.:

Kindly make every effort to defeat La Follette substitute to seamen's bill. It is drastic and impossible to carry out. Present regulations made by department regarding lifeboats on Great Lakes is proper and satisfactory.

A. A. SCHANTZ.

DETROIT, MICH., *October 20, 1913.*

Hon. CHARLES TOWNSEND, *Washington, D. C.:*

Kindly make every effort to defeat Senator La Follette's substitute bill to the seamen's bill. It is drastic and impossible to carry out. Present lifeboat regulations on Great Lakes passed by the department are proper and satisfactory.

E. A. DUNTIN,
President Ashley & Dustin Steamer Line.

CHICAGO, ILL., *October 19, 1913.*

Hon. CHARLES E. TOWNSEND,
United States Senate, Washington, D. C.:

We earnestly request that the vote on the seamen's bill be deferred until after the International conference in London has been held, and respectfully ask your cooperation to this extent.

CHICAGO & SOUTH HAVEN STEAMSHIP CO.

Mr. BURTON. Mr. President, I ask unanimous consent to insert in my remarks certain tables, statements, and statutes, with the reading of which I do not wish to detain the Senate.

The PRESIDING OFFICER. The Senator from Ohio asks unanimous consent to incorporate in the RECORD certain tables, statements, and so forth. In the absence of objection, it is so ordered.

Mr. BURTON. Mr. President, whatever the popular impression may be, very much progress has been made in the last three years in measures for greater safety at sea. Our own country has taken a prominent part in this movement, and so have the leading maritime nations of the world.

I would call attention, in the first place, to the wireless act of June 24, 1910, passed by Congress. To this and similar legislation may be ascribed the safety of hundreds; yes, of thousands of lives. That act provided:

That from and after the 1st day of July, 1911, it shall be unlawful for any ocean-going steamer of the United States, or of any foreign country, carrying passengers and carrying 50 or more persons, including passengers and crew, to leave or attempt to leave any port of the United States unless such steamer shall be equipped with an efficient apparatus for radio-communication, in good working order, in charge of a person skilled in the use of such apparatus, which apparatus shall be capable of transmitting and receiving messages over a distance of at least 100 miles, night or day: *Provided*, That the provisions of this act shall not apply to steamers plying only between ports less than 200 miles apart.

SEC. 2. That for the purpose of this act apparatus for radio-communication shall not be deemed to be efficient unless the company installing it shall contract in writing to exchange, and shall, in fact, exchange, as far as may be physically practicable, to be determined by the master of the vessel, messages with shore or ship stations using other systems of radio-communication.

After that follows the penalty clause.

Notwithstanding this very salutary act, a great deal of confusion still existed. There were many systems for the use of wireless—various appliances—and the different nations of the earth interested in maritime affairs framed a convention, which was presented to the Senate by the President, providing for numerous regulations. For a long time that treaty was pending in the Senate Committee on Foreign Relations. I am glad to state that early in the year 1912 the committee authorized me to report it to the Senate, and it was reported, and its ratification advised by the Senate April 3, 1912, a brief time before the loss of the *Titanic*.

A short time before the *Titanic* disaster it was evident that the use of wireless could only be made thoroughly effective by international agreement. This agreement provided for the method of transmitting messages from one ship to another, for the keeping of accounts, for the maintenance of a bureau at Berne to conduct correspondence between different countries in matters pertaining to wireless. It also provided certain essentials—first, that all systems of wireless telegraphy should communicate—that, for instance, the Marconi could not refuse to receive a message from the De Forest system or any other system of wireless. There had been instances in which a boat having a wireless installation had absolutely refused to receive a message from another boat having a different patent or system. This convention made communication compulsory, whatever might be the system. It made compulsory also communication between stations on shore and stations on ships.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Connecticut?

Mr. BURTON. Certainly.

Mr. BRANDEGEE. Perhaps the Senator was going to make the statement, and if so I apologize; but is it true that all the different systems of wireless are capable of communicating with each other?

Mr. BURTON. Yes; at least with very trivial adjustment. As it is now, they are all able to communicate one with another.

The convention also provided for giving precedence to distress signals. It was necessary to follow this convention by further legislation, and an elaborate statute was passed prohibiting interference, regulating what are called the amateur stations, of which there are thousands in the country, providing that the Government may have the preference at the beginning of each hour, and also providing that no private station shall be established within a certain distance of a governmental station. It is provided that, under regulations made by the executive department, governmental stations shall receive private messages, the object of that being to do away with the necessity of private installation near Government stations.

But Congress, on the 23d of July, 1912, passed a still more stringent statute in regard to wireless—public act No. 238. The first section provides:

That from and after October 1, 1912, it shall be unlawful for any steamer of the United States or of any foreign country navigating the ocean or the Great Lakes and licensed to carry, or carrying, 50 or more persons, including passengers or crew, or both, to leave or attempt to leave any port of the United States unless such steamer shall be equipped with an efficient apparatus for radio communication, in good working order, capable of transmitting and receiving messages over a distance of at least 100 miles, day or night.

It adds several features to the prior act of 1910. One of them which is very essential follows:

An auxiliary power supply, independent of the vessel's main electric power plant, must be provided which will enable the sending set for at least four hours to send messages over a distance of at least 100 miles, day or night, and efficient communication between the operator in the radio room and the bridge shall be maintained at all times.

That is, if the steam power should give out, unless there was an auxiliary power supplied by battery or otherwise, the wireless might be rendered entirely useless.

There is another essential difference between the former and the latter law in that the statute makes no distinction between the passenger steamer and the cargo steamer. Whether the 50 persons be made up of crew or of passengers the radio is alike required.

Here follows another difference which was perhaps suggested by some testimony in the *Titanic* inquiry, to the effect that the single operator on the *California*, the boat nearest the *Titanic*, had retired for the night a little while before the catastrophe.

The radio equipment must be in charge of two or more persons skilled in the use of such apparatus, one or the other of whom shall be on duty at all times while the vessel is being navigated.

This renders obligatory a constant service.

Mr. President, we can not overstate the great advance made in securing safety at sea by this wonderful invention. Now, when a boat is crippled, when she is in danger of sinking, she is no longer in the midst of an isolated portion of the deep, but by the wireless call she may render available for her assistance other boats, and usually at short notice. The interval between the distress call and the arrival of the relief ship in the case of the *Titanic* and the *Volturno* alike was about four hours. It is probable that in most instances on trans-Atlantic routes and on other frequented routes the time between giving the distress call and the arrival of succor would be materially less than that.

So, first of all, Mr. President, there has been this great development of wireless regulated by statute of the United States and by international convention in such a manner as to secure the very best utilization of this great invention.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. BURTON. Certainly.

Mr. KENYON. As the Senator has given the subject so much study, I should like to be informed by him on one point. Is there any provision of any kind for an inspection of the wireless before boats leave port?

Mr. BURTON. Yes; there is.

Mr. KENYON. Is that a matter of statute or of departmental regulation?

Mr. BURTON. It is a matter of statute. Under the Commissioner of Navigation there are, I believe, 10 wireless inspectors, and it must be said for them that they have done excellent service. In one instance they pointed out that the battery which had furnished the subsidiary power was not in good working order. In another instance they took off a boat a wireless operator who was not competent. They have developed excellent capacity for this work; they have exercised their authority with proper discretion, and have accomplished the best of results.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Connecticut?

Mr. BURTON. I yield.

Mr. BRANDEGEE. It seems to me to be somewhat germane to what the Senator from Ohio is stating at that point to say that Capt. Inch, who was in charge of the *Volturno*, has been visiting in my native city at New London, Conn., recently, and night before last he delivered a lecture to a social organization there. He then read the report which he intends to make to the British Board of Trade, and I read in a newspaper yesterday a statement about it, which was that the *Carmania* was about 50 miles distant.

Mr. BURTON. Rather more than that.

Mr. BRANDEGEE. That is, as the newspaper stated it. The statement continued that within five minutes after the sending out of his call for help he received the answer from the *Carmania* that they were at that distance and would come to him at the rate of 19 knots an hour. So the Senator from Ohio can figure it for himself. I do not know what time elapsed before the *Carmania* actually did arrive, but that is the statement that I saw.

Mr. BURTON. Just imagine, Mr. President, what a thrill would go through a boat filled with passengers, with the fire coming up from the hold, leaping well up on the mast, thinking they were doomed to be burned to death, when the wireless brings back a flash in five minutes, "We are coming"; and they were coming as rapidly as they could.

The second very material advance that has been made is in the adoption of a salvage convention for assistance and salvage at sea. This is termed "Treaty series No. 576." It was signed at Brussels September 23, 1910. This treaty also was presented to the Senate by me and ratified on the 18th of January, 1912. It makes compulsory the rendering of assistance at sea; that is, when there is a call by a boat in distress, unless, of course, there are conditions such that it is practically impossible, another boat must come to its assistance. This treaty also gives a compensation to the salvors of human life. There are a number of other features in it, but I pick out these two as the most important.

A bill drawn in pursuance of this convention, which I presented to the Senate, became a law on the 1st of August, 1912. There is a third provision in it which does not assume very great importance, although it comes first in the statute.

It had been ruled that when a boat had assisted another boat belonging to the same line there could be no claim for remuneration. That deprived the sailors of any claim for salvage. So the bill provides:

That the right to remuneration for assistance or salvage services shall not be affected by common ownership of the vessels rendering and receiving such assistance or salvage services.

Also:

SEC. 2. That the master or person in charge of a vessel shall, so far as he can do so without serious danger to his own vessel, crew, or passengers, render assistance to every person who is found at sea in danger of being lost; and if he fails to do so, he shall, upon conviction, be liable to a penalty of not exceeding $1,000 or imprisonment for a term not exceeding two years, or both.

SEC. 3. That salvors of human life, who have taken part in the services rendered on the occasion of the accident giving rise to salvage, are entitled to a fair share of the remuneration awarded to the salvors of the vessel, her cargo, and accessories.

Prior to that, Mr. President, the law of salvage seemed only to recognize a claim for compensation when property was saved. Very properly this affords encouragement to save human life and gives compensation therefor.

Mr. President, while I have never claimed that this bill brought forward last winter, which passed the Senate and was agreed to by the other House, was a perfect bill, I want to say—and I say it without fear of contradiction—that it made greater advance in providing for the welfare of the seamen and for ameliorating their condition than any legislation and all legislation passed in the last 30 years for the benefit of those on the sea.

In the first place it clearly defined their hours, on most vessels limited to two watches those on the deck, limited to three watches those engaged in the fire hold; it limited their hours of labor on land to nine hours; except when absolutely necessary it exempted them from labor on Sundays and legal holidays. It made more careful provision for the payment of their wages; it made provision so that members of the crew, independent of the officers, could make a claim for the examination and the survey of the vessel in case the supplies or food were not proper or in case there were grounds to believe the boat was not seaworthy. It removed the inhibition concerning contracts for the payment of wages, and entitled a seaman, on giving 48 hours' notice, to demand that half his wages be paid in any port of the United States. It also provided for better quarters than before.

It is true that on the great majority of the merchant lines as much space is provided as any of these bills demand. The bill as reported by the committee made compulsory on new construction 120 cubic feet, and a hospital if there be a certain number of men. It provided also for sufficient facilities for washing. It established a standard, and made a requirement for lifeboat hands. Last of all it proposed to wipe out the statute relating to the arrest of foreign seamen in our country or the arrest of our seamen in foreign countries for desertion.

I presume every member of the Senate committee last winter in some things would have liked to go further, but we can not revolutionize this whole system at one stroke. In any event, we must adopt improvements gradually; we must take into account that we have a merchant marine which at least in the foreign trade has unfortunately been languishing for years, which is maintained to-day at almost insuperable disadvantages in comparison with the merchant marine of foreign countries. The maritime trade of the United States can not be severed from that of other countries, because we are placed in competition with them; and that, however humane we may desire to be, we can not, without driving our boats out of the trans-Pacific or the trans-Atlantic trade, frame legislation without taking into account the regulations which pertain to foreign shipping.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Illinois?

Mr. BURTON. Certainly.

Mr. LEWIS. May I ask the Senator from Ohio does he contemplate in his argument to consider the conflict, if there be any, of the provisions of this bill with any of the treaties now pending?

Mr. BURTON. I intend to go into that if I have time.

Mr. LEWIS. That being so, I do not wish to interrupt the Senator now with the questions that I have in mind.

Mr. BURTON. I thank the Senator from Illinois for the suggestion. I intend to go into that at very considerable length. I must say that I repel the insinuation that this committee last winter did not give careful consideration to the claims of the seamen.

Every member of the subcommittee, if he had any partialities, extended those partialities for the seamen; but we were not willing to take a bill brought in by their representatives, paid to represent them here, and pass it through the Senate in toto. We conducted hearings for five or six weeks. As regards the Senator from South Dakota [Mr. CRAWFORD] and myself, and in a measure the Senator from Florida [Mr. FLETCHER], and other members of the Senate Committee on Commerce, it may be said that the greatest task we had last winter was to listen to the different delegations, giving an equal opportunity to all, so that when they were through seamen and owners alike expressed their thanks to the subcommittee of the Senate Committee on Commerce, and said they had never before had so good an opportunity to be heard.

From all these hearings we made up a bill, not the bill of the vessel owners—it was impossible to please them—not the bill of the seamen—it was impossible to entirely please them—but a bill which seemed to us just under all the circumstances. I may say that in the measure as we acted upon it, in certainly four-fifths of the disputed provisions we accepted the contention of the seamen.

So, Mr. President, it is altogether wrong to say that Congress has been derelict in its duty; it is altogether wrong to say that we have not made great advance in the last few years. The bill to which I have referred failed to become a law after it had passed the Senate and after the House concurred in it, because it was presented to President Taft less than an hour before the expiration of his term. As I understand, one of his Cabinet officers favored signing the bill and another opposed it. The President came to the conclusion, for which he can not be blamed, that it was too much to ask of him to sign a bill of so much importance within three-quarters of an hour or half an hour of the close of his term of office.

I want to make a criticism of this so-called seamen's bill, which, as has been stated, has been pending for 20 years. Until the *Titanic* disaster there was not a word in it about lifeboats. It is maintained that we have been derelict because we did not take the bill up and pass it before; that human life has been endangered by delay. If we had adopted in toto that bill as it was introduced in 1911, there would not have been one single paragraph in it about lifeboats or lifeboat drills. It would for the most part have been a bill in regard to the definition of the term "able seaman" and in regard to the number of able seamen on the boats. Then, of course, because of that terrible disaster everyone was aroused. Now, in the face of all this legislation, in the face of all this effort, in the face of the fact that our executive department is appointing its most expert men to consider every proposition relating to safety at sea, in the face of the fact that our supervising inspectors are making new regulations and enforcing them more strictly, in face of the still further fact that all nations have been called upon to gather and consider these questions by our invitation, it is claimed that it is this bill only that points toward safety at sea. Yet the only thing in it which is really insisted upon or on which reliance is placed is the provision in regard to three years' service constituting an able seaman. I spoke somewhat briefly of that last night, and if I have time I shall speak of it further to-day.

Now, Mr. President, I want to consider a second general point. Out of all this discussion what should be our conclusion concerning requirements for safety at sea? First of all, and supreme above all, I would place hull construction and the

seaworthiness of the vessel. Lifeboats, though essential, would prove in most instances a futile reliance for saving human life. If possible, the hull should be a double one, at least, if the vessel is engaged in the passenger trade and on routes such as those across the Atlantic and the Pacific or where large distances are involved. There should at any rate be a double bottom. Most of the boats have that already.

In the destruction of the *Titanic*, to which much attention was given, there were a number of exceptional features, three to which blame attaches—the speed at sea, which was beyond the limit of safety in a locality where it was known there was ice; second, the insufficient supply of lifeboats; and, third, although this did not assume any great importance, the lack of drill of the crew, due largely to the fact that they had for the first time been called together. As I have said, there were most exceptional circumstances attending that disaster which stand out very prominently and make it exceptional among marine disasters—No. 1, the glancing blow. In the construction of vessels it is expected that any collision that occurs will be at the prow or at the side, and that the injury which is caused will be from breaking into the hull at the side or breaking the hull at the prow. This was a rip along the side, because the boat hit an iceberg, and the rough edges of the iceberg were sufficient to tear a hole in the hull.

It seems as if it were impossible in railroad construction, or indeed any other construction, to foresee absolutely every contingency which may happen. A few years ago on a railroad, whose officers thought they had the very best equipment to avoid accidents, a freight train meeting a passenger train caused an accident by the breaking of one of the axles on one of the freight cars, so that the freight car fell over the other track and collided with the passenger train. A somewhat similar accident happened on another line not much later. Some very large timbers were left on a freight car. I suppose they were thought to have been carefully loaded; but one of them got loose and caused a collision with a passenger train and great loss of life. After each catastrophe steps are taken to prevent its recurrence, but it seems as if there were a certain rule of chance that an accident will not recur again, but another of a dissimilar nature will occur. There probably never was an accident before quite like the one which caused the loss of life on the *Titanic*.

It is useless to conjecture, but it is probable that if the course of the *Titanic* had not been changed, and she had gone head-on against that iceberg, however rapid her speed, she would still have floated.

Another exceptional fact with regard to the *Titanic*, which probably will not happen again save in a very inconsiderable fraction of cases, was the smooth sea at the time, so as to make it altogether easy to launch and manage lifeboats.

What are some of the important points in boat construction besides those I have named? We can not come to the double hull immediately. Not all boats can be built in that way. The expense is too considerable to require it in every instance, but we shall probably come to it gradually. In addition to that there are other things already insisted upon very generally in passenger steamers, among which is the building of transverse bulkheads or construction so as to divide the ship into compartments, with a stronger or collision bulkhead in front.

The *Titanic* was well supplied with these. She had 15, and if only two of her compartments had been flooded she no doubt would have floated. But it appears that the rip went along the side of the vessel, and, according to the account of one person who claims to have been an eyewitness of the last point of the injury, five compartments were pierced. According to another theory, water flowed into only two of the bulkheads, but one of them was so weak that it gave way, and the water flowed into another, and then the next bulkhead gave way; and so, little by little, the ship was flooded.

Our regulations already require that in these passenger steamers there shall be three transverse bulkheads. They should be strong. They should be carefully tried. They should extend a certain distance above the water line, as determined by the maximum load of the boat. They should go to a deck which is tight, so that the water can not pour up above that deck. These are all matters of detail which must be considered carefully, and not, as I think, by a congressional committee in the first instance, nor by the Senate, but by men who have given their lives to the study of ship construction, the strength of materials, and the seaworthiness of ships.

On the subject of the comparative importance of bulkheads and lifeboats the leading British expert on safety of life at sea, Sir William Henry White, who died a short time ago, said:

There has been strong criticism lately of the official regulations for boats in passenger ships. The writer does not propose to take part in that controversy in this communication. He ventures, however, to predict that when natural, but temporary, excitement has disappeared, and when calmer consideration of the subject becomes possible, it will be seen that the question of boat equipment, important as it undoubtedly is, must be treated as subordinate to that of efficient water-tight subdivision.

Possibly the time is approaching when shipowners will concur in action by which such subdivision shall be made the subject of legislation on lines to be agreed upon by the board of trade and themselves. In view of the experience gained in connection with boat lines of merchant ships it is permissible to hope that if such action is taken it may be of an international character, and that arrangement would undoubtedly be most advantageous if it could be made.

I would rank next to the construction of the hull measures for the prevention of fire. A great variety of articles are put together in the cargo of a ship. The fires in the furnaces must be maintained at a very high heat. What should be first provided against is combustibility of the ship itself, and next combustibility of the cargo. I am glad to say that we have gone much further than other countries in provisions relating to the cargo of the boat. Section 4472 of our Revised Statutes, as amended in 1905, and I believe also in 1906, deals with this subject. This is the main section on fire prevention, although there are others equally strict:

No loose hay, loose cotton, or loose hemp, camphene, nitroglycerin, naphtha, benzine, benzol, coal oil, crude or refined petroleum, or other like explosive burning fluids or like dangerous articles—

A general blanket expression—

shall be carried as freight or used as stores on any steamer carrying passengers; nor shall baled cotton or hemp be carried on such steamers unless the bales are compactly pressed and thoroughly covered and secured in such manner as shall be prescribed by the regulations established by the Board of Supervising Inspectors, with the approval of the Secretary of Commerce.

I will perhaps have printed in my remarks the whole of this section, though I do not wish to detain the Senate at this time by reading further from it.

Mr. LANE. Mr. President, I should like to ask the Senator a question, if he will yield.

Mr. BURTON. Certainly.

Mr. LANE. That is already a law, and it is enforced?

Mr. BURTON. Yes; very strictly enforced, too.

Mr. LANE. Yet, as I understand, here is a ship, the *Volturno*, which just had a fire aboard of her and lost a number of lives, for the reason, as I am informed by the press dispatches, that there were loose chemicals on board which started a fire.

Mr. BURTON. Ah, but she was loaded on the other side. She was not under the control of our laws.

Mr. LANE. This law only protects our own ships?

Mr. BURTON. Yes; and foreign ships as well——

Mr. LANE. When they sail from here?

Mr. BURTON. When they sail from the United States.

Mr. LANE. All these chemicals are imported and we export none, so that that provision is of no use to our people coming to America from the other side?

Mr. BURTON. No. I will say to the Senator from Oregon that his statement emphasizes in a most impressive manner the fact that this matter can be settled only by international agreement. Whatever regulations we may make will be binding only in our own ports. I suppose by a great stretch of authority we could say that a boat would not be received here unless she conformed to those requirements, but that would not be practicable.

Mr. LANE. It seems to me this country ought to be able to require that American citizens returning to this country from other countries, from business trips or otherwise, should be allowed to come here safely. If there is any navigation company which is transporting them in an unsafe manner, it ought to be within the power of this country to see that they are safeguarded. It seems to me that is a prerogative of this country. I may be mistaken, and it may be that some treaty would waive that; but that is a sort of inherent right of a nation.

Mr. BURTON. Treaties stand in the way; the general law stands in the way. The impracticability of making regulations also prevents this, though I do not discover in any correspondence objection on the part of foreign countries to establishing and maintaining high standards in that regard. We have gone rather further than others.

There should be the most careful provision in the way of fire apparatus for quenching any fire when it starts. The engineers and crew should be most carefully trained in this regard.

Mr. President, I fear that the greatest danger of the future, at least on the larger vessels, is to be from fire. So great is the variety of articles transported and so considerable the possibility of their being ignited in some way that the greatest danger is from this source rather than from any other.

Next I would place the necessity for lifeboat equipment and qualifications of boatmen.

What have we here in the bill that is presented as a substitute by the Senator from Wisconsin [Mr. LA FOLLETTE]? I wish to call attention to one provision in section 2 which seems to me almost criminal in its bearing upon the subject. It is found in lines 11 and 12 on page 2:

Seamen serving in one department of a vessel shall not be required to do duty in another department.

What does that mean, Mr. President? When read in connection with the requirement of two lifeboat hands, it means that the task of manning lifeboats and saving life must be restricted to those lifeboat hands, who, it is said, are required to be able seamen. No steward, no engineer, no fireman can be compelled to take part in any drill in this regard. Why, it is as if you said that when an accident happens to a railroad train none but the firemen and the locomotive engineer shall take part in the saving of life; that the brakeman shall do nothing. True, it is said in the bill, and it will be claimed, that when there is a special emergency they shall all be called upon; but that is not an answer. They must be trained beforehand, or their services will be practically useless in this regard.

What is the situation? Boats on the ocean and boats on the Lakes, the inland seas, carry a certain number of sailors on the deck. Their duties are very important, especially those who are at the wheel or on the lookout; but the other sailors have very little employment which requires any considerable degree of skill. They may not be disciplined in the use of boats. They may not even be handy in the use of boats. On that subject I wish to point out this fact:

When a lifeboat is lowered into the sea, the two able seamen would go down with the boat. But the most important thing to be accomplished in the lowering of the boat is not going down with the passengers to the water; it is handling the boat at the top. The important thing is the efficiency of the men who manage the pulleys and ropes around the davits that let down the boat. You might have two men who were seamen very well versed in the use of oars and familiar with the sea; but unless you had efficient men at the top, the passengers might be all spilled out from the boat. It might go down more rapidly on one side than on the other, or it might swing like a pendulum against the side of the hull. So a mere provision of two boatmen is not sufficient. You should have a whole crew, including sailors, stewards, engineers, and firemen, who are able to take care of the management and lowering of boats.

Again, generally speaking, I think the importance of facility in the use of oars has been somewhat exaggerated, because, in this day of wireless telegraphy, if passengers or crew were transferred from a large steamer to a small boat at sea what would they do? They would not row around to find land, because the wireless would have summoned other vessels to come near. The small boat would stay near the abandoned steamer—as near as it could—so that the relieving vessel would find them.

Thus, while the use of oars is a very important thing, and I will not by any means decry it, it is not the leading requisite. The main thing is the handling of the mechanism, which an engineer in the hold, or probably a fireman, or maybe a steward, but certainly an engineer, would understand a great deal better than a seaman, I do not care if he has served 10 years before the mast.

It is not a matter of looking on the sea and judging of its moods, as has been said; it is a matter of handling mechanism and seeing that the boat goes down on an even keel, that it is carefully manipulated and is not fouled in any way.

I will include in my remarks a part of the account of Capt. Inch in regard to the *Volturno*. He says, in regard to the lowering of boats:

The first boats swung out were the three lifeboats on the starboard side.

Chief Officer Miller went into the first boat with 20 cabin passengers and 10 members of the crew, the 10 who belonged to the boat's crew. That boat wasn't smashed. The trouble was that in lowering it caught in the tackle and was turned over under the gunwale. Everybody in it was spilled out.

That is, they did not have sufficient skill, apparently, in handling it from the deck.

But the boat righted itself, and I saw Mr. Miller and five or six others climb back into it. I am afraid the rest were drowned. The second boat put off was No. 6, in charge of Fourth Officer Langsell, an Austrian. This boat contained 40 steerage passengers and a crew of about 10. It got away safely.

It seems now, though, that both this boat and the boat containing the first officer and a few more were lost in the storm.

Bear in mind that there were 10 men of the crew put down in the first boat. Ten men of the crew also were put down in the second boat.

The third boat was in charge of Boatswain Soderstrom. It was No. 7. The boat struck the sea all right, but the wash carried it under the quarter, and the ship literally sat down on it. It was crushed into a mass of splinters. About 50 steerage passengers and members of the crew were lost. The boatswain managed to cling to the tackle by a spring from the stern sheets. He climbed back on the ship and worked at my side when we were fighting those devilish flames.

The boats were in good condition and so was the tackle. They had been inspected in New York within two months and in Rotterdam under the Dutch regulations. I stopped lowering boats then, because all of the trained men were gone and because it seemed hopeless to try to fight such a sea. There was a 15-foot drop from the boat deck to the water, and it was taking frightful chances to lower boats.

That was not a great distance from the boat to the water; not as much as it would usually be.

Here is an explanation of how some of the other members of the crew were lost, given later in the interview:

The watch below had been at breakfast. The first explosion and rush of flame had caught those poor fellows and burned them to death where they sat or while they were trying to struggle toward the open. They didn't have a chance on earth.

About 15 lifeboats would carry every passenger upon that boat, for the average is about 50 apiece. Suppose you were to adopt this bill, two able seamen to each boat, so that there would be 30 of them for lifeboats, and you were to put in this provision that no one in any other department shall be compelled to be trained in the handling of lifeboats, with 10 for the first boat, 10 for the second boat, 10 for the third boat put down into the sea, none would be left who have any training. So I say, Mr. President——

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER (Mr. THORNTON in the chair). Does the Senator from Ohio yield to the Senator from Utah?

Mr. BURTON. Certainly.

Mr. SUTHERLAND. I am not entirely certain that I understand the statement of the Senator from Ohio with reference to the provision that seamen serving in one department of a vessel shall not be required to do duty in another department. My own understanding of that language would be that an engineer, for example, could not be compelled to do duty upon deck, and a fireman could not be compelled to act as a steward; but does the Senator think it means that the captain of a ship could not compel the entire crew to undergo such drills as might be necessary to enable them in time of need to maneuver the vessel or to save life? In this connection I call the Senator's attention to the language which follows:

But these provisions—

Meaning all the provisions that precede—

but these provisions shall not limit either the authority of the master or other officer or the obedience of the seamen when, in the judgment of the master or other officer, all the sailors or all the firemen or the whole crew is needed for the maneuvering of the vessel or the performance of work necessary for the safety of the vessel or her cargo or for the saving of life aboard other vessels in jeopardy.

That would seem to do away with the provision in the cases which are mentioned, and whenever any occasion should arise for the maneuvering of the vessel by the entire crew the captain could command the services of all, no matter in what department they are engaged. If he thinks it is necessary for the safety of the vessel or her cargo or to save life on board another vessel he can command the services of the entire crew, no matter in what department they are employed. That being so, does it not necessarily follow that it would be in the power of the captain to compel men to submit to such drill and instructions as would be necessary to enable them to perform that duty in case of need?

Mr. BURTON. No; because this refers distinctly to the condition of an emergency, maneuvering the vessel, or performing work necessary for the safety of the vessel; that is, he can call them out in time of emergency, in the case of a storm, when the vessel itself is in danger or when another vessel is in danger, for the saving of life on another boat, but when it comes to training them for that work you have here a provision that the lifeboats shall have two able seamen.

Mr. SUTHERLAND. It does not say there shall not be any others except that. That, it occurs to me, is a minimum provision.

Mr. BURTON. There would be the right to call on the other sailors or deck hands besides the two for each lifeboat, but not those in another department.

Mr. SUTHERLAND. I am trying to get at the Senator's view of it. The distinct language of the provision is, if I may paraphrase it a bit, that when, in the judgment of the master or other officer, all the sailors or the whole crew are needed for this specific purpose their service may be required.

Mr. BURTON. It is not when all the sailors or all the firemen or the whole crew are needed, but it is all the sailors or all the firemen. That does not refer to the training that precedes. It is not an easy thing to drill a seaman so that he will be thoroughly adept in an emergency; it takes a good deal of time.

Mr. SUTHERLAND. My question is this: I think the Senator agrees with the suggestion which I make as to the construction of the language to the effect that in the cases of need specified here the entire crew can be called upon to render these services irrespective of the department in which they may be employed. But the Senator seems to think that while in a case of need that may be done, the captain is powerless to instruct the entire crew so as to enable them to render that service.

Mr. BURTON. Yes; and in the bill which was framed by the Senate committee last winter a provision for compulsory lifeboat drills in port was most strenuously resisted by the advocates of the La Follette substitute.

Mr. SUTHERLAND. Of course I know nothing about that.

Mr. BURTON. It is on the general theory that each department should be as far as possible separate, and that there should be sailors enough to take charge of the boats or anything pertaining to the navigation of the vessel. It is on that general theory. It is perfectly clear what the theory is.

Mr. SUTHERLAND. The query in my mind was this: The provision is that seamen serving in one department shall not be required to do duty in another department—that they shall not be interchanged. I am not certain about my own construction of it, but I submit it to the Senator. It seems to me that that would mean that the seaman in one department could not be called upon to do ordinary duty in another department.

Mr. BURTON. That is, in the ordinary course of things?

Mr. SUTHERLAND. In the ordinary course of things. But that language standing alone, as it seems to me, would certainly not prevent the training of these men to respond to this supreme call whenever it came to save life, to save the ship. I can see nothing in the language——

Mr. BURTON. Certainly it means that they shall not be required to do duty in another department, and the whole object of the bill is to separate the sailing department from all the rest. What is the objection, if that be true, to putting in stewards or engineers or firemen to take charge of these boats if they show superior competency? Does it not logically come to that?

Mr. SUTHERLAND. As I understand the language it would include those. It says either sailors or firemen or the whole crew. The whole crew certainly includes the stewards and everyone else.

Mr. BURTON. Why is the provision so carefully set forth over here in section 12 on page 16?—

unless she shall have sufficient crew to man each lifeboat with not less than two men of the rating of able seamen or higher.

Why does it not say men who are competent, in whatever department they are found?

Mr. SUTHERLAND. I am not discussing that particular feature of it. It does not seem to me to bear upon the question I submitted to the Senator.

Mr. BURTON. They are very closely coupled.

Mr. SUTHERLAND. As it occurs to me, the reason for a provision of that kind would be that then you would have a definite standard by which these men are to be tested. When you say that you shall have a man of sufficient skill you have left the standard open to somebody's discretion, to somebody's judgment; but when you say that he shall be an able seaman then you have a definite requirement. He must be a man who has served three years upon the sea or upon the Great Lakes, and he must be not less than 19 years of age. Then you have a definite standard established; but when you say that a man shall be of sufficient skill you have an indefinite provision. That is the way it occurs to me. But I come back to the other proposition——

Mr. BURTON. I should like very much to continue, but if the Senator desires to ask any further question I will yield. I have already, it seems to me, given my views clearly on that subject. If the Senator desires to ask any further question, I will yield for that purpose.

Mr. SUTHERLAND. The only further question I was going to submit to the Senator was whether under this language of the first section that seamen serving in one department shall not be required to perform duty in another department there is anything affirmative which would prevent the training of all the crew to respond to this call in the case of a supreme emergency?

Mr. BURTON. In an emergency of that kind, of course he can call them all out.

Mr. SUTHERLAND. Is there anything in the bill which would prevent their being instructed or trained so as to be able to meet that emergency?

Mr. BURTON. It points——

Mr. SUTHERLAND. If the Senator will bear with me for just a moment, in other words, the training of a steward to assist in the handling of a lifeboat would not be to employ him in a separate department. It would be to train him for a special service in case of emergency.

Mr. BURTON. I beg pardon. What did the Senator say just at the close?

Mr. SUTHERLAND. I say to compel a steward, for example, in connection with other members of the crew to engage in work for the purpose of training him in the handling of a lifeboat and to go into drills would not be to employ him in another department, but it would be to fit him to perform a duty which under the law he should be compelled to perform.

Mr. BURTON. The provisions is that there shall be a number of able seamen upon each boat, and the whole theory of the bill is to divide up the different duties. For instance, there has been much controversy about allowing or compelling sailors to assist in unloading at ports. Where a boat goes to an out-of-the-way port, query, can you ask the sailor to do anything in the way of unloading? That is what is behind this whole class of legislation for restricting work to one department. It has its merits in many cases; but I say the men who are in the engineer's department and the firemen and in the steward's department ought to be required to take the drill.

In this connection I wish to say that the drill should be as well in port as out at sea. Neither can be sufficient without the other. Seamen generally are very bitterly opposed to the requirement of drill in port, and, generally speaking, vessel owners do not want any drill out at sea.

Mr. BRADLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Kentucky?

Mr. BURTON. I do.

Mr. BRADLEY. I should like to ask the Senator a question. As I understand the language of the bill, it prohibits the employment of seamen in different departments. Now, if you take the seamen in all the departments and undertake to drill them and require them in the act of drilling to perform duties in the department to which they belong, does not that section of the bill prevent the drilling of the seamen?

Mr. BURTON. Clearly.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Nebraska?

Mr. BURTON. I do.

Mr. NORRIS. On that particular point I should like to have the Senator state wherein the bill reported by the committee is any different from the substitute as far as the training of the seamen is concerned.

Mr. BURTON. That is not in the bill as reported by the committee as I recall it.

Mr. NORRIS. No; this is the language:

And seamen serving in one department of a vessel shall not be required to do duty in another department.

That is in the substitute but not in the committee bill.

Mr. BURTON. It is not in the committee bill.

Mr. NORRIS. The question I ask is wherein is there any difference in the two bills as far as the training of the crew is concerned?

Mr. BURTON. Because under the bill as reported by the committee there would be absolute liberty and authority to call on a man and to train a man for any service connected with the management of the boat, the safety of life, or anything of that kind, while this inserts a prohibition on that and divides the crew into different departments.

Mr. NORRIS. Does the Senator believe that this language would prohibit, for instance, the master from requiring a fireman, let us say, to train in the management and the lowering of a lifeboat?

Mr. BURTON. Most decidedly; that is, he could not be required to do it. It does not go so far as to prevent him from volunteering to do it if he wants to.

Mr. NORRIS. Then the Senator would really construe this language, it seems to me, so as to nullify it. Now, the language following says:

But these provisions—

That is, the one I have just read and others—

but these provisions shall not limit either the authority of the master or other officer or the obedience of the seamen when, in the judgment of the master or other officer, all the sailors or all the firemen or the whole crew is needed for the maneuvering of the vessel or the performance of work necessary for the safety of the vessel or her cargo or for the saving of life aboard other vessels in jeopardy.

I take it that when in the judgment of the master an emergency has arisen and he calls on these men it is their duty to respond; and if he calls on a fireman to lower a lifeboat, although it is a different department, it is his duty to do it. But the Senator's construction of the bill would mean that the duty

the law itself provides he must perform in case of an emergency he would not be able to perform because he could not drill for it. Does the Senator think that any court would possibly put such a construction on the law?

Mr. BURTON. Certainly. Of course, in time of emergency you can call upon every man in the boat. Indeed, you can call upon passengers as well.

Mr. NORRIS. Exactly.

Mr. BURTON. But you can not under this provision drill him for that purpose.

Mr. NORRIS. It is his duty when called on in an emergency to perform whatever work the master says he shall perform. Would it not follow that it is just as important to train for that duty, if that is his duty, as any other duty in ordinary times?

Mr. BURTON. The point is that he is absolutely not required to do work outside of his particular department.

Mr. NORRIS. Oh, no.

Mr. BURTON. That is, he is not required to serve in any service of that kind except in a case of emergency.

Mr. NORRIS. Exactly; but that duty, when he is called upon to perform it, is a duty just the same as any other work that might be in his own department. The reason why he is to be trained for work in his own department by drill is that he may become more efficient. But here is a case of emergency, where this other duty is made supreme by law itself; and what reason is there why he should not be trained for that duty the same as any other duty?

Mr. BURTON. Because there are two special men who are selected for doing that work.

Mr. NORRIS. I understand that; but the Senator concedes——

Mr. BURTON. They must be two able-bodied seamen, men who have served three years or more.

Mr. NORRIS. The Senator would concede that a man working on deck would be trained or drilled in lowering a boat under this law?

Mr. BURTON. Yes; he might be.

Mr. NORRIS. That is because it is the duty of the man working on deck to lower a boat when called upon. Now, in case of an emergency it becomes the duty of the firemen to lower a boat. Then why can he not be trained in lowering a boat?

Mr. BURTON. Simply because they are not to be required except in the case of that emergency to do anything of that kind.

Mr. NORRIS. He is trained for one, because it is his duty. Then he could be trained for the other which is admitted to be his duty just the same under an emergency.

Mr. BURTON. If the Senator from Nebraska had been through the hearings in this case, he would have found very much opposition. There was a provision in the bill that was stricken out last session when this measure was under consideration. I consented that it be stricken out last winter just because of opposition. I think his judgment would be somewhat modified in regard to it.

Again, I wish to say that, in pursuance of what I have been saying——

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Wisconsin?

Mr. BURTON. Yes.

Mr. LA FOLLETTE. I think the Senator from Ohio creates a wrong impression. What he says may be quite misleading to the Senate respecting the opposition to a provision for drilling in the lifeboat service. I do not understand that any opposition has been made by those representing the seamen to any training of the men or drilling of the men in lifeboat service or any other service, except when it was proposed to make that the test of efficiency or as a substitute for the test of efficiency of able seamen on the vessel. The opposition to lifeboat drill on the part of the seamen has always been limited to making that the test or to substitute that for the standard of efficiency which is recognized by all the countries pretty nearly of the world—that is, three years' service at sea on deck.

I purpose to offer an amendment here—and I will say that it has no opposition from those representing the seamen—requiring, under the directions of the Secretary of Commerce, the framing of rules and regulations for lifeboat drill and for fire drill and for the assigning of passengers when they are booked for the sea to certain lifeboats, so that they may understand where they are to go.

The struggle regarding this provision for drilling has always been against having that take the place of a requirement that a certain number of trained seamen shall be employed upon every vessel before they depart from one of our ports. The lifeboat drill which is provided in the bill as reported might be had in the harbor, and men who never had been at sea at all might be so trained that they could make under most favorable circumstances, in a quiet sea and with a vessel at rest, such a showing with respect to swinging out a lifeboat and lowering it, and all that, as to equip themselves under the provisions of the bill as reported to be efficient lifeboat men, because that is all that is required. They are not required to have any knowledge of the sea itself. The opposition to that provision has always been upon the ground that it was proposed to substitute it for a standard of efficiency; in other words, it is against the shipping of green men, expecting to train them and give them the preliminary training in the harbor so that they could pass the inspection and be shipped as efficient lifeboat men, and then get the balance of their training at sea in lowering and manning lifeboats.

Mr. BURTON. I will ask the Senator from Wisconsin if he is willing to have put in here a provision for a drill of all the seamen on board for lifeboats?

Mr. LA FOLLETTE. I will read a rough draft of an amendment which I have framed.

Mr. BURTON. And, second, I want to ask him if he is willing that there shall be an examination by inspectors to see who are the most competent of those who engage in that drill and who are best able to handle lifeboats?

Mr. LA FOLLETTE. I am not willing, Mr. President, to have anything substituted in this bill for the standard of able seamen.

Mr. BURTON. In other words, it is insisted that three years shall be the standard and the only standard. The men may be fourfold more agile——

Mr. LA FOLLETTE. I beg the Senator's pardon; that is not so, because the substitute requires not only that, but starting in on section 12, page 23, with the provision as to lifeboats, line 6——

Mr. BURTON. What is the page, once again?

Mr. LA FOLLETTE. Page 23 of the copy where both bills are printed together.

Mr. BURTON. That is, the print with the caps?

Mr. LA FOLLETTE. Yes, sir. I think perhaps I had better read it from line 18, on page 22.

Mr. BURTON. Very good.

Mr. LA FOLLETTE (reading):

Nor unless 40 per cent in the first year, 45 per cent in the second year, 50 per cent in the third year, 55 per cent in the fourth year after the passage of this act, and thereafter 65 per cent of her deck crew, exclusive of licensed officers, are of a rating not less than able seaman: *Provided*, That no vessel carrying passengers, except those navigating rivers and harbors exclusively, shall be permitted to depart from any port of the United States unless she is provided and equipped with a sufficient number of seaworthy lifeboats to carry the transport at one time every passenger and every member of the crew licensed to be carried on board such vessel and unless she shall have a sufficient crew to man each lifeboat with not less than two men of the rating of able seaman or higher who shall be drilled in the handling and lowering of lifeboats under rules and regulations to be prescribed by the Board of Supervising Inspectors with the approval of the Secretary of Commerce.

Mr. BURTON. What is your amendment?

Mr. LA FOLLETTE. I am not prepared to offer it at this time, because I will modify it.

Mr. BURTON. What is the substance of it?

Mr. LA FOLLETTE. After the word "Commerce," on line 13, page 16, insert:

Provided further, That the Board of Supervising Inspectors be, and are hereby, authorized and directed to prescribe rules and regulations, to be approved by the Secretary of Commerce, to provide, in harbor and at sea, for lifeboat drill and fire drill to be held for the training of the crew in fighting fire, in abandoning the vessel, and in caring for the passengers, and to provide for the assignment of each passenger to a particular place in the lifeboats, said assignment to be made at the time the person is taken aboard the vessel as a passenger, who shall thereupon be informed of such assignment. Every failure to comply with the rules and regulations authorized by this proviso shall, upon conviction, subject the master or the vessel to a fine of not less than $50 nor more than $200. The provisions herein with respect to lifeboat drill, fire drill, in training the crew in fighting fire, and in abandoning the vessel, in so far as the same relates to such drill at sea, shall not apply to vessels of foreign nations. But as to foreign vessels at sea said board shall deliver to the master of every such vessel departing from a port of the United States a copy of said rules and regulations, together with a recommendation that the master of such foreign vessel comply with such rules and regulations at sea.

Mr. BURTON. I take it, Mr. President, that under our existing laws the supervising inspectors have ample power to require boat drills and fire drills as well. There is certainly no objection, though, to putting that in statutory form. I am not sure but that it would help.

Mr. LA FOLLETTE. And to making it obligatory upon them to enforce such regulations.

Mr. BURTON. That is, upon the master?

Mr. LA FOLLETTE. Certainly, upon the master; and not only authorize but to direct the promulgation of these rules.

Mr. BURTON. I should like to examine the section, perhaps, before it is decided; but at present I see no objection to that.

Mr. LA FOLLETTE. I will say to the Senator that I will perfect this and offer it later.

Mr. BURTON. The supervising inspectors last winter raised the question as to who should supervise and direct those drills. The officers of the service stated that it would be impracticable for them to take that up on any large scale because it would require so much of their time as to require additional officers and that in the first instance it should be left to the master, but with their right to make regulations and to supervise. But, Mr. President, here you are trying to fix an absolutely artificial standard. No man, except a man who has served three years on deck at sea, can fulfill this requirement. There may be an engineer fourfold more competent, there may be a fireman who is much more competent, but you must have two of these deck hands for every boat. Take such a boat as that of which I gave the illustration of yesterday as a good one to begin with—the *Imperator*. It would require carrying 120 extra able seamen just to comply with this provision. Take a number of our lake boats, take the boats on the Fall River Line, take the boats that ply along on the Atlantic coast, and you are imposing here a regulation under which you compel them to take a large number of extra and unnecessary men. No examination is required; there is no standard as to competency. If a man has served three years, you can accept him; but you can not put anyone else in, no matter how much more competent he may be. If there is any one thing that developed from the *Titanic* inquiry it was that some of the men who had served longest were least alert and least competent.

Mr. LA FOLLETTE. Now, Mr. President, will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Wisconsin?

Mr. BURTON. Certainly.

Mr. LA FOLLETTE. The Senator from Ohio can not find in this provision a line or a word that prevents the putting into one of these lifeboats of as many competent men as the vessel can carry. It simply does provide and does require that at least two able seamen shall be provided for every lifeboat.

Mr. BURTON. Yes, Mr. President, and with the great capacity of modern steamships in the trans-Atlantic and trans-Pacific trade, and with that on the Lakes and on our other waters, this would require them to double and to treble, and sometimes to even quadruple, the number of seamen when they have already in the crew men who are just as competent to do this work. Not long ago the stewards of the St. Louis formed a little boat club; they challenged all comers; and in the competition they beat everyone that came along. They were athletes, as a good many of these stewards are, some being excellent football players.

Mr. LA FOLLETTE. They would not be barred under the provisions of this proposed substitute or of the bill as reported from being assigned to these lifeboats and from operating them and assisting in their operation.

Mr. BURTON. According to the Senator's theory, they would not be barred from being assigned in time of emergency or in a subordinate position, but they would be barred from filling this requirement of two for each lifeboat. They might be the most competent men on the boat; they might be the most permanent; they might be the best adapted for the work; but they would have, nevertheless, to go on in a position subordinate to two men who had served three years.

Mr. LA FOLLETTE. There is no reason why those men under the terms of this bill could not be assigned to the lowering of a lifeboat—one of them assigned to the bow and the other assigned to the stern. This requirement is simply that there shall be a sufficient number of able seamen, so that there can at least be two assigned to each lifeboat, but the position that they shall take in the lifeboat, or as to whether they shall be put in a subordinate position in the lifeboat, does not appear in the bill and is not dealt with at all. It would be entirely within the control of the master of the vessel to so place the men that he would get, and the passengers would get, the very best service out of each lifeboat.

Mr. BURTON. That necessarily would arise. You have prescribed by law that there shall be two able seamen. What have you done that for? It is on the theory that they are the best men for the work, that they are the men who should have charge of the boat, and that nobody else has equal competency with them.

There are several other features in regard to this subject to which I desire to advert. In the first place, to repeat in part, on any boat with a large passenger list, it requires a number of able seamen, far in excess of the whole number of seamen required on the boat for the ordinary work of navigation. It would bear down with especial weight on many of the boats on inland waters and on the Lakes.

In the next place, it has been shown by actual trial that the stewards in most instances measure up, and in many instances are superior, to the sailor men in their facility with oars. There is no better illustration of this than the one I gave yesterday. I do not know but that there were some sailors put in by the captain of the *Grosser Kurfurst*, but men selected were from the steward's department, the coal passers, and the firemen, who went out at the very beginning, and who were the first to save lives, 21 in number, off that boat. When the captain had the selection of the men, he selected the best men he had. Now, it is stated in this bill, no matter how competent they may be, no matter how athletic they may be—and almost always they are more permanent in the boats than are the sailors—many of the stewards on some of the boats have been there from 10 to 12 years, and have pride in their association with the boats; while the average trip of a sailor is not more than about a year; he changes——

Mr. NORRIS. They may be able seamen.

Mr. BURTON. Oh, no. The Senator from Wisconsin [Mr. LA FOLLETTE], I think, inadvertently made a statement here yesterday that was open to this construction. He stated that they were available as boatmen when they had been three years on the sea; but he says there shall not be less than two men of the rating of "able seamen" or higher. Those must be men who have been on the deck, in the deck service.

I have here some figures showing the number of men in a few boats—the deck service and others. Take, for instance, the American ship, the *Siberia*. She has in the deck department 45, including the first officer; in all, 50. In the engineers' department she has 138; in the stewards' department, 96. You see that is the way they run. Here is a Japanese boat, the *Tenyo Maru*, that has in the deck department 53, including the officers; in the engineers' department, 65—the proportion is somewhat less there—in the stewards' department, called here the pursers' department, 120.

Then I have the figures on the German steamer, the *Kaiser Wilhelm der Grosse*, and there there are in the deck department, including all of the sailors and all of the officers, 53; in the engineers' department—they are given separately here—they number 179. Then the pursers' department on that boat is counted differently, including the cooks, etc., and of those there are 25; in the stewards' department there are 191.

So you see, according to that, the deck force is altogether the smallest, and, with the number of passengers they carry, the whole deck force would not be sufficient to man the boats.

Mr. SUTHERLAND. Mr. President, can the Senator from Ohio tell us how many lifeboats there are carried on the *Siberia*, or what would be the full complement of lifeboats?

Mr. BURTON. It is not stated here. I should fancy that the full number—I do not know, but the Senator from Utah knows better than I how large a passenger list that boat carries if she goes from the Pacific coast—I should fancy that there would be about 40 lifeboats.

Mr. SUTHERLAND. The Senator may be right, but I should think not, because on the ship that was lost last year, the White Star liner, the *Titanic*, the full complement of lifeboats was only 34 on that great ship, as I understand.

Mr. BURTON. Well, but she did not have nearly enough.

Mr. LA FOLLETTE. Her full complement, however, would have only been 34.

Mr. SUTHERLAND. If she had had a sufficient number for every soul on board, she would only have had 34.

Mr. BURTON. Not quite. She at times would certainly have more than 2,000, including the steerage and all. She carries about 700 first-class passengers.

Mr. SUTHERLAND. Something over 2,200 altogether.

Mr. LA FOLLETTE. She had on board, if the Senator will permit me, 2,201 people at the time of the disaster.

Mr. BURTON. Yes; but that was on her first trip.

Mr. LA FOLLETTE. That was with a crew of 885. Thirty-four lifeboats would have carried everybody, and under the substitute bill it would have required 68 sailors to man them.

Mr. BURTON. Let me call attention to another matter. Sixty to a lifeboat, I think, are too many.

Mr. SUTHERLAND. Of course, it depends on the size of the lifeboat.

Mr. BURTON. I can tell what this bill will result in. There is a recent report here—if I have time I may possibly read from it, but at this moment I can not put my hands upon it—in which the largest-sized lifeboat is condemned and lifeboats which carry about 50, or from 30 to 60, are preferred. The result of this would be that large and perhaps unwieldy lifeboats would be placed upon the ships, and that is a point to be considered in regard to any legislation of this kind.

A lifeboat—what is it? There are lifeboats and lifeboats. There is one type, known as the Lundin, a collapsible, which carries 75 people on a length of 28 feet. The Englehardt carries about 54. The lifeboats which are used on the Lakes carry only about 18 to 20. That is the size most adapted to them. How are you going to harmonize any such regulation as this with all those different sizes of lifeboats?

Mr. LEWIS. Mr. President, may I ask the Senator from Ohio, who lives, as I do, upon the Lakes, have we not a regulation or law under which a department of our Government can pass upon the question as to what will conform with the requirements?

Mr. BURTON. Yes; if the Senator from Illinois will remind me of that later. I want to dwell on that somewhat fully, and I may reach it very soon.

Mr. LEWIS. I felt that that removed the embarrassment to which the Senator has adverted.

Mr. BURTON. See right here the indefiniteness of this provision. If a lifeboat carries 20 people, each must have two able seamen; if it carries the maximum capacity, which is between 70 and 80, then the requirement is the same. Each must also have two able seamen.

There is one other provision here that I do not altogether like to talk against, because it seems so reasonable, which has been put into this bill for the first time, one which has been in no preceding bill and which, if it were generally known, would raise an outcry that would certainly come in very strong language to the Senate. I refer to the following provision:

Provided, That no vessel carrying passengers, except those navigating rivers and harbors exclusively, shall be permitted to depart from any port of the United States unless she is provided and equipped with a sufficient number of seaworthy lifeboats to carry and transport at one time every passenger and every member of the crew licensed to be carried on board such vessel.

That is absolutely new. Mr. President, that would put many excursion boats out of business. I do not know but that it would be best to have them stay in port at New York on the hot days and not go out to Coney Island; but they could not comply with that requirement. Excursion boats run from Boston and on the inland waters from Detroit and Sandusky. Why could they not comply with that requirement? The supervising inspectors have, as suggested by the Senator from Illinois [Mr. LEWIS], very carefully considered that matter. They have allowed, to a certain extent, rafts to be substituted where the vessels operate near land. They say this: "Take a great excursion boat with, say, 2,000 people on her. If a panic should arise, a lifeboat would not do any good. The passengers would rush over to the boats and trample upon each other. The only recourses in that case are another boat coming alongside or life preservers." It is a pretty bad alternative, I am frank to say, and I do not like to stand up here and criticize a provision of that kind, because, abstractly, at first sight it seems right; but the inspectors and others who have examined into the question have greatly modified the requirements for long-distance voyages in this respect. They have relieved excursion boats from this provision. Where a boat sails in shallow waters, where her hull would not be submerged in case she sank, they have substituted for lifeboats other appliances for saving life, such as rafts. If you are going to go this far with all boats outside of harbors and rivers, I do not see why you should not include the rivers and the harbors as well.

According to the statistics in the Statistical Abstract the number of lives lost on the rivers is about as great, notwithstanding the traffic is immeasurably less, as it is on the Lakes. The worst disaster in the history of American vessels was the one which befell the *General Slocum*. And where did it happen? In a river and in a harbor both. So, under the provisions of the proposed substitute, it would cut out excursion boats. Suppose a ship rounds a headland; if she keeps near to land, is she in any worse position than coming down in the deep portion of the Hudson River?

All this goes to show how impracticable it is to pass a bill of this kind, made up of generalities. There is an infinite diversity in our ships—in size, in propulsive power, in the distance they go, in the number of passengers they carry, and whether they go by day or by night. I want to say if there is anyone who thinks he can frame a general law that will cover all these cases, I should certainly salute him as a person of the very greatest and highest degree of wisdom. I do not believe it can be done. I do not believe you can frame satisfactory or fair general provisions as to the number of lifeboats. I do not believe you can frame provisions requiring able seamen to take care of lifeboats that will not be utterly impracticable.

In this connection, Mr. President, if this bill were to pass, the requirement that 40 per cent of the deck crew the first year must be able seamen is, on most of the passenger boats, a bagatelle in comparison with the requirement that there shall be two able seamen for each lifeboat. Complaint enough is made of the first provision, but the requirement of two able seamen for each lifeboat would so strain the demands for able seamen that you could not find them in the country.

People sometimes say we delay passing bills. Well, we had an illustration last winter. I favored the manning bill, then under consideration. That applied to about 300 boats, whereas this bill would apply to about 3,000. I most cordially favored the requirement for an additional mate, making three mates on one class of boats, and two mates on another. Well, the vessel owners wanted to obtain under that bill about 250 extra mates, but they have not gotten them up to this time. There are probably some two hundred boats and tugs which have been or are amenable to fine because they have not complied with that law. The law was passed to take effect immediately. They could not, however, find the men. Representatives of the union and of the vessel owners got together and talked the matter over amicably. Both recognized the situation, and, as I am informed by a man who was present—and I believe the Senator from Florida [Mr. FLETCHER] was present at one of those conferences—the question was asked by the owners of the ships, "How much do you want for those mates? What wages?" "Seventy dollars a month." "All right." One owner said, "We will take 20"; another said this number and another said that number, but hardly a man could be furnished to go into the service. We passed that bill with the best of intentions. I joined in reporting it. It provided that on a tug there should be an extra mate, but on Long Island Sound and everywhere else where they are searching for them they can hardly find a man who will go on as mate. He does not like the job.

If that is true in regard to that bill, which only required 250 additional men, what will be true in regard to this bill, when heretofore there has not been any such classification as "able seaman"? It has never existed; but, like a bolt out of the clear sky, you propose to create it now, and within 90 days compel every boat to have all this equipment.

Mr. President and Senators, it would be absolutely impossible. There is not a requirement in regard to manning boats by able seamen in any country of the world, except Australia. They have the grade of able seamen in England and Norway, in France and in Germany, but they do not make a requirement that a certain proportion of the crew shall be able seamen. In Australia they do in the coastwise trade; but if a boat comes from England or from Hongkong, they do not compel her to be manned with able seamen in this way; they leave her alone. There are conflicting reports about the result; one is that it has greatly increased the cost of operation.

I desire to return a moment to the idea of three years' service being necessary to constitute an able seaman. Oftentimes the young fellow who has been in the service six months or three months shows far greater facility than the man who has been in the service for three years. A man who has served three years on the deck of a boat can apply to be a mate; and those who are most progressive and able take the examination for mate.

In some parts of the country, particularly on the Great Lakes, during the years when the shipping has been increasing so rapidly, almost anyone of ability who has served three years can get a license as mate or first assistant engineer, and be appointed; indeed, under the regulations, a man does not have to serve three years, the time required to become a boatman under the substitute bill, to get a mate's certificate on rivers and inland waters; after two years a man may go to the inspectors and take the examination for mate; but here you are putting in this impracticable and unreasonable requirement that on every boat that crosses the ocean, on every boat that goes outside of a river or harbor, there shall be two able seamen of three years' service on every lifeboat. No matter how competent a man of less service may be, he is to be turned down. You say to them, "You do not fill the bill; we will have some one who has been at sea three years."

What is the fair test? Examine these men as to their skill—stewards, firemen, whatever they may be. This country does not think favorably of a limitation of time. What it regards is capacity and ability. I think I would myself favor a certain amount of time at sea. I do not believe in bringing in a harbor rat, letting him take the examination, and go right out as a boat hand. I believe a "harbor rat" means a man who sticks close to the harbor and never goes to sea. But to say that a man has got to serve three years, and then prescribe no other

qualification, except to direct that he shall be drilled, is not only unreasonable, but it is fraught with danger.

One other point I wish to make about this matter of lifeboats. That provision will have to be examined with a good deal of care. We can not afford——

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER (Mr. THOMAS in the chair). Does the Senator from Ohio yield to the Senator from Iowa?

Mr. BURTON. Yes.

Mr. CUMMINS. The Senator from Ohio has said several times that certain things in this bill ought to be examined with a great deal of care—examined by whom?

Mr. BURTON. Examined by a legislative committee in connection with men who are expert in the handling of nautical affairs, ships, and so forth.

Mr. CUMMINS. Has not that been in progress for 15 or 20 years?

Mr. BURTON. Well, I do not know about that. The committee last winter tried to bring before them the officers of the Government who have to do with nautical affairs; and in the bill which we framed last winter we sought, so far as possible, to follow their suggestions.

Mr. CUMMINS. What I really want to know is, has not this matter been under agitation, under discussion, and under consideration for 15 or 20 years or more?

Mr. BURTON. Just what was desired has assumed a different form every few years. As I said this morning, this so-called seamen's bill contained nothing about lifeboats or lifeboat hands until 1912, after the *Titanic* disaster.

Mr. CUMMINS. It seems to me the time has come to do something. We ought to make some progress. If we have had the subject under consideration for nearly a quarter of a century, somebody ought to have a rather definite and intelligent notion of what should be done. But that really is not what I rose to ask the Senator from Ohio.

Mr. BURTON. Just one minute. I want to say, as I said the other day, that the great difficulty in this legislation has been the antagonism between the two elements, both of them making unusual demands. I wish they could be placed in a room as a jury is and told: "You will stay there until you come to some agreement." I do not suppose, however, that they would reach any agreement even then.

Mr. CUMMINS. The chief difficulty, I presume, has been that it would cost the shipowners something, and they do not want to pay the additional cost. That is the real difficulty.

Mr. BURTON. With unanimous voice they deny that.

Mr. CUMMINS. But just see what the Senator said a few moments ago about the bill that was passed last winter, and the inability of certain shipowners to secure the third mate. They would have no difficulty in securing him if they would pay him sufficient wages, would they?

Mr. BURTON. Oh, by no means.

Mr. CUMMINS. Then it is a mere matter of whether or not they are willing to pay enough to him.

Mr. BURTON. That was what I tried to make clear. They could not get him at all. There are three associations. I think I have here a minute of the associations. The matter attracted so much notice that an official went over from Washington. There is the Association of Masters, Mates, and Pilots of New York; there is the American Merchant Marine Association, which includes a few engineers, and is located at Boston; and there is the so-called Neptune Association of New York. The first and third simply expressed their inability to furnish the men.

The men who were the owners of ships said to them: "State a price you ought to have." When that price was stated, they said, "We would like a considerable number of men at that figure"; but they could not get them. You can hardly get them to go on these tugs at all.

Mr. CUMMINS. I should think not, at fifty or sixty or seventy dollars a month.

Mr. BURTON. Seventy dollars a month was the figure.

Mr. CUMMINS. I should not think that would be very attractive.

What I really rose to ask the Senator from Ohio, purely as a matter of information, was this, if I may premise it by a word or two——

Mr. BURTON. Certainly.

Mr. CUMMINS. The whole course of the argument of the Senator from Ohio has been to indicate that what is known as the seaman, the able-bodied or able seaman, is not much of a fellow.

Mr. BURTON. Oh, I would not say that.

Mr. CUMMINS. That he is to perform mainly menial work, and that the highest and most important duty relating to these emergencies that sometimes come ought to be performed, and probably can be better performed, by somebody else than the able seaman.

I do not know, but I should like to ask the Senator from Ohio, what is the rank of the various employees on a ship? Does a waiter rank higher and get more pay than an able seaman?

Mr. BURTON. I am unable to give the figures in regard to that. I should be more familiar with the trans-Atlantic liners. I should say that the compensation of the stewards, as they are called, would be considerably more than that of the sailors; but it is contingent upon the so-called fees or tips, which are very well established as to amount. The old practice was that at the end of the voyage every occupant of a berth on an ocean steamer must give 10 shillings, or $2.50, to his steward, and that he must give the same amount to the waiter at his table.

Mr. CUMMINS. That is not one of the regulations of the law, however?

Mr. BURTON. No; but it is one of the expenses that everybody pays.

Mr. CUMMINS. But excluding that, which I take it is a mere gratuity and is intended generally to secure a service that will not be rendered without a bribe, what is the compensation of a waiter as compared with the compensation of an able seaman?

Mr. BURTON. Really, I am not able to state about that.

Mr. CUMMINS. What is the relative rank or dignity or compensation of an able seaman as compared with a coal passer?

Mr. BURTON. I do not think there is any invidious distinction or comparison between the two. I think the coal passer would have higher wages and shorter hours. It is utterly unsatisfactory to study those figures, because they differ so widely in different parts of the world. I have some figures here, somewhere, on that subject.

Mr. CUMMINS. But if we can not compare them by compensation, how do they rank in what might be called the dignity of the service or the labor?

Mr. BURTON. Oh, I think they go to work usually very good-naturedly, without any ideas about dignity or rank or anything of that kind.

Mr. CUMMINS. I do not mean that. How does the world look upon them in estimating the value and importance of the different kinds of labor which they perform?

Mr. BURTON. The fact is that the sailor is seeking promotion. He is hardly ever satisfied with the position of sailor.

Mr. CUMMINS. That is a very happy condition of mind, I am sure.

Mr. BURTON. That is especially true in our own country. The steward is far more permanent on the boat and has a variety of duties to perform which, while some of them are entirely menial, involve a greater degree of familiarity, I should say, with a larger number of subjects. That does not mean that the steward is a better man; but the passengers give him little commissions to perform, and he has the confidence of the passengers who are with him in a way that makes the place an agreeable one—especially agreeable if the passenger gives him a pretty good-sized tip when he is through with the journey.

Mr. CUMMINS. Then the Senator from Ohio is unable to say whether the able seaman, if he has had a successful experience of three years, is of more importance to the boat, does a more valuable and higher grade of work on the boat, and is ordinarily a man of higher intelligence than the waiter?

Mr. BURTON. I do not wish to place any estimate on the relative positions of the two. I must say they are both men who are performing an exceedingly valuable service; they are both men who, in time of stress, would very likely prove very efficient, and even heroic.

Mr. CUMMINS. I do not wish to disparage either; but we all know that there are ranks in labor, although we respect the men without discrimination. There are some kinds of labor that require more experience and more training and more thought, if you please, than other kinds of labor; and according to the law of the world those men receive a higher compensation. They are usually the men who have the ambition, as just suggested by the Senator from Ohio, to reach up and occupy still more important places in the world. I have always thought the able seamen, as we call them, were of the higher rank, because the work they did and the work they might be called upon to do was more important, more vital to the service in which they were employed, than some other kinds of work in the same service.

Mr. BURTON. You can not very well compare them with any other service. Of course, those who have responsibilities as lookouts or as wheelsmen occupy most responsible positions; in fact, the boats could not be navigated without them.

Mr. CUMMINS. Those places are filled not from the ranks of the waiters but from the ranks of the seamen, are they not?

Mr. BURTON. Certainly. The fact that men have that chance for promotion is what draws sailors to the Lakes or to the sea from our country to-day. If it were not for that I think it would be found exceedingly difficult to fill their ranks.

Mr. CUMMINS. I have no doubt of that. That is true of a great many fields of human endeavor. If there were not opportunities beyond or above, they would be very difficult to fill. But the Senator from Ohio, as I understand, agreed with the committee which reported the bill; and I find that in the bill there is a recognition of "able seamen."

Mr. BURTON. That is, the grade is created, which I think ought to be done.

Mr. CUMMINS. That must be upon the hypothesis that it is a grade that carries with it some dignity and some capacity. It must be upon the theory that after three years of experience those who are able to survive that experience will be better fitted to meet the perils of the sea than the man with one year, or less than one year, of experience.

I can not quite understand the opposition to this bill, which is based upon the notion that in the long run we will find greater ability among other employees of the ship than among the able seamen. It seems to me we will be more likely to find men of capacity and of courage and of knowledge among the men who have served three years upon the deck than among those in any other part of the crew.

Mr. BURTON. Of course a man selecting a crew would naturally prefer a man who had served three years to one who had served only one year. There must be some degree of superiority, presumably; and if the same man has served three years, he is better than when he had served only one year. But the point is that the duties to be performed are not of a kind that require long training or experience. They are of a very simple nature.

Mr. CUMMINS. Then why has the committee proposed the creation of that rank? If there is really nothing in it, if it is a sort of menial work, such as polishing brasses and scrubbing floors, and that is about the end of it, why should we give it dignity by describing it as the rank or degree of able seaman?

Mr. BURTON. Because, as I have already said, there is a certain presumption that a man who has served three years is better than a man who has served one year. As a second reason, that grade has been established in other countries, and it is a designation which is quite familiar over the world.

Mr. President, I have here a great deal more material that I want to go over. I wish to return for a few moments to a subject from which I departed for a long while, namely, the precautions that should be taken.

I have already considered construction of hulls, fire, and lifeboat equipment. There are a number of other things which should be taken up.

First, in trans-Atlantic travel, there is the matter of ice patrol, in which we have made great progress in the last few years. In the year 1912 two cruisers, the *Birmingham* and the *Salem*, were sent out to watch for icebergs. They were equipped with the best of wireless apparatus, and sent the news all around on the Atlantic lanes. In this year, 1913, revenue cutters were sent out to watch for the movement of icebergs, and performed the same duty. It is very desirable that the expense of maintaining this service in the respective zones should be a matter of international agreement. It is too much to ask of any one nation that it pay the bill. On the other hand, it is absolutely necessary that all who take part in the service should thoroughly cooperate, under well-established regulations.

In the same line I might mention derelicts. The figures that are given on this subject in some recent reports are surprising—the number of derelicts that have been abandoned in the track of ships in the Atlantic Ocean. We have also for quite a number of years furnished a vessel for the destruction of derelicts. If a boat is going at a high rate of speed, 20 knots or more, and hits head-on an abandoned vessel, which may be so submerged that the lookout can not see it, there is danger of serious accident.

It is very desirable that modern boats should be equipped with twin screws—some of them are already equipped even with triple screws—so that in case of the failure of one the vessel may, nevertheless, go on its way. There are some boats which have done most excellent service for many years with a single screw. For instance, the *Umbria*, of the Cunard Line, which was one of the two best boats for some years, being built about 1884, continued in service as a single-screw steamer for nearly, if not quite, 25 years, I think, and performed excellent service without accident. But if there should be a breakdown, such a boat would be left helpless in mid-ocean, and in case of storm would be tossed about very seriously.

Some days ago I made in my remarks a statement with regard to line-carrying projectile guns, and stated that they were required by our own regulations. The object of one of these guns is to throw a line from one boat to another, and then the small line that is cast may pull a larger or stronger line or rope. That class of appliance is especially used in the Life-Saving Service, and it is very desirable that ships at sea should be furnished with it. It appears that the *Carmania* was furnished with such a gun, and came very close to the *Volturno*, but, for reasons which have not yet been fully explained, the line-carrying or projectile gun seems to have been ineffective.

There was a great deal of discussion after the *Titanic* disaster about the utility of searchlights. The question has been very much discussed, and the general opinion is against them, on the ground that they dazzle the eyes; that the lookouts, who otherwise would depend upon their own good eyesight, come to rely on the throwing of illumination by the searchlight, and thereby lose the confidence that they otherwise would possess. However, there are likely to be emergencies in which they would be very useful. In such a case as the *Titanic* disaster, if there had been a searchlight, and it had been brought into use, there probably would have been no disaster.

While I do not care to put up my opinion against that of experts, it seems to me searchlights should be carried—not for constant use, not for general reliance, for descrying objects ahead which should still be left to the lookout, but for those exceptional conditions when it is very dark or when there is a probability that an iceberg or other obstacle is near at hand. That is one of the subjects which certainly should be discussed at the international conference.

It goes without saying that the firing of rockets, except as a signal of distress, should be strictly prohibited.

I notice that the Senator from Wisconsin [Mr. LA FOLLETTE], in his statement yesterday, spoke of Senate bill 136 as having rather insidiously put in a provision for 12 hours' labor. I do not believe he read the bill very carefully. The difference between the Nelson bill and the amendment introduced by him in that regard is that his bill includes under one broad, sweeping provision vessels of more than 100 tons, and says that on such vessels the sailors shall, while at sea, be divided into at least two, and the firemen into at least three, watches. As far as the division of labor of the sailors and the firemen is concerned, the provisions are exactly the same in both.

But the bill as it passed last winter, which was the result of long consideration, contained a proviso to the effect that the section should not apply to vessels whose regular schedules between terminal ports did not exceed 24 hours, nor to vessels of less than 300 gross tons. There are a great many of those smaller boats which you can not well bring under the regulations which pertain to a large boat of 1,000, 2,000, 3,000, 4,000, or 5,000 tons. After examining a number of persons, 300 tons seemed to be the more natural dividing line. But bear in mind that it happens that the limit in both bills is the same, 12 hours, and there is a proviso that in vessels under 30 tons, or for a run of less than 24 hours, they may be employed in no case more than 12. This language is added as in all cases:

Provided, That no member of the crew shall be required to be on duty more than 12 hours out of any 24 hours, except in cases of emergency, as hereinbefore provided.

The committee, out of abundant caution, put in a further provision that the exemption should in no way interfere with the authority of the proper officers of the Government to make such lawful regulations or orders as they may deem necessary to secure safety at sea and prevent excessive hours of labor. So that in any event, except in the case of a storm, the maximum number of hours is 12; and there is nothing at all that is difficult to understand in this form of the bill as reported by the committee and as passed by the Senate last winter.

The Senator from Wisconsin stated yesterday that travel should be as safe at sea as it is on land. Why, Mr. President, it is a great deal safer. On this subject I have had the figures prepared as to the accidents on railroads and the accidents on the sea. It is a frightful toll in both cases, but the loss of life is far less on the sea.

Take our own merchant marine: In the year 1909 there were on the Great Lakes four passengers drowned or lost. Each one of them, no doubt, had a family and friends; but that is a pretty small number. How many passengers were carried? Fourteen million nine hundred and thirty-seven thousand five hundred and seventy-three. One passenger was lost on the lakes for every 3,739,340.

In 1910 the proportion was somewhat greater. Out of 16,670,000 passengers carried there was a loss of 5, or 1 in every 3,334,000.

In 1911 it was somewhat larger still—13, or 1 in every 1,076,517. But that is explained largely by one disaster which would

not be at all affected by this bill. It was the loss of a launch on Lake Ontario, near the city of Kingston, where 7 passengers were drowned at one time. The boat went ashore in a storm. This bill would not have affected it in the least degree. It was a vessel under 100 tons. It was not a naphtha launch, but one propelled by steam. Leaving out that accident, there would have been only 6 lost out of 16,794,000 passengers carried in that year.

Taking the whole country, the proportion of passengers is even less. The number as given by the report of the supervising inspector general for 1909 was only 39 out of 330,000,000 passengers carried; in 1910, 57 out of 325,000,000; in 1911, 71. One in 1909 to 8,485,000 carried. I regret to say that the loss of seamen was larger. On the Lakes there were 82 in 1909 and 340 in the whole country. I am unable to give the proportion, because the total number of seamen employed is not given.

Now, when you turn to the railroads there is a very striking difference. The great distinction, in the first place, is that the losses on the water are usually death losses, and the number of injured is not large in proportion to the number of deaths; but on the railroads the number who are injured in proportion to the number who are killed is very large indeed. Beginning with 1907, which is the first year for which I have the figures, the number of passengers carried on the railroads was 873,000,000; killed, 610; 1 killed to every 1,432,631. In 1909 the number fell to 253, or 1 to every 3,523,606, as against 1 on boats to 8,485,000.

But that is not the worst of it in the comparison. As against 610 killed on railroads in the year 1907, 13,041 were injured, or twenty times as many. So, notwithstanding the excellent management of our railroads and the means that have been taken for raising the standard, the Lakes and the sea still bear the palm as regards safety to human life.

I will, according to the consent I have had given, have these figures published, so that they may be studied more extensively if anyone desires to look at them.

The matter referred to is as follows:

Loss of life—water transportation.

PASSENGERS.

Calendar year.	Great Lakes.			United States, including Great Lakes.		
	Passengers carried.	Loss of life—passengers.	One death (passenger) to each.	Passengers carried.	Loss of life—passengers.	One death (passenger) to each.
1909	14,957,563	4	3,739,390	330,918,496	39	8,485,089
1910	16,673,834	5	3,334,766	325,537,042	57	5,711,176
1911	16,794,723	13	1,276,517	312,114,041	71	4,395,972
Total	48,426,119	22	2,201,186	968,569,579	167	5,799,817

Loss of life reported to Inspection Service, including members of crews and passengers.

Calendar year.	Great Lakes.		United States, including Great Lakes.	
	Loss of life.	Loss of life other than passengers.	Loss of life.	Loss of life other than passengers.
1909	92	88	379	340
1910	81	76	392	335
1911	63	50	264	193
Total	236	214	1,035	868

Figures are taken from annual reports of Supervising Inspector General of Steamboats for 1910, 1911, and 1912; 1913 report, covering year 1912, not yet issued.

Loss of life—railroads.

PASSENGERS.

Year ending June 30—	Passengers carried.	Passengers killed.	Passengers injured.	Passengers killed and injured.	One killed to each.	One injured to each.	One killed or injured to each.
1907	873,905,133	610	13,041	13,651	1,432,631	67,012	64,017
1908	880,009,574	351	11,556	11,907	2,335,983	77,017	74,558
1909	891,472,425	253	10,311	10,564	3,523,606	86,458	84,386
1910	971,683,199	450	15,515	15,965	2,159,295	62,628	60,863
1911	997,409,882	356	13,433	13,789	2,801,685	74,259	71,318
1912		318	16,386	16,704			

Loss of life—railroads—Continued.

EMPLOYEES.

Year ending June 30—	Employees killed.	Employees injured.	Killed and injured.	One killed for each.	One injured for each.	One killed or injured for each.
1907	4,534	87,644	92,178			
1908	3,405	82,467	85,892			
1909	2,610	75,095	77,616			
1910						
1911	3,602	126,039	129,641			
1912	3,635	142,442	146,077			

Figures from Statistical Abstract, United States, 1912.

Mr. BURTON. Mr. President, I do not know but that I may wish to take the floor again. However, for the present there is only one other general point to which I wish to call attention. I regret that the Senator from Illinois [Mr. LEWIS] is not here, as he has inquired about it, and the Senator from Georgia [Mr. BACON], who is already quite familiar with the subject. We can not afford to ride roughshod over treaties with foreign countries as we are doing in this substitute bill. Before doing that, to show how hastily the bill has been prepared, I want to call attention to a few points in particulars other than those relating to foreign relations. In the first place, if anyone will look at the amendment proposed as a substitute for S. 136, there is no congruity whatever between the part ending with the word "and" in line 7, as I have it here, and that which follows.

Mr. NORRIS. On what page?

Mr. BURTON. On page 2. The first section pertains to the making up of the crew in case of desertion or casualty, while the second governs the hours of seamen and their employment. It says that—

In case of desertion or casualty resulting in the loss of one or more of the seamen, the master must ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same or higher grade or rating with those whose places they fill, and report the same to the United States consul at the first port at which he shall arrive, without incurring the penalty prescribed by the two preceding sections.

It goes on to deal with an entirely different subject, which should be in an entirely different section. But there is more than that. This first portion as it is here in the proposed substitute repeals the Hardy Act, as it was called, the manning bill, which was approved on the 3d of March last. The fact is, I may say to those who favor the bill, the existing law is more stringent in its provisions than this which it is proposed to insert. It would be well in any event to examine the existing law on the subject. I do not really think this first portion has any particular use in this bill.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER (Mr. ASHURST). Does the Senator from Ohio yield to the Senator from Wisconsin?

Mr. BURTON. Certainly.

Mr. LA FOLLETTE. My attention was diverted for a minute. May I inquire if the Senator is speaking of the first section of the bill?

Mr. BURTON. The very beginning.

Mr. LA FOLLETTE. The section that proposes to reenact section 4516?

Mr. BURTON. Yes.

Mr. LA FOLLETTE. You were referring to the first portion. What portion did you mean, if I may inquire?

Mr. BURTON. That portion down to line 4 on the second page. I do not mean the print that has the varied type, but down to line 4, the words "without incurring the penalty prescribed by the two preceding sections."

Mr. LA FOLLETTE. Did I understand the Senator to say that as to that first portion it repeals the Hardy Act?

Mr. BURTON. It would very materially modify it; and another thing——

Mr. LA FOLLETTE. Just wait one moment, if the Senator please. What change do the lines which the Senator read make in the existing law?

Mr. BURTON. A very trivial change. The word "refill" is used in the old statute and the word "fill" is used here; and in the prior line I think the words "must be of the same or higher grade" are "must be of a grade the same or higher." There are some immaterial differences like that. The portion as introduced by the Senator from Wisconsin and as introduced in the House in the last Congress and as reported to the Senate makes practically no change in the existing law.

Mr. LA FOLLETTE. Down to line 4 on page 2 the Senator does not contend, then, that the change made in this section is material?

Mr. BURTON. It is not a material change in the existing law as it was before the Hardy Act of last winter.

Mr. LA FOLLETTE. Well, as it is now?

Mr. BURTON. Yes; as it is now a very material change is made. The Hardy Act——

Mr. LA FOLLETTE. What is the change that is made, if the Senator will just call attention to it?

Mr. BURTON. I will read the Hardy Act, if the Senator will follow me:

If any such vessel is deprived of the services of any number of the crew without the consent, fault, or collusion of the master, owner, or any person interested in the vessel, the vessel may proceed on her voyage if, in the judgment of the master, she is sufficiently manned for such voyage: *Provided*, That the master shall ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same grade or of a higher rating with those whose places they fill. If the master shall fail to explain in writing the cause of such deficiency in the crew to the local inspectors within 12 hours of the time of the arrival of the vessel at her destination, he shall be liable to a penalty of $50. If the vessel shall not be manned as provided in this act, the owner shall be liable to a penalty of $100, or, in case of an insufficient number of licensed officers, to a penalty of $500.

It is much more severe than you have it here.

Another thing: I am inclined to think that as you have it here it refers only to vessels engaged in foreign trade, while the Hardy Act is general. This, as you can see here, refers only to vessels in the foreign trade. It provides that the master shall "report the same to the United States consul at the first port at which he shall arrive." That evidently means not the domestic trade, but the foreign trade.

Mr. LA FOLLETTE. The provision is exactly as it is reported to the Senate from the committee of which the Senator is a member.

Mr. BURTON. Yes; I think so.

Mr. LA FOLLETTE. It is exactly in the same form in which it was reported—that is, so much of the section as the Senator has quoted is in exactly the same form in which he reported it.

Mr. BURTON. Last winter.

Mr. LA FOLLETTE. At the close of the last Congress.

Mr. BURTON. Yes; and this act was passed after the bill was reported.

Mr. LA FOLLETTE. Do I understand that the Senator dissented from the report of the committee when the bill was reported at this session?

Mr. BURTON. I did not wish any report at all to be made.

Mr. LA FOLLETTE. Did the Senator file any dissenting views on the subject?

Mr. BURTON. No; I did not. I regarded it as an incongruous thing to do to file a report and say that nothing ought to be done about it before the next session, and await an international conference. I did not regard it as the best course. So I opposed the reporting of this bill and bringing it upon the calendar.

There is no reason why any antagonism should be aroused by my making the suggestion. First, I am perfectly willing to admit there is another thing that was omitted in the bill which I reported last winter. It is in regard to the question of quarters. The bill was taken as nearly as possible from the bill which had been reported in and passed by the House. In section 5, on page 5, amending the act of March 3, 1897, all reference to existing vessels is stricken out in the law. It was 72 cubic feet quarters for each seaman and was made 100 cubic feet for boats built after a certain time. This bill, omitting the portion which refers to existing vessels, states that the whole section shall be repealed, and then begins with a proviso relating to vessels thereafter built. If the statute were passed in this form we would be in the very peculiar position that no provision whatever would be made for quarters on existing ships. I may say in this connection that, according to the testimony last winter, every vessel owner seemed perfectly willing to comply with the provisions here in regard to the size of the quarters and in regard to the quantity of food.

Mr. President, there is one provision in the bill that I do not believe there will be a dissenting voice about in its relation to foreign nations. It is the abolition of arrest for desertion. It has been maintained that the arrest-for-desertion statute was passed in the early nineties of the century before the last; that a fugitive-slave law was passed at about the same time; and that they are very similar in their phraseology. If nothing else were done except doing away with arrest for desertion, it would have been worth while to bring in this bill, though in the bill which passed the Senate and which the committee reported much more was done, as I showed this morning, in ameliorating the condition of the seamen and all on board a boat and in providing for greater safety of human life. But we framed the sections in regard to arrest for desertion cautiously and diplomatically, recognizing the existence of treaties.

This bill is ingenious from the standpoint of the seamen. I am not going to blame them for it. It has three propositions: First, a man may desert without arrest; second, at any port into which he goes, on giving 48 hours' notice, he may have half his pay; third, no allotment shall be given out from his wages.

That makes it possible for the sailor to leave his employment whenever he chooses, and whether his contract is finished or not, whether the time for payment has accrued or not, he may receive half his wages.

I do not object to that kind of a provision as it relates to American seamen, but it is in direct contravention of international law and our treaties with foreign countries, and it has provoked vigorous protest from them. They say, "you have no business to go on our ships and say, as you do here in this statute, that the courts of the United States shall be open to them." This proviso is as follows:

Provided further, That this section—

That is the one relating to the payment of half wages after 48 hours of demand therefor. There was very little opposition to that from any person who appeared before the committee, but there is this proviso:

Provided further, That this section shall apply to seamen on foreign vessels while in harbors of the United States, and the courts of the United States shall be open to such seamen for its enforcement.

That is a direct violation of treaties without any notice whatever that we intend or desire to terminate them.

Now, let us see, first, what is the general international law on that subject. It is stated in the Wildenhus case, One hundred and twentieth United States, 11, after stating the general law, that when the boat of one country comes into the port of another it subjects itself to the law of the place to which it goes, unless by treaty or otherwise the two countries have come to some different understanding. Chief Justice Waite says:

From experience, however, it was found long ago that it would be beneficial to commerce if the local government would abstain from interfering with the internal discipline of the ship and the general regulations of the rights and duties of the officers and crew toward the vessel or among themselves. And so by comity it came to be generally understood among civilized nations that all matters of discipline and all things done on board which affected only the vessel or those belonging to her, and did not involve the peace or dignity of the country or the tranquillity of the port—

That is the distinction—

should be left by the local government to be dealt with by the authorities of the nation to which the vessel belonged, as the laws of that nation or the interests of its commerce should require.

The learned justice then goes on to say:

But if crimes are committed on board of a character to disturb the peace and tranquillity of the country to which the vessel has been brought, the offenders have never by comity or usage been entitled to any exemption from the operation of the local laws for their punishment, if the local tribunals see fit to assert their authority. Such being the general public law on this subject, treaties and conventions have been entered into by nations having commercial intercourse, the purpose of which was to settle and define the rights and duties of the contracting parties with respect to each other in these particulars, and thus prevent the inconvenience that might arise from attempts to exercise conflicting jurisdictions.

So we see what the general international law is on the subject, and the suggestion that treaties and conventions have been framed in many instances in pursuance of it.

Now, let us turn for illustration to our treaty with the German Empire of 1871, where it will be noticed in article 13 this case is covered broadly and in the clearest language:

Consuls general, consuls, vice consuls, or consular agents shall have exclusive charge of the internal order of the merchant vessels of their nation, and shall have the exclusive power to take cognizance of and to determine differences of every kind which may arise, either at sea or in port, between the captains, officers, and crews, and specially in reference to wages and the execution of mutual contracts. Neither any court or authority shall, on any pretext, interfere in these differences, except in cases where the differences on board ship are of a nature to disturb the peace and public order in port, or on shore, or when persons other than the officers and crew of the vessel are parties to the disturbance.

Whatever may be the merits of this proposition, we are attempting to repeal and annul that treaty without saying a word about it. It abrogates a treaty in a way that is an insult. While I am not going just now to oppose that provision for giving control to our courts in regard to vessels of foreign countries, it is well for us to recollect that two can work along that line. If we violate the international rule, how do we know what some other country may do? If we pass a statute that is contrary to the law of Germany and the custom in vogue there and provide that one-half of the wages must be paid a German seaman in an American port, although he is engaged for a trip from Hamburg or Bremen to New York and return and is to receive his wages when he returns, what is to hinder them from passing a law that any naturalized German who has not performed military service in the German Army can be taken off one of our boats and subjected to the performance of that service?

What is to prevent them from imposing any regulation on our shipping in their ports which is onerous or even disastrous to it? I think we had better hesitate a good while before we adopt such a provision as that, especially without giving the year's notice that is prescribed by treaty.

Again, section 12 is full of provisions such as the number of able seamen who are to be on board. Their law makes no provision as to the number of able seamen who are to be on board. It makes no provision that lifeboat men shall be men who have served three years as able seamen. But this statute, without reference to the abrogation of any treaty, without seeking to annul conventions under which they have control of their internal arrangements, says to them, "You must put on 40 per cent of able seamen the first year, 45 the next year, and so on, until you have 65 per cent, and all your lifeboats must be manned by at least two able seamen," thereby going on their boats, which are as it were their soil, and prescribing regulations.

Of course, if there were no treaties, we might absolutely exclude the boats of any nation from our ports, and as a result, it is maintained, you can impose any kind of a regulation or condition upon them. But here is a case where there are treaties that govern these relations, and it is proposed in this amendment to do away with the control of these nations over their ships and to enforce a rule as to the payment of wages, which is in direct contravention of our own agreements with them.

I have not had so long experience here as some others, but I have noticed that when treaty provisions are involved we usually act with a certain degree of care, and I think we should so act. Whatever anyone's opinion may be about the desirability of introducing this class of regulations and making it binding on foreign nations as well as our own, there is a right and a wrong way to do it, and this bill proposes to go at it in the wrong way, without making any mention of treaties, without calling on the President to enter into negotiations to abrogate treaties, without calling on him to give any notice, as is provided in the treaty itself, but to go right ahead in the language which I believe was once uttered in the Senate—"What have we to do with abroad?"

Mr. President, we can not afford to take that kind of an attitude. That is one reason why I deprecate action on this bill at this time. I deprecate action also—and I can not repeat it too often—after giving an invitation, as we did, for an international conference upon the matters involved in this bill. There is hardly a thing here except matter of pure domestic regulation but what we have asked other countries of the world to confer with us about—the manning of boats, the efficiency of crews, lifeboat apparatus—all that runs through this bill here, prevention of fire, regulation against collisions at sea. All those we asked the other maritime countries to meet and confer with us about.

Our invitation was accepted. Indeed, all of them were so impressed with the desirability of such a meeting that while our invitation was the first it is difficult to tell exactly upon whose invitation the conference is to be held. They, and we as well, have formulated propositions for consideration. It is open for those who meet to consider almost any subject pertaining to navigation. The conference has been called for the 12th of November—just 22 days from to-day. Our President chose delegates, our State Department has notified those Governments that we have chosen the delegates and that we are to take part, and now you propose here to pledge the Senate of the United States, before which any treaty would be brought, to certain propositions. What would those other nations naturally have to say? "Why, you asked us to come together with you to consider with a full and a free mind certain regulations in regard to the great marine of the world, regulations relating to safety and to relations between all the nations; but you, in the face of your invitation, disregarding your own action and flouting us, have passed a set of regulations and of rules that affect our shipping and all the subjects to be considered in the most serious way." Is that quite the attitude that we can afford to take about this, my fellow Senators?

Suppose at another time we invite a conference on something else, and our invitation goes forth. Will not the very natural inquiry come back, "What is this? Does this mean anything? The last time you invited us to meet and confer you went right ahead and sought to settle in your Senate the very questions that you had asked us to meet and confer about." Patriotism does not lie in showing animosity or lack of diplomacy or respect to other nations.

I am perfectly willing on the floor of the Senate to stand for the utmost good faith toward every nation on the globe. I despise the cowardice of some persons who, when they want to win popularity, attack some foreign monarch or potentate or some foreign country, thinking they will make capital by it, because there is no "comeback" about it. It has become a very common thing in this country for somebody to appeal to the people on the ground that he is very courageous because he has something to say about the Sultan of Jolo or the Sultan of Turkey, or some monarch somewhere in the world who can never injure him. It is about time we should be a little more careful, I think, in our diplomatic relations. I think we have gone to the very verge in some things that we have already done.

While I am for America in everything, I am not ready to accept in its entirety the sentiment of Commodore Decatur. I can say: "My country; may she be always right." But I can not accept the last clause of what he said: "But my country, right or wrong."

Mr. FLETCHER obtained the floor.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Illinois?

Mr. FLETCHER. I do.

Mr. LEWIS. I simply desire to say that there have been some adjustments of time or some arrangement by which I was to follow after the Senator from Ohio [Mr. BURTON], but I very gladly, upon the request of the Senator from Florida, yield my position to him as the chairman of the subcommittee at this time, so that he may speak on this important bill.

Mr. FLETCHER. I am very much obliged to the Senator from Illinois for allowing me to proceed now, because, unless I do so, I fear I shall not be able to do so at all, having been stricken with quite an acute attack of la grippe last Friday, which has not yet left me. I am a little discouraged in the hope that it is going to leave me very soon, but I shall detain the Senate only a short time. I feel that having served the committee which took the testimony of witnesses in regard to the pending bill—or, rather, the bill that was before it at that time, which finally took the form of this bill—perhaps it is my duty to submit some observations upon the subject.

Mr. President, the committee for several months sat and heard witnesses from all parts of the country—from the Pacific coast, from the Great Lakes, and from the Atlantic coast; people who are engaged in operating vessels of considerable magnitude, people who are employed, and people who employ officers and seamen. We finally reached the conclusion that the differences which appeared from time to time as to the details of the bill could scarcely be adjusted between the parties by agreement among themselves, and we despaired of satisfying completely the various interests. The result was that we endeavored to frame a bill which would serve the public, serve the interests of the seamen, and the interests of the shipowners as well, so far as that could possibly be done.

The bill which the committee reported to the Senate, which was amended in the Senate afterwards and finally passed, is identical with Senate bill 136. As the Senator from Ohio [Mr. BURTON] has explained, that bill failed by reason of the lack of the President's approval. But the bill as it originally came from the other House was reintroduced at this session as Senate bill No. 4. Another bill was introduced by the Senator from Ohio. Those three bills were referred to the Committee on Commerce, and by that committee referred to a subcommittee, composed, I believe, of the same Senators as composed the former subcommittee. The subcommittee reported back to the full committee Senate bill 136. Finally the Commerce Committee authorized the report of Senate bill 136 as its best judgment in the premises. Although there were different views upon details each member was left at liberty to favor such amendments to Senate bill 136 as might, in his judgment, improve it upon its final consideration.

Senate bill 136 is not a bill framed in the interest of the shipowners; it is not a bill framed in the interest of the seamen; it is a bill framed primarily in the interest of the great public, as we understood it, and a bill which at the same time endeavored to do no injury to any great industry or enterprise; no harm to the shipowners particularly; no injury certainly to the seamen. Its purpose was to accomplish what we set out to accomplish and what there was need of accomplishing.

The three main purposes were: First, to give freedom to seamen and improve their condition; second, to promote safety of life at sea; third, to equalize the wage cost of operating vessels, foreign and domestic, taking cargoes or passengers from ports of the United States. It is very generally acknowledged that the bill will accomplish those three purposes. In my judgment Senate bill 136 will accomplish those three purposes.

The proposed amendment, it is claimed, will improve Senate bill 136 and relieve all doubt or question as to accomplishing these three great purposes. I will allude a little later on to some features in that connection which incline me to favor some provisions of the proposed substitute. Then there are some features in the proposed substitute that rather leave me believing that Senate bill 136 is the better, the safer, and the wiser measure.

First, Senate bill 136 permits seamen on foreign vessels to leave their vessels in ports of the United States; that was one great thing to be worked out; second, it permits seamen to draw one-half of the pay due them in any port where the vessel lies or delivers cargo, making this section applicable to foreign vessels while they are within the jurisdiction of our laws; and third, it provides a specific standard in a limited number of the deck crew as to skill and the knowledge of the language spoken by the officers, and makes this applicable to foreign vessels while in ports of the United States; in other words, it recognizes that skill is necessary to safety at sea, and that it is just as necessary for vessels under foreign flags as for domestic vessels. It therefore provides that the crew shall be of the same qualifications and shall be hired under the same conditions in ports of the United States. I question very much if the proposed amendment will go much further in that direction or secure those principles more completely than does Senate bill 136. In some respects it may, and in so far as it does I approve of the proposed substitute.

It is intended to change existing laws which the development of shipping has made antiquated or obsolete; it is intended to bring maritime laws up to date, to have such laws keep pace with the progress of water transportation.

The efforts of the committee were directed toward serving the best interests of the public, the seamen, and the shipowners as well, as I have stated. The public interest, we believe, lies in the direction of encouraging, advancing, and building up our mercantile marine. If we can make seafaring life more inviting, it would be worth while. If we can say to American youth, "Here is open to you an occupation reasonably remunerative, in which just and humane treatment will be accorded you; decent and healthy accommodations will be furnished; necessary supplies will be wholesome and adequate; your rights as men will be respected," we will be doing the proper thing and rendering a service to the public. It would seem we could not too strongly or firmly take a stand in favor of those things. If it be contended that the men who go to sea already in large part enjoy these things, then no one can complain that we provide for them in the law; if it be contended that such a law would work a hardship on those who employ the men, I submit that the employer should find a way to be relieved of such hardship other than by taking it out on the men. I do not believe it will be seriously asserted that sympathy for such a position can justly be invoked.

Another feature wherein the public is concerned is the provision for efficiency in the crew, particularly in the case of trouble at sea.

Still another provision of public concern is that with reference to the rating of the men, insuring skill in the handling of lifeboats. Section 12 of the proposed substitute corresponds to sections 14 and 15 of Senate bill 136. I think, if the friends of the proposed substitute will be entirely frank, they will admit that the provisions in section 12 of the proposed substitute requiring that 75 per cent of the crew in each department shall understand the orders of the officer is not so much intended to promote safety at sea as it is to affect wages and to secure the employment of other than Asiatic seamen on the Pacific.

As to safety by reason of knowing the language of the officers, I am not so much impressed with the provisions in Senate bill 136 as I am with the provisions of the proposed substitute. In the proposed substitute 75 per cent of the crew in each department are required to understand "the orders of the officers"; in Senate bill 136, 75 per cent of the crew are required to understand the orders of the officer, and a certain portion of the crew must be able to understand the precise language of the officer giving the command, unless there are sufficient interpreters among the crew who can interpret the language of the command to those speaking another tongue. The emphasis on understanding the language seems to me not so material or important as some seem inclined to think. The fact is, as we know, that our railway trains are operated by signals and signs, and not by orders or commands. Recently I witnessed a cavalry drill where 2,000 men were engaged, and not an audible command was given throughout all the maneuvers. Everything was done by signals and signs, and even the horses seemed to understand them. I believe it was the famous Hannibal who gave all his commands by signs; and it seems to me that a commanding officer on a vessel can very well communicate to the crew and to the men who are to do things in emergencies or otherwise what he desires to be done without it being necessary that the men who are to do the things should understand the language employed by the officer in command; in other words, those commands may be given in large part by signals, by signs, by movements, and perhaps by bells and whistles and that sort of thing; so that it is not so important that the crew should understand the language of the officer giving the command as some seem to think.

It would be an advantage, doubtless, in cases of disaster to have every member of the crew understand the orders of the officers. We may well concede, too, that we would feel much safer in taking a lifeboat handled by men who had three years' experience at sea than one handled by men who had one year's experience or less.

There is much in the contention of the Senator from Ohio [Mr. BURTON] that skill in handling a lifeboat does not necessarily result from service at sea. That skill may be possessed by men who have served a much less time at sea than three years, and yet it seems to me that it would be well to fix some sort of standard whereby the people who are transported on the immense vessels of to-day may be in the hands, in case of disaster, of seamen who are not novices and who are to some extent at least skilled in their work. That standard is fixed by the substitute, which requires three years' service at sea to constitute an able seaman, and provides that there shall be at least two able seamen to each lifeboat.

As to the shipowners, if those requirements should lesser, the profits of the shipowners I would greatly prefer to have them charge more for the service they render than to dispense with the requirements. The cost of labor on a vessel is but a small percentage of the total fixed charges of the vessel. If wages should be increased, it would mean but a small addition, relatively, to the operating expenses, and under the circumstances better material would be had and the increase of efficiency would more than offset the increase of wages.

As to the seamen, the talk of slavery is rather far-fetched. We have abolished in our coasting trade arrest or imprisonment for breach of contract. We have the legal right to say to the world that no man shall be liable to arrest and to be restrained of his liberty in our ports because he sees fit to break a contract, onerous or otherwise. At the same time the shipping business is sui generis. We must recognize that it is different from any other business, and it is absolutely necessary that there should be discipline on board the ship, and to some extent this includes the shore.

The public is interested at this point also. The commander of a vessel, big or little, must have absolute authority. The vessel, the people, and the property on board can not be safe without such vested power. Every member of the crew must recognize the lawful authority of the officer in command. It would never do to lose sight of that principle. In enlarging the rights and liberties of the seamen as now recognized there must be no approach to the destruction of proper discipline on board the vessel in port, at sea, in emergencies, or under any circumstances when the relations of the master and the sailor have become established and navigation undertaken.

The right to one-half the earned wages at a stopping place on a voyage would seem to be reasonable. It would not induce a sailor to leave a ship when he was being decently treated and fairly compensated to have the privilege of quitting and collecting only one-half of what he had earned. On the other hand, if the sailor is maltreated, or for sufficient reason he quits the vessel, perhaps in a strange land, he should at least have half the wages he has earned in cash. The forfeiture of the other half would seem to be ample allowance by way of liquidated damages for breach of his contract.

It was strongly urged before the committee that the effect of the provision of section 12 of the proposed substitute would greatly injure Seattle especially and send shipping to our neighbor on the north. It may be well to bear in mind that there are only five American ships regularly in the trans-Pacific trade—the steamers *Mongolia*, *Korea*, *Manchuria*, *Siberia*, and *China*, operated by the Pacific Mail Steamship Co. There is no subsidy, no Government aid, or anything of that sort conceded to them. They compete with three oriental steamship company ships, subsidized by the Japanese Government as follows: One for $1,340,000 gold per year, another for $605,000 gold per year, and the third for $238,000 gold per year. They also compete with the Canadian Steamship Co., subsidized by the British and Canadian Governments at $218,000 gold per year.

Under all the circumstances the committee thought that section 12 of Senate bill 4 should be modified as it has been by sections 14 and 15 of Senate bill 136, and consequently the committee reported the bill in that form. I am inclined to appre-

bend that section 12 of Senate bill 4 is rather drastic and ill-advised in some respects. At the same time I believe sections 14 and 15 of Senate bill 136 as written scarcely come up to the requirements of the situation, particularly as bearing on the standard of efficiency. Take the *Volturno*. Yesterday the Washington Times contained this dispatch:

NEW YORK, *October 21, 1913.*

Cabling from Rotterdam, Capt. Smiltneck said the *Volturno's* distress signals were reported to him at noon on October 9 and that he reached the burning ship at midnight. He said:

"I found the *Carmania* standing by the burning ship with a moderate northwest gale blowing. The *Czar* launched the first lifeboat in command of the chief officer. It returned immediately with 15 survivors. The third mate proceeded with further rescuing, saving in all 102 survivors. The second lifeboat made five trips in all to the burning vessel."

Why, at the very outset, should four out of the six lifeboats of the *Volturno* have been lost in launching? Surely they were not rotten boats. If not, can we escape the conclusion that they were not properly handled and not properly manned?

Undoubtedly the wireless service in that great catastrophe was most excellent. This was sadly lacking in the *Titanic* disaster. As has been stated to-day in the discussion, the wireless service was splendid in the case of the *Volturno*. A wonderful advance has been made in that science. The remarkable genius of man has been able to discover a means of communicating through the air and reaching on the darkest night in mid-ocean other vessels within a radius of 200, 300, or 400 miles.

Mr. Marconi testified on the stand during the *Titanic* investigation that he had been able to transmit wireless messages 8,000 miles, from a point in Ireland to Buenos Aires. I asked him the question, "How long did it take that message to go that distance?" and he said, "Precisely like lightning; just like snapping your fingers." I think Italy has done a most commendable thing in recognizing her gifted son who has made such a vast contribution to humanity and to civilization by making him, as the King recently did, a Senator for life. It is a matter of genuine gratification to us that the Congress of the United States, after the irreparable loss of the *Titanic*, passed a law dealing minutely with radio communication or wireless telegraphy at sea, requiring operators sufficient in number and training to give continuous competent service, and requiring vessels to be well equipped with both apparatus and operators. We passed a law, also, providing a manning scale for officers and regulating their hours of labor. This bill or a bill similar to this—in fact, this identical bill, Senate bill 136—to provide for a skilled crew and for improved conditions of the men was passed, but did not become a law; as has been heretofore mentioned. Congress has been giving quite energetic attention to maritime matters, and I have observed no disposition to prevent or obstruct legislation on these subjects.

In the case of the *Volturno* vessels fairly swarmed about the burning ship in time to rescue the passengers and crew. There was no need of what some people claimed when we were investigating the *Titanic* disaster, that possibly the only remedy or means of averting these terrible catastrophes would be to have these great passenger carriers go in pairs across the ocean, one following the other, so that if anything happened to one the other would be close at hand and could give relief. That remedy is now unnecessary, rendered so by the use of wireless telegraphy, the Marconi system.

Now we come to the more numerous, though but little less important, equipment of the vessel—the men under the officers. I am in favor of doing the fair and just thing by them, not only for their sake—though that would be enough reason—but because the public and the owners of the vessels themselves ought to have it done. I would build up our merchant marine; and it seems to me that while good ships are needed, they would be wholly insufficient to that end unless they could have capable and efficient men to operate them. Cheap, picked-up derelicts, without spirit or ambition, with the hope only of keeping body and soul together, lounging about wharves and dives, are not dependable seamen; they certainly do not harmonize with the magnificence and the luxury of modern passenger-carrying ships. They are not in accord with the furnishings and equipment of such vessels. There are needed on board such ships, and there ought to be available, help of a standard corresponding to the importance of the enterprise.

Likewise, the freighters ought to be able to obtain, and should have, trustworthy, reliable, capable men, who would find in the employment suitable reward. The answer is: Raise the standard of efficiency; provide for such hours of work, such terms of compensation, such conditions of service as will attract material of the right kind. Give the American boy a chance at the business of the sea.

I would much prefer an increase in freight and passenger rates on the water, if that would necessarily follow the change, to existing laws and conditions. However, my information is that the steamship companies are making splendid profits, large dividends, and are exceedingly prosperous. These ocean carrier companies seem to go to any limit in pursuing the goddess of luxury and in yielding to the demon of speed. Let them give a little more consideration to the human beings they must employ, without whom their ships would rot at the docks. This human help, to be of the fit sort, must have the right kind of treatment. To broaden the field from which it can be gathered there must be some inducement held out—not a hopeless, helpless future. There must be a fair remuneration and a living environment, not merely sustenance combined with hardship.

This riffraff, these derelicts that are picked up and used and put into positions of responsibility on these vessels, also set the rate of wages; they fix the standard of wages; and consequently, again, that system is most demoralizing, and to be deprecated.

I speak, then, for the men whose labors and skill are employed on the ships, as well as for the public who use the ships; and in doing that I speak also, I believe, for those who build, own, and operate the ships. I speak for a merchant marine of dignity, capacity, and strength commensurate with the position of the greatest commercial Nation of the world. England may take first place in the naval world; Germany may take first place in the military world; but America takes first place in the commercial world. As peace lasts longer than war, the latter is the most important place to take; and it means that a nation in such a position can dictate both in peace and in war, using only the weapon of trade, and will not likely need any other.

Mr. President, I have recited the three main purposes of the pending bill. I believe the bill will accomplish the purposes desired. The proposed substitute may better do that. In some respects it removes some limitations and qualifications contained in the bill as reported; but they are not tremendously important, it seems to me. Some of these affect shipping on the Great Lakes. I think it fair to say that the evidence before the committee was to the effect that there was less ground of complaint by seamen on the Great Lakes than in either coast or foreign shipping. The fact that conditions on the Lakes are now so satisfactory would be scarcely sufficient argument against providing for the future, however.

Section 18 of the proposed substitute, the concluding section, I believe to be unnecessary, and in fact confusing. Section 15 covers the repeal of section 5280 of the Revised Statutes so far as desired, and it seems to me the matter had better be left there.

From the provisions of section 12 as to the number of lifeboats it seems to me an exception should be made as to shipping on rivers and in harbors. There is no need of stacking on a steamer going down a river, for instance, more lifeboats than she could conveniently take care of, or loading down the upper deck with lifeboats, when perhaps she is generally only a few hundred feet from shore. I think, therefore, that exception ought to be made.

The provision in the substitute for at least two men of the rating of able seaman I do not like as well as the provision on that subject in Senate bill 136. However, I am not disposed to quarrel with the substitute in that regard.

I may say, in conclusion, that much of the argument of the Senator from Ohio [Mr. BURTON] is unanswerable. His splendid and able discussion of the subject warrants the most serious consideration, and he thoroughly understands it. At the same time, why should we now begin to reason about whether or not we should act upon this bill at this time? Granted that its passage would have the effect of repealing in the manner the treaties provide for treaties with foreign nations; granted that an international conference is soon to be held in London on the great subject of safety at sea, and that at this conference the United States will be fully represented; granted that the conference results from our own invitation; granted that Germany, France, the Netherlands, Spain, England, and other maritime powers have signified their preference that we should delay action upon this bill until that conference shall have reached a conclusion, we have already decided to take up this matter now. We have decided to dispose of it, and it is useless to argue the question as to whether or not a vote ought to be postponed. Therefore I shall take no time in considering that matter.

The subject is not a new one. We are dealing with a question we have dealt with before. We actually passed this bill—Senate bill 136—through the Senate of the United States; the action of the Senate was concurred in by the House, and the bill would have become a law if it had received the signature of the President. That is the proposition now before the Senate, so that it is not new.

It seems to me we should not be in any wise showing a lack of consideration to other Governments if the Senate should take a stand which would signify its views on these rather pressing questions. The bill involves to some extent some of the matters with which the international conference will deal. I admit that it does. The international conference, I believe, will take up this question of the number of lifeboats, and the equipment of lifeboats, and will take up other questions, such as the qualifications of the men; but there are matters involved here which will not be considered by the conference. The most important features of the bill are matters which are not to be taken up by the conference.

It seems to me that under all the conditions, in view of the present situation regarding the seaman and regarding the interest of the merchant marine of our country, and the need of promoting safety to human life, we ought not longer to delay action on this important measure.

Mr. LEWIS. Mr. President, the Senator from Wisconsin [Mr. LA FOLLETTE] has charge of the bill, and I desire his presence. He said he would return at once. It is his intention to have a vote to-night, if possible, and I think other Senators would like to dispose of the matter. For that reason I would rather not occupy the floor if a vote can be had. I do not wish to consume the time of the Senate. I do not think it is necessary since the very able utterance and exposition of the Senator from Florida [Mr. FLETCHER]. I was about to add that I believe the Senator from Ohio [Mr. BURTON] desires to make some further observations on another phase of the matter.

Mr. BURTON. I have a considerable amount of material on which I should like to speak. I should prefer to proceed to-morrow, but if there is insistence I suppose I can go ahead to-day.

Mr. WILLIAMS. Mr. President, it is within a few minutes of 5 o'clock, I see, and the Senator from Ohio says he would prefer to speak to-morrow. I do not think there will be more than one or two other speeches to be made upon the subject, and the voting will not begin until 4 o'clock. I suggest that we might go into executive session for a few minutes, and then adjourn until to-morrow at 12 o'clock.

Mr. BACON. If the suggestion of the Senator from Mississippi is in accord with the wishes of those who are in charge of the bill, I will move an executive session; but I will not do so unless they so desire.

Mr. LEWIS. The Senator from Wisconsin is on his way, and I should like to have a moment of delay if it does not inconvenience anybody. I suggest that the matter rest until he gets here. He will be here in a moment.

Mr. WILLIAMS. I do not see why. The Senator from Wisconsin has spoken, has he not?

Mr. KERN. But he may have something else to say. He will be here in a moment.

Mr. FLETCHER. I think the Senator from Wisconsin will have some proposition to make looking to an amendment to his proposed substitute somewhat in line with what I have referred to. If so, he perhaps ought to do so before a vote is taken on his substitute. I know he has an impression that it would be well to modify some of the provisions of the proposed substitute. If he does that, I think it ought to be done before the substitute is voted upon.

Mr. WILLIAMS. Nothing is to be voted on before 4 o'clock to-morrow.

Mr. FLETCHER. The unanimous-consent agreement, as I understand, provides that a vote is to be taken not later than 4 o'clock to-morrow.

Mr. WILLIAMS. I understand that; but my suggestion was that we should adjourn until 12 o'clock to-morrow. Then the Senator from Wisconsin could be here, of course, and could offer the amendments to his substitute, and the Senator from Ohio could finish his address.

Mr. FLETCHER. So far as I am concerned, that is agreeable to me.

Mr. WILLIAMS. I do not know that anybody else wants to speak, unless the Senator from Wisconsin wants to make a surrejoinder. Then the voting would begin at 4 o'clock.

Mr. FLETCHER. Can the Senator from Ohio tell us about how much time he will likely want?

Mr. BURTON. I do not think more than an hour; perhaps an hour. If there should be questions, it might be a longer time than that.

Mr. LEWIS. I will ask the Senator from Ohio, if I may be permitted, whether it is his intention to have his observations concluded in the Committee of the Whole, or to wait until the bill is in the Senate?

Mr. BURTON. I should prefer that they be concluded in Committee of the Whole.

At this point Mr. LA FOLLETTE entered the Chamber.

Mr. BACON. Mr. President, some reference was made to what might be the desire of the Senator from Wisconsin as to whether or not it is to conclude the consideration of the bill to-night. I wish to state very frankly to the Senator the reason for my inquiry.

I regard this as an extremely important bill. It is one that affects our relations with every maritime nation, and very seriously affects our treaty obligations. Of course we can abrogate them. I do not mean that they are insurmountable. I think, however, that in the case of a bill of this importance, with its far-reaching consequences, when a notice has been given which is tantamount to saying that a vote will be taken at 4 o'clock to-morrow, it would hardly be advisable to take it with a very small attendance of Senators this afternoon. I myself should prefer that the bill should go over until to-morrow for that reason.

Mr. LA FOLLETTE. Mr. President, of course I am very desirous of meeting the personal wishes of Senators; but I think that by the terms of the unanimous-consent agreement Senators had as much right to expect that the vote would occur before 4 o'clock to-morrow as they had to expect that it would occur at that time. The unanimous-consent agreement in terms says that the vote upon the passage of the bill and all pending amendments shall be taken not later than 4 o'clock on Thursday, the 23d day of October.

I desire to be perfectly frank with the Senate. I realize that there is a disposition to prevent the passage of the bill at this time.

Mr. BACON. The Senator certainly does not address that remark to me?

Mr. LA FOLLETTE. I do not, and I do not think the Senator had any right to assume that it had a personal application to him.

Mr. BACON. Only the right that the Senator was replying directly to my suggestion without doing me the honor to state to whom he referred.

Mr. LA FOLLETTE. The Senator from Georgia has not heretofore taken any part in the debate on the bill. I did not have the Senator from Georgia in mind at all.

If the Senate is to be put to the test of furnishing a quorum to pass this bill, I think it quite important that we should understand it as early as possible, so that we may have as much time as can be provided to secure a quorum. It is for that reason, and that reason only, that I should be disposed to press the Senate to consider the proposed substitute in Committee of the Whole to-night and to vote upon it. I should be very glad to get that stage of the parliamentary proceedings behind us if we could. Of course, under the rules of the Senate we have an opportunity to offer amendments and to debate the whole proposition after the bill gets into the Senate.

Mr. BACON. Does the Senator propose to go only as far as voting in Committee of the Whole to-night?

Mr. LA FOLLETTE. That would depend somewhat upon the attitude on that question of the opposition to legislation at this time. If there should be no demand for a quorum at this hour in moving out of the Committee of the Whole and into the Senate and to one stage nearer the passage of the bill, I think that ought to be weighed somewhat in considering what it is best to do.

I believe the passage of this bill at this time is the most important work in which the Senate of the United States will engage at this extra session of Congress. Probably not all Senators will agree with me in that. Other legislation deals with business interests. This legislation deals with the liberty of 130,000 American citizens and with the safety of life of all the people of our country and of other countries who cross the ocean in so far as they are to be affected by it. I can not conceive of anything more important than addressing ourselves seriously to the perfection of this legislation and to advancing it as rapidly as possible toward a place on the statute books.

Just one word further on the subject of the way in which the bill affects our relations with foreign governments. Provision is made here for the President to give notice to foreign powers. There is not in the provisions of the substitute—and I ask the attention of the Senator from Georgia to this part of my remarks—anything like so harsh an interference, if it be termed an interference, with foreign vessels as in the bill which was

reported from the committee and in the bill which was reported by the Senator from Ohio [Mr. BURTON] in the last Congress.

Mr. BACON. As the Senator has done me the honor to ask for my special attention to that remark, I wish to say very frankly that it would take me much longer than to-morrow to make the investigation of this bill which I should like to have the opportunity to make and which I should feel under obligations to make if I were on the committee or had been especially active in connection with the proposed legislation. I have not, however; and I am not making that remark with a view of any suggestion for its postponement beyond the time when it was anticipated that we would be called upon to vote upon it. I did think I would have to-night and to-morrow for the purpose of looking through the bill to see whether or not there were any amendments which I thought it important to offer, solely upon the one feature which was suggested in the remark I made before.

Neither the Senator from Wisconsin nor any other Senator on this floor is more impressed than I am with the importance of measures which shall increase the safety of ocean travel or shall further safeguard the lives of those who go upon the great deep. I have had frequent opportunity to see the necessity for such measures personally, in addition to such information as we all have about things which none of us have personally seen but of which we know. Nor does the Senator from Wisconsin or any other Senator go further than I do, in addition to the desire for these safeguards of human life, in the desire for all those things which will ameliorate and better the conditions of sailors who have to spend their lives in this hazardous, dangerous occupation, and who, when in that occupation, are so completely removed from the guardianship and care which the law ordinarily throws around people in their avocations upon land, and who in that occupation are to such great degree subjected to the arbitrary and unlimited authority of those who then have them in command. I fully appreciate all that. I am fully alive to the necessity of it and fully anxious to do all we can properly do in this matter.

But, Mr. President, it is an extremely serious thing when we undertake to legislate as to conditions which are not directly under our jurisdiction but which relate particularly to the jurisdiction of other countries over their own affairs, over their own ships, and over their own nationals, as they may be called in diplomatic language, people of their nationality, subjects and citizens of other nations. I say it is a very serious thing when we undertake to take care not only of our own but when we undertake to say that which according to the general law of nations is left to the people themselves who have the authority and the responsibility. That is a general principle of international law.

Not only so, Mr. President, but when we ourselves have gone further and in solemn treaty stipulations provided that we will do so, I say it is a most serious proposition. I confess I am not in a position to discuss it, and I do not expect to discuss it, because I would not undertake to discuss a matter so serious as this without a degree of preparation which I have not had the opportunity now to make. But I do think it is important that we should look carefully through this proposed legislation, and without sacrificing any of the great purposes which are influencing those who are active in it, and whose motives and purposes must be applauded, and which I do applaud, I want to see whether or not, without sacrificing those, we can keep ourselves in the limits of what has heretofore been recognized as a rule of international law and within the limit of our solemn treaty obligations.

Mr. President, we have enough of present and anticipated friction now with foreign nations upon several questions. If we can adopt legislation here which will advance and promote the great purposes which are in view and at the same time not further increase the probability of friction between this Nation and other nations, I think it is important that we should do it.

Mr. FLETCHER. Will the Senator allow me to make one suggestion?

Mr. BACON. Certainly.

Mr. FLETCHER. The proposition of this bill is not in any wise to restrict the liberty of any foreign citizen. The proposition is here that a foreign citizen or a national—a citizen of any country—coming to our shores shall be a free man, and our courts shall not be open to deprive him of his liberty. I do not presume that foreign governments could blame us for that.

Mr. BACON. The Senator will recognize that that is only one of a great many propositions in the bill. If that were the only one, the bill might stand without the slightest objection, but there are a great many other provisions which do conflict with our treaty stipulations.

Mr. President, in view of our great responsibility and in view of our great interests which are involved in our relations with other nations, I submit to the Senate whether it is not of the utmost importance that the most careful scrutiny should be had as to each of these propositions.

Mr. President, I applaud the generous heart of the Senator from Wisconsin [Mr. LA FOLLETTE], which always responds to every appeal that is made in the interest of humanity and the uplift of those who are not capable of taking care of themselves. We all know that that is one of the principal characteristics of the honorable Senator. There has never been a controversy in the Senate or a measure proposed in the Senate where that issue was involved that the Senator from Wisconsin was not always found, not only by his vote but his voice, most manfully contending for those who needed protection and who were not able to take care of themselves. I applaud him in this instance, because we know the purpose which he has. I sympathize with him most fully. But, Mr. President, it is a matter of extreme solemnity, it is a matter of great importance, it is one involving great consequences when in these three volumes of treaties with other nations, as we have them, and throughout those treaties with every important nation in the world there are provisions which this bill antagonizes and in a degree overrides.

Mr. President, recognizing to the fullest the high purpose of those who desire this legislation, sympathizing with it to the fullest, desiring the accomplishment to the fullest that can be done with safety, ought we not to pause when such a momentous proposition is presented to us as that which this bill does present?

I may be trespassing too far upon the time of the Senator. I do not know whether he has the floor or I. We were both upon it. I recognize his courtesy, of course, if he has the floor.

I know, Mr. President, that there is scarcely any question which could be presented for the consideration of the Senate in the discussion of which there could be involved a greater amount of true, genuine, unaffected sentiment and sympathy, and in which the great interest of human life could be presented so directly and so fully as in the propositions which are before us in this bill and the purposes which are at the bottom of everything that is in the bill. There can be nothing to appeal to human sentiment and human sympathy greater than that which affects human life unless it be that other thing which is involved in the bill, which the Senator from Florida [Mr. FLETCHER] suggests, and that is human liberty. Here we have a bill which must command the sympathy of every man who listens and who is called upon to act because it affects human life and affects human liberty. The fact that it does appeal to every generous heart is a fact which should make us the more cautious that in yielding to that which thus appeals so strongly we may not do something else which may be a great evil.

Mr. President, I do not hesitate to say that with my other occupations I would want several weeks to consider this bill, and if I had no other occupation I would want several days to study the bill to see the effect which it will have upon our relations with foreign countries, and I do not think they are to be disregarded. The world has gotten smaller. We have gotten closer to foreign nations. We are in more direct and intimate communication with them every day. The issues affecting our relations are more vital than they were in former days when the world was larger, when it took a month to cross the ocean, and when it took that long to get a message across the ocean.

I know, Mr. President, that something has been said about the fact that we have entered into an agreement with foreign nations to have a conference on this subject in a convention which meets in London next month, a conference which is so important that it is a little matter of pride between the United States and Great Britain as to which one it was that extended the invitation. Each of them claim to have extended the invitation. While I recognize that that might lay upon us an obligation not to attempt to anticipate it, still I do not regard that as a vital argument or one which imposes an insuperable barrier to our proceedings, because, in the first place, I do not suppose it is anticipated that this bill can become a law, if it should pass the Senate, before that conference meets. It would simply be the action of the Senate and would indicate the views of the Senate, and if those views were subsequently not in exact harmony with the action of the conference in London, whether it were a bill simply which had passed the Senate or whether it were a bill which had passed the other House and received the sanction of the President, there would be ample opportunity for us, if we saw proper, to conform our legislation to the suggestions of that conference. So I do not think that is an insuperable obstacle, although I rather think it is but proper deference that we should await its action. So it is not with that view, Mr. President, that I am troubled.

Mr. President, it is a serious thing to abrogate a treaty with another nation. It is a serious thing after we have entered into a solemn treaty obligation with another nation to set that aside without consultation or notice to the other nation. It is bad enough with men in their private, personal relations, entering into contractual or other obligations that are mutual, for one man to set up and without notice to the other one or conferring with him arbitrarily tear up a paper and throw it away. But it is an infinitely more serious matter when nations representing great peoples have entered into treaty obligations, some of which have lasted nearly a hundred years, and which have in them no stipulation that a certain notice shall be given before abrogated because no anticipation is had that there will be an abrogation—it is a most solemn thing, I say, without notice to one of those nations or without asking them to confer about it or to agree with us about it, to exercise the power which we undoubtedly have by legislative act to destroy that treaty.

Mr. President, it has got to be a very extreme case before I will do it. I have voted for the abrogation of but one treaty by statutory enactment, and that was the case of the Russian treaty, and there had been for a long time negotiations between this Government and the Russian Government over the points at issue, on account of which we did abrogate it. But in this instance we have not called on a nation to meet with us and confer as to the questions whether or not we will destroy these treaties. There is not a single one of them to whom we have done the courtesy to say that we propose to abrogate a treaty.

Mr. President, I venture the assertion that there is not a Senator on this floor who will stand in his place to-day and say how many nations there are with whom we have treaties which will be abrogated by this bill if it is passed and specify what nations they are. If a Senator will stand in his place and admit that he has made the investigation and does know, I will most cordially withdraw the suggestion. Is there a Senator here who can stand in his place in the Senate and state how many treaties there are that this Government has with foreign nations with which this proposed bill will conflict and treaties which, if this bill is passed, will be abrogated? If there is no Senator here who can do that, are we proceeding with the care, with the caution, with the deliberation which should characterize us when we deal with such a solemn subject and with such far-reaching responsibility?

Mr. BRANDEGEE. If the Senator is in possession of the information, I am interested to know the number of treaties that would be affected by the bill.

Mr. BACON. I am very frank to say to the Senator from Connecticut that I am not in possession of it. I did propose to ascertain, if I had the opportunity until to-morrow, possibly, I have the book here which I intended to look through. I did not anticipate this matter would come up this afternoon; but I will say very frankly to the Senator that, without having made the investigation, I am of the opinion that it will affect our treaty with every important maritime nation of the earth.

Mr. STONE. In what way?

Mr. BACON. By directly doing what the treaties say we shall not do. That is a reply to a sotto voce inquiry from the Senator from Missouri as to what way. I will give the Senator one illustration. I confess I have not examined this bill in detail, because I knew it had been before the Committee on Commerce, a committee composed of as able Senators as are to be found in this Chamber, and I supposed, of course, that all these matters had been carefully examined into. Doubtless they have been; but the committee have not reached the conclusion which I had anticipated that they would as to some matters. If some Senator will ask me how, I will give him one illustration. I will give him one that I find in looking at the bill on the surface. It is a principle of international law, recognized as a principle of international law, not only recognized generally as a principle of international law but recognized and laid down in the decisions of our Supreme Court, that as to everything in regard to the internal affairs of a foreign ship, excepting only those things which concern our peace and good order in our own harbors; as to all else foreign nations are to make the laws which shall govern and regulate those affairs in those ships.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. BACON. I do.

Mr. LA FOLLETTE. Of course I hesitate to take issue with the Senator from Georgia on that statement, but I hold in my hand One hundred and ninetieth Supreme Court Reports, Patterson against Bark *Eudora*, from which, with the permission of the Senator, I will read.

Mr. BACON. I am familiar with the decision in that case, and I think when the Senator reads it it will be found that I am correct.

Mr. LA FOLLETTE. I will read just a portion of a paragraph:

> It is part of the law of civilized nations that when a merchant vessel of one country enters the ports of another for the purposes of trade it subjects itself to the law of the place to which it goes, unless by treaty or otherwise the two countries have come to some different understanding or agreement.

Mr. BACON. Yes; that is to be taken into account, Mr. President.

Mr. LA FOLLETTE. That is to be taken into account, of course, but excepting that a foreign vessel in an American port——

Mr. BACON. Is the Senator reading now?

Mr. LA FOLLETTE. No; I am not. I am stating what I conceive to be the principle which controls a foreign vessel within an American port and subject to the laws of our own country.

Mr. President, it is a curious thing in this debate that the point is made against the provision in the proposed substitute which seeks only to control conditions upon a foreign vessel at the hour when that vessel departs from an American port, and that the Senator from Ohio [Mr. BURTON], a member of the Committee on Foreign Relations, who makes that criticism of the proposed substitute, himself reported a bill at the last Congress which provided regulations for foreign vessels, not only as they should leave our ports, but assumed to control the internal management of those vessels at sea after they had passed beyond the jurisdiction of the United States. If the Senator from Georgia will pardon me, I want to turn to the provisions of the bill reported by the Senator from Ohio.

Mr. BACON. The Senator from Wisconsin will pardon me. I am not entering into a general discussion of this bill; I am answering the inquiry of the Senator from Missouri [Mr. STONE]. I had not cited the illustration in full, and I am not professing to discuss all the provisions of the bill.

Mr. LA FOLLETTE. Then I shall defer what I have to say in criticism of the point which is raised by the Senator from Ohio.

Mr. BACON. I have disclaimed having such familiarity with the subject as would justify my attempting to discuss it at large. I do not, however, wish to interrupt the Senator from Wisconsin if he prefers to go on.

Mr. LA FOLLETTE. I had just as soon make my statement at another time.

Mr. BACON. Mr. President, there are a great many things in this bill of which I approve. I repeat, the purpose of it I most heartily approve, to wit, the double purpose of safeguarding the lives of people at sea and also, so far as possible, ameliorating and improving the condition of sailors. When the Senator comes to deal with our own ships I will go, I presume, as far as he will in the support of measures which will protect the sailors on our ships and ameliorate and improve their condition. I was responding to the inquiry of the Senator from Missouri, and I stated as a proposition of international law—and I am not fearful as to the correctness of that statement—that nations whose subjects or citizens have ships are to legislate as to all matters concerning the management and control of those ships and have jurisdiction as to all things in regard to those ships when in our own ports, except so far as concerns peace and security and safety. A man can not, for instance, commit a crime upon a foreign ship and escape responsibility to local law nor can he perpetrate a nuisance and escape responsibility to local laws, but as to other matters they have jurisdiction. I have forgotten the volume in which the case is reported and I am not sure whether the particular case which I had in mind was the case the Senator was going to read, but if so it goes on to state the proposition which I did have in mind and which I am endeavoring to state. There is no trouble about producing the authority, though I think it is One hundred and twentieth United States Reports.

Mr. LEWIS. There is a case in One hundred and nineteenth United States, the court discussing that legal phase, which is possibly the case the Senator from Georgia has in mind.

Mr. STERLING. Mr. President, will the Senator from Georgia permit me to make a suggestion?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from South Dakota?

Mr. BACON. Yes.

Mr. STERLING. I think the case the Senator from Georgia refers to is the Wildenhus case, reported in One hundred and twentieth United States Reports, at page 1.

Mr. BACON. No. 120 is the number of the volume, if I recollect correctly, in which the proposition is stated by our Supreme Court; but, Mr. President, that is but preliminary to what I was going to say.

We have a right to pass a law which is in conflict with international law if we see fit to do so. International law has but one tribunal for its enforcement, and that is the tribunal of arms. Whenever a nation sees proper to enact legislation which is in conflict with international law it has the right to do so, and if it has the power to maintain it it can make it good. There is no question about that.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Illinois?

Mr. BACON. I do.

Mr. LEWIS. There is a feature in this bill that has given me a little disturbance, to which I wish to invite the attention of the Senator from Georgia at this time, so that I may have his very able legal opinion. The Senator from Ohio [Mr. BURTON], for whose legal opinion I likewise express great admiration and deference, asserted, if I did not misunderstand him, that the provision in this bill that gave to the Federal courts jurisdiction of differences arising between the seamen and the captain and the owner was itself in conflict with our treaties, wherein it was provided that the consuls of the different countries should have jurisdiction of the disputes between the seamen and the master. I ask the distinguished Senator from Georgia does he assume that a provision of law that gave to the Federal courts jurisdiction of a transaction involving commerce in our own ports would be a violation of the treaty between this country and another that had merely provided that a consul should have jurisdiction of a similar dispute?

Mr. BACON. Mr. President, it is not necessary for me to go into that question to illustrate the attitude which I am taking here to-day. I am not pretending to discuss the features of this bill, and I again say that I am trying to reply to an inquiry made of me by the Senator from Missouri, which I have not yet done, and which I shall be very glad to do if I have the opportunity to finish.

I wish to say to the learned Senator from Illinois [Mr. LEWIS] that the question which he propounds is one that I would want to look into very closely. That may not be one, but there are instances in which, under international law and under the decisions of our Supreme Court, foreign nations would have the right to legislate and have their legislation made effective as to what should occur, what should be done, and what should not be done, upon a ship which this bill when passed will abrogate and destroy.

I was going on to say that not every provision in it by any means—and the provision suggested by the learned Senator from Illinois may be one which does not fall within that category—but there are those provisions which do fall within it, and not only those which fall within the natural obligations of international law, but, what is more particularly important, fall within the distinct contractual obligations of this Government with others in treaty stipulations. Those are the ones that I particularly have trouble about, for, I repeat, we have the right to pass a law which shall be in conflict with a general principle of international law if we see fit to do so, and we do not have to call the attention of the balance of the world to it when we do it; but when we pass a law which shall abrogate the provisions of a treaty solemnly entered into it is another matter.

Then, I say, Mr. President, before we do it we ought to call the attention of the nation with which we have such treaty stipulations and ask her to confer with us to see whether or not we can agree upon a change. I say it is not in accord with custom, and not in accord with good policy, to say nothing as to what might be required by proper deference and proper respect; it is not in accord with custom or good policy when we have a treaty with another nation, more particularly when we have treaties with a dozen nations or more, to pass an act of Congress which shall abrogate that treaty without having invited the attention of the other nation to it and asked that nation to agree to change the treaty. That is what this bill does.

I said, Mr. President, that there were treaty obligations. I will read one of them. I am not sure but that under the favored-nation clause, even if no similar provision is found in any treaty with any other maritime nation, every other nation has the right to the same benefit. Article 13 of the treaty of 1871 between the United States and Germany, made immediately after the formation of the present German Empire, is in this language:

> Consuls general, consuls, vice consuls, or consular agents shall have exclusive charge of the internal order of the merchant vessels of their nation, and shall have the exclusive power to take cognizance of and to determine differences of every kind which may arise, either at sea or in port, between the captains, officers, and crews, and specially in reference to wages and the execution of mutual contracts. Neither any court or authority shall, on any pretext, interfere in these differences, except in cases where the differences on board ship are of a nature to disturb the peace and public order in port.

Mr. LEWIS. Mr. President, it is that to which I wish to invite the distinguished Senator's attention. I contend——

Mr. BACON. Will the Senator not permit me to read the provision through?

Mr. LEWIS. From the pleasant manner in which the Senator had come to a period and rested for breath I thought he had concluded.

Mr. BACON. I am very much obliged to the learned Senator for his complimentary remark as to my manner, which is not always calculated to evoke commendation of that kind. I think the Senator is overpolite. Mr. President, I will finish the reading:

> Neither any court or authority shall, on any pretext, interfere in these differences except in cases where the differences on board ship are of a nature to disturb the peace and public order in port or on shore, or when persons other than the officers and crew of the vessel are parties to the disturbance.
>
> Except as aforesaid, the local authorities shall confine themselves to the rendering of efficient aid to the consuls, when they may ask it, in order to arrest and hold all persons, whose names are borne on the ship's articles, and whom they may deem it necessary to detain. Those persons shall be arrested at the sole request of the consuls, addressed in writing to the local authorities and supported by an official extract from the register of the ship or the list of the crew, and shall be held during the whole time of their stay in the port at the disposal of the consuls. Their release shall be granted only at the request of the consuls, made in writing.

Now, Mr. President, that may be something that we should abrogate. I am not standing here for the purpose of defending that.

Mr. LEWIS. What I wish to ask the Senator——

Mr. BACON. If the Senator will pardon me, I must state my position before I am utterly unhorsed by the argument of the Senator from Illinois, which I anticipate with reasonable probability.

Mr. LEWIS. This is not a quadruped undertaking, I assure the Senator.

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Illinois?

Mr. BACON. I do, if the Senator desires.

Mr. LEWIS. No; I only wanted to get the Senator's point of view.

Mr. BACON. What I want to say, Mr. President, is this: That may be an altogether improper stipulation; that may be a stipulation which does injustice to ourselves; that may be a stipulation which does injustice to the crews of foreign vessels. I am not here for the purpose of defending it; that is not what I am on my feet to say; but what I am here to say is that we have agreed to it solemnly and for over 40 years it has been the supreme law of this land; for over 40 years it has been our agreement with the Empire of Germany, or, rather, with the German Empire—there is no such thing as the Empire of Germany—for over 40 years that has been our agreement with the German Empire. I have not had the time to examine the matter to see whether there are similar stipulations in our treaties with other great maritime nations, but if there are not, as I have said before, I am not prepared now to say that under the favored-nation clause all the other nations with whom we have treaties containing such a clause may not have the benefit of the stipulation referred to. I do not wish to undertake to say, without further investigation, that that is so.

I repeat, I did not read that for the purpose of saying what it ought to be; I simply read it for the purpose of showing that it is what it is. That is our agreement. It may be that it ought to be changed; but, if so, Mr. President, comity between nations, proper regard for our treaty obligations, and proper regard for our friendly relations with the Government with which we have made a stipulation of that kind requires that, when we propose to change it, we should ask that nation to agree with us upon the change—not ask it with the idea that if she does not agree we are still to be bound by it if we do not agree with her about it, but ask it in the hope that there may be such modification as we think ought to be made; ask it, if you please, with a purpose to disregard it and to legislate as we see proper if there should be such disagreement.

The point I make, Mr. President, is that it is not consistent with usage, it is not consistent with good policy, when we have a treaty obligation with a foreign nation, one of the great friendly nations with which we have great commercial intercourse, with which we have very much in common, with which we wish to maintain and continue friendly relations—I say it is not consistent, Mr. President, with usage or with good policy for us to pass a law which would abrogate it, which this bill will do, without showing proper deference to the country with which we have heretofore solemnly made that agreement.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Connecticut?

Mr. BACON. I do.

Mr. BRANDEGEE. I assume the Senator means—and I ask for my own information if he does mean—that even where a convention contains in terms the provision that it may be abrogated in whole or in part upon the giving of a certain number of days' notice by either party, even in that case the diplomatic usage is that there should be an attempt to modify it by agreement before notice of abrogation is given?

Mr. BACON. Undoubtedly; whether there is a stipulation for notice or no stipulation for notice, the usage among nations in this modern day, to say nothing of the past, when possibly they took advantage of each other without as much regard for the amenities of life as is now prevalent, is when a nation has a treaty with another nation which it is desired to change to invite that nation to a conference with a view to agreement upon a change, and to take drastic action in changing it over the wish of the other nation only after such opportunity for mutual agreement.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Illinois?

Mr. BACON. I do.

Mr. LEWIS. The able Senator from Georgia has misapprehended the object of my interrogation. At no time was it to take issue with him as to whether or not the provision is wise, or whether or not our abrogating a treaty by this measure of legislation, if such we are doing, is expedient. It was this:

I stated the confusion in my own mind caused by the assertion made from so reliable a source as the Senator from Ohio, and now again from the Senator from Georgia. Since the treaty of 1871 discloses a condition of premise such as I have heretofore explained, that we did have a treaty which provided that disputes between the seaman and the master or owner respecting wages, and similar conflicts, should be disposed of by the consul, and since it is now contended by the Senator from Ohio, and apparently by the Senator from Georgia, that the provisions of this bill would conflict with it, I wish to ask the Senator from Georgia whether, in his judgment, as a matter of law, the Government of Germany has not regarded that provision as obsolete, in view of the fact that we have since then frequently enacted laws which allow a lien upon that same vessel in any port to be foreclosed in the Federal courts for the recovery of those very same wages?

Mr. BACON. All that may be true, but it does not at all conflict with the proposition I make. It may be true that it does amount to a modification, and to that extent an invasion of the treaty. I am not prepared to say, though, whether that was ever done without having had a conference with the German Government as to whether they would be willing for it to be done.

Every Senator here knows, however, that we have had no conference with the German Government, or with any other Government having a like provision, as to whether or not they would consent to its change. Every Senator here knows that we are not proposing to take this drastic action, because we have been unable to agree with a foreign Government. Every Senator here knows that we are proceeding in utter disregard of the fact that we have entered into this solemn stipulation, and that we are proposing, in disregard of usage and in disregard of good policy, to abrogate solemn treaties without a word to the nations with which we have made them.

Mr. President, when I rose I had no idea of discussing this question this afternoon. I have no doubt there are a great many other things in this very far-reaching bill which require careful consideration. I very much wish this matter had been called to the attention of the Senate in a way to challenge our attention and to impress upon us the importance of careful investigation.

Matters which concern our own internal policy we can proceed with as hastily as we please, though we ought to give careful consideration to everything; but it is a matter of supreme importance, when we propose legislation which is to affect our relations with other countries, that we shall proceed in a way which will satisfy us and satisfy the world that we have given careful consideration to that which we propose to do; that we have weighed the consequences, and that we have observed the amenities which are thought properly to control in international intercourse.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Iowa?

Mr. BACON. I do.

Mr. CUMMINS. It is granted, I take it, that the legislation here proposed is within the power and jurisdiction of Congress. I have been very much impressed with the very forcible statement of the Senator from Georgia that we must do nothing that will create friction or disaffection between ourselves and other countries. We have an agreement with Germany concerning this subject. We do not want any agreement with Germany in the future with regard to it if Congress is in favor of the provisions of this bill. In other words, we want to legislate upon it ourselves and to adopt our own rule with regard to it.

Mr. BACON. Will the Senator permit me right there to see if I understand him correctly? Does the Senator mean that we would prefer to enact this legislation as our own individual separate act, abrogating the feature I have read of a treaty existing between this country and Germany, rather than have Germany consent to the changes that are to be made?

Mr. CUMMINS. I did not say anything about abrogating the treaty. I did say that the theory and policy of this bill is that we intend to impose this rule without regard to the consent of any other nation. Practically speaking, of course, that means without any effort to secure another agreement, because the Senator from Georgia very well knows that in all human probability we could not secure an agreement in the terms of our bill with every country in the world which desires to enter our ports for commercial purposes.

Mr. BACON. I do not think the assumption is justified that we can not agree with other nations about that.

Mr. CUMMINS. The treaties are not the same now, and I assume that any effort to make a uniform agreement with all the countries of the world, if not entirely unavailing, would very greatly prolong the settlement of the matter. But assume, now, that Congress desires to establish this policy; Congress can not give notice to Germany; Congress can not take up the matter of negotiation with Germany.

Mr. BACON. Congress can very easily adopt a method by which it can be done.

Mr. CUMMINS. Suppose the President of the United States were not in harmony with the policy here proposed? Suppose he were satisfied with the treaties as they now are?

Mr. BACON. Why does the Senator suppose that?

Mr. CUMMINS. Simply because it is within the range of human probability; that is all.

Mr. BACON. I doubt it.

Mr. CUMMINS. I am not assuming that the President of the United States at this moment is not in harmony with it, but I am trying to examine our power as well as the propriety of our action.

In the first place, we have the constitutional authority to legislate upon the subject. In the second place, we have no way—indeed, no legislative branch of a government has any way—of dealing diplomatically, in a contractual way, with any other country in the world. We desire now to establish this policy. We can not direct the President of the United States to enter into a negotiation with Germany for a change of our treaties. We can, of course, request the President of the United States to do it. It still lies with him to enter upon the negotiation or to refuse to do so.

What have we done here? I notice, of course, the passage at arms over on the other side of the Chamber; but nevertheless——

Mr. BACON. I simply made a side remark.

Mr. CUMMINS. But I believe the spirit in which I am speaking is a national spirit and an American spirit.

Mr. BACON. Certainly nothing I have said or done would indicate the contrary. Nobody has questioned the Senator's patriotism or his national feeling or his generous impulses or his logical acumen.

Mr. CUMMINS. I drew my own conclusions from what happened. In this bill we have not been unmindful of our relations with Germany or with any other country. We have recognized that these treaties are in existence. We have provided that these provisions, in so far as they conflict with any treaty, promises, or agreements, shall not take effect for a period of one year. We have asked the President of the United States to give the notice that is required to terminate in an orderly and respectful way such provisions or agreements as are in conflict with the legislation. There is nothing here, it seems to me, at which any foreign nation can take umbrage. We are simply exercising our undoubted power, establishing a policy that we have a right to establish, and asking that these agreements which may lie in the way shall be disposed of in the manner

provided in the agreements themselves. What is there here to create friction?

Mr. BACON. Mr. President, I will suggest to the Senator, if he rose to ask me a question, that he give it to me. It is hardly fair to inject this speech in the middle of my remarks.

Mr. BURTON. Mr. President, will the Senator from Iowa yield to me for a moment?

Mr. CUMMINS. I accept that criticism, Mr. President. We all do that.

The PRESIDING OFFICER. To whom does the Senator yield?

Mr. BACON. If the Senator desires to ask me a question, I shall be glad to have him do so, and give me an opportunity to answer it.

Mr. CUMMINS. I have not yet reached the question.

Mr. BACON. Then I withdraw the suggestion.

Mr. BURTON. If the Senator from Iowa will yield to me——

Mr. CUMMINS. I have no right to yield to the Senator from Ohio. The Senator from Georgia has the floor.

Mr. BURTON. If the Senator from Georgia will allow me to make a suggestion to the Senator from Iowa, the part of this bill providing for notice of abrogation refers only to provisions relating to desertion.

Mr. BACON. I must insist that I be allowed to conclude.

The PRESIDING OFFICER. The Senator from Georgia is entitled to the floor.

Mr. BURTON. The language is:

That in the judgment of Congress articles in treaties and conventions of the United States, in so far as they provide for the arrest and imprisonment of officers and seamen deserting or charged with desertion—

And so forth.

Mr. BACON. I wish the Senator from Ohio would pardon me. I was nearly through; I lacked but a minute of being through when the Senator from Iowa desired to ask me a question, for which he has laid the foundation with some degree of care, and I simply desire to have it.

Mr. CUMMINS. I was laying the foundation for this question: I have called attention to the fact that we are exercising a power given to us by the Constitution; that we have a right to establish this policy——

Mr. BACON. Nobody controverts that.

Mr. CUMMINS. And that the treaty-making power is not with Congress. Part of it may be with the Senate, but it is not with Congress. Therefore when we provide in the very measure which is in conflict with the treaty that the President of the United States shall take up the subject with the foreign country and shall, in accordance with the terms of the agreement itself, bring the conflicting provisions to an end, does the Senator from Georgia think such a course could by any possibility give just offense to any country on the face of the earth?

Mr. BACON. Is that the Senator's question?

Mr. CUMMINS. That is the question.

Mr. BACON. Mr. President, I do not think it would give such offense as would be recognized as a casus belli, to use the Latin I learned when I was a schoolboy; but I have no doubt whatever that it would give umbrage and would be considered a proceeding not in accord with the courteous usage and procedure usually characteristic of the intercourse between nations.

Mr. President, the Senator's whole proposition is simply this: In response to the suggestion that notice ought to be given, he assumes, in the first place, that if such notice were given the foreign Government—the German Government in the particular case in question here now—would not agree with us, and therefore we should not stop to negotiate with it. I think that is an assumption which is not justified. I think it is an assumption, even if the Senator has great confidence in it, to act upon which would be in utter disregard of the usual methods of international intercourse.

The next suggestion of the learned Senator is that we can not communicate with Germany or with any other foreign nation. When it is pointed out that we have the simple method of communicating with foreign Governments through the President of the United States, the reply of the Senator is another assumption—that the President of the United States might not be in harmony with our view and might not make the communication.

It seems to me it is hardly worth while to answer suggestions of that kind further than to state the propositions themselves.

I was about to conclude, and I had before me the book I had in mind when I said to the Senator from Wisconsin that I was familiar with the case. I thought he was going to read from One hundred and twentieth United States, with which I am familiar, in which a proposition is laid down from which I will now read a paragraph to the Senate. It is in what is known as Wildenhus's case. I read, from page 12 of volume 120 of the United States Supreme Court Reports, an opinion delivered by Chief Justice Waite:

From experience, however, it was found long ago that it would be beneficial to commerce if the local government would abstain from interfering with the internal discipline of the ship and the general regulation of the rights and duties of the officers and crew toward the vessel or among themselves. And so by comity it came to be generally understood among civilized nations that all matters of discipline and all things done on board which affected only the vessel or those belonging to her and did not involve the peace or dignity of the country or the tranquillity of the port should be left by the local government to be dealt with by the authorities of the nation to which the vessel belonged as the laws of that nation or the interests of its commerce should require. But if crimes are committed on board of a character to disturb the peace and tranquillity of the country to which the vessel has been brought, the offenders have never by comity or usage been entitled to any exemption from the operation of the local laws for their punishment, if the local tribunals see fit to assert their authority. Such being the general public law on this subject, treaties and conventions have been entered into by nations having commercial intercourse the purpose of which was to settle and define the rights and duties of the contracting parties with respect to each other in these particulars, and thus prevent the inconvenience that might arise from attempts to exercise conflicting jurisdictions.

And so forth.

That, Mr. President, states the general proposition, and that is what is found in the treaty.

Mr. LA FOLLETTE. Will the Senator give me the reference to that case?

Mr. BACON. Yes; One hundred and twentieth United States, page 12.

Mr. President, I do not know that I will have another word to say on this subject, and I do not myself propose to call the roll for the purpose of embarrassing the question of the passage of the bill. I have done my part. For myself I can not vote for it; and in saying I can not vote for it I repeat that the Senator from Wisconsin does not go further than I do in the desire to safeguard human life at sea and to make all proper and legitimate provision which can be made to that end. The Senator from Wisconsin does not go further than I do in the desire to ameliorate and improve the condition of sailors.

But I can not shut my eyes, Mr. President, to the fact that this proposed legislation is not in harmony with our general policy in proposing thus arbitrarily and drastically to set aside the provisions of treaties by a legislative enactment without ever having entered into conference with the other nations with which we have made such treaties.

I repeat, Mr. President, I thought it was my duty as a Senator to say this much. I do not suppose this is to be the end of this legislation. It has to be considered elsewhere. With this statement I am perfectly content to leave it. I have no doubt there are very many provisions in the bill which it is extremely desirable to have enacted. There are many of which I would approve, but I do disapprove and can not give my support to measures which propose by legislation to abrogate a treaty solemnly made without an invitation to the nation with which we have made such a treaty to confer with us as to the changes. It will be time enough when we have conferred with them to make the changes if we think they ought to be made.

The reply to that is that while we wait human life is in danger. Then I say confine the bill to those provisions. Confine the bill to the provisions which do not conflict with our treaties and the Senator will have no dissent as to its enactment.

Mr. President, I repeat, as I said before, but I want to say it in this connection, when it comes to the question of legislating as to our own shipping and our own seamen, I will go as far as the Senator from Illinois [Mr. LEWIS] in joining with him as to legislation affecting them. If after we have done it, as we have done it in the past and as nations usually do, after we have attempted to agree with foreign nations as to changes in treaties which we have already made with them, I am not prepared to say if they will not agree with us that I may not still go with the Senator in the measure which he proposes; but I am not willing by legislative action to abrogate, not only one treaty, but a dozen treaties with every prominent maritime nation of the earth, arbitrarily abrogating provisions as to which we have heretofore given our solemn consent without saying one word to those nations before we undertake so to do.

I repeat, I do not know that I shall say another word; it is not my purpose to avail myself of any opportunity which may be presented to defeat the bill in any way, but I do think that the views which I have expressed should at least receive the consideration of the Senate.

Mr. WILLIAMS. Mr. President, I am inclined to think that a good deal of this discussion is somewhat a tempest in a teapot. I do not understand that the bill undertakes to abrogate a solemn treaty by a legislative enactment. I understand that the bill undertakes to do the only thing that the legislative branch of the Government can do in connection with the abrogation of a treaty, when the legislative branch is engaged in the business of passing legislation which conflicts with existing treaties, and that is to provide that if there be a conflict between the legislation and the existing treaty the President is requested to give notice of abrogation in the terms of the treaty, whatever it may be.

I understand that if that is not clear enough it will be made clear enough by an amendment proposed to be offered by the Senator from Wisconsin. Undoubtedly it ought to go a little further, and it ought to provide that any provision of the bill in conflict with any provision of any treaty shall not go into effect until the termination of the period of the notice of abrogation to be given by the Executive. But I did not rise chiefly for that purpose. I rose chiefly for the purpose of disputing——

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Wisconsin?

Mr. LA FOLLETTE. Will the Senator pardon an interruption just at that point?

Mr. WILLIAMS. Yes.

Mr. LA FOLLETTE. When I first offered Senate bill No. 4 it did not contain the last three sections regarding treaties which are now in the substitute as I have offered it. It did contain a provision that was broad in its terms with respect to notice and covered every possible case. But the Senator from Florida [Mr. FLETCHER], who reported the bill from the Committee on Commerce, in addressing the Senate laid special stress upon the attention which the committee had given to the treatment of the foreign treaties in the last three sections of the committee bill. He said repeatedly in his first address upon the bill that he thought everybody conceded that those sections of the bill S. 136 as reported made a better disposition of the treaty matter than did the substitute as I had proposed it; and, without giving that careful reading to it which I have since done, convinced that as the committee reported it, the report being joined in by the Senator from Ohio [Mr. BURTON], who has attacked that provision now, that it was not quite as broad as it was in the form in which I had originally introduced it, I took the last three sections of the bill as reported from the committee of which the Senator from Ohio is a member without any dissent from him, dealing with the treaties, and attached it to my bill in place of the section which I had on that subject, and I offered it as a substitute. In looking it over and having had my attention called to it by the Senator from Mississippi, I find that in order to cover all treaties it was limited, as the committee reported it, just to desertion treaties which the provisions of this bill concerning desertions might affect. I will offer at the proper time an amendment broadening it so as to provide that the President shall extend the notice to all countries.

Mr. WILLIAMS. And, furthermore, time ought to be given so that it shall not go into effect until after the period of notice of abrogation.

Mr. BACON. Mr. President, I simply wish to say that I am necessitated to leave the Chamber, and I did not wish in a debate in which I have taken part to absent myself without making the statement that I am compelled to go.

Mr. WILLIAMS. It is not at all necessary for the Senator to listen to what I am about to say.

Mr. BACON. I am not speaking of the Senator's speech in particular; I am speaking of all. I would stay if there were going to be a roll call, but I know there will be none. If there were one, I should certainly vote against the bill.

Mr. WILLIAMS. Of course the Senator knows he does not owe any apology to the Senate for leaving the Chamber, as the Senator is one of the most constant attendants in the Chamber I have known, and he would not leave unless he had good reasons; and the Senate would not expect him to make any excuse at all.

Mr. President, I rose for the purpose of saying that the Senator from Georgia [Mr. BACON] is totally mistaken in his apprehension of the Wildenhus case, and he is totally mistaken in his laying down of the general principle of international law, because the general principle is precisely the contrary. The general principle of international law, in the absence of a treaty or of a convention, is that every ship in the harbor of a nation is subject in every respect to the laws of that nation, and it is only when a treaty stipulation to the contrary exists that international law puts a different color upon it. In that case the coloring of the law comes not from a general principle of international law, but from the specific expression of the treaty or convention.

The Wildenhus case was decided upon the express language of a treaty with Belgium. That is not all. I say that even the treaties do not go as far as the Senator from Georgia seems to think. They go only to the discipline of the ship and the internal affairs of the ship; that is all. We have a treaty with France, I believe, in which the treaty goes a bit further. It says that all matters of wages concerning the party on the ship shall be sent to the consular court for its decision.

In order to establish what I have said about the general principles of international law it is well enough to let the Senate understand this case. It is the case of Wildenhus, who was a sailor upon a Belgian ship. He had a quarrel with another sailor by the name of Fijens, and during the quarrel he killed Fijens. He was arrested by the New Jersey authorities upon the charge of felonious homicide. The Belgian consul came into court and contended that under the treaty with the United States that matter ought to be cognizable by the Belgian consular court or by the Belgian authority. Of course the consul would not have tried the man; he would have sent him home to be tried, on the ground that the affray occurred upon the ship. Now, mark it, not only on the ground that it occurred upon the ship, but it occurred below decks upon the ship. Yet the court decided that, notwithstanding the treaty and notwithstanding the fact that homicide occurred upon the ship and below deck upon the ship, the plea of the Belgian consul was not well founded and the man must be tried by the New Jersey authorities upon the charge of felonious homicide. That case went to the Supreme Court and the Supreme Court affirmed it; and that is this case.

Now, let us see upon what ground the Supreme Court affirmed it.

The plea was:

That the said affray occurred and ended wholly below the deck of the said steamship and that the tranquillity of the said port of Jersey City was in no wise disturbed or endangered thereby.

* * * * * * * *

The claim of the consul was that by the law of nations and the provisions of the treaty the offense with which Wildenhus was charged is "solely cognizable by the authority of the laws of the Kingdom of Belgium," and that the State of New Jersey was without jurisdiction in the premises. The circuit court refused to deliver the prisoners to the consul and remanded them to the custody of the jailer. (28 Fed. Rep., 924.) To reverse that decision this appeal was taken.

Now, what is the language of the court? Chief Justice Waite, as the distinguished Senator from Georgia said, announced it. Here it is. Now, mark the general principle of law and then mark its exception. He said:

It is part of the law of civilized nations that when a merchant vessel of one country enters the ports of another for the purposes of trade it subjects itself to the law of the place to which it goes—

That language is quoted in the case that was read by the Senator from Wisconsin [Mr. LA FOLLETTE] a moment ago, and is reaffirmed—

unless by treaty—

Now, mark you—

unless by treaty or otherwise the two countries have come to some different understanding or agreement, for, as was said by Chief Justice Marshall in The Exchange, 7 Cranch, 116, 144, "it would be obviously inconvenient and dangerous to society and would subject the laws to continual infraction and the Government to degradation if such * * * merchants"—

That means merchant vessels; it is used in the technical sense—

"did not owe temporary and local allegiance and were not amenable to the jurisdiction of the country."

Now follows the exception:

From experience, however, it was found long ago that it would be beneficial to commerce if the local government would abstain from interfering—

With what?—

with the internal discipline of the ship—

What else?—

and the general regulation of the rights and duties of the officers and crew toward the vessel or among themselves.

Now, mark it—

And so by comity it came to be generally understood among civilized nations that all matters of discipline and all things done on board—

Not something off board at all; they never had gone that far; and in this case, which is the very case at bar, a thing done on board was held to be an exception. What sort of thing was done on board then? Mark you—

and all things done on board which affected only the vessel or those belonging to her, and did not involve the peace or dignity of the country or the tranquillity of the port should be left by the local government to be dealt with by the authorities of the nation to which the vessel belonged as the laws of that nation or the interests of its commerce should require.

Now, then, further—

Such being—

He uses this principle again. He says:

Such being the general public law on this subject, treaties and conventions have been entered into by nations having commercial inter-

course, the purpose of which was to settle and define the rights and duties of the contracting parties with respect to each other in these particulars, and thus prevent the inconvenience that might arise from attempts to exercise conflicting jurisdictions.

What was the treaty with Belgium? Here is the language of it:

The consuls or vice consuls—

That is, of each national in the ports of the other—

shall exercise police over all—

Mark the language—"police over." Every lawyer understands what "police" means—

over all the vessels of their respective nations—

That is, the police power upon board—

and shall have on board the said vessels all power and jurisdiction in civil matters in all the disputes which may there arise—

In civil matters—

they shall have an entire inspection over the said vessels—

"Inspection over." It can not be exercised out of the vessel—

over the said vessels, their crew, and the changes and substitutions there to be made, for which purpose they may go on board the said vessels whenever they may judge it necessary.

Without a treaty a consul has no right to go upon the vessel of his own country if you do not want him to. Then follows this language:

Well understood—

That is a sort of French law phrase, evidently translated literally from the French by somebody. It is a sort of equivalent to our "provided, however" law phrase.

Well understood that the functions hereby allowed shall be confined to the interior of the vessels, and that they shall not take place in any case which shall have any interference with the police of the ports where the said vessels shall be.

Here is something about the case of the *Sally* and the *Nereton*, which was decided, I believe, by Chief Justice Marshall pretty much upon the same general principle as this, but I will not refer to it now.

The treaty with France goes a little further, and undoubtedly this provision saying that the sailors shall be paid a certain proportion of their wages in port does violate not the general principle of international law at all but the specific provision of this treaty. It says:

The respective consuls general, consuls, vice consuls, or consular agents shall have exclusive charge of the internal order of the merchant vessels of their nation, and shall alone take cognizance of differences which may arise, either at sea or in port, between the captain, officers, and crew, without exception—

This is the broadest of all of them, and here it adds:

particularly in reference to the adjustment of wages and the execution of contracts.

Undoubtedly, then, that provision of this bill which gives us the right to make a foreign vessel in an American port pay one-half of the wages due might be an infringement of this provision of the treaty, which says:

Particularly in reference to the adjustment of wages and the execution of contracts

I find in no other treaty language as strong as that. The language of the Belgian treaty is about the general run of them. The language of the German treaty was read by the Senator from Georgia a moment ago, and it does not specify wages, if my recollection serves me correctly.

Mr. President, the point, however, after all, is this: Here we have human liberty to protect by an American law; we have human rights to protect; we have human life to safeguard by regulations of prevention as well as of efficiency. We undertake to do it. If we hamper our own ships in our own ports by certain provisions and do not make those provisions apply to the ships of other countries in those same ports, to the extent of the hampering regulation are we discriminating against our own merchant marine and enabling other nations, more reckless of human life or of human safety or of human liberty than we are, to compete against us successfully and to build up their merchant marine to the comparative destruction of ours.

We undertake, in spite of the treaty, to do this great work; and when we undertake to do it, we undertake to do it in the way in which the legislative body can act. The only way in which it can act is to insert in the proposed law that, in so far as it conflicts with any treaty provision, we request the President to give notice of abrogation according to the terms of that treaty, and that the provisions of this act conflicting with such treaty shall not take effect until after the expiration of the period of the notice of abrogation.

The general principle of international law is precisely the contrary of what was apprehended by the Senator from Georgia. It is only when specific international law comes into operation—to wit, the express language of treaties or conventions—that international law decides a case upon that side. In this very instance it is a case of the specific provisions of a treaty.

Mr. LA FOLLETTE. I ask for a vote, Mr. President, on the pending substitute, if there is no further argument.

Mr. BURTON. Mr. President, I desire to be heard before the vote is taken. I can proceed, if necessary, to-night, but I do not really like the idea, when I know everyone is impatient and going away, that I should go ahead. I do not mind the personal sacrifice, but it does not seem quite right to insist that I go on to-night.

Mr. LA FOLLETTE. I supposed the Senator had concluded his argument.

Mr. BURTON. I have not. I wish to make some further observations.

Mr. LA FOLLETTE. There has been no reply to anything the Senator has said.

Mr. BURTON. I have not quite concluded.

Mr. LA FOLLETTE. I supposed the Senator had concluded. If he would like to go on this evening, I am perfectly willing that we should continue the session until the Senator concludes.

Mr. BURTON. I should prefer very much not to go on this evening. If necessary, however, I will proceed.

Mr. STONE. Well, Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Missouri?

Mr. LA FOLLETTE. I yield to the Senator from Missouri.

Mr. STONE. I should like to have some——

Mr. BURTON. I will say further that there are some amendments that I may wish to prepare to the pending bill.

Mr. LA FOLLETTE. In order to meet the views of various Senators, and as we have been in protracted session since 12 o'clock, I suggest to the Senator from Indiana that the Senate adjourn to meet at 11 o'clock to-morrow morning.

Mr. KERN. I was about to make that motion. I move that when the Senate adjourns it adjourn to meet at 11 o'clock to-morrow morning.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. KERN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 6 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Thursday, October 23, 1913, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate October 22, 1913.

GOVERNOR OF PORTO RICO.

Arthur Yager, to be governor of Porto Rico.

NAVAL OFFICER OF CUSTOMS.

John B. Nash to be naval officer of customs in the district of Massachusetts.

SURVEYOR OF CUSTOMS.

Joseph A. Maynard to be surveyor of customs in the district of Massachusetts.

PROMOTIONS IN THE ARMY.

FIELD ARTILLERY ARM.

First Lieut. Scott Baker to be captain.

CAVALRY ARM.

First Lieut. Philip Mowry to be captain.
Second Lieut. Thurman H. Bane to be first lieutenant.
Second Lieut. Augustine W. Robins to be first lieutenant.
Second Lieut. William D. Geary to be first lieutenant.

COAST ARTILLERY CORPS.

First Lieut. David McC. McKell to be captain.
Second Lieut. John H. Hood to be first lieutenant.

CORPS OF ENGINEERS.

Lieut. Col. William C. Langfitt to be colonel.
Maj. Edgar Jadwin to be lieutenant colonel.
Capt. Paul Stanley Bond to be major.
First Lieut. Edmund L. Daley to be captain.

APPOINTMENTS IN THE ARMY.

CAVALRY ARM.

To be second lieutenants.

Albert James Myer, jr.
George Payne Nickerson.
Robert Ogden Annin.
Daniel Gordon Morrissett.

Edwin Smith Blackwell, jr.
Augustin Mitchell Prentiss.
Ralph Hospital
Theodore Barnes, jr.
Casey Hewitt Hayes.
Harvey Buckingham Steele Burwell.
Chapman Grant.
Roger Sherman Blaine Hartz.
Charles Bellows Hazeltine.
Eugene McSwyney Owen.

MEDICAL RESERVE CORPS.

To be first lieutenants.

Henry Waters Kennard.
Samuel Llie.
Frederick Charles Huff.
Charles Joseph Whalen.
Dunlap Pearce Penhallow.
Russell La Fayette Cecil.
Samuel Broders Moore.
Malvern Bryan Clopton.

POSTMASTERS.

CALIFORNIA.

Charles W. Fay, San Francisco.

ILLINOIS.

David L. Wright, Effingham.

LOUISIANA.

W. T. Pegues, Mansfield.

OREGON.

Dean S. McWilliams, Halsey.

SOUTH DAKOTA.

Mart Coffman, Dallas.
L. E. Corey, Lake Andes.

WEST VIRGINIA.

Jessie Craver, Boomer.
Mary E. Davin, Montgomery.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *October 22, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, who art ever with us to uphold, sustain, and guide in every noble resolve and worthy purpose, be with us now that we may not forget that "righteousness exalteth a nation while sin is a reproach to any people"; that we may know Thy will and strive to do it in the full consciousness that right is might and will prevail. For Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 1673. An act authorizing the Secretary of the Interior to grant further extensions of time within which to comply with the law and make proof on desert-land entries in the counties of Grant and Franklin, State of Washington.

ENROLLED JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following joint resolutions:

H. J. Res. 125. Joint resolution authorizing the President to appoint delegates to attend the Seventh International Congress of the World's Purity Federation to be held in the city of Minneapolis, State of Minnesota, November 7 to 12, 1913; and

H. J. Res. 134. Joint resolution for the appointment of a joint committee from House and Senate to attend Congress Hall celebration in Philadelphia in October, 1913.

CALENDAR WEDNESDAY.

The SPEAKER. The Clerk will call the committees.

Mr. HARDWICK. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Georgia moves that the House do now adjourn.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. MANN. Mr. Speaker, I ask for the yeas and nays. Why not do business for one day, anyhow?

The yeas and nays were ordered.

The question was taken; and there were—yeas 73, nays 39, answered "present" 12, not voting 304, as follows:

YEAS—73.

Abercrombie	Doughton	Keating	Russell
Aiken	Estopinal	Kirkpatrick	Sabath
Aswell	Evans	Lee, Ga.	Sherley
Barkley	Fergusson	Lee, Pa.	Sims
Beakes	Flood, Va.	Linthicum	Sisson
Beall, Tex.	Foster	Lloyd	Stephens, Miss.
Bell, Ga.	Garrett, Tex.	McAndrews	Stone
Brockson	George	McCoy	Stout
Brumbaugh	Gray	McDermott	Stringer
Buchanan, Ill.	Hamlin	Maguire, Nebr.	Tavenner
Buchanan, Tex.	Hay	Oldfield	Ten Eyck
Byrns, Tenn.	Hayden	Page	Thomas
Candler, Miss.	Helm	Pepper	Underwood
Chandler, N. Y.	Hensley	Peters, Mass.	Walker
Church	Hughes, Ga.	Phelan	Watkins
Cox	Hull	Raker	Young, Tex.
Deitrick	Humphreys, Miss.	Rauch	
Dent	Jacoway	Reilly, Conn.	
Doremus	Johnson, Ky.	Rothermel	

NAYS—39.

Anderson	Falconer	Kindel	Nelson
Austin	Fess	Lafferty	Patton, Pa.
Avis	Fowler	La Follette	Powers
Barton	Frear	Lindbergh	Rogers
Bell, Cal.	Greene, Vt.	Lindquist	Sinnott
Campbell	Hawley	MacDonald	Smith, Idaho
Cooper	Johnson, Utah	Manahan	Smith, Minn.
Donovan	Johnson, Wash.	Mann	Steenerson
Dyer	Kennedy, Iowa	Mapes	Towner
Edmonds	Kless, Pa.	Moore	

ANSWERED "PRESENT"—12.

Adamson	Donohoe	Morrison	Smith, J. M. C.
Carr	Hamilton, Mich.	Sherwood	Talbott, Md.
Crisp	Hardwick	Slayden	Woods

NOT VOTING—304.

Adair	Davenport	Hayes	Montague
Ainey	Davis	Heflin	Moon
Alexander	Decker	Helgesen	Morgan, La.
Allen	Dershem	Helvering	Morgan, Okla.
Ansberry	Dickinson	Henry	Morin
Anthony	Dies	Hill	Moss, Ind.
Ashbrook	Difenderfer	Hinds	Moss, W. Va.
Bailey	Dillon	Hinebaugh	Mott
Baker	Dixon	Hobson	Murdock
Baltz	Dooling	Holland	Murray, Mass.
Barchfeld	Doolittle	Houston	Murray, Okla.
Barnhart	Driscoll	Howard	Neeley
Bartholdt	Dunn	Howell	Nolan, J. I.
Bartlett	Dupré	Hoxworth	Norton
Bathrick	Eagan	Hughes, W. Va.	O'Brien
Blackmon	Eagle	Hulings	Oglesby
Booher	Edwards	Humphrey, Wash.	O'Hair
Borchers	Elder	Igoe	O'Leary
Borland	Esch	Johnson, S. C.	O'Shaunessy
Bowdle	Fairchild	Jones	Padgett
Bremner	Faison	Kahn	Palmer
Britten	Farr	Kelster	Parker
Brodbeck	Ferris	Keller, Mich.	Patten, N. Y.
Broussard	Fields	Kelly, Pa.	Payne
Brown, N. Y.	Finley	Kennedy, Conn.	Peters, Me.
Brown, W. Va.	Fitzgerald	Kennedy, R. I.	Peterson
Browne, Wis.	Fitzhenry	Kent	Platt
Browning	Floyd, Ark.	Kettner	Plumley
Bruckner	Fordney	Key, Ohio	Porter
Bryan	Francis	Kinkaid, Nebr.	Post
Bulkley	French	Kinkead, N. J.	Pou
Burgess	Gallagher	Kitchin	Prouty
Burke, Pa.	Gard	Knowland, J. R.	Quin
Burke, S. Dak.	Gardner	Konop	Ransdale
Burke, Wis.	Garner	Korbly	Rainey
Burnett	Garrett, Tenn.	Kreider	Rayburn
Butler	Gerry	Langham	Reed
Byrnes, S. C.	Gillett	Langley	Reilly, Wis.
Calder	Gilmore	Lazaro	Richardson
Callaway	Gittins	L'Engle	Riordan
Cantrill	Glass	Lenroot	Roberts, Mass.
Caraway	Godwin, N. C.	Lesher	Roberts, Nev.
Carew	Goeke	Lever	Rouse
Carlin	Goldfogle	Levy	Rubey
Carr	Good	Lewis, Md.	Rucker
Carter	Goodwin, Ark.	Lewis, Pa.	Rupley
Casey	Gordon	Lieb	Saunders
Clancy	Gorman	Loback	Scott
Clark, Fla.	Goulden	Logue	Scully
Claypool	Graham, Ill.	Lonergan	Seldomridge
Clayton	Graham, Pa.	McClellan	Sells
Cline	Green, Iowa	McGillicuddy	Shackleford
Collier	Greene, Mass.	McGuire, Okla.	Sharp
Connelly, Kans.	Gregg	McKellar	Shreve
Connolly, Iowa	Griest	McKenzie	Slemp
Conry	Griffin	McLaughlin	Sloan
Copley	Gudger	Madden	Small
Covington	Guernsey	Mahan	Smith, Md.
Cramton	Hamill	Maher	Smith, N. Y.
Crosser	Hamilton, N. Y.	Martin	Smith, Saml. W.
Cullop	Hammond	Merritt	Smith, Tex.
Curley	Hardy	Metz	Sparkman
Curry	Harrison	Miller	Stafford
Dale	Hart	Mitchell	Stanley
Danforth	Haugen	Mondell	Stedman

Stephens, Cal.	Taylor, Ark.	Underhill	Whitacre
Stephens, Nebr.	Taylor, Colo.	Vare	White
Stephens, Tex.	Taylor, N. Y.	Vaughan	Williams
Stevens, Minn.	Temple	Volstead	Willis
Stevens, N. H.	Thacher	Wallin	Wilson, Fla.
Summers	Thompson, Okla.	Walsh	Wilson, N. Y.
Sutherland	Thomson, Ill.	Walters	Wingo
Switzer	Townsend	Watson	Winslow
Taggart	Treadway	Weaver	Witherspoon
Talcott, N. Y.	Tribble	Webb	Woodruff
Taylor, Ala.	Tuttle	Whaley	Young, N. Dak.

So the motion to adjourn was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.
Mr. SCULLY with Mr. BROWNING.
Mr. METZ with Mr. WALLIN.
Mr. HOBSON with Mr. FAIRCHILD.
Mr. BARTLETT with Mr. BUTLER.
Mr. ADAMSON with Mr. STEVENS of Minnesota.

Until further notice:

Mr. AKEN with Mr. J. M. C. SMITH (commencing Oct. 1).
Mr. ASHBROOK with Mr. KAHN.
Mr. ALEXANDER with Mr. DYER.
Mr. BALTZ with Mr. SHREVE.
Mr. BLACKMON with Mr. BARCHFELD.
Mr. BORLAND with Mr. KEISTER.
Mr. BREMNER with Mr. GILLETT.
Mr. BOWDLE with Mr. MOSS of West Virginia
Mr. BURNETT with Mr. HAYES.
Mr. BROUSSARD with Mr. KELLEY of Michigan.
Mr. BATHRICK with Mr. KELLY of Pennsylvania.
Mr. BROWN of West Virginia with Mr. KREIDER.
Mr. BURKE of Wisconsin with Mr. CARY.
Mr. CLARK of Florida with Mr. MACDONALD.
Mr. COLLIER with Mr. WOODS.
Mr. CLAYTON with Mr. MONDELL.
Mr. CLAYPOOL with Mr. BRYAN.
Mr. CANTRILL with Mr. HELGESEN.
Mr. CARAWAY with Mr. KENNEDY of Rhode Island.
Mr. CRISP with Mr. HINDS (transferable).
Mr. CLANCY with Mr. HAMILTON of New York.
Mr. COVINGTON with Mr. MILLER.
Mr. CARTER with Mr. MCGUIRE of Oklahoma.
Mr. CLINE with Mr. NORTON (commencing Oct. 1).
Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.
Mr. CONNOLLY of Iowa with Mr. ROBERTS of Massachussetts.
Mr. DERSHEM with Mr. DAVIS.
Mr. DIES with Mr. SWITZER.
Mr. DUPRÉ with Mr. ANTHONY.
Mr. CURLEY with Mr. J. R. KNOWLAND.
Mr. FRANCIS with Mr. HUGHES of West Virginia.
Mr. FITZGERALD with Mr. CALDER.
Mr. FERRIS with Mr. SELLS.
Mr. FIELDS with Mr. LANGLEY.
Mr. FAISON with Mr. CURRY.
Mr. FINLEY with Mr. GREEN of Iowa.
Mr. GILMORE with Mr. MCKENZIE.
Mr. GARD with Mr. PLUMLEY.
Mr. GOODWIN of Arkansas with Mr. PORTER.
Mr. GRAHAM of Illinois with Mr. PETERS of Maine.
Mr. GARNER with Mr. J. I. NOLAN.
Mr. GORDON with Mr. THOMSON of Illinois.
Mr. GARRETT of Tennessee with Mr. LANGHAM.
Mr. HEFLIN with Mr. DUNN.
Mr. HARRISON with Mr. GRAHAM of Pennsylvania.
Mr. HOXWORTH with Mr. ROBERTS of Nevada.
Mr. HOWARD with Mr. GRIEST.
Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).
Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).
Mr. HOUSTON with Mr. WILLIS.
Mr. HENRY with Mr. LEWIS of Pennsylvania.
Mr. IGOE with Mr. PROUTY.
Mr. JONES with Mr. HINEBAUGH.
Mr. KITCHIN with Mr. PAYNE.
Mr. KEY of Ohio with Mr. FARR.
Mr. KONOP with Mr. MORIN.
Mr. KETTNER with Mr. SCOTT.
Mr. MCGILLICUDDY with Mr. GUERNSEY.
Mr. MONTAGUE with Mr. VARE.
Mr. MOON with Mr. DILLON.
Mr. MORGAN of Louisiana with Mr. HULINGS.
Mr. MORRISON with Mr. HUMPHREY of Washington.
Mr. MCKELLAR with Mr. MOTT.
Mr. PALMER with Mr. COPLEY.
Mr. PETERSON with Mr. PLATT (commencing Oct. 13).
Mr. POST with Mr. MURDOCK.
Mr. RAINEY with Mr. MADDEN.
Mr. RUCKER with Mr. HAUGEN.
Mr. RUSSELL with Mr. DANFORTH.
Mr. ROUSE with Mr. RUPLEY.
Mr. RICHARDSON with Mr. MARTIN.
Mr. RUBEY with Mr. TREADWAY.
Mr. SHARP with Mr. YOUNG of North Dakota.
Mr. SHERWOOD with Mr. SAMUEL W. SMITH.
Mr. SPARKMAN with Mr. HOWELL.
Mr. SUMNERS with Mr. ESCH.
Mr. SAUNDERS with Mr. AINEY.
Mr. SMITH of Texas with Mr. MCLAUGHLIN.
Mr. STEDMAN with Mr. FRENCH.
Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.
Mr. STEPHENS of Nebraska with Mr. SLOAN.
Mr. TAYLOR of Arkansas with Mr. SUTHERLAND.
Mr. TALBOTT of Maryland with Mr. MERRITT.
Mr. UNDERHILL with Mr. WALTERS.
Mr. WATSON with Mr. CRAMTON.
Mr. WHITACRE with Mr. TEMPLE.
Mr. WILLIAMS with Mr. BRITTEN.
Mr. WEBB with Mr. WOODRUFF.
Mr. WHITE with Mr. BROWNE of Wisconsin.
Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).
Mr. WINGO with Mr. PARKER.
Mr. WEAVER with Mr. BURKE of Pennsylvania.

Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).

Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).

Mr. REED with Mr. WINSLOW (commencing Oct. 1 for remainder of extra session).

Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, 1913, except on cotton-futures amendment).

Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, ending balance of session).

Mr. MORRISON. Mr. Speaker, I voted "yea." I have a pair with the gentleman from Washington, Mr. HUMPHREY, and I desire to withdraw that vote and vote "present."

The name of Mr. MORRISON was called, and he answered "Present."

The result of the vote was announced as above recorded.

Accordingly (at 12 o'clock and 35 minutes p. m.) the House adjourned until Thursday, October 23, 1913, at 12 o'clock m.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 5188) granting a pension to Jacob Heffler; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7528) granting an increase of pension to George Van Atta; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LAFFERTY: A bill (H. R. 8999) providing for the acquisition, ownership, and operation of all street railroads, gas plants, electric power and light plants, and telephone and telegraph systems in the District of Columbia by the Commissioners of said District; to the Committee on the District of Columbia.

By Mr. MOORE: A bill (H. R. 9000) providing for a survey of the Susquehanna River; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 9001) declaring navigable the Susquehanna River and its tributaries; to the Committee on Rivers and Harbors.

By Mr. TOWNER: A bill (H. R. 9002) to amend paragraph 8, section 24, chapter 2, of the Judicial Code of the United States; to the Committee on the Judiciary.

By Mr. CARY: Resolution (H. Res. 291) asking Utilities Commission of the District of Columbia for information about Chesapeake & Potomac Telephone Co.; to the Committee on the District of Columbia.

By Mr. WILSON of New York: Memorial of the Legislature of New York, requesting the Department of State to represent to the Russian Government that persistence in the proceedings based upon the "blood ritual" charge will be offensive to the American people; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARY: A bill (H. R. 9003) granting an increase of pension to Lloyd D. Pocock; to the Committee on Invalid Pensions.

By Mr. HARDWICK: A bill (H. R. 9004) granting a pension to Horace Hudson; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 9005) granting an increase of pension to Hiram H. Rudd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9006) granting an increase of pension to Joseph Halcomb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9007) granting an increase of pension to Finley Collins; to the Committee on Invalid Pensions.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 9008) granting an increase of pension to Thomas E. Glass; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 9009) for the relief of Mrs. Marshall C. Carson; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AUSTIN: Petitions of sundry citizens of Tennessee favoring change in interstate-commerce laws relative to mail-order houses; to the Committee on Ways and Means.

By Mr. LAFFERTY: Petition of A. J. Smith Post, No. 26, Grand Army of the Republic, Department of Oregon, protesting against any alteration in the flag of our country; to the Committee on the Judiciary.

SENATE.

THURSDAY, *October 23, 1913.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The VICE PRESIDENT resumed the chair.

The Journal of yesterday's proceedings was read and approved.

IMPORTS AND DUTIES UNDER TARIFF ACT (S. DOC. NO. 217).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 16th instant, a copy of the estimated receipts from customs for the year 1915, etc.

Mr. SMOOT. I ask that the communication lie on the table for the present.

The VICE PRESIDENT. The communication will lie on the table and be printed.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the enrolled bill (S. 1673) authorizing the Secretary of the Interior to grant further extensions of time within which to comply with the law and make proof on desert-land entries in the counties of Grant and Franklin, State of Washington, and it was thereupon signed by the Vice President.

PETITIONS.

The VICE PRESIDENT presented a telegram in the nature of a petition from the Labor Council of San Francisco, Cal., praying for the passage of Senate bill 4, known as the seamen's bill, which was ordered to lie on the table.

He also presented resolutions adopted by the Merchants' Association of Honolulu, Hawaii, favoring the enactment of legislation approving act No. 136 of the laws of Hawaii of 1913, relating to the franchise of the Honolulu Rapid Transit & Land Co. (Ltd.), which were referred to the Committee on Pacific Islands and Porto Rico.

PURCHASE OF MINERAL LANDS.

Mr. STERLING, from the Committee on Public Lands, to which was referred the bill (S. 2651) providing for the purchase and disposal of certain lands containing kaolin, kaolinite, fuller's earth, and other minerals within portions of Indian reservations heretofore opened to settlement and entry, reported it with amendments and submitted a report (No. 122) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRANDEGEE:

A bill (S. 3321) granting an increase of pension to Augusta C. Bennett (with accompanying papers);

A bill (S. 3322) granting an increase of pension to Alfaretta S. Bond (with accompanying papers);

A bill (S. 3323) granting a pension to Elizabeth Jane Brown (with accompanying papers);

A bill (S. 3324) granting an increase of pension to Mary A. Burdick (with accompanying papers);

A bill (S. 3325) granting an increase of pension to Sarah L. Bushnell (with accompanying papers);

A bill (S. 3326) granting an increase of pension to Sarah M. Chaffee (with accompanying papers);

A bill (S. 3327) granting an increase of pension to Anna Denison (with accompanying papers);

A bill (S. 3328) granting an increase of pension to Thomas F. Edwards (with accompanying papers);

A bill (S. 3329) granting an increase of pension to Mary L. Gaffney (with accompanying papers);

A bill (S. 3330) granting an increase of pension to Sarah I. B. Hammond (with accompanying papers);

A bill (S. 3331) granting an increase of pension to Anna Huntington Hinckley (with accompanying papers);

A bill (S. 3332) granting an increase of pension to William R. Holmer (with accompanying papers);

A bill (S. 3333) granting an increase of pension to Mary L. Latham (with accompanying papers);

A bill (S. 3334) granting an increase of pension to Susan E. Mitchell (with accompanying papers);

A bill (S. 3335) granting an increase of pension to Charles E. Mulkin (with accompanying papers);

A bill (S. 3336) granting an increase of pension to Bridget O'Loughlin (with accompanying papers);

A bill (S. 3337) granting an increase of pension to Caroline M. Smith (with accompanying papers);

A bill (S. 3338) granting an increase of pension to Happy M. Smith (with accompanying papers);

A bill (S. 3339) granting an increase of pension to Harriet T. Summers (with accompanying papers); and

A bill (S. 3340) granting an increase of pension to Bertha H. Tiesler (with accompanying papers); to the Committee on Pensions.

By Mr. MARTINE of New Jersey:

A bill (S. 3341) to pay the balance due to depositors in the Freedman's Savings & Trust Co.; to the Committee on Appropriations.

By Mr. O'GORMAN:

A bill (S. 3342) for the enlargement, etc., of the Wall Street front of the assay office in the city of New York; to the Committee on Public Buildings and Grounds.

SENATOR GEORGE C. PERKINS.

Mr. OVERMAN. Mr. President, I hold in my hand a telegram which I wish to read to the Senate. It is as follows:

OAKLAND, CAL., *October 21, 1913.*

Hon. CHARLES P. HIGGINS,
Sergeant at Arms, United States Senate, Washington, D. C.:

Replying to your telegram, during the 20 years or more since I have been Senator I have been absent from my seat but 19 days when Congress was in session. I have also attended daily the Senate sessions during the extra session of Congress until October 7, when obliged to absent myself on account of illness. I will return to the Senate again as soon as I am able to travel.

GEORGE C. PERKINS.

I wish to state, Mr. President, in behalf of Senator PERKINS, that I have been his pair for 10 years, and very seldom has the pair ever been announced in the Senate. I have never known a Senator to be more faithful to his duties in the Senate than that Senator.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had on this day approved and signed the act (S. 767) granting permission to the city of Marshfield, Oreg., to close Mill Slough in said city.

ENROLLED JOINT RESOLUTION SIGNED.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 142) to provide for furnishing the additional rooms in the House Office Building, and it was thereupon signed by the Vice President.

THE MERCHANT MARINE.

The VICE PRESIDENT. The morning business is closed and the Chair lays before the Senate the special order, which is Senate bill 136.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and

to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea.

The VICE PRESIDENT. The pending question is on the motion of the Senator from Wisconsin [Mr. LA FOLLETTE] to strike out all after the enacting clause of the bill and insert a substitute.

Mr. BURTON. Do I understand that by unanimous consent the bill is taken up now?

The VICE PRESIDENT. It is the understanding of the Chair that it is now in order.

Mr. LA FOLLETTE. I do not think there is any doubt about that, under the unanimous-consent agreement.

The VICE PRESIDENT. It is in order, according to the unanimous-consent agreement.

Mr. LA FOLLETTE. The bill is now in order. There can be no question about that, I think, Mr. President.

Mr. BURTON. Mr. President, it does not promise favorably for a careful consideration of this bill when we note that there are, I believe, by actual count only 17 Senators present. I do not wish to raise the point of no quorum, at least not at this time, and I will proceed with my remarks.

Mr. BACON. Mr. President, I wish to suggest that when the Senator makes that statement he raises it. When a Senator says there are only 17 Senators present he has raised the point that there is no quorum, and under the rule it necessitates that the roll shall be called.

Mr. SMOOT. Does the Senator from Georgia mean to say that even the suggestion of an absence of a quorum in a speech requires that the roll shall be called?

Mr. BACON. I say whenever it is stated by a Senator on the floor of the Senate that less than a quorum is present, in my opinion that is not only the suggestion but a positive statement of the absence of a quorum. It is more than a suggestion; it is a positive statement that by actual count a quorum is not present. That is my understanding of the rule.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. BRANDEGEE. Before that is done I want to know whether that is the suggestion of the absence of a quorum or not. Is the Chair prepared to rule?

The VICE PRESIDENT. The Chair rules that when a Senator, without discussing anything whatever, states that there are only 17 Senators present, it is the suggestion of the absence of a quorum, and that it is the duty of the Chair to order the roll to be called.

Mr. BRANDEGEE. In my opinion the mere statement of a Senator is not the official channel by which the presence or absence of a quorum is suggested and his count of the number of Senators is not official. But if the Chair rules that that can be done, without any discussion, I have nothing to say.

The VICE PRESIDENT. When a Senator says he desires a larger audience before proceeding and says there are only 17 Senators present he inferentially suggests the absence of a quorum, which must be settled by a roll call.

Mr. BRANDEGEE. My point is that the mere statement that in the opinion of a Senator, who says that he has counted and, according to his vision, less than the number that constitute a quorum are present is not a demand that the question of a quorum be raised officially in the manner prescribed.

Mr. SMOOT. When a roll call is not specially asked for.

Mr. BRANDEGEE. And when the Senator making it offhand denies any intention of raising the question of a quorum when he makes the statement.

Mr. LA FOLLETTE. But, Mr. President, he does raise it in a more concrete form than as though he had said he suggested the absence of a quorum.

Mr. BRANDEGEE. If that is true, it is also true——

Mr. LA FOLLETTE. I suppose the suggestion was made that it should appear of record that there was not a quorum here at the time the debate was opened.

Mr. BRANDEGEE. Then, of course, a vote taken now would be void in the absence of a quorum. Yet I direct the attention of the Senator from Wisconsin to the fact that when he obtained the very unanimous-consent agreement under which we are operating the same suggestion was made by myself, that, by actual count, there were only 19 Senators upon the floor, and that was not taken to be the suggestion of the absence of a quorum, and unanimous consent was given.

Mr. LA FOLLETTE. Mr. President, it is perfectly clear that the question of a quorum is going to be raised sooner or later to-day. That is indicated by the statement of the Senator from Ohio. While he announced that there was not any quorum present, he followed it with the statement that he did not purpose to raise that question at this time, although he had raised it. So we are going to have to meet it sooner or later to-day, and we might as well start early and ascertain just how many Senators we have here in the city.

Mr. BRANDEGEE. Of course, far be it from me to attempt to preclude anyone from suggesting the absence of a quorum. I think a quorum ought to be here, and it ought to have been here all the time if important business is going to be transacted. I am simply directing attention to the fact that I do not think up to this time the question of the presence or absence of a quorum has been raised in a manner which compels the Presiding Officer to order the Secretary to call the roll. I may be entirely wrong about it, but that is my view, and I so stated it.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Cummins	McCumber	Sterling
Bacon	Dillingham	McLean	Sutherland
Borah	Fletcher	Martine, N. J.	Swanson
Brady	Hollis	Nelson	Thornton
Brandegee	Jackson	O'Gorman	Tillman
Bristow	James	Overman	Vardaman
Bryan	Kenyon	Page	Walsh
Burton	Kern	Shafroth	
Chamberlain	La Follette	Sheppard	
Clapp	Lane	Smoot	

Mr. THORNTON. I desire to announce the necessary absence of my colleague [Mr. RANSDELL]. I ask that this announcement may stand for the day.

Mr. LANE. I wish to announce for the information of the Senate that the Senator from Michigan [Mr. TOWNSEND] and the Senator from Arkansas [Mr. ROBINSON] are absent on business of the Senate.

Mr. SHEPPARD. My colleague [Mr. CULBERSON] is unavoidably absent. He is paired with the Senator from Delaware [Mr. DU PONT]. I make this announcement to stand for the day.

Mr. HOLLIS. I desire to announce that the junior Senator from Delaware [Mr. SAULSBURY] is unavoidably absent. He is paired with the junior Senator from Rhode Island [Mr. COLT].

The VICE PRESIDENT. Thirty-seven Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of absent Senators.

The Secretary called the names of absent Senators, and Mr. GOFF, Mr. HITCHCOCK, and Mr. WEEKS answered to their names.

Mr. KERN. I desire to announce that my colleague [Mr. SHIVELY] is unavoidably detained from the city. He is paired with the junior Senator from Illinois [Mr. SHERMAN]. I also wish to announce that the Senator from Delaware [Mr. SAULSBURY] is unavoidably detained from the city and is paired. I ask that these announcements stand for the day.

Mr. WEEKS. I desire to state that my colleague [Mr. LODGE] is absent from the Senate on account of illness, and that he has a pair with the junior Senator from Georgia [Mr. SMITH]. I also wish to announce that the junior Senator from Illinois [Mr. SHERMAN] is absent on account of important business. I ask that these announcements stand for the day.

At 11 o'clock and 30 minutes a. m. Mr. NORRIS entered the Chamber and answered to his name.

At 11 o'clock and 35 minutes a. m. Mr. REED and Mr. POMERENE entered the Chamber and answered to their names.

Mr. BRANDEGEE. Mr. President, in order to economize time until the next Senator comes in to help make a quorum, if it is in order to make any remarks, I will make a few remarks now for a minute or two. If the Chair prefers they should be deferred, I will defer them until after a quorum is developed.

Mr. SMOOT. Under the rules——

The VICE PRESIDENT. Remarks are not in order.

Mr. SMOOT. Under the rules nothing can be done.

Mr. BRANDEGEE. Nothing can be done; but it did not follow from what I said that anything was about to be done. [Laughter.]

At 11 o'clock and 42 minutes a. m. Mr. SMITH of South Carolina entered the Chamber and answered to his name.

At 11 o'clock and 49 minutes a. m. Mr. BRADLEY entered the Chamber and answered to his name.

At 11 o'clock and 52 minutes a. m. Mr. MARTIN of Virginia and Mr. THOMAS entered the Chamber and answered to their names.

At 11 o'clock and 58 minutes a. m. Mr. MYERS, Mr. CHILTON, Mr. WILLIAMS, Mr. HUGHES, Mr. LEWIS, and Mr. SMITH of Maryland entered the Chamber and answered to their names.

The VICE PRESIDENT (at 12 o'clock meridian). Fifty-three Senators have answered to the roll call. There is a quorum present.

Mr. BRANDEGEE. Mr. President, I will now proceed to make a few brief remarks that I would have made while the Senate was ascertaining the presence of a quorum. It is not an important matter at this time, but it might at some time be of consequence. Therefore I desire to state for the RECORD that after the morning business has been closed, as long as the unanimous-consent agreement under which we are now work-

ing shall be in existence, in my opinion the unfinished business does not come automatically before the Senate. Rule VIII provides that—

> At the conclusion of the morning business for each day, unless upon motion the Senate shall at any time otherwise order, the Senate will proceed to the consideration of the calendar of bills and resolutions, and continue such consideration until 2 o'clock.

Of course that 2 o'clock is upon the assumption that the Senate meets at 12, and there is a subsequent resolution of the Senate which provides that if the Senate meets at any other hour it shall consider under Rule VIII bills on the calendar until two hours after the time of the meeting of the Senate. So to-day, for instance, when the announcement was made by the Chair that morning business was closed, in my opinion until the hour of 1 o'clock should have arrived, that being two hours after 11, at which time we convened to-day, the pending bill, the subject of the unanimous-consent agreement, could not come before the Senate unless by unanimous consent or unless upon motion made and carried.

It seems to me that must be so, unless the unanimous-consent agreement, which was that on last Thursday the Senate would proceed to the consideration of the pending bill, and that not later than at 4 o'clock on Thursday, October 23, 1913, the Senate will proceed without further debate to vote upon any amendment that may be pending, and so forth, shall be construed to have abolished morning business; and I do not think it did or could be so construed. Evidently the Senate has not thought so, because we have been proceeding with morning business regularly each day since that consent agreement was adopted.

I simply want to put in the RECORD my view of the question, that when the morning business is closed, as it was this morning within 5 or 10 minutes after we convened, the pending bill, which is the unfinished business upon the calendar and would come up automatically therefore two hours after the opening of the Senate, could not come before the Senate under the rules except by unanimous consent or upon a motion made and carried.

The VICE PRESIDENT. The Chair is of the same opinion as the Senator from Connecticut.

Mr. BRANDEGEE. The Senator from Connecticut will say to the Chair that he understood the Chair to have previously ruled otherwise or else he would not have made these remarks.

The VICE PRESIDENT. I read the unanimous-consent agreement, and am frank to say I read it as it operated October 16.

Mr. BRANDEGEE. The Senator from Connecticut had no motive in making his remarks except that it might appear in the RECORD that if the ruling of the Chair was to be so construed I desired to differ with it.

The VICE PRESIDENT. The ruling will not be taken as a precedent; and if the question arises again it will be an open question.

Mr. SMOOT. Mr. President, it seems to me that under the unanimous-consent agreement the bill S. 136 does come before the Senate immediately after the conclusion of the routine morning business—that is, not at the close of the morning hour, but after the routine morning business—and whenever the Chair announces that the routine morning business is closed this bill should be placed, under the unanimous-consent agreement, before the Senate.

Mr. BRANDEGEE. Inasmuch as that view differs from the one just expressed by me, may I ask the Senator what language in the unanimous-consent agreement justifies his construction?

Mr. SMOOT. The language is this:

> It is agreed, by unanimous consent, that on Thursday, October 16, 1913, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill S. 136—

And so forth.

Mr. BRANDEGEE. What of it? I agree that the Senator has correctly read so much of the agreement as he has read, but it does not seem to me to bear out the statement which he has just made.

Mr. SMOOT. It seems to me that the routine morning business closes immediately upon the Chair announcing that the morning business is closed.

Mr. BRANDEGEE. It certainly does.

Mr. SMOOT. That is the conclusion of the routine morning business.

Mr. BRANDEGEE. Certainly.

Mr. SMOOT. Then this bill will come up for consideration under the unanimous-consent agreement.

Mr. BRANDEGEE. Not at all. The Senator is now stating something not contained in the agreement. The agreement from which he has correctly cited states that on Thursday, October 16—which was a week ago—the Senate, immediately upon the conclusion of the routine morning business of the Senate, shall proceed to the consideration of the bill. All that was done a week ago, and nothing, so far, that I have read would justify the statement that immediately upon the conclusion of the morning business each succeeding day the Senate shall take up forthwith the bill and proceed with it.

Mr. SMOOT. Then the Senator takes the position that the unanimous-consent agreement applied only to Thursday, October 16, as far as taking the bill up immediately upon the conclusion of the routine morning business.

Mr. BRANDEGEE. It simply fixes the time when the Senate will take it up.

Mr. SMOOT. The Senator thinks it should not apply to any day after Thursday, October 16?

Mr. BRANDEGEE. Not unless it says so. The Senator's view, I assume, is that the Senate should continue the consideration of the bill without interruption until acted upon, and yet the mere suggestion of morning business each day acknowledges the interruption of it; and having interrupted it with morning business, then we are subject to the rules governing morning business, and one rule says that immediately upon the conclusion of the morning business the Senate shall proceed with the calendar under Rule VIII.

Mr. SMOOT. Perhaps, technically, that would be right, Mr. President.

The VICE PRESIDENT. It seems to be further borne out by the RECORD that the bill was also made the unfinished business of the Senate.

Mr. BURTON. If it is necessary, I will ask unanimous consent that the unfinished business be laid before the Senate, as I understand the ruling has been made that it is not before the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the bill is before the Senate.

Mr. BURTON. Mr. President, I desire to bring to the attention of the Senate several telegrams of exceptional importance which I have just received. The first is one from Senator CRAWFORD, who for weeks was upon the subcommittee which last winter considered this bill. He states in a telegram dated at Huron, S. Dak., October 22:

> I am leaving for Washington to-night. Can not arrive before Friday evening. Am for the Nelson bill.

I very much regret Senator CRAWFORD'S absence.

In the statement that I made a few days ago in regard to the men who first responded and who were chosen on the *Grosser Kurfurst* at the time of the *Volturno* disaster, I am inclined to think that I was in some error. Either my information was inaccurate or I misunderstood a conversation. However, a very considerable share of the men who took part in the work of rescue were other than sailors. I have asked that an exact statement be furnished me of the men who manned the boats. This is given by Capt. Moeller, the local superintendent of the North German Lloyd Line at Hoboken, after he had made full inquiry. It is to be noted that the *Grosser Kurfurst* came close to the *Volturno*, and, I understand, was the first that succeeded in taking passengers off the burning ship. I now read a telegram received from Capt. Moeller:

> Besides sailors, also stewards, scullery men, and coal trimmers volunteered and were picked to man lifeboats of *Kurfurst*. Captain reports first lifeboat under second officer.

Then he goes on to tell of what the crew was made up:

> One quartermaster, one sailmaker, four sailors, one boiler maker, one coal trimmer.

So there were three who were not sailors in this crew.

> Second lifeboat under third officer, six sailors, three stewards, one trimmer.

Making six sailors and four others of the crew.

> Third lifeboat under fourth officer, two quartermasters, two sailors, two stewards, one scullery man, two trimmers.

Two quartermasters and two sailors would make four, and there were five others—two stewards, one scullery man, and two trimmers.

The last boat was manned by a majority of nonsailors.

> These three lifeboats went to rescue at night during heavy storm and high sea and saved 32 persons from *Volturno* before daybreak. Rescue after daybreak comparatively easy account moderated weather.
>
> I repeat that not only our sailors but all the men employed in the different departments on board are constantly drilled in handling lifeboats.

I have here also a telegram from the master of the *Kroonland*, which was engaged in the work of rescue. It states:

> When my ship rescued 88 people from burning *Volturno*, heavy gale blowing and a terrific sea running. Many volunteers from all departments of my crew offered to go in the boats. All were eligible for the work of handling the lifeboats. I selected crews composed of sailors, firemen, and stewards; in my judgment, the said firemen and stewards being more competent for the work than some of the deck hands, due to our frequent training in boat drills. Launched three boats.

On this same subject I wish to read a letter from a man conversant with conditions on the Great Lakes, from the manager of a great passenger line at Detroit, which for many years has had no accidents whatever. It is from Mr. A. A. Schanz, manager of the Detroit & Buffalo Line. He says:

With reference to our conversation last Tuesday evening regarding the lake seamen's efficiency in handling lifeboats, I am pleased to say our company gives cash prizes for the most efficient crew on each of our steamers, and before the close of the navigation season we give a grand prize to the most efficient crew of all of our fleet. The prize on each boat for the most efficient crew is $50 and the grand prize is $200, so there is quite a competition between our crews on each steamer in their work in this direction. Last year on the steamer *City of St. Ignace* we had a crew of firemen who were made up of Greeks who had never sailed up to that year, but they won the prize on that steamer for the best handling of their boats, oarsmanship, and everything pertaining thereto. When the time came to have the contest for the grand prize this crew of Greeks won the first prize on account of their great efficiency.

We have 10 boats in our fleet, and in a number of cases the steward's crew were first in efficiency. The able-seamen crew were usually second or third.

Then he goes on to say what is perfectly well understood, that the frequent changes of personnel, the comparatively short service of the seamen, diminishes their efficiency and makes them less suitable for the handling of boats; because they do not know the arrangement of the mechanism, the davits, or the location of the boats.

Mr. LANE. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Oregon?

Mr. BURTON. Certainly.

Mr. LANE. There is a little bit of matter pertaining to this handling of boats at sea and in rough water which I do not think is being given the attention which it deserves. I do not think that the Senator from Ohio—although I do not question his sincerity at all—understands the question. The handling of a boat in a rough sea and the launching of a boat, the lowering it from davits at sea, is entirely different from anything which ever occurs at all in inland waters, I think, of the Lakes even.

The claim of the seamen—able seamen, men who have been at sea—that it requires two men, able-bodied seamen, men of experience before the mast, to lower a boat is founded upon experience that goes back for hundreds of years. It is known everywhere among men who live upon the sea and by the sea and who go down to the sea in ships that there is all the difference in the world between an oarsman, even on the prize crew of Harvard or Oxford, and a man who can handle an oar in rough water at sea. I have handled a boat and I have pulled in salt water against a head wind and against a tide, and I know the difference.

I do not like to have this information passed out to Senators. Although, as I said, I make no question of the sincerity of the Senator from Ohio, I know, however, from the way he talks and the number of hours that I have stood by and pulled an oar that he knows nothing about the proposition of which he speaks in that respect.

An able-bodied seaman is as entirely different from a landlubber or a fireman as a trained musician is from an amateur. An able-bodied seaman has to know how to handle lines, and running through blocks, and how to work in unison with his mate. He works in as exact harmony of movement as a musician does at the beating of the wand of a bandmaster, and it comes from training. It is a trick of the wrist. It comes from experience, and no man can let down a boat from the davits through the block and tackle and handle a line in a storm who does not know how to pay it out with the man who stands at the bow if he is at the stern, or the man at the stern if he is at the bow. A green hand, if he is a fireman or if he be a graduate of Harvard or Oxford or the president of the institution, will rip the skin off his hands and burn them down to the bone if he lets it go down with a run. He has got to know how to snub his line and hold it and watch what the other man is doing and lay the boat down on an even keel into the suds of the breakers which are hammering against the side of the ship.

Go into Alaska, high up into the Aleutian Islands, and you will find Eskimos who will throw their boats over into the surf and breakers from off the cliff and lay them on an even keel and trip out to sea as light as a swallow floats through the air. Put a greenhorn crew in those skin boats and you will drown every last man of them. The man who lets down a boat from the davits must pay attention to the hand of the man who stands at the other end.

Mr. BURTON. I ask the Senator from Oregon how much longer he probably will wish to address the Senate.

Mr. LANE. I do not want to address the Senate a minute longer in the time of the Senator. When he gets through I will try to throw some light on this subject. I want to show up this proposition. I have gotten tired of hearing this talk by sea lawyers about handling boats at sea. I have been to sea in all kinds of crafts.

Mr. BURTON. If the Senator from Oregon had done me the honor to listen to my remarks yesterday, he would have found the whole subject of lifeboat handling had been treated. The first requisite is that there shall be an officer on the bridge who handles the boat in a proper way. It is necessary that the boat be headed toward the wind and the waves. If it is not, a boat which is lowered will meet waves dashing against the side of the ship, and no effort in the way of lowering it can be successful.

We must take into account that there are a number of qualifications required for the handling of lifeboats. First of all, the mechanism at the top, the lowering, the meeting of the sea, skill in rowing, whether in a heavy or a light sea. I have studied that subject somewhat thoroughly. When you have a gale of 40, 35, or even 30 miles an hour it is exceedingly difficult, if not impossible, to handle a lifeboat. No one has insisted more strongly than I have on general boat drills both in the harbor and at sea and in all kinds of weather. Most of that work is necessarily done in the harbor, because there boatmen can gain more practical familiarity with the mechanism, with taking off the boat, with letting it away so that it shall go down to the water evenly without spilling out the occupants. In addition to that, they should practice rowing in all kinds of weather, rough weather as well as smooth. They should also become familiar with their stations.

Competency as a lifeboat hand is not a question of three years' service as a seaman; it is based on physical capacity and drill. That is what makes a good lifeboat hand. If a man is muscular, has courage, and has had the practice which enables him to handle a boat, then he will be a good lifeboat hand whatever title you give him. If he lacks those qualities, he will not be. In the conditions which exist in our merchant marine the stewards, the firemen, and others of that class are much more constantly with the boats, so that the drills, to which all should be subjected and in which they all should take part, can be enforced with them better than with any of the others. The letter from which I was reading proceeds to say:

I respectfully request that you offer an amendment to the present seamen's bill making it compulsory that members of every department on a steamer shall be compelled to drill both in fire and lowering of boats, and that every member of the crew shall be assigned a station in case of accident or fire, and there should be a penalty attached to those who do not comply.

Have you given any thought to the fact that if the present bill passes as it reads, that 60 per cent of the day outing and excursion boats will be put out of business, owing to the fact that they were not constructed to carry this heavy weight of so many lifeboats on the upper deck? As you know, most of them are side-wheelers and are operated in shallow water, and they must be light in construction. It is this class of boats that give the working and the middle class a day's outing at a very reasonable fare, and if the bill is passed 60 per cent of the people now employed on the Great Lakes would lose their positions. I therefore respectfully request that you insist upon the Great Lakes being excepted from the bill.

Mr. President, this bill puts an ocean-going steamer, or one crossing the ocean, on the same footing with a boat that goes no more than 5 miles from land; it puts a boat which never goes in water deeper than 20 or 30 feet, or even less, where the hull would not be submerged, on the same footing with a boat that in its voyage sails over water 20,000 feet in depth.

This has been a very perplexing and difficult problem. Our supervising inspectors in their various meetings each year have taken it up and prepared the most careful regulation covering it. They make certain exemptions in the summer season; they provide for the use of rafts in certain seasons of the year and in some localities for boats in other seasons; they grade their requirements according to risks, and do not attempt to make universal regulations which shall be applicable in all places. This bill would apply to Lake George and to Lake Champlain, to excursions which simply round the corner in going from New York to Coney Island, to boats which go across from the piers in New York City to Sandy Hook, having an enormous traffic with New Jersey, a line on which, I believe, there has never been an accident, and on which the boats are of the very best construction. There would be three obstacles which would be fatal to compliance with the provisions of this bill—first, the number of men required—that is, perhaps, not the most important; second, the place for the stowage of the boats on the deck; third, the weight which would be created by placing these boats on the deck.

There has been much discussion between German and English experts in reference to the places for the stowage of lifeboats. On some of the German boats the smaller boats are placed on the second deck from the top. The English experts of the board of trade have rather opposed that plan, first, on the ground that the boats could not be quickly handled, and, second, because in a high sea the water would come up so high that they could not readily be lowered.

Why, Mr. President, what does this substitute attempt? It seeks to wipe out all the regulations of these many years and to substitute a standard of requirement that has been repeatedly considered and repeatedly rejected. While it is true there have been casualties which we all deplore, nevertheless the operation of our merchant marine has been attended by a degree of safety in travel unsurpassed by rail, by foreign steamers, by sailing vessels, or by any other means of transportation in the world.

I wish to call attention briefly to the question of the control of foreign ships in American ports. If there is any one thing that is clear in this decision in the Wildenhus case, it is that the Supreme Court regards international law as giving to the foreign boat the control of the relations between the master and the seamen, under the jurisdiction of its consuls.

Chief Justice Waite says, in speaking of this subject:

From experience, however, it was found long ago that it would be beneficial to commerce if the local government would abstain from interfering with the internal discipline of the ship and the general regulations of the rights and duties of the officers and crew toward the vessel or among themselves. And so by comity it came to be generally understood among civilized nations that all matters of discipline and all things done on board which affected only the vessel or those belonging to her, and did not involve the peace or dignity of the country or the tranquillity of the port, should be left by the local government to be dealt with by the authorities of the nation to which the vessel belonged, as the laws of that nation or the interests of its commerce should require.

If there can be any plainer language than that in the enunciation of the general international law on the subject, I should like to hear it. The learned justice proceeds:

But if crimes are committed—

This was a murder case, where one man had killed another—

But if crimes are committed on board of a character to disturb the peace and tranquillity of the country to which the vessel has been brought, the offenders have never by comity or usage been entitled to any exemption from the operation of the local laws for their punishment, if the local tribunals see fit to assert their authority. Such being the general public law on this subject, treaties and conventions have been entered into by nations having commercial intercourse, the purpose of which was to settle and define the rights and duties of the contracting parties with respect to each other in these particulars, and thus prevent the inconvenience that might arise from attempts to exercise conflicting jurisdictions.

I read this yesterday, Mr. President, but some Senators are now here who were not here then, and I now repeat it, because the plain language of this judicial decision has been interpreted in a way which it will in no way justify.

It is said that treaties and conventions have been made affecting this matter. We have made a treaty or convention providing that—

Consuls general, consuls, vice consuls, or consular agents shall have exclusive charge of the internal order of the merchant vessels of their nation, and shall have the exclusive power to take cognizance of and to determine differences of every kind which may arise, either at sea or in port, between the captains, officers, and crews, and specially in reference to wages and the execution of mutual contracts. Neither any court nor authority shall, on any pretext, interfere in these differences, except in cases where the differences on board ship are of a nature to disturb the peace and public order in port.

Now, we have made that kind of a treaty, and yet without any notice of abrogation or any consultation with the other Government, without even putting a clause in this bill that the treaty is to be abrogated, we are proposing a regulation under which the wages, which by their contracts are paid at the end of the return voyage or wherever they please, shall be paid in the United States, no matter what the contract may be, and that the courts of the United States shall be open for the enforcement of that rule. Whether there should be in force such a rule as that is not the question. Right here we are riding roughshod over the provisions of this treaty, without so much as a note of warning even in this bill itself.

As I interpret it, there is still an even worse provision than that. It will be noted, beginning at the top of page 16, in section 12, the substitute bill makes the following provision:

Provided, That no vessel carrying passengers, except those navigating rivers and harbors exclusively, shall be permitted to depart from any port of the United States unless she is provided and equipped with a sufficient number of seaworthy lifeboats to carry and transport at one time every passenger and every member of the crew licensed to be carried on board such vessel and unless she shall have a sufficient crew to man each lifeboat with not less than two men of the rating of able seaman or higher, who shall be drilled in the handling and lowering of lifeboats under rules and regulations to be prescribed by the Board of Supervising Inspectors with the approval of the Secretary of Commerce.

And on the preceding page it is provided:

SEC. 12. That no vessel of 100 tons gross and upward, except those navigating rivers exclusively and except as provided in section 1 of this act, shall be permitted to depart fro a any port of the United States unless she has on board a crew not less than 75 per cent of which, in each department thereof, are able to understand any order given by the officers of such vessel, nor unless 40 per cent in the first year, 45 per cent in the second year, 50 per cent in the third year, 55 per cent in the fourth year after the passage of this act, and thereafter 65 per cent of her deck crew, exclusive of licensed officers, are of a rating not less than able seaman.

Clearly that provision in regard to the proportion of so-called able seamen in the crew of the boat and relating to the requirements for the management of lifeboats applies to foreign vessels. How are you going to find out whether the men are able seamen or not? Either that clause means something or it means nothing. It is evident from the very drastic penalty proposed on the following page that it is intended to mean something, because it is there said:

The collector of customs may, upon his own motion, and shall, upon the sworn information of any citizen of the United States setting forth that this section is not being complied with, cause a muster of the crew of any vessel to be made to determine the fact; and no clearance shall be given to any vessel failing to comply with the provisions of this section—

That is, having a requisite number of able seamen—

Provided, That the collector of customs shall not be required to cause such muster of the crew to be made unless said sworn information has been filed with him for at least six hours before the vessel departs, or is scheduled to depart.

That is, on his own motion or on the sworn information of any citizen of the United States a boat can be stopped, and, no matter how fast her schedule is, no matter how heavy the penalties are which may be imposed upon her for not starting with the mails at a certain time, up to six hours within the time fixed for her departure the complaint may be made, and the collector of customs shall order a muster of the crew to see whether there is the required number of able seamen on board. How are you going to find out? The provision on page 16 is:

No person shall be rated as an able seaman unless he is 19 years of age or upward and has had at least three years' service on deck at sea or on the Great Lakes.

Then it goes on to provide how the status of an able seaman is determined, as follows:

Any person may make application to any board of local inspectors for a certificate of service as able seaman, and upon proof being made to said board by affidavit, under rule approved by the Secretary of Commerce, showing the nationality of the applicant and the vessel or vessels on which he has had service and that he has had at least three years' service on deck at sea or on the Great Lakes, the board of local inspectors shall issue to said applicant a certificate of service, which shall be retained by him and be accepted as prima facie evidence of his rating as an able seaman.

Each board of local inspectors shall keep a complete record of all certificates of service issued by them and to whom issued and shall keep on file the affidavits upon which said certificates are issued.

That is, a specific way of determining whether a man is an able seamen or not is provided by making this application and the issuance of the certificate. A foreign vessel comes in to one of our ports. What must it do under this provision? It must compel its seamen, before they can establish their status as able seamen to comply with this law, to take out certificates in the United States under our inspectors, and allege as the basis that they are at least 19 years of age and that they have had three years' service at sea or on the Great Lakes. Does anyone suppose for a moment that any foreign nation is going to submit to any such regulation as that? More than that, is it just that we should demand that no boat shall leave our ports except with a certain number of a specified class, and then prescribe the manner in which that specified class shall be determined by the issuance of certificates, requiring them to have our certificates before we will permit them to go forth?

There is another point concerning this which, however, does not assume very great importance. The German and the Norwegian rule is 18 rather than 19 years; indeed, the world over the majority of the most active sailors are young men. It is stated that on Admiral Sperry's fleet, which went around the world, the average age of the men was only a little over 21 years. I do not wish to express any opinion as to which is the better age limit, but the fact is that the age limit prescribed here would conflict with that of foreign nations.

So that I may not be misunderstood, let me repeat what I have already said, that not a single one of these nations—Germany, Norway, France, England, Russia—has a general requirement like that in this bill for any special proportion of able seamen.

Among the great maritime nations this bill, if passed, would be the first regulation of the kind. I want to add in this connection that it would be utterly impracticable to obtain the men. What is the condition of our merchant marine regarding

service at sea? The work is not of a type which affords a pleasing prospect to the average American, whether he be native born or naturalized. After a few years of service, certainly after three years, they seek some better positions. In the same length of time that you provide in this requirement for able seamen a man can apply for a license as mate of a vessel or to be an engineer. As I stated yesterday, in one year less than is provided in this requirement for an able seaman—that is, in two years—if a man is on a river or on inland waters he can apply for a license as a mate.

It would be utterly impossible to tell how many men we have; but I wish to read from a memorandum by Mr. Chamberlain, the Commissioner of Navigation, in a report that he made last year on a similar bill:

On June 30, 1911, excluding vessels on western rivers, there were 24,143 documented vessels of the United States. How many of these are employed in navigating other rivers exclusively I can not determine. Probably 20,000 would come within the section as I understand it. I can not determine the deck crews of these 20,000 vessels, which range from 1 to about 40. The bill, however, will probably require about 40,000 certificated able seamen 90 days after its passage. In April, 1911, the British census showed, excluding masters and mates, 36,927 able seamen, or those of higher ratings, including quartermasters, boatswains, carpenters, etc.

That is, with their enormous merchant marine, far and away in the lead among all the nations of the earth, the British have only 36,000 able seamen, and that, too, under a system which has been in vogue for a great many years, under which they give certificates to able seamen. We have had no such system. We have had no such classification.

The bill as it passed the Senate last winter provided for a classification of that kind, so that we might make a start, if it were thought desirable, to require that a certain number of able seamen should be on every boat. If the system works well, it might be best, although these other maritime nations have no such requirement, that we should have it. But here you are proposing in this bill a requirement which it is estimated will require 40,000 men of a certain class, and yet you do not have a single man certified for that purpose.

Does anyone suppose for a minute that you are going to find it possible within 90 days to carry out the provisions of this bill, or within a year, or even two years? Your men, when they serve a year or two, and especially when they serve three years, are going out into some other line or calling. They are not going to stay by the sea. It is true that in England, and especially in Norway, and in Germany as well, there live a class which follows the sea generation after generation—father, son, grandson, all of them. But in this country the son of a sailor, under the beneficent opportunities that are afforded by our public schools, studies for some other position more to his taste. Perhaps he becomes a lawyer; perhaps he becomes a merchant. We have no such class of sailors to draw from, and you can not obtain them.

I make the statement with the utmost confidence that if you pass this bill, or any such measure, you can not enforce it. You will not be able to get the men. It will not be a question of wages; it will, I say, be a question of men. You will have a law providing that a boat shall not leave a port, except in a river, or when it plies inside a harbor, unless it has this proportion of able seamen, which you can not find even if you should look to the four quarters of the earth. The Germans could not find them for their boats. The English could not find them for their boats. It would be far and away more difficult for us to enforce this law upon our ships, and it would not only be out of comity with other nations, but it would be imposing on them a regulation with which they could not comply.

That shows the danger of framing bills in accordance with an ideal, or introducing a bill or a substitute for it that is based on the contention of one side only. The subcommittee took up this matter last winter, and every member gave it the most elaborate attention. I think I am safe in saying that no one argued more strenuously than our colleague who is now absent, the Senator from South Dakota [Mr. CRAWFORD], that this provision could not be enforced.

There is a provision in the Nelson bill to the effect that there must be a sufficient number of men to interpret the orders given on a boat. It makes the same general provision as the proposed substitute, that 75 per cent must be able to understand the orders of the officers. As I recall, "75 per cent in every department" is the provision in the bill introduced by the Senator from Wisconsin [Mr. LA FOLLETTE]. I read the language:

Not less than 75 per cent of which, in each department thereof, are able to understand any order given by the officers of such vessel.

Just what that means probably would be a matter for the executive department, and perhaps ultimately for the courts to determine. Does it mean that a man in the fire department must understand the language of the captain and his orders? Does it mean that a man in the steward's department must understand the language of the chief engineer?

It is very desirable that all the men on board a boat shall speak the same language, just as it is desirable in our rolling mills that all the men shall understand English perfectly. But such has been the tremendous growth of our industries and the scarcity of men that there are thousands of persons in our furnaces and iron mills handling red-hot ladles who do not understand English. So rapidly has our whole industrial and commercial population increased that we are bringing in great numbers of those who at best only partially understand our language. I should be glad to see some change effected, so that the men in those mills will not have their lives endangered by a sudden emergency.

The committee considered that matter, and I will say with the utmost frankness that they had more doubt about it than some other provisions in the bill. There was one consideration that weighed considerably with us. We wanted, if possible, to preserve the American flag on the Pacific Ocean in the trans-Pacific trade. I have always opposed ship subsidy as strenuously as anyone in the Senate; but there are, I believe, only five or six ships left that sail to the mainland of Asia from the western coast of the United States. They are placed in sharp competition with a great Japanese line, which, as stated yesterday by the Senator from Florida [Mr. FLETCHER], receives a very large subsidy. They are also competitors with the Canadian Pacific Line, which receives a very considerable mail payment. They do not call it "subsidy," perhaps; they prefer to call it by some other name. Our boats, on the other hand, do not receive a dollar of subsidy. All these other boats have oriental crews, outside of the officers.

There are some pretty good reasons for that. In crossing over to Hongkong, under this bill, you could not have in the fire department a Japanese or a Chinese fireman unless he understood the English language. In a part of that trip the temperature is exceedingly severe—so severe that the Caucasian, certainly the American, will not perform the work. Indeed, he can hardly endure it. These Chinamen—and they are not of the small type that we are accustomed to see engaged in the laundry business and similar occupations in our own country—were put upon the boats as stewards, as furnace men, and as sailors.

Take the case to which I have referred, that of furnace men. Without an exception, every single line employs these orientals because they can better endure the heat. Our American transports tried for a while to have native Americans or Caucasians in the fire department, but they continually had trouble and were forced to give it up, and to-day they are using Filipinos for the purpose.

In view of all these things—the disadvantage at which our boats are placed in competition with others and the kind of work to be done—the committee thought the adoption of this provision as it stands in the substitute would drive our flag out of the trans-Pacific trade. I for one do not like to take that responsibility.

What would be the result of the adoption of this provision? The six boats engaged in the business on the Pacific no doubt would be forced to withdraw. The traffic, both freight and passenger, between the ports of the Pacific coast and the Orient would be turned over very largely to the Japanese. I can see one town that would benefit very much by it, and that is the town of Vancouver, in British Columbia, where they have no such regulation, where they will still allow boats having Chinese firemen and Chinese crews to come in, and to which the boats which otherwise would come to Seattle and Tacoma and Portland would go instead.

Mr. President, it is not a matter of a language test on boats. The skilled sailor can understand what is desired by a few words. When the *Titanic* was in extremis there was such a rush of steam that, at least at one time, in manning the lifeboats none of the crew could hear the words of the officers, but they were directed with just as much certainty as if he had spoken to them in a language that they understood. I do not know what sort of tests would be adopted.

Right in this connection I may say that it would require a very large force to carry out this bill. Our collectors of customs are asked to ascertain whether this 75 per cent of the crew understand the orders of the captain. I have the highest opinion of our collectors of customs, but I do not believe a third of them could understand, if all spoke English, the orders which the captains and masters gave to their crews, and much less if the officers spoke another language. What are you going to do? Put in a great force of interpreters, and thereby determine whether the crew understand the language of the officers? It would be vesting a great degree of discretion in persons who are not qualified, however excellent their abilities may be, in a matter of this kind.

I repeat that I do think it most desirable that so far as possible the language of all should be the same; but in view of the conditions of trade on the Pacific and on some portions of the Atlantic I do not believe it will be practicable or will afford encouragement to our shipping to enforce this rule in the form in which it appears in the substitute bill.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER (Mr. KERN in the chair). Does the Senator from Ohio yield to the Senator from Florida?

Mr. BURTON. Certainly.

Mr. FLETCHER. In reference to that requirement regarding the language, I call the Senator's attention to the fact that in the substitute no reference is made to the language. There is nothing said there about requiring a certain percentage of the crew to understand the language of the officers. It simply requires that there shall be 75 per cent in each department able to understand any order given by the officers.

Mr. BURTON. Yes. That, of course, implies, however, an understanding of the language.

Mr. FLETCHER. It was in Senate bill 136 that we inserted the word "language."

Mr. BURTON. Yes. I think it is better to have it.

Mr. FLETCHER. It seems to me the point the Senator is making applies rather against the provision of Senate bill 136 than against the provision of Senate bill 4 or the substitute.

Mr. BURTON. I do not think so, because the requirement is sweeping and absolute in the case of Senate bill 4, but is not in the other.

Mr. FLETCHER. It says, "understand any order given." The Senator has just said that orders may be given without a word being spoken.

Mr. BURTON. Yes.

Mr. FLETCHER. As in the case of the *Titanic*, orders were given where no one was heard, but they were given by signs and by signals. I am inclined to think that if the order is understood that is the main point to gain, without reference to whether the crew understands the language of the officer giving the order.

Mr. BURTON. I thank the Senator from Florida for the suggestion. It is, however, manifest that this provision in Senate bill 4 would be much more severe and much more difficult of application; but the Senate committee in considering it did not feel justified in leaving out all reference to the language. There should be some understanding of the language and there should be picked men to act at any time in case of emergency.

Mr. President and Senators, I want to call attention to one thing in this bill which shows the way in which it is drawn, as I think, with regard for only one side. On page 9 of the substitute, as now pending on the motion of the Senator from Wisconsin, and in subdivision G is the following in the list of punishable offenses by seamen:

For assaulting any master or mate by imprisonment—

And so forth.

All agreed that discipline should be enforced on board the boat, but it was suggested that it was just as serious an offense to assault an engineer or a chief steward as it was to assault a mate. Indeed, in the fireroom, farther removed from the open space on deck, there would be stronger probability of a seaman or sailor assaulting an officer. So it was proposed by the committee that those words be changed to assaulting "any master or licensed officer," thinking that without that this bill could not be made complete. I see the word "mate" is retained here in the substitute.

Now, when there is a provision which looks the other way let us see what is done. On page 11, section 4611 of the Revised Statutes is to be reenacted in this form:

Flogging and all other forms of corporal punishment are hereby prohibited on board of any vessel, and no form of corporal punishment on board of any vessel shall be deemed justifiable, and any master or other officer thereof who shall violate the aforesaid provisions of this section, or either thereof, shall be deemed guilty of a misdemeanor, punishable by imprisonment for not less than three months nor more than two years.

In the one case it is the master or the mate. They are the only persons for whom, if attacked, punishment can be inflicted. In the other case, where the offense is against the subordinate on the boat, then it is the master or other officer, which will include not only the master but the other licensed officers and the petty officers on board. Mr. President, it does not seem to me that that is quite fair, that it is keeping the scales quite equal.

Another thing. After long discussion, the Senate committee thought it just to insert a provision to the effect that punishment should be provided for attempting to prevent anyone from seeking employment or to prevent anyone from remaining with the boat by threat or force. I will read the whole section. It is on page 15 of Senate bill 136:

If any person shall demand or receive, either directly or indirectly, from any seaman or other person seeking employment as seaman, or from any person on his behalf, any remuneration whatever for providing him with employment—

That is a part of the old law really. The object of that is to prevent the sailor from losing his wages, or a part of them, in obtaining a job on board any boat—

or shall by any threat or force dissuade or prevent or endeavor to dissuade or prevent any person from taking employment on board any vessel, or shall by any threat or force dissuade or prevent or endeavor to dissuade or prevent any person from remaining in the service of any vessel on which he has shipped, or by any threat or force induce or compel any person to disregard or disobey any lawful order or orders of the master or other licensed officer of the vessel on which he is shipped he shall for every such offense be deemed guilty of a misdemeanor and shall be imprisoned not more than six months or fined not more than $500.

In order to maintain discipline, in order to secure the departure of boats on time and without undue delay, it was thought desirable to impose a penalty not against mere persuasion but against threat or force.

Mr. President, let me read the law with reference to those who seek to get men on the boat, and it has been the law for some years. It is found on page 61 of the Navigation Laws of the United States, edition of 1911, punishing those who induce anyone to go on board.

Whoever, with intent that any person shall perform service or labor of any kind on board of any vessel engaged in trade and commerce among the several States or with foreign nations, or on board of any vessel of the United States engaged in navigating the high seas or any navigable water of the United States, shall procure or induce, or attempt to procure or induce, another, by force or threats, or by representations which he knows or believes to be untrue, or while the person so procured or induced is intoxicated or under the influence of any drug, to go on board of any such vessel, or to sign or in any wise enter into any agreement to go on board of any such vessel to perform service or labor thereon; or whoever shall knowingly detain on board of any such vessel any person so procured or induced to go on board thereof, or to enter into any agreement to go on board thereof, by any means herein defined—

Indeed, the section not only applies to the man who uses the threat or the force to get a man on board, but also to the man who is on board and who might not know of the circumstances under which the other was induced to come—

or whoever shall knowingly aid or abet in the doing of any of the things herein made unlawful, shall be fined not more than $1,000, or imprisoned not more than one year, or both.

Why should you have a penalty in one case and not in another? Our laws should be fair to all. If force or threat or causing a man to be intoxicated or inducing him by misrepresentation to go on board a boat is an offense, then there should be an equal penalty for the use of force or threats brought to bear to get him off the boat or to induce him to disobey orders on board ship.

In all these matters our sympathy naturally would be with the seamen, but it is a question as to what is fair and equitable in a system of law covering this subject, that it may be just and uniform in its relation to all classes. I insist we are not justified in making this an offense in one case and refusing to make it an offense in another.

There is one point to which I will not call extended attention, but to which I wish to refer for a few minutes, that I think disproves the idea that the main object of this proposed substitute is the safety of life. In the bill as it passed the House there was a section known as section 14, on page 26. I mean the bill as it passed the House and came to the Senate on the 5th day of August, 1912. It is as follows:

That towing of more than one barge or other vessel 50 miles or more through the open sea is hereby prohibited, unless such barges or vessels so towed are provided with sail or other motive power and a crew sufficient to manage such barges or vessels.

The section then provides a severe penalty.

Mr. President, there has been no one kind of navigation in this country in which the proportion of loss of life has been so large as in the navigation of barges. We all know what happens. A tug may go out with barges attached. They may be schooners no longer in use as such. They may be barges specially constructed. If a storm arises it may be necessary to cut them loose, and, unless there is motive power on the barges, sail or otherwise, and a sufficient crew, the result of this cutting loose is certain death. The committee were ready to report upon this feature of the measure when from various influential quarters protests came against it, the advocates of the bill abandoned this clause, and it was dropped and a very harmless provision was substituted.

First, let me show the loss of life that has happened on these schooner barges. The number of barges lost in 1911 was 35, the number on board, 33; the number of lives lost, 11.

In 1906 the number of schooner barges and barges lost was 40 and the number of lives lost 27.

In the six years there was a loss of 234 and a loss of life of 121.

In no other department of our navigation—river, lake, or ocean—has the proportion of loss been so large as in that. Let us see what we have in this bill regarding that.

SEC. 16. That the owner, agent, or master of every barge which, while in tow for 50 miles or more through the open sea, has sustained or caused any accident, shall be subject in all respects to the provisions of sections 10, 11, 12, and 13 of chapter 344 of the Statutes at Large, approved June 20, 1874, and the reports therein prescribed shall be transmitted by collectors of customs to the Secretary of Commerce, who shall transmit annually to Congress a summary of such reports during the previous fiscal year, together with a brief statement of the action of the department in respect to such accidents.

This provision, which came in here so ambitiously as the means for promoting safety of life, was boiled down to statistical information.

I do not wish to detain the Senate much longer, but I desire to file as an exhibit a list of losses of vessels. The available statistics on this subject for foreign countries are not altogether satisfactory. I will go over, briefly, the list of losses of our own merchant marine, beginning September 16, 1903. This was furnished by the Supervising Inspector General's office. It seems to me it can not be altogether complete, but I file it, especially because it shows the kind of casualties, the causes of the loss of life, and the causes of wrecks.

September 16, 1903, the tug *Spartan* was lost on Browns Shoal, in Delaware Bay; cause, foundering; loss of life, 2.

May 5, 1903, steamer *Saginaw*, Atlantic Ocean, off coast of Maryland; collision with steamship *Hamilton*.

October 19, 1903, steamer *South Portland*, near Cape Blanco, Oreg.; struck rock and beached.

Then, going over the list, the steamer *Clallam* foundered with loss of 50 lives.

The next struck a reef. It will be noted here that the main cause of wrecks or losses is collision either with another vessel or what is the same, if you may call it a species of collision, running on a rock or running ashore in time of fog or storm.

Next to that in frequency, the loss of vessels is caused by foundering. The Lloyd list for all boats of a thousand tons gross or more lost for the year 1907 shows 273 boats.

I want to have this printed in the RECORD. It will be interesting to note that of this number 6 were abandoned at sea; there were broken up and condemned, 1; burned, 17; collision, 40; foundered, 35; not classified, 3; missing, 19.

Then comes a very general subdivision, which diminishes somewhat the value of the figures: Wrecks, stranding, rocks, and so forth, 152. But these figures go to confirm the general statement that I made, that the principal cause of wrecks has been running on another object, either a collision or a rock or stranding on shore; next to that comes foundering. Next to that perhaps fire is one of the most dangerous of all calamities under modern conditions.

The PRESIDING OFFICER. Does the Senator from Ohio ask to have the paper referred to incorporated in the RECORD?

Mr. BURTON. There are two papers—a list of wrecks of vessels of the United States since 1903, and the general list, which is a summary of a list in Lloyd's for the year 1907.

The VICE PRESIDENT. It will be so ordered, without objection.

The matter referred to is as follows:

List of wrecks of vessels of the United States.

Date.	Name.	Place.	Cause.	Loss.	
				Life.	Property.
Sept. 16, 1903	Tug Spartan	Brown Shoal, Delaware Bay.	Foundered	2	(1)
May 5, 1903	Steamer Saginaw.	Atlantic Ocean, off coast of Maryland.	Collision with steamship Hamilton.	14	(2)
Oct. 19, 1903	Steamer South Portland.	Near Cape Blanco, Oreg.	Struck rock and beached.	19	$62,000
Jan. 18, 1904	Steamer Clallam.	While crossing from Port Townsend, Wash., to Victoria, British Columbia.	Foundered	50	100,000
Apr. 11, 1904	Steamer Colon	Remedios Reef, San Salvador.	Struck reef		150,000
Sept. 4, 1904	Steamer Minola.	Off Tigel River, Okhotsk Sea, Siberia.	Struck uncharted rock.		400,000
Feb. 27, 1905	Steamer Oregon.	Off Crescent City, Cal.	Fire		76,000
Aug. 28, 1905	Steamer Pecosnic.	Northeast coast of Florida.	Foundered in gale.	20	(3)

[1] Not reported; tug lost. [2] Saginaw lost; not reported. [3] Steamer lost; not reported

List of wrecks of vessels of the United States—Continued.

Date.	Name.	Place.	Cause.	Loss.	
				Life.	Property.
Oct. 5, 1905	Steamer St. Paul.	Punta Gorda, Cal.	Struck rocks		$450,000
Jan. 22, 1906	Steamer Valencia.	Vancouver Island.	Stranded and broke up.	134	175,000
Sept. 13, 1906	Steamer Oregon.	Hinshinbrook Island, Alaska.	do		150,000
Mar. 3, 1907	Steamer Dakota.	Japan, Klukone Reef.	Struck reef		2,880,000
July 27, 1907	Steamer Columbia.	Off Shelter Cove, Cal.	Collision with steamship San Pedro.	86	725,000
Apr. 3, 1909	Steamer Indiana.	Near Point Tosco, Lower California.	Stranded		575,000
Aug. 26, 1909	Steamer Ohio.	Opposite Steep Point, British Columbia.	do	4	315,000
Jan. 12, 1910	Steamer Czarina.	Coos Bay, Oreg	Foundered	24	90,000
Feb. 4, 1910	Steamer Kentucky.	Off Cape Hatteras	do		87,000
Oct. 10, 1910	Steamer Arkadia.	At sea, New Orleans to San Juan.	do	38	360,000
May 12, 1911	Steamer Merida.	Near Cape Charles, Va.	Collision with steamship Admiral Farragut.		1,000,000
July 7, 1911	Steamer Santa Rosa.	Point Arguello, Cal.	Stranded and broke up.	4	300,000
Aug. 16, 1912	Steamer Pleiades.	Coast of Mexico near Cape Lazaro.	Stranded		75,000
Jan. 7, 1913	Steamer Rosecrans.	Peacock Spit, Oreg.	Wrecked on bar.	29	270,000
Jan. 3, 1913	Steamer Julia Luckenbach.	Chesapeake Bay	Collision with steamship Indrakuala.	16	(1)
Aug. 19, 1913	Steamer State of California.	Gambler Bay, Alaska.	Struck rock and sank.	31	350,000

[1] Not reported; Julia Luckenbach sank.

Wreck statistics for 1907.

[From the Scientific American Supplement for Sept. 19, 1908, p. 178; from Lloyd's statistics.]

Total in 1907 (reported July 1, 1908):	
Boats	273
Net tons	253,613
Gross tons	408,328
Of this number:	
Abandoned at sea	6
Broken up, condemned, etc	1
Burned	17
Collision	40
Foundered	35
Loss (not classified)	3
Missing	19
Wrecked, stranding, rocks, etc	152
British	90
British colonies	19
United States	11
Austria-Hungary	2
Denmark	6
Netherlands	1
France	14
Germany	27
Italy	4
Japan	27
Norway	20
Russia	7
Spain	13
Sweden	7
Other European countries	15
Central South America	10

Mr. BURTON. I have already partially referred to the injustice of this bill in making no distinction between boats which sail close to land and boats which go long distances at sea. Such regulations would certainly do away with a large part, indeed I am not sure but a major part, of our excursion traffic. In this connection I received the following telegram from Put-in-Bay, Ohio:

Put-in-Bay's commercial life depends absolutely on the excursion business. If the La Follette seaman's bill is passed, it will prohibit the operating of all excursion steamers on Great Lakes, as they can not carry and man full lifeboatage as required by this bill. These excursion steamers should be classified with river and harbor excursion steamers instead of ocean-going vessels. We look to you to see that bill is amended along lines of Senate bill, which is fair.

S. M. JOHANNSEN,
President Put-in-Bay Board of Trade.

I read from a telegram from the Sandusky (Ohio) Business Men's Association:

This association most earnestly urges you to vote against the La Follette seaman bill. If this bill goes through, it would prohibit the operation of all excursion steamers and would paralyze excursion business out of this port.

THE SANDUSKY-BUSINESS MEN'S ASSOCIATION,
J. C. HAUSER, *Secretary.*

It may be asked, Is there not great danger in those cases? Are they not liable to be caught in a storm? Mr. President, if a gale of 40 miles an hour is blowing, and I think I might say correctly 30 miles, they do not go out of port at all. They go only for very short distances, for the most part through shoal water, where the hull would not be submerged, and, too, only a very short distance from land. But this bill makes just the same regulation for that class of boats that it makes for a boat going on a voyage of 6,000 miles. There is no distinction between an excursion steamer that goes 2 miles, 10 miles, and 20 miles, and one that goes around the globe. What kind of a bill is that? Is that fair? Is that going to do any good? Is that practical? No.

I shall offer, in the first place, an amendment which I wish to have clearly understood. I offer it because there was a difference of opinion among Senators as to what this clause on the second page meant. It will be noticed that there is a provision here on page 2 of this proposed substitute:

Seamen serving in one department of a vessel shall not be required to do duty in another department.

That clearly means that no one in the steward's or engine department shall be called upon for fire or lifeboat drills. It means a separation of the functions of the different portions of the crew—stewards one, firemen another, and sailors still another. It was maintained that that does not prevent the drilling of the stewards. I think it clearly does.

Now, let us have an understanding about that, and in order to make it clear I offer an amendment. I think perhaps it might be drawn in longer form, but in order to make it perfectly clear I am going to introduce it in the fewest words possible. It is to insert, after the word "limit," in line 13 of page 2, these words. I refer to line 13, page 2, of the substitute bill: "The obligation of the crew to take part in boat drills and fire drills, or," and then strike out the word "either," making it read:

But these provisions shall not limit the obligation of the crew to take part in boat drills and fire drills or the authority of the master or other officer.

I have drawn that in somewhat longer form, but in view of the fact that only a few Members of the Senate will perhaps be present while it is being discussed, I thought best to present it with such brevity that everyone could understand it. I think it would be better to insert after the word "limit" the following—or you can put it also after the word "jeopardy," in line 19:

And all members of the crew, including officers and members of every department, shall participate in regular lifeboat and fire drills, which drills shall be subject to regulations to be prescribed by the Secretary of Commerce and by him enforced through the Steamboat-Inspection Service, and every licensed officer who refuses or neglects to take part in such drills according to said regulations may have his license suspended or revoked, and every other member of the crew who willfully refuses or neglects to engage in such drills in accordance with such regulations shall be subject to the same penalties, as are provided for violations of the fourth subdivision of section 4596 of the Revised Statutes as amended by section 6 of this act.

That, Mr. President, is a more complete form, and I prefer it; but in view of the situation and the attendance I am disposed to use the shorter form.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. BURTON. I do.

Mr. WILLIAMS. The Senator from Ohio criticizes the substitute in that it does not make a distinction sufficient between a long-distance trip and a short-distance trip, and between lake service and sea service and river service and other service. I would like to say that it seems to me he pressed that point of it too much.

If the Senator will remember the case of the *General Slocum*, which, I think, went down between New York City and Coney Island, and was in reach of the land all the time, and in sight of it all the time, he will remember that those people huddled together upon that boat, upon a pleasure excursion trip, as I remember it—though my memory is not perfectly accurate about the way the accident occurred, it having occurred seven or eight years ago—and they died like rats in a burning barn, with bulldogs around keeping them in the barn, and they died because there were not enough——

Mr. BURTON. Life preservers.

Mr. WILLIAMS. Life preservers and enough lifeboats and enough boats of other sort to take them off the ship. If the Senator had ever been upon a Mississippi River boat in the middle of the stream when the boat caught afire, and caught afire in the engine room, where it usually catches afire, he would conclude that being in sight of land did not have much to do with this problem.

Mr. BURTON. Mr. President, first I wish the attention of the Senator from Mississippi to this: Is he aware that the *Slocum* was sunk in a place near Blackwells Island, and that a boat in that locality would have been exempt from the regulations of this bill?

Mr. WILLIAMS. No; I say frankly I was not aware of that.

Mr. BURTON. This bill would not cover a case like that of the *Slocum*.

Mr. WILLIAMS. I was not aware of that.

Mr. BURTON. Is the Senator also aware that the Mississippi River is exempt from the provisions of this bill?

Mr. WILLIAMS. That merely proves that the Senator's criticisms are more wrong than I thought. The bill, instead of going too far in the way of protecting those who are traveling upon the Hudson and the Lakes and the Mississippi, does not go far enough.

Mr. BURTON. Mr. President, that may sound very well; but everyone who has had experience in navigation knows that it is utterly fallacious. What was the cause of the great loss of life on the *Slocum*? Probably they could not have saved a hundred of them by the use of boats. It was near to land. Those who were on board would not have sought boats to save their lives. They would have sought a life preserver or some such device. If there had been an attempt to lower a boat with that crowd, it would have ended in a panic and the swamping of every boat. You can not talk with an inspector who has had experience in these matters and has studied them but who will tell you that. Everyone knows that the loss of the *Slocum* was due to miserably improper life preservers, a fraud amounting to a crime, and, further, that their life preservers were not of a proper type.

I take it from the remarks of the Senator from Mississippi that he would put on every one of the boats on the Mississippi River a number of lifeboats. Does the Senator know that you could not carry the number of boats required here without danger of capsizing and sinking a Mississippi River boat? If you put them in the only place available, they would tip the boat over. Does the Senator know that if this requirement in regard to lifeboats as it applies to ocean steamers were carried out on the Mississippi it would make such a boat so top-heavy that it would be in danger, I may almost say, of foundering?

We might perhaps build a boat on a different model, but it would be less speedy and more difficult to manage, and would by no means answer the purposes of modern navigation.

The problem in regard to these excursion boats is not a new one. It is merely obscuring the issue to bring up such a case as that of the *Slocum*, and is especially obscuring it when this substitute, as offered here, would not have covered such a case. Every life that was lost in that disaster would have been lost if this bill had then been a law, because the accident was not only in a river but it was in a harbor.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. BURTON. I do.

Mr. WILLIAMS. I dislike very much to take issue with the Senator from Ohio, who has made a very much longer, and, I take it for granted, that, with equal ability, he has made a very much abler study of this question than have I, although I have been interested in it for some 18 years; but the object of this bill is to safeguard human life at sea. That is one of its objects. I merely called attention to the fact that the bill did not go too far in that direction. The Senator from Ohio reminded me of the fact that the bill did not go far enough, and immediately upon his reminding me of it I recognized the fact.

It may be true that upon river craft life preservers ought to be substituted very largely for lifeboats; but whatever is necessary to safeguard human life ought to be required by legislation. If it were necessary to safeguard life upon river craft and in harbor and upon excursions, that there should be a larger number of life preservers rather than a larger number of lifeboats—that is, a larger number of things enabling the individual to get to the shore in sight rather than to enable a whole lot of people to get into a boat and keep at sea until picked up—that does not disturb at all the argument or the point which I was trying to make. On the contrary, it reenforces it.

The Senator from Ohio has said something about obscuring the issue. It is the Senator who is obscuring the issue, not I, and not those who are advocating the position which I take upon the pending bill. At almost the very last moment we are confronted with international questions that have nothing to do with the merits of the bill outside of our international relations,

and then we are confronted with arguments about the fact that this bill would not protect life upon river craft and in harbors. That has nothing to do with the question that we are trying to protect life upon the deep seas and elsewhere. With that amount of deference which I owe to the Senator from Ohio from long acquaintance with him in both Houses and from long acquaintance with the fact that he is a careful student of all public problems, I hazard the opinion that it is not I, but he, who is obscuring the issue.

Mr. BURTON. I do not know, Mr. President, whether the stenographer's report will show that I said the bill obscured the issue or that the Senator from Mississippi obscured it; but whatever the discussion here, it was claimed that there was a very strong reason for passing this bill because of the *Slocum* disaster. The *Slocum* disaster would have occurred under this bill and could not at all have been prevented by it.

Mr. WILLIAMS. But, if the Senator will pardon me a moment for one more suggestion, the *Slocum* disaster would not have occurred even under the law as it then existed if the law had been obeyed.

Mr. BURTON. That is the whole fact of it. The disaster was due to the lax enforcement of the law.

Mr. WILLIAMS. Yes.

Mr. BURTON. And, indeed, from what the Senator from Mississippi has said it seems to me he does not differ greatly from what I have argued, in that he lays stress on the importance of providing for the individual by life belts or life preservers, rather than by lifeboats.

But why is it that you are putting these short runs near to shore in shallow water on the same footing with an ocean voyage and exempting boats on rivers and harbors from the regulations provided by your bill? It is altogether unfair.

I shall offer another amendment in this connection.

The PRESIDING OFFICER. Has the Senator from Ohio offered an amendment?

Mr. BURTON. I say I shall offer an amendment. I am merely reading it now, but I shall offer it later. I propose, on page 16, line 2, of the so-called La Follette substitute, after the word "rivers," to insert the words "lakes, bays," so that the clause will read:

Except those navigating rivers, lakes, bays, and harbors exclusively.

The bill is not fair or equitable unless you do that. This amendment aims to place one class of navigation on a certain footing, while another class, the over-sea and long-distance class, is placed upon another footing.

Now, just a word further. One inference might be formed from the remarks of the Senator from Mississippi [Mr. WILLIAMS] which would be altogether incorrect. It is this, that we have failed to pass laws in regard to life preservers and in regard to safety at sea. Why, Mr. President, we have passed laws on that subject as strict as those on any statute book in the world. I think I may say further that their enforcement by our inspectors and their assistants has been as good as in any nation in the world—indeed, I do not know but better. We are at the very fore in that regard. Two things are alike to be avoided: First, that which touches us most nearly, avoiding disaster and loss of human life, and, over on the other extreme, to avoid making your regulations so strict that boat traffic is not only hampered, but even destroyed. When we learn of an accident on a railroad we do not forbid trains running, we do not stop people from traveling on railroads, but we adopt the most perfect safeguards which can be enforced without destroying traffic or unduly hampering the operation and management of railroads. But this substitute aims at a class of business where, in these localities, for years there has not been a loss of life. It imposes such restrictions that it will be impossible to comply with them.

Mr. President, I believe that I have said all that I care to say, and I should now like to ask for a vote on my proposed amendment on page 2, line 12, after the words "shall not limit," to insert the words "the obligation of all the crew to take part in boat drills, fire drills, and so forth," and to strike out the word "either."

Mr. LANE. Mr. President, I wish to say a few words bearing directly upon the pending subject. I do not know anything about what effect this law will have upon our international relations. I do have an idea, however, that if we do not guard this measure well we will become involved in international disputes. I think that it is a matter of great importance that we should do nothing which we are not justly entitled to do in our general business and friendly relations with other nations. I even go further. I fear that if we are not careful we shall cause this Nation to become engaged in considerable international difficulties. Some of the other nations are very jealous. The nations who breed good sailors breed good fighters, and they are men who resent interference with their method of doing business. A nation which has good able seamen, as I have said, is a nation which has good, strong, able-bodied men; and they are jealous of their rights. I hope, therefore, that we shall take good care of that portion of this bill and see that we do not give unjustifiable offense to any nation.

In relation to the matter of manning ships and lifeboats, however, I have been considerably interested in the arguments which have been made on the floor of the Senate. I have gone over the side of a ship in the open sea with the lines paid out by sailors, and I know something about that. I have crossed in on a beach from the open ocean through the surf and have gone back out through it again. I have pulled a boat into the suds and headed her into the wind in a heavy sea—not in the open sea, but in harbors that were not much protected. I know something about that; and the logic which is in evidence here in this case in the discussion of this bill by the Senator from Ohio [Mr. BURTON] is interesting, to say the least.

Attention has been called to the wreck of the *Slocum*. The *Slocum* was an excursion boat. If you have love for your wife and your children—you might send your wife on an excursion, you know, for sometimes you do not get along with her well—but if you have love for your children, keep them off of an excursion boat, for such boats are notoriously ill fitted for the saving of life in case of a disaster. The *Slocum* lost hundreds of passengers for the reason, if you please—and I should like to call the attention of the Senator from Ohio to the fact—that she did not have enough lifeboats aboard of her to care for her passengers.

Mr. BURTON. What is that?

Mr. LANE. The *Slocum* lost hundreds of her passengers for the reason that her lifeboats were ill equipped and ill manned; they went over the side with the plugs out of them, and they went down like lead and drowned every passenger that was aboard of them. They were a fraud and a snare and caused the loss of the lives of hundreds of people who would never have been lost if those lifeboats had not been aboard the *Slocum*. Those who tied life preservers about their bodies and went over the side went down to the bottom like plummets, for the reason that the life preservers contained no cork. After they passed the inspection, which the Senator from Ohio has called attention to, and were registered as good and sufficient safeguards for life, it was found on subsequent inspection that they were filled with dead, hollow, decayed cork or with tule, if you please; and any gentleman who has gone over the side of a ship with a tule life preserver under his arms as a means of consolation has had food for thought, and not a great time in which to expend it, as his time is short. Tule will not hold you up very long when it gets into the water—more particularly a dead and 3-year-old tule. If you get young and new last year's tule, it will last you six or eight hours in the water, but tule that has been bound up in a piece of canvas for five or six years will not last long under your arms out at sea or even in fresh water. It will not last as long in fresh water as it will at sea, for the reason that sea water is more buoyant. Every person on the *Slocum* that had life preservers under his or her arms or who tied one under the arms of a poor little babe or a child whom he pitched into the sea to save it from the fire, in the hope on the part of its mother or its parents that it might float into the hands of a boatman, with its life preserver put on by the Government inspectors of this country, went down to its grave in the bottom of the river, and the father and mother, if they had known what was going to happen to their child——

Mr. BURTON. Mr. President——

Mr. LANE. No; I have the floor now, if you please. If they had known what was going to happen to their child, in merciful kindness to it they would have knocked it on the head and spared it the horrors which followed. Now I yield to the Senator from Ohio.

Mr. BURTON. As regards the loss of the *Slocum*, I am not familiar with the details—of course, the fire was an important feature—but I think it is universally conceded that the essential feature of that disaster was insufficient and fraudulent equipment.

Mr. LANE. It was.

Mr. BURTON. And that there had been carelessness on the part of the inspectors.

Mr. LANE. Indeed, yes; gross carelessness.

Mr. BURTON. But we have profited by that frightful lesson. There were criminal prosecutions, the captain, I believe, being sentenced for a considerable term. I know something of the work of the inspectors at this time, and I am satisfied that no insufficient equipment would get by them.

Mr. LANE. The Senator has called attention to one other feature of this bill wherein it is made obligatory that a sailor shall not be called upon to do other duty. The Senator is of the opinion, apparently, from what he has said, that that would prevent the captain or the first mate or the second mate or the third mate, or anyone in command of the vessel in the absence of the captain, from calling upon a sailor or a fireman or a cook or a cook's helper or the cabin boys to do boat duty in case of fire or in case of a wreck. The sailor has no such idea in his head. The able-bodied seaman is a man who has learned his profession, the same as an attorney or as a physician has learned his profession, by experience and by study. He resents being required to do duty for which he is not qualified, and he has asked that this provision be put in the bill to keep him from being called upon to stoke fires in the hold of the ship or to do duty as a waiter, or something of that sort. That is all that provision means; it means nothing else, and the sailor asks for nothing else. I know that for the reason that I have been aboard ship many times, and I know what the sailor's duty is and how he resents having to do duty for which he is unfit.

Calling attention to the matter of drills, the Senator thinks that if a ship the crew of which has been drilled, in a harbor for instance, in the handling of boats goes to sea, a fireman or one of the waiters aboard the ship or one of the men from the steward's department can handle a lifeboat as well as an able-bodied seaman, and can lower a lifeboat away from the side of a ship in a storm as a sailor knows how to do it. That is absolutely out of the question. The best trained crew of fresh-water oarsmen will make fairly good oarsmen at sea—much better than the landlubber, much better than the inexperienced greenhorn hand—but he has not had the experience and knows nothing of the water in comparison to the able seaman or the man who has been raised about a harbor or near by the coast and has worked in his youth as a fisherman or a boatman about a harbor. It is an entirely different proposition. Even the matter of putting an oar into the tholepins or into rowlocks in rough water is an entirely different proposition from shipping an oar in still water. In still water you merely slip the oar into the rowlock and commence your stroke, but in rough water, with the boat pitching so that you can hardly sit in her, with a 10 or 12 foot oar that weighs 40 or 50 pounds on the scale, water-soaked and water-logged, and with the sea breaking about you, it takes a degree of craftsmanship that is gained only by experience to know even how and when to ship an oar into the tholepins, when to hold the oar out of the sea, and when to dip it into the water. A green hand will "catch a crab" every time; and "catching a crab" means that he puts his oar into the water at the wrong time, the end of the oar comes back, hits him in the breast, and throws him out of his seat. If it threw him overboard it would be a godsend to the remainder of those on board, but it throws him onto the oarsman behind him, interferes with his stroke, and the boat "yaws" and comes about broadside to the sea, upsets, and drowns everyone aboard her.

I have handled a boat; I have pulled an oar in rough water; and I know that it is from experience, and every sailor knows that it is from experience, that skill is gained in the matter of lowering away a boat, if you please, from the side of a ship. There is no drill which you can give to a set of seamen, sailors, firemen, and other hands aboard a ship in a harbor which at all approaches the test which comes to them at sea in a storm or in the case of a wreck with the wind whistling through the rigging at, say, 35, 40, 50, or even 60 miles an hour, if the Senator please.

If this bill could be altered—and I should like to offer an amendment to it, if I had any hope that it might be adopted—so as to provide that the drills and the lowering of lifeboats should be at sea under circumstances in which there was blowing a wind of not less than 25 miles an hour, and then, following the suggestion of the Senator from Ohio, that the lifeboats and the davits should be manned by firemen or men from the lower decks and inner cabins, one at each end of the davits to lower away the lifeboat, and then, that it should be made obligatory on the owner of the ship that he should go over the side of the ship in all such drills in the lifeboat manned, as I have indicated, by firemen, by waiters from the passengers' cabin, and by landlubbers, you would hear a howl to change that law raised so quickly that you would hardly have time to consider it. The shipowners would refuse the test and demand able-bodied seamen for every lifeboat.

The outfits which are ordinarily provided for saving life on ships which go down to the sea—I am now making no reference to the "greyhounds," the great steamships which ply between our Atlantic coast and Europe, for the reason that I have not traveled upon them; the only trip that I ever made across the Atlantic was many years ago on the old *Etruria*, and since her day they have built up a different class of ships; but I am referring to the Pacific, where we take your worn-out ships, the ships which grow too small for the passenger traffic on the Atlantic; we make use of them, and in them we travel up and down the coast, from Lower California up through the North Pacific into Bering Sea and into the upper stretches of Alaska in Seward Peninsula. Upon those ships I have traveled as well as in small boats in and out of harbors on that coast. With those I am familiar, and my remarks apply to those things with which I am familiar. The outfit which is provided for saving life aboard those ships is notorious. The life preservers in many cases are not filled with cork, but most of them pass the inspection filled with tule, and, as I have said before, tules do not stay long in the water until they become water-soaked.

The Senator from Ohio has called attention to the fact that the use of steam as a motive power has displaced the sailor from the sea, and that in consequence our steamers are now navigated by crews composed in greater part of men who are engaged in making and applying steam and whose vocation keeps them below decks, all of which is true. The Senator claims that this being true, it is unreasonable to expect a steamer to carry a quota of two able-bodied seamen for each lifeboat to be held in readiness to meet a disaster which may never come.

The suggestion opens up a question which is of great importance. It is only on rare occasions in this life that a man really needs either a gun or a lifeboat; but when he does need it, as they say out in the West of a gun, he needs it "most awfully bad." Anyone who has ever tried to pull a boat in a rough sea knows that a person unused to handling such craft is not only useless but actually is a source of danger to others in the boat. He knows that it requires experience to know how to ship the oars into the tholepin or into the rowlocks or to make an effective stroke of the oar. He knows that the first thing an inexperienced hand does is to "catch a crab," and that, not knowing how to feather an oar, he can make no headway against the sea, pull hard as he may; in fact, that he is a nuisance, and worse than a nuisance.

Every sailor knows better than to let one end of a lifeboat go down on the run, as happened in the case of the ship which burned the other day, when a number of women and children, some 50 or 60 in all, were placed in a lifeboat; and, if you read the dispatches, you will remember that the boat spilled every one of them into the sea and that they were all drowned. Why did that happen? It happened for the reason that the men who were assigned to lower away the boat at each end of it, at the bow and the stern, and handle the lines, which run through a block and tackle on the davit, were not experienced seamen, were not sailors, and did not know how to lower a boat one in unison with the other. Skill in such work comes only from experience; it is a species of craftsmanship; it comes from long years of handling block and tackle; it is the result of discipline. A good sailor would no more think of lowering away a boat on a block and tackle in connection with another sailor, or, for that matter, lower anything into the hold of a ship, and pay out his rope faster than his mate than he would think of doing any other impossible thing.

He has been taught from his earliest life, from his earliest experience, that the boat, or the piece of cargo, or whatever he is loading or unloading, must land on what he calls "an even keel." He watches his mate, and his mate observes what he is doing; they lower away steadily, and they sing "Heigh ho" to one another, calling the time in which they lower in unison. Just as a musician obeys the wand of the bandmaster; and it is out of harmony for the sailor to let one end of a boat go down "on the run," as they call it. A green, inexperienced man, on the other hand, will take hold of the rope running through a block and tackle, supporting, perhaps, a boatload of people, weighing, say, a couple of tons, and let it go through his hands too fast. When he does that the friction will burn his hands; he will let the rope go faster and faster, and the attempt to hold it will burn his hands until he can not longer stand the pain, when he will let go of it, and one end goes down into the sea faster than the other, and the passengers are spilled into the sea and lost.

It is nothing short of murder to upset a load of trusting people into the sea—women and children as a rule. Think of the law of chivalry which gives the woman and the child the preference, the first place in a lifeboat, if you please, in a wreck, in a storm at sea, which puts the helpless folk aboard this lifeboat, and then sets a couple of landlubbers, a couple of firemen, if you please, or steward's helpers, to lower away that cargo of precious freight into the sea. It must be launched on the spur

of the moment, as the side of the ship goes down to meet the water, just at the time it can be gotten away in safety, with a good crew on board to put their oars in the water and lift her out of the way of the vessel. Yet they put two greenhorns in charge of her, and let them go lowering her down. The green-born burns his hands, and down goes your family, or the family of some other man, into the depths—helpless, worse off by a thousand per cent than if they had stayed upon the deck.

That is what has happened and what is likely to happen at any time under present conditions. That is why we ask here, and have asked, for experienced sailors. An experienced sailor, when the line runs too fast through his hand and the friction becomes too great, has sense enough to take a half turn around something to check the boat's speed, and he can lower her down on the water so gently that she will not break an eggshell.

It is discipline, it is experience, it is knowing how to lower the boat when she swings clear of the ship and when the side of the vessel goes down to meet the water that makes the difference of your life or your death when you go over the side into a lifeboat.

Do you suppose there is any gentleman wearing shoe leather who could get me aboard a lifeboat to go over the side of a vessel in a storm, with a couple of firemen or steward's helpers to lower me down after I got into it? No, sir. I have been to sea too much for that. I should like to see the Senator from Ohio make a trip or two of that kind. If he did, he would have an entirely different opinion of this matter, I think.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER (Mr. THOMAS in the chair). Does the Senator from Oregon yield to the Senator from Minnesota?

Mr. LANE. I do.

Mr. CLAPP. I take it, from the Senator's description of the consequences resulting from the effort, that the Senator from Ohio might make the first trip, but he never would make the second trip.

Mr. LANE. He would not be back here to tell of his experience unless he had the great good luck to make a grab for a line, or something of the kind, and catch it. If we are going to use lifeboats, what shall we provide about them? The word "lifeboat" is an indefinite description of a small craft which is put aboard a ship to save life in case of a storm. A good lifeboat is a different proposition from an ordinary lifeboat. They are all termed "lifeboats" just the same. The lifeboats which I have been used to, many of which I have seen, and which are upon the majority of ships, are not lifeboats in reality. A good many of them could be more truthfully described as "deathboats," for as a rule they cause more deaths than they save lives.

If people traveling upon ships at sea, human beings who go down to the sea in ships, are to be compelled to depend upon lifeboats for their salvation in case of wreck, then those lifeboats should be handled by men who know every trick of lowering them safely, how to manage them, how to keep their heads up in the wind after they have been launched, when to put an oar into the water and how to do it, and, what is equally important, when not to do it.

A lifeboat in the hands of a crew of landlubbers, in a heavy sea, is a more dangerous thing to be aboard of than would be a plank or a chicken coop, for the reason that neither of the latter is easy to upset, and if it does upset the bottom side is just as good as the top; whereas if a lifeboat upsets its sides are so smooth that they afford no handhold for the man who is trying to use the boat to keep himself above water.

If there are to be no sailors or other men trained to handle lifeboats aboard ships, lifeboats should be kept off ships, and should be no longer held up before the eyes of passengers as a means of safety in the hour of danger. As a matter of fact, since vessels are being propelled by steam, and sailors have become, as it were, a thing of the past, all vessels should be compelled to carry surfboats of the type and pattern used by the life-saving stations—craft which either can not be upset or which will right themselves in the event that they do upset. It is only a reckless disregard of life and a miserly, wretched, murderous economy of money which has prevented the installation of such boats on every ship afloat. Every master of a vessel and every owner of a vessel knows this to be true. Properly equipped with such boats, and with a handy device for launching them, not a soul need ever be drowned from a wreck on the high seas. If a ship should go ashore the chances for safety would be infinitely greater with such boats than they are with the so-called lifeboats in common use at this time. To have a steamer manned with landlubbers or Lascars or Malays, who either can not understand an order or do not want to in time of stress, and who when in peril will take their knives in their teeth and fight for a place on the lifeboats, is a condition of affairs which is dangerous to people who travel on steamers.

I wish to correct a statement which was made here awhile ago in relation to storms at sea where there are heavy seas and combers caused by heavy winds. A heavy wind at sea, a storm at sea, a gale of 40, 50, or 60 miles an hour, kicks up no sea at all, practically speaking. It flattens the face of the sea. It is not the sea that you have to fight so much as it is the force of the wind. The sea comes after the wind dies down, and then you have the pitching and the rolling at sea.

In one of his poems Kipling calls attention to the conditions which exist aboard ships with green hands who are notoriously ill provided with clothing, whose wages are half stolen from them by the process of blood money leeched out of them by shipping agents, and who in the old days ate hard-tack which they had to hammer on the table in order to knock out the skippers before they could eat it soaked in their coffee, who ate salt horse; referring to which state of affairs he sang of—

> Grub that would bind you crazy and crews that would turn you gray.

We are 25 years behind in our duty, perhaps, in endeavoring to pass a bill which will relieve that condition of affairs; but I am in favor of it. I do not say anything in derogation of firemen or stokers, for they are men who are useful in their place and artists at it, if you please—men of tireless energy; men of tireless strength and muscle; men who have to stand greater hardships in some ways and have more strain on their physical endurance than does the sailor; but it is a different kind of work. A sailor could not stoke a vessel in the manner in which she ought to be stoked, nor can a fireman do a sailor's duty. It is, as I say, a different proposition.

Two men in a lifeboat are little enough. Barring those provisions in the bill which bring us into conflict, unjustly perhaps, with the rights of other nations, which I hope will be well guarded by the author of the substitute, this bill ought to pass.

I regret that I have taken so much time, but there were certain statements made regarding the handling of lifeboats which I could hardly let go by without a protest.

Mr. BACON. Mr. President, I desire at this time to present an amendment, which at the proper time I will offer to the bill. I say I will offer it, because I prefer to offer it at a time when the matter will be more directly before us for action, rather than to offer it now. In other words, I wish to offer it so that it may be voted on at the same time the bill is voted on, as one of the amendments offered to it. I ask that it may be now read.

The PRESIDING OFFICER. The Secretary will read the amendment.

The SECRETARY. On page 20 it is proposed to add, as section 19, a new section, as follows:

> Nothing contained in this act shall be construed to operate to have the effect to abrogate, annul, or in any manner affect any part or provision of any treaty now in force between the United States and the government of any other nation.

The PRESIDING OFFICER. The question now is upon the amendment of the Senator from Ohio [Mr. BURTON] to the amendment of the Senator from Wisconsin [Mr. LA FOLLETTE], which will be stated.

Mr. LA FOLLETTE. I believe the amendment I offered is the pending amendment. I do not understand that the amendment offered by the Senator from Ohio was offered to the amendment which I have pending.

The PRESIDING OFFICER. It is offered to the amendment of the Senator from Wisconsin.

Mr. LA FOLLETTE. If that be true, Mr. President, I claim the right to perfect the amendment myself, and before other amendments were offered to it I gave notice that I purposed to offer an amendment or two. I have the right, I think, to modify the amendment and to perfect it before it is open to amendment by anybody else.

The PRESIDING OFFICER. The Senator has a perfect right to modify his own amendment. The amendment of the Senator from Ohio has not, however, been stated, as the Chair understands.

Mr. BURTON. I should like to inquire if an amendment is pending other than the one I have offered.

The PRESIDING OFFICER. The amendment of the Senator from Ohio is an amendment to the amendment of the Senator from Wisconsin, who asks the privilege, which, of course, he has, of modifying his amendment. The Chair announced that the amendment of the Senator from Ohio had not been stated. It will now be stated.

The SECRETARY. On page 2, line 13, in the amendment of the Senator from Wisconsin, after the word "limit," it is proposed to strike out the word "either" and to insert the words "the obligation of all the crew to take part in boat drills and fire drills, or."

Mr. LA FOLLETTE. Mr. President, as I stated at yesterday's session, the last three sections of the substitute as offered by me are not in the form in which the seaman's bill passed the House of Representatives at the last Congress, that being the measure which I have introduced at this session, and which I have offered as a substitute. I modified the bill as it passed at the last Congress, and as I reintroduced it at the beginning of this Congress, to the extent of striking out the last two sections—sections 14 and 15—and substituting for them sections 14, 15, and 16 of the bill reported by the Committee on Commerce at this session. I did that because those provisions dealt with the matter of treaty relations in a more elaborate way, and I hoped to harmonize some interests and secure some additional support for the measure by taking so much of the bill as it had been reported by the committee. Those provisions had been dwelt upon at great length by the Senator from Florida [Mr. FLETCHER], who had reported the bill. So I adopted them and incorporated them in the amendment which I have offered as a substitute. I did not observe that they were defective in two respects.

As reported from the committee, section 15, as it appears in the substitute, in its reference to treaties, refers only to treaties containing provisions regarding desertion. Of course, the bill as reported by the Senate Committee on Commerce dealt with many other matters of importance as to foreign vessels which are the subject of convention between this country and foreign countries. Therefore, if the committee had intended to make the provisions of their bill effective as to anything except deserters, they would have provided that the bill should not be limited in its application to treaties that dealt with desertion. In other words, they adopted a provision regarding treaties that destroyed many of the provisions of their bill which seemed to give some of the needed concessions to the seamen of the country.

In order to make the last three sections of the proposed substitute meet every requirement of the preceding sections of the bill, I wish to propose two amendments. I will state them both together, because they will be better understood in that way, and then will call for votes upon them separately.

On page 18 of the proposed substitute—I think I have the right copy; there have been so many prints made that I am not absolutely certain, but I think I have, and I beg to be corrected by the Secretary if I have not—on page 18, line 23 of section 14 of the substitute, the pending amendment, after the word "imprisonment," in that line, I propose to insert "and any other treaty provision in conflict with the provisions of this act," so that the section will read, if amended, as follows. I will read down to where this amendment would be inserted in order that Senators may see the application of the amendment.

> SEC. 14. That in the judgment of Congress articles in treaties and conventions of the United States, in so far as they provide for the arrest and imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of the United States in foreign countries, and for the arrest and imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of foreign nations in the United States and the Territories and possessions thereof, and for the cooperation, aid, and protection of competent legal authorities in effecting such arrest or imprisonment—
>
> Now I come to the amendment—
>
> And any other treaty provision in conflict with the provisions of this act ought to be terminated, and to this end the President be, and he is hereby, requested and directed, within 90 days after the passage of this act, to give notice to the several governments—
>
> And so forth.

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). The Senate has heard the amendment proposed by the Senator from Wisconsin. All those in favor——

Mr. LA FOLLETTE. I will just follow that with another amendment as to the notice that will, when taken with this one, perfect these provisions. I will not divert the Senate now from the consideration of this amendment if it is ready to vote upon it.

Mr. BACON. Mr. President, as I understand, the Senator has a right to incorporate that modification in his amendment without a vote.

The PRESIDING OFFICER. The Chair so understands. It is only a modification of the Senator's own amendment.

Mr. LA FOLLETTE. With that privilege, I send this matter to the desk. I will say to the Secretary that the references at the top of the page are to a different page. I had a different print of the bill before me when I drafted it.

The PRESIDING OFFICER. The modification proposed by the Senator from Wisconsin will be stated.

The SECRETARY. The Senator from Wisconsin modifies the amendment offered by him on October 16 by inserting, on page 18, line 23, after the word "imprisonment," the words "and any other treaty provision in conflict with the provisions of this act."

Mr. LA FOLLETTE. Now, Mr. President, as to section 16. I think any Senator reading that section will agree that it is a bit obscure in its phrasing.

Mr. WILLIAMS. Has the Senator offered the amendment which provides that no provision in the bill in conflict with any treaty shall take effect until after the expiration of the period fixed?

Mr. LA FOLLETTE. That is just what I have in hand now. I will say to the Senator that I was just going to offer that.

Mr. WILLIAMS. All right.

Mr. LA FOLLETTE. I propose to modify my amendment, on page 19, by striking out all after the comma, on line 23——

Mr. BURTON. What is that?

Mr. LA FOLLETTE. On page 19 I propose to strike out all after the comma, on line 23, to the end of section 16, on line 3, page 20, and insert the following:

> Except that such parts hereof as are in conflict with articles of any treaty or convention with any foreign nation shall take effect as regards the vessels of such foreign nation on the expiration of the period fixed in the notice of abrogation of said articles as provided in section 14 of this act.

I send that to the Secretary's desk, and ask to have it read.

The PRESIDING OFFICER. The modification will be stated.

The SECRETARY. The Senator from Wisconsin further modifies his amendment, on page 19, line 23, after the words "its passage" and the comma, by striking out the remainder of the section, and in lieu of the words stricken out inserting the following words:

> Except that such parts hereof as are in conflict with articles of any treaty or convention with any foreign nation shall take effect as regards the vessels of such foreign nation on the expiration of the period fixed in the notice of abrogation of said articles as provided in section 14 of this act.

The PRESIDING OFFICER. Does that conclude the modifications which the Senator desires to make?

Mr. LA FOLLETTE. Not quite.

In line 13, page 16 of the proposed substitute, as a part of section 12, after the word "Commerce," I propose to insert:

> *Provided further*, That the board of supervising inspectors be, and are hereby, authorized and directed to prescribe rules and regulations, to be approved by the Secretary of Commerce, to provide, in harbor and at sea, for lifeboat drill and fire drill to be held for the training of the crew in fighting fire, in abandoning the vessel, and in caring for the passengers, and to provide for the assignment of each passenger to a particular place in the lifeboat, said assignment to be made at the time the person is taken aboard the vessel as a passenger, who shall thereupon be informed of such assignment. Every failure to comply with the rules and regulations authorized by this proviso shall, upon conviction, subject the master or the vessel to a fine of not less than $50 nor more than $200. The provisions herein with respect to lifeboat drill, fire drill in training the crew and in fighting fire and in abandoning the vessel, in so far as the same relates to such drill at sea, shall not apply to vessels of foreign nations; but as to foreign vessels at sea, said board shall deliver to the master of every such vessel departing from a port of the United States a copy of said rules and regulations, together with a recommendation that the master of such foreign vessel comply with such rules and regulations at sea.

Mr. BURTON. I should like to ask if that is identical with the one that was read by the Senator from Wisconsin yesterday. If it is not, I should like to have it read again.

Mr. LA FOLLETTE. It is not quite identical with it. It is substantially the same.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. On page 16, line 13 of the amendment proposed by the Senator from Wisconsin, after the words "Secretary of Commerce" and before the period, insert a colon and the following words:

> *Provided further*, That the board of supervising inspectors be, and are hereby, authorized and directed to prescribe rules and regulations, to be approved by the Secretary of Commerce, to provide, in harbor and at sea, for lifeboat drill and fire drill to be held for the training of the crew in fighting fire, in abandoning the vessel, and in caring for the passengers, and to provide for the assignment of each passenger to a particular place in the lifeboats, said assignment to be made at the time the person is taken aboard the vessel as a passenger, who shall thereupon be informed of such assignment. Every failure to comply with the rules and regulations authorized by this proviso shall, upon conviction, subject the master or the vessel to a fine of not less than $50 nor more than $200. The provisions herein with respect to lifeboat drill, fire drill in training the crew and in fighting fire and in abandoning the vessel, in so far as the same relates to such drill at sea, shall not apply to vessels of foreign nations; but as to foreign vessels at sea said board shall deliver to the master of every such vessel departing from a port of the United States a copy of said rules and regulations, together with a recommendation that the master of such foreign vessel comply with such rules and regulations at sea.

Mr. SUTHERLAND. Mr. President, I do not intend to enter upon a discussion of the various provisions of this bill, but I want to say just a word or two with reference to it before the vote is taken. I have given it such study as my time would permit, and I have brought to the study such intelligence as a landlubber could command.

I am persuaded that the substitute offered by the Senator from Wisconsin is wise and just and necessary, and because I

think so I intend to vote for it. I realize, as has been said by the Senator from Ohio [Mr. BURTON], that some hardship may result, and quite likely will result, from putting into operation provisions of this character, which in some respects radically alter the provisions of the existing law; but I am also persuaded that the reforms which are to be put into operation by this substitute have been already too long delayed.

There are two ways, Mr. President, by which an employer of any kind of labor, whether an employer of labor in a factory, on a railroad, or upon a ship, can be compelled to do justice by his employees. One of those ways is by an appeal to his self-interest and the other is by legislation. Whenever you can appeal to the self-interest of an employer so as to induce him to do exact justice to his employees, that is the better way to deal with him, because then his action becomes to a very large extent automatic.

At the time when ships on the sea were under sail, before the invention of steam, the self-interest of the owner of the ship demanded that he should employ seamen of skill and efficiency, because the ordinary and everyday handling of a sailing vessel required efficient and trained service. But when the sail departed from the sea and steam took its place in the ordinary operations of the vessel that skill was no longer required. Skillful seamanship is required now upon one of the large steam vessels only in cases of emergency. No great amount of skill is required in fair weather. So the self-interest of the owner of the vessel is no longer appealed to to employ able seamen and skilled men in navigating vessels, but the necessity of skilled seamen upon occasions of emergency and danger is just as great upon a steam vessel to-day as it ever was upon the sailing vessel of past time, and the only way that that can be certainly enforced under existing circumstances is by legislation.

I also recognize the force of some objections the Senator from Ohio has urged with reference to making the provisions of this proposed law apply to foreign vessels; but I am consoled by the reflection that the provisions are right and are just and are not unduly burdensome. They are rules that we are willing to put into operation with reference to our own vessels because we believe them to be necessary and we believe them to be just, and if our conclusion about that is correct—and we can only justify our votes for the substitute upon that theory—then we are not imposing any unjust or discriminatory burden upon foreign-owned ships.

So far as the question of the treaties is concerned, when the matter was suggested I will confess that it gave me some uneasiness; but I think the amendment proposed by the Senator from Wisconsin has obviated any objection which could be made upon that score. We have provided in these various treaties that they may be abrogated upon a year's notice. Having made that provision, of course it was within the contemplation of both parties to a treaty that that power might be exercised by either nation; and that being so, it being clearly within the contemplation of both parties that it was a power which might be likely exercised at any time, I can not see upon what theory any foreign nation can complain if we have determined that the occasion has arisen, that the time has arrived, when we ought to give that notice. We are not violating any treaty if we do that, but we are acting in pursuance of the terms of the treaty.

Mr. President, just a word or two with reference to one or two of the features of this proposed substitute. I think one of the most important provisions in the substitute, and one of the most necessary, is that providing for the employment of able seamen and the provision requiring that there shall be two able seamen for each lifeboat upon the vessel.

I have been looking over the report made to the House upon a similar bill May 2, 1912, and I have been very much struck by the statement contained in that report with reference to the station assignments made upon some of the ships with regard to the manning of lifeboats. To my mind the statement contained with reference to that matter in this report constitutes the strongest kind of circumstantial evidence in favor of the provision in this proposed law with reference to providing upon every lifeboat one or more able seamen. The matter to which I call attention is on page 11 of the report, headed:

Station bills showing how boats are manned in case of disaster, who are in charge, and the number of seamen in each boat under present regulations.

Pacific Coast Steamship Co.: Boat stations—Steamship *Governor*—

I may say that the *Governor* is a boat plying upon the Pacific—

Boat No. 1. Located, boat deck, starboard side; captain in command; No. 1 quartermaster, No. 3 oiler, No. 1 seaman, No. 1 stewardness, No. 61 waiter, No. 77 waiter, No. 2 fireman, No. 26 fireman, No. 1 deck boy, wireless, No. 86 fireman.

That is the crew of that boat. The provision having been made in advance, in the case of the necessity of manning a lifeboat the various persons named shall take their positions in that particular lifeboat in that way. The significant thing in that is that one seaman is provided for. That standing alone, of course, would not be significant, but when you go through the entire list, taking boats Nos. 1, 2, 3, 4, and so on, down to boat No. 12, you find in each boat that provision is made for a seaman; that is, No. 1 seaman in boat No. 1, No. 2 seaman in boat No. 2, No. 3 seaman in boat No. 3, No. 4 seaman in boat No. 4, No. 5 seaman in boat No. 5, No. 6 seaman in boat No. 6, No. 7 seaman in boat No. 7, No. 8 seaman in boat No. 8, No. 9 seaman in boat No. 9, No. 10 seaman in boat No. 10, No. 11 seaman in boat No. 11. It appears there were only 11 able seamen on that ship, so that when they came to the twelfth there was no able seaman to go in that boat, but they recognized the necessity all the way through of providing for an able seaman in every boat just so far as the able seamen would go.

There is no such coincidence with reference to any of the other employees. It was a matter of unconcern as to whether or not there should be one waiter on a particular lifeboat or two waiters or half a dozen waiters or none at all, but just as far as those 11 seamen would go provision is made for 1 of them on every boat, and when they came to the twelfth boat provision would have been made for a seaman upon that boat as well, only there was no twelfth seaman upon the ship.

The question arises, it being recognized by the people in control of this ship that it was an important and a necessary thing that these seamen should be distributed among these lifeboats so far as they would go, Is it not the duty of Congress to provide by legislation in such a way that the twelfth boat would be taken care of just as well as the other 11?

Take the next boat, No. 1, upon the Atlantic coast:

Crew stations of the steamer *Governor Dingley*.

I will not stop to go through the detail of that, but it appears that boats Nos. 1, 2, 3, 4, and 5 were provided with a sailor. In that tabulation they are called sailors instead of seamen, but the same sort of an employee is meant. Boats No. 9, No. 10, and raft No. 1 were provided with one seaman each. It appears that upon that ship they did not have as many seamen as upon the Pacific ship, but again it appears that just as far as these sailors would go they are distributed among these boats. But boats No. 6 and No. 7 and rafts Nos. 2, 3, 4, and 5 were not provided with sailors, because there were none to provide. Again, it being clearly recognized by the people in control of this ship and upon all the others that I have had any opportunity of looking into that seamen were necessary upon the lifeboats, the question arises whether it is not the duty of Congress to enact such legislation as will require seamen upon these boats that are now not provided with them as well as upon those which can be thus furnished.

I find another striking thing in this report, and that is that of the lives saved at sea during the year 1909–10 from British ships abroad 131 were saved by rocket apparatus and from ropes from shore and 47 by lifeboats; but the majority were saved by the ships' own boats, 3,389, and by passing ships, 1,057. That is, out of the 5,595 lives that were saved at sea more than 5,000 of them were saved by the lifeboats of the vessel itself and the lifeboats of passing ships, indicating the great value of the lifeboat and the tremendous necessity for perfecting the lifeboat service in order that it may be efficient.

Mr. President, I do not care to say anything further about the bill, but I desire to call to the attention of the Senate a statement which was made recently by Mr. Andrew Furuseth, whom most of us know. He does not attempt to discuss it in detail, but to my mind it is so graphic a statement of the situation in its broad features that I am going to ask the indulgence of the Senate while I read it. I will ask, before I read it, for fear that I may forget it when I finish, that in addition to going into the RECORD it may be printed as a Senate document. (S. Doc. No. 216.)

The PRESIDING OFFICER. Without objection, that course will be pursued.

Mr. SUTHERLAND. It is headed "The decay of seamanship in Europe and America," and by way of text in the beginning of it this statement is made:

"The Caucasian is leaving the sea; the oriental is filling the vacancy. Sea power is in the seamen; vessels are the seamen's working tools; tools become the property of those who handle them."

This is not a prophecy; it is a fact. If the reader needs proofs, let him visit the docks where the ocean cargo carrier—the tramp—is taking in or delivering cargo. He will find that while the officers are white, the sailors and firemen are very largely from the races which inhabit Africa, Asia, and the Malay Islands. If he be fond of statistics and knows the way they are made up, so as to hide from John Bull the loss of his sea legs, the decay of his sea power, let him examine the reports issued from year to year by the board of trade. If he be told that the tendency is sporadic, let him ask the boys along the seacoasts of Europe and America north of the Mexican line what they are going to be when they grow up, and the answers will be truly illuminating. Let

him ask the seamen if they will accept a job on shore, and he will find that they are willing to accept anything to get away from the sea. The men are leaving the sea; the boys are shunning it.

The compelling cause of this drift from the sea is a great wrong, which can only be cured by legislation. National commissions and international conferences have sat and inquired into losses of life at sea; they have reported vessels to be undermanned both in individual skill and in numbers of seamen employed. Recommendations have been made and forgotten. The *General Slocum* was lost with about 1,000 lives. The coroner's jury said, "Inefficient crew"; the commission appointed added, "Not enough life preservers; inefficient inspection." The net result was more life preservers, better inspection, but no improvement in the crews. The *Titanic* was lost. The senatorial commission said, "Not enough lifeboats; the crew inefficient in skill and number." There are some more lifeboats, but no more or better men. The drift from the sea is growing and safety diminishing, while vessels are steadily growing larger. Seamen have sought proper legislation in vain for more than 20 years. Congress after Congress have been appealed to, but without substantial results. The seamen are poor; they are lowly; few of them are voters; fewer still can vote, being at sea; they have nothing with which to quicken sympathy and induce action except their plainly told tale. And yet the questions arising from the drift from the sea are of great racial importance; they are of great national importance; they are of great economic importance, and of serious personal importance to those who travel the sea for business or pleasure. The cause of the drift from the sea is simple; the remedy easy, if honestly applied.

1. When a citizen becomes a seaman he surrenders all rights of citizenship, he voluntarily places himself outside of the protection of the thirteenth amendment to the Constitution.

Mr. President, I may pause at that point long enough to say that my attention was recently called to the decision of the Supreme Court of the United States in the One hundred and sixty-fifth United States, in which I was somewhat astonished to read the opinion of the majority of the court, holding substantially what is stated here, that a seaman, notwithstanding the thirteenth amendment to the Constitution, could be bound to involuntary servitude, provided he had agreed in advance to serve upon the vessel for a particular length of time.

I say I was astounded to read that, because I had always believed that the provision of our Constitution with reference to involuntary servitude was wider than the question of slavery; that it meant precisely what it says; and that nobody could be compelled against his will to serve another for a single day. The Supreme Court said that because he had agreed in advance to accept this service or to bind himself to this service, he therefore voluntarily entered the service, and that the fact that he might conclude thereafter to quit the service would not render it involuntary.

It seems to me that the fallacy in the argument of the court is perfectly plain, because although a man has made a contract to serve another for a particular length of time, the moment he concludes to repudiate the contract he becomes liable, of course, to an action for damages; but if having concluded to repudiate the contract he be compelled to comply specifically with the terms of the contract, his service from that moment becomes involuntary. Otherwise a man could bind himself for life to serve another, and in that way bind himself to a condition of slavery. I think the decision of Justice Harlan, who dissented from the majority decision of the court, proceeds upon the better reasoning.

But I proceed to read from this document:

2. He accepts and surrenders to the plenary power of Congress and the President over his personal freedom, the wages he has earned, the work he is to do and with whom he is to do it, and thereby unreasonably increases the burden of his toil and the risks, naturally and unavoidably great, to his life.

One century since the status of the worker was either that of a slave, a serf, or one who labored under term contracts enforceable by imprisonment. The seamen belonged to the last-named class. Being among the freest of the workers, his social and industrial condition was, in comparison with the others, favorable. Other causes contributed to this result.

1. The shipowner might lose his all through local riots or other social disturbances in port, through piracy or other dangers of the sea.

2. He was liable to the traveler and the shipper for the amount of damages caused, if traceable to him, not being "acts of God" or "the public enemy."

The self-interest of the shipowner was sufficient to cause him to carry men skilled in their calling, acquainted with the use of arms, physically able to use them, and with sufficient courage to defend and protect his employer's property, whether the attack came from men or from natural elements. The shipowner appreciated this to the extent of obtaining legislation which gave him the power to punish the laggard or to reduce the incompetent in rating and wages, according to his demerit. The shipowner still has this power. He was bound by law to carry a national crew, either in whole or in part. These conditions compelled him to look for his workmen among his own people, among the strong, the healthy, and the skilled. If he employed his slaves or serfs, they became free.

These several causes worked automatically toward a wage rate, under which the seamen could and did keep a family in as much well-being as the average skilled mechanic.

During the last century a great change came over society. Slavery and serfdom were abolished; term contracts to labor, enforceable by imprisonment, either by law or in equity, were abolished here in the United States and in some countries in Europe, while in others they were reduced in number and remained applicable only on servants, in husbandry. As freedom came to men it carried better treatment and better wages. Wages rose gradually until they doubled, trebled, and quadrupled; the legal testimony of the worker became creditable, being untainted by his status. The seaman was not permitted to share in any of these changes; his status remained. His wages stood still or were actually lowered. The cost of living rose with the advancement of the wages; the purchasing power of the seaman's wages went down, and he became unable to care for a family.

Other causes contributed to this result:

1. A system of marine insurance was perfected, through which the shipowner guarded himself from the dangers of the sea and distributed the losses upon the general community.

2. Limited liability laws were enacted through which the main risk of travel fell on the passenger, the risk of merchandise in transit upon the shipper, who through the insurance shifted it to the general public.

3. Piracy ceased and losses through revolts or revolutions became collectible from the nations or communities held responsible.

4. Lighthouses were built, channels marked, deepend, and widened, storms were studied, warnings were given, and navigation became more safe.

5. Laws compelling national crews were repealed, modified, or disregarded.

Having rid himself of the risk by insurance of the liability by legislation and of limitation as to the nationality of the men employed through the repeal of laws, the shipowner cared no longer for skill, ability, nationality, or race. The wages to be paid became his main consideration. He might send his vessel to sea with men, none of whom were trained in the work or who understood without an interpreter the orders given. The seaman was compelled to compete with the unskilled from all strata in society, from all nations and all races, and when at sea he was compelled to do the work which these men could not do. This is the condition to-day. Hence the increasing shipwrecks, the great losses of life, such as the *General Slocum*, the *Elbe*, *La Bourgogne*, the *City of Rio de Janeiro*, the *Norge*, the *Valencia*, the *Oceanic*, the *Titanic*, and almost innumerable others; hence, also, the constant increase in insurance rates. While men are leaving the sea. Modern education and the worn-out ancient status can not continue together. Men refuse to go into or remain in any calling which will not furnish sufficient upon which a family may be kept. More and more men come to sea as does the sewage. The last Congress passed a law providing for more reasonable hours of labor for officers of vessels, and it is largely disobeyed, either secretly or openly, with the excuse that the shipowners can not find men from whom officers can be made. Let this thing continue a few more years and the Asiatic will have to be accepted on the bridge in command, because none others will be available. Men from the Mediterranean, from Arabia, India, and South Africa sail the vessels on the Atlantic; men from China and Japan sail the vessels in the trade between our Pacific ports and Asia. The number of Asiatics and Africans from the south of Africa in the merchant marine of Great Britain is about 100,000. Norway, with her former surplus of seamen, has not enough for her own vessels, and the number is steadily decreasing. Germany's seamen come from the interior, and are diminishing. The drift from the sea on the part of the Caucasian is general and growing. There must be a change. It must be fundamental, and it must be soon, or the sea must become the domain of the oriental. His status and standard of living corresponds to the status and earning capacity of seamen of to-day.

These facts have been presented to Congress after Congress. The seamen have been met with the answer that to change the condition as urged would be to still more widen the difference in the wage cost of operation now existing between foreign and domestic vessels taking cargoes or passengers from American ports, and thus drive the few remaining American vessels from the ocean. The seamen then went into the study of the real causes of the difference and found—

1. That wages are determined by supply and demand; that it is the same to all nations' vessels in the same port if the vessels are going in the same or a similar trade.

2. That wages are dependent upon the standard of wages and of living in the port and in the territory adjacent thereto and upon the port to which the vessels are going.

3. Upon the standard of skill demanded and the chances of getting away from—deserting from—the vessel at her port of destination if such be a high-wage port.

Thus it was found that when a Norwegian shipowner wants men to join a vessel sailing between ports of the United States and the West Indies or Central America (the fruit steamers), he pays 50 per cent more wages than if the vessel was going to the Black Sea. He does this to keep the men now, when by treaty he can have them arrested, detained, and delivered back to him. The fugitive-slave law is in full force and operation between nations through treaties entered into. If the men coming to the United States from other countries could quit their vessels in ports of the United States and reship in some other vessel, the wages would become equalized. It is not suggested that seamen should be paid off. It is suggested that they should be able to obtain one-half of their earned wages and that they should not be arrested and delivered back to their masters (owners?) against their will. The only difference in the cost of operation of vessels that does not arise out of the cost of building is in the wage. All other supplies are obtained upon the same terms by vessels in the same trade. The price of the port controls. The wages of the port would control if the law of supply and demand was permitted to act, but this law is set at naught by laws made by the several nations and given vitality in foreign countries through treaties. Such arrangements are solely in the interest of low-wage countries. Abolish the fugitive-slave law now operating upon the seamen, cease being the slave catcher for foreign nations, and the economic value to purely American-owned vessels would be equal to a greater sum than was ever asked for as a subsidy, and all talk of subsidy or necessity for discriminating duties would at once be at an end.

Give to the seamen, while the vessel is in port and in safety, the freedom that has been given to other workers; give them half of the money due to them (others get all) in such ports in order that they may have the means to exercise and to protect their freedom; provide a standard of skill in the men employed (and thus make it possible for them to save life at sea, their own included); provide such regulations as to working hours as shall keep the skill available (they work 7 days a week and 12 hours per day at present); make the freedom, the standard of efficiency, and the right to one-half of the money due applicable to foreign vessels coming within the jurisdiction of our laws, and there will be a reasonable assurance of safety at sea. The American vessel will be on equality with foreign vessels in American ports, as they already are, through law enacted in 1884, in foreign ports, and the "drift from the sea" will cease. There will be a better class of men available for the merchant marine and the Navy; there will be more safety at sea, lower insurance rates, and no necessity for either a subsidy or for any discriminating duty. England regulates all the matters dealing with safety, including the number of men, on vessels coming within the

jurisdiction of her laws, and we will be doing nothing except what is truly American by doing the same.

Compulsory labor in private employment has few friends to-day, and the hope of the thinking seamen has been that freedom will come to them also. In this hope they have waited and worked. They believed that the nations would come to realize their need of seamen for national purposes and that disasters, which were sure to multiply as skill decreased, would cause the people to demand such changes in the law as should be found needed in the interest of safety of life at sea. Vessels that can not burn and will not sink are not built; the best vessel ever built is unseaworthy unless manned by skilled officers and men, who can understand the orders and who know how to obey them. Real seamen know that in any serious struggle with the forces of nature the human element is the determining factor. They have been waiting, watching, and praying for relief. Senate bill 4 is the remedy and will give the relief needed.

An international conference on safety of life at sea is coming, but we fear that little of real value will come from that, unless it is preceded by proper legislation here setting a minimum. We fear that the forces which have been and now are engaged in destroying the customs upon which skill and safety rested, and which have succeeded in preventing legislation so long needed, will in some way dominate the conference.

With the proper legislation enacted here and thus a minimum set, that conference would be valuable. Other nations would have to follow our lead, owing to pressure of economic conditions; they would therefore make a virtue of necessity and the conference would very likely recommend similar legislation to other countries.

Sea power is in the seaman. Ships are but the seaman's working tools. If there be a desire in the white race to retain its sea power, the Caucasian must be brought to sea again. Nations which desire to share in that sea power must depend upon their own citizens or subjects. If a reasonable safety at sea be desired, men of strength, courage, and skill must be induced to again seek the sea and they will not come to accept existing status nor tolerate other existing conditions.

Mr. PAGE. Mr. President, at the proper time I wish to offer a very small amendment to the amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE]. The little Lake Champlain has probably no point from the extreme northern end of navigation to the south end where the lake is more than 6 or 7 miles wide, and in almost the entire length the steamer travel rarely gets more than 1 or 2 miles from land. They have only a short period of business that is profitable, and they have a very fine boat, the *Vermont*, one of the safest that I know of anywhere. The men who man that boat are intelligent young men from the Borders of Vermont and New York, men who are thoroughly competent to man the boat, although they would not, perhaps, be classified as "able seamen."

I have been conversant with travel on Lake Champlain for at least 50 years and I do not recall, at least within this generation, a serious accident on that lake. It seems to me that we ought not to burden that little traffic with the added expense which this substitute proposes to compel. Therefore, on page 15 of the substitute bill, after the word "exclusively," in line 15, I move to insert the words:

And the smaller inland lakes where the line of travel pursued is at no point more than 3½ miles from land.

On the following page it will be necessary to make a slight change to conform to this amendment by inserting, after the word "harbors," the words "and the smaller inland lakes as hereinbefore specified." If amended as I have proposed, the language will read:

SEC. 12. That no vessel of 100 tons gross and upward, except those navigating rivers exclusively and the smaller inland lakes where the line of travel pursued is at no point more than 3½ miles from land, and except as provided in section 1 of this act, shall be permitted to depart—

And so forth.

It is very patent to me that this amendment ought to be made, and I can not believe that anyone will oppose it; but protests have come to me from our little lake in such numbers that I felt that it was my duty to offer the amendment. I hope there will be no objection to its adoption at the proper time.

The VICE PRESIDENT. There is an amendment prior to this amendment. The preceding amendment has not yet been disposed of.

Mr. PAGE. I understand that, Mr. President; but it occurred to me that we were coming very near to the hour of 4 o'clock, when debate is to cease, and I wanted to make this brief statement, so that when the matter came up the Senate would understand my reason for offering the amendment.

Mr. DILLINGHAM. Mr. President, may I add just a word to what my colleague [Mr. PAGE] has said? He has referred simply to Lake Champlain; he might, of course, have referred to Lake George; but all through New England there are lakes of this character—lakes which freeze over in the winter—and the traffic upon which occurs only during the summer season. I would be afraid to state the number of such lakes in New England alone, but in the Adirondacks and in all the different parts of the country they abound.

The impression has gone abroad that such lakes would be classified as rivers under the terms of this bill. I took occasion a little while ago to have a conversation with Mr. Furuseth, who has been very frequently quoted here, and he told me that he supposed under the direction of the board of navigation, or whatever body it is that has charge of this matter, lakes of this character would be classed as rivers under the terms of the bill; but when I told him the character of the waters he became satisfied that such would not be the fact. Such not being the fact, it seemed to me perfectly pertinent that this amendment should be offered and adopted, so that the navigation on this class of inland waters should not be burdened with the provisions of the bill.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Ohio [Mr. BURTON] to the amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. CUMMINS. May the amendment to the amendment be again stated, Mr. President?

The VICE PRESIDENT. The Secretary will again state the amendment.

The SECRETARY. Mr. BURTON proposes the following amendment to the amendment offered by Mr. LA FOLLETTE: On page 2, line 13, after the word "limit," strike out the word "either" and insert "the obligation of all the crew to take part in boat drills and fire drills or," so as to read:

But these provisions shall not limit the obligation of all the crew to take part in boat drills and fire drills or the authority of the master or other officer or the obedience of the seamen when, in the judgment of the master or other officer, all the sailors, etc.

Mr. BURTON. Mr. President, I do not see how there can be any objection to this amendment. Without it the language is ambiguous and doubtful. Indeed, I think the law would be interpreted as not requiring any steward or fireman or engineer to take part in the lifeboat drills.

The VICE PRESIDENT. The question is on the amendment to the amendment.

Mr. LA FOLLETTE. I hope, Mr. President, that the amendment to the amendment will not be adopted. It aims simply to break down the provisions of the substitute bill regarding the classification of the service. It is simply in line with the proceedings and the attitude of the Committee on Commerce and the committees of Congress generally in dealing with this seaman's problem. The men who are desirable in this branch of the service can only be expected to enter that branch of the service if there is some opportunity for fair remuneration and for some development in rank and skill. I sincerely hope that the amendment to the amendment will not be adopted.

Mr. BURTON. Mr. President, the Senator from Wisconsin certainly entirely misapprehends the object of this amendment. There is no one who will deny that it is desirable when a boat is at sea and an emergency arises that the greatest possible number should be available for saving human life whether on boats or in fire protection. It is proclaimed that this substitute means greater safety for human life. If you vote down this amendment, you say that a man who is a steward, a man who is a fireman or an engineer, can not be required to prepare himself for the emergency to which that boat may be subjected. It is in line with a disposition to so divide all the different departments that each shall have control of only one branch of activity.

It has been shown here in the argument that some of the very best service that has been rendered has been rendered by those who were members of the fire crew or who were stewards, and that life has been saved by them. Unless you adopt this amendment you say that they shall have no part in boat drills, that they shall have no part in fire drills. In fact, the engineers and firemen, as is the case now, should have the leading part in fire drills, because it is largely a matter of mechanism.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Ohio [Mr. BURTON] to the amendment proposed by the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. LA FOLLETTE. Mr. President, the Senator from Ohio has from the beginning of this debate—I will not say purposely, but purposely or not he has misstated, distorted, and misrepresented the provisions of the substitute bill. I am bound to say that I can not believe that he intended to do so.

There is nothing in the provisions of the bill which when danger threatens, when there is need to save the ship's cargo or to render aid to other ships in distress, would prevent the men engaged to serve in one department of a vessel being assigned and compelled to perform service in another department. There is not a thing in that provision which prevents their being all called out whenever, in the opinion of the master of the vessel, it is necessary to work them in any department for the preservation of the vessel or for the safety of the passengers or crew at sea or to train them for that work. To endeavor to make it appear that because it is desirable that

men who are accepted and assigned as able seamen shall not be sent into the hold to shovel coal this substitute provides that in the ordinary work of the vessel the men of one department shall not be required to serve in another—I say to attempt to distort a provision of that sort into meaning that the captain of the vessel can not call men from every department and assign them to any kind of work when he thinks it is necessary for the safety of the vessel is—well, if I did it I should think it was not quite fair. I will not say it is not fair in the case of the Senator from Ohio.

Let us consider it for a moment and think of the way this paragraph has been treated in this debate. Here is the language:

And seamen serving in one department of a vessel shall not be required to do duty in another department; but these provisions shall not limit either the authority of the master or other officer or the obedience of the seamen when, in the judgment of the master or other officer, all the sailors or all the firemen or the whole crew is needed for the maneuvering of the vessel or the performance of work necessary for the safety of the vessel or her cargo or for the saving of life aboard other vessels in jeopardy.

This gives the widest latitude. Under it the captain of a vessel does not need to wait until the storm breaks; he does not need to wait until the sides of the vessel shall have been gashed by an iceberg before he calls the men from the different departments for service wherever needed for the good and the safety of the vessel in time of danger to be drilled and prepared for that hour. No; this provision, notwithstanding the argument of the Senator from Ohio to give it a more limited construction, gives ample and specific authority to the officers at any hour from the time the ship leaves her wharf to call the men from any department of the vessel and from all departments of the vessel and put them into service and into drill outside of their departments. He can call these wonderful men from the stewards' department, these most remarkable of all the life-savers of the sea, these waiters, who, with a little harbor drill, the Senator from Ohio would make the only means of saving from destruction at sea all those on a vessel. These can be called out of the kitchen and put into any sort of service on the vessel that he pleases and deems necessary with a view of providing safety whenever danger is involved.

The provisions of this section, if they had been especially drawn to meet that contingency, could not have been better drawn. I did not draw them; I am not the sole author of this bill. No man can claim that distinction. This bill is the evolution of a struggle of 19 years, not only to emancipate thousands of men from slavery, but also it is the work of able, patriotic men who would see the American merchant marine restored to a place of importance in the commerce of the world by legitimate, honest, and economic methods, rather than by some dishonest subsidy scheme.

More than that, this bill is the result, Mr. President, of the combined efforts of men who would save, if possible, seamanship to American seamen. The policy pursued in Congress has had as admirable an exemplification as it could possibly have in the person of the Senator from Ohio and in his speech. It represents exactly the attitude of the American Congress for 19 years toward this question. Blind to everything else, excepting, as it seems to me, the interests of the shipowners, the policy that has been pursued with respect to seamen has driven thousands upon thousands of them out of the business and into other lines of business. Why? Because the laws of the United States made every representative of this country in every country of the world a fugitive-slave catcher for every seaman who shipped in any vessel and subsequently left it. Such are the hard conditions of the law. Since the fugitive-seaman law was enacted in 1790 there have been scarcely any modifications to ameliorate the conditions of the seamen.

Mr. President, when I sought and obtained, from the Senate an agreement making this subject a special order, I did so because it seemed to me that it ought to be given precedence over any other business which could by any possibility come before the Senate at this time. I will except nothing. I assert that adequate legislation to establish and maintain the highest standard of efficiency in our marine service is supreme in its importance.

At the session of the Senate on Monday, October 13, there was some discussion criticizing the making of these special orders for the consideration of legislation other than the currency measure, which is still in committee. The order for action upon the seamen's bill can not possibly block the way of the currency bill, because it is well understood that the hearings upon that bill will not be concluded before October 25. And the order for the seamen's bill expires by limitation on the 23d of October at 4 o'clock, when a vote is to be taken. I did not on Monday feel called upon to defend the action of the Senate in ordering the consideration of the seamen's bill. But I can not refrain from noticing at this time some of the views of Senators then expressed regarding the relative importance of currency legislation and the legislation on the seamen's bill. It was said that the measure to establish reserve banking associations is the "greatest problem with which the Senate has to deal"; that it "affects bankers and business men from all sections of the country"; that "we should give to its consideration all of our time until it is passed"; that it "affects the vital interests of every community and the business fortunes of hundreds of thousands of men." The opinions generally expressed placed it above and before all other subjects demanding prompt action at the hands of Congress.

Mr. President, the issues affecting business interests have back of them power and influence sufficient to dominate all other considerations. Whenever property rights are involved, the Senate is keen for prompt action. But, sir, against legislation affecting business prosperity and property rights, I place above and before any bill which merely concerns business interests and property rights this measure which involves the right of thousands of men to be free men. It involves the safety of the lives of hundreds of thousands of men, women, and children. And, sir, upon the success or failure of this measure depends ultimately the rank and standing of the Navy of the United States before the sea powers of the world. I say that it is vital, not at some other time, but at this time, that we should deal with this bill thoroughly and comprehensively with the single purpose of serving the public interest.

Mr. President, arrayed against this legislation are the powerful steamship companies and the great shipowning corporations not only of this, but of all countries whose commerce comes to American ports. And, sir, it is well for us to understand at the outset the difficulties, the halts and delays and devices which have so long prevailed and which must be overcome here and now if this measure is to be made effective for the public good.

The attempt to secure legislation for the emancipation of the sailor from serfdom and the safety of human life at sea repeats the history of every attempt to secure legislation against organized corporate power, no matter how urgent the need, no matter how widespread and general the public demand.

For 40 years the people had vainly petitioned Congress for postal savings banks; the bankers of the country opposed the legislation. For a quarter of a century the people prayed for the establishment of the parcel post before Congress grudgingly enacted the law; the express companies were opposed to it. For more than 40 years the people have urged Congress to pass legislation necessary to ascertain and enforce reasonable transportation rates and services; the railways have been powerful enough to prevent the fixing of such rates down to the present time. The people campaigned for a pure-food law for 17 years before they secured from Congress the present imperfect statute.

In 1905 more than 10,000 passengers and more than 48,000 employees were killed on the railroads of the United States. The English railroads at that time, where the traffic was twice as dense as ours, were killing and injuring only one-tenth as many as we were killing and injuring on the railroads of the United States. To reduce this awful and increasing injury and slaughter of innocent people in our country, appeal was made year by year to Congress for legislation requiring the railroads to adopt approved safety appliances and regulations in the operation of their trains. Session after session the railroads successfully resisted this humane legislation. A moiety of safety-appliance legislation was after a time allowed to pass to ease off the rapidly increasing public demand for protection; but so imperfectly has Congress discharged its duty to the public that there is an appalling increase in the human sacrifice which we are compelled to make because of the determination of these corporations to save money on equipment, repairs, men, wages, and hours of service. In 1912 the steam railroads alone killed and injured 180,123 people in this country.

Conservative Senators and Congressmen can not comprehend the ever-growing demand of the citizen for a more and more direct control of his Goverment. The election of United States Senators by direct vote; the nomination of congressional and other candidates for office by direct vote; the election of delegates to national conventions by direct vote; the naming of candidates for President and Vice President by direct vote; the initiative, the referendum, the recall, one and all, are the logical outcome of the failure of the United States Senator, the Congressman, and public official, National and State, to represent the people. The citizen is aroused at last. He is determined to make his Government faithfully represent the public interest in all things affecting the public interest.

The status of the American seaman, Mr. President, may be traced in the legislation which has been enacted to cover men employed in this service.

The act of July 20, 1790, provided for the arrest and the forcible bringing on board of any seaman who had signed a contract for a voyage and deserted or failed to report, to be compelled to fulfill the contract. This act provided that he could be arrested upon a warrant.

Section 4558, approved July 20, 1790, denied to seamen the benefits of the writ of habeas corpus, provided the proper officer found that the vessel was fit to go to sea and the sailor who had signed the contract refused to fulfill its provisions.

Section 4600 of the Revised Statutes of 1873 made punishable the harboring or secreting of seamen. This was part of the act of July 20, 1790.

March 3, 1835, Congress enacted a statute for the "better protection of seamen," and which provides punishment for a master or other officer who—

from malice, hatred, or revenge, or without justifiable cause would beat, wound, or imprison any of the crew of such vessel.

September 28, 1850, Congress enacted a statute purporting to abolish flogging on board of merchant marines, but it carried no penalty for its violation.

On June 7, 1872, Congress enacted "the shipping commissioners' act." That modified the statute of 1790 and provided that a seaman could be taken aboard a vessel with which he had signed articles without a warrant and without being taken before a magistrate, as was provided in the law of 1790, and at the same time provided that if he was wrongfully taken aboard of such a vessel that those who were guilty should be liable to a penalty of not more than $100, but if the penalty was inflicted it would be a bar for recovery in any action for false imprisonment.

The act of June 9, 1874, provided that none of the provisions of the shipping commissioners' act of 1872 should apply to the coastwise trade, except between the Atlantic and Pacific coasts, or in lake-going trade touching at foreign ports or in the trade between the United States and British North American possessions.

The effect of this was to make inapplicable in the coastwise trade the provisions of section 4596 of the act approved June 7, 1872, and of section 4599 of the same act.

The act of June 26, 1884, prohibited the payment of advance wages or blood money, and authorized the master of the vessel, in section 20 of that act, to ship a crew in a foreign port for a round trip to the United States without imposing upon him the obligation to reship them in a port of the United States. The effect of this was to reduce the wages on the American vessel to the level of the ports from which the crew was shipped.

The act of 1886 gave permission to pay advance wages under the name of allotment to original creditors. It further extends the law of 1874 so that the shipping commissioners' act is not to apply in the treaties between the United States, the Dominion of Canada, or in Newfoundland, or in the West Indies, or the Republic of Mexico. This, in effect, so far as this trade was concerned, repealed all of the provisions of the act of 1872. This, so far as this trade was concerned, repealed the law of 1884 prohibiting the payment of advance money.

The act of August 19, 1890, provided that if the seamen shipped before a shipping commission in the coastwise trade and in the trade between the United States, the Dominion of Canada, in Newfoundland, or the West Indies, or Mexico the penalty clauses of the shipping commissioners' act of 1872 should apply. The penalty clauses of this act are those that are included in sections 4596 to 4599. Immediately upon the enactment of this statute the shipowners gave instructions that all of their men must sign before a shipping commissioner, and the shipowners on the Lakes requested that shipping commissioners be appointed for that territory. These commissioners were not appointed upon the Lakes, but so far as the coastwise trade was concerned the most oppressing features of the statutes affecting seamen were reenacted.

The result of this act on the Pacific coast was a strike which lasted for 15 months. The strike was against shipping before the commissioner. In this strike 11 men were killed, and at its conclusion three-fourths of the sailors had left the sea or had left this country. The records of the seamen's union on the Pacific coast show that more than 2,000 left the calling.

The act of February 18, 1895, shows the effect of this protracted strike and agitation among the seamen of the whole country because of the act of 1890, as it repealed, so far as the coastwise trade is concerned and the trade with the West Indies and Mexico, Canada, and Newfoundland is concerned, the penalty clauses of the act of 1872 that by the act of 1890 were made applicable to this trade.

Upon the passage of this statute the shipowners planned to circumvent the statute providing shipping articles in which a vessel would sail in the coastwise trade. For example, from San Francisco to Columbia River, and at Columbia River for a foreign port, such as Valparaiso or Shanghai; and the shipping articles at San Francisco were made to read for Valparaiso and Shanghai by Columbia River, and the men in the coastwise trade between San Francisco and Columbia River were subjected to all of the penalties that were provided for in the act of 1872 covering seamen in the foreign trade.

The seamen on the barkentine *Arago* shipped at San Francisco for a voyage to Knappton, in the State of Washington; thence to Valparaiso; and thence to such other foreign ports as the master might direct, and return to a port of discharge in the United States; but becoming dissatisfied with their employment, they left the vessel at Astoria, in the State of Oregon, and were arrested under the provisions of sections 4596 to 4599. They were taken before a justice of the peace and by him committed to jail until the *Arago* was ready to proceed—some 16 days—when they were taken from the jail by the marshal and placed on board of the *Arago* against their will; they refused to "turn to" in obedience to the orders of the master and were arrested at San Francisco, charged with refusal to work in violation of Revised Statutes, section 4596; were subsequently examined before a commissioner of the circuit court and by him held to answer such charge before the district court for the northern district of California.

The case came up on appeal before the United States Supreme Court and the majority of the court, seven members, joined in a decision sustaining the lower court. The decision is found in the case of Robertson v. Baldwin (165 U. S., p. 275).

Justice Harlan filed a dissent from the opinion and the judgment of the court. This case was decided January 25, 1897. It fixed the law and the status of seamen employed in the coastwise trade, where that trade could be coupled up with a foreign trade, to be the same as those who were in the foreign trade.

In the opinion the court held—

The question whether sections 4598 and 4599 conflict with the thirteenth amendment, prohibiting slavery and involuntary servitude, depends upon the construction to be given to the term "involuntary servitude." * * *

We are also of the opinion that, even if the contract of a seaman should be considered within the letter of the thirteenth amendment, it is not within its spirit a case of involuntary servitude.

After giving a review of the legislation affecting seamen, the court continues:

In the fact of this legislation upon the subject of desertion and absence without leave, which was in force in this country for more than 60 years before the thirteenth amendment was adopted, and similar legislation abroad from time immemorial, it can not be open to doubt that the provision against involuntary servitude was never intended to apply to their contracts.

The definite finding by the court that the thirteenth amendment did not apply to seamen was the hardest single blow that was ever struck against the maritime power of the United States.

It brought conviction to the minds of the men who had followed the sea that they could have no hope but that they must be slaves. The result was that when the call came for volunteers in 1898 in the Spanish-American War that comparatively few skilled seamen volunteered for the service. The Navy was filled with men, and while the records have never been made public, it can be ascertained at the Navy Department that the crying need was for skilled seamen.

The best seamen in that struggle came around on the *Oregon* into the Florida Keys. In order to get some skilled men upon some of the other boats the skilled seamen were transferred from the *Oregon* and their places were filled with the unskilled men from other boats. In other words, the few skilled men had to be distributed around and spread out just as thin as it was possible to do. From the date of this decision down to the present the seamen have sought in every way to secure employment in other occupations, and the drift of Americans from the sea has been steadily increasing, until their places on the merchant marine of this country are being taken by foreigners, even by the Asiatics, and the laws have been such as to drive men imbued with the spirit of free men away from the service, and it is turned over to a class of men who, should the hour of danger ever come, will turn our instruments of commerce against us.

There are not available official statistics from which may be obtained accurate information with respect to the drift from the sea. The statistics given with the report of the Commissioner of Navigation upon the number of men shipped can furnish no accurate guide, for the reason that the same man may be accounted for ten or twelve times in the year, or even more.

The Sailors' Union of the Pacific have for a great number of years kept an accurate record of the number of sailors who have entered and who have left the service upon the Pacific coast. These figures were furnished to the merchant marine commission and may be found in Senate Report No. 2755, Fifty-eighth Congress, third session, which contains the report and the hearings of this commission. These figures show that during the years from 1885 to 1904, inclusive, 17,237 sailors entered the Pacific coast trade, and of these 1,392 were natives of the United States. The figures furnished the commissioner contained nothing to show the number of men who departed in the years 1885 to 1888, inclusive, nor in the year 1890, but in the other years, covering the same period—that is, 1889 to 1904—the number of sailors who discontinued service in the Pacific coast trade and went away from it was 13,796, and of these 1,195 were natives of the United States, and there remained a total of only 197 of the sailors natives of the United States in the service at the date that these figures were compiled.

The act of December 21, 1898, made many amendments, some of them very beneficial amendments, liberalizing to some extent the laws under which American seamen are compelled to labor and repealed imprisonment for desertion or failure to join the vessel, except in a foreign trade, where it was reduced in a foreign port in a foreign trade from 2, 6, and 12 months to 1 month in any case. It also repealed practically the act permitting corporal punishment and improved the food standard, the compliance with which has resulted in the wiping out of scurvy and beriberi in the American merchant marine.

The Senator from Ohio referred to many improvements that have been made in our shipping laws. They were all, Mr. President, improvements which in some cases incidentally benefited the American seamen, in some cases directly benefited the American public, in every case directly benefited the shipowners, or they would never have gotten through the American Congress, so subservient has it been for a score of years to the interests of these powerful masters of the commerce of the sea.

The attitude pursued by this Government has driven thousands upon thousands of liberty-loving, independent men away from the sea. Do you know what that means? Do you know what it means that the American lines running between the Pacific and the Orient carry 80 or 90 per cent orientals? Why, Mr. President, a little disturbance occurred in California a few months ago because there was an effort on the part of some of the yellow men to acquire title to a little bit of land in that State. A rebellion almost started, and yet the policy pursued by the American Congress has handed over the American merchant marine to the Chinese and the Japanese. I will cite as an example a ship of the Pacific Mail Steamship Line, which runs from San Francisco to Hongkong. It leaves that American harbor every time it sails with just barely men enough on board who speak the English language to attend the wheel, the lookout, and a few such positions, not to exceed a dozen, fifteen, or twenty in all, while 210 of the sailors are Chinese. That is a line which the American people have been asked to subsidize.

The whole policy of this Government toward our merchant marine, in Congress after Congress and for decade after decade, for a generation of time, has been one of entire subserviency, in the executive department as well as in the legislative department, to the control of the great ship concerns.

The Senator from Ohio [Mr. BURTON] has quoted the Commissioner of Navigation several times. Did it ever occur to any of you gentlemen on the other side that the present Commissioner of Navigation has managed to weather several administrations? He was a newspaper man. I came into public life a mere boy when I was elected in 1884 to the House of Representatives. I may be wrong about this; I do not want to be unfair to anybody; but it is just my recollection that during those earlier years of my service I was told that this gentleman, Mr. Chamberlain, wrote an effusive biography of President Cleveland, and as a reward he was named to be Commissioner of Navigation.

If I had time I should like to present to the Senate the analysis I have made of his reports. They are interesting. I think he ought to be removed from office. He was for free ships under Cleveland. When a new administration which favored ship subsidies came in he faced about and in his reports was a vehement advocate of subsidies. He has trimmed and turned and twisted with every changing political wind to hold his job.

Study his reports! I have marked copies over in my room in the Senate Office Building. If time permitted I would like to go through these reports, as I am sure Senators would find them entertaining and instructive. I can not now take the time. I have here a little synopsis. It would be interesting to you Democrats to see how the recommendations of this chameleon commissioner at all times fit into the interests of the shipowners all the way through.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. LA FOLLETTE. I do.

Mr. THOMAS. I should like to inquire of the Senator from Wisconsin what the present attitude and policy of this gentleman is?

Mr. LA FOLLETTE. I will just give you a little skeleton of it. I am wandering somewhat away from the amendment that is pending.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Idaho?

Mr. LA FOLLETTE. Certainly.

Mr. BORAH. I suppose his present attitude might be known by finding out what the attitude of the administration is?

Mr. LA FOLLETTE. There is not a bit of doubt about it. He has always been for the shipowners. He is always for the administration. He is always for his job. [Laughter.]

Now, while I can not take the time to thoroughly analyze his reports, I will read this synopsis which I have prepared:

THE COMMISSIONER OF NAVIGATION.

References to passages in the reports of the Commissioner of Navigation, Hon. E. T. Chamberlain. From 1894 to 1912. Dealing with free ships, subsidies, and legislation in regard to seamen.

Report of 1894, pages 27–28, et seq., discusses the decrease of American seamen and reasons. Favors free ships.

Report of 1895, on page 12, renews recommendation in favor of the free-ship bill.

On page 18, same report, the commissioner urges extension of the act admitting the *New York* and *Paris*.

On page 21, same report, strong condemnation of discriminating duties on foreign ships.

On page 27, same report, he condemns the prevalent method of *shipment of seamen*, and urges changes in the law and its administration in respect to the interference of saloon keepers and boarding house keepers.

On page 31, same report, under the caption *"Allotment notes,"* he condemns the system of permitting allotments of original creditor (advances) and regrets that the law of 1884, which prohibited advances, was not given a more extended trial.

Allotments to original creditors and imprisonment for desertion were abolished in the coastwise trade by the law of February 18, 1895.

On page 40, same report, the commissioner condemns *imprisonment of seamen for desertion in the United States*.

REPORT OF 1896.

On page 7, under caption *"The free-ship bill,"* regrets the adverse report on this bill by the Senate committee, and refers to the former reports and reasons for the enactment of the law as being unimpaired.

On page 8 the recommendation for the extension of the act admitting the *New York* and *Paris* to American register is renewed.

On page 11 the arguments against *discriminating duties on shipping* are renewed and extended.

On page 17, under caption *"Subsidies,"* there is a qualified indorsement of subsidies or bounties coupled on the next page with *free ships*.

During the session of Congress in 1896 the House passed a bill which abolished corporal punishment, imprisonment for desertion, and made sundry other beneficial amendments to the navigation laws. The Senate committee reported another bill, which did not do either.

On page 20, under caption *"Ill treatment of seamen,"* there is a qualified indorsement of the House position.

On page 21, under caption *"Laws relating to seamen,"* reports upon the differences between the House and the Senate committee on pending bills.

On pages 22, 23, and 24 he reports upon conferring with the New York shipping interests and prints the substance of the two reports, leaning to the Senate, which in this case was the shipowners' side.

On page 24, under caption *"Penalty for desertion,"* he urges the repeal of imprisonment for desertion, but indorses the proposition that the men may be taken on board the vessel by force and compelled to fulfill the shipping contract.

On page 28, under caption *"Allotment of wages,"* he urges that to abolish allotments entirely is too radical and gives indorsement to the Senate bill, which would permit the evil to continue in the foreign trade.

REPORT OF 1897.

On page 17, under caption *"Foreign subsidies,"* foundation is first laid for a reversal by the commissioner of his former position.

On pages 28, 29, and following, he adversely criticizes the seamen's bill which had passed the House, and gives much space in showing that it would be unwise to enact such legislation, giving as his opinion on page 30 that any experimenting with it is inopportune.

Appendix 95, comparison of Frye-White bills and then existing law.

REPORT OF 1898.

On page 19, under caption *"Adverse conditions,"* he lays a foundation for his support of *navigation bounties* on page 40.

The seamen's bill introduced by Senator White, of California, and in amended form agreed to by Senator Frye, had passed the Senate when this report was issued, and it received the commissioner's qualified approval.

On pages 57, 58, and 59, under captions *"Imprisonment for desertion"* and *"Allotment of wages,"* he discusses what to him were apparent difficulties in the administration of the proposed law, and on page 69,

Appendix A, he prints the bill as passed by the Senate in parallel columns with the law as it then stood.

The House had not yet acted; its action came after this report.

REPORT OF 1899.

From page 11, *"Maritime growth of nations,"* to page 76, *"Tonnage taxes for the year,"* there is a continuous argument for subsidy with question raised as to the value of free ships, and suggesting that the two may very well be adopted. Comparative cost of food, pages 57–58.

On page 87, under caption *"Act of December 21, 1898,"* he reports the passage of the act and greets it as boon to seamen, which if found good may influence the seamen under other flags favorably.

REPORT OF 1900.

From page 14, *"Instruments of ocean commerce,"* to page 53, *"Hawaiian act,"* runs an argument in favor of subsidy, showing its benefits in building up our shipping; the greater cost of building here and the greater cost of operating American vessels. Comparative wage cost is given in table printed on page 37. (The table does not give a really fair test, because the vessels are not in the same trade.)

On page 58, under caption *"Allotment of seamen's wages,"* the commissioner reports that the law works well in so far as the wages of seamen is in question. He admits that the crimping evil rests upon the advance.

On page 60, under caption *"Boarding of vessels,"* he recommends, or rather suggests, further restrictions on boarding of vessels. This is the beginning of an effort to restore compulsory service, because if none can board a vessel none can quit her if laying at anchor.

REPORT OF 1901.

This report from page 9 to page 64 is an argument for subsidy. On page 65 is a recommendation to abolish compulsory pilotage of sailing vessels in certain southern ports. Pages 37–38, comparison of wage cost, American and British vessels.

REPORT OF 1902.

On page 24, under caption *"Desertion of seamen,"* he deals with the effect of the law of December 21, 1898, and comes to the conclusion that it should not be changed; on next page he reports that desertions are only about 2 per cent abroad.

On page 27, under caption *"Allotment notes,"* he reports that the law restricting allotments in the foreign trade and its abolishment in the coasting trade has been beneficial and has reduced the crimping.

The report then goes on to deal with the nationality of crews, and on page 41 defends the use of Chinese.

The report further deals with wages, showing the higher wage cost on American vessels, resulting largely from the higher wage in ports of the United States, all being a further argument for subsidy.

REPORT OF 1903.

On page 27, *"Nationality of crews of American vessels,"* with table of different nationalities. On page 28 and page 29 it deals with the act of December 21, 1898, as to allotments and desertions, and that the act is a success. Compares the number of desertions from foreign vessels and finds them greater. It again deals with subsidy on pages 48, 49, 50, 51.

REPORT OF 1904.

On page 23 recommends enactment of bill to inspect sailing vessels and barges to protect life and property at sea. On page 28, reports desertion rather decreasing; on page 29, on allotment notes, the application of law to foreign vessels beneficial. On page 31 reports upon the sail area as basis for manning of sailing vessels. Prosecution of crimps, page 50. (The bill as first introduced by you had then been introduced.)

REPORT OF 1905.

On page 7, under caption *"Legislation recommended,"* several recommendations are made, closing with merchant marine commission bill, page 34.

REPORT OF 1906.

On page 16 again recommends *merchant marine commission bill*, part of which was a naval reserve under which seamen would become members in order to obtain employment, because the payment would come through the shipowners, and would mean a general reduction in wage to correspond. An argument for the bill is made at some length. (We were opposed.)

On page 39 desertion is again dealt with and reported as decreasing. On page 40 allotments are reported upon, showing that the number of notes issued are decreasing, hence no further law needed. (We were asking that all allotments to original creditors be abolished.) Further reports the enactment of *shanghaiing law*. (No convictions under this law.)

REPORT OF 1907.

On page 15, *"Profits of shipbuilding,"* reports it unprofitable in the United States; on page 16 reports square-rigged vessels going out of use; and on pages 17 to 21 argues in favor of mail subsidy.

REPORT OF 1908.

On page 16 reports decrease in desertions; on page 17 reports decrease in allotment notes issued. "Appears to be accomplishing results anticipated by its advocates."

On pages 18 and 19 recommends extension of the ocean-mail act and the increase in the compensation or subsidy.

On page 25 reports that the President has created a commission to make recommendation for revising of navigation laws to better protect the lives of passengers and crews of vessels of the United States.

This commission, made up of officials, submitted a report and recommendations which failed of legislative action or support. They were of such nature and tenor that the enactment would have been of little or no value.

REPORT OF 1909.

Beginning on page 15, with *"Trade on ocean steamers,"* and running to page 67 are reports and arguments in favor of subsidies in different form.

On page 68 *power of shipping commissioners* is continued, on page 69 with recommendation to make shipping before the commissioner mandatory on vessels voyaging 500 miles or more.

A bill known as the Greene bill, introduced by Mr. GREENE of Massachusetts, came before Congress. This bill, if enacted, would have restored imprisonment for quitting work in ports of the United States. It had the support of Mr. CHAMBERLAIN. It failed.

In this Congress, as at all other times, the commissioner appeared in opposition to the seamen's bill then introduced by Mr. SPIGHT, of Mississippi.

REPORT OF 1910.

On page 7, under the caption *"Ocean-mail bill,"* there is an indorsement of subsidy in the form of increased pay for carrying the mails.

On page 9 there is a recommendation that tolls to be collected from vessels passing through the Panama Canal shall be refunded to American vessels by the Treasury.

On page 19 desertion is again reported upon as decreasing, and on pages 20 and 21 the international petition for redress of grievances endured by seamen, adopted at a convention held in Copenhagen August 27, 1910, is commented on, and the imprisonment of seamen on American vessels in foreign ports for desertion is recommended; but there is no recommendation that the United States cease to arrest, detain, and surrender foreign seamen who have deserted from their vessels in the United States.

In the hearings granted on the seamen's bill by the committee of the House and the committee of the Senate in 1910, 1911, and 1912 the commissioner always appeared in opposition.

REPORT OF 1911.

On page 23 *ocean mail bill* is again urged and "earnestly recommended."

On page 24 *free ships for foreign trade* is urged with much force. He contends shipbuilding being unprofitable, ships should be bought.

On page 27 he urges *free materials for shipbuilding*.

On page 76 he recommends that statutes imposing imprisonment upon seamen for desertion in foreign ports be repealed, and that the allotment be retained.

In the hearings on the seamen's bill he had contended against any interference with the treaties which provide that seamen shall be mutually arrested, detained, and surrendered. Thus the seamen would leave the vessel under the law and be arrested under the treaty.

REPORT OF 1912.

On pages 19, 20, and 21 *safety of life at sea* is considered, and it is strongly advocated that no action be taken until after the international conference. The propriety of dealing with the questions of skill that was raised by the *Titanic* disaster without first consulting the other powers is seriously urged. He admits that foreign standards are higher than our own, but suggests that this rests upon military ideas.

On pages 25 and 26 he deals again with desertion and allotments, repeating former recommendations, but admitting that the abolition of the allotment system may be now experimented with.

On page 27 he deals with forecastle space; recommends improvements; and on page 179 he reprints foreign rules about forecastle space and hours of labor.

If I could take time to read in full these various reports, it would be a much more interesting recital; but I want to give my friends, particularly upon the other side, these references in order that they may be able to check up the record of this gentleman.

Mr. MARTINE of New Jersey. The Senator is certainly not addressing me?

Mr. LA FOLLETTE. Oh, no.

Mr. MARTINE of New Jersey. I am on this side, on the other side from the Senator; but I am frank to say that had I my way he would not be there 15 minutes. [Laughter.]

Mr. LA FOLLETTE. I think this recital may help you to get your way.

Mr. MARTINE of New Jersey. God help you!

Mr. LA FOLLETTE. In reading these recommendations you perhaps noted that with reference to legislation forbidding the giving of allotment notes the Commissioner of Navigation thought Congress too radical in making the law apply to foreign ships in our ports. You must remember that only about 10 per cent of our foreign trade is carried by vessels of this country, and 90 per cent of that trade comes into and goes from our harbors in foreign vessels. Senators should understand there can not be any reform, any progress in ameliorating the condition of our seamen or for increasing the safety of life at sea, unless the provisions of law are applicable to the foreign vessels that come into our ports. We can not control foreign vessels after they go to sea, but we can say in what condition they shall leave our ports. We have a right to deny their coming in at all, and we have a right to modify by statute either the provisions of international law or the provisions of any treaty. In the case of treaties the notice provisions should be observed and notice be given, as has been provided in this bill.

I want to say to you that you can not pass any effective measure affecting American seamen, American shipping interests, or the safety of life at sea unless that measure is made applicable to the foreign vessels that depart from our ports as well as to the American vessels.

I stop right where I am to say that American sailors on the vessels of our merchant marine, on the ships of the Jim Hill lines, and the Pacific Mail steamship lines that run to the Orient have been displaced by Chinese and Japanese because they can get them cheaper and board them cheaper, and that they will live under conditions that no American sailors will tolerate, but which puts more money in the pockets of the shipowners. On the Atlantic coast our merchant marine is largely manned by Spaniards, Portuguese, Greeks, and Austrians. These men for the most part do not understand our language. On the Pacific we are training men in our merchant marine for what? To man the ships of war of the Japanese or Chinese Governments. We are training their men and we are taxing

our people to maintain training ships to train our boys. The minority report of the Committee on Naval Affairs of the House last year says that the American Navy at that time was 9,000 men short. We can not enlist them. The Navy issues its advertisements all over the country to tempt boys to enlist in the Navy. Trips to Panama are offered in alluring language. They are offered a chance to see the world. It does not tempt them. They will not enter the service and we are short of men. Every great sea power in the history of the world has drawn the men for its warships from its fisheries and its merchant marine. It has become almost axiomatic that you can measure the sea power of a nation by its commerce and its merchant marine.

I think even men who were chary about the element of protection in tariff measures affecting general pursuits would go further if the matter under consideration touched in some way our fisheries than they would as to almost any other class of American citizens. Why? Because, one and all, they recognize that we ought to have some source of supply, some recruiting ground for our Navy. But, yielding to these gentlemen who throng the gallery now, the men who have constituted the shipping lobby for many years, the men who have delayed action session after session, we have so shaped our legislation as to drive American sailors from American ships and to keep our young men from going to sea and getting the training to fit them for the service.

The only Americans who are left in the merchant marine are those who have such love for the sea that they would not be driven from it; they would not give it up; they could not see entirely disappear that which had been an ancient and honorable calling, and which, by its sentiment and the elements which appeal to the emotions of certain men, has from the very beginning of organized society sent men out of their communities to sail the seas.

There was a band of American seamen left after all these years of defeat and disappointment and balking and betrayal. Their ranks kept thinning, but there were some of them who held on. There was this man, Andrew Furuseth. I have known him, almost, I was going to say, ever since I have been in the Senate. I have seen old lines plowed deeper and new lines deepen in his face in just that time. He is a Norwegian by birth. He loves the sea. He is a perfect sailor. He was referred to by the Senator from Ohio here the other day as "a man who had been on pay." Let me tell you that he lived in a dry-goods box when he was trying to wring from you and your associates some legislation. To liberate his associates from bondage he lived, and lives now, on the common fare of a sailor. Although he is president of the American Sailors' Union, he will take from his union no more pay than that which the common sailor receives. That is what he is doing here; and he and a few thousand like him have saved a nucleus of American seamen to preserve its traditions and around which may be builded a merchant marine of strong, powerful, and skilled sailors.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. LA FOLLETTE. Certainly.

Mr. WILLIAMS. I want to interrupt the Senator from Wisconsin just long enough to say that I am informed and I believe, that Mr. Furuseth has never received any pay of any sort except what he himself agreed to take, in spite of very much higher offers, from the sailors' union—a sailor's pay. How much a sailor's pay amounts to I do not know accurately. It amounts to his board, it amounts to his food, and it amounts to some $13 a month, I believe; but I do not know exactly what it is.

I want to say further, that long before the Senator from Wisconsin knew Mr. Furuseth I knew him, as Democratic floor leader in the House of Representatives. When he first came to me I tried to sidetrack the thing he wanted me to do, with the natural inclination which every man has with plenty to do, to keep from taking on any new tasks. I found out afterwards that the man was not only representing a real interest of humanity, but that he was representing it fairly. In talking to me he always tried to take care of the interests of the shipowners as well as the interests of the sailors. Of course, he did not always do that perfectly, because he was a sailor, and his bias was in the other direction, just as I, in questions between North and South, might not be perfectly impartial, although I try to be; but he has succeeded in being wonderfully impartial, considering it all.

I do not think any compliment is too high to be paid to any man who comes to Washington, not as a common paid lobbyist, but as a representative of a real interest of humanity and of laboring people.

As far as I have learned, Mr. Furuseth has kept in view these three things: The public interest, the shipowners' interest, and the sailors' interest. Of course he has been now and then a bit blind to the shipowners' interest, because he could not help it, but he has never been blind to the public interest. He has never been blind to the humanitarian interest involved in this matter.

What the Senator from Wisconsin is trying to do to-day is in the main what Furuseth has been trying to do for some 14 years, as far back as I can remember, and something that I have sympathized with for a long time.

I want to say this further, if the Senator will pardon me——

Mr. LA FOLLETTE. I shall be glad to yield.

Mr. WILLIAMS. Of course, a ship at sea must be under an arbitrary government. The captain and commander must have the power of life and death, if necessary, because there is nothing between the ship and God, nothing between the ship and heaven or hell except the deep blue sea; and in order to take care of what is aboard the captain must have absolute, despotic, and arbitrary power.

It strikes me as curious that men, in consequence of that premise, come to the conclusion that there ought to be absolute, arbitrary, and despotic power when the vessel reaches the land. The contrary is true. To offset the absolute and despotic power that is necessary at sea, sailormen ought to have larger liberties on land than any other class of men in the world, and a larger opportunity to go to courts of justice and to say what their grievances are. If they are true sailormen and loyal sailormen, loyal to their business, loyal to their ship, loyal to their pursuit, they will make no complaints at sea except those that are made in the regular routine way, through their immediate superior officers. So the really loyal man at sea subordinates himself to the ship, and must do it; and when he reaches land, by George, it is not very wrong to have the ship subordinated to him for a little while.

Mr. LA FOLLETTE. I was very glad indeed to yield to my friend from Mississippi to pay this splendid tribute to Andrew Furuseth.

We now come, Mr. President, to another test of corporate power arrayed against human rights. It is worth while, Mr. President, to briefly review the long struggle to bring this vital question to issue before the Senate of the United States.

Twenty years ago several thousand white men appealed to Congress to be made free. They were American citizens, but they were slaves. They were bone of our bone and flesh of our flesh, yet they were bought and sold as property. Their work involved the greatest hazard. It called for spirit and courage and devotion. Life and property were committed to their skill and their fidelity. Their business required them to endure every hardship, and on the instant, at the command of their masters, to sacrifice themselves to save others or to preserve the property of their owners.

They were American sailors. Their calling was an ancient and honorable one. But the greed of great steamship companies and great shipowners and their power and influence with Congress had wrought such changes in our maritime laws that no sailor could secure employment unless he bound himself by contract to a service which made him the property of the ship in which he sailed. He was compelled to sign away a part of his wages in advance before he was accepted by his master. Once signed, the contract chained him to the ship. No matter how imposed upon, there was no escape during the term of the contract.

If he found that the vessel was overloaded, or that there were not men enough to safely man the ship or that they were so unskilled as to make destruction imminent every hour after she put to sea and he failed to appear at the appointed time, or if he left her even when she was in a safe port, under the barbarous laws enacted by a Congress ready to do the behest of the shipowners our representatives in foreign countries were made slave catchers and he could be seized and imprisoned on the orders of the ship's master.

Thousands of these brave, high-spirited men, who loved the life, turned their backs upon the sea and sought employment on land. Their places were filled by men willing to accept slavery—men from the Mediterranean, from Arabia, India, South Africa, China, and Japan. They were cheap men. The steamship companies wanted cheap men—men who would work for low wages and live on cheap fare.

The shipowners secured from a willing Congress legislation limiting their liability to passengers and to the owners of freight and cargo. With heavy insurance on the ship, paid by the public in excessive and unrestricted charges for the

transportation of passengers and freight, the loss of a ship at sea became a matter of less and less concern to steamship companies and shipowners. What mattered it to them that the sailors were inferior in character and intelligence? What mattered it to them that there were not half enough lifeboats to provide for passengers and sailors? What mattered it to them that the crew were unskilled in handling lifeboats or required, even in an hour of supreme peril, the services of interpreters to make known the orders of the captain? *Their liability was strictly limited by the laws of Congress.*

But, Mr. President, a few thousand American seamen refused to abandon the sea. They believed that Congress would free them from their bondage; that through legislation the working hours and conditions generally would be regulated so that real men would seek the service; that their vocation would be restored to the dignity due a calling full of sacrifice and hazard; and that a standard of skill and efficiency would be established which would make it possible to save life at sea when disaster overtakes a ship on her voyage.

These American seamen did not understand the power of the steamship companies with the American Congress. They understand it now. Their bill has been introduced and reintroduced. There have been endless hearings and delays ingeniously planned. Again and again the bill has been smothered in committee. Sometimes it has been reported to die upon the calendar.

But the plucky seamen fought on. It was an uneven fight—the sailors without funds; the shipowners with unlimited wealth, represented by a powerful lobby always on the ground.

Finally, in the last Congress, the House passed the seamen's bill. It was an excellent measure. It abolished the fugitive-slave law now operating on seamen. It gave the sailor the same freedom as to his contracts of service which the law gives to other workers. It established a standard of skill for "able seamen." It required a sufficient number of able seamen to safely man a vessel. It required that 75 per cent of the crew should be able to understand any orders given by the officers of the vessel. It required a sufficient crew to man each lifeboat, with not less than two able seamen to each lifeboat, drilled under rules prescribed by a board of supervising inspectors with the approval of the Secretary of Commerce and Labor.

The Committee on Commerce struck out every line of that bill and reported a substitute which gave to the seamen a stone when they had begged for bread. As reported it would have driven every remaining white sailor from the sea. It was considered and passed in the expiring hours of the last Congress. I urged a number of amendments and secured the adoption of several, working some improvement in the bill. As passed it was a weak, inefficient, compromising measure. In some of its most important provisions it was less acceptable to seamen than the harsh terms of the existing law. President Taft vetoed it, not because he thought its worst provisions bad but because he thought its best provisions bad.

President Wilson was elected upon a platform which contained the following pledge:

> We urge upon Congress the speedy enactment of laws for the greater security of life and property at sea; and we favor the repeal of all laws, and the abrogation of so much of our treaties with other nations as provide for the arrest and imprisonment of seamen charged with desertion or with violation of their contract of service. Such laws and treaties are un-American and violate the spirit, if not the letter, of the Constitution of the United States.

Mr. President, I intend to show that the bill reported by the committee fails to carry out the promises made to the seamen.

A critical examination of Senate bill 136 will show that wherever it grants some relief to seamen, or makes some concession in favor of greater safety for travelers, it modifies by proviso, and sometimes leaves the situation both as to sailors and the public in worse condition than before.

For example, in sections 4 and 5 a seaman is entitled, upon demand, to one-half of his wages at every port where the vessel stops to discharge or load cargo. This is made inoperative on the Lakes and on coastwise vessels by the following:

> *Provided*, That the wages earned during the first five days shall not be subject to demand prior to the completion of the voyage or expiration of the contract.

No matter in what condition the sailor finds himself after having shipped for a voyage on the Great Lakes or in the coastwise trade—he may find the vessel so overloaded or so unseaworthy or so badly manned as regards the men shipped with him that his life is in peril, and would gladly surrender one-half of his wages to escape the hazard—he is nevertheless chained to the vessel to the extent, at least, of losing all his wages should he quit the vessel. So this concession, which seems to promise something to the sailor, is destroyed of its value as applied to vessels on the Great Lakes or coastwise trade.

But the committee went further and added this:

> *Provided*, That this section shall apply to seamen on foreign vessels owned in major part by *American citizens, corporations*, or *holding companies*.

This practically destroys its application altogether, for the sailor would never be in a position to know by whom the vessel is owned. And when the helplessness of the sailor's situation in such a controversy is considered it will readily be seen that it wholly destroys the value of the concession which the section professes to make to the sailor.

Section 2, lines 18 and 19, page 2, provides that—

> while the vessel is in safe harbor no seaman shall be required to do any unnecessary work on Sundays and the following legal holidays * * *.

On line 23, page 2, is this language:

> This provision shall not prevent doing work necessary to dispatch of vessels on regular schedule.

"Work necessary to dispatch of vessels" would include all kinds of work done on board a vessel, including the handling of cargo.

On page 3, line 1, is this language:

> While the vessel is in a safe harbor nine hours, inclusive of anchor watch, shall constitute a day's work.

Then comes the fatal proviso:

> But this section shall not apply * * * to vessels of less than 300 tons gross, or vessels whose regular schedule between terminal ports does not exceed 24 hours: *Provided*, That no member of the crew shall *be required to be on duty more than 12 hours*, except in cases of emergency.

It promises 9 hours, but really establishes a 12-hour day, because 12 hours is made the limit.

Section 7 provides 120 cubic feet of air space and 18 square feet on the floor for each man in the forecastle, but on page 7, line 10, is a proviso that the space may be reduced 20 per cent in case separate space is provided for mess room, so that it reduces the space per man below the requirements fixed in the substitute.

On page 8, lines 21 and 22, and further, it provides for "one light, clean, and properly ventilated wash room," with other proper requirements, but on line 22 it provides that this shall only be furnished if there be twenty or more sailors.

Any boat with a deck crew of twenty or more, exclusive of licensed officers, is a very large vessel. At present there are not more than 10 or 12 such vessels in the merchant marine of the United States.

In section 10, page 13, provision is made for the arrest of any officer who applies corporal punishment to any seaman, and that the master shall turn such offender over to the proper authorities on arrival at port. If the master fails in this, the seaman may recover damages from the master or the vessel, "provided he (master) has actual knowledge of the misdemeanor, or complaint thereof is made within three days after coming into port."

Section 8, section 17, and section 18 give to the seaman the right to quit the vessel, but section 12, page 15, has the following, on line 15:

> Any person who * * * or shall, by any threat or force dissuade or prevent, or endeavor to dissuade or prevent, any person from taking employment on board any vessel, or shall, by threat or force, dissuade or prevent, or endeavor to dissuade or prevent, any person from remaining in the service of any vessel on which he has shipped, or by threat or force induce or compel any person to disregard or disobey any lawful orders of the master or other licensed officer of the vessel on which he is shipped, shall for every such offense be deemed guilty of a misdemeanor, and shall be imprisoned for not more than six months or fined not more than $500.

Under this provision any seaman or other person inducing a man to leave a vessel may be arrested and detained until the United States grand jury meets and, if indictment is found, until trial. The seaman would stay in prison because, being a stranger, he could get no bail.

Paragraphs 4 and 5 of section 8, on page 11, provide proper penalties for any disobedience at sea, and section 445, page 436, Navigation Laws of 1911, provides penalties for endeavoring to stir a revolt or mutiny on board such vessel, and for any person who combines, conspires, or confederates with any person on board to make such revolt or mutiny, or solicits, incites, or stirs up any other of the crew to disobey or resist the lawful orders of the master or other officer of such vessel, or to refuse or neglect their proper duty on board thereof. This is part of the mutiny section and applies at sea, so that the proviso in section 12 which I have cited will have application or be intended to have application in harbor, and thus it will destroy the value and purpose of section 8, section 17, and section 18, which aim to give the seamen liberty.

Section 14, on page 18, from lines 8 to and inclusive of line 13, provides that 75 per cent of the crew in each department thereof shall understand the language of the officer of the vessel; and in lines 14 to 22, page 18, provides that this shall not apply if there are a number of interpreters, equal to the number of lifeboats, who understand the language of the officers and the crew.

This is a statutory elimination or repeal of the decision In re Pacific Mail Steamship Co., volume 64, page 410, where the court of appeals held that the vessel manned with such a crew as described in this proviso is not entitled to the benefit of limited liability.

This proviso, if enacted, would leave the seamen and the passengers without that protection to life which comes from prompt understanding and execution of orders.

On page 18, lines 23 to 26, provision is made for two lifeboat hands; and on page 19, lines 3 to 9, a standard of their efficiency is provided. According to these alleged standards the men may come from the deck, from the fireroom, from the saloon, or from shore. Nothing but an exhibition drill is required to determine efficiency, and no more than two such men are required for each lifeboat, the crew of which, according to its size, is from five to nine. This standard of skill is below the existing standard. If enacted, it will protect the shipowner at the expense of the seaman and the traveling public.

Mr. BACON and Mr. STONE addressed the Chair.

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. LA FOLLETTE. I do, for a question.

Mr. STONE. The time is nearly up. One thing that troubles me about this bill relates to treaties.

Mr. LA FOLLETTE. Yes; I will come to that in a minute.

Mr. STONE. Does the Senator mean to cover that?

Mr. LA FOLLETTE. I do.

Mr. BACON. Mr. President, I did not anticipate that I would not have an opportunity to say a word in reference to the amendment I have offered. I should like to have the Senator give me a few minutes before 4 o'clock.

Mr. LA FOLLETTE. Mr. President, I wanted a moment or two to devote to that subject myself. The Senator spoke for nearly an hour on that subject last night, and I supposed he had pretty fully discussed it.

Mr. BACON. I have had nothing to say about my amendment.

Mr. LA FOLLETTE. I interrupted the Senator last night, but as he did not seem disposed to yield, I said I would defer what I had to say until later. I should like to say just a word or two about the treaties.

Mr. BURTON. Mr. President, I should like also to have a few minutes in which to address the Senate——

Mr. LA FOLLETTE. Mr. President, I have no doubt that is so. The Senator from Ohio has had only about six or eight hours of the time that has been taken in the debate on this bill.

Mr. BURTON. The Senator from Wisconsin has made some rather startling statements here at the end of the discussion, about which I should like to be heard.

Mr. LA FOLLETTE. It is the only opportunity I have had to get in, on account of the time the Senator from Ohio has had the floor.

Mr. BURTON. The Senator from Georgia also wishes——

Mr. LA FOLLETTE. Mr. President, I will not yield just at this moment.

The VICE PRESIDENT. The Senator from Wisconsin is entitled to the floor.

Mr. LA FOLLETTE. I will yield before 4 o'clock, if I can do so.

I want to say this, Mr. President: The Senator from Ohio has made assertions regarding the standard of efficiency which this bill sets up and which the proposed substitute sets up—that is, three years on deck at sea or upon the Great Lakes. He has asserted again and again that it was a ridiculous standard, a preposterous standard, an unreasonable standard, and I think I would not misquote him if I said he had asserted that there was no other country in the world except Australia that prescribed it.

Mr. President, I do not want to take the time to present the matter I have here if I can avoid it. I will simply say that Great Britain prescribes on passenger and emigrant steamers a higher and more rigorous standard of efficiency, in which is incorporated the provision that so many of the men shall be able seamen, and in which it is provided that the able seamen shall have had three years on deck at sea.

Mr. BURTON. Mr. President, I should be very glad if the Senator from Wisconsin would publish his material and give it to the Senate.

Mr. LA FOLLETTE. The Senator from Ohio makes that suggestion as though I did not have it. I have it in my hand, and I think the Senator from Ohio knows I have it, and knows that it is the law in England.

Mr. BURTON. No, sir.

Mr. LA FOLLETTE. It is not true? The board of trade have been authorized by Parliament to prescribe these regulations and have prescribed them, and I have them here and will give them.

Mr. BURTON. The Senator from Wisconsin had best print them, I think.

Mr. LA FOLLETTE. I will print them; and I will print something else.

Mr. BURTON. On passenger ships there may be regulations of that kind——

Mr. LA FOLLETTE. The regulations prevail as to the trade just exactly as I stated them.

Mr. BURTON. There are no general regulations except in Australia.

Mr. LA FOLLETTE. The Senator is now beginning to evade and quibble. Mr. President, I want to correct another misstatement of his, and that is this: He stated on yesterday that in the first section of this bill there was an amendment of the Hardy law. It is not true. The Hardy law is an amendment of another section of the statute, and not of the section of the statute amended in the first section of this bill. I will put into the RECORD the exact fact with respect to that, and I will say this: Mr. HARDY was not only the man who reported the Hardy bill, but he was the man who reported this bill from the committee.

Mr. BURTON. Does the Senator mean to say that this relates to the time of service of the men?

Mr. LA FOLLETTE. Just a moment. I say the Hardy Act relates to officers, and this relates to seamen; you must own it; one is dealt with in one section of the statute and the other in another section of the statute.

Mr. BURTON. Put the statutes side by side.

Mr. LA FOLLETTE. I do not yield, Mr. President.

The VICE PRESIDENT. The Senator from Wisconsin has the floor.

Mr. LA FOLLETTE. I will put in the RECORD the statutes. The provisions of the English statutes and the regulations issued under them are as follows:

Paragraph 713 of the merchant shipping act of 1894, as published in the Merchant Shipping Act, issued by Eyre & Spottiswoode (Ltd.), Government and general booksellers, London, 1908, reads:

> 713. The board of trade shall be the department to undertake the general superintendence of all matters relating to merchant shipping and seamen, and are authorized to carry into execution the provisions of this act and of all acts relating to merchant shipping and seamen for the time being in force, except where otherwise provided by those acts, or except so far as those acts relate to the revenue.

Other paragraphs compel consular and customs officers abroad, marine boards, and superintendents to make and send reports to the board of trade, and such returns or reports on any matter relating to British shipping or seamen as the board may require, and empowers the board to compel the production of log books and other documents, and to take any legal proceedings under the act. The board of trade may appoint and remove surveyors of ships and fix their remuneration.

Section 459 of the merchant shipping act of 1894 provided that where a British ship in a port of Great Britain is an unsafe ship by reason of enumerated defects, the board of trade can detain such ship. By the merchant shipping act of 1897 this law was amended so as to include among the reasons for detention the words "or by reason of undermanning."

The provisions applicable to British ships were made applicable to foreign vessels.

[From the merchant shipping act, fourth edition, published 1908, p. 267, sec. 462.]

> 462. Where a foreign ship at a port in the United Kingdom is unsafe, by reason of the defective condition of her hull, equipments, or machinery, or by reason of overloading, or improper loading, or by reason of undermanning, the provisions of this part of this act with respect to the detention of ships shall apply to that foreign ship as if she were a British ship, with the following modifications:
>
> I. A copy of the order for the provisional detention of the ship shall be forthwith served on the consular officer for the country to which the ship belongs at or nearest to the said port;
>
> II. Where a ship has been provisionally detained, the consular officer, on the request of the owner or master of the ship, may require that the person appointed by the board of trade to survey the ship shall be accompanied by such person as the consular officer may select, and in that case, if the surveyor and that person agree, the board of trade shall cause the ship to be detained or released accordingly, but if they differ the board of trade may act as if the requisition had not been made, and the owner and master shall have the like appeal to a

court of survey touching the report of the surveyor as is hereinbefore provided in the case of a British ship; and

III. Where the owner or master of the ship appeals to the court of survey, the consular officer, on his request, may appoint a competent person to be assessor in the case in lieu of the assessor who, if the ship were a British ship, would be appointed otherwise than by the board of trade.

I desire also to place in the RECORD a quotation from the British rules applying to foreign-going passenger steamers leaving the ports of Great Britain. This quotation is from a publication ordered by the House of Commons and is signed by Sydney Buxton, president of the British Board of Trade. This document is headed as follows:

LIFE-SAVING APPLIANCES.

Rules made by the board of trade under section 427 of the merchant shipping act, 1894, at the council chamber, Whitehall, this 17th day of January, 1913.

Present: The Right Hon. Sydney Charles Buxton, M. P.

In pursuance of the provisions of section 427 of the merchant shipping act, 1894, the board of trade do hereby make the following rules relating to life-saving appliances, in substitution for the rules dated 10th February, 1902, 24th May, 1906, 19th April, 1910, and 14th June, 1911; and do hereby direct that these rules shall come into operation on the 1st day of March, 1913.

SYDNEY BUXTON.

The quotation which I wish inserted in the RECORD from this document is as follows:

FOREIGN-GOING.

CLASS I.

Rules for foreign-going passenger steamers, including emigrant ships.

Rule A: A ship of this class shall carry lifeboats in such number and of such capacity as shall be sufficient to accommodate the total number of persons which is carried or which the ship is certified to carry, whichever number is the greater.

The master or owner of a ship of this class claiming to carry on any voyage fewer lifeboats than will provide sufficient accommodation for all the persons for which the ship is certified must declare before the collector or other officer of customs before the time of clearance that the lifeboats actually carried will be sufficient to accommodate all persons that will be carried at any time during the voyage to foreign ports and the voyage back to the United Kingdom.

I also desire to insert in the RECORD the rules made by the board of trade in conformity with the authorization provided for in the merchant shipping act. These are as follows:

Extracts from the instructions relating to emigrant ships issued by the British Board of Trade and published in 1911.

Manning.

Crew: Every emigrant ship must be manned with an efficient crew to the satisfaction of the emigration officer, and the following rules will assist the emigration officer in securing compliance with this requirement.

Deck hands: In steamships deck hands should be carried in accordance with the following scale, which is based on the total boat and raft capacity with which the ship is required to be provided under the statutory rules relating to life-saving appliances:

Total capacity of boats and rafts required under the life-saving appliances rules.	Number of deck hands to be carried.
Under 2,500 cubic feet	24
2,500 and under 2,900	25
2,900 and under 3,300	26
3,300 and under 3,700	27
3,700 and under 4,100	28
4,100 and under 4,500	29
4,500 and under 4,900	30
4,900 and under 5,300	31
5,300 and under 5,700	32
5,700 and under 6,100	33
6,100 and under 6,500	34
6,500 and under 6,900	35
6,900 and under 7,300	36
7,300 and under 7,700	38
7,700 and under 8,100	40
8,100 and under 8,500	42
8,500 and under 8,900	44
8,900 and under 9,300	46
9,300 and under 9,700	48

The term "deck hands" means *the master and the mates and all bona fide able-bodied seamen. The carpenter, boatswain, quartermasters, lamp trimmer, and other petty officers who have served or are fit to serve in the capacity of A. B., may be regarded as bona fide able-bodied seamen for this purpose.* Of the total number of deck hands carried one in five may be an ordinary seaman, and two boys may be taken in place of each ordinary seaman so allowed. One cook and one steward may be reckoned as bona fide able-bodied seamen if they produce proof that they have served as A. B.'s and the emigration officer is satisfied by actual trial that they can pull an oar and are fit to serve in that rating. Tradesmen, such as joiners, etc., are not to be counted.

In the case of vessels having such a number of passengers as to necessitate the carrying of the maximum boat capacity, sufficient only for the number of persons carried on that particular voyage, the scale should be applied in the following manner: Add to the number of passengers to be carried the total number of crew, calculating the deck hands at a minimum of 25 men, then allow 10 cubic feet of boat capacity for each statute adult, and the result will be the boat-capacity figure in the manning table to be used for that voyage. For example, if there are 300 passengers and a crew of 90, including 25 deck hands, the number will be 390 and the boat capacity 390; the number of deck hands required for this boat capacity in the scale is 28.

The scale should be applied in all cases, unless the board of trade have previously allowed the ship under similar circumstances to clear with a smaller number of deck hands.

The Commissioner of Navigation must have had a copy of this document in his office when, last winter, he made the statements which misled the Senator from Ohio [Mr. BURTON] and caused him repeatedly to assert that no nation had such regulations.

Any statement that the first section of the pending bill will repeal the Hardy Act is an error. The Hardy Act amended section 4463 and added to that section provisions with respect to the licensing of officers, the establishment of three watches for mates, determining the number of officers which vessels shall carry, and fixing a penalty for an officer taking charge of a watch immediately after leaving a port, unless he has had at least 6 hours off duty within the 12 hours immediately preceding the time of sailing.

Section 4463 provides that if a vessel—

is deprived of the services of any number of the crew, without the consent, fault, or collusion of the master, owner, or any person interested in the vessel, the vessel may proceed on her voyage if, in the judgment of the master, she is sufficiently manned for such voyage.

Section 4463 deals with the officers, not the crew, and section 1 of this bill in no way contravenes the provision of section 4463 as amended by the Hardy Act. Section 4463 provides for the number of officers and fixes their hours of labor; section 1 of this bill fixes the hours of labor of the men. In one particular the two sections are almost identical in language, as section 1 of this bill provides that in case of desertion, and so forth—

The master must ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same or higher grade or rating with those whose places they fill.

I shall ask to have inserted in parallel columns in the RECORD the Hardy Act and section 1 of the substitute bill, so that Senators can see at a glance that this bill in no wise modifies or changes the Hardy Act.

HARDY ACT.

(Public—No. 420.)

An act (H. R. 23676) to regulate the officering and manning of vessels subject to the inspection laws of the United States.

Be it enacted, etc., That section 4463 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4463. Any vessel of the United States subject to the provisions of this title or to the inspection laws of the United States shall not be navigated unless she shall have in her service and on board such complement of licensed officers and crew as may, in the judgment of the local inspectors who inspect the vessel, be necessary for her safe navigation. The local inspectors shall make in the certificate of inspection of the vessel an entry of such complement of officers and crew, which may be changed from time to time by indorsement on such certificate by local inspectors by reason of change of conditions or employment. Such entry or indorsement shall be subject to a right of appeal, under regulations to be made by the Secretary of Commerce and Labor, to the supervising inspector, and from him to the Supervising Inspector General, who shall have the power to revise, set aside, or affirm the said determination of the local inspectors.

"If any such vessel is deprived of the services of any number of the crew without the consent, fault, or collusion of the master, owner, or any person interested in the vessel, the vessel may proceed on her voyage if, in the judgment of the master, she is sufficiently manned for such voyage: *Provided*, That the master shall ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same grade or of a higher rating with those whose places they fill. If the master shall fail to explain in writing the cause of such deficiency in the crew to the local inspectors within 12 hours of the time of the arrival of the vessel at her destination, he shall be liable to a penalty

SECTION 1 OF THE PENDING BILL.

Be it enacted, etc., That section 4516 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4516. In case of desertion or casualty resulting in the loss of one or more of the seamen, the master must ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same or higher grade or rating with those whose places they fill, and report the same to the United States consul at the first port at which he shall arrive, without incurring the penalty prescribed by the two preceding sections. And in all merchant vessels of the United States of more than 100 tons gross the sailors shall, while at sea, be divided into at least two and the firemen, oilers, and water tenders into at least three watches, which shall be kept on duty alternately for the performance of ordinary work incident to the sailing and management of the vessel, and seamen serving in one department of a vessel shall not be required to do duty in another department; but these provisions shall not limit either the authority of the master or other officer or the obedience of the seamen when, in the judgment of the master or other officer, all the sailors or all the firemen or the whole crew is needed for the maneuvering of the vessel or the performance of work necessary for the safety of the vessel or her cargo or for the saving of life aboard other vessels in jeopardy. While the vessel is in a safe harbor no seaman shall be required to do any unnecessary work on Sundays or legal holidays, but this shall not prevent the dispatch of a vessel on regular schedule or when ready to proceed on her voyage; and at all other times while the vessel is in a safe harbor nine hours, inclusive of the anchor watch, shall constitute a

HARDY ACT—continued.

of $50. If the vessel shall not be manned as provided in this act, the owner shall be liable to a penalty of $100, or, in case of an insufficient number of licensed officers, to a penalty of $500."

SEC. 2. That the board of local inspectors shall make an entry in the certificate of inspection of every ocean and coastwise seagoing merchant vessel of the United States propelled by machinery and every ocean-going vessel carrying passengers, the minimum number of licensed deck officers required for her safe navigation according to the following scale:

That no such vessel shall be navigated unless she shall have on board and in her service one duly licensed master.

That every such vessel of 1,000 gross tons and over, propelled by machinery, shall have in her service and on board three licensed mates, who shall stand in three watches while such vessel is being navigated, unless such vessel is engaged in a run of less than 400 miles from the port of departure to the port of final destination, then such vessel shall have two licensed mates; and every vessel of 200 gross tons and less than 1,000 gross tons, propelled by machinery, shall have two licensed mates.

That every such vessel of 100 gross tons and under 200 gross tons, propelled by machinery, shall have on board and in her service one licensed mate; but if such vessel is engaged in a trade in which the time required to make the passage from the port of departure to the port of destination exceeds 24 hours, then such vessel shall have two licensed mates.

That nothing in this section shall be so construed as to prevent local inspectors from increasing the number of licensed officers on any vessel subject to the inspection laws of the United States if, in their judgment, such vessel is not sufficiently manned for her safe navigation: *Provided*, That this section shall not apply to fishing or whaling vessels, yachts, or motor boats as defined in the act of June 9, 1910.

SEC. 3. That it shall be unlawful for the master, owner, agent, or other person having authority, to permit an officer of any vessel to take charge of the deck watch of the vessel upon leaving or immediately after leaving port, unless such officer shall have had at least 6 hours off duty within the 12 hours immediately preceding the time of sailing, and no licensed officer on any ocean or coastwise vessel shall be required to do duty to exceed 9 hours of any 24 while in port, including the date of arrival, or more than 12 hours of any 24 at sea, except in a case of emergency when life or property is endangered. Any violation of this section shall subject the person or persons guilty thereof to a penalty of $100.

SEC. 4. That all laws or parts of laws in conflict with this act are hereby repealed.

Approved, March 3, 1913.

SECTION 1 OF PENDING BILL—contd.

day's work. Whenever the master of any vessel shall fail to comply with this section, the seamen shall be entitled to discharge from such vessel and shall, upon demand, receive wages then earned. But this section shall not apply to fishing or whaling vessels or yachts."

Now, Mr. President, just one word about the treaties. This bill proposes changes in our laws which will change the conventions or treaties with nearly all of the maritime nations with which we have treaties; but as to foreign ships it makes no change for one year, or until the notice provision of the treaty has been complied with. It provides time enough—90 days' notice to those countries by the President—for making the amendments in accordance with the provisions in those treaties for amendments.

Mr. BACON. Will the Senator let me ask him a question?

Mr. LA FOLLETTE. Yes, sir.

Mr. BACON. Is there any treaty the Senator knows of where there is any provision for giving notice of abrogation——

Mr. LA FOLLETTE. There is a German treaty. That is one.

Mr. BACON. The Senator has not heard my question.

Mr. LA FOLLETTE. I am in a hurry.

Mr. BACON. Is there a provision which looks to the notice of the abrogation of a part of the treaty—not the whole treaty?

Mr. LA FOLLETTE. No, Mr. President; and if men of sense they will understand that it is that part of the treaty affected that must be modified, and if they want the other portions of the treaty to go on, as men of reason and common sense, representing their Governments, they can easily come together with the representatives of our Government; their minds can meet.

Mr. BACON. The Senator will recognize——

Mr. LA FOLLETTE. The German treaty, to which the Senator referred and on which he has laid so much stress——

The VICE PRESIDENT. The hour of 4 o'clock has arrived.

Mr. BACON. The Senator does not say——

The VICE PRESIDENT. The hour of 4 o'clock having arrived, the pending question is on the amendment offered by the Senator from Ohio to the amendment proposed as a substitute by the Senator from Wisconsin.

Mr. LA FOLLETTE. May I make a request as to the publication of some matter? If it is proper to do it, I want to do it; if it is not, I will not ask to do it.

Mr. VARDAMAN and others. Do it afterwards.

Mr. LA FOLLETTE. Very well; I will defer it. I want to get in the entire Chamberlain record; that is all.

Mr. LA FOLLETTE subsequently said: I ask unanimous consent to have incorporated in my remarks certain data which I will furnish.

The VICE PRESIDENT. Without objection, the request of the Senator will be complied with.

Mr. LA FOLLETTE. I present two cablegrams and a telegram:

LONDON, *October 21, 1913.*

FURUSETH,
National Hotel, Washington:

Great opposition being worked up here by shipowners against your seamen's bill. We are making our side heard. I am to take part as delegate at international seamen's conference. Pleased you are coming. Have wired LA FOLLETTE in favor of bill.

HAVELOCK WILSON.

—

LONDON, *October 21, 1913.*

Senator LA FOLLETTE, *Washington:*

Seamen in every port of Great Britain urge the passing of seamen's bill, as they are of opinion it will do much to ameliorate the condition of seamen throughout the world.

HAVELOCK WILSON,
President Seamen's Union, Great Britain.

—

WATERTOWN, S. DAK., *October 21, 1913.*

Hon. R. M. LA FOLLETTE,
United States Senate, Washington, D. C.:

Accept hearty congratulations on your magnificent fight for a humane seamen's law. Our flag would float on more ships if our American seamen were treated as American citizens have a right to demand. My best wishes for your success.

H. L. LOUCKS.

I present an important letter descriptive of a recent sea experience of Arthur M. Churchill, now of Portland, Oreg., but until recently an attorney of this city and well known to many Senators on this floor. The letter is as follows:

YOUNG'S HOTEL,
Boston, October 20, 1913.

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SIR: Saturday evening's Transcript states that your seamen's bill will be voted on not later than Thursday. I hope this letter may be in time for your use. The experience which I relate below occurred only three days ago, and, in my opinion, should by itself be sufficient to convince the most doubting of the urgent need of the immediate enforcement of at least one provision of your bill. I refer to the clause requiring at least 75 per cent of a ship's crew to understand the language of the officers.

I was a passenger on the Cunard liner *Ivernia*, which arrived in New York from the Mediterranean last Friday afternoon. At about 8 a. m., while we were approaching Ambrose Channel Light, a steward jumped overboard. The word was passed to the bridge at once and the ship was brought about as rapidly as her speed and the difficulty of making a quick turn permitted. Meantime a small boat with a crew of about eight men was lowered to within 10 feet of the water and made ready for use the moment field glasses on the bridge could pick up any object floating in the water. The weather, I should add, was perfect and the sea quite calm.

After 20 minutes or half an hour the man was seen, and the order came to get the boat away. But, as my information stands, our crew were largely Hungarians. My recollection is that I was told we had only about 10 good English sailors out of a crew of 50 seamen. In any event, the man having in charge the tackle at the stern of the small boat began lowering away much faster than the man at the bow. Officers and men alike shouted at him, and there was time enough to have saved the situation a dozen times. But he couldn't understand any English, and the more they shouted the more confused he seemed to become. In a moment more the boat was dangling end up from one of the davits, and the crew were hanging for their lives to the ropes from the ship above. Whether some other Hungarian who was stationed above couldn't speak English enough to tell the officers what had happened I do not know. At any rate, the propellers were kept going for some 10 or 15 minutes after that. One sailor dropped off, was swept

under the screw, and never seen again. Another was dragged along at a clipping pace under water for some 10 minutes. Only the fact that he had a grip of iron and many years of sea experience saved him. And the New York Times of the next morning (front page) says the captain was not aware that the seamen were overboard.

Meantime another boat, manned by English sailors, got away without the slightest difficulty. But so much time had been lost that the body of the steward was likewise no longer to be seen, and after cruising around for some time there was no course left but to abandon the search.

If the loss of this sailor's life seemed otherwise so needless, it taught some 2,300 of passengers and crew aboard that ship one thing, namely, that all the lifeboats in the world are useless if your crews are inefficient and can't understand orders of the officers. The *Ivernia's* decks, under the recent orders of the board of trade, were so littered up with lifeboats and liferafts that one could scarcely see the ocean at all. Promenade room was almost nonexistent and space for steamer chairs at a premium, with only 130 first-class passengers aboard. But we slept at night in the fancied security that if the decks were uncomfortable at least there were plenty of lifeboats if anything happened.

Friday morning's accident taught us differently. After witnessing the attempt to launch that small boat passengers and crew alike came, I think, to realize that Providence and the *Ivernia's* splendid seaworthiness had been our only safeguards. We might as well have pitched the lifeboats overboard and had plenty of deck space for all the use they would have been in time of emergency with a crew like that. We had had seven days of continuous gale in crossing. If they couldn't launch that boat under the conditions described, what would they have done with 50 or 50 boats in a raging sea in case of such a fire as destroyed the *Volturno* or under the excitement of a collision in a fog?

The objections of English shipowners to your bill on the ground that an insignificant part of the shipping affected is American owned seems to me absurd. I notice that English-owned ships have no objection to accepting good American dollars for trans-Atlantic passage, holding out the assurance that every precaution against danger has been taken. And the trans-Atlantic passenger traffic, in the first cabin at least, is, in my observation, very largely of Americans. To take the position that under these conditions the United States is impertinent in interfering seems to me rather untenable, to use a mild expression.

I have not had opportunity to study the remaining provisions of your bill, but if they possess equal merit with the clause referred to I hope and believe they will receive a unanimous support.

With best wishes for your success, I am,

Very truly, yours, ARTHUR M. CHURCHILL.

Home address: *809 Chamber of Commerce, Portland, Oreg.*

I also present a letter of Gus Brown, a Swedish sailor, an able seaman of 12 or 15 years' standing. He sailed as quartermaster on the ocean for years, and as wheelsman on the Great Lakes. He is now the agent of the Eastern and Gulf Sailors' Association. It is his duty in part to give protection to sailors and aid them in securing occupation.

He was requested by Mr. Andrew Furuseth, well known to many of the Members of the Senate, to interview sailors belonging to the crew of the *Volturno*, whenever any of them reached New York, to procure their statements as to the character of the crew and any facts bearing upon the disaster which might be pertinent to this legislation, and to report their statements to Mr. Furuseth. His letter is as follows:

EASTERN AND GULF SAILORS' ASSOCIATION (INC.),
New York, October 18, 1913.

MY DEAR MR. FURUSETH: Your letter received. In regard to the first, I may say that I tried very hard to get the carpenter, boatswain, one sailor, and one of the stokers to give a statement as to the way the lifeboats were handled during the disaster. These men all agreed that there was not enough efficient men aboard to man the boats. The *Volturno* carried 8 able seamen, 2 ordinary, 4 quartermasters, 2 boatswains, and 2 carpenters. Nineteen lifeboats were carried in double rows on the top deck. One half of the deck crew were burned to death; they never had a chance to escape. The other half were fighting the fire in No. 1 hold. The firemen were kept in the stokehold keeping up steam and fighting the fire in the bunkers. The heat was terrific and all the firemen took turns about of 15 minutes each at their post. The steward's department was left to handle the lifeboats and the passengers, with the result that you have heard about. Only one boat got away, the one the second mate was in charge of and manned by two A. B.'s, one fireman, and the steward.

The steward's department consisted of men with hardly any experience at all and unable to speak and understand the English language. Two or three men of the stokehold crew knew how to handle boats. The boat drill on the previous Saturday, the only one they had, merely amounted to showing the men their stations; no boats were swung out, none were lowered. At the time of the accident the wind was blowing 40 to 45 miles an hour.

Yours, fraternally, GUS BROWN.

I also present to be printed in three parallel columns, so as to show at a glance the difference between the three bills, a summary of the provisions of the bill introduced by the Senator from Minnesota [Mr. NELSON] and reported by the committee, a summary of the bill introduced by the Senator from Ohio [Mr. BURTON], and of the substitute which I introduced. It is as follows:

LA FOLLETTE SUBSTITUTE.	NELSON BILL.	BURTON BILL.
Section 1 provides at least two watches for the sailors at sea. Three watches for the firemen, oilers, and watertenders at sea. That seamen serving in one department be not required to do duty in another department. Nine-hour workday in port.	Section 1 and section 2 provides at least two watches for the sailors at sea. Three watches for the firemen at sea.	Section 1 and section 2 provides at least two watches for the sailors at sea. Three watches for the firemen at sea.
No unnecessary work on Sundays or legal holidays, but this not to prevent the dispatch of a vessel.	Nine-hour day with a proviso that no member of the crew shall be required to work more than 12 hours of every 24 except in cases of emergency. No unnecessary work on Sunday or legal holidays, but this not to prevent the *doing of work necessary* to the dispatch of a vessel.	Nine-hour day with a proviso that no member of the crew shall be required to work more than 12 hours of every 24 except in cases of emergency. No unnecessary work on Sunday or legal holidays, but this not to prevent the *doing of work necessary* to the dispatch of a vessel.
Section 2. Seamen in coastwise trade entitled to wages within two days after termination of agreement or at the time of discharge. Seamen in foreign voyages or from a port of the Atlantic to a port on the Pacific, or vice versa, to be paid within 24 hours after discharge of cargo or 4 days after discharge of seaman, but in either case he is entitled to one-third of his wages upon discharge. Failure to comply provides payment of two days' wages for every day seaman is kept waiting. Section 3. Seamen shall be entitled upon demand to one-half of their wages at every port where the vessel stops to discharge or load cargo.	Exempts vessels of 300 tons or less and vessels whose regular schedule between terminals does not exceed 24 hours from compliance with the section. Section 3. Seamen in coastwise trade entitled to wages within two days after termination of agreement or at the time of discharge. Seamen in foreign voyages to be paid within 24 hours after discharge of cargo or 4 days after discharge of seaman, but in either case he is entitled to one-third of his wages upon discharge. Failure to comply provides payment of two days' wages for every day seaman is kept waiting. Sections 4 and 5. Seamen shall be entitled upon demand to *one-half* of their wages at every port where the vessel stops to discharge or load cargo. *Provided*, That the wages earned during the *first five days* shall not be subject to demand prior to the *completion* of the *voyage* or *expiration of the contract*.	Exempts vessels of 300 tons or less and vessels whose regular schedule between terminals does not exceed 24 hours from compliance with the section. Section 3. Seamen in coastwise trade entitled to wages within two days after termination of agreement or at the time of discharge. Seamen in foreign voyages to be paid within 24 hours after discharge of cargo or 4 days after discharge of seaman, but in either case he is entitled to one-third of his wages upon discharge. Failure to comply provides payment of two days' wages for every day seaman is kept waiting. Sections 4 and 5. Seamen shall be entitled upon demand to one-half of their wages at every port where the vessel stops to discharge or load cargo. *Provided*, That the wages earned during the first five days shall not be subject to demand prior to the completion of the voyage or expiration of the contract.
A court upon cause shown may set aside any release signed by a seaman. *Provided*, That this section shall apply to foreign vessels while in harbors of the United States and opens the courts of the United States for its enforcement.	A court upon cause shown may set aside any release signed by a seaman. *Provided*, That this section shall apply to seamen on foreign vessels owned in major part by *American citizens, corporations, or holding companies* while in harbors of the United States and open the courts of the United States to seamen for its enforcement.	A court upon cause shown may set aside any release signed by a seaman.
Section 4 gives to seamen the right to call for a survey in a foreign port without any officer participating in the demand.	Section 6 gives to seamen the right to call for a survey in a foreign port without any officer participating in the demand.	Section 6 gives to seamen the right to call for a survey in a foreign port without any officer participating in the demand.
Section 5 provides 100 cubic feet forecastle space, 16 feet on the floor for each seaman or apprentice therein.	Section 7 provides 122 cubic feet forecastle space, 18 square feet on the floor, with 20 per cent deducted for mess room, for every seaman or apprentice carried therein.	Section 7 provides 122 cubic feet forecastle space, 18 square feet on the floor, with 20 per cent deducted for mess room for every seaman or apprentice carried therein.
Applies to vessels of 100 tons register.	Applies to vessels of 200 tons register. Makes provision for hospital space on boats carrying more than 12 seamen.	Applies to vessels of 200 tons register. Makes provision for hospital space on boats carrying more than 12 seamen.
Vessels having more than 10 men on deck must be provided with a clean and sanitary washing place, one basin for each two men,	Vessels having more than 10 men on deck must be provided with a clean and sanitary washing place, one basin for each two men,	Vessels having more than 10 men on deck must be provided with a clean and sanitary washing place, one basin for each two men,

LA FOLLETTE SUBSTITUTE—continued.	NELSON BILL—continued.	BURTON BILL—continued.
separate wash place for the fireroom and engineroom men, if they exceed 10 in number, and large enough to accommodate one-sixth of them at the same time, providing for basin, sinks, and shower baths. Penalty, fine of $500. Provides for fumigation of forecastles. Provides that forecastles shall have at least two exits, one to be used in emergency.	separate wash place for the fireroom and engineroom men if they exceed 10 in number, and large enough to accommodate one-sixth of them at the same time, providing for basin, sinks, and shower baths. Penalty, fine not less than $50 nor more than $500.	separate wash place for the fireroom and engineroom men if they exceed 10 in number, and large enough to accommodate one-sixth of them at the same time, providing for basin, sinks, and shower baths. Penalty, fine not less than $50 nor more than $500.
Section 6 provides penalties for desertion and disobedience, willfully damaging the vessel, or smuggling; and subsection 6 provides penalty for assaulting a master or mate. *Provided*, That in any suit to recover damages for any injury sustained on board vessel or in its service seamen having command shall not be held to be fellow servants with those under their authority.	Section 8 provides penalties for desertion and disobedience, willfully damaging the vessel, or smuggling; and subsection 6 provides penalty for assaulting a master or *other licensed officer*.	Section 8 provides penalties for desertion and disobedience, willfully damaging the vessel, or smuggling; and subsection 6 provides penalty for assaulting a master *or other licensed officer*. Subsection 9 provides six months' imprisonment for refusal or willful neglect to engage in boat practice or drill as provided in section 12. (This seems to apply in port as well as at sea.)
Section 7 provides for duties of the consular officers in cases of insubordination on board of vessel, how they may proceed, and what action they may take. Section 8 prohibits dogging or any other corporal punishment and penalties therefor, and that the master shall surrender any officer guilty of the same to the proper authorities as soon as practicable. Failure of the master to comply herewith shall subject the master and the vessel to damages.	Section 9 provides for duties of the consular officers in cases of insubordination on board of vessel, how they may proceed, and what action they may take. Section 10 prohibits dogging or any other corporal punishment and penalties therefor, and that the master shall surrender any officer guilty of the same to the proper authorities as soon as practicable. *Provided*, He has actual knowledge of the misdemeanor, or complaint is made within three days after vessel reaching port; and if he has failed to use due diligence to comply herewith the master and vessel shall be liable to damages.	Section 9 provides for duties of the consular officers in cases of insubordination on board of vessel, how they may proceed, and what action they may take. Section 10 prohibits dogging or any other corporal punishment and penalties therefor, and that the master shall surrender any officer guilty of the same to the proper authorities as soon as practicable. *Provided*, He has actual knowledge of the misdemeanor, or complaint is made within three days after vessel reaching port; and if he has failed to use due diligence to comply herewith the master and vessel shall be liable to damages.
Section 9 provides for the increase in the scale of provisions by increasing the daily allowance of water and butter. Section 10 makes it unlawful to pay any seaman wages in advance of the time when he has actually earned same, either to the seaman himself or to some other person. Or to pay any person for the shipment of seamen if payment is deducted or is to be deducted from a seaman's wages. Penalty, $25 to $100, or imprisonment not exceeding six months, at the discretion of the court. The payment of such advance wages shall not absolve the vessel, but seamen may recover their full wages after the same shall have been earned. It prohibits the demanding or receiving from any seaman seeking employment as a seaman or any person on his behalf any remuneration whatever for providing him this employment, and provides a penalty not to exceed six months or a fine not exceeding $500.	Section 11 provides for the increase in the scale of provisions by increasing the daily allowance of water and butter. Section 12 makes it unlawful to pay any seaman wages in advance of the time when he has actually earned same, either to the seaman himself or to some other person. Or to pay any person for the shipment of seamen if payment is deducted or is to be deducted from a seaman's wages. Penalty, $25 to $100, or imprisonment not exceeding six months, at the discretion of the court. The payment of such advance wages shall not absolve the vessel, but seamen may recover their full wages after the same shall have been earned. It prohibits the demanding or receiving from any seaman seeking employment as a seaman or any person on his behalf any remuneration whatever for providing him this employment, and provides a penalty not to exceed six months or a fine not exceeding $500.	Section 11 provides for the increase in the scale of provisions by increasing the daily allowance of water and butter. Section 12 makes it unlawful to pay any seaman wages in advance of the time when he has actually earned same, either to the seaman himself or to some other person. Or to pay any person for the shipment of seamen if payment is deducted or is to be deducted from a seaman's wages. Penalty, $25 to $100, or imprisonment not exceeding six months, at the discretion of the court. The payment of such advance wages shall not absolve the vessel, but seamen may recover their full wages after the same shall have been earned. It prohibits the demanding or receiving from any seaman seeking employment as a seaman or any person on his behalf any remuneration whatever for providing him this employment, and provides a penalty not to exceed six months or a fine not exceeding $500.
Section 11 provides that the law exempting wages of seamen from attachment and arrestment shall be applicable to fishermen employed on fishing vessels, except in the case where the court orders part of wages paid to the wife or minor children.	Section 13 provides that the law exempting wages of seamen from attachment and arrestment shall be applicable to fishermen employed on fishing vessels, except in the case where the court orders part of wages paid to the wife or minor children.	Section 13 provides that the law exempting wages of seamen from attachment and arrestment shall be applicable to fishermen employed on fishing vessels, except in the case where the court orders part of wages paid to the wife or minor children.
Section 12. That no vessel of 100 tons gross and upward, except those navigating rivers exclusively and except as provided in section 1 of this act, shall be permitted to depart from any port of the United States unless she has on board a crew not less than 75 per cent of which, in each department thereof, are able to understand any order given by the officers of such vessel, nor unless 40 per cent in the first year, 45 per cent in the second year, 50 per cent in the third year, 55 per cent in the fourth year after the passage of this act, and thereafter 65 per cent of her	Section 14 applies to vessels except those navigating rivers exclusively. Vessels shall not depart any port of the United States unless 75 per cent of the crew in each department are able to understand the language of the officer, unless the crew shall include a sufficient number of seamen who understand the languages of both officers and crew through whom the orders of the officers may be communicated in a manner to be readily understood by the seamen. * * * The number of seamen through whom the orders may be transmitted to be not less than the	Section 14. That no vessel, except those navigating rivers exclusively and except as provided in section 1 of this act, shall depart from any port of the United States unless she has on board a crew not less than 75 per cent of which, in each department thereof, are able to understand any order given by the officers of such vessel, unless the crew shall include a sufficient number of seamen who understand the languages of both officers and crew, through whom the orders of the officers may be communicated in a manner to be readily understood by the seamen, in any

LA FOLLETTE SUBSTITUTE—continued.

deck crew, exclusive of licensed officers, are of a rating not less than able seaman:

Provided, That no vessel carrying passengers, except those navigating rivers and harbors exclusively, shall be permitted to depart from any port of the United States unless she is provided and equipped with a sufficient number of seaworthy lifeboats to carry and transport at one time every passenger and every member of the crew licensed to be carried on board such vessel, and unless she shall have a sufficient crew to man each lifeboat with not less than two men of the rating of able seamen or higher, who shall be drilled in the handling and lowering of lifeboats under rules and regulations to be prescribed by the Board of Supervising Inspectors with the approval of the Secretary of Commerce.

No person shall be rated as an able seaman unless he is 19 years of age or upward and has had at least three years' service on deck at sea or on the Great Lakes. Any person may make application to any board of local inspectors for a certificate of service as able seaman, and upon proof being made to said board by affidavit, under rule approved by the Secretary of Commerce, showing the nationality of the applicant and the vessel or vessels on which he has had service and that he has had at least three years' service on deck at sea or on the Great Lakes, the board of local inspectors shall issue to said applicant a certificate of service, which shall be retained by him and be accepted as prima facie evidence of his rating as an able seaman.

Each board of local inspectors shall keep a complete record of all certificates of service issued by them and to whom issued, and shall keep on file the affidavits upon which said certificates are issued.

The collector of customs may, upon his own motion, and shall upon the sworn information of any citizen of the United States setting forth that this section is not being complied with, cause a muster of the crew of any vessel to be made to determine the fact; and no clearance shall be given to any vessel failing to comply with the provisions of this section: *Provided*, That the collector of customs shall not be required to cause such muster of the crew to be made unless said sworn information has been filed with him for at least six hours before the vessel departs or is scheduled to depart; *Provided further*, That any person that shall knowingly make a false affidavit for such purpose shall be deemed guilty of perjury, and upon conviction thereof shall be punished by a fine not exceeding $500 or by imprisonment not exceeding one year, or by both such fine and imprisonment, within the discretion of the court. Any violation of any provision of this section shall subject the owner of such vessel to a penalty of not less than $100 and not more than $500.

NELSON BILL—continued.

number of lifeboats the vessel is required to carry and one seaman shall be assigned to each lifeboat.

No vessel, except those navigating rivers and harbors exclusively, shall depart from any port of the United States unless she shall have a sufficient number of efficient lifeboat hands, which in no case shall be less than two for each lifeboat that such ship is required to carry to launch and handle the prescribed lifeboats and life rafts.

A seaman shall be entitled to the rating of efficient lifeboat hand who has shown by practical tests to the satisfaction of the board of local inspectors that he is qualified to perform any duty required in the launching and handling of lifeboats and life rafts and their equipment, including the stowing of passengers, swinging out, lowering, detaching, and hoisting, and use of oars. Such tests shall be subject to regulations to be prescribed by the Secretary of Commerce, who shall, through collectors of customs, local inspectors, and other officers of the Government, enforce the laws and regulations for the handling of lifeboats and life rafts and the efficiency of lifeboat hands.

This section shall take effect on and after the following dates, respectively, in the case of vessels navigating the ocean or sounds and bays connected therewith or the Great Lakes and connecting waters, and authorized by certificate of inspection to carry the following number of passengers: On July 1, 1913, 500 passengers or over; on August 1, 1913, 200 passengers and less than 500; on October 1, 1913, less than 200.

BURTON BILL—continued.

department, to whom such orders are given. The number of seamen through whom the orders of the officers may be transmitted shall not be less than the number of lifeboats such vessel is required to carry, and at least one of such seamen shall be assigned to each lifeboat.

No vessel carrying passengers, except those navigating rivers and harbors exclusively, shall be permitted to depart from any port of the United States unless she shall have a sufficient number of efficient boat hands, which in no case shall be less than two for each lifeboat that such ship is required to carry, to launch and handle the prescribed lifeboats and life rafts.

A seaman shall be entitled to the rating of efficient boat hand who has shown by practical tests to the satisfaction of the master that he is qualified to perform any duty required in the launching and handling of lifeboats and life rafts and their equipment, including the stowing of passengers, swinging out, lowering, detaching, and hoisting, and use of oars. Such tests shall be subject to regulations to be prescribed by the Secretary of Commerce, who shall, through collectors of customs, local inspectors, and other officers of the Government, enforce the laws and regulations for the handling of lifeboats and life rafts and the efficiency of boat hands.

This section shall take effect on and after the following dates, respectively, in the case of vessels navigating the ocean or sounds and bays connecting therewith, or the Great Lakes and connecting waters, and authorized by certificate of inspection to carry the following number of passengers: On July 1, 1913, 500 passengers or over; on August 1, 1913, 200 passengers and less than 500; on October 1, 1913, 12 passengers and less than 200.

Any violation of the provisions of this section shall subject the owner of such vessel to a fine of not more than $500.

Section 13. A seaman shall not be entitled to the rating of A. B.—that is to say, of an able-bodied seaman—unless he is at least 18 years of age, possesses a sufficient knowledge of the English language to understand the necessary orders that may be given to him in the course of the performance of his duties, and has served on deck at sea for at least three years. The service herein prescribed may be proved by certificates of discharge by a master before a shipping commissioner or by other proof satisfactory to officers designated by the Secretary of Commerce, who shall issue certificates to able-bodied seamen in a form to be prescribed by him, and in the case of seamen shipped abroad on vessels of the United States such service may be proved by certificates of discharge by a master before consuls of the United States.

No vessel, except those navigating rivers exclusively, shall depart from any port of the United States unless she shall have as part of her crew a sufficient number of wheelsmen or quartermasters and lookout men of not less rating than that of able seaman: *Provided*, That upon examination, under rules prescribed by the Department of Commerce, as to eyesight, hearing, and physical strength, and knowledge of the duties, men found competent may be so employed, although they may have served only one year at sea, and no other men than those so qualified shall be employed at the wheel or as lookout. And while at sea the wheelsmen or quartermasters

Section 15. That a seaman shall not be entitled to the rating of A. B.—that is to say, of an able-bodied seaman—unless he is at least 18 years of age, possesses a sufficient knowledge of the English language to understand the necessary orders that may be given to him in the course of the performance of his duties, and has served on deck at sea for at least three years. The service herein prescribed may be proved by certificates of discharge by a master before a shipping commissioner or by other proof satisfactory to officers designated by the Secretary of Commerce, who shall issue certificates to able-bodied seamen in a form to be prescribed by him, and in the case of seamen shipped abroad on vessels of the United States such service may be proved by certificates of discharge by a master before consuls of the United States.

LA FOLLETTE SUBSTITUTE—continued.

Section 13 provides "that the owner, agent, or master of every barge which, while in tow through the open sea, has sustained or caused any accident," shall report such accident to the proper authorities, and that the Secretary of Commerce shall make reports to Congress each year.

Sections 14, 15, and 16 provide for the abrogation of treaties and the repeal of statutes under which seamen are arrested, detained, and surrendered back to the vessel.

Section 17 provides a more convenient method of sending a sick seaman to a marine or other hospital.

NELSON BILL—continued.

and lookout men shall be divided into at least three watches, which shall be kept on duty successively; but this requirement shall not apply to yachts, vessels of less than 300 gross tons, or vessels whose regular schedule between terminal ports does not exceed 12 hours; *Provided*, That no member of the crew shall be required to be on duty more than 12 hours out of any 24 hours, except in case of emergency. But this exemption shall in no way interfere with the authority of the proper officers of the Government to make such lawful regulations or orders as they may deem necessary to secure safety at sea and prevent excessive hours of labor.

Any failure to comply with this provision shall subject the master or owner of such vessel to a fine of not less than $100 and not more than $500.

Section 16 provides "that the owner, agent, or master of every barge which, while in tow for 50 miles or more through the open sea, has sustained or caused any accident," shall report such accident to the proper authorities, and that the Secretary of Commerce shall make reports to Congress each year.

Sections 17, 18, and 19 provide for the abrogation of treaties and the repeal of statutes under which seamen are arrested, detained, and surrendered back to the vessel.

Section 20 provides a more convenient method of sending a sick seaman to a marine or other hospital.

BURTON BILL—continued.

Section 16. That no vessel carrying passengers for hire, except those navigating rivers exclusively, shall depart from any port of the United States unless she shall have as part of her crew a sufficient number of wheelsmen or quartermasters and lookout men of not less rating than that of able seamen: *Provided*, That upon examination, under rules prescribed by the Department of Commerce, as to eyesight, hearing, and physical strength and knowledge of the duties, men found competent may be so employed, although they may have served only one year at sea, and no other men than those so qualified shall be employed at the wheel or as lookout. And while at sea the wheelsmen or quartermasters and lookout men shall be divided into at least three watches, which shall be kept on duty successively; but this requirement shall not apply to yachts, vessels of less than 300 gross tons, or vessels whose regular schedule between terminal ports does not exceed 12 hours: *Provided*, That no member of the crew shall be required to be on duty more than 12 hours out of any 24 hours, except in case of emergency. But this exemption shall in no way interfere with the authority of the proper officers of the Government to make such lawful requisitions or orders as they may deem necessary to secure safety at sea and prevent excessive hours of labor.

Any violation of the provisions of this section shall subject the owner to a fine of not more than $500.

Section 17 provides "that the owner, agent, or master of every barge which, while in tow for 50 miles or more through the open sea, has sustained or caused any accident," shall report such accident to the proper authorities, and that the Secretary of Commerce shall make reports to Congress each year.

Sections 18, 19, and 20 provide for the abrogation of treaties and the repeal of statutes under which seamen are arrested, detained, and surrendered back to the vessel.

The VICE PRESIDENT. The Secretary will state the pending amendment.

The SECRETARY. On page 2, line 13, in the amendment proposed by the Senator from Wisconsin [Mr. LA FOLLETTE] the Senator from Ohio [Mr. BURTON] offers the following amendment:

Strike out the word "either" and insert in lieu "the obligation of all the crew to take part in boat drills and fire drills or," so that, if amended, it will read:

"But these provisions shall not limit the obligation of all the crew to take part in boat drills and fire drills or the authority of the master or other officer or the obedience of the seamen, etc."

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment. [Putting the question.] The amendment to the amendment seems to be lost.

Mr. BURTON. I ask for a division.

The VICE PRESIDENT. The Senator from Ohio asks for the yeas and nays.

Mr. LA FOLLETTE. He has asked for a division.

Mr. BURTON. I ask for a division.

There were on a division—ayes 5, noes 26.

The VICE PRESIDENT. No quorum has voted. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Goff	Martine, N. J.	Sterling
Bacon	Hitchcock	Myers	Stone
Borah	Hollis	Norris	Sutherland
Brady	Hughes	O'Gorman	Swanson
Brandegee	Jackson	Overman	Thomas
Bristow	James	Page	Thornton
Bryan	Kenyon	Poindexter	Tillman
Burton	Kern	Pomerene	Vardaman
Chamberlain	La Follette	Reed	Walsh
Chilton	Lane	Shafroth	Weeks
Clapp	Lewis	Sheppard	Williams
Cummins	McCumber	Smith, Ariz.	
Dillingham	McLean	Smith, S. C.	
Fletcher	Martin, Va.	Smoot	

The VICE PRESIDENT. Fifty-three Senators have answered to their names. There is a quorum present.

Mr. SMOOT. May I ask what amendment is now pending?

The VICE PRESIDENT. The amendment proposed by the Senator from Ohio to the amendment of the Senator from Wisconsin.

Mr. SMOOT. I understood that the Senator from Ohio simply asked for a division. He did not ask for the yeas and nays.

The VICE PRESIDENT. No; he asked for a division; and a division disclosed the absence of a quorum.

Mr. SMOOT. The Chair has now announced that a quorum is present?

The VICE PRESIDENT. Yes.

Mr. SMOOT. Then would not the next amendment be in order, the amendment offered by the Senator from Vermont [Mr. PAGE]?

The VICE PRESIDENT. The Chair thinks that the amendment of the Senator from Ohio is undisposed of as yet.

Mr. LA FOLLETTE. It was disposed of by the vote on a division, unless the Senator from Ohio asks for a vote in some other form.

Mr. SMOOT. Yes; unless he now requests a yea-and-nay vote.

Mr. BACON. I understood that on the division no quorum voted, and therefore the Chair ordered a roll call, and the matter has not yet been disposed of. Before the amendment to the amendment is disposed of, I desire that it be again read to the Senate.

Mr. NORRIS. Mr. President, a parliamentary inquiry.

Mr. LA FOLLETTE. The amendment has been disposed of, unless the Senator from Ohio asks for another vote.

Mr. BACON. Not at all. He called for a division, and there has been no division. There was an attempt at a division, but it was not a success.

Mr. JAMES. I ask for the regular order, Mr. President.

The VICE PRESIDENT. The Senator from Nebraska [Mr. NORRIS] will state his parliamentary inquiry.

Mr. NORRIS. Perhaps technically it is not a parliamentary inquiry, but I wanted to call the attention of the Chair to what happened the other day, when a similar proceeding occurred. Upon a vote the want of a quorum was disclosed, and as I remember it the Chair decided that the motion was carried, and it was held that the motion had been finally disposed of.

Mr. BRANDEGEE. Mr. President, if I may be allowed to make a parliamentary inquiry, is not this the situation? On the call for a division by the Senator from Ohio there were 5 ayes and 26 noes, 31 in all, and the Chair announced that the vote disclosed that there was no quorum. If there was no quorum on the vote, of course it was not a vote. Where the record discloses that there was not a quorum present when a vote was taken it can not be a vote, and the question must be again put.

Mr. LA FOLLETTE. I ask for the submission of the question on the amendment to another viva voce vote.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Ohio to the amendment proposed by the Senator from Wisconsin.

Mr. BACON. Which I ask may be read.

Mr. BURTON. I ask for the yeas and nays on the amendment to the amendment. I think we will be more likely to develop a quorum in that way.

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The SECRETARY. The Senator from Ohio proposes the following amendment to the amendment proposed by the Senator from Wisconsin:

On page 2, as printed, line 13, strike out the word "either" and in lieu insert "the obligation of all the crew to take part in boat drills and fire drills or," so that if amended the clause will read:

"But these provisions shall not limit the obligation of all the crew to take part in boat drills and fire drills or the authority of the master or other officer or the obedience of the seamen when, in the judgment of the master or other officer, all the sailors or all the firemen or the whole crew is needed for the maneuvering of the vessel," etc.

Mr. SUTHERLAND. Mr. President, a parliamentary inquiry. Would it be in order now to ask for the reading of the amendment proposed by the Senator from Wisconsin upon this same subject of the fire drill?

The VICE PRESIDENT. The Chair will state that it is in order for any Senator to obtain any information he desires before voting.

Mr. SUTHERLAND. If it is in order, I should like to have that provision read.

Mr. BACON. I suggest that nothing is in order but to read the amendment and the paragraph as it would stand as amended, and that has been done.

Mr. JAMES and others. Let us vote.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

Mr. BURTON. On that I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER], which I transfer to the Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. GOFF (when his name was called). I have a general pair with the Senator from Alabama [Mr. BANKHEAD]. Not being advised as to how he would vote on this amendment, I shall withhold my vote.

Mr. KERN (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. BRADLEY]. In his absence I shall withhold my vote unless it is necessary to make a quorum.

Mr. O'GORMAN (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. GALLINGER]. I transfer that pair to the senior Senator from Maine [Mr. JOHNSON] and vote "yea."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from California [Mr. PERKINS]. As he is not present I will withhold my vote unless it is necessary to make a quorum.

Mr. REED (when his name was called). I have a pair with the Senator from Michigan [Mr. SMITH], which I transfer to the Senator from Oklahoma [Mr. OWEN] and vote "nay."

Mr. SHAFROTH (when his name was called). I have a pair with the junior Senator from California [Mr. WORKS]. I therefore withhold my vote unless I find it is necessary to vote in order to make a quorum.

Mr. SMITH of Arizona (when his name was called). I am likewise paired, being paired with the Senator from New Mexico [Mr. FALL]. I will not vote unless my vote is necessary to make a quorum. If it becomes necessary I shall vote; otherwise I will withhold my vote.

Mr. BACON (when the name of Mr. SMITH of Georgia was called). I desire to state that my colleague [Mr. SMITH] is necessarily absent, and that he is paired with the senior Senator from Massachusetts [Mr. LODGE.]

Mr. STERLING (when his name was called). I have a general pair with the Senator from Nevada [Mr. NEWLANDS] and will withhold my vote. I am not advised as to how the Senator from Nevada would vote on this amendment if he were present.

Mr. STONE (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. CLARK]. I transfer it to the junior Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. SUTHERLAND (when his name was called). I am paired with the Senator from Arkansas [Mr. CLARKE], who is absent. I transfer that pair to the Senator from North Dakota [Mr. GRONNA] and vote "nay."

Mr. TILLMAN (when his name was called). I am paired with the Senator from Wisconsin [Mr. STEPHENSON] and would observe that pair were not my vote necessary for a quorum. Realizing that my vote is necessary to secure a quorum, I vote "nay."

Mr. WALSH (when his name was called). I am paired with the senior Senator from Rhode Island [Mr. LIPPITT]. If I were at liberty to vote, I would vote "nay." I will withhold my vote to await the determination of the presence of a quorum.

Mr. WILLIAMS (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I telegraphed him this morning, but have not been able to reach him. I am informed by Capt. Stewart, in his office, that he thinks the Senator would be perfectly willing to relieve me from the pair on this particular vote. I therefore desire to vote. I vote "nay."

The roll call was concluded.

Mr. SMOOT. I have been requested to announce that the senior Senator from Kentucky [Mr. BRADLEY] has been called away from the Senate on account of illness. I ask that this announcement may stand for all votes during the day.

Mr. KERN. I desire to announce the following pairs:

The Senator from Kansas [Mr. THOMPSON] with the Senator from New Mexico [Mr. CATRON].

The Senator from Delaware [Mr. SAULSBURY] with the Senator from Rhode Island [Mr. COLT].

The Senator from Tennessee [Mr. LEA] with the Senator from South Dakota [Mr. CRAWFORD].

The Senator from Texas [Mr. CULBERSON] with the Senator from Delaware [Mr. DU PONT].

The Senator from Indiana [Mr. SHIVELY] with the Senator from Illinois [Mr. SHERMAN].

The Senator from Arkansas [Mr. ROBINSON] with the Senator from Michigan [Mr. TOWNSEND].

The result was announced—yeas 12, nays 36, as follows:

YEAS—12.

Bacon	Burton	Jackson	O'Gorman
Brandegee	Dillingham	McLean	Thornton
Bryan	Fletcher	Nelson	Weeks

NAYS—36.

Ashurst	Hollis	Martine, N. J.	Smith, S. C.
Borah	Hughes	Myers	Smoot
Brady	James	Norris	Stone
Bristow	Kenyon	Page	Sutherland
Chamberlain	La Follette	Pittman	Swanson
Chilton	Lane	Poindexter	Thomas
Clapp	Lewis	Pomerene	Tillman
Cummins	McCumber	Reed	Vardaman
Hitchcock	Martin, Va.	Sheppard	Williams

NOT VOTING—47.

Bankhead	Goff	Owen	Smith, Ariz.
Bradley	Gore	Penrose	Smith, Ga.
Burleigh	Gronna	Perkins	Smith, Md.
Catron	Johnson	Ransdell	Smith, Mich.
Clark, Wyo.	Jones	Robinson	Stephenson
Clarke, Ark.	Kern	Root	Sterling
Colt	Lea	Saulsbury	Thompson
Crawford	Lippitt	Shafroth	Townsend
Culberson	Lodge	Sherman	Walsh
du Pont	Newlands	Shields	Warren
Fall	Oliver	Shively	Works
Gallinger	Overman	Simmons	

So Mr. BURTON'S amendment to the amendment was rejected.

Mr. BACON. I now offer the amendment to the amendment which I send to the desk and of which I gave notice.

The VICE PRESIDENT. The Secretary will state the amendment to the amendment proposed by the Senator from Georgia.

The SECRETARY. It is proposed to amend the amendment of Mr. LA FOLLETTE by adding at the end thereof a new section, to be known as section 19, and to read:

SEC. 19. Nothing contained in this act shall be construed or operate to have the effect to abrogate, annul, or in any manner affect any part or provision of any treaty now in force between the United States and the Government of any other nation.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Georgia [Mr. BACON] to the amendment submitted by the Senator from Wisconsin [Mr. LA FOLLETTE]. [Putting the question.] The "noes" seem to have it.

Mr. BACON. I ask for the yeas and nays on that.

The yeas and nays were ordered.

Mr. REED. I ask to have a rereading of the amendment, Mr. President.

The VICE PRESIDENT. The amendment to the amendment will be again stated.

The Secretary again read the amendment to the amendment.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I transfer my general pair with the junior Senator from Pennsylvania [Mr. OLIVER] to the Senator from Oklahoma [Mr. GORE] and vote. I vote "nay."

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from Wyoming [Mr. WARREN]. I do not know how he would vote on this amendment if present, but I transfer that pair to the junior Senator from Louisiana [Mr. RANSDELL] and vote "nay."

Mr. KERN (when his name was called). I again announce my pair with the senior Senator from Kentucky [Mr. BRADLEY] and withhold my vote, unless it becomes necessary to make a quorum.

Mr. O'GORMAN (when his name was called). I again state that I have a pair with the senior Senator from New Hampshire [Mr. GALLINGER]. I transfer that pair to the senior Senator from Maine [Mr. JOHNSON] and vote "nay."

Mr. OVERMAN (when his name was called). I again announce my pair with the senior Senator from California [Mr. PERKINS]. Not knowing how he would vote if present I withhold my vote.

Mr. REED (when his name was called). I again transfer my pair, as heretofore announced, and vote "nay."

Mr. SHAFROTH (when his name was called). I have a pair with the junior Senator from the State of California [Mr. WORKS] and therefore withhold my vote. I have an agreement with him, however, that in the event that it is necessary to make a quorum I may vote. In that event I shall do so.

Mr. KERN (when Mr. SHIVELY'S name was called). I again announce the unavoidable absence from the city of my colleague [Mr. SHIVELY]. He is paired with the junior Senator from Illinois [Mr. SHERMAN].

Mr. SMITH of Arizona (when his name was called). I again announce my pair with the Senator from New Mexico [Mr. FALL], and under the privilege to vote in order to make a quorum I vote "nay."

Mr. STERLING (when his name was called). I have a pair with the senior Senator from Nevada [Mr. NEWLANDS] and therefore withhold my vote.

Mr. SUTHERLAND (when his name was called). I again announce my pair with the Senator from Arkansas [Mr. CLARKE] and transfer it to the Senator from North Dakota [Mr. GRONNA] and vote. I vote "nay."

Mr. WALSH (when his name was called). I again announce my pair with the senior Senator from Rhode Island [Mr. LIPPITT]. If I were permitted to vote, I should vote "nay."

Mr. WILLIAMS (when his name was called). Repeating the announcement made by me at the last roll call, I vote "nay."

The roll call was concluded.

Mr. KERN. In order to make a quorum, I will exercise my privilege of voting and vote "nay."

The result was announced—yeas 15, nays 33, as follows:

YEAS—15.

Bacon	Bryan	Jackson	Smith, S. C.
Borah	Burton	McLean	Smoot
Brandegee	Dillingham	Nelson	Weeks
Bristow	Hitchcock	Page	

NAYS—33.

Ashurst	James	Myers	Sutherland
Brady	Kenyon	Norris	Swanson
Chamberlain	Kern	O'Gorman	Thomas
Chilton	La Follette	Pittman	Thornton
Clapp	Lane	Poindexter	Vardaman
Cummins	Lewis	Pomerene	Williams
Fletcher	McCumber	Reed	
Hollis	Martin, Va.	Sheppard	
Hughes	Martine, N. J.	Smith, Ariz.	

NOT VOTING—47.

Bankhead	Goff	Penrose	Smith, Md.
Bradley	Gore	Perkins	Smith, Mich.
Burleigh	Gronna	Ransdell	Stephenson
Catron	Johnson	Robinson	Sterling
Clark, Wyo.	Jones	Root	Stone
Clarke, Ark.	Lea	Saulsbury	Thompson
Colt	Lippitt	Shafroth	Tillman
Crawford	Lodge	Sherman	Townsend
Culberson	Newlands	Shields	Walsh
du Pont	Oliver	Shively	Warren
Fall	Overman	Simmons	Works
Gallinger	Owen	Smith, Ga.	

So the amendment of Mr. BACON to the amendment of Mr. LA FOLLETTE was rejected.

Mr. BURTON. I offer the amendment which I send to the desk as an amendment to the proposed substitute.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. In the amendment proposed by the Senator from Wisconsin, on page 16, line 2, after the word "rivers," it is proposed to insert the words "lakes, bays," so as to read:

Except those navigating rivers, lakes, bays, and harbors exclusively.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Ohio to the amendment of the Senator from Wisconsin.

The amendment to the amendment was rejected.

Mr. FLETCHER. I suggest an amendment to the substitute proposed by the Senator from Wisconsin, and that is to strike out section 18. The matter covered by that section is already taken care of in section 15, and it is unnecessary and would be confusing, I think. So I move to strike out section 18. By referring to section 15 it will be seen that section 5280 of the Revised Statutes is repealed in that section.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. In the amendment of the Senator from Wisconsin it is proposed to strike out the last section, which reads as follows:

SEC. 18. That section 5280, Revised Statutes, except as hereinbefore provided, be, and the same is hereby, repealed.

Mr. LA FOLLETTE. May I merely make an inquiry of the Senator from Florida, who did speak to me about that amendment? I have been looking at it since, and it will be observed that section 18 of the proposed substitute is not exactly the same in phraseology as the provision in section 15 to which the Senator from Florida has referred, although they relate to the same section of the Revised Statutes. The lines in section 15 provide:

And thereupon so much of sections 4081 and 5280 of the Revised Statutes as relates to the arrest or imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of foreign nations in the United States and Territories and possessions thereof, and for the cooperation, aid, and protection of competent legal authorities in effecting such arrest or imprisonment, shall be, and is hereby, repealed.

While the two lines at the end of the section repeal all of section 5280, I have not the section before me, and I am not sure whether it is necessary to have the entire section repealed in order to make it accomplish everything that is sought to be accomplished by this bill.

Mr. BACON. Mr. President, I would have been very glad if I had been allowed an opportunity to say as much in regard to the amendment which I offered as Senators are now saying in explanation of what is going on. Strictly——

The VICE PRESIDENT. The Chair has been waiting for some Senator to object.

Mr. FLETCHER. Perhaps it will do no harm to let the section remain in, and I withdraw the amendment.

Mr. LA FOLLETTE. I think I will do no harm.

Mr. WILLIAMS. I rise to a point of order. The unanimous-consent agreement was that we would begin to vote at 4 o'clock without debate, and I think any remarks of explanation or of rejoinder are out of order. I make that point of order.

The VICE PRESIDENT. The point of order is sustained by the Chair. The Chair has been waiting for some Senator to make the point.

Mr. WILLIAMS. I made the point, I will say to the Senator from Georgia, as soon as I found it was necessary.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Wisconsin.

Mr. PAGE. I offer the amendment which I sent to the desk some time ago, and ask to have it read and acted upon before the vote is taken on the proposed substitute.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 15, line 15, of the proposed substitute, after the word "exclusively," it is proposed to insert "and the smaller inland lakes where the line of travel pursued is at no point more than 3½ miles from land," and also on page 16,

line 2, after the word "harbors," to insert "and the smaller inland lakes as hereinbefore specified."

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Vermont to the amendment proposed by the Senator from Wisconsin.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question recurs on the amendment proposed by the Senator from Wisconsin as amended.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADJOURNMENT TO MONDAY.

Mr. KERN. I move that when the Senate adjourns to-day it adjourn until Monday next at 12 o'clock meridian.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 50 minutes p. m.) the Senate adjourned until Monday, October 27, 1913, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate October 23, 1913.

COLLECTOR OF INTERNAL REVENUE.

John W. Hughes, of Kentucky, to be collector of internal revenue for the eighth district of Kentucky in place of Winston W. Wiseman, superseded.

ASSISTANT COMMISSIONER OF INDIAN AFFAIRS.

Edgar B. Meritt, of Arkansas, to be Assistant Commissioner of Indian Affairs, vice Fred H. Abbott, resigned.

PROMOTION IN THE NAVY.

Commander Ridley McLean to be Judge Advocate General of the Navy, with the rank of captain, for a period of four years from the 5th day of November, 1913.

CONFIRMATIONS.

Executive nominations confirmed by the Senate October 23, 1913.

COLLECTOR OF INTERNAL REVENUE.

John W. Hughes to be collector of internal revenue for the eighth district of Kentucky.

ASSISTANT COMMISSIONER OF INDIAN AFFAIRS.

Edgar B. Meritt to be Assistant Commissioner of Indian Affairs.

POSTMASTERS.

CALIFORNIA.

Ada Ainscough, Banning.
Thomas E. Ferris, East San Diego.
Edward I. Leake, Woodland.

CONNECTICUT.

Patrick T. Oates, Sangatuck.

INDIANA.

Benjamin A. Batson, Bluffton.
W. P. Van Arsdall, Fairmount.

LOUISIANA.

Willie Harris, Homer.
Maurice C. Wilson, Hammond.

NEW MEXICO.

Malcolm Cameron, San Marcial.
John A. Haley, Carrizozo.
Susano Ortiz, Las Vegas.
Susan S. Pace, Clayton.

NORTH DAKOTA.

P. J. Bott, Marmarth.
D. J. Drummond, Esmond.
Theodore F. Huston, Deering.

OKLAHOMA.

A. C. Smith, Ponca City (late Ponca).

SOUTH DAKOTA.

Alexander H. Rogers, Newell.

HOUSE OF REPRESENTATIVES.

THURSDAY, *October 23, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, be very near to us that we may be guided by Thy councils in all the affairs of life, especially as we thus assemble for the duties of the hour, that we may quit ourselves like men, receive Thy benediction, and be prepared for whatever may follow in our wake, assured that Thy good will and pleasure wait on the faithful. And all praise shall be Thine for ever and ever. Amen.

The Journal of the proceedings of yesterday was read and approved.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. There are a couple of messages to be presented.

Mr. JOHNSON of Kentucky. Then I will withhold my motion.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 142. Joint resolution to provide for furnishing the additional rooms to the House Office Building.

The message also announced that the Senate had passed a Senate joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 74. Joint resolution appropriating money for the payment of certain claims on account of labor, supplies, materials, and cash furnished in the construction of the Corbett Tunnel.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills and joint resolutions of the following titles:

On October 16, 1913:

H. J. Res. 132. Joint resolution authorizing the Secretary of Agriculture to make an exhibit at the Sixth National Corn Exposition, to be held at Dallas, Tex., during the month of February, 1914.

On October 22, 1913:

H. R. 7898. An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes;

H. J. Res. 125. Joint resolution authorizing the President to appoint delegates to attend the Seventh International Congress of the World's Purity Federation, to be held in the city of Minneapolis, State of Minnesota, November 7 to 12, 1913; and

H. J. Res. 134. Joint resolution for the appointment of a joint committee from the House and Senate to attend Congress Hall celebration in Philadelphia in October, 1913.

On October 23, 1913:

S. 767. An act granting permission to the city of Marshfield, Oreg., to close Mill Slough, in said city.

VETO MESSAGE—ADOLPH UNGER (H. DOC. NO. 260).

The SPEAKER laid before the House the following message from the President of the United States, which was read

To the House of Representatives:

I return herewith without my approval House joint resolution No. 111, entitled "Joint resolution to authorize the reinstatement of Adolph Unger as a cadet in the United States Military Academy." I regret to do this, but I deem it my duty. I have the greatest sympathy and admiration for young men like Mr. Unger who seek, in spite of difficulties, to show their mettle; but I am convinced, upon careful inquiry, that he can not, with his present preparation, advantageously continue his course at the West Point Military Academy, and that his reinstatement would, in the circumstances, be subversive of the proper discipline of the academy.

WOODROW WILSON.

THE WHITE HOUSE, *October 22, 1913.*

The joint resolution referred to is as follows:

Joint resolution (H. J. Res. 111) to authorize the reinstatement of Adolph Unger as a cadet in the United States Military Academy

Resolved, etc., That the President be, and he is hereby, authorized to reinstate Adolph Unger as a cadet in the United States Military Academy: *Provided*, That nothing in this resolution shall operate to increase the number of cadets now allowed by law at the United States Military Academy.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 142. Joint resolution to provide for furnishing the additional rooms in the House Office Building.

CONGRESS HALL CELEBRATION, PHILADELPHIA, PA.

The SPEAKER. The Chair lays before the House a list of the members of the committee selected to go to Philadelphia on Saturday to attend the Congress Hall celebration. The Chair wishes to state in that connection that he has had a good deal of trouble in making up that list. He tried to get one Member from each State, and tried to even up as far as possible the proportion of Democrats and Republicans, but in a good many States there were no Republicans, and several who were understood to desire to go were suggested, but declined, and others were selected, and so on. The Chair did the best he could. If there is any Republican here from Massachusetts I would like to appoint him. I appointed Mr. GILLETT, and he could not go. He was the ranking Member. Does the gentleman from Illinois [Mr. MANN] know of any Republican from Massachusetts who is in town?

Mr. MANN. Mr. ROGERS was here yesterday.

Mr. HARDWICK. Mr. ROBERTS of Massachusetts is in town, I believe.

The SPEAKER. The Clerk will add the name of Mr. SMITH of Idaho. Mr. FRENCH was appointed, and could not go. He is out of town. The Clerk will also add the name of Mr. ROBERTS of Massachusetts. Of course we did not want to appoint them all from one State, and in some instances whole State delegations are out of town. The Clerk will announce the list.

The Clerk read as follows:

Alabama: Oscar W. Underwood.
Arizona: Carl Hayden.
Arkansas: W. A. Oldfield.
California: John E. Raker.
Colorado: Edward Keating.
Connecticut: Thomas L. Reilly.
Delaware: Franklin Brockson.
Florida: S. M. Sparkman.
Georgia: Thomas W. Hardwick.
Idaho: Addison T. Smith.
Illinois: Frank Buchanan and James R. Mann.
Indiana: F. H. Gray.
Iowa: S. Kirkpatrick and Frank P. Woods.
Kansas: Joseph Taggart.
Kentucky: Ben Johnson.
Louisiana: J. R. Aswell.
Maryland: J. C. Linthicum
Massachusetts: William F. Murray and Ernest W. Roberts.
Michigan: Frank E. Doremus and Samuel W. Smith.
Maine: Asher C. Hinds.
Minnesota: W. S. Hammond, Charles A. Lindbergh, and Halvor Steenerson.
Mississippi: Ezekiel S. Candler, jr.
Missouri: Champ Clark and L. C. Dyer.
Montana: Tom Stout.
Nebraska: C. O. Lobeck.
Nevada: E. E. Roberts.
New Hampshire: E. E. Reed.
New Jersey: J. Thompson Baker.
New York: William M. Calder, John J. Fitzgerald, and Sereno E. Payne.
North Carolina: Robert L. Doughton and Edward W. Pou.
North Dakota: H. T. Helgesen
Ohio: Simeon D. Fess and Clement Brumbaugh.
Oregon: William C. Hawley and A. Walter Lafferty.
Pennsylvania: William S. Vare, George S. Graham, J. Hampton Moore, George W. Edmonds, Michael Donohoe, J. W. Logue, Robert E. Lee, and John H. Rothermel.
Rhode Island: George F. O'Shaunessy.
South Carolina: Wyatt Aiken.
South Dakota: Charles H. Burke.
Tennessee: Cordell Hull.
Texas: Alexander W. Gregg.
Utah: Joseph Howell.
Vermont: Frank L. Greene.
Virginia: C. Bascom Slemp.
Washington: Albert Johnson.
West Virginia: William G. Brown, jr.
Wisconsin: H. A. Cooper and John M. Nelson.

ADJOURNMENT FROM FRIDAY UNTIL MONDAY.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent for the present consideration and adoption of the motion that when the House adjourns to-morrow it adjourn to meet on Monday.

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON] asks unanimous consent that when the House adjourns to-morrow it adjourn to meet next Monday. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

ADJOURNMENT.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON] moves that the House do now adjourn. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the "ayes" seemed to have it.

Mr. MANN. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks for the yeas and nays. Those in favor of taking the vote by yeas and nays will rise and stand until they are counted. [After counting.] Evidently a sufficient number, and the Clerk will call the roll.

The question was taken; and there were—yeas 75, nays 31, answered "present" 12, not voting 310, as follows.

YEAS—75.

Abercrombie	Dershem	Hughes, Ga.	Raker
Aiken	Donohoe	Hull	Rauch
Aswell	Donovan	Humphreys, Miss.	Reilly, Conn.
Barkley	Doughton	Jacoway	Rothermel
Beakes	Estopinal	Johnson, Ky.	Russell
Beall, Tex.	Evans	Keating	Sims
Bell, Ga.	Falconer	Kirkpatrick	Sisson
Brockson	Fergusson	Lee, Ga.	Small
Brodbeck	Flood, Va.	Lee, Pa.	Stephens, Miss.
Brumbaugh	Garrett, Tex.	Lesher	Stone
Buchanan, Ill.	George	Lloyd	Stout
Buchanan, Tex.	Glass	McAndrews	Taggart
Byrns, Tenn.	Gray	McCoy	Tavenner
Candler, Miss.	Hamlin	McDermott	Ten Eyck
Church	Hammond	Maguire, Nebr.	Thomas
Cox	Hay	Oldfield	Walker
Crosser	Hayden	O'Leary	Watkins
Deitrick	Henry	Page	Young, Tex.
Dent	Hensley	Pepper	

NAYS—31.

Anderson	Fowler	Kindel	Powers
Austin	Frear	Lafferty	Roberts, Mass.
Avis	Greene, Vt.	La Follette	Sinnott
Barton	Hawley	Lindbergh	Smith, Idaho
Bell, Cal.	Johnson, Utah	Lindquist	Steenerson
Browne, Wis.	Johnson, Wash.	Macdonald	Sutherland
Campbell	Kennedy, Iowa	Manahan	Towner
Dyer	Kless, Pa.	Patton, Pa.	

ANSWERED "PRESENT"—12.

Adamson	Crisp	Logue	Sherwood
Cary	Doremus	Mann	Slayden
Cooper	Hardwick	Morrison	Smith, Minn.

NOT VOTING—310.

Adair	Edmonds	Kettner	Reilly, Wis.
Ainey	Edwards	Key, Ohio	Richardson
Alexander	Elder	Kinkead, Nebr.	Riordan
Allen	Esch	Kinkead, N. J.	Roberts, Nev.
Ansberry	Fairchild	Kitchin	Rogers
Anthony	Falson	Knowland, J. R.	Rouse
Ashbrook	Farr	Konop	Rubey
Bailey	Ferris	Korbly	Rucker
Baker	Fess	Kreider	Rupley
Baltz	Fields	Langham	Sabath
Barchfeld	Finley	Langley	Saunders
Barnhart	Fitzgerald	Lazaro	Scott
Bartholdt	Fitzhenry	Lenroot	Scully
Bartlett	Floyd, Ark.	Levy	Seldomridge
Bathrick	Fordney	Lever	Sells
Blackmon	Foster	Lewis, Md.	Shackleford
Booher	Francis	Lewis, Pa.	Sharp
Borchers	French	Lieb	Sherley
Borland	Gallagher	Linthicum	Shreve
Bowdle	Gard	Loft	Slemp
Bremner	Gardner	Lonergan	Sloan
Britten	Garner	McClellan	Smith, J. M. C.
Broussard	Garrett, Tenn.	McGillicuddy	Smith, Md.
Brown, N. Y.	Gerry	McGuire, Okla.	Smith, N. Y.
Brown, W. Va.	Gillett	McKellar	Smith, Tex.
Browning	Gilmore	McKenzie	Sparkman
Bruckner	Glittins	McLaughlin	Stafford
Bryan	Godwin, N. C.	Madden	Stanley
Bulkley	Gooke	Mahan	Stedman
Burgess	Goldfogle	Maher	Stephens, Cal.
Burke, Pa.	Good	Mapes	Stephens, Nebr.
Burke, S. Dak.	Goodwin, Ark.	Martin	Stephens, Tex.
Burke, Wis.	Gordon	Merritt	Stevens, Minn.
Burnett	Gorman	Metz	Stevens, N. H.
Butler	Goulden	Miller	Stringer
Byrnes, S. C.	Graham, Ill.	Mitchell	Sumners
Calder	Graham, Pa.	Mondell	Switzer
Callaway	Green, Iowa	Montague	Talbott, Md.
Cantrill	Greene, Mass.	Moon	Talcott, N. Y.
Caraway	Gregg	Moore	Taylor, Ala.
Carew	Griest	Morgan, La.	Taylor, Ark.
Carlin	Griffin	Morgan, Okla.	Taylor, Colo.
Carr	Gudger	Morin	Taylor, N. Y.
Carter	Guernsey	Moss, Ind.	Temple
Casey	Hamill	Moss, W. Va.	Thacher
Chandler, N. Y.	Hamilton, Mich.	Mott	Thompson, Okla.
Clancy	Hamilton, N. Y.	Murdock	Thomson, Ill.
Clark, Fla.	Hardy	Murray, Mass.	Townsend
Claypool	Harrison	Murray, Okla.	Treadway
Clayton	Hart	Neeley	Tribble
Cline	Hauzen	Nelson	Tuttle
Collier	Hayes	Nolan, J. I.	Underhill
Connelly, Kans.	Heflin	Norton	Underwood
Connolly, Iowa	Helgesen	O'Brien	Vare
Conry	Helm	Oglesby	Vaughan
Copley	Helvering	O'Hair	Volstead
Covington	Hill	O'Shaunessy	Wallin
Cramton	Hinds	Padgett	Walsh
Cullop	Hinebaugh	Palmer	Walters
Curley	Holson	Parker	Watson
Curry	Holland	Patten, N. Y.	Weaver
Dale	Houston	Payne	Webb
Danforth	Howard	Peters, Mass.	Whaley
Davenport	Howell	Peters, Me.	Whitacre
Davis	Hoxworth	Peterson	White
Decker	Hughes, W. Va.	Phelan	Williams
Dickinson	Hulings	Platt	Willis
Dies	Humphrey, Wash.	Plumley	Wilson, Fla.
Difenderfer	Igoe	Porter	Wilson, N. Y.
Dillon	Johnson, S. C.	Post	Wingo
Dixon	Jones	Pou	Winslow
Dooling	Kahn	Prouty	Witherspoon
Doolittle	Keister	Quin	Woodruff
Driscoll	Kelley, Mich.	Ragsdale	Woods
Dunn	Kelly, Pa.	Rainey	Young, N. Dak.
Dupré	Kennedy, Conn.	Rayburn	
Eagan	Kennedy, R. I.	Reed	
Eagle	Kent		

So the motion to adjourn was agreed to.

The Clerk announced the following pairs:
For the session:
Mr. SLAYDEN with Mr. BARTHOLDT.
Mr. SCULLY with Mr. BROWNING.
Mr. METZ with Mr. WALLIN.
Mr. HOBSON with Mr. FAIRCHILD.
Mr. BARTLETT with Mr. BUTLER.
Mr. ADAMSON with Mr. STEVENS of Minnesota.
Mr. UNDERWOOD with Mr. MANN.
Until further notice:
Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1).
Mr. ASHBROOK with Mr. KAHN.
Mr. BALTZ with Mr. SHREVE.
Mr. BLACKMON with Mr. BARCHFELD.
Mr. BORLAND with Mr. KEISTER.
Mr. BREMNER with Mr. GILLETT.
Mr. BOWDLE with Mr. MOSS of West Virginia.
Mr. BURNETT with Mr. HAYES.
Mr. BROUSSARD with Mr. KELLEY of Michigan.
Mr. BATHRICK with Mr. KELLY of Pennsylvania.
Mr. BROWN of West Virginia with Mr. KREIDER.
Mr. BURKE of Wisconsin with Mr. CARY.
Mr. COLLIER with Mr. WOODS.
Mr. CLAYTON with Mr. MONDELL.
Mr. CLAYPOOL with Mr. BRYAN.
Mr. CANTRILL with Mr. HELGESEN.
Mr. CARAWAY with Mr. KENNEDY of Rhode Island.
Mr. CRISP with Mr. HINDS (transferable).
Mr. CLANCY with Mr. HAMILTON of New York.
Mr. COVINGTON with Mr. MILLER.
Mr. CARTER with Mr. MCGUIRE of Oklahoma.
Mr. CLINE with Mr. NORTON (commencing Oct. 1).
Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.
Mr. DECKER with Mr. MOORE.
Mr. DIES with Mr. SWITZER.
Mr. DUPRÉ with Mr. ANTHONY.
Mr. CURLEY with Mr. J. R. KNOWLAND.
Mr. FRANCIS with Mr. HUGHES of West Virginia.
Mr. FITZGERALD with Mr. CALDER.
Mr. FERRIS with Mr. SELLS.
Mr. FIELDS with Mr. LANGLEY.
Mr. FAISON with Mr. CURRY.
Mr. FINLEY with Mr. GREEN of Iowa.
Mr. GILMORE with Mr. MCKENZIE.
Mr. GARD with Mr. PLUMLEY.
Mr. GERRY with Mr. DAVIS.
Mr. GOODWIN of Arkansas with Mr. PORTER.
Mr. GRAHAM of Illinois of Mr. PETERS of Maine.
Mr. GARNER with Mr. J. I. NOLAN.
Mr. GORDON with Mr. THOMSON of Illinois.
Mr. GARRETT of Tennessee with Mr. LANGHAM.
Mr. HEFLIN with Mr. DUNN.
Mr. HARRISON with Mr. GRAHAM of Pennsylvania.
Mr. HOXWORTH with Mr. ROBERTS of Nevada.
Mr. HOWARD with Mr. GRIEST.
Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).
Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).
Mr. HOUSTON with Mr. WILLIS.
Mr. GOEKE with Mr. LEWIS of Pennsylvania.
Mr. IGOE with Mr. PROUTY.
Mr. JONES with Mr. HINEBAUGH.
Mr. KITCHIN with Mr. PAYNE.
Mr. KEY of Ohio with Mr. FARR.
Mr. KONOP with Mr. MORIN.
Mr. KETTNER with Mr. SCOTT.
Mr. LAZARO with Mr. NELSON.
Mr. LONERGAN with Mr. ROGERS.
Mr. MCGILLICUDDY with Mr. GUERNSEY.
Mr. MONTAGUE with Mr. VARE.
Mr. MOON with Mr. DILLON.
Mr. MORGAN of Louisiana with Mr. HULINGS.
Mr. MORRISON with Mr. HUMPHREY of Washington.
Mr. MCKELLAR with Mr. MOTT.
Mr. PALMER with Mr. COPLEY.
Mr. PETERSON with Mr. PLATT (commencing Oct. 13).
Mr. PHELAN with Mr. SMITH of Minnesota.
Mr. POST with Mr. MURDOCK.
Mr. RAINEY with Mr. MADDEN.
Mr. RUCKER with Mr. HAUGEN.
Mr. THOMPSON of Oklahoma with Mr. DANFORTH.
Mr. ROUSE with Mr. RUPLEY.
Mr. RICHARDSON with Mr. MARTIN.
Mr. RUBEY with Mr. TREADWAY.
Mr. SHARP with Mr. YOUNG of North Dakota.
Mr. SHERWOOD with Mr. SAMUEL W. SMITH.
Mr. SHERLEY with Mr. COOPER (commencing Oct. 23 until Nov. 15.)
Mr. SPARKMAN with Mr. HOWELL.
Mr. SUMNERS with Mr. ESCH.
Mr. SAUNDERS with Mr. AINEY.
Mr. SMITH of Texas with Mr. MCLAUGHLIN.
Mr. STEDMAN with Mr. FRENCH.
Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.
Mr. STEPHENS of Nebraska with Mr. SLOAN.
Mr. TAYLOR of Arkansas with Mr. SUTHERLAND.
Mr. TALBOTT of Maryland with Mr. MERRITT.
Mr. UNDERHILL with Mr. WALTERS.
Mr. WATSON with Mr. CRAMTON.
Mr. WHITACRE with Mr. TEMPLE.
Mr. WILLIAMS with Mr. BRITTEN.
Mr. WEBB with Mr. WOODRUFF.
Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).
Mr. WINGO with Mr. PARKER.
Mr. WEAVER with Mr. BURKE of Pennsylvania.
Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).
Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).
Mr. REED with Mr. WINSLOW (commencing Oct. 1 for remainder of extra session).
Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, 1913, except on cotton-futures amendment).
Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, ending balance of session).

Mr. COOPER. Mr. Speaker, I desire to change my vote. I am paired with the gentleman from Kentucky, Mr. SHERLEY. I voted "no." I withdraw my vote and wish to be recorded present.

Mr. SMITH of Minnesota. Mr. Speaker, I voted "no." I am paired with the gentleman from Massachusetts, Mr. PHELAN. I wish to withdraw my vote and to be recorded present.

Mr. MANN. I voted "no," but I am paired with the gentleman from Alabama, Mr. UNDERWOOD, and I desire to vote "present."

The result of the vote was announced as above recorded.

Accordingly (at 12 o'clock and 40 minutes p. m.) the House adjourned until Friday, October 24, 1913, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on examination of Darien River, Conn. (H. Doc. No. 258); to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on examination of Conoby Creek, N. C. (H. Doc. No. 259); to the Committee on Rivers and Harbors and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WALKER: A bill (H. R. 9010) providing for the purchase of a site and erection of a public building at Nashville, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9011) providing for the purchase of a site and erection of a public building for post-office purposes at Blackshear, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9012) providing for the purchase of a site and erection of a public building for post-office purposes at Ocilla, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9013) providing for the purchase of a site and erection of a public building at Jesup, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9014) providing for the purchase of a site and erection of a public building at Baxley, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9015) providing for the purchase of a site and erection of a public building at Hazlehurst, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. GEORGE: A bill (H. R. 9016) to assess benefits for the opening, extension, widening, and straightening of alleys and minor streets in the District of Columbia; to the Committee on the District of Columbia.

By Mr. RAKER: A bill (H. R. 9017) transferring the control and jurisdiction of Alcatraz Island and its buildings thereon from the Department of War to the Department of Labor; to the Committee on Military Affairs.

Also, a bill (H. R. 9018) to amend an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913; to the Committee on Ways and Means.

Also, a bill (H. R. 9019) establishing bonded repacking Tahiti vanilla bean warehouses, and providing for the bonds for those using such warehouses, and for other purposes; to the Committee on Ways and Means.

By Mr. EDMONDS: A bill (H. R. 9020) appropriating $642,000 for improvements at Frankford Arsenal, Philadelphia, Pa.; to the Committee on Military Affairs.

By Mr. PETERS of Massachusetts: A bill (H. R. 9021) to provide for the erection of a statue to Napoleon Bonaparte; to the Committee on the Library.

By Mr. KALANIANAOLE: A bill (H. R. 9022) to ratify, approve, and confirm an act duly enacted by the Legislature of the Territory of Hawaii relating to the franchise of the Honolulu Rapid Transit & Land Co., extending such franchise and otherwise amending the laws relating thereto; to the Committee on the Territories.

By Mr. MANN: Concurrent resolution (H. Con. Res. 21) providing for printing House Document No. 1236; to the Committee on Printing.

By Mr. CARY: Resolution (H. Res. 292) requesting information from the Commissioners of the District of Columbia concerning charges made by the American Telegraph & Telephone Co.; to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARY: A bill (H. R. 9023) granting a pension to Henry M. Libbey; to the Committee on Pensions.

Also, a bill (H. R. 9024) granting an increase of pension to John L. Doyle; to the Committee on Pensions.

By Mr. DRISCOLL: A bill (H. R. 9025) granting a pension to Katherine Banzhaf; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9026) granting a pension to Louise Lee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9027) granting a pension to Fred J. Bruce; to the Committee on Pensions.

Also, a bill (H. R. 9028) granting a pension to Emile Waldmann; to the Committee on Pensions.

Also, a bill (H. R. 9029) granting a pension to Michael Eller; to the Committee on Pensions.

Also, a bill (H. R. 9030) granting an increase of pension to Alonzo Sidman; to the Committee on Invalid Pensions.

By Mr. J. M. C. SMITH: A bill (H. R. 9031) granting a pension to Elton L. Howe; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the Merchants' Association of Honolulu, relative to the franchise of the Honolulu Rapid Transit & Land Co., etc.; to the Committee on Insular Affairs.

HOUSE OF REPRESENTATIVES.

FRIDAY, *October 24, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

In the faith and confidence of the world's great Exemplar we would approach Thee, O God, the Father of all men, that we may be wise in our generation, following in the wake of those who have gained for themselves imperishable glory by deeds of heroism and sacrifice in everything that pertains to the welfare and larger life of mankind; for he that loveth not his brother whom he hath seen, how can he love God whom he hath not seen. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 136. An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea.

CONTINENTAL HALL CELEBRATION.

The SPEAKER. The Chair will add the name of Mr. PETERS of Maine to the committee to attend Continental Hall celebration; also the name of Mr. SMALL in place of that of Mr. POU, who announces his inability to attend.

WITHDRAWAL OF PAPERS.

Mr. DYER, by unanimous consent, was given leave to withdraw from the files of the House, without leaving copies, the papers in the case of Joseph Moore (H. R. 2576, 63d Cong., 1st sess.), no adverse report having been made thereon.

ADOLPH UNGER.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Was any action taken yesterday in reference to the veto message?

The SPEAKER. No; the Chair kept that on the Speaker's table, as he did not know who was particularly interested in it. The Chair thinks the Constitution really contemplates immediate action on a veto message as soon as it comes in, but that has not been the practice.

Mr. MANN. The practice usually has been to refer the message, with accompanying documents, to the committee.

The SPEAKER. Yes; and the Chair will refer the message and bill to the Committee on Military Affairs.

ADJOURNMENT.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

Mr. KINDEL. Mr. Speaker, if the gentleman will withhold that motion, I want to ask the Chair a question for information. I want to find out why it is that some of us are kept here and told that warrants are sent out to bring others back, and yet the papers at home say that my colleague, Mr. SELDOMRIDGE, says that he will not return to Washington for some time. [Cries of "Regular order!"]

The SPEAKER. The gentleman from Colorado does not present any question of privilege.

Mr. KINDEL. But I want to know why I am kept here.

The SPEAKER. The Chair can not tell the gentleman.

Mr. KINDEL. Then, Mr. Speaker, I want to be excused for 30 days.

The SPEAKER. The gentleman from Colorado asks unanimous consent for leave of absence for 30 days. Is there objection?

Mr. MANN. Mr. Speaker, I think too much of the gentleman from Colorado to allow him to go.

The SPEAKER. The gentleman from Illinois objects.

Mr. KINDEL. I say it is a farce the way the Republican leader [Mr. MANN] pairs off with the Democratic leader [Mr. UNDERWOOD] and gives others permission to go home and keeps me here. [Laughter.]

The SPEAKER. The Chair will take the liberty of suggesting to the gentleman from Colorado that things sometimes get into the newspapers that are not exactly so.

Mr. KINDEL. I can substantiate what I say, because the Sergeant at Arms confirmed having sent out telegrams to that effect.

The SPEAKER. Then the gentleman's quarrel is with the Sergeant at Arms. The question is on the motion of the gentleman from Kentucky that the House do now adjourn.

Mr. MANN. And on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 67, nays 39, answered "present" 15, not voting 317, as follows:

YEAS—67.

Abercrombie	Doremus	Humphreys, Miss.	Raker
Aiken	Doughton	Jacoway	Rauch
Aswell	Evans	Johnson, Ky.	Reilly, Conn.
Beakes	Fergusson	Kindel	Rothermel
Bell, Ga.	Flood, Va.	Kirkpatrick	Russell
Brockson	Foster	Lee, Ga.	Sims
Brodbeck	Garrett, Tex.	Lee, Pa.	Small
Brumbaugh	Gray	Lesher	Stephens, Miss.
Buchanan, Ill.	Hamlin	Lloyd	Stone
Buchanan, Tex.	Hammond	Lobeck	Stout
Byrns, Tenn.	Hay	McAndrews	Taggart
Candler, Miss.	Hayden	McCoy	Tavenner
Church	Helm	McDermott	Ten Eyck
Crosser	Henry	Maguire, Nebr.	Thomas
Dent	Hensley	Oldfield	Watkins
Dershem	Hughes, Ga.	Page	Young, Tex.
Donohoe	Hull	Pepper	

NAYS—29.

Anderson	Fowler	La Follette	Roberts, Mass.
Austin	Frear	Lindbergh	Sharp
Ayres	Greene, Vt.	Lindquist	Sinnott
Barton	Hawley	MacDonald	Smith, Idaho
Bell, Cal.	Johnson, Utah	Manahan	Towner
Campbell	Johnson, Wash.	Moore	
Donovan	Kennedy, Iowa	Nelson	
Dyer	Lafferty	Patton, Pa.	

ANSWERED "PRESENT"—15.

Adamson	Falconer	Mann	Talbott, Md.
Carr	Hardwick	Morrison	Walters
Cooper	Holland	Slayden	Woods
Deitrick	Logue	Smith, Minn.	

NOT VOTING—317.

Adair	Dupré	Kennedy, R. I.	Reilly, Wis.
Ainey	Eagan	Kent	Richardson
Alexander	Eagle	Kettner	Riordan
Allen	Edmonds	Key, Ohio	Roberts, Nev.
Ansberry	Edwards	Kiess, Pa.	Rogers
Anthony	Elder	Kinkaid, Nebr.	Rouse
Ashbrook	Esch	Kinkead, N. J.	Rubey
Bailey	Estopinal	Kitchin	Rucker
Baker	Fairchild	Knowland, J. R.	Rupley
Baltz	Faison	Konop	Sabath
Batchfeld	Farr	Korbly	Saunders
Barkley	Ferris	Kreider	Scott
Barnhart	Fess	Lamham	Scully
Bartholdt	Fields	Langley	Seldomridge
Bartlett	Finley	Lazaro	Sells
Bathrick	Fitzgerald	L'Engle	Shackleford
Bell, Tex.	FitzHenry	Lenroot	Sherley
Blackmon	Floyd, Ark.	Lever	Sherwood
Booher	Fordney	Lewy	Shreve
Borchers	Francis	Lewis, Md.	Sisson
Borland	French	Lewis, Pa.	Slemp
Bowdle	Gallagher	Lieb	Sloan
Brenner	Gard	Linthicum	Smith, J. M. C.
Britten	Gardner	Lonergan	Smith, Md.
Broussard	Garner	McClellan	Smith, N. Y.
Brown, N. Y.	Garrett, Tenn.	McGillicuddy	Smith, Saml. W.
Brown, W. Va.	George	McGuire, Okla.	Smith, Tex.
Browne, Wis.	Gerry	McKellar	Sparkman
Browning	Gillett	McKenzie	Stafford
Brueckner	Gilmore	McLaughlin	Stanley
Bryan	Gittins	Madden	Stedman
Burke, Pa.	Glass	Mahan	Steenerson
Burke, S. Dak.	Godwin, N. C.	Maher	Stephens, Cal.
Burke, Wis.	Goeke	Mapes	Stephens, Nebr.
Burnett	Goldfogle	Martin	Stephens, Tex.
Butler	Good	Merritt	Stevens, Minn.
Byrnes, S. C.	Goodwin, Ark.	Metz	Stevens, N. H.
Calder	Gordon	Miller	Stringer
Callaway	Graham, Ill.	Montague	Switzer
Cantrill	Graham, Pa.	Moon	Talcott, N. Y.
Caraway	Green, Iowa	Morgan, La.	Taylor, Ala.
Carew	Greene, Mass.	Morgan, Okla.	Taylor, Ark.
Catlin	Gregg	Morin	Taylor, Colo.
Cary	Griest	Moss, Ind.	Taylor, N. Y.
Carter	Griffin	Moss, W. Va.	Temple
Casey	Gudger	Mott	Thacher
Chandler, N. Y.	Guernsey	Murdock	Thompson, Okla.
Clancy	Hamill	Murray, Mass.	Thomson, Ill.
Clark, Fla.	Hamilton, Mich.	Murray, Okla.	Townsend
Claypool	Hamilton, N. Y.	Neeley	Treadway
Clayton	Hardy	Nolan, J. I.	Tribble
Cline	Harrison	Norton	Tuttle
Collier	Hart	O'Brien	Underhill
Connelly, Kans.	Haugen	Oglesby	Underwood
Connolly, Iowa	Hayes	O'Hair	Vare
Covey	Heflin	O'Leary	Vaughan
Copley	Helgesen	O'Shaunessy	Volstead
Covington	Helvering	Padgett	Walker
Cox	Hill	Palmer	Wallin
Crumpacker	Hinds	Parker	Walsh
Crisp	Hinebaugh	Patten, N. Y.	Watson
Cullop	Hobson	Payne	Weaver
Curley	Houston	Peters, Mass.	Webb
Curry	Howard	Peters, Me.	Whaley
Dale	Howell	Peterson	Whitacre
Danforth	Hoxworth	Phelan	White
Davenport	Hughes, W. Va.	Platt	Williams
Davis	Hulings	Plumley	Willis
Decker	Humphrey, Wash.	Porter	Wilson, Fla.
Dickinson	Igoe	Post	Wilson, N. Y.
Dies	Johnson, S. C.	Pou	Wingo
Difenderfer	Jones	Powers	Winslow
Dillon	Kahn	Prouty	Witherspoon
Dixon	Keating	Quin	Woodruff
Dooling	Keister	Ragsdale	Young, N. Dak.
Doolittle	Kelley, Mich.	Rainey	
Driscoll	Kelly, Pa.	Rayburn	
Dunn	Kennedy, Conn.	Reed	

So the motion to adjourn was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.
Mr. SCULLY with Mr. BROWNING.
Mr. METZ with Mr. WALLIN.
Mr. HOBSON with Mr. FAIRCHILD.
Mr. BARTLETT with Mr. BUTLER.
Mr. ADAMSON with Mr. STEVENS of Minnesota.
Mr. UNDERWOOD with Mr. MANN.

Until further notice:

Mr. ALEXANDER with Mr. DYER.
Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1).
Mr. ASHBROOK with Mr. KAHN.
Mr. BALTZ with Mr. SHREVE.
Mr. BARKLEY with Mr. FALCONER.
Mr. BAILEY with Mr. FESS.
Mr. BARNHART with Mr. MAPES.
Mr. BLACKMON with Mr. BARCHFELD.
Mr. BORLAND with Mr. KEISTER.
Mr. BREMNER with Mr. GILLETT.
Mr. BOWDLE with Mr. MOSS of West Virginia.
Mr. BURNETT with Mr. HAYES.
Mr. BROUSSARD with Mr. KELLEY of Michigan.
Mr. BATHRICK with Mr. KELLY of Pennsylvania.
Mr. BROWN of West Virginia with Mr. KREIDER.
Mr. BURKE of Wisconsin with Mr. CARY.
Mr. COLLIER with Mr. WOODS.
Mr. CLAYTON with Mr. MONDELL.
Mr. CLAYPOOL with Mr. BRYAN.
Mr. CANTRILL with Mr. HELGESEN.
Mr. CARAWAY with Mr. KENNEDY of Rhode Island.
Mr. CRISP with Mr. HINDS (transferable).
Mr. CLANCY with Mr. HAMILTON of New York.
Mr. CLARK of Florida with Mr. KIESS of Pennsylvania.
Mr. COVINGTON with Mr. MILLER.
Mr. CARTER with Mr. MCGUIRE of Oklahoma.
Mr. CLINE with Mr. NORTON (commencing Oct. 1).
Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.
Mr. CURLEY with Mr. J. R. KNOWLAND.
Mr. DECKER with Mr. MOORE.
Mr. DEITRICK with Mr. YOUNG of North Dakota.
Mr. DIES with Mr. SWITZER.
Mr. DUPRÉ with Mr. ANTHONY.
Mr. FRANCIS with Mr. HUGHES of West Virginia.
Mr. FITZGERALD with Mr. CALDER.
Mr. FERRIS with Mr. SELLS.
Mr. FIELDS with Mr. LANGLEY.
Mr. FAISON with Mr. CURRY.
Mr. FINLEY with Mr. GREEN of Iowa.
Mr. GILMORE with Mr. MCKENZIE.
Mr. GARD with Mr. PLUMLEY.
Mr. GERRY with Mr. DAVIS.
Mr. GOEKE with Mr. BROWNE of Wisconsin.
Mr. GOODWIN of Arkansas with Mr. PORTER.
Mr. GRAHAM of Illinois with Mr. PETERS of Maine.
Mr. GARNER with Mr. J. I. NOLAN.
Mr. GORDON with Mr. THOMSON of Illinois.
Mr. GARRETT of Tennessee with Mr. LANGHAM.
Mr. HEFLIN with Mr. DUNN.
Mr. HARRISON with Mr. GRAHAM of Pennsylvania.
Mr. HOXWORTH with Mr. ROBERTS of Nevada.
Mr. HOWARD with Mr. GRIEST.
Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).
Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).
Mr. HOUSTON with Mr. WILLIS.
Mr. IGOE with Mr. PROUTY.
Mr. JONES with Mr. HINEBAUGH.
Mr. KITCHIN with Mr. PAYNE.
Mr. KEY of Ohio with Mr. FARR.
Mr. KONOP with Mr. MORIN.
Mr. KETTNER with Mr. SCOTT.
Mr. LONERGAN with Mr. ROGERS.
Mr. MCGILLICUDDY with Mr. GUERNSEY.
Mr. MCCLELLAN with Mr. LEWIS of Pennsylvania.
Mr. MONTAGUE with Mr. VARE.
Mr. MOON with Mr. DILLON.
Mr. MORGAN of Louisiana with Mr. HULINGS.
Mr. MORRISON with Mr. HUMPHREY of Washington.
Mr. MCKELLAR with Mr. MOTT.
Mr. PALMER with Mr. COPLEY.
Mr. PETERSON with Mr. PLATT (commencing Oct. 13).
Mr. PHELAN with Mr. SMITH of Minnesota (commencing Oct. 24 until Nov. 15).
Mr. POST with Mr. MURDOCK.
Mr. RAINEY with Mr. MADDEN.
Mr. RUCKER with Mr. HAUGEN.
Mr. THOMPSON of Oklahoma with Mr. DANFORTH.
Mr. ROUSE with Mr. RUPLEY.
Mr. RICHARDSON with Mr. MARTIN.
Mr. RUBEY with Mr. TREADWAY.
Mr. SHERWOOD with Mr. SAMUEL W. SMITH.
Mr. SHERLEY with Mr. COOPER (commencing Oct. 23 until Nov. 15).
Mr. SPARKMAN with Mr. HOWELL.
Mr. SUMNERS with Mr. ESCH.
Mr. SAUNDERS with Mr. AINEY.
Mr. SMITH of Texas with Mr. MCLAUGHLIN.

Mr. STEDMAN with Mr. FRENCH.
Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.
Mr. STEPHENS of Nebraska with Mr. SLOAN.
Mr. TAYLOR of Arkansas with Mr. SUTHERLAND.
Mr. TALBOTT of Maryland with Mr. MERRITT.
Mr. UNDERHILL with Mr. WALTERS.
Mr. WATSON with Mr. CRAMTON.
Mr. WHITACRE with Mr. TEMPLE.
Mr. WILLIAMS with Mr. BRITTEN.
Mr. WEBB with Mr. WOODRUFF.
Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).
Mr. WINGO with Mr. PARKER.
Mr. WEAVER with Mr. BURKE of Pennsylvania.
Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).
Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).
Mr. REED with Mr. WINSLOW (commencing Oct. 1 for remainder of extra session).
Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, 1913, except on cotton-futures amendment).
Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, ending balance of session).

Mr. SMITH of Minnesota. Mr. Speaker, I voted "no." I am paired with the gentleman from Massachusetts, Mr. PHELAN, and I desire to change my vote and answer "present."

The name of Mr. SMITH of Minnesota was called, and he answered "Present."

Mr. WALTERS. Mr. Speaker, I voted "no." I am paired with the gentleman from New York, Mr. UNDERHILL, and I desire to change my vote and answer "present."

The name of Mr. WALTERS was called, and he answered "Present."

Mr. MANN. Mr. Speaker, I voted "no." I am paired with the gentleman from Alabama, Mr. UNDERWOOD. I desire to withdraw my vote of "no" and be recorded "present."

The name of Mr. MANN was called, and he answered "Present."

Mr. DEITRICK. Mr. Speaker, I am paired with the gentleman from North Dakota, Mr. YOUNG. I voted "aye." I desire to change my vote and answer "present."

The name of Mr. DEITRICK was called, and he answered "Present."

The result of the vote was announced as above recorded.

Accordingly (at 12 o'clock and 35 minutes p. m.), in accordance with the order heretofore made, the House adjourned until Monday, October 27, 1913, at 12 o'clock noon.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 1012) granting a pension to Emma L. Miller; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6393) granting an increase of pension to John H. Hector; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. NELSON: A bill (H. R. 9032) authorizing the Secretary of War to donate to the city of Brodhead, Wis., two cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. HAYDEN: A bill (H. R. 9033) to provide for the sale of mineral lands within the Colorado River Indian Reservation; to the Committee on Indian Affairs.

By Mr. CARY: Resolution (H. Res. 293) requesting information from the Commissioners of the District of Columbia concerning employees of the Chesapeake & Potomac Telephone Co.; to the Committee on the District of Columbia.

By Mr. DEITRICK: Resolution (H. Res. 294) directing the Committee on Naval Affairs to report a bill providing for four battleships, one of which shall be built at a Government navy yard; to the Committee on Naval Affairs.

By Mr. GOLDFOGLE: Memorial of the Legislature of New York, protesting against the charge of "blood ritual murder" in Russia, and requesting the Department of State to interpose to secure a fair and impartial trial of the accused; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HAYDEN: A bill (H. R. 9034) granting a pension to Timothy Hawkins; to the Committee on Pensions.

Also, a bill (H. R. 9035) granting a pension to James W. Anderson; to the Committee on Pensions.

Also, a bill (H. R. 9036) to correct the military record of Benjamin F. States; to the Committee on Military Affairs.

By Mr. LINDQUIST: A bill (H. R. 9037) granting a pension to Sarah Bender; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 9038) granting an increase of pension to Thomas Carter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9039) granting an increase of pension to John W. Caplinger; to the Committee on Invalid Pensions.

By Mr. RAKER: A bill (H. R. 9040) granting an increase of pension to Cornelius Boyer; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CURLEY: Petition of the Passemiest Club, Boston, Mass., protesting against the action of the Russian Government in putting Mendel Beilis on trial for murder; to the Committee on Foreign Affairs.

By Mr. WILSON of New York: Petition of members of the Jacob S. Strahl Lodge, No. 178, Independent Order Ahamas Israel, protesting against the action of the Russian Government in putting Mendel Beilis on trial for murder; to the Committee on Foreign Affairs.

SENATE.

MONDAY, *October 27, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Journal of the proceedings of Thursday last was read and approved.

UNION AGENCY AND COMMISSIONER TO THE FIVE CIVILIZED TRIBES (S. DOC. NO. 218).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 1st instant, a list showing all the officers and employees on the pay roll of the Union Agency and the Commissioner to the Five Civilized Tribes, and their compensations, etc., which, with the accompanying papers, was referred to the Committee on Indian Affairs and ordered to be printed.

ROCK CREEK BRIDGE (S. DOC. NO. 229).

The VICE PRESIDENT laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, in response to a resolution of July 31, 1913, certain information relative to the construction of a bridge across Rock Creek at Q Street NW., in the city of Washington, for which an appropriation was made in the act approved March 2, 1911, etc., which, with the accompanying papers, was referred to the Committee on the District of Columbia and ordered to be printed.

FRENCH SPOLIATION CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusion of law, filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings by the court, relating to the following causes:

Vessel brig *Jane*, Robert Cook, master (H. Doc. No. 269);

Vessel schooner *Betsey*, John Charnock, master (H. Doc. No. 263);

Vessel brig *Betsey*, John Harris, master (H. Doc. No. 267);

Vessel brig *Minerva*, William Moody, master (H. Doc. No. 268);

Vessel brig *Little Maria*, James Butler, master (H. Doc. No. 266);

Vessel sloop *Nancy*, Samuel Cox, master (H. Doc. No. 262);

Vessel brig *Sally*, Moses Adams, master (H. Doc. No. 265); and

Vessel ship *Sally*, Thomas Clarke, master (H. Doc. No. 264).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions filed by the court in the following causes:

William Bell *v.* The United States (S. Doc. No. 219);
William G. Meachem *v.* The United States (S. Doc. No. 221);
Stephen J. Young *v.* The United States (S. Doc. No. 223);
John T. Eaton *v.* The United States (S. Doc. No. 220); and
Alfred C. Wallin *v.* The United States (S. Doc. No. 222).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

POLLOCK RIP CHANNEL, MASS.

Mr. WEEKS presented a resolution adopted by the Board of Harbor and Land Commissioners of Boston, Mass., favoring an appropriation for the improvement of Pollock Rip Channel, which was referred to the Committee on Commerce.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 3343) granting to the State of Oregon certain lands claimed by the State of Oregon under an act of Congress approved September 28, 1850, and an act of Congress approved March 12, 1860; to the Committee on Public Lands.

A bill (S. 3344) granting an increase of pension to Allen McDaniell (with accompanying paper); to the Committee on Pensions.

By Mr. REED:

A bill (S. 3345) to amend an act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission," approved June 29, 1906, the said act being chapter 3591 of the United States Statutes at Large, Fifty-ninth Congress, volume 34; to the Committee on the Judiciary.

By Mr. KENYON:

A bill (S. 3346) appropriating $1,000,000 for the use of the Agricultural Department in investigating and encouraging the adoption of improved methods of farm management, for farm administration, and for the eradication of the disease known as hog cho'era; to the Committee on Agriculture and Forestry.

By Mr. CRAWFORD:

A bill (S. 3347) granting an increase of pension to Ebenezer C. Rush (with accompanying paper); and

A bill (S. 3348) granting an increase of pension to John W. Husted (with accompanying paper); to the Committee on Pensions.

By Mr. McCUMBER:

A bill (S. 3349) for the relief of the heirs of Waldo M. Potter, deceased (with accompanying papers); to the Committee on Claims.

A bill (S. 3350) granting an increase of pension to Lucy B. Hickox (with accompanying papers);

A bill (S. 3351) granting an increase of pension to Timothy W. Reardon (with accompanying papers); and

A bill (S. 3352) granting an increase of pension to Mrs. James Ulio (with accompanying papers); to the Committee on Pensions.

By Mr. PAGE (for Mr. BURLEIGH):

A bill (S. 3353) granting an increase of pension to Silas P. Curtis; to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 3354) granting to various States public lands for the construction, repair, and maintenance of public roads; to the Committee on Agriculture and Forestry.

A bill (S. 3355) granting a pension to Kizziah Morris; to the Committee on Pensions.

By Mr. GOFF:

A bill (S. 3356) granting an increase of pension to John W. Buchanan; to the Committee on Pensions.

By Mr. WILLIAMS:

A bill (S. 3357) for the relief of the estate of Julia A. Reece, deceased; to the Committee on Claims.

By Mr. O'GORMAN:

A bill (S. 3358) granting a pension to Blanche Wood; to the Committee on Pensions.

COLON FIRE CLAIMS.

Mr. WEEKS (for Mr. LODGE) submitted the following resolution (S. Res. 199), which was read, considered by unanimous consent, and agreed to:

Resolved, That the President be, and he is hereby, requested, if not in his opinion incompatible with the public interest, to furnish the Senate with copies of all the correspondence between the Department of State and the Government of Panama in regard to the settlement of the "Colon fire claims" by arbitration or otherwise, and also with copies of all correspondence between the Department of State and the claimants, or their attorneys, since the publication of Senate Document No. 264, parts 1 and 2, Fifty-seventh Congress, first session, and Senate Document No. 199, Fifty-eighth Congress, second session, on the same subject.

STREET RAILWAYS IN THE DISTRICT OF COLUMBIA.

Mr. LANE. I offer a resolution and ask to have it read.

The resolution (S. Res. 200) was read, as follows:

Resolved, That the Board of Commissioners of the District of Columbia are hereby directed to submit to the Senate a full and complete report setting forth the reasons why the provisions of section 5 of the act of Congress approved August 2, 1894, entitled "An act to authorize the Metropolitan Railroad Co. to change its motive power," etc., have not been enforced. And that the commissioners report further as to why the Capital Traction Co. and Washington Railway & Electric Co., after continuous refusal to issue free transfers at all junction points within the District of Columbia, have not been prosecuted for violation of the aforesaid act.

Mr. LANE. If the resolution is to be referred, I wish to have it referred to the proper committee. I desire to get as speedy action upon it as possible.

The VICE PRESIDENT. Does the Senator from Oregon ask unanimous consent for the present consideration of the resolution?

Mr. LANE. I do.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution.

The resolution was considered by unanimous consent, and agreed to.

WIDOWS OF DECEASED SENATORS.

Mr. KENYON. On behalf of the Senator from Idaho [Mr. BORAH] and myself, acting jointly, I present a resolution and ask that it may lie on the table.

The VICE PRESIDENT. The Senator will have the resolution read?

Mr. KENYON. I do not know whether it need be read or not. I desire to have it lie on the table until the return of the Senator from Idaho.

Mr. BRANDEGEE. I ask that it be read to the Senate.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution, as follows:

Whereas for many years the Senate of the United States has voted to the widows of deceased Senators one year's salary; and
Whereas said practice has been continued for so many years that it has become an established custom; and
Whereas there is no authority of law therefor and the same constitutes an unwarranted donation of public funds for private purposes: Therefore be it

Resolved, That it is the sense and judgment of the Senate that hereafter no such donation shall be made and that said custom shall cease.

The VICE PRESIDENT. The resolution will lie on the table.

Mr. BRANDEGEE. By whom has the resolution been introduced?

Mr. KENYON. I introduced the resolution as the joint action of the Senator from Idaho [Mr. BORAH] and myself, and I ask that it may lie on the table until his return.

Mr. BRANDEGEE. I may be obtuse about it, Mr. President, but can two Senators jointly introduce a resolution? If it were a committee report, or a subcommittee report——

Mr. KENYON. No; it is not. It is a resolution of both Senators.

Mr. BRANDEGEE. I do not understand that a resolution can be jointly fathered by two or three or a group of Senators.

Mr. KENYON. I am very frank to say that I do not know. If it is contrary to the rule, of course I will withdraw it.

Mr. BRANDEGEE. I do not wish to make any objection; I merely call attention to the fact that resolutions and bills are introduced by individual Senators, and not by groups of Senators.

Mr. BACON. I suggest to the Senator from Iowa that the difficulty can be very easily met by each Senator introducing the identical resolution, or one practically the same. It would be better to have that done than to make an innovation of what has been the long-established custom for each Senator to introduce individually what he desires.

Mr. THOMAS. I suggest that inasmuch as it is signed by two it becomes a joint resolution. [Laughter.]

Mr. KENYON. I will simply say that the Senator from Idaho had proposed to introduce such a resolution, and I had proposed to introduce a similar resolution. In our conversation on the subject we supposed that we could unite in offering one resolution. If it is against the rule, I am perfectly willing to withdraw it. I do not know whether it is or not.

Mr. OVERMAN. I suggest that the Senator from Iowa strike out the name of the Senator from Idaho and leave his name signed to the resolution.

Mr. KENYON. If there is objection and the Presiding Officer believes that it is contrary to the rule I withdraw the resolution for the present, and we will each offer a resolution.

The VICE PRESIDENT. The Chair is of opinion that a resolution should be introduced by one Senator.

Mr. KENYON. Then I ask permission to withdraw this resolution, and we will introduce resolutions separately.

The VICE PRESIDENT. Permission is granted.

COLORADO INDIAN RESERVATION IN ARIZONA.

Mr. SMITH of Arizona. I submit a resolution and ask that it be read and lie on the table until I may submit some remarks that I wish to make upon it.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 201) was read, as follows:

Whereas in several important instances, particularly in the case of the Executive order creating the Colorado Indian Reservation in Arizona, and other Executive orders endangering the same from time to time, certain known mineral lands valuable only for the precious metals contained therein were included in said Indian reservation; and
Whereas the claimants of said mineral lands are in dispute with the Interior Department over the question of whether these claimants or the Indians are entitled to the said lands; and
Whereas a question has arisen as to the power of the Executive to include known mineral lands in such order; and
Whereas in order that proper legislation may be had to confirm the title in such lands to the parties justly entitled under the law to the same: Therefore be it

Resolved, That the Committee on the Judiciary of the Senate is requested to examine into the law in such case or cases and report at its earliest convenience to the Senate its opinion as to such power in the Executive, and to further report such legislation as may seem to it meet and proper in the premises.

The VICE PRESIDENT. The resolution will lie on the table.

ADJOURNMENT TO THURSDAY.

Mr. CHAMBERLAIN. I move that when the Senate adjourns to-day it adjourn to meet at noon on Thursday next.

The motion was agreed to.

ABATEMENT OF NUISANCES IN THE DISTRICT OF COLUMBIA.

The VICE PRESIDENT. The morning business is closed.

Mr. KENYON. I ask unanimous consent to call up Senate bill 234. I wish to state that a similar bill passed the Senate at the last session and was reported out of committee in the House, but failed of passage on account of want of time. The bill has been unanimously reported again by the Committee on the District of Columbia of the Senate. It is what is known as the red-light injunction bill.

The VICE PRESIDENT. The Senator from Iowa asks unanimous consent to consider a bill which will be read by title.

The SECRETARY. A bill (S. 234) to enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose; and to assess a tax against the person maintaining said nuisance and against the building and owner thereof.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. POMERENE. May I ask the Senator from Iowa if there are amendments or changes in the bill?

Mr. KENYON. There is one amendment reported by the committee, which was proposed by the Senator from Ohio who now has the floor, and I may perhaps refer to it. It consists of just a few words in section 4, giving the right to either party to have an oral hearing at any time. On page 4, line 9, section 4 of the bill, the Senator will find the words "at any stage of the proceedings," which was an amendment offered by that Senator. That is the only change in the bill as introduced.

Mr. POMERENE. I thought I recalled having suggested some change, but I was not entirely sure whether it had been incorporated in the bill. I have no objection to the passage of the bill.

Mr. SMITH of Georgia. I think before unanimous consent is given the bill ought to be read.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. STONE. Mr. President, I have no objection, as a matter of course, to the general purposes of the bill; but it occurs to me that there are some provisions, as I caught them from the reading, that are rather remarkable. For example, it seems there is a provision that would employ the taxing power as a means of punishing crime. It does not occur to me that it would be a proper use of the taxing power to use it to punish an offense against the criminal law. I have no objection to the taking up of the bill and hearing an explanation of it by the honorable Senator having it in charge, but I am at this moment rather disposed to think that a bill containing provisions such as I think this bill contains ought not to be passed without due consideration by the Senate when it is fairly represented by the membership of the body.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with an amendment, in section 4, page 4, line 9, after the word "may," to insert "at any stage of the proceedings."

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. BACON. I should like to hear how the clause would read as proposed to be amended.

The VICE PRESIDENT. The Secretary will read the section as proposed to be amended.

The Secretary read as follows:

SEC. 4. That in case of the violation of any injunction granted under the provisions of this act, the court, or, in vacation, a judge thereof, may summarily try and punish the offender. The proceedings shall be commenced by filing with the clerk of the court an information, under oath, setting out the alleged facts constituting such violation, upon which the court or judge shall cause a warrant to issue, under which the defendant shall be arrested. The trial may be had upon affidavits, or either party may at any stage of the proceedings demand the production and oral examination of the witnesses. A party found guilty of contempt, under the provisions of this section, shall be punished by a fine of not less than $200 nor more than $1,000 or by imprisonment in the District jail not less than three nor more than six months, or by both fine and imprisonment.

The amendment was agreed to.

Mr. BACON. Mr. President, I would suggest to the honorable Senator from Iowa that this is a bill of which we have had no general opportunity for examination; but as we go along in its consideration he had better indicate to the Senate the nature of amendments and the reasons for them, so that the Senate may be informed.

The VICE PRESIDENT. The amendment which has been agreed to is the only amendment.

Mr. KENYON. Mr. President, I shall be very glad to follow the suggestion of the Senator from Georgia [Mr. BACON]; but, as the Chair has said, the amendment just stated is the only amendment proposed by the committee.

Mr. BACON. I did not know that. I had supposed there was a series of them.

Mr. OVERMAN. Mr. President, I should like to hear the Senator from Iowa explain the clause of the bill in reference to the exercise of the taxing power. I did not exactly understand from the reading whether or not it is proposed to punish crime by the use of the taxing power.

Mr. KENYON. Mr. President, I had not intended to discuss the bill at any length, and I shall not do so; but I am very glad to take up any question which may be suggested with reference to it.

This bill, with this identical provision, has heretofore passed the Senate. I think, however, there was at that time no discussion on the merits of the bill or on this particular feature of it. This is not a criminal statute. At present in the District of Columbia there is no way to reach the property where these disorderly houses are conducted. The inmates can be reached, dragged before the police court and fined, but the owner of the property goes on unmolested. The testimony before the Committee on the District of Columbia by Maj. Sylvester, the chief of police, was to the effect that many of these disreputable houses are owned by prominent people of Washington, and such ownership is true as to prominent people in many other cities. Such places, which ordinarily would rent for a very small sum, are rented at very high figures for these purposes.

I realize, Mr. President, that dealing with this question is a very difficult and a very serious matter; but the man who owns such property ought not to be the one who can go scot-free and be permitted to coin the flesh of these women and girls into money for his own purposes.

We have tried a law similar to this in Iowa, and it has been a success in doing away with the segregated district. The segregated district is known no more in that State. There are 11 other States which have adopted practically this identical law, and the provision to which the Senator from Missouri [Mr. STONE] has called attention has been sustained by the supreme court of my State.

The purpose of that provision is simply this: Where the man who owns such places and wants to coin money out of them is not touched in his pocketbook you can not stop him; he will go right on just the same and rent the property again; but when he is subject to a tax he will be more careful. It is not a tax to enforce a criminal law; such a place is made a nuisance,

but it is not made a criminal nuisance, and the bill merely makes provision for a proceeding in equity against the nuisance. The distinction between chancery proceedings and criminal proceedings is so well established that there is no use discussing it.

If the man who has one of these places to rent sits down with his agent and discusses the proposition that if a disorderly house is carried on there his pocketbook is going to be affected, it is a very salutary restraint. Therefore the provision for a tax is put in the bill. An action is brought for an injunction; there is a complete hearing of the very matters that would go to the tax. I have felt that there would be serious question as to assessing a tax without notice and without a hearing, but the courts have held that where that very question is involved in the proceedings, as must be the case here, there is no need of any additional notice of the assessment of the tax.

The tax provision is the salient feature of this bill. Without that provision it will not amount to very much, but with it it will accomplish what it has accomplished in our State and what 11 other States are trying to accomplish to-day. The matter will also come before the legislatures of other States. I will say to the Senator from Missouri—and I can furnish him the authority if he desires—that the courts have squarely passed on the proposition of the tax under such laws.

Mr. STONE. Mr. President, I do not care to deal with the sentimental side of the question to which the Senator has addressed himself in the remarks he has made, but to the legal phase of it. I should like to ask the Senator why the same end he seeks to reach can not be accomplished by a statute making it a criminal offense, with such penalties as may be prescribed—make them as drastic as need be—for any person to lease property for immoral purposes of this character, or for any person owning a property to carry on in it immoral business of this character, or for any person owning a property to permit it to be used as a house of prostitution? We have statutes of that general import, I know, in some States—in my own State among them—and people are indicted, tried, convicted, and punished pretty heavily for their violation. You propose here to use the taxing power and to put it in the hands of the chief of police to levy the tax after a judgment or decree.

Mr. KENYON. Not until after a hearing and an injunction has been granted by the court.

Mr. STONE. After an injunction has been granted by the court the chief of police levies the tax?

Mr. KENYON. The assessor does so.

Mr. STONE. That tax is $300. Suppose the other course is taken. In that event there will be no question as to the lawfulness of it and the fine may be a larger sum if the person is found guilty instead of resorting to this process, which seems to me to be most unusual and which may set a precedent, a legislative example, that may return in other ways, where a moral question of this kind is not involved, to perplex us. I ask the Senator why that method would not be preferable to this one?

Mr. KENYON. I will say, Mr. President, prefacing my reply to the Senator's inquiry, that this is not new; many States have statutes imposing a tax with reference to the sale of cigarettes and making the tax a lien on the property; and the same is true with reference to the sale of liquor. The short and direct answer to the Senator's question is simply this: With a jury trial in a criminal case you can not reach the object as speedily or as effectively as you can by the method proposed by the bill. A jury trial is much more difficult, and, as the Senator knows, it has been a most difficult matter to enforce criminal statutes against this class of nuisances. This is a speedier and better way to get at it. That is the only answer I can make to the Senator's question.

If a criminal law with heavy penalties could be enforced as speedily as this proposed law, it would be equally good, but no better. The experience of the States which have experimented with this measure and the consensus of opinion of the people of those States and of the police officers in the different cities is that this form of statute has been successful in eradicating these houses where the criminal indictment has not been.

I do not see how there can be in this bill anything that may return to plague anybody. If so, the same thing would be true of the cigarette statutes and the liquor statutes where this principle has been established and has been carried out. This makes for efficiency and the other does not; that is all.

Mr. BACON. Mr. President, I should like to ask the Senator a question. I have read the bill rather hastily. There is a little matter of inconsistency in my mind which doubtless is due to a misapprehension on my part, and I should like to have the Senator clear it up.

Mr. KENYON. I shall be glad to do so if I can.

Mr. BACON. If I understand correctly from the hasty reading I have been able to give the bill—I confess I had never seen it until this morning—there are two provisions, both looking to the same end. One is that upon the ascertainment that there is one of these prohibited establishments the party shall be required, under pain of contempt, to abate it as a nuisance. Am I correct in that?

Mr. KENYON. The place is locked up.

Mr. BACON. The other point in that connection is this: I understand the bill further goes on and says that when there is such a place ascertained to exist, it shall be subject to a certain tax.

Mr. KENYON. The Senator is right.

Mr. BACON. The inconsistency in my mind is its removal and at the same time its continuance as a place subject to tax. Those are the two things which seem to me a little inconsistent.

Mr. KENYON. If the Senator had examined the bill closely, he would have found that there is a provision whereby the owner may give bond that the building shall not be conducted in this disorderly way, and open it again.

Mr. BACON. With all the conversation that is going on in the Chamber it is impossible to hear or to understand what is said. I hope the Senator will repeat his remark. I could not hear it.

Mr. KENYON. I say there is a provision in the bill that after an injunction has been issued the owner of the property may give bond that it shall not be used for that purpose again, and then the building may be opened, so that that penalty is removed.

Mr. BACON. Does the Senator mean that after the owner has given bond the building shall not be so used, he can still be taxed?

Mr. KENYON. The building has been taxed. I mean exactly that.

Mr. BACON. It is not a bond to await trial to establish the fact?

Mr. KENYON. No.

Mr. BACON. But it is a bond that the building will not be so used in the future?

Mr. KENYON. The nuisance has been established by the granting of the permanent injunction.

Mr. BACON. Yes.

Mr. KENYON. Then, under the provisions of the bill, the building is to be locked up for a year and the tax is assessed then.

Mr. BACON. Although it is locked up, the tax has to be paid?

Mr. KENYON. The tax has to be paid.

Mr. BACON. That is the point I did not fully understand.

Mr. KENYON. The building can be opened by the filing of the bond, however.

Mr. BACON. But the tax remains?

Mr. KENYON. The tax remains.

Mr. BACON. In the hasty reading I gave the bill I did not catch that.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF THE RULES.

Mr. BACON. I desire to give notice of my purpose to offer an amendment to the rules as expressed in the written paper which I send to the desk, which I ask may be read. (S. Res. 202.)

The VICE PRESIDENT. The Secretary will read as requested.

The SECRETARY. The following notice is submitted in writing by Mr. BACON:

Notice is hereby given that during the session of the next legislative day of the Senate, or during the session of a later day, he will offer an amendment to the twelfth standing rule of the Senate by adding to the same the following paragraph, to be numbered and known as paragraph 3 of the said rule, to wit:

"No request by a Senator for unanimous consent for the taking of a final vote on a specified date upon the passage of a bill or joint resolution shall be submitted to the Senate for agreement thereto until, upon a roll call ordered for the purpose by the presiding officer, it shall be disclosed that a quorum of the Senate is present; and when a unanimous consent is thus given, the same shall operate as the order of the Senate."

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 1 hour and 10 minutes spent in executive session the doors were reopened, and (at 1 o'clock and 53 minutes p. m.) the Senate adjourned until Thursday, October 30, 1913, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate October 27, 1913.

MEMBERSHIP OF THE PHILIPPINE COMMISSION.

Victorino Mapa to be secretary of finance and justice.
Jaime C. de Veyra.
Vicente Ilustre.
Vicente Singson.

POSTMASTERS.

FLORIDA.

Thomas J. Weaver, Mayo.

TEXAS.

Bettie Jackson, Stratford.
John G. Oltorf, Marlin.

WASHINGTON.

R. A. Belvail, Palouse.
Thomas J. Quirt, Blaine.

HOUSE OF REPRESENTATIVES.

MONDAY, *October 27, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We come to Thee with joy and gladness, O God our Father, for the manifold blessings and tender mercies vouchsafed unto us now and for the hopes and promises of the future. Help us to praise and magnify Thy holy name by living to the highest ideals, following ever in the wake of Him who exemplified in His life and character the highest manhood and revealed the loving heart of the Father unto all men, that we may be Christians not only in name, but in fact, and our praise shall be Thine forever. Amen.

The Journal of the proceedings of Friday, October 24, 1913, was read and approved.

INCOME-TAX REGULATIONS (H. DOC. NO. 270).

Mr. MANN. Mr. Speaker, I am informed that the Treasury Department is issuing to-day Treasury income-tax regulations. I ask unanimous consent that they may be printed as a House document, and that, in addition to the usual number, there shall be printed 100,000, 80,000 for the folding room and 20,000 for the document room. The cost will be less than $500.

Mr. MURDOCK. Mr. Speaker, reserving the right to object, how many will that give each individual Member here in the House?

Mr. MANN. Well, I do not know. I have not computed the 80,000 among 435 Members.

Mr. HARDWICK. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if he has an estimate of what that will cost?

Mr. MANN. Five hundred dollars will print 101,000 copies.

Mr. HARDWICK. The gentleman, I presume, has not been able to see the chairman of the Committee on Printing.

Mr. MANN. No; I have not. I just got the data this morning. Everybody wants them.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the regulations to be printed to-day by the Treasury Department in relation to the collection of the income tax shall be printed as a House document to the number of 100,000, 80,000 copies for the folding room and 20,000 copies for the document room. Is there objection? [After a pause.] The Chair hears none.

WITHDRAWAL OF BILL.

Mr. CARY. Mr. Speaker, I rise to a question of personal privilege. I would like to ask unanimous consent that the bill H. R. 3899, to amend the pure-food law, and purporting to have been introduced by me, be withdrawn. I did not introduce the bill and I do not know how my name became attached to it.

The SPEAKER. What is the number of the bill?

Mr. CARY. H. R. 3899.

The SPEAKER. The gentleman from Wisconsin [Mr. CARY] asks unanimous consent that the bill H. R. 3899, which has his name attached to it, be withdrawn from the files of the House because he did not introduce it. Is there objection? [After a pause.] The Chair hears none.

INDEXING THE RECORD.

Mr. CARY. Mr. Speaker, I also ask unanimous consent to extend my remarks in the RECORD by printing a letter in regard to indexing the CONGRESSIONAL RECORD, which I think might be of information to us all.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The letter is as follows:

WISCONSIN FREE LIBRARY COMMISSION,
Madison, October 10, 1913.

Hon. WILLIAM J. CARY, M. C.,
Washington, D. C.

DEAR MR. CARY: Would it not be possible for Congress to have printed on the first page of the CONGRESSIONAL RECORD a table of contents somewhat similar to the table of contents that appears on the first page of the Daily Consular Report? For instance, they could give the first page on which the proceedings of the House and Senate begin, and, most important, the page on which one could find the title of the longer speeches of the various Members, or the subjects that are under special consideration. For example, if one wanted to follow discussions of the recent tariff bill, it was difficult to get at that; and we have spent hours of good time in trying to locate things in the RECORD which have been referred to incidentally in the newspapers. A good table of contents would enable one to tell at a glance where to find a particular speech or get at the discussion on a particular subject.

I do not know how this would affect the use of the RECORD for Members of Congress, but it certainly would improve its use to the general public very much, and we would be glad to have you take what steps are necessary to bring this about.

The American Library Association has a committee on public documents, of which I happen to be a member, and it is the opinion of the members of the committee that something of this kind is most desirable. If you think it worth while, I am sure that the American Library Association, an organization that represents the library interests of the country, would indorse this action requesting Congress to have such a table of contents if for no other reason than for the convenience of the users of the RECORD in the libraries. The RECORD contains an immense amount of very valuable information on different things which one can not get elsewhere, and the table of contents would certainly help to make it more useful to the country at large, and, I believe, to the Members of Congress also.

I understand that this matter is being taken up with other Congressmen by persons interested in other States, and you will no doubt find that if you start something of this sort you will get some active cooperation. We ourselves are writing to our Representatives and Senators on this matter.

Yours, very truly, M. S. DUDGEON, *Secretary.*

PUBLICATION AS A HOUSE DOCUMENT OF TWO ADDRESSES OF THE FIRST ASSISTANT POSTMASTER GENERAL (H. DOC. NO. 261).

Mr. AIKEN. Mr. Speaker, I ask unanimous consent to have printed in the RECORD and also as a public document two short addresses delivered recently by the distinguished First Assistant Postmaster General, Hon. D. C. Roper—one at Denver and one at Baltimore.

The SPEAKER. The gentleman from South Carolina [Mr. AIKEN] asks unanimous consent to have printed in the CONGRESSIONAL RECORD and also as a public document two short speeches made by Hon. Daniel C. Roper, the First Assistant Postmaster General——

Mr. AIKEN. Mr. Speaker, I do not know whether I made myself clear. I asked to have these addresses also printed as a public document.

The SPEAKER. And shall be printed as a public document. Is there objection?

Mr. SHARP. Mr. Speaker, reserving the right to object, may I ask the gentleman on what lines were these speeches made?

Mr. AIKEN. The one at Denver was on the subject of postal policies and problems and the one at Baltimore was on the subject of rural postmasters.

The SPEAKER. Is there objection? How many copies does the gentleman desire to have printed?

Mr. AIKEN. The usual number under the $500 limit would print about 54,000.

Mr. MANN. The usual number is 1,400.

The SPEAKER. Is there objection?

Mr. HARDWICK. Mr. Speaker, I do not desire to object, but I want to present a request for unanimous consent——

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The addresses above referred to are as follows:

POSTAL POLICIES AND PROBLEMS.

An address before the Sixteenth Annual Convention of the National Association of Postmasters of the First Class, at Denver, Colo., July 31, 1913, by Daniel C. Roper, First Assistant Postmaster General.

Mr. President and members of the National Association of Postmasters at First-Class Offices, I regard it as both a pleasure and a privilege to look into the faces of this large number of men, so important to the welfare of our country. It is a pleasure because of that interest in a common cause which naturally prompts sympathy and makes wondrous kind those struggling with like problems and responsibilities. It is a privilege for me to be here, because the occasion enables me to make your acquaintance and to exchange views as to the best way to meet the responsibilities with which we are mutually and cooperatively charged.

You are peculiarly fortunate in the selection of the "Queen City of the Plains" for this convention. Denver's growth has measured time with that of the postal service. This city began its career by the erection of a log cabin in October, 1857, on what is now the corner of Eleventh and Wewatta Streets, and then it was that the postal service, without the aid of steam power, was struggling to cross this continent and bring the tidings of treasures newly discovered in the bosom of yonder majestic mountains. To recount the steps in the history of the devel-

opment of this western country is to present a record as interesting as a fairy tale. Denver, with a population of less than 5,600 in 1870, had about 213,000 at the census of 1910, and to-day within the confines of this beautiful city there are not less than a quarter of a million souls. How powerless we are to give adequate interpretation of the latent forces of nature and the dynamics of men in action!

It is interesting to recall that in 1835, during the discussion of a measure in the United States Senate to establish a post route from Independence, Mo., to the mouth of the Colorado River, the learned Daniel Webster closed his speech in opposition with the following language:

"What do we want with this vast worthless area; this region of savages and wild beasts, of deserts, shifting sands, and whirlwinds of dust; of cactus and prairie dogs? To what use can we hope to put these great deserts or those endless mountain ranges, imposing and covered to their very base with eternal snow? What use have we for such country? Mr. President, I will never vote one cent from the Public Treasury to place the Pacific coast one inch nearer to Boston than it now is."

I can safely venture that were Mr. Webster to return to earth and accompany me on this western trip he would confess in chagrin that in no expression made during his long career as a public speaker was he wider of the mark.

A comparison of the present conditions in this locality with those yet in the memory of persons in this audience tax the credulity of those who have not kept informed as to these remarkable developments. It was on May 7, 1859, that the first mail reached Denver through the postal service, brought by the overland coach of the Leavenworth & Pikes Peak Express Co., bringing the mail as express matter, on which the charge was 25 cents for each letter. The distance then from Leavenworth, Kans., to Denver was 687 miles, and required at that time 10 days. What a wonderful revolution a half century has brought. Considerably more than 100 trains now enter and depart from Denver daily, carrying approximately 60 tons of mail matter for as cultured, refined, and hospitable people as can be found on God's green earth.

NEW POSTAL ADMINISTRATION.

Marked political changes have come in the management of our executive departments since you last met in annual convention, and it is a great compliment to our form of government that such important transitions in management have not disturbed the operations of the machinery in a second to the slightest degree the efficiency of daily results. The new administration has already been tested and the wisdom of the people as expressed at the polls last November fully confirmed. Since the day of his nomination at Baltimore there has been an ever-increasing confidence in the fitness, courage, good judgment, and steadfastness for the right of Woodrow Wilson.

The wonderful proportions to which our postal service has grown and its increasing importance made the selection of the directing head of this great organization an act of vital importance to the American people. On the vast army of postal employees depends the maintenance and development of our commerce and the protection and advancement of American citizenship. If is a malstav to the business and social life of our people. Some of the Federal departments are in touch with a part of the people some of the time, and other departments are in touch with all of the people part of the time, but the Post Office Department serves all of the people all of the time.

An ideal man to direct and control this great department was found in the person of Hon. Albert S. Burleson as Postmaster General. His experience in public life, his indefatigable energy, good judgment, and courage in execution especially equip him for this most important position. From him I bring to you deep interest in this convention of postmasters now endeavoring to find the means of truth in the solution of postal problems, and the assurance that he looks forward with confidence to your giving to the people during the ensuing year a postal service of the maximum efficiency at the minimum of cost. It is the purpose to give to the country 100 cents of value for every dollar spent by the department.

EFFICIENCY KEYNOTE OF ADMINISTRATION.

The keynote to the present administration of the Post Office Department is embodied in the one word "efficiency." That efficiency and economy should be substituted for wastefulness and extravagance needs no argument, but the postal service affects as vitally the interests of the entire population of the country that economy which results in a curtailment of postal facilities operates as a check on the social and industrial progress of the country. The people are entitled to the very best postal facilities administered in the most efficient and economical manner.

PERSONAL ATTENTION BY POSTMASTERS.

In keeping with this policy, the best methods and practices will be insisted upon throughout the service. To this end the department will keep in close touch with the operations of the postmasters and with their cooperation bring the service to the highest degree of usefulness. This is manifested by the attitude of the Postmaster General with regard to postmasters giving their personal attention to their official duties. The clerks and carriers detailed to post offices are required by law to render service for eight hours daily, and the Postmaster General insists that the postmaster, who is the directing head, and whose compensation greatly exceeds that of any of the employees under him, shall give at least an equal amount of time and effort. An announcement to this effect was made by the Postmaster General before making any appointments of postmasters, and hence put on notice all incoming postmasters as well as those already in the service. The postmaster is selected because of his presumed superior ability, his qualifications for rendering satisfactory public service, and his personal standing, and it is not fair to the Government that he should employ his time in other directions. A postmaster and a postage stamp are alike in that the value of each depends on the way in which each sticks to the place where you put him. If all postmasters honestly devote to the service the amount of time reasonably expected of them and give to the work of their offices the supervision and direction which good business rules demand, instead of leaving their proper duties to subordinates, the service would not only gain in effectiveness but a considerable economy would result from a better distribution of duties and a consequent reduction in cost. Certainly all postmasters who have at heart the betterment of the service will heartily concur in this attitude.

The Postmaster General has announced that it will be his policy to retain in the service until the end of their terms all postmasters who conform to the foregoing requirement and who are otherwise qualified for the positions which they hold. On the other hand, successors will be promptly appointed for those who do not measure up to the standard.

ASSISTANT POSTMASTERS.

In this connection I wish to say that the department's attention is frequently called to the fact that assistant postmasters in some instances do not perform duties commensurate with the importance of their positions and the salary they receive. The assistant postmaster is the next highest paid man in the office, and although in the absence of the postmaster he is the directing head of the office, his regular duties should be more than nominal and he should take an active part in the management of the office and be ever on the alert for opportunities to improve methods and draw up slack.

ADMINISTRATIVE SUPERVISION.

A number of complaints were received at the department recently with respect to the service in one of the large cities, and upon investigation it was found that none of the supervisory officers in the post office was on duty during the hours of heaviest mail receipts. This condition has since been remedied, and complaints of poor service at that office have ceased.

To render efficient service to the public it is necessary that the mails be distributed promptly. As all of you know, the quantity of mail varies during the day, the incoming mail depending to a large extent on the arrival of trains.

To perform the distribution promptly it is necessary that the force shall have proper supervision at all times. The superintendents and assistant superintendents of mails should be experts in the distribution, delivery, and dispatch of both registered and ordinary mails. It has been found that the tours of duty of this class of employees in many instances are from 8 a. m. to 5 p. m., and during the evening, when the largest volume of mail is being handled and supervision most needed, the work is supervised by a foreman or a clerk. Commercial houses give the closest supervision to their business during the rush hours, and there is every good reason why this rule should prevail in post offices. While the hours of the superintendent and his assistant should not be arbitrarily fixed, it is believed that their hours of duty should be so arranged that either the superintendent or one of his assistants will be on duty at all times.

CLERKS AND CARRIERS.

Clerks and carriers enter the service at a salary of $800 per annum, and are promoted annually on their service record through the various grades until they reach the salary of $1,100 at first-class offices and $1,000 at second-class offices, after which their promotions depend to a greater extent upon their exceptional efficiency. It is believed that in many instances postmasters, through sympathy or other motives, recommend the promotion of clerks and carriers who have not measured up to the proper standard. This is very discouraging to those who have rendered satisfactory service, as nothing could be more detrimental to the service than to have the employee who lacks interest and lags behind receive his promotion as promptly as he who renders genuinely faithful and effectual service. The department wishes to encourage clerks to become expert distributers, as this will better fit them for the higher positions, and in making recommendations for promotions, all other things being equal, the expert distributer should be given the preference. In some instances postmasters recommend their private secretaries or those in their immediate executive offices for promotion to the higher positions, forgetting that the distributers and supervisory officers, whose duties are more arduous and who are required to study their schemes of distribution, are deserving of first consideration.

The efficiency of clerks depends to a large extent on their familiarity with their schemes of distribution. In many instances substitutes are appointed and permitted to serve for years before taking a case examination. They therefore become careless in this respect, remain indifferent, and do not make efficient clerks. Clerks and carriers should be required to familiarize themselves with the Postal Laws and Regulations. The department is now preparing a manual of instructions covering the subjects with which they come in daily contact, and when it is completed and distributed it should be the first study requirement of a clerk upon his entrance to the service. See to it that all employees are kept informed as to the published requirements and suggestions of the department and encourage thought and suggestions on the part of your force from the lowest to the highest paid employee. The rating of the efficiency of clerks is now the subject of a close study by the officers of the department, and some improvements in the present system will be put into effect as soon as experience demonstrates their feasibility.

It may seem that I have elaborated on that class of employees engaged exclusively in the actual handling of mail to the neglect of those otherwise employed. This is due to the fact that the results accomplished by this part of your office force have the greatest effect on the public. You should not, however, lose sight of the efficient men in other branches of the post-office work—the money-order clerks, registry clerks, and those employed in the purely clerical capacities. These men are usually recruited from among the bright young substitutes and clerks who have had some experience in the actual handling of the mails. Whenever these men show special aptitude for or exceptional efficiency in the work to which they are assigned, care should be taken that they be not overlooked when there is opportunity for promotion to the higher grades, and they, as well as the men employed on the mailing floor, should receive the best of encouragement.

EIGHT-HOUR LAW.

You gentlemen are, of course, familiar with the provisions of section 5 of the appropriation act for the last fiscal year, generally known as the eight-in-ten-hour law, which became effective March 4 last. This law made necessary the rearrangement of the schedules of approximately 65,000 employees, which was a gigantic task. In working out the schedules the question naturally arose as to whether the law applied to assistant postmasters and supervisory officers, and also whether an employee would be entitled to pay for overtime if his eight hours of work extended over a longer period than 10 consecutive hours. The matter was submitted to the Comptroller of the Treasury for an opinion, and he decided that special provision was made in the law for two classes of employees only, namely, city letter carriers and clerks in first and second class post offices, and as Congress had specifically enumerated the different classes of clerks and employees it must be presumed that section 5 referred to clerks and carriers only. He ruled, furthermore, that no extra pay under this statute could be allowed to any clerk or carrier who worked eight or a less number of hours a day regardless of the length of the period during which the service was performed. You will also observe that

under this opinion no payment can be made to supervisory officers for overtime. The department, however, in the interest of fairness to all of the employees, has decided to extend the benefits of this measure in so far as the hours of duty are concerned to the supervisory employees wherever possible, and postmasters have been instructed to arrange their schedules accordingly. This is an act of Congress, and the postmasters must therefore make every effort to enforce it properly.

SECOND-CLASS MATTER.

The department has by a circular letter recently directed your attention to the importance of the prompt dispatch and delivery of second-class mail, particularly daily newspapers. Many of these publications contain market quotations and other commercial data which are used frequently as the basis of the subscriber's daily business operations, and the value of this information is lost if it is unduly delayed in transit. Where daily papers are weighed at the offices of publication, clerks assigned to this duty should report at the respective offices of publication at an hour that will allow sufficient time to complete the weighing and insure the dispatch of the papers on the proper train. Daily newspapers which are not sent direct from the office of publication to railroad depots for dispatch, but are mailed at the post office, should receive prompt attention, so as to insure their dispatch by the same train as letter mail for the same address. Where papers are distributed in offices of publication, postmasters should cooperate with the publishers in keeping their mailing galleys corrected to date and properly arranged. The department should be advised of publishers who refuse to cooperate fully in this respect. A record should be kept of daily papers received without address, so that this information may be available in case of complaint.

PARCEL POST.

Perhaps the greatest postal problem to-day is the parcel post. No single reform ever undertaken in connection with the postal service of the United States presents to our people such economic possibilities as does the parcel post. This infant of six months, yet in its swaddling clothes, has already shown such remarkable vigor that if its development continues at the present rate it will soon tax the business capacity of the postal officials to hold it within proper business bounds.

The advantage over private carriers of carrying parcels by the postal establishment is apparent. *The postal service is universal*, while the express companies and other private carriers are limited in their capacity, particularly to the extent of their routes of transportation. *The United States mail goes everywhere throughout the length and breadth of the land.* It penetrates the rural sections, the mountains, the thickly settled communities, and the *sparsely populated regions alike, going where there are no express offices and where none will ever be established.*

In considering the establishment and maintenance of a postal facility in the United States we must not lose sight of the vastness of our country. Continental United States, including Alaska, has an area of 3,617,000 square miles, whereas Great Britain has an area less than that of our new State of New Mexico, either Germany or France an area but little in excess of the combined area of Colorado and Wyoming, and Belgium is a little larger than the State of Vermont. The combined area of England, Wales, Scotland, Ireland, Belgium, France, and Germany is less than that of the four States of Texas, Arizona, New Mexico, and Wyoming. Hence transportation conditions, which are the main factors in a parcel-post system, as between the United States and the countries of Europe are altogether incomparable.

On account of these varying conditions affecting the transportation factor there must be as near as possible an equitable distribution of the cost of the service and rates of postage must be fixed accordingly; otherwise a rate would have to be prescribed that would be prohibitive for short distances and disastrous to the Government for the long distances. Upon the application of this principle was evolved the present scheme of zones and rates.

The law providing for the parcel-post service vests in the Postmaster General, subject to the consent of the Interstate Commerce Commission, the authority to reform conditions of mailability, including the zones, rates of postage, and weight limits, whenever he shall find through experience that changes are desirable. In accordance with this provision, the present administration of the Post Office Department, through a committee of experts, has undertaken a study of the development of the parcel-post business since March 4 last, and the following important changes have been recommended to the Postmaster General and approved by the Interstate Commerce Commission:

The distinctive parcel-post stamps, which have caused the public so much inconvenience and annoyance, were discontinued as of July 1; on the same date the fee on insured parcels was reduced from 10 cents to 5 cents on an indemnity of $25.

Rates of postage reduced and weight limit increased, effective August 15, 1913, as follows: Local rate of postage reduced from 5 cents for first pound and 1 cent for each additional pound or fraction thereof to 5 cents for first pound and 1 cent for each additional 2 pounds or fraction thereof. The first and second zones consolidated and the rates reduced from 5 cents for the first pound and 3 cents for each additional pound (the first-zone rate) and 6 cents for the first pound and 4 cents for each additional pound (second-zone rate) to 5 cents for the first pound and 1 cent for each additional pound. The weight limit in the foregoing zones was raised from 11 pounds to 20 pounds. No change was made in the restrictions as to size and shape of package. While these changes are not radical, they are along the right lines and will prove attractive and advantageous. The effect is to furnish an exceedingly cheap delivery or interchange of parcels at a cheaper rate than has ever been furnished by any private carrier for a distance of 150 miles.

The *collect-on-delivery* feature, which also became effective July 1, should prove of great benefit to a large number who find it more convenient to make purchases in this manner.

The small city merchant whose trade does not justify his employing delivery wagons or the sending of packages to suburban points should be greatly benefited; the village tradesman should be able to increase his sales to his patrons living on rural routes; the farmer should find in these changes the opportunity he has been seeking, to develop a more profitable market for his garden products, by shipping direct to the consumer; and the consumer by this direct dealing can at the same time reduce the cost of living and save some of the profits of distributing agents.

The country merchant, instead of opposing the establishment of a parcel-post service, through fear that he would be undersold by his city competitors engaged in a mail-order business, should welcome this service, for it furnishes a means for materially increasing his business if he has but the energy and thrift to avail himself of the opportunity. The farmer needs supplies from the neighboring towns and villages. Many of them live at a considerable distance from the country store, and at certain seasons of the year their time is valuable. With the mail carrier passing his gate daily delivering parcels of 20 pounds, the farm and household needs can be supplied at a fraction of the cost of a personal trip to town.

As a basis for a study of the conditions existing in the service with regard to the delivery of parcel-post packages, the department had a careful record made at 50 of the most important post offices of the country for a period of six days, from the 14th to the 19th of April, last. The reports from these offices showed a wide range in the methods employed, and consequently in the degree of economy exercised. It was brought out that the cost per package for delivery by motor vehicles varied from 1¼ cents to nearly 15 cents in one or two extreme cases. Delivery by horse-drawn vehicles showed a variation of from 1 cent to about 5 cents per package. Evidently the value of the proverbial Democratic mule is yet appreciated in this service. Acting upon the cue afforded by the conditions revealed at these 50 offices, experts have been put into the field with the duty of visiting first those offices where the most economical results are shown, and then, proceeding on to offices where results appear to be extravagant and unsatisfactory. The results, when finally digested, will be brought to the attention of other postmasters by a series of circulars.

PROPER WRAPPING OF PARCELS.

In order to perfect the service, active and intelligent cooperation all along the line is essential. We must, where possible, make for economy, but avoid the possibility of complaint from imperfect service. To this end postmasters should instruct their employees to watch carefully all packages as they are presented for mailing, so as to insure their delivery in good condition. The public must be taught that the proper wrapping of parcels is a prime requisite to their safe delivery; that flimsy hatboxes are not suitable for shipping eggs if due regard is to be had for the contents of other packages in the same sack; and that in shipping a fine casting uncrated there is a chance that the addressee will receive it in installments. It would be unfair to censure the clerk in the New York office for sending a package of eggs through the pneumatic tube with somewhat disastrous results when there was nothing on the wrapper to indicate its contents.

Breakage or misbandling by postal employees is quite another matter. This is of vital importance, since it is not so easy to shift the responsibility. Considering the number of pieces now going through the mails, the manner in which many of them are wrapped, and the character of the equipment in use in the service, it is somewhat surprising that the percentage of lost and damaged parcels is so small. We should not hide behind this showing, however, and try to persuade the public that they are already getting considerable for their money, but we should aim at and strive to gain perfection in this important and interesting service.

It is already realized that greater care will have to be exercised in handling fragile parcels and such as are known to contain fragile merchandise. Postmasters should see to it that the *packages received by them are durably and properly wrapped.*

With a view to reducing the number of handlings of parcel-post mail and thus to minimize the danger of breakage, the department is now conducting an investigation to determine the advisability of selecting terminal points where facilities will be provided for working the mail into "direct sacks" and to the R. P. O.'s effecting delivery to post offices. Such a plan as this appears to be necessary in order to take care of the increased fall business.

It was estimated that during the first year of this new service 300,000,000 pieces would be handled. The data thus far obtained indicate that this number will be doubled. This immense volume of mail is being dispatched and delivered promptly without any congestion or delay to the other mail, which reflects great credit on our service. Postmasters and employees throughout the service have shown a spirit of cooperation with the department in making this service a success which is highly commendable.

The manufacturer and the merchant use the parcel post because of its commercial benefit, but to the householder and to the occasional user its attractive features are those of convenience and economy. The ideal service is one that will permit the personal laundry and the wonderful creations in women's wearing apparel being sent from a distance and received in fit condition to be worn by the most fastidious; that will permit the country dame to get into closer touch with the bargain counter at the city store, and will permit the city resident to receive from his farm a daily consignment of the products of the soil and barnyard. The service in Europe is of this character and I am confident I express our hope when I say that we will soon equal if not exceed the service of Great Britain.

PRECANCELED POSTAGE STAMPS.

It is believed that in many instances precanceled postage stamps can be used to such manifest advantage of both the Government and the mailer that a more extensive use of them by large concerns should be encouraged.

Of course the postal revenues must be protected and with this in view the regulations have required that the cancellation of postage stamps should be done by postal employees or in some manner under their supervision. Consideration must be given, however, to the tremendous and rapid growth of the service, and care should be taken that the cost of the single item of protection, as in this case, is not entirely out of proportion to its intrinsic value. The small losses which might result from an almost unrestricted sale of these stamps would equal but a slight percentage of the net gain that would accrue from the saving in clerical assistance alone. Furthermore, by the use of precanceled stamps mail is greatly expedited and is subject to less wear and tear, because if separated for States and R. P. O.'s at the office of the mailer it can be deposited at the proper railroad terminals without having to be handled in the post office.

The parcel-post service furnishes an especially good opportunity for the use of precanceled stamps. On account of the bulk of this mail and its liability to greater wear and tear unnecessary handling should be eliminated whenever possible. Accordingly the Postmaster General has directed that the use of precanceled stamps be permitted on parcel-post mail without restriction whenever the post-office officials are acquainted with the conditions surrounding the sale and cancellation of these stamps.

Postmasters should bring this matter to the attention of the large shippers in their respective cities with a view to encouraging a more general use of precanceled stamps.

MODEL POST OFFICES.

With a view to effectively promoting the policy of efficiency which this administration of the department has firmly determined upon, it has been decided to organize, equip, and operate model post offices and use these as dynamos from which to charge the entire chain and system of offices throughout the country. At these dynamic points the effort will be made to discover the best practical way of securing and administering the postal facilities for that and other communities; also to test labor-saving devices and other methods which may be found of value. The results obtained, conclusions drawn, and suggestions prompted by the experience at these model offices will be promptly brought to the attention of postmasters by means of circular letters until the entire service has been brought to that degree of standardization that will prove the American postal service as the worthy model of the world, and I now ask, and my faith in you prompts me to believe, that we shall receive your hearty cooperation in bringing about the coveted condition at an early date.

RESPONSIBILITY UP TO POSTMASTERS.

It is no small compliment to the progressive spirit and loyalty of you postmasters to tell you that the Postmaster General expects to accomplish these and more needed reforms in the postal service within the near future. We confidently believe that every heart in this presence throbs in unison with these high ideals. The postal service is not unlike a great ball game in its operation. The administrative officers in Washington are at the bat, the public is the pitcher delivering to these officials at the bat the responsibility of the service administration. The duty of these central officials is to hit the ball squarely and to put it out to you postmasters in the field. Your lesson is this: Play your position well, watch for the ball, catch it without fail and deliver in every instance quickly and effectively. If you prove true to this trust, accomplish the reforms needed, and make our postal service the model of the world, your monuments will be more enduring than marble and brass.

APPENDIX.

Presidents of the United States and Postmasters General from 1775 to 1913, inclusive.

Year.	Presidents.	Officials of the United States Post Office Department—1775 to 1913. Postmasters General.	First Assistant Postmasters General.	Second Assistant Postmasters General.	Third Assistant Postmasters General.	Fourth Assistant Postmasters General.
1775	Continental Congress	Benjamin Franklin, July 26.				
1776		Richard Bache, Pa., Nov. 7.				
1782		Ebenezer Hazard, N. Y., Jan. 28.	James Bryson, Jan. 28.			
1789	George Washington, Va., Apr. 30.	Samuel Osgood, Mass., Sept., 26.	Jonathan Burrall			
1791		Timothy Pickering, Pa., Aug. 12.	Charles Burrall			
1793	George Washington, Va., Mar. 4.					
1795		Joseph Habersham, Ga., Feb. 25.				
1797	John Adams, Mass., Mar. 4.					
1800			Abraham Bradley, jr., Conn.			
1801	Thomas Jefferson, Va., Mar. 4.	Gideon Granger, Conn., Nov. 28.				
1805	Thomas Jefferson, Va., Mar. 4.					
1809	James Madison, Va., Mar. 4.					
1810				Seth Pease, Conn.[1]		
1813	James Madison, Va., Mar. 4					
1814		Return J. Meigs, jr., Ohio, Apr. 11.				
1817	James Monroe, Va., Mar. 4			Phineas Bradley, Conn.		
1818						
1821	James Monroe, Va., Mar. 5.					
1823		John McLean, Ohio, July 1.				
1825	John Q. Adams, Mass., Mar. 4.					
1829	Andrew Jackson, Tenn., Mar. 4.	William T. Barry, Ky., Apr. 6.	Selah R. Hobbie, N. Y.	Charles K. Gardner, N. J.		
1833	Andrew Jackson, Tenn., Mar. 4.					
1835		Amos Kendall, Ky., May 1.				
1836				Robt. Johnstone	Daniel Coleman, N. C.[2]	
1837	Martin Van Buren, N. Y., Mar. 4.					
1840		John M. Niles, Conn., May 26.				
1841	William Henry Harrison, Ohio, Mar. 4. John Tyler, Va., Apr. 6	Francis Granger, N. Y., Mar. 8. Charles A. Wickliffe, Ky., Oct. 13.		Philo C. Fuller, N. Y.		
1842					John S. Skinner, Md.	
1843				J. W. Tyson		
1844				N. M. Miller, Va.		
1845	James K. Polk, Tenn., Mar. 4.	Cave Johnson, Tenn., Mar. 7.		W. Medill, Ohio, and Wm. J. Brown, Ind.	N. M. Miller, Va.	
1846					John Marron, Ga.	
1849	Zachary Taylor, Va., Mar. 5.	Jacob Collamer, Vt., Mar. 8.		Fitz Henry Warren, Iowa		
1850	Millard Fillmore, N. Y., July 9.	Nathan K. Hall, N. Y., July 23.				
1851			S. D. Jacobs, Tenn.			
1852		Samuel D. Hubbard, Conn., Sept. 14.		W. H. Dundas, Va.		
1853	Franklin Pierce, N. H., Mar. 4.	James Campbell, Pa., Mar. 8.	Selah R. Hobbie			
1854			Horatio King, Me.			
1857	James Buchanan, Pa., Mar. 4.	Aaron V. Brown, Tenn., Mar. 7.				
1859		Joseph Holt, Ky., Mar. 14.			A. N. Zevely, N. C.	
1861	Abraham Lincoln, Ill., Mar. 4.	Horatio King, Me., Feb. 12. Montgomery Blair, D. C., Mar. 9.	John A. Kasson, Iowa.	Geo. W. McLellan, Mass.		
1863			Alexander W. Randall, Wis.			
1864		William Dennison, Ohio, Oct. 1.				
1865	Abraham Lincoln, Ill., Mar. 4. Andrew Johnson, Tenn., Apr. 15.					
1866		Alexander W. Randall, Wis., July 25.	St. John B. L. Skinner, N. Y.			
1869	Ulysses S. Grant, Ill., Mar. 4.	John A. J. Creswell, Md., Mar. 6.	Geo. Earle, Md.; Jas. W. Marshall, N. J.	Giles A. Smith, Ill.	W. H. H. Terrell, Ind.	
1871				John L. Routt, Ill.		
1873	Ulysses S. Grant, Ill., Mar. 4.				E. W. Barber, Mich.	

[1] Office of Second Assistant Postmaster General created by act of Apr. 30, 1810.

[2] Office of Third Assistant Postmaster General created by act of July 2, 1836.

Presidents of the United States and Postmasters General from 1775 to 1913, inclusive—Continued.

Year.	Presidents.	Officials of the United States Post Office Department—1775 to 1913. Postmasters General.	First Assistant Postmasters General.	Second Assistant Postmasters General.	Third Assistant Postmasters General.	Fourth Assistant Postmasters General.
1874		Jas. W. Marshall, N. J., July 7. Marshall Jewell, Conn., Sept. 1	Jas. H. Marr, Md. Jas. W. Marshall, N. J.			
1875				James N. Tyner, Ind.		
1876		James N. Tyner, Ind., July 13		Thos. J. Brady, Ind.		
1877	Rutherford B. Hayes, Ohio, Mar. 5.	David McK. Key, Tenn., Mar. 13.	James N. Tyner, Ind.		Abraham D. Hazen, Pa.	
1880		Horace Maynard, Tenn., Aug. 25.				
1881	James A. Garfield, Ohio, Mar. 4. Chester A. Arthur, N. Y., Sept. 20.	Thomas L. James, N. Y., Mar. 8.	Frank Hatton, Iowa, Oct. 29.	Richard A. Elmer, N. Y.		
1882		Timothy O. Howe, Wis., Jan. 5.				
1883		Walter Q. Gresham, Ind., Apr. 11.		Henry D. Lyman, N. Y.		
1884		Frank Hatton, Iowa, Oct 14.		W. B. Thompson, Mich.		
1885	Grover Cleveland, N. Y., Mar. 4.	Wm. F. Vilas, Wis., Mar. 7.	John Schuyler Crosby, N. Y. Milton Hay, Pa.	A. Leo. Knott, Md.		
1886			A. E. Stevenson, Ill.			
1887					Henry R. Harris, Ga., Apr. 1.	
1888		Don M. Dickinson, Mich., Jan. 17.				
1889	Benjamin Harrison, Ind., Mar. 4.	John Wanamaker, Pa., Mar. 6.	J. S. Clarkson, Iowa, Mar. 14.	S. A. Whitfield, Ohio, Mar. 18.	A. D. Hazen, Pa., Mar. 18.	
1890			S. A. Whitfield, Ohio, Sept. 29.	J. Lowrie Bell, Pa., Sept. 29.		
1891						E. G. Rathbone, Ohio.[1]
1893	Grover Cleveland, N. Y., Mar. 4.	Wilson S. Bissell, N. Y., Mar. 7.	Il. Clay Evans, Tenn., Jan. 7. Frank H. Jones, Ill., May 10.		Kerr Craige, N. C., May 19.	R. A. Maxwell, N. Y., Mar. 22.
1894				Chas. Nellson, Md., June 4.		
1895		William L. Wilson, W. Va., Apr. 4.				
1897	William McKinley, Ohio, Mar. 5.	James A. Gary, Md., Mar. 6.	Perry S. Heath, Ind., Mar. 17.	W. S. Shallenberger, Pa., Apr. 5.	John A. Merritt, N. Y., Apr. 29.	J. L. Bristow, Kans., Apr. 1.
1898		Charles Emory Smith, Pa., Apr. 22.				
1899					Edwin C. Madden, Mich., July 1.	
1900			William M. Johnson, N. J., Aug. 23.			
1901	Theodore Roosevelt, N. Y., Sept. 14.					
1902		Henry C. Payne, Wis., Jan. 15.	Robert J. Wynne, Pa., Apr. 17.			
1904		Robert J. Wynne, Pa., Oct. 10.				
1905	Theodore Roosevelt, N. Y., Mar. 4.	Geo. B. Cortelyou, N. Y., Mar. 7.	Frank H. Hitchcock, Mass., Mar. 16.			P. V. Degraw, Pa., Mar. 20.
1907		Geo. von L. Meyer, Mass., Mar. 4.		Jas. T. McCleary, Minn., Mar. 29.	Abraham L. Lawshe, Ind., Mar. 22.	
1908			Chas. P. Grandfield, Mo., Feb. 29.	Jos. Stewart, Mo., Sept. 29.		
1909	William H. Taft, Ohio, Mar. 4.	Frank H. Hitchcock, Mass., Mar. 6.				
1910					James J. Britt., N. C., Dec. 1.	
1913	Woodrow Wilson, N. J., Mar. 4.	Albert Sydney Burleson, Tex., Mar. 4.	Daniel C. Roper, S. C., Mar. 13.		A. M. Dockery, Mo., Mar. 13.	James I. Blakslee, Pa., Mar. 13.

[1] Office of Fourth Assistant Postmaster General created by act of Mar. 3, 1891.

Statistics of the postal service from 1789 to 1912.

Fiscal year.	Number of post offices.	Gross revenue of department.	Gross expenditure of department.	Ordinary postage stamps issued.	Stamped envelopes and wrappers issued.	Postal cards issued.	Letters, etc., registered.	Fiscal year.
1789	75	[1] $7,510	[1] $7,560					1789
1790	75	37,935	32,140					1790
1791	89	46,294	36,697					1791
1792	195	67,443	54,339					1792
1793	209	104,746	72,039					1793
1794	450	128,947	89,972					1794
1795	453	160,620	117,893					1795
1796	468	195,096	131,571					1796
1797	554	213,998	150,114					1797
1798	639	232,977	179,084					1798
1799	677	261,846	188,037					1799
1800	903	280,804	213,994					1800
1801	1,025	320,442	255,151					1801
1802	1,114	327,044	281,916					1802
1803	1,258	351,822	322,364					1803
1804	1,405	389,449	337,502					1804
1805	1,558	421,373	377,367					1805
1806	1,710	445,103	417,233					1806
1807	1,848	478,762	453,885					1807
1808	1,944	460,564	462,828					1808
1809	2,012	506,633	496,012					1809
1810	2,300	551,684	495,969					1810
1811	2,403	587,246	499,098					1811

[1] For 3 months only.

Statistics of the postal service from 1789 to 1912—Continued.

Fiscal year.	Number of post offices.	Gross revenue of department.	Gross expenditure of department.	Ordinary postage stamps issued.	Stamped envelopes and wrappers issued.	Postal cards issued.	Letters, etc., registered.	Fiscal year.
1812	2,610	$449,208	$540,165					1812
1813	2,708	703,154	681,011					1813
1814	2,870	730,370	727,126					1814
1815	3,000	1,043,063	748,171					1815
1816	3,260	961,782	804,022					1816
1817	3,459	1,002,973	916,515					1817
1818	3,618	1,130,235	1,035,832					1818
1819	4,000	1,204,737	1,117,841					1819
1820	4,500	1,111,927	1,160,936					1820
1821	4,650	1,039,087	1,165,404					1821
1822	4,709	1,117,400	1,167,572					1822
1823	4,043	1,130,115	1,156,995					1823
1824	5,182	1,197,758	1,188,019					1824
1825	5,677	1,306,525	1,229,043					1825
1826	6,150	1,447,703	1,366,712					1826
1827	7,309	1,524,633	1,469,959					1827
1828	7,530	1,659,915	1,689,945					1828
1829	8,004	1,707,448	1,782,132					1829
1830	8,450	1,850,583	1,932,708					1830
1831	8,686	1,997,841	1,936,122					1831
1832	9,235	2,258,570	2,266,171					1832
1833	10,127	2,617,011	2,930,414					1833
1834	10,693	2,823,749	2,910,605					1834
1835	10,770	2,998,550	2,757,350					1835
1836	11,091	3,408,324	2,841,799					1836
1837	11,767	4,945,668	3,288,319					1837
1838	12,519	4,238,733	4,430,662					1838
1839	12,780	4,484,657	4,636,576					1839
1840	13,468	4,543,522	4,718,226					1840
1841	13,778	4,407,729	4,499,528					1841
1842	13,733	4,546,849	5,674,732					1842
1843	13,814	4,296,295	4,374,754					1843
1844	14,103	4,237,288	4,296,513					1844
1845	14,183	4,289,441	4,320,732					1845
1846	14,601	3,487,199	4,076,036					1846
1847	15,146	3,880,309	3,979,542					1847
1848	15,159	4,555,211	4,326,850	[1] $860,280				1848
1849	16,749	4,705,176	4,479,049	955,727				1849
1850	18,417	5,099,984	5,212,953	1,840,545				1850
1851	19,796	6,410,604	6,278,402	1,246,548				1851
1852	20,901	5,184,526	7,108,450	54,136,319				1852
1853	22,320	5,240,735	7,982,757	56,344,006	[2] $5,000,000			1853
1854	23,548	6,255,586	8,577,424	56,330,000	21,384,100			1854
1855	24,410	6,642,136	9,968,342	72,977,300	23,451,725			1855
1856	25,585	6,920,422	10,495,296	126,045,210	33,764,050		[3] $629,332	1856
1857	26,586	7,353,351	11,598,958	154,729,965	33,033,400		717,537	1857
1858	27,977	7,486,793	12,722,470	176,761,533	30,971,375		592,903	1858
1859	28,539	7,968,484	11,458,083	192,201,920	30,280,300		501,059	1859
1860	28,498	8,518,067	19,170,610	216,370,600	29,280,025		500,774	1860
1861	28,586	8,349,200	13,600,759	241,788,518	[4] 26,027,300		386,113	1861
1862	28,875	8,299,821	11,125,364	251,307,105	27,234,150		302,987	1862
1863	29,047	11,163,700	11,314,207	328,340,385	25,548,750		372,893	1863
1864	28,878	12,438,254	12,644,786	334,054,610	28,218,800		259,798	1864
1865	20,550	14,556,159	13,694,728	387,419,455	[5] 26,206,175		282,533	1865
1866	23,828	14,436,986	15,382,079	347,734,325	39,094,725		275,103	1866
1867	25,163	15,297,027	19,235,483	371,599,605	63,086,650		249,075	1867
1868	26,481	16,292,601	22,730,593	383,470,500	73,354,650			1868
1869	27,106	18,344,511	23,698,131	421,047,460	84,675,100			1869
1870	28,492	19,772,221	23,998,837	468,118,445	86,289,500			1870
1871	30,045	20,097,045	24,390,104	498,126,175	104,675,275			1871
1872	31,863	21,915,426	26,658,192	541,445,070	113,923,750			1872
1873	33,244	22,996,742	29,084,946	601,934,520	131,172,600	[6] $31,094,000		1873
1874	34,294	26,471,072	32,126,415	632,733,420	136,418,500	91,679,000		1874
1875	35,547	26,791,360	33,611,309	682,342,470	149,766,400	107,646,000		1875
1876	36,383	28,644,198	33,203,488	698,799,000	165,520,250	150,815,000	4,007,817	1876
1877	37,345	27,531,385	33,486,322	689,580,670	170,651,450	170,015,500	4,348,127	1877
1878	38,253	29,277,517	34,165,084	742,461,940	183,560,350	200,620,000	4,898,804	1878
1879	40,588	30,041,983	33,440,899	777,358,780	177,561,950	221,797,000	5,429,022	1879
1880	42,989	33,315,479	36,542,804	875,681,070	207,137,000	272,550,500	6,996,513	1880
1881	44,512	36,785,398	39,592,566	954,128,450	227,067,050	308,536,500	8,338,918	1881
1882	46,221	41,876,410	40,482,021	1,114,560,330	256,565,450	351,498,000	9,627,922	1882
1883	46,820	43,508,693	43,982,944	1,202,743,800	269,266,450	379,516,750	10,594,716	1883
1884	48,434	45,325,959	47,224,560	1,409,749,460	322,252,050	362,876,750	11,246,545	1884
1885	51,252	42,560,844	50,046,235	1,465,122,993	322,731,400	339,416,500	11,043,256	1885
1886	53,614	43,948,423	51,094,744	1,620,784,100	354,008,100	355,648,000	11,648,227	1886
1887	55,187	48,677,609	53,666,194	1,746,085,600	381,611,200	366,099,250	12,791,421	1887
1888	57,376	52,595,178	56,468,315	1,867,173,140	433,635,750	381,797,500	13,677,169	1888
1889	58,999	56,175,611	62,317,119	1,961,980,940	451,864,200	386,898,500	14,061,866	1889
1890	62,401	60,882,098	68,259,548	2,219,737,000	515,852,950	426,515,250	14,947,681	1890
1891	64,329	65,931,786	73,059,519	2,397,503,340	556,226,250	424,216,750	15,047,602	1891
1892	67,119	70,930,475	76,980,846	2,543,270,210	593,684,700	511,433,500	15,290,094	1892
1893	68,468	73,896,993	81,581,681	2,750,203,090	636,279,436	530,505,600	15,561,410	1893
1894	69,805	75,080,479	84,994,112	2,602,753,353	571,475,218	468,499,750	15,050,554	1894
1895	70,064	76,983,128	87,179,551	2,795,424,808	586,645,300	492,305,550	14,428,083	1895
1896	70,360	82,499,208	90,932,669	3,025,481,467	616,040,250	524,520,150	15,106,336	1896
1897	71,022	82,665,492	94,077,242	3,053,633,885	583,032,000	523,408,250	14,559,063	1897
1898	73,570	89,012,614	98,033,523	3,418,458,360	600,447,000	556,340,650	15,600,220	1898
1899	75,000	95,021,384	101,652,190	3,692,775,815	628,456,000	573,634,150	16,088,022	1899
1900	76,688	102,354,579	107,740,267	3,998,544,564	707,585,000	587,815,250	15,422,649	1900
1901	76,945	111,631,193	115,554,921	4,239,273,696	772,839,000	659,614,800	20,814,501	1901
1902	75,924	121,848,047	124,785,697	4,621,285,723	853,128,000	547,204,090	22,831,400	1902
1903	74,169	134,224,443	138,784,487	5,270,540,115	948,654,000	770,657,950	25,931,178	1903
1904	71,131	143,482,624	152,362,116	5,330,886,845	1,020,256,250	702,907,450	34,165,484	1904
1905	68,131	152,926,585	167,399,169	5,751,017,915	1,074,918,000	728,285,100	38,255,649	1905
1906	65,600	167,932,782	178,440,778	6,284,450,495	1,230,287,750	798,917,850	40,151,797	1906
1907	62,659	183,585,005	190,238,288	7,061,034,615	1,418,840,250	895,568,700	40,539,545	1907
1908	61,158	191,478,663	208,351,880	7,651,400,405	1,266,092,559	809,426,750	40,151,797	1908
1909	60,144	203,562,383	221,238,624	8,731,875,370	1,560,626,246	926,478,900	40,539,545	1909
1910	59,580	224,128,457	230,237,048	9,067,164,886	1,506,801,300	976,441,000	42,033,574	1910
1911	59,237	237,879,923	238,623,350	10,046,068,728	1,690,775,385	975,128,748	42,766,459	1911
1912	58,729	246,744,015	248,624,940	9,960,963,785	1,684,624,161	909,411,045	43,620,408	1912

[1] Postage stamps first issued under act of Mar. 3, 1847, and placed on sale at New York, N. Y., July 1, 1847.
[2] Stamped envelopes first issued June, 1853, under act of Aug. 30, 1852.
[3] Letters first registered July 1, 1855, under act of Mar. 3, 1855.
[4] Newspaper wrappers first issued under act of Feb. 27, 1861.
[5] Special-request envelopes first issued in 1865.
[6] Postal cards first issued May 1, 1873, under act of June 8, 1872.

Statistics of City and Rural Delivery Services.

Fiscal year.	City Delivery Service.[1] Number of city delivery offices.	Number of carriers.	Annual cost of service.	Rural Delivery Service.[2] Carriers.	Mileage.	Annual cost.	Fiscal year.
1864	66	685	$317,063.20				1864
1865	45	757	448,664.51				1865
1866	46	863	589,236.41				1866
1867	47	943	609,934.34				1867
1868	48	1,198	993,934.59				1868
1870	48	1,246	1,187,915.31				1870
1871	51	1,362	1,220,079.85				1871
1872	52	1,419	1,353,923.23				1872
1873	52	1,443	1,385,965.76				1873
1874	52	1,498	1,422,495.48				1874
1875	87	2,049	1,802,696.41				1875
1876	87	2,195	1,880,041.99				1876
1877	87	2,269	1,981,186.51				1877
1878	87	2,265	1,893,619.85				1878
1879	87	2,275	1,824,166.96				1879
1880	88	2,359	1,947,706.61				1880
1881	104	2,628	2,363,693.14				1881
1882	109	2,801	2,499,911.54				1882
1883	112	3,115	2,623,262.74				1883
1884	154	3,680	3,173,356.51				1884
1885	159	3,890	3,504,206.52				1885
1886	178	4,358	3,985,952.55				1886
1887	181	4,841	4,312,306.70				1887
1888	189	5,310	4,618,692.07				1888
1889	358	6,346	5,422,356.38				1889
1890	401	8,257	6,957,941.90				1890
1891	454	9,066	7,976,202.72				1891
1892	519	10,130	9,072,160.31				1892
1893	568	10,737	9,966,892.67				1893
1894	610	11,025	10,683,575.26				1894
1895	610	11,736	11,229,436.78				1895
1896	604	12,714	12,135,544.93				1896
1897	627	12,834	12,713,801.41				1897
1898	629	12,931	12,827,396.69	[1] 83	1,843	$14,840	1898
1899	688	13,696	13,387,506.10	148	2,930	50,241	1899
1900	735	14,256	13,905,860.00	391	8,929	150,012	1900
1901	796	15,322	14,512,190.04	1,276	28,685	420,433	1901
1902	866	16,389	15,752,600.00	4,301	100,290	1,750,321	1902
1903	933	17,787	17,123,310.90	8,466	186,252	4,089,041	1903
1904	1,032	19,542	19,337,986.00	15,119	332,618	8,051,599	1904
1905	1,100	20,758	20,541,208.10	24,566	552,725	12,645,275	1905
1906	1,144	21,778	20,919,078.13	32,055	721,237	20,964,885	1906
1907	1,184	22,965	21,980,632.92	35,606	830,318	25,011,625	1907
1908	1,240	24,577	23,170,203.63	37,582	883,117	26,661,555	1908
1909	1,330	26,352	26,258,099.16	39,143	891,432	34,371,939	1909
1910	1,440	27,620	29,738,123.05	40,499	979,624	35,661,034	1910
1911	1,492	28,715	31,663,591.17	40,997	993,998	36,914,769	1911
1912	1,541	29,168	32,970,451.23	41,599	1,007,772	37,126,812	1912
	1,621	29,962	34,152,517.77	42,081	1,021,492	40,655,740	1913

[1] Free (city) delivery service authorized by act of Mar. 3, 1863. Established July 1, 1863.
[2] The first experimental rural delivery service was established on Oct. 1, 1896, simultaneously on three routes, from Charlestown, Uvilla, and Halltown, W. Va.
[3] For 9 months only.

RURAL POSTMASTERS.

Address of Hon. D. C. Roper, First Assistant Postmaster General, at Maryland State League Convention, Thursday, Sept. 4, 1913, Baltimore, Md.

Mr. President and members of the Maryland State League of Postmasters, it is a great pleasure to me to be with you to-day, because I have a high regard for the value of conventions of postmasters when devoted to the consideration of postal problems, the interchange of new ideas, and the fostering of the spirit of cooperation.

If in any privilege to convey to you the cordial greetings of Postmaster General Burleson and to assure you of his appreciation of your every effort to assist him in improving the postal service. In what I have to say to-day I shall tell you of some of the policies for which his administration stands, and I bespeak for him your hearty cooperation.

Postmasters of the fourth class constitute more than 80 per cent of all the postmasters of the country and are especially interesting to me because they come in closest touch with our rural communities. The prosperity and happiness of the whole country depend upon the farm, from which must come the necessities of life; the fourth-class postmaster has a great deal to do with keeping the people within reaching distance of the soil. When our cities burn down they are built up again, but let our farms—the base of supplies—be destroyed or deserted and the entire fabric of our advanced civilization must fall apart.

The fourth-class postmaster is invaluable to both the city and the farm, for he performs for the one the necessities of life and to the other the means of culture and education. It is true that you do not actually handle all commodities, but you handle many of them and you provide a means of communicating between the buyer and the seller, without which the remaining exchanges could not be effected. In the social and economic organization of our country your official duties are second to none in importance.

RURAL POSTMASTERS AND CONSERVATION.

In these days we hear a great deal of "conservation." It is said that our natural resources have been wasted in the headlong development of American industries; that we are a spendthrift Nation; and that if we do not soon mend our ways our children shall yet feel the pinch of want that results from the squandering of opportunities. A German economist informs us that the "price of inefficiency" is represented by $10,000,000,000 a year, and supports this vast estimate by quite a formidable array of figures and authorities. Whether these figures be correct we can not tell but it is evident that great waste has been incident to the building of our Nation. The Nation, however, is now built, its industrial future assured, and the 48 stars of its new flag stand for the accomplishment. We confess to having been prodigal of our bountiful birthright, but ours is still the richest land in natural resources under the sun, and the sons of the men who have made America what it is will surely husband their patrimony.

Our National Government is already alive to the conditions; it has set itself earnestly to work through most effective means to prevent waste and encourage growth of natural resources. A propaganda of frugality and efficiency is being everywhere accepted and adopted by State and municipality governments, by industrial and commercial corporations, and by the rank and file of all the people in their everyday life and work. This agitation is timely and highly important, and our postal facilities can and should be used in the work of national conservation.

Conservation is the opposite of waste. It is true efficiency. It means more than protecting mines and soil; it means more than restocking forests and streams; more than all of the great public works that are naturally associated with the word. In its broader and truer sense conservation means making and keeping our people happy, patriotic, and contented; seeing that they make the most out of what they have. It means that we should get out of life all that there is in it for ourselves and for our neighbors, and that we strive to promote the welfare of our country. This, in the beginning, was the spirit of America, and this is the spirit that now inspires our efforts in the interest of our rural communities, that maintains an ever-watchful care in our fellows, that makes us a world power in the comity of all nations, and it is this same spirit that prompted the American people to guarantee freedom to Cuba and that now puts our people solidly behind President Wilson in his Mexican policy. I confidently believe that we are now entering upon a new era in which this greater conservation is to have a fuller application to the end that all our ways of life and work may conserve our resources of wealth, strength, and happiness.

EXECUTIVE ORDER OF MAY 7, 1912.

It was in keeping with the spirit of conserving the best interests of the people and of maintaining a proper civil service and of adding to the efficiency, and hence to the success, of our postal facilities that the President issued his order of May 7, 1913, which subjects fourth-class postmasters to an efficiency test before permitting them to be covered into the postal service for life. This order provides that:

"No person occupying the position of postmaster of the fourth class shall be given a competitive classified status under the provisions of said orders unless he has been appointed as a result of open competitive examination, or under the regulations of November 25, 1912, or of January 20, 1909, or until he is so appointed.

"At any post office of the fourth class where the present postmaster was appointed otherwise than as above set forth, appointment shall be made in accordance with the regulations approved November 25, 1912, as amended this date; and for this purpose the Civil Service Commission shall hold an open competitive examination for each such office having an annual compensation of as much as $180, such examination

for all such post offices to be held by States, as requested by the Postmaster General: *Provided*, That in the event for any such examination less than three persons apply, the Civil Service Commission may, in its discretion, authorize selection in accordance with the provisions of the regulations as amended this date governing selections for appointment to offices having annual compensation of less than $180; and in like manner the regulations of November 25, 1912, as amended this date, shall be applied to each office where the annual compensation is less than $180, and where the present incumbent was appointed otherwise than as above set forth."

It will probably be interesting to you to know that there are about as many post offices with compensation of less than $180 a year as there are with compensation between $180 and $1,000 a year. In the former class there are about 24,000, while in the latter there are approximately 25,000. The examinations in the first-mentioned class, which are to be conducted by post-office inspectors, have already been launched, and the work is being carried on simultaneously throughout all of the States by the inspectors located therein. The examinations in the group with compensation of as much as $180 will be conducted exclusively by the Civil Service Commission. The examinations will be held by States as designated by the Postmaster General, and information regarding these examinations should be sought from the Civil Service Commission.

EFFICIENCY.

The Postmaster General holds that the people are entitled to the very best postal facilities administered in the most efficient manner and that economy shall be only a step behind and go hand in hand with efficiency.

This is the true policy of conservation and in keeping with it the best methods and practices will be insisted upon throughout the service. To this end the department will keep in close touch with the operations of the postmasters and with their cooperation bring the service to the highest degree of usefulness. This is manifested by the attitude of the Postmaster General with regard to postmasters giving their personal attention to their official duties. The postmaster is selected because of his presumed superior ability, his qualifications for rendering satisfactory public service, and his personal standing, and it is not fair to the Government that he should employ his time in other directions to the detriment of his postal duties. A postmaster and a postage stamp are alike in that the value of each depends on the way in which each sticks to the place where you put him. If all postmasters honestly devote to the service the amount of time reasonably expected of them and give to the work of their offices the supervision and direction which good business rules demand, the service would not only gain in effectiveness but considerable economy would result from a better distribution of duties and a consequent reduction in cost.

Postmasters may promote postal conservation by giving careful study to the postal regulations and instructions issued from time to time, and by taking a sincere interest in the correct and orderly conduct of their offices. In this way they will make pleasanter and easier their own duties and materially lighten the work of the department. This administration will give special attention to the elimination of ponderous and unnecessary regulations and will endeavor to promulgate orders and impart information in the briefest and simplest way. Remember that the department is seeking to come close to you and you are expected to do your part by drawing near with inquiring and receptive minds.

POSTAL SAVINGS AND PARCEL POST.

Perhaps the greatest opportunity for fourth-class postmasters to serve their communities is in connection with the new extensions of the service, postal savings and parcel post. By being enthusiastic about these himself, he will instill enthusiasm in others. He should educate his patrons to a full appreciation of the facilities offered. If he encourages some to open postal savings accounts who otherwise would not have acquired the habit of saving, he has done good out of all proportion to the amount of the money actually deposited and made available for commercial use. There are two points to remember—the safety and the convenience of postal savings.

Parcel post has recently been so enlarged and extended by the increase to 20 pounds of the weight limit for the first and second zones and by the reduction of rates that it opens a vast market for butter and eggs, vegetables, and fruit. Every farmer may now do a "mail-order" business. He stands on the same basis with the largest shipper of small packages. There are no rebates in a Government monopoly. He can do away with the long, tiresome trips to the town market by securing regular customers and supplying them by parcel post. He can save the small or large quantities of fruit that otherwise would be lost in the stress of more important farm operations by putting it all in baskets and mailing to the city. He can do this because the rural carrier will receive his packages for delivery at his own door, and there is no time lost. The convenience of this service will eventually encourage farmers to raise more garden truck and to go more extensively into the poultry business. The parcel post enables the business farmer to save the middlemen's commission by delivering his produce at the door of the city or town customers.

The rural routes of the postal service reach 20,000,000 people who have never before had an express service. This is the class to be most greatly benefited by parcel post, but it will not be surprising if the farmer is inclined to be slow in grasping the benefits and opportunities. You who preside over this vast rural express business of the Government should see to it that the parcel-post facilities are brought forcibly to the attention of your patrons. By so doing you will greatly aid them, increase the importance of your office, and by actually creating commerce promote materially the prosperity of our country.

Encourage your rural patrons to use the mails and the newspapers for finding the most advantageous market. Point out that every market within 150 miles is now within reach. Stimulate their ingenuity and imagination by devising original expedients for their use. Quicken them by illustrations and examples. The mails will now carry half-bushel baskets of spinach and lettuce and 20-pound hampers containing from 1 to 3 pecks of cucumbers, onions, and cabbage. One hamper may be packed with an assortment of products to supply a family for several days. Such a market basket might contain, for instance, 2 pounds of butter, 2 dozens of eggs, 2 spring chickens, 2 quarts of strawberries, 2 quarts of green peas, a half peck of spinach, and a supply of onions, radishes, lettuce, and rhubarb. Such a package will now be received from the farmer at his own door, carried anywhere within 150 miles, and laid at the door of his customer for 24 cents. More than this, the package may be insured against loss and the price collected and returned to him for a small charge.

WRAPPING AND LABELING PARCEL-POST PACKAGES.

Much of the responsibility of popularizing the parcel-post service and of guaranteeing its effectiveness to the public rests with the postmasters of the fourth class. The only source of complaint at the present time is the condition in which some packages are delivered, and postmasters should instruct their employees to watch carefully all packages as they are presented for mailing, so as to insure their delivery in good condition. The public must be taught that the proper wrapping of parcels is a prime requisite to their safe delivery. The large shipping houses as well as the smaller merchants in the larger cities have help properly trained in wrapping and give but little trouble in this direction. The poorly wrapped parcels as a rule come from the individual shippers not acquainted with the importance of wrapping, and these as a rule are the patrons of your offices. You must see that the packages when received are durably and properly wrapped and that in all instances they are labeled so as to indicate their contents.

Let us think of the postal service as a great cooperative company owned by all the people and operated by us in trust for all the people. Our function is fully performed only when the greatest possible service is rendered in the most efficient manner at the least possible cost. On your shoulders and on mine is placed this great task. We can not perform our full duty if we are content to do only those things that we must do. We must put our hearts into the work and give not full measure, but overflowing measure, of ourselves. If we do this, the people for whom we are trustees will be pleased and we shall be happy in being useful.

ADDRESSES, CONGRESS HALL CELEBRATION (H. DOC. NO. 272).

Mr. HARDWICK. Mr. Speaker, I ask unanimous consent that the address of the President of the United States and that of the Speaker of this House, delivered in Philadelphia on Saturday last, be printed in the CONGRESSIONAL RECORD.

Mr. MANN. I was just about to make that request, and I hope the gentleman will add to it the request that those addresses be printed also as a House document.

Mr. HARDWICK. Very well. I do not object to having them printed in that form.

Mr. MANN. In both forms?

Mr. HARDWICK. Yes.

The SPEAKER. The gentleman from Georgia [Mr. HARDWICK] asks unanimous consent that the addresses delivered by the President of the United States and the Speaker of the House in Philadelphia on Saturday last be printed in the RECORD and also as a public document. Is there objection?

Mr. DYER. Mr. Speaker, I would like to inquire of the gentleman how many copies that would be of the public document?

Mr. HARDWICK. That would be as many copies as could be printed under the $500 limit; probably 25,000.

Mr. MANN. That would be only the usual number.

Mr. DYER. That, I think, would be only a few hundred.

Mr. MANN. The gentleman could have all he wants printed at his own expense.

Mr. COX. Let us have 50,000.

Mr. HARDWICK. Mr. Speaker, I modify my request to that extent; that 50,000 copies of these addresses be printed as a House document.

Mr. MANN. I think that request ought to come after the document is printed. The usual request is to simply print it.

Mr. HARDWICK. Yes. The usual plan is to print it as a document merely. I withdraw the modification of my request.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Georgia yield?

Mr. HARDWICK. I do.

Mr. RAKER. Does not the gentleman think it would be proper and appropriate to have a copy of the full proceedings as they occurred in connection with this celebration? The history of the whole affair is there.

Mr. DYER. Oh, that would be printed by the authorities in Philadelphia.

Mr. RAKER. Very well.

Mr. HARDWICK. Mr. Speaker, I will not modify my request until after it has been submitted just as I made it.

The SPEAKER. The gentleman from Georgia [Mr. HARDWICK] asks unanimous consent to print the addresses of the President and the Speaker delivered in Philadelphia on Saturday last in the CONGRESSIONAL RECORD and as a House document. Is there objection?

Mr. DYER. Mr. Speaker, reserving the right to object, will the gentleman yield?

Mr. HARDWICK. Certainly.

Mr. DYER. I would like the gentleman to state whether his request is to be considered as asking to have all of the Speaker's address printed or just that portion that he gave to the newspapers? I think the last part of his speech was better than the first. [Laughter.]

Mr. HARDWICK. All of it.

Mr. MANN. It was all good.

Mr. COX. Mr. Speaker, I ask unanimous consent to modify the request of the gentleman from Georgia [Mr. HARDWICK] and make that publication 25,000 copies, if he thinks the 50,000 too large. It is a valuable document.

Mr. HARDWICK. If the gentleman will pardon me, we ought to have an estimate of what it will cost.

Mr. MANN. The ordinary way is to have the usual number printed first.

Mr. HARDWICK. I do not want to make a request for the printing of a document that will run into the thousands of copies without some knowledge of its cost.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. HARDWICK. Yes.

Mr. COX. Will the gentleman take the trouble to investigate the cost and later on renew his request?

Mr. HARDWICK. Yes. I will do that later on; but simply to print it first as a public document will not indicate cost very much.

Mr. DONOVAN. Mr. Speaker, reserving the right to object, does the gentleman from Georgia [Mr. HARDWICK], as I understood him to say a little while ago, mean to have the whole of the remarks spoken by the President printed, and of the Speaker as well? Is that right?

Mr. HARDWICK. That is what I meant; the complete addresses delivered by them.

Mr. DONOVAN. I understand the Speaker, at a certain stage of his remarks, said, "This is from the written part of my utterance, and the balance will be impromptu." [Laughter.] Are we to get the second part, which was the best part of the speech? [Laughter.] The latter part was the better part. We want it all. Is that the idea?

Mr. HARDWICK. I will say to the gentleman that we will get it all if we can. If we can not get it all we will get as much as we can.

Mr. DONOVAN. The stereotyped part was the first part.

Mr. HARDWICK. If the Speaker will furnish it we shall have it all.

Mr. DONOVAN. Mr. Speaker, I think the gentleman ought to be allowed, before this consent is given, to extend the portion uttered by the Speaker later on, as no doubt he can get it.

Mr. HARDWICK. Yes; we are going to do that.

The SPEAKER. Well, I will put an end to that part of the discussion by saying that I will write out that part of the address which was delivered extemporaneously on that occasion. [Laughter.] Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The addresses are as follows:

ADDRESS OF PRESIDENT WILSON.

[Delivered at Philadelphia, Pa., on the occasion of the rededication of Congress Hall, October 25, 1913.]

Your Honor, Mr. Chairman, ladies, and gentlemen: No American could stand in this place to-day and think of the circumstances which we are come together to celebrate without being most profoundly stirred. There has come over me since I sat down here a sense of deep solemnity, because it has seemed to me that I saw ghosts crowding—a great assemblage of spirits, no longer visible, but whose influence we still feel as we feel the molding power of history itself. The men who sat in this hall, to whom we now look back with a touch of deep sentiment, were men of flesh and blood, face to face with extremely difficult problems. The population of the United States then was hardly three times the present population of the city of Philadelphia, and yet that was a Nation as this is a Nation, and the men who spoke for it were setting their hands to a work which was to last, not only that their people might be happy, but that an example might be lifted up for the instruction of the rest of the world.

I like to read the quaint old accounts such as Mr. Day has read to us this afternoon. Strangers came then to America to see what the young people that had sprung up here were like, and they found men in counsel who knew how to construct governments. They found men deliberating here who had none of the appearance of novices, none of the hesitation of men who did not know whether the work they were doing was going to last or not; men who addressed themselves to a problem of construction as familiarly as we attempt to carry out the traditions of a Government established these 137 years.

I feel to-day the compulsion of these men, the compulsion of examples which were set up in this place. And of what do their examples remind us? They remind us not merely of public service but of public service shot through with principle and honor. They were not histrionic men. They did not say—

Look upon us as upon those who shall hereafter be illustrious.

They said:

Look upon us who are doing the first free work of constitutional liberty in the world, and who must do it in soberness and truth, or it will not last.

Politics, ladies and gentlemen, is made up in just about equal parts of comprehension and sympathy. No man ought to go into politics who does not comprehend the task that he is going to attack. He may comprehend it so completely that it daunts him, that he doubts whether his own spirit is stout enough and his own mind able enough to attempt its great undertakings, but unless he comprehend it he ought not to enter it. After he has comprehended it, there should come into his mind those profound impulses of sympathy which connect him with the rest of mankind, for politics is a business of interpretation, and no men are fit for it who do not see and seek more than their own advantage and interest.

We have stumbled upon many unhappy circumstances in the hundred years that have gone by since the event that we are celebrating. Almost all of them have come from self-centered men, men who saw in their own interest the interest of the country, and who did not have vision enough to read it in wider terms, in the universal terms of equity and justice and the rights of mankind. I hear a great many people at Fourth of July celebrations and the Declaration of Independence who in between Julys shiver at the plain language of our bills of rights. The Declaration of Independence was, indeed, the first audible breath of liberty, but the substance of liberty is written in such documents as the declaration of rights attached, for example, to the first constitution of Virginia, which was a model for the similar documents read elsewhere into our great fundamental charters. That document speaks in very plain terms. The men of that generation did not hesitate to say that every people has a right to choose its own forms of government, not once but as often as it pleases, and to accommodate those forms of government to its existing interests and circumstances. Not only to establish but to alter is the fundamental principle of self-government.

We are just as much under compulsion to study the particular circumstances of our own day as the gentlemen were who sat in this hall and set us precedents, not of what to do but of how to do it. Liberty inheres in the circumstances of the day. Human happiness consists in the life which human beings are leading at the time that they live. I can feed my memory as happily upon the circumstances of the revolutionary and constitutional period as you can, but I can not feed all my purposes with them in Washington now. Every day problems arise which wear some new phase and aspect, and I must fall back, if I would serve my conscience, upon those things which are fundamental rather than upon those things which are superficial, and ask myself this question, How are you going to assist in some small part to give the American people and, by example, the peoples of the world more liberty, more happiness, more substantial prosperity; and how are you going to make that prosperity a common heritage instead of a selfish possession? I came here to-day partly in order to feed my own spirit. I did not come in compliment. When I was asked to come I knew immediately upon the utterance of the invitation that I had to come, that to be absent would be as if I refused to drink once more at the original fountains of inspiration for our own Government.

The men of the day which we now celebrate had a very great advantage over us, ladies and gentlemen, in this one particular: Life was simple in America then. All men shared the same circumstances in almost equal degree. We think of Washington, for example, as an aristocrat, as a man separated by training, separated by family and neighborhood tradition, from the ordinary people of the rank and file of the country. Have you forgotten the personal history of George Washington? Do you not know that he struggled as poor boys now struggle for a meager and imperfect education; that he worked at his surveyor's tasks in the lonely forests; that he knew all the roughness, all the hardships, all the adventure, all the variety of the common life of that day; and that if he stood a little stiffly in this place, if he looked a little aloof, it was because life had dealt hardly with him? All his sinews had been stiffened by the rough work of making America. He was a man of the people, whose touch had been with them since the day he saw the light first in the old Dominion of Virginia. And the men who came after him, men, some of whom had drunk deep at the sources of philosophy and of study, were, nevertheless, also men who on this side of the water knew no complicated life but the simple life of primitive neighborhoods. Our task is very much more difficult. That sympathy which alone interprets public duty is more difficult for a public man to acquire now than it was then, because we live in the midst of circumstances and conditions infinitely complex.

No man can boast that he understands America. No man can boast that he has lived the life of America, as almost every man who sat in this hall in those days could boast. No man can pretend that except by common counsel he can gather into his consciousness what the varied life of this people is. The duty that we have to keep open eyes and open hearts and accessible understandings is a very much more difficult duty to perform than it was in their day. Yet how much more important that it should be performed, for fear we make infinite and irreparable blunders. The city of Washington is in some respects self-contained, and it

is easy there to forget what the rest of the United States is thinking about. I count it a fortunate circumstance that almost all the windows of the White House and its offices open upon unoccupied spaces that stretch to the banks of the Potomac and then out into Virginia and on to the heavens themselves, and that as I sit there I can constantly forget Washington and remember the United States. Not that I would intimate that all of the United States lies south of Washington, but there is a serious thing back of my thought. If you think too much about being reelected, it is very difficult to be worth reelecting. You are so apt to forget that the comparatively small number of persons, numerous as they seem to be when they swarm, who come to Washington to ask for things, do not constitute an important proportion of the population of the country, that it is constantly necessary to come away from Washington and renew one's contacts with the people who do not swarm there, who do not ask for anything, but who do trust you without their personal counsel to do your duty. Unless a man gets these contacts he grows weaker and weaker. He needs them as Hercules needed the touch of mother earth. If you lifted him up too high or he lifts himself too high, he loses the contact and therefore loses the inspiration.

I love to think of those plain men, however far from plain their dress sometimes was, who assembled in this hall. One is startled to think of the variety of costume and color which would now occur if we were let loose upon the fashions of that age. Men's lack of taste is largely concealed now by the limitations of fashion. Yet these men who sometimes dressed like the peacock were, nevertheless, of the ordinary flight of their time. They were birds of a feather; they were birds come from a very simple breeding; they were much in the open heaven. They were beginning, when there was so little to distract their attention, to show that they could live upon fundamental principles of government. We talk those principles, but we have not time to absorb them. We have not time to let them into our blood, and thence have them translated into the plain mandates of action.

The very smallness of this room, the very simplicity of it all, all the suggestions which come from its restoration, are reassuring things, things which it becomes a man to realize. Therefore, my theme here to-day, my only thought, is a very simple one. Do not let us go back to the annals of those sessions of Congress to find out what to do, because we live in another age and the circumstances are absolutely different; but let us be men of that kind; let us feel at every turn the compulsions of principle and of honor which they felt; let us free our vision from temporary circumstances and look abroad at the horizon and take into our lungs the great air of freedom which has blown through this country and stolen across the seas and blessed people everywhere; and, looking east and west and north and south, let us remind ourselves that we are the custodians, in some degree, of the principles which have made men free and governments just.

ADDRESS OF HON. CHAMP CLARK.

[Delivered at Philadelphia, Pa., Saturday, October 25, 1913.]

In the history of America there are certain great epochal events which we can all most heartily and enthusiastically celebrate. Among these are the discovery of the new world, the first white settlement at Jamestown, the landing of the Pilgrims on Plymouth Rock, Patrick Henry's great lyric speech in the Virginia House of Burgesses which precipitated the Revolution and which still stirs the heart like strains of martial music, the skirmish at Lexington, where the embattled farmers fired the shot heard around the world, the Declaration of Independence, the surrender of Lord Cornwallis at Yorktown, the adoption of the Constitution, and the purchase of the Louisiana Territory, which made us a world power.

Philadelphia was the scene of two of these vastly important and far-reaching transactions—the promulgation of the Declaration and the making of the Constitution. The former published our theory of government; the latter set forth the plan to put that theory into effect. The Declaration is the most splendid state paper in all the hoary registers of time; the Constitution has been pronounced the greatest single emanation of the human mind. The majestic sweep of the Declaration helped us secure our liberty. A man of sensibility can not read it, even at this late day, without his blood flowing faster. For 137 years it has been a pillar of cloud by day and a pillar of fire by night to people everywhere struggling for the freedom to which all men are entitled.

If there were saints in the political calendar as there are in the religious and if particular days were assigned to particular saints the Fourth of July would be universally called Saint Jefferson's Day. The twin basic ideas: "All men are created equal" and "Governments derive their just powers from the consent of the governed," which the fathers enunciated that day in this goodly city have worked like the leaven described in the Bible until the civilized world has accepted our political philosophy in whole or in part. Like Tennyson's brook, they will go on forever until men everywhere are free. Our Declaration of Independence is the Magna Charta of human liberty and has revolutionized the world.

If it be true that imitation is the sincerest flattery we have ample cause for self-congratulation, for our Constitution has become both the fashion and the pattern among nations. The highest compliment ever paid the fathers of the Republic was when Bismarck built the new German Empire upon the model of our dual government.

Be it ours to preserve, strengthen, and perpetuate our free institutions, thereby transmitting to our descendants the richest heritage ever possessed by the children of men.

Ladies and gentlemen, the words I have just spoken constitute the written speech which I gave out in advance to the newspapers because they wanted it. Now I am going to say a few things pertinent to the occasion for my own satisfaction.

From the smallest beginning we have risen to a commanding position.

Truly does Emerson say:

> We live in a new and exceptional age. America is another word for opportunity. Our entire history appears like a last effort of Divine Providence in behalf of the human race.

Those words of the great Concord philosopher were fitly spoken and are like apples of gold in pictures of silver.

Our growth in every respect has been, indeed, phenomenal.

In 1800 we had 5,308,483 people. In 1910 our population was 91,972,266 in continental America alone, exclusive of Alaska, Hawaii, Guam, Porto Rico, the Philippines, and the Canal Zone. If our population increases at that rate for the next 110 years in 2010 it will number 2,000,000,000 souls—500,000,000 more than are supposed to be on earth to-day. It makes one think of Andrew Carnegie's gorgeous vision of "The United States of the World." Not long since Mr. Secretary of Agriculture James Wilson declared in a public address that if the Mississippi Valley were cultivated for all it is worth on the average one acre would support one human being, which would give us 1,250,000,000 citizens betwixt the top of the Alleghenies and the crest of the Rockies.

When Mr. Speaker Frederick Augustus Muhlenberg called the House of the First Congress to order, he presided over a House composed of 56 Members. Now I preside over a House composed of 435 Members, to say nothing of two Territorial Delegates and three Resident Commissioners from Porto Rico and the Philippines. In the beginning the ratio for a Representative in Congress was 33,000; now it is 212,500. With the first ratio and our present population the House of Representatives would consist of 2,787 Representatives.

In 113 years our total wealth multiplied 125 fold and is now rated by statisticians at the enormous sum of one hundred and forty billions of dollars, which, if equally distributed, would give $1,312 to every man, woman, and child between the two oceans. But there's the rub, for while a few are rich beyond the dream of avarice, many have not the wherewithal to feed and clothe themselves. I am fain to believe that the crowning glory of the philosophy, statecraft, humanitarianism, and religion of the twentieth century will be to devise a scheme whereby every man, and every woman, too, shall enjoy the usufruct of his own labor and to prevent one greedy soul from monopolizing the toil and sweat and lives of thousands. The signs of the times indicate that that dream is not too fantastic for entertainment. That glad era began when N. O. Nelson, of St. Louis, originated the plan of sharing profits with his employees. I humbly and reverently thank God this day that he is a Missourian. Some of the great manufacturing concerns, railroads, and insurance companies are establishing pension systems for their employees disabled by sickness, accident, or old age, which put to blush the liberal pension system of the Federal Government for the soldiers of our various wars. I say blessed be the name of the man forever, without regard to politics or religion, who establishes abiding peace between labor and capital, which should be friends and not enemies.

Should our wealth increase for the next 113 years at the rate of the last 113, in the year 2026 it will amount to seventeen trillions five hundred billions of dollars, a sum so stupendous as to be incomprehensible by the mathematical powers of the human mind.

In 1800 our territory was circumscribed by the Atlantic on the east, the Mississippi on the west, the Great Lakes on the north, and the Floridas on the south. It did not even touch the Gulf of Mexico. Now it extends from the sunrise side of Porto Rico in the east to the Lord only knows where in the west.

In 1800 we were a fourth-rate power, a feeble folk of little value in the world's calculations and plans. Now we are in the front rank, and there is not an emperor, czar, king, prince, potentate, or premier who does not lie awake of nights trying to discover what we will do next. The President of the United States has more real power than any ruler on earth, the reason being that so soon as any man is elected President he is the President of all Americans of whatever persuasion, religious or political.

In 1800 churches were like angels' visits, few and far between. The advent of the preacher into a community was the event of the season, sometimes of the year. Now the average citizen lives within less than 4 miles of a place of worship and preachers and priests are as plentiful as candidates in a Republican primary in Philadelphia. These facts are not to be despised even by statesmen, for the wisest man that ever lived said: "Righteousness exalteth a nation; but sin is a reproach to any people."

The majority of the men who fought in the Revolutionary War could not read and write. According to the last census less than 8 per cent of our white people were classed as illiterate.

When George Washington was first sworn in as President there were about a dozen colleges in the United States, every one of them in imminent danger of dying of what the doctors call anemia—that is, poverty of the blood. Now a million ambitious boys and girls are preparing themselves for the important and onerous duties of American citizenship at 500 universities and colleges, not to mention high-class academies. I myself have lectured to one audience composed entirely of the teachers and students of one university which numbered more persons than did the army with which Sam Houston established the liberty of Texas on the red field of San Jacinto.

It is said to have been the wish dearest to the heart of Henry IV, the greatest of the Bourbon Kings, that France might become so prosperous that every Frenchman might have a fowl in the pot for his Sunday dinner, which does not seem much of a boon to us meat eaters in this rich and favored land. If I had one prayer for the American Republic which I knew would be answered, it would be that every American citizen should be sufficiently educated to read his ballot intelligently on election day and sufficiently courageous to cast it as becomes an American freeman.

The small but goodly company of heroes and statesmen who once sat in this Hall and legislated for the nascent Republic wrought wisely and patriotically in the cause of human freedom. We also of this day who are intrusted with power—the President and his administration and both Houses of Congress—work energetically, patriotically, and wisely, I hope, for the public weal.

The greatest achievement to our credit is that we have taught all the peoples of the earth that men can govern themselves—a glorious fact of which we may well be proud.

I have no patience with the pessimists and muckrakers who are forever predicting the downfall of the Republic and the return of chaos. It surely must be that if 3,000,000 backwoodsmen in the dawn of civilization on this continent possessed the wisdom, skill, courage, fortitude, patriotism, and self-abnegation to achieve liberty, we, ninety-odd millions of their descendants, the very flower of the human race, with a continent for our home and the resources of a continent to command, possess the wisdom, skill, courage, fortitude, patriotism, and self-abnegation to preserve our free institutions for ourselves and our posterity.

When I look into the faces of my children my heart swells with ineffable pride to think that they are citizens of this mighty Republic, one and indivisible, built not for a day but for all time, and destined under God to be the dominating influence through all the centuries yet to be.

LEAVE TO WITHDRAW PAPERS—JOSEPH MOORE.

By unanimous consent, at the request of Mr. DYER, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the case of Joseph Moore (H. R. 21843, 62d Cong., 2d sess.), no adverse report having been made thereon.

ADJOURNMENT.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

Mr. MANN. Oh, no. [Laughter.]

The SPEAKER. The gentleman from Kentucky moves that the House do now adjourn.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. MANN. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 61, nays 24, answered "present" 8, not voting 335, as follows:

YEAS—61.

Abercrombie	Crosser	Hughes, Ga.	Reilly, Conn.
Aiken	Dent	Hull	Russell
Aswell	Donohoe	Jacoway	Shackleford
Beakes	Doremus	Johnson, Ky.	Sims
Bell, Ga.	Doughton	Johnson, S. C.	Sisson
Brumbaugh	Estopinal	Keating	Small
Buchanan, Ill.	Evans	Kirkpatrick	Stone
Buchanan, Tex.	Flood, Va.	Lee, Pa.	Stout
Bulkley	Garrett, Tex.	Linthicum	Tavenner
Burgess	George	Lloyd	Ten Eyck
Byrns, Tenn.	Gray	Lobeck	Watkins
Candler, Miss.	Hamlin	McDermott	Whitacre
Carlin	Hammond	Maguire, Nebr.	Young, Tex.
Casey	Hay	Page	
Church	Henry	Pepper	
Cox	Hensley	Raker	

NAYS—24.

Anderson	Dyer	Kennedy, Iowa	Patton, Pa.
Avis	Fowler	La Follette	Powers
Barton	Frear	Lindquist	Sharp
Bell, Cal.	Hawley	MacDonald	Sinnott
Browne, Wis.	Johnson, Utah	Manahan	Steenerson
Donovan	Kelly, Pa.	Murdock	Sutherland

ANSWERED "PRESENT"—8.

Cary	Hardwick	Mann	Smith, Minn.
Falconer	Hayden	Morrison	Woods

NOT VOTING—335.

Adair	Deitrick	Helm	Moore
Adamson	Dershem	Helvering	Morgan, La.
Ainey	Dickinson	Hill	Morgan, Okla.
Alexander	Dies	Hinds	Morin
Allen	Difenderfer	Hinebaugh	Moss, Ind.
Ansberry	Dillon	Hobson	Moss, W. Va.
Anthony	Dixon	Holland	Mott
Ashbrook	Dooling	Houston	Murray, Mass.
Austin	Doolittle	Howard	Murray, Okla.
Bailey	Driscoll	Howell	Neeley
Baker	Dunn	Hoxworth	Nelson
Baltz	Dupré	Hughes, W. Va.	Nolan, J. I.
Barchfeld	Eagan	Hulings	Norton
Barkley	Eagle	Humphrey, Wash.	O'Brien
Barnhart	Edmonds	Humphreys, Miss.	Oglesby
Bartholdt	Edwards	Igoe	O'Hair
Bartlett	Elder	Johnson, Wash.	Oldfield
Bathrick	Esch	Jones	O'Leary
Beall, Tex.	Fairchild	Kahn	O'Shaunessy
Blackmon	Falson	Keister	Padgett
Booher	Farr	Kelley, Mich.	Palmer
Borchers	Fergusson	Kennedy, Conn.	Parker
Borland	Ferris	Kennedy, R. I.	Patten, N. Y.
Bowdle	Fess	Kent	Payne
Bremner	Fields	Kettner	Peters, Mass.
Britten	Finley	Key, Ohio	Peters, Me.
Brockson	Fitzgerald	Kless, Pa.	Peterson
Brodbeck	FitzHenry	Kindel	Phelan
Broussard	Floyd, Ark.	Kinkaid, Nebr.	Platt
Brown, N. Y.	Fordney	Kinkead, N. J.	Plumley
Brown, W. Va.	Foster	Kitchin	Porter
Browning	Francis	Knowland, J. R.	Post
Bruckner	French	Konop	Pou
Bryan	Gallagher	Korbly	Prouty
Burke, Pa.	Gard	Kreider	Quin
Burke, S. Dak.	Gardner	Lafferty	Ragsdale
Burke, Wis.	Garner	Langham	Rainey
Burnett	Garrett, Tenn.	Langley	Rauch
Butler	Gerry	Lazaro	Rayburn
Byrnes, S. C.	Gillett	Lee, Ga.	Reed
Calder	Gilmore	L'Engle	Reilly, Wis.
Callaway	Glass	Lenroot	Richardson
Campbell	Glass	Lesher	Riordan
Cantrill	Godwin, N. C.	Lever	Roberts, Mass.
Caraway	Goeke	Levy	Roberts, Nev.
Carew	Goldfogle	Lewis, Md.	Rogers
Carr	Good	Lewis, Pa.	Rothermel
Carter	Goodwin, Ark.	Lieb	Rouse
Chandler, N. Y.	Gordon	Lindbergh	Rubey
Clancy	Gorman	Logue	Rucker
Clark, Fla.	Goulden	Lonergan	Rupley
Claypool	Graham, Ill.	McAndrews	Sabath
Clayton	Graham, Pa.	McClellan	Saunders
Cline	Green, Iowa	McCoy	Scott
Collier	Greene, Mass.	McGillicuddy	Scully
Connelly, Kans.	Greene, Vt.	McGuire, Okla.	Seldomridge
Connolly, Iowa	Gregg	McKellar	Sells
Conry	Griest	McKenzie	Sherley
Cooper	Griffin	McLaughlin	Sherwood
Copley	Gudger	Madden	Shreve
Covington	Guernsey	Mahan	Slayden
Cramton	Hamill	Maher	Slemp
Crisp	Hamilton, Mich.	Mapes	Sloan
Cullop	Hamilton, N. Y.	Martin	Smith, Idaho
Curley	Hardy	Merritt	Smith, J. M. C.
Curry	Harrison	Metz	Smith, Md.
Dale	Hart	Miller	Smith, N. Y.
Danforth	Haugen	Mitchel	Smith, Saml. W.
Davenport	Hayes	Mondell	Smith, Tex.
Davis	Heflin	Montague	Sparkman
Decker	Helgesen	Moon	Stafford

Stanley	Talcott, N. Y.	Tribble	Webb
Stedman	Taylor, Ala.	Tuttle	Whaley
Stephens, Cal.	Taylor, Ark.	Underhill	White
Stephens, Miss.	Taylor, Colo.	Underwood	Williams
Stephens, Nebr.	Taylor, N. Y.	Vare	Willis
Stephens, Tex.	Temple	Vaughan	Wilson, Fla.
Stevens, Minn.	Thacher	Volstead	Wilson, N. Y.
Stevens, N. H.	Thomas	Walker	Wingo
Stringer	Thompson, Okla.	Wallin	Winslow
Sumners	Thomson, Ill.	Walsh	Witherspoon
Switzer	Towner	Walters	Woodruff
Taggart	Townsend	Watson	Young, N. Dak.
Talbott, Md.	Treadway	Weaver	

So the motion to adjourn was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.
Mr. SCULLY with Mr. BROWNING.
Mr. METZ with Mr. WALLIN.
Mr. HOBSON with Mr. FAIRCHILD.
Mr. BARTLETT with Mr. BUTLER.
Mr. ADAMSON with Mr. STEVENS of Minnesota.
Mr. UNDERWOOD with Mr. MANN.

Until further notice:

Mr. ALEXANDER with Mr. AUSTIN.
Mr. ALLEN with Mr. J. M. C. SMITH (commmencing Oct. 1).
Mr. ASHBROOK with Mr. KAHN.
Mr. BALTZ with Mr. SHREVE.
Mr. BARKLEY with Mr. FALCONER.
Mr. BAILEY with Mr. FESS.
Mr. BARNHART with Mr. MAPES.
Mr. BLACKMON with Mr. BARCHFELD.
Mr. BORLAND with Mr. KEISTER.
Mr. BREMNER with Mr. GILLETT.
Mr. BOWDLE with Mr. MOSS of West Virginia.
Mr. BURNETT with Mr. HAYES.
Mr. BROUSSARD with Mr. KELLEY of Michigan.
Mr. BATHRICK with Mr. NELSON.
Mr. BROWN of West Virginia with Mr. KREIDER.
Mr. BURKE of Wisconsin with Mr. CARY.
Mr. COLLIER with Mr. WOODS.
Mr. CLAYTON with Mr. MONDELL.
Mr. CLAYPOOL with Mr. BRYAN.
Mr. CANTRILL with Mr. HELGESEN.
Mr. CARAWAY with Mr. KENNEDY of Rhode Island.
Mr. CRISP with Mr. HINDS (transferable).
Mr. CLANCY with Mr. HAMILTON of New York.
Mr. CLARK of Florida with Mr. KIESS of Pennsylvania.
Mr. COVINGTON with Mr. MILLER.
Mr. CARTER with Mr. MCGUIRE of Oklahoma.
Mr. CLINE with Mr. NORTON (commencing Oct. 1).
Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.
Mr. CURLEY with Mr. J. R. KNOWLAND.
Mr. DECKER with Mr. MOORE.
Mr. DEITRICK with Mr YOUNG of North Dakota.
Mr. DIES with Mr. SWITZER.
Mr. DUPRÉ with Mr. ANTHONY.
Mr. FRANCIS with Mr. HUGHES of West Virginia.
Mr. FITZGERALD with Mr. CALDER.
Mr. FERRIS with Mr. SELLS.
Mr. FIELDS with Mr. LANGLEY.
Mr. FAISON with Mr. CURRY.
Mr. FOSTER with Mr. GREENE of Vermont (commencing Oct. 27).
Mr. FINLEY with Mr. GREEN of Iowa.
Mr. GILMORE with Mr. MCKENZIE.
Mr. GARD with Mr. PLUMLEY.
Mr. GERRY with Mr. DAVIS.
Mr. GOEKE with Mr. LEWIS of Pennsylvania.
Mr. GOODWIN of Arkansas with Mr. PORTER.
Mr. GRAHAM of Illinois with Mr. PETERS of Maine.
Mr. GARNER with Mr. J. I. NOLAN.
Mr. GORDON with Mr. THOMSON of Illinois.
Mr. GARRETT of Tennessee with Mr. LANGHAM.
Mr. HAYDEN with Mr LAFFERTY.
Mr. HEFLIN with Mr. DUNN.
Mr. HELM with Mr. TOWNER.
Mr. HARRISON with Mr. GRAHAM of Pennsylvania.
Mr. HOXWORTH with Mr. ROBERTS of Nevada.
Mr. HOWARD with Mr. GRIEST.
Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).
Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).
Mr. HOUSTON with Mr. WILLIS.
Mr. IGOE with Mr. PROUTY.
Mr. JONES with Mr. HINEBAUGH.
Mr. KITCHIN with Mr. PAYNE.
Mr. KEY of Ohio with Mr. FARR.
Mr. KONOP with Mr. MORIN.
Mr. KETTNER with Mr. SCOTT.
Mr. LEVY with Mr. ROBERTS of Massachusetts.
Mr. LONERGAN with Mr. ROGERS.
Mr. MCGILLICUDDY with Mr. GUERNSEY.
Mr. MCCLELLAN with Mr. LEWIS of Pennsylvania.
Mr. MONTAGUE with Mr. VARE.
Mr. MOON with Mr. DILLON.
Mr. MORGAN of Louisiana with Mr. HULINGS.
Mr. MORRISON with Mr. HUMPHREY of Washington.
Mr. MCKELLAR with Mr. MOTT.
Mr. PALMER with Mr. COPLEY.
Mr. PETERSON with Mr. PLATT (commencing Oct. 13).
Mr. PHELAN with Mr. SMITH of Minnesota (commencing Oct. 24 until Nov. 15).
Mr. POST with Mr. SMITH of Idaho.
Mr. RAINEY with Mr. MADDEN.
Mr. RUCKER with Mr. HAUGEN.
Mr. THOMPSON of Oklahoma with Mr. DANFORTH.
Mr. ROUSE with Mr. RUPLEY.
Mr. RICHARDSON with Mr. MARTIN.
Mr. RUBEY with Mr. TREADWAY.
Mr. SHERWOOD with Mr. SAMUEL W. SMITH.
Mr. SHERLEY with Mr. COOPER (commencing Oct. 23 until Nov. 15).
Mr. SPARKMAN with Mr. HOWELL.
Mr. SUMNERS with Mr. ESCH.
Mr. SAUNDERS with Mr. AINEY.
Mr. SMITH of Texas with Mr. MCLAUGHLIN.
Mr. STEDMAN with Mr. FRENCH.
Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.
Mr. STEPHENS of Nebraska with Mr. SLOAN.
Mr. TALBOTT of Maryland with Mr. MERRITT.
Mr. THOMAS with Mr. JOHNSON of Washington (Oct. 27 to Nov. 1, inclusive).
Mr. UNDERHILL with Mr. WALTERS.
Mr. WATSON with Mr. CRAMTON.
Mr. WILLIAMS with Mr. BRITTEN.
Mr. WEBB with Mr. WOODRUFF.
Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).
Mr. WINGO with Mr. PARKER.
Mr. WEAVER with Mr. BURKE of Pennsylvania.
Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).
Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).
Mr. REED with Mr. WINSLOW (commencing Oct. 1 for remainder of extra session).
Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, 1913, except on cotton-futures amendment).
Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, ending balance of session).

Mr. FALCONER. Mr. Speaker, I desire to change my vote from "aye" to "present."

Mr. MANN. Mr. Speaker, I voted no, but I am paired with the gentleman from Alabama, Mr. UNDERWOOD. I desire to withdraw my vote and to be recorded "present."

Mr. SMITH of Minnesota. Mr. Speaker, I am paired with the gentleman from Massachusetts, Mr. PETERS. I wish to withdraw my vote and to vote "present."

The result of the vote was announced as above recorded.

Accordingly (at 12 o'clock and 40 minutes p. m.) the House adjourned until Tuesday, October 28, 1913, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel sloop *Nancy* in the case of the Insurance Co. of North America *v.* United States (H. Doc. No. 262); to the Committee on Claims and ordered to be printed.

2. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the brig *Sally* in the cases of Insurance Co. of North America *v.* United States; Mayhew Adams, administrator of the estate of Moses Adams, deceased, *v.* United States; and Mayhew Adams, administrator of the estate of Moses Adams, deceased, *v.* The United States (H. Doc. No. 263); to the Committee on Claims and ordered to be printed.

3. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel brig *Little Maria* in the case of the Insurance Co. of North America *v.* the United States (H. Doc. No. 266); to the Committee on Claims and ordered to be printed.

4. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel brig *Betsey*, in the case of the Insurance Co. of North America *v.* United States (H. Doc. No. 267); to the Committee on Claims and ordered to be printed.

5. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and the conclusions of law in the French spoliation claims relating to the vessel brig *Minerva* in the case of the Insurance Co. of North America *v.* United States (H. Doc. No. 268); to the Committee on Claims and ordered to be printed.

6. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel schooner *Betsey* in the cases of Insurance Co. of the State of Pennsylvania *v.* United States; C. D. Vasse, administrator of Ambrose Vasse, *v.* United States; William D. Squires, administrator of Henry Pratt, surviving partner of Pratt & Kintzing, *v.* United States; George Harrison Fisher, administrator of Jacob Ridgway, surviving partner of Smith & Ridgway, *v.* United States; J. Bayard Henry, administrator of Charles Ross and John Simson, *v.* United States; Francis A. Lewis, administrator of Peter Blight, *v.* United States; Samuel Bell, administrator of Stephen Dutilh and John G. Wacksmuth, *v.* United States; George W. Guthrie, administrator of Alexander Murray, surviving partner of Miller & Murray, *v.* United States; Crawford D. Henning, administrator of Abijah Dawes, *v.* United States; J. Bayard Henry, administrator of John Leamy, *v.* United States; Pennsylvania Co. for Insurance on Lives, etc., administrator of Thomas M. Willing, surviving partner of Willing & Francis, *v.* United States; Sara Leaming, administratrix of Thomas Murgatroyd, *v.* United States (H. Doc. No. 263); to the Committee on Claims and ordered to be printed.

7. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel brig *Jane* in the cases of the Insurance Co. of the State of Pennsylvania *v.* The United States; George Harrison Fisher, administrator of Jacob Ridgway, *v.* United States; and George Harrison Fisher, administrator of Jacob Ridgway, surviving partner of Smith and Ridgway, *v.* United States (H. Doc. No. 269); to the Committee on Claims and ordered to be printed.

8. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claim relating to the vessel ship *Sally* in the case of the Insurance Co. of the State of Pennsylvania *v.* United States (H. Doc. No. 264); to the Committee on Claims and ordered to be printed.

9. A letter from the Acting Secretary of Agriculture, transmitting records pertaining to the exchange entered into between the Santa Barbara Tie & Pole Co. and the Secretary of Agriculture, involving lands within the Pecos and Zuni National Forests, N. Mex., in accordance with House resolution 249; to the Committee on Agriculture.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 4245) granting a pension to Mary M. Krafft; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9024) granting an increase of pension to John L. Doyle; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HAY: A bill (H. R. 9041) to provide for the purchase of a site and the erection thereon of a public building at Luray, Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9042) to permit sales by supply departments of the Army to certain military schools and colleges; to the Committee on Military Affairs.

By Mr. LAFFERTY: A bill (H. R. 9043) providing for the construction, maintenance, and operation by the Postmaster General of telephone and telegraph lines necessary for the transmittal of Government messages and for the handling of such business of the general public as may be offered, and for the acquisition, in the discretion of the Postmaster General, of existing telephone and telegraph lines at the cost of reproduction; to the Committee on the Post Office and Post Roads.

By Mr. CHURCH: A bill (H. R. 9044) to amend an act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907; to the Committee on Immigration and Naturalization.

By Mr. BELL of Georgia: A bill (H. R. 9045) for increased pay for rural letter carriers; to the Committee on the Post Office and Post Roads.

By Mr. EVANS: A bill (H. R. 9046) granting to various States public lands for the construction, repair, and maintenance of public roads; to the Committee on the Public Lands.

By Mr. BARTON. Resolution (H. Res. 295) directing the Secretary of the Treasury to send to the House of Representatives certain information; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 9047) granting an increase of pension to Mary Thomas; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 9048) granting a pension to John Hughes; to the Committee on Pensions.

By Mr. DIXON: A bill (H. R. 9049) granting an increase of pension to Margarette Williams; to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 9050) granting a pension to Edith V. Fannett; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 9051) granting an increase of pension to James W. Hogg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9052) granting an increase of pension to Nancy Riley; to the Committee on Invalid Pensions.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 9053) granting an increase of pension to James W. Thomas; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 9054) granting an increase of pension to George J. Wilson; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 9055) for the relief of James T. Anderson; to the Committee on Military Affairs.

By Mr. SIMS: A bill (H. R. 9056) for the relief of the legal representatives of Joseph B. Henning, deceased; to the Committee on War Claims.

By Mr. SMITH of Minnesota: A bill (H. R. 9057) granting an increase of pension to William Schahn; to the Committee on Pensions.

By Mr. SUTHERLAND: A bill (H. R. 9058) for the relief of the heirs of James A. Smith; to the Committee on War Claims.

Also, a bill (H. R. 9059) granting an increase of pension to William E. Long; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of the Independent Petroleum Marketers' Association of the United States, favoring a 1 cent-letter-postage rate; to the Committee on Post Offices and Post Roads.

By Mr. KIESS of Pennsylvania: Evidence in support of House bill 8993, for the relief of Daniel Engler; to the Committee on Invalid Pensions.

By Mr. LAFFERTY: Memorial of Appomattox Post, No. 34, Grand Army of the Republic, Department of Oregon, protesting against any change in the American flag; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of the Commercial Clubs of Thief River Falls, Roseau, Warroad, Roosevelt, International Falls, Spooner, and Baudette, Minn., favoring the conservation, reclamation, and improvement of the ceded Indian lands remaining unentered in the State of Minnesota; to the Committee on Indian Affairs.

HOUSE OF REPRESENTATIVES.

TUESDAY, *October 28, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We come to Thee, O God our heavenly Father, source of all good, for wisdom, strength, and guidance, that with clear conceptions, high ideals, pure motives, and earnest endeavors we may go forward to larger conquests in the things that make for righteousness in the political, economical, social, and religious life of our Republic, to the honor and glory of Thy holy name. Amen.

The Journal of the proceedings of yesterday was read and approved.

INCOME-TAX REGULATIONS.

Mr. MANN. Mr. Speaker, yesterday morning the House ordered printed as a House document 100,000 copies of the regulations issued by the Treasury Department concerning the income tax. I was informed before making the suggestion to the House that the regulations were complete, but they are only regulations in regard to the collection of income at the source, and I doubt whether 100,000 copies will be required for the use of the House. I suppose every Member will want to send a copy to the banks, trust companies, and the lawyers in his district. Whether it will take 100,000 copies to do that is very doubtful.

Mr. HARDWICK. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. HARDWICK. I notice these regulations relate only to the collection of the income tax at the source, whereas now the Treasury Department is in the process of preparing and issuing a series of general instructions relating to all factors of the collection of the income tax from individuals and all others. Would it not be a good idea to wait until they finish those regulations and then put them all into one document?

Mr. MANN. I think that would be a good idea to put them all into one document when the regulations are issued, but they are not to be issued for some little time, and the collection at the source commences the 1st of November. I think many Members will desire to send one to these banks and trust companies. Suppose we order 25,000—20,000 for the folding room and 5,000 for the document room—and then print the rest later.

Mr. HARDWICK. I think that would be better.

Mr. COX. Will the gentleman yield?

Mr. MANN. Yes.

Mr. COX. If 100,000 copies are printed and 80,000 go to the folding room, that will only give about 175 or 180 to each Member.

Mr. MANN. I have not figured it out, but I think Members will want to send banks, trust companies, and so forth, copies.

Mr. COX. I think the newspapers ought to have it.

Mr. MANN. I do not think it is a matter that the newspapers would carry in their columns.

Mr. COX. The newspapers of my district are printing the tariff bill in toto.

Mr. MANN. As a serial story?

Mr. COX. There were 80,000 tariff bills printed, and that only gave 179 copies to each Member, after allowing a certain number to go to the Treasury Department.

Mr. MANN. There is no reason why a sufficient number should not be printed, as the total cost of printing 100,000 copies is less than $500. When I called the attention of the House to the matter yesterday and made the request, I stated to the House that it was the complete regulations of which there undoubtedly would be required 100,000 copies.

Mr. COX. I think the gentleman had better make it 50,000 copies.

Mr. HARDWICK. Mr. Speaker, I shall have to object to more than 25,000 copies.

Mr. MANN. But we have already ordered 100,000 copies.

Mr. HARDWICK. Well, if we are in that situation I will accept any reduction. If the gentleman from Illinois will pardon me, when the complete regulations are issued we ought to have as many as we need, but it strikes me that these instructions as to the collecting of the income at the source will not be needed in such a number.

Mr. MANN. Everybody who has an interest coupon runs against this proposition. At some place or other there has to be collected the income tax and a certificate attached to the coupon. People who own coupons will want to know that, and the banks that collect them will want a copy of these regulations.

Mr. PEPPER. Mr. Speaker, I have made a rough calculation, and as I figure it 80,000 copies placed in the folding room will give each Member 180 copies. I do not know how other Members are situated, but if you are going to send one to every lawyer and every trust company and every bank 100,000 will not be too many.

Mr. HARDWICK. It will not be enough.

Mr. PEPPER. I believe, in view of the fact that it is within the $500 limit, we better let it stand as it is. It seems to me if we cut it down to 50,000, which will make only 90 to a Member, it will not be enough, and I should imagine the gentleman from Illinois would need a great many more than 90 to supply the people of his district.

Mr. MANN. I presume I would need less than the average Member.

The SPEAKER. Does the gentleman from Illinois ask that the number set yesterday be cut down?

Mr. MANN. I withdraw the request, Mr. Speaker.

THE MERCHANT MARINE.

Mr. ALEXANDER. Mr. Speaker, I understand the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea, popularly known as the seaman's bill, which passed the Senate, is on the Speaker's table and has not been printed. I presume it will not be printed unless it is referred, unless unanimous consent is granted for printing it. I have not yet seen the bill as it passed the Senate. A great many Members have requested copies. I have not yet determined just what course to pursue with reference to the bill, and I ask unanimous consent that the bill be printed, so that the Members may see what it is.

Mr. MANN. Mr. Speaker, I ask that the bill be referred under the rules, and then it will be printed as a matter of procedure.

Mr. ALEXANDER. I shall not object to that course.

Mr. HARDWICK. If the bill is referred, it will be printed under the rules.

Mr. ALEXANDER. Yes; but I want it printed without reference.

The SPEAKER. What request does the gentleman make?

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to have the bill printed for information, without reference.

Mr. MANN. And I ask to have the bill referred.

The SPEAKER. The Chair will put the request of the gentleman from Missouri. The gentleman from Missouri asks unanimous consent that Senate bill 136 be printed without reference. Is there objection?

Mr. MANN. I ask to have the bill referred.

The SPEAKER. But the gentleman from Missouri made his request first.

Mr. MANN. But mine has a prior right.

Mr. HARDWICK. Mr. Speaker, I shall solve the difficulty by objecting to the request of the gentleman from Missouri.

Mr. MANN. I think the Speaker is obliged to refer a bill when a request is made.

The SPEAKER. The gentleman from Georgia objects to the request of the gentleman from Missouri, and the Chair refers the bill under the rule to the Committee on Merchant Marine and Fisheries, and, of course, that takes with it the printing of the bill.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 234. An act to enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose; and to assess a tax against the person maintaining said nuisance and against the building and owner thereof.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 234. An act to enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose; and to assess a tax against the person maintaining said nuisance and against the building and owner thereof; to the Committee on the District of Columbia.

S. 136. An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea; to the Committee on the Merchant Marine and Fisheries.

THE LATE ADOLPHUS BUSCH.

Mr. DYER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech delivered by ex-Secretary of Commerce and Labor Hon. Charles Nagel, of St. Louis.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

Mr. MANN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 62, nays 28, answered "present" 10, not voting 328, as follows:

YEAS—62.

Abercrombie	Cox	Heflin	Raker
Aiken	Crosser	Hensley	Reilly, Conn.
Alexander	Donohoe	Hughes, Ga.	Rothermel
Aswell	Donovan	Hull	Russell
Bathrick	Doremus	Jacoway	Shackleford
Beakes	Doughton	Johnson, Ky.	Sims
Bell, Ga.	Evans	Keating	Sisson
Brumbaugh	Fergusson	Kirkpatrick	Smith, Md.
Buchanan, Ill.	Flood, Va.	Lee, Pa.	Stone
Buchanan, Tex.	Garrett, Tex.	Lloyd	Stout
Burgess	George	Lobeck	Tavenner
Byrns, Tenn.	Glass	McDermott	Ten Eyck
Candler, Miss.	Godwin, N. C.	Maguire, Nebr.	Watkins
Carlin	Gray	Page	Young, Tex.
Casey	Hamlin	Palmer	
Church	Hammond	Pepper	

NAYS—28.

Anderson	Fowler	La Follette	Plumley
Avis	Frear	Lindbergh	Powers
Barton	Hawley	Lindquist	Sharp
Bell, Cal.	Johnson, Utah	Manahan	Sinnott
Browne, Wis.	Kelly, Pa.	Murdock	Smith, Idaho
Dyer	Kennedy, Iowa	Nelson	Steenerson
Edmonds	Lafferty	Patton, Pa.	Sutherland

ANSWERED "PRESENT"—10.

Bartlett	Hardwick	Stevens, Minn.	Watson
Cary	Mann	Volstead	Woods
Falconer	Morrison		

NOT VOTING—328.

Adair	Covington	Gorman	Korbly
Adamson	Cranton	Goulden	Kreider
Airey	Crisp	Graham, Ill.	Langham
Allen	Cullop	Graham, Pa.	Langley
Ansberry	Curley	Green, Iowa	Lazaro
Anthony	Curry	Greene, Mass.	Lee, Ga.
Ashbrook	Dale	Greene, Vt.	L'Engle
Austin	Danforth	Gregg	Lenroot
Bailey	Davenport	Griest	Lesher
Baker	Davis	Griffin	Lever
Baltz	Decker	Gudger	Levy
Barchfeld	Deitrick	Guernsey	Lewis, Md.
Barkley	Dent	Hamill	Lewis, Pa.
Barnhart	Dershem	Hamilton, Mich.	Lieb
Bartholdt	Dickinson	Hamilton, N. Y.	Linthicum
Beall, Tex.	Dies	Hardy	Logue
Blackmon	Difenderfer	Harrison	Lonergan
Booher	Dillon	Hart	McAndrews
Borchers	Dixon	Hangen	McClellan
Borland	Dooling	Hay	McCoy
Bowdle	Doolittle	Hayden	McGillicuddy
Bremner	Driscoll	Hayes	McGuire, Okla.
Britten	Dunn	Helgesen	McKellar
Brockson	Dupré	Helm	McKenzie
Brodbeck	Eagan	Helvering	McLaughlin
Broussard	Eagle	Henry	MacDonald
Brown, N. Y.	Edwards	Hill	Madden
Brown, W. Va.	Elder	Hinds	Mahan
Browning	Esch	Hinebaugh	Maher
Bruckner	Estopinal	Hobson	Maps
Bryan	Fairchild	Holland	Martin
Bulkley	Faison	Houston	Merritt
Burke, Pa.	Farr	Howard	Metz
Burke, S. Dak.	Ferris	Howell	Miller
Burke, Wis.	Fess	Hoxworth	Mitchell
Burnett	Fields	Hughes, W. Va.	Mondell
Butler	Finley	Hulings	Montague
Byrnes, S. C.	Fitzgerald	Humphrey, Wash.	Moon
Calder	Fitzhenry	Humphreys, Miss.	Moore
Callaway	Floyd, Ark.	Igoe	Morgan, La.
Campbell	Fordney	Johnson, S. C.	Morgan, Okla.
Cantrill	Foster	Johnson, Wash.	Morin
Caraway	Francis	Jones	Moss, Ind.
Carew	French	Kahn	Moss, W. Va.
Carr	Gallagher	Keister	Mott
Carter	Gard	Kelley, Mich.	Murray, Mass.
Chandler, N. Y.	Gardner	Kennedy, Conn.	Murray, Okla.
Clancy	Garner	Kennedy, R. I.	Neeley
Clark, Fla.	Garrett, Tenn.	Kent	Nolan, J. I.
Claypool	Gerry	Kettner	Norton
Clayton	Gillett	Key, Ohio	O'Brien
Cline	Gilmore	Kiess, Pa.	Oglesby
Collier	Gittins	Kindel	O'Hair
Connelly, Kans.	Goeke	Kinkaid, Nebr.	Oldfield
Connolly, Iowa	Goldfogle	Kinkead, N. J.	O'Leary
Conry	Good	Kitchin	O'Shaunessy
Cooper	Goodwin, Ark.	Knowland, J. R.	Padgett
Copley	Gordon	Konop	Parker
Patten, N. Y.	Ruhey	Stedman	Tribble
Payne	Rucker	Stephens, Cal.	Tuttle
Peters, Mass.	Rupley	Stephens, Miss.	Underhill
Peters, Me.	Sabath	Stephens, Nebr.	Underwood
Peterson	Saunders	Stephens, Tex.	Vare
Phelan	Scott	Stevens, N. H.	Vaughan
Platt	Scully	Stringer	Walker
Porter	Seldomridge	Sumners	Wallin
Post	Sells	Switzer	Walsh
Pou	Sherley	Taggart	Walters
Prouty	Sherwood	Talbott, Md.	Weaver
Quin	Shreve	Talcott, N. Y.	Webb
Ragsdale	Slayden	Taylor, Ala.	Whaley
Rainey	Slemp	Taylor, Ark.	Whitacre
Rauch	Sloan	Taylor, Colo.	White
Rayburn	Small	Taylor, N. Y.	Williams
Reed	Smith, J. M. C.	Temple	Willis
Reilly, Wis.	Smith, Minn.	Thacher	Wilson, Fla.
Richardson	Smith, N. Y.	Thomas	Wilson, N. Y.
Riordan	Smith, Saml. W.	Thompson, Okla	Wingo
Roberts, Mass.	Smith, Tex.	Thomson, Ill.	Winslow
Roberts, Nev.	Sparkman	Towner	Witherspoon
Rogers	Stafford	Townsend	Woodruff
Roose	Stanley	Treadway	Young, N. Dak.

So the motion was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.

Mr. SCULLY with Mr. BROWNING.

Mr. METZ with Mr. WALLIN.

Mr. HOBSON with Mr. FAIRCHILD.

Mr. BARTLETT with Mr. BUTLER.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. UNDERWOOD with Mr. MANN.

Until further notice:

Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1).

Mr. ASHBROOK with Mr. KAHN.

Mr. BALTZ with Mr. SHREVE.

Mr. BARKLEY with Mr. FALCONER.

Mr. BAILEY with Mr. FESS.

Mr. BARNHART with Mr. MAPES.

Mr. BLACKMON with Mr. BARCHFELD.

Mr. BORLAND with Mr. KEISTER.

Mr. BREMNER with Mr. GILLETT.

Mr. BOWDLE with Mr. MOSS of West Virginia.

Mr. BURNETT with Mr. HAYES.

Mr. BROUSSARD with Mr. KELLEY of Michigan.

Mr. BROWN of New York with Mr. AUSTIN.

Mr. BROWN of West Virginia with Mr. KREIDER.

Mr. BURKE of Wisconsin with Mr. CARY.

Mr. COLLIER with Mr. WOODS.

Mr. CLAYTON with Mr. MONDELL.

Mr. CLAYPOOL with Mr. BRYAN.

Mr. CANTRILL with Mr. HELGESEN.

Mr. CARAWAY with Mr. KENNEDY of Rhode Island.

Mr. CRISP with Mr. HINDS (transferable).

Mr. CLANCY with Mr. HAMILTON of New York.

Mr. CLARK of Florida with Mr. KIESS of Pennsylvania.

Mr. COVINGTON with Mr. MILLER.

Mr. CARTER with Mr. MCGUIRE of Oklahoma.

Mr. CLINE with Mr. NORTON (commencing Oct. 1).

Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.

Mr. CURLEY with Mr. J. R. KNOWLAND.

Mr. DECKER with Mr. MOORE.

Mr. DEITRICK with Mr. YOUNG of North Dakota.

Mr. DENT with Mr. MACDONALD.

Mr. DIES with Mr. SWITZER.

Mr. DUPRÉ with Mr. ANTHONY.

Mr. FRANCIS with Mr. HUGHES of West Virginia.

Mr. FITZGERALD with Mr. CALDER.

Mr. FERRIS with Mr. SELLS.

Mr. FIELDS with Mr. LANGLEY.

Mr. FAISON with Mr. CURRY.

Mr. FOSTER with Mr. GREENE of Vermont (commencing Oct. 27).

Mr. FINLEY with Mr. GREEN of Iowa.

Mr. GILMORE with Mr. MCKENZIE.

Mr. GARD with Mr. DUNN.

Mr. GERRY with Mr. DAVIS.

Mr. GOEKE with Mr. LEWIS of Pennsylvania.

Mr. GOODWIN of Arkansas with Mr. PORTER.

Mr. GRAHAM of Illinois with Mr. PETERS of Maine.

Mr. GARNER with Mr. J. I. NOLAN.

Mr. GORDON with Mr. THOMSON of Illinois.

Mr. GARRETT of Tennessee with Mr. LANGHAM.

Mr. HAYDEN with Mr. LAFFERTY.

Mr. HELM with Mr. TOWNER.

Mr. HARRISON with Mr. GRAHAM of Pennsylvania.

Mr. HOXWORTH with Mr. ROBERTS of Nevada.

Mr. HOWARD with Mr. GRIEST.

Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).

Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).

Mr. HOUSTON with Mr. WILLIS.
Mr. IGOE with Mr. PROUTY.
Mr. JONES with Mr. HINEBAUGH.
Mr. KITCHIN with Mr. PAYNE.
Mr. KEY of Ohio with Mr. FARR.
Mr. KONOP with Mr. MORIN.
Mr. KETTNER with Mr. SCOTT.
Mr. LEVY with Mr. ROBERTS of Massachusetts.
Mr. LONERGAN with Mr. ROGERS.
Mr. MCCOY with Mr. TEMPLE.
Mr. MCGILLICUDDY with Mr. GUERNSEY.
Mr. MCCLELLAN with Mr. LEWIS of Pennsylvania.
Mr. MONTAGUE with Mr. VARE.
Mr. MOON with Mr. DILLON.
Mr. MORGAN of Louisiana with Mr. HULINGS.
Mr. MORRISON with Mr. HUMPHREY of Washington.
Mr. MCKELLAR with Mr. MOTT.
Mr. MURRAY of Massachusetts with Mr. CRAMTON.
Mr. PETERSON with Mr. PLATT (commencing Oct. 13).
Mr. PHELAN with Mr. SMITH of Minnesota (commencing Oct. 24 until Nov. 15).
Mr. POST with Mr. COPLEY.
Mr. RAINEY with Mr. MADDEN.
Mr. RUCKER with Mr. HAUGEN.
Mr. THOMPSON of Oklahoma with Mr. DANFORTH.
Mr. ROUSE with Mr. RUPLEY.
Mr. RICHARDSON with Mr. MARTIN.
Mr. RUBEY with Mr. TREADWAY.
Mr. SHERWOOD with Mr. SAMUEL W. SMITH.
Mr. SHERLEY with Mr. COGPER (commencing Oct. 23 until Nov. 15).
Mr. SPARKMAN with Mr. HOWELL.
Mr. SUMNERS with Mr. ESCH.
Mr. SAUNDERS with Mr. AINEY.
Mr. SMITH of Texas with Mr. MCLAUGHLIN.
Mr. STEDMAN with Mr. FRENCH.
Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.
Mr. STEPHENS of Nebraska with Mr. SLOAN.
Mr. TALBOTT of Maryland with Mr. MERRITT.
Mr. THOMAS with Mr. JOHNSON of Washington (Oct. 27 to Nov. 1, inclusive).
Mr. UNDERHILL with Mr. WALTERS.
Mr. WILLIAMS with Mr. BRITTEN.
Mr. WEBB with Mr. WOODRUFF.
Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).
Mr. WINGO with Mr. PARKER.
Mr. WEAVER with Mr. BURKE of Pennsylvania.
Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).
Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).
Mr. REED with Mr. WINSLOW (commencing Oct. 1 for remainder of extra session).
Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, 1913, except on cotton-futures amendment).
Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, ending balance of session).

Mr. MANN. Mr. Speaker, I voted "no," but I am paired with the gentleman from Alabama, Mr. UNDERWOOD, and I desire to withdraw my vote and be recorded "present."

The name of Mr. MANN was called, and he answered "Present."

The result of the vote was announced as above recorded.

Accordingly (at 12 o'clock and 41 minutes p. m.) the House adjourned until to-morrow, Wednesday, October 29, 1913, at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on examination of Wekiva River, Fla. (H. Doc. No. 271), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GILLETT: Joint resolution (H. J. Res. 144) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary

By Mr. HOBSON: Joint resolution (H. J. Res. 145) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 9060) to correct the military record of Benjamin Munkers; to the Committee on Military Affairs.

By Mr. ASHBROOK: A bill (H. R. 9061) granting a pension to Solomon Morris; to the Committee on Pensions.

By Mr. AUSTIN: A bill (H. R. 9062) correcting the military record of Frederick S. Loftis; to the Committee on Military Affairs.

Also, a bill (H. R. 9063) for the relief of Alice Evelyn Mabry Hazen, Lawrence C. Mabry, Herbert S. Mabry, Churchwell Mabry, and William Deaderick; to the Committee on War Claims.

Also, a bill (H. R. 9064) granting a pension to Andrew J. Wallace; to the Committee on Pensions.

Also, a bill (H. R. 9065) granting a pension to Matthew Wright; to the Committee on Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 9066) granting a pension to Noel M. Pursley; to the Committee on Pensions.

Also, a bill (H. R. 9067) for the relief of the estate of Jonathan Tippit; to the Committee on War Claims.

By Mr. GLASS: A bill (H. R. 9068) for the relief of Passed Asst. Surg. Micajah Boland, United States Navy; to the Committee on Naval Affairs.

By Mr. LAFFERTY: A bill (H. R. 9069) to place the name of Ex-Lieut. Col. Milton W. Weidler upon the unlimited retired list of the Army; to the Committee on Military Affairs.

By Mr. MCGILLICUDDY: A bill (H. R. 9070) granting a pension to Lottie A. Robinson; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of the Central Grocery and 12 other merchants of Coshocton, Ohio, favoring a change in the interstate-commerce laws compelling concerns selling goods direct to the consumer by mail to contribute their portion of the funds for the development of the local community, county, and State; to the Committee on Ways and Means.

By Mr. BYRNS of Tennessee: Papers accompanying bill granting a pension to Noel M. Purdy; to the Committee on Pensions.

Also, papers accompanying bill for the relief of the estate of Jonathan Tippit, of Stewart County, Tenn.; to the Committee on War Claims.

By Mr. MANN: Petition of F. G. Mesler and 5,000 employees of the South Works of the Illinois Steel Co., of South Chicago, Ill., protesting against the dissolution of the United States Steel Corporation; to the Committee on the Judiciary.

By Mr. SUTHERLAND (by request): Petition of 400 employees of the American Sheet & Tin Plate Mill, at Chester, W. Va., protesting against the dissolution of the United States Steel Corporation; to the Committee on the Judiciary.

By Mr. WHITACRE: Petition of subscribers, stockholders, and employees of the American Sheet & Tin Plate Co., Wellsville Works, of Wellsville, Ohio, protesting against a dissolution of the United States Steel Corporation; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *October 29, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who art on the right hand and on the left hand, above, beneath, and in the hearts of men, life of our life, spirit of our spirit, strengthen every moral fiber of our nature and encourage every earnest desire for godliness, that we may distinguish clearly between liberty and license, order and chaos, government and anarchy, patriotism and bluster, religion and fanaticism; that wrongs may be righted and justice have its sway; that Thy kingdom may come and Thy will be done in the hearts of all men. In His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

WEIGHING OF THE MAILS.

Mr. LLOYD. Mr. Speaker, I ask unanimous consent to submit a statement expressing my views on a bill (H. R. 9071) that I have just introduced with reference to the weighing of the mails.

The SPEAKER. What does the gentleman want done with it?

Mr. LLOYD. I ask unanimous consent that I may submit a statement. I will submit it in writing, without delivering it.

Mr. MURDOCK. It is a speech?

Mr. LLOYD. It is a statement explaining the bill.

Mr. MURDOCK. A bill which the gentleman has introduced?

Mr. LLOYD. Oh, yes; providing for the annual weighing of the mails.

The SPEAKER. The gentleman from Missouri [Mr. LLOYD] asks unanimous consent to submit a statement in the RECORD. Is there objection?

Mr. MURDOCK. Mr. Speaker, reserving the right to object, I believe the gentleman is on a commission that has been investigating this subject?

Mr. LLOYD. Not on the subject of weighing the mails.

Mr. MURDOCK. On a commission to investigate the proposition of the railway-mail pay?

Mr. LLOYD. Yes. This has nothing to do with that commission.

Mr. MURDOCK. This is not an outgrowth of that commission?

Mr. LLOYD. No.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

CRIMINAL ALIENS IN THE UNITED STATES.

Mr. EDMONDS. Mr. Speaker, I would like to ask unanimous consent to extend my remarks in the RECORD on criminal aliens in the United States.

The SPEAKER. The gentleman from Pennsylvania [Mr. EDMONDS] asks unanimous consent to extend his remarks in the RECORD on the subject of criminal aliens. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

RACE SEGREGATION.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the question of segregation.

The SPEAKER. The gentleman from Louisiana [Mr. ASWELL] asks unanimous consent to extend his remarks in the RECORD on the subject of segregation. Is there objection?

Mr. MURDOCK. Of what sort?

The SPEAKER (after a pause). The Chair hears none, and it is so ordered.

PANAMA CANAL TOLLS.

Mr. SIMS. Mr. Speaker, I would like to ask leave to extend my remarks in the RECORD for the purpose of printing a newspaper article from a Baltimore paper on the question of Panama Canal tolls.

The SPEAKER. The gentleman from Tennessee [Mr. SIMS] asks unanimous consent to extend his remarks in the RECORD by printing an article on the subject of Panama Canal tolls. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask my friend from Tennessee whether he intends, if he gets this permission, to fill the RECORD up with a lot of newspaper clippings?

Mr. SIMS. No. It is simply a single clipping, which I have in my hand.

Mr. MANN. Very well. I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

ADJOURNMENT.

Mr. MANN. Mr. Speaker, I ask for the regular order.

The SPEAKER. The regular order is to adjourn. There is no business before the House.

Mr. MANN. Oh, no. There is business on the calendar.

Mr. JOHNSON of Kentucky. I move, Mr. Speaker, that the House do now adjourn.

Mr. MANN. We ought to dispose of the business on the calendar.

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON] moves that the House do now adjourn. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. MANN. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks for the yeas and nays. Those who are in favor of taking the vote by yeas and nays will rise and stand until they are counted. [After counting.] Evidently a sufficient number have arisen, and the Clerk will call the roll.

The question was taken; and there were—yeas 55, nays 31, answered "present" 13, not voting 229, as follows:

YEAS—55.

Abercrombie	Cox	Hughes, Ga.	Raker
Aiken	Donohoe	Hull	Rauch
Alexander	Doremus	Jacoway	Reilly, Conn.
Aswell	Evans	Johnson, Ky.	Russell
Bathrick	Fergusson	Keating	Shackleford
Beakes	Flood, Va.	Kirkpatrick	Sims
Bell, Ga.	Garrett, Tex.	Lee, Pa.	Smith, Md.
Brumbaugh	George	Lloyd	Stone
Buchanan, Ill.	Godwin, N. C.	Lobeck	Stout
Buchanan, Tex.	Gray	McDermott	Tavenner
Burgess	Hamlin	McKellar	Ten Eyck
Byrns, Tenn.	Hammond	Maguire, Nebr.	Watkins
Candler, Miss.	Henry	Palmer	Young, Tex.
Church	Hensley	Pepper	

NAYS—31.

Anderson	Fowler	Kless, Pa.	Powers
Austin	Francis	La Follette	Sharp
Avis	Frear	Lindbergh	Simnott
Bell, Cal.	French	Lindquist	Smith, Idaho
Browne, Wis.	Hawley	Manahan	Steenerson
Donovan	Johnson, Utah	Murdock	Sutherland
Dyer	Kelly, Pa.	Nelson	Towner
Edmonds	Kennedy, Iowa	Plumley	

ANSWERED "PRESENT"—13.

Bartlett	Falconer	Slayden	Woods
Brodbeck	Logue	Stevens, Minn.	
Cary	Mann	Talbott, Md.	
Crosser	Morrison	Volstead	

NOT VOTING—229.

Adair	Dies	Holland	Nolan, J. I.
Adamson	Difenderfer	Houston	Norton
Ainey	Dillon	Howard	O'Brien
Allen	Dixon	Howell	Oglesby
Ansberry	Dooling	Hoxworth	O'Hair
Anthony	Doolittle	Hughes, W. Va.	Oldfield
Ashbrook	Doughton	Hulings	O'Leary
Bailey	Driscoll	Humphrey, Wash.	O'Shaunessy
Baker	Dunn	Humphreys, Miss.	Padgett
Baltz	Dupré	Igoe	Page
Barchfeld	Eagan	Johnson, S. C.	Parker
Barkley	Eagle	Johnson, Wash.	Patten, N. Y.
Barnhart	Edwards	Jones	Patton, Pa.
Bartholdt	Elder	Kahn	Payne
Barton	Esch	Keister	Peters, Mass.
Beall, Tex.	Estopinal	Kelley, Mich.	Peters, Me.
Blackmon	Fairchild	Kennedy, Conn.	Peterson
Booher	Falson	Kennedy, R. I.	Phelan
Borchers	Farr	Kent	Platt
Borland	Ferris	Kettner	Porter
Bowdle	Fess	Key, Ohio	Post
Brenner	Fields	Kindel	Pou
Britten	Finley	Kinkaid, Nebr.	Prouty
Brockson	Fitzgerald	Kinkead, N. J.	Quin
Broussard	FitzHenry	Kitchin	Ragsdale
Brown, N. Y.	Floyd, Ark.	Knowland, J. R.	Rainey
Brown, W. Va.	Fordney	Konop	Rayburn
Browning	Foster	Korbly	Reed
Bruckner	Gallagher	Kreider	Reilly, Wis.
Bryan	Gard	Lafferty	Richardson
Bulkley	Gardner	Langham	Riordan
Burke, Pa.	Garner	Langley	Roberts, Mass.
Burke, S. Dak.	Garrett, Tenn.	Lazaro	Roberts, Nev.
Burke, Wis.	Gerry	Lee, Ga.	Rogers
Burnett	Gillett	L'Engle	Rothermel
Butler	Gilmore	Lenroot	Rouse
Byrnes, S. C.	Gittins	Lesher	Rubey
Calder	Glass	Lever	Rucker
Callaway	Goeke	Levy	Rupley
Campbell	Goldfogle	Lewis, Md.	Sabath
Cantrill	Good	Lewis, Pa.	Saunders
Caraway	Goodwin, Ark.	Lieb	Scott
Carew	Gordon	Linthicum	Scully
Carlin	Gorman	Lonergan	Seldomridge
Carr	Goulden	McAndrews	Sells
Carter	Graham, Ill.	McClellan	Sherley
Casey	Graham, Pa.	McCoy	Sherwood
Chandler, N. Y.	Green, Iowa	McGillicuddy	Shreve
Clancy	Greene, Mass.	McGuire, Okla.	Sisson
Clark, Fla.	Greene, Vt.	McKenzie	Slemp
Claypool	Gregg	McLaughlin	Sloan
Clayton	Griest	MacDonald	Small
Cline	Griffin	Madden	Smith, J. M. C.
Collier	Gudger	Mahan	Smith, Minn.
Connelly, Kans.	Guernsey	Maher	Smith, N. Y.
Connolly, Iowa	Hamill	Mapes	Smith, Saml. W.
Conry	Hamilton, Mich.	Martin	Smith, Tex.
Cooper	Hamilton, N. Y.	Merritt	Sparkman
Copley	Hardwick	Metz	Stafford
Covington	Hardy	Miller	Stanley
Cramton	Harrison	Mitchell	Stedman
Crisp	Hart	Mondell	Stephens, Cal.
Cullop	Haugen	Montague	Stephens, Miss.
Curley	Hay	Moon	Stephens, Nebr.
Curry	Hayden	Moore	Stephens, Tex.
Dale	Hayes	Morgan, La.	Stevens, N. H.
Danforth	Heflin	Morgan, Okla.	Stringer
Davenport	Helgesen	Morin	Sumners
Davis	Helm	Moss, Ind.	Switzer
Decker	Helvering	Moss, W. Va.	Taggart
Deitrick	Hill	Mott	Talcott, N. Y.
Dent	Hinds	Murray, Mass.	Taylor, Ala.
Dershem	Hinebaugh	Murray, Okla.	Taylor, Ark.
Dickinson	Hobson	Neeley	Taylor, Colo.

Taylor, N. Y.	Tuttle	Watson	Wilson, N. Y.
Temple	Underhill	Weaver	Wingo
Thacher	Underwood	Webb	Winslow
Thomas	Vare	Whaley	Witherspoon
Thompson, Okla.	Vaughan	Whitacre	Woodruff
Thomson, Ill.	Walker	White	Young, N. Dak.
Townsend	Wallin	Williams-	
Treadway	Walsh	Willis	
Tribble	Walters	Wilson, Pa.	

So the motion to adjourn was agreed to.

The following pairs were announced:

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.

Mr. SCULLY with Mr. BROWNING.

Mr. METZ with Mr. WALLIN.

Mr. HOBSON with Mr. FAIRCHILD.

Mr. BARTLETT with Mr. BUTLER.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. UNDERWOOD with Mr. MANN.

Until further notice:

Mr. ALLEN with Mr J. M. C. SMITH (commencing Oct. 1).

Mr. ASHBROOK with Mr. KAHN.

Mr. BALTZ with Mr. SHREVE.

Mr. BARKLEY with Mr. FALCONER.

Mr. BAILEY with Mr. FESS.

Mr. BARNHART with Mr. MAPES.

Mr. BLACKMON with Mr. BARCHFELD.

Mr. BORLAND with Mr. KEISTER.

Mr. BRUMNER with Mr. GILLETT.

Mr. BOWDLE with Mr. Moss of West Virginia.

Mr. BURNETT with Mr. HAYES.

Mr. BROUSSARD with Mr. KELLEY of Michigan.

Mr. BROWN of New York with Mr. BARTON.

Mr. BROWN of West Virginia with Mr. KREIDER.

Mr. BURKE of Wisconsin with Mr. CARY.

Mr. COLLIER with Mr. WOODS.

Mr. CLAYTON with Mr. MONDELL.

Mr. CLAYPOOL with Mr. BRYAN.

Mr. CANTRILL with Mr. HELGESEN.

Mr. CARAWAY with Mr. KENNEDY of Rhode Island.

Mr. CRISP with Mr. HINDS (transferable).

Mr. CLANCY with Mr. HAMILTON of New York.

Mr. COVINGTON with Mr. MILLER.

Mr. CARTER with Mr. MCGUIRE of Oklahoma.

Mr. CLINE with Mr. NORTON (commencing Oct. 1).

Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.

Mr. CURLEY with Mr. J. R. KNOWLAND.

Mr. DECKER with Mr. MOORE.

Mr. DEITRICK with Mr. YOUNG of North Dakota.

Mr. DENT with Mr. MACDONALD.

Mr. DIES with Mr. SWITZER.

Mr. DOUGHTON with Mr. MOTT.

Mr. DUPRÉ with Mr. ANTHONY.

Mr. FRANCIS with Mr. HUGHES of West Virginia.

Mr. FITZGERALD with Mr. CALDER.

Mr. FERRIS with Mr. SELLS.

Mr. FIELDS with Mr. LANGLEY.

Mr. FAISON with Mr. CURRY.

Mr. FOSTER with Mr. GREENE of Vermont (commencing Oct. 27).

Mr. FINLEY with Mr. GREEN of Iowa.

Mr. GILMORE with Mr. MCKENZIE.

Mr. GARD with Mr. DUNN.

Mr. GERRY with Mr. DAVIS.

Mr. GOEKE with Mr. LEWIS of Pennsylvania.

Mr. GOODWIN of Arkansas with Mr. PORTER.

Mr. GRAHAM of Illinois with Mr. PETERS of Maine.

Mr. GARNER with Mr. J. I. NOLAN.

Mr. MURRAY of Massachusetts with Mr. CRAMTON.

Mr. LEVY with Mr. ROBERTS of Massachusetts.

Mr. GORDON with Mr. THOMSON of Illinois.

Mr. GARRETT of Tennessee with Mr. LANGHAM.

Mr. HAYDEN with Mr. LAFFERTY.

Mr. HELM with Mr. FRENCH.

Mr. HARRISON with Mr. GRAHAM of Pennsylvania.

Mr. HOXWORTH with Mr. ROBERTS of Nevada.

Mr. HOWARD with Mr. GRIEST.

Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).

Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).

Mr. HOUSTON with Mr. WILLIS.

Mr. IGOE with Mr. PROUTY.

Mr. JONES with Mr. HINEBAUGH.

Mr. KITCHIN with Mr. PAYNE.

Mr. KEY of Ohio with Mr. FARR.

Mr. KONOP with Mr. MORIN.

Mr. KETTNER with Mr. SCOTT.

Mr. LONERGAN with Mr. ROGERS.

Mr. MCCOY with Mr. TEMPLE.

Mr. MCGILLICUDDY with Mr. GUERNSEY.

Mr. MCCLELLAN with Mr. LEWIS of Pennsylvania.

Mr. MONTAGUE with Mr. VARE.

Mr. MOON with Mr. DILLON.

Mr. MORGAN of Louisiana with Mr. HULINGS.

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. PETERSON with Mr. PLATT (commencing Oct. 13).

Mr. PHELAN with Mr. SMITH of Minnesota (commencing Oct. 24 and ending Nov. 15).

Mr. POST with Mr. COPLEY.

Mr. RAINEY with Mr. MADDEN.

Mr. RUCKER with Mr. HAUGEN.

Mr. THOMPSON of Oklahoma with Mr. DANFORTH.

Mr. ROUSE with Mr. RUPLEY.

Mr. RICHARDSON with Mr. MARTIN.

Mr. RUBEY with Mr. TREADWAY.

Mr. SHERWOOD with Mr. SAMUEL W. SMITH.

Mr. SHEELEY with Mr. COOPER (Oct. 23 to Nov. 15).

Mr. SPARKMAN with Mr. HOWELL.

Mr. SUMNERS with Mr. ESCH.

Mr. SAUNDERS with Mr. AINEY.

Mr. SMITH of Texas with Mr. MCLAUGHLIN.

Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.

Mr. STEPHENS of Nebraska with Mr. SLOAN.

Mr. TALBOTT of Maryland with Mr. MERRITT.

Mr. THOMAS with Mr. JOHNSON of Washington (Oct. 27 to Nov. 1, inclusive).

Mr. UNDERHILL with Mr. WALTERS.

Mr. WILLIAMS with Mr. BRITTEN.

Mr. WEBB with Mr. WOODRUFF.

Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).

Mr. WINGO with Mr. PARKER.

Mr. WEAVER with Mr. BURKE of Pennsylvania.

Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).

Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).

Mr. REED with Mr. WINSLOW (commencing Oct. 1 for remainder of extra session).

Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, 1913, except on cotton-futures amendment).

Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, and for balance of session).

Mr. MANN. Mr. Speaker, I voted "no" on the motion to adjourn, but I am paired with the gentleman from Alabama, Mr. UNDERWOOD, and I desire to withdraw my vote and answer "present."

LEAVE OF ABSENCE.

Mr. ALEXANDER, by unanimous consent, was granted leave of absence, indefinitely, on account of attendance on the International Conference on Safety of Life at Sea, which meets in London November 12, as one of the commissioners appointed by the President of the United States.

ORDER OF BUSINESS.

The SPEAKER. The Chair desires to announce that when the gentleman from Illinois [Mr. MANN] demanded the regular order the Chair was under the impression that there was nothing on the calendar. On investigating the matter he finds that there are five or six bills and two or three resolutions on the calendar. So that to-morrow, unless some gentleman moves to adjourn suddenly, the Chair will have the committees called.

The result of the vote was then announced as above recorded.

Accordingly (at 12 o'clock and 38 minutes p. m.) the House adjourned until to-morrow, Thursday, October 30, 1913, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LLOYD: A bill (H. R. 9071) providing for the annual weighing of the mails; to the Committee on the Post Office and Post Roads.

By Mr. CARY: A bill (H. R. 9072) providing for the grading and improving of Otis Street NE. from Twelfth Street to Fourteenth Street NE.; to the Committee on the District of Columbia.

By Mr. BELL of Georgia: A bill (H. R. 9073) to increase the pay of rural letter carriers; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 9074) granting a pension to Rachel A. Dougherty; to the Committee on Invalid Pensions.

By Mr. GOEKE: A bill (H. R. 9075) granting a pension to Mary F. Hess; to the Committee on Pensions.

Also, a bill (H. R. 9076) granting a pension to Amelia McGinnis; to the Committee on Pensions.

Also, a bill (H. R. 9077) granting a pension to Henry M. Agenbroad; to the Committee on Pensions.

Also, a bill (H. R. 9078) granting an increase of pension to Yardley S. White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9079) granting an increase of pension to Cyrus D. Randall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9080) granting an increase of pension to William F. Howard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9081) granting an increase of pension to Lawrence Sexton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9082) granting an increase of pension to Hugh B. Neal; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9083) granting an increase of pension to Cornelius Roush; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9084) granting an increase of pension to Alfred Stephens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9085) granting an increase of pension to Solomon R. Beam; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9086) granting an increase of pension to Absalom J. Chambers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9087) granting an increase of pension to Lydia M. Chambers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9088) granting an increase of pension to George W. Williams, jr.; to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 9089) granting a pension to Etta Cronin; to the Committee on Pensions.

Also, a bill (H. R. 9090) granting a pension to Elizabeth A. Merrick; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 9091) granting a pension to Este E. Buffum; to the Committee on Pensions.

By Mr. TOWNER: A bill (H. R. 9092) for the relief of Ellis P. Garton, administrator of the estate of H. B. Garton, deceased; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. SUTHERLAND: Papers in support of bill (H. R. 8469) granting a pension to John H. Ferguson; to the Committee on Invalid Pensions.

By Mr. WILSON of New York: Petition of the officers and members of the Intra-City Civic League, protesting against the actions of the Russian Government in relation to the murder of a Gentile child in the city of Kief, Russia; to the Committee on Foreign Affairs.

Also, petition of the Twenty-eighth Ward Taxpayers' Protective Association, of Brooklyn, N. Y., protesting against the abandoning of the Brooklyn Navy Yard; to the Committee on Naval Affairs.

SENATE.

THURSDAY, *October 30, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Journal of the proceedings of Monday last was read and approved.

EXPENDITURES FOR COMMON-SCHOOL PURPOSES (S. DOC. NO. 224).

The VICE PRESIDENT. The Chair lays before the Senate a letter from former Senator Henry W. Blair, of New Hampshire. It has to do with the expenditures of the various States for common-school purposes. If there be no objection, the Chair will order it printed in the RECORD and also as a public document. It is a very brief paper, but the Chair is impressed with the idea that it contains valuable matter with reference to the expenditures for public schools and that the order to print is justified.

There being no objection, the paper was ordered to be printed as a document and also to be printed in the RECORD, as follows:

[Senate Document No. 224, Sixty-third Congress, first session.]

SCHOOL STATISTICS.

Letter from Henry W. Blair, transmitting a letter from the Commissioner of Education stating the condition of common-school education throughout the country.

COLORADO BUILDING,
Washington, D. C., October 30, 1913.

Hon. THOMAS R. MARSHALL,
Vice President of the United States, Washington, D. C.

SIR: I have the honor to inclose an original letter addressed to myself in reply to certain specific inquiries made by me of the honorable Commissioner of Education for information from the official records, showing the condition of common-school education throughout the country as indicated by the actual yearly expenditure in the several States.

It will be observed that this expenditure is confined to common-school education and does not include the high schools nor any form of more advanced education. It is for reading, writing, and arithmetic and that primary mental training which is indispensable to a fair start in the race of life in any direction. It is as necessary to any real progress by the child as are the senses, the original inlets to knowledge.

The educators of the country agree that $28 per capita is the least annual expenditure which will give the American child a good—not the best—common-school education.

Besides this is the immense sum which must be provided for the schoolhouses, training of teachers, books, etc., which correspond to the plant in all business, and common-school education is the most important business carried on in this country and will be in this world.

It will be observed that of the $446,000,000 expended for common schools in this country over $102,000,000 is paid out in States which expend more than $28 per capita, leaving nearly $344,000,000 paid out in States which expend less than $28 per capita, the lowest admissible standard. The total of the deficiencies is $263,000,000. To bring the deficient States up to the standard will require $607,000,000. The total expenditure of the whole country would then be $709,000,000 for common schools. Besides all this is the plant.

Where the need is greatest the ability to bear further taxation is the least. Bankruptcy would follow such overwhelming increase of State taxation. The evil seems to be increasing, especially in the North.

The Nation and the State live or die with the common school. Whenever necessary the Nation must help, or governments, republican in form, will perish from the earth. The primary duty to educate is upon the Nation, for in no other way can the republican form of government be preserved to itself or guaranteed to the State. In the presence of this tremendous problem, of what consequence are tariffs or wars?

The common school must be spread throughout the world as the supreme gospel of free institutions. Universal common-school education is the only institution which can make all nations fit for self-government, thus overthrowing tyranny of both soul and body in every form and impregnably establishing the liberties of mankind.

I would highly appreciate the courtesy of the presentation of this and the commissioner's letter to the Senate, and that the same be printed in the RECORD and referred to the appropriate committee.

I have the honor to be,

Very respectfully, your obedient servant, HENRY W. BLAIR.

DEPARTMENT OF THE INTERIOR,
BUREAU OF EDUCATION,
Washington, July 1, 1913.

Hon. HENRY W. BLAIR,
Colorado Building, Washington, D. C.

DEAR SIR: In compliance with your request, I am sending you a number of statistical tables relating to the State common schools.

It is difficult to select the "ten best" school systems, but to obtain a fair average per capita of expenditure, based upon school population, I have taken the 10 States in which the child 5 to 18 years of age receives the greatest number of days' schooling in the school year. The following States in 1911 showed an average attendance of from 101 to 107 days for every child 5 to 18 years of age: Maine, Vermont, Massachusetts, Connecticut, Iowa, Nebraska, Kansas, Utah, Washington, and California.

These 10 States had a school-population of 3,509,117 and expended in the aggregate $96,005,289 for the common schools, or very nearly $28 per capita of this population 5 to 18 years of age.

The inclosed table shows the common-school expenditure for each State in 1911, and in a parallel column the amount which each would have expended at the rate of $28 per capita of school population, where a higher rate does not now exist. The third column shows the increase necessary in each State to bring it up to the $28 per capita. Twelve States now exceed this rate.

With one exception, the other statistical items mentioned in your letter will be found in the marked tables from the commissioner's annual reports sent to-day.

Federal appropriations made by the Sixty-first Congress for education, directly or indirectly, were summarized in the commissioner's report for 1910, pages 181 to 187. I regret that the chapter reprints are no longer in stock, but undoubtedly the volume is in your library.

Very respectfully,

ALEX SUMMERS, *Statistician.*

Table showing the common-school expenditure for each State in 1911, the amount which each would have expended at the rate of $28 per capita, and the increase necessary in each State where a higher rate does not now exist.

States.	Actual expenditure.	What the expenditure would have been at $28 per capita school population.	Increase.
Alabama	$3,747,885	$19,344,220	$15,596,335
Arizona	1,000,628	1,470,224	469,596
Arkansas	3,510,132	14,120,876	10,610,744
California	20,670,928	13,735,928	
Colorado	5,824,290	5,443,116	
Connecticut	5,426,833	7,322,476	1,895,643
Delaware	604,796	1,415,848	811,052
District of Columbia	3,112,241	1,880,424	
Florida	1,901,379	6,270,572	4,279,193
Georgia	4,360,102	23,703,740	19,373,578
Idaho	2,797,691	2,553,992	
Illinois	20,737,991	29,543,308	8,805,317
Indiana	14,910,500	19,048,848	4,138,348
Iowa	12,591,340	16,358,088	3,766,748
Kansas	10,209,954	12,690,132	2,480,178
Kentucky	6,165,719	18,987,808	12,822,089
Louisiana	4,954,820	14,829,708	10,755,888
Maine	3,073,603	4,795,588	1,721,985
Maryland	4,010,289	9,609,992	5,599,703

Table showing the common-school expenditure for each State in 1911, etc.—Continued.

States.	Actual expenditure.	What the expenditure would have been at $23 per capita school population.	Increase.
Massachusetts	$22,502,934	$21,467,824	
Michigan	15,292,552	19,684,504	$4,391,952
Minnesota	15,006,153	16,039,744	1,033,611
Mississippi	2,726,348	16,653,656	13,926,808
Missouri	14,228,394	24,234,616	9,906,222
Montana	3,162,672	2,363,816	
Nebraska	8,045,028	9,176,944	1,131,915
Nevada	619,268	398,440	
New Hampshire	1,663,300	2,089,652	995,852
New Jersey	18,076,255	17,579,480	
New Mexico	972,559	2,787,876	1,815,317
New York	32,328,926	39,465,448	7,136,522
North Carolina	3,140,697	20,198,892	17,058,195
North Dakota	5,184,936	4,795,392	
Ohio	28,057,151	32,048,240	3,991,089
Oklahoma	6,759,413	15,146,712	8,387,299
Oregon	5,857,676	4,329,752	
Pennsylvania	42,157,647	54,647,768	12,510,121
Rhode Island	2,360,109	3,606,092	1,245,983
South Carolina	2,168,513	14,363,776	12,195,263
South Dakota	3,409,628	4,698,968	1,289,340
Tennessee	5,083,460	18,539,500	13,456,031
Texas	11,941,416	35,103,292	23,361,474
Utah	3,576,045	3,103,940	
Vermont	1,647,379	2,330,076	682,497
Virginia	4,725,919	17,746,960	13,021,041
Washington	10,509,995	7,474,308	
West Virginia	4,522,573	10,155,068	5,632,495
Wisconsin	11,306,552	18,187,092	6,880,240
Wyoming	1,120,839	881,328	
United States	446,726,929	692,875,664	263,086,255

$446,726,929+$263,086,255=$709,813,184.

REVENUE-CUTTER SERVICE.

Mr. CHAMBERLAIN, from the Committee on Commerce, to which was referred the bill (S. 3192) waiving the age limit for appointment as cadet engineer in the Revenue-Cutter Service of the United States in the case of John S. McKinney, reported it without amendment and submitted a report (No. 123) thereon.

GOOD ROADS IN PUBLIC-LAND STATES.

Mr. MYERS. Mr. President, on the 27th instant I introduced Senate bill 3354, a bill granting to various States public lands for the construction, repair, and maintenance of public roads. The bill was inadvertently, I apprehend, and without my knowledge, referred to the Committee on Agriculture and Forestry. The bill relating entirely to public lands and a large number of similar bills have been introduced in the House and Senate and referred to the Committee on Public Lands of their respective bodies, and, in fact, quite a number of similar bills being now before the Senate Committee on Public Lands, I think it best that all bills relating to the same subject should be before the same committee. Therefore I ask unanimous consent that the Committee on Agriculture and Forestry be discharged from the further consideration of this bill, Senate bill 3354, and that it be referred to the Committee on Public Lands.

The VICE PRESIDENT. Is there objection? The Chair hears none, and that action will be taken.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 3359) granting to the State of Oregon certain lands claimed by the State of Oregon under the act of Congress approved September 28, 1850, and an act of Congress approved March 12, 1860; to the Committee on Public Lands.

A bill (S. 3360) granting an increase of pension to Daniel J. Haynes (with accompanying papers); to the Committee on Pensions.

By Mr. PAGE (for Mr. BURLEIGH):

A bill (S. 3361) granting an increase of pension to Melvin C. Wadsworth; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 3362) to authorize the Secretary of Commerce, through the Coast and Geodetic Survey and the Bureau of Fisheries, to make a survey of natural oyster beds, bars, and rocks, and barren bottoms contiguous thereto, in waters along the coast of and within the State of Texas; to the Committee on Fisheries.

By Mr. SHIELDS:

A bill (S. 3363) for the relief of Alice Evelyn Mabry Hazen, Lawrence C. Mabry, Herbert S. Mabry, Churchwell Mabry, and William Deaderick (with accompanying papers); to the Committee on Claims.

By Mr. McLEAN:

A bill (S. 3364) granting an increase of pension to Julia A. Birge (with accompanying papers); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 3365) granting an honorable discharge to Frederick Wyant;

A bill (S. 3366) granting an honorable discharge to Jacob Metzinger;

A bill (S. 3367) granting an honorable discharge to James Kennedy; and

A bill (S. 3368) for the relief of Charles A. Thomas (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 3369) granting an increase of pension to Catherine H. Ryndor (with accompanying papers);

A bill (S. 3370) granting an increase of pension to Allen W. Hall (with accompanying papers);

A bill (S. 3371) granting an increase of pension to Ann Jane Smith;

A bill (S. 3372) granting a pension to John B. Chandler;

A bill (S. 3373) granting an increase of pension to Jeremiah B. White; and

A bill (S. 3374) granting a pension to Elizabeth McNally; to the Committee on Pensions.

By Mr. BRISTOW:

A bill (S. 3375) for the relief of Dr. William H. Hayes; to the Committee on Military Affairs.

A bill (S. 3376) to make Topeka, Kans., a subport of entry; to the Committee on Commerce.

A bill (S. 3377) granting a pension to Alice M. Baird; and

A bill (S. 3378) granting a pension to Sarah C. Truex (with accompanying paper); to the Committee on Pensions.

By Mr. WILLIAMS:

A bill (S. 3379) granting a pension to William M. Cross; to the Committee on Pensions.

By Mr. O'GORMAN:

A bill (S. 3380) granting an increase of pension to Joseph H. Truex (with accompanying paper); to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 3381) granting an increase of pension to Maria Roberson (with accompanying papers); and

A bill (S. 3382) granting an increase of pension to John Myer (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A joint resolution (S. J. Res. 75) authorizing preliminary examination and survey of the mouth of Umpqua River, Oreg.; to the Committee on Commerce.

By Mr. OVERMAN:

A joint resolution (S. J. Res. 76) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

LETTERS PATENT (S. DOC. NO. 225).

Mr. BRANDEGEE. Mr. President, I have here a paper read before the American Bar Association at Montreal September 2, 1913, entitled "Letters patent in relation to modern industrial conditions," by Frederick P. Fish. I ask that the paper may be printed as a Senate document.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

WIDOWS OF DECEASED SENATORS.

Mr. KENYON. At the last session of the Senate I submitted a resolution jointly on behalf of the Senator from Idaho [Mr. BORAH] and myself. The point was raised that that action violated some of the ancient rules of the Senate, and the point was sustained.

I now offer a resolution on behalf of the Senator from Idaho [Mr. BORAH], who is engaged in patriotic work, and ask that it lie on the table.

The resolution (S. Res. 204) was read, as follows:

Whereas for many years the Senate of the United States has voted to the widows of deceased Senators one year's salary; and
Whereas said practice has been continued for so many years that it has become an established custom; and
Whereas there is no authority of law therefor, and the same constitutes an unwarranted donation of public funds for private purposes: Therefore be it

Resolved, That it is the sense and judgment of the Senate that hereafter no such donation shall be made, and that said custom shall cease.

The VICE PRESIDENT. The resolution will lie on the table and be printed.

Mr. KENYON. I submit a resolution and ask that it lie on the table.

The resolution (S. Res. 203) was read, as follows:

Whereas for many years the Senate of the United States has voted to the widows or relatives of deceased Senators one year's salary; and
Whereas said practice has been continued for so many years that it has become an established custom; and
Whereas there is no authority of law therefor and the same constitutes an unwarranted donation of public funds for private purposes: Therefore be it

Resolved, That it is the sense and judgment of the Senate that hereafter no such donation shall be made, and that said custom shall cease.

The VICE PRESIDENT. The resolution will lie on the table.

ASSISTANT IN DOCUMENT ROOM.

Mr. KENYON (for Mr. CLAPP) submitted the following resolution (S. Res. 205), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be authorized to employ one additional assistant in the Senate document room at a compensation of $1,440 per annum, to be paid out of the contingent fund of the Senate until otherwise provided by law.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had approved and signed the following acts:

On October 24, 1913:

S. 3296. An act to enable the Commissioner of Indian Affairs to employ additional clerks on heirship work in the Indian Office.

On October 30, 1913:

S. 1673. An act authorizing the Secretary of the Interior to grant further extensions of time within which to comply with the law and make proof on desert-land entries in the counties of Grant and Franklin, State of Washington.

AMENDMENT OF THE RULES.

Mr. BACON. Mr. President, in pursuance of the notice given by me on the last legislative day, I offer the following resolution, and before its reference I desire to say a word.

The VICE PRESIDENT. The resolution will be read by the Secretary.

The Secretary read the resolution (S. Res. 202), as follows:

Resolved by the Senate, That the rules of the Senate be amended by adding the following paragraph to the twelfth standing rule of the Senate, to be numbered and known as paragraph 3 of said Rule XII, to wit:

"No request by a Senator for unanimous consent for the taking of a final vote on a specified date upon the passage of a bill or joint resolution shall be submitted to the Senate for agreement thereto until, upon a roll call ordered for the purpose by the presiding officer, it shall be disclosed that a quorum of the Senate is present; and when a unanimous consent is thus given the same shall operate as the order of the Senate."

Mr. BACON. Mr. President, I desire to say a word before the resolution is referred to the Committee on Rules.

The use of the unanimous-consent agreement is one of the most important methods by which the Senate does business. It is extremely important that that method should be preserved, and it is equally important that it should not be abused. Its preservation is in a large measure dependent upon its not being abused.

Mr. President, there are one or two things which are done under this method which we have been in the habit of doing which this rule is designed to correct. Manifestly anything so important as a unanimous-consent agreement of the Senate should not be entered into unless a quorum of the Senate shall have the opportunity to consent or to object. It is a necessary incident of our service here that at some time in the day there are very few Senators present. We meet at noon, or at an earlier hour sometimes, and, of course, during the day it is absolutely necessary for Senators to go to their lunch. Very frequently important committees are necessarily in session and Senators while within easy reach of the Senate are not actually present in the Chamber. So it frequently happens—it daily happens—that there are times when the business of the Senate is proceeded with when there is not only no quorum present but when there are only a handful of Senators present. It is manifestly wrong that at such a time a Senator should have the opportunity to rise in his place and ask for a unanimous consent for important action, such as the voting upon the final passage of a bill, or a joint resolution which has the same effect in law as a bill, and with a handful of Senators present to secure that consent, and thereafter the full Senate be bound to acquiesce in what has been done or else to bring into discredit and disrepute the unanimous-consent agreement which it is so essential that we should preserve.

Mr. SHAFROTH. I should like to ask the Senator from Georgia a question. Speaking of the resolution which he has submitted, will it require a call of the Senate when each request for unanimous consent is asked?

Mr. BACON. It is only to apply when unanimous consent is asked for the passage of a bill or a joint resolution.

Mr. SHAFROTH. Suppose unanimous consent is given this morning and five minutes or two minutes or immediately thereafter another unanimous consent is asked, would there have to be two roll calls?

Mr. BACON. That is something which in my long service in the Senate I have never seen, and we need not anticipate that that contingency is going to arise, certainly not frequently.

Mr. SHAFROTH. Would it——

Mr. BACON. If the Senator will permit me to make a statement, I will then be very glad to yield for any question.

Mr. SHAFROTH. I merely wanted the information.

Mr. BACON. Mr. President, it is much better that there should be a dozen roll calls a day than that we should have unanimous consent granted by a handful of Senators when if the Senate were present that unanimous consent could not be obtained. It is not such a hardship to call the roll of the Senate. So I will answer the Senator yes, if that will end the uncertainty in his mind, as to the purpose of this rule. The purpose is that before any unanimous-consent agreement shall be submitted to the Senate that a vote shall be taken upon the passage of a bill or joint resolution which is to have the effect of a law, there shall be ascertained by a roll call that a quorum of the Senate is present.

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from North Carolina?

Mr. BACON. I do.

Mr. SIMMONS. When the Senator refers to a unanimous-consent agreement to fix a day certain, does he refer to a unanimous-consent agreement to do anything?

Mr. BACON. I have just stated——

Mr. SIMMONS. I was not present.

Mr. BACON. I have just stated that it would apply only to a unanimous-consent agreement for the passage of a bill or a joint resolution. It does not refer to any other unanimous-consent agreements.

Mr. SIMMONS. It would not include every unanimous-consent agreement to act upon any matter pending before the Senate?

Mr. BACON. It would not apply unless it was for the passage of a bill or a joint resolution.

Mr. SIMMONS. On every bill or joint resolution where a request was made for unanimous consent there would have to be a roll call and an ascertainment if there was present in the Chamber a majority of the Senate?

Mr. BACON. It is not necessary to state it in any other than the precise language that it relates only to a unanimous-consent agreement for a final vote on the passage of a bill or a joint resolution—not to any other matter.

Mr. SIMMONS. If the Senator will permit me, I would like to say that I would have no sort of objection to the Senator's proposition if it was confined to a unanimous-consent agreement to fix a day certain for voting upon a bill.

Mr. BACON. If I have not stated that, it is because I have not the ability to express myself clearly.

Mr. SIMMONS. Suppose a bill is called up this morning in the morning hour and a request is made for unanimous consent to place the bill upon its passage, would it be necessary in that case to ascertain whether there was a quorum present?

Mr. BACON. I will ask the Secretary that he again read the resolution, and I ask the attention of the Senator from North Carolina to its language.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

No request by a Senator for unanimous consent for the taking of a final vote on a specified date upon the passage of a bill or joint resolution shall be submitted to the Senate for agreement thereto until, upon a roll call ordered for the purpose by the presiding officer, it shall be disclosed that a quorum of the Senate is present; and when a unanimous consent is thus given the same shall operate as the order of the Senate.

Mr. BACON. Now, if the Senator from North Carolina will mark that language, he will see that it relates only to the taking of a final vote at a fixed time and relates only to the final vote as to the passage of a bill or a joint resolution.

Mr. SIMMONS. In that form I myself have no objection to it at all.

Mr. BACON. I thought the Senator possibly had not caught the exact meaning of it and that he would not object to it when he understood it.

Mr. SHAFROTH. If the Senator will yield to me, I should like to ask another question. First, I will state that I am in hearty sympathy with the view that a unanimous-consent agreement ought not to be entered into without a quorum being present. I heartily agree with the proposition which the Senator seeks to have established. This is the point in my mind. We have here every morning a half dozen or a dozen requests for unanimous consent to pass bills of minor importance that amount to very little. The question is whether the rule could not be so framed that the Vice President could determine the presence of a quorum after a roll call had been made and one unanimous consent given, or whether the roll of the Senate would have to be called before each one of the little bills was taken up. It may be that that is not a good suggestion. I have not considered the subject.

Mr. BACON. If the Senator will pardon me, I see the object of the first inquiry made by him. The Senator had in mind the case where a Senator rises and asks unanimous consent for the present consideration of a bill. This proposed rule has no reference to anything of that kind.

Mr. SHAFROTH. I think that ought to be included, because I believe that much legislation is gotten through here without consideration by a quorum of the Senate.

Mr. BACON. That may be; but I think we had better attend to the greater evil.

Mr. SHAFROTH. If this only applies to the suggestion the Senator made as to setting a date for the final vote, I see no objection on earth to it.

Mr. BACON. It only applies, Mr. President, to the fixing of a date for the final vote on the passage of a bill or a joint resolution and has no reference to the frequent occasions on which Senators rise and ask unanimous consent for the present consideration of some subject matter to which there is practically no objection. It is where there are matters of controversy, where it is wished to fix some time when the debate shall close, and the Senate agrees to have the vote on a certain day, that the vote shall be taken on the passage of a bill. It is with reference to cases of that kind, and those only, and also as to the fixing of the hour.

Mr. President, it has frequently happened that important matters have been passed upon upon a request for unanimous consent when there was only a handful of Senators present. We had within the very recent past a most remarkable illustration of that fact. Everybody knows that for weeks past the Senate has been expecting not to do any business in a general way, certainly not to attend to controverted matters, other than the particular matters that we had especially in view—the tariff bill and the currency bill—yet it has occurred here that upon a most important bill, commonly designated as "the seamen's bill," a bill in one particular much more far-reaching than any bill I have ever known in the Senate, one which assumed to deal with our treaties with every nation in the world, all in one bill, a unanimous consent was asked for, and at a time when, I repeat, there was only a handful of Senators present, when there was very grave doubt whether there was a quorum of the Senate in the city, and where the RECORD disclosed at the time that the Senator from Connecticut [Mr. BRANDEGEE] called attention to the fact that there were only 19 Senators present by actual count, a unanimous consent was given for the consideration of that bill, and not only unanimous consent that a vote be taken at a certain date, but that it be taken at a certain hour. The Senate, rather than bring into disrepute that method of proceeding with business, subsequently acquiesced in it, and it was carried out.

Now, I am at liberty to say that it was very freely stated by members of the committee that reported that bill to the Senate—it was stated by them without reservation and without qualification—that it was reported with a full understanding of the committee that it was not going to be called up for action at this time. So nobody was anticipating that a unanimous-consent agreement would be asked for.

One very unfortunate feature about that unanimous-consent agreement—I think unfortunate not only in that case, but it would be in any other—was the fixing of an hour at which a vote should be taken. It was illustrated in the case of that very bill. There was a case when not only the day was fixed, but the hour for taking a vote was fixed; and upon a most important and far-reaching amendment, which abrogated every treaty that we had with every nation on the great subject, not only was it true that a large majority of Senators who voted upon the bill had just been called back here and had not heard any of the debate——

Mr. CHAMBERLAIN. Mr. President, will the Senator from Georgia allow me to interrupt him?

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Oregon?

Mr. BACON. Yes.

Mr. CHAMBERLAIN. The Senator from Georgia does not mean to suggest for a moment that the Senate did not have full opportunity to consider the bill?

Mr. BACON. I do.

Mr. CHAMBERLAIN. It does seem to me that Senators had ample opportunity to be heard. If they did not come here and attend to business, the Senator ought not to complain if unanimous consent was given in their absence. It seems to me that the only way to dispatch the business of the Senate is to have such unanimous-consent agreements made for the consideration of important measures.

Mr. BACON. I am in favor of unanimous-consent agreements, Mr. President, but I desire them made at a time when the Senate can have its mind directed to the fact that there has been a unanimous consent requested and that a quorum shall be present for that purpose. We know the fact that it is frequently the case that a quorum is not present, and it is necessarily so.

Mr. CRAWFORD. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from South Dakota?

Mr. BACON. I yield with pleasure.

Mr. CRAWFORD. I unfortunately was called out of the Chamber, and was not able to hear the remarks of the Senator from Georgia, except in part; but I understood him to say that the purpose of his proposed amendment related only to a unanimous-consent agreement for the passage of bills and joint resolutions. I desire to make the observation that if the amendment is limited so narrowly as I understood the Senator from Georgia to state, it seems to me it fails to protect us against the unanimous-consent agreement which does fix a time for taking a vote; and I suggest that it is one of the cases where a unanimous-consent agreement may be abused. For instance, if there should be only a mere handful of Senators in the Chamber and a unanimous-consent agreement is secured from that mere handful to fix a day certain for voting upon a bill, it may place the Senate in a position where it is obliged to consider and vote upon a bill without having sufficient time to give it the attention it deserves. So the amendment ought to include, if it does not, the unanimous-consent agreement which fixes a day and an hour for voting upon a bill. I got the impression from what the Senator said that his proposed amendment would not cover that.

Mr. BACON. I confess I do not catch the Senator's proposition. There is a good deal of talk around me, and the Senator does not speak loudly.

Mr. CRAWFORD. Then I will try to speak a little louder, if the Senator from Georgia will permit me to make a suggestion to him.

Mr. BACON. Certainly.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Connecticut?

Mr. BACON. I do.

Mr. BRANDEGEE. I think the Senator from South Dakota [Mr. CRAWFORD], if he hears the proposed amendment, will alter his opinion.

Mr. CRAWFORD. I say I was absent from the Chamber during a part of the time when the Senator from Georgia was speaking, and I may have a wrong impression as to what the rule proposes.

Mr. BRANDEGEE. The amendment, as I understand it, provides for exactly what the Senator from South Dakota thinks it does not provide for.

Mr. CRAWFORD. Very well. Then my remarks are entirely useless. I should like, however, to hear the proposed amendment again read.

Mr. BRANDEGEE. Let the proposed amendment be again stated.

The VICE PRESIDENT. The Secretary will again read the amendment proposed by the Senator from Georgia [Mr. BACON].

The Secretary read as follows:

No request by a Senator for unanimous consent for the taking of a final vote on a specified date upon the passage of a bill or joint resolution shall be submitted to the Senate for agreement thereto until, upon a roll call ordered for the purpose by the presiding officer, it shall be disclosed that a quorum of the Senate is present; and when a unanimous consent is thus given the same shall operate as the order of the Senate.

Mr. BACON. Mr. President, it may be true that the proposed amendment to the rules may require some amplification, that there may be some other things which should be included. I think, however, that it would be well to let this proposed amendment to the rules be confined to this particular object, and then let us provide for other things as they arise, because the great and important thing to accomplish is that a unanimous-consent agreement shall not be had, that the presiding officer shall not even submit to the Senate a proposition for a unanimous-consent agreement for the passage of a bill or a joint resolution, until there has been a roll call and it is ascertained that the Senate has a quorum present.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Connecticut?

Mr. BACON. I do.

Mr. BRANDEGEE. I desire to ask the Senator what his opinion would be upon this state of facts: Supposing the rule were amended to comply with the suggestion of the Senator from Georgia, and upon a Senator rising and asking unanimous consent for fixing a day upon which a final vote upon a bill or joint resolution should be taken he should also ask unanimous consent that the provision of the rule which the Senator is now proposing should be dispensed with, what would be the effect of that request?

Mr. BACON. The effect would be to absolutely nullify it.

Mr. BRANDEGEE. My point is whether a rule can be suspended by unanimous consent, and if this is nothing but a rule whether unanimous consent would set it aside.

Mr. BACON. I should say that that would be a refinement which no logician would recognize.

Mr. BRANDEGEE. Does the Senator admit that a rule can be suspended at all in any way?

Mr. BACON. There is a provision in some of the rules for their suspension by unanimous consent.

Mr. BRANDEGEE. Very well. Then why could not this rule be suspended by unanimous consent?

Mr. BACON. Simply because the proposed rule seeks to provide against that very thing; and it would be arguing in a circle to maintain such a proposition.

Mr. BRANDEGEE. If a rule can be made by a majority, why can it not be suspended by a unanimous vote?

Mr. BACON. We can not change a rule by unanimous consent.

Mr. BRANDEGEE. I admit that, because the rules provide how they shall be changed or amended, but can we not suspend it for the time?

Mr. BACON. Mr. President, where we are providing by a rule that there shall be no unanimous consent, except under certain conditions, it is simply arguing in a circle to talk about suspending that rule by unanimous consent. I do not think the Senator's suggestion is a very material one.

Mr. BRANDEGEE. I am heartily in favor of the resolution if it can be buttoned up so that it can never be violated.

Mr. BACON. I do not think that any presiding officer would ever hold that the rule could be suspended.

Mr. BRANDEGEE. He might not do so; but I am quite sure that some Senator, if he very much desired to get unanimous consent, might try it.

Mr. SMITH of Georgia. Does the Senator from Connecticut think any Senator would feel bound by it under such circumstances? I think we would utterly repudiate it.

Mr. BACON. Of course not. That would be something that could not possibly be recognized.

Mr. President, in reference to the inquiry of my friend from Oregon [Mr. CHAMBERLAIN], I will say that I am not introducing this proposed amendment of the rules for the purpose of reflecting on anything that has been done. I am simply mentioning the last occasion when there was illustration of the need of such a rule. There was, as suggested by the Senator from Oregon, ample opportunity for debate on the bill to which I refer, but the trouble was that it was debate at a time when there were no Senators here, and when it was, for reasons which we all recognize, doubtful even whether there was a quorum of Senators in the city.

Mr. CHAMBERLAIN. That is the very question I wish to suggest. I do not think the members of the Senate who stay at their post of duty all the time ought to be penalized by absenteeism.

Mr. BACON. I quite agree with the Senator.

Mr. CHAMBERLAIN. And there was opportunity for them to be here when the unanimous-consent agreement was made, at the time the bill was discussed, and at the time the bill was finally passed.

Mr. BACON. Yes. The Senator and myself are generally here, so we agree on those subjects. Inasmuch as the Senator speaks of the opportunity for debate, I will call his attention to the fact that while there was opportunity for debate generally—the bill rested here for a week—there was one time when there was no opportunity for debate; and that illustrates, to my mind, the impolicy, to use the mildest word, of agreeing to a fixed hour for a vote. It is all right to agree to vote on a fixed day, a calendar day or a legislative day, as you please. That gives opportunity for every Senator to be heard on any question; but when you fix a certain hour it is within the power of a Senator to get the floor, to hold the floor up to the last minute, and give nobody else a chance to speak. That occurred here the other day.

There was a most important amendment offered to that bill, an amendment which, in effect, abrogated 20 or 25 treaties which the United States had made with other Governments, and yet the floor was taken by a Senator and held by him for an hour or so up to the hour fixed for taking the vote, without the opportunity for any other Senator to say a word on that most important amendment. I want to say that, so far as I am concerned, I never intend to again consent to a fixed hour for that purpose. I will agree to a day for voting, but not to the hour for voting.

Mr. President, I did not intend to go into this, but as the Senator from Oregon has asked me whether we all had an opportunity for debate, I will say that if I had had the opportunity to debate on that occasion as a member of the Committee on Foreign Relations and had sat in my place and said nothing when it was proposed to abrogate all those treaties, I would have been criminally negligent; but I did not have the opportunity to say anything, and even when I appealed to the Senator who had the floor for an opportunity to speak I was denied the privilege of a minute.

What was it we did? I do not want to reopen that debate, but it is due to the occasion to say this: There was an amendment providing that certain articles in certain treaties should be abrogated—not that the treaties should be abrogated, but that certain articles in certain treaties should be abrogated—and that notice should be given of the abrogation of those articles, as provided in the treaties. Mr. President, the Senate of the United States passing a bill of that kind put us in a very remarkable position before the world. There is no treaty in which there is any provision for notice for the abrogation of some part of that treaty; and yet we have solemnly said in the bill which we have passed through the Senate that there is such a provision in all these many treaties, when in fact there is none. The only provisions in treaties about abrogation are provisions for the abrogation of the treaties themselves upon notice, not the abrogation of particular parts of treaties. You can not give notice of the abrogation of a part of a treaty. Whenever you abrogate a part of a treaty you abrogate the entire treaty. You can not make a contract with a man and then say to him, "I am going to cut out part of that contract and let the balance of it stand"; and you can not make a treaty with a nation and say, "I am going to cut out article 8 and let the balance of it stand." Such a thing is an impossibility, and yet I want to ask, Are we not put in the attitude before the world of having taken the position that we can abrogate a part of a treaty and leave the balance of it standing?

If there had been an opportunity to make that statement to the Senate, I have no idea that the Senate would have taken the action it did take; the Senate would not intentionally have voted to abrogate at one fell swoop and without notice treaties with all the leading nations of the world; but there was no opportunity. I have no idea that half the Senators in the Chamber had read the bill at all. They were impressed by the fact, as we all were, that the main object of the bill was a most laudable and commendatory one, which was to make travel by sea safer and to ameliorate, if it could be done, the condition of sailors—things with which we all sympathize and on account of which Senators would vote for the bill; but how many Senators, if the provision in that bill had been in plain words that "we hereby abrogate all the treaties," naming them—some 20 or 25 which we have with different nations—how many Senators would have voted for it? And yet that would be the effect of it if such a bill as that could ever become a law. Of course it can not become a law in that condition, because, while the House of Representatives generally has less opportunity for the consideration of particular measures, by reason of their rules which limit debate, than we have here, they will have greater opportunity in regard to this feature of that bill than we had under the circumstances. We have been put in that position before the world.

Mr. President, there could be nothing more important than these treaties—treaties that we have with nations of all the world—not only with European nations but with South American nations. I have looked through these treaties. We have treaties which this bill affects with almost every nation in the world—every nation of any importance at least—and they are treaties in which we as well as the nations with whom we treat get benefits.

These treaties affect the rights of our merchants in foreign countries; these treaties affect the rights of our shipowners; they affect the rights of our citizens, and affect our trade in all particulars. Who would imagine that the Senate would say at one dash that we would abolish and repudiate and abrogate all these treaties without a word to any of the nations involved? And yet if this bill should become a law in its present form such would be its effect. You might as well say that you can change a promissory note and still make it an obligation binding upon the maker of it as to say that you can cut out one article of a treaty. With all due respect and absolute deference to those who may think otherwise or who may have voted for the bill without proper information in regard to this matter or having their attention called to it, such a proposition is absolutely absurd.

Mr. CHAMBERLAIN. May I interrupt the Senator from Georgia again?

Mr. BACON. Yes.

Mr. CHAMBERLAIN. I may say in that connection that the Senator presumes a little bit on the ignorance of the Senate with reference to the clause in the seamen's bill having reference to treaties. It was discussed, and it was concluded that even if a treaty could not be repealed in part, the clause would at least have the effect of causing the powers to enter into other treaties.

The fact is that some members of the committee thought, and I think some Members of the Senate think, that through carelessness somewhere along the line in the negotiation of these treaties this Government has so tied itself up that it is unable to legislate upon anything that affects the people of this country. In the enactment of a tariff bill we were confronted with treaties that had been entered into by the United States, and it was held that we could not legislate upon this or upon that subject. It has even gone to the extent of saying that we can not legislate with reference to our internal waterways, because, forsooth, we have some treaty with some power. Now, when we undertake to protect life at sea, the contention is made that we have no right to legislate as we have done because we are violating some treaty.

I desire to say that I do not believe in the abrogation of treaties generally without notice to the other party and without a hearing had on the subject; but I do think we ought to let the powers of the earth know that on this important subject we propose to legislate. If they do not want a treaty repealed pro tanto, let them enter into negotiations with us to renew some treaty that will enable us to protect our seamen and the lives of our people who travel on the high seas.

Mr. BACON. Mr. President, I do not differ with the honorable Senator in the purpose he has in view, nor in the suggestion that the matter should be properly arranged for the accomplishment of the great purpose it has in view. I am speaking of the method that we adopted to do it; that is all.

I am as much in favor as the Senator is of making all proper provisions for insuring safety of life at sea. I am as much in favor as the Senator is of doing all that is necessary to ameliorate the condition of sailors, to better their condition, and to protect them against wrong. I have no doubt there is great wrong perpetrated upon sailors.

What I am saying is that when we have entered into solemn treaties with other nations, the way for us to deal with them is to call their attention to the things to which we object and ask them if they will agree with us upon the changes we desire. Then, if they refuse, we are at perfect liberty, without any impropriety, without any lack of proper deference and courtesy, to pass such laws as we please abrogating the treaties. What I am speaking about is, without a word to them, without any invitation for a conference, without any request that they confer with us about the matter and agree with us, that we should say that we will abrogate practically every treaty we have on the subject, and direct the President of the United States to notify the nations concerned, not simply that we want to abrogate those treaties, but that we have done it. As a matter of fact, we have not done it yet, because the bill has not passed the House and it has not received the signature of the President.

I did not rise, however, for the purpose of discussing that bill at all. That has been done, and the bill has gone from this Chamber. My only reason for referring to it is to excuse myself for not having brought to the attention of the Senate the effect of our action. I did endeavor to do so in a general way, even before the bill was placed upon its passage, but that was before the amendment was offered by the Senator from Wisconsin. After the amendment was offered by him which struck out every article relating to this matter, and thereby practically struck out every treaty which contained it, the floor was gotten and held by one Senator until the hour fixed for voting on the bill and nobody else was allowed to speak in regard to the matter.

I say that hereafter, on important matters, where we fix dates by unanimous consent, we ought not to fix the hour, or if we do there ought to be some limitation as to how much of the last hour shall be occupied by one person. It ought not to be left so that important matters can be passed upon by the Senate without opportunity on the part of anyone to point out and give the reasons for or against any proposed legislation.

This is not the time to discuss that matter, however, and I did not expect to be on the floor five minutes. I simply desired to call the attention of the Senate to the important objects sought to be accomplished by the proposed amendment, and to make a short statement before moving its reference to the Committee on Rules, where it is to be considered. If I have thus trespassed upon the Senate, it has been due to the fact that Senators have been interested in the matter, and have made suggestions which required that there should be some comment.

Mr. SMOOT rose.

Mr. BACON. If the Senator from Utah will pardon me a moment, I wish to say further that I have no pride of opinion whatever in this matter. I shall be more than glad to acquiesce in any changes which may be suggested in the proposed amendment which will accomplish the end we all have in view.

Mr. SMOOT. Mr. President, I wish to say to the Senator from Georgia that I am in full accord with the proposed amendment to the rules submitted by him as far as it goes, but I believe it ought to go one step further. I should like to suggest to the Senator an amendment, as follows:

After the word "thereto" insert "until a notice of one day has been given, and until," so that, if amended, it would read in this way:

> No request by a Senator for unanimous consent for the taking of a final vote on a specified date upon the passage of a bill or joint resolution shall be submitted to the Senate for agreement thereto until a notice of one day has been given, and until, upon a roll call ordered for the purpose by the presiding officer—

And so forth.

Mr. BACON. Mr. President, the suggestion made by the honorable Senator from Utah did occur to me, and it was my original purpose to phrase the amendment as he has stated it, but I thought possibly that would be binding the Senate too severely. It frequently happens that after debate the developments are such that the Senate is in a condition to agree upon a date. If there is a quorum present, there is no danger in having the matter submitted for unanimous consent. If the Senate is not then ready to vote or to determine the question, it can very easily postpone its consideration until the next day.

I think it would be rather too rigid to say that unanimous consent should not be granted until after a day's notice. I have frequently seen the time when a unanimous-consent agreement has relieved embarrassment in the Senate and has untangled considerable complications.

Mr. SMOOT. Of course if we had the provision for a day's notice in the amendment, it would then be a unanimous-consent agreement in very deed.

Mr. BACON. Yes.

Mr. SMOOT. Senators may be absent upon the particular day when an agreement is proposed, and this would give notice to them that on the morrow the question would be presented to the Senate and a unanimous-consent agreement asked for.

Mr. BACON. The matter will go to the Committee on Rules; and the suggestion of the Senator, being now in the record, will doubtless be brought to their attention. I have no doubt that even after the report of the Committee on Rules the Senate will very carefully consider the question of the adoption of this new rule.

Mr. SMOOT. That will be perfectly satisfactory to me.

Mr. BACON. For myself, after having considered the matter, I thought it better to leave out those words, because I thought many occasions would arise when, if a quorum were present, it would be desirable to come to some agreement.

The VICE PRESIDENT. The resolution will be referred to the Committee on Rules.

ADJOURNMENT TO MONDAY.

Mr. CHAMBERLAIN. I move that when the Senate adjourns to-day it adjourn to meet on Monday, November 3, at 12 o'clock meridian.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 1 o'clock p. m.) the Senate adjourned until Monday, November 3, 1913, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate October 30, 1913.

ASSISTANT COMMISSIONER OF PATENTS.

James T. Newton, of Georgia, to be Assistant Commissioner of Patents, vice Frederick A. Tennant, resigned.

UNITED STATES MARSHAL.

John Q. Newell, of Oklahoma, to be United States marshal for the western district of Oklahoma, vice William S. Cade, resigned.

PROMOTIONS IN THE ARMY.

QUARTERMASTER CORPS.

Lieut. Col. John T. Knight, Quartermaster Corps, to be colonel from October 24, 1913, vice Col. Frederick G. Hodgson, retired from active service October 23, 1913.

Maj. William E. Horton, Quartermaster Corps, to be lieutenant colonel from October 24, 1913, vice Lieut. Col. John T. Knight, promoted.

FIELD ARTILLERY ARM.

First Lieut. Marion W. Howze, Third Field Artillery, to be captain from October 24, 1913, vice Capt. Walter V. Cotchett, Fourth Field Artillery, retired from active service October 23, 1913.

CORPS OF ENGINEERS.

Second Lieut. Raymond A. Wheeler, Corps of Engineers, to be first lieutenant from September 3, 1913, vice First Lieut. Frederick B. Downing, promoted.

Second Lieut. W. Morris Chubb, Corps of Engineers, to be first lieutenant from October 12, 1913, vice First Lieut. Edmund L. Daley, promoted.

CAVALRY ARM.

First Lieut. Rudolph E. Smyser, Cavalry, unassigned, to be captain from October 25, 1913, vice Capt. Thomas M. Corcoran, Thirteenth Cavalry, who died October 24, 1913.

First Lieut. Joseph C. Righter, jr., Fourth Cavalry, to be captain from October 28, 1913, vice Capt. Marion C. Raysor, Second Cavalry, dismissed October 27, 1913.

INFANTRY ARM.

First Lieut. Frank H. Adams, Twelfth Infantry, to be captain from October 26, 1913, vice Capt. William M. Goodale, Nineteenth Infantry, retired from active service October 25, 1913.

Second Lieut. John S. Sullivan, Eighteenth Infantry, to be first lieutenant from October 26, 1913, vice First Lieut. Frank H. Adams, Twelfth Infantry, promoted.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Medical Inspector James G. Field, an additional number in grade, to be a medical director in the Navy from the 29th day of September, 1913.

Medical Inspector George Pickrell to be a medical director in the Navy from the 29th day of September, 1913.

Medical Inspector Albert M. D. McCormick to be a medical director in the Navy from the 20th day of October, 1913.

Surg. William C. Braisted to be a medical inspector in the Navy from the 20th day of October, 1913.

The following-named first lieutenants in the Marine Corps to be first lieutenants in the Marine Corps from the dates set opposite their names, to correct the dates from which they take rank as previously confirmed:

Edward M. Reno from January 1, 1913;

Joseph C. Fegan from January 3, 1913; and

Joseph D. Murray from February 5, 1913.

Second Lieut. William G. Emory to be a first lieutenant in the Marine Corps from the 6th day of May, 1913.

Second Lieut. George H. Osterhout, jr., to be a first lieutenant in the Marine Corps from the 16th day of May, 1913.

John N. Bassin, a citizen of New York, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 23d day of October, 1913.

Albert E. Man, a citizen of Pennsylvania, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 27th day of October, 1913.

Cliff C. Wilson, a citizen of Texas, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 22d day of October, 1913.

POSTMASTERS.

ALABAMA.

John E. Delony to be postmaster at Tuscumbia, Ala., in place of Andrew M. Steele, removed.

ALASKA.

Albert Wile to be postmaster at Iditarod, Alaska. Office became presidential July 1, 1912.

ARKANSAS.

A. D. Agee to be postmaster at Gurdon, Ark., in place of Robert C. Gore, declined.

MASSACHUSETTS.

Michael F. Cronin to be postmaster at Lawrence, Mass., in place of Louis S. Cox, resigned.

Thomas H. Hackett to be postmaster at Westboro, Mass., in place of John W. Fairbanks, removed.

MINNESOTA.

Peter L. Cashman to be postmaster at Eden Valley, Minn. Office became presidential January 1, 1913.

S. M. Granger to be postmaster at Kasota, Minn. Office became presidential October 1, 1913.

MONTANA.

T. C. Armitage to be postmaster at Billings, Mont., in place of Orson B. Prickett, removed.

William Krofft to be postmaster at Choteau (late Chouteau), Mont., in place of William Krofft, to change name of office.

NEW YORK.

Jonas J. Hover to be postmaster at Germantown, N. Y. Office became presidential October 1, 1913.

John B. Judson to be postmaster at Gloversville, N. Y., in place of Howard G. Dewey, removed.

NORTH DAKOTA.

B. M. Harvey to be postmaster at Sherwood, N. Dak., in place of Louise A. Fowler, not commissioned.

Christian Reite to be postmaster at Hannaford, N. Dak. Office became presidential October 1, 1913.

OHIO.

G. M. Keating to be postmaster at Loveland, Ohio, in place of George W. Rich, removed.

OKLAHOMA.

Joseph B. Wilson to be postmaster at Fairview, Okla., in place of James L. Admire, resigned.

PENNSYLVANIA.

James W. Taylor to be postmaster at Dallastown, Pa., in place of Jesse Ehrhart. Incumbent's commission expired May 22, 1913.

WASHINGTON.

Albert L. Laing to be postmaster at Earlington, Wash. Office became presidential July 1, 1913.

T. B. McKelrnan to be postmaster at Pomeroy, Wash., in place of Noah O. Baldwin, resigned.

W. T. Pitcher to be postmaster at Port Orchard, Wash., in place of Ethel R. Joslin, name changed by marriage.

WEST VIRGINIA.

James M. Moore to be postmaster at Logan, W. Va., in place of B. O. Holland, resigned.

W. D. Roush to be postmaster at Clendenin, W. Va. Office became presidential October 1, 1913.

T. W. Ryan to be postmaster at Hendricks, W. Va., in place of Arthur W. Windom, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate October 30, 1913.

SPECIAL EXAMINER OF DRUGS, MEDICINES, AND CHEMICALS.

Thomas O. Cooper to be special examiner of drugs, medicines, and chemicals in the district of Philadelphia, Pa.

CHIEF INSPECTOR OF LOCOMOTIVE BOILERS.

Frank McManamy to be chief inspector of locomotive boilers.

UNITED STATES ATTORNEY.

Burton K. Wheeler to be United States attorney for the district of Montana.

UNITED STATES MARSHALS.

Jacob A. Herring to be United States marshal, southern district of Texas.

Frank J. Noonan to be United States marshal for the eastern district of Pennsylvania.

POSTMASTERS.

FLORIDA.

J. B. Griffin, Greenville.
Samuel Bass, Glen St. Mary.

GEORGIA.

Emmett M. Anderson, Statesboro.

ILLINOIS.

W. J. Bixler, Eldorado.
W. S. Cabeen, Keithsburg.
John Coleman, Rochelle.
Robert E. Downing, Golden.
Walter R. Lovett, Onarga.
Peter Petri, Eureka.
Jacob Sand, Roanoke.
M. J. Sullivan, Braidwood.
Clint C. Tilton, Danville.

NORTH DAKOTA.

J. A. Berdahl, Stanton.
Annie Minehan, Garrison.

PENNSYLVANIA.

Samuel Bulford, Dallas.
J. R. Detwiler, Williamsburg.
John M. Eshleman, Parkesburg.
R. M. Hamilton, Houston.
Edward S. Haws, Narberth.
Oscar M. Koller, Fleetwood.
John H. Krumbine, Vintondale.
Bartly P. McNulty, Ridgway.
Lenore J. Pipes, Monaca.
Charles N. Seltzinger, Reading.
Charles A. Smith, Swarthmore.
J. K. Smith, Charleroi.
Louis N. Spencer, Lancaster.
Elwood S. Taylor, Kennett Square.
E. C. Tingley, Hop Bottom.

TENNESSEE.

Victor C. Stafford, Sevierville.

WEST VIRGINIA.

James M. Moore, Logan.

HOUSE OF REPRESENTATIVES.

THURSDAY, *October 30, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Touch our hearts, O God our Father, with Thy spirit, and bring us into closer relationship with Thee, that with clear vision, a sensitive conscience, and a firm desire we may do patiently, faithfully, and efficiently the tasks Thou hast laid upon us. It is writ: "They that wait upon the Lord shall renew their strength; they shall mount up with wings, as eagles; they shall run and not be weary; they shall walk and not faint." So may we reap the fruits of righteousness, in Christ Jesus our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

WEDDING GIFT TO PRESIDENT'S DAUGHTER.

Mr. GRAY. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. The gentleman from Indiana asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. GRAY. Mr. Speaker, I wish to absolve myself from any participation in the movement that has been inaugurated in the House on the part of Members for the purchase and presentation of a costly gift to the President's daughter, as I do not believe this is a fitting or proper manner for Members of this House to show either their respect for the President or for the high office which he holds, or to express their good wishes to Miss Wilson and the President's family.

Mr. Speaker, I regard this practice of people making gifts to high officials and to members of their families as a lingering shadow coming from ancient days, from the days of feudalism, when fealty, homage, and special acts of deference were a necessary qualification, not only of citizenship, but of the right to enjoy property, lands, and tenements, and I regard this practice as engaged in by many people to-day as private citizens and not in official life as a complacent servility prompted more by a morbid desire for recognition by those in power than to show respect for public officials or our civil institutions. In any event, it is a false conception of office, a confusion of personal considerations with public service. And, further, this movement is in bad taste, an indiscretion, an unwarranted assumption, an intrusion for the Members of this House to tender any gift which they may see fit to purchase and present. Excepting a few Members who are here, who may be the close friends of the family, or who may stand in some relationship to them, the great body of the membership here are mere strangers.

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. GRAY. Mr. Speaker, I ask unanimous consent to proceed for two minutes more.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. GRAY. Mr. Speaker, the great body of the membership here individually and personally are strangers from whom it is always an act of bad taste to intrude a present without solicitation or some warrant. We know the occupants of the White House only officially, and they know the most of us only in our representative capacity. We are here in Washington in only a representative capacity. If this act is proper at all, it is proper only as an official act and in a representative capacity.

While I refuse to participate in this movement to present a gift I believe there is a way whereby this House can properly, fittingly, and appropriately recognize this occasion, and I shall send to the Clerk's desk to have read a resolution for that purpose. But before doing so I wish to explain that I have inclosed my check for $5 to this committee, with instructions that the $5 is not to go toward the purchase of a gift, which I feel assured will be against President Wilson's wishes, but is to go to the children whom we see every Christmas standing in the cold, looking in at the show windows, longing for the simplest present, but which their parents have not the money to provide for them; and in place of such gift as these gentlemen would present at the White House I wish at the proper time to offer the following resolution, which I send to the desk and ask unanimous consent to have read at this time.

The SPEAKER. The gentleman from Indiana asks unanimous consent to have read a resolution which he sends to the desk. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, for what purpose is it to be read?

Mr. GRAY. I would read it in my own time, but I am not a good reader. I have a defect in my speech.

Mr. MANN. Is it simply read for information?

Mr. GRAY. Sure.

Mr. POU. Mr. Speaker, reserving the right to object, I would like to know what it is.

Mr. GRAY. I do not know of any other way of informing the gentleman than to have it read. It is only four or five lines.

Mr. POU. I object.

Mr. GRAY. Then I ask that it be read in my own time, if that is proper.

The SPEAKER. The gentleman asks to have the resolution read in his own time. Is there objection? [After a pause.] The Chair hears none, and the Clerk will read.

The Clerk read as follows:

Whereas the marriage of the President's daughter, Miss Jessie Wilson, has been announced to be celebrated in the people's mansion, the White House, at an early date: Therefore be it

Resolved, That the Members of the House of Representatives extend to Miss Wilson on approaching this great step in life's highway their heartiest congratulations and well wishes as a symbol of the solicitude of this great Nation for the happiness and welfare of all our people.

Mr. GRAY. Mr. Speaker——

The SPEAKER. The time of the gentleman from Indiana has again expired.

Mr. GRAY. Mr. Speaker, I would like one minute more; if not, I will ask to extend and revise my remarks in the RECORD.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. GRAY. Mr. Speaker, it seems to me that this is a more proper and appropriate way for us to show our respect to the President of the United States and for the great office which he holds. He is charged as President and Chief Executive with the administration of the laws of this Nation, and our cooperation in the administration of those laws, equally and impartially, without fear or favor, against all would be a more fitting and proper showing of our respect and well-wishes. More than that, as the leader of a great party he is charged, along with this House and with the Senate, with the inauguration of great legislative reforms, and our cooperation with him in carrying out those reforms in good faith with our platform pledges would be more proper, I hold, and show more deference and respect to the White House than we could ever hope to do by the presentation of a gift to his family, coming from us in the mere attitude of strangers, if we are not to act officially.

Mr. Speaker, I ask unanimous consent to extend and revise my remarks in the RECORD.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend and revise his remarks. Is there objection?

Mr. MANN. Mr. Speaker, I shall have to object. I have no objection to the gentleman talking, but I would like to hear what is said.

The SPEAKER. The gentleman from Illinois objects.

Mr. GRAY. Mr. Speaker, did I understand Mr. MANN to object?

The SPEAKER. He did. The gentleman from Indiana asks unanimous consent to address the House for a minute. Is there objection? [After a pause.] The Chair hears none.

Mr. GRAY. Mr. Speaker, Mr. MANN has objected to my revising my remarks. I have no criticism for Mr. MANN in any manner whatever. I believe he does these things in full accordance with the principles for which he stands. I want to give Mr. MANN the full credit and recognition for whatever there is in this movement to purchase a gift and present it to the White House. He is the leader of this movement. Others here are his followers, and as leader and spokesman I would like to hear something from him in justification and in defense of this policy, not from a Republican standpoint but from the standpoint of Jacksonian economy and Jeffersonian simplicity. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman has expired.

Mr. MANN. Mr. Speaker, I ask for one minute.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent to address the House for five minutes——

Mr. MANN. For one minute.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, after hearing my distinguished friend from Indiana, I think it will be hopeless to put into his soul the expression which finds itself in the heart of every other Member of this House. [Applause.] The other Members do not need to be told why. [Applause.]

TRANSFER OF SOUTHEASTERN ALASKA TO CANADA.

Mr. SMITH of Maryland. Mr. Speaker, I ask unanimous consent for the consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Maryland [Mr. SMITH] asks unanimous consent to consider the resolution which the Clerk will report.

The Clerk read as follows:

Joint resolution requesting the President to negotiate with the British and Canadian Governments regarding the transfer of southeastern Alaska to Canada by sale or exchange or both.

Whereas the narrow coast strip of southeastern Alaska keeps one-third of western Canada from the free use of the most direct route to the Pacific; and

Whereas this unnatural boundary, created in response to conditions which have long ceased to exist, hampers the development of the adjoining lands and gives rise to an irritation which must become more and more acute as population and commerce increase; and

Whereas the celebration of the one hundred years' peace between Great Britain and America should not be confined to mere ceremonies but should include a deed proving the sincerity and earnestness of the participants; and

Whereas nothing could accomplish that object more happily than the removal of a standing source of irritation between the United States and Canada; and

Whereas that act would be the most eloquent example of the policy of mutual concessions necessary to establish universal peace: Therefore be it

Resolved, etc., That the President be, and he is hereby, requested to negotiate with the British and Canadian Governments regarding the transfer of southeastern Alaska to Canada by sale or exchange or both.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. POU. Mr. Speaker, I object.

The SPEAKER. The gentleman from North Carolina [Mr. POU] objects.

ORDER OF BUSINESS.

The SPEAKER. The unfinished business is Senate joint resolution 5, which the Clerk will report.

The Clerk read as follows:

S. J. Res. 5. Joint resolution providing for the appointment of a commission to consider the need and report a plan for national aid to vocational education.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. I have no objection to the matter coming up, but is not that the unfinished business on the Wednesday Calendar?

The SPEAKER. The Chair will ask if that is on the Wednesday Calendar?

Mr. CANDLER of Mississippi. Mr. Speaker, it was brought up on Wednesday, went over to the next Wednesday, and was then taken up again.

The SPEAKER. The fact which the Chair desired to ascertain is whether the joint resolution was considered on Calendar Wednesday. If so, it goes over until the next Wednesday.

Mr. POWERS. I think it was, Mr. Speaker. My recollection is that it was on Calendar Wednesday.

The SPEAKER. The RECORD will show. That is unimpeachable.

ADJOURNMENT.

Mr. PALMER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Pennsylvania [Mr. PALMER] moves that the House do now adjourn. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. MANN. I ask for the yeas and nays, Mr. Speaker.

The SPEAKER. The gentleman from Illinois [Mr. MANN] demands the yeas and nays. Those in favor of taking the vote by yeas and nays will rise and stand until they are counted. [After counting.] Twenty-four gentlemen have arisen in the affirmative—a sufficient number—and the Clerk will call the roll.

The question was taken; and there were—yeas 55, nays 28, answered "present" 10, not voting 335, as follows:

YEAS—55.

Abercrombie	Dershem	Johnson, Ky.	Raker
Aswell	Donohoe	Johnson, S. C.	Rothermel
Beakes	Evans	Keating	Russell
Bell, Ga.	Ferguson	Kirkpatrick	Shackleford
Brockson	Flood, Va.	Lee, Pa.	Sims
Brodbeck	Garrett, Tex.	Linthicum	Sisson
Brumbaugh	George	Lloyd	Smith, Md.
Buchanan, Ill.	Glass	Lobeck	Stone
Byrns, Tenn.	Godwin, N. C.	McDermott	Taggart
Candler, Miss.	Gray	McKellar	Tavenner
Carlin	Hamlin	Maguire, Nebr.	Tribble
Church	Hammond	Page	Watkins
Cox	Hensley	Palmer	Young, Tex.
Crosser	Hull	Pou	

NAYS—28.

Anderson	Fowler	La Follette	Powers
Austin	Frear	Lindbergh	Sharp
Avis	Gilmore	Lindquist	Sinnott
Bell, Cal.	Hawley	MacDonald	Smith, Idaho
Browne, Wis.	Johnson, Utah	Murdock	Steenerson
Donovan	Kelster	Nelson	Sutherland
Dyer	Kennedy, Iowa	Plumley	Towner

ANSWERED "PRESENT"—10.

Cary	Mann	Smith, Minn.	Volstead
Falconer	Morrison	Stevens, Minn.	Woods
Lafferty	Slayden		

NOT VOTING—335.

Adair	Callaway	Dunn	Gregg
Adamson	Campbell	Dupré	Griest
Aiken	Cantrill	Eagan	Griffin
Ainey	Caraway	Eagle	Gudger
Alexander	Carew	Edmonds	Guernsey
Allen	Carr	Edwards	Hamill
Ansberry	Carter	Elder	Hamilton, Mich.
Anthony	Casey	Esch	Hamilton, N. Y.
Ashbrook	Chandler, N. Y.	Estopinal	Hardwick
Bailey	Clancy	Fairchild	Hardy
Baker	Clark, Fla.	Falson	Harrison
Baltz	Claypool	Farr	Hart
Barchfeld	Clayton	Ferris	Haugen
Barkley	Cline	Fess	Hay
Barnhart	Collier	Fields	Hayden
Bartholdt	Connelly, Kans.	Finley	Hayes
Bartlett	Connolly, Iowa	Fitzgerald	Heflin
Barton	Conry	Fitzhenry	Helgesen
Bathrick	Cooper	Floyd, Ark.	Helm
Beall, Tex.	Copley	Fordney	Helvering
Blackmon	Covington	Foster	Henry
Booher	Cramton	Francis	Hill
Borchers	Crisp	French	Hinds
Borland	Cullop	Gallagher	Hinebaugh
Bowdle	Curley	Gard	Hobson
Bremner	Curry	Gardner	Holland
Britten	Dale	Garner	Houston
Broussard	Danforth	Garrett, Tenn.	Howard
Brown, N. Y.	Davenport	Gerry	Howell
Brown, W. Va.	Davis	Gillett	Hoxworth
Browning	Decker	Gittins	Hughes, Ga.
Bruckner	Deitrick	Goeke	Hughes, W. Va.
Bryan	Dent	Goldfogle	Hulings
Buchanan, Tex.	Dickinson	Good	Humphrey, Wash.
Bulkley	Dies	Goodwin, Ark.	Humphreys, Miss.
Burgess	Difenderfer	Gordon	Igoe
Burke, Pa.	Dillon	Gorman	Jacoway
Burke, S. Dak.	Dixon	Goulden	Johnson, Wash.
Burke, Wis.	Dooling	Graham, Ill.	Jones
Burnett	Doolittle	Graham, Pa.	Kahn
Butler	Doremus	Green, Iowa	Kelley, Mich.
Byrnes, S. C.	Doughton	Greene, Mass.	Kelly, Pa.
Calder	Driscoll	Greene, Vt.	Kennedy, Conn.

Kennedy, R. I.	Metz	Rauch	Sumners
Kent	Miller	Rayburn	Switzer
Kettner	Mitchell	Reed	Talbott, Md.
Key, Ohio	Mondell	Reilly, Conn.	Talcott, N. Y.
Kiess, Pa.	Montague	Reilly, Wis.	Taylor, Ala.
Kindel	Moon	Richardson	Taylor, Ark.
Kinkaid, Nebr.	Moore	Riordan	Taylor, Colo.
Kinkead, N. J.	Morgan, La.	Roberts, Mass.	Taylor, N. Y.
Kitchin	Morgan, Okla.	Roberts, Nev.	Temple
Knowland, J. R.	Morin	Rogers	Ten Eyck
Konop	Moss, Ind.	Rouse	Thacher
Korbly	Moss, W. Va.	Rubey	Thomas
Kreider	Mott	Rucker	Thompson, Okla.
Langham	Murray, Mass.	Rupley	Thomson, Ill.
Langley	Murray, Okla.	Sabath	Townsend
Lazaro	Neeley	Saunders	Treadway
Lee, Ga.	Nolan, J. I.	Scott	Tuttle
L'Engle	Norton	Scully	Underhill
Lenroot	O'Brien	Seldomridge	Underwood
Lesher	Oglesby	Sells	Vare
Lever	O'Hair	Sherley	Vaughan
Levy	Oldfield	Sherwood	Walker
Lewis, Md.	O'Leary	Shreve	Wallin
Lewis, Pa.	O'Shaunessy	Slemp	Walsh
Lieb	Padgett	Sloan	Walters
Logue	Parker	Small	Watson
Lonergan	Patten, N. Y.	Smith, J. M. C.	Weaver
McAndrews	Patten, Pa.	Smith, N. Y.	Webb
McClellan	Payne	Smith, Saml. W.	Whaley
McCoy	Pepper	Smith, Tex.	Whitacre
McGillicuddy	Peters, Mass.	Sparkman	White
McGuire, Okla.	Peters, Me.	Stafford	Williams
McKenzie	Peterson	Stanley	Willis
McLaughlin	Phelan	Stedman	Wilson, Fla.
Madden	Platt	Stephens, Cal.	Wilson, N. Y.
Mahan	Porter	Stephens, Miss.	Wingo
Maher	Post	Stephens, Nebr.	Winslow
Manahan	Prouty	Stephens, Tex.	Witherspoon
Mapes	Quin	Stevens, N. H.	Woodruff
Martin	Ragsdale	Stout	Young, N. Dak.
Merritt	Raney	Stringer	

So the motion to adjourn was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.
Mr. SCULLY with Mr. BROWNING.
Mr. METZ with Mr. WALLIN.
Mr. HOBSON with Mr. FAIRCHILD.
Mr. BARTLETT with Mr. BUTLER.
Mr. ADAMSON with Mr. STEVENS of Minnesota.
Mr. UNDERWOOD with Mr. MANN.

Until further notice:

Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1).
Mr. ASHBROOK with Mr. KAHN.
Mr. BALTZ with Mr. SHREVE.
Mr. BARKLEY with Mr. FALCONER.
Mr. BAILEY with Mr. FESS.
Mr. BARNHART with Mr. MAPES.
Mr. BLACKMON with Mr. BARCHFELD.
Mr. BREMNER with Mr. GILLETT.
Mr. BORLAND with Mr. CAMPBELL.
Mr. BOWDLE with Mr. Moss of West Virginia.
Mr. BURNETT with Mr. HAYES.
Mr. BROUSSARD with Mr. KELLEY of Michigan.
Mr. BROWN of New York with Mr. BARTON.
Mr. BROWN of West Virginia with Mr. KREIDER.
Mr. BURKE of Wisconsin with Mr. CARY.
Mr. COLLIER with Mr. WOODS.
Mr. CLAYTON with Mr. MONDELL.
Mr. CLAYPOOL with Mr. BRYAN.
Mr. CANTRILL with Mr. HELGESEN.
Mr. CARAWAY with Mr. KENNEDY of Rhode Island.
Mr. CRISP with Mr. HINDS (transferable).
Mr. CLANCY with Mr. HAMILTON of New York.
Mr. COVINGTON with Mr. MILLER.
Mr. CARTER with Mr. McGUIRE of Oklahoma.
Mr. CLINE with Mr. NORTON (commencing Oct. 1).
Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.
Mr. CURLEY with Mr. J. R. KNOWLAND.
Mr. DECKER with Mr. MOORE.
Mr. DEITRICK with Mr. YOUNG of North Dakota.
Mr. DIES with Mr. SWITZER.
Mr. DOUGHTON with Mr. MOTT.
Mr. DUPRÉ with Mr. ANTHONY.
Mr. FRANCIS with Mr. HUGHES of West Virginia.
Mr. FITZGERALD with Mr. CALDER.
Mr. FERRIS with Mr. SELLS.
Mr. FIELDS with Mr. LANGLEY.
Mr. FAISON with Mr. CURRY.
Mr. FOSTER with Mr. GREENE of Vermont (commencing Oct. 27).
Mr. FIELEY with Mr. GREEN of Iowa.
Mr. GILMORE with Mr. McKENZIE.
Mr. GARD with Mr. DUNN.
Mr. GERRY with Mr. DAVIS.
Mr. GOEKE with Mr. LEWIS of Pennsylvania.
Mr. GOODWIN of Arkansas with Mr. FOSTER.
Mr. GRAHAM of Illinois with Mr. PETERS of Maine.
Mr. GARNER with Mr. J. I. NOLAN.
Mr. MURRAY of Massachusetts with Mr. CRAMTON.
Mr. LEVY with Mr. ROBERTS of Massachusetts.
Mr. GORDON with Mr. THOMSON of Illinois.
Mr. GARRETT of Tennessee with Mr. LANGHAM.
Mr. HAYDEN with Mr. LAFFERTY.
Mr. HELM with Mr. FRENCH.
Mr. HARRISON with Mr. GRAHAM of Pennsylvania.
Mr. HOXWORTH with Mr. ROBERTS of Nevada.
Mr. HOWARD with Mr. GRIEST.
Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).
Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).
Mr. HOUSTON with Mr. WILLIS.
Mr. HUGHES of Georgia with Mr. EDMONDS.
Mr. JACOWAY with Mr. FRENCH.
Mr. IGOE with Mr. PROUTY.
Mr. JONES with Mr. HINEBAUGH.
Mr. KITCHIN with Mr. PAYNE.
Mr. KEY of Ohio with Mr. FARR.
Mr. KONOP with Mr. MORIN.
Mr. KETTNER with Mr. SCOTT.
Mr. LONERGAN with Mr. ROGERS.
Mr. McCOY with Mr. TEMPLE.
Mr. McGILLICUDDY with Mr. GUERNSEY.
Mr. McCLELLAN with Mr. LEWIS of Pennsylvania.
Mr. MONTAGUE with Mr. VARE.
Mr. MOON with Mr. DILLON.
Mr. MORGAN of Louisiana with Mr. HULINGS.
Mr. MORRISON with Mr. HUMPHREY of Washington.
Mr. PETERSON with Mr. PLATT (commencing Oct. 13).
Mr. PHELAN with Mr. SMITH of Minnesota (Oct. 24 to Nov. 15).
Mr. POST with Mr. COPLEY.
Mr. RAINEY with Mr. MADDEN.
Mr. RUCKER with Mr. HAUGEN.
Mr. THOMPSON of Oklahoma with Mr. DANFORTH.
Mr. ROUSE with Mr. RUPLEY.
Mr. RICHARDSON with Mr. MARTIN.
Mr. RUBEY with Mr. TREADWAY.
Mr. SHERWOOD with Mr. SAMUEL W. SMITH.
Mr. SHERLEY with Mr. COOPER (Oct. 23 to Nov. 15).
Mr. SPARKMAN with Mr. HOWELL.
Mr. SUMNERS with Mr. ESCH.
Mr. SAUNDERS with Mr. AINEY.
Mr. SMITH of Texas with Mr. McLAUGHLIN.
Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.
Mr. STEPHENS of Nebraska with Mr. SLOAN.
Mr. TALBOTT of Maryland with Mr. MERRITT.
Mr. TEN EYCK with Mr. PATTON of Pennsylvania.
Mr. THOMAS with Mr. JOHNSON of Washington (Oct. 27 to Nov. 1, inclusive).
Mr. UNDERHILL with Mr. WALTERS.
Mr. WILLIAMS with Mr. BRITTEN.
Mr. WEBB with Mr. WOODRUFF.
Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).
Mr. WINGO with Mr. PARKER.
Mr. WEAVER with Mr. BURKE of Pennsylvania.
Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).
Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).
Mr. REED with Mr. WINSLOW (commencing Oct. 1 for remainder of extra session).
Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, except on cotton-futures amendment).
Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, and for balance of session).

Mr. MANN. Mr. Speaker, I am recorded as voting "no," but I am paired with the gentleman from Alabama, Mr. UNDERWOOD, and I desire to recall my vote and vote "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. MANN, and he answered "Present."

Mr. SMITH of Minnesota. Mr. Speaker, I voted "no," but I am paired with the gentleman from Massachusetts, Mr. PHELAN. I wish to recall my vote and vote "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. SMITH of Minnesota, and he answered "Present."

The result of the vote was announced as above recorded.

Accordingly (at 12 o'clock and 43 minutes p. m.) the House adjourned until to-morrow, Friday, October 31, 1913, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII,

Mr. SHARP introduced a resolution (H. Res. 296) directing the Secretary of War to inform the House of Representatives as to recommendations providing for reforms in the method of examinations for admission to the West Point Military Academy; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRODBECK: A bill (H. R. 9093) granting a pension to Annie E. Slaughenhaupt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9094) granting a pension to Susan Zeck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9095) granting an increase of pension to Frederick Wagner; to the Committee on Invalid Pensions.

By Mr. DERSHEM: A bill (H. R. 9096) granting a pension to Ellie Jacobs; to the Committee on Pensions.

Also, a bill (H. R. 9097) granting a pension to Jennie A. Work; to the Committee on Pensions.

By Mr. LAFFERTY: A bill (H. R. 9098) granting an increase of pension to Benjamin S. Barnard; to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 9099) granting an increase of pension to David Spearin; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 9100) granting an increase of pension to Martha A. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9101) to reimburse Isaiah Stephens, postmaster at McMechen, Marshall County, W. Va., for money and postage stamps stolen; to the Committee on the Post Office and Post Roads.

By Mr. SWITZER: A bill (H. R. 9102) granting an increase of pension to Richard Douglas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9103) granting an increase of pension to Nathaniel T. Hoover; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AIKEN: Petition of sundry citizens of Easley, S. C., favoring passage of House bill 5308, relative to mail-order houses; to the Committee on Ways and Means.

By Mr. ASHBROOK: Evidence to accompany House bill 7628, for the special relief of Christian Frank; to the Committee on Invalid Pensions.

By Mr. CARY: Petition of American National Retail Jewelers' Association of Neenah, Wis., relative to discrimination in mail rates; to the Committee on the Post Office and Post Roads.

By Mr. DYER: Petition of American National Retail Jewelers' Association of Neenah, Wis., relative to discrimination in mail rates; to the Committee on the Post Office and Post Roads.

By Mr. GREENE of Massachusetts: Memorial of the State Harbor and Land Commissioners of Massachusetts, favoring further improvements of Pollock Rip Shoals in Nantucket Sound, Mass.; to the Committee on Rivers and Harbors.

By Mr. KIESS of Pennsylvania: Evidence in support of House bill 5420, for the relief of John S. Miller; to the Committee on Military Affairs.

By Mr. LEE of Pennsylvania: Petition of the American National Retail Jewelers' Association of Neenah, Wis., relative to discrimination in mail rates; to the Committee on the Post Office and Post Roads.

Also, memorial of the Easton Board of Trade, relative to improvements of the Delaware River Valley from Trenton to Easton-Philipsburg; to the Committee on Rivers and Harbors.

By Mr. LOBECK: Petition of the American National Retail Jewelers' Association of Neenah, Wis., relative to discrimination in mail rates; to the Committee on the Post Office and Post Roads.

Also, memorial of the board of directors of the Omaha Grain Exchange, relative to flood protection for the lands of the lower Mississippi, etc.; to the Committee on Rivers and Harbors.

By Mr. SHARP: Petition of Cincinnati (Ohio) Bar Association, favoring the passage of legislation to provide for an additional space in the present Government building in Cincinnati for the maintenance of two separate district court rooms, etc.; to the Committee on Public Buildings and Grounds.

HOUSE OF REPRESENTATIVES.

FRIDAY, *October 31, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Take us, O God our Father, into Thy nearer presence and teach us of Thy ways that we may walk therein intelligently, conscientiously, fearlessly, for if we are with Thee, who shall make us afraid and who shall deprive us of that peace and joy which comes through faith and confidence in Thy ruling and overruling providence vouchsafed unto us through the precepts and sublime example of the Christ? Amen.

The Journal of the proceedings of yesterday was read and approved.

GOVERNMENT CLERKS.

Mr. SIMS. Mr. Speaker, I wish to submit a request for unanimous consent.

The SPEAKER. The gentleman will submit it.

Mr. SIMS. Mr. Speaker, as the country knows, the national administration has changed, and as a result there are thousands upon thousands of applications for appointment to Federal office. A few days ago, as is well known, there was an amendment to an appropriation bill——

Mr. MANN. Mr. Speaker, does the gentleman desire to occupy any time?

Mr. SIMS. Only two or three minutes.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to address the House for three minutes. Is there objection?

There was no objection.

Mr. SIMS. As I was saying, a few days ago there was an amendment to an appropriation bill which seems to take certain appointments in the revenue service from the operation of the civil-service law. Since that time applications for these appointments have been flooding us. I suppose every Member of the House and Senate has received——

Mr. MANN. Oh, no; not on this side.

Mr. SIMS. Do they not write to the gentleman from Illinois for recommendations?

Mr. MANN. No; they know too much.

Mr. SIMS. I was informed from a reliable source that one Southern State had sent in applications for more than 3,000 of these places. I understand that there will not be exceeding 350 such places in the whole United States.

Mr. R. M. Gates, a newspaper correspondent of the Memphis Commercial Appeal, of Memphis, Tenn., and other papers, who is a citizen of Jackson, Tenn., in my district, has written an article with reference to the condition of Government clerks in Washington, which is so ably and well written that I ask unanimous consent to make it a part of my remarks and to extend them in the RECORD for that purpose.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. MANN. Reserving the right to object, I would like to ask the gentleman, if I may, whether the President or the appointing powers are following the lead of Congress in endeavoring to destroy the merit system in the collector's office, and how many of these applications have been granted for political appointments under the spoils system as provided by the House?

Mr. SIMS. Mr. Speaker, I can not answer that question, yes or no, without admitting the direct assumption that the House intended to return to the spoils system, which I do not admit.

Mr. MANN. I did not know that anybody controverted that.

Mr. SIMS. I understand that it was held under Republican Attorneys General that these positions were not under the civil-service law.

Mr. MANN. Oh, no; I do not want to say that the gentleman is mistaken in his understanding——

Mr. SIMS. That is what I understand.

Mr. MANN. The regulations provided for an appointment under the civil-service law.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. MOORE. Mr. Speaker, reserving the right to object, I wish to ask the gentleman this: Did not the President, in a note appended to the bill when he signed it, give to the country the assurance that his well-known wishes regarding the civil service would be respected by the appointing powers, and that there need not be any fear that the civil-service law would be violated in principle?

Mr. SIMS. I understand that to be the effect of the President's note.

The SPEAKER. Is there objection?

There was no objection.

The article written by Mr. R. M. Gates, a newspaper correspondent of the Memphis Commercial Appeal, is as follows:

SEEKING A GOVERNMENT JOB IN WASHINGTON.

[By R. M. Gates.]

Much of the official correspondence of Senators and Congressmen relates to the applications of men and women for Government jobs in Washington.

This is particularly the case at this time because of the recent change of administration. Fifty succeed where 500 get nothing more for their seeking than letters politely informing them of the futility of their quest. Nine Congressmen out of ten will tell you that the 500 men and women that fail "to land" Government positions in Washington are more to be congratulated than their 50 successful unidentified competitors.

To have and to hold a Federal position in Washington is, in most instances, to mortgage one's better prospects and potentialities in the boundless world of independent endeavor for the temporary possession of a place easy to fill and the rewards of which allure because they are never disappointing in their regularity.

The too popular impression, especially among younger men and women, that the great desideratum is to attach one's self to the Government pay roll in Washington may be described as a national allurement to certain disappointment and possible disaster. That the 29 departments of the Government in Washington are as huge vaults wherein repose the blighted hopes and defeated ambitions of thousands of men and women who once saw in imagination opportunity for high achievement in the beautiful capital of the Nation is not overshading the picture.

Working for Uncle Sam, which at first is a vocation, oftentimes becomes a disease, and an incurable one. The saddest plaint one ever hears in Washington—sadder than the wail of the rejected office seeker—is that of the helpless and hopeless Government clerk lamenting his unhappy lot. He realizes that he is "in bed," and yearns for one more chance to right himself. He is in the net and can not escape. He would like to extricate himself, but that is impossible. Perhaps his head has whitened and his hands have palsied in the service, and his years of steady employment are unrepresented by a dollar saved. His fate is sealed. Gloomily he treds his weary way. Perhaps he is a man yet capable of throwing off his Government harness and hitching himself to something better outside the cramping, grinding world of clerical slavery under official tyranny, but he has a family and can not afford to take a chance. He has certain fixed expenses, and his income must be uninterrupted. He has not saved a penny, because his salary, which looked quite sufficient when he was a single man, now is woefully inadequate under the added strain of the obligations of a family. He could fill satisfactorily most any position requiring clerical ability and experience, but he can not let go his Government job to find something even equally as remunerative. He is afraid to take the chance. Years ago he might have quit the service to his advantage, but he held on, hoping that some day he would be advanced to the head of a division or to a chief clerkship, but he has dreamed dreams that never came true. There never was a chance for him to advance higher than $1,200 a year. There were hundreds of others struggling along with him and against him, so he has done well to keep his head above the water. Besides, he is not in sympathy with the party in power, and if he was he has been trudging an obscure path so long that he is lost to helping congressional influence. He has been away from his State, his district, his home so long that he has lost his identity, and his Congressman feels only a reminiscent interest in him. So into the sere and yellow leaf of routine service he is doomed to pass, a grouchy, disappointed, and oftentimes a remorseful old man, who might have plowed a wider and deeper furrow if he had stayed off the Government reservation.

Perhaps he is a poor young man and unmarried. He became a Government clerk primarily because he was ambitious to acquire a profession and could devote his time out of office to attending lectures at one of the colleges or universities. Perhaps he has fitted himself in the law and presumably is ready to give up his position with the Government. It pays $1,200 a year; his money comes with delightful regularity and the work is light. He likes the job, and he has not given up his Government position because he now is a graduate in law. He keeps on and on, sinking deeper the while into the quagmire of clerical routine, losing at the same time confidence in himself, faith in the honors and rewards of his newly acquired profession, until he becomes, like Prometheus, chained to the rock.

The departments at Washington teem with professional men who are afraid to cut loose from a sure thing with the Government, be it ever so humble, to try earning a livelihood at the thing for which they are better adapted or for which they have qualified after years of preparation; but they have shrunk into moral and intellectual cowardice. Conscious of strength for higher altitudes, they strain and fret in the denser atmosphere of the monotonous plains of Government life in Washington. It is pathetic to behold them—a struggling, heartless, hopeless mass.

Of those Government clerks in Washington who have not "gone to seed" in the service and whose spirit of ambition has not been wooed into somnolence through habitual indolence, 40 per cent feel that they might have done better, that their years of "easy money" getting might have been employed in the production of fruits much more palatable and wholesome. The average clerk of this class—not the chair dragger—is a dissatisfied, disappointed individual. He either feels that his work is not appreciated by his immediate superiors in the division or that his Senator or Congressman has been remiss in his political obligations. He feels that he is overworked and underpaid, the victim of a conspiracy of circumstances, and if he had a chance to "jump the game" he would do it to-morrow.

Then there is the reconciled class of Government clerks, made up of those who are content to drift with the current of clerical routine. They are pursuing the lines of least resistance. The Government gait is easy-going—no hurrying, no rushing, very humane hours, 30 days' vacation, 30 days' sick leave, two pay days in each month. "Oh, what's the use of kicking? Pretty soft, this, after all. Guess I will stick it out." So, in course of time, the reconciled clerk is lost in the great aggregate.

Certainly there are hundreds in the Government service in Washington that make good, just as there are hundreds who could not earn as much compensation for their labor in any other field. But there is a lamentable disproportion between those who raise themselves above the level of mediocrity and those who never detach themselves from the undistinguished mass. Where one clerk climbs to the loftiest peaks in the mountainous range of successful endeavor, 50 never see over the heads of those that make up the army on the plains below.

So it is that for these and other reasons so many Senators and Congressmen are disposed to discourage young men and women who appeal to them for official influence to connect them with the Government service in Washington. Many a Senator and Congressman has been criticized for not exerting his influence to get a comfortable berth in Washington for some solicitous constituent, when, as a matter of fact, the failure of the Senator or Congressman to do so was as a blessing in the proverbial disguise. Hundreds of gifted and capable young men have whittled away their time in the pursuit of profitless Government jobs in Washington who might have impressed themselves upon world affairs in a field of high endeavor, where the environment is conducive to the development of initiative, independence, and individuality.

The percentage of young men who have used a position in the departments at Washington as a stepping stone to higher things is pitifully small. Of course, some have "graduated" from the departments to places out in the world, where their departmental experience was converted into a positive help, but the number who have so succeeded forms a sad and disheartening contrast with the overwhelmingly larger number that have entered the departments in Washington only to remain in obscurity.

WASHINGTON, *October 18, 1913.*

INTERNATIONAL DISARMAMENT.

Mr. HENSLEY. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

The SPEAKER. The gentleman from Missouri asks unanimous consent to address the House for three minutes. Is there objection?

There was no objection.

Mr. HENSLEY. Mr. Speaker, I have prepared a resolution which I desire to read in my time, and I would like very much if every Member present would give close attention to the reading of it:

House resolution 298.

Resolved, That in the opinion of the House of Representatives the declaration of the Lord of the Admiralty of Great Britain, the Right Hon. Winston Churchill, that the Government of the United Kingdom is willing and ready to cooperate with other Governments to secure for one year a suspension of naval construction programs offers the means of immediately lessening the enormous burdens of the people and avoiding the waste of investment in war material.

Resolved, That a copy of this resolution be furnished the President, with the request that, so far as he can do so, having due regard for the interests of the United States, he use his influence to consummate the agreement suggested by the Right Hon. Winston Churchill.

Mr. Speaker, I do not desire to take up any time of the House in presenting my views or arguing the purpose of this resolution. I ask unanimous consent for its present consideration.

The SPEAKER. The gentleman from Missouri asks unanimous consent for the present consideration of the resolution which he has incorporated in his remarks. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I am in sympathy with the resolution, but the expression of the opinion of the gentleman from Missouri [Mr. HENSLEY] and myself, and a few others, would not have great weight with the Members of the House when it comes to making up the naval appropriation bill. The only way to really obtain the sentiment of the House on a matter of this sort is to take it when there is a sufficient number of Members present as would have weight with the House, and while I shall not object to the present consideration of the resolution, I shall insist upon a roll call when it is considered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the resolution, which the Clerk will report.

The Clerk read the resolution.

Mr. HENSLEY. Mr. Speaker, I am in accord with the sentiments expressed by the gentleman from Illinois [Mr. MANN] in this, that we should have a larger attendance here, so that when a vote on the resolution is had it will carry greater weight.

Mr. SLAYDEN. Mr. Speaker, before the gentleman proceeds further will he yield to an interruption?

Mr. HENSLEY. Certainly.

Mr. SLAYDEN. Mr. Speaker, as I catch the reading of the resolution, it only purports to express the sympathy of this House with a suggestion that came from the chief naval officer in the civil branch of the Government of the United Kingdom. It is a suggestion with which I have reason to believe the President and the Secretary of State are both in thorough accord. It is perfectly in harmony with the views of most of the thoughtful, peace-loving people throughout the world, and I believe that if such a resolution is to be adopted, and I think it should be, the sooner it is done the better, because it happens that at this particular time an effort is being made to have such an agreement entered into between the great military powers of Europe. It would be timely to pass the resolution now, even if we had not a quorum, for the moral influence that its passage would have.

Mr. HENSLEY. Mr. Speaker, I will say to the gentleman from Texas that it is apparent to everyone that we have not a quorum here this morning. If the point of no quorum is raised, it would be entirely useless to endeavor to pass the resolution; and, in addition to that, I am desirous of having as many Members of Congress vote on the resolution as possible. I want it to carry as much weight as it can.

Mr. SLAYDEN. Mr. Speaker, does not the gentleman believe that, no matter what a man's political affiliations may be, every Member present, at least, would be in hearty sympathy with an international program which would save vast sums of money and not disturb the relative strength of nations?

Mr. HENSLEY. As I see it, there should be no question on that point.

Mr. SLAYDEN. And is not that an indication of what the House would do if all of the Members were present?

Mr. SIMS. Mr. Speaker, will the gentleman yield?

Mr. HENSLEY. Certainly.

Mr. SIMS. Does the gentleman think of withdrawing this resolution?

Mr. HENSLEY. I shall withdraw my request for its immediate consideration if there is to be a point of no quorum raised.

Mr. SIMS. Well, but the House has now given consent to consider it; and suppose there is a vote and no quorum, does it not remain the unfinished business until you get a quorum?

Mr. HENSLEY. That is very true.

Mr. SIMS. And if the gentleman withdraws it the gentleman might not get unanimous consent to present it the next time, so I think the gentleman ought not to consent to withdraw it. If he asks consent, I will have to object.

Mr. MANN. Will the gentleman from Missouri yield me five minutes?

Mr. HENSLEY. If I have any time to yield, I will do so with pleasure.

Mr. MANN. The gentleman has an hour.

The SPEAKER. The gentleman from Missouri has an hour and yields five minutes to the gentleman from Illinois.

Mr. HENSLEY. I yield five minutes with pleasure to the gentleman from Illinois.

Mr. MANN. Mr. Speaker, I have long been of the opinion that the countries of the world labor under too great a burden for military purposes, and especially for naval armament, and I welcome the suggestion made by the British statesmen that there should cease to be a rivalry in the increase of the navies in the different nations of the world. Of course the President has the power, through the State Department, to carry on negotiations, at least informally, without action by the House; and yet, this being the body which has the authority to originate appropriation bills, it is fitting that the House of Representatives should express its opinion in regard to the great increase in the navy in the different nations of the world, and especially in regard to the great increases in the Navy of this country. We are told that the administration proposes to ask for three or four battleships next winter. A gentleman on that side of the House introduced a resolution the other day directing the Committee on Naval Affairs to immediately report a bill providing for four battleships, though I think he has never voted against an adjournment when the proposition was presented as to whether the House should proceed and continue with business or whether it should quit and adjourn; but the expression of opinion by one Member of the House is not of great value. The expression of opinion of 25 per cent of the membership of the House is not of great value. If we wish to rise to the dignity of the occasion, the House of Representatives, with its great membership, ought to express by a practically unanimous vote, if such can be secured, its position; and I do not wish to engage in a travesty on statesmanship by proposing to have a small number of the Members of the House attempt to express the opinion of the House. We can not do greater service to the country and the world than to gather here the Members not here for the purpose of voting upon this resolution in the hope that we may save this country $100,000,000 a year and the world vast billions of dollars a year [applause] and use the money for good or better purposes.

Mr. HENSLEY. Will the gentleman yield?

Mr. MANN. I yield to the gentleman.

Mr. HENSLEY. Is it not the opinion of the gentleman from Illinois that 95 per cent of the membership of this House would vote in favor of the passage of this resolution?

Mr. MANN. Well, I have nothing to base such an opinion upon. On the contrary, I have seen bitter fights in the House over increasing the Navy, and never yet, I think, since I have been in the House has the House refused to make a substantial increase in the number of naval vessels.

Mr. HENSLEY. But the contention made by those insisting upon increases as a rule has been because other nations of the world were increasing their naval establishment, increasing the armament, and so on.

Mr. MANN. Oh, I do not know; I have heard it consistently denied on the floor of this House by gentlemen who championed new battleships that we were engaged in rivalry with either Great Britain or Germany or Japan. They have always denied that, and they insisted we needed the Navy regardless of the number of ships the other countries owned. I do not know, but if we wish to give a real expression of opinion and do real good, let us send out to the gentlemen who are now home mending their fences, looking after their political outlook instead of being here and attending to the business of the country, and then see if we can not help the movement and stop the gross and extravagant expenditure of money for means of killing each other in the world.

Mr. CLARK of Missouri rose.

Mr. SLAYDEN. Mr. Speaker, will the gentleman from Illinois [Mr. MANN] permit a question? Oh, I did not see the gentleman from Missouri. I beg the gentleman's pardon.

Mr. CLARK of Missouri. Does the gentleman want to ask a question?

Mr. SLAYDEN. Yes; but I will defer to the gentleman.

Mr. CLARK of Missouri. I shall want about 10 minutes, or 5.

Mr. SLAYDEN. I merely want to ask my friend from Illinois, whose heart, I know, is right in this matter, if he does not believe, certainly with himself present and vigilant and active as always, and with even so small a numerical attendance as we have here, that any response made by this House would be typical of what would reasonably be expected if all the Members were here?

Mr. MANN. Now, let us see. The gentleman from Texas [Mr. SLAYDEN] has always been opposed to these naval increases. I have been opposed to these naval increases. The gentleman from Missouri [Mr. HENSLEY] has been opposed to these naval increases, and as I look about me I think perhaps a majority of this House here have been opposed to them, and yet we never have had our way.

Mr. SLAYDEN. Oh, yes; we have.

Mr. MANN. No, sir. They have always received their increases, or a compromise, which meant an increase. I do not think the Members present here can speak for the House of

Representatives, except by the method of bringing the others here. That power we have, and we ought to exercise it.

Mr. SLAYDEN. I did not mean to suggest that they could speak, except for those present, but I asked the gentleman—and he did not answer the question—whether he did not think an expression of opinion of those present would be typical of the response which would be made if all were present.

Mr. MANN. I have no method of ascertaining that, except by getting the expression. I hear every day what one man says about what another man thinks, and especially about politics and the result of elections. They do not agree. I do not know. Let us find out.

Mr. HENSLEY. Mr. Speaker, I yield 10 minutes to the gentleman from Missouri [Mr. CLARK]. [Applause.]

Mr. CLARK of Missouri. Mr. Speaker, I take a great deal of interest in this proposition. I agree with the gentleman from Illinois [Mr. MANN] about one thing. If a vote were taken on this resolution without a roll call, and it went out to the country that the House had unanimously or by an overwhelming majority agreed to it, it would have all the force that a vote would have when 435 Members are here, provided the newspapers did not exploit the fact that there are only a few dozen Members here.

I take a great deal of interest in this. Now, the Lord of the Admiralty in England may have more influence about such affairs than the Speaker of the House of Representatives. I do not know about that. Of course that is his particular division of statecraft. But on the 5th day of October, Sunday, I was invited to make a speech at Louisville, Ky., on the hundredth anniversary of the American victory under Gen. Harrison at the River Thames—a battle which was fought and won principally by the Kentuckians—and, of course, speaking to Kentuckians, I exploited their valor, which needs no exploitation. But I began by making this remark, that it was a curious thing to have a peace meeting—that was what it was; every kind of a preacher imaginable was there, either participating by speaking or praying—it was a strange performance to have a peace meeting on Sunday celebrating a great victory; but that the War of 1812 was justifiable, and so forth.

Well, two weeks before Mr. Churchill made this declaration of his I declared in favor of a scheme of international disarmament in my Louisville speech, and said that that was the only way to get at it; that no one nation was going to undertake it for fear the others would give them a thrashing before they got through with it; but that this scheme of great armaments was the most idiotic performance known among men. [Applause.] And we, of all men, were the greatest idiots to be engaged in it, because on account of our peculiar and favorable geographical situation and our immense wealth and tremendous population no nation on the face of the earth was going to jump on us; or, if it did, it would jump off very suddenly. [Applause.]

I am glad that Mr. Churchill made this proposition. I also stated in that speech that if any three great powers would join in a proposition for international disarmament by percentages the rest of them would have to come in. They could not stay out. Then I suggested certain combinations. Of course you can make a good many combinations in groups of three. I took the United States, Great Britain, and Germany. There is not a man on earth who has little enough sense to believe that if three great nations say "We are going to stop this business," that it would not come about.

I suggested other combinations: The United States, Great Britain, and France; or the United States, Great Britain, and Russia; or the United States, Germany, and Italy; or France, Germany, and Russia; or Great Britain, France, and Russia. I have forgotten how many combinations of that kind you can make, but there are a lot of them. Then I added that the United States ought to lead in this matter of disarmament, and I believe it ought for the reason that I stated—of favorable geographical position, our great population, our great wealth, and our indomitable spirit.

Then I said: Suppose we get into a war with one of the great powers and it should capture Florida, or it should capture New York, or it should capture Maine, or it should capture California, that everybody knew they could not hold it; that we would fight them until the crack of doom but what we would get it back. [Applause.] They could not hold a foot of it. I suppose the world takes notice of the fact that we won in every war we ever engaged in.

I know there is a distinguished gentleman, a Member of this House, belonging to the Committee on Military Affairs, who seemed to think that I was trenching upon his preserves in some way, issued him a manifesto, and instead of talking about the Americans beating the British at the River Thames and New Orleans and Tippecanoe, he talked of the other side and exploited how Americans ran away from other fields and how the Capital was burned.

When the full membership of the House gets here I would like to see the resolution of the gentleman from Missouri [Mr. HENSLEY] agreed to, and some time before long I intend to prepare a speech an hour or an hour and a half long and go over the whole situation throughout the world and deliver it in this House. It is the strangest thing that mortal man ever heard that when we had 3,000,000 people and 5,000,000 people and 10,000,000 people and 15,000,000 people, and so on clear up, we were not afraid of anybody on the face of the earth, and that nobody jumped on us. It is a historical fact that we forced every war we ever had; but now, when we have 100,000,000 people and $140,000,000,000 of wealth, a lot of people are going around over the country and trying to scare us by the assertion that somebody is going to jump on us. [Laughter and applause.]

They used Germany as the raw head and bloody bones until it became ridiculous in the eyes of the world. Germany was held up in this House as the great terror to Americans. After they had worn that absolutely threadbare, or "to a frazzle," as a distinguished American traveler would say [laughter], when it was proved that Germany was friendly to us, then they grabbed Japan and held it up in the same way. There is no proof that Japan is hostile to us. There is no sense in it, and this resolution ought to pass when it will give the greatest amount of force by its passage. [Applause.]

ADJOURNMENT FROM SATURDAY TO WEDNESDAY.

Mr. JOHNSON of Kentucky. I ask unanimous consent that when the House adjourns to-morrow it adjourn to meet on next Wednesday.

The SPEAKER pro tempore (Mr. PEPPER). The gentleman from Kentucky asks unanimous consent that when the House adjourns to-morrow it adjourn to meet next Wednesday. Is there objection?

There was no objection.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

Mr. MOORE. Will the gentleman withhold that until I can make a request for unanimous consent?

Mr. JOHNSON of Kentucky. I will withhold the motion for the present.

Mr. MOORE. Mr. Speaker, I ask unanimous consent to extend some remarks in the RECORD on the subject of economy in the manufacture of small-arms ammunition.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

INTERNATIONAL DISARMAMENT.

Mr. HENSLEY. Mr. Speaker——

Mr. MANN. I ask for the regular order.

The SPEAKER. The regular order at present is a vote on this resolution.

Mr. HENSLEY. Mr. Speaker, I have some more time.

The SPEAKER. The gentleman from Kentucky moves that the House adjourn.

Mr. HENSLEY. But he did not do it with my consent. [Laughter.] I ask the Chair whether that took me off the floor?

The SPEAKER. Several things have happened which indicated that the gentleman from Missouri had yielded the floor.

Mr. HENSLEY. Mr. Speaker, I had not yielded the floor. On the contrary, I was insisting on recognition all the while.

Mr. MANN. The gentleman had not yielded the floor.

The SPEAKER. Then the gentleman is entitled to the floor for the balance of his hour, which began at 10 minutes after 12 o'clock.

Mr. HENSLEY. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I do not like to detain the House, even for five minutes, when it is so manifestly anxious to adjourn, but I shall avail myself of the courtesy of the gentleman from Missouri to say a few words in connection with this resolution, which reflects, in my judgment, the most important movement of the day. Everyone who is familiar with the military projects of the Governments of the world knows that many of the important countries are hastening to bankruptcy because of military extravagancies. They deny themselves the privilege of applying the money paid in by the people in the shape of taxes to the construction of useful public works in order that it may be invested in rifles the patterns of which change on an average once in 10 years and most of which become absolutely waste material, or in the construction of battleships, which do not cost six or seven millions of dollars, as innocent and unsuspecting Members of Congress are made to believe, because that appears in department statements as the price of a battleship, but which do cost much more than sixteen or eighteen millions of dollars, for hull and machinery do not make a battleship. There must be a battery on each battleship, consisting of guns that cost from $75,000 to $125,000 each, which at best can only fire 225 or 250 shots before they must be reconstructed or go to the junk heap, and they must also have armor which costs vast sums. It is to avoid such needless and wicked waste of the people's money as this that I am in favor of the resolution offered by the gentleman from Missouri [Mr. HENSLEY]. In the consideration of this and other matters I endeavor to wipe out from my mind all knowledge of the existence of an aisle running down through the center of this House. I believe that is true of the great majority of the Members of this House. We are Democrats or Republicans, or whatnot, on ordinary questions, but in the treatment of matters like this as a rule I believe the inclination of Members is to wipe out partisan lines. That is my attitude. I believe this resolution ought to be passed and passed without delay, because of the moral effect it will have, not merely in the United States but throughout the world. I thank the Speaker for the able support which he has given to the idea, which I believe is bound to prevail, and I can not get it out of my head, Mr. Speaker, that if this resolution were passed without a roll call being invoked the result would be accepted as the manifest will of the popular branch of the American Congress, and I believe that it would be an accurate index of what that will is.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. SLAYDEN. Certainly.

Mr. MANN. Does the gentleman think that at this time the House of Representatives could do a greater service to this country and to the world than for its Members to come back here and vote for this resolution overwhelmingly?

Mr. SLAYDEN. Mr. Speaker, I do not blame the gentleman from Illinois for taking advantage of every technical opportunity that arises to put forward the claims of his party for the right to direct the affairs of the Government.

Mr. MANN. But that is not technical.

Mr. SLAYDEN. But I believe that he would be doing this country and the world a very great service now if he would permit this resolution to be voted on by the Members present, who would so nearly support it by unanimous consent that it would be accepted by the world as indicating the will of the House, and it is pertinent at this time, because the budgets are now being considered.

Mr. MANN. Will the gentleman yield further?

Mr. SLAYDEN. Certainly.

Mr. MANN. The gentleman says that I would be doing a service to permit this resolution to be voted on at this time. I will say to the gentleman that I will do everything within my power to insist that the resolution be voted on at this time, and I shall vote against an adjournment of the House until the resolution does come up, and I dare say the gentleman will vote to adjourn the House before the resolution is voted upon.

Mr. SLAYDEN. Mr. Speaker, I am glad that the gentleman from Illinois recognizes the merit of the resolution offered by the gentleman from Missouri in that when the opportunity comes he will support it. It will not be the first time that he and I have cooperated in a nonpartisan way for what we believe to be for the best interest of the country, and I am sure it will not be the last time, and I shall be glad to march with him or under his leadership in support of all such measures as this.

Mr. MOORE. Mr. Speaker, will the gentleman yield?

Mr. SLAYDEN. Yes.

Mr. MOORE. The Speaker, taking the floor a few moments ago, made the statement, which was interesting to both sides of the House, that he intended to discuss this question at length at the first opportunity. There are some phases of this question that do not appear in the resolution at all, notably the limitation of the depth of harbors in this and other countries and the limitation of the draft of war vessels, which would effect a tremendous economy in our governmental expenditures. Another question is that of the neutralization of the Panama Canal. Such an international relation as the Speaker said he had in mind, as between three of the great nations, like Germany, England, and the United States, would probably save us tremendous maintenance cost in the matter of the Army and Navy at the Panama Canal. Now, would it not be well for us to wait a little while until we get the views of the Speaker and other men upon these and other points which have not been raised to-day?

Mr. SLAYDEN. I will say in reply to my friend from Pennsylvania it would be well to have the views of everybody on these points the gentleman suggests. All of them are good things to do, but I do not see that it has anything to do with a mere expression of opinion by the House of Representatives that it is desirable that there should be a reduction in the cost of the navies throughout the world. This resolution of Mr. HENSLEY'S, which he showed to me and with which I am familiar, has nothing whatever to do with anything except a mere expression of opinion that these extraordinary appropriations should be avoided if possible.

Mr. HENSLEY. Mr. Speaker, I have agreed to two speeches of five minutes each, and that will be all the time, I want to say to the membership, that has been allotted. I now yield five minutes to the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Speaker, it is useless for me to state to the House after the experience we had with the last naval appropriation bill that I am heartily in favor of this resolution. I have been subjected to a great deal of very harsh criticism on the part of the public press for the position which I have taken in reference to the naval program. We had one battleship last year, after a very hard and long-drawn-out fight on the floor. It was finally compromised by the House with one battleship, and then finally the Senate agreed to take one battleship. There were a few of us who made the fight, and for that reason that few were subject to some very severe criticism. Now the position taken by the Lord of the Admiralty of Great Britain illustrates the truthfulness of the statement which I made at that time, and that was that the British Empire was being burdened with an enormous naval program and that the people were beginning to complain. It also illustrates the truthfulness of another statement I made, and that is that Japan, which has been held up as a bugaboo and incentive to us for preparing for war on the sea, was taxing everything from the "rickshaw puller"—the man who makes a living by taking the place of a horse—in order that she might pay her expenses of a military and naval character. So it is that throughout the world great burdens are being thrown upon the taxpayers of all the great nations, and each nation has been exploited against the other nation on the floor of this House, and so that when the United States builds two battleships England then, in order to keep up her naval program, builds four, Germany builds two, France builds two, and Japan two. Why all this rivalry? Just as the Speaker says, as long as each nation vies with the other it may be illustrated by two men who are rivals and likely to have some sort of trouble or some sort of difficulty. When one man puts a great big howitzer in his arsenal pocket, and his adversary knows he has it and carries it, then he has to arm himself with a great big arsenal to put in his pocket. So the nations have been doing this ridiculous thing in this age of civilization, when we are preaching peace on earth and good will toward men, when we ought to be endeavoring to make nations friendly with each other instead of enemies to each other.

In other words, in the olden times nations had no communication with each other; they had no trade relations with each other; they looked upon each other as men that meet on the desert. Every man there must be looked upon as an enemy. But to-day, in this age of commerce, in this age of peace, in this age of advancement, the great Government of the United States should take a positive and an advanced stand by the passage of a resolution of this kind, asserting to the world that we are willing to lead in the movement to relieve the people of this enormous war burden.

Let this money, if it is to be expended, be expended in building schoolhouses, be expended in establishing and maintaining educational institutions, be expended in building public highways, building the good roads over which the farmers can haul their produce, be expended in improving our rivers and harbors. By devoting all those millions in other nations to that purpose we get the benefit in America indirectly of the work in improving the harbors and highways of all the world. But when you shall have expended this vast amount for the Army and Navy and the Nation shall get into war, then it follows as the night follows the day that there must come another immense pension roll which must be cared for. So that from every viewpoint this resolution is timely, and I trust it may pass, and may pass to-day, if possible. And, if not, let us hold this House together until we can get a quorum together and pass the resolution. [Applause.] Because, if we wait until December comes, in December the naval appropriation bill will be submitted by the Navy Department, and they will be pushing that naval bill through; and if the membership of the House were here now,

we might take the matter up, and within two or three months, with the present existing telegraphic communication throughout Europe, it is possible, with the Secretary of State entertaining the views that he does entertain, that we might be able to accomplish wonders. For that reason, in the consideration of a resolution of this kind, meaning as much as it does to the people of the United States, the Members of the House ought to be here to transact business and pass this resolution to-day. [Applause.]

Mr. HENSLEY. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. FOWLER].

The SPEAKER. The gentleman from Illinois [Mr. FOWLER] is recognized for five minutes.

Mr. FOWLER. Mr. Speaker, I am almost inclined to beg the pardon of the House for taking up the time, as it is said that there is a great anxiety to adjourn. For my own part, I have been here daily for the purpose of discharging every congressional duty that devolved upon me, and I am still willing to remain here until we have finished our work.

Mr. Speaker, the sentiment expressed in this resolution raises one of the most important questions of the age—important because it is world-wide and strikes a deadly blow at the bloody deeds of nations. I know of nothing that would be a greater step in the direction of universal peace than the disarmament of the high seas. I believe it was at the suggestion of the United States that the Great Lakes were completely disarmed. The peace which now prevails between America and Canada is more secure and lasting than it would be if every one of those five Great Lakes were armed by a multitude of threatening destroyers and mighty battleships. It is the confidence that the people of one nation have in the integrity of the people of other nations to do the right thing that brings about security. Menacing fleets arouse fear, hatred, and revenge, and the madness which is displayed by the great nations of the world in their wild and reckless race to outstrip each other in the construction of big navies threatens and disturbs that confidence which ought to exist in the bosom of every citizen of every clime. Disarmament of the high seas would be an evidence that the nations of the world have reached that advanced step in civilization wherein they are willing to do the right thing in settling international questions involving the rights of the citizens of different nations.

Mr. Speaker, I have always been an advocate of the disarmament of the high seas. In the first speech which I made upon this question on the floor of this House I expressed the conviction that no nation could bring a greater glory to itself and a greater benefit to the people of the world than by disarming the high seas of its fighting engines of blood and death and then extend an invitation to the nations of the world to do the same.

Mr. Speaker, battleships and destroyers are made for one purpose only, and that is to kill and destroy human lives and property. More money is spent for that useless purpose than perhaps is spent in any other one interest in any of the great nations of the world. To think that we are continually preaching peace, universal peace, and then devoting our energies to building machines and engines for the destruction of human life is to belie our proposition of universal peace.

For my own part, Mr. Speaker, I would that every nation in the world would join in the sentiment of this wise resolution, that the United States should take the lead, and that before Nature swells into beauty and activity next spring there would not be a battleship or an engine of death to be found on any of the high seas of the world.

Mr. Speaker, the greatest leader among men came into this life when the nations of the world were defending themselves with weapons of steel and engines of war. He went about unarmed and he wrought a work which has found its way into the hearts of the people of every country in the world. Mr. Speaker, the love that permeates the heart of nations for peace and good will among men in other nations is sufficient security to protect them against all outside enemies if properly schooled in the questions and ethics of international peace. [Applause.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

Mr. HENSLEY. Mr. Speaker, before that motion is put I desire to conclude what is to be said on this proposition.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. The gentleman from Missouri having the floor for an hour, is the gentleman from Kentucky entitled to take him off the floor by a motion to adjourn?

The SPEAKER. The gentleman from Missouri notified the House that he was going to yield for two speeches and then yield the floor.

Mr. HENSLEY. Mr. Speaker, my statement, as I recall, was that I had only allotted that amount of time. I do not want more than a minute of time myself.

The SPEAKER. The gentleman can have the rest of the time, which is 18 minutes.

Mr. MANN. We would like a little time on this side.

The SPEAKER. Does the gentleman from Missouri want to continue?

Mr. HENSLEY. I want to make a short statement.

The SPEAKER. The gentleman will proceed.

Mr. MOORE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE. Will there be an opportunity for gentlemen on this side to speak after the hour has expired?

The SPEAKER. If the gentleman from Missouri does not move the previous question, the debate can run on all day.

Mr. MOORE. The gentleman from Missouri having had the floor for an hour as proponent of the resolution, if he did not move the previous question there would be no question that the point of no quorum could be raised?

The SPEAKER. After the gentleman from Missouri gets through any gentleman who is recognized by the Chair would be entitled to an hour, unless the Speaker should recognize the gentleman to move to adjourn.

Mr. MOORE. I think the resolution ought not to be passed to-day, so as the debate goes on I would like to have an opportunity to discuss it.

The SPEAKER. The gentleman from Missouri has the floor.

Mr. HENSLEY. Mr. Speaker, I am imbued with the idea that there is a great deal in this resolution. It has been, indeed, gratifying to me to see how the Members of this House, so few in number, have seized upon this as an opportunity to express their views upon this subject. I am confident, Mr. Speaker, that if the whole membership of the House were present here this morning this resolution would pass almost unanimously. [Applause.] But, Mr. Speaker, I am constrained to believe that the gentleman from Illinois [Mr. MANN] in his opening statement presented the true situation, and that very clearly. I am fully in accord with his views that this resolution when passed should carry as much weight as possible. I want it to be expressive not only of the views of a few Members of the House, but I want it to be expressive of the views of the whole Congress of the United States. I want it to carry with it the greatest weight possible. Therefore, Mr. Speaker, I am ready and willing, as we have only a few here to-day, to defer further action upon this resolution at this time.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

Mr. MANN. I hope the gentleman from Kentucky will withhold that motion and that the gentleman from Missouri will yield me two or three minutes.

Mr. HENSLEY. Well, I agreed not to yield again, but I will yield to the gentleman from Illinois three minutes.

Mr. JOHNSON of Kentucky. Mr. Speaker, I have no objection to withholding the motion for the remarks of the gentleman from Illinois, with the understanding that I may renew the motion immediately at the close of his remarks.

Mr. BUCHANAN of Illinois. Mr. Speaker, there are others here who would like a few minutes on this resolution.

Mr. MANN. I take it that the resolution will come up again, and this will not end the discussion.

Mr. BUCHANAN of Illinois. Very well.

Mr. MANN. Mr. Speaker, this is the season of the year when we indulge in peaceful prophecies, as far as naval armament is concerned. This is the season of the year when we can pass a resolution to dispense with a great navy, but along in March or April or May, or perhaps this time it will not be until June, when the naval appropriation bill is about ready to be presented to the House, we will have in sight war with some power in the world, and we will have a great many newspaper articles and editorials telling how necessary it is to protect the country from assaults without and how essential it is to have a navy as an insurance policy. You probably could not pass this resolution unanimously at that time. Now is the proper time to pass a resolution of peace, when you have taken by surprise those gentlemen who are busily engaged in the winter season in propagating ideas in favor of a large navy. This is a strategic move on the part of the gentleman from Missouri [Mr. HENSLEY].

The naval people will wake up after a while. They may consent to this, with the understanding that until it is agreed upon you shall proceed, but a large share of the strong force and argument in favor of a great navy comes because men make a profit by building a navy [applause], or a profit by serving in the Navy. That being the case, as I said before, I am extremely anxious to have the resolution passed at the time when peaceful prophecy prevails, and that will be during this month or the month of November. Get your Members back here and let us pass this great measure of peace, because if you do not the country will hold you, or at least those Members who are absent, responsible for failing to be in their seats in order to bring the white wings of peace over the world. [Applause.]

Mr. RAKER rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. RAKER. Mr. Speaker, I ask unanimous consent that I may be permitted to proceed for five minutes.

ADJOURNMENT.

Mr. JOHNSON of Kentucky. Mr. Speaker, I renew the motion to adjourn.

The SPEAKER. The gentleman from Kentucky moves that the House do now adjourn.

Mr. RAKER. Mr. Speaker, just one moment. [Cries of "Regular order!"]

The SPEAKER. The question is on the motion of the gentleman from Kentucky that the House do now adjourn.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. JOHNSON of Kentucky. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 45, nays 29, answered "present" 11, not voting 343, as follows:

YEAS—45.

Abercrombie	Doremus	Johnson, Ky.	Rothermel
Aswell	Fergusson	Keating	Russell
Beakes	Floyd, Ark.	Kirkpatrick	Sims
Bell, Ga.	George	Lee, Pa.	Small
Brockson	Godwin, N. C.	Lobeck	Smith, Md.
Brumbaugh	Gray	McDermott	Taggart
Byrns, Tenn.	Hamlin	McKellar	Tribble
Candler, Miss.	Hammond	Maguire, Nebr.	Watkins
Church	Hay	Page	Young, Tex.
Dershem	Henry	Pepper	
Donohoe	Holland	Pou	
Donovan	Hull	Reilly, Conn.	

NAYS—29.

Anderson	Frear	Nelson	Stone
Austin	Garrett, Tex.	Plumley	Stout
Avis	Hensley	Powers	Sutherland
Bell, Cal.	Johnson, Utah	Raker	Tavenner
Buchanan, Ill.	La Follette	Sinnott	Towner
Dyer	Lindbergh	Sisson	
Evans	Lindquist	Smith, Idaho	
Fowler	Moore	Steenerson	

ANSWERED "PRESENT"—11.

Cary	Lafferty	Slayden	Volstead
Falconer	Mann	Smith, Minn.	Woods
Kennedy, Iowa	Morrison	Stevens, Minn.	

NOT VOTING—343.

Adair	Carr	Ferris	Helm
Adamson	Carter	Fess	Helvering
Aiken	Casey	Fields	Hill
Ainey	Chandler, N. Y.	Finley	Hinds
Alexander	Clancy	Fitzgerald	Hinebaugh
Allen	Clark, Fla.	FitzHenry	Hobson
Ansberry	Claypool	Flood, Va.	Houston
Anthony	Clayton	Fordney	Howard
Ashbrook	Cline	Foster	Howell
Bailey	Collier	Francis	Hoxworth
Baker	Connelly, Kans.	French	Hughes, Ga.
Baltz	Connolly, Iowa	Gallagher	Hughes, W. Va.
Barchfeld	Conry	Gard	Hulings
Barkley	Cooper	Gardner	Humphrey, Wash.
Barnhart	Copley	Garner	Humphreys, Miss.
Bartholdt	Covington	Garrett, Tenn.	Igoe
Bartlett	Cox	Gerry	Jacoway
Barton	Cramton	Gillett	Johnson, S. C.
Bathrick	Crisp	Gilmore	Johnson, Wash.
Beall, Tex.	Crosser	Glittins	Jones
Blackmon	Cullop	Glass	Kahn
Booher	Curley	Goeke	Keister
Borchers	Curry	Goldfogle	Kelley, Mich.
Borland	Dale	Good	Kelly, Pa.
Bowdle	Danforth	Goodwin, Ark.	Kennedy, Conn.
Brenner	Davenport	Gordon	Kennedy, R. I.
Britten	Davis	Gorman	Kent
Brodbeck	Decker	Goulden	Kettner
Broussard	Deitrick	Graham, Ill.	Key, Ohio
Brown, N. Y.	Dent	Graham, Pa.	Kless, Pa.
Brown, W. Va.	Dickinson	Green, Iowa	Kindel
Browne, Wis.	Dies	Greene, Mass.	Kinkaid, Nebr.
Browning	Difenderfer	Greene, Vt.	Kinkead, N. J.
Bruckner	Dillon	Gregg	Kitchin
Bryan	Dixon	Griest	Knowland, J. R.
Buchanan, Tex.	Dooling	Griffin	Konop
Bulkley	Doolittle	Gudger	Korbly
Burgess	Doughton	Guernsey	Kreider
Burke, Pa.	Driscoll	Hamill	Langham
Burke, S. Dak.	Dunn	Hamilton, Mich.	Langley
Burke, Wis.	Dupré	Hamilton, N. Y.	Lazaro
Burnett	Eagan	Hardwick	Lee, Ga.
Butler	Eagle	Hardy	L'Engle
Byrnes, S. C.	Edmonds	Harrison	Lenroot
Calder	Edwards	Hart	Lesher
Callaway	Elder	Haugen	Lever
Campbell	Esch	Hawley	Levy
Cantrill	Estopinal	Hayden	Lewis, Md.
Caraway	Fairchild	Hayes	Lewis, Pa.
Carow	Faison	Heflin	Lieb
Carlin	Farr	Helgesen	Linthicum
Lloyd	Norton	Rucker	Taylor, Colo.
Logue	O'Brien	Rupley	Taylor, N. Y.
Lonergan	Oglesby	Sabath	Temple
McAndrews	O'Hair	Saunders	Ten Eyck
McClellan	Oldfield	Scott	Thacher
McCoy	O'Leary	Scully	Thomas
McGillicuddy	O'Shaunessy	Seldomridge	Thompson, Okla.
McGuire, Okla.	Padgett	Sells	Thomson, Ill.
McKenzie	Palmer	Shackleford	Townsend
McLaughlin	Parker	Sharp	Treadway
MacDonald	Patten, N. Y.	Sherley	Tuttle
Madden	Patton, Pa.	Sherwood	Underhill
Mahan	Payne	Shreve	Underwood
Maher	Peters, Mass.	Slemp	Vare
Manahan	Peters, Me.	Sloan	Vaughan
Mapes	Peterson	Smith, J. M. C.	Walker
Martin	Phelan	Smith, N. Y.	Wallin
Merritt	Platt	Smith, Saml. W.	Walsh
Metz	Porter	Smith, Tex.	Walters
Miller	Post	Sparkman	Watson
Mitchell	Prouty	Stafford	Weaver
Mondell	Quin	Stanley	Webb
Montague	Ragsdale	Stedman	Whaley
Moon	Rainey	Stephens, Cal.	Whitacre
Morgan, La.	Rauch	Stephens, Miss.	White
Morgan, Okla.	Rayburn	Stephens, Nebr.	Williams
Morin	Reed	Stephens, Tex.	Willis
Moss, Ind.	Reilly, Wis.	Stevens, N. H.	Wilson, Fla.
Moss, W. Va.	Richardson	Stringer	Wilson, N. Y.
Mott	Riordan	Sumners	Wingo
Murdock	Roberts, Mass.	Switzer	Winslow
Murray, Mass.	Roberts, Nev.	Talbott, Md.	Witherspoon
Murray, Okla.	Rogers	Talcott, N. Y.	Woodruff
Neeley	Rouse	Taylor, Ala.	Young, N. Dak.
Nolan, J. I.	Rubey	Taylor, Ark.	

So the motion to adjourn was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.

Mr. SCULLY with Mr. BROWNING.

Mr. METZ with Mr. WALLIN.

Mr. HOBSON with Mr. FAIRCHILD.

Mr. BARTLETT with Mr. BUTLER.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. UNDERWOOD with Mr. MANN.

Until further notice:

Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1).

Mr. AIKEN with Mr. EDMONDS.

Mr. ASHBROOK with Mr. KAHN.

Mr. BALTZ with Mr. SHREVE.

Mr. BARKLEY with Mr. FALCONER.

Mr. BAILEY with Mr. FESS.

Mr. BARNHART with Mr. MAPES.

Mr. BLACKMON with Mr. BARCHFELD.

Mr. BREMNER with Mr. GILLETT.

Mr. BORLAND with Mr. CAMPBELL.

Mr. BOWDLE with Mr. MOSS of West Virginia.

Mr. BURNETT with Mr. HAYES.

Mr. BROUSSARD with Mr. KELLEY of Michigan.

Mr. BROWN of New York with Mr. BARTON.

Mr. BROWN of West Virginia with Mr. KREIDER.

Mr. BURKE of Wisconsin with Mr. CARY.

Mr. COLLIER with Mr. WOODS.

Mr. CLAYTON with Mr. MONDELL.

Mr. CLAYPOOL with Mr. BRYAN.

Mr. CANTRILL with Mr. HELGESEN.

Mr. CARAWAY with Mr. KENNEDY of Rhode Island.

Mr. CRISP with Mr. HINDS (transferable).

Mr. CLANCY with Mr. HAMILTON of New York.

Mr. COVINGTON with Mr. MILLER.

Mr. CARTER with Mr. MCGUIRE of Oklahoma.

Mr. CLINE with Mr. NORTON (commencing Oct. 1).

Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.

Mr. CURLEY with Mr. J. R. KNOWLAND.

Mr. DEITRICK with Mr. YOUNG of North Dakota.

Mr. DIES with Mr. SWITZER.

Mr. DOUGHTON with Mr. MOTT.

Mr. DUPRÉ with Mr. ANTHONY.

Mr. FRANCIS with Mr. HUGHES of West Virginia.

Mr. FITZGERALD with Mr. CALDER.

Mr. FERRIS with Mr. SELLS.

Mr. FIELDS with Mr. LANGLEY.

Mr. FAISON with Mr. CURRY.

Mr. FOSTER with Mr. GREENE of Vermont (commencing Oct. 2).

Mr. FINLEY with Mr. GREEN of Iowa.

Mr. GILMORE with Mr. MCKENZIE.

Mr. GARD with Mr. DUNN.

Mr. GERRY with Mr. DAVIS.

Mr. GOEKE with Mr. LEWIS of Pennsylvania.

Mr. GOODWIN of Arkansas with Mr. PORTER.

Mr. GRAHAM of Illinois with Mr. PETERS of Maine.

Mr. GARNER with Mr. J. I. NOLAN.

Mr. MURRAY of Massachusetts with Mr. CRAMTON.

Mr. LEVY with Mr. ROBERTS of Massachusetts.

Mr. GORDON with Mr. THOMSON of Illinois.
Mr. GARRETT of Tennessee with Mr. LANGHAM.
Mr. HAYDEN with Mr. LAFFERTY.
Mr. HARRISON with Mr. GRAHAM of Pennsylvania.
Mr. HOXWORTH with Mr. ROBERTS of Nevada.
Mr. HOWARD with Mr. GRIEST.
Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).
Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).
Mr. HOUSTON with Mr. WILLIS.
Mr. HUGHES of Georgia with Mr. HAWLEY.
Mr. JACOWAY with Mr. FRENCH.
Mr. IGOE with Mr. PROUTY.
Mr. JONES with Mr. HINEBAUGH.
Mr. KITCHIN with Mr. PAYNE.
Mr. KEY of Ohio with Mr. FARR.
Mr. KONOP with Mr. MORIN.
Mr. KETTNER with Mr. SCOTT.
Mr. LONERGAN with Mr. ROGERS.
Mr. LLOYD with Mr. KENNEDY of Iowa.
Mr. McCOY with Mr. TEMPLE.
Mr. McGILLICUDDY with Mr. GUERNSEY.
Mr. McCLELLAN with Mr. LEWIS of Pennsylvania.
Mr. MONTAGUE with Mr. VARE.
Mr. MOON with Mr. DILLON.
Mr. MORGAN of Louisiana with Mr. HULINGS.
Mr. MORRISON with Mr. HUMPHREY of Washington.
Mr. PETERSON with Mr. PLATT (commencing Oct. 13).
Mr. PHELAN with Mr. SMITH of Minnesota (Oct. 24 to Nov. 15).
Mr. POST with Mr. COPLEY.
Mr. RAINEY with Mr. MADDEN.
Mr. RUCKER with Mr. HAUGEN.
Mr. THOMPSON of Oklahoma with Mr. DANFORTH.
Mr. ROUSE with Mr. RUPLEY.
Mr. RICHARDSON with Mr. MARTIN.
Mr. RUBEY with Mr. TREADWAY.
Mr. SHERWOOD with Mr. SAMUEL W. SMITH.
Mr. SHERLEY with Mr. COOPER (Oct. 23 to Nov. 15).
Mr. SPARKMAN with Mr. HOWELL.
Mr. SUMNERS with Mr. ESCH.
Mr. SAUNDERS with Mr. AINEY.
Mr. SMITH of Texas with Mr. McLAUGHLIN.
Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.
Mr. STEPHENS of Nebraska with Mr. SLOAN.
Mr. TALBOTT of Maryland with Mr. MERRITT.
Mr. TEN EYCK with Mr. PATTON of Pennsylvania.
Mr. THOMAS with Mr. JOHNSON of Washington (Oct. 27 to Nov. 1, inclusive).
Mr. UNDERHILL with Mr. WALTERS.
Mr. WILLIAMS with Mr. BRITTEN.
Mr. WEBB with Mr. WOODRUFF.
Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).
Mr. WINGO with Mr. PARKER.
Mr. WEAVER with Mr BURKE of Pennsylvania.
Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).
Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).
Mr. REED with Mr. WINSLOW (commencing Oct. 1 for remainder of extra session).
Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, except on cotton-futures amendment).
Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, and for balance of session).

Mr. KENNEDY of Iowa. Mr. Speaker, did the gentleman from Missouri, Mr. LLOYD, vote?

The SPEAKER. He did not.

Mr. KENNEDY of Iowa. Well, he was called from the Chamber, and I agreed to pair with him in case he did not get back, so I withdraw my vote.

The name of Mr. KENNEDY of Iowa was called, and he answered "Present."

Mr. MANN. Mr. Speaker, I voted "no." I am paired with the gentleman from Alabama, Mr. UNDERWOOD, and I desire to withdraw my vote and be recorded "present."

The name of Mr. MANN was called, and he answered "Present."

Mr. SMITH of Minnesota. Mr. Speaker, I voted "no." I am paired with the gentleman from Massachusetts, Mr. PHELAN, and I wish to withdraw my vote and answer "present."

The name of Mr. SMITH of Minnesota was called, and he answered "Present."

The result of the vote was announced as above recorded.

Accordingly (at 1 o'clock and 24 minutes p. m.) the House adjourned to meet to-morrow, Saturday, November 1, 1913, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, resolutions were introduced and severally referred as follows:

By Mr. MANN: Resolution (H. Res. 297) directing the Secretary of the Treasury to furnish certain information concerning subsection 7 of the Underwood tariff law; to the Committee on Ways and Means.

By Mr. SMITH of Maryland (by request of the Universal Peace Union, Philadelphia): Joint resolution (H. J. Res. 146) requesting the President to negotiate with the British and Canadian Governments regarding the transfer of southeastern Alaska to Canada by sale or exchange or both; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DYER: A bill (H. R. 9104) granting a pension to Frederick A. Churchill; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 9105) granting a pension to Violetta Fisher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9106) to correct the military record of J. H. McGrew; to the Committee on Military Affairs.

By Mr. SUTHERLAND: A bill (H. R. 9107) granting a pension to Joseph Tibbetts; to the Committee on Pensions.

Also, a bill (H. R 9108) granting an increase of pension to James H. Clutts; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. GOODWIN of Arkansas: Petition of Fee-Crayton Hardwood Lumber Co., of Detroit, Ark., protesting against the passage of House bill 8187; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM of Pennsylvania: Petition of the Easton Board of Trade, of Easton, Pa., favoring the construction of a deeper waterway from Philadelphia to Easton-Phillipsburg; to the Committee on Rivers and Harbors.

HOUSE OF REPRESENTATIVES.

SATURDAY, *November 1, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, Almighty God our heavenly Father, for every thought, every suggestion, every movement looking to a world-wide disarmament, since it is a reflection on the intelligence and religious life of any people to teach the arts of war on land or sea, for we realize in our better moments how infinitely wiser it is to conserve the brain and brawn of armies and navies for the peaceful pursuits of life. And we most earnestly pray that our Republic, with its intelligence, high ideals, and incomparable genius, may set its face heavenward and be the vanguard in every movement for the "peace and good will toward men" which all right-thinking men the world around pray for, hope for, long for. And unto Thee, O God, the Father of all mankind, be glory and honor and praise forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

SWEARING IN A MEMBER.

The SPEAKER. The Member elect from the first district of West Virginia, Mr. MATTHEW NEELEY, is present, and his credentials, signed by the governor and secretary of state, are correct, as the Chair finds, and unless somebody wants them read the gentleman will be sworn in.

Mr. NEELEY appeared before the bar of the House and took the oath of office.

LEAVE OF ABSENCE.

Mr. BRUMBAUGH. Mr. Speaker, I ask unanimous consent to be permitted to address the House for one minute.

The SPEAKER. The gentleman from Ohio [Mr. BRUMBAUGH] asks unanimous consent to address the House for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. BRUMBAUGH. Mr. Speaker, I simply desire to make a personal statement, a very brief one. Outside of about three or four days' absence I have been present every day since the inauguration. I was compelled to be absent on account of the Ohio flood, which affected my city at Columbus, Ohio, very greatly. I now ask unanimous consent for leave of absence for

three weeks, not on account of complication of business matters, although I have plenty of those, but on account of long-continued illness in my family, which has become more serious. I ask for leave of absence for three weeks on that account.

The SPEAKER. The gentleman from Ohio [Mr. BRUMBAUGH] asks unanimous consent for leave of absence for three weeks on his statement. Is there objection?

There was no objection.

The SPEAKER. The Chair lays before the House a request by the gentleman from New York, Mr. METZ, for leave of absence for 30 days, on account of important business. Is there objection?

Mr. MANN. Mr. Speaker, I shall have to object to that. I should like to see him occasionally here. [Laughter.]

The SPEAKER. The gentleman from Illinois [Mr. MANN] objects.

MEMBER OF BOARD OF DIRECTORS, COLUMBIA INSTITUTION FOR THE DEAF.

The SPEAKER. The Chair appoints the Hon. WILLIAM E. HUMPHREY, of the State of Washington, a member of the board of directors of the Columbia Institution for the Deaf, in place of the Hon. E. L. Taylor, jr., of Ohio.

RECOGNITION OF FOREIGN GOVERNMENTS.

Mr. SLAYDEN. Mr. Speaker, I ask the consent of the House to publish in the RECORD a brief historical review of the exercise of the right of recognizing Governments that have been established by methods that are not always approved by the people of this country. It is by Mr. George Turner, formerly a Senator in Congress. I am under the impression that at present he is a member of the commission defining the boundaries between the United States and Canada. It is a valuable contribution to the subject.

Mr. MANN. Not defining the boundaries, but a commission.

Mr. SLAYDEN. A commission; yes. Very well. This is a brief publication, Mr. Speaker, and gives a considerable amount of information on a question which is a live one and very pertinent, and I believe it will be of interest to all the Members of the House. I ask that it be inserted in the RECORD.

The SPEAKER. The gentleman from Texas [Mr. SLAYDEN] asks unanimous consent to insert in the RECORD a statement by the Hon. George Turner, of the State of Washington, on governmental recognition. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, my recollection is that this statement of ex-Senator Turner's, in a way at least, is a reply to the statement made by ex-Ambassador Henry Lane Wilson, who was formerly ambassador to Mexico. I may be in error about it, but my recollection is that the statement made by Mr. Wilson has not been published in the RECORD, and inasmuch as this whole matter relates directly to our relations with Mexico, I am not willing that one side of the proposition shall be published in the RECORD unless the whole subject is going to be taken up and discussed in Congress, which probably is not desirable.

Mr. SLAYDEN. Mr. Speaker, may I say a word to the gentleman?

Mr. MANN. Certainly.

Mr. SLAYDEN. I have not had the privilege of seeing the statement made by Mr. Henry Lane Wilson. I would be very glad to have both statements published at the same time. This document does not appeal to me as a valuable document because of its being an immediate reply to Mr. Wilson. I think my friend Mr. Turner has been led into the making of statements which he alleges to be facts concerning which it is impossible for any man to be certain. I do not give my indorsement to these statements, because I do not know what is true and what is not true. I have been familiar with Mexico and with Mexicans for so many years—I have known the country so intimately—that I realize how difficult it is to get the exact truth about the conditions down there published in this country; but the historical review of the exercise of the right of recognition is that part of this document which I considered valuable and which I thought ought to be published. I have no objection to the publication of Mr. Wilson's statement also.

Mr. MANN. I would not be willing to stop with the publication of those statements. This statement of Mr. Turner is a defense of the administration for not having recognized Huerta as President of Mexico. I am not undertaking to say anything on that subject at present; but if gentlemen desire to have inserted in the RECORD statements defending the administration's policy or lack of policy in connection with Mexico, then some other gentleman in the House will wish to be heard upon the subject. If that side of the House wants to open up the matter, I am willing that the House shall resolve itself into the Committee of the Whole House on the state of the Union and discuss the Mexican situation; but I am not willing that the administration shall have inserted one item or statement defending what the President——

Mr. SLAYDEN. Will the gentleman insist on a quorum here for that debate?

Mr. MANN. I will not insist on a quorum here for that debate. I did not insist on a quorum for the debate on the peace proposition yesterday. That side of the House moved to adjourn yesterday without the point of no quorum having been raised at all. I hope you will not do that to-day, but that we will discuss the subject of peace. I object to the request.

LEAVE OF ABSENCE.

The SPEAKER. The gentleman from Illinois objects to the request of the gentleman from Texas [Mr. SLAYDEN]. The gentleman from California [Mr. RAKER] is recognized.

Mr. RAKER. Mr. Speaker, I ask that I may address the House for a minute.

The SPEAKER. The gentleman asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. RAKER. Mr. Speaker, since the early part of November, 1912, I have been here in attendance upon the House constantly. I have not been absent at any time. I was away from the Hall of the House while I was before a committee of the Senate one day and missed one roll call. This was on the hearing of the Hetch Hetchy bill before the Senate Committee on Public Lands. I feel as though I ought to be home for at least a week, and it is a long way. I do not like to go without the permission of the House. Therefore I ask unanimous consent that I may be excused until the 25th of November, 1913.

The SPEAKER. The gentleman from California [Mr. RAKER] asks leave to be excused from attendance upon the sessions of the House until November 25, on the statement that he has missed only one roll call during this session. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I hope these requests will not become catching. The two requests that have been preferred this morning seem to be fairly reasonable requests. Both of them are very good reasons why the House should either pass a resolution for adjournment or else attend to business; and as the gentleman from California can not put sufficient backbone into his confrères on this side of the House to do either, I am unwilling, under the circumstances, to keep him on the gridiron any longer.

Mr. RAKER. I thank the gentleman from Illinois.

The SPEAKER. Is there objection?

Mr. BUCHANAN of Illinois. Mr. Speaker, reserving the right to object, in my judgment, because a Member by remaining here simply does the duty that he obligates himself to do, that does not warrant any special privileges in regard to being given unanimous consent to be excused. I went home for about one week, and my constituents knew I was there, too; at least, I hope they did. I did not get to see as many of them as I would have desired. I supposed at that time that there would be nothing doing here, and when I got a telegram saying that there was something doing, I did not waste any time, but came back at once. I wish to say that in doing my duty here in the House of Representatives I do not care to take up time in boasting in regard to it. Doing one's duty is simply what every Member of Congress and every good citizen of the United States ought to do. Everyone ought to do their duty as they see it, everywhere and all the time. For my part, I am willing to give the very best service I have in me to serve the people as a Member of the House of Representatives. I am willing to be here whenever I can be of any service. Otherwise I do not think a Member need to worry much whether he is excused or not, when he believes he is not going to be called back. He ought to look at it in a common-sense way. Because the roll is called here every day for the purpose of putting somebody on record to vote for or against adjournment, certainly that will not be looked at by any intelligent person as a very important matter. I do not see what the Members need to fear in leaving when they believe there is nothing to do. I do not think any Member need concern himself about that, although I am here on the job because I thought probably I might be able to do something to serve the people of the country. I agree that we ought to be doing something. We have many important measures to be considered. I also agree that we ought to have given further consideration to the question of peace yesterday, because that is one of the most important questions confronting the people of the world to-day.

It is not only a question of the expenditure of money but a question of the saving of lives. It is a question that is so broad and deep that certainly at this time we should not object to giving it some time in the way of discussion. Mr. Speaker, I have no objection to the request of the gentleman.

The SPEAKER. Is there objection?

Mr. DONOVAN. Mr. Speaker, reserving the right to object, it is somewhat surprising to me that the distinguished leader from Illinois, the great upholder of the Constitution and the law, should be a party to violating a law of this country. He rose from his seat, addressed the Chair, took his seat again, knowing that there is no excuse, that the House can not grant leave of absence to any Member except on the ground of sickness or sickness in his family. The gentleman is going to acquiesce in a Member going away, with other excuses, and this great leader of the minority is going to be a party to a violation of the law of the United States. Mr. Speaker, I have no objection to the request of the gentleman from California.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CANDLER of Mississippi. Mr. Speaker, I ask unanimous consent to make a statement.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to address the House. Is there objection?

There was no objection.

Mr. CANDLER of Mississippi. Mr. Speaker, since I have been a Member of this House, which covers a number of years and several terms of service, I have never left here to look after my private interests, business at home, or my own personal affairs. I came here at the beginning of the December session and remained during that session, have been here all through this extraordinary session of Congress, and have not been outside of the city of Washington, with the exception of the other day when I went to Philadelphia to the rededication of Congress Hall, and on that day the House was not in session. During a long time my father has been seriously ill. I have stayed here oftentimes when I have felt I ought to go to him on that account. At last I have received a letter from my dear old mother telling me to come, and I want to leave to-night. I ask unanimous consent of the House to be excused indefinitely.

Mr. MANN. Mr. Speaker, reserving the right to object, the distinguished gentleman from Connecticut [Mr. DONOVAN], who on various occasions furnishes amusement to the House but seldom information, stated that I was a party to a violation of the law. That is about as near as my friend from Connecticut ever gets to the facts. It is no violation of law for the House to grant leave of absence, notwithstanding the statement to the contrary by the gentleman from Connecticut. He probably knows about as much on that subject as the knowledge he usually displays about many others. The House has full power to grant leave of absence, and just as much power to grant it for one reason as it has for another. I do not believe it was a violation of the law for me to acquiesce in the request of the gentleman from California; but the gentleman from Connecticut states that it was a violation of the law and immediately acquiesces in it. He conscientiously believes that he is violating the law. That is his side of the situation.

Mr. CANDLER of Mississippi. Mr. Speaker, in support of my request, I again state that I have been here all through these two sessions—the December session and this extraordinary session—and I will return as soon as circumstances permit. Just exactly how long it will be necessary for me to be gone, I do not know; and therefore I ask leave of absence indefinitely. I would not leave now if I did not know my father's illness was dangerous to such an extent that my mother wants me to come to him and to her.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? The Chair hears no objection.

Mr. DONOVAN. Mr. Speaker, reserving the right to object, our distinguished associate and leader of the minority unfortunately is in error. It is the law; it is one of the joint acts, and as strong and as effective as any law on the statute books of the United States. Unfortunately for him, he is talking through his hat, as they say in the underworld. It is an unfortunate situation to have the great leader, supposed to follow the dictates of his oath, to acquiesce in violations of that oath. He should remember, too, that he who excuses accuses. Those are the words of an old patriot, and it is a sad condition that the great Member from Illinois attacks a new Member, just fresh from the hustings, and takes his act as an excuse for his action. [Laughter.]

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. MANN. Reserving the right to object——

Mr. DONOVAN. A point of order, Mr. Speaker. The gentleman from Illinois has already acted in this case.

The SPEAKER. But this is an informal procedure.

Mr. DONOVAN. Mr. Speaker, I make the point of order that no quorum is present.

Mr. MANN. If the gentleman from Connecticut pleads the baby act, I will not insist.

Mr. DONOVAN. Mr. Speaker, I withdraw the point of order.

Mr. MANN. Reserving the right to object, the gentleman from Connecticut does what a new Member of the House frequently does—takes a crack at me—and when I smile back says the gentleman from Illinois has assaulted a new Member. I have never in my course in this House attacked a new Member until he attacked me.

The gentleman from Connecticut [Mr. DONOVAN], referring to me, using his language, says it is unfortunate "for he" so and so. The gentleman's facts are just as correct as his grammar.

The SPEAKER. Is there objection?

Mr. DONOVAN. Mr. Speaker, reserving the right to object, there is no gentleman whose attention I delight more in calling to what the statute is than the gentleman from Illinois, and I am going to read the law in regard to absenteeism. [After a pause.] I guess I will not read it now, as I have not got it in my hand. [Laughter.]

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. PAGE. Mr. Speaker, I ask unanimous consent to insert in the RECORD an address recently delivered by Hon. ROBERT L. HENRY, of Texas, before the South Carolina Bar Association.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to insert in the RECORD an address recently delivered by Hon. ROBERT L. HENRY, of Texas, before the South Carolina Bar Association. Is there objection?

There was no objection.

Mr. HAMLIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD. I desire to refer to the work of this present session and to compare the work of the session in a way generally with the work of the extra session of 1909.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

NONATTENDANCE OF MEMBERS.

Mr. SMALL. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. SMALL. Mr. Speaker, these remarks this morning from various gentlemen on both sides of the House as to the status of business in the House and the nonattendance of Members it seems to me do not fairly represent the attitude of the majority and are not fair to Members who are absent. Under the leadership of the minority leader, the gentleman from Illinois [Mr. MANN], we have been told each day that the House ought to proceed to business, that Members ought to be here attending to their duties, that committees should be deliberating upon bills referred to them, and that the House should be considering other legislation, and Members upon this side of the House are falling into the political trap which has been set for them by the minority leader and are making excuses and assuming virtues for themselves to which they are not entitled, stating how few days they have been absent and how few roll calls they have missed. It seems to me that this is an opportune time to state, modestly on my part, what I conceive are the facts regarding the situation.

Some weeks ago, after we had passed all legislation that was before the House, all the legislation for which this extra session had been called, notably the tariff and currency bills—in fact, all legislation that had been determined by the majority should be considered at this extra session—the House was told, at least the majority side, by the majority leader, the gentleman from Alabama [Mr. UNDERWOOD], that there would be no further legislation and that there was no necessity for Members attending the sessions of the House, at least those Members who had been called to their homes or the demand upon whom in any other respect required them to be absent. On yesterday, upon the roll call on the question of adjournment, it was disclosed that there were 343 Members absent. The proportion of Members absent on the minority side, I may say, was as great as upon the majority side. I hesitate to believe, and I do not believe, that those 343 Members who are absent upon either side are failing in any duty which they owe to their constituents, to the country, or to this House. No one knows better than the gentleman from Illinois [Mr. MANN] that there will be no legislation in this House until the Senate shall have passed the currency bill, if it does so at this session, and it comes to the House; and yet day after day we are reminded that the House ought to be doing business, in the face of the fact that the majority have determined upon a program and

that program is being carried out. I think it is inappropriate—at least it is unwise—for Members upon this side of the House in lauding their own virtues, because, forsooth, they happened to be here to-day or yesterday or the next legislative day, to thereby inferentially criticize the 343 Members which the roll call on yesterday disclosed were absent. If we are going to attempt legislation, let the majority in the House, as it has done upon various occasions during this session, get together in conference and change the program which has been adopted and which was announced by the majority leader; and in the meantime, if the minority leader shall continue to play politics—and he always plays politics shrewdly, if not wisely—let him play it alone, and when he sets a trap and endeavors to rivet the attention of the country upon the House as not attending to business, let it be understood that the majority of the House, who are responsible for legislation, have determined upon a program which we are following and that we are responsible for that program; that we have enacted all the legislation which the majority intended to enact at this session, and that we are simply playing a waiting game, waiting upon the Senate to pass the currency bill, the remaining piece of legislation to which the majority have determined to give consideration at this session. It seems to me, Mr. Speaker, in view of what we hear from day to day, in view of the remarks here this morning, that it would be well to recur to the actual conditions as they exist, and that we shall not continually be deferring to the political attitude of the minority leader of this House and inferentially continue to make it appear that Members who are absent are absent willfully and deliberately and intend not to discharge their duties as Members of this House. I think, to repeat, that if the game is to continue to be played by the minority leader that he shall play it alone and we Democrats shall not give him assistance in doing so.

The SPEAKER. The time of the gentleman has expired.

Mr. BRUMBAUGH. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Ohio rise?

Mr. BRUMBAUGH. I rise to ask unanimous consent of the House to address it in reply to the gentleman from North Carolina.

The SPEAKER. How much time?

Mr. BRUMBAUGH. Two minutes.

The SPEAKER. The gentleman from Ohio asks unanimous consent for two minutes in which to address the House. Is there objection? [After a pause.] The Chair hears none.

Mr. BRUMBAUGH. Mr. Speaker, the gentleman from North Carolina [Mr. SMALL], of course, is entitled to his own opinions and is entitled to state them in his own language. He thinks the remarks of certain Members upon the floor of this House, of whom I was one, in stating that they had been here almost the entire time were inappropriate. On the other hand, he may think his remarks in criticizing those gentlemen were very appropriate. Of course he is entitled to his own opinion concerning that. We will not discuss that phase of the question. Mr. Speaker, I am of the opinion that a man's record in attendance and attention to his duty is the one thing of which he must very naturally be proud, and ought to be the basis upon which he should plant his request for any absence from this House.

I want to say, Mr. Speaker, that, while the House has been kind enough to give me this leave of absence, if at any time any important measure shall come before this House, I shall take great pleasure in coming back to vote upon it if I am compelled to return to Ohio by the next train—any such measure like the peace matter which we had before the House yesterday or any other important matter. Mr. Speaker, if the statement is true which I hear whispered around, there will possibly be a movement to deduct from the salaries of Members for absence. That is entirely agreeable to me, but I do not want any gentleman who has been absent practically all summer to be seized with a sudden spasm of reform and come back and say, "Now I am here, and from this on I want everybody to be here or deductions will be made from their salaries." Let them begin on the 4th of March and apply it to everybody, and it will be perfectly satisfactory to me. I think every man who is absent at any time should have a just and reasonable excuse for his absence. Our highest duty is to be here, and to be here all the time that it is possible for us to be here, and I have no apology to offer to the gentleman from North Carolina or to anybody else for the appropriateness of my remarks in asking for a leave of absence as compared with the appropriateness of his remarks in criticizing those who pointed to the fact that they have been here all the time attending to their duties in the House and on important committee work, such as I have had the honor of performing during the entire summer. Besides, I have protected every obligation owed to my party as such by arranging for a pair covering the entire time of my absence as granted by the unanimous consent of this House.

Mr. TOWNER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Iowa rise?

Mr. TOWNER. To ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from Iowa [Mr. TOWNER] asks unanimous consent to address the House for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. TOWNER. Mr. Speaker, I think the questions involved in the matter that has been before the House for consideration this morning are of far greater importance than any mere political color that can be given to them. In the first place, there is no man on the floor of this House who can defend absenteeism, as it has become all too much a habit and practice of the membership of this House. Every time when it can be called to the attention of Members here or at their homes that their duty is to be here when Congress is in session, we are performing a public duty and not a mere party service. The leader on this side when he calls attention to it is not playing a political trick or seeking to obtain a political advantage, but is in reality but voicing the opinion of the people of the United States, who when they send their Representatives to Congress expect them to do their duty and stay here when Congress is in session.

And there is another view of it. It is legitimate to criticize the party stand, the political ground, that the Democratic side has taken with regard to present conditions. You on that side have said that you will keep Congress in session and yet not allow it to do any work whatever. That is absolutely indefensible from any possible standpoint whatsoever.

In the first place, if we have work to do and Congress is in session, then certainly we should do that work, and there is no man who does not know that there are now pending in this Congress many bills of great importance; that there will not be time in which to consider them at the next regular session; and that now in committee and in the House they should be considered and be given the attention that they deserve.

And, more than that, the excuse—because it is not a justification—that is offered that we should stay here in order to be present and pass the currency bill has passed far beyond any possible idea of fulfillment. There is no one now that would venture to say that we would have sent back to us from the Senate the currency bill during this session; and yet here we are, with no prospect of any benefit to be derived from our staying, with a declaration on your part that you will not allow any work to be done if we do stay. And this is true, notwithstanding the positive embarrassment of your own Members, who find it difficult to excuse their absence if they go, and yet are told they will not be allowed to do anything if they remain. They feel, as do Members on this side, that we ought either to adjourn or go to work.

With regard to the assertion by the Democratic leader that no legislation will be attempted, although Congress is to remain in session, the people of the country will want to know why, if we are to be kept here, we are not doing the duties that are imposed upon us and considering the bills that ought to be considered and performing the duties and obligations that we are sworn to perform as Members of this body. [Applause on the Republican side.]

Mr. RAKER rose.

The SPEAKER. For what purpose does the gentleman from California rise?

Mr. RAKER. I rise to ask unanimous consent that I may proceed for five minutes.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. RAKER. Mr. Speaker, it is not my purpose to criticize any man as to his views of attendance or nonattendance. I have my peculiar ideas with regard to that. I believe that a man in public service should be in attendance, should be in his place of duty. He has a right to expect that the people who elected him or by whom he was appointed will look to him to see that he gives his service to the country. There is not any excuse for those upon that side of the House or upon this side of the House to criticize one or the other. In the Sixty-first Congress we found roll calls without a quorum when no man had an excuse for not staying here. We found the same thing in this House in the Sixty-second Congress, when no excuse can be had for the lack of a quorum, when Members should be in attendance, when our time should be used in the House, when we ought to have done business when it was necessary.

Now, there is no use in that side of the House playing politics in the matter, and the statement of the last gentleman who spoke on the matter, if carried out logically, will not bear proof. I guess if our Republican friends had stayed here—and I am not going to criticize them more than others—there would have been a sufficient number here to have compelled the others to have returned, and every minute of our time could have been used in committee work upon bills that could have been investigated by all the committees and made ready to report when the second session of the Sixty-third Congress opened. So there is no use in criticizing along that line.

It was the intent when this Congress convened to pass the tariff bill. It has been passed. It was the purpose and intent also to pass a currency bill. This House has passed that currency bill and it is now in the Senate, and with all justness and right to the constituency of the Members on this side of the House they have a right to direct and call the country's attention to the fact that the House of Representatives by an overwhelming vote, practically unanimous by the Democrats and a large number on that side of the House, voted for that bill and determined not to enact any other legislation, not to bring any other matters before the House to distract the country's attention, but to rivet and fix it upon the currency legislation that the people are demanding and insisting on. Not only the people, but the House of Representatives, will say that the Senate ought to be willing and ought to be ready to take up that matter and consider it, and bring it out upon the Senate floor and consider it there, the same as the Members of the House have done in this body, so that this administration could carry out its promise to the people that they would be given legislation, tariff revision, and, in addition to that, currency revision and legislation, and this the Senate is now doing and beyond question will soon have the currency bill through that branch of Congress; and the extra session having been called practically for those purposes the great mass of the American people are going to look with admiration and pride upon the attitude of our President for his magnificent stand upon these two questions, and I believe they will be enacted before this Congress adjourns.

Now, as to the question of leaving Washington, I care not how other Members view this question, and I do not want to criticize them for it, but I believe that if a man wishes to absent himself for other cause than sickness he ought to call the attention of the House to the fact, so that they may know why he is absent, where he is, and that the House itself has given him that leave, instead of his taking the law into his own hands. If the law were strictly enforced there would be very little salary paid to Members. There is no need of criticism because a man presents his case to the House personally, instead of taking the law into his own hands. I leave that up to him. I take my own method. I am not criticizing any other man's method, but I believe mine is the proper course. I am not going home for an idle purpose or playing politics. I am going to leave it to my constituents to judge whether or not my conduct and work before committees and in the House is proper and is worthy of their commendation and approval.

The SPEAKER. The time of the gentleman has expired.

Mr. MANN. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, the gentleman from North Carolina [Mr. SMALL] accuses me of playing politics. I suppose that is his point of view. I never have played politics. I do not know much about it. I have been for many years an earnest, hard laborer in the House of Representatives. [Applause on the Republican side.] I have been attending, as best I could, to the work which a Member of Congress has laid upon him, believing that as I was elected a Representative by the people from my district and paid by the Government of the United States a salary upon which I live, that my duty was to give the proper return to the Government for the salary and to my people for their confidence and their election. Other men may have different views. It may be that some Members think when they are elected to Congress their duties cease when they present their certificates of election. Apparently that is the view held by the majority of the Democratic side of the House at present. I take it that my friend from North Carolina [Mr. SMALL] made his speech because he probably lacked the nerve to ask for leave of absence and made it in anticipation of leaving town.

The gentleman from California [Mr. RAKER] complains bitterly because the less than one-third minority of the House do not come here in numbers to compel the Democrats to come here, do not arrest them, and bring them here. He complains because the patriotic third of the Members of the House do not cause the arrest of the remaining Members of the House and compel them to do business. That is a peculiar situation. We may lead the horse to water; we can not make him drink.

If we had the power to compel you to come here, we could not compel you to do business. And after all there is one thing that the country is to be congratulated upon to the extent that it goes. If this Democratic Congress would now adjourn until the 4th of March of the year after next, leaving the country in peace, it would confer upon the land the greatest patriotic favor within its power. Next to that, to declare that it will not do any business is probably the nearest to patriotism. [Applause and laughter on the Republican side.]

And yet we have pending before us the immigration bill, the antiinjunction bill, the trial by jury for contempt bill, the seamen's involuntary servitude bill, the great trust problem, a hundred and more questions of immense importance which your side of the House have announced to the world you propose to dispose of next winter. And your leaders—there is not a member of the Committee on Ways and Means from the Democratic side present in the Hall of the House. Somebody says there is one. I see him, my distinguished friend from Minnesota [Mr. HAMMOND].

Mr. SIMS. And one other.

Mr. MANN. If there are any others, I am willing to name them all.

Mr. SIMS. Judge HULL, of Tennessee, is present.

Mr. MANN. Your leaders, not desiring to have this legislation enacted, knowing that next winter will be devoted mainly to the consideration of items in appropriation bills, are preventing you now from gathering together in committees and reporting out bills or being present in the House and disposing of them. And next winter do not tell me you have not the time.

Mr. POU. Mr. Speaker——

The SPEAKER. Is there objection to the gentleman from North Carolina addressing the House for five minutes?

There was no objection.

Mr. POU. Mr. Speaker, I do not believe there is any high degree of agitation among the people of the Nation because we are not passing during this extra session the legislation which usually is considered and passed during the long regular session which commences about December 1. I do not believe the people are very deeply interested in the daily performance of the Republican minority. I even believe that the people understand that this is an extra session and that we would all be at home now but for the fact that we were called here by the President to pass two great measures—a tariff and a currency bill. The truth is that under ordinary circumstances every Member of the Sixty-third Congress could have remained at home from the 4th of last March until December 1. We would have had that period of nine months, during which we could have attended to our private affairs, drawing our salaries just as we do now and have done all the summer. Certainly we are not getting anything extra for the work done during the extra session.

I have not heard of any mass meeting of the people which adopted resolutions criticizing this House of Representatives because we are not passing during this extra session the usual appropriation bills and other legislation which regular sessions of Congress consider. Nobody is being humbugged, Mr. Speaker. The people of the Nation understand perfectly well the purposes for which the extra session was called.

Now, here is the Republican leader declaring in one breath that the highest service a Democratic Congress can render to the people of the Nation is to adjourn indefinitely, and in the next breath he enumerates a list of bills, and finds fault with the Democratic majority because we are not considering those measures during the extra session. To say the least, this is inconsistent, and for my part I do not believe anybody is going to be deceived. I doubt if the minority leader himself will support all in the list of measures he enumerated when they come before the House.

I may be mistaken, Mr. Speaker, but I believe the people understand perfectly well that we were called here in extra session to pass two great measures—a tariff bill and a currency bill. During the time we are waiting upon the Senate to act on the currency bill I doubt very much whether the people will feel inclined to blame Members who now and then go to their homes or to praise those who remain.

If we can only pass these two great reform measures, we will, I submit, have done well. Certainly we will have done far better than our Republican friends have ever done during an extra session within my recollection. So much better that the people, even forgetting this daily vaudeville, will say to the

party now in power: "Well done, good and faithful servant." [Applause on the Democratic side.]

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Is the unfinished business before the House the naval armament program resolution (H. Res. 298) offered by the gentleman from Missouri [Mr. HENSLEY] on yesterday?

The SPEAKER. The Chair does not think that resolution is in a situation to be considered as unfinished business. It is not in the privileged class.

Mr. MANN. Unanimous consent was given for its immediate consideration. It was under consideration and was not disposed of.

The SPEAKER. That is true. These speeches this morning have been by unanimous consent.

Mr. MANN. I understand that they are by unanimous consent, but I made the parliamentary inquiry as to whether that resolution would come up under the regular order. It seemed to me that it would if the regular order was demanded.

The SPEAKER. The Chair is inclined to think that if the regular order was demanded that resolution would come up.

ADJOURNMENT.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

Mr. MANN. And on that, Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 57, nays 25, answered "present" 10, not voting 337, as follows:

YEAS—57.

Abercrombie	Garrett, Tex.	Lee, Pa.	Russell
Aswell	George	Lloyd	Shackleford
Benkes	Glass	Lobeck	Sims
Bell, Ga.	Graham, Ill.	McClellan	Small
Brockson	Gray	McDermott	Smith, Md.
Brown, W. Va.	Hamlin	McKellar	Stone
Brumbaugh	Hammond	Maguire, Nebr.	Stout
Buchanan, Ill.	Hay	Murray, Okla.	Tavenner
Byrns, Tenn.	Henry	Neeley, W. Va.	Tribble
Candler, Miss.	Hensley	Page	Watkins
Dershem	Hull	Pepper	Webb
Estopinal	Johnson, Ky.	Pou	Young, Tex.
Evans	Johnson, S. C.	Quin	
Ferguson	Keating	Baker	
Floyd, Ark.	Kirkpatrick	Reilly, Conn.	
		Rothermel	

NAYS—25.

Anderson	Dyer	La Follette	Smith, Idaho
Austin	Fowler	Lindbergh	Steenerson
Avis	Frear	Lindquist	Sutherland
Bell, Cal.	Hawley	Nelson	Towner
Browne, Wis.	Johnson, Utah	Plumley	
Davis	Kennedy, Iowa	Powers	
Donovan	Lafferty	Sinnott	

ANSWERED "PRESENT"—10.

Cary	Holland	Smith, Minn.	Volstead
Falconer	Mann	Stevens, Minn.	Woods
French	Morrison		

NOT VOTING—337.

Adair	Calder	Donohoe	Gorman
Adamson	Callaway	Dooling	Goulden
Aiken	Campbell	Doolittle	Graham, Pa.
Ainey	Cantrill	Doremus	Green, Iowa
Alexander	Caraway	Doughton	Greene, Mass.
Allen	Carew	Driscoll	Greene, Vt.
Ansberry	Carlin	Dunn	Gregg
Anthony	Carr	Dupré	Griest
Ashbrook	Carter	Eagan	Griffin
Bailey	Casey	Eagle	Gudger
Baker	Chandler, N. Y.	Edmonds	Guernsey
Baltz	Church	Edwards	Hamill
Barchfeld	Clancy	Elder	Hamilton, Mich.
Barkley	Clark, Fla.	Esch	Hamilton, N. Y.
Barnhart	Claypool	Fairchild	Hardwick
Bartholdt	Clayton	Faison	Hardy
Bartlett	Cline	Farr	Harrison
Barton	Collier	Ferris	Hart
Bathrick	Connelly, Kans.	Fess	Haugen
Beall, Tex.	Connolly, Iowa	Fields	Hayden
Blackmon	Conry	Finley	Hayes
Booher	Cooper	Fitzgerald	Heflin
Borchers	Copley	Fitzhenry	Helgesen
Borland	Covington	Flood, Va.	Helm
Bowdle	Cox	Fordney	Helvering
Bremner	Cramton	Foster	Hill
Britten	Crisp	Francis	Hinds
Brodbeck	Crosser	Gallagher	Hinebaugh
Broussard	Cullop	Gard	Hobson
Brown, N. Y.	Curley	Gardner	Houston
Browning	Curry	Garner	Howard
Bruckner	Dale	Garrett, Tenn.	Howell
Bryan	Danforth	Gerry	Hoxworth
Buchanan, Tex.	Davenport	Gillett	Hughes, Ga.
Bulkley	Decker	Gilmore	Hughes, W. Va.
Burgess	Deitrick	Gittins	Hullings
Burke, Pa.	Dent	Godwin, N. C.	Humphrey, Wash.
Burke, S. Dak.	Dickinson	Goeke	Humphreys, Miss.
Burke, Wis.	Dies	Goldfogle	Igoe
Burnett	Difenderfer	Good	Jacoway
Butler	Dillon	Goodwin, Ark.	Johnson, Wash.
Byrnes, S. C.	Dixon	Gordon	Jones
Kahn	Maher	Ragsdale	Sumners
Kelster	Manahan	Rainey	Switzer
Kelley, Mich.	Mapes	Rauch	Taggart
Kelly, Pa.	Martin	Rayburn	Talbott, Md.
Kennedy, Conn.	Merritt	Reed	Talcott, N. Y.
Kennedy, R. I.	Metz	Reilly, Wis.	Taylor, Ala.
Kent	Miller	Richardson	Taylor, Ark.
Kettner	Mitchell	Riordan	Taylor, Colo.
Key, Ohio	Mondell	Roberts, Mass.	Taylor, N. Y.
Kiess, Pa.	Montague	Roberts, Nev.	Temple
Kindel	Moon	Rogers	Ten Eyck
Kinkaid, Nebr.	Moore	Rouse	Thacher
Kinkead, N. J.	Morgan, La.	Rubey	Thomas
Kitchin	Morgan, Okla.	Rucker	Thompson, Okla.
Knowland, J. R.	Morin	Rupley	Thomson, Ill.
Konop	Moss, Ind.	Sabath	Townsend
Korbly	Moss, W. Va.	Saunders	Treadway
Kreider	Mott	Scott	Tuttle
Langham	Murdock	Scully	Underhill
Langley	Murray, Mass.	Seldomridge	Underwood
Lazaro	Neeley, Kans.	Sells	Vare
Lee, Ga.	Nolan, J. I.	Sharp	Vaughan
L'Engle	Norton	Sherley	Walker
Lenroot	O'Brien	Sherwood	Wallin
Lesher	Oglesby	Shreve	Walsh
Lever	O'Hair	Sisson	Walters
Levy	Oldfield	Slayden	Watson
Lewis, Md.	O'Leary	Slemp	Weaver
Lewis, Pa.	O'Shaunessy	Sloan	Whaley
Lieb	Padgett	Smith, J. M. C.	Whitacre
Linthicum	Palmer	Smith, N. Y.	White
Logue	Parker	Smith, Saml. W.	Williams
Lonergan	Patten, N. Y.	Smith, Tex.	Willis
McAndrews	Patton, Pa.	Sparkman	Wilson, Fla.
McClellan	Payne	Stafford	Wilson, N. Y.
McCoy	Peters, Mass.	Stanley	Wingo
McGillicuddy	Peters, Me.	Stedman	Winslow
McGuire, Okla.	Peterson	Stephens, Cal.	Witherspoon
McKenzie	Phelan	Stephens, Miss.	Woodruff
McLaughlin	Platt	Stephens, Nebr.	Young, N. Dak.
MacDonald	Porter	Stephens, Tex.	
Madden	Post	Stevens, N. H.	
Mahan	Prouty	Stringer	

So the motion was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.

Mr. SCULLY with Mr. BROWNING.

Mr. METZ with Mr. WALLIN.

Mr. HOBSON with Mr. FAIRCHILD.

Mr. BARTLETT with Mr. BUTLER.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. UNDERWOOD with Mr. MANN.

Until further notice:

Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1).

Mr. AIKEN with Mr. EDMONDS.

Mr. ASHBROOK with Mr. KAHN.

Mr. BALTZ with Mr. SHREVE.

Mr. BARKLEY with Mr. FALCONER (commencing Oct. 24).

Mr. BAILEY with Mr. FESS.

Mr. BARNHART with Mr. MAPES.

Mr. BLACKMON with Mr. BARCHFELD.

Mr. BREMNER with Mr. GILLETT.

Mr. BORLAND with Mr. CAMPBELL.

Mr. BOWDLE with Mr. Moss of West Virginia.

Mr. BURNETT with Mr. HAYES.

Mr. BYRNES of South Carolina with Mr. MANAHAN.

Mr. BROUSSARD with Mr. KELLEY of Michigan.

Mr. BROWN of New York with Mr. BARTON.

Mr. BURKE of Wisconsin with Mr. CARY.

Mr. COLLIER with Mr. WOODS.

Mr. CLAYTON with Mr. MONDELL.

Mr. CLAYPOOL with Mr. BRYAN.

Mr. CLARK of Florida with Mr. WOODRUFF.

Mr. CANTRILL with Mr. HELGESEN.

Mr. CARAWAY with Mr. KENNEDY of Rhode Island.

Mr. CRISP with Mr. HINDS (transferable).

Mr. CLANCY with Mr. HAMILTON of New York.

Mr. COVINGTON with Mr. MILLER.

Mr. CARTER with Mr. MCGUIRE of Oklahoma.

Mr. CLINE with Mr. NORTON (commencing Oct. 1).

Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.

Mr. CURLEY with Mr. J. R. KNOWLAND.

Mr. DECKER with Mr. MOORE.

Mr. DENT with Mr. KREIDER.

Mr. DEITRICK with Mr. YOUNG of North Dakota.

Mr. DIES with Mr. SWITZER.

Mr. DOUGHTON with Mr. MOTT.

Mr. DUPRÉ with Mr. ANTHONY.

Mr. FRANCIS with Mr. HUGHES of West Virginia.

Mr. FITZGERALD with Mr. CALDER.

Mr. FERRIS with Mr. SELLS.

Mr. FIELDS with Mr. LANGLEY.

Mr. FAISON with Mr. CUREY.

Mr. FOSTER with Mr. GREENE of Vermont (commencing Oct. 27).

Mr. FINLEY with Mr. GREEN of Iowa.
Mr. GILMORE with Mr. MCKENZIE.
Mr. GARD with Mr. DUNN.
Mr. GOEKE with Mr. LEWIS of Pennsylvania.
Mr. GOODWIN of Arkansas with Mr. PORTER.
Mr. GARNER with Mr. J. I. NOLAN.
Mr. GORDON with Mr. THOMSON of Illinois.
Mr. GARRETT of Tennessee with Mr. LANGHAM.
Mr. HAYDEN with Mr. LAFFERTY.
Mr. HELM with Mr. FRENCH.
Mr. HARRISON with Mr. GRAHAM of Pennsylvania.
Mr. HOXWORTH with Mr. ROBERTS of Nevada.
Mr. HOWARD with Mr. GRIEST.
Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 8).
Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).
Mr. HOUSTON with Mr. WILLIS.
Mr. HUGHES of Georgia with Mr. KIESS of Pennsylvania.
Mr. JACOWAY with Mr. FRENCH.
Mr. IGOE with Mr. PROUTY.
Mr. JONES with Mr. HINEBAUGH.
Mr. KITCHIN with Mr. PAYNE.
Mr. KEY of Ohio with Mr. FARR.
Mr. KONOP with Mr. MORIN.
Mr. KETTNER with Mr. SCOTT.
Mr. LEE of Georgia with Mr. KEISTER.
Mr. LEVER with Mr. MACDONALD.
Mr. LEVY with Mr. ROBERTS of Massachusetts.
Mr. LONERGAN with Mr. ROGERS.
Mr. MCCOY with Mr. TEMPLE.
Mr. MCGILLICUDDY with Mr. GUERNSEY.
Mr. MCCLELLAN with Mr. LEWIS of Pennsylvania.
Mr. MONTAGUE with Mr. VARE.
Mr. MOON with Mr. DILLON.
Mr. MORGAN of Louisiana with Mr. HULINGS.
Mr. MORRISON with Mr. HUMPHREY of Washington.
Mr. MURRAY of Massachusetts with Mr. CRAMTON.
Mr. PALMER with Mr. MOORE.
Mr. PETERSON with Mr. PLATT (commencing Oct. 13).
Mr. PHELAN with Mr. SMITH of Minnesota (Oct. 24 to Nov. 15).
Mr. POST with Mr. COPLEY.
Mr. RAINEY with Mr. MADDEN.
Mr. RUCKER with Mr. HAUGEN.
Mr. ROUSE with Mr. RUPLEY.
Mr. RICHARDSON with Mr. MARTIN.
Mr. RUBEY with Mr. TREADWAY.
Mr. SHERWOOD with Mr. SAMUEL W. SMITH.
Mr. SHERLEY with Mr. COOPER (Oct. 23 to Nov. 15).
Mr. SPARKMAN with Mr. HOWELL.
Mr. SUMNERS with Mr. ESCH.
Mr. SAUNDERS with Mr. AINEY.
Mr. SISSON with Mr. MURDOCK.
Mr. SMITH of Texas with Mr. MCLAUGHLIN.
Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.
Mr. STEPHENS of Nebraska with Mr. SLOAN.
Mr. TALBOTT of Maryland with Mr. MERRITT.
Mr. TAYLOR of Alabama with Mr. PETERS of Maine.
Mr. TEN EYCK with Mr. PATTON of Pennsylvania.
Mr. THOMAS with Mr. JOHNSON of Washington (Oct. 27 to Nov. 1, inclusive).
Mr. THOMPSON of Oklahoma with Mr. DANFORTH.
Mr. UNDERHILL with Mr. WALTERS.
Mr. WILLIAMS with Mr. BRITTEN.
Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).
Mr. WINGO with Mr. PARKER.
Mr. WEAVER with Mr. BURKE of Pennsylvania.
Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).
Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).
Mr. REED with Mr. WINSLOW (commencing Oct. 1 for remainder of extra session).
Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, except on cotton-futures amendment).
Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, and for balance of session).

Mr. MANN. Mr. Speaker, I voted "no." I am paired with the gentleman from Alabama, Mr. UNDERWOOD, and I desire to withdraw my vote and be recorded "present."

The name of Mr. MANN was called, and he answered "Present."

The result of the vote was announced as above recorded.

Accordingly (at 1 o'clock and 19 minutes p. m.), in accordance with the order heretofore made, the House adjourned until Wednesday, November 5, 1913, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HAMMOND: A bill (H. R. 9109) granting pensions to volunteer Army nurses of the Civil War and extending the disabilities to women as well as to men; to the Committee on Invalid Pensions.

By Mr. WHITACRE: A bill (H. R. 9110) for the improvement of highways with Federal assistance; to the Committee on Ways and Means.

By Mr. BRITTEN: Resolution (H. Res 299) calling upon the President to furnish the House of Representatives with a complete list of the officials of the various departments of the Government who have been absent from their posts of duty during the past four weeks that they might engage in promoting the interests of candidates for political office; to the Committee on Reform in the Civil Service.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MAGUIRE of Nebraska: A bill (H. R. 9111) granting an increase of pension to Lewis H. Latlin; to the Committee on Invalid Pensions.

By Mr. STEVENS of Minnesota: A bill (H. R. 9112) granting a pension to Theodore T. Simon; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of the officers and members of the Intra-City Civic League, protesting against the actions of the Russian Government relative to a ritual murder in the city of Kiev, Russia; to the Committee on Foreign Affairs.

By Mr. DYER: Petition of the United Confederate Veterans of Liberty, Mo., favoring erection of a monument on the Gettysburg battle field in memory of the peace reunion held there in July, 1913; to the Committee on Military Affairs.

By Mr. GOODWIN of Arkansas: Memorial from the State convention, Arkansas Division, United Confederate Veterans, for an appropriation by Congress to erect peace memorial on Gettysburg battle field; to the Committee on Military Affairs.

By Mr. REILLY of Connecticut: Petition of sundry citizens of Waterbury, Conn., relative to a Hebrew on trial in the city of Kiev, Russia, for ritual murder; to the Committee on Foreign Affairs.

By Mr. STEVENS of Minnesota: Memorial of the Minnesota Historical Society, of St. Paul, Minn., favoring an appropriation for the erection of a monument to the memory of Lieut. William S. Cox, United States Navy; to the Committee on the Library.

Also, memorial of the Second Regiment Volunteer Infantry Association, of St. Paul, Minn., protesting against the report of the commissioners of the Chickamauga-Chattanooga National Military Park Association relative to granting private parties certain lands on crest of Missionary Ridge; to the Committee on Military Affairs.

By Mr. WHITACRE: Memorial of citizens of Canton, Ohio, protesting against the actions of the Russian Government relative to a ritual murder in the city of Kiev, Russia; to the Committee on Foreign Affairs.

Also, memorial of the Business Men's Association of Canton, Ohio, favoring immediate legislation for flood protection and reclamation of this section of our country; to the Committee on Rivers and Harbors.

SENATE.

MONDAY, *November 3, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

PRESIDENT PRO TEMPORE, UNITED STATES SENATE,
Washington, November 3, 1913.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN RANDOLPH THORNTON, a Senator from the State of Louisiana, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. THORNTON thereupon took the chair as Presiding Officer, and directed that the Secretary read the Journal of the proceedings of the last legislative day.

THE JOURNAL.

The Journal of the proceedings of Thursday last was read and approved.

STREET RAILWAYS IN THE DISTRICT OF COLUMBIA (S. DOC. NO. 227).

The PRESIDING OFFICER laid before the Senate a communication from the Commissioners of the District of Columbia, in response to a resolution of the 27th ultimo, setting forth reasons why the provisions of the act of Congress approved August 2, 1894, entitled "An act to authorize the Metropolitan Railroad Co. to change its motor power," etc., have not been enforced, which was referred to the Committee on the District of Columbia and ordered to be printed.

ROCK CREEK BRIDGE (S. DOC. NO. 229).

Mr. FLETCHER. On October 27 a communication was received from the Board of Commissioners of the District of Columbia transmitting certain data which was ordered printed. There is an illustration accompanying the communication which it is desirous to have printed along with it.

I move that the order for the printing of the communication from the Board of Commissioners of the District of Columbia concerning the construction of a bridge across Rock Creek at Q Street NW. be reconsidered.

The motion to reconsider was agreed to.

Mr. FLETCHER. I move that the communication and accompanying papers and illustration be printed and referred to the Committee on the District of Columbia.

The motion was agreed to.

AGRICULTURAL EXTENSION WORK.

Mr. SMITH of Georgia. Mr. President, I have a letter from the president of the State College of Agriculture and Government Experiment Station of North Dakota discussing Senate bill 3091, which provides for extension demonstration work in the colleges of agriculture. I ask to have it embodied in the RECORD.

There being no objection, the letter was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

NORTH DAKOTA AGRICULTURAL COLLEGE AND
GOVERNMENT EXPERIMENT STATION, OFFICE OF PRESIDENT,
Agricultural College, N. Dak., October 30, 1913.

Senator HOKE SMITH, *Washington, D. C.*

DEAR SENATOR SMITH: I have examined Senate bill 3091 and have no criticisms to offer. I am of the opinion that the change from the former bill to one of direct cooperation between the Department of Agriculture and the agricultural colleges will add to the efficiency of the extension work in the several States. In other words, I am satisfied with the provisions of the bill.

As to the importance of the extension propaganda provided for in your bill there can be no question. The rural districts are entitled to the information in possession of the agricultural colleges, but without combined Federal and State aid but little enthusiasm for better farming and better living on the farms can be awakened. Moreover, agriculture is positively in need of awakening. In order to enlarge the scope of their influence, no one acquainted with rural affairs will question the importance—in fact, the necessity—of adding extension to the work of education and experimentation now and heretofore carried on by the agricultural colleges. If for no other reason, the extension division provided for is more than worth while in order to prepare the parental mind to accept the new ideas their children bring home from the college. At present home prejudice frequently chills the student's enthusiasm for improving the management of the farm, if it does not actually prohibit the introduction of modern ideas.

From a financial viewpoint the matter can be presented even in stronger form. Improved agricultural methods that will add 1 per cent to the productiveness of the farms of the country will add approximately $100,000,000 annually to the national income. When we consider that Germany, Belgium, England, etc., produce from 30 to 50 per cent better crop yields than the average in the United States, the increase of our own yields by means of college extension education to considerably above 1 per cent will be as probable as it will soon be necessary. Under any circumstances the farmers of this country are entitled to even more aid than your bill proposes to give them.

It will be a sad day when agriculture declines in this country. Not a single chance, therefore, should be taken.

With approximately $330,000,000 appropriated annually for the Army and Navy and only $17,233,000 for agriculture, it does not seem fair to the country's most important industry. Millions of farmers are beginning to think so.

Agriculture contributes approximately $10,000,000,000 annually to the national wealth, and can easily be made to contribute each year several billions more. Moreover, agriculture must be made a preferred vocation; that is, more profitable, more desirable. On the other hand, the benefits conferred by the Army and Navy are more or less problematical. The country needs protection in matters of food and clothing quite as much as possible protection against foreign aggression.

The husbandmen of this Nation are its surest safeguard against anarchy or discontent. They produce the wealth that makes our country prosperous without sharing to any great extent its luxuries or political honors. Congress, therefore, can well afford to appropriate $3,000,000 annually to help build up a more profitable as well as more desirable agriculture. It can not afford to ignore the importance of agricultural college extension work.

Respectfully,

J. H. WORST.

FLORIDA INTRACOASTAL WATERWAY.

Mr. FLETCHER. I present a resolution in the nature of a petition, adopted by the trustees of the internal improvement fund of the State of Florida, which I ask may be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

TRUSTEES OF THE INTERNAL IMPROVEMENT FUND
OF THE STATE OF FLORIDA,
Tallahassee, October 30, 1913.

Hon. D. U. FLETCHER,
United States Senate, Washington, D. C.

DEAR SIR: At the direction of the trustees of the internal improvement fund I hand you herewith copy of resolution adopted by them on the 29th of September, 1913, with request that you give same your careful attention and do all you can to bring about the conditions therein set forth and desired.

Yours, truly,

J. STUART LEWIS, *Secretary.*

On September 29, 1913, the following resolution was adopted by the trustees of the internal improvement fund of the State of Florida, and the same was ordered spread upon the minutes. It was further ordered that a copy of said resolution be transmitted to each Senator and Representative of the State of Florida in the Congress of the United States, and that copies also be sent to the several newspapers, boards of trade, and other organizations in the State, requesting that they lend their aid and influence in assisting in obtaining the proper and adequate beaconing of the entire intracoastal waterway by the United States Government, as set forth in the resolution:

"Whereas through the appropriation of a large amount of land by the State of Florida a canal has been constructed, known as the Florida Coast Line Canal, connecting and supplementing the natural channels along the Atlantic seaboard and forming a continuous intracoastal waterway from Jacksonville to Miami; and

"Whereas large sums of money are now being expended, under the direction of the State, for improving the navigability of said waterway; and

"Whereas the convenience and safety of navigating the said waterway depends greatly upon the proper marking of the channel thereof by beacons; and

"Whereas beacons are needed for marking the channel of said waterway both over that portion under control and jurisdiction of the United States Government through its War Department and also over the portion controlled by the State; Therefore be it

"*Resolved*, That the Senators and Representatives of the State of Florida in Congress be requested to petition the War Department of the United States to place in and along the said intracoastal waterway such beacons as will properly and adequately mark the channel thereof, both through the natural channels under control of the United States Government and also through the canal constructed under the direction and control of the State of Florida."

PARK TRAMMELL,
Governor, Chairman of the Board.

Attest:

J. STUART LEWIS, *Secretary.*

REPORTS OF A COMMITTEE.

Mr. WILLIAMS, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 156, limiting expenditures for telegrams sent or received by Senators, reported it without amendment and submitted a report (No. 124) thereon.

He also, from the same committee, to which was referred Senate resolution 197, authorizing the Secretary of the Senate to pay, out of the contingent fund of the Senate, to Thomas B. Stallings the sum of $2,220 per annum and to Richard M. Nelson the sum of $1,200 per annum as clerk and messenger, respectively, to the Committee on Expenditures in the Post Office Department, reported it with amendments.

CASSIUS E. GILLETTE.

Mr. SMITH of Georgia. Mr. President, on April 12 I introduced a bill (S. 739) to restore Capt. Cassius E. Gillette to the Army and to authorize the President to appoint him to the position of lieutenant colonel in the Corps of Engineers, which would have been his position had he not resigned. The bill was referred to the Committee on Military Affairs. I desire to ask that the Committee on Military Affairs be discharged from the further consideration of the bill, so that I may have the opportunity of following the request by asking the further privilege to withdraw the bill. I will make the requests at this time. I move that the Committee on Military Affairs be discharged from the further consideration of the bill.

The motion was agreed to.

Mr. SMITH of Georgia. I now ask that I may be permitted to withdraw the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Georgia? The Chair hears none, and the request is granted.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BURTON:

A bill (S. 3383) granting an increase of pension to Joseph E. Flynn; to the Committee on Pensions.

By Mr. SMITH of Georgia:

A bill (S. 3384) authorizing and directing the Secretary of Agriculture to conduct experiments in the cultivation of apple trees and apples and to improve the same in north Georgia, east Tennessee, and western North Carolina; and

A bill (S. 3385) authorizing and directing the Secretary of Agriculture to conduct experiments in the cultivation of sea-island cotton for the purpose of improving the seed, the staple, and the production of the same in Georgia, Florida, and South Carolina; to the Committee on Agriculture and Forestry.

By Mr. LANE:

A bill (S. 3386) granting to various States public lands for the construction, repair, and maintenance of public roads; to the Committee on Public Lands.

By Mr. BRISTOW:

A bill (S. 3387) granting a pension to Bernhart Levyson (with accompanying papers); to the Committee on Pensions.

By Mr. STERLING:

A bill (S. 3388) granting a pension to Anna F. Quinn; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 3389) to provide for the purchase of a site and for the erection of a public building thereon at Klamath Falls, Oreg.; to the Committee on Public Buildings and Grounds.

A bill (S. 3390) to place the name of Col. Milton Weidler upon the unlimited retired list of the Army; to the Committee on Military Affairs.

By Mr. PAGE:

A bill (S. 3391) waiving the age limit for the appointment as assistant paymaster in the United States Navy in the case of former Paymaster's Clerk Harry H. Reynolds, United States Navy; to the Committee on Naval Affairs.

By Mr. O'GORMAN:

A bill (S. 3393) granting a pension to Seymour McDonough; and

A bill (S. 3394) granting a pension to Melville A. Hays; to the Committee on Pensions.

TRADE IN BICHLORIDE OF MERCURY.

Mr. ASHURST. I introduce a bill and ask that it be printed in the RECORD and referred to the Committee on the Judiciary.

The bill (S. 3392) regulating the importation, exportation, or carriage in interstate commerce of bichloride of mercury was read twice by its title and referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That it shall be unlawful for any person, firm, corporation, or association to import or export, or cause to be imported into or exported from the United States for the purpose of selling or disposing of the same, or to deposit or cause to be deposited in the United States mails for transmission thereby, or to deliver or cause to be delivered to any common carrier for transportation from one State, Territory, or possession of the United States or the District of Columbia to any other State, Territory, or possession of the United States or to said District in interstate commerce, or to transport or cause to be transported from one State, Territory, or possession of the United States or from the District of Columbia to any other State, Territory, or possession of the United States or to said District in interstate commerce, any substance or poisonous compound known as bichloride of mercury unless said substance or compound be in the form of cubes and colored green, so as to be readily distinguishable from nonpoisonous tablets of similar appearance in common use.

SEC. 2. That each and every person, firm, corporation, or association who or which shall knowingly violate any of the provisions of this act, and every officer, manager, director, or managing agent of any such corporation or association having knowledge of such violation and directly participating in such violation or consenting thereto, shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court of the United States having jurisdiction of crimes within the district in which such violation was committed or through which has been conducted the transportation of the article in respect to which such violation has been committed shall be punished by a fine of not more than $500 or imprisonment for not more than six months, or both, at the discretion of the court. Whenever the offense is begun in one jurisdiction and completed in another it may be dealt with, inquired of, tried, determined, and punished in either jurisdiction in the same manner as if the offense had been actually and wholly committed therein.

SEC. 3. This act shall take effect on the 1st day of January, 1914.

WITHDRAWAL OF PAPERS—ANTHONY FISHER.

On motion of Mr. STONE, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers in the case of Senate bill 3500, Sixty-first Congress, to correct the military record of Anthony Fisher, there having been no adverse report thereon.

CENTRAL HIGH-SCHOOL BUILDING.

Mr. LANE. I submit a resolution, and ask unanimous consent for its consideration at this time.

The resolution (S. Res. 207) was read, as follows:

Resolved, That the Board of Commissioners of the District of Columbia be requested to report to the Senate whether, in its judgment, it is advisable to expend an available appropriation of $1,200,000 in the erection of a central high school at the corner of Eleventh and Clifton Streets NW., as authorized by the Sixty-second Congress, on recommendation of the former board of commissioners, or whether this appropriation should be divided and applied to the erection of two or more high schools, one of which shall be located in the eastern section or in the southwest section of the city.

Further, that the board be requested to furnish the Senate information in reply to the following questions:

Is the site at the corner of Eleventh and Clifton Streets centrally located as regards the population?

What is the high-school population of the various sections of the city of Washington?

What is the location of existing high schools and normal schools in the city of Washington?

What is the status of the present central high-school project?

Did the original central high school estimates call for an appropriation of only $700,000 for a building to accommodate 1,600 pupils; and if so, why was the estimate increased?

In the opinion of the present board of commissioners, are the present high-school facilities inadequate, and in what respects?

Is a large centralized high school preferable to smaller and widely distributed high schools?

If the information is readily available, give a complete inventory of school property in the four sections of the city, showing the number of public, manual-training, high, and normal schools, their valuation, and the combined area of ground occupied for school purposes in each section of the city.

The PRESIDING OFFICER. The Senator from Oregon asks unanimous consent for the present consideration of the resolution. Is there objection?

Mr. SMOOT. Mr. President, I should like to have the Secretary again read the first part of the resolution. I did not catch it.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

Resolved, That the Board of Commissioners of the District of Columbia be requested to report to the Senate whether, in its judgment, it is advisable to expend an available appropriation of $1,200,000 in the erection of a central high school at the corner of Eleventh and Clifton Streets NW., as authorized by the Sixty-second Congress.

Mr. SMOOT. I desire to ask the Senator from Oregon if there is an available appropriation of $1,200,000?

Mr. LANE. I am informed that there is.

Mr. SMOOT. I thought I remembered an appropriation of that amount, but does not the law specifically state where it shall be spent and for what purpose?

Mr. LANE. It does.

Mr. SMOOT. Then what is the object of the resolution which the Senator offers?

Mr. LANE. The object is to find out why that amount should be appropriated to be spent for that purpose in that particular place, it not being the geographical center of the city, nor yet the center of population of the city, and being a location which many students can not reach without paying double fare on some car lines. That is one thing. Then some of the students will be obliged to come in around the Soldiers' Home property. That is another consideration. The location is off to one side, far from the center of population of the city, while at the same time there are hundreds and hundreds of other children who live in the southeast section of the city who will not have access to that school except at great expense to them. The appropriation which was asked for by the commissioners, in the first place, was but $700,000, whereas Congress gave them $1,200,000. Were the money divided up it would fill the requirements of two different and separate communities, which are geographically separate.

Mr. SMOOT. The Senator, then, has in mind taking some action after the report is made, if it is favorable to his contention, to have the law changed or repealed in some way so that the appropriation may be divided?

Mr. LANE. My object is to find out what facts the Commissioners of the District have, they being more familiar with the matter than we are, showing why it would be better to spend the money in this way than it would be for us to divide it up and spend it for the benefit of the people all over the city. If it would not be better to divide it, we could leave it as it is; but I desire to ascertain the facts.

Mr. SMOOT. I remember very well when the appropriation was made for this school, and I remember the school authorities appearing before the committee and giving their reasons in support of it. I do not know whether or not the hearings were published, but, as the resolution only calls for information, at any rate, I am not going to object to it. consideration.

Mr. LANE. I thank the Senator.

The resolution was considered by unanimous consent and agreed to.

ADDRESS BY PRESIDENT WILSON (S. DOC. NO. 224).

Mr. FLETCHER. I desire to have printed in the RECORD and as a public document the address of the President delivered on the occasion of the fifth annual convention of the Southern Commercial Congress at Mobile, Ala., on the 27th of October, which I regard as a world message.

I therefore offer the following resolution and ask unanimous consent for its present consideration.

The resolution (S. Res. 206) was read, as follows:

Resolved, That the address of President Wilson before the Southern Commercial Congress at Mobile, Ala., on October 27, 1913, be printed in the CONGRESSIONAL RECORD and as a Senate document, and that 25,000 additional copies of the document be printed for the use of the Senate document room.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. SMOOT. I should like to ask the Senator from Florida if he has an estimate as to the cost of printing 25,000 additional copies?

Mr. FLETCHER. I have an estimate. The estimate is noted at the end of the resolution.

Mr. SMOOT. It comes within the limit?

Mr. FLETCHER. Yes; the cost will be about $68, I think.

Mr. SMOOT. I have no objection, Mr. President.

The resolution was considered by unanimous consent and agreed to.

The address is as follows:

ADDRESS OF PRESIDENT WOODROW WILSON AT MOBILE, ALA.

"Your Excellency, Mr. Chairman, it is with unaffected pleasure that I find myself here to-day. I once before had the pleasure, in another southern city, of addressing the Southern Commercial Congress. I then spoke of what the future seemed to hold in store for this region, which so many of us love and toward the future of which we all look forward with so much confidence and hope. But another theme directed me here this time. I do not need to speak of the South. She has, perhaps, acquired the gift of speaking for herself. I come because I want to speak of our present and prospective relations with our neighbors to the south. I deemed it a public duty, as well as a personal pleasure, to be here to express for myself and for the Government I represent the welcome we all feel to those who represent the Latin American States.

"The future, ladies and gentlemen, is going to be very different for this hemisphere from the past. These States lying to the south of us, which have always been our neighbors, will now be drawn closer to us by innumerable ties, and, I hope, chief of all, by the tie of a common understanding of each other. Interest does not tie nations together; it sometimes separates them. But sympathy and understanding does unite them, and I believe that by the new route that is just about to be opened, while we physically cut two continents asunder, we spiritually unite them. It is a spiritual union which we seek.

"I wonder if you realize, I wonder if your imaginations have been filled with the significance of the tides of commerce. Your governor alluded in very fit and striking terms to the voyage of Columbus, but Columbus took his voyage under compulsion of circumstances. Constantinople had been captured by the Turks and all the routes of trade with the East had been suddenly closed. If there was not a way across the Atlantic to open those routes again, they were closed forever, and Columbus set out not to discover America, for he did not know that it existed, but to discover the eastern shores of Asia. He set sail for Cathay and stumbled upon America. With that change in the outlook of the world, what happened? England, that had been at the back of Europe with an unknown sea behind her, found that all things had turned as if upon a pivot and she was at the front of Europe; and since then all the tides of energy and enterprise that have issued out of Europe have seemed to be turned westward across the Atlantic. But you will notice that they have turned westward chiefly north of the Equator and that it is the northern half of the globe that has seemed to be filled with the media of intercourse and of sympathy and of common understanding.

"Do you not see now what is about to happen? These great tides which have been running along parallels of latitude will now swing southward athwart parallels of latitude, and that opening gate at the Isthmus of Panama will open the world to a commerce that she has not known before, a commerce of intelligence, of thought and sympathy between North and South. The Latin American States, which, to their disadvantage, have been off the main lines, will now be on the main lines. I feel that these gentlemen honoring us with their presence to-day will presently find that some part, at any rate, of the center of gravity of the world has shifted. Do you realize that New York, for example, will be nearer the western coast of South America than she is now to the eastern coast of South America? Do you realize that a line drawn northward parallel with the greater part of the western coast of South America will run only about 150 miles west of New York? The great bulk of South America, if you will look at your globes (not at your Mercator's projection), lies eastward of the continent of North America. You will realize that when you realize that the canal will run southeast, not southwest, and that when you get into the Pacific you will be farther east than you were when you left the Gulf of Mexico. These things are significant, therefore, of this, that we are closing one chapter in the history of the world and are opening another of great, unimaginable significance.

"There is one peculiarity about the history of the Latin American States which I am sure they are keenly aware of. You hear of 'concessions' to foreign capitalists in Latin America. You do not hear of concessions to foreign capitalists in the United States. They are not granted concessions. They are invited to make investments. The work is ours, though they are welcome to invest in it. We do not ask them to supply the capital and do the work. It is an invitation, not a privilege; and States that are obliged, because their territory does not lie within the main field of modern enterprise and action, to grant concessions are in this condition, that foreign interests are apt to dominate their domestic affairs, a condition of affairs always dangerous and apt to become intolerable. What these States are going to see, therefore, is an emancipation from the subordination, which has been inevitable, to foreign enterprise and an assertion of the splendid character which, in spite of these difficulties, they have again and again been able to demonstrate. The dignity, the courage, the self-possession, the self-respect of the Latin American States, their achievements in the face of all these adverse circumstances, deserve nothing but the admiration and applause of the world. They have had harder bargains driven with them in the matter of loans than any other peoples in the world. Interest has been exacted of them that was not exacted of anybody else, because the risk was said to be greater; and then securities were taken that destroyed the risk—an admirable arrangement for those who were forcing the terms! I rejoice in nothing so much as in the prospect that they will now be emancipated from these conditions, and we ought to be the first to take part in assisting in that emancipation. I think some of these gentlemen have already had occasion to bear witness that the Department of State in recent months has tried to serve them in that wise. In the future they will draw closer and closer to us because of circumstances of which I wish to speak with moderation and, I hope, without indiscretion.

"We must prove ourselves their friends and champions upon terms of equality and honor. You can not be friends upon any other terms than upon the terms of equality. You can not be friends at all except upon the terms of honor. We must show ourselves friends by comprehending their interest whether it squares with our own interest or not. It is a very perilous thing to determine the foreign policy of a nation in the terms of material interest. It not only is unfair to those with whom you are dealing, but it is degrading as regards your own actions.

"Comprehension must be the soil in which shall grow all the fruits of friendship, and there is a reason and a compulsion lying behind all this which is dearer than anything else to the thoughtful men of America. I mean the development of constitutional liberty in the world. Human rights, national integrity, and opportunity as against material interests—that, ladies and gentlemen, is the issue which we now have to face. I want to take this occasion to say that the United States will never again seek one additional foot of territory by conquest. She will devote herself to showing that she knows how to make honorable and fruitful use of the territory she has, and she must regard it as one of the duties of friendship to see that from no quarter are material interests made superior to human liberty and national opportunity. I say this, not with a single thought that anyone will gainsay it, but merely to fix in our consciousness what our real relationship with the rest of America is. It is the relationship of a family of mankind devoted to the development of true constitutional liberty. We know that that is the soil out of which the best enterprise springs. We know that this is a cause which we are making in common with our neighbors, because we have had to make it for ourselves.

"Reference has been made here to-day to some of the national problems which confront us as a Nation. What is at the heart of all our national problems? It is that we have seen the hand of material interest sometimes about to close upon our dearest rights and possessions. We have seen material interests threaten constitutional freedom in the United States. Therefore we will now know how to sympathize with those in the rest of America who have to contend with such powers, not only within their borders but from outside their borders also

"I know what the response of the thought and heart of America will be to the program I have outlined, because America was created to realize a program like that. This is not America because it is rich. This is not America because it has set up for a great population great opportunities of material prosperity. America is a name which sounds in the ears of men everywhere as a synonym with individual opportunity because a synonym of individual liberty. I would rather belong to a poor nation that was free than to a rich nation that had ceased to be in love with liberty. But we shall not be poor if we love liberty, because the nation that loves liberty truly sets every

man free to do his best and be his best, and that means the release of all the splendid energies of a great people who think for themselves. A nation of employees can not be free any more than a nation of employers can be.

"In emphasizing the points which must unite us in sympathy and in spiritual interest with the Latin American peoples we are only emphasizing the points of our own life, and we should prove ourselves untrue to our own traditions if we proved ourselves untrue friends to them. Do not think, therefore, gentlemen, that the questions of the day are mere questions of policy and diplomacy. They are shot through with the principles of life. We dare not turn from the principle that morality and not expediency is the thing that must guide us and that we will never condone iniquity because it is most convenient to do so. It seems to me that this is a day of infinite hope, of confidence in a future greater than the past has been, for I am fain to believe that in spite of all the things that we wish to correct the nineteenth century that now lies behind us has brought us a long stage toward the time when, slowly ascending the tedious climb that leads to the final uplands, we shall get our ultimate view of the duties of mankind. We have breasted a considerable part of that climb and shall presently—it may be in a generation or two—come out upon those great heights where there shines unobstructed the light of the justice of God."

CONSERVATION OF RAINFALL (S. DOC. NO. 228).

Mr. CLAPP. Mr. President, some time ago the Department of Agriculture made an examination of the work on the farm of Col. Freeman Thorp, where he has developed a certain system, especially of conservation of rainfall. The department has prepared an abstract of its report. I presume it can be presented in the nature of a memorial. At least I ask at this time that it be printed as a Senate document.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota?

Mr. FLETCHER. I did not quite understand what the paper is.

Mr. CLAPP. It is a revised report of the officer who made the examination of this farm. Col. Thorp has established a farm where he is developing along certain lines of agriculture, and especially the conservation of rainfall. It is not a part of the official report that is to be printed by the department, but it is a matter of important information, and it is very brief, and it has the quasi indorsement of the department. So I ask that it may be printed.

Mr. SMOOT. I will say to the Senator from Florida that it is not a departmental document.

Mr. CLAPP. Oh, no.

Mr. SMOOT. It is simply a report made by one of the officers of the department.

Mr. CLAPP. If it was a departmental document, of course I should expect the department to publish it.

The PRESIDING OFFICER. Without objection, the request of the Senator from Minnesota will be complied with.

ADDRESS BY HON. FRANK B. BRANDEGEE (S. DOC. NO. 231).

Mr. BURTON. Mr. President, I ask unanimous consent to have printed as a public document an address on the life, character, and public services of William McKinley by Senator BRANDEGEE, of this body.

Mr. SMOOT. It is an address delivered outside of the Senate?

Mr. BURTON. Yes.

Mr. SMOOT. If it had been delivered here I would have to object to it.

The PRESIDING OFFICER. The title will be stated.

The SECRETARY. An address delivered before the McKinley Association of Connecticut, at New Haven, January 29, 1904.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Ohio? The Chair hears none, and it is so ordered.

SAN FRANCISCO WATER SUPPLY.

Mr. WILLIAMS. I hold in my hand, and ask to have inserted in the RECORD, copy of a letter signed by Mr. Gifford Pinchot, late Forester, and for some time Forester in the Agricultural Department, written to Dr. Frederic Perry Noble, of the Spokesman Review, of Spokane, Wash., upon the Hetch Hetchy question. Mr. Gifford Pinchot is the chief and head of the conservationists of the country, and in this letter he expresses himself so clearly and strongly in favor of giving San Francisco the privilege of getting water from the Hetch Hetchy, that I thought, for the information of Senators, it would be well to have it in the RECORD.

The PRESIDING OFFICER. Without objection, the letter will be printed in the RECORD.

The letter referred to is as follows:

SEPTEMBER 18, 1913.

Dr. FREDERIC PERRY NOBLE,
The Spokesman Review, Spokane, Wash.

MY DEAR SIR: As to my attitude regarding the proposed use of Hetch Hetchy by the city of San Francisco, first, I am fully persuaded that there is no other comparable source of supply available at anything like a reasonable cost to the cities around San Francisco Bay.

Second, That the supply of surface water furnished by the Spring Valley Water Co. is adequate neither in quality nor in quantity.

Third, That the injury to Hetch Hetchy by substituting a lake for the present swampy floor of the valley, all due allowances being made for whatever reduction in the height of the walls there may be, is altogether unimportant compared with the benefits to be derived from its use as a reservoir.

Fourth, That the sanitary regulations included in the bill absolutely dispose of the plea, untenable at all times, that what San Francisco is asking for is control of half of the Yosemite Park instead of merely the Hetch Hetchy Reservoir.

Fifth, That much of the opposition has its root in the unwillingness of water power and transportation interests in and around San Francisco to see the city get possession of the large power it will develop if the grant goes through.

Sixth, That the public welfare will be immensely better served by the joint use of Hetch Hetchy for beauty and for utility than by depriving the future millions around San Francisco Bay of the use of the valley—a use which will not destroy its beauty—rather than by keeping it untouched for the benefit of the very small number of comparatively well to do, to whom it will be accessible.

When the facts are understood as they are, the thing seems to me to be clear beyond the possibility of argument. To put it baldly, the intermittent esthetic enjoyment of less than 1 per cent is being balanced against the daily comfort and welfare of 99 per cent. For that reason, from the beginning I have been in favor of the Tuolumne water supply for the city of San Francisco.

Sincerely, yours, GIFFORD PINCHOT.

MARTIAL LAW IN WEST VIRGINIA (S. DOC. NO. 230).

Mr. CHILTON. I ask unanimous consent to have printed as a public document an address by Hon. W. G. Mathews, president of the State Bar Association of West Virginia, upon the recent strike situation and the trials by a military commission in the State of West Virginia. I make this request because the matter is now before a committee of the Senate, and the conclusions to which Mr. Mathews came are interesting, and the investigation which he made of the subject is quite elaborate.

The address will make a document of about 24 or 30 pages. I have had an estimate made of the cost, which I find will not exceed $50. I have conferred with other members of the committee and had the estimate made this morning.

I ask unanimous consent to have the address printed as a public document.

The PRESIDING OFFICER. The Senator from West Virginia asks unanimous consent to have printed as a public document the matter to which he refers. Is there objection? The Chair hears none, and it is so ordered.

AFFAIRS IN MEXICO.

Mr. BRISTOW. Mr. President, I received a letter yesterday from an acquaintance of mine—a friend, I will say—who has been a resident of Mexico for a long time. I have known this gentleman for 30 years and more, and he is a man of fine intelligence and of the highest character. This letter contains some very valuable suggestions, it seems to me, and I desire to read an extract from it to the Senate:

I am just from the interior of Mexico and am very much alarmed at this talk of intervention on the part of our Government in the affairs of that country. The main question seems to be to dispose of Huerta. Why do we not allow the people of Mexico to dispose of him? They would have done it a long time ago if we had kept our hands off, and they have very nearly done so anyway, in spite of the handicap of our so-called neutrality which has kept thousands of soldiers on their border, preventing those who are fighting for the liberty of their country from importing arms and ammunition.

No American soldier should be sent across the border unless it is for the purpose of the United States Government to add Mexico to our national domain. This might be a great idea, but it would be conquest. Then, what of the moral side of the question? Are not the people of Mexico entitled to even a trial at self-government?

The constitutionalists have practically whipped the Huerta government and are in actual control of the greater part of Mexico and are gaining strength every day, while the Huerta government is failing. They should be allowed at least a fair chance to carry out the principles for which they have fought.

It may be claimed that intervention on our part simply meant establishing stable government and then withdrawing, but, in my opinion, that would be impossible. I want to impress upon you that armed intervention means conquest, and that in this instance it will ultimately mean the conquest of all Mexico. When our soldiers cross the Mexican border all the refugees from Mexico who are now in this country will return to their homes, and hundreds of thousands of soldiers of fortune, adventurers, investors, home seekers, and all classes will rush in, as they would have a legal right to do, and in the future they will demand protection from our Government, and no manifesto from our Secretary of State will get them out again. There will be the graves of thousands of our soldiers there, and also the expenditure of hundreds of millions of our money in establishing our dominion, and with such sacrifice our people will believe that they have rights in that country that are equal to those of the Mexicans themselves. Under such circumstances you know that it will be impossible for us to withdraw. It is an entirely different situation from that of Cuba or the Philippines.

What was the result of our war with Mexico in 1846? Conquest and additional territory. I want to predict to you that if we intervene in Mexico, which simply means going to war without reason or provocation with our poor struggling neighbor, it will simply be a war of conquest that will cost us thousands of lives and hundreds of millions of money, and will destroy a nation that has done us no wrong. Why should the crimes of one man or set of men lead us to ruin a nation of innocent people? Let the contending elements in Mexico have a fair chance to fight out their own controversies without interference from the United States or any other country.

When I read this letter last night it seemed to me so clear, so concise, so strong, and so pertinent that I thought it would be of value to the American Congress and to the administration to have it made public.

I stated in a few remarks that I made to the Senate some weeks since that if we would let the Mexican people, both sides of this controversy, have an equal chance to equip themselves to settle this dispute, which can only be settled by the arbitrament of arms, they would settle it as they have a right to settle it, without interference from us or from any other country.

I want to say now, while this subject is being more or less discussed, that we have not been charged with the responsibility of the government of the Mexican nation, and we have no right to interfere in the controversy that is going on there now, except to treat both elements with due and proper consideration; and in my humble opinion that ought to be done without inviting any European nation to come in and interfere or aid us in any way to impose our will upon the will of that independent people.

Mr. BACON. Mr. President, I do not want to discuss this matter now, but I wish simply to say this in regard to the letter read by the Senator from Kansas [Mr. BRISTOW]: Of course, it relates to a subject which is uppermost now in the minds of the American people, as well as one which is engaging the attention of people in Europe, and the expression of views given by the writer of the letter is only one of hundreds of other similar expressions. Naturally, persons who go to Mexico and who make observations there are impressed with the conditions and are inclined to give and are pressed to give expression to them; and we have such expressions daily. We have had every day some of our citizens who have been to Mexico come to Washington, who give us the benefit of their observations and of their views. I suppose that very few days pass that some letters similar to the one just read by the Senator from Kansas are not received, some of them expressing one view, others expressing conflicting views. If I were to read to the Senate all of the letters which come to me on that subject, some favoring one method of procedure, others favoring diverse methods, we would very much enlarge the volume of the CONGRESSIONAL RECORD.

The views presented by the writer of this letter are certainly entitled to the very gravest consideration, and with some of them I myself personally sympathize. I think, however, that nothing is further—possibly I should now say this much—from the thought of the people of the United States or of the officials of the United States, speaking generally, than the conquest of Mexico or the acquisition of any part of Mexico.

The problem is a very grave one; this is not the time, possibly, for its discussion; but I apprehend the time is not far distant when we may have to discuss it, as rapidly moving developments will doubtless necessitate this. I say now only what I do in order that it may not appear by silence that what is assumed by the writer of this letter as the purpose of the Government is acquiesced in. If any action is taken by this Government, I am sure it will have no other motive than the highest one, to conserve and promote the interests of the people of Mexico, and also to protect the interest that the American people and the interest that the people of all nations have in the maintenance of order and peace and good government in Mexico.

I do not think, Mr. President, that I transgress what is proper to say upon this occasion in giving the assurance that the matter is having the most careful and conscientious consideration and that I feel very confident that what will be done will in the end meet with the approval of Congress and of the American people. I think it perfectly natural, of course, that there should be restiveness at the present time; but I want to add that those who entertain that restiveness, while it is natural, must reflect that the subject in hand is an extremely grave one; it is fraught with consequences of the most far-reaching and vital character, and we should not be precipitate in our judgment or too urgent as to action. I trust, Mr. President, that that assurance and that caution at this time may be deemed sufficient.

Mr. BRISTOW. Mr. President, I desire to say to the Senator from Georgia that I take it he did not hear the remarks I made before I read the letter. Of course, I receive letters probably every day—I know I receive a great many—in regard to Mexico; but having known this gentleman for 30 years, and knowing him to be a man of the highest character, an educated gentleman, a man worthy in every respect, a man in whose judgment I have the highest confidence, a man capable of occupying a seat in this body or a seat in the House of Representatives, I felt that his observations were worthy of a place in the CONGRESSIONAL RECORD.

Mr. SMITH of Arizona. Mr. President, I will say to the Senator from Kansas that I have had letters from men personally known to me of just the type he mentions, who have long resided in Mexico, and there is a vast diversity of opinion among those men, men of character equal to the one whose letter the Senator has read. Their views are as widely different as to the course that should be pursued in Mexico as are the views one can find here at home.

The PRESIDING OFFICER. The Chair desires to ask the Senator from Kansas whether he made any request in connection with the presentation of the letter?

Mr. BRISTOW. No; I simply read the letter into the RECORD; that was all.

NATURAL-GAS PIPE LINES.

Mr. CUMMINS. From the Committee on the Judiciary, I report favorably with an amendment Senate bill 3345. I have not had the time to write out the substitute that is proposed, although it is indicated on the bill. I present the report because I know that the Senator from Missouri [Mr. REED] desires to have the bill brought to the attention of the Senate.

Mr. REED. Mr. President, I ask unanimous consent for the present consideration of the bill.

I will say to the Senate that at the present time pipe lines for carrying oil are made common carriers and are placed under the jurisdiction of the Interstate Commerce Commission. This bill simply adds the pipe lines carrying gas, and does not otherwise change or affect the law. It makes pipe lines carrying gas from one State to another common carriers and places them under the jurisdiction of the Interstate Commerce Commission.

The reason I ask the Senate to give this matter immediate consideration is that there is a real emergency. The cities of my part of the country are confronted with a condition of great hardship, which can be relieved by this bill. The city of Kansas City—and I speak of both Kansas City, Kans., and Kansas City, Mo.—with a population of approximately 400,000; the city of St. Joseph, with a population of 125,000; the city of Topeka, with a population of approximately 35,000 or 40,000; the cities of Joplin, Webb City, and Carthage, with an aggregate population of approximately 40,000, are all supplied with natural gas, which is piped from the gas fields of Oklahoma and Kansas. The pipe lines are owned by the Kansas Natural Gas Co. There is an abundant supply of gas furnished during those months of the year when the temperature is not low; but experience has shown that in the months of the year when we have cold weather the company which owns this line, and which also owns a large supply of gas, does not furnish sufficient gas, so that in the homes of all of these cities there is a shortage, with great suffering and great inconvenience as a result.

An investigation has demonstrated that there is an abundance of natural gas in the fields of Kansas and Oklahoma not owned by this pipe-line company, and that it can not be marketed, because the pipe-line company will not receive it and transport it. At the same time it is impossible for the owners of this gas to build independent pipe lines, because the pipe-line company which now transports the gas owns or controls either by contract or otherwise, the distributing plants of the various cities to which I have referred.

The sole purpose of this bill is to compel the pipe-line company in the winter months, when it declares it does not have enough gas, to transport gas which may be purchased by these cities and put into its pipes, a proper compensation, of course, to be paid, under the rules of the Interstate Commerce Commission. The law already applies to oil, and there is no reason why it should not apply to gas.

Therefore, with this short explanation, and without going further into the argument, I ask unanimous consent for the present consideration of the bill.

The PRESIDING OFFICER. The Senator from Missouri asks unanimous consent for the present consideration of the bill the title of which will be stated.

The SECRETARY. A bill (S. 3345) to amend an act entitled "An act to amend an act entitled 'An act to regulate commerce,'

approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission," approved June 29, 1906, the said act being chapter 3591 of the United States Statutes at Large, Fifty-ninth Congress, volume 34.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and to insert the following:

That section 7 of an act entitled "An act to create a Commerce Court and to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, as heretofore amended, and for other purposes," approved June 18, 1910, be, and the same is hereby, amended as follows:

After the words "transportation of oil," in the third line of the first paragraph of section 1 of said act, insert the words "natural gas"; and in the fourth and fifth lines of the first paragraph of section 1 of said act strike out the words "and except natural or artificial gas."

The PRESIDING OFFICER. Is there any objection to the amendment? If not, it will be agreed to. The amendment is agreed to.

Mr. SMOOT. I wish to ask the Senator——

Mr. OWEN. I do not wish the amendment to pass as accepted.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Oklahoma?

Mr. SMOOT. I was going to ask the Senator from Missouri a question. It will take only a minute.

Mr. OWEN. I call the attention of the Senator from Utah to the comment of the Chair that without objection the amendment would be agreed to. The Senator from Oklahoma objects.

The PRESIDING OFFICER. All in favor of the amendment will signify it by saying "aye." [Putting the question.] By the sound the ayes have it.

Mr. OWEN. I call for a division, and I wish to discuss the matter.

Mr. REED. Mr. President, I have not the slightest objection to the Senator fully discussing the bill. I did not think he would oppose it, and certainly I do not want to cut off the fullest discussion. I had no idea the Senator had any interest that called his especial attention to the matter. Of course it is possible that he has.

Mr. OWEN. I have a very great interest. I should like to have read again the amendment which is proposed in lieu of this measure.

The PRESIDING OFFICER. The Secretary will again read the amendment.

The Secretary again read the amendment.

Mr. OWEN. I should be pleased to have the Senator from Missouri explain the exact significance of the proposed amendment.

Mr. REED. The bill as prepared sought to amend the original act. After the bill came to the committee it was discovered by the Senator from Iowa [Mr. CUMMINS] that the original act had been amended, and therefore this amendment was made to apply to the amended act. That is the reason it comes here in the form of an amendment.

The act, which is found in volume 36, Sixty-first Congress, Public Laws, reads as follows:

That the provisions of this act shall apply to any corporation or any person or persons engaged in the transportation of oil or other commodity except water and except natural or artificial gas by means of pipe lines, or partly by pipe lines and partly by railroad, or partly by pipe lines and partly by water, and to telegraph, telephone, and cable companies—

And so forth.

All this bill does is to strike out from the law as it now stands in one place the words "except natural or artificial gas," and to insert in another place the words "natural gas," so that the section would read, if amended:

That the provisions of this act shall apply to any corporation or any person or persons engaged in the transportation of oil, natural gas, or other commodity.

Mr. OWEN. The Senator from Oklahoma will withdraw his objection.

The PRESIDING OFFICER. The amendment is agreed to.

Mr. SMOOT. I should like to ask the Senator from Missouri a question. Why strike out "artificial," referring to gas?

Mr. REED. Artificial gas?

Mr. SMOOT. Yes. The way it stands now is that it shall apply to the transportation of oil, natural gas, or other commodity.

Mr. REED. Yes.

Mr. SMOOT. The proposed amendment reads: "and except natural or artificial gas." Why should it not apply to artificial as well as to natural gas?

Mr. REED. I know of no reason why it might not be made so to apply; but the interest I have is in getting natural gas to this great section of the country. I suppose the argument might be made that a company engaged in the manufacture of artificial gas might well be expected to furnish its own distributing plant, because the distributing plant and the manufactory are almost always in the same place, whereas natural gas must be piped great distances and across State lines. I hope the Senator will let it go through in this form.

Mr. SMOOT. I have no objection whatever. I simply wanted to inquire why artificial gas was excluded.

Mr. CUMMINS. Mr. President, the proposed amendment is intended to have precisely the same effect as the original bill. The only reason there was any amendment made was that in 1910 we rewrote section 1 of the original interstate-commerce law and added a great deal to it, and the person who drafted the pending bill apparently overlooked the amendment of 1910.

I wish, however, to call the attention of the Senator from Missouri to one point which came to me as the amendment was read by the Secretary. I fear the reference in the bill to the lines of the act may not be sufficiently definite. That is, it is proposed to insert certain words in line 3 of section 1 of the act. That probably ought to be made more certain by designating the lines as they appear in the Statutes at Large of 1910 and 1911.

Mr. REED. Will the Senator move the amendment?

Mr. CUMMINS. It has just occurred to me, and it may be that it is not necessary. The Senator from Missouri can make the suggestion just as well as I can. He has the statute before him.

Mr. REED. I think it is all in proper shape, Mr. President. I ask that the vote be taken.

The PRESIDING OFFICER. The amendment has already been agreed to, the Chair will state to the Senator from Missouri, and then, on the request of the Senator from Oklahoma for a division, the Chair would have put the question again, but the Senator from Oklahoma withdrew his objection.

Mr. REED. The bill is then passed?

The PRESIDING OFFICER. No; the bill is not passed yet. The bill is still as in Committee of the Whole and open to amendment. If there be no further amendment proposed, the bill will be reported to the Senate.

Mr. STONE. Mr. President, I am a little apprehensive that the record as made up will not show the amendment was agreed to. The Senator from Oklahoma made an objection and said he desired to discuss it.

Mr. OWEN. I withdrew the objection later.

Mr. STONE. But the question was not put afterwards. I do not think the record will show that the question was put on the amendment after the objection was withdrawn.

The PRESIDING OFFICER. The Chair will state to the Senator from Missouri that the record does show that the question was put on the amendment and it was agreed to.

Mr. STONE. All right.

The bill was reported to the Senate as amended and the amendment was concurred in.

Mr. SUTHERLAND. Mr. President, I understand it to be the purpose of the Senator from Missouri to except artificial gas from the operation of this law. I think that should be done. I know of no reason why the transportation of artificial gas should be made subject to the operations of this law, because the manufacture is local. I do not know of any case where artificial gas is transported from one State to another. I suggest to the Senator that there may be some doubt as to whether he has accomplished that. The language is:

After the words "transportation of oil," in the third line of the first paragraph of section 1 of said act, insert the words "natural gas."

That is all right as far as it goes.

And in the fourth and fifth lines of the first parngraph of section 1 of said act strike out the words "and except natural or artificial gas."

Should you not strike out the words "natural or," so that the clause will then read "and except artificial gas," because you want to except artificial gas?

Mr. REED. The Senator is correct about that. I move to amend by striking out of the amendment the words "natural or."

Mr. SUTHERLAND. So as to read "and except artificial gas."

The PRESIDING OFFICER. Is there objection to the amendment? The Chair hears none, and the amendment is agreed to.

Mr. OWEN. Let the bill be read as it now stands.

The PRESIDING OFFICER. The Secretary will read the whole bill as it now stands.

The Secretary read as follows:

Be it enacted, etc., That section 7 of an act entitled "An act to create a Commerce Court and to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, as heretofore amended, and for other purposes," approved June 18, 1910, be, and the same is hereby, amended as follows: After the words "transportation of oil," in the third line of the first paragraph of section 1 of said act, insert the words "natural gas," and in the third line of the first paragraph of section 1 of said act strike out the words "and except artificial gas."

Mr. SUTHERLAND. No; strike out the words "natural or."

The PRESIDING OFFICER. The Secretary advises the Chair that that is the way he has read it.

Mr. SUTHERLAND. The law should be amended by striking out of the fourth and fifth lines the words "natural or."

Mr. OWEN. It is an exception in that case.

Mr. REED. Yes.

Mr. SUTHERLAND. The law as then amended would read "except water and except artificial gas."

The PRESIDING OFFICER. The Secretary advises the Chair that he has read it that way.

Mr. SUTHERLAND. The Secretary did not read it that way.

The PRESIDING OFFICER. The Secretary will again read the language.

The Secretary read as follows:

After the words "transportation of oil," in the third line of the first paragraph of section 1 of said act, insert the words "natural gas," and in the fourth and fifth lines of the first paragraph of section 1 of said act strike out the words "and except artificial gas."

Mr. REED. The Secretary, for once in this long mix-up, has gotten the wrong idea. The motion was to strike out the words, from the third and fourth lines, "natural or," leaving the clause read "and except artificial gas."

The PRESIDING OFFICER. The Secretary advises the Chair that he so read it.

Mr. SUTHERLAND. No. The trouble arises from the fact that the Secretary treats the amendment as though it was a proposition to strike out those words of the amended bill. The proposition is to strike out those words from the law as it exists. What you want to strike out of the bill are the words "and except artificial gas." They should be stricken out of the bill, and then it will leave the two words in the bill "natural or."

Mr. OWEN. But the amended act read "and except natural or," which was an exception, and is intended now to be included. The exception is with relation to natural gas, and when you strike out "natural or" you leave natural gas in.

Mr. SUTHERLAND. No.

Mr. REED. I see the conflict.

Mr. SUTHERLAND. If I may be permitted a moment, the amended bill should read this way:

After the words "transportation of oil," in the third line of the first paragraph of section 1 of said act, insert the words "natural gas," and in the third line—

Instead of the fourth; the words "natural or" occur in the third line—

and in the third line of the first paragraph of section 1 of said act strike out the words "natural or."

The PRESIDING OFFICER. Has the Senator from Utah concluded?

Mr. SUTHERLAND. Yes; I have concluded.

The PRESIDING OFFICER. The Secretary will now read the bill as proposed to be amended.

The Secretary read as follows:

Be it enacted, etc., That section 7 of an act entitled "An act to create a Commerce Court and to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, as heretofore amended, and for other purposes," approved June 18, 1910, be, and the same is hereby, amended as follows:

After the words "transportation of oil," in the third line of the first paragraph of section 1 of said act, insert the words "natural gas," and in the third line of the first paragraph of section 1 of said act strike out the words "natural or."

Mr. REED. That is correct.

Mr. CUMMINS. That is right.

The PRESIDING OFFICER. If there is no objection, the bill will be so amended.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "An act to amend an act entitled 'An act to create a Commerce Court and to amend an act entitled "An act to regulate commerce," approved February 4, 1887, as heretofore amended, and for other purposes,' approved June 18, 1910."

BANKING AND CURRENCY.

Mr. OWEN. I offer the following resolution:

That the Committee on Banking and Currency is hereby authorized to have printed the indexed hearings on the pending banking and currency bill (S. 2639 and H. R. 7837), bound in paper, as a Senate document, and to employ expert assistance in perfecting the measure for submission to the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. SMOOT. Let it be read.

Mr. WILLIAMS. I should like to have the resolution read. It seems to me that it is a matter which has to go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. SMOOT. I think so.

The PRESIDING OFFICER. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 208), as follows:

Resolved, That the Committee on Banking and Currency is hereby authorized to have printed the indexed hearings on the pending banking and currency bill (S. 2639 and H. R. 7837) bound in paper as a Senate document, and to employ expert assistance in perfecting the measure for submission to the Senate.

Mr. WILLIAMS. I wish to ask the Senator from Oklahoma a question. Does the expense of the work come out of the contingent fund?

Mr. OWEN. The resolution provides only for authority, and it will be for the Senate to determine from what fund it shall be paid.

Mr. SMOOT. That is the only fund it can come from. Therefore it will have to go to the committee.

Mr. WILLIAMS. That is what I think. It must go to the Committee to Audit and Control the Contingent Expenses of the Senate and be reported by the committee before it can be considered by the Senate.

Mr. OWEN. I think that is the proper course for the resolution.

The PRESIDING OFFICER. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

POLICY OF THE ADMINISTRATION.

Mr. MARTINE of New Jersey. Mr. President, I feel that I need not say before the Senate that the little Commonwealth of New Jersey has an intelligent community, and that we are as well a patriotic and liberty-loving community. We have lived in a tranquil way there, and our people have been following the ordinary pursuits of life, believing that we were under a constitutional government, and we so believed until the morning of the 31st of October. On that morning our people awoke to the discovery that we were no longer under a constitutional government; that we were living under a veritable dynasty; that a tyrant, brutal and horrible, was really ruling over this Nation.

Now, how came this marvelous knowledge? It took the oracle from Iowa, the distinguished Senator from that State, Senator CUMMINS, to make it known. He came to our town, and while we are intelligent we are not egotistical. We were quite willing that missionary service might come there to enlighten us. But lo! It took the oracle from Iowa to come there and tell us that we are living under the worst of governments. I hold in my hand a stenographic report of his speech:

IOWA'S SENATOR ASSAILS PRESIDENT.

Now, then:

"I regard President Wilson as an enemy to the Constitution," says Senator CUMMINS.

* * * * * * * *

"I regard President Wilson as an enemy to the Constitution of the United States," declared Senator ALBERT B. CUMMINS, of Iowa, addressing a Republican mass meeting in Saengerbund Hall, North Plainfield, last night. "This is because of the big-stick methods which the President employed in compelling the passage of the Underwood-Simmons tariff law. The tariff bill was written in the White House, was agreed upon in a party caucus, and the 200,000 jobs which the President has to give out were used as the compelling force to keep the members of his party in line to vote for the passage of the tariff bill.

Now, 200,000 officers appointed! There are no more officers to be appointed in the administration of President Wilson than there were under the administration of President Taft, when the Republican Party was in power. But that is not the worst of it. Think of it!

We sometimes refer to the Czar of Russia in illustrating a powerful individual, but the power of the Czar of Russia as compared with the power of the President of the United States is like comparing a gentle zephyr to a cyclone.

The present campaign in New Jersey is of nation-wide significance from the fact that the outcome of the election on Tuesday will indicate to the country whether the people of this, President Wilson's State, accept or reject a program which he has put into effect.

Further, this distinguished gentleman found it proper and wise to say, "still harping on my daughter"—

Although President Wilson came into the Presidency in an absolutely legitimate manner—

Thanks. "An absolutely legitimate manner"—

he only received a little over 6,000,000 votes, while Taft and Roosevelt received 7,500,000 votes. There were approximately 25,000,000 citizens entitled to vote at this election, but unfortunately about 10,000,000 failed to take part in the election at all.

As I said, "still harping on my daughter." How many times have we heard this from the Republican Party ever since Wood-

row Wilson was elected? I beg to remind you that President Lincoln was likewise elected in a similar way. However, that counts for but little. Woodrow Wilson is President of the United States. He is broad-minded, patriotic, and liberal, and I believe the masses of the people of the United States will hold up both hands in loud acclamation of his acts as President of the United States.

But as bad as are all these things which the distinguished Senator found it in his heart and mind to rehearse, they are not half as bad as that which is to come.

There is no moral difference—

Said the Senator from Iowa—

between the act of Huerta, President of the Mexican Republic—

and this despot in the White House. Now, to think that the distinguished Senator would have so far forgotten himself as to assert that in a moral way there was no difference between the tyrant and despot of Mexico, who arrests the whole assembly of the Government of Mexico and locks them up, and the mild and placid gentleman who sits in the White House at the other end of the Avenue. I assert that the comparison is absurd and ridiculous and ungenerous.

He said further that there is no welcome written on the doormat for those who opposed President Wilson's tariff measure. This is the report of a Republican paper that is sent to me. I say to the Senator the facts will not bear that out. Welcome is written on the doormat and offered at the hands of every Member of this body, whether he be a Republican or a Democrat, whether he be for the tariff bill as passed or whether he be against it. It does not necessarily follow that in order to welcome a man he must accept all the doctrine of that element of the Republican Party or all the Republican doctrine, nor that he must swallow all the quack nostrums that may be offered by political doctors.

I insist that in this address delivered by the distinguished gentleman, while he was generous and kind enough to say many pleasant things regarding me, for which I thank him, the Senator went far beyond the bounds of good taste, far beyond the bounds of propriety—I will say nothing more in that direction—when he made this horrid comparison between Huerta, of Mexico, and President Wilson.

I believe, and I believe the country believes, that President Wilson in this unfortunate Mexican controversy is prompted by but one aim, one holy purpose, and that is humanity, justice, and liberty to those struggling people there.

The tariff bill need not now be referred to. The tariff bill is already written into law and is working out its way. Instead of stagnation and gloom there are busy shops. Hot spindles and busy wheels are the recompense that is coming to the people from the enactment of our tariff law. That law, in conjunction with the banking and currency bill, which I believe in the near future will be reported, will be the beginning of a new era for this land, the opening of a brighter dawn and a happier day for all mankind.

Mr. CUMMINS. Mr. President, one could not be otherwise than temperate in expression who has sat here day after day under the influence of my distinguished friend from New Jersey. I suppose I ought to resent being called to account in this body for what I have said elsewhere, but really I can not summon very much indignation. I do not know why. There is no great solemnity about the air of my friend from New Jersey. His vast fund of good fellowship encircles us and envelopes us all, and it is impossible for me to grow even indignant under the rebuke which he has just administered.

I advise him, however, to do something to ascertain immediately whether the stenographers, if this be a stenographic report from New Jersey, are as accurate as the Senator from New Jersey usually is.

Mr. MARTINE of New Jersey. I beg the Senator's pardon——

Mr. CUMMINS. Of course, the Senator from New Jersey knows that I said nothing of the sort.

Mr. MARTINE of New Jersey. I should hope not.

Mr. CUMMINS. I did, sir, severely criticize the tendency of the Executive of the United States to override and overpower the legislative will; I criticized the Democratic President of the United States no more severely than I criticized his predecessors. I believe if there is one danger before the American people that can not be successfully met it is the danger of Executive interference in the legislative department of the Government; and I care not who may be guilty of it, whether it be a Republican President or a Democratic President, I intend to raise my voice against it whenever the opportunity is presented. I discussed the office, not the man. I did not——

Mr. MARTINE of New Jersey. May I ask wherein the Senator from Iowa can justify the horrible comparison between Huerta, of Mexico, and the placid gentleman in the White House at the other end of the Avenue?

Mr. CUMMINS. I think I did refer to the President of Mexico. Further, I stated—and, I repeat now, I did not say it in comparison, of course, with any man, but I said, and I say it now, face to face with the Senator from New Jersey, and I am glad that he has given me this opportunity to give some prominence to a sentiment that might have fallen obscure in the heat of a political campaign—that I would just as soon have my will as a Member of Congress overcome by a soldier as by any other influence from the executive department. There is no difference between the two things in moral effect. I intend to continue that criticism whenever the occasion gives me the opportunity to do so.

I believe that Congress ought to assert its independence; I believe that this constant bruiting about throughout the country that we can not do what we want to do because the President insists that we shall not do it insults the dignity of the legislative branch of the Government of the United States, and it ought to receive from every patriot and from every lover of his country a rebuke.

I am not now trying the case as to whether this interference has taken place. Every man must judge for himself with regard to that. I thought it took place during the administration of President Roosevelt; I thought it took place during the administration of President Taft; and I did not hesitate to criticize both for things that were done in connection with legislation proposed. I think it has been done in the present administration. If the proof that satisfies me is insufficient to satisfy the Senator from New Jersey, then he will reach a different conclusion; but I believe it, and I intend to condemn it here and everywhere. At the same time I never lose the opportunity to pay the man who occupies the high office of President of the United States the tribute which his talents, which his great knowledge, and which his unsurpassed courage must extort from everyone who loves those virtues. My assault in New Jersey was upon the tendency of the Executive to trench upon and to invade the domain reserved by the Constitution to Congress. That tendency unfortunately grows from year to year.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. CUMMINS. Certainly.

Mr. THOMAS. The Senator from Iowa has mentioned three Presidents whose influence he thinks was exerted in securing legislation or exerted upon the legislative body. I would like to inquire of the Senator if he can name any President whose influence has not been so exerted.

Mr. CUMMINS. Mr. President, I do not intend to be drawn into that. I suppose that this tendency is of ancient origin and that it has insensibly grown from year to year, like all misuse of power; it grows, and I am not here to say when it began; it may have originated long, long ago—indeed, I think it did—but I am here only to insist upon the integrity of the legislative will and conscience and the separation, as our forefathers intended that they should be separated, of the executive and the legislative powers of the Republic.

Of course I did not say—I could not have said—that there were 200,000 offices offered up to our friends on the other side. I said just what I said the other day when I was discussing the tariff bill, and I shall repeat, whenever I have a chance to do so, that the President of the United States holds more power than does any other man in the world; that he can exercise more influence over his fellow men than can any other man in the world; and I instanced a few days ago, as I instance now, the fact that there are 200,000 offices within his gift, as illustrating the immensity of the power that he actually has. I think it is well worth while that we should pause even in the midst of a political campaign in order to consider this fundamental truth in the affairs of our Government, namely, that we ought to preserve the complete independence of these three great branches of the power of the people. I did not intend, of course, to enter into anything of this sort.

Mr. MARTINE of New Jersey. I beg to remind the Senator—he speaks about the stenographer who took the notes of the speech to which I have referred—that I have seen the same statement in several other newspapers, wherein the comparison, unfortunately, was made between Huerta, the President of Mexico, and President Woodrow Wilson. I insist that, while the Senator asserts generally and very broadly that the President has used the "big stick" on Senators, I have seen no wounds. I have not agreed with the presidential idea in many things; I would have been a little more radical than he, perhaps, in some things; but I can say for myself that I have never felt the "big stick," nor do I believe that the Senator can find

an instance where there has been undue, ungenerous, and unpatriotic pressure brought by the President of the United States on any Senator. Naturally, as a President elected upon a platform to serve the people, he voiced the sentiments of the people who elected him when he advocated a measure that meant tariff revision downward and not tariff revision upward; but, aside from that, I feel that there are no instances which the Senator can cite and individualize wherein the "big stick" has been used at all, and the very intimation and thought is belittling and degrading that 200,000 offices were held up to the gaze of Senators. I feel that that conception is based upon dreams of the imagination rather than upon fact.

Mr. CUMMINS. That may be, Mr. President, but I do not want it to be understood that I repudiate a single sentiment that I have heretofore announced. I believe that the presidential power has been used to coerce Members of Congress into a particular course, not now alone, but in former administrations.

Mr. MARTINE of New Jersey. Oh, well, we are not discussing former administrations.

Mr. CUMMINS. I have not said, and do not say now, that President Wilson has ever used an office in order to corrupt a Member of Congress. I have never indicated anything of the kind. I only say that there is the power; and what I declared in the Senator's State, and what I declare now, is that, so far as the permanence of free institutions goes and so far as the integrity of the Republic goes, I would rather have power exerted in the way that the President of the Mexican Republic has exerted it than in the way in which it might be exerted by the President of the United States.

Mr. MARTINE of New Jersey. I am not going into dreams of the imagination, but I am referring to the manner in which the President of the United States has exerted his power during this Congress. The Senator has taken his choice. I would rather stand in living, liberty-loving America with Woodrow Wilson as President than in Mexico under Huerta under any possibility.

Mr. CUMMINS. Well, Mr. President, so would I. In that respect we entirely agree.

Mr. OWEN, Mr. WILLIAMS, and Mr. LANE addressed the Chair.

The PRESIDING OFFICER. The Chair understands the Senator from Iowa [Mr. CUMMINS] has the floor. Does he yield?

Mr. CUMMINS. I have already held the floor much longer than I intended to do. To me the notion of exciting a debate on account of a political campaign elsewhere is rather abhorrent. I am willing to meet my friends upon any side anywhere in debate, but I hardly think it comports with orderly procedure in the Senate to attempt, if you please, to restate your arguments made elsewhere. I stated them as I believed them, and I intend to state them again whenever I have an opportunity to do so; and if they do not please Senators on the other side, I must suffer their displeasure.

Mr. MARTINE of New Jersey. The Senator from Iowa is an older Senator here than am I, and I was not aware that I was transgressing the bounds of propriety or the dignity of a Senator in reciting that which the distinguished Senator from Iowa had asserted in my own home town and, I doubt not, in many other towns. These assertions having been generally copied by the press throughout the country, it seemed to me it was at least fair and courteous that I might present the matter to him.

I have no quarrel with the Senator. I know to an extent he is joined to his idols, so that it is very hard for him to get away from them, even though his own conscience has rebelled at some things and he has gotten halfway out of the trammels of the old Republican Party, though not altogether out. I find no fault with him, but I felt that the comparison was ungenerous and unwise. I say in a most kindly way I have no bitterness in my heart, God knows. The Senator is young enough to forgive and to forget; the Senator is young enough to get over on this side; he has just stepped halfway. Come into the realms of eternal happiness; live and be happy for the rest of your days with us.

Mr. CUMMINS. I thank the Senator very much for the invitation.

Mr. OWEN and Mr. WILLIAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma [Mr. OWEN] will be recognized by the Chair, as he first asked for recognition.

Mr. OWEN. Mr. President, this discussion between the Senator from New Jersey [Mr. MARTINE] and the Senator from Iowa [Mr. CUMMINS] brings to mind the constant and repeated reiteration in the public press of statements suggesting the alleged undue influence of the President of the United States upon the Senate and upon the House of Representatives, and the constant suggestion that he is thus unmindful of the requirements of the Constitution of the United States.

Mr. President, this country has but one acknowledged sovereign power, and that power is the great body of the American people, speaking their will, their conscience, and their intelligence through the constitutional methods provided by our fundamental law. The Senate is itself but one of the instruments through which that great sovereign power speaks; the House of Representatives is another agency for expressing the will of the people of the United States, and the President of the United States is another means by which the people exercise their power. Under the construction of our Government it was believed in the old days that the welfare of the people could be better served by having the governing powers divided between those three forces—the three coordinate branches of government—each of which would exercise a restraining influence on the other and prevent any one of those three coordinate branches of government as "rulers" oppressing the people and using the governing powers of the people to the actual injury of the people themselves. In the philosophy of government there should be contemplated but two actual branches of government, the executive and the legislative, because, after all, the judicial branch of the Government is but an instrumentality, historically springing from the loins of the Executive, through which the law is ascertained and determined in order to enable the Executive to administer the law according to the real meaning of the law. These divisions of government were proposed as a theoretical means to prevent those charged with the governing power, conceived as rulers, from oppressing the people, and that balancing of powers was provided also between the House and the Senate, so that the jealousy of the House and the jealousy of the Senate might prevent any act being passed which would be injurious to the people. But, Mr. President, a wiser and a better conception of the administration of our law, in my opinion, is that the Senate should recognize itself and the House should recognize itself as an instrumentality through which the people of the United States exercise the right of governing for the general welfare.

In that point of view the President of the United States should also be recognized as an important instrumentality of the governing powers of the people. Since there is a common purpose, under such a conception of government, to serve the welfare of all of the people, there is no reason why there should be any jealousy between the White House and the Senate, or between the Senate and the House of Representatives, or on the part of Congress against the Supreme Court, or the judicial branch of the Government.

These jealousies ought to be laid aside. I view them with no sympathy and with no approval. I rejoiced when Woodrow Wilson came before both branches of Congress as the Executive representative of the people of the United States and made his appeal to the legislative branch for cooperative action in favor of the general welfare. I did not regard his attitude as a "message from the throne."

I do not hesitate, as one Senator, to go and give him the very best advice of which I am capable. In the matter of his appointments, in the matter of his policy, I do not hesitate to go and talk to him with perfect freedom, because I feel that I am a servant of the people, and that I have a right to talk to him as a fellow servant of the people, and that he should listen to my counsel as I listen gladly to his.

If we view the Government in that light there will be a spirit of cooperation, of cordial good will, out of which by common counsel we will best serve the people of the United States, who elected Woodrow Wilson on the one hand and who elect Senators on the other.

Now that the people have at last, after a long, long, tedious struggle, gained control of the Senate the Senate for the first time in its history will respond to the will and the conscience and the intelligence of the people of the United States, and when it does it will feel a closer sense of cooperation with the executive branch of the Government.

The spirit to which I call your attention is penetrating this country from one end to the other. Over 200 cities of this country have merged the powers of government—the executive power, the legislative power, and the judicial power—into one hand for the more convenient and wise administration of their governing power by adopting the commission form of government for such cities. In such cases the people have put all the powers of city government—legislative, executive, and judicial—in the hands of a small commission, with the right of recalling the commissioners. If they fail to discharge their function of properly representing the governing power of the peo-

ple under this improved method of governing, the commissioners may be summarily removed.

I pray the Senate not to promote a spirit of antagonism between the Senate and the Executive. I have never seen a man occupy that high office with more modesty, with more delicate and gentle diplomacy, with greater learning, with more devotion to the public welfare, or with more unflinching courage and pertinacity of purpose to actually serve the general welfare than the present occupant of that high office. I desire to see established a spirit of cordiality, of sympathetic cooperation between the Senate and the Executive, without jealousy, without fear, without hostility, and I pray my colleagues on both sides of the Chamber to help bring about this era of good feeling and mutual helpfulness in promoting the general welfare of our people.

Mr. WILLIAMS. Mr. President, I think it would be a sad day for the American Republic if ever the executive, legislative, and judicial powers were merged in one; but I deny that under this administration there has been any merging of them, any attempt to merge them, any desire to merge them, or any "tendency" to merge them.

Any Senator has a right, whether upon the stump or upon the floor of this Chamber, to criticize the President of the United States, and to criticize him within precisely the same limits as he has a right to criticize other people—the limits of truth and fairness and justice. The right to criticize no man, whether President or hod carrier, goes further than that, nor does it go further anywhere where man can state his opinion.

The Senator from Iowa [Mr. CUMMINS] said he had arraigned the tendency of the Executive to invade the legislative department of the Government while speaking in New Jersey, but if the language here given be correct—and of that, of course, I know nothing, because I was not present—that is not a correct description of what the Senator from Iowa did say on that occasion. The language reported to have been used by the Senator from Iowa is this:

> There is no moral difference——
>
> Mark the use of the word "moral"—
>
> There is no moral difference between the act of Huerta, President of the Mexican Republic, who caused the imprisonment of Members of Congress, who failed to repeal a resolution which he wanted repealed, and the acts of President Wilson respecting the passage of the present tariff law.

The Senator this morning says, in justification of it, to use his own language:

> I would just as soon have my will overcome by a soldier as in any other way.

Is this within the bounds of justice and fairness and truth? Where is the man who has "had his will overcome" by the President of the United States? How has the President of the United States induced any man to do anything except by appealing to his reason or to his party loyalty?

I do not blame the Senator from Iowa for being a little bitter toward the President of the United States upon the stump in a campaign. I can see how perhaps the only thing he could have done was to go clear outside the record, and compare him to Huerta or to somebody else with whom he was not in the slightest degree comparable.

It would not become me to undertake to say what Huerta has done, because he is the de facto head of another Government at this time; but you all know what that language means—"there is no moral difference" between these things.

Now let me come to the next charge, that the President violates the Constitution of the United States.

The Constitution of the United States makes it the duty of the President of the United States from time to time to consult with Congress and to advise Congress—not to advise with it—in public messages.

Very frequently men seem to come to the conclusion that because the Constitution authorizes the President to advise Congress in public messages therefore he has no right to advise them in any other way. Men who say that do not know the history of their country. No man advised Congress more than did George Washington. He sent for Members of Congress and talked to them. No man advised them more than did old Thomas Jefferson. He used to ride his horse up here and hitch it under the construction shed at the other end of where this Capitol now stands, walk into the cloakrooms of the House of Representatives and the Senate, and talk chattily and pleasantly to the Members about measures that were then pending. It was generally found afterwards that thus "reasoning together in brotherly love" Congress had somehow come to entertain his opinion or he his.

The man we have now in the White House is the best informed, the best equipped, the most highly educated, and the most cultured President we have had in the White House since Thomas Jefferson went out of it, and he resembles him somewhat. When influencing Members of Congress and the Senate he does not do it with a "big stick," as did a recent President of the United States. He does it tactfully, diplomatically, suavely. He appeals to their reason; he appeals to their affection for the party organization of which they are members—a laudable feeling laudably appealed to. He has exercised no influence upon any man save by an appeal to his reason or to his party loyalty, to that sentiment which makes a man true to the school of political thought to which he belongs.

I throw down the gauntlet here and now, for I am getting tired of it. I say the President of the United States has not used patronage to influence legislation. I say no Senator has a right to make that statement from this minute on without furnishing some proof of it somewhere, or some "evidence tending to prove it." I deny it. I say it is a slander and calumny.

I have differed with him. I still differ with him about some matters. He has not used, with me, the coercive power of reason. I suppose perhaps it was because he thought I was a pretty hard-headed individual, and it would be useless to try it; but whatever the reason may be, that is the fact.

One other word, Mr. President. The United States has never suffered by political leadership. It has had too little of it rather than too much of it. Although upon the statute books we have three separate, coordinate, and independent branches of government, yet no government in the world could be carried on like a wagon with three mules pulling three different ways. The Constitution and the law books may say forever that you are "independent and coordinate," but you have got to work interdependently, not independently—got to work harmoniously. If you do not, you will arrive at no result.

How else can three branches of a government work interdependently and harmoniously except by having each appeal to the reason of the other? So Senators and Congressmen go to the White House and advise the President. It is no new thing. A part of the duty of this august body is to advise him as well as to consent to his acts. Its members go there individually, and they advise him: "Mr. President, I think it would be ill-advised to sign this bill." "Mr. President, I think it would be ill-advised to continue in this course." "Mr. President, I think it would be well-advised to take up and push this measure."

So, upon the other hand, the President, when he meets them, with equal frankness talks to them—about what? About that which is their business and his business, and, back of both of them, the business of the people of the United States, whose agents and instrumentalities both of them are.

I have stood upon this floor and defended President Taft against this identical charge when a Senator sitting on this side made the charge that the President of the United States had no right to talk to Senators or Congressmen or to express opinions about public affairs except through a written message or through a publicly spoken message. I contended then that the President of the United States did not cease to be a citizen of the United States because he had become a President; that, upon the contrary, it was doubly, tenfold, his duty to express his opinion upon public matters after he became a President, and to use every right influence to make the right policy, as he saw it, prevail in our counsels.

We have not suffered, I say, from leadership. We have suffered from "bossism." But what is "bossism"? It is irresponsible, unofficial, unelected, unselected leadership. It is subterranean leadership. It is private leadership. It is the invisible empire. It is leadership through instrumentalities not known to the Constitution or the laws.

You will never suffer from too much official, elected, responsible, public leadership, unless the man who tries to lead has not the qualities of leadership, and then he will not have any followers. No man can lead the Senate except by appealing to its reason or its sentiments. No man can lead the House in any other way. There has not been the slightest attempt by this President to lead them in any other way.

I remember when the present occupant of the chair [Mr. THORNTON in the chair] and I had some views which the President of the United States did not share and which, later on, the Senate and the House did not share. An appeal was made to me, not by the President, but by my own idea of what was right in a free Government, to surrender my own views to the views of the majority of the school of political thought to which I belonged. That appeal, made by myself, I obeyed. Would it have been any worse if the President had made that appeal to me instead of my making it to myself? Not a particle. Was I "overcome" when I cast a vote that I did not want to cast?

Why, you might just as well say, when a man took a notion to go down the street and buy a cigar, and then began to argue with himself about it, and said "I have smoked half a dozen this morning; another one will make me nervous; I had better let it alone," and did let it alone, that he had been "overcome." You might just as well say, if he did not make the argument to himself, but the Senator from South Carolina [Mr. TILLMAN] made it to him, that the Senator from South Carolina had "coerced" and "overcome" him, had brought some brutal outside force to bear upon him, some vis major.

I throw the gauntlet down right here and will pick up any other man's gauntlet any day. I say—and I say it that the entire American people may hear it, in so far as they care to hear my voice at all—it is not true that the President of the United States has used or attempted to use the patronage power of this Government to further any political end. I go further and I say if there is any quarrel to be picked with him upon that subject, it is that he has appointed too many men who are not Democrats to office; that he has been too little controlled by party considerations. I believe in teamwork, and I believe that the President ought to believe in it, too. I believe in interdependent working, and I think he ought to believe in it, too. If there is any criticism to be made of him at all, it is that he has not worked interdependently quite as much as he ought to have done. I do not know of any President except George Washington and James Monroe who ever sat in the White House who has paid as little attention to the practical political side of patronage as the present President of these United States has up to this good hour.

I do not know whether the Senator from Iowa used the following language or not; but if he did use it, I submit that it was uncalled-for, unjustified in any possible intendment of the language used by him:

> There is no moral difference between the act of Huerta, President of the Mexican Republic, who caused the imprisonment of Members of Congress who failed to repeal a resolution which he wanted repealed and the acts of President Wilson respecting the passage of the present tariff law.

I am no respecter of persons; I am no respecter of official dignity or position. I care nothing for king, emperor, president, pope, prelate, prince, or potentate except in so far as they are worth caring for in themselves and because of doing the thing that is well to be done. I would criticize the President just as quickly upon the stump or here; I would criticize a Judge of the Supreme Court just as quickly upon the stump or here, and precisely to the same extent that I would criticize any other man and no further. The boundaries within which my criticism should fall would be the boundaries that at least my own judgment told me were the boundaries of justice and right and truth.

ADJOURNMENT TO THURSDAY.

Mr. KERN. I move that when the Senate adjourns to-day it adjourn to meet on Thursday next at 12 o'clock meridian.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. KERN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 20 minutes spent in executive session the doors were reopened, and (at 2 o'clock and 23 minutes p. m.) the Senate adjourned until Thursday, November 6, 1913, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate November 3, 1913.

ASSISTANT ATTORNEY GENERAL.

William Wallace, jr., of Montana, to be Assistant Attorney General, vice William R. Harr, resigned.

CIVILIAN MEMBER OF THE BOARD OF ORDNANCE AND FORTIFICATION.

Francis M. Cockrell, of Missouri, for appointment as civilian member of the Board of Ordnance and Fortification, vice William Warner, resigned.

PROMOTIONS IN THE ARMY.

ORDNANCE DEPARTMENT.

Lieut. Col. John T. Thompson, Ordnance Department, to be colonel from October 30, 1913, vice Col. Frank Baker, retired from active service October 29, 1913.

Maj. Jay E. Hoffer, Ordnance Department, to be lieutenant colonel from October 30, 1913, vice Lieut. Col. John T. Thompson, promoted.

APPOINTMENTS IN THE ARMY.

CHAPLAIN.

Rev. Alexander D. Sutherland, of West Virginia, to be chaplain, with the rank of first lieutenant, from October 28, 1913, vice Chaplain William G. Stiverson, Eighth Cavalry, retired from active service April 16, 1913.

MEDICAL RESERVE CORPS.

To be first lieutenants in the Medical Reserve Corps, with rank from October 31, 1913.

James Harlan Anderson, of Iowa.
Ethan Flagg Butler, of the District of Columbia.
Le Roy William Childs, of Georgia.
Lane Butler Cooke, of Texas.
Evan Stark Evans, of Iowa.
George Frank Holland, of Indiana.
Howard Pendleton Kirtley, of Utah.
Jacob Carl Krafft, of Illinois.
Otis Burgess Nesbit, of Indiana.
Walter Scott Rountree, of Alabama.

CONFIRMATIONS.

Executive nominations confirmed by the Senate November 3, 1913.

APPRAISER OF MERCHANDISE.

Bernard B. McGinnis to be appraiser of merchandise in the district of Pittsburgh, Pa.

COLLECTOR OF INTERNAL REVENUE.

Ephraim Lederer to be collector of internal revenue for the first district of Pennsylvania.

PROMOTION IN THE REVENUE-CUTTER SERVICE.

Second Lieut. Muller Stuntz Hay to be a first lieutenant.

UNITED STATES MARSHALS.

John Q. Newell to be United States marshal for the western district of Oklahoma.

John J. Richards to be United States marshal, district of Rhode Island.

CIVILIAN MEMBER OF THE BOARD OF ORDNANCE AND FORTIFICATION.

Francis M. Cockrell to be civilian member of the Board of Ordnance and Fortification.

PROMOTIONS IN THE NAVY.

Commander Ridley McLean to be Judge Advocate General with the rank of captain.

Joseph B. Greene to be an assistant surgeon in the Medical Reserve Corps.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *November 5, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, Almighty God our heavenly Father, for that "omnipotence of truth and right and love" with which Thou art daily impressing the minds and hearts of Thy children, and thus

> "Through the harsh noises of our day,
> A low sweet prelude finds its way;
> Through clouds of doubt, and creeds of fear,
> A light is breaking calm and clear."

Hasten the day, we beseech Thee, when all men shall know Thee as Father and through an unselfish devotion to their fellow-men worship Thee in deed and in truth. In the Christ Spirit. Amen.

The Journal of the proceedings of Saturday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed Senate bill 3345, to amend an act entitled "An act to create a commerce court and to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, as heretofore amended, and for other purposes," approved June 18, 1910.

The message also announced that the President of the United States had approved and signed Senate bills of the following titles:

On October 24, 1913:

S. 3296. An act to enable the Commissioner of Indian Affairs to employ additional clerks on heirship work in the Indian Office.

On October 30, 1913:

S. 1673. An act authorizing the Secretary of the Interior to grant further extensions of time within which to comply with the law and make proof on desert-land entries in the counties of Grant and Franklin, State of Washington.

SENATE BILL AND JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate bill and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3345. An act to amend an act entitled "An act to create a commerce court and to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, as heretofore amended, and for other purposes," approved June 18, 1910; to the Committee on Interstate and Foreign Commerce.

S. J. Res. 74. Joint resolution appropriating money for the payment of certain claims on account of labor, supplies, materials, and cash furnished in the construction of the Corbett Tunnel; to the Committee on Claims.

EXTENSION OF REMARKS.

Mr. SIMS. Mr. Speaker, I wish to ask unanimous consent to print in the RECORD a speech delivered on September 26, 1913, at San Diego, Cal., on the occasion of the dedication of a site for a monument to Balboa, by one of our distinguished colleagues, Hon. ROBERT L. HENRY, of Texas.

The SPEAKER. The gentleman from Tennessee [Mr. SIMS] asks unanimous consent that a speech of the Hon. ROBERT L. HENRY, of Texas, at the opening of the San Diego Exposition, be published in the RECORD. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I think it was on Friday or Saturday we ordered published in the RECORD a speech delivered by the same distinguished colleague in South Carolina recently. Now, I do not think I shall object, but it seems to me that I would much rather hear the speech, and, as we have plenty of time and the gentleman from Texas has been away delivering a speech in California and another in South Carolina, would not he be willing, as a favor to his colleagues, to deliver this speech to the House here now?

The SPEAKER. The gentleman from Texas is asked a question.

Mr. HENRY. Mr. Speaker, I will state to the gentleman it is not that kind of a speech. It would sound better if it was read.

Mr. MANN. Oh, the better the speech the better the reception it will receive here. I shall not object, but I would like to hear the gentleman from Texas make a speech in the House.

Mr. SIMS. Mr. Speaker, I hope the gentleman from Texas will respond to that request at some later date.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. DONOVAN. Mr. Speaker, I would like to ask unanimous consent to speak for five minutes.

The SPEAKER. The gentleman from Connecticut [Mr. DONOVAN] asks unanimous consent to address the House for five minutes. Is there objection?

Mr. CAMPBELL. Mr. Speaker, reserving the right to object, I ask unanimous consent to print in the RECORD a discussion of the currency bill by Hon. George Campbell, of Coffeyville, Kans. Mr. Campbell was some years ago a member of the senate of Kansas. He has written a very interesting article——

The SPEAKER. Does the gentleman from Kansas couple his request with that of the gentleman from Connecticut?

Mr. CAMPBELL. Oh, no; I shall not do that.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut to address the House for five minutes? [After a pause.] The Chair hears none. Now, the gentleman from Kansas [Mr. CAMPBELL] asks unanimous consent to have printed in the CONGRESSIONAL RECORD a speech on the subject of currency by the Hon. George Campbell, of Coffeyville, Kans. Is there objection? [After a pause.] The Chair hears none.

ABSENTEEISM.

The SPEAKER. The gentleman from Connecticut is now recognized for five minutes.

Mr. DONOVAN. Mr. Speaker, I will read from the RECORD of Saturday. The gentleman from Illinois [Mr. MANN], the minority leader, has stated that my grammar was like my facts in regard to the law of the United States. It is true, Mr. Speaker, that the gentleman from Connecticut's grammar and the rules governing the same are very few. It is also true that his vocabulary is somewhat limited, but, just the same, sufficient to express the thoughts in his mind.

I read now from section 40 of the Revised Statutes of the United States, second edition, 1878:

The Secretary of the Senate and Sergeant at Arms of the House, respectively, shall deduct from the monthly payments of each Member or Delegate the amount of his salary for each day that he has been absent from the Senate or House, respectively, unless such Member or Delegate assigns as the reason for such absence the sickness of himself or of some member of his family.

The only reason that is to be assigned for their absence is sickness of themselves or members of their families. And, Mr. Speaker, that is the supreme law of the land, notwithstanding the great mind from Illinois to the contrary. [Laughter.] It is joint action, and until repealed it must remain the law of the land; and I challenge the gentleman from Illinois to dare to repeal the act.

Now, even throwing that statute in the wastebasket, it is still a violation of the law for Members to absent themselves. No Member here can take away the right of a congressional district to be represented in this body except for treason, and any motion or any act that one binds with another in the way of a pair is an illegal act, except for sickness, and it does not allow the well Member to go away. That is the law—the moral law, the higher law.

I have but two rules, Mr. Speaker. The first is to tell the truth. The other one is to hew to the line and let the chips fall where they will—an old saying of many years. I had always supposed, being present here for many weeks and months, that the Member from Illinois [Mr. MANN] was sincere in his maneuvers until the other day, when, either through barter or trade, he fixed upon those whom he allows to go without his objection, which, to say the least, is not honorable.

The gentleman stated on that same day that he was not a politician. He practically stated that he is the ablest Member of this body. [Laughter.] He has stated, when a reference was made to another leader of the minority, that that leader was not as alert as this one, which means that he is the most alert. [Laughter.]

He is not a politician. I hold in my hand, Mr. Speaker, a copy of the Chicago Tribune, a paper of much circulation, published in the district of the gentleman from Illinois. It is a reply to his political activity in a way. I read:

Mr. MANN is a gentleman of precise attainments. He would know exactly how many pins were in a paper of pins, but he might be in doubt whether to use them as railroad spikes or bayonets. He is a marvel of minutia. Like a Gulliver, with a head full of small, precise information, he wanders through a Brobdingnag of big ideas and sees only the buttons on the shoes. He could tell the number of seeds distributed by the Government in any 1 year or any 10 years; he would know whether 2 cents more or 2 cents less had been appropriated for Peace River in 1909 than in 1911; he would know the cubic air space of the Hall of the House of Representatives, the amount of grass seed sown on the White House lawn, the ruling of the Speaker in any case at any time, the number of pages in any book in the Congressional Library.

In Lilliput Mr. MANN is a giant.

So says the Chicago Tribune of July 4, 1913. [Laughter.] He is not a politician, he says. He does not know much about it, but he is a hard-working cuss. I read further:

He is the same gentleman who comes biennially to the Tribune office with the somewhat plaintive plea that the chances of his election and, therefore, of his continued usefulness to the country lie in the discretion of the Tribune. The flattery never is deceptive, and the Tribune never has regarded itself as the second congressional district of Illinois or as the paramount influence in that district. But the tart and aspersive MANN can cringe a bit when an election is a month off, and when he cringes his words are honey. Therefore we do not respect Mr MANN in his error. He is honest in it. We hope, however, that next year Mr. MANN will have the courage of his convictions and not apply to this "unscrupulous" newspaper for support. We would, at least, respect him if he would stay away from this office.

The SPEAKER. The time of the gentleman from Connecticut has expired.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the gentleman may continue until he concludes his remarks.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the gentleman from Connecticut [Mr. DONOVAN] be permitted to proceed until he concludes his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. DONOVAN. I thank the Member from Illinois. He is as liberal with his compliments as he is with his criticisms. [Laughter.]

If he were merely Mr. MANN, a paragraph might describe him as a dunderhead and answer his felicitous comment on the Mulhall exposure; but Mr. MANN is the leader of the Republican Party in the House of Representatives, and he expresses the sanctimonious horror of men who shudder at the revelation and not at the thing revealed.

Now, in regard to hewing to the line and letting the chips fall where they will, I appeal to the gentleman from Illinois to tell the truth when he rises to his feet, and it will be the truth if he will say that the most aggravated case of absenteeism is on his side of the House, and the case I have in mind is that of a Member from New York. The gentleman from Illinois has studiously and carefully avoided noticing the absence of those on his side. There is another flagrant case of absenteeism on his side that received its just rebuke yesterday. The case I have reference to is of a gentleman of the minority who sometimes takes the place as leader of the minority in the absence of the gentleman from Illinois, and who became his party's candidate for governor, and, for the first time in the history of his State, the Republican ticket ran third. I refer to Mr. GARDNER, a gentleman whose grammar is always correct. I believe it is Bostonese without doubt, don't you know, and one of the most cultured ones in the House; and if you look up his record you will find him a stickler in opposing the criticism of a Member in his absence. It is impossible to criticize that distinguished character at any other time except in his absence. I had thought, Mr. Speaker, that this great leader, to show his impartiality and to show his sincerity, in speaking of these people avoiding their duty, would not spare a Member because he was tagged with the Republican ticket.

I received a note this morning from one who used to occupy these galleries and had become impressed with the leader of the minority.

Mr. MANN has an acid tongue. I like to read what he says, but I was quite disgusted to happen on an expression used earlier in the session, "this peanut pimple," referring to some one, I don't remember just who. Even Homer sometimes nods, though.

It was grammatical on the part of Mr. MANN to designate the character of some one as a peanut pimple. I turn and leave the gentleman, the leader of the minority, to the pains and penalties of condoning wrong, assisting in violation of the law, as he did the other day when he rose from his seat and made some jocular remarks, returned to his seat again and allowed the Members to depart, and immediately hid behind the grammar of the Member from Connecticut, and claimed extenuation because of that. What a picture for a great leader, an able man, many years here, to look for an excuse for the want of doing right himself.

Mr. MANN. Mr. Speaker, I ask for two minutes.

The SPEAKER. The gentleman from Illinois asks leave to address the House for two minutes. Is there objection?

There was no objection.

Mr. MANN. I shall not attempt to advertise the gentleman from Connecticut, as he undoubtedly hopes I will, or to reply to what might by some be called remarks concerning myself. I do not need any defense in this House; or, if I do, I shall not make it myself.

The other day the gentleman from Connecticut stated that it was against the law for the House to grant leaves of absence except for illness of the Member or in the Member's family. I stated that that was not the law. The gentleman from Connecticut stated that he would read the law to the House. I have not in recent years looked up the law upon the subject, but I did at one time, and I am positive that the gentleman from Connecticut will not read that law. He has not read the law to the House; but I dare say he will find in the statutes a provision directing the Sergeant at Arms to deduct the pay of Members who are absent, except when they are absent for illness of themselves or of members of their families. That is a provision directed to the Sergeant at Arms, which has nothing to do with leave granted by the House. My recollection is—and I may be mistaken about it—that there is a provision that the mileage of Members shall be deducted proportionately for absence unless they are absent by leave of the House, there being no provision in either of the sections that the House shall not grant leave of absence except for illness.

Now, the gentleman from Connecticut repents that not only myself, but the House, consented to a violation of the law the other day. That is a serious charge. I ask the gentleman from Connecticut to read the statute, if he has it before him, which forbids the House to grant leave of absence except for illness of a Member or illness in his family; and if the gentleman from Connecticut is unable to read that provision of the statute, he stamps himself as a slanderer of the House, and ought to resign his office.

Mr. HULL. Mr. Speaker, I move that the House do now adjourn.

Mr. DONOVAN. Will the gentleman withhold that for a moment?

Mr. HULL. I will withhold it for a moment, at the request of the gentleman.

Mr. DONOVAN. In reply——

The SPEAKER. The gentleman must get leave of the House to reply.

Mr. DONOVAN. I ask for two minutes, Mr. Speaker.

The SPEAKER. The gentleman from Connecticut asks leave to address the House for two minutes. Is there objection?

There was no objection.

Mr. DONOVAN. The law I refer to was cited by the Speaker on that day in administering the oath to Maj. NEELEY, "without evasion." This provides for absence only in case of sickness. There is no provision to let a Member go unless it is treason. I will quote the words of a noble Roman, the noblest one amongst us:

It is not right, as I see it, for a man to take the Government money for the discharge of the duties of an office and then neglect the duties of that office.

That is from the gentleman from Missouri who occupies the Speaker's chair. He goes further:

I do not propose to neglect the duties of that office to go on the lecture platform and lecture for money.

I suggest those simple words in blunt, plain language to some of our associates.

THE FIVE CIVILIZED TRIBES.

Mr. SHACKLEFORD. Mr. Speaker, I ask unanimous consent to insert in the RECORD a speech delivered by the Hon. WILLIAM H. MURRAY, of Oklahoma, at the Mohonk conference, in October, 1913, in relation to restrictions of the Five Civilized Tribes of Indians.

The SPEAKER. The gentleman from Missouri asks unanimous consent to have inserted in the RECORD the speech made by the Hon. WILLIAM H. MURRAY at the Mohonk conference touching the Five Civilized Tribes. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, the Mohonk conference was held while the House was in session. This is a matter of greater importance to the House than it is to the Mohonk conference. Why does not the gentleman from Oklahoma give the House the information instead of leaving the House while it is in session, preventing the House from transacting business, and going off and delivering the speech?

Mr. SHACKLEFORD. I believe I should be accurate if I said that the gentleman from Oklahoma remained here attending the sessions of the House and sent his address to the conference, where it was read.

Mr. MANN. I wish he had delivered it here. I shall not object, however.

Mr. SHACKLEFORD. I am providing now for the delivery of it here.

Mr. MANN. I am afraid the gentleman is embalming it for him.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

UNIVERSAL DISARMAMENT.

Mr. SMITH of Maryland. Mr. Speaker, I ask unanimous consent to print in the RECORD some remarks on the resolution introduced by me several days ago on the subject of universal peace.

The SPEAKER. The gentleman from Maryland asks unanimous consent to extend in the RECORD a speech made by himself on universal peace. Is there objection?

There was no objection.

THE STEEL BUSINESS.

Mr. AUSTIN. Mr. Speaker, I ask permission to insert in the RECORD a speech made by Mr. E. H. Gary, of Chicago, to the Iron and Steel Institute of America.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to insert in the RECORD a speech made by Mr. E. H. Gary. Is there objection?

Mr. BUCHANAN of Illinois. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman on what subject this speech treats.

Mr. AUSTIN. The business conditions and growth of the steel business in the United States—at home and abroad.

Mr. BUCHANAN of Illinois. I object.

ADJOURNMENT.

Mr. HULL. Mr. Speaker, I renew my motion that the House do now adjourn.

Mr. MANN. And on that, Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 48, nays 23, answered "present" 12, not voting 346, as follows:

YEAS—48.

Abercrombie	Fergusson	Kirkpatrick	Shackleford
Aswell	Floyd, Ark.	Lee, Pa.	Sims
Beakes	Gard	Lloyd	Sisson
Brockson	Graham, Ill.	Lobeck	Smith, Md.
Brodbeck	Hamlin	McDermott	Stone
Brown, W. Va.	Hammond	McKellar	Taggart
Buchanan, Ill.	Hay	Maguire, Nebr.	Tavenner
Byrns, Tenn.	Heflin	Murray, Okla.	Ten Eyck
Collier	Henry	Page	Tribble
Donohoe	Hensley	Pepper	Watkins
Doremus	Hull	Quin	Webb
Evans	Keating	Russell	Young, Tex.

NAYS—23.

Anderson	Davis	Kennedy, Iowa	Powers
Austin	Donovan	La Follette	Sinnott
Avis	Frear	MacDonald	Smith, Idaho
Bell, Cal.	Hawley	Moss, W. Va.	Sutherland
Browne, Wis.	Johnson, Utah	Nelson	Towner
Campbell	Johnson, Wash.	Plumley	

ANSWERED "PRESENT"—12.

Cary	Kinkaid, Nebr.	Slayden	Volstead
French	Mann	Smith, Minn.	Walters
Glass	Mondell	Stevens, Minn.	Woods

NOT VOTING—346.

Adair	Doughton	Kahn	Prouty
Adamson	Driscoll	Keister	Ragsdale
Aiken	Dunn	Kelley, Mich.	Rainey
Ainey	Dupré	Kelly, Pa.	Raker
Alexander	Dyer	Kennedy, Conn.	Rauch
Allen	Eagan	Kennedy, R. I.	Rayburn
Ansberry	Eagle	Kent	Reed
Anthony	Edmonds	Kettner	Reilly, Conn.
Ashbrook	Edwards	Key, Ohio	Reilly, Wis.
Bailey	Elder	Kless, Pa.	Richardson
Baker	Esch	Kindel	Riordan
Baltz	Estopinal	Kinkead, N. J.	Roberts, Mass.
Barchfeld	Fairchild	Kitchin	Roberts, Nev.
Barkley	Faison	Knowland, J. R.	Rogers
Barnhart	Falconer	Konop	Rothermel
Bartholdt	Farr	Korbly	Rouse
Bartlett	Ferris	Kreider	Rubey
Barton	Fess	Lafferty	Rucker
Bathrick	Fields	Langham	Rupley
Beall, Tex.	Finley	Langley	Sabath
Bell, Ga.	Fitzgerald	Lazaro	Saunders
Blackmon	Fitzhenry	Lee, Ga.	Scott
Booher	Flood, Va	L'Engle	Scully
Borchers	Fordney	Lenroot	Seldomridge
Borland	Foster	Lesher	Sells
Boehle	Fowler	Lever	Sharp
Bremner	Francis	Levy	Sherley
Britten	Gallagher	Lewis, Md.	Sherwood
Broussard	Gardner	Lewis, Pa.	Shreve
Brown, N. Y.	Garner	Lieb	Slemp
Browning	Garrett, Tenn.	Lindbergh	Sloan
Brueckner	Garrett, Tex.	Lindquist	Small
Brumbaugh	George	Linthicum	Smith, J. M. C.
Bryan	Gerry	Logue	Smith, Saml. W.
Buchanan, Tex.	Gillett	Lonergan	Smith, N. Y.
Bulkley	Gilmore	McAndrews	Smith, Tex.
Burgess	Gittins	McClellan	Sparkman
Burke, Pa.	Godwin, N. C.	McCoy	Stafford
Burke, S. Dak.	Goeke	McGillicuddy	Stanley
Burke, Wis.	Goldfogle	McGuire, Okla.	Stedman
Burnett	Good	McKenzie	Steenerson
Butler	Goodwin, Ark.	McLaughlin	Stephens, Cal.
Byrnes, S. C.	Gordon	Madden	Stephens, Miss.
Calder	Gorman	Mahan	Stephens, Nebr.
Callaway	Goulden	Maher	Stephens, Tex.
Candler, Miss.	Graham, Pa.	Manahan	Stevens, N. H.
Cantrill	Gray	Mapes	Stout
Caraway	Green, Iowa	Martin	Stringer
Carew	Greene, Mass.	Merritt	Sumners
Carlin	Greene, Vt.	Metz	Switzer
Carr	Gregg	Miller	Talbott, Md.
Carter	Griest	Mitchell	Talcott, N. Y.
Casey	Griffin	Montague	Taylor, Ala.
Chandler, N. Y.	Gudger	Moon	Taylor, Ark.
Church	Guernsey	Moore	Taylor, Colo.
Clancy	Hamill	Morgan, La.	Taylor, N. Y.
Clark, Fla.	Hamilton, Mich.	Morgan, Okla.	Temple
Claypool	Hamilton, N. Y.	Morin	Thacher
Clayton	Hardwick	Morrison	Thomas
Cline	Hardy	Moss, Ind.	Thompson, Okla.
Connelly, Kans.	Harrison	Mott	Thomson, Ill.
Connolly, Iowa	Hart	Murdock	Townsend
Conry	Hayden	Murray, Mass.	Treadway
Cooper	Hayes	Neeley, Kans.	Tuttle
Copley	Hayes	Neeley, W. Va.	Underhill
Covington	Helgesen	Nolan, J. I.	Underwood
Cox	Helm	Norton	Vare
Cramton	Helvering	O'Brien	Vaughan
Crisp	Hill	Oglesby	Walker
Cresser	Hinds	O'Hair	Wallin
Cullop	Hinebaugh	Oldfield	Walsh
Curley	Hobson	O'Leary	Watson
Curry	Holland	O'Shaunessy	Weaver
Dale	Houston	Padgett	Whaley
Danforth	Howard	Palmer	Whitacre
Davenport	Howell	Parker	White
Decker	Hoxworth	Patton, N. Y.	Williams
Dettrick	Hughes, Ga.	Patton, Pa.	Willis
Dent	Hughes, W. Va.	Payne	Wilson, Fla.
Dershem	Hulings	Peters, Mass.	Wilson, N. Y.
Dickinson	Humphrey, Wash.	Peters, Me.	Wingo
Dies	Humphreys, Miss.	Peterson	Winslow
Difenderfer	Igoe	Phelan	Witherspoon
Dillon	Jacoway	Platt	Woodruff
Dixon	Johnson, Ky.	Porter	Young, N. Dak.
Dooling	Johnson, S. C.	Post	
Doolittle	Jones	Pou	

So the motion to adjourn was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.

Mr. SCULLY with Mr. BROWNING.

Mr. METZ with Mr. WALLIN.

Mr. HOBSON with Mr. FAIRCHILD.

Mr. BARTLETT with Mr. BUTLER.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. UNDERWOOD with Mr. MANN.

Until further notice:

Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1).

Mr. AIKEN with Mr. EDMONDS.

Mr. ASHBROOK with Mr. KAHN.

Mr. BALTZ with Mr. SHREVE.

Mr. BARKLEY with Mr. FALCONER (commencing Oct. 24).

Mr. BAILEY with Mr. FESS.

Mr. BARNHART with Mr. MAPES.

Mr. BELL of Georgia with Mr. PATTON of Pennsylvania.

Mr. BLACKMON with Mr. BARCHFELD.

Mr. BREMNER with Mr. GILLETT.

Mr. BURNETT with Mr. HAYES.

Mr. BYRNES of South Carolina with Mr. MANAHAN.

Mr. BROUSSARD with Mr. KELLEY of Michigan.

Mr. BROWN of New York with Mr. BARTON.

Mr. BURKE of Wisconsin with Mr. CARY.

Mr. CHURCH with Mr. ROBERTS of Massachusetts.

Mr. CLAYTON with Mr. MONDELL.

Mr. CLAYPOOL with Mr. BRYAN.

Mr. CLARK of Florida with Mr. WOODRUFF.

Mr. CANTRILL with Mr. HELGESEN.

Mr. CARAWAY with Mr. KENNEDY of Rhode Island.

Mr. CRISP with Mr. HINDS (transferable).

Mr. CLANCY with Mr. HAMILTON of New York.

Mr. COVINGTON with Mr. MILLER.

Mr. CARTER with Mr. MCGUIRE of Oklahoma.

Mr. CLINE with Mr. NORTON (commencing Oct. 1).

Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.

Mr. COX with Mr. MURDOCK.

Mr. DECKER with Mr. MOORE.

Mr. DENT with Mr. KREIDER.

Mr. DEITRICK with Mr. YOUNG of North Dakota.

Mr. DIES with Mr. SWITZER.

Mr. DOUGHTON with Mr. MOTT.

Mr. DUPRÉ with Mr. ANTHONY.

Mr. ELDER with Mr. STEENERSON.

Mr. FRANCIS with Mr. HUGHES of West Virginia.

Mr. FITZGERALD with Mr. CALDER.

Mr. FERRIS with Mr. SELLS.

Mr. FIELDS with Mr. LANGLEY.

Mr. FAISON with Mr. CURTIS.

Mr. FOSTER with Mr. GREENE of Vermont (commencing Oct. 27).

Mr. FINLEY with Mr. GREEN of Iowa.

Mr. GILMORE with Mr. MCKENZIE.

Mr. GOEKE with Mr. LEWIS of Pennsylvania.

Mr. GOODWIN of Arkansas with Mr. PORTER.

Mr. GARNER with Mr. J. I. NOLAN.

Mr. GORDON with Mr. THOMSON of Illinois.

Mr. GARRETT of Tennessee with Mr. LANGHAM.

Mr. HAYDEN with Mr. LAFFERTY.

Mr. HARRISON with Mr. GRAHAM of Pennsylvania.

Mr. HOXWORTH with Mr. ROBERTS of Nevada.

Mr. HOWARD with Mr. GRIEST.

Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).

Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).

Mr. HOUSTON with Mr. WILLIS.

Mr. HUGHES of Georgia with Mr. KIESS of Pennsylvania.

Mr. JACOWAY with Mr. FRENCH.

Mr. IGOE with Mr. PROUTY.

Mr. JONES with Mr. HINEBAUGH.

Mr. KITCHIN with Mr. PAYNE.

Mr. KEY of Ohio with Mr. FARR.

Mr. KONOP with Mr. MORIN.

Mr. KETTNER with Mr. SCOTT.

Mr. LEE of Georgia with Mr. KEISTER.

Mr. LONERGAN with Mr. ROGERS.

Mr. MCCOY with Mr. TEMPLE.

Mr. MCGILLICUDDY with Mr. GUERNSEY.

Mr. MCCLELLAN with Mr. LEWIS of Pennsylvania.

Mr. MONTAGUE with Mr. VARE.

Mr. MOON with Mr. DILLON.

Mr. MORGAN of Louisiana with Mr. HULINGS.

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. MURRAY of Massachusetts with Mr. CRAMTON.

Mr. PALMER with Mr. MOORE.

Mr. PETERSON with Mr. PLATT (commencing Oct. 13).

Mr. PHELAN with Mr. SMITH of Minnesota (Oct. 24 to Nov. 15).

Mr. POST with Mr. COPLEY.

Mr. RAINEY with Mr. MADDEN.

Mr. RAKER with Mr. DUNN.

Mr. RUCKER with Mr. HAUGEN.

Mr. ROUSE with Mr. RUPLEY.

Mr. RICHARDSON with Mr. MARTIN.

Mr. RUBEY with Mr. TREADWAY.

Mr. SHERWOOD with Mr. SAMUEL W. SMITH.

Mr. SHERLEY with Mr. COOPER (Oct. 23 to Nov. 15).

Mr. SMALL with Mr. J. R. KNOWLAND.

Mr. SPARKMAN with Mr. HOWELL.

Mr. SUMNERS with Mr. ESCH.

Mr. SAUNDERS with Mr. AINEY.

Mr. SMITH of Texas with Mr. MCLAUGHLIN.

Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.

Mr. STEPHENS of Nebraska with Mr. SLOAN.

Mr. TALBOTT of Maryland with Mr. MERRITT.

Mr. TAYLOR of Alabama with Mr. PETERS of Maine.

Mr. THOMPSON of Oklahoma with Mr. DANFORTH.

Mr. UNDERHILL with Mr. WALTERS.

Mr. WILLIAMS with Mr. BRITTEN.

Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).

Mr. WINGO with Mr. PARKER.

Mr. WEAVER with Mr. BURKE of Pennsylvania.

Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).

Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).

Mr. REED with Mr. WINSLOW (commencing Oct. 1 for remainder of extra session).

Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, except on cotton-futures amendment).

Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, and for balance of session).

Mr. SMITH of Minnesota. Mr. Speaker, I voted "no." I wish to withdraw my vote, as I am paired with the gentleman from Massachusetts, Mr. PHELAN.

The name of Mr. SMITH of Minnesota was called, and he answered "Present."

Mr. MANN. Mr. Speaker, I voted "no," and I am paired with the gentleman from Alabama, Mr. UNDERWOOD. I desire to withdraw my vote of "no" and be recorded "present."

The name of Mr. MANN was called, and he answered "Present."

Mr. KINKAID of Nebraska. Mr. Speaker, I find that I am paired with the gentleman from Missouri, Mr. DICKINSON, which fact I had forgotten. I therefore wish to withdraw my vote of "no" and answer "present."

The name of Mr. KINKAID of Nebraska was called, and he answered "Present."

The result of the vote was announced as above recorded.

Accordingly (at 12 o'clock and 54 minutes p. m.) the House adjourned until to-morrow, Thursday, November 6, 1913, at 12 o'clock noon.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 3259) granting a pension to Robert F. Tietz; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5100) granting a pension to Julia M. Ashby; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. L'ENGLE: A bill (H. R. 9113) to prescribe the form of poisonous and nonpoisonous tablets, lozenges, and troches, and to reduce the danger of accidental poisoning; to the Committee on Interstate and Foreign Commerce.

By Mr. AUSTIN: A bill (H. R. 9114) to prohibit interstate carriers from transporting products of any factory or mine in which convicts are worked; to the Committee on Interstate and Foreign Commerce.

By Mr. HAWLEY: A bill (H. R. 9115) to provide for reserving from the public lands in the State of Oregon as a public park for the benefit of the people of the United States, and for the protection and preservation of the game, fish, timber, and all other natural objects therein, a tract of land herein described, etc.; to the Committee on the Public Lands.

Also, a bill (H. R. 9116) to provide pensions for the officers and soldiers of the Indian wars of the United States which occurred prior to the year 1880; to the Committee on Pensions.

Also, a bill (H. R. 9117) providing for the manner of making payment for water rights under the reclamation act of June 17, 1902; to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 9118) providing that certain soldiers and sailors who served in the United States Army and Navy or Marine Corps during the Civil War, the War with Spain, or the Philippine insurrection for 90 days shall have a preference right in making entry on the public lands of the United States hereafter open to settlement; to the Committee on the Public Lands.

Also, a bill (H. R. 9119) to regulate the selection of lieu lands by railroads in the State of Oregon; to the Committee on the Public Lands.

By Mr. JOHNSON of Washington: A bill (H. R. 9120) making an appropriation of $750,000 for the construction of a dredger to be used in the improvement of the harbor of the Columbia River; to the Committee on Appropriations.

By Mr. QUIN: A bill (H. R. 9121) to establish a bureau of markets in the Department of Agriculture; to the Committee on Agriculture.

By Mr. CARLIN: A bill (H. R. 9122) to create a national university at the seat of the Federal Government; to the Committee on Education.

By Mr. MANN: Resolution (H. Res. 300) directing the Secretary of the Treasury to transmit to the House of Representatives copies of all special regulations, orders, and instructions issued to the customs officials or any of them relating to importations under any of paragraphs 227, 347, and 416 of the Underwood tariff law; to the Committee on Ways and Means.

By Mr. FALCONER: Resolution (H. Res. 301) directing the Department of Justice to give the House of Representatives full details and particulars covering the report of the grand jury that probed the frauds in Philadelphia, together with all correspondence between the Wanamaker Co. and the Attorney General's office; to the Committee on the Judiciary.

By Mr. CARY: Resolution (H. Res. 302) directing the Committee on Expenditures in the Treasury Department to inquire into the letting of the bids for the construction of the post office at New Haven, Conn.; to the Committee on Rules.

Also, joint resolution (H. J. Res. 147) providing for the appointment of a committee by Congress to assess the value of Mount Vernon on the Potomac, the home of Gen. Washington; to the Committee on Rules.

Also, joint resolution (H. J. Res. 148) providing for the appointment of a committee by Congress to assess the value of the Carlyle house, located in the city of Alexandria, Va.; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 9123) correcting the military record of Samuel Wyatt; to the Committee on Military Affairs.

By Mr. AVIS: A bill (H. R. 9124) for the relief of Lycurgus Campbell, administrator of the estate of Edward Campbell, deceased; to the Committee on War Claims.

Also, a bill (H. R. 9125) granting a pension to Isaac N. Marrow; to the Committee on Pensions.

Also, a bill (H. R. 9126) granting a pension to John B. Garvey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9127) granting a pension to John H. Caldwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9128) granting a pension to Mrs. Joseph B. Milbee; to the Committee Pensions.

Also, a bill (H. R. 9129) granting an increase of pension to Perry Hanshaw; to the Committee on Invalid Pensions.

By Mr. FLOYD of Arkansas: A bill (H. R. 9130) granting a pension to Ellen Scott; to the Committee on Invalid Pensions.

By Mr. GARD: A bill (H. R. 9131) granting a pension to Emma H. Wambaugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9132) granting a pension to Angeline Shade; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9133) granting a pension to James Scannel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9134) granting an increase of pension to Jesse P. Moren; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9135) granting a pension to James Lowry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9136) granting a pension to Charles B. Hoover; to the Committee on Pensions.

Also, a bill (H. R. 9137) granting a pension to John W. Herchelrode; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9138) granting a pension to George Hayman; to the Committee on Pensions.

Also, a bill (H. R. 9139) granting an increase of pension to Horace W. Gear; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9140) to remove the charge of desertion against William L. Spivey; to the Committee on Military Affairs.

Also, a bill (H. R. 9141) to remove the charge of desertion against Thomas A. Houston; to the Committee on Military Affairs.

Also, a bill (H. R. 9142) to remove the charge of desertion against Louis Cupp; to the Committee on Military Affairs.

Also, a bill (H. R. 9143) to remove the charge of desertion against Harry S. Burdsall; to the Committee on Military Affairs.

Also, a bill (H. R. 9144) to remove the charge of desertion against James Bartram; to the Committee on Military Affairs.

Also, a bill (H. R. 9145) to remove the charge of desertion against Michael Eicher; to the Committee on Military Affairs.

Also, a bill (H. R. 9146) to remove the charge of desertion against John Andrews; to the Committee on Military Affairs.

Also, a bill (H. R. 9147) to restore First Lieut. James P. Barney, retired, to the active list of the Army; to the Committee on Military Affairs.

By Mr. GOEKE: A bill (H. R. 9148) granting an increase of pension to David E. Niswonger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9149) granting an increase of pension to Mortimore Nichols; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 9150) granting an increase of pension to John McArthur; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9151) granting an increase of pension to Robert N. Varley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9152) granting an increase of pension to Delia R. Goss; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9153) granting an increase of pension to George W. Noah; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9154) granting an increase of pension to Mathew Maroney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9155) granting an increase of pension to Milton Lee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9156) granting an increase of pension to Alexander Ginty; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9157) for the relief of Amos Dahuff; to the Committee on Military Affairs.

Also, a bill (H. R. 9158) for the relief of the State of Oregon; to the Committee on Claims.

Also, a bill (H. R. 9159) for the relief of water users on reclamation projects in certain instances; to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 9160) to authorize the reconveyance of certain lands to Abel Ady and wife in Klamath County, Oreg.; to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 9161) granting an increase of pension to John B. Shafer; to the Committee on Invalid Pensions.

By Mr. KEATING: A bill (H. R. 9162) granting an increase of pension to Edward D. Lashley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9163) granting an increase of pension to Christopher Hummel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9164) granting a pension to Belle R. Reid; to the Committee on Pensions.

Also, a bill (H. R. 9165) granting a pension to Harry G. Tharp; to the Committee on Pensions.

Also, a bill (H. R. 9166) granting an increase of pension to Charles B. Ross; to the Committee on Pensions.

Also, a bill (H. R. 9167) granting an increase of pension to Elizabeth O'Reiley; to the Committee on Invalid Pensions.

By Mr. KIRKPATRICK: A bill (H. R. 9168) for the relief of Edmond McManus; to the Committee on Claims.

By Mr. McGILLICUDDY: A bill (H. R. 9169) granting an increase of pension to Greenlief G. Wagg; to the Committee on Invalid Pensions.

By Mr. REILLY of Connecticut: A bill (H. R. 9170) granting an increase of pension to Timothy Costello; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9171) granting an increase of pension to Ann Killoy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9172) granting an increase of pension to Edgar Van Horn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9173) granting an increase of pension to Elizabeth Meyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9174) granting an increase of pension to Anna Spink; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 9175) granting a pension to Eliza Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9176) granting an increase of pension to William R. Spears; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9177) granting an increase of pension to Simon B. Rothchild; to the Committee on Invalid Pensions.

By Mr. STEENERSON: A bill (H. R. 9178) granting an increase of pension to Elizabeth E. Olson; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 9179) granting a pension to Leo C. Zindel; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of the S. W. Miller Piano Co., of Sheboygan, Wis., protesting against provisions of the original Kahn bill, known as House bill 7595; to the Committee on Interstate and Foreign Commerce.

By Mr. DANFORTH: Petition of F. Granger Hall, jr., of Dansville, N. Y., for installation of Hall improved patent lifeline gun on seagoing vessels as a part of the life-saving equipment; to the Committee on Interstate and Foreign Commerce.

By Mr. FITZGERALD: Petition of the Twenty-eighth Ward Tax Paying Protective Association, of Brooklyn, N. Y., protesting against any movement to abandon the Brooklyn Navy Yard; to the Committee on Naval Affairs.

By Mr. HUGHES of West Virginia: Petitions of sundry citizens of West Virginia, favoring the bill (H. R. 5308) relative to mail-order houses; to the Committee on Ways and Means.

By Mr. KIESS of Pennsylvania: Evidence in support of House bill 7833, for the relief of Sarah Jane Burroughs; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 5419, for the relief of William Woodhouse; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 6842, for the relief of James A. Roche; to the Committee on Invalid Pensions.

By Mr. LAFFERTY: Petition of the headquarters department of Oregon, Ladies of the Grand Army of the Republic, protesting against any change in the flag of the United States of America; to the Committee on the Judiciary.

By Mr. MANN: Petition of the Illinois Manufacturing Association, favoring changes in the Glass banking and currency bill; to the Committee on Banking and Currency.

SENATE.

THURSDAY, *November 6, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

PRESIDENT PRO TEMPORE, UNITED STATES SENATE,
Washington, November 6, 1913.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN RANDOLPH THORNTON, a Senator from the State of Louisiana, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. THORNTON thereupon took the chair as Presiding Officer and directed that the Secretary read the Journal of the proceedings of the last legislative day.

THE JOURNAL.

The Journal of the proceedings of Monday last was read and approved.

BANKING AND CURRENCY.

Mr. OVERMAN. I present resolutions adopted at a meeting of the executive committee of the North Carolina Bankers' Association, held at Raleigh, N. C., which I ask may be printed in the RECORD and referred to the Committee on Banking and Currency.

There being no objection, the resolutions were referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

THE NORTH CAROLINA BANKERS' ASSOCIATION,
OFFICE OF THE SECRETARY AND TREASURER,
Henderson, N. C.

At a meeting of the executive committee of the North Carolina Bankers' Association, held in Raleigh on the 29th of September to discuss the currency bill now pending before Congress, the following resolutions were unanimously adopted at said meeting:

"*Resolved*, That we believe the present bill now pending before Congress, with some modifications, would meet the requirements of the country and that, in our judgment, the recommendations of the recent conference in Chicago of representative banking interests of the country furnished a reasonable ground for the modification of the pending currency bill.

"*Resolved*, That copies of these resolutions be sent to our Members of Congress and to the chairmen of the Senate and House Committees on Banking and Currency, respectively."

Geo. A. Holderness, Thos. E. Cooper, J. L. Armfield, W. A. Hunt, C. P. McNeely, C. V. Brown, T. A. Uzzell, W. B. Drake, E. O. Anderson, L. S. Covington, E. C. Rae, A. L. Davis.

MISSISSIPPI RIVER FLOODS.

Mr. WALSH. I present resolutions adopted by the Chamber of Commerce of Missoula and the Commercial Club of Helena, in my State, which I ask may be printed in the RECORD, and I ask that one of them may be read.

The PRESIDING OFFICER. The Senator from Montana will signify the one he wishes to have read.

Mr. WALSH. Either one.

The PRESIDING OFFICER. The Secretary will read the resolutions.

The Secretary read the resolutions of the Chamber of Commerce of Missoula, Mont., as follows:

Whereas the Democratic, Republican, and Progressive Parties in their 1912 platforms declared that flood protection of the lower Mississippi River and the reclamation of its alluvial lands was a national obligation; and

Whereas we believe these declarations should be enacted into legislation; and

Whereas we believe the protection of this vast area from floods caused by the drainage from 31 States of the Union and its reclamation will benefit the whole Nation and is a work of such magnitude that it justifies separate treatment: Therefore

Resolved, That this association urges upon Congress the immediate adoption of legislation for flood protection and reclamation of this section of our country and by methods approved by the United States engineers.

MISSOULA CHAMBER OF COMMERCE.

There being no objection, the resolutions of the Commercial Club of Helena, Mont., were ordered to be printed in the RECORD, as follows:

Resolutions adopted by Helena Commercial Club October 24, 1913.

Whereas the Democratic, Republican, and Progressive Parties in their 1912 platforms declared that flood protection of the lower Mississippi River and the reclamation of its alluvial lands was a national obligation; and

Whereas we believe these declarations should be enacted into legislation; and

Whereas we believe the protection of this vast area from floods caused by the drainage from 31 States of the Union and its reclamation will benefit the whole Nation and is a work of such magnitude that it justifies separate treatment: Therefore

Resolved, That this association urges upon Congress the immediate adoption of legislation for flood protection and reclamation of this section of our country and by methods approved by the United States engineers.

The PRESIDING OFFICER. The resolutions will be referred to the Committee on Commerce.

TRIAL OF MENDEL BEILIS.

Mr. ROOT. I present the petition of Joseph Silbernik, delegate-councilor from the city of New York of the Universal Esperanto Association, and 62 other citizens of New York City, requesting consideration of the "Appeal of 135 of the most prominent legislators, officials, and members of the liberal professions in Bohemia" in relation to the so-called "ritual murder case" in the city of Kief, Russia. An original copy of the appeal and translation accompanies the petition.

I move that the petition and accompanying papers be referred to the Committee on Foreign Relations.

The motion was agreed to.

REPORTS OF COMMITTEE ON COMMERCE.

Mr. VARDAMAN, from the Committee on Commerce, to which was referred the bill (S. 2609) to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.," approved February 26, 1904, reported it without amendment and submitted a report (No. 125) thereon.

He also, from the same committee, to which was referred the bill (S. 1346) to authorize the Eastern Maine Railroad to construct, maintain, and operate a bridge without a draw across the Penobscot River between the cities of Bangor and Brewer, in the State of Maine, reported it with an amendment and submitted a report (No. 126) thereon.

RELIEF OF SUFFERERS IN ALASKA.

Mr. MARTIN of Virginia. Mr. President, in 1912 an appropriation of $30,000 was made for the relief of sufferers from the eruption of a volcano in Alaska. About $4,000 of that $30,000 remains unexpended, and the House has passed a joint resolution (H. J. Res. 139) authorizing the expenditure of the remaining $4,000 for the relief of the sufferers at Nome, Alaska, by the recent very severe storm there. The joint resolution which passed the House came to the Senate and was referred to the Committee on Appropriations. I ask unanimous consent that the committee be discharged from the further consideration of the joint resolution, and that it now be considered by the Senate.

The PRESIDING OFFICER. The Senator from Virginia asks unanimous consent that the Committee on Appropriations be relieved from the further consideration of House joint resolution 139. Is there objection? The Chair hears none.

Mr. MARTIN of Virginia. Mr. President, I have made the request because of the difficulty, which we all understand, in obtaining a quorum of the committee. This is a very small sum, and the situation is an exceedingly urgent one. This storm wrought great damage at Nome; it swept away, for instance, the surface of the earth from the burial ground, exposing the bodies of the dead, and has left an appalling condition there, which appeals for immediate relief. In order to get some immediate relief for those sufferers the House has passed this joint resolution, which carries only $4,000, being an unexpended balance of a sum which was originally appropriated for the relief of the volcano sufferers in Alaska, as stated. The joint resolution simply authorizes the Secretary of the Interior to expend this small sum of $4,000 for the relief of the sufferers at Nome, who are in a very perilous condition at this time.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Utah?

Mr. MARTIN of Virginia. I do.

Mr. SMOOT. I am quite sure there is no member of the Committee on Appropriations nor of the Senate who would object to the immediate consideration of the joint resolution, and I believe the Senator from Virginia would have been perfectly justified in reporting the joint resolution from the committee and asking for its immediate consideration without having the committee discharged therefrom.

Mr. MARTIN of Virginia. I am sure the committee would have sustained me in doing so, but I thought it would be freer from objection to ask unanimous consent of the Senate to relieve the committee and to have the joint resolution considered by the Senate at once.

Mr. GALLINGER. Mr. President, under ordinary circumstances I would object to a procedure that is irregular, but I am one of the offenders myself, being a member of the Committee on Appropriations. I have been absent, and therefore could not attend the meeting of the committee. It seems to me that under the circumstances there ought not to be any objection to the procedure for which the Senator from Virginia asks.

Mr. MARTIN of Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the joint resolution.

The PRESIDING OFFICER. The Senator from Virginia asks unanimous consent for the present consideration of the joint resolution. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. J. Res. 139) to relieve destitution among the native people and residents of Alaska.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BANKING AND CURRENCY.

Mr. WILLIAMS. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably with an amendment Senate resolution 208, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The Secretary read Senate resolution 208, submitted by Mr. OWEN November 3, as follows:

Resolved, That the Committee on Banking and Currency is hereby authorized to have printed the indexed hearings on the pending banking and currency bills (S. 2639 and H. R. 7837), bound in paper as a Senate document, and to employ expert assistance in perfecting the measure for submission to the Senate.

Mr. SMOOT. Mr. President, I have no desire to object to the present consideration of the resolution, but I should like to ask the Senator from Mississippi if there is an amendment suggested by the committee to the resolution which he reports, or is the resolution reported just as it was originally introduced?

Mr. WILLIAMS. There is an amendment reported by the committee limiting the clerical assistance to such as may be ordered by the committee.

Mr. SMOOT. By what committee?

Mr. WILLIAMS. By the Committee on Banking and Currency.

The PRESIDING OFFICER. The Chair has not yet asked whether unanimous consent is given to the request of the Senator from Mississippi [Mr. WILLIAMS] for the present consideration of the resolution. Is there objection?

There being no objection, the Senate proceeded to consider the resolution.

Mr. SIMMONS. Mr. President, I desire to ask the Senator from Mississippi if this resolution applies to any committee except the Committee on Banking and Currency?

Mr. WILLIAMS. No.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Add at the end of the resolution the following:

Payment for such expert assistance as the committee may order to be made from the contingent fund of the Senate, upon vouchers approved by the chairman of the Committee on Banking and Currency.

Mr. SMOOT. Mr. President, just one other question. Does the Senator from Mississippi think that it is necessary to have printed the indexed hearings on the pending banking and currency bills both of the Senate and the House of Representatives?

Mr. WILLIAMS. I do not understand that there will be two indices. There is to be one index for both, as I understand.

Mr. SMOOT. One index will cover both?

Mr. WILLIAMS. Both, as I understand; yes.

Mr. SMOOT. This is what the resolution says:

Resolved, That the Committee on Banking and Currency is hereby authorized to have printed the indexed hearings on the pending banking and currency bills (S. 2639 and H. R. 7837), bound in paper as a Senate document, and to employ expert assistance in perfecting the measure for submission to the Senate.

I wanted to know whether the Senator's idea was to have the hearings printed in one volume, or whether there was to be a volume for the hearings on the Senate bill and a volume for those on the House bill.

Mr. WILLIAMS. As I understand, the hearings are to be in one volume, or one book, at any rate—they may run into two volumes.

Mr. BRISTOW. Mr. President, I will say there were no hearings had in the House on the bill, so the resolution can only refer to the Senate hearings.

Mr. SMOOT. Then it seems to me the resolution ought to be amended by striking out the words "and H. R. 7837."

Mr. BRISTOW. Mr. President——

Mr. WILLIAMS. As I understand, while there are two bills, the resolution refers to only one set of hearings, to wit, the hearings had before the Senate committee.

Mr. SMOOT. Then would it not be the proper thing to strike out the words "and H. R. 7837"?

Mr. WILLIAMS. The hearings were upon that bill as well as upon the Senate bill. The hearings were really upon that bill, although both bills are before the Senate committee.

Mr. SMOOT. The Senator from Kansas [Mr. BRISTOW] says that there were no hearings had upon the House bill.

Mr. BRISTOW. Oh, no.

Mr. WILLIAMS. The House bill was the bill that was referred to the Senate committee, and the hearings began upon the House bill, of course, although they necessarily covered both bills.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

Mr. FLETCHER. Mr. President, I suggest that the difficulty would be relieved by inserting, after the word "hearings," the words "by the Banking and Currency Committee" or "before the Banking and Currency Committee of the Senate."

Mr. WILLIAMS. I have no objection to that amendment. I move to amend the amendment reported by the committee by inserting the words "by the Banking and Currency Committee of the Senate."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Mississippi to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The resolution as amended was agreed to.

OYSTER BEDS IN FLORIDA.

Mr. FLETCHER. From the Committee on Fisheries I report back without amendment the bill (S. 3199) to authorize the Secretary of Commerce, through the Coast and Geodetic Survey and the Bureau of Fisheries, to make a survey of natural oyster beds, bars, and rocks, and barren bottoms contiguous thereto, in waters within the State of Florida, and I submit a report (No. 128) thereon. It is a very brief bill and quite an important one, affecting particularly the State of Florida. I ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary read the bill.

Mr. FLETCHER. Mr. President, there is a brief report on the bill containing a letter from the Department of Commerce, which I should like to have read.

The PRESIDING OFFICER. The Secretary will read the report as requested.

Mr. SMOOT. Mr. President, before the report is read may I ask the Senator if there is not a move on foot to have all oyster beds of the country examined and investigated by the Department of Commerce?

Mr. FLETCHER. I am not prepared to say as to that. I know that the department is in favor of this bill and has recommended its passage.

Mr. SMOOT. I was wondering, if that policy is to be followed out, whether it would not be best to have legislation of a general character rather than to have examinations made as to particular States.

Mr. FLETCHER. I am inclined to think that that might possibly be developed later on, but it will take some time to do that. There has been considerable correspondence regarding this situation, and it is considered quite important that early action be taken with reference to this matter in Florida.

Mr. SMOOT. I wish to say to the Senator that I have received a great many letters of late, not as to the oyster beds of Florida but as to an examination of all the oyster beds of the country, and I think there is a move on foot to have that accomplished.

Mr. FLETCHER. That may possibly follow. The estimates are being prepared now for this particular item in connection with the appropriation bill for the next fiscal year, and I should be glad if the Senator will allow this bill to take its regular course.

Mr. VARDAMAN. Mr. President, I was unable to hear the reading of the bill.

The PRESIDING OFFICER. The Secretary will again read the bill.

Mr. VARDAMAN. No; I do not ask to have the bill again read, but I am going to ask the Senator from Florida a question. Does the bill apply only to the oyster reefs in the State of Florida?

Mr. FLETCHER. Only to the State of Florida.

Mr. VARDAMAN. We have a little industry of that kind in the State of Mississippi, and I did not know whether or not the bill was general in its application.

The PRESIDING OFFICER. The Senator from Florida asks unanimous consent for the present consideration of the bill.

Mr. SMOOT. I believe the Senator from Florida asked that the report be read, and I should like to hear it read before granting consent.

The PRESIDING OFFICER. The Secretary will read the report.

The Secretary read the report (No. 128) submitted this day by Mr. FLETCHER, as follows:

SURVEY OF OYSTER GROUNDS ON THE COAST OF FLORIDA.

Mr. FLETCHER, from the Committee on Fisheries, submitted the following report, to accompany S. 3199:

The Committee on Fisheries, to whom was referred the bill (S. 3199) to authorize the Secretary of Commerce, through the Coast and Geodetic Survey and the Bureau of Fisheries, to make a survey of natural oyster beds, bars and rocks, and barren bottoms contiguous thereto in waters within the State of Florida, having considered the same, submit a favorable report thereon.

The bill has the approval of the Department of Commerce, as will appear by the following:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, October 24, 1913.

Hon. J. R. THORNTON,
United States Senate, Washington, D. C.

MY DEAR SENATOR: The department acknowledges the receipt of your letter of the 20th instant, transmitting, for an expression of opinion, a copy of Senate bill 3199, providing for a survey of oyster grounds on the coast of Florida.

The project embraced by this bill has already been the subject of considerable correspondence, and the department has stated that it is willing to make the desired survey, inasmuch as the benefits to the State of Florida will be large and permanent. The passage of the bill is therefore advocated and the amount referred to, viz, $10,000, for carrying out the purposes of the bill has been included in the estimates of the department for the Coast and Geodetic Survey and the Bureau of Fisheries for the next fiscal year.

Very truly, yours,
E. F. SWEET,
Acting Secretary.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida for the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. GALLINGER. Mr. President, section 3 of the bill is a superfluity. It provides "that this act shall take effect from the date of its passage." As a matter of fact, it will take effect upon its approval by the President of the United States. So I ask the Senator from Florida to eliminate that section of the bill.

Mr. FLETCHER. I have no objection.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 2, after line 7, it is proposed to strike out:

SEC. 3. That this act shall take effect from the date of its passage.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INDIAN LAWS AND TREATIES.

Mr. FLETCHER. From the Committee on Printing I report a resolution and ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The Secretary will read the resolution.

The resolution (S. Res. 209) was read, as follows:

Resolved, That the illustrations accompanying the proclamations of the President and included in the manuscript of Senate Document No. 719, Sixty-second Congress, "Laws, agreements, Executive orders, proclamations, etc., relating to Indian affairs," be printed therewith, and that 500 additional copies of said document be printed for sale by the superintendent of documents of the Government Printing Office.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. PAGE. Mr. President, I should like to ask the Senator from Florida if this is a resolution which has been before the Committee on Printing?

Mr. FLETCHER. The Joint Committee on Printing; yes. The Joint Committee on Printing had the matter up for consideration this morning. The document ordered printed will be the third volume of Kappler's compilation. This resolution provides for printing the illustrations with it, and 500 additional copies, because volumes 1 and 2 have been previously printed and sold, and the printing of the 500 additional copies will enable the holders of volumes 1 and 2 to complete their sets.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

SNAKE RIVER BRIDGE, IDAHO.

Mr. VARDAMAN. From the Committee on Commerce I report back favorably without amendment the bill (S. 2779) to authorize the conveyance of the steel bridge over the Snake River between Lewiston, Idaho, and Clarkston, Wash., to the States of Idaho and Washington or local subdivisions thereof, and I submit a report (No. 127) thereon. I call the attention of the Senator from Idaho [Mr. BORAH] to the report.

Mr. BORAH. I ask unanimous consent to take up this bill for consideration at the present.

The PRESIDING OFFICER. The Senator from Idaho asks unanimous consent for the present consideration of a bill the title of which will be stated.

Mr. BURTON. I should like to have the bill read.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary read the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRISTOW:

A bill (S. 3395) granting a pension to Alice M. David; to the Committee on Pensions.

By Mr. THOMAS:

A bill (S. 3396) to amend section 10 of an act entitled "An act to establish a bureau of immigration and naturalization and to provide for a uniform rule for the naturalization of aliens throughout the United States"; to the Committee on Immigration.

By Mr. PITTMAN:

A bill (S. 3397) to amend section 2324 of the Revised Statutes of the United States, relating to mining claims; to the Committee on Mines and Mining.

By Mr. GALLINGER:

A bill (S. 3398) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce"; to the Committee on Commerce.

By Mr. GALLINGER (for Mr. BURLEIGH):

A bill (S. 3399) granting an increase of pension to Edward P. Carman; and

A bill (S. 3400) granting a pension to John Rollins; to the Committee on Pensions.

By Mr. STERLING:

A bill (S. 3401) granting an increase of pension to Adoniram C. Harper; to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 3402) granting an increase of pension to Henry T. Bevans (with accompanying papers); to the Committee on Pensions.

By Mr. STONE:

A bill (S. 3403) to abolish the office of receiver of public moneys at Springfield, Mo., and for other purposes; to the Committee on Public Lands.

By Mr. POMERENE:

A bill (S. 3404) to restore First Lieut. James P. Barney, retired, to the active list of the Army; to the Committee on Military Affairs.

By Mr. POINDEXTER:

A bill (S. 3405) granting a pension to Mary Carpenter; to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 3406) granting an increase of pension to Mary E. Bishop (with accompanying papers); to the Committee on Pensions.

TREATIES AND CONVENTIONS.

Mr. BRISTOW. I submit a resolution and ask that it be referred to the Committee on Printing.

The resolution (S. Res. 210) was read, as follows:

Resolved, That there be printed 1,000 additional copies of the Senate documents, volumes 47 and 48, Sixty-first Congress, second session, entitled "Treaties, Conventions, International Acts, and Protocols Between the United States and Other Powers, 1776 to 1909," together with the supplement including treaties, conventions, important protocols, and international acts to which the United States may have been a party from January 1, 1910, to March 4, 1913, inclusive, same to be placed at the disposal of Members of the Senate in the Senate folding room.

Mr. SMOOT. I did not hear the resolution. May it be read again?

Mr. BRISTOW. I have asked that it be referred to the Committee on Printing.

Mr. SMOOT. Very well.

The PRESIDING OFFICER. The resolution will be referred to the Committee on Printing.

ADDRESS BY LORD HALDANE (S. DOC. NO. 233).

Mr. ROOT. Mr. President, I ask unanimous consent that an address delivered before the American Bar Association at Montreal, Canada, in September last, by Lord Haldane, Lord High Chancellor of Great Britain, entitled "Higher Nationality, a Study in Law and Ethics," be printed as a public document. It is an address of the highest order of ability and of the greatest usefulness, and I know there is a very general desire on the part of the people of the United States to have greater opportunity to read it.

The PRESIDING OFFICER. The Senator from New York asks unanimous consent that the document referred to by him be printed as a public document. Is there objection? The Chair hears none, and it is so ordered.

ADDRESS BY PRESIDENT WILSON (S. DOC. NO. 234).

Mr. CHILTON. I ask unanimous consent to have printed in the RECORD and as a public document the address by President Wilson delivered at Swarthmore College, Pa., on October 25, 1913. I have complied with the rule by having an estimate made. It will cost between six and seven dollars. If it were estimated in the hundreds instead of in the units, I think it would be well worth the money.

There being no objection, the address was ordered to be printed as a public document, and also to be printed in the RECORD, as follows:

ADDRESS OF PRESIDENT WILSON AT SWARTHMORE COLLEGE, SWARTHMORE, PA., OCTOBER 25, 1913.

Your excellency, Mr. Clothier, Mr. President: That greeting sounds very familiar, and I am reminded of an anecdote told of that good artist, but better wit, Oliver Herford. On one occasion, being seated at his club at lunch, a man whose manners he did not very much relish came up to him and slapped him on the back and said, "Hello, Ollie, old boy, how are you?" He looked up at the man somewhat coldly, and said, "I don't know your name and I don't know your face, but your manners are very familiar." The manners exemplified in that cheer are delightfully familiar.

I find myself unaffectedly embarrassed to-day. I want to say, in sincere compliment, that I do not like to attempt an extemporaneous address following so finished an orator as the one who has just taken his seat. Moreover, I am somewhat confused as to my identity. I am told by psychologists that I would not know who I am to-day if I did not remember who I was yesterday; but when I recollect that yesterday I was a college president, that does not assist me in establishing my identity to-day. On the contrary, this very presence, the character of this audience, this place with its academic memories, all combine to remind me that the greater part of my active life has been spent in companies like this, and it will be difficult for me in what

follows of this address to keep out of the old ruts of admonition which I have been accustomed to follow in the rôle of college president.

No one can stand in the presence of a gathering like this, on a day suggesting the memories which this day suggests, without asking himself what a college is for. There have been times when I have suspected that certain undergradnates did not know. I remember that in days of discouragement as a teacher I gratefully recalled the sympathy of a friend of mine in the Yale faculty, who said that after 20 years of teaching he had come to the conclusion that the human mind had infinite resources for resisting the introduction of knowledge. Yet I have my serious doubts as to whether the main object of a college is the introduction of knowledge. It may be the transmission of knowledge through the human system, but not much of it sticks. Its introduction is temporary; it is for the discipline of the hour. Most of what a man learns in college he assiduously forgets afterwards. Not because he purposes to forget it, but because the crowding events of the days that follow seem somehow to eliminate it.

What a man ought never to forget with regard to a college is that it is a nursery of principle and of honor. I can not help thinking of William Penn as a sort of spiritual knight who went out upon his adventures to carry the torch that had been put in his hands, so that other men might have the path illuminated for them which led to justice and to liberty. I can not admit that a man establishes his right to call himself a college graduate by showing me his diploma. The only way he can prove it is by showing that his eyes are lifted to some horizon which other men less instructed than he have not been privileged to see. Unless he carries freight of the spirit he has not been bred where spirits are bred.

This man Penn, representing the sweet enterprise of the quiet and powerful sect that called themselves Friends, proved his right to the title by being the friend of mankind. He crossed the ocean, not merely to establish estates in America, but to set up a free commonwealth in America and to show that he was of the lineage of those who had been bred in the best traditions of the human spirit. I would not be interested in celebrating the memory of William Penn if his conquest had been merely a material one. Sometimes we have been laughed at—by foreigners in particular—for boasting of the size of the American Continent, the size of our own domain as a nation; for they have, naturally enough, suggested that we did not make it. But I claim that every race and every man is as big as the thing that he takes possession of, and that the size of America is in some sense a standard of the size and capacity of the American people. And yet the mere extent of the American conquest is not what gives America distinction in the annals of the world, but the professed purpose of the conquest which was to see to it that every foot of this land should be the home of free, self-governed people, who should have no government whatever which did not rest upon the consent of the governed. I would like to believe that all this hemisphere is devoted to the same sacred purpose and that nowhere can any government endure which is stained by blood or supported by anything but the consent of the governed.

The spirit of Penn will not be stayed. You can not set limits to such knightly adventurers. After their own day is gone their spirits stalk the world, carrying inspiration everywhere that they go and reminding men of the lineage, the fine lineage, of those who have sought justice and right. It is no small matter, therefore, for a college to have as its patron saint a man who went out upon such a conquest. What I would like to ask you young people to-day is: How many of you have devoted yourselves to the like adventure? How many of you will volunteer to carry these spiritual messages of liberty to the world? How many of you will forego anything except your allegiance to that which is just and that which is right? We die but once, and we die without distinction if we are not willing to die the death of sacrifice. Do you covet honor? You will never get it by serving yourself. Do you covet distinction? You will get it only as the servant of mankind. Do not forget, then, as you walk these classic places, why you are here. You are not here merely to prepare to make a living. You are here in order to enable the world to live more amply, with greater vision, with a finer spirit of hope and achievement. You are here to enrich the world, and you impoverish yourself if you forget the errand.

It seems to me that there is no great difference between the ideals of the college and the ideals of the State. Can you not translate the one into the other? Men have not had to come to college, let me remind you, to quaff the fountains of this inspiration. You are merely more privileged than they. Men out of every walk of life, men without advantages of any kind, have seen the vision, and you, with it written large upon every page of your studies, are the more blind if you do not see it when it is pointed out. You could not be forgiven for overlooking it. They might have been. But they did not await instruction. They simply drew the breath of life into their lungs, felt the aspirations that must come to every human soul, looked out upon their brothers, and felt their pulses beat as their fellows' beat, and then sought by counsel and action to move forward to common ends that would be crowned with honor and achievement. This is the only glory of America. Let every generation of Swarthmore men and women add to the strength of that lineage and the glory of that crown of life!

PAINT CREEK COAL FIELDS, WEST VIRGINIA.

Mr. SWANSON. I ask unanimous consent that there be printed 1,000 copies of the evidence taken in the West Virginia coal-strike investigation. I will say in this connection that the evidence has been printed in two separate volumes. Five hundred copies, I think, have been printed. The third volume is printed separately, and has been completed. There is a great demand for this evidence. We can not supply it. I think 1,000 copies will be necessary to supply the demand thus far.

Mr. SMOOT. I desire to ask the Senator from Virginia if he knows how much the 1,000 copies will cost?

Mr. SWANSON. I have not made an estimate. It will be three or four thousand pages, I presume.

Mr. SMOOT. Then I am afraid, under the printing laws, we can not, by the simple action of the Senate, have them printed. If it is three volumes of 3,000 pages, I think a thousand copies will cost more than the $500; and if that is the case, then, of course, the only way it can be done is by a joint resolution.

Mr. SWANSON. I ask unanimous consent that the evidence be printed to the extent that is permissible under the rules—to the extent of $500.

There being no objection, the order was agreed to and reduced to writing, as follows:

Ordered, That so many copies as can be furnished for $500 of the hearings held before the committee appointed to make an investigation of conditions in the Paint Creek district, W. Va., be printed for the use of the Committee on Education and Labor.

ADJOURNMENT TO MONDAY.

Mr. KERN. I move that when the Senate adjourns to-day it be until next Monday at 12 o'clock noon.

The motion was agreed to.

JOHN Q. ADAMS.

Mr. STERLING. Mr. President, I should like to call the attention of the Senate to the bill (S. 2576) for the relief of John Q. Adams, and ask unanimous consent for its immediate consideration. I may make a brief statement in regard to the bill and then I think there will be no objection to it.

It is a bill for the purpose of validating the homestead entry of John Q. Adams, who made a homestead entry within the Bellefourche irrigation project. He was disqualified to make such an entry because he had previously made an entry on lands in Oklahoma. But he was informed by the officer before whom he made his application for the entry that, he having entered only 88 acres in Oklahoma, he was a qualified entryman in the Bellefourche project, and hence he made this entry. He offered his proof. The proof was rejected and the entry held for cancellation. But the Secretary of the Interior recommends that this entry be validated.

Mr. KERN. Mr. President——

Mr. STERLING. I will just read from the report.

The PRESIDING OFFICER. Will the Senator from South Dakota yield to the Senator from Indiana?

Mr. STERLING. Certainly.

Mr. KERN. I think there is no objection to the passage of the bill without further explanation.

Mr. STERLING. Very well. There is a unanimous report from the Committee on Public Lands in favor of the bill.

The PRESIDING OFFICER. The Senator from South Dakota asks unanimous consent for the present consideration of a bill which will be read.

There being no objection, the bill was read and considered as in Committee of the Whole. It provides that the homestead entry of John Q. Adams, made June 23, 1909, for farm unit A on the Bellefourche reclamation project, South Dakota, under the act of June 17, 1902, for lots 1 and 2, section 2, township 9 north, range 4 east, Black Hills meridian, shall be validated, subject to future compliance with the law.

The bill was reported to the Senate without amendment.

Mr. WALSH. Mr. President, I am very much interested in hearing the explanation of the nature of the bill upon which the Senator from South Dakota entered. Ordinarily I should feel very much indisposed to accede to the passage of any special act permitting any particular individual to appropriate a particular piece of land. There must be some unusual circumstance which would justify action of that character upon the part of Congress. I assume as a matter of course that some special reason exists in this particular instance, and I should like very much to hear the Senator continue.

Mr. STERLING. Very well. I was about to proceed to explain it when it was suggested that there was no necessity for a further statement. As I stated, this claimant was not qualified to make an entry in the Bellefourche irrigation project for the simple reason that under the instructions of the Department of the Interior a unit, being 80 acres within that project, was considered equivalent to 160 acres of land taken elsewhere. He had already taken and proved up on 88.77 acres in Oklahoma. He thought, however, that having taken only that much land he was entitled to take at least 80 acres more, and was so informed by the clerk of the court in that county when he came to make his application for filing on a tract within this project. So, in perfect good faith, he made this entry, and he has lived there since 1909 and put $1,200 worth of improvements upon the land. It is, I think, all the property he has. He is an old soldier, having served four years in the Civil War, and is now 65 or 66 years of age. I will just read the concluding statement in the letter of the Secretary of the Interior. After a recital of the facts by the Secretary of the Interior, he says:

This entry is similar to the entries of Benjamin F. Martz and Gyerluf Hanson, which were validated by the act of March 7, 1912 (37 Stat., pt. 2, p. 3).

In view of the fact that the entryman has fully complied with the homestead laws, I have to recommend that the bill pass, in order that the entry may remain intact and pass to patent upon compliance with the terms and conditions of the reclamation act.

An appeal has been taken from the decision rejecting his proof to the Secretary of the Interior, but there is no question but what, in view of the previous decisions, the entry will be held to be canceled unless it is validated by this act.

In drawing up this bill I followed the bill for the relief of the two parties named, Benjamin F. Martz and Gyerluf Hanson.

Mr. WALSH. I did not quite understand from the Senator upon whose advice it was that the applicant was permitted to make this filing.

Mr. STERLING. It was on the advice of the clerk of the court. I will read further from the letter of the Secretary of the Interior which accompanies the report of the committee, which report was a unanimous report of the Committee on Public Lands. He says:

It appears from the appeal that the entryman is 64 years of age and served four years and one month during the Civil War, and has expended about $1,200 in improvements and continuously resided upon the land since the date of entry.

As I stated, that was in 1909.

The entryman further alleges in the appeal that his homestead application was made before a clerk of the court and that he advised that officer that he had formerly made homestead entry in Oklahoma for 88.77 acres, and that officer informed him that he was qualified to enter an 80-acre tract under the Bellefourche project. The entryman's statements are probably true, and it is also probable that the clerk of the court neglected to fill out the homestead application so as to show that he had made his former entry.

Mr. WALSH. I am forced, as a matter of course, from the statement of facts cited, to assume that the condition represented did as a matter of fact exist, but it is, to say the least, a little peculiar, inasmuch as the affidavit required to be filed must have succinctly and correctly stated that the applicant had never had the benefit of the act. Apparently that was not the case.

Furthermore, the knowledge of the fact that but one entry is permitted under the homestead law, no matter how small that entry may be, is so notorious it seems to me rather remarkable that the clerk of the court should not have known that to be the law, and that he would have permitted the applicant to make the affidavit which it was required that he should make in order that his entry might be permitted at all. Can the Senator give us any advice upon that point?

Mr. STERLING. I will state to the Senator that, whatever statement may appear to have been made in the affidavit, I think this applicant went on the supposition that he had the right to enter, all told, 160 acres of land. That impression, of course, was corroborated by the statement made to him by the clerk of the court before whom he made application, to the effect that he had a right to make that filing. He says that he told the clerk of the court that he had filed on the tract in Oklahoma, but was informed by the clerk that he was, notwithstanding this, a qualified entryman of land in the Bellefourche project.

Mr. WALSH. I should like to inquire of the Senator if he has any personal knowledge of the facts in the case?

Mr. STERLING. I have no personal knowledge beyond what I have stated.

Mr. WALSH. The Senator is satisfied that the facts are as stated?

Mr. STERLING. Yes, sir; I am satisfied that the facts are as I have stated them in regard to the matter.

The bill was ordered to be engrossed for a third reading, and was read the third time and passed.

SAN FRANCISCO WATER SUPPLY.

Mr. PITTMAN. Mr. President, I have here an article from the Boston Advertiser, under date of October 29, relative to the Hetch Hetchy bill pending before the Senate. I think it should be read and printed in the RECORD, together with some other matters I have in connection with it.

This matter was debated in this body in a very dignified, courteous, and proper manner. While there might have been some difference of opinion with regard to the bill, there was never any insinuation that there were any improper motives moving either those who favored the bill or those who opposed it until I received this article.

The PRESIDING OFFICER. The Senator from Nevada requests that the Secretary read the matter referred to by him and that it may be printed in the RECORD. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

PITTMAN ON THE YOSEMITE.

Senator PITTMAN, of Nevada, chairman of the Senate Committee on Territories, has sent to this office some copies of the CONGRESSIONAL RECORD containing impassioned appeals in behalf of the project to take over the Hetch Hetchy Valley for the water supply of San Francisco. Senator PITTMAN thinks, apparently, that the people of the East do not understand the issue. The people of the East understand it only too well. They know perfectly well to-day that the conspiracy to take the Hetch Hetchy Valley is a steal, pure and simple. Not one inch of the Yosemite National Park or of the Stanislaus should be surrendered for that purpose. Even Senator WORKS, of California, announces that he is satisfied that the bill should not pass without further investigation and that thousands of the people of California declare that the measure should be defeated. The whole explanation of the Raker bill is that San Francisco wants additional water and is too stingy to pay a proper price for it. The city can get it elsewhere, but believes it is cheaper to have the most beautiful park of this Nation condemned for a storage reservoir. No more malodorous job than the plot of the San Francisco politicians has been exploited in Congress for a good many years.

Mr. PITTMAN. Mr. President, I think it is well to place such matters before the Senate for the purpose of showing the methods being used to influence opinion throughout the country. I think it is also proper to call the attention of the Senate to the various organizations and people that are being attacked by such an article.

The California Federation of Women's Clubs in session at Santa Rosa on Thursday, October 30, adopted, with only one dissenting voice, a resolution which I will ask the Secretary to read.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

Resolved, That this convention most earnestly goes on record as approving of San Francisco's petition to Congress for the grant of certain rights in the Hetch Hetchy region; that we declare our firm conviction that human needs are paramount to sentimental objections of so-called "nature lovers," who profess to see in San Francisco's project a desecration of nature, although the work of San Francisco in the Sierra will in reality bring this wonder region closer to the real lovers of nature and will in nowise impair the grandeur of the scenery there to be found; that we regret the campaign that has been made in the effort to prevent San Francisco from obtaining that pure and adequate supply of water to which every community should be entitled, and that we petition the Senate of the United States to grant San Francisco the rights for which it has so long appealed and which are embodied in the Raker bill heretofore passed by the House of Representatives.

Mr. PITTMAN. I also have here a list of the names of prominent supporters of the bill, men whose reputation can not be questioned, and whose knowledge of the situation can not be questioned. I will place it in the RECORD simply for the purpose of showing who are being attacked by such articles being circulated throughout the country.

I ask the Secretary to read this list of names of persons who are supporting the bill and who are charged with corruption in this newspaper article.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

Hon. William J. Bryan, Secretary of State
Hon. Franklin K. Lane, Secretary of the Interior.
Hon. David F. Houston, Secretary of Agriculture.
Hon. Gifford Pinchot, former chief forester and leader of the conservationalist movement in the United States.
Jane Addams, foremost in the woman's movement in America.
Henry S. Graves, United States Chief Forester.
Hiram W. Johnson, governor of California.
Edward Robson Taylor, former mayor of San Francisco, who was appointed and subsequently reelected to succeed Ruef-Schmitz régime.
John H. Marble, Interstate Commerce Commission.
James D. Phelan, former mayor of San Francisco.

Rudolph Spreckles, San Francisco, who carried on the graft prosecution.
Francis J. Heney, who prosecuted the grafters.
Hon. George C. Pardee, former governor of California, now chairman of the conservation commission of that State.
Hon. James R. Garfield, former Secretary of the Interior.
The American Federation of Labor.
The California State Federation of Labor.
The Chamber of Commerce of San Francisco.
The Native Sons of California.
The Native Daughters of California.
Col. John Biddle, Col. Spencer Cosby, Col. Harry Taylor, United States Army engineers.
John R. Freeman, noted hydraulic engineer.
The mayors and other officials of Oakland, Berkeley, Alameda, Richmond, San Jose, Palo Alto, and other municipalities around San Francisco Bay.

Mr. THOMAS. Mr. President, in connection with the subject matter under consideration I desire to give notice that on Wednesday, December 3, 1913, after the close of the routine morning business, I shall address the Senate at length in advocacy of the Hetch Hetchy bill.

LOUISVILLE & NASHVILLE RAILROAD, ETC.

Mr. LEA. I ask unanimous consent for the present consideration of Senate resolution No. 153. I will state that this is a resolution requesting the Interstate Commerce Commission to furnish certain information relative to the ownership of the Louisville & Nashville Railway and its subsidiary companies.

Mr. SMOOT. I notice the calendar states that Senate resolution 153 directs the Interstate Commerce Commission to investigate relations existing between the Louisville & Nashville Railroad and the Nashville, Chattanooga & St. Louis Railway, and whether such relations restrict competition and maintain fixed rates. Is that the resolution?

Mr. LEA. That is the resolution. The resolution is broader in scope than that and includes other companies in addition to the Louisville & Nashville and the Nashville, Chattanooga & St. Louis.

Mr. SMOOT. Let it be read.

The PRESIDING OFFICER. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 153) submitted by Mr. LEA August 6, 1913, as follows:

Resolved, That the Interstate Commerce Commission be, and the same is hereby, requested to investigate, taking proof if necessary, and report to the Senate as soon as practicable—

First. What amount of stock, bonds, and other securities of the Nashville, Chattanooga & St. Louis Railway is owned or controlled by the Louisville & Nashville Railroad;

Second. What other railroad or railroads in the territory served by the Louisville & Nashville Railroad and the Nashville, Chattanooga & St. Louis Railway have been purchased, leased, controlled, or arrangements entered into with, for the purpose of controlling by either the Louisville & Nashville Railroad or the Nashville, Chattanooga & St. Louis Railway;

Third. Whether the Louisville & Nashville Railroad and the Nashville, Chattanooga & St. Louis Railway serve the same territory in whole or in part, and whether, under separate ownership, they would be competitive to various points in their territories;

Fourth. Any other fact or facts showing or tending to show the further relations between the Louisville & Nashville Railroad and the Nashville, Chattanooga & St. Louis Railway, and any fact or facts showing or tending to show whether these relations restrict competition and maintain and fix rates;

Fifth. The terms of the lease of the Nashville & Decatur Railroad by the Louisville & Nashville Railroad, and what amount, if any, of stock, bonds, and other securities of the Nashville & Decatur Railroad and of the Lewisburg & Northern Railroad is owned by the Louisville & Nashville Railroad or any of its subsidiaries or holding companies;

Sixth. Whether the Nashville & Decatur Railroad, the Lewisburg & Northern Railroad, and the Louisville & Nashville Railroad serve the same territory in whole or in part, and whether, under separate ownership, these railroads would be competitive between various points in their territories;

Seventh. Any other fact or facts showing or tending to show the further relations between the Louisville & Nashville Railroad, the Nashville & Decatur Railroad, and the Lewisburg & Northern Railroad, and any fact or facts showing or tending to show whether these relations restrict competition and maintain and fix rates;

Eighth. What amount, if any, the Louisville & Nashville Railroad, the Nashville, Chattanooga & St. Louis Railway, the Nashville & Decatur Railroad, and the Lewisburg & Northern Railroad, all or any of them, have subscribed, expended, or contributed for the purpose of preventing other railroads from entering any of the territory served by any of these railroads, for maintaining political or legislative agents, for contributions to political campaigns, and for creating sentiment in favor of any of the plans of any of said railroads; and

Ninth. (a) The number of free annual passes; (b) the number of free-trip passes; (c) the number of every kind of free passes issued by each of said railroads each year since January 1, 1911, to members of legislative bodies and other public officials or at the request of members of legislative bodies and other public officials; (d) the total mileage traveled upon free passes issued under each of the above classifications; and (e) the amount in money the free passes issued under each of the above-mentioned classifications would equal at the regular rates for such service of each of the above-named railroads.

Mr. LEA. I desire to offer an amendment to the resolution.

The PRESIDING OFFICER. The Chair would state to the Senator from Tennessee that unanimous consent has not yet been given. The Senator from Tennessee asks unanimous consent for the present consideration of the resolution. Is there objection? The Chair hears none. The resolution is before the Senate, and the Senator can now offer his amendment.

Mr. LEA. I offer the amendment I send to the desk.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. After the word "proof," in line 3, page 1, insert the words "and employing counsel," so as to read:

Resolved, That the Interstate Commerce Commission be, and the same is hereby, requested to investigate, taking proof and employing counsel if necessary, and report to the Senate as soon as practicable—

Mr. SMOOT. I will ask the Senator from Tennessee if the Interstate Commerce Commission have not at all times a regular force of attorneys or counsel?

Mr. LEA. I understand so. The amendment was offered by me at the suggestion of one member of the commission, so that there will be no doubt of their having authority to assign to one of their counsel local counsel from Tennessee or Kentucky if it is necessary to make an investigation. No appropriation is asked for. The employment of counsel by the Interstate Commerce Commission is paid from their contingent fund.

Mr SMOOT. If they decide to employ an attorney, there is no provision made here for an appropriation to pay for such employment. I suppose they would have to pay it out of some account over which the commission has control.

Mr. LEA. Either that or ask Congress for an appropriation to pay it.

Mr. SMOOT. It seems to me that almost all the information contained in the resolution the Interstate Commerce Commission will have on hand and that it can report immediately. There may be a few questions involved in the resolution which it would be necessary to investigate. I hardly think it is necessary to provide for an attorney, because they have a regular corps, and I believe they could obtain the information without any additional expense whatever to the Government.

Mr. LEA. I think that will be done, but there might arise some question of their right to investigate certain books and papers, and the Interstate Commerce Commission, under those conditions and circumstances, might find it necessary and advantageous to employ local counsel. I will say to the Senator that it is not in contemplation that any counsel shall be employed, but if the occasion should arise I would like to have the resolution provide for it.

Mr. SMOOT. With that understanding, I have no objection, but I would object if I thought they were going to go outside and employ counsel for this very purpose.

Mr. LEA. That is not contemplated unless there should be objection made to the investigation, which we do not foresee. Unless that occurs no counsel will be employed except the regular corps.

Mr. BACON. I would suggest to the Senator from Tennessee that if this is information which we ought to have it ought not to be left to the discretion of the Interstate Commerce Commission whether they would comply with the requirements for securing it, and the word "requested" ought to be stricken out and the word "directed" substituted in lieu thereof. It is the universal practice of the Senate in directing investigations, having papers furnished, or anything else to use the word "direct" and not the word "request." "Request" implies the right to comply or not at their discretion.

Mr. LEA. I shall be glad to adopt the suggestion of the Senator from Georgia, and I will modify the resolution by striking out the word "requested" and inserting the word "directed."

The PRESIDING OFFICER. Without objection, the resolution will be so modified. The question is on agreeing to the amendment offered by the Senator from Tennessee.

The amendment was agreed to.

The PRESIDING OFFICER. The Senator from Tennessee has sent a further amendment to the desk, which will be read.

The SECRETARY. Insert, after paragraph 7, the following:

Eighth. Any fact or facts showing or tending to show (a) the relations between the Louisville & Nashville Railroad, the Nashville, Chattanooga & St. Louis Railway, the Tennessee Midland Railroad, the Tennessee, Paducah & Alabama Railroad, and any other railroads that have been purchased or leased by either or both of said railroad companies, and whether such relations restrict competition and maintain and fix rates, and (b) whether the lease of the Western & Atlantic Railroad by the Nashville, Chattanooga & St. Louis Railway from the State of Georgia and the arrangement made between the Louisville & Nashville and the Nashville, Chattanooga & St. Louis Railway, by which the former uses the tracks of the said Western & Atlantic Railway, restrict competition, restrain trade, and determines and fixes rates.

Ninth. Any fact or facts showing or tending to show whether the ownership of the Louisville & Nashville Railroad and the Nashville, Chattanooga & St. Louis Railway of any railroad terminals or terminal companies, steamboats and steamboat lines upon the Cumberland and Tennessee Rivers, and any dock or dock yards at Pensacola, New Orleans, Mobile, or other seaport establishes a monopoly and restricts competition and determines and fixes rates.

Tenth. Any fact or facts showing or tending to show whether an agreement or arrangement has been entered into between the Louisville & Nashville and other railroad companies for the purpose of preventing competition from entering into any of the territory served by the Louisville & Nashville Railroad, in consideration of the Louisville & Nashville Railroad agreeing not to enter into certain other territory or in consideration of any other agreement or arrangements.

Eleventh. What amount of stock, if any, the Atlantic Coast Line Co. or Atlantic Coast Holding Co. owns in the Louisville & Nashville Railroad and in the Atlantic Coast Line, and whether the ownership by such holding company of a majority of stock in both of the aforesaid railroads tends to restrict competition and maintain and fix rates.

The amendment was agreed to.

The resolution as amended was agreed to.

BANKING AND CURRENCY.

Mr. OWEN. I ask for the adoption of an order for printing 450 additional copies of the hearings held before the Committee on Banking and Currency.

The PRESIDING OFFICER. The order will be read.

The Secretary read as follows:

Ordered, That 450 additional copies of the hearings held before the Committee on Banking and Currency of the Senate on the bills (S. 2639 and H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, afford means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes, be printed for the use of the Senate document room.

Mr. SMOOT. I take it for granted that the number asked for in the order will come within the limit of $500.

Mr. OWEN. It does.

Mr. SMOOT. Then I have no objection to it.

The order was agreed to.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 1 o'clock and 25 minutes p. m.) the Senate adjourned until Monday, November 10, 1913, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate November 6, 1913.

COLLECTOR OF INTERNAL REVENUE.

Beriah E. Williamson, of Ohio, to be collector of internal revenue for the eleventh district of Ohio, in place of Willis G. Bowland, superseded.

SECRETARY OF LEGATION AND CONSUL GENERAL.

William Walker Smith, of Ohio, now secretary of the legation at Berne, to be secretary of the legation and consul general of the United States of America at Santo Domingo, Dominican Republic, vice Charles B. Curtis.

PROMOTIONS IN THE NAVY.

Lieut. (Junior Grade) Fred F. Rogers to be a lieutenant in the Navy from the 26th day of March, 1913.

Second Lieut. John Q. Adams to be a first lieutenant in the Marine Corps from the 12th day of August, 1913.

CONFIRMATIONS.

Executive nominations confirmed by the Senate November 6, 1913.

SECRETARY OF LEGATION AND CONSUL GENERAL.

William Walker Smith to be secretary of legation and consul general at Santo Domingo, Dominican Republic.

COMMISSIONER OF IMMIGRATION.

Henry M. White to be commissioner of immigration at the port of Seattle, Wash.

COLLECTOR OF INTERNAL REVENUE.

John F. Malley to be collector of internal revenue for the third district of Massachusetts.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Medical Inspector James G. Field to be a medical director.

Medical Inspector George Pickrell to be a medical director.

Medical Inspector Albert M. D. McCormick to be a medical director.

Surgeon William C. Braisted to be a medical inspector.

First lieutenants in the Marine Corps to be first lieutenants in the Marine Corps from the dates set opposite their names to correct the dates from which they take rank as previously confirmed:

Edward M. Reno from January 1, 1913.

Joseph C. Fegan from January 3, 1913.

Joseph D. Murray from February 5, 1913.

Second Lieut. Woolman G. Emory from May 6, 1913.

Second Lieut. George H. Osterhout, jr., from May 16, 1913.

John N. Bassin to be an assistant surgeon in the Medical Reserve Corps.

Albert E. Man, to be an assistant surgeon in the Medical Reserve Corps.

Cliff C. Wilson to be an assistant surgeon in the Medical Reserve Corps.

UNITED STATES ATTORNEY.

Jeff McCarn to be United States attorney, district of Hawaii.

POSTMASTERS.

IOWA.

Tracy R. Osborne, New Sharon.

KANSAS.

Lenora Maude McElheny, Louisburg.

MASSACHUSETTS.

Edgar E. Sargent, Belchertown.

MISSOURI.

Lee Jones, Hale.
James M. Settle, New Franklin.

OKLAHOMA.

W. E. Merry, Perry.
Joseph B. Wilson, Fairview.

TENNESSEE.

John E. Pullen, Waverly.

VIRGINIA.

Byrd Anderson, Blacksburg.

WASHINGTON.

Albert L. Laing, Earlington.
T. B. McKelrnan, Pomeroy.
W. T. Pitcher, Port Orchard.

WEST VIRGINIA.

W. D. Roush, Clendenin.
T. W. Ryan, Hendricks.

HOUSE OF REPRESENTATIVES.

THURSDAY, *November 6, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father, who art in heaven, we thank Thee for the fundamental principles which combine to make our Nation. Especially do we thank Thee for the religious sentiment which obtains in the hearts of our people, the foundation of all true greatness in the individual, the home, or the Nation. May it increase with strength and potency until every heart is filled with the grace of our Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MENDEL BEILIS.

Mr. DOREMUS. Mr. Speaker, I ask unanimous consent to insert in the RECORD copies of resolutions adopted at a mass meeting in the city of Detroit Sunday, protesting against the trial of Mendel Beilis on the charge of ritual murder. Also resolution of similar import passed by the Socialistic Party of Detroit.

The SPEAKER. The gentleman from Michigan [Mr. DOREMUS] asks unanimous consent to have printed in the RECORD certain resolutions passed in the city of Detroit last Sunday touching the trial of Mendel Beilis, of Russia. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker——

The SPEAKER. One moment. Is the Socialistic resolution on the same subject?

Mr. DOREMUS. Both are on the same subject.

Mr. MANN. Mr. Speaker, I suppose almost every Member of the House has received similar resolutions passed by somebody. Perhaps they all ought to be printed in the RECORD in full, yet I doubt the necessity of that, and if the gentleman will modify his request so as to ask leave to extend his remarks for that purpose I will not object, but I do not think we ought to commence giving leave to print the resolutions in the RECORD as such with no limit.

The SPEAKER. The gentleman from Michigan [Mr. DOREMUS] asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

Mr. SISSON. Mr. Speaker, I ask unanimous consent for leave of absence indefinitely, on account of illness in my family.

The SPEAKER. The gentleman from Mississippi [Mr. SISSON] asks unanimous consent for leave of absence indefinitely, on account of illness in his family. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. HULL. Mr. Speaker, I move that the House do now adjourn.

The question was taken, and the Speaker announced the noes seemed to have it.

Mr. HULL and Mr. PALMER. Division, Mr. Speaker.

The SPEAKER. Those in favor of ordering the yeas and nays—

Mr. MANN. Mr. Speaker, the gentleman from Tennessee did not ask for the yeas and nays, but I will do so.

The yeas and nays were ordered.

The question was taken; and there were—yeas 54, nays 26, answered "present" 12, not voting 337, as follows:

YEAS—54.

Abercrombie	George	Lloyd	Russell
Aswell	Glass	Lobeck	Shackleford
Baskes	Graham, Ill.	McKellar	Sims
Brockson	Hamlin	Maguire, Nebr.	Sisson
Brodbeck	Hammond	Mitchell	Smith, Md.
Buchanan, Ill.	Hay	Murray, Mass.	Stone
Byrns, Tenn	Hollin	Murray, Okla.	Talcott, N. Y.
Collier	Henry	Oldfield	Tavenner
Donohoe	Hensley	Page	Ten Eyck
Esch	Hull	Palmer	Watkins
Evans	Keating	Pepper	Webb
Fergusson	Kirkpatrick	Quin	Young, Tex.
Flood, Va.	Lee, Pa.	Rothermel	
Floyd, Ark	Lesher	Rouse	

NAYS—26.

Anderson	Fowler	MacDonald	Smith, Idaho
Austin	Frear	Moss, W. Va.	Smith, Minn.
Ayres	Hawley	Nelson	Sutherland
Bell, Cal.	Johnson, Utah	Patton, Pa.	Towner
Browne, Wis.	Johnson, Wash.	Plumley	Woods
Campbell	Kennedy, Iowa	Powers	
Donovan	La Follette	Sinnott	

ANSWERED "PRESENT"—12.

Browning	Fsconjnal	Logue	Stevens, Minn.
Carr	French	Mann	Volstead
Davis	Kinkaid, Nebr.	Slayden	Walters

NOT VOTING—337.

Adair	Clancy	Francis	Humphreys, Miss.
Adamson	Clark, Fla.	Gallagher	Igoe
Aiken	Claypool	Gard	Jacoway
Ainey	Clayton	Gardner	Johnson, Ky.
Alexander	Cline	Garner	Johnson, S. C.
Allen	Connelly, Kans.	Garrett, Tenn.	Jones
Ansberry	Connolly, Iowa	Garrett, Tex.	Kahn
Anthony	Conry	Gerry	Keister
Ashbrook	Cooper	Gillett	Kelley, Mich.
Bailey	Copley	Gilmore	Kelly, Pa.
Baker	Covington	Gittins	Kennedy, Conn.
Baltz	Cox	Godwin, N. C.	Kennedy, R. I.
Barchfeld	Cramton	Goeke	Kent
Barkley	Crisp	Goldfogle	Kettner
Barnhart	Crosser	Good	Key, Ohio
Bartholdt	Cullop	Goodwin, Ark.	Kless, Pa.
Bartlett	Curley	Gordon	Kindel
Barton	Curry	Gorman	Kinkead, N. J.
Bathrick	Dale	Goulden	Kitchin
Bavil, Tex.	Danforth	Graham, Pa.	Knowland, J. R.
Bell, Ga.	Davenport	Gray	Konop
Blackmon	Decker	Green, Iowa	Korbly
Booher	Deitrick	Greene, Mass.	Kreider
Borchers	Dent	Greene, Vt.	Lafferty
Borland	Dershem	Gregg	Langham
Bowdle	Dickinson	Griest	Langley
Bremner	Dies	Griffin	Lazaro
Britten	Difenderfer	Gudger	Lee, Ga.
Broussard	Dillon	Guernsey	L'Engle
Brown, N. Y.	Dixon	Hamill	Lenroot
Brown, W. Va.	Dooling	Hamilton, Mich.	Lever
Bruckner	Doolittle	Hamilton, N. Y.	Levy
Rumbaugh	Doughton	Hardwick	Lewis, Md.
Bryan	Driscoll	Hardy	Lewis, Pa.
Buchanan, Tex.	Dunn	Harrison	Lieb
Bulkley	Dupré	Hart	Lindbergh
Burgess	Dyer	Haugen	Lindquist
Burke, Pa.	Eagan	Hayden	Linthicum
Burke, S. Dak.	Eagle	Hayes	Lonergan
Burke, Wis.	Edmonds	Helgesen	McAndrews
Burnett	Edwards	Helm	McClellan
Butler	Elder	Helvering	McCoy
Byrnes, S. C.	Esch	Hill	McDermott
Calder	Fairchild	Hinds	McGillicuddy
Callaway	Falson	Hinebaugh	McGuire, Okla.
Candler, Miss.	Falconer	Hobson	McKenzie
Cantrill	Farr	Holland	McLaughlin
Caraway	Ferris	Houston	Madden
Carew	Fess	Howard	Mahan
Carlin	Fields	Howell	Maher
Carr	Finley	Hoxworth	Manahan
Carter	Fitzgerald	Hughes Ga	Manes
Casey	FitzHenry	Hughes, W. Va.	Martin
Chandler, N. Y.	Fordney	Hulings	Merritt
Church	Foster	Humphrey, Wash.	Metz
Miller	Porter	Slemp	Thompson, Okla.
Mondell	Post	Sloan	Thomson, Ill.
Montague	Pou	Small	Townsend
Moon	Prouty	Smith, J. M. C.	Treadway
Moore	Ragsdale	Smith, Saml. W.	Tribble
Morgan, La.	Rainey	Smith, N. Y.	Tuttle
Morgan, Okla.	Raker	Smith, Tex.	Underhill
Morin	Rauch	Sparkman	Underwood
Morrison	Rayburn	Stafford	Vare
Moss, Ind.	Reed	Stanley	Vaughan
Mott	Reilly, Conn.	Stedman	Walker
Murdock	Reilly, Wis.	Steenerson	Wallin
Neeley, Kans.	Richardson	Stephens, Cal.	Walsh
Neeley, W. Va.	Riordan	Stephens, Miss.	Watson
Nolan, J. I.	Roberts, Mass.	Stephens, Nebr.	Weaver
Norton	Roberts, Nev.	Stephens, Tex.	Whaley
O'Brien	Rogers	Stevens, N. H.	Whitacre
Oglesby	Rubey	Stout	White
O'Hair	Rucker	Stringer	Williams
O'Leary	Rupley	Summers	Willis
O'Shaunessy	Sabath	Switzer	Wilson Fla.
Padgett	Saunders	Taggart	Wilson, N. Y.
Parker	Scott	Talbott, Md.	Wingo
Patten, N. Y.	Scully	Taylor, Ala.	Winslow
Payne	Seldomridge	Taylor, Ark.	Witherspoon
Peters, Mass.	Sells	Taylor, Colo.	Woodruff
Peters, Me.	Sharp	Taylor, N. Y.	Young, N. Dak.
Peterson	Sherley	Temple	
Phelan	Sherwood	Thacher	
Platt	Shreve	Thomas	

So the motion to adjourn was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.

Mr. SCULLY with Mr. BROWNING.

Mr. METZ with Mr. WALLIN.

Mr. HOBSON with Mr. FAIRCHILD.

Mr. BARTLETT with Mr. BUTLER.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. UNDERWOOD with Mr. MANN.

Until further notice:

Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1).

Mr. AIKEN with Mr. EDMONDS.

Mr. ASHBROOK with Mr. KAHN.

Mr. BALTZ with Mr. SHREVE.

Mr. BARKLEY with Mr. FALCONER (commencing Oct. 24).

Mr. BAILEY with Mr. FESS.

Mr. BARNHART with Mr. MAPES.

Mr. BELL of Georgia with Mr. DANFORTH.

Mr. BLACKMON with Mr. BARCHFELD.

Mr. BREMNER with Mr. GILLETT.

Mr. BURNETT with Mr. HAYES.

Mr. BYRNES of South Carolina with Mr. MANAHAN.

Mr. BROUSSARD with Mr. KELLEY of Michigan.

Mr. BURKE of Wisconsin with Mr. CARY.

Mr. BRUMBAUGH with Mr. LINDQUIST.

Mr. CHURCH with Mr. ROBERTS of Massachusetts.

Mr. CLAYTON with Mr. MONDELL.

Mr. CLAYPOOL with Mr. BRYAN.

Mr. CLARK of Florida with Mr. WOODRUFF.

Mr. CANTRILL with Mr. HELGESEN.

Mr. CARAWAY with Mr. KENNEDY of Rhode Island.

Mr. CRISP with Mr. HINDS (transferable).

Mr. CLANCY with Mr. HAMILTON of New York.

Mr. COVINGTON with Mr. MILLER.

Mr. CARTER with Mr. MCGUIRE of Oklahoma.

Mr. CLINE with Mr. NORTON (commencing Oct. 1).

Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.

Mr. COX with Mr. MURDOCK.

Mr. DECKER with Mr. MOORE.

Mr. DENT with Mr. KREIDER.

Mr. DEITRICK with Mr. YOUNG of North Dakota.

Mr. DIES with Mr. SWITZER.

Mr. DOUGHTON with Mr. MOTT.

Mr. DUPRÉ with Mr. ANTHONY.

Mr. ELDER with Mr. STEENERSON.

Mr. FRANCIS with Mr. HUGHES of West Virginia.

Mr. FITZGERALD with Mr. CALDER.

Mr. FERRIS with Mr. SELLS.

Mr. FIELDS with Mr. LANGLEY.

Mr. FAISON with Mr. CURRY.

Mr. FOSTER with Mr. GREENE of Vermont (commencing Oct. 27).

Mr. FINLEY with Mr. GREEN of Iowa.

Mr. GILMORE with Mr. MCKENZIE.

Mr. GOEKE with Mr. LEWIS of Pennsylvania.

Mr. GOODWIN of Arkansas with Mr. PORTER.

Mr. GARNER with Mr. J. I. NOLAN.

Mr. GORDON with Mr. THOMSON of Illinois.

Mr. GARRETT of Tennessee with Mr. LANGHAM.

Mr. GUDGER with Mr. MOORE.

Mr. HAYDEN with Mr. LAFFERTY.

Mr. HARRISON with Mr. GRAHAM of Pennsylvania.

Mr. HOXWORTH with Mr. ROBERTS of Nevada.

Mr. HOWARD with Mr. GRIEST.

Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).

Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).

Mr. HOUSTON with Mr WILLIS.

Mr. HUGHES of Georgia with Mr. KIESS of Pennsylvania.

Mr. HUMPHREYS of Mississippi with Mr. CRAMTON.

Mr. JACOWAY with Mr. FRENCH.

Mr. IGOE with Mr. PROUTY.

Mr. JOHNSON of South Carolina with Mr. RUPLEY.

Mr. JONES with Mr. HINEBAUGH.

Mr. KITCHIN with Mr. PAYNE.

Mr. KEY of Ohio with Mr. FARR.

Mr. KONOP with Mr. MORIN.

Mr. KETTNER with Mr. SCOTT.

Mr. LEE of Georgia with Mr. KEISTER.

Mr. LONERGAN with Mr. ROGERS.

Mr. MCCOY with Mr. TEMPLE.

Mr. MCGILLICUDDY with Mr. GUERNSEY.

Mr. MCCLELLAN with Mr. LEWIS of Pennsylvania.

Mr. MCDERMOTT with Mr. DYER.

Mr. MONTAGUE with Mr. VARE.

Mr. MOON with Mr. DILLON.

Mr. MORGAN of Louisiana with Mr. HULINGS.

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. PETERSON with Mr. PLATT (commencing Oct. 13).

Mr. PHELAN with Mr. SMITH of Minnesota (Oct. 24 to Nov. 15).

Mr. POST with Mr. COPLEY.

Mr. RAINEY with Mr. MADDEN.

Mr. RAKER with Mr. DUNN.

Mr. RUCKER with Mr. HAUGEN.

Mr. RICHARDSON with Mr. MARTIN.

Mr. RUBEY with Mr. TREADWAY.

Mr. SHERWOOD with Mr. SAMUEL W. SMITH.

Mr. SHERLEY with Mr. COOPER (Oct. 23 to Nov. 15).

Mr. SMALL with Mr. J. R. KNOWLAND.

Mr. SPARKMAN with Mr. HOWELL.

Mr. SUMNERS with Mr. ESCH.

Mr. SAUNDERS with Mr. AINEY.

Mr. SMITH of Texas with Mr. MCLAUGHLIN.

Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.

Mr. STEPHENS of Nebraska with Mr. SLOAN.

Mr. TALBOTT of Maryland with Mr. MERRITT.

Mr. TAYLOR of Alabama with Mr. PETERS of Maine.

Mr. THOMPSON of Oklahoma with Mr. BARTON.

Mr. UNDERHILL with Mr. WALTERS.

Mr WILLIAMS with Mr. BRITTEN.

Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).

Mr. WINGO with Mr. PARKER.

Mr. WEAVER with Mr. BURKE of Pennsylvania.

Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).

Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).

Mr. REED with Mr. WINSLOW (commencing Oct. 1, for remainder of extra session).

Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, except on cotton-futures amendment).

Mr THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, and for balance of session).

Mr. KINKAID of Nebraska. Mr. Speaker, I voted "no." but as I am paired with the gentleman from Missouri, Mr. DICKINSON, I withdraw my vote and wish to vote "present."

The name of Mr. KINKAID of Nebraska was called, and he answered "Present."

Mr. MANN. Mr. Speaker. I voted "no." I am paired with the gentleman from Alabama, Mr. UNDERWOOD, and I desire to withdraw my vote and be recorded "present"

The name of Mr. MANN was called, and he answered "Present."

The result of the vote was announced as above recorded.

Accordingly (at 12 30 o'clock p. m.) the House adjourned until to-morrow, Friday, November 7, 1913, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BELL of California: A bill (H. R. 9180) to consolidate certain lands in the Angeles National Forest, Cal.; to the Committee on the Public Lands.

By Mr. BYRNS of Tennessee: A bill (H. R. 9181) to locate, map, and mark field of battle fought near Nashville, Tenn., December 15 and 16, 1864; to construct driveways, etc., and make an appropriation for same; to the Committee on Military Affairs.

By Mr. HAWLEY: A bill (H. R. 9182) for the completion of the construction of a road across a portion of the Crater National Forest, in Oregon; to the Committee on Agriculture.

Also, a bill (H. R. 9183) to authorize the construction of a road in Crater Lake National Park, Oreg., and to appropriate $100,000 for the commencement thereof; to the Committee on Appropriations.

Also, a bill (H. R. 9184) to amend section 3 of an act entitled "An act to withdraw certain public lands from private entry, and for other purposes," approved March 2, 1889; to the Committee on the Public Lands.

By Mr. LOGUE: A bill (H. R. 9185) appropriating $1,500,000 for the acquirement of land for the enlargement of the post office at Philadelphia, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9186) appropriating $3,000,000 for the purchase of a site and the erection of a post office in the city of Philadelphia, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. VARE: A bill (H. R. 9187) providing for the appointment of a board of survey for the purpose of selecting a suitable site for a naval armor plant at or near Philadelphia Navy Yard, League Island, Pa., and submitting an estimate of the cost thereof; to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRODBECK: A bill (H. R. 9188) to correct the military record of Jeremiah Stover; to the Committee on Military Affairs.

Also, a bill (H. R. 9189) to correct the military record of Daniel M. Witmyer; to the Committee on Military Affairs.

Also, a bill (H. R. 9190) granting a pension to Robert A. Herbst; to the Committee on Pensions.

Also, a bill (H. R. 9191) granting an increase of pension to Oliver W. Garrett; to the Committee on Invalid Pensions.

By Mr. GLASS: A bill (H. R. 9192) for the relief of the trustees of Lynchburg College, of Lynchburg, Va.; to the Committee on War Claims.

By Mr. KENNEDY of Iowa: A bill (H. R. 9193) granting an increase of pension to John T. Maddix; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 9194) for the relief of James H. Gambrell; to the Committee on Naval Affairs.

Also, a bill (H. R. 9195) for the relief of John Graham; to the Committee on Military Affairs.

Also, a bill (H. R. 9196) for the relief of John T. Emmert, alias John T. Reed; to the Committee on Military Affairs.

Also, a bill (H. R. 9197) for the relief of William A. Steward; to the Committee on Military Affairs.

Also, a bill (H. R. 9198) granting an increase of pension to William H. Ross; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9199) granting an increase of pension to Samuel W. Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9200) granting an increase of pension to Eliza A. Rittenhouse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9201) granting a pension to Peter H. Strumsky; to the Committee on Pensions.

Also, a bill (H. R. 9202) granting a pension to Mary E. O'Hare; to the Committee on Pensions.

Also, a bill (H. R. 9203) granting a pension to Mary E. O'Hare; to the Committee on Pensions.

Also, a bill (H. R. 9204) granting a pension to Mary E. O'Hare; to the Committee on Pensions.

Also, a bill (H. R. 9205) granting a pension to Thomas J. Kurtz; to the Committee on Pensions.

Also, a bill (H. R. 9206) granting a pension to Thomas J. Kurtz; to the Committee on Pensions.

Also, a bill (H. R. 9207) granting a pension to John Henry Allen; to the Committee on Pensions.

Also, a bill (H. R. 9208) granting a pension to Margaret Ann Ford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9209) granting a pension to John A. Schreck; to the Committee on Pensions.

Also, a bill (H. R. 9210) granting a pension to Annie F. Sadler; to the Committee on Pensions.

Also, a bill (H. R. 9211) granting a pension to Lewis H. Shank; to the Committee on Pensions.

Also, a bill (H. R. 9212) granting a pension to George W. Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9213) granting a pension to Joshua I. Cooksey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9214) granting a pension to William Bleber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9215) granting a pension to Mahala J. H. Johnson; to the Committee on Pensions.

Also, a bill (H. R. 9216) granting a pension to Susan M. Kinkead; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9217) granting a pension to Thomas Foreman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9218) granting a pension to Ellen M. Leary; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9219) granting a pension to Mary Catharine Flynn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9220) granting a pension to Mary E. Dolan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9221) granting a pension to Henrietta Glessner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9222) granting a pension to Ella McGuigan; to the Committee on Pensions.

Also, a bill (H. R. 9223) granting a pension to Charles J. O'Brien; to the Committee on Pensions.

Also, a bill (H. R. 9224) granting a pension to George F. Parker; to the Committee on Pensions.

Also, a bill (H. R. 9225) granting a pension to Thomas F. Murphy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9226) granting a pension to J. C. Shimer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9227) granting a pension to Albert W. Barnes; to the Committee on Pensions.

Also, a bill (H. R. 9228) granting a pension to Albert W. Barnes; to the Committee on Pensions.

By Mr. LOGUE: A bill (H. R. 9229) granting an increase of pension to Thomas McComb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9230) removing the charge of desertion against Michael McGarry; to the Committee on Military Affairs.

By Mr. MOSS of West Virginia: A bill (H. R. 9231) granting an increase of pension to Rachel R. Haddox; to the Committee on Invalid Pensions.

By Mr. REILLY of Connecticut: A bill (H. R. 9232) granting a pension to Margaret T. Shea; to the Committee on Pensions.

By Mr. SMITH of Minnesota: A bill (H. R. 9233) granting an increase of pension to Benjamin H. Gilbert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9234) granting an increase of pension to William Pryor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9235) granting an increase of pension to Benjamin Howard; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the Kapahulu Improvement Club, of Honolulu, Hawaii, favoring the bill for an extension of the franchise of the Honolulu Rapid Transit & Land Co.; to the Committee on the Territories.

By Mr. ASHBROOK: Petition of 300 employees of the New Philadelphia, Ohio, plant of the American Sheet & Tin Plate Co., protesting against the dissolution of the United States Steel Corporation; to the Committee on Interstate and Foreign Commerce.

By Mr. KENNEDY of Iowa: Petitions of sundry citizens of the State of Iowa, favoring the passage of House bill 5308, relative to mail-order houses; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

FRIDAY, *November 7, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God, eternal Father, help us, we pray Thee, to use the wonderful faculties of mind and soul with which Thou hast endowed us, by a sacred use of the power of choice which Thou hast reposed in us, that we may grow continually toward the higher and nobler, in the full consciousness of duty well done, under the spiritual leadership of Thy Son Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 139. Joint resolution to relieve destitution among the native people and residents of Alaska.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 2576. An act for the relief of John Q. Adams;

S. 2779. An act to authorize the conveyance of the steel bridge over the Snake River between Lewiston, Idaho, and Clarkston, Wash., to the States of Idaho and Washington or local subdivisions thereof; and

S. 3199. An act to authorize the Secretary of Commerce, through the Coast and Geodetic Survey and the Bureau of Fisheries, to make a survey of natural oyster beds, bars, and rocks, and barren bottoms contiguous thereto in waters within the State of Florida

ENROLLED JOINT RESOLUTION SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 139. A joint resolution to relieve destitution among the native people and residents of Alaska.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 2576. An act for the relief of John Q. Adams; to the Committee on the Public Lands; and

S. 3199. An act to authorize the Secretary of Commerce, through the Coast and Geodetic Survey and the Bureau of Fisheries, to make a survey of natural oyster beds, bars, and rocks, and barren bottoms contiguous thereto, in waters within the State of Florida; to the Committee on Appropriations.

ADJOURNMENT UNTIL MONDAY NEXT.

Mr. HULL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next. Is there objection?

There was no objection.

LEAVE TO EXTEND REMARKS.

Mr. MURRAY of Oklahoma. Mr. Speaker, about two months ago I requested the House for unanimous consent, which I obtained, to extend my remarks in the RECORD upon the discussion of the deficiency bill. I neglected it, and I should like to renew that request.

The SPEAKER. As a matter of fact, the gentleman does not have to renew the request. When you get consent without any limitation on it to extend your remarks in the RECORD you can extend them at any time until the 3d day of March, 1915.

Mr. MURRAY of Oklahoma. The reason I am asking this is in order to be entirely fair with the House. The remarks that I want to print are more nearly on another subject.

The SPEAKER. The gentleman from Oklahoma [Mr. MURRAY] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. MANN. Reserving the right to object, my recollection is that the gentleman from Oklahoma was discussing our relations with Mexico. I have no objection to a reasonable extension of the subject which does not enter too fully into a discussion of what we ought to do about Mexico.

Mr. MURRAY of Oklahoma. I will state, Mr. Speaker, that I understand the purposes that the gentleman from Illinois has in mind, and the reason I am asking for this extension is in order to conform to his purposes, and this is all the request I have along this line.

The SPEAKER. Is there objection?

There was no objection.

COAL STRIKE IN COLORADO.

Mr. KEATING. Mr. Speaker, I ask unanimous consent to discharge the Committee on Rules from the consideration of House resolution 290, and for its immediate consideration by the House. This is a resolution providing for a committee of inquiry to investigate the coal strike in the State of Colorado.

The SPEAKER. The gentleman from Colorado [Mr. KEATING] asks unanimous consent that the Committee on Rules be discharged from the further consideration of House resolution 290, and for the immediate consideration thereof. Is there objection?

Mr. MANN. Reserving the right to object, we do not know what the resolution is.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 290.

Resolved, That the House Committee on Labor is hereby authorized and directed to make a thorough and complete investigation of the conditions existing in the coal fields in the counties of Las Animas, Huerfano, Fremont, Grand, Routt, Boulder, Weld, and other counties in the State of Colorado, for the purpose of ascertaining—

First. The history of the relations of the employer and employee in the said coal fields, in so far as said history has a bearing on the existing labor troubles.

Second. Whether or not the postal services and facilities have been or are being interfered with or obstructed in said coal fields; and if so, by whom.

Third. Whether or not the immigration laws of this country have been or are being violated in said coal fields; and if so, by whom.

Fourth. Whether or not the naturalization laws of this country have been or are being violated in said coal fields; and if so, by whom.

Fifth. Whether the operating companies in said coal fields have coerced their employees in an attempt to control the votes of said employees, and thereby influence the choice of United States Senators and Representatives in Congress, and State, county, and judicial officials.

Sixth. Whether there is a combination of said coal companies in restraint of interstate trade for the purpose of advancing the price at which coal shall be sold to consumers in Colorado and other States.

Seventh. Investigate and report whether or not firearms, ammunition, and explosives have been imported into said State for the use of either party to the existing labor troubles; and the number, names, and general reputation of the men imported into said coal fields to act as guards, deputy sheriffs, and in similar positions.

Eighth. Investigate the efforts of the various labor organizations to unionize said coal fields, including demands made on employers, and the methods used to enforce said demands.

Ninth. Whether or not the said coal companies, through their control of the judicial and other officials in said district, have interfered with the administration of justice.

Said committee or any subcommittee thereof, is hereby empowered to sit and act during the session or recess of Congress, or either House thereof, at such time and place as it may deem necessary; to require by subpœna or otherwise the attendance of witnesses, and the production of papers, books, and documents; to employ stenographers, at a cost not exceeding $1 per printed page, to take and make a record of all evidence taken and received by the committee and keep a record of its proceedings; to have such evidence, record, and other matter required by the committee printed; and to employ such other clerical assistance as may be necessary. The chairman of the committee or any member thereof may administer oaths to witnesses. Subpœnas for witnesses shall be issued under the signature of the chairman of the committee or subcommittee thereof. Every person who, having been summoned as a witness by authority of said committee or any subcommittee thereof, willfully makes default, or who, having appeared refuses to answer any questions pertinent to the investigation herein authorized shall be held to the penalties provided by section 102 of the Revised Statutes of the United States.

The expenses thereof shall be paid from the contingent fund of the House on vouchers ordered by said committee, signed by the chairman thereof, and approved by the Committee on Accounts.

Mr. MANN. Reserving the right to object, this is a very important resolution. I believe there are several resolutions pending which provide for investigations of strikes by committees of the House. Very likely we ought to make the investigation, but a resolution of this sort ought to be very carefully considered by the House, and ought to be reported by the Committee on Rules. Why does not that committee report the resolution? It has been pending for some time, has it not?

Mr. KEATING. I do not think there is a quorum of the Committee on Rules in the city.

Mr. MANN. I suggest to the gentleman that he get a quorum here. He has appeared himself, and he might get the members of the Committee on Rules to appear.

Mr. PAGE. Mr. Speaker, if the gentleman will permit me, are not all the matters that are contained in this resolution authorized in the act passed sometime ago, appointing an industrial commission to look into the relations between labor and capital, and the condition of the laboring people in the country? Is not their scope of action broad enough to cover all this investigation?

Mr. KEATING. It is possible that the Department of Labor could make an investigation which would reveal a part of these facts, but it would not have the force and effect of a congressional investigation. I am considering not only the facts which will be developed by this inquiry, but I am considering principally the effect of this investigation. What I want primarily is to secure industrial peace in Colorado and adjacent States.

Mr. PAGE. I think that was in the mind of Congress and the people behind it that led to the appointment of this commission. If they have any function to perform, it is along the lines pointed out by the resolution, and it is a duplication of the work to have a committee of the House do the work that the committee was appointed to do.

Mr. KEATING. I might suggest to the gentleman that Secretary Wilson at the beginning of this controversy took cognizance of it and appointed Ethelbert Stewart, one of the most prominent employees in the department, a man of wide experience, and sent him to Colorado as his personal representative. Mr. Stewart was treated with scant courtesy by the gentlemen operating the coal mines in Colorado. He secured some information, and has prepared a report, as I understand it, but it became evident to Secretary Wilson and to Mr. Stewart that the Department of Labor was without full and sufficient power to handle this situation.

Mr. PAGE. I am not familiar with the details of this situation, and the purpose I had in mind was to avoid authorizing a committee of the House—giving them almost unlimited power in the expenditure of funds from the contingent fund of the House—to do the work that ought to be done by a commission that has been appointed under the law in the Department of Labor to do these very things. It was that I had in mind more than this specific case or any other one.

Mr. MANN. If the gentleman from North Carolina will pardon me, possibly he thinks the commission on industrial relations is under the Department of Labor.

Mr. PAGE. I was under that impression.

Mr. MANN. If he will think for a moment, he will see that it is not.

Mr. PAGE. I see that I was mistaken.

Mr. MANN. There is a committee on industrial relations which could make this investigation, and there is a Bureau of Corporations in the Department of Commerce which has full power to make the investigation, subpœna witnesses, and require their testimony. There is a provision in the act creating the Department of Labor giving authority to the Secretary of the Department of Labor to make the investigation. I do not say that that is any reason why Congress should not make the investigation. Very likely the case is of such importance that Congress ought to make an investigation. But if Congress is to make the investigation, let Congress or the House order it by a sufficient number to give it some weight.

Mr. KEATING. If the gentleman will permit me, I think an investigation and discussion of the situation in Colorado will reveal the gravity of the situation. I think it will reveal the fact that the bodies the gentleman has mentioned are not in a position and have not the power to handle this particular situation.

Mr. MANN. Oh, they have the power.

Mr. KEATING. They may have the power to make the investigation, but they lack the power to bring about the result I desire, which is industrial peace in my State.

Mr. MANN. I do not know whether my distinguished friend is altogether for industrial peace or for some local partisan advantage. The resolution provides for investigating elections, how far influence has been had on elections of Members of the House and the Senate. The latter, of course, we have nothing to do with.

Mr. KEATING. If the gentleman thinks that in drafting the resolution I have gone too far, or have injected into it anything of a partisan nature, I will gladly eliminate it.

Mr. MANN. Does not the gentleman think his resolution covers almost everything under the sun?

Mr. KEATING. The purpose of the resolution was to make it so broad that a committee could go into Colorado and find out the cause of this extraordinary condition which now prevails in that State.

Mr. MANN. My recollection is—and I appeal to the gentleman from Michigan for information—that the gentleman from Michigan, Mr. MACDONALD, has a resolution pending as to a strike in Michigan.

Mr. MACDONALD. We have a similar situation in Michigan, but there is no resolution pending.

Mr. BUCHANAN of Illinois. Mr. Speaker, I believe at the present time there is a strike or industrial war being investigated in West Virginia.

The employers there are probably the same interests that are the employers in Colorado, although I am not well informed in regard to that. My information is that the Standard Oil interests control the Colorado coal fields. The conditions in West Virginia were similar to, though hardly as bad, as those that now exist in Colorado. While they had the company stores in West Virginia the same as they have in Colorado, I never heard of anyone taking an article away from a miner because he bought from some other source and insist that he buy from the company's stores. The Senate committee is investigating this, and the investigation has resulted in great good in the way of bringing about a settlement of the difficulties in West Virginia. The conditions there have improved, and the miners are getting nearer to what they ought to be able to get as American workingmen; that is, they are coming nearer to having their constitutional rights protected. They have a right to exist under the law and the Constitution the same as other people, and those rights these companies very often take away from them. What usually causes this sort of trouble as exists in Colorado is the great influences of these employers in denying working people their legal and constitutional rights, practically making of them industrial slaves—worse slaves, in fact, than were the black men before the Civil War, because they were fed and taken care of. If the House should see fit to investigate this condition, it would, in my opinion, bring the matters to the attention of the public, to whom an appeal is usually made as a last resort in order

to get justice for the great mass of the working people. I think an investigation would result in much good, and I believe the House ought to do as much to give relief under such circumstances as the Senate has undertaken to do.

Mr. MANN. Mr. Speaker, if the gentleman from Colorado will yield. I recently tried to get the House to increase the appropriation made to the Department of Labor to investigate industrial conditions, and on that proposition the Democratic Members of the House outvoted this side of the House. I tried to get the House to increase the appropriation giving to the Department of Commerce power to make these investigations, and the Democratic side of the House voted down the proposition, which was supported by the minority side of the House. That is no very good reason for not making a congressional investigation. I seldom have opposed obtaining information, and I do not do it now. I seldom have opposed congressional investigations, although I seldom have seen any benefit come from a special investigation made by a committee of the House.

Mr. QUIN. Mr. Speaker, I certainly favor this resolution. I was in Trinidad when that strike started, when the men working in the mines first walked out. I was in Colorado Springs and Denver when the governor of the State of Colorado called out the troops because of the insurrection about the mines near Trinidad.

Of course this question has two sides to it, but if those miners, the men who dig coal out of the mines, told me the truth, then they have some rights which ought to be protected. Those men stated that one of their grievances was that the coal-mine owners, the corporations running the mines, had a weigher whom they believed was not giving them justice. In other words, they thought they had to get out 2,500 pounds of coal to call it a ton, and they wanted to pay out of their own funds a weigher to stand by and see that they received just and honest weight. If those men have rights, Congress ought to help them assert their rights. If the owners of the mines have rights, Congress ought to know it, and see that they get justice. It was commonly talked in Colorado that the corporations owning the mines had raised the price of coal $1 a ton since the strike. Is it right for the people to be held up in this manner?

I can not see any harm on earth that this resolution could do. I know something about labor troubles. I live in a town where there was a strike which lasted for several months, where we had almost a regiment of soldiers for several months during last fall and winter up until spring, and I say that if Congress had taken up that matter I believe it would have been the best thing for the workers and the railroad corporation in that town and for all the citizens of it. I believe in my heart that this committee ought to investigate the conditions there, and that a report should be made to this body, in order that the American people may be made aware of all of the facts and details concerning this coal strike. I know it is hard for the poor workingmen to get their rights, and this House ought to help them.

Mr. MONDELL. Mr. Speaker, taking advantage of the announcement made by the gentleman from Alabama, the leader of the majority, some time ago to the effect that he did not intend to attempt to maintain a quorum, I made a short visit into the western country, and while I was not in Colorado I was near enough to hear the echoes from the unfortunate labor troubles existing in the coal fields in that State. There is a situation there very grave, very serious. Grave charges have been made against the management of the properties, also against the miners in some cases, and conditions exist that warrant and necessitate, in my opinion, an investigation by somebody representing the Federal Government. I am rather inclined to the opinion that action under the provisions of the act creating the Department of Labor, authorizing the Secretary of Labor to act as a mediator and to appoint commissioners of conciliation in labor troubles when in his judgment the interest of industrial peace may require it to be done, would be the most prompt, expeditious, and perhaps satisfactory way of arriving at the facts of the situation in Colorado.

I regret that our friends on the other side did not see fit to increase the appropriation for that class of work, an increase which we attempted to secure when the deficiency bill was under consideration; but some gentlemen seem to be of the opinion that, either due to a lack of funds or from the fact the department perhaps has not men in whom it has confidence ready for the work, Congress should investigate the situation. It is very unfortunate, Congress being in session, that a situation exists——

Mr. BUCHANAN of Illinois. Will the gentleman yield?

Mr. MONDELL. In just a moment—that a situation exists under which it is impossible for Congress to pass upon these matters in an orderly way—in the way provided for by the rules. Here we are in constant and continuous session, nothing particular to do, and yet apparently paralyzed in our activities to such an extent that it is impossible to get the Committee on Rules together to consider and pass upon this resolution. That committee could and should examine into the situation, make inquiries of the Secretary of Labor, learn whether or no it would be possible for him to secure the facts with regard to the situation, and generally consider the advisability of the passage of the resolution in its present form. It is very unfortunate, Congress being in session, that it should be so paralyzed in its activities by the absence of Members that it can not pass upon a simple resolution of this sort in the regular way. There is something wrong when that condition exists, but that condition does exist, and it is not the fault of this side of the House. A very serious condition exists in Colorado. Grave labor troubles exist which have already led to bloodshed and rioting and which may lead to more serious difficulties. The militia has been called out, and yet the situation does not seem to be in hand. We ought to have the facts. If we can not have the resolution considered in an orderly way under the rules of the House by reason of the failure of the Democratic majority to maintain a quorum, then I hope that no one will object to having the matter taken up by unanimous consent. It is important—in fact, in my opinion, imperative—that Congress should have information on this subject.

The Secretary of Labor evidently is not in a position to secure it, possibly because his party has not provided appropriations for that purpose, having declined to do so, or possibly for other reasons. The action by unanimous consent requested by the gentleman from Colorado is the only thing he can do under the circumstances. The committee not having reported the resolution, it is his duty to endeavor to secure its passage. While there may be some objection to some of the provisions of the resolution, I think, in the main, the resolution is properly and reasonably drawn, and I hope no objection will be made to its consideration and, after consideration, to its passage.

Mr. JOHNSON of Washington. Mr. Speaker, if the gentleman from Colorado will permit me, I want to say that two nights ago I attended a meeting of labor leaders called to discuss this Colorado strike situation, and I heard quite a number of speakers, some of whom have been known throughout the country as agitators. I heard them calmly and coolly discuss this matter and give great praise to the Senate of the United States for its act in investigating the West Virginia matter. I heard them express the hope of relief through Congress. I heard them—and some of the speakers were those who do not believe in our present form of government—say that this House was composed of sincere, earnest, and hard-working men who wanted both sides to this Colorado labor controversy treated with absolute fairness. I heard documents and papers read showing a desperate situation in the State of Colorado.

I am of the opinion, Mr. Speaker, that if there are only 100 Members of Congress here, we, the 100 Members, should call ourselves the Congress, pass this resolution, and divide ourselves up into committees of 15 to investigate not only this strike in Colorado, but also, if suitable resolutions are introduced, the strike in Michigan, the strike in Indianapolis, the one at Ipswich, Mass., and strikes at other places. While we are putting in the remaining time between this and the regular session let us do something—it is a pity for us to be in this condition of enforced idleness—let us do something for labor, and I am sure it will be appreciated.

Mr. FOWLER. Mr. Speaker, within the last month I have had a number of urgent letters calling for the investigation of conditions of the coal strike in Colorado. I have a brother living in Denver, who has lived there for 20 years, and I am in possession of information which I think is such as to warrant an investigation.

Truly there are always two sides to a question, and a thorough investigation will bring about information concerning the exact conditions on both sides. That is the object of an investigation. It is contended by some Members that the authority to make this investigation rests with the Department of Labor. I do not think the law creating that department is broad enough to give the Secretary of Labor the authority to make an investigation such as is contemplated by this resolution. A real, substantial investigation is necessary in this case, such as will reveal the exact conditions. It is said that the Pujo committee, which investigated the Money Trust, did not have the power to compel the attendance of witnesses, and for this reason it was unable to investigate as fully as the committee had contemplated. It is necessary to go to the bottom of this question, and this can only be done by a special committee armed with the authority proposed by this resolution.

The strike going on now in Colorado is as dangerous to life and liberty as the late strike in West Virginia. There, in Paint and Cabin Creek districts, civil law was set aside for more than a year. Martial law was declared, followed by a military

despotism in time of peace, by which the citizens of that State were denied the right of trial by jury, tried and convicted by a military commission, and sent to prison for long terms on trivial charges.

The Senate sent a special committee, duly appointed and commissioned, with full power to investigate the whole affair. This committee held its meetings in the camps of the military district and bearded the "lion in his den." A horrible condition was revealed on the part of the coal operators and the administration of the State. Martial law was routed and civil law was restored. Peace and good order now prevail in West Virginia as the result of this wise and timely investigation. The conditions in Colorado are about as bad as they were in West Virginia, and demand an investigation at our hands.

If the operator has right on his side, the investigation can do him no harm. If the laborer has right on his side, investigation will reveal it. If justice is what ought to be dealt out and peace and order restored in that unhealthy district, then, Mr. Speaker, all the investigation that can be had can do no one any harm. Indeed, Mr. Speaker, the investigation will have the effect of bringing these parties together and getting them to understand what the law is, and what Congress will expect at their hands in settling these difficulties. The miners are asking for an investigation. Why do not the operators do the same thing and let the sunlight of truth shine in?

Mr. Speaker, I have no doubt in my mind but that every man on the floor of this House is anxious for peace and is anxious that the rights of every citizen in Colorado should be protected there. Who will stand against investigation; who will delay the consideration of this resolution? The gentleman from Colorado [Mr. KEATING], the author of the resolution, is a resident of the district where the strike now rages. He has been laboring for months in his State for the purpose of bringing about a reconciliation, and he has had his resolution delayed, hoping that peace might be restored, but without avail, it looks. But when martial law threatens the people of this country in various quarters it is high time that Congress should be up and doing and discharging its duty, for the purpose of seeing that the civil law is enforced in this country. I trust, Mr. Speaker, that no gentleman's voice on the floor of this House will be heard to object to the immediate consideration of this resolution.

Mr. MACDONALD. Mr. Speaker, if the gentleman from Colorado [Mr. KEATING] will permit——

Mr. KEATING. Certainly——

Mr. MACDONALD. I wish to say that, as stated by the gentleman from Illinois [Mr. MANN], we have had a similar condition in the copper district of Michigan. The Department of Labor, early after the occurrence, sent a special investigator to examine and report upon the facts connected with the strike. Every State trooper of the State of Michigan was called upon and sent to the field of this strike. Its seriousness in all its aspects can hardly be exaggerated. The Department of Labor made a very thorough investigation and a complete report on this matter and finally sent a second investigator there. The first one was a representative of the department, Mr. Moffatt. The second one was Mr. Palmer. The Secretary of Labor, upon receiving these reports, offered to serve as mediator or to provide a board of mediation, and, secondly, submitted a plan of a different form of mediation. In each case the operators of the mines have refused to accede to any kind or form of mediation. Although the Department of Labor has the best will in the world to do all that it can do under the existing law, apparently it has reached a point where it can go no further, and is prepared to admit that that is practically true; and as there must——

Mr. MANN. Will the gentleman from Michigan yield for a question?

Mr. MACDONALD. Yes.

Mr. MANN. Did the Secretary of Labor appoint any commission or board of mediation and conciliation in that case?

Mr. MACDONALD. I think not. The Secretary of Labor simply offered his services as a mediator, and offered, secondly, a plan whereby a board of mediation for the particular purpose should be selected.

Mr. MANN. My recollection of the law—I am not sure about it—is that the Secretary of Labor is authorized to appoint boards or commissioners of mediation and conciliation.

Mr. MACDONALD. I am inclined to think that perhaps he did offer to appoint a board.

Mr. MANN. But did he appoint any?

Mr. MACDONALD. No appointment was made.

Mr. BUCHANAN of Illinois. The Department of Labor is hampered by the fact that it has not sufficient funds.

Mr. MANN. I have no doubt of that at all. Probably my distinguished colleague voted for the amendment that I offered, and if the other Members on his side had voted for that amendment, to give sufficient funds to the Department of Labor, I have no doubt that the board would have been appointed and the strike settled before this.

Mr. MACDONALD. The point is that the Department of Labor have exhausted all the means they have at their command, and have accomplished nothing in the way of a settlement of conditions; and we are confronted with the proposition that if we are to avoid these conditions which are occurring in many places throughout the country, conditions of absolute civil war, involving bloodshed and loss of property, we must find some means of settlement.

I hope that the House will take up this matter now when there is abundant time to consider it, and as the gentleman from Washington suggests, find some means to put us on the track of some settlement of these industrial conditions, not only by an investigation of the facts of these conditions in various places, but will authorize the committee to bring in some suggestions as to remedial legislation that will not only settle the present trouble but will tend to prevent its recurrence in the future. I believe what is asked for by the gentleman from Colorado [Mr. KEATING] is a step in the direction of what we all want.

Mr. MURRAY of Oklahoma. Mr. Speaker, I do not desire to detain the House to discuss this matter, but wish merely to say that I heartily approve this resolution; and I think that, irrespective of the number who may be present here in the House, this investigation ought to be authorized. I am sure that very nearly every man on both sides of this body will favor this investigation.

Mr. AVIS. Mr. Speaker, if the gentleman from Colorado will yield——

Mr. KEATING. I do not know my exact status.

The SPEAKER. Your exact status is that you have asked unanimous consent, and these other gentlemen have been talking by reserving the right to object. Of course, it is all by unanimous consent, and whenever anybody gets tired of it, he can stop it.

Mr. KEATING. I have no desire to stop it myself.

Mr. AVIS. I should like to say to the gentleman from Colorado that while I regret exceedingly that the Committee on Rules have not had an opportunity to inspect and examine into this matter, I expect to support it in the main, although it appears to me that there are some things that properly might have been considered seriously by the committee and passed upon before submitting the resolution to the House. I represent the district in West Virginia—in fact, I live in the county in which conditions were investigated by the Senate Committee on Labor—and perhaps I know as much about local conditions there as anyone in this House; and, as there has been an investigation of mining conditions in the State of West Virginia by one branch of Congress, acting under a somewhat similar resolution, I believe, in all fairness, that there should be a proper investigation of similar conditions alleged to exist in other States.

I do know that in that investigation there were several questions raised that caused considerable embarrassment for the committee; and, as I said, I believe that had the Committee on Rules examined this resolution carefully it might have ascertained that there were some things called for which are beyond the constitutional powers of the House. For instance, I should like to hear from the gentleman from Colorado as to the fifth clause of the resolution, which provides for an investigation as to the influencing of the choice of United States Senators and of State, county, and judicial officials. There is considerable doubt in my mind as to how far the House can go in ordering an investigation in regard to these officials.

And then in the ninth clause it provides for an investigation of the question—

> Whether or not the said coal companies, through their control of the judicial and other officials in said district, have interfered with the administration of justice.

Before the gentleman answers my question, I will say that I am inclined to resolve the doubt in favor of the resolution, but as other resolutions of this kind are likely to come up, it does seem to me that, if these are doubtful powers of Congress, we ought not to be placed in the position of broadening this investigation to such an extent that we will be put in a false position. I should like to hear from the gentleman particularly on these two clauses of the resolution. I want to say, however, that I hope this resolution will be given immediate consideration, notwithstanding the fact that there is no quorum present.

Mr. KEATING. My purpose, Mr. Speaker, in drafting this resolution was, as I stated before, to give the committee powers so broad that they might go into all the details of this controversy, the origin and the possible solution of the question. Now, one of the very serious charges made by the strikers is

that the State laws of Colorado, and practically all the laws of the land, have been suspended in some counties in Colorado, and have been for a considerable period of time. They charge that this suspension has been brought about by the coal companies going into politics. It is even alleged that some coal companies supported the Democratic ticket and other coal companies supported the Republican ticket; at least, that they have done so in times past. So far as these elections are concerned, I have no desire to express my own opinion, but I may say to the gentleman from West Virginia that some of the best citizens of Colorado allege that most of the trouble in the counties of Huerfano and Las Animas has been caused by the coal companies controlling every official from district judge to coroner. As an example of that, they say in these two counties that while hundreds of men have been killed as a result of mine accidents in the last 10 years, in only one accident did the coroner's jury bring in a verdict holding the company responsible.

So far as our right to investigate it is concerned, I will say that I am only a newspaper man and not a lawyer and I am not familiar with our exact powers.

Mr. AVIS. If the gentleman from Colorado will yield, I think the greater part of the resolution is within the powers of Congress. The questions of violations of the naturalization laws, of the immigration laws—I do not think that you propose to investigate any alleged violations of the laws concerning peonage—of the postal laws, and of the laws in restraint of interstate trade are without doubt within the constitutional powers of Congress. My position is, however, in view of the fact that this House will have other similar resolutions before it, that we ought to be consistent and not vote one way on one resolution and another way on a similar resolution. I have, as an individual, no objection to an investigation to the extent that this resolution proposes and as far as the gentleman desires it as evidenced by his resolution, but I want to be consistent and do not want to vote for things that are not within the powers of the House. I do not assert it as a proposition of law that all these things are not within the power of the House, but I do not believe that they are. I now ask the gentleman whether he thinks that all of the things proposed in the resolution are within the constitutional powers of the House—whether he has taken the trouble to ascertain whether we can investigate an attempt to control and influence the choice of a United States Senator or that of a State, county, or State judicial official? If that can be done and it is within the powers of the House, I want to vote for the resolution. Then again, in the ninth section, whether the House can investigate as to "whether or not the said coal companies, through their control of the judicial and other officials in said district have interfered with the administration of justice." I should think that an investigation could be extended to the United States courts, but can it be extended to the State courts by the House?

Mr. KEATING. I would prefer the opinion of the gentleman from West Virginia to my own on that point. I can tell the gentleman my thought, and then he can tell whether it will square with the Constitution or not. The thought I had and the reason I had for securing this investigation of Colorado's trouble was to try to get at the cause of these disputes. Why is it that great corporations exploiting the natural resources of the country undertake to say that "there is nothing to arbitrate" when they become involved in controversies with their employees? How does it come that a man sitting at 26 Broadway, New York, has the power to paralyze the business enterprises of my State?

Mr. ANDERSON. Will the gentleman yield?

Mr. KEATING. Certainly.

Mr. ANDERSON. The gentleman of course knows that this proposed committee could not arbitrate anything. What does he expect to accomplish by the appointment of the committee, merely to get at the facts? The committee can not arbitrate anything.

Mr. KEATING. You could not arbitrate anything in West Virginia, and yet the Senate investigation which was made on exactly this kind of a resolution—because I have adopted the language of the Senate resolution—has resulted in the fact that there is now industrial peace in West Virginia. I believe that the greatest weapon we have in this country for adjusting industrial pursuits is publicity, and the most effective way to secure that publicity is through a congressional investigation.

Mr. ANDERSON. Does the gentleman know whether there is a quorum of the Committee on Labor in Washington?

Mr. KEATING. I am a member of that committee, and last Friday we did not have a quorum. I intended, if the resolution came before the House, to change it so as to provide for a committee of five or whatever number might be specified.

Mr. ANDERSON. Mr. Speaker, I notice that there is not any limitation upon the amount which this committee can expend in this investigation. Is it proposed to take this entire committee out to Colorado to make the investigation?

Mr. KEATING. No. The resolution provides that the Committee on Labor or a subcommittee thereof may make the inquiry. I am perfectly willing that the resolution should be perfected in that regard, as I have no desire to squander money. I would say that a subcommittee of three or five, preferably five, should go to Colorado, should hold hearings there, and I hope make a report which will shed some light on not only the Colorado dispute but the causes of some of these other controversies.

Mr. ANDERSON. Has the gentleman any idea as to what the probable cost of that investigation will be?

Mr. KEATING. I have not stopped to consider that. There is the railroad fare and the hotel bills and the stenographer's expenses. It would not be expensive. The gentleman has probably had more experience than I have had along those lines.

Mr. GRAHAM of Illinois. Mr. Speaker, I hope there will be no objection to the present consideration of the resolution. I might say in response to the remarks of the gentleman from West Virginia [Mr. AVIS] that the objections which he raises are not material at this stage of the proceeding. If the resolution is considered by the House, any imperfections in it can be amended, and additions can be made to it, or features not properly in it might be eliminated, so that that would be no objection whatever to its present consideration. It seems to me that whether the department having the matter in charge has sufficient funds to conduct the investigation or not, it could still be done with great advantage by the House, for the reason that what the committee needs mostly is light, and light means publicity. Publicity can be obtained far better through a congressional investigation than through an investigation conducted by the department.

The newspapers will give more attention to it, it will be published far and wide, and when the conditions that exist there are exposed by the testimony taken by this committee and published by the newspapers of the country, the light thus shed on them will in that case, as it did in the case of West Virginia, practically dispose of the entire matter. It seems to me that no other plan could be suggested which would be so conducive to the peaceful settlement of the dispute as a congressional investigation for the reasons that I have stated, and if this resolution is considered by the House—and it can be considered by the House even in the absence of a quorum—then the investigation could begin at a time when there is little else to take up the time of the House. There is not much now to distract the attention of the country from the reports of the testimony as it would come in, and every result that could be desired could be better obtained by a present investigation by a House committee than in any other way. I hope, therefore, that there will be no objection to the present consideration of the resolution.

Mr. MANN. Mr. Speaker, there is a very bad strike in progress in Colorado; there is a very bad strike going on in Michigan; there is a very bad strike going on in Indianapolis; and a worse strike going on in the House of Representatives. I have been here endeavoring to break the strike of the Democratic Members of the House of Representatives. The difference between the other strikes and the strike in the House is that a laboring man in these places when he goes on a strike loses his pay, while a Member of the House of Representatives who has gone on a strike, who has gone home, continues to draw his pay. Probably that is the reason the strike is so hard to break. It is just as important to break the strike here as it is anywhere else, and I am in favor of using every means within my power to break the strike in the House of Representatives, in order that we may give to the country needed investigations and needed legislation. Therefore, Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. Evidently there is not a quorum present.

ADJOURNMENT.

Mr. PALMER. Mr. Speaker, as the point of order made by the gentleman from Illinois [Mr. MANN] is tantamount to an objection, and therefore action on this resolution is impossible at this time——

Mr. MANN. Mr. Speaker, the gentleman has no right to say that. I have not made any objection at all.

Mr. PALMER. I therefore move, Mr. Speaker, that the House do now adjourn.

Mr. MANN. The gentleman should do so in order.

The SPEAKER. Well, it is all over now. The gentleman from Pennsylvania moves that the House do now adjourn.

Mr. MANN. Let us stay here and do business and bring in a quorum.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. MANN. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 54, nays 34, answered "present" 13, not voting 329, as follows:

YEAS—54.

Abercrombie	Flood, Va.	Lloyd	Rouse
Aswell	Floyd, Ark.	McDermott	Russell
Beakes	Gard	McKellar	Shackleford
Brockson	George	Maguire, Nebr.	Sims
Brodbeck	Graham, Ill.	Mitchell	Slayden
Brown, W. Va.	Hamlin	Murray, Mass.	Smith, Md.
Byrns, Tenn.	Hammond	Murray, Okla.	Stout
Carr	Hay	Neeley, W. Va.	Taggart
Collier	Henry	Oldfield	Talcott, N. Y.
Donohoe	Hensley	Page	Ten Eyck
Doremus	Hull	Palmer	Watkins
Estopinal	Keating	Pepper	Webb
Evans	Kirkpatrick	Quin	
Fergusson	Lesher	Rothermel	

NAYS—34.

Anderson	Davis	La Follette	Sinnot
Austin	Donovan	Lee, Pa.	Smith, Idaho
Avis	Edmonds	Lobeck	Stone
Bartholdt	Fowler	Macdonald	Sutherland
Bathrick	Frear	Nelson	Tavenner
Bell, Cal.	Hawley	Patton, Pa.	Towner
Browne, Wis.	Johnson, Utah	Plumley	Woods
Buchanan, Ill.	Johnson, Wash.	Roberts, Mass.	
Curry	Kennedy, Iowa	Roberts, Nev.	

ANSWERED "PRESENT"—13.

Browning	Holland	Moss, W. Va.	Volstead
Cary	Kinkaid, Nebr.	Smith, Minn.	
French	Mann	Stevens, Minn.	
Glass	Mondell	Thacher	

NOT VOTING—329.

Adair	Danforth	Haugen	Mapes
Adamson	Davenport	Hayden	Martin
Aiken	Decker	Hayes	Merritt
Ainey	Deitrick	Heflin	Metz
Alexander	Dent	Helgesen	Miller
Allen	Dershem	Helm	Montague
Ansberry	Dickinson	Helvering	Moon
Anthony	Dies	Hill	Moore
Ashbrook	Difenderfer	Hinds	Morgan, La.
Bailey	Dillon	Hinebaugh	Morgan, Okla.
Baker	Dixon	Hobson	Morin
Baltz	Dooling	Houston	Morrison
Barchfeld	Doolittle	Howard	Moss, Ind.
Barkley	Doughton	Howell	Mott
Barnhart	Driscoll	Hoxworth	Murdock
Bartlett	Dunn	Hughes, Ga.	Neeley, Kans.
Barton	Dupré	Hughes, W. Va.	Nolan, J. I.
Beall, Tex.	Dyer	Hulings	Norton
Bell, Ga.	Eagan	Humphrey, Wash.	O'Brien
Blackmon	Eagle	Humphreys, Miss.	Oglesby
Booher	Edwards	Igoe	O'Hair
Borchers	Elder	Jacoway	O'Leary
Borland	Esch	Johnson, Ky.	O'Shaunessy
Bowdle	Fairchild	Johnson, S. C.	Padgett
Bremner	Faison	Jones	Parker
Britten	Faiconer	Kahn	Patten, N. Y.
Broussard	Farr	Kelster	Payne
Brown, N. Y.	Ferris	Kelley, Mich.	Peters, Mass.
Bruckner	Fess	Kelly, Pa.	Peters, Me.
Brumbaugh	Fields	Kennedy, Conn.	Peterson
Bryan	Finley	Kennedy, R. I.	Phelan
Buchanan, Tex.	Fitzgerald	Kent	Platt
Bulkley	FitzHenry	Kettner	Porter
Burgess	Fordney	Key, Ohio	Post
Burke, Pa.	Foster	Kiess, Pa.	Pou
Burke, S. Dak.	Francis	Kindel	Powers
Burke, Wis.	Gallagher	Kinkead, N. J.	Prouty
Burnett	Gardner	Kitchin	Ragsdale
Butler	Garner	Knowland, J. R.	Rainey
Byrnes, S. C.	Garrett, Tenn.	Konop	Raker
Calder	Garrett, Tex.	Korbly	Rauch
Callaway	Gerry	Kreider	Rayburn
Campbell	Gillett	Lafferty	Reed
Candler, Miss.	Gilmore	Langham	Reilly, Conn.
Cantrill	Gittins	Langley	Reilly, Wis.
Caraway	Godwin, N. C.	Lazaro	Richardson
Carew	Goeke	Lee, Ga.	Riordan
Carlin	Goldfogle	L'Engle	Rogers
Carter	Good	Lenroot	Rubey
Casey	Goodwin, Ark.	Lever	Rucker
Chandler, N. Y.	Gordon	Levy	Rupley
Church	Gorman	Lewis, Md.	Sabath
Clancy	Goulden	Lewis, Pa.	Saunders
Clark, Fla.	Graham, Pa.	Lieb	Scott
Claypool	Gray	Lindbergh	Scully
Clayton	Green, Iowa	Lindquist	Seldomridge
Cline	Greene, Mass.	Linthicum	Sells
Connelly, Kans.	Greene, Vt.	Logue	Sharp
Connolly, Iowa	Gregg	Lonergan	Sherley
Conry	Griest	McAndrews	Sherwood
Cooper	Griffin	McClellan	Shreve
Copley	Gudger	McCoy	Sisson
Covington	Guernsey	McGillicuddy	Slemp
Cox	Hamill	McGuire, Okla.	Sloan
Cramton	Hamilton, Mich.	McKenzie	Small
Crisp	Hamilton, N. Y.	McLaughlin	Smith, J. M. C.
Cresser	Hardwick	Madden	Smith, N. Y.
Cullop	Hardy	Mahan	Smith, Saml. W.
Curley	Harrison	Maher	Smith, Tex.
Dale	Hart	Manahan	Sparkman
Stafford	Talbott, Md.	Tuttle	Whitacre
Stanley	Taylor, Ala.	Underhill	White
Stedman	Taylor, Ark.	Underwood	Williams
Steenerson	Taylor, Colo.	Vare	Willis
Stephens, Cal.	Taylor, N. Y.	Vaughan	Wilson, Fla.
Stephens, Miss.	Temple	Walker	Wilson, N. Y.
Stephens, Nebr.	Thomas	Wallin	Wingo
Stephens, Tex.	Thompson, Okla.	Walsh	Winslow
Stevens, N. H.	Thomson, Ill.	Walters	Witherspoon
Stringer	Townsend	Watson	Woodruff
Sumners	Treadway	Weaver	Young, N. Dak.
Switzer	Tribble	Whaley	Young, Tex.

So the motion to adjourn was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SCULLY with Mr. BROWNING.
Mr. METZ with Mr. WALLIN.
Mr. HOBSON with Mr. FAIRCHILD.
Mr. BARTLETT with Mr. BUTLER.
Mr. ADAMSON with Mr. STEVENS of Minnesota.
Mr. UNDERWOOD with Mr. MANN.

Until further notice:

Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1).
Mr. ASHBROOK with Mr. KAHN.
Mr. BALTZ with Mr. SHREVE.
Mr. BARKLEY with Mr. FALCONER (commencing Oct. 24).
Mr. BAILEY with Mr. FESS.
Mr. BARNHART with Mr. MAPES.
Mr. BELL of Georgia with Mr. DANFORTH.
Mr. BLACKMON with Mr. BARCHFELD.
Mr. BREMNER with Mr. GILLETT.
Mr. BURNETT with Mr. HAYES.
Mr. BYRNES of South Carolina with Mr. MANAHAN.
Mr. BROUSSARD with Mr. KELLEY of Michigan.
Mr. BURKE of Wisconsin with Mr. CARY.
Mr. BRUMBAUGH with Mr. LINDQUIST.
Mr. CLAYTON with Mr. MONDELL.
Mr. CLAYPOOL with Mr. BRYAN.
Mr. CLARK of Florida with Mr. WOODRUFF.
Mr. CANTRILL with Mr. HELGESEN.
Mr. CARAWAY with Mr. KENNEDY of Rhode Island.
Mr. CHURCH with Mr. HULINGS.
Mr. CRISP with Mr. HINDS (transferable).
Mr. CLANCY with Mr. HAMILTON of New York.
Mr. COVINGTON with Mr. MILLER.
Mr. CARTER with Mr. MCGUIRE of Oklahoma.
Mr. CLINE with Mr. NORTON (commencing Oct. 1).
Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.
Mr. COX with Mr. MURDOCK.
Mr. DECKER with Mr. MOORE.
Mr. DENT with Mr. KREIDER.
Mr. DEITRICK with Mr. YOUNG of North Dakota.
Mr. DIES with Mr. SWITZER.
Mr. DOUGHTON with Mr. MOTT.
Mr. DUPRÉ with Mr. ANTHONY.
Mr. ELDER with Mr. STEENERSON.
Mr. FRANCIS with Mr. HUGHES of West Virginia.
Mr. FITZGERALD with Mr. CALDER.
Mr. FERRIS with Mr. SELLS.
Mr. FIELDS with Mr. LANGLEY.
Mr. FOSTER with Mr. GREENE of Vermont (commencing Oct. 27).
Mr. FINLEY with Mr. GREEN of Iowa.
Mr. GILMORE with Mr. MCKENZIE.
Mr. GOEKE with Mr. LEWIS of Pennsylvania.
Mr. GOODWIN of Arkansas with Mr. PORTER.
Mr. GARNER with Mr. J. I. NOLAN.
Mr. GORDON with Mr. THOMSON of Illinois.
Mr. GARRETT of Tennessee with Mr. LANGHAM.
Mr. GUDGER with Mr. MOORE.
Mr. HAYDEN with Mr. LAFFERTY.
Mr. HARRISON with Mr. GRAHAM of Pennsylvania.
Mr. HOWARD with Mr. GRIEST.
Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).
Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).
Mr. HOUSTON with Mr. WILLIS.
Mr. HUGHES of Georgia with Mr. KIESS of Pennsylvania.
Mr. HUMPHREYS of Mississippi with Mr. CRAMTON.
Mr. JACOWAY with Mr. FRENCH.
Mr. IGOE with Mr. PROUTY.
Mr. JOHNSON of South Carolina with Mr. RUPLEY.
Mr. JONES with Mr. HINEBAUGH.
Mr. KITCHIN with Mr. PAYNE.
Mr. KEY of Ohio with Mr. FARR.
Mr. KONOP with Mr. MORIN.
Mr. KETTNER with Mr. SCOTT.
Mr. LEE of Georgia with Mr. KEISTER.
Mr. LONERGAN with Mr. ROGERS.
Mr. MCCOY with Mr. TEMPLE.
Mr. MCGILLICUDDY with Mr. GUERNSEY.

Mr. MONTAGUE with Mr. VARE.
Mr. MOON with Mr. DILLON.
Mr. MORGAN of Louisiana with Mr. HULINGS.
Mr. MORRISON with Mr. HUMPHREY of Washington.
Mr. PETERSON with Mr. PLATT (commencing Oct. 13).
Mr. PHELAN with Mr. SMITH of Minnesota (Oct. 24 to Nov. 15).
Mr. POST with Mr. COPLEY.
Mr. RAINEY with Mr. MADDEN.
Mr. RAKER with Mr. DUNN.
Mr. REILLY of Connecticut with Mr. DYER.
Mr. RUCKER with Mr. HAUGEN.
Mr. RICHARDSON with Mr. MARTIN.
Mr. RUBEY with Mr. TREADWAY.
Mr. SHERWOOD with Mr. SAMUEL W. SMITH.
Mr. SHERLEY with Mr. COOPER (Oct. 23 to Nov. 15).
Mr. SISSON with Mr. CAMPBELL.
Mr. SMALL with Mr. J. R. KNOWLAND.
Mr. SPARKMAN with Mr. HOWELL.
Mr. SUMNERS with Mr. ESCH.
Mr. SAUNDERS with Mr. AINEY.
Mr. SMITH of Texas with Mr. MCLAUGHLIN.
Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.
Mr. STEPHENS of Nebraska with Mr. SLOAN.
Mr. TALBOTT of Maryland with Mr. MERRITT.
Mr. TAYLOR of Alabama with Mr. PETERS of Maine.
Mr. THOMPSON of Oklahoma with Mr. BARTON.
Mr. UNDERHILL with Mr. WALTERS.
Mr. WILLIAMS with Mr. BRITTEN.
Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).
Mr. WINGO with Mr. PARKER.
Mr. WEAVER with Mr. BURKE of Pennsylvania.
Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).
Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).
Mr. REED with Mr. WINSLOW (commencing Oct. 1, for remainder of extra session).
Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, except on cotton-futures amendment).
Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, and for balance of session).

Mr. FRENCH. Mr. Speaker, I voted "no" when my name was called. I am paired with Mr. JACOWAY, and I desire to withdraw my vote and answer "present."

The name of Mr. FRENCH was called, and he answered "Present."

Mr. MANN. Mr. Speaker, I voted "no." I am paired with the gentleman from Alabama, Mr. UNDERWOOD, and I desire to withdraw my vote and be recorded "present."

The name of Mr. MANN was called, and he answered "Present."

Mr. SMITH of Minnesota. Mr. Speaker, I voted "no." I am paired with Mr. PHELAN, of Massachusetts, and I desire to withdraw my vote and answer "present."

The name of Mr. SMITH of Minnesota was called, and he answered "Present."

Mr. ROBERTS of Nevada. Mr. Speaker, I answered "present" under a misapprehension. I thought I was paired with the gentleman from Illinois, Mr. HOXWORTH, and I find I was not. I desire to change my vote from "present" to "no."

The name of Mr. ROBERTS of Nevada was called, and he answered "No."

The result of the vote was announced as above recorded.

Accordingly (at 1 o'clock and 24 minutes p. m.) the House, under its previous order, adjourned to meet on Monday, November 10, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CARY: A bill (H. R. 9236) providing for the grading and improving of Thirteenth Street NE., in Brookland, Washington, D. C., from Monroe Street to the Bunker Hill Road, now known as Michigan Boulevard; to the Committee on the District of Columbia.

Also, a bill (H. R. 9237) to regulate the practice of medicine, pharmacy, and druggists in the manufacture, sale, or use of poisons, especially bichloride of mercury, in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BARTHOLDT: Resolution (H. Res. 303) to investigate the origin of an untruthful report touching the relations beween the United States and Mexico; to the Committee on Foreign Affairs

By Mr. DALE: A memorial of the Legislature of Illinois, in the matter of a Federal grant to elementary and secondary education; to the Committee on Education.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRODBECK: A bill (H. R. 9238) granting a pension to John Henry Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9239) granting an increase of pension to Isaac Garver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9240) to correct the military record of Charles P. Kibler; to the Committee on Military Affairs.

By Mr. DALE: A bill (H. R. 9241) granting an increase of pension to Charles H. Burness; to the Committee on Invalid Pensions.

By Mr. HAMMOND: A bill (H. R. 9242) granting an increase of pension to Susan Doolittle; to the Committee on Invalid Pensions.

By Mr. RICHARDSON: A bill (H. R. 9243) granting a pension to James D. Hammett; to the Committee on Pensions.

By Mr. RUSSELL: A bill (H. R. 9244) granting an increase of pension to James C. Summers; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of Shipmasters' Association of Milwaukee, Wis., protesting against the passage of the La Follette seamen's bill; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Federated Trades Council of Milwaukee, Wis., favoring passage of the La Follette seamen's bill; to the Committee on the Merchant Marine and Fisheries.

By Mr. DALE: Petitions of sundry business men of the State of New York, favoring passage of the Bartlett bill, for 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, resolution of the third annual State conference of taxation at Binghamton, N. Y., favoring provision for collecting statistics of wealth, etc.; to the Committee on Appropriations.

Also, petition of the American Bankers' Association, favoring amendments to the proposed new currency law recommended by the Chicago conference; to the Committee on Banking and Currency.

Also, petition of American National Retail Jewelers' Association of Neenah, Wis., favoring a just revision of the mail rates; to the Committee on the Post Office and Post Roads.

Also, petition of the National Woman's Christian Temperance Union, of Evanston, Ill., favoring passage of House joint resolution 117, relative to national constitutional prohibition; to the Committee on the Judiciary.

Also, petition of the members of the Jacob S. Strahl Lodge, No. 158, Independent Order Abamas Israel, protesting against the accusations of the Russian Government, and in trying Mendel Beilis for "ritual murder"; to the Committee on Foreign Affairs.

Also, petition of the Central Labor Union of Brooklyn, N. Y., favoring passage of the resolution asking for an investigation of the conditions of the coal fields in Trinidad, Colo.; to the Committee on the Judiciary.

Also, petition of the Twenty-eighth Ward Taxpayers' Association, of Brooklyn, N. Y., protesting against the abandonment of the Brooklyn Navy Yard; to the Committee on the Post Office and Post Roads.

By Mr. MANN: Petition of the Chicago Association of Commerce, protesting against the passage of the La Follette seamen's bill, S. 136; to the Committee on the Merchant Marine and Fisheries.

SENATE.

MONDAY, *November 10, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

NOVEMBER 10, 1913.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN RANDOLPH THORNTON, a Senator from the State of Louisiana, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. THORNTON thereupon took the chair as Presiding Officer and directed that the Secretary read the Journal of the proceedings of the last legislative day.

THE JOURNAL.

The Journal of the proceedings of Thursday last was read and approved.

AMENDMENT OF INTERSTATE-COMMERCE ACT.

Mr. SIMMONS. I present a joint resolution passed by the Legislature of North Carolina, which I ask may be printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the joint resolution was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

Joint resolution 4 requesting Congress to investigate the interpretation and administration of the act to regulate interstate commerce.

Resolved by the house of representatives (the senate concurring):

Whereas by the act of Congress commonly known as the interstate-commerce act it is provided, among other things, that all charges made for any service rendered in the transportation of property shall be just and reasonable, and every unjust and unreasonable charge is prohibited and declared to be unlawful; and

Whereas it is also further provided in said act that it shall be unlawful for any common carrier to give any undue or unreasonable preference or advantage to any person, corporation, or locality in any request whatsoever; and

Whereas said interstate-commerce act also provides that it shall be unlawful for a carrier to charge more for a shorter than for a longer distance over the same line in the same direction when the shorter is included in the longer distance but contains an unfortunate exception allowing more to be charged for the short than the long haul if the Interstate Commerce Commission allows it; and

Whereas all these provisions have been and are now being ignored and violated by the carriers, especially those operating in and through the State of North Carolina, thus defying the provisions of the said law, the effect of which is to work great injury to the commercial and industrial interests of the State of North Carolina, to the prejudice and injury of the people of this and other States; and

Whereas shippers and others, citizens of North Carolina, have appealed in vain to the Interstate Commerce Commission for protection against the present intolerable situation, as guaranteed by the provisions of the act aforesaid, and the suppression of the violations of said law on the part of the carriers; that as a result of such fruitless efforts to obtain the relief sought there has been and now is much complaint that the interstate-commerce act is not enforced according to its terms or in the spirit in which it was enacted: Therefore be it

Resolved, That the Congress of the United States be, and is hereby, respectfully petitioned by the people of North Carolina to strike out the exception to the application of the long-and-short-haul principle, and, further, to cause an investigation to be made of the administration of the provisions of the said interstate-commerce act to ascertain if the said act has been interpreted and enforced as Congress intended and in accordance with the terms thereof, and if not, the reasons for such nonenforcement; that said investigation make particular inquiry as to violations of the provisions prohibiting unreasonable rates, unjust discriminations, and violations of the long-and-short-haul clause; to ascertain if the coast cities are not the victims of unjust discriminations in freight rates as the result of combinations of railroads and water lines, the effect of which is to suppress competition and deprive coast cities of advantages to which they are entitled and would naturally enjoy by reason of lower water rates were not such combinations permitted to exist; that said investigation also ascertain if the present commerce act is sufficient to meet the conditions and practices complained of, and if not, to recommend such amendments as will make the law adequate to prevent the further continuance of unjust and discriminatory practices, unreasonable charges, and the elimination of competition.

Resolved further, That the Members of Congress from the State of North Carolina be, and they are hereby, respectfully requested to exercise such influence and take such action as may be proper and necessary to cause said investigation to be made by Congress that the information herein suggested may be elicited, and that the governor of North Carolina be respectfully requested to use his influence to the same end by cooperating with the executives of other States and in such other manner as in his judgment seems proper.

Resolved further, That a copy of these resolutions be transmitted by the governor to each of the Senators and Members of the House in Congress from the State of North Carolina, and also that copies be transmitted to the President of the Senate and the Speaker of the House of Representatives of Congress.

In the general assembly read three times and ratified this the 6th day of October, 1913.

E. L. DAUGHTRIDGE,
President of the Senate.
WALTER MURPHY,
Speaker of the House of Representatives.

Examined and found correct.

For the committee.

STATE OF NORTH CAROLINA,
DEPARTMENT OF STATE,
Raleigh, October 15, 1913.

I, J. Bryan Grimes, secretary of state of the State of North Carolina, do hereby certify the foregoing and attached five sheets to be a true copy from the records of this office.

In witness whereof I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh this 15th day of October, in the year of our Lord 1913.

[SEAL.] J. BRYAN GRIMES,
Secretary of State.

SAN FRANCISCO WATER SUPPLY.

Mr. SMOOT. Mr. President, on the 6th instant the Senator from Nevada [Mr. PITTMAN] had printed in the RECORD the names of certain parties in favor of granting to the city of San Francisco the use of Hetch Hetchy Valley for reservoir purposes. I have in my hand Bulletin No. 1 of the National Committee for the Preservation of the Yosemite National Park, and I ask that this bulletin may be printed in the RECORD.

There being no objection, the bulletin was ordered to be printed in the RECORD, as follows:

(Bulletin No. 1.)

NATIONAL COMMITTEE FOR THE PRESERVATION OF THE YOSEMITE NATIONAL PARK.

The members of the national committee, which includes representatives of every State and of a large number of important institutions and societies throughout the country, will be published in Bulletin No. 2.

Robert Underwood Johnson, chairman, 327 Lexington Avenue, New York.

Edward Hagaman Hall, secretary and treasurer, room 808, Tribune Building, New York.

"The Board [of Army Engineers] is of the opinion that there are several sources of water supply that could be obtained and used by the city of San Francisco and adjacent communities to supplement the nearby supplies as the necessity develops. From any one of these sources the water is sufficient in quantity and is, or can be made, suitable in quality. While the engineering difficulties are not insurmountable, the determining factor is one of cost." (Official report of the Advisory Board of Army Engineers.)

THE HETCH HETCHY "GRAB"—WHO OPPOSE IT AND WHY—THE PRESS OVERWHELMINGLY AGAINST IT.

Outside of San Francisco these newspapers and other organs of public opinion are on record against the plan to destroy the great Hetch Hetchy Valley by flooding it and to deny the public the free access it now has to the northern half of the wonderful Yosemite National Park, it being confessed that the city can get its supply elsewhere "by paying for it." Additions to this list are continually being made:

Boston Christian Science Monitor, Boston Transcript, Boston Post, Boston Record, Boston Herald, Boston Advertiser, Springfield Republican, Springfield Union, Lowell Citizen, Newburyport News, Manchester (N. H.) Mirror, Burlington (Vt.) News, Burlington Free Press and Times, Providence Journal, Providence Tribune, Hartford Times, New Haven Register, Waterbury (Conn.) American, Worcester Gazette, New Bedford Mercury, New Bedford Standard, Portland (Me.) Press, Bangor Commercial, Fall River News, Ansonia (Conn.) Sentinel, New York Times, New York Tribune, New York World, New York Call, New York Telegraph, New York Evening Post, Brooklyn Standard Union, Brooklyn Eagle, Albany Journal, Buffalo Commercial, Troy Record, Utica Observer, Utica Gazette, Rochester Times, Rochester Union Advertiser, Rochester Chronicle, Syracuse Post Standard, Poughkeepsie Eagle, Poughkeepsie Enterprise, Jersey City Journal, Newark Morning Star, Camden Telegram, Amsterdam (N. Y.) Record, Philadelphia Ledger, Philadelphia Record, Philadelphia Telegraph, Philadelphia Inquirer, Scranton Times, York (Pa.) Gazette, Allentown Call, Baltimore American, Baltimore Evening Sun, Cleveland Plain Dealer, Atlanta Journal, Mobile Register, Macon (Ga.) Telegraph, Jacksonville (Fla.) Times, Jackson (Miss.) Ledger, Dallas (Tex.) Viewpoint, Nashville Democrat, Memphis Appeal, Louisville Courier-Journal, Lexington (Ky.) Leader, Cincinnati Journal and Messenger, Dayton (Ohio) News, Akron Journal, the Flint (Mich.) Journal, Fort Wayne News, Indianapolis News, Chicago Inter Ocean, Milwaukee Press, Milwaukee Journal, Milwaukee News, Oshkosh Northwestern, Davenport (Iowa) Democrat, Sioux City Tribune, Burlington Hawkeye, Minneapolis Journal, Minneapolis Tribune, St. Paul Pioneer Press, Lincoln (Nebr.) Journal, Denver Republican, Denver Rocky Mountain News, Salt Lake Republican, Seattle Times, Seattle Post Intelligencer, Tacoma Daily News, Portland Oregonian, Oregon Journal, San Francisco Wasp, San Francisco News Letter, Pasadena News, World's Work, the Independent, the Outlook, Outdoor World and Recreation, Christian Endeavor World, Out West Magazine (California), Review of Reviews, the Century, and many others.

ORGANIZATIONS ON RECORD AGAINST IT.

Two-thirds of the Sierra Club of San Francisco; Society for the Preservation of National Parks (eastern and western branches); American Civic Association; American Scenic and Historic Preservation Society; American Alpine Club; Mazamas, of Portland, Oreg.; Mountaineers of Seattle; Chicago Geographical Society; Zoological Society of New York; Playground Association of America; General Federation of Women's Clubs; California and other State Federations of Women's Clubs; and others.

CONSERVATIONISTS ON RECORD AGAINST THE SCHEME.

John Muir, pioneer of conservation, discoverer of the great Muir Glacier and expert on Sierra scenery; Mr. Muir, who is leader in this fight, calls the scheme "a colossal grab," and says:

"Dam Hetchy Hetchy! As well dam for water tanks the people's cathedrals and churches, for no holier temple has ever been consecrated by the heart of man."

Dr. R. E. Fernow, who brought to the United States and advocated while in the Interior Department advanced German ideas of conservation, says:

"It would be an amazingly ridiculous action, showing up the incompetence of democratic government, to reverse, in the face of the same report of the Army Engineers, the conservation policy of preserving this sublime work of nature, when there was no necessity for doing so."

Edward A. Bowers, Yale professor of land law, formerly of the United States Land Office under Cleveland, author of the provision under which the vast system of national forests has been established, and who presented to Secretary Lamar a comprehensive scheme of conservation, says:

"I have always been opposed to the project as being destructive of a fine portion of the Yosemite National Park, which is entirely unnecessary as a water supply for San Francisco."

Hon. George F. Edmunds, who while in the Senate killed a bill to confer private rights in the Yosemite Valley writes from Pasadena of "• • • the despoilment of the Hetch Hetchy Valley in the interest of the commercialism of San Francisco water men, etc., without any at all adequate reason of real public interest and necessity. I do hope that the sober sense of Congress will refuse to authorize the accomplishment of this scheme."

Dr. Charles W. Eliot, ex-president of Harvard and first president of the Conservation Congress:

"If the valley is turned into a lake, used as a water supply for San Francisco, the public will have to be shut out from all the borders of the lake for health and pleasure uses. This deprivation always fol-

lows the use of any large body of water, natural or artificial, for a water supply."

Robert Underwood Johnson, who in 1889 made the Century the pioneer of magazines in the conservation movement and who first proposed to President Roosevelt the idea of the White House conference:

"This piece of vandalism, so repugnant to the enlightened opinion of the country, can be rushed through only by the deference of the judgment of Congress to the statements of interested parties."

J. Horace McFarland, president of the American Civic Association and champion of Niagara preservation:

"The value of great scenic possessions is being increasingly recognized the world over. This value is now known to have a great influence upon the development of that best citizenship without which the country is poor indeed."

The late Hon. John W. Noble, former Secretary of the Interior and father of official conservation in America:

"The city has abundant water supply other than the reservoir to be constructed here, and it is not necessary to give this up."

The late Hon. E. A. Hitchcock, former Secretary of the Interior, who refused California's request for the valley:

"It is the aggregation of such natural scenic features that makes the Yosemite Park a wonderland which the Congress of the United States sought by law to preserve for all coming time as nearly as practicable in the condition fashioned by the hand of the Creator—a worthy object of national pride and a source of beneficial pleasure and rest for the thousands of people who may annually sojourn there during the heated months."

Mrs. Emmons Crocker, chairman of the conservation committee of the General Federation of Women's Clubs:

Edmund A. Whitman, esq., the distinguished lawyer of Boston, who has visited the Valley, says:

"There is no place in the whole 500 square miles in that northwest corner of the park where any number of people can stay at one time except on the floor of this valley."

The late James T. Gardiner, formerly of the California and United States Geological Surveys, who ran the lines of the Yosemite Valley Reservation:

Dr. George Kunz, president of the American Scenic and Historical Preservation Society:

The late Prof. Joseph Le Conte, of California, the eminent geologist.

Prof. Henry Fairfield Osborn, president of the American Museum of Natural History and the American Zoological Society.

Hon. Herbert Parsons, former member of the House Committee on Public Lands, who visited the valley, says:

"The impressive part of Hetch Hetchy is that after you have traveled through the park, through what you might call its waste portions and its rock-bound lakes, you come down to this gem of a valley. * * * Its beauty is the beauty of the floor of the valley, which would be absolutely destroyed by the reservoir."

Hon. Henry L. Stimson, recently Secretary of War, after a personal visit of inspection, thinks the Hetch Hetchy in some respects more beautiful than the Yosemite. He says:

"I feel that this scheme would involve an irreparable loss to the national park and would greatly impair its ultimate development and usefulness. Both I and the three Army officers who accompanied me felt that alternative water supplies could be secured that were adequate and satisfactory. The city finds it cheaper to obtain the Hetch Hetchy from Uncle Sam for nothing than to acquire by purchase or condemnation other sites where private interests have obtained a foothold."

Herbert W. Gleason, the well-known traveler and lecturer of Boston, says:

"The valley deserves to rank in its sublime impressiveness, stupendous majesty, and rugged beauty with anything that this country affords."

ARGUMENTS FOR THE SCHEME REFUTED.

(1) That there is a water famine in parts of San Francisco, making an emergency.

Answer. Any trouble is casual and is with the pipes, not the water. The Spring Valley Water Co., which furnishes the present supply, says there is two years' supply on hand. Mr. Freeman, the city's expert, says the quality of the water is of the best. It comes from a radius of 50 miles.

(2) That the city needs Hetch Hetchy to meet this emergency.

Answer. Hetch Hetchy is 150 miles distant and could not be utilized for six or eight years.

(3) That Hetch Hetchy is the only supply available.

Answer. The Army Board of Engineers reports that there are several other sources, any one of which could be made available; that the problem is primarily one of cost. Ex-Mayor Phelan, of San Francisco, who is credited with originating the project, confessed before the Senate Committee on Public Lands in 1909 that the city could get an abundant supply of pure water anywhere along the Sierra, by paying for it.

(4) That any other source would entail upon the city a cost exceeding that of the Hetch Hetchy by $20,000,000 (the "estimate" of the Army board).

Answer. The Army board reports that neither it nor the city has made a "thorough and complete" investigation of other sources, except the Sacramento River. Who knows that it would cost $20,000,000 more? If the Hetch Hetchy supply is filtered, this estimated difference must be reduced to $3,000,000. This great question should not turn on the mere guesswork of the board when accurate data are not available.

(5) That this assumed difference of cost constitutes an necessity.

Answer. This theory implies that the Nation should give up any part of its great national parks when any city 150 miles distant wishes to save money, though the city might be in the hands of grafters, as San Francisco has sometimes been since the Hetch Hetchy fight began, and as it may be again.

(6) That San Francisco, having suffered a great calamity by the earthquake, may appeal in the name of humanity for this relief.

Answer. This was the purpose of the first bill in Congress—to supply water for drinking and other domestic purposes. The object of this bill is hydroelectric power worth, the Army board says, $45,000,000, a careful calculation. The San Francisco Journal of Commerce (Sept. 29, 1913) calls it "this wonderfully valuable privilege for San Francisco." The Call says: "Hetch Hetchy will bring an electric age." Leave out the power provision and the bill would be withdrawn. The humanity cry is pure humbug.

(7) That the city is in the clutches of a water monopoly.

Answer. The city has come to terms with the Spring Valley Co. and is to buy it out by condemnation proceedings. It might have done so years ago. The San Francisco Chronicle says (Oct. 14): "The company is ready to sell and the city is ready to buy." Again, it says (Oct. 4) the condemnation suit "seems to slumber soundly and strangely." As an argument for the bill the "monopoly" cry is pure humbug.

(8) That this "monopoly" is supporting the opposition to the bill.

Answer. In the same breath it is said that Mr. Bourn, president of the company, favors the bill. Men of integrity, like John Muir, all over the country are fighting it. They have no relation to the company.

(9) That everybody in California favors the bill.

Answer. Senator Works telegraphed to Senator Smoot that 99 per cent of the users of the water of Hetch Hetchy in the San Joaquin Valley are opposed to it. Many Californians outside of San Francisco also oppose it.

(10) That the valley will be improved by damming and flooding it.

Answer. The rare beauty of Hetch Hetchy, as the elder Frederick Law Olmsted said, consists in the contrast between the rugged cliffs and the exquisite floor. Destroy the latter and you destroy the "original beauty" which Congress determined to preserve by the act creating the Yosemite National Park. A city park is beautiful in its place, a natural lake in its place, but what is desirable in the Hetch Hetchy is the delightful charm of its lovely wildness, for which an ugly dam and an artificial reservoir with a dirty rim would be no substitute. If such a lake is more beautiful, shall we make reservoirs of Yosemite Valley and all other wonderful valleys in the national parks? Let the city politicians once get possession of the valley and who shall guard against a plot of vandalism? The mismanagement of the Yosemite Valley by California was a scandal until the valley was retroceded to the United States. The average politician would Coney Islandize the Garden of Eden.

(11) That if the city doesn't take the national park supply now the water will have to go to the irrigation farmers eventually.

Answer. For purposes of irrigation it can be impounded below and outside the park, as Mr. O'Shaughnessy, city engineer of San Francisco, has said. The bill would take the water from a naturally arid valley that is now using it, and will hereafter need it, instead of providing a supply for the city from the Sacramento Valley, which has more water than it can use.

The bald question is: Shall the Nation, in order to save San Francisco an assumed difference of cost between the Hetch Hetchy and any one of several other supplies spoken of by the Army board in its report, make the city a present of a franchise worth $45,000,000 and destroy the unique beauty of the valley, called by Mr. Pinchot "one of the great wonders of the world"? If the Hetch Hetchy is not worth saving, what else in the national park system can be defended against the demands of commercial greed?

The National Committee for the Preservation of the Yosemite National Park urges every American citizen, man or woman, to make brief protest at once against this project to Senators of the United States and to the President. The proponents of the bill claim that a majority of the Senate are committed to its passage, but this is by no means sure. Most Senators, fatigued by the labors of the extra session, have not had time to weigh the testimony with the candor and thoroughness which should be given to a proposition of such importance and such irretrievable consequences. Committal to vote for a bill afterwards found to be against public policy is not likely to be considered binding.

But it is not to be disguised that only hard and continuous work can insure the defeat of this monstrous piece of folly.

"Winds blow,
And waters roll, strength to the brave."

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMPSON:

A bill (S. 3407) granting a pension to Dallas Thurman (with accompanying papers); to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 3408) granting an increase of pension to Charles C. Marshall (with accompanying papers); to the Committee on Pensions.

By Mr. LANE:

A bill (S. 3409) granting an increase of pension to George L. Freeman (with accompanying papers); to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 3410) granting an increase of pension to Warren Rich;

A bill (S. 3411) granting an increase of pension to Frederick R. Davis;

A bill (S. 3412) granting an increase of pension to William F. F. Evans;

A bill (S. 3413) granting an increase of pension to George W. Taylor;

A bill (S. 3414) granting an increase of pension to William B. Houck;

A bill (S. 3415) granting an increase of pension to Robert Wilson McClaughry; and

A bill (S. 3416) granting an increase of pension to Margaret J. Fletcher; to the Committee on Pensions.

By Mr. SIMMONS:

A bill (S. 3417) for the relief of the heirs of Mathew Harrison, deceased; to the Committee on Claims.

RELIEF OF STORM SUFFERERS IN ALASKA.

Mr. CHAMBERLAIN. I introduce a joint resolution and ask that it may be read.

The joint resolution (S. J. Res. 77) for the relief of sufferers from the recent storms in Alaska was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the sum of $25,000, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Interior, for the purpose of rendering aid to and relieving the condition of the natives and residents of the Territory of Alaska who suffered from the storm in the northern Bering Sea on October 6 and 7, 1913.

Mr. CHAMBERLAIN. I desire to say, in connection with the joint resolution, that there was a small appropriation of about $4,000 made for this purpose the other day, but the governor of the Territory says that it is not enough. Already there have been sent in by the neighboring cities of the Northwest estimates of something like twelve or fifteen thousand dollars, and it will take $25,000 more to relieve the situation. For this reason I introduce the joint resolution.

The PRESIDING OFFICER. The joint resolution will be referred to the Committee on Appropriations.

Mr. POINDEXTER. Several weeks ago I introduced a joint resolution, being Senate joint resolution 71, for the relief of sufferers from the recent storms in Alaska, which I find was not referred to a committee, but was ordered to lie on the table. I ask unanimous consent that the resolution be taken from the table and referred to the Committee on Appropriations.

The PRESIDING OFFICER. Without objection, it is so ordered.

BANKING AND CURRENCY.

Mr. WILLIAMS. I submit an amendment intended to be proposed by me to the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes. The amendment proposes to create a depositors' insurance bureau in the Treasury Department. I ask that the amendment be printed and referred to the Committee on Banking and Currency.

The PRESIDING OFFICER. The amendment will be printed and referred to the Committee on Banking and Currency.

IMPORTATION OF CONVICT-MADE GOODS.

Mr. STONE. Mr. President, I have a series of three resolutions. They relate in a general way to the same subject matter, but I will have to offer them separately, since they are addressed to different departments.

I send to the desk the following resolution, which I ask may be read, and I ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The Secretary will read the resolution to the Senate.

The Secretary read the resolution (S. Res. 213), as follows:

Resolved, That the Secretary of the Treasury be, and hereby is, directed to report all exclusions of foreign convict or prison made merchandise made by his department since the enactment of the (tariff) act of July 24, 1897; to transmit copies of all regulations promulgated by the Treasury Department looking to the enforcement of the law prohibiting the importation of merchandise made by convict or prison labor in whole or part; that he transmit copies or a summary of every complaint, statement, document, presentation, or brief filed at the Treasury Department since 1897 alleging a violation of said law or complaining against the importation of convict-made goods, the reports of investigating officers of his department, and the conclusions reached and action taken by the department respecting each case. That he further transmit all information now in his possession bearing upon the question of the importation into the United States of goods made in whole or part by convict or prison labor.

And he is further directed to inform the Senate whether, in his opinion, the present statute is adequate to effectively exclude foreign convict or prison made goods, whether the product of the field, the quarry, or of manufacturing establishments, when imported into the United States; and if the present law has been found to be inadequate that he suggest to the Senate such amendments or changes that should, in his opinion, be made in the law to make it adequate and effective.

That the above information be transmitted for the use of the Senate at the earliest practicable date, not later than January 10, 1914.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. GALLINGER. I notice in the resolution a suggestion is made that the Secretary of the Treasury shall submit to the Senate certain amendments. Should it not be that he shall suggest certain amendments rather than submit amendments to the Senate?

Mr. STONE. I have no objection.

Mr. GALLINGER. I think the phraseology ought to be changed in that respect.

Mr. STONE. I have no objection to that.

Mr. GALLINGER. I would suggest such an amendment.

The PRESIDING OFFICER. Without objection, the resolution will be so modified. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

LAWS RELATING TO CONVICT LABOR.

Mr. STONE submitted the following resolution (S. Res. 214), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Department of Labor be, and hereby is, directed to compile all Federal and State laws relating to convict labor, including the data embodied in the Twentieth Annual Report of the Commissioner of Labor, 1905, and all subsequent enactments to date; to set forth especially all legislation regulating the sale and transportation of convict-made products in so far as the same relates to interstate commerce, together with any information he may have tending to show the effect upon free labor of the sale of convict-made goods, wares, and merchandise; also to gather data, as far as practicable, and report as to the class or description of industries in which convict or prison labor is employed in the several States, and the value of the products of such labor. That the data and information called for be prepared and transmitted as soon as may be for the use of the Senate.

PRISON LABOR IN FOREIGN COUNTRIES.

Mr. STONE. I offer the following resolution, for which I ask present consideration.

The resolution (S. Res. 212) was read, as follows:

Resolved, That the Secretary of the Department of Commerce be, and hereby is, directed to secure, as far as possible, the latest published prison reports relating to the industrial employment of convicts in foreign jails, penitentiaries, houses of detention, and correctional institutions operated under governmental control or supervision in England, Scotland, Ireland, Belgium, Holland, France, Austria, Germany, Italy, Sweden, Denmark, Russia, and Japan; to translate and assemble and set forth all data showing the kinds of merchandise made and the materials manipulated, or partly manipulated or manufactured, in said foreign prisons or outside of said prisons by convicts for the several Governments or for contractors of prison labor. That said Secretary shall from such prison reports extract and set forth the number of convicts or detained persons, male and female, employed as above indicated, the value of their product, the revenue derived therefrom, the financial benefits accruing to the prisoners from inside and outside employment as prisoners in the several countries named herein. That he shall assemble and transmit copies of all reports made by our consular officers to the Department of State and to the Department of Commerce relating to the production, offer, and sale of convict-made goods, wares, and merchandise intended for shipment for foreign markets, and especially to the United States. That all of the facts herein called for be prepared and transmitted as soon as may be, for the information and use of the Senate, not later than February 1, 1914.

The Senate, by unanimous consent, proceeded to consider the resolution, and it was agreed to.

Mr. STONE. Mr. President, before these resolutions are finally disposed of, I desire to say that a considerable amount of data has been brought to my attention tending to show—and which to a limited extent does show—important facts relating to the employment of convicts detained in various jails, penitentiaries, and other prisons or places of detention in several of the principal European countries, and also showing the class or kind of industries in which this character of labor is chiefly employed.

I shall not detain the Senate, for I hardly think it necessary at this time to go at length into the subject; but I wish to call attention to a list of employments in prisons in England, as shown from an official report on prison labor. It appears from this list that the following are industries in which prison labor is employed:

Cotton sorters, knitters, mail-bag makers, mat and rug makers, oakum pickers, shoemakers, stone workers, tailors, hammock makers, hessian stranders, basket makers, glove makers, coir hallers, coir pickers, jute-bagging teasers, rug makers, ship-fender makers, weavers (all branches), fiber dressers, quarry work, bedding makers, bookbinders, brush and mop makers, matting weavers, mat and matting yarn sorters, needleworkers, sack and bag menders and makers, nose-bag makers, bead workers, canvas pickers, halter makers, rope teasers, wool sorters, grommet makers, netmakers, twine makers, pea sorters, stonecutters.

It will be seen from this list that there is a large number of important industries in which this kind of labor is employed, and I have information that a large quantity of the product of this labor is exported from various European countries to foreign markets and that a great deal of it finds its way into the markets of the United States. I think the law we have had on our statute books for 25 years prohibiting the importation of convict-made goods is either inadequate to effectuate the purposes the lawmakers had in mind or else it has not been very stringently enforced.

I think it important that we should have the data called for in these several resolutions. They are accessible, and if the department heads, to which the resolutions are severally addressed, will go diligently at the work, I think a large fund of very valuable information on this important subject can be speedily furnished to the Senate. My purpose in seeking this information is to make it the basis of legislation at the next session of this Congress.

Mr. President, I have in my hand a good deal of data bearing on this subject, official for the most part in its character, and I ask permission of the Senate to incorporate them as a part of my remarks, not only for the use of the Senate, but for the information of the departments to which these resolutions will go.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The matter referred to is as follows:

In our own country we find it wise and necessary to employ our convicts, but the several States have declared how their product shall and shall not be marketed. As to production, I will very briefly quote from the twentieth annual report of the Commissioner of Labor, page 20:

"The total value of all goods produced by convict labor in the United States during the year investigated was $34,276,605. This sum represents the market value. * * * Of the total product, goods having a value of $30,280,940 were produced in penal institutions; an average of 51,172 convicts were employed during the year; the average value of product per convict was $670 for the year."

Page 23 of the report says:

"Every State objects to being made the market for convict-made goods produced in other States."

Page 27:

"The competition of prison-made products in some instances forces the worker manufacturers to deteriorate the quality of their goods in order to meet prison prices. In this way the price-breaking power of the prison output is augmented by the output of those manufacturers who have had to debase the quality of their wares to meet the prison competition."

Page 49:

"* * * In some of the States the manufacturing and labor interests have secured the enactment of laws prohibiting the manufacture within the prisons of the State of goods to be sold in competition with the product of free labor and require that the goods made be for public use only. In such cases it is regarded as a peculiar hardship that convict-made goods from other States may be brought into the State and sold without restriction," etc.

If therefore such conditions exist in our own country respecting the manufactured products of our own prisons and the effects on our own interests that can be said in defense of the unimpeded imports of the prison-made products of Europe "brought into the United States and sold without restriction"?

The question is, Does Europe dump its prison-made products into this country? At this time I will only assert such to be the fact and will wait for the proof.

I give one illustration; I have a copy of Daily and Consular Trade Reports of September 13, 1911, No. 214, referring to prison-made oakum, issued by the Department of Commerce. It shows that this foreign oakum, duty free, is imported annually to the extent of nearly one and a half million pounds. Shall we calk our American vessels and boats and make use in other ways of foreign convict-made oakum, and even advise our people how to procure it?

Another illustration: Official reports show that the work upon which convicts were engaged for outside contractors was varied, examples being given respecting employment in the prisons of Louvain and St. Gilles, embracing the following:

"Wire drawing, fishing tackle and poles, satchels, cork making, net making, shoes, slippers, rattan braiding, basket making, mat making, oakum," etc.

In the Belgium prisons in 1910 21,479 convicts were engaged on contractors' industrial work. Other convicts in the Belgian jails work at making linens, yarns, preparing flax, spinning and weaving, toys, trunks, suitcases, ladies' handbags, beadwork, roll-top desks, teased hair, brushes, cotton and flax belting, pottery, tinware, buttons (pearl, shell, and ivory), and stuffed toys.

Chief industries of prisons Louvain and St. Gilles.

CONTRACTOR'S WORK.

Trade.	Average rate wages per day paid under private contract.	
	Francs.	United States currency.
Louvain:		
Wire drawers	0.7295	$0.14
Fishing tackle makers	.6887	.131
Basket makers	.5040	.097
Satchel (bag) makers	.3681	.071
Cork makers	.5365	.104
Net makers	.5811	.112
Shoemakers	.7980	.074
Slipper makers	.6297	.12
St. Gilles:		
Shoemakers	.890	.172
Satchel makers	.720	.154
Tinsmiths	1.45	.28
Rattan braiders	.60	.006
Mat makers	.62	.12
Net makers	.55	.106
Basket or bamboo makers	.60	.116

Average is $0.114.

SUMMARY.

It therefore appears that Belgium prisons (in the calendar year of 1910) employed 2,363 men convicts and 116 women (total 2,479) on contractor's industrial work, covering the manufacture of a wide range of merchandise.

The receipts from such work aggregated $91,490, of which $22,710 was paid to the convicts, the Government making a profit of $22,710, and the wages of convicts ranged from 0.6 cent per day paid to rattan braiders to 28 cents to tinsmiths. The average paid in to employment was 11.4 cents per day. The details of employments covered only the prisons at Louvain and St. Gilles, other official data not being at hand at this writing, but procurable. (T. A. B.)

GERMANY.

The official German prison report for the year ending March 31, 1910, translated, shows that the convicts, numbering many thousands, are engaged in the below-stated industrial work, the major portion of which is for outside contractors, and the product is extensively shipped to the United States. The report sets forth the titles, report number, page, jail number, merchandise, and number of convicts in each jail:

Basket making, bookmaking, cartons, high-class paper and container, brooms, brushes, cornucopias, reed and cocoa mats, sacks, hair sorting, cocoa matting, embroideries, tapestries, knit goods, hemp bags, cocoa mats, shoes and slippers, buttons, felt goods, saddlery, hair goods, rope twine, wool sorting, stripped feathers, toys, whips, willow furniture, etc.

The same conditions may be found in the jails of France, Italy, and other European countries.

PARTIAL LIST OF OFFICIAL PRISON REPORTS, SHOWING WHERE THEY MAY BE PROCURED.

Report of the Commissioners of Prisons and the Directors of Convict Prisons, 1909–10. Part 2. London, England. Printed and for sale by Darling & Son, 34–40 Bacon Street, E., London, England.

Annual Report of the Prison Commissioners for Scotland, 1909.

Annual Report of the Prison Commissioners for Scotland, 1910. For sale by Jas. Hedderwick & Sons, St. Vincent Place, Glasgow, Scotland.

Thirty-second Report of the General Prison Board, Ireland, 1909–10. For sale by Cahill & Co. (Ltd), 40 Lower Ormond Quay, Dublin, Ireland.

GERMANY.

Statistik der zum Rapport der Königlich Strafanstalten. Ministerium, etc., 1909 (1. Apr. 1909 bis 31. März 1910), and Statistik über die Gefängnisse der Justizverwaltung in Preussen für 1909 (1. Apr. 1909 bis 31. März 1910), Berlin.

BELGIUM.

Ministère de la Justice. Statistique Judiciaire de la Belgique. Bruxelles, 1910.

Editor, Société Belge de Librairie, 15 Rue Royale. Notice sur. L'Organisation des Prisons en Belgique, 1910. Bruxelles, Imprimerie du Moniteur Belge, 40 Rue de Louvain, Bruxelles.

EXTRACT, REPORT OF COMMISSIONERS OF PRISONS YEAR 1910—LONDON.

(Report of controller of accounts on prison industries, p. 41.)

Value of prison industry, £248,981, equals $1,244,905.
Manufacturing department, £112,994, equals $564,970.
Prisoners employed in manufacturing department, 12,959.
Of the 12,959 prisoners employed in the manufacturing department it is observed that an average of 3,300 were engaged in low-grade industries, such as oakum picking (1,436), cotton sorting (1,238), coir dressing, picking, and bailing (430), rope teasing (170), etc.

Report of commissioners of prisons, 1909.

(Page 7.)

BIRMINGHAM PRISON.

Return of the employment of prisoners and value of earnings in manufactures:

Bed, bolster, mattress, and pillow makers; bookbinders, brush and mop makers, carpenters, cotton sorters, knitters, laborers, mail-bag makers, mat and rug makers, matting weavers, mat and matting yarn sorters, needleworkers, oakum pickers, sack makers and menders, shoemakers, stone breakers, etc.

Three hundred and thirty prisoners. Value of labor, £1,941 11s. 8d.=$9,707.

VARIED INDUSTRIAL WORK OF CONVICTS IN ENGLISH PRISONS.

(Per report of 1909–10.)

Cotton sorters, knitters, mail-bag makers, mat and rug makers, oakum pickers, shoemakers, stone workers, tailors, hammock makers, hessian stranders, basket makers, glove makers, coir bailers, coir pickers, jute-bagging teasers, rug makers, ship-fender makers, weavers (all branches), fiber dressers, quarry work, bedding makers, bookbinders, brush and mop makers, matting weavers, matt and matting yarn sorters, needleworkers, sack and bag menders and makers, nose-bag makers, bead workers, canvas pickers, halter makers, rope teasers, wool sorters, grommet makers, netmakers, twine makers, pea sorters, and stone-cutters.

Annual report of the prison commissions for Scotland for the year 1910 under the heading "Manufactory."

[No. XLI. Cash received from purchasers of work and expenditure connected with the same for the year ended December 31, 1910, exclusive of stocks in hand and outstanding accounts.]

Prisons.	1 Receipts.			2 Expenditure for material, implements, etc.			3 Balance of receipts over expenditure.		
	£	s.	d.	£	s.	d.	£	s.	d.
Aberdeen	767	13	5	62	3	4	705	10	1
Ayr	697	15	1	199	19	6	507	15	7
Dumfries	224	1	0	29	7	6	194	13	6
Dundee	826	2	0	88	7	5	737	14	7
Edinburgh	2,779	18	5	1,601	1	4	1,178	17	1
Glasgow:									
Barlinnie	7,497	8	0	5,260	16	4	2,236	11	8
Duke Street	2,645	15	10	2,031	13	3	614	2	7
Greenock	160	4	8	28	5	6	131	19	2
Inverness	237	3	9	19	9	7	217	14	2
Kirkwall	5	1	3	0	2	11	4	18	4
Lerwick	15	10	1	3	14	6	11	15	7
Perth	1,139	4	11	634	0	6	505	4	5
Peterhead	2,320	17	10	2,167	12	1	153	5	9
Stornoway	11	15	6	2	3	6	9	12	0
Total in prisons	19,328	11	9	12,118	17	3	7,209	14	6
Criminal lunatic department	74	1	9	48	15	2	25	6	7
State inebriate reformatory	166	2	2	119	19	11	46	2	3
Grand total	19,568	15	8	12,287	12	4	7,281	3	4
Deduct expenditure	12,287	12	4						
Balance of receipts over expenditure	7,281	3	4						

Annual report, prison commission for Scotland, 1910 (p. 52).

GLASGOW (BARLINNIE) PRISON.

[Return showing the employment of the prisoners and value of their earnings during the year ended Dec. 31, 1910.]

Description of employment.	Daily average number of prisoners on working days (male).	Value of prisoners' labor.		
		£	s.	d.
In manufactures:				
Baking	5.5	172	3	0
Basket making	4.6	125	19	8
Carpentry, smithing, etc	2.2	30	15	2
Fender making	4.5	50	17	9
Gardening and pig feeding	24.8	428	13	9
Hackling	17.2	233	14	1
Mail-bag making	17.8	278	11	5
Manila opening	103.6	360	0	2
Mat making	92.8	520	11	3
Picking oakum	22.4	17	10	11
Sack making	3.3	19	1	5
Sack repairing	18.0	64	16	0
Shoemaking	3.2	123	14	8
Stone breaking	16.9	101	17	10
Tailoring	6.2	227	7	7
Teasing hair	32.7	113	19	3
Teasing hemp	21.2	35	17	3
Sundry manufactures	5.0	13	18	7
Total		3,219	9	9

Employment of convicts at Peterhead, Scotland (p. 9).

* * * We have arranged with the resident engineer for the employment of a considerable number in the admiralty yard at stone dressing, concrete mixing, and other work.

Thirty-second report of the general prisons board, Ireland, 1909–10.

BELFAST PRISON.

Description of employment.	Daily average number of prisoners (for working days of the year).		Value of prisoners' labor.		
	Male.	Female.	£.	s.	d.
In manufactures:					
Agriculture	10.06		152	11	0
Bookbinding	.42		14	8	0
Knitting and needleworking		58.41	368	3	5
Mat making, plaiting, and other work connected therewith	66.60		165	10	0
Picking or teasing oakum, hair, etc	66.63	.15	133	3	3
Sack making	13.63		46	0	5
Shoemaking	9.71		302	11	0
Smithing	.25		10	16	0
Stone breaking	57.85		160	10	0
Tailoring	14.28		267	11	8
Washing, not including prisoners' clothing		18.51	174	6	3
Woodcutting	7.68		30	5	1
Repairing mattresses	.51		11	11	3
Linen cutting	15.35	15.72	188	4	0
Carpentry	.02		1	5	0
Total	250.09	92.80	2,026	16	4
In buildings:					
Bricklayers, masons, and plasterers	2.77		157	14	7
Carpenters or joiners	2.15		122	5	5
Laborers and whitewashers	11.78	.49	418	13	3
Painters and glaziers	4.06	.01	185	13	8
Plumbers, gas fitters, and smiths	2.01		114	12	6
Total	22.77	.50	998	19	5

SALE OF OAKUM IN FRANCE.

[From Consul James E. Dunning, Havre.]

The quantity of foreign oakum used in France is insignificant compared with that of the native article. All the best qualities of oakum sold in this country are of French manufacture.

The price of machine-made oakum is considerably lower than that of hand-picked, but very little of the former is used. The best hand-picked material comes from the Government prison at Brest, where the picking is done by convicts. This oakum is sold at 60 francs per 100 kilograms ($11.58 per 220 pounds).

The hand-picked oakum is drier and less oily, making it easier and more economical to handle. The consulate is informed that 100 pounds of hand-picked oakum will go as far as 150 pounds of machine-picked. It is stated that calkers would not consent to use machine-picked oakum at any price. The imports of hemp oakum for all of France in 1910 were 3,479 tons, valued at $448,918. [A list of oakum dealers in Havre may be had from the Bureau of Manufactures.]

POLLUTION OF BOUNDARY WATERS (S. DOC. NO. 235).

Mr. BURTON. Mr. President, I ask to have printed as a public document the report of a committee of the National Association for the Prevention of Pollution of Rivers and Waterways, presented at the annual meeting of the association in Cleveland, Ohio, October 23, 1912. It is a brief but a valuable report on the subject.

The PRESIDING OFFICER. Without objection, it is so ordered.

RACIAL FACTORS IN THE UNITED STATES.

Mr. CHAMBERLAIN. Mr. President, I ask to have read the communication which I send to the desk.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

STAATSVERBAND DEUTSCHSPRECHENDER VEREINE VON OREGON
(CONFEDERATION OF GERMAN-SPEAKING SOCIETIES),
Portland, Oreg., November 1, 1913.

We, the members of the Confederated German Societies and the Robert Emmet Society of this city, having read with surprise the recent un-American utterances of the recently appointed ambassador to Great Britain, Walter H. Page, wherein he stated that this country is "English led and English ruled," and that the obligations of government and civilization rest with the people who speak the language of Shakespeare; and

Whereas we believe that the gentleman aforesaid has an erroneous conception of the many races going to make up these United States, and that these remarks were uncalled for, untruthful, and derogatory to the other great races that constitute this country, such as the Germans, Irish, Italians, etc.;

We therefore respectfully request that this matter be brought to the attention of the ambassador to Great Britain, with a view to the avoidance of such pro-British sentiments in the future; and it is our wish that these resolutions be forwarded to the President of the United States, to the Secretary of State, to the chairman of the Foreign Relations Committee, and to the two Senators from Oregon.

CONFEDERATED GERMAN SOCIETIES,
By DR. F. H. DAMMASCH, *President.*
ROBERT EMMET SOCIETY,
By T. F. BRADY, *President.*
E. J. MURPHY, *Secretary.*

The PRESIDING OFFICER. The communication will be referred to the Committee on Foreign Relations.

INDEMNITY FOR KILLING OF ANGELO ALBANO.

Mr. BACON. Mr. President, I wish to ask unanimous consent of the Senate for the present consideration of a bill which is a matter of some public importance. It is the bill (H. R. 7384) to authorize the payment of an indemnity to the Italian Government for the killing of Angelo Albano, an Italian subject. I wish, with the indulgence of the Senate, before the question is put on the unanimous consent, merely to make a statement for the purpose of having the matter properly presented.

This is a bill to pay to the Italian Government $6,000, which has been agreed upon between the executive departments of the two Governments, as an indemnity for the murder of an Italian subject by an armed mob in the State of Florida. The bill has passed the other House and has been in the Senate for some time. Its consideration has been delayed on account of the fact that we have not been actively engaged in the consideration of general legislation. It is a subject of some little embarrassment that the matter has not heretofore received the attention of the Senate.

There have been claims on the part of the United States against the Italian Government under consideration at the same time that this claim was being considered before an agreement was finally reached. When the amount of the claims of this Government against the Italian Government were ascertained and liquidated, the Italian Government promptly paid them. In the past few months the Italian Government has paid to this Government upon such claims $25,000. At the time that that payment was made it was suggested to the representatives of the Italian Government that possibly they might withhold payment until we were ready to make this payment; but they waived it aside and said no, they would not require that at all, and made the payments.

I have here, Mr. President, the report of the Senate Committee on Foreign Relations recommending the passage of the bill, which has previously passed the other House. The report which I will send to the desk, unless it is there with the papers, is the Senate report adopting the House report. I do not ask that the report be read before the unanimous consent for the consideration of the bill is passed upon, but if unanimous consent is given I will then ask to have the report read. I ask unanimous consent that the bill may receive present consideration.

Mr. SMOOT. I suggest that the report be printed in the RECORD without reading. It will take a long time to read it.

Mr. BACON. It is very short. It substantially contains the facts that I have stated; that is all.

I will simply add that this matter has been made the subject of a special message from the President. At the time the amount was agreed upon the President sent a message to Congress, which was read in the House of Representatives, and I presume it was also read here—I do not recall whether or not it was—anyway a message was sent to Congress recommending that this amount be appropriated.

I repeat, that the amount has been agreed upon by the two Governments, and I hope the bill will receive immediate consideration.

Mr. GALLINGER. Mr. President, I have glanced over the report in this case and it seems to me it is a matter of such simple international justice that there ought not to be, and surely there will not be, any objection to the present consideration of the bill.

Mr. BACON. There should not be. I repeat, the amount involved is extremely reasonable. It is only $6,000. I am gratified to know that the Senator from New Hampshire recognizes, and I presume other Senators will recognize, the propriety of immediate action.

The PRESIDING OFFICER. The Senator from Georgia asks unanimous consent for the present consideration of the bill, which the Secretary will read.

The Secretary read the bill, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It authorizes to be paid, out of any money in the Treasury not otherwise appropriated, out of humane consideration and without reference to the question of liability therefor, to the Italian Government as full indemnity to the heirs of Angelo Albano, an Italian subject, who was killed by an armed mob at Tampa, Fla., on the 20th day of September, 1910, the sum of $6,000.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. BACON. Mr. President, in furtherance of the suggestion of the Senator from Utah [Mr. SMOOT] that the report on the bill be incorporated in the RECORD so that the circumstances under which this extraordinary appropriation is made may be well known, and, so far as it is a precedent, that the reasons therefor may appear in the RECORD, I ask that the report may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The report submitted by Mr. SHIVELY on October 2, 1913, is as follows:

The Committee on Foreign Relations, to which was referred the bill (H. R. 7384) authorizing the payment of an indemnity to the Italian Government for the killing of Angelo Albano, an Italian subject, having had the same under consideration, reports it back without amendment and with the recommendation that the bill do pass.

The committee submits herewith the report made on this bill from the Committee on Foreign Affairs to the House of Representatives and adopts the same as a part of this Senate report.

[House Report No. 45, Sixty-third Congress, first session.]

The Committee on Foreign Affairs, to which was referred the bill (H. R. 7384) authorizing the payment of an indemnity to the Italian Government for the killing of Angelo Albano, an Italian subject, having had the same under consideration, reports it back without amendment and with the recommendation that the bill do pass.

This claim grows out of the killing of one Angelo Albano, an Italian subject, by an armed mob while in custody on a charge of crime, in the city of Tampa, Fla., on the 20th day of September, 1910. The facts in the case detailing the crime and establishing the fact that its victim was an Italian subject at the time of his death are succinctly set forth in the copies of sworn statements contained in the message from the President (H. Doc. No. 105) transmitting the report of the Secretary of State in relation thereto. Not only does the President recommend that "as an act of grace and without reference to the question of the liability of the United States Congress make suitable provision for the heirs of the Italian subject thus killed, the proceeds to be distributed by the Italian Government in such manner as it may deem proper," but Secretary of State Bryan in his report also recommends that Congress take such action in view of all the circumstances in the case, both on account of the precedents which he therein cites and "for the preservation of the cordial relations now existing between the United States and Italy."

As to the amount of indemnity involved, the payment of $6,000 is recommended, not only because it seems to this committee to be reasonable but because it has been requested by the Italian embassy as one that would comport with "the sense of equity and justice" as a fair sum which our Government should pay.

In view of these facts, and the further one that recently similar claims for a considerably larger amount have been generously settled in our favor by the Italian Government, it would seem after this long delay to impose upon Congress an obligation to promptly comply with the request of that Government for a speedy settlement of the claim.

PERSONAL EXPLANATION.

Mr. ASHURST. Mr. President, I send to the desk three or four lines from a Washington newspaper and ask that they may be read, after which I wish to say a word relating thereto.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

With the committee hard at work, but tied upon the fundamentals of the bill, the movement for a caucus of Democratic Senators gained momentum yesterday. A petition was circulated by Senators ASHURST of Arizona and MARTINE of New Jersey calling for a conference on the currency question generally. No detailed directions were included in the call. It was understood that the real object of the caucus and its scope in relation to the work of the committee would be decided after it met.

Administration Senators, including Senator OWEN, declared they had taken no part in starting the call for a conference.

Mr. ASHURST. Mr. President, I do not rise to make any complaint or to assert that any injustice has been done me by the article, but I feel that history should be kept straight. I was struck by the remarkable fact that the erroneous reference to myself appeared in the Washington Post, a paper so uniformly correct in its news items that I wondered how it could have associated my name with the matter of circulating the petition referred to, when I had nothing whatever to do with the circulating of that or any other petition.

Mr. MARTINE of New Jersey. Mr. President, inasmuch as my humble name was connected with this matter—I do not know whether the statement is worthy of a contradiction, as it carried with it no force particularly because of that association—I desire to say that it is unqualifiedly untrue. I have circulated no petition; I had no thought of circulating any petition of the kind or of any other kind. I am willing to abide the result of the deliberations of the Committee on Banking and Currency. I believe there is wisdom and intellect enough there to bring out a bill that will be ratified by the Senate and will meet the general approbation of the whole land. So far as I am concerned, the statement in the article read originated only in the dream of some fertile brain and not in fact.

THOMAS B. STALLINGS AND RICHARD M. NELSON.

Mr. WILLIAMS. I ask unanimous consent for the present consideration of Senate resolution 197, which has been reported from the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDING OFFICER. The Senator from Mississippi asks unanimous consent for the present consideration of Senate resolution 197. Is there objection?

The Senate, by unanimous consent, proceeded to consider the resolution which had been reported from the Committee to Audit and Control the Contingent Expenses of the Senate with amendments.

The amendments were, in line 3, after the name "Stallings," to strike out "the sum of," and insert "60 days' salary at the rate of"; in line 5, after the name "Nelson," to strike out "the sum of" and insert "60 days' salary at the rate of"; in line 8, after the word "respectively," to insert "for 60 days"; and in line 9, after the word "thirteen," to strike out "to the date of the passage of this resolution," so as to make the resolution read:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, out of the contingent fund of the Senate, to Thomas B. Stallings 60 days' salary at the rate of $2,220 per annum and to Richard M. Nelson 60 days' salary at the rate $1,200 per annum, the same being for services as clerk and as messenger to the Committee on Expenditures in the Post Office Department, respectively, for 60 days from August 16, 1913.

The amendments were agreed to.

The resolution as amended was agreed to.

ADJOURNMENT TO THURSDAY—BANKING AND CURRENCY.

The PRESIDING OFFICER. The calendar under Rule VIII is the order of business.

Mr. KERN. I move that when the Senate adjourns to-day it adjourn to meet on Thursday next at 12 o'clock noon.

The PRESIDING OFFICER. The Senator from Indiana moves that when the Senate adjourns to-day it adjourn to next Thursday at 12 o'clock noon.

Mr. HITCHCOCK and Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HITCHCOCK. Mr. President, I believe that motion is a proper subject for discussion under the rules. A motion to adjourn, I understand, of course, is not debatable——

The PRESIDING OFFICER. The rule also is, the Chair would say, that a motion to adjourn to a day certain is not debatable.

Mr. HITCHCOCK. This is not that motion. This motion is that when the Senate adjourns it adjourn to a certain date, which is a debatable motion.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HITCHCOCK. Mr. President, if there were to be a meeting of the Senate to-morrow, I should probably defer until that time what I shall say to-day; but as the next meeting of the Senate is to be fixed for Thursday, and as a call has already been authorized for a Democratic caucus on Wednesday, I feel it timely to say some things which otherwise might be deferred.

Since the Senate adjourned last Thursday a new situation has arisen in the consideration of banking and currency legislation, which I desire to call to the attention of the Senate.

The House bill for Federal reserve banks came to our committee September 18. Hearings upon it had already been started and continued up to October 25. They have been printed and cover 3,259 pages. Each Senator has no doubt examined them and realizes that they are highly valuable. Since the hearings closed the committee has been in session for two weeks, up to Saturday night, at work upon the bill. Up to last Wednesday progress was so encouraging that the general expectation

was that a report could be reached by the end of this week, November 15. A number of changes had been made by a majority vote of the committee—a vote running from 7 to 5 up to as high as 9 to 2.

Among the important matters which had up to that time been settled by a majority vote were that the committee should report in favor of 4 regional reserve banks to start with, instead of 12, giving, however, to the board power to increase the number after two years, if found desirable; in favor of giving the Government a majority of the directors of each of those banks, instead of giving the majority vote to the banking interests; in favor of having the stock in the reserve banks first offered to the public in popular subscription, instead of being monopolized by the banks; in favor of enlarging the membership of the great Federal reserve board which is to control this system from 7 to 9; in favor of leaving the Secretary of the Treasury on the reserve board as one of the nine; in favor of taking off the Secretary of Agriculture and Comptroller of the Currency; in favor of making the term of members eight years, one retiring each year; and in favor of making all Federal reserve notes to be issued under this bill payable in gold.

Those important matters had been voted on, and a majority of the committee, voting their convictions, had declared for them.

At this juncture outside influences began to be felt upon the committee. The reactionary period set in. We were told that the President could not accept the decisions reached by the majority of the committee and we were urged to retrace our steps.

I know full well the force of such an appeal, and I have no criticism for those who yield to it. Were the issue political I should yield to it on proper occasion. In my opinion, however, the banking and currency question is not political or partisan, and should not become so.

Moreover, Mr. President, I feel that when the Senate refers to a great standing committee of this body an important bill of this character the Senate is entitled to have members of the committee examine it carefully and vote according to their own convictions and beliefs. I should prefer to retire from a committee rather than to vote for a vital or fundamental feature against my convictions, even to meet the views of the President of the United States.

I recognize that the views of the President of the United States are entitled to the greatest weight. There is a proper time for consideration to be given to those views. That time is after the committee charged with the duty of making its recommendation to the Senate has done so. It is then for the Members of the Senate to consider whether or not those views shall be accepted. After the Senate has passed upon that question, and in case the Senate shall have voted to differ from the body at the other end of the Capitol, the conference committee is another place where necessary compromises should be made and where the views of the President may properly be considered, because he is ultimately to be confronted with the alternative of signing or vetoing the bill.

Therefore, Mr. President, when the issue arose in our committee I declined to change my vote. The result was that the committee became and is now deadlocked. It may be said that it is presidential influence which has produced the deadlock, or it may be said that I have produced it by refusing to change my vote. The deadlock may be broken. I hope so, but I do not know how at this time.

In this contingency a call has been issued for a caucus or conference of Democratic Senators to consider the situation; and this is quite likely to result in raising another issue and in making matters worse instead of better.

The bill is in the hands of the committee. There it must remain until reported voluntarily or by order of the Senate. A caucus can neither order a report nor compel the committee to return the bill to the Senate.

The caucus might enter into a discussion of the merits of the bill and the 243 amendments to it still pending before the committee, most of them offered by the chairman of the committee, but the decisions of such a caucus would not be binding, and after days or weeks of discussion in caucus the whole matter would have to be gone over again in the Senate. The result would be months of delay.

Personally I am already on record. I would not permit myself against my convictions to be bound by the decisions of a secret caucus on an important matter of legislation like this, not political nor partisan. I am assured by a number of other Senators on this side of the Chamber that they are equally opposed to a secret legislative proceeding such as a caucus is.

These considerations lead me to suggest that instead of attempting to submit this question to a caucus or conference it be submitted to the whole Senate.

The Senate is the proper place to discuss this bill. It should be considered here in public and not in caucus or conference in secret. The votes should be public. The discussions should be public.

If, therefore, Senators desire to take the matter out of the hands of the committee, let them order the committee to report, say, in 10 days; or if not able to agree upon a report in that time, let the committee be discharged from the further consideration of the bill. The bill then would be before the Senate, with or without a report, and could be taken up upon its merits and a decision reached without the unnecessary delay involved in a caucus.

Mr. VARDAMAN. Mr. President, before the Senator from Nebraska takes his seat, I wish to ask him if he would have any objection to going into a conference of Democrats for the consideration of this bill, with the doors of the conference wide open and the press permitted to report to the public the deliberations of the conference?

Mr. HITCHCOCK. None whatever, if I am not to be bound by party ties, as a result of the caucus or by a gentlemen's agreement or by any other restraint, to refrain from voting my convictions in committee or here in the Senate.

Mr. SWANSON. Mr. President, I have listened to the Senator from Nebraska. As I was largely responsible for the circulation of the petition for a conference, I desire to make a statement with reference to it.

The very conditions portrayed by the Senator from Nebraska seem to me to necessitate a conference among Democrats to ascertain what they should do in this emergency. This is not to be a binding caucus. Such conditions had arisen in connection with currency legislation that it seemed to me wise and proper to have a conference among the 51 Democrats who were commissioned by the people to give to the country reform legislation of various kinds, included in which was banking and currency reform.

I felt that an emergency had arisen. I felt that good would accrue from having a conference of all the Democrats to ascertain the situation, to ascertain the differences, to see if they could be composed, and to see to what extent the party's obligation to the entire country could be discharged, not by depriving the Senate of a right to vote, which can not be done; not to settle matters outside of the Senate, for there is no possibility under the Constitution for that to be done, but to get together as a party, responsible for legislation in this country, to respond to our platform obligations and to see what is wise to be done.

We are anxious to hear from all Democrats in that conference as to what is being done, what they think ought to be done, how the matter can be facilitated, and how the best bill can be obtained. While, of course, the Democratic Party is no more interested than the Republican Party in having a good bill, we have a responsibility that the minority have not. We are responsible for legislation. We have been given control of all the branches of the Government to enact legislation, and this is a responsibility we can not shirk as an entire party. We can not shift it to individuals.

This conference was called, not to reflect upon any Senator, not to reflect upon any Member of the Banking and Currency Committee. They are all invited to attend the conference. We shall be glad to hear their views, to ascertain, without binding anyone, what the party as a unit should do in this emergency.

I will say to the Senator from Nebraska that the call is simply for a conference to advise in connection with the currency bill. We saw differences between Democrats that seemed to be irreconcilable. There seemed to be delay in getting a reconciliation. We thought no Democrat would resent having a conference and trying to get the wisdom and the thoughts and the views of 51 Democrats, to see if these differences could not be settled for the benefit of the party, and the benefit of the party means the benefit of the country. We realize that when this legislation is enacted it will be enacted for all.

I want to say that this conference is called simply for the purpose of taking our bearings, to ascertain what it is wise and patriotic for the party to do in this emergency. It is called for no other purpose. When the conference meets, after the 51 Democrats have expressed their views and convictions, they will know how to conduct the conference for the good of the party and the good of the country.

I hope the Senator from Nebraska will attend the conference. I should be very glad to hear from him. I know how assiduously he has worked. I have listened to the various points of view he has expressed. I have read them in the various hearings.

It seems to me, however, that the time has come for the party that is responsible in this Chamber and in the other Chamber to have a conference as to what the party should do to measure up to the obligation to the country which is assumed on the 4th of March. I think a conference should be held for that purpose and none other.

Mr. THOMAS. Mr. President, I think it was about the middle of September that the bill which is under consideration by the Committee on Banking and Currency was referred to that committee. Since that time this body has been meeting and adjourning practically to every third day. A number of us have remained here from a sense of public duty, to the end that a quorum might be maintained and that the business of the country might not receive any check because of our absence.

It is quite apparent from what has been said to-day by the Senator from Nebraska [Mr. HITCHCOCK] that there is no immediate prospect of a report from the Banking and Currency Committee; and the motion of the Senator from Indiana [Mr. KERN] is that when the Senate adjourns to-day it shall adjourn until next Thursday. My purpose in rising is to oppose that motion and to insist upon an adjournment until to-morrow at the usual hour, and from to-morrow until the next day, in order that the business upon the calendar may be transacted.

It seems to me we are wasting time here most unprofitably and needlessly. There is business for this body to do outside of and beyond the banking and currency bill. The active calendar contains about 100 bills that have been reported, some of which are of considerable importance. These bills must receive our attention at some time. Why not now, instead of waiting and postponing action until the regular session shall be upon us, with all of its important business?

I think we should realize the fact that inasmuch as we are not going to have a banking and currency bill for consideration very soon, and inasmuch as there are other measures before us that we must dispose of at some time if they are to be disposed of at all, this body should act in a businesslike way and meet from day to day and transact business as long as there is any business upon the calendar to be transacted. If not, then we can perhaps serve the country better by adjourning the present session entirely and coming back here the 1st day of December, when the regular session begins.

Now, Mr. President, I do not want to be exacting in making this insistence. I have been very patient in seeing these adjournments over from time to time, the Senate practically standing still and doing nothing, until the 10th day of November has arrived, one-third of the month is gone, and we have but 20 days, including Sundays, between to-day and the date of the regular session. If we are to adjourn over every third day, we shall hold six sessions, and all that will be done will be the introduction of measures, the general discussion of topics of greater or less public concern, and the transaction of no actually important business whatever.

I hope, therefore, that when the Senate adjourns to-day it will adjourn to meet to-morrow and proceed with the calendar that is before this body.

Mr. KERN. Mr. President, if there is any business to be transacted, if any Senator will suggest that he has business which he desires to bring to the attention of the Senate to-morrow, I shall certainly not insist upon my motion.

Mr. THOMAS. I have no business in the sense that I have any measure pending upon the calendar in which I am personally concerned, but with a calendar containing one hundred and odd measures which have been reported and which, therefore, is presumably the business of the Senate, I think that calendar ought to be called to the end. If that business is important, it should be transacted; and if it is not, it should be taken from the calendar.

Mr. KERN. If any Senator on either side of the Chamber has business that he wishes to bring before the Senate on to-morrow, I shall not insist upon the motion; but it was because I understood there was no business that was pressing upon the Senate, no business that would likely be brought before the Senate, that I thought it unwise to bring Senators here merely as a matter of empty form.

While I am on my feet——

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from New Hampshire?

Mr. GALLINGER. Mr. President, I rise to a question of order.

The PRESIDING OFFICER. The Senator from New Hampshire will state it.

Mr. GALLINGER. Ordinarily I would not interpose an objection, but the Chair having held that this is not a debatable subject, I think we had better follow the rule. I understood the Chair to rule that the motion is not debatable.

The PRESIDING OFFICER. The Chair did not so rule. The Chair was under the impression that under the rule a motion to adjourn to a day certain is not debatable, and then the Senator from Nebraska, who wished to address the Senate, raised the question and called attention to the fact that it was not such a motion, but a motion that when the Senate does adjourn to-day it shall adjourn to meet on Thursday.

Mr. GALLINGER. The Chair's present ruling is undoubtedly correct, and I withdraw the suggestion I rose to make.

The PRESIDING OFFICER. The Senator from Indiana will proceed.

Mr. KERN. While I am on my feet I have only a word to utter with reference to the remarks of the Senator from Nebraska [Mr. HITCHCOCK]. There has been no caucus called. No caucus is contemplated, so far as I am advised. As caucus chairman I received on Saturday a request signed by a majority of the Democratic Senators, asking that there be called by me, as caucus chairman, a conference of the Democratic Senators for the purpose of talking over the situation respecting the banking and currency question and considering what ought to be done in view of present circumstances. That call has not yet been issued. It will probably be issued to-morrow for a conference on Wednesday afternoon.

When the Senator from Nebraska receives notice of the conference, which will be issued to-morrow, he will discover that there is no attempt being made to bind his conscience and bind him in any way or to interfere in the slightest degree with the legitimate work of the Committee on Banking and Currency, but simply a meeting of Democratic Senators for the purpose of talking over the situation and seeing what can best be done to promote the common good. He would not regard it as improper if four or five of his brethren on the Democratic side should meet with him and talk with him and advise with him on the situation, or meet with him for the purpose of ascertaining from him how he felt on the subject and what suggestions he had to make and to offer suggestions to him. That would not be objectionable, whether it was to be a public meeting or a private meeting, whether it was at his own home or in the conference room.

Certainly it could not be objectionable for the members of the Banking and Currency Committee who are on the majority side to meet with their brethren on this side and in an informal way discuss the situation, for the purpose of ascertaining from the members of the committee what the status of affairs may be, what is the prospect, if any, of agreement, and counseling together as to what ought to be done for the furtherance of some legislation on this subject. That is the sole purpose of the proposed conference. That is what it was called for, and that is what the call will state. The Senator will be in no wise bound. His counsel will be asked; his opinions will be asked. They will be asked because they will be desired.

I believe that the speech he has made here this morning is rather premature, and that it would have been better to have made it before the conference when it meets on Wednesday afternoon.

Mr. REED. Mr. President, the propriety or impropriety of calling a conference at this time is not a question that I intend to discuss. So far as I am concerned, having been a Democrat all of my life, having never bolted a ticket or a convention, having never even run my pencil through the name of a single name found upon a Democratic ballot, I need hardly say to the Democrats of the Senate or to my brethren upon the other side that I can enter a party council and abide by its mandate with that Christian fortitude and spiritual grace so often invoked by the distinguished Senator from Minnesota [Mr. NELSON].

If the time has arrived when the Democrats of the Senate feel that they want to take charge, either in a directory or an advisory capacity, of the conduct of the Democratic members of the Banking and Currency Committee, then I shall make no complaint, because I recognize the fact that if in council there is wisdom it goes as a matter of course that in Democratic council there is not only wisdom but righteousness.

But, Mr. President, I can not help calling attention to one or two matters. As a preliminary, let me say, in consonance with the remarks of the Senator from Colorado [Mr. THOMAS], that, whether it was wise or unwise to hold the Senate in session during all of the hot months of summer to enact currency legislation, manifestly a condition has now developed when in any view of the case the Senate might as well proceed with such matters of business as it has before it. The hour has come when there is no necessity, no good purpose, to warrant the Senate in simply waiting from day to day for the report of this bill.

When I say that, let no man put the construction upon it that I am favoring any delay in reporting the currency bill, or that I favor delay in taking action upon the bill as soon as it can be brought before the Senate. Whether it comes with a unanimous report, or with minority and majority reports, or whether it comes because the Senate shall see fit to discharge the committee and bring the bill before the Senate, in any of these cases I am unalterably of the opinion that the Senate immediately, to the practical exclusion of all other business, should determine what its action shall be upon this great measure. But in the meantime, until the bill shall be brought before the Senate, there is no reason, in my opinion, why the Senate might not proceed with other business.

Now, Mr. President, a word, since the matter is up for discussion, in regard to this measure. There seems to have been a sort of general impression given to the country that the drafting and enactment of a banking and currency bill was a sort of summer-day picnic excursion, to be indulged as a diversion from the ordinarily serious business of legislation. There seemed to be an impression that the task was a light one, and that impression has been given generally to the public.

Now, Mr. President, those of us who have been members of this committee and who have been to the best of our ability trying to solve its manifold problems entertain a different view; and before the bill shall have been debated upon the floor of the Senate for even one day every Member of the Senate, regardless of politics, will have arrived at the conclusion that we are dealing with most grave and important matters.

The bill that is before us contemplates what must be regarded if not a revolution at least a very radical change in our financial system. It proposes in a word to empower a board appointed by the President of the United States to authorize the issuance of money and to hold as security for that money a gold reserve of 33⅓ per cent and the promissory notes or bills of exchange which may be deposited with a Federal agent by the various banks. I shall not at this time discuss the propriety or impropriety, the wisdom or the unwisdom of that plan; but I do say that this is the first time in the history of the Republic that the issuance of money or currency upon that particular kind of security has been seriously contemplated.

Mr. President, lest I should be misunderstood again, let me say that I believe that plan can be worked out, and worked out safely, worked out to the great advantage of our country; but it must be agreed that so important a departure from the present system demands the exercise of the highest degree of care, prudence, and forethought.

It is proposed in this system, Mr. President, that we shall bring all the banks now existing under the Federal Government and all other banks which may see fit to join the system into membership in a certain number of regional banks. The dispute has been whether we shall establish one central publicly owned and controlled bank or a regional system having four or more members, and whether these regional banks shall be controlled by the banks or by the Government.

Mr. President, I submit to the intelligence and the patriotism of the Senate and of the country that the bringing together of nearly 20,000 banks, State and National, including trust companies, into a common organization of 12 banks or 4 banks involves an important change in our banking system, and that the man who would be willing to undertake to make that change without due regard for its gravity, without careful study of the question, is wholly unfitted for the responsible duties imposed upon Members of Congress.

I could continue now perhaps for some hours pointing out the very great changes this bill makes. I might add that it is intended to meet great evils which have fallen upon our country. It is intended to prevent the undue accumulation of reserves in certain great cities. It is intended to make a system of such character that when the evil days come, as they have come in the past and as they will come in the future, there will be a competent power in the hands of representatives of the Federal Government to relieve the situation upon the instant and prevent a calamity or a panic.

But, Mr. President, in dealing with questions of that kind men must understand that he who leaps without first ascertaining where he may alight is not proceeding with proper regard for the gravity of the matters involved. So this committee has been endeavoring to gain light and to arrive, if possible, at a common agreement.

It seemed to me, Mr. President, that this was not a partisan question in the ordinary sense of the term; it was not at all like the tariff controversy. Why, upon that question the Republican Party has gone out to battle, presenting an almost solid front for 25 or 30 years. Opposed to them, on the other side of a sharply defined line, the Democrats have massed their hosts; we have contended in many a campaign. It thus became a partisan question upon which we were absolutely divided. On the other hand, all men of all parties have insistently demanded the reform of our banking and currency laws. The question was of such overmastering importance that I hoped to see all Members of Congress approach its consideration inspired only by a patriotism exalted above mere partisan advantage. I said from the beginning—and I want to make this emphatic—that whenever I found that my Republican brethren upon the Banking and Currency Committee were playing politics, whenever I found that party lines were being there drawn, I would instantly go into conference with the Democratic members of the committee, for to that household I belong. Mr. President, the committee has been proceeding; we have had sharp debates; we have had some sharp differences; the Democrats have not been a unit; the Republicans have not been a unit; party lines have been broken time and again in voting; and it seemed to me—and I say to the Senate now, and to the country, it still seems to me—that there has not been a party alignment in the committee.

The Republican members of the committee naturally view the questions involved from a viewpoint somewhat different from the Democrats. Nevertheless, I firmly believe they have in good faith sought to reach an agreement with the Democrats. I believe that the committee ought to be permitted to proceed until they find that there can not be an agreement. When that time comes, if unfortunately it shall come, I will join others in insisting upon the Democratic members getting together and writing a bill and reporting it; but I do not think that time has come. If I find I am mistaken—and the matter will be developed, I think, within the next two or three days ultimately and finally—then, of course, everybody ought to know that I will be found over in the Democratic camp doing the best I can with my Democratic brethren to get them to formulate a bill that will present the wisest possible solution from our standpoint.

Mr. President, I rose not to say this; but, having risen, I found myself saying it because it was in my heart to say it, and I say it with all the kindness in the world for every Member of the Senate, for every man upon this side, for my friends who called this caucus, for my friends upon the committee who do not agree with me in regard to certain matters that are pending, and I dismiss it with what I have said. But I rose to a somewhat unpleasant task, and one which I would not assume if it were not for the fact that when statements are made to great newspapers in this country and go out to the country, about the second day, if they are not denied, they are taken as true and are thereafter assumed to be true.

The distinguished chairman of the Banking and Currency Committee of the House of Representatives has an interview in the New York World, which some of you may have seen. I desire no quarrel with that very eminent gentleman. His interview is couched in language of such moderation, of such toleration, of such kindliness, that I feel that I ought scarcely to reply above my breath. It indicates that its author is at once possessed of that calmness, poise, and dignity which marks him as a master among statesmen; so that I have felt I ought perhaps not to correct any statement he may have made in even a minor particular. I do not intend to follow the interview throughout. I shall only call attention to just one important matter.

Some weeks since I made the statement that Mr. H. Parker Willis had been largely instrumental in drafting the currency bill—not the bill as passed by the House, but the bill as it was originally prepared to be sent to the House. I made the statement that the bill at that time provided for a considerable bank representation or a bank control upon a central board which is to exist here at Washington and which is to be, under the bill, the controlling power of this entire system. I simply want to justify that one statement and to leave to the country and to Members of Congress all other assertions made by the very distinguished gentleman who is the chairman of the Banking and Currency Committee of the other House. Mark you, what I said was that as this bill was originally prepared and before it went to the House of Representatives it gave a banking representation or control upon the central board. That is the only question I propose to take your time to discuss.

Mr. President, I hold in my hand the printed testimony of Mr. H. Parker Willis given before the Senate Banking and Currency Committee, and I want to read a little of it. Mr. Willis was testifying with reference to the original plan for the central board of control which is to sit here at Washington and manage the entire system of regional banks.

Senator HITCHCOCK. Were there 12 regional banks?
Mr. WILLIS. Yes, sir.
Senator HITCHCOCK. With a Federal board of control?
Mr. WILLIS. I am not sure that that name was given to the board.
Senator HITCHCOCK. A board to be appointed by the President?
Mr. WILLIS. A board of control: yes.
Senator HITCHCOCK. A board that was a board of public officials, appointed by the President?
Mr. WILLIS. There were also banking representatives in the earlier draft of this bill, some banking representatives.
Senator REED. On what?
Mr. WILLIS. On the board of control.

Mr. President, I might stop at this point, for my statement is here fully proven; but there is more that is interesting:

Senator HITCHCOCK. How many banks were provided for?
Mr. WILLIS. I do not know that I recall exactly. The first draft of the bill, in any perfected form, became public at some time during last June. It was given out then to the newspapers from some source, and the data are all given there. I think it would be better, probably, to refer to that.
Senator HITCHCOCK. In the newspapers?
Mr. WILLIS. It was given out and was printed by them.
Senator HITCHCOCK. Some of the members of this committee want to get an idea of how this bill had developed.
Mr. WILLIS. The bill has been developed, as I have said, Senator, with the cooperation of the Committee on Banking and Currency, by a gradual process of study, extending over about 18 months; and as far as my relation to it is concerned it has been, as I have said, that of an adviser and investigator. I have done what I could to advance the work, doing what ordinarily falls to one acting in that capacity, carrying out the instructions of the chairman at each stage of the process, consulting with him and doing what I was instructed to do.
Senator HITCHCOCK. What was the size of the board, Mr. Willis?
Mr. WILLIS. I seems to me—I dislike, Senator, to give this data simply from memory, and can speak only subject to the qualification that I am speaking merely from memory, because there have been so many different changes and drafts—that in this draft which became public, and which *was the first perfected draft, there was provision for two representatives from each of the regional banks; that is, a so-called commission was appointed, or elected, rather, and then a given number of Government executive officers were ex officio members of that body. That made a rather large body of, perhaps, 25 or 30 men.*
Senator HITCHCOCK. *If there were two from each regional bank, there would be 24 of them.*
Mr. WILLIS. *Well, in this bill I speak of I think the number of banks may have been 15. That was the first number hit upon.*
Senator REED. *That would be, then, 30 men directly representing the banks?*
Mr. WILLIS. Yes.
Senator REED. *Then you added to that bank representation of 30 the Secretary of the Treasury and who else?*
Mr. WILLIS. I think the same officers who are mentioned in the present bill, *the Comptroller of the Currency and the Secretary of Agriculture.*
Senator REED. *So the Government would have 3 representatives and the banks would have 30 representatives?*
Mr. WILLIS. *May I continue there?*
Senator REED. Yes.
Mr. WILLIS. This board was merely an advisory or consultative body which *elected an executive committee—*

Which elected an executive committee—

and that committee was vested with all the powers of the advisory body. In the executive committee, which, I think, consisted of nine members, there were three ex officio Government officers, and I think three who were chosen by the banks, and three who were designated by the President of the United States either from this commission or outside of it. A provision was made, however, that bankers who became members of the executive committee should resign all banking connections. The effort was to get a board which fairly represented the business interests of the country and the Government to act jointly.
Senator REED. Was that the stage in which this bill was before it was submitted to Senator OWEN?
Mr. WILLIS. I beg your pardon?
Senator REED. Was that the stage in which this bill was when the draft of it was submitted to Senator OWEN?
Mr. WILLIS. I can not recall in detail, as I say, the exact stages through which the bill went. Senator OWEN went over different drafts of the measure as we went along, and cooperated in shaping the terms of it.
Senator REED. At one time was there not a discussion or argument between Senator OWEN and yourself in regard to the proposition as to whether the Government was to have the ultimate control or whether the banks were to have the ultimate control?
Mr. WILLIS. I do not recall such a discussion, Senator. Let me say at this point, however, that my feeling at that time was that it would be desirable to have certain *banking representation on this board. I thought that by so doing we could get into closer touch with the banks of the country, and would have their advice, etc.; that if the membership of the board were partly selected from the best bankers, then called upon to resign their banking connections, their connections with banking institutions, so that they would become the servants of the public, you would have a stronger board for practical purposes than otherwise you would have. That was the view of Mr. Glass, as I understood it, and was a view in which I concurred.*
As he worked further on the subject, *I think he came to feel that the board should consist entirely of public appointees.* When that idea was suggested to me, Mr. GLASS and I had some discussion of the matter, I recall. I do not remember in detail what it was. I think I said to him *that it seemed to me that the entire elimination of bankers from the board would tend to lose us a good deal of support for the bill and might result in weakening the plan in practical operation.*

Mr. President, if that be not a justification of my statement that the bankers were to be represented upon this board under the primary draft of the bill, then I know not how to make justification. As I have succeeded, I think, in proving that part of my case, and as it is really the crucial matter in dispute, I pass without further consideration the other statements which have emanated, I think, from a superirritated and supersensitive state of mind rather than from the calm judgment which ought to characterize the utterances of one who assumes to be a collaborator with and spokesman for the President of the United States.

Mr. President, I apologize to the Senate for taking so much of its time, and I trust I will never have to occupy the floor again on a matter of this sort. I say this as a final word, that I believe the Senate will solve the banking and currency problem and solve it right. I believe that it is a time when temperance of statement, candor of expression, and deliberation of judgment ought to be employed.

I say one other word. In my opinion the business of the country demands as speedy action as can properly be taken. We should act, and we ought to act prudently; we should act promptly; but we ought to carry wisdom with us at every step. Beyond all question the banks of this country are to-day husbanding their resources in view of a contemplated change; not because of any desire to injure the business of the country, for I do not believe such a desire exists, but husbanding their resources because they know that in the near future, in all human probability, they—the national banks alone—will be called upon to remove from its present location something like $300,000,000 to $500,000,000 of their reserves, and in addition be called upon to contribute something over $100,000,000 of capital to the new institutions. In view of that fact they naturally will hesitate about loaning money; and because of that latter fact, which we all appreciate to its utmost, we recognize that there should be as speedy action as possible; but impatience may not make for speed so much as calm deliberation and patience.

The PRESIDING OFFICER. The question before the Senate is the motion of the Senator from Indiana [Mr. KERN] that when the Senate adjourns to-day it adjourn to meet on next Thursday at 12 o'clock noon.

The motion was agreed to.

EDWARD L. KEYES.

Mr. WILLIAMS. I ask unanimous consent to take up for immediate consideration Senate resolution 100, which is on the calendar under Rule VIII.

Mr. GALLINGER. Let it be read for information, Mr. President.

The Secretary read the resolution (S. 100), which had been reported by Mr. FLETCHER from the Committee on Military Affairs June 5, 1913, as follows:

Resolved, That the Senate Committee on Military Affairs, or a subcommittee thereof, is hereby directed to send for Edward L. Keyes, who was formerly a second lieutenant of the Fifth United States Cavalry, and to afford him a full hearing. Furthermore, the said committee or subcommittee is authorized to send for witnesses and take testimony, if such a course should be deemed desirable, with a view of determining whether or not a bill should be reported to the Senate by the Committee on Military Affairs transferring said Edward L. Keyes to the retired list of the Army, and, if so, with what rank.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. SMOOT. Mr. President, I shall not object to the consideration of the resolution at this time, but I wish to ask some questions about it when it is before the Senate.

Mr. WILLIAMS. I shall be very glad to answer the questions.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. WILLIAMS. I merely wish to say, in explanation of the resolution, that Col. Edward L. Keyes, while he was a lieutenant in the Army, was court-martialed under the old system, which we have since repealed. The presiding officer of the court-martial was his accuser and a witness against him. I know nothing about the facts in the case, except as they were brought to my attention; but it struck me that Col. Keyes ought to have a hearing before a Senate committee. All the resolution does is to provide that the committee shall give him a hearing, and that they shall then determine whether or not they shall go any further and introduce a bill.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from New Hampshire?

Mr. WILLIAMS. I do.

Mr. GALLINGER. Has the Committee on Military Affairs ever taken up this matter of its own volition?

Mr. WILLIAMS. Oh, yes. They have reported it and have recommended its passage.

Mr. GALLINGER. They have reported this resolution?

Mr. WILLIAMS. Yes; it was reported by the Senator from Florida [Mr. FLETCHER] from the Committee on Military Affairs. I introduced the bill.

Mr. GALLINGER. Oh, yes; I was laboring under a misapprehension on that point. I see the committee has reported it.

Mr. WILLIAMS. Yes; it is on the calendar.

Mr. SMOOT. As this bill has been before Congress for the last 10 years, I was going to ask the Senator whether the committee had not already had a number of hearings and decided, while not reporting it adversely, that no favorable report should be made?

Mr. WILLIAMS. The matter in this shape has never been before the committee. There were bills introduced to restore Col. Keyes to his rank, and all that. The Military Affairs Committee has never made any extended investigation of the subject. In the opinion of Col. Keyes it has never made a sufficient examination. I agreed with him after having my attention called to the subject matter; so, instead of introducing a resolution of the old sort, I introduced merely a resolution for a thorough and full investigation.

Another reason in my mind was that in the old times Congress used to seem to think it was right for a man to be a member of a military court, the accuser, and a witness all at the same time. While I was a member of the Military Affairs Committee we succeeded in procuring the repeal of that system. I will say to the Senator that you could have knocked me down with a feather when I first learned that such a system ever had existed in any civilized country.

Mr. SMOOT. I am fully aware of the legislation to which the Senator refers, and I fully agree with his position in repealing that legislation.

The resolution provides that a committee or subcommittee is authorized to send for witnesses and take testimony, but no provision is made in the resolution for the payment of the expenses thereby incurred.

Mr. WILLIAMS. That will have to be done later. Such a resolution will have to be introduced later and referred to the Committee to Audit and Control the Contingent Expenses of the Senate. The first thing is to order the investigation and to authorize the action of the subcommittee. Then, if it is found by the subcommittee that any expenses must be paid for out of the contingent fund, of course it will be necessary to introduce a further resolution and have it referred to the Committee to Audit and Control the Contingent Expenses of the Senate, under which such expenses are paid.

Mr. SMOOT. I shall not object to that, but I really think the appropriation ought to be provided for in the resolution. Of course it can be done later, however.

Mr. WILLIAMS. I would rather have it done in that way, because I hope no expense will be necessary. All the witnesses may be right here in Washington.

Mr. GALLINGER. We frequently have done it in that way, making the appropriation afterwards.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 20 minutes spent in executive session the doors were reopened, and (at 2 o'clock and 8 minutes p. m.) the Senate adjourned until Thursday, November 13, 1913, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate November 10, 1913.

COLLECTORS OF CUSTOMS.

Dudley Field Malone, of New York, to be collector of customs for the district of New York, in place of John Purroy Mitchel, resigned.

Charles E. Hardy, of Arizona, to be collector of customs for the district of Arizona, in place of Cornelius O'Keefe, resigned.

APPOINTMENTS IN THE NAVY.

The following-named citizens to be second lieutenants in the Marine Corps from the 15th day of November, 1913:

Alphonse De Carré, a citizen of Missouri.
Cecil S. Baker, a citizen of California.
John F. S. Norris, a citizen of California.
Arthur Kingston, a citizen of New York, and
Ethelbert Talbot, 2d, a citizen of the District of Columbia.

CONFIRMATIONS.

Executive nominations confirmed by the Senate November 10, 1913.

ASSISTANT ATTORNEY GENERAL.

William Wallace, jr., to be Assistant Attorney General.

COLLECTOR OF INTERNAL REVENUE.

Beriah E. Williamson to be collector of internal revenue for the eleventh district of Ohio.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Lieut. (Junior Grade) Fred F. Rogers to be a lieutenant.
Second Lieut. John Q. Adams to be a first lieutenant.
The following-named citizens to be second lieutenants in the Marine Corps:
Henry L. Larsen.
John C. Foster.
William H. Rupertus.
James L. Underhill.
Louis E. Fagan, jr.
Keller E. Rockey.
Bryan C. Murchison.
Egbert T. Lloyd.
Allen H. Turnage.
George W. Hamilton.
Louis M. Bourne, jr.
George L. Davis.
David H. Miller.
Matthew H. Kingman.
Alphonse De Carré.
Cecil S. Baker.
John F. S. Norris.
Arthur Kingston.
Ethelbert Talbot, 2d.

POSTMASTERS.

MARYLAND.

H. L. Brittingham, Princess Anne.
A. B. Cochrane, Crisfield.
W. Jasper Harper, Hurlock.
Mary W. Stewart, Oxford.

MINNESOTA.

A. H. Adams, Jasper.
Marc D. Atkinson, Crosby.
James H. Fleming, Virginia.

NEW YORK.

Jonas J. Hover, Germantown.
John B. Judson, Gloversville.

NORTH DAKOTA.

B. M. Harvey, Sherwood.
Christian Relte, Hannaford.

SOUTH DAKOTA.

Thomas J. Ball, Mitchell.
Anton Fergen, Parkston.
H. H. Millard, Summit.
Peter Schmitt, Waubay.
P. G. Williams, Montrose.

HOUSE OF REPRESENTATIVES.

MONDAY, *November 10, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

"*Bless the Lord, O my soul, and all that is within me bless His holy name.*

"*Bless the Lord, O my soul, and forget not all His benefits.*"

Too often in the rush and whirl of life's activities do we forget Thee, O God, and Thy manifold blessings. Too often do we wander from the paths of rectitude and duty in a selfish desire to promote our ends. Take us, we beseech Thee, into Thy nearer presence, as we thus enter upon the labors of a new week, that we may be worthy of Thy preferments. In the name and spirit of the Christ. Amen.

The Journal of the proceedings of Friday, November 7, 1913, was read and approved.

BRIDGE OVER SNAKE RIVER, IDAHO AND WASH.

Mr. SMITH of Idaho. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce be discharged from the consideration of Senate bill 2779 and that it be put upon its passage.

Mr. JOHNSON of Kentucky. I reserve the right to object, Mr. Speaker.

The SPEAKER. The gentleman from Idaho [Mr. SMITH] asks unanimous consent that Senate bill 2779 shall be taken up for present consideration.

Mr. JOHNSON of Kentucky. Mr. Speaker, reserving the right to object, I would like to hear the bill read.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 2779) to authorize the conveyance of the steel bridge over the Snake River, between Lewiston, Idaho, and Clarkston, Wash., to the States of Idaho and Washington or local subdivisions thereof.

Be it enacted, etc., That Lewiston-Concord Bridge Co., a corporation created under the laws of the State of Washington and owning a certain steel bridge over Snake River between Lewiston, Idaho, and Clarkston, Wash., authorized by and constructed under an act entitled "An act to authorize the construction of a steel bridge over the Snake River between the States of Washington and Idaho," approved February 15, 1898, and appearing in volume 30 of United States Statutes at Large, page 245, chapter 24, be, and the same is hereby, authorized and empowered to sell and convey the said bridge to the States of Idaho and Washington, or to any commissions or local subdivisions of such States, and that the said States be, and they are hereby, authorized and empowered to make such provision and enter into such agreements for the maintenance thereof as to the proper public officers may seem expedient, reserving to the United States all rights acquired under the act above mentioned.

The SPEAKER. Is there objection?

Mr. HAMLIN. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman if the Committee on Interstate and Foreign Commerce has taken any action on this bill?

Mr. SMITH of Idaho. No. The committee has not had an opportunity to do so. This bill passed the Senate on last Thursday and was brought over here on Friday, but on account of the urgency of the legislation it was believed that when the House understood the provisions there would be no possible objection. It simply proposes to transfer the title to the bridge from a private corporation to the States of Washington and Idaho, the river forming the boundary between these two States.

Mr. HAMLIN. There never has been a similar bill introduced in the House?

Mr. SMITH of Idaho. I am not advised as to that.

Mr. HAMLIN. Does the gentleman know whether or not the matter has been pending before the Interstate and Foreign Commerce Committee?

The SPEAKER. The Chair will state that it has not been before the House heretofore, because there has been no report from the committee. When the bill came over here the gentleman asked to have it placed on the Speaker's table in order that he might have an opportunity to call it up.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. HAMLIN. Certainly.

Mr. MANN. This, as I understand, is what is called a toll bridge owned by a private company?

Mr. SMITH of Idaho. Yes.

Mr. MANN. And the purpose is to permit the private company to sell the bridge to the States of Washington and Idaho?

Mr. SMITH of Idaho. Yes.

Mr. MANN. And those States expect to maintain it as a free bridge?

Mr. SMITH of Idaho. Yes.

Mr. MANN. My recollection, based upon an examination of the bill as it passed the Senate, is that it would not be necessary for Congress to act upon it at all.

Mr. HAMLIN. I was just going to suggest that.

Mr. MANN. Except for the fact that the Legislature of the State of Washington, in passing the law, provided that the State should take over the bridge, and put in a provision to the effect that it must be consented to by Congress. I will say to the gentleman that if the bill comes before the House I expect to offer an amendment to it.

Mr. HAY. Mr. Speaker, inasmuch as the gentleman from Illinois [Mr. MANN] has uniformly made objection to every bill which has been called up on this side of the House, I object.

Mr. MANN. I will say, Mr. Speaker, to the gentleman from Virginia that I have not uniformly objected, and that a number of bills have passed; but I shall be perfectly willing to accept that challenge if the gentleman wishes.

Mr. HAY. Mr. Speaker, I have been here pretty constantly, and I have never yet seen any bill coming from this side of the House escape the objection of the gentleman from Illinois.

Mr. MANN. I think three bills from that side of the House passed in one day without objection here.

Mr. SMITH of Idaho. Mr. Speaker, will the gentleman from Virginia withhold his objection for a moment?

Mr. HAY. I will.

Mr. SMITH of Idaho. The War Department has reported favorably upon this measure, and the urgent reason for its immediate consideration is that the tolls being paid by the people of either side of the river now amount to about $2,000 a month, and the company which has sold the bridge to the States of Washington and Idaho is ready now to turn it over, and all that is needed is simply the formal approval of Congress to the transfer. It would seem to be an imposition on the people there to compel them to pay tolls, when the owners of the bridge are anxious to relinquish the ownership and the States are perfectly willing and ready to take over the bridge.

The SPEAKER. The gentleman from Virginia objects.

STRIKES IN INDIANA.

Mr. MOSS of West Virginia. Mr. Speaker, I offer the resolution which I send to the Speaker's desk.

The SPEAKER. The gentleman from West Virginia offers a resolution, which the clerk will report.

Mr. MANN. Mr. Speaker, does he offer a resolution, or ask unanimous consent for the consideration of it?

Mr. MOSS of West Virginia. I ask unanimous consent for its present consideration.

Mr. JOHNSON of Kentucky. I reserve the right to object, until the resolution is read.

The SPEAKER. The gentleman from West Virginia [Mr. Moss] asks unanimous consent for the present consideration of a resolution, and the gentleman from Kentucky [Mr. JOHNSON] reserves the right to object. The Clerk will read the resolution, and then the Chair will recognize the gentleman from Kentucky.

The Clerk read as follows:

Resolved, That the House Committee on Labor is hereby authorized and directed to make a thorough and complete investigation of the present strikes of the employees of the Terre Haute, Indianapolis & Eastern Traction Co. and the Indiana Union Traction Co., and the recent strike of the employees of the Indianapolis Traction & Terminal Co., for the purpose of ascertaining—

First. Whether or not at the time of the inception of said strikes the said traction companies, or any of them, were engaged in interstate commerce.

Second. Whether or not at the time aforesaid the said traction companies, or any of them, were engaged in the transportation of mail for the United States Government.

Third. The history of the relations of the employers and employees of the respective companies in so far as such history has a bearing on said strikes.

Fourth. Whether or not the said traction companies, or any of them, constitute a monopoly in restraint of trade.

Fifth. The capitalization of said companies and the gross and net earnings thereof for the five years just past.

Sixth. The wages paid by said companies to their employees, respectively, for such time, and whether or not they were just and reasonable, considering the services performed by the employees and the profits so made by said traction companies.

Seventh. Whether or not any Member of the Congress of the United States, either in the Senate or House of Representatives, was during the duration of any of said strikes or is now an officer or stockholder of any of said traction companies.

Eighth. Who is responsible for the injury or death of any persons injured or killed in the progress of such strikes.

Ninth. Whether or not said traction companies resorted to any harsh, unfair, or unreasonable means or measures to compel the acceptance by their employees of the conditions imposed by said traction companies.

Tenth. Whether or not said employees resorted to any harsh, unfair, or unreasonable means or measures to compel said traction companies to acquiesce in their demands.

Such committee, or any subcommittee thereof, is hereby empowered to sit and act during the session or recess of Congress, or either House thereof, at such time and place as it may deem necessary; to require by subpœna or otherwise the attendance of witnesses and the production of papers, books, and documents; to employ stenographers, at a cost not exceeding $1 per printed page, to take and make a record of all evidence taken and received by the committee and keep a record of its proceedings; to have such evidence, record, and other matter required by the committee printed; and to employ such other clerical assistance as may be necessary. The chairman of the committee, or any member thereof, may administer oaths to witnesses. Subpœnas for witnesses shall be issued under the signature of the chairman of the committee or subcommittee thereof. Every person who, having been summoned as a witness by authority of said committee or any subcommittee thereof, willfully makes default, or who, having appeared, refuses to answer any questions pertinent to the investigation herein authorized, shall be held to the penalties provided by section 102 of the Revised Statutes of the United States.

The expenses of the investigation herein ordered shall be paid from the contingent fund of the House on vouchers ordered by said committee, signed by the chairman thereof and approved by the Committee on Accounts.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. JOHNSON of Kentucky. Mr. Speaker, I object, and I move that the House do now adjourn.

Mr. FERGUSSON. I desire to obtain unanimous consent to address the House to-morrow, immediately after the approval of the Journal, on the general subject of party caucuses, not to occupy exceeding 15 minutes.

The SPEAKER. The gentleman from New Mexico asks unanimous consent that he be permitted to address the House for 15 minutes to-morrow, after the reading of the Journal, on the subject of caucuses.

Mr. MOSS of West Virginia. Mr. Speaker, I object.

Mr. BARTHOLDT. Mr. Speaker——

The SPEAKER. The gentleman from Kentucky moves that the House adjourn.

Mr. JOHNSON of Kentucky. I demand the regular order.

ADJOURNMENT.

The SPEAKER. The regular order is the question on the motion of the gentleman from Kentucky that the House do now adjourn.

Mr. MANN. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 53, nays 25, answered "present" 10, not voting 341, as follows:

YEAS—53.

Abercrombie	Hay	McKellar	Sims
Aswell	Heflin	Maguire, Nebr.	Slayden
Beakes	Henry	Mitchell	Smith, Md.
Byrns, Tenn.	Hensley	Moon	Stone
Carlin	Hull	Murray, Mass.	Stout
Casey	Johnson, Ky.	Murray, Okla.	Tavenner
Dent	Keating	Neely, W. Va.	Taylor, Ark.
Donohoe	Kirkpatrick	Oldfield	Ten Eyck
Donovan	Lazaro	Page	Walsh
Evans	Lee, Pa.	Quin	Watkins
Fergusson	Lloyd	Rauch	Webb
Floyd, Ark.	Lobeck	Rouse	
Hamlin	McCoy	Russell	
Hammond	McDermott	Shackleford	

NAYS—25.

Anderson	Curry	MacDonald	Smith, Idaho
Austin	Frear	Moss, W. Va.	Sutherland
Avis	Hawley	Nelson	Towner
Bartholdt	Johnson, Wash.	Patton, Pa.	Woods
Bell, Cal.	Kennedy, Iowa	Plumley	
Browne, Wis.	Kreider	Roberts, Mass.	
Chandler, N. Y.	La Follette	Roberts, Nev.	

ANSWERED "PRESENT"—10

Baltz	Fowler	Mann	Volstead
Browning	French	Smith, Minn.	
Cary	Kinkaid, Nebr.	Stevens, Minn.	

NOT VOTING—341.

Adair	Connolly, Iowa	Gillmore	Kettner
Adamson	Conry	Gittins	Key, Ohio
Aiken	Cooper	Glass	Kiess, Pa.
Alney	Copley	Godwin, N. C.	Kindel
Alexander	Covington	Goeke	Kinkead, N. J.
Allen	Cox	Goldfogle	Kitchin
Ansberry	Cramton	Good	Knowland, J. R.
Anthony	Crisp	Goodwin, Ark.	Konop
Ashbrook	Crosser	Gordon	Korbly
Bailey	Cullop	Gorman	Lafferty
Baker	Curley	Goulden	Langham
Barchfeld	Dale	Graham, Ill.	Langley
Barkley	Danforth	Graham, Pa.	Lee, Ga.
Barnhart	Davenport	Gray	L'Engle
Bartlett	Davis	Green, Iowa	Lenroot
Barton	Decker	Greene, Mass.	Lesher
Bathrick	Deitrick	Greene, Vt.	Lever
Bcall, Tex.	Dershem	Gregg	Levy
Bell, Ga.	Dickinson	Griest	Lewis, Md.
Blackmon	Dies	Griffin	Lewis, Pa.
Booher	Difenderfer	Gudger	Lieb
Borchers	Dillon	Guernsey	Lindbergh
Borland	Dixon	Hamill	Lindquist
Bowdle	Doolittle	Hamilton, Mich.	Linthicum
Bremner	Doremus	Hamilton, N. Y.	Logue
Britten	Doughton	Hardwick	Lonergan
Brockson	Driscoll	Hardy	McAndrews
Brodbeck	Dunn	Harrison	McClellan
Broussard	Dupré	Hart	McGillicuddy
Brown, N. Y.	Dyer	Haugen	McGuire, Okla.
Brown, W. Va.	Eagan	Hayden	McKenzie
Bruckner	Edmonds	Hayes	McLaughlin
Brumbaugh	Engle	Helgesen	Madden
Bryan	Edwards	Helm	Mahan
Buchanan, Ill.	Elder	Helvering	Maher
Buchanan, Tex.	Esch	Hill	Manahan
Bulkley	Estopinal	Hinds	Mapes
Burgess	Fairchild	Hinebaugh	Martin
Burke, Pa.	Faison	Hobson	Merritt
Burke, S. Dak.	Falconer	Holland	Metz
Burke, Wis.	Farr	Houston	Miller
Burnett	Ferris	Howard	Mondell
Butler	Fess	Howell	Montague
Byrnes, S. C.	Fields	Hoxworth	Moore
Calder	Finley	Hughes, Ga.	Morgan, La.
Callaway	Fitzgerald	Hughes, W. Va.	Morgan, Okla.
Campbell	Fitzhenry	Hulings	Morin
Candler, Miss.	Flood, Va.	Humphrey, Wash.	Morrison
Cantrill	Fordney	Humphreys, Miss.	Moss, Ind.
Caraway	Foster	Igoe	Mott
Carew	Francis	Jacoway	Murdock
Carr	Gallagher	Johnson, S. C.	Neeley, Kans.
Carter	Gard	Johnson, Utah	Nolan, J. I.
Church	Gardner	Jones	Norton
Clancy	Garner	Kahn	O'Brien
Clark, Fla.	Garrett, Tenn.	Kelster	Oglesby
Claypool	Garrett, Tex.	Kelley, Mich.	O'Hair
Clayton	George	Kelly, Pa.	O'Leary
Cline	Gerry	Kennedy, Conn.	O'Shaunessy
Collier	Gillett	Kennedy, R. I.	Padgett
Connelly, Kans.		Kent	Palmer
Parker	Rubey	Stedman	Underhill
Patten, N. Y.	Rucker	Steenerson	Underwood
Payne	Rupley	Stephens, Cal.	Vare
Pepper	Sabath	Stephens, Miss.	Vaughan
Peters, Mass.	Saunders	Stephens, Nebr.	Walker
Peters, Me.	Scott	Stephens, Tex.	Wallin
Peterson	Scully	Stevens, N. H.	Watkins
Phelan	Seldomridge	Stringer	Watson
Platt	Sells	Sumners	Weaver
Porter	Sharp	Switzer	Whaley
Post	Sherley	Taggart	Whitacre
Pou	Sherwood	Talbott, Md.	Wilde
Powers	Shreve	Talcott, N. Y.	Williams
Prouty	Sinnott	Taylor, Ala.	Willis
Raesdale	Sisson	Taylor, Colo.	Wilson, Fla.
Ralney	Slemp	Taylor, N. Y.	Wilson, N. Y.
Raker	Sloan	Temple	Winco
Rayburn	Small	Thacher	Winslow
Reed	Smith, J. M. C.	Thomas	Witherspoon
Reilly, Conn.	Smith, N. Y.	Thompson, Okla.	Woodruff
Reilly, Wis.	Smith, Saml. W.	Thomson, Ill.	Young, N. Dak.
Richardson	Smith, Tex.	Townsend	Young, Tex.
Riordan	Sparkman	Treadway	
Rogers	Stafford	Tribble	
Rothermel	Stanley	Tuttle	

So the motion to adjourn was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SCULLY with Mr. BROWNING.

Mr. METZ with Mr. WALLIN.

Mr. HOBSON with Mr. FAIRCHILD.

Mr. BARTLETT with Mr. BUTLER.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. UNDERWOOD with Mr. MANN.

Until further notice:

Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1).

Mr. ASHBROOK with Mr. KAHN.

Mr. BARKLEY with Mr. FALCONER (commencing Oct. 24).

Mr. BAILEY with Mr. FESS.

Mr. BARNHART with Mr. MAPES.

Mr. BELL of Georgia with Mr. DANFORTH.

Mr. BLACKMON with Mr. BARCHFELD.

Mr. BREMNER with Mr. GILLETT.

Mr. BURNETT with Mr. HAYES.

Mr. BYRNES of South Carolina with Mr. MANAHAN.

Mr. BROUSSARD with Mr. KELLEY of Michigan.

Mr. BURKE of Wisconsin with Mr. CARY.

Mr. BRUMBAUGH with Mr. LINDQUIST.

Mr. CLAYTON with Mr. MONDELL.

Mr. CLAYPOOL with Mr. BRYAN.

Mr. CLARK of Florida with Mr. WOODRUFF.

Mr. CANTRILL with Mr. HELGESEN.

Mr. CADAWAY with Mr. KENNEDY of Rhode Island.

Mr. CHURCH with Mr. HULINGS.

Mr. CRISP with Mr. HINDS (transferable).

Mr. CLANCY with Mr. HAMILTON of New York.

Mr. COVINGTON with Mr. MILLER.

Mr. CARTER with Mr. MCGUIRE of Oklahoma.

Mr. CLINE with Mr. NORTON (commencing Oct. 1).

Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.

Mr. COX with Mr. MURDOCK.

Mr. DECKER with Mr. MOORE.

Mr. DEITRICK with Mr. YOUNG of North Dakota.

Mr. DIES with Mr. SWITZER.

Mr. DOUGHTON with Mr. MOTT.

Mr. DUPRÉ with Mr. ANTHONY.

Mr. ELDER with Mr. STEENERSON.

Mr. FRANCIS with Mr. HUGHES of West Virginia.

Mr. FITZGERALD with Mr. CALDER.

Mr. FERRIS with Mr. SELLS.

Mr. FIELDS with Mr. LANGLEY.

Mr. FOSTER with Mr. GREENE of Vermont (commencing Oct. 27).

Mr. FINLEY with Mr. GREEN of Iowa.

Mr. GILMORE with Mr. MCKENZIE.

Mr. GOEKE with Mr. LEWIS of Pennsylvania.

Mr. GOODWIN of Arkansas with Mr. PORTER.

Mr. GARNER with Mr. J. I. NOLAN.

Mr. GORDON with Mr. THOMSON of Illinois.

Mr. GARRETT of Tennessee with Mr. LANGHAM.

Mr. GUDGER with Mr. MOORE.

Mr. HAYDEN with Mr. LAFFERTY.

Mr. HARRISON with Mr. GRAHAM of Pennsylvania.

Mr. HOWARD with Mr. GRIEST.

Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).

Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).

Mr. HOUSTON with Mr. WILLIS.

Mr. HUGHES of Georgia with Mr. KIESS of Pennsylvania.

Mr. HUMPHREYS of Mississippi with Mr. CRAMTON.

Mr. JACOWAY with Mr. FRENCH.

Mr. IGOE with Mr. PROUTY.

Mr. JOHNSON of South Carolina with Mr. RUPLEY.
Mr. JONES with Mr. HINEBAUGH.
Mr. KITCHIN with Mr. PAYNE.
Mr. KEY of Ohio with Mr. FAIR.
Mr. KONOP with Mr. MORIN.
Mr. KETTNER with Mr. SCOTT.
Mr. LEE of Georgia with Mr. KEISTER.
Mr. LONERGAN with Mr. ROGERS.
Mr. MCGILLICUDDY with Mr. GUERNSEY.
Mr. MONTAGUE with Mr. VARE.
Mr. MORRISON with Mr. HUMPHREY of Washington.
Mr. PETERSON with Mr. PLATT (commencing Oct. 13).
Mr. PHELAN with Mr. SMITH of Minnesota (Oct. 24 to Nov. 15).
Mr. POST with Mr. COPLEY.
Mr. RAINEY with Mr. MADDEN.
Mr. RAKER with Mr. DUNN.
Mr. REILLY of Connecticut with Mr. DYER.
Mr. RUCKER with Mr. HAUGEN.
Mr. RICHARDSON with Mr. MARTIN.
Mr. RUBEY with Mr. TREADWAY.
Mr. SHERWOOD with Mr. SAMUEL W. SMITH.
Mr. SHERLEY with Mr. COOPER (Oct. 23 to Nov. 15).
Mr. SISSON with Mr. CAMPBELL.
Mr. SMALL with Mr. J. R. KNOWLAND.
Mr. SPARKMAN with Mr. HOWELL.
Mr. SUMNERS with Mr. ESCH.
Mr. SAUNDERS with Mr. AINEY.
Mr. SMITH of Texas with Mr. MCLAUGHLIN.
Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.
Mr. STEPHENS of Nebraska with Mr. SLOAN.
Mr. TALBOTT of Maryland with Mr. MERRITT.
Mr. TAYLOR of Alabama with Mr. PETERS of Maine.
Mr. THOMPSON of Oklahoma with Mr. BARTON.
Mr. UNDERHILL with Mr. WALTERS.
Mr. WILLIAMS with Mr. BRITTEN.
Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).
Mr. WINGO with Mr. PARKER.
Mr. WEAVER with Mr. BURKE of Pennsylvania.
Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).
Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).
Mr. REED with Mr. WINSLOW (commencing Oct. 1, for remainder of extra session).
Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, except on cotton-futures amendment).
Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, and for balance of session).
Mr. CURLEY with Mr. SHREVE.
Mr. BULKLEY with Mr. DILLON.
Mr. TOWNSEND with Mr. TEMPLE.
Mr. WHITE with Mr. DAVIS.
Mr. STEDMAN with Mr. JOHNSON of Utah.
Mr. DIFENDERFER with Mr. POWERS.
Mr. WATSON with Mr. SINNOTT.

Mr. KINKAID of Nebraska. Mr. Speaker, I voted "no" on the roll call, but I find I am paired with Mr. DICKINSON, and I wish to withdraw my vote and answer "present."

Mr. MANN. Mr. Speaker, I voted "no." I am paired with the gentleman from Alabama, Mr. UNDERWOOD. I desire to withdraw that vote and be recorded as present.

Mr. SMITH of Minnesota. Mr. Speaker, I voted "no" on the roll call. I find that I am paired with Mr. PHELAN, of Massachusetts. I desire to withdraw my vote and answer "present."

The result of the vote was then announced as above recorded.

Accordingly (at 12 o'clock and 40 minutes p. m.) the House adjourned until to-morrow, Tuesday, November 11, 1913, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of War, trausmitting plans and detailed estimates for the construction of barracks and quarters for the garrisons of the mobile army and Coast Artillery in the island of Oahu and in the Panama Canal Zone, in accordance with the provisions of the act of Congress approved June 23, 1913 (H. Doc. No. 276); to the Committee on Appropriations and ordered to be printed, with illustrations.

2. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Mackinac Harbor, Mich. (H. Doc. No. 274); to the Committee on Rivers and Harbors and ordered to be printed with accompanying illustrations.

3. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Salmon River, N. Y. (H. Doc. No. 275); to the Committee on Rivers and Harbors and ordered to be printed with accompanying illustrations.

4. A letter from the Assistant Clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of heirs of W. O. B. Whatley v. United States (H. Doc. No. 273); to the Committee on War Claims and ordered to be printed.

5. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report on examination of New River, N. C., from Jacksonville as far up as practicable (H. Doc. No. 277); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 5827) granting a pension to Rosana Wavell, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BARTHOLDT: A bill (H. R. 9245) to provide for the enlargement of the United States post-office building at St. Louis, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. MANN: Resolution (H. Res. 304) directing the Secretary of State to transmit to the House of Representatives certain information relating to treaties with foreign countries; to the Committee on Foreign Affairs.

Also, resolution (H. Res. 305) directing the Secretary of State, if not incompatible with the public interests, to transmit to the House of Representatives a copy of any opinion prepared by any official in or under the Department of State relating to subsection 7 of paragraph J of section 4 of the Underwood tariff law; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARY: A bill (H. R. 9246) granting a pension to Jennie Haas; to the Committee on Invalid Pensions.

By Mr. DALE: A bill (H. R. 9247) granting an increase of pension to Charles H. Furness; to the Committee on Invalid Pensions.

By Mr. EAGAN: A bill (H. R. 9248) granting a pension to Frederick Antoni; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9249) granting a pension to Augusta D. Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9250) granting a pension to Elizabeth Dippel; to the Committee on Invalid Pensions.

By Mr. MAHAN: A bill (H. R. 9251) granting a pension to Emma M. Magginnis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9252) granting a pension to Ellen Hopper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9253) granting an increase of pension to Benjamin Kelsey; to the Committee on Pensions.

Also, a bill (H. R. 9254) granting an honorable discharge to Edwin S. Brown; to the Committee on Military Affairs.

By Mr. RUSSELL: A bill (H. R. 9255) granting an increase of pension to Carroll B. Beasley; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AIKEN: Petition of the business men of Pelzer, S. C., favoring passage of House bill 5308, relative to mail-order houses; to the Committee on Ways and Means.

By Mr. CARY: Petition of the Milwaukee Stamping Co., of West Allis, Wis., protesting against passage of section 3 of House bill 7395; to the Committee on Ways and Means.

By Mr. CURLEY: Petition of the Boston Typographical Union, No. 13, relative to investigation of the mines in the copper regions of northern Michigan; to the Committee on the Judiciary.

By Mr. DALE: Petitions of sundry business men of the State of New York, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. MAHAN: Papers to accompany a bill granting an honorable discharge to Edwin S. Brown; to the Committee on Military Affairs.

HOUSE OF REPRESENTATIVES.

TUESDAY, *November 11, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Blessed be the name of the Lord, our God, whose mercy is from everlasting to everlasting and whose fatherly love is ever seeking the hearts of His children. We rejoice that we are involved in that love; that nothing can separate us from it. To the willful sinner it becomes a consuming fire, which shall never cease until the most obdurate heart shall turn for forgiveness and succor. May we be responsive to its call and find peace, joy, and comfort in His will after the manner of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

PARTY CAUCUS.

Mr. FERGUSSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the party caucus.

The SPEAKER. The gentleman from New Mexico [Mr. FERGUSSON] asks unanimous consent to extend his remarks in the RECORD on the subject of the party caucus. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

PROTECTION OF AMERICAN CITIZENS ABROAD.

Mr. BARTHOLDT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an article written by Charles Fletcher Dole on the subject of the protection of American citizens abroad.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed, without amendment, bill of the following title:

H. R. 7384. An act to authorize the payment of an indemnity to the Italian Government for the killing of Angelo Albano, an Italian subject.

WITHDRAWAL OF PAPERS—WILLIAM BARTH.

By unanimous consent, leave was granted to Mr. CURRY to withdraw from the files of the House, without leaving copies, the papers in the case of William Barth, H. R. 12383, Sixty-second Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BUCHANAN of Illinois, indefinitely, on account of illness.

THE WHIPPING POST.

Mr. EVANS. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution.

Whereas it appears from dispatches published in the public prints that six prisoners—two white men and four negroes—all convicted of robbery, were whipped on their bare backs, with a total of 95 lashes, at the Newcastle County workhouse, in the State of Delaware, on November 8, 1913; and

Whereas it further appears that two of said prisoners, James Bayard and William Beason, negroes, each received 20 lashes for burglary; and

Whereas it further appears that on Saturday next, November 15, these two men will each receive a similar number of lashes on the bare back, and in addition Bayard is sentenced to serve 14 years in prison and Beason 11 years; and

Whereas it further appears that the court divided the administration of the lashes for fear the victims could not stand the penalty all at once; and

Whereas the eighth amendment to the Constitution of the United States of America provides that "cruel and unusual punishments shall not be inflicted"; and

Whereas it is manifest from the fact that the court divided the imposition of the number of lashes for fear of causing the death of the victims that such punishment is cruel; and

Whereas such method of punishment is a relic of medieval barbarism and is not generally practiced in civilized countries and is therefore unusual: Therefore be it

Resolved, That the President of the United States and the Attorney General of the United States are hereby authorized and directed to cause to be brought in the Federal courts an injunction proceeding against the State of Delaware, or the officials and employees of such State who may be responsible for the condition of affairs above set forth, or that the President and Attorney General take such other action as in their judgment may be proper to enforce the provisions of the Federal Constitution and prevent the infliction of this cruel and unusual punishment upon these prisoners on Saturday next, November 15, and to prevent the practice of such cruelties hereafter in said State of Delaware or elsewhere in the United States of America.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question.

Mr. CARLIN. Mr. Speaker, meanwhile I also reserve the right to object.

Mr. MANN. As I understand the resolution presented—and I think I have seen a copy of it before—it provides that the Attorney General shall endeavor to enjoin the State of Delaware from the enforcement of one of its laws providing for the punishment of criminal offenses. Is that correct?

Mr. EVANS. Yes.

Mr. MANN. Mr. Speaker, I think that is a matter too important to be disposed of by a scant minority of the House, and I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present, and evidently there is not.

ADJOURNMENT.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

The question was taken.

Mr. MANN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 60, nays 25, answered "present" 11, not voting 333, as follows:

YEAS—60.

Abercrombie	Floyd, Ark.	Lloyd	Slackleford
Aswell	George	Lobeck	Sims
Baltz	Glass	McCoy	Small
Beakes	Hamlin	McDermott	Smith, Md.
Bowdle	Hammond	McKellar	Smith, N. Y.
Brodbeck	Hay	Macalpe, Nebr.	Stone
Byrns, Tenn.	Henry	Mitchell	Stout
Carlin	Hensley	Moon	Taggart
Casey	Hull	Murray, Okla.	Tavenner
Dent	Johnson, Ky.	Oldfield	Taylor, Ark.
Dershem	Keating	O'Leary	Ten Eyck
Donohoe	Kirkpatrick	Page	Tuttle
Doremus	Lazaro	Quin	Walsh
Evans	Lee, Pa.	Rouse	Watkins
Fergusson	Linthicum	Russell	Watson

NAYS—25.

Anderson	Post	Kreider	Smith, Idaho
Austin	Prear	La Follette	Sutherland
Bell, Cal.	Gillett	MacDonald	Towner
Browne, Wis.	Hawley	Moss, W. Va.	Woods
Chandler, N. Y.	Johnson, Utah	Patton, Pa.	
Curry	Johnson, Wash.	Plumley	
Donovan	Kless, Pa.	Powers	

ANSWERED "PRESENT"—11.

Bartholdt	French	Lesher	Smith, Minn.
Cary	Kennedy, Iowa	Mann	Stevens, Minn.
Fowler	Kinkaid, Nebr.	Reed	

NOT VOTING—333.

Adair	Cantrill	Estopinal	Hart
Adamson	Carraway	Fairchild	Haugen
Aiken	Carew	Faison	Hayden
Ainey	Carr	Falconer	Hayes
Alexander	Carter	Farr	Heflin
Allen	Church	Ferris	Helgesen
Ansberry	Clancy	Fields	Helm
Anthony	Clark, Fla.	Finley	Hensley
Ashbrook	Claypool	Fitzgerald	Hill
Avis	Clayton	Fitzhenry	Hinds
Bailey	Cline	Flood, Va.	Hinebaugh
Baker	Collier	Fordney	Hobson
Barchfeld	Connelly, Kans.	Foster	Holland
Barkley	Connolly, Iowa	Francis	Houston
Barnhart	Conry	Gallagher	Howard
Bartlett	Cooper	Gard	Howell
Barton	Copley	Gardner	Hoxworth
Bathrick	Covington	Garner	Hughes, Ga.
Beall, Tex.	Cox	Garrett, Tenn.	Hughes, W. Va.
Bell, Ga.	Cramton	Garrett, Tex.	Hullings
Blackmon	Crisp	Gerry	Humphrey, Wash.
Booher	Cresser	Gilmore	Humphreys, Miss.
Borchers	Cullop	Glatfus	Igoe
Borland	Curley	Godwin, N. C.	Jacoway
Bremner	Dale	Gooke	Johnson, S. C.
Britten	Danforth	Goldfogle	Jones
Brockson	Davenport	Good	Kahn
Broussard	Davis	Goodwin, Ark.	Keister
Brown, N. Y.	Decker	Gordon	Kelley, Mich.
Brown, W. Va.	Deitrick	Gorman	Kelly, Pa.
Browning	Dickinson	Goulden	Kennedy, Conn.
Bruckner	Dies	Graham, Ill.	Kennedy, R. I.
Brumbaugh	Difenderfer	Graham, Pa.	Kent
Bryan	Dillon	Gray	Kettner
Buchanan, Ill.	Dixon	Green, Iowa	Key, Ohio
Buchanan, Tex.	Dooling	Greene, Mass.	Kindel
Bulkley	Doolittle	Greene, Vt.	Kinkead, N. J.
Burgess	Doughton	Gregg	Kitchin
Burke, Pa.	Driscoll	Griest	Knowland, J. R.
Burke, S. Dak.	Dunn	Griffin	Konop
Burke, Wis.	Dupré	Gudger	Korbly
Burnett	Dyer	Guernsey	Lafferty
Butler	Eagan	Hamill	Langham
Byrnes, S. C.	Eagle	Hamilton, Mich.	Langley
Calder	Edmonds	Hamilton, N. Y.	Lee, Ga.
Callaway	Edwards	Hardwick	L'Engle
Campbell	Elder	Hardy	Lenroot
Candler, Miss.	Esch	Harrison	Lever

Levy	Nelson	Rucker	Taylor, Colo.
Lewis, Md.	Nolan, J. I.	Rupley	Taylor, N. Y.
Lewis, Pa.	Norton	Sabath	Temple
Lieb	O'Brien	Saunders	Thacher
Lindbergh	Oglesby	Scott	Thomas
Lindquist	O'Hair	Scully	Thompson, Okla.
Logue	O'Shaunessy	Seldomridge	Thomson, Ill.
Lonergan	Padgett	Sells	Townsend
McAndrews	Palmer	Sharp	Treadway
McClellan	Parker	Sherley	Tribble
McGillicuddy	Patten, N. Y.	Sherwood	Underhill
McGuire, Okla.	Payne	Shreve	Underwood
McKenzie	Pepper	Sinnott	Vare
McLaughlin	Peters, Mass.	Sisson	Vaughan
Madden	Peters, Me.	Slayden	Volstead
Mahan	Peterson	Slemp	Walker
Maher	Phelan	Sloan	Wallin
Manahan	Platt	Smith, J. M. C.	Walters
Mapes	Porter	Smith, Saml. W.	Weaver
Martin	Post	Smith, Tex.	Webb
Merritt	Pou	Sparkman	Whaley
Metz	Prouty	Stafford	Whitacre
Miller	Ransdale	Stanley	White
Mondell	Rainey	Stedman	Williams
Montague	Raker	Steenerson	Willis
Moore	Rauch	Stephens, Cal.	Wilson, Fla.
Morgan, La.	Rayburn	Stephens, Miss.	Wilson, N. Y.
Morgan, Okla.	Reilly, Conn.	Stephens, Nebr.	Wingo
Morin	Reilly, Wis.	Stephens, Tex.	Winslow
Morrison	Richardson	Stevens, N. H.	Witherspoon
Moss, Ind.	Riordan	Stringer	Woodruff
Mott	Roberts, Mass.	Sumners	Young, N. Dak.
Murdock	Roberts, Nev.	Switzer	Young, Tex.
Murray, Mass.	Rogers	Talbott, Md.	
Neeley, Kans.	Rothermel	Talcott, N. Y.	
Neeley, W. Va.	Rubey	Taylor, Ala.	

So the motion to adjourn was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.
Mr. SCULLY with Mr. BROWNING.
Mr. METZ with Mr. WALLIN.
Mr. HOBSON with Mr. FAIRCHILD.
Mr. BARTLETT with Mr. BUTLER.
Mr. ADAMSON with Mr. STEVENS of Minnesota.
Mr. UNDERWOOD with Mr. MANN.

Until further notice:

Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1).
Mr. ASHBROOK with Mr. KAHN.
Mr. BARKLEY with Mr. FALCONER (commencing Oct. 24).
Mr. BARNHART with Mr. MAPES.
Mr. BELL of Georgia with Mr. DANFORTH.
Mr. BLACKMON with Mr. BARCHFELD.
Mr. BREMNER with Mr. ROBERTS of Massachusetts.
Mr. BURNETT with Mr. HAYES.
Mr. BYRNES of South Carolina with Mr. MANAHAN.
Mr. BROUSSARD with Mr. KELLEY of Michigan.
Mr. BULKLEY with Mr. DILLON.
Mr. BURKE of Wisconsin with Mr. CARY.
Mr. BRUMBAUGH with Mr. LINDQUIST.
Mr. CANDLER of Mississippi with Mr. J. R. KNOWLAND.
Mr. CLAYTON with Mr. MONDELL.
Mr. CLAYPOOL with Mr. BRYAN.
Mr. CLARK of Florida with Mr. WOODRUFF.
Mr. CANTRILL with Mr. HELGESEN.
Mr. CARAWAY with Mr. KENNEDY of Rhode Island.
Mr. CHURCH with Mr. HULINGS.
Mr. CRISP with Mr. HINDS (transferable).
Mr. CLANCY with Mr. HAMILTON of New York.
Mr. COVINGTON with Mr. MILLER.
Mr. CARTER with Mr. MCGUIRE of Oklahoma.
Mr. CLINE with Mr. NORTON (commencing Oct. 1).
Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.
Mr. COX with Mr. MURDOCK.
Mr. CURLEY with Mr. SHREVE.
Mr. DEITRICK with Mr. YOUNG of North Dakota.
Mr. DIES with Mr. SWITZER.
Mr. DOUGHTON with Mr. MOTT.
Mr. DUPRÉ with Mr. ANTHONY.
Mr. ELDER with Mr. STEENERSON.
Mr. FRANCIS with Mr. HUGHES of West Virginia.
Mr. FITZGERALD with Mr. CALDER.
Mr. FERRIS with Mr. SELLS.
Mr. FIELDS with Mr. LANGLEY.
Mr. FOSTER with Mr. GREENE of Vermont (commencing Oct. 27).
Mr. FINLEY with Mr. GREEN of Iowa.
Mr. GILMORE with Mr. MCKENZIE.
Mr. GOEKE with Mr. LEWIS of Pennsylvania.
Mr. GOODWIN of Arkansas with Mr. PORTER.
Mr. GARNER with Mr. J. I. NOLAN.
Mr. GORDON with Mr. THOMSON of Illinois.
Mr. GARRETT of Tennessee with Mr. LANGHAM.
Mr. GUDGER with Mr. MOORE.
Mr. HAYDEN with Mr. LAFFERTY.
Mr. HARRISON with Mr. GRAHAM of Pennsylvania.
Mr. HOWARD with Mr. GRIEST.
Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).
Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).
Mr. HOUSTON with Mr. WILLIS.
Mr. HUGHES of Georgia with Mr. AVIS.
Mr. HUMPHREYS of Mississippi with Mr. CRAMTON.
Mr. JACOWAY with Mr. FRENCH.
Mr. IGOE with Mr. PROUTY.
Mr. JOHNSON of South Carolina with Mr. RUPLEY.
Mr. JONES with Mr. HINEBAUGH.
Mr. KITCHIN with Mr. PAYNE.
Mr. KEY of Ohio with Mr. FARR.
Mr. KONOP with Mr. MORIN.
Mr. KETTNER with Mr. SCOTT.
Mr. LEE of Georgia with Mr. KEISTER.
Mr. LONERGAN with Mr. ROGERS.
Mr. MCGILLICUDDY with Mr. GUERNSEY.
Mr. MONTAGUE with Mr. VARE.
Mr. MORRISON with Mr. HUMPHREY of Washington.
Mr. PEPPER with Mr. KENNEDY of Iowa.
Mr. PETERSON with Mr. PLATT (commencing Oct. 13).
Mr. PHELAN with Mr. SMITH of Minnesota (Oct. 24 to Nov. 15).
Mr. POST with Mr. COPLEY.
Mr. RAINEY with Mr. MADDEN.
Mr. RAKER with Mr. DUNN.
Mr. REILLY of Connecticut with Mr. DYER.
Mr. RUCKER with Mr. HAUGEN.
Mr. RICHARDSON with Mr. MARTIN.
Mr. RUBEY with Mr. TREADWAY.
Mr. SHERWOOD with Mr. SAMUEL W. SMITH.
Mr. SHERLEY with Mr. COOPER (Oct. 23 to Nov. 15).
Mr. SISSON with Mr. CAMPBELL.
Mr. SPARKMAN with Mr. HOWELL.
Mr. SUMNERS with Mr. ESCH.
Mr. SAUNDERS with Mr. AINEY.
Mr. SMITH of Texas with Mr. MCLAUGHLIN.
Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.
Mr. STEPHENS of Nebraska with Mr. SLOAN.
Mr. TALBOTT of Maryland with Mr. MERRITT.
Mr. TAYLOR of Alabama with Mr. PETERS of Maine.
Mr. THOMPSON of Oklahoma with Mr. BARTON.
Mr. TOWNSEND with Mr. TEMPLE.
Mr. UNDERHILL with Mr. WALTERS.
Mr. WHITE with Mr. DAVIS.
Mr. WILLIAMS with Mr. BRITTEN.
Mr. YOUNG of Texas with Mr. ROBERTS of Nevada.
Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).
Mr. WINGO with Mr. PARKER.
Mr. WEAVER with Mr. BURKE of Pennsylvania.
Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).
Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).
Mr. REED with Mr. WINSLOW (commencing Oct. 1, for remainder of extra session).
Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, except on cotton-futures amendment).
Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, and for balance of session).

Mr. SMITH of Minnesota. Mr. Speaker, I voted "no." I am paired with Mr. PHELAN, of Massachusetts, and I wish to change my vote to "present."

The name of Mr. SMITH of Minnesota was called, and he answered "Present."

Mr. KINKAID of Nebraska. Mr. Speaker, I voted "no." I am paired with the gentleman from Missouri, Mr. DICKINSON, and I desire to withdraw that vote and answer "present."

The name of Mr. KINKAID of Nebraska was called, and he answered "Present."

The result of the vote was announced as above recorded.

Accordingly (at 12 o'clock and 33 minutes p. m.) the House adjourned to meet to-morrow, Wednesday, November 12, 1913, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LOBECK: A bill (H. R. 9256) to regulate the construction and operation of elevators in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. AUSTIN: Joint resolution (H. J. Res. 149) providing for a gift by the United States to the Mount Vernon Association of certain relics, souvenirs, etc., of ex-President George Washington; to the Committee on the Library.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRITTEN: A bill (H. R. 9257) granting an increase of pension to Jacob L. Biddinger; to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 9258) granting a pension to William W. Burke; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9259) granting an increase of pension to Jacob R. Deardorff; to the Committee on Invalid Pensions.

By Mr. LLOYD: A bill (H. R. 9260) granting an increase of pension to Harvey Moore; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 9261) for the relief of Mary A. Coleman; to the Committee on War Claims.

Also, a bill (H. R. 9262) for the relief and benefit of the estate of Jesse Lee, deceased; to the Committee on Claims.

Also, a bill (H. R. 9263) granting an increase of pension to Thomas Carder; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AUSTIN: Evidence in support of House bill 9063, for the relief of the heirs of Joseph A. Mabry; to the Committee on War Claims.

By Mr. DALE: Petitions of sundry business firms of the State of New York, favoring passage of the Bartlett bill for 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. GRAHAM of Pennsylvania: Petitions of the Philadelphia Board of Trade, Philadelphia Chamber of Commerce, Philadelphia Commercial Exchange, and the Philadelphia Bourse, protesting against certain provisions of the Owen-Glass banking and currency bill; to the Committee on Banking and Currency.

By Mr. JOHNSON of Washington: Petition of the Centralia Commercial Club, of Centralia, Wash., favoring the protection of the lower Mississippi River Valley from floods; to the Committee on Rivers and Harbors.

By Mr. LEE of Pennsylvania: Memorial of the Philadelphia Board of Trade, Philadelphia Chamber of Commerce, Philadelphia Commercial Exchange, and the Philadelphia Bourse, protesting against certain provisions of the Owen-Glass banking and currency bill; to the Committee on Banking and Currency.

By Mr. MACDONALD: Petition of Henry Marquette and sundry citizens of the county of Menominee, State of Michigan, favoring the passage of House bill 4981, known as the pure fabric and leather bill; to the Committee on Interstate and Foreign Commerce.

By Mr. REILLY of Connecticut: Memorial of citizens of New Haven, Conn., protesting against the imputation against the Jewish race involved in the so-called ritual murder trial taking place in Kief, Russia; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *November 12, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, who sendest the rain and the sunshine and scattereth the hoar frost like ashes and covereth the earth with snow and ice, temper the winds to the shorn lamb by opening the hearts of those whom Thou hast blest with plenty to deeds of kindness and generosity; that those in the storm-swept and snow-bound regions may be relieved in this hour of distress; and teach us anew to realize how utterly dependent we are upon Thee and upon one another, that we may be drawn closer together in the ties of brotherhood, and as a people under one flag whose common interests are the same. Hear us, our God and our Father. In His name, amen.

The Journal of the proceedings of yesterday was read and approved.

ENROLLED BILL SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 7384. An act to authorize the payment of an indemnity to the Italian Government for the killing of Angelo Albano, an Italian subject.

ADJOURNMENT.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON] moves that the House adjourn. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the "ayes" seemed to have it.

Mr. MANN. I ask for the yeas and nays.

The SPEAKER. The gentleman from Illinois [Mr. MANN] demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until they are counted. [After counting]. Evidently a sufficient number has arisen, and the Clerk will call the roll.

The question was taken; and there were—yeas 63, nays 26, answered "present" 15, not voting 325, as follows:

YEAS—63.

Abercrombie	Flood, Va.	Lesher	Russell
Aswell	Floyd, Ark.	Lloyd	Shackleford
Baltz	George	Lobeck	Sims
Benkes	Glass	McCoy	Small
Bowdle	Hamlin	McKellar	Smith, Md.
Brockson	Hammond	Maguire, Nebr.	Smith, N. Y.
Brodbeck	Hay	Mitchell	Stone
Byrns, Tenn.	Henry	Moon	Stout
Casey	Hensley	Murray, Okla.	Tavenner
Dent	Hull	Oldfield	Taylor, Ark.
Dershem	Johnson, Ky.	O'Leary	Ten Eyck
Donohoe	Keating	Page	Tuttle
Doremus	Kirkpatrick	Pou	Walsh
Estopinal	Konop	Quin	Watson
Evans	Lazaro	Rauch	Webb
Fergusson	Lee, Pa.	Rouse	

NAYS—26.

Anderson	Frear	Manahan	Sinnott
Austin	Gillett	Moss, W. Va.	Smith, Idaho
Bell, Cal.	Hawley	Nelson	Sutherland
Browne, Wis.	Johnson, Utah	Patton, Pa.	Towner
Curry	Johnson, Wash.	Plumley	Woods
Davis	La Follette	Powers	
Donovan	MacDonald	Roberts, Mass.	

ANSWERED "PRESENT"—15.

Bartholdt	French	Logue	Smith, Minn.
Booher	Igoe	Mann	Stevens, Minn.
Cary	Kennedy, Iowa	Reed	Volstead
Fowler	Klukaid, Nebr.	Reilly, Conn.	

NOT VOTING—325.

Adair	Cline	Gittins	Kettner
Adamson	Collier	Godwin, N. C.	Key, Ohio
Aiken	Connelly, Kans.	Goeke	Kiess, Pa.
Ainey	Connolly, Iowa	Goldfogle	Kindel
Alexander	Conry	Good	Kinkead, N. J.
Allen	Cooper	Goodwin, Ark.	Kitchin
Ansberry	Copley	Gordon	Knowland, J. R.
Anthony	Covington	Gorman	Korbly
Ashbrook	Cox	Goulden	Kreider
Avis	Cramton	Graham, Ill.	Lafferty
Bailey	Crisp	Graham, Pa.	Langham
Baker	Crosser	Gray	Langley
Barchfeld	Cullop	Green, Iowa	Lee, Ga.
Barkley	Curley	Greene, Mass.	L'Engle
Barnhart	Dale	Greene, Vt.	Lenroot
Bartlett	Danforth	Gregg	Lever
Barton	Davenport	Griest	Levy
Bathrick	Decker	Griffin	Lewis, Md.
Beall, Tex.	Deitrick	Gudger	Lewis, Pa.
Bell, Ga.	Dickinson	Guernsey	Lieb
Blackmon	Dies	Hamill	Lindbergh
Borchers	Difenderfer	Hamilton, Mich.	Lindquist
Borland	Dillon	Hamilton, N. Y.	Linthicum
Bremner	Dixon	Hardwick	Lonergan
Britten	Dooling	Hardy	McAndrews
Broussard	Doolittle	Harrison	McClellan
Brown, N. Y.	Doughton	Hart	McDermott
Brown, W. Va.	Driscoll	Haugen	McGillicuddy
Browning	Dunn	Hayden	McGuire, Okla.
Bruckner	Dupré	Hayes	McKenzie
Brumbaugh	Dyer	Helgesen	McLaughlin
Bryan	Eagan	Helm	Madden
Buchanan, Ill.	Eagle	Helvering	Mahan
Buchanan, Tex.	Edmonds	Higgins	Maher
Bulkley	Edwards	Hill	Mapes
Burgess	Elder	Hinds	Martin
Burke, Pa.	Esch	Hinebaugh	Merritt
Burke, S. Dak.	Fairchild	Hobson	Metz
Burke, Wis.	Falconer	Holland	Miller
Burnett	Farr	Houston	Mondell
Butler	Ferris	Howard	Montague
Byrnes, S. C.	Fess	Howell	Moore
Calder	Fields	Hoxworth	Morgan, La.
Callaway	Finley	Hughes, Ga.	Morgan, Okla.
Campbell	Fitzgerald	Hughes, W. Va.	Morin
Candler, Miss.	Fitzhenry	Hulings	Morrison
Cantrill	Fordney	Humphrey, Wash.	Moss, Ind.
Caraway	Foster	Humphreys, Miss.	Mott
Carew	Francis	Jacoway	Murdock
Carlin	Gallagher	Johnson, S. C.	Murray, Mass.
Carr	Gard	Jones	Neeley, Kans.
Carter	Gardner	Kahn	Neeley, W. Va.
Chandler, N. Y.	Garner	Keister	Nolan, J. I.
Church	Garrett, Tenn.	Kelley, Mich.	Norton
Clancy	Garrett, Tex.	Kelly, Pa.	O'Brien
Clark, Fla.	Gerry	Kennedy, Conn.	Oglesby
Claypool	Gilmore	Kennedy, R. I.	O'Hair
Clayton		Kent	O'Shaunessy

Padgett	Ruiey	Steenerson	Underwood
Palmer	Rucker	Stephens, Cal.	Vare
Parker	Rupley	Stephens, Miss.	Vaughan
Patten, N. Y.	Sabath	Stephens, Nebr.	Walker
Payne	Saunders	Stephens, Tex.	Wallin
Pepper	Scott	Stevens, N. H.	Walters
Peters, Mass.	Scully	Stringer	Watkins
Peters, Me.	Seldomridge	Sumners	Weaver
Peterson	Sells	Switzer	Whaley
Phelan	Sharp	Taggart	Whitacre
Platt	Sherley	Talbott, Md.	White
Porter	Sherwood	Talcott, N. Y.	Williams
Post	Shreve	Taylor, Ala.	Willis
Prouty	Sisson	Taylor, Colo.	Wilson, Fla.
Ragsdale	Slayden	Taylor, N. Y.	Wilson, N. Y.
Rainey	Slemp	Temple	Wingo
Raker	Sloan	Thacher	Winslow
Rayburn	Smith, J. M. C.	Thomas	Witherspoon
Reilly, Wis.	Smith, Saml. W.	Thompson, Okla.	Woodruff
Richardson	Smith, Tex.	Thomson, Ill.	Young, N. Dak.
Riordan	Sparkman	Townsend	Young, Tex.
Roberts, Nev.	Stafford	Treadway	
Rogers	Stanley	Tribble	
Rothermel	Stedman	Underhill	

So the motion to adjourn was agreed to.

The following pairs were announced:

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.

Mr. SCULLY with Mr. BROWNING.

Mr. METZ with Mr. WALLIS.

Mr. HOBSON with Mr. FAIRCHILD.

Mr. BARTLETT with Mr. BUTLER.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. UNDERWOOD with Mr. MANN.

Until further notice:

Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1).

Mr. ASHBROOK with Mr. KAHN.

Mr. BARKLEY with Mr. FALCONER (commencing Oct. 24)

Mr. BARNHART with Mr. MAPES.

Mr. BELL of Georgia with Mr. DANFORTH.

Mr. BLACKMON with Mr. BARCHFELD.

Mr. BURNETT with Mr. HAYES.

Mr. BROUSSARD with Mr. KELLEY of Michigan.

Mr. BULKLEY with Mr. DILLON.

Mr. BURKE of Wisconsin with Mr. CARY.

Mr. BRUMBAUGH with Mr. LINDQUIST (until Nov. 25).

Mr. CANDLER with Mr. J. R. KNOWLAND.

Mr. CLAYTON with Mr. MONDELL.

Mr. CLAYPOOL with Mr. BRYAN.

Mr. CLARK of Florida with Mr. WOODRUFF.

Mr. CANTRILL with Mr. HELGESEN.

Mr. CARAWAY with Mr. KENNEDY of Rhode Island.

Mr. CHURCH with Mr. HULINGS.

Mr. CRISP with Mr. HINDS (transferable).

Mr. CLANCY with Mr. HAMILTON of New York.

Mr. COVINGTON with Mr. MILLER.

Mr. CARTER with Mr. MCGUIRE of Oklahoma.

Mr. CLINE with Mr. NORTON (commencing Oct. 1).

Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.

Mr. COX with Mr. MURDOCK.

Mr. CURLEY with Mr. SHREVE.

Mr. DEITRICK with Mr. YOUNG of North Dakota.

Mr. DIES with Mr. SWITZER.

Mr. DOUGHTON with Mr. MOTT.

Mr. DUPRÉ with Mr. ANTHONY.

Mr. ELDER with Mr. STEENERSON.

Mr. FAISON with Mr. MORIN.

Mr. FRANCIS with Mr. HUGHES of West Virginia.

Mr. FITZGERALD with Mr. CALDER.

Mr. FERRIS with Mr. SELLS.

Mr. FIELDS with Mr. LANGLEY.

Mr. FOSTER with Mr. GREENE of Vermont (commencing Oct. 27).

Mr. FINLEY with Mr. GREEN of Iowa.

Mr. GILMORE with Mr. MCKENZIE.

Mr. GOEKE with Mr. LEWIS of Pennsylvania.

Mr. GOLDFOGLE with Mr. KREIDER.

Mr. GOODWIN of Arkansas with Mr. PORTER.

Mr. GARNER with Mr. J. I. NOLAN.

Mr. GORDON with Mr. THOMSON of Illinois.

Mr. GARRETT of Tennessee with Mr. LANGHAM.

Mr. GUDGER with Mr. MOORE.

Mr. HAYDEN with Mr. LAFFERTY.

Mr. HARRISON with Mr. GRAHAM of Pennsylvania.

Mr. HOWARD with Mr. GRIEST.

Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).

Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).

Mr. HOUSTON with Mr. WILLIS.

Mr. HUGHES of Georgia with Mr. AVIS.

Mr. HUMPHREYS of Mississippi with Mr. CRAMTON.

Mr. JACOWAY with Mr. FRENCH.

Mr. JOHNSON of South Carolina with Mr. RUPLEY.

Mr. JONES with Mr. HINEBAUGH.

Mr. KITCHIN with Mr. PAYNE.

Mr. KEY of Ohio with Mr. FARR.

Mr. KETTNER with Mr. SCOTT.

Mr. LEE of Georgia with Mr. KEISTER.

Mr. LONERGAN with Mr. ROGERS.

Mr. MCGILLICUDDY with Mr. GUERNSEY.

Mr. MONTAGUE with Mr. VARE.

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. MURRAY of Massachusetts with Mr. PROUTY.

Mr. PEPPER with Mr. KENNEDY of Iowa.

Mr. PETERSON with Mr. PLATT (commencing Oct. 13).

Mr. PHELAN with Mr. SMITH of Minnesota (Oct. 24 to Nov. 15).

Mr. POST with Mr. COPLEY.

Mr. RAINEY with Mr. MADDEN.

Mr. RAKER with Mr. DUNN.

Mr. REILLY of Connecticut with Mr. DYER.

Mr. RUCKER with Mr. HAUGEN.

Mr. RICHARDSON with Mr. MARTIN.

Mr. RUBEY with Mr. TREADWAY.

Mr. SHERWOOD with Mr. SAMUEL W. SMITH.

Mr. SHERLEY with Mr. COOPER (Oct. 23 to Nov. 15).

Mr. SISSON with Mr. CAMPBELL.

Mr. SPARKMAN with Mr. HOWELL.

Mr. SUMNERS with Mr. ESCH.

Mr. SAUNDERS with Mr. AINEY.

Mr. SMITH of Texas with Mr. MCLAUGHLIN.

Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.

Mr. STEPHENS of Nebraska with Mr. SLOAN.

Mr. TALBOTT of Maryland with Mr. MERRITT.

Mr. TAYLOR of Alabama with Mr. PETERS of Maine.

Mr. THOMPSON of Oklahoma with Mr. BARTON.

Mr. TOWNSEND with Mr. TEMPLE.

Mr. UNDERHILL with Mr. WALTERS.

Mr. WATKINS with Mr. FESS.

Mr. WILLIAMS with Mr. BRITTEN.

Mr. YOUNG of Texas with Mr. ROBERTS of Nevada.

Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).

Mr. WINGO with Mr. PARKER.

Mr. WEAVER with Mr. BURKE of Pennsylvania.

Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).

Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).

Mr. REED with Mr. WINSLOW (commencing Oct. 1, for remainder of extra session).

Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, except on cotton-futures amendment).

Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, and for balance of session).

Mr. MANN. Mr. Speaker, I voted "no." I am paired with the gentleman from Alabama, Mr. UNDERWOOD, and I desire to withdraw my vote and be recorded as present.

Mr. SMITH of Minnesota. Mr. Speaker, I voted "no." I am paired with the gentleman from Massachusetts, Mr. PHELAN, and I wish to change my vote to "present."

Mr. HENSLEY. Mr. Speaker, pending the announcement of the vote, I ask unanimous consent that I may have 40 minutes or an hour to-morrow to address the House upon the resolution which I introduced the other day.

The SPEAKER. The gentleman from Missouri asks unanimous consent that to-morrow, immediately after the reading of the Journal, he shall have the privilege of addressing the House for an hour on the subject of the resolution he introduced the other day relating to Winston Spencer Churchill's proposition for a year's cessation in the building of battleships. Is there objection?

There was no objection.

Mr. BROCKSON. Mr. Speaker, pending the announcement of the vote, I ask unanimous consent that on to-morrow, after the conclusion of the address of the gentleman from Missouri [Mr. HENSLEY], I may have 10 minutes to address the House to deny that the State of Delaware inflicts unusual or cruel punishment.

The SPEAKER. The gentleman from Delaware asks unanimous consent that on to-morrow, at the conclusion of the address of the gentleman from Missouri [Mr. HENSLEY], he may be allowed to address the House for 10 minutes to demonstrate that Delaware does not inflict cruel or unusual punishment. Is there objection?

There was no objection.

And then (at 12 o'clock and 35 minutes p. m.) the House adjourned until to-morrow, Thursday, November 13, 1913, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FREAR: A bill (H. R. 9264) to provide for a site and public building at Hudson, Wis.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9265) to provide for a site and public building at Rice Lake, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. McKELLAR: A bill (H. R. 9266) to regulate the interstate shipment of foodstuffs which have been held in cold storage; to the Committee on Interstate and Foreign Commerce.

By Mr. FOWLER: A bill (H. R. 9267) to grant pensions to certain persons for certain injuries sustained in dangerous employment in the United States; to the Committee on Pensions.

By Mr. LINTHICUM: A bill (H. R. 9276) providing for the appointment of a board of survey for the purpose of selecting a suitable site for a naval armor plant at or near Baltimore, Md., and submitting an estimate of the cost thereof; to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 9268) granting an increase of pension to Henry Bird; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 9269) granting a pension to Mary A. Elliott; to the Committee on Invalid Pensions.

By Mr. ASWELL: A bill (H. R. 9270) to correct the military record of John M. Gray; to the Committee on Military Affairs.

By Mr. RAUCH: A bill (H. R. 9271) granting an increase of pension to Albert Van Dolsen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9272) granting an increase of pension to Christopher Spath; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9273) granting an increase of pension to George Liddle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9274) granting an increase of pension to Annie A. Purviance; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 9275) granting a pension to William Beitz; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the World's Purity Federation Convention, favoring House concurrence in Kenyon Act relative to prostitution in the National Capital; to the Committee on the District of Columbia.

Also (by request), memorial of the Central Trades and Labor Union, protesting against the unjust competition of prison labor; to the Committee on Ways and Means.

By Mr. BRITTEN: Evidence to accompany House bill 9257, granting an increase of pension to Jacob L. Biddinger; to the Committee on Invalid Pensions.

By Mr. CURLEY: Petition of the Boston Central Labor Union, of Boston, Mass., favoring investigation by Congress of conditions in the mining district of the State of Michigan; to the Committee on the Judiciary.

By Mr. DALE: Petitions of sundry business firms of the State of New York, favoring 1-cent letter postage, as in the Bartlett bill; to the Committee on the Post Office and Post Roads.

By Mr. JOHNSON of Washington: Memorial of the Columbia and Snake River Waterways Association, at Kennewick, Wash., favoring the canalization of the Columbia and Snake Rivers, so that they may be safely and economically navigated by modern steamers and barges during the entire year; to the Committee on Rivers and Harbors.

By Mr. MOORE: Memorial of the Board of Trade, Chamber of Commerce, Commercial Exchange, and Philadelphia Bourse, of Philadelphia, Pa., protesting against certain provisions of the Owen-Glass banking and currency bill; to the Committee on Banking and Currency.

By Mr. RAKER: Petition of the citizens of the State of California, favoring passage of House bill 5308, relative to mail-order houses; to the Committee on Ways and Means.

By Mr. SPARKMAN: Petition of the Confederate veterans of the State of Florida, at Mayo, Fla., relative to cotton tax collected after the Civil War from the citizens of the South; to the Committee on Claims.

By Mr. TOWNER: Petition of citizens of Randolph, Tabor, Moravia, Creston, Cincinnati, Gravity, Conway, Kent, Afton, Clearfield, Grand River, Tingley, Elliston, Clarinda, and Shenandoah, in the State of Iowa, favoring House bill 5308, to provide for a tax upon all persons, firms, or corporations engaged in interstate mail-order business, and for other purposes; to the Committee on Ways and Means.

By Mr. WILSON of New York: Petition of the Central Labor Union of Brooklyn, N. Y., favoring passage of resolution asking for an investigation of the conditions surrounding the coal fields in Trinidad, Colo.; to the Committee on the Judiciary.

SENATE.

THURSDAY, *November 13, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

NOVEMBER 13, 1913.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN RANDOLPH THORNTON, a Senator from the State of Louisiana, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. THORNTON thereupon took the chair as Presiding Officer and directed that the Secretary read the Journal of the proceedings of the last legislative day.

THE JOURNAL.

The Journal of the proceedings of Monday last was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the Presiding Officer:

H. R. 7384. An act to authorize the payment of an indemnity to the Italian Government for the killing of Angelo Albano, an Italian subject; and

H. J. Res. 139. Joint resolution to relieve destitution among the native people and residents of Alaska.

BANKING AND CURRENCY.

Mr. ASHURST. Mr. President, I present a letter from Hon. John J. Hawkins, a distinguished citizen of the State of Arizona, who discusses the necessity for currency legislation. I believe the suggestions he makes are well worthy of our consideration and attention. I ask that it be incorporated into the RECORD.

There being no objection, the letter was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

PRESCOTT, ARIZ., *October 21, 1913.*

Hon. HENRY F. ASHURST,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I was pleased to note, some days since, your article in the New York World giving your views favoring the currency bill. I think this bill a very excellent one, and notwithstanding the position taken by the bankers at their meeting in Boston opposing same, the people are clamoring for a change in the currency system and are anxious to take the money system out of the hands of the bankers and lodge it with the Government, where it belongs.

I also desire to call your attention to one particular feature of this bill which the people will like, and that is the cashing of checks at par through the clearing house, or regional bank, of the patrons of all the banks of the country and doing away with a little petty charge that has been made for years by various little bankers all over the country on their customers' checks. There is nothing that so riles the feelings of the patrons of a bank as to go into some bank a few hundred miles distant from his own bank and ask to have a check cashed and be informed that that particular section of the country where your bank is situated is charging 10, 15, or 20 cents, or other petty amounts, on checks drawn on them.

I sincerely hope, in your following up this currency bill, that you will try and keep this feature of it therein, as it will go a long way toward using the credit and wealth of every individual who has money in the bank in supporting the commerce and business of the country.

There is no reason why a man who has money in a bank and draws his check therefor should not have it cashed anywhere in the United States at par, or have it go through the various clearing houses the same as any other cash item.

The tariff bill having been passed and the people being so happy thereover, I sincerely hope that we will soon see the control and issue of money in this country in the hands of the Government.

With kindest regards, I remain,

Yours, truly,

JOHN J. HAWKINS.

SPEECH BY HON. MORRIS SHEPPARD.

Mr. ASHURST. Mr. President, I present a copy of the speech which attracted, and justly attracted, such wide attention by reason of its statesmanlike and thoughtful expressions, as well as its progressive spirit—the speech delivered by the Hon. MORRIS SHEPPARD before both houses of the Legislature of the State of Texas upon the event of his election to be a Senator of

the United States. I ask unanimous consent that the same be incorporated in the CONGRESSIONAL RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SPEECH OF HON. MORRIS SHEPPARD, WEDNESDAY, JANUARY 29, 1913, BEFORE THE LEGISLATURE OF TEXAS, ACCEPTING ELECTION TO UNITED STATES SENATE.

"Mr. Speaker, Mr. President, gentlemen of the legislature, ladies and gentlemen, to be invested with the highest office the people of a great Commonwealth may bestow is a distinction of such character that it should humble rather than elate the man on whom it is conferred. While I am grateful beyond all words for this election, I am impressed as deeply as human feeling will permit with the sacredness and the immensity of the task before me. In my hands you have placed the commission of the people. It shall be consecrated solely to the people's good. On it the shadow of no special interest shall ever fall.

"The Senate of the United States is perhaps the most unique and powerful legislative body in the world. It exercises coequal lawmaking functions with the House of Representatives except as to bills raising revenue, and these it may materially amend. It has the executive powers of approving or rejecting practically all presidential appointments of importance and of ratifying, amending, or disapproving treaties, the latter prerogative making it the virtual arbiter of our foreign policies. As a high court of impeachment it may remove Presidents, ambassadors, or judges. It thus combines legislative, executive, and judicial functions; and in this respect it probably stands alone among the parliamentary assemblies of the earth. It is the distinctive feature of the Federal Union which without it could have had no existence. The smaller States would never have consented to the Union but for the concession of equal representation in a second Chamber with the larger States. The Senate is at once the preserver of State identity and the bulwark of the Nation against executive encroachment and hasty legislation. Linking the State with the Nation, it may be said to be the heart of the Federal organism. It has been called the masterpiece of the Constitution. It was evolved from the conditions that developed as the constitutional convention of 1787 proceeded, not a delegate having previously contemplated such a body.

"Bearing so essential a relation to the Republic, it is not surprising that the American Senate became within a few decades the foremost assembly of its time. It was the scene of some of the greatest speeches and most notable arguments that have illumined our constitutional history. In the decade preceding the Civil War it reached perhaps the highest prestige it has ever known. The discussion of problems affecting the Nation's life attracted the attention of the globe. Seldom has there been witnessed a more imposing array of intellectual power. Within that mighty circle sat the stalwart Mangum, of North Carolina; Cass, of Michigan, skilled in statecraft, the favorite of his party; Chase, of Ohio, with towering form and measured sentences; Berrien, of Georgia, celebrated in the law, remarkable in the art of eloquence; Bell, of Tennessee, the venerated commoner, the noted parliamentarian; Hunter, of Virginia, beneath whose impassive features reposed ability preeminent; King, the cultured Alabamian, renowned in diplomacy, distinguished in the service of State and Nation; Soule, of Louisiana, impassioned son of France, shepherd of Navarre, friend of liberty, and lover of the South; Houston, of Texas, warrior, legislator, patriot, whose personal majesty suggested the mighty domain he represented; Douglas, of Illinois, the resistless tribune, conspicuous alike in Senate, in courtroom, or in forensic dispute, the idol of his people, the dread of any adversary; Benton, of Missouri, turbulent as Danton, polished as Fox, profound as Pitt, defiant as Mirabeau; Clay, of Kentucky, orator superb, whose conciliatory measures kept within the cave of compromise the storms of war for 40 years; Calhoun, the immortal South Carolinian, philosopher, logician, sage, his potent comprehension penetrating every problem as with a lance of fire; Webster, of Massachusetts, emperor of controversy, monarch of debate, who gave battle to Calhoun in constitutional discussion and challenged Clay in the analysis of practical affairs; Jefferson Davis, of Mississippi, whom the historian Prescott pronounced the most accomplished of them all.

"With the retention of the emergency tariffs of the Civil War and the consequent beginning of high protection, with its conspiracies against trade, its destruction of competition, its oppression of the masses, its concentration of wealth, its debauchery of government and society, the Senate began slowly to decline in public esteem. Its place of peculiar influence in the Federal system made it the goal of monopoly and privilege. The control of the Senate meant for the special interests, now growing with frightful rapidity, the control in large measure of the country. Representatives of the special interests soon saw that the possession of only a few Senators, when political parties were narrowly divided, would enable them to dominate the situation. The smallness of the body, the liberality of its rules, which by virtue of the omnipotent tradition of senatorial courtesy permit any Senator to hold the floor indefinitely and provide no limit for debate, make it possible for a mere handful of Senators frequently to arrest and sometimes to defeat legislation. And so the satraps and the Janizaries of economic despotism began to turn their eyes and appetites toward the Senate. A wholesale trafficking in the votes of many State legislatures followed. Long and disgraceful deadlocks, from which floated whispers of bribery and dishonor, made the elections of many Federal Senators a source of public scandal and humiliation. The result is too well known. The American Senate became the reputed lair of privilege, the citadel of greed. It came to be denounced as an obstruction, a menace, and its abolition was seriously proposed. It was derided as the American House of Lords, the puppet of Standard Oil. A magazine of wide circulation astounded the country in a series of articles, under the caption of the Senate's Treason, by a detailed description of what it termed the questionable financial connections of several of its prominent Members. It came to be regarded as the grave of all good legislation. On one occasion two or three Senators paralyzed the Wilson tariff bill and sent the Democracy into the wilderneses of defeat for nearly 20 years. The circumstances attending the election of some Senators were so notorious that investigations by the Senate itself resulted. The demand for the reconstruction of the Senate's personnel became one of the main causes of the progressive movement that has at last restored the Democracy to national control. That demand has taken the shape of a proposed amendment to the Federal Constitution calling for the election of United States Senators by a direct vote of the people, and of preferential primaries for Senators in many States, which the legislatures almost without exception regard as sacred. Within recent years, therefore, new men have been pouring into the Senate who represent the popular choice in their respective States, and who are cooperating with those of their senior colleagues who have always stood for popular ideals. As a result of the last national election the infusion of progressive Democratic blood will be so large as practically to dominate that historic chamber after the 4th of March. To make the Senate again the mirror of the people's interest will be one of the chief purposes of the triumphant Democracy, a purpose in which I shall join with all the ability and enthusiasm at my command. I shall go to the United States Senate to promote the welfare of the people as a whole; to resist privilege and wrong wherever I may find them; to place my energies and my devotion at the call of progressive Democracy; to serve the policies and aspirations of that new apostle of human rights, Woodrow Wilson.

"Never in American history has there been more emphatic need than now for justice and for courage in the conduct of affairs. The conditions that tended to bring the Senate into derision have reduced the Republic to the mere shadow of what it was meant to be. We renounced the authority of King George over a hundred years ago, but to-day we have King Monopoly and King Trust in almost every phase of American industry. In the new feudalism the control of a commodity is the mark of power. The slavery of the black man was abolished by the force of arms; but to-day, for the white man of average means, an economic bondage as merciless as any slavery of the past is threatened, and thousands of white women are held in a subjection that damns their bodies and their souls in order that the liquor trade may thrive. We boast of progress and of peace, but we are in a state of war between labor on one side and capital on the other, a war in which government by dynamite is the answer to government by injunction. We see the gamesters of high finance gambling in the products of the people's toil, juggling credits, stocks, bonds, banks, buildings, insurance companies, railroads, the necessities of life by some mysterious wizardry into dollars for themselves, misery for others. We see our forests denuded, our mountains stripped, our streams depleted, our lands exhausted, our mines preempted or outworn, our water powers entrapped—in short, our once tremendous heritage of material resources sacrificed in the mad marathon for gold. We see women and children laboring under conditions that mean the degeneracy of the millions that are yet to be. We see the maiming and killing of more men by modern machinery than were ever mangled or destroyed in the bloodiest of the wars. We see these victims and their families often without the assurance of a penny, except through a doubtful lawsuit or a pitiless compromise. We see the traffic in intoxicating liquors

widening and filling the path to the almshouse, the insane asylum, the penitentiary, and the tomb.

"It would be going too far to say that legislation alone is responsible for the afflictions of society or that legislation alone may relieve them. A complete remedy for human ills would require the interposition of Him who holds Congresses and peoples in His palm. It must be remembered that the truest standards for governments and men are in the rules of conduct that were given to mankind by divine announcement. And it may safely be asserted that the closer human laws approach these rules the more firmly will this Republic rest upon the rock of right and truth. Since the lowly Galilean taught the universal kinship of man, the inherent equality of every life and every soul, the doctrine that an injury to the humblest individual is an injury to Him, every dream of liberty, every struggle for justice, every upward step in human progress has been an effort to translate His teachings into the governments of humanity. To-day we are coming rapidly to see that as long as one child is born deformed in body or in mind, the fruitage of drunken parents whom society, by tolerating a damnable traffic, helped to degrade, or of foul surroundings the product of injustice or of greed—that as long as a single citizen is stripped of his substance to multiply the possessions of the few the Republic is to that extent a failure, civilization in that degree a crime. The Democratic doctrine of equal rights is an expression of the divine doctrines of equality and brotherhood, and the Democratic Party will live as long as it applies these principles to the varying emergencies of the world's development. The Democratic Party is therefore in its very essence a progressive party, and it can never be destroyed, unless it ceases to be true to its progressive nature.

"Let us now examine the application of Democratic principles to current questions. The Democratic Party is opposed to the spoliation of the people by the system of tariff taxation miscalled protection. It holds that the imposition of import taxes in such manner as to raise the price of corresponding domestic articles beyond their proper worth is legalized theft. It states in the Baltimore platform that tariff taxes shall be levied for purposes of revenue only. It is therefore against the levying of tariff taxes for purposes of protection either direct or incidental. The words 'revenue only' are meaningless unless they exclude the slightest suggestion of protection. In standing against the taking of a single penny by one American from another for which no adequate return is made the Democracy upholds the divine ideals of human conduct to which I have referred. And well may it summon all its powers for the overthrow of protection, a cancer in the vitals of the Republic already so far advanced that the most difficult and delicate treatment will be required.

"It may well be said that the Republican protective tariff has brought more humiliation and more ruin to the American people than all other agencies of legislative evil combined. It was fastened on this country in the turbulent hours of civil war, when the severest methods of taxation were employed to meet that sinister crisis. To compensate certain manufacturers for high internal taxes on domestic goods taxes on competing imports were lifted to so outrageous a figure that they were tolerated only on the ground of a great national emergency and on the understanding that they would be removed or reduced when the war should end. Thus the partnership between the Republican Party and the special interests began, a partnership becoming at once so strong that at the close of hostilities the war tariffs were continued and have been not only maintained but increased during the 50 succeeding years of peace. The Republican tariff law now in operation imposes an average of tariff taxes distinctly higher than those of one of the most gigantic conflicts in all the records of all the years. It would be difficult to measure the disastrous effect of this long riot of oppression on the American Republic. The Republican protective tariff has been one of the chief causes of the unequal distribution of wealth in the United States.

"The restriction of foreign competition by enormous tariff rates opened the way for combinations of domestic industries, and soon domestic competition, the normal safeguard against extortion, disappeared. The American trust sprang from the loins of the American protective tariff, and the era of monopoly began. To-day almost every article of necessity and comfort is in the control of a trust, and a concentration of wealth as appalling as it is colossal has developed. It is a modest calculation that less than a tenth of American families own nine-tenths of the Nation's resources and the Nation's wealth. The favorites of the law are displaying a wastefulness and a luxury that have permeated the social structure with debasing conceptions of life. The mere possession of great wealth has become a sufficient test of social position, the methods of acquirement being rarely questioned. Education, breeding, uprightness are too often as nothing in the scale with the dollar's naked weight. The extravagances of the wealthy have bred false standards that are too generally followed by people of smaller means. The result is that thousands are living beyond or to the limit of their incomes and find themselves in time of panic or in old age without the means of comfortable support. Corruption, both political and financial, has naturally followed in the tariff's track. The maintenance of privilege has required the continuous success of the Republican Party at the polls. Millions poured into its treasury until the popular demand for the publicity of campaign funds caused the larger contributions to cease.

"It may confidently be said that publicity of campaign funds did more to end Republican domination in this country than any other single measure. As the tariff rates have risen the cost of living has increased, until to-day the necessities of existence are more difficult to obtain than at any previous period in the history of this country or at any period in the history of any other country. The taxation of most of the basic raw materials of manufacture has led to their control by banded interests. The high prices made possible largely by high tariff rates lead to overproduction and therefore to recurring periods of readjustment and of panic, in which the weaker meet financial death. The restricted market of the present high-tariff system has encouraged combinations of middlemen that largely control the carriage and marketing of the farmer's products at an immense loss to him. The glitter of tariff-rooted profit only whets the desire for gain, and there naturally follow overcapitalization, stock watering, and other practices by which the public is exploited further. The accumulation of the Nation's wealth in a few hands is separating the Republic into classes, and already the bitter battle of class against class is on. To resist these tendencies and conditions the Democracy is committed to the immediate downward revision of existing tariff duties and to a material reduction on the necessities of life. It is committed to the policy of placing articles entering into competition with trust-controlled products and articles sold abroad more cheaply than at home on the free list. The Democratic Party realizes, however, that the present system of tariff taxation is intimately connected with the business of the country, that many vast concerns and interests have been built up and to-day have contracts in advance based on present conditions, and it will therefore advance toward the ultimate realization of its ideals with such care and such deliberation as not to injure or to destroy a single legitimate industry. In this last utterance I am quoting almost literally from the Baltimore platform, and with this idea of sane and careful revision I am in entire accord.

"So powerful have monopoly and privilege become that the removal of the tariff will be but one step in a successful crusade against them. Other measures must also be employed if we are to overthrow the power of the trusts, if we are to drive the dollar of corruption and dishonor from American politics and business. Effective laws must be enacted against monopoly. The Federal antitrust law should be amended in such manner as to restore the efficacy of which it has been deprived by judicial construction. The last pronouncement of the Supreme Court of the United States as to the meaning of this law leaves the business world in confusion. It is now impossible for the sponsors of any enterprise to know in advance the limitations within which they may operate. In reading the word "reasonable" into the antitrust act, in holding that there may be reasonable and unreasonable monopolies, the Supreme Court has made the application of this statute so uncertain, so incapable of ascertainment, without the expense, the delay, not to speak of the odium of an actual trial before some tribunal, as to amount to a virtual repression of business growth. Let the essence of the original statute be restored—the statute in the formation of which John H. Reagan performed so notable a part. Let laws be enacted prescribing conditions on which corporations shall engage in interstate trade, these conditions being such as to prevent interlocking directorates, holding companies, stock watering, discrimination of all kinds, and to forestall such control of any line of business by a single concern as would threaten its complete absorption. The failure of the Republican administration to invoke the criminal section of the antitrust act against the officials of the Oil and Tobacco Trusts after these giant combinations had been judicially declared unlawful is one of the most humiliating instances of legal favoritism in our history. What more signal illustration of the immunity of organized wealth from criminal prosecution could be imagined? It is not the object of the Democracy to attack property or to incite prejudice against the rich. On the other hand, the security of honest property and the preservation of honest wealth depend in the last analysis on the prevention of monopoly and conspiracies against rightful trade. I shall

favor placing at the disposal of the Democratic Attorney General every possible means for the enforcement of the antitrust laws against men and corporations, regardless of social eminence or financial power.

"Hand in hand with the reduction of the tariff and the destruction of the trusts must go a proper measure of supervision over interstate transportation. Competition can never be preserved among producers in the various sections of the country, the products of the farm can never be marketed with satisfaction, unless the most rigid fairness obtains in the matter of carriage charges. Of what benefit would be the lowering of a tariff tax on a given commodity if the freight rate from seaboard to interior consumer should be raised in proportion? What encouragement remains for the farmer when combinations of middlemen control practically all available transportation space, making independent shipments extremely hazardous and establishing conditions whereby the farmer gets about 50 per cent of the amount paid for his article by the consumer in the centers of population? Or what encouragement remains when, regardless of whether middlemen control the cars, the rates of carriage consume the profits? The power of transportation is the power of economic life and death. The Interstate Commerce Commission must be provided with every facility for the maintenance of equitable rates. Provision should be made for a physical valuation of transportation properties, and this, with other elements of a fair calculation, should be used as a basis for future rate making. The most permanent protection against unfair railroad rates lies, however, in the immediate and thorough development of the Nation's waterways. The waterway is the cheapest form of transportation known to man, and it provides a rate standard at once wise and permanent and just. One of the chief economic needs of Texas is the improvement of inland waterways. I shall endeavor to make the development of Texas harbors, Texas rivers, and Texas canals one of the chief features of my service in the Senate.

"In the warfare against privilege every possible safeguard should be thrown about the hosts of toil by Nation and by State. I believe in the conservation of forests and rivers and mines, but I believe also in the conservation of men and women and children. I believe that the latter compose the Nation's most valuable resources. I want to see legislation for the prevention of accident and disease, legislation establishing safety and health standards in industrial occupations. I want to see the unemployed aided by proper legislation to find employment. I want to see the eight-hour day universally established—established for the women and the children as well as for the men. I want to see convict labor removed from competition with free labor. I want to see one day's rest in every seven provided for all the toilers of the land. I want to see publicity as to wages, hours, and conditions of labor in every line of industry. I want to see the employment of women in the sweatshops forbidden, child labor stopped. I want to see motherhood glorified and children saved. I want to see the law as to injunctions modified along the lines of the Democratic platform and the right of labor to organize held forever sacred. I want to see trial by jury in cases of indirect contempt, and I am against the issuance of injunctions where injunctions would not issue if no industrial controversy were involved.

"The battle against the domination of monopoly will be but half won until the control of the currency shall have been wrested from private hands. The issuance of money in currency or in coin is one of the essential functions of government; as much so as the power to declare war. As for me, I would as quickly intrust an individual or a corporation with the power of declaring war as with the power to control the volume of currency. There is a fundamental relation between the volume of currency and the price of every article the people make or use. Let the issuance of currency be restored to the primary control of government and let us have a system under such control that shall meet the demands of modern business. I think the existing system vicious because it places an essential attribute of sovereignty in private control, and for the same reason I am opposed to the Aldrich bill. I believe that banks exist for the accommodation of the people and not the people for the accommodation of the banks. I would never yield the issuance of the currency to an oligarchy of banks. The Aldrich bill provides for an association of banks to which shall be given over the power to determine when the volume of currency shall be increased or decreased. The capital of the association will be something like $300,000,000, and the stock will be sold only to banks investing one-fifth of their capital therein. Dividends are not to exceed 5 per cent, a provision unfair to smaller banks. The association is to be chartered for 50 years, during which all Government deposits—the money of the people—are to be used by the association without a cent of interest. No bank will be permitted to borrow money from the association unless it carries deposits with it on which no interest is paid. The way is thus blazed for a concentration of monetary control in this country that would dominate the destinies of the Republic. The law is so framed that permanent and actual control will rest in an executive committee of nine men, only two of whom are appointed by the President of the United States. Such a system of concentrated power over the earnings of the people and the currency of the Government has never been popular with the American people, and the Democratic platform in denouncing it calls attention to the fact that the Aldrich bill practically means a central bank, to which every tradition of Democracy is opposed. The Democrats in the House and Senate, assisted by the Democratic President and his advisers, will evolve a plan of currency reform based on Democratic ideas, and in the preparation of such a plan I shall gladly cooperate.

"Any recital of the measures which should be employed to end the reign of special privilege would be incomplete without reference to the assumption by the people of a more direct control of government. Indeed, the last national Democratic platform specifically asserts that 'only by a larger exercise of the reserved power of the people can they protect themselves from the misuse of delegated power and the usurpation of governmental instrumentalities by special interests.' The most effective system by which this larger exercise of reserved power by the people may be secured is the system commonly known as the initiative and referendum. No profounder misconception ever found lodgment in the human brain than the contention that this system means either the overthrow of representative government or a departure from a republican form of government. One of the clearest definitions of a republican form of government was announced by Mr. Justice Wilson in Chisholm versus Georgia, who said that it was one under which supreme power rested in the people. The system of the initiative and referendum rests supreme power in the people and is itself a means by which that power may be effectively exercised. If the people commit the powers of government to representatives for a term of years and provide no way in which those powers may be resumed during such term, they abdicate sovereignty for a given period, and if the representatives betray them have no remedy until the next election, when the damage may be beyond repair. On the contrary, if the people, while committing the powers of government to representatives, reserve the right to initiate legislation or to refer legislation to themselves they keep the reins of government always within their reach and make far more certain the loyalty of their representatives. The initiative and referendum means the life of representative government, not its death. No government is really representative unless the people have the power to make it so and keep it so. Do you say that elections are a sufficient check on legislation? I tell you that a few designing men may by a single vote on a single question in a great emergency fasten plutocracy on the land and either decline to stand for reelection or aided by the interests they have served attempt to purchase it. I say further that special interests will not expend vast sums or otherwise endeavor to corrupt the people's representatives if they know the laws they thus secure may be immediately submitted to the people. Neither will they infest the lobbies of our legislatures to resist measures in the people's interest when they know the people have the right to submit those measures to themselves if the legislature should fail to enact or should defeat them. Most of the States have adopted their constitutions by direct popular vote and many of these constitutions contain self-enacting legislative provisions.

"I say that if the people may adopt constitutions they may enact laws whenever such a step is necessary to protect their rights. Most of the State constitutions require certain kinds of legislation to be referred directly to the people, and in Texas at the last election some five or six amendments to the Texas constitution were passed by a popular referendum. Was it sacrilege for the people of Texas to lay their hands upon the machinery of government? Did this mean the destruction of representative institutions in Texas or the overthrow of the republican form of government? I call attention to the fact that while under the initiative and referendum the people may exercise legislative powers and may in a sense veto or defeat bills passed and approved by the legislature and the governor, still, in the practical working of this system, the legislative, executive, and judicial departments are not destroyed, but remain intact to continue the discharge of the vast mass of legislation subject only to corrective action by the people in the event they find their interests imperiled or betrayed. For 12 years both the Senate and the House of Representatives at Washington, containing able lawyers and gifted students of

the Federal Constitution, have been seating Members from States whose constitutions provided for the initiative and referendum, thereby heaping precedent on precedent against the contention that this form of direct legislation violates the Federal guaranty of a republican form of government. If Members of the Federal Congress had believed that these States had governments which subverted the most fundamental guaranty of the Federal Constitution, it was their sworn duty to protest and vote against the seating of representatives from these States. The Supreme Court of the United States in Luther versus Borden says that when the Senators or the Representatives of a State are admitted into the councils of the Union the authority of the Government under which they are admitted as well as its republican character is recognized by the proper constitutional authority.

"It is urged that laws are too complicated now and that this system will further complicate them. I contend that this system will simplify the laws, because the people will defeat a law they do not understand. Laws too complicated for the people to understand ought to be defeated. One of the greatest needs of the time is for clearer and simpler laws. To-day the laws are hidden in thousands of volumes containing numberless and frequently conflicting decisions, and the citizen is often compelled to employ counsel at great expense to ascertain the meaning of what his own government did in supposed obedience to his own will.

"The most comprehensive and the simplest code the world has known, the basis of modern as well as ancient conduct, a code that has survived for 40 centuries, a code as lucid and as vital now as when fashioned on the thunder-shaken peak for tented Israel, is comprised in less than a dozen sentences, in fewer than 300 words. They tell us that the direct method will result in harmful legislation. They forget that the principle of self-preservation is too deeply rooted to permit the people deliberately to injure themselves. They say that it will mean turmoil and chiange. I answer that the people acting in mass are the safest and most conservative force in history, and that the very existence of such a check will make its exercise rarely necessary. They say that it means revolution. The answer is that with the people in control there will be no occasion for revolution except through the orderly expression of the people's will. It is only when government is outside the people's control that drastic methods become necessary for its recovery. It has been well said that Anglo-Saxon manhood confined beneath the pressure of accumulated injustice is the most dangerous explosive known to history. The initiative and referendum is a safety valve against both ultraradicalism and ultraconservatism. If laws are too radical, the conservatives may appeal through this method to the electorate; if too conservative, radicals may likewise employ it. In no State or country where the system has been in operation is there any movement of importance to repeal it.

"I am as loyal as any man or group of men to representative government. For this very reason I favor any measure that will make the Government more representative. It is not proposed to substitute direct legislation for the representative system, because of necessity the great mass of legislation must be enacted by representatives elected by the people to serve in legislative capacity while the people pursue the various callings of life. It is proposed to employ the direct method only to such extent as may be necessary to make the Government what the founders intended it should be—the true expression of the people's will.

"The income tax and laws providing for publicity of campaign funds, as well as prohibiting the lavish use of money in elections, are other features of the progressive program too well known and too generally approved to require enlargement here. Wealth should be subjected to its proper proportion of the burdens of taxation, and the dollar should not be tolerated as a governing force in American politics. I am proud of the fact that in the recent primaries I made a campaign throughout Texas of some 8 or 10 months' duration for one of the highest positions on a comparatively modest sum, demonstrating that such positions are within the reach of men of moderate means. Not only should candidates refrain from large expense, but public officials should avoid all connections and entanglements with interests that might in any way conflict with the people's service. Proper laws should be enacted to cover these suggestions. The Federal publicity law is in special need of immediate and thorough amendment.

"It is the mission of the Democratic Party not only to oppose every form of economic oppression but also to keep alive the underlying spirit of the Republic. Furthermore, it should promote in every proper way the development of the country's material resources and the well-being of the people. Nothing will do more to revive and vindicate the basic principle of this Republic than independence for the Philippines. The purchase of eight millions of the human race and their subjection to an alien government made the torch of liberty burn feebler not only here but throughout the world. It put the stain of despotism on the American flag. Mr. Wilson has already announced that one of his first recommendations will be for the passage of an act guaranteeing the autonomy of the Philippines within a reasonable time. The strengthening of governmental agencies relating to pure food, quarantine, vital statistics, and human health, the proper handling of the public domain, economy in the handling of public moneys, and the development of agriculture are measures demanding careful and patriotic study.

"The encouragement of agriculture calls for the best efforts of the Nation. It is a matter of national reproach that we have made smaller advancement in agriculture than in other lines of economic growth. Although we have cultivated the virgin acres of a fertile continent for fewer than a hundred years, these acres are in many instances producing less than those of countries that have been under intensive development for many centuries, and much of our soil is exhausted within a single generation. Although we have a population of only 31 to the square mile, the number of inhabitants in the rural districts is relatively decreasing, and the greater part of our people is being rapidly concentrated in the already overcrowded cities. The task that challenges the most capable statesmanship is the revival of the glory and the attractiveness of farm life. The main problems before us are the production of more and more per acre and the redistribution of our people among the villages and the rural sections. Farmers' organizations should be given every possible assistance. Federal and State departments of agriculture and agricultural colleges and institutes should all be brought into closer and more fruitful relationship. Rural routes, good roads, better marketing facilities, farm credits should all be constantly studied and developed to the end that the farm home may be brought into touch with modern progress. The pernicious practice of gambling in farm products must be stopped. In view of the fundamental importance of agriculture and of the fact that Texas is essentially an agricultural State, its principal splendor lying in its imperial expanse of soil, I am determined to devote especial attention to this phase of national development.

"In fact, let me say here that wherever it may be possible within the sphere of proper Federal activity to secure the cooperation of the General Government in the advancement of Texas I shall be found urging the claims of my native State. Texas has hardly emerged from economic infancy and already her resources, her achievements, and her possibilities have awakened universal wonder. Immense areas in Texas require irrigation, and other portions have other needs that must be seriously considered in order that our fullest capabilities may be realized. Our rivers, harbors, and canals must be improved to supplement our agricultural growth and to furnish a permanent and inexpensive highway to the sea. I shall endeavor to secure membership on Senate committees having these matters directly in hand. I may not be so fortunate as to secure membership on all such committees at once, but the sooner I enter the Senate and begin to work for places on them the earlier and more effective will be my success in this regard.

"I now come to one of the most important questions confronting the Nation, the question of prohibiting the shipment of intoxicating liquors into prohibition States for purposes of sale. It is a question involving the very essence of the American system of government. The Federal Constitution is based on a division of powers between the General Government and the States. In the skilful distribution of National and State functions the Constitution finds its chief permanence—its crowning excellence. In ratifying the Constitution the States yielded to the Central Government the powers which concerned the common destiny and interest, reserving the remaining attributes of sovereignty to themselves or the people. Any disturbance of this equilibrium is a blow at the existence of the most notable governmental system the brain of man has yet conceived.

"Among the most sacred rights reserved by the States under the Federal Constitution is the control of legislation pertaining to the health, the safety, and the morals of their respective populations—in other words, the control of all matters demanding the exercise of the so-called police powers of government within their respective limits. In the exercise of this right many States have enacted laws prohibiting the manufacture and sale of intoxicating liquors within their various boundaries and have taken every possible step to secure the enforcement of these laws. The Supreme Court of the United States has held that such laws are not in conflict with the Federal Constitution; that intoxicating liquor is an article of such character that a State in the protection of the health, the morals, and the safety of its people may prohibit the manufacture or sale of

such liquor. The effect of this holding is to place intoxicating liquor in a class outside the usual articles of consumption and trade, such as flour, clothing, furniture, and the like. It has never been contended that a State could adopt similar laws as to these latter commodities in their normal condition. It would be a deprivation of an inherent property right possessed by every citizen of the United States. But no such right is recognized in intoxicating liquors.

"Despite the enactment of laws prohibiting the sale of intoxicating liquors in certain States, the enforcement of such laws is seriously impeded and frequently prevented by vast shipments from other States. Great mail-order houses have been established for the purpose of invading prohibition territory and tearing down State laws. The Federal Government protects such shipments on the ground that they are interstate in character and can not be reached by State laws until after delivery to consignee, Congress having as yet passed no law excluding such shipments from interstate commerce. The result is that railroad stations and express offices in prohibition States are being converted into speak-easies and blind tigers, from which these liquors are secretly taken or secretly sold in defiance of the people's will. Thus the Federal Government is lending itself to the humiliation of the State, to the overthrow of the most sacred right which its own constitution guarantees. Thus the Nation has become a partner in a piracy as foul as any the high seas ever saw and in the destruction of the principle of local sovereignty as defined and approved by the Federal Constitution. Thus the American flag is wrapped around the whisky barrel and the beer keg and made an emblem of anarchy and crime. It is said that the States ought to be more vigilant in the enforcement of prohibitory laws. It would require a small standing army at an expense no State could bear perpetually to surround every depot and every express office with armed guards.

"The bill relating to interstate shipments now before Congress provides, in brief, that the interstate transportation of intoxicating liquors intended to be used in violation of the laws of the State of destination shall be prohibited. It does not apply to liquor shipped for personal use, for sacramental purposes, or for any other disposition not forbidden by State laws. In my judgment, the constitutionality of such a law can not be seriously questioned. The Constitution clothes the Federal Government with absolute power over interstate commerce, a power complete in itself and subject only to the limitation of that great instrument itself. It is well understood that under this power Congress may prohibit the interstate transportation of articles destructive of public health or safety or morals or whose shipment would be violative of sound public policy. In the lottery case (188 U. S., 321) Mr. Justice Harlan said:

"But surely it will not be said to be a part of anyone's liberty as recognized by the supreme law of the land that he shall be allowed to introduce into commerce among the States an element that will be confessedly injurious to public morals.

"In Mugler v. Kansas (123 U. S., 162) the Federal Supreme Court says:

"It is within the knowledge of all that the public health, the public morals, and the public safety may be endangered by the general use of intoxicating liquors.

"Section 245 of the United States Penal Code provides that the sender and the carrier of any drug or medicine adapted or intended for indecent or immoral use from one State to another, and the consignee as well, shall be fined not more than $5,000, or imprisoned not more than five years, or both. The Supreme Court of the United States has gone so far as to uphold a Federal law denying to interstate commerce shipments of game killed in violation of State laws, showing the desire of the court to have the Federal Government cooperate with the State governments in upholding such laws, or at least to keep the Federal Government from crippling or interfering with them.

"Let us concede, so far as this argument is concerned, that an article properly in the channels of interstate commerce can not be reached by State laws until after delivery to consignee, on the theory that an earlier operation would be an arrest of interstate commerce and a practical delegation of the Federal power of regulation to the State, which under Federal decisions can not be permitted. No such objection lies to this bill. It deprives liquors intended to be used in violation of the laws of the State of destination of the right to enter interstate commerce under the protection of the interstate-commerce clause of the Constitution. Such liquors are divested of interstate-commerce character, and State laws may operate upon them before they reach the consignee, without in any sense operating upon or regulating interstate commerce. Do you say that the intent with which a thing is to be used ought not to determine its status? I answer that the Supreme Court of Massachusetts has held that liquor possessed with intent to violate the laws of the State is impressed with the character of a nuisance and thereby divested of property rights. It will be immediately conceded that a contract made in one State with intent to violate the laws of another State is illegal and unenforceable. Most of the successful liquor prosecutions in Oklahoma are based on the law in that State making possession with intent to violate any Oklahoma prohibitory law a crime, a law that has never been successfully attacked. Is it said that an innocent vendor, ignorant of the intention of the consignee, may suffer? I say let vendors of liquors to consignees in prohibition States collect their money in advance or make such shipments at their peril. Already the National Penal Code prohibits C. O. D. shipments of interstate liquors and permits no person to act as agent for the vendor in order to complete the sale. Is it insisted that an innocent vendor could not collect from a consignee who might interpose his own guilty intention as a defense against the debt?

"I submit that in no American court will a man be permitted to take advantage of his own wrong. Is it objected that it is difficult to prove intent? It is far easier to prove intent where a shipment of liquors is consigned to a notorious bootlegger than in nine-tenths of the criminal cases where intent is the very essence of the offense. Is it urged that under this law attempts will be made to enforce the laws of one State in the courts of another? The reply is that the courts of the State of shipment will never be involved, because one State can not enforce the penalties of another. Is it argued that vexatious interferences with interstate commerce will result? The difficulties of maintaining an espionage over all the commercial highways in the United States are such that in practical operation the law will, as a rule, be invoked only at or near the point of destination.

"The opponents of interstate liquor legislation in Congress have been advancing constitutional and other objections for 20 years. The American people now demand a vote. The time for discussion has passed; the hour of action has arrived. It is the duty and the right of Members of Congress to oppose this legislation if they believe it unconstitutional or inadvisable. It is equally the duty and the right of the people to send men in their places who believe the legislation both constitutional and advisable. An area equal almost to three-fourths of the inhabited territory of the United States has been voted dry but the solemn enactments of the people are being crushed and desecrated by those who operate from the outside. The Constitution is profaned, self-government overturned, the Nation made an accomplice in a conspiracy against the States in order that a traffic as odious as it is powerful may multiply its profits from the wrecked ambitions, the shattered hopes, the ruined homes of men.

"This legislation is but another step in the warfare against a traffic whose existence is the Nation's shame. The liquor traffic is a peril to society, because it undermines the health, the strength, and the integrity of man. It is a menace to the Republic, because a race of weaklings can not sustain or comprehend the institutions of liberty. It is a source of danger to posterity, because the alcoholic taint foredooms the unborn millions to degeneracy and to disease. I shall oppose this scourge from hell until my arm can strike no longer and my tongue can speak no more. I shall oppose it because I hear the cries of children who are hungering for bread. I shall oppose it because I see a mother's wasted face, her pale lips pleading with the besotted figure at her side. I shall oppose it because I see the staggering forms of men whose trembling hands hold but the ashes of their strength and pride. I shall oppose it because it mocks all manhood and makes of woman's virtue a commodity of the slums. I shall oppose it because I see its battle line outstretched across the globe, threatening to engulf the pure, the true, the good. I shall oppose it because its abolition will mean a new stability for the Republic, a new radiance for the flag."

SAN FRANCISCO WATER SUPPLY.

Mr. POINDEXTER. Mr. President, a few days since the Senator from Nevada [Mr. PITTMAN] had printed in the RECORD statements of associations and individuals who were supporting the so-called Hetch Hetchy bill. I have in my hand an article from the Boston Transcript, an editorial from the Stockton Daily Evening Record, and resolutions of several societies in opposition to the bill. I ask unanimous consent that they may be printed in the RECORD without the illustrations.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

NEW LIGHT ON HETCH HETCHY.

[From the Boston Transcript, Nov. 8, 1913.]

That San Francisco is indulging in a colossal folly and one likely to develop into a wholesale calamity in pressing its Hetch Hetchy reservoir case in Congress is becoming apparent to some of its own citizens. At a meeting this week of the San Francisco Center of the California Civic League, Clement H. Miller, a civil engineer, made an address in which he analyzed the situation clearly. A certain political group in the city has become so obsessed with the idea of this particular water supply that they can not escape from it except by a sacrifice of their political vanity. As Mr. Miller pointed out, the city's own attorneys admit that if the grant of the valley is secured from Congress it will only invite years of litigation. He also stated that even Mr. O'Shaughnessy, the present city engineer, told his friends a year ago that the Hetch Hetchy project was "a hideous blunder," but that the city had gone so far that it could not back out and would have to go through regardless of cost.

In support of the city's petition for the valley a great deal of stress has been laid on the point that the domestic supply of a great city is "the highest beneficial use of water." A difference of opinion on this point has lately arisen in California, for the farmers in the San Joaquin Valley have just discovered that if this Tuolumne River water is granted to San Francisco some 250 square miles of their section would be doomed to permanent aridity. This point was discussed in great detail by Mr. Miller. It is not a new point, for the representative of the irrigation farmers of the region urged it at the hearing before the Public Lands Committee of the House last summer. It was he who stated that every one of those acres was capable under irrigation of producing annually food products worth $100, so that the diversion of their only source of irrigating water to San Francisco would mean a yearly loss to California of $20,000,000 worth of produce. Without this water this land can not be farmed at all.

Mr. Miller shows that Mr. Manson, for many years prominently connected with the Hetch Hetchy scheme as the city engineer, admitted in his annual report as long ago as 1904 that 200,000 acres would be deprived of water by the city's plan. This he justified with the reflection that the landowners had neglected to appropriate the water and that the city held it by right of prior legal filings. Continuing, Mr. Miller demonstrates by a close analysis of the records of stream flow and rainfall for a long term of years, that the reports which were the accepted basis of the Army engineers' conclusions in support of the city's petition were wholly unreliable and that there certainly is not water enough in the Tuolumne River to supply irrigation to the adjacent lands and at the same time to give 400,000,000 gallons a day to the bay cities. In substantiation of his assertion he cites reports made by the California Conservation Commission since the Army engineers rendered their decision.

On the other hand, it appears that the Sacramento Valley has a superabundance of good water, far more than enough to supply all of its irrigable lands, with a wide margin for domestic use. At its lowest recorded flow the Sacramento poured four thousand million gallons daily into the Pacific. "Would it be a crime or merely a hideous blunder," inquires Mr. Miller, "to rob those San Joaquin lands of their only water, when water as good for domestic use, and in ample volume for all uses, is running to waste in the adjoining watershed?" He goes even further and speaks in detail of the tributary of the Sacramento that is capable of fulfilling all the needs of the situation. It is the McCloud River, which rises in the snows of Mount Shasta. Is it too far to go? It is 10 per cent nearer than is Los Angeles's new source. And when it comes to a question of cost, Mr. Miller asserts—and this in a public address in the midst of the enemy's camp—that the assistant engineer who made an examination of the McCloud source for the city had never made a field survey of any kind, that his examination was based on an automobile trip, and that the estimates were "purposely made as high as imagination would permit." Col. Biddle, of the Army board, has said that the McCloud would furnish twice as much water as the bay cities would ever need without storage, and that the cost would be from fifty-eight millions to sixty-four millions, as against seventy-seven millions for Hetch Hetchy.

And as for hydroelectric power Mr. Miller figures that there must be 150,000 horsepower, probably much more, available at reasonable cost, and without any necessity for installing duplicate steam-generating plants which, he maintains, must be a part of the Hetch Hetchy power scheme in order to take care of the low-water periods that he shows to be inescapable. In short, San Francisco's officials appear to be trying to sell themselves a gold brick.

Nor does the Hetch Hetchy Valley have to be lost to the park and to the public in order to save the waters of its river for irrigation purposes. The present city engineer, Mr. O'Shaughnessy, is authority for the opinion that ample reservoirs can be provided in the foothills. As a matter of fact he urged this at one time as a water supply for San Francisco, though, needless to say, that was before he entered the service of the city, and in the capacity of consulting engineer for private parties.

Reasons multiply for the checking of this unnecessary legislation which would give away an invaluable feature of a national park without the slightest color of necessity. Evidently San Francisco needs to be saved from her own officials as much as the Hetch Hetchy needs to be saved for the people.

A. C.

THE SAN JOAQUIN VALLEY MUST SAVE HETCH HETCHY WATER FOR IRRIGATION—SAN FRANCISCO CAN GET WATER IN NORTH COAST RANGE.

[From the Stockton Daily Evening Record, Oct. 29, 1913.]

San Francisco bases its claims to the Hetch Hetchy water supply on the unfounded statement that it is the only available and sufficient supply for the present and future needs of the city.

San Francisco gives no indication of what use it purposes to make of the Spring Valley water system, which now supplies the city.

San Francisco proposes to capitalize a great water supply for the city's own profit, irrespective of the injury to the San Joaquin Valley.

San Francisco bases its claim to Hetch Hetchy on its own estimation of its future needs.

San Francisco has forced the Hetch Hetchy bill through the House. It is now in the Senate. The bill will be called up December 1, and there is unanimous consent to vote on it six days later.

If the San Joaquin Valley is to be aroused to the injury which will be done to the valley by the bill, action must be immediate and positive.

San Francisco can obtain a water supply—a larger water supply than the Hetch Hetchy—and at less cost; and not one drop of the water need be diverted from the limited amount belonging by nature and equity to the San Joaquin Valley.

The estimated amount of water available in Hetch Hetchy for diversion to San Francisco is 400,000,000 gallons daily. The Army engineers estimate the cost of the storage, diversion, and delivery of the water to San Francisco at $77,400,000. The Army engineers examined several sources of water supply and reported that the Hetch Hetchy was the most practical and easily available for the future needs of San Francisco. But perhaps the investigations of the engineers did not go far enough.

Let us consider what may be designated as the Snow Mountain, Clear Lake, and Putah Creek supply. The distance from Snow Mountain to San Francisco is 140 miles. Surveys just completed show that of this distance the water can be conveyed through natural channels for 66 miles, leaving only 74 miles for aqueducts, etc.

Where can this alleged supply be secured and how much of it is available?

From the South Eel River in Mendocino, from the watershed ranging south to Clear Lake, in Lake County, and still farther south to Putah Creek, in latitude with Napa.

This transfers the watershed for San Francisco's supply from the Sierra to the Coast Range, and from a diversion of the limited supply for the San Joaquin Valley to the surplus running to waste in the over-watered Sacramento Valley.

How much water?

Estimates just completed by competent engineers show that the South Eel River watershed may be relied upon for 200,000,000 gallons daily; that the Putah Creek watershed has a dependable supply of 300,000,000 gallons daily. The two sources combined assure 100,000,000 more gallons daily than Hetch Hetchy. Further, the cost of bringing this water to San Francisco across the upper Berkeley Hills and Carquinez Straits is only $41,250,000—about one-half as much as the Hetch Hetchy plan. The storage capacity of the Snow Mountain Eel River-Putah Creek plan is 1,500,000 acre-feet—enough water to supply San Francisco with water for three and one-half years even if not another drop of water fell. There are practically no water rights filed against this proposed supply; less than 2,000 acres are now in cultivation in districts affected by it.

Get this fact in mind: Sacramento Valley has more water than it needs. The area of the valley susceptible to irrigation is small. Ten million one hundred and seventy-five thousand feet of water flow past Redding. The total available water supply for the entire San Joaquin watershed is officially placed at 10,065,000 acre-feet—more than 100,000 less than the volume of the Sacramento at Redding.

The total of the Sacramento Valley watershed is placed at 24,026,000 feet. The area of the Sacramento Valley available for irrigation is only 2,659,000 acres. The area in the San Joaquin Valley available for irrigation is 6,630,000 acres. Sacramento Valley's watershed has a supply of more than 24,000,000 feet for 2,659,000 acres, while San Joaquin has only 10,065,000 feet for its 6,630,000 acres. Yet San Francisco would divert the Hetch Hetchy supply, which San Joaquin Valley will soon need and which some of the districts already need.

The Eel River and Putah Creek supply always will be waste water, unless utilized for the supply of some large city.

The watershed belonging naturally to the San Joaquin Valley will not irrigate one-half the valley's acreage which can be brought under irrigation. The situation is reversed in Sacramento Valley, where there is not enough acreage susceptible to irrigation to use one-half its available water supply.

It is time for the people of San Joaquin Valley to get busy, and the press will be derelict in its duty if it fails to put the facts before the people.

The Hetch Hetchy scheme is unnecessary for the future of San Francisco, since a better and cheaper water supply can be secured in the Coast Range watershed.

The water of Hetch Hetchy ought to be conserved for the future use of San Joaquin Valley, which needs every drop of it.

The Record protests, as it has protested before, against the Hetch Hetchy bill.

It embodies nothing but the innate selfishness of San Francisco, shortsighted statesmanship by the bill's sponsors, and a wanton injury to the San Joaquin Valley, upon the development of which much of the future greatness of California depends.

THE TRUTH ABOUT THE HETCH HETCHY AND THE APPLICATION TO CONGRESS BY SAN FRANCISCO TO FLOOD THIS VALLEY IN THE YOSEMITE NATIONAL PARK.

[Issued by the Society for the Preservation of National Parks—Eastern Branch. Pemberton Building, Boston. 1913.]

There was never any reason or excuse for giving away this water, except that San Francisco wanted it, and was too stingy to be willing to go into the open market and buy. (Los Angeles Evening News, editorially.)

The legislation is objectionable for reasons which take it out of the category of legislation of doubtful propriety and expediency and place it in that of doubtful constitutionality and of unquestionably mischievous and dangerous character. (Hons. SCOTT FERRIS and F. W. MONDELL, in 1909.)

We believe that its passage will eventually exclude the public from the Hetch Hetchy Valley and the Tuolumne Canyon, and we are not willing that this should be done, as it does not appear to be necessary for the city of San Francisco to obtain this property for a water supply. (Hons. A. J. VOLSTEAD and A. J. GRONNA, in 1909.)

Taunted for years and everywhere, usually by nations envious of our prosperity, as worshipers of the almighty dollar, as ready to sacrifice everything to money profit and hopelessly commercialized, here is opportunity to answer and refute the charge; to demonstrate that there are some things even in America which money can not buy, and that when the people have reserved to themselves, for their use and enjoyment a beauty spot of nature, a masterpiece of nature's god, they will preserve and defend it. (Brooklyn (N. Y.) Standard Union, editorially.)

The real difficulty with San Francisco is that it does not wish to consider any other supply. The others might cost more. (Hon. Herbert Parsons, in 1909.)

REPORT OF BOARD OF ARMY ENGINEERS TO SECRETARY FISHER.

(Page 50.)

The board is of the opinion that there are several sources of water supply that could be obtained and used by the city of San Francisco and adjacent communities to supplement the near-by supplies as necessity develops. From any one of these sources the water is sufficient in quantity and is, or can be made, suitable in quality, while the engineering difficulties are not insurmountable. The determining factor is principally one of cost.

THE SITUATION IN SAN FRANCISCO.

The city is now suffering from a shortage of water and takes advantage of that situation to appeal to the sympathies of Congress. For this the city is wholly responsible. Owing to its quarrel with the local water company, the necessary extensions in the service have not been made. This quarrel is now settled, and the construction of the new "Calaveras" reservoir is about to begin. This will double the existing supply and provide for San Francisco for 25 years. There is now a 2 years' supply in the reservoirs near the city.

THE EXISTING SUPPLY TO SAN FRANCISCO.

John R. Freeman, expert for the city, says of it: "The present quality of the water furnished by the Spring Valley Water Co. is, I believe, thoroughly wholesome and safe." (Freeman's Report, p. 61.)

It is a mountain water from the coast range and, according to the Army engineers, can be developed to 131,000,000 gallons daily—more than three times the present supply (report, p. 16) and sufficient for a population of thirteen hundred thousand, according to Mr. Freeman. Even taking into account all the cities around the Bay of San Francisco, the Army engineers find the "economical development" of the coast-range supply is 233,000,000 gallons daily (report, p. 17), or enough for a population of two and a quarter millions of people—present population about 750,000. One hundred gallons a day per capita is the present use. (Freeman, p. 79.)

THE HETCH HETCHY AT LEAST FIVE YEARS AWAY.

Should this bill pass, water can not be brought from the Hetch Hetchy under 5 years (Freeman, p. 74), or 10 years according to former City Engineer Manson. Long before this the "Calaveras" supply would be ready, and with this Mr. Freeman advises "deferring" the building of the Hetch Hetchy works "4 or 5 years," and thus "put off for a few years the paying of interest on the large sum of money involved in building the Hetch Hetchy Dam." (Report, p. 69.)

The bill itself gives the city three years in which to file plans. Clearly the city is in no hurry.

VIEWS OF THE COMMITTEE ON THE PUBLIC LANDS IN 1890.

This park was established in 1890. (26 Stat. L., 651.) In reporting this bill (H. R. 8350) the committee said:

"The bill under consideration established as a national park the portion of public lands lying within the described boundaries, containing therein primeval forests, great valleys, and inexcessible heights, the walls of which vary from 2,000 to 5,000 feet, and from the highest points of which the plummet will swing clear of the base. * * *

"The preservation by the Government in all its original beauty of a region like this seems to the committee to be a duty to the present and future generations. The rapid increase of population and the resulting destruction of natural objects make it incumbent upon the Government, so far as may be, to preserve the wonders and beauties of our country from injury and destruction, in order that they may afford pleasure as well as instruction to the people."

VIEWS OF MEMBERS OF THE COMMITTEE ON THE PUBLIC LANDS IN 1909.

A similar bill was before this committee in 1909 and was reported by a vote of 9 to 8. The minority said, touching certain provisions regulating the amount of water to be taken by the irrigation districts and for electric power:

"But aside from this and all similar questions that have been raised, the legislation is particularly objectionable on account of features that are entirely unnecessary to the granting of the privileges that San Francisco seeks and which would, in fact, render the privilege granted of doubtful value, features which relate to subjects not under the control of Congress, and with regard to which it has no authority and ought not to attempt to legislate. * * *

"The consultation came to Congress ostensibly on behalf of and for the benefit of San Francisco. As it is reported it is practically legislation for the benefit of the Turlock and Modesto irrigation districts and touching matters not within the scope of congressional authority. * * *

"The legislation is objectionable for the reasons above mentioned, which take it out of the category of legislation of doubtful propriety and expediency and place it that of doubtful constitutionality and of unquestionably mischievous and dangerous character."

This report (H. Rept. No. 2085, Sixtieth Congress, second session) was drafted by Hon. F. W. MONDELL, then the chairman of the committee, and is signed by Hon. SCOTT FERRIS, the present chairman. The argument is as potent now as then. This bill does not essentially differ from the one then considered.

Congressional action is desired because the proposed dam is to be built on the public lands, some of which will also be flowed. The other available supplies do not need congressional action. The disposition of the water in the river belongs to the State of California under its laws. Nevertheless this bill proposes to take the water of the river away from the riparian owners and the irrigable lands of the valley and give it to San Francisco, 160 miles away. It settles rights of irrigation districts in California, "notwithstanding any general laws of the United States or of the State of California or any general rules of property established by the courts." (Bill, sec. 9, f.) When was Congress ever before asked to settle purely State matters in such high-handed fashion?

PRIOR APPLICATIONS BY THE CITY TO CONGRESS.

Senate bill 4154, referred February 5, 1904, to give the Hetch Hetchy to San Francisco never emerged from the committee. (Letter of Secretary Hitchcock to the President of Feb. 20, 1905.) In 1905 a similar bill in the House was laid on the table by the Committee on the Public Lands by unanimous vote. (Letter of Secretary Murdock to the President of Mar. 1, 1905.) In 1909 a similar bill was reported to the House by a vote of 9 to 8, but no action followed. The Senate committee took no action after hearing. In each Congress since bills have been introduced by the city which have slept in the files despite efforts to induce the city to bring them forward.

PRIOR ACTION BY THE DEPARTMENTS.

In 1903 Secretary Hitchcock denied the application of the city for a permit to occupy the Hetch Hetchy, it then appearing that the surveys of the city had been "made surreptitiously." Upon a rehearing, in December, 1903, lasting three days, the permit was again denied. He reported against it to the President (Feb. 20, 1905), and Secretary Murdock, of California, wrote a supporting opinion (Mar. 1, 1905).

Secretary Garfield favored the grant, because, as he put it, "I do not need to pass upon the claim that this is the only practicable and reasonable source of water supply for the city. It is sufficient that, after careful and competent study, the officials of the city insist that such is the case."

This claim was at once vigorously disputed, and Secretary Ballinger, who visited the valley, caused an investigation to be made by engineers of the Reclamation Service, and as a result ordered the city to show cause why the Hetch Hetchy should not be eliminated from the Garfield permit, and subsequently caused the appointment of a board of Army engineers to report whether there were other sources of supply available which would be "adequate for all present and reasonably prospective needs of the city without the inclusion of the Hetch Hetchy Valley."

This board reported four other such sources: (1) McCloud River; (2) Sacramento River; (3) Lake Eleanor, etc.; and (4) American River, etc.—all ample. Upon this showing Secretary Fisher, who visited the valley, refused a permit to the city, which, therefore, now makes this appeal to Congress.

In 1910 George Otis Smith, Director of the Geological Survey, reported to the Secretary of the Interior, after a careful examination by engineers:

"The Lake Eleanor project is amply sufficient to meet the present and prospective needs of the city, and it is not necessary that the Hetch Hetchy Valley should be available to San Francisco for the purpose of a municipal water supply."

TWO HUNDRED AND FIFTY SQUARE MILES OF ARABLE AND IRRIGABLE LAND TO BE LEFT FOREVER ARID.

"The demands of the San Joaquin Valley for complete irrigation are in excess of the water available. * * * There can be no question but that a large portion, if not all, of the flow of the Tuolumne (from the Hetch Hetchy) could be used for irrigation if stored. * * * It seems quite certain that to irrigate the southern part of the San Joaquin valley would be less expensive from the Tuolumne than from the streams farther north." (The Army engineers' report, p. 35.)

This 400,000,000 gallons daily for San Francisco is sufficient to irrigate at least 250 square miles (160,000 acres), which will thus be left forever arid, as there is no other source of water and there are foothill reservoirs where irrigation water can be stored. California land should produce $100 per acre annually, and $16,000,000 annually are thus to be taken from the resources of the Nation. In the Sacramento Valley the annual rainfall is sufficient to cover the irrigable portions to the "depth of 11 feet," while in this Hetch Hetchy region there would be only 18 inches. (Hearing on H. R. 6281, p. 80.)

"Much of these lands can be irrigated from the Tuolumne if the water of the river is not taken to San Francisco for municipal use." (Report of California Conservation Commission, 1912, p. 218; see p. 227.)

Can this be true conservation?

IS THIS CONSERVATION?

California needs all its water for irrigation. Domestic use must necessarily rob irrigation. Why should not Congress leave the State to settle these questions? One hundred and twenty-five miles north of San Francisco the Eel River pours 200,000,000 gallons daily of good water into the Pacific Ocean which can never be used for irrigation. (Report of hearing, p. 89.) In the Sacramento River vast quantities of water run to the ocean. Why waste these near-by supplies in order to rob the San Joaquin Valley?

The plan of San Francisco, according to Mr. Freeman (Report, p. 78), is ultimately to take 95,000,000 gallons daily and use it for irrigation in and about San Francisco. Think of it! Rob arid lands at the source and bring water 160 miles to irrigate land already well watered. Then, too, the city proposes to throw away the present coast supply (233,000,000 gallons daily) and use Hetch Hetchy water in its place. A pretty conservation this!

THE REPORT OF THE ARMY ENGINEERS.

Stress is laid on this report as recommending the grant of the Hetch Hetchy to the city. What the board says is this:

"The valley of the San Joaquin has less rainfall and less run-off from its rivers than the valley of the Sacramento. The Tuolumne River could, if not used for city supply, be used to irrigate a large amount of fertile land, as could almost any river in the valley of California, if means are found economically to store the water. The board believes that on account of the fertility of the lands under irrigation and the aridness without water the necessity of preserving all available water in California will sooner or later make the demand for the use of the Hetch Hetchy as a reservoir practically irresistible." (Report pp. 50–51.)

Let us cross this bridge when we come to it after full investigation of other reservoir sites. It is a lame and impotent conclusion to take this water away forever from irrigation where it is sorely needed and hand it over to San Francisco, which can turn to other sources.

SECRETARY FISHER REFUSED THE GRANT.

Secretary Fisher wanted more information, and refused to act on this report, saying: "I have decided not to base any official action upon such a conclusion now, and because, if I were now properly authorized to take official action I would prefer some additional information." And he specifies as to these points whether "the use of the Hetch Hetchy Valley as a reservoir site is necessary if the full flow of the upper Tuolumne is to be conserved," evidently referring to the possibility of utilizing the foothill reservoirs suggested by Hon. Francis Burton Harrison, M. C. (Army report, p. 145), and "the San Joaquin Valley is relatively less well provided with water than the Sacramento Valley, both as to rainfall and as to run-off of rivers. The demands of the valley for complete irrigation are in excess of the water available."

Surely Congress also needs this information before it dedicates 80 whole townships to perpetual aridness.

THE COST.

As Hon. Herbert Parsons, M. C., put it in his report to Congress in 1909 (60th Cong., 2d sess., No. 2085, p. 26):

"* * * Certainly the Federal Government is not bound to give up to San Francisco two-fifths of a national park simply because it is cheaper. Why is it cheaper? It is cheaper because having been made a national park it has not been possible for private interests to file upon the water in the same manner that they could have if there had not been a national park. * * * It (San Francisco) goes to Hetch Hetchy mainly because it is the cheapest. Hetch Hetchy is the cheapest because it belongs to all the people instead of some of the people."

The Army engineers figure the water rights that San Francisco would be obliged to purchase on other sources at a valuation of from four to nine millions of dollars. (Report, p. 49.)

But the Army engineers figure the Hetch Hetchy only as $13,000,000 cheaper than the next more expensive source (the Sacramento River filtered). (Report, p. 50.) If this water is filtered, the extra expense is figured by them at ten and a half millions (report, p. 33), so that the Hetch Hetchy is only two and a half millions cheaper. Filtration is required by the proposed act if the city becomes dissatisfied with the limited sanitary regulations; and its experts, Prof. Mary Whipple, of Harvard, and Allen Hazen, told Secretary Fisher that filtration of this water would come in any event within 50 years.

The Sacramento River supply entails about one-half the actual outlay of the Hetch Hetchy—only $52,000,000—while Hetch Hetchy will cost seventy-seven. The extra cost of the former, as figured by the Army board, is made up by a theoretical capitalization of pumping and filtration expense, which is spread over many years.

ELECTRIC POWER THE REAL THING WANTED.

The city will acquire by this grant electric power worth, so the Army engineers say, $45,000,000. For this it pays nothing, except where power is sold, and then the payment to the Government diminishes with the price. But municipal lighting and power it gets free. We do not quarrel with San Francisco on any plan for municipal ownership of public utilities using electric current; but that should be at its own expense and not at the expense of the Nation. Already it has started a municipally owned electric railroad (Geary Street). Its engineer, Manson, estimated an annual saving of $300,000 from lighting the municipal buildings alone.

Is not this the real cat in the meal? The Sacramento River gives plenty of water, but no power.

THAT SUPPRESSED REPORT.

Secretary Ballinger, in May, 1910, gave the city of San Francisco a postponement of his order to show cause why the Hetch Hetchy Valley should not be eliminated from the Garfield permit, saying:

"Said continuance and postponement is granted for the purpose of enabling the city and county of San Francisco to furnish necessary data and information to enable the Department of the Interior to determine whether the Lake Eleanor basin * * * together with all other sources of water supply available to said city, will be adequate for all present and reasonably prospective needs * * * without the inclusion of the Hetch Hetchy Valley as a part of said sources of supply.

"In granting said postponement and continuance it is understood that said city will at once proceed, at its own expense and with due diligence, to secure and furnish to said advisory board of Army engineers all necessary data upon which to make the determination aforesaid."

Yet in the face of this the city deliberately suppresses the Bartell official report obtained for the above purpose, which shows that from the Mokelumne River alone 432,000,000 gallons a day may be had. This supply is nearly 50 miles nearer San Francisco than the Hetch Hetchy. It is a Sierra water drawn from mountain lakes.

If this report was suppressed, how many other reports were also suppressed, and what would the Army engineers have reported had they had these reports?

Nor did the present city engineer, Mr. O'Shaughnessy, inform the Army engineers of his discovery of the reservoir sites on Dry Creek, below Hetch Hetchy, on which he reported to William H. Crocker, saying:

"It would be possible to use this source as an auxiliary supply to Oakland, Berkeley, or San Francisco. The water would be pure, unpolluted water from the snow-beds of the Sierras, and the expense of developing and conveying would not be 60 per cent of many other Sierra supplies."

LETTER OF HON. FRANCIS BURTON HARRISON TO SECRETARY FISHER, OF DECEMBER 3, 1912.

Of this plan Mr. Harrison writes:

"The project would in no way interfere with the possible development of irrigation in that region."

THE PASSAGE OF THIS BILL WILL RESULT IN THE EXCLUSION OF THE PUBLIC FROM NEARLY ONE-HALF OF THE YOSEMITE NATIONAL PARK.

The Hetch Hetchy Valley is the only large level place in the northwestern portion of the park where hotels and permanent camps can be located. The surrounding country is rough and mountainous beyond description, and other camping places are small and widely scattered. Flooding this valley would create a remote lake which would be rarely visited, as there would be no stopping places and no reason for visiting it, as mountain lakes are plenty.

Furthermore, how long will the people of San Francisco consent to camping on the watershed which covers hundreds of square miles where the enforcement of sanitary regulations must necessarily be very difficult, if not impossible, of enforcement? How long will it be before San Francisco demands and gets an act from some future Congress absolutely excluding the public from this territory—such an act as was passed to protect the Bull Run water supply of Portland, Oreg., where not even a road can be built into the watershed?

THE PRICE SAN FRANCISCO OFFERS TO PAY.

For this magnificent water supply, for $45,000,000 worth of electric power, the city offers—what? A road over which it will bring its materials and supplies. It offered Secretary Fisher a "scenic" road around the valley; but this is now to be abandoned on account of the expense or, at least, much shortened.

THIS SUPPLY IS FOR SAN FRANCISCO ALONE.

The bill makes a grant to San Francisco alone. True, the other bay cities are referred to, but they may share only on terms San Francisco may dictate. As long ago as 1903 the Legislature of California passed an act permitting the formation of a water district about the bay. (Act of Mar. 24, 1903.) This being forgotten, a similar act was passed in 1909, which was amended in 1911. No such water district has ever been formed. This matter should wait until these cities determine officially on some plan in which they shall have the right to share.

THE PROPOSED BILL LOOKS TO THE YEAR 2000 AND NOT TO THE PRESENT.

The Garfield permit without Hetch Hetchy will furnish water for many years according to the report of the Director of the Geological Survey. All that is now claimed by the great expert, Mr. Freeman, is that this provision may not be sufficient a century hence if these cities about the bay grow as fast as he predicts. That is all there is to this bill.

What the uses of the park will be a century from now are entirely ignored, and stress is laid on the fact that to-day comparatively few people visit Hetch Hetchy because the road to it stops 8 miles away. The Government has already built hundreds of miles of roads in the various national parks, and when this 8 miles is built the influx of visitors must be large.

THIS PARK SHOULD AT LEAST BE PRESERVED FOR THE DWELLERS IN THE HOT PLAINS OF CALIFORNIA.

Already many dwellers in the central plain of California take their families in wagons to camp in the mountains in the hot season. This park should be made a campers' paradise, for which it is admirably adapted. This bill turns it into a scenic display for the tourist who can afford Pullman cars, automobiles, and hotels. The attitude of the Hetch Hetchy permits its use for campers far into the fall months. The resort to the Swiss mountains in winter as well as summer by all classes of people bent on rest and recreation shows what the future has in store for our national parks.

UNANIMOUS RESOLUTION OF THE CIVIC CLUB OF BINGHAMTON, N. Y.

In view of the irreparable loss threatened by the invasion of commercialism by the building of a reservoir in the beautiful Hetch Hetchy, a part of the Yosemite National Park of California, thereby destroying some of our noblest scenery, we place ourselves on record as protesting against the bill now pending in the United States Senate.

This received unanimous vote from the Civic Club of Binghamton.

Mrs. FRANK D. LYON, *President.*
JESSIE MAREAN, *Secretary.*

BOONE AND CROCKETT CLUB,
OFFICE OF SECRETARY,
New York, November 8, 1913.

Extract from minutes of a meeting of the executive committee of the Boone and Crockett Club, held on October 27, 1913:

"*Resolved*, That the Boone and Crockett Club records its opposition to the surrender of any portion of the Yosemite National Park. This park has been dedicated to the people of the United States. Its partition would be a blow to the entire country. There are other sources of water supply in the Sierras which the city of San Francisco can acquire by purchase. The precedent of destroying a large area of our most beautiful national park for the benefit of a single metropolis is a most dangerous one, and if adopted will be followed by other encroachments on the national parks, which are none too large for the people of our country."

WM. A. WADSWORTH, *President.*
HENRY G. GRAY, *Secretary.*

NEW YORK ZOOLOGICAL SOCIETY.

Extract from minutes of a meeting of the executive committee of the New York Zoological Society, held on June 24, 1913:

"*Resolved*, That the New York Zoological Society records its opposition to the surrender to the city of San Francisco of any portion of the Yosemite National Park. This park has been dedicated to the people of the United States. Its surrender to the people of San Francisco for a purely utilitarian purpose is a blow to the entire country. There are other adequate sources of water supply in the Sierras, which the city of San Francisco can acquire by purchase. The precedent of destroying a large area of our most beautiful national park for the benefit of a single metropolis is a most dangerous one, and if adopted will be followed by other encroachments on the national parks, which are none too large for the people of our country."

Attest:
[SEAL.] H. J. SHORTER, *Assistant Secretary.*

Resolution passed by the American Civic Association at its annual convention held in Cincinnati, Ohio, November 18, 1909:

"Recognizing the wisdom of the Congress in setting aside for public use the great national parks and believing that any avoidable interference with the scenic integrity of these parks is in the highest degree undesirable, the American Civic Association, in convention assembled, urges the Secretary of the Interior to revoke the permit and the Congress to refuse to confirm such permit under which the city of San Francisco is assuming to control eventually for a domestic water supply more than 500 square miles of the best of the Yosemite National Park, unless after a full and impartial inquiry it shall be shown to the satisfaction of the Congress that no other sufficient source of water supply is available to San Francisco. We further respectfully represent that the granting and confirmation of such a permit to invade the public domain would create a most dangerous precedent under which other scenic possessions of the United States would be unsafe from individual or corporate assault."

J. HORACE MCFARLAND, *President.*
RICHARD B. WATROUS, *Secretary.*

DECEMBER 3, 1912.

Hon. WALTER L. FISHER,
Secretary of the Interior, Washington, D. C.

DEAR SIR: There is an economical and adequate source of water supply for the city of San Francisco which has not as yet been brought to your attention and which unquestionably merits investigation. Mr. M. M. O'Shaughnessy, city engineer of San Francisco, acting in the capacity of consulting engineer for one of the individuals interested in this project before his election as city engineer, is familiar with a portion of it and has made a most favorable report in regard to its possibilities for San Francisco water supply.

The project consists of one large and three small possible reservoirs lying north of the town of the Merced County, Cal., on Dry Creek, as shown on the attached map. The total capacity of the large reservoir, estimated from preliminary surveys, is approximately 65,000,000,000 gallons. The combined capacity of the three small reservoirs is approximately 58,000,000,000 gallons, the total capacity of the four reservoirs being approximately 123,000,000,000 gallons. The elevation of the floor of the lowest reservoir is approximately 200 feet above sea level. The elevation of the floor of the largest and highest reservoir is approximately 300 feet above sea level. This means that water could be taken to San Francisco by gravity a distance of approximately 150 miles. The advisability of maintaining pressure greater than this over many miles of pipe line is questionable, and as even in the event of the development of the Hetch Hetchy project pumping would probably be resorted to after the water had actually reached the city, this project does not suffer when compared with the Hetch Hetchy project.

The proposed reservoirs are so situated that water can be drawn from both the Tuolumne and Merced Rivers. This means that flood waters could be impounded so that the rights of irrigationists would not be jeopardized, and the development of the project would in no way interfere with the possible development of irrigation in that region.

Mr. O'Shaughnessy advises the construction of an earth fill for a dam in the instance of the largest reservoir, and the same construction can be carried out in the development of the other three reservoirs.

The preliminary surveys and investigations of this project have been made by Mr. Charles D. Martin, an engineer of Merced County. His work on the large reservoir was checked over and passed by Mr. O'Shaughnessy, but as the project was being considered then for its possible value in connection with land development only the amount of water that could be drawn off at a certain fixed level was estimated. This amount Mr. Martin and Mr. O'Shaughnessy figured at 125,625 acre feet, or, in gallons, 40,933,000,000. Below this level in the large reservoir there are approximately 15,000,000,000 gallons more, which makes the total capacity of the large reservoir, as above stated, 65,000,000,000 gallons. Mr. O'Shaughnessy's suggestion that the project would be tremendously valuable for city supply led to further investigation which brought to light the other reservoirs herein mentioned. The following is a quotation from a report dated July 29, 1912, made by Mr. O'Shaughnessy to William H. Crocker, of San Francisco, concerning the largest reservoir herein referred to:

"As the outlet of the reservoir will have an elevation of 300 feet above the sea it would be possible to use this source as an auxiliary supply to Oakland, Berkeley, or San Francisco. The water would be pure, unpolluted water from the snowsheds of the Sierras, and the expense of developing and conveying would not be 60 per cent of many of the other Sierra schemes."

I have purposely refrained from giving my estimates and figures as to the cost of construction, as I would prefer that such figures should come after further investigation has been made. Owing to the fact that the reservoirs are situated in the foothills and that facilities for construction work are of the best, the cost would be, as Mr. O'Shaughnessy states, far less than the cost of the Hetch Hetchy project.

The estimates of the capacity of the small reservoirs have been made conservatively and Mr. Martin, the engineer, states that in his opinion construction will be hardly any more expensive per gallon of storage than in the case of the largest reservoir.

I would be glad to furnish you with such data as I have at my command, but would prefer that an unbiased engineer, whom you may care to appoint for the work, make a complete report.

Yours, very truly,

FRANCIS BURTON HARRISON.

SAN FRANCISCO, *September 29, 1913.*

Hon. HALVOR STEENERSON,
House of Representatives, Washington, D. C.

DEAR SIR: I have just had opportunity to read over the House Record of the two days' debates on the Hetch Hetchy bill, and have been gratified at your enlightened attitude in the matter and the stanch fight you put up for the people who own the parks.

I have noted that great weight has been placed by Representatives from other States on the unanimity of the Representatives of this State, and I have also noted in this debate with much regret the inaccuracies as to fact of statements made by our own Representatives. I see that Representative CHURCH, in a flight of eloquence, stated that the Hetch Hetchy Valley was now practically inaccessible, and that with a beautiful lake in it it might be resorted to and hundreds camp about the margins of the lake. How far this is from truth is shown by the fact that the city's plans contemplate at least a 200-foot dam, which will flood the entire Hetch Hetchy Valley, both upper and lower portions, and also the Little Hetch Hetchy Valley above and the lower end of the Tuolumne Canyon to a distance of 7 miles from the dam site, and the lake contemplated to be created in this valley would fill and cover the entire floor of the valley to the almost perpendicular walls at the side, so that unless ledges or benches are blasted out and prepared there would be absolutely no possible place for a human being to be, excepting on that portion of the road which the city promises to build along a portion of the north side of the valley.

I am inclosing some pictures of the valley, which indicate how nearly like it is in its many characteristics to the Yosemite Valley itself and how far it is from being a swampy marsh, as described by the proponents of the bill and our Representatives from California. I will not attempt to assign any reason for the attitude taken by our Representatives. However, the statements made by Mr. CHURCH and similar statements made by others of our Representatives must, of course, be founded on lack of information or else are intentional misstatements of the truth.

As a matter of fact we, largely doctors, professors, lawyers, business men, and school-teachers, who are opposing this unnecessary destruction of this beautiful valley, are those who have resorted to it many times. I have visited it myself personally four times, and each time in parties of about 200 people, so that it is easy of access except for vehicles, and one has not to scramble, fall over, slide down, nor incur any risk whatever in visiting the valley.

I noted also throughout the entire debate the persistent statement that the city was going to invest $77,000,000 "in the dam." As a matter of fact the dam, as planned, may not cost, with all the other contemplated works, more than $2,000,000 or $2,500,000, for which, if no further works are built, the city will obtain a $45,000,000 power plant. It will be easy to go thus far and then "discover" that there is not enough water for the needs of irrigation, and that according to the laws of California the irrigationists have the first show, and therefore the city must be content with its power development.

It was originally planned and offered by this city to build a road entirely around the reservoir, bridging the far end. This would have made it possible for parties to visit the Tuolumne Canyon, going up or down through the canyon gateway to the Tuolumne Meadows. By conditions of the bill this will be impossible. The road as planned covers only a small portion of the circuit about the proposed reservoir that is cheapest to build. It passes on the same side as the waterfalls, and of course would not be a vantage point to view the beauties of either Wapama or Tueculala Falls.

There is no doubt but what your enlightened and statesmanlike stand will be appreciated at your home, and if you will see that we have the address of the officials of the State Federation of Women's Clubs, they shall hear from us in a way commendatory to yourself that will not be a hindrance to your future advancement.

Why should there not have been a bill passed calling for a complete and thorough investigation of all the streams of the Sierras flowing into both great valleys of the Sacramento and the San Joaquin, of all the possible storage sites, and for the formulation of a coordinated plan of water storage and reclamation that should provide every irrigable foot of land in both valleys with its due amount of water, and the surplus remain available for domestic use whenever needed in the State?

The taking of 400,000,000 gallons daily of water from the San Joaquin Valley will inevitably doom for all time 250 square miles of irrigable land to aridity, and this for the reason that the investigations already made show that all the waters flowing into the San Joaquin Valley, if conserved, would not be sufficient to supply all the irrigable land in the valley with water.

It takes 2 feet annual service. San Joaquin Valley has 21 inches and Sacramento Valley 7 feet for their irrigable land if all water is stored and utilized.

Hoping that we may count on you in the future, wherever you may be, to stand up, as you have in this case, for the true interests of humanity, I am,

Very truly, yours,

E. T. PARSONS,
Secretary Society for Preservation of National Parks.

CONSERVATIONISTS ON RECORD AGAINST THE SCHEME.

John Muir, pioneer of conservation, discoverer of the great Muir glacier and expert on Sierra scenery. Mr. Muir, leader in this fight, calls the scheme "a collossal grab" and says:

"Dam Hetch Hetchy! As well dam for water tanks the people's cathedrals and churches, for no holier temple has ever been consecrated by the heart of man."

Dr. B. E. Fernow, who brought to the United States and advocated, while in the Interior Department, advanced German ideas of conservation, says:

"It would be an amazingly ridiculous action, showing up the incompetence of democratic government, to reverse, in the face of the sane report of the Army engineers, the conservation policy of preserving this sublime work of nature when there was no necessity for doing so."

Edward A. Bowers, Yale professor of land law, formerly of the United States Land Office under Cleveland, author of the provision under which the vast system of national forests has been established, and who presented to Secretary Lamar a comprehensive scheme of conservation, says:

"I have always been opposed to the project as being destructive of a fine portion of the Yosemite National Park, which is entirely unnecessary as a water supply for San Francisco."

Hon. Francis E. Edmands, who, while in the Senate, killed a bill to confer private rights in the Yosemite Valley, writes from Pasadena of "* * * the despoilment of the Hetch Hetchy Valley in the interest of the commercialism of San Francisco water men, etc., without any at all adequate reason of real public interest and necessity. I do hope that the sober sense of Congress will refuse to authorize the accomplishment of this scheme."

Dr. Charles W. Eliot, first president of the Conservation Congress:

"If the valley is turned into a lake used as a water supply for San Francisco, the public will have to be shut out from all the borders of the lake for health and pleasure uses. This deprivation always follows the use of any large body of water, natural or artificial, for a water supply."

Robert Underwood Johnson, who in 1889 made The Century the pioneer of magazines in conservation and first proposed to Mr. Roosevelt the idea of the White House conference:

"This piece of vandalism, so repugnant to the enlightened opinion of the country, can be rushed through only by the deference of the judgment of Congress to the statements of interested parties."

J. Horace McFarland, president of the American Civic Association and champion of Niagara preservation, who knows the valley by heart:

"The value of great scenic possessions is being increasingly recognized the world over. This value is now known to have a great influence upon the development of that best citizenship, without which the country is poor indeed."

The late Hon. John W. Noble, Secretary of the Interior and father of official conservation:

"The city has abundant water supply other than the reservoir to be constructed here, and it is not necessary to give this up."

The late Hon. E. A. Hitchcock, former Secretary of the Interior, who refused California's request for the valley:

"It is the aggregation of such natural scenic features that makes the Yosemite Park a wonderland, which the Congress of the United States some day will by its wise provision for the coming time, as nearly as practicable, in the condition fashioned by the hand of the Creator—a worthy object of national pride and a source of healthful pleasure and rest for the thousands of people who may annually sojourn there during the heated months."

Frederick Law Olmsted, distinguished landscape architect and member of the National Art Commission.

Mrs. Emmons Crocker, chairman of the conservation committee of the General Federation of Women's Clubs.

Dr. David Starr Jordan, late president of Leland Stanford University, California, says:

"Nothing short of absolute necessity can justify damming Hetch Hetchy."

The late James T. Gardiner, formerly of the California and United States Geological Surveys, who ran the lines of the Yosemite Valley Reservation. Dr. George Kunz, president of the American Scenic and Historical Preservation Society. The late Prof. Joseph Le Conte, of California, the eminent geologist. Prof. Henry Fairfield Osborn, president of the American Museum of Natural History and the American Zoological Society.

Samuel Parsons, landscape architect, for years in charge of Central Park, says:

"The assault on the Hetch Hetchy, if successful, would be a wanton outrage on the marvelous natural beauties of a great national park which no artificial devices can remedy. Injury of natural beauties of this kind are irremediable."

Ernest Thompson Seton, the naturalist, writes:

"The broad principle of conserving the parks and of enlarging rather than contracting them is one to which I am strongly committed."

Edmund A. Whitman, Esq., the distinguished lawyer of Boston, who has visited the valley, says:

"There is no place in the whole 500 square miles in that northwest corner of the Park where any number of people can stay at one time except on the floor of this valley."

Hon. Herbert Parsons, former member of the House Committee on Public Lands, who visited the valley, says:

"The impressive part of Hetch Hetchy is that after you have traveled through the park, through what you might call its waste portions and its rock-bound lakes, you come down to this gem of a valley. * * * Its beauty is the beauty of the floor of the valley, which would be absolutely destroyed by the reservoir."

Hon. Henry L. Stimson, recently Secretary of War, after a personal visit of inspection, thinks the Hetch Hetchy in some respects more beautiful than the Yosemite. He says:

"I feel that this scheme would involve an irreparable loss to the national park, and would greatly impair its ultimate development and

usefulness. Both I and the three Army officers who accompanied me felt that alternative water supplies could be secured that were adequate and satisfactory. The city finds it cheaper to obtain the Hetch Hetchy from Uncle Sam for nothing than to acquire by purchase or condemnation other sites where private interests have obtained a foothold."

Prof. Charles S. Sargent, of the Harvard Arboretum, author of "The Trees of North America," etc., and chairman of the United States forestry commission of the National Academy of Sciences, which investigated the forestry question and recommended many reserves, created by President Cleveland, says:

"If it is possible, even with a larger expenditure of money, to obtain a water supply for the city of San Francisco from another source than the Hetch Hetchy Valley, the destruction of the natural features of that valley must be considered a national misfortune. An artificial reservoir in the valley will destroy some of the most beautiful and interesting scenery in the United States, and the use of a part of one of the national parks for such a purpose will establish a precedent which will make it easier in the future to invade other national parks for purposes which were not contemplated when these parks were established."

ARGUMENTS FOR THE SCHEME REFUTED.

(1) That there is a water famine in parts of San Francisco, making an emergency.

Answer. Any trouble is casual and is with the pipes, not the water. The Spring Valley Water Co., which furnishes the present supply, says there is two years' supply on hand. Mr. Freeman, the city's expert, says the quality of the water is of the best. It comes from a radius of 50 miles.

(2) That the city needs Hetch Hetchy to meet this emergency.

Answer. Hetch Hetchy is 150 miles distant, and could not be utilized for six or eight years.

(3) That Hetch Hetchy is the only supply available.

Answer. The Army Board of Engineers reports that there are several other sources, any one of which could be made available; that the problem is primarily one of cost. Ex-Mayor Phelan, of San Francisco, who is credited with originating the project, confessed before the Senate Committee on Public Lands in 1910 that the city could get an abundant supply of pure water anywhere along the Sierra by paying for it.

(4) That any other source would entail upon the city a cost exceeding that of the Hetch Hetchy by $20,000,000 (the "estimate" of the Army board).

Answer. The Army board reports that neither it nor the city has made a "thorough and complete" investigation of other sources, except the Sacramento River. Who knows that it would cost $20,000,000 more? If the Hetch Hetchy supply is filtered, this estimated difference must be reduced to $3,000,000. This great question should not turn on the mere guesswork of the board when accurate data are not available.

(5) That this assumed difference of cost constitutes a necessity.

Answer. This theory implies that the Nation should give up any part of its great national parks when any city 150 miles distant wishes to save money, though the city might be in the hands of grafters, as San Francisco has sometimes been since the Hetch Hetchy fight began and as it may be again.

(6) That San Francisco, having suffered a great calamity by the earthquake, may appeal in the name of humanity for this relief.

Answer. This was the purpose of the first bill in Congress—to supply water for drinking and other domestic purposes. The object of this bill is hydroelectric power worth, the Army board says, $45,000,000—a careful calculation. The San Francisco Journal of Commerce (Sept. 29, 1913) calls it "this wonderfully valuable privilege for San Francisco." The Call says, "Hetch Hetchy will bring an electric age." Leave out the power provision and the bill would be withdrawn. The humanity cry is pure bunkum.

(7) That the city is in the clutches of a water monopoly.

Answer. The city has come to terms with the Spring Valley Co. and is ready to buy it out by condemnation proceedings. It might have done so years ago. The San Francisco Chronicle says (Oct. 14), "The company is ready to sell and the city is ready to buy." Again, it says (Oct. 4) "the condemnation suit seems to slumber soundly and strangely." As an argument for the bill the "monopoly" cry is pure humbug.

(8) That this "monopoly" is supporting the opposition to the bill.

Answer. In the same breath it is said that Mr. Bourn, president of the company, favors the bill. Men of integrity like John Muir all over the country are fighting it. They have no relation to the company.

(9) That everybody in California favors the bill.

Answer. Senator WORKS telegraphed to Senator SHOOT that 99 per cent of the users of the water of Hetch Hetchy in the San Joaquin Valley are opposed to it. Many Californians outside of San Francisco also oppose it.

(10) That the valley will be improved by damming and flooding it.

Answer. The rare beauty of Hetch Hetchy, as the elder Frederick Law Olmsted said, consists in the contrast between the rugged cliffs and the exquisite floor. Destroy the latter and you destroy the "original beauty" which Congress determined to preserve by the act creating the Yosemite National Park. A city park is beautiful in its place, a natural lake in its place, but what is desirable in the Hetch Hetchy is the delightful charm of its lovely wildness, for which an ugly dam and an artificial reservoir with a dirty rim would be no substitute. If such a lake be more beautiful, shall we make reservoirs of Yosemite Valley and all other wonderful valleys in the national parks? Let the city politicians once get possession of the valley and who shall guard against a riot of vandalism? The mismanagement of the Yosemite Valley by California was a scandal until the valley was retroceded to the United States. The average politician would "coneyislandize" the Garden of Eden.

(11) That if the city doesn't take the national-park supply now the water will have to go to the irrigation farmers eventually.

Answer. For purposes of irrigation it can be impounded below and outside the park, as Mr. O'Shaughnessy, city engineer of San Francisco, has said. The bill would take the water from a naturally arid valley that is now using it, and will hereafter need it, instead of providing a supply for the city from the Sacramento Valley, which has more water than it can use.

The bald question is: Shall the Nation, in order to save San Francisco an assumed difference of cost between the Hetch Hetchy and any one of several other supplies spoken of by the Army board in its report, make the city a present of a franchise worth $45,000,000 and destroy the unique beauty of the valley, called by Mr. Pinchot "one of the great wonders of the world"? If the Hetch Hetchy is not worth saving, what else in the national-park system can be defended against the demands of commercial greed?

The National Committee for the Preservation of the Yosemite National Park urges every American citizen, man or woman, to make brief protest at once against this project to Senators of the United States and to the President. The proponents of the bill claim that a majority of the Senate are committed to its passage, but this is by no means sure. Most Senators, fatigued by the labors of the extra session, have not had time to weigh the testimony with the candor and thoroughness which should be given to a proposition of such importance and such irretrievable consequences. Committal to vote for a bill afterwards found to be against public policy is not likely to be considered binding.

But it is not to be disguised that only hard and continuous work can insure the defeat of this monstrous piece of folly.

"Winds blow,
And waters roll, strength to the brave."

AGAINST THE HETCH HETCHY BILL—A DECLARATION BY THE HEAD OF PRESIDENT CLEVELAND'S FORESTRY COMMISSION.

Prof. Charles S. Sargent, the distinguished arboriculturist, director of the Arnold Arboretum of Harvard and chairman of the Commission for the Preservation of the Adirondack Forests, 1885, as well as chairman of the United States Forestry Commission, 1896-97, and otherwise known for his prominence in the conservation movement, has written as follows concerning the Hetch Hetchy controversy:

"If it is possible, even with a larger expenditure of money, to obtain a water supply for the city of San Francisco from another source than the Hetch Hetchy Valley, the destruction of the natural features of that valley must be considered a national misfortune. An artificial reservoir in the valley will destroy some of the most beautiful and interesting scenery in the United States, and the use of a part of one of the national parks for such a purpose will establish a precedent which will make it easier in the future to invade other national parks for purposes which were not contemplated when these parks were established."

AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS,
New York, November 10, 1913.

The American Society of Landscape Architects has voted to oppose the principle of granting in any national park or monument either temporary or permanent rights in favor of individuals, corporations, or States that shall impair the beauty, location of use, or safety of such holdings. On this ground we oppose the proposed grant to San Francisco, Cal., of reservoir and power privileges in the Hetch Hetchy Valley of the Yosemite National Park that a bill pending in the United States Senate provides for, and also because it has been shown that such a grant is unnecessary.

CHARLES DOWNING LAY, *Secretary.*

WHAT MAKES THE HETCH HETCHY BEAUTIFUL.

In 1890 the unintelligent and inartistic treatment of the floor of the Yosemite Valley by the State commissioners—for it was then under control of California—was a matter of contempt throughout the country. There was a great outcry against the vandalism that was then being committed by the slashing of vistas, the cutting of underbrush, the conversion of natural meadows into hayfields, and other similar acts. At that time Mr. Frederick Law Olmsted, the elder, probably the most distinguished American landscape architect, wrote an article from which the paragraph which follows is taken. Its relation to the Hetch Hetchy Valley controversy at the present time will be manifest when it is remembered that, as John Muir says, "the Hetch Hetchy is a wonderful exact counterpart of the Yosemite," so that the principles which govern the beautiful effect of one valley are entirely applicable to the other. The lines printed in italics may, without the slightest straining for effect, be considered as applicable to the Hetch Hetchy itself. It is doubtful if Mr. Olmsted ever saw the latter valley.

EXTRACT FROM A STATEMENT IN REGARD TO GOVERNMENTAL PRESERVATION OF NATURAL SCENERY.

[By Frederick Law Olmsted, Brookline, Mass., Mar. 8, 1890.]

A systematic removal of all the young trees of the valley would be equivalent to the destruction in the course of time of just what the State of California stands voluntarily pledged to "*hold, inalienably, for all time.*" That is to say, the distinctive charm of the scenery of the Yosemite does not depend, as it is a vulgar blunder to suppose, on the greatness of its walls and the length of its little early summer cascades; the height of certain of its trees, the reflections in its pools, and such other matters as can be entered in statistical tables pointed out by guides and represented within picture frames. *So far, perhaps, as can be told in a few words, it lies in the rare association with the grandeur of its rocky elements, of brooks flowing quietly through the ferny and bosky glades of very beautifully disposed great bodies, groups and clusters of trees. In this respect its charm is greater than that of any other scenery that, with much searching, I have found.* There is nothing in the least like it in the canyon of the Colorado, sometimes foolishly compared with the Yosemite. I felt the charm of the Yosemite much more at the end of a week than at the end of a day, much more after six weeks, when the cascades were nearly dry, than after one week, and when, after having been in it, off and on, several months, I was going out, I said, "I have not half taken it in." To the perpetuation of this charm nothing is more essential than the constant renewal of its wood. There will always be danger that fire will too much interefere with what it is necessary to provide in this respect.

SOCIETY FOR THE PRESERVATION OF NATIONAL PARKS,
CALIFORNIA BRANCH, *San Francisco.*

MORE LIGHT ON THE DESTRUCTIVE HETCH HETCHY SCHEME—A CRISIS IN NATIONAL PARK AFFAIRS—LET EVERYONE HELP TO SAVE OUR GREAT NATIONAL PLAYGROUNDS FROM INVASION.

To the American people, fellow owners of the Yosemite National Park:

In 1890 Congress, with wise foresight, dedicated to the American people for all time this great health-giving playground. The Yosemite Valley had already been made a park, and it was primarily to preserve the Hetch Hetchy Valley and Tuolumne Meadows from destruction that the

greater Yosemite National Park was created. This was done 10 years before San Francisco began to covet the national park.

Negligently allowing opportunity after opportunity for making adequate provision for a future water supply to slip away and pass into private hands, she finally awoke to the fact that one of the cheapest sources remaining was the so-called Hetch Hetchy source on the Tuolumne River, inside the national park. This source attracted San Francisco solely because Congress had wisely set it apart for the use and recreation of all the American people, and consequently during all these years it had remained free from private claims.

The Hetch Hetchy Valley is a wonderfully exact counterpart of the great Yosemite, not only in its cliffs and waterfalls and peaceful river, but in the gardens, groves, meadows, and camp grounds of its flowery parklike floors. Here on this wonderful level floor, carpeted with ferns and flowers, amid magnificent groves of nature's own planting, is room for thousands of campers and tourists. Here they can view the wonderful domes and cliffs and waterfalls of this Tuolumne Yosemite as they can from no other place. San Francisco schemes to flood these gardens and groves 200 feet deep and to wipe out all the extensive and available camp grounds. There are no other camp grounds anywhere in this region that are at all comparable to those that would be destroyed. The effect of flooding the Hetch Hetchy Valley would be the same as if the Yosemite Valley were flooded, leaving not a single spot for a camp on all the spacious garden floor.

This same application by the city has been denied several times in the past. Secretary of the Interior Hitchcock refused it in most emphatic terms in 1908. A little later Secretary of the Navy Metcalf rendered a concurring opinion. In 1909–10 the city applied to Congress, but recognizing that the bill would be defeated it was allowed to die. Secretary of the Interior Garfield granted a qualified permit to use Lake Eleanor first, but Secretary of the Interior Ballinger called on the city to show cause why the Hetch Hetchy portion of this permit should not be eliminated, and Secretary of the Interior Fisher, in 1913, confirmed this order, saying that there was grave danger in creating such a precedent where the saving of money only was involved.

Encouraged by the change in administration at Washington, the city is again asking Congress for this priceless wonderland which belongs to all the American people. The city has been persistently working in Washington for months, with unlimited financial backing at its command, and is now striving to rush this bill through at scandalous speed, without allowing time for the people, the owners of the park, to be heard in its defense. It will endeavor to have the bill called up in the Senate in the near future, and it is vital that every person who reads this letter, no matter how busy he thinks his request may be, should write to his Senators in Congress and to President Woodrow Wilson, asking that the wise forethought and labor of years may not be undone, and urge that this new administration shall not create the dangerous precedent of destroying and turning to commercial uses the parks dedicated to the people.

Already, emboldened by this assault, there are other interests at work, hoping to get a foothold in the vicinity of Yosemite Valley itself, in order to utilize the water power of its magnificent falls. No part of the people's parks will be too grand or too sacred to escape unscathed from hungry hordes of despoilers if this destructive Hetch Hetchy scheme prevails.

SOCIETY FOR THE PRESERVATION OF
NATIONAL PARKS, WESTERN BRANCH,
JOHN MUIR, *President*.

SAN FRANCISCO SPECIOUSLY CLAIMS AN EMERGENCY TO JUSTIFY ACTION AT THIS SPECIAL SESSION.

In order to rush this bill through at this special session of Congress before the general public has become aroused to the danger which threatens their parks, San Francisco is speciously urging it as an "emergency" measure. It is quite true and well known that San Francisco needs water, but her own engineers admit that the present supply can be more than doubled by adding near-by sources, and under the circumstances this is the only possible plan of development before the city has to go to the Sierra.

As a matter of fact, those portions of San Francisco now experiencing any shortage are the regions in which service pipes have not been properly supplied, and these pipes have not been laid on account of fruitless dissensions between the officials of the city and the water company at present supplying the city. The sworn statements of the water company for May 1 last show in their reservoirs 400 days' supply, and they have in their subterranean gravel sources another 400 days' supply, or over two years' supply if rain does not fall meanwhile.

The claim San Francisco's representatives are making that portions of the city are without water, and that there is a water famine imminent, is entirely aside from the question, for this situation can not be relieved in any way by the Hetch Hetchy, even if the city gets it, for it must go elsewhere for water in the meantime. The city officials and the water company have finally come to an agreement and have commenced the construction of a dam in the Calaveras Valley across the bay which will add 40,000,000 gallons daily to the present supply and will relieve the situation, so that it will be unnecessary to commence any Sierra project for many years to come.

Brig. Gen. H. M. Chittenden, United States Army, who recently made an elaborate investigation of San Francisco's water-supply needs, reported as follows:

"There is no substantial reason to believe that the consumption of water in San Francisco County will exceed 92,000,000 gallons daily by 1950, or 235,000,000 gallons daily for the five bay counties, apart from the supply from private wells.

"The three main divisions of the Spring Valley system—the Peninsula, the Alameda, and the Coast streams—by careful development into a single unified system are capable of a dependable supply of over 200,000,000 gallons daily.

"By resort to the company's other sources and to the San Joaquin River, the supply may be indefinitely increased.

"So far as quantity is concerned, there is no present necessity for a resort to the Sierra and will not be for an indefinite period to come.

"The question discussed in the foregoing report is not that of the sufficiency or desirability of the Hetch Hetchy supply in itself, but that of the present necessity of such an outside supply for the people of San Francisco and vicinity. The result of the investigation has been to show that such a necessity does not now and possibly may never exist; that the supply would be in the nature of a luxury rather than a necessity, and a very costly luxury at that." (From 1912 report of Brig. Gen. H. M. Chittenden, brigadier general, United States Army.)

The estimates of Engineer H. H. Wadsworth, who assisted the Army board, and the conclusions of the Army board itself indicate that it will be many years before these near-by sources are exhausted, and that San Francisco's present claim of emergency is not consistent with the facts. John R. Freeman, the leading engineer employed by the city, reported that construction work on the Hetch Hetchy project could be deferred for several years, and that it would be greater economy to utilize nearer sources meanwhile. (See pp. 69, 74, Freeman report, 1912.)

MANY OTHER SOURCES AVAILABLE FOR SAN FRANCISCO.

The advisory board of Army engineers on February 19, 1913, after investigating the water-supply situation of San Francisco, arrived at the following conclusion:

"The board is of the opinion that there are several sources of water supply that could be obtained and used by the city of San Francisco and adjacent communities to supplement the near-by supplies as the necessity develops. From any one of these sources the water is sufficient in quantity, and is or can be made suitable in quality, while the engineering difficulties are not insurmountable. The determining factor is principally one of cost."

In the face of this report the truth that San Francisco can obtain abundance of pure mountain water for present and future needs without invading the Yosemite Park can no longer be questioned.

THE HETCH HETCHY VALLEY IN THE YOSEMITE NATIONAL PARK: WHAT IT IS AND THE DANGERS THREATENING ITS DESTRUCTION.

(By John Muir.)

DESCRIPTION OF THE HETCH HETCHY VALLEY.

A few enterprising politicians up to all sorts of big business, calling themselves "The City of San Francisco," have been plotting and planning for the last 10 years to get possession of the Hetch Hetchy Valley for a reservoir to supply the city with water and electric power, working very hard, watching the political sky, scheming, log rolling, regarding the invasion of national parks as the development of natural resources for highest uses, and at last, after repeated defeats, pleading dire necessity for the colossal grab.

This Hetch Hetchy mountain temple so attractive to campers from the lowlands seeking rest and recreation as well as to seekers of water and power is a grand valley like Yosemite, on the north side of the Yosemite National Park.

After my first visit, in the autumn of 1871, I have always called it the Tuolumne Yosemite, for it is a wonderfully exact counterpart of the great Yosemite, not only in its river and sublime rocks and waterfalls but in the gardens, groves, and meadows of its flowery parklike floor. The floor of Yosemite is about 4,000 feet above the sea; the Hetch Hetchy floor about 3,700. The walls of both are of gray granite, rise abruptly out of the flowery grass and groves, are sculptured in the same style, and in both every rock is a glacial monument.

Standing out from the south wall is a strikingly picturesque rock called "Kolana" by the Indians, the outermost of a group 2,300 feet high, corresponding with the Cathedral Rocks of Yosemite both in relative position and form. On the opposite side of the valley, facing Kolana, there is a counterpart of El Capitan, 1,800 feet high, and over its massive brow flows a stream which makes the most graceful fall I have ever seen. From the edge of the cliff it is free in the air for a thousand feet, then breaks up into a ragged sheet of cascades among the bowlders of an earthquake talus. It is in all its glory in June, when the snow is melting fast, but fades and vanishes toward the end of summer. The only fall I know with which it may fairly be compared is the Yosemite Bridal Veil; but it excels even that favorite fall both in height and fineness of fairy airy beauty and behavior. In the first white outburst of the fall abundance of visible energy is seen, but it is speedily hushed and concealed in divine repose; and as it descends progress to the base of the cliff is like that of downy feathers in a still room. Near the head is seen in groups of booming cometlike masses, their solid white heads separate, their tails like combed silk interlacing among delicate shadows, ever forming and dissolving, worn out by friction in their rush through the air. Most of these vanish a few hundred feet below the summit, changing to varied forms of downy cloudlike drapery.

So fine a fall might well seem sufficient to glorify any valley; but here, as in Yosemite, nature seems in no wise moderate, for a short distance to the eastward of Tueeulala (the Indian name) booms and thunders another great Hetch Hetchy fall, Wapama, so near that you have both of them in full view from the same standpoint. It is the counterpart of the Yosemite Fall, but has a much greater volume of water. No two falls could be more unlike. Tueeulala out in the open sunshine sifting, floating, descending like thistledown; Wapama in a shadowy gorge roaring and thundering, pounding its way with the weight and energy of an avalanche. Besides this glorious pair there is a broad, massive fall on the main river a short distance above the head of the valley, a chain of magnificent cascades on a stream that comes in from the northeast, mostly silvery plumes, like the one between the Vernal and Nevada Falls of Yosemite, half sliding, half leaping on bare glacier-polished granite, covered with crisp clashing spray into which the sunbeams pour with glorious effect. And besides all these small streams come over the walls here and there with birdlike song, but they are too unshowy to be noticed in so grand a place.

The floor of the valley is about 3½ miles long and from one-fourth to one-half mile wide. The lower portion is mostly a level meadow, about a mile long, with the trees restricted to the sides, and partially separated from the upper forested portion by a low bar of glacier-polished granite, across which the river breaks in rapids.

It appears, therefore, that Hetch Hetchy Valley, far from being a plain common rock-bound meadow, as many who have not seen it seem to suppose, is a grand landscape garden, one of nature's rarest and most precious mountain mansions. As in Yosemite, the sublime rocks of its walls seem to the nature lover to glow with life, whether leaning back in repose or standing erect in thoughtful attitudes, giving welcome to storms and calms alike, their brows in the sky, their feet in the groves and meadows, a thousand flowers, leaning confidingly against their adamantine bosses, while birds, bees, and butterflies help the river and waterfall to stir the air into music—things frail and fleeting and types of permanence meeting here and blending, as if into this glorious mountain temple nature had gathered her choicest treasures, whether great or small, to draw her lovers into close confiding communion with her.

Strange to say, this is the mountain temple that is now in danger of being dammed and made into a reservoir to help supply San Francisco with water and light. This commercial use of the valley, so destructive and foreign to its proper park use, is still being prayed for by the San Francisco board of supervisors, not because water as pure and abundant can not be got from adjacent sources outside the park—for it can—but

seemingly only because of the comparative cheapness of the dam required.

Garden and park making goes on everywhere with civilization, for everybody needs beauty as well as water and bread, places to play in and pray in, where nature may heal and cheer and give strength to body and soul. This natural beauty hunger is displayed in poor folks' window gardens, made up of a few geranium slips in broken cups, as well as in the costly gardens of the rich, spacious city parks and botanical gardens, and in our magnificent national parks—the Yellowstone, Yosemite, Sequoia, etc.—nature's own wonderlands, the admiration and joy of the world. Nevertheless, like everything else worth while, however sacred and precious and well guarded, they have always been subject to attack, mostly by despoiling gain seekers eagerly trying to make everything dollarable.

THE BEAUTIFUL LAKE FALLACY.

Landscape gardens, places of recreation and worship, are never made beautiful by destroying and burying them. The beautiful lake, forsooth, would be only an unnatural blot on the landscape, like many others to be seen in the Sierra. For instead of keeping it at the same level all the year, allowing nature to make new shores, it would, of course, be full only a month or two in the spring, when the snow is melting fast. Then it would be gradually drained, exposing the slimy sides of the basin and shallower parts of the bottom, with the gathered drift and waste, death and decay of the upper basins, caught here instead of being swept on to decent natural burial along the banks of the river or in the sea. Thus the Hetch Hetchy dam lake would be only a rough imitation of a natural lake for a few of the spring months, an open mountain sepulcher for others.

VIEWS OF JAMES BRYCE.

The Right Hon. James Bryce, until recently British ambassador to the United States, has for years been keenly interested in the preservation of Hetch Hetchy. In his address before the American Civic Association on "National parks—the need of the future," he said:

"The world seems likely to last a long, long time, and we ought to make provision for the future.

"The population of the world goes on constantly increasing, and nowhere increasing so fast as in North America.

"A taste for natural beauty is increasing and, as we hope, will go on increasing.

"The places of scenic beauty do not increase, but, on the contrary, are in danger of being reduced in number and diminished in quantity, and the danger is always increasing with the accumulation of wealth, owing to the desire of private persons to appropriate these places. There is no better service we can render to the masses of the people than to set about and preserve for them wide spaces of fine scenery for their delight.

"From these propositions I draw the conclusion that it is necessary to save what we have got and to extend the policy which you have wisely adopted by acquiring and preserving still further areas for the perpetual enjoyment of the people."

THE WATER-POWER MOTIVE BEHIND THE SCHEME.

We have always contended that water power was the principal inducement for the city's acquiring the Hetch Hetchy source. The Freeman report declares that the city can ultimately develop 200,000 horsepower from this source, "an amount greater than is developed to-day at any one hydraulic power house outside of Niagara," and that this "power privilege will be a most valuable asset of the Tuolumne water-supply system." The Army engineers estimate the privilege to be worth $45,000,000. This fact is the sake of the Nation as a free gift, to be attained only through the Nation's loss of a valley whose scenic assets are worth immensely more if preserved for future generations.

Even had the city proved a necessity, which she has not done, warranting the mutilation of the national park as the city plans, would it not have been a just proceeding for the Government to have reserved some measure of the spoils which are admittedly not an essential part of the city's plan to secure pure water, to have definitely laid down the policy that this power, with the timber and all other natural resources within the national parks, should be forever reserved for sale, the proceeds to be devoted to improving and maintaining the parks? And this on the broad basis that these national parks, having been reserved for all the people, who own them in common, thus having been "conserved" in the broadest sense of the term, they should be administered and maintained for all the people, including the citizens of California, rather than that they should be diverted, mutilated, or sequestrated from their dedicated public use to the dollar gain of a section, a municipality, or a corporation of any sort.

The irrigation districts in San Joaquin Valley started to fight this bill most bitterly, but all of a sudden the opposition ceased, and everyone wondered why. However, a colleague of one of the irrigation-district representatives states in explanation that the city attorney and the city engineer, representing San Francisco, promised the representatives of the irrigation districts that they would never interfere with their water supply, and that it was not water that they were after, but the power, and that they were perfectly willing that the irrigationists should have all the water, provided the city could get the power rights. By what right are San Francisco politicians entitled to one dollar's profit from the wise foresight of this Nation, exercised in the interest of all its citizens? If such a rank policy of commercialism is once provided with a precedent, every one of the people's playgrounds will become the object of municipal and political greed. Shall we let the money changers ruin what is left to us of God's temples?

VIEWS OF J. HORACE M'FARLAND, PRESIDENT OF AMERICAN CIVIC ASSOCIATION.

"The value of great scenic possessions is being increasingly recognized the world over. This value is now known to have a great influence upon the development of that best citizenship without which a country is poor indeed. It is also admittedly understood to relate very closely to the maintenance of the health of the people. * * * The travel tribute paid to the Yosemite National Park is annually increasing, and as our population increases it must increase in larger proportion, for more and more are men driven for necessary rest and recreation to the few remaining spots presenting undamaged nature's sublimest works. It may therefore be assumed, I insist, that all of the Yosemite National Park, which in its wisdom Congress set aside many years ago for just the purpose I have been urging, holds a very large value, inhering to all the people of the United States. This value, I insist, should not be interfered with except for a grave public necessity and for cause fully shown to the satisfaction of the whole country, who own the Yosemite National Park."

A DANGEROUS PROVISION OF THE BILL.

A clause introduced into the Hetch Hetchy bill at the last moment provides that people must not deposit refuse within 300 feet of running streams. This, at one stroke, ousts all visitors from the sublimely wonderful Tuolumne Canyon, one of the greatest wonders in the park. For at most points the canyon walls are less than 300 feet from the river.

This will also make it impossible to camp in many most beautiful portions of the park where the cliffs come down close to the streams. By referring to the report of the Army engineers to Secretary Fisher, we find, on page 32 in the report of the city's sanitary experts, the statement that 50 feet from the banks of any running stream would be a satisfactory and sufficient restriction.

On account of its importance the communication to the city from Messrs. Hazen and Whipple, well-known experts on water supply, is quoted:

WASHINGTON, D. C., *November 25, 1912.*

PERCY V. LONG,
City Attorney, City of San Francisco.

DEAR SIR: In compliance with your request, we suggest that the following rules are appropriate and sufficient for the purpose of protecting the water in the Yosemite National Park proposed to be used for a municipal water supply for San Francisco under present conditions and under all future conditions of which we can conceive as probable, even should 10,000 or 20,000 people per year visit this watershed upstream from the proposed reservoirs of the city of San Francisco.

RULES.

(1) No human excrement, garbage, or other refuse shall be placed in the waters of any reservoir or stream or within 50 feet thereof.

(2) All sewage from permanent camps and hotels within the watershed shall be filtered by natural percolation through porous earth or otherwise adequately purified.

(3) It is forbidden to bathe, wash clothes or cooking utensils, to water stock, or in any other way pollute the waters within the limits of the Hetch Hetchy Reservoir or in the streams leading thereto within 1 mile of said reservoir or in the water from the reservoir between it and the "Early intake" of the aqueduct.

The first and second of the above rules are requirements of common decency and are needed in order to protect campers along the stream from the effects of pollution by other campers farther up the stream, whether or not the city ever comes to use the water. The third rule is substantially the same as that now in force on the waters and creeks above the Sentinel Hotel in the Yosemite Valley. This rule, so far as it relates to the stream between the Hetch Hetchy Dam and the "Early intake," will not be needed after the construction of the aqueduct through this distance.

We are of the opinion that no rules are required forbidding fishing in the reservoir or against boating or bathing in the stream upstream from the reservoir and that there will never be need for prohibiting camping, skating, and sleighing on the Hetch Hetchy catchment area.

Rules against littering the ground at camping places are not essential for sanitary reasons, but are desirable for making the park more attractive when frequented by large numbers of campers, whether or not used for municipal water supply.

We can not conceive it as even remotely possible that future conditions could call for the exclusion of tourists or campers from this watershed when guarded by the above rules and a very few sanitary inspectors; and should popular sentiment or higher standards as regards water supply arise 50 years hence there will always remain the opportunity for filtration.

This gathering ground, however much frequented, will remain so superior to the average surface water supply of American cities that action by the city toward the exclusion of campers may be regarded as certain to never be called for.

Respectfully submitted.

ALLEN HAZEN,
GEORGE C. WHIPPLE.

City officials, when interviewed on this matter, disclaimed responsibility for the change and referred to above report of their experts as embodying all they ask.

For what reason has this legislation closed to the 90,000,000 Americans large areas of the park they own in a way the city's representatives disclaim and admit to be unnecessary?

The late Hon. E. A. Hitchcock, Secretary of the Interior, denied San Francisco the use of Hetch Hetchy Valley as a reservoir December 22, 1908, saying:

"Presumably the Yosemite National Park was created such by law because of the natural objects, of varying degrees of scenic importance, located within its boundaries, inclusive alike of its beautiful small lakes, like Eleanor, and its majestic wonders, like Hetch Hetchy and Yosemite Valley. It is the aggregation of such natural scenic features that makes the Yosemite Park a wonderland which the Congress of the United States sought by law to preserve for all coming time as nearly as practicable in the condition fashioned by the hand of the Creator—a worthy object of national pride and a source of healthful pleasure and rest for the thousands of people who may annually sojourn there during the heated months."

HETCH HETCHY VALLEY.

"It is a veritable Yosemite Valley on a small scale. The Hetch Hetchy Falls, near the lower end of the valley, are fully equal in beauty and grandeur to many of the falls in Yosemite Valley. The rugged granite walls, covered with domes, towers, spires, and battlements, seem to rise almost perpendicularly upon all sides to a height of 2,500 feet above this beautiful emerald meadow, which, seen from the trail approaching it from the east, is a sight never to be forgotten." (Twenty-first An. Rep. U. S. Geological Survey, Pt. IV, p. 450.)

"* * * below me—hundreds of feet below—lay the valley, a broad meadow, green as emerald, skirted at the edge with forests and locked in precipitous granite cliffs, mountain high, between which white waterfalls stood erect and slim like dryads. Through this meadow a shining river wandered lazily—we could not see from so far how swift it was—turning back upon its course, tangling itself into Ss and Ms as if it were loth to leave so beautiful a place. It looked like pictures I have seen of the Vale of Cashmere, like that river whose meanderings have been the inspiration of a nation's art, whose pattern you may unravel in your Persian rugs and shawls. This was our Vale of Cashmere; ours forever, wisely dedicated to the people by our Government, preserved forever from despoiling hands within the sacred boundaries of a national park, and therefore indestructible, inviolable.

"* * * It was a garden of paradise, this valley, a lesser Yosemite but very different, with an infinitely charming individuality of its own;

smaller but more compact, less grand but not less beautiful." (From description by Harriet Monroe at hearing before Senate Committee on Public Lands on S. Res. 123, Feb. 10, 1909.)

THE TUOLUMNE MEADOWS.

On the headwaters of the Tuolumne River, which runs down and drains into the proposed Hetch Hetchy reservoir, are situated the famous Tuolumne meadows.

The importance of these meadows as camp grounds and their scenic beauty have been described as follows:

Prof. Joseph Le Conte, the late eminent geologist, writes that "the Tuolumne Meadow is a beautiful grassy plain of great extent, thickly enameled with flowers and surrounded with the most magnificent scenery."

Referring to this same region, the United States engineers report as follows:

"Peaks capped with perpetual snow are numerous. Mounts Hoffman, Conness, and Gibbs, and many others raise their heads to an elevation in excess of 12,000 feet, while Mounts Dana, Lyell, and McClure (over 13,000 feet) have in addition living glaciers of great beauty, equal in interest to those of Switzerland. * * * Following along the Tioga Road a series of lakes and streams are passed that are unequaled for fishing. The scenery is particularly grand, and there are found here a number of mineral springs which are equal to any of the famed springs of the country. * * * Through this section of the park wood, water, and grass abound, making it a paradise for campers." (S. Doc. No. 155, 56th Cong., 1st sess., p. 21.)

John Muir, our honored president, says that "the upper Tuolumne Valley is the widest, smoothest, most serenely spacious, and in every way the most delightful pleasure park in all the high Sierra."

THE GRAND CANYON OF THE TUOLUMNE.

This stupendous scenic feature of the Yosemite National Park extends for 20 miles immediately above the Hetch Hetchy Valley along the main river, which drains directly into the proposed reservoir.

To describe it is almost beyond the power of words, but Herbert W. Gleason, the well-known traveler and lecturer of Boston, has written the following creditable description:

"The Grand Canyon of the Tuolumne River deserves to rank, in its sublime impressiveness, stupendous majesty, and rugged beauty with anything that this country affords. The Grand Canyon of the Colorado is, of course, superior in its vast extent and its brilliant coloring; yet the Tuolumne Canyon, by reason of the fact that its perpendicular walls, 4,500 to 5,000 feet in height, are as a rule less than a mile apart at their base, while the walls of the Colorado Canyon are from 10 to 15 miles apart, produces a sense of overwhelming grandeur which not even the great Arizona Canyon can give. Through the length of the canyon for 20 miles flows the Tuolumne River in a constant succession of magnificent waterfalls and cascades, some of which, though not as lofty, are more uniquely beautiful than the famous falls of the Yosemite Valley."

These features of the Yosemite National Park have been described to emphasize the fact that excepting the Yosemite Valley the Tuolumne watershed portion of the park is by far the finer and more attractive half.

The bill now before Congress provides that all garbage and refuse must be deposited more than 300 feet away from any running stream flowing into Hetch Hetchy Valley. Since there are few places in this canyon where the vertical walls are 300 feet from the river, the practical effect of this destructive bill would be to forever close to the public one of the most wonderful canyons in America.

EFFECT OF FLOODING THE HETCH HETCHY VALLEY.

The board of Army engineers who reported on this project said:

"It is admitted that the Yosemite Valley is as a whole more wonderful than the Hetch Hetchy Valley, but the floor of the latter is more diversified in its trees and flowers and of at least equal beauty. Flooding the valley would destroy this floor and the falls of the Tuolumne at the head of the valley."

G. Frederick Schwarz, a forest landscape expert, says:

"In many respects similar to the Yosemite, to which it lies nearest, it surpasses even that splendid valley in the grouping of its trees, its magnificent single specimens, its fine oak benches, meadows, and richly decorated walls."

THE UNIQUE AND STRATEGIC RELATION WHICH HETCH HETCHY VALLEY BEARS TO THE PARK AS A WHOLE.

"In traversing the northern portion of the park, owing to the mountainous and rocky nature of the country, suitable camping spots and forage grounds, especially for parties of a considerable size, are few and far between. Sometimes when a spot for the night's camp has been selected the packers are obliged to drive their animals—or allow them to wander—long distances in order to secure sufficient and suitable feed. Under these conditions Hetch Hetchy Valley, with its level floor and luxuriant meadows, is hailed as a paradise both by man and beast. It is owing to this circumstance that all the trails in the northern portion of the park center in Hetch Hetchy; and in time to come, as travel increases, it will be recognized that here is the spot above all others for a hotel to be built, not only because of the magnificence of the surrounding scenery but because here the demands of such an establishment can best be met. With Hetch Hetchy flooded, this important feature of the valley as headquarters for tourist travel will be forever lost, and there will be absolutely nothing to take its place."

ADDRESS BY COL. JORDAN ON AGRICULTURAL FINANCE (S. DOC. NO. 237).

Mr. FLETCHER. I ask unanimous consent to have printed as a document an address delivered by Hon. Harvie Jordan, of Atlanta, Ga., delivered before the General Assembly of Georgia at Atlanta, Ga.; the National Conservation Exposition at Knoxville, Tenn.; and the South Carolina State Fair, held at Columbia, S. C. Col. Jordan is a member of the United States commission and also of the American commission that investigated the subject of rural credits. The subject of his address is agricultural finance. I have an estimate of the cost of printing, and it is very moderate.

The PRESIDING OFFICER. The Senator from Florida asks unanimous consent that the matter referred to by him be printed as a public document. Is there objection? The Chair hears none, and it is so ordered.

PETITIONS.

Mr. WEEKS presented resolutions adopted by the Central Labor Union of Boston, Mass., and resolutions adopted by Typographical Union No. 13, of Boston, Mass., favoring an investigation into the copper-mining industry in northern Michigan, which were referred to the Committee on Education and Labor.

He also presented petitions of the congregation of the Congregational Church of Agawam; of the Missionary Society of the South Congregational Church, of Springfield; and of the Woman's Guild of the Memorial Church of Springfield, all in the State of Massachusetts, praying for the passage of the so-called antipolygamy bill, which were referred to the Committee on the Judiciary.

He also presented a petition of the board of directors of the Massachusetts Peace Society, praying for a suspension of the naval construction programs of the great powers, which was referred to the Committee on Naval Affairs.

Mr. LANE presented resolutions adopted at a meeting of the Commercial Association of Pendleton, Oreg., favoring the enactment of legislation providing for flood protection of the lower Mississippi River and the reclamation of its alluvial lands, which were referred to the Committee on Commerce.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SWANSON:

A bill (S. 3418) for the relief of the trustees of Mount Sinai Church, Prince George County, Va.,; to the Committee on Claims.

By Mr. CUMMINS:

A bill (S. 3421) granting an increase of pension to Vincent Knapp (with accompanying paper); to the Committee on Pensions.

By Mr. JOHNSON:

A bill (S. 3422) for the relief of James E. Hewey; to the Committee on Claims.

A bill (S. 3423) granting a pension to Warren W. Norton;

A bill (S. 3424) granting a pension to Ira W. Arnold;

A bill (S. 3425) granting an increase of pension to David H. Hall (with accompanying paper);

A bill (S. 3426) granting an increase of pension to Chandler Swift (with accompanying papers);

A bill (S. 3427) granting an increase of pension to Joseph P. Phillips (with accompanying papers); and

A bill (S. 3428) granting an increase of pension to Carrie M. Chase (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 3429) to provide for the purchase of a site and for the erection of a public building thereon at Oregon City, Oreg.; to the Committee on Public Buildings and Grounds.

A bill (S. 3430) to advance in grade certain officers of the United States Army, Navy, and Public Health Service, for their services in connection with the construction of the Panama Canal, and for other purposes; to the Committee on Military Affairs.

By Mr. GALLINGER:

A bill (S. 3431) to amend subchapter 1, relating to institutions of learning, and subchapter 3, relating to societies, benevolent, educational, etc., of chapter 18 of "An act to establish a code of law for the District of Columbia," approved March 3, 1901; to the Committee on Corporations Organized in the District of Columbia.

By Mr. BURTON:

A bill (S. 3432) granting an increase of pension to Etta M. Fleaharty; to the Committee on Pensions.

By Mr. WALSH:

A bill (S. 3433) granting pensions to Bull Snake and Old Coyote, Crow Indians (with accompanying paper); to the Committee on Pensions.

By Mr. WEEKS:

A bill (S. 3434) granting a pension to Georgiana Chamberlin (with accompanying papers); and

A bill (S. 3435) granting an increase of pension to Albinia J. Pierce (with accompanying paper); to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 3436) granting an increase of pension to Josephine H. Hawley (with accompanying papers); to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 3437) for the relief of H. Clay Howard (with accompanying paper); to the Committee on Claims.

By Mr. MYERS:

A bill (S. 3438) to amend an act entitled "An act to provide for an enlarged homestead"; to the Committee on Public Lands.

By Mr. LEWIS (by request):

A joint resolution (S. J. Res. 78) for the relief of applicants to purchase and actual bona fide purchasers of land under the terms of the grant to the Oregon & California Railroad Co. (with accompanying papers); to the Committee on Public Lands.

GEORGE EDWARD LERRIGO.

Mr. THOMPSON. I introduce a bill admitting to citizenship and fully naturalizing George Edward Lerrigo, of the city of Topeka, State of Kansas, and in connection with the introduction of the bill I wish to make a statement.

The bill (S. 3419) admitting to citizenship and fully naturalizing George Edward Lerrigo, of the city of Topeka, in the State of Kansas, was read twice by its title.

Mr. THOMPSON. Mr. President, in view of the fact that I introduced a similar bill only a short time ago in this session and it was reported adversely by the Committee on Immigration, and on motion indefinitely postponed, I feel that I should say at least a few words in explanation of my act in introducing it a second time.

In the first place the committee were laboring under the impression that there was no precedent for a bill of this character. Since the action of the committee I have found that there have been at least two cases where the rights of citizenship have been conferred by special act of Congress. One is the case of Eugene Prince, of Boston, Mass. His grandfather was a native-born American citizen residing at Boston, Mass. He removed to Russia, and there the father of Eugene Prince was born, who married a Russian woman, and of that union Eugene Prince was born. Eugene Prince's father and mother never were residents of the United States. Eugene Prince came to the United States, and about a year ago, by special act of Congress, the rights of citizenship were conferred upon him.

The other is the case of Mrs. Sartoris, well known to all, the daughter of Gen. Grant, who lost her citizenship by marriage to a British subject. When she returned to America the rights of citizenship were conferred upon her by a special act of Congress.

The committee were also under the impression that Mr. Lerrigo could avail himself of the general laws of naturalization. After thorough investigation of the naturalization laws it has been shown conclusively that there is no way at all by which Mr. Lerrigo can avail himself of the general laws without giving up his position in China and returning to America and then establishing a five years' residence. Mr. Lerrigo has represented in China since 1909 the Young Men's Christian Association of America and has lost his residence in the United States, although he had lived here ever since he was 15 years of age and until receiving this appointment. We, therefore, have a young man in China doing a great Christian work in that new Republic by representing the Young Men's Christian Association of America who can not avail himself of the benefit and protection of the laws of his own country in that foreign land.

In this connection I send to the desk and desire to have read the statement of Mr. Lerrigo himself of his case, showing the situation he is in.

The PRESIDING OFFICER. Without objection, the statement will be read upon request of the Senator from Kansas.

The Secretary read as follows:

STATEMENT OF THE CASE OF GEORGE E. LERRIGO, SEEKING NATURALIZATION BY SPECIAL ACT OF CONGRESS.

George E. Lerrigo, a white man, was born in Wellington, England, September 3, 1871.

In 1886, when George E. Lerrigo was 15 years of age, his father left England and brought his entire family to America, where they took up their residence in the State of Kansas that year.

In 1892, before coming of age, George E. Lerrigo made general inquiry to find out whether it was necessary for him to do anything to complete his citizenship. He was assured that his father's naturalization would include all members of the family.

Prior to the election in 1892 he registered as a citizen of the State of Kansas and voted at that election and at every successive State, county, and city election held in the State until 1909.

In 1899 he was married to Miss Annette Montgomery, a native-born white citizen of the State of Illinois.

From the year 1890 until the year 1909 he was general secretary of the Young Men's Christian Association of Topeka, Kans.

In 1909 he accepted appointment as representative of the Young Men's Christian Association of the city of Chicago and of the International Committee of North America to go out to China as a Young Men's Christian Association secretary, which he did, and resided in China in that capacity only from November, 1909, to February, 1913.

During his residence in China he continued to regard himself as an American citizen and was registered in connection with the consulates at Hongkong and Canton.

In 1911 he made application to the American consul in Hongkong for a passport to visit some of the interior provinces, and in proof of his citizenship sent for his father's papers.

When those papers arrived and he presented them at the consulate he discovered that his father had failed to take out his second papers and fully complete his naturalization as an American citizen until six weeks after the date of his (George E. Lerrigo's) majority.

Until that time he had always supposed that he was in good faith a bona fide citizen, fully naturalized, of the United States of America.

He returned to America in March, 1913, for a short furlough, which has now ended.

He returns to his work in China on the 16th of December, 1913.

On account of his absence in China it has become impossible for him to avail himself of any of the acts or amendments to such acts which have been passed for the purpose of remedying such cases, in that the law requires that he must have been continuously resident within the United States for the five years next preceding his admission as a citizen.

For more than 25 years he has supposed that he was a bona fide American citizen. All the members of his father's family and of his wife's family are American citizens.

All his sympathies and interests are centered in American civilization and he is very anxious to be a fully naturalized citizen of the United States. He is representing American interests and civilization as an American in the infant Republic of China.

He can not take advantage of any of the means of naturalization provided under the law without giving up the work which he is doing in China and becoming and remaining a resident of the United States of America for another five years.

The accident of the fault in his father's second papers not only deprives him of his citizenship, but deprives his wife of her citizenship, although she was born in America.

The only possible relief which can be given in this case is by special act of Congress.

He therefore asks Congress to take this action, which alone can complete his naturalization.

The PRESIDING OFFICER. The bill and accompanying statement will be referred to the Committee on Immigration.

IMPROVEMENT OF COLUMBIA RIVER.

Mr. LANE. I introduce a bill as a substitute for a bill (S. 3297) which I introduced a short time ago making an appropriation for the construction of a dredger to be used in the improvement of the harbor of the Columbia River. It seems that in the first instance I did not ask for enough money. I do not like to appear negligent in the matter, and I reintroduce the bill providing for an increased appropriation.

The bill (S. 3420) making an appropriation of $1,500,000 for the construction of a dredger to be used in the improvement of the harbor of the Columbia River was read twice by its title and referred to the Committee on Commerce.

TELEPHONE SERVICE IN THE DISTRICT.

Mr. NORRIS. I submit a resolution, for which I ask present consideration.

The resolution (S. Res. 214) was read, as follows:

Resolved, That the Public Utilities Commission of the District of Columbia be directed to supply the Senate with the following information:

First. The total number of telephones now in use by Government or District officials within the District of Columbia and paid for by appropriations of Congress.

Second. The total amount paid annually for the use of such telephones by the District of Columbia and the total amount paid annually for the use of telephones by United States Government officials.

Third. The total number of telephone exchanges in use by officials of the District of Columbia and by United States Government officials within the District of Columbia.

Fourth. Whether such exchanges were installed at the expense of the District of Columbia and at the expense of the United States Government or whether the same were installed at the expense of the telephone company.

Fifth. Whether said telephone exchanges are operated by employees of the Chesapeake & Potomac Telephone Co. or whether they are operated by employees of the District of Columbia and employees of the United States Government.

Sixth. Whether under the rules and regulations adopted and enforced by the said Chesapeake & Potomac Telephone Co. any preference is given to Members of Congress and Government officials over other users of said telephones, either in regard to the rental charged for the use of telephones or as to conditions under which the use of said telephones can be discontinued.

Seventh. By what law or statute has the said Chesapeake & Potomac Telephone Co. been permitted to operate and carry on its business within the District of Columbia.

Eighth. A schedule of charges for the use of telephones within the District of Columbia enforced by the said Chesapeake & Potomac Telephone Co.

Ninth. The total number of telephones now in use within the District of Columbia.

Tenth. The total capital stock of the said Chesapeake & Potomac Telephone Co., and whether said stock, or any part thereof, is owned by other corporations.

Eleventh. How much of said capital stock was actually paid in cash. How much, if any, of said capital stock was issued at less than par, and if issued at less than par, then at what price. How much of said capital stock was issued for property other than money; and if so, what was the value of such property as compared with the par value of the stock issued for the same.

Twelfth. Whether said Chesapeake & Potomac Telephone Co. owns the stock, in whole or in part, of other corporations; and if so, to what extent and the names of such corporations and the value of the stock so owned.

The PRESIDING OFFICER. The Senator from Nebraska asks unanimous consent for the present consideration of the resolution. Is there objection?

Mr. GALLINGER. Mr. President, my attention was diverted when the reading of the resolution commenced, and I did not hear all of it. I simply suggest, in connection with the resolution, that at the last session of Congress we created a public

utilities commission for the District of Columbia, which, I apprehend, has jurisdiction over all these corporations. I know there has been more or less agitation by the citizens of the District in connection with this matter, with a view to having the public utilities commission, which is composed of most excellent men, look into all these subjects. It may be important that we go further than that. I do not know what the Senator from Nebraska proposes in the resolution, for, as I have stated, I did not hear the first part of it read.

Mr. NORRIS. Mr. President, if the Senator from New Hampshire will yield for a moment I think I can explain the resolution.

Mr. GALLINGER. Certainly.

Mr. NORRIS. I should like to say, to begin with, that my attention was attracted to this subject by the fact that when I came to this body the charges made for the use of telephones in the District of Columbia seemed to me to be exorbitantly high.

Mr. GALLINGER. If the Senator will permit me, I have the resolution now, and I observe——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New Hampshire?

Mr. NORRIS. Since I have started, I should like to explain the resolution a little further.

Mr. GALLINGER. Very well.

Mr. NORRIS. I found that upon some of the monthly rates, which must be agreed to for a year by the subscriber, the charges were over 5 cents for each call. I knew, in a general way, that the Government of the United States and the District of Columbia used a great many telephones that were paid for by the Government from appropriations made by Congress. I started out to find the number. It seemed to me it ought to be an object lesson in bookkeeping, so far as the Government of the United States is concerned, for I found that there was no official who could give me the information I desired. There could have been calls made by resolution upon the heads of the different departments, which would have brought the information as to the number of telephones the Government used, the amount paid, the keeping up of the exchanges, and so forth, so far as the individual department was concerned, but it would have required a separate resolution for each department.

Then I found that there were a great many independent bureaus that were not under the head of any department, such as the Library of Congress, the Interstate Commerce Commission, the Isthmian Canal Commission, and a great many others. There were also the Capitol Building, the House Office Building, the Senate Office Building, and the White House, and none of them were under the head of any department. We would not have been able to get the information, for instance, in this Capitol Building which I desired, unless we passed a resolution and asked the House of Representatives to inquire from some of its officials as to the amount they paid. I found that the clerk of the Committee on Appropriations was unable to give me any information in regard to the matter and had nothing in his office from which he could furnish such information, because the appropriations were made in lump sums, and because out of the same appropriations items other than those for the use of telephones were paid.

I was unable to find any statute that gave to the telephone company the right to operate in the District of Columbia. I took up the question with the District Commissioners and finally drew the resolution which I have introduced calling upon the public utilities commission for the information.

Under the law we passed in the last session of Congress providing for the establishment of the body known as the public utilities commission this commission has a right to examine the books of all corporations operating in the District of Columbia, and can get all the information I have asked for in the resolution.

I found that this corporation, the Chesapeake & Potomac Telephone Co., for instance, which operates the telephone system in the District of Columbia, was a corporation organized under the laws of the State of New York; that every share of its stock was owned by another corporation, which was organized under the laws of the State of Pennsylvania, and that all the shares of that corporation were owned by another corporation organized under the laws of some other State. Then, coming back to this corporation operating in the District of Columbia, it in turn owned all the stock of another corporation that was operating the telephone system in the State of Virginia; that it directly operated another telephone system in the State of West Virginia; and that, when it was formed, it took over property belonging to another corporation in the State of Maryland that was operating the telephone exchange of the city of Baltimore. So there was a maze of corporations that seemed to becloud the issue, and it seemed to me, if we wanted to get a full disclosure of the facts as to whether the rates charged are exorbitant, that the place to go is to the public utilities commission, which has the right to summon any officer of any corporation doing business in the District of Columbia or to send its own employees to make an examination of the books of such corporation.

If there are no further questions, Mr. President, I ask that the resolution be put upon its passage.

Mr. GALLINGER. Mr. President, I would not have made any observation had I heard the resolution read from the beginning. My attention was diverted by other Senators when the reading of the resolution was commenced. I observe that this is a call upon the Public Utilities Commission of the District of Columbia to furnish this information. I think they ought to take up the matter without being instructed by Congress, but if they do not choose to do so I see no objection to the resolution.

In the reading there is one phrase that attracted my attention, and that is that inquiry is to be made whether preference is given to Members of Congress by this corporation.

Mr. NORRIS. Yes, sir; that is one of the inquiries.

Mr. GALLINGER. I assume everybody knows that no preference is given to Members of Congress by this or any other corporation. Under the statutes it would be a criminal offense to do so. Those of us who use telephones know that we pay the usual rental for them; and yet, if the Senator desires that phraseology to remain in the resolution, I shall not object; but we seem to be constantly investigating ourselves.

Mr. NORRIS. Right on that point, I think, the Senator, when the investigation is made, will have to recall his statement. I believe he will find that he is mistaken, and that there is a preference given under the rules and regulations of the corporation to Members of Congress and some other high officials of the Government. I understand that it is one of the rules and regulations of this telephone corporation now doing business in the District of Columbia—that a Senator or a Member of the House of Representatives and some other Government officials entering into a contract the same as any other individual, renting a telephone for a year, to be placed in his house or in his apartment, will have the privilege at any time he sees fit of discontinuing the service.

The telephone will then be taken out and he will be charged only for the time that he has actually used it. I am not complaining of the regulation; but if he is not some high Government official, if he is an ordinary citizen, if he has no voice in legislation either in this body or in the other House, he will not be able to get that kind of a concession; he will not be able to have his contract canceled; he will have to pay for at least one year, according to the statement contained in the contract; in other words, according to the bond.

I myself believe, Mr. President, that in effect that is a discrimination, that it is not fair, and that whatever rule or regulation is provided for a Senator or a Member of the House of Representatives ought to apply to the most humble citizen in the District who wants telephone service. That was the object of that part of the resolution. If the investigation shows that I am mistaken, I would be very glad to have that fact developed.

Mr. GALLINGER. All I know about the matter, Mr. President, is that I am paying for telephone service in the District of Columbia about twice the rental I pay in my own home city. I had supposed that I was paying as much as anybody else in the District of Columbia; I hope so.

If there is a discrimination as to the length of time telephones may be used by men in public life and by the average citizen, I think myself that is a matter that might well be inquired into. I did not read the resolution to cover particularly that point, as it refers to the rentals which we are paying. However, as the Senator suggests, that matter will be investigated by the commission under the resolution, and I do not object at all to its passage.

Mr. SMOOT. Mr. President, may I ask the Senator from Nebraska a question?

Mr. NORRIS. I yield to the Senator from Utah for a question.

Mr. SMOOT. I wish to ask the Senator if he does not believe that it is proper that men who do not live permanently in the District, but who come here to attend Congress, and especially during a short session, when they are here only until the 4th of March, should not be compelled to pay a full year's rental for a telephone?

Mr. NORRIS. Mr. President, I think the question is a very proper one, but the same privilege should be accorded to the man who comes here to labor in the streets just as it is to a Senator of the United States. The rule does now apply to a Senator; but if a man comes here for a temporary purpose, for instance, if he should come here as an ordinary laborer and should put a telephone in his house or in his apartment and his labor should cease at the end of three months, he would be compelled to pay for that telephone for a year, while if he were a Senator he would notify the company, and they would discontinue the telephone service at once. So far as I know, the charges paid are the same; but it seems to me that it is just as bad, by rule or regulation, to give a preference to me as to the time that I may rent my telephone as it would be to give me a rebate on the price, for, in fact, it is a rebate on the price.

I have inquired of individuals who are not in the Government employ, who are not Members of the House of Representatives or of the Senate, and who have had experience, and I have never found a case where they were not compelled to pay for the entire year.

For fear there may be some misconception in regard to this proposed investigation because of one remark made by the Senator from New Hampshire, that the commission has the power to investigate and that perhaps the resolution is unnecessary, I wish to say that I have all the faith in the world in the public utilities commission. They are doing a great deal of good work. I thought, however, that this resolution would call their particular attention to the matter and would give them specific authority in addition to the general one. I consulted with them, I will say, before I introduced the resolution, and I am satisfied that they will do their full duty. It seems to me there can be no possible objection to eliciting the information, which may be a basis for any rule that the commission may adopt in regard to the regulation of the telephone service or a basis for any legislation that Congress may see fit to enact.

The PRESIDING OFFICER. The Senator from Nebraska asks unanimous consent for the present consideration of the resolution. Is there objection? The Chair hears none. The question is on agreeing to the resolution.

The resolution was agreed to.

MINING CLAIMS ON SEWARD PENINSULA, ALASKA.

Mr. WALSH. From the Committee on Mines and Mining, I report back favorably without amendment the bill (S. 3397) to amend section 2324 of the Revised Statutes of the United States, relating to mining claims, and I submit a report (No. 129) thereon. The matter being urgent, I ask unanimous consent for the immediate consideration of the bill.

Mr. PITTMAN. I do not intend to oppose the immediate consideration of the bill. In fact, I intend to say just one or two words in support of it, as I had the honor of introducing the bill.

Mr. SMOOT. Mr. President, may we have order in the Senate? We can not hear a word the Senator from Nevada is saying.

The PRESIDING OFFICER. The Senate will be in order.

Mr. SMOOT. Will the Secretary read the title of the bill?

The PRESIDING OFFICER. The Secretary will read as requested.

The SECRETARY. A bill (S. 3397) to amend section 2324 of the Revised Statutes of the United States, relating to mining claims.

Mr. PITTMAN. Mr. President, this bill, which I introduced, has been reported favorably from the Committee on Mines and Mining. It is simply a copy of a bill that was passed in 1892, relieving the miners of the necessity of doing the annual assessment work on mining claims for the year 1893, with the exception that this bill applies solely to the Seward Peninsula in Alaska.

I will state the reason for the passage of the bill. There has been a great catastrophe at Nome, Alaska. A storm destroyed a number of warehouses; and the storm was followed by fire, which also destroyed a number of warehouses and foodstuffs.

The conditions on the Seward Peninsula with regard to doing the annual assessment work are different from those anywhere else in the United States. There it is necessary to wait until the snow falls before the prospectors can transport their tools and provisions to the places where the assessment work is to be done. These creeks lie all the way from 100 to 200 or 300 miles away from Nome, which is the center of habitation. The prospectors wait until the snow falls, in October or November, to do this work. The storm and the fire have not only destroyed a large amount of the provisions in Nome but they have made destitute a great many people who ordinarily would have this service to perform.

I therefore think it is but reasonable that, so far as concerns mining claims situated on the Seward Peninsula, the assessment work for the year 1913 should be remitted. That is all the bill provides for.

Mr. SMITH of Arizona. Mr. President——

Mr. CLARK of Wyoming. Let the bill be read.

The PRESIDING OFFICER. That will be ordered at the proper time.

Mr. SMITH of Arizona. Before the bill is read, I ask permission to interrupt long enough to inquire whether this is not the very neighborhood or place where such a catastrophe happened that an appropriation was made here the other day to aid the people there?

Mr. PITTMAN. It is the same place.

Mr. LANE. Before the bill is read, I wish to say that I am familiar with conditions in that part of the country. The conditions there at this time are very grave, and they are certainly exceptional. I think the relief asked for ought to be granted.

The PRESIDING OFFICER. The Senator from Montana [Mr. WALSH] asks unanimous consent for the present consideration of a bill, which will be read.

The Secretary read as follows:

A bill (S. 3397) to amend section 2324 of the Revised Statutes of the United States relating to mining claims.

Be it enacted, etc., That the provision of section 2324 of the Revised Statutes of the United States, which requires that on each claim located after the 10th day of May, 1872, and until patent has been issued therefor, not less than $100 worth of labor shall be performed or improvements made during each year, be suspended for the year 1913 as to mining claims situated on Seward Peninsula, in the District or Territory of Alaska west of longitude 158 west and north of latitude 64, so that no mining claim which has been regularly located and recorded as required by the local laws and mining regulations within such area so described shall be subject to forfeiture for nonperformance of the annual assessment for the year 1913: *Provided*, That the claimant or claimants of any mining location in order to secure the benefits of this act shall cause to be recorded in the office where the location notice and certificate is filed on or before December 31, 1913, a notice that he, she, or they in good faith intend to hold or work said claim: *And provided further*, That this amendment shall in no way annul, modify, or repeal said section as to any mining claims, either in the District of Alaska or elsewhere, except those said mining claims within the area herein particularly described.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CLARK of Wyoming. Mr. President, I do not object to the present consideration of the bill, but I wish to make a statement in regard to it.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. CLARK of Wyoming. I wish to call the attention of the Senator from Montana and the Senator from Nevada to the fact that the bill relieves every man, whether as a result of his own laches or otherwise, who has failed to make $100 worth of improvements upon his claim during the year 1913. Undoubtedly both Senators have considered that matter and are fully satisfied; but it occurs to me that the bill relieves those who have not been industrious as well as those who are industrious, and relieves those who had abundant opportunity and abundant means to do the required work up to the time of the storm mentioned and the difficulties that arose through the elements. It relieves all of them, whether they have been themselves to blame or not. I wanted to be sure that the Senators understood the situation.

Mr. PITTMAN. That is undoubtedly true, Mr. President, and if there were any practical method by which they could be segregated, we might try to accomplish it.

Mr. CLARK of Wyoming. I can suggest only one thing to the Senator. The bill is new to me. I had never looked it over until I heard it read from the desk. But if in the certificate which is required to be filed by the entryman he should include something that would show, either by his own affidavit or by other proof, that up to the time of the passage of the bill he was unable by force of circumstances to complete his proof it might remedy the matter in some particulars. I do not know, however, but that it would be so cumbersome that it would defeat the whole operation of the bill, and that I do not desire.

Mr. PITTMAN. I wish to say that the pending bill is not to relieve anyone from a forfeiture. There has been no forfeiture as yet. The men have until the 1st day of January to commence the work. The object is to relieve them of an additional hardship, the community having already suffered such a terrific hardship that it becomes necessary for the Government to render them assistance.

Mr. CLARK of Wyoming. The Senator is undoubtedly correct in his statement. If I used the word "forfeiture" I did not intend to use it.

Mr. PITTMAN. No; the Senator did not use it. I interpolated it.

Mr. CLARK of Wyoming. In effect it relieves everyone who has held a mining claim in that district during the last year from putting upon it the $100 worth of work that the statute requires. It makes no difference whether the $100 worth of work has been prevented by the circumstances the Senator has detailed or whether the lack of it has been due to the

negligence, the laches, and the carelessness of the entryman. That is what I wanted to call attention to.

Mr. PITTMAN. That is true, but there are peculiar conditions existing on Seward Peninsula, with which I am personally familiar, having lived there for two winters.

Practically all of the miners in that peninsula, no matter where they own their claims—it may be that they are located two or three hundred miles away from there—make Nome their headquarters. They live there. They obtain their provisions there. They depend upon that center for their supplies. The wealthy men of Nome and the Seward Peninsula rarely spend their winters there. They are in San Francisco or Seattle or some other place in the United States. The three or four thousand men left in Nome this winter are the miners who are compelled to live there, as a general thing, by reason of their poverty.

While there may be in Nome to-day certain men who are financially able to do their annual assessment work, there are hundreds and hundreds of them who have hardly clothes to cover them or provisions for one day. From what I know of these people the men who have the means and have the clothes are undoubtedly dividing what they have with those who have none.

Inasmuch as the object of the assessment law was only to show good intentions, to show a bona fide intention to develop a property, I think we should not try to amend the bill so as to compel a man to testify that he is a pauper to enable him to get the benefits of it. I think it is a great, humane thing to say to the people in that vicinity, who have already suffered so greatly, "We will not compel you to suffer additional hardships, and we will not impose upon you the necessity of swearing that you are paupers."

Mr. CLARK of Wyoming. The last statement of the Senator makes no impression whatever upon my mind. I am in favor of the passage of the bill, but I suggested what I thought might be an evil result from it.

In reference to the Senator's last statement, my impression always has been that this assessment work was done at the season which is most favorable for assessment work, which in Alaska, as I understand—and I must be pardoned for this statement if it is incorrect—is in the summer time.

Mr. PITTMAN. Mr. President, I must correct the Senator in that respect. It would be thought that that would be true, that the weather conditions in the summer time would be favorable; but it is not the case, for the reason I shall state.

In the summer time everything in Alaska is saturated with water. There are very few horses in that country, and traveling in the summer is almost impossible on account of the water. Another thing: The method of prospecting a creek in Alaska is to sink to bedrock to see whether or not it contains gold. That is the character of work they do as annual assessment work. You can not sink to bedrock on a creek in the summer time unless you have a pump with you and pump it out, and the chances are that no pump you could furnish would do it. Therefore, as I said before, the time of the year that is used for doing annual assessment work and prospecting a claim is the wintertime.

Everyone uses sleds and dog teams up in that country. They can haul their provisions over the snow a hundred miles where they could not pack them on their backs 5 miles. So they wait until the wintertime, and they haul the provisions to the place they want to prospect. The ground is frozen hard. There is no running water. They pick the sagebrush and the willows around there, they melt the gravel, they thaw to bedrock, and by that assessment work they determine whether the claim is of sufficient value to justify draining it in the summer time and mining it in the ordinary course.

Mr. CLARK of Wyoming. The Senator's statement is informing. I was unaware of the situation, and, as I say, I am in favor of the bill. When I first rose I simply wished to point out that I thought perhaps by a little care some evil results might be avoided. I hope none will follow.

Mr. BORAH. I wish to ask, in a word, what the bill purports to do. I have been unable to find out specifically the object of the bill. Is it to relieve these people from making proof of their assessments?

Mr. CLARK of Wyoming. It is to relieve them from doing the work.

Mr. PITTMAN. It is to relieve the claim owners on the Seward Peninsula, who practically all live in Nome, from the necessity of doing their assessment work for the year 1913.

Mr. BORAH. Is that all the bill purports to do?

Mr. PITTMAN. That is all the bill purports to do.

Mr. SMOOT. Mr. President, I wish to call the attention of the Senator from Nevada to the fact that the bill does not provide any way of notifying the entrymen of its passage. Does the Senator think they live in a sufficiently small space of country so that all will be notified and will be able to take advantage of the provisions of the bill?

Mr. PITTMAN. I will say, from the telegrams I have received from various parts of Alaska, that they are watching and waiting for the passage of this relief measure, and there is not a man in Alaska who will require any notification after the bill passes.

Mr. SMOOT. I wanted to be sure about that. I am in favor of the bill, and think it ought to pass; but I did not want it to pass in such shape that next year we will have perhaps a hundred or more people coming here and saying they knew nothing about its passage and asking special acts of Congress for their particular relief.

Mr. PITTMAN. The Senator's question is very pertinent, but that is the fact concerning it.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADDRESS BY MR. GEORGE WHEELER HINMAN (S. DOC. NO. 236).

Mr. LEWIS. I ask unanimous consent to insert in the RECORD an address by Mr. George Wheeler Hinman upon taking his seat as president of Marietta College, Marietta, Ohio, in which he sets forth what he feels to be the duties of colleges in their cooperation with legislative bodies in this country.

Mr. BACON. I do not like to object, Mr. President, but I do think the RECORD ought to be limited to utterances in this Chamber. If the Senator wishes to publish it as a document, I have no objection; but I do not think everything which may possess merit, however meritorious it may be, should find a place in the CONGRESSIONAL RECORD. That is not the function of the CONGRESSIONAL RECORD. The function of the CONGRESSIONAL RECORD is to narrate what occurs here.

If the Senator in making a speech makes it a part of his remarks, that is a different matter; but you can at once see the extent to which this may be carried. Hardly a day passes without the eye of each Senator falling upon something which he thinks worthy of preservation, and which probably he takes some little step to preserve, but not in the RECORD.

Mr. LEWIS. I concur with the able Senator from Georgia in what we have all observed, that the RECORD has been lumbered a great deal with wholly extraneous matters. Since, however, matters similar to this have been constantly put in the RECORD, and matters which in my judgment were not half so worthy, as suggested by the able Senator from Utah [Mr. SMOOT], and as the address relates to the duty of colleges to cooperate with the United States Senate and the House of Representatives in matters touching the legislation of the country, and advises the colleges to get in closer touch with the legislative bodies to avoid the prejudice which so generally prevails against legislative bodies for lack of general information, I assumed it would not be impertinent.

If it is the desire of the Senator from Georgia to make objection now as to all other matter in the future that does not consist of addresses delivered in this Chamber, I am willing to have my particular matter the initial one. But if the distinguished Senator from Georgia wishes to object merely to this particular matter, and in the future to allow the insertion of similar matter from other sources and other Senators, then I am unable to see the wisdom of the discrimination.

Mr. BACON. The honorable Senator is entirely mistaken when he speaks of it as an initial objection. The objection has been urged very insistently and persistently for a long number of years in this Chamber, and in very rare instances have those objections been surmounted and outside articles published in the RECORD.

Mr. LEWIS. Of course I take the word of the able Senator from Georgia from his long experience here as to the practice in this Chamber, and under no circumstances would I myself wish to visit an infraction upon it.

I will therefore adopt his suggestion and ask unanimous consent that the matter be printed as a public document, in order that I may not incidentally or accidentally violate any of the rules respecting publication in the RECORD.

Mr. GALLINGER. Mr. President, I am very glad that the Senator from Illinois has taken that course. I was very much disposed this morning to object to two or three different articles that were by unanimous consent inserted in the RECORD, one of them being a communication on the currency question. My table is loaded down with communications of that kind, and I have never thought of asking that any of them should be inserted in the RECORD. I think there were two other matters inserted in the RECORD that were extraneous.

I very heartily concur in the view that the Senator from Georgia has so well expressed—that we ought, on both sides of the Chamber, to agree to exclude all such matter from the RECORD. It is becoming a very cumbersome publication, and it ought to be confined, as the Senator says, so far as possible, to the utterances in the Chamber and not to speeches that are made outside or to communications on public questions from great varieties of people, most of whom know as little about the currency question as I do, and that is not very much.

So I am gratified that the Senator from Illinois, with his usual kindness and courtesy, has consented to have this article published as a document. I trust the Senator from Georgia, who is charged more particularly with matters of legislation now than we on this side are, will enforce his objection, and I shall be glad to cooperate with him in doing so in the future.

Mr. BACON. Mr. President, I hope I may not be put in the position, by the suggestion of the Senator from New Hampshire, that I have any individual obligation or duty to discharge in this matter. I think it is one common to us all, and I certainly would not assume any higher obligation or duty in that matter than any other Senator.

I wish to say simply one word further. It appears from what the Senator from New Hampshire has said that there have been other articles introduced into the RECORD this morning. I wish to say, in justification to myself, that when I made the objection to the insertion of the article proposed by the Senator from Illinois I was not aware of that fact. I should have objected to them in the same way. I would not have the Senator from Illinois think that I had assented by my silence to the introduction of other extraneous matter and had then objected to what he proposed. I do not think that anything in the nature of an outside utterance in the way of a speech, magazine article, or anything else ought to be introduced into the RECORD unless it is in connection with some Senator's remarks, and then it is always permissible.

Mr. LEWIS. Mr. President, it was the fact that this morning other articles were presented and received for publication, to which I alluded when I referred to what I thought was a discriminating objection on the part of the Senator from Georgia; and I accept his own statement that of those other matters he had no knowledge.

Responding to the Senator from New Hampshire, I desire to say to that able Senator that this article does not relate to currency, if that was his opinion. It relates to the general subject of the ethics and the duties of colleges to cooperate with legislative bodies.

Mr. GALLINGER. That is a very important subject.

Mr. BORAH rose.

Mr. LEWIS. Does the Senator from Idaho wish to interpose?

Mr. BORAH. I simply desire to know what rule it is that has been laid down here this morning.

Mr. LEWIS. I will answer the Senator from Idaho by saying that I offered the address of the newly installed president of Marietta College, Ohio, where he made as his subject the duty of colleges to cooperate with legislative bodies in this country. The Senator from Georgia [Mr. BACON] objected upon the ground that he feels that no matter should go in the RECORD save matter expressed on this floor. I urged that I thought that was a new kind of objection; that I had not heard it urged against similar articles presented and which had been accepted for publication in the RECORD.

Mr. BORAH. I think the rule perhaps is a wise one, but it is one that is constantly and persistently and universally violated. If it is going to be enforced, well and good; but there is no reason in the world why this article shall go out in view of the record which we have. We have cows in the RECORD and all other kinds of exhibitions.

Mr. LEWIS. Mr. President, I close the subject by saying that I accept the suggestion of the Senator from Georgia, by having the address made a public document rather than embarrass the RECORD by any innovation of the rules.

The PRESIDING OFFICER. The Senator from Illinois withdraws his first request—that the article be printed in the RECORD—and asks unanimous consent that it be printed as a public document. Is there objection? In the absence of objection, it is so ordered.

CARTOONS IN SENATOR TILLMAN'S RETROSPECT OF 18 YEARS.

Mr. SMOOT. Mr. President, some three weeks ago I gave notice that I would bring up the question of a reconsideration of printing in the permanent RECORD the allegorical cows of the Senator from South Carolina [Mr. TILLMAN]. I have talked with the Senator a number of times on this question. He seems to feel that since the Senate has once given consent it would be rather an improper thing to ask for a reconsideration of the matter.

I wish to say that if it was any other Senator in this body I would still adhere to my original notice, and I would ask for a reconsideration of the order, and if necessary seek by a vote of the Senate to preclude it from being published in the permanent RECORD. But, Mr. President, as the Senate has ordered it once, and as the Senator from South Carolina feels a personal interest in the matter, I have decided that I would not press a reconsideration.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Hampshire?

Mr. SMOOT. I yield.

Mr. GALLINGER. I was about to remark that this emphasizes the necessity of our being very careful about giving unanimous consent. I will suggest to the Senator from Utah that my impression is that we could not well reconsider a unanimous consent. The matter is in the RECORD; I think it was unfortunate to have it printed in the RECORD; but I have an impression that it is there to remain.

Mr. SMOOT. I think, of course, that it could be excluded from the permanent RECORD by unanimous consent. But I want to express the thought I expressed before, that such cartoons ought never to be allowed to be printed in the CONGRESSIONAL RECORD. One of the able Senators on the other side expressed himself on the subject by saying that in a hundred years from now somebody perhaps would be looking over the RECORD and run across those cartoons and say: "That was the standard of the United States Senate in the year 1913."

Mr. President, I shall say nothing further about it. The chairman of the Joint Committee on Printing has held up the work on the preparation of the permanent RECORD until the question I raised might be settled. I will give notice to him now that I intend to bring the question no further to the attention of the Senate.

ADJOURNMENT TO MONDAY.

Mr. KERN. I move that when the Senate adjourns to-day it be until Monday next at 12 o'clock noon.

The motion was agreed to.

ELECTION OF SENATORS.

Mr. POINDEXTER. Mr. President, I should like to inquire whether the Committee on Privileges and Elections has yet made a report upon Senate bill 2860. I see the chairman of the committee is here. I have not been in conference with that Senator to ascertain whether the matter has been reported from the committee or not. I will say in explanation that it is a bill providing an emergency measure for the election of United States Senators.

Mr. KERN. I will say to the Senator that the bill has not yet been reported, but that a meeting of the committee will be held early next week, when I think a report will be made.

Mr. POINDEXTER. I should like to say in this connection, Mr. President, that there might have been some possible reason pending the senatorial election in Maryland for delaying a report, as it might have complicated the situation there, but there can not be any reason whatever for further delay. In a great many States the senatorial elections of next year are now being discussed and preparation is being made for the campaign. Of course there is a great desire in those States to know exactly how the nominations are going to be made and how the elections are going to be held, and there is considerable anxiety as to some action upon the bill.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 1 o'clock and 20 minutes p. m.) the Senate adjourned until Monday, November 17, 1913, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate November 13, 1913.

MINISTER.

Alexander Sweek, of Oregon, to be envoy extraordinary and minister plenipotentiary of the United States of America to Siam, vice Fred W. Carpenter, resigned.

SECRETARIES OF EMBASSIES.

Peter Augustus Jay, of Rhode Island, lately agent and consul general at Cairo, to be secretary of the embassy of the United States of America at Rome, Italy, vice Post Wheeler.

Norval Richardson, of Mississippi, lately secretary of the legation at Copenhagen, to be second secretary of the embassy of

the United States of America at Rome, Italy, vice Alexander Benson.

ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE PHILIPPINE ISLANDS.

Manuel Araullo, of the Philippine Islands, vice Victorino Mapa, resigned.

ASSISTANT SURGEONS, PUBLIC HEALTH SERVICE.

Walter M. Jones to be assistant surgeon in the Public Health Service. Additional assistant surgeon.

William Howard Slaughter to be assistant surgeon in the Public Health Service. Additional assistant surgeon.

James Gayley Townsend to be assistant surgeon in the Public Health Service. Additional assistant surgeon.

POSTMASTERS.

ALABAMA.

W. Z. East to be postmaster at Roanoke, Ala., in place of Tyler McE. Swann, removed.

CALIFORNIA.

Alfred Belleu to be postmaster at Watts, Cal. Office became presidential January 1, 1913.

P. L. Byers to be postmaster at Huntington Park, Cal., in place of John R. Bowler, resigned.

George P. Dobyns to be postmaster at El Monte, Cal., in place of George D. Barron, deceased.

Duncan A. Gray to be postmaster at Soldiers Home, Cal., in place of H. C. Hollenbeck, resigned.

J. W. Heard to be postmaster at Oilcenter, Cal., in place of J. S. Rees, removed.

Milton M. Pilkenton to be postmaster at Hermosa Beach, Cal. Office became presidential October 1, 1913.

William J. Simms to be postmaster at Gardena, Cal., in place of Alonzo F. Ham, resigned.

COLORADO.

A. T. Manzanares to be postmaster at Walsenburg, Colo., in place of E. L. Trounstine, removed.

J. U. Vigil to be postmaster at Trinidad, Colo., in place of D. D. Finch, resigned.

FLORIDA.

Harry Gray to be postmaster at Palatka, Fla., in place of Dick M. Kirby, resigned.

Guy I. Metcalf to be postmaster at West Palm Beach, Fla., in place of J. Paul Clarke, resigned.

GEORGIA.

James E. Harvey to be postmaster at Tallulah Falls, Ga., in place of James P. Stewart, resigned.

ILLINOIS.

Frank Allen to be postmaster at Oglesby, Ill., in place of Andrew M. Corbus, resigned.

John R. Barclay to be postmaster at Rutland, Ill. Office became presidential January 1, 1913.

M. M. Brown to be postmaster at Bunker Hill, Ill., in place of William P. Dickie, removed.

Edward M. Dieter to be postmaster at Naperville, Ill., in place of R. N. Givler, resigned.

Joseph S. Grimes to be postmaster at National Stock Yards, Ill., in place of E. S. Coddington, removed.

Edward Johnston to be postmaster at Atkinson, Ill., in place of John Straley, resigned.

P. H. Mulligan to be postmaster at Tolono, Ill., in place of A. B. Campbell, resigned.

M. S. Yoho to be postmaster at Roseville, Ill., in place of James W. Prouty, removed.

INDIANA.

Frank S. Coffin to be postmaster at Bloomingdale, Ind., in place of Thomas B. Woody, resigned.

IOWA.

N. C. Butler to be postmaster at West Branch, Iowa, in place of C. H. Wickersham, removed.

Jay Sullivan to be postmaster at Fontanelle, Iowa, in place of W. H. McClure, removed.

KANSAS.

Elliott S. Irvin to be postmaster at Coffeyville, Kans., in place of Joseph McCreary, removed.

LOUISIANA

E. L. Chaney to be postmaster at Jeanerette, La., in place of G. W. Whitworth, deceased.

Joseph Lamar Stagg to be postmaster at Eunice, La., in place of Theodore Tate, resigned.

Thomas D. Kent to be postmaster at Thibodaux, La., in place of A. A. Boudreaux, resigned.

MARYLAND.

Harry O. DeVries to be postmaster at Ellicott City, Md., in place of C. H. Oldfield, removed.

J. R. Duke to be postmaster at Leonardtown, Md. Office became presidential July 1, 1913.

MASSACHUSETTS.

William J. Campbell to be postmaster at East Taunton, Mass. Office became presidential October 1, 1913.

MICHIGAN.

Herbert E. Iveson to be postmaster at Addison, Mich., in place of Oren B. Bowen, resigned.

MISSOURI.

William D. Meeks to be postmaster at Thayer, Mo., in place of John W. Smith, resigned.

MONTANA.

I. A. Oakes to be postmaster at Plentywood, Mont., in place of George E. Bolster, removed.

NEBRASKA.

J. C. Voline to be postmaster at South Auburn, Nebr., in place of M. Scott, deceased.

NEVADA.

W. C. Ruddell, jr., to be postmaster at Lovelocks, Nev., in place of J. H. McCracken, resigned.

H. A. N. Todd to be postmaster at Gardnerville, Nev. Office became presidential October 1, 1913.

NEW HAMPSHIRE.

Frank P. Woodbury to be postmaster at Salem Depot, N. H. Office became presidential October 1, 1913.

NEW YORK.

Elizabeth Hollenbeck to be postmaster at Harriman, N. Y. Office became presidential October 1, 1912.

John F. Ryan to be postmaster at Batavia, N. Y., in place of George E. Perrin, removed.

James C. Spalding to be postmaster at Great Neck, N. Y., in place of Austin Hicks, resigned.

E. J. Sweeney to be postmaster at East Islip, N. Y. Office became presidential October 1, 1913.

NORTH DAKOTA.

William F. Kempshall to be postmaster at Taylor, N. Dak., in place of J. F. Christen, resigned.

OREGON.

Bernhard L. Hagemann to be postmaster at Milwaukie (late Milwaukee), Oreg., in place of R. W. Ganiard, removed, and to change name of office.

SOUTH CAROLINA.

A. C. Thompson to be postmaster at Conway, S. C., in place of Allen T. Collins, resigned.

TEXAS.

T. J. Abell to be postmaster at Wharton, Tex., in place of Covey M. Hughes, removed.

VIRGINIA.

John S. Scott to be postmaster at Parksley, Va. Office became presidential October 1, 1911.

WASHINGTON.

Frank C. Willey to be postmaster at Shelton, Wash., in place of Grant C. Angle, resigned.

WISCONSIN.

Edward Porter to be postmaster at Cornell, Wis. Office became presidential October 1, 1913.

CONFIRMATIONS.

Executive nominations confirmed by the Senate November 13, 1913.

COLLECTOR OF CUSTOMS.

Dudley Field Malone to be collector of customs for the district of New York.

SOLICITOR OF INTERNAL REVENUE.

Ellis C. Johnson to be solicitor of internal revenue.

GENERAL APPRAISER OF MERCHANDISE.

George Stewart Brown to be general appraiser of merchandise.

ASSISTANT APPRAISER OF MERCHANDISE.

Francis X. Quigley to be assistant appraiser of merchandise in the district of Massachusetts.

COLLECTOR OF CUSTOMS.

Charles E. Hardy to be collector of customs for the district of Arizona.

ASSISTANT COMMISSIONER OF PATENTS.

James T. Newton to be Assistant Commissioner of Patents.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

Col. Eli D. Hoyle to be brigadier general.
Col. Charles J. Bailey to be brigadier general.

POSTMASTERS.

ALABAMA.

John E. Delony, Tuscumbia.
W. Z. East, Roanoke.
W. K. Kenan, Geneva.

MASSACHUSETTS.

Richard F. Burke, Williamsburg.
James J. O'Donnell, Holyoke.
George F. Snow, Orleans.

MONTANA.

T. C. Armitage, Billings.
William Krofft, Choteau (late Chouteau).

PENNSYLVANIA.

James W. Taylor, Dallastown.

VERMONT.

Daniel F. Carmody, Fair Haven.

WYOMING.

John T. Jones, Worland.

HOUSE OF REPRESENTATIVES.

THURSDAY, *November 13, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite spirit, our heavenly Father, we thank Thee for that strange, mysterious, subtle quality of soul we call love, which suffereth long and is kind, envieth not, vaunteth not itself, is not puffed up, doth not behave itself unseemly, seeketh not her own, is not easily provoked, thinketh no evil, which binds us together into families, friendships, and nations. Increase, we beseech Thee, its potency and influence, till the whole world as one great family shall worship Thee in spirit and in truth, that Thy kingdom may come and Thy will be done on earth as it is in heaven. Amen.

The Journal of the proceedings of yesterday was read and approved.

FOREIGN AND DOMESTIC COMMERCE.

Mr. CARLIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the subject of foreign and domestic commerce and to make certain insertions.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

CORPORAL PUNISHMENT IN DELAWARE.

Mr. BROCKSON. Mr. Speaker, on yesterday, by unanimous consent, I was granted leave to address the House to-day upon the subject of corporal punishment in Delaware, and to make reply to certain statements in a resolution introduced by the gentleman from Montana [Mr. EVANS]. The statements contained in the preamble of that resolution are false.

Delaware did not inflict cruel and unusual punishment upon the two men therein mentioned, and does not inflict cruel and unusual punishment upon anyone. I find that in order to discuss the question of corporal punishment it will take much more than the 10 minutes that I was granted. I therefore ask unanimous consent that to-morrow I may be permitted to address the House for one hour upon the subject of corporal punishment in Delaware, the speech to be made immediately after the reading of the Journal.

The SPEAKER. The gentleman from Delaware asks unanimous consent that to-morrow, immediately after the reading of the Journal and the transaction of routine business, he be permitted to address the House for one hour upon the subject of corporal punishment in the State of Delaware. Is there objection?

There was no objection.

NAVAL HOLIDAY.

The SPEAKER. The gentleman from Missouri [Mr. HENSLEY] is recognized for one hour. [Applause.]

Mr. HENSLEY. Mr. Speaker and gentlemen of the House, I was very much gratified by the display of interest manifested on both sides of the House when a few days ago I submitted to Congress a resolution which I now desire to read:

House resolution 298.

Resolved, That in the opinion of the House of Representatives the declaration of the Lord of the Admiralty of Great Britain, the Right Hon. Winston Churchill, that the Government of the United Kingdom is willing and ready to cooperate with other governments to secure for one year a suspension of naval construction programs offers the means of immediately lessening the enormous burdens of the people and avoiding the waste of investment in war material.

That a copy of this resolution be furnished the President, with the request that, so far as he can do so, having due regard for the interests of the United States, he use his influence to consummate the agreement suggested by the Right Hon. Winston Churchill.

I appreciate the many things said in support of this resolution by the distinguished Speaker of the House, and also by the other distinguished gentlemen who spoke briefly but clearly upon the subject. The gentleman from Illinois [Mr. MANN], the minority leader, was cordial in his support of the resolution, as were also the gentleman from Texas [Mr. SLAYDEN], the gentleman from Illinois [Mr. FOWLER], and the gentleman from Mississippi [Mr. SISSON].

If Congress passes this resolution, as I truly hope and believe it will, it means that we recognize the wisdom of the proposal made by the Right Hon. Winston Churchill, the First Lord of the Admiralty of Great Britain, to take a naval holiday for one year; that we believe he is acting in good faith, with a high sense of duty, and for the good of humanity; that we believe the proposition is practicable and feasible; that it is based upon common sense and common honesty among nations; and that we are now ready to join the other great nations of the world in a compact, in an understanding, whereby we may take a naval holiday for one year's time, thereby saving hundreds of millions of money, to be used for purposes more beneficial to mankind.

If the suspicion and distrust which prompt the present huge armaments, with their galling financial burdens, are justified by the facts, then civilization is a thin veneer and we are still savages at heart. But it is easier to believe that this is unjustified, and that if we would be governed by our judgment rather than by our fears, show some sincerity ourselves, the tension would be relieved and the armament question would solve itself. Mr. Jefferson said:

War is not the best engine for us to resort to. Nature has given us one in our commerce, which, if properly managed, will be a better instrument for obliging the interested nations of Europe to treat us with justice.

Now let us consult Mr. Churchill and ascertain what his position is on this important subject. In a great speech made at Manchester, England, only last month, he said, among other things—

That the trusted liberal supporters were becoming disquieted in their minds about the expense we are being put to by naval armaments.

In that connection he explains that they are forced to spend more than one-third of the national revenue of Great Britain upon armaments. He said:

That expense has markedly advanced of late years, and it is now higher than the highest point it has ever reached. Next year it will be higher still.

I am sure this is true; and what applies to Great Britain applies with equal force and effect to this and every other nation of the world, for I can take the record and show you that in something like 12 years, beginning 1897, we increased the appropriations for the Navy Department of this Government from approximately $30,000,000 to something over $130,000,000. The question therefore arises in my mind and must occur to you, When are we going to reach the end? How long shall we continue making increases at the rate of $10,000,000, $20,000,000, and $30,000,000 per year for one department of our Government? No wonder the total of the appropriations of our Government has reached the enormous sum of over one thousand millions of dollars. And continuing, Mr. Churchill argues "that this is not borne, to any great extent, by the laboring people of that country." That is because of the income tax, as I see it.

Mr. Speaker, I was heartily in favor of the income-tax law recently enacted by Congress, because I believed then, as I believe now, that the wealth of the country should be compelled to respond to the needs of government by bearing the proper tax burden, with a corresponding relief to others. I believe that when this law becomes thoroughly engrafted upon our system of government we will find these individuals "sitting up and taking notice," as the expression goes, when we increase

their tax burdens by great appropriations to meet the demands of those who now insist upon large increases annually for armaments. They will be inquiring of their Representatives in Congress. Why the need for these tremendous increases? I therefore, Mr. Speaker, was and am an enthusiastic supporter of the income tax.

Further on in his speech Mr. Churchill says:

We seemed to have reached a point when the relations of the great powers to each other, however intimate, however amicable they may become, produce no effect on warlike preparations. Italy and Austria, although they are allied, bound together by a solemn instrument for the purpose of defense and offense, are, in fact, according to all information available, likely to embark on large new naval programs balanced against each other.

He says:

That each of these countries will build three or four enormous ships, costing perhaps £10,000,000 of money to each country, and this, in turn, will probably force France to make a further large increase and to a certain extent this would require Great Britain to respond with some additions. None of them will have gained any advantage over the other, but all will have suffered the prodigious drain of wealth which can ill be spared.

Again, he says:

The fact that the triple alliance was building no ships would make it possible without the slightest danger or risk for the other three great European powers to do the same. Does it not seem likely that if such a great event, such a glorious and memorable event, ever came to pass it would produce an effect upon the naval construction of the United States, and that, again, would produce its repercussion upon the naval policy of Japan?

I can not understand how anyone can doubt this.

Mr. Speaker, let us not be a laggard in this great movement, which means so much to our people, which means so much to mankind the world over, and which means so much to generations yet unborn. Let us send a ringing reply to Great Britain and to the other nations of the world which can not be doubted or misunderstood that we, with fondest hopes, with absolute trust, seize this golden opportunity to put into force and effect the greatest reform of the age [applause], not only to the present generation, not only to mankind the world over, but also render a Christian service to generations yet unborn. [Applause.] The time is propitious beyond doubt. For it is my opinion, when this understanding or agreement has been entered into by and between these great powers, when we see the consummation of this plan to take a naval holiday for the space of one year, it will sound the death knell to reckless, wanton, nonsensical, and almost criminal waste of the people's money in the way of appropriations of this character. What more does Mr. Churchill say?

And so at the end of a year you might have all these great countries just as safe and just as strong as they will be if they build all the ships they have in mind at the present time, and a vast treasure of many millions of scores of millions, will have been arrested for the progress and enlightenment of mankind. That is the proposal which I make for the year 1914, or if it is thought that 1914 is too near, then for 1915. I am quite impervious to the objections which will no doubt be raised by the great armament firms in this and other countries. They must be the servants and not the masters.

At that point the Englishmen cheered. So you see, Mr. Speaker, the First Lord of the Admiralty of Great Britain is "onto his job," as the boys express it. He is not unmindful of the fact that there are tremendous influences behind the armament proposition, there as elsewhere, and that they will be marshaled against the furtherance of this plan. He realizes that this influence will be employed in every way that powerful interested persons can devise; that strong individuals, ingenious individuals, will try to prevent the consummation of this glorious thought put forward by him on some two or three occasions. He realizes that we have reached a point in the history of nations where "patriotism" and "public safety" are mere catchwords, "sounding brass or tinkling cymbals," which are invoked periodically by vested interests in their desperation in carrying out their planned system that is sapping the very lifeblood of the nations. Oh patriotism! patriotism! how long will this sacred term be employed to further the interests of the selfish? In this connection I desire to submit some figures showing to just what extent the nations of the world have yielded to these influences within the past 12 years:

Naval expenditures of different European countries and the United States in 1900 and 1912.

	1900	1912	Increase.
Great Britain	$145,792,880	$228,430,064	$82,637,214
Germany	37,173,074	120,715,043	73,541,969
France	72,683,180	89,028,636	16,345,446
Russia	42,191,212	103,515,000	61,413,788
Italy	23,829,206	41,893,420	18,064,214
Japan	21,373,954	45,158,216	24,884,262
United States	61,721,695	123,151,539	61,429,844

Our item of expense does not include certain other expenditures for 1912, which makes the aggregate over $140,000,000.

Naval expenditures in 1898 and 1910.

	1898	1910
United States	$33,003,234.19	$136,935,199.05

So you see that, aside from the enormous sums which go to the Army, if we continue increasing our appropriations it will not be long until we, too, will be appropriating more than one-third of the total revenue for huge armaments.

Now let us continue. Mr. Churchill says:

That no doubt there are many in both countries that will pour ridicule upon the proposal which I make. They will try to involve it in clouds of suspicion and suggest that there is some trick lurking behind what looks like a fair offer, and who will blame me in unstinted terms for having referred to such subjects at all. Let them mock.

So you see he has this subject well in hand, his heart is right, and he has employed his great talent in an effort to serve mankind. We have influences to contend with here, but they are nothing, I take it, in comparison with the influences which will be marshaled against this movement in the older countries of the world. These influences are powerful enough here, God knows; but my information upon the subject is to the effect that the Krupp interests of Germany, to a very large extent, control the press of that country, and that they, together with other powerful interested individuals, form a combination which will require a great struggle on the part of the people to rid themselves of the octopus. But the latest dispatches from Germany indicate that the people are taking a hand in these matters and that some of the persons mixed up in the scandals are being prosecuted and convicted. So you can see that the people are in earnest in Germany, and that while these interests are against this proposition the people are in favor of a naval holiday. The people who have the burden to carry are strong in support of this movement. Why should they not be when it is said that every producer of wealth, let him be farmer, laborer, or whatnot, has fastened upon him the expense and burden of keeping up a soldier? In other words, "each taxpayer carries on his back a military gentleman." Mr. Churchill said that these powerful interests opposed to this proposition are the servants and not the masters. Now let me ask you, Have you at any time observed actions on the part of representatives of certain departments of our Government which indicated that they believed the department was the master and the Nation the servant? Have you? I say to you that these departments, however much some individuals may think they are masters, are not. They are the servants, and the millions of taxpayers of this land who constitute this Nation, who produce the wealth, who pay the taxes, who fight its battles, are the masters.

Let me relate to you a story which I heard only a few days ago, and it came from a gentleman very close to the Navy Department. He said that some few years ago an ex-Secretary of the Navy was at one of the hotels here in Washington conversing with several friends, his relations as Secretary having been severed only a few days previous to this. The distinguished gentleman looked somewhat dejected and cast down, and in the course of the conversation he straightened up and uttered an oath, declaring that he had seen times when he felt like tearing loose from the influences which surrounded him as Secretary and asserting his opinion as to what should be done in the way of bringing about reforms in the department and no longer be controlled by those who surrounded him; but he concluded "that had I done this, I would have come out second best in the mêlée." Tell me that these influences do not exist here. I submit this in all candor for what it may be worth to others who may follow in this high position.

Last year when the naval appropriation bill was pending I called the attention of Congress to the existence of the naval league and its activities. Among other things I pointed out to Members on both sides of the House, because there is no political division on this question, that J. P. Morgan, jr., was treasurer of this association. My attention has recently been called to the fact that, on account of this publicity quite likely, he is no longer an officer of the league. Now, what is the navy league and for what purpose was it created? I am advised that it is sending retired naval officers all over the country to make speeches before boards of trade and other business associations for the purpose of creating and fostering a stronger sentiment in favor of increased armaments, better preparedness as they put it. And yet will you say that they are not attempting to be masters? How many times have Members of Congress, especially Members of the Naval Affairs Committee, the chairman not excepted, been put up against embarrassing situations in this connection by being lectured and railed at by individuals interested directly in naval appropriations? These things are not secrets. I am not violating any confidence or

betraying a trust when I call your attention to these performances.

Why, Mr. Chief Justice Brewer in his last days spoke out against this situation; he felt it then as we feel it now, removed even though he was by reason of his high position. Some of them go so far as to tell us to what extent we should increase the appropriations. They are so numerous here in this great city when the society season is on that you can not throw a stone without endangering a naval man or a military gentleman, retired or otherwise. What did Mr. Chief Justice Brewer say about them and "preparedness"? He said:

The maintenance of 700 and more military and naval officers, active and retired, now living with their families in Washington, these, connected as they are with the military and naval forces, are gradually transforming the Capital of the country into a military and naval center, and their influence is constantly pressing upon Congress for continued development and increased expenditures in military and naval lines.

He would never have spoken out in such unmistakable terms if he had not felt it were absolutely necessary. The fathers of our country warned us against this very situation which he now tells us exists. He was criticized as Mr. Churchill has been criticized, and as I have been and will be criticized. Let them mock! They and their kind have always been present. These influences have had little to do with founding this Government or preserving our liberties. They have been and are vampires upon the body politic. They are a menace instead of a support to our Government.

Mr. Speaker, in this connection I desire to read the following, which indicates the reason these influences advocate war and large armaments:

THE GOD OF WAR.

"To safeguard peace, we must prepare for war." I know that maxim; it was forged in hell.

This wealth of ships and guns inflames the vulgar and makes the very war it guards against.

The God of War is now a man of business, with vested interests.

That is the proposition. [Applause.]

If I have read the history of my country aright, if I know anything about the doctrine preached by the fathers of our country with reference to the baneful effects to follow when the military reaches the ascendency, I am warranted in saying that it will be a sad day for this Republic when the heads of these departments are permitted to lay down the policy of this country in time of peace. I am not depreciating them, we need them; but they are the servants, not the masters. The country does not exist for the glory of the departments, but rather the departments exist for the glory of the country. [Applause.] They understand the technique of war and all that, but we would not risk them in telling us how large the machine should be, for you may search history in vain to find an instance when they have not clamored for more power. The shame of it all, when they must know that away back in some remote section of the country, perhaps, is a fellow citizen who can not come to Washington, see and logroll with Members of Congress upon these questions, but who, in the language of the Good Book, "is eating his bread in the sweat of his face," and in addition is producing the breadstuff that feeds us all; but it is our duty to be ever mindful of his interest, whether he comes here or not. They insist upon being prepared. Preparedness is the way they express it. I have witnessed many a sad scene in the court rooms of the country where the near and dear ones of a poor unfortunate individual, who was on trial for crime were grieved and heartbroken because of the prisoner's plight, all due to the fact that he had previously been in a state of "preparedness." I have seen too many tragedies of this kind, where my heart has gone out to the poor unfortunate ones, for me to advocate a "state of preparedness" upon the part of individuals; and I say to you, my friends, that what is true of individuals is true of nations, for what are communities and nations but the sum total of many individuals? They argue that all this is for the glory of the country; that it is patriotism that prompts it. I resent the imputation that one class of citizens are more patriotic than another class. I say, I believe, Mr. Speaker, it requires as much patriotism and love for country, as much courage and genuine manhood, for one to be a good citizen every day of the year and throughout life, to safeguard our liberties and to vouchsafe those liberties to those who will soon follow us, as it does to shoulder a musket and go out along the firing line——

Mr. GEORGE. More.

Mr. HENSLEY. Especially when the latter is a professional and the former a patient, uncomplaining producer of wealth, and, in addition, stands ready to respond at any time when his country calls him to arms. [Applause.] We can never gratify the greed and avarice of these individuals; neither is it our duty to satisfy them. We can not hope by legislation to gratify the wild-eyed extravagance of those who measure all political wisdom by the magnitude of the fund to be squandered. It is a great big yawning, gaping chasm, which can never be filled. The more you pour into it the larger it gets, the stronger and more insolent and impudent it becomes when it returns for more money. Why the need of all this? Is it for the purpose of having us rely upon our armaments, our Navy and our military strength, for peace and security among nations, instead of relying upon those God-given traits and graces that distinguish men from the brute generation? As the Speaker has so well put it, our Nation has been equal to every emergency from its infancy on down through its whole history to this good day. From the time it was in its swaddling clothes, only a handful of people, with no wealth to speak of, excepting the untouched resources of this great country, we have held our own and have gotten along nicely; and now when we are nearly 100,000,000 strong, men of patriotism and love for country, with our billions of wealth, we appear to be alarmed and want to continue arming ourselves for wars—wars such as a few fevered-minded individuals, who appear to be obsessed upon this question, imagine they can see down the long vista of the ever-uncertain future. Our people do not feel that way. We do not want strife with people individually or collectively. Let me know the traits and dispositions of a people, and I will come pretty near knowing what the nation stands for. Some there are who contend that preparedness and the ability to exercise force is calculated to protect or ward off danger. I say it provokes, it aggravates, it incites difficulty. Listen; let me tell you something. I can start out of this Hall of Congress with a brace of pistols upon me, with an exaggerated idea of my rights because I have the weapons, and I can go down the streets of this city and into the places of business and in dealing with the people insist upon everybody respecting my rights according to my views of what my rights are, based upon the weapons I have in my pockets, and I say to you I will have serious difficulty within 30 minutes. In my district two of my friends, one a doctor and the other a farmer and a stockman, both big, handsome, courageous fellows, became involved in a difficulty. The stockman called at the drug store to see the doctor. There were a few verbal exchanges when they locked horns, and it was like two big bald-faced steers fighting. Not only were vials of wrath uncorked, but vials of medicine were broken and scattered all over the storeroom, when finally something threw them apart, and the doctor, afterwards telling me the story, said: "Fortunately I thought of that glorious scripture which says, 'A soft word turneth away wrath,' so I said, Why this foolishness? Let us talk it over. So we sat down and talked it over, and no harm came of it."

Mr. SIMS. If they had been in a state of preparedness——

Mr. HENSLEY. Yes; as my friend from Tennessee says, if they had been in a state of preparedness one or both would have been killed. Now, then, in this connection I want to ask you in all candor whether or not you have contemplated just what the history of this country would have been if the battleship *Maine* had not been lying in the harbor of Habana on that awful, that eventful, night, the 15th of February, 1898. I know just what transpired here in Congress. We might have had a war with Spain, but I think it is quite doubtful. But the battleship was there instead of elsewhere, and as a result we have paid out hundreds of millions of money; nor, gentlemen, is that all. You saw the sad procession that wended its way down Pennsylvania Avenue carrying the remains of the heroes of the *Maine* over to Arlington, where the last sad rites were said. Many an American boy kissed his mother and his sister good-by and shouldered a musket to fight for his country, as was his duty. Many boys there were who never saw their loved ones again; and we have the Philippines with us to boot, which we find hard to get rid of. The nearest I can get at it that war cost over $360,000,000, with the loss of over 10,000 citizens, all told. You know how I feel about that. I would not sacrifice the life of one manly, honest, patriotic Missouri boy for the whole archipelago [applause], much less sacrifice thousands of our citizens, unless it were necessary to protect our liberty, or for some other vital reason. I would say, let us insist upon our rights, but let us not have an exaggerated idea as to what our rights are in the premises, based upon the fact that we have a brace of pistols upon us. Let me further direct your attention and point out definitely some things that are very interesting and are certainly apropos to this discussion, and present a plan by which war may be avoided. I called up the State Department a few days ago, and at my request the office very kindly furnished me a document which contains all the papers concerning the disarmament of the Great Lakes. I desire to submit portions of these documents to you.

In response to the House resolution bearing date of January 15, 1900, requesting information in regard to the status of the agreement said to prohibit the building, arming, or maintaining

of more than a single war vessel on the Great Lakes, the then President replied as follows:

To the House of Representatives:

In response to the resolution of the House of Representatives of January 15, 1900, requesting information in regard to the status of the agreement between the United States and Great Britain said to prohibit the building, arming, or maintaining of more than a single war vessel on the Great Lakes and all data bearing upon the subject in the possession of the Department of State, I transmit herewith a report of the Secretary of State and accompanying papers, giving all the information existing in that department in regard to the arrangement as to the naval force to be respectively maintained on the American lakes, concluded at Washington April 28–29, 1817.

WILLIAM MCKINLEY.

EXECUTIVE MANSION, *February 27, 1900.*

I find that about the first thing bearing on this proposition, or the first reference to the matter, appears to have been under date of August 29, 1815, when Mr. John Quincy Adams, who was the minister to Great Britain under President Jefferson's administration, transmitted to the State Department some British newspapers in which it was announced that His Majesty's cabinet had determined not only to maintain but to augment its armed naval force on the Great Lakes. Mr. Monroe, Secretary of State, thereupon proposed in an instrument addressed to Mr. Adams, dated November 16, 1815, a mutual restriction of the naval force to be maintained on the Lakes by both parties, which I read, as follows:

[Mr. Monroe to Mr. Adams, November 16, 1815.]

The information you give of orders having been issued by the British Government to increase its naval force on the Lakes is confirmed by intelligence from that quarter of measures having been actually adopted for the purpose. It is evident, if each party augments its force there, with a view to obtain the ascendency over the other, that vast expense will be incurred and the danger of collision augmented in like degree. The President is sincerely desirous to prevent an evil which it is presumed is equally to be deprecated by both Governments. He therefore authorizes you to propose to the British Government such an arrangement respecting the naval force to be kept on the Lakes by both Governments as will demonstrate their pacific policy and secure their peace. He is willing to confine it, on each side, to a certain moderate number of armed vessels, and the smaller the number the more agreeable to him; or to abstain altogether from an armed force beyond that used for revenue. You will bring this subject under the consideration of the British Government immediately after the receipt of this letter.

In a conference with Lord Castlereagh, on January 25, 1816, Mr. Adams submitted a proposal and briefly mentioned having done so in his dispatch written to Mr. Monroe on January 31, 1816, in which he said:

[Mr. Adams to Mr. Monroe, January 31, 1816.]

With regard to the other topics embraced in the conference, I can only now state in a summary manner that I think the proposal for mutually disarming on the lakes of Canada, which I made conformably to your instructions, will not be accepted.

I find in these notes which were exchanged between the two countries, and I shall not take the time to read them all, excepting those matters which have a direct bearing on this proposition, the representative of Great Britain, in discussing all phases of the proposition concerning the disarmament of the Lakes, seemed to be very apprehensive about the increased military power of the United States. This is shown by a letter from Mr. Adams to Mr. Monroe, dated February 8, 1816, as follows:

He said that just before the conclusion of the peace Great Britain had been under the necessity of making extraordinary exertions and to build a number of new vessels upon the Lakes to enable her to maintain her footing there; and when I remarked that this was not what had drawn the animadversion of the American Government, but the new armaments—vessels of war begun and built since the peace—he replied that we had so much the advantage over them there by our position that a mutual stipulation against arming, during the peace, would be unequal and disadvantageous in its operation to Great Britain. For as the hands of both parties would, by such an engagement, be tied until war should have commenced, the Americans by their proximity would be able to prepare armaments for attacks much sooner than those of the British could be prepared for defense. I urged that as at all events the state of the armaments during peace, on one side, must be the measure of those on the other, this advantage of proximity must be nearly the same whether they are great or small; that the agreement to forbear arming in time of peace would rather diminish than add to it, and that a war could not break out, on the part of the United States, suddenly or without such a previous state of the relations between the two nations as would give the British Government warning to be prepared for the event and to take such measures as might enable them to arm on the Lakes when the war commenced quite as rapidly and effectually as the United States could do on their side. But although Lord Castlereagh promised to submit the proposal to the cabinet, his own disinclination to accede to it was so strongly marked that I can not flatter myself it will be accepted. The utmost that they may be induced to consent to may be an arrangement to limit the force which either party shall keep in actual service upon the Lakes.

Do you see what it means? It means balancing one navy against the other. In another letter, which was from Mr. Adams to the representative of the British Government, dated March 21, 1816, I find the following language:

The increase of naval armaments on one side upon the Lakes, during peace, will necessitate the like increase on the other, and besides causing an aggravation of useless expense to both parties must operate as a continual stimulus of suspicion and of ill will upon the inhabitants and local authorities of the borders against those of their neighbors. The moral and political tendency of such a system must be to war and not to peace. The American Government proposes mutually to reduce, to the same extent, all naval armaments upon those Lakes. The degree to which they shall be reduced is left at the option of Great Britain.

See the disposition on the part of the United States Government at that time, ready to leave the question to Great Britain to what extent they should disarm. In another letter from Mr. Adams to Mr. Monroe, dated March 30, 1816, he said:

You may, however, consider it as certain that the proposal to disarm upon the Lakes will not be accepted. In all the debates in Parliament upon what they call their military and naval peace establishment the prospect of a new war with the United States has been distinctly held up by the ministers and admitted by the opposition as a solid reason for enormous and unparalleled expenditure and preparation in Canada and Nova Scotia.

Gentlemen, you see what influences were at work. Up to that time our representatives had received no encouragement. These influences were pressing then, as they are pressing now; the jingoes were there, as they are here; but the representatives of our Government were not impatient, they were determined to serve the people of this country, so they kept insisting upon this proposition. Several letters having passed between the two contracting parties in the interim, I find one letter, dated August 2, 1816, from Mr. Monroe to Mr. Bagot, as follows:

I have the honor to state that the President is willing, in the spirit of the peace which so happily exists between the two Nations and until the proposed arrangement shall be canceled in the manner hereinafter suggested, to confine the naval force to be maintained on the Lakes on each side to the following vessels—that is, on Lake Ontario one vessel not exceeding 110 tons burden and one 18-pound cannon, and on the upper Lakes to two vessels of like burden and force, and on the waters of Lake Champlain to one vessel not exceeding the like burden and force; and that all other armed vessels on those Lakes shall be forthwith dismantled and likewise that neither party shall build or arm any other vessel on the shores of those Lakes.

Now, my friends, I go over here to where I find the absolute acceptance of the proposition laid down by the President of the United States. Great Britain at that time had on the Lakes, all told, 74 boats, because, as you recall, that was very shortly after the war between the two countries——

Mr. GEORGE. Men-of-war?

Mr. HENSLEY. Yes; armed boats, some better than others, as they are to-day, because when you build a new boat according to modern methods, to a large extent you relegate the others. So out of 74 boats they had there they dismantled 70. Now I want to go a little further——

Mr. BARTHOLDT. Give us the exact terms of the treaty.

Mr. HENSLEY. I will say to my colleague this has the effect of a treaty, or convention, as they call it.

Mr. MANN rose.

The SPEAKER. To whom does the gentleman yield?

Mr. HENSLEY. To my colleague.

Mr. BARTHOLDT. There is an agreement in writing between the two Governments on that question, but the language which my colleague has quoted from the letter of Secretary of State Monroe is about the same as that agreement.

Mr. HENSLEY. I will say to my colleague that I thought this was sufficient to show the character of the agreement that had been entered into by the two high contracting parties.

Mr. BARTHOLDT. If the gentleman will permit, I will call attention to the fact that a few years ago I printed that agreement in the RECORD.

Mr. HENSLEY. Yes; I am aware that there may be seen in the archives of the State Department the original copy of the treaty, and I will have it printed in this connection. It is as follows:

1. The naval forces henceforth to be maintained upon the Great Lakes shall be confined to the following vessels on each side:

2. On Lake Ontario, one vessel not to exceed 100 tons burden, carrying not more than 20 men and one 18-pound cannon.

3. On the upper lakes, two vessels of same burden and armed in a like way.

4. On Lake Champlain, one vessel of like size and armament.

5. All other armed vessels to be at once dismantled, and no other vessel of war should be built or armed along the St. Lawrence River or on the Great Lakes.

Mr. MANN. Will the gentleman yield?

Mr. HENSLEY. I do.

Mr. MANN. I was under the impression the so-called convention was in the document which the gentleman has in his hand, the temporary arrangement entered into between the two Governments, the spirit of which has been observed ever since, though the language has not been literally observed, but by mutual understanding we have been able to keep peace on the northern border and armed vessels, in the main, off the Lakes.

Mr. HENSLEY. I thank the gentleman from Illinois for the suggestion, and I will say in that connection that I find that the President of the United States, Mr. Monroe, who had succeeded Mr. Jefferson, published to the world the agreement. The document from which I have just read does not contain the exact language, although it means practically the same.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. LLOYD. Mr. Speaker, I ask unanimous consent that my colleague may be permitted to conclude his remarks.

The SPEAKER. The gentleman from Missouri [Mr. LLOYD] asks unanimous consent that his colleague [Mr. HENSLEY] be permitted to conclude his remarks. Is there objection?

Mr. MANN. Mr. Speaker, I shall not object; but how much more time does the gentleman desire?

Mr. HENSLEY. I think only a few minutes.

The SPEAKER. The Chair hears no objection, and it is so ordered.

Mr. HENSLEY. Mr. Speaker, I thank my colleague [Mr. LLOYD] and the House. Now, there were some few disturbances upon the Lakes occasioned by pirates and Indians, and so on, which on several occasions necessitated the exchange of notes between the representatives of the two nations. The relations were somewhat strained, but they never reached the breaking point at any time. Now, in order that you may understand and appreciate to what extent attempts were made to put armed vessels upon the Lakes, I desire to read from the proceedings of the Senate, August 3, 1841, when Senator Allen, of Ohio, "moved an amendment to the fortification bill for the construction or armament of steamers or other vessels for defense on the northwestern lakes. This proposition was debated at some length on the day of its introduction and on the following day. Mr. Allen explained that he had not offered it with a view to benefit any particular section of the country, but that, having understood the British had two armed steamers on Lake Erie, he 'thought armed steamers were necessary to watch armed steamers.'"

Senator Allen's reasoning was clear and logical. Beyond any doubt it requires armed steamers to watch armed steamers. A great deal of significance is attached to that brief statement, because there is not a nation to-day that has armaments that does not balance her armaments against the armaments of other nations; and this, no doubt, is the very thought that occurred to Mr. Churchill. That is the point that I am trying to impress upon you. If I have a pistol in my pocket and you have one in yours, we are on the same footing; I buy another and you buy another, our positions are relatively unchanged.

Well, the appropriation was made, and so I find this in the document:

Soon after the passage of the fortification act of 1841, and in execution of the authority therein given to the President to build and equip war vessels on the Lakes, the Secretary of the Navy initiated steps for the construction of an iron steamer for service on the upper Lakes, and during the next two years there was constructed at Pittsburgh the side-wheel bark *Michigan*, which was removed in sections to Erie and there completed and floated in the summer of 1844.

Then it goes on to give her dimensions, and says:

This drew forth a remonstrance from the British Government.

The British Government registered a protest against this, because they believed it was an infringement upon the understanding that existed between the two Governments, so the representatives got together and discussed the whole situation and no harm grew out of it.

But I find that when this Nation was involved in the great War between the States, the Government of the United States seemed to think, whether justifiable or not I do not know, that the British Government was showing some favoritism toward the Southern States. The Secretary of State, Mr. Seward, took the matter up and protested against the things that seemed to be violative of the laws that govern nations, and it went on until finally formal notice was served upon Great Britain to abrogate this understanding, which notice was dated October 24, 1864. The British Government was so well pleased with the agreement that had existed between the two countries that her representative protested against the abrogation of it, and in this connection I desire to read a few lines from a letter from Lord Russell to Lord Lyons, under date of November 26, 1864, as follows:

It is perfectly competent to the United States to give notice that at the end of six months that Government will be at liberty to increase their naval force on the Lakes. It is certainly true that while both nations are disarmed on the Lakes marauders or depredators may destroy or capture unarmed vessels belonging to either party. Her Majesty will, of course, be at liberty also to increase her naval force on the Lakes at the expiration of the six months after notice if she should think fit to do so, but it is hoped that when peace is restored the former agreement, which was formed upon just and wise considerations, may be renewed as one that must be advantageous to both parties.

So you see they were anxious that the peace that had characterized the countries should continue.

In the naval act of May 4, 1898, a gunboat was authorized to be built on the Great Lakes to replace an old and obsolete one. Its construction was delayed from time to time, until finally Congress abandoned the building of it, due to the fact that this country did not desire to do anything which might be misunderstood by Great Britain; and Congress, in the naval act of August 22, 1912, authorized the reappropriation of the funds, and a gunboat is about completed for use in Chinese waters instead of upon the Lakes. Even the training of the Naval Militia has not been permitted upon the Great Lakes, so jealous have our officials been of the rights of the parties in connection with the treaty.

So we find that nearly 100 years has now elapsed and these people, British citizens upon the one side of the line and American citizens upon the other, dwelling in absolute peace and harmony, as brothers should, while on the other side, with thousands of miles of ocean separating this country from Great Britain and other countries, we are disturbed with reference to our relations. Why is this true? In my judgment it is because we have had no battleships on the Great Lakes, we have had no incitement for war or trouble between these countries. A simple agreement has not only saved this country hundreds of millions of money, and a like sum no doubt to Great Britain, but it has warded off, in my judgment, a war between the two countries. It therefore seems to me that the time is most propitious for action. We are soon to celebrate the one hundredth year of peace with Great Britain, and it is time for this country to take the initiative on a proposition which means so much.

Talk about war with Germany! We have something like 20,000,000 citizens in this country who have German blood coursing in their veins, and they constitute one of the chief assets of this great country of ours. They dot the hillsides and valleys of Missouri, as well as the hillsides and valleys all over the land. They have blazed the way and made sections of our country blossom like the rose. They left their country to escape military burdens. They came here and cast their lot with us in this land of which we boast as being the asylum of the oppressed. Now, will we follow in the wake of those great nations and pile burdens upon them which they had hoped they would escape by coming here? I say never; never. There is no occasion for it. In all our history we have never had a serious quarrel with Germany, much less war. Germany does not desire to maim and kill our people; most emphatically we do not desire to maim and kill her people.

I appeal to the executive officers of this Government to use the same persistency and the same earnestness in putting forward this proposition that Jefferson's administration employed nearly 100 years ago. I appeal to the press of the country, the avenues of information, to help us in this campaign of education. I appeal to the clergy—the men who thunder forth from the pulpits the doctrine of "peace on earth and good will toward men"—to be as courageous as our worthy Chaplain showed himself to be when, a few mornings since, he offered a prayer that should be quoted from every pulpit in this land. Although he stands enveloped in darkness, having sacrificed that God-given faculty on the altar of his country, there radiates from him a spirit of Christian manhood which not only reaches every Member of this House but extends throughout the whole country. In this connection I desire to print in full the prayer above mentioned, offered by Rev. Henry N. Couden, D. D., the day following the introduction of my resolution:

We bless Thee, Almighty God our heavenly Father, for every thought, every suggestion, every movement looking to a world-wide disarmament, since it is a reflection on the intelligence and religious life of any people to teach the arts of war on land or sea, for we realize in our better moments how infinitely wiser it is to conserve the brain and brawn of armies and navies for the peaceful pursuits of life. And we most earnestly pray that our Republic, with its intelligence, high ideals, and incomparable genius, may set its face heavenward and be the vanguard in every movement for the "peace and good will toward men" which all right-thinking men the world around pray for, hope for, long for. And unto Thee, O God, the Father of all mankind, be glory and honor and praise forever. Amen.

It is indeed a reflection on the intelligence and religious life of any people to teach the arts of war on land or sea. Nations no more than individuals should continue in wrongdoing. The Good Book says:

They shall beat their swords into plowshares, and their spears into pruning hooks. Nation shall not lift up sword against nation, neither shall they learn war any more.

There is a vast difference, Mr. Speaker, between those who for selfish reasons shape their sails to catch the faintest breeze that will drive them toward some haven of self-interest and the individual who with Christian fortitude starts out across the high seas and, even at a sacrifice, seeks to serve his people and promote his country's welfare—the one a licentious leader who unfurls the flag of corruption and marshals the

interests upon the fields of degradation and at the right time for his purposes plunges his country into the vortex of utter ruin, while the latter unfurls the white flag of purity and sincerity, marshals under his banner men of patriotism and love for country, always pressing onward and upward to that glorious day which will usher in "the golden era of the brotherhood of man and the fatherhood of God." Let us by unanimous vote and as speedily as possible pass this resolution. Gentlemen, I thank you one and all. [Applause.]

RESIGNATION FROM COMMITTEES.

The SPEAKER laid before the House the following communication:

HON. CHAMP CLARK,
Speaker House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committees on Accounts and Election of President, Vice President, and Representatives in Congress, and trust that the same will be promptly accepted.

Respectfully, yours, M. F. CONRY.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill and joint resolution:

H. R. 7384. An act to authorize the payment of an indemnity to the Italian Government for the killing of Angelo Albano, an Italian subject; and

H. J. Res. 139. A joint resolution to relieve destitution among the native people and residents of Alaska.

DISCOUNT ON CUSTOMS DUES.

Mr. MANN. Mr. Speaker, I rise to a privileged motion. I move to discharge the Committee on Ways and Means from further consideration of House resolution 297, in order that I may bring the matter before the House.

The SPEAKER. The gentleman from Illinois moves to discharge the Committee on Ways and Means from further consideration of House resolution 297.

Mr. GEORGE. Mr. Speaker, may I ask what the resolution is?

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the House of Representatives copy of any regulation, order, or instruction issued to any customs official concerning the enforcement or nonenforcement of subsection 7 of paragraph J of section 4 of the Underwood tariff law, reading as follows:

"That a discount of 5 per cent on all duties imposed by this act shall be allowed on such goods, wares, and merchandise as shall be imported in vessels admitted to registration under the laws of the United States: *Provided*, That nothing in this subsection shall be so construed as to abrogate or in any manner impair or affect the provisions of any treaty concluded between the United States and any foreign nation."

ADJOURNMENT.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

Mr. MANN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 56, nays 23, answered "present" 14, not voting 336, as follows:

YEAS—56.

Abercrombie	Flood, Va.	Kirkpatrick	Rouse
Aswell	Floyd, Ark.	Lazaro	Russell
Baker	Fowler	Lee, Pa.	Shackleford
Baltz	George	Lesher	Sims
Bowdle	Glass	Lloyd	Smith, Md.
Brockson	Hamlin	Lobeck	Smith, N. Y.
Brodbeck	Hammond	McDermott	Stone
Byrns, Tenn.	Hay	McKellar	Stout
Casey	Heflin	Mitchell	Taggart
Dent	Henry	Moon	Tavenner
Donohoe	Hensley	Oldfield	Taylor, Ark.
Eagle	Hull	O'Leary	Ten Eyck
Evans	Igoe	Page	Watkins
Fergusson	Johnson, Ky.	Quin	Webb

NAYS—23.

Anderson	Donovan	La Follette	Powers
Austin	Frear	MacDonald	Sinnott
Bell, Cal.	Gillett	Managan	Smith, Idaho
Browne, Wis.	Hawley	Nelson	Sutherland
Curry	Johnson, Wash.	Patton, Pa	Towner
Davis	Kahn	Plumley	

ANSWERED "PRESENT"—14.

Bartholdt	Holland	Reilly, Conn.	Volstead
Booher	Kennedy, Iowa	Smith, Minn	Watson
Cary	Mann	Stanley	
French	Reed	Stevens, Minn.	

NOT VOTING—336.

Adair	Doolittle	Keating	Pou
Adamson	Doremus	Keister	Prouty
Aiken	Doughton	Kelley, Mich.	Ragsdale
Ainey	Driscoll	Kelly, Pa.	Rainey
Alexander	Dunn	Kennedy, Conn.	Raker
Allen	Dupré	Kennedy, R. I.	Rauch
Ansberry	Dyer	Kent	Rayburn
Anthony	Eagan	Kettner	Reilly, Wis.
Ashbrook	Edmonds	Key, Ohio	Richardson
Avis	Edwards	Kless, Pa.	Riordan
Bailey	Elder	Kindel	Roberts, Mass.
Barchfeld	Esch	Kinkaid, Nebr.	Roberts, Nev.
Barkley	Estopinal	Kinkead, N. J.	Rogers
Barnhart	Fairchild	Kitchin	Rothermel
Bartlett	Falson	Knowland, J. R.	Rubey
Barton	Falconer	Konop	Rucker
Bathrick	Farr	Korbly	Rupley
Beakes	Ferris	Kreider	Sabath
Beall, Tex.	Fess	Lafferty	Saunders
Bell, Ga.	Fields	Langham	Scott
Blackmon	Finley	Langley	Scully
Borchers	Fitzgerald	Lee, Ga.	Seldomridge
Borland	FitzHenry	L'Engle	Sells
Bremner	Fordney	Lenroot	Sharp
Britten	Foster	Lever	Shelley
Broussard	Francis	Levy	Sherwood
Brown, N. Y.	Gallagher	Lewis, Md.	Shreve
Brown, W. Va.	Gard	Lewis, Pa.	Sisson
Browning	Gardner	Lieb	Slayden
Bruckner	Garner	Lindbergh	Slemp
Brumbaugh	Garrett, Tenn.	Lindquist	Sloan
Bryan	Garrett, Tex.	Linthicum	Small
Buchanan, Ill.	Gerry	Logue	Smith, J. M. C.
Buchanan, Tex.	Gillmore	Lonergan	Smith, Saml. W.
Bulkley	Gittins	McAndrews	Smith, Tex.
Burgess	Godwin, N. C.	McClellan	Sparkman
Burke, Pa.	Goeke	McCoy	Stafford
Burke, S. Dak.	Goldfogle	McGillicuddy	Stedman
Burke, Wis.	Good	McGuire, Okla.	Steenerson
Burnett	Goodwin, Ark.	McKenzie	Stephens, Cal.
Butler	Gordon	McLaughlin	Stephens, Miss.
Byrnes, S. C.	Gorman	Madden	Stephens, Nebr.
Calder	Goulden	Maguire, Nebr.	Stephens, Tex.
Callaway	Graham, Ill.	Mahan	Stevens, N. H.
Campbell	Graham, Pa.	Maher	Stringer
Candler, Miss.	Gray	Manes	Sumners
Cantrill	Green, Iowa	Martin	Switzer
Caraway	Greene, Mass.	Merritt	Talbott, Md.
Carew	Greene, Vt.	Metz	Talcott, N. Y.
Carlin	Gregg	Miller	Taylor, Ala.
Carr	Griest	Mondell	Taylor, Colo.
Carter	Griffin	Montague	Taylor, N. Y.
Chandler, N. Y.	Gudger	Moore	Temple
Church	Guernsey	Morgan, La.	Thacher
Clancy	Hamill	Morgan, Okla.	Thomas
Clark, Fla.	Hamilton, Mich.	Morin	Thompson, Okla.
Claypool	Hamilton, N. Y.	Morrison	Thomson, Ill.
Clayton	Hardwick	Moss, Ind.	Townsend
Cline	Hardy	Moss, W. Va.	Treadway
Collier	Harrison	Mott	Tribble
Connelly, Kans.	Hart	Murdock	Tuttle
Connolly, Iowa	Hayden	Murray, Mass.	Underhill
Conry	Hayes	Murray, Okla.	Underwood
Cooper	Helgesen	Neeley, Kans.	Vare
Copley	Helgesen	Neeley, W. Va.	Vaughan
Covington	Helm	Nolan, J. I.	Walker
Cox	Helvering	Norton	Wallin
Cramton	Hill	O'Brien	Walsh
Crisp	Hinds	Oglesby	Walters
Crosser	Hinebaugh	O'Hair	Weaver
Cullop	Hobson	O'Shaunessy	Whaley
Curley	Houston	Padgett	Whitacre
Dale	Howard	Palmer	White
Danforth	Howell	Parker	Williams
Davenport	Hoxworth	Patten, N. Y.	Willis
Decker	Hughes, Ga.	Payne	Wilson, Fla.
Deitrick	Hughes, W. Va.	Pepper	Wilson, N. Y.
Dershem	Hulings	Peters, Mass.	Wingo
Dickinson	Humphrey, Wash.	Peters, Me.	Winslow
Dies	Humphreys, Miss.	Peterson	Witherspoon
Difenderfer	Jacoway	Phelan	Woodruff
Dillon	Johnson, S. C.	Platt	Woods
Dixon	Johnson, Utah	Porter	Young, N. Dak.
Dooling	Jones	Post	Young, Tex.

So the motion to adjourn was agreed to.

The following pairs were announced:

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.
Mr. SCULLY with Mr. BROWNING.
Mr. METZ with Mr. WALLIN.
Mr. HOBSON with Mr. FAIRCHILD.
Mr. BARTLETT with Mr. BUTLER.
Mr. ADAMSON with Mr. STEVENS of Minnesota.
Mr. UNDERWOOD with Mr. MANN.

Until further notice:

Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 27).
Mr. BARKLEY with Mr. FALCONER (commencing Oct. 24).
Mr. BARNHART with Mr. MAPES.
Mr. BELL of Georgia with Mr. DANFORTH.
Mr. BLACKMON with Mr. BARCHFELD.
Mr. BURNETT with Mr. HAYES.
Mr. BROUSSARD with Mr. KELLEY of Michigan.
Mr. BULKLEY with Mr. DILLON.
Mr. BURKE of Wisconsin with Mr. CARY.
Mr. BRUMBAUGH with Mr. LINDQUIST (until Nov. 25).

Mr. CANDLER of Mississippi with Mr. J. R. KNOWLAND.
Mr. CLAYTON with Mr. MONDELL.
Mr. CLAYPOOL with Mr. BRYAN.
Mr. CLARK of Florida with Mr. WOODRUFF.
Mr. CANTRILL with Mr. HELGESEN.
Mr. CARAWAY with Mr. KENNEDY of Rhode Island.
Mr. CHURCH with Mr. HULINGS.
Mr. CRISP with Mr. HINDS (transferable).
Mr. CLANCY with Mr. HAMILTON of New York.
Mr. COVINGTON with Mr. MILLER.
Mr. CARTER with Mr. MCGUIRE of Oklahoma.
Mr. CLINE with Mr. NORTON (commencing Oct. 1).
Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.
Mr. COX with Mr. MURDOCK.
Mr. CURLEY with Mr. SHREVE.
Mr. DEITRICK with Mr. YOUNG of North Dakota.
Mr. DIES with Mr. SWITZER.
Mr. DOUGHTON with Mr. MOTT.
Mr. DUPRÉ with Mr. ANTHONY.
Mr. ELDER with Mr. STEENERSON.
Mr. FAISON with Mr. MORIN.
Mr. FRANCIS with Mr. HUGHES of West Virginia.
Mr. FITZGERALD with Mr. CALDER.
Mr. FERRIS with Mr. SELLS.
Mr. FIELDS with Mr. LANGLEY.
Mr. FOSTER with Mr. GREENE of Vermont (commencing Oct. 27).
Mr. FINLEY with Mr. GREEN of Iowa.
Mr. GILMORE with Mr. MCKENZIE.
Mr. GOEKE with Mr. LEWIS of Pennsylvania.
Mr. GOLDFOGLE with Mr. KREIDER.
Mr. GOODWIN of Arkansas with Mr. PORTER.
Mr. GARNER with Mr. J. I. NOLAN.
Mr. GORDON with Mr. THOMSON of Illinois.
Mr. GARRETT of Tennessee with Mr. LANGHAM.
Mr. GUDGER with Mr. MOORE.
Mr. HAYDEN with Mr. LAFFERTY.
Mr. HARRISON with Mr. GRAHAM of Pennsylvania.
Mr. HOWARD with Mr. GRIEST.
Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).
Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).
Mr. HOUSTON with Mr. WILLIS.
Mr. HUGHES of Georgia with Mr. AVIS.
Mr. HUMPHREYS of Mississippi with Mr. KIESS of Pennsylvania.
Mr. JACOWAY with Mr. FRENCH.
Mr. JOHNSON of South Carolina with Mr. RUPLEY.
Mr. JONES with Mr. HINEBAUGH.
Mr. KITCHIN with Mr. PAYNE.
Mr. KEY of Ohio with Mr. FARR.
Mr. KETTNER with Mr. SCOTT.
Mr. LEE of Georgia with Mr. KEISTER.
Mr. LONERGAN with Mr. ROGERS.
Mr. MCGILLICUDDY with Mr. GUERNSEY.
Mr. MONTAGUE with Mr. VARE.
Mr. MORRISON with Mr. HUMPHREY of Washington.
Mr. MURRAY of Massachusetts with Mr. PROUTY.
Mr. PALMER with Mr. MOSS of West Virginia.
Mr. PEPPER with Mr. KENNEDY of Iowa.
Mr. PETERSON with Mr. PLATT (commencing Oct. 13).
Mr. PHELAN with Mr. SMITH of Minnesota (Oct. 24 to Nov. 15).
Mr. POST with Mr. COPLEY.
Mr. RAINEY with Mr. MADDEN.
Mr. RAKER with Mr. DUNN.
Mr. REILLY of Connecticut with Mr. DYER.
Mr. ROTHERMEL with Mr. ROBERTS of Massachusetts.
Mr. RUCKER with Mr. HAUGEN.
Mr. RICHARDSON with Mr. MARTIN.
Mr. RUBEY with Mr. TREADWAY.
Mr. SHERWOOD with Mr. SAMUEL W. SMITH.
Mr. SHERLEY with Mr. COOPER (Oct. 23 to Nov. 15).
Mr. SISSON with Mr. CAMPBELL.
Mr. SMALL with Mr. FESS.
Mr. SPARKMAN with Mr. HOWELL.
Mr. SUMNERS with Mr. ESCH.
Mr. SAUNDERS with Mr. AINEY.
Mr. SMITH of Texas with Mr. MCLAUGHLIN.
Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.
Mr. STEPHENS of Nebraska with Mr. SLOAN.
Mr. TALBOTT of Maryland with Mr. MERRITT.
Mr. TAYLOR of Alabama with Mr. PETERS of Maine.
Mr. THOMPSON of Oklahoma with Mr. BARTON.
Mr. TOWNSEND with Mr. TEMPLE.
Mr. UNDERHILL with Mr. WALTERS.
Mr. WATSON with Mr. CRAMTON.
Mr. WILLIAMS with Mr. BRITTEN.
Mr. YOUNG of Texas with Mr. ROBERTS of Nevada.
Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).
Mr. WINGO with Mr. PARKER.
Mr. WEAVER with Mr. BURKE of Pennsylvania.
Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).
Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).
Mr. REED with Mr. WINSLOW (commencing Oct. 1, for remainder of extra session).
Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, except on cotton-futures amendment).
Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, and for balance of session).

Mr. MANN. Mr. Speaker, I voted "no." I am paired with the gentleman from Alabama [Mr. UNDERWOOD]. I desire to withdraw my vote and be recorded "present."

The name of Mr. MANN was called, and he answered "Present."

Mr. SMITH of Minnesota. Mr. Speaker, I voted "no." I am paired with Mr. PHELAN, of Massachusetts. I wish to withdraw my vote and answer "present."

The name of Mr. SMITH of Minnesota was called, and he answered "Present."

The result of the vote was announced as above recorded.

Accordingly (at 1 o'clock and 38 minutes p. m.) the House adjourned to meet to-morrow, Friday, November 14, 1913, at 12 o'clock noon.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 5341) granting an increase of pension to Charles W. Willis, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LOGUE: A bill (H. R. 9277) granting to the city of Philadelphia, in the State of Pennsylvania, a right of way over Government land; to the Committee on the Public Lands.

By Mr. HOBSON: Joint resolution (H. J. Res. 150) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. TAVENNER: Resolution (H. Res. 306) directing the Secretary of the Navy to investigate the advantages of the Rock Island Arsenal military tract as a possible site for the proposed Government armor-plate factory; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: Resolution (H. Res. 307) authorizing payment out of the contingent fund of one month's compensation to the clerk of the late Representative George H. Utter; to the Committee on Accounts.

By Mr. LINDBERGH: Resolution (H. Res. 308) compelling Members of the House to file a statement with the Clerk showing the nature of any and all kinds of business they may have interests in, together with pecuniary interests of their families, etc.; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CULLOP: A bill (H. R. 9278) granting an increase of pension to Isaac H. Orndorff; to the Committee on Invalid Pensions.

By Mr. DONOHOE: A bill (H. R. 9279) for the relief of Daniel Graeber; to the Committee on Military Affairs.

Also, a bill (H. R. 9280) granting an increase of pension to Michael I. Gillin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9281) granting an increase of pension to Abraham S. Foster; to the Committee on Invalid Pensions.

By Mr. FERGUSSON: A bill (H. R. 9282) granting an increase of pension to Arthur L. Douglass; to the Committee on Pensions.

By Mr. FORDNEY: A bill (H. R. 9283) granting an increase of pension to William L. Cook, alias James Leslie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9284) for the reimbursement of Horace M. Blunt, for the loss of a horse while hired by the United States Geological Survey; to the Committee on Claims.

By Mr. GOEKE: A bill (H. R. 9285) granting an increase of pension to August Duvall; to the Committee on Invalid Pensions.

By Mr. PATTON of Pennsylvania: A bill (H. R. 9286) granting an increase of pension to Abraham Egler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9287) granting an increase of pension to Mary A. Andrews; to the Committee on Invalid Pensions.

By Mr. TAGGART: A bill (H. R. 9288) for the relief of Albert H. Campbell; to the Committee on Military Affairs.

Also, a bill (H. R. 9289) granting an increase of pension to George Stevens; to the Committee on Pensions.

Also, a bill (H. R. 9290) to place the name of Capt. William H. Ward on the unlimited retired list of the Regular Army of the United States, with rank and pay as a retired officer of the regular establishment; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of citizens of Lincoln and Montgomery Counties, Mo., asking for a pension for Mrs. Kate L. Clare, widow of the late William D. Clare, an ex-soldier; to the Committee on Pensions.

Also (by request), petition of the Belknap Hardware & Manufacturing Co., of Louisville, Ky., favoring change in the parcel-post law relative to shipment of books; to the Committee on the Post Office and Post Roads.

Also (by request), petition of the National Woman's Christian Temperance Union, protesting against placing in the CONGRESSIONAL RECORD the funeral oration over the remains of the late Adolphus Busch, a brewer of St. Louis, Mo.; to the Committee on Printing.

By Mr. GRAHAM of Pennsylvania: Petition of the Philadelphia Produce Exchange, of Philadelphia, Pa., favoring legislation by Congress for protection of the lower Mississippi River; to the Committee on Rivers and Harbors.

By Mr. LAFFERTY: Memorial of the Columbia & Snake River Waterways Association, favoring canalization of Columbia River; to the Committee on Rivers and Harbors.

Also, petition of the Pendleton Commercial Association, favoring legislation for flood protection of the lower Mississippi River; to the Committee on Rivers and Harbors.

HOUSE OF REPRESENTATIVES.

FRIDAY, *November 14, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We would approach Thee, Almighty God, our Heavenly Father, in the spirit of the Master, that our spiritual vision may be enlarged, that our faith may grow stronger, that our hopes may burn brighter, that our thoughts and deeds may spring from pure and holy motives, that the perfection of our character may more and more obtain until we all come unto the measure of the stature of the fullness of Christ. Amen.

The Journal of the proceedings of yesterday was read.

Mr. MANN. Mr. Speaker, I thought that the Clerk read that "Mr. MANN presented a privileged report."

The SPEAKER. It should have been a resolution, and the correction will be made.

The Journal as corrected was approved.

The SPEAKER. By a special order of the House made yesterday the gentleman from Delaware [Mr. BROCKSON] has one hour in which to address the House on the subject of cruel and unusual punishment in the State of Delaware. He is recognized for an hour. He does not seem to be here.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Carr, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 3397. An act to amend section 2324 of the Revised Statutes of the United States relating to mining claims.

MINING CLAIMS ON SEWARD PENINSULA, ALASKA.

Mr. JOHNSON of Washington. Mr. Speaker, I desire to make this statement at this time: The Senate yesterday passed the bill (S. 3397) for the relief of miners in the Seward Peninsula, in Alaska, and the bill will soon reach the Speaker's table. The emergency is urgent in the extreme. The bill provides for relieving the miners in that peninsula of their assessment work for this year, which has to be done before December 31. Many of the miners in the Seward Peninsula have nothing with which to do the work. In that country the assessment work is done in the wintertime with the use of sleds. Even if this relief measure passes, there is now no way of notifying these miners except by cablegram to Nome, Alaska.

I desire to give notice that as soon as the bill reaches the Speaker's table I shall ask to have it taken up and considered and disposed of by unanimous consent. I desire to state further that a full statement is contained in the record of the Senate proceedings of yesterday, showing the necessity of the passage of this bill and the need of unanimous action on the part of the House.

The SPEAKER. The gentleman from Washington [Mr. JOHNSON] gives notice that when the bill comes from the Senate relating to the matter he refers to, he will ask unanimous consent to call it up. The gentleman from Delaware [Mr. BROCKSON] is recognized for one hour.

CORPORAL PUNISHMENT IN THE STATE OF DELAWARE.

Mr. BROCKSON. Mr. Speaker, on Tuesday last Mr. EVANS, of Montana, asked unanimous consent for the present consideration of a resolution which was sent to the Clerk's desk and read. The resolution was as follows:

House resolution.

Whereas it appears from dispatches published in the public prints that six prisoners—two white men and four negroes—all convicted of robbery, were whipped on their bare backs, with a total of 95 lashes, at the Newcastle County workhouse, in the State of Delaware, on November 8, 1913; and

Whereas it further appears that two of said prisoners, James Bayard and William Reason, negroes, each received 20 lashes for burglary; and

Whereas it further appears that on Saturday next, November 15, these two men will each receive a similar number of lashes on the bare back, and in addition Bayard is sentenced to serve 14 years in prison and Reason 11 years; and

Whereas it further appears that the court divided the administration of the lashes for fear the victims could not stand the penalty all at once; and

Whereas the eighth amendment to the Constitution of the United States of America provides that "cruel and unusual punishments shall not be inflicted"; and

Whereas it is manifest from the fact that the court divided the imposition of the number of lashes for fear of causing the death of the victims that such punishment is cruel; and

Whereas such method of punishment is a relic of medieval barbarism and is not generally practiced in civilized countries and is therefore unusual: Therefore be it

Resolved, That the President of the United States and the Attorney General of the United States are hereby authorized and directed to cause to be brought in the Federal courts an injunction proceeding against the State of Delaware, or the officials and employees of such State who may be responsible for the condition of affairs above set forth, or that the President and Attorney General take such other action as in their judgment may be proper to enforce the provisions of the Federal Constitution and prevent the infliction of this cruel and unusual punishment upon these prisoners on Saturday next, November 15, and to prevent the practice of such cruelties hereafter in said State of Delaware or elsewhere in the United States of America.

The House adjourned without action on that resolution. The resolution is so manifestly improper that it is quite certain the House will not adopt it and will probably never consider it.

If the United States courts had jurisdiction in the cases mentioned in the resolution and injunction proceedings were needed, it would not be necessary for Congress to direct the President or the Attorney General to perform their duties in the matter. Nothing more than sending sufficient information to the Attorney General would be required. But the United States courts do not have jurisdiction in these cases, as I will show later.

I desire first to comment upon the statements made in the preamble of this resolution.

The statement in the first three clauses are partially correct. I deny all the other statements contained in the preamble. The statement that "the court divided the imposition of the number of lashes for fear of causing the death of the victims" is absolutely false, and has been made without facts to support the statement.

No man's life is ever endangered by the infliction of corporal punishment in Delaware. In the cases of James Bayard and William Reason the court divided the sentences as to the lashes to make the punishment lighter because the defendants are young.

These two men were convicted jointly for breaking and entering the dwelling house of Mr. Reybold in the nighttime with the intent to commit a felony, and for breaking and entering another building, not a dwelling, during the same night. Bayard was also convicted of committing an assault during the same night.

While those two felons were in Mr. Reybold's house that night Bayard went to the bed in which Miss Reybold was asleep and had his hand upon her stomach when she was awakened by him. She ran from the room frightened almost into hysterics and aroused her brother, who rushed to her rescue.

Bayard struck Mr. Reybold with a brick, cutting a gash over his forehead, and escaped from the house.

For all these offenses Bayard was sentenced to 13 years' imprisonment and 40 lashes. Reason was given 11 years and 40 lashes.

I say, individually and for the State of Delaware, that I have no apologies to make to the gentleman from Montana [Mr. EVANS] and to no other man from any other State in the Union for the infliction of that penalty upon a man who will go in the nighttime into a house to commit felony and go up to a young woman lying in bed and take hold of her, undoubtedly for the purpose of committing a rape, and then assault and beat the brother who undertakes to defend his sister in the nighttime in her own bedroom. When you say to me that corporal punishment is cruel to a brute like that, I deny it, and say that the judgment of the man who alleges it is warped.

I know that there is an honest difference of opinion about corporal punishment, and I concede to those who honestly believe corporal punishment should be abolished the right to hold to that opinion. But I do contend that they should hold to that opinion in their own States; or, if they want to publish it abroad in the newspapers, and go around and make speeches, when they have nothing else to do, and advocate such a doctrine as that, I have no objection. But when they come to another State and say, for example, that the State of Delaware shall treat a criminal such as this one as though he were a hero, I protest. [Applause.]

Let us look at the ridiculousness of it, to carry out the idea of those "palace-prison" people that some folks waste their time in talking about. Would you take that man up before the court and say to him, "Now, Bayard, you knew that house did not belong to you. You knew very well that when you went into that house you committed trespass, and you made a greater mistake when you went up into the room where that young girl lay. She had a right to be there undisturbed. That was an awful mistake, Bayard. You put your hand on her, and that was another great mistake. You were trespassing on her rights; you ought not to do that; you ought to be good. Stay in your own home. Now, we are going to be lenient with you; you are a young man. Mind, you only did that undoubtedly with the intent to rape her. What else did you go and put your hand on her stomach for? Not to get money. The girl was undressed, lying in bed. No; we have pity on you; we are going to turn you out after we put you in jail a couple of years, and we want you to be a better man."

The absurdity and ridiculousness of talking in that way to a brute that has lost his manhood! We deal with such felons in Delaware as we have been taught through all ages. We make the punishment fit the crime. Having done so, we are willing to compare the records of our criminal courts with any other State in the Union.

I will make a guess right here. I do not know the six men mentioned in the resolution. I simply have the general information concerning them obtained from home and the newspapers, but I guess now that four ont of these six men were not born in the State of Delaware. I guess further that when these six men have served out their terms and leave the prison that not more than one, if any of them, will ever be convicted again in the courts of Delaware.

A large per cent—yes; I believe 75 per cent—of the violent crimes committed in the State of Delaware are committed by foreign criminals. Keep your criminals at home and our court record will be even better than it is now after we have taken care of the criminals that have come into our State from other States.

We had an example of lax punishment a few years ago, to the sorrow of our State. A man had committed rape. I am informed, in a neighboring State and had served five years in the penitentiary. He came into the State of Delaware, and within a few months he committed the most horrible rape in the annals of history. There was a man that they had dealt with leniently to let him come into our State and ravish and mutilate the body and murder one of our girls.

I am willing to compare our criminal code and penal institutions, if you please, with those of any other State in the Union. We have a law that provides for probating a criminal. If these men had committed a crime that was not violent, they might have been probated under certain conditions. We have a law providing for youthful offenders for first offense, that they may be probated, upon giving a recognizance, with or without security. We also have a law for the first offense, not capital, no matter how old the man may be; if he can show previous good character, he may be probated. We also have a law providing that a man convicted of any offense for which whipping may be a part of the sentence, and is recommended for mercy by the jury, may have the lashes omitted.

These two felons had their day in court; they had their chance before a jury. I want to say to you that when a man has had his day in a Delaware court before 12 Delaware citizens and the court of Delaware has pronounced sentence upon him, I assure you gentlemen that justice, and nothing more nor less, has been meted out to that man.

Now, I say that these two men when tried, if they had been recommended for mercy by the jury, might have had the lashes remitted; but they were not recommended for mercy, and I would have been ashamed of any jury that would have recommended such felons for mercy. I do not have to blush for shame for anything of that kind, because a Delaware jury never does recommend such felons as those for mercy.

I want to read to you our law about probation and see whether a man does not have a fair chance. The law is as follows:

In any case in which a person is convicted before the court of general sessions in this State of any offense not capital and no previous conviction is proven against him, if it appears to the court that, regard being had to the character and antecedents of the offender, to the nature of the offense, and to any extenuating circumstances under which the offense was committed, it is expedient that the offender be released on probation of good conduct, the court may direct that he be released on his entering into a recognizance, with or without surety, and, during such period as the court may direct, to appear and receive sentence when called upon, and in the meantime to keep the peace and be of good behavior; and the court may, if it thinks proper, direct that the offender shall pay the costs of the prosecution or such portion of the same as may be directed by the court. At any time within the period mentioned in the recognizance, but not afterwards, the court may, upon being satisfied by information on oath that the offender has failed to observe any of the conditions of his recognizance, issue process for his apprehension, and thereupon, without any further proceedings, impose sentence upon him.

The court also, in such cases as it shall deem proper, where a defendant has pleaded guilty in any case before it of any offense not capital, in view of the antecedents and character of the offender, of the nature of the offense, and of any extenuating circumstances, may allow such person to withdraw such plea of guilty and may release such person on probation of good conduct upon his entering into a recognizance, with or without surety, and during such period as the court may direct to appear and stand trial when called upon, and in the meantime to keep the peace and be of good behavior. At any time within such period, but not afterwards, the court may, upon being satisfied by information on oath that such person has failed to observe any of the conditions of his recognizance, issue process for his apprehension, and thereupon order him to stand trial for such former offense. (See 26 Del. Laws, 721.)

We do have the whipping post in Delaware for several offenses, offenses which are of high grade and of such brutal character as to indicate the depravity of the felon. We have whipping for wife beating, for assault with intent to commit rape, for breaking and entering the dwelling house of another in the nighttime with intent to commit a felony, for robbery, and for larceny. We have those penalties provided for in our law, and, as I have said before, we have no apology for their being there. We know they have served a useful purpose in the past, and we believe that they will serve a useful purpose in the future.

Corporal punishment has been a means of correction throughout all ages of recorded history. We have authority for its beginning as far back as the Bible itself. All through the Bible we are taught that corporal punishment does have a good effect.

In Exodus xxi, 24, 25, we find: "Eye for eye, tooth for tooth, hand for hand, foot for foot, burning for burning, wound for wound, stripe for stripe."

In Proverbs xxiii, 13, 14, we are commanded: "Withhold not correction from the child; for if thou beatest him with the rod, he shall not die. Thou shalt beat him with the rod, and shalt deliver his soul from hell."

And in Hebrews xii, 6, it is written: "For whom the Lord loveth he chasteneth, and scourgeth every son whom he receiveth."

I know in this advanced age we have people who undertake even to get around the Bible teachings. They undertake to ignore the teachings of not only their own forefathers, but of people of all generations. My colleagues, I am not here to preach a sermon, but I want to say that the Bible and its teachings have stood through too many ages for any man with his limited intellect to undertake to dispose of it. I say you are traveling on dangerous ground when you undertake to dispose of the Book that has been the foundation upon which every civilized nation has had its beginning, following the teachings of which Book man has become civilized. In countries where they have not the Bible they lack civilization.

As to the punishment:

The object of punishment is to reform the offender, to deter him and others from committing like offenses, and to protect society. (See 2 Bouvier's Law Dictionary, p. 796.)

Sir William Blackstone, in his Commentaries on the Laws of England, said:

As to the end or final cause of human punishments. This is not by way of atonement or expiation for the crime committed; for that must be left to the just determination of the Supreme Being; but as a precaution against future offenses of the same kind. This is effected in three ways—either by the amendment of the offender himself, for which purpose all corporal punishment, fines, and temporary exile and

imprisonment are inflicted; or by deterring others by the dread of his example from offending in the like way * * *, or, lastly, by depriving the party injuring of the power to do further mischief; which is effected by either putting him to death or condemning him to perpetual confinement, slavery, or exile. (See 4 Bl. Com., 11.)

In 1910, while considering a sentence imposed under the Philippine law, Mr. Justice White, who is now Chief Justice of the Supreme Court of the United States, said:

"Of course, in every case where punishment is inflicted for the commission of crime, if the suffering of the punishment by the wrongdoer be alone regarded, the sense of compassion aroused would mislead and render the performance of judicial duty impossible. And it is to be conceded that this natural conflict between the sense of commiseration and the commands of duty is augmented when the nature of the crime defined by the Philippine law and the punishment which that law prescribes is only abstractly considered, since the impression is at once produced that the legislative authority has been severely exerted. I say only abstractly considered, because the first impression produced by the merely abstract view of the subject is met by the admonition that the duty of defining and punishing crime has never in any civilized country been exerted upon mere abstract considerations of the inherent nature of the crime punished, but has always involved the most practical consideration of the tendency at a particular time to commit certain crimes, of the difficulty of repressing the same, and of how far it is necessary to impose stern remedies to prevent the commission of such crimes." (See Weems v. United States, 217 U. S., 349.)

I want to say to you that punishment in Delaware is not inflicted by way of revenge. We hold revenge against no man. Revenge belongs to but One, and that is the Supreme Being above. [Applause.] We do not attempt to arrogate to ourselves the right of revenge. Like other men, when we see the criminal in the dock before the judges and the jury we pity him. Our hearts can not help but beat with sympathy for him. So they did for these brutes that have brought up this discussion; but, my friends, we do not let our pity take away our judgment. After a fair, full, and free trial, if a man is convicted by 12 men of the county, the sentence is meted out to him such as the law directs; so that if, perchance, it be possible, to reform him, protect society, and deter others from like offenses.

Permit me to say that I know that the whipping post of Delaware is a terror to offenders of the law. I have practiced law in the courts of Delaware for more than 16 years, and have had a considerable practice in the court of general sessions and the court of oyer and terminer. My experience has been, as has been the experience of other lawyers, that after counseling with the defendant, if his case be desperate and the facts presented such that I had to advise him that he would be convicted, the very next request on the part of the defendant would be to have the lashes omitted, if possible. They would be willing to agree to practically any number of months, as much as a year or more, for the sake of having 10 or 20 lashes omitted; but in one case as in another no such agreement was made, but each criminal was adjudged and the sentence imposed according to the law. I merely speak of it to show you that the criminals know of the law. In many cases the lashes are omitted. If it is the first offense, and some man can give the criminal a good reputation, in most offenses less than capital the lashes are omitted, or if the prisoner be youthful and it be his first offense they are omitted. There are a number of other extenuating circumstances specified in the law. Let me go further right here. The State of Delaware has never permitted any man to be lashed at the post when there was danger of bodily injury or death.

If a man comes not within any of these provisions of the law, be an old offender, and his health be poor, the board of pardons and the governor have always come to his relief and saw to it that he was not whipped if his health would not permit it. And the whippings that are administered are administered in an orderly, reasonable manner, so as not to inflict any personal violence or injury.

Now, I want to go further along the line to prove that the whipping post of Delaware is a deterrent to criminals.

George Black, chief of police of Wilmington, Del., made an address before the International Association of Police at Toronto, Canada, in July, 1912, in which he said:

It is the opinion of myself—and I am sure I do not misrepresent the facts when I say that this opinion is shared by a large portion of our best thinking people—that the whipping post as now established under the laws of the State of Delaware has done and is doing much toward keeping a certain criminal class out of our midst. It has been many years since our city has been visited by any of the class known as "the expert criminal class," and I believe that it is the fear of the whipping post that keeps them away.

Many misleading statements have been sent out broadcast throughout our country in regard to the severity of the punishment at the whipping post, and I have no doubt these reports have caused a great misunderstanding in regard to the law in relation to the whipping post as administered in our State. Only a few months ago the report was spread far and near that great cruelty had been perpetrated by one of our wardens in carrying the law into effect.

This report was absolutely false in every particular and was a piece of sensational yellow journalism pure and simple. In no instance since I have occupied my position as chief of police have I known of any brutal whipping that has ever taken place in our State. The present warden who now administers the lashes in my county is a most humane man, and under no circumstances would he or could he inflict the kind of punishment as represented by these false and wicked reports.

Now, mark you, my colleagues: At the conclusion of his address Mr. Pinkerton, of Chicago, said:

I have listened with a great deal of interest to the paper read by Chief Black. I have always been an advocate of the whipping post for certain offenses. I think to-day that to the wife beater and the night prowler—men who enter houses where there is a sleeping family for burglary or theft—the whipping post should be applied. After an experience of 40 years among this class of people I want to say that I don't know of a burglar who would not kill. There were four crooks that I knew—Jim Brady, Joe Killoran, Jimmie Good, and James Hopewell—dude burglars they used to call them, whose game was to hold up the family of the cashier of a bank and make him give up the combination of the safe. They were caught at that game, tried and convicted in Delaware, and sentenced to 40 lashes each on the bare back. These people were well known in New York, and when the people in New York heard of the sentence they said, "My God, they are not going to whip them." But they did; they whipped them just like they were a lot of slaves. From that day to this there has been less burglary in the State of Delaware than in any other State you can name in the United States.

And I want to say to you that within my memory there has not been a bank burglary or serious holdup in the State of Delaware. After the speech of Mr. Pinkerton, Chief McKenna, of Waltham, then said:

I happened to be in Delaware at the time mentioned by Mr. Pinkerton, and I remember the remark made at the time by Brady. Brady made this remark after he got through being whipped, that he "hoped to God that Delaware justice is satisfied now."

Well, he was satisfied with it; he never returned to Delaware to commit another crime.

President Roosevelt, in 1904, in a message to Congress suggested the enactment of a law to provide corporal punishment for certain offenders. He said in that message:

There are certain offenders whose criminality takes the shape of brutality and cruelty toward the weak who need a special type of punishment. The wife beater, for example, is inadequately punished by imprisonment, for imprisonment may often mean nothing to him, while it may cause hunger and want to the wife and children who have been the victims of his brutality. Probably some form of corporal punishment would be the most adequate way of meeting this kind of crime.

I have not had an opportunity to collect recent statistics as to the commission of crimes in the several States. I have not had an opportunity to collect more recent comments, but they are numerous. I have read them, and so have you. There have been numerous statements, substantiated by proof, as to how crime is increasing in States where the punishment has become lax. While a majority of people seem to have gone too far in their laxity, yet the subject is now being seriously considered in the minds of the people of the country and the minds of gentlemen sitting here in this House. Many believe we have gone too far with laxity and that corporal punishment for these brutal offenders should be restored.

William Tallack in his Penological and Preventive Principles, speaking of the effect of cruel laxity, said:

As to other crime, in general, the experience of America has been similarly unfavorable. American crime has increased during the last half of the nineteenth century far beyond the proportion of increase of the population. And this is not at all to be wondered at. For our purpose we take the case of an honest workman, say in New York or San Francisco, toiling from morning till night, just able to get a living, with but few comforts and little amusement for himself and his family. He may have for a neighbor on one side a lazy, thievish loafer who never works, and on the other side a violent bully, guilty of cruel assaults on man and beast and of indecent outrages on women and children. Yet is it not a fact that if either the loafer or the bully is sent to an American prison, the chances are at present that he will there find comforts of dietary, recreation, music, newspapers, novels, gymnastics, and professional teaching even in the higher branches of education which the honest worker can never hope to obtain? And not only so, but the bully and the thief, if obliged to work in prison, will probably be put to labor of a lighter character and shorter daily continuance than the other, and, perhaps, also, be trained to some fancy trade or profitable art which he, too, would most gladly learn.

Is such a system calculated to discourage the violent and the vicious, or, rather, to attract toward crime and pauperism the still honest toilers on the border land of temptation?

On both sides of the Atlantic this course has found plausible advocates. But their voices appear to have met with much more attention hitherto in America than in Europe.

The American people seem to be at last becoming conscious of the disastrous results of their penal system, for in 1895 there was a chorus of complaint from influential journals throughout the country, most of them demanding the introduction of corporal punishment in place of the prison failures and even of the "medel" or "collegiate and hotel prisons" of the United States.

Thus the New York Tribune (1895) said:

A bill was recently offered in the legislature to punish with whipping men who inflicted brutal physical ill-usage on others. It was generally commended as the best means of dealing with this class of people. A little humiliation and physical pain has been shown to be more effective in dealing with the cowards who do not hesitate to inflict pain than any other method of punishment yet devised.

The Detroit Free Press (1895) remarked:

Under existing laws a brute in human form, who has no sentimentalism about the barbarities of the past, can maim a woman or child and get off with a few months or years in prison, where he will be well

fed and cared for. He can use the lash or the bludgeon, but the State must not retaliate upon him, even for the sake of deterring others from imitating him. It has long been thought by the practical that this is sentimentalism run mad.

The Atlanta Constitution (1895) observed:

The fetish of "humanity" must be bowed to and the greater inhumanity be perpetrated, of taking away five years of a man's life, than giving him a good strapping and letting him go with the injunction that the application will be redoubled on his next appearance.

The Washington Post (1895) wrote:

The creature who cruelly maltreats his wife or other female dependents is in nine cases out of ten a worthless vagabond, an habitual criminal and outlaw, for whom the prison or the workhouse has no terrors whatsoever. He will serve his term under circumstances of greater physical comfort than he is accustomed to at home, and then return to freedom to resume his hideous brutality without fear of, if not actual relish for, the consequences. Meanwhile the forlorn creatures who are subject to his evil moods have absolutely no protection. They lead lives that the dumb brutes would shrink from.

Other contemporary journals expressed themselves similarly. It may be hoped that while discriminative mercy may be increasingly shown to the pitiable and unfortunate class of American offenders a more effective humanity may also be extended to the oppressed violated victims of cruelty through the community by giving to the ruffians who outrage them a penal treatment which shall have the truly beneficent effect of *reforming* them by *intimidation* and real restraint.

No one doubts but that the hope of reward and the fear of punishment are the two levers that move mankind to action.

Now, I desire to direct my attention to the legal phase of this question, which has been settled so long that I am surprised that any man would raise it to-day in this House or elsewhere, namely, as to whether or not the eighth amendment to the Constitution of the United States is a limitation upon the powers of a State.

Mr. MOON. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Delaware yield to the gentleman from Tennessee?

Mr. MOON. I just want to make an inquiry. Will the gentleman yield?

Mr. BROCKSON. I do.

Mr. MOON. Do you still have the pillory, the stocks, and cropping and branding as punishments in the State of Delaware?

Mr. BROCKSON. We do not; and never have had any of them in the time of my memory, except the pillory.

Mr. MOON. But you did have them, as a matter of fact.

Mr. BROCKSON. Not within my memory.

Mr. MOON. Not in your memory; but all those States had those methods of punishment, but now they have abolished them. Can you tell me why?

Mr. BROCKSON. Because they are cruel.

Mr. MOON. Are they any less cruel than the flogging of a man with 40 licks until the blood comes to the back?

Mr. BROCKSON. No, sir; and we do not flog any man with 40 lashes until the blood comes to his back; and I defy any man to name a man who ever had the blood cut out of him in Delaware.

Mr. MOON. That may be true; but you can by law do so. I will remind the gentleman of a thing I once saw in reference to his State. I do not know whether it is true or not; but not many years ago a cartoon was published in all the papers showing where a young, delicate woman was by law flogged by a negro constable in the gentleman's city of Wilmington, Delaware.

Mr. BROCKSON. That never occurred. We never had a negro constable in the State of Delaware in the history of the State.

Mr. MOON. Oh, yes you did.

Mr. BROCKSON. Not in my time.

Mr. MOON. Oh, yes. Perhaps not in the gentleman's time, but in fact.

Mr. BROCKSON. What is the first part of the gentleman's question?

Mr. MOON. This is the point I wanted to make to the gentleman, that——

Mr. BROCKSON. I want to make this clear, too. We do not whip women in Delaware. The law especially exempts them.

Mr. MOON. What led you to exempt them? Was not that in obedience to the promptings of an outraged public conscience that you quit whipping women?

Mr. BROCKSON. I do not know that we ever whipped women.

Mr. MOON. Then the gentleman does not know about the State of Delaware very well. I just wanted to make this point to the gentleman——

Mr. BROCKSON. Let me answer the gentleman's question. It might have been at a time when men did not consider women as women, but considered them as servants and slaves. But since women have been advanced to womanhood in the State of Delaware they have not whipped them.

Mr. MOON. Not in recent years.

Mr. BROCKSON. They have not whipped them for many years.

Mr. MOON. But this is the point I want to make, that the pillory and the stocks and branding and cropping, which were cruel forms of punishment, have been abandoned in Delaware. Then how can you justify a punishment by whipping, which to the mind of almost every ordinary citizen appears equally as cruel and inhuman as the stocks, the pillory, or branding?

Mr. BROCKSON. I will ask the gentleman a question in reply.

Mr. MOON. Oh, do not play the Yankee with me, but answer my question.

Mr. BROCKSON. I yielded to the gentleman for a question. Take a man that has a boy 16 years old, weighing 140 pounds, and the father asks the boy to go to the barn and gear a horse and carriage and bring them to the house. That boy says to the father, "I am going to town; you can go to hell and get your own horse." Would it be cruel for the father to take that boy out and lash him a little?

Mr. MOON. Not if he corrects him in a parental way.

Mr. BROCKSON. Then, why would it be cruel for the State to administer the same kind of punishment?

Mr. MOON. That is not the question. The reformation of a man or a citizen——

Mr. BROCKSON. Seventy-five per cent of the crimes committed in the State of Delaware are by criminals who come from other States——

Mr. MOON. When a father corrects a boy, it is done for the benefit of the child; it is done in love and affection for the child; it is not done cruelly; if so, he violates the law; it is not done as a means of punishment of the character that is inflicted upon the prisoner by the State of Delaware. A punishment is something that is inflicted in enlightened States, in all the other States of the Union——

Mr. BROCKSON. Does the gentleman from Tennessee mean to say that the State of Delaware is not enlightened?

Mr. MOON. I say that the punishment is for the reformation of the criminal. It is a method of reformation; the prisoner is supposed to be taught better; he is to be put under circumstances and conditions to enable him to become a better citizen when released from the prison, because he is not supposed to be punished except by deprivation of liberty and under conditions that are supposed to reform him.

Mr. BROCKSON. Mr. Speaker, I yielded for a question.

Mr. MOON. When he comes out he is supposed to be reformed.

The SPEAKER. The time of the gentleman from Delaware has expired.

Mr. MANN. I ask unanimous consent that the gentleman from Delaware have 30 minutes more.

Mr. MOON. I ask unanimous consent that the gentleman's time be extended, as I have taken up some of it.

The SPEAKER. The gentleman from Illinois and the gentleman from Tennessee both ask unanimous consent that the time of the gentleman from Delaware be extended 30 minutes. Is there objection?

There was no objection.

The SPEAKER. Now, does the gentleman from Delaware yield to the gentleman from Tennessee?

Mr. BROCKSON. For a question.

Mr. MOON. I had only a word more to say, and I am sorry I have taken up so much of the gentleman's time. The higher and better sentiment of people upon the question of punishment is not to inflict a punishment upon the unfortunate prisoner for what he has done, but to bring about conditions in his life that will enable him to reform and become a better member of society. If the offense is so great that this reformation can not be produced, then the death penalty is fixed or life imprisonment is fixed. Corporal punishment has never been thought in recent years—and there is no reflection upon the gentleman——

Mr. BROCKSON. I did not yield for a speech. I hope the gentleman will conclude his question.

Mr. MOON. If the gentleman declines to answer——

Mr. BROCKSON. I do not decline if the gentleman will put his question.

Mr. MOON. I am stating the reasons leading up to my question, then I am going to put the question.

The SPEAKER. Does the gentleman from Delaware decline to yield?

Mr. BROCKSON. No; not for a question.

Mr. MOON. If that is the theory in all the other States, if that is the policy being pursued by all other States for that purpose, does not the gentleman think that Delaware is a little behind the times when she does not follow in the

same trend, but resorts to the inhuman and brutal system of beating and destroying the body of a human being because of a violation of law?

Mr. BROCKSON. I will answer the last part of the gentleman's question first. We do not destroy the human body. We do not injure the human body. We are not behind the times; we are standing for the right and the best good of humanity, and have not been led off by sentimentalism about palace prisons in this country. [Applause.]

Mr. MOON. May I ask the gentleman if there is any other State in the Union that maintains his position?

Mr. BROCKSON. I do not know how many and I do not care, so long as we are right. I am willing to stand by the right. I have not had time to investigate that question.

Mr. MOON. I will advise the gentleman that there is not, in my opinion.

Mr. BROCKSON. I will advise you that the State of Maryland does, and I will give the reference and you can read it from the book.

Mr. MOON. I will take the gentleman's word for it if he says so. It is so close to Delaware that I am not surprised.

Mr. BROCKSON. They are benefited by good association because of Delaware. I want to paint you a picture which the gentleman from Tennessee [Mr. MOON] would have us witness. Go down in the District of Columbia and find out one of those 500 cases of wife beating which were talked of here a few years ago. Go into an alley and find there a woman burdened down with three children and a worthless brute of a husband. That woman is going out working eight or nine hours a day and comes back home at night tired and weary. There are those children to feed and clothe. She tries to feed and clothe them, and that brute of a husband makes her give him a part of the money which she earns. She comes home one night and does not give that brute as much money as he would like to have. This is the fall of the year. That man proceeds to pick up a chair and beat and smash the head of that woman, already tottering with her attempt to keep the family together. Then, following out the gentleman's idea, he would have us arrest that man and put him in the dock, make a hero or a martyr out of him, send him to a palace prison for the winter, furnish him entertainment, give him newspapers to read, give him more comforts and better food than the wife at home has, and then say to me that that is justice. Well, my colleagues, that might be justice in Tennessee, but, thank God, it is not justice in Delaware. [Applause.]

Mr. SMITH of New York. Mr. Speaker, will the gentleman yield?

Mr. BROCKSON. Certainly.

Mr. SMITH of New York. According to the gentleman's statement there are seven cases now pending in Delaware where corporal punishment is to be administered.

Mr. BROCKSON. Six.

Mr. SMITH of New York. If that is the fact, does it not indicate that corporal punishment has not stopped these brutal crimes? In a little State like Delaware you have six cases at the present moment in which that kind of punishment is to be administered.

Mr. BROCKSON. What State is the gentleman from?

Mr. SMITH of New York. New York.

Mr. BROCKSON. How many do you have within that time? [Applause and laughter.]

Mr. SMITH of New York. We have quite a number more in the State of New York because the State is somewhat larger than Delaware.

Mr. BROCKSON. Was the gentleman here when I referred to the four New York State criminals that came to Delaware?

Mr. SMITH of New York. Oh, yes; we have more of them.

Mr. BROCKSON. Well, those New York State criminals never came back to Delaware. [Laughter and applause.]

I am asked the question. Does it prevent crime? Within the last 10 days there have been two or more women in this District assaulted by brutal men, with intent to commit rape, one of them in her own home. Two within 10 days! I have not heard of that many cases in the State of Delaware within two years. I believe there has not been one within the last 10 months. We have very few of such criminals, and when we do get them they are liable to a punishment of 20 years in the workhouse and lashes upon their backs. Such cases do not often happen.

I do not know whether the gentleman from Tennessee was here when I made the first part of my speech, referring to our laws in respect to youthful offenders getting off on first offenses because of good character?

Mr. MOON. Yes; I was here.

Mr. BROCKSON. Then I shall not repeat that. I come now to the question of what is cruel and unusual punishment.

In the general acceptation of law, as laid down by all of the courts, punishments are cruel when they involve torture and lingering death, not a mere matter of a little pain. If you are going to call cruel punishment such punishment as produces pain, then how do you justify your hanging in the State of Montana and in other States in the Union? The gentleman who introduced the resolution comes from the State of Montana, where for murder they hang a man by the neck until he is dead. As a matter of law that is not cruel punishment, but as a matter of fact can any man explain to me wherein there is less cruelty in hanging a man by his neck until he is dead than there is in giving a man a few gentle lashes laid upon the bare back? [Laughter.] If you can, I will yield the argument, and if you can not, then I contend that the conclusion is on my side. Therefore, I say, in the law punishments are cruel when they involve torture and lingering death.

Unusual punishment in the law is the punishment so long disused, because of its cruelty, until it has become unusual. Whipping has continued for thousands of years, and continues in England and other countries to-day, and in Delaware and in one or more other States of the Union.

It was in existence at the time this provision of the Constitution was adopted, has been ever since; therefore it has not been disused for any time, and therefore of necessity is not unusual.

The eighth amendment to the Constitution of the United States provides:

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

This amendment does not apply to the States of the Union, but applies only to the United States Government.

In the case of Pervear v. The Commonwealth of Massachusetts (5 Wall., 475) Chief Justice Chase said:

The third proposition of the plea is that fines and penalties imposed and inflicted by the State law for offenses charged in the indictment are excessive, cruel, and unusual. Of this proposition it is enough to say that the article of the Constitution relied upon in support of it does not apply to State but to national legislation.

It has been repeatedly held by the Supreme Court of the United States that the first 10 amendments to the Federal Constitution operated on the National Government only and were not intended to limit the powers of the State in respect to the citizens of that State.

In the case of Barron against The Mayor and City Council of Baltimore, when the court had under consideration a provision of the fifth amendment to the Constitution of the United States, Chief Justice Marshall, delivering the opinion of the court, said:

The plaintiff in error contends that it comes within that clause in the fifth amendment to the Constitution which inhibits the taking of private property for public use without just compensation. He insists that this amendment being in force in the State of Montana ought to be so construed as to restrain the legislative power of a State as well as that of the United States. * * *

The question thus presented is, we think, of great importance, but not of much difficulty. The Constitution was ordained and established by the people of the United States for themselves, for their own government, and not for the government of the individual States. Each State established a constitution for itself, and in that constitution provided such limitations and restrictions on the powers of its particular government as its judgment dictated. The people of the United States framed such a government for the United States as they supposed best adapted to their situation and best calculated to promote their interests. The powers they conferred on this Government were to be exercised by itself; and the limitations on power, if expressed in general terms, are naturally and, we think, necessarily applicable to the Government created by the instrument. They are limitations of power granted in the instrument itself, not of distinct governments, framed by different persons and for different purposes.

The counsel for the plaintiff in error insists that the Constitution was intended to secure the people of the several States against the undue exercise of power by their respective State governments, as well as against that which might be attempted by their General Government. For the support of this argument he relies on the inhibitions contained in the tenth section of the first article.

We think that section affords a strong if not a conclusive argument in support of the opinion already indicated by the court.

But it is universally understood, it is a part of the history of the day that the great revolution which established the Constitution of the United States was not effected without immense opposition. Serious fears were extensively entertained that those powers which the patriot statesmen who then watched over the interests of our country deemed essential to union, and to the attainment of those invaluable objects for which union was sought, might be exercised in a manner dangerous to liberty. In almost every convention by which the Constitution was adopted, amendments to guard against the abuse of power were recommended. These amendments demanded security against the apprehended encroachments of the General Government, not against those of the local governments.

In compliance with a sentiment thus generally expressed, to quiet fears thus extensively entertained, amendments were proposed by the required majority in Congress and adopted by the States. These amendments contain no expression indicating an intention to apply them to the State governments. This court can not so apply them.

That was the law in 1833 laid down by Chief Justice Marshall, and that is the law of the Supreme Court to-day. It is so universally settled that it is useless to take up the time of this body to cite further authority.

Now, in conclusion I want to say that the criminal laws of the State of Delaware have been framed and amended from time to time for the purpose of reforming the criminal, as well as for the general good of the public. But I say to you, in framing the penalties we have not made such penalties as would be pleasing to the criminal. No State undertakes to inflict penalties that will be approved by the criminal. It has been well said—

No man e'er felt the halter draw,
With good opinion of the law.

Now, one more word in regard to the reformation of criminals. In the beginning of my speech I showed where the youthful offender and offenders for the first time have every opportunity that anyone can reasonably ask; but when you come down to the brute criminal, I say to you that he can be better reformed in a cage than he can running loose preying upon the community.

The State of Delaware has made its laws for the benefit of the entire State, for the general good of the law-abiding citizens of that State. The laws of Delaware are constitutional and just. We will not permit other persons or States to interfere with the execution of those laws.

The practice of making martyrs of criminals is a modern curse of society. I have but little patience with any man who permits his sympathy to run with a felon so far as to forget the rights of law-abiding citizens of the State. The State of Delaware, being satisfied with the justice of her laws, is willing to demonstrate the principle, if need be, that it is better to stand alone for that which is right than to stand with the multitude for that which is wrong. [Applause.]

MINING CLAIMS ON SEWARD PENINSULA, ALASKA.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent that Senate bill 3397 be taken from the Speaker's table and be now considered.

The SPEAKER. The gentleman from Washington [Mr. JOHNSON] asks unanimous consent that Senate bill 3397 be taken from the Speaker's table and considered at the present time. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 3397) to amend section 2324 of the Revised Statutes of the United States relating to mining claims.

Be it enacted, etc., That the provision of section 2324 of the Revised Statutes of the United States which requires that on each claim located after the 10th day of May, 1872, and until patent has been issued therefor, not less than $100 worth of labor shall be performed or improvements made during each year, be suspended for the year 1913 as to mining claims situated on Seward Peninsula, in the District or Territory of Alaska west of longitude 158 west and north of latitude 64, so that no mining claim which has been regularly located and recorded as required by the local laws and mining regulations within such area so described shall be subject to forfeiture for nonperformance of the annual assessment for the year 1913: *Provided*, That the claimant or claimants of any mining location in order to secure the benefits of this act shall cause to be recorded in the office where the location notice and certificate is filed on or before December 31, 1913, a notice that he, she, or they in good faith intend to hold or work said claim: *And provided further*, That this amendment shall in no way annul, modify, or repeal said section as to any mining claims, either in the District of Alaska or elsewhere, except those said mining claims within the area herein particularly described.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I wish the gentleman would explain the bill to the House.

Mr. JOHNSON of Washington. Mr. Speaker, this bill was passed yesterday in the Senate. It was brought up from the Committee on Mines and Mining by Senator WALSH and reported favorably, and on page 5909 of the RECORD and the following page is a complete statement of the necessity for its passage. This is a bill permitting the suspension of assessment work on claims in the Seward Peninsula. I desire to state that the city of Seattle and the people of the north coast have brought out from that country many miners, for the reason that they could not be taken care of in Nome this winter, stricken as that city was by a great tidal storm six weeks ago. The reasons for the passing of this bill are stated fully in yesterday's RECORD. The bill passed unanimously in the Senate. The necessity is because the miners are not there to do the work, many are without means, and the time is very limited.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Washington. With pleasure.

Mr. MANN. Do I understand that this is for the purpose of accommodating the claimants on this peninsula because of the recent storm up there?

Mr. JOHNSON of Washington. Yes; exactly so.

Mr. MANN. That storm practically put the work out of business?

Mr. JOHNSON of Washington. Yes. It should be stated that these miners go out on sleds in the wintertime. They go as far as 300 miles, and all along the Seward Peninsula coast the roadhouses, where they stop at night, have been washed away. They can not make the trips—many of them. The mail will not be carried along those routes this winter in many cases.

Mr. MANN. Am I correct—some one told me so about these claims—that they have to be worked in the wintertime, when the ground is frozen, because they can not be worked in the summer time, owing to the amount of water in the ground?

Mr. JOHNSON of Washington. Yes; they can not get over some of the territory except in wintertime. Now but one month is left. That is the exact reason for the necessity of relieving these people now.

Mr. KAHN. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Washington yield to the gentleman from California?

Mr. JOHNSON of Washington. Yes.

Mr. KAHN. As I understand it, it is necessary for the miners to wait until the streams freeze in order to get to their claims?

Mr. JOHNSON of Washington. Yes.

Mr. KAHN. And in the summer time it is practically impossible for them to get to their claims. I understand further that in this disaster at Nome a considerable part of the supplies that were in the town were destroyed, and even if those men wanted to go to their lands they could not procure supplies to take with them—supplies necessary to enable them to subsist—and therefore under the laws they would lose their claims unless they did the work.

Similar legislation was enacted some 20 years ago, when there was a great disaster in California, and the law was suspended for a period of 1 year at that time.

Mr. JOHNSON of Washington. Yes. This bill is a copy of the bill in that California case, except that in this case the suspension runs only to December 31.

Mr. MacDONALD. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Washington yield to the gentleman from Michigan?

Mr. JOHNSON of Washington. I do.

Mr. MacDONALD. Does this territory comprise what is known as the Nome mining district?

Mr. JOHNSON of Washington. Yes. It is the Nome district, comprising the Seward district, and the boundaries are fixed by latitude and longitude.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. JOHNSON of Washington, a motion to reconsider the vote whereby the bill was passed was laid on the table.

PERSONAL STATEMENT.

Mr. FOWLER. Mr. Speaker, I ask unanimous consent to occupy six minutes of the time of the House.

The SPEAKER. The gentleman from Illinois [Mr. FOWLER] asks unanimous consent to address the House for six minutes. Is there objection?

There was no objection.

Mr. FOWLER. Mr. Speaker, in the RECORD of yesterday I am recorded as being absent. I desire to say, Mr. Speaker, that I was present on that occasion and voted "aye" on the motion to adjourn, which was not in keeping with my former record in voting upon that question.

Mr. Speaker, I voted "aye" on that occasion because of a serious conviction. We came here before the golden dandelions were born or the sluggish snakes had left their winter dens. We were here when the fair bosom of nature began to swell into beauty and activity, and by the aid and encouragement of sunshine and rain we have seen that beauty and activity develop into a bountiful crop worth more than $10,000,000,000. That crop has now been harvested, and we are witnessing its rapid transportation from the place of its production to the home of the consumer. We are now witnessing the last days of the old year, and the Speaker's patience in staying here all the time, steadfast to his duties, reminds us much of Job. [Laughter.]

Mr. Speaker, we have stayed here until the leader of the majority, Mr. UNDERWOOD, has become afflicted with senatorialitis, and he can not be here. We have stayed here until the minority leader on the Progressive side, Mr. MURDOCK, is seriously afflicted with a feverish attack of Chautauquaosis [laughter], and he does not want to be here. We have stayed here until the minority leader on the Republican side, Mr. MANN, has become afflicted with a lingering type of that dreadful disease, filibusteroids [laughter], and he is anxious to leave for treatment. In fact, Mr. Speaker, the entire member-

ship of this House is now suffering with an attack of prolongteritis. [Laughter.] And, Mr. Speaker, if we get a fresh breath from the beautiful hills of our districts before the beginning of the next session of Congress, I have reached the conviction that it is absolutely necessary to vote "aye" on all motions for adjournment. For this reason, Mr. Speaker, I changed my vote yesterday and voted "aye," and I intend to vote "aye" on all occasions for an adjournment during the remainder of this session, unless an emergency arises which demands a contrary vote. During all the long, drawn-out, hot, and weary months of this session I have remained here at my post of duty, except a few days, just long enough to pay my respects to Labor Day in my district, voting against adjournment, but now I want to be in my district when the old year dies to welcome the new year with my masters and take instructions from them concerning my duties in the next session of Congress.

Now, Mr. Speaker, I do not desire to take up any further time of the House on this question, but I am anxious for some gentleman on the floor of this House to make a motion to adjourn, so that I can register my vote "aye" with a faint hope that my longings for the sweet companionship and wise counsel of my constituents may be realized before we bid farewell to the old year 1913.

NATIONAL DRAINAGE CONGRESS.

Mr. LLOYD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a statement of the National Drainage Congress concerning a bill (H. R. 8189) introduced by the Hon. CHAMP CLARK, of Missouri, September 16, 1913, establishing a flood protection and drainage fund, and providing for the protection, drainage, and reclamation of the overflowed and swamp lands in the United States, in promotion of the general welfare, in prevention of the dissemination of malaria and other diseases among the several States, and to promote interstate commerce by navigation.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. HENSLEY. Mr. Speaker, I ask unanimous consent to be permitted to revise and extend the remarks that I made on yesterday.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

INTERNATIONAL ACTION FOR THE SUSPENSION OF NAVAL CONSTRUCTION PROGRAMS.

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a resolution passed by the Massachusetts Peace Society.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to print in the RECORD a resolution by the Massachusetts Peace Society. Is there objection?

There was no objection.

The resolution is as follows:

INTERNATIONAL ACTION FOR THE SUSPENSION OF NAVAL CONSTRUCTION PROGRAMS.

The directors of the Massachusetts Peace Society have learned with profound satisfaction of the resolution introduced in the House of Representatives urging our Government to cooperate with the Government of Great Britain in the effort for international action to secure a year's suspension of the naval construction programs of the great powers. We earnestly indorse this resolution and urge its prompt passage by Congress as a solemn expression of the purpose of the American people to do everything in their power to check the present mad naval rivalry of the nations, with its menace to the world's peace, and relieve the burden of taxation which is exhausting the peoples. While thus working for joint action to this imperative end, we demand that there shall be no increase of our own naval program.

We call upon our Massachusetts press, churches, and all agencies of public influence to unite in promoting this high endeavor; and we resolve that copies of this declaration be sent to the President of the United States and to our Senators and Representatives in Congress.

Adopted at a meeting of the board of directors of the Massachusetts Peace Society, at Boston, November 6, 1913.

Mr. GEORGE. Mr. Speaker, I ask unanimous consent to have the resolution of the New York Peace Society on the same subject printed in the RECORD.

The SPEAKER. The gentleman from New York asks unanimous consent to print in the RECORD a resolution by the New York Peace Society. Is there objection?

Mr. MANN. Reserving the right to object, I would like to ask the gentleman if the resolutions are the same except as to the name of the society?

Mr. GEORGE. They relate to the same subject, but are worded differently and come from different bodies.

Mr. MANN. They are not the same resolution?

Mr. GEORGE. They are not.

The SPEAKER. Is there objection?

There was no objection.

The resolution is as follows:

The officers and directors of the New York Peace Society have noted with profound gratification and approval the introduction into the House of Representatives of the Hensley resolution, urging our Government to cooperate with the Governments of Great Britain and other powers in securing joint action whereby a suspension of naval construction programs relating to new vessels might be secured for one year, and the enlightened remarks thereon by the Speaker of the House and the leader of the minority.

We heartily indorse the resolution and urge its adoption as a promising and reasonable method of making a beginning in a permanent reduction of military and naval budgets all over the world, which would at one and the same time take a heavy burden from the back of industry and open the door to the economic and social betterment of all the peoples and to the establishment of a relation of mutual trust and neighborliness among the nations which might happily replace the present attitude of armed distrust and fear.

We call upon the people, the press, the churches, and all agencies for moral well-being throughout our great State to unite in promoting this high endeavor as in keeping with the best purpose and desire of the American people.

ADJOURNMENT UNTIL MONDAY.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Kentucky moves that the House do now adjourn.

Mr. MANN. And on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 61, nays 23, answered "present" 12, not voting 333, as follows:

YEAS—61.

Abercrombie	Fowler	Lee, Pa.	Sims
Aswell	George	Lobeck	Smith, Md.
Baltz	Glass	McCoy	Smith, N. Y.
Bowdle	Hamlin	McDermott	Stanley
Brockson	Hammond	McKellar	Stone
Bulkley	Hart	Maguire, Nebr.	Taguart
Byrns, Tenn.	Hay	Mitchell	Tavenner
Casey	Helm	Moon	Taylor, Ark.
Dent	Henry	Neeley, W. Va.	Ten Eyck
Donohoe	Hensley	Oldfield	Tuttle
Eagle	Hull	Page	Walsh
Estopinal	Igoe	Pou	Watkins
Evans	Johnson, Ky.	Quin	Webb
Fergusson	Kirkpatrick	Rouse	
Flood, Va.	Konop	Russell	
Floyd, Ark.	Lazaro	Shackleford	

NAYS—23.

Anderson	Edmonds	MacDonald	Roberts, Mass.
Austin	Frear	Manahan	Sinnott
Browne, Wis.	Johnson, Utah	Moss, W. Va.	Smith, Idaho
Curry	Johnson, Wash.	Patton, Pa.	Sutherland
Davis	Kahn	Pinnley	Towner
Donovan	La Follette	Powers	

ANSWERED "PRESENT"—12.

Booher	Holland	Logue	Reilly, Conn.
Cary	Kennedy, Iowa	Mann	Smith, Minn.
French	Kinkaid, Nebr.	Reed	Volstead

NOT VOTING—333.

Adair	Brodbeck	Church	Dillon
Adamson	Broussard	Clancy	Dixon
Aiken	Brown, N. Y.	Clark, Fla.	Dooling
Ainey	Brown, W. Va.	Claypool	Doolittle
Alexander	Browning	Clayton	Doremus
Allen	Bruckner	Cline	Donghton
Ansberry	Brumbaugh	Collier	Driscoll
Anthony	Bryan	Connelly, Kans.	Dunn
Ashbrook	Buchanan, Ill.	Connolly, Iowa	Dupré
Avis	Buchanan, Tex.	Conry	Dyer
Bailey	Burgess	Cooper	Eagan
Baker	Burke, Pa.	Copley	Edwards
Barchfeld	Burke, S. Dak.	Covington	Elder
Barkley	Burke, Wis.	Cox	Esch
Barnhart	Burnett	Cramton	Fairchild
Bartholdt	Butler	Crisp	Falson
Bartlett	Byrnes, S. C.	Crosser	Falconer
Barton	Calder	Cullop	Farr
Bathrick	Callaway	Curley	Ferris
Beakes	Campbell	Dale	Foss
Beall, Tex.	Candler, Miss.	Danforth	Fields
Bell, Cal.	Cantrill	Davenport	Finley
Bell, Ga.	Caraway	Decker	Fitzgerald
Blackmon	Carew	Deitrick	Fitzhenry
Borchers	Carlin	Dershem	Fordney
Borland	Carr	Dickinson	Foster
Bremner	Carter	Diea	Francis
Britten	Chandler, N. Y.	Difenderfer	Gallagher
Gard	Jones	Mott	Smith, J. M. C.
Gardner	Keating	Murdock	Smith, Saml. W.
Garner	Keister	Murray, Mass.	Smith, Tex.
Garrett, Tenn.	Kelley, Mich.	Murray, Okla.	Sparkman
Garrett, Tex.	Kelly, Pa.	Neeley, Kans.	Stafford
Gerry	Kennedy, Conn.	Nelson	Stedman
Gillett	Kennedy, R. I.	Nolan, J. I.	Steenerson
Gilmore	Kent	Norton	Stephens, Cal.
Gittins	Kettner	O'Brien	Stephens, Miss.
Godwin, N. C.	Key, Ohio	Oglesby	Stephens, Nebr.
Goeke	Kless, Pa.	O'Hair	Stephens, Tex.
Goldfogle	Kindel	O'Leary	Stevens, Minn.
Good	Kinkead, N. J.	O'Shaunessy	Stevens, N. H.
Goodwin, Ark.	Kitchin	Padgett	Stout
Gordon	Knowland, J. R.	Palmer	Stringer
Gorman	Korbly	Parker	Summers
Goulden	Kreider	Patten, N. Y.	Switzer
Graham, Ill.	Lafferty	Payne	Talbott, Md.
Graham, Pa.	Langham	Pepper	Talcott, N. Y.
Gray	Langley	Peters, Mass.	Taylor, Ala.
Green, Iowa	Lee, Ga.	Peters, Me.	Taylor, Colo.
Greene, Mass.	L'Engle	Peterson	Taylor, N. Y.
Greene, Vt.	Lenroot	Phelan	Temple
Gregg	Lesher	Platt	Thacher
Griest	Lever	Porter	Thomas
Griffin	Levy	Post	Thompson, Okla.
Gudger	Lewis, Md.	Prouty	Thomson, Ill.
Guernsey	Lewis, Pa.	Ragsdale	Townsend
Hamill	Lieb	Rainey	Treadway
Hamilton, Mich.	Lindbergh	Raker	Tribble
Hamilton, N. Y.	Lindquist	Rauch	Underhill
Hardwick	Linthicum	Rayburn	Underwood
Hardy	Lloyd	Reilly, Wis.	Vare
Harrison	Lonergan	Richardson	Vaughan
Haugen	McAndrews	Riordan	Walker
Hawley	McClellan	Roberts, Nev.	Wallin
Haydea	McGillicuddy	Rogers	Walters
Hayes	McGuire, Okla.	Rothermel	Watson
Helgesen	McKenzie	Rubey	Weaver
Helm	McLaughlin	Rucker	Whaley
Helvering	Madden	Rupley	Whitacre
Hill	Mahan	Sabath	White
Hinds	Maher	Saunders	Williams
Hinebaugh	Mapes	Scott	Willis
Hobson	Martin	Scully	Wilson, Fla.
Houston	Merritt	Seldomridge	Wilson, N. Y.
Howard	Metz	Sells	Wingo
Howell	Miller	Sharp	Winslow
Hoxworth	Mondell	Sherley	Witherspoon
Hughes, Ga.	Montague	Sherwood	Woodruff
Hughes, W. Va.	Moore	Shreve	Woods
Hulings	Morgan, La.	Sisson	Young, N. Dak.
Humphrey, Wash.	Morgan, Okla.	Slayden	Young, Tex.
Humphreys, Miss.	Morin	Slemp	
Jacoway	Morrison	Sloan	
Johnson, S. C.	Moss, Ind.	Small	

So the motion to adjourn was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.

Mr. SCULLY with Mr. BROWNING.

Mr. METZ with Mr. WALLIN.

Mr. HOBSON with Mr. FAIRCHILD.

Mr. BARTLETT with Mr. BUTLER.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. UNDERWOOD with Mr. MANN.

Until further notice:

Mr. AIKEN with Mr. BELL of California.

Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1).

Mr. ASHBROOK with Mr. DILLON.

Mr. BARKLEY with Mr. FALCONER (commencing Oct. 24).

Mr. BARNHART with Mr. MAPES.

Mr. BELL of Georgia with Mr. DANFORTH.

Mr. BLACKMON with Mr. BARCHFELD.

Mr. BURNETT with Mr. HAYES.

Mr. BROUSSARD with Mr. KELLEY of Michigan.

Mr. BURKE of Wisconsin with Mr. CARY.

Mr. BRUMBAUGH with Mr. LINDQUIST (until Nov. 25).

Mr. BYRNES of South Carolina with Mr. NELSON.

Mr. CANDLER of Mississippi with Mr. J. R. KNOWLAND.

Mr. CLAYTON with Mr. MONDELL.

Mr. CLAYPOOL with Mr. BRYAN.

Mr. CLARK of Florida with Mr. WOODRUFF.

Mr. CANTRILL with Mr. HELGESEN.

Mr. CARAWAY with Mr. KENNEDY of Rhode Island.

Mr. CHURCH with Mr. HULINGS.

Mr. CRISP with Mr. HINDS (transferable).

Mr. CLANCY with Mr. HAMILTON of New York.

Mr. COVINGTON with Mr. MILLER.

Mr. CARTER with Mr. MCGUIRE of Oklahoma.

Mr. CLINE with Mr. NORTON (commencing Oct. 1).

Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan

Mr. COX with Mr. MURDOCK.

Mr. CURLEY with Mr. SHREVE.

Mr. DEITRICK with Mr. YOUNG of North Dakota.

Mr. DIES with Mr. SWITZER.

Mr. DOUGHTON with Mr. MOTT.

Mr. DUPRÉ with Mr. ANTHONY.

Mr. ELDER with Mr. STEENERSON.

Mr. FAISON with Mr. MORIN.

Mr. FRANCIS with Mr. HUGHES of West Virginia.

Mr. FITZGERALD with Mr. CALDER.

Mr. FERRIS with Mr. SELLS.

Mr. FIELDS with Mr. LANGLEY.

Mr. FOSTER with Mr. GREENE of Vermont (commencing Oct. 27).

Mr. FINLEY with Mr. GREEN of Iowa.

Mr. GILMORE with Mr. MCKENZIE.

Mr. GOEKE with Mr. LEWIS of Pennsylvania.

Mr. GOLDFOGLE with Mr. KREIDER.

Mr. GOODWIN of Arkansas with Mr. PORTER.

Mr. GARNER with Mr. J. I. NOLAN.

Mr. GORDON with Mr. THOMSON of Illinois.

Mr. GARRETT of Tennessee with Mr. LANGHAM.

Mr. GUDGER with Mr. MOORE.

Mr. HAYDEN with Mr. LAFFERTY.

Mr. HARRISON with Mr. GRAHAM of Pennsylvania.

Mr. HOWARD with Mr. GRIEST.

Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).

Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).

Mr. HOUSTON with Mr. WILLIS.

Mr. HUGHES of Georgia with Mr. AVIS.

Mr. HUMPHREYS of Mississippi with Mr. KIESS of Pennsylvania.

Mr. JACOWAY with Mr. FRENCH.

Mr. JOHNSON of South Carolina with Mr. RUPLEY.

Mr. JONES with Mr. HINEBAUGH.

Mr. KITCHIN with Mr. PAYNE.

Mr. KEY of Ohio with Mr. FARR.

Mr. KETTNER with Mr. SCOTT.

Mr. LEE of Georgia with Mr. KEISTER.

Mr. LONERGAN with Mr. ROGERS.

Mr. MCGILLICUDDY with Mr. GUERNSEY.

Mr. MONTAGUE with Mr. VARE.

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. MURRAY of Massachusetts with Mr. PROUTY.

Mr. PALMER with Mr. HAWLEY.

Mr. PEPPER with Mr. KENNEDY of Iowa.

Mr. PETERSON with Mr. PLATT (commencing Oct. 13).

Mr. PHELAN with Mr. SMITH of Minnesota (Oct. 24 to Nov. 15).

Mr. POST with Mr. COPLEY.

Mr. RAINEY with Mr. MADDEN.

Mr. RAKER with Mr. DUNN.

Mr. REILLY of Connecticut with Mr. DYER (commencing Nov. 5, 1913).

Mr. RUCKER with Mr. HAUGEN.

Mr. RICHARDSON with Mr. MARTIN.

Mr. RUBEY with Mr. TREADWAY.

Mr. SHERWOOD with Mr. SAMUEL W. SMITH.

Mr. SHERLEY with Mr. COOPER (Oct. 23 to Nov. 15).

Mr. SISSON with Mr. CAMPBELL.

Mr. SMALL with Mr. FESS.

Mr. SPARKMAN with Mr. HOWELL.

Mr. SUMNERS with Mr. ESCH.

Mr. SAUNDERS with Mr. AINEY.

Mr. SMITH of Texas with Mr. MCLAUGHLIN.

Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.

Mr. STEPHENS of Nebraska with Mr. SLOAN.

Mr. TALBOTT of Maryland with Mr. MERRITT.

Mr. TAYLOR of Alabama with Mr. PETERS of Maine.

Mr. THOMPSON of Oklahoma with Mr. BARTON.

Mr. TOWNSEND with Mr. TEMPLE.

Mr. UNDERHILL with Mr. WALTERS.

Mr. WATSON with Mr. CRAMTON.

Mr. WILLIAMS with Mr. BRITTEN.

Mr. YOUNG of Texas with Mr. ROBERTS of Nevada.

Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).

Mr. WINGO with Mr. PARKER.

Mr. WEAVER with Mr. BURKE of Pennsylvania.

Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).

Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).

Mr. REED with Mr. WINSLOW (commencing Oct. 1, for remainder of extra session).

Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, except on cotton-futures amendment).

Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, and for balance of session).

Mr. MANN. Mr. Speaker, I voted "no." I am paired with the gentleman from Alabama, Mr. UNDERWOOD, and I desire to withdraw my vote and be recorded "present."

The name of Mr. MANN was called, and he answered "Present."

Mr. FRENCH. Mr. Speaker, I voted "no." I am paired with the gentleman from Arkansas, Mr. JACOWAY, and I desire to withdraw my vote and be recorded "present."

The name of Mr. FRENCH was called, and he answered "Present."

Mr. SMITH of Minnesota. Mr. Speaker, I voted "no." I am paired with the gentleman from Massachusetts, Mr. PHELAN, and I desire to withdraw my vote and answer "present."

The name of Mr. SMITH of Minnesota was called, and he answered "Present."

The result of the vote was announced as above recorded.

Accordingly (at 2 o'clock and 2 minutes p. m.), in accordance with the order heretofore made, the House adjourned until Monday, November 17, 1913, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. JOHNSON of Washington: A bill (H. R. 9291) for the relief of purchasers of and applicants to purchase lands, not to exceed 160 acres under the grant of July 25, 1866, to the Oregon & California Railroad Co.; to the Committee on the Public Lands.

By Mr. LOBECK: A bill (H. R. 9292) providing for the classification of salaries of veterinary inspectors, meat inspectors, inspectors' assistants, stock examiners, skilled laborers, and clerks employed in the Bureau of Animal Industry, Department of Agriculture; to the Committee on Agriculture.

By Mr. MANN: Resolution (H. Res. 309) directing the Secretary of State to transmit to the House of Representatives copies of all notices, protests, and correspondence received or sent out relating to subsection 7 of paragraph J of section 4 of the Underwood tariff law; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 9293) to place Frederick M. Kimball on the unlimited retired list of the United States Army; to the Committee on Military Affairs.

By Mr. McANDREWS: A bill (H. R. 9294) granting an increase of pension to Mary J. Clark; to the Committee on Invalid Pensions.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 9295) granting an increase of pension to Calvin W. Green; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 9296) granting an increase of pension to Margaret Staton; to the Committee on Invalid Pensions.

By Mr. ROBERTS of Massachusetts: A bill (H. R. 9297) granting an increase of pension to Nelson L. Belle Isle; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 9298) granting an increase of pension to John C. Miller; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANTHONY: Memorial of the Captain Jesse Chapter, Daughters of the American Revolution, Leavenworth, Kans., favoring passage of a resolution to preserve the old stone wall near center of Fort Leavenworth; to the Committee on Military Affairs.

By Mr. DALE: Petition of the State Council of New York, Daughters of America, favoring bill for the restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of sundry citizens of the State of New York, favoring passage of the Bartlett bill for 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. FARR: Petition of 50,000 mine workers, favoring the Keating resolution to investigate conditions in the coal fields of Colorado; to the Committee on the Judiciary.

By Mr. KENNEDY of Iowa: Memorial of the Fort Madison Commercial Club, favoring passage of bill for flood protection; to the Committee on Rivers and Harbors.

By Mr. WINGO: Petition of sundry citizens of Fort Smith, Ark., protesting against the action of the Russian Government in the trial of Mendel Beilis for ritual murder; to the Committee on Foreign Affairs.

SENATE.

MONDAY, *November 17, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

NAMING A PRESIDING OFFICER.

The Assistant Secretary (Henry M. Rose) read the following communication:

NOVEMBER 17, 1913.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN RANDOLPH THORNTON, a Senator from the State of Louisiana, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. THORNTON thereupon took the chair as Presiding Officer and directed that the Secretary read the Journal of the proceedings of the last legislative day.

THE JOURNAL.

The Journal of the proceedings of Thursday last was read and approved.

TELEPHONE SERVICE IN THE DISTRICT.

The PRESIDING OFFICER laid before the Senate a communication from the Public Utilities Commission of the District of Columbia acknowledging the receipt of resolution of the Senate of the 13th instant calling for certain information concerning the telephone service in the District of Columbia, which was referred to the Committee on the District of Columbia.

AGRICULTURAL EXTENSION WORK.

Mr. SMITH of Georgia. Mr. President, I have brought to the attention of the Senate several times at this session Senate bill 3091, which provides for extension work in the State colleges of agriculture. In the near future I hope to present that bill somewhat in detail to the Senate and a little later on to ask for action upon it. In the meantime I wish to add another letter from the president of a State college of agriculture in commendation of the measure. It is from the president of the State Agricultural College of Colorado. It is a short letter, and I think it will be serviceable to Senators in considering the measure which we will soon be called upon to pass. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the letter was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

THE STATE AGRICULTURAL COLLEGE,
Fort Collins, Colo., October 31, 1913.

Hon. HOKE SMITH,
Committee on Education and Labor,
United States Senate, Washington, D. C.

DEAR SIR: I have your kind letter, and thank you for the opportunity of writing you concerning your bill, S. 3091, providing for cooperative agricultural extension work between the agricultural colleges of the several States and the United States Department of Agriculture.

First, I thoroughly believe in the principle of Federal aid for extension work. It is easy to estimate how helpful this will be when we take into account the great good that has come to the several States through Federal aid given to the agricultural colleges and experiment stations. This, in a way, will complete the lines of support and will give agricultural colleges, especially in the newer States, the opportunity of carrying their work to the people, which they have long desired, but have not been able to carry out on account of insufficient funds.

The bill as drawn by you meets the needs of the various States well, and the cooperation provided for between the agricultural colleges and experiment stations will insure that local problems are dealt with and the work directed by men who know local conditions. On the other hand, the approval of the Secretary of Agriculture or his representatives on all projects carried out under the funds provided will guard against their misuse. Ten thousand dollars provided each year will provide for permanent organization for carrying out the work and insure its continuance from year to year. The increase in appropriations on the condition that the State put in a like amount has been proven, by former experience, to be sound in every respect. It insures the interest of the State, and the whole provision is fair. Only those who have seen the good coming from well-directed extension activities can estimate the value of such. The appropriation of $10,000 will permit the establishment of a permanent organization, which to States like our own, where State appropriations vary in value from biennium to biennium and are at times uncertain, will make success of extension projects certain. It will do away with the necessity of practically discontinuing all extension work when State funds are not appropriated. We never could have reached the plane of service we have in our agricultural colleges and experiment stations had we not had the funds given by the Morrill, the Hatch, and the Adams Acts, together with their amendments.

I hope your bill will be enacted into law; it will prove an epoch-making piece of legislation. I appreciate this opportunity of writing you.

Respectfully, yours,

CHAS. A. LORY,
President.

SAN FRANCISCO WATER SUPPLY.

Mr. PITTMAN. Mr. President, a few days ago there was inserted in the RECORD what purported to be a circular by the Society for the Protection of the Yosemite National Park of California. I never heard of the society before, but Mr. Robert Underwood Johnson appears to be its president. This same Mr. Johnson is opposing the bill pending here for supplying San Francisco with water from the Tuolumne.

Mr. Johnson petitioned the Secretary of the Interior to aid in obtaining an appropriation on behalf of the Government to build a wagon road into the Hetch Hetchy Valley. The Secretary of the Interior requested Maj. William P. Littebrant to investigate Mr. Johnson's request, so that it might be acted upon. I send to the desk a letter from Maj. Littebrant to the Secretary of the Interior relative to this matter, which I believe will be of interest to the Senate. I ask that it be read.

There being no objection, the letter was read and ordered to lie on the table, as follows:

DEPARTMENT OF THE INTERIOR,
YOSEMITE NATIONAL PARK,
OFFICE OF THE SUPERINTENDENT,
Yosemite, Cal., October 18, 1913.

The honorable the SECRETARY OF THE INTERIOR,
Washington, D. C.

SIR: I beg to acknowledge the receipt of your letter of August 12, inclosing copy of letter and newspaper clipping from the New York Times on the Hetch Hetchy controversy, the author of both inclosures being Robert Underwood Johnson. The reply to your letter has been delayed, due to the fact that I had never been in the Hetch Hetchy Valley, and no opportunity occurred to visit there until recently. I have just returned from there.

It is believed by me that the Hetch Hetchy Valley, as a scenic attraction, is much overrated. In the lower portion of the Hetch Hetchy Valley there is a depression, in which the flood waters settle, forming a lake, which annually disappears through evaporation. No fish get in this lake, and it becomes a breeding place of mosquitoes, so that the people who visit the Hetch Hetchy during the spring and summer or live there are obliged to wear nets and gloves. The water in this lake, judging from the shore marks, stands at about 8 feet deep when its connection with the river is severed, due to receding waters.

There are other valleys in the park that are just as interesting for the tourist who might wish to gain access to them, either mounted or afoot. These canyons are, notably, Jack Main Canyon, Kerrick Canyon, Stubblefield Canyon, Benson Lake, Matterhorn Canyon, and Virginia Canyon. The Grand Canyon of the Tuolumne is now accessible by a wagon road, namely, the Tioga Road, but there is no evidence that any people avail themselves of this road to visit any of the scenic wonders in the eastern portion of the park. The Yosemite Valley itself is incomparably superior in every respect to the Hetch Hetchy.

The length of the road from Hog Ranch to the floor of the Hetch Hetchy Valley will be about 10 miles in length, 5 miles of it being through rock cutting. No estimate of this work has been made, but from our experience in rock cutting here it is believed that this road can not possibly be constructed for less than $150,000, whereas $250,000 would probably be more near its ultimate cost. It is believed that no circumstance or emergency would at present justify this expenditure, especially when that sum, if expended on the roads of and the approaches to the Yosemite Valley and the trails of the park, would place within reach of all the people a greater number of and more interesting attractions than the same sum if expended on the construction of a wagon road that would make the Hetch Hetchy Valley accessible by wagon transportation. There is already an excellent saddle-horse trail from the Hog Ranch to the floor of the Hetch Hetchy, and out of it in three different directions. Furthermore, it is believed that if the city of San Francisco constructs a reservoir in that valley and a wagon road around it on one of the upper benches of the bluffs that the charm of the location will be enhanced rather than injured. In case the city of San Francisco secures this right I am assured that it will construct a wagon road from the Hog Ranch, the steepest grade being 4 per cent, that will make this location accessible. The beholder will then observe not a mosquito-infested valley but a beautiful mountain lake surrounded by vertical cliffs, from the road around which the gorges north and east of the Hetch Hetchy, not now easily accessible, will be more easily within reach.

The undersigned does not believe that any person is deterred from visiting the Hetch Hetchy through the difficulty of the approach, nor is it believed that good hotel accommodations in there would present a sufficiently attractive feature to cause a larger flow of travel. At any rate, the difficulties at present encountered in securing better hotel accommodations in this valley do not justify any efforts being made by the Government to establish hotel accommodations in a place where the mosquito plague is so objectionable, and if made the probability is that no capital could be interested in a project the conditions surrounding which would doom the venture to failure in advance.

It is therefore recommended that no action be taken toward the construction of the road, as advocated by Dr. Johnson.

Very respectfully,

WM. T. LITTEBRANT,
Major, First Cavalry, Acting Superintendent.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented memorials of the Woman's Club of Durham, of the Tourists' Club of Keene, and of sundry citizens of Keene, all in the State of New Hampshire, remonstrating against the enactment of legislation authorizing the city of San Francisco to use the waters of Hetch Hetchy Valley, which were ordered to lie on the table.

Mr. BRISTOW presented a petition of sundry citizens of Ramona, Kans., praying for the passage of the so-called Burnett-Dillingham immigration bill and remonstrating against the enactment of legislation making the 12th day of October of each and every year a national holiday and designating it discovery day, which was referred to the Committee on Immigration.

Mr. GOFF presented a memorial of sundry employees of the La Belle Works of the American Sheet and Tin Plate Co., of Wheeling, W. Va., remonstrating against the proposed dissolution of the United States Steel Corporation, which was referred to the Committee on the Judiciary.

IMPROVEMENT OF COLUMBIA AND SNAKE RIVERS.

Mr. BRADY. Mr. President, I present resolutions passed by the Columbia and Snake River Waterways Association at its fall meeting held at Kennewick, Wash., September 25 and 26, 1913. These resolutions refer to a matter that is of much importance to the people of the West, and I ask that they may be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the resolutions were referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

CANALIZATION OF COLUMBIA RIVER.

Resolutions passed by the Columbia and Snake River Waterways Association at its fall meeting, Kennewick, Wash., September 25 and 26, 1913:

Whereas the existing project for the improvement of Columbia River and tributaries above Celilo Falls to the mouth of Snake River proposes to facilitate navigation by the removal of obstructing bowlders and ledges and raking the gravel shoals in order to make safe and available the channel that now exists; and

Whereas such improvement is at best only a step in the direction of making said river safely and profitably navigable; and

Whereas the growth and development of the country tributary to the said river and the needs of commerce require the canalization of said river in order to secure conditions adequate to modern transportation needs: Now, therefore, be it

Resolved by the Columbia and Snake River Waterways Association in convention assembled at Kennewick, Wash., this 25th and 26th days of September, 1913, That our Senators and Representatives in Congress be requested to secure appropriate action by the Congress of the United States at the earliest practicable moment authorizing and directing the Secretary of War to cause examination and survey, with estimated cost on a basis of continuous work to be made of that portion of the Columbia River above described, of a project for its improvement that will enable said river to be safely and economically navigated by modern steamers and barges during the entire year except when navigation is suspended on account of weather conditions, and in addition to report on the present and prospective commercial importance of the project covered by the report; on the benefit to commerce likely to result from the proposed plan of improvement; on the existence and establishment of private and public terminals; and the development and utilization of water power for industrial and commercial purposes and other improvements, as provided in the rivers and harbors act of the third session of the Sixty-second Congress.

CANALIZATION OF SNAKE RIVER.

Whereas the existing project for the improvement of Snake River in Oregon, Washington, and Idaho proposes to facilitate navigation by the removal of reefs and bowlders and scraping gravel bars; and

Whereas said proposed project will probably be completed within two years, and it is apparent that when completed such improvement is at best only a step in the direction of making said river safely and profitably navigable; and

Whereas under the existing project it is not assumed that the Snake River from Riparia to the mouth can be navigated except during the high-water periods, which do not exceed four to six months in every year; and

Whereas the growth and development of the country tributary to said river and the needs of commerce require the canalization of said river in order to secure conditions adequate to modern transportation needs: Now, therefore, be it

Resolved by the Columbia and Snake River Waterways Association in convention assembled at Kennewick, Wash., this 25th–26th days of September, 1913, That our Senators and Representatives in Congress be requested to secure appropriate action by the Congress of the United States at the earliest practicable moment authorizing and directing the Secretary of War to cause examination and survey, with estimated cost on basis of continuous work, to be made of that portion of the Snake River above described, of a project for its improvement that will enable said river to be safely and economically navigated by modern steamers and barges during the entire year except when navigation is suspended on account of weather conditions; and, in addition, to report on the present and prospective commercial importance of the project covered by the report, on the benefit to commerce likely to result from the proposed plan of improvement, on the existence and establishment of private and public terminals, and the development and utilization of water power for industrial and commercial purposes, and other improvements, as provided in the rivers and harbors act of the third session of the Sixty-second Congress.

Attest:

WALLACE R. STRUBLE,
Secretary Columbia and Snake River Waterways Association.

BANKING AND CURRENCY.

Mr. KERN. Mr. President, I have recently received from various parts of my State, by the dozens, petitions and letters in the nature of petitions asking immediate consideration of the pending currency bill. I do not care to encumber the RECORD with a number of the petitions, but I send one to the desk for reading. It illustrates the sentiment set forth in all. I do not ask for the reading of the signatures.

There being no objection, the petition was read and referred to the Committee on Banking and Currency, as follows:

CRAWFORDSVILLE, IND., *November 8, 1913.*

To the Hon. BENJAMIN F. SHIVELY and the Hon. JOHN W. KERN,
United States Senate:

We, the undersigned citizens and voters of Montgomery County, Ind., being interested in the welfare and prosperity of our country and believing that the currency bill now pending in the United States Sen-

ate will be for the best interests of our people as a whole, ask that you each use every honorable means to bring about the passage of such bill at the earliest possible date in order that the present financial situation be relieved and normal business conditions established.

WABASH RIVER BRIDGE, INDIANA.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 8702) to authorize the county of Miami, Ind., to construct a bridge across the Wabash River, and I ask unanimous consent for its immediate consideration. It is an ordinary bridge bill.

The PRESIDING OFFICER. The Senator from Texas asks unanimous consent for the present consideration of the bill just reported by him. Is there objection?

Mr. SMOOT. Mr. President, there is so much confusion in the Chamber I could not hear the title of the bill.

The PRESIDING OFFICER. The Senate will please preserve order, so that Senators may be able to understand the business that is being transacted. The Secretary will read the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRISTOW:

A bill (S. 3440) granting an increase of pension to Jacob W. Smith (with accompanying papers); and

A bill (S. 3441) granting an increase of pension to William H. Stewart (with accompanying papers); to the Committee on Pensions.

By Mr. JACKSON:

A bill (S. 3442) providing for the purchase of relics of James Monroe and others; to the Committee on the Library.

By Mr. SHAFROTH:

A bill (S. 3443) to correct the military record of Orcelas Evans; to the Committee on Military Affairs.

By Mr. McLEAN:

A bill (S. 3444) granting an increase of pension to Carrie A. Wells (with accompanying paper); and

A bill (S. 3445) granting an increase of pension to Mary Parsons (with accompanying paper); to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 3446) granting an increase of pension to Pleasant W. Logan (with accompanying papers); to the Committee on Pensions.

By Mr. LANE:

A joint resolution (S. J. Res. 79) authorizing a survey of the Snake River from Riparia to the mouth; and

A joint resolution (S. J. Res. 80) authorizing a survey of the Columbia River and its tributaries above Celilo Falls to the mouth of the Snake River; to the Committee on Commerce.

EXTERMINATION OF HOG CHOLERA.

Mr. POMERENE. I introduce a bill and ask that it be referred to the Committee on Agriculture and Forestry.

The bill (S. 3439) appropriating funds for the purpose of providing and administering remedies for hog cholera was read twice by its title and referred to the Committee on Agriculture and Forestry.

Mr. POMERENE. Mr. President, I have a letter here from the Hon. A. P. Sandles, president of the agricultural commission of the State of Ohio, bearing upon this subject. The disease of hog cholera has become a menace throughout the entire corn belt of the Central West. The losses are estimated annually at about $50,000,000. It is believed that remedies have been discovered which, if administered in the incipient state of the disease, can control it.

It is not a matter which is limited to one State. It is limited only by the number of States that raise corn in large quantities. The disease has become so prevalent that it is a serious loss not only to the farmers, but to the meat-consuming public.

I shall not ask that the letter be read, but I do ask that it be incorporated in the RECORD for the information of the Senate.

There being no objection, the letter was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

STATE OF OHIO,
THE AGRICULTURAL COMMISSION,
Columbus, November 15, 1913.

Hon. ATLEE POMERENE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Your efforts a year ago to secure Federal appropriation to combat the ravages of hog cholera in the Middle West corn belt leads me to believe that we can enlist your influences in this matter again.

The swine plague has assumed the proportions of a national blight and menace, and is the most discouraging handicap laid against the farmer in a dozen States.

Daily thousands of swine have died from this plague for the past several months and the money value of the loss climbs into millions.

At the present time our department here in Ohio has over 1,000 applications for serum treatment. Our veterinarians are swamped with the demands of swine owners for protection.

We can not keep pace with the demand. Other States are in like condition. Owners of pure breds are disheartened. Their annual sale-day prospect is ruined. County and State fairs were scourged the past season and exhibits ruined.

Cattle feeders are discouraged. They do not feel secure and justified in purchasing or growing swine to fatten after their cattle, which is the rule whereby cattle feeding is made most profitable.

The high cost of meat is becoming a public-welfare question. Unless hog cholera can be checked the cost will go higher.

Many students of this swine plague believe that it can be controlled and eradicated, but such results can only be obtained by wide co-operation, strict quarantine, and stringent regulation.

Food supply is of nation-wide concern. Hog cholera materially affects food supply. The use of meat is almost universal. Why should not the Government become an interested party in the control of hog cholera?

Your efforts a year ago secured a small appropriation to fight this disease, but $75,000 is only a drop in the bucket of what is needed to fight this scourge of the corn-belt country.

When the estimated loss is $50,000,000 annually, surely Uncle Sam would be justified in spending half a million or more to prevent this tremendous loss, which involves both producer and consumer.

I believe Ohio and the country at large will applaud the man who will make a fight to have the Government undertake to control and eradicate hog cholera. Will you give some sign that the tens of thousands of farmers in the Ohio and Mississippi Valleys have a friend in court?

Experiments are being made in three or four States, but these will afford no immediate relief. There should be a general and vigorous campaign at once, and States and United States should cooperate.

Pleased to have your views on this matter. Your interest appreciated. Thanks.

Respectfully,
A. P. SANDLES, *President.*

WITHDRAWAL OF PAPERS—GRACE HARRINGTON.

On motion of Mr. DILLINGHAM, it was

Ordered, That the papers in the case of S. 5868, Sixty-second Congress, granting an increase of pension to Grace Harrington, be withdrawn from the files of the Senate, there having been no adverse report thereon.

SUSPENSION OF NAVAL CONSTRUCTION.

Mr. THOMAS. I submit a resolution and ask that it be read and that it may lie over under the rule.

The PRESIDING OFFICER. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 215), as follows:

Resolved, That the recent suggestion of the Lord of the Admiralty of Great Britain, the Right Hon. Winston Churchill, that his Government was willing and ready to cooperate with other Governments to secure for one year a suspension of naval-construction programs presents a practical method whereby the nations of the world may at once materially reduce the enormous expense of increased investment in war material and equipment of which the United States should avail itself.

Resolved further, That a copy of this resolution be forwarded the President with the request that, consistently with the interests of the United States, he use his influence to consummate the arrangement suggested by Mr. Churchill.

The PRESIDING OFFICER. The resolution will lie over at the request of the Senator from Colorado.

THE TELEPOST.

Mr. OWEN. Mr. President, I submit a resolution for the appointment of a committee to investigate and report to the Senate upon the merits of the Telepost now in operation between St. Louis and Chicago as to its word-carrying capacity, accuracy, economy, and general efficiency; as to its use in connection with the Post Office Department; and any obstacles in the way of its extension, either in connection with the Government or otherwise. I ask that the resolution may be read and referred to the Committee on Post Offices and Post Roads.

The resolution (S. Res. 216) was read, as follows:

Resolved, That a committee of three Senators, including the chairman of the Committee on Post Offices and Post Roads, be appointed by the President of the Senate to investigate and report upon the merits of the Telepost now in operation between St. Louis and Chicago as to word-carrying capacity, accuracy, economy, and general efficiency; as to its use in connection with the Post Office Department; and any obstacle in the way of its extension, either in connection with the Government or otherwise.

The PRESIDING OFFICER. The resolution will be referred to the Committee on Post Offices and Post Roads.

Mr. OWEN. Mr. President, I am well acquainted with the president and secretary of this company. I know them to be upright and honest men. I have personally investigated this matter, and I desire that a committee consisting of the chairman of the Committee on Post Offices and Post Roads and two other Senators be appointed by the President of the Senate to investigate the subject. I send a letter of explanation to the desk, which I ask may be printed in the RECORD without reading and referred to the Committee on Post Offices and Post Roads, to accompany the resolution.

There being no objection, the letter was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

NEW YORK, *September 30, 1913.*

Hon. ROBERT L. OWEN, *Washington, D. C.*

MY DEAR SENATOR: In reply to your inquiries at our recent interview I submit for your consideration the following facts:

Two years of actual work between cities of the Middle West, including Chicago, St. Louis, Kansas City, and Indianapolis, have proved beyond controversy that the telepost system answers all the requirements of commercial telegraphy and surpasses all other systems in word-carrying capacity, accuracy, economy, secrecy, and general efficiency.

The inventor of the system, Patrick B. Delany, spent nearly 30 years in working out and solving the many problems confronting him in his effort to devise an automatic rapid system of telegraphy that would be able to cope with the steadily increasing inductive disturbances due to the rapid electrical developments of the country.

In 1899 my brother and myself joined forces with Mr. Delany for the purpose of perfecting the system and of building up an independent telegraph company, as we all were convinced that only in this way could the greatest benefits of his remarkable discoveries benefit the people of the entire country.

Too many inventions had been bought up and suppressed, too much discouragement had been given to inventors for us to be willing to trust to the telegraph companies the proper handling of our joint work. All scientific men had come to realize the correctness of a statement made by the eminent Prof. Pupin, of Columbia University, that over the doors of the telegraph companies was the legend "No inventors or scientific men wanted."

After some years spent in seeking money from men of means we were forced to feel that it was practically impossible to finance the telepost in this way. Every man approached by us was, either by persuasion or threats, induced to have nothing to do with the enterprise.

We therefore organized the Telepost Co. with $18,000,000 capitalization, no bonds, no preferred stock, shares $10 each, all common.

As a guaranty of absolute safety for our shareholders and to prevent anyone on the inside or the outside of our organization bringing about a merging or selling out of the enterprise by the usual method of buying on the open market the stock control of the company the entire capitalization was issued to a board of voting trustees, each pledged to maintain the integrity of the company and each having full veto power against any attempt to destroy its independence.

Voting trustees' certificates were issued to shareholders entitling them to all the rights and privileges of the actual stock excepting the right to vote. This board consists of—

Hon. Henry W. Blair, Manchester, N. H., and Washington, D. C.; Gen. A. R. Buffington, United States Army, Madison, N. J.; Hon. Charles J. Faulkner, Washington, D. C.; Rev. Charles H. Parkhurst, D. D., New York City; Rear Admiral Charles D. Sigsbee, United States Navy, Washington, D. C.; H. Lee Sellers, New York City.

No one was allowed to buy more than 100 shares of stock, as we recognized that our strength would lie in the number of people interested in the enterprise as fully as in the money secured from the sale of our securities.

Our shareholders, now numbering over 17,000, are scattered over the entire country. This has simplified and reduced the cost of getting rights of way and franchises to a remarkable degree, as we felt we were justified in expecting.

It would have been impossible for us to have overcome the vicious opposition of our opponents and the many obstacles put in the way of every forward step we attempted to take but for the helpful cooperation and support of our shareholders and of the thousands of friends secured by the campaign of education we have carried on from the beginning. Even with their help our progress has been shamefully delayed, it being a well-known fact that an enterprise depending upon popular support can be most easily injured by delaying its progress and thereby discouraging its supporters.

Our poles have been cut down; property owners have been persuaded to charge us exorbitant prices for rights of way; franchises have been refused or held up; our wires continually tampered with where we were in operation; our customers threatened by the telegraph companies if they gave us their business; expensive litigation instituted against us, much of which is of the present moment pending, and all of it based on frivolous grounds; and in many cases well-planned efforts for securing the necessary funds for the construction of our lines have been killed by the active efforts of men of the highest prominence in the financial world. Boards of trade that had taken up actively the work of securing funds for extensions of our lines were practically forced to withdraw their support by the powerful interests against which we were contending.

Contracts had been agreed upon for the use by the Telepost of independent telephone lines throughout the State of Ohio, and by which we would have been able to connect our western offices with Pittsburgh, Buffalo, and Detroit, in addition to all the important cities in Ohio. Our men were choosing offices, and Telepost installations were being prepared when the Bell Telephone people bought up, lock, stock, and barrel, these Ohio independent telephone companies. Our contracts naturally were not executed.

When the laws of Ohio prevented the holding by the Bell of these companies J. P. Morgan & Co., at a cost of $7,200,000, purchased the properties in question. In their sworn affidavits they stated that these properties were bought as an investment and would be operated in entire harmony with the independent interests.

Believing these statements to be true, the president of the company in Ohio agreed to furnish us the lines we had previously arranged for, brought the contracts to New York for formal authority from Morgan & Co. to sign them, only to find himself forced to refuse us the use of the lines wanted.

The independence of the Telepost is and has always been fully recognized. The "independence" claimed by J. P. Morgan & Co. was evidently of a different kind.

After two years of commercial work between the western cities named above, the Bell Telephone interests bought the bonds of the company, leasing us the line running into Chicago. From this time on our wire service became so utterly unreliable that it was practically impossible to handle our business. When, during a period of six weeks we had a working wire only four days, we realized that the only wise thing for us to do was to stop service until we could build our own wires or lease them from companies friendly to our interests.

Fortunately for us, the work we had done absolutely proved the claims we had made for our system. It had also secured for us the good will of numerous firms and corporations in the cities in which we had been operating.

We have now secured a satisfactory wire between Chicago and St. Louis and opened up Telepost offices in those cities. As against the 35 cents for 10 words charged by the other companies we are giving 25 words for 25 cents when delivered by messenger or telephone. We also give 50 words for 25 cents and 10 words for 10 cents, when these messages, having been sent by wire, may be delivered through the post office.

We feel that the fuller development of these latter services in cooperation with the post office might be made to be the entering wedge in bringing about Government ownership and operation of the telegraph.

We have sold about one-ninth of the stock of the company, the amount received having come in in small sums spread over the six years in which our progress has been delayed by our opponents.

We have secured rights of way and franchises covering practically all of the distance between New York and Washington, with many miles of poles already set along this route.

We own an entrance into Boston and have a franchise unlimited as to time, permitting us to lay our ducts in the streets of Boston, connecting us with the business districts of that city. Under this franchise much of the work has been done, and we are free to do the remainder when occasion demands.

We have secured entrances into New York, with necessary office space.

We have entrances into Chicago and connections into the business district.

We have arrangements made with a number of independent telephone companies throughout the country for the fullest cooperation they can give us, which includes entrance into their cities and distribution facilities.

We are now building, through a subsidiary of the Telepost, known as the Metropolitan Telephone & Telegraph Co., a trunk line between New York and Chicago, work having been centered thus far upon the Chicago-Toledo section, a large part of which is completed.

Mr. Delany and ourselves as well have from the beginning believed in Government ownership of telegraphs. We feel that the Telepost can best serve the people of the country when it is owned by the Government in connection with the post office.

Telepost rates, as stated above, are uniform throughout the country, regardless of distance. As our lines are extended and new offices opened, 25 cents will carry 25 words between any two offices connected by our wires. When the Government decides to own and control the telegraph business of the country, as is now the case in practically all nations, civilized and uncivilized, it should have the best.

It should handle the enormous business which will surely come when the shackles are taken off the telegraph service of the country by means of a system in which one wire has the word-carrying capacity of 40 to 60 as now operated by the companies that have for so long controlled the telegraph business of the United States.

While we feel abundantly able to build up and make fully successful the Telepost as an independent telegraph company, and while this success for our enterprise will force the other companies to give lower rates and better service than are at present enjoyed, we stand ready at any time to turn over all we have to the Government on terms that will be recognized as fair and reasonable, the chief feature being that our 17,000 shareholders, whose money and patience have enabled us to reach the position we now hold, shall be fairly and liberally dealt with.

It would be very gratifying to us if a committee could be appointed to investigate the claims we make and to secure reliable data as to the serviceableness and value of the Telepost system as a condition precedent to intelligent action on the part of the Government in the matter of Government ownership of the telegraph.

Every facility will be given for such investigation, our offices now operating in St. Louis and Chicago affording full opportunity for the most careful examination of the subject in all of its details.

Yours, very respectfully,
H. LEE SELLERS.

BANKING LAWS OF KANSAS (S. DOC. NO. 238).

Mr. BRISTOW. Mr. President, I ask unanimous consent that the bank depositors' guaranty law of the State of Kansas, and also the charter and by-laws of the Bankers' Deposit Guaranty & Surety Co., of Topeka, Kans., be printed as a Senate document. The deposit-guaranty law is a State law by which the State banks in the State of Kansas guarantee their depositors. The Bankers' Deposit Guaranty & Surety Co. is a corporation organized under the laws of the State by the national banks of the State as a private insurance company for the purpose of insuring depositors. I ask that the matter be printed as a Senate document.

The PRESIDING OFFICER. The Senator from Kansas asks unanimous consent that the matter presented by him may be printed as a public document. Is there objection? The Chair hears none, and it is so ordered.

BANKING AND CURRENCY.

Mr. NEWLANDS. Mr. President, I received some days since a notice that a Democratic conference would be held with reference to the banking and currency bill. I was at that time in Nevada, and immediately started for Washington. The conference was held, however, before I was able to arrive. On my way I telegraphed to the chairman of the Banking and Currency Committee my views regarding a modification of the pending banking bill, and I ask leave to print that telegram in the CONGRESSIONAL RECORD, together with a telegram addressed to the chairman of the Democratic conference upon the same subject.

The PRESIDING OFFICER. Without objection, permission to do so is granted.

The matter referred to is as follows:

OGDEN, UTAH, *November 10, 1913.*

Senator OWEN,
Washington, D. C.:

Will you kindly present to your committee the suggestion that the pending bill be modified so as to adapt our banking system to our Federal system of government by taking the States as the basic units and organizing in each State a federation of the State and National

banks in the form of a State reserve association, and consolidating and mobilizing the reserves of the member banks for mutual protection against bank runs and stringencies, and then capping this structure by one Federal reserve bank of which the State reserve associations shall be members, in which the Government funds and a portion of the reserves of the State reserve associations shall be deposited, and which shall exercise similar functions in interstate commerce?

It seems to me of the highest importance that we should preserve the functions of the States and encourage in them a robust individuality. Many of the States will sometime equal in population and wealth the great European powers, and the importance of local self-government near to the people will be accentuated. I believe that our present dual system is the best that could be devised, both economically and politically, and that our economic units should, as far as legislation can control, correspond to our political units. We find that this rule obtains as to every form of voluntary organization, whether fraternal, charitable, social, economic, or professional. I do not see why it should not be extended to commercial organizations created by law. The much-complained-of contradiction of policies between the Interstate Railroad Commission and the State commissions is being adjusted by the annual conferences, and comity without force is gradually bringing them in harmony. I think the policy which is working out so successfully in transportation should be applied also to banking exchange and trade, and that the basic units should be the States and not newly created and shifting regions. I am on my way to Washington to attend the Democratic conference. I can not arrive before Thursday, but hope no conclusion will be reached before my arrival.

FRANCIS G. NEWLANDS.

CHICAGO, *November 12, 1913.*

Senator KERN,
Washington, D. C.:

I started from Nevada for Washington immediately upon announcement of Democratic conference. Can not arrive before 11 Thursday morning. I wish to present to the conference the Federal reserve system outlined in my telegram to Senator OWEN as opposed to the regional and central systems, which alone have thus far been considered. The distinction is basic and, in my judgment, must be determined by party action. In the interest of party harmony I urge that the conference shall not proceed until Democratic Senators have timely opportunity to be present, and therefore suggest its postponement for a day or two at least.

FRANCIS G. NEWLANDS.

Mr. NEWLANDS. I should also like to have printed in the RECORD one or two brief extracts from previous speeches and public documents containing my views upon the same subject.

The PRESIDING OFFICER. That order will be made, in the absence of objection.

The matter referred to is as follows:

IMPORTANCE OF INTERSTATE EXCHANGE.

[From the CONGRESSIONAL RECORD, June 22, 1911.]

Mr. NEWLANDS. Mr. President, so far as the Democratic view of this question is concerned, it seems to me that interstate exchange is just as important a branch of interstate commerce as interstate transportation or interstate trade. We have stood patiently these biennial and decennial paralyses in exchange which have arrested the business of the entire country, and which, as a matter of economics, are just as easily prevented as would be the obstruction of transportation itself.

With what patience would the people of the United States view a process by which the railway cars of the country could be gathered into the city of New York and there used as storehouses for goods, and then when the various sections of the country would call for cars for the moving of the crops New York would deny these cars upon the ground that they were being used as storehouses? And yet that has been practically what has been accomplished in interstate exchange. The circulating medium of the country, absolutely necessary both to transportation and to trade, has been locked up in New York through a vicious system of sending the reserves of the country banks to the great central banks to be loaned out by the latter in speculative promotion and development, thus arresting and obstructing their use when they are required for the exchanges and the trade and the transportation of the country.

This is a great question, involving just as scientific adjustment as that of transportation itself; and yet Congress has done nothing whatever upon this subject under the administration of the Republican Party. For years nothing whatever was done by way of amendment of our banking act except to give the banks larger powers in the increase of credit. No restrictions have been imposed upon them tending to the security of depositors or the prevention of panics.

DEMOCRATIC PLAN OF BANKING REFORM.

In my judgment, the Democratic plan of bank organization should be practically like that of our system of Government, the recognition of each State as an economic unit and the union of the State associations under some plan of federalization. The Aldrich plan absolutely obliterates the States, and creates in their place 16 commercial zones, in which the branch organizations of the central organization are organized. I would substitute for those zones the States themselves, and organize in each one of the States a national reserve association similar to the central national reserve association which the Senator from Rhode Island desires. I would have both the State banks and the national banks organized in these reserve associations within the boundaries of each State as a separate and individual unit, and then having created 46 such associations I would devise some method of federalizing them just as we federalized our State governments by the creation of a National Government. I would find some method of federalizing them through some commission at Washington that would fairly represent all these various States, with powers of recommendation, with powers of examination, and with powers of suggestion, in the hope that ultimately these State organizations thus federalized would by a process of evolution fill every useful purpose that could be accomplished by the Aldrich plan.

BANKING REFORM.

[From the CONGRESSIONAL RECORD, Aug. 10, 1911.]

The Senate had under consideration the bill to require the National Monetary Commission to report, etc.

Mr. NEWLANDS. Logical national legislation on the banking question involves, in my mind, the recognition of interstate exchange as a branch of interstate commerce by taking hold of and regulating the State banks engaged in interstate exchange, just as we take hold of purely State railroads that are engaged in interstate transportation. The purpose of the legislation being to prevent paralysis of interstate exchange through constantly recurring bank panics, any legislation which leaves the State banks out of consideration as factors in the maintenance of an unimpaired interstate exchange is sadly lacking, for the State banks to-day equal the national banks in the extent of their capital, deposits, and credits. They are all engaged in interstate exchange, and constitute links in the general banking system of the country; and just as the strength of a chain is that of its weakest link, so it may be claimed that the strength of our banking system is affected by the condition of its weakest bank, and that all banks, both National and State, must be regulated by the National Government in the interest of interstate commerce.

STRENGTHENING THE INDIVIDUAL BANKS.

I would first strengthen the individual banks by requiring of them a certain relation of capital and reserves to their obligations. As it is, the national banking act prescribes no proportion between the capital of a bank and the amount of deposits it can receive. The capital of a bank constitutes the margin of security upon which depositors rely. Sound banking requires that it should equal 20 per cent of the bank's obligations. I would not at first, however, attempt to reach this limit, but would simply provide that every bank should maintain a capital and surplus equal to 20 per cent of its deposit obligations.

As to reserves, sound banking requires that a bank should keep on hand at least 20 per cent of its deposit obligations in order to meet the current checks of its depositors.

The national banking act requires 25 per cent reserve in central reserve cities, of which all must be kept in cash; a reserve of 25 per cent in reserve cities, of which one-half can be deposited in central reserve city banks; and 15 per cent in the country banks, of which nine-fifteenths, or three-fifths, can be deposited in reserve city and central reserve city banks.

I would not at present increase these reserves, but I would diminish the proportion of the reserves which the country banks can deposit in other banks at the rate of one-fifteenth annually until such permitted deposits in other banks reach five-fifteenths, or one-third, of the total reserve; and there I would stop for the present.

I would also diminish the proportion which the reserve city banks can deposit in the central reserve city banks at the rate of one twenty-fifth annually until such permitted deposits in central reserve city banks reach five twenty-fifths, or one-fifth, of the total reserves instead of one-half, as at present.

THE STATE BANKS.

I would require the same capital and reserves of State banks engaged in interstate exchange as are required of national banks; but the question is whether this shall be made coercive or persuasive. I have no doubt of the power of the National Government to compel State banks, as instrumentalities of interstate commerce, to comply with its regulations as to capital and reserves; but as this is a comparatively new contention and may arouse opposition to any general measure which contains it, it might be well to make it merely persuasive by providing that State banks may become members of the national reserve association, hereafter referred to, upon complying with the requirements of the national banking act as to capital and reserves and as to examination and inspection by the National Government.

UNIONIZING BANKS FOR PROTECTION OF DEPOSITORS AND FOR PREVENTION OF BANK PANICS.

The next step would be to unionize the banks for preventing bank panics and the interruption of interstate exchange by enabling them to summon their reserves to any point of danger, just as the Government concentrates its troops at the point of attack.

The Aldrich plan contemplates these at Washington by the creation of a reserve association of America, embracing in its membership as stockholders all the national banks and dividing the country, regardless of State lines, into 16 subdivisions or zones, in the most prominent commercial city of which is located a branch of the reserve association.

There are two objections to this—one, that it practically creates a central bank, concerning which there will be a great difference of opinion between the two political parties, and the other that with the concentration of the money power of the country now existing such central bank would fall under the control of such power, and that the perversion of the proper function of banking from that of advancing exchange to that of promotion and speculation would continue. Even if the Aldrich plan be theoretically and economically sound, I regard it as utterly impracticable at present, because of the balance of the political parties, each controlling a part of the Government, and because of the universal distrust of certain powerful banking groups, to give it the sanction of law. Nor do I think that the reasoning regarding a central bank which would apply to similar institutions in England, France, and Germany can be applied in America, a union of 46 States, most of which in area and population will some time rival those great countries.

It must be recollected also that in those countries the national power is absolute over commerce in its entirety, whilst in our country the National Government is absolute only in interstate and foreign commerce, the State commerce being under the jurisdiction of the respective States. As, therefore, commerce itself under our system of government is divided into two parts—one part under the control of the States and the other part under the control of the union of States, or the Nation—it is desirable that in the exercise of the regulating power we should have regard to the States as the units or subdivisions with reference to which the national power is to be exercised; and we should endeavor to bring about cooperation and harmony between the individual States on the one hand and the union of States on the other in the regulation of our commerce.

I would therefore organize under national law a reserve association in each State, to be formed by the national banks of each State; membership in which I would grant also to State banks engaged in interstate commerce, as all except the savings banks are, upon compliance with such requirements as to capital, reserve, investigation, and correction as exist with reference to national banks.

I would provide that such reserve association should have the power to examine the individual banks composing its membership and to exercise a certain degree of corrective power over them, and that it should have the power to insure the depositors of each individual bank composing its membership. Some speedy method should be provided for immediately taking over the assets and paying the depositors of any failing bank. I would give to such State reserve associations such of the powers, rights, and privileges given by the Aldrich plan to the proposed central reserve association as may be deemed desirable. In other words, I would endeavor to create in each sovereign State a financial center for that State, holding a position with reference to the State similar to that which New York holds to the United States.

As the banks of some of the smaller or weaker States might not be strong enough to form reserve associations under this plan, I would grant them the privilege, if they so desired, of joining a reserve association organized in an adjoining State.

I would turn over to such reserve associations all the note-issuing functions of the individual banks constituting its membership, including the issuing of emergency currency.

FEDERALIZING THE ASSOCIATION.

I would then federalize these State reserve associations through the organization of a national banking board, of which a certain proportion of the members should be selected by the national reserve associations under some plan that would promote proper geographical distribution, the National Government, through the President, with the aid and confirmation of the Senate, to name the other members. I would make the Secretary of the Treasury the chairman of such commission and the Comptroller of the Currency its secretary.

I would not, in the first instance, give such commission large powers, but would invest it with powers of examination, correction of evil practices, and recommendation to the President and to Congress. I would expect the national banking commission, by a process of evolution, to gradually increase in its powers as the result of experience in administration and legislation, and I would expect it to perfect a system of cooperation with the banking commissions of the respective States.

NOTE-ISSUING FUNCTIONS.

I do not understand that Mr. Aldrich's plan provides for any additional currency, unless it be emergency currency. It simply provides that all the existing note-issuing functions of the national banks shall be turned over to the reserve association of America, of which the national banks are constituent members. The national-bank notes during the past 10 years have increased from about $300,000,000 to over $600,000,000 as the result of the increase of the percentage of the bond security available for note issue and also as the result of the increased amount of United States bonds. The national banks also have the power to issue emergency currency to the extent of $500,000,000, the retirement of which is forced by a gradually increasing interest rate or tax.

None of the latter is now extant. Under the Aldrich plan, therefore, the National Reserve Association would have the power to keep outstanding the present issue of national-bank notes of over $600,000,000, and I think a similar provision should be made that the National Reserve Association of each State should take over the note-issuing functions of its constituent members. I would see no pre-ent necessity for changing the character of this issue. I would allow it to be gradually retired by the payment of the bonds themselves or by refunding such bonds into national bonds similar to the Panama Canal issue, bearing a rate of interest of about 3 per cent and without the note-issuing privilege.

I do not think we need seriously concern ourselves in the near future regarding either an asset-secured currency or a bond-secured currency or a national currency. The country is now firmly established on the deposit and check system, under which banks are permitted to give credit to their customers on their books aggregating, on the average, more than five times the amount of cash which the banks have on hand. The borrower turns his loan into a deposit and checks against his deposit, and his checks constitute a currency admirably adapted to the requirements of the country, the checks remaining out long enough to close the particular exchange or sale or transaction and then being redeemed. Under this method $1,000,000,000 of cash in the banks as reserves is given an efficiency of $5,000,000,000 through the loan and deposit system in the national banks and a similar amount in the State banks, so that during the past 10 years, as the result of a constantly increasing volume of gold which has been drawn into the banks as their cash reserves, we have had an increase of bank loans and corresponding bank deposits from about five billion to ten billion dollars, or, in other words, an increase of 100 per cent in the credit facilities of the banks, whilst the population has increased only about 20 per cent. This accounts in great part for the extraordinary rise in prices which has taken place and which has seriously disarranged the relations of debtor to creditor, of employee to employer, and of consumer to producer. An era of constantly increasing prices is almost as bad as an era of constantly falling prices, and both are caused by variation in the value of the medium of exchange, as the result of the quantitative theory.

If stability in the value of the medium of exchange is desirable, it is clear, all other things being equal, that as the number of basic dollars increase the number of paper representatives should diminish, and paper representatives should only be availed of in order to tide over the time when there is a diminution in the production of basic dollars and a danger of a fall of values through contraction. It is clear, therefore, that at no period in the history of the world has there been so little need of the issue of paper money as at present, for the number of our basic gold dollars has vastly increased in quantity, in much greater proportion than the population, and the loan and deposit system has opened up such a vast area of credits as to do away with the need of so-called credit money. Indeed, the only occasions upon which credit money is needed at all under existing conditions is when a bank panic comes and depositors withdraw from the banks the actual dollars which stand at the base of the loan and deposit system. Then an emergency arises which necessitates some substitute in the shape of paper money which can be used as legal tender and can be paid out as a substitute for the basic money.

August 14, 1911.

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Mr. BURTON. Has the amendment of the Senator from Nevada been read?

Mr. NEWLANDS. It has not. I will——

The PRESIDENT pro tempore. The Senator from Nevada desires to offer it, and it is in order.

Mr. BURTON. I reserve the point of order upon the amendment.

The PRESIDENT pro tempore. Does the Senator from Nevada desire to offer it as an amendment to the substitute or as an amendment to the original bill?

Mr. NEWLANDS. I offer it as an amendment to the substitute, as an additional section, and ask that it be read.

The PRESIDENT pro tempore. The Secretary will read the amendment offered by the Senator from Nevada.

The SECRETARY. It is proposed to add at the end of the proposed substitute the following words:

"SEC. —. That the Monetary Commission be, and it is hereby, instructed to draft and report for the consideration of Congress such amendments to the national banking act as, in its judgment, are necessary to secure the following results:

"1. The proper proportion of the capital of the individual national banks to their obligations.

"2. The proper proportion of the reserves of the individual national banks to their obligations.

"3. The proportion of such reserves, if any, which may be deposited by the individual banks in other banks, and the restrictions and nature of such deposits.

"4. The examination of such banks by the national authorities.

"5. The organization of such banks into local clearing house and emergency currency associations, and the inclusion therein of State banks engaged in interstate exchange, and the terms of their inclusion.

"6. The union of the national banks of each State in reserve associations for mutual protection and for protection of depositors, and the inclusion therein of State banks engaged in interstate exchange, and the terms of such inclusion.

"7. The federation of such State associations through a national banking board, composed of members fairly apportioned to the different sections of the country, and partly selected by such State associations and partly by the President of the United States; the inclusion in such board of the Secretary of the Treasury as chairman thereof and of the Comptroller of the Currency as secretary thereof.

"8. The powers of such national board, including therein the powers of investigation, publicity, and recommendation to the President and to Congress.

"9. The transfer to the associations above referred to of the note-issuing functions of the constituent banks and the gradual retirement of a bond-secured currency without dangerous contraction.

"10. The enlargement of the powers of the national banks with a view to enabling them to transact certain business now monopolized by State banks, and the restrictions thereon.

"11. And such other amendments as may be advisable to strengthen the individual national banks and the State banks engaged in interstate exchange and to mutually protect them against bank runs, to secure depositors in the prompt payment of their deposits, and to prevent breaks in or paralysis of interstate exchange."

Mr. NEWLANDS. I will state that that simply asks for a report upon these questions for the consideration of Congress.

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Mr. NEWLANDS's amendment was rejected.

Mr. NEWLANDS. I wish to say, Mr. President, that the views which I expressed in these telegrams from the West were in favor of a Federal as against a regional or central bank system.

FIRST COUNTERPROPOSAL TO ALDRICH PLAN.

When the Aldrich bill was under consideration I presented my views to the Senate in opposition to that measure, and urged that in place of a central bank we should organize in each State a reserve association composed of both national and State banks within the boundaries of the State, and that we should enable such associations to consolidate a portion of the reserves of the member banks and mobilize them in such a way as that they could be presented at the point of attack and thus suppress any bank panic or do away with any temporary stringency that might prevail. I also urged that for interstate and national purposes the various State reserve associations should be federated in such a way as that, if a panic became interstate or nation wide, or if the stringency embraced more than one State or locality, the federated powers of these associations could be brought to bear to relieve the condition.

My impression is that that was the only definite plan presented on the Democratic side in opposition to the so-called Aldrich bill. At all events, I heard of no other. Democrats generally contenting themselves not with a presentation of a complete plan but with criticism of and objection to the then pending Aldrich bill. I still think, Mr. President, that such a system as I have indicated is the simplest and the best system; that it is a system of natural evolution.

The people of this country have become accustomed to think by States and also to think nationally. Our system involves 48 State sovereignties federated together in one national sovereignty. The people of the country in every form of organization, whether charitable, professional, or commercial, have been accustomed to organize first the State associations and then to federate them into some form of a national association. It strikes me that this natural form of evolution should be followed when we seek to organize a commercial association of the banks now existing under national and State laws. The natural method is, first, to federate all the banks within a State into a State association and then federate the State associations into one national association.

It may be said that this national association assumes the form of a central bank, which is forbidden by the Democratic platform. My reply is that it is in no sense a central bank. A central bank in the sense in which it is used in our party platform is a bank created by the Nation, its stockholders and its membership selected from the citizens or the banks of the Nation regardless of State lines, whilst the Federal system involves the States as the basic units, the banks in each State constituting the membership of the State association and the various State associations constituting the membership of the

national association; so that the system is not regional; it is not central; it is Federal, and as such is in accord with the principles, the traditions, and the platform of the Democratic Party.

These are the individual views which I have long entertained and which I presented years ago in opposition to the Aldrich plan. In fact, if my recollection is right, it was the only plan presented on the Democratic side in opposition to the Aldrich plan. I think the basic plan, whether central, regional, or Federal, must be determined by a party conference. The party is committed by its platform against a privately owned and controlled central bank, such as that contemplated by the Aldrich plan; but I do not think the party platform applies to a central bank owned by the Government. The party, in my judgment, is at liberty to select either the Government-owned central bank system or a regional system or a Federal system such as I have outlined. Either can be successfully worked out and would be infinitely preferable to the existing system. I think prompt action is of the highest importance to the commerce of the country.

I believe that the President has been wise in calling attention to the necessity of banking and currency legislation and in urging immediate action. We have, according to the general admission of all interested in legislation, the belief that our national banking system is probably the worst in the civilized world. We have gone as far as we can in that system toward decentralization; we have organized thousands of individual banks; and we have provided no method whatever for the unionizing of those banks for mutual protection against bank panics and stringencies and the promotion of interstate exchange. The natural form of union is, first, to take the State——

Mr. CLAPP. Mr. President, before the Senator——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Minnesota?

Mr. NEWLANDS. Certainly.

Mr. CLAPP. Before the Senator takes up that branch of the discussion, I do not now recall and therefore I ask for information, whether or not he embodied his ideas in a proposed bill at the time of the passage of the Aldrich bill?

Mr. NEWLANDS. I did not. I embodied them in a motion to refer back the whole matter to the Finance Committee, with instructions to report upon the lines which I have indicated, and also in a legislative program which for years I have been urging upon Congress.

Mr. CLAPP. Has the Senator in mind at this time to submit in a detailed bill the views which he has just expressed?

Mr. NEWLANDS. I have in view the presentation of such a bill.

Mr. CLAPP. I think there is a good deal of force in the Senator's position, and I should be glad to see it worked out in detail. I am very much interested in the details of such a plan.

PRESIDENT'S COURSE IS WISE.

Mr. NEWLANDS. I will say, Mr. President, that I have nothing but commendation for the President in his presentation of this important issue to Congress. I believe that we should act; I believe that we should act quickly; and I believe that we can act quickly if we act simply. I believe that we are involved in unnecessary complications; that by a very simple process we can create a union of the State and national banks within a State in a reserve association; that we can create a union of the State reserve associations in a Federal reserve association, and that simply under that organization, with a reserve board or a banking commission exercising powers over interstate exchange similar to those exercised by the Interstate Commerce Commission over interstate transportation, we will by a gradual process of evolution work out a perfect system.

I see no reason why a State reserve association such as I have indicated should have any capital. I see no reason why we should increase at all the banking capital of the country. We have to-day more banking capital than any other country in the world, in proportion to our population. All we have to do is to provide that each one of the member banks in the State association shall deposit with the reserve association a certain amount of cash, which shall constitute a part of the member bank's reserve, and we have in that fund itself a capital upon which the reserve association can commence business. If we provide that a part of this cash deposited by the member banks, National and State, in the State reserve association shall be deposited in the Federal reserve association at Washington, we will collect there from 48 reserve associations throughout the Union an enormous sum of money which can be used by the Federal association in checking financial panics and stringencies which have gotten beyond the control of the local State associations.

When we back that up by the power to issue reserve notes through the Federal association, either directly to individual banks or to the reserve associations of the various States, for rediscount of commercial paper, we have all the resources of this reserve note system to call upon. Recollect that there can be no loss, for these advances, made either by the State reserve associations or by the Federal reserve association, will be made in rediscounting commercial notes indorsed either by the individual banks or by the State reserve associations, and backed in addition to that security by deposits of cash made by the individual banks in the State reserve associations, part of which will have been transferred to the Federal association.

The whole difficulty of local panics and of monetary stringencies can be met by providing a system of rediscount. All local difficulties of moderate proportions can be met through the resources of the State reserve association; and whenever the difficulty becomes so extended as to involve interstate commerce, or becomes national or international in character, the Federal association can come to the aid of the State reserve associations or to the aid of the individual banks.

OBJECTIONS TO A CENTRAL BANK.

Mr. President, I object to the central banking system because it centralizes everything in the National Government, centralizes everything at Washington, and ignores the States. I object to the regional system because it creates new units, unknown to our system of government, shifting in size and in character, varying with the day according to the views of the reserve board. I favor a purely Federal system because it is in accord with our system of government, which regards the State as the basic unit, and regards the Nation as a federation of States.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Missouri?

Mr. NEWLANDS. Certainly.

Mr. REED. I am very greatly interested in the Senator's remarks, particularly in the one he has just made. I understand that he advocates a system of reserve associations for each State and that he opposes the system of eight regional banks, or any regional system, because it makes new economic units.

Does the Senator mean to say that the commerce of the country is to-day circumscribed by the boundaries of States, so that if you were to create a reserve association in each State you would not be creating new economic units?

Mr. NEWLANDS. I do not think you would be. I believe the best economic unit that can be created is one that is limited by the boundaries of a State. In every form of association in this country, whether it is benevolent, charitable, commercial, or professional, we find that the natural method of formation is first to form the State associations, and then by combination of the State associations to form the national association. To-day we find that the banks of every State, by voluntary association, are organized, and that they are thinking by States, and that when they propose to think and to act nationally they federate these associations into a great national banking association.

If the natural way would be to create a regional unit, why have not the States done it already in the creation of their banking associations? On the contrary, we know that State associations are formed and are meeting in every State every year, where every question relating to the economic development of the banking system is considered and mutual conferences are held.

Mr. REED. Mr. President, I have no desire to engage in debate with the Senator at this time. While it is true, as he says, that we do have State banking associations, and we do have national banking associations; those associations transact no business. Those associations do no banking. They meet for the purpose of discussion and mutual benefit of that kind. Certainly the Senator does not mean to say that State lines fix the boundaries of commerce. Certainly he can not mean to say that State lines have anything whatever to do with the lines of commerce or the centers of trade.

I call the Senator's attention to the fact that the woolgrowers of his own State do a great deal of their eastern banking in the city of Boston, because that is the wool market, and that instead of State lines fixing the boundaries of trade and commerce the streams of commerce flow across State lines; that centers of trade and commerce have been fixed in this country; and that, regardless of all the associations that ever have been organized and regardless of all the laws that ever may be passed, business will be done in the trade centers of this country, and any law seeking to interfere with that business or to fix arbitrary lines for that purpose would be absolutely ineffective.

I am interested in knowing whether the Senator does not propose to fix 48 separate economic units, arbitrarily located by the State lines on the map, and if he is not therefore violating the economic principle he invokes much more than the worst enemy of this bill would claim it violated those principles.

Mr. NEWLANDS. Mr. President, it was not my intention to engage in any extended remarks, but simply to state my position; and it is not my intention to engage in debate. I should prefer to postpone to some later day the discussion of the considerations presented by the Senator from Missouri, my idea at this time being simply to call attention in some concrete form to the suggestion I have to present.

I will state that so far as I am individually concerned I believe that any one of the three systems suggested—the regional, the central, or the Federal—is superior to the existing system, and that any one of them should be enacted into law in preference to allowing present conditions to continue.

I am presenting my views, however, with reference to what I regard as the best system, and my purpose was simply to give a historical statement of my contention with reference to it by putting in the RECORD some telegrams, resolutions, and so forth, upon the subject.

BASIC PRINCIPLES SHOULD BE FIRST SETTLED.

I will say, however, in reply to the Senator from Missouri, that I regard it as essential that the basic principle upon which this bill is to be shaped shall be settled at the start. I believe it is absolutely necessary for the party that has responsibility to determine that principle in party conference. Having once determined the principle, the preparation of the details will be comparatively simple. For that reason I favored, and still favor, a conference of the Democratic Senators, divided as we are in the consideration of these three systems, so that by a majority vote we may determine what system shall be pursued, and then leave it to the Committee on Banking and Currency to work out the details.

With reference to accommodating the economic unit to State lines, I have to say that there is one great controlling reason why the Federal system should be pursued with reference to the organization of a banking system rather than a new system called the regional system, and that is that the States have jurisdiction over purely State commerce, while the Nation has jurisdiction over interstate and foreign commerce. Every bank within the boundaries of a State, whether national or State, must yield to the jurisdiction of that State so far as its action relates purely to State commerce; and all the banks in a State, whether State or National, must yield to the jurisdiction of the Nation so far as its action relates to interstate and foreign commerce.

A majority of the transactions of every bank are purely local. There is a reason, therefore, why a reserve association should be organized within the boundaries of a State, as a part of the State machinery for the control of purely State commerce or its protection against local bank panics and stringencies. There is also a reason why there should be a national organization, with a view to meeting conditions that are interstate or that involve foreign nations.

We carry out this principle in every form of voluntary association. It is a natural form of evolution. The medical societies are all first organized into State bodies and then federated as a national body. The art societies, the musical societies, the architectural organizations, the benevolent organizations, the fraternal organizations, the boards of trade are first organized as State bodies and then federated into national bodies. Why is it that they have not been persuaded to follow this idea of regional control and jurisdiction?

So it is with reference to transportation. We have State railway commissions organized for the purpose of controlling purely State transportation. We have a national commission organized to control interstate transportation, and though there has been some contradiction of policies between the two we find these contradictions gradually disappearing under a system of voluntary conference between the national Interstate Commerce Commission and the various State railroad commissions held annually, and comity, without force, is gradually bringing these organizations in harmony.

Then why should not this apply to banking also? Why should it not apply to trade? Why should we claim that the National Government only can act and can act only as a nation? Why should we not carry out the system which we pursue in transportation and apply it to trade? Why should we not have local trade commissions in the various States and an interstate trade commission to take care of trade in its interstate and in its national aspect? Why should we not do this with reference to banking, just as we have done with reference to transportation?

Mr. President, it seems to me that the simple and the logical thing to do is to enlist the intelligence and the energies of the banks of every State in the Union in a local association to take care of matters of the locality and then to enlist the intelligence and energies of the Nation in the formation of a Federal union of these State associations, which will take hold of these very difficult questions in their national and interstate aspects, and thus by cooperation of the two sovereignties insure the harmony of action so essential to the prosperity of our country.

Mr. STONE. Mr. President, if the morning business is concluded——

The PRESIDING OFFICER. The morning business is not yet concluded. Are there further resolutions to be submitted?

COMMITTEE ON PUBLIC DOCUMENTS.

Mr. CUMMINS. Mr. President, I present a notice of an amendment to the Rules of the Senate which I ask to have read.

The PRESIDING OFFICER. The Secretary will read the notice.

The Secretary read as follows (S. Res. 218):

Notice is hereby given that during the next legislative session of the Senate I will propose and offer an amendment to the standing rules of the Senate.

A copy of the proposed amendment is hereto attached and made a part hereof.

ALBERT B. CUMMINS.

Add a new rule, as follows, viz:

"There shall be a standing committee of the Senate known as the Committee on Public Documents. It shall be composed of three Senators, elected in the same manner as the members of other standing committees.

"No book, pamphlet, article, paper, address, or other matter requiring the consent or order of the Senate in order to be printed as a public document shall be so printed or an order therefor entered until the request or motion for such order shall have been referred to the above committee and its report thereon received: *Provided*, That nothing herein contained shall be construed to interfere with the right of the Senate to discharge the committee from the further consideration of any such request or motion.

"In making its report the committee shall describe the general character of the matter sought to be printed as a public document and shall specifically state whether it is of such value to the country that it ought to be printed and circulated at the expense of the Government."

The PRESIDING OFFICER. Does the Senator from Iowa desire to have the proposed amendment to the rules referred to the Committee on Rules?

Mr. CUMMINS. I beg pardon; I think it will have to lie on the table until the next legislative session.

The PRESIDING OFFICER. It will be so ordered.

Mr. CUMMINS. Before it passes to the table I desire to say that we are in danger of abusing the privilege which has heretofore been exercised by all Senators. I have in my hand a list of the papers, pamphlets, speeches, and other things of that kind that have been, by order of the Senate, printed as public documents during the last session of the last Congress and during the present session up to November 10. The third session of the Sixty-second Congress ordered 43 of these papers and pamphlets to be so printed. The present session up to this time has ordered 94. The total number printed since December 1, 1912, is 137. The number of pages so ordered printed and which are now entitled to the privilege of being sent free through the mail is 3,280. The character of the publications is fairly well shown in the titles which they bear, and which I ask to have printed in connection with my present observation.

The PRESIDING OFFICER. Without objection, it will be so ordered.

Mr. CUMMINS. This list will show how very far from the real purpose of that privilege we have wandered. I hope that Senators may examine it before the proposed amendment to the rules comes on for consideration.

The matter referred to is as follows:

Number of documents printed by order of Senate during the third session of the Sixty-second Congress	43
Number printed from Mar. 4, 1913 up to present time	94
Total number printed since Dec. 1, 1912	137
Number of pages in documents printed during the third session of the Sixty-second Congress	1,041
Number of pages in all documents printed since Mar. 4 up to the present time	2,239
Total number of pages in all documents printed by order of Senate since Dec. 1, 1912	3,280

List of documents printed by order of the Senate with date of order, full title of publication, and number of pages in document.

Alcohol and Officials, December 3, 1912, 16 pages.
The French Spoliation Claims, December 4, 1912, 48 pages.
European Cooperative Rural Credit Systems, December 5, 1912, 321 pages.
Land and Agricultural Credit in Europe, December 5, 1912, 32 pages.
The Courts and the Constitution, December 6, 1912, 16 pages.
Address of President Taft, December 6, 1912, 4 pages.

Rules of Practice for the Courts of Equity of the United States, December 9, 1912, 38 pages.
State Indemnity for Errors of Criminal Justice, December 10, 1912, 33 pages.
Causes of the Rise in Prices, December 13, 1912, 10 pages.
The White-Slave Traffic, December 17, 1912, 9 pages.
Is Our Representative Government Imperiled? December 17, 1912, 13 pages.
Claims for Extra Pay of Mechanics and Laborers in Public Buildings, December 18, 1912, 30 pages.
Possibilities of a Democratic Administration, December 19, 1912, 9 pages.
Agricultural Conditions in Denmark, January 4, 1913, 34 pages.
What is Progress in Politics, January 4, 1913, 15 pages.
Mortality Statistics of Pennsylvania, January 11, 1913, 14 pages.
Farm Credits, January 9, 1913, 8 pages.
Some Facts and Figures Relating to the Money Trust Inquiry, January 13, 1913, 16 pages.
Limitation on Judges When Charging Juries, January 11, 1913, 114 pages.
A Plan for the Organization of a Rural Banking System in the State of Virginia, January 14, 1913, 32 pages.
Suit in the Court of Claims by the Choctaw and Chickasaw Nations, January 15, 1913, 10 pages.
Great Falls Power Co., Montana, January 15, 1913, 12 pages.
Dr. Friedmann's New Treatment for Tuberculosis, January 17, 1913, 54 pages.
Washed Money, January 20, 1913, 8 pages.
Land Grants to Oklahoma Within Indian Reservations, January 29, 1913, 4 pages.
Woman Suffrage, January 22, 1913, 100 pages.
The Independence of the Judiciary, the Safeguard of Free Institutions, January 30, 1913, 15 pages.
Some Powers and Problems of the Federal Administrative, February 1, 1913, 21 pages.
Constitutionality of the Control of Interstate Shipments of Liquor, February 3, 1913, 48 pages.
Power of Eminent Domain, February 11, 1913, 16 pages.
The Electoral College, February 18, 1913, 18 pages.
American Commission for the Study of the Cooperative System to Agricultural Production and Distribution in Europe, February 11, 1913, 31 pages.
Flood Control of the Mississippi River, February 22, 1913, 15 pages.
The Constitution, the Court, and the People, February 21, 1913, 17 pages.
Carey Act Projects, February 21, 1913, 22 pages.
Ellis Island Affairs, February 21, 1913, 16 pages.
Speech of Mr Justice Holmes, February 24, 1913, 5 pages.
The Constitution of the United States, Its Friends and Foes, February 26, 1913, 30 pages.
Rules and Practice of the Senate of the United States in the Appointment of Committees from March 4, 1789, to March 14, 1865, February 28, 1913, 31 pages.
The Eight-Hour Day, February 28, 1913, 21 pages.
Government of the District of Columbia, March 1, 1913, 9 pages.
Amendment of the Sherman Antitrust Law, March 1 (calendar day, Mar. 3), 1913, 8 pages.
The Government of the District of Columbia, March 1 (calendar day, Mar. 4), 1913, 18 pages.
The Panama Canal March 13, 1913, 15 pages.
Inaugural Addresses of President Woodrow Wilson and Vice President Thomas R. Marshall, March 15, 1913, 9 pages.
Privilege of the Floor to Cabinet Officers, March 17, 1913, 33 pages.
The Problem of Rural Credit or Farm Finance in the United States and a Program, March 17, 1913, 26 pages.
Chairmanship of the Committee on Appropriations, March 17, 1913, 11 pages.
Silk Industry in the United States, April 12, 1913, 7 pages.
Organic Acts of the District of Columbia, April 15, 1913, 15 pages.
International Congress, April 15, 1913, 11 pages.
Panama Canal Tolls, April 17, 1913, 21 pages.
Timely Talks on the Tariff, April 21, 1913, 9 pages.
The Conservation of Water Powers, April 21, 1913, 23 pages.
The Democracy of Abraham Lincoln, May 5, 1913, 18 pages.
Great Britain and the Panama Canal, May 5, 1913, 20 pages.
Schemes to "Distribute" Immigrants, May 7, 1913, 17 pages.
Sugar at a Second Glance, May 6, 1913, 106 pages.
The Associated Press, May 14, 1913, 9 pages.
Recall of Judicial Decisions, May 14, 1913, 12 pages.
Rule of Treaty Construction, May 14, 1913, 8 pages.
Panama Canal Tolls, May 14, 1913, 11 pages.
Panama Canal Tolls and the Hay-Pauncefote Treaty, May 14, 1913, 10 pages.
Valorization of Coffee, May 16, 1913, 15 pages.
Business in the Public Mind, May 16, 1913, 10 pages.
Bureau of Woman Labor, May 16, 1913, 6 pages.
Panama Canal Tolls, May 20, 1913, 15 pages.
Pomerene Senate Bill No. 1654, May 20, 1913, 8 pages.
Seminole Indians in Florida, May 22, 1913, 6 pages.
Insurrection and Martial Law, May 14, 1913, 71 pages.
Who Bought Louisiana? May 27, 1913, 19 pages.
Price Restriction on Patented Articles, May 29, 1913, 8 pages.
Tariff on Live Stock and Meats, May 29, 1913, 7 pages.
Canadian Woolen Industry, May 29, 1913, 35 pages.
Apportionment of Appointments, May 29, 1913, 70 pages.
Water Power, June 2, 1913, 16 pages.
Operation of Present Immigration Law, June 2, 1913, 5 pages.
The Tariff, June 5, 1913, 11 pages.
The Minnesota Rate Cases, June 10, 1913, 56 pages.
Interstate Shipment of Liquors, June 13, 1913, 19 pages.
The Indian Service, June 17, 1913, 11 pages.
Dutiable Merchandise, June 17, 1913, 5 pages.
Indian Statistics, June 18, 1913, 5 pages.
Production and Marketing of Egyptian Cotton, June 26, 1913, 10 pages.
Frederick William Raiffeisen, June 26, 1913, 7 pages.
Banking and Currency, June 27, 1913, 27 pages.
Prevention of Railroad Accidents, July 2, 1913, 16 pages.
Notes of Tariff Revision, 1913, July 7, 1913, 135 pages.
The Landschaften System of Rural Credits, July 7, 1913, 9 pages.
Compulsory Workmen's Compensation Law, July 14, 1913, 12 pages.
Benefits Payable Under Workmen's Compensation Bill, July 14, 1913, 26 pages.
Stable Money, New Freedom, and Safe Banking, July 22, 1913, 80 pages.
Notes on Tariff Revision, July 23, 1913, 262 pages.
Review of Legislation, July 23, 1913, 14 pages.
The Monroe Doctrine, July 23, 1913, 11 pages.
World Peace, July 23, 1913, 18 pages.
Rural Banking and Currency Reform, July 24, 1913, 19 pages.
The Davis Plan of Rural Banks, July 24, 1913, 27 pages.
Effective Voting, July 26, 1913, 21 pages.
Naval Graduating Class, August 2, 1913, 12 pages.
Banking and Currency, July 28, 1913, 7 pages.
The Modern By-Product Coke Oven, July 28, 1913, 47 pages.
Conditions in the Republic of Mexico, August 6, 1913, 14 pages.
Banking and Currency Legislation, August 6, 1913, 6 pages.
Woman Suffrage Amendment, August 5, 1913, 46 pages.
Second International Opium Conference, August 9, 1913, 80 pages.
A National Rural Banking System, August 9, 1913, 4 pages.
Philippine Independence, August 9, 1913, 40 pages.
Woman Suffrage, August 9, 1913, 10 pages.
The Currency, August 11, 1913, 5 pages.
Agricultural and Vocational Education and Farm Credits, August 13, 1913, 10 pages.
Appointment of Hon. HENRY D. CLAYTON as a Senator from the State of Alabama, August 18, 1913, 20 pages.
The Tariff and the Woolen Industry, August 22, 1913, 12 pages.
Essentials of the Constitution, August 22, 1913, 24 pages.
Appointment of Hon. HENRY D. CLAYTON as a Senator from the State of Alabama, August 26, 1913, 12 pages.
The Income Tax August 26, 1913, 20 pages.
Report on Manufactures, August 20, 1913, 62 pages.
The Mission of Woman, August 18, 1913, 16 pages.
Further Report on Cotton Marketing, August 26, 1913, 4 pages.
International Federation of Master Cotton Spinners' and Manufacturers' Associations, August 26, 1913, 5 pages.
Work of the American Commission Respecting Agricultural Finance, Organization, Cooperation, and the Betterment of Rural Conditions, September 2, 1913, 15 pages.
Levantine Grapes, Commercially Known as Currants, September 3, 1913, 39 pages.
International Institute of Agriculture at Rome, September 29, 1913, 61 pages.
The Proposed Patent Law Revision, October 1, 1913, 13 pages.
The German Farmer and Cooperation, October 1, 1913, 18 pages.
Democracy and Efficiency, October 1, 1913, 13 pages.
The World Race for the Rich South American Trade, October 7, 1913, 12 pages.
Involuntary Servitude Imposed upon Seamen, October 9, 1913, 8 pages.
Prison Reform, October 21, 1913, 12 pages.
The Decay of Seamanship, October 28, 1913, 7 pages.
School Statistics, October 30, 1913, 5 pages.
Letters Patent, October 30, 1913, 25 pages.
Address of President Woodrow Wilson, November 3, 1913, 6 pages.
William McKinley, November 3, 1913, 17 pages.
Higher Nationality, November 6, 1913, 18 pages.
Address of President Wilson, November 6, 1913, 5 pages.
Pollution of Rivers and Waterways, November 10, 1913, 7 pages.

The PRESIDING OFFICER. The proposed amendment to the rules will lie over.

W. D. M'LEAN, ALIAS DONALD M'LEAN.

The PRESIDING OFFICER. The morning business is closed, and the consideration of the calendar under Rule VIII is in order.

Mr. STONE. I ask unanimous consent to call up for present consideration the bill (S. 1829) for the relief of W. D. McLean, alias Donald McLean.

The PRESIDING OFFICER. The bill will be read for the information of the Senate.

The Secretary read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws W. D. McLean, alias Donald McLean, who was a sergeant in Company K, Sixty-fifth Regiment Illinois Volunteer Infantry, and sergeant of Company F, Tenth Regiment Ohio Volunteer Cavalry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of the last-named regiment on the 1st day of November, 1864.

The PRESIDING OFFICER. The Senator from Missouri asks unanimous consent for the present consideration of the bill. Is there objection?

Mr. SMOOT. Mr. President, just a minute. I have not had time to read the report. I should like to ask the Senator from Missouri if there is a favorable report from the War Department on the bill?

Mr. STONE. Yes; the report is a favorable one. I will say to the Senator that this same bill was reported from the Committee on Military Affairs in the last Congress, and it was passed by the Senate. I am not sure at which session it was passed, but it was passed after having been favorably reported. There is a report now before the Senate, merely adopting the former report.

Mr. SMOOT. I will say to the Senator I have not had time to read the report, and upon the statement that there was a favorable report from the department that the bill be passed I have no objection to its consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. STONE. Mr. President, I think I am correct in saying that the department recommends that this be done. In running my eye over the report I do not find a letter from the department, but I find the report states that—

> The report of the Adjutant General comments upon discrepancies and contradictions in the statements of Donald McLean as to his movements in the fall of 1864, and states that these were so contradictory as to lead to the conclusion that none of them should be credited or were founded on fact.

That is not favorable; but the report proceeds:

> The records of the War Department show Donald McLean to have been on detached service in June, 1864. The department helps to supply evidence as to his movements that fall by reciting the fact that the certificate of the adjutant general of the State of Missouri, the genuineness of which is admitted by the War Department, shows that Donald McLean enlisted in September, 1864, in the Eleventh Enrolled Missouri Militia.

There is considerable evidence set forth of officers and comrades of this soldier, and twice the Committee on Military Affairs has reported favorably on it.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Connecticut?

Mr. STONE. I do.

Mr. BRANDEGEE. I desire to call the attention of the Senator from Missouri to the statement in the report—if his eye did not happen to rest on it—that the soldier left his regiment under orders and was prevented from returning to it by no fault of his own.

Mr. STONE. Yes; there are statements to that effect. I ask that the bill may be put on its passage.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADJOURNMENT TO THURSDAY.

Mr. KERN. I move that when the Senate adjourns to-day it be until next Thursday at 12 o'clock noon.

The motion was agreed to.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

Mr. ASHURST. Will the Senator from Georgia yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Arizona?

Mr. BACON. I do.

Mr. ASHURST. Mr. President, I did not have an opportunity when the motion was put to adjourn until Thursday to make an objection. There is before us a calendar of reported bills. I should like to know why we should adjourn until Thursday? Is there no work for us to do?

The PRESIDING OFFICER. The Chair will be compelled to rule that the motion is not debatable. On a previous occasion, when the Senator from Nebraska [Mr. HITCHCOCK] wished to debate the motion, the Chair, without passing on it, expressed the opinion that it was not debatable; but on the attention of the Chair being called by the Senator from Nebraska to the fact that it was not a motion to adjourn, but a motion that when the Senate did adjourn it should adjourn to a day certain, the Chair recognized the Senator from Nebraska in order that he might proceed. Since that time the Chair has examined the rules and is satisfied that under the plain language of Rule XXII a motion that when the Senate adjourns it shall adjourn to a day certain is not debatable, and the Chair must so hold.

Mr. ASHURST. I desire to be recognized in my own right.

Mr. GALLINGER. Mr. President, if the Senator from Arizona will permit me, in this case the motion can not well be debatable, inasmuch as the Senate has voted that when it adjourns to-day it will adjourn until Thursday next. It is an accomplished fact.

Mr. KERN. The motion was put and carried.

The PRESIDING OFFICER. That is another reason why the motion is not debatable.

Mr. ASHURST. I wish to be recognized in my own right. I wish to make some observations and to ask some questions. I should like to ask the Senator who made the motion why we should adjourn until Thursday?

The PRESIDING OFFICER. The Chair will state to the Senator from Arizona that the Senator from Georgia [Mr. BACON] was recognized and that he is entitled to the floor. The Chair will ask the Senator from Georgia if he will yield to the Senator from Arizona?

Mr. BACON. I yield to the Senator.

Mr. ASHURST. The people of the United States are beginning to believe that in this great Congress, from which they hoped so much, the committees of Congress now are graveyard committees. The country is beginning to believe that this Congress can not do anything and that it will not do anything; that it even can not get a quorum in many instances, much less do anything.

My Democratic brethren, we are in power; I trust we will remain in power forever; but if we are to continue to conduct ourselves as we have been doing for the past two months we ought to go out of power, and we inevitably will go out of power. Here are 48 sovereign States demanding legislation from us, and, as I said before, we are ping-ponging from Monday to Thursday and from Thursday to Monday.

Most respectfully, of course, but with all the vehemence at my command, I protest; and I move a reconsideration of the vote by which the Senate agreed to adjourn until Thursday, in order that we may proceed to the consideration of the calendar.

The PRESIDING OFFICER. The Senator from Arizona moves to reconsider the agreement of the Senate to the motion of the Senator from Indiana by which when the Senate adjourns to-day it will adjourn until next Thursday at noon.

Mr. GALLINGER. I move to lay the motion to reconsider on the table.

The PRESIDING OFFICER. The Senator from New Hampshire moves to lay the motion of the Senator from Arizona on the table. [Putting the question.] The Chair is in doubt, and will ask Senators who are in favor of the motion of the Senator from New Hampshire to lay the motion to reconsider on the table to signify it by rising in their places, and that they remain standing until they are counted.

There were on a division—ayes 19, noes 8.

The PRESIDING OFFICER. The motion to reconsider made by the Senator from Arizona is laid on the table.

Mr. BACON. Mr. President, I am not willing myself to let that announcement pass. I do not think when there is a count of the Senate and less than a quorum is disclosed that that can be a vote on any subject. I voted in the affirmative and the announcement of the Chair would be in accordance with my vote, but I do not think that is a correct rule of the Senate. I think whenever there is a count of the Senate or a call of the roll of the Senate and less than a quorum vote, it can not be a vote of the Senate.

The PRESIDING OFFICER. Does the Senator from Georgia suggest the absence of a quorum?

Mr. SMOOT. Mr. President, I wish to say that I coincide with the statement just made by the Senator from Georgia. Whenever there is a division asked for in the Senate and it is developed that there is no quorum, there can be no decision by the Chair as to how the question is settled, whether for or against, and the only thing that the Senate can do now is to develop the presence of a quorum.

Mr. STONE. Or adjourn.

Mr. SMOOT. Or adjourn.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. BACON. I do.

Mr. GALLINGER. As the vote was taken on my motion, I cordially concur. The Chair inadvertently has made what I regard as an incorrect ruling, and the roll should now be called to ascertain whether or not there is a quorum present.

The PRESIDING OFFICER. The Chair is very willing to acknowledge his inadvertence, due to his ignorance of the rule on that question. The absence of a quorum having been disclosed, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Goff	Newlands	Smoot
Bacon	Gronna	Norris	Sterling
Bradley	Hitchcock	Overman	Stone
Brady	Hollis	Pittman	Sutherland
Brandegee	James	Pomerene	Swanson
Burton	Johnson	Ransdell	Thomas
Chamberlain	Kern	Root	Thompson
Clapp	Lane	Shafroth	Thornton
Clark, Wyo.	Lewis	Sheppard	Tillman
Crawford	McCumber	Shields	Vardaman
Cummins	McLean	Simmons	Walsh
Dillingham	Martine, N. J.	Smith, Ariz.	Weeks
Gallinger	Myers	Smith, Ga.	Williams

Mr. HOLLIS. I desire to announce that the junior Senator from Delaware [Mr. SAULSBURY] is detained from the Senate on official business. He is paired with the Senator from Rhode Island [Mr. COLT].

Mr. SHEPPARD. My colleague, the senior Senator from Texas [Mr. CULBERSON], is unavoidably absent. He is paired with the Senator from Delaware [Mr. DU PONT].

Mr. KERN. My colleague [Mr. SHIVELY] is unavoidably detained from the city. I make this announcement for the day.

Mr. CLARK of Wyoming. I desire to state that my colleague, the junior Senator from Wyoming [Mr. WARREN], is unavoidably detained from the city.

Mr. SMOOT. I desire to announce that the senior Senator from Delaware [Mr. DU PONT] and the junior Senator from Wisconsin [Mr. STEPHENSON] are unavoidably detained from the Senate on account of illness.

Mr. GALLINGER. I wish to announce that the junior Senator from Maine [Mr. BURLEIGH] is unavoidably absent on account of illness.

Mr. WEEKS. I wish to announce that my colleague [Mr. LODGE] is absent on account of illness, and I ask to have this statement stand for the day.

The PRESIDING OFFICER. Fifty-two Senators having answered to their names, the Chair announces that a quorum is present. The question now recurs on the motion of the Senator from New Hampshire [Mr. GALLINGER], which is that the motion of the Senator from Arizona [Mr. ASHURST] that the vote be reconsidered by which the Senate has agreed to adjourn until Thursday next be laid on the table.

The motion to lay on the table was agreed to.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 1 o'clock and 37 minutes p. m.) the Senate adjourned until Thursday, November 20, 1913, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate November 17, 1913.

NAVAL OFFICERS OF CUSTOMS.

H. Otto Wittpenn, of New Jersey, to be naval officer of customs in the district of New York, in place of Frederick J. H. Kracke, resigned.

PROMOTION IN THE ARMY.

ADJUTANT GENERAL'S DEPARTMENT.

Lieut. Col. Benjamin Alvord, adjutant general, to be adjutant general, with the rank of colonel, from November 14, 1913, vice Col. Alexander O. Brodie, retired from active service November 13, 1913.

REGISTER OF THE LAND OFFICE.

William J. Wood, of Sundance, Wyo., to be register of the land office at Sundance, Wyo., vice Joseph Lytle, removed.

REAPPOINTMENT IN THE ARMY.

ORDNANCE DEPARTMENT.

Brig. Gen. William Crozier, Chief of Ordnance, to be Chief of Ordnance, with the rank of brigadier general, for the period of four years beginning November 22, 1913, with rank from November 22, 1901. His present appointment will expire November 21, 1913.

PROMOTIONS AND APPOINTMENT IN THE NAVY.

Lieut. Commander Alfred W. Hinds to be a commander in the Navy from the 1st day of July, 1913.

Lieut. Edwin H. Dodd to be a lieutenant commander in the Navy from the 12th day of February, 1913.

Lieut. Manley H. Simons to be a lieutenant commander in the Navy from the 1st day of July, 1913.

Lieut. (Junior Grade) Alfred W. Brown, jr., to be a lieutenant in the Navy from the 1st day of July, 1913.

Lieut. (Junior Grade) Frank Russell to be a lieutenant in the Navy from the 1st day of July, 1913.

Lieut. (Junior Grade) Garret L. Schuyler to be a lieutenant in the Navy from the 1st day of July, 1913.

Ensign Edward H. Connor to be a lieutenant (junior grade) in the Navy from the 6th day of June, 1913.

Gray C. Holladay, a citizen of Virginia, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 7th day of November, 1913.

Pay Inspector Thomas S. Jewett to be a pay director in the Navy from the 20th day of August, 1913.

Asst. Paymaster Frank H. Atkinson to be a passed assistant paymaster in the Navy from the 22d day of August, 1912.

POSTMASTERS.

CALIFORNIA.

Anna Mary Carson to be postmaster at Compton, Cal., in place of J. H. Williams. Incumbent's commission expired December 14, 1912.

Frank P. Firey to be postmaster at Pomona, Cal., in place of Walter M. Avis. Incumbent's commission expired December 12, 1911.

Floyd Godfrey to be postmaster at San Dimas, Cal., in place of William H. Macy. Incumbent's commission expired June 14, 1913.

Abraham Mooser to be postmaster at Oceanpark, Cal., in place of Charles A. Stilson. Incumbent's commission expired January 20, 1912.

Elizabeth M. Steel to be postmaster at Downey, Cal., in place of Joseph Smith. Incumbent's commission expired January 20, 1913.

Charles R. Thompson to be postmaster at Burbank, Cal., in place of Charles B. Fischer. Incumbent's commission expired June 14, 1913.

ILLINOIS.

John Morahn to be postmaster at Sheridan, Ill., in place of Mabel J. Heavenhill. Incumbent's commission expired January 11, 1913.

KANSAS.

William Firstenberger to be postmaster at Kansas City, Kans., in place of Wesley R. Childs. Incumbent's commission expired December 9, 1911.

MASSACHUSETTS.

William F. Walsh to be postmaster at Hinsdale, Mass., in place of George M. Solomon. Incumbent's commission expired December 14, 1912.

SOUTH CAROLINA.

J. F. Rickenbaker to be postmaster at Lake City, S. C., in place of Della D. Carter. Incumbent's commission expired June 16, 1913.

WISCONSIN.

Charles F. Dillett to be postmaster at Shawano, Wis., in place of Frank O. Perry. Incumbent's commission expired March 2, 1913.

CONFIRMATIONS.

Executive nominations confirmed by the Senate November 17, 1913.

PROMOTION IN THE ARMY.

Brig. Gen. William Crozier to be Chief of Ordnance, with rank of brigadier general in the Army.

UNITED STATES DISTRICT JUDGE.

Edwin S. Thomas to be United States district judge, district of Connecticut.

POSTMASTERS.

ALASKA.

Elna Olson, Treadwell.

KANSAS.

William Firstenberger, Kansas City.
Elliott S. Irvin, Coffeyville.

MINNESOTA.

Peter L. Cashman, Eden Valley.
S. M. Granger, Kasota.

NEW YORK.

John Lyons, Gardiner.
George W. Tracey, Kinderhook.
Charles A. Wilkins, Broadalbin.
Leon B. Wright, Lyndonville.

WITHDRAWAL.

Executive nomination withdrawn November 17, 1913.

POSTMASTER.

SOUTH CAROLINA.

J. F. Rickenboker to be postmaster at Lake City, in the State of South Carolina.

HOUSE OF REPRESENTATIVES.

MONDAY, *November 17, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, Infinite Father, that we may lay aside the cares and responsibilities of a busy life and come into Thy nearer presence, that our souls may be refreshed and glorified by the touch of Thy spirit. May it shine with exceeding great brightness and warm our hearts with new zeal and energy, that we may prosecute every best thing without the fear or favor of our fellows, to the honor and glory of Thy holy name. Amen.

The Journal of the proceedings of Friday, November 14, 1913, was read and approved.

BRIDGE ACROSS SNAKE RIVER, IDAHO AND WASH.

Mr. ADAMSON. Mr. Speaker, if the Speaker will lay before the House the bill S. 2779 I would like to ask unanimous consent for its present consideration. It is on the Speaker's desk.

The SPEAKER. The gentleman from Georgia asks unanimous consent that the bill S. 2779 be laid before the House for present consideration. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 2779) to authorize the conveyance of the steel bridge over the Snake River, between Lewiston, Idaho, and Clarkston, Wash., to the States of Idaho and Washington or local subdivisions thereof.

Be it enacted, etc., That Lewiston-Concord Bridge Co., a corporation created under the laws of the State of Washington and owning a certain steel bridge over Snake River between Lewiston, Idaho, and Clarkston, Wash., authorized by and constructed under an act entitled "An act to authorize the construction of a steel bridge over the Snake River between the States of Washington and Idaho," approved February 15, 1898, and appearing in volume 30 of United States Statutes at Large, page 245, chapter 24, be, and the same is hereby, authorized and empowered to sell and convey the said bridge to the States of Idaho and Washington, or to any commissions or local subdivisions of such States, and that the said States be, and they are hereby, authorized and empowered to make such provision and enter into such agreements for the maintenance thereof as to the proper public officers may seem expedient, reserving to the United States all rights acquired under the act above mentioned.

Mr. ADAMSON. Mr. Speaker, I move to amend as indicated in the copy which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend by striking out all after the enacting clause and inserting the following:

"That the consent of Congress is hereby granted for the Lewiston-Concord Bridge Co., a corporation created under the laws of the State of Washington, owning a certain steel bridge over Snake River between Lewiston, Idaho, and Clarkston, Wash., constructed under the authority of an act entitled 'An act to authorize the construction of a steel bridge over the Snake River between the States of Washington and Idaho, approved February 15, 1898,' to sell and convey the said bridge to the States of Idaho and Washington, or to any commissions or local authorities of any subdivisions of said States, and the consent of Congress is also hereby granted that said States may make provision or agreement for the maintenance and operation of such bridge: *Provided*, That in all respects the maintenance, operation, and further status and treatment of such bridge shall hereafter be in accordance with the provisions of an act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906."

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The question was taken, and the substitute was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. ADAMSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

ADJOURNMENT UNTIL THURSDAY.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Thursday next.

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON] asks unanimous consent that when the House adjourns to-day it adjourn to meet on next Thursday. Is there objection? [After a pause.] The Chair hears none.

PURE-FOOD LAW.

Mr. MANN. Mr. Speaker, I ask unanimous consent to address the House for five minutes on the pure-food law.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent to address the House for five minutes on the pure-food law. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I read from an item in one of the local papers:

Repeal of the present Federal pure-food law, with its misleading guaranty label, will be urged upon Congress by a committee of State and Federal food and drug officials.

A similar item, I think, has been transmitted quite generally throughout the country in the press. I do not know whether this is an error of the reporter who prepared the item or not, although I presume that is the case. It is proper to say that the guaranty label provision which goes on articles in the form of "guaranteed under the food and drugs act" is not a provision of the pure-food law. It is a regulation made by the departmental officers who have charge of the matter and was never contemplated by the authors of the law or by anyone in Congress when the pure-food law was passed. There is a provision for a guaranty to the effect that the manufacturer of articles covered by the pure-food law may give a guaranty to the wholesaler or jobber to whom he sells, and the jobber or wholesaler may give a guaranty to the retailer to whom he sells that the goods comply with the pure-food law, and that in such case that retailer is not to be prosecuted for a violation of the law, but that the prosecution shall relate back to the person who gave the guaranty. The departmental officers, or the three Secretaries, in making their regulations provided for the manufacturer or wholesaler filing with the department a guaranty and then placing upon the goods the provision, "Guaranteed under the food and drugs act." Many people have supposed that that meant that the goods were guaranteed by the Government. That, of course, is not the case. Personally I have always been opposed to that form of label, and introduced a bill and endeavored to push it to do away with that, meeting objection on the part of the Department of Agriculture or some of its officials.

If it is to be corrected, it does not need an act of Congress, being a mere regulation. And the idea that is cast by this article, and by others of the same kind, to the effect that the trouble was in the act of Congress, is misleading and unfair to gentlemen in Congress both now and in the past. [Applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries, who informed the House of Representatives that the President had approved and signed bill and joint resolutions of the following titles:

On October 24, 1913:

H. J. Res. 142. Joint resolution to provide for furnishing the additional rooms in the House Office Building.

On November 14, 1913:

H. R. 7384. An act to authorize the payment of an indemnity to the Italian Government for the killing of Angelo Albano, an Italian subject.

On November 15, 1913:

H. J. Res. 139. Joint resolution to relieve destitution among the native people and residents of Alaska.

ADJOURNMENT.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 12 o'clock and 11 minutes p. m.), the House, under its previous order, adjourned until Thursday, November 20, 1913, at 12 o'clock m.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MURDOCK: A bill (H. R. 9299) to create an interstate trade commission; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 9300) to prohibit and prevent unfair competition; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 9301) to protect commerce against monopolies; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of New York: A bill (H. R. 9302) to approve of the celebration of the one hundredth anniversary of the signing of the treaty of Ghent between the United States of America and Great Britain and Ireland and of the century of peace and amity between the United States and other nations; to the Committee on Foreign Affairs.

By Mr. RUSSELL: A bill (H. R. 9303) to authorize and direct the payment of pensions monthly; to the Committee on Invalid Pensions.

By Mr. MAHAN: A bill (H. R. 9304) authorizing the Secretary of War to cause surveys to be made in New London County, Conn.; to the Committee on Rivers and Harbors.

By Mr. MOON: A bill (H. R. 9305) to amend sections 4924 and 4927 of the Revised Statutes, relating to patents; to the Committee on Patents.

By Mr. JOHNSON of Kentucky (by request of the Commissioners of the District of Columbia): A bill (H. R. 9315) to provide for the distribution of regulations of the government of the District of Columbia; to the Committee on the District of Columbia.

By Mr. CURRY: A bill (H. R. 9316) to provide for the transfer of the U. S. S. *Independence* to a permanent berth at the city of Vallejo, Cal.; to the Committee on Naval Affairs.

By Mr. BRYAN: Resolution (H. Res. 310) in reference to the dismissal of Ethel Joslin Hanks; to the Committee on the Post Office and Post Roads.

By Mr. REILLY of Connecticut: Resolution (H. Res. 311) directing the Judiciary Committee of the House of Representatives to investigate the United Cigar Stores Co.; to the Committee on Rules.

By Mr. LEVY: Memorial of the Assembly of New York, protesting against the proceedings in the trial in Russia of Menahil Mendel Tevief Beilis, of the Jewish faith, for alleged crime of "ritual murder"; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows.

By Mr. ASHBROOK: A bill (H. R. 9306) granting a pension to Augusta Lint; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9307) granting an increase of pension to James M. Chaney; to the Committee on Pensions.

By Mr. FERGUSSON: A bill (H. R. 9308) granting a pension to Michael Rahilly; to the Committee on Pensions.

By Mr. GUERNSEY: A bill (H. R 9309) granting an increase of pension to Fred H. Gorham; to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 9310) granting a pension to Albert L. Moore; to the Committee on Pensions.

By Mr. LEE of Pennsylvania: A bill (H. R. 9311) granting a pension to Charles F. W. Heyer; to the Committee on Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 9312) granting a pension to David A. Gage; to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R 9313) granting a pension to Albert Brines; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 9314) granting an increase of pension to Mary Coffey; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANDERSON: Petitions of Harry J. Petran and others, of Albert Lea, Minn., favoring passage of the Kenyon red-light bill, S. 234; to the Committee on the District of Columbia.

By Mr. BARTLETT: Petition of the Central Trades and Labor Union of St. Louis, Mo., on the Glass-Owen currency bill; to the Committee on Banking and Currency.

Also, petition of the Central Trade and Labor Union of St. Louis, Mo., protesting against convict-made goods; to the Committee on Labor.

By Mr. LEVY: Petition of the American Publishers' Association, of New York, protesting against the consolidation of third and fourth class mail matter; to the Committee on the Post Office and Post Roads.

Also, petition of the National Drainage Congress, favoring passage of the flood protection and drainage bill, H. R. 8189; to the Committee on Rivers and Harbors.

Also, petition of Geo. W. Jacobs & Co., of Philadelphia, Pa., and the American National Retail Jewelers' Association of Neenah, Wis., favoring a just revision of the postal rates; to the Committee on the Post Office and Post Roads.

Also, petition of the Philadelphia Board of Trade, Chamber of Commerce, and Commercial Exchange, and Philadelphia Bourse, protesting against certain provisions of the Owen-Glass currency bill; to the Committee on Banking and Currency.

By Mr. SMITH of Idaho: Memorial of the Chamber of Commerce of Coeur d'Alene, Idaho, favoring legislation for flood protection of the lower Mississippi River; to the Committee on Rivers and Harbors.

By Mr. WILSON of New York: Petition of the board of directors of the Buffalo Chamber of Commerce, favoring passage of the Ransdell-Humphreys bill for prevention of floods in Mississippi River Valley; to the Committee on Rivers and Harbors.

SENATE.

THURSDAY, *November 20, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

PRESIDENT PRO TEMPORE UNITED STATES SENATE,
Washington, November 20, 1913.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN RANDOLPH THORNTON, a Senator from the State of Louisiana, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. THORNTON thereupon took the chair as Presiding Officer and directed that the Secretary read the Journal of the proceedings of the last legislative day.

THE JOURNAL.

The Journal of the proceedings of Monday last was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 3397) to amend section 2324 of the Revised Statutes of the United States relating to mining claims.

The message also announced that the House had passed the bill (S. 2779) to authorize the conveyance of the steel bridge over the Snake River, between Lewiston, Idaho, and Clarkston, Wash., to the States of Idaho and Washington, or local subdivisions thereof, with an amendment, in which it requested the concurrence of the Senate.

SNAKE RIVER BRIDGE, IDAHO.

Mr. BORAH. I ask that the amendment of the House to Senate bill 2779 be laid before the Senate and concurred in.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2779) to authorize the conveyance of the steel bridge over the Snake River between Lewiston, Idaho, and Clarkston, Wash., to the States of Idaho and Washington, or local subdivisions thereof, which was to strike out all after the enacting clause and insert:

That the consent of Congress is hereby granted for the Lewiston-Concord Bridge Co., a corporation created under the laws of the State of Washington, owning a certain steel bridge over Snake River between Lewiston, Idaho, and Clarkston, Wash., constructed under the authority of an act entitled "An act to authorize the construction of a steel bridge over the Snake River between the States of Washington and Idaho, approved February 15, 1898," to sell and convey the said bridge to the States of Idaho and Washington, or to any commissions or local authorities of any subdivisions of said States, and the consent of Congress is also hereby granted that said States may make provision or agreement for the maintenance and operation of such bridge: *Provided*, That in all respects the maintenance, operation, and further status and treatment of such bridge shall hereafter be in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Mr. BORAH. I move that the amendment of the House be concurred in.

The motion was agreed to.

PETITIONS AND MEMORIALS.

Mr. SUTHERLAND presented a petition of sundry citizens of Eureka City, Utah, praying that an investigation be made into the conditions existing at the military post at Fort Stevens, Oreg., which was referred to the Committee on Military Affairs.

Mr. GALLINGER presented the memorial of H. E. Warner, of Grafton, Mass., remonstrating against the enactment of legislation authorizing the city of San Francisco to use the waters of the Hetch Hetchy Valley, which was ordered to lie on the table.

Mr. CHAMBERLAIN. I have received a number of resolutions from commercial clubs of towns in my State in regard to the reclamation of swamp lands in the South. I desire to have one set of the resolutions spread upon the RECORD and referred to the proper committee.

There being no objection, the resolutions of the Commercial Association of Pendleton, Oreg., were referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

PENDLETON, OREG., *November 6, 1913.*

At a meeting of the Pendleton Commercial Association, held November 5, 1913, the following preamble and resolutions were offered and, after consideration, unanimously adopted:

Whereas the Democratic, Republican, and Progressive Parties in their 1912 platforms declared that flood protection of the lower Mississippi River and the reclamation of its alluvial lands was a national obligation; and

Whereas we believe these declarations should be enacted into legislation; and

Whereas we believe the protection of this vast area from floods caused by the drainage from 31 States of the Union and its reclamation will benefit the whole Nation and is a work of such magnitude that it justifies separate treatment: Therefore be it

Resolved, That the Pendleton Commercial Association hereby urges upon Congress the immediate adoption of legislation for flood protection and reclamation of this section of our country by methods which shall be approved by United States engineers.

Resolved further, That a copy of these resolutions be forwarded to each of the Members of the Oregon delegation in the National Congress at Washington.

J. V. TOLMAN, *President.*

Attest.

C. K. CRANSTON, *Secretary.*

Mr. WEEKS presented resolutions adopted at the Plymouth and Bay conference of the Unitarian Churches at Whitman, Mass., relating to the proposed segregation of colored employees in the executive departments of the Government, which were referred to the Committee on Civil Service and Retrenchment.

He also presented resolutions adopted by the Central Labor Union of Boston, Mass., relative to the existing mining conditions in the State of Colorado, which were referred to the Committee on Education and Labor.

He also (for Mr. LODGE) presented resolutions adopted at the Plymouth and Bay Conference of the Unitarian Churches at Whitman, Mass., relative to the proposed segregation of colored employees in the executive departments of the Government, which were referred to the Committee on Civil Service and Retrenchment.

He also (for Mr. LODGE) presented resolutions adopted by the Central Labor Union of North Adams, Mass., praying for the enactment of legislation authorizing the city of San Francisco to use the waters of the Hetch Hetchy Valley, which were ordered to lie on the table.

He also (for Mr. LODGE) presented the petition of Robert R. Lamb and 170 other citizens of Massachusetts, praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

Mr. POINDEXTER presented a petition of the board of trustees of the Chamber of Commerce of Spokane, Wash., praying for the enactment of legislation for the development of a reserve force in the Army and for a more scientific development of the Militia, which was referred to the Committee on Military Affairs.

Mr. JOHNSON presented a petition of the Central Labor Union of Hallowell and Gardiner, in the State of Maine, praying for the enactment of legislation authorizing the city of San Francisco to use the waters of the Hetch Hetchy Valley, which was ordered to lie on the table.

Mr. SIMMONS presented resolutions adopted by the North Carolina Bankers' Association, favoring certain modifications in the so-called Glass-Owen currency bill, which were referred to the Committee on Banking and Currency.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BANKHEAD:

A bill (S. 3447) to regulate the payment of postal money orders;

A bill (S. 3448) to amend the act approved May 9, 1888, as amended by the act of June 11, 1896.

A bill (S. 3449) to amend the act approved June 25, 1910, entitled "An act to establish postal savings depositories for depositing savings at interest with the security of the Government for repayment thereof, and for other purposes"; and

A bill (S. 3450) to permit the dispatch of certain unpaid and insufficiently prepaid mail; to the Committee on Post Offices and Post Roads.

By Mr. CHAMBERLAIN:

A bill (S. 3451) directing the Secretary of War to pay to the Oregon State Board of Fish and Game Commissioners certain moneys, and for other purposes; to the Committee on Fisheries.

By Mr. CLARK of Wyoming:

A bill (S. 3453) donating cannon to the county of Uinta, in the State of Wyoming; to the Committee on Military Affairs.

By Mr. POINDEXTER:

A bill (S. 3454) authorizing the Secretary of Commerce to lease to the city of Port Angeles, Wash., certain property; to the Committee on Public Lands.

By Mr. MARTINE of New Jersey:

A bill (S. 3455) to advance in grade a certain officer of the United States Army in recognition of his services in connection with the construction of the Panama Canal, and for other purposes (with accompanying paper); to the Committee on Military Affairs.

By Mr. NORRIS:

A bill (S. 3456) regulating street car fares in the District of Columbia; to the Committee on the District of Columbia.

By Mr. WALSH:

A bill (S. 3457) authorizing the issuance of a patent to James Deegan for lots 15 and 16 in block 10 in the town site of Frazer, Mont. (with accompanying papers); to the Committee on Public Lands.

A bill (S. 3458) for the relief of Levi B. Rouse (with accompanying papers); to the Committee on Military Affairs.

By Mr. WEEKS:

A bill (S. 3459) granting a pension to Watie H. Stodder (with accompanying papers); to the Committee on Pensions.

By Mr. JOHNSON:

A bill (S. 3460) granting an increase of pension to Moses H. McLaughlin; and

A bill (S. 3461) granting an increase of pension to Winfield S. Severance; to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 3462) granting an increase of pension to Marshall Jones (with accompanying papers); to the Committee on Pensions.

By Mr. MARTIN of Virginia:

A bill (S. 3463) for the relief of the Richmond, Fredericksburg & Potomac and Richmond & Petersburg Railroad Connection Co.; to the Committee on Claims.

ROAD IMPROVEMENT.

Mr. SMITH of Georgia. Mr. President, I desire to introduce a bill providing for national aid in the construction and maintenance of rural post roads. The first portion of the bill contemplates an appropriation to be used by the Secretary of Agriculture and the State authorities, looking toward the construction of a limited number of roads in the nature of demonstration work. The second portion of the bill is along the line of the Shackleford bill, which was passed by the House at the last session of Congress but defeated in the Senate. We have endeavored to modify some of the provisions of the Shackleford bill so as to meet the objections presented to it in the Senate.

The distinctive feature of the bill is the effort to turn national aid toward road improvement generally rather than the construction of a few great national highways. As the services of the Secretary of Agriculture will be called into use for the performance of the national responsibility in connection with this work, I ask that the bill be referred to the Committee on Agriculture and Forestry.

Mr. President, I also desire that the bill be printed in the RECORD. I do not think it is necessary that the bill should be read in full to-day, but I ask unanimous consent that it be printed in the RECORD.

There being no objection, the bill (S. 3452) to provide that the United States shall in certain cases aid the States and the civil subdivisions thereof in the construction and maintenance of rural post roads was read twice by its title and referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

A bill (S. 3452) to provide that the United States shall, in certain cases, aid the States and the civil subdivisions thereof in the construction and maintenance of rural post roads.

Be it enacted, etc., That the Secretary of Agriculture is directed to cooperate with the officers of the several States designated for that purpose by the duly constituted authorities of the respective States in the construction and maintenance of post roads; that the amount of money which may be expended on behalf of the United States for that purpose in any fiscal year under the provisions of this section shall not exceed $2,000,000, and the portion thereof which may be expended in any State under the provisions of this section in any fiscal year shall be determined upon the following basis, to wit: One-third in the proportion which the total area of such State bears to the total area of all of the States, one-third in the proportion which the total population of such State bears to the total population as shown by the next preceding Federal census, and one-third in the proportion which the total number of miles of rural post roads in such State bears to the total number of miles of rural post roads in all of the States as shown by the report of the Postmaster General at the close of the second quarter of the last preceding fiscal year; that on or before the 30th day of January in each year the Secretary of Agriculture shall make and file in his office a statement showing the amount which may be expended on behalf of the United States under the provisions of this section in each State during the next fiscal year, and on or before the 31st day of said January shall cause a copy of such statement to be transmitted to the governor of each State by registered mail.

That between the 1st day of February and the 30th day of June in each fiscal year the Secretary of Agriculture and the officer or officers of each State, having lawful power so to do, may jointly consider and determine the roads in such State which under the provisions of this section may be constructed and maintained during the next fiscal year and the material, character, and manner of such construction and maintenance; that such construction and maintenance shall be conducted under such supervision as shall have been previously agreed upon by the Secretary of Agriculture and said officer or officers of said State; that in no case shall the United States bear more than one-third of the cost of construction or maintenance of any road under the provisions of this section; that the Secretary of Agriculture shall not commence such joint construction of any road in any State until the portion of the cost thereof which is to be borne or provided by such State has been made available.

SEC. 2. That certain roads in the States which are regularly used by the United States as rural post roads may be divided into three classes to be known as class A, class B, and class C.

Class A shall embrace roads upon which no incline is steeper than is reasonably necessary in view of the natural topography of the locality, well drained, with a road track composed of macadam or other material of equal utility and cost, constructed and maintained in such manner that it shall have continuously a smooth, firm surface.

Class B shall embrace roads upon which no incline is steeper than is reasonably necessary in view of the natural topography of the locality, well drained, with a road track composed of gravel or other material of equal utility and cost, but less expensive than macadam, constructed and maintained in such manner that it shall have continuously a smooth, firm surface.

Class C shall embrace roads upon which no incline is steeper than is reasonably necessary in view of the natural topography of the locality, with ample side ditches, constructed so as to quickly shed water into the side ditches, and kept continuously crowned and compacted by dragging or other adequate means, so that it shall have a smooth surface and be passable for wheeled vehicles at all times.

That on or before the 1st day of March in each fiscal year the governor of any State may file in the office of the Secretary of Agriculture a statement setting forth the location and the number of miles

of roads in such State which he claims to be in each of classes A, B, and C, respectively; and if such State have a State highway department, then his said statement may be accompanied by a report from such State highway department showing the total number of miles of roads in such State in each of classes A, B, and C, the location of such roads, a description in detail of their physical features, the material, manner, and (as far as may be) the cost of their construction, and the manner and cost of their maintenance.

That the Secretary of Agriculture shall consider such statements and determine which of the roads mentioned therein are in class A, which in class B, and which in class C, and make a report of his determination thereon to the respective governors, filing the same on or before the 20th day of the following June.

That no charge shall be made for so considering and determining such statement of any governor if the same shall be accompanied by a report from the State highway department of such State as hereinbefore provided; but in all other cases there shall be deducted 10 per cent of the gross amount which shall be payable on account of the roads in such State under the provisions of this section.

That to aid the States and civil subdivisions thereof in the maintenance of roads in classes A, B, and C there may be expended, under the provisions of this section, in the several States on behalf of the United States, in each fiscal year, a sum not to exceed $20,000,000; that the portion of said $20,000,000 which may be so expended in any State shall be in the proportion which the total number of miles of rural post roads in such State bears to the total number of miles of rural post roads in all of the States as shown by the report of the Postmaster General for second quarter of that fiscal year.

That at the end of each fiscal year the United States shall pay for all roads in class A $60 per mile, for all roads in class B $30 per mile, and for all roads in class C $15 per mile: *Provided*, That if the total of such payments in any State shall aggregate more than the amount which may be expended in such State by the United States as hereinbefore provided, then such payments per mile shall be reduced pro rata till they shall aggregate said amount which may be so expended in said State, and no more.

That nothing whatever shall be paid by the United States under the provisions of this section for any road which does not clearly come within the requirements of class A, B, or C.

That such payments shall be made to such officers of the respective States as the governors thereof shall designate as being entitled to receive the same by the Treasurer of the United States upon warrants drawn upon him by the Secretary of Agriculture.

SEC. 3. That the term "rural post road" as herein used shall be held to mean a road over which the United States regularly transports rural mail, whether by rural free delivery or star route.

SEC. 4. That the Secretary of Agriculture shall have power to make all needful rules for the proper administration of the provisions of this act.

SEC. 5. That this act shall be in force from and after July 1, 1914.

Mr. WILLIAMS. Mr. President, I have no objection to the bill being printed in the RECORD. It is a very important bill and touches upon a very important public matter; but it does seem to me that the proper reference is to the Committee on Post Offices and Post Roads and not the Committee on Agriculture and Forestry. It is a bill concerning post roads along post routes and evidently the proper jurisdiction of the subject matter rests with the Committee on Post Offices and Post Roads. I will suggest to the Senator from Georgia that it had better be referred to that committee.

Mr. SMITH of Georgia. Mr. President, I am upon both those committees, and I gave my reason for requesting that the bill be referred to the Committee on Agriculture and Forestry. It is because under the terms of the bill the entire national responsibility for the work falls upon the Department of Agriculture and the Post Office Department will have no connection whatever with the actual work. The bill has been referred to the Committee on Agriculture and Forestry, and my statement, which I suppose the Senator from Mississippi did not catch, was made to show why I wanted to have it so referred.

Mr. WILLIAMS. The Senator from Mississippi caught the statement perfectly. The reason given for referring the bill to the Committee on Agriculture and Forestry is because the Secretary of Agriculture is given certain authority and jurisdiction and power under the bill. But my objection to its going to that committee is that it starts the precedent of permitting the Secretary of Agriculture to control and manage public roads and postal routes which fall clearly within the jurisdiction of the Postmaster General.

I think that a bill concerning post routes and post roads ought to go to the Committee on Post Offices and Post Roads. The mere fact that the Secretary of Agriculture is given certain authority and certain jurisdiction in the bill is not a reason for the course suggested, but a reason against it, because we do not want to begin to turn over the question of postal routes to the Agricultural Department instead of keeping them where they properly belong, under the Postmaster General.

The PRESIDING OFFICER. The bill has been referred to the Committee on Agriculture and Forestry.

ASSISTANT CLERK TO COMMITTEE ON THE LIBRARY.

Mr. LEA submitted the following resolution (S. Res. 217), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the Library be, and the same is hereby, authorized to employ an additional assistant clerk at $1,440 per annum, to be paid from "Miscellaneous items" of the contingent fund of the Senate until otherwise provided by law.

ADDRESS BY F. S. WASHBURN.

Mr. LEA. Mr. President, I ask unanimous consent to have printed as a Senate document an address delivered by Mr. F. S. Washburn, of Nashville, Tenn., before the National Conservation Congress on November 18, 1913. In making the request I wish to say that it is not necessarily to be regarded as approving all the ideas advanced by Mr. Washburn, but as merely presenting his viewpoint.

Mr. SMOOT. Twenty or thirty addresses will be delivered before the congress, and I do not believe we ought to undertake to print them all. I ask the Senator from Tennessee to have the address referred to the Committee on Printing for action. Then we can see how many more will come in, and we will submit a report from the committee.

Mr. LEA. I shall be very glad to do that.

The PRESIDING OFFICER. The paper presented by the Senator from Tennessee will be referred to the Committee on Printing for action.

AGRICULTURAL FINANCE.

Mr. SMOOT. Mr. President, the Senator from Florida [Mr. FLETCHER] the other day asked that a paper entitled "Information and Evidence on Agricultural Cooperation and Rural Credit in Europe" be printed as a public document. It is found that there are two maps accompanying the document, and I ask that the following order be entered.

The order was read and agreed to, as follows:

Ordered, That the maps accompanying the manuscript of Senate Document No. 214, Sixty-third Congress, entitled "Information and Evidence on Agricultural Cooperation and Rural Credit in Europe," shall be printed therewith.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by A. C. Johnson, its assistant enrolling clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 8702) to authorize the county of Miami, Ind., to construct a bridge across the Wabash River in Miami County, Ind., and it was thereupon signed by the Presiding Officer.

SUSPENSION OF NAVAL CONSTRUCTION.

Mr. THOMAS. Mr. President, if there be no further bills to be introduced, I ask the Chair——

The PRESIDING OFFICER. Will the Senator suspend for a moment? Morning business is closed, and the Chair desires to lay before the Senate——

Mr. THOMAS and Mr. SMOOT addressed the Chair.

The PRESIDING OFFICER. Will the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. Yes; Mr. President. But before the morning business is closed I desire to address the Senate on a resolution which I have introduced.

Mr. SMOOT. I do not ask the Senator to yield now; I simply asked the recognition of the Chair. But as soon as the Senator from Colorado concludes I want to address the Chair before the close of morning business.

The PRESIDING OFFICER. The Chair lays before the Senate a resolution offered by the Senator from Colorado, coming over from a previous day, which the Secretary will read for the information of the Senate.

The Secretary read the resolution (S. Res. 215) submitted by Mr. THOMAS on the 17th instant, as follows:

Resolved, That the recent suggestion of the Lord of the Admiralty of Great Britain, the Right Hon. Winston Churchill, that his government was willing and ready to cooperate with other governments to secure for one year a suspension of naval construction programs, presents a practical method whereby the nations of the world may at once materially reduce the enormous expense of increased investment in war material and equipment of which the United States should avail itself.

Resolved further, That a copy of this resolution be forwarded the President with the request that, consistently with the interests of the United States, he use his influence to consummate the arrangement suggested by Mr. Churchill.

Mr. THOMAS. Mr. President, the recent proposal of the First Lord of the British Admiralty that the great powers of the world mutually suspend their programs for battleship building for the period of one year rises to the dignity of a most important, courageous, and patriotic event. As such it should commend itself to the intelligent consideration of mankind. It is important because it concerns a subject whose vast and constantly increasing demands upon national revenues points the way to national bankruptcies. It was courageous because it inevitably provoked criticisms, resentments, antagonisms, misconstruction of motives at home and abroad, while arousing the implacable hostility of the internationally allied beneficiaries of naval construction, whose vast profits are imperiled whenever the prevailing system is challenged by an appeal to reason and common sense; because the storm of passion, of obloquy, and of misrepresentation it was bound to arouse would center upon

and around the devoted head of its author, who with his party might be swept from power by its insensate but resistless fury.

It was patriotic because it disclosed a willingness by the first maritime power of the world, concededly more dependent than any other upon its naval strength for its commercial and political supremacy, to take the initiative in a change of naval policies by calling a halt in naval expenditures, although subjecting itself by such action to the surmise that its motive was more selfish than altruistic; that it was inspired rather by a meager exchequer than a regard for the world's well-being; that its open suggestion concealed sinister and far-reaching policies; that its pretense, though fair in form, was false in fact; that fear of Germany and not dispassionate concern for the burdened taxpayers of the nations lay behind its mask of outspoken suggestion. But it comes straight from the Admiralty, albeit the acceptance of its suggestion presages greater loss to British shipbuilding interests than to any others, while its rejection may react upon the national sentiment so strongly as to imperil the structure of the existing ministry. And it comes at a time when social and political disturbances in some portions of the world justify apprehensions of grave problems in the early future whose solution may demand the arbitrament of the sword.

Mr. Churchill's proposal has received scant attention from those to whom it was directed. In Germany it is regarded with derision and denounced as a fraud destitute of good faith, and designed to overreach any nation foolish enough to accept it. The British press, with few exceptions, condemns it as a sign of weakness or as an artifice to delude rivals into a feeling of false security. The other powers are either hostile or indifferent to it, and the hasty observer might conclude that it had only seemed to show the unwisdom of its author.

But, Mr. President, this proposal has somewhat abruptly directed the world's attention to one of its most extraordinary and illogical obsessions. It has suggested that the great maritime nations do voluntarily and temporarily what they will ultimately be compelled to do permanently through sheer inability to proceed; and it sharply reminds them of an extravagance of which all of them are guilty and in which each of them, at the risk of ultimate exhaustion, is endeavoring to outstrip the others. It has proposed a truce, so to speak, in a competitive struggle, which if persisted in must prove disastrous, in the hope and with the belief that the truce will result in permanent adjustment. And I shall be surprised and disappointed, Mr. President, if the passionate rejection of this proposal is not followed by that sober second thought through whose untrammeled exercise comes the ultimate solution of all the problems which vex the counsels of statesmen and retard the progress of nations.

The future historian of the world will describe its naval activities from the period beginning with the consolidation of the German Empire as a sort of international panic created and continued by false alarms deliberately sounded from time to time by syndicated interests engaged in the manufacture and sale of munitions of war. He will justly censure the credulity of mankind, whose mutual fears and suspicions were so long made to pay toll in unnumbered millions to those who during that period capitalized international jealousy and made a commercial asset of national patriotism. And he will deplore the consequences of that senseless rivalry in naval equipments, not the least of which will be the revolt of the taxpayer against the intolerable burden which the system has fastened upon his already overloaded shoulders.

Mr. President, what is this burden which Mr. Churchill proposes that the nations shall lay down for a twelvemonth and give themselves a holiday? What has brought it into being, and how does it affect the people of our great Republic? These are questions of vital import. They are easily answered, and they demand immediate consideration.

The burden is defined in terms of hundreds of millions in the increasing debts and expenditures of Great Britain, Germany, the United States, France, Japan, Austria, Italy, and Russia. It swells the budgets of Chile, the Argentine Republic, and Brazil. Its tentacles are reaching out for Canada, Australia, and China. It finds pretended justification in what are called provisions for national defense, for the protection of merchant marine, for the enforcement of national policies, and for offensive warfare. England determines to build four battleships a year. Therefore Germany builds two or more. Therefore France builds two or more. Because of this Japan builds two or more. Because Japan does this, the United States builds two or more. This necessitates one or more by Austria, by Italy, by the Argentine Republic. And then England swings into line and constructs four more battleships the ensuing year. Hence the other nations continue the never-ending circle by repeating their programs also. And each recurring year brings its increase in size, in strength, in the range of guns, and in the enormous cost of construction. At the same time it throws large numbers of vessels of earlier and less desirable construction upon the scrap heap. In the mad race for designing and constructing the largest, the deadliest, and the most expensive of all these floating monsters the millions of earlier expenditure are as nothing.

The ships of two years ago are both inferior and obsolete. They are no longer fit either for offensive or defensive purposes. They only seem by contrast to mark the advance which the nations have made in the creation of costlier and deadlier engines of destruction. And these must give way to others yet more expensive and more destructive while the mad race continues. No nation will suspend its program unless all the others do. Every nation will continue and enlarge its program because all the others do. And so the millions of the people are being squandered and great leviathans are being launched, with England in the lead, with Germany and the United States and France and Japan contending for the second place, and with the smaller nations bringing up the rear. The annual budgets are swelling; taxation is increasing; deficiencies are encountered; but the nations are pressing forward with increasing energy of purpose, apparently unmindful of the inevitable consequences which these huge expenditures must produce. For this contest can not go on much longer. The strain upon the economic structure of the nations is too great. These must collapse if the strain is much increased. France faces a deficiency of more than a hundred and fifty millions as a result of last year's administration. Germany has levied a tax upon capital to meet her increasing demands. England gasps under a load of taxation which has been applied to all conceivable properties and pursuits. Japan takes one-fourth of every man's earnings, and must have more or leave the race. And in our own Republic the totals of our annual expenditures are so vast as to be appalling. We are becoming the prodigal among the nations. Our disbursements are increasing by leaps and bounds. According to Mr. James J. Hill the net ordinary expenses of the United States Government increased 1.4 per cent between 1870 and 1890, while between 1890 and 1908 they increased 121.4 per cent. Our revenues are vast, but we are passing beyond them. And much of this outlay is devoted to building ships of war which become obsolete before they are completed and ready for action.

Since 1892 we have spent $2,109,912,973.30 on the Navy. Thus far we have managed to pay as we have gone. Other nations have not been so fortunate. The debts of the nations are constantly growing. They have reached the huge aggregate sum of more than thirty billions of dollars. The annual interest charge upon them is more than twelve hundred and fifty millions of dollars. This toll is levied upon the productive energies of the people, who carry as well the budget of the annual expenditures amounting to an aggregate of eight thousand millions more. What wonder that with these huge sums plucked by their governments from the earnings of mankind, that which remains may not suffice to meet the further demands of the local tax gatherers, the expense of living, and the payment of private debts. What wonder that discontent is rife among all the peoples of every clime, that they are resentful of their governments, and are becoming the zealous advocates of economic and political revolutions? But the nations must have larger navies to protect themselves each from the others. We dare not pause and take our bearings lest more reckless ones outdistance us in the race and leave us behind with fewer ships, with smaller guns, with slower turbines.

What has caused this frenzy of the nations? What dangers menace their several pathways to avoid which they waste their huge resources? We are told that each harbors its fell designs against the others. England resents the growing supremacy of Germany, and would crush her if unprepared. Germany hates England and must strengthen her sea power. France remembers Sedan, and builds her navies while she waits on time and fate. Austria and Italy glare at each other across the Adriatic. Japan, victorious over Russia, must find new domains for her crowded population, and Russia may seize her by the throat unawares; so she must have ships and more of them. Mastery of the Pacific, the Yellow Peril, the maintenance of the Monroe doctrine, expanding commerce demanding armed protection, securing that respect of the other powers which comes only with the count and the caliber of cannon, assuring peace by extending preparations for war. These are some of the reasons advanced by the advocates of huge and huger navies.

Mr. President, these and kindred conditions are only the apparent causes of our vast naval equipments. The real ones

are closer to us. They are sordid ones and ignoble altogether. We have builded and are building navies in obedience to a public opinion created and stimulated by the interests which fatten upon public expenditure through the suggestion of international differences, the circulation of war rumors, and comparisons of the relative naval strength of nations. Commercialism has laid its hands upon national rivalries, both actual and potential; upon national ambitions and possibilities; upon the Monroe doctrine and the balance of power; upon the antipathy of the races; upon the conflict of democracy with absolutism; upon the opposing religions of neighboring peoples; upon the jealousies of rival cabinets, and capitalized them all. It has issued its common stock upon the passions and ambitions of men as an asset. It has divined the policies of monarchies and of republics and entered the possible results in its ledgers. It has formed and organized a war trust and sold or distributed its securities where they would not only receive but bring substantial returns. It manufactures and sells all sorts of articles designed for the wholesale slaughter of men, for the devastation of countries, and for the making of widows and orphans It reaps harvests of gold by clearing the way for other harvests of blood and tears. It owns gun factories, armor-plate factories, dynamite factories, powder factories, ship yards, and naval supplies in every country of the world that has a seacoast and a treasury.

It has placed its dollar mark upon patriotism and levied its toll impartially on both hate and fear. It treats all countries alike. With the assemblage of every Congress it warns the United States of Japan and points to our unprotected Pacific coast. With every meeting of the Japanese Parliament it whispers of American ambition and points to our unprotected Pacific coast. With every disturbance in Central or South America it predicts European intervention and reminds us of our inferior Navy. With every such disturbance it urges European intervention and suggests our inferior Navy. It inspires German animosity toward England and French animosity toward Germany. It secures contracts for two battleships from the Argentine Republic as a reward for disclosing the plans of American battleships it had constructed.

On the 18th day of last April Dr. William Liebknecht astonished the German Reichstag by exposing the association of the Krupp and War Munition companies of Germany with the creation and circulation of war rumors; laid bare their relation to the making and selling of guns, of gunpowder, and war supplies; the interest of French officers and business men in the specific enterprise; the financing of leagues, societies, and publications which clamor for more battleships and armor plate to shield the nations against impending dangers, carefully shaped and groomed for the purpose; leagued them with great financial interests within and without the Empire; exposed the alliance of cabinets, legislators, and newspapers with great armament concerns to quicken the market for their wares by inciting disputes and appealing to patriotism. "Patriotism," said old Dr. Johnson, "is the last resource of a scoundrel." This definition is altogether too narrow for twentieth century big business war enterprise that hungers for public appropriations. Patriotism has become its constant resource.

But, Mr. President, Dr. Liebknecht's greatest service is that he has lifted the curtain upon a vaster alliance between the war syndicate and political, public, and private interest than that which he so fully exposed. He riveted public attention upon two concerns and their associated policies, and in so doing he stimulated public inquiry into the conduct of similar and kindred enterprises everywhere. And this has revealed a union of practically all who deal in munitions of war that is world wide in its scope. By the system of interlocking directorates they are intertwined with each other and act upon the principle of each for all and all for each. They know no country, no creed, no language, but with the arms of Briareus this combination reaches out and embraces them all.

In a recent number of Harper's Weekly Mr. David Starr Jordan thus comments upon Mr. Perris's "War traders." My recollection is that this article appeared in the first issue of Harper's Weekly for the month of November.

WAR TRUSTS.

[By David Starr Jordan.]

Under the head of "The war traders," Mr. George H. Perris, of London, has given a very interesting analysis of the interlocking-directorate system, as applied to the most greedy and dangerous of all corporations—those who deal in the munitions of war.

He shows that the several British firms are for the most part not real competitors, but joined in a general trust, and that this trust is by no means confined to one country. The scandals in the case of the Krupp Co. and the Deutsche Waffens & Munitions Fabrik have their parallels in every country. The Nobel Dynamite Trust affords an illustration of the "cosmopolitan character which the modern war trade is assuming." "This British company, with its capital of £3,285,400, its net profits for 1911–12 of £3,819,000, and its regular 10 per cent dividends, is a shareholding rather than a manufacturing concern. It is, in brief, an Anglo-German dynamite alliance." It holds the entire capital of the Nobel Explosive Co. (Ltd.), and it has large holdings in the British South African Explosive Co., the Birmingham Metal & Munitions Co., the Chilworth Gunpowder Co., as well as in the Dynamite Actien Gesellschaft, of Hamburg, the Dresdner Dynamit Fabrik, and two other German firms.

With the extension of the great navies, the smaller nations have patriotically established armor-plate industries and shipbuilding of their own, but this is only in appearance. Most or all of these in Russia, in Canada, in Spain, in Portugal, in Italy, in Japan are but tentacles of the great British trust, the subsidiary being formed by the Vickers, Armstrongs, and Browns to meet the feelings of the people they rob or serve. "Time was when England bled for Portugal; now our old ally must bleed for us."

A most remarkable combination is that of the Harvey United Steel Co. "Although a dividend of 7½ per cent had been paid in 1911, it was decided last year to wind the concern up. Why, it does not appear. The managing director was Mr. Albert Vickers, chairman of Vickers (Ltd.), with a holding of 2,697 shares. Other directors were Mr. Beardmore, of William Beardmore & Co., Mr. J. M. Falkner, of Armstrong-Whitworth, and Mr. C. E. Ellis, with a holding of 7,438 shares, representing John Brown & Co., Coventry Co., and Thomas Firth & Co. The chief American partner was the Bethlehem Steel Co., holding 4,301 shares. The chief French partner was the Schneider Co., with 9,862 shares. The combine had four French directors; two of these held 2,000 shares each. This did not in any way prevent the collaboration of the two German armament firms condemned in the Reichstag by Herr Liebknecht—the Essen Co., holding 4,731 shares, and having two representatives on the board, and the Ellinen Co., having one representative and holding 2,731 shares. Finally the Italian Terne Steel Co. held 8,000 shares. Behind the managers stood the bankers, the same extraordinary amity prevailing. The house of Ernest Ruffer, with 6,169 shares, linked hands with the Rougeres Frères of Paris (3,000) on the one side and the Deutsche Bank of Berlin (1,350) on the other.

"In 40 years all the peace societies have not succeeded in effecting such a Franco-German reconciliation as this. In the share list Mr. Newbold found the names of one British general and two major generals, and behind these were the shadowy figures of a vast host of princes, peers, ministers of the crown, soldiers, sailors, and clerics. A veritable brotherhood in arms. I can not believe that the Harvey United Steel Co. was really dead. Somewhere it has surely had a glorious resurrection. It surely lives and works to prove the pettiness of national prejudice, with ease of forgetting such sores as Alsace-Lorraine, when men have learned the golden wisdom of good business."

This article is illuminating. It reveals the fact that our own armor bearers and makers are within the fold. They never compete, they always divide. We do not know who, in high positions, may minister to their desires and share their plunder. They can not in America place behind them "the shadowy figures of princes, peers, or ministers of the crown," but there be many kings of finance and captains of industry, many banks and bankers who, like those beyond the sea, may smile upon big battleship programs, albeit they shudder at the prospect of a national currency.

In a recent magazine article, Mr. Charles Edward Russell has called public attention to our own Navy League, whose activities are all devoted to the extension of our Navy before it becomes too late; whose literature exaggerates our weakness and our dangers; whose mission, "according to its own announcement, is to further the ends of patriotism." According to Mr. Russell, many of its directors and officers are closely associated with the great banking houses, transportation companies, and industrial corporations of the country. Its motives and its ideals may be of the loftiest character, but it is difficult to believe that its activities which involve large expenditures are wholly disinterested.

Mr. President, I believe as ardently as any man in an efficient navy. But what is an efficient navy? We have expended over $2,000,000,000 in 21 years upon our Navy. We have 277 vessels in the aggregate, of which 38 are battleships, with 33 in commission. We have 11 armored cruisers; we have 63 submarines, of which 47 are in service. We have 28 torpedo boats and 54 destroyers, and we have 6 battleships in process of construction. Our patriotic press and platform declare that we are invincible; that our men behind the guns are unequaled in courage and in accuracy; that we need not fear the world in arms. But when Congress meets and its committees consider a naval program our deficient Navy, our unpreparedness, our smaller guns, our obsolete warships, are said to invite not only the contempt but the active hostility of the nations.

When shall we have an efficient Navy? Some say when we have 41 battleships of the line. Not such battleships as the *Connecticut* or the *Iowa*, but the *Wyoming* and the *Texas*, and costing from $18,000,000 to $20,000,000 each, with cruisers and smaller craft to match. But when we shall have builded them what then? If England and Germany and Japan continue to build, will we dare to stop, when to do so must soon leave us a tempting prey to their more enterprising and far-sighted policy? No, Mr. President, our war-material makers, like the daughters of the horse leech, will continue to cry, "Give! Give!"

Mr. President, if our Navy is inefficient, it must be due to some other cause than the size and the number of our ships.

We doubtless need transports and supply ships. Without a complement of them, our equipment is deficient. We certainly need more officers and more men to make all our ships effective. Last February Representative WITHERSPOON asserted that we required 3,000 more officers and 6,000 more men than we had for the ships then in commission, and that our naval schools could supply the former in 20 years, while men were not available. Why should we drain our Treasury for the construction of more battleships, when we are unable to fully man the battleships we have? No reason can be assigned, except that the war syndicate clamors for them.

This preparation for possible future conflicts is defended upon the ground that it is the surest if not the only preventive against them; that it bears a close analogy to insurance, which makes provision against future contingencies involving loss and which has stood the test of long experience. If it be true that the nations are impatient to fly at each others' throats and can be restrained only by the creation and interdisplay of huge naval armaments which must be increased by a policy of perpetual competition without regard to expense, then all must concede both the wisdom and the necessity of the prevailing policy. I am unable to perceive any basis for the claim.

Many nations are without navies. Sweden, Norway, Denmark, Belgium, Holland, Switzerland, Spain, and Portugal may be cited. But these countries are more immune to wars and rumors of wars than their more formidable neighbors. Russia suffered the destruction of her fleet in 1905, since which time she has been quite as free from foreign controversy and danger as her victorious adversary. Our treaty of peace at Ghent with Great Britain prohibited the maintenance of ships of war upon the Great Lakes. This has prevented instead of promoting discord between the United States and Canada. Who shall say that our relations with the great Dominion would have been as peaceful had their battleships and ours been launched upon the waters of the Great Lakes a hundred years ago and since maintained in constantly added strength and numbers? In our days of maritime weakness the Monroe Doctrine was quite as effective as it is to-day. England responded to Cleveland's demand in 1895 for the delimitation of Venezuelan boundaries when our sea strength was negligible.

Our annual spawn of battleships and cruisers had just begun. Its subsequent growth has been hand in hand with the growth of dollar diplomacy. The South American Republics do not regard our Navy as designed to protect their shores from foreign invasion. Rather do they apprehend that our national policy masks a sinister design of territorial aggrandizement at their expense, and point to Porto Rico and Panama in confirmation of their fears, while the Old World is content that our fleets shall do police duty for them, collect their debts, and thereby aggravate the distrust in Latin bosoms of the integrity of our purposes and the sincerity of our assurances.

Mr. President, I had occasion some months ago to refer to the fact that it was not the superb fleets and the standing armies of France and Germany which prevented war between these great nations over the Morocco problem. Nor does ample preparation for war often prevent it. On the contrary, it encourages belligerency. It is the armed man upon the streets who seeks or who does not avoid collision with his fellows. It is, of course, a wise precaution that one should be armed who lives in an armed community; and that our country should have its fleet in this age when all the nations have theirs, but not because it is a means or a guaranty of peace. The influences which in recent years have promoted the cause of peace are more potent than cannon in shaping the policy of nations. It is the expansion of that sentiment of brotherhood which protests against the use of the sword and which more and more perceives that the rulers declare war and the masses wage it; that the few enjoy its benefits, while the many reap its bitter harvest of blood and destruction; that lives are squandered for the glory of commanders; and that the huge burden of war's accumulated waste and debt rests upon the wages of toil to remote generations.

Socialism is a word of many meanings. It is repugnant to ears long tuned to the prevailing scheme of things, but has a pleasant sound to many who have come in ruder contact with some of its ragged angles. It protests against the contrasts and inequalities of modern society and would reform them by methods which sometimes startle and always alarm. I am neither its opponent nor its advocate. Parts of its program are to my mind commendable; others do not command the approval of my judgment. But I respect the sincerity of its purposes and the logic of its advocates. It may be wholly evil, but we are told that out of evil good may come. And I affirm that the spread of socialism among the nations, its indifference to national boundaries, its protests against the maintenance and the use of navies and armies for cutting throats and burning cities is one of the great peace agencies of this century. It was this which commanded Germany and France to lay down their arms, and they obeyed.

It was this which proclaimed the injustice and the cruelty of war wreaked upon the innocent and the unoffending, to whom all its glamour and its glory are denied. It spoke through the voices of assembled thousands in public squares, through the lips of speakers on 10,000 platforms, through the columns of all the journals in both countries, through the bank deposits, and from the workbench. And if Socialism never does anything else this great and beneficent achievement nobly justifies the existence of the spirit which made it possible.

Mr. President, this proposed holiday, if accepted, will enable us to sit down and take our breath. It will give the people of all nations the opportunity to inquire what our mad competition is all about and whether it is worth while from any viewpoint. It will enable us to devise some other and cheaper and more effective method of national defense and a better understanding of international attitudes and policies. All the nations will be given time to perceive the importance of developing their peoples, their opportunities, and their resources instead of their war factories and shipyards; to understand the great truth that national prowess, dignity, and true greatness rest upon the character and the condition of its masses. If their well-being is considered, their industries developed, their numbers increased, their rights and liberties safeguarded, their powers respected, and their opportunities enlarged, no nation will menace our future or seriously obstruct our pathways of progress. And thus perceiving, the twelve-month holiday will become a permanent surcease of profligate competition for naval supremacy between the nations. Vast economic waste will be avoided. Our revenues can be devoted to the liquidation of the national debt, and the expansion of our agricultural pursuits, to the growth of trade and manufacture. Let the United States join hands with the great English-speaking nation across the sea in making this proposal effective, and persuade the cooperation of the other powers by the force of our mutual example.

The PRESIDING OFFICER. The resolution will be referred to the Committee on Foreign Relations.

THE TARIFF.

Mr. SMOOT. There is scarcely a day, Mr. President, that I do not receive from some part of the United States newspaper clippings showing, it seems to me, a concerted action on the part of the clothing distributers of this country to impress upon the American people that there is not going to be any reduction in the price of clothing on account of the passage of the tariff act. I receive them by way of circulars, and I receive them by way of newspaper clippings, as I stated, from every part of the country.

I hold in my hand a little circular, and on the back of it I find it is compiled by E. H. Van Ingen & Co., wholesale woolen merchants, Fifth Avenue and Twenty-first Street, New York. I suppose every member of the Finance Committee knows this company and what they represent. They have these circulars sent to their customers, and they are distributed for advertising purposes.

I notice its title is "What effect will reduced tariff rates on woolens have upon market prices of goods and custom-made clothes?" and then, within its lids, we find the reasons why the price of clothing is not to be reduced to the American people.

Mr. President, rather than to ask that all these different requests from all over the United States to print in the RECORD be complied with, I wish simply to call the attention of the Senate to one this morning. I find in this circular the following:

> The reduction in duties which are looked for will be equal to about 3 cents per ounce on foreign goods, or, say, 50 cents per yard on winter weights. On Americans it will be less, or about 2 cents per ounce, say 35 cents per yard on winter weights.
>
> Even those reductions will be partially offset by advances in prices, both here and abroad. Such advances have already begun.
>
> These advances, which will almost certainly continue, are and will be caused (a) by increased demand from this country certain to follow reduced tariff rates, and (b) by higher cost of wool, which is owing to its decreased world production and the constantly increasing world-wide consumption of it.
>
> Hence we do not believe that any tariff reductions which are at all likely to be made will lower the market values of woolens as compared with the prices of fall 1913, more than 30 cents per yard on foreign goods and 20 cents per yard on American.
>
> These calculations are based on 17 to 19 ounce cloths, such as now make up the great bulk of winter suitings. On summer weights, 10 to 14 ounces per yard, the difference would be still less, probably not over 20 cents on foreign and 12 to 15 cents on American.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Hampshire?

Mr. SMOOT. I do.

Mr. GALLINGER. I ask the Senator from what document he is reading. I did not understand what it is.

Mr. SMOOT. This is a compilation of E. H. Van Ingen & Co., wholesale woolen merchants and importers, located in New York.

Mr. GALLINGER. Importers.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SMOOT. I do.

Mr. BORAH. Who are Van Ingen & Co. that it should be of any interest to the Senate to know what their views are upon this question, or whether or not they are in a conspiracy of false prophesying?

Mr. SMOOT. I suppose the Senator did not hear what I said.

Mr. BORAH. Yes; I heard what the Senator said.

Mr. SMOOT. I have been requested nearly every day for the last few months to have printed in the RECORD certain newspaper articles from all over the country. It is evident to me that there is a concerted effort on the part of the retailers distributing clothing in this country to impress upon the people that there is to be no reduction whatever in the price of woolen goods or woolen clothing on account of reductions in the tariff. I do not feel like asking that these shall be printed in the RECORD, and I simply make a statement this morning covering the whole matter.

Mr. BORAH. What is the difference whether there is concerted action, that the price is going to fall or going to rise? Time will demonstrate the fact, and this is a mere fruitless prophecy on the part of these people. The act has been passed; it is a law, and it will either raise the price or lower it; but it can amount to nothing that somebody is prophesying about it now that the legislation is over. Their prophecy can not resuscitate Schedule K or help the situation.

Mr. SMOOT. There was a good deal of prophecy before ever the act was passed. The American people were told it was going to greatly decrease the cost of living; but so far everything goes to demonstrate that it has not done so.

Mr. BORAH. I do not think that the American people will be misled upon that proposition at all. I do not believe anybody believed there was going to be reduced cost of living to any extent.

Mr. SMOOT. The Senator, I think, is mistaken in that. I know that at least a great many of the American people believed it, and I know it was heralded from one end of the country to the other that there would be a decrease in the cost of living. That was one of the great cries in the last campaign.

Mr. BORAH. Yes; that is true. That is ancient history. But after the campaign was closed and long before Congress enacted the bill the Secretary of Commerce announced that in his opinion there would be no reduction in the cost of living. That was abandoned, as I understood, before the bill ever received the signature of the President. The reduction of the cost of living ceased to be urged in the debates as a reason for the passage of the bill.

Mr. SMOOT. There is not a day that I do not receive an article published in some of the magazines or papers of the country showing that there is at the present time a great decrease in the cost of living. I remember yesterday seeing in one of the papers where some person had figured out that the Thanksgiving dinner of the American people would be $9,000,000 less this year on account of the reductions in the tariff.

Mr. BORAH. It is evident that the people figuring on that proposition did not expect to eat eggs on that day. [Laughter.]

Mr. SMOOT. Or anything else that makes up a Thanksgiving dinner.

Mr. STONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Missouri?

Mr. SMOOT. I gladly yield.

Mr. STONE. I should like to ask the Senator if he indorses and approves what he is reading?

Mr. SMOOT. Mr. President, I do not believe that there is going to be very much reduction in clothing to the ultimate consumer; I do not believe that the wool raiser is going to be benefited; I do not believe that the American manufacturer is going to be benefited; I do not believe that the American consumer is going to be benefited; but I do believe that the foreign importer is going to be benefited; I do believe that the retailer is going to be benefited and all persons who handle the goods between the manufacturer and the ultimate consumer.

Mr. STONE. The Senator thinks that the reduction of the tariff will not tend to reduce the price of commodities?

Mr. SMOOT. Not to the consumer very much. It will to the person who perhaps buys from the manufacturer or the importer, but before it comes into the possession of the ultimate consumer the difference in the tariff will be consumed by those who handle it from the manufacturer until it reaches the ultimate consumer.

Mr. STONE. As I recall, the Senator from Utah, when the last tariff bill was before the Senate, was very persistent in contending that the reduction provided for would lower the cost of manufactured products in this country to an extent that would embarrass the manufacturers and——

Mr. SMOOT. The Senator is right there.

Mr. STONE. And that the consequence would concern the wages of laborers, and all that. Has the Senator changed his position? Does he think now that the cost of the products of our factories will not be lowered?

Mr. SMOOT. Mr. President, perhaps I can cite one particular case to the Senator that will explain my position, if he does not already know it. I pleaded with the minority not to reduce the tariff on pyrogallic acid to the extent they did——

Mr. STONE. The Senator pleaded not to reduce on anything.

Mr. SMOOT. Wait a minute; that is a mistake. And I said at that time if it was reduced the German manufacturer could control this market. Well, what has been the result? The tariff has not been in operation very long, Mr. President, but I find this notice:

For sale: The machinery and stock of the Eastern Chemical Works, at public auction, on Saturday, November 1, 1913, at 11 a. m., at company office. Property may be seen by appointment with W. A. White, agent of trustees, P. O. box 3, Elmwood, Conn.

I have a letter here from the company stating that they were compelled to close it because of the fact that it was impossible to make pyrogallic acid in competition with the German manufacturers at the rate provided in the tariff act.

Mr. STONE. That was the contention of the Senator from Utah with reference to practically every item in the bill the rate on which was reduced.

Mr. SMOOT. No; the Senator is absolutely mistaken.

Mr. STONE. That was the general contention of the Senator.

Mr. SMOOT. Only on those items I named specifically.

Mr. STONE. The attitude of the Senator from Utah and his colleagues on that side was opposition to the reduction provided for in the bill just passed based on the ground chiefly, if not wholly, that it would so affect the selling value or price of manufactured products that our home industries could not successfully compete with foreign competitors, and that as a result it would compel the curtailment of the output or a cessation of the industry or a reduction of wages, and so forth. That was the argument we heard in this Chamber day after day.

Mr. SMOOT. And the argument should be good to-day, Mr. President.

Mr. STONE. Now, the Senator tells us that there is not, and will not be, any reduction in price in the general run of commodities to the consumer of the country.

Mr. SMOOT. No; Mr. President——

Mr. STONE. And that the importer only will get the benefit of the reductions.

I should like to ask the Senator if the importers can bring in goods which have heretofore been excluded from our markets at a lower price, why is it that they can do so? It must be because the competition they find here is such that they can meet it, whereas formerly they could not meet it. That is to say, the prices at home are lower and therefore they can bring in the goods, pay the tariff prescribed by this law, and enter upon our markets when they could not do it under the tariff prevailing before the passage of the law.

Mr. President, if an importer can bring goods from abroad—winter clothes of which the Senator has been reading—and sell them here at from 35 to 50 cents a yard less than they were sold before, he can do that only because the American manufacturer of the same goods must sell them at the same price.

Mr. SMOOT. Not at all, Mr. President.

Mr. STONE. Well, he would not come in here and sell them at a higher price than the American manufacturer offers them on the market.

Mr. SMOOT. That argument would not hold good at all.

Mr. STONE. Does the Senator think the foreign importer would bring them in here and sell them at a higher price than his competitor would offer them for in our market?

Mr. SMOOT. If the foreign manufacturer sells them, the American manufacturer certainly does not. They both could not sell them.

Mr. STONE. No; they both could not sell them; but there is competition between them for the same market, for the same merchandise.

Mr. SMOOT. The Senator from Missouri does not yet seem to catch my idea.

Mr. STONE. But now the Senator holds that, although the goods are sold at from 35 to 50 cents a yard less——

Mr. SMOOT. Oh, no.

Mr. STONE. Well, if the Senator does not mean that, I do not know what he means, and I do not know what that article means, unless it means to say that there is a combination between the importers of foreign goods and the American manufacturers of the goods, and I do not believe it.

Mr. SMOOT. Mr. President, I mean that it takes 3½ yards of cloth to make a suit of clothes, and the difference in price on a 12 to 14 ounce cloth, with the advance that has been made in England, according to this booklet, is 12 to 15 cents a yard. Supposing it is 15 cents and 3½ yards in a suit, that would make 52½ cents on a suit of clothes. Does the Senator mean to say that the American consumer is going to buy a $20 suit of clothes for $19.47½?

Mr. STONE. Yes; I say he can.

Mr. SMOOT. I say, Mr. President, he can not or he will not.

Mr. STONE. I see them, and the Senator can see them, advertised in the windows of the stores at $18 and $19 and certain cents.

Mr. SMOOT. That has been going on for 30 years; but that is not for a $20 suit.

Mr. STONE. And I should like to ask the Senator this question: If it be true that the lowering of the tariff rates does not lower the price of the article, if the manufacturers of the United States can go on selling to their customers at the same price, then why was the Senator waking the echoes of this Chamber and disturbing our peace for months here in a complaint that it would destroy our industries by reducing our manufacturing prices to a level that would compel the closing of their doors?

Mr. SMOOT. Mr. President, I have not yet made the statement that the purchaser of the goods from the manufacturer is not going to buy his goods for a little less; I have never heretofore made such a statement as that on this floor, and have not done so to-day. I did make the statement, however, that the reduction that is made to the jobber—who purchases from the manufacturer, who again sells to the retailer, and then the retailer sells to the consumer—will be divided among those who sell the goods, and the American consumer will get no reduction; and, Mr. President, you will find, and the American people will find, that that is and will be the case. There are some few items that no doubt go direct from the producer to the consumer in the price of which there will be a small reduction; but the great bulk of goods that are distributed by the retailers of this country go through not only the hands of the retailers, but through the jobbers' hands, and they in turn purchase from the manufacturer in this country or the foreign importer, and when the goods reach the ultimate consumer whatever reduction has been made in the tariff law will be taken by those who distribute the goods.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Colorado?

Mr. SMOOT. I yield to the Senator.

Mr. THOMAS. The Senator from Utah points his accusing finger at me, and that leads me to suggest, inasmuch as this controversy seems to be becoming again serious, that the Senator from Utah move a reconsideration of the vote by which the Underwood bill was passed.

Mr. SMOOT. I would rather have that motion come from the Senator from Colorado, for I think it would then have more chance of being adopted.

Mr. THOMAS. The Senator from Colorado is quite content with the law.

Mr. SMOOT. But the motion could not come from me, because I voted against the passage of the bill, while the Senator from Colorado voted for it.

Mr. GALLINGER. And the time within which to make a motion for a reconsideration of the vote by which the bill passed has expired.

Mr. STONE. Mr. President, there is one thing that seems to fill the heart of the average standpat Republican with bubbling joy and hope, and that is the fact, wherever he finds it, that something has not been reduced in price; that there has been no material reduction here or there in the cost of living.

Mr. SMOOT. Can the Senator from Missouri tell me of anything the price of which has been reduced?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Utah?

Mr. STONE. One Senator complained to me the other day about a reduction in which his constituents in North Dakota were particularly interested. It seems to me that our friends on the other side are sitting with wide-open eyes waiting and watching to start a propaganda proclaiming that there is no reduction in the cost of living; it fills their bosoms with delight and joy. If there is anything that would surpass that in its exhilarating influence on the mind of the average stand-pat Republican, it would be a panic. I think as to a great many of them, Mr. President, if they ever pray—and I suppose they do—the invocation they send up nightly, when on their knees, to the powers in the blue heavens, is that some sort of industrial and financial panic will sweep over the country; and as they go around in broad daylight, if you meet them on the street you can see their lips moving with whispers, mumbling the same prayer for some such convulsion. [Laughter.] Nothing in the world would delight them more.

Well, we have passed the tariff bill, and, as the Senator from Idaho [Mr. BORAH] has said, let us wait and see what the effect of it will be, unless the Senator is a knight-errant, leading the charge, and opening the way for this assault, stating that eggs have gone up and that other things have not been reduced; that the cost of living has not been materially lowered. If we want to go into that argument in due time, why, we will take that up, too, but the Senator is premature. He is starting a little too early, and he might restrain his impatience until some time in the future—the near future. I would not have the Senator bottle himself up so that he would feel uncomfortable [laughter]; but he should let it off by degrees—small degrees—until we have more data upon which to base our contention.

Mr. SMOOT. I do not blame the Senator for being a little piqued this morning. What he has said in relation to the standpatters wanting a panic he repeated time and time again in the discussion of the tariff bill; so the present declaration is not new for the Senator; but I want to say to the Senator from Missouri and to the whole country that I know of no one in this country who desires a panic, and I know of no one who hopes with a greater hope than I that the business of this country will go on and that prosperity will continue. I said before the bill was passed that I thought business would go on as long as the prosperity existed in Europe that exists there to-day; but I believe with all my heart that when the time comes that Germany or England desires to take this market under the present law they can do so, unless the wages of the workingmen of this country are reduced, and I never want to see the day come when that will happen.

Mr. President, the Senator has referred to the Senator from North Dakota, and I suppose he had reference to wheat—that the price of wheat had declined; but has the price of flour to the ultimate consumer declined? Does not every man who buys 10 pounds or 25 pounds of flour in Washington to-day pay the same price that he did before, no matter whether or not the price of wheat has dropped? My whole argument, Mr. President, has been that the ultimate consumers, the great body of the American people, are paying to-day as much for goods as they did before the passage of the tariff bill, and that there is no reduction in the cost of living to-day.

Mr. GALLINGER. Mr. President, I assume that the Senator from Utah [Mr. SMOOT] has been stirred to this deliverance from the fact that he has not forgotten the promise of the Democratic national platform that the cost of living would be reduced to the American people. That declaration was an important factor in the last campaign. We have been waiting patiently to see the promised reduction; it has not come, and I do not wonder that the Senator from Utah, who has to support a family, as some of the rest of us have to do, is disappointed that those prophecies have not come to pass.

Mr. President, I think we ought to possess our souls in patience. I agree with the Senator from Missouri on that point. The Democratic Party has given the country a legislative bichloride of mercury tablet. It is slow poison, and it will take some time for it to work out ultimate effects; but in my judgment, as I said during the debate on the bill, the bad result is sure to come.

The Senator from Missouri, if he calls me an average standpatter, is mistaken in charging me with desiring to see either industrial disturbance or a financial panic. We all hope for prosperity and hope that it will continue, but there are already evidences that we can not wink out of sight that there is going to be a good deal of industrial disturbance in this country in the near future. I hope it may be avoided, but I have very grave fears that it will not be. I give the Democratic Party the credit of entire sincerity. They worked out an economic problem that has been in the Democratic mind for the last half century, and they worked it out in the full belief, I have no doubt, that it would be for the benefit of the American people. I hope, we all hope, that that will prove true, but I have very grave apprehensions that the problem has not been worked out wisely.

If it has not been, the American people will correct it in due time and restore to the statute books a law that will better protect our people from the cheap labor of European and Asiatic countries.

Mr. STONE. Mr. President, if my friend will permit me, I should like to ask him——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Missouri?

Mr. GALLINGER. Certainly.

Mr. STONE. I should like to ask him if he delivered the same speech, or substantially the same speech, in Massachusetts during the last campaign?

Mr. GALLINGER. I have not been in Massachusetts delivering speeches. I am expressing a conviction that I have long held; and where I have expressed that conviction matters not to the Senator from Missouri. We will just wait; I am waiting; we all are hoping; but the country will have to be the final judge of the wisdom of the Democratic Party in enacting the tariff law now on the statute books. I have no disposition to agitate the matter now—not the least in the world.

When the Senator from Missouri said that the average standpatter—and I suppose I am in that category—was praying for industrial disturbance and financial panic, the Senator did not do himself credit and did not do me justice; that is all.

Mr. WILLIAMS. Mr. President, the Senator from Utah [Mr. SMOOT] and the Senator from New Hampshire [Mr. GALLINGER] remind me somewhat of the old-woman who went to the bored well in Livingston, Ala. They are like her in this, at any rate, that they expected too much too quick. The old lady had heard that the water there was a great medicine to cure dyspepsia and all sorts of other ailments. She went there and hired a little darky, who went down and got her a glass of water. She drank it, and then he got her five more glasses, and she drank all those five, and then she turned around to her daughter, who had come with her, and said, "Well, let's go and catch the next train; it ain't doing me no good yet." [Laughter.] You can not expect things to do you good immediately. The utmost that you could hope for was that you should be disappointed in your prophecies of dire panic and trouble and worry and financial destruction of industries and the closing of factories. You have been disappointed about that, have you not? So far we have not had any of those panics or closed factories, have we?

Mr. GALLINGER. We have had some.

Mr. WILLIAMS. There was not a single duty that we reduced in connection with which you did not say that we were going to close down factories, start soup houses, and heavily reduce wages. We have not reduced wages; we have not closed down any factories; all your prophecies have been proven to be idle wind. You will come to the proof of the pudding after awhile; you can not all at once get a reduction from the importer to the ultimate consumer, because it has got to go down the line, and it takes a little bit longer than two months for it to go down the line.

The Senator from Utah comes here and tells us that the importers are going to profit, but that the consumer will not. How in the name of common sense can the importer profit except by being able to sell more goods at the same profit at a cheaper price? And if he sells more goods at the same profit at a cheaper price, he can not do so except by benefiting the consumer.

Now, Mr. President, it is true—and I am glad of it—that God made the world, and made it to run by certain general laws. Thank Providence, the world does not run by senatorial prophecy or prediction or threat, and very frequently a senatorial or political prophecy and a menace are about the same; frequently the prophecy is made as a menace; it is made for the sake of the effect it will have upon the people. The world is run by certain general laws and not by senatorial verbalities. It is a curious thing, a lesson of instruction to all of us—principally, amongst us, for me, as well as for others—that things are going to depend upon natural laws. What you say and what I say will have nothing in the world to do with it, except in so far as it may influence men psychologically to deceive themselves about the operation of the law for a little while.

This is a great law of economics. It can not be avoided. It can not be evaded. It can not be jumped over. It can not be walked around. It can not be tunneled under. It is that just in proportion as you reduce the cost of getting a thing from the producer to the consumer you reduce the price of the thing. You can no more help that than you can help two and two making four. You may talk here until you are blind; you may predict until you are insane; but every time you reduce a part of the cost of a thing on its way from the producer to the consumer you are going ultimately to reduce the price of the thing to the consumer.

Here is a turnpike. Here is a man given power by law to collect so much for each wagon that comes through loaded with freight. He collects a dollar on each wagon. Nobody but a fool imagines that that dollar is not going to be paid by the ultimate consumer, or else the man in the wagon is going to lose money and go out of business—one or the other. Even if he does lose money and go out of business the price is not going to be reduced to the ultimate consumer, because the other man with the other wagon is going to carry the goods, no matter what sort of a wagoner he is, whether a foreign or a domestic wagoner.

Here is your great tariff system, well named from El Tarifa. Here is your great tariff system—just a fellow put at a certain place to collect a turnpike charge, put there to levy tribute on the world's commerce. Mr. President, just as surely as fate is fate, and God is God, and law is law, an increase of that turnpike charge increases the ultimate price of the goods, and a reduction of it reduces it if everything else is equal.

Of course tariffs are not the only things that enter into the cost of production. You may raise a tariff 100 per cent on a given article, and a man may come along about the same time and make an invention which saves 50 per cent of the cost of labor expended in the production of the article. If that shall happen, then, in spite of your raising the tariff, the article will go down in price.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from New Hampshire?

Mr. WILLIAMS. One moment, and then I will yield. If you were to reduce the duty upon a given article, and the whole world happened to be in a situation where it was making for a lesser and lesser production of the article in comparison with the demand for it, your reduction in the duty upon the article would not reduce the price. It would keep it from going up as high as otherwise it would have gone.

Take meat, for example: The price of meat is going up, regardless of all tariffs, for quite a while, because the people who are raising meat are falling off in numbers in comparison with the people who are buying meat. All of your tariffs and protectionism in this country and Germany and everywhere else have hothoused the people out of the country life into the city life, and as a result you have made meat consumers comparatively more numerous and decreased meat producers. But, undoubtedly, the moment you put meat on the free list you can say that however high it may go it can not go as high as it could have gone if you had kept that turnpike charge on it on its way to the producer.

I now yield to the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, I am always interested in the discussion of this question by the learned Senator from Mississippi. I should like the Senator from Mississippi to enlighten my somewhat obtuse mind as to why it was, when we took off the duty on hides—and the Senator will remember the promises we had then that we would have cheaper shoes and cheaper leather—that we had instead dearer shoes and dearer leather shortly afterwards. What was the process?

Mr. WILLIAMS. Fewer hides and more hide wearers; that is all. That is the answer to the question.

Mr. GALLINGER. That answer is not quite satisfactory to me, but we will let it go.

Mr. WILLIAMS. But will the Senator from New Hampshire tell me this, frankly—because he is not obtuse; on the contrary, he is very far from it. I know of no man in whose intellectual ability I have more absolute confidence than in that of the Senator from New Hampshire.

Mr. GALLINGER. I thank the Senator.

Mr. WILLIAMS. Will not the Senator frankly say to me that he knows that, although shoes have gone up, and although hides have gone up, they have not gone up as high as they would have gone if the duty had been kept on them?

Mr. GALLINGER. I am unable to answer that question. If I answered it, it would be pure speculation.

Mr. WILLIAMS. I think if the Senator would answer the question frankly he would say that that is the fact.

Mr. GALLINGER. I think likely in that respect there has not been any change.

Mr. WILLIAMS. The Senator will admit that a tariff does not keep down prices, because it is put on for the purpose of raising them?

Mr. GALLINGER. Certainly it does not put down prices, as a rule, and in most instances it does not increase prices.

I should like now to ask the Senator one other question, and it is about a matter that will come home to us sooner or later.

The Senator from Utah [Mr. SMOOT] read an advertisement of a manufacturing plant in New England that is offered for sale at public auction on the ground, as they say, that they are unable to manufacture the product in competition with Germany under the existing law. Does not the Senator agree with me that if we are going to put out of commission any industry, great or small, because of the reduction of duty, and Germany pays for her labor about 50 per cent of what we pay here, after the American industry is put out of commission the foreigner will increase the price?

Mr. WILLIAMS. No, indeed.

Mr. GALLINGER. The Senator does not think so? When the foreigner has control of our market, does not the Senator think that is what will follow?

Mr. WILLIAMS. No; that is neither inductive nor deductive. Neither the experience of the world nor the logic of the world justifies it. The only way any people can keep another people out of engaging in any industry in the world is to continue all the time to produce the article so cheaply that others will find no profit in going into the business. It is just as easy for us to go back into a business as it is to stay in it.

Mr. GALLINGER. It takes time to build factories and reestablish a business once destroyed.

Mr. WILLIAMS. The only way in which Germany can give a final deathblow to any industry in the United States is not simply by selling for a little time at such a figure as to kill a particular John Smith who is engaged in the industry, but by continuing all the time to sell at such a figure as to keep all the John Smiths from going into that industry.

One more thing in that connection which is eternally true, too: If John Smith can not make whatever he makes of a given quality at a price low enough to compete, then John Smith is carrying on a losing business. You may by a tariff make it profitable to him, but it is a losing business for the people among whom he lives and who must pay the expense of John Smith's business. I have no sort of sympathy with the John Smiths of the world who insist that they shall be given a lot of legal privileges whereby they may make a living at my expense by transferring to me a tax which the Government has originated for them.

I have no sort of sympathy with the idea that there is any such thing as "the foreigner."

There are about 1,500,000,000 foreigners, and they are competing with one another all the time. They are not merely competing with the people over here who are making goods, but they are competing with one another. Millions of them in England, desiring to export goods to the United States, are competing with one another to sell them here at the lowest price. Millions more in Germany and France and British India are competing with those in England to ship goods to us at the lowest price. You people keep talking about "the foreigner" as if somebody had gone out and discovered him and put a suit of clothes on him and one pair of shoes, and he had just one body and one head, and all he had to do was to fix one price for selling goods in your market, when as a matter of fact he would have to agree, if there could be an agreement—and, of course, there could not be—with about 1,499,999,999 other foreigners in order to monopolize the American market for himself.

The foreigner who will sell to the American market will not be the abstract foreigner; he will be a concrete foreigner, and he will be the foreigner who will underbid the other foreigners. If any American goes out of business, he goes out of business because he is carrying on a business that is not profitable for the American people.

Mr. GALLINGER. Mr. President, as I understand the illustration of the learned Senator about the wagonload of goods that had to pay a dollar for passing through a tollgate, or something of that kind, and the other wagon did not have to pay it, the wagon that did not have to pay it would get the business?

Mr. WILLIAMS. No; the Senator misunderstood me.

Mr. GALLINGER. Did not the Senator say substantially that?

Mr. WILLIAMS. My supposition was that both wagons paid it, but that the driver of one understood his business well enough to stay in business, notwithstanding the payment, and the other did not.

Mr. GALLINGER. It does not change the illustration very much.

Mr. WILLIAMS. It does not change the illustration, and it does not change the eternal fact that the dollar of turnpike charge has to be charged against the goods.

Mr. GALLINGER. What I was getting at was this: The Senator closed his illustration with a suggestion that it did not make any difference to him which wagonload of goods was sold to the American people. I assume the Senator thinks it does not make any difference to us, if we get cheaper goods, whether the goods are manufactured in this country or manufactured and sold to us by foreigners?

Mr. WILLIAMS. Why, yes; I think it makes a difference of a psychological, sentimental sort; but I am arguing an economic proposition now. It does not make any difference to me, as an ultimate consumer of cotton goods, who sells me those cotton goods, as an economic proposition. Of course I would rather take a meal with the Senator from New Hampshire at my own cost than take a meal with somebody else at his cost; but I am now debating an economic proposition, and we are not considering the mere sentiment of it.

So far as commerce is concerned, so far as the welfare of mankind is concerned, every single highway charge upon trade which trammels it, delays it, disturbs it, or burdens it is a misfortune, no matter to whose private benefit it may inure. So far as the world is concerned, so far as doing business with one another in the world is concerned, every man who has any right granted to him by law anywhere to touch the goods of others and say, "Give, pay, 10 per cent or 25 per cent," is an encumbrance and a burden and a nuisance, and ought to be dispensed with as soon as possible. There is only one excuse in the world for it, and that is that a government needs to levy a tax in order to carry on governmental functions.

Mr. GALLINGER. Mr. President, if the Senator can differentiate between his economic and psychological views on this question, he will demonstrate anew the acuteness and brightness of his intellectual equipment.

Mr. WILLIAMS. I hope not. That is not necessary to prove my intellectual equipment. It seems very simple to me.

Mr. GALLINGER. What I am looking at is the practical working out of the problem. The Senator in debate a little while ago practically stated, and I think openly stated, that if it were not for the matter of revenue he would absolutely abolish all tariff duties. I think the Senator said that.

Mr. WILLIAMS. Yes; not all. I would keep some duties on a few things that I think might well be discouraged by taxation for the benefit of mankind; but I would not keep a tax on anything the production of which I wanted to encourage.

Mr. GALLINGER. The Senator is repeating an argument that is familiar to some of us. The present President of the United States, a man of great intellectual ability and high integrity, declared a good many years ago that if we did not have tariff duties England would trade more freely with us. Of course England would. Anybody knows that. If we did not have any tariff duties, in view of the fact that England pays not quite half the wages we do and Germany only one-half, they would send us practically all our goods and we would not be manufacturing anything at all in this country.

Mr. WILLIAMS. Oh, I do not know about that. That does not follow.

Mr. GALLINGER. It seems to me it does.

Mr. WILLIAMS. No; that does not follow.

Mr. GALLINGER. At any rate, the present President of the United States declared that if we had no tariff duties England would sell us more goods.

Mr. WILLIAMS. The Senator is not going really upon second thought in making that statement. The Senator knows that I am paying four times as much for labor in my cotton fields to-day as is being paid in the cotton fields of India. The Senator knows that I am paying nearly three times as much as is being paid in the cotton fields of Egypt. The Senator knows that neither India nor Egypt can compete with me in raising cotton.

Mr. GALLINGER. Of course not. They have not the intelligence that we have, and conditions are entirely different.

Mr. WILLIAMS. All of which goes to prove that it is not the per diem payment to labor that constitutes an important part of the cost of the product as it finally comes out, but that it is the percentage which the labor cost constitutes of the entire cost. There is not a country in the world, and I think the Senator from New Hampshire knows it, that produces goods at so low a percentage of labor cost as his own section, New England, to-day.

Mr. GALLINGER. Yes, Mr. President; I think I will accede to that proposition; but the difference is not so great as the difference in wages. I am not very familiar with German manufacturers, although I have been in some of their factories. The Senator knows more about the conditions there than I do.

Mr. WILLIAMS. The Senator has seen a German woman handling four looms where a New England woman will handle six.

Mr. GALLINGER. Yes; but I also know that the manual-training schools of Germany are far ahead of ours. That goes without question; does it not? It seems to me that when it is a well-established fact that Germany pays only 50 per cent of the wages we pay here, that difference can not be overcome by increased efficiency.

Mr. WILLIAMS. But the Senator is begging the question. He is asserting that Germany pays 50 per cent of the wage we do. What the Senator means to say is that Germany pays 50 per cent per diem of what we do.

Mr. GALLINGER. Precisely.

Mr. WILLIAMS. He does not mean to say that the total cost of labor in a yard of goods or in any other pound or yard of product in Germany is only 50 per cent of what it is here.

Mr. GALLINGER. I qualified my statement. The Senator did not hear my qualification. I said I thought that the difference could not be overcome by the increased efficiency of the American manufacturers, admitting that we have increased efficiency.

Mr. WILLIAMS. There are a lot of things besides the mere labor cost per diem that enter into the calculation. Take the cotton business we were talking about just a moment ago. There has got to be a man on the quarter-deck in field and factory as well as a man in the field behind the gun. Superior intelligence of administration and management amounts to a great deal.

Mr. GALLINGER. That certainly is so; but I greatly doubt that there is much difference between the German, the Englishman, and the American in point of efficiency.

Mr. WILLIAMS. Now, Mr. President, I did not intend to take up the time of the Senate this far. I merely intended to emphasize this fact, and I am going to repeat it and reemphasize it, and then sit down. It is that no amount of talk on my part, no amount of indulgence in verbalities on the part of the Senator from Utah, no amount of discursiveness upon the part of the Senator from New Hampshire, can prevent just what you and I are going to see, and that is the fixed operation of a fixed law, and that if the cost of living shall not be reduced to the American people by the reduction of the highway taxes on the public road between the producer and the consumer, it will be because of the operation of other factors in the game.

A great many other factors are at work. I illustrated it a moment ago about meats. They are at work there. You and I are not going to have any cheaper meat for quite a time in consequence of the tariff. We are not going to have any cheaper meat until we put more people to raising meat or fewer people buying it—one of the two. In other words, the tariff will keep meat from going up as high as it would have gone if we had still kept the tariff there, but the price of meat is going up in spite of the reduction of the tariff because the other things are more important.

But it is useless for us to talk. It is useless for us to argue. It is useless for us to predict. There is going to be upon the whole, as far as the tariff touches the problem at all, a reduction of the cost of living to the American public, and it is already coming and partially has come.

Now, of course, the price of eggs has gone up because they have had such a terrible destruction of eggs in England, the suffragettes throwing them at Asquith and the administration. [Laughter.]

Mr. THOMAS. I should like to suggest that according to the Washington papers the other day another reason for the rise in the price of eggs is that the hens have gone on a strike. [Laughter.]

Mr. WILLIAMS. That may be true. They may have become imbued in some occult way with this pessimistic philosophy which actuates the Senator from Utah and the Senator from New Hampshire, and it might have discouraged the hens; and even if the hens did not go on a strike, they might have felt impotent to lay as many eggs as they did lay in the good old times of standpat Republican egg laying.

Mr. KERN. Mr. President, I call for the regular order.

The PRESIDING OFFICER. The regular order is the introduction of resolutions. If there are no further resolutions, the morning business is closed.

ADJOURNMENT TO SATURDAY—BANKING AND CURRENCY.

Mr. KERN. I move that when the Senate adjourns to-day it adjourn to meet on Saturday next at 12 o'clock noon.

Mr. STONE. I ask the Senator to withhold that motion for a moment.

Mr. KERN. Very well.

Mr. STONE. Before the motion is put to the Senate, I desire to say that I conferred with the Senator from Oklahoma [Mr. OWEN], the chairman of the Committee on Banking and Currency, some half hour or more ago, and he told me that the committee of which he is chairman—that is, the Committee on Banking and Currency—would on Saturday report the banking and currency bill sent to that committee after it was received from the House some time in September. I understood from him that that had been agreed to by the committee of which he is the nominal chairman. I should like to inquire at this juncture of the Senator from Nebraska [Mr. HITCHCOCK], who is, according to the newspapers, chairman of one wing of this committee, whether the statement of Chairman OWEN is in accord with his understanding that the bill will be reported on Saturday?

Mr. HITCHCOCK. I will say in reply to the Senator from Missouri that in the full meeting of the committee this morning an agreement was reached and a vote was taken by which the two factions of the committee should report the bill to the Senate on Saturday, with a statement of their disagreement and their inability to make a report. At the same time each half of the committee is to ask leave to file what might be termed a statement of position or views, each such statement to have an equal status in the Senate for whatever it may be worth, and the Glass bill as it came from the House then to go upon the calendar. I will say that as far as the part of the committee that I speak for now is concerned we shall be ready on Saturday to file such a statement.

Mr. STONE. Then it is understood that the so-called Glass bill will be reported by the committee to the Senate on Saturday?

Mr. HITCHCOCK. With the disagreement.

Mr. STONE. With the disagreement.

Mr. HITCHCOCK. Yes, sir.

Mr. STONE. For such action as the committee or the two wings of the committee may see proper to take.

Mr. HITCHCOCK. Yes.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from New Hampshire?

Mr. GALLINGER. I thought the Senator from Nebraska really had the floor. I merely desired to ask a question. It will take but a moment.

Mr. STONE. Certainly; I yield.

Mr. GALLINGER. Did I understand the Senator from Nebraska to say that the Glass bill in its entirety as it came from the House will go to the calendar as a report of the committee?

Mr. HITCHCOCK. That will be for the Senate to consider. We will report to the Senate our disagreement, the fact that the committee is equally divided, and unable to agree upon amendments to the bill. Every member of the committee and both factions of the committee desire to report very considerable amendments to the bill, but as neither has a majority there is no possibility of reporting those amendments except as I suppose by the consent of the Senate in the form of a statement of views. I suppose the bill would then, under the order of the Senate, go upon the calendar, and when it comes up for consideration it is our intention to ask that preference be given to amendments recommended by either division of the committee.

Mr. KERN. Mr. President——

Mr. GALLINGER. The only suggestion I would make, if the Senator will permit me——

The PRESIDING OFFICER. The Senator from Indiana [Mr. KERN] has the floor. Does he yield to the Senator from New Hampshire?

Mr. KERN. I yield for a moment.

Mr. GALLINGER. The only suggestion I was about to make was that it seems to me the parliamentary status will be somewhat involved unless the so-called Owen-Glass bill shall be reported to the Senate without recommendation, and then amendments will be offered by the members of the differing so-called factions of the committee.

Mr. STONE. That is exactly what I understood the Senator from Nebraska to say, that it would be reported without recommendation, and that each division of the committee would report its view.

Mr. GALLINGER. I think that is the correct parliamentary procedure.

Mr. STONE. It seems to me so. I hold in my hand a document purporting to set forth the amendments that certain members of the committee, namely, Messrs. HITCHCOCK, NELSON, BRISTOW, CRAWFORD, MCLEAN, and WEEKS, intend to present to the Senate as representing their views, and I assume they will be offered in some form by way of amendment to the bill you report; that is, the House bill.

Mr. GALLINGER. They can be offered as a substitute for the original bill.

Mr. HITCHCOCK. The Senator from Missouri is correct.

Mr. STONE. The only purpose I had in asking the Senator from Indiana to withhold his motion for a minute was to have it clearly understood, if the Chair please, that the bill would be reported on Saturday and be before the Senate at that time.

Mr. HITCHCOCK. That is the understanding. That is in accordance with the vote of our committee.

Mr. STONE. I did that because a number of us at least have had some disappointments as to the reporting of the bill, by which I mean that it has been suggested by certain members of the committee from time to time that the bill would be reported on or about certain dates, but for one reason or another the committee did not report the bill. I thought now would be a good time to have it distinctly understood that it would be reported on Saturday.

Mr. KERN. I insist on my motion.

The PRESIDING OFFICER. The Senator from Indiana renews his motion that when the Senate adjourns to-day it will adjourn to meet on Saturday at the hour of 12 o'clock noon.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened and (at 2 o'clock and 30 minutes p. m.) the Senate adjourned until Saturday, November 22, 1913, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate November 20, 1913.

AMBASSADOR.

Henry M. Pindell, of Illinois, to be ambassador extraordinary and plenipotentiary of the United States of America to Russia, vice Curtis Guild, resigned.

SECRETARY OF EMBASSY.

Fred Morris Dearing, of Missouri, now secretary of the legation at Brussels, to be secretary of the embassy of the United States of America at Madrid, Spain, vice Gustave Scholle, nominated to be secretary of the legation at Habana.

SECRETARIES OF LEGATIONS.

Hugh S. Gibson, of California, now secretary of the legation at Habana, to be secretary of the legation of the United States of America at Brussels, Belgium, vice Fred Morris Dearing, nominated to be secretary of the embassy at Madrid.

Gustave Scholle, of Minnesota, now secretary of the legation at Madrid, to be secretary of the legation of the United States of America at Habana, Cuba, vice Hugh S. Gibson, nominated to be secretary of the legation at Brussels.

CONSULS GENERAL.

Stuart J. Fuller, of Wisconsin, now consul at Durban, to be consul general at large of the United States of America, vice Fleming D. Cheshire, appointed consul general at Canton.

William W. Handley, of New York, now consul at Naples, to be consul general of the United States of America at Callao, Peru, vice William H. Robertson, appointed consul at Manchester.

Michael J. Hendrick, of New York, now consul at Moncton, to be consul general of the United States of America at Christiania, Norway, vice Charles A. Holder, nominated to be consul at Cologne.

Carl Bailey Hurst, of the District of Columbia, now consul at Lyon, to be consul general of the United States of America at Barcelona, Spain, vice Henry H. Morgan, nominated to be consul general at Hamburg.

Ransford S. Miller, of New York, now chief of the Division of Far Eastern Affairs, Department of State, to be consul general of the United States of America at Seoul, Chosen, vice George H. Scidmore, nominated to be consul general at Yokohama.

Henry H. Morgan, of Louisiana, now consul general at Barcelona, to be consul general of the United States of America at Hamburg, Germany, vice Robert P. Skinner, nominated to be consul general at Berlin.

Thomas Sammons, of Washington, now consul general at Yokohama, to be consul general of the United States of America at Shanghai, China, vice Amos P. Wilder.

George H. Scidmore, of Wisconsin, now consul general at Seoul, to be consul general of the United States of America at Yokohama, Japan, vice Thomas Sammons, nominated to be consul general at Shanghai.

Robert P. Skinner, of Ohio, now consul general at Hamburg, to be consul general of the United States of America at Berlin, Germany, vice Alexander M. Thackara, appointed consul general at Paris.

John Q. Wood, of Hawaii, now consul at Tripoli, to be consul general of the United States of America at Adis Ababa, Abyssinia, vice Hoffman Philip.

CONSULS.

Henry D. Baker, of Illinois, now consul at Nassau, to be consul of the United States of America at Bombay, India, vice Edward J. Norton, resigned.

John K. Baxter, of Tennessee, now consul at St. Pierre, to be consul of the United States of America at Maracaibo, Venezuela, vice John A. Ray, nominated to be consul at Sheffield.

Harold D. Clum, of New York, now consul at Celba, to be consul of the United States of America at Corinto, Nicaragua, vice James W. Johnson, resigned.

William Dawson, jr., of Minnesota, now vice and deputy consul general at Frankfort on the Main, to be consul of the United States of America at Rosario, Argentina, vice Robert T. Crane, resigned.

W. Roderick Dorsey, of Maryland, now consul at Jerez de la Frontera, to be consul of the United States of America at Tripoli, Libya, vice John Q. Wood, nominated to be consul general at Adis Ababa.

William F. Doty, of New Jersey, now consul at Riga, to be consul of the United States of America at Nassau, Bahamas, vice Henry D. Baker, nominated to be consul at Bombay.

Julius D. Dreher, of South Carolina, now consul at Port Antonio, to be consul of the United States of America at Toronto, Ontario, Canada, vice Robert S. Chilton, resigned.

Cornelius Ferris, jr., of Colorado, now consul at Asuncion, to be consul of the United States of America at Port Antonio, Jamaica, vice Julius D. Dreher, nominated to be consul at Toronto.

Charles Forman, of Louisiana, now consul at Turks Island, to be consul of the United States of America at Moncton, New Brunswick, vice Michael J. Hendrick, nominated to be consul general at Christiania.

Paul H. Foster, of Texas, to be consul of the United States of America at Jerez de la Frontera, Spain, vice W. Roderick Dorsey, nominated to be consul at Tripoli.

Arminius T. Haeberle, of Missouri, now consul at Tegucigalpa, to be consul of the United States of America at St. Michaels, Azores, vice Edward A. Creevey, resigned.

Lewis W. Haskell, of South Carolina, now consul at Hull, to be consul of the United States of America at Belgrade, Servia, vice Maddin Summers, nominated to be consul at Santos.

Charles M. Hathaway, jr., of Pennsylvania, now consul at Puerto Plata, to be consul of the United States of America at Hull, England, vice Lewis W. Haskell, nominated to be consul at Belgrade.

Frank Anderson Henry, of Delaware, now consul at Guadeloupe, to be consul of the United States of America at Puerto Plata, Dominican Republic, vice Charles M. Hathaway, jr., nominated to be consul at Hull.

Charles A. Holder, of Colorado, now consul general at Christiania, to be consul of the United States of America at Cologne, Germany, vice Hiram J. Dunlap, resigned.

Douglas Jenkins, of South Carolina, now consul at Goteborg, to be consul of the United States of America at Riga, Russia, vice William F. Doty, nominated to be consul at Nassau.

Milton B. Kirk, of Illinois, now consul at Manzanillo, to be consul of the United States of America at St. Johns, Quebec, Canada, vice Andrew J. McConnico, appointed consul at Trinidad.

Myri S. Myers, of Pennsylvania, now vice and deputy consul general and interpreter at Mukden, to be consul of the United States of America at Swatow, China, vice Charles L. L. Williams, nominated to be consul at Dalny.

Kenneth S. Patton, of Virginia, now a consular assistant and vice and deputy consul general at Lisbon, to be consul of the United States of America at Cognac, France, vice George H. Jackson.

Albert W. Pontius, of Minnesota, now consul at Dalny, to be consul of the United States of America at Nanking, China, vice Charles D. Tenney, resigned.

John A. Ray, of Texas, now consul at Maracaibo, to be consul of the United States of America at Sheffield, England, vice Robert J. Thompson, nominated to be consul at Aix la Chapelle.

Emil Sauer, of Texas, now consul at Bagdad, to be consul of the United States of America at Goteborg, Sweden, vice Douglas Jenkins, nominated to be consul at Riga.

Maddin Summers, of Tennessee, now consul at Belgrade, to be consul of the United States of America at Santos, Brazil, vice Jay White, nominated to be consul at Naples.

Robert J. Thompson, of Illinois, now consul at Sheffield, to be consul of the United States of America at Aix la Chapelle, Germany, vice Pendleton King, deceased.

Frederick Van Dyne, of New York, now Assistant Solicitor, Department of State, to be consul of the United States of

America at Lyon, France, vice Carl Bailey Hurst, nominated to be consul general at Barcelona.

Jay White, of Michigan, now consul at Santos, to be consul of the United States of America at Naples, Italy, vice William W. Handley, nominated to be consul general at Callao.

Charles L. L. Williams, of Ohio, now consul at Swatow, to be consul of the United States of America at Dalny, Manchuria, vice Albert W. Pontius, nominated to be consul at Nanking.

NAVAL OFFICER OF CUSTOMS.

William Brown, of Illinois, to be naval officer of customs in the district of Chicago, in place of Lewis K. Torbet, resigned.

APPRAISER OF MERCHANDISE.

Seth F. Clark, of Maine, to be appraiser of merchandise in the district of Maine and New Hampshire, in place of George H. Allan, superseded.

COLLECTORS OF INTERNAL REVENUE.

Edward B. Craig, of Tennessee, to be collector of internal revenue for the district of Tennessee, in place of William A. Dunlap, superseded.

Seth W. Jones, of New Hampshire, to be collector of internal revenue for the district of New Hampshire, in place of Edgar O. Crossman, resigned.

John M. Rapp, of Illinois, to be collector of internal revenue for the thirteenth district of Illinois, in place of Walter S. Louden, superseded.

APPOINTMENTS, BY TRANSFER, IN THE ARMY.

FIELD ARTILLERY ARM.

First Lieut. John E. Mort, Coast Artillery Corps, to be first lieutenant of Field Artillery, with rank from March 11, 1911.

COAST ARTILLERY CORPS.

First Lieut. Thomas D. Sloan, Fourth Field Artillery, to be first lieutenant in the Coast Artillery Corps, with rank from March 11, 1911.

POSTMASTERS.

CALIFORNIA.

M. F. Cochrane to be postmaster at San Rafael, Cal., in place of William P. Taylor, resigned.

E. J. Crane to be postmaster at Menlo Park, Cal., in place of James G. Mason. Incumbent's commission expired December 14, 1912.

Walter J. Desmond to be postmaster at Long Beach (late Longbeach), Cal., in place of George F. Hirsch, to change name of office.

Thomas F. Fogarty to be postmaster at Marysville, Cal., in place of Oscar L. Meek. Incumbent's commission expired December 14, 1912.

George Gribble to be postmaster at Scotia, Cal., in place of Percy L. Mitchell, resigned.

Clark McLain to be postmaster at Pasadena, Cal., in place of John W. Wood. Incumbent's commission expired February 13, 1912.

Sophie J. Rice to be postmaster at King City, Cal., in place of Robert R. Allen. Incumbent's commission expired February 20, 1913.

D. C. Saunders to be postmaster at Lompoc, Cal., in place of J. L. Talbott. Incumbent's commission expired July 1, 1913.

ILLINOIS.

Andrew J. Eekhoff to be postmaster at Nokomis, Ill., in place of Charles F. Best, resigned.

William E. Hess to be postmaster at Wilmette, Ill., in place of Edwin Drury, deceased.

Margaret Keegan to be postmaster at Loda, Ill., in place of Charles E. Healey, removed.

INDIANA.

William S. Tindall to be postmaster at Paoli, Ind., in place of Edward L. Throop, resigned.

IOWA.

Wilhelm Hesselschwerdt to be postmaster at Kalona, Iowa, in place of S. T. Manatt, jr., resigned.

KENTUCKY.

W. M. Back to be postmaster at Monticello, Ky., in place of J. S. Sandusky, resigned.

Fannie G. Taylor to be postmaster at Campbellsville, Ky., in place of James G. Pruett, resigned.

MARYLAND.

C. W. Jefferson to be postmaster at Federalsburg, Md., in place of Thomas O. Jefferson. Incumbent's commission expired February 11, 1913.

J. F. Peach to be postmaster at North East, Md., in place of Jesse West. Incumbent's commission expired January 11, 1913.

Mary W. Tise to be postmaster at Hyattsville, Md., in place of Mary W. Tise. Incumbent's commission expired June 25, 1913.

MINNESOTA.

Bernard P. Eagan to be postmaster at Spooner, Minn. Office became presidential October 1, 1913.

Joseph Huelskamp to be postmaster at Gaylord, Minn., in place of Jacob Gelb. Incumbent's commission expired February 9, 1913.

T. F. Oneill to be postmaster at Gilbert, Minn. Office became presidential July 1, 1910.

Axel Ringborg to be postmaster at Bagley, Minn., in place of Aaron R. Butler. Incumbent's commission expired January 22, 1913.

William F. Roche to be postmaster at Lakeville, Minn. Office became presidential October 1, 1913.

MISSOURI.

Sterling S. Ball to be postmaster at Kahoka, Mo., in place of Levi Alexander, resigned.

NEVADA.

Alton A. Carman to be postmaster at Pioche, Nev., in place of Alton A. Carman. Incumbent's commission expired January 14, 1913.

NEW YORK.

Peter T. Conley to be postmaster at Fulton, N. Y., in place of William E. Hughes, deceased.

J. E. Morgan Dodge to be postmaster at Lawrence, N. Y., in place of T. A. McWhinney, resigned.

G. H. Mills to be postmaster at Delevan, N. Y., in place of Earl L. Whiting. Incumbent's commission expired January 5, 1913.

NEW JERSEY.

Daniel W. Sheldon, jr., to be postmaster at Franklin (late Franklin Furnace), N. J., in place of Daniel W. Sheldon, jr., to change name of office.

NORTH DAKOTA.

W. W. Anderson to be postmaster at Edgeley, N. Dak., in place of Charles Gunthorp, resigned.

OHIO.

Addie E. Joseph to be postmaster at Nottingham, Ohio. Office became presidential October 1, 1913.

OKLAHOMA.

A. L. Kates to be postmaster at Claremore, Okla., in place of Harry Jennings, removed.

Julia P. Montgomery to be postmaster at Valliant, Okla., in place of Nell Moore, removed.

H. W. Warrick to be postmaster at Lehigh, Okla., in place of John B. Jones, resigned.

PENNSYLVANIA.

George B. McC. Hennigh to be postmaster at Sykesville, Pa. Office became presidential October 1, 1913.

Edward J. Hutchinson to be postmaster at Polk, Pa., in place of W. W. McClelland, resigned.

Leonard F. Keller to be postmaster at Youngwood, Pa., in place of S. K. Henrie, resigned.

John C. Werts to be postmaster at Reedsville, Pa., in place of Daniel W. Reynolds, deceased.

TENNESSEE.

Charles W. Metcalf, jr., to be postmaster at Memphis, Tenn., in place of J. C. French, deceased.

Elizabeth Kirby-Smith to be postmaster at Sewanee, Tenn., in place of Elizabeth Kirby-Smith. Incumbent's commission expired January 30, 1910.

TEXAS.

John G. Davis to be postmaster at Mart, Tex., in place of John L. Vaughan, resigned.

VIRGINIA.

James W. Green to be postmaster at Culpeper, Va., in place of L. L. Whitestone, resigned.

William M. Smith to be postmaster at Alexandria, Va., in place of J. A. Eggborn, resigned.

Lillie L. Davis to be postmaster at National Soldiers Home, Va., in place of John C. Tucker. Incumbent's commission expired May 20, 1912.

WASHINGTON.

Dana Child to be postmaster at Spokane, Wash., in place of W. P. Edris. Incumbent's commission expired July 26, 1913.

WYOMING.

Louis Schalk to be postmaster at Rawlins, Wyo., in place of Perry L. Smith, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate November 20, 1913.

SECRETARY OF EMBASSY.

Norval Richardson, to be second secretary of the embassy at Rome, Italy.

NAVAL OFFICER OF CUSTOMS.

H. Otto Wittpenn to be naval officer of customs in the district of New York.

COLLECTOR OF INTERNAL REVENUE.

Edward B. Craig to be collector of internal revenue for the district of Tennessee.

PROMOTIONS IN THE ARMY.

ORDNANCE DEPARTMENT.

Lieut. Col. John T. Thompson to be colonel.
Maj. Jay E. Hoffer to be lieutenant colonel.

APPOINTMENT IN THE ARMY.

Rev. Alexander D. Sutherland to be chaplain, with rank of first lieutenant.

POSTMASTERS.

COLORADO.

A. T. Manzanares, Walsenburg.
J. U. Vigil, Trinidad.

GEORGIA.

James E. Harvey, Tallulah Falls.

INDIANA.

Frank S. Coffin, Bloomingdale.

LOUISIANA.

E. L. Chaney, Jeanerette.
Thomas D. Kent, Thibodaux.
Joseph Lamar Stagg, Eunice.

MISSOURI.

William D. Meeks, Thayer.

MONTANA.

I. A. Oakes, Plentywood.

NEBRASKA.

J. C. Voline, South Auburn.

NEVADA.

W. C. Ruddell, jr., Lovelocks.
H. A. N. Todd, Gardnerville.

NEW HAMPSHIRE.

Frank P. Woodbury, Salem Depot.

NORTH DAKOTA.

William F. Kempshall, Taylor.

VIRGINIA.

James W. Greene, Culpeper.
William M. Smith, Alexandria.

WITHDRAWAL.

Executive nomination withdrawn November 20, 1913.

POSTMASTER.

Thomas Hall Davis to be postmaster at National Soldiers Home, in the State of Virginia.

HOUSE OF REPRESENTATIVES.

THURSDAY, *November 20, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our heavenly Father, out of Whom proceedeth all things that are and were and shall be, we rejoice in this newborn day, with its inestimable treasures, its hopes and aspirations, which leap like angels from the temples of our hearts. Teach us how to use these blessings, and guide us by the hopes and aspirations to larger life and nobler achievements, that we may not only be recipients of Thy bounty but servants in Thy vineyard; that, working together with Thee, we may hasten the triumph of good over evil. In His name. Amen.

The Journal of the proceedings of Monday, November 17, was read and approved.

SWEARING IN A MEMBER.

Mr. ADAMSON. Mr. Speaker, Judge FRANK PARK, Representative elect from the second district of Georgia, whose credentials are here in due form, desires to take the oath.

The SPEAKER. The gentleman will present himself at the bar. The Chair will ask the gentleman from Georgia [Mr. ADAMSON], Have the credentials of this new Member been presented?

Mr. ADAMSON. Yes, sir; they are on file.

The SPEAKER. In the Clerk's office?

Mr. ADAMSON. Yes, sir.

The SPEAKER. If the gentleman asks unanimous consent to have his colleague sworn in, that can be done.

Mr. MANN. If the gentleman from Georgia will permit, there is no contest about this at all, is there?

Mr. ADAMSON. No, sir.

Mr. PARK appeared at the bar of the House and took the oath of office.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 8702. An act to authorize the county of Miami, Ind., to construct a bridge across the Wabash River in Miami County, Ind.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested.

S. 1829. An act for the relief of W. D. McLean, alias Donald McLean.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 1829. An act for the relief of W. D. McLean, alias Donald McLean; to the Committee on Military Affairs.

ENROLLED BILL SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 8702. An act to authorize the county of Miami, Ind., to construct a bridge across the Wabash River in Miami County, Ind.

ADJOURNMENT OF THE EXTRA SESSION.

Mr. THOMAS. Mr. Speaker, I wish to offer a privileged resolution.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 22d day of November, 1913, at 1 o'clock p. m.

Mr. THOMAS. Mr. Speaker, I offered that resolution——

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Is the resolution debatable?

The SPEAKER. The Chair is inclined to think it is not.

Mr. SIMS rose.

The SPEAKER. For what purpose does the gentleman from Tennessee rise.

Mr. SIMS. To make a parliamentary inquiry. Is not a resolution at this time of the kind to authorize adjournment at a future date debatable?

The SPEAKER. The Chair will find out.

Mr. THOMAS. Does the Chair rule that the resolution is not debatable?

The SPEAKER. The Chair is going to find out whether it is or not.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. If this motion is debatable, the other gentleman from Kentucky [Mr. THOMAS] has the floor. The gentleman from Illinois [Mr. MANN] raised this point of order, and if he has any authority on it the Chair would like to have it. It might shorten up the proceedings.

Mr. MANN. Mr. Speaker, I did not make a point of order. I made a parliamentary inquiry for the purpose of getting a ruling of the Chair. I do not know whether the resolution is debatable or not. If I felt sure it was, I would have had it introduced a dozen times for the purpose of debating it.

Mr. Speaker, while I did not make a point of order, but raised a parliamentary inquiry, personally I have no knowledge as to the precedents. I remember I looked this matter up some time ago, and I did not find any authority at that time. On principle I think the motion would be debatable.

The SPEAKER. The Chair is inclined to think that the motion is debatable. There does not seem to be any authority on it, except the way you would reason.

Mr. THOMAS. Mr. Speaker——

The SPEAKER. The gentleman will suspend half a minute. The motion is undoubtedly privileged. Now the gentleman from Kentucky.

Mr. THOMAS. Mr. Speaker, I offer this motion in good faith, because we ought to have adjourned, at least this House, two or three months ago. [Applause on the Republican side.]

I see in the newspapers that some people say it would be a public scandal for this House to adjourn now, because the Members would be paid their mileage. Well, I want my mileage. [Laughter.] I am entitled under the law to my mileage, and the people that I owe would be glad to see me get it. [Renewed laughter.] And whatever they may say or do, nine-tenths of the Members of this House feel exactly as I do about this matter. We ought to have adjourned long ago, and I hope that this resolution will pass.

The SPEAKER. The gentleman reserves the balance of his time, which is 55 minutes.

Mr. FOWLER. Mr. Speaker, I trust that no Member of this House and no citizen of the country will criticize me for changing my position on the question of voting for adjournment. I have stayed here persistently from early dawn of spring, with the exception of a few days to pay my respects to Labor Day down in my district, voting on all occasions against adjournment, in order that the House might discharge every known duty to the country. We have discharged one noble duty—the passage of the tariff bill, which is now the law, and which will give relief not only to Democrats but to the Populists, Socialists, Prohibitionists, Progressives, and Republicans—all ought to be happy now, because the people of all political parties were in favor of a reduction of the tariff.

Mr. Speaker, there is a contention over the country as to what effect the passage of this tariff bill and the bill on banking and currency will have on the prosperity of the country in general. A few men throughout the country have accumulated large sums of wealth, and some of them undertake to hold a threatening hand over Congress and over the people of this country every time we undertake to pass legislation for the good of all.

Mr. THOMAS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. THOMAS. I would like to know on which side of this resolution the gentleman from Illinois is.

The SPEAKER. The Chair can not tell the gentleman. [Laughter.]

Mr. FOWLER. Mr. Speaker, to relieve the mind of the gentleman from Kentucky I desire to say that I am on the right side of this question. [Laughter.] Mr. Speaker, about six weeks ago a gentleman from my district visited me here. I was informed by him that the banking institutions of southern Illinois and southern Indiana were calling in some of their loans and refusing to make any more, except on short time.

Now whether that is true or not I can not say, except as I gathered from his statement and from statements of others. I understand, Mr. Speaker, that what is true in this territory is true to a greater or less extent in other territories. I saw in the press about 10 or 15 days ago that a banquet had been held in Chicago which was attended by such distinguished gentlemen as Frank A. Vanderlip, James J. Hill, and George M. Reynolds—three of the biggest financiers of the country. These gentlemen sounded a keynote of warning to the people of this country that a panic was going to come down upon us like a hurricane from the heavens.

Soon thereafter Jacob Schiff, of New York, gave a similar warning, saying that he predicted the panic of 1907, and no one believed him, and that while he was not saying that we were going to have a panic now, yet he warned the people against a panic which he thought might come pretty soon, if certain banking and currency legislation were not enacted in the near future.

Mr. Speaker, about 10 days ago down in my home county something transpired which might indicate what is in the minds of some of the big financiers of this country. Whenever the body is afflicted it usually shows itself in the weakest place. If a man has weak eyes and he contracts a severe cold it usually shows itself first in his eyes. What is true of the physical body is usually true of the commercial conditions of a country. Whenever a commercial disturbance occurs it usually shows itself in the most sensitive and weakest places.

The steel people are compelled to use fluorspar. They do not use it in large quantities, but they must use it in order to get the best results. Ninety-nine per cent of the fluorspar mined in America is produced in my district and in what is known as Senator JAMES's old district, now represented by Judge BARKLEY. About two weeks ago the largest fluorspar mine in that territory closed down because the steel people refused to buy any more fluorspar. That means one of three things—that the steel people have on hand a supply of fluorspar; that they are getting their fluorspar from abroad; or that they are intending to close down their works in the near future.

In order to get some idea as to what these people intend to do, I undertook to find out whether they were getting their supply from abroad. I went to the Secretary of Commerce, and he furnished me with certain figures of importation of fluorspar during the months of September and October, 1912, and during the months of September and October, 1913. The figures speak for themselves. First, let me say that the port of Philadelphia receives nearly all of the fluorspar that is imported to this country. During the month of September, 1912, there were imported into the port of Philadelphia 3,239 tons, and in October, 1912, 1,922 tons. During the corresponding months for 1913 there were imported to this port 917 tons in September and 3,634 tons in October, making a total of 4,551 tons for 1913 as against a total of 5,162 tons for 1912. From these figures it appears that less fluorspar is being imported into America now than was shipped in a year ago, so we may naturally conclude that these people are not getting in their supply from abroad. Whatever bearing these facts may have as to the intention of the steel people is entirely conjectural at this time.

The figures respecting the amount shipped into the port of Philadelphia may be interesting. During the entire year there were shipped into America 22,788 tons. The port of Philadelphia received 21,129 tons; Boston, the next largest, received 901 tons; and New York, 321 tons. This reveals that nearly all of the fluorspar shipped into this country from abroad is received at Philadelphia.

Mr. THOMAS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. THOMAS. Mr. Speaker, I would like to know from the Chair how a discussion of fluorspar can elucidate the question of adjournment.

The SPEAKER. That is hardly a parliamentary inquiry. Unless some one raises the point of order, the Chair has no duty in the matter.

Mr. THOMAS. Mr. Speaker, I raise the point of order that the gentleman is not discussing the resolution.

The SPEAKER. The point of order is well taken.

Mr. FOWLER. Mr. Speaker, the anxiety of my friend from Kentucky is often displayed on the floor of this House, and I am always gratified to relieve him whenever it is possible. I want to say to him now that I am in harmony with his resolution, but not for the same reasons offered by him awhile ago. I will give my reasons for supporting it later on. When it is considered that the Steel Corporation of this country has upon its directorate 23 members who, by an interlocking system of directors, control in franchise, banking, insurance, and industrial corporations of this country more than $30,000,000,000 worth of capital, which is more than one-fourth of all of the entire wealth of the country, it shows what influence they can wield; and, if they so desire, they could deal a serious blow at the commercial interests of the country. I desire to say now, not for anyone except myself, that if any of the great financial interests of this country conspire against the best interests of the country the people will not tolerate it. Congress has ample power to go into that question and see whether it is a matter of conspiracy against the welfare of the country or whether such acts are brought about by commercial conditions. To tolerate captains of industry to conspire against the best interests of the country, without an investigation and without punishment, is to say that we have no power in our Government to punish men for wrongdoing.

The man who shoulders his musket and leaves the army of his country, believing it is in the wrong, and joins the enemy on the battle field to fight is considered a traitor under the laws of nations; but we have seen in this country financial interests, great concerns, conspiring against the welfare of the country, and yet they have gone unpunished and untouched. Now, Mr. Speaker, I do not know that the steel people of this country are contemplating a closing down of any of their furnaces or factories, but if this little indication of a refusal to buy fluorspar foretells what they are thinking of doing, it is well for them to understand that Congress has ample power to order an investigation to discover the real cause.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield for a question?

Mr. FOWLER. Yes.

Mr. JOHNSON of Washington. I would like to know if the gentleman from Illinois knows that many of the lumber and shingle mills of western Washington are already closing down and that the American consul at Vancouver in British Columbia reports that the shingle industry there has doubled in the last two months——

Mr. HARDWICK. Mr. Speaker, I raise the question of order. The gentleman from Kentucky [Mr. THOMAS] made the point of order that this discussion was out of order, and the Chair sustained that point, and yet the gentleman from Illinois has gone right on.

The SPEAKER. The Chair was busy looking after some other point.

Mr. HARDWICK. The gentleman ought to conform to the rules of the House and take his seat.

The SPEAKER. The point of order is well taken.

Mr. MANN rose.

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. MANN. I did not know whether my colleague was through or not. When he has finished I wish to be recognized.

The SPEAKER. The gentleman from Illinois [Mr. FOWLER] has the floor. The gentleman from Illinois will proceed in order.

Mr. FOWLER. The anxiety of my friend from Georgia shall always receive my courteous consideration. I desire to discuss the merits of this resolution, Mr. Speaker, and have no desire whatever to bring in any irrelevant matter, but I thought this was an opportune time to give these captains of industry to understand our attitude.

Mr. HARDWICK. Now, Mr. Speaker, I renew my point of order. The gentleman is discussing captains of industry and matters which have nothing whatever to do with this resolution.

The SPEAKER. The gentleman under the rule, when the point is made, must take his seat and then, if any gentleman thinks he ought to proceed, he can make the motion to allow the gentleman from Illinois to proceed in order.

Mr. HARDWICK. Mr. Speaker, I have no desire to interfere with my friend from Illinois, although I thought we ought to hold this matter down, and I move that the gentleman from Illinois be allowed to proceed in order and address himself to the resolution.

The SPEAKER. The gentleman from Georgia moves that the gentleman from Illinois [Mr. FOWLER] be permitted to proceed in order.

The question was taken, and the motion was agreed to.

The SPEAKER. The gentleman will proceed in order and confine himself to the question.

Mr. FOWLER. Mr. Speaker, I have already said all I desire to say, except to beg the pardon of the House for having detained it so long. I intended to present my remarks in a very brief way, referring to a few figures and facts, giving my reason for adjournment in connection therewith.

Mr. Speaker, I desire to reserve the remainder of my time.

ADJOURNMENT.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

Mr. MANN. Mr. Speaker, I hope the gentleman will reserve his motion for a moment.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

Mr. SHACKLEFORD. Will the gentleman defer for a moment in order to allow me to ask unanimous consent to insert in the RECORD some remarks on good roads?

Mr. JOHNSON of Kentucky. I have no objection to that if I will not lose my right.

Mr. DONOVAN. Mr. Speaker, I ask for the regular order.

The SPEAKER. The regular order is the motion to adjourn.

Mr. KINKEAD of New Jersey. Mr. Speaker, pending that motion, I would like to ask unanimous consent to insert in the RECORD the speech which was delivered——

The SPEAKER. The gentleman from Connecticut [Mr. DONOVAN] has demanded the regular order, and the regular order is the motion to adjourn.

Mr. MANN. I hope the gentleman from Kentucky [Mr. JOHNSON] will withhold the motion for a few minutes.

Mr. JOHNSON of Kentucky. How many minutes?

Mr. MANN. I would like a few minutes.

Mr. JOHNSON of Kentucky. I will have to insist on my motion to adjourn.

The SPEAKER. The question is on the motion to adjourn.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. MANN. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 42, noes 45.

Mr. JOHNSON of Kentucky. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 75, nays 42, answered "present" 9, not voting 304, as follows:

YEAS—75.

Abercrombie	Difenderfer	Keating	Page
Adamson	Donohoe	Kinkead, N. J.	Palmer
Aswell	Donovan	Korbly	Park
Bailey	Doremus	Lee, Pa.	Quin
Baker	Fergusson	Lesher	Rayburn
Baltz	Floyd, Ark.	Linthicum	Rouse
Brockson	Fowler	Lloyd	Ruhey
Brodbeck	George	Lobeck	Russell
Brown, W. Va.	Gorman	McAndrews	Shackleford
Burgess	Hamlin	McClellan	Sims
Caraway	Harrison	McCoy	Stephens, Miss.
Carlin	Hay	McDermott	Stone
Casey	Henry	McKellar	Stout
Clark, Fla.	Hensley	Maguire, Nebr.	Taverner
Cox	Hill	Mitchell	Taylor, Ark.
Crisp	Houston	Moon	Walsh
Crosser	Igoe	Murray, Okla.	Webb
Dent	Johnson, Ky.	Neeley, W. Va.	Whaley
Dershem	Johnson, S. C.	Oldfield	

NAYS—42.

Anderson	Estopinal	Konop	Smith, Idaho
Ayres	Evans	La Follette	Smith, Minn.
Bell, Cal.	Foss	Langham	Stedman
Bowdle	Gillett	Lazaro	Stevens, Minn.
Bryan	Hinds	MacDonald	Sutherland
Burnett	Johnson, Utah	Manahan	Taggart
Chandler, N. Y.	Johnson, Wash.	Moss, W. Va.	Thomas
Cramton	Kahn	Patton, Pa.	Towner
Curry	Kelly, Pa.	Platt	Watkins
Davis	Kinkaid, Nebr.	Plumley	
Doughton	Kirkpatrick	Sinnott	

ANSWERED "PRESENT"—9.

Bartholdt	French	Holland	Mann
Booher	Hardwick	Kennedy, Iowa	Volstead
Burke, S. Dak.			

NOT VOTING—304.

Adair	Dillon	Helgesen	Nolan, J. I.
Aiken	Dixon	Helm	Norton
Ainey	Dooling	Helvering	O'Brien
Alexander	Doolittle	Hinebaugh	Ogleshy
Allen	Driscoll	Hobson	O'Hair
Ansberry	Dunn	Howard	O'Leary
Anthony	Dupré	Howell	O'Shaunessy
Ashbrook	Dyer	Hoxworth	Padgett
Austin	Eagan	Hughes, Ga.	Parker
Barchfeld	Eagle	Hughes, W. Va.	Patten, N. Y.
Barkley	Edmonds	Hulings	Payne
Barnhart	Edwards	Hull	Pepper
Bartlett	Elder	Humphrey, Wash.	Peters, Mass.
Barton	Esch	Humphreys, Miss.	Peters, Me.
Bathrick	Fairchild	Jacoway	Peterson
Beakes	Falson	Jones	Phelan
Beall, Tex.	Falconer	Keister	Porter
Bell, Ga.	Farr	Kelley, Mich.	Post
Blackmon	Ferris	Kennedy, Conn.	Pou
Borchers	Fields	Kennedy, R. I.	Powers
Borland	Finley	Kent	Prouty
Bremner	Fitzgerald	Kettner	Ragsdale
Britten	FitzHenry	Key, Ohio	Rainey
Broussard	Flood, Va.	Kiess, Pa.	Raker
Brown, N. Y.	Fordney	Kindel	Rauch
Browne, Wis.	Foster	Kitchin	Reed
Browning	Francis	Knowland, J. R.	Reilly, Conn.
Bruckner	Frear	Kreider	Reilly, Wis.
Brumbaugh	Gallagher	Lafferty	Richardson
Buchanan, Ill.	Gard	Langley	Riordan
Buchanan, Tex.	Gardner	Lee, Ga.	Roberts, Mass.
Bulkley	Garner	L'Engle	Roberts, Nev.
Burke, Pa.	Garrett, Tenn.	Lenroot	Rogers
Burke, Wis.	Garrett, Tex.	Lever	Rothermel
Butler	Gerry	Levy	Rucker
Byrnes, S. C.	Gillmore	Lewis, Md.	Rupley
Byrns, Tenn.	Gittins	Lewis, Pa.	Sabath
Calder	Glass	Lieb	Saunders
Callaway	Godwin, N. C.	Lindbergh	Scott
Campbell	Goeke	Lindquist	Scully
Candler, Miss.	Goldfogle	Logue	Seldomridge
Cantrill	Good	Lonergan	Sells
Carew	Goodwin, Ark.	McGillicuddy	Sharp
Carr	Gordon	McGuire, Okla.	Sherley
Carter	Goulden	McKenzie	Sherwood
Cary	Graham, Ill.	McLaughlin	Shreve
Church	Graham, Pa.	Madden	Sisson
Clancy	Gray	Mahan	Slayden
Claypool	Green, Iowa	Maher	Slemp
Clayton	Greene, Mass.	Mapes	Sloan
Cline	Greene, Vt.	Martin	Small
Collier	Gregg	Merritt	Smith, J. M. C.
Connelly, Kans.	Griest	Metz	Smith, Md.
Connolly, Iowa	Griffin	Miller	Smith, N. Y.
Conry	Gudger	Mondell	Smith, Sami. W.
Cooper	Guernsey	Montague	Smith, Tex.
Copley	Hamill	Moore	Sparkman
Covington	Hamilton, Mich.	Morgan, La.	Stafford
Cullop	Hamilton, N. Y.	Morgan, Okla.	Stanley
Curley	Hammond	Morin	Steenerson
Dale	Hardy	Morrison	Stephens, Cal.
Danforth	Hart	Moss, Ind.	Stephens, Nebr.
Davenport	Haugen	Mott	Stephens, Tex.
Decker	Hawley	Murdock	Stevens, N. H.
Deitrick	Hayden	Murray, Mass.	Stringer
Dickinson	Hayes	Neeley, Kans.	Sumners
Dies	Heflin	Nelson	Switzer

Talbott, Md.	Thomson, Ill.	Walker	Wilson, Fla.
Talcott, N. Y.	Townsend	Wallin	Wilson, N. Y.
Taylor, Ala.	Treadway	Walters	Wingo
Taylor, Colo.	Tribble	Watson	Winslow
Taylor, N. Y.	Tuttle	Weaver	Witherspoon
Temple	Underhill	Whitacre	Woodruff
Ten Eyck	Underwood	White	Woods
Thacher	Vare	Williams	Young, N. Dak.
Thompson, Okla.	Vaughan	Willis	Young, Tex.

So the motion to adjourn was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SLAYDEN with Mr. BARTHOLDT.
Mr. SCULLY with Mr. BROWNING.
Mr. METZ with Mr. WALLIN.
Mr. HOBSON with Mr. FAIRCHILD.
Mr. BARTLETT with Mr. BUTLER.
Mr. UNDERWOOD with Mr. MANN.

Until further notice:

Mr. ALLEN with Mr. J. M. C. SMITH (commencing Oct. 1).
Mr. ASHBROOK with Mr. DILLON.
Mr. BARKLEY with Mr. FALCONER (commencing Oct. 24).
Mr. BARNHART with Mr. MAPES.
Mr. BELL of Georgia with Mr. DANFORTH.
Mr. BLACKMON with Mr. BARCHFELD.
Mr. BROUSSARD with Mr. KELLEY of Michigan.
Mr. BURKE of Wisconsin with Mr. CARY.
Mr. BRUMBAUGH with Mr. LINDQUIST (until Nov. 25).
Mr. BYRNES of South Carolina with Mr. NELSON.
Mr. BYRNS of Tennessee with Mr. MURDOCK.
Mr. CANDLER of Mississippi with Mr. J. R. KNOWLAND.
Mr. CARR with Mr. EDMONDS.
Mr. CLAYTON with Mr. MONDELL.
Mr. CLAYPOOL with Mr. HAYES.
Mr. CANTRILL with Mr. HELGESEN.
Mr. CHURCH with Mr. HULINGS.
Mr. CLANCY with Mr. HAMILTON of New York.
Mr. COVINGTON with Mr. MILLER.
Mr. CARTER with Mr. MCGUIRE of Oklahoma.
Mr. CLINE with Mr. NORTON (commencing Oct. 1).
Mr. CONNELLY of Kansas with Mr. HAMILTON of Michigan.
Mr. CURLEY with Mr. SHREVE.
Mr. DEITRICK with Mr. YOUNG of North Dakota.
Mr. DIES with Mr. SWITZER.
Mr. DIXON with Mr. GRAHAM of Pennsylvania.
Mr. DUPRÉ with Mr. ANTHONY.
Mr. ELDER with Mr. STEENERSON.
Mr. FAISON with Mr. MORIN.
Mr. FRANCIS with Mr. HUGHES of West Virginia.
Mr. FITZGERALD with Mr. CALDER.
Mr. FERRIS with Mr. SELLS.
Mr. FIELDS with Mr. LANGLEY.
Mr. FOSTER with Mr. GREENE of Vermont (commencing Oct. 27).
Mr. FINLEY with Mr. GREEN of Iowa.
Mr. GILMORE with Mr. MCKENZIE.
Mr. GOEKE with Mr. LEWIS of Pennsylvania.
Mr. GOLDFOGLE with Mr. KREIDER.
Mr. GOODWIN of Arkansas with Mr. PORTER.
Mr. GARNER with Mr. J. I. NOLAN.
Mr. GORDON with Mr. THOMSON of Illinois.
Mr. GARRETT of Tennessee with Mr. LANGHAM.
Mr. GRAHAM of Illinois with Mr. HAWLEY.
Mr. GUDGER with Mr. MOORE.
Mr. HAYDEN with Mr. LAFFERTY.
Mr. HOWARD with Mr. GRIEST.
Mr. HOLLAND with Mr. VOLSTEAD (commencing Oct. 3).
Mr. HARDWICK with Mr. FORDNEY (commencing Oct. 1).
Mr. HULL with Mr. KENNEDY of Rhode Island.
Mr. HUMPHREYS of Mississippi with Mr. KIESS of Pennsylvania.
Mr. JACOWAY with Mr. FRENCH.
Mr. JONES with Mr. HINEBAUGH.
Mr. KITCHIN with Mr. PAYNE.
Mr. KEY of Ohio with Mr. FARR.
Mr. KETTNER with Mr. SCOTT.
Mr. LEE of Georgia with Mr. KEISTER.
Mr. HUGHES of Georgia with Mr. POWERS.
Mr. LOGUE with Mr. WOODRUFF.
Mr. LONERGAN with Mr. ROGERS.
Mr. MCGILLICUDDY with Mr. GUERNSEY.
Mr. MONTAGUE with Mr. VARE.
Mr. MORRISON with Mr. HUMPHREY of Washington.
Mr. MURRAY of Massachusetts with Mr. PROUTY.
Mr. PEPPER with Mr. KENNEDY of Iowa.
Mr. PETERSON with Mr. WILLIS.
Mr. POST with Mr. COPLEY.
Mr. RAINEY with Mr. MADDEN.
Mr. RAKER with Mr. DUNN.
Mr. REILLY of Connecticut with Mr. DYER (commencing Nov. 5, 1913).
Mr. RUCKER with Mr. HAUGEN.
Mr. RICHARDSON with Mr. MARTIN.
Mr. SHERWOOD with Mr. SAMUEL W. SMITH.
Mr. SISSON with Mr. CAMPBELL.
Mr. SPARKMAN with Mr. HOWELL.
Mr. SUMNERS with Mr. ESCH.
Mr. SAUNDERS with Mr. AINEY.
Mr. SMITH of Maryland with Mr. AUSTIN.
Mr. SMALL with Mr. FREAR.
Mr. SMITH of Texas with Mr. MCLAUGHLIN.
Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.
Mr. STEPHENS of Nebraska with Mr. SLOAN.
Mr. TALBOTT of Maryland with Mr. MERRITT.
Mr. TAYLOR of Alabama with Mr. PETERS of Maine.
Mr. TEN EYCK with Mr. TREADWAY.
Mr. TAYLOR of Colorado with Mr. ROBERTS of Massachusetts.
Mr. THOMPSON of Oklahoma with Mr. BARTON.
Mr. TOWNSEND with Mr. TEMPLE.
Mr. UNDERHILL with Mr. WALTERS.
Mr. WATSON with Mr. RUPLEY.
Mr. WILLIAMS with Mr. BRITTEN.
Mr. WILSON of Florida with Mr. GOOD (commencing Oct. 1).
Mr. WINGO with Mr. PARKER.
Mr. WEAVER with Mr. BURKE of Pennsylvania.
Mr. YOUNG of Texas with Mr. ROBERTS of Nevada.

Mr. BOOHER with Mr. SLEMP (for the rest of special session, except when two-thirds vote required; on party questions, record to show one party for and one against measure).

Mr. DICKINSON with Mr. KINKAID of Nebraska (after vote on currency, except at option of either).

Mr. REED with Mr. WINSLOW (commencing Oct. 1, for remainder of extra session).

Mr. WITHERSPOON with Mr. STEPHENS of California (commencing Oct. 3, except on cotton-futures amendment).

Mr. THACHER with Mr. GREENE of Massachusetts (commencing Oct. 16, and for balance of session).

Mr. BARTHOLDT rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. BARTHOLDT. I desire, Mr. Speaker, to change my vote. I voted "nay." I am paired with the gentleman from Texas, Mr. SLAYDEN, and as he has not voted I should like to change my vote and answer "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. BARTHOLDT, and he answered "Present."

Mr. MANN. Mr. Speaker, I voted "no." I am paired with the gentleman from Alabama, Mr. UNDERWOOD. I desire to withdraw my vote and be recorded "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. MANN, and he answered "Present."

Mr. STEVENS of Minnesota. Mr. Speaker, is the gentleman from Georgia, Mr. ADAMSON, recorded?

The SPEAKER. He is.

Mr. PALMER. Mr. Speaker, am I recorded?

The SPEAKER. The gentleman is recorded.

PRESIDENT LINCOLN'S GETTYSBURG ADDRESS.

Mr. KINKEAD of New Jersey. Mr. Speaker, I ask unanimous consent to insert in the RECORD the address delivered by President Lincoln at Gettysburg on the 19th of November, 1863, 50 years ago yesterday. The House was not in session yesterday; if it had been, I would have made this request then.

Mr. Alfred King, of Arlington, N. J., a veteran of the Civil War, with a highly creditable service, who was one of the first to suggest that the U. S. S. *Maine* be raised from its watery grave in Habana Harbor, asked me to have the wonderfully simple but profoundly patriotic speech of the martyred one made part of this day's RECORD. I wish to preface the speech by inserting a copy of the letter sent out to all the public schools in New Jersey, indicating how the day was observed by our boys and girls.

The SPEAKER. The gentleman from New Jersey [Mr. KINKEAD] asks unanimous consent to print in the RECORD the address delivered by President Lincoln at Gettysburg 50 years ago yesterday, and asks unanimous consent to extend his remarks on the subject. Is there objection?

There was no objection.

The letter and address above referred to are as follows:

STATE OF NEW JERSEY,
DEPARTMENT OF PUBLIC INSTRUCTION,
Trenton, November 3, 1913.

To superintendents, principals, and teachers in New Jersey schools:

Wednesday, November 19, will be the fiftieth anniversary of the delivery of Abraham Lincoln's Gettysburg address.

Quite apart from its sentiments of lofty patriotism, the Gettysburg address is universally recognized as one of the great masterpieces of English prose. It is recommended that all pupils in the high schools and the older pupils in the grammar schools commit the address to memory and recite it on the afternoon of the anniversary.

Respectfully,

CALVIN N. KENDALL,
Commissioner of Education.

LINCOLN'S ADDRESS AT GETTYSBURG.

Fourscore and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that Nation, or any nation so conceived and so dedicated, can long endure.

We are met on a great battlefield of that war. We have come to dedicate a portion of that field as a final resting place for those who here gave their lives that that Nation might live. It is altogether fitting and proper that we should do this.

But, in a larger sense, we can not dedicate, we can not consecrate, we can not hallow this ground. The brave men, living and dead, who struggled here have consecrated it far above our poor power to add or detract. The world will little note, nor long remember, what we say here, but it can never forget what they did here.

It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced.

It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this Nation, under God, shall have a new birth of freedom; and that government of the people, by the people, for the people, shall not perish from the earth.

The result of the vote was announced as above recorded.

Accordingly (at 1 o'clock and 8 minutes p. m.) the House adjourned until to-morrow, Friday, November 21, 1913, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, a letter from the president of the Board of Commissioners of the District of Columbia, transmitting a statement of expenditures made from the appropriation for contingent expenses of the government of the District of Columbia for the fiscal year ending June 30, 1913, pursuant to act of Congress approved July 1, 1902 (H. Doc. No. 276), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed, with accompanying document.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 1028) granting a pension to Edward Flannery; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9179) granting a pension to Leo C. Zindel; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2383) granting a pension to Lou Pedigree; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5827) granting a pension to Rosana Wavell; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MOON: A bill (H. R. 9317) to regulate the payment of postal money orders; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 9318) to amend the act approved June 25, 1910, entitled "An act to establish postal savings depositories for depositing savings at interest with the security of the Government for repayment thereof, and for other purposes"; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 9319) to permit the dispatch of certain unpaid and insufficiently prepaid mail; to the Committee on the Post Office and Post Roads.

By Mr. TAVENNER: A bill (H. R. 9320) providing for an advisory referendum by the people of the District of Columbia on certain questions relating to municipal self-government and representation in Congress; to the Committee on the District of Columbia.

By Mr. MOON: A bill (H. R. 9321) to amend the act approved May 9, 1888, as amended by the act of June 11, 1896; to the Committee on the Post Office and Post Roads.

By Mr. BAILEY: A bill (H. R. 9322) to provide a supertax on incomes to meet the cost of naval construction, and for others purposes; to the Committee on Ways and Means.

By Mr. GORMAN: A bill (H. R. 9323) to provide for the purchase of a site and the erection of a public building thereon at Harvey, State of Illinois; to the Committee on Public Buildings and Grounds.

By Mr. LOGUE: A bill (H. R. 9324) to provide that commissioned chiefs of the United States Navy now on the retired list who had creditable Civil War service shall, as an equitable reward for said service, receive the rank, pay, and emoluments of a lieutenant of the United States Navy, retired; to the Committee on Naval Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 9325) to authorize the city of Tacoma, in the State of Washington, to purchase certain lands for the protection of the source of its water supply; to the Committee on Public Buildings and Grounds.

By Mr. CARY: A bill (H. R. 9326) preventing the shipment of convict or prison made goods, wares, merchandise, or other products in interstate or foreign commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLLAND: A bill (H. R. 9327) providing for the appointment of a board of survey for the purpose of selecting a suitable site for a naval armor plant on or near Hampton Roads, Va., and submitting an estimate of the cost thereof; to the Committee on Naval Affairs.

By M. BOOHER: A bill (H. R. 9328) appropriating funds for the purpose of providing a preventive and cure for hog cholera; to the Committee on Agriculture.

By Mr. KELLY of Pennsylvania: A bill (H. R. 9329) to amend an act entitled "An act to increase the pension of widows, minor children, etc., of deceased soldiers and sailors of the late Civil War, the War with Mexico, the various Indian wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late Civil War," approved April 19, 1908; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 9330) to amend the act approved May 9, 1888, as amended by the act of June 11, 1896; to the Committee on the Post Office and Post Roads.

By Mr. BUTLER: A bill (H. R. 9331) to provide for a site and public building at Lansdowne, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. FALCONER: A bill (H. R. 9332) authorizing the Secretary of Commerce to lease to the city of Port Angeles, Wash., at his discretion, for a period of 99 years, certain unoccupied property of the United States; to the Committee on the Public Lands.

By Mr. SHACKLEFORD: A bill (H. R. 9333) to provide that the United States shall in certain cases aid the States and the civil subdivisions thereof in the construction and maintenance of rural post roads; to the Committee on Roads.

By Mr. GARDNER: Resolution (H. Res. 312) directing the Secretary of the Department of Labor to send to the House of Representatives, if not incompatible with the public interest, a statement showing the number of aliens arriving at ports or places in the United States during the month of October, 1913, who were certified by the surgeons of the Public Health Service as being physically or mentally defective, and also a statement showing the nature of the defects so certified; to the Committee on Immigration and Naturalization.

By Mr. MACDONALD: Resolution (H. Res. 313) authorizing the appointment of a committee to make an investigation of conditions in the copper mines in the counties of Houghton, Keweenaw, and Ontonagon, in the State of Michigan; to the Committee on Rules.

By Mr. ANDERSON: Resolution (H. Res. 314) directing the Postmaster General to inform the House as to certain rulings and instructions relative to the mailability of game birds, etc.; to the Committee on the Post Office and Post Roads.

By Mr. CLARK of Florida: Concurrent resolution (H. Con. Res. 22) requesting the President of the United States to extend to Francis Joseph, Emperor of Austria; Eugenie, Empress of the French; and Charles de Lesseps a pressing invitation to be present as guests of the United States at the celebration of the opening of the Panama Canal, to be held at San Francisco, Cal., in the year 1915; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 9334) granting an increase of pension to Sarah Roberts; to the Committee on Invalid Pensions.

By Mr. AVIS: A bill (H. R. 9335) for relief of James H. Kelly; to the Committee on Military Affairs.

Also, a bill (H. R. 9336) granting an increase of pension to T. M. Chevront; to the Committee on Invalid Pensions.

By Mr. BELL of California: A bill (H. R. 9337) granting an increase of pension to Millie V. Bennett; to the Committee on Invalid Pensions.

By Mr. BREMNER: A bill (H. R. 9338) granting an increase of pension to James Hanna; to the Committee on Pensions.

By Mr. BROWN of West Virginia: A bill (H. R. 9339) granting a pension to George W. Hill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9340) granting an increase of pension to Edgar C. Martin; to the Committee on Invalid Pensions.

By Mr. BURKE of South Dakota: A bill (H. R. 9341) granting an increase of pension to Edward L. Hyde; to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 9342) granting an increase of pension to Thomas McCall; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 9343) granting an increase of pension to M. J. McRaith; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 9344) granting a pension to Nellie M. Hupp; to the Committee on Pensions.

By Mr. HELM: A bill (H. R. 9345) for the relief of heirs or estate of William White, deceased; to the Committee on War Claims.

By Mr. KAHN: A bill (H. R. 9346) granting an increase of pension to Hiram S. Ledingwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9347) for the relief of Richard H. Grey; to the Committee on Claims.

By Mr. KIESS of Pennsylvania: A bill (H. R. 9348) granting a pension to Mary E. Miller; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Connecticut: A bill (H. R. 9349) to correct the military record of Andrew Castle, alias Andrew Smith; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 9350) granting an increase of pension to John Pollard; to the Committee on Invalid Pensions.

By Mr. KONOP: A bill (H. R. 9351) granting an increase of pension to Charles Arpin; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 9352) granting an increase of pension to William Rader; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9353) granting an increase of pension to James Collins; to the Committee on Invalid Pensions.

By Mr. McGILLICUDDY: A bill (H. R. 9354) granting an increase of pension to Orrel Brown; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 9355) granting an increase of pension to Annie Egan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9356) granting an increase of pension to Mary B. Worley; to the Committee on Invalid Pensions.

By Mr. PLUMLEY: A bill (H. R. 9357) granting a pension to Leonora Lathrop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9358) granting a pension to Mary J. Smith; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 9359) granting an increase of pension to William R. Whittaker; to the Committee on Invalid Pensions.

By Mr. STEVENS of Minnesota: A bill (H. R. 9360) granting a pension to Mary Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9361) for the relief of D. O'Halloran; to the Committee on Claims.

Also, a bill (H. R. 9362) for the relief of R. B. Whitacre & Co.; to the Committee on Claims.

Also, a bill (H. R. 9363) for the relief of the estate of Robert M. Cannon, administrator; to the Committee on War Claims.

By Mr. SHERWOOD: A bill (H. R. 9364) for the payment of money due Robert F. June; to the Committee on Claims.

Also, a bill (H. R. 9365) granting a pension to Henry W. Amnron; to the Committee on Pensions.

By Mr. WINSLOW: A bill (H. R. 9366) for the relief of Owen Smith; to the Committee on Military Affairs.

Also, a bill (H. R. 9367) for the relief of John Goodro; to the Committee on Military Affairs.

Also, a bill (H. R. 9368) for the relief of Christopher Colvin; to the Committee on Claims.

Also, a bill (H. R. 9369) granting a pension to Annie R. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9370) granting a pension to Narcisse Menard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9371) granting a pension to Alexander Gilmore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9372) granting a pension to Julia M. Hill; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the General Conference of the Congregational Churches of Connecticut, protesting against the segregation of negroes in the Government departments; to the Committee on Reform in the Civil Service.

Also (by request), petition of the Retail Merchants' Association, favoring establishing of an armor-plate plant for the Government in the District of Columbia; to the Committee on Naval Affairs.

Also (by request), memorial of the members of the Unitarian Conference of the Middle States and Canada, favoring resolution for congressional investigation into the mining conditions of Colorado; to the Committee on the Judiciary.

Also (by request), petition of Laurence Carr, of Richmond, Cal., asking that his claim against the Canadian Government relative to certain of his patents be presented at The Hague, in Holland; to the Committee on Foreign Affairs.

By Mr. BALTZ: Petition of citizens of Madison, St. Clair, and Bond Counties, Ill., favoring the enactment of House bill 5308, relative to mail-order houses; to the Committee on Ways and Means.

By Mr. BARTHOLDT: Petition of Frank A. Nagle, of Mackinaw Island, Mich., protesting against certain provisions of the seamen's bill; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Chicago Peace Society, favoring a naval holiday; to the Committee on Naval Affairs.

Also, petitions of Stewart-Greer Lumber Co., the board of directors of the Merchants' Exchange, and St. Louis Advertising Men's League, favoring legislation for flood protection along the Mississippi River; to the Committee on Rivers and Harbors.

Also, petition of R. W. Boisselier, of St. Louis, Mo., protesting against the passage of House bill 8814, for national holiday October 12 of each year; to the Committee on the Judiciary.

By Mr. BOOHER: Petition of business men of the fourth congressional district of Missouri, favoring the passage of House bill 5308, compelling concerns selling goods direct to the consumer by mail to contribute their portion of the funds for the development of the local community, county, and State; to the Committee on Ways and Means.

By Mr. BUTLER: Petitions of citizens of the seventh congressional district of Pennsylvania, favoring passage of bill restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. DALE: Petitions of sundry citizens of the State of New York, favoring passage of the Bartlett bill, for 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petitions of the four organizations of railroad employees and the American Federation of Labor, favoring passage of S. 959 and H. R. 6334; to the Committee on the Judiciary.

Also, petition of Goldman, Sachs & Co., of New York, favoring the passage of S. 136, known as the seamen's bill; to the Committee on the Merchant Marine and Fisheries.

By Mr. DANFORTH: Petition of Group 1, New York State Bankers' Association, favoring changes in the currency bill, H. R. 7837; to the Committee on Banking and Currency.

By Mr. GALLAGHER: Petitions of John Louis Horn, Alfred B. Gormars, Josephine Large, and George E. Hooker, of Chicago, Ill., favoring passage of S. 136, relative to adequate equipment for steamships, etc.; to the Committee on the Merchant Marine and Fisheries.

By Mr. GRAHAM of Pennsylvania: Memorial of the Commercial Exchange of Philadelphia, favoring adoption by Congress of legislation for flood protection of the lower Mississippi River; to the Committee on Rivers and Harbors.

By Mr. HELM: Papers to accompany bill for the relief of the heirs of William White; to the Committee on War Claims.

By Mr. KAHN: Memorial of the San Francisco (Cal.) Chamber of Commerce, favoring flood protection of the lower Mississippi River; to the Committee on Rivers and Harbors.

Also, petition of the San Francisco (Cal.) Labor Council, favoring the passage of the seamen's bill; to the Committee on the Merchant Marine and Fisheries.

By Mr. KIESS of Pennsylvania: Petition of citizens of Unityville, Pa., favoring restriction of foreign immigration; to the Committee on Immigration and Naturalization.

By Mr. KONOP: Memorial of Milwaukee Federated Trades Council, favoring passage of H. R. 1872 and S. 927; to the Committee on the Judiciary.

Also, petition of Federated Trades Council of Milwaukee, Wis., favoring the passage of the seamen's bill; to the Committee on the Merchant Marine and Fisheries.

Also, petition of C. F. Baker and others, for Lindquist pure fabric and leather bill; to the Committee on Interstate and Foreign Commerce.

By Mr. LEVY: Petition of the Allied Printing Trades Council of New York, favoring change in postal rates; to the Committee on the Post Office and Post Roads.

Also, petition of the Buffalo Chamber of Commerce, favoring passage of Ransdell-Humphreys bill for flood protection; to the Committee on Rivers and Harbors.

Also, petition of John J. Bradly, of New York, protesting against the passage of the seamen's bill; to the Committee on the Merchant Marine and Fisheries.

Also, petition of Goldman, Sachs & Co. and Theodore Kauffeld and others, of New York, protesting against the passage of the seamen's bill; to the Committee on the Merchant Marine and Fisheries.

By Mr. MAHAN: Papers in the case of Sarah B. Davis, accompanying H. R. 8571; to the Committee on Invalid Pensions.

By Mr. MURRAY of Massachusetts: Petition of the Boston Central Labor Union and Boston Typographical Union, No. 13, favoring an investigation by Congress of conditions in the mining districts of northern Michigan and in Colorado; to the Committee on the Judiciary.

By Mr. SUTHERLAND: Papers in support of bill H. R 9059, granting an increase of pension to William E. Long; to the Committee on Invalid Pensions.

Also, papers in support of bill H. R. 9108, granting an increase of pension to James H. Clutts; to the Committee on Invalid Pensions.

Also, papers in support of bill H. R. 9107, granting a pension to Joseph Tibbetts; to the Committee on Invalid Pensions.

By Mr. TOWNER: Petition of citizens of Centerville, Sewal, Lenox, Bedford, Sharpsburg, Moulton, College Springs, New Market, Blanchard, Shambaugh, Yorktown, Farragut, Riverton, Sidney, Hamburg, Exline, Imogene, Corning, Nodaway, Cromwell, Prescott, Coin, Northboro, Clio, Garden Grove, Le Roy, Seymour, Mystic, Promise City, Plano, Pleasanton, Lineville, Allerton, Van Wert, Essex, Blockton, Redding, Benton, Delphos, Davis City, Kellerton, Decatur, Leon, Weldon, Derby, Humeston, Cambria, Corydon, Mount Ayr, Diagonal, Maloy, Shannon City, and Lamoni, all in the State of Iowa, favoring H. R. 5308, to provide for a tax upon all firms, corporations, or persons engaged in interstate mail-order business, and for other purposes; to the Committee on Ways and Means.

By Mr. WILSON of New York: Petition of the State Council of New York Daughters of America, favoring restriction of immigration; to the Committee on Immigration and Naturalization.

HOUSE OF REPRESENTATIVES.

FRIDAY, *November 21, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty God look, we beseech Thee, with compassion upon our infirmities; when we are weak impart unto us strength, when we are perplexed impart unto us wisdom, when we falter impart unto us courage, that we may meet all the conditions and circumstances of life with a firm resolve to do the right as it is given us to see the right, keeping step with our convictions, harmonizing our acts with the eternal fitness of things and thus glorifying ourselves by glorifying Thee our Father. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 2779) to authorize the conveyance of the steel bridge over the Snake River between Lewiston, Idaho, and Clarkston, Wash., to the States of Idaho and Washington or local subdivision thereof.

EXTENSION OF REMARKS.

Mr. BROCKSON. Mr. Speaker, I ask unanimous consent to revise and extend a speech which was made by me in this House on Friday last.

The SPEAKER. The gentleman from Delaware asks unanimous consent to revise and extend his remarks delivered the other day. Is there objection?

There was no objection.

CONSERVATION.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent that at the next meeting of the House I may be permitted to address the House for 40 minutes on the subject of conservation.

The SPEAKER. The gentleman from Washington asks unanimous consent that at the next meeting of the House, after the reading of the Journal and the ordinary routine business, he be permitted to address the House for 40 minutes on the subject of conservation. Is there objection?

Mr. BRYAN. Mr. Speaker, reserving the right to object, I would like to ask unanimous consent to couple with that request permission for me to deliver an address to the House for about 15 minutes, winding up a little subject that I started on the 6th of September.

The SPEAKER. The gentleman from Washington, Mr. BRYAN, couples with the request that after the gentleman from Washington, Mr. JOHNSON, concludes his remarks he shall be permitted to address the House for 15 minutes on the same subject that he started on the 6th of September. Is there objection to the request of the gentleman from Washington, Mr. JOHNSON, as modified by the request of the gentleman from Washington, Mr. BRYAN?

Mr. HAMLIN. What is the subject of the gentleman's remarks?

Mr. BRYAN. Some developments that arose in connection with the Seattle riots. Some features that had not been presented to the House at the time I delivered my speech. I desired just before leaving for home in September to present those facts to the House, but my colleague thought it was inopportune. I suppose now he will have no objection to my presenting those facts and certain facts that have since transpired.

The SPEAKER. Is there objection to the double request?

Mr. HARDWICK. Mr. Speaker, I understand the gentleman from Washington wants to discuss the Seattle riots.

Mr. BRYAN. Yes; it is connected with the Seattle riots.

Mr. HARDWICK. I object.

Mr. MANN. I hope the gentleman from Georgia will not object. The objection that was made before came from this side of the House.

Mr. HARDWICK. I understand.

Mr. MANN. I think no one on this side of the House has any objection.

Mr. HARDWICK. Very well, Mr. Speaker, I withdraw the objection.

The SPEAKER. Is there objection to the request of the gentleman from Washington, Mr. JOHNSON, as modified by the request of the gentleman from Washington, Mr. BRYAN?

There was no objection.

CORPORAL PUNISHMENT.

Mr. EVANS. Mr. Speaker, I ask unanimous consent that at the next meeting of the House, at the conclusion of the addresses of the gentlemen who have secured consent, I may be permitted to address the House for 30 minutes on corporal punishment inflicted as a penalty.

The SPEAKER. The gentleman from Montana asks unanimous consent that at the next meeting of the House after the two gentlemen from Washington, Mr. JOHNSON and Mr. BRYAN, have concluded their remarks, he may be permitted to address the House for 30 minutes on the subject of corporal punishment. Is there objection?

There was no objection.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3397. An act to amend section 2324 of the Revised Statutes of the United States relating to mining claims; and

S. 2779. An act to authorize the conveyance of the steel bridge over the Snake River between Lewiston, Idaho, and Clarkston, Wash., to the States of Idaho and Washington or local subdivisions thereof.

MAILABILITY OF GAME BIRDS.

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

Mr. JOHNSON of Kentucky. Mr. Speaker, before the resolution is read I would like to ask what it is about.

Mr. ANDERSON. It is a resolution of inquiry to the Postmaster General in regard to a ruling that is said to have been made by the department on Tuesday last as to the mailability of game birds.

Mr. JOHNSON of Kentucky. I do not know what it is, but on account of the small number of Members present I object.

The SPEAKER. The gentleman from Kentucky objects.

ADJOURNMENT UNTIL MONDAY.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next. Is there objection?

Mr. ANDERSON. Mr. Speaker, reserving the right to object, I would like to have my resolution acted upon at as early a date as possible. I am not willing that the House shall adjourn three days at a time if we can do any business.

The SPEAKER. It is not three days from now until Monday. The gentleman from Kentucky asks unanimous consent that when the House adjourns to-day it adjourn to meet on next Monday. Is there objection?

Mr. THOMAS. Mr. Speaker, I object.

The SPEAKER. The gentleman from Kentucky objects.

ADJOURNMENT.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

Mr. THOMAS. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. The gentleman from Kentucky [Mr. THOMAS] demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Two Members, not a sufficient number, and the yeas and nays are refused. The question is on the motion of the gentleman from Kentucky [Mr. JOHNSON], that the House do now adjourn.

The question was taken, and the motion was agreed to; accordingly (at 12 o'clock and 12 minutes p. m.) the House adjourned until to-morrow, Saturday, November 22, 1913, at 12 o'clock noon.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 8135) granting a pension to Delia White, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CARY: A bill (H. R. 9373) to amend an act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886; to the Committee on Interstate and Foreign Commerce.

By Mr. FRENCH: A bill (H. R. 9374) to promote the safety of travelers and employees upon railroads by compelling common carriers engaged in interstate commerce to adopt uniform rules for the operation of railroad trains and to use a uniform system of signals for authorizing the movement of railroad trains; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 9375) authorizing the Secretary of War to make certain donations of muskets, condemned cannon, and cannon balls; to the Committee on Military Affairs.

By Mr. LINTHICUM: A bill (H. R. 9376) to provide for an addition to and the repair, remodeling, change, extension, and improvement of the Federal building now owned by the United States at Baltimore, Md., and used for the business of the United States post office at that point; to the Committee on Public Buildings and Grounds.

By Mr. BARTHOLDT: Concurrent resolution (H. Con. Res. 23) in relation to the suspension of naval construction for a stated period; to the Committee on Foreign Affairs.

Also, resolution (H. Res. 315) in relation to the establishment of a national university at Washington, D. C.; to the Committee on Rules.

By Mr. CROSSER: Resolution (H. Res. 316) to investigate the school system in force at Gary, Ind.; to the Committee on Rules.

By Mr. ESCH: Memorial of the House of Representatives of the Legislature of the State of Illinois in the matter of a Federal grant to elementary and secondary education; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HAMLIN: A bill (H. R. 9377) granting an increase of pension to Richard J. Watkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9378) granting an increase of pension to David Kinsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9379) granting a pension to Minnie S. Rector; to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 9380) granting an increase of pension to James Nolan; to the Committee on Invalid Pensions.

By Mr. KINKAID of Nebraska: A bill (H. R. 9381) granting an increase of pension to James N. Dykeman; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 9382) for the relief of Nancy P. Moore; to the Committee on War Claims.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 9383) granting a pension to Monta E. Milligan; to the Committee on Pensions.

By Mr O'HAIR: A bill (H. R. 9384) granting an increase of pension to George J. Beeman; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 9385) granting a pension to Marie F. Manns; to the Committee on Pensions.

By Mr. REILLY of Connecticut: A bill (H. R. 9386) granting an increase of pension to Mary Duggan; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 9387) granting a pension to James J. Gardner; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 9388) granting an increase of pension to Whitmill Herrington; to the Committee on Invalid Pensions.

By Mr. SINNOTT: A bill (H. R. 9389) granting an increase of pension to Merritt A. Baker; to the Committee on Invalid Pensions.

By Mr. TOWNER: A bill (H. R. 9390) granting an increase of pension to John Hodge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9391) granting an increase of pension to William D. Christy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9392) granting an increase of pension to William Baldwin; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Memorial of the Milwaukee Hotel Association, protesting against the passage of the seamen's bill; to the Committee on the Merchant Marine and Fisheries.

By Mr. ESCH: Memorial of the Philadelphia Board of Trade, Chamber of Commerce, Commercial Exchange and Philadelphia Bourse, and the American Bankers' Association, favoring amending the banking and currency bill; to the Committee on Banking and Currency.

Also, petitions of citizens of the seventh congressional district, State of Wisconsin, favoring passage of the Lindquist pure fabric and leather bill; to the Committee on Interstate and Foreign Commerce.

By Mr. HAMLIN: Papers to accompany House bill 4098, to pension Matilda J. Sweaney; to the Committee on Invalid Pensions.

By Mr. LEVY: Petitions of De Selding Bros. and H. F. Hadden, of New York, N. Y., protesting against the passage of the seamen's bill; to the Committee on the Merchant Marine and Fisheries.

SENATE.

SATURDAY, *November 22, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

PRESIDENT PRO TEMPORE UNITED STATES SENATE,
Washington, November 22, 1913.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN RANDOLPH THORNTON, a Senator from the State of Louisiana, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. THORNTON thereupon took the chair as Presiding Officer and directed that the Secretary read the Journal of the proceedings of the last legislative day.

THE JOURNAL.

The Journal of the proceedings of Thursday last was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Presiding Officer:

S. 2779. An act to authorize the transfer of a steel bridge over the Snake River between Lewiston, Idaho, and Clarkston, Wash., to the States of Idaho and Washington, or local subdivisions thereof; and

S. 3397. An act to amend section 2324 of the Revised Statutes of the United States, relating to mining claims.

PETITIONS.

Mr. SHIVELY presented resolutions adopted by Elmer Post, No. 37, Department of Indiana, Grand Army of the Republic, of Elkhart, Ind., praying for the enactment of legislation granting a pension of $1 per day to all surviving soldiers of the Civil War, which were referred to the Committee on Pensions.

Mr. WEEKS presented petitions of the Ladies' Benevolent Society of the Second Congregational Church of Palmer; of the Missionary Society of the First Highland Baptist Church, of Springfield; and of the congregation of the First Congregational Church of Westfield, all in the State of Massachusetts, praying for the passage of the so-called antipolygamy bill, which were referred to the Committee on the Judiciary.

Mr. BURTON presented a petition of sundry citizens of Ohio, praying for the adoption of certain amendments to the pending banking and currency bill, which was referred to the Committee on Banking and Currency.

He also presented a petition of sundry citizens of Ohio, praying for the enactment of legislation providing an international suspension of naval construction, which was referred to the Committee on Naval Affairs.

He also presented a petition of sundry citizens of Ohio, praying for the enactment of legislation granting pensions to the members of the United States Military Telegraph Corps of the Civil War, which was referred to the Committee on Pensions.

CHEROKEE FREEDMEN (S. DOC. NO. 239).

Mr. CLAPP. I present a memorial of the Cherokee freedmen and ask that it be printed in the RECORD and also printed as a Senate document, and that it be referred to the Committee on Indian Affairs.

I desire to say that this memorial goes to the question of the right of enrollment, and that I may not be misunderstood I will state that I am not in favor of any general opening of the rolls; but if there are individual cases where it shall be ascertained that injustice has been done I believe they should be corrected.

I should like to ask consent of the Senate that this personal statement may appear in connection with the memorial printed in the RECORD and also as a document.

The PRESIDING OFFICER. The Senator from Minnesota asks unanimous consent to have the memorial he has presented printed in the RECORD and also as a document.

Mr. BACON. I should like to inquire of the Senator before that order is made what the memorial is.

Mr. CLAPP. It is a memorial of Cherokee freedmen setting forth that there are cases where injustice has been done with reference to closing the rolls and leaving them off the rolls.

Mr. BACON. How long is the memorial?

Mr. CLAPP. About three pages.

Mr. BACON. I wish to say in reference to this memorial, that my position as to the printing of other memorials may not be misunderstood, I recognize that this is probably something a little out of the ordinary and relates to a subject that may be entitled to a little more consideration than is usually the case.

Mr. CLAPP. Unquestionably. I think it is an exceptional case, and therefore I have made the request.

Mr. BACON. I understand, furthermore, it has reference to immediate legislation.

Mr. CLAPP. Yes, sir.

There being no objection, the memorial was ordered to be printed as a document and referred to the Committee on Indian Affairs, and ordered to be printed in the RECORD, as follows:

MEMORIAL OF THE CHEROKEE FREEDMEN.

To the Congress of the United States:

We, the undersigned, representing the Cherokee freedmen who have been wrongfully excluded from the final rolls of the Cherokee Nation of Oklahoma, do hereby memorialize Congress to enact legislation which will protect us in the rights guaranteed us under treaties between the United States and said nation, under the laws of Congress, and the rules and regulations of the Interior Department, and the decisions of the courts.

By the act of Congress of June 10, 1896 (the Indian appropriation bill), the rolls of citizenship of the several tribes, as they then existed, were confirmed, yet a number of our people whose names appear upon the various rolls have been denied their rights. (See Whitmire v. The United States and the Cherokee Nation, decided by the Court of Claims Mar. 28, 1910, and Feb. 20, 1911.)

Under the act of June 28, 1898, the Commission to the Five Tribes was directed as follows:

"It shall make a roll of Cherokee freedmen in strict compliance with the decree of the Court of Claims rendered the 3d day of February, 1896."

This direction was plain and simple, yet it was not obeyed.

The court in this opinion clearly set out the rights of the Cherokee freedmen, and we call your attention to the following extract:

"Said commissioners, in ascertaining the identity of the freedmen entitled to share under this decree, shall accept what is known as the authenticated Cherokee roll, the same being on file in the office of the Secretary of the Interior, having been furnished to him, and purporting to have been taken by the Cherokee Nation in 1880, for the purpose of showing the number of freedmen entitled at that time to citizenship in said nation * * * and their descendants."

The Secretary of the Interior in his letter of instructions told the commission what it should do, and had the commission followed the law and his instructions there would have been no trouble, but the commission did neither. He informed them that—

"The roll of 1880 made by the Cherokee Nation is to be accepted by you as conclusive of the rights of all persons whose names are found thereon and of their descendants to be enrolled by you; * * * no evidence was to be accepted tending to disprove the citizenship of any person whose name was upon the roll of 1880."

Notwithstanding the decree of the court and the strong language of the Secretary, the commission did fail and neglect to properly place upon the final roll the names of a number of freedmen who were on the 1880 roll. Many of the freedmen whose names were on that roll and their descendants have been and still are wrongfully denied membership in said nation, and they will lose their valuable rights unless some action is taken by Congress. There can be no reasonable excuse offered for the neglect of the Commission to the Five Tribes, for it was fully instructed what to do in regard to the Cherokee freedmen. (Please read letter of Secretary in his report of 1902, p. 124.)

Many of the people have lived in the Cherokee Nation all their lives, some of them have occupied and cultivated the same tract of land for from 30 to 40 years, and some were permitted to make tentative selections. They have raised stock and crops, built houses and barns, have developed the agricultural wealth of the Cherokee country. They have voted, held office, and exercised all the rights of citizenship. They applied for enrollment within the time fixed by law. All of them have been enrolled once as citizens and many of them twice by the Government, and these rolls have been approved by the Secretary of the Interior, and many of them, at various payments, were paid as members of the Cherokee Nation of Indians.

The act of Congress provided for the removal of intruders; none of these freedmen were disturbed.

Under the act of June 28, 1898, authority was given to the chief or to any member of the tribe to bring suits against any person holding wrongful possession of lands in the Cherokee country, yet no action was brought against any of your petitioners. Under the act of 1902 the Secretary was to cause allottees to be placed in possession, but the Secretary did not remove the freedmen claimants. This shows how they were regarded before the final rolls were made up and before they were wrongfully left off of the final rolls, which will deprive them of their interest in the tribal property, and they will be driven from the homes they have occupied for years, and others will be deprived from making their rightful selections.

By reason of valuable oil and gas deposits in the lands, which by rights belong to your petitioners, the same—worth many millions of dollars—we will lose, also be deprived of other property and our homes if Congress does not give us relief.

We are satisfied that the records of the Interior Department cover all the facts, and that the questions involved could be settled fairly and justly within a very short time.

We therefore pray Congress to give us a chance to present our cases to a committee of Congress, to any court, or to the Secretary of the Interior. We know that we can establish our rights, and we are only asking for just and fair treatment.

Hoping that our memorial will be printed in the CONGRESSIONAL RECORD, printed as a document, and referred to the Committee on Indian Affairs, and that an act of Congress will be passed which will give us an opportunity to present our cases,

We are, respectfully,

JACOB B. WILSON, *President.*
NELSON GRIBBS, *Secretary.*

SUSPENSION OF NAVAL CONSTRUCTION.

Mr. POMERENE. Mr. President, I have before me the preamble and resolutions adopted by the Cincinnati Chamber of Commerce and Merchants' Exchange on the subject of the sus-

pension of naval construction in harmony with the declaration of the Lord of the Admiralty of Great Britain, the Right Hon. Winston Churchill. I ask that the resolutions be printed in the RECORD and referred to the Committee on Naval Affairs.

There being no objection, the resolutions were referred to the Committee on Naval Affairs and ordered to be printed in the RECORD, as follows:

CINCINNATI CHAMBER OF COMMERCE AND MERCHANTS' EXCHANGE.

Resolutions adopted by the board of directors November 18, 1913.

Whereas the following resolution (H. Res. 298) has been introduced in the United States Congress:

Resolved, That in the opinion of the House of Representatives the declaration of the Lord of the Admiralty of Great Britain, the Right Hon. Winston Churchill, that the Government of the United Kingdom is willing and ready to cooperate with other Governments to secure for one year a suspension of naval-construction programs, offers the means of immediately lessening the enormous burdens of the people and avoiding the waste of investment in war material.

Resolved, That a copy of this resolution be furnished the President, with the request that so far as he can do so, having due regard for the interests of the United States, he use his influence to consummate the agreement suggested by the Right Hon. Winston Churchill: Therefore

Resolved by the board of directors of the Cincinnati Chamber of Commerce, That we heartily approve the above resolution, and the secretary is hereby instructed to send copies of the action of this body to the President of the United States, the Senators from Ohio, and to Representatives ALLEN and BOWDLE.

W. C. CULKINS,
Executive Secretary.

KEOKUK DAM CO. AND NORTH AMERICAN CO.

Mr. POINDEXTER. I present resolutions adopted by the Progressive Party Club of St. Louis, Mo., which I ask may be printed in the RECORD and referred to the Committee on Interstate Commerce.

Mr. SMOOT. I did not hear the request of the Senator from Washington.

The PRESIDING OFFICER. The Secretary will state what the petition is.

The SECRETARY. Resolutions adopted by the Progressive Party Club of St. Louis, Mo., favoring the investigation of certain charges pertaining to the Keokuk Dam Co. and North American Co. and the securing of legislation that will adjust all differences between consumer and producer of hydroelectric products now being generated by use of Government waters throughout the United States.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington?

There being no objection, the resolutions were referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

ST. LOUIS, MO., *November 10, 1913.*

"*To the Members of the Sixty-third Congress of the United States:*

"Whereas The Keokuk Dam Co., a public-service corporation, controlled by Stone & Webster, of Boston, holds a franchise from the United States Government for the generating and sale of hydroelectric current at Keokuk, Iowa; and

"Whereas in a pamphlet issued by said company previous to beginning the operation of its plant it is stated that the current 'will be sold much cheaper than steam power costs'; and

"Whereas the same pamphlet goes on to say: 'That it is well known that only 10 to 15 per cent of the energy in coal comes out on the shaft of the steam engine. But, on the other hand, over three-quarters of the energy of the moving water of the Mississippi River is delivered over the transmission wires to St. Louis, over a hundred miles away.' 'And that right here is where water power scores the competition of steam power, even in the fields of cheapest coal'; and

"Whereas, notwithstanding these assertions of the pamphlet leading the public to believe they were to have cheaper light and power, it has been openly charged by some of the St. Louis press that the hydroelectric current is no cheaper, but on the contrary has been contracted for by the Union Electric Co., through the North American Co., a distributing company of St. Louis, for a period of 99 years, based on the cost of coal; and

"Whereas it has been stated that the Keokuk Dam Co. has entered into an agreement with the said North American Co., a distributing company of St. Louis, not to sell its product to anyone else within a 30-mile radius of St. Louis, and, further, that by this agreement and arrangement the Keokuk Dam Co. enters into collusion with the North American Co. to deliver its current not into St. Louis, but to a point 10 miles or more distant, and from which point the North American Co., converting a part of its double or, rather, its treble self into what is styled the distributing company, is enabled to convey the current over a 10-mile line to the utilities companies of which it is the owner and at an additional cost of 50 per cent over the price netted by the Keokuk Co.; and

"Whereas the reason alleged for this is to furnish a subterfuge for basing the price of hydroelectric current on the cost of coal; and

"Whereas Congress, having granted a charter to the Keokuk Dam Co. for the use of the Mississippi River to manufacture electricity, then that body unquestionably has power to protect the public from gross imposition by regulating the distribution and sale of the company's product; and

"Whereas that within the power of Congress to conserve and control natural resources and to grant the privileges of utilizing them also lies the power to compel an equitable treatment of consumers or to amend or repeal the charter of the holding company; and

"Whereas the Keokuk electric plant is a public utility using public property for a public service; and

"Whereas if these allegations be true, then and therefore be it

"*Resolved by the Progressive Party Club of the city of St. Louis, representing the Progressives of the tenth, eleventh, and twelfth congressional districts of Missouri*, That the Keokuk Dam Co. and the North American Co. are violating a moral obligation, betraying a public trust, and usurping the God-given rights of the people by organizing subsidiary companies, or so-called distributing companies, through which to not only practice extortion, but to create and foist upon the people of St. Louis and vicinity another unholy and unjust arbitrary; and, furthermore, that by entering into an agreement or alliance to exclude others within a 30-mile radius of St. Louis from using the Keokuk Dam they directly enter into an agreement which constitutes a most flagrant violation of the Sherman Antitrust Act and a glaring and shameful example of two corporations entering into an agreement for the direct restraint of trade: Therefore be it

"*Resolved*, That we appeal to Congress, and especially to the Progressives and progressive Members of all parties, to not only investigate the foregoing charges pertaining to the Keokuk Dam Co. and the North American Co., but to endeavor to secure as speedily as possible such legislation as will adequately adjust all differences between consumer and producer of hydroelectric products now being generated by use of Government waters throughout the United States; and, furthermore, to guard zealously any and all pending concessions, to the effect that these national resources, though developed by private capital, may be conserved as consistently as possible for the Government and the people to which and to whom they wholly and solely belong; and be it further

"*Resolved*, That copies of these resolutions be forwarded to Hon. MILES POINDEXTER and Hon. VICTOR MURDOCK, to present the same to the Senate and House of Representatives of the United States."

The foregoing resolutions were unanimously adopted at a regular meeting of the Progressive Party Club of St. Louis this 10th day of November, 1913.

W. J. LONGBOTHAM, *President.*
EUGENE A. VOGL, *Secretary.*

REPORTS OF COMMITTEE ON FINANCE.

Mr. WILLIAMS, from the Committee on Finance, to which was referred the bill (H. R. 1967) regulating the manufacture of smoking opium within the United States, and for other purposes, reported it with an amendment and submitted a report (No. 130) thereon.

He also, from the same committee, to which was referred the bill (H. R. 1966) to amend an act entitled "An act to prohibit the importation and use of opium for other than medicinal purposes," approved February 9, 1909, reported it with amendments and submitted a report (No. 132) thereon.

BANKING AND CURRENCY.

Mr. OWEN. Mr. President, I have the honor to report from the Committee on Banking and Currency the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes, and I submit a formal written report (No. 133) thereon. I ask to have printed as appendices to the report views of the two sections of the committee.

The PRESIDING OFFICER. The Senator from Oklahoma, in behalf of the Committee on Banking and Currency, or a portion of it, submits a report which he desires to have printed. What was the further request of the Senator from Oklahoma? The Chair did not catch it on account of the confusion in the Chamber. Will he please repeat it?

Mr. OWEN. The request was that the individual views of members of the Committee on Banking and Currency be printed as appendices to the report.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HITCHCOCK. Before that request is granted I should like to inquire whether the Senator means by the views of the individual members of the committee the views signed by the two sections of the committee?

Mr. OWEN. Certainly.

Mr. HITCHCOCK. I should like to request, in addition to what is requested by the chairman of the committee, that the views and reports of facts submitted by the section of the committee of which I am a member, accompanied also by a print of the bill as we propose to amend it, be printed separately, and that of this print 25,000 copies be printed.

Mr. OWEN. I have no objection to the request of the Senator and to have it printed separately. That is what I understand he would prefer.

Mr. HITCHCOCK. I should like to inquire of the Senator from Oklahoma how many copies of this joint publication he proposes to have printed?

Mr. OWEN. I had not intended to ask for any more than the usual number—a thousand copies for the use of the Senate document room—unless there should appear to be some urgent demand. In that case I thought the number might be enlarged when it proved to be necessary.

Mr. HITCHCOCK. In my judgment there will be a very large demand for both these reports with the accompanying bill, and it was my intention—it was the intention of the section of the committee which I represent—to print with our views the bill as we propose to amend it, so as to enable an intelligent opinion to be formed by the country.

Mr. OWEN. I intend to ask the consent of the Senate to have printed in parallel columns the House bill and the amendments proposed by the section of the committee in sympathy with my views, and also the amendments proposed by the Senator from Nebraska and those in sympathy with his views.

Mr. HITCHCOCK. I think that would be very desirable, providing, then, in addition to the request we make——.

Mr. OWEN. I submitted my request, not knowing what the Senator from Nebraska might ask. I see no reason why the appendices might not be printed separately, and in that way the number desired by the Senator from Nebraska might easily be printed.

The PRESIDING OFFICER. The Chair would inquire whether, in consequence of the agreement between the Senator from Oklahoma and the Senator from Nebraska, the requests will be combined in one or are they to be submitted separately?

Mr. OWEN. I have no objection.

Mr. HITCHCOCK. I think it can be made one unanimous-consent agreement, embodying the requests made by the Senator from Oklahoma and myself.

Mr. OWEN. I should prefer to have the Senator from Nebraska make his own request.

Mr. HITCHCOCK. Then I will wait until the Senator submits his request.

Mr. OWEN. I will be glad if the Senator will permit me to do so. I see no reason why the first request I made should not be complied with, which is that the report of the committee returning the House bill to the Senate shall have printed with it the individual views of the two sections of the committee. I understand the Senator from Nebraska also prefers to have the views of his section of the committee printed as a separate pamphlet.

Mr. HITCHCOCK. Also.

Mr. OWEN. I agree to that. If that course be agreeable, then I will only ask that the report have attached to it the views of the individual members of the committee in accord with my own views, leaving as a separate pamphlet the views of the Senator from Nebraska and his section of the committee. Is that agreeable?

Mr. HITCHCOCK. Entirely.

Mr. OWEN. If that is agreeable, I——

Mr. BRISTOW. Mr. President, let me make a suggestion. I think it is desirable that the report as submitted by the Senator from Nebraska and the bill accompanying it be printed separately, and I also think it would be very desirable to have the bill which is reported back, the bill which is suggested by the Senator from Oklahoma and the bill suggested by the Senator from Nebraska, printed in parallel columns—the three bills.

Mr. OWEN. I had intended to make that request at the proper time.

Mr. BRISTOW. In addition to the individual reports, so that that print may be used by Senators.

Mr. OWEN. I had intended to make that request at the proper time. I simply wanted to dispose of one matter at a time.

Mr. SHAFROTH. Mr. President, I wish to suggest to the chairman of the committee and the Senator from Kansas that they should not be printed in three columns but in two, because each one of the bills presented here crosses out the part of the House bill intended to be cut out and consequently bears on its face a comparison with the House bill. Consequently the publication of the House bill as it passed would add nothing to the two columns, which I think are all that are necessary.

Mr. BURTON. Mr. President, it seems to me, for purposes of comparison and study of these bills, it would be best to have three parallel columns.

Mr. SMOOT. Certainly.

Mr. BURTON. Then we would have before us the three distinct propositions in the way of legislation. I hope the document proposed may be printed in that form.

Mr. NORRIS. If the Senator will allow me right there, I should like to suggest to him that each one of the sections of the committee, as I understand it, have as a basis the House bill, and if printed in two columns, the amendments being printed in italics and the text of the House bill being stricken through as is usually done, we would get the entire measure in print.

Mr. BURTON. I do not quite understand the form which that would take.

Mr. NORRIS. The Senator must recognize that in every bill which comes from the House and is reported from a committee with amendments the parts stricken out have a line run through them and the amendments are printed in italics. If that was done with the bills reported by the two sections, we would only need a column to know what either section proposed as amendments to the House bill.

Mr. BURTON. The proposition is to make the House bill the basis of the two?

Mr. NORRIS. Yes.

Mr. BURTON. And to print in italics the portions added, with the House bill as the basis?

Mr. NORRIS. Exactly. I think no matter which section of the committee one may wish to follow, he will want to compare their work with the House bill, and if printed in the usual form, by striking through the text that which is stricken out and printing the amendments in italics, we will be able to see at a glance when printed in two parallel columns, and we can compare not only the bill as reported by each section of the Banking and Currency Committee, but compare at the same time either one of those bills with the bill as passed by the House.

Mr. OWEN. I wish to suggest to the Senator from Nebraska [Mr. NORRIS] that that has already been done. The House bill will be printed with the amendments proposed by each section of the committee inserted in italics, and this print in three columns is to enable those who desire to see the three proposals side by side to do so without being compelled to sift it out for themselves.

Mr. NORRIS. I should like to suggest to the Senator from Oklahoma that I would not have any objection to its being printed in three columns instead of two if in the two instances where the different sections of the committee have reported their bills they have followed the usual form in a bill by which the amendments are put in italics and the text of the House bill stricken through.

Mr. OWEN. That will be done.

Mr. NORRIS. I am glad to hear that, but I do not see that there is any use in having a third column if that will be done. That will make the comparison complete.

Mr. CLARK of Wyoming. Mr. President, a parliamentary inquiry. Do I understand the request of the Senator from Oklahoma to be that these bills shall be printed as a part of the report of the committee?

Mr. OWEN. That they shall be printed as an appendix to the report of the committee.

Mr. CLARK of Wyoming. That is what I desired to inquire.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Minnesota?

Mr. OWEN. I yield to the Senator.

Mr. NELSON. It seems to me that the only way we can get a proper comparison of these bills is to have each bill—the bill reported by one section of the committee and the bill reported by the other section of the committee—printed in parallel columns, for the reason that we have not always made the same changes or eliminated the same portions of the Glass bill. If we have in one column the bill reported by the Senator from Oklahoma [Mr. OWEN], with his proposed amendments, and in another column the Glass bill, with the amendments reported by the Senator from Nebraska [Mr. HITCHCOCK] from his section of the committee, that will give the body of the Glass bill with the amendments proposed by each portion of the committee. That is the only way in which we can print them, it seems to me; so that there will be two columns, with each bill as reported by each section of the committee.

Mr. STONE. Mr. President, I should like to ask the Senator from Oklahoma a question.

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Missouri?

Mr. OWEN. I yield.

Mr. STONE. I should like to ask the Senator from Oklahoma if every section of the House bill has been amended?

Mr. OWEN. No; not every section, but almost every section has been amended.

Mr. STONE. Is it not possible that some sections of the bill that neither section of the committee has amended might contain propositions that some Senator not on the committee would desire to have amended?

Mr. OWEN. Undoubtedly.

Mr. STONE. And in that view, it would seem to me better if the three propositions were printed in juxtaposition in parallel columns.

Mr. OWEN. I think, Mr. President, that it is of importance and of value to the Senate that they should have the three proposals in parallel columns, so that they can at a glance see exactly what they are and read them coherently, one by one.

Mr. SMOOT. May I inquire what the request of the Senator from Oklahoma is?

The PRESIDING OFFICER. The Chair will direct the Secretary to read it.

The Secretary read as follows:

Mr. OWEN asks that House bill 7837, together with the report thereon submitted by himself and Senators O'GORMAN, REED, POMERENE, SHAFROTH, and HOLLIS, together with the views of these Senators, attached as an appendix, be printed as a document.

Mr. CLARK of Wyoming. I do not understand that the Senators named make any report as indicated in the proposed agreement just read by the Secretary.

Mr. OWEN. The report is confined to returning the House bill to the Senate without recommendation.

Mr. CLARK of Wyoming. Exactly; and for that reason I call attention to the wording of the request as made by the Senator.

Mr. OWEN. The request as read at the desk is not aptly phrased. The request of the Senator from Oklahoma was that to the report of the committee returning the House bill without recommendation be added as an appendix the individual views of the members of the two sections of the committee.

Mr. CLARK of Wyoming. That is exactly as I understand it, and exactly as it was not read from the desk. I ask that the request be again read.

The PRESIDING OFFICER. The Secretary will again read the request in accordance with the correction made by the Senator from Oklahoma [Mr. OWEN].

The Secretary read as follows:

That to the report of the committee on House bill 7837, submitted without recommendation, there shall be attached the views of the chairman of the committee and Senators O'GORMAN, REED, POMERENE, SHAFROTH, and HOLLIS, and that, then, the same shall be printed as a Senate document.

Mr. CRAWFORD. Mr. President, I should like to have the attention of the Senator from Nebraska [Mr. HITCHCOCK] upon that point. It seems to me that the views of the members of the committee associated with the Senator from Nebraska ought also to be printed as an appendix to the main report that brings the bill back into the Senate, but as the request now comes from the Senator from Oklahoma [Mr. OWEN] the report of the committee would have attached to it only the views of the members associated with the chairman of the committee. It seems to me that to be a complete document it ought to contain the views of both sections of the committee.

Mr. OWEN. Mr. President, I understand that the Senator from Nebraska has withdrawn his objection to have the views of both sections of the committee attached to the report. In that event I know of no objection to the motion made by myself.

Mr. HITCHCOCK. I will say, Mr. President, that I do so with the understanding that, in addition to that, we may have 25,000 additional copies of our own views printed in connection with our bill.

Mr. SMOOT. I want to call the Senator's attention to the fact——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. OWEN. I do.

Mr. SMOOT. Before that agreement is reached I desire to call the Senator's attention to the fact that it would be impossible to print 25,000 copies of this document simply by an order of the Senate. The bill itself contains 78 pages. To print that amount of matter would cost $37 a thousand. All that you could print within the $500 limit would be about 13,000 copies of the bill, and if it is desired to have 25,000 copies printed it must be done by concurrent resolution of the two Houses.

Mr. HITCHCOCK. I call the attention of the Senator from Utah to the fact that it is not proposed to print the bill as it appears in the copy which he has before him, which occupies nearly one-half of the pamphlet, but it is proposed to omit all those portions stricken out, and only to print the bill as we propose to have it amended.

Mr. SMOOT. Then, Mr. President, as I understand, the request of the Senator is that there be printed 25,000 extra copies of the bill only that he and his associates have reported to the Senate.

Mr. STONE. Together with the report.

Mr. HITCHCOCK. No, Mr. President. I have reduced to writing the request which I make, and I send it to the Secretary's desk and ask to have it read.

Mr. SMOOT. That will be better.

The PRESIDING OFFICER. The Secretary will read the request of the Senator from Nebraska.

The Secretary read as follows:

Ordered, That there be printed 25,000 copies of the views and report of facts by Senators HITCHCOCK, NELSON, BRISTOW, CRAWFORD, WEEKS, and MCLEAN, and following the same, in the same document, the bill as proposed to be amended by those Senators.

Mr. SMOOT. Mr. President, I will ask the Senator from Nebraska how long is the report or about how many printed pages will it contain?

Mr. HITCHCOCK. This typewritten copy [exhibiting], liberally spaced, contains 18½ pages. To meet the objection raised by the Senator from Utah that the cost of printing might perhaps exceed the $500 limit, I will modify my request so as to provide at first for the printing of only 20,000 copies.

Mr. SMOOT. I was going to suggest that to the Senator. I want the Senator to understand that I have no objection to printing the number of copies he desires, and that it was only to keep within the law that I raised the point. If the Senator modifies his request and asks for the printing of 20,000 copies, I think that the cost of printing that number will come within the $500 limit.

Mr. STONE. But suppose it does not come within the limit?

Mr. SMOOT. Then that number can not be printed, and the matter will have to come back to the Senate.

Mr. HITCHCOCK. I also desire to insert in my request the words "and in no case to exceed the $500 limit."

Mr. BRISTOW. What is the use of that? Can not the Senate have the printing done which it needs?

Mr. SMOOT. It can up to $500. When it exceeds that, it has to be done by a concurrent resolution of the two Houses. I think that, in view of the information which the Senator gives, 20,000 copies can be printed within the $500 limit.

The PRESIDING OFFICER. The Senator from Oklahoma [Mr. OWEN], on behalf of one section of the Banking and Currency Committee, returns to the Senate House bill 7837 without recommendation and requests that the views of the two sections of the committee be printed as appendices to the report. Is there objection? In the absence of objection, it is so ordered.

Now, the Senator from Nebraska [Mr. HITCHCOCK] submits in writing an order, which will be read.

The Secretary read as follows:

Ordered, That there be printed approximately 20,000 copies of Senate Report No. 133, part 3, being the views and report of facts by Senators HITCHCOCK, NELSON, BRISTOW, CRAWFORD, WEEKS, and MCLEAN, and following the same, in the same document, the bill as proposed to be amended by the Senators, such printing not to exceed the sum of $500.

The PRESIDING OFFICER. Is there objection to the request? The Chair hears none, and it is so ordered.

Mr. OWEN. Mr. President, I send to the desk, as a separate proposition, an amendment which I propose to offer as a substitute to the House bill, and ask that it be printed and lie on the table.

The PRESIDING OFFICER. The Senator from Oklahoma submits an amendment to the bill which he asks to have printed and lie on the table. In the absence of objection, it will be so ordered.

Mr. OWEN. I ask unanimous consent that the reported bill be printed, showing the changes proposed by the amendments suggested by myself and those Senators agreeing with me.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma?

Mr. SMOOT. Mr. President, I did not hear the request. Let it be again stated.

Mr. OWEN. I simply asked for a print of the bill as proposed to be amended by my section of the committee.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma? The Chair hears none, and it is so ordered.

Mr. OWEN. Mr. President, I ask that, within the $500 limit of cost, copies of the report containing the individual views of the chairman of the Committee on Banking and Currency and the members agreeing with him be printed for the use of the Senate document room.

There being no objection, the order was agreed to and reduced to writing, as follows:

Ordered, That as many copies as may be furnished for $500 of the Report No. 133, part 2, containing the individual views of the chairman of the Committee on Banking and Currency and the members agreeing with him on H. R. 7837, "To provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes," be printed for the use of the Senate document room.

Mr. OWEN. Mr. President, I desire to ask unanimous consent to have printed as a Senate document the House bill as proposed to be amended by myself and those Senators agreeing with me, and also as proposed to be amended by the Senator from Nebraska [Mr. HITCHCOCK] and the Senators agreeing with him, so that they will appear in parallel columns. (S. Doc. No. 240.)

There being no objection, the order was agreed to and reduced to writing, as follows:

Ordered, That the bill H. R. 7837, "An act to provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes," as proposed to be amended by Mr. OWEN and the Senators acting with him, and in opposite column the same bill as proposed to be amended by Mr. HITCHCOCK and the Senators acting with him, be printed as a Senate document.

ELECTION OF SENATORS.

Mr. WALSH. I am directed by the Committee on Privileges and Elections, to which was referred the bill (S. 2860) providing a temporary method of conducting the nomination and election of United States Senators, introduced by the Senator from Washington [Mr. POINDEXTER], to report it with an amendment in the nature of a substitute, and I submit a report (No. 131) thereon.

Mr. GALLINGER. Mr. President, I will ask the Senator if he has submitted a written report on the bill?

Mr. WALSH. The committee submit a written report.

Mr. GALLINGER. Is it a very lengthy report?

Mr. WALSH. No; it merely embodies the proposed substitute for the bill.

Mr. GALLINGER. I should like very much to have the report read. It is a very important matter, which at the present time is engaging the attention of the people all over the country.

The PRESIDING OFFICER. Without objection, the Secretary will read the report.

The report (No. 131) submitted this day by Mr. WALSH is as follows:

Mr. WALSH, from the Committee on Privileges and Elections, submitted the following report, to accompany S. 2860:

The Committee on Privileges and Elections, which has had under consideration the bill (S. 2860) providing for a temporary method of conducting the nomination and election of United States Senators, makes the following report to the Senate:

Strike out all after the enacting clause and insert in lieu thereof the following:

"First. That at the regular election held in any State next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, at which election a Representative to Congress is regularly by law to be chosen, a United States Senator from said State shall be elected by the people thereof for the term commencing on the 4th day of March next thereafter.

"Second. That in any State wherein a United States Senator is hereafter to be elected, either at a general election or at any special election called by the executive authority thereof to fill a vacancy, until or unless otherwise specially provided by the legislature thereof, the nomination of candidates for such office shall be made, the election to fill the same conducted, and the result thereof determined, as near as may be, in accordance with the laws of such State regulating the nomination and election of candidates for Members at Large of the National House of Representatives: *Provided*, That in case no provision is made in any State for the case of the nomination or election of Representatives at Large, the procedure shall be in accordance with the laws of such State respecting the ordinary executive and administrative officers thereof who are elected by the vote of the people of the entire State: *And provided further*, That in any case the candidate for Senator receiving the highest number of votes shall be deemed elected."

Mr. STONE. Mr. President, I should like to have the attention of the Senator from Montana for a moment. During the reading of the bill my attention was diverted. I should like to ask the Senator whether he offers the bill which has just been read as a bill to be referred to a committee, or is it a report from a committee?

Mr. WALSH. It is a report from the Committee on Privileges and Elections proposing a substitute for the bill referred to that committee and which had been introduced by the Senator from Washington [Mr. POINDEXTER].

Mr. STONE. It is reported and goes to the calendar?

Mr. WALSH. It goes to the calendar. It is intended to have the bill printed, so that it may have the study of Senators for the purpose of later being called up for consideration.

Mr. STONE. Has the committee filed a report?

Mr. WALSH. Nothing except tendering a substitute.

Mr. O'GORMAN. Mr. President, I should like to ask the Senator from Montana if the report from the Committee on Privileges and Elections just read is a unanimous report of the committee?

Mr. WALSH. My recollection is, I will say to the Senator from New York, that one member of the committee dissented from the report and the other members signified a desire to reserve the right to propose amendments to the draft of the bill which has been prepared by the committee.

The PRESIDING OFFICER. The bill will be placed on the calendar.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMPSON:

A bill (S. 3464) granting a pension to Sarah Wilson; and

A bill (S. 3465) granting an increase of pension to E. H. Mileison (with accompanying papers); to the Committee on Pensions.

By Mr. STERLING:

A bill (S. 3466) providing for free homesteads on the public lands for actual and bona fide settlers, and reserving the public lands for that purpose; to the Committee on Public Lands.

A bill (S. 3467) granting a pension to John J. Boesl; to the Committee on Pensions.

By Mr. SIMMONS:

A bill (S. 3468) granting an increase of pension to Susan E. Bain; to the Committee on Pensions.

By Mr. BURTON:

A bill (S. 3469) for the relief of William E. Halley; to the Committee on Claims.

AMENDMENT TO AGRICULTURAL APPROPRIATION BILL.

Mr. CHAMBERLAIN submitted an amendment proposing an appropriation of $10,000 for the importation of Corriedale sheep from New Zealand for breeding purposes, intended to be proposed by him to the agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

SENATOR FROM ALABAMA.

Mr. BANKHEAD. Mr. President, I present the certificate of appointment of Hon. FRANK P. GLASS, of Alabama, to be a Senator from that State to fill the unexpired term of the late Senator JOSEPH F. JOHNSTON, and ask that it be read and referred to the Committee on Privileges and Elections.

The PRESIDING OFFICER. The credentials presented by the Senator from Alabama will be read.

The credentials were read and referred to the Committee on Privileges and Elections, as follows:

To the Senate of the United States of America:

A vacancy having happened in the Senate of the United States of America by reason of the death of Hon. JOSEPH F. JOHNSTON, one of the Senators from the State of Alabama in the Senate of the United States of America, and I, Emmet O'Neal, as governor of the State of Alabama, having heretofore appointed one HENRY D. CLAYTON a Senator of the United States of America from the State of Alabama to fill the vacancy caused by the death of said JOSEPH F. JOHNSTON, but said HENRY D. CLAYTON having failed to qualify as such Senator and having notified me of his purpose not to do so, and having returned the commission heretofore issued to him and having by unanimous consent withdrawn his credentials from your consideration, I have this day appointed and do by these presents appoint FRANK P. GLASS as Senator of the United States of America from the State of Alabama under and by virtue of the authority vested in me by section 3 of Article I of the Constitution of the United States of America and the provisions of the seventeenth amendment to the Constitution of the United States of America and the constitution and laws of the State of Alabama.

In witness whereof I, Emmet O'Neal, as governor of the State of Alabama, have hereunto set my hand and caused the great seal of the State to be hereunto affixed at the capitol at Montgomery this the 17th day of November, in the year of our Lord 1913.

[SEAL.] EMMET O'NEAL, *Governor.*

By the governor:

CYRUS B. BROWN, *Secretary of State.*

Mr. BANKHEAD. In this connection, Mr. President, I ask unanimous consent to have printed as a public document a short statement of the governor of Alabama in relation to his constitutional power to make the appointment, and also a brief and opinion prepared by Hon. R. P. Evins, legal adviser to the governor, and a brief prepared on this question by the Senator from Kentucky [Mr. BRADLEY].

Mr. SMOOT. I should like to ask the Senator if a part of that has not been already printed as a public document?

Mr. BANKHEAD. It has not. The brief prepared by the Senator from Kentucky was printed as an executive document, for the use of the committee. It has had no distribution. I simply desire to have that brief printed as a public document, in order that the Senate may have the benefit of it.

The other brief, prepared by the governor's legal adviser, is entirely different from the one to which the Senator refers as having been heretofore printed, and is directed to a different phase of the question.

Mr. SMOOT. What I want to know is whether the brief which the Senator asks now to have printed as a public document is the same brief that he asked to have printed as a public document in the case of Mr. CLAYTON?

Mr. BANKHEAD. No; it is entirely different.

The PRESIDING OFFICER. Without objection, the matter referred to will be printed as a public document.

Mr. WALSH. Mr. President, I was called from the Chamber for a moment. May I ask what is the request of the Senator from Alabama?

Mr. BANKHEAD. I simply asked unanimous consent for the publication of this brief as a public document. I stated that the brief prepared by the Senator from Kentucky [Mr. BRADLEY] had been printed, but it was printed as an executive document, for the use of the committee. It has had no distribution.

Mr. WALSH. The request is for the publication of a brief prepared by the Senator from Kentucky?

Mr. BANKHEAD. Yes.

Mr. WALSH. Why not print them all?

Mr. BANKHEAD. They have all been printed except this one.

Mr. WALSH. In exactly the same way?

Mr. BANKHEAD. Oh, no; not at all.

Mr. BACON. Mr. President, if I recollect rightly, the views submitted by the Senator from Montana [Mr. WALSH] were not printed as a document. As I understand the suggestion of the Senator from Montana, which I think is a very proper one, it is that if some members of the committee have their views printed as a public document all of the views presented by members of the committee should be published.

Mr. BANKHEAD. Certainly.

Mr. BACON. I myself have read the views submitted by the Senator from Montana, and I understand that to be the suggestion. I do not think the Senator from Alabama intended otherwise.

Mr. BANKHEAD. I should be delighted to have the views of the Senator from Montana printed as a public document.

Mr. BACON. Then I will ask, for the Senator from Montana, as he does not make a formal request, that the views of the Senator from Montana be also printed, not as a separate document, but as a part of the same document.

Mr. BANKHEAD. I shall be delighted to have the three documents printed together. I ask that the documents I have sent to the desk and the views of the Senator from Montana be printed as a public document. (S. Doc. No. 241.)

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON PUBLIC DOCUMENTS.

Mr. CUMMINS. Mr. President, on Monday last I gave notice of a proposed amendment to the standing rules of the Senate. I desire to submit a resolution, and ask that it be read and referred to the Committee on Rules. A copy of it was attached to the notice filed on Monday last.

The resolution (S. Res. 218) was read and referred to the Committee on Rules, as follows:

Resolved, That there shall be a standing committee of the Senate known as the Committee on Public Documents. It shall be composed of three Senators, elected in the same manner as the members of other standing committees.

No book, pamphlet, article, paper, address, or other matter requiring the consent or order of the Senate in order to be printed as a public document shall be so printed or an order therefor entered until the request or motion for such order shall have been referred to the above committee and its report thereon received: *Provided*, That nothing herein contained shall be construed to interfere with the right of the Senate to discharge the committee from the further consideration of any such request or motion.

In making its report the committee shall describe the general character of the matter sought to be printed as a public document and shall specifically state whether it is of such value to the country that it ought to be printed and circulated at the expense of the Government.

PROPOSED FINAL ADJOURNMENT.

Mr. MYERS. I submit a concurrent resolution and ask that it be read, and I also ask for its immediate consideration.

The concurrent resolution (S. Con. Res. 10) was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 24th day of November, 1913, at 2 o'clock p. m.

Mr. MYERS. I ask for the immediate consideration of the concurrent resolution.

The PRESIDING OFFICER. The Senator from Montana asks unanimous consent for the present consideration of the concurrent resolution submitted by him. Is there objection?

Mr. GRONNA. Mr. President, may I hear what the resolution is? My attention was distracted.

The PRESIDING OFFICER. The Secretary will again read the concurrent resolution.

Mr. STONE. Just a moment, Mr. President. This is a concurrent resolution proposing an adjournment sine die on the 24th of November, and present consideration is asked?

The PRESIDING OFFICER. Present consideration is asked.

Mr. STONE. I object.

Mr. MYERS. I claim that the concurrent resolution is one of the highest privilege, and that one objection is not sufficient to defeat its consideration.

The PRESIDING OFFICER. Objection is made to the present consideration of the concurrent resolution. That ends it, unless, on a vote, the Senate orders to the contrary.

Mr. MYERS. I make the point of order that one objection is not sufficient to defeat the consideration of the concurrent resolution.

The PRESIDING OFFICER. Will the Senator again state his point of order?

Mr. MYERS. It is that one objection is not sufficient to defeat the consideration of the concurrent resolution at the present time; that it is a matter of the highest privilege, and that, upon being offered, on the demand of any Senator, it must be considered at that time.

Mr. GALLINGER. Mr. President, it seems to me that inasmuch as the Senator has asked unanimous consent——

Mr. MYERS. I beg the Senator's pardon; I did not ask unanimous consent. I asked for the immediate consideration of the resolution. That was my request.

Mr. GALLINGER. Will the Senator point to any rule that relieves the matter from the objection that was made by the Senator from Missouri [Mr. STONE]?

Mr. MYERS. Instead of engaging in a parliamentary contest with the veteran Senator from New Hampshire, I move the immediate consideration of the resolution.

Mr. GALLINGER. That is better.

The PRESIDING OFFICER. The Senator from Missouri [Mr. STONE] objects to the present consideration of the concurrent resolution.

Mr. STONE. I do; and the Senator from Montana moves, notwithstanding the objection, to proceed with the consideration of the concurrent resolution.

Mr. MYERS. Yes; I make a motion for immediate consideration.

Mr. SMOOT. Under the rule the Senator from Montana can not even do that until the hour of 2 o'clock arrives. I simply wish to call attention to the rule; that is all. Of course, whatever the Chair decides in the matter will be satisfactory; but the rule says that the Senator can not make that motion until 2 o'clock.

Mr. MYERS. What is the ruling of the Chair on that point, Mr. President?

The PRESIDING OFFICER. The ruling of the Chair is that the contention made by the Senator from Utah is correct.

Mr. MYERS. Then I give notice that at 2 o'clock of this day I shall move for immediate consideration of the concurrent resolution.

Mr. BORAH. I should like to know where the Senator from Utah gets his authority for the proposition just stated by him to the Chair, that a motion of this kind can not be made at this time. Is it in the rules of the Senate?

Mr. SMOOT. The rules really state that a resolution has to go over for one day upon objection. If a Senator objects, a resolution has to go over until the next day.

Mr. BORAH. That is an entirely different proposition.

Mr. SMOOT. Yes. The statement I made was that the motion could not be made until 2 o'clock. I had in my mind then the idea that if it was presented after 2 o'clock, after the morning business was closed, perhaps it could be voted upon. I think I am in error even in that statement, however. I think at any time of day, if one objection is made, a resolution must go over until the following day.

Mr. BORAH. The Senator from Utah is correct in the proposition he has just stated, that if there is an objection a resolution must go over for one day; but in this case there was no objection. There being no objection, the Senator from Montana has a right to move for consideration of the concurrent resolution.

Mr. STONE. But I objected to it, Mr. President. I objected to the present consideration of the concurrent resolution; and I submit to the Chair that the effect of the objection is to carry over the resolution for a day.

Mr. GALLINGER. Mr. President, the rule is explicit. I read paragraph 5 of Rule XIV:

> All resolutions shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct.

It seems to me that under that rule the resolution must of necessity go over under objection

Mr. MYERS and Mr. BORAH addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana has the floor. Does he yield to the Senator from Idaho?

Mr. MYERS. I do.

Mr. BORAH. I do not take issue at all with the rule nor with the statement made by the Senator from New Hampshire; but that was not the condition of affairs. The Senator from Montana made a motion, and at that time there was no objection. He had a perfect right to make the motion and have the concurrent resolution considered, unless there was an objection.

Mr. SMOOT. Before ever the Senator from Montana made the motion, however, the Senator from Missouri [Mr. STONE] objected to the consideration of the concurrent resolution.

The PRESIDING OFFICER. And the Chair so stated to the Senate.

Mr. BORAH. What has that to do with the point that the resolution can not be considered until after 2 o'clock?

Mr. BACON. I call the attention of the Senator from Idaho to paragraph 3 of Rule VII, in which he will find laid down what the Senator from Utah said.

Mr. SMOOT. Mr. President, I wish to say to the Senator from Idaho that I had in mind paragraph 3 of Rule VII, which reads as follows:

> Until the morning business shall have been concluded and so announced from the chair, or until the hour of 1 o'clock has arrived, no motion to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the calendar shall be entertained by the Presiding Officer unless by unanimous consent; and if such consent be given the motion shall not be subject to amendment and shall be decided without debate upon the merits of the subject proposed to be taken up.

Mr. GALLINGER. This concurrent resolution is not on the calendar.

Mr. SMOOT. That was the rule I had in mind. I say to the Senator now, as I said before, that the objection of the Senator from Missouri [Mr. STONE] carried the matter over, and there was no occasion for invoking this rule.

Mr. BORAH. That rule has no application, then?

Mr. SMOOT. None whatever, the objection having been made.

Mr. BORAH. The objection of the Senator from Missouri could carry it over; but that has nothing to do with the question of moving it before 2 o'clock.

Mr. GALLINGER. No.

Mr. MYERS. Mr. President, does the Chair rule that a motion for immediate consideration at this time is out of order?

The PRESIDING OFFICER. The Chair has so ruled. On the objection of the Senator from Missouri [Mr. STONE], the Chair ruled that the concurrent resolution could not be considered at this time.

Mr. MYERS. Then I give notice that at 2 o'clock of this day I shall move for the immediate consideration of the concurrent resolution. Meantime I wish to say a few words to Senators, for them to think about between now and 2 o'clock.

I understand that it has been the custom to adjourn about three weeks for the Christmas holidays. I think a better plan would be to adjourn two weeks for the Christmas holidays and one week now and divide up this joyous and hilarious celebration. I fear that three weeks' celebration at the Christmas holidays might incapacitate Senators for active work immediately after resuming business in the new year. I fear there might be an excess of dissipation.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Colorado?

Mr. MYERS. With great pleasure.

Mr. THOMAS. In view of the lack of progress this body has made in the last two months, I should like to inquire what kind of dissipation could possibly render it more seemingly incapacitated to do business than during that period?

Mr. MYERS. That is a very startling question, Mr. President, and I am not prepared to answer it at this time, but I think that three weeks of celebration and jollification at the Christmas period would be too much for the body, and it might not be able to do anything at all for a long time, but we should take one week now and two weeks then.

More than that, Thanksgiving falls during the next week, and I do not believe in lightly passing over that period with just one day's adjournment and eating a big turkey dinner. I believe we ought to adjourn for at least one week out of honor to Thanksgiving Day. I ask Senators to consider the propriety of dividing the period of rest into two periods—one week now and two weeks later on. I shall have nothing further to say about the matter until I make my motion at 2 o'clock.

Mr. THOMAS. Instead of dividing up the period of prospective rest, it would be better to put an end to our present period of rest and get to work.

The PRESIDING OFFICER. If there are no further resolutions, the morning business is closed, and the calendar under Rule VIII is in order.

BANKING AND CURRENCY.

Mr. OWEN. I move that House bill 7837 be laid before the Senate.

The PRESIDING OFFICER. The Senator from Oklahoma asks that House bill 7837 be laid before the Senate.

Mr. OWEN. I wish to move that the Senate proceed to the consideration of the bill.

The PRESIDING OFFICER. The Senator from Oklahoma moves that the Senate proceed to the consideration of the bill.

Mr. CUMMINS. We did not hear the motion in this part of the Chamber.

The PRESIDING OFFICER. The Senator from Oklahoma has moved that House bill 7837 be now proceeded with.

Mr. GALLINGER. Let the title at least be read.

The PRESIDING OFFICER. The Secretary will read the bill by title.

The SECRETARY. A bill (H. R. 7837) to provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. SMOOT. I suppose the only object the Senator from Oklahoma has in bringing up the bill at this time is to make it the unfinished business. The bill has not been printed, and, of course, we could not enter upon the consideration of it to-day.

Mr. OWEN. I do not anticipate to do anything with the bill at all, except to have it laid before the Senate for consideration so that it may occupy the status of unfinished business.

Mr. GALLINGER. Mr. President, I have no objection to hastening the consideration of this bill, but I am seriously in doubt whether when we have made two unanimous-consent agreements we can displace them by a motion.

Mr. OWEN. I had not the slightest idea of displacing the unanimous-consent agreements or to ask that this bill should be made the unfinished business in disregard of the unanimous-consent agreements now on the calendar with regard to the Hetch Hetchy Valley bill and the Alaska railroad bill, but otherwise I should be glad to have it made the unfinished business.

Mr. GALLINGER. With that understanding I do not object, but I think we ought to be very careful and preserve our unanimous-consent agreements.

Mr. OWEN. I did not make the suggestion with the view of any such contingency. I merely wanted to put the bill before the Senate.

Mr. CRAWFORD. Mr. President, I should like to ask the Senator from Oklahoma a question. Of course as a Member of this body and also as a member of the committee that spent a number of weeks considering the bill I have a very active interest in it. I realize the importance of having as early action taken upon it as can be had consistent with the full consideration that a bill of its importance demands. I am practically compelled to leave the city and to be absent for a few days, and I should like to know, if the Senator can state at this time, whether it is his intention to press immediately before the end of the special session a consideration that may involve final action upon amendments.

Mr. OWEN. I do not anticipate that the Senate can possibly pass upon this bill at the extra session. I simply want to have the bill made the unfinished business, and I want to give notice that on Monday I would like to address the Senate upon the bill. My object is to get the measure before the Senate and also to give an opportunity to other Senators who may wish to deliver set speeches on the bill to be heard.

Mr. CRAWFORD. That is entirely satisfactory.

Mr. STONE. Does the Senator think it necessary to make it the unfinished business?

Mr. OWEN. I thought it was better to make it the unfinished business, because it can be easily laid aside when there is no one to speak upon it.

Mr. BORAH. Mr. President, I wish to ask by what process the Senator can make it the unfinished business during the morning hour?

Mr. OWEN. Only by unanimous consent, which I was proceeding under.

Mr. BORAH. It can not be made the unfinished business by unanimous consent, as I understand it, until morning business is closed.

Mr. OWEN. I did not move that it be made the unfinished business. I thought that unanimous consent would be granted to make it the unfinished business; that no one would object to it.

Mr. BORAH. I have no objection to taking the bill up, but the proposition remains that we can not make it the unfinished business unless we take it up and consider it after morning business is closed.

Mr. OWEN. The morning business is closed, and I made the motion that the Senate should proceed to the consideration of this bill.

The PRESIDING OFFICER. The Chair so understood the Senator. The Senator from Oklahoma moves that the Senate do now proceed to the consideration of the bill.

Mr. NELSON. The bill not having been reported by a majority of the committee, it is not entitled to be placed upon the calendar until a request has been made for that to be done. Has the Senator from Oklahoma asked that the House bill be placed on the calendar?

Mr. OWEN. I reported the House bill without recommendation from the Committee on Banking and Currency in pursuance of a resolution of the Committee on Banking and Currency that that should be done, but it simply puts the House bill on the calendar without any recommendation on the part of the committee, the committee itself having divided.

Mr. NELSON. I would suggest to the Senator from Oklahoma—and I am not saying this for the purpose of embarrassing him—that the first request, in view of the double report, ought to be that the bill be placed on the calendar as a bill reported by the committee.

Mr. OWEN. It is on the calendar now.

Mr. NELSON. By what authority?

Mr. OWEN. By the result of a report of the Committee on Banking and Currency, reporting it back to the Senate without recommendation.

Mr. NELSON. It is not on the calendar. The Committee on Banking and Currency did not unite in a report. Each half of the committee made a separate report.

Mr. OWEN. That is already quite clearly understood. I think that the Senator from Minnesota did not observe that the report was simply a report of the bill without recommendation, and then as an appendix to that report there was ordered printed by the Senate the views of the two factions of the committee.

Mr. NELSON. If the Senator will allow me, I do not think that would entitle the bill to be placed on the calendar. I think if the Senator has not already done so he ought to ask that the bill be placed on the calendar, like a bill that stands reported by the majority of a committee.

Mr. OWEN. I do not understand, under parliamentary practice, that it is necessary to ask that it go on the calendar, but it goes automatically to the calendar when reported by a committee in that way.

The PRESIDING OFFICER. The bill is on the calendar. The Senator from Oklahoma now moves that the Senate proceed to the consideration of House bill 7837. The question is on the motion of the Senator from Oklahoma.

The motion was agreed to.

Mr. MYERS. The morning business having been closed, I understand that that has the same effect on the business of the Senate as if the hour of 2 o'clock had arrived, and I now make my motion for the immediate consideration of the concurrent resolution which I sent to the desk a moment ago.

The PRESIDING OFFICER. The Chair will state to the Senator from Montana that under the objection of the Senator from Missouri the resolution has gone over until to-morrow.

Mr. STONE. I made the point of order that under the rule the resolution must go over for a day.

The PRESIDING OFFICER. The Chair has so held.

Mr. MYERS. I appeal from the ruling of the Chair, Mr. President.

The PRESIDING OFFICER. The Senator from Montana appeals from the ruling of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. JAMES. I move to lay the appeal on the table.

The PRESIDING OFFICER. The Senator from Kentucky moves to lay on the table the appeal taken from the decision of the Chair by the Senator from Montana.

The motion was agreed to.

Mr. OWEN. I now ask that House bill 7837 be temporarily laid aside.

The PRESIDING OFFICER. It will be so ordered. The calendar under Rule VIII is in order.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

Mr. LANE. I ask the Senator from Georgia to withhold the motion for a few minutes.

Mr. BACON. I will withhold the motion temporarily.

PERSONAL EXPLANATION—WRECK OF THE "GENERAL SLOCUM."

Mr. LANE. Mr. President, during the discussion of the seamen's bill there was a statement made by me in regard to the safety appliances carried on board the *General Slocum* which has been questioned. At that time, while discussing the fraudulent and inefficient type of life-saving appliances which are carried aboard many vessels and which are used to and do delude passengers into placing dependence upon them as a means of self-preservation, I said that the *Slocum* lost hundreds of her passengers for the reason that her lifeboats were ill equipped and ill manned; that they went over the sides with plugs out of them, and they went down like lead and drowned every passenger that was aboard of them; that they were a fraud and a snare and caused the loss of the lives of hundreds of people who would never have been lost if those lifeboats had not been aboard the *Slocum*.

At the time of the wreck of the *Slocum*, which was in 1904, I was in Alaska, on the shores of the Bering Sea, and the accounts which filtered in there, of course, were not so complete and perhaps not so accurate as they were nearer the scene of the wreck. At any rate this statement of mine has been disputed. There is an article in the Marine Journal, published in New York November 15, to the effect that the statement made by me is an error, and that it is my duty to correct it. It is stated also that I have perhaps been misled by representatives of the seamen's union, in regard to which I wish to say that no member of the seamen's union, nor any representative of that body, nor their friends, nor anyone else gave me the information.

I find that I was in error and that I was not quite accurate in my statement regarding the condition of the life-saving appliances to which I referred at that time. The actual condition was worse than I said it was in many respects. I have been looking over the accounts of the burning of the *General Slocum* which were published at that time. The accident occurred June 15, 1904, and the New York papers of the following days—the World, the Times, and others—printed pages concerning it during a week or more following the calamity. I have looked over these papers to ascertain what the facts were, and I find no mention is made of the position of the plugs in the only lifeboat examined. It seems that it was not a case of the plug being out of that boat, but that the seams in the bottom of the boat were open, which is worse. It is safe to assume that if her bottom was out, for all practical purposes the plug was out also, but nowhere do I find that fact mentioned.

The boats were not launched for the excellent reason that they were wired down to ring bolts with steel cables and could not be launched. The deck hands tried to launch them and failed. Dying mothers and children no doubt ripped their hands to pieces before they perished trying to loosen these boats from their moorings, as they did also in trying to secure the so-called life preservers, which were stored behind slats, which held them in place—secure from the passengers—by the aid of nails and numerous coats of dry paint.

In regard to the condition of their life-saving devices, it is stated that an examination of the life preservers aboard the *Slocum* proved that some of them at least had in the middle of each of their sections—which were composed of ground, decayed, and "punk" cork—a piece of bar iron, put there to make weight. Think of that, if you please. Bar iron deliberately placed in life-preserves composed of decayed ground cork.

These so-called life preservers, composed of decayed ground cork and iron bars, were inclosed in canvas covers so very fragile from decay that they as well as the straps with which to tie them around the bodies of the passengers went to pieces in the hands of the people who tried to use them. They were not life preservers; they were sinkers. And I pronounced such life-saving equipment as a fraud and a snare and the cause of loss of life. And I was right, although the actual condition was worse than I had supposed it to be. If there had been no bogus lifeboats with seams open in the bottom, wired down with steel cable, and no iron-filled life preservers on board of the *Slocum*, to exhibit to people as a means for self-preservation in case of an accident, very few people would have gone upon an excursion on such a craft and many lives would thus have been spared.

Thirteen hundred and fifty-eight passengers intrusted themselves to the *Slocum* that day, most of them children. Three or four hundred of these children under the age which required their parents to purchase tickets for them aboard of a boat with only six lifeboats, some with open seams in their bottoms and all wired down with steel cable! I will concede that it was better to have them wired down than loose. It was contended by me that such or similar devices were the cause of the loss of life.

In regard to the statement which I make concerning the condition of these life-preservers with an iron bar in each section, there was a report of the United States Commission of Investigation upon the Disaster to the Steamer *General Slocum*, submitted October 8, 1904, and printed at the Government Printing Office in that year.

At the bottom of page 3, in a letter addressed by President Roosevelt to Hon. V. H. Metcalf, Secretary of Commerce and Labor, transmitting that report, he says that the Department of Justice has secured the indictment of the manager and three employees of the Nonpareil Cork Works, of Camden, N. J., for putting upon the market compressed-cork blocks for use in making life preservers, each of which blocks contained in its center a piece of bar iron weighing several ounces. I am assuming that President Roosevelt referred to the result of the investigation which was made of the condition of the life preservers on the *General Slocum*, yet I can not prove it; I did not examine any of those life preservers. I only know and repeat that which I find in the record as it came from the lips and pens of people who were witnesses to it or examined into the matter.

The life of a ground-cork life preserver, with or without a piece of bar iron in each of its sections, is stated in one of the newspapers published at that time to be six years. There were 2,500 life preservers in all upon the boat, 2,100 of which were said to be not less than 13 years old. They had been placed aboard the *Slocum* in 1891. There were others placed aboard that steamer which had formerly been used aboard the old steamer, *Edwin Forrest*, a boat which was in commission during the Civil War in 1864, 40 years before the accident. In grappling for and bringing up bodies from the bottom of the river after the accident, some were brought up from the bottom of the harbor with those iron-ballasted life preservers tied about them.

It seems, too, that the crew was an inexperienced one, picked up from along the water front. There had not been a fire drill aboard the boat during that year. The first mate was an ironworker by trade, and was serving as mate of the vessel without a license from the Government to act in that capacity.

Near the place where the fire started one standpipe was found with its valves rusted shut so that they could not be opened without the use of a tapping hammer and a wrench. There was also a blank washer in front of the outlet, screwed in place upon another standpipe, so that no water could possibly flow out of it after the hose had been coupled onto it. This fact was proven during the fire by actual experience.

Nine hundred and fifty-five people, mostly children, died by being either burned or drowned on that boat that day.

It was rather a queer accident in many ways. There was a pretty stiff breeze blowing, and when notice of the fire was given the captain ran the boat 3 miles against the head wind, past docks, and at one place passing an open beach with low banks and shallow water. The fire was in the forward end of the boat. A boat going 18 miles an hour against a head wind creates a forced draft. If you are standing in the bow of a boat going at that rate under such conditions you have to hold your hat on with your hands.

Poor and inefficient hose, inefficient inspection, fraudulent life-saving apparatus, and bad judgment on the part of the captain and pilots in the handling of the boats were what caused the unnecessary loss of a great many lives that day, perhaps the majority of them. It was for the purpose of calling attention to the danger which attends green crews and bogus life-saving apparatus that I made my remarks. I did not intend to do injustice to anyone and, as a matter of fact, I do not think I did, yet I was inaccurate in my statement as to the details. They were much worse than I stated them to be.

Just a short time ago we all read of the burning of the *Volturno*. During the discussion of that disaster in the newspapers the captain of that steamer was quoted as saying that in lowering one of the lifeboats, full of people, it was lowered at a time when the *Volturno* "sat down" upon it and caused the loss of life of every person in it. It was a lifeboat loaded presumably with women and children and such like helpless folk, who by right go first into life-saving devices.

By way of parenthesis I want to say right here that when a life-saving device such as a lifeboat is handled by those who are intrusted with the duty in a manner which causes the death of every person who trusts his or her life to it, that it is making a score of what they call in target practice "100 out of a possible 100." You can not beat it. It is more fatal than the bubonic plague.

There was stated to be great difficulty at the time of the burning of the *Volturno* in launching lifeboats from that steamer, and also from the fleet which went to her assistance. About that time I saw an account of the storm which prevailed and also, as perhaps you all did, a cut in the newspapers which was said to have been reproduced from a photograph of the *Volturno*, taken at the time when she was burning, which showed a mass of smoke rising from her forward. If you remember, you noticed that that smoke was going straight up into the air above her decks. If you have ever watched the behavior of smoke in a gale such as was said to have been prevailing at that time, you have noticed no doubt that it does not go up into the air—at least the kind of smoke with which I am familiar does not act that way if a gale of wind is blowing—but, on the contrary, it is cut off clean at the mouth of its exit and is carried almost horizontally down the wind. You can not shoot smoke up into the air from a cannon in a gale of wind.

Since seeing that picture of the action of the smoke which arose from the *Volturno* and the condition of the sea about her, I am more than ever convinced that the reason the *Volturno* "sat down" upon the lifeboat full of passengers and drowned them and why no lifeboats were lowered from her or from other craft for so many hours was because they did not have enough sailors aboard with the experience necessary to do that kind of work properly. The fact that stokers, cooks, stewards, and others than sailors manned the lifeboats which made the rescue points to the same conclusion. A crew of experienced sailors could easily and speedily have launched a lifeboat in a gale which did not have power enough in its lungs to drive the smoke flat over the rails. They could also, in perfect security, have played "hopscotch" in a good lifeboat in a sea such as was running, as shown in the photograph.

Not one of the attendant vessels which were standing by the *Volturno* when she was burning was able to pass a line aboard her. Judging from the condition of the sea, as shown in the cut reproduced from the photograph published at that time, it should not have been a hard task to do so.

The good skipper of the *Duxbury*, who in heavy weather, in the open sea, three times passed a line aboard a helpless derelict with over a hundred passengers aboard, could have "lathered and shaved" the *Volturno* had he been at the tiller of any one of the craft which were standing by her.

I am quite willing, however, to correct my error about the plugs being out of the lifeboats of the *Slocum* and that the passengers lost their lives for that reason, and to substitute for it the facts which prove the contention I made at the time—that the life-saving equipment which is usually provided is a delusion and a snare. I would far rather be in a lifeboat with the plug out than in one with its seams open. I might be able to stop the one leak, while I could not the other. To lash that kind of a lifeboat down with a steel cable is the proper way to safeguard the lives of the passengers. To exhibit it, however, to trusting and confiding women and children as a life-saving device is, in my opinion, a crime.

Some hundreds of little children went down to death that day—happy, expectant little folks, out for a day of enjoyment, were caught in a trap aboard a boat covered with gingerbread woodwork and tawdry decorations, placed there to attract their patronage, and were roasted to death or drowned through the cupidity and carelessness of those to whom they intrusted their precious lives. One poor mother, looking over the side of the boat, recognized a struggling and drowning child as her own, and with an agonized cry of "Mein Frieda," that rose above the tumult, sprang overboard, to drown in trying to save her.

When the picture of the horrors of that scene rises before me, and I see hundreds of children and women dying an agonizing death, and at the same time I see them feverishly working in vain to obtain life preservers, which proved afterwards to be filled with ground cork and bar iron and to be covered with rotten canvas and nailed behind slats so securely that they could not be wrenched loose by the hands of the women nor reached by the children; when I dwell on the meaning of the rusted valves of the standpipes and the complement of untested fire hose, which was only guaranteed to stand a pressure of 40 pounds when it was new, whereas from one to two hundred pounds pressure was necessary; when I realize that the lifeboats provided for the safety of those people had their seams open between the bottom plates and were held down with steel cable all too securely for bleeding fingers to tear them loose from their fastenings; and when I see that poor mother and "Frieda," and other mothers and little children, burning or drowning like rats in a trap, I repeat that I consider the exhibition of such life-saving devices to the eyes of trusting folks as a delusion and a snare, and the cause of the death of many who would not have lost their lives if they had known the truth concerning them.

It may be, and I am willing to concede that it is, true that, trusting to my memory, I accused those who were guilty of murdering these children of having done so in a less cowardly and cruel manner than the cold-blooded one which they adopted. If I have failed in doing them justice, and they or anyone else feel aggrieved over my omission in that respect, I cheerfully offer these remarks as a correction, and I apologize for the lack of information respecting the more horrible condition

which prevailed on the *Slocum* in regard to the so-called life-saving appliances than I conceived of when I made the remarks on the seamen's bill.

In what I have stated here at this time I am giving voice to the statements which I have taken from the press reports which were published following that event and from the report of the commission which investigated the affair at the request of President Roosevelt. One of the commissioners who made this report—this the official and only report—was, I am informed, the chief inspector who was responsible for the condition of the appliances aboard the *Slocum* the day she was burned.

EXECUTIVE SESSION.

Mr. BACON. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 1 o'clock and 45 minutes p. m.) the Senate adjourned until Monday, November 24, 1913, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate November 22, 1913.

COLLECTOR OF CUSTOMS.

John F. Pugh, of Alaska, to be collector of customs for the District of Alaska in place of John R. Willis, whose term of office expired by limitation January 31, 1913.

COLLECTOR OF INTERNAL REVENUE.

David J. Williams, of Washington, to be collector of internal revenue for the district of Washington in place of Millard T. Hartson, superseded.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

Lieut. Col. Francis J. Kernan, Infantry, unassigned, to be colonel from November 20, 1913, vice Col. Charles McClure, Thirtieth Infantry, who died November 19, 1913.

Maj. William M. Wright, Infantry, unassigned, to be lieutenant colonel from November 20, 1913, vice Lieut. Col. Francis J. Kernan, unassigned, promoted.

Capt. Edward A. Shuttleworth, Second Infantry, to be major from November 21, 1913, vice Maj. James H. McRae, Fifth Infantry, detailed as adjutant general on that date.

First Lieut. George C. Lewis, Twenty-sixth Infantry, to be captain from November 21, 1913, vice Capt. Edward A. Shuttleworth, Second Infantry, promoted.

Second Lieut. David G. C. Garrison, Twenty-sixth Infantry, to be first lieutenant from November 21, 1913, vice First Lieut. George C. Lewis, Twenty-sixth Infantry, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate November 22, 1913.

COLLECTOR OF INTERNAL REVENUE.

Seth W. Jones to be collector of internal revenue for the district of New Hampshire.

PROMOTIONS AND APPOINTMENT IN NAVY.

Lieut. Commander Alfred W. Hinds to be a commander.
Lieut. Edwin H. Dodd to be a lieutenant commander.
Lieut. Manley H. Simons to be a lieutenant commander.
Lieut. (Junior Grade) Alfred W. Brown, jr., to be a lieutenant.
Lieut. (Junior Grade) Frank Russell to be a lieutenant.
Lieut. (Junior Grade) Garret L. Schuyler to be a lieutenant.
Ensign Edward H. Connor to be a lieutenant (junior grade).
Pay Inspector Thomas S. Jewett to be a pay director.
Asst. Paymaster Frank H. Atkinson to be a passed assistant paymaster.
Gray C. Holladay to be an assistant surgeon in the Medical Reserve Corps.

POSTMASTERS.

ALABAMA.

S. L. Dorroh, Reform.
J. T. Farmer, Samson.

FLORIDA.

Harry Gray, Palatka.

IDAHO.

Claude V. Biggs, Buhl.
F. E. Cornwall, Moscow.

ILLINOIS.

Frank Allen, Oglesby.
John R. Barclay, Rutland.
M. M. Brown, Bunker Hill.
Edward M. Dieter, Naperville.
Joseph S. Grimes, National Stock Yards.
Edward Johnston, Atkinson.
John Morahn, Sheridan.
P. H. Mulligan, Tolono.
M. S. Yoho, Roseville.

MASSACHUSETTS.

William J. Campbell, East Taunton.

NEW YORK.

Elizabeth Hollenbeck, Harriman.
John F. Ryan, Batavia.
James C. Spalding, Great Neck.
E. J. Sweeney, East Islip.

WASHINGTON.

Dana Child, Spokane.

WYOMING.

Louis Schalk, Rawlins.

HOUSE OF REPRESENTATIVES.

SATURDAY, *November 22, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal Spirit, Father of all souls, our hearts go out in praise and gratitude to Thee for the preservation and prolongation of our lives; for Thy loving kindness and tender mercies which pour themselves out in a thousand blessings day by day, without which we should perish from the face of the earth and sink into nothingness forever. May we show our appreciation of Thy care and protection by clean living and an earnest desire to serve Thee by a faithful service in the things which make for the betterment of mankind under the spiritual leadership of Thy son Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

ORDER OF BUSINESS.

Mr. THOMAS. Mr. Speaker, a day or two ago I introduced a resolution to adjourn to-day, and I wish to amend that resolution by inserting Monday, the 24th, instead of Saturday, the 22d. I think that the resolution is privileged, and I wish to call it up now and dispose of it.

The SPEAKER. The resolution is privileged.

Mr. THOMAS. Then I wish to call it up.

Mr. MANN. Mr. Speaker, I desire to call the attention of the Speaker to the fact that yesterday by unanimous consent an order was made providing for three speeches following the approval of the Journal, which, I take it, would come up ahead of any other matter.

Mr. THOMAS. Mr. Speaker, I think this resolution is privileged and comes before these speeches.

The SPEAKER. The resolution is privileged, there is not any question about that, but the House yesterday by solemn agreement set aside 95 minutes. I think it is, for speech making to-day, a special order, and a special order takes precedence of a privileged question. The Chair would not rule that it takes precedence of a question of personal privilege. There are two distinctions. After these gentlemen have made their speeches the Chair will entertain the motion of the gentleman, and the first one recognized for debate is the gentleman from Washington [Mr. JOHNSON], who is recognized for 40 minutes.

Mr. THOMAS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. THOMAS. Does the Chair hold that these speeches which these gentlemen are entitled to make take precedence over this privileged resolution?

The SPEAKER. The Chair does hold that. The House has a right to do as it pleases, and the House set aside this time for speech making. The Chair wishes to differentiate again between a privileged question and a question of privilege. The Chair says that a privileged question is shut out temporarily by the special order which was made yesterday, but if it were a question of personal privilege the Chair does not know how he would rule. He would have to investigate.

Mr. THOMAS. I do not either.

The SPEAKER. The Chair thinks he would rule that a question of personal privilege came in ahead; but he is not ruling.

CONSERVATION AT CLOSE RANGE.

Mr. JOHNSON of Washington. Mr. Speaker, I desire to be notified when I have consumed 30 minutes of my time.

Inasmuch as the Fifth National Conservation Congress has just concluded its session in the city of Washington, Mr. Speaker, and inasmuch as this great organization has fallen upon rocks which may mean its disruption, I feel that a statement should be made as to how, when, where, and why this congress was organized.

It may surprise some Members of Congress to know that the National Conservation Congress was organized in the city of Seattle five years ago in a sincere effort to develop along rational and great progressive lines plans for the true conservation of the great resources of the Pacific Northwest.

I desire to say at the outset that the Tacoma Daily News, of which I had the honor to succeed as editor the present Secretary of the Interior, Hon. Franklin K. Lane, began in 1898, under my editorship, to warn the people of the West with regard to the waste of the products of the forests. We pointed out over and over again that the time would come when our forests would be exhausted and that western Washington would then consist of unsightly, logged-off lands, unpeopled and unproductive. A year or two later I employed Mr. Joel Shoemaker, an expert on agricultural matters, and our newspaper waged a campaign for conservation and for the improvement of the land laws. A few years later not only the State but the owners of tracts of timber began to agitate better fire protection. A great association was formed and is now carrying on this work.

In 1909 the city of Seattle held its Alaska-Yukon-Pacific Exposition. The year before Mr. Joel Shoemaker, who had been a reporter on the Tacoma News, conceived the idea of a conservation congress to be held in connection with that exposition. Assisted by R. W. Douglas, Mr. Shoemaker developed this idea, and the congress was one of the greatest successes of all the features of that far-famed western exposition. The move was launched, made national in character, and the members began at once to outline a great plan of conservation, not only of the resources of the United States, but of the people in the factories and on the farms.

There had, of course, been some sincere efforts along this line in the East. Forest reserves had, as we all know, been created several years before, and the American Forestry Association had made a start at conservation. Mr. Gifford Pinchot had published some important articles and was drawing lessons from forest management abroad; but the movement inaugurated and perfected at Seattle spread like wildfire. In a twelvemonth conservation became the fad of the year. What a pity that the men who developed it and gave heavily of their finances to support it are now the men who are so often denounced whenever a simon-pure, dream-book conservationist finds an audience.

MR. PINCHOT ON THE SCENE.

As the conservation congress grew in numbers the original Seattle secretary was shorn of his power and Mr. Thomas R. Shipp was made executive secretary. Mr. Bernard Baker, of Baltimore, was the first president, and the second meeting was held in St. Paul in 1910; and it was in this meeting that Mr. Gifford Pinchot appeared. Up to this time the congress had been constructive and nonpolitical. Mr. Pinchot, desiring to take control, brought a great number of eastern delegates and gave as an excuse for so doing the fact that the West was in possession of the congress. Inasmuch as western men were endeavoring sincerely and honestly to solve the problems of the West they resented the sudden approach of the army of theorists from east of the Mississippi. Although greatly outnumbered, the westerners made a stand and former Gov. Marion E. Hay, of the State of Washington, undertook to state the position of the westerners. For this he was howled down and given scant courtesy. He returned to his State and told the people what would happen. They declined to believe him. His prophecy has come true.

The next president of the congress was Mr. Wallace, a famous agriculturist editor of Iowa. The congress having been wellnigh disrupted at St. Paul, the Pinchotites now decided to remain in the background. At the third congress, held in Kansas City in 1911, the matter of conservation of the soil was taken up and great progress made, the then Secretary of Agriculture, Hon. James Wilson, putting into practice at once many of the ideas presented there.

J. B. White, of Kansas City, was the next president of the session of the congress, which was held at Indianapolis, where social, human, and bodily welfare were the principal topics. The Pinchotites still kept out of the sessions to a large degree. Do not understand me to infer that matters of forest conservation, water-power conservation, and other great problems were neglected at these various meetings. All of these subjects were given full attention and special sections were devoted to them, and I believe sincerely that an unprejudiced examination of the progress along any of these lines will show that the work of the four congresses has been of lasting and permanent value.

ILL-PROPORTIONED REPRESENTATION.

We now come to the fifth congress. Charles L. Pack, of New Jersey, was president and the meeting place Washington, D. C., November 18, 19, and 20. We find called for one day ahead of this conservation congress a meeting of the forest association. We find present numbers of the employees of the Forest Service of the Department of Agriculture. We find many of them remaining as delegates to the conservation congress, and when the credentials of the delegates entitled to sit in that great congress—called primarily to discuss the welfare of the United States, but devoted principally to discussion of the heavy problems of the West—were presented, we find accredited to the District of Columbia 162 delegates. Opposed to this splendid array from the District of Columbia, which, while having no voice or vote in the affairs of the Nation, knows better how to handle the affairs of all of the people of the 48 States combined—I say, opposing these 162 delegates from the District of Columbia we find 10 accredited delegates from the State of Washington, where the congress was founded, and from New York State we find accredited delegates to the number of 60, and opposing them we find from the State of Oregon 7 delegates, and I am informed that several of these were members of the Forest Service or paid employees of the conservation association.

From New Jersey, where corporations are spewed forth in great numbers and almost without restraint, and permitted to prey upon our Western States, we find 30 or 40 delegates, and opposed to them we find Arizona, with 4 delegates present—some of them field or other representatives of the Forest Service, voting with the conservationists of the East and against the delegates from beyond the Great Divide, and so on.

When a vote was taken without a roll call, the voice of the East sounded like the roar of Niagara, while the voice of the West sounded like the chirp of a canary bird. When a vote was taken by States, every Eastern State found itself entitled to 20 votes, while every Western State had but 10 votes. Oregon and Arizona, controlled by means of their Forest Service delegates or by paid employees of the conservation association, found themselves voting with the great eastern majority. Most of the Southern States had 10 votes along with the West, and no western or southern idea or outline was given the slightest consideration. The men who had founded, financed, and kept alive the conservation congress found themselves neither welcomed nor wanted. If this great organization finds itself upon the rocks, the people of the United States should know that it was wrecked by Mr. Gifford Pinchot, against the final protests of his friends, Walter L. Fisher, Charles L. Pack, James R. Garfield, and others.

WHAT BUREAUCRACY CAN DO.

The whole thing was a sample of what can be expected under increased Federal bureaucracy. Carry the thing out a little further—a Federal express service, a chain of regional banks, Federal control of the practice of medicine, Federal control of our education system, Federal good roads system, and so on ad infinitum, and you will have a centralized form of government the like of which the fathers never dreamed. The array of Federal employees will be imposing and the bureaucratic control appalling.

I desire to criticize no individual of the Forest Service or of the Land Department. I believe that the Chief Forester, Hon. Henry S. Graves, is doing the very best that he can with the very bad legacy which was left to him. It is not fair that he should suffer for a scheme which was inherited by him and which can not be worked out in 30 years. It is, in my opinion, up to Congress to help rather than to hinder him. Congress, too, should appoint a commission to untangle the mess of land laws that are bearing down upon Secretary Lane's great department. Mr. Lane knows the West; he wants to help the West, and Congress should help him.

So much for the fifth session of the conservation congress. What did it amount to, anyway? Principally a two days' sensation in the newspapers, followed by more magazine articles and more books and reports for the shelves of the Congressional Library.

CONSERVATION AT CLOSE RANGE.

Now for a few statements concerning conservation at close range, and particularly forest conservation. I desire first to

call attention to the fact that the Bureau of Forestry is in the Department of Agriculture, and that the General Land Office is in the Interior Department. Let us see where this division leads us. Special traveling agents of the Land Office in one great executive department and rangers of the Forest Service in another executive department are permitted to make reports upon applications for land patents. If the forest ranger reports "no protest," the Land Office agent does not make further examination, but if the forest ranger makes a protest then a special agent of the Land Office takes the matter up. Where is the law under which forest rangers of the Agricultural Department and special agents of the Land Office divide their work and keep away from each other's territory? I suspect that there is no such law, but that the plan is carried out under a "gentleman's agreement."

Experience has proved that the forest ranger, who goes about the country, sleeping at the homes of the farmers and sharing their well-cooked meals, chatting with their boys and girls, and instructing the fathers in forestry and agriculture, generally reports "no protest," while it seems to be a fact that the special agent of the land office generally files a protest. It seems also that the special agents make their records by the number of protests that they find. The more often that they can put a would-be homesteader on the defensive the better appears to be their record.

Over in the other department the forest ranger, living with and loving the people whom he meets, is subject to the same sentiments of the heart which make life worth living for all of us, and often tips the scale in behalf of the claimant; and yet, strange as it may appear, whenever a forest ranger finds it necessary to report a protest what a hue and cry goes up.

WHEN SETTLERS FALL OUT WITH RANGERS.

I have seen nailed to the trees invitations to the people to settle on agricultural lands in the forest reserves. I have known settlers who accepted these invitations, and I have known rangers, when the settlers had made the clearings, to take the tract for administrative purposes. I have heard of settlers burning their stacks of hay to keep it from falling into the hands of the rangers. I have known of forest rangers and traveling special agents to go into our great country and take to the trails without the slightest knowledge of the forests or of our agricultural lands. I knew of two young rangers fresh from college who so tethered their horses that the latter choked to death, and only with the greatest difficulty did the young men get out of the woods alive.

But I am digressing. That is in the past, and it is just as unfair for me to harp on these mistakes as it is for the "dream bookers" to harp on the robberies of the public domain in the West many years ago, when not one person in one hundred thousand knew anything about that country and its wonderful resources. Men who took advantage of inadequate laws then really got what then was of little actual value, though of great worth now.

DISTRIBUTION OF FOREST-RESERVE FUNDS.

Now, a word as to the distribution of funds received from the sale of timber in the forest reserves. Of all the moneys received, 25 per cent goes to the county road and school funds, and is distributed to the counties in proportion to their area in the reservation from which the timber has been sold. Then 10 per cent more is set aside and is used for permanent improvements in the national forests—that is, for fences, roads, telephones, trails, and the like. This 10 per cent can be spent where recommended by supervisors, and is often spent in an effort to placate trouble.

Some times it is spent in an effort to bring on trouble, as I shall undertake to demonstrate; but, before doing so, permit me to state that in the second congressional district of the State of Washington there are 13 counties comprising nearly 20,000 square miles, or 10,094,000 acres. In that district are 2 great national parks, 3 forest reserves, and 9 or 10 Indian reservations—one, the Quinlault, in my county, of great size. The forest reserves comprise 2,919,905 acres—nearly 3,000,000 acres, or a little less than one-third of the whole congressional district.

This Olympic Forest Reserve is now estimated by the Government to contain 33 thousand million feet of timber. The estimate is far too low.

THE GREAT OLYMPIC MONUMENT.

Also, there is the Olympic Monument, made under the same act which permitted the Gettysburg tract to be called a monument. However, there is this difference: The Gettysburg Monument, of a few thousand acres, is sacred to the dead of the North and South; the Olympic Monument, partially located in my county, consists of almost 700,000 acres, and these acres have been set aside for the preservation of the *Cervus Roosevelti*, which until a few years ago we plain people of the Northwest were content to call the Olympic elk. That monument comprises the great mountainous center of the vast Olympic Forest Reserve, which consists of nearly 1,600,000 acres, and under the monument act citizens are forbidden to wield a pick—almost forbidden to even strike a match. In that monument, I am satisfied, exists semiprecious minerals of many kinds. I believe that there is enough manganese there to supply the United States for 200 years. I believe that there are great quantities of fluorspar, concerning which the gentleman from Illinois [Mr. FOWLER] is so alarmed. That great forest reservation has taken the heart not only out of the Olympic Peninsula, but also has taken the heart out of the prospector and of the sturdy pioneer who settled in there, many of them over 20 years ago, and who are still living far up in the trackless woods, waiting for the counties in which they live and for the State to whose charter they subscribe to build to them roads over which they might haul in the necessaries of life at less than 2 cents a pound and haul out the products which grow in such abundance in that, the richest soil in all the United States.

Mr. FOWLER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. FOWLER. I desire to ask if the gentleman will yield for one simple question?

Mr. JOHNSON of Washington. Mr. Speaker, I will be very glad if the gentleman will not interrupt at this point; later I will take up any questions which are asked, provided time permits.

COURTHOUSE FALLING INTO DECAY.

One county in particular has so much of its area in the forest reserve—100,000 acres in fact—that nothing is left but a little strip of beach on the Pacific Ocean to the west and another strip on the shores of Puget Sound to the east; and on a high hill overlooking the eastern shore of this great county sits in solemn grandeur the courthouse, slowly falling into decay because no taxes are available for its upkeep and no settlers are coming to that territory upon which the county had based its hopes of prosperity. (See Appendix.)

Here is a report from that county:

PORT TOWNSEND, WASH., *June 4, 1913.*

Hon. A. JOHNSON:

Jefferson County, with an area of 1,747 square miles, or 1,078,400 acres, has 730,000 acres in the Olympic Forest Reserve, and received from the Forest Service in the year 1912 the sum of $602. Area of assessed lands outside of reserve, but 280,000 acres.

H. L. HANSEN, *Assessor.*

IN OTHER COUNTIES.

Mr. Speaker, that county has been bankrupted by the forest reserve. Can you blame me for opposing a conservation which is filling up the libraries, the magazines, and the Government reports and giving us such meager returns?

Here is another statement from a great big county, Skamania, with 833,600 acres in the Rainier Reserve and only 212,358 acres outside. The assessor says:

Total amount received, since record was kept, for sale of forest-reserve timber is $4,718.41.

The withdrawal of 700,000 acres from the Olympia Forest in 1901 is still a subject of much discussion. The report of the forestry committee of this year's conservation congress (p. 21) gives that withdrawal a shot and says that the land fell into the hands of the big timber owners. So it did, much of it, but I insist that the money they paid the settlers was the money that kept that part of the country going, and that the wages they pay in camps, mills, and offices is to this day the principal support of the country in question. But for the withdrawal of 1901 another county would have been bankrupted.

WE ARE ALL SPECULATIVE.

We all know that the whole people of the United States are of a speculative turn of mind. When you of the East turn to the stock and bond market, and sometimes to the race courses, our prospectors and pioneers of the West turn to mines and the land and hope to win. They are the descendents of the venturesome and enterprising spirits who secured grants of lands in bulk on the most liberal conditions imaginable and broke ground for the settlement of North America. They proceeded to wipe out the aboriginal forest guards, the native Indians, who opposed them in making good their title, and they speculated in their holdings, from William Penn down to the obscurest settler in the newest colony.

I can see no difference in the principle involved in Marcus Daly selling for millions his great mining claim than in the holder of a timber claim selling his possession for $2,000. Every individual claim holder and every homesteader I have ever met hopes to sell at a handsome profit.

NO NEED OF PUBLICITY BUREAU.

We have accounted for 35 per cent of the money received from sales in the forest reserve, and that would leave 65 per cent for executive and overhead charges, as we say in the business world. And some money of this 65 per cent is spent for the purposes of publicity. How much do you suppose was spent in sending out to the newspapers of the United States the following bulletin:

FIRST TIMBER SALE IN EASTERN NATIONAL FORESTS—NOT RELEASED UNTIL APRIL 5, 1913.

WASHINGTON, *April 4.*

The United States has made its first timber sale on the newly purchased Appalachian forests, and the voucher that established the fact has been an object of interest in the hands of the officials of the Department of Agriculture who have had occasion to handle it.

The voucher itself does not show what the character of the sale was, but inquiry has drawn forth the information that the material disposed of was $7 worth of logs, bought by a Georgia farmer to use in building a barn. This apparently insignificant transaction is regarded as a foretaste of the future, when the Government will be taking in a tidy revenue from the forest lands which it is now buying in the East.

And so on, runs the bulletin for two pages. [Laughter.] Here and now I want to state I am opposed to a publicity agent in the Forestry Service, he being entirely unnecessary, a luxury, and a useless expense. The Forestry Service will always get enough advertising, good and bad.

EASTERN FOREST CONSERVATION.

We of the West do not object to eastern conservation of forests and watersheds. Not a bit of it. But I hardly need to say, concerning the establishment of forests and sources of water supply in the East by purchase, which results in the distribution of real money—an article which is becoming quite scarce in the West—I can readily see where States which are selling their mountain tops to the United States should be for the greatest conservation and should vote, whenever opportunity affords, to lay it onto the State of Washington and the West, regardless of our feelings. It has been said on this floor this year that it will take 30 years to straighten out the plans of the Forest Service for the conservation of the forests in my district, and in 30 years, my friends, the men who have pioneered and lived in the most primitive fashion out there will all be dead. This is why we are a little squeamish about the extension of Federal conservation. We are for it, Mr. Speaker, out West, but we find that the process is the least bit slow.

ALASKA, THE CINDERELLA OF THE SISTERHOOD.

For instance, Alaska was pretty generally conserved seven full years ago. Everything that could be withdrawn was withdrawn—some of it without warrant of law—and since that time things have been mighty dull in Alaska, and interest has gone on at 8 per cent just the same. Alaska is an orphan; she is the Cinderella of this great sisterhood. Her area is about one-fifth as large as the United States. There is before you, Representatives in Congress, this winter a bill to authorize the stretching of a line of rails somewhere through that vast territory, and when that bill is offered there will be amendments of every kind from those who would still further conserve a country which is starving to death. Seven years has Alaska been in bondage, and she will be in bondage seven years more, for it will take that time to survey and build a Government railroad, if we are so fortunate as to secure the authority to do so and to devise a method by which locked-up Alaska can be unlocked and given back, not to the corporations, but to the plain people. How will you do it? Shall we try on Alaska all of the panaceas which are proposed?

GOVERNMENT PUTS IN TELEPHONE LINE TO RIVAL FARMERS.

Mr. Speaker, I have said that 25 per cent of the sale of the timber goes to county roads and the school funds and that 10 per cent is used in the permanent development of the national forests where thought best. I have said that this 10 per cent was sometimes used to placate trouble and sometimes to make trouble. Let me give one illustration of each. In the celebrated Big Bottom County, where we hope soon to throw 24,000 acres open to settlement, the ranchers built a telephone line along the county road. That road let open the public domain which was not then the forest reserve. When the forest reserve was established the road ran through the corner of it for an eighth of a mile. The farmers built a telephone line between Randle and Lewis. Capital could not be interested, so the farmers themselves organized a company and built 23 miles of telephone line. Each man dug so many holes and furnished so many poles. Each contributed so much of his cash for wire installations and instruments. Each man agreed to pay, I believe, $6 a year for his telephone. The ranchers of the Forest Service stepped in and asked for a certain number of telephones free of charge.

The farmers offered them the instruments at cost, but declined to let them connect up free of charge. Thereupon the forestry officials caused to be constructed, for their own use, at a cost of $1,500, a telephone line paralleling the farmers' line and running from "nowhere to nowhere." In a country where these ranchers settled more than 20 years ago they were then 80 miles from a railroad, in a rich valley, into which their wagons had to be let down with tackle and pulley. With enormous labor they built trails and roads and have created such an interest in their community that a railroad is now within 20 miles.

As the farmers' telephone line, 23 miles long, neared completion the forestry officials ordered that part of it—one-eighth of a mile—running over the forest reserve, on the county road, removed, and not only brought suit, but asked for damages. I think the forestry officials wanted pay for telephone poles covering one-eighth of a mile. We are in a country where telephone poles 20 miles from a railroad are not worth as much as toothpicks in this Chamber.

SENATOR JONES SAVES SITUATION.

Through the employment of lawyers and through much work on the part of the ever-diligent senior Senator from the State of Washington, Hon. WESLEY L. JONES, this difficulty was straightened out. It was announced not long ago that the 24,000-acre tract of home land, with some timber on the benches, which timber would look mighty to a man from Kansas, who, however, would die of heart disease if he tried to cut it down and sell it and then grub out the roots, might be opened for settlement.

See how harmonious (?) is the situation. The forestry supervisor for the district, Mr. Allen, in the Agricultural Department, mind you, recommended it to be thrown open and described it as good agricultural land. Then came along two traveling experts from some other department, and they reported that the land should not be thrown open to agriculture, as the soil was no good. Then the Chief Forester, Hon. Henry S. Graves, made a trip to that far-off country, 3,200 miles away, and he reported that the land was fit for agriculture and should be opened. Then Congress passed a bill providing for the lottery method in such cases, and letters have commenced to flow in by hundreds, asking how men who desire to settle on the land with their families shall proceed.

AND NOW FOR FURTHER DELAYS.

But next comes the Forestry Service with its law concerning that 10 per cent which it may spend here and there, and it put a few hundred dollars on the public road in the hope of placating, I presume, the great outcry of the farmers against the Government going into the telephone business against them; and somebody out there seems to have given it out that the Forest Service proposes to spend $2,000 on this road in 1914, and thereupon, so I am told, a feeling has been created throughout the settlement that the 24,000 acres had better not be thrown open, for if there is one thing farmers in the reserves need it is roads. Some men now say they would rather not have any more of the country opened and settled if they can have Forest Service roads instead. Next we must get reports from the Geological Survey as to minerals in the tract; we must have reports on water-power possibilities of the river which runs by, and I predict it will yet take a long time to get the tract in shape for opening. And, mind you, this consists of but 24,000 acres—a mere dot on the map of the reserve—and yet we dare to talk and preach about putting "people on the land."

HINDSIGHT IS A WONDERFUL THING.

Mr. Speaker, the charge is often made that men have come to Congress from the West to loot the public domain. That charge has been laid against every man who has ever been prominent as a representative of our State, either at the Nation's Capitol or at the State's capitol.

We can look back now to 1862 and see that mistakes were made when Congress gave great land grants to the trans-Pacific railroads, but I am one of those who believe that those grants were made in good faith by the men who then sat on this floor. I believe that if we should undertake to pass similar laws for, say, the Philippines, which are better known to us now than was the Oregon country to the legislators of 1862, we would make similar mistakes. I believe that no matter what kind of an Alaska railroad bill we shall pass, even though it may make that great Territory blossom like a rose and may lift it from wilderness to a cultivated district supporting 10,000,000 souls, there will rise up at some future day demagogues who will denounce those who in the Sixty-third Congress advocated such a measure.

SPEAKER CLARK'S ADDRESS.

I was much impressed on hearing the Speaker of the House, Hon. CHAMP CLARK, in a recent address, say that in his boyhood days his father sang—

"Uncle Sam's got land enough to give us each a farm." Nowadays—

Said the Speaker—

in the United States parents are lying awake nights wondering where their children will secure homes.

And it occurred to me that if that statement be true, no one could dispute the argument that the day the United States found it necessary to conserve its resources was the very day to have put up the bars against an ever-increasing immigration.

CONSERVATION HERE TO STAY.

Mr. Speaker, conservation of natural resources is here and here to stay. It is as useless to rail against conservation as it was after 1865 to rail against the abolition of slavery. But we of the new and growing West and of the flourishing Southwest and of the new and prosperous Southland do object to conservation being forced upon us in larger doses than we can assimilate. Our Western States have some rights given to us in our charters under which we entered the Union. With public-service commissions limiting profits to as low as 10 per cent, with interest prevailing at 8 per cent, with the great demand of the "dream-book conservationists" pressing down for national control of almost everything, with taxes and the cost of living steadily increasing, with debt—private, municipal, county, school, State, and national—climbing like the thermometer on a July day, the effort to keep the wheels going round is a task most prodigious, not only for the greatest of our western industries but for the smallest as well. The people of Washington State have not complained. They do not now complain. Nowhere does a dollar work harder. Each dollar out yonder, my friends, is a guaranty for 90 days' credit in a dozen places at the same time. And that is a kind of conservation that keeps life in the body politic and fuel under the boiler.

MARKET WEAK AND WILL BE WORSE.

I am told by my colleague, page 2057 of the CONGRESSIONAL RECORD of this session, and I see that I am addressed in the first person, against the rules and practices of the House, as follows:

You come from a timber district, and you know the big men of your district are timberland owners and that they want this timber eliminated.

Now, Mr. Speaker, that statement is not sustained by the facts. The timber in the reserves is keeping up the price of stumpage. I can not find a man of means who wants a stick of it out. In fact, the Forest Service complains that it is having poor sales. These poor sales, no doubt, are responsible for the smallness of the 25 per cent return received by Mason County, which contains 585,200 acres—a county as big as Connecticut—which has received from the Forest Service this year the munificent sum of $24.65. Mason County, which has been fed on the "dream-book" stuff for five years and led to believe that it would receive some forest-reserve money with which to build roads at $12,000 a mile, gets $24.65 and a nice bulletin from the Forest Service to the effect that in the Appalachian range there has been sold a $7 log.

Here are the figures of the Mason County receipts from the Forest Service:

1911	$232.42
1912	112.05
1913	24.65

No, Mr. Speaker, the lumbermen do not want a stick from the forest reserves. They are kept busy paying taxes on what they own. Men owning a single timber claim can not find buyers, and are working in the mills and camps to get tax money. The banks are loaned up on these small claims.

COST OF CLEARING LAND.

Listen to this, which is an extract from a letter of Thaddeus L. Waters, of Gig Harbor, Wash., of June 16, 1913:

There is another matter I wish to speak about, and that is money at a low rate of interest and on long time. It costs $200 an acre to clear this stumpage land, and if we could borrow of the Government—something like Germany—on long time it would help us out and bring the Government in a revenue that now goes to the money sharks. Can't you introduce a bill at the regular session?

The writer of this letter lives in the locality where the song, "The Old Settler," is the favorite of the people. Let me recite it:

THE OLD SETTLER.

I had wandered all over the country
Prospecting and digging for gold;
I had tunneled, hydraulicked, and cradled,
And I had been frequently sold.
For one who gets riches by mining,
Perceiving that hundreds grow poor,
I made up my mind to try farming,
The only pursuit that is sure.

So rolling my grub in my blankets,
I left all my tools on the ground
And started one morning to shank it
For a country they call Puget Sound.
Arriving that broke in midwinter,
I found it enveloped in fog
And covered all over with timber
Thick as hair on the back of a dog.
As I looked on the prospect so gloomy
The tears trickled over my face,
For I felt that my travels had brought me
To the edge of the jumping-off place.
I took up a claim in the forest
And sat myself down to hard toil;
For two years I chopped and I niggered,
But I never got down to the soil.
I tried to get out of the country,
But poverty forced me to stay
Until I became an old settler,
Then nothing could drive me away.
And now that I'm used to the climate,
I think that if man ever found
A spot to live easy and happy,
That Eden is on Puget Sound.
No longer the slave of ambition,
I laugh at the world and its shams,
As I think of my pleasant condition,
Surrounded by acres of clams.

WOES OF A WEALTHY INDIAN.

And here is a telegram from an Indian, the owner of 960 acres of the finest timber in the world, a rich man as timber goes, but too poor in cash to send his wife, dying from tuberculosis, to a hospital. Listen:

ABERDEEN, WASH., *September 8, 1913.*

Hon. ALBERT JOHNSON,
Washington, D. C.:

Joseph Capoeman, an Indian owning 960 acres of the finest timberland in the Quinlault Reservation, has wife who is dying with tuberculosis. Although this man and family are wealthy, they can not get a dollar or sell a stick of timber. What can be done?

W. A. RUPP, *Editor World.*

The Indian Office went to work on presentation of this telegram, and after unwinding red tape for four days authorized me to send the following telegram:

WASHINGTON, D. C., *September 12, 1913.*

W. A. RUPP, *Aberdeen, Wash.:*

Indian Office here has just authorized Supt. Johnson to expend $200 for immediate relief of Capoeman's wife, if necessary. Also to have some reputable physician examine her and if condition warrants send her to sanatorium at Laguna, N. Mex., for tubercular people. If she does not desire to go there, Johnson is authorized to look to sale of timber on her allotment for future expenses.

ALBERT JOHNSON.

ONCE THERE WERE NO BUYERS AT $1 AN ACRE.

Now, just a word as to the great sale of timberland by the Northern Pacific to the Weyerhaeuser syndicate. I do not know how many times the Northern Pacific Railway went broke trying to hang on to the enormous land grant it got in 1862. When I went west the Northern Pacific was offering sage-bush land in eastern Washington at $1 an acre, and it was not worth it.

Now irrigated acres near North Yakima and Wenatchee are worth, unimproved, $400 to $600.

When I went west land in the fertile Puyallup Valley, between the wonder cities of Tacoma and Seattle, was worth $100 an acre. Now some of it is worth $2,000 an acre. The pure-food law, which provided a market for full ripe berries and their juices, is responsible. Also, that W. H. Paulhamus and others were pioneers in the art of putting brains as well as seeds into the soil.

I know one lumberman who, during the panic of 1892-93, bought timber at as low as 50 cents an acre. He went into the forest with his family and lived there 10 years to earn and save money with which to pay taxes. Is he now, as age comes on, entitled to his holdings or not? No one knows to what lengths—in good times as well as bad—he has been forced for cash to finance his transactions and to pay wages in his lumber camps, the largest in all the world. I refer to Hon. Alexander Polson, of Hoquiam.

HARDSHIPS OF THE PIONEERS.

Mr. Speaker, I am right in defending the people of my State and of the 10 great States of the far West. In spite of much early fraud and much loose management, we are not the vicious, unlawful people that we have been so often portrayed. I dare to defend and do defend the pioneers—good, bad, and indifferent—who went to the boundless West and endured privation, isolation, and danger which in our day we can not begin to comprehend.

NORTHERN PACIFIC SELLS ITS TIMBERLAND AT $6 AN ACRE.

In 1900 the Northern Pacific offered 900,000 acres of timbered lands in Washington at $6 all over the United States and could not get a buyer until F. Weyerhaeuser got his syndicate of upper Mississippi lumbermen together and bought the 900,000 acres for $5,400,000. Two years later the Northern Pacific sold nearly 400,000 acres more on a stumpage basis at a little better rate and thought it had made a great bargain.

At that date C. F. White, one of the most far-sighted men we have, thought $10 an acre was too much for the best timber in Chehalis County, which is the best fir and cedar in all the world. Now the United States Government is paying more than that for mountain tops in the Appalachians. If Mr. White thought $10 an acre in Chehalis County too much in 1900, I wonder what he thought last spring, when the timber alone on 320 acres in Chehalis County sold for $60,000. You see, Mr. White had not figured on the potentialities of the forest reserve.

In my county of Chehalis, in the one-half outside of the forest reserve, stands more timber than will be cut in 130 years at the present rate of cutting. And yet some people say that the big lumbermen want to get still more on their hands. They deny it, and, I think, with justice. In Chehalis County there is on file in the assessor's office the results of an official county cruise made last year, which shows a total of 22,260,000,000 feet of fine timber in the county, outside of the Olympia Reserve, and that county is only one of 13 which I have the honor to represent.

TIMBER OF CHEHALIS COUNTY.

That timber is classified as follows:

	Feet.
Green merchantable timber	20,732,394,365
Dead standing timber	732,354,200
Dead and down timber	795,299,764

making a grand total of more than 22,000,000,000 feet, or in words 22,000 million feet of good timber.

At a conservative figure the green timber alone was worth $41,500,000.

And when our county has cut and marketed all of that timber in, say, 100 years from now, we will not be broke. For under the dense growth in many of our forests lies a land so productive and so fertile that in comparison the far-famed lands of the Nile are as nothing.

We have long wanted a wagon road into the forest reserve in the north half of the county. We have tried every way possible to get it from the Forest Service or from Congress. Marooned away up in our end of that reserve are 100 or more families, who settled there when it was eminent domain. For 20 or more years they have been there waiting. A few years ago the gentleman from Kansas [Mr. MURDOCK] came to my town, which is away off of the beaten path. A Congressman is a rare bird out there. Of course, the gentleman from Michigan [Mr. FORDNEY] comes out there every year or so to replenish his stock of stories, but my friend FORDNEY never pretended to be a great uplifter, and so when it became known that MURDOCK was coming with a lyceum lecture there was great excitement on the forest reserve in the Quinlault Indian Reservation, in town, and everywhere else. Here was a man who could do something. We gave Mr. MURDOCK a little dinner, and I have his consent to tell this story.

HIGLEY'S LIFE STORY.

A man, Mr. A. V. Higley, walked down from away up in the Olympia Reserve, 20 miles or more, over the trail, 8 miles along the Pacific Ocean beach, and 10 miles on the stage road to tell his troubles to MURDOCK. You see, Higley was from Kansas originally, and after the grasshoppers had got him there along in the eighties he hitched up his oxen and drove 2,500 miles over plains and mountains until he found the Quinlault Valley—in my opinion the most beautiful and the most productive in all the Northwest. There he homesteaded. He gambled with Uncle Sam for a claim and won. Soon he found himself surrounded by a forest reserve and his troubles commenced. At our little dinner in honor of MURDOCK we called on Higley for a speech. Horny-handed, tired of eye and weary of frame, bent with toil, he told his story. He told how he had hauled in a cookstove at $2 a hundred pounds. He told how when his grazing live stock crossed an imaginary line the forest ranger punished him, although neither the live stock nor the grass they ate was worth anything, because it then cost $2 a hundred pounds to haul products to the nearest railroad. In sad vein he told the whole story of his long, dreary life in the reserve. As he talked he got a little mad. He laid all of his troubles to Congress, and he told a little story of a deacon who, after being dressed for church one Sunday morning, was reminded by his wife that he had forgotten to feed the calf that had been weaned. In his best clothes he went to the barn and forced the calf's nose into a pail of bran mash. The calf kicked the milky mixture all over the deacon, who wildly yelled, so Higley declared, looking the distinguished Kansas Congressman straight in the eye, "Blast ye, if you weren't worth so darn much I'd break your blamed neck."

Mr. MURDOCK laughed heartily, but he afterwards told me that Higley's story was the saddest life story he had heard, and that he should have relief.

CAN NOT WAIT; BUILDING OUR OWN ROADS.

Our county has despaired of aid from the Forest Service, or Federal aid, if you will. This year the county decided to spend $80,000 in building to and into the reserve, and the State is helping to the extent of $30,000 more. While we are doing that we get a little more national conservation shot into us by Mr. Pinchot. Will the Nation take up the wagon road where we leave it and carry it on through Government lands to the other settlements and valleys of the Queets and the Clearwater, where thousands of water power race unharnessed and unused to the sea and where both oil and gas are beginning to spout from recently drilled experimental wells? (See Appendix.) If so, bring on your Federal plans and a little more than the 25 per cent. It is a little rough; yea, more—it is unfair to require us to spend $100,000 for 10 miles of road in the Government's forest reserve. Why does not the Forest Service bond some of its holdings and provide the money to cure such rank injustice to the present generation?

PRAISE FOR REPRESENTATIVES MANN AND MONDELL.

Several hundred volumes on conservation are in the Library of Congress. The year 1910 seems to have been about high-water mark for conservation from a literary standpoint. And yet in all of the volumes produced at that season I can find but one which gives credit to any westerner. In a paper in the Editorial Review (p. 146) I find the following, and it is with the sincerest pleasure I quote a tribute to the Republican leader, Mr. MANN, and to the intrepid, far-sighted westerner, Mr. MONDELL:

A bill had been introduced in Congress which is designed to give the Government control of streams wherever such streams pass through public lands. Congressman MONDELL showed the House, and more particularly the stepfather of this bill, Mr. MANN, of Illinois, that the legal phase of the subject is still to be worked out. Nonnavigable streams are, under the Constitution, reserved to the sovereignty of the States. Congress and the Federal courts have repeatedly recognized this. It was shown by Mr. MONDELL that the bill related wholly to western States, because only there can public lands still be found. He showed that these States only have accepted the responsibility of administering the diversion and use of water from streams. Eastern States have failed in this particular, and it is possible that a water-power monopoly might have sprung up there. He indicated plainly that the bureau chiefs, if concerned at all, should plead with these Eastern States to brace up and shoulder the responsibility that is theirs. While Congress was trying to arrive at some conclusion as to its powers and duties in this matter, one of the bureau chiefs was traveling about the country trying to arouse public sentiment in favor of his theory. He claims that the opposition to his measures comes from the great trusts and that this opposition grows as his services in behalf of the people increase. How often we see such foolishness in print. How seldom do we find a commendation of work such as Mr. MONDELL is performing for Wyoming and the West.

SOME PROPHECIES WHICH FAILED.

Ah, gentlemen of the Congress, how that paragraph stands out among thousands upon thousands of pages of dream and denunciation.

Peep into these conservation dream books and we find that in 1884 Thomas Donaldson, in his famous volume "The Public Domain" (p. 280), predicted that at the rate the public lands were then being patented for homesteads all the arable public domain would be gone in five years, or by 1885. You see, he never dreamed of a blossom on the Great American Desert. And, Mr. Speaker, in spite of his prophecy, we have 700,000,000 acres of unappropriated land remaining, 365,000,000 of which are in Alaska, which itself is as large as the area of the German Empire in Europe.

In 1889 the then Director of the Geological Survey, Mr. Walcott, predicted that our coal supply would be gone in 150 years. Mr. Walcott's time is going rapidly, and yet in Washington and Alaska is enough coal to last the United States, I presume, for 300 years, or 500 or 1,000 years if we conserve it in the future as we have in the past.

The SPEAKER. The gentleman from Washington [Mr. JOHNSON] has 10 minutes' time remaining.

Mr. JOHNSON of Washington. Mr. Speaker, this year the United States bought in Japan the coal for the use of its Philippine army—a half million dollars' worth, at over $6 a ton. We conserved our coal and spent our money. (See Appendix.) But we have made Alaska pay dearly for coal. Listen to this:

KATALLA, ALASKA, *October 30, 1913.*

Hon. ALBERT JOHNSON,
Washington, D. C.

DEAR SIR: We are using Utah coal in Katalla this winter that costs us laid down in our bins $22 per ton. We have better coal in the Bering River coal fields within 15 miles of this town, but the seal of the United States is upon it and we can not use it. I have lived here for 10 years, and during all that time my coal has cost from $21 to $25 per ton.

Yours, very truly,

——— ———.

In 1902 Gifford Pinchot gave the standing timber of all the United States at two thousand billion feet. A few years later he raised his figures to three thousand billion feet, notwithstanding all that had been cut in the interim. In poker parlance, I see his raise of one thousand billion feet and raise him right back another two thousand billion feet. What is a few thousand billion feet among dreamers?

THE CONSERVATION OF ALMIGHTY GOD.

In closing I desire to repeat the words of the Hon. Josephus Daniels, Secretary of the Navy, spoken one Sunday morning last July after he had climbed old Mount Tacoma—the mountain that was God; Tacoma, the nourishing breast of Indian legend—on the occasion of his first visit to my beautiful Northwest.

I read from the Tacoma Ledger of July 21:

Moved by the beauty of nature as exemplified in Mount Tacoma National Park, Secretary of the Navy Josephus Daniels eloquently pleaded yesterday for conservation of the Almighty. By those who heard it his talk on Sunday morning was regarded as a most beautiful and expressive tribute to the snow-capped peak that rises in its loftiness above forest and glacier. Through it all ran the Secretary's reverence for the works of the Creator, his acknowledgment of the source of the earth's glories.

In his soft, low voice Secretary Daniels said:

"What is man without the Creator? When I saw yon mighty mountain in its night glory and then again the wonderful sunrise tints this morning it brought to me the solemn thought 'What is man without the Creator?'"

The Secretary's theme on conservation took to new thoughts from that of Gifford Pinchot or any other of the conservationists. He said:

"We should turn our thoughts to other conservation from that which has been sung in our ears for some time—the conservation of the Almighty. It might be regarded merely as a great unfolding process, the earth through the Creator unfolding to our needs the things we need. Some day our great coal deposits and our timber will be gone, but when that time comes other substitutes will be found.

"When I was a boy I saw marked out on the map of my geography a vast desert taking in the States of Colorado and Utah. Now that desert is beginning to blossom as the rose.

"In the past the waters of our streams have gone away until they were needed by man. Then he harnessed them. When the country was rent asunder over the fight on free silver the Alaska gold mines were unfolded and our economical needs were met. Some day our gold and silver will be gone. When it is we will use paper currency secured by that with which we have to secure it at that time. These things will be unfolded to us by the all-wise God."

[Applause.]

Mr. Speaker and Members, I thank you for your attention.

APPENDIX A.

Mr. Speaker, I desire, as an appendix to my speech, to print part of the address of Hon. E. T. Allen, forester for the Western Forestry and Conservation Association, delivered before the Fifth Conservation Congress here last week. Mr. Allen has been a homesteader, a forest ranger, a United States forestry supervisor, and an association supervisor. He knows the Northwest, and his speech was the only one in all of the Conservation Congress proceedings that proposed anything helpful to the Western States. I am glad to present his remarks in full, as Appendix A of the various statements necessary in connection with my arguments.

PUBLIC KNOWLEDGE OF FOREST ECONOMICS.

[By E. T. Allen, forester for Western Forestry and Conservation Association, before Fifth National Conservation Congress, Washington, D. C.]

Did you ever go into any project requiring your money and effort, together with considerable responsibility, without really understanding it? I suppose every one of us has. Most of us have invested hard-earned money in some enterprise because we couldn't find a single flaw in the argument of the promoter and consequently didn't have strength of mind to resist. We didn't really want to invest, even if it were a good thing. We hadn't the money to spare or, even if we had, we knew some other business better and would feel safer in it. We succumbed to persuasion and logic just because we were off our own ground and couldn't escape decently, but our hearts weren't in it. And however good that project was, it didn't succeed as well as it would have if we had understood it, known it good because we did understand, followed every development with intelligent interest, and put our money and enthusiasm behind it every minute accordingly.

Maybe we never actually distrusted the promoter, but we watched affairs mighty ready to criticize or sell out. We could even fall like martyrs if necessary, but we didn't help as though our own honor and judgment were at stake.

Now, that's just what is wrong with forestry in America. We have propagandists with a perfectly irrefutable assertion that forest preservation is a good investment. The public either says "Too busy to-day," and while not denying does nothing, or it says "Here's your law (or appropriation, or whatever is asked for); now make good and save the forests." But it doesn't know the business factors that govern the enterprise and can not criticize or help intelligently. Sometimes the propagandist doesn't know, either. And forest preservation, unfortunately, can not be conducted wholly by a business manager or board of directors. It is a mutual cooperative enterprise, requiring daily participation and ratification by all concerned. There must be an American forest policy which exists, not because a few of us say it should, but because a majority of citizens understand what is needed and why and proceed to put it into effect.

WHAT IS NEEDED FOR SUCCESS.

True, we are making rapid progress toward such a situation. Twenty years ago we had practically nothing. Now we have a great and efficient national forestry administration. Most States have some forest laws, some have good ones, a few are fairly liberal with funds. We have forestry associations and congresses. Lumbermen, once regarded as the opposition, are now showing the most rapid advance of all, for in less than 10 years their systematic protection of private timber has grown from practically nothing to cover about 100,000,000 acres, with an increase of 3,000 per cent in five years.

But why does the Forest Service still have to fight for existence in every Congress and at best be supplied with funds much less than private owners spend to protect adjoining lands? Why do many States have no forest legislation and few legislation that is adequate? Why are there sections where lumbermen and the public are so mutually suspicious that neither supports any real solution of a mutual problem? Why do we have to have forestry associations and conventions?

Evidently because the average citizen does not know much about the problem himself, in spite of all we have said and done. Every result dependent upon human action depends partly upon the extent of desire for this result but more upon the extent of knowledge how to achieve it. We are trying to do as a majority what in its very nature must be an expression of the majority. We tell the average citizen it is his problem; that we have solved it for him; and that he should support the project. We are wrong. We can not solve it or reduce it to a mere supportable project. We can give him the facts, but he must solve it by studying the relation of his conduct and the community's to his own welfare and then acting accordingly. Then and only then will Congress, legislatures, lumbermen, foresters, and the public be able to work together as they must work together, knowing that their policies are sound and commended, that success will be rewarded, and that failure will be punished.

We talk and write a great deal about methods, as though all that is necessary is to make foresters proficient and lumbermen interested. This is all right enough, but what is most needed is permission to apply what we already know. Knowledge and interest are far ahead of opportunity. Success depends chiefly upon having conditions under which they are encouraged. With such conditions you couldn't stop it if you tried.

Let us return to our average citizen who with his fellows constitute the majority of our population. Suppose that in his home town, where community relations are closely under his eye that they are familiar and clear to him, a single industry employing a large proportion of the population, produces the chief share of all manufactured products, and pays an essential part of the taxes. Let us say it is fruit growing, or dairying, or furniture making. This citizen would not think twice before conceding its necessity. Anything threatening its discontinuance would be a menace to be fought vigorously; anything promising to increase it would be encouraged. Town officials, chamber of commerce, citizens, all would work and spend in earnest for its continuance and development, just as you have seen them do often when occasion offered to promote enterprises of community advantage. No one in public life would dare do otherwise.

Moreover, they would know how. If it were a dairy community, its average citizen would know pretty well what production costs, what prices are necessary, what improvements are feasible, what the State can and should do to aid and regulate, what public demands are reasonable, and what are unreasonable.

RELATION OF FOREST INDUSTRY TO STATE AND NATION.

The relation of forest industry to the State or Nation is exactly that of our illustrative industry to our supposititous town, and so is its relation to every citizen. Lumbering is one of the three or four greatest American industries—it is our greatest manufacturing industry—and forest products are used in almost every other, besides being practically life essentials. Certainly it is second in usefulness to none except agriculture, and this would fare ill without its aid in many ways. The only reason the average citizen does not realize this and give it the same active and intelligent interest that he gives home-town problems is that he can not see it so clearly. The very immensity and importance of the industry causes its several processes of growing, manufacturing, and distributing to be conducted separately and thus confuses the public mind. Different communities see different parts of the process and get no thorough grasp of forest economics.

In many a little German village the whole community sees the forest grown, cut, manufactured, and used. Those who do not actually participate, serve or supply those who do. All use the crop or profit by what is sold elsewhere. There forestry needs no propaganda. The people could not understand the need of it any more than of propaganda for raising wheat and making bread. Yet their situation is really no different—it is only more concentrated. Here, too, forest industry is an entity. Man needs wood in various forms. To make the earth supply it, employing such labor as is required to make it suitable and available for his use, is a business. Its permanence and service to the community—supplying the consumer, employing labor, using supplies, and paying taxes—require, like other business, perpetuation of the resource dealt with, economy in every process, and just payment by the consumer for service rendered.

Here is where we, who should be the teachers, are at fault. We talk too much about forests, as though they were an end in themselves. We might just as well talk only of land when trying to improve agricultural conditions, or of water when urging the protection and propagation of food fishes. How can the average citizen understand forests? It is the business of producing and making them useful to him that he must understand—its place in the society under which he exists, the economic laws under which it exists. He must be brought to consider all forest production and all forest use as little or no different from the production and use of any other necessary crop obviously to be encouraged and stabilized on a permanent basis profitable to all concerned. Whether he is a private citizen or a lawmaker serving private citizens he must be fairly familiar with the factors which govern lumber prices, logging and manufacturing methods, the cost of growing and protecting the raw material. As long as he thinks an uncut forest is forestry and that such forestry is good and all lumbering bad there will be no real progress. Nor will he have lumber to use sometime when he needs it.

We are moving in the right direction slowly. Once propagandists made forestry an abstract problem of public or private conscience. They dwelt on the needs of posterity and urged present sacrifice as a duty. They practically said, "You are partly responsible for lack of forest protection. Forest destruction is bad for somebody's grandchildren. Badness is wicked. Therefore you are wicked. You need a sermon and

we'll preach it." Nowadays we realize that abstract ethics do not influence human action as quickly as does fear of immediate personal injury. It does not offend our reforming instinct to add to our preachments of duty more vigorous and skillful appeals to human selfishness. We say, "Do you want to make more money? Then stop the other fellow from destroying dollars you would otherwise share. Forest preservation is a bargain-price insurance policy you can't afford to be without. It's cheap for a short time only. Look over our prospectus and invest."

FOREST PRESERVATION IS PROSPERITY INSURANCE.

Now, forest preservation is prosperity insurance, and insurance is good business. But it is a commodity that must be paid for in money and careful conduct. The new way is better than the old, but our prospectus is still so general it only gets a certain confiding class of customers. It needs to give more information about the business, information that will both convince the critical and make every customer another salesman.

Seek local arguments. If for the Atlantic coast, look up the pay-roll total for all lumbering and woodworking industries in your State and the total selling receipts from their manufactured products. The size of the revenue thus kept at home, but which will leave you if these industries have to move nearer some other source of raw material, will probably amaze you as much as it will the public. Learn how much your consumers pay annually for all forest products and figure how much they would save if there were no import freight bills. Then learn the rate of growth of your own species and refute the popular belief that it is slow. Estimate by public saving time-sum to those now living. Do you know that Massachusetts is to-day manufacturing its fourth crop of white pine?

Learn your area of waste land and, with the same definite growth figures to give your statements news value and convincing business accuracy, show what it might be earning the community by producing forest commodities. Calculate the tax revenues your existing forests bring and that which forests on now waste land would pay and show the consequent reduction of taxation on other property. On definite promises of area, growth rate, and conservative crop values, show the revenue obtainable by public saving from forest reserves cut by the balance this against the cost of such a project, and prove that you could lower all taxation just as they do in Europe. Study the effect of deforestation on stream flow, use specific familiar examples, and convert the injury into dollars and cents. When you get figures in all these calculations, true, they are popular comparisons that are easily grasped.

If you live on the Pacific coast, forget that white pine grows rapidly in Massachusetts and appeal to local pride by saying that here, undoubtedly, in the Nation's woodlot, where climate and rapid-growing species give an advantage over the East which it is a business crime to leave ungrasped. Show that the area demanded by fire and use will produce an equally valuable crop in, say, 60 years, and that leaving this land idle is costing our five coast forest States about $30,000,000 a year. Add to this the loss by fire and show many millions altogether are being thrown away that might be distributed through every channel of industry. The lumber industry now brings about $140,000,000 a year into the four northwest Pacific States. Show that this is more than they get from wheat, wool, fruit, dairying, and fisheries combined. The Pacific coast had more than half the Nation's timber. Show how many billion dollars this will bring in if saved for manufacture. Show the wreck of industries that would follow its sudden destruction and point out that partial destruction means the same thing in proportion.

WHAT FIRE PROTECTION MEANS.

When a score of American citizens are endangered by an uprising in China or Mexico no price is too great to pay for their protection. When a few hundred sailors went down in the *Maine* we were aroused to the supremity of national effort—war. Are the lives of hundreds of men and women who meet fearful death in forest fires through American carelessness any less precious, their sufferings any less cause for national horror? The neglect of our people to observe the same care with fire in the woods that they exercise at home, the refusal of Congress and legislatures to appropriate adequately for fire prevention, and the leniency of our courts with fire-law violators all must be due to failure by those of us who are responsible for American education in these matters to impress a true comparison of values on the public mind.

As a Nation we are engaged in forestry. Our national forests comprise nearly 200,000,000 acres. Here is a stupendous task, involving the protection of existing supply, reforesting denuded areas, and disposing of the product so as best to serve the people and to influence conservative management of private forests. To withhold funds necessary to do the work is letting an immensely profitable manufacturing plant lie almost idle, as well as in danger of destruction, to save the cost of fuel and watchmen. To mismanage it would be as bad or worse, for the one-fifth of our timber supply thus under public control can not but influence profoundly the permanent wise management of the four-fifths under private control, upon which we are still more dependent. Clearly all of us, lumberman and consumer alike, have most to gain from stable conditions for the fullest use and perpetuation of all our forest resources regardless of ownership from making all true forest land capable of earning such an income from forest production as, without being excessive, will insure its best management and consequent fullest service to community and Nation.

WE HAVE NO CLEAR-CUT, DEPENDABLE POLICY.

And yet who can deny that we are without any accepted clear-cut, dependable national policy which supports and finances this immense project with competent consideration of both public and private forests and their influence on permanent industrial development? The Forest Service can neither announce nor execute such a policy so long as there is every extreme of variance in the views not only of the States, whose attitude toward their own forest and forest industries has a profound influence, but also in Congress, where any executive policy to be dependable must find sanction and support. Every congressional session sees the whole subject debated from a dozen viewpoints, chiefly political, with a marked lack of statesmanlike treatment based on any real knowledge of forest economics. Ignorance or a desire for political effect has even urged immediate sacrificial cutting to break a mythical "Lumber Trust," when it should be self-evident that private competition is now at its keenest and that the Government supply should be husbanded against the time when it may have some real effect on prices to the consumer.

Now, all this is by no means chiefly the fault of Senators or Congressmen. There is nothing in it for them, except so far as it can be made to strike a responsive chord in their constituents. With the public half as well informed on the production of the lumber it needs as it is on the getting of its parcels by mail or the price of sugar, there would be an expression on an American forest policy that would leave no statesman uncertain. We can not blame him if there is no such expression, nor can we blame his constituents for not seeing that he gets it. It is because they have not been told the facts in convincing business language.

Come now to our States. Many have done nothing. Few have comprehensive, farseeing policies covering their own opportunity on State-owned lands and adequate encouragement of good private management through efficient fire protection and just taxation. It is not enough for the reformer to present good laws and recognize bad ones. Why is there little trouble in passing laws for protection and advance of agriculture, horticulture, and dairying? Not because these industries are more useful and deserving, but because people understand their governing conditions and see the point of such laws readily. The chief reason they do not so understand forest conditions is that the reformer himself makes forestry a creed and not a business.

MUST BE ALLIED WITH LUMBERING.

In my opinion forestry will never succeed in the United States until it is so closely allied with lumbering that neither forester, lumberman, nor public makes any distinction. This is the case in Europe and everywhere in America where there has been successful progress. So long as the lumberman suspects forestry of being antagonistic, he will not help. So long as he does not help, the forester can not talk intelligently to the public. After all, the private owner controls most of our forest area. His use of it, our use of it, and the effect of our relations upon our joint use of it largely determine our forest destinies.

Were foresters in proper touch with the business end of producing forest products, they would have the support of all lumbermen and jointly they would have an irresistible argument. Were forest economics understood and forest industry given its proper rating compared with other industries, suspicion between lumberman and suspicious public would alike see a common object and make mutual cause to further it. A State with a hundred times more revenue to be expected from lumbering than from woolgrowing would not appropriate $500 for forest protection and $20,000 for coyote scalps. A community that applauds its chamber of commerce for getting a shoe factory and gives it a free building site would not carelessly burn up a forest capable of employing a thousand times as many men and then tax the owner so he can not afford to hold and protect the land for a new crop. A State that is glad to see its farmers get a good price for wheat, even if it does use some flour, would not rejoice when its sawmills are forced to accept a low price for lumber. A lumberman who prefers to let his trees stand until Americans need them rather than cut them at a loss for foreign export would not be accused of conspiring to bleed the consumer any more than would a farmer who decides not to raise potatoes when they do not pay for raising. A country that applauds fruit growers for systematizing to assure reliable grades and intelligent marketing and sends publicly paid experts to help improve their orchards and exempts them specifically from the Sherman law would not condemn and seek to prosecute forest growers for attempting similar cooperative improvement of a business still more necessary to the community.

In short, the public would prefer to see all forest industry, public and private, on a sound business footing calculated to preserve it and its benefits to the community and would expect to pay the cost of producing lumber from the tree to the yard plus the same fair profit that the public itself requires from its individual enterprises. And if this is true, the great need to-day is for teaching the principles of the business from start to finish. Every process, its cost, and its relation to other processes and to the final price of the product should be common knowledge.

LUMBERMEN ARE HAVING HARD STRUGGLE.

Nothing can be more inconsistent, so long as most of our forests are privately owned—and even the public forests must be manufactured for us privately—than to antagonize the lumberman, whose help we must have, by continuing such ignorance of his problems that we even treat him as an enemy. On the whole, forest industry probably surpasses any other in smallness of profit. Unusual opportunity has built some large fortunes, but for every one of these are many cases where the public has profited by failure. Nor is stumpage speculation any exception. Times are changed. Taxes, protection, and interest are now compounding more rapidly than prices advance. The tendency is toward competitive overproduction rather than toward monopolistic holding back of material. Few, if any, things are sold at so much less than their value as the trees of which lumber is made.

Whatever may have been in the past, when new supplies were easily available, the lumber producer now sees his industry dependent on forest preservation, and his interest in this is as keen as ours. If he does not practice forestry it is, as Forester Graves says, for one or more of three reasons: First, the risk of fire; second, burdensome taxation; third, low price of lumber. This situation will not be relieved by threats of compulsion, but only by learning what it costs to furnish forest crops and establishing a businesslike policy accordingly.

When forest economics are as well understood as the economics of fruit or wheat growing the suspicion which always confronts mystery will no longer manifest itself in prejudice which works to the consumer's disadvantage. The private as well as public lumber producer, as a class, because he is honest and useful as a class, will be accorded the same respect and helpful sympathy as is accorded the farmer or engineer who develops the possibilities of unfitting our country and supplying its people. And he will be quick to respond.

So we always get back to education—the line in which forestry effort is the weakest. The ingenuity of theatrical, railroad, political, and advertising agencies is proverbial. Activities of this kind are now regarded as business necessity. They are needed and legitimate nowhere more than in forest propaganda, which has nothing to conceal but everything to teach. Education is a matter of publicity, and publicity is a trade. It can not be practiced intuitively. Foresters and lumbermen must learn this trade.

APPENDIX B.

WILL GOVERNMENT HELP BUILD QUEETS ROAD?

HOQUIAM, WASH., *July 26, 1913.*

A few days ago there came into Hoquiam a bronzed, privation-aged man, who showed plainly he had spent many years in the woods. When one studied the rugged features of the man, it was apparent he

had seen hardship and had faced danger, and one who had been a close student of human nature and the effect of varying emotions might have said "Here is a man who has gone hungry, probably that some one else might eat."

This man is Edward Ashenbrener, one of the oldest residents of the Queets River Valley, that wonderfully rich tract of land 50 miles north and west of Hoquiam where the settlers who went there a quarter century ago are still forced to pack their supplies in to their homes on their backs or tote them up the river in Indian canoes. In fact, they are real pioneers, and though they have spent more than two decades in the country, some of them, they are still no better supplied with transportation than they were when they first went in. Their pioneering days, in place of being over in a comparative few years, have dragged out to a lifetime.

OUR LAST GREAT UNEXPLORED SECTION.

The Olympic Peninsula is without doubt the least known tract of land within the United States proper. In fact it is about the only section of the country which has not been thoroughly explored. Remarkable as it may seem, it is a fact that there are large areas of the Olympic Peninsula which have never seen white man so far as known. Within its borders lies one of the largest and richest, in timber wealth, national forest reserves of the United States. And again, inside that is the Olympic monument, a reservation arbitrarily established by former President Theodore Roosevelt. One of the rich Indian reservations of the country, the Quinault Reservation, is also within its borders, lying in the northern part of Chehalis County and extending back from the Pacific Ocean a distance of about 20 miles.

It is this very reservation which has a large part in shutting the Queets Valley ranchers off from the help of civilization and which has kept them pioneers for more than 20 years.

The Queets and Clearwater River Valleys, the latter stream being a tributary of the former the confluence being about 5 miles back from the ocean, together have about 18,000 acres of bottom land. This land is as rich, it is generally conceded, as there is in southwest Washington. The valleys are wide, comparatively easily cleared, and the surroundings are beautiful. A little land was open for homestead entry. It was taken up by men who sought to make homes for themselves. In all about 150 ranchers have settled at various times in the Queets and Clearwater Valleys. In the two at present there are close to 50 ranchers, several of whom have hung on ever since they began the struggle many years ago. Others of the original number have been driven out of the country where they hoped to live for the rest of their days, where they hoped to carve out nice comfortable homes for themselves, by the fact they could not make a living—they could not market the produce they raised—and so faced starvation, or, at least, very severe hardships, such as no man is willing to see his family suffer.

THE QUINIAULT INDIAN RESERVATION.

The Quinault Reservation is a triangular-shaped tract of land, with a frontage of nearly 30 miles on the ocean. The most of the reservation lies in Chehalis County, but it extends a short distance into Jefferson County, stopping at the Queets. The Queets and Clearwater are in Jefferson County. There are no roads to the north. The west end of the county is effectually cut off from the east end, where Port Townsend, the county seat, is located and where most of the development and settlement has taken place. Two things have combined to thus cut the county in two—the Olympic Mountains and the Olympic National Forest. The ranchers in the west end of the county to reach their county seat must come out by way of Hoquiam and Grays Harbor, take the train in this city, and make a long detour by way of Seattle, where they transfer to steamer, and finally, after traveling more than 200 miles and using almost every kind of mode of conveyance on a trip that has taken three days, they arrive at their destination.

GOVERNMENT IS ONLY POWER THAT CAN BUILD THIS ROAD.

All this comes down to the fact that these people need a road, but they can't get it. Jefferson County can not build a road that will take these hardy pioneers anywhere. Neither is it able to furnish sufficient money to go far toward road building. Chehalis County can do nothing for the ranchers because the road for its entire distance between Taholah, the Indian village on the seashore at the mouth of the Quinault River, would be through the Indian reservation. The Government is the only power that can build this piece of road; about 15 miles is needed.

The mail is carried once a week each way, and travelers get back and forth to the Queets by way of a trail along the beach and through the timber. Part of the way this trail is as good as a trail through a Washington forest can be, but at certain places it is never good, and in the winter is impassable for a pack horse until the animal is relieved of its pack. At one place in the road, over a hogback, the mail carrier during the winter is forced to unpack his horses, carry the packs over the trail himself to the other side of the bad place, several hundred yards, then lead his horses over. Even this is not easy, for even a horse much used to the trail will be down several times before it is gotten past this spot.

WHAT IT COSTS FOR TRANSPORTATION.

Another way that provisions are gotten to the Queets Valley is by boat. This is the easiest way, but it is not a light task, and the cost of handling freight is remarkable. It costs the Queets ranchers $15 per ton to have supplies delivered at the mouth of the river from Hoquiam by gasoline launch. From that point they are taken up the river in Indian canoes. The cost for this part of the journey varies from 50 cents to $1 per hundred pounds, depending upon the distance the freight is carried up the river. So it is seen that the cost of delivering freight is probably more than the goods cost in the city.

Not only does this condition exist, but last winter saw something like real privation for a number of the families. Most of the families lay in supplies which they consider will last them through the winter months and then also depend on the boat, a gasoline launch which makes irregular trips between Hoquiam and the Queets. Last winter Mr. Ashenbrener and others brought to their ranches their winter's supplies as usual, but did not have an opportunity to get the amount of flour they expected to need before the rains of the fall set in. But there was the store they could depend upon. It was supplied by the boat. Eventually, however, the flour supply began to run low. At about the same time the storms became severe, and no small boat dare attempt to make the trip to Hoquiam and return. For more than a month the boat could not venture out. For several weeks Mr. and Mrs. Ashenbrener lived without bread in order that their babies might have what little there was. Other supplies of the staple kind were none too plentiful. The people were not near starvation, but the privations were severe.

WILL THE GOVERNMENT HELP?

Efforts are now under way to have built by the Indian Department a piece of road to strike the Queets River 15 miles from Taholah at Fisher Rapids. There is now a road to Taholah. At Fisher Rapids the settlers can use an old trail they have built. The piece of road will let them in and out. It will let them live. But Jefferson County can't build it; it is not in that county. Chehalis County can't build it, for it is in the Indian reservation. Will the Government build it? The settlers hope so.

APPENDIX C.

Table showing approximately the percentage of the area of far western States owned by the Federal Government.

State.	Total acreage owned by United States.	Percentage of total.
Arizona	67,097,293	92.00
California	53,276,547	52.58
Colorado	37,702,033	56.67
Idaho	45,218,910	83.80
Montana	61,049,267	65.80
Nevada	62,219,423	87.82
New Mexico	49,315,409	62.83
Oregon	32,229,745	51.90
Utah	43,561,645	80.18
Washington	17,684,198	40.00
Wyoming	42,613,499	68.00

The above is an extract from Senate Document No. 243, Sixty-third Congress, entitled "Conservation of National Resources." Note that Arizona is 92 per cent "preserved," leaving but 8 per cent of area of the State to pay taxes and do business.

APPENDIX D.

CHAPTER 102.

An act (S. 332) relating to lands granted to the State for common schools and for educational, penal, reformatory, charitable, capitol building, and other purposes; providing for the completion of such grants and the relinquishment of certain granted lands; and making an appropriation.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. For the purpose of obtaining from the United States indemnity or lieu lands for such lands granted to the State for common schools, educational, penal, reformatory, charitable, capitol building, or other purposes, as have been or may be lost to the State, or the title to or use or possession of which is claimed by the United States or by others claiming it through or under the United States, by reason of any of the causes entitling the State to select other lands in lieu thereof, the inclusion of the same in any reservation by or under authority of the United States, or any other appropriation or disposition of the same by the United States, whether such lands are now surveyed or unsurveyed, the commissioner of public lands, with the advice and approval of the board of State land commissioners and the attorney general, is authorized and empowered to enter into an agreement or agreements on behalf of the State with the proper officer or officers of the United States for the relinquishment of any such lands and the selection in lieu thereof, under the provisions of this act, of lands of the United States of equal area and value.

SEC. 2. Upon the making of any such agreement the board of State land commissioners shall be empowered, and it shall be their duty, to cause such examination and appraisal to be made as will determine the area and value, as nearly as may be, of the lands lost to the State or the title to, use, or possession of which is claimed by the United States by reason of the causes mentioned in section 1 of this act, and proposed to be relinquished to the United States, and shall cause an examination and appraisal to be made of any lands which may be designated by the officers of the United States as subject to selection by the State in lieu of the lands aforesaid, to the end that the State shall obtain lands in lieu thereof of equal area and value.

SEC. 3. Whenever the title to any lands selected under the provisions of this act shall become vested in the State of Washington by the acceptance and approval of the lists of lands so selected or other proper action of the United States, the governor, on behalf of the State of Washington, shall execute and deliver to the United States a deed of conveyance of the lands of the State relinquished under the provisions of this act, which deed shall convey to and vest in the United States all the right, title, and interest of the State of Washington therein.

SEC. 4. For the purpose of carrying out the provisions of this act the sum of $30,000, or so much thereof as may be necessary, is hereby appropriated from the general fund, to be disbursed upon vouchers approved by the commissioner of public lands.

Passed the senate February 26, 1913.
Passed the house March 7, 1913.
Approved by the governor March 18, 1913.

APPENDIX E.

[From the Seattle Post-Intelligencer.]

TRYING TO GET STATE LANDS.

The State land commissioner and the attorney general have gone to Washington City for the purpose of trying to effect some arrangement with the Forestry Service and the Department of the Interior through which, as the State is denied the right to take the lands which Congress granted it for school purposes, it may be at least given the privilege of exchanging its school lands for others of equal value.

The case is simple. Congress made this State a direct grant of two sections out of every township of the public lands for school purposes. The grant was specifically of sections 16 and 36. Before the lands were surveyed, however, great forest reserves were created by Executive order, which include within their limits 730,000 acres of the State's school lands. Since the creation of these reservations the State has been denied any right to its granted lands. The Forest Service has, indeed, sold to private individuals, in instances, the timber growing on school lands within the limits of the reservations.

Failing to secure the lands which Congress granted it, owing to the refusal of the executive branch of the Government to recognize the validity of those grants as conveying full title, the alternative has been suggested for the State to abandon its claim and take an equal area of lands in compact form on the edges of the forest reserves. This arrangement was, in fact, made between the State of Idaho and the Forestry Service. It is a similar arrangement which the authorities of this State hope to be able to effect. If not the specific lands which Congress granted, the State will yet be able, should the arrangement go through, to recover property of the value of not less than $7,000,000 belonging to the State schools, of which the Forest Service has successfully deprived it.

The legislature appropriated $30,000 to be used to get the Government to give us our State lands now lost in the forest reserves.

APPENDIX F.

STATEMENT IN RE EXCHANGE OF LANDS IN THE STATE OF WASHINGTON.

By section 10 of the act admitting the States of North and South Dakota, Montana, and Washington into the Union each of those States was granted sections 16 and 36 in every township for common-school purposes (25 Stat., ch. 180). Under that act and under the act of 1891 (26 Stat., 796) the States were authorized to select indemnity lands where those sections were otherwise appropriated or disposed of by the United States.

There is a deficiency of some 730,000 acres in the school-land grant to the State of Washington, due to the following causes:

1. Sections incomplete in area because of natural causes, such as water.
2. Sections mineral in character.
3. Sections included within the boundaries of Indian, military, and other governmental reservations.
4. Sections settled upon prior to survey.
5. Sections within the boundaries of the national forests.
6. Indemnity lands selected by the State and afterwards included within the boundaries of reservations.

The approximate areas of the larger losses are shown by the following table:

Cause of loss.	Area lost.	Areas offered as base for selections made elsewhere, and approved.	Area available as base.
Settlement	61,122.39	37,930.34	23,192.05
Natural causes	79,641.99	61,912.95	17,729.04
National forests	666,040.00	104,747.05	561,292.95
Indian reservations	159,721.26	31,328.12	128,393.14
Total	966,525.64	235,918.46	730,607.18

The State is unable to select lands in lieu of the lands lost as aforesaid, because there are now no lands in the State outside of the boundaries of the forest reserves that are worth $10 an acre, which is the minimum price for which the lands may be sold under the provisions of the enabling act and the State constitution.

The State of Washington desires to relinquish to the United States or to its grantee the lands unavailable to it by reason of the causes stated and to select in lieu thereof lands to be eliminated from the forest reserves in a block or blocks on the margins of such reserves, the lands selected to be as nearly as may be of equal area and value to the lands lost.

Chapter 102 of the Laws of Washington for 1913 empowers the commissioner of public lands of the State to enter into an agreement with the proper authorities of the Federal Government to the end that an exchange of lands may be effected and appropriates the sum of $30,000 for the purpose of carrying out the agreement.

APPENDIX G.

REPORT AND EXPLANATION OF THE 1901 WITHDRAWALS IN THE OLYMPIC RESEVE.

It is true that lands eliminated from the Olympic National Forest are now in the hands of private persons and corporations, some of these logging corporations. Being so, they are of some use to society. Had they remained in the national forests, according to the showing that has been made by the Forest Service, they would have stagnated; their timber would have rotted. As it is, they are paying part of the tax burdens of the State, are contributing to the settlement and upbuilding of the Commonwealth, and are performing that duty which nature intended them to perform.

Stress is laid on the fact that people living in the State wanted these lands eliminated. The implication is that their desire in this respect was inherently vicious. It is insinuated that there was something wrong in it all.

There was some deceit practiced, it is true, but it was practiced by those forces in control of the Federal Government. Let me tell you about it.

By reason of the enormous Federal reservations created in the State of Washington—they total about 30 per cent of the total area—the State never has been able to fill its grants made to it by Congress in the enabling act by which it became a State. These grants were for sections 16 and 36 in each township and for certain other lands. Before the gift was completed came the reservations, which prevented the State getting all that it had been promised.

When there was talk of lands being eliminated from the Olympia Forest the State thought it saw an opportunity to get some land to satisfy the debt owed it. The State authorities got in behind the movement to secure the elimination.

But when the elimination was secured the State found that it had been deceived. The Department of the Interior ruled that the State must stand back and not attempt to file selection lists on any of these lands until settlers, be they homesteaders or timberland entrymen, had had 30 days to initiate their efforts to secure title. The rule declared that "filings" could be received not before a certain date, but that "entry" might be initiated 30 days prior thereto. The State can not "enter"; it can only "file." The excuse was that this order was in the interest of the legitimate settler. How it worked out is shown in the list of present-day owners. Before the 30 days' handicap on the State had expired there was nothing left for the State to file on.

So, if any deceit was practiced in this matter of the elimination, it was practiced by those in charge of the Federal Government's operations, and the State, rather than the Nation, was the victim.

I may state further that the State never yet has been able to secure the lands promised it in the enabling act of 1889. It is some 800,000 or 900,000 acres short.

The promise of Congress that it should have these grants has been annulled by Executive orders creating reservations.

APPENDIX H.

[From Daily Consular and Trade Reports, July 11, 1913.]

PHILIPPINE COAL CONTRACT.

The Japanese firm, Mitsui Bussan Kaisha, has been awarded the contract for 80,000 tons of coal, aggregating in value over half a million dollars, to be used by the Army of the Philippines during the fiscal year beginning July 1. The Mitsui bid was $6.20 per ton for delivery ex-ship to Manila Bay, of approximately 20,000 tons of Milke washed nut coal, or Tagawa lump coal, and $5.85 per ton for 60,000 tons Mineji best screened lump coal.

For delivering and piling on dock the company will be paid 20 to 88 cents gold per ton in advance of the above figures, the amount differing according to the kind of coal concerned, discharging facilities at various ports, and similar conditions. The company agrees to discharge its vessels at Manila of 500 tons per weather working day, excepting Sundays and holidays. Demurrage will be charged against the Government at the rate of 12 cents gold per day and per the net registered tonnage of the vessel concerned.

For delivery to Iloilo and Cebu the price for Tagawa best screened lump coal will be $6.90, while to the ports at which Pettit Barracks, Augur Barracks, Warwick Barracks, Camp Connell, Ludlow Barracks, Camp Overton, and Camp Downes are situated the price will be $7.60 per ton, ex-ship and duty paid. This is said by Manila journals to be the largest contract for coal ever awarded by the Army in the Philippines, being 20,000 tons in excess of the amount ordered for any previous fiscal year.

Two other firms made bids, one being $7.70 per ton for Australian coal and another $6.45 per ton for Chinese coal.

SUGGESTED LAND-LAW CHANGES.

Mr. Speaker, in connection with the speech on "Conservation at Close Range," which I have delivered this afternoon on the floor, I desire to take advantage of the permission granted to me June 3, page 2130 of the CONGRESSIONAL RECORD, to extend my remarks on the subject of the forest reserves by placing in the RECORD, adjoining my address of to-day some statements which will exemplify and verify the statements I have put forth.

I desire first to make some modest suggestions as to changes which many westerners think necessary in the land laws. In the preparation of these suggestions I have been aided by some of the brightest legal minds in western Washington. Particularly do I refer to Hon. Maurice D. Leehy, of Seattle, and to Hon. Loren H. Brewer, of Hoquiam, and I am proud to give credit to them and to thank them.

LET FOREST SERVICE BE A SCIENTIFIC BUREAU.

The Forest Service, we believe, should be relieved from the administration of the national forests. The Forest Service should be a purely scientific bureau, such as the Bureau of Plant Industry and other bureaus in the Department of Agriculture. That department is engaged in scientific work, and the work of the Forest Service can best be done along scientific lines, not limited to publicly owned forests, as it practically is at present. The other departments are administrative. The General Land Office is an administrative bureau, and should have full charge of the administration of public lands. It will

never be satisfactory to divide that administration with the Forest Service, as at present. We now have one bureau to sell lands and another to sell the timber off the more valuable portion of those lands, lease grazing, water-power, and other privileges, and so forth. I need not comment upon the confusion resulting constantly from this divided authority and responsibility. It should all be concentrated in the General Land Office.

Mr. Speaker, I have presented a bill, H. R. 6923, to transfer the Bureau of Forestry from the Department of Agriculture to the Department of the Interior. I hope the Committee on Public Lands will give this service consideration. The suggestions given above are an improvement on the plan offered in the bill. At any rate, something should be done, not only to give the Chief Forester a chance but to reduce the doubled labor of the two departments involved.

MORE LOCAL LAND OFFICE POWER.

The General Land Office would, in my opinion, be made a more efficient administrative bureau if more power and authority were vested in the local officials in each land district. The divided responsibility of the register and receiver should be vested in the register, as the administrative officer and judge of land contests. The office of receiver should be abolished and his duties transferred to a clerk or cashier. The register should sit as a trial judge in all land contests, including contests upon charges filed in behalf of the Government. His decision should have the same effect, in contests only, as that of the trial judge in our courts. I mean by that he should render final judgment upon such contests, subject to review upon appeal to the department, and the practice in this respect could be similar to that upon appeals from trial to appellate courts. I do not mean that the register should pass upon all the details as to whether patent should issue, but he should sit as the judicial officer, hearing the evidence from witnesses who appear before him, and should enter judgment as to the merits of all contests, whether instituted by other claimants or on behalf of the Government. The clerical details prior to issuance of a patent can well be conducted as at present.

This plan would invest more authority in the register. The office would be made more important and should command a larger salary. This would not increase the expense, as the present salary of the receiver would be saved. Of course it would be necessary to pay a larger salary to the clerk or cashier than is at present paid to such clerks, but the amount at present paid receivers could be divided between them. Then, too, a reduction could be made in the number of land offices by consolidation or a better distribution of territory. For instance, the seven land offices in my State of Washington could be merged into five, and even into four, without injury to the service.

A POSSIBLE REMEDY.

I appreciate the opposition which this suggestion will encounter. Indeed, I fear it will produce such opposition as to indefinitely delay its adoption. This will be especially so as to the suggestion that the Forest Service be relieved from the administration of the national forests. I have given much thought to the whole subject and have satisfied myself that the solution most likely of early adoption is a law permitting a trial in the Federal courts of all contests instituted by the Government upon entries of lands within any Government reservation. This system has worked well for 40 years in the determination of contests arising over adverse claims under the mineral laws. The plan suggested is simply to permit claimants to demand a trial in the Federal courts of any contest filed by any bureau over lands within any Government reservation. The officials of the Government have some interest in retaining such lands within such reservation, and hence they should be disqualified from rendering judicial decision thereon.

There is a very general demand throughout the public-land States and Alaska for reform in the present procedure, which compels officials of the General Land Office to serve in the triple capacity of detective, prosecutor, and judge. Then, too, there is at present no method of obtaining a judicial review of the department decisions, even upon questions of law. It is sometimes done indirectly in contests between private claimants, and actions in our courts are quite common whereby patentees are sought to be declared as trustees. The courts have frequently decreed land grants to be in trust or, in effect, that the patent was issued to the wrong party, by declaring the patented ground to be the property of another. No such action is possible, however, where Government contests have been upheld, and hence there is a lack of uniformity in the decisions.

The suggestion that an appeal be allowed from the decision of the Secretary of the Interior to the courts would not afford the necessary relief. It would be cumbersome, expensive, and ineffectual. It would increase the delay; it would not be practicable; and it could not very well provide for more than a review of departmental decisions upon questions of law. Even such questions are frequently so interwoven with questions of fact that only a trial de novo in the appellate court could afford relief, and this presents difficulties in the matter of obtaining testimony. On the other hand, if such contests were tried in the Federal courts, the Government can be represented by the district attorney, who, in turn, will receive the same assistance from the Field Service, Forest Service, and other Government agencies as is now given the district attorney by the Post Office inspectors in prosecutions for the violation of the postal laws.

It would not increase the expense to claimants, but, on the other hand, would materially reduce the same, saving much in the cost of transcripts of testimony and the employment of counsel in Washington. It would facilitate final action and greatly reduce the expenses of the General Land Office, and, above all, it would afford the claimants a fair trial in court and give them the resulting satisfaction which will be impossible from a distant tribunal, no matter how impartial and efficient.

The suggestion that a court trial be allowed only when the lands involved are within a Government reservation would afford such relief to comparatively few homesteaders. Hence, it might be well to include all contests filed by the Government against homestead claimants. The law should not require all such contests to be referred to the courts, but simply give the claimant permission to transfer the trial of such contests to the courts.

Comparatively few cases would be taken to the courts, but sufficient to establish a more uniform policy, and, above all, to afford claimants an avenue of relief which will leave them without substantial grounds of complaint against the present system.

The result would be fewer contests and quite as general satisfaction with the administration of the public lands as our people now have with the decisions of our courts.

THE SEATTLE RIOTS.

The SPEAKER. The gentleman from Washington [Mr. BRYAN] is recognized.

Mr. BRYAN. Mr. Speaker, with some of the things which my colleague has just said I heartily agree, and particularly one proposition, namely, the construction of a railroad in Alaska by the Government, to be maintained by the Government, and operated by the Government. I believe that ought to be an accomplished fact in this next session of Congress.

I had handed to me a day or two ago a clipping from the Seattle Times in reference to some incidents that occurred out there, and the editor of that paper wound up his article by saying that "BRYAN had hollered 'nuff in his fight with the Times." How he got that idea I do not know. But I do know that there is no truth in the statement.

Mr. Speaker, it will be remembered by some of the gentlemen present that a few weeks ago my colleague, Mr. JOHNSON, objected to my speaking to this House in answer to my colleague, Mr. HUMPHREY, concerning the Seattle riots conducted by enlisted men on the 18th of last July. It will also be remembered that except for Mr. JOHNSON'S objection I was accorded the unanimous consent of this body to proceed with my discussion, although what I had to say did not refer to the then pending bill and was, of course, out of order. I left for my home State just after being refused unanimous consent.

I returned a few days ago, and yesterday, when my colleague, Mr. JOHNSON, asked unanimous consent to speak, I thought it a good time to reserve my right to object to his proceeding out of order unless he would grant like consent to me, so I now find myself enjoying the unanimous-consent courtesy of this body which my friend and colleague enjoyed a few minutes ago but which he denied me a few weeks ago.

There lives at Seattle a former resident of Minneapolis, Alden J. Blethen, who owns a big newspaper, which has a large daily and Sunday circulation. The people of Seattle had been outraged by the Seattle riots of July 18, and there was widespread contempt for this man Blethen and his newspaper for encouraging and staging the riots.

Blethen had grossly misrepresented in the Times a speech of Secretary Daniels made at the Rainier Club in Seattle, and his newspaper, the Times, had made the enlisted men think their acts were approved both by the public and by the Navy officers. There was nothing in Secretary Daniels's speech to warrant this.

The mayor of Seattle, after laying the blame for inciting the riots to the editor of the Times, made his unsuccessful attempt to suppress the Times and prevent its publishing any further riot-inciting articles. While the mayor was unsuccessful in his effort to suppress the newspaper, still the people were enraged against the Times. Public feeling ran high.

The mayor published a statement denouncing Blethen and the Times. In order to convince all that Blethen was of an indescribably low type and that his raving and frothing about patriotism and the flag was the cheapest and most intolerable form of advertising, the mayor published over his signature the following, which I had made part of my speech delivered in this House on July 29:

Alden J. Blethen was bitter in his denunciation of Dr. Matthews, Prosecuting Attorney Murphy, and others connected with the grand jury which had indicted him. With singular boldness he forced upon my attention two disgraceful photographs bearing the heads of the two gentlemen above named upon human figures in indescribably loathsome relations. He—Alden J. Blethen—explained in detail how and why he had conceived the idea of these vile photographs, secured foundation pictures by searching out some indecencies from a Paris collection, engaged one of our best Seattle artists to combine them with perfect photographic skill with the heads and faces of Dr. Matthews and of Prosecuting Attorney Murphy. The name of the photographer and the price he paid him for the making of these faked exhibitions of degeneracy was part of the Blethen recital. The memory of that disgusting and criminal conception has been a constant reminder of public danger from a source capable of conjuring and perpetrating such an infamy.

In commenting on this incident, I had said in my speech:

I call special attention to the fact that a congressional committee from this House went to Seattle and investigated Judge Hanford. The gentleman from Illinois [Mr. GRAHAM] and the gentleman from New Jersey [Mr. MCCOY] were members of that committee. If any Member of this House desires to verify the diabolical act of Editor Blethen, of the Times, referred to by the mayor in his statement published as part of these remarks, as an incident to show the character of the man, let him go to Congressman GRAHAM, who has in his possession a description of the low, vulgar pictures. Dr. Matthews was a man of piety, courage, and civic faithfulness, who was at the time urging a grand jury which later caused Blethen-supported dives to be put out of business and a Blethen chum, Chief of Police Wappenstein, to be put in the State penitentiary, where he is now serving his term. The dirty, filthy pictures manufactured by this "patriot" exhibits an awful crime against nature. I can not here give even a suggestion of the filthy details.

Well, my colleagues, as strange as it may seem to you when considering a man who would do such an act as this—and he has been forced to admit the truth of the statement—Alden J. Blethen got mad at me for merely referring to and making a permanent record of his own admitted act. He had caused Judge Humphries to expunge from the record of the King County grand jury a portion of a report in which he was referred to in connection with these red-light investigations. But there was no expunging the record here, and he got mad.

When I got to Billings, Mont., on my way home, I bought a copy of the Sunday Times, and I found in that paper the bitterest, most vitriolic, and libelous statement ever published about myself.

I had been invited to deliver a speech at the King County fair at Seattle and had made all arrangements to be in Seattle for that appointment. Of course I did not know what Blethen had published till I got his paper, but as soon as I read his editorial I determined to go after him at my first opportunity.

When I arrived in Seattle on Saturday morning I was informed by the fair officials that Blethen or some one on his behalf had filed a protest against my speaking unless I would agree not to say anything personal or political.

The King County fair officials were right in their request, but I was determined to roast Blethen in my first speech. I knew another opportunity would be afforded, so I declined to amend my remarks, and it was announced in the afternoon papers that I would deliver the speech at the Dreamland Rink the following Monday night. This was a building of about 5,000 seating capacity.

In his editorial, referred to a moment ago, Blethen had demonstrated the fact that he is as expert at faking in word painting as he is in portraiture. His language was full of the vilest epithets. He declared I had delivered my speech in Congress behind my constitutional privilege, which protected me from attack. He told how I would have been punished by indignant citizens if I had delivered that speech in Seattle. I would have contempt for any Member of Congress who would thus take advantage of his protection in debate on this floor, and, of course, I was anxious to get into the open, where I could throw off all such protection.

In the issue of the Times of the day before the Dreamland Rink meeting he published the following:

This fellow has declared in the Halls of Congress that the editor of the Times is immoral, dishonest, and a profligate.

Then he challenged me to offer any evidence that would be accepted in court against him, and said:

This fellow BRYAN is hereby challenged to produce any legal proof that will amount to the shadow of the violation of the criminal laws during the editor's entire residence in this city covering a period of 17 years, and if he can produce a single item of proof that in any way indicates that the editor of the Times ever violated any law, either of God or man, the Times will pay $1,000 in gold for the proof.

Next morning I addressed to him and made public the following letter:

ALDEN J. BLETHEN, *Seattle, Wash.*

DEAR SIR: In the last issue of the Sunday Times, under the heading "J. W. BRYAN—An assassin of character," you said that I declared in Congress that the editor of the Times is immoral, dishonest, and a profligate.

You further denounced me in the most sweeping terms. You then addressed to me a direct challenge.

I accept your challenge. I will speak at the Dreamland Rink to-night. You are invited to be present. I am willing to divide equally with you a portion of my time before the audience to-night and to agree not to refer to you after that time has expired. After the audience has heard your statements and my statements we will submit the issue to a vote of those present. This decision I am willing to consider final.

You said in your editorial that you have lived in Seattle for 17 years, and that during that time you have not violated any law, either of God or man.

You have the Seattle Times at your disposal and will be able to thoroughly advertise your presence.

If your statement on behalf of yourself is true and what you say I said about you is untrue, you surely will not hesitate to submit your cause to a majority vote of a large assembly of the citizens of the city of Seattle with whom you have lived so long. I will further give you the privilege of setting forth in your remarks on this occasion any facts that warrant your attack upon me as a citizen, a representative, and a man.

Yours, very truly, J. W. BRYAN.

The old fellow has average ability as a speaker. He is a hard hitter and is ordinarily well able to take care of himself. But he did not show up.

The meeting was a splendid success. The immense auditorium was crowded with people assembled to give vent to their contempt of Blethen and the Times. I will refer to the three daily newspapers published in Seattle for the report of the meeting.

The Seattle Sun said in part:

A crowd of 5,000 persons, forming the largest mass meeting ever held in Seattle, jammed into Dreamland last evening, heard a scathing attack by Congressman J. W. BRYAN on Alden J. Blethen, the Times, and Blethenism, then rising showed itself openly and squarely an enemy of those forces.

Time and again BRYAN was interrupted in his remarks by cheers and applause; time and again when he started to outline portions of manuscript he had made a part of his speech the crowd called, "read it all"; time and again his auditors shouted their approval as he scored Blethen as a flag-flapper and a mock patriot, and as he charged that Blethen staged the Potlatch riots for the "cheapest of advertising purposes."

At the close of his address resolutions unanimously were adopted which called on the citizens of Seattle to discontinue all support of the Times and Blethen.

They declared the Times, "with its terrorist tactics and criminal methods, is a menace to Seattle, and is an unrelenting creator of civic discord and debauchery," and that "its existence is made possible by the support of its enemies, who, curious to know the latest victim of its vicious attacks and whether or not the limit of audacity had been reached, continue, unwillingly and apologetically, to buy and read the same."

Therefore, the resolution went, "all fair-dealing and liberty-loving citizens should unite to withdraw their support from the Times and the advertisers who make its existence possible."

The Seattle Star said in part:

Dreamland pavilion was crowded to capacity Monday night with an audience of over 5,000 to hear Congressman J. W. BRYAN attack Blethenism.

BRYAN was given a great ovation when he appeared upon the platform. Blethen failed to show up in acceptance of BRYAN'S challenge.

BRYAN'S speech dealt chiefly with references to his remarks in Congress in which he charged Blethen with staging the Potlatch riots for cheap advertising, the mayor's open letter accusing Blethen with faking immoral photographs of Dr. M. A. Matthews, Blethen's record in Minneapolis, Blethen's "My dear Wap" letter to the ex-chief of police, now in the penitentiary, in which Blethen portrayed a keen interest in the welfare of the notorious Arcade dance hall, and Blethen's continued defense of the wide-open vice régime.

I give below the entire report of the Post-Intelligencer, Seattle's only morning paper, a conservative publication:

BRYAN DECLARES BLETHEN STAGED POTLATCH RIOTS—MASS MEETING OF 4,500 PERSONS PASSES RESOLUTIONS TO WITHDRAW SUPPORT FROM THE TIMES—APPLAUDS SPEECH ATTACKING EDITOR.

Characterizing Alden J. Blethen as an evil and sinister influence, the creator of civic discords, and a menace to the reputations of upright and honest citizens, Congressman J. W. BRYAN addressed an audience of 4,500 persons at Dreamland pavilion last night. The speech was the one which Congressman BRYAN announced in the House of Representatives he would deliver at the King County fair, and which was designed to reply to an attack made upon him by the Seattle Times a little more than a week ago.

The audience indicated its approval of Congressman BRYAN'S denunciation of the editor, and frequently encouraged him with cheers and handclapping. When Congressman BRYAN spoke of the faked photographs of Rev. M. A. Matthews, which were prepared upon the order of Col. Blethen and exhibited to Mayor Cotterill and to others, the audience gave expression to its feelings in a roar that shook the building.

ANTI-BLETHEN RESOLUTION ADOPTED.

At the close of the meeting Glenn E. Hoover, who presided, read a resolution calling upon the opponents of Col. Blethen to withdraw their support from his newspaper. The resolution was adopted with a roar of ayes.

Congressman BRYAN spoke under the auspices of the Free Speech Defense League, and a collection was taken in the crowd to defray the

expenses of the ball. The pavilion was crowded and circus seats erected in the rear and the balconies seated those who could not find chairs on the dancing floor. A fringe of auditors along the four walls stood to hear the address.

Congressman BRYAN announced that he was speaking in answer to an attack printed in the Times following his speech regarding the Potlatch riots and in answer to a challenge of Congressman HUMPHREY to set forth the facts on which he based his statements made in the House.

SAYS HUMPHREY WAS AFRAID.

He said that Mr. HUMPHREY'S speech was made because of pressure brought to bear on him. "HUMPHREY was afraid to go on record in defense of Blethen," Mr. BRYAN said, "and he was afraid to go home unless he did make some kind of a fake attempt at answering my remarks.

"One morning I picked up the morning paper in Washington and I read about anarchy in Seattle, about lawlessness on the public streets so gross and violent that the enlisted men of the United States Army and Navy were compelled, through self-respect for the flag, to take up the cudgel and loot and destroy valuable property. An article was published in the Seattle Times which had been sent out by wire calling the mayor of Seattle, among other things, a loathsome louse, a leader of anarchists.

DISCUSSES JOHNSON INTERVIEW.

"On the next morning an interview appeared from Congressman ALBERT JOHNSON, in one of the papers of the National Capital, in which he likewise censured the city of Seattle and its officers for permitting the red-flag demonstration. Among other things he stated that the American flag had been trampled in the mud in the streets of Seattle by the I. W. W.'s and anarchists. I knew this to be false and that the slanders against the city which had been circulated ought to be met and answered in as public a way as possible.

"After introducing the resolution calling for the facts in the case I delivered a speech on the floor of the House July 29, and inserted in the RECORD following the speech a statement that had been published by the mayor of Seattle and two or three newspaper articles.

BLAMES BLETHEN FOR RIOTS.

"I stated in this speech and I say now that the riots were not an outburst of patriotic sentiment, but they were staged and brought about by the Seattle Times for the cheapest kind of advertising purposes.

"I denounced Alden J. Blethen and the Times as an enemy to Seattle; and after detailing to Congress some of the features of the terrific struggles that the people of this city and State have had against special interests and the agencies of evil, I said that we had finally won in the city and had dethroned a great many of these interests, and the fight Blethen was now making was to restore these old conditions and cause a return to the wide-open town policies of a bygone day."

BRYAN'S SPEECH IN HOUSE.

Reading from his speech delivered in the House of Representatives, Congressman BRYAN recited the incident of the photographs in the statement of Mayor Cotterill over his own signature following the Potlatch riots, in which the mayor declared that Blethen showed him a loathsome picture of Dr. Matthews, made by a cunning composition of one photograph with another. In his speech Mr. BRYAN said:

"I call special attention to the fact that a congressional committee from this House went to Seattle and investigated Judge Hanford. The gentleman from Illinois [Mr. GRAHAM] and the gentleman from New Jersey [Mr. MCCOY] were members of that committee. If any Member of this House desires to verify the diabolical act of Editor Blethen, of the Times, referred to by the mayor in his statement published as part of these remarks as an incident to show the character of the man—I refer to the photograph episode—let him go to Congressman GRAHAM, who has in his possession a description of the low, vulgar pictures of a naked human base to which this corrupt advertiser, at the expense of the flag and of order, this 'patriot' who foams and froths about socialism, caused the head of Dr. M. A. Matthews, the moderator of the Presbyterian Church in America, to be affixed so as to form a new composite portrait—Dr. Matthews, a man of piety, courage, and civic faithfulness, who was at the time urging a grand jury which later caused Blethen-supported dives to be put out of business and a Blethen chum, Chief of Police Wappenstein, to be put in the State penitentiary, where he is now serving his term. The dirty, filthy picture manufactured by this 'patriot' exhibits an awful crime against nature. I can not here give even a suggestion of the filthy details.

"Is it any wonder that a man who could invent such a scheme to discredit a zealous and faithful pastor of national renown, engaged in a splendid work of reform, would consider the mayor of Seattle 'loathsome'?

BLETHEN AND THE FAIR SPEECH.

"When Col. Blethen attacked me in connection with my proposed speech at the fair, it was perfectly natural for any board of managers to believe that my speech would involve personalities, and so far as I am concerned I have no criticism for the King County fair refusing to go into that kind of business; but I would criticize local conditions that would permit a man of the Blethen type to be so enthroned in power and so fortified in the privileges which he asserts as to enable him to control a situation of this kind.

"To be sure, his objection to the fair would hurt the fair, but I believe that there will come in the city of Seattle a public sentiment that will change this kind of thing, and make such objection a benefit to the fair.

"The public have read the vicious attacks Blethen has made upon me within the last few days. To-day I addressed a challenge to him to reply to me at this meeting.

"I have received no answer from Blethen and do not expect to receive one. I therefore consider myself at liberty to present some of the reasons why Alden J. Blethen and the Seattle Times constitute a menace to every decent undertaking in the city of Seattle. The editor very properly interprets the photo episodes as involving immorality on his part.

ACCUSES BLETHEN OF BLASPHEMY.

"All I said in my congressional speech was that they had manufactured these awful pictures, which are so low and filthy and corrupt that no reputable speaker could possibly describe them before an audience of this kind. Yet with that superb effrontery that has characterized his operations in this city since he became publisher of his paper he blasphemously asserts that he has never violated a single law of God or man.

"Read, if you will, his Wappy letter. Remember that the officials of the city of Seattle here exposed an awful corrupt situation involving the lewest forms of vice, and that Wappenstein was later convicted and sent to the penitentiary because of his part in these proceedings.

"Why should a man be permitted by the public in a community such as the city of Seattle to own and operate a newspaper on behalf of such interests as this? Consider the Minneapolis activities of Blethen. Consider his association, with that of his paper, with all forms of vice in the city of Seattle, and then answer why he should not be condemned, why any organization should not be encouraged to protest against his continued power.

"In politics his paper has always favored the lowest measures that could be proposed. He hates reform; he despises civic decency."

At the close of the meeting by a tremendous acclamation and without opposition the following resolution was adopted:

Whereas the Seattle Daily and Sunday Times as now conducted with its terroristic tactics and criminal methods is a menace to the liberties and the reputations and even the lives of the residents of Seattle and is an unrelenting creator of civic discord and debauchery; and

Whereas its existence is continued and made possible by the support of its enemies, who, curious to know the latest victim of its false and vicious attacks and whether or not the limit of audacity has been reached by the owners and editors of the Times, continue to unwillingly and apologetically buy and read the same: now, therefore, be it

Resolved by the citizens of Seattle in mass meeting assembled, That all progressive, fair-dealing, and liberty-loving citizens unite to withdraw their support from the Times and the advertisers who make its existence possible.

It will be seen that I read from the speech I had delivered here and thus reiterated the statements that Blethen said I had made only because I was protected in what I had to say here on the floor.

Blethen did not make good his threat of violence, but reverting to his ability to fake with words as well as with pictures, he published a lot of false and libelous stuff, impugning my honesty and fitness to occupy a seat in this body. His accusation could have no influence with those who knew me, but I believe it a personal privilege, to which I am entitled as a matter of right, to denounce these publications and show to the Members of this House and to such of my constituents as may read this RECORD wherein his publications are false and thus divert the calumny which those who do not know me might attach to my name and reputation on account of the publications. I have been informed that copies of these publications have been circulated here, and I demand the right to show their utter falsity.

The gravest part of his charges were these: He said that the court records show me charged with the crime of perjury and various acts of professional delinquency, which he enumerated. It is true that the record did once show me charged with perjury, but I was fully vindicated by an acquittal that fastened infamy upon the corrupt political judge who ordered the prosecution.

It is also true that I was once charged with professional delinquency by this same corrupt judge and his friends of the bar in the little county where I was engaged in a political life and death struggle in the State of Washington.

The charges of professional delinquency were investigated and tried by a coordinate judge, and I was again fully vindicated by the court's finding.

The judge who ordered the prosecution has lost his place on the bench and left the State. His name is John B. Yakey. He now resides in Los Angeles, Cal.

The judge who vindicated me has been advanced since the trial by popular vote from superior judge of King County to supreme judge of the State of Washington. His name is John F. Main, and he has made a record for impartiality and integrity that ranks him as one of the foremost judges of the Northwest.

In the alleged perjury proceeding I was trying to obtain from this Judge Yakey a change of venue in a murder case where an officer of the Navy, whom I was defending, was accused of murder. He ordered the trial to be proceeded with and said he would again take up the affidavit for change of venue after the trial was over.

My client was convicted of manslaughter, but I reversed the judge in the supreme court, and when the case was tried again I obtained a dismissal from a coordinate judge on account of the defendant's insanity, which had existed all the time. His name is John Stokes. He is out here at the St. Elizabeth asylum now.

Immediately upon the termination of this first trial of John Stokes, Judge Yakey ordered me prosecuted for perjury. The papers were not to be served till the next day, but the Seattle Times had an enlarged picture of myself and the news of my coming trial, with most prejudicial and false statements, on the street within a few minutes after the judge had made the order. The news had evidently been prepared and held subject to release.

When the case came to trial the judge who was called in to conduct the trial directed the jury, in the usual form, when they had arrived at a verdict, to appoint a foreman, who would sign

same and report it into court. When the jury came in a most unusual thing happened. The judge looked at the verdict, and then leaned over toward me and said: "All the members of the jury have signed the verdict. Is there objection to receiving it in this form?"

Of course I had no objection. Every member of the jury had signed the verdict and was proud to have his name on my vindication against the crooked political job they had tried to put up on me.

In about three days I was served with a motion for disbarment by certain Yakey underlings at the bar, who had been taught to obey orders. Three of these have since left the State.

I had whipped the sawmill political organization in my State senatorial district by being elected over their idol to the State senate. I had been in a red-hot fight with the whisky crowd at the navy-yard town. They had determined to eliminate me. Three of the saloons at the county seat were renting their saloon buildings from his honor, Judge Yakey, who had been put on the bench through the political pull of the State senator I had defeated. The judge was to drive me out of court and the rest would speed me on out of the county.

I was without funds and they all knew it. Politics and the fight with the judge had taken from me the major portion of my business. I was really up against it, but I took a second breath and started a newspaper, The Navy Yard American. I had the paper printed each week in Seattle. It was an eight-page paper. We got out the paper at nights.

My disrespect to the court in these publications was the main dependence of the judge and his underlings in their effort at disbarment. They raked my court record thoroughly, and made a cause of action out of every case where either client was mad enough to complain. They accused me of soliciting business—barratry—and renewed their perjury charge. The case was assigned to Judge John F. Main, who was sitting in Seattle, for trial. He was a perfect stranger to me, but he had been a university instructor and was a man of splendid reputation. He was a Presbyterian and hated crooks.

When my disbarrers came before the court they opened up with the barratry charges. The evidence consumed the best part of three days, when the judge said: "If you have any substantial testimony or charges to present, you had better get at them."

Then they took up the perjury charge. Judge Main, after a day's testimony and before I had begun to defend, said: "There's no perjury in it. Go to something else."

Then they took up some miscellaneous charges fathered by Judge Yakey, but they made no headway. Nearly six days had been consumed, and they placed in evidence the files of the Navy Yard American, showing my unquestioned and admitted disrespect for the judge. They wanted the court to disbar me for not respecting him. But by this time it seemed apparent that Judge Main had no more respect for Judge Yakey than I had.

I had defended my own case. Judge Main looked to me and asked what would be my defense as to these publications. I told him I had witnesses to prove the truth of every publication.

"Well," said the judge, "that would take a long time, and I do not care to go into that. These publications arose from a condition between two factions that is indescribable in the English language."

As to the barratry charges, he said: "The whole array, taken all together, are not worthy of the consideration of the court for one moment."

And thus he gave to me the fullest vindication and dismissed the proceedings, finding that I had committed no act which should subject me to any punishment whatever.

In the meantime I had procured the enactment of a law through my position as State senator, which enabled me to get one change of judge upon filing an affidavit of prejudice. The court had no option about granting it. This put an end to Judge Yakey, for it was seldom that both sides were willing to try a case before him. It amounted to judicial recall.

All through these fights the Seattle Times has aided Judge Yakey and the crowd against me, publishing false stories in an effort to humiliate me. Blethen knows of my vindication. He knows the charges are false. Yet he publishes that they are pending of record against me. I shall be glad of the closest scrutiny of my record.

As soon as these publications were made I filed a libel suit against Blethen, hoping thereby to get him before court at an early date and expose in that way to those not already informed his falsehood and corruption. I tried to get a stipulation to try the case during the month of November, so that it could be presented to a jury before the December session of Congress required my attendance. His attorneys refused to do this.

In his answer to this suit Blethen declared under oath that it was his opinion that I had attacked the Times in Congress merely to get the support, in a political way, of the enemies of the Times, and he further declared that the attacks in the Times on me had not damaged me in any particular whatever.

This declaration in itself is a vindication and a confession of pusillanimity incomprehensible. In other words, the old fellow will go into court and attempt to show that an attack on me by the Times, howsoever vicious, does not injure me, and he will thereby assert and try to prove that his paper, although it enjoys a large circulation, is held in such contempt by the public that its editorial utterances are disregarded and its knocks are boosts.

I thank the Members for their courtesy in listening so kindly to these remarks. I am glad to have answered the charges. I believe it was a duty as well as a privilege. It takes patience, nerve, and a good shot to fight these gangsters in the West as well as in New York City.

Blethen has always fought with them and aided them. They try to destroy any man who gets in their way. But there is a new element asserting itself now. Women figure in the movement, and I tell you we are going to mow this old crowd down like bitter weeds. Their day is past. No man with a clean record need fear them. [Applause.]

Mr. MURRAY of Oklahoma. Mr. Speaker, I desire to make a parliamentary inquiry. I wish to know whether there is any other special order just now?

The SPEAKER. Yes; there is a special order for the gentleman from Montana [Mr. EVANS] to speak for 40 minutes on corporal punishment, and he is now recognized.

CORPORAL PUNISHMENT.

Mr. EVANS. Mr. Speaker, on November 8 the press of the country carried the following dispatch:

WILMINGTON, DEL., *November 8, 1913.*

Six prisoners—two white men and four negroes—all convicted of robbery, were whipped on their bare backs with a total of 95 lashes at the Newcastle County workhouse to-day. James Bayard and William Reason, negroes, each received 20 lashes for burglary. Next Saturday they will each receive a similar number of lashes. In addition Bayard will serve 14 years in prison and Reason 11 years. The court divided the administration of the lashes for fear the victims could not stand the penalty all at once.

On November 11 I introduced in the House the following resolution:

Whereas it appears from dispatches published in the public prints that six prisoners—two white men and four negroes—all convicted of robbery, were whipped on their bare backs with a total of 95 lashes, at the Newcastle County workhouse, in the State of Delaware, on November 8, 1913; and

Whereas it further appears that two of said prisoners, James Bayard and William Reason, negroes, each received 20 lashes for burglary; and

Whereas it further appears that on Saturday next, November 15, these two men will each receive a similar number of lashes on the bare back, and in addition Bayard is sentenced to serve 14 years in prison and Reason 11 years; and

Whereas it further appears that the court divided the administration of the lashes for fear the victims could not stand the penalty all at once; and

Whereas the eighth amendment to the Constitution of the United States of America provides that "cruel and unusual punishments shall not be inflicted"; and

Whereas it is manifest from the fact that the court divided the imposition of the number of lashes for fear of causing the death of the victims that such punishment is cruel; and

Whereas such method of punishment is a relic of medieval barbarism and is not generally practiced in civilized countries and is therefore unusual: Therefore be it

Resolved, That the President of the United States and the Attorney General of the United States are hereby authorized and directed to cause to be brought in the Federal courts an injunction proceeding against the State of Delaware, or the officials and employees of such State who may be responsible for the condition of affairs above set forth, or that the President and Attorney General take such other action as in their judgment may be proper to enforce the provisions of the Federal Constitution and prevent the infliction of this cruel and unusual punishment upon these prisoners on Saturday next, November 15, and to prevent the practice of such cruelties hereafter in said State of Delaware or elsewhere in the United States of America.

It will be observed from the above dispatch that it is alleged that the punishment imposed upon the men in question was by the court divided for fear the victims could not endure the penalty all at once. The resolution was based very largely upon the statements contained in that dispatch. I know it is now denied that the punishment inflicted upon these and other men in the State of Delaware is a cruel punishment, but I submit that any punishment must be cruel if it be necessary in inflicting that punishment that it be divided into two parts because in the opinion of the court the victims could not stand all the punishment inflicted at one time. If it be said that it is not unusual, then I suggest that any punishment is unusual if it be a punishment inflicted by one State only and not inflicted by any other civilized country. It must of necessity be unusual.

Believing, therefore, that this punishment was both cruel and unusual, I introduced the resolution as above set forth. When it was ascertained that no action could be or would be taken by the House on the passage of this resolution because of the absence of a quorum; and believing firmly in the merit of my contention that something should be done to stop and stay the hand that was within four days again to lay stripes upon the backs of two human beings, I appealed to the Attorney General of the United States, calling his attention to the matter of the introduction of the resolution and of its temporary disposition, and asked that he take such steps as in his judgment the matter merited. The Attorney General advised me that it was his understanding that the courts had decided that the eighth amendment to the Constitution of the United States, providing against the infliction of cruel and unusual punishment, applied to the Federal courts and not the State courts, and that he therefore felt there was no action he could take in the premises. So far as I am concerned, I am perfectly willing to abide by the decision of the Attorney General, and I have no doubt he is correct in his views on the subject. Notwithstanding that, I still feel that somewhere, at some time, a remedy will be found which will forever put a stop to the practice of the courts of Delaware, which are so realistically described in an article by Mr. Bond P. Geddes, that I take the liberty of reading it in full:

NEWCASTLE COUNTY WORKHOUSE,
Wilmington, Del., November 15.

(By Bond P. Geddes, staff correspondent of the United Press.)

Pinioned to a "whipping post," with backs bared to freezing winds, two prisoners were publicly flogged here to-day. Each was grilled with 20 lashes. There were 20 last Saturday; 20 more to-day. Thus was the "peace and dignity of the State of Delaware" upheld.

The flagellation was the refinement of "modern medievalism." It was the twentieth century observance of Puritanical punishment. The flogging was "for men only." It was "guaranteed bloodless."

The guaranty was kept by Warden Leonard Crawford, whose hand has flogged a hundred men, according to his own account, within a few years. With scant ceremony—almost in haste—the backs of the two prisoners were beaten until they clung in silent anguish to the "posts" to which they were fastened, with arms upraised and flesh quivering, writhing convulsively.

A feeble moan from one of the victims was the only outward sign of their torture. Their faces were distorted, their fingers clutched convulsively, but they attempted to bear the pain stoically.

A tiny courtyard, with walls of gray stone 15 feet high, was the scene of the scourging. The "stockade" is its official name. Its victims call it the "torture pen." Scarcely 20 feet square, with two iron doors, one for spectators and one for the victims of the "cat," a stone walk to-day divided two dozen spectators and the actors in the grim penance.

The "shrine" of Delaware's penal code was the "whipping post" and a pillory—both heirlooms of a century ago—but both newly built. Both were under a wide roof projecting over one corner. They were painted green, the post alone showing evidence of use, the pillory having been in disuse for a decade.

Forty seconds of excruciating pain was the toll taken by the "post" to-day. William Reason and James Bayard, colored burglars, were its victims. Each received 20 lashes. Less than seven minutes were required for the floggings. Reason was led into the yard at 10.20. At 10.27 Warden Crawford turned to the morbid group of spectators as Bayard was led away with a half apologetic smile and said, "All over."

Assured that all newspaper men were present, Warden Crawford gave the signal for the public punishment. The two men had been brought to the stockade by two bailiffs from the workhouse, 50 yards away. A silent sign was given, and Reason walked in with Reason, the first victim. His hands were shackled. His bare back was covered with a rough blanket. With faltering, shuffling steps he was led before the post.

The man's face blanched visibly as he straddled the post. At an unspoken order from the turnkey he raised his hands outstretched above his head to two iron manacles fastened on either side of the wooden pillar. The refinement of cruelty was the placing of two heavy woolen gloves on his knuckles to keep the heavy iron hasps from biting in.

The turnkey whisked the blanket from his shoulders, exposing his nakedness to the waist. Not until then did the man flinch. He bowed his head and leaned heavily for support upon his fettered wrists, while the turnkey stood off and read the sentence of the court that he be flogged. Behind his back Warden Crawford held the "cat." It had nine leather thongs, 2 feet in length, attached to a slim hickory handle as long as the thongs.

"One," the turnkey began counting, and the whip whisked through the air. It landed across the small of the prisoner's shoulders. Livid marks, turning to a slimy, smoky white against the skin, were its records.

"Two," said the turnkey, and with monotonous counting, about one second apart, the warden flayed the quivering, cringing torso. Reason's hand clenched at each blow. He seemed to shrink, with escape impossible, from each stroke.

At the count of "twenty" the prisoner sighed. The blanket, replaced on his shoulders, shut out the grim work of white lashes from the fangs of the "cat," with which he was covered from neck to waist. The warden apparently exercised care to distribute the lashes over the man's back, but the whole back was a net work of whip marks when he concluded.

Bayard was led in immediately. He showed less "gameness," jail attaches said, than Reason. Bayard showed faint traces of the 20 lashes he had received a week ago. He also showed a deeper recollection of his former ordeal. His eyes remained in a spasm of mental fear when he entered the stockade. He leaned heavily upon the turnkey when his eyes turned to the "post." He almost fell when his hands were being shackled to the pillory. After the reading of the flogging sentence by the turnkey, the man frantically hugged the post, awaiting the count of "one."

As the lash fell his shoulders contorted his whole back into a writhing mass of twitching muscles. At each stroke his shoulder blades met, opening when the lash was swishing through the air and meeting, like clockwork, when it fell. The first stroke hit over his kidneys; the second lapped his neck.

At the final count of "twenty" from his lips came a long, low moan—a hissing sigh—his whole body relaxed and he wilted wearily and heavily, suspended by his pinioned wrists.

Neither man made an outcry. But both were half bent when they left the stockade. Reason was able to walk alone. Bayard leaned upon the turnkey's arm. The "straight-arm" stroke was used by Warden Crawford. He said the law prohibited "brutal beating" of men sentenced to the "post." His arm was not flexed. It was outstretched, with the goad applied lightly but firmly. That the warden did not use the force to-day that has often been used before was the statement of several spectators who claimed to be "repeaters" at Delaware floggings.

"It's a farce to-day," one said.

Although the warden denied that his touch was lighter to-day because of the agitation in Congress and elsewhere for abolishment of the whipping post, and because a larger crowd of spectators and newspaper reporters than usual were present, some spectators insisted that the floggings to-day lacked their usual "punch."

Like all floggings, those to-day were public, except that women and cameras were barred. Just 27 men, including a half dozen newspaper men, saw the punishment to-day. Among them were a bunch of actors playing at a local theater.

"It's an old story to the people of Delaware; they don't have any interest in it, and don't turn out any more," said Warden Crawford.

In addition to the flogging for their crimes, Bayard must serve 14 years in prison and Reason 11.

Lest it be suggested that I am assuming an air of "holier than thou" or I am attempting to make some invidious comparison between the State of Delaware and some other State, permit me to say that at no time during this discussion has anyone heard me utter one harsh word or one word bearing the slightest spirit of vindictiveness or asper. toward the State of Delaware. The State of Delaware was one of the original thirteen States. She has furnished her quota of men when great problems and crises have arisen in this country. She does not need any defense from me, and she does not need any defense from any other man. Her own deeds are her best defenses. But notwithstanding all the great things the State of Delaware has done, there are millions of people who feel that there is one thing she has left undone which does not add to her credit, and that is her failure to keep abreast of the times and abolish the last relic of cruelty incorporated in her laws before even the adoption of the Constitution of the United States.

In a discussion of this question a few days ago by the gentleman from Delaware [Mr. BROCKSON] he assumed to discuss the matter, not upon the high plane of whether or not the great State of Delaware was inflicting cruel and unusual punishment in the execution of its penal laws, but rather discussed the question of whether or not the particular victims of that law were guilty of the offense of which they were charged, and even suggested that they were guilty not only of the offense of burglary, of which they were charged, but were guilty of an offense against the womanhood of the State of Delaware. All that appeals to me to be but a begging of the question. It is immaterial whether these individual men were guilty or not, or of what they were guilty. The question is, Does the State violate the fundamental law of the land when it inflicts corporal punishment for any offense committed? I recall that in the discussion of this matter by the gentleman from Delaware he made the statement that corporal punishment is never inflicted upon a woman in that State.

Now, I submit the question, Why is a woman not flogged in Delaware? If the fundamental law of the land is correct, that all men are equal before the law, and using the term "men" in its generic sense, why should not a woman be flogged if a man be flogged? And the answer comes back immediately: To flog a woman would be cruel, so cruel that the good citizens of Delaware would not sit complacently by and permit it. All of which appeals to me to prove that corporal punishment as inflicted in the great State of Delaware is cruel and in direct violation of the best sentiments of the country, whether the eighth amendment to the Constitution applies only to the Federal Government or applies to all the people of the Federal Government.

During the past week I have received scores of letters commenting upon the whipping post, and I beg to quote from one of these letters. It reads:

You are entirely right in protesting against the brutal whipping post in Delaware. It would make your blood boil if I were to tell you of some of the cruel whippings I have witnessed. I have lived in Delaware for 43 years and have seen the brutal lash wielded many times. One time I recall a young negro was manacled to the post. He was whipped with 20 lashes. The first time the sheriff struck him he screamed in agony; the second stroke the poor victim pulled himself up as far as his clasped hands would allow and kicked both feet at the sheriff. That gentleman (?)—the sheriff—jumped to one side, and then getting on his tiptoes struck the helpless creature 18 times more with all the brutal strength he could master. The negro was almost in a state of collapse as he was led from the post. The sheriff who did the whipping was a man who at that time weighed 250 pounds. He died a few years ago.

This is the comment of a man who informs me that he is a business man in the State of Delaware, where he has resided for 43 years; and yet it is suggested that to mention the matter

of whipping in that State is to give evidence of the fact that some one is for the time being afflicted with a spasm of virtue.

Since this agitation was begun the press of the country generally has commented upon the whipping post, and most of the papers have characterized this instrument of torture as a relic of barbarism now entirely outgrown by civilized countries. I find, however, some exceptions, the most notable one that has come under my observation being the Philadelphia Inquirer, which, under date of November 13, spoke editorially as follows:

DELAWARE'S WHIPPING POST.

[From the Philadelphia Inquirer, November 13, 1913.]

It was certainly very kind and humane for a Member of Congress from Montana to show such interest in Delaware as to introduce a bill to abolish the whipping post, the time-honored institution of the three counties below us. His interest in the Constitution is commendable. His idea is that the whipping post comes under the constitutional prohibition of "cruel and unusual punishments." It is much to be regretted that the gentleman from Montana is not better versed in history.

When the Constitution was adopted the whipping post, stocks, and other methods of punishment now forgotten were quite usual, and none of them was considered cruel. What the Constitution aimed at was dismemberment—as of the hand for theft—and other choice methods which were usual but cruel, and it was provided that no unusual methods should be devised to replace them. The whipping post is not cruel or unusual under the Constitution, and its survival in Delaware is due to peculiar geographical circumstances. Many efforts have been made to abolish this form of punishment, and they would have succeeded were it not for the fact that the northern part of Delaware contained first the highways and later the railways which form the trunk line of travel from New York and Philadelphia to Baltimore and Washington. Along this line every year travel thousands of tramps and crooks of various kinds, who occasionally commit crime and "make a getaway," but the truth is most of them give Wilmington and Newark a wide berth, because they fear the whipping post more than any other punishment.

As a fact, the whippings of ordinary offenders are generally innocuous. It is only when a rank offender, especially one from outside the State, bares his back to the sheriff that he feels the rigors of the cat-o-nine-tails, and he rarely gets more than he deserves. The whipping post is simply Delaware's warning to criminals to keep out, and usually they keep out. More whipping posts in the country for certain criminals would be desirable. The gentleman from Montana should rest his soul in peace.

The author of this editorial, speaking for the great city of Philadelphia and for the people of Pennsylvania, tells us that the reason why they do not abolish the whipping post in Delaware is because Wilmington is on the great highway of travel from New York to Washington, and therefore they can not abolish it. Well, I thought that Philadelphia was on the highway, too. I have heard that Philadelphia was very quiet sometimes, but I supposed it was at least on the highway, and if for that reason they needed a whipping post at Wilmington they surely needed it in Philadelphia, where the Inquirer is published. That does not seem to be an argument at all on the whipping post. It is begging the question to say that the whipping post is retained because Delaware is on the line of railway and the line of travel.

In contrast with the utterances of the Inquirer, the Philadelphia Public Ledger, likewise published in the City of Brotherly Love, makes the following comment:

[From the Philadelphia Ledger, Nov. 12, 1913.]

DELAWARE AND THE WHIPPING POST.

If Congressman EVANS, of Montana, shall persist in his attack in the House upon the Delaware whipping post as a punishment for her prisoners, he may force the Diamond State to abolish that relic of a bygone age and civilization.

Mr. EVANS offered a resolution directing Attorney General McReynolds to enjoin the authorities of the Commonwealth from lashing her culprits on the bare back with a knout, on the ground that the whipping post violates the prohibition in the Federal Constitution against "cruel and unusual punishments."

Several hundred years ago flogging was not unusual and was not deemed cruel; in earlier days the use of the thumbscrew and the rack and breaking upon the wheel were not unusual, and there was a time when the untamed instincts of the world tolerated the drawing and quartering of felons and traitors, but the world has moved along. The cat-o'-nine-tails has had its day, physical suffering and cruelty are not accepted means of correction or punishment, yet Delaware clings tenaciously to the ancient practices.

The State should abolish its anachronistic device. It does not reform prisoners, it degrades them. It does not uplift the community; it shames and brutalizes it. The whipping post is a relic of barbarism more adapted to the civilization of Russia than to that of the United States.

The question naturally arises, What punishment should be visited upon the petty offender? And I confess that I am not prepared to say. But I do feel confident that progress is not being made by clinging to a system which has been repudiated and abandoned for a hundred years by other States. The great problem of penology is one of the questions now engaging the master minds of the country, and I have no doubt will in time be solved. I give it as my personal conviction that much more progress is being made in the solution of this question by some of the newer States of the West, such as Oregon, California, and Colorado, than is being made in the East.

A man is a human being, whether he be a criminal or an honest, law-abiding citizen, and in the judgment of men who are to-day making a success in the handling of criminals of the country, those criminals must be treated as human beings regardless of what laws they have violated. In the State of Montana four or five guards control 100 prisoners building roads through the mountains of that State. These prisoners consist of men serving terms all the way from a few months to life, and yet comparatively no trouble is encountered with them, not 1 per cent of them attempting to escape. They are treated like human beings. They know the penalty of an effort to escape, and they know that so long as they obey they will be treated like human beings. How long, in the judgment of any Member of this House, do you think five men would have control over 100 criminals if for some offense one of those criminals was manacled to a post and lashed in the presence of his comrades? In my judgment, only long enough for the helpless victim to shriek with pain when the first lash was laid upon his back, when the animal instinct would be aroused in every man within the sound of his voice. That shriek would simply be a "call of the wild."

Mr. Wines, in his excellent work on Punishment and Reformation, says:

The basis of legal punishment may be reduced to a single principle, that of the protection of society. Society is protected, first, by the removal and isolation of the offender, who is thus disarmed and made a prisoner of war, hors de combat; second, by the exemplary and deterrent influence upon others exerted by the spectacle of his discomfiture and suffering; but the third, and most effective, way in which this result can be obtained is by reformation, which converts an enemy into a friend, and a destructive into a constructive social force. The right of society to defend itself is indubitable, yet it is not without limits. Might is not always right, and the will of the majority is not always just. The individual has rights, and his immolation upon the altar of a supposed public exigency may react against the majority in the same way in which disregard for the rights of the community by an individual reacts against the individual. * * * The history of criminal jurisprudence is the reflection in miniature of the history of the human intellect and conscience. With advancing morality, measures indispensable in a former age become repugnant to the popular sense of right, and therefore obsolete. * * * The criminal law is, when it is rational and equitable, and is administered with intelligence and humanity, designed and adapted to effect the amendment of those subjected to its afflictive penalties. The model of human government is found in the divine order, in which we are chastened to our profit. The judgments of God are designed to lead us to repentance.

The whipping post degrades not only its victim but society that exacts such punishment. Humanity never has been reformed by a punishment that tends to degrade the victim of the law. When you manacle a man to a post and beat him across the back you make of him an enemy to society. You have degraded him and you degrade society. Malice and hatred toward all the world are sown in his heart, and sooner or later the seed must bear fruit.

If there is any justification for the whipping post to-day, is there not equal justification for the pillory, the stocks, the rack, and a hundred other devices formerly used as instruments of torture? You will all readily recall that men were punished by branding, mutilating, disemboweling; that they were staked upon the sands of the sea that they might be drowned by the slowly rising tide; and that every means known to the human mind were employed for the purpose of inflicting pain upon the helpless victim who was so unfortunate as to fall within the pale of the law. But as our civilization advanced, all these cruel forms have been discarded, and we find to-day only one of all that host of medieval relics of barbarism remaining, and that is the whipping post in the neighboring State of Delaware.

To resort to the whipping post in this the twentieth century is simply a "call of the wild." It is the brute instinct again taking possession of our people. No crime was ever deterred by the commission of another crime. To take a helpless human being, bind him to a post, and beat him to the extremity of human endurance is revolting to all the finer feelings and passions of humanity and must of necessity degrade both the helpless victim, the man who applies the lash, the mob who look upon the crime, and the State or Nation that sits idly by and does nothing to prevent its commission. [Applause.]

Mr. BROCKSON. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes in reply to the gentleman from Montana [Mr. EVANS].

Mr. DONOVAN. I am going to object, Mr. Speaker.

The SPEAKER. The gentleman from Connecticut [Mr. DONOVAN] objects.

ADJOURNMENT UNTIL NEXT WEDNESDAY.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Wednesday next.

The SPEAKER. The gentleman from Missouri [Mr. RUSSELL] asks unanimous consent that when the House adjourns to-day it adjourn to meet on Wednesday next. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. RUSSELL. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. Will the gentleman from Missouri [Mr. RUSSELL] reserve his motion to adjourn for a moment?

Mr. RUSSELL. I will.

The SPEAKER. The Chair desires to correct a ruling that he made on Thursday, November 20. On that day the gentleman from Kentucky [Mr. THOMAS] offered the following privileged resolution:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 22d day of November, 1913, at 1 o'clock p. m.

In answer to a parliamentary inquiry, the Chair ruled that the resolution was debatable. That ruling was made hurriedly, without opportunity to examine the authorities and without time for reflection, and the question had never been raised before during the 19 years in which the present occupant of the chair has been in the House.

It turns out that on March 23, 1871, Mr. Speaker Blaine held a similar resolution to be not debatable. That is the only decision on the point that the Chair has been able to find after thorough investigation, but that decision of Mr. Speaker Blaine has been accepted by the House for 42 years. But aside from that decision, upon mature reflection and reasoning from analogy, the Chair thinks the resolution is not debatable, because if declared debatable such resolutions might be converted into instruments of troublesome filibustering, just as a motion to recess was used until deprived of its privileged character. Therefore the decision of Mr. Speaker Blaine is affirmed.

Mr. CLARK of Florida. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Florida. I would like to know, Mr. Speaker, in view of the Speaker's ruling that the resolution is not debatable, whether it is not in order to put the resolution to a vote.

The SPEAKER. Nobody had asked to put it to a vote——

Mr. CLARK of Florida. I do now——

The SPEAKER. And the gentleman from Missouri [Mr. RUSSELL] had moved to adjourn, and withheld his motion for the accommodation of the Chair.

Mr. CLARK of Florida. Mr. Speaker, one further parliamentary inquiry. Does a simple motion to adjourn take precedence of a concurrent resolution to adjourn at a certain day?

The SPEAKER. The concurrent resolution is not pending.

Mr. CLARK of Florida. I thought it was unfinished business.

Mr. MANN. It is pending as unfinished business, but the other motion takes precedence.

The SPEAKER. There is no use in discussing whether it is unfinished business. The Chair has been investigating to see if there can not be some substantial fixed limits to unfinished business; but the motion to adjourn was made, and the resolution which the gentleman refers to is not before the House.

Mr. CLARK of Florida. If it is unfinished business, it is pending.

The SPEAKER. Not necessarily.

Mr. RUSSELL. Mr. Speaker, other business has intervened since that resolution was before the House.

Mr. CLARK of Florida. The gentleman from Kentucky was here this morning to call it up.

The SPEAKER. He could not call it up this morning, under the ruling of the Chair—whether right or wrong—that these gentlemen had the right under the special order to first address the House.

Mr. CLARK of Florida. I noticed that the Speaker said that as soon as these speeches were finished the resolution would be in order.

The SPEAKER. That is true, but the gentleman from Missouri [Mr. RUSSELL] has moved to adjourn, and his motion is pending.

Mr. CLARK of Florida. But is not the resolution in order under the ruling of the Chair this morning, that the House having made the special order for addresses of these gentlemen, as soon as they had finished the Speaker would recognize the concurrent resolution?

The SPEAKER. The Chair said that he would recognize the gentleman from Kentucky to call it up.

Mr. CLARK of Florida. Does not his attempt to call it up make it unfinished business?

The SPEAKER. No. There are two or three resolutions now pending in exactly the same parliamentary status as the one the gentleman refers to and which have been pending longer.

Mr. MANN. I have one pending which is a privileged resolution.

The SPEAKER. Yes; and the gentleman from Missouri [Mr. HENSLEY] has one in the same situation.

Mr. DONOVAN. Mr. Speaker, I call for the regular order.

The SPEAKER. The regular order is the question on the motion to adjourn.

Mr. MURRAY of Oklahoma. Mr. Speaker, I wish the gentleman from Missouri would withhold his motion for a minute.

Mr. RUSSELL. I will withhold it if the gentleman wishes to ask unanimous consent.

Mr. MURRAY of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for not exceeding 10 minutes.

Mr. RUSSELL. I can not consent to that. I thought the gentleman was going to ask unanimous consent to extend his remarks.

Mr. BROWNING. Will the gentleman from Missouri withhold his motion for me to ask unanimous consent to insert something in the RECORD?

Mr. RUSSELL. I will.

MATERIAL FOR CONSTRUCTION OF SHIPS OF WAR.

Mr. BROWNING. Mr. Speaker, I ask unanimous consent to insert in the RECORD a short article from the Army and Navy Register, dealing with economy in the administration of Army and Navy affairs, a subject of deep interest to the multitude of men who earn their living in the navy yards and in the shipbuilding plants of the country. The article referred to is instructive as well as illuminating.

The SPEAKER. The gentleman from New Jersey asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. RUSSELL. Mr. Speaker, I now renew my motion to adjourn.

The SPEAKER. The gentleman from Missouri moves to adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 34 minutes p. m.) the House, under its order previously agreed to, adjourned until Wednesday, November 26, 1913, at 12 o'clock noon.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 3260) granting an increase of pension to John McMahon, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FRENCH: A bill (H. R. 9393) to protect the rights of women citizens of the United States to register and vote for Senators of the United States and for Members of the House of Representatives; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. LEVY: A bill (H. R. 9394) to amend section 6 of the act entitled "An act to regulate commerce," approved February 4, 1887, and amendments thereto; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Idaho: A bill (H. R. 9395) providing for an appropriation for the extermination of jack rabbits, ground squirrels, and prairie dogs; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 9396) granting an increase of pension to Mary Ann Elson; to the Committee on Invalid Pensions.

By Mr. DONOVAN: A bill (H. R. 9397) granting an increase of pension to Harriet C. Price; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 9398) granting an increase of pension to James Brown; to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 9399) granting an increase of pension to Lucinda Kennedy; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 9400) granting a pension to Frank M. Frey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9401) granting a pension to Anna E. Hetherington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9402) granting an increase of pension to Elizabeth Hamilton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9403) granting an increase of pension to George W. Weaver; to the Committee on Invalid Pensions.

By Mr. REILLY of Connecticut: A bill (H. R. 9404) granting an increase of pension to Emily L. Barnes; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 9405) granting a pension to Johanna Miller; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Alabama: A bill (H. R. 9406) granting a pension to Winona Hawthorne Buck; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Memorial of Lake Michigan Steamboat Line, protesting against the passage of the La Follette seamen's bill; to the Committee on the Merchant Marine and Fisheries.

By Mr. CURLEY: Petition of the Boston Central Labor Union, favoring congressional investigation of conditions in the mining district of Colorado; to the Committee on the Judiciary.

By Mr. CURRY: Memorial of the Sacramento Federated Trades Council, favoring the passage of House bill 7207, relative to water rights of the Hetch Hetchy Lake; to the Committee on the Public Lands.

By Mr. DALE: Petitions of Hull, Crippen & Co. and H. F. Hadden, of New York, N. Y., protesting against the passage of the seamen's bill; to the Committee on the Merchant Marine and Fisheries.

By Mr. LA FOLLETTE: Memorial of the Spokane Chamber of Commerce, Spokane, Wash., favoring the recommendation of military officials for the strengthening of the United States Army; to the Committee on Military Affairs.

By Mr. REILLY of Connecticut; Petition of the New Haven Political Equality Club, of New Haven, Conn., protesting against the action of the Russian Government in the ritual murder charge; to the Committee on Foreign Affairs.

By Mr. SUTHERLAND: Papers in support of House bill 5567, for the relief of the estate of John Snyder; to the Committee on War Claims.

SENATE.

MONDAY, *November 24, 1913.*

Rev. H. H. Hoss, D. D., of Nashville, Tenn., bishop of the Methodist Episcopal Church South, offered the following prayer:

Oh, gracious God, our heavenly Father, Thou art enthroned in the heavens. Thy sway extends over all things, material and immaterial, in Thy wide universe. Thou art of all men and of all nations. We give Thee sincere and hearty thanks for the providence which Thou hast had over us as a nation and a people, for the fact of Thy intervention in history, for the fact of Thy sustaining power in the great crises which have come and gone in the years that are past.

And now we invoke Thy continued blessing upon us. May Thy great grace rest upon this body of legislators, sent here by sovereign States for the enactment of laws and the framing of policies that shall control and govern our future destiny. Give to them the wisdom that cometh from above, simple minds, a clear vision, the open heart, the patriotic purpose.

And let Thy blessing, we earnestly beseech Thee, abide upon us this day and all the days. As Thou hast been with us in the past be with us in the years that are to come, so that through whatever experience we may be called upon to pass, whatever difficulties we may have to encounter, we shall be sure of Thy providential aid.

Our Father, who art in heaven, hallowed be Thy name. Thy kingdom come, Thy will be done, in earth as it is in heaven. Give us this day our daily bread. Forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil, for Thine is the kingdom, and the power, and the glory, forever and ever. Amen.

EDWIN C. BURLEIGH, a Senator from the State of Maine, appeared in his seat to-day.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

PRESIDENT PRO TEMPORE UNITED STATES SENATE,
Washington, November 24, 1913.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN RANDOLPH THORNTON, a Senator from the State of Louisiana, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. THORNTON thereupon took the chair as Presiding Officer and directed that the Secretary read the Journal of the proceedings of the last legislative day.

THE JOURNAL.

The Journal of the proceedings of Saturday last was read and approved.

SAN FRANCISCO WATER SUPPLY.

Mr. GALLINGER presented the memorial of Lucius Waterman, rector of St. Thomas Church, Hanover, N. H., remonstrating against the enactment of legislation granting to the city of San Francisco the use of the waters of Hetch Hetchy Valley, which was ordered to lie on the table.

MISSISSIPPI RIVER BRIDGE.

Mr. SHERMAN. I present a telegram in the nature of a petition from sundry citizens of Hamilton, Ill., opposite Keokuk, Iowa. It relates to granting additional bridge facilities between these two cities and concerns a bill that is pending before the Committee on Commerce. I ask that the telegram be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the telegram was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

HAMILTON, ILL., *November 20, 1913.*

Senator L. Y. SHERMAN,
Washington, D. C.:

Senate bill No. 1618 is up for hearing this morning before Senate Committee on Commerce. Will you please attend that meeting and, if possible, secure the attendance of Senator LEWIS and do all you properly can to bring about a favorable report on the bill, because we think our community sorely needs additional bridge facilities. Along in the latter sixties the Keokuk & Hamilton Bridge Co. obtained from Congress a grant to build a bridge across the Mississippi River between Keokuk and Hamilton. They are not contending that their charter gave "the exclusive right, privilege, and power between the city of Warsaw and the city of Nauvoo, in the county of Hancock and State of Illinois, to build, construct, and maintain a bridge or bridges for railroad and other purposes on the Mississippi River to the State of Iowa." That the franchise of this company is exclusive we deny, and as our present and future development will be seriously interfered with unless we have greater bridge facilities, we favor a bridge across the power dam, which dam now extends across the Mississippi River from Hamilton, Ill., to Keokuk, Iowa. The facts are that this bridge was not designed to carry present day railroad equipment, and for about 15 years has refused passage to the heavier locomotives used by the Toledo, Peoria & Western Railroad Co. The heavy equipment for the power house was not shipped until the dam was completed and the tracks laid from the Hamilton depot up to the Illinois end of the dam and across on the dam. The reason stated was that it was unsafe to ship this heavy tonnage over the old bridge. Even granting that this bridge could carry present equipment, we would still have great need for a second bridge, because this bridge is not designed to carry railroad trains or interurban and wagon traffic at same time; and under the present schedule it is in the service of the railroads and interurbans and closed to wagon traffic a large part of the time. You are at liberty and we will be glad to have you bring this telegram to attention of Senator LEWIS, Senator CUMMINS, and Senator KENYON, and to Congressman TAVENNER and Congressman KENNEDY, and to use it in any way that seems proper to you or them.

HAMILTON BUSINESS CLUB,
By J. A. GORDON, *President.*
By H. E. RAYBURN, *Secretary.*

BANKING AND CURRENCY.

Mr. SHERMAN. I present a telegram, in the nature of a petition, from W. T. Fenton, vice president of the National Bank of the Republic, of Chicago, Ill., which I ask to have referred to the Committee on Banking and Currency and to be printed in the RECORD.

There being no objection, the telegram was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

CHICAGO, ILL., *October 15, 1913.*

Hon. L. Y. SHERMAN,
United States Senate, Washington, D. C.:

The Boston meeting of bankers was not a called convention. It was the annual meeting of the American Bankers' Association, an organization which has had a consecutive existence for nearly 40 years. The date and place of meeting for the year 1913 was fixed by the executive committee before the national presidential election last year. It is a well-known fact, and the names on its executive committee will show, that the association has been controlled and dominated for the last 10 or 15 years by bankers outside of reserve cities. The subject of the currency bill was a natural one, as was the indorsement of the action of the Chicago conference, which conference in its preamble recognized the earnestness of the administration in its efforts to bring about currency reform and offered its cooperation. It is not true that the bankers are opposing legislation. On the contrary, they themselves have brought about the demand for currency reform, and there has been, and is now, a general apathy on the part of the public on this question. The Chicago conference recommended certain amendments by unanimous action and the meeting at Boston simply indorsed the Chicago recommendations unanimously. Where there is so much misunderstanding, I think this explanation due both to the bankers and the Members of Congress, believing that a spirit of fairness on both sides is essential at this time.

W. T. FENTON,
Vice President, National Bank of the Republic, Chicago, Ill.

LANDS IN IDAHO.

Mr. BRADY. I present resolutions adopted by the Farmers' Educational and Cooperative Union of Nez Perce, Lewis, and

Clearwater Counties, Idaho, calling attention to the fact that there are large bodies of lieu land unimproved and large bodies of railroad-grant land unsurveyed in the State of Idaho that have escaped taxation for years by reason of the delay of the National Government in clear listing these lands. There are thousands of acres of land in Idaho belonging to the great timber syndicates and the Northern Pacific Railroad Co. that have escaped taxation, for the reason that title has not been conveyed to these corporations by the National Government. This is an injustice to the people of our State, and I am glad to have the farmers' organization call attention to this matter. The resolutions are short and to the point. I ask that they may be printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the resolutions were referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Resolutions adopted at Lewiston, Idaho, October 22, 1913, by the Farmers' Educational and Cooperative Union.

At a convention of the Farmers' Educational and Cooperative Union, including the counties of Nez Perce, Lewis, and Clearwater, held at the city of Lewiston, State of Idaho, on Monday, October 22, 1913, the following resolutions were discussed and adopted:

Whereas in the matter of the taxation we believe in justice being given to all and special favors to none; and

Whereas that large bodies of lieu land unapproved and large bodies of railroad grant land unsurveyed in the State of Idaho by reason of delay of the National Government in determining definite title thereto have never been subject to taxation; and

Whereas the title to all such lands in this State, so far as we can learn, is claimed wholly by the great timber syndicates of the Northwest or by the Northern Pacific Railroad Co.; and

Whereas all such lands have for many years been closed to homestead and every form of individual entry; and

Whereas the evasion of taxation of such lands to the amount of approximately 2,000,000 acres for many years have added greatly to the heavy burden already borne by the farmers and other individual taxpayers of the State of Idaho; and

Whereas we believe in the absolute publicity of the conduct of our public affairs, and that it is the duty of our congressional Representatives and Senators to make known to us conditions that are detrimental to our best interests and financial welfare: Therefore be it

Resolved, That it is the sense of this organization that to longer permit conditions of title to exist which causes land situated within the limits of the State of Idaho to evade taxation is an injustice needlessly permitted by the National Government to be imposed upon the people of this State; that by so doing the development of the whole State in general and of the counties containing such land in particular is being retarded: Therefore be it further

Resolved, That in order to remedy the unsatisfactory conditions existing regarding these lands that an order for the survey of all these lands that are unsurveyed, including railroad grants and lieu lands, should be made, and the selection of all such lieu lands in the State of Idaho should either be approved or rejected at once; and be it further

Resolved, That a copy of these resolutions be sent to the Hon. Franklin K. Lane, Secretary of the Interior, Senators WILLIAM E. BORAH, JAMES H. BRADY, and Congressmen BURTON L. FRENCH and ADDISON T. SMITH, as an expression of the will of the people of this State directly affected by the present condition of these lands.

C. W. BOOTH,
President of the Tricounty Union of Nez Perce, Lewis, and Clearwater Counties, Idaho.

Attest:
R. L. ANDERSON, *Secretary.*

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH of Arizona:

A bill (S. 3470) for the relief of the water users under what is known as the Yuma irrigation project, in Yuma County, Ariz.; and

A bill (S. 3471) to authorize payment of damages caused by operations of the Reclamation Service; to the Committee on Irrigation and Reclamation of Arid Lands.

AMENDMENT TO THE CURRENCY BILL.

Mr. BORAH submitted an amendment intended to be proposed by him to the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes, which was ordered to lie on the table and to be printed.

PROPOSED FINAL ADJOURNMENT.

The PRESIDING OFFICER. The introduction of concurrent or other resolutions is in order.

Mr. MYERS. I call up the concurrent resolution I offered on Saturday.

The PRESIDING OFFICER. The Chair will state to the Senator that that resolution comes over in regular order and will be laid before the Senate by the Chair as soon as it is reached.

Mr. MYERS. All right.

The PRESIDING OFFICER. Are there concurrent or other resolutions? If not, the next business in order is the consideration of a concurrent resolution coming over from a previous day. The Chair lays it before the Senate, and the Secretary will read it.

The Secretary read concurrent resolution No. 10, submitted by Mr. MYERS on the 22d instant, as follows:

Resolved by the Senate (the House of Representatives concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 24th day of November, 1913, at 2 o'clock p. m.

Mr. MYERS. I ask for the adoption of the concurrent resolution.

Mr. CLAPP. Will the Senator from Montana yield to me for a moment to prefer a request?

Mr. MYERS. I yield to the Senator.

BANKING AND CURRENCY.

Mr. CLAPP. Mr. President, I find on my desk this morning a print of House bill 7837, being the banking bill, and also a print of what purports to be the amendment proposed by the chairman of the committee. I think there should be printed for our use House bill 7837 showing that amendment in italics and the House text. Of course, I understand that this large document has been issued, but we have a great many requests for copies of the bill and proposed amendments. We have the House bill, with the amendments suggested by the Senator from Nebraska [Mr. HITCHCOCK] printed in italics, but as representing the amendment of the Senator from Oklahoma I do not find a print with the bill as passed by the House.

Mr. OWEN. I advise the Senator that it has been printed and is already on his desk.

Mr. STONE. I understood that on Saturday——

The PRESIDING OFFICER. What is the request of the Senator from Minnesota?

Mr. CLAPP. I yield to the Senator from Missouri.

Mr. STONE. On Saturday I understood that a document was to be printed, for the use of the Senate, by to-day containing in three columns the House bill, which was referred to the Committee on Banking and Currency——

Mr. CLAPP. That is right, and there has been a mistake made there, I think.

Mr. STONE. There was a print ordered in three columns.

Mr. CLAPP. Yes; in three columns.

Mr. STONE. This document has but two columns.

Mr. CLAPP. I know, but I should like to complete this request of mine first. It is that there be printed of House bill 7837, with the amendment proposed by the chairman in italics, at least 20,000 copies, or so many copies as can be printed within the requirement of the rule allowing $500 to be expended under the order of the Senate.

Mr. SMOOT. I think that order has already been made.

Mr. CLAPP. No; an order was made with reference to the bill as proposed to be amended by the Senator from Nebraska.

Mr. STONE. The Senator from Minnesota is right about that.

Mr. CLAPP. There is no question about it.

Mr. OWEN. The request related to the printing of the report and not to the bill itself.

Mr. CLAPP. The usual number for the Senate will certainly not be sufficient to supply the demand, and it seems to me there ought to be as many copies of the one as of the other. The order was made on Saturday to print as many as $500 would print of the bill as proposed to be amended by the Senator from Nebraska, but the Senator from Oklahoma did not make a similar request with reference to the bill and his amendment.

Mr. SMOOT. I understood that he had done so.

Mr. STONE. No.

Mr. OWEN. I made the request to include the views of the chairman and his colleagues.

The PRESIDING OFFICER. The Chair will suggest to the Senator that the Secretary read exactly what has been ordered, and perhaps that will throw some light on the question.

Mr. CLAPP. Very well.

The Secretary read from the CONGRESSIONAL RECORD, proceedings of the Senate, of November 22, 1913, page 5964, as follows:

Mr. OWEN. I ask unanimous consent that the reported bill be printed, showing the changes proposed by the amendments suggested by myself and those Senators agreeing with me.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma?

Mr. SMOOT. Mr. President, I did not hear the request. Let it be again stated.

Mr. OWEN. I simply asked for a print of the bill as proposed to be amended by my section of the committee.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma? The Chair hears none, and it is so ordered.

Mr. OWEN. Mr. President, I ask that, within the $500 limit of cost, copies of the report containing the individual views of the chairman of the Committee on Banking and Currency and the members agreeing with him be printed for the use of the Senate document room.

There being no objection, the order was agreed to and reduced to writing, as follows.

Mr. CLAPP. Mr. President, it seems to me very clear that that omits the printing of the proposed amendments themselves in italics as a part of House bill 7837 in excess of the ordinary number for the Senate. If the Senate is of the opinion that it does not, that ends this discussion. All I desire is to get more copies if I can.

Mr. STONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Missouri?

Mr. CLAPP. With pleasure.

Mr. STONE. What has been read by the Secretary does not quite clear the situation.

Mr. CLAPP. No.

Mr. STONE. I think subsequent to the part that has been read the Senator from Nebraska [Mr. HITCHCOCK] asked first that 25,000 copies of the bill or substitute or whatever it may be called, reported by the section of the committee on Banking and Currency which he represents, should be printed. The Senator from Utah raised the question as to whether that could be done by the order of the Senate or whether it would have to be done by the order of the joint committee of the two Houses. Then the Senator from Nebraska asked for 20,000 copies, and on the assurance that that would not exceed the $500 limit that was ordered. But as the Senator from Minnesota says there was, as I recall, no order for the printing of a like number of the proposal reported by the other section of the committee headed by the chairman of the committee, and that I understand is what the Senator from Minnesota desires to have done.

Mr. SMOOT. Mr. President, I simply want to say that the request made by the Senator from Oklahoma, that the views of himself and five other members of the committee be printed as a public document up to and including $500 worth, also included the bill itself. If the Senator will look at the RECORD he will see that that is the case.

Mr. CLAPP. Mr. President, the trouble now is that we have to send out to our constituents a document that contains the original House bill as proposed to be amended by the Hitchcock bill—to use that term for brevity's sake—in one document in plain print. We have no similar document as representing the House bill with the amendments proposed by the Senator from Oklahoma [Mr. OWEN]. Instead of requiring our constituents to dig them out of this report, it does seem to me it would simplify the situation to have printed a document with reference to the bill as proposed by the Senator from Oklahoma corresponding to the one in the case of the Senator from Nebraska. I know it is in the report, but a man has to take that report and dig out the proposals contained in that report, when we have already one document that shows the House bill with the proposed amendments of the Hitchcock bill. That ought to be accompanied, it seems to me, to our constituents by a similar document showing in plain type the House bill with the proposed amendments of the Owen bill in italics; and that is the request I make.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota?

Mr. SMOOT. Mr. President, what is the request? Let it be stated.

The PRESIDING OFFICER. The Senator from Minnesota will please again state his request for the information of the Senate.

Mr. CLAPP. The request is that there be printed of House bill 7837, 20,000 copies, or as many as can be printed within the $500 limit of cost, showing in italics the amendment proposed by the Senator from Oklahoma [Mr. OWEN].

The PRESIDING OFFICER. Is there objection? If not, it will be so ordered.

Mr. CLARK of Wyoming. I should like the attention of the Senator from Oklahoma for one moment. I desire to call attention to the report, with the appendix, which was printed as a Senate document at the request of the Senator from Oklahoma on Saturday. When the request was made for the printing of that document I for one, at least, understood that the appendix to the report was to include the views of the chairman of the committee and those who agree with him, and in the same document the views of the remaining members of the committee who disagree. That is what I understood to be the purpose. Now, if I have not been careless in my examination, the document includes only as an appendix the views of the chairman of the committee and those who agree with him.

Mr. OWEN. Mr. President, the only cause of confusion is that the copies have not been stitched together in one volume, but the index will show it is the same thing, and they are both on the Senator's desk.

Mr. CLARK of Wyoming. Yes; I know that; but it seems to me they should be stitched together, Mr. President——

Mr. OWEN. Yes.

Mr. CLARK of Wyoming. Because they appear, on casual observation, as two documents, one of which——

Mr. OWEN. They are both marked "Calendar No. 107," one part being No. 1 and the other part No. 3.

Mr. CLARK of Wyoming. I know; but one of the documents contains the report of the committee.

Mr. OWEN. I desire to remind the Senator from Wyoming that the request of the Senator from Nebraska [Mr. HITCHCOCK] was that there should be printed a certain number of his report with his bill, and that is the reason why they were not stitched together.

Mr. CLARK of Wyoming. I know; but that was not the unanimous consent to which I gave my assent. The unanimous consent that I supposed I was giving my assent to was that the report should be printed as a Senate document, together with the views of the chairman of the committee and the views of the other branch of the committee—that was what the discussion started on—so that they would be all together in one document, and the views of the two branches of the committee should appear to the same document, stitched together as appendices to the report of the committee.

Mr. OWEN. Anyone asking for "Report 133, Calendar No. 107," will get, of course, both of these documents. It is really the same thing whether they are stitched together or not.

Mr. CLARK of Wyoming. It is really the same thing, only they do not appear to be the same thing. One is an appendix to a report and the other is not an appendix to a report. To that I was calling attention. The views of the chairman of the committee and those agreeing with him are published as an appendix to the report.

Mr. OWEN. The point made by the Senator from Wyoming may easily be accomplished by simply having the reports stitched together.

Mr. CLARK of Wyoming. That is what I think should be done, so that the whole matter can be sent out as one document.

Mr. OWEN. The reason they were printed separately was because the Senator from Nebraska wished to send out his report separately.

Mr. CLARK of Wyoming. I understood that his request had nothing whatever to do with the request made by the chairman of the committee. I understood that there were two separate propositions.

Mr. OWEN. Both requests could be complied with by simply having the reports stitched together. If the Senator would like, I see no reason why the document could not be furnished with the parts stitched together.

Mr. CLARK of Wyoming. I understood that is what the document was intended to be.

Mr. OWEN. I think nothing was said with regard to their being stitched together; but, of course, they are one document.

Mr. CLARK of Wyoming. There is no particular object in making a document of that size in two volumes.

Mr. OWEN. They are both Report No. 133.

Mr. CLARK of Wyoming. That is perfectly true, but one is marked "Part 1" and the other marked "Part 3." Part 2 is the first appendix, which is printed with the report; part 3 is the second appendix, which is not printed with the report. My proposition now is to have the whole thing complete in one small document.

Mr. OWEN. I ask for an order that they be stitched together as one document.

Mr. CLARK of Wyoming. That is what I desire.

Mr. BRISTOW. Mr. President, I have no objection to their being stitched together if any Senator wishes them stitched together, but I desire to have a large number of them not stitched together.

Mr. CLARK of Wyoming. That has already been provided for.

Mr. MYERS. Mr. President, I call for the regular order.

The PRESIDING OFFICER. The regular order is the consideration of the resolution of the Senator from Montana [Mr. MYERS], but that was interrupted by two motions, which the Chair would first like to have disposed of.

Mr. MYERS. I am perfectly willing for that to be done, if it can be done before 2 o'clock.

The PRESIDING OFFICER. The Senator from Montana yielded to the Senator from Minnesota [Mr. CLAPP], who made a motion which has not yet been disposed of.

Mr. MYERS. I did not suppose it would take so long.

The PRESIDING OFFICER. Is there objection to agreeing to the motion of the Senator from Minnesota [Mr. CLAPP]? Without objection, the motion is agreed to.

Mr. HITCHCOCK. Mr. President, before the motion is agreed to I should like it distinctly understood that the change proposed is to add to the document which has been printed at the request of the chairman of the committee [Mr. OWEN] the document which has been printed at my request, and that this change does not involve impairing or destroying the printing of the 20,000 copies of the document which have been ordered separately at my request.

Mr. WILLIAMS. Mr. President, the request does involve just exactly what the Senator from Nebraska objects to. As I understand, the Senator from Nebraska wants to distribute his document without sending with it the other document, so as to make an ex parte showing on his side. If the request of the Senator from Wyoming is agreed to, the two documents, being stitched together, will have to go out together.

The PRESIDING OFFICER. The Chair will state to the Senator from Mississippi that the question now before the Senate is not on the motion of the Senator from Wyoming [Mr. CLARK], but on the motion of the Senator from Minnesota [Mr. CLAPP], which the Chair was about to rule had been agreed to when the Senator from Nebraska rose and interposed an objection, as the Chair thought. The question is on the motion of the Senator from Minnesota. Without objection, it will be agreed to.

Now the question is on the motion of the Senator from Wyoming [Mr. CLARK].

Mr. WILLIAMS. Mr. President, I rose merely to respond to what had been stated by the Senator from Nebraska. I have no sort of objection to the request of the Senator from Minnesota, and it would be more in order to get rid of that first, I think.

Mr. CLARK of Wyoming. That is now disposed of.

The PRESIDING OFFICER. It has been disposed of, the Chair will advise the Senator from Mississippi.

Mr. WILLIAMS. Very well.

The PRESIDING OFFICER. Now the question is on the motion of the Senator from Wyoming [Mr. CLARK].

Mr. WILLIAMS. I was addressing myself to that question.

Mr. CLARK of Wyoming. Mr. President, in order that there may be no misunderstanding in the mind of the Senator from Mississippi or in the mind of the Senator from Nebraska, it might be well just for a moment to review the proceedings on Saturday. The Senator from Oklahoma asked unanimous consent that the report of the committee, together with the views of the two branches of the committee as appendices, be printed as a document. That was one request. Unfortunately, in the discussion there was so much confusion in the Chamber that the request as finally made, according to the RECORD, included only the report of the committee and, as an appendix, the views of the chairman and his colleagues on that committee. That is what the RECORD shows; but the intention of the whole proposition, both of the chairman of the committee and of those who took part in the discussion, was that this document should contain the report of the committee with appendices consisting of the views of each branch of the committee. That was the intention.

Mr. WILLIAMS. That was what I thought was done.

Mr. CLARK of Wyoming. That is what I thought was done; but that was not done, and the report has not been printed in that way. The purpose of my rising was that the unanimous consent might be made to cover exactly what the chairman of the committee first asked for.

Mr. WILLIAMS. Now, Mr. President——

Mr. CLARK of Wyoming. Just a moment. That having been agreed to, unanimous consent was given to the Senator from Nebraska that as many copies as $500 would print should be printed separately of the report of himself and those who agreed with him; but, unfortunately, the RECORD does not really bear out the understanding of the Senate as it occurred to me, and the consequence is that we have the report of the committee, and attached to that an appendix consisting only of the views of the chairman of the committee and those who agree with him. It occurred to me that there ought to be an appendix containing the views of both sides.

Mr. WILLIAMS. Mr. President, I understood what was done just as the Senator from Wyoming did; but I also understand that we have got to go by the RECORD and that nothing was done which the RECORD does not show was done.

Mr. CLARK of Wyoming. That is right.

Mr. WILLIAMS. I did not intend to consent the other day, and I am not willing to consent to-day, that one of these two diverse statements of opinion, with the amendments accompanying it, should go to the country as an ex parte document. I think the two documents ought to go together, and I think $500 ought to cover the printing of both. I think it would be foolish for virtually the majority side of this Chamber to consent to distribute as an ex parte document $500 worth of the minority report and statement and argument while it did not make the same provision for the report and statement of the Democratic members of the committee. I did not rise for the purpose of objecting to the request of the Senator from Wyoming; on the contrary, I agree with him; but I did rise to object to having it understood that the construction just placed upon the request by the Senator from Nebraska should go into the RECORD without notice by somebody that it was not the understanding of the Senate.

Mr. CLARK of Wyoming. Mr. President, I have nothing to say in regard to the report of the Senator from Nebraska; neither have I anything to say in regard to the report of the Senator from Oklahoma and those associated with him. I am not entirely agreed with the Senator from Mississippi. I am perfectly willing that the two reports, as the views of certain Senators, should go separately, if the Senate makes an order for that purpose; but when the report of the committee is circulated as showing the reason of that report, to wit, a report that they are unable to come to a conclusion and that they report the bill back without recommendation, I want, with that failure to agree, to give the reasons why there was a failure to agree; and that can only be evidenced by the individual views of those taking different positions on the bill.

Mr. WILLIAMS. And in that I agree perfectly with the Senator from Wyoming. I think that is the only fair way to do it. I think the country ought to see both together.

Mr. CLARK of Wyoming. I do, and I go further than the Senator from Mississippi, and think that if those agreeing with the chairman of the committee want to send out their views to the country they should be allowed to do so, and if those agreeing with the Senator from Nebraska want their views sent out they should be allowed to do so.

Mr. WILLIAMS. But that is not involved in this proposition.

Mr. CLARK of Wyoming. Only as the Senator——

Mr. WILLIAMS. It is not involved rather in the construction put upon it by the Senator from Nebraska; but what is involved in his construction is that there shall be $500 appropriated for the free distribution of his side of the matter——

Mr. CLARK of Wyoming. Oh no.

Mr. WILLIAMS. And the statement of it, while there is no $500 appropriated for a distribution of the views of the other side.

Mr. CLARK of Wyoming. No; the two propositions are not related, because the proposition of the Senator from Nebraska was a separate and distinct unanimous-consent agreement from the one proposed by the Senator from Oklahoma.

Mr. WILLIAMS. But the RECORD does not show that.

Mr. CLARK of Wyoming. I think it does.

Mr. WILLIAMS. Then, of course, if the RECORD does show it, I am making an objection too late; but I did not think it did; I did not so understand; I had no idea we were standing here and letting one side of this subject be distributed to the country at the public expense to the extent of $500 worth while the other side was not.

Mr. CLARK of Wyoming. No; but the Senator still misapprehends. There was permission given to each side.

Mr. WILLIAMS. I will ask that the RECORD be read.

Mr. CLARK of Wyoming. I will read it to the Senator.

Mr. WILLIAMS. If that is so, then what I thought——

Mr. CLARK of Wyoming. I will read it to the Senator. On the second column of page 5964 it was—

Ordered, That there be printed approximately 20,000 copies of Senate Report No. 123, part 3, being the views and report of facts by Senators HITCHCOCK, NELSON, BRISTOW, CRAWFORD, WEEKS, and MCLEAN, and following the same, in the same document, the bill as proposed to be amended by the Senators, such printing not to exceed the sum of $500.

That was the request made by the Senator from Nebraska, which was agreed to. Then, farther down on page 5964, about the middle of the first column——

Mr. WILLIAMS. If the Senator will pardon me just for a moment, I thought from what the Senator said a moment ago that what I thought the Senate had done the RECORD did not show, but the Senator from Utah [Mr. SMOOT] has just shown to me that while the two propositions came separately there was a request granted for the publication of $500 worth of the Hitchcock views and $500 worth of the Owen views, so that the two——

Mr. CLARK of Wyoming. Neither of them had anything to do with the proposition which I have made, which was that the report of the committee——

Mr. WILLIAMS. If the Senator will allow me to finish the sentence, so that the two differing views should go to the country under the same identical provision of expenditure. That is what I thought was done and that is what I thought I was agreeing to; but a moment ago I either misunderstood the Senator when he said the RECORD did not show the agreement, or he misunderstood the RECORD. In any event, I am wrong about it. I have no sort of objection to the views of the minority going to the country separately, provided the views of the majority can have exactly the same advantage on exactly the same footing at the same expenditure; and the RECORD shows that that is the case.

Mr. CLARK of Wyoming. The only difficulty is that the Senator entirely misapprehended my request. My request did not relate either——

Mr. WILLIAMS. No; I did not misunderstand the Senator's request. What I misunderstood was the Senator's statement that the RECORD did not show——

Mr. CLARK of Wyoming. Well, the RECORD does not show what I want it to show.

The PRESIDING OFFICER. The question is on the request of the Senator from Wyoming [Mr. CLARK]. Is there objection? The Chair hears none, and it is so ordered.

PROPOSED FINAL ADJOURNMENT.

The PRESIDING OFFICER. The order of business now is the consideration of a concurrent resolution coming over from a previous day, proposed by the Senator from Montana [Mr. MYERS].

Mr. MYERS. I ask that the resolution be modified by striking out "24th" and inserting "26th."

The PRESIDING OFFICER. The Senator from Montana asks permission to modify the concurrent resolution by striking out "24th" and inserting "26th" in lieu thereof. Is there objection? The Chair hears none, and the resolution is modified as requested.

Mr. MYERS. I move the adoption of the resolution.

Mr. GALLINGER. Let the resolution be read, Mr. President.

The PRESIDING OFFICER. The Secretary will read the concurrent resolution as modified.

The Secretary read the concurrent resolution (S. Con. Res. 10) as follows:

Resolved by the Senate (the House of Representatives concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 26th day of November, 1913, at 2 o'clock p. m.

Mr. THOMAS. Mr. President, I move to lay the concurrent resolution on the table.

The motion was agreed to.

BANKING AND CURRENCY.

Mr. HITCHCOCK. Mr. President, I desire to give notice that to-morrow at the proper time, when the banking and currency bill is laid before the Senate, I shall address the Senate on the subject of banking and currency legislation.

Mr. OWEN. Mr. President, I ask that the print in parallel columns of House bill 7837 be printed further so as to show, on the left-hand page, the House bill as it stands without amendment. I make the request at the instance of a number of Senators who are not quite content with this form of the print.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma?

Mr. NORRIS. Mr. President, I have no objection to the Senator's request; but it occurred to me that while he was making that request he could add to the usefulness of this document if instead of these blank spaces where simply a note is printed he would have printed the section of the bill reported by one of the branches of the committee, the same as is done on the other side.

For instance, turn to page 3. I call the Senator's attention to the fact that one side of the page is blank, with simply a note there. I think that is rather misleading. When you examine this document, it does not give you an idea as to just exactly what the other section of the committee has reported. On these pages why are not both bills printed instead of one side being left blank?

Mr. OWEN. They are both printed. The only thing is that the language in one case is longer than in the other, which obviously makes necessary certain blank spaces.

Mr. NORRIS. I can see how that might occur; but from the notes that are printed in the blank spaces I judge that is not the case here. I have not had time to examine the print in detail.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Minnesota?

Mr. OWEN. I do.

Mr. NELSON. I call the attention of the Senator from Nebraska to the next page, which gives him exactly what he wants. On the left-hand side, under the heading "Owen substitute," the Senator will find section 2 as amended by the Owen section of the committee, and on the other side he will find the same section as amended by the Hitchcock section of the committee, if I may use those terms.

Mr. NORRIS. Right on that point, that page calls to our attention another thing.

Mr. OWEN. There is so much conversation going on that it is impossible for me to hear the Senator.

The PRESIDING OFFICER. Will the Senate please preserve order? The Chair does not wish to have the business of the Senate again suspended in order to obtain order; but he will be compelled to do it unless Senators preserve order, as requested.

Mr. NORRIS. This is the suggestion I wish to make to the Senator from Oklahoma: One column is headed "Owen substitute," and the other "Hitchcock amendment." As I understand, the two reports occupy the same position. One is just as much a report as the other. Why are they not named the same? They ought either to be both called amendments or both called substitutes.

Mr. OWEN. The reason of that, Mr. President, is that on Saturday I gave notice that I should offer the amendment as a substitute, and ask that the substitute be printed and lie on the table. It being desired that all three of the proposals should be laid before the Senate, this proposed substitute is printed along with the House bill, showing the interlineations, by which it is made to give both the House bill, the amendments proposed by the section of the committee agreeing with me, and the amendments proposed by the Senator from Nebraska and the members agreeing with him. In order to make it still more obvious what the bill is, I have proposed to have the House bill printed on the opposite page, section by section, in accordance with the request of various Senators on the floor.

Mr. NORRIS. As I have stated, I have no objection to the Senator's request; but I think the Senator did not understand just what I was attempting to do, at least, on the particular point to which I am now calling his attention. One column is headed "Owen substitute." The other parallel column is headed "Hitchcock amendment." Why should they not be both called substitutes or both called amendments?

Mr. OWEN. I have no objection to the use of any word the Senator may desire. I intended to move this amendment as a substitute, and gave notice to that effect.

Mr. NORRIS. Will not the Senator include that change in his request? It is immaterial to me what he calls them, but they ought to be designated in the same way.

Mr. OWEN. This use of the terms was not at my instance. I did not have anything to say about it. I simply asked that these provisions should be printed in parallel columns, so that the Senate would have before it all three proposals. I gave notice on Saturday that I should offer to-day my amendment as a substitute; and I suppose because of that notice the printers designated this as a substitute.

Mr. NORRIS. I am not criticizing the Senator from Oklahoma.

Mr. OWEN. Oh, no; I do not so understand the Senator's remarks.

Mr. NORRIS. I simply call his attention to the two headings there. I think he will see at once that they ought to be the same, and I suggest that he include that in his request.

Mr. OWEN. No; I have no request to make on the subject. I do not know whether the Senator from Nebraska [Mr. HITCHCOCK] desires to move to strike out my proposed substitute and insert his own, or not.

Mr. NORRIS. Mr. President, it is not a question of what the Senator from Oklahoma wants, nor of what the Senator from Nebraska wants. We shall be sending out these documents at the request of citizens who are interested in the matter, and we want to convey to them the correct idea.

Mr. OWEN. I ask, then, that in the reprint the term "substitute" be struck out of the print, and it be made to read "Owen amendment."

Mr. NORRIS. All right; that is perfectly satisfactory.

Mr. OWEN. I think that will meet the proposal.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma? The Chair hears none, and it is so ordered.

Mr. OWEN. I now ask that within the limit of $500 a sufficient number of these documents (S. Doc. No. 242) be printed for the use of the country, in order to supply the demand for them, which, I am told, will be very considerable.

Mr. STONE. The Senator means containing the three propositions?

Mr. OWEN. The three propositions; yes.

The PRESIDING OFFICER. Without objection, it is so ordered. Morning business is closed. The consideration of the calendar under Rule VIII is in order.

Mr. OWEN. Mr. President, I ask unanimous consent to take up for consideration House bill 7837, known as the banking and currency bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. OWEN. Mr. President, House bill 7837 has been reported by the Committee on Banking and Currency without recommendation, the committee having divided into two sections—six on one side and six on the other. There has been printed, first, the House bill without amendment; second, the House bill as proposed to be amended by the chairman of the committee and his Democratic associates; and, third, the House bill as proposed to be amended by the Senator from Nebraska [Mr. HITCHCOCK] and his Republican associates. The views of each section of the committee have been printed in Report 133 as appendices.

On Saturday last I gave notice that to-day I should move to amend the House bill by striking out all after the enacting clause and substituting the House bill as amended by the Democratic section of the committee.

I have proposed this substitute merely as a matter of parliamentary convenience, the proposed substitute being merely the House bill with numerous unimportant changes in phraseology, with some changes of considerable importance. It will greatly facilitate the consideration of the bill to use the substitute in lieu of considering every one of the changes made in the House bill.

This bill probably is the most important measure that has been presented to the country since the Civil War. The American banking system has had some very serious defects. The principal defect of our system has been that the country has had no adequate protection against panics, so that from time to time the country has been shaken to its foundations by the severest financial panics, throwing into chaos our commerce, our manufactures, and our industries, from which the recovery in some cases has taken as much as four or five years. This bill is intended to correct the chief defects in our system.

The last great panic which shocked this country was that of 1907, in which, beginning in January with some measure of unrest, interest rates began to go through violent fluctuations, running on the New York Stock Exchange from as low as 1½ per cent to as high as 45 per cent in January, 1907; a like fluctuation in March from 2 to 25 per cent; and in October going through such fluctuations so that on the New York Stock Exchange money commanded as high as 125 per cent interest, with the most tremendous fluctuations in the price of stocks, and, indeed, in the price of other forms of property which apparently had no relation whatever to the stock exchange, because of the interruption of the credit system of the country.

These extreme disturbances in the interest rates were attended with the most tremendous changes in the selling price of the principal stocks, a few examples of which I present:

Fluctuation of principal stocks during 1907.

Name.	Capital.	Value of stock.												Range of prices.
		Jan. 12.	Feb. 4.	Mar. 4.	Apr. 6.	May.	June 8.	July.	Aug. 10.	Sept. 7.	Oct. 5.	Nov. 9.	Dec.	
1. Allis-Chalmers Co.	$19,820,000	$43	$14½	$13½	$12⅝	$11⅞	$10⅛	$11⅛	$10	$9½	$9⅝	$8¼	$9⅝	$27 to $1
2. Amalgamated Copper Co	153,287,900	119½	111	110	97½	96	86¾	92⅜	74⅛	71½	59¼	48	48⅛	130 to 33
3. American Beet Sugar Co.	15,000,000	21½	18½	18½	16⅜	15½	13	16	11	12	11	8½	10	36 to 7
4. American Ice Securities Co.	19,029,400	85	83	81	80	72½	.....	69⅞	54½	52	.....	11½	10⅞	94 to 8
5. American Telephone & Telegraph Co.	131,551,400	130	128¼	.....	122	123	.....	.....	.....	.....	.....	90	103	186 to 68
6. Baltimore & Ohio.	152,165,500	119½	115	109½	101½	99¼	95	98	93	91	89½	80	82⅞	125 to 55
7. Erie	112,379,800	42½	34½	33⅛	25½	24⅜	22½	25½	22	21⅜	18⅝	17⅜	16⅝	52 to 10
8. Great Northern	149,377,300	183½	166½	159½	138	136⅛	127⅞	135⅜	121½	125½	128	113½	119⅛	348 to 107
9. New York Central	178,202,100	132⅞	125⅜	124½	120½	116⅜	112⅜	114⅛	105½	105⅛	102⅜	98	98½	174 to 89
10. Southern Railway	119,900,000	31½	26⅜	25⅜	22⅜	21½	19⅛	20⅜	17⅞	16½	12⅛	12⅜	10	42 to 10
11. Tennessee Copper	5,000,000	.....	.....	51½	.....	41	36⅞	39½	32⅜	36	30	22	27	.....
12. Tennessee Coal & Iron	22,353,600	158	.....	147	144	145	139	141⅛	.....	.....	.....	.....	.....	166 to 28
13. Texas Pacific	33,760,000	35⅜	32	32⅜	29½	29	27⅜	31½	26	28	25⅜	18⅛	20½	54 to 13
14. Third Avenue	16,000,000	122	117½	116½	110	110	105	.....	85	54	40	20	22	141 to 15
15. Union Pacific	195,479,100	180	171½	170½	141½	145½	136⅞	142⅜	127	131⅜	127	111⅛	116⅜	195 to 44
16. United States Steel Corporation.	508,495,200	49½	43⅞	43⅞	37⅜	37½	34½	38⅜	31⅜	32½	26⅞	24⅜	27⅛	55 to 8
17. Wabash	38,000,000	17⅞	16½	14⅜	14½	14	12⅜	13⅞	12	12½	10	9	10½	36 to 6
18. Westinghouse E. & M.	29,996,350	149½	150	150	146½	143⅞	142½	149	141	133	122	47	70	233 to 32
Volume of sales for the week, in number of shares.	.....	4,932,000	6,295,615	5,802,476	6,176,753	3,786,059	3,169,313	2,301,758	4,436,982	2,588,258	2,481,097	1,817,591	4,613,552	.....

I call attention also to the violent fluctuation of loans made by the New York City banks and their deposits, showing that loans were contracted between the January and March statements $40,000,000, and suddenly expanded in the May statement $64,000,000, and suddenly contracted in the August statement $40,000,000, and violently expanded $63,000,000 in the December statement.

Reports of New York City banks from January, 1907, to January, 1908, showing loans, individual deposits, and reserves during that period.

Date of call by office of the comptroller.	Banks reporting.	Loans.	Deposits.	Reserves held.	Per cent of reserves.
Jan. 26, 1907	40	$728,319,528	$857,575,410	$230,116,209	26.82
Mar. 22, 1907	37	688,703,472	803,590,176	211,379,340	26.30
May 20, 1907	39	752,566,683	866,332,979	233,329,867	26.93
Aug. 22, 1907	38	712,121,038	825,703,785	221,349,657	26.81
Dec. 3, 1907	40	775,181,207	824,394,509	180,448,128	21.89

The beneficiaries of this panic were those who could command cash and who had prepared themselves for the cataclysm which engulfed everybody but themselves.

Because of the tremendous national catastrophe of 1907, which Senator Aldrich estimated to have cost us over two thousand millions of dollars, the entire country demanded some prompt relief. A measure was brought in in Congress by Mr. Aldrich which finally culminated in the legislation known as the Vreeland-Aldrich Act, which undertook to give some measure of temporary relief by the organization of credit associations, by which currency to the possible extent of $500,000,000 could be obtained against the combined assets of the associations. While that measure was very defective in numerous particulars, and while it did not at all reach the fundamental defects of our banking system, it at least afforded some measure of protection in abating a panic and in moderating its injurious effects.

The responsibility of the authorities then in charge of the Government for the panic of 1907 I pointed out on the floor of the Senate on Tuesday, February 25, 1908, showing that they

had rejected a plan offered as an amendment to the act amending the national-bank act of 1900, known as the Aldrich bill of that date.

Senator James K. Jones, on the 6th of February, 1900 (CONGRESSIONAL RECORD, p. 1534), offered the following proposed amendment, which I had the honor to draft and which would have given the country protection from the panic of 1907 if Mr. Aldrich had had the wisdom to have adopted it:

That the Secretary of the Treasury is hereby directed to have printed and to keep on hand United States Treasury notes under a special account to be called the "emergency circulation fund." Such notes shall be full legal tender. Any citizen of the United States shall have the right to deposit United States bonds under rules and regulations to be prescribed by the Secretary of the Treasury, and to receive from such fund 90 per cent of the face value of such bonds in United States Treasury notes, and shall have the right at any time within 12 months to redeem such bonds by repaying in United States Treasury notes the amount so received by him on account of such bonds, with interest at the rate of 6 per cent per annum on such amount. Failure to redeem such bonds within the limit of 12 months shall operate as a forfeiture of such bonds to the United States, and such bonds shall be sold to the highest bidder in the open market, and the balance, after the payment of the principal of the amount advanced, the interest on the same, and the expenses, shall be paid to the former owner of such bonds. Any moneys received from such sale may be exchanged with other moneys in the Treasury, so that this fund shall consist alone of Treasury notes. The principal of all sums so advanced when repaid shall be returned to the "emergency circulation fund," and all interest upon such sums shall be passed to the credit of the Treasury under miscellaneous receipts.

His refusal to accept it made him and his party associates directly responsible for the panic of 1907, or at least for the sin of omission which permitted this panic to occur.

The Vreeland-Aldrich bill of 1908 took the preliminary steps, however, looking to a thoroughgoing investigation of the banking system of the United States. The National Monetary Commission was authorized to make a searching investigation and inquiry and to make proper report to the Congress of the United States as to suitable remedies. This commission made a careful and searching investigation of the banking systems of the entire civilized world, giving a complete report of the banking systems of the German Empire, of France, of Belgium, of Holland, of England, of the European countries, and also of Japan, Canada, and Mexico, giving a full account of the banking systems of the various States and of the United States.

The report of the National Monetary Commission was published during several years in 33 volumes and a vast amount of literature assembled, making a library of between 2,500 and 3,000 volumes. This work involved a public expenditure of nearly $300,000. At its conclusion the National Monetary Commission recommended a central bank controlled by the banks of the country, a voluntary association, however, with numerous powers, which I will not here recount. See Senate bill 7, present session.

This measure was presented throughout the country in the various States before numerous gatherings of bankers and business men and credit men. It was urged very strongly by a vigorous propaganda, and finally was approved by the American Bankers' Association.

The matter became a question of public concern. It became a question of party division, and the Democratic National Party in Baltimore passed a resolution condemning the proposed central bank plan, condemning it in the following words, which I wish to call to the attention of Senators:

We oppose the so-called Aldrich bill or the establishment of a central bank.

These words appear in the record of the official proceedings of the Democratic national convention. Strangely enough, in the campaign book following the letter "f" was inserted in some way unknown, so as to make the language read, "We oppose the so-called Aldrich bill for the establishment of a central bank," making a complete change of meaning.

Mr. HITCHCOCK. Mr. President——

Mr. OWEN. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. In this connection it may be interesting to the Senator from Oklahoma and others also to know that I caused an examination of the daily papers printed the day following the convention, and that some of them printed the word "for" and others published it "or." Possibly the most accurate paper in the United States, the New York Herald, published it "for."

Mr. OWEN. Mr. President, the official record said "or," and who was responsible for the insertion of the letter "f," making it read "for" instead of "or," has not been sufficiently disclosed. But there are interests in the country standing strongly for a central bank that might be able to account for this sin of commission, if it be a sin of commission.

At all events, Mr. President, the people of the United States profoundly objected to the Aldrich plan of a central bank because the plan proposed to put into the hands of private persons the control of the credit system of the United States, which already had been so far concentrated in private hands as to have become a national scandal and a national danger of vast importance.

The bill was condemned by public sentiment so far that although it was presented to the Senate of the United States, with the party in power supposed to be very friendly to those who were advancing the bill, that measure never received any consideration in the last Congress and has not been seriously advanced in this Congress, although it was introduced into the Senate as Senate bill No. 7.

Mr. President, not only has this matter, therefore, been considered during the last five years, but during the summer before last, beginning in May, 1912, there was a very careful examination made by one branch of the Committee on Banking and Currency of the House of Representatives, under the management of Mr. Pujo, acting as chairman of that subcommittee of the Committee on Banking and Currency of the House of Representatives, into the so-called Money Trust. It was a very remarkable investigation, covering several thousand pages of printed matter, with a most illuminating report, prepared under the direction of the committee and drafted by one of the ablest and most patriotic men in the United States—Samuel Untermyer, of New York—showing that a fraction over a hundred men exercised dominating control over property amounting to $22,000,000,000, an unthinkable sum, practically a third of the national wealth, excluding the land of the country.

The Pujo examination verified what was generally well understood, that so far had the concentration of financial and commercial power proceeded in this country that a handful of men exercised practically commercial and financial supremacy over the people of the United States; that they could at their will shake the foundations of the country; that they could at their pleasure cause not only stringency, but, what is far more dangerous, could carry those stringencies of credit to a point of absolute and overwhelming panic that could close the doors of the banks of this country from the Atlantic to the Pacific in a single day.

I shall not pretend to believe for one moment that the panic of 1907 was an accident. It is a long story. I can not at this time go into that story, but I profoundly believe that the result in October, 1907, was a part of a concerted plan by which a few men did two things, first, enriched themselves on the one hand at the expense of the Nation, and administered what they conceived to be a terrifying political rebuke to the administration then in power.

I have always contended that a drastic congressional investigation of this panic should have been made and its promoters and beneficiaries exposed to full public view.

The Pujo investigation did not end this inquiry into our banking system. The chairman of another branch of the Committee on Banking and Currency of the House of Representatives, Mr. GLASS, of Virginia, who is justly entitled to very great credit in preparing and helping to perfect this bill, began the consideration of the question with a view to framing a bill to afford adequate remedy to this country against the exercise of individual unrestrained and irresponsible power over the business men of this country. That committee patiently heard the representatives of the great banking institutions of the country, of the great commercial houses of the country, of financial experts, and their investigations were printed in a volume of over 700 printed pages.

Nor was that the end of the investigation. I refer to these investigations because it has been given out to the country in various ways that the Congress of the United States was dealing with this matter with extreme haste, that Congress was rushing through a measure affecting the interests of the country without suitable inquiry or examination. I remind Senators that when the Aldrich bill was proposed to be submitted to the Senate the very men who recently have said "do not be in haste" were at that time urging haste on a proposal which would have concentrated in private hands the control of the credit system of the United States.

But this was not all. In addition to the investigation of the Monetary Commission, the investigation of the Pujo committee, of the Glass committee, numerous hearings were extended to representatives of the American Bankers' Association by those who were charged with the duty of making a preliminary draft for the consideration of their colleagues, and when these hearings had been much extended finally there was a preliminary draft made of this bill.

But before it was ever submitted it was considered by many thoughtful, careful men, various amendments suggested, various amendments made, and finally it was brought into the

Committee on Banking and Currency of the House of Representatives and there discussed. It was afterwards discussed in the Democratic conference of Members of the House of Representatives, and then discussed on the floor of the House of Representatives, and finally came to this body on the 18th of September last. But before it came here the members of the Banking and Currency Committee of the Senate had been giving this matter attention, had been studying it, had been considering it, and they began their formal hearings on the 2d of September last. Sixteen days before the bill reached the Senate they began to take evidence upon this question, and finally concluded the taking of evidence on the 25th of October, and submitted it to the Senate in three volumes, including something over 3,200 printed pages of matter. We heard at length the representatives of the banks, the representatives of business interests, of credit associations, of clearing houses, of financial experts, and of interested citizens not claiming to be experts. The committee, with great patience and industry, gave a careful consideration to various groups of people, and finally submitted to the Senate as a Senate document these hearings.

So, Mr. President, it is impossible for anyone to contend that the Congress of the United States has not given this matter the most infinite pains and considerate care.

It finally transpired that the members of the Committee on Banking and Currency of the Senate could not come to an agreement on the amendments which they thought should be made to the bill. But, Mr. President, I think the country is to be congratulated on the extent to which the members of the committee did agree. They did agree upon many questions of fundamental and far-reaching importance.

They agreed upon the necessity for a greater concentration of the banking reserves of the country;

They agreed upon the extent to which the volume of these reserves should be concentrated;

They agreed substantially upon the volume of the capital of the proposed banks;

They agreed upon the mobilization of such reserves;

They agreed upon the promotion of an open discount market;

They agreed upon the provision for elastic currency;

They agreed upon the issuance of Federal reserve notes;

They agreed that the Federal reserve notes should be the obligations of the United States;

They agreed that the system should be the regional Federal reserve bank system, instead of a central bank; and, finally,

They agreed that the control of the system itself should be in the hands of the Government.

The points of disagreement were as to the number of banks. One-half of the committee, I think it may be fairly stated, believed as an economic proposition that it would be better to have a central bank; and their point of view was, of course, necessarily influenced by that opinion, and naturally in drawing a bill they would be influenced in drafting the bill by that consideration.

The points of difference between the two sections of the committee were upon the number of the banks, the method of subscribing for the stock of such banks, the method of electing the directors of such banks, the method of administering the regional reserve banks. These differences arose, as I have said, because there were two schools of thought in the committee, one believing in a central bank, administered by the Government, and the other believing with the House of Representatives and with the President that these banks should be regional banks, controlled by the banks under supervisory control of the Government.

Mr. President, the purposes of this great measure should be kept steadily in mind in considering the bill.

PURPOSES OF THE MEASURE.

The purposes of this measure are:

First. To insure the stability of our commerce, of our manufacturing enterprises, of our industries, and the safety of our merchants and manufacturers and business men generally.

Second. To make available effective commercial credit for individuals engaged in manufacture, in commerce, in finance, and in business to the extent of their just deserts.

Third. To put an end to the pyramiding of the bank reserves of the country and the use of such reserves for gambling purposes on the stock exchange.

Fourth. To keep constantly employed the productive energies of the Nation. And this consideration is of vital importance to the laboring men of the country who are dependent for their daily bread upon constant, regular employment. Our crimes, our vices, our chief social evils come from lack of regular remunerative employment.

In order to accomplish these purposes of the bill, there are certain great fundamentals recognized by the best experts as essential and necessary:

First. The proper concentration and mobilization of the bank reserves of the country under the control of the banks themselves, safeguarded by a strong governmental supervision.

Second. A suitable banking capital, with a double liability as a margin of safety of the reserves of the Nation, as a margin of safety of the Government deposits which are expected to be placed in the Federal reserve banks.

Third. The authorizing of the issuance of elastic currency against liquid commercial bills under proper safeguards.

Fourth. The establishment of an open market for liquid commercial bills by providing through the reserve banks a constant and unfailing market for such bills at a steady rate of interest.

And, finally, for the protection of the gold reserve of the United States by the ability, through the Federal reserve board, to raise the rate of interest through the Federal reserve banks and to require them, if necessary, to provide against the contingency of gold shipments by buying foreign bills in advance (when rates are low and credits expanding), which can be sold to avoid gold shipments, and in that way stabilize the gold reserves of this country and prevent them from being withdrawn. I remind you our great credit system, which has now 25,000 independent banks and approximately twenty thousand million dollars of deposits, rests at last upon certain reserves of actual money; and if that money, which is fundamentally gold or its equivalent, be withdrawn from this country our commercial fabric would crumble, because every dollar of lawful money is the basis of over $12 of credit. Therefore it is of supreme importance that we should be able to protect the gold of this country against being drawn away from the banks, where it now operates as a reserve upon which credits are built up. The withdrawal of reserve money means compulsory contraction of twelve times as much credit, loans, and deposits.

This consideration is of supreme importance in dealing with our national banking system and in affording it adequate protection.

MECHANISM OF THE SYSTEM.

Mr. President, the mechanism of this system by which we propose to accomplish these beneficent results is a system of 8 regional banks. The House of Representatives provided for not less than 12 regional banks. Some have believed that the smaller number would be better; it is a matter upon which men divide; but I call to your attention that England is only a very small geographical area, and yet they have one of these great public utility banks—the Bank of England. Scotland has its own system; Ireland has its own system; the Netherlands has its own system, its own public utility bank.

The Bank of Belgium serves as a public utility bank for Belgium. France has its own public utility bank; the German Empire has its own great public utility bank, serving the functions which we expect to be served for this country by these Federal reserve banks. But I call to your attention that the area of France is less than that of Texas; that the German Empire is smaller in area than Texas; that England and Belgium and Holland, which have three of these great public utility banks, has a smaller area than Oklahoma. So in this country of ours, which is 3,000 miles from east to west, and which is 1,500 miles from north to south, if it shall have 8 of these regional banks, or if it shall have 12 of these regional banks, it will still have a less number many times over, considering the distances to be traveled, than has Europe. Eight banks in the United States would give an area of about 700,000 square miles to each on an average, an area about 20 times the size of the great State of Indiana.

These proposed Federal banks are intended to be controlled by a board of nine directors of three classes—class A, class B, and class C. It is proposed that class A shall be chosen by the bankers, to consist of bankers in touch with the banking business, experts in their line. It is proposed that class B shall be chosen also by the bankers, but they shall be business men and not bankers, representative of the commercial and industrial interests of the section from which they are chosen; and class C, consisting of three members to be chosen by the Federal reserve board, representing the interests of the United States, one of the members of class C to be the chairman of the board and to be Federal reserve agent in charge of the interests of the Government, thus assuring complete publicity to the action of the banks, insuring fairness of dealing on the part of the directors of the banks, protecting the Government in its interests in furnishing Federal reserve notes to the Federal reserve banks, safeguarding the collateral upon which these notes will be based, and retiring the notes when they

come back, having served their purpose. Another member of class C would be a deputy chairman and a deputy Federal reserve agent, so as to have at all times at hand a proper representative of the Government of the United States in dealing with these regional reserve banks.

Moreover, in order that the members of class A and class B directors should be judiciously chosen, to avoid any attempt on the part of any particular set of banks to control the whole six directors, it is proposed to classify these banks into the banks of the largest size, the banks of medium size, and the banks of the smallest size, allowing the small banks to choose one of class A and one of class B, the medium-sized banks to choose one of class A and one of class B, and the larger banks to choose one of class A and one of class B. In that way each one of the classes of the banks will have their proper representation upon the board. Each bank has one vote.

The entire board and all the officers may be removed by the Federal reserve board for cause. The supervisory and examining power by the Government is complete. The bank rate may be fixed by the Government board and Government deposits may be made or withdrawn. Federal reserve notes may be loaned or refused, and at such rates as the Government may fix. The public interests are completely and most abundantly protected.

The point has been raised—and that is in issue between the two sections of the committee—that we ought not to allow the banks to have a majority of directors, but that the Government ought to name a majority of the directors. The reason why those agreeing with me and with the House of Representatives believed it was wiser to have the banks name a majority of these directors was this: We are requiring of the banks to put their reserves into these reserve banks; we are requiring the national banks to put approximately $400,000,000 into these great reserve banks and inviting the State banks and trust companies to contribute in proportion, for their own safeguarding, it is true, but also for the safeguarding of the national financial system and our national commerce; but we are requiring them to put in $400,000,000. When we do that, it is going too far to say to the men from whom we require these reserves to be so placed that they shall not be permitted to safeguard those funds. It is our duty to them, it is our duty to the country, to put upon them the responsibility of safeguarding their own funds by giving them a majority of the board of directors in those banks. Moreover, we must rely upon the friendly cooperation of these banks in order to induce them to put these reserves in the hands of the Federal reserve banks.

I remind the Senate that there are now over 18,000 State banks and trust companies and only a little over 7,000 national banks. If we impose conditions too harsh and too unjust we will be met in all human likelihood with the wholesale withdrawal from the national-bank system of the national banks from whom we are asking $400,000,000 of reserves. Shall we permit this system to become a failure by imposing conditions so harsh and so ungenerous as to alienate those whose cooperation and friendly sympathy is necessary to the best development of this system?

Moreover, we are proposing to put approximately $200,000,000 of Government funds in the Federal reserve banks, and if the banks are not stockholders, if they have no double liability as stockholders, we go before the country as placing the Government funds in the hands of the Federal reserve banks without a sufficient safeguard of capital and double liability of responsible stockholders. It is a serious consideration.

That is the reason, again, why the division occurred in the committee, those agreeing with the chairman of the committee and with the House of Representatives believing that the banks should be the stockholders, that the banks should have a double liability, and that the banks should be charged with the safeguarding of this system and with its success as stockholders, while, on the other hand, those disagreeing with us have believed that it was better to let this stock be sold to the miscellaneous public in order, as they would say, to popularize the stock. The value of the double liability of stockholders belonging to the miscellaneous public is a questionable matter. Some of them would be good and some of them would not, perhaps. Furthermore, it would be difficult in the extreme to enforce a liability of that character because of the multiplicity of stockholders and because of the possibilities of evasion.

The plan and purpose of this bill to give stability, to prevent panics, to make credit available, to end pyramiding of reserves, to abate stock gambling—all of those considerations urge that the Federal reserve banks should be banks for banks; bankers' banks; and not a public bank competing with the banks for business.

Our system in this country is entirely different from that of Europe. We have pursued in this country the system of developing independent banks. We have 25,000 individual independent competitive banks, while in Europe they have joint-stock company banks, gigantic in size, with thousands of branches. In this country each bank stands upon its own foundation. In that way we have developed in this country a wonderful banking system, which now, in the light of time, is shown to be far outstripping the European system. We have built up in this country the most gigantic banking capital and resources of any country in the world, and that is because of the independence and of the liberty of the little bank which springs up in a country village, which there safeguards the savings of the citizens at the crossroads and there takes the savings and invests them in local enterprises.

If the 25,000 banks were merely branches of some gigantic institution, it would abstract the earnings from the country village, from the small town, and from the cities and concentrate them in the great centers. The American system is to develop the immediate locality, to build up every section of the country; and our American banking system is better than the European system for that reason; but it carries with it the frailty of having made each bank dependent upon itself and upon its own reserve, and that has proven to be the dangerous weakness of the American banking system, because whenever any exigency threatens every one of the 25,000 banks begins to protect itself as well as it can by increasing its own reserves at the expense of others and by bringing its reserves home and concentrating them where they really have no need for them, but where they concentrate cash as reserves because they are afraid of panics, afraid of stringency—and they may well have fears if there be no place under the Government patronage and safeguard where they can get accommodation when they need it. They thus accentuate and bring about the very danger they fear. It must be remembered that under the credit system the banks owe about twelve times as much money as there is money in the banks.

They are credit merchants; they take credit from their depositors; they lend it on negotiable notes; they lend it on securities; and they are both debtors and creditors on a gigantic scale, and their welfare is inextricably interwoven with the welfare of the commerce and industry of this Nation. They deserve well of the country; they deserve the safeguards of their own Government; and nothing should be done, in my judgment, that would in any degree be unfair to the banks of the country; but, at the same time, the representatives of the great American people should frame a system by which it will be impossible for men intrusted with the credits of the country using their power injuriously, wrongfully, tyrannically, and with unseemly selfishness. Banks can kill any enterprise they choose if they deny credit. No man can build a railroad without bank credit; no man can build a manufacturing enterprise for any of the great necessities of life without relying upon the banks. We had brought before our committee some very striking evidence bearing upon this subject; but no evidence is necessary, because it is perfectly obvious that where there is a concerted denial of credit the banks can destroy any enterprise.

CONCENTRATION AND MOBILIZATION.

Mr. President, we are proposing to concentrate these funds; and there will be concentrated in the hands of these eight regional banks, or reserve banks, approximately $400,000,000 of reserves. We propose a capital of $106,000,000, amounting to 6 per cent of the capital and surplus of the national banks of the country, of which we propose that one-half shall be paid in during a period of six months after the system is established, making a total payment of $53,000,000 on capital stock. We propose that the Government funds shall be concentrated in these banks to a certain extent, amounting probably to one hundred and fifty or two hundred million dollars. Then we propose by this system to mobilize these reserves.

I call the attention of the Senate to the important difference between mobilization and concentration. The terms are sometimes in error used synonymously. They are not synonymous at all. In reality you may have complete concentration without any mobility whatever. You may have these reserves concentrated and put in investment bonds, where they will have no mobility. The mobility of the great public-utility banks of Europe consists in their holding their resources in liquid form, as gold, as legal-tender money, as short-time liquid commercial bills, self-liquidating because drawn against commercial goods which have found a purchaser and which will be paid in cash upon short maturities. In that way they have made mobile the reserves of Europe.

More than that, as a part of this mobility of reserves they have built up a great, open discount market, which we have not in

the United States—an open discount market in which there are many dealers, private bankers as well as joint-stock companies and banks of all classes, handling acceptances drawn against actual shipments of goods, so that they carry in their portfolios, as if they were cash, these bills of short maturities. They are not accommodation bills. They are not investment securities. They are liquid commercial bills, acceptances, drawn against the shipment of actual products which have found a purchaser and which absolutely will be paid on the day when they fall due. In these bills the great public-utility banks of Europe deal by wholesale.

The president of the Crédit Lyonnais, for instance, said that he could liquidate his entire bank as fast as the physical work could be performed because of the liquid character of its assets and because the Bank of France stood ready to take those liquid bills off its hands.

The value of keeping these reserves in a mobile form and the value of this open discount market is that it will always—not sometimes, not in good times only, but always and without fail—afford to a business man entitled to credit the opportunity to get credit according to his just deserts.

It is unnecessary for me to point out how in the United States this has so far failed that in times of stringency, much more in times of panic, men go trembling, with hat in hand, seeking credit to which they are entitled and which they ought to have merely for the asking upon the class of securities which they can offer.

But we have gone further in proposing this plan of mobilization in the present bill. We have provided for the issuance of elastic currency, by which the Government of the United States places its strong hand behind the banking system of the United States in the support of our commerce and industry. These elastic Federal reserve notes are the best-secured notes that ever have been devised in any banking system in the world. I call attention to the character of the safeguards of these notes.

The first safeguard behind these notes is a commercial bill—a commercial bill of short maturity; a commercial bill drawn against an actual commercial transaction, against an actual shipment of goods which have found a purchaser. I remind you that in the case of such a commercial bill approved by a solvent bank, extending credit to a citizen whose credit is deemed good by that bank, on a note maturing within 90 days, the chance of the failure of such a man or such a note is not one in ten thousand. But the second security is that the commercial bill put up as collateral for these Federal reserve notes has the indorsement of the member bank. In view of the fact that under this bill the member bank is subjected to frequent examinations of a thoroughgoing kind, the chance of the member bank so indorsing such a commercial bill failing within the same 90 days is not one chance in twenty-five thousand; and the chance of the individual who signed the bill and the member bank both failing within 90 days is as ten thousand multiplied by twenty-five thousand, or about one chance in two hundred and fifty millions.

But in addition to that there is the fourth safeguard—the member bank's stock in the Federal reserve bank. There is a fifth safeguard—the amount of the reserve of the member bank in the Federal reserve bank. There is a sixth safeguard—the double liability of the stockholders of the member bank, if the member bank itself be deficient in meeting its obligation. There is a seventh safeguard—the 33⅓ per cent gold reserve required to be kept against the Federal reserve notes put in circulation by a Federal reserve bank. There is an eighth safeguard—the earning power upon the stock of the Federal reserve bank. There is a ninth safeguard—the Federal reserve note is a first lien upon all the assets of the Federal reserve bank. It has a tenth safeguard—the surplus of the Federal reserve bank. It has an eleventh safeguard—the double liability of all the member banks belonging to a Federal reserve bank. It has a twelfth safeguard—the double liability of the stockholders of the member banks belonging to a Federal reserve bank. And, finally, if that were not enough, it has behind it the taxing power of the United States and it is made receivable for public dues.

There never has been a note so safeguarded by any Government in the world. Yet these safeguards are thrown around these notes without any complicated machinery whatever. It is perfectly simple and perfectly plain. If a member bank wants to get these notes, it comes to the Federal reserve bank and brings its qualified bills, and gets against those bills Federal reserve notes to meet the seasonal demand.

I do not believe there will be any urgent demand for these notes for some time; but if there should be any demand by our national commerce, this bill provides, to meet the exigency, money of the highest class, an obligation of the United States safeguarded in the 12 ways I have described.

The banks very urgently contended that these notes should not be the notes of the Government; that they should be the notes of the Federal reserve bank only. I do not think it expedient to take the time of the Senate to discuss that feature now. Probably there will be abundant opportunity to bring up that matter at a later time. Democrats and most Republicans believe in the Government issuing the money of the country. The Democratic national platform has three times declared the doctrine in the last dozen years or so.

INTEREST RATE.

Another very important feature of the bill is that it places in the hands of the Federal reserve board the power to fix the rate of interest. This power primarily is placed in the hands of the Feedral reserve bank directors; but the final determination of the rate is put in the hands of the Federal reserve board, in order to obtain the power which is necessary to protect the country as to the gold reserve by raising the rate where necessary; to protect the country against undue inflation; against undue expansion; against a speculative fever, by raising the rate, and, by forecasting the future, to protect the country in advance against any dangerous improvidence that might be brought about, by whatever cause.

Another very important feature is that allowing the Federal reserve board to fix the interest rate enables a standard to be set by which the business men of the country can hope to ascertain and know reasonably in advance what money will cost them in their enterprises, and, by knowing that they will have a stable rate of interest, to forecast the future with some degree of certainty.

One of the great injuries to this country has been that business men have been deterred from going into enterprises of various kinds because they could not foresee the future. They could not foretell what violent fluctuations of interest rates might occur. They could not tell when some tremendous stringency of credit might take place. I have placed before the Senate, in the RECORD and in these appendices, the astonishing record of the violent fluctuation of interest rates in the United States as compared with the stability, the uniformity, the steadfastness of rates in Europe. These tables I have laid before you. I placed them in the RECORD a month ago. I repeat them now in the appendices to my report on this bill; and I solicit from Senators their careful and conscientious attention to these interest rates. Let it be understood that in the American Republic we are going to have, in the future, the same stability of interest rates that prevails in Europe.

I call your attention, for example, to the fact that for 75 per cent of the time the rate of the Bank of France has not exceeded 3 per cent, and over 85 per cent of the time has not exceeded 4 per cent; that the Bank of Belgium has not exceeded 6 per cent in 50 years, even with a panic affecting the interest rates in England or in Germany; but that the interest rates in Germany and in England have been of wonderful stability.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Nebraska?

Mr. OWEN. I yield to the Senator from Nebraska.

Mr. NORRIS. I should like to inquire of the Senator whether the bill he proposes provides that the interest rate must be the same all over the country, or will it be different in different reserve regions?

Mr. OWEN. No, Mr. President; it is left primarily to the local board, and then to the final determination of the Federal reserve board. The reason for that is that it was believed that the conditions in one section of the country might be sufficiently different from those in another to justify at times a different rate of interest.

I call the Senator's attention to the fact that out on the frontier what purports to be the interest rate is something more than the interest rate. It also involves the element of insurance, because in some classes of loans on the frontier there is greater jeopardy than in the portions of the country where conditions are more settled.

It was thought that occasions might arise in some particular section when there might grow up, for some reason not now foreseen, a spirit of speculation which it might be desirable to control to some extent by the rate of interest; or an occasion might arise where a section was languishing for want of proper support, which would justify a lower rate of interest.

Mr. NORRIS rose.

Mr. OWEN. I yield to the Senator from Nebraska.

Mr. NORRIS. I should like to inquire of the Senator further whether this is one of the points of difference or agreement between his section of the committee and the other section. In other words, does the other section propose that the rate of discount shall be the same in all Federal reserve banks?

Mr. OWEN. At this moment I do not recall as to that. I remind the Senator that the print has come out only during the last day or two, and I have not had an opportunity to inspect it sufficiently to be thoroughly advised as to its contents.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Nebraska?

Mr. OWEN. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. The question raised by my colleague from Nebraska is hardly a practical question as it relates to the bill I have reported, for the reason that we divide the country into only four districts—one headed in New York, one in Chicago, one in St. Louis, and one in San Francisco. The remote regions of the country which might fall in one of the eight districts proposed by the bill reported by the Senator from Oklahoma will be included in our bill in either New York, St. Louis, Chicago, or San Francisco, and just as low rates as prevail in New York, Chicago, St. Louis, or San Francisco will prevail throughout the whole region covered by the reserve banks in those cities. So it is not a very important question in the bill which I had the honor to report whether any provision of that sort is made or not. We think the rate in Chicago will probably be as low as in New York, and in St. Louis it will probably be as low as in Chicago.

Mr. OWEN. I take it that under either proposal there would be substantially a uniform rate; but in the proposal which I had the honor to submit to the Senate there was the power, if the exigency should justify it, to make a different rate in a different district.

EARNINGS.

Now, Mr. President, we propose in this measure also that in the matter of the division of earnings the earnings for the bank stockholders should be 6 per cent and no more, and that all the remaining portion of the earnings should be used for building up the surplus and should belong to the Government. The reason of that policy is that we believe these great public-utility banks should not have as their motive or as their moving policy money-making for the stockholders; and, indeed, that is the policy which is pursued by the Bank of England, the Bank of France, and the Bank of Germany. They do not pursue the policy of taxing the commerce of the country "as much as the traffic will bear," to use the old phrase, in order to earn dividends and pay dividends to their stockholders, but they regard themselves as great public-utility banks. They do earn a satisfactory interest for the stockholders, but they do not pursue the policy of merely earning money for the stockholders. They regard themselves as the guardian of the public interest, the public welfare, the general welfare.

STATE BANKS AND TRUST COMPANIES.

We have provided in this measure that the State banks and trust companies desiring to avail themselves of the privileges of this act should have the right to come into the system upon the same terms, substantially, as the national banks, requiring them, however, to submit to a proper examination, to be assured that they were solvent, requiring them to comply with certain reasonable rules that now rest upon the national banks and which are set forth in some detail in the report which I have had the honor to submit.

I will call the attention of the Members of the Senate to the probable readjustments of cash under the reserve requirements of this bill, which have been worked out in some detail and submitted in the report. I will not trouble the Senate with going into the details of that mathematical calculation, although it is a very important one, and it is of the highest importance to the banks of the country that the questions involved should be intimately and analytically considered. I will call attention only to the final result.

If the national banks going into this system should avail themselves of one-third of the funds of the Federal reserve banks by rediscount, there would be a cash margin of $18,000,000. If they avail themselves of one-half of the resources of the Federal reserve banks, there would be $114,000,000 of cash surplus. If there should be two-thirds of the fund of the central reserve banks borrowed, there would be $219,000,000 of cash surplus.

But I call the attention of the Senate to the very important fact that the State banks, which have not in their vaults anything like so large a proportion of cash as the national banks, would have a possible deficit of $239,000,000 in cash, if every one of them should come in and if they should only avail themselves of the right of rediscount to the extent of one-half of the reserves which they themselves put into the system. But this, of course, could be offset by the Federal reserve notes—if they might be emitted and if they might be used as reserves—could be offset by a somewhat larger supply of Government funds which are available, because the Government has, in fact, more than $150,000,000 that could be placed with these banks. I have only made the estimate upon the basis of $150,000,000 of United States deposits. The Government, in fact, has over $250,000,000 it could use, not to mention $175,000,000 of Panama bonds due the general fund.

The cash could be further supplemented by the national bank notes which are now not used as reserves by the national banks, but which are used as reserves by the State banks, the State banks having about $60,000,000 of the national-bank notes as reserves, while the national banks have about $40,000,000 which are not used as reserves, and there is about $45,000,000 in transit through the Treasury of the United States. So taking the whole amount outside of the pockets of the people of the issue of $722,000,000 of national-bank notes, there is outstanding in the hands of the banks and in the hands of the Treasury only about $145,000,000, and I see no reason why they might not be made reserves under that state of facts, remembering that those notes are in reality not mere asset notes against the credit of the banks emitting them, but that they are secured in every instance by the bonds of the United States, dollar for dollar.

Now, the power to permit the banks to count as reserves the national-bank notes and the Federal reserve notes, we propose to put into the hands of the Federal reserve board, so if it is found that there is need for additional cash when these banks come into the system there may be available sufficient cash. There is no question in this bill of more vital consequence than that subject.

Some of the banks have urged that we should lower the reserves in the reserve cities from 18 per cent, as proposed in this bill, to 15 per cent. Mr. Reynolds, of the Commercial Bank of Chicago, who is a representative banker of a very high class, has insisted upon that. I received a telegram this morning from the national banks of Kansas City urging that that should be done. I think it should be done, thus releasing a somewhat larger amount of actual cash, nearly sixty millions, which otherwise would be locked up in the vaults of the banks or in the Federal reserve banks.

The powers of the central reserve board are general supervisory powers.

POWERS OF THE FEDERAL RESERVE BOARD.

To readjust districts created by the organization committee and create new ones.

To regulate the establishment of branches of Federal reserve banks within Federal reserve district in which bank is located.

To designate three (class C) of the nine members of the board of directors of each Federal reserve bank, one of these to be chairman of the board with the title of "Federal reserve agent," and one "deputy Federal reserve agent."

The Federal reserve agent to maintain a local office of the Federal reserve board on the premises of the Federal reserve bank. He shall make regular reports to Federal reserve board and be its official representative.

To remove any director or officer of a Federal reserve bank for cause stated.

To remove chairman of Federal reserve bank without notice.

To establish by-laws governing applications from State banks and trust companies.

"Of the six persons * * * appointed (by the President), one shall be designated governor and one vice governor of the Federal reserve board." The governor, subject to supervision of the Secretary of the Treasury and board, shall be the acting managing officer of the Federal reserve board.

To levy a semiannual assessment upon the Federal reserve banks for estimated expenses for succeeding six months, together with deficit carried forward.

To examine at its discretion the accounts, books, and affairs of each Federal reserve bank or member bank and to require such statements and reports as it may deem necessary.

To permit or require a Federal reserve bank to rediscount the paper of any other Federal reserve bank.

To suspend for a period not exceeding 30 days (and to renew such suspension for periods not to exceed 15 days) any and every reserve requirement specified in this act.

To supervise and regulate the issue and retirement of Treasury notes to Federal reserve banks.

To add to the number of cities classified as reserve and central reserve cities under existing law in which national banking associations are subject to the reserve requirements set forth in section 21 of this act, or to reclassify existing reserve or central reserve cities and to designate the banks therein situated as country banks, at its discretion.

To require the removal of officials of Federal reserve banks.

To require the writing off of doubtful or worthless assets upon the books and balance sheets of Federal reserve banks.

To suspend the further operations of any Federal reserve bank and appoint a receiver therefor.

To perform the duties, functions, or services specified or implied in this act.

To determine or define (subject to stipulations) the character of paper eligible for discount for member banks.

To prescribe regulations for purchase and sale by Federal reserve banks of bankers' bills, etc.

To review and determine the minimum rate of discount for member banks established by Federal reserve banks and fix weekly the discount rate reserve banks may discount for each other.

To authorize establishment of correspondents and agencies of Federal reserve banks in foreign countries.

To authorize the issue of Federal reserve Treasury notes.

To receive, through the local Federal reserve agent, applications from Federal reserve banks for notes, such applications to be accompanied by rediscounted notes for deposit as collateral security.

To require Federal reserve banks to maintain deposits in Treasury of United States in gold of 5 per cent or more of notes issued.

To grant in whole or in part or to reject entirely the application from Federal reserve banks for notes.

To establish rate of interest on notes issued.

To prescribe regulations for substitution of collateral.

To make and promulgate regulations governing the transfer of funds among Federal reserve banks.

To act, if desired, as clearing house for Federal reserve banks.

To require, in its discretion, Federal reserve banks to act as clearing houses for shareholding banks.

To require extra examinations of national banks when deemed necessary.

To determine and report annually to Congress fixed salaries of all bank examiners.

To assess upon banks in proportion to assets or resources the expenses of examinations.

To fix a date for such assessment.

To arrange for special or periodical examinations of member banks for account of Federal reserve banks.

To receive from Federal reserve banks information concerning the condition of any national bank in its district.

To order examinations of national banks in reserve cities as often as necessary.

To add to the list of cities in which national banks shall not be permitted to loan on real estate as described.

To receive applications from national banks having $1,000,000 or more capital for the establishment of branches in foreign countries, to reject or accept such applications, and to prescribe conditions under which such branches may be opened.

To require examinations of foreign branches as it may deem best.

I do not think that it is necessary to take the time of the Senate at this general presentation of the bill to discuss in detail those powers, except to say in a broad way that the powers are intended to cover the complete supervisory control of this system. It is perfectly obvious that these powers make it entirely unnecessary to deprive the banks of six directors on the Federal reserve bank board on any theory that the banks could use such powers injuriously. The Federal reserve board even has the power to remove the directors of the Federal reserve banks or any of their officers for cause, so that the supervisory control of the United States will be complete. But we have not believed it wise to charge the United States with the technical detailed administration of the banking business by making the Government entirely itself responsible by giving the United States a majority of the directors and charging the United States with the duty directly of extending credits to member banks through these directors and administering this gigantic system by purely public functionaries.

The sympathetic cooperation of the banks, the membership of the banks, is essential and should not be jeopardized.

Mr. BRADY. Mr. President——

Mr. OWEN. I yield to the Senator from Idaho.

Mr. BRADY. I understand the bill provides that the directors elected by the different banks of the association elect the main director and that he is designated as the agent of the Government.

Mr. OWEN. The Federal reserve board names three of class C, one of them being the chairman of the board.

Mr. BRADY. And it is one of the three named by the Federal reserve board who is named as the agent of the Government?

Mr. OWEN. Yes. In order to bring the Federal reserve board into intimate touch with the conditions of the country we have provided for a Federal advisory counsel, each Federal reserve bank electing a man to represent them and to confer with the Federal reserve board, to obtain information from the Federal reserve board, and in that way to give complete publicity to the actions of the Federal reserve board, but more, to give the Federal reserve board the intimate knowledge of the conditions of business in each and every section of the country where there is established a Federal reserve bank. In that way it is hoped to make the Federal reserve board more efficient.

I need not say, Mr. President, that no one can have any doubt that the members of the Federal reserve board should be men of the most distinguished attainments, men who should rank favorably in comparison with members of the Supreme Court of the United States, because in reality this Federal reserve board will be a supreme court of American finance, safeguarding the commercial interests of this Nation, protecting our gold reserve, protecting our banking system, protecting our commercial system, protecting the individual credit of the private citizen, and giving him a fair deal in the struggle of commercial and business life, and seeing to it that every citizen shall receive the just amount of credit to which he is entitled by character and by resources.

ABATEMENT OF STOCK GAMBLING.

Mr. President, one of the most far-reaching results which will follow will be the abatement of the nuisance of the national menace of the stock-gambling operations in this country, because this measure proposes to gradually withdraw these reserves, which have heretofore been pyramided in the three great central reserve cities. I call the attention of the Senate to the peculiar situation in which a banker in a Federal reserve city finds himself. These reserves are pyramided there; under the custom 2 per cent is paid for the use of the funds; and he finds himself in an attitude where he is compelled to keep liquid, at whatever expense, a considerable volume of his resources over and above his 25 per cent reserve. He has no great public utility bank in this country to which he can go for credit. He has no open discount market in this country. He can not convert quickly into cash his liquid commercial bills. The only place that he can get his resources quickly in cash is upon the stock market. Therefore these men have been forced by the conditions surrounding them to lend money by hundreds of millions upon the stock exchange. When the time comes and they need the funds, under the hard rule which prevails on the New York Stock Exchange, that stock held on call can be sold on the stock market for cash. It may ruin the borrower; it may wipe out his margin; it may reduce him to bankruptcy; it may cause the most violent fluctuations of the interest rate; it may upset the interest rate, affecting the commercial life of the Nation; it may bring on a wholesale stringency of credit; it may involve the whole country in a disastrous panic; but it does bring the money; it does give the relief to the man who needs the money against that collateral.

So I think it is of great value to the great banks of the central reserve cities that they may have these Federal reserve banks established, and that they may get cash on their commercial bills in a quantity sufficient to meet whatever exigencies may arise.

We have been assured by some of the bankers of New York that they would be glad of the opportunity to withdraw their funds from the call market and place their funds at the service of the commerce and industry of our great Nation, and they will do that gladly and safely now, when these Federal reserve banks are established, where they can get the accommodation against their commercial bills.

Indeed, this bill goes further. It provides that a member bank, with the consent of the reserve board, may get accommodation against other classes of securities. That is an emergency measure, but it is an emergency measure of the highest importance. A bank may be subjected to some sudden demand. I remind you that the passing of a rumor around the country that a bank is not in a good condition may cause a run to be made upon the bank. I call your attention to the extraordinary spectacle at Kansas City a few years ago, when the National Bank of Commerce, one of the strongest and most powerful and solvent banks in the country, was compelled to stand up and be bled to death by a circular sent out by the Waters-Pierce Oil Co. to its agents throughout the country not to take any exchange on the National Bank of Commerce. It was a simple little circular; but they had thousands of agents, and every single corner of the country trembled immediately with the suggestion that the Bank of Commerce was in a failing condition.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Colorado?

Mr. OWEN. I yield.

Mr. THOMAS. I should like to inquire of the Senator what excuse or pretense was given by the Waters-Pierce Oil Co. for sending out such a circular? It is a most remarkable statement. If I had ever heard it before, I had forgotten it.

Mr. OWEN. It is a fact.

Mr. THOMAS. I have no doubt of it on the Senator's statement.

Mr. OWEN. I called the attention of the Senate to it five years ago.

Mr. REED. Mr. President, I think I can answer the question.

Mr. OWEN. I yield to the Senator from Missouri.

Mr. REED. If my recollection serves me correctly, the only explanation ever made was that the company had the right to direct its agents to accept or refuse paper drawn upon any bank, and that it was within its constitutional rights. That, I think, is the only excuse that was ever offered.

Mr. THOMAS. If my statement is incorrect, I hope I will be corrected; but I assume that this is the same Waters-Pierce Oil Co. which has an enormous oil concession in the Republic of Mexico and which is said to be behind one or the other of the parties engaged in revolution there.

Mr. OWEN. Mr. President, it is difficult to ascertain the motives of men, but the motive which seemed to be behind this remarkable performance would suggest the ancient story of Naboth's vineyard. At all events, that circular led to the National Bank of Commerce, with $35,000,000 of deposits, standing there and paying out between $17,000,000 and $18,000,000 of cash before it finally failed and went into the hands of a receiver. Under such circumstances the Federal reserve bank system would make impossible the ruin of a great institution of that kind, and I pause to say that the institution afterwards proved to be solvent and is now a going concern in good condition.

But this bill provides, and it rightly provides, that in case of an emergency the Federal reserve bank, with the approval of the Federal reserve board, may extend the accommodation to a bank against its assets of whatever character, provided they are a good security. The central reserve city banks have little or no use for their present legal 25 per cent reserve, but work around a margin of 1 or 2 per cent reserve. This bill makes the whole reserve available.

REFUNDING 2 PER CENT BONDS.

Mr. President, the bill as passed by the House provided a method of refunding the bonds, providing that the Secretary of the Treasury might issue 3 per cent bonds, without the circulation privilege, in lieu of the 2 per cent bonds held by the national banks with the circulation privilege. The theory of that was that the Government would gain as much out of the interest on the Federal reserve notes issued through the Federal reserve banks as would compensate the Government for the payment of the 3 per cent interest on such bonds.

I think that calculation is properly made. But we have made a proposed change in this bill, allowing the Federal reserve banks to buy those 2 per cent bonds—that might be offered on the market by national banks not desiring to continue their circulation—and allowing the Federal reserve banks to issue Federal reserve bank notes against those bonds in lieu of the national-bank notes retired.

There is no additional security, because the security is practically the same as now. At present the national bank that issues its notes against 2 per cent bonds does so against its own credit and bonds of the United States, the credit of the banks making amends for any supposed deficit of value in the 2 per cent bonds, if there be conceived to be any lack of value in the 2 per cent bonds. But in this case the Federal reserve bank, having probably an average of 2,000 member banks, and all those banks being good for such notes if emitted, the security is even better than under the old national-bank system, without requiring any additional security.

Of course there would be in all human probability considerable gold reserve always available in addition. We expect by this system to have drift into these Federal reserve banks a very large part of the gold supply of the country. It will drift in by gravity, not only because the people are satisfied with the national-bank notes as pocket money, but would be satisfied with the Federal reserve bank notes as pocket money; and naturally as these gold certificates flow through these Federal reserve banks, since it is a condition upon which they may emit Federal reserve notes that they have a gold reserve, they will probably retain those gold certificates and gold, and in that way the Federal reserve banks will steadily acquire a very large gold holding.

CLEARING CHECKS.

Mr. President, there is one other item that I think the attention of the Senate should be called to, and that is the clearing and collecting of checks. The House bill provided that the Federal reserve banks might clear checks at par for member banks. We have changed that so as to provide that the cost shall be ascertained and fixed by the Federal reserve board. We believe that it will serve a very great and useful purpose to provide for the clearing of checks to the extent that the member banks desire to send checks through the Federal reserve banks. Take one reserve bank, for instance, at St. Louis, with 2,500 member banks, each bank keeping its reserve there, each bank remitting to that center its checks, due from other banks, belonging to the same system, and all that will be necessary will be to make a cross entry upon the books of the Federal reserve bank, and a most economical adjustment of credits could be arranged in that way without loss of time. It would greatly increase the velocity of the check system. It would make a check more valuable. It would enable the banks to increase their deposits, because their checking deposits would be more valuable, and at the same time the complaint of the country banks that these banks would be in competition with them would be abated, because if the reserve bank could not make its exchanges of credit less than the actual cost and a small profit which ought to be allowed, it would not be in competition with the country banks.

Moreover, the amendment which we propose provides that the country banks shall not be interfered with in their present method of selling exchanges against collection, from which some of them make a considerable profit.

SAVINGS BANK SECTION.

We have struck out section 27, providing for savings banks, because the banks of the country are unanimously against it. The national banks at present have a system of time deposits, upon which they conduct practically a savings-bank business very economically, and they use the funds collected in the banks in that way for local enterprises. They get a good rate of interest out of the savings deposits, which they collect in that way; and they all desire that they be left undisturbed in their present method.

So both sections of the committee have struck out the savings-bank section, and, indeed, I understand there is no great support of that section, even on the House side. It was put in as a last thought, thinking perhaps it might be useful.

There are, of course, other important improvements in our banking system which may be expected to be worked out, particularly the question of agricultural credits.

There is another system which I think will prove useful, and it will be discussed at the proper time, but this great measure for the Federal reserve bank system is of such urgent importance that it was not thought wise to bring into this bill questions relating to agricultural credits, nor the question of character banks, which have been worked out in Italy to a very high degree, or other considerations that might impede the discussion of this matter. So we have brought nothing into it that is not germane.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Nebraska?

Mr. OWEN. I yield.

Mr. NORRIS. Right on that point I wish to inquire of the Senator whether the bill he has proposed as a substitute makes any change in the House bill in relation to farm loans?

Mr. OWEN. It does. We have extended the time from nine months to five years, so as to enable some of the country banks that would like to handle these farm mortgages as merchants to buy them and turn them over and sell them.

Mr. NORRIS. Out of what fund does the bill permit the banks to make farm loans?

Mr. OWEN. It would be up to a certain limit; one-quarter of its capital and surplus is the provision, not to exceed one-half of the value of the property against which the mortgage is placed; 25 per cent of the capital and surplus would make a total of $400,000,000, possibly, although the city banks are not likely to invest in farm mortgages, unless there should be built up a system by which these mortgages would be safeguarded

Mr. NORRIS. As I understand it, the other branch of the Banking and Currency Committee has provided for a loan of some portions of the time deposits?

Mr. OWEN. Yes; and I thought that suggestion was an advisable one. I will say that in the proposals made by the other section of the committee—I have read them through somewhat hurriedly—I have seen several things that I thought were meritorious and which at the proper time could be accepted. The differences between the two sections of the committee, I think, can be reconciled by the Senate without any great difficulty. I only want to conclude my remarks in presenting this bill, made now for the purpose of opening the discussion, by saying that I think it is of very great importance to the business interests of the country that as soon as we can dispose of these differences between the two sections of the committee, as soon as we can get this matter passed, it is of the most urgent importance to do it, because the whole country is waiting; the business men are waiting, and the banks are waiting. The banks are piling up their reserves, because they do not know exactly what this bill is going to be, and they are doing the thing which would be natural for men to do to protect themselves against some exigency that they can not fully foresee. For that reason the banks are hesitating, and the business men of the country are finding it difficult to get the accommodations they ought to have. That aspect of it, of course, reaches Democratic business men, Republican business men, and business men who have no politics. It reaches everybody alike. It is a matter of the most urgent importance, and I do hope that the Senate will give, and I appeal to the Senate to give, the most urgent and immediate attention to the bill. I ask the Members of the Senate to read these bills presented to them, to read these reports as quickly as possible, and to give the time necessary to thoroughly comprehend this matter. I do not think it is a difficult matter. There are only a few elements in these bills—the concentration of these reserves, making them mobile, providing an elastic currency through the simple mechanism of these banks. That is not difficult. There is no particular difficulty about the bill. It is easily

understood by any thoughtful mind. Members of the committee have already heard so much of the discussion that I see no reason why the bill should take any very great time. The whole country has been waiting with a great degree of impatience upon us.

I thought it necessary to explain some of the history of the examination of this matter in opening my remarks, because there are some who have contended that we ought not to be unduly in haste about this matter; but we have spent all the time necessary, and I think it is of the most urgent importance to the country now that we should waste no more time with regard to it.

I hope also that Members of the Senate will take the pains to look through the tables which have been printed as a part of this report, because they will find them bearing directly upon the problem involved.

I wish now to express my appreciation of the patience of the Senate in waiting for this report. I will say that, as chairman of the committee, I have done what I could to bring it before the Senate as quickly as possible; but there were many men who wanted to be heard, and there were many interests of very great importance that had a right to be heard. If the committee has seemed to have been somewhat longer than was absolutely necessary, at the same time the question was of such great importance, it was of such vast import to the country, that the committee has felt that it was best to give as thorough an examination into the matter as possible. You have before you now the views of both sections of the committee and the full record.

I will now move the amendment which I proposed on Saturday. The subject is now before the Senate; Senators desiring to speak upon it may do so, though I do not suppose we shall arrive at immediate action upon the bill.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Iowa?

Mr. OWEN. I yield to the Senator.

Mr. CUMMINS. I rose to ask a little further explanation of one part of this bill.

Mr. OWEN. I shall be very glad to answer any questions the Senator may ask.

Mr. CUMMINS. I should like to learn from the Senator from Oklahoma whether he attaches great importance to section 10. That section deals with the admission of State banks to membership in the Federal reserve bank. That is a mere prelude to asking whether the Senator has examined the laws of the several States and whether he knows the situation sufficiently to be able to advise the Senate as to the practicability of the admission of State banks as stockholders in the Federal reserve banks or the Federal reserve bank. I do not believe there is a State in the Union under whose laws a State bank could become a stockholder in a Federal reserve bank. I do not believe there is a State in the Union under whose laws a State bank could agree to conform to provisions of the law creating and regulating national banking associations. I apprehend that if that section is to become of great importance it will be necessary that the laws of all the States be revised. I have therefore asked the Senator from Oklahoma whether the cooperation of the State banks in this manner is a vital thing in the administration of the system which is here proposed.

Mr. OWEN. I should say that it was a very desirable thing, and, so far as we could open the door we did so, assuming that the States which had laws which would preclude the State banks of that State from entering the system would within the three years change such laws so as to make it permissible.

Mr. CUMMINS. But the Senator from Oklahoma, I assume, believes that the system would be operative and helpful even though the State banks were not admitted as stockholders of the Federal bank?

Mr. OWEN. Oh, yes.

Mr. CUMMINS. A very curious relationship is here proposed between the State institutions and a Federal institution. I shall have occasion later on to consider that relation. I have had grave doubts whether it could be made practicable or helpful.

Mr. OWEN. I will state that I have not put the microscope upon the point which the Senator raises, and I assume that there might be a number of States where it could not be done, and that they would then, if they approved the system, modify the State law so as to enable their banks to come in under this provision; so we open the door for them to come in when they can under the permission of the State laws.

Mr. CUMMINS. Mr. President, I am not opposed to it if it can be done practicably; but it not only involves the authority on the part of a State corporation—that is, a State bank—to become a stockholder in a Federal corporation, with all the liabilities that the law imposes upon a stockholder, but it involves the joint operation upon the same institution of laws that are radically different and must remain different so long as we have as great varieties of views upon great public questions as we now have.

Mr. OWEN. Yes; that is true, of course.

Mr. CUMMINS. And I merely wanted to begin my inquiry into it with the assurance of the Senator from Oklahoma that the system proposed would be operative and would be efficient even though no State bank entered it.

Mr. OWEN. Oh, yes; we have simply opened the door to invite the State banks in that could come in; and I will say that I have had assurances from Chicago and Kansas City and St. Louis that many of the State banks and trust companies expect to come in. I think that almost every State bank and trust company in the country will come into the system and that they expect to do so; but the system is, of course, for the national banks and not necessarily for the State banks, but it was thought desirable to have the State banks provided for if they wished to enter the system.

Mr. CUMMINS. It is perfectly evident that they could not come in until they had further legislation, not only because they have no power to subscribe for stock in this new system, but the bill provides that—

> Any bank becoming a member of a Federal reserve bank under the provisions of this section shall, in addition to the regulations and restrictions hereinbefore provided, be required to conform to the provisions of law imposed on the national banks.

Mr. OWEN. As to examinations and special points only.

Mr. CUMMINS. We all know—or, at least I assume—that the laws of Illinois with regard to her trust companies and her banks are very different from the laws of the United States relating to national banks. I know they are in my State. It would be impossible for a State bank in Iowa—I think it would be impossible—to conform to both the national law governing national banks and the State law governing State banks at the same time.

Mr. OWEN. Mr. President, I direct the attention of the Senator from Iowa to the fact that he did not read the next few words of the bill.

Mr. CUMMINS. Perhaps I have omitted something that ought to have been read. The bill further provides:

> And to such rules and regulations as the Federal reserve board may, in pursuance thereof, prescribe respecting the limitation of liability which may be incurred by any person, firm, or corporation to such banks, the prohibition against making purchase of or loans on stock of such banks, and the withdrawal or impairment of capital or the payment of unearned dividends.

I see nothing there that would modify what I have stated.

Mr. OWEN. I suggest that they could comply with it if they would, just by their own agreement. They could do that by contract.

Mr. CUMMINS. I do not think so.

Mr. PAGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Vermont?

Mr. OWEN. I yield to the Senator from Vermont.

Mr. PAGE. I should like to inquire, Mr. President, of the Senator from Oklahoma if it is not true that under the laws of all the States—it certainly is of all the Eastern States—that a savings bank or a trust company is limited in its investments to certain specified lines, and that all other lines are excluded?

Mr. OWEN. I think that is true in most of the States; but we do not expect savings banks to enter the system, as they do not need to do so.

Mr. PAGE. And is it not true that under this bill the State inspectors of banks would come in conflict with the national inspectors of banks?

Mr. OWEN. No; I think not, because this bill provides that the reports of the State banks may be accepted if they are carefully made, and the banks can readily agree to have an examination made that is not required by the State law, just as they do agree to have themselves examined by the clearing-house examiners.

Mr. PAGE. Is it not true that under the State laws it is expected that nearly all of the State banks and trust companies will loan their money on real estate, while under the provisions of this bill it is expected that only a limited sum shall be so loaned?

Mr. OWEN. Of course, that is true; but that inhibition does not run against the savings banks nor trust companies, either, under this system.

Mr. PAGE. But, for all that, the National Government, through Congress or the managers of the Federal reserve banks, will have the power to dictate, it seems to me, as to what investments the State banks may make.

Mr. OWEN. Oh, no; the purpose of this bill is only to impose a few very limited provisions upon the State banks; that is to say, that they shall not extend credits unduly to single individuals; that is, not over 10 per cent of their capital and surplus, just as in the case of the national banks. No further provision is proposed to be imposed upon State banks entering into the system than will merely safeguard their credit and make their credit as good as that of a national bank.

Mr. PAGE. To do that will it not be supposed that the National Government will ask for an inspection and examination of State banks?

Mr. OWEN. Yes; and very properly.

Mr. PAGE. But the regulations of the Federal Government or of the Federal reserve board may come in conflict with the State regulations, may they not?

Mr. OWEN. I should not think so. I think that if the bank was willing to have itself examined by a chartered accountant the bank would have a perfect right to do so. I have had my own bank examined by a chartered accountant, regardless of the examination of the comptroller's office; and I did so because I wanted to know, independently of the comptroller's report, exactly what the condition of the bank was. There is no reason why a State bank should not have itself examined by a chartered accountant, so far as I can see.

Mr. PAGE. So far as I know, no State bank—certainly not in my State—would be inclined to object to the examination of a national-bank examiner. Indeed, it is provided in the laws of Vermont that when two banks are intimately associated or are in the same building, one a national bank and the other a savings bank or a trust company, the national-bank examiner and the State-bank examiner shall meet and examine them together; but it seems to me that you would have to draw this bill with a great deal of care in order to prevent a conflict between the National and State examinations.

Mr. OWEN. Since the matter is entirely optional with the State bank whether it wants to come in or not, of course the State bank would exercise its own pleasure with regard to that. It is not at all compulsory; it is just a matter of grace on their part, if they desire to enter the system, to give assurance to the Federal reserve bank or the authorities of the United States that their examination is properly made. We have provided in the bill that if the examination of the State authorities is carefully made it may be accepted as sufficient.

Mr. BRADY. Mr. President——

Mr. OWEN. I yield to the Senator from Idaho.

Mr. BRADY. I should like to inquire of the Senator from Oklahoma whether or not both branches of the committee have agreed upon this section of the bill, or is there a difference of opinion between the two branches of the committee?

Mr. OWEN. I think there is no difference of opinion as to the propriety of inviting the State banks to come in and offering them an open door.

Mr. BRADY. I will inquire of the Senator from Nebraska [Mr. HITCHCOCK] if that is his understanding?

Mr. HITCHCOCK. There is a considerable practical difference by reason of other sections of the bill. The objection raised by the Senator from Iowa [Mr. CUMMINS] that a State bank must become a stockholder in the system under the draft of the bill presented by the Senator from Oklahoma does not apply so strongly to the draft which I had the honor to present, for the reason that in the draft presented by the Senator from Oklahoma each bank is required to take a certain amount of stock in order to become a member of the association, and, once taken, that stock can not be sold; it is not a liquid asset of the bank and, no matter how great the needs of the bank to pay depositors or to meet other obligations, it can not sell that stock; it is impounded. Under the draft, however, which I had the honor to present, if the bank takes any stock at all, it is simply because some has not been taken by the public and the bank takes it and holds it like any other investment, having the power to part with it at any time, to realize cash upon it, and to use that cash for its needs.

Mr. BRADY. That, Mr. President, answers that question fully. While the Senator from Oklahoma is on his feet, I should like to ask him a question relative to the fixing of the rate of interest by the reserve board and whether the same will be controlled by the board of control?

Mr. OWEN. The method provided——

Mr. BRADY. As an illustration, let us assume that the reserve board of a district fixes a rate of interest different from the rate of interest in some other district. Is that subject to review by the board of control?

Mr. OWEN. Yes.

Mr. BRADY. Now, does your bill give the board of control power to require the district or regional reserve bank board to accept the rate of interest fixed by the board of control?

Mr. OWEN. It has the power finally to determine the rate and fix it.

Mr. BRADY. And a bank in that district will be compelled to accept that rate?

Mr. OWEN. It will be compelled to accept it.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from North Dakota?

Mr. OWEN. I yield to the Senator from North Dakota.

Mr. McCUMBER. I wish to direct the attention of the Senator from Oklahoma to a feature of his bill which he has not discussed at all, and that is the feature of redemption. I think we will all agree that both of the bills which have been presented to the Senate are very simple in the method provided for inflating the currency of the country, but I do not understand that either of them is quite as efficient in deflating it after it has once been inflated. With the present increase in the volume of currency, due mostly to the increase in the volume of gold and the necessary depreciation of the purchasing value of every dollar, I assume that the Senator agrees with me that we ought not further to exaggerate this injustice to the savings of our industrious people by further depreciating the value of our dollars; and that, if we necessarily inflate the currency one single dollar by the issue of a dollar that is not based upon gold itself, we ought to deflate it just as soon as possible. We ought not to have any system of what might be called an elastic currency which will pull out 3 feet and will come back only 1 foot.

The $300,000,000 or $500,000,000 that may be issued by the reserve banks as an independent currency will add that much to the currency of the country, and will in a very short time be scattered among 95,000,000 people. Now, I should like to see some system—I confess that I have not read over the bills since they have been reported and amended, but only the original House bill—I should like to see some system that would be just as efficient under the law in bringing this money out of circulation as it is in putting it into circulation for the purpose of meeting any contingency of the country.

I should like to know further from the Senator himself what his bill provides in this respect, and how he is going to get these dollars, scattered among all of the people, out of circulation when the needs of the country no longer demand it?

Mr. OWEN. Mr. President, in answer to the observations of the Senator I very freely concur as to the importance of having the notes retired which are called "elastic currency." If they were merely to become a part of the permanent currency, that would be one thing, but having them as a temporary expedient is a different thing. I will answer the Senator directly by saying that the Federal reserve notes, when drawn out by the Federal reserve banks, are drawn from the hands of the Federal reserve agent who has an office on the premises of the Federal reserve bank and has his own safe. He keeps the Federal reserve notes available. When he lets out $100,000 of those notes, he does so on commercial bills due within 90 days. When those bills are paid they must be withdrawn from his hands for payment, and they can not be withdrawn from his hands unless Federal reserve notes of like volume or other forms of money in the same volume used by the United States are replaced in his hands and in his safe, where they go out of circulation.

I agree that the Federal reserve notes as individual notes passing into the hands of the citizens of the country and passing current outside of the bank will not return immediately to the banks, so that the individual notes can be returned; but what is equal to the same thing is that a volume of notes or money or gold, as the case may be, must be returned into the vault of the Federal reserve agent to take the place of the $100,000 which was drawn out of that safe; and, therefore, the contraction would be identical in amount, although not identical in the notes.

The notes themselves, however, are required to be returned to the bank through which they were emitted by any other Federal reserve bank which may receive them or by the Federal Government if it receives them, and in that contingency, when the individual notes are returned—and they are earmarked, with the number of the district plainly marked on the notes—then those notes would come into the hands of the reserve agent and he would return the lawful money which had been put into his hands in lieu of the notes when the commercial bills were taken down.

Mr. McCUMBER. But with 8 of these reserve banks, and there being 25,000 banks in the United States, the chance of the identical bills getting back into the hands of the reserve bank would be the equivalent of about eight to twenty-five thousand, which is not a very important matter to consider at all in the method of getting this money back.

Mr. OWEN. I call the attention of the Senator, however, to the fact that it does not make any difference whether these particular notes come back or not if a like volume is retired.

Mr. McCUMBER. That is true if a like volume is returned and can not be used for any purpose.

Mr. OWEN. They can not be, because they are retired.

Mr. McCUMBER. Is that the provision of the bill?

Mr. OWEN. It is.

Mr. McCUMBER. Or can they be issued again and again?

Mr. OWEN. They can not, except upon like conditions or in exchange for the Federal reserve notes emitted by such bank. They go back into the hands of the Federal reserve agent, to be held by him.

Mr. McCUMBER. Are they destroyed?

Mr. OWEN. No; they are not destroyed; there is no need to destroy them unless they are mutilated.

Mr. McCUMBER. They are simply held for any subsequent issue?

Mr. OWEN. They can be used in like manner again.

Mr. McCUMBER. I say for a subsequent issue?

Mr. OWEN. Yes.

I will be very glad to answer any other questions any Senator would like to ask me.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. OWEN. I yield to the Senator from Utah.

Mr. SMOOT. Did I understand the Senator to say that there will be no inflation of the currency? All of the currency that is issued upon commercial paper will not be redeemed at the same time, either by reserve currency or lawful money of the United States, so that whatever the volume of business done in the country under this plan amounts to there will be that much of an inflation from the present circulation.

Mr. OWEN. If you choose to use the term "inflation." There would be a temporary expansion of currency against these commercial bills; but the important feature which I wanted to call the attention of the Senator to was that it is measured and absolutely controlled by the volume of the commercial demand. The commercial demand must exist: the member bank must need currency for its constituency, and the member bank needing currency comes with its bills and asks for currency and can get currency. As soon as the seasonal demand is over then, of course, it would return them, because it is paying interest on them.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Mississippi?

Mr. OWEN. I yield to the Senator from Mississippi.

Mr. WILLIAMS. I think there is one point, which, if I understand correctly, the Senator did not state, that would make the position clearer. Suppose that instead of returning these particular asset currency notes the bank which had deposited the commercial bills were to bring in $100,000 of greenbacks, let us say. Then the question was asked the Senator as to whether that $100,000 of greenbacks should be destroyed. The Senator properly replied "no," and there was no use in destroying them. Now, when a man came in and wanted to borrow another $100,000, let us say, on more commercial bills of some other bank, then, as I understand, the $100,000 in greenbacks could be put out against the $100,000 of commercial bills instead of $100,000 of commercial-asset circulation?

Mr. OWEN. Yes. In either contingency, however, there is a further very important control provided in the bill, and that is that the Federal reserve board can raise the rate of interest if they find that abuse is extending to the use of these Federal reserve notes. It is of great importance that the Federal reserve board should have that power in order to prevent inflation.

In fact, there are several checks; First, the demand of citizens for cash—actual cash; second, the demand of a member bank for cash—actual cash; third, the demand of the reserve bank; fourth, the putting up of commercial bills of the qualified class; fifth, the minimum gold reserve of 33 per cent; sixth, the interest rate imposed by the Federal reserve bank; seventh, the interest rate that can be raised by the Federal reserve board.

If there is no further question that any Senator would like to ask me, I yield the floor.

APPENDIX.

The report submitted by Mr. OWEN on November 22, 1913, is as follows:

[Senate Report 133, part 1, Sixty-third Congress, first session.]

BANKING AND CURRENCY.

Mr. OWEN, from the Committee on Banking and Currency, submitted the following report to accompany H. R. 7837:

The Committee on Banking and Currency, to which was referred the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes, having considered the measure, report the same to the Senate without recommendation.

[Senate Report 133, part 2, Sixty-third Congress, first session.]

BANKING AND CURRENCY.

Mr. OWEN (for himself, Messrs. O'GORMAN, REED, POMERENE, SHAFROTH, and HOLLIS), from the Committee on Banking and Currency, submitted the following views (to accompany H. R. 7837):

The chairman (Mr. OWEN), on behalf of himself and his colleagues, Messrs. O'GORMAN, REED, POMERENE, SHAFROTH, and HOLLIS, submit the following memorandum:

The Committee on Banking and Currency, to which was referred the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, etc., received the bill on September 18, 1913, and the members thereof, having been unable after two months to agree upon a report, the committee having divided into two sections, were compelled, finally, to agree to report the bill back to the Senate without recommendation from the committee acting as a committee, but submitting separately the respective views of the two sections of the committee.

The views of the Democratic section of the committee are embraced in the House bill, with certain interlined amendments submitted herewith (Exhibit A), and the following observations are made to explain the origin and principles of the measure, give a general outline of the changes which have been proposed in the House bill, the reasons therefor, etc.

AN OUTLINE OF THE INVESTIGATION MADE AFFECTING THE PRINCIPLES AND CONSTRUCTION OF THE PENDING MEASURE.

So many persons have been under the impression that Congress was inclined to act without sufficient consideration of the pending measure and the principles involved in it, that attention is called to the work which has been done preliminary to the drafting of the present bill.

It has been long understood that the American banking system was seriously defective in having no adequate safeguard against financial panic, against financial emergencies and violent fluctuations of interest rates, so that immediately after the panic of 1907 a temporary measure providing against panic was passed by Congress in the Vreeland-Aldrich Act, approved May 30, 1908. This bill established the National Monetary Commission. The act gave authority and instruction to the commission as follows:

"It shall be the duty of this commission to inquire into and report to Congress, at the earliest date practicable, what changes are necessary or desirable in the monetary system of the United States or in the laws relating to banking and currency, and for this purpose they are authorized to sit during the session or recess of Congress at such times and places as they may deem desirable; to send for persons and papers; to administer oaths; to summon and compel the attendance of witnesses. * * * The commission shall have the power, through subcommittee or otherwise, to examine witnesses, and to make such investigations and examinations, in this or other countries, of the subjects committed to their charge as they shall deem necessary."

Under this instruction the National Monetary Commission conducted the most extensive and far-reaching investigation of the banking systems of the entire world, and published a series of reports including over 30 volumes and a vast compilation of literature involving over 2,500 volumes, and finally resulting in the recommendation of a central bank, privately controlled, which was submitted to the Senate of the United States under the title of "A bill to incorporate the National Reserve Association of the United States, and for other purposes." (Vol. I, p. 43.) This bill was introduced during the preceding Congress and was not considered. It was, however, reintroduced in the present Congress (63d Cong., 1st sess., S. 7), on April 13, 1913, and has been commonly referred to as "the Aldrich bill."

This bill provided substantially that the national reserve association should be established for 50 years with an authorized capital equal to 20 per cent of the capital of all the national banks in the ownership, with one-half paid in. It was provided that the Secretary of the Treasury, the Secretary of Agriculture, the Secretary of Commerce and Labor, and the Comptroller of the Currency should be a committee to organize the national reserve association. It was to have a capital of $200,000,000 and 15 branches in 15 districts of the United States. Each branch was to be controlled by a board of directors chosen by the member banks, with power to make by-laws, etc., and the central national reserve association was to have 39 directors, elected by the directors of the 15 branches, and 7 additional ex officio members of the board of directors, to wit, a governor of the national reserve association, 2 deputy directors, the Secretary of the Treasury, the Secretary of Agriculture, the Secretary of Commerce and Labor, and the Comptroller of the Currency, so that the Government had 4 representatives out of 46 members of the board of directors of the national reserve association. An executive committee of 9 members was provided, with 1 representative of the Government, the Comptroller of the Currency, ex officio a member. Each branch bank was to have a manager and a deputy manager, appointed by the governor of the association.

The earnings of the association were to be 4 per cent annual dividend, cumulative, a 20 per cent surplus provided, and a division of the remainder between the United States and the shareholders.

The reserve association was made the principal fiscal agent of the United States. Provision was made for rediscounting notes and bills of exchange drawn for agricultural, industrial, and commercial purposes, having a maturity of not more than 28 days. The reserve association was given various powers to deal in gold coin or bullion, to purchase from subscribing banks bills of exchange, open foreign banking accounts, transfer deposit balances from one bank to another, etc.

It was required to keep 50 per cent reserve against demand liabilities, including deposit and circulating notes, with a tax upon any reserve deficiency.

It was authorized to purchase for a limited time the 2 per cent bonds of national banks, assume the redemption of the notes of such banks, and issue its own notes in lieu of such national-bank notes. It was authorized to have a cover for such note issues, either of 50 per cent of gold or other money of the United States, or bills of exchange arising out of commercial transactions, as defined by the act. These notes could be issued up to nine hundred millions without a gold cover under a special tax of 1½ per cent, and any notes in excess of $1,200,000,000 not covered by gold or lawful money could be taxed at 5 per cent, provided that the outstanding national-bank notes should be computed as a part of such issue. Its circulating notes were to be redeemed in lawful money and maintained at a parity.

The circulating notes of this association were to be received at par in payment of all taxes, excises, and other dues to the United States, and of all salaries and other debts and demands due by the United States, except obligations specifically payable in gold, and for all debts due from or by one bank or trust company to another, and for all obligations due to any bank or trust company.

The 2 per cent bonds purchased were to be exchanged for 3 per cent bonds payable in 50 years, and the association was to hold such bonds during its corporate existence, with the right, at the option of the Secretary of the Treasury to sell fifty millions of such bonds annually after five years. It provided for the establishment of branches of banks to do a foreign banking business.

The Government of the United States was required absolutely to deposit all of its general funds with the national reserve association and its branches, after the organization of the association, and thereafter all receipts of the Government except its trust funds.

This bill was made a matter of general debate throughout the United States, was vigorously pressed by the friends of the measure, and discussed in all of the large cities of the Nation. It was indorsed by the American Banking Association, but, after abundant discussion, was condemned by the Democratic national convention at Baltimore on July 3, 1912, in the following language:

"We oppose the so-called Aldrich bill or the establishment of a central bank; and we believe the people of the country will be largely freed from panic and subsequent unemployment and business depression by such a systematic revision of our banking laws as will render temporary relief in localities where such relief is needed with protection from control or domination by what is known as the Money Trust."

The obvious reason for public disapproval of this bill was that the comparative independence of the various districts of the country was ignored, the concentration of banking power was very extreme, and finally it placed the national credit system in the control of private persons, without any adequate supervision or control by the Government of the United States, and proposed to allow these banks to issue the currency of the country as private corporations.

THE PUJO INVESTIGATION.

Under House resolutions 429 and 504, Sixty-second Congress, second session, the so-called "Money Trust investigation" was conducted by the House of Representatives, beginning May 16, 1912. These hearings were published in three parts, consisting of thousands of pages, and with a most illuminating report showing the existence, substantially, of a vast concentration of power in the hands of a few men over the credit system of the United States.

THE GLASS INVESTIGATION.

These investigations were further continued by a subcommittee of the Committee on Banking and Currency of the House of Representatives, beginning on Tuesday, January 7, 1913, and directed by Hon. CARTER GLASS, chairman, according to the leading bankers and financial experts of the country extended hearings, comprising a volume of 745 pages of printed testimony.

In addition to these extensive examinations by the National Monetary Commission, the Pujo investigation, and the Glass investigation various representatives of the American Banking Association were in frequent consultation with Chairman GLASS of the House Committee on Banking and Currency, with the chairman of the Senate Committee on Banking and Currency, with the Secretary of the Treasury, and others who were concerned in the primary framing of the pending measure, so that the plea of some of the interests opposing the bill that the matter had not been properly investigated had no just foundation of fact. But in addition to these investigations and discussions the bill, when finally introduced in the House of Representatives, was discussed for many weeks in the Committee on Banking and Currency of the House, in the Democratic conference, and for many days in the House of Representatives, finally passing September 17, 1913.

THE SENATE INVESTIGATION.

Anticipating the action of the House of Representatives upon this bill, the Committee on Banking and Currency of the United States Senate began hearings on the bill September 2, 1913, holding their sessions from 10 o'clock in the morning to 5 and 6 in the evening and listening to various representatives of the American Banking Association, of credit associations, of business men, and of financial experts. These hearings when concluded and presented to the Senate in Senate Document No. 232, Sixty-third Congress, first session, on November 6, 1913, in three volumes, with index, making 3,259 pages. It is therefore obvious that great pains have been taken by the authorities of the United States and by the committees in Congress to proceed with the greatest caution and upon the fullest information in the adjustment of this very important measure.

When the hearings before the Senate Committee on Banking and Currency were concluded, the members of the committee discussed the bill for over two weeks, finally agreeing to submit their separate views in the form of the House bill, H. R. 7837, with certain amendments thereto, representing the respective views of the two sections of the committee.

Both sections of the committee, however, agreed on the great fundamentals of the bill—that is:

First. On the necessity for greater concentration of the banking reserves of the country.

Second. The volume of such reserves.

Third. The volume of the capital of the proposed banks.

Fourth. The mobilization of such reserves.

Fifth. The promotion of an open discount market.

Sixth. The provision for elastic currency; the issuance of Federal reserve notes.

Seventh. That the Federal reserve notes should be the obligations of the United States.

Eighth. That the system should be the regional Federal reserve bank system instead of a central bank.

Ninth. The control of the system itself by the Government.

The two sections of the committee disagree upon the number of the Federal reserve banks, the method of subscribing for the stock of such banks, the method of electing the directors of such banks, the method of administering the regional reserve banks, and these differences arise, in the main, because of two schools of thought, one part of the committee believing in a central bank administered by a central board and the other part of the committee proposing to establish a number of comparatively independent district banks administered by boards of directors chosen from and representing the several districts, but under the strict supervisory control of the Government. The interests of the public are thus protected by Government supervision, the vast and intricate technical detail of bank administration being placed in the hands of the bankers whose funds and whose business is involved.

THE PURPOSES OF THE BANKING AND CURRENCY BILL.

The chief purposes of the banking and currency bill are to give stability to the commerce and industry of the United States; prevent financial panics or financial stringencies; make available effective commercial credit for individuals engaged in manufacturing, in commerce, in finance, and in business to the extent of their just deserts; put an end to the pyramiding of the bank reserves of the country and the use of such reserves for gambling purposes on the stock exchange.

In order to accomplish these results there are certain great fundamentals recognized by all experts as essential and necessary, to wit:

First. The proper concentration of the bank reserves of the country under the control of the banks themselves, safeguarded by governmental supervision.

Second. A suitable banking capital as a margin of safety.

Third. Placing the larger part of the Government funds with such banks, where they may be used in the service of the national commerce.

Fourth. Authorizing the issuance of elastic currency against liquid commercial bills under proper safeguards.

Fifth. Establishing an open market for liquid commercial bills, by providing through the reserve banks a constant and unfailing market for such bills at a steady rate of interest.

Sixth. Finally, protecting the gold reserve of the United States by the same methods adopted in Europe, to wit, raising the rate of interest through the Federal reserve banks and authorizing such banks to acquire foreign bills when gold shipments are anticipated and taking other precautionary measures.

THE MECHANISM OF THE FEDERAL RESERVE BANK SYSTEM.

These important national ends are proposed to be obtained by the mechanism of eight Federal reserve banks organized with a capital equal to 6 per cent of the capital and surplus of the National and State banks in the several districts.

The eight districts are proposed to be laid off by an organization committee, who shall organize a Federal reserve bank with headquarters in a central city of each district, each bank to establish as many branches in its district as may be found expedient.

It is proposed that each Federal reserve bank shall have nine directors, six elected by the banks and three chosen by the Federal reserve board.

The entire system is proposed to be under the supervisory control of the Federal reserve board, consisting of the Secretary of the Treasury and six other members of such board appointed by the President and confirmed by the Senate.

The Federal reserve board is given very broad powers of supervision and is assisted by a Federal advisory council, consisting of one representative from each of the Federal reserve banks.

The details of the organization and the principles of the bill will be hereinafter more fully set forth.

FEDERAL RESERVE DISTRICTS.

The Federal reserve districts are proposed to be organized by the Secretary of the Treasury and not less than two members of the Federal reserve board (sec. 2), who shall summon expert aid and take testimony and lay out such Federal reserve districts, eight in number, according to the convenience and customary course of business, designating the city in which the district Federal reserve bank shall be located (p. 2).

When the districts shall have been laid out and the city determined in which such Federal reserve banks shall be located, five of the subscribing banks in such district are authorized to take out a charter in the same manner and with similar powers as a national bank (pp. 11 to 14), except that the business of the Federal reserve bank is confined to member banks and other Federal reserve banks and to the United States, except its open-market operations, which may be with any responsible concern.

These banks are given, as a part of the charter rights, the right to issue Federal reserve bank notes against United States bonds in the same manner as a national bank, the purpose being to permit said banks to absorb as much of the 2 per cent bonds as the national banks may care to dispose of.

STOCK SUBSCRIPTION.

The amount of possible stock is placed at a sum equal to 6 per cent of the capital and surplus of national banks and State banks and trust companies, exclusive of savings banks, a possible total of about $150,000,000, one-half of which will be required to be paid in during a period of six months after the organization of said banks and one-half subject to call, with a double liability resting upon the subscribers against the amount subscribed.

The reasons for requiring the banks to subscribe to this stock with a double liability are—

First. To protect the large deposits of general funds which the United States will probably place with such banks.

Second. To protect the United States against the extension of credit through the Federal reserve notes, the obligations of the United States loaned to the Federal reserve banks against commercial bills.

Third. To safeguard the system itself, to protect the large volume of reserves placed with such banks, and give to such banks the confidence of the world.

Fourth. To justify the Government in putting on the banks the prime responsibility of administering these banks and safeguarding their own reserves and their own capital stock, and making them responsible to the country for safeguarding the welfare of the national banking system, protecting the national gold supply under the safeguard of governmental supervision.

Every national bank located in a given district is required within 60 days after the passage of the act to signify its acceptance of the terms of the act, and every State bank eligible for membership is permitted to signify its assent in like manner.

Any national bank within such district failing to signify its assent may be discontinued as a reserve agent upon 30 days' notice by the organization committee or the Federal reserve board. And should any national bank within one year after the passage of the act fail to become a member bank of the system, it is required to cease to act as a national bank.

In the contingency that the capital stock is not fully subscribed by the banks of a given district, provision is made (p. 7) to offer such stock to public subscription, and on the contingency that such stock is not subscribed by the public the balance of the necessary capital

may be allotted to the United States and sold by the Government at proper times and places.

All stock held by the public or by the Government will be voted by the directors of the Federal reserve bank of class C, representing the Government.

CONTROL OF THE FEDERAL RESERVE BANKS.

Each Federal reserve bank will be controlled by a board of nine directors—three of class A, elected by the banks; three of class B—business men—elected by the banks; and three of class C, appointed by the Federal reserve board to represent the United States.

One director of class C will be a Federal reserve agent and chairman of the board, and one a deputy Federal reserve agent and deputy chairman, representing expressly the interests of the United States at such bank and issuing Federal reserve notes to the reserve bank, holding the security therefor, and receiving such notes for safe-keeping when returned by the bank.

PROBABLE RESOURCES OF FEDERAL RESERVE BANKS.

The capital stock of 25,195 banks in the United States, including savings banks, amounts to $2,010,000,000; surplus, $1,585,000,000. Six per cent of this sum would be something over $200,000,000, and the total liability would make over $400,000,000. Assuming that one-half of these concerns enter the system, it would give a capital of $100,000,000, with over $50,000,000 paid in.

The total reserves which would be paid into the Federal reserve banks by 7,120 national banks, outside of reserve or central reserve cities, would be $193,000,000 (Exhibit B, p. 1); from 315 reserve city banks, $110,000,000; and from 52 central reserve city banks, $96,000,000, which, including an estimated deposit of $150,000,000 from the Government, would make an amount equal to $672,000,000.

If the State banks and trust companies come in, omitting the savings banks, it would add $279,000,000 of reserves and $21,000,000 of capital stock (Exhibit B, p. 6), making a total of $972,000,000.

These funds would not include any optional deposits that might be voluntarily placed with the Federal reserve bank by member banks.

DIVISION OF EARNINGS.

It is proposed in the pending bill to give the stockholders 6 per cent dividends, lay up a surplus of 20 per cent, and give the United States the additional earnings. The policy of limiting the dividends to 6 per cent is based upon the theory that these great public utility banks are not intended to be merely money-making banks, but that they are guardians of the public welfare, primarily safeguarding the member banks, protecting their reserves, safeguarding their credit, protecting them from panic or financial stringency, and being always prepared to furnish them with accommodation at a reasonable rate of interest. But these Federal reserve banks will also be charged with the duty of protecting the national gold reserve, protecting the national commerce, and in this way give stability to the manufacturing, industrial, commercial, and transportation enterprises of the United States. For this reason these banks ought to have no other motive than the public welfare, and the moving policy of the banks should not be to earn as much dividends as the commerce of the country could endure but to protect our national commerce and our national-banking system at a fair profit.

STATE BANKS AND TRUST COMPANIES.

The bill (pp. 5 and 27) invites the State banks to become members where the capital stock, sound condition, subscription, and compliance with the rules of the system justify. The State banks and trust companies, however, will be subjected to the same rules governing the national banks in regard to the limitation of liability which may be incurred by any one person to such banks, the prohibition of making purchase of or loans upon the stock of such banks, or withdrawal or impairment of capital, the payment of unearned dividends, the making of reports to the comptroller, and the right of examination of such banks, as if they were national banks, with the right, however, to accept the State examinations in lieu of the comptroller's examination where such examinations are satisfactorily made.

BANK EXAMINATIONS.

Under the proposed system the bank examinations are made much more carefully, the bank examiners put on salaries (p. 60). Loans, gratuities, or commissions are forbidden to either bank examiners or to officers or directors of member banks.

BANK RESERVES.

Very important changes are made in the matter of bank reserves (p. 39) by requiring the withdrawal of the legal reserves from other national banks after a period of three years, making the change that the country banks are required to keep 12 per cent of their demand liabilities and 5 per cent of their time deposits as reserves—two-twelfths in the Federal reserve bank for 14 months, and thereafter five-twelfths—leaving seven-twelfths after three years to be optionally kept either in the bank's own vaults or in the Federal reserve bank (p. 62). The reserve city banks are required to keep 18 per cent of their demand liabilities and 5 per cent of time deposits; three-eighteenths of such reserve for the first 14 months being kept in the Federal reserve banks, and thereafter six-eighteenths of said reserve, leaving twelve-eighteenths of such reserve to be kept after three years either in the bank's own vaults or in the Federal reserve bank, at its option (p. 63).

The central reserve city banks are required to maintain a reserve equal to 18 per cent of their demand liabilities and 5 per cent of their time deposits; for 14 months three-eighteenths of such reserves and thereafter six-eighteenths of such reserves with the Federal reserve bank, leaving twelve-eighteenths optional to be kept in the bank's own vaults or with the Federal reserve bank.

The State banks are permitted to keep their surplus legal reserves for three years with other State banks if the State law requires.

It is proposed that the reserves of the Federal reserve banks shall be not less than 35 per cent of gold or lawful money against their demand liabilities or Federal reserve notes in circulation (pp. 48 and 65).

Some of the banks have objected that they would lose 2 per cent interest on so much of the deposits as they keep with the Federal reserve bank, and they seem to think they would not be sufficiently compensated by the obvious benefits of the Federal reserve banking system.

The answer to such objections is that the compensations in a financial way will far more than outweigh the loss of the 2 per cent interest, while the stability of the business of the bank, and the peace of mind it will give to the bankers in having freedom from constant anxiety, would more than compensate them, even if the financial advantages did not do so. The financial advantages are obvious—

First. The capital stock put into the system will be merely a transfer of funds obtained by taking a certain portion of the present deposits (however invested) into the form of this capital stock, earning 6 per cent net, free from tax, making the earning on such stock between 7 and 8 per cent, which is a higher return than any bank can possibly average upon its deposits.

Second. The reserves placed with the Federal reserve banks would not bear interest under the present bill (although this may possibly be found expedient at some future time when the system is established), but an average bank with a hundred thousand dollars ($100,000) capital and $550,000 average individual deposits, if it carried 5 per cent of its deposits as reserves with the Federal reserve bank, would carry only $27,500 with the Federal reserve bank, which it might use, if it saw fit, as a checking account for exchange purposes if it kept the account up to the required standard.

The earning power on $27,500 at 2 per cent would only be $550, and since the bank could borrow back an equal sum, at probably 4 per cent and lend it at 6 or 8 per cent, it could earn as much or more out of such rediscount as the interest at 2 per cent amounts to.

But it has a far larger earning power, because, under the old system, where every bank had to protect itself by keeping a high individual reserve, the country banks have carried on an average of over 21 per cent, and under this system they would have available the difference between 12 per cent legal reserve and 21 per cent actual reserves, which, in the deposits of an average bank of $550,000, would amount to $49,000, and which they could lend at 6 per cent instead of 2 per cent, as at present, giving such bank an additional earning power of $1,980 above its present earning power, if it saw fit to use these surplus reserves which they now carry, because of the fear of panic and financial stringency.

A very important consideration, however, would result from this improved system in giving an increased public confidence in the banks and which would attract a considerable amount of money which is not now deposited in banks at all and would thus enlarge the deposits of the bank and enlarge substantially their money-earning power.

Another important financial advantage to the bank would be that the larger use of their reserves would also result in an enlargement of deposits, entirely justified and on a safe basis, which would give them increased earning power. It is extremely short-sighted for a bank to imagine that its financial earnings would be in any wise harmed by the proposals of this measure. A very great psychological advantage is in giving peace of mind to the entire banking world, so long as business is conducted upon an honest, sensible basis.

PROBABLE READJUSTMENT OF CASH UNDER REQUIREMENT OF THE FEDERAL RESERVE ACT.

If all national banks enter the system and subscribe at the rate of 6 per cent of their capital ($1,056,345,780) and surplus ($725,333,629), or $106,900,764.90, paying one-sixth in cash, one-sixth in three months, and one-sixth in six months, the Federal reserve banks will have in six months a paid-up capital of $53,450,382, to which should be added about $150,000,000 of Government funds which will be deposited with the Federal reserve banks, making a total of $203,450,382 cash, of which two-thirds could be used for discounting.

The relative proportion of subscription to the Federal reserve bank is as follows: Country banks, 55 per cent; reserve city banks, 26 per cent; and central reserve cities, 19 per cent.

Assuming that the banks will immediately avail themselves of the discounting privilege to the extent of one-third of this fund in the Federal reserve banks, the country banks will be entitled to 55 per cent of (one-third of $203,450,382) $67,816,794=$37,299,236; the reserve city banks 26 per cent, or $17,632,366; and the central reserve cities 19 per cent, or $12,885,190.

Should the banks avail themselves of this privilege to the extent of one-half of this fund, the country banks will be entitled to 55 per cent of (one-half of $203,450,382) $101,725,191=$55,948,855; the reserve city banks 26 per cent, or $26,448,549; and the central reserve city banks 19 per cent, or $19,327,787.

In the event the banks should avail themselves of the discount privilege to the extent of two-thirds of the fund in the Federal reserve banks, the country banks would be entitled to 55 per cent of (two-thirds of $203,450,382) $135,633,588=$74,598,472; the reserve city banks 26 per cent, or $35,264,732; and the central reserve city banks 19 per cent or $25,770,380.

The reserve requirement and the probable readjustment of cash in the several classes, respectively, under the Federal reserve act are as follows:

7,120 banks not in a reserve or central reserve city.

RESERVES.

12 per cent of demand liabilities ($3,136,229,730.27)		$376,359,567.63
5 per cent of time deposits ($459,377,757.19)		22,968,887.86
Total		399,328,455.49
Cash in the banks' own vault:		
First 14 months	4/12=	$133,109,485
Between 14 and 36 months	4/12=	133,109,485
Cash in the Federal reserve bank:		
First 14 months	2/12=	66,554,742
Between 14 and 36 months	5/12=	166,386,855
After 36 months	5/12=	166,386,855
Optional, own vault or Federal reserve bank:		
After 36 months	7/12=	232,941,597
Optional, in own vault, in Federal reserve bank, reserve city bank, or in central reserve city bank:		
First 14 months	6/12=	199,664,228
Between 14 and 36 months	3/12=	99,832,114

PROBABLE READJUSTMENT OF CASH, COUNTRY BANKS.

(First 14 months.)

Cash on hand (Aug. 9, 1913), specie and legal tender	$250,702,980
Cash available by discount of commercial paper (one-third basis)	37,299,236
	288,002,216
Cash required for stock subscription to Federal reserve banks	29,397,710
Cash reserve required in own vault (four-twelfths)	133,109,485
Cash reserve required in Federal reserve banks (two-twelfths)	66,554,742
Cash surplus	[1]58,940,279
	288,002,216

[1] The above table does not include cash from possible rediscounts of reserve put in Federal reserve banks.

One-third basis: between 14 and 36 months, amount reserve required in the Federal reserve banks is increased three-twelfths, or $99,832,114, making a deficit of $40,891,835, and after 36 months, three-twelfths additional, or $99,832,114, must be kept either in Federal reserve banks or in banks' own vaults, making the total deficit after 36 months $140,723,940.

One-half basis: Should the banks discount to the extent of one-half of the available fund in the Federal reserve banks (i. e., capital stock and United States funds) this deficit will be reduced by the difference between $37,299,236 (one-third basis) and $55,948,855 (one-half basis), or $18,649,619, leaving a deficit of $122,074,330.

Two-thirds basis: If the banks discount to the extent of two-thirds of the fund in the Federal reserve banks, the deficit will be reduced by the difference between $37,299,236 (one-third basis) and $74,598,472 (two-thirds basis), or $37,299,236, leaving a deficit of $103,424,713.

Three hundred and fifteen reserve city banks.

RESERVES.

18 per cent of demand liabilities ($1,821,413,780.14)		$327,854,480.43
5 per cent of time deposits ($60,233,520.52)		3,011,676.03
Total		330,866,156.46
Cash in the banks' own vault:		
First 14 months	6/18=	$110,288,719
Between 14 and 36 months	6/18=	110,288,719
Cash in the Federal reserve bank:		
First 14 months	3/18=	55,144,359
Between 14 and 36 months	6/18=	110,288,719
After 36 months	6/18=	110,288,719
Optional, own vault or Federal reserve bank:		
After 36 months	12/18=	220,577,438
Optional, in own vault, in Federal reserve bank, reserve city bank, or in central reserve city bank:		
First 14 months	9/18=	165,433,078
Between 14 and 36 months	6/18=	110,288,719

PROBABLE READJUSTMENT OF CASH.

(First 14 months.)

Cash on hand (Aug. 9, 1913), specie and legal tender	$240,947,005
Cash available by discount of commercial paper (one-third basis)	17,632,366
	258,579,371
Cash required for stock subscription to Federal reserve banks	13,897,099
Cash reserve required in own vault (six-eighteenths)	110,288,719
Cash reserve required in Federal reserve banks (three-eighteenths)	55,144,359
Cash surplus	79,249,194
	258,579,371

One-third basis: Between 14 and 36 months, amount of reserve required in Federal reserve banks is increased three-eighteenths, or $55,-144,359, leaving still a surplus of $24,104,835, and after 36 months an additional six-eighteenths, or $110,288,719, must be kept either in banks' own vaults or in Federal reserve banks, causing a deficit of $86,183,884.

One-half basis: Should the banks discount to the extent of one-half of the available fund in the Federal reserve banks, this deficit will be reduced by the difference between $17,632,366 (one-third basis) and $26,-448,549, or $8,816,183, leaving a deficit of $77,367,701.

Two-thirds basis: If the banks discount to the extent of two-thirds of the funds in the Federal reserve banks, the deficit will be reduced by the difference between $17,632,366 (one-third basis) and $35,264,732, or $17,632,366, leaving a deficit of $59,735,355.

Fifty-two central reserve city banks.

RESERVES.

18 per cent of demand liabilities ($1,605,579,970.29)		$289,004,394.65
5 per cent of time deposits ($13,755,310.58)		687,765.53
Total		289,692,160.18
Cash in the banks' own vaults:		
First 14 months	6/18=	$96,564,053
Between 14 and 36 months	6/18=	96,564,053
Cash in the Federal reserve bank:		
First 14 months	3/18=	48,282,027
Between 14 and 36 months	6/18=	96,564,053
After 36 months	6/18=	96,564,053
Optional, own vault or Federal reserve bank:		
First 14 months	9/18=	$144,846,080
Between 14 and 36 months	6/18=	96,564,053
After 36 months	12/18=	193,128,107

PROBABLE READJUSTMENT OF CASH.

(First 14 months.)

Cash on hand (Aug. 9, 1913) specie and legal tender	$407,519,380
Cash available by discount of commercial paper (one-third basis)	12,885,190
	420,404,579
Cash required for stock subscription in Federal reserve banks	10,155,572
Cash reserve required in own vaults (six-eighteenths)	96,564,053
Cash reserve required in Federal reserve banks (three-eighteenths)	48,282,026
Cash reserve required in own vault or Federal reserve banks (nine-eighteenths)	144,846,080
Cash surplus	120,556,848
	420,404,579

Although the percentages of cash reserve required in the banks' own vaults and in the Federal reserve banks change after 14 months and after 36 months, inasmuch as at all times the full reserve requirement must be either in the banks' own vaults or in the Federal reserve banks, the surplus cash remains the same.

One-half basis: Should the banks discount to the extent of one-half of the available fund in the Federal reserve banks, this surplus would be increased by the difference between $12,885,190 (one-third basis) and $19,327,787 (one-half basis), or $6,442,597, making a surplus of $126,999,445.

Two-thirds basis: If the banks discount to the extent of two-thirds of the funds in the Federal reserve banks, the surplus will be increased by the difference between $12,885,190 (one-third basis) and $25,770,380 (two-thirds basis), or $12,885,190, making a surplus of $133,442,038.

In addition to the paid-up capital of the Federal reserve banks ($53,450,382) and the deposit of Government funds ($150,000,000) the Federal reserve banks will have available for discount purposes the funds held by them as reserves of the member banks to within 33⅓ per cent, viz:

Reserves deposited—Available for loans to member banks.

FIRST 14 MONTHS.

Amount of reserve deposited with Federal reserve banks first 14 months:		
Country banks (two-twelfths of reserve requirement)		$66,554,742
Reserve city banks (three-eighteenths of reserve requirement)		55,144,359
Central reserve city banks (three-eighteenths of required reserve)		48,282,027
Total		169,981,128

If one-third of this fund is used for rediscounting purposes, the additional cash would amount to $56,660,376; if one-half is used, $84,940,564; and if two-thirds, $113,320,752.

BETWEEN 14 AND 36 MONTHS.

Amount of reserves deposited with Federal reserve banks 14 to 36 months:		
Country banks (five-twelfths of reserve requirement)		$166,386,855
Reserve city banks (six-eighteenths of reserve requirement)		110,288,719
Central reserve city banks (six-eighteenths of reserve requirement)		96,564,053
Total		373,239,627

Additional available cash as follows: One-third basis, $124,413,209; one-half basis, $186,619,814; and two-thirds basis, $248,826,418.

AFTER 36 MONTHS.

Country banks (five-twelfths of reserve requirement)		$166,386,855
Reserve city banks (six-eighteenths of reserve requirement)		110,288,719
Central reserve city banks (six-eighteenths of reserve requirement)		96,564,053
Total		373,239,627

Additional available cash as follows: One-third basis, $124,413,209; one-half basis, $186,619,814; and two-thirds basis, $248,826,418.

SUMMARY.

Condition of all national banks with respect to cash after probable redistribution under Federal reserve act.

FIRST 14 MONTHS.

[This table does not include cash obtained from rediscounting reserve money in Federal reserve banks.]

National bank system.	When one-third of Federal reserve bank funds are discounted.		When one-half of Federal reserve bank funds are discounted.		When two-thirds of Federal reserve bank funds are discounted.	
	Surplus.	Deficit.	Surplus.	Deficit.	Surplus.	Deficit.
Country banks	$58,940,279		$77,589,893		$96,239,515	
Reserve city banks	79,249,194		88,065,377		96,881,560	
Central reserve city banks	120,556,848		126,999,445		133,442,038	
Surplus	258,746,321		292,654,720		326,563,113	
Additional cash available if reserves ($169,981,128) of member banks are used for rediscount	56,660,376		84,940,564		113,320,752	
Total surplus	315,406,697		377,595,284		439,883,865	

Condition of all national banks with respect to cash after probable redistribution under Federal reserve act—Continued.

BETWEEN 14 AND 30 MONTHS.

National bank system.	When one-third of Federal reserve bank funds are discounted.		When one-half of Federal reserve bank funds are discounted.		When two-thirds of Federal reserve bank funds are discounted.	
	Surplus.	Deficit.	Surplus.	Deficit.	Surplus.	Deficit.
Country banks		$40,891,835		$22,342,216		$3,592,509
Reserve city banks	$24,104,835		$32,921,018		$41,757,201	
Central reserve city banks	120,556,848		126,999,445		133,442,038	
Surplus, including all banks		103,770,048		137,678,247		171,586,640
	144,661,683	144,661,883	159,920,463	159,920,463	175,179,239	175,179,239
Surplus	103,770,048		137,678,247		171,586,640	
All banks: Additional cash available if reserves ($373,239,627) of member banks are used for rediscount	124,413,209		186,619,814		248,826,418	
Total surplus	228,183,257		324,298,061		420,413,058	

AFTER 30 MONTHS.

Country banks		$140,723,040		$122,074,330		$103,424,711
Reserve city banks		86,183,884		77,367,701		59,735,345
Central reserve city banks	$120,556,848		$126,999,445		$133,442,038	
Deficit of all banks, to balance	106,350,985		72,442,586		29,718,018	
	226,907,833	226,907,833	199,442,031	199,442,031	163,160,056	163,160,056
Deficit, to balance, excluding cash from reserve discounts		106,350,985		72,442,586		29,718,018
Additional cash available if reserves ($373,239,627) of member banks are used for rediscount[1]	124,413,209		186,619,814		248,826,418	
Total surplus		18,062,224		114,177,228		219,108,400
	124,413,209	124,413,209	186,619,814	186,619,814	248,826,418	248,826,418
Total deficit or surplus for system where cash is obtained from rediscounting reserves as well as capital and United States deposits	[2]18,062,224		[3]114,177,228		[4]219,108,400	

[1] The total reserve deposits are $373,239,627; one-third equals $124,413,209; one-half equals $186,619,814; two-thirds equals $248,826,418.
[2] $18,062,224 surplus is on theory of discounting one-third of capital, United States funds, and reserves.
[3] $114,177,228 surplus is on theory of discounting one-half of capital, United States funds, and reserves.
[4] $219,108,400 surplus is on theory of discounting two-thirds of capital, United States funds, and reserves.

All the capital could be loaned out, but only two-thirds of United States funds and of reserves.

These figures above relate only to the national banks. The State banks and trust companies must be provided with reserve money in sufficient quantity to enable them to enter the system without contracting loans.

Memorandum prepared by Robert L. Owen, showing amount of reserve money available by statement of Aug. 9, 1913.

	Number.	Demand liabilities.	Time deposits.	Cash on hand.	Date of report.
National banks	7,488	$6,563,335,480.70	$538,364,588.39	[1]$999,109,374.00	Aug. 9, 1913
State banks	14,011	2,444,100,836.73	[2]626,910,746.06	[3]246,247,125.00	June 4, 1913
Trust companies	1,515	2,600,505,985.19	[2]970,855,018.71	[4]285,384,815.00	Do.

[1] National banks have also, not included in these figures, $42,637,771 national-bank notes and $3,650,042.38 minor coins; total, $46,287,813.38, which can not be counted as reserves under present laws.
[2] Represent savings deposits; time deposits not given.
[3] Includes $35,521,522 national-bank notes and minor coins.
[4] Includes $26,732,928 national-bank notes and minor coins.

Total reserve money, 246 + 285—531—62—459 millions.

State banks	$2,444, at 12%—	$292	
	606, at 5%—	31	
		Total, $323	
Trust companies	2,600, at 18%—	468	
	970, at 5%—	48	
		Total, 516	
Total requirements		839	
Actual reserve cash		459	
Gross deficit		378	
Credit cash from rediscounts, one-half $279, on deposit Federal reserve banks ($172 + 107)		139	
Total net deficit		239	

Own vaults	$216	
In Federal reserve banks	107	
		$323
Own vaults	344	
In Federal reserve banks	172	
		516

The capital stock of State banks and trust companies excluding savings banks equals $450,000,000, with a surplus fund of $271,000,000, making a total of $730,000,000, which, upon a 6 per cent basis, would give an addition to the capital stock of the Federal reserve banks, if the State banks and trust companies entered it, of $43,000,000, which, if one-half were paid in cash, would add to the initial capital stock in cash $21,000,000 above the capital stock heretofore considered, and would therefore add a further deficit of $21,000,000 to the total net deficit of $239,000,000, making a total deficit of $260,000,000, as far as the State banks and trust companies are concerned.

It is insisted, however, that this contingency is not likely to arise, as many of the small State banks will not enter the system, and if it did arise, it could be taken care of—

First, by the discounting of the funds of the Federal reserve banks.

Second, by an additional deposit of United States funds above the $150,000,000 heretofore estimated.

Third, or finally, by the issuance of Federal reserve notes, which should be counted as reserves for member banks if the Federal reserve board find it necessary.

Moreover, it might further be provided for by making the national-bank notes available for reserve money, since they are based on Government bonds and are already used by State banks under the present State laws as reserves. This contingency has been provided for by a proposed amendment giving the Federal reserve board (p. 38, line 15) the right to authorize the use as reserves of member banks Federal reserve notes or bank notes based on United States bonds.

FEDERAL RESERVE BOARD—ITS POWERS.

The Federal reserve board, consisting of the Secretary of the Treasury and six members appointed by the President of the United States and confirmed by the Senate for terms of six years (p. 31), are given the following powers:

To readjust districts created by the organization committee and create new ones.

To regulate the establishment of branches of Federal reserve banks within Federal reserve district in which bank is located.

To designate three (class C) of the nine members of the board of directors of each Federal reserve bank, one of these to be chairman of the board with the title of "Federal reserve agent," and one "deputy Federal reserve agent."

The Federal reserve agent to maintain a local office of the Federal reserve board on the premises of the Federal reserve bank. He shall make regular reports to Federal reserve board and be its official representative.

To remove any director or officer of a Federal reserve bank for cause stated.

To remove chairman of Federal reserve bank without notice.

To establish by-laws governing applications from State banks and trust companies.

"Of the six persons * * * appointed (by the President), one shall be designated governor and one vice governor of the Federal reserve board." The governor, subject to supervision of the Secretary of the Treasury and board, shall be the acting managing officer of the Federal reserve board.

To levy a semiannual assessment upon the Federal reserve banks for estimated expenses for succeeding six months, together with deficit carried forward.

To examine at its discretion the accounts, books, and affairs of each Federal reserve bank or member bank and to require such statements and reports as it may deem necessary.

To require, or on application to permit, a Federal reserve bank to rediscount the paper of any other Federal reserve bank.

To suspend for a period not exceeding 30 days (and to renew such suspension for periods not to exceed 15 days) any and every reserve requirement specified in this act.

To supervise and regulate the issue and retirement of Treasury notes to Federal reserve banks.

To add to the number of cities classified as reserve and central reserve cities under existing law in which national banking associations are subject to the reserve requirements set forth in section 21 of this act, or to reclassify existing reserve or central reserve cities and to designate the banks therein situated as country banks, at its discretion.

To require the removal of officials of Federal reserve banks.

To require the writing off of doubtful or worthless assets upon the books and balance sheets of Federal reserve banks.

To suspend the further operations of any Federal reserve bank and appoint a receiver therefor.

To perform the duties, functions, or services specified or implied in this act.

To determine or define (subject to stipulations) the character of paper eligible for discount for member banks.

To prescribe regulations for purchase and sale by Federal reserve banks of bankers' bills, etc.

To review and determine the minimum rate of discount for member banks established by Federal reserve banks and fix weekly the discount rate reserve banks may discount for each other.

To authorize establishment of correspondents and agencies of Federal reserve banks in foreign countries.

To authorize the issue of Federal reserve Treasury notes.

To receive, through the local Federal reserve agent, applications from Federal reserve banks for notes, such applications to be accompanied by rediscounted notes for deposit as collateral security.

To require Federal reserve banks to maintain deposits in Treasury of United States in gold of 5 per cent of notes issued.

To grant in whole or in part or to reject entirely the application from Federal reserve banks for notes.

To establish rate of interest on notes issued.

To prescribe regulations for substitution of collateral.

To make and promulgate regulations governing the transfer of funds among Federal reserve banks.

To act, if desired, as clearing house for Federal reserve banks.

To require, in its discretion, Federal reserve banks to act as clearing houses for shareholding banks.

To require extra examinations of national banks when deemed necessary.

To determine and report annually to Congress fixed salaries of all bank examiners.

To assess upon banks in proportion to assets or resources the expenses of examinations.

To fix a date for such assessment.

To arrange for special or periodical examinations of member banks for account of Federal reserve banks.

To receive from Federal reserve banks information concerning the condition of any national bank in its district.

To order examinations of national banks in reserve cities as often as necessary.

To add to the list of cities in which national banks shall not be permitted to loan on real estate as described.

To receive applications from national banks having $1,000,000 or more capital for the establishment of branches in foreign countries, to reject or accept such applications, and to prescribe conditions under which such branches may be opened.

To require examinations of foreign branches as it may deem best. (Pages 31–38, 40, 45.)

FEDERAL ADVISORY COUNCIL.

In order to keep the Federal reserve board in intimate touch with the banking business of the country, the Federal advisory council is established, consisting of one representative from each Federal reserve bank with power to confer directly with the Federal reserve board, make proper representations and recommendations, call for information, etc. (p. 39). Many of the big banks quite urgently insisted that the bankers should have representation upon the Federal reserve board. This was denied for the obvious reason that the function of the Federal reserve board in supervising the banking system is a governmental function in which private persons or private interests have no right to representation except through the Government itself. The precedents of all civilized governments is against such a contention. It was believed that the Federal reserve board itself, consisting entirely of officers of the Government, might be made more efficient if it had the advice freely available of the Federal advisory council. Moreover, the operations of the Federal reserve board would in this way be subject to greater publicity and enable the banks of the country to have a greater measure of confidence in all of the operations of the Federal reserve board.

It was further believed that the banks of the country, which are invited or required to contribute a very large sum to the Federal reserve banks, would be more content by having an easy and convenient means provided by law of frequent conferences with the Federal reserve board and the opportunity to advise the board with regard to the financial, commercial, and industrial needs of the country.

CONCENTRATION OF RESERVES.

The reserves of the banks of the United States are now scattered without any system among over 25,000 individual banks. The present law permits the national banks in the country to keep nine-fifteenths of their reserves in the banks of reserve cities and permits banks of the reserve cities to keep one-half of their reserves in the central reserve cities, and permits the banks in the central reserve cities to keep only *one-fourth of these reserves of the reserves* in cash. The effect of this system—the necessary effect of this system—is to concentrate in the hands of a few banks in the central reserve cities (who have diligently sought the reserves of other banks) to such an extent that the Nation's bank reserves are pyramided in a dangerous fashion in the hands of a few banks in the three central reserve cities and chiefly in certain banks in New York City. These central reserve city banks have been accustomed to pay 2 per cent on the deposit of these bank reserves placed with them, and having no place to which they themselves might go for rediscount they have fallen into the habit of placing very large sums out of these reserves, amounting to hundreds of millions, upon call on the New York Stock Exchange, for the simple reason that under the law of the stock exchange they can sell the stock collateral immediately on any day when money is actually needed. It may be ruinous to the borrower—it may wipe out his margin—it may cause him a disastrous loss; it may upset the interest rates of the country, excite alarm, and result in final panic; but it does furnish the money when needed.

We are advised by representative bankers in New York that the great banks there would be glad to improve the system by the establishment of Federal reserve banks strong enough to furnish money quickly on demand against good commercial bills, and thus enable the New York banks to withdraw their funds from the stock exchange (which has become the most gigantic gambling establishment in the world) and place such funds in the service of legitimate industry and commerce. This will be one of the great benefits of the pending measure—that is, that it will withdraw from gambling enterprises on the stock exchange the bank reserves of the country and enable such reserves to be used for the commerce of the Nation.

Attention is respectfully called to the fact that while in 1896 the shares sold on the New York Stock Exchange amounted to only a little over $3,000,000,000, in 1905 it was $21,000,000,000, in 1906 it was $23,000,000,000, in 1907—the year of the panic—the amount fell to $14,000,000,000, increasing in 1908 to $15,000,000,000, and in 1909 to $19,000,000,000. (National Monetary Commission Reports, vol. 21, p. 9.)

MAKING STABLE THE INTEREST RATES.

The extremely injurious character of this gambling on the stock market with the reserves of the country is shown by Table 29, National Monetary Commission Reports (vol. 21, p. 136), where during the year 1907 the range of interest for money was from 2 to 45 per cent in January, from 3 to 25 per cent for March, from 5 to 125 per cent in October, from 3 to 75 per cent in November, and from 2 to 25 per cent in December, with currency bringing a premium from 1 to 4 per cent during November and December. The blighting effect of these violent fluctuations of the interest rates is demonstrated by the rate charged for 90-day time loans, which during November and December, 1907, were running as high as 12 to 16 per cent, with no business done in time loans of a longer period during the entire month of November and no business being done at times on prime commercial bills during the same months. (Ibid.)

These violent fluctuations are the more astounding when compared with the extremely stable rates of interest which have long prevailed in Europe, as shown by the rates of discount for 50 years in England, France, Germany, Holland, and Belgium, where the rate has been steadily around 3 to 4 per cent. (See Senate hearings before Banking and Currency Committee, pp. 536–542, an abstract of which is submitted.)

Moreover, in Europe manufacturers, merchants, and business men could always get money, while in the United States they have been absolutely ruined by thousands because of the denial of merited credit. This act will put an end to this deadly peril to American business.

TABLE III.—*Rate of discount, 1844–1909—The number of days at each rate arranged from the lowest rate to the highest.*

Rate.	Bank of England.[1]		Bank of France.[2]		Imperial Bank of Germany.[3]		Bank of the Netherlands.[4]		National Bank of Belgium.[5]	
	Number of days.	Number of days per cent of total (total=1,000).	Number of days.	Number of days per cent of total (total=1,000).	Number of days.	Number of days per cent of total (total=1,000).	Number of days.	Number of days per cent of total (total=1,000).	Number of days.	Number of days per cent of total (total=1,000).
2 per cent	3,409	143	2,735	115			1,328	56		
2½ per cent	28	1								
2½ per cent	3,599	151	2,579	108			5,058	212	3,169	147
3 per cent	5,859	246	7,828	329	3,073	129	8,013	336	9,412	437
3½ per cent	1,921	80	2,060	86	644	27	3,737	157	2,965	138
4 per cent	3,772	158	4,579	192	12,192	511	2,167	91	3,416	159
4½ per cent	608	26	353	15	1,626	68	811	34	698	32
5 per cent	2,195	92	2,061	86	4,094	172	1,823	76	944	44
5½ per cent	263	11	120	5	707	30	375	16	378	18
6 per cent	975	41	1,170	49	970	41	260	11	540	25
6½ per cent	91	4	8		72	3	150	6		
7 per cent	633	26	286	12	269	11	135	5	27	
7½ per cent			21	1	110	5				
8 per cent	268	11	41	2	37	1				
9 per cent	95	4	16		63	2				
10 per cent	141	6								
Total	23,857	1,000	23,857	1,000	23,857	1,000	23,857	1,000	21,540	1,000

[1] Lowest rate 2 per cent; highest rate 10 per cent.
[2] Lowest rate 2 per cent; highest rate 9 per cent.
[3] Lowest rate 3 per cent; highest rate 9 per cent.
[4] Lowest rate 2 per cent; highest rate 7 per cent.
[5] Lowest rate 2½ per cent; highest rate 6 per cent.

TABLE IV.—*Rate of discount, 1844–1909—The number of days at each rate, arranged from the highest number of days to the lowest.*

Bank of England.			Bank of France.			Imperial Bank of Germany.			Bank of the Netherlands.			Bank of Belgium.		
Days.	Rate per cent.	Number of days per cent of total (total=1,000).	Days.	Rate per cent.	Number of days per cent of total (total=1,000).	Days.	Rate per cent.	Number of days per cent of total (total=1,000).	Days.	Rate per cent.	Number of days per cent of total (total=1,000).	Days.	Rate per cent.	Number of days per cent of total (total=1,000).
5,859	3	246	7,828	3	329	12,192	4	511	8,013	3	336	9,412	3	437
3,772	4	158	4,579	4	192	4,094	5	172	5,058	2½	212	3,416	4	159
3,599	2½	151	2,735	2	115	3,073	3	129	3,737	3½	157	3,169	2½	147
3,409	2	143	2,579	2½	108	1,626	4½	68	2,167	4	91	2,965	3½	138
2,195	5	92	2,061	5	86	970	6	41	1,823	5	76	944	5	44
1,921	3½	80	2,060	3½	86	707	5½	30	1,328	2	56	698	4½	32
975	6	41	1,170	6	49	644	3½	27	811	4½	34	540	6	25
633	7	26	353	4½	15	269	7	11	375	5½	16	378	5½	18
608	4½	26	286	7	12	110	7½	5	260	6	11	27	7	
263	5½	11	120	5½	5	72	6½	3	150	6½	6			
268	5½	11	41	8	2	63	9	2	135	7	5			
141	10	6	21	7½	1	37	8	1						
95	9	4	16	9										
91	6½	4	8	6½										
28	2½	1												
23,857		1,000	23,857		1,000	23,857		1,000	23,857		1,000	21,540		1,000

"It will thus be seen that these great banks holding the national reserves have been able to furnish commerce with a very low rate of discount for nearly all the time and only occasionally have been compelled to raise the rate to a high point.

"These low rates illustrate the enormous value of these great banks to European commerce and the urgent necessity for action by the United States along similar lines."

The stabilizing of the rate of interest in the United States will be one of the very important functions of the proposed Federal reserve system. The right of the Federal reserve board to fix the rate of interest which may be charged member banks by the Federal reserve banks and which the Federal reserve banks may charge each other would have a steadying effect upon the interest rate throughout the United States, and will enable the banks of the country to extend accommodation at a comparatively stable rate of interest upon a lower basis than heretofore, because the element of hazard of panic and of financial stringency will be removed by the proposed system.

MOBILIZATION OF RESERVES.

In addition to concentrating in the Federal reserve banks a substantial part of the reserves of the National and State banks and trust companies of the country and placing in such banks a respectable capital by stock subscriptions and a considerable volume of Government funds—approximately a total of about $700,000,000—it is proposed to make them perfectly mobile. In order to have these funds meet the purpose for which they were intended they must be kept in a liquid condition and made instantly mobile by keeping the investments of such banks either in actual gold and lawful money or in short-time commercial bills drawn against actual commercial transactions which are readily converted into money on short notice. (Sec. 14, p. 40, and sec. 16, p. 44.)

In pursuing this policy we have followed the experience of the great public-utility banks of Europe. The European systems confine in large measure the holdings of the public-utility banks to cash and liquid bills of very short maturities, the average length of time of the bills of the Bank of France not exceeding 28 days and the Reichsbank of Germany having no paper of longer maturity than 90 days, and a large part of its paper very short-time paper. The Bank of England handles quite a large volume of paper running 7 to 14 days. These public-utility banks carefully avoid putting the funds in their custody in the form of investments which are not instantly convertible into money. This consideration is of the highest importance, because the Federal reserve banks holding the reserves of the reserves must be in a position to extend instant accommodation to any member bank requiring cash.

With a view to enlarging the volume of liquid paper based on actual shipments of goods, the reserve bank is authorized to discount acceptances and the member banks are authorized to accept bills of exchange against actual shipments of goods.

ELASTIC CURRENCY—FEDERAL RESERVE NOTES.

In order to render still more mobile and liquid the reserves held by the Federal reserve banks, elastic currency has been provided (sec. 17, p. 47) in the form of Federal reserve notes issued as obligations of the United States, redeemable in gold at the Treasury, or in gold or lawful money at the reserve banks, and receivable for all taxes and public dues, except customs. The exception of customs was intended to enable the Federal Government to command a supply of gold through the customhouses, if it should prove to be necessary, by compelling the customs to be paid in gold by foreign shippers.

These Federal reserve notes, while the obligations of the United States and made redeemable in gold or lawful money at the Federal reserve banks and in gold only at the Treasury of the United States, are carefully surrounded by very numerous safeguards to make assurance doubly sure that they shall not at any time in reality tax the credit of the United States itself. The securities behind these notes are:

First. Commercial bills drawn against actual commercial transactions which have goods and merchandise behind the notes.

Second. Such notes have the credit of the maker of the commercial bill deemed good by the member banks.

Third. The indorsement by the member bank of such commercial bills.

Fourth. The double liability of the stockholders of the member bank so indorsing.

Fifth. Thirty-three and a third per cent of gold reserves in the Federal reserve bank.

Sixth. A first lien on all the assets of the Federal reserve bank.

Seventh. The stock of the indorsing member bank in the Federal reserve bank.

Eighth. The reserve balance of the indorsing member bank in the Federal reserve bank.

Ninth. A double liability of the member banks of the Federal reserve bank.

Tenth. The double liability of the stockholders of the member banks of the Federal reserve bank.

Eleventh. The surplus of the Federal reserve bank.

Twelfth. The earning power of such reserve bank, and finally the United States. There has never been issued a note with such safeguards surrounding it by any banking system of the world.

The commercial bills alone would never fail, because of their liquid character and short maturity. No apprehension whatever need be felt with regard to these notes ever taxing the Federal Treasury.

Since each bank is required to keep a gold reserve with the Treasury of the United States against such note issues, it is necessary to keep a record of the outstanding circulation emitted through each Federal reserve bank, and for this reason a descriptive number is placed upon the notes emitted through any Federal reserve bank so as to keep the record of notes outstanding issued through such banks. The effect of issuing Federal reserve notes against commercial bills is to make intensely mobile the assets of the Federal reserve bank and enable such bank at all times to respond instantly to the needs of national commerce. The emission of these notes is controlled by the Federal reserve board, which is authorized to control the volume of these notes and the terms upon which they shall be advanced to the Federal reserve bank and the conditions of retirement.

The Federal reserve board is authorized to tax the issue of the notes and also to fix the rate of interest on the discounts of the Federal reserve banks, and in this way keep a double check on the issuance of the Federal reserve notes.

While the Federal reserve notes are extremely well secured, it is made easy for member banks needing currency for seasonable demands or for any extraordinary emergency to obtain Federal reserve notes from the Federal reserve banks. The Federal reserve bank has only to deposit liquid commercial bills of a qualified class with the Federal reserve agent and obtain from him such Federal reserve notes, keeping, however, a minimum deposit of 33 per cent of gold against such Federal reserve notes as may be put in actual circulation. It is believed that in actual practice the gold reserves against such notes in circulation will be very large, much larger than the minimum requirement, especially if our proposed amendment is placed in the House bill, permitting the reserves against deposits and against the notes to be kept as a common fund. It is obvious that if a minimum requirement of 33 per cent against deposits and 33 per cent against notes in circulation is held as a common fund, anyone observing the statement merely from the standpoint of a depositor, if the deposits and the notes in circulation happened to be equal, would perceive that the reserves against deposits would appear as 66 per cent, and anyone looking at the reserves against the notes from that point of view would observe a reserve equal to 66 per cent of the notes in circulation.

It also is obvious that when there is a surplus reserve against the deposits far above 33 per cent there is no reason why the bank should not have the credit of this surplus appearing also in its favor as a reserve against notes in circulation, and it was upon the best advice obtainable that an amendment was proposed to section 17 permitting these reserves to be carried as a common fund, but in no contingency less than a 33 per cent gold reserve against the notes, as required in the House bill.

The retirement of these Federal reserve notes would, of course, be accomplished wherever the commercial bills were withdrawn by the member bank or by the Federal reserve bank from the hands of the Federal reserve agent, the Federal reserve agent in such contingency either receiving the notes back or a like volume of lawful money.

OPEN-MARKET OPERATIONS.

One of the most important features of this bill is the establishment of what is called an open market for bills of exchange and bankers' acceptances such as has long prevailed in Europe, but which has not existed to any great extent in the United States. In Europe the various banks and private bankers carry on a very large scale commercial bills of exchange and acceptances based on actual commercial transactions of short maturities and which are regarded as self-liquidating. Such bills have behind them actual merchandise for which a purchaser has been found, and these bills are held in their portfolios as almost the exact equivalent of cash, for the reason that the security of such bills is regarded as substantially perfect, their uniform and certain payment constant, and therefore there is an "open market" for such bills maintained by the great public banks, such as the Bank of France, the Reichsbank, the Bank of Belgium, the Bank of Netherlands, the Bank of England, etc., at a very low rate of interest.

It is now proposed that a constant market at a fairly uniform rate of interest be established in this country by establishing the Federal reserve bank with a large capital and large reserves and with the express power to discount for member banks commercial bills and acceptances of the qualified liquid class, and also to buy and sell in the open market such bills and bankers' acceptances as have been found merchantable and liquid by the experience of European banking systems. It is anticipated that the effect of this method will be to encourage banking houses to buy commercial bills of the qualified class, and in this way that we may greatly enlarge the market for the bills of manufacturers, merchants, and business men who are handling the actual commerce of the country. (Secs. 14 and 15, pp. 40–44.)

GOVERNMENT DEPOSITS WITH FEDERAL RESERVE BANKS.

It has been deemed of the highest importance to maintain the independent Treasury of the United States and not compel the Secretary of the Treasury to deposit every dollar of the public funds in the Federal reserve banks, but to provide that he may do so. The argument in favor of maintaining the independence of the Federal Treasury is overwhelmingly in favor of an independent Treasury and need not be recounted here.

The Government of the United States can advantageously to the banks and to itself place with the Federal reserve banks $150,000,000, or even a larger sum, but the process of collecting the revenue through revenue collectors scattered throughout the Nation, making local deposits, and the right of the Treasury Department to make disbursements in every part of the country through its numerous disbursing officers, makes it highly necessary to maintain the independence of the Treasury. We have therefore thought it proper to change the provision of section 16 in such a way as to accomplish this object (p. 46).

REFUNDING BONDS.

The House measure (sec. 19, p. 56) provided for retiring 5 per cent of the outstanding 2 per cent bonds held for national-bank circulation by the exchange of 3 per cent bonds without circulation privilege for such 2 per cent bonds, justly assumes that the Government will be compensated by the interest earned upon a like amount of Federal reserve notes.

We have preferred to absorb such of these bonds as would be offered on the market by permitting the Federal reserve banks to buy such 2 per cent bonds and issue Federal reserve bank notes against them just as the national banks do (p. 14), and have further permitted such Federal reserve banks, in section 19, to assume the redemption of not exceeding $36,000,000 of national-bank notes issued against such bonds and to take over such bonds and issue Federal reserve notes against such bonds, leaving the bonds with the Treasurer of the United States in trust in the form of 3 per cent bonds or 3 per cent annual notes, in this way assuring to the Government the earning power upon the circulation taking the place of the retired national-bank circulation (p. 58).

CLEARING CHECKS AND DRAFTS.

The House bill proposed to clear checks and drafts at par, but we propose an amendment providing that checks and drafts sent to the Federal reserve banks by member banks may be cleared, allowing the Federal reserve board to fix the charge which may be imposed for the service of clearing or collection rendered either by the Federal reserve bank or by the member banks, and with a provision that the act should not be construed to prohibit member banks from making reasonable charges for checks and drafts debited to their account, or for collecting and remitting drafts, or for exchange sold to its patrons. In this way the reserve banks are not put in competition with the country banks, but can serve them and their customers at a fair price. This amendment should remove the very serious objection of many of the country banks to the House provision, which they thought would interfere with their right to charge for exchange in making remittances (p. 55).

SAVINGS-BANK SECTION.

Your committee has struck out entirely the savings-bank section No. 27, for the reason that the national banks now, through the system of time deposits, carry on a savings-bank business very economically and at the same time use the funds in promoting the local enterprises. It was the practical judgment of all the small banks of the country that this section should not remain in the bill.

CHANGES IN THE NATIONAL-BANK ACT.

Several changes of importance in the national-bank act have been made, to which attention should be called:

First. Section 21 (p. 65) provides that the 5 per cent fund placed with the Secretary of the Treasury for the redemption of national-bank notes shall no longer be construed to be a part of the bank's reserves. This is justified because the reserves of the national banks have been made decidedly lower than they have been in the past.

Second. The law requiring bonds of national banks to be deposited before any national bank association shall be authorized to commence the banking business, as provided in section 5159 of the Revised Statutes, etc., is repealed by section 18 (p. 56). The obvious purpose of this section is to ultimately do away with the bond-secured circulation, which is inelastic and unscientific. The way to establish an improved system is thus made open.

Third. The bank examinations are more thoroughly provided for in section 23 (p. 66).

Fourth. The loans, gratuities, and commissions to bank officers or bank examiners are penalized by section 24 (p. 69).

Fifth. The stockholders' liabilities of national banks and of member banks is modified to establish the double liability and to prevent its evasion. (Sec. 25, p. 71.)

Sixth. Loans on farm lands are permitted to the extent of 25 per cent of the capital and surplus of a national bank and for a period of five years. This would make available possibly $400,000,000, but in actual practice it would not be likely to exceed a hundred million dollars under the terms of the bill, for the reason that the city banks do not make such loans, and where the banks have the authority they will probably not exercise it with any uniformity.

Seventh. The change of the reserves in the national banking law is a very important change, heretofore described, and which will be found set forth in section 20 (p. 59).

The House provision was changed so as to make the language more compact and to simplify it.

Eighth. Foreign branches were also provided for national banks having a capital and surplus of a million dollars or more, with the approval of the Federal reserve board. (Sec. 28, p. 77.)

This is a very important amendment and one of far-reaching importance to the foreign commerce of the United States, the purpose of which is so obvious as to need no explanation.

Many other amendments are needed in the national-bank act which this bill does not undertake to deal with, for the reason that it was of great importance that this bill should not be embarrassed by the consideration of questions which were not necessarily germane to the bill itself in establishing the Federal reserve system.

The National Monetary Commission did a very large amount of work looking toward the codification of the national-bank act, and this work has so far progressed that it may be easily submitted to the Senate during the next regular session, in such a form as to enable the matter to be disposed of and to make any other amendments which are necessary to the national-bank act, without embarrassing the present measure by considerations which are not necessarily a part of the Federal reserve system.

The proposed changes recommended by the undersigned are best set forth by submitting a print of the House bill with the parts struck out being placed in brackets and the amendments proposed being inserted in italics. (See Exhibit A.) The other exhibits are necessary to justify the amendments recommended.

Very respectfully submitted.

ROBERT L. OWEN, *Chairman.*
JAMES A. O'GORMAN.
JAMES A. REED.
ATLEE POMERENE.
JOHN F. SHAFROTH.
HENRY F. HOLLIS.

EXECUTIVE SESSION.

Mr. O'GORMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 55 minutes spent in executive session the doors were reopened, and (at 3 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, November 25, 1913, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate November 24, 1913.

UNITED STATES MARSHAL.

Edgar H. James, of Kentucky, to be United States marshal, western district of Kentucky, vice George W. Long, resigned.

MEMBERS OF THE PHILIPPINE COMMISSION.

Henderson S. Martin, of Kansas, to be a member of the Philippine Commission, secretary of public instruction, and vice governor of the Philippine Islands, vice Newton W. Gilbert, resigned.

Clinton L. Riggs, of Maryland, to be a member of the Philippine Commission and secretary of commerce and police, vice Charles B. Elliott, resigned.

Winifred T. Denison, of New York, to be a member of the Philippine Commission and secretary of the interior, vice Dean C. Worcester, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate November 24, 1913.

CONSULS GENERAL.

Stuart J. Fuller to be consul general at large.
William W. Handley to be consul general at Callao, Peru.
Michael J. Hendrick to be consul general at Christiania, Norway.
Carl Bailey Hurst to be consul general at Barcelona, Spain.
Henry H. Morgan to be consul general at Hamburg, Germany.
Ransford S. Miller to be consul general at Seoul, Chosen.
Thomas Sammons to be consul general at Shanghai, China.
George H. Seidmore to be consul general at Yokohama, Japan.
Robert P. Skinner to be consul general at Berlin, Germany.
John Q. Wood to be consul general at Adis Ababa, Abyssinia.

CONSULS.

Henry D. Baker to be consul at Bombay, India.
John K. Baxter to be consul at Maracaibo, Venezuela.
Harold D. Clum to be consul at Corinto, Nicaragua.
William Dawson, jr., to be consul at Rosario, Argentina.
W. Roderick Dorsey to be consul at Tripoli, Libya.
William F. Doty to be consul at Nassau, Bahamas.
Julius D. Dreher to be consul at Toronto, Ontario, Canada.
Cornelius Ferris, jr., to be consul at Port Antonio, Jamaica.
Charles Forman to be consul at Moncton, New Brunswick.
Paul H. Foster to be consul at Jerez de la Frontera, Spain.
Arsinius T. Haeberle to be consul at St. Michaels, Azores.
Lewis W. Haskell to be consul at Belgrade, Servia.
Charles M. Hathaway, jr., to be consul at Hull, England.
Frank Anderson Henry to be consul at Puerto Plata, Dominican Republic.
Charles A. Holder to be consul at Cologne, Germany.
Douglas Jenkins to be consul at Riga, Russia.
Milton B. Kirk to be consul at St. Johns, Quebec, Canada.
Myrl S. Myers to be consul at Swatow, China.
Kenneth S. Pattou to be consul at Cognac, France.
Albert W. Pontius to be consul at Nanking, China.
John A. Ray to be consul at Sheffield, England.
Emil Sauer to be consul at Goteborg, Sweden.
Maddin Summers to be consul at Santos, Brazil.
Robert J. Thompson to be consul at Aix la Chapelle, Germany.
Frederick Van Dyne to be consul at Lyon, France.
Charles L. L. Williams to be consul at Dalny, Manchuria.
Jay White to be consul at Naples, Italy.

NAVAL OFFICER OF CUSTOMS.

William Brown to be naval officer of customs in the district of Chicago.

APPRAISER OF MERCHANDISE.

Seth F. Clark to be appraiser of merchandise in the district of Maine and New Hampshire.

COLLECTOR OF INTERNAL REVENUE.

John M. Rapp to be collector of internal revenue for the thirteenth district of Illinois.

POSTMASTERS.

FLORIDA.

L. M. Caswell, Perry.

INDIANA.

William S. Tindall, Paoli.

MISSISSIPPI.

Myrtle A. McKay, Pelahatchee.

MISSOURI.

Sterling S. Ball, Kahoka.

NORTH DAKOTA.

W. W. Anderson, Edgeley.

OHIO.

Addie E. Joseph, Nottingham.

OKLAHOMA.

A. L. Kates, Claremore.
Julia P. Montgomery, Valliant.
H. W. Warrick, Lehigh.

SOUTH DAKOTA.

J. F. Kelley, Aberdeen.

SENATE.

TUESDAY, *November 25, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

PRESIDENT PRO TEMPORE UNITED STATES SENATE,
Washington, November 25, 1913.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN RANDOLPH THORNTON, a Senator from the State of Louisiana, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. THORNTON thereupon took the chair as Presiding Officer and directed that the Secretary read the Journal of the proceedings of the last legislative day.

THE JOURNAL.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The PRESIDING OFFICER presented resolutions adopted by the Kapahulu Improvement Club, of Honolulu, Hawaii, favoring the enactment of legislation for the extension of the franchise of the Honolulu Rapid Transit & Land Co., which were referred to the Committee on Pacific Islands and Porto Rico.

Mr. TOWNSEND presented a petition of the Michigan Patent Law Association, praying for the repeal of the copyright law, which was referred to the Committee on Patents.

He also presented a memorial of sundry citizens of Kalamazoo, Mich., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. WEEKS presented a memorial of the Social Science Club of Newton, Mass., remonstrating against the enactment of legislation authorizing the city of San Francisco to use the waters of Hetch Hetchy Valley, which was ordered to lie on the table.

Mr. WEEKS (for Mr. LODGE) presented the memorial of L. B. R. Briggs, president of Radcliffe College, and of William Z. Ripley and sundry other professors of Harvard University, Cambridge, Mass., and the memorial of William D. Parkinson, superintendent of schools, and other sundry citizens of Waltham, Mass., remonstrating against the enactment of legislation authorizing the city of San Francisco to use the waters of Hetch Hetchy Valley, which were ordered to lie on the table.

Mr. CHAMBERLAIN. I present a petition from citizens of the State of Oregon relative to the passage of a pension bill for the membership of the United States Military Telegraph Corps, which I ask may be printed in the RECORD, together with the signatures, and referred to the Committee on Pensions.

There being no objection, the petition was referred to the Committee on Pensions and ordered to be printed in the RECORD, together with the signatures, as follows:

NOVEMBER 11, 1913.

To the Congress of the United States:

The undersigned citizens of Portland, in the State of Oregon, believing that the members of the United States Military Telegraph Corps, who rendered exceptional military service in the Civil War, 1861-1865, have heretofore been overlooked in the distribution of the rewards meted out to the soldiers of that war, do most earnestly petition the Congress to pass remedial legislation in the form of the pension bills now before it.

W. A. Robb, 641 Mountain Boulevard; W. E. Brooks, 758 East Couch; J. A. Paquette, 590 Division; C. R. Parkinson, 1830 Clackamas Street; Robert A. Montgomery, Gardner Avenue and Cooper Street; J. A. Carter, 730 Hoyt Street; B. M. Brents, 414 Mill Street; F. Springer, 181 Green Avenue; H. B. Nesbit, Hotel Congress; A. Schoepper, 835 Tenth Street; L. E. Anderson, 150 North Twenty-fourth Street; C. J. Gotthelf, 350 Salmon Street; R. R. Bates, 207 Fourteenth Street; L. B. Kline, 363 East Forty-ninth Street; S. J. Johnston, 380 East Fiftieth Street; George W. Hann, 964 Corbett Street; W. A. Humphrey, 8 East Eleventh Street; Ira Greenwood, 6810 Forty-third Avenue SE.; W. Butler, Franklin Hotel; Frank C. Routledge, Orlando Apartments, Twentieth and Washington Streets; Harry A. Whitson, 912 East Nineteenth Street N.; J. W. Holt, 433 Broadway S.; C. E. Christie, 302 East Forty-sixth; I. E. Hickey, 591 East Twentieth Street; E. G. Nixon, 6105 Forty-eighth SE.; M. M. Swearingen, 1157 East Morrison; C. A. Cook, Park Rose; H. G. Dorr, 1888 Stanton Street; P. F. Schnur, 816 Clackamas Street; L. H. Kluge, 183 East Thirty-third; C. W. Browne, 1477 Fern Street; E. G. Gray, 1550 Vincent Avenue; R. G. Gray, 1550 Vincent Avenue; N. A. Slocum, 251 East Thirty-ninth Street; B. Howell, 311 Eleventh Street; C. M. Trimble, 260 Nartilla; C. B. Sweet, Grandesta Apartments; C. A. Leppere, 1900 East Taylor Street; G. B. Flood, 231 East Seventy-second N.

Mr. GALLINGER presented the memorial of R. M. Shurtleff, of New York, N. Y., remonstrating against the enactment of legislation authorizing the city of San Francisco to use the waters of the Hetch Hetchy Valley, which was ordered to lie on the table.

WOMAN SUFFRAGE.

Mr. GALLINGER. Mr. President, I have a memorial signed by Mrs. George S. Edgell, of Newport, N. H., daughter of the late Austin Corbin, and 204 other women of the State of New Hampshire, protesting against granting the suffrage to women.

In transmitting the memorial Mrs. Edgell very modestly suggests that she would be pleased to have it appear in the RECORD. I will therefore ask that the heading of the memorial be read, and that the names be not inserted in the RECORD, as that is contrary to our custom. As the joint resolution on the subject has been reported to the Senate, I ask that the memorial lie on the table.

There being no objection, the memorial was read and ordered to lie on the table, as follows:

To the Federal Congress of the United States of America in Washington assembled:

We, the undersigned citizens of Newport, in the county of Sullivan, and State of New Hampshire, representing women of every station in life, trusting in God and vitally interested in the preservation of the traditional American home, are opposed to the extension of suffrage to our sex.

With the demands of society, the calls of charity, the church, and philanthropy constantly increasing, we feel that to add the distracting forces of political campaigns would wreck our constitutions and destroy our homes.

At all times we are ready to give our full portion of love and sacrifice for the life of the Nation and the good of mankind, but we look upon the attempt now being made by some to crowd the obligations of suffrage upon us as a move to change our natures and destroy us for that wider field of influence and usefulness which in America has always belonged to woman.

Therefore we respectfully petition your honorable body, and ask that you will vote against all measures which may come before you looking to the extension of the franchise to women.

Dated at Newport, N. H., this 7th day of July, 1913.

SAN FRANCISCO WATER SUPPLY.

Mr. PITTMAN. Mr. President, I have here a resolution of the California Camera Club, of California, in regard to the bill commonly known as the Hetch Hetchy water bill, referring to the San Francisco water system. In presenting the resolution to the Senate and asking that it may be read by the Secretary I wish to make a preliminary statement. This club is composed of members from the whole State of California. It has a very large membership and nearly every member of the club has been in the Hetch Hetchy Valley. They made a trip there as a club about a year and a half or two years ago. I should like to have the resolution read.

There being no objection, the resolution was read and ordered to lie on the table, as follows:

No organization in California has as keen an appreciation of natural beauties as the California Camera Club. This organization has always been identified with the movement to preserve natural beauties, and its members, more numerously than any other group of people, have visited the Sierras. At a special meeting of the board of directors held November 10 to discuss the Hetch Hetchy project the following was unanimously adopted:

"Whereas it is the policy of the California Camera Club to take an interest in everything that is for the benefit of the community; and

"Whereas at a recent lecture given under the auspices of this club the speaker directed criticism at the effort of San Francisco to secure a water supply from Hetch Hetchy for municipal consumption; and

"Whereas the views expressed by this lecturer were his own personal views and not those of the California Camera Club; and

"Whereas the members of the California Camera Club are primarily true lovers of nature, and as such believe that the addition of a lake in Hetch Hetchy Valley will enhance its scenic beauties, will cause the development of a system of roads, and will permit visitors a more ready access to the natural beauties of this now almost inaccessible region; and

"Whereas the California Camera Club recognizes that even now the water supply of San Francisco is inadequate and with the growth of the city will become more inadequate; and

"Whereas the water of the Hetch Hetchy is well known to be of the very purest: Now, therefore, be it

"*Resolved*, That the California Camera Club, recognizing that a sufficient and perfectly pure water supply is one of the most valuable assets of any large and growing municipality, desires to express its approval of any action taken toward the securing of the Hetch Hetchy watershed as a permanent source of a municipality-owned water supply."

Mr. PITTMAN. I have another resolution here addressed to the Senate by the California Club of California, which is, I believe, the largest woman's club in California. It is composed of members from all over the State. I should like to have the Secretary also read this resolution.

There being no objection, the resolution was read and ordered to lie on the table, as follows:

Whereas San Francisco has been for 12 years appealing to the Federal Government for such rights in the high Sierras as will enable it to provide the people of the bay counties with a pure and adequate supply of water; and

Whereas the Hetch Hetchy region offers the only source to which San Francisco can look for such an uncontaminated supply as will provide for not only the immediate but the future needs of its people; and

Whereas San Francisco already owns outright more than half the land in the floor of the Hetch Hetchy Valley which will be flooded by the proposed reservoir, and has in good faith spent one and one-half million dollars in the development of its proposed municipal water system; and

Whereas all that San Francisco asks of the Federal Government is the right to construct a dam and the grant of the use as a reservoir of part of the Hetch Hetchy Valley, which will in no wise be impaired in its natural beauty by the creation of a lake; and

Whereas the natural beauties of the Hetch Hetchy region will be made more easily accessible to thousands of nature lovers by the building of roads and trains, which San Francisco will construct into this entire region; and

Whereas human consumption is the highest use to which the Hetch Hetchy water can be put, in that it will safeguard the health and supply the present needs of a community of 800,000 people and the future needs of many times that number; Therefore be it

Resolved by the California Club of California (450 members), That we most earnestly go on record as approving of San Francisco's petition to Congress for the grant of certain rights in the Hetch Hetchy region; and be it further

Resolved, That we declare our firm conviction that human needs are paramount to sentimental objection of so-called "nature lovers," who profess to see in San Francisco's project a desecration of nature; although the work of San Francisco in the high Sierras will in reality bring this wonder region closer to the real lovers of nature and will in no wise impair the grandeur of the scenery there to be found; and be it further

Resolved, That we regret the campaign of misrepresentation that has been made in the effort to prevent San Francisco from obtaining that pure and adequate supply of water to which every community should be entitled; and be it further

Resolved, That we petition the Senate of the United States to grant to San Francisco the rights for which it has so long appealed and which are embodied in the Raker bill, heretofore passed by the House of Representatives of the United States.

MRS. A. P. BLACK, *President.*
MRS. J. S. A. MACDONALD, *Secretary.*

Mr. PITTMAN. I have here a list of clubs throughout the country that have indorsed the last resolution read. I ask leave to have it printed in the RECORD, without reading.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

The following have also adopted the resolution:

The Rhode Island Woman Suffrage Association; Elizabeth Upham Gates, president; Sara L. G. Flitz, secretary, 197 Longfellow Street, Providence, R. I.

The Pacific Coast Women's Press Association, San Francisco; Mrs. I. Lowenberg, president; Mrs. W. C. Morrow, corresponding secretary; Mrs. A. J. Stowell, recording secretary.

The North Carolina Society; R. G. Lewis, president; William P. Hubbard, secretary.

The Waitresses' Union, Local No. 48, San Francisco; Gertie Benton, president; Laura Molleda, secretary.

The civic department of California Club, of California; Mrs. Louis Hertz, president; Mrs. John S. Phillips, secretary.

The South Park Mothers' Club, San Francisco; M. McFarlane, secretary.

The Woman's Club of Redondo Beach; Mrs. John Steward, president; Mrs. Perry Long, secretary.

The Richmond Women's Club; Mrs. E. H. O'Donnell, secretary; Mrs. J. W. Felt, president; Mrs. E. G. Ely and Mrs. F. Menz, executive committee.

The Lois Art Club, of Grass Valley; Edna D. Sampson, president; Mignotte Grant, secretary.

The Thursday Reading Club, of Oakland; Helen L. Courteau, president; Helen H. Barnes, secretary.

The Mountain View Woman's Club; Mrs. Eliza J. Farrell, president; Miss E. J. Stevens, secretary.

To Kalon Club, San Francisco; Maybelle Worth Stevens, corresponding secretary.

The Alta Mira Club, of San Leandro; Gainor G. Aitken, president; Alma Pauline Spurr, secretary.

The Tamalpais Center Woman's Club; Mrs. Margaret Hamilton, president.

The Sonoma Valley Woman's Club; Carrie A. Burlingam, president; Alice Wagnon, secretary.

The Woman's Civic Club, San Luis Obispo, Cal.; Mrs. Eliza Miller, president; Grace A. Van Scoy, secretary.
The Laurel Hall Club; Christine Hart, president; Grace Guild Palmer, secretary.
The San Francisco Colony of New England Women; Mrs. G. B. Miller, president; Mrs. Martin C. Walton, secretary.
The Improvement Club of Auburn, Cal.; Mrs. Cora E. Tabor, president; Harriet J. Lewis, secretary.
The Vittoria Colonna Club; Mariana Bertola, president; Iride D. Martini, secretary.
The Monticola Club, Susanville, Cal.; Mrs. Atawa McKinsey, president; Mrs. Ada L. Hart, secretary.
The Western Development Co.; W. S. Gray, president; A. M. Enewold, secretary.
The Texas Club; Dr. R. E. Bering, president; A. J. Hockwald, secretary.

Mr. PITTMAN. I also have here a letter from the State engineer of the State of California as to the legal rights of San Francisco to this water. I ask leave to have it printed also in the RECORD without reading.

There being no objection, the letter was ordered to lie on the table and to be printed in the RECORD, as follows:

STATE OF CALIFORNIA,
DEPARTMENT OF ENGINEERING,
Sacramento, November 12, 1913.

To whom it may concern:

Concerning San Francisco, and San Francisco Bay district and an adequate water supply, the writer believes that the Hetch Hetchy project is the best and also believes that this district is entitled to the best source of supply available.

I am quite familiar with the whole State of California, and have a very full knowledge of the Bay district, having resided there during the past 13 years. As commissioner of public works of the city of Berkeley, it was my duty, in connection with the governing bodies of neighboring cities, to give the matter of water supply considerable study three or four years ago.

Have given a careful reading to the report of a hearing of the Committee on Public Lands of the Sixty-third Congress, first session, H. R. 6281, and had there been any lingering doubt in my mind as to the legitimate claim of San Francisco to this source of water supply it would have been entirely dissipated by the testimony and speeches made at that hearing.

W. F. MCCLURE, *State Engineer.*

Mr. PITTMAN. I also have here resolutions adopted by the League of California Municipalities, favoring the passage of the Raker bill. I ask leave to have the resolutions printed also in the RECORD without reading.

There being no objection, the resolutions were ordered to lie on the table and to be printed in the RECORD, as follows:

Whereas there is now pending in the Senate of the United States a bill known as the Raker Act, which measure has already passed the House of Representatives; and
Whereas the Raker Act is a grant from the United States to the city and county of San Francisco and the other cities on San Francisco Bay, wherein the subject of the grant is reservoir sites in the Hetch Hetchy Valley, Cherry River Valley, and Lake Eleanor Basin, said sites to be used for the purpose of supplying water to the communities around San Francisco Bay; and
Whereas the needs of San Francisco and adjoining cities are such that immediate relief is necessary to insure adequate supplies of water for domestic purposes: Therefore be it

Resolved, That the League of California Municipalities, representing 185 cities and towns, in its sixteenth annual convention assembled in the city of Venice, does hereby approve the said Raker bill, and respectfully urges its passage in the Senate of the United States.

I hereby certify the foregoing to be a true copy of a resolution adopted by the League of California Municipalities October 10, 1913.

H. A. MASON, *Secretary.*

Mr. SMOOT. Mr. President, in connection with the Hetch Hetchy water bill, so called, I wish to give notice to the Senate that I have received many, many thousands of protests against it. I have not felt it proper or right to encumber the RECORD with all these protests, but I am frank to say that I believe I have in my office at least 5,000 letters from different parts of the country protesting against the passage of the bill.

I merely wish to make this statement, Mr. President, because parties protesting to me and noticing that other communications on the subject are put in the RECORD may think that I have neglected a duty. I simply call the attention of the Senate to the fact without asking that the RECORD be encumbered with them.

Mr. WORKS. Mr. President, while we are on this subject I desire to give notice that on Thursday, the 4th of December, I will submit some remarks on the Hetch Hetchy bill.

Mr. GALLINGER. Mr. President, in connection with the observations of the Senator from Utah [Mr. SMOOT] I desire to put in the RECORD a statement of the fact that I am also in receipt of almost innumerable letters on the subject. This morning a lengthy article from the pen of Frederick Law Olmsted, jr., one of the most celebrated landscape gardeners of the world, came to me with a letter asking that I should have it inserted in the RECORD. It is a very long communication. Mr. Olmsted is opposed to the project. I have not felt like asking to have it printed in the RECORD, as I have not asked to have any of the letters on this subject printed.

The matter is to come up for debate very soon, and I will venture to express the hope that letters and resolutions on one or the other side or on both sides of this important question, inasmuch as we individually receive them through the mail, ought not to encumber the RECORD to a greater extent than is absolutely necessary.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DILLINGHAM:

A bill (S. 3472) granting an honorable discharge to Franklin Martin; to the Committee on Military Affairs.

A bill (S. 3473) granting a pension to Helen M. Gleed (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 3474) to remove the charge of desertion from the record of Almon L. McNich (with accompanying paper); to the Committee on Military Affairs.

A bill (S. 3475) granting an increase of pension to Charles M. Walker (with accompanying papers);

A bill (S. 3476) granting a pension to Fidelia M. Waffles (with accompanying papers);

A bill (S. 3477) granting an increase of pension to Henry Eaton (with accompanying papers);

A bill (S. 3478) granting an increase of pension to James K. Brooks (with accompanying paper);

A bill (S. 3479) granting a pension to Ambrose A. Link (with accompanying paper);

A bill (S. 3480) granting a pension to Elizabeth A. Tice (with accompanying papers); and,

A bill (S. 3481) granting a pension to Henry F. Baldwin (with accompanying papers); to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 3482) relating to the sale of bichloride of mercury in the District of Columbia; to the Committee on the District of Columbia.

MILITARY HIGHWAY, EL PASO, TEX.

Mr. SHEPPARD. I introduce a joint resolution and ask that it be read and referred to the Committee on Military Affairs.

The joint resolution (S. J. Res. 81) authorizing the survey and estimate of cost for the construction of a military road from El Paso, Tex., to the mouth of the Rio Grande, was read twice by its title and referred to the Committee on Military Affairs, as follows:

Whereas conditions along the Rio Grande border of the United States have demonstrated beyond question the necessity of a military highway from El Paso to the mouth of the Rio Grande; and
Whereas the difficulty of reaching many sections of this border with troops and munitions of war makes that portion of our country comparatively easy of invasion, exposes many thousands of our people to untold dangers in time of war, prevents the proper policing of the border against smugglers and other lawless classes, and imperils the security both of life and property: Therefore be it

Resolved, etc., That the Secretary of War is hereby directed to cause to be made a survey for such highway at the earliest possible date, together with an estimate of cost.

That for the purpose of defraying the cost of said survey and estimate the sum of $25,000, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the Treasury not otherwise appropriated.

BUZZARDS BAY BUOY.

Mr. ROOT submitted the following resolution (S. Res. 219), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of Commerce be directed to inform the Senate what steps have been taken or are contemplated to buoy and mark that part of the public navigable waters of the United States in Buzzards Bay which will become a much-frequented trade route upon the opening of the Cape Cod Canal.

HOUR OF MEETING TO-MORROW.

The PRESIDING OFFICER. Morning business is closed. The calendar under Rule VIII is in order.

Mr. KERN. I desire to inquire of Members on both sides of the Chamber whether any Senator is ready to proceed or will be ready to proceed with the discussion of the currency bill on to-morrow?

Mr. GALLINGER. No Senator is ready to proceed on this side of the Chamber.

Mr. NELSON. In reply to the Senator from Indiana, I beg leave to state that with the exception of the Senator from Nebraska [Mr. HITCHCOCK], who intends to discuss the bill to-day, I am aware of no Senator on this side of the Chamber who desires to go on with the debate.

Mr. KERN. Then, Mr. President, I move that when the Senate adjourns to-day it adjourn to meet to-morrow at 2 o'clock p. m.

The motion was agreed to.

BANKING AND CURRENCY.

Mr. HITCHCOCK obtained the floor.

Mr. OWEN. May I ask the Senator from Nebraska just for a moment of time? I wish to call the attention of the Senate to the condition of the calendar and to the unanimous-consent agreements which are on the calendar. One is for December 1, 1913, providing for the disposition of the Hetch Hetchy bill, and the other is for December 8, relating to the Alaska railroad bill. I should like to have it understood that, in so far as those unanimous-consent agreements do not require the time of the Senate, I shall feel it my duty to ask the Senate to consider the banking and currency bill. I suppose there will not be very much time taken up on the Hetch Hetchy bill, and I should be very glad to know from the Senator from Nevada [Mr. PITTMAN], in charge of that bill, what time he anticipates will be consumed by debate upon that measure.

Mr. PITTMAN. Mr. President, at present there are only two addresses noted to be made on that subject. One is by the Senator from Colorado [Mr. THOMAS] for the 3d of December, and the other is by the Senator from California [Mr. WORKS] for the 4th of December. I do not know how many Senators desire to discuss that matter. It is set, however, for the 1st of December, and it may be considered from that time until the 6th, with a unanimous-consent agreement that it shall be voted upon on or before the 6th day of December. Of course it could not be voted on prior to the 4th day of December, because the Senator from California has announced that on that day he will address himself to the subject; but I suggest that it may serve convenience if Senators who desire to discuss the matter will make some announcement as to the time when they desire to discuss it. Then we shall be able to confer with those in charge of the currency bill, so as to notify them of the time between the 1st and 6th proximo that can be allotted to that measure. I simply make this as a suggestion.

Mr. SMOOT. Mr. President, I desire to state to the Senator from Nevada that there will be other Senators than those mentioned by him who will desire to discuss the bill to which he refers.

Mr. PITTMAN. I have no doubt of that at all.

Mr. OWEN. I wish to give notice that, in so far as the time of the Senate may not be required for the discussion of the Hetch Hetchy bill, I shall ask the Senate to proceed with the consideration of the banking and currency bill until 6 o'clock in the evening of each day. It is a matter of the most urgent importance.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from North Dakota?

Mr. OWEN. I do.

Mr. GRONNA. Does the Senator from Oklahoma mean by that to set aside the unanimous-consent agreement for the purpose of considering the currency bill?

Mr. OWEN. No; not at all.

Mr. GRONNA. That is not the Senator's request?

Mr. OWEN. Not at all. The unanimous-consent agreement, I take it, will consume so much of the time as the Senate desires to consume, even if it consumes it all; but, to the extent that it is not used, I wish to give notice that I shall ask the Senate to continue with the consideration of the banking and currency bill. That is all.

Mr. GRONNA. If the Senator from Oklahoma will permit me, I wish to say that my impression is that the six days allowed for the consideration of the Hetch Hetchy bill will be taken up. I do not know how much time I shall take in discussing the bill, but I desire to give notice that I shall wish at least some time to discuss it before it is placed upon its final passage.

Mr. OWEN. I assume that the Senator will speak upon the Hetch Hetchy bill. I only desire to give this notice and also to call attention to the unanimous-consent agreement with reference to the Alaska railroad bill, which involves taking that measure up for consideration; but, having taken it up for consideration, even the unanimous-consent agreement may be laid aside. I understand those in charge of that bill will make no objection to its being laid aside. It is costing the country, in my judgment, in the neighborhood of $5,000,000 a day to delay the banking and currency bill.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Kansas?

Mr. OWEN. I yield to the Senator.

Mr. BRISTOW. I have no desire, of course, to in any way delay the currency bill, but I do not wish it to be regarded that the Alaska railroad bill is to be taken up simply pro forma. I think that bill is just as important legislation as is the currency bill. It is one of the great measures that this Congress ought to pass, and it ought to have been passed before this time. I do not wish anything to interfere with it, and I do not think anything should interfere with it. The needs of Alaska and of the people who live there are more pressing in regard to the development of that Territory and the construction of railroads than any other measure that is before the American Congress to-day.

Mr. CHAMBERLAIN. May I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Oregon?

Mr. OWEN. Certainly.

Mr. CHAMBERLAIN. With reference to the Alaska railroad bill I have not heard as yet that there will be any very general discussion of it. I may be misinformed as to that, but I do not think that there will be any disposition to press it against the consideration of the currency bill—that is, there will not be very much discussion of it, I think, and there will be times during the discussion of the currency bill when no Senator will be prepared to discuss it—so that I think there will be ample opportunity to submit the Alaska railroad bill at the time fixed on the calendar. I hope so, at any rate.

Mr. OWEN. Mr. President, I merely wish to give notice to the Senate that, in so far as it lay within the power of the chairman of the Committee on Banking and Currency to press the banking and currency bill, it is the intention to do so, and I wish to ask Senators who desire to speak upon the banking and currency measure to be ready to address the Senate upon that bill at the earliest possible date. That is the only purpose I had in rising.

PLAN FOR A FEDERAL RESERVE SYSTEM.

Mr. NEWLANDS. Mr. President, I desire to give notice that to-morrow I will, if the opportunity presents itself, address the Senate regarding a Federal reserve system, which it is my purpose to present as a modification of the pending bill.

There are three systems that have been considered—first, the central-bank system suggested by Mr. Aldrich; second, the regional-bank system presented by both sections of the Committee on Banking and Currency; and third, a Federal system, which I presented some years ago in opposition to the Aldrich plan, and which I desire to urge now.

I wish to state briefly that I realize the great importance of speedy action upon the subject of banking and currency, but the system which I propose does not involve very material changes in the regional system proposed by the Banking and Currency Committee. It simply means a regional reserve association in every State and the federation of the various State reserve associations in one Federal reserve association at Washington. My view is that we ought to act decisively upon the basic plan that is to control this bill, and that before the discussion closes it will be necessary for the party that is in power to determine through a party conference what that basic plan shall be. When that determination is reached, the details can be easily adjusted. I believe that any of the plans proposed are superior to the existing system, and that the commercial and industrial conditions of the country require very speedy action.

I do not propose the modification suggested as a means of delaying consideration or action. I am ready at any time to acquiesce in any basic plan which has the assent of the majority of this body, but I should like to present the plan which I have advocated before and which I advocate now, and have it fully considered. It embraces simply the following suggestions, namely: First, the strengthening of the individual banks of the country engaged in interstate commerce, whether State or National banks, by adequate provisions regarding the relation which their capital shall bear to their deposit obligations and the relation which their reserves shall bear to their deposit obligations; secondly, the unionizing of all banks within the boundaries of a State, whether National or State, that are engaged in interstate commerce in a State reserve association through which one-third of their reserves can be unionized under the control of this association and so mobilized as to enable them to be used with advantage and with purpose at any point of attack within the State where a panic or a stringency threatens; third, to provide for a Federal reserve association at Washington, the members of which shall be the State reserve associations, with which shall be deposited one-third of the reserves that are deposited with the State reserve associations, and which shall have the deposit of Government funds and the power to issue Federal reserve notes.

Under this system about one-third of the entire reserves of the country, aggregating in all one billion and a half of dollars, namely $500,000,000, would go into the various State reserve associations and would be held there in a mobilized form. Of this $500,000,000 one-third would go to the Federal reserve association at Washington, giving it $166,000,000 of concentrated reserves, which it could use provided the local difficulty reached proportions beyond the control of a State reserve association and assumed interstate or national proportions. That

$166,000,000 would be supplemented by nearly $300,000,000 of Government deposits and the power also to issue Federal reserve notes. Under this system the power of rediscount would be given to the State reserve associations with reference to their member banks, and the power of rediscount would be given to the Federal association with reference to its member State associations. That power could be extended, if thought advisable, to individual banks.

A SYSTEM IN HARMONY WITH OUR SCHEME OF GOVERNMENT.

Under such a system, absolutely in harmony with our scheme of government and our political system, we would have the federated powers of the banks in every State in local associations for the purpose of meeting local difficulties and the federated powers of all the local associations exercised in one Federal association for the purpose of meeting difficulties which are likely to become of interstate and national extent and character.

I wish to call attention to the fact that this plan would also embrace no requirement of capital whatever from any of the member banks of the country, but would simply apportion between the State reserve associations and the Federal reserve association the reserves which the local banks both National and State are required to keep under the law. I offer the following resolution embracing the modification suggested, and which I request shall be read. I also request that it be printed and lie on the table. I will address the Senate upon this resolution at to-morrow's session.

There being no objection, the resolution (S. Res. 220) was read and ordered to lie on the table, as follows:

Resolved, That it is the sense of the Senate that the pending banking and currency bill should be modified by providing—

First. That within five years the capital of every commercial bank, National and State, engaged in interstate commerce shall be required to be equal to at least 12 per cent of its deposits, and that acceptance of deposits beyond this proportion shall be forbidden, except upon a proportionate increase of capital.

Second. That within five years the reserve of such banks shall be required to be equal to at least 12 per cent of the deposits, except in reserve cities, where it shall equal 15 per cent.

Third. That of such reserve held by county banks one-third may be deposited in reserve city banks and in central reserve city banks.

Fourth. That of such reserve one-third shall be deposited in the State reserve associations hereafter referred to.

Fifth. That there shall be organized in every State a State reserve association, in which the membership of all commercial banks, both National and State, shall be compulsory, as a condition of the continued existence of the national banks and of the privilege of continuing in interstate commerce as to the State banks.

Sixth. That each member bank shall deposit and forever maintain in such State reserve association at least one-third of its cash reserve. Such State reserve association shall have powers of supervision and regulation of its member banks, and also the power of rediscount of commercial paper, guaranteed by the member bank; the reserve of such member bank to stand as additional security for its guaranty.

Seventh. That a Federal reserve association at Washington shall be organized, whose members shall be the State reserve associations; that each of such member association shall deposit and forever maintain in the Federal reserve association one-third of the reserves deposited with it by the member banks; that such system shall also provide for the deposit in such Federal reserve association of Government funds, and also for the issue to it of Federal reserve notes.

Eighth. That power be given to such Federal reserve association to rediscount indorsed commercial paper held by any State reserve association and indorsed by it, and to use therefor the cash deposited by the member associations, the Government funds deposited with it, and the Federal reserve notes.

Mr. OWEN. I ask unanimous consent that House bill 7837 be now laid before the Senate.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. HITCHCOCK obtained the floor.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. The Senator from Nebraska [Mr. HITCHCOCK] is entitled to the floor.

Mr. SMOOT. Will the Senator from Nebraska yield to me for just a moment?

Mr. HITCHCOCK. Certainly.

Mr. SMOOT. Mr. President, I notice that the amendment intended to be proposed by the Senator from Nebraska [Mr. HITCHCOCK] to H. R. 7837 has not been printed in bill form, I have had a number of requests for it, and have been unable to obtain a copy.

Therefore I ask, if the Senator does not object, that the usual number of copies of the bill H. R. 7837 be printed in bill form, showing the changes suggested by the amendments intended to be proposed by the Senator from Nebraska [Mr. HITCHCOCK].

There being no objection, the order was agreed to, and it was reduced to writing, as follows:

Ordered, That the usual number of H. R. 7837, "An act to provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes," be printed in bill form, showing the changes suggested by the amendments intended to be proposed by the Senator from Nebraska [Mr. HITCHCOCK] and as shown in Senate Document 242, Sixty-third Congress, first session.

Mr. HITCHCOCK. Mr. President, we have now begun the consideration of what is likely to prove the most important legislation that has been before Congress for many years. It would be hard to overestimate the great changes in banking circles and in the business world which may be produced by the bill now before us. It affects primarily, of course, and directly the 25,000 banks of the United States, large and small. It affects their tens of thousands of stockholders; and it affects, also, their vast number of borrowers and their unnumbered depositors. It would be hard, indeed, to find any class of society, whether employers or employed, whether rich or poor, not affected by this bill. It affects also the credit of the United States. It affects our international relations through the channels of commerce, and it is likely to affect to a large degree our position in the finance of the civilized world.

I have felt, Mr. President, from the very start, that the possibilities of this legislation are too vast to justify hasty action; and I rejoice that after two months of thorough discussion and consideration in committee the pending bill is to be subjected to the acid test of a public debate in the Senate of the United States.

First, Mr. President, let me draw attention to the genesis of this bill, its evolution, and its present condition. Banking and currency reform has been the subject of agitation in the United States for many years. There has been a growing realization that our banking and currency system was lacking in certain respects. This sentiment has been in part academic, being led by political economists and publicists, but in part it has also been practical, having the anxious support of banking interests which have been pinched by several currency stringencies and shaken by several bank panics.

Possibly this condition of agitation and discussion might have continued for some time had it not been for the action of President Wilson in bringing the matter before Congress, thus making banking and currency reform an administration measure. In so doing, the President has merited and received the praise of the whole country. His wisdom and his courage in bringing this needed reform to a practical issue is to be highly commended. Nothing less than presidential influence would have made banking and currency reform possible for some time.

I yield this tribute to the President of the United States the more readily because I have frankly opposed and criticized him when he urged hasty action, which I deemed dangerous.

The bill before us reached the Senate on the 18th of September, having passed the other House after several months of discussion in committee, caucus, and in the full House. As I look upon it now, Mr. President, I am disposed to think it somewhat remarkable that the House succeeded in sending to the Senate so good a bill, considering the difficulties of the situation. In the first place, it was formative and original legislation. It dealt with a difficult problem which to some extent has puzzled the civilized world for many years. It was pushed through the House in a hurry. It is but fair to its authors to say that it represented much hard work, great study, and original thought. To some extent, of course, it was an adaptation of the European system of a central bank, with such modifications as political exigencies and American institutions made necessary.

But, Mr. President, excellent as the bill was, it contained some very serious defects and some fundamental errors. Had these been enacted as they came from the House most serious consequences might and probably would have followed. The best proof that the House bill needed revision is found in the fact that every member of the Banking and Currency Committee, which has examined the bill and considered it for two months, voted for changes which amount in the aggregate to more than one-half of the original measure.

I have caused an examination to be made of the bill as Senator OWEN and his section of the committee proposed to amend it. I find that 60 per cent of the bill as he now recommends it to the Senate is new or rewritten matter, while only 40 per cent of his bill appears as it originally passed the House. In other words, the bill he presents is 40 per cent old and 60 per cent amended. In the case of the report which I have had the honor to make on behalf of six members of the committee, 64 per cent is the new or revised matter, and 36 per cent is the original matter of the bill. Thus, Mr. President, do both wings of the committee concur quite closely as to the proportion of the bill which should be changed.

I say this with no spirit of criticism of the bill, for I have already stated my belief that considering the circumstances and the difficulties the bill which was passed by the House showed great constructive genius.

It is perhaps fortunate, Mr. President, that Senator OWEN'S section of the committee and the section of the committee which I have the honor to represent have to a considerable extent proposed amendments to the same sections. If it had chanced that we had selected different sections to amend, I fear there would be no part at all of the original House bill here for consideration. It then would have presented somewhat the spectacle that was presented by the farmer boy's trousers when he awoke in the morning to try them on. Upon going to bed at night he had asked his mother if she would not please cut off an inch of his new trousers, as they were too long. She had plead that she had too much to do. He had then asked his sister to do so, and she had some excuse. Then he had asked an aunt to do so, and she had an excuse. So finally the poor boy went to bed feeling that his trousers would still be too long in the morning. But one after another these members of the family relented, and out of sympathy they each cut off an inch of the boy's trousers; so that when he awoke to try them on in the morning they were very much shorter than they really ought to be. [Laughter.]

Such, I think, possibly would have been the condition of the House bill if it had not happened that Senator OWEN'S section of the committee and the section which I represent applied our amendments largely to the same portions of the bill.

Now, Mr. President, we come naturally to the points of difference between the section of the committee which I represent and the section represented by the chairman, Mr. OWEN. I shall not go into the circumstances or the causes which led up to a split of our committee. At the present time I shall content myself by testifying my esteem for and good feeling toward the chairman of the committee. I have not hesitated to differ with him in the consideration of the pending bill; but I desire in this public way to testify my appreciation of his great industry, his remarkable patience under irritating conditions, and his equally marked ability.

Mr. President, I do not think it a misfortune that this measure is brought to the Senate by an equally divided and equally balanced committee, presenting sharply defined issues. On the other hand, I think it a highly favorable start to make. I think the Senate will be in a position to consider the bill with better results in prospect than if we presented to you a unanimous and compromise report, because the Senate can now judge, after the two sides have been duly and properly presented, which of the differing views is the one most likely to lead to favorable results.

The first matter of difference between the two sections of the committee is in the number of reserve banks. The House bill proposed to divide the country into 12 districts, and to establish in each a regional reserve bank. The hearings had not progressed far when every member of the committee realized that to cut up the country into 12 districts and to establish 12 regional banks meant to defeat the very purpose of the legislation, which is to mobilize the banking reserves of the United States for the common use of all the land. So instead of 12 regional banks, as proposed by the House, Senator OWEN'S section of the committee has presented to you 8 regional banks, and the section of the committee which I represent presents to you for your consideration an amendment to establish 4 regional banks, and 4 only.

The agitation for banking and currency reform in the United States has always led us to look upon the countries of Europe, where bank panics are practically unknown, where the rate of interest has few fluctuations, where the discount of commercial paper is easy, and where the currency has an elastic character, expanding at the seasons of the year when business requires it and contracting as credits are reduced. Looking at those countries and taking, for instance, Great Britain, France, and Germany we find that each has a central bank, and we find that in each the deposits of all the banks are mobilized and concentrated into the central bank. We find a central reservoir in each of those countries, drawn upon at all times by all the banks in case of necessity. So if there is any lesson at all to be learned from the experience of European countries it is that the mobilization of reserves is perhaps the one greatest need above all others.

In Great Britain the Bank of England performs the function of a central bank. In that case it is mobilization and nothing else which enables the Bank of England to control the gold supply, to regulate the rate of interest, to supply the great joint-stock banks with necessary funds, and to perform generally the functions of a central bank. It has no note-issuing power except against gold.

We go to France, and we find a central bank, the Bank of France, under Government control; and in the Bank of France we find mobilized all the reserves of all the banks of France. We find the Bank of France endowed with the power to issue currency in case of need to banks that discount their paper with it.

We go to Germany, and we find a similar condition. The great Reichsbank of Germany, established almost within our own recollection, performs for Germany the functions which the Bank of France performs for France. It holds the reserves of the great banks of Germany, discounts their paper, supplies them with currency, hoards the gold in a central reservoir, controls the rate of interest, and influences the gold supply.

Now, I say if we are to profit by the experience of Europe we must in adopting a system adopt a system that will accomplish some of the things that are accomplished by those central banks.

Mr. President, I do not believe, and I doubt whether it can be shown, that it will be safe to attempt to mobilize the reserves of the banks of the United States with any number of reserve banks greater than 4. There is no more logical argument for 8 banks than for 10 or for 12, and there is an argument and a reason for 4.

In the first place, we have three great central reserve cities of the United States to-day—New York, Chicago, and St. Louis. In those cities are concentrated a large portion of the reserves of the American banks. Gradually there has grown up a banking custom and a commercial habit which have fixed those three great cities as the reserve centers. They have their tributary territory, and it is natural to establish in each of them a great reserve bank. The great distance of the Pacific coast cities renders it highly desirable, if not necessary, that a reserve bank should be established on the Pacific coast. San Francisco is the natural point.

Mr. President, no one claims that the aggregate capital of the reserve banks of the United States, however many we establish, can be or ought to be more than about $105,000,000. There is substantial agreement upon that point. Divide the $105,000,000 among four great reserve banks, and in the natural proportions of capital and surplus you will have a great reserve bank in the city of New York with about $50,000,000 capital and $250,000,000 of deposits, a bank so large and so powerful that it will compare favorably with any of the great banks of Europe, and large enough in international transactions to hold its own with any of the great institutions of the Old World.

Coming to Chicago, the natural division of the territory will make it possible to organize in Chicago a reserve bank with $20,000,000 of capital and $200,000,000 of deposits to serve a territory that is naturally tributary to Chicago.

Coming to St. Louis, and taking also again the banks organized in the St. Louis territory, we find that a bank can be organized there with about $16,000,000 capital and something like $100,000,000 of deposits.

Going farther, to the Pacific coast, it will be possible in San Francisco to organize a bank of $10,000,000 capital and about $65,000,000 deposits.

Now, can anyone tell what is to be gained by cutting up that territory into smaller units, demobilizing the reserves, when our purpose is to mobilize them?

Moreover, my friends in the South and the West and in the central part of the United States should remember this. New York constitutes an irreducible minimum. No matter how many reserve banks are organized in the United States, the reserve bank of New York City will not be less than $40,000,000 of capital and about $300,000,000 of deposits. The subdivision of the country into a larger number of reserve banks will simply result in magnifying New York and reducing to insignificance the rest of the reserve banks of the country.

I want to draw attention to a comparison of the practical operations of a large reserve bank, covering a great area of territory, and a small reserve bank in a limited region. Suppose, for instance, we should have a regional reserve system of eight banks, with one established at the city of New Orleans, in the heart of the cotton country. The time comes to move the cotton. An enormous sum of money is required. Every bank in that district would be affected by the same cause. Every bank in that district would want money at the same time, and almost immediately the balances in the reserve bank of New Orleans would be drawn down to the very minimum and still be unable to accommodate their customers, and that reserve bank would be compelled to apply to the Federal board for asset currency. What is true of New Orleans would be true of a bank in the corn country and a bank in the wheat country and a bank in the manufacturing center of New England.

On the other hand, if you have a great reserve bank at New York, having the territory extending down the Atlantic coast and possibly reaching New Orleans, or if you have a bank in St. Louis extending down through the great Mississippi Valley and reaching New Orleans, whichever way the Federal board might arrange it, when the banks of the cotton country at the proper season desired currency, desired a discount of their paper in order to serve their customers, they would procure it from the great reserves of the great bank in St. Louis or New York, at a season when the other customers were not demanding money, when there was an accumulation of reserves from the manufacturing regions or from the mining regions, which reserve bank would be able to discount the paper of the cotton-country banks simply by the use of money actually on hand.

So I say that the result of dividing this country into eight reserve districts instead of four would be to magnify the demand for currency, and any number of small reserve banks would be calling for currency of the Federal board here at Washington when there would be idle funds in other parts of the country. It is a matter of mobilization, the very thing we are attempting to escape by passing this legislation.

Now, Mr. President, I come to the next item of difference, which is the control of these reserve banks. The section of the committee to which I belong proposes that the Government of the United States, through its Federal board, shall select five of the directors of each reserve bank, and the bank of the district shall select four. We defend that upon the ground that this reserve bank is established as a public utility. It is not to make money; it is to protect the depositors against loss; and it is to give the borrowing public a stable and uniform low rate of interest.

We realize that the banking interests should be represented upon each board, because the banks have their reserves in these reserve banks, and by giving them the power to elect four members they will have sufficient representation of their own selection there to cooperate with five men chosen by the Federal board.

We think, Mr. President, that it is an unwise experiment to create a banking trust in the United States, and therefore we come to another point of difference with the section of the committee represented by Senator OWEN. He proposes, as the House proposed, although in a slightly modified form, that the reserve banks shall be owned by the individual banks. We think that would be a mistake for several reasons. We think it would tend to build up a banking trust in this country. We think, moreover, it would tend to endanger the success of this system, because there are many thousands of banks in the United States whose capital is now earning 10, 12, and 15 per cent, and they do not want to take one-tenth of their capital out of their own community and put it into a reserve bank where it is limited to earn 5 or 6 per cent and where it is beyond their control.

So we say that public ownership is desirable not only because it is a poor investment for the banks but because it is a good investment for the people of the United States. We propose that each bank shall be required to underwrite its proper share of the stock in the regional bank and for 60 days offer it to the public. We believe the public will take it. A 5 per cent investment in a Government institution of this sort, particularly if there are only four regional banks, will in all human probability prove a good one. Five per cent dividends can be earned with four regional reserve banks, and people who are receiving only 3 and 4 per cent, or possibly 5 per cent, on investments now will gladly take this stock, using sometimes also funds which they have hidden away. They will take this stock because it carries a 5 per cent cumulative dividend and also because it is made free from all taxes, National, State, and municipal. And so, Mr. President, we propose public ownership of these banks, which are public utilities, and Government control for the same reason.

I realize that if we are to have eight regional banks public ownership is almost impossible, because the puny and weak banks which would inevitably be organized if we had as many as eight would in all human probability not pay a dividend. They might not pay operating expenses.

The next point of difference to which I come is not so great, although I think it is important, and that is the matter of reserves. The section of the committee which I represent recommends that the reserves required of the individual banks of the country shall be 12 per cent for country banks and 15 per cent for city banks. We suggest that four-twelfths of the country-bank reserves shall be required to be placed in the reserve banks, four-twelfths kept in their own vaults, and the remaining four-twelfths of the reserves kept in either place, at the country bank's option. With city banks we recommend that the 15 per cent reserve shall be kept, six-fifteenths in the regional banks and the remainder in their vaults or in the regional banks, as they prefer.

The chief change, however, which we have recommended in this section relates to the transfer of reserves. It should be remembered that the reserves at the present time are deposited in 350 national banks, in 47 reserve, and 3 central reserve cities. This bill will require the transfer of those reserves into new banks. When the order of transfer comes it would be a serious matter for this country, and likely to produce a shock which might result in a panic, if the transfer is made so sudden or so rapid as to compel the banks to call their loans in order to get the money to make the transfer with, because these banks in central reserve cities have not kept the funds idle. They have loaned them out, and if they are to turn them over to the reserve banks they must call in their paper in order to get the money to turn over. So we have provided that the transfer from the country banks to the reserve banks shall cover a period of 24 months, one-fourth each 6 months, and we have provided for city banks a similar gradual transfer of 1 per cent each 6 months.

We believe that this will avoid the awful shock that would have been produced had the provisions of the House bill been carried out, a shock which the banks of the country have evidently dreaded, because they have been accumulating cash and calling loans for the purpose of meeting it, and have therefore produced a stringency which is already felt all over the United States.

The next item of difference to which I desire to call the attention of the Senate is in the discounting of paper for member banks. As the bill came from the House, everything was left optional with the regional bank. A bank might offer paper for discount, and the directors of the regional bank might say, "No; we will not take it." Another bank might present paper for discount, and the directors of the regional bank might take the whole portfolio. There was danger of gross discrimination on one side and great favoritism on the other. So, to guard against that, we have provided that every individual bank, as a matter of right, shall have the privilege of discounting eligible paper to the amount of its capital stock. That is a moderate discount. That is a discount which is common under the present practice to-day, an amount of discount paper equal to the amount of its capital stock. We have provided that no bank shall be permitted to discount paper at any one time in excess of twice its capital stock. Thus we have guarded against favoritism on one side and discrimination on the other, and we have left a period for the discretion of the board of directors. But in order to check undue discount we have provided that whenever a bank discounts more than the amount of its own capital stock it shall pay a higher rate of interest, which of itself is an automatic brake on excessive discounts.

There is, then, another difference, in the character of paper as provided in the House bill, which limited the maturity of paper to 90 days.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER (Mr. STERLING in the chair). Does the Senator from Nebraska yield to the Senator from Kansas?

Mr. HITCHCOCK. I do.

Mr. BRISTOW. The Senator will remember that there is a provision also that where a bank desires to discount to an amount more than twice its capital stock by obtaining permission from the Federal board the regional bank can increase the discount beyond double the amount.

Mr. HITCHCOCK. Yes; that is an omission I made which I am glad the Senator from Kansas has called to my attention. It is possible that there might be an emergency—a run upon a bank might produce an emergency and cause a need for a great supply of funds. In that case the Federal board has power to order the reserve bank to discount additional amounts of paper for that bank so that it can meet the emergency.

Mr. SMOOT. Without a penalty?

Mr. HITCHCOCK. That is left discretionary with the board, and, I think, properly so. As the bill came from the other House the discount privileges for banks were practically so restricted and limited that they could be used only by the city banks; that is to say, they were limited to paper which had a maturity of 90 days. We found, by taking testimony, that there were thousands of banks in the South and in the far West that take paper for six months, and that they are just as much in need of discounts, and they are contributing as large a portion of their resources to this system as are the city banks. So we have provided that a limited amount of paper having a maturity of six months may be taken.

The six months' paper is just as legitimately a commercial paper as is the 90-day paper of the East, where the processes of

manufacturing and mercantile business are perfected in 90 days, and the man who gives his note for 90 days is able to pay it out of the proceeds which come from the sale of his property, his stock. In the West the man who buys cattle to feed during the winter months and borrows money for the purpose of buying them is not able to meet his paper in 90 days, but at the end of six months his paper is liquidated just as naturally, just as fully, and just as freely as is the mercantile and manufacturing paper of the East. The same conditions exist in the South. So we have provided in our bill that a limited amount of six months' paper may be taken, and that of the paper which a bank discounts not more than one-half of it may have a maturity exceeding 90 days.

On the rate of discount there is a considerable difference between the two wings of the committee. It is not a difference which appears in the bill, but it is a difference which will appear in operation. Each regional reserve bank may have a different rate of discount. If you have eight regional reserve banks it is inevitable that the regional reserve banks in the South, in the West, and in the Central West will have a higher rate of discount, because that section of country naturally commands a higher rate of discount. If you have only four regional reserve banks, you have only four rates of discount.

It is natural to suppose that the rate of discount in New York for the whole New York area, the rate of discount in Chicago for her whole area, and the rate of discount in St. Louis for her vast area will be very nearly the same rate of discount. San Francisco, by reason of entirely different surroundings, might have a higher rate of discount, but the bill as we propose it with only four regional banks will almost inevitably result in making a flat rate of discount for the whole country. The rate of discount in Chicago will not be higher to any degree than that in New York, and the rate of discount in St. Louis will not be higher than that in Chicago. So I say that, so far as the borrowing world is concerned, it is much better to have four regional banks with a practically flat rate of discount than to have the larger number with a higher rate of discount by reason of local conditions.

Now I come to a difference which is quite radical in the two bills.

Mr. BACON. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Georgia.

Mr. HITCHCOCK. I do.

Mr. BACON. I am not familiar with the bill and am asking for information not only as to the bill presented by the wing of the committee represented by the Senator from Nebraska, but generally as to the bill. Does this bill provide a rate of interest at which banks shall be required to loan to private borrowers?

Mr. HITCHCOCK. No.

Mr. BACON. I did not suppose the bill did so provide, of course, but I asked that question, having reference to the last statement made by the Senator as to the advantage to the people of my section of the larger regional banks. How would the rate of interest be to the advantage of the private borrower if it did not affect him?

Mr. HITCHCOCK I will illustrate that to the Senator. I am hurrying along and condensing a good deal, so that I have not elaborated. With a great regional bank, with enormous deposits and great reserves, it will be in the same position as is a central bank in Europe, able to buy paper on the very closest margin, to allow the bank which discounts the paper to do so at the least possible loss, and the bank, being able to practically turn its commercial paper into money at almost no sacrifice, will be able to extend its borrowing to its customers at a lower rate of interest in consequence, and always able to get additional funds to loan to its customers. It will not be compelled to say to John Smith when he comes, "We can not lend you this money because we are down to our reserves." It will be able to say, "Yes, we will take your paper if it is good." So the establishment of great reserve banks with enormous resources will mean in this country, as it has meant in Europe, not only a very low rate of interest, but a rate of interest which will have very few changes from season to season.

Now, Mr. President, I come to the matter of the division of the profits of these reserve banks. We feel confident in our section of the committee that, with four regional banks, they will not only pay operating expenses, earn 5 per cent dividends for stockholders, and accumulate the 20 per cent surplus which the bill requires, but that they will have profits over and above those requirements. Then we propose that one-half of those excess profits shall go into the Treasury of the United States as Uncle Sam's share for the use of his deposits. The other half we propose shall constitute a trust fund for the insurance of the depositors of the member banks which fail.

Mr. President, we are establishing this system for the purpose of preventing bank failures. We believe that it will largely accomplish that purpose; but occasionally there will be a bank which, either through mismanagement or misfortune, will go down. When it goes down, its depositors will be reimbursed out of this accumulated fund, a fund not raised by the taxation of other banks, but a fund produced by the use of the depositor's money in the reserve banks; and we believe that the establishment of this fund will add another note of confidence to this new system which we propose to establish and that it will render bank runs absolutely impossible.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Colorado?

Mr. HITCHCOCK. I do.

Mr. THOMAS. I consider that feature of this bill—I mean the one which is recommended by the Senator's section of the committee—as one of its most admirable and necessary features, but I should like to ask, in that connection, whether the bill makes proper provision, or any provision, for giving the reserve banks a lien upon the assets of the failed bank, the bank which suspends, for the purpose of reimbursing its guaranty fund? If not, it seems to me that that is a subject which should be treated by way of amendment to the bill before it is finally determined upon.

Mr. HITCHCOCK. Mr. President, in reply to the Senator from Colorado I will say that no such provision is made. Although the evidence may seem to be against us, we have really endeavored, so far as possible, to make as few changes in the House bill as might be. I think the suggestion of the Senator from Colorado, however, is worthy of consideration. I should like to see him elaborate it with some amendment for further consideration of the Senate when that section is reached. We merely endeavored to put into the bill the principle, to make use of a fund which was there, and any elaboration or perfection of the idea will be very welcome, I assure the Senator from Colorado.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. HITCHCOCK. I do.

Mr. SMOOT. In hurriedly reading the bill last night my attention was called to this particular subject. As I remember, there was to be no limit to the amount set aside for guaranteeing deposits, or, in other words, if the bank proceeds to run for 20 years and proves profitable—and I believe it will be profitable—one-half of all the actual gains made, after paying 5 per cent to the stockholders and after providing a 20 per cent reserve, may amount to an exceedingly large sum. Has the Senator thought of any limitation as to the amount collected for that purpose, or does he think it best to accumulate that vast sum of money and let it grow continually?

Mr. HITCHCOCK. No. Mr. President, the section of the committee cooperating with me considered that, as the Senator from Utah has stated, in the course of time this fund might grow to excessive proportions; and I think the Senator will find in the bill a provision that, if it becomes excessive, the reserve board may discontinue it until such time as its replenishment becomes necessary.

Mr. BRISTOW. Mr. President, if it will not interfere with the Senator's discussion, I will be glad to read the provision in the bill on that very point. On page 37 of the print which I have, in line 10, the amendment provides:

> When, in the judgment of the board, there has been accumulated in such depositors' insurance fund a sufficient sum fully to insure the payment of the depositors of insolvent member banks, the board shall have power to suspend the setting aside and accumulation of the said 37½ per cent of such earnings, and thereafter such 37½ per cent of such earnings shall be paid to the United States.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield further to the Senator from Utah?

Mr. HITCHCOCK. I do.

Mr. SMOOT. That covers the exact point. I missed it last night in reading the bill. I was trying to read all three bills by way of comparison and get all the provisions of the bills in my mind at once, as I thought we had little time to prepare for the discussion.

Mr. HITCHCOCK. Mr President, the next matter of difference relates to the issue of currency. We have proceeded naturally in the consideration of this matter up to a point where the reserve bank has loaned out of its cash reserve all that it can safely advance to the bank and there is still a demand of mem-

ber banks for the discount of paper. Then the House bill provided that the Federal reserve bank might apply to the Federal reserve board for currency, and it left it in the power of the Federal reserve board to grant or to refuse the application. Our bill makes a radical departure from that. We provide that when a Federal reserve bank in all respects complies with the law by maintaining a 45 per cent gold reserve against note issues, by maintaining a 35 per cent reserve against deposits, and by obeying the regulations of the Federal board and other provisions of the act, then when it presents eligible paper to the agent of the Government, the Federal reserve board shall issue the currency which the needs of the business require. That is necessary, because we have given the right to each bank to secure a discount of paper to a certain extent. It is necessary to carry out the purpose of this legislation. It is unheard of in France, for instance, that the Bank of France will refuse to discount eligible paper, and it is practically unheard of in Germany under the system of the Reichsbank. So, we have provided that the reserve board shall issue currency when it is required by the reserve banks.

It should be remembered that this is in entire harmony with the genius of this legislation. Each reserve bank is a part of the Government; each reserve bank is controlled by the Government; each reserve bank is a public utility and responding to the natural demands of business; and, so, when the time comes that it needs currency, we feel that it should secure it from the Federal reserve board, providing it deposits 100 per cent of good commercial paper and maintains the 45 per cent reserve of gold against the currency.

There is, however, a restraining power which the Federal reserve board in Washington holds. At any time it can order a Federal reserve bank to raise its rate of discount. That power enables it to put a restraining hand upon the reserve banks, which will then raise their rate of discount to member banks, and the member banks will raise it to their customers, and that will check the excessive inflation of bank credit.

Mr. President, there is another quite important change which we have made in this bill, to which I desire to call attention. As the bill came from the House it provided for a reserve against currency of 33⅓ per cent. In my opinion that is inadequate. It is inadequate if we judge by the great reserves kept by the banks of Europe; it is inadequate if we judge by the great gold reserve which we have been compelled to accumulate in the Treasury against our own greenbacks—42½ per cent. So we have provided that the reserve against currency shall be 45 per cent.

Mr. President, we have changed the provision regarding the redemption of the Federal reserve notes. As provided in the House bill, the new bank currency might be redeemed in gold or lawful money. We think that unsound; we think that this new currency should not be paid in anything but gold. We do not think that the Government of the United States in issuing its obligations, its promises to pay, should reserve the right to pay those obligations in other obligations. We do not think it should permit banks to reserve the right to pay their obligations in other obligations. So we have stricken "lawful money" from the section of the bill relating to the redemption of the new currency and have provided that it shall be paid in gold or gold certificates.

Senator OWEN'S bill is, in a measure, a compromise between the two. It provides that the new currency shall be redeemed in gold at the Treasury of the United States when presented, but that it may be redeemed in gold or lawful money at a reserve bank, a distinction which I am not able to understand, but which, it seems to me, might throw a great burden upon the Treasury of the United States.

We have also provided that the reserve banks must keep in the Treasury in gold at least 5 per cent of their note issues, to be used in redeeming notes that are presented there. We have also provided that the Secretary of the Treasury may compel them to increase this amount to 10 per cent if the needs of redemption require it.

In the matter of reserves against deposits we have made a change. The House bill provided for a reserve of 33⅓ per cent against deposits. We have raised that reserve to 35 per cent, but have taken away its rigid character by providing that reserve banks may permit their reserves to fall below 35 per cent down as low as 25 per cent in cases of emergency to give relief to member banks; but for each 2½ per cent deficiency the reserve banks are required to pay a tax or penalty of 1 per cent, which is to be in turn charged to the banks borrowing the money, which will be a check upon those banks.

In the matter of the refunding of bonds quite a radical change has been made in the House bill. We have outstanding at the present time some $750,000,000 of 2 per cent bonds, largely owned by the national banks of the country and by them deposited in the Treasury as security for the notes which the banks issue. It seems to be desired to retire this currency. At times it is considered redundant. It can not be retired under the present system. So Senator OWEN'S section of the committee and the one I represent have united in proposing a scheme different from that of the House bill. The one which my section of the committee has proposed provides that after the reserve banks are organized each reserve bank shall begin the purchase of 2 per cent bonds at par, with accrued interest. This is not done for the benefit of the banks. It is done to maintain the credit of the United States, for the reason that the 2 per cent bonds are now selling below par. Each bank is required to purchase each year an amount of the 2 per cent bonds not exceeding one-half of its capital stock. When it has purchased them it may present them to the Treasury of the United States and secure from the Treasury 3 per cent one-year gold notes. Those notes it may keep in its treasury as an investment. The 3 per cent interest will make the notes a fair investment for some of the surplus funds of the reserve banks. It is designed particularly, however, to give the reserve banks this great quantity of 3 per cent one-year gold notes so as to equip the reserve banks with a means of securing gold. It is an adaptation of the experience of European countries in the use of exchequer bills or treasury notes.

A reserve bank holding, say, fifty or seventy-five million dollars of these one-year 3 per cent gold Treasury notes finds that the gold supply of the country is becoming depleted. It finds that by reason of some great foreign war or some great emergency gold is being withdrawn from this country and that possibly some impairment may come to the banking interests of this country on that account. It can then sell those 3 per cent gold notes abroad or in this country and procure gold for them, which it will hold in its vaults or use in its business as a necessary basis of credit.

In one year those notes, of course, come due; but we provide in our bill that the reserve banks shall be under a contract with the Treasury to renew them year by year for 20 years if the Treasury desires. The Treasury may retire them from time to time, but if the Treasury desires to have them renewed the banks are under compulsion to renew them. They will constantly have use for them, for the purpose of selling them abroad to procure gold from time to time.

It may be said that this is substituting a 3 per cent note for a 2 per cent bond, and therefore may subject Congress to criticism. I have been a little slow to come to any action of that sort, but I have been reconciled to it not only by the fact that it is useful to control the gold supply of the country, but also by the fact that the Government of the United States gets a large part of the net profits which these banks are to make, and those profits act as an offset to the 1 per cent additional interest on the notes.

Mr. President, I have covered this subject somewhat hastily——

Mr. BACON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Georgia?

Mr. HITCHCOCK. Certainly.

Mr. BACON. I understood the Senator to say that the bond matter, about which he has just spoken, is one upon which both wings of the committee agree. Is that true?

Mr. HITCHCOCK. There is agreement in the purpose, but in carrying out that purpose there is considerable difference between the two wings of the committee. I shall not undertake at this time to explain the plan proposed by the other wing of the committee. I am not entirely familiar with it, and hardly feel competent to do so. We think, however, that our plan of proceeding through the reserve banks has the approval of all the better practice. Great Britain encountered some difficulties after the Boer War through selling directly her one-year treasury or exchequer notes. We think it would be a mistake for the Treasury of the United States to undertake to discount its own paper. A bank can do it, and can suffer the loss of one-half of 1 per cent or 1 per cent at times in order to get gold; but it would not be proper for the Treasury of the United States to do it.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Georgia?

Mr. HITCHCOCK. I do.

Mr. SMITH of Georgia. The Senator says these notes would run for one year?

Mr. HITCHCOCK. One year.

Mr. SMITH of Georgia. Would the effect of that be, as rapidly as the bonds are purchased by the regional banks, to require the Government to redeem them in 12 months?

Mr. HITCHCOCK. No; the regional banks first buy the 2 per cent bonds, and the national-bank currency is proportionately retired. The regional banks then can use these 2 per cent bonds and issue currency against them, or it can present them at the Treasury and secure one-year 3 per cent notes. The 2 per cent bonds in that event are canceled, and the one-year 3 per cent Treasury notes then are in the hands of the reserve bank. It will hold them there as an investment, except at such times as it needs to procure gold to strengthen its reserves. At each maturity each year the bank is under compulsion to renew the note for another year with the Treasury or to accept a new note for 20 years. So the Treasury of the United States has a contract with the reserve banks to renew the notes.

Mr. SMITH of Georgia. It was the necessity for such a provision as the one which the Senator has just mentioned, and which he had not mentioned before, that caused my question. Under your provision the 2 per cent bonds can be used by the regional bank as a basis for the issuance of regional or reserve notes?

Mr. HITCHCOCK. For the issuance of reserve notes; yes.

Mr. President, I have gone over this matter rather hastily, and in so doing I have necessarily omitted a good deal. I thank the Senate very deeply for the attention it has given me.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from North Dakota?

Mr. HITCHCOCK. I do.

Mr. McCUMBER. Is the Senator tired, so that he does not feel like answering a question or two?

Mr. HITCHCOCK. Oh, no; not at all.

Mr. McCUMBER. If not, I wish to propound one or two questions.

I should like to know any good reason for compelling a bank, or even the public, to invest in one of these regional banks, where the assurance of profit is never greater than 5 or 6 per cent, and to take all the risk, while the Government, which does not put one penny into the institution, is to get everything there is in the way of profit above 5 or 6 per cent. In addition to giving to those who are intrusted with the direction of one of these banks the inducement to make it a good, paying institution, why should not those who are compelled to invest in it under one bill, or invited to invest in it under the other bill, if they take all of the risk, at least have some of the benefits of getting a profit greater than 5 or 6 per cent?

I appreciate that in the bill the Senator has presented a provision is inserted whereby a certain portion of these notes will be set aside for the guaranty of the deposits in the particular bank investing, and I think certainly that is a very good provision. If that is done for safety, however, what reason can the Senator give for not allowing the bank at least to have the benefit, above that which is reserved for its own protection, of any profits in excess of 5 per cent, if the bank should earn more than 5 per cent?

Mr. HITCHCOCK. That is a rather long and somewhat complicated question. I can assure the Senator that it is far from my purpose to compel anybody to buy this stock. In fact, one of my chief objections to the bill as it came from the House was that it practically seized 20 per cent of the capital of every national bank in the United States, requiring one-half of it to be paid in cash, and compelling that bank to give up its charter and lose a large share of its bonds unless it did so. For that reason we have removed the compulsory feature. We do require the national banks to underwrite this stock and require and permit them to take such as the public fails to take, but we are confident the public will take it all.

Mr. McCUMBER. But if the public does not take it the bank is compelled to take it; is it not?

Mr. HITCHCOCK. Yes; it is required to take it, but it is not required to impound it. It is permitted to sell it, which is not possible under either the House bill or the bill presented by Senator OWEN. That is a defect which I think is very obvious, for a bank having this stock among its assets might, by reason of the demands of business, desire to sell it and realize on it; but under the House bill and under Senator OWEN'S bill it is impounded and is not a liquid asset of the bank.

As far as the voluntary subscribers to the stock are concerned, they are merely the small investors, who are glad to have a 5 per cent dividend. I think if a higher rate of dividend were permitted the stock would go to a premium, and no good could be attained by that. It would become a speculative proposition. I am satisfied the stock will be oversubscribed if issued on a 5 per cent cumulative basis. We have provided for public ownership of the stock and Government control of the banks, and in that way have freed the thousands of banks in the South and West who do not want to be compelled to invest their capital in this way.

I may say, furthermore, that there is another matter which I omitted to mention. One of the great defects of our national banking system to-day is that it has an inadequate capital. Every bank is trying to do as large an amount of business as possible on a small amount of capital, so as to have as high dividends as possible. The result of that process over a period of years has been a constantly growing disparity between capital and deposits. To take 10 per cent of the capital, or 6 per cent of the surplus and capital, away from those banks and put it into the reserve banks is to increase the evil; whereas if we sell this stock to the public we bring into the banking world $100,000,000 of new capital, which of itself will serve to strengthen the system and render the margin of safety for depositors greater than ever.

Mr. GRONNA. Mr. President, I should like to ask the Senator a question in connection with the question propounded by my colleague relative to section 7. As I understand, the provisions of section 7 in no way guarantee the deposits. They simply provide that when surplus and profits go above a certain rate the excess shall be set aside for the purpose of paying depositors, but in no way does the bill guarantee deposits. Am I correct?

Mr. HITCHCOCK. That is correct.

Mr. McCUMBER. Mr. President, I do not think the Senator from Nebraska fully answered the question I asked. I assume that the one I asked him was rather long; but the particular feature of the question was this: What justification is there for the Government, which puts in no capital, which invests nothing, sharing in the profits, as against the public, which does put its money into the enterprise and takes all of the chances, having the benefits of such profits as may arise?

Mr. HITCHCOCK. I did overlook that branch of the Senator's question. The justification of it is that Government deposits, running from $150,000,000 to possibly $250,000,000, will be placed in these banks and given to the business world for use, just as the reserves of the banks are used.

Mr. McCUMBER. Without any interest being paid?

Mr. HITCHCOCK. Without any interest being paid.

Mr. SHAFROTH. Mr. President, in proposing a banking and currency measure such as is presented to the Senate the natural inquiry arises, What is the necessity for this legislation?

While our banking system has many admirable features, there are yet certain defects which call for speedy and positive action. We have at the present time 7,500 national banks and about 18,000 State banks and trust companies. In the ordinary transactions of banking business they are independent, competing with each other in making loans and in fixing the rates of interest. This independent competitive banking system is one result of the liberal provisions of the law under which a bank can be organized and incorporated by five or more persons, without any restrictions or qualifications whatever upon the incorporators. These 25,000 banks constitute the people's banks and afford splendid competition in supplying accommodations for merchants, farmers, manufacturers, and others engaged in commerce.

Any number of persons dissatisfied with banking conditions in any community have a perfect right to organize a competing bank either under the national-bank act or under the State laws. Thus they form the people's banks, both State and National, of this country.

While independent banks such as now exist are ample to meet the demands of commerce in ordinary times, yet there come periods in the history of every nation when panics occur and depositors, without reason, withdraw their moneys from these institutions. The inability of banks at such times to meet strains upon their cash reserves arises from the fact that each is then standing on its own bottom; that is, there is no place to which the bank in trouble can go to demand and secure cash for its commercial paper. The law's requirements as to reserves are totally inadequate and cause what is termed the pyramiding of reserves.

RESERVES OF NATIONAL BANKS.

Under the national-bank act the country bank must keep 15 per cent of its deposits as reserves, of which 6 per cent must be in its own vaults and 9 per cent in a bank or banks of the 47 reserve cities of the Union. Each of the 315 national banks in the 47 reserve cities is required by law to keep a reserve of 25 per cent of its deposits, one-half of which is to be in cash in its own vaults and one-half to be kept in the vaults of a bank or banks among the 52 national banks of the three central reserve

cities of New York, Chicago, and St. Louis. Each of the national banks of the central reserve cities is required to keep in cash in its own vaults 25 per cent of its deposits. The reserves deposited in the reserve city banks and central reserve city banks are treated under the law as simply deposits and not as reserves. It can be readily seen that the 9 per cent of the deposits of the country bank deposited in a reserve city bank has behind it in the reserve city bank only a reserve in cash of 12½ per cent of the same, or, in other words, only one-eighth of the amount, and the credit portion of that same reserve when transferred to the central reserve city bank is only one-fourth of the one-eighth, namely, one thirty-second, of the same. Upon these reserves, of course, is built an enormous amount of credits.

Mr. John B. Forgan, president of the First National Bank of Chicago, Ill., in his testimony before the Senate Committee on Banking and Currency, stated that his bank built credits to the extent of 8 to 1 upon capital and surplus; that is, that it loaned out eight times as much money of its deposits as its capital and surplus. In many banks the credits created are 10 to 1 and 12 to 1.

These reserves in ordinary times are amply sufficient to maintain a good banking system, but in times of panic they become totally inadequate, a condition which is accelerated by the policy which has been pursued of discouraging the use of the reserves, except to a very small per cent, in meeting demands of depositors and in prohibiting the making of any new loans when the reserves are to any extent below the percentage required. This policy and prohibition when money becomes tight increases the stringency and helps to precipitate the panic. These banks being independent, knowing that each must stand on its own bottom, begin to withdraw their credits in order to meet the threatening storm, and that compels every other bank to do the same. Thus the banks, in order to prevent their own suspension, withdraw their loans and make credits so tight that people owing money sacrifice their collateral and property in order to pay their debts. This, of course, produces an enormous depreciation in the value of all property, especially of stocks and bonds hypothecated as collateral to secure the loans. This condition is due to a very serious defect in our national banking system and is remedied in my judgment by the provisions of the pending bill.

LOSSES FROM PANICS.

The panic of 1893 was one of the most disastrous that ever occurred in the history of the world. Thousands of banks that were perfectly solvent and able in time to meet all of their liabilities closed their doors, but they did not have and could not get the money with which to meet the checks of their depositors.

When money becomes tight and there is a strain upon the banks that knowledge is acquired immediately by the people, and unreasoning fear that they may lose the money they have on deposit seizes them. Consequently, any little rumor, though totally unfounded, may precipitate a run upon a bank.

A story of the panic of 1893 well illustrates the hair-trigger tension of the public mind at that time. In a little town out West a tinner was fixing the roof of a one-story building in which the First National Bank of that town was doing business. A gust of wind blew his hat from his head, and in endeavoring to recover it before it went off the roof he pursued it rapidly. The wag of the town happened to be standing on an opposite corner and, seeing the incident, said in a very loud voice: "There is a run on the First National Bank." There were many people on the street who heard his words, but when they looked at the bank the tinner had caught his hat and was standing still, and hence the humorous significance of the remark was not appreciated. The word was spread from one to the other, and in less than two hours' time there was a line of depositors extending for more than a block making demands for their money at the bank.

The losses to depositors from bank failures have been very light, not exceeding one-fortieth of 1 per cent per annum, and that shows the unreasonableness of people in making runs upon banks, but the losses otherwise from panics have been tremendous.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to his colleague?

Mr. SHAFROTH. I do.

Mr. THOMAS. I should like to inquire of the Senator if the amount of one-fortieth of 1 per cent is based upon the estimate of deposits or the capital?

Mr. SHAFROTH. I think on deposits. It represents a loss on the average to the depositors of one-fortieth of 1 per cent. When banks fail absolutely the loss is sometimes great, but taking the entire amount of deposits in the United States and estimating the losses that have occurred for a series of years, the losses, not of the State banks but the National banks, have been only one-fortieth of 1 per cent.

Mr. SMOOT. The losses from State banks have been no higher.

Mr. SHAFROTH. The Senator from Utah says the losses from State-bank failures have been no higher, and I presume that is correct.

It is stated that there resulted from the panic of 1907 a destruction of values in stocks, bonds, securities, and other property that would measure greater than a loss resulting from the burning and destroying of every particle of property and crops upon a strip of land 100 miles wide extending from the Atlantic to the Pacific Ocean.

UNIVERSAL DEMAND FOR REFORM.

No solvent bank can meet the demands of all of its depositors if presented within a few days, because the very life of banking is the lending out by the bank at interest of most of its deposits. Any bank which keeps in cash in its own vaults all of its deposits would soon become insolvent by reason of having no profits with which to meet its running expenses, and it would be of very little, if any, benefit to the community in facilitating its commerce and accommodating its people.

It is for these reasons that there has been a universal demand that our banking system be reformed and these defects therein remedied.

The Secretary of the Treasury, Hon. Franklin MacVeagh, in his annual report, December 2, 1912, used this language:

> One of the most important facts in connection with banking and currency legislation is its urgency. As long as our banking and currency system remains as it is the immeasurable disaster of a panic will remain a possibility. The system under which we are living not only will not prevent a panic, but after a certain point in the generation of panic conditions is reached will make it inevitable. So that as long as the financial system created by our Federal laws remains unchanged and unreformed the Government will be exclusively responsible for the commercial, industrial, and social disasters which flow from panics. This responsibility is a fixed one. It is unavoidable, and ought to be frankly recognized and acknowledged. The people are helpless. The character of this responsibility is better understood when it is realized that the effects of financial panics are not at all confined to the banks and the larger business world. A panic such as that of 1907, or a lesser panic, reaches, directly or indirectly, every town and hamlet of the country and every family and individual. It nationalizes itself long before it has gone far, and its interruption of the business movements, large and small, its fracture of the organization under which commercial and industrial life go on, and the resulting social suffering are prolonged into years. These facts intensify the significance of the delays and postponements of the Government.

DEFECTS IN OUR CURRENCY SYSTEM.

The defects in our present currency system are also very plain and clear. While at times we have sufficient money to meet the demands of commerce and of the banks, yet at other times, and particularly in times of panic, there is total inadequacy of the quantity of money legitimately demanded. That arises from the fact that our currency is all fixed in amount and has no quality of elasticity in it whatever. The circulating medium is practically the same amount each year, whether it is during a dull season or the active season when crops are being moved. During the seasons of each year there is a difference in the demand for money amounting to several hundred millions of dollars.

Our national-bank currency is especially defective, because it can not serve as reserve money of national banks, and in my judgment it should be supplanted by currency that could be used as reserve money. This defect is manifested in the redemptions of national-bank currency in lawful money, which are continually being made at the Treasury at Washington. There was expressed by the national banks during the year ending October 31, 1913, $683,431,000 of national-bank notes to the Treasury and redemption thereof made in lawful money. The obligation of each national bank to redeem its own notes at its counter consequently caused the United States Treasurer to separate these national-bank notes into piles against each national bank and to send them to the national bank that issued them for repayment of the amount in lawful money to the Federal Treasury. The total amount of national-bank notes outstanding October 31, 1913, was $758,825,471.

When we realize that the sum of $2,000,000 in national-bank notes each day is expressed into the City of Washington for redemption and nearly $2,000,000 of legal-tender money is shipped back to the banks each day you can readily see that there is being suffered an enormous loss in express charges and in interest upon the money during transmission, besides the hazard of loss from wrecks, fires, and train robberies.

For these reasons there should be substituted for our national-bank notes a currency which can be used as bank reserves, and there should be added an elastic currency which will expand or contract in compliance with the demands of commerce. As remedies for these defects in our banking and currency system the bill before the Senate is presented.

EIGHT FEDERAL RESERVE BANKS.

The pending measure provides for the establishment of eight Federal reserve banks in eight districts, each to be located at a city convenient to the banks of its district.

Many witnesses before the Banking and Currency Committee have objected to the number of such banks, many preferring one central bank. The Democratic platform upon which the present administration was elected declared against a central bank. The following language was used:

> We oppose the so-called Aldrich bill or the establishment of a central bank.

It is therefore useless to argue for a central bank during this administration.

The Democratic Party is opposed to a central bank, and well it should be, because of the fact that it would concentrate in one place such a combination of wealth as could be used to the disadvantage of the entire people of the United States.

We find that, as the result of combinations, great injury has been done to gigantic enterprises in the United States, which have been thereby permanently halted in their growth. The Pujo committee, as the chairman of this committee has said, investigated the matter, and found that there was a combination among the great banks of New York City interested in railway and industrial corporations that prevented competing corporations from undertaking most excellent enterprises in the United States.

Mr. OWEN. I wish to ask the Senator from Colorado if he did not have in his own State, in the Moffat road, a very striking example of that.

Mr. SHAFROTH. I do know that, as far as the Moffat road was concerned, there was a continual effort in New York for five or six years to get a loan upon which the road could be financed, and that Mr. Moffat put some $9,000,000 of his own money in the enterprise, and he was not able to accomplish the end desired.

Mr. THOMAS. I would like to state, if my colleague will permit me, that the promoters of the Moffat road, so called, not only made efforts in the city of New York to finance that enterprise, but also made them in the older countries of the world, and in several instances were successful up to the point of the formal execution of a contract, when some mysterious and invisible influence always intercepted the arrangement about the time it was to be consummated. The Union Pacific Co. on the north and the Rio Grande and Gould interests on the south, through their banking connections all over the world, were the upper and nether millstones that ground the promoters of that enterprise to powder between them, in consequence of which the original promoter of the road, whose name it bears, beginning with an amount of wealth that would easily make him the wealthiest man in the State of Colorado, ended in virtual bankruptcy.

Mr. SHAFROTH. That statement of what occurred was current in Colorado. Of course I know nothing about the exact facts, but the general impression there is as my colleague has stated.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Nebraska?

Mr. SHAFROTH. I yield.

Mr. NORRIS. I would like to inquire of the Senator if there is anything in either one of the bills now before the Senate that would meet that kind of a situation?

Mr. SHAFROTH. I think so. I will discuss that as I proceed.

SINISTER EFFECT OF COMBINATION.

Now, what are the difficulties under those circumstances? As my colleague has suggested, on account of this great combination of banks, with their interlocking directors controlling great industrial and commercial corporations, they can easily turn down an application that is made for funds to inaugurate a new enterprise that would come in competition with theirs; and the difficulty is not only that it is turned down, but whenever one appears who is willing to finance an enterprise of that kind he uses the argument that it has been turned down by the big bankers as a reason for extorting an enormous commission for his services in financing the same. Upon an application for, say $30,000,000, necessary to construct the enterprise the answer of the financiers is, in substance: "We will make you a loan of the $30,000,000 to be used in the construction of the enterprise, take bonds secured by mortgage upon the same, but we will ask you to issue $60,000,000 of stock, and we will divide the stock between you and us." The result is that most of these companies having the feature of a utility corporation, such as a railroad, extract from the people dividends to be paid on the full $60,000,000 of capital, when the total construction cost very little more than $30,000,000, on which the people also pay the interest.

That is the great injury to the people that the concentration of wealth in one place produces. The people of New York are no worse than the people anywhere else would be where such an enormous amount of money might be concentrated.

Mr. SMOOT. Does the Senator believe that if we had one great central bank, whose stock was subscribed by the people of the United States, whose affairs were governed by a board appointed by the President of the United States, such a thing could happen through the organization of such a bank as he has just been describing?

Mr. SHAFROTH. Of course, safeguards may be thrown around it, but where you have concentrated in one place enormous amounts of money you must accept the fact that influences will naturally be sought for the use of that money, and this in all likelihood will to some extent be accomplished.

Mr. SMOOT. Mr. President, I understand the whole theory of this proposed law is to provide means to relieve the business interests of this country in times of distress——

Mr. SHAFROTH. Yes, sir.

Mr. SMOOT. And to prevent panics; but in order to do that there has got to be a mobilization of the resources of this Government.

Mr. SHAFROTH. Yes, sir.

Mr. SMOOT. It does seem to me, Mr. President, the proper way to do that would be to have one great, strong central institution, the same as all foreign countries have to-day.

Mr. SHAFROTH. We have tried that twice, and each time the people of the United States have condemned it.

Mr. SMOOT. No, Mr. President; we did not try that kind of a bank. I am fully aware of the kind of Government banks that we have had in the past and the way that they were controlled and managed; but they were not organized the way that I would have a great central institution organized, managed, or controlled by the Government of the United States to-day.

Mr. SHAFROTH. But aside from that, a number of Federal reserve banks will be vastly more convenient than one such bank.

One of the objects of this bill is to require the banks of the different sections of the country to keep their reserves in a Federal reserve bank, located in an easily accessible city of the district.

ACCESSIBILITY A PRIME REQUISITE.

As one witness stated, the Federal reserve bank should be at a distance of not to exceed one night's run from each of the banks of that district, the purpose being such that at the closing hour of the bank its president could determine whether there would likely be a run upon its deposits next day. He could then gather the 30, 60, and 90 day commercial paper he wanted cashed, take the train for the city where the Federal reserve bank is situate, and be able to wire by the time of the opening of his bank that he had cashed sufficient securities to meet the demands of all depositors. That would be a great advantage over attempting to cash securities at one central bank located several days' run from many of the interior banks. Nor could branch banks answer that purpose as well. Branch banks are always subservient to the will and policy of the central bank, and there are always communications and hesitations as to transactions of the branch bank which produce delays. Such delays in times of emergency might be fatal to the member bank. The policy of a central bank might be against lending money in some section of the country, but the policy of a reserve bank will always be loyal to its district.

Accommodations are more certainly and speedily given on account of personal acquaintance. Such personal acquaintance would likely exist among the presidents of banks of a district and the directors of the Federal reserve bank of that district. There is not one chance in a hundred that a country banker would know a director of a central reserve bank, located in New York City or Washington, in one of which places in all likelihood it would be established. It seems to me country bankers everywhere would prefer that the concentration of their reserves should be near them instead of far from them.

Another reason why there should be eight or more Federal reserve banks instead of one central institution, as advocated by the Senator from Utah, is to prevent the money belonging to the 25,000 banks throughout the country being transferred to and concentrated in New York City, as it is at present.

The concentration of reserves in that city produces, as I have stated, a surplus of many hundreds of millions of dollars of deposits there, which can not be used in making ordinary loans, as such loans can not be realized upon immediately to meet drafts by country banks upon their deposits. Hence

these hundreds of millions are loaned to stock brokers for gambling upon the exchange. The money so loaned by the New York banks is secured by the stock purchased by the broker and is designated a "call loan," because it can be called by the bank any day, and if not paid the collateral may be sold immediately. The rate of interest is usually very low, 2 or 3 per cent per annum, but being influenced by gambling transactions it sometimes rises to 20 per cent and 100 per cent, and at the time of the attempted corner on Northern Pacific stock it rose on one day to 1,000 per cent per annum.

The gambling which results from the ability of brokers to get call loans at low rates of interest is most tempting and demoralizing to our people. The ticker works not only in New York City, but in every city of 50,000 population in the United States. Fortunes are made or swept away in a few days. If made, the sudden success unfits the winner for his ordinary business and leads to extravagance in living, which produces dissatisfaction if it can not be maintained. Loss of fortune, of course, leads to embezzlement, forgery, and suicide.

The New York bankers realize this and want to abandon that line of business, but they contend they can not, because call loans are the only liquid assets they have, and that, being the custodians of so much reserve money of other banks, which may be demanded at any moment, they must have call loans, which they can collect on short notice. They welcome the establishment of a reserve bank or banks which will discount their 30, 60, and 90 day paper on presentation and thus dispense with the necessity of making call loans. They generally prefer one central reserve bank, or as few a number as can be obtained, but they desire the opportunity of getting out of the call-loan business.

Mr. Vanderlip, president of the National City Bank of New York, the greatest institution of that kind in the world, stated before the Banking and Currency Committee that his bank would lose in deposits by the Owen-Glass bill $50,000,000, but that, nevertheless, he would welcome its passage, with modifications, if thereby it could get out of the call-loan business; that on account of the Federal reserve bank cashing its commercial paper it would enable his bank, with fewer deposits, to lend money in commercial transactions, which pay a larger rate of interest, and thus permit a recoup, to a large extent, of losses of deposits.

PERSONAL CONTACT DESIRABLE FACTOR.

While no one can say that eight Federal reserve banks is the exact number which should be established, yet it is safe to say that such a number would cause the directors of each to come in personal contact with the officers of country banks and thereby serve their needs very satisfactorily. It would keep the reserve money that belongs to the banks of each district at home and thus be more responsive to the demands of the people of such district.

Of course New York City is and always will be the great financial center of this country, and banks all over the United States will keep some money with their correspondents there in order to meet their drafts, but New York should not complain if the country banks should keep part of their money in reserve banks near home. It unquestionably is to the best interest of the entire country.

As to whether we should have one or four reserve banks, while eight would be far superior to four. The Senator from Nebraska [Mr. HITCHCOCK] has said the four would be likely to be located at New York, at Chicago, at St. Louis, and at San Francisco. That broad stretch of territory extending from St. Louis to San Francisco, covering 2,000 miles, would not be accorded such facilities that the banks in that region would be able to secure relief within the time when it might be needed.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Missouri?

Mr. SHAFROTH. I do.

Mr. REED. I do not rise for the purpose of engaging in any debate or of opposing what the Senator is saying, but I should like to ask him, in view of his last statement, under a system of eight regional banks where he expects any bank to be located west of St. Louis except at San Francisco?

Mr. SHAFROTH. In answer to the Senator I will say——

Mr. REED. And what reason he has to expect a bank to be located west of St. Louis, except at San Francisco?

Mr. SHAFROTH. In answer to the Senator, I will say that he has the right to guess where these banks will be located just as well as I. Under the bill of the Senator from Oklahoma the matter is left to a commission consisting of the Secretary of the Treasury and the two members of the Federal reserve board, and what they will determine nobody can foresee. Consequently, it is nothing but mere speculation as to what cities will get the reserve banks. It is better that they should not be determined in this bill, because an incessant wrangle would arise among us as to whether one section or another should get one. It is left to an independent body, and they will establish them according to where they think the needs of commerce demand.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield further to the Senator from Missouri?

Mr. SHAFROTH. I do.

Mr. REED. I do not want for a moment to be misunderstood in my object. Nevertheless, I do not think that the Senator appreciated my thought, at least in asking the question. He states now that they would be located where the board saw fit to locate them, and that he can not, of course, look into the future; but the Senator does know the number of banks, where they are located, the amount of banking capital, the centers of commerce and trade, and the course of the streams of trade, and I wanted to ask him if he could tell us any city west of St. Louis, excluding San Francisco, that would by reason of these conditions be entitled to receive, or likely to receive, the location of a regional bank?

Mr. SHAFROTH. I do not know. I must say, however, that if there are to be only four reserve banks, I think that St. Louis would be too close to Chicago, and I would prefer that the fourth bank should be in Kansas City instead of St. Louis; but if there are to be eight banks I can not tell where they will be located; and on that account the Senator from Missouri is just as much entitled to guess at it as I am; and as I am not going to make a guess, he can.

Under this system, if we were to have only four Federal reserve banks, the great South would not have one and a bank in Florida would have to get its discounts in Washington or in New York City. That would also be true, of course, if there were only one Federal reserve bank. That being the case, the Florida banker would have to go a distance of 1,500 or 1,800 miles in order to get discounts, and the banker from Texas would obviously have to go to St. Louis, a distance from some parts of Texas of more than 1,500 miles.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Massachusetts?

Mr. SHAFROTH. I do.

Mr. WEEKS. I wish to ask the Senator if he does not recognize the fact that it would be possible to establish branches of the reserve banks and that very much of the business done at a distance will be done through the branches; so that his statement that it will be necessary to go 1,500 or 2,000 miles is not strictly correct?

BRANCH BANKS INADEQUATE.

Mr. SHAFROTH. Oh, I have said that you can have branch banks. It is true that you can obviate the inconvenience to some extent, but I have said the greatest asset in the way of procuring a loan is personal acquaintance with the directors of the reserve bank, and consequently when you go to one of the reserve banks and happen to know personally men on the directorate you are apt to get your discounts without question; but if you go to a branch bank, which is always subservient to the policy of the central bank, the president of that central bank might say to the agent in charge of the branch bank: "Oh, we need reserves here, and we need discounts over in this end of the country most; be careful about it; discount just as little as you can." And then there would follow the red tape that is necessary in communications between the agent and the principal. Such a system of branch banks does not answer the purpose as does a Federal reserve bank with a directorate that is independent, working upon its own footing in the interest of the very community where the stringency occurs. Under those circumstances a system of branch banks is not to be compared with a system establishing a number of Federal reserve banks.

It has been said that the European banks are central banks. Yes; but there are in Europe, which is no larger than the United States, fully 25 central banks instead of merely eight, and consequently in considering the illustration which is given of having a central bank for each nation you must take into account the territory and the area that would be supplied by central reserve banks. On that account it seems to me the fact that Germany has a central reserve bank, that Belgium has a central reserve bank, that Holland has a reserve bank, is simply illustrative of the fact that it is wise to have a number of reserve banks, because those banks are only within a few hours' ride of every part and portion of their territory, and every one of those banks is responsive to local conditions. When you have a bank that is independent, a Federal reserve bank, knowing and watching the interest of every portion of the district over which it has jurisdiction, you can readily see that it will extend its power of discount and will aid the banks under circumstances when a central reserve bank, whose officers perhaps are not known or likely to be known by any of the presidents of the local banks, would refuse such assistance. No one would think of suggesting one central bank for all Europe, although its territory is no greater than that of the United States.

We have in this country 40 per cent of the banking capital of the world, and when you compare the balance of the European banks and divide it among their 25 or 30 banks you will readily see that we are not asking for enough banks in the United States in order to do the business of this country well and in order to furnish accommodations to the country banks whenever needed.

It seems to me, therefore, that the position taken by the Senator from Utah [Mr. SMOOT] and by the Senator from Nebraska [Mr. HITCHCOCK] that this great mobilization should take place in one bank or in a few banks is not well taken. The Senator from Nebraska states that if New Orleans needed money at a certain season of the year its limited bank, if it were to have a Federal reserve bank in any one of six or eight districts, would be subjected to such a demand that it would exhaust the amount of reserves which that bank had, and the result would be that it would have to apply to the Federal reserve board for currency; that is, new currency to be issued.

Our bill does not provide that it should necessarily be an application for currency, because the Federal reserve board, if it finds that there is a surplus of funds in one Federal reserve bank and a small quantity in another, has a right to order that that Federal reserve bank, where it has a surplus of funds, shall rediscount the paper of the Federal reserve bank of the weak district, and it is perfectly safe to do so. When the districts are smaller it must be remembered the demands for rediscounts will be less. The New Orleans Federal reserve bank, while possessing less capital and reserves than that of New York City, will be just as strong, because the demands upon it will be proportionately smaller.

CONTROL OF FEDERAL RESERVE BANKS.

The Senator from Nebraska [Mr. HITCHCOCK] has said that the second great difference between the two sections of the Committee on Banking and Currency is as to the control of these Federal reserve banks. That is true.

The Owen bill provides that the bankers shall have representation on each of the boards of directors of the several Federal reserve banks. Three of the nine directors shall be selected by and represent the stock-holding banks, three members shall be representative of the agricultural, commercial, and industrial interests, the latter three being subject to removal by the Federal reserve board, and the remaining three members are to be chosen by the Federal reserve board. Thus the banks elect six out of the nine directors of each Federal reserve bank. These Federal reserve banks are the ones that deal with the individual banks, pass upon the securities presented, direct what paper shall be discounted, and attend to all matters involving the care and investment of the enormous sums of money which will be held by them. It is upon the boards of directors of these Federal reserve banks that bankers should be placed, as is provided in the bill.

The amendment of the section of the committee represented by the Senator from Nebraska provides that there shall be five directors appointed by the Government of the Federal reserve bank and that four shall be elected by the member banks. That very amendment, if adopted, would destroy the entire character of this bill; it would make an entirely different kind of a bill, upon an entirely different theory. The theory of the bill as it came from the House and as it is preserved by our section of the committee is that there should be a bank of banks; that the banks should be required to take the stock in the Federal reserve bank. It can not be possible that banks would come into a system which creates a Federal reserve bank and provides that member banks shall deposit their reserves, aggregating $400,000,000, and not have a majority of the board of directors. It is absurd to think that any bank on earth would come into a system of that kind. Does anyone imagine that if the present national banking law had prescribed that of its board of directors five should be appointed by the Government and four should be appointed by the bank, that there ever would have been organized a national bank? Certainly not; and yet there is more reason for the Government insisting upon that than there is for insisting that a majority of the board of directors of the Federal reserve bank should be Government appointees. Why? Because the national bank deals with other people's money. The national bank has the people's money to the extent of 10 to 1 of its own, and the Government might well determine that as so much money of the people of the United States is in their custody that a majority of the board of directors should be appointed by the Government to determine where loans should be placed and how much money should be loaned. No one who has any knowledge of banking or of human nature would ever think that bankers would go into and organize a national bank under those circumstances. So member banks say as to representation upon the board of directors of the Federal reserve bank, and they have a right to say, "It is our money; it is our capital; it is our reserve; and we should have a right to control the Federal reserve bank by a majority of the board of directors." But the amendment of the Senator from Nebraska puts this control into the hands of the Government by a majority of one, without giving the banks that own and control the assets upon which the reserve bank operates a majority representation.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. SHAFROTH. I do.

Mr. SMOOT. The Senator will admit, however, that the object of the Hitchcock amendment is to make the regional banks Government banks; and if they are Government banks the Government ought to have a majority of the directors, whereas the amendment of the Senator from Oklahoma provides that they shall be banks of banks.

Mr. SHAFROTH. Yes sir.

Mr. SMOOT. Not being Government banks, the Senator from Colorado argues that being banks for banks or a bank of banks, the banks ought to have a majority of the directors.

Mr. SHAFROTH. Certainly. That is my contention exactly; and it seems to me that it is proper.

Mr. POMERENE. I rose for the purpose of asking the Senator from Utah whether or not he favored a Government-controlled bank.

Mr. SMOOT. If it is a Government bank, I certainly believe the Government ought to control the bank, or control it through its directors.

Mr. POMERENE. Did not the Senator favor the Aldrich plan, which was for an entirely bank-controlled bank?

Mr. SMOOT. Mr. President, no man ever heard me say that I was in favor of the Aldrich bill in its entirety. I favor a central bank, but I would require that bank to be owned by the people. The Government should have absolute control of its management. It should be one great bank, with the power of the Government back of it to put in any part of the country money sufficient to help in case of stress or in case of panic.

Mr. POMERENE. If the Senator will pardon me, with all due respect, I do not think the Senator has yet answered my question. The question was, or at least was intended to be, directed to one particular feature of the Aldrich bill, namely, the bankers' control of the bank. I asked the Senator whether he favored that feature of it.

Mr. SMOOT. No, Mr. President; I will say frankly that I did not, and that is one of the amendments I would have offered to the bill.

Mr. SHAFROTH. Mr. President, it sounds awfully well to say that we should establish a great people's bank. It seems to appeal to some. When we consider the matter closely, however, we realize the fact that we have now 7,500 people's banks, and hence that there is no occasion for a people's bank in which to keep reserves of banks. The name Federal reserve bank implies that it is a bank for reserves of banks and not for deposits of the money of the people.

Mr. POMERENE. Mr. President, will the Senator allow me to make a suggestion?

Mr. SHAFROTH. Yes, sir.

Mr. POMERENE. The Senator is now referring simply to the number of national banks?

Mr. SHAFROTH. Yes, sir.

Mr. POMERENE. There are more than 25,000 of these banks throughout the country.

Mr. SHAFROTH. That includes the State banks. I was speaking of the national-bank system. Every one of the national banks is a people's bank; and why? Because any five persons in the United States can incorporate a bank. If the inhabitants of a city, town, or hamlet think there is a combination to raise the rate of interest and oppress the people, any five men can organize a bank, and it therefore constitutes a people's bank.

What would be the result of having a great people's bank? If this stock is issued and taken by the people, do you suppose they will not say, "We want our paper discounted"? Should they not and would they not have a right to say, "I am a stockholder of this bank. Why can not I have a right of discount in it?" You have not the safeguards against an individual's discount that you have against a bank's discount, and it is the bank's money you are dealing with.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Mississippi?

Mr. SHAFROTH. I do.

Mr. WILLIAMS. I dislike to interrupt the Senator from Colorado; but if he will permit me, I should like to suggest that the shareholders of no bank that ever existed in the world were the people.

Mr. SHAFROTH. Yes, sir.

Mr. WILLIAMS. They were some of the people.

Mr. SHAFROTH. And generally some of the rich people, because, as a usual rule, the others are not the ones that invest in the stock of any corporation.

Mr. SMOOT. Under the amendment proposed by the Senator from Nebraska [Mr. HITCHCOCK] the stockholders of the Government bank provided for in the amendment would not be the rich people. Provision is made that no person shall own more than $10,000 of the stock.

Mr. SHAFROTH. Yes; but we think $10,000 is a pretty big sum of money out our way.

Mr. SMOOT. And provision is made that if the stock is oversubscribed, it shall be given to those subscribing for the lowest amounts.

Mr. SHAFROTH. I want to remind the Senator that not more than 5 per cent of the people of the United States are worth $10,000. That being the case, it seems to me the theory that this is a people's bank must of necessity cause at least an agitation to this effect: "If we are stockholders of this concern, we should have the right of discount at the concern."

Mr. SMOOT. I hope the Senator did not think I intimated or thought that no one could take stock unless it was $10,000 in amount.

Mr. SHAFROTH. No; I recognize that; but, as a usual rule, it is men of means who invest in the capital stock of a corporation, or even of a Government bank.

Mr. SMOOT. Well, Mr. President, I do not want to interrupt the Senator further.

REASON FOR BANK PARTICIPATION.

Mr. SHAFROTH. Mr. President, I want to call attention now to the fact that even under the Hitchcock amendment this Federal reserve bank will not have any funds from individuals. Nothing is permitted to be deposited there except reserves of member banks and money in the Treasury of the United States which the Secretary of the Treasury may deem it proper to deposit there. So the Hitchcock amendment imposes the condition that a private stockholder in a Federal reserve bank is not even to be permitted to deposit with the bank any sum of money whatever. Upon the other hand, what do we find with relation to the interest of the member banks? We find that they are required to put into the Federal reserve banks $400,000,000 from their reserves, and that they are required to subscribe for $106,000,000 of the capital stock of the Federal reserve banks. To further require that the Government shall appoint five directors to their four would mean that there would not be a single National or State bank come into the system, and that would produce a failure of the entire scheme.

Is it possible that we are going to defeat this bill simply by making an impossible condition? Is it possible that anybody would want to force such an amendment, when in all likelihood the banks would not come into the system?

It simply means, Mr. President, that if we adopt the amendments proposed by the Senator from Nebraska [Mr. HITCHCOCK] we will have no system at all, and there will be no effective legislation whatever in relation to either eight reserve banks or four reserve banks.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Kansas?

Mr. SHAFROTH. I do.

Mr. BRISTOW. I should like to inquire of the Senator if he has heard any banker say that his bank would not go into the system if the stock would be owned by the people instead of by the banks?

Mr. SHAFROTH. Mr. President, I have heard banker after banker, as representing conventions of bankers, say that they are most bitterly opposed to the bill because they have no representation on the Federal reserve board and that the bankers wanted a bill that gave them representation in the Federal reserve banks. I have heard them object on that ground. They appeared before our committee, and in the first few days of the hearings they asserted and claimed that by reason of the fact that their moneys were to be placed in these banks and the capital was to be composed of their moneys they should not only have representation upon the board of directors of the Federal reserve banks, but they should also have representation upon the Federal reserve board which meets in Washington. When we examined the matter we found that they were wrong. We found that they should not have any representation on the Federal reserve board; that it would place them in an incompatible position. It was a matter which was discussed before the committee during the hearings. I wish to call attention to the reasons why they should have no representation upon the Federal reserve board.

Mr. BRISTOW. Mr. President, may I ask the Senator, if I am not interrupting him, another question?

Mr. SHAFROTH. Yes, sir.

Mr. BRISTOW. Will the Senator please state what bankers have said to him that they will not come into the system if the public is permitted to own the stock?

Mr. SHAFROTH. Oh, I think every man who said he would not come into the system unless he had representation upon the Federal reserve board would say with ten times the vehemence that he would not consider the proposition of coming in where the banks were denied a majority directorship in the Federal reserve bank.

Mr. BRISTOW. But the Senator can not give me the name of a single man who has made such a statement or point to a single letter to that effect?

Mr. SHAFROTH. No; I have not read all the letters I have received; but it is my judgment that they would not do so, because men will not turn over funds that belong to them to the control of people who have no interest in those funds.

THE FEDERAL RESERVE BOARD.

The Federal reserve board is the governmental part of this system, and no person directly or indirectly interested in banks should be a member of that board, because the duties of such a man would be incompatible with his private interests.

The Bank of England, the Bank of France, and the Imperial Bank of Germany do not permit a man who is connected with a bank which receives deposits and pays checks to become a member of their boards of directors.

The reason bankers engaged in the active business should not be upon the Federal reserve board is because of the conflict of interest which they would have as bankers and as members of the Federal reserve board. This board is vested with the power to raise or lower the rate of discount. Every time the rate of interest is increased or decreased it means the contracting or accelerating of credits, which means the fall or rise in the price of securities, which means that there will follow a bear or bull movement on the exchanges. As banks deal in bonds, stocks, and other securities, it is presumed that the knowledge upon the part of a banker on the Federal reserve board that the rate of discount will be raised or lowered would be taken advantage of by the interests which he represents, and thereby stocks and bonds would be either bought or sold by them with almost absolute certainty of a profit being realized.

The check-paying banks of the European countries would object most strenuously to a banker having such advantage over them, and so they are thoroughly satisfied that no banker is permitted to become a director of any of the European central banks.

The bankers, in their Chicago convention in August last, passed resolutions claiming they should have representation on the Federal reserve board. In the discussion they made the argument that as it was their reserves and capital that created the concern they should have such representation. In the hearings before the committee Mr. Festus J. Wade, of St. Louis, a good banker and most excellent gentleman, contended for the same right, and had the other impression as to the practice of the Bank of England. I happened to have the authorities near at hand and read into the record the following from Mr. Walter Bagehot in his book on Lombard Street:

> In London no banker has a chance of being bank (of England) director, or would ever think of attempting to be one. I am here speaking of bankers in an English sense (of those who accept deposits subject to check). * * * Not only no private banker is a director of the Bank of England, but no director of any joint-stock bank would be allowed to become such. The two situations would be taken to be incompatible. * * * The mass of the bank directors are merchants of experience, employing a considerable capital in trade in which they have been brought up and with which they are well acquainted. * * * The direction of the Bank of England has for many generations been composed of such men. (Senate Banking and Currency Hearings, p. 130.)

I also called attention to the fact that Mr. Hartley Withers, an English writer, in his book on The Meaning of Money, explains the matter very satisfactorily, as follows:

> When we come to consider the bank's organization, its most striking features are the constitution of its court of directors and its system of government by rotation, and these are points on which the bank's critics have fastened with the keenest energy and determination.
>
> The bank court is a committee recruited chiefly from the ranks of the accepting houses and merchant firms, and its members are nominated by itself, subject to the purely formal confirmation of the shareholders; and it is an unwritten law that no banker in the ordinary sense of the word—that is, no one connected with what we call the check-paying banks—can be a member of it.

> At first sight, this is one of those anomalous absurdities so common in England, and so puzzling to the intelligent foreigner, who can not understand why we suffer them. A court of directors ruling the Bank of England, and so performing most important banking functions, and yet disqualifying for membership any one with an expert knowledge of banking, is a tempting subject for an epigrammatically minded satirist. But, in fact, this anomaly, like many of our others, not only works excellently well in practice, but is, when calmly considered, clearly based on sound common sense. For in the first place it would obviously be undesirable that a member of one of the outer ring of banks should have the insight into the position of his rivals which membership of the Bank of England court could give him, unless all the others were similarly privileged. But if all the outer banks were represented on the bank court, it would become a committee of unwieldly dimensions, perhaps reproducing or reflecting in the bank parlor the rivalries and jealousies that stimulate the outer banks to work against one another, but are not conducive to their working together.
>
> And the question of proportionate representation would be difficult to settle. As it is, the bank court, being free from connection with the outer banks except by keeping their balances, is able to watch their proceedings with a wholly impartial eye, and, on occasion, to make suggestions with salutary effect. (Senate Banking and Currency Hearings, p. 133.)

I also call attention to the fact that the governor of the Bank of England, in his answers to the questions of the Monetary Commission in 1908, used the following language:

CUSTOM EXCLUDES BANKERS FROM BOARD.

> Q. Is there any custom restricting the class from which the directors may be selected?—A. There is no legal restriction as to the class from which directors may be selected, except that they must be "natural-born subjects of England or naturalized," but in actual practice the selection is confined to those who are or have been members of mercantile or financial houses, excluding bankers, bill discounters, or directors of other banks operating in the United Kingdom. (Senate Banking and Currency Hearings, p. 135.)

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER (Mr. THORNTON in the chair). Does the Senator from Colorado yield to his colleague?

Mr. SHAFROTH. I do.

Mr. THOMAS. Mr. President, my colleague has given a great deal of time and study to this question, and to practically all its details. I should like to inquire at this juncture whether the directors of these banks in European countries are permitted to serve as directors upon the boards of industrial corporations and transportation companies. I ask the question largely, perhaps, for my own information; but it may become of some importance with reference to an amendment that may be offered by me to one of the sections of the bill.

Mr. SHAFROTH. I will say to the Senator that the qualification for a member of the court of directors of the Bank of England—it is called "court of directors"—is that he shall have £500 worth of stock in the Bank of England and that he shall be the owner of an establishment having at least £20,000 invested in mercantile business. I do not know whether there are any other qualifications or not. I have read one or two books on the subject of the Bank of England, one of which is by Mr. Hartley Withers, in which he treats of it exclusively. It is a fine volume, giving details of the operation of the bank; but I remember no requirement prescribed in that book excluding merchants who are directors of other corporations.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Mississippi?

Mr. SHAFROTH. Yes, sir.

Mr. WILLIAMS. If the Senator will pardon the suggestion, there is another reason why the great public banks in Europe do not permit the directorate to be composed of bankers, and that is because they intrust those banks, all of them, with the power of issuing currency.

Mr. SHAFROTH. Yes, sir.

Mr. WILLIAMS. In that connection it seems to me that one of the beauties of your plan here, so far as the banking part of the scheme is concerned, is that you give a majority to bankers who are shareholders in the venture, and then you give ultimately to the public board, the reserve board, the board of control, which is the official body, control of the currency and of the rate of interest.

Mr. SHAFROTH. Yes, sir.

Mr. WILLIAMS. So that it is a public body which makes the rate of discount or interest, controlling the fluctuations of gold to the extent that it will do it, and it is this public body that holds its hand upon the throttle so far as the issuance of currency is concerned, while the private business of the bank for the benefit of the stockholders who are banks is conducted by a directorate with a majority of bank-chosen people. Then you go further than that and make one of the directors in each regional bank, who is the chairman of the board of directors of the regional bank, the man who takes care of the portfolio of commercial assets, and determines whether or not they are good.

Mr. SHAFROTH. Yes, sir. I will state to the Senator that I intended to cover that very suggestion in another part of my speech.

So the bankers who came before the committee from Chicago and who adopted a resolution at their convention insisting that they should have representation upon the Federal reserve board have ceased their agitation, because they have found from the practice of the European banks that not one banker is upon the board of directors of any of those banks.

Of course, men who have been bankers, possessed of all the knowledge of banking in this country, are eligible, and some should be selected upon the Federal reserve board, provided they have severed all connection, directly and indirectly, with banks and trust companies. I have no doubt the President in naming the members of the board will consider the qualifications of such applicants and appoint at least some of them on the boards of directors of the Federal reserve banks.

STRENGTH OF THE FEDERAL RESERVE BANK.

The third point touched upon by the Senator from Nebraska [Mr. HITCHCOCK] was in relation to the reserves. He said there was a difference between the two bills as to the amount of the reserves. That is true. Their section of the committee has reduced the reserves of city and central reserve city banks to 15 per cent, whereas in our bill it is 18 per cent in reserve city banks.

The Senator from Nebraska says there will be considerable difficulty in conforming to the new system, and that there is considerable difference between the two bills in that respect. If he examines the bills, however, he will find that each of them carefully preserves the right of depositing in the Federal reserve banks only limited amounts for a long period. Our bill gives a period of 36 months in which to make this transmission of currency to the Federal reserve banks, while their bill gives only 24 months.

The amount of money which these Federal reserve banks will have will be sufficient, without the issuance of any new money, to serve the ends of commerce at almost all times, except when there is a great panic sweeping the country. These banks will have in their control $400,000,000 of the reserves of the national banks, the capital of the Federal reserve banks, amounting to $106,000,000, and the cash balance of the Federal Government, amounting on November 24, 1913, to $289,790,160.81. Thus nearly $800,000,000 will be in the control of the Federal reserve banks to lend to the member banks when the demands of the country in crop-moving time require it.

If all of the State banks and trust companies come into the system, there will be much more at the disposal of the Federal reserve banks to meet the same conditions throughout the country.

The provisions with respect to the lending of this money to the member banks are very conservative, and it is difficult to conceive how any loss can occur to the Federal reserve banks. The measure provides that any bank desiring to procure a loan from the Federal reserve bank must present 30, 60, or 90 day paper, usually in the form of drafts which represent a transaction in commerce. Such drafts, according to the experience of the world, constitute the best security, whether a bill of lading is attached or not. Notes representing a loan by a national bank to an individual to go into permanent improvements, though made payable in 90 days, are seldom intended to be paid at that time, and hence such notes are not considered liquid—that is, certain of payment at the time of maturity—and therefore can not, under the provisions of the bill, be taken by the Federal reserve bank.

The paper prescribed by the bill which is eligible for rediscount by the Federal reserve bank usually represents a shipment of wheat, cotton, or merchandise by a dealer; it is a draft drawn by the seller upon the purchaser, who may be a manufacturer, or larger dealer. This is accepted by the purchaser in writing upon the draft, under arrangement with his bank, that on presentation by the seller it will be paid immediately. The bill of lading can be attached and perhaps in many instances will be attached. It is presumed that when the draft falls due the purchaser will have converted his purchase into cash by resale or by manufacture and thus have the money to pay the same.

It is stated that inasmuch as these drafts may be in the hands of persons whom the acceptor does not even know there is never an effort to extend the same, but the purchaser, with the receipts from resale, always is ready to pay at maturity.

When the member bank desires to get more money it guarantees the payment of this gilt-edge paper and presents the same to the Federal reserve bank for rediscount.

The Senator from Nebraska says, further, as the fourth great reason why his system is better than the one recommended by the section of the committee represented by the Senator from Oklahoma [Mr. OWEN], that there should be a compulsory discount system, and that his bill contains it. In other words, there is a clause in the amendment offered by the Senator from

Nebraska to the effect that when commercial paper is presented it shall be recognized as a matter of right to the full amount of its capital stock.

RIGHT OF APPEAL TO FEDERAL RESERVE BOARD.

The provision of the bill reported by Senator OWEN is to the effect that all of this is subject to the control of the Federal reserve board, and that if any discriminations are made the banks have a right to appeal and have a review of everything that is done there. It is impossible to foresee what conditions will arise in the operation of this bill. We do not know whether it will be a success at all. We do know that we passed the Aldrich-Vreeland bill four or five years ago, and expected that it would give relief; but not a single dollar of the currency authorized by that bill has been taken out of the Treasury. Something intervened to prevent its operation, just in the same way that this bill will become inoperative if you say that the bankers shall not have control of the directorates of the Federal reserve banks.

So we find, as to the compulsory-discount feature, that there may be many reasons why the banks should stop discounting in a certain district. There may be a condition that we can not foresee. Of course the object of the Senator from Nebraska is good. He is afraid there will be discrimination against some person or some bank, and therefore that equal justice will not be administered. But we must consider the fact that in the administration of this bill many unlooked-for conditions may arise. It may be that we will have too much currency, and that it should be restricted, no matter who asks for it. It may be that the reserves will be depleted, and that the bank prefers to keep a little larger reserve than 33⅓ per cent, and therefore should make no more discounts. Various conditions may arise. But it seems to me that to put upon the statute books an act which provides that the paper presented by any member bank shall be discounted might work a great hardship and militate against the successful operation of the system.

THE CHANCE OF LOSS ON NEW CURRENCY IS INFINITESIMAL.

The chances of a reputable dealer in merchandise failing within 90 days are very remote, not being more than 1 in 1,000. The chances of the purchaser who is a larger dealer or manufacturer failing within the same 90 days are not more than 1 in 1,000. The chances of both failing within that time therefore are not more than 1 in 1,000,000. If a bill of lading is attached to the draft, the chances of loss in course of shipment without insurance are not more than 1 in 1,000.

Thus the member bank is fortified with paper in which there is a chance of all three failing within the same 90 days of not exceeding 1 in 1,000,000,000. The member bank before it can get any money from the Federal reserve bank must guarantee that paper, and there is not 1 chance in 1,000 that the member bank will fail within the same 90 days, so that the paper, duly indorsed by the member bank, represents a security that will not fail more than 1 time out of 1,000,000,000,000. Thus the chance of loss by the Federal reserve bank being limited to this kind of paper and requiring all the indorsements makes it as safe a transaction as it is possible to conceive.

Federal reserve banks, therefore, will have no hesitancy in supplying the member banks with money when the demands are greater than in ordinary times. Of course, in ordinary times the member bank will prefer to keep the paper and gain all of the interest thereon instead of rediscounting it at the Federal reserve bank and letting the latter make the interest, and that very motive will tend to regulate the discounting and payment of drafts.

The remedy proposed in this measure as to our currency provides that in times of emergency, even if all of the reserves, capital, and deposits of the Federal reserve bank have been loaned to the member banks, they can still procure new currency with which to prevent runs upon the member banks. The same character of paper must be presented to the agent of the Federal reserve board by the Federal reserve bank, which, as I have shown before, is liable to a loss within 90 days of only 1 chance in 1,000,000,000,000.

The Federal reserve bank must then guarantee that paper to the Government, and then the agent of the Federal reserve board delivers new currency to the Federal reserve bank, which, in turn, delivers it to the member bank which presented the security.

There is not 1 chance in 1,000,000 that the Federal reserve bank, with the enormous reserves and capital above mentioned, all of which are subject to a first lien to the Federal reserve board, will fail within the same 90 days; so, taking the case of a particular draft, by the time it reaches the agent of the Federal reserve board, with the liability of the maker, the acceptor, the bill of lading attached, the member bank with its capital and double liability of its stockholders, and the Federal reserve bank with its capital and reserves and double liability of its stockholders—the member banks—the chance of loss to the Government for issuing the currency would not be more than 1 in 1,000,000,000,000,000,000.

Such combination of coincident failures by all of the signers and indorsers of this paper within the same 90 days would be almost impossible, and thus the new currency, which must retire within 90 days, becomes absolutely safe.

Another objection made by the Senator from Nebraska is to the clauses of our bill which provide that the Federal reserve notes shall be redeemable at the reserve banks in gold or lawful money, and as to the quantity of the gold reserve provided in our bill.

REDEMPTION OF FEDERAL RESERVE NOTES.

The bill under consideration, as it came from the House, provided that the Federal reserve notes issued should be redeemable at the United States Treasury in gold or lawful money or at the Federal reserve banks in gold or lawful money. The Aldrich bill, which was approved by the bankers generally, provided for the redemption of the circulating notes of its central bank in gold or lawful money. The pending bill, as it passed the House, provided that there should be a gold or lawful-money reserve to the extent of 33⅓ per cent against the Federal reserve notes, and that the Federal reserve banks should maintain as a redemption fund at the United States Treasury 5 per cent of such notes in gold or lawful money, and the balance they should keep in their own vaults. The present national-bank notes are redeemable only in lawful money.

The bill as amended by Senator OWEN strikes out the words "lawful money" when the notes are presented for redemption at the Treasury, strikes out the 5 per cent clause as to the amount of gold or lawful money the bank shall keep in the redemption fund at the Treasury, and provides that they shall keep such an amount of gold in the redemption fund at the Treasury as the Federal reserve board may from time to time direct, and leaves the redemptions at Federal reserve banks as passed by the House, namely, in gold or lawful money. The Hitchcock bill provides for the redemption of the Federal reserve notes both at the Treasury and at the Federal reserve bank in gold alone.

The object of striking out the 5 per cent clause was because a similar provision is contained in the statutes of the United States with respect to the redemption of the national-bank notes in lawful money, and it has been found to be not quite adequate to meet the redemptions that are presented.

While I do no believe that the Federal reserve notes will be presented at the Treasury in any such number as the national-bank notes have been for redemption in lawful money, yet, in order to avoid the possibility that 5 per cent may not be adequate, it was deemed proper to let the Federal reserve board call for gold from the Federal reserve banks in any quantity that may be required.

Senator HITCHCOCK'S amendment to the bill provides that no less than 35 per cent of gold shall be kept as a reserve and that the amount ordinarily to be kept shall be 45 per cent, with a permit to let the reserve be depleted to 35 per cent upon there being paid an interest charge of 1 per cent on each 2½ per cent exhaustion of the gold reserve. In other words, under normal conditions the reserve required under the Hitchcock amendment will be 45 per cent in gold, and the amount required according to the House bill and the Owen amendment will be 33⅓ per cent.

In most of the issue banks of Europe there is no minimum reserve required. The Bank of France, while it usually holds a very large reserve in gold, has no minimum fixed by law. The Reichsbank of Germany prescribes that a reserve of 33⅓ per cent shall be maintained in gold. The Bank of Belgium maintains a gold reserve of 19 per cent.

STRAIN ON GOLD.

The result of requiring the maintenance of a very large gold reserve will be to produce increased demands for gold; and as gold is the international money of the world, any increase by one nation necessarily makes the struggle for gold which is now going on a little more severe.

The flow of gold to or from a country is regulated by the banks of issue of the various countries raising or lowering the rate of discount. In order to attract gold the bank of issue of a European country will raise the rate of discount; that is, raise the rate of interest which the banks charge. That tempts money from other countries to make investments at the higher rate of interest, and therefore brings the money with which to pay for such securities; and as international balances must be paid in gold, the transaction therefore brings gold to the country that raises the rate of discount.

The other nations that have lost gold by that process must, in order to get it back, raise their rate of discount a little higher. Thus this seesaw in raising the interest rates with the object of attracting gold continues until interest rates become very high. This competition and raising the rate of discount among the various nations of the world to get more gold is counteracted only when enterprises that are contemplated are confronted with a rate of interest too high to make such enterprises profitable, and thus a less demand sets in for money, which, according to the principle of supply and demand, effects the lowering of the rate of interest.

HIGH DISCOUNT RATE PRODUCES STAGNATION.

When the rate of discount gets high throughout the world it generally produces stagnation in business, commerce, and enterprise. Consequently, the least strain upon gold that can safely be made and yet maintain the gold standard comes nearest permitting business and enterprises to continue in a prosperous way.

It is said that at the present time there is less gold in circulation in proportion to the credits outstanding than ever existed at any other period in the history of the world. That means that there is more of a strain upon gold for reserve and redemption purposes in proportion to the business conducted than at any other time in the world's history. In the general policy, therefore, of relieving the strain on gold there is a tendency to let commerce thrive, while requiring large reserves increases the strain on gold and thereby makes a depressing effect on business and commerce.

At the end of the first six months of the present year the aggregate gold reserves of all the principal banks and treasuries of the world amounted to $4,693,104,000.

At the end of the first six months of the year 1911 the gold holdings of the various institutions were $466,867,000 less than in 1913. Notwithstanding this increase within the last two years in the gold holdings of the treasuries and banks of the gold-standard nations, the great banks of issue assert that they have not gold enough and vie with each other in raising their discount rates, so that they may jealously protect their holdings.

This struggle for gold among the nations of the earth in the last 15 years has produced great increases in the rates of interest.

At the close of the nineteenth century the discount rate of the Bank of England remained normally in the vicinity of 2 to 2½ per cent per annum, but has since been gradually climbing to 4 per cent, which it reached in 1912; and recently the rate has gone still higher to 4½ per cent, and later still to 5 per cent per annum.

According to Mr. Paul Leroy-Beaulieu, an eminent French economist, the following advances in the rates of discount charged by the banks of issue of various countries have been made from June 30, 1911, to June 30, 1913:

	1911	1913
	Per ct.	Per ct.
Bank of France	3	4
Bank of England	3	4½
National Bank of Belgium	3½	5
National Bank of Switzerland	3½	5
Imperial Bank of Germany	4	6
Bank of Austro-Hungary	4	6
National Bank of Denmark	4½	5
National Bank of Norway	4½	5½
National Bank of Spain	4½	4½
Russian State Bank	4½	6
Bank of Issue of Italy	5	5½
Bank of Japan	4.74	6.54

In the Banking Law Journal, of New York, for September, 1913, there is stated the following important information:

Europe needs gold and buys it at a premium. Imports of gold to Europe are necessary to recoup the waste of capital from the Balkan wars and the devastation of the agricultural countries which furnish so much food to continental countries. Egyptian reserves have been depleted by demands for capital in the Far East and must have more gold. India, favored by great balances of trade, has within two years purchased over $250,000,000 of gold, besides silver, and as much more within the next two years will have to go into the "sink hole" of precious metals.

The Washington Post of November 16, 1913, contained a very able editorial, in which the following language was used:

The facts are that for nearly two years now every country in Europe has been in financial straits, and if European banking systems have withstood financial strain, they have not been sufficient in any way to meet the demands of Europe, of Africa, of Asia, or of the Americas for funds to carry out profitable and legitimate business enterprises.

Great Britain to-day confesses its inability to finance India with gold. France places estoppel upon all foreign loans until its own governmental needs are financed.

Germany was only saved from bankruptcy 18 months ago through the gold furnished by American bankers.

Where are the funds necessary to carry on the increasing business of the world coming from when these highly lauded systems of European finance fail to provide them for their own continent or the needs of others?

The ablest railway manager in the world has told the people of the United States repeatedly during the last two years that our railways require $5,000,000,000 for proper development.

No one doubts the correctness of that statement.

Every business man in the United States wishes that development to proceed.

The most active and powerful of New York financial managers has told the Congress, the bankers, and the people of this country that the electrical development of the United States will during the next few years call for the expenditure of $2,000,000,000.

The populace and the business interests of the country earnestly approve of this development at the earliest possible time.

In an editorial of the Washington Post of November 19, 1913, the following information is given:

It was not our tariff legislation which caused the Bank of England to hoist its bank rate of discount to extremely high figures for the past year to keep its gold at home.

It was not our antitrust talk that forced the German banks to issue millions of dollars' worth of notes of small denominations that they might gather in and retain gold to strengthen their reserves of primary money.

Sound as are our own financial conditions, the insufficiency of gold, the primary money, is to-day a veto upon the ability of the banks to aid the business men; it is a ban upon enterprise in every form; it is a bar to general prosperity, a fearful handicap upon safe finance and legitimate business.

It can be readily seen from these extracts that the higher the gold reserves are fixed the greater the strain upon gold will become, and that the way to retain gold will be by increasing the rate of discount. This may be very satisfactory to the bankers, because they reap more profits when they lend out their money at a higher rate of interest, but it is not to the interest of the people who are compelled to pay the higher rate of interest fixed by banks of issue under the claim that they are trying to get more gold.

"LAWFUL MONEY" REDEMPTION RELIEVES STRAIN ON GOLD.

In this bill we have retained the House provision that the Federal reserve notes may be redeemed by the bank in either gold or lawful money. It takes the strain off gold at the eight reserve banks and does not impair the redemption feature of the note in gold, because it provides that the Federal reserve note may be redeemed at the Treasury in gold. In other words, it obviates the necessity of each of these reserve banks competing with each other and with the United States Treasury for gold and thereby permits a smaller quantity of gold to make the redemptions, which, of course, relieves the strain on gold to that extent.

Mr. THOMAS. I think it is pertinent to the discussion of the Senator to state here that the drain upon the world's supply of gold which India has been constantly making for some 10 years past has caused the Parliament to provide for the appointment of an Indian currency commission charged with the duty of ascertaining its definite causes, and whether the Government can safely persist in its effort to force a gold standard upon India. The attempt is about 12 years old now, and its principal result has been to educate the East Indian in the hoarding of gold instead of silver, since he is no longer able to take his hoarded silver to the mint and exchange it for rupees at the rupee legal value. Eighty-eight million pounds sterling in gold have been diverted from the channels of international trade into India during the last three years, equivalent, of course, to $440,000,000 of our currency.

That gold is no longer available, nor is any part of it for monetary needs, and the total of withdrawals, I think, amounts to £175,000,000 during the last 10 years. It is no longer available for the uses of commerce, because gold which goes to India, like silver which formerly went to India, absolutely disappears and is hoarded by the natives in various ways. Some of it is hidden away as coins, but most of it is melted and is changed into articles of personal adornment. But the startling fact is that it disappears as completely as though it were sunk in the middle of the sea, and the drain is constantly increasing.

This presents to my mind one of the most serious menaces to international trade and to international currency conditions that at present exists. It is one reason, which I will endeavor to elaborate before this discussion ends, why I believe it is dangerous for any nation to pivot all its currency and credit conditions upon a single metal.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Kansas?

Mr. SHAFROTH. Yes, sir; I yield.

Mr. BRISTOW. Does not the Hitchcock amendment provide that the reserves shall be in gold or gold certificates, and have we not $1,100,000,000 of gold certificates in addition to the free gold?

Mr. SHAFROTH. Oh, yes; and the very fact that the national-bank notes are sent down here to Washington by express,

$600,000,000 each year, or at the rate of $2,000,000 every day, running the risk of train wreck, fire, and robbery that might occur, shows that——

Mr. BRISTOW. I understand; but that has nothing whatever to do with it.

Mr. SHAFROTH. It shows that there are not enough of these gold certificates to act as reserves for the banks. That is what it means. It means that they are short of currency which will answer that purpose.

Mr. BRISTOW. Does not the Senator know that the reason why the national banks send the national-bank notes for redemption is because they can not be used as reserves?

Mr. SHAFROTH. Certainly; and when gold is reserve money, and gold certificates are reserve money, and greenbacks are reserve money, of course it shows that still there is a shortage in that, or else this redemption would not take place to the extent of over $600,000,000 a year.

Mr. BRISTOW. I can not see the line of reasoning which the Senator presents, for it is not because of a shortage in gold that these certificates are sent, but it is because the law does not permit them to be used as reserves.

SHORTAGE OF RESERVE MONEY FORCES BANK-NOTE REDEMPTION.

Mr. SHAFROTH. But if there was a sufficient quantity of gold certificates and a sufficient quantity of those other moneys that are used for reserves, they would pay out this bank currency just as they would in ordinary transactions, and they would not ask redemption for it. It is because of the shortage in that money—that is, the reserve money—that the national-bank notes come to Washington for reserve money. When you cite to me that there is a quantity of gold represented by certificates, I say, yes; but where is it? I saw a statement the other day that there are $114,000,000 of American gold certificates in Canada. I have been told that there are many millions of our gold certificates scattered all over Europe, acting as warehouse receipts, which shows they have confidence that gold will be at their demand whenever they want it. How much there is one can not tell. We can not tell how much of the $346,000,000 of United States notes there are, because we know that the retirement of them was stopped in 1878, and there were $346,000,000 then. There has been no way of determining how many of those notes have been burned or destroyed or taken out of the country.

Mr. BRISTOW. May I ask the Senator, is it not because the national-bank note is an inferior note that it is sent for redemption, the banks retaining that which is the best?

Mr. SHAFROTH. No; except that it can not be used as reserve money.

Mr. BRISTOW. Because it can not be used as a reserve, and it is not as useful as a gold certificate and a greenback.

Mr. SHAFROTH. Certainly; that is true. Of course they are kept at a par with gold, and nobody has ever attempted to force one to a discount.

Mr. BRISTOW. Certainly. It is kept at par because of the credit of the United States Government, the United States bonds, behind it, and the pledge of the Government to redeem it in gold.

Mr. SHAFROTH. The 33⅓ per cent which the Owen section of the committee has recommended to be held as a gold reserve for the redemption of these notes at the Treasury is amply sufficient to make it a perfect currency. Did you ever notice that whenever it came to providing for the issuance of bank bills the bankers never ask to make their notes redeemable in gold? Did you ever hear a banker suggest that national-bank notes should be made payable in gold at the bank counter? Oh, no.

We find that the Aldrich bill, which was presented and which met the approval of all the bankers of this country as represented in their conventions, expressly provided that the redemption should be made in gold or lawful money, at the option of the bank. Here in the compromise that has been made with relation to this matter by the Owen side of the committee we have provided that these notes shall be redeemable in gold at the Treasury, or in gold or lawful money at the Federal reserve bank. I want to state why. It is because it saves the strain upon the gold. That is the reason. If you have it redeemable in gold at every one of the Federal reserve banks, you simply establish eight competing points for gold, all bidding against the Government for the purpose of getting gold into their vaults.

Mr. THOMAS. Mr. President——

Mr. SHAFROTH. I will yield in a moment.

We find that these gold reserves proposed may be more than 33⅓ per cent. That is the minimum, and the chances are that when there is an easy market in gold it may accumulate and go much higher, just as it does in European banks. But to compare the conditions in this country and the necessity for a gold reserve with the conditions in Europe is something that is ridiculous. All European nations are upon a war footing. Every one of them has to grab gold and keep it. We being upon a peace footing, having no enemies and having no fears of war, we have a right to presume that the strain upon our gold will not be great.

I now yield to my colleague.

Mr. THOMAS. Mr. President, I am heartily in favor of that provision of the House bill which makes this money redeemable in lawful money, but there is one feature of the Owen bill about which I should like some information. My understanding of it is that it provides that these notes shall be redeemed at the United States Treasury in gold, but if presented to the Federal reserve banks they shall be redeemed either in gold or lawful money. What I want to inquire is, if it will not cause the holder of the note who wants redemption in gold to go to the Treasury instead of going to the bank, which has the alternative of redeeming in the two classes of money, and whether it will not, as a consequence, create a demand upon the gold in the Federal Treasury.

WILL BE NO CONSPIRACY TO WITHDRAW GOLD.

Mr. SHAFROTH. I will answer that, Mr. President. We provide in our bill that the Federal reserve banks shall keep a fund in gold in the Treasury of the United States, and consequently there will be no conspiracy, upon their part at least, to draw gold out of the Treasury of the United States. This fund of 33⅓ per cent is to be kept in their own vaults and in the vaults of the Treasury of the United States. All the Federal reserve notes redeemed at the Treasury are from the gold fund furnished and maintained by the Federal reserve banks that procured the issuance of the Federal reserve notes.

The House bill as it came to us provided that the Federal reserve banks should create and maintain a gold redemption fund in the Treasury of 5 per cent of notes issued. By law at the present time the national banks maintain at the Treasury for the redemption of their notes a 5 per cent fund in lawful money. By reason of the redemption of these national-bank notes in such large numbers, as I have said, it has been found that 5 per cent is inadequate. I believe 5 per cent would be sufficient as to these notes, but for fear that it would not be sufficient we have provided that they should deposit with the United States Treasury for this redemption fund such an amount as the Federal reserve board should determine. That, of course, may be 5, 6, 10, or even 20 per cent if it is necessary. So the United States Treasury is amply protected by this proposition.

As to the good policy of requiring redemption of Federal reserve notes at the Federal reserve banks in gold or lawful money, there is no better illustration than our present system of supporting our currency upon a gold reserve of $150,000,000. That quantity of gold has been found amply sufficient to maintain all redemptions of the United States notes amounting to $346,000,000 and indirectly to maintain the redemptions of national-bank notes amounting to $758,000,000. The fact that the national-bank notes are not redeemable at the national banks in gold, but are redeemable at the banks in lawful money, relieves the strain on gold, and yet every holder of a national-bank note can get his gold after obtaining for his national-bank note the United States note; and thus this $150,000,000 of gold supports a superstructure of $346,000,000 of United States notes redeemable in gold and the $758,000,000 of national-bank notes redeemable in the United States notes.

Under this system there has never been a deviation of a fraction of a cent between the national-bank notes and gold since the establishment of the gold reserve on March 14, 1900. It is therefore of the highest importance that the provisions of the House bill as to redemption of Federal reserve notes at the Treasury be made in gold, but at the Federal reserve banks in gold or lawful money.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Mississippi?

Mr. SHAFROTH. I do.

Mr. WILLIAMS. I wish to ask the Senator if he does not think if this 33⅓ per cent was required to be held in gold—and that would have to be the case if the banks were required to redeem in gold—the practical modus operandi would be that the banks would at once, in order to procure their 33⅓ per cent of gold reserve, proceed to tender greenbacks at the Treasury of the United States and get it out of a fund which we are now holding to protect the greenbacks?

Mr. SHAFROTH. Yes; they might do that, and thereby deplete the gold reserve of our Treasury.

It can be readily seen from this illustration that 33⅓ per cent in gold is amply sufficient to maintain at a parity with gold all the Federal reserve notes presented at the Treasury for redemption in gold or at the Federal reserve banks for redemption in gold or lawful money. The provision in Senator HITCHCOCK's amendment requiring 45 per cent in gold would simply make that much greater strain on gold than is necessary and requiring redemption in gold at Federal reserve banks would cause those banks to maintain a higher gold reserve than the law requires, just as banks now maintain higher reserves to meet checks on deposit than required by law.

The bankers with their limited strength are continually pleading for a law which requires smaller reserves for themselves. They have urged and obtained in this bill a reduction of reserves for country banks from 15 per cent to 12 per cent and for reserve city banks from 25 per cent to 18 per cent, and the Hitchcock amendment reduces the latter to 15 per cent.

ADVANTAGEOUS TO NATIONAL BANKS.

Many of the bankers who appeared before the Senate Committee on Banking and Currency felt that the bill was not sufficiently favorable to the national banks to justify their going into the system. An examination of the provisions of the bill will dispel any such contention to the mind of a disinterested person. It is distinctly to the advantage of every national bank to go into the system. The law now provides that each country national bank, of which there are 7,142 in existence, must keep in its own vaults and in banks of a reserve city 15 per cent of its deposits. The present bill reduces that percentage to 12 per cent, which gives a great advantage to the country bank.

At the present time a country bank with $100,000 capital and surplus ordinarily has, say, $1,000,000 of deposits. Under the present law it must keep as reserves in its own vaults and in other banks in reserve cities $150,000. Under the proposed measure it would have to keep in its own vaults and in the vaults of the Federal reserve bank only $120,000. That would be a distinct saving in cash of $30,000. As it is conceded that with capital, credits can be built up to the extent of eight or ten times, the country bank could thereby build up credits upon this $30,000 of cash to the amount of $240,000, all of which could be loaned at 6 per cent, and thus the country bank would be benefited to the extent of $14,400 per annum, while its cost of going into this system would be only 6 per cent of its capital and surplus, which would amount to only $6,000, upon which it will draw a dividend of 6 per cent per annum, which is no loss. It would lose the 2 per cent per annum that it now receives from banks in reserve cities, where, according to the present law, is held 9 per cent of its deposits, which would be $90,000, 2 per cent of that amount being $1,800 per year. Thus the country bank would be better off by coming into the system by $12,600 a year. Similar advantages exist in favor of the reserve city banks.

It is difficult to conceive that a bank which is given such privileges by this bill, together with the privilege in times of runs to seek shelter under the power of these great reserves, should hesitate one moment in subscribing to the capital stock of the Federal reserve bank.

The only banks that will lose deposits by this bill are those of New York City, where the reserves of nearly all of the banks in the United States are concentrated and used in gambling upon the stock exchanges. These reserves belong to the banks throughout the country and do not belong to the New York banks, and they can not justly complain when these reserves are kept at home instead of being concentrated there.

There is a great difference between the amendment proposed by the Senator from Nebraska and that proposed by the Senator from Oklahoma relative to the retirement of the national bank notes. The Senator from Nebraska proposes to retire the 2 per cent bonds to an extent not exceeding one-half of the capital stock of the reserve banks each year. Of course that would make a retirement of a very large amount each year. He proposes to issue in place of the bonds securing such circulation 3 per cent bonds; but he does not provide for any permanent money to take the place of the national-bank notes, and consequently the plan involves simply a contraction of the currency to that extent.

EFFECT OF RETIRING UNITED STATES NOTES.

Some of the Senators here remember the great agitation that occurred when it was discovered in the 70's that power had been given to the Secretary of the Treasury to retire United States notes, and that over $100,000,000 of such notes had been retired. Congress in 1878, at the almost unanimous demand of the people, took away this power from the Secretary of the Treasury. You may talk about expansion, but when it comes to contracting the currency you are going to produce disturbances that will shake to the very foundation this Government. Consequently, I think one of the great defects of the bill reported by the Senator from Nebraska lies in the provision which proposes a retirement of this currency without the substitution of a permanent circulating medium. His theory is that there will be such a demand for this currency based on 90-day paper that sufficient will be issued and remain as a substitute for the retired national-bank notes. Several of the witnesses before the Committee on Banking and Currency testified that they did not believe there would be enough of the commercial paper that is required to make a demand for money sufficient to take the place of the national-bank notes. So the Owen section of the committee made a change, and provided that there shall be issued in lieu of the national-bank notes, which shall be retired at the rate of $3,000,000 a month, Federal reserve notes, based upon the same bonds now securing national-bank circulation, or based upon substitute bonds, with the backing of the Federal reserve banks instead of the backing of the individual banks, as now—a better security, a safer security, and one of a permanent nature. The substitute bonds bear 3 per cent interest, but the interest goes to the Federal reserve banks. A currency based upon 90-day paper is supposed to be issued only in emergencies to supply a temporary demand for more money to meet the necessities in crop-moving seasons and in times of panic.

Some people think that there will be great difficulty in the Federal reserve banks getting gold. They seem to think that it is necessary to sell bonds for the purpose of obtaining gold to redeem the currency. The gold-redemption fund is furnished by the member banks; it only has to be maintained by the Federal reserve banks. It takes an insignificant amount of money to procure gold for redemption purposes. All a Federal reserve bank would have to do would be to take its receipts of the day before and buy an equal amount of gold. It can get gold for one-tenth of 1 per cent, and out of their general fund or their profits they can add one-tenth of 1 per cent, and that pays for the gold. One thousand dollars used in that manner would get gold enough to redeem a million dollars of Federal reserve notes, because the gold is not consumed; it is exchanged.

If after they bought the gold it was consumed, of course it would take a million dollars of money or a million dollars of notes or a million dollars of bonds to buy the million dollars of gold bullion or gold coin. You can readily see that it only takes a thousand dollars added to the receipts of the day before, if the receipts were a million dollars, to buy a million dollars in gold and put it in the reserve in place of the paper money in the reserve which was used the day before in drawing gold from the reserve. So this necessity of issuing one-year paper or issuing bonds for the purchase of gold is not real. The Government buys gold bullion to an enormous extent every year at its mints, paying therefor $20.67 per ounce. The idea of the necessity for bond issues to buy gold came to us from the Cleveland administration bond issues. But what became of the money from those bonds? It went to pay the general expenses of the Government and was consumed. Of course you have to issue bonds to the extent of $100,000,000 to get $100,000,000 in gold when you are going to use it for expenditure purposes; but when you are going to keep it simply for the purpose of redemption, I repeat, all you have to pay is the little premium which the European banks now pay—simply one-tenth of 1 per cent added to the paper money you already have with which to buy gold. That is all it costs to keep a reserve. The theory of providing bonds instead of the $758,000,000 of national-bank notes to buy gold and to keep that gold is an absolute absurdity to any person who understands the system of buying gold in the market.

This measure will make panics unknown, unless it be a world panic, and even then it will mitigate and relieve the severity of the disturbance to a marked degree and will save from disaster every bank except the insolvent banks of the country.

With rigid inspections, as provided in this bill, there will be no such thing as the closing of the doors of a solvent bank, and thus a degree of prosperity will be established and maintained in our country that will bring peace, security, and happiness to our people.

EXECUTIVE SESSION.

Mr. BACON. If there is no Senator who desires to speak on this subject, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 1 hour and 30 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, November 26, 1913, at 2 o'clock p. m.

NOMINATIONS.

Executive nominations received by the Senate November 25, 1913.

SECRETARIES OF EMBASSIES.

Arthur Hugh Frazier, of Pennsylvania, now second secretary of the embassy at Vienna, to be second secretary of the embassy of the United States of America at Paris, France, vice Sheldon Whitehouse, nominated to be secretary of the legation at Managua.

Thomas Hinckley, of the District of Columbia, now secretary of the legation and consul general at San Salvador, to be second secretary of the embassy of the United States of America at Vienna, Austria, vice Arthur Hugh Frazier, nominated to be second secretary of the embassy at Paris.

Arthur Mason Jones, of New York, now secretary of the legation at Managua, to be second secretary of the embassy of the United States of America at St. Petersburg, Russia, vice Frederick A. Sterling, nominated to be second secretary of the legation at Peking.

SECRETARY OF LEGATION AND CONSUL GENERAL.

Henry F. Tennant, of New York, now secretary of the legation at Caracas, to be secretary of the legation and consul general of the United States of America at San Salvador, Salvador, vice Thomas Hinckley, nominated to be second secretary of the embassy at Vienna.

SECRETARIES OF LEGATIONS.

William Whiting Andrews, of Ohio, now secretary of the legation at Lisbon, to be secretary of the legation of the United States of America at Berne, Switzerland, vice William Walker Smith, appointed secretary of the legation and consul general at Santo Domingo.

James G. Bailey, of Kentucky, now secretary of the legation to the Netherlands and Luxemburg, to be secretary of the legation of the United States of America at Lisbon, Portugal, vice William Whiting Andrews, nominated to be secretary of the legation at Berne.

Francis Munroe Endicott, of Massachusetts, now secretary of the legation at Christiania, to be secretary of the legation of the United States of America at San Jose, Costa Rica, vice M. Marshall Langhorne, nominated to be secretary of the legation to the Netherlands and Luxemburg.

Franklin Mott Gunther, of Virginia, now second secretary of the embassy at Rio de Janeiro, to be secretary of the legation of the United States of America at Christiania, Norway, vice Francis Munroe Endicott, nominated to be secretary of the legation at San Jose.

M. Marshall Langhorne, of Virginia, now secretary of the legation at San Jose, to be secretary of the legation of the United States of America to the Netherlands and Luxemburg, vice James G. Bailey, nominated to be secretary of the legation at Lisbon.

Willing Spencer, of Pennsylvania, now second secretary of the embassy at Berlin, to be secretary of the legation of the United States of America at Caracas, Venezuela, vice Henry F. Tennant, nominated to be secretary of the legation and consul general at San Salvador.

Sheldon Whitehouse, of New York, now second secretary of the embassy at Paris, to be secretary of the legation of the United States of America at Managua, Nicaragua, vice Arthur Mason Jones, nominated to be second secretary of the embassy at St. Petersburg.

Henry Coleman May, of the District of Columbia, lately secretary of the legation at Stockholm, to be second secretary of the embassy of the United States of America at Tokyo, Japan, vice Ralph B. Strassburger.

Frederick A. Sterling, of Texas, now second secretary of the embassy at St. Petersburg, to be second secretary, of the legation of the United States of America at Peking, China, vice George T. Summerlin, nominated to be second secretary of the embassy at Berlin.

George T. Summerlin, of Louisiana, now second secretary of the legation at Peking, to be second secretary of the embassy of the United States of America at Berlin, Germany, vice Willing Spencer, nominated to be secretary of the legation at Caracas.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Commander Mark L. Bristol to be a captain in the Navy from the 1st day of July, 1913.

Lieut. Commander Roscoe C. Bulmer to be a commander in the Navy from the 1st day of July, 1913.

Lieut. Roger Williams to be a lieutenant commander in the Navy from the 1st day of July, 1913.

Lieut. (Junior Grade) Guy E. Baker to be a lieutenant in the Navy from the 1st day of July, 1913.

The following-named citizens to be assistant surgeons in the Medical Reserve Corps of the Navy from the 14th day of November, 1913:

Hubley R. Owen, a citizen of Pennsylvania; and
Foster H. Bowman, a citizen of Pennsylvania.

CONFIRMATION.

Executive nomination confirmed by the Senate November 25, 1913.

UNITED STATES MARSHAL.

Edgar H. James to be United States marshal, western district of Kentucky.

SENATE.

WEDNESDAY, *November 26, 1913.*

The Senate met at 2 o'clock p. m.

The Rev. Arthur Little, D. D., of Boston, Mass., offered the following prayer:

Our heavenly Father, we acknowledge Thee as the source of all life, of all light, of all power. Into Thy presence we come that we may be vitalized, illumined, and empowered for Thy service. We thank Thee for all the ways of goodness and loving-kindness along which Thou art leading us from day to day. We supplicate Thy presence and Thy blessing upon these Thy servants, summoned of God and the people to this tremendous task of legislation for a great Nation. Give them guidance and wisdom and insight and foresight and all needed help, that they may enact such laws as shall be for the well-being of the Republic and for the honor of Thy name.

Make us grateful for all the mercies that enrich our lives. Help us to share with the people of the Nation on the morrow in returning hearty and sincere thanks and acknowledgments to Almighty God for the goodness with which He has crowned the year. Peace, plenty, and prosperity abound, thanks to His bountiful hand.

Command Thy blessing upon the President of the United States and all his advisers. Endow him and those sharing his counsels with wisdom from on high to guide them in all their deliberations. All hearts unite in offering this prayer: "The Lord bless and keep us. The Lord make His face to shine upon us and be gracious unto us. The Lord lift up His countenance upon us and give us peace." Amen.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

PRESIDENT PRO TEMPORE UNITED STATES SENATE,
Washington, November 26, 1913.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN RANDOLPH THORNTON, a Senator from the State of Louisiana, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. THORNTON thereupon took the chair as Presiding Officer and directed that the Secretary read the Journal of the proceedings of the last legislative day.

THE JOURNAL.

The Journal of yesterday's proceedings was read and approved.

SAN FRANCISCO WATER SUPPLY.

Mr. GALLINGER. Mr. President, I have a lengthy telegram from the Modesto Water Users' Association, of Modesto, Cal., of which I presume every Senator has had a copy, protesting against the passage of the so-called Hetch Hetchy bill. I have also an earnest letter from the Right Rev. Bishop W. W. Niles, of Concord, N. H., on the same subject, entering a protest.

I will not ask that these papers be printed in the RECORD, contenting myself with the statement I have made concerning them.

PETITIONS AND MEMORIALS.

Mr. WEEKS presented resolutions adopted by the Central Labor Union of Fitchburg, Mass., favoring an investigation into the mining conditions in the copper district in the State of Michigan, which were referred to the Committee on Education and Labor.

He also presented petitions of the congregation of the Asbury First Methodist Episcopal Church, of Springfield; of the congregation of the Highlands Methodist Episcopal Church, of Holyoke; of the congregation of the Methodist Episcopal Church of East Longmeadow; and of the Woman's Association of the First Congregational Church of Springfield, all in the State of Massachusetts, praying for the passage of the so-called antipolygamy bill, which were referred to the Committee on the Judiciary.

Mr. WEEKS (for Mr. LODGE) presented a memorial of the Social Science Club of Newton, Mass., remonstrating against the enactment of legislation granting to the city of San Francisco the use of the waters of the Hetch Hetchy Valley, which was ordered to lie on the table.

Mr. ROOT presented a memorial of the faculty of Adelphi College, Brooklyn, N. Y., remonstrating against granting to the city of San Francisco the use of the waters of the Hetch Hetchy Valley, which was ordered to lie on the table.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KENYON:

A bill (S. 3483) for the relief of Alex. H. Smith; to the Committee on Claims.

A bill (S. 3484) to amend paragraph 8, section 24, chapter 2, of the Judicial Code; to the Committee on the Judiciary.

By Mr. O'GORMAN:

A bill (S. 3485) granting a pension to Edward H. Dalton; to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 3486) providing for the retirement and rank of general service clerks and messengers in the Army; to the Committee on Military Affairs.

By Mr. BRADY:

A joint resolution (S. J. Res. 82) authorizing a survey of the Snake River from Lewiston, Idaho, to the mouth; to the Committee on Commerce.

CONSERVATION OF NATURAL RESOURCES (S. DOC. NO 243).

Mr. SHAFROTH. I ask unanimous consent that there be published as a public document a very able and instructive thesis by W. V.-N. Powelson upon the waste of our natural resources due to the nondevelopment of our water power. It is a very able article, and I should like to have it made a public document.

The PRESIDING OFFICER. It is so ordered, in the absence of objection.

PUBLIC BUILDINGS AND SITES (S. DOC. NO. 244).

Mr. SHEPPARD. Mr. President, the Treasury Department has prepared at my request a statement showing the status of public buildings and sites in the United States arranged according to congressional districts, embracing all projects up to and including the public-buildings act of March 4, 1913.

The statement shows the places in the congressional districts where buildings have been completed, with dates of completion; the places where buildings and extensions are in course of construction, with the dates of the beginning of construction; the places where buildings and extensions are to be constructed on sites or additional land already purchased; the places where buildings and extensions are to be constructed on sites or on additional land not yet purchased; and the places where new sites for buildings are to be acquired.

Senators and Members of the House are constantly receiving requests for this information. I believe this statement will be of great value as a public document, and I ask that it may be printed as such.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT OF THE RULES.

Mr. GALLINGER. Mr. President, on the eighth day of September last I gave notice that I would at a later day offer an amendment to Rule XIX of the Senate. I now offer a resolution and ask that it be printed and referred to the Committee on Rules.

There being no objection, the resolution (S. Res. 221) was referred to the Committee on Rules, as follows:

Resolved, That the rules of the Senate be amended by adding the following paragraph to the nineteenth standing rule, to be numbered and known as paragraph 6 of said rule, to wit:

"PAR. 6. Whenever confusion arises in the Chamber or the galleries, or demonstrations of approval or disapproval are indulged in by the occupants of the galleries, it shall be the duty of the Chair to enforce order on his own initiative, and without any point of order being made by a Senator."

BANKING AND CURRENCY.

Mr. REED. Mr. President, I desire to give notice that on next Monday, at the convenience of the Senate, I shall address the Senate upon the banking and currency bill.

Mr. WEEKS. Mr. President, I desire to give notice that on Friday, December 5, at the conclusion of the routine morning business, I shall address the Senate on the subject of banking and currency legislation.

Mr. NEWLANDS. Mr. President, it is my purpose to address the Senate this morning upon the resolution offered by me on yesterday.

The PRESIDING OFFICER. The Chair lays before the Senate the resolution submitted yesterday by the Senator from Nevada, which will be stated.

The SECRETARY. Senate resolution 220, providing for the modification of the pending banking and currency bill by the adoption of a Federal reserve system.

Mr. NEWLANDS. I ask that the resolution which I offered yesterday may be read.

The PRESIDING OFFICER. The Secretary will read the resolution.

The Secretary read the resolution submitted yesterday by Mr. NEWLANDS, as follows:

Resolved, That it is the sense of the Senate that the pending banking and currency bill should be modified by providing—

First. That within five years the capital of every commercial bank, national and State, engaged in interstate commerce shall be required to be equal to at least 12 per cent of its deposits, and that acceptance of deposits beyond this proportion shall be forbidden except upon a proportionate increase of capital.

Second. That within five years the reserve of such banks shall be required to be equal to at least 12 per cent of the deposits, except in reserve cities, where it shall equal 15 per cent.

Third. That of such reserve held by country banks, one-third may be deposited in reserve city banks and in central reserve city banks.

Fourth. That of such reserve one-third shall be deposited in the State reserve associations hereafter referred to.

Fifth. That there shall be organized in every State a State reserve association, in which the membership of all commercial banks, both national and State, shall be compulsory, as a condition of the continued existence of the national banks and of the privilege of continuing in interstate commerce as to the State banks.

Sixth. That each member bank shall deposit and forever maintain in such State reserve association at least one-third of its cash reserve. Such State reserve association shall have powers of supervision and regulation of its member banks, and also the power of rediscount of commercial paper guaranteed by the member bank, the reserve of such member bank to stand as additional security for its guaranty.

Seventh. That a Federal reserve association at Washington shall be organized, whose members shall be the State reserve associations; that each of such member associations shall deposit and forever maintain in the Federal reserve association one-third of the reserves deposited with it by the member banks; that such system shall also provide for the deposit in such Federal reserve association of Government funds and also for the issue to it of Federal reserve notes.

Eighth. That power be given to such Federal reserve association to rediscount indorsed commercial paper held by any State reserve association and indorsed by it, and to use therefor the cash deposited by the member associations, the Government funds deposited with it, and the Federal reserve notes.

Mr. NEWLANDS. Mr. President——

Mr. SMOOT. Will the Senator from Nevada yield to me?

Mr. NEWLANDS. I yield to the Senator.

Mr. SMOOT. I suggest the absence of a quorum. There are very few Senators here, and I think they ought to be present before the Senator proceeds.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Owen	Smoot
Bacon	Hollis	Page	Sterling
Bankhead	Hughes	Pittman	Stone
Bradley	James	Poindexter	Sutherland
Brady	Johnson	Reed	Thomas
Bristow	Kenyon	Root	Thompson
Bryan	Kern	Saulsbury	Thornton
Burleigh	Lane	Shafroth	Tillman
Burton	Lewis	Sheppard	Townsend
Chamberlain	Lippitt	Shields	Vardaman
Chilton	McCumber	Shively	Walsh
Clark, Wyo.	Martine, N. J.	Simmons	Warren
Cummins	Nelson	Smith, Ariz.	Weeks
Dillingham	Newlands	Smith, Ga.	Williams
Gallinger	Norris	Smith, Md.	Works
Goff	Overman	Smith, S. C.	

Mr. SHEPPARD. My colleague [Mr. CULBERSON] is unavoidably absent. He is paired with the Senator from Delaware [Mr. DU PONT]. This announcement may stand for the day.

Mr. SMOOT. I desire to announce that the senior Senator from Delaware [Mr. DU PONT] and the junior Senator from Wisconsin [Mr. STEPHENSON] are unavoidably detained from the Senate.

Mr. KERN. I desire to announce that the junior Senator from Louisiana [Mr. RANSDELL] is unavoidably detained from the Senate on account of public business. I also desire to announce that the senior Senator from Tennessee [Mr. LEA] is unavoidably absent from the city.

The PRESIDING OFFICER. Sixty-three Senators have answered to their names. A quorum of the Senate is present. The Senator from Nevada will proceed.

Mr. NEWLANDS. Mr. President, I regard it as a matter of congratulation that the banking and currency measure is in its present situation before the Congress of the United States, for I believe that as a result of the work done by the other House and by the two sections of the Senate Committee on Banking and Currency, and as the result of the thorough deliberation which will be had in the Senate of the United States, we shall have a splendid law, which will meet the economic, industrial, and financial requirements of the country. I deem it also a matter of congratulation that the minority party in the Senate, which, as we all know, has been an adherent of the

central-bank system, realizing that contention for that system is useless, has determined not to insist upon its contention here, but to collaborate with the majority party in the perfection of a regional system of banking, which seems to be the only practicable method of banking reform.

NO INTENTION TO OPPOSE PENDING BILL.

So far as I am concerned, Mr. President, my purpose is not to oppose, but simply to modify, the pending bill, to extend the regional system therein provided so as to secure a regional reserve association in every State, and to unite these State reserve associations in a Federal association at Washington, with a view to strengthening them all in the bonds of union and securing to the weaker associations the supporting strength of the stronger associations through this federation. The plan which I urge involves all the advantages of the regional system and enlarges them. It also involves in this beneficent work the concentration of the banking power of the Nation itself, which is one good feature of the central system.

Mr. President, we find that in this country we have a larger banking capital per capita than has any other country in the world; that we have a larger per capita circulation than any civilized country except France; and that the banking power of the Nation as such is greater proportionately than is that of any other country. We are not deficient in banking capital; we are not deficient in surplus; we are not deficient in reserves; but we are deficient in the methods that keep money, which is the lifeblood of commerce, in circulation, so running as to avoid at any point the congestion that leads to stagnation. The purpose of this legislation is to promote and accelerate that circulation, not to inflate the existing volume of capital employed in banks or the existing volume of money, but to make the existing money current through the arteries of commerce.

In order to make the money current in the arteries of commerce, it is essential that we should avoid these constantly recurring panics and stringencies, either local or State wide or interstate and national, the effect of which is to lock up trade, to arrest commercial transactions, to injure the debtor, and to gradually turn over the accumulations of enterprise to the lenders of money. In order to make money current, it is essential that our banking system should be as evenly proportioned as possible. The difficulty with us is that we have two banking systems, one National and the other State, the capital and surplus employed in the national banking system being about equal to that employed in the State banking system—nearly $2,600,000,000 in each. We find that in the national banking system there are only about 7,000 commercial banks, and in the State banking system there are nearly 20,000 commercial banks.

Why is it that the majority of people bent upon bank organization go to the State laws for their charters? The reason is that there is less restriction in those laws. Every man engaging in business desires to do so with as free a hand as possible, and the very restrictions and restraints in the national banking act intended to protect the people against bank panics and stringencies and inflations and contractions tend to make that system less resorted to than is the State bank system, which has not these restraints and retrictions. So we find the majority of commercial banks organized under State laws, varying as to efficient control and regulation, and the minority only, though equal to the State banks in capitalization and surplus, organized under national law.

HARMONY BETWEEN STATE AND NATIONAL BANKS.

Our very first effort, it seems to me, should bring about some harmony of proportion between the State and the National banks and to strengthen the individual banks of both systems by the same cautionary requirements if we can accomplish the latter under the exercise of any grant of national power. I take it that the power of the Nation is ample; that the power of the Nation over interstate commerce enables it to take hold of a State bank engaged in interstate exchange, just as it takes hold of a State railroad engaged in interstate transportation, and to regulate it and control it with reference to safety and the protection of the business world; and that just as we apply safety devices under national law to purely State corporations engaged in interstate transportation, we can apply safety devices to purely State banks engaged in interstate commerce.

Here let me say that interstate exchange is just as essentially a part of interstate commerce as are interstate transportation and interstate trade; that in every transaction of national importance either interstate trade or interstate transportation or interstate exchange is resorted to, and that the State bank engaged in interstate exchange is just as much a national instrumentality for the purpose of engaging in interstate commerce as a purely State railroad that is engaged in interstate transportation is an instrumentality of the Nation for interstate commerce. So that the power exists.

Now, how shall we exercise that power, and what is the fact? The fact is that the national banks are compelled by law to keep on an average 17 per cent of their deposits in cash, the country banks keeping 15 per cent, and the reserve city banks keeping 25 per cent, an average of 17 per cent, while the statistics show that the State banks, under the varying laws of the States, keep on an average only 7¾ per cent of reserves. Why this difference? Which is the correct standard? Is the national requirement too high or is the State requirement too low?

In the consideration of the question of reserves our Committee on Banking and Currency has seen fit to report in favor of a reduction of the reserve provided for by the national banking act, requiring only 12 per cent in the place of the 15 per cent required of the country banks and 15 per cent in place of the 25 per cent required of the reserve city banks. They have doubtless recommended this because of the superior perfection of the reserve system created by the proposed law; and realizing that the reserves can be made more effective by unionizing them and consolidating them under the proposals of the pending bill, they have concluded that it would be wise not to exact so great a percentage as heretofore. The percentage which they do exact in the pending measure is an average of about 13¼ per cent, whilst the average per cent of reserves in the State banks to-day, according to the statistics, is only 7¾ per cent.

It seems to me perfectly obvious that if we are to act on this subject in a proper and comprehensive way, regarding all banks, whether National or State, as national instrumentalities so far as interstate commerce is concerned, we should require the same reserve of the State banks as is required of the national banks; and, with that view, the resolution which I have offered provides:

That within five years the reserve of such banks—

That is, the State banks—

shall be required to be equal to at least 12 per cent of the deposits, except in reserve cities, where it shall equal 15 per cent.

What is another element of strength to the banks? It is the capital and the surplus, the latter, of course, constituting capital. The capital is the protection which the depositor has. The depositors' money is mainly invested in commercial paper, with the exception of the percentage which the bank is compelled to keep on hand to meet the current checks of the depositors under the reserve system. Obviously, if a bank had no capital, the only security for the depositors would be the investments made by the bank of the depositors' money. The larger the capital, therefore, the larger the margin of protection to the depositors.

RELATION OF CAPITAL TO DEPOSITS.

Singularly enough, in our national banking act we have prescribed no relation whatever between the capital of a bank and its obligations to its depositors. Under the national-bank system a bank with only $50,000 capital can accept $5,000,000 in deposits, and, obviously, $50,000 of capital would not be a margin of protection such as the law should contemplate. There ought to be a proportion between the capital and the deposit obligations, and no bank should be permitted to accept deposits in excess of eight times its capital, so that there would be $1 of capital on hand for every $8 of deposits.

With reference to this, I have suggested in the first paragraph of my resolution that the pending bill should be modified in the following words:

That within five years the capital of every commercial bank, National and State, engaged in interstate commerce shall be required to be equal to at least 12 per cent of its deposits, and that acceptance of deposits beyond this proportion shall be forbidden except upon a proportionate increase of capital.

It will be observed that I have given five years within which to make these readjustments, because I think time is required. Radical readjustments in any part of our system, whether they involve the tariff, our industrial system, or our financial system, should be avoided. Time always should be given for progressive reform. I should expect this reform to be accomplished under the direction of the reserve board called for by the bill, and I should expect the power to be exercised with great wisdom and discretion, both as to the capital and as to the reserve.

We all know that the Interstate Commerce Commission was given that power with reference to safety devices; and it has been its custom to accommodate the requirement to the condition of the various transportation companies, requiring the adoption of such devices immediately in some cases, in others requiring it within a certain period, and oftentimes giving an extension of time, where any good reason was shown.

I believe that these are the only two changes necessary with reference to State banks, and that when we accomplish them we shall put the State banks upon a par with the national banks so far as security to business and to depositors is concerned.

Mr. PAGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Vermont?

Mr. NEWLANDS. Certainly.

Mr. PAGE. Referring to the matter of proportion between capital and deposits, I want to say to the Senator that I had occasion yesterday to look up the report of the Comptroller of the Currency for 1903, and I found that of the 48 national banks in Vermont 30 had more than half as much capital as they had deposits.

Mr. NEWLANDS. That, let me say, is a very extraordinary proportion, and it arises from the character of their business. Most banks make money out of their deposits. The banks in the section where the Senator lives make most of their money, or a large portion of it, out of their capital. They resort to that because of the insufficient volume of their deposits to make the business a paying one. Then, besides, the capital of the banks in the section which the Senator represents is largely invested in the commercial paper of other States, so that the banks in the Senator's section not only finance the region immediately around them, but help in financing other States. They have that fortunate position because of large accumulations of capital, created during many years of effort; whilst in the western regions the banks have not this accumulation of capital, and there the effort is to do business on as small a proportion of capital to deposits as it is possible to maintain.

UNIONIZING OF BANKS FOR MUTUAL PROTECTION.

Having perfected the State bank system under national law so as to put it on a par with the national bank system, the next question is, How shall all these banks be unionized with a view to preventing bank panics and bank stringencies? The disastrous effects of such conditions upon general commerce we all realize, creating as they do not only breaks in local exchange, but breaks in interstate and international exchange, both of products and of money.

It seems to me our political system is the most perfect that could be devised for this vast continent, embracing so wide an area, because it secures to us all the advantages of local self-government and also the advantages of union. We have here a Government of 48 sovereign States, each one of the States being limited in area, of course, as compared with the area of the United States, though they vary in their proportions to each other, many of them of very small population, many of them of very large population, many of them bound in the future to rival the great countries of Europe, both in population and in wealth. Under our dual system, with the local sovereignty of the State, we create a local public opinion effective in government, in industry, in commerce, and in social life. Then we unionize these sovereignties through the creation of the Government of the United States, which acts for all under the granted powers in matters in which it is important that we should act nationally or with a view to interstate or foreign relations.

The political unit is the State. The United States is an aggregation of such political units. I do not see why in our business and in our commerce and in our laws we should not recognize the boundaries of a State just as we do in government. Every one of these States has its laws relating to industry, to commerce, to banking, and to social organization. Therefore, the natural unit is the State, and not the regions contemplated by this bill, any one of which may embrace not only many States but parts of many States.

The people of the United States have become accustomed to think by States and to think nationally. It seems to me a great mistake to divert them from that line of thought by the creation of regions unknown to our system of government, newly created, and varying from time to time in their boundaries according to the judgment of the reserve board.

We find that the States have been acting as units not only in government but in every form of organization. There is hardly any form of organization—charitable, beneficial, commercial, manufacturing, benevolent—that does not contemplate first the organization of a State unit and then the union of the State units in a national organization. That is true of the various professional organizations, the bar associations, the medical societies, the architectural associations, the art associations, the musical associations, and it is true of the boards of trade. They first unite within a State and then unite nationally by the union of the State boards of trade.

The suggestion which I make, that we should regard as the basic unit the State rather than a newly created region, simply follows the accustomed lines of thought and of organization throughout the United States. I believe it is well to encourage that idea. I believe that every State should have a robust individuality; that it should have its own bank system and its own commercial system; and that every State should have what may be termed a financial center. It is essential to the completion of any civic organization.

OBJECTIONS TO REGIONAL RESERVE ASSOCIATIONS.

One of the complaints I have to make of the system of regional organization called for by the pending bill is that it draws the attention of the people away from the problems of the individual State and draws their attention to the affairs of a region of indeterminate area, changing in its boundaries from time to time. The danger will be that they will not think in terms of regions at all; that they will become inert regarding the important problems that relate to the very life of the community; and that the regional organization will practically escape the observation of the people who live in the region, and, above all, will escape the effect of public opinion, which, in my judgment, is best organized by States and then nationalized by a union of the States.

Mr. President, the plan which I have suggested involves the organization in every State of a State reserve association, of which the member banks shall be not only the national banks in that State, but the State banks that are engaged in interstate commerce. As a matter of fact, all State commercial banks, all so engaged, for no bank could prosper that did not engage in interstate exchange, it would have little patronage, because it could not meet the requirements of commercial communities.

In that respect the plan I present differs from that presented by the committee. They make membership in the regional organization compulsory upon the part of the national banks. They make it permissive regarding the State banks. The plan I suggest makes it compulsory with both; for it is impossible to have a system of banking when one half is good and one half is bad, one half is strong and the other half weak, for the weakness of the weaker half will detract from the strength of the stronger half. You may make the national-bank system of this country perfection itself; yet if the State-bank system continues weak, the national system itself will be weakened by that fact. A panic which starts in a weak State bank to-morrow may involve not only State but national banks. Panics are unreasoning.

Therefore it is important that all the banks of the country that are engaged in interstate commerce shall be compelled to come inside of and be members of these reserve associations. That power can be exercised under the interstate-commerce clause of the Constitution; for so far as a State bank engages in interstate commerce it is an instrumentality of interstate commerce, and as such is subject to regulation by the National Government.

Mr. PAGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Vermont?

Mr. NEWLANDS. Certainly.

Mr. PAGE. What would the Senator do with the mutual savings banks which have no capital? By far the largest banks in my State are what we term mutual savings banks, which have no capital whatever. Would the Senator compel them to subscribe to stock in this organization?

Mr. NEWLANDS. The plan which I present does not involve stock subscription or capital requirements. The Senator has lost sight of the fact that my remarks apply only to commercial banks and not to savings banks or purely investment banks. We are engaged in a regulation of commerce between the States. There are two classes of banks which engage in such commerce—one State banks and the other national banks. My belief is that if it is wise and just that all the national banks should be unionized for the protection of the community and the banks themselves against bank panics and stringencies, that it is just as important that the State banks should be similarly unionized; and I believe we have the power to accomplish this under the interstate-commerce clause of the Constitution.

We provide in this bill that where a national bank refuses to come into such a union it shall within some fixed period lose its charter and go out of business. Yet we say to the 17,000 or more State banks, doing half the commercial business of the country, both local and interstate, and having a capitalization as large as that of the national banks, "This is permissive; you are permitted to come in; but there is no compulsion." Of course we may make the features of this bill so attractive that it will coax the State banks in; and if we do not resort to the compulsory process, I favor making the provisions of the bill so attractive as to coax them in, simply because I do not believe the system can be effective unless it embraces the union of all the banks engaged in commerce in the country.

FUNCTIONS OF STATE RESERVE ASSOCIATIONS.

Mr. President, what ought a State reserve association to do? To make money? No; I do not think so. Its function is to unionize the member banks in such a way as to make them efficient instrumentalities of commerce and to protect the country from panics and stringencies. There is no need of such an

organization having any capital. How will it operate? My answer is that you can require by law the member banks, as is compelled under the system of the pending bill, to deposit with the reserve association in each State one-third of the cash reserves required by law to be kept by them. That will constitute the banking capital of the State reserve association. What will it amount to? We find by the statistics that the reserves of all the banks, national and State, amount to a billion and a half of dollars. One-third of a billion and a half dollars would be $500,000,000. That would go into the treasury of these State associations, and divided equally among all the 48 States it would make over $10,000,000 to each. Of course, it would only go proportionately, but the aggregate would be $500,000,000 gathered into these State reserve associations. Another third of the reserves required of the banks could be kept within their own vaults, to respond to the checks of their creditors, and the remaining third of the reserves of the country banks could be kept, as is now the fact, by the individual banks in the great reserve cities, to be used there for purposes of exchange and as a basis of credit. So under this system of reserves required of these banks, whether 12 or 15 per cent, we would have one billion dollars of cash in the vaults of the banks themselves, both country and reserve city banks, and $500,000,000 in the various State reserve associations.

But the objection is made that with reference to the smaller States the amount of reserves would be very inconsiderable in the State reserve association. My answer to that is that the amount of the reserves deposited in the State reserve association in a small State would bear the same proportion to the banking capital and reserves and to the commerce of that State that the amount of the reserves deposited in the State reserve association of a large State does to the banking capital and the deposits and the commerce generally of such State, and that proportionately the deposit in a small State in a reserve association would be as large as in the larger States.

Now, what will this money be used for, you will ask, that is in the hands of the reserve associations organized under this bill, with a board of directors selected as provided for in the bill, one-third from the stockholders, one-third from the commercial community at large, and one-third appointed by the Government? What use would you make of that money? Whenever in a single community in that State there is a panic or a stringency this State reserve association organization could rediscount the commercial paper held by an endangered bank upon its indorsement, and it would hold as security for its advances not only the rediscounted paper indorsed by the individual bank, but also the cash reserve deposited by that bank with the State reserve association. So it would be impossible for it in the exercise of ordinary caution to lose anything. It would have not only the rediscounted paper and the cash reserve deposited with it as security, but it would also have the guaranty of the individual bank and the capital and surplus of that bank backing that guaranty.

The effect of this would be that in every State there would hardly be a single stringency or panic that would assume even State-wide proportions, and the system would have the advantage of a municipal system of fire protection, which keeps fire apparatus near to the point of conflagration and puts out the fire before it has had a chance to spread.

I believe, Mr. President, that under this method few local panics or stringencies would get beyond local bounds. But as it is possible that that might be the case, the plan which I present provides also for the organization of a Federal reserve board at Washington, the membership of which is to be composed not of individual banks but of these various State reserve associations, 48 in number, with the obligation upon the part of each State reserve association to deposit in this Federal reserve association one-third of the reserves that have been deposited with it by the member banks.

The effect of this would be that inasmuch as all the State reserve associations under this system would have one-third of the total cash reserves of all the banks held by them, which one-third would aggregate $500,000,000, they would be compelled to turn over to the Federal reserve association one-third of that, or $166,000,000; so we would have one gigantic Federal organization at Washington, with reserves in its vaults aggregating $166,000,000. That fund would enable such reserve association to take hold of any panic or stringency that assumed large proportions in any individual State or in any section, or that assumed interstate or national proportions, and through a system of rediscount of the commercial paper held by the State reserve association as the result of a previous rediscount of commercial paper held by the individual banks could furnish it with the additional money necessary to check the panic or stringency.

The Federal organization at Washington would mainly deal with the State reserve associations of the several States, taking over the rediscounted paper that had been taken up by those organizations from the member banks and giving them cash with which to furnish the money necessary for additional loans to guard against a stringency, or with the additional money necessary to pay the depositors and relieve their fears and arrest the panic.

This Federal reserve association at Washington would not only have the $166,000,000, but under the provisions of the plan which I suggest it would have the deposit of Government funds, aggregating $300,000,000, and it would have also the power to receive these Federal reserve notes, which it could use in rediscounting commercial paper anywhere throughout the country. The resources, therefore, of this Federal reserve system at Washington would be enormous, and yet all of it acquired, recollect, without the contribution of capital by any member State association or bank.

CAPITAL FOR REGIONAL BANKS.

One of the things that the banks object to in this bill is the fact that they are called upon to furnish the capital of these various regional banks. The country banks look upon it as a diversion of capital which can be employed locally to a banking organization five or six hundred, perhaps a thousand, miles away. They regard it as a hardship, and they protest against it. I would not have a moment's hesitation in insisting upon that capital being provided if it were at all necessary, but I insist that it is not necessary. The banking capital of this country surpasses that of any other country in the world in volume and in proportion to population. The difficulty has not been one of banking capital. The difficulty has always been one of the fluidity of our circulating medium. There is no reason why this State reserve association or the Federal reserve association at Washington should call for any increase of banking capital. On the contrary, they will be put to it to find ways in which to invest it, and we are likely to turn them into organizations for investment and speculation and inflation instead of keeping them to their legitimate function, which is that of preventing panics and stringencies by furnishing the actual cash that is required at the point of attack, and so mobilizing the cash reserves of the country as to make them effective at the point of attack.

The sections of the resolution to which I have referred are the following:

Sixth. That each member bank shall deposit and forever maintain in such State reserve association at least one-third of its cash reserve. Such State reserve association shall have powers of supervision and regulation of its member banks, and also the power of rediscount of commercial paper guaranteed by the member bank, the reserve of such member bank to stand as additional security for its guaranty.

Seventh. That a Federal reserve association at Washington shall be organized, whose members shall be the State reserve associations; that each of such member associations shall deposit and forever maintain in the Federal reserve association one-third of the reserves deposited with it by the member banks; that such system shall also provide for the deposit in such Federal reserve association of Government funds and also for the issue to it of Federal reserve notes.

Eighth. That power be given to such Federal reserve association to rediscount indorsed commercial paper held by any State reserve association and indorsed by it, and to use therefor the cash deposited by the member associations, the Government funds deposited with it, and the Federal reserve notes.

The Federal reserve association for its advances, recollect, will have the security of the notes which have been rediscounted by the State reserve associations, which notes have also been indorsed by the member banks, so that its security will be the indorsement of the member banks, the indorsement of the State reserve association, the capital of the member banks of the State associations, and the cash reserves deposited by the State reserve associations with the Federal reserve association.

It is hardly possible to conceive how under such a system there could be any risk whatever. Now, suppose we should conclude that, with a view to further security, it is necessary for these associations, both the State associations and the Federal associations, to have capital, what would they do with that capital? The only way that it could be employed would be by competition with the member banks in the ordinary commercial transactions of discounting domestic commercial paper and of foreign exchange.

I think all that business belongs to the member banks, and I believe that they can better attend to it than the national organizations which it is proposed to create by this bill, and that we will only involve those associations in confusion and annoyance by turning over to them a large capital to administer.

IMPORTANCE OF EARLY ACTION.

Mr. President, it is of the highest importance, in my judgment, that we should act quickly upon this matter. We are passing through a readjustment under the tariff legislation that has been passed. That readjustment involves an average reduction in our duties of from 43 per cent to 25 per cent, a reduction of over 15 per cent. The theory of the Democratic Party has been that our domestic producers of protected articles have uniformly added to their price the duty, thus making the price of a protected article whose normal price would be $1, $1 plus the duty of 43 cents, or $1.43. That has been the contention of the Democratic Party. If that is true, then, when we reduce that 43 cents to 25 cents it means that every domestic producer of dutiable articles has to charge on an average $1.25 for the article for which he formerly received $1.43. If that is true, it is a very enormous reduction. It is such an amount as would fairly constitute the entire profit of a manufacturer and more than the entire profit, for I imagine the average profit of the manufacturer is not more than 10 or 12 per cent.

Our manufacturers have shared that increased price caused by the duty with their laborers. Hence we find labor at a higher standard in this country than in any other country. The manufacturers now must either take that entire loss, that entire reduction from $1.43 to $1.25, or share it with their laborers. If they attempt the latter it means strikes and lockouts and economic readjustments. If they seek to impose none of it upon labor, it means the entire loss of this reduction by themselves and, of course, makes them eager to establish such efficient methods as will cheapen the cost of production. Doubtless the effect of our protective system has been to make our production wasteful instead of economical, and it is highly desirable that our manufacturers and producers throughout the country should be encouraged in every effort that leads to efficiency.

In order to accomplish this, a perfect banking system is essential; and it is most unfortunate; just at the time when these great producers and manufacturers are called upon to apply all their intellect and all their energies to more efficient methods of production with a view to diminishing its cost, that the financial facilities of the country should be so tied up as to deny them the credit that is essential to that operation.

We know that the financial system of the country is tied up in a greater or lesser degree, not because the banks lack capital, not because the banks lack cash, but simply because they are uncertain, and some people either too timid or too designing have created a sentiment, not of alarm but of caution throughout the entire country, which is gradually contracting the credit facilities of the banks. So far as I am concerned I do not believe that there is any deeply designed purpose to tie up the finances of the country with a view to impressing legislation. I believe that the action of the banks is due to caution bred of experience. The banks which passed through the panic of 1907 have realized that a psychological condition can produce a run upon the banks, and inasmuch as, under the present system, they have no method of unionizing banks for protection and defense, each bank is endeavoring to raise its own fortifications and to strengthen its defenses, and it deems it wise for that reason to hold within its vaults as large a reserve as possible.

The banks of the country have never been in a stronger position than they are to-day so far as their cash reserves are concerned, but they are cautious and timid and are not letting out the money as freely as they have been accustomed to doing, either to those engaged in production or in commerce. It is of the highest importance, therefore, intent as we are upon producing a system that will unionize these banks for mutual protection and defense, that we should do it now. The time which has thus far been expended has not been lost. It has produced what I regard as a patriotic surrender on the part of the minority party of their theory regarding the central-bank system, and that party, instead of organizing itself in strong and protracted opposition to a system which they believe will not be as efficacious as a central-bank system, recognizing the ultimate futility of such a struggle, has patriotically surrendered, we may say, practically its conviction upon that subject and is now joining with us under the regional system with a view to perfecting it. The only differences now that exist are as to the number of regional banks, one section of the committee insisting upon four, the other section insisting upon eight, and the President insisting upon not less than twelve, with power of expansion.

So far as I am concerned, I stand for 48 regional banks, each one bounded by State lines, and I stand for a system, not covered by this bill, of unionizing every one of those State reserve associations into a Federal organization at Washington, which can mass all their resources and all their powers to meet dangers that are interstate or national in proportion.

It ought not to take us long to determine as to what the number of banks shall be. The other details of the bill can be easily adjusted when that question is determined, and I am in favor of determining that basic question by an early vote in the Senate or in party conference. I believe that the party has a certain responsibility with reference to this measure and that where we differ it is of the highest importance that we should determine upon some one basic plan. Whether that basic plan be one involving 4 banks or 8 banks or 48 banks, with the Federal reserve association at Washington added, giving it strength and security, I shall be glad to unite with the majority in speedy and effective legislation upon this subject.

Mr. WALSH. Mr. President, before the Senator takes his seat I desire to invite his attention to the fifth subdivision of his resolution for the purpose of asking a question in relation to it. The fifth subdivision provides:

That there shall be organized in every State a State reserve association, in which the membership of all commercial banks, both National and State, shall be compulsory, as a condition of the continued existence of the national banks and of the privilege of continuing in interstate commerce as to the State banks.

I gather from the remarks of the Senator that his plan would be to prohibit the State banks, if they declined to come into the proposed system, from engaging in the transmission of money from one State to another.

Mr. NEWLANDS. Yes.

Mr. WALSH. Is it the view of the Senator that such a power rests in the National Government?

Mr. NEWLANDS. I think it does as a regulation of interstate commerce.

Mr. WALSH. I call the Senator's attention to Willoughby on the Constitution, section 293, as follows:

In Nathan against Louisiana—

I will say that the case of Nathan against Louisiana is reported in Eighth Howard, Decisions of the Supreme Court of the United States, page 73—

In Nathan against Louisiana the court lay down the doctrine that the buying and selling of foreign bills of exchange, while to be sure an aid to, and an instrument of, commerce, is not itself commerce. "The individual," says the court, "who uses his money and credit in buying and selling bills of exchange and who thereby realizes a profit * * * is not engaged in commerce, but in supplying an instrument of commerce. He is less connected with it than the shipbuilder, without whose labor foreign commerce could not be carried on." And also: "A bill of exchange is neither an export nor an import. It is not transmitted through the ordinary channels of commerce, but through the mail."

I do not desire to detain the Senator with a discussion of the subject now, but if the conclusion should be reached that it would be impossible to force the State banks into the general system, would he still hold to the view that there should be 48 banks, being a union simply of the national banks in each State?

Mr. NEWLANDS. I would. Let me say with reference to that decision that I am familiar with it. It is a decision rendered a very long time ago, in 1850, I believe, upon a subject of taxation, as to whether a State had the power to tax the occupation of a broker who was engaged in selling foreign bills of exchange; and in that connection the court upheld the power to tax and gave the reason which the Senator has read. That reasoning is not, in my judgment, satisfactory, and will not, in my judgment, be adhered to. There has been since that time a vast advancement in the views of the courts regarding the powers of the Federal Government under the interstate-commerce power. We find that they have held that a whisper over a telephone between two States is interstate commerce; they have held that a message sent over a telegraph wire between two States is interstate commerce; and those decisions indicate a gradual enlargement of the views of the courts themselves as to the magnitude of the power of the National Government over interstate commerce.

Mr. WALSH. Mr. President, I desire to say, for the information of the Senator, if he will pardon a further interruption, that the Supreme Court now has before it again the consideration of the question as to whether insurance might justly be regarded as interstate commerce, and in the course of a week a further announcement is expected from that court on the subject.

SCOPE OF INTERSTATE COMMERCE.

Mr. NEWLANDS. Yes; but whatever may be the decision upon that case, I would not believe that it would be extended to this. Logically I can not see how interstate commerce can be conducted without embracing three things—interstate transportation, interstate trade, and interstate exchange. Transportation we have seized hold of in the most effective way, and the courts have been most liberal in their declaration of the Federal powers regarding transportation. Under it we seize hold of a State corporation whose railroad is entirely within the boundaries of the State, and we regulate it as an instrumentality of interstate commerce, because it carries passengers who have an interstate destination or because it carries freight that is ultimately destined for a point in another State. I can recall the time when every inch of ground with reference to that exercise of power was contested by the railroads and opposing views maintained by a large number of lawyers, yet those views have all yielded to the advance of the court's decisions.

I have been urging for years an interstate trade commission with a view to regulating the great corporations that are engaged in interstate trade, just as the railroads are engaged in interstate transportation. I can recall the time when Members of this body and Members of the other body would protest against such legislation as involving usurpation of the rights of the States, and yet now it seems to be generally admitted that that power can be exercised. So it is with interstate exchange and with all the various methods that the banks pursue with a view to supplementing transportation and trade by giving the facilities in the actual transport either of the money or of the credits necessary to satisfy the requirements of commerce. So, logically, I can not see how the courts can resist a regulation of a bank engaged in interstate exchange any more than it has resisted the regulation of corporations engaged in interstate transportation or in interstate trade.

I ask permission to add to my remarks some quotations and a statistical table, with explanation, furnished to me by the courtesy of the Assistant Secretary of the Treasury, Mr. Williams. The table includes savings banks, which I should prefer to exclude, as they are not commercial banks, and does not show the cash reserves of the banks, which I would wish to include. Later on I shall present a table modified in these particulars, but there is so much desirable information in this table that I desire to have it printed now.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to follows:

[NOTE.—Columns A, B, and C relate to National, State, mutual and stock savings, and private banks, and loan and trust companies in the United States and is from the Comptroller of the Currency for 1912. Column D shows the total exchanges of the clearing houses of the United States for 1912.—Authority: Comptroller of the Currency. Column E shows the true value of all property in the United States for 1904.—Authority: United States census report. Columns F, G, and I show the total value of the products of the fisheries, the manufactures, and of the mines, quarries, and wells in the United States, respectively.—Authority: Census of 1905. Column H shows the total value of all the crops, dairy products, wool, poultry, eggs, animals sold and slaughtered, honey and wax, and the forest products of the farms of the United States for the year 1909; the above include only the articles sold or for sale.—Authority: Census report. JOS. S. MCCOY, *Government Actuary.*]

States, etc.	A.	B.	C.	D.	E.	F.	G.	H.	I.
	All banks and trust companies, 1912.					United States census statistics, 1909.			
	Capital stock paid in.	Surplus.	Undivided profits.	Clearing-house city exchanges, 1912.	Wealth of United States, value of all property, 1904.	Value of the products of the fisheries, 1908.	Value of manufactured products.	Value of agricultural products.	Value of mining products.
Maine	$11,205,400	$11,254,171	$7,212,343	$138,286,000	$775,022,722	$3,256,581	$176,029,000	$61,648,948	$2,050,063
New Hampshire	6,449,000	8,896,179	5,213,237	.....	516,809,204	.....	164,581,000	29,965,977	1,308,507
Vermont	4,635,000	5,755,950	3,873,138	.....	360,330,089	.....	68,310,600	50,159,530	8,221,323
Massachusetts	78,599,500	103,903,368	55,309,436	9,295,728,000	4,956,378,913	7,086,229	1,400,529,000	58,857,022	3,467,888
Rhode Island	15,194,408	14,885,644	6,517,127	426,301,000	799,349,601	1,751,819	280,344,000	7,887,452	897,606
Connecticut	26,361,070	25,851,680	16,563,843	391,500,000	1,414,635,063	2,981,721	490,272,000	36,891,081	1,375,765
Total New England States	144,504,378	170,576,988	94,823,123	.....	.....	.....	.....	.....	.....
New York	274,957,724	471,660,904	140,630,325	97,947,189,000	14,769,042,207	4,593,702	3,309,460,000	404,375,198	13,334,973
New Jersey	43,491,921	52,786,153	21,803,700	88,384,000	3,235,619,973	3,068,586	1,145,529,000	60,070,983	8,347,501
Pennsylvania	231,763,802	295,303,882	58,935,501	11,234,326,000	11,473,620,305	513,110	2,626,742,000	273,266,677	349,059,786
Delaware	4,767,885	5,441,511	1,846,516	81,300,000	230,269,876	541,204	52,840,000	12,689,575	516,213
Maryland	30,184,051	28,780,848	10,075,315	1,907,720,000	1,511,488,172	3,366,673	315,669,000	61,992,368	5,782,045
District of Columbia	16,021,876	8,498,733	2,692,359	387,513,000	1,040,383,173	.....	25,289,000	695,578	.....
Total Eastern States	601,187,319	862,472,034	235,854,017	.....	.....	.....	.....	.....	.....
Virginia	28,000,200	16,601,548	7,022,473	591,446,000	1,287,970,189	4,715,744	210,794,000	146,564,912	8,796,646
West Virginia	21,225,735	11,582,362	3,614,349	100,118,000	840,000,149	.....	161,949,000	68,306,572	76,287,889
North Carolina	17,803,196	4,636,476	4,233,160	.....	842,072,218	1,776,023	216,656,000	171,703,488	1,358,617
South Carolina	17,780,303	5,998,537	4,492,621	187,172,000	585,853,222	288,328	113,236,000	151,947,520	1,252,792
Georgia	41,642,451	15,719,456	11,939,318	1,349,744,000	1,167,445,671	700,964	202,863,000	249,855,697	2,874,595
Florida	21,725,530	9,581,202	4,905,423	165,429,000	431,409,200	3,388,690	72,890,000	38,075,597	5,846,665
Alabama	12,087,100	4,491,025	2,248,483	214,210,000	965,014,261	387,218	145,962,000	167,486,956	24,350,667
Mississippi	11,230,984	4,643,658	2,735,479	58,311,000	688,249,022	556,174	80,555,000	164,680,483	.....
Louisiana	23,547,927	12,147,804	4,039,997	1,021,573,000	1,032,220,000	1,568,737	223,949,000	87,985,433	6,547,050
Texas	74,462,792	28,865,338	14,394,309	1,898,137,000	2,536,322,003	445,889	272,896,000	409,165,624	10,742,150
Arkansas	14,951,768	4,565,851	2,337,645	102,619,000	803,907,972	207,172	74,916,000	146,557,735	4,093,845
Kentucky	37,412,171	13,546,486	4,936,852	780,512,000	1,527,480,230	110,297	223,754,000	209,193,287	12,100,075
Tennessee	27,669,423	9,913,685	3,277,159	395,899,000	1,104,223,979	111,856	180,217,000	184,594,673	12,692,547
Total Southern States	352,729,780	142,203,579	70,209,271	.....	.....	.....	.....	.....	.....
Ohio	103,141,915	55,856,311	29,602,571	3,411,818,000	5,946,960,466	839,581	1,437,056,000	399,913,116	63,767,112
Indiana	54,765,985	20,856,132	8,201,050	537,909,000	3,105,781,739	223,145	579,075,000	328,401,597	21,934,201
Illinois	153,577,613	81,004,618	27,670,926	15,394,190,000	5,816,556,191	1,456,242	1,919,277,000	566,542,881	76,658,974
Michigan	43,571,260	21,737,958	10,635,902	1,550,048,000	3,282,419,117	1,473,033	685,169,000	345,508,136	67,658,479
Wisconsin	37,056,650	12,870,931	7,351,211	712,965,000	2,338,678,239	1,087,169	590,305,000	302,730,090	7,459,401
Minnesota	40,111,800	20,994,600	6,231,970	558,153,000	3,343,722,076	191,946	400,420,000	270,715,905	58,664,852
Iowa	60,072,550	17,651,869	13,279,626	536,697,000	4,048,516,076	214,555	259,238,000	579,208,570	13,877,781
Missouri	89,202,920	53,281,219	20,277,604	7,019,538,000	3,759,597,451	270,479	574,111,000	.....	31,667,525
Total Middle States	581,538,274	283,813,729	114,340,889	.....	.....	.....	.....	.....	.....
North Dakota	13,232,000	3,810,961	1,384,643	33,726,000	735,802,909	.....	19,137,000	199,751,213	564,812
South Dakota	12,137,600	2,573,548	1,822,344	27,631,000	679,840,939	.....	17,870,000	172,079,331	6,432,417
Nebraska	20,469,740	10,469,691	4,567,421	914,732,000	2,009,961,633	.....	109,019,000	316,239,020	322,517
Kansas	30,002,800	12,455,636	5,500,078	254,319,000	2,253,224,243	.....	325,101,000	374,492,612	18,722,634
Montana	12,110,300	4,090,138	2,634,079	66,826,000	746,311,213	.....	72,372,000	60,614,551	54,991,961
Wyoming	3,145,500	1,400,683	1,244,482	.....	329,372,241	.....	6,249,000	112,303,877	10,572,188
Colorado	17,083,000	9,202,384	3,943,348	524,321,000	1,207,542,107	.....	130,044,000	81,531,561	45,680,135
New Mexico	3,281,700	1,093,188	607,950	.....	332,202,650	.....	7,898,000	23,185,109	23,271,597
Oklahoma	22,901,750	4,428,952	3,311,894	167,946,000	626,013,700	.....	53,682,000	232,817,658	25,637,892
Total Western States	143,905,390	49,799,762	24,116,238	.....	.....	.....	.....	.....	.....
Washington	25,456,700	8,373,953	3,938,670	987,429,000	1,051,671,452	3,513,238	220,746,000	103,104,368	10,587,556
Oregon	17,154,150	6,119,466	2,672,363	607,029,000	852,053,292	1,356,460	93,005,000	78,934,494	1,191,512
California	114,527,933	31,520,025	30,243,848	1,653,317,000	4,115,491,106	.....	528,761,000	219,326,459	63,382,454
Idaho	6,696,630	2,079,647	1,006,419	40,465,000	342,871,863	.....	22,409,000	53,025,786	8,649,342
Utah	7,987,500	2,721,220	1,677,152	495,730,000	457,768,615	.....	61,989,000	29,302,197	22,083,282
Nevada	3,355,000	844,142	338,599	14,833,000	220,734,507	.....	11,887,000	21,216,310	23,271,597
Arizona	2,648,830	1,441,247	894,428	.....	306,302,305	.....	50,257,000	12,420,796	34,217,651
Alaska	980,300	236,267	91,951	.....	.....	.....	.....	392,484	.....
Total Pacific States	178,807,066	73,338,987	40,863,459	.....	.....	.....	.....	.....	.....
Hawaii	.....	.....	.....	.....	.....	110,235	.....	.....	.....
Total United States	2,002,642,105	1,582,205,079	580,064,997	168,506,362,000	107,104,211,917	54,030,629	20,672,052,000	8,007,530,345	1,238,410,322

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Nevada to the fact that his resolution is still pending. What disposition would he like to have made of it?

Mr. NEWLANDS. I should like to have it referred to the Banking and Currency Committee.

The PRESIDING OFFICER. It is so ordered.

ADJOURNMENT TO SATURDAY.

Mr. KERN. I move that when the Senate adjourns to-day it adjourn to meet on Saturday next at 2 o'clock p. m.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After one hour spent in executive session the doors were reopened, and (at 4 o'clock and 42 minutes p. m.) the Senate adjourned until Saturday, November 29, 1913, at 2 o'clock p. m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *November 26, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou great Spirit, Father soul, to whom we are indebted for all that we are and all we can hope to be, we rejoice that our destiny is involved in infinite wisdom, power, and goodness. "The soul lives only as it touches eternal life," hence we worship Thee, we praise Thee, and would hallow Thy name in the common daily duties of life. "Blessed is the nation whose God is the Lord." We thank Thee that in accordance with a long-established custom our people will assemble on the morrow at their homes, in their places of worship, and pour out their hearts in thanksgiving and praise for the preservation of our lives, our homes, our Republic, with its abundant harvests and continued prosperity, in peace and good will to all mankind, that Thy kingdom may come and Thy will be done on earth as it is in heaven. For Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of Saturday, November 22, 1913, was read and approved.

SWEARING IN OF A MEMBER.

The SPEAKER. The Speaker has before him the credentials of Mr. CHARLES P. COADY, a Member elect from the State of Maryland, to succeed the late Representative KONIG. They are properly signed and certified by the State authorities. If Mr. COADY will present himself, the Chair will administer the oath of office.

Mr. COADY appeared at the bar of the House and took the oath of office.

ARCHIE LEWIS.

Mr. MANN. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes with reference to a tribute recently paid by the Supreme Court of the United States to one of its deceased employees.

The SPEAKER. The gentleman from Illinois asks unanimous consent to address the House for 10 minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, it seems to me appropriate to lay before the House and insert in the RECORD the following statements taken from Washington newspapers, showing the tribute paid by the Supreme Court of the United States to the memory and services of a deceased employee of that court. The Chief Justice and the Associate Justices and the officers of the Supreme Court in thus honoring Archie Lewis honored themselves, and he who performs his duty well in whatever station of life is an honor to us all.

[From the Washington Post November 23, 1913.]

FIVE JUSTICES AT HIS BIER—SUPREME COURT PAYS UNUSUAL TRIBUTE TO VETERAN NEGRO EMPLOYEE—ARCHIE LEWIS NEVER FAILED IN DUTY IN ALL HIS 64 YEARS AS A MESSENGER.

As a last tribute to a faithful servant five members of the United States Supreme Court, including Chief Justice White, crowded into the humble home of Archie Lewis, the court's negro messenger, yesterday and were present during the funeral services over the aged man. Lewis, who had been an employee of the court for almost 64 years, had always been true to his duty, and all of the justices were fond of him. The funeral was held from his small home on M Street, near New Jersey Avenue.

"He was a man of great character," said Justice Willis Van Devanter. "He had a wonderful disposition, and endeared himself to my associates and myself. He worked up to a few days ago, and died rather suddenly Wednesday."

The justices who attended the funeral were Chief Justice Edward Douglass White, Justices Willis Van Devanter, Joseph Lamar, William R. Day, and Oliver Wendell Holmes.

[From Washington Star, November 25, 1913.]

MEMBERS OF SUPREME BODY AT FUNERAL OF ARCHIE LEWIS, MESSENGER.

Chief Justice White and four of the Associate Justices of the Supreme Court of the United States yesterday afternoon crowded into a humble little home in this city to pay final honors to Archie Lewis, who for 64 years served as the messenger in charge of the robing room of the court. Lewis died at his home, 426 M Street NW., Thursday, and it was there that the funeral services were conducted yesterday.

OTHERS PAY TRIBUTE.

Besides the five members of the Supreme Court there were present Maj. Wright, marshal of the court; James Maher, chief clerk; Charles Bell, assistant clerk; and Frank K. Green, crier of the court, and a number of other public officials, some of them from the public schools, in which Archie Lewis had been much interested for many years.

The funeral service was conducted by Rev. W. V. Tunnel. Music was given by a quartet. Many beautiful flowers decorated the house.

Lewis, who came to Washington from Virginia as a freedman, and who first obtained his place with the Supreme Court in 1849, was held in high esteem by all the members of the court and its officials. He was a man of high character and exemplary habits, and was faithful in the performance of his duties.

HIS LONG SERVICE.

When Archie Lewis first entered upon his work for the members of the Supreme Court, Chief Justice Taney presided over that tribunal. He was serving the court when three of the justices who attended his funeral yesterday were born—Justices Day, Van Devanter, and Lamar. Chief Justice White and Justice Holmes, the fifth member of the court attending the funeral, had not yet started to school when Lewis began his duties in the Supreme Court.

Lewis was born in 1831, and was 82 years old at the time of his death. He claimed to have served two-thirds of all the men who have occupied the Supreme Bench, and he had a fund of anecdotes about the celebrated men he had known.

WITHDRAWAL OF PAPERS—JOHN M. STEWART.

By unanimous consent leave was granted to Mr. WOODS to withdraw from the files of the House, without leaving copies, the papers in the case of John M. Stewart, Sixty-first Congress, no adverse report having been made thereon.

THE TRINITY OF EVILS.

Mr. QUIN. Mr. Speaker, I ask unanimous consent to insert in the RECORD an address delivered by Hon. WILLIAM H. MURRAY, of Oklahoma, at Columbus, Ohio, November 13, 1913, on the subject of the "Trinity of Evils."

The SPEAKER. The gentleman from Mississippi asks unanimous consent to extend his remarks in the RECORD by inserting the document named. Is there objection?

There was no objection.

COMMERCE ON THE GREAT LAKES.

Mr. GORDON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an address delivered by Hon. Harvey D. Goulder, of Cleveland, Ohio, upon the subject of commerce on the Great Lakes.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD in the manner stated. Is there objection?

There was no objection.

ADJOURNMENT UNTIL SATURDAY.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Saturday next.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that when the House adjourns to-day it adjourn to meet on Saturday next. Is there objection?

There was no objection.

HIGH COST OF LIVING.

Mr. AUSTIN. Mr. Speaker, I ask permission to introduce a resolution which I have here.

The SPEAKER. Is it a privileged resolution?

Mr. AUSTIN. I do not think there will be any objection to it.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to offer a resolution.

Mr. HARDWICK. Mr. Speaker, reserving the right to object, I would like to know before the resolution is read what it is about.

Mr. AUSTIN. It is in reference to the high cost of living, a very vital and interesting subject at this time.

Mr. HARDWICK. Mr. Speaker, let us have the resolution read.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Whereas the Democratic Party in a platform adopted at Baltimore convention July, 1912, charged explicitly that the "excessive prices" and high cost of living resulted in a large measure from the protective tariff law enacted and maintained by the Republican Party; and

Whereas the Attorney General of the United States has announced his intention to investigate the present high cost of living and the combination of dealers in foodstuffs and cold-storage operators, notwithstanding the fact that the Underwood-Wilson tariff law is now in force; and

Whereas such action by the Attorney General is a virtual admission that the high cost of living in the United States did not result from the tariff laws enacted by the Republican Party: Be it

Resolved, That the Speaker of this House be authorized to appoint a special committee of 10 Members to investigate the reasons for the palpable failure of the Underwood-Wilson tariff law to fulfill the promise of the Democratic Party and reduce the cost of living, and to extend an apology to the Republican Party and to the American people whose votes established President Wilson's so-called new freedom.

Mr. HARDWICK. Mr. Speaker, reserving the right to object, I wish to say to my friend from Tennessee that there are so many absolutely inaccurate statements, so many misstatements of fact, contained in the whereas clauses of the resolution, that the House could not be expected to adopt any such peculiar resolution as this, even after an investigation by a committee, should the House desire to conduct such an investigation. Therefore, Mr. Speaker, in the interest of truth I object to the resolution.

The SPEAKER. The gentleman from Georgia objects.

JOINT RESOLUTION AND BILLS PRESENTED TO THE PRESIDENT FOR HIS SIGNATURE.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had presented to the President of the United States for his signature a joint resolution and bills of the following title:

H. J. Res. 139. Joint resolution to relieve destitution among the native people and residents of Alaska;

H. R. 8702. An act to authorize the county of Miami, Ind., to construct a bridge across the Wabash River in Miami County, Ind.; and

H. R. 7384. An act to authorize the payment of an indemnity to the Italian Government for the killing of Angelo Albano, an Italian subject.

ADJOURNMENT.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 15 minutes p. m.), in accordance with the order heretofore made, the House adjourned until Saturday, November 29, 1913, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusion in the case of Mary A. Gammon, O. B. Whatley, and D. A. Whitehead, sole surviving heirs of Wilson O. B. Whatley, deceased, *v.* The United States (H. Doc. No. 279); to the Committee on Claims and ordered to be printed.

2. A letter from the Postmaster General, transmitting a tabular statement showing in detail the claims of postmasters for reimbursement for losses of money-order and postal funds which have been acted on by the Postmaster General during the fiscal year 1913 (H. Doc. No. 280); to the Committee on the Post Office and Post Roads and ordered to be printed.

3. A letter from the Postmaster General, transmitting a memorandum of allowances granted, payable from the appropriation for unusual conditions for the fiscal year 1913 (H. Doc. No. 281); to the Committee on the Post Office and Post Roads and ordered to be printed.

4. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on examination and survey of Grand Haven Harbor, Mich., to east end of Fulton Street and including channel into Spring Lake (H. Doc. No. 282); to the Committee on Rivers and Harbors and ordered to be printed.

5. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on examination of St. Francis River, Mo., and plan and estimate of cost of improvement (H. Doc. No. 283); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

6. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Scotts Creek, Va. (H. Doc. No. 284); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

7. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on examination of Great Chazy River, N. Y., from the village of Champlain, N. Y., to the mouth thereof (H. Doc. No. 285); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

8. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on the examination of Buffalo Harbor, N. Y., with a view to securing a channel from the outer harbor at or near a point opposite the middle entrance to connect with the Buffalo River at or near Louisiana Street; also a view to the enlargement of the anchorage basin in the outer harbor to meet the demands of commerce (H. Doc. No. 286); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

9. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on examination and survey of Charlotte Harbor, N. Y., with a view to deepening and widening the channel, to an extension of the jetties, and to providing a turning basin (H. Doc. No. 287); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

REPORT OF COMMITTEE ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 3 of Rule XIII,

Mr. HOUSTON, from the Committee on Territories, to which was referred the bill (H. R. 1739) to authorize the President of the United States to locate, construct, and operate a railroad or railroads in the Territory of Alaska, and for other purposes, reported the same with an amendment, accompanied by a report (No. 92), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R 4225) granting a pension to Ross Robinson; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8262) granting an increase of pension to Catharine Dillane; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9248) granting a pension to Frederick Antoni; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9406) granting a pension to Winona Hawthorne Buck; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. TAGGART: A bill (H. R. 9407) for the acquisition of a site and the erection thereon of a public building at Mound City, Kans.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9408) providing for the erection of a public building in the city of Olathe, Kans.; to the Committee on Public Buildings and Grounds.

By Mr. KEATING: A bill (H. R. 9409) providing for the construction and maintenance of public roads; to the Committee on Roads.

Also, a bill (H. R. 9410) providing for the designation of suitable sites for camp grounds in the forest reserves and on other public lands; to the Committee on the Public Lands.

By Mr. JOHNSON of Kentucky: A bill (H. R. 9411) relating to expenditure of money received on account of liquor licenses, Washington Market Co., and from other sources; to the Committee on the District of Columbia.

By Mr. FOWLER: A bill (H. R. 9412) to recognize the public services of James C. Halleck, sr., as the originator of the clearing house in America, and to promote the establishment of a universal clearing house by voluntary association; to the Committee on Interstate and Foreign Commerce.

By Mr. MADDEN: A bill (H. R. 9413) to reclassify the salaries of assistant postmasters and employees above the clerical grades in post offices of the first and second class; to the Committee on the Post Office and Post Roads.

By Mr. CLARK of Missouri: A bill (H. R. 9414) to establish a fish-cultural station on Salt River in Ralls County, Mo.; to the Committee on the Merchant Marine and Fisheries.

By Mr. STEPHENS of Texas: A bill (H. R. 9415) to provide for the purchase of a site and the erection of a public building thereon at Canadian, State of Texas; to the Committee on Public Buildings and Grounds.

By Mr. KALANIANAOLE: A bill (H. R. 9416) to increase the limit of cost for the purchase of a site and the construction of a public building in Honolulu, Territory of Hawaii; to the Committee on Public Buildings and Grounds.

By Mr. CRISP: A bill (H. R. 9417) to amend the act of June 11, 1878, entitled "An act providing a permanent form of government for the District of Columbia," by repealing so much of said act as authorizes one-half the expenses of the District of Columbia to be paid out of the Treasury of the United States; to the Committee on the District of Columbia.

By Mr. JOHNSON of Washington: A bill (H. R. 9418) to amend section 8 of an act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors and for regulating traffic therein, and for other purposes," approved June 30, 1906; to the Committee on Interstate and Foreign Commerce.

By Mr. SUTHERLAND: A bill (H. R. 9419) granting a pension to teamsters, bridge builders, and railroad repairers who were in the service of the United States during the Civil War; to the Committee on Invalid Pensions.

By Mr. GORMAN: A bill (H. R. 9420) to enable the President to propose and invite foreign Governments to participate in an international conference to promote an international inquiry into the causes of the high cost of living throughout the world, and to enable the United States to participate in said conference; to the Committee on Foreign Affairs.

By Mr. MacDONALD: Resolution (H. Res. 317) directing the Commissioner of Corporations to investigate and report upon the concentration of private ownership of natural resources; to the Committee on the Judiciary.

By Mr. BRITTEN: Resolution (H. Res. 318) directing the Committee on the Judiciary to investigate certain phases of the high cost of food products; to the Committee on the Judiciary.

By Mr. MURRAY of Oklahoma: Joint resolution (H. J. Res. 151) proposing an amendment to the Constitution of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 9421) for the relief of John T. Glynn; to the Committee on Claims.

By Mr. CLARK of Missouri: A bill (H. R. 9422) granting an increase of pension to Christopher Stewart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9423) granting an increase of pension to Jason L. Boyd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9424) granting an increase of pension to Ella R. Brown; to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 9425) granting a pension to Miner N. Howard; to the Committee on Pensions.

By Mr. DALE: A bill (H. R. 9426) granting a pension to Anna G. Mitchell; to the Committee on Invalid Pensions.

By Mr. DONOHOE: A bill (H. R. 9427) to correct the military record of Patrick Duffy; to the Committee on Military Affairs.

By Mr. FOSTER: A bill (H. R. 9428) granting a pension to Eva K. Holmes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9429) granting an increase of pension to Henry Riley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9430) granting an increase of pension to William Capps; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9431) granting an increase of pension to William F. F. Evans; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9432) granting an increase of pension to Isaac A. A. Sprouse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9433) for the relief of Peter Helfman; to the Committee on Claims.

By Mr. FOWLER: A bill (H. R. 9434) granting an honorable discharge to James Morris; to the Committee on Military Affairs.

Also, a bill (H. R. 9435) granting an honorable discharge to George A. Crisel; to the Committee on Military Affairs.

Also, a bill (H. R. 9436) granting an honorable discharge to Michael Fitzgerald; to the Committee on Military Affairs.

Also, a bill (H. R. 9437) granting an honorable discharge to Morton Sessions; to the Committee on Military Affairs.

Also, a bill (H. R. 9438) to correct the military record of James Millis; to the Committee on Military Affairs.

Also, a bill (H. R. 9439) for the relief of James D. Bruce; to the Committee on Military Affairs.

Also, a bill (H. R. 9440) to correct the military record of Richard Dove; to the Committee on Military Affairs.

Also, a bill (H. R. 9441) granting a pension to William C. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9442) granting a pension to Lewis S. Skiles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9443) granting a pension to John Ripperdan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9444) granting a pension to John Rayles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9445) granting a pension to Mary A. Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9446) granting a pension to Rachael Milhorn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9447) granting a pension to John Levingston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9448) granting a pension to Daniel Linder; to the Committee on Pensions.

Also, a bill (H. R. 9449) granting a pension to Edward Younger; to the Committee on Pensions.

Also, a bill (H. R. 9450) granting a pension to Nancey E. Shelton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9451) granting a pension to Mary A. Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9452) granting a pension to George Brooks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9453) granting a pension to Thomas Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9454) granting a pension to Jeremiah C. Wooten; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9455) granting a pension to Hannah M. Baltey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9456) granting a pension to Hannah Dukes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9457) granting a pension to James Fields; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9458) granting a pension to Lucy A. Todd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9459) granting a pension to Charles Travelstead; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9460) granting a pension to Martin E. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9461) granting a pension to William M. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9462) granting an increase of pension to William M. Robinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9463) granting an increase of pension to Gideon R. Mahan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9464) granting an increase of pension to Elvina McDonald; to the Committee on Pensions.

Also, a bill (H. R. 9465) granting an increase of pension to John N. Matthews; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9466) granting an increase of pension to Henry C. Mulvey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9467) granting an increase of pension to William Fuffstuttler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9468) granting an increase of pension to John M. Carson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9469) granting an increase of pension to John L. Mead; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9470) granting an increase of pension to Daniel Banks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9471) granting an increase of pension to Albert O. Neill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9472) granting an increase of pension to Henry M. Yow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9473) granting an increase of pension to John L. Bryan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9474) granting an increase of pension to Francis M. Bynum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9475) granting an increase of pension to John Klein; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9476) granting a pension to Ebin A. Irvin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9477) granting an increase of pension to Andrew B. Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9478) granting an increase of pension to Eli G. Edwards; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9479) granting an increase of pension to Juliett Fields; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9480) granting a pension to Mary Jane Pack; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9481) granting an increase of pension to J. A. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9482) granting an increase of pension to William Cleveland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9483) granting an increase of pension to John I. Keel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9484) granting an increase of pension to William H. H. Cooper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9485) granting an increase of pension to Jacob Bruder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9486) granting an increase of pension to James A. Beard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9487) granting an increase of pension to Henry H. Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9488) granting an increase of pension to Topley T. Dodge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9489) granting an increase of pension to William Henslick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9490) granting an increase of pension to Levi T. E. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9491) granting an increase of pension to James J. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9492) granting an increase of pension to Frederick Skinner; to the Committee on Invalid Pensions.

By Mr. FERGUSSON: A bill (H. R. 9493) granting an increase of pension to Maria C. Lopez; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 9494) granting an increase of pension to John J. Seibel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9495) granting an increase of pension to Mary A. Stitzel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9496) granting an increase of pension to Robert Hill; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 9497) granting a pension to John T. Gipson; to the Committee on Invalid Pensions.

By Mr. KEATING: A bill (H. R. 9498) granting a pension to Maurice J. Gordon; to the Committee on Pensions.

Also, a bill (H. R. 9499) granting a pension to Isabel Sandoval; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9500) granting a pension to Alice M. Duncan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9501) granting an increase of pension to William H. Topping; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 9502) granting an increase of pension to Ellen Minot; to the Committee on Invalid Pensions.

By Mr. KINKAID of Nebraska: A bill (H. R. 9503) granting an increase of pension to William Brown; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 9504) granting an increase of pension to Martha Jane B. Phillips; to the Committee on Invalid Pensions.

By Mr. MAHAN: A bill (H. R. 9505) granting a pension to Mary Costello; to the Committee on Invalid Pensions.

By Mr. O'HAIR: A bill (H. R. 9506) granting a pension to Anna R. Langhans; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 9507) granting an increase of pension to George W. Robinson; to the Committee on Invalid Pensions.

By Mr. STEVENS of Minnesota: A bill (H. R. 9508) for the relief of A. E. Kuester; to the Committee on Claims.

Also, a bill (H. R. 9509) granting a pension to Daniel Kalaher; to the Committee on Pensions.

Also, a bill (H. R. 9510) granting an increase of pension to James H. Davidson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9511) granting a pension to James T. Moran; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9512) for the relief of Robert M. Cannon, administrator of the estate of Alfred L. Shotwell, deceased; to the Committee on War Claims.

Also, a bill (H. R. 9513) for the correction of the military record of John Berrisford; to the Committee on Military Affairs.

By Mr. STONE: A bill (H. R. 9514) granting an increase of pension to James T. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9515) granting an increase of pension to Johan Knussman; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 9516) for the relief of John P. Fox; to the Committee on War Claims.

Also, a bill (H. R. 9517) granting a pension to William S. Wilmoth; to the Committee on Pensions.

Also, a bill (H. R. 9518) granting a pension to Benton C. Rodebaugh; to the Committee on Pensions.

By Mr. TAGGART: A bill (H. R. 9519) granting a pension to John P. Chess; to the Committee on Pensions.

Also, a bill (H. R. 9520) granting an increase of pension to Wesley B. Reed; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9521) granting an increase of pension to Maria H. Redfield; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 9522) granting a pension to John Wesley Newman; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the Washington (D. C.) workingmen, urging congressional investigation of the conditions in the mining district of Colorado; to the Committee on the Judiciary.

Also (by request), memorial of the Board of Trade of Tampa, Fla., favoring passage of House bill 8199, for reclamation of the swamp lands of the United States; to the Committee on Rivers and Harbors.

Also (by request), memorial of geologists and engineers at the National Conservation Exposition of Knoxville, Tenn., favoring appropriation for expediting the work of classification of the Federal domain; to the Committee on Appropriations.

Also (by request), petition of the Lumbermen's Club of St. Louis, Mo., favoring legislation for flood protection of the lower Mississippi River; to the Committee on Rivers and Harbors.

By Mr. CARY: Petition of the Goodrich Transit Co. and Citizens' Business League of Milwaukee, Wis., favoring an amendment to the seamen's bill (S. 136) relative to the Great Lakes; to the Committee on the Merchant Marine and Fisheries.

By Mr. DALE: Petition of Jacob Dold Packing Co. and the George Irish Paper Co., Buffalo, N. Y., both favoring the passage of the 1-cent letter-postage rate; to the Committee on the Post Office and Post Roads.

By Mr. DYER: Petition of Joseph L. Boehm and Walter J. G. Num, of St. Louis, Mo., and the Grand Hotel, Mackinac Island, Mich., all favoring the passage of legislation making the Great Lakes an exception in the seamen's bill (S. 136); to the Committee on the Merchant Marine and Fisheries.

Also, petition of E. L. Miller, of Kansas City, Mo., suggesting certain changes in the Glass-Owen currency bill; to the Committee on Banking and Currency.

Also, petition of the Central Trades and Labor Union of St. Louis, Mo., and vicinity, favoring the early passage of the Glass-Owen currency bill; to the Committee on Banking and Currency.

Also, petition of the Central Trades and Labor Union of St. Louis, Mo., and vicinity, relative to the control and regulation of the manufacture and sale of convict goods; to the Committee on Interstate and Foreign Commerce.

Also, petition of H. E. Wills, national legislative representative of the Brotherhood of Locomotive Engineers, favoring the passage of the employers' liability and workmen's compensation bill; to the Committee on the Judiciary.

Also, petition of Stone Hill Mine Co., of St. Louis, Mo., favoring the passage of legislation to establish an agricultural experiment station somewhere in the Ozark Mountains in Missouri; to the Committee on Agriculture.

Also, petition of Giller, Ward & Hasner Hardware Co., of St. Louis, Mo., protesting against the passage of House bill 2970, requiring manufacturer's name on all goods, etc.; to the Committee on Interstate and Foreign Commerce.

Also, petition of James Love Hopkins and the Halsey Automobile Co., of St. Louis, Mo., protesting against the bill granting three years of patent, trade-mark, and copyright without cost to importers who exhibit their goods at the Panama-Pacific Exposition; to the Committee on Patents.

Also, petitions of the St. Louis Advertising Men's League, Stewart Grier Lumber Co., Merchants' Exchange, and Lumbermen's Club of St. Louis, Mo., and Board of Trade of Tampa, Fla., favoring legislation for flood protection of the lower Mississippi River and reclamation of swamp lands; to the Committee on Rivers and Harbors.

By Mr. ESCH: Memorial of the Federated Trades Council of Milwaukee, Wis., favoring the passage of the Bartlett-Bacon bills (H. R. 1873 and S. 937) relative to labor organizations; to the Committee on Labor.

By Mr. GOODWIN of Arkansas: Memorial of the Association of Credit Men of Fort Smith, Ark., favoring legislation for flood protection of the Mississippi River; to the Committee on Rivers and Harbors.

By Mr. HOWELL: Memorial of the Utah Association of Credit Men, favoring inauguration by Congress of a system of flood-water control; to the Committee on Rivers and Harbors.

Also, petition of citizens of Utah, favoring legislation taxing mail-order houses; to the Committee on Ways and Means.

By Mr. LANGLEY: Petitions of sundry citizens of the State of Kentucky, favoring passage of House bill 5308; to the Committee on Ways and Means.

By Mr. MacDONALD: Petition of Victor Alro and other citizens of the State of Michigan, urging congressional investigation of the strike in the copper mines; to the Committee on the Judiciary.

By Mr. MAHAN: Papers to accompany House bill 8570, for the relief of Mary Dolan; to the Committee on Invalid Pensions.

By Mr. MONDELL: Petition of citizens of Smithfield, Utah, favoring legislation taxing all mail-order houses; to the Committee on Ways and Means.

By Mr. SMITH of New York: Petition of the Musicians' Association of Buffalo, N. Y., protesting against the seamen's bill (S. 136) as applicable to the Great Lakes; to the Committee on the Merchant Marine and Fisheries.

By Mr. SUTHERLAND: Papers to accompany House bill 9059, granting an increase of pension to William E. Lang; to the Committee on Invalid Pensions.

Also, papers in support of House bill 8042, granting a pension to Charles B. Cundiff; to the Committee on Invalid Pensions.

Also, papers in support of House bill 8053, for the relief of the heirs of James A. Smith; to the Committee on War Claims.

By Mr. TREADWAY: Petition of the Woman's Home Missionary Society of Hampden County, Mass., favoring the passage of legislation to destroy polygamy; to the Committee on the Judiciary.

By Mr. WALLIN: Petition of the Mohawk National Bank, Schenectady, N. Y., favoring the passage of certain amendments to the proposed currency bill; to the Committee on Banking and Currency.

By Mr. WILSON of New York: Petition of the Manufacturers and Business Men's Association of New York, favoring amendments to the Federal reserve bill; to the Committee on Banking and Currency.

SENATE.

SATURDAY, *November 29, 1913.*

The Senate met at 2 o'clock p. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

O Lord our God, the earth is full of Thy glory. Thou dost speak to us through a thousand voices. All Thy ministries are love. Thou dost appeal to the highest and best within us by a thousand providences that surround our lives. Thou art leading us to express the best we have in all the forms of activity in this life.

We seek for the light that cometh from above, for the revelation of Thy glory in the face of Jesus Christ. We pray that Thou wilt speak to us not only through the manifold ministries of grace and through the nature world about us, but touch our hearts with Thine own divine power and whisper Thy messages of grace to our listening ears.

This day may we follow God's voice and obey God's command. For Christ's sake. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

PRESIDENT PRO TEMPORE UNITED STATES SENATE,
Washington, November 29, 1913.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN RANDOLPH THORNTON, a Senator from the State of Louisiana, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. THORNTON thereupon took the chair as Presiding Officer and directed that the Secretary read the Journal of the proceedings of the last legislative day.

THE JOURNAL.

The Journal of the proceedings of Wednesday last was read and approved.

BUZZARDS BAY BUOY, MASS. (S. DOC. NO. 245).

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of Commerce, acknowledging the receipt of Senate resolution of the 25th instant, relative to the placing of a buoy and the marking of that part of the public navigable waters of the United States in Buzzards Bay, which will become a much frequented trade route upon the opening of the Cape Cod Canal, which was referred to the Committee on Commerce.

SAN FRANCISCO WATER SUPPLY (S. DOC. NO. 246).

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of October 13, 1913, a report of the Board of Army Engineers, together with a report of the Geological Survey, relative to the Tuolumne, Stanislaus, Mokelumne, and Cosumnes Rivers in California.

Mr. BORAH. I understand there are exhibits and illustrations accompanying the report, and I ask that they may be printed in connection therewith.

The PRESIDING OFFICER. In the absence of objection, the request of the Senator from Idaho is granted. The communication and accompanying papers and illustrations will lie on the table and be printed, the bill relating to this subject having been reported.

Mr. BORAH subsequently said: I move to reconsider the vote whereby the Senate agreed to the printing of the illustrations accompanying the report from the Secretary of the Interior which was laid before the Senate this morning.

The motion to reconsider was agreed to.

Mr. BORAH. I ask that 500 additional copies of the report be printed without the illustrations for the use of the Senate document room.

There being no objection, the order was agreed to and it was reduced to writing, as follows:

Ordered, That 500 additional copies of the communication from the Secretary of the Interior, transmitting, in response to a resolution of October 13, 1913, a report of the Board of Army Engineers, together with a report of the Geological Survey, relative to the Tuolumne, Stanislaus, Mokelumne, and Cosumnes Rivers in California, be printed without illustrations for the use of the Senate document room.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a concurrent resolution providing that the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, the 2d day of December, 1913, at 1 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them, in which it requested the concurrence of the Senate.

JOINT MEETING OF THE TWO HOUSES—PRESIDENT'S ADDRESS.

Mr. KERN. I ask the Chair to lay before the Senate the concurrent resolution which has just been received from the House of Representatives.

The PRESIDING OFFICER laid before the Senate House concurrent resolution No. 24, which was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, the 2d day of December, 1913, at 1 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make them.

Mr. KERN. I ask unanimous consent for the present consideration of the resolution.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution.

The PRESIDING OFFICER. Without objection, the resolution will be agreed to.

Mr. CLARK of Wyoming. I do not ask for a yea-and-nay vote. But I do think a vote should be taken on agreeing to the resolution.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to.

PETITIONS AND MEMORIALS.

The PRESIDING OFFICER presented petitions of sundry citizens of San Francisco and Berkeley, in the State of California, and a petition of sundry citizens of De Kalb, Ill., praying for the enactment of legislation granting to the city of San Francisco the right to use the waters of the Hetch Hetchy Valley, which were ordered to lie on the table.

He also presented the memorial of H. D. Hoover and sundry other citizens of the United States, remonstrating against the enactment of legislation granting to the city of San Francisco the right to use the waters of the Hetch Hetchy Valley, which was ordered to lie on the table.

Mr. BURTON presented a memorial of the Chamber of Commerce of Steubenville, Ohio, remonstrating against the proposed dissolution of the United States Steel Corporation, which was referred to the Committee on the Judiciary.

Mr. GALLINGER. I present a memorial signed by 95 leading citizens of the city of Keene, N. H., protesting against the so-called Hetch Hetchy bill. As the bill is on the calendar, I move that the memorial lie on the table.

The motion was agreed to.

Mr. NORRIS presented a petition of the Woman's Relief Corps of Indianola, Nebr., and a petition of Indianola Post, No. 154, Department of Nebraska, Grand Army of the Republic, of Indianola, Nebr., praying for the enactment of legislation granting increase of pensions to widows of soldiers who served in the Civil War, which were referred to the Committee on Pensions.

Mr. PERKINS presented a petition of the Chamber of Commerce of Sacramento, Cal., praying that an appropriation be made for the construction of four new battleships and all necessary auxiliary boats, which was referred to the Committee on Naval Affairs.

He also presented a petition of the Rotary Club of Los Angeles, Cal., praying for the enactment of legislation providing for the drainage of the western slope of the Rocky Mountains and the safeguarding of the water supply thereof, which was referred to the Committee on Public Lands.

Mr. BURLEIGH presented a petition of the Chamber of Commerce of Waterville, Me., praying for the enactment of legislation granting flood protection to the lower Mississippi River and the reclamation of its alluvial lands, which was referred to the Committee on Commerce.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TOWNSEND:

A bill (S. 3487) granting a pension to Gertrude Smith (with accompanying papers); to the Committee on Pensions.

By Mr. MARTINE of New Jersey:

A bill (S. 3488) for the relief of Ernest C. Stahl; to the Committee on Military Affairs.

By Mr. BORAH:

A bill (S. 3489) granting an increase of pension to John F. Sacks (with accompanying papers); and

A bill (S. 3490) granting a pension to Ella Taylor (with accompanying paper); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 3491) granting a pension to William W. McDaniel (with accompanying papers); to the Committee on Pensions.

By Mr. LANE:

A joint resolution (S. J. Res. 83) authorizing preliminary examination and survey of the Willamette and Columbia Rivers from Portland to the sea; to the Committee on Commerce.

WORKS OF ART IN CAPITOL.

Mr. GALLINGER submitted the following resolution (S. Res. 222), which was read and referred to the Committee on Printing:

Resolved, That 2,000 additional copies of Senate Document 169, entitled "Works of Art in the United States Capitol Building, Including Biographies of the Artists," be printed for the use of the folding room of the Senate.

SAN FRANCISCO WATER SUPPLY.

Mr. BORAH. Mr. President, the bill known as the Hetch Hetchy bill has been set down as the special order for Monday next. One of the most important features of the discussion will involve the question of the effect of the bill upon the water users and farmers of the San Joaquin Valley. I ask that the following telegram be read to the Senate.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

SAN FRANCISCO, CAL., *November 27, 1913.*

WILLIAM E. BORAH,
United States Senate, Washington, D. C.:

Water users and farmers earnestly protest against passage Hetch Hetchy bill. San Francisco does not need water, while every gallon is absolutely necessary for future development San Joaquin Valley. Official reports show 170,000,000 gallons daily can be developed from present sources. San Francisco enough 40 years. If additional needed, 200,000,000 daily can be obtained Eel River free from conflicting claims and delivered San Francisco for less than $30,000,000, including Snow Mountain power plant; water shortage here result failure to develop present supply. Power privilege, Tuolumne River, should be reserved for development San Joaquin Valley. Two hundred thousand acres will remain arid if storage right be given San Francisco. Valley's whole future depends on storage, as limit natural flow has been reached. Leaving for Washington to-day. Amply prepared to sustain every statement made.

THEODORE A. BELL,
Attorney for Water Users' Association of Stanislaus County.

Mr. BORAH. Mr. President, a letter was published some time ago and printed as a Senate document, as I remember, from Mr. Gifford Pinchot, giving the reasons why he is in favor of this bill. That letter has been circulated very generally and has caused considerable discussion and attracted a great deal of attention. Mr. R. U. Johnson, of New York, a man who has given great consideration to this subject, has written an answer to the same. I ask that it be read.

Mr. LANE. Who is the author of the letter?

The PRESIDING OFFICER. Robert Underwood Johnson, of New York. In the absence of objection, the Secretary will read the letter.

The Secretary read as follows:

327 LEXINGTON AVENUE,
New York, November 6, 1913.

Hon. WILLIAM E. BORAH,
United States Senate, Washington.

MY DEAR SENATOR: I have just seen the letter of September 18, 1913, addressed to Dr. Noble, of Spokane, from Mr. Gifford Pinchot, stating his attitude regarding the Hetch Hetchy bill. As this is a matter of public interest and Mr. Pinchot's letter has been published in the CONGRESSIONAL RECORD, I beg to reply to it point by point. Mr. Pinchot says:

"First. I am fully persuaded that there is no other comparable source of supply available at anything like a reasonable cost to the cities around San Francisco Bay."

Answer. The advisory board of Army engineers reports that there are several other sources of supply, any one of which would be available at a cost which, in the absence of any adequate and impartial investigation, the board estimates at $13,000,000 in favor of the Hetch Hetchy scheme. (Report, p. 50.) The board distinctly states that no thorough or complete investigation has been made of any other source except the Sacramento River. It is claimed that half a dozen other sources are available. Mr. Pinchot is here considering the "reasonable cost" to San Francisco, but that is only one side of the question. Of course San Francisco wishes to get its water as cheaply as possible and wishes the Nation to help foot the bills, but the question of reasonable cost is one that must be considered from the point of view of the Nation as well as of the city. It is being demonstrated that an overwhelming proportion of the people, including a host of conservationists, differ with Mr. Pinchot's view of what constitutes a reasonable cost to the Nation.

"Second. That the supply of surface water furnished by the Spring Valley Water Co. is adequate neither in quality nor in quantity."

Answer. Mr. Freeman, the expert for the city, in his report, page 16, says: "The present quality of the water furnished by the Spring Valley Water Co. is, I believe, thoroughly wholesome and safe." Here is a flat contradiction of Mr. Pinchot. As to quantity nobody doubts that it is desirable for San Francisco ultimately to supplement its existing supply, but this need not be done at the sacrifice of the Hetch Hetchy Valley, which Mr. Pinchot in his testimony before the House committee admits is "one of the great wonders of the world." San Francisco has abundant water in the near-by Coast Range to serve it for 40 or 50 years. According to Mr. Freeman and the Army board the Hetch Hetchy plan is to provide for a time 50 years thereafter.

"Third. That the injury to the Hetch Hetchy by substituting a lake for the present swampy floor of the valley, all due allowances being made for whatever reduction in the height of the walls there may be, is altogether unimportant compared with the benefits to be derived from its use as a reservoir."

Answer. This is Mr. Pinchot's way of minimizing the immense and permanent benefits derived by the people from great natural scenery. According to John Muir the present floor of the valley is not swampy, and the beauty of the valley, all that gives it character and charm, will be destroyed by making of it a municipal water tank. Mr. Pinchot is measuring the value of our noblest scenery in dollars and cents. He has never shown any feeling for the conservation of great scenery, nor has he ever given any championship to the higher uses of such wonderlands as resorts for pleasure and repose, the inspiration of beauty and the cultivation of health. We believe the Creator's masterpieces should not be tinkered by engineers or politicians.

"Fourth. That the sanitary regulations included in the bill absolutely dispose of the plea, untenable at all times, that what San Francisco is asking for is control of half of Yosemite Park instead of merely the Hetch Hetchy reservoir."

Answer. This is very much like saying of a man that while his heart, lungs, stomach, and alimentary canal are in diseased condition, the rest of his body is in perfect health. The Tuolumne River, which runs through the Hetch Hetchy, drains a watershed that must be controlled by San Francisco if that valley is to be used as a reservoir. The bill would virtually prohibit camping within 300 feet of any stream. The watershed is a perfect network of streams, and this regulation would prevent campers from free access to the wonderful Tuolumne Cascades, which in many places are not 300 feet distant from sheer walls. With due respect to Mr. Pinchot, his argument on this point is a quibble. It would be the old story of the tent and the camel's head.

"Fifth. That much of the opposition has its root in the unwillingness of waterpower and transportation interests in and around San Francisco to see the city get possession of the large power it will develop if the grant goes through."

Answer. This statement, in my judgment, is entirely without foundation. The movement to oppose the bill, with which more than three-fourths of the members of the Sierra Club of San Francisco and many other organizations throughout the country have been connected, has had no relation whatever to such interests as Mr. Pinchot mentions. The endeavor to make this bill appear a measure to save San Francisco from a monopoly or from vicious commercial interests is without basis in fact. The president of the so-called monopoly is for the bill. In all the discussion of this question no one has yet mentioned, as far as I know, a single instance of opposition by commercial interests. Why are they not named? Even if there were such opposition it would not affect the conclusive objections to the scheme from the point of view of national policy.

"Sixth. That the public welfare will be immensely better served by the joint use of Hetch Hetchy for beauty and for utility than by depriving the future millions around San Francisco Bay of the use of a valley—a use which will not destroy its beauty—rather than by keeping it untouched for the benefit of the very small number of comparatively well-to-do to whom it will be accessible."

Answer: This is Mr. Pinchot's private opinion and contains no argument whatever. He entirely ignores the vast utility of beauty. Man does not live by bread alone. The beauty of Hetch Hetchy would be destroyed by flooding its floor and substituting an ugly dam and reservoir, and its continued use for the purpose to which it was dedicated will in no way deprive the future millions around San Francisco of water. When Mr. Pinchot speaks of keeping it untouched for the benefit of the very small number of comparatively well-to-do to whom it will be accessible, he makes an argument which would have dedicated the Yosemite Valley itself to San Francisco's use as a water supply. There was a time when the Yosemite Valley was "inaccessible." It also is being kept untouched for the benefit of a very small number of comparatively well-to-do people. Shall we make a water tank also of the Yosemite Valley? What is needed is a 9-mile road to make Hetch Hetchy easily accessible. This done, not only would one of the great wonders of the world, as Mr. Pinchot calls it, be open to the public, but the overcrowding of the Yosemite Valley by campers would be relieved by diversion to the equally feasible camping place in the Hetch Hetchy.

Mr. Pinchot says that "the intermittent æsthetic enjoyment of less than 1 per cent is being balanced against the daily comfort and welfare of 99 per cent." Apply this to the Yosemite Valley. The percentage of travel there is very small when compared with the number of residents in San Francisco. The enjoyment is intermittent and, in most persons, æsthetic. Must we, therefore, give up the Yosemite Valley? Mr. Pinchot's argument proves too much. Where is his imagination? What he should say is that the great permanent and phenomenal beauty of the Nation's national park, with all its possibilities of happiness for all the people and for the future, is being balanced against an assumed expense on the part of a city of $13,000,000 and against the fact that it is not necessary for the Nation to give up these treasures of natural scenery to the use of a municipality. It is simply absurd to say that the greatest of the three camping places in the Yosemite Park is not to be destroyed when the floor of this valley is flooded. People do not camp in 200 feet of water. To those camping places will resort an increasing number of the people of the hot and arid San Joaquin Valley. It is the potentiality of enjorment and usefulness that makes it obligatory upon the Nation to save its as yet comparatively little used wonderlands. Nothing is more useful than beauty. Without it life is only a race for the trough. Mr. Pinchot speaks as though beauty existed only for dilettanti. In some form or other it is the lifeblood of happiness. Our countrymen are a beauty-loving people and jealously devoted to our superb scenery.

I have not said anything here of the fact that the waters that flow through the Yosemite National Park can be used without destroying the scenery by being impounded below the park for the use of the farmers of the San Joaquin Valley. This is testified to by Mr. O'Shaughnessy, city engineer of San Francisco, in a report to William H. Crocker, of San Francisco, which Francis Burton Harrison conveyed to Secretary Fisher. Mr. F. H. Newell, Chief of the Reclamation Service, told the House committee that this is feasible. Certainly if propinquity is to have any weight in this matter, the farmers of the San Joaquin Valley have a better right to the Hetch Hetchy watershed than the city of San Francisco. Senator WORKS, of California, is authority for saying that 99 per cent of these farmers are opposed to the bill. Mr. Vogelsang, one of the representatives of the city at Washington, admits that 98 per cent are in opposition.

The time has come to take the discussion of this matter out of the range of engineers' reports and into that of large public policy. I think the people of this country believe in the conservation that conserves, and that they think the conservation of natural beauty a matter of immense importance.

Mr. Pinchot is the one man chiefly responsible for this assault upon the national park system. In 1906, after San Francisco had entirely abandoned it, he revived the scheme in the following letter:

NOVEMBER 15, 1906.

Mr. MARSDEN MANSON,
2010 Gough Street, San Francisco, Cal.

MY DEAR MR. MANSON: I can not, of course, attempt to forecast the action of the new Secretary of the Interior [Garfield] on the San Francisco watershed question, but my advice to you is to assume that his attitude will be favorable and to make the necessary preparations to set the case before him. I had supposed from an item in the paper that the city had definitely given up the Lake Eleanor [Yosemite Park] plan and had purchased one of the other water systems. If the possibility of a supply from the Sierras is still open, you should, I think, by all means go ahead with the idea of getting it.

Very sincerely, yours,

GIFFORD PINCHOT, *Forester.*

Mr. Pinchot's action in this matter is of the opportunist complexion that has marked his later career. It was an endeavor to conciliate the widespread sentiment in the West of that time against "tying up" the water and timber of large sections by the conservation policy. Apparently he thought it necessary to give an object lesson in the fact that the water was to be for the use of the people, but he did not make the distinction—and here is the vital point—between the uses of the forest reserves, which are to conserve water and timber to supply the people, under proper official supervision, and the uses of the national parks, so admirably stated in the report of the Public Lands Committee of the House which recommended the creation of the Yosemite National Park in 1890. That report said: "The preservation by the Government in all its original beauty of a region like this seems to the committee to be a duty to the present and future generations. The rapid increase of population and the resulting destruction of natural objects make it incumbent upon the Government, in so far as may be, to preserve the wonders and beauties of our country from injury and destruction, in order that they may afford pleasure as well as instruction to the people."

The men who made this report (Judge Holman was one of them) were not "esthetes," and they laid down an enlightened basis of legislation. The question of the destruction of a phenomenal health and pleasure resort of the Nation is not a mere matter of esthetic nicety, a tweedledee and tweedledum distinction between two equally good kinds of scenery. The difference between the handiwork of the Creator and the artificial substitute by San Francisco politicians is the difference between worship and sacrilege.

Sincerely, yours.

ROBERT UNDERWOOD JOHNSON,
Chairman National Committee for the Preservation of the Yosemite National Park.

P. S.—Since the foregoing was written a conclusive judgment on this point has been announced in an article contributed to the Boston Transcript of November 19, 1913, by the foremost American authority on landscape, Mr. Frederick Law Olmsted, who has succeeded to the work and reputation of his distinguished father (of the same name) and who is the member of the National Fine Arts Commission representing landscape treatment of Government projects. Mr. Olmsted, in this thorough, careful, and candid article, after weighing all considerations impartially, comes to the conclusion that the Hetch Hetchy project would not only ruin the beauty of the valley but open the way to further destructive invasion of the national parks by false utilitarianism. Certainly on this point no one would think of comparing the opinion of Mr. Pinchot, an expert on the economic aspects of forestry, with that of Mr. Olmsted, a trained and recognized expert on everything pertaining to the conservation of landscape beauty.

HOUR OF MEETING ON MONDAY.

The PRESIDING OFFICER. Morning business is closed. The calendar under Rule VIII is in order.

Mr. KERN. I move that when the Senate takes a recess to-day it be until Monday next at 10 o'clock a. m.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 1 hour and 40 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 15 minutes p. m.) the Senate took a recess until Monday, December 1, 1913, at 10 o'clock a. m.

CONFIRMATIONS.

Executive nominations received by the Senate November 29, 1913.

SECRETARY OF EMBASSY.

Peter Augustus Jay to be secretary of the embassy at Rome, Italy.

GOVERNOR OF HAWAII.

L. E. Pinkham to be governor of Hawaii.

APPOINTMENTS IN THE PUBLIC HEALTH SERVICE.

Walter M. Jones to be assistant surgeon.
William Howard Slaughter to be assistant surgeon.
James Gayley Townsend to be assistant surgeon.

MEMBERS OF THE PHILIPPINE COMMISSION.

Henderson S. Martin to be secretary of public instruction and vice governor.
Clinton L. Riggs to be secretary of commerce and police.

ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE PHILIPPINE ISLANDS.

Manuel Araullo.

COLLECTOR OF CUSTOMS.

John F. Pugh to be collector of customs for the District of Alaska.

COLLECTOR OF INTERNAL REVENUE.

David J. Williams to be collector of internal revenue for the district of Washington.

PROMOTIONS IN THE ARMY.

ADJUTANT GENERAL'S DEPARTMENT.

Lieut. Col. Benjamin Alvord to be adjutant general, with the rank of colonel.

QUARTERMASTER CORPS.

Lieut. Col. John T. Knight to be colonel.
Maj. William E. Horton to be lieutenant colonel.

FIELD ARTILLERY ARM.

First Lieut. Marion W. Howze to be captain.

INFANTRY ARM.

Lieut. Col. Francis J. Kernan to be colonel.
Maj. William M. Wright to be lieutenant colonel.
Capt. Edward A. Shuttleworth to be major.
First Lieut. George C. Lewis to be captain.
First Lieut. Frank H. Adams to be captain.
Second Lieut. David G. C. Garrison to be first lieutenant.
Second Lieut. John S. Sullivan to be first lieutenant.

CORPS OF ENGINEERS.

Second Lieut. Raymond A. Wheeler to be first lieutenant.
Second Lieut. W. Morris Chubb to be first lieutenant.

CAVALRY ARM.

First Lieut. Rudolph E. Smyser to be captain.
First Lieut. Joseph C. Righter, jr., to be captain.

APPOINTMENTS, BY TRANSFER, IN THE ARMY.

FIELD ARTILLERY ARM.

First Lieut. John E. Mort to be first lieutenant.

COAST ARTILLERY CORPS.

First Lieut. Thomas D. Sloan to be first lieutenant.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants.

James Harlan Anderson.
Ethan Flagg Butler.
LeRoy William Childs.
Lane Butler Cooke.

Evan Stark Evans.
George Frank Holland.
Howard Pendleton Kirtley.
Jacob Carl Krafft.
Otis Burgess Nesbit.
Walter Scott Rountree.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Commander Mark L. Bristol to be a captain.
Lieut. Commander Roscoe C. Bulmer to be a commander.
Lieut. Roger Williams to be a lieutenant commander.
Lieut (Junior Grade) Guy E. Baker to be a lieutenant.
The following-named citizens to be assistant surgeons in the Medical Reserve Corps:
Hibbley R. Owen, and
Foster H. Bowman.

POSTMASTERS.

ARKANSAS.

A. D. Agee, Gurdon.
J. E. Leeper, Dermott.

CALIFORNIA.

Alfred Belleu, Watts.
P. L. Byers, Huntington Park.
Anna Mary Carson, Compton.
M. F. Cochrane, San Rafael.
E. J. Crane, Menlo Park.
Walter J. Desmond, Long Beach (late Longbeach).
George P. Dobyns, El Monte.
Frank P. Firey, Pomona.
Thomas F. Fogarty, Marysville.
Floyd Godfrey, San Dimas.
Duncan A. Gray, Soldiers Home.
George Gribble, Scotia.
Clark McLain, Pasadena.
Abraham Mooser, Oceanpark.
Milton M. Pilkenton, Hermosa Beach.
Sophie J. Rice, King City.
D. C. Saunders, Lompoc.
William J. Simms, Gardena.
Elizabeth M. Steel, Downey.
Charles R. Thompson, Burbank.

FLORIDA.

Guy I. Metcalf, West Palm Beach.

IOWA.

William H. Fickel, Glenwood.
Wilhelm Hesselschwerdt, Kalona.
Jasper W. Morris, Panora.
M. D. Sullivan, Wilton Junction.

KENTUCKY.

W. M. Black, Monticello.
Fannie G. Taylor, Campbellsville.

MARYLAND.

J. R. Duke, Leonardtown.
C. W. Jefferson, Federalsburg.
J. F. Peach, North East.
Mary W. Tise, Hyattsville.

MASSACHUSETTS.

Michael F. Cronin, Lawrence.
James Nagle, Concord Junction.
William F. Walsh, Hinsdale.

MICHIGAN.

Louis J. Braun, South Range.
J. W. Ewing, Grand Ledge.
Thomas Gilligan, Hopkins.
August C. Goebrend, Reed City.
William W. Harper, Harrison.
Arthur Hillman, Akron.
William P. Hicks, Holly.
Daniel A. Holland, Hancock.
Herbert E. Iveson, Addison.
Joseph Karl, St. Clair Heights.
Arthur A. Juttner, Menominee.
Thomas H. McGee, Farmington.
Robert Mooney, Ontonagon.
Eugene L. Rose, Petoskey.

NEVADA.

Alton A. Carman, Pioche.

NEW YORK.

J. E. Morgan Dodge, Lawrence.
G. H. Mills, Delevan.

NORTH CAROLINA.

Ernest L. Auman, Ashboro.

SOUTH CAROLINA.

J. F. Rickenbaker, Lake City.
A. C. Thompson, Conway.

SOUTH DAKOTA.

William Moore, Armour.

VIRGINIA.

Lillie L. Davis, National Soldiers Home.
John S. Scott, Parksley.

WASHINGTON.

Frank C. Wiest, Shelton.

WISCONSIN.

Annie K. Blanchard, Blanchardville.
Charles F. Dillett, Shawano.
Irvin H. Ecker, Whitehall.
Albert F. Fuchs, Loyal.
Aloys Grimm, Cassville.
David A. Holmes, Milton.
Franz Markus, Medford.
John O'Neil, North Freedom.
Edward Porter, Cornell.
E. D. Singleton, Camp Douglas.
J. V. Swift, Benton.
W. M. Ward, Soldiers Grove.

HOUSE OF REPRESENTATIVES.

SATURDAY, *November 29, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who art supremely wise and strong and good, our heavenly Father, by the faith which holds our course to Thee, by the hope that illumines the way, by the love that makes us one with Thee and pours itself out in self-sacrifice for the good of mankind, inspire us with high ideals, pure motives, and a sincere desire to fulfill our earthly destiny and leave behind us a record worthy of emulation, bearing with us into the great beyond a character woven into the tissues of the soul after the similitude of the Master's. Amen.

The Journal of the proceedings of Wednesday, November 26, was read and approved.

SWEARING IN MEMBERS.

Mr. UNDERWOOD. Mr. Speaker, I ask for the adoption of the resolution which I send to the Clerk's desk. [Applause.]

Mr. MANN. Mr. Speaker, before that I desire to present a newly elected Member from Massachusetts to be sworn in.

The SPEAKER. Does the gentleman from Alabama withhold his resolution?

Mr. UNDERWOOD. I withhold the resolution.

The SPEAKER. The gentleman from Massachusetts [Mr. PAIGE] and the gentleman from New York [Mr. CANTOR]. Congressman elect from the twentieth district of New York, will come forward and be sworn in.

Accordingly Mr. CALVIN D. PAIGE, Member elect third Massachusetts district, and Mr. JACOB A. CANTOR, Member elect twentieth New York district, presented themselves before the bar of the House and took the oath of office.

The SPEAKER. Now Mr. LOFT, of the thirteenth New York district, will come forward.

Mr. GEORGE W. LOFT, Member elect thirteenth New York district, presented himself before the bar of the House.

The SPEAKER. The Chair finds on examination that the credentials of Mr. LOFT are in proper form and has a protest against his being seated on a purely legal question. The Chair will have the protest read.

The Clerk read as follows:

NOVEMBER 24, 1913.

Hon. CHAMP CLARK,
Speaker of the House of Representatives,
Capitol, Washington, D. C.

DEAR SIR: On behalf of William J. Wilkins, a voter in the thirteenth congressional district of the State of New York, and of other voters in that district, I respectfully protest against the seating of GEORGE W. LOFT as a Member of the House of Representatives, based on his alleged election at a general election held in the State of New York and in the city of New York as Representative in Congress to fill a vacancy in that office occasioned by the death of Hon. Timothy D. Sullivan, September 1, 1913, on the ground that the said alleged special election, held at the date of said general election, is null and void, in that the executive authority of the State of New York did not issue a writ of election as provided by Article I, section 2, subsection 4, of the Constitution of the United States; and in that a proclamation purporting to conform to the said provision of Article 1, section 2, subsection 4, of the Constitution of the United States, was issued and filed on the 28th day of October, 1913, one week before the date of the said special election called thereby, to be held on the date of the said general election, November 4, 1913, and that said proclamation so issued was in violation of the provisions of section 292 of the election law of the State of New York, which provided that in the event of the issuance of a proclamation by the governor of the State of New York for a special election the date of such special election to be fixed thereby must be at a day not less than 30 nor more than 40 days from the date of the said proclamation.

That it is undisputed that at the time that the purported nomination of the said GEORGE W. LOFT to fill the said vacancy was made by the congressional committee of the Democratic Party for the thirteenth congressional district on October 2, 1913, no writ of election had theretofore been issued by the governor of the State of New York and no writ issued, except as stated, on October 28, 1913.

On behalf of the protestants I desire the privilege of submitting to the proper committee of the House of Representatives precedents of the House of Representatives in similar circumstances.

I submit that it is a matter of grave concern that the provisions of the Constitution with respect to elections to fill vacancies in the office of Representative in Congress be enforced, such provision being mandatory and not permissive, and that the precedents of the House of Representatives be sustained, and to that end desire the privilege of appearing before the proper committee of the House of Representatives when the credentials of the said GEORGE W. LOFT are received.

The question of the validity of the election is now before the courts of this State, and an application to restrain the secretary of state of the State of New York from filing his certificate with the House of Representatives certifying the due election of the said GEORGE W. LOFT was denied pro forma at a special term of the supreme court, Albany County, and from that order an appeal has been taken. The learned justice at special term stated that it was a matter of grave public importance and should be passed upon by the appellate courts as speedily as possible.

Very respectfully, yours,

GEORGE EDWIN JOSEPH.

The SPEAKER. The Chair has investigated this preliminary proceeding and, unless the House determines otherwise, on the certificate Mr. LOFT ought to be sworn in and the papers in the case referred to one of the Elections Committees.

Accordingly, Mr. GEORGE W. LOFT, Member elect thirteenth New York district, took the oath of office.

The SPEAKER. The Chair will refer the papers in the case to Elections Committee No. 2.

Mr. RUSSELL. Mr. Speaker, inasmuch as that case has been referred to the committee of which I am a member, I wish to ask, in the absence of the chairman and the ranking member—I am third on the committee—whether I shall endeavor to obtain a meeting of the committee in the absence of those gentlemen?

The SPEAKER. That is not a parliamentary inquiry. The Chair's own opinion is that the chairmanship temporarily of the committee runs down through the membership seriatim, and if the other two members—there are two other Democrats on the committee——

Mr. MANN. The rules specially provide for that.

The SPEAKER. The Chair thinks that is true.

JOINT MEETING OF THE TWO HOUSES—PRESIDENT'S MESSAGE.

The SPEAKER. The Clerk will report the resolution offered by the gentleman from Alabama [Mr. UNDERWOOD].

The Clerk read as follows:

House concurrent resolution 24.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, the 2d day of December, 1913, at 1 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make them.

The SPEAKER. The question is on agreeing to the resolution.

Mr. MANN. Mr. Speaker, will the gentleman from Alabama yield for a question?

Mr. UNDERWOOD. I yield, Mr. Speaker.

Mr. MANN. Has the gentleman examined as to how far this session of Congress can provide for a joint meeting of the two Houses of the next session before it is ascertained that a quorum in each House is present, as will be ascertained by the call of the roll on Monday?

Mr. UNDERWOOD. Mr. Speaker, my investigation of the question leads me to believe that when we adjourn to-day we adjourn to meet on Monday, not by virtue of the statute that calls the Congress together on the first Monday in December, but by reason of the fact that the House is in session, and that it is a continuous session, and that there will be no other session, but that next Monday will be a part of the session that began on the 7th day of last April.

Mr. MANN. Well, Mr. Speaker, I think the gentleman from Alabama says "from his investigation." I am quite sure, therefore, that he has not given the subject his usual careful study. The Constitution provides that there shall be a regular session of Congress commencing on the first Monday of December of each year unless Congress has otherwise provided by law. We have not otherwise provided by law, so that there will be a regular session of Congress commencing on Monday. That is not only the constitutional provision, but it is the construction of the Constitution which this House has made on more than one occasion. Not only is that the fact, but it will be found on investigation, although it does not settle the matter, that public documents now being printed are printed as of the Sixty-third Congress, second session, for presentation next week.

Mr. UNDERWOOD. Mr. Speaker, I remember this question was up some years ago. The issue came up then as to whether an adjournment a few minutes before the regular session was to begin constituted a new session. I recognize the fact that there was a disagreement as to whether it was a new session or not. At that time I opposed the granting of mileage for the new session, and took the position then that it was a continuous session. Of course, that was only my position, but the House itself at that time determined by a vote of the House that the Members were not entitled to mileage; at least, they voted down the mileage proposition on account of the new session. The gentleman says that the Constitution provides, unless it is otherwise provided by law, that there shall be a session on the first Monday in December, which is correct; but it has been determined by law otherwise, also. The law of the land, the Constitution, authorizes the President to call an extra session of Congress. He has called that extra session of Congress, and we are legally in session, and will remain in session under the law of the land until the two Houses of Congress, by a joint vote of the two Houses of Congress, determine to adjourn. There will be no resolution of adjournment of the two Houses of Congress, and therefore there will be no adjournment of this session of Congress, and for that reason I believe under the law and under the Constitution the session of to-day will be the session of next Monday. Of course, as to the printing of the documents, it is not material one way or another as to how they are printed, whether as of the first session or second session. When the precedent occurred in one of the Congresses several years ago—I have forgotten which one it was, but where there was only an intermission of a few minutes—it is true they did continue to print the documents of that Congress as of the first and second session, although, I believe, there was less than a minute's difference between the two sessions.

I do not think that that can affect this resolution in any way, even if the contention of the gentleman from Illinois is correct, with which I do not agree. This Congress is legally in session, and the two Houses of Congress, by joint resolution either at one session or another, can provide for the President coming here and delivering his annual address. In other words, if we had passed this resolution last October and intended to adjourn on the 1st day of November, I see no reason why the Congress on the last of October, before an adjournment, could not provide that when we met on Monday next there would be a joint session of the two Houses of Congress to receive a message from the President of the United States.

Any resolution that is introduced in the Congress does not die with the session. It lasts as long as the Congress remains in session; and any resolution passed by the concurrence of the two Houses that affects the meeting of the joint bodies would be just as effective if passed at an extra session, to apply to a regular session, as if you waited until a regular session came. So that I can not see, even if the gentleman's contention is correct, to the effect that next Monday begins a new session of Congress, how it possibly affects this resolution.

Mr. MANN. Mr. Speaker, I am inclined to think that the gentleman from Alabama [Mr. UNDERWOOD] will agree with me about the power of the two Houses to provide a joint meeting on Monday next, even if there be a new session. Of course, it has been the custom and the practice for many years, required under the Constitution, for a call of the roll to be had by States on the first day of a session. I take it that that will be done on Monday, notwithstanding the temporary opinion of my friend from Alabama that it is not required, and in addition a resolution will be passed on Monday, I take it, notifying the Senate that the House has met, that a quorum has developed, and that the House is prepared to do business, and that a committee will be appointed on the part of the House to join a similar committee on the part of the Senate to notify the President that the two Houses of Congress have met and have developed a quorum in each, and are prepared to hear any communication from the President. The custom has been for the President to notify that committee, which then notified the House, that the President was prepared to present a communication to the two Houses.

However, I have no objection whatever to making provision in advance for that, although it looks a good deal like placing the cart before the horse. But the gentleman from Alabama, having been very busily engaged otherwise recently, with the sympathy of most of us, I think is in error as to what took place before. When the special session, to which the gentleman refers,

was called by President Roosevelt to meet in November, the House on the Saturday preceding the regular session adjourned. The Senate adjourned to meet on the following Monday at 11 o'clock or 11.30, I believe, and then they adjourned. Subsequently the question came up as to whether the extra session had done away with the regular session. There was an exhaustive debate on the point of order in the House upon the payment of mileage. Mr. TAWNEY, of Minnesota, was in the chair and ruled that the regular session, under the Constitution, commenced on Monday, and that there were two sessions of Congress.

Subsequently the same question arose, and I had the honor to be in the chair, and therefore I am familiar with the question. I went over it anew and came to the conclusion that there was no doubt whatever, under the law and the Constitution, that the regular session of Congress commenced on the first Monday in December. I do not question but that the gentleman from Alabama will reach the same conclusion when he has had the opportunity to give a little more attention to it.

Mr. UNDERWOOD. I will say to the gentleman from Illinois, Mr. Speaker——

Mr. MANN. And if the gentleman will permit, the gentleman stated that the House voted down the mileage. On the contrary, the House voted in the mileage on the occasion where Chairman TAWNEY ruled it in order, and it went to the Senate in that shape. Subsequently the Senate struck it out by amendment, and in conference or otherwise that amendment was agreed to.

The second time the same question came up, when I ruled upon it, the House in Committee of the Whole put in the mileage, and on a roll call disagreed to the amendment, which probably they will do again. [Laughter.]

Mr. UNDERWOOD. Mr. Speaker, according to my recollection of the occasion—and I looked it up at the time, because I was opposed to double mileage and really led the fight to strike it out—if I recall aright, it was my motion to strike out the proposition. It has been some years ago, and of course one's memory can not carry everything that occurred four or five years ago; but my recollection is that at the termination of that session of Congress we met on the morning before the first Monday in December, and that the Speaker——

Mr. MANN. Well, the gentleman's memory is incorrect, and if I were he I would not proceed further on that line. We met on Saturday. The House adjourned on Saturday without passing any concurrent resolution.

Mr. UNDERWOOD. I know there was no concurrent resolution, but my recollection is that we met a few minutes before the regular session.

The SPEAKER. To which Congress does the gentleman refer?

Mr. UNDERWOOD. The Congress in which the question of mileage came up.

The SPEAKER. The extra session called by President Roosevelt?

Mr. UNDERWOOD. Yes; the Fifty-eighth Congress. The Speaker of the House declared the House adjourned by virtue of the power vested in him, without a motion to adjourn.

Mr. MANN. The gentleman from Alabama is again mistaken.

Mr. UNDERWOOD. I am only speaking from memory.

Mr. MANN. The gentleman from New York [Mr. PAYNE] offered a motion to adjourn, the motion prevailed, and the Speaker declared the House adjourned without adding "to meet on Monday next at 12 o'clock."

Mr. UNDERWOOD. The gentleman from South Carolina [Mr. JOHNSON], who has looked up the RECORD, says that my statement is correct.

Mr. JOHNSON of South Carolina. I have not examined the RECORD, but I think the gentleman from Alabama is correct.

Mr. MANN. I think the Speaker can give us all cards and spades on that matter, for he has examined the RECORD.

Mr. UNDERWOOD. The question whether we shall notify the President on Monday next or whether there shall be two sessions is a matter to be determined next Monday. I am offering this resolution as a matter of convenience, so that the President and the Senate may be notified in ample time to meet on Tuesday.

The SPEAKER. The only question for the Chair to determine is the last one the gentleman referred to, and the Chair holds that the resolution is in order. If it were the last days of a Congress and a new Congress came in on next Monday, that would be a horse of a different color. The Chair does not believe that the House should pass a resolution affecting business in the next Congress. But this resolution is in order on the ground of convenience, if for nothing else, and that is to give a proper notification of the proceeding, so that we can have the tickets printed and distributed. We nearly had a riot here on the first occasion of that kind.

Although the question is not involved here, and it is not necessary to determine, the truth about the extra session called by President Roosevelt is that on Saturday, the 5th day of December, the gentleman from New York [Mr. PAYNE] made the ordinary motion to adjourn and it was carried, and the Senate adjourned until 11.30 o'clock on Monday the 7th.

The question is on the resolution offered by the gentleman from Alabama.

The resolution was considered and agreed to.

VIOLATION OF EXCISE LAW.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent for the present consideration and adoption of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 320.

Whereas there appeared in the news columns of the Washington Evening Star of date November 17, 1913, the following article:

"COLLEGE BOY 'DRUNKS' NOT IN POLICE COURT—$1,000 COLLATERAL FORFEITED BY THE FOOTBALL ENTHUSIASTS.

"The followers of the Georgetown and Virginia teams, the former out to celebrate the victory, and the latter to drown their sorrows, who were arrested Saturday night on charges of being drunk, did not appear in the police court to-day when their names were called.

"Of the score taken to the first precinct station Saturday night not one came into court to-day. Those who paid the $10 collateral when they were taken into the station house, and the others, whose friends got them out some time yesterday, failed to let Judge Mullowny give them a lecture on the evils of strong drink.

"The boys from Charlottesville who were among those landed in the toils of the police shook the dust, or, rather, the rain, of Washington from their feet and beat a hasty retreat to the university town yesterday.

"The total number of drunks, both on the collateral list and those in the dock, when court opened this morning was 137. The majority of them, said the police, were the 'boys' who celebrated Saturday night. The others were 'regulars' and several of them will spend their Christmas at Occoquan as guests of Supt. Whitaker. About $1,000 collateral was left at the first precinct station by 'drunks' for their appearance in court to-day, and the large proportion of that went into the District coffers as having been forfeited."

And whereas there appeared in the same paper of the same date the following editorial:

"SATURDAY'S SHAMEFUL SPECTACLE.

"If college 'sport' were necessarily accompanied by such scenes as were enacted in Washington Saturday night, when scores of young men and young women celebrating the football victory or seeking solace for the bitterness of defeat violated the excise law and turned the downtown streets into a pandemonium, then college 'sport' would need to be abolished. It is not to be acknowledged, however, that the sport is itself accountable for the shocking spectacle. The game itself has been modified until it is comparatively safe, but the after effects of a game between two traditional rivals are such as to arouse feelings of profound disgust and disheartenment. For hours the business streets of the city were filled Saturday night with riotously inclined youths wearing college colors, probably many of them in no wise connected with the universities whose representative teams had fought on the gridiron field in the afternoon, but seeking merely to display partisanship by putting on the distinctive ribbons. The fact that nearly a hundred arrests were made during the night for drunkenness and disorderly conduct on the part of the wearers of these colors is no good indication of the demoralizing effects of the game. If the disorder were occasioned merely by natural high spirits induced by the game itself there would be little ground for complaint, however disagreeable it might be to have the streets occupied by mobs until a late hour. But there was only too strong evidence Saturday night that the high spirits displayed were due to unusual potations. That the excise law was broken repeatedly in the serving of liquor to minors can not be questioned. The dispensers of liquor were unquestionably careless in their discrimination between adults and juveniles and should be dealt with by the law as severely as the proof permits. The result was an orgy of youthful inebriation that cast shame upon the city of Washington and must give the authorities of the two institutions whose football teams had met during the afternoon occasion for serious reflection. If the punishment of individual offenders who caused trouble Saturday night, together with the imposing of penalties upon liquor dealers who violated the excise law, proves to be ineffectual in checking this disturbance in the future, it will be necessary to consider the advisability of prohibiting an annual contest which draws so large a crowd of partisan spectators and leads, despite police activity and watchfulness, to such riotous and shameful scenes."

And whereas there appeared in the news columns of the Washington Herald of date November 16, 1913, the following article:

"HILARITY LANDS 87 IN CELLS AFTER THE GAME—LUSTY LUNGS BLAMED, RATHER THAN WOBBLY FEET, IN MOST CASES—PATROL WAGON ON JUMP—CAFÉS AND STREETS CROWDED WITH EXUBERANT COLLEGIANS, BUT LITTLE ROWDYISM IS APPARENT.

"'Twas a glorious celebration, that postgame demonstration by students and alumni of Georgetown and Virginia Universities in café, street, and other public places of the Capital City last night. And many times the paths of glory led but to the cell.

"'Ye gods, what a night!' exclaimed a classically inclined desk sergeant at the first precinct, as the auto patrol continued to collect those who attempted too glorious a celebration.

"More than 40 prisoners was the toll of the occasion shortly after midnight. And the chugging of the up-to-date patrol bespoke of other work for the vehicle. 'By their state ye shall know them,' said the police lieutenant in charge to the group of policemen who went on duty shortly after the game was played. He meant that those whom they found partially atrophied in the legs or of superhuman voice and arms were 'stewdents.'"

And whereas there appeared in the news columns of the Washington Star of date November 16, 1913, the following article:

"STUDENTS REVEL AFTER BIG GAME—NEARLY A HUNDRED COLLEGE BOYS AND FRIENDS NABBED BY POLICE—GIRLS JOIN IN CELEBRATION AND AID IN ONE FIGHT—NEW EXCISE LAW SHATTERED BEYOND RECOGNITION DESPITE ACTIVITY OF OFFICERS.

"Judging from a careful survey of the situation last night, a college arm band went just as far for celebration purposes as a diploma, and as far as the stern and unsympathetic police were concerned it didn't make a bit of difference whether the arm band was on a bona fide collegian or a night-school student. The amount of collateral was just the same—$10 for a riotous souse and $5 added if the riot went beyond the bounds of the ordinary. Old-time observers of college football celebrations in this town are of the opinion that last night's revel was a classic in its way, but limited to one or two localities.

"The observer who watched the patrol wagon rush eight times to the same liquoring place to carry away protesting young men who swore they were absolutely sober or who claimed influence of all kinds from relatives in Tammany Hall to friends on either of the football teams which caused all this disturbance saw that the newly framed excise law was shattered beyond recognition.

"LAW BATTERED TO A PULP.

"The law was battered to a helpless, hopeless, unrecognizable pulp. It's rather hard to judge whether a chap is 20 years old or 21; but by the same token it's not a bit hard to recognize the feeble sunwork of an 18-year-old 'collegian' whose only claim on an alma mater is a daily transfer on the street car lines running toward Georgetown.

"The Virginia outfit, which came here with high hopes of a victory, spent a quiet evening at the Columbia Theater, and the Georgetown team spent a less quiet evening at a down-town hotel. That disposes of the heroes of the occasion. They behaved as heroes should. But their supporters—Good night!

"POLICE WORK OVERTIME.

"In the first place, the police worked overtime gathering up nearly a hundred young drunks, who had to put up $10 or sleep in a cell till to-morrow.

"Some of them wore college bands, but few of them had that clearness of diction which comes from either a classic or scientific course in any of the universities of this fair land. Capt. Hollinberger, of the first precinct, kept his day men on duty just for the purpose of enforcing the new law which makes it necessary for a man to be able to walk a chalk line without wavering. In front of one thirst parlor a line of police waited until midnight, when the lights were made dim and about 20 fine drunks spilled outward toward the curb.

"The police determined to wait there until morning, if necessary, to catch that gorgeous aggregation of tottering souses, and one of them declared the police department would burn up all the gasoline in town in one grand effort to show the majesty of the law. It's a fine thing for the old-time horses that motor patrol wagons have taken their places. Last night's efforts would have strained all the equines in the service.

"BOYS AND GIRLS DRUNK.

"In one hotel boys and girls got drunk to celebrate a football victory. The riot started early in the evening. The drinking rooms of the place were crowded by 8 o'clock and mobs fought for possession of the tables. Police interfered now and then when things grew too hot for the hard-working waiters to handle, and the ejection of a drunk was a monumental affair, as two policemen had to battle with upward of 20 alleged collegiates before they could haul the protesting person to the box. No one seemed to care for the excise law in that particular place.

"Occasionally the sounds of bottles and glasses and the bang of the tray upon a marble floor was evidence that some poor waiter had run afoul of a bevy of yelping youths with a bundle of beer aboard. A waiter who dared protest ran great danger of his personal safety. Altogether, this particular hostelry turned into a four-hour rough-house, as they say in Texas. And yet the boys and girls who stayed seemed to like it.

"BIG ROW OF EVENING.

"The biggest row of the evening occurred when about 20 youths in loud clothing endeavored to rescue a small and active man from the hands of the police. The small one was wonderfully drunk and in a fighting humor. He was about as large as a 6-year-old child, but he had a terrific punch; also a terrific load of liquor. Through the overcrowded corridors he reeled, with friends and foes hanging to him like bees to their queen in swarming time. And young girls, some of them surely not over 18, were in that crowd of fighters, adding their soprano laughter to the vile curses of the men. It took about 20 minutes to clear out the mob and get this undersized person to the patrol wagon.

"He had a college band upon his arm and protested that he was a Senator's secretary and would have the Constitution invoked. However, he slept in a cell until an early hour to-day. A year ago the police might have turned him loose, but this year a new excise law is in effect.

"It must not be supposed that all down town was turned into an orgy. Not at all. The celebration was limited in its scope, but it was warm and exciting where it held full sway.

"ONE PUNCHES DETECTIVE.

"Two youths got into an argument with Detective Bauer during the progress of the football game yesterday afternoon, and one of the lads is said to have punched Bauer, immediately claiming that he was joking. Bauer was unable to see it that way. He arrested them. Collateral was placed at $100, and later, through the intercession of friends, it was reduced to $20.

"One down-town saloon keeper ran no chances. He pulled down his curtains and stationed a guard at the door. Anyone who wanted to get a drink in that place had to assure the sentinel that he, the applicant, was perfectly sober.

"'Can you walk straight?' the sentinel asked of a Star reporter, who was investigating the celebration.

"'Just watch,' and the reporter walked the straightest crack on F street.

"'Let this gentleman in. He's O. K.,' yelled the sentinel.

"Ah, it's a grand thing to be young—and wear a football band."

And whereas there appeared in the news columns of the Washington Times of date November 17, 1913, the following article:

"SIXTEEN STUDENTS FORFEIT TO COURT—BOYS TAKEN AFTER FOOTBALL GAME FAIL TO APPEAR WHEN NAMES ARE CALLED.

"When the names of 16 Georgetown and Virginia University students were called in Judge Mullowny's division of the police court this morning there was a deathlike silence after the bailiff pronounced each name. Failing to respond to the charge of drunkenness against them, the students each forfeited the sum of $5.

"The wholesale arrests were made Saturday night, when the students celebrated the memorable happening on Georgetown Field Saturday afternoon. Fully 10 of the intoxicated 'celebrants' were released from No. 1 Station before the dawn of Sunday, but the other half dozen remained in confinement until friends came to their rescue before noon yesterday."

And whereas all licenses to sell intoxicating liquors in the District of Columbia are issued under authority of acts of Congress and all restrictions upon the sales of liquors and all penalties for a violation of such restrictions are imposed by acts of Congress: Therefore be it

Resolved, etc., That the Committee on the District of Columbia, or such subcommittee thereof as the chairman of the said committee may designate for that purpose, is hereby authorized and directed to institute and prosecute an investigation for the purpose of ascertaining whether said charges, or any of them, are true, viz: Whether or not intoxicating liquors were dispensed to persons who were already intoxicated, or to boys or girls, in the District of Columbia on or about the time set out in said newspaper articles. Said committee is further directed to ascertain the time and place said liquors, if any, were so dispensed and whether or not said liquors were so furnished by a person or persons having a license to sell spirituous, vinous, and malt liquors in the District of Columbia.

If the committee shall find that upon or about the occasion mentioned in the said newspaper articles intoxicating liquors were furnished as charged therein, then the said committee shall report who furnished the said liquors and at what time or times, place or places, such liquors were so furnished and consumed.

The said committee is directed, before beginning said investigation, to ask the cooperation of the Commissioners of the District of Columbia, the Board of Excise of the District of Columbia, the Anti-Saloon League, the Women's Christian Temperance Union, the Local Liquor Dealers' Association, and the faculties of the colleges named in said newspaper articles, to the end that said investigation may be full, complete, and fair.

The chairman of the said committee is hereby authorized to administer oaths and to compel the attendance upon the committee of any person or persons whom the said committee may wish to interrogate relative to the charges referred to in the newspaper articles aforesaid.

Said committee in conducting its investigation is authorized to use the official committee stenographers.

Upon the conclusion of its investigation the said committee shall report fully to the House.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. MANN. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman from Kentucky what will be the expense of this investigation?

Mr. JOHNSON of Kentucky. In answer to the gentleman from Illinois I will say that I framed this resolution hoping that there would be no expense. The resolution provides for no expense to the Government.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none.

The resolution was considered and agreed to.

CHANGE OF REFERENCE.

By unanimous consent, the Committee on Public Buildings and Grounds was discharged from further consideration of the bill H. R. 9325, a bill to authorize the city of Tacoma, Wash., to purchase certain lands for the protection of the source of its water supply, and the same was referred to the Committee on Public Lands.

CONSERVATION.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to make certain minor revisions and extensions of my remarks on the subject of conservation, delivered in the House November 22, 1913, and printed in the RECORD of that date; also to extend my remarks by inserting letters from Hon. Henry S. Graves, the Chief Forester, and others.

The SPEAKER. The gentleman from Washington asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

WEDDING GIFT TO PRESIDENT'S DAUGHTER.

The SPEAKER. The Chair lays before the House the following communication, which the Clerk will report.

The Clerk read as follows:

THE WHITE HOUSE,
November 24, 1913.

MY DEAR MR. SPEAKER: May I not express to you very warmly my deep feeling of the honor the Members of the House have paid me in presenting me with the beautiful diamond necklace which was brought to me yesterday in a setting worthy of its beauty? I shall treasure this gift all my life as an evidence of generosity not only but of singular courtesy and thoughtfulness on the part of yourself and the other Members of the House. I beg that you will convey to the Members my sense of deep obligation and lasting pleasure.

Mr. Sayre joins me in warm appreciation and thanks.

Cordially and sincerely, yours,

JESSIE WOODROW WILSON.

SEAMEN'S BILL.

Mr. HINDS. Mr. Speaker, I ask unanimous consent to have a reprint of Senate bill 136, the seamen's bill, so called.

The SPEAKER. The gentleman from Maine asks unanimous consent for a reprint of the seamen's bill. Is there objection?

There was no objection, and it was so ordered.

CONSERVATION.

Mr. WEAVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD for the purpose of printing a speech delivered at Tulsa, Okla., on October 29, 1913, by Hon. SCOTT FERRIS before the International Dry Farming Congress on the subject of conservation.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

THE LIFE-SAVING SERVICE.

Mr. MANN. Mr. Speaker, I ask unanimous consent to address the House for five minutes concerning the Life-Saving Service.

The SPEAKER. The gentleman from Illinois asks unanimous consent to address the House for five minutes on the subject of the Life-Saving Service. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, recently there appeared in newspapers on several occasions statements attributed to the captain of a wrecked vessel to the effect that certain of the life-saving crews, or one of the crews, had purchased a shipwrecked vessel really at the expense of the owners. Believing that to be untrue, and that a gross injustice was being done the Life-Saving Service, I made inquiry of the Treasury Department, and I ask that the Clerk read in my time the following letter from the Assistant Secretary of the Treasury:

The SPEAKER. The Clerk will read the letter.

The Clerk read as follows:

TREASURY DEPARTMENT,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, November 26, 1913.

Hon. JAMES R. MANN,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I have the honor to acknowledge the receipt of your letter of the 24th instant inclosing a newspaper clipping in regard to the wreck of the schooner *George W. Wells*, which stranded near Hatteras Inlet, N. C., September 3, 1913. The charge is made in the article that the vessel was purchased by members of the Life-Saving Service, and you ask if life-saving crews are permitted to purchase wrecked vessels.

No person connected with the Life-Saving Service is allowed to purchase wrecked vessels or property, and keepers and members of crews are specifically forbidden to hold any shares, directly or indirectly, in any wrecking gear or company, or to have any interest in wrecking operations beyond such as their duties in the service involve.

In this particular case Capt. Joseph H. York, the owner of the wrecked vessel, was quoted in the Washington Post of September 15, 1913, as saying that life-savers had formed a combination to buy wrecked vessels and that he intended to bring charges in Washington against the men. A telegram was at once sent to Capt. York by this department, demanding that he substantiate his charge or withdraw it, but although diligent effort was made to reach Capt. York the department was unable to get any reply from him. It was expected, however, that he would file the charges as stated in the newspaper, and it was the intention, if the charges were filed, to have them thoroughly investigated. Nothing having been heard from Capt. York, however, a letter was addressed by the general superintendent of the Life-Saving Service to each of the three keepers of the life-saving stations nearest the place where the vessel stranded, calling attention to the charges and asking for a full reply to the complaint of Capt. York and for any information the keepers might have in regard to any of the allegations attributed to Capt. York in the newspaper article. Each keeper positively denied that there was any truth in Capt. York's complaint, and it is stated that the wrecked vessel was bought by Mr. Adolphus Burrus, a person in no way connected with the Life-Saving Service.

Under section 4 of the act of June 18, 1878, organizing the Life-Saving Service, the keepers and crews of life-saving stations are constituted public salvors, and they are given authority and are required by said act to take charge of and protect all property saved from shipwreck at which they may be present until it is claimed by parties legally authorized to receive it or until otherwise instructed to dispose of it by the Secretary of the Treasury. There are numerous provisions of the regulations of the Life-Saving Service intended to safeguard the public interest with respect to wrecked property. It is provided that no person connected with the service will be permitted to act as agent to sell for the owner, agent, underwriter, or any other person interested therein any wrecked property. It is also provided that the members of regular crews of stations are not entitled to salvage, it being a part of their duty to assist without charge in saving property from wrecked vessels so far as it can be done without interfering with the duty of saving life, which must always be the paramount consideration, and they are forbidden to solicit or receive any other compensation for the performance of such duty than that which the Government pays.

It is considered very unfortunate, as well as an injustice to the Life-Saving Service, that the false and misleading statements contained in the clipping referred to should ever have been published.

Very truly, yours,

BYRON R. NEWTON,
Assistant Secretary.

OVERFLOWED LANDS IN IDAHO.

Mr. SMITH of Idaho. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the overflowed lands in Idaho by having printed a report of Mr. C. G. Elliott, chief of the drainage investigations.

The SPEAKER. The gentleman from Idaho asks unanimous consent to extend his remarks in the RECORD in the manner stated. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 55 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Postmaster General, transmitting, as required by section 397 of the statutes, a report of the public property in the Post Office Department on November 1, 1913 (H. Doc. No. 288); to the Committee on the Post Office and Post Roads and ordered to be printed.

2. A letter from Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on examination and survey of Greenwich Harbor, Conn. (H. Doc. No. 289); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on examination and survey of Savannah Harbor, Ga., with a view to providing an adequate turning basin (H. Doc. No. 290); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BARTHOLDT: A bill (H. R. 9523) to amend an act entitled "An act granting to the Keokuk & Hamilton Water Power Co. rights to construct and maintain, for the improvement of navigation and development of water power, a dam across the Mississippi River"; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE of South Dakota: A bill (H. R. 9524) regulating the payment of money to Indians; to the Committee on Indian Affairs.

By Mr. FOWLER: A bill (H. R. 9525) to increase the pension of widows, minor children, and insane, idiotic, or otherwise helpless children of deceased soldiers and sailors of the late Civil War, the War with Mexico, the various Indian wars, and the War with Spain, etc., and to grant pensions to certain widows, insane, idiotic, or otherwise helpless children of deceased soldiers and sailors of the above-named wars; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9526) to amend sections 1, 2, 3, and 8 of an act to protect trade and commerce against unlawful restraints and monopolies, an act of July 2, 1890; to the Committee on the Judiciary.

Also, a bill (H. R. 9527) making appropriation for the purchase of a site and the erection of a public building thereon in the city of Fairfield, Ill.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9528) to amend sections 1 and 2 of an act entitled "An act to determine the jurisdiction of circuit courts of the United States and to regulate the removal of causes from State courts, and for other purposes"; to the Committee on the Judiciary.

By Mr. IGOE: A bill (H. R. 9529) to amend an act entitled "An act to create a Commerce Court and to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, as heretofore amended, and for other purposes," approved June 18, 1910; to the Committee on Interstate and Foreign Commerce.

By Mr. McKELLAR: A bill (H. R. 9530) to prohibit interstate shipments or transportation of certain food products; to prohibit transportation and sale of adulterated or misbranded food products; regulate traffic therein; to define and regulate cold storage; to regulate dealing in cold-storage food products; and to fix penalties for violation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SIMS: A bill (H. R. 9531) to regulate the issuance of stocks and bonds by common carriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CARTER: A bill (H. R. 9532) to extend the time for the appraisement of the segregated mineral lands in Oklahoma; to the Committee on Indian Affairs.

By Mr. GARNER (by request): Resolution (H. Res. 319) authorizing the Postmaster of the House to appoint messengers and to provide salaries therefor; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 9533) granting an increase of pension to Mary E. Miller; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 9534) granting an increase of pension to Ellen Stark; to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 9535) to appropriate $4,000 to pay for a wharf boat belonging to Fannie Pemberton; to the Committee on War Claims.

By Mr. GARNER: A bill (H. R. 9536) for the relief of Stephen Morris Barlow; to the Committee on Military Affairs.

By Mr. GOEKE: A bill (H. R. 9537) granting an increase of pension to Stephen W. Mauk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9538) granting an increase of pension to Jacob Apgar; to the Committee on Invalid Pensions.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 9539) granting a pension to Alice Terry; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 9540) granting an increase of pension to Sarah B. Whitaker; to the Committee on Invalid Pensions.

By Mr. LEVER: A bill (H. R. 9541) granting a pension to William Preston Raines; to the Committee on Invalid Pensions.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 9542) granting an increase of pension to William W. Bowling; to the Committee on Pensions.

Also, a bill (H. R. 9543) granting an increase of pension to Cyrus W. Graff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9544) granting an increase of pension to W. F. Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9545) granting an increase of pension to John Schlecht; to the Committee on Invalid Pensions.

By Mr. MAHER: A bill (H. R. 9546) granting an increase of pension to Margaret McDermott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9547) granting an increase of pension to Emma Eshman; to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 9548) granting a pension to Mary A. Missner; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 9549) granting an increase of pension to James M. Osborn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9550) granting an increase of pension to Logan McDaniel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9551) granting an increase of pension to George W. Gullion; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9552) granting an increase of pension to Moses Knight; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 9553) granting a pension to John B. Bishop; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 9554) granting a pension to Clark E. Semark; to the Committee on Pensions.

By Mr. STONE: A bill (H. R. 9555) granting an increase of pension to Michael Rafter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9556) granting an increase of pension to William W. Ong; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 9557) granting a pension to Sarah H. Kraut; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9558) granting a pension to Almira Cantner; to the Committee on Invalid Pensions.

By Mr. FREAR: A bill (H. R. 9559) granting an increase of pension to Julia W. Stevens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9560) granting an increase of pension to Daniel U. Clough; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 9561) granting an increase of pension to Joseph A. Mayes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9562) granting an increase of pension to John W. Fultz; to the Committee on Invalid Pensions.

By Mr. KINKAID of Nebraska: A bill (H. R. 9563) granting an increase of pension to Amos Aspey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9564) granting an increase of pension to Melchor Steinman; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 9565) granting a pension to A. M. Huckstep; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9566) granting a pension to B. F. Poe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9567) granting a pension to Nimrod P. Ginger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9568) granting a pension to Jesse A. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9569) granting an increase of pension to John Dryman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9570) granting an increase of pension to William C. Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9571) granting an increase of pension to Ottilla H. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9572) granting an increase of pension to Ira B. Timmons; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the congregation worshiping at the Christian Temple, favoring passage of resolution for the Government to suspend for one year all naval construction programs; to the Committee on Naval Affairs.

Also (by request), petition of George Edwin Joseph, New York, N. Y., on behalf of William J. Wilkins and other voters of the thirteenth congressional district of New York, protesting against the seating of GEORGE W. LOFT as a Member of the House of Representatives; to the Committee on Elections No. 2.

By Mr. ANDERSON: Evidence in support of bill for the relief of Mary E. Miller; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: Petition of the Coshocton Grocery Co. and 12 others, of Coshocton, Ohio, favoring a change in the interstate-commerce laws relative to mail-order houses; to the Committee on Ways and Means.

By Mr. BARTHOLDT: Petition of the St. Louis Division, No. 2, of the Order of Railroad Telegraphers, favoring passage of House bill 1873, to make lawful certain agreements between employers and laborers; to the Committee on the Judiciary.

By Mr. DALE: Memorial of the mass meeting of People's Institute, favoring widening of the limits now imposed by the parcel-post regulations; to the Committee on the Post Office and Post Roads.

Also, memorial of the Board of Trade of Tampa, Fla., favoring passage of a bill for drainage fund and the reclamation of the overflowed swamp lands of the United States; to the Committee on Rivers and Harbors.

Also, petition of Thompson & Ballantine, protesting against passage of the seamen's bill in its present form; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the United Anglers' League, New York, favoring the passage of the Brown bill for the establishment of a Long Island hatchery; to the Committee on the Merchant Marine and Fisheries.

By Mr. DYER: Petition of the Central Trades and Labor Union of St. Louis, Mo., favoring passage of the Bartlett-Bacon bills, H. R. 1873 and S. 927; to the Committee on the Judiciary.

By Mr. GARNER: Petition of citizens of Aransas Pass, Tex., urging that a channel be excavated from the harbor of Aransas Pass to the town of Aransas Pass; to the Committee on Rivers and Harbors.

Also, petition of the Army field clerks of the State of Texas, favoring passage of a bill for increased pay of the Army field clerks; to the Committee on Military Affairs.

Also, memorial of the Men's Forward Movement in Mission, Tex., favoring passage of House bill 6060 and Senate bill 2453, relative to the restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. GARDNER: Memorial of the Boston Central Labor Union, of Boston, Mass., favoring a congressional investigation of mining conditions in the State of Colorado; to the Committee on the Judiciary.

By Mr. GRAHAM of Pennsylvania: Petition of the Board of Trade of Tampa, Fla., favoring passage of a bill to establish a drainage fund and reclamation of the overflowed swamp lands of the United States; to the Committee on Rivers and Harbors.

Also, memorial of the Business Associations of Northeastern Philadelphia, favoring passage of a bill for extensions and im-

provements to the Frankford Arsenal; to the Committee on Military Affairs.

By Mr. KEATING: Petition of citizens of Pueblo, Colo., favoring passage of pension bills for rewards to the United States Military Telegraph Corps who rendered military service in the Civil War, 1861–1865; to the Committee on Military Affairs.

By Mr. LAFFERTY: Petition of the Oregon Federation of Women's Clubs, Portland, Oreg., favoring the passage of legislation for the preservation of the Hetch Hetchy Valley and the Yosemite Park; to the Committee on the Public Lands.

Also, petition of the Portland (Oreg.) Women's Club, favoring the passage of the La Follette bill for the protection of seamen; to the Committee on the Merchant Marine and Fisheries.

Also, petition of 39 citizens of Portland, Oreg., favoring the passage of legislation to grant pensions to the members of the United States Military Telegraph Corps of the Civil War; to the Committee on Invalid Pensions.

By Mr. LAZARO: Memorial of the police jury of the parish of Jefferson Davis and State of Louisiana, favoring a bill for the survey of the Mermentau River in Louisiana with a view to perfect navigation; to the Committee on Rivers and Harbors.

By Mr. LEVY: Memorial of the Board of Trade of Tampa, Fla., favoring passage of a bill to establish a drainage fund and the reclamation of the swamp lands of the United States; to the Committee on Rivers and Harbors.

Also, petition of the New York and New Jersey Lumber Co., of New York, N. Y., favoring amending or repealing the Kahn law (H. R. 7595) as relates to trade-marks; to the Committee on Ways and Means.

Also, petition of the joint local executive board of the United Brewery Workmen of Greater New York, favoring amendment to modify the excise law; to the Committee on the Judiciary.

By Mr. REILLY of Connecticut: Petitions of the Brotherhood of Painters, Decorators, and Paperhangers of America and Waterbury Central Labor Union, of Waterbury, and New Haven Trades Council, of New Haven, Conn., favoring passage of the Bartlett-Bacon bills; to the Committee on the Judiciary.

By Mr. SMITH of Idaho: Petitions of business men of Idaho, favoring legislation providing a tax on interstate mail-order business; to the Committee on Ways and Means.

SENATE.

MONDAY, *December 1, 1913.*

(Legislative day of Saturday, November 29, 1913.)

The Senate met at 10 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee again out of the blessed, hallowed influences of the Sabbath day, we trust with refreshment of mind and body, bringing to the duties of this new day fresh revelations of God. We take Thy name reverently upon our lips and ask Thy blessing upon us. With the thought of God, the infinite, the eternal, the Father of our spirits, we enter upon the duties of this day. We pray that every thought may be chastened by our own thought of God, and that Thy will may be revealed in the work Thy servants do in Thy name in this Senate this day. For Christ's sake. Amen.

The VICE PRESIDENT resumed the chair.

The Journal of the proceedings of Saturday last was read and approved.

Mr. SMOOT. Mr. President, I notice that there are very few Senators in the Chamber, and I therefore suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	Owen	Smoot
Bacon	Goff	Page	Sterling
Bankhead	Hollis	Perkins	Sutherland
Brady	James	Pittman	Swanson
Bristow	Johnson	Pomerene	Thompson
Bryan	Kenyon	Reed	Thornton
Burleigh	Lane	Robinson	Townsend
Burton	Lewis	Root	Vardaman
Chamberlain	McCumber	Saulsbury	Walsh
Chilton	McLean	Shafroth	Warren
Clark, Wyo.	Martin, Va.	Sheppard	Weeks
Clarke, Ark.	Martine, N. J.	Sherman	Williams
Colt	Nelson	Shields	Works
Cummins	Norris	Smith, Ga.	
Dillingham	Overman	Smith, S. C.	

Mr. SHEPPARD. My colleague [Mr. CULBERSON] is unavoidably absent. He is paired with the Senator from Delaware [Mr. DU PONT]. I will let this announcement stand for the day.

Mr. THORNTON. I desire to announce that the junior Senator from Louisiana [Mr. RANSDELL] is absent on public business.

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. There is a quorum present. The presentation of petitions and memorials is in order.

SAN FRANCISCO WATER SUPPLY.

Mr. GALLINGER. I present a letter from Benjamin L. Fairchild, of New York City, relative to the Hetch Hetchy reservoir bill. The bill having been reported, I ask that the letter lie on the table. I also ask that it be printed in the RECORD.

There being no objection, the letter was ordered to lie on the table and to be printed in the RECORD, as follows:

NEW YORK, *November 29, 1913.*

Hon. JACOB H. GALLINGER,
United States Senate, Washington, D. C.

DEAR SIR: Permit me a word of protest against the Hetch Hetchy reservoir bill.

When this bill passed the House of Representatives it seemed to me beyond understanding how a majority could have been led into voting in favor of a measure which, if enacted will seriously impair the beauties of the great Hetch Hetchy Valley and will prevent the use of this valley, the grand canyon, and the Tuolumne Meadows, as a national park by visiting American citizens.

Then it occurred to me as a possible explanation that while many Americans have been impressed with a knowledge of the Yosemite Valley only a few have had opportunity to learn of the Hetch Hetchy Valley, the grand canyon of the Tuolumne, and of the wondrous Tuolumne Meadows, which contain the headwaters flowing to the Hetch Hetchy Valley, and which are surrounded by the high and snow capped mountains forming, in part, the skyline of the Yosemite Valley.

My strong impressions of this region and the strong protest against its threatened spoliation arise largely from the trips which I have personally made with my son. With him I have traveled mule back over a thousand miles and more of mountain trails throughout the high Sierras, crossing and camping upon the several forks of the Merced, the San Joaquin, and the Kings Rivers, and along the Tuolumne River, and over the expanse of the Tuolumne Meadows, from which we have climbed to snow-capped peaks overlooking the Yosemite Valley.

I gave my son full opportunity to see with me his own country, including Alaska, before I took him to Europe. Among other places, for two successive seasons I traveled with him over the mountains and trails in California.

It thus happened that we became acquainted with the grandeur and beauties of the wonderful Yosemite National Park, which includes as important features the Hetch Hetchy Valley, the Tuolumne Grand Canyon, and the camping grounds of the Tuolumne Meadows. It also thus happened that our thoughts contemplated the future when Americans in large and increasing numbers would become better acquainted with this great playground of the Nation, and when the tide of American travel would turn westward across the continent to enjoy the wonders of our own country in preference to trips exclusively eastward across the Atlantic to foreign shores.

It was wise forethought for the Nation to establish the Yellowstone, the Glacier, and the Yosemite National Parks. Now it is proposed to close to the American public all that wondrous portion of the Yosemite Park through which flows the waters of the Tuolumne.

No one can visit this wonderful region without being aroused to a feeling of opposition and resentment against the present threatened spoliation. I wish it were possible that every Senator before voting on the proposition could have opportunity to view the grandeur and beauty of the scenery from which it is now purposed to shut out the American public. The defeat of the measure would then be assured.

Each Senator, no doubt, will receive descriptive sketches of the Hetch Hetchy Valley, of the Grand Canyon of the Tuolumne, and of the Tuolumne Meadows. It is not my purpose to enter into these detailed descriptions.

As one American citizen who has had opportunity to acquire knowledge at first hand, and to be inspired by the wonderful scenic beauties whose destruction for national park uses is now threatened, I wish only to enter a strong protest against this wanton scheme and to urge upon you to vote against the bill.

I have the honor to remain,
Yours, with respect,
BENJAMIN L. FAIRCHILD.

PETITIONS AND MEMORIALS.

Mr. WEEKS presented petitions of sundry citizens of Springfield; of the congregations of the Methodist Episcopal Church of Hampden; of the First Methodist Episcopal Church of West Springfield; of the Woman's Missionary Society of the Hope Congregational Church, of Springfield; and of the Woman's Home Missionary Society of the Methodist Episcopal Church of Chicopee Falls, all in the State of Massachusetts, praying for the passage of the so-called antipolygamy bill, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Winchester, of the Woman's Club of Nahant, of the executive board of the Cabot Club, of Middleboro, all in the State of Massachusetts, and a memorial of the Woman's Christian Temperance Union of Modesto, Cal., remonstrating against the passage of the so-called Hetch Hetchy bill, which were ordered to lie on the table.

Mr. PERKINS presented a petition of the Federated Trades Council of Sacramento, Cal., praying for the enactment of legislation granting to the city of San Francisco the use of the waters of the Hetch Hetchy Valley, which was ordered to lie on the table.

He also presented a petition of the Board of Trustees of Crescent City, Cal., praying that an appropriation be made for the construction and maintenance of a breakwater or some other form of adequate, permanent, and substantial harbor improvement at the harbor site at Crescent City, Cal., which was referred to the Committee on Commerce.

Mr. BURTON. I present a petition signed by citizens of New Vienna, in the State of Ohio, favoring the repeal of the law exempting American vessels from the payment of Panama Canal tolls. The petition is comparatively brief, and I ask that it be printed in the RECORD, with one of the signatures.

There being no objection, the petition was referred to the Committee on Interoceanic Canals and ordered to be printed in the RECORD, with one of the signatures, as follows:

NEW VIENNA, OHIO,
May 27, 1913.

To Hon. Senator BURTON and Congressman FESS:

The petition of the subscribers, citizens of New Vienna, Clinton County, Ohio, respectfully desire your aid in obtaining the repeal of that section of the law exempting American coastwise trade from the payment of Panama Canal tolls.

Believing the credit of our country demands the proceedings, and your petitioners will ever pray, etc.

W. C. HIGLEY AND OTHERS.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GALLINGER:

A bill (S. 3492) to amend section 237 of "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. ROOT:

A bill (S. 3493) granting an increase of pension to Isabella Reed; and

A bill (S. 3494) granting an increase of pension to Jane Meade Tiffany Porter (with accompanying paper); to the Committee on Pensions.

THE PANAMA CANAL.

Mr. WEEKS. I introduce a joint resolution which I should like to have read and referred to the proper committee. It is very short.

The joint resolution (S. J. Res. 84) to provide for the transportation by sea of men, material, stores, and equipment for account of the United States, and of material, stores, and equipment for use in the construction or maintenance of the Panama Canal, was read the first time by its title and the second time at length, as follows:

Resolved, etc., That hereafter the transportation by sea of (a) material, stores, and equipment for the use of the Army or Navy of the United States; (b) of the forces of the United States; (c) of materials, stores, and equipment from the United States for use in the construction of the Panama Canal; and (d) of all material and equipment for use on construction or maintenance of fortifications, harbors, navy yards, naval stations, or other works for account of the United States shall be restricted to vessels of the United States, and no others; and such transportation, when time will permit, shall be furnished by contract, after proper advertisement, by the lowest bidder complying with the requirements of the United States.

The VICE PRESIDENT. The joint resolution will be referred to the Committee on Interoceanic Canals.

ORDER OF BUSINESS—EXECUTIVE SESSION.

The VICE PRESIDENT. The morning business is closed. The calendar under Rule VIII is in order.

Mr. SMITH of Georgia. I move that the Senate proceed to the consideration of executive business.

Mr. BURTON. The statement was made by the Presiding Officer on Saturday that the executive session on that day would be the last of the session. I so understood him, at any rate.

Mr. SMITH of Georgia. I understand that there are some matters still ripe for executive session that ought to be disposed of this morning. I have none myself that I am especially interested in.

Mr. SMOOT. I desire to call the Senator's attention to the unanimous-consent agreement that we have.

It is agreed by unanimous consent that on Monday, December 1, 1913, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 7207) granting to the city and county of San Francisco certain rights of way, etc., and that before adjournment on the calendar day of Saturday, December 6, 1913, the Senate will vote upon any amendment that may be pending, any amendments that may be offered, and upon the bill—through the regular parliamentary stages—to its final disposition.

Under that unanimous-consent agreement I believe it is proper for the Chair to lay before the Senate that bill.

Mr. SMITH of Georgia. I agree with the Senator, but I thought the Senate was about to proceed with the consideration of the calendar under Rule VIII. I think the proper course, first, will be to lay the consent agreement before the Senate. Under the terms of the consent agreement it is not necessary that the Senate shall continue exclusively to give its attention to that bill until the time for voting, but I think it ought to be laid before the Senate.

Mr. SMOOT. I understand the parliamentary situation; but if any Senator desires to speak upon the bill, then of course he has that right.

Mr. SMITH of Georgia. I agree with the Senator that it should be laid before the Senate, and if anyone desires the attention of the Senate upon that I'll he has the right to be heard.

Mr. PITTMAN. Mr. President, has House bill 7207 been laid before the Senate?

The VICE PRESIDENT. It has not been.

Mr. PITTMAN. If the morning business is closed——

The VICE PRESIDENT. The motion that was made by the Senator from Georgia [Mr. SMITH] was to proceed to the consideration of executive business.

Mr. SMITH of Georgia. I withdraw that motion, because I think it would interfere with the execution of the unanimous-consent agreement.

The VICE PRESIDENT. The Chair is compelled to rule that Monday, December 1, under the unanimous-consent agreement, has not yet arrived and will not arrive until 12 o'clock.

Mr. CLARK of Wyoming. Mr. President, I respectfully appeal from the decision of the Chair.

Mr. BACON. I beg the Chair's pardon. I did not hear what the ruling was.

The VICE PRESIDENT. Under the unanimous-consent agreement, which provides that on Monday, December 1, 1913, immediately upon the conclusion of the routine morning business, and so forth, the Senate will proceed to the consideration of House bill 7207, the Chair has ruled that that unanimous-consent agreement means at the beginning of the regular session of the Congress of the United States, and that the day mentioned in the agreement has not yet arrived. From that ruling of the Chair the Senator from Wyoming [Mr. CLARK] appeals, and the question is——

Mr. SMOOT. May I just say a word? It seems to me, if the ruling of the Chair is sustained, that our record should certainly be changed. I call attention to the RECORD of Saturday, on page 6043, where the Senator from Indiana [Mr. KERN] makes this motion:

Mr. KERN. I move that when the Senate adjourns to-day it adjourn until Monday next at 10 o'clock a. m.

That is to-day. The Senate did not take a recess but adjourned to meet at 10 o'clock this morning. We met at 10 o'clock this morning under that adjournment; the Journal was read and morning business was transacted; so it seems to me, Mr. President, that under that action of the Senate this is the session of the Senate of December 1, and morning business having been concluded the unanimous-consent agreement is now in force.

Mr. BACON. Mr. President, I am not sure that there is anything in either the rules of the Senate or in any other authority which makes the hour of 12 o'clock the beginning of our legislative day, but it is certainly the universally recognized fact that 12 o'clock noon is the beginning of the legislative day. It is upon that fiction, Mr. President, that we assume the authority at the end of a Congress to sit in this Chamber on the morning of the 4th day of March up to 12 o'clock noon, although, under the law, the term of the House of Representatives and of a third of the Senators expire on the 3d of March; in other words, we do not observe the calendar day as the legislative day. The universal recognition is—and when I say "universal recognition" I mean in our practice here—that the legislative day begins at 12 o'clock and runs until——

Mr. SMOOT rose.

Mr. BACON. If the Senator will pardon me a minute and let me state my proposition before he interrupts me—the legislative day begins at 12 o'clock noon and runs until the succeeding day at 12 o'clock noon. If that is accepted as the rule of the Senate, the fact that the Senate on Saturday last adjourned to 10 o'clock to-day did not make the legislative day known as the 1st of December begin at 10 o'clock; but this is practically a part of the legislative day beginning Saturday last at 12 o'clock, and the legislative day of December 1 does not properly begin until 12 o'clock to-day. In other words, I do not think the regular session of Congress begins until 12 o'clock to-day. The situation is possibly a little awkward from the fact that it would have been better for the Senate to have taken a recess until 10 o'clock to-day, which was not done.

Mr. SMOOT. I will ask the Senator——

Mr. BACON. If the Senator will pardon me, I will yield to him in one second, as soon as I am able to state the proposition. I repeat, it would have been better, undoubtedly, if we had taken a recess until 10 o'clock this morning; but, failing to do so, it was not the design of the Senate—we had no right to do it unless the other House agreed with us—to make the regu-

lar session begin at 10 o'clock to-day. What authority have we to make the regular session begin at 10 o'clock? The regular sessions of Congress are not regulated by the order of either House, but they are regulated by law, and the beginning of any regular session must necessarily be either by law or by the concurrent act of the two Houses fixing the time of meeting. One House could not meet at 10 o'clock as the beginning of the regular session and the other House meet at 12 o'clock as the beginning of the regular session. It would be an impossibility. Therefore I think that the ruling of the Chair is correct—that this is not a part of the legislative day of December 1, but is a part of the legislative day of November 30, in fact, and it ought to appear in the RECORD as a part of the legislative day of November 30. November 30, it is true, was Sunday, but there is nothing in the law which denies to Congress the right to sit on Sunday, and I have myself frequently seen Congress sit on Sunday.

Mr. SHAFROTH. Will the Senator from Georgia allow me to interrupt him?

Mr. BACON. I want, first, to yield to the Senator from Utah [Mr. SMOOT], because he endeavored twice to interrupt me. I ask the Senator from Colorado to kindly forbear for a moment.

Mr. SMOOT. I was going to ask the Senator from Georgia this question: Has it not been the universal practice of the Senate in the past whenever they have held a session before 12 o'clock upon the day of a new session, if it ever happened——

Mr. BACON. It has happened before.

Mr. SMOOT. That they took a recess until 10 o'clock in the morning, or to whatever time the Senate might agree?

Mr. BACON. I think so.

Mr. SMOOT. And it was for that reason that I brought the matter to the attention of the Senate.

Mr. BACON. It would have been better, I think, to have done so in this instance.

Mr. SMOOT. The Senator from Georgia refers to the regular session of Congress. By the RECORD I do not take it that the session of the Senate from 10 o'clock until 12 o'clock to-day is a part of the regular session of Congress. We are still in the first or extra session of the Sixty-third Congress——

Mr. BACON. Undoubtedly.

Mr. SMOOT. And shall be until 12 o'clock.

Mr. BACON. I think so, undoubtedly.

Mr. SMOOT. Therefore it seems to me, Mr. President, that, notwithstanding what the Senate did last Saturday by way of adjournment, up until 12 o'clock to-day holds good, as if it had been any other day of a regular session, and whatever unanimous-consent agreement has been made should be followed out.

Mr. BACON. The unanimous consent, I understand though, refers to December 1.

Mr. SMOOT. It does refer to December 1.

Mr. BACON. And I say, in legislative understanding, December 1 necessarily has not arrived, and will not arrive, until 12 o'clock to-day. That is the point.

Mr. SMOOT. I think it has arrived by the record.

Mr. BACON. No; we can not have two legislative days of December 1; we can not make it arrive under the practice so well established as to be equivalent to law. December 1, which is fixed by law as the time of the meeting of Congress, does not arrive until 12 o'clock.

Mr. SMOOT. If that is the case, then we had no power whatever to adjourn to meet on Monday at 10 o'clock.

Mr. BACON. Oh, yes; we had.

Mr. SMOOT. No; because the regular session begins at 12 o'clock; and that is the regular order.

Mr. BACON. Yes

Mr. SMOOT. But the House of Representatives meets at 12 o'clock and the Senate meets at 12 o'clock; and if the position taken by the Senator is correct, then we are in the session of December 1.

Mr. BACON. By no means.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. BACON. If the Senator wishes to interrupt me, I will yield with pleasure.

Mr. GALLINGER. I rise to say that I think the ruling of the Chair is correct and that the contention on the part of the Senator from Georgia [Mr. BACON] is correct. I turn to the proceedings of a former session—that of 1903—and it appears that the Senate met at 11.30 a. m. on that day. I do not know whether it was on a recess motion or a motion to adjourn, but probably it was a recess motion, and that is the only essential point of difference. I think we ought to have taken a recess in this instance. In the case that I have cited morning business was transacted in the usual form and when the hour of 12 o'clock arrived the President pro tempore said:

> The hour provided by law for the meeting of the first regular session of the Fifty-eighth Congress having arrived, I declare the extraordinary session adjourned without day.

That occurred at the hour of 12 o'clock, morning business having been gone through with in the usual form between the hours of 11.30 and 12 o'clock.

It seems to me clear that the intention when the unanimous-consent agreement was made was that at the beginning of the regular session the Hetch Hetchy bill should be taken up, and I feel sure there is no just ground for contention on this point, except that we made an inadvertent mistake in adjourning in place of taking a recess, and the record ought to be changed accordingly.

Mr. CLARK of Wyoming. Mr. President——

Mr. BACON. Pardon me just a moment. I will yield the floor in a second.

Mr. CLARK of Wyoming. I only wanted to explain my position.

Mr. BACON. I do not want to trespass further upon the time of the Senate than to make the suggestion that the best way out of the difficulty is by unanimous consent to correct the record so as to make it appear that a recess was taken on Saturday instead of an adjournment.

Mr. GALLINGER. That is the suggestion I made.

Mr. SMOOT. That is all I desire to have done.

Mr. SHAFROTH. I wish to state to the Senator from Georgia that no matter what language was used, whether the word "adjournment" or otherwise, really a recess was taken, because you can not adjourn a session to a time earlier than the beginning of the regular session. If that is not true, what will become of the nominations which have been sent in by the President? If this is a part of the regular session, the nominations not confirmed have expired, and the result would be the President would have to send in the nominations again. Consequently a motion to adjourn to a fixed hour before the time of meeting of the regular session becomes nothing but a motion for a recess, no matter what language is used.

Mr. CLARK of Wyoming. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Wyoming?

Mr. BACON. I wish, with the permission of the Senator, to ask unanimous consent that the record may be changed as I have indicated.

Mr. CLARK of Wyoming. Mr. President, before that request is put, I desire to say to the Chair and to the Senate that my appeal from the ruling of the Chair was not intended for the purpose of delay. It was simply for the purpose of attempting to put the record straight. There is in my mind, with all due respect to the ruling of the Chair and to the views of the Senator from Georgia and the Senator from New Hampshire, still a question. On Saturday we did, as a matter of fact, adjourn; we adjourned to meet at 10 o'clock to-day; and it therefore became another legislative day.

I agree fully with the suggestion of the Senator from Georgia that the record had better be changed by unanimous consent, in order to conform to well-established legislative practice. If that course is to be pursued, so that the record can be made straight, I shall withdraw my appeal.

Mr. SMOOT. Mr. President, I did not question the ruling of the Chair, but stated that if the ruling of the Chair was correct then the record should be changed; and I am in full accord with the position taken by the Senator from Georgia in asking unanimous consent that the record be changed.

Mr. BACON. I now make that request.

The VICE PRESIDENT. The Senator from Wyoming having withdrawn the appeal from the decision of the Chair, the Senator from Georgia asks unanimous consent that the record of the Senate of Saturday last be amended so as to show that the Senate took a recess until 10 o'clock on Monday. Is there objection? The Chair hears none, and the record will be corrected.

Mr. BACON. As this will be the last opportunity before the expiration of the extra session, I move that the Senate proceed to the consideration of executive business.

Mr. BURTON. I ask for the yeas and nays on that motion.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). I have a general pair with the junior Senator from Maryland [Mr. JACKSON]. In his absence, I withhold my vote.

Mr. WARREN (when his name was called). I beg to announce my pair with the senior Senator from Florida [Mr. FLETCHER]. He is absent from the Chamber, and I therefore withhold my vote.

The roll call was concluded.

Mr. CHAMBERLAIN (after having voted in the affirmative). I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. I transfer that pair to the Senator from Maryland [Mr. SMITH] and will let my vote stand.

Mr. WEEKS. I wish to announce that my colleague [Mr. LODGE] is absent on account of illness. I desire that announcement to stand for the day.

The result was announced—yeas 42, nays 19, as follows:

YEAS—42.

Ashurst	Kenyon	Pittman	Smith, Ga.
Bacon	Fern	Poindexter	Smith, S. C.
Bankhead	Lane	Pomerene	Stone
Bryan	Lewis	Reed	Swanson
Chamberlain	Martin, Va.	Robinson	Thompson
Clapp	Martine, N. J.	Root	Thornton
Clarke, Ark.	Norris	Saulsbury	Vardaman
Cummins	O'Gorman	Shafroth	Walsh
Hollis	Overman	Sheppard	Williams
James	Owen	Shields	
Johnson	Perkins	Smith, Ariz.	

NAYS—19.

Bradley	Clark, Wyo.	McCumber	Sterling
Brady	Colt	Nelson	Sutherland
Bristow	Dillingham	Page	Townsend
Burleigh	Gallinger	Sherman	Weeks
Burton	Goff	Smoot	

NOT VOTING—34.

Borah	Gore	Lodge	Smith, Md.
Brandegee	Gronna	McLean	Smith, Mich.
Catron	Hitchcock	Myers	Stephenson
Chilton	Hughes	Newlands	Thomas
Crawford	Jackson	Oliver	Tillman
Culberson	Jones	Penrose	Warren
du Pont	La Follette	Ransdell	Works
Fall	Lea	Shively	
Fletcher	Lippitt	Simmons	

So the motion was agreed to; and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened.

RECESS.

Mr. KERN. I move that the Senate take a recess until 11.55 o'clock a. m.

The motion was agreed to; and the Senate took a recess until 11.55 o'clock a. m., when it reassembled.

The hour of 12 o'clock having arrived,

The VICE PRESIDENT said: The hour having arrived at which, in accordance with the Constitution of the United States, the Congress of the United States is required to assemble in regular session, the Chair declares the extraordinary session adjourned sine die.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 1, 1913.

POSTMASTERS.

ILLINOIS.

Andrew J. Eckhoff, Nokomis.
William E. Hess, Wilmette.

OHIO.

G. M. Keating, Loveland.

OREGON.

Bernhard L. Hagemann, Milwaukie (late Milwaukee).

PENNSYLVANIA.

George B. McC. Hennigh, Sykesville.
Edward J. Hutchinson, Polk.
Leonard F. Keller, Youngwood.
John C. Werts, Reedsville.

SOUTH DAKOTA.

Bert T. Reeve, Howard.

TEXAS.

John G. Davis, Mart.

CONGRESSIONAL RECORD:

CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

SIXTY-THIRD CONGRESS, FIRST SESSION.

VOLUME L.

WASHINGTON
1913

VOLUME L, PART VII.

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SIXTY-THIRD CONGRESS, FIRST SESSION.

APPENDIX AND INDEX.

APPENDIX.

APPENDIX

TO THE

CONGRESSIONAL RECORD.

The Tariff.

EXTENSION OF REMARKS
OF

HON. PHILIP P. CAMPBELL,
OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 23, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. CAMPBELL. Mr. Chairman, the disastrous effects of the Underwood bill are already being felt, and what is now happening in a few industries gives ground for fear that the disaster to the employment of our laborers in our industries will be general throughout our whole country, from Porto Rico to the Philippines.

I shall not undertake a general discussion of the bill at this time and merely take time now to call attention to the injurious effect that this law will have upon the greatest industry in Porto Rico, and what is true of Porto Rico is equally true of Hawaii and the Philippines, to say nothing of Louisiana and all the beet sugar growing States.

I have urged that if the tariff changes proposed are to be made as to sugar, that they take effect on the 1st of October, 1913, instead of the indefinite time when the bill may become a law. Merchants throughout my district have written me and sent me resolutions, complaining of the ill effect that the bill will have upon them if its provisions become effective between the 1st of June and the 1st of October.

I have also taken the plea of the Porto Rican cane growers and grinders up, and urged that the provisions of the bill as to sugar go into effect on the 1st of October, but I have been met with the reply that all the provisions of this bill must go into effect, including its provisions with regard to sugar, when it is signed by the President, whenever that may be. This leaves the sugar growers of Porto Rico at the mercy of the sugar refiners, who buy their product.

I am just in receipt of the letter which I will print as part of my remarks.

The letter is as follows:

WAR DEPARTMENT,
BUREAU OF INSULAR AFFAIRS,
Washington, April 19, 1913.

Hon. PHILIP P. CAMPBELL,
Representative in Congress, Washington, D. C.

MY DEAR MR. CAMPBELL: The bureau is in receipt of a request from the San Juan Stock and Produce Exchange, contained in a cable from the acting governor of Porto Rico, that the following message from Mr. Charles A. Hartzell, for many years an attorney at law in San Juan, P. R., be brought to your attention:

"San Juan Stock and Produce Exchange, sugar planters, manufacturers and business interests of Porto Rico fronting critical situation. American sugar buyers demanding guaranty on all purchases of sugar to amount of any reduction in tariff within 30 days after actual delivery. If proposed tariff bill should provide not to take effect for four or six months or fix a definite time much suffering and serious panic might be averted. Charles A. Hartzell."

Very sincerely,

FRANK MCINTYRE,
Brigadier General, United States Army,
Chief of Bureau.

Mr. Chairman, the matter referred to in the cable addressed to me from the acting governor of Porto Rico, through the Bureau of Insular Affairs of the War Department, is more fully explained in the letter which I send to the Clerk's desk and ask to have read:

Hon. P. P. CAMPBELL,
Washington, D. C.

DEAR SIR: I am having a cablegram sent to you to-day, a copy of which I inclose herewith for confirmation, and, as suggested in the cablegram, I am writing you respecting the actual situation of affairs in the island as precipitated by the threatened reduction or abolition of the tariff on sugar.

The sugar growers and manufacturers from different parts of the island have been in session in San Juan, in connection with the San Juan Stock Exchange, for several days in hopes of devising some plan of action which may save them in the present crisis from what seems now almost certain bankruptcy. Of course, everybody believes that the proposed tariff will largely reduce the existing sugar tariff, and the latest information here would seem to indicate that the program of allowing $1 tariff for three years, with free trade after that time, is a likely outcome of the matter.

The immediate difficulty of the situation presented in Porto Rico, however, arises from the fact that, by practically universal custom here, the growers and manufacturers of sugar make their sales to New York buyers, who are in the habit of advancing considerable sums of money to them to be repaid out of the sugars so sold; and at the present time, in the middle of the grinding season, when every grower and manufacturer is using every possible effort and employing every means in his power to complete a crop which up to the present time looks favorable, our people are met with the proposition by the sugar buyers in New York that purchase will only be made upon an absolute condition that all the moneys paid for sugar from Porto Rico will only be upon the absolute condition that such part of the price as may represent any reduction in the existing tariff until a period 30 days after the sugar has been actually delivered, which would mean approximately 60 days from the date of the sale, should be considered as a loan or advance to the Porto Rican sugar man and should be at once repayable to the sugar buyer in New York.

Inasmuch as free sugar would mean a reduction of something over $1.50, and as sugar is selling to-day at about $3.20 per hundredweight, this would mean that they are actually fixing an arbitrary price of $1.90 and are proposing to make the loan to the Porto Rican producer of the balance of the current price.

If this is persisted in, a number of planters and manufacturers will undoubtedly be driven into bankruptcy.

On the other hand, if the matter could be so held in abeyance so that the growers and manufacturers here could be assured that their present crop, which will end about July 1, could be finished and its result marketed prior to the taking effect of the proposed tariff law, it would be a very great assistance to them and to the entire island, and on this line I sent the inclosed cable, hoping either that the bill as prepared and introduced in the House would contain some provision fixing a later date for the taking effect of its provisions, or that something might be done to assist in having a provision of that kind inserted in the bill.

Of course we understand that our little island is not in a position to exhibit any considerable influence in either branch of Congress, and of course we also realize that wool, cotton, and many other producers are as much interested in the tariff proposition as are the sugar men, and that undoubtedly business to be affected by the bill in all directions will undoubtedly try to secure some such provision as that about which I am writing, and it certainly would seem only reasonable to all of the immense interests concerned that the parties whose business is to be affected should have some reasonable time within which to arrange their affairs so as to be able to live through and survive under the changed conditions which the reduced tariff will bring about.

I can assure you that you will have the grateful remembrance and recognition of all business interests in Porto Rico if you can give us any comfort in connection with this situation. The material reduction and final removal of the sugar tariff undoubtedly will mean ruin to many people in this island; but, on the other hand, it is possible that much actual hardship may be averted if the tariff bill as finally passed shall provide for a reasonable opportunity for those affected by its provisions to arrange their affairs in order to meet the changed situation.

* * * * * * * * *

With best regards, very truly,

CHARLES A. HARTZELL.

The only reply to these and similar pleas of those engaged in business under the American flag is that the Democratic Party is committed to the policy of putting all the industries of the country under competition with like industries in foreign countries, and that those engaged in any kind of competitive business must take the consequences.

On another day I shall go more fully into the question involved in the passage of this bill.

When I took this question up with the proper authorities now in control of this legislation, I confidently hoped that something would be done. I regret that there was no foundation for such a hope. The prejudice against protecting the laborers and industries of America from a ruinous competition with the products of other countries is so strong in the Democratic Party that those who are leading that party refuse to heed the pleadings and importunities of the people their policy of competition with the world will injure.

We shall have to wait.

Woman Suffrage.

EXTENSION OF REMARKS
OF
HON. FRANK W. MONDELL,
OF WYOMING.
IN THE HOUSE OF REPRESENTATIVES,

Monday, April 14, 1913.

Mr. MONDELL. Mr. Speaker, taking advantage of the privilege extended me, I present for printing in the RECORD a statement I made, relative to the effect of woman suffrage in Wyoming, before the Committee on Election of President, Vice President, and Representatives in Congress on January 31, 1913:

STATEMENT OF HON. FRANK W. MONDELL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WYOMING, ON WOMAN SUFFRAGE.

Mr. Chairman and gentlemen of the committee, perhaps it might not be out of the way for me to preface what I have to say with a little personal statement. It has been my privilege to represent the people of Wyoming—all of the people of Wyoming—for some 16 years. [Applause.] Prior to my election to Congress I was mayor of my town for 4 years, for 4 years a member of the legislature, and president of the State senate. I refer to these matters in order that you may know that I have had some political experience. This experience has all been in the State of Wyoming, and Wyoming, you will remember, gave women the right to vote in the year 1869. [Applause.] For 43 years we have enjoyed that helpful addition to our voting population; and I say "enjoyed" advisedly, because, with a single exception, I do not remember ever having heard anyone in our State suggest that we return to the old conditions under which we were deprived of the helpful political influence of the better half of our population. When we adopted our State constitution in 1890 there was one member of the constitutional convention who was opposed to the woman-suffrage plank. He was a typical old bachelor, and thus belonged to a class the disfranchisement of whom legislatures may very properly consider. [Applause.]

Forty-three years is a long time in the history of a commonwealth, and we should have learned some things in that experience of 43 years relative to the effect of the exercise of the elective franchise by women. Perhaps the most valuable lesson we have learned in that time is that as woman is a conservative force in society so she is a conservative element in politics. That fact has been commented on by two classes of people, those who fear radical influence and action and those who favor it. Women are seldom radical politically and are not inclined to follow novel suggestions of legislation. Going further with the illustration of my friend from Arizona, let us take a family of two girls and two boys. The boys are active, vigorous, venturesome, possibly a little wild. The girls are home loving, conservative, realizing the importance to them of the maintenance of stable and favorable conditions, and of a law-enforcing, effective government. The boys may, temporarily, during the period of their youth, the period of the sowing of their wild oats, be inclined to be extreme and radical. The girls, on the contrary, will incline to conservatism, people sometimes think to overconservatism. I recall that a few years ago in an organization of ladies in opposition to the extension of the franchise to women our State was under discussion, and one of the arguments made against the extension of the franchise to women was that in Wyoming, where woman had voted the longest, we had never adopted, had not even agitated, prohibition, and at that time was the only State in the Union that openly licensed gambling. Well, that sounded like an awful indictment.

As a matter of fact, it was perhaps as good an argument as ever was made for woman suffrage, because it proved this, that the women voters, as well as the men, realized that in that new western country, with its many cosmopolitan communities, made up of people from all over the country, brought together by means of new farming settlements, railway extensions, opening up new mines, it would have been exceedingly difficult to enforce drastic laws against gambling, and practically impossible to have enforced a prohibition law. Our voters, a majority of them at least, believed that under these conditions it was better to effectively regulate than attempt and fail in prohibiting. But since that time, and some years ago, public sentiment having become crystallized as communities became settled, we passed and have effectively enforced an antigambling law [applause], and while we have not agitated prohibition State wide, we have prohibition in a limited way, in that our laws do not allow the sale of intoxicating liquor outside of incorporated towns, and we give the people of the towns full power to decide what they shall do touching the liquor traffic.

In several lines of legislation of vital importance to our people, such as legislation affecting water rights, public accounting, and so forth, our State has been conspicuously in the lead. In the legislation relative to the legal rights of women, for the maintenance and protection of the home and the care and protection of childhood, our Commonwealth has been well in advance. Our eleemosynary and corrective institutions are liberally supported and well managed. Our public-school system is of high grade and our contributions to the cause of education among the very largest per capita of any State in the Union.

The attitude of our people toward these important matters illustrates, I think, the general attitude of communities where all citizens of education, enlightenment, and good character exercise the franchise. In Wyoming our laws do not allow anyone to vote who can not read the constitutions of the United States and the State in English, and our voters must all be fully naturalized citizens of the United States. [Applause.] It will thus be seen that we have not only invited the more intelligent, virtuous, and conservative element of our society to the support of our institutions, but we have endeavored at the same time, so far as it is possible, to limit the exercise of the franchise by the exclusion of those not qualified by education, by residence in our country, and familiarity with our institutions to thoroughly appreciate and intelligently perform the duties of American citizenship.

I am not informed as to whether there is any special time limit to these speeches, but I assume that I am to speak briefly. There are many things which I might tell you that perhaps would be of interest of our long experience with woman suffrage, but I will refer only to a few. Some people claim that the suffrage is not a right, that it is a privilege. We have an idea that it is both a right and a privilege [applause], and the question is not "Do we desire to draft a possibly unwilling electorate or are there some now deprived of the franchise who are entitled to it?" but rather, "Does society need the conservative, helpful, uplifting influence of this new class of voters?" [Applause.] The question is not, "Do women want to vote?" It is not so much, "Are they entitled to the right to vote?" but "Do we need this class of voters for the support of our institutions?" To ask that question of anyone who has lived in Wyoming any considerable length of time is to receive an affirmative answer. [Applause.]

We of Wyoming have not solved all the problems, and none of the Commonwealths of the Union will ever solve all of the problems constantly arising before a free people. It is true, however, that since the adoption of woman suffrage in Wyoming 43 years ago there has never been a defalcation in office in that Commonwealth. [Applause.] There has never been a loss of a single penny, either to the Commonwealth or to any of its subdivisions through the dishonesty of an official. Wyoming is a mountain State, and many of its communities are new, and sometimes a little breezy. Some people who don't know us think that some of our folks are a trifle crude and a little wild, and yet it is a fact that never in the history of the State have we had a serious disorder at a polling place. [Applause.] These polling places have sometimes been in the midst of cow camps, in mining camps, on the frontier, at the end of a line of railroad, where men were gathered that some people might look upon as being rather rough, and yet amid all such surroundings and conditions there has never been a serious election disturbance that I have ever heard of, and I am reasonably familiar with elections in Wyoming. I have had a personal interest in most of them for a long time. More than that, in that 43 years there has never been, to my knowledge, a single case in which the honesty and fairness of an election has been challenged in a contest. [Applause.] Possibly I should qualify that a little, because in connection with the recent senatorial contest in our State there were three election contests.

Those contests, as I understand them, were largely based upon the claim that there were some people who exercised the franchise in certain districts who could not readily read the Constitution or intelligently expound it. But in view of the fact that there is some difference of opinion as to the meaning of constitutions, both State and Federal, even among you gentlemen, I presume it would scarcely be held as conclusive evidence that our elections are not as they should be, because some one has been found who could not expound the Constitution in a manner entirely satisfactory to the parties to an election contest. We have had a few contests based on questions of law, but none that I recall on the ground that there was a willful and intentional violation of the election laws. These things, I think, are strong arguments in favor of the conditions relative to the franchise under which we live.

Some people object to this extension of the franchise on the ground that it is rather a duplication than an addition to the voting strength. The assumption is that women will mostly vote as their fathers, their husbands, or brothers do, and therefore you simply add to the volume of the electorate without materially changing its character. One only has to attend political meetings in Wyoming and know something of our political conditions to learn how far that is from being the truth. It is a fact that people living together harmoniously in the family relation will finally come to agree to a considerable extent on most questions, political and religious, or they will arrive at an amicable disagreement touching those matters. On the question as to whether the men vote as the women vote, or the woman votes as the man does, you can judge as well as anyone, and your judgment will likely depend upon your view as to whether, on the average and in the main, the woman through her information, her lively interest, her realization of the importance of political questions, has the more convincing influence. [Applause.] It is a fact, however, that in our State there are many husbands and wives, many brothers and sisters, who very frequently differ as to candidates and policies. In my 26 years' residence in the State and my participation in 12 elections, 10 of them State wide, I do not recall a single instance of any family jar arising out of differences with regard to matters political. [Applause.]

If there is any one thing in regard to which it is universally agreed and accepted among us that every individual has the right to their own opinion without undue interference on the part of others, it is in the matter of casting the ballot. Sometimes we have interesting experiences. Two years ago, the night before election, I spoke at a meeting in a farming community. Our committeeman in that precinct had recently gone "way back east to Nebraska" and taken unto himself a wife, and the young woman was there—a very handsome, charming young woman. Her husband made me acquainted with her, and I congratulated her on the fact that on the morrow she would for the first time be a full-fledged citizen, with all the rights of franchise. She said that she regretted to inform me that George had told her it would be impossible for him to take her to the polling place, inasmuch as his duties as committeeman required his presence at the polling place very early in the morning, and that he would have to remain there until the votes were counted at night; and as they lived some 10 miles from the polling place it would be impossible for her to leave home at that early hour and remain away all day. I said to her, "This will not do at all. I realize that your husband can not provide you with the means of transportation under the circumstances; but I have a friend living just beyond your place who is going to the polls with his wife and family to-morrow, and I will have him stop for you and take you to the polls and bring you back home." A few minutes later I met the husband and he said, "Say, you may think you are something of a politician; but I want you to understand there are some things about the game you have never learned. I had carefully arranged to keep a straight Democratic vote away from the polls, and you have promised that that vote shall be there. Just jot down in your memorandum book the fact that your majority will be one less than it would have been if you had not gotten into my game." [Applause.]

Do women neglect their family duties, their social duties, and become coarse and masculine through the exercise of the franchise? Of all the lovely women that ever lived on the face of the earth, the loveliest are those that live in the Commonwealth where they and their mothers before them for two generations have enjoyed the elective franchise. It is a distinct advantage to the community, to the women as well as the men, to have the women interested in matters political, and it is hardly necessary for me to say to the members of this committee, with their wide experience as to the slight knowledge that some men have of political matters, to say that they need never fear that the ladies will on the average have less information on political questions than the lords of creation now have. [Applause.] Among certain classes of women the opportunities for becoming informed are better than those afforded their husbands and brothers. Many men do not find time to attend public political meetings, and while I do not think that one can secure the most accurate information touching matters political at all political meetings, still a discerning and discriminating mind may get much information of value and of helpfulness at most political meetings. In my State the ladies attend the political meetings quite as generally as do the men. As a matter of fact, I have held meetings in my State where there was almost as large a percentage of women as we have here to-day—not that the men were not interested in the questions discussed, but because their duties are often such that it is impossible for them to attend.

There are many whose duties take them away from home a great deal, while the women of the household can attend the meetings, and do attend the meetings, and secure whatever information may be secured in that way. While the women of America are quite generally busy people, it is true that men engaged in certain vocations are still busier. Men engaged in heavy manual or brain-taxing mental labor are not in the frame of mind to read at the end of the day's work, and the wife often has more time and more inclination to inform herself than the husband has. Therefore, without desiring to exaggerate, without intending to simply compliment, but stating what I believe to be the truth, I am convinced that the women of our Commonwealth, take them as a whole, are quite as well qualified, so far as information is concerned, as the men to intelligently cast a ballot, and when it comes to other needful qualifications of mind and heart, why, in the presence of this committee, all composed of men, I do not dare to tell the whole truth. [Laughter.] We would as soon think of surrendering our charter of statehood, gentlemen, as to deny the women of our Commonwealth the right to vote. [Applause.]

Let me assure the fearful and trembling brother who is afraid that the exercise of the franchise by women will rob him of his opportunity to hold office and secure those emoluments that go with it, that our experience is that women do not, as a rule, seek office, that they ordinarily must be drafted into service, and, so far as they have accepted offices, they have generally been offices that required the maximum of time and effort and devotion and gave the minimum of return in a pecuniary way. [Applause.] If there be any officeholder trembling for his job, let him be consoled by our experience. It has been argued against woman's suffrage that we have had in all these years but two women in the legislature, one now serving; that county offices have largely been held by men. But that is simply a splendid tribute to the modesty of women, to their deference to what they still, in spite of their enfranchisement, consider the superior administrative talent of men. [Applause.] It will be a long time before women get over that notion which men have been so carefully teaching them through all the generations.

I have just been asked to give my best sentence in closing. Not having prepared for this hearing a formal argument, I fear I have no "best sentences" at my command. I have given you a very few of the many reasons which our experience has demonstrated for granting the franchise to the most intelligent and virtuous half of mankind. Our experience is all favorable. The so-called arguments against it have been overwhelmingly discredited by that experience, and it is the sentiment of all our people that any community that aspires to better conditions, that any community that desires to have in its governmental affairs the helpful, uplifting, and potent influence of its best citizenship, should extend the franchise to women. [Applause.]

The Natural Condition of Lake Tahoe.

EXTENSION OF REMARKS
OF
HON. JOHN E. RAKER,
OF CALIFORNIA,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 24, 1913.

Mr. RAKER. Mr. Speaker, I present to the House the following resolutions passed by the Legislature of the State of California:

Senate joint resolution 24, relating to the preservation of the natural condition of Lake Tahoe and of establishing by judicial decree the conflicting claims to the use of the flood waters thereof, as follows:

SACRAMENTO, CAL., *April 23, 1913.*

JOHN E. RAKER,
Congressman, Washington, D. C.

DEAR SIR: Pursuant to the provisions of a senate joint resolution adopted by both houses of the Legislature of the State of California, I herewith transmit you a copy thereof.

Senate joint resolution 24, relating to the preservation of the natural conditions of Lake Tahoe and of establishing by judicial decree the conflicting claims to the use of the flood waters thereof.

Whereas Lake Tahoe, on account of its great natural beauty, is regarded as a valuable asset to the State of California by the citizens thereof, and many of such citizens have acquired vested interests on the shores of such lake; and

Whereas the State claims title to the major portion of the flood waters of such lake, which waters it hopes and expects in the near future to utilize for the purpose of generating power and of irrigating lands within its borders and for the domestic use of its citizens; and

Whereas it has become the declared intention of the Reclamation Service of the United States to convert the lake into a reservoir for an irrigation system in the State of Nevada, and to the end to artificially lower the natural rim of the lake and to widen the outlet channel of the same, thereby making it possible to draw from such lake more water than can be supplied by its average natural rise of 2½ feet per annum; and

Whereas the plans of the Reclamation Service, if carried into effect, will infringe upon the vested legal rights of the State of California and its citizens, to their irreparable damage: Now, therefore, be it

Resolved by the senate and assembly jointly, That the Legislature of the State of California does hereby protest against any interference on the part of the Federal Government or its agents with the natural conditions of Lake Tahoe; and be it further

Resolved, That the President of the United States be, and he is hereby, respectfully requested to cause legal proceedings to be in order to determine the respective rights of all persons claiming title to the flood waters of Lake Tahoe, and particularly to determine the rights of the United States of America, the State of Nevada, the State of California, and the Truckee General Electric Co.; and be it further

Resolved, That the attorney general of the State of California be, and he is hereby, respectfully requested to institute and prosecute as speedily as possible any action in the Supreme Court of the United States on behalf of the State of California and against the State of Nevada and such other claimants to the use of the waters of Lake Tahoe as may be properly joined as parties in order to determine the respective rights of such parties to the use of such waters; and be it further

Resolved, That a copy of these resolutions be forwarded to the President of the United States, to the Secretary of the Interior of the United States, to the United States Reclamation Service, and to each Member of the House of Representatives and to the United States Senate.

Respectfully, yours,

W. N. PARRISH,
Secretary of the Senate.

Senate joint resolution No. 1, relating to continuation by the United States of surveys for the construction of storage reservoirs for the impounding of flood waters in the Sierra Nevada Mountains in the State of California, and asking that an appropriation be had for forwarding the work as speedily as possible, which is as follows:

SACRAMENTO, CAL., *April 23, 1913.*

JOHN E. RAKER,
Congressman, Washington, D. C.

DEAR SIR: Pursuant to the provisions of a Senate joint resolution adopted by both houses of the Legislature of the State of California, I herewith transmit you a copy thereof.

Senate joint resolution 1, relative to the continuation by the United States of surveys for the construction of storage reservoirs for the impounding of flood waters in the Sierra Nevada Mountains, in the State of California, and asking that an appropriation be made for forwarding the work as speedily as possible.

Whereas the United States Government has for several years past been securing data through the Geological Survey and the Reclamation Service concerning the watersheds of the west slope of the Sierra Nevada Mountains and the construction of storage reservoirs for the conservation of flood waters in the winter and spring; and

Whereas the Sacramento and San Joaquin Valleys, of which these watersheds form a part, constitute a large body of the most fertile land to be found in any country, rivaling the far-famed Valley of the Nile in productiveness, and capable of supporting a population of several millions when properly reclaimed and settled; and

Whereas in time of heavy snowfall and rainfall the volume of water coming down the valleys is a continual menace to the rich lands adjacent to the Sacramento and San Joaquin Rivers, thousands of acres of which are flooded in years of heavy rainfall; and

Whereas in the report of the Reclamation Service for the year 1907 the statement is made that if storage reservoirs were constructed at the sites surveyed it would greatly simplify the drainage problems of the Sacramento and San Joaquin Rivers and the lower Sacramento Valley by reducing the flood flow into the rivers; and

Whereas the flood water so impounded would be of the greatest value to the Sacramento and San Joaquin Valleys and the State of California by being used for irrigation instead of being allowed to flow to the ocean, often doing incalculable damage to the valleys, 800,000 acres of the lowlands of which having been flooded in 1904; Therefore be it

Resolved by the senate and assembly jointly, That the Legislature of the State of California memoralize the Congress of the United States for the continuation of said work of surveying and constructing such storage reservoirs in the watersheds of the western slope of said Sierra Nevada Mountains on the tributaries of the Feather, Yuba, and American Rivers, and other tributaries of the Sacramento and San Joaquin Rivers, carry out all measures necessary for such work, and making an appropriation of sufficient size to forward it as the more speedily solved; and be it further

Resolved, That the Secretary of the Interior be requested to take the necessary measures for hastening the survey and construction of such reservoirs, in order to impound such flood waters and enable the problem of improvement and restraint of the Sacramento and San Joaquin Rivers to be more speedily solved; and be it further

Resolved, That our Senators in Congress be instructed and our Representatives be requested to use all honorable means to secure the action desired in this matter for the purpose aforesaid; and be it further

Resolved, That a copy of these resolutions be forwarded to the President of the United States, the Secretary of the Interior, the Secretary of Agriculture, the respective Houses of Congress, and to each of our Senators and Representatives in Congress, including those to assume office on March 4, 1913.

Respectfully, yours,

W. N. PARRISH,
Secretary of the Senate.

Senate joint resolution No. 12, relative to action by Congress directing an investigation through the Department of Agriculture of measures for protection of fruit from frost damage, as follows:

SACRAMENTO, CAL., *April 23, 1913.*

Hon. JOHN E. RAKER,
Congressman, Washington, D. C.

DEAR SIR: Pursuant to the provisions of a senate joint resolution adopted by both houses of the Legislature of the State of California, I herewith transmit to you a copy thereof.

Senate joint resolution 12, relative to action by Congress in directing an investigation through the Department of Agriculture of measures for protection of fruit from frost damage.

Whereas the great citrus belt of California has been visited by an unprecedented damaging frost, involving a loss of many millions of dollars in the crop alone as well as great damage to trees; and

Whereas great advancement has been made by public and private experimentation in the protection of orchards all over the United States from the damaging effect of cold waves by means of heating pots and other means of raising temperature, the use of which has given perfect protection in some groves and has been of little benefit in others. The effect of frost damage on many fruits, particularly the citrus, is but little known, and it is believed that large sums may be saved on this and other horticultural branches by a more thorough knowledge of the prevention of frost damage and the best means of determining to what extent citrus or other fruits have been rendered unfit for marketing. Large losses have been sustained, which might have been prevented were proper methods known; and

Whereas the interest of the whole country demand a thorough investigation of this question by the Department of Agriculture through the most competent experts obtainable. Such work adequately supported and ably conducted will save many millions of dollars' losses to the Nation: Now, therefore, be it

Resolved, That this being a Nation-wide problem, we appeal to Congress to authorize and empower the Department of Agriculture to at once take up this question and employ the ablest and most competent men to be had for carrying on this work until a thorough knowledge shall be had of this question in its bearing on all branches of horticulture; and be it

Resolved, That upon the passage of the resolution the secretary of state be, and he is hereby, directed to forward a copy thereof to the Senators and Representatives of the State of California in Congress, and that a copy of the resolution be also transmitted to the governors of each fruit-growing State in the Union, requesting them to urge legislatures now in session to consider and take action in accordance with this resolution

Respectfully, yours,

W. N. PARRISH,
Secretary of the Senate.

Senate joint resolution No. 26, relating to making investigations and experiments as to the nature and cure of tuberculosis, which is as follows:

SACRAMENTO, CAL., *April 23, 1913.*

Hon. JOHN E. RAKER,
Congressman, Washington, D. C.

DEAR SIR: Pursuant to the provisions of the Senate joint resolution adopted by both Houses of the Legislature of the State of California, I herewith transmit to you a copy thereof:

Senate joint resolution 26, relative to making investigations and experiments as to nature and cure of tuberculosis.

Whereas it appears that the loss of life and the suffering occasioned by the ravages of tuberculosis in its various forms in the United States are of such magnitude as to make the discovery of adequate means of eradicating that disease a matter of national concern.

Whereas the conditions, facilities, opportunities, and inducements should be afforded capable investigators with a view to discovering some practicable means for its control and cure: Therefore be it

Resolved by the Senate of California and the Assembly jointly, That we respectfully urge on the Congress of the United States the immediate enactment of such laws, and an appropriation from the Treasury of the United States of such sums as may seem advisable to Congress to afford properly trained experts adequate means and opportunities to make the most exhaustive investigations and experiments as to the nature and cure of tuberculosis, and as to alleged cures therefor: and that we further urge upon the Congress of the United States an appropriation of an adequate sum to be given as a reward to the discoverer or discoverers of an effective means of curing tuberculosis, on satisfactory proof of the effectiveness of such discovery and on a full and complete revelation of the effective means thus employed, so that the fullest publicity may be given thereto for the general benefit of the medical profession: Be it further

Resolved, That each Senator and each Representative in Congress from the State of California be, and he is hereby, requested to use all honorable means to secure the enactment of such legislation: And be it further

Resolved, That a copy of this resolution be herewith transmitted by the chief clerk of the senate to the President of the Senate of the United States and to the Speaker of the House of Representatives of the United States, and a copy thereof to each Member of the Congress from the State of California.

Respectfully, yours,

W. N. PARRISH,
Secretary of the Senate.

Senate joint resolution No. 25, relating to the citrus-fruit industry of California, which resolution is as follows:

SACRAMENTO, CAL., *April 23, 1913.*

Hon. JOHN E. RAKER,
United States Congressman, Washington, D. C.

DEAR SIR: Pursuant to the provisions of the senate joint resolution adopted by both Houses of the Legislature of the State of California, I herewith transmit to you copy thereof.

Senate joint resolution 25, relative to memorializing Congress, regarding the citrus-fruit industry of the State of California, and requesting our Senators and Representatives in Congress to use all honorable means to prevent a reduction in duties on citrus fruits below the difference where the difference in the cost of production of the same would be equalized.

Whereas the citrus-fruit industry is one of the great and important enterprises of this State, representing an investment of $200,000,000, and materially contributes to the upbuilding thereof; and

Whereas the rates of duty on citrus fruits should equalize the difference in cost of production between the United States and foreign countries; and

Whereas the present rates of duty bring to the Government a substantial revenue that has increased in recent years; and

Whereas a material reduction of the duties on citrus fruits would hamper and retard the growth and development of the State of California: Now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That we respectfully memorialize the Congress of the United States not to reduce the duties on citrus fruits below a point equalizing the difference in the cost of production of the same in the United States and foreign countries, and we earnestly request our Senators and Representatives in Congress to use every honorable means to prevent such reduction; be it further

Resolved, That the governor of the State of California be requested to appoint five citizens of California to present this memorial to Congress in behalf of this State; and be it further

Resolved, That a copy of this resolution be telegraphed to the President and to each of our Senators and Representatives in the Congress of the United States.

Respectfully, yours,

W. N. PARRISH,
Secretary of the Senate.

Assembly joint resolution 18, relating to the protection of the California beet-sugar industry in the enactment by Congress of laws affecting the tariff on imports to the United States, which is as follows:

SACRAMENTO, CAL., *April 22, 1913.*

Hon. JOHN E. RAKER,
House of Representatives, Washington, D. C.:

I have the honor to hand you herewith copy of assembly joint resolution 18, adopted by senate and assembly and approved by the governor April 18, 1913.

Assembly joint resolution 18, relative to the protection of the California beet-sugar industry in the enactment by Congress of laws affecting tariffs on imports into the United States.

Whereas in the process of tariff revision by Congress the indicated tendency is toward an abolition of all duties on imported sugar; and

Whereas such a policy would be calamitous to the cane and beet sugar industry of the Nation at large, and especially to the beet-sugar business of the State of California, which produces 165,000 tons per annum, or one-quarter of the beet-sugar output of the United States; and

Whereas the annual consumption of sugar in our country is now 3,500,000 tons per annum supplied, viz, from domestic cane grown in Porto Rico, Louisiana, and Sandwich Islands, 1,100,000 tons; from beet sugar manufactured in 16 States, 650,000 tons; 1,750,000 tons—the balance—being purchased from foreign countries and refined by a few corporations on the Atlantic seaboard who are clamoring for "free sugar" in order that they may further check the invasion of their markets by the constantly growing beet-sugar industry; and

Whereas our Nation's beet-sugar output has increased from 40,000 tons, 1897, to 650,000 tons in 1912—a rate of increase greater than can be shown in any country in Europe during an equal period of time; while our cane-producing districts have apparently reached the limit of their productivity; and

Whereas this country should and can become self-supplying in the matter of sugar through the development of the beet-sugar industry, now involving the use of only 45,000 acres of land against 274,000,000 acres adapted to the cultivation of the sugar beet; and

Whereas the development of the industry is checked by the menace of a free-sugar bill, which will subject this product to competition with cane and beet sugar produced under the low wage conditions in the Tropics and Europe, and at prices delivered at our seaboards lower than under our conditions is paid to the farmers of our State for the sugar in the beet before it is manufactured: Now, therefore

Resolved, That the Legislature of the State of California, a majority of all members elected to senate and assembly voting for the adoption of this resolution, and concurring therein, requests the Senate and House of Representatives of Congress at Washington and the President of the United States that due regard be had in the consideration of tariff revision for the claims of the beet-sugar industry, which is so full of promise to our Nation. And that the principle governing the revision of the tariff in this regard be, that the tariff should equalize the difference between the cost of production of sugar at home and abroad.

Resolved, That a copy of these resolutions be forwarded to each Member of Congress from the State of California, to be presented to the President and Congress.

L. B. MALLORY,
Chief Clerk of the Assembly.

The Tariff.

EXTENSION OF REMARKS
OF
HON. L. C. DYER,
OF MISSOURI,
IN THE HOUSE OF REPRESENTATIVES,
Friday, April 25, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. DYER. Mr. Speaker, under leave to extend my remarks on the tariff bill I beg to call attention to some protests that I have received from constituents of mine in regard to the passage of this bill. The first is a letter, in part, from the Corona Mills, of St. Louis, a branch of the National Oats Co., as follows:

The new tariff schedule provides for an import duty of 10 cents per bushel on raw oats.

It also provides for the importing of manufactured oat products—rolled oats, oatmeal, and oat feed—free.

This is probably the first time in the history of tariff laws that any nation has proposed to pay foreign manufacturers a bonus on their manufactured wares. In plain English that is what our present Congress proposes to do.

The American manufacturer of oat products will have to compete with the Canadian manufacturer, but is denied the privilege of securing his supply at the same price as the Canadian manufacturer.

Bear in mind that the independent rolled oats manufacturers of the United States who have no mills in Canada are not asking for a protective tariff on the manufactured products of oats; we simply ask for an equalization. Either no tariff on the raw material to equalize it with the manufactured product and enable us to buy on the same basis as the Canadian manufacturer, or place a tariff on the manufactured product equal to the proposed tariff of 10 cents per bushel on the raw material, which we figure would be 55 cents per barrel on rolled oats and oatmeal and 15 cents per hundredweight on oat feed.

Under the proposed tariff law the Rolled Oats Trust of the United States would be able to absolutely throttle most of the home independent competition. The trust already has one mill in Canada and is building a second one. You will see from this that the new tariff schedule will fit in very nicely with their plans.

Government statistics of Canada and the United States now before the writer indicate an average difference in price for raw oats between the principal Canadian markets and our Chicago market of 7 cents per bushel in favor of Canada for the past five years. The freight from the principal Canadian ports, upon which oat prices are based, to the city of Chicago is 8 cents per bushel. This would make the actual difference in favor of Canada 4 cents per bushel. Add to this an import duty of 10 cents and you have a grand total of 14 cents, which means that the Canadian rolled-oats miller will buy his raw material at 14 cents per bushel less than the American manufacturer, which is approximately $1.50 per barrel on the manufactured product, or about five times the average profit of the American manufacturer.

You can see from this the demoralization that will result. It might be argued by demagogues, who seek to reduce the cost of living, that this is well for the country at large, but bear in mind that the American farmer's grain will have to compete with the Canadian farmer's grain, and that the American farmer, like the American manufacturer, will be handicapped 14 cents per bushel on oats.

To make this clearer, the Canadian rolled-oats manufacturer buying his raw material at 14 cents less than the American manufacturer will ship his manufactured product into the United States, and in order to compete, the American manufacturer being unable to import the raw material from Canada on account of the protective tariff of 10 cents per bushel, will be compelled to buy from the American farmer at a price upon which he can compete, which will mean that the American farmer will have to sell his oats at a price 10 cents per bushel lower than the price of oats in Canada to make up the difference in price caused by the tariff.

It is therefore not only to the interests of us as manufacturers, but also to the interests of the farmer and the public generally to demand from Congress that the manufactured products of oats be placed on an exact parity with the raw material.

Editorial from St. Louis Times, an independent newspaper in politics, of date April 17, 1913, on same subject as above:

AN EXTRAORDINARY PROCESS.

In addition to the remonstrances against "tariff tinkering" which are coming from communities which are specially interested in one class of industries or another, there is apparent room for every unbiased individual to protest against certain illogical steps which are proposed by the lawmakers now in session in Washington.

For example, we find that it is the intention to charge an import duty of 10 cents a bushel on raw oats, while manufactured oats—oatmeal, rolled oats, etc.—are to be admitted free.

The idea is almost bewildering. It means, in plain terms, that the American manufacturer is to be discriminated against in favor of the manufacturer outside the borders of the United States.

For example, the home manufacturer dealing with manufactured oat products will have to pay a duty on oats, if he finds that he must import them, and then he must sell his product in competition with outsiders who have brought their wares into the country free of charge.

It has been the cry for a very long time that the tariff laws discriminated in favor of American manufacturers. Perhaps they did in some instances, but it can scarcely be the intention of the new administration to change this process to the end that the home manufacturers shall actually be discriminated against.

Also editorial from the St. Louis Republic, a Democratic newspaper, of date April 18, 1913:

OATS, ROLLED AND UNROLLED.

The Underwood bill as submitted contains one inconsistency which should be removed from it before it goes over to the Senate; that is the provision for free manufactured oats, while raw oats carry a duty of 10 cents a bushel.

Rolled-oats manufacturers are not asking for protection. Our manufacturers stand ready to compete with the cereal products of the world, from Canada to Cathay. But so long as the consumer is permitted to buy without restriction in any market the manufacturer is asking, with entire justice, that the same privilege be accorded him in his purchase of raw material.

The passing of the law in its present form would have a peculiar effect on the interrelations of American manufacturers. There are in the business a large combination having many mills and a number of "independents." The combination has a Canadian mill in a district where the prices on oats rule lower than in this country in most seasons. The owners of this mill would ship its product to this country duty free in seasons when the American crop is short, while their competitors, buying oats in the Canadian market, would pay 10 cents a bushel. The inequitability of this lies on the surface.

This is no veiled plea for protection. Let us have oats as well as rolled oats on the free list in the Underwood bill.

Also following telegrams and letters:

ST. LOUIS, MO., *April 19, 1913.*

Hon. L. C. DYER,
Congressman, Washington, D. C.:

Letter received. Free shoes in new tariff bill serious mistake. Large delegation from shoe manufacturers of Missouri and from all parts of country will visit Washington. Would Wednesday, 23d, be best date to meet there or later? Wire collect to-day.

GEO. WARREN BROWN.

ST. LOUIS, MO., *April 16, 1913.*

Hon. L. C. DYER, *Washington, D. C.*

HONORABLE SIR: We respectfully address you on the subject of the inequality of the tariff schedule on oats and manufactured products thereof, and request your careful consideration of the subject as it pertains to raw oats and its manufactured products.

We ask that this subject be placed on a parity.

The large industries located in the territory represented by your good self will be seriously affected by any decision derogatory to a protection consistent with the natural conditions as they pertain to raw material and finished product.

Your favorable consideration in protection thereto will be appreciated.

Respectfully submitted,

AMERICAN PAPER PRODUCTS CO.,
L. P. REXFORD, *President.*

ST. LOUIS, MO., *April 16, 1913.*

Hon. L. C. DYER, *Washington, D. C.:*

We wish to register our protest against the new tariff schedule in relation to raw and manufactured oats. If the act is passed a staggering blow will have been dealt the Missouri farmer and the Missouri manufacturers of rolled oats, one of her largest and proudest industries. The situation appears to be desperate, and we respectfully solicit your friendly consideration and help in behalf of all good and loyal Missourians and in behalf of America for Americans.

COMPTON & SON LITHO. & PRINTING CO.

ST. LOUIS, MO., *April 11, 1913.*

Hon. L. C. DYER,
House of Representatives, Washington, D. C.:

Proposed tariff, page 72, lines 20 and 21; page 73, lines 3, 4, and 5, on present market will increase cost of burlap bran bags to millers and wheat sacks for farmers at least $1.50 per thousand over present tariff. We urge your consideration and vote, making new duty on bags 25 per cent and on jute cloth used in bags 50 per cent.

FULTON BAG & COTTON MILLS.

ST. LOUIS, MO., *April 11, 1913.*

Hon. L. C. DYER,
House of Representatives, Washington, D. C.:

Referring to H. R. bill 10, page 72, lines 20 and 21, and page 73, lines 3, 4, and 5, plain woven fabrics of single jute yarns and bags or sacks made therefrom are both made dutiable at 25 per cent ad valorem. This proposed change increases cost to consumers, but would result in turning the manufacture of bags from this country to foreign interests. We respectfully urge, therefore, on behalf of ourselves and our wage earners that you, as our Representative, use your efforts to reduce plain woven jute fabrics to 15 per cent ad valorem, retaining the proposed duty of 25 per cent on bags or sacks.

H. & I. CHASE BAG CO.

ST. LOUIS, MO., *April 11, 1913.*

Hon. L. C. DYER,
House of Representatives, Washington, D. C.:

Referring to our letter of yesterday, we respectfully request and urge you to give careful consideration to the letter and the briefs mailed, and as our Representative we solicit and ask your aid to the end that if burlap bags are left at 25 per cent ad valorem burlap cloth be reduced to 15 per cent ad valorem. Some such differential is absolutely necessary to retain the manufacture of burlap bags in this country.

BEMIS BRO. BAG CO.,
J. S. BEMIS.

KANSAS CITY, MO., *April 11, 1913.*

Hon. L. C. DYER,
House of Representatives, Washington, D. C.:

Referring H. R. bill 10, page 72, lines 20 and 21, and page 73, lines 3, 4, and 5, plain-woven fabric of single jute yarn and bags or sacks made therefrom are both dutiable at 25 per cent ad valorem. This proposed change will benefit foreign manufacturers and increase cost of bags to consumers in this country. For this reason we respectfully urge in behalf of ourselves and our employees that you, as our Representative, use every effort to reduce plain woven jute fabric to 15 per cent ad valorem and retain the proposed duty of 25 per cent on bags or sacks.

KANSAS CITY BAG MANUFACTURING CO.

ST. LOUIS, MO., *April 14, 1913.*

Hon. L. C. DYER,
House of Representatives, Washington, D. C.

DEAR SIR: Your telegram of the 12th was received by us Saturday afternoon, reading as follows:

"Night lettergram relative proposed tariff changes on burlap bags and burlap cloth received. Will do all I can to carry out your suggestion."

We wish to thank you for the attention you have given the matter about which we wrote and telegraphed you.

During the course of the hearings before the Ways and Means Committee last winter, when the president of our company was in Washington, Chairman UNDERWOOD made essentially the following statements on one or more different occasions:

No legitimate American industry will be injured by tariff rates to be proposed by the committee.

The policy of competitive rates establishing a proper difference between raw material and finished product will be recognized.

Remembering these voluntary statements of Chairman UNDERWOOD, our conclusion, after reading the proposed rates in the new tariff bill, was that some sort of an error had been made. We could arrive at no other conclusion, hence our letter and telegram to you.

Yours, truly,

BEMIS BRO. BAG CO.,
J. S. BEMIS.

ST. LOUIS, MO., *April 15, 1913.*

Hon. L. C. DYER,
Member of Congress, Washington, D. C.

DEAR SIR: We beg leave to bespeak your consideration for the sugar industry of the United States which is now threatened with destruction through hostile legislation, and to lay before you the following facts:

First. That every civilized country in the world is trying through tariffs, bounties, and otherwise to raise enough sugar for their own consumption.

Second. That sugar is cheaper to the consumer in the United States than any European country with the exception of England.

Third. That were the United States to be at war with any powerful maritime nation such as England, Germany, France, or Italy her supply of sugar from the outside world would be cut off.

Fourth. That the sugar industry in the United States supports hundreds of thousands of people who, if the sugar industry were destroyed, would have to seek other means of employment, and distributes millions of dollars in this country which would go to foreign countries did the United States not make any sugar at all.

Almost every wholesale merchant of this city is doing a large business in the State of Louisiana, and if the sugar industry is destroyed we will all suffer from the effects. We therefore beg of you, if consistent with your views, to cast your vote, and get your friends to vote, for the present tariff on sugar.

Most respectfully,

L. & A. SCHARFF DISTILLING CO.,
A. SCHARFF, *Secretary.*

ST. LOUIS, MO., *April 12, 1913.*

Hon. L. C. DYER, *Washington, D. C.:*

We urgently ask you to do everything in your power to prevent proposed sugar tariff. In our opinion it means for national ruin to a large number of sugar planters and beet-sugar manufacturers.

PROVIDENT CHEMICAL WORKS.

ST. LOUIS, *April 16, 1913.*

Hon. L. C. DYER,
Member of Congress, Washington, D. C.

DEAR SIR: We have before us paragraph No. 337 of the proposed Underwood tariff bill. Comparing this with the tariff act of 1909, we note the changes are radical. In fact, the cut in the tariff is so deep that we feel it will affect not only the lithographing but also the printing industries of the United States.

To show what the proposed reduction in tariff will do to our business, we are advising that the last year our sales amounted to $75,000. The net profit on this was $3,600. The percentage of our net profit to our sales was 4.8 per cent. We believe this to be a very low profit, and we think you will agree with us.

There is real competition in our industry. There never has been, is not now, and in all probability never will be a lithographic trust.

The last census report placed our industry sixth in the list of industries. To be sixth in the list of industries means there are many thousands of workmen gaining a good livelihood from our industry. If the proposed cuts in the tariff are made, it will, in our opinion, mean that this country will be flooded with the lithographic products from the oriental as well as the European countries. The oriental countries will probably predominate. The reason for this assertion is that the average workman in Japan thinks he is getting a high wage if he receives 50 to 75 cents in our money per day.

To meet this competition we will be compelled to not only reduce wages but increase the number of working hours each day.

We have tried to explain in our humble way just what any cut on any lithographic products in the tariff act of 1909 would do to our industry, and trust you will give this letter your serious consideration.

Yours, very truly,

ISLER-TOMPSETT LITHO. CO.

ST. LOUIS, *April 19, 1913.*

Hon. L. C. DYER,
House of Representatives, Washington, D. C.

DEAR MR. DYER: Kindly accept my sincerest thanks for the "H. R. 10, a bill," and your promise of assistance.

What we feared has happened. The recommendations of the Ways and Means Committee are such that our industry will be ruined if they should become a law. Upon advice of our national association I have sent a telegram and a letter to the Hon. F. M. SIMMONS, chairman of the Finance Committee of the United States Senate, copy of which I inclose. This letter contains all my principal arguments, and I wish you to take notice of them.

As stated in my letter to Mr. SIMMONS, on page 3, the line marked "X." I have submitted a number of photographs to Mr. SIMMONS to prove the quality of the American product, and I would ask you to go there to inspect them.

Thanking you once more for your valuable assistance, I am,

Very respectfully, yours,

EMIL FREI ART GLASS CO.
EMIL FREI, *President.*

ST. LOUIS, *April 19, 1913.*

Hon. F. M. SIMMONS,
Chairman Finance Committee, United States Senate, Washington, D. C.

DEAR SIR: We confirm telegram which we have sent to you on April 16, as follows:

"Kindly postpone consideration of sections 99 and 659 of tariff draft relating to stained-glass windows until certain facts can be presented thereon. Tariff draft now before me. Section 99 would do great harm to American stained-glass industry. Proposed section 659, same as 716 of present law, except that the present law, section 716, has line 12 to read 'excepting' instead of 'including,' as in the proposed law. Clause in section 659, lines 12 and 13, beginning with the word 'including,' contradict section 99 and would entirely destroy our extensive American business and force us to quit the country. We would be compelled to locate in a foreign country, manufacturing our goods there on the foreign wage standard, and then ship the finished products to this country as exports."

In further explanation of the points briefly referred to in the telegram, we submit the following for the consideration of the committee.

Section 99 of the proposed tariff bill proposes a reduction of 15 per cent from the present tariff by fixing the tariff duty at 30 per cent ad valorem on stained glass windows. The proposed duty does not balance

the difference in cost of production between the exporting country and this, the importing country, as a comparison of the wages paid here and abroad will show. This wage scale is entered in the tariff hearings of 1908–9, Schedule B, page 1231.

According to section 659 of the proposed tariff bill stained-glass windows are to be on the free list if imported for presentation to a national institution, etc. It will be well to bear in mind that all stained-glass windows are practically donations to the churches.

Those who are familiar with the conditions know that the windows are offered for donations. Thus, each window is practically a donation. There are, of course, some exceptions at the present time. But under the proposed law it will happen that great care will be taken that each stained-glass window shall be surely a donation. The proposed section 659 will bring about this situation by offering the reward for it as set down in the bill.

A comparison of the two proposed sections further discloses this situation: it is assumed that the intention of the bill is to reduce the tariff to the lowest possible rate. In section 99, 30 per cent protection is proposed to be given. Surely the reason must have been because it was thought best that at least that much protection was necessary to enable the American producer to compete with the foreign producers in that field. Why, then, are our productions to be put on the free list, which is practically done in section 659? The proposed section 659 leaves it unclear whether it is proposed that the American artists who find it more profitable to reside abroad shall have their products "imported free." The section speaks first of "works of art," then of "productions" of American artists, and then of "or other works of art." Whether the second and third phrases have any meaning special and apart from the first phrase, "works of art," is not clear to us. But in this matter we are not so greatly concerned, except it be intended that those engaged in the stained-glass industry may leave the country, if they find it more profitable to do so, and may then have their "productions" sent to this country and imported free. It would, of course, be a most singular position to take. But we should like very much to be informed upon the matter.

If the drafters of the bill have concluded that we, as a Nation, shall never attempt to cultivate the stained-glass art itself in its highest form inside of our boundaries, why should we have any protection? Certainly the matters proposed to be imported free are in that very division which involves the highest art. If, then, no encouragement is to be given to the highest art, it would seem really to be more consistent to strike out section 99 altogether. This situation will then at least be thoroughly understood by our young people, studying in our art schools in this branch of the art, not to educate themselves for the profession in this country; but if they hope ever to follow it rather to seek at once the foreign field. My son and his best friend are studying in the art department of the Washington University at the present time to engage in the stained-glass art industry. The pioneer work has been done, and our country is now in a position where it can do something more than be merely admirers of the product of this beautiful art imported from foreign countries. Our country can itself produce the art.

A chief argument of some of the importers is that good stained-glass windows, as required for our better churches, can not be made in this country, and therefore they shall be admitted free. In the first place, the fact is not correctly stated, and, in the second place, were it correctly stated, it would be high time to encourage rather than to discourage the production of this art in our own country. In the last eight or nine years many fine Catholic churches have been built in the St. Louis district, and they and other buildings have been equipped with fine stained-glass windows, and none of them were imported. We have furnished them all. Many of the rectors are highly educated clergymen, with quite a knowledge of art, and they would not continually recur to us if our work would be of the quality of the imported product, which they could have bought for about the same price. At the present time we are equipping the newly rebuilt cathedral of Belleville, Ill., with stained-glass windows. They could have had the stained-glass windows from foreign houses at our price. That is the situation now under the present tariff. This is a very significant fact in connection with the question of competition. Lower the tariff upon these goods, and you can readily see the reduction in the price of the foreign goods, and you can readily see what this would mean to us. Unless we are equipped to give the same work and quality we would not be requested to furnish the work when the prices are the same. On the question of fact innumerable testimonials can be presented to the committee, testifying that our work is equal to the imported windows. A few photographs of windows which we have lately executed are submitted herewith, representing our regular product, and we invite and urge men of artistic training to compare these with work from foreign countries.

The significant difference between section 659 and the former corresponding section 712 is that in line 12 of the proposed section 659 the words "including stained or painted window glass," etc., are used instead of the phrase in section 712 of the present law, "excluding stained or painted window glass," etc.

Adding to the European selling price of the foreign-produced article the 45 per cent import duty of the present law and all other expenses for importation, the foreign article can be sold in America for about 65 per cent higher than in the place of manufacture. But you must not forget to compare the money values here and in Europe. When you compare the purchasing power of the money, the European stained-glass window is bought cheaper here upon that basis than it is bought on the other side. Are any objections heard that the brickwork, plastering, etc., for buildings in this country are of a much higher price than they are in Europe, because the brickwork, plastering, etc., can not be imported?

We must again refer to the fact that these windows are donations. The churches do not pay for them. It is the donator that pays, and generally he is a more or less wealthy person, who is earning American money values, and therefore it is not unfair, that he who does the paying pays the American price just the same as if he would make a donation to the building itself and got for the donation so much brickwork or plastering work done, according to the American wage standard. It seems to us that this is a very clear presentation of the matter.

The question with us is "to be or not to be," and we trust on careful consideration of the foregoing the committee will decide for such a policy as will enable us "to be." We would not like to be driven out of our own country. But if compelled, there is no other recourse for us than either to wait, temporarily hoping that a different policy will prevail (being perhaps a practically dead establishment in the meantime), or to transfer our seat of operation to a foreign country, paying the wages on the foreign standard, and send our products to America under the same favorable consideration as foreign producers receive.

In fine, we trust that the committee will, on careful consideration, protect us from such a disastrous situation.

Very respectfully,

EMIL FREI ART GLASS CO.,
EMIL FREI, *President.*

KANSAS CITY, MO., *April 11, 1913.*

Hon L. C. DYER,
Representative Twelfth District State of Missouri, Washington, D. C.:

In the name of the widows and orphans I wish to enter my protest against paragraph B of section 2, proposed income tax, which makes proceeds of life insurance policies paid upon the person insured income and liable to tax graduated according to the amount and an unnecessary hardship on the policyholders who pay this tax.

CHARLES D. MILL.

ST. LOUIS, MO., *April 14, 1913.*

Hon. L. C. DYER,
House of Representatives, Washington, D. C.:

Protest enactment of tariff bill relating to tax upon life insurance measure. Ambiguous, but apparently subjects beneficiaries to possibility of triple tax on behalf of policyholders. A hearing should be had.

D. K. BLAKE.

ST. LOUIS, MO., *April 15, 1913.*

Hon. L. C. DYER,
House of Representatives, Washington, D. C.:

I beg to urge your support in amending new tariff bill so that the provisions respecting taxes to be paid by life insurance companies be made clear and definite; and, further, to remove from bill present uncertainty concerning the inclusion of proceeds of life insurance policies in income of individuals subject to tax.

W. H. HERRICK.
General Agent Massachusetts Mutual Life Insurance Co.

ST. LOUIS, MO., *April 14, 1913.*

Hon. L. C. DYER,
House of Representatives, Washington, D. C.:

Part of tariff bill relating to tax upon life insurance apparently subjects beneficiaries to possibility of triple taxation. Policyholders should be given a hearing as proposed clause is unjust to them.

J. R. BAIRD.

ST. LOUIS, MO., *April 12, 1913.*

Hon. L. C. DYER,
Member of Congress, Washington, D. C.:

I trust you will be able to defeat paragraph B, section 2, proposed income tax law, taxing as income the proceeds of life insurance policies upon death of the insured. An unfair and uncalled for tax on widows and orphans.

S. E. HAYWARD.

ST. LOUIS.

Hon. L. C. DYER,
Member of Congress, Washington, D. C.

DEAR SIR: I wish to call your attention to the indefinite wording of two sections of the tariff bill known as House bill No. 10.

Section B is so worded that it may be so interpreted as to place a 1 per cent tax upon the proceeds of life insurance policies when paid to the beneficiary. If a widow is paid $5,000 under a policy of life insurance, a tax of 1 per cent, or $50, might be imposed.

Paragraph G of this bill, which attempts to define what items are subject to this tax, is so blindly worded that in the items of income it might be possible to include the net addition made during the year to the policy reserve which the companies are compelled to hold under the laws of the several States. This 1 per cent tax on policy reserve will certainly add to the cost of insurance, and be a disadvantage to the large majority of people everywhere.

Can not a conference be called with some life insurance experts and the language so changed as to free policy holders from an unjust tax?

With best wishes, I am,

Yours, very truly,

GEO. BARNES,
6043 Kingsbury Boulevard.

RICE-STIX DRY GOODS CO.,
EXECUTIVE OFFICE,
St. Louis, April 14, 1913.

Hon. L. C. DYER,
House of Representatives, Washington.

DEAR MR. DYER: I take the liberty of inclosing herewith letter I have just received from Mr. George S. Mepham, expressing his views relative to the tariff question.

The views as therein expressed are indicative of those of many St. Louis business men, and I beg to ask of you to use your influence at the proper time in the proper direction.

With kind regards.

Yours, very truly,

ELIAS MICHAEL.

GEO. S. MEPHAM & CO.,
East St. Louis, Ill., April 12, 1913.

MR. ELIAS MICHAEL,
Care of Rice-Stix Dry Goods Co., St. Louis, Mo.

MY DEAR MR. MICHAEL: Your letter of April 5, coming during my absence from the city, has just been read, and I have so much confidence in your knowing what is right that I am sending subscription to the chamber of commerce, as suggested.

I really feel that something must be done in this country to stem the tide of absurd and impossible legislation, which is as needless as it is fruitless, and this, in connection with tariff changes, will undoubtedly bring upon the country a condition of panic that will be worse than anything the country has ever suffered from.

If the suggested Underwood bill is passed and becomes a law, I know of many concerns like our own which will become jobbers of foreign products and not manufacturers in this country, for we can to-day buy

material made in Manchester, pay freight and duty, and lay it down here in East St. Louis in carloads at a less price than our present costs. It is all a question of labor. If the new tariff will bring labor down to a basis of foreign costs it will permit operations, but is this wise? It does not look good to us to cut down the earning power of the country to any considerable extent.

Yours, very truly,

GEO. S. MEPHAM.

CIGAR MAKERS' UNIONS 44 AND 281,
JOINT ADVISORY BOARD,
St. Louis, Mo., April 18, 1913.

Hon. L. C. DYER,
Twelfth Missouri Congressional District.

DEAR SIR:

Whereas the Committee on Ways and Means of the House of Representatives has reported a bill establishing absolute free trade in cigars and tobacco and other products with the Philippine Islands; and

Whereas the present law permits 150,000,000 cigars from the Philippine Islands to be admitted duty free, which in itself is equal to the annual production of 2,500 American cigar makers; and

Whereas any bill having for its purpose the open-door policy, viz, removing the duty on all cigars and tobacco manufactured in the Philippine Islands, will work considerable hardship on the men and women engaged at cigar making for a livelihood and be a decidedly disturbing factor in the industry many of us have devoted almost a lifetime to.

Therefore, we, the members of Cigar Makers' and Cigar Packers' Unions, Nos. 44 and 281, of St. Louis, Mo., comprising over 1,000 members, most of whom have large families depending solely upon the progress and development of the cigar industry in the United States, hereby enter a vigorous protest against the enactment of any law or rules which tend to destroy the cigar industry of the United States, the result of which deprives us of a livelihood; be it further

Resolved, That we certainly protest most vigorously of being pitted against oriental labor, viz, Filipinos, Chinese, Japs, etc., the cheapest labor of the world, and we insist as American citizens that our welfare be given the first and highest consideration, and in accordance with this spirit we look forward to the Congress of these United States to defeat any measure endangering the means of existence of this Nation's toilers or any portion thereof.

Trusting we may learn your disposition in the above matter.

JOINT CIGAR MAKERS' UNIONS 44 AND 281.
HY. C. PLASSMEYER,
PHIL H. MUELLER, *Secretary.*

The Tariff.

SPEECH

OF

HON. JOHN A. M. ADAIR,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, April 25, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. ADAIR. Mr. Speaker, the Democratic Party has been commissioned by the people to revise the tariff downward in pursuance of its platform pledge, and the Ways and Means Committee has presented a bill for that purpose. I shall not at this time enter into a detailed discussion of the merits of the pending bill, but will use the few moments I shall occupy in pointing out our duty, not only as Democrats, but as patriotic American citizens as well. At a later date I shall discuss at some length the provisions of the Underwood bill, which, in my judgment, is the best tariff bill ever presented to Congress in the history of our country.

Mr. Speaker, I shall vote for this bill as it was reported from a Democratic caucus without dotting an "i" or crossing a "t." I am one of those who believe in majority rule, and when a caucus of my party writes a tariff bill, regardless of whether each and every item in the bill meets with my approval or not, I shall stand by the action of the caucus and give the bill my hearty and enthusiastic support. No Democrat can do otherwise. I do not criticize or find fault with those who in the caucus offered amendments to the committee bill. I offered a few amendments myself, as all of us had a right to do. In fact, that is what the caucus was called for. It is but natural that we see things in a different light, and it is also true that we are better informed about things produced in our own districts than we are on things produced in other districts, but no honest Representative will vote for a high tariff on everything produced in his own district and a low tariff on everything produced outside of his district. We are here legislating for all the people, and the interest of the entire country must be taken into consideration instead of the interest of a single district. There are 4,000 items in this bill, and each one of us is entitled to his own opinion as to which item or items shall go on the free list. If we were to read out of the Democratic Party all Members who took issue with the Ways and Means Committee in our caucus on certain items of the bill there would be none left to sustain the committee in presenting the bill as finally agreed upon to the House. We should stand squarely upon the Democratic platform in favor of a tariff for revenue, making it lowest on the necessities of life and highest on the luxuries; but the question of what shall be taxed and the amount of the tax is a matter of detail and judgment and not a matter of principle. No one has a right to say that a Member is not a good Democrat if he votes for a revenue duty on any article, provided our party did not specify in its platform that particular article as one that should go on the free list. Neither should a Member be criticized for having the courage of his conviction and voting in accordance with his judgment rather than accept a policy he does not believe in because it is offered by one higher up in official life.

Mr. Speaker, one of the Republican papers of my State has been very unfair and unjust in its criticism of those of us who voted in the caucus for a revenue duty of 15 per cent on raw wool. This, I am sure, is due to the fact that our position is not understood. The present duty on wool is 11 cents per pound, or about 42 per cent. Our platform did not promise free wool, but it did promise a revision of the tariff downward, and I, along with others, voted in the caucus to reduce the duty on raw wool from 42 per cent to 15 per cent, a reduction from the present rate of about 65 per cent.

Of the 4,000 items in the bill but very few were reduced to this extent. No one can truthfully charge that a 15 per cent duty is a protective duty, as it is entirely too small for that. It is nothing more than a small revenue duty, and I am now willing to give up this revenue for the benefit of the consumer, but I was not willing to give it up for the sole benefit of the Woolen Trust. I have stated time and again, both in and out of the caucus, that I was in favor of placing raw wool on the free list provided woolen goods were also placed on the free list, or reduced to a low rate; but, in my judgment, to place raw wool on the free list and then continue a high rate of duty on woolen goods would result in losing the Government $9,000,000 annually in revenue and transfer a like amount of money into the pockets of the Woolen Trust, no part of which will ever reach the consumer through cheaper woolen goods. In other words, by placing wool on the free list you give the manufacturer cheaper raw material and at the same time continue a rate of duty on the finished product which gives him a monopoly of the American market and enables him to extort from the American consumer a price to suit himself. I want the people to have cheaper woolen clothes, cheaper woolen blankets, and cheaper woolens of every description, but they will never get them as long as the Woolen Trust has a monopoly of the market. The records of the Treasury Department show that a large amount of woolen goods made in American mills is exported every year to foreign countries and sold in competition with the world. A clothing manufacturing establishment in New York City has opened up branch houses in London, Liverpool, Berlin, and Paris, from which it sells annually in competition with the world nearly $2,000,000 worth of ready-made clothing made in the city of New York. In view of this fact, what excuse is there for giving them a high rate of duty on clothing and a monopoly of the American market? The only theory upon which the doctrine of free wool and a high duty on manufactured woolen goods can be based is upon the ground that if you add $9,000,000 more to the profits of the woolen manufacturers they may possibly allow a little of it to leak down on the consumer. It has been clearly shown by Senator LA FOLLETTE on the floor of the Senate that the Woolen Trust under the Payne-Aldrich bill has been robbing the American people of over $100,000,000 annually on manufactured woolen goods, and I do not now want to add $9,000,000 more to that robbery. I want to legislate in the interest of the consumer. I want to give to the poor people of the country cheaper woolen clothing, cheaper woolen stockings, cheaper woolen dress goods, and cheaper woolen blankets.

Mr. Speaker, it can not be charged that my position upon this question is due to a demand from home, as the district I represent is not what might be called a wool-growing district. There are not many sheep in it, and I have only had one letter from a farmer on the subject. All the farmer asks is that if he sells his wool on a free-trade market he be permitted to buy his clothing on a free-trade market, or at least on a competitive market; and that is fair and right. No one who is familiar with the history of the Democratic Party will contend that free wool is a Democratic policy.

No platform of our party in the history of the country ever declared for it. Moreover, the last national Democratic platform, adopted at the Baltimore convention last year, indorsed the tariff bills passed by this Democratic House one year ago and

two years ago, both of which carried a duty of 29 per cent on raw wool, and we went to our constituents last fall with that bill in our hands, saying, "This is the legislation we will give you if you return us to power." If our party is committed at all on this subject, it is committed to a tariff on wool by the action of the last national Democratic convention. Two years ago when the chairman of the Ways and Means Committee presented to the House the Democratic tariff bill dealing with the woolen schedule, carrying a duty of 20 per cent on raw wool, a motion was made to place wool on the free list, and every member of the Ways and Means Committee, as well as every Democratic Member of the House, except a very few, voted against placing wool on the free list. As I remember it now, every Member from Indiana voted against free wool except one. If more than 200 Democratic Members of the House were right one and two years ago, I am right now.

Mr. Speaker, the 200 Democrats I refer to who voted against free wool one and two years ago have not changed their views on this question. They believe as I do this very minute, but the difference between them and myself is this: I voted in the caucus in accordance with my honest judgment, and they laid aside their own convictions and voted the judgment of another for reasons better known to themselves. The chairman of the Ways and Means Committee, Mr. UNDERWOOD, stated that his committee agreed upon a duty of 15 per cent on raw wool and wrote it in the bill, but struck it out at the request of the President. Had this request not been made by the President every Democratic Member of the House, including the Ways and Means Committee, would now be voting for a 15 per cent duty on raw wool. I am giving these facts, Mr. Speaker, to show that my position on the wool question is the same as that taken by the Ways and Means Committee and practically every Democratic Member of the House. Four years ago when the Payne bill was passed and hides were placed on the free list I took the same position in relation to making hides free and taxing shoes and leather products that I now take on the wool question. I insisted then that free hides and a high duty on shoes would be beneficial to no one except the manufacturer, and my position has been fully justified. Hides were placed on the free list and a duty continued on shoes, and no one up to this good hour has been able to buy a pair of shoes for one cent less than they did before hides were made free, but the manufacturers of shoes with free hides have increased their profits about $6,000,000 in the last four years. The Ways and Means Committee, recognizing the correctness of my position on the hide question, have made shoes and leather goods also free in this bill. The same thing will be true of free wool and highly taxed clothing. The manufacturer will be the only one benefited. The Government will lose the revenue, and the consumer will pay practically the same old price for woolen goods.

Mr. Speaker, if I had my way I would place both raw wool and manufactured clothing and blankets on the free list, but if a duty is to be retained on clothing and blankets, I would lay a duty of 15 per cent on raw wool, purely for revenue purposes. However, as I said in the beginning, I shall yield my own judgment and abide by the action of our Democratic caucus and vote for this bill. As a whole it is a splendid measure and will result in bringing much needed relief to 92,000,000 people. There are 4,000 items in the bill, and I am in hearty sympathy with practically all of its provisions except as I have indicated.

I realize, too, that all legislation is the result of compromise, and no tariff bill ever written met the wishes of a single Member in every particular. The bill as a whole is a fulfillment of the pledge made by the Democratic Party to the people, and I earnestly urge every Democrat on this floor to give this wholesome measure his earnest support.

Mr. Speaker, I came into this House six years ago, at a time when we were face to face with an industrial crisis without precedent or parallel. Under Republican rule a system of tariff taxation had been permitted to exist until it had distorted the functions of a free government into tools of greed and vehicles of oppression. A system that had resulted in transferring the wealth of the country into the hands of the few. The party then in power was indissolubly linked, as an organization, to the powers of concentration, combination, centralization, and monopoly. There existed an ever-increasing anger and resentment, because of wrongs that had not been redressed, of rights that had been taken away, and of hope that had been deferred. Immediately upon entering this House I proceeded in my humble way to help wipe out and destroy all forms of special privilege and restore the Government to the people. For six years I have stood upon this floor fighting the battles of the plain people, and more than once I have been told that my opposition to the interests would result in my retirement from Congress. Not frightened by such threats, I have at all times maintained that this Government has no right under our Constitution to use its taxing power to create millionaires through a system of tariff taxation. For many years the people were misled and deceived as to the effect of our protective-tariff system, but finally when their eyes were opened, and they saw it in its true light, they drove the party responsible for its existence out of power and commissioned us to revise the tariff downward in accordance with our platform pledge, and we now present a bill, which when enacted into law will bring to an end the day of special privilege, so far as tariff taxation is concerned. For years I have been fighting for this legislation, and the passage of this bill redeems our pledge and brings great relief to the people.

Mr. Speaker, one by one the Democratic Party is bringing about great and important reforms, which shows the party of Jefferson is still the party of the people. We have provided for the election of United States Senators by direct vote of the people. We have enacted a splendid law for the regulation of the railroads. We have written upon our statutes the most liberal pension law ever passed in the history of the country. We have passed more than 20 bills directly in the interest of labor. We have increased the appropriation for the use of the Agriculture Department, and through its operation, investigation, and distribution of scientific information have rendered a valuable service to the American farmers. We are now passing an income-tax law that will remove from the backs of the poor people a burden of taxation amounting to $75,000,000 annually and transfering it to the shoulders of the rich, where it rightly belongs. Under the Wilson administration graft, waste, and extravagance is being weeded out of all the departments of government, and economy and effeciency is taking its place. The Democratic Party recognizes the fact that this Government was not established for the benefit of a favored few, but for the good of all the people, and upon us rests the responsibility of carrying out its purpose, to the end that the strong may not trample on the rights of the weak, but that every man may stand upon one common ground with an equal opportunity of enjoying the blessings so bountifully showered upon us as a nation.

Mr. Speaker, I regard it as one of the greatest privileges of my life that I have been permitted to take an active part in securing these great reforms.

The Tariff.

"The Democratic tariff act is a monument to a guesswork system of tariff legislation."

SPEECH

OF

HON. WILLIAM W. GRIEST,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, April 28, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. GRIEST. Mr. Speaker, tariff discussions are not new to the American people. For more than a century the tariff has been a dominant subject of political discussion. It has been described as both a national and local issue; as both a political and economic question. It involves the problems of direct and indirect taxation, and as a basic principle of government the tariff policy must be either protective or nonprotective. But, casting aside all theories, the patriotic query is whether protection or nonprotection will make the people of these United States happy, contented, and prosperous.

In the First Congress, Mr. Madison, afterwards President, reported a bill the preamble of which declared—

for the support of Government, for the discharge of the debts of the United States, and for the encouragement and protection of manufactures.

This act was the first levying duties on "foreign goods, wares, and merchandise," and President Washington gave it his approval July 4, 1789. This bill, the second enactment of the American Congress, affirmed the power and policy of a protective system. It was passed by the unanimous vote of the Senate and a five-to-one vote of the House. It established the fact that the tariff and protective policy are not unconstitutional.

The American people then and there gave their approval to the policy of protection and thereby, as pictured a century later in the words of President McKinley—

The Nation was quickened into new life and the entire country under the tariff moved on to higher triumphs in industrial progress and to a higher and better destiny for all the people.

From 1789 to 1913 there have been more than a score of important tariff enactments following political campaigns. In almost all of these battles a majority of the people have declared for the protective policy, and following each tariff revision along protective lines have resulted beneficial conditions under which the country has enjoyed real progress and prosperity as never before known in the history of civilization.

Following the tariff-for-revenue-only legislation in 1816, 1833, 1872, and 1894 American history records disaster, injury, and ruin, and, as James G. Blaine said:

A century's experience of the tariff should be their warning and their guide, for—

Says he—

it may be welded for your destruction or it may be welded for your protection and for your safety.

"A tariff for revenue only" means nothing but free trade, and that means death to the policy of protection. The Democratic platform declares the principle of protection unconstitutional, but when empowered with full control of the reins of Government the Democratic leaders are forced to admit that there is merit in the protective principle, and in violation of the campaign declaration they present to the Congress a semi-protection tariff law, with the announcement that they will make gradual changes looking to the "ultimate attainment of principles" enunciated in the Democratic platform.

We are told that a Democratic tariff law will do no harm to the welfare of the American people. But are the people to understand that the evil day has been only postponed while a great national experiment is to be tested, and if business is not disturbed or thrown into confusion or panic there will be further legislation until, as promised in the Democratic platform, their tariff principles shall be ultimately attained—or until free trade and hard times shall bring misery and low wages?

Commenting on the principles of "a tariff for revenue only," President McKinley once said that—

A protective tariff as an agent for raising revenue for the National Treasury is just as good as a revenue tariff.

In fact, a protective tariff does accomplish what a revenue tariff does, and more. It raises revenue, regulates commerce for "the general welfare," and insures the employment of labor, giving opportunity for good wages. The adoption of the Democratic tariff principle can not materially cheapen the cost of living unless it cheapens American men, but it will encourage foreign manufacturers and foreign labor to the detriment of domestic labor and home industry.

There are some Democrats who are not wholly afraid of the doctrine of protection, and they have demanded protective rates on certain articles, because with them it is a local issue; but those gentlemen must remember that their party in its platform declaration of principles brands the policy of protection unconstitutional and demands a tariff for revenue only—a tariff based upon a policy of free trade.

This wonderful country has been a workingman's paradise under a protective tariff as compared with conditions of labor and living in foreign lands. But withal we find problems, social, moral, and industrial, worthy of serious attention. The American people are giving consideration to these social and industrial questions, and there is a desire to do equal justice and fairness to the employer and the employee. These are not alone party issues, but questions which have to do with the rights of the people of all parties, and at this vital time the Democratic Party prepares to cut the tariff to a less protective basis. It threatens to deprive Americans of their full share of the American markets, curtail production at home, and pave the way for reduced wages.

The vital issue of tariff rates has again come before the people. If the rates are to insure a fair and reasonable degree of protection, then only by business methods can it be ascertained what rates shall be established, and an honest revision can be made only after data is collected by such a board or commission as was created by the last Republican Congress, advocated by both ex-President Taft and ex-President Roosevelt, and indorsed in the platform of the Republican Party.

The Republican tariff bill of 1909 provided for a tariff board. Its work attracted the attention of unbiased men and prompted a demand from business organizations of the country for the establishment of a nonpartisan permanent tariff board or commission to be appointed by the President. At that time commercial, industrial, and agricultural associations petitioned the House and Senate of the Sixty-first Congress to pass legislation establishing either a board or commission. The bill was considered by both the House and Senate, and in the closing hours of the Sixty-first Congress a Democratic filibuster prevented the enactment of the law. Had the Republican Party controlled the Sixty-second Congress it would have provided for a nonpartisan tariff board, and with figures and facts the Congress could act intelligently on tariff-revision legislation. The Republican Members of the Sixty-third Congress, in a caucus meeting open to the public, affirmed the party pledge favoring the permanent establishment of a nonpartisan tariff body.

The Underwood tariff was prepared in secrecy, and is said to have been agreed upon in private conference between Democratic leaders in the House and Senate, and President Wilson, before the extra session of Congress was actually convened. The public was ignored, and in the words of a prominent Philadelphia newspaper—

The views of the Congress and the public were apparently considered of neither value nor importance

The time is past when the great national policy of this Nation can be toyed with as a game of sight-unseen, or important changes can be made by mere guesswork.

The people are opposed to extortion, but are in favor of reasonable protection. They want to insure the employment of labor at home. They approve of home production under a system that will give every man a fair chance. The policy of protection has given great opportunities for progress; has allowed American workmen shorter hours and higher wages; and to reverse this system by the ultimate attainment of the principles of the free traders must result in a condition which will reduce our people to the level of less prosperous countries and force the reduction of wages to that of the poorly paid labor of the world. What other result can be expected or anticipated?

The conservation of life, property, and the natural resources of the United States is receiving the support of men and women generally. All of these efforts to better conditions are put forth by those who want to develop a nation of respected and self-respecting people. To this end good wages are essential. Wages are high as compared with those paid for similar employment in the years gone by, and similarly the cost of living has increased, but not materially out of proportion to the improvement in the standards of living. The amount of money necessary for a bare subsistence and the ordinary wage rate is larger than anywhere in the world.

In this country we believe in competition, but do not want industries suspended, public works retarded, legitimate business enterprises abandoned, and thousands of useful laborers thrown out of employment or reduced to want. Hard times have no fascination for our people, and every patriotic man should study the history of undisputed facts offered by James G. Blaine when he said that in a century's experience with the tariff—

It has been incontestably established that this country under a low tariff, inviting sharp competition and large importations from abroad, has never prospered, but every such attempt has ended in financial and industrial disaster, prostrating every interest, most of all the agricultural, and operating without exception with peculiar severity upon the wageworkers.

Some people have the idea that the tariff is the "mother of trusts," but that opinion conflicts with the history of facts about trusts and great combines in other parts of the world. As early as 1880 trusts and combines to control prices existed in free-trade England, and, as the last Senator Dolliver said:

England was even then plastered all over with trusts.

Great combinations of capital have become common in all parts of the world where manufacturing is plentiful, and it is evident that such trusts and combinations are not confined to countries having a protective-tariff policy. Both England, with free trade, and Germany, under a policy of protection, have trusts and have enacted legislation to control them, and in this country the Federal and State Governments are vested with authority to enact laws to regulate combinations of capital. As far back as 1903 Mr. Roosevelt, then President, said:

The question of tariff revision stands wholly apart from the question of dealing with the trusts.

The attempt of the Democratic Party to change the tariff duties can have no effect in solving the so-called trust problem.

Lancaster County, Pa., which I endeavor to represent on this floor, has for 50 years enjoyed the prestige of being the banner agricultural county in the United States, according to the official census. In the last census the county reported a total valuation of farm products approximating $21,000,000. It is therefore natural that our farmers should expect and be entitled to a policy of protection which will preserve the home market against harmful competition. They fully realize that there is danger to them in having farm products placed on the free list and in opening the home markets to the products of other countries where lands are fertile and production inexpensive, where labor is plentiful and cheap and where the standard of living is low. Without protection there would be unfair and harmful competition between our American farmers and the farmers of the world.

The Democratic tariff places on the free list such farm articles as potatoes, meats, swine, flour, rye, bran, corn, buckwheat, milk, tobacco stems, fruits, and many other products, allowing other countries free access into the United States to enjoy the privilege of the American market without paying a cent for the benefit, while a reduced duty is levied on butter, eggs, poultry, sheep, hay, etc., making these articles more nearly competitive with foreign farm products. Free trade and strict competition are the objects of ultimate attainment to which the Democratic Party aspires.

The Underwood tariff law is intended as an initial blow at protection. Agricultural products have been added to the free list in response to false complaints against the farmers. There is no well grounded reason for the charge that the farmers are unduly profiting by prosperous times or by the increase in the prices of farm products. The trouble lies largely in the fact that the ratio of production has not kept pace with the ratio in the increase of population, with its proportionate increase in the number of consumers. In other words, much of the cause for high prices in foodstuffs comes from underproduction of farm products, and unless we keep the mills and factories going with work for home workmen there will again come a time of low prices and agricultural overproduction.

The farmer furnishes capital; engages in production; takes the risk of losses; his crops are at the mercy of drought, flood, heat, frost, insects, and other destructive conditions. He must have knowledge of his profession and study the science of agriculture. He is affected by overproduction, by disastrously low prices, by market and credit conditions, and by business changes generally. At every point there are perils to his profits, and the profits, all things being considered, are not so large. In view of the facts, the farmer, like the manufacturer and the skilled craftsman, is entitled to his share of protection and is justified in protesting against drastic tariff legislation.

The farmers are interested in securing a reduction in the cost of living and in the prosperity of the people in the big cities, who are mainly consumers. They recognize that the producers can not prosper unless the consumers enjoy prosperity, and both the farm and the city must have prosperity if commerce, trade, and manufactures are to continue active. But if the people of Canada, Mexico, South America, Europe, and the Orient are to be given an advantage in American markets, then it becomes manifest that the American producers can not escape from injury and loss.

This tariff bill of 1913, after having been submitted to and sanctioned by President Wilson and the Democratic caucus, is a drastic piece of legislation aimed at those who work in the fields and factories.

As an instance, thousands of our citizens are engaged in cigar making. Would not every 100,000,000 cigars imported into the United States under a Democratic competitive tariff law take the place of an equal number of American-made cigars and deprive our workmen of that much labor? Would it not also deprive the tobacco grower, the leaf dealer, and the manufacturer of an equal amount of business? Is it not absolutely certain that the importer would not sell his product in this country at a less price than he sells it now unless the extent of the articles imported from foreign countries would create such open conflict as to make a reduction in the market for homemade goods?

Many farmers grow cigar leaf tobacco, and are largely competitors with Cuba, Sumatra, and the Philippine Islands, with their cheap tropical labor, with wages as low as 10 to 30 cents per day. Our farmers must cure their tobacco in buildings which are costly; their land is high priced, and they give employment to American labor at good wages. The domestic tobacco industry affords business for the packers and leaf dealers and the cigar manufacturers, who in turn give employment to thousands of people engaged in cigar making. They demand and should receive, the policy of protection as a safeguard against the cheapest and most ignorant labor of the world.

The Government has been liberal in its treatment of its foreign wards. It has allowed Porto Rico free entry of its cigars. Cuba has been conceded a 20 per cent discount on the tariff rate on cigars. The Philippines were allowed a limited importation, and now the Democratic Party proposes absolute free trade in both tobacco and cigars.

During the fiscal year 1913 fully 100,000,000 Philippine cigars will be imported into the United States free of duty, an increase of fully 25,000,000 over the free importation in 1912. With the right of absolute free trade, we may expect that capital will be encouraged to invest and produce larger tobacco crops and manufacture greater quantities of cigars, so that within a few years the Philippine Islands may ship into the United States duty free a billion cigars, to take the place of a like number of American-made cigars.

The Philippine farm labor costs but a few cents per day, and their cigar makers work for about 37 cents per day, or $8 to $20 per month, while at the least a cigar maker in the United States is paid $1 per day, and some make as much as $5 per day. The Orientals live cheaply, while our people must have sufficient clothing, good homes, substantial food, and maintain a higher standard, making it impossible to compete with cheap foreign labor.

Our farmers breed some cattle, but this business has become unprofitable, and they are now largely engaged in fattening cattle for market. They do not claim to be the cheapest producers of meat in the world; but if the Argentine, with its limitless grazing lands and cheap labor, can and does undersell American meats in foreign markets, it is hard to imagine how the Democratic leaders can persuade the farmers that they can be benefited by a tariff law which places meats on the free list and leaves a duty on cattle, a scheme that will give the market to the meat producers of Argentine, New Zealand, and Australia. The Beef Trust is probably best able to import these foreign meats cheaply, as by the use of refrigerator ships, with the facilities for cheap transportation, the Beef Trust could derive the advantage of this serious blow to the American cattle business.

The reciprocity act, which was rejected by Canada, provided for free cattle from Canada, but did not open the American market to the meat trade of the world. Canadian reciprocity would have enabled the farmers to buy thin stock for raising and fattening, and the home butcher would have been given an equal footing in the purchase of supplies. But if meats are placed on the free list, with a duty on cattle, the farmer, butcher, and consumer will be at a disadvantage and the Beef Trust and big packers will gain. They can afford to maintain plants throughout the world, as the official statistics, certified by the Secretary of Commerce, corroborate the claim that American meats abroad are undersold by cheaper South American and Australian meats. Free meats and a duty on cattle is a discrimination against the farmers and dairymen, and may also mean the reduction of corn raising, as 85 per cent of the corn crop is said to be used in feeding cattle.

Rye and buckwheat have been placed on the free list, together with flour made of wheat, rye, or buckwheat. Here, again, is legislation to the disadvantage of the farmers who grow these cereals, as free flour represents a practically equal amount of wheat, rye, or buckwheat grown on the farms. With a duty on wheat and flour on the free list, the millers are at a great disadvantage, and flour manufacturers will be seriously affected when foreign flour makers ship great quantities of the finished wheat product into this country as flour, without a duty, instead of wheat at 10 cents per bushel duty. This is a menace to both the farmer and the miller, and to all dependent on agricultural prosperity.

The agricultural free list is not the only bad feature of the Democratic tariff bill, but, as over 4,000 items are involved, each can not here be discussed singly. A revision and reasonable reduction of the tariff rates in some of the items of various schedules has been generally expected, but the harmful cuts made in the rates of certain manufactured articles can not improve home industries; and if the Democratic Party should be retained in power, controlling the Presidency and both branches of Congress, will they not feel emboldened to seek to secure the "ultimate attainment" of the principles of free trade set forth in the Democratic platform?

In cities with a variety of industrial establishments, like Lancaster and Columbia, Pa., where firms are operated independently, the business men and their employees are compelled under the Underwood law to compete in open market with the confessedly lower-paid labor of Europe. The import duty is cut on brass goods, hardware, machinery, harness, stoves, castings, umbrellas and parasols, silk goods, cotton goods, lace, chemicals, asbestos, vehicles, tools, soap, cork, boilers, boots, shoes, linoleums, and numerous other articles made in Lancaster County. The tariff reductions on these articles are not based upon sound business principles.

The Democratic tariff act is a monument to a guesswork system of tariff legislation, and as an illustration one need but examine the import rates on many manufactured articles and the rates on materials used in making the finished product. From responsible men have come protests against such legislation as harmful to business and labor. As previously stated, free flour and the duty on wheat affects the producers of wheat and millers who make the flour.

Another illustration is the tariff reduction on umbrellas and parasols. The duty on the finished product is reduced to 35 per cent and the duty on the goods used in covering umbrellas and parasols is 45 per cent ad valorem. The finished article can be imported at 35 per cent of its cost, and the employment of thousands of wage workers is jeopardized, the advantage being given to foreigners, and the home industry is placed on a strictly competitive basis.

Shoes are placed on the free list, and yet the Underwood bill is said to carry 30 different dutiable articles which enter into the process of shoemaking. Four years ago hides were placed on the free list, but shoes were not sold cheaper, and many are skeptical as to the reduction in the price of shoes. But free shoes with a duty on the articles used in the process of manufacture seems to subsidize the foreigner to the loss of our tanners and shoemakers. Injustice and inconsistency like this characterize the bill throughout.

Owing to the efficiency of our workmen and the use of modern machinery and by reason of good business methods, a portion of the tariff cut can be met, but it is unjust to expect that our people shall be able to compete in all products with the markets of the world and maintain our present wage standard. Thousands of men and women are employed in the factories at remunerative wages, and all that is asked for them or by them is an honest degree of protection, that harm neither now or hereafter shall come to our industries.

This tariff bill directly affects the products of 266,805 business establishments, of which number 242,029 produce goods which are on the dutiable list. These establishments provide employment for 7,700,000 wage earners, producing articles valued at $20,000,000,000. In addition, there are, according to the last census, 7,000,000 farmers, and their interests have not escaped the free-trade winds.

To-day these people are the beneficiaries of the great domestic markets of the United States, which in 1912 were estimated as being worth $33,000,000,000, of which amount the total value of farm products was about $9,000,000,000.

Without a protective tariff policy this great volume of business and these men and women must become direct competitors of the low-priced labor of any and every part of the world. Of the cheap labor of Europe and of the Orient, there are 140,000,000 such in Russia; 300,000,000 in India, many working for a few cents a day; 400,000,000 in China; and thousands just across the boundary lines of these United States.

The sudden reversal of the general tariff policy of a nation of 100,000,000 people should not occur for political purposes. Neither should such legislation be privately arranged between the Ways and Means Committee and President Wilson, as was done before the public or Congress was permitted to know what character of bill would be submitted to the binding, oligarchical caucus of the Democratic Party. They have welded an act which deserved and received the apologies of Chairman Underwood when he opened the tariff debate, and other apologies for the legislation are soon to be forthcoming.

In the absence of a tariff commission little real information has been furnished the 435 Members of this House who are expected to give consideration to the more than 4,000 items affected by a general tariff bill; and yet the common sense view of the protective system was so convincingly stated by the beloved Lincoln that the principle enunciated by him carries conviction.

President Lincoln said:

> I do not know much about the tariff, but I know that if you buy a ton of steel rails abroad you have the rails and the foreigner has the money; if you make a ton of rails here, you have both the rails and the money.

As a patriotic citizen it is my earnest wish that the tariff legislation will be followed by continued prosperity, but scores of tariff rates, compared with facts, prove the injustice of the proposed tariff revision, and are cited to illustrate the effects of unwise and hasty tariff legislation. It is not a cry of dire calamity, nor a forecast of panic, or even business depression, that I utter, but a solemn word of caution against the ultimate attainment of a bad economic policy, the enactment of legislation which will curtail labor, reduce wages, and retard the commercial expansion of the people of our own country.

The Republican Party was born as a protest against slavery and the degradation of labor. Lincoln, Grant, Hayes, Garfield, Harrison, and McKinley fought for the principles of protection and won. Roosevelt and Taft upheld these principles. In 50 years great progress has been made. Labor has been dignified, and the best labor scale in the world has been established and maintained. The American standard of living, and the American home are examples for the people of the world.

The Republican Party of to-day believes in fair competition, and is opposed to oppression, but it does not countenance the destruction of industry. It does not stand for less business and a lower wage. It believes in the policy of corporate regulation, supervision, control, and protection and justice to all, to the end that the people of these United States shall be happy, contented, and prosperous.

The Tariff.

EXTENSION OF REMARKS

OF

HON. L. C. DYER,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Monday, April 28, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. DYER. Mr. Speaker, under the general leave granted to print in reference to the tariff bill, now under consideration by the House, I insert in the RECORD the following letters from constituents of mine in St. Louis which are a few of the many letters and telegrams I have received protesting against the passage of the present bill:

ST. LOUIS, *April 24, 1913.*

HON. L. C. DYER,
United States House of Representatives, Washington, D. C.

DEAR SIR: I respectfully request that you use your best efforts to have the pending income-tax bill so amended as to exempt from taxation the proceeds of all life insurance policies and all life insurance funds, including the premium refunds (or so-called dividends) to policyholders, on the ground that such refunds are in no sense earnings or profits but are the portions of the premiums collected for emergencies which are refunded to the policyholder if not used.

I protest against the taxation in any form of life insurance conducted on the mutual or participating plan as unjust discrimination and as contrary to sound public policy. I would therefore earnestly request your aid in removing an excessive burden from multitudes of our most provident and deserving citizens, who, by foresight and economy, are seeking to make provision for the future of those dependent upon them, and are thus relieving the Nation and State of heavy charges and responsibilities.

Very respectfully, yours,

DWIGHT D. CURRIE.

MERCHANTS EXCHANGE OF ST. LOUIS,
SECRETARY'S OFFICE,
April 25, 1913.

HON. L. C. DYER,
Member of Congress, Washington, D. C.

DEAR SIR: The sugar industry of the State of Louisiana and the Territory of Hawaii is threatened by the proposed reduction in the tariff on sugar.

Believing that any reduction in the present sugar schedule would not only injure the industry but would materially affect manufacturers, farmers, and laborers alike and no doubt severely cripple business in practically every line in the State of Louisiana and the Territory of Hawaii, the board of directors of the Merchants' Exchange of St. Louis, at a meeting held April 22, voted to earnestly request our Senators and Representatives to oppose any reduction in the present sugar schedule.

Yours, respectfully,

JOHN L. MESSMORE, *President.*
EUGENE SMITH, *Secretary.*

ST. LOUIS, *April 25, 1913.*

HON. L. C. DYER,
Washington, D. C.

DEAR SIR: We are writing to you, as our Representative in Congress, to ask you to use your influence in the matter of whatever duty is established for ferromanganese to have it a specific instead of an ad valorem duty. The bill now under consideration in the House provides for a 15 per cent ad valorem rate. The present duty is specific, being $2.50 per ton, having been reduced from $4 per ton by the tariff act of August 5, 1909.

A 15 per cent ad valorem is a very heavy increase over the existing rate—too large, in our opinion, and, as you no doubt know, rests lightly on one and bears heavily on the shoulders of all other steel manufacturers.

The difficulty with the ad valorem duty is the confusion which arises from that form of assessment, making it almost impossible for a buyer when he places his order to know what the stuff will cost him when it is finally delivered, if we are correct in understanding that the duty is assessed on the market value at the time of the arrival of the material in this country or time of shipment from abroad.

We respectfully urge you also to use your influence for maintaining the duty on pig iron where it is. It has been very heavily reduced in recent tariff acts and has now a very low duty. Recently there have been developed in China and India large iron works, built by American engineers on American models for Chinese and Indian ownership, which are manufacturing pig iron at a very much lower cost than is possible at any point in the United States. We understand American-made pig iron is being supplanted to a considerable extent on the Pacific coast, and as these institutions grow American manufacturers may expect to have to surrender all of that trade to foreign-made iron and face the possibility of the eastern seaboard being eventually thus invaded. From Asia the danger of competition in future is more serious than anything we may expect from Europe.

Yours, truly,

ROGERS, BROWN & CO.,
By J. MEARS.

HAMILTON HOTEL, *St. Louis, Mo.*

HON. L. C. DYER,
Member of Congress, Washington, D. C.

DEAR SIR: Referring to the new tariff bill, H. R. 3321, as offered by Representative UNDERWOOD, of Alabama, in the House of Representatives on April 7, in section 2 there appear to be certain ambiguities in two of the paragraphs referring to life insurance companies, which ambiguities should be removed before the bill is passed.

These ambiguities arise from the attempt which has been made in long, involved sentences to cover briefly many diverse matters.

Section B reads as follows (I have omitted a certain part of this paragraph which has no reference to life insurance corporations):

"B. That, subject only to such exceptions and deductions as are hereinafter allowed, the net income of taxable persons shall include gains, profits, and income derived from salaries, * * * or gains or profits and income derived from any source whatever, including the income from but not the value of property acquired by bequest, devise, or descent, and also the proceeds of life insurance policies paid upon the death of the person insured."

This section attempts to define the net income of taxable persons, which income is subject to the tax under this proposed law. It says that the income shall include gains, profits, income from salaries, etc., and then further includes gains or profits and income derived from any source whatever, including the income from but not the value of property acquired by bequest, devise, or descent. This is perfectly clear; that is, that the income of money inherited is taxable but not the principal; then are added these words: "and also the proceeds of life insurance policies paid upon the death of the person insured."

This language has been submitted to many persons conversant with life insurance matters, and it is interpreted in two ways. One opinion is that the intent of these words is that the recipient of the proceeds of a life insurance policy should pay a tax upon the income derived from that sum. Others hold that it is intended to include the proceeds of life insurance policies (that is, the face value of these policies) as a subject of taxation, and that the beneficiary under a life insurance policy would be compelled to pay the income tax upon the full face of the policy.

There being this doubt as to the intent of this paragraph, some wording should be suggested and adopted which will clear up this manifest ambiguity, the question, of course, being, Do the words "and also" connect the last sentence with the immediately preceding sentence, beginning with the words "including the income," or does it connect the last sentence back to the main subject of the section, which is an enumeration of the taxable items?

Paragraph G (2) defines the method by which a corporation shall calculate the basis of its income tax. This section reads as follows, certain irrelevant parts being omitted:

"G (2). Such net income shall be ascertained by deducting from the gross amount of the income of such corporation, joint-stock company, or association, or insurance company received within the year from all sources."

"First. * * *.

"Second. * * * and in the case of insurance companies the sums other than the amounts paid within the year on policy and annuity contracts to policy holders as dividends or as return of premium payment, and the net addition, if any, required by law to be made within the year to reserve funds."

The sentence commencing "and in the case of insurance companies the sums other than, etc.," is certainly very vague. What is meant by the word "sums"? Does it mean all cash payments to policy holders, which may be the intent, as shown by the exception? This word should be certainly corrected and more definitely defined.

Then follows an exception, stating what may not be deducted from the income, to wit: The payments made to policy holders as dividends or as return of premium payment. We will not express any opinion as to the wisdom of taxing these so-called dividends to policy holders, but are simply endeavoring to suggest that the law be so phrased as to be perfectly clear in its meaning.

Following this exception or deduction we find the words: "And the net addition, if any, required by law to be made within the year to the reserve funds." Here there is a great ambiguity. Is it intended by this simple conjunction "and" to connect the net addition back to the main subject of the paragraph, and is it the intent of the law thereby to give the companies the right to deduct the increase in reserve funds from the taxable income? Or is it intended by the conjunction "and" to connect the words "net addition, etc.," with the immediately preceding paragraph, relating to dividends and return premium payments, in which event the net addition to the reserve would be taxable?

I can not for a moment imagine that this is the intent of the law, but it does seem that such an interpretation might be sustained and that the ambiguity must be removed. Those who are not familiar with the details of life insurance business will realize the importance of clearing up this ambiguity when I make the simple statement that the growth in reserves during the year 1912 in the "Home," which is a comparatively small company, was $1,200,000; in the New York Life it amounted to $30,000,000; and in the Metropolitan Life to $42,000,000. (These figures are approximate.) You can readily see what a burden a 1 per cent tax would be upon this one item. It must always be borne in mind in this connection that the burden imposed by this tax, whatever it may be, will of necessity be distributed so that a proportionate and proper share will be borne by each policyholder. There are something like 20,000,000 policyholders in the country, and it is upon them that the burden will fall.

As I am informed there is to be no public hearing upon this bill, at least in the House or before the committee of the House, I can think of no other way of calling attention to this matter than by writing you as I have done.

Trusting the matter will receive your earnest attention, I am,

Very respectfully, yours,

J. M. BLOODWORTH.

APRIL 26, 1913.

ST. LOUIS, MO., *April 26, 1913.*

HON. L. C. DYER,
Washington, D. C.

DEAR SIR: We want to call your attention to that part of Schedule N, section 362, of the proposed tariff bill which, if enacted, will do our business, as well as the business of all other jobbing millinery and importing houses in this country, a great deal of harm, and we want to ask you, in the interests of all, to use your influence and to vote against this clause.

As we understand it, the proposed bill will prohibit the importation of feathers of all wild birds, which would include feathers of game birds, such as pheasants, grouse, partridge, wild ducks, etc., and we believe you will agree with us that it would be unfair to permit the flesh of such game birds which are used for edible purposes to be admitted and yet prohibit the importation of their feathers. This proposed legislation would not only cause great ruin to an important branch of the millinery line, but it would also deprive a great many worthy people, mostly women, of their livelihood and means of support to their families.

We want to ask your cooperation, and hope that you can be instrumental in defeating this clause and, if not, to at least have it greatly modified.

Thanking you in advance,

Very truly, yours,

LEVIS-ZUKOSKI MERCANTILE CO.,
EDGAR LEVIS.

BOECKELER LUMBER CO.,
St. Louis, April 25, 1913.

Col. L. C. DYER,
Congresman, Washington, D. C.

DEAR SIR: The income-tax law of 1894 exempted life insurance conducted on the mutual plan, as follows:

Section 32 of the act of August 28, 1894, provided that "nothing herein contained shall apply * * * to any insurance company or association which conducts all its business solely on the mutual plan and only for the benefit of its policyholders or members, and having no capital stock and no stock or shareholders, and holding all its property in trust and in reserve for its policyholders or members; nor to that part of the business of any insurance company having a capital stock and stock and shareholders which is conducted on the mutual plan separate from its stock plan of insurance and solely for the benefit of the policyholders and members insured on said mutual plan and holding all property belonging to and derived from said mutual part of its business in trust and reserve for the benefit of its policyholders and members insured on said mutual plan."

I respectfully suggest that you take whatever action may be necessary and proper to have that language incorporated in the income-tax section of the tariff bill now pending in Congress.

Yours, truly,

H. A. BOECKELER.

ST. LOUIS TOP CO.,
St. Louis, Mo., April 26, 1913.

HON. L. C. DYER,
Member of Congress Twelfth Missouri District,
Washington, D. C.

HONORABLE SIR: As you know there is pending in Congress the Underwood tariff bill, and in that bill it is proposed to make a horizontal reduction of 50 per cent in the duty on rice. Now, you are not from a State which raises rice and you, perhaps, think, as many people think, that the only people interested in rice culture are the people living in the rice-producing States. Such, however, is not the case.

The writer is a resident of St. Louis and a business man and manufacturer of St. Louis, and there would be very little rice produced in the rice-growing States to-day if it were not for the brains, enterprise, energy, and capital brought to bear in the rice-producing States by farmers from Missouri, Iowa, Illinois, Indiana, Wisconsin, Minnesota, Ohio, Michigan, Kentucky, Kansas, Nebraska, and the Southern and Southwestern States. Eighty per cent of those engaged and interested in growing rice live in States outside of the rice belt.

The 2-cent duty has made the rice industry worth $200,000,000 by inducing this capital outside of the rice-growing States to be invested in improvements in the rice belt. If the proposed 50 per cent reduction in the rice duty becomes a law, heavy losses will be suffered by those interested in the rice industry, as rice land has no value for growing any other crop than rice. Before the development of the rice industry under the 2-cent duty this land was worth less than $5 per acre. The increase in value is largely represented by expensive improvements (it requires an outlay of about $5,000 for irrigation wells and pumping machinery for each 160 acres of rice land) paid for by outside capital. Is not an industry like rice growing, in which so many growers have so much capital and interests at stake, worth protecting from a merciless competition with Asiatic rice which is produced with cheap labor, as against our high-priced labor? Do we wish to see the United States flooded with Asiatic rice, thereby driving the American rice from the market and ruining the American rice grower without in anyway lowering the cost of rice to the American consumer? The middleman is the cause of the high cost of rice to the consumer and no matter how cheap rice is in the market in wholesale quantities or how little the grower gets for his rice, the price to the consumer is always away up. At the present time the price to the growers is less than 2 cents per pound, while cleaned rice sells at retail as high as 10 to 12½ cents per pound. Who gets this difference? The railroads get less than one-sixth of it.

The cause of high cost of rice to the consumer, then, is not the tariff so much as it is the middlemen—our wrong and wasteful methods of marketing the rice. It now costs the American rice growers 1½ cents per pound to produce a pound of rice. So it is plain that the present tariff is not to blame for the high price of rice.

To show that the American rice farmer's heart is in the right place, even if the middlemen are now getting the lion's share of the money paid by the consumers for rice, we, the rice growers of the United States will not object to a reduction of 25 per cent of the present tariff on clean rice only; the duty on unfinished rice, rough rice, and rice by-products to be undisturbed.

In conclusion the writer will say that he has tried to make the position of the rice growers clear and earnestly hopes that you will vote against reducing the rice duty 50 per cent and will use all your influence and all your power to induce your honorable colleagues to vote for a 25 per cent reduction instead of a 50 per cent reduction, and thus save from ruin a staple cereal crop which is one of the leading crops of the Southern States in the rice belt and an industry in

which large sums of money from different sections of the United States is being invested annually.

Hoping you may see your way clear to act for the interests of the rice growers of the United States instead of the growers of Asiatic countries, and thanking you, I remain,

Yours, very truly,

JOHN WOODBURN.

MISSISSIPPI VALLEY TRUST CO.,
St. Louis, April 23, 1913.

Hon. L. C. DYER, M. C.,
House of Representatives, Washington, D. C.

DEAR SIR: We take the liberty of writing you in order to solicit your support of and cooperation in obtaining the adoption of a certain amendment to the income-tax section of the tariff bill recently introduced in Congress, in which amendment banks and trust companies located in certain States, among them Missouri, are particularly interested.

I refer to that part of paragraph G of the new bill which permits corporations when making their return of net income to deduct (from gross income) "all sums paid by it within the year for taxes imposed under the authority of the United States, or of any State or Territory, or Government of any foreign country, as a condition to carrying on business therein," etc. Under the administration of practically an identical provision of the present corporation excise tax act of August 5, 1909, section 38, subsection 2, the question has arisen whether banks and trust companies located in those States whose laws require banks and trust companies to pay taxes assessed against their stockholders as individuals have or have not the right to deduct the sums paid under such circumstances from their gross income. The Commissioner of Internal Revenue has ruled that they have not this right. The consequence of this ruling has been the bringing of a suit by the banks of this city in the Federal court of this district to recover from the Government taxes paid in accordance therewith.

In view of the fact that the provision of the income-tax bill quoted above is no more clear upon the point in question than the present corporation-tax law, it is proposed to settle the matter "out of court," as it were, by amending the former so that it may specifically declare that no tax shall be levied upon sums paid by banks for State taxes whether assessed directly against the capital of the bank or indirectly when assessed against the stockholders.

For your information we beg to state that the American Bankers' Association, through its Federal legislative committee, as well as the Virginia Bankers' Association, are taking steps to bring about the adoption of an amendment of the purport indicated. We respectfully urge your assistance in the premises, on the ground that it is unfair that banks and trust companies, subject to legal regulations existing for the convenience of the tax collector merely, should be obliged to pay a greater income tax than companies not so situated.

Respectfully, yours,

BRECKINRIDGE JONES, *President.*

MISSOURI STATE LEAGUE OF
BUILDING AND LOAN ASSOCIATIONS,
SECRETARY-TREASURER'S OFFICE,
St. Louis, April 24, 1913.

Hon. L. C. DYER,
Representative from Missouri.

MY DEAR SIR: As secretary-treasurer of the Missouri State League of Building and Loan Associations, I beg to ask that you favor us with your influence in having building and loan associations exempted from the payment of the income tax now under consideration by Congress.

As you know, building and loan associations are mutual societies for assisting stockholders to purchase homes on easy installments, and as such are favored in many instances by statutes, and were exempted from the payment of the special excise tax imposed by the act of August, 1909.

Trusting this request will receive your favorable consideration, I am,

Respectfully, yours,

BURTON MCGINNIS,
Secretary-Treasurer.

W. T. FERGUSON LUMBER CO.,
St. Louis, Mo., April 25, 1913.

Hon. L. C. DYER,
House of Representatives, Washington, D. C.

DEAR SIR: I most respectfully request that you use your best efforts to have the pending income-tax bill so amended as to exempt from taxation the proceeds of all life insurance policies and all life insurance funds, including the premium refunds (or so-called dividends) to policyholders, as you know that such refunds are in no sense earnings or profits, but are the portions of the premiums collected for emergencies which are refunded to the policy holder if not used.

I do protest against the taxation in any form of life insurance conducted on the mutual or participating plan as unjust discrimination and as contrary to sound public policy. I would, therefore, earnestly request your aid in removing an excessive burden from multitudes of our most provident and deserving citizens, who by foresight and economy are seeking to make provision for the future of those dependent upon them, and are thus relieving the Nation and State of heavy charges and responsibilities.

Yours, very respectfully,

T. C. WHITMARSH.

Also the following newspaper editorial of The National Farmer and Stock Grower, St. Louis, Mo., in its April, 1913, issue, to wit:

The National Farmer and Stock Grower is not a political paper, and we regret very much that protection of American farming, manufacturing, and commercial interests, through the collection of customs duties, is considered a political question, when it really is an economic and business matter, one that can not be decided in connection with social and sentimental questions that so largely influence the alignment of political parties.

We venture the assertion that if the people of the United States were permitted to vote on the tariff question alone, and not have it mixed up with all other subjects that divide people into parties, the vote on the tariff would be overwhelmingly in favor of the protection to American industries of all kinds through the imposition of customs duties, that would shut nothing out entirely but would collect some money for the support of the Government on all raw materials and manufactured goods admitted from foreign countries.

In lawmaking Congress exerts a wonderful power, and it is often exercised unwisely and to the disadvantage of the American people. A case in point is the removal of the tariff on coffee, which enabled the foreign combinations to put up the price before the coffee reached our seaports, and almost doubled the cost to the American importer and trebled the profits of the Brazilian syndicates that control the output.

Another example of misdirected legislation is taking the duty off hides, which has resulted to the benefit of the owners of foreign hides, who simply added the duty to the price. They paid the duties to the United States Government when the duties were collectible by law, and put it in their own pockets when they found that the United States Government had made them a present of it by admitting the hides free of duty.

We understand the general idea in Congress is that all they have to do is to remove the 1½-cent-a-pound duty on dressed meats, or the small duty that is paid on imported beef cattle, and then go around to the butcher shops and buy beefsteaks 10 cents a pound cheaper. They are entirely mistaken. They can make a present of the duties to the foreign syndicates engaged in the meat trade, but they can not prevent them accepting and keeping the present. They can admit cattle on the hoof free of duty, but there the power of Congress ends. They can discourage the American farmer and induce him to get rid of his sheep, but they can not get him to start up again. The wheat grower who has a nice old time producing wheat that will pay a profit of $6 to $10 an acre under present circumstances can easily be induced to quit raising wheat, but when Argentina and Canadian wheats come in on top of a good crop here and the market becomes demoralized for the time being, then look out for the farmer forgetting to sow the usual crop of wheat in this country.

Congress can do much damage, but can not heal the sores again. People in the United States are not going to prosper on the money that goes to Australia for wool, or on the money that goes to Canada for wheat, or on the money that goes to Argentina for beef. We prosper on the money that is paid to our own people. It goes out and it comes back again. It gets into circulation. But the money that is sent abroad remains there, and our exports are not any larger from that source of revenue.

The farm productions of this country are ample for all purposes. One-half of the time our grain productions sell at prices that barely return the cost of production. There has never yet been a time when there was a bonanza in grain growing. Through years of low prices and sacrifice cattle have for once reached what may be called high prices, but only because of the changes that on the one hand have destroyed cattle ranges, but the cattle ranges cut up into farms have not yet produced the maximum of beef. Year in and year out farm productions bring moderate prices, and the burdens of the consumer are not caused by the wholesale cost of anything the farmer raises.

We have no hesitancy in saying as our editorial opinion that the admission of farm products free of duty from other countries will gradually undermine the productive industries of this country. The change will not take place in a day, but we will soon be in the position of a family when the head of it gambles his earnings away instead of taking the money home to his wife. Industrial enterprises will be in difficulties, for the reason that trade will be dull and wages high. Less people will be employed and many industries will be at a standstill. The farmer will be able to feed himself, but he will find himself short of money; he will practice economy and produce crops that cost the least for seed and the least cost for labor.

Farmers will remember that Canada saved us from the acts of our own Congress, so far as the bogus reciprocity bill was concerned, but we can not expect to have Canadians refuse free trade when they are still able to conduct their own protective system. We can not expect much assistance from manufacturers who are protectionists, because they are usually protectionists for themselves alone; and we can not expect much help from anyone unless we do the work ourselves. Congress will finally have to accept responsibility for its acts, but that is away off. When great injury is done and can not be undone, it is poor satisfaction to fix the blame, and that is all the recourse we will have.

In another column will be found an article entitled "Our industrial policy." If every farmer who is interested in this subject will address a Congressman and a Senator indorsing this policy, it will be harder and harder to get a bill through Congress that will do away with the protective policy of the Government, so far as the farming interest is concerned.

The Tariff.

SPEECH
OF
HON. LADISLAS LAZARO,
OF LOUISIANA,
IN THE HOUSE OF REPRESENTATIVES,
Monday, April 28, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. LAZARO. Mr. Speaker, in arising to speak against the bill now under consideration, it may be proper for me to state in the beginning that I was compelled to avail myself of the rule of the Democratic caucus, which permits a Member to refuse to be bound on any question where he, previous to election, had made contrary pledges, or where he had received contrary instructions from his nominating authority; and not only having made pledges and received contrary instructions, but believing, as I do, that this bill in its present form will cripple or destroy the chief farming industries of my section, there was and is no other honorable course for me to pursue.

The people of my section are Democrats, and the history of my State is a sufficient answer to anyone seeking to question our Democracy. The people of Louisiana believed, as I believe they had a right, that the plank in the Baltimore platform which promised and declared that the legislation to carry out the principles advocated by the party should not injure or destroy

legitimate industry was a sufficient guaranty to them that the party they were helping to place in power and with which they had always affiliated would not deal the staggering blow contained in this bill to the main industries of our State.

Now, gentlemen, feeling that you want to do what is fair and just to all interests in this revision of the tariff, I wish to call your attention in particular to the rice schedule of this bill.

I will first take up the rice-flour or rice-meal schedule. The present tariff rate is one-fourth cent per pound; the rate proposed in this Underwood bill is one-eighth cent per pound, or a reduction of 50 per cent in the present rate. This is a grade of rice or by-product that is made in the milling process and consists of fine, broken particles about the size of corn grits. This grade is unsuitable for table purposes. The proportion of this grade of rice, made from millings of rough rice in this country, ranges from 6 per cent to 15 per cent, an average of 10 per cent, depending on the hardness of the grain and the value of the broken rice on the market. When the clean-rice market is low a larger per cent of the rice milled is thrown into the broken grades. Rice flour or meal, being undesirable for bread-making purposes, is unknown to the grocer's trade. The greater portion of the rice flour or meal imported into this country comes from Germany, where the largest rice mills in the world are located. There was imported into this country during the fiscal year ending June 30, 1912, 132,116,821 pounds, and we produced in this country less than half that much.

Now, if the manufacturers of this country are not asking a reduction in the tariff on this grade, as I am told they are not, and as they could be the only beneficiaries outside of the German and foreign millers, why, I ask, the reduction of one-eighth cent per pound be made? If the proposed reduction stands, it will cause the mills of this country to sell their broken rice at one-eighth cent per pound less than at present rates, as the foreign broken-rice market would set the price on our market, we having to sell our rice at less than the foreign broken in order to get the business. This will be readily understood when you realize that it is a fact that freights to the Atlantic seaboard ports from the rice belt of this country are about three times that of the rate from European and continental ports to the same markets; that is to say, rates from German ports to New York are about 9 to 11 cents per 100 pounds and from the mills in Louisiana, Texas, and Arkansas it is from 28 to 30 cents per 100 pounds. Now, why should this reduction in the tariff be made in face of the fact that it will cause a loss of Government revenue, will do no one in this country any good, save and except that the brewers will be enabled to buy their products for one-eighth cent per pound less than at present, at the loss of the farmer and miller who are engaged in this industry?

Let us now take up the unclean rice schedule.

The present tariff rates on this grade of rice are 1¼ cents per pound, and the proposed rate in this Underwood bill is five-eighths cent per pound, or, again, another reduction of 50 per cent.

This grade of rice is being imported largely on the Pacific coast at the present rate of duty and several mills have been erected along the coast to mill the rice, and they are now supplying fully 50 per cent of the trade of that section of the country with imported rice, to the exclusion of the rice belt of Louisiana, Texas, and Arkansas. This for the reason that the freight rates from the rice belt of the United States to the Pacific coast is 60 cents per 100 pounds, while the rates from Japan and China are only from 15 to 20 cents per 100 pounds.

If the rates on this grade of rice—tariff rates, I mean—are reduced to five-eighths cent per pound, I feel sure that it will only be a short while before the foreign rice mills exclude our domestic product from the Pacific coast markets as well as the markets along the Atlantic coast and Porto Rico. I therefore feel that if it is the declared policy of the administration to make a reduction, that the reduction on this grade under no circumstances should exceed a reduction of 25 per cent from the present rates. In fact, no reduction at all is needed.

The rough-rice schedule: This proposed bill makes a reduction of 50 per cent in the present rates. The same argument and logic which applies against the reduction in clean rice applies with equal force to this grade. On account of the cheapness of transportation, in years of plenty Asia, Japan, and China, where rice is produced with the cheapest of pauper labor, would use this country as a dumping ground and ruin our domestic industry, which is in the hands of white farmers, accustomed to live like Americans and who pay American wages.

I will now take up the clean-rice schedule. The present rate is 2 cents per pound, and the proposed rate in this Underwood bill is 1 cent per pound. This reduction will affect the industry most seriously for the reason that the freight rates from the rice belt of the United States to the large consuming markets of the country are from three to five times that from foreign countries. As an illustration: Rates from interior points to New York, where 750,000 barrels are consumed and distributed, are 30 cents per 100 pounds, and from foreign points it is only 15 to 20 cents per hundred pounds, and other points are in the same proportion.

Thus you will readily see that it will take a large proportion of our preferential tariff to offset the difference in freight rates; and if it were not for the fact that we grow in this country the finest rice in the world I believe that we would lose all the trade on both the Atlantic and Pacific coasts. But while we grow the finest rice in the world, we also grow some low-grade rice, because the continuous cultivation of rice land causes deterioration, and no other crop will rotate successfully on rice land. The crop is depreciated by red or wild rice, water-weed seeds, and is often damaged in the field at harvest time by rains. Now, this red, damaged, or seedy rice can not be sold in this country profitably, and we have no market for it except in Porto Rico. Before we had Porto Rico as a market these low grades of rice had been so cheap that it would not pay its freight to market, and my information is that some farmers who shipped these low grades of rice to market were called upon to remit the balance due for freight. This condition, however, has never existed since we have Porto Rico as a market, as the people there have been used to eating the low grades of rice from the Orient and have for some time been taking our low grades at fair prices; but bear in mind, these low-grade rices of the Orient are only worth from $1.65 to $1.85 per hundred pound f. o. b. German and European ports, and freight rates being about 10 cents per 100 pounds to Porto Rico we would have this proposition to compete with:

Cost of rice in German ports	$1.75
Freight to Porto Rico	.10
Duty	1.00
Total	2.85

This means that we would only get that amount for our rices in Porto Rico, less freight from milling points, and which is about 40 cents per hundred pounds from interior milling points in Louisiana, Texas, and Arkansas to Porto Rico, or, say, $2.45 for 100 pounds of clean rice, and which would mean about $1.75 per barrel, or 50 cents per bushel, for rough rice to the American farmer, and which would be a loss to him on present conditions of from $8 to $12 per acre, depending upon the kind of rice he grew.

We therefore, Mr. Speaker, feel that with the proposed reductions in this Underwood bill our rice farmers and millers in Louisiana, Texas, and Arkansas will be completely put out of business and this legitimate agricultural industry destroyed, with an almost total loss of all that is invested in lands, implements, canals, ditches, levees, and mills; and all this, Mr. Speaker, with a loss of revenue to the Government and without benefit to the consumer.

Now, Mr. Speaker, as I said in the beginning, I come from a section that has politically always been Democratic, and it is the understanding of my people that the Baltimore platform stood, and stands to-day, for a revision downward without injury or destruction to a single legitimate industry. The party platform and the campaign speeches of our standard bearers lulled our folks into the belief that the radical reductions and free list were to be for those trust-controlled articles and products that are sold cheaper abroad than to the consumer at home. In all frankness, my fellow Democrats, I fail to catch the drift of the logic in the proposition of placing everything that the farmer raises on practically a free list and everything that he has to buy remains on a practically protected list.

The cultivation of rice in this country under the present duty has helped to develop the section where it is raised; it has in my section made good the hope and cry of "back to the farm"; it has developed and fostered prosperous little communities where before nothing but cattle grazed; it has brought to us newcomers, settlers from the East and the West, and now prosperous villages and towns, churches, and schools veritably dot the rice section of my State. This industry has increased the value of our heretofore cheap prairie land from $2.50 to $30 and $45 per acre; it has increased the production and widened the consumption of this staple food and brought about an actual reduction in the price to the consumer.

Rice is essentially a small farmer's crop, and the industry is entirely in the hands of white farmers. Its cultivation should be encouraged and not discouraged. Its value as food for the human race is beyond question, and there are lands enough susceptible of its cultivation to make this Nation produce enough rice to supply any possible home needs that may be developed. But this reduction of 50 per cent is going to prove the ruin and disaster of this growing industry, which is the

mainstay and foundation upon which rests the business interest of my section and upon which it depends. And why is this to be done? To benefit the consumer? Why, my friends, when the rice produced by the pauper labor of the Orient has been dumped upon our shores in sufficient quantities to drive out and ruin the domestic industry, and when there will be no home-grown rice to compete with on the American market, the imported rice of the Orient will be controlled by trusts and combinations, and the poor American consumer will pay a higher price for this staple food. This radical reduction will not benefit the laboring man, the mechanic, or artisan of the large cities, for the simple reason that the high prices paid by them for the produce of the farm is not occasioned by the price received by the farmer, but, on the contrary, these high charges are made by the agents of transportation and the middle men. The farmer who furnishes the raw material to feed and clothe the Nation receives only 25 per cent of the price paid by the consumer, while the transportation companies and the middle men receive the other 75 per cent. You, my fellow Democrats, know this to be so; and if so, why are we undertaking to pass a measure which will ruin the farming people of a whole section of our country?

As a compromise, I endeavored to have the rice schedules amended, so as to make the reduction on the present duty 25 per cent instead of 50 per cent, as provided for in this bill, but you, my fellow Democrats, would not listen to any such suggestion, and to-day, in face of the fact that I hail from a State that is always found in the Democratic column, I find myself placed in the awkward position of having, in obedience to the overwhelming sentiment of the Democrats of my district, to announce that I will have to vote against this Underwood bill if it stays in its present shape.

The Tariff.

SPEECH
OF
HON. LUIS M. RIVERA,
OF PORTO RICO,
IN THE HOUSE OF REPRESENTATIVES,

Monday, April 28, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. RIVERA. Mr. Speaker, in the debate on this bill, the ablest orators of this House have adduced all the arguments existing in favor and against a substantial reduction of the present tariff rates. I am aware of the fact that it leads to no practical end to further discuss policies which have been agreed upon by the majority in its caucuses. I am likewise convinced that the tariff bill will be passed by the House and sent to the other side of the Capitol as it was presented to us, and that it will become a law by force of the greater number and the mandate of the people, who voted last November for a downward revision of the tariff, from which great benefits are expected.

But, although considering my remarks on this matter of no favorable consequences whatever, it is my duty to voice on the floor of this House the views of my countrymen and to enter their protest against a measure which, in a short period of time, will deprive them of their prosperity, that has already created considerable alarm to business, and that will eventually cause an unavoidable commercial crisis.

The exports of Porto Rico amounted in 1912 to $49,705,413. Out of this total sum $31,544,063 came from sugar, or nearly two-thirds of all the external sales. Porto Rican sugar comes into the United States free of duty and enjoys, in competition with the Cuban product, an advantage of $1.34 per hundred pounds. This premium has served as an incentive to the cultivation of the sugar cane and the establishment of mills. Take it away and you will make impossible even to cover the cost of production. The island's prosperity, attained through 14 years of untiring energy and hard work, will wholly disappear by that single blow, with no hope of it ever appearing again. I maintain most firmly that by putting sugar on the free list the American Congress will enact the ruin of Porto Rico; that is to say, of a million two hundred thousand people who have not even the right to vote in the decision of matters greatly affecting their future welfare.

But even face to face with such a grave situation as this we Porto Ricans would not protest if, after all, the injury done to our products were counterbalanced by benefits to be received by our consumers. Last year we shipped into the United States 367,000 tons of sugar, or 807,400,000 pounds. At $1.34 per 100 pounds, the protection that would be taken away would amount to $10,819,016. And, on the other hand, all products of national industries being shipped into Porto Rico will remain highly protected. The protection upon goods bought by Porto Rico from the United States, about $37,000,000 annually, would have amounted to over $14,000,000 had the tariff duties been collected. Admitting that the prospective tariff rates will cause a reduction of 30 per cent upon the preceding figures, we will as yet continue to contribute $9,000,000 of protection to American industry and agriculture. Our agriculture and industry would receive no due or equivalent compensation, as tobacco and fruits alone would remain protected, with coffee already on the free list. The exports from these products amounted in 1912 to—

Tobacco	$7,406,841
Fruits	2,377,762

The protection in our favor on the above exports did not amount to $3,000,000. And it may be deduced from the foregoing facts that the protection afforded articles Porto Rico buys in the United States will be by $6,000,000 greater than the protection given to products the United States buys from Porto Rico. This would be a great injustice, which the American Congress should not allow, and which it is not in our power to prevent.

Porto Rico would not claim, even in the case of its financial doom, unfair concessions. If Congress desires to reduce the price on articles mostly consumed by the poor classes, well and good. It will do it with our hearty applause. But at the time that sugar is placed on the free list, let rice, codfish, cotton goods, wood, glass, chinaware, hides and shoes, meats, lard and butter, potatoes, beans, jute sacks, canned goods, cereals, live animals, agricultural implements be placed on the free list as well. And by so doing, and in what regards us, a balance will be established in what we will lose and what we will gain when this bill becomes a law and is extended to our island.

Free trade would injure the Porto Rican producer, but would benefit the insular consumer. The Porto Ricans would, indeed, earn much less, but they would have to spend much less for their necessaries, and they would not remain condemned to the dreadful need of having to sell very cheap that which they export to the United States and buy at high prices that which the island imports from the United States. We do not ask Congress to sacrifice national interests to the interests of Porto Rico. But Congress will not wish either to sacrifice the interests of the island to those of the Nation. Since American occupation in 1898 my country has been complaining of its political status.

By artful excuses the Republican Party has refused to recognize the right of my countrymen to govern themselves. We are in America the only people not exercising an absolute sovereignty over the land on which they were born, on which they live, and on which they toil. We were greatly rejoiced over the victory of the Democratic Party. It constitutes our last hope. But we will consider it a great misfortune that the first law enacted by a Democratic Congress and supported by a Democratic President should destroy our only motives of satisfaction at present—our agricultural and commercial prosperity, and the producing and consuming capacity of the people that allows them to proceed on the way of progress, to increase the number of schools, to build public highways, to beautify the cities, and to increase the rate of wages in shops and farms.

Seven hundred thousand Porto Ricans depend upon the sugar industry. Once this industry has disappeared, as it is certain it will, nobody will be able to foresee the consequences that the crisis ensuing will entail. At the mere announcement that sugar would be placed on the free list, banks ceased to give credit, business is at a standstill, prices on land have gone down, and it may be conservatively estimated that a loss of over $20,000,000 has already been sustained. An earthquake as that of San Francisco, or a flood as that of Indiana and Ohio, would be considered small calamities if compared with the one that Porto Rico will have to bear by the reduction in the present tariff rate on sugar. And, to the dissatisfaction felt on account of our sad political situation, there will be added the discontent from a poor financial condition.

Porto Rico sells to the United States about everything it produces and buys from the United States about everything it consumes. And, with the new tariff law in force, all its products with the exception of tobacco and fruits will remain unprotected. Tobacco is controlled by an American trust under the name of the Porto Rican-American Tobacco Co., while fruits are also practically controlled by American capital. American goods with a considerable margin of protection will have to be bought by the natives of the island, who will have

to meet competition in selling their products. In this wise the exports of the island will be placed at a disadvantage, while the imports to the island will gain some advantages. This would be an incredible though an undeniable fact. Were I asked a remedy to this situation, I would suggest one of the following three: To declare Porto Rico a free port, doing away with customhouses and tariff duties; to grant the island a form of government identical to that established by England in her self-governing colonies, which have been given the power to pass tariff laws and to negotiate commercial treaties with other countries; or to give the island its national independence, with or without an American protectorate. Any one of these solutions might be adopted and established, but the country should not be condemned to a political inferiority contrary to the principles of democracy, and much less to an economical misery incompatible with the practices of Christian charity.

The Tariff.

EXTENSION OF REMARKS
OF
HON. WILLIAM W. GRIEST,
OF PENNSYLVANIA,
IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 30, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. GRIEST. Mr. Speaker, supplementary to my previous remarks relating to the tariff bill, I avail myself of this opportunity to extend in the RECORD certain data and protests in opposition to section 4, paragraph C, of the Underwood bill, providing for absolute free trade in cigars, tobacco, sugar, and rice between the Philippine Islands and the United States.

The tariff act of 1909 restricted the free importation of Philippine cigars to 150,000,000 cigars annually. During the first fiscal year there were imported 84,299,000 Philippine cigars; in 1911 the internal-revenue tax was paid on 27,804,743 and in 1912 on 72,843,780 cigars brought from the Philippine Islands. For the first eight months of 1913 the importation was about 70,000,000 of these cigars.

The director of labor of the Philippine Islands in the 1912 annual report speaks of the "future of the industries of the islands" and says that the sugar and tobacco industries, for example, "have developed in a marvelous manner" since a great market for these products has been opened in the United States.

Further official evidence of the growth of export trade from the Philippine Islands to the United States is found in the following statement from the annual report of the insular collector of customs for the fiscal year ended June 30, 1912, showing annual exportations of cigars.

Figures for each year since 1899 follow:

Cigars.

Fiscal years.	To all countries.		To United States, including Hawaii.	
	Quantity.	Average value per thousand.	Quantity.	Average value per thousand.
1899	167,991,000	$7.71	1,810,000	$3.96
1900	219,008,000	5.43	532,000	3.54
1901	149,496,000	8.36	1,335,000	3.76
1902	225,420,000	7.39	464,000	18.40
1903	119,721,000	7.91	332,000	11.64
1904	104,803,000	9.24	96,000	18.70
1905	105,571,000	9.08	728,000	5.33
1906	93,136,000	9.71	1,288,000	18.17
1907	116,710,000	9.01	1,593,000	16.36
1908	117,564,000	9.22	1,365,000	15.96
1909	116,278,000	9.32	2,696,000	16.25
1910	196,192,000	15.16	88,181,000	22.60
1911	132,217,000	12.86	27,936,000	25.70
1912	175,320,000	15.17	71,973,000	22.50

Confirmatory of that report, there appears in the Daily Consular and Trade Report, issued by the Department of Commerce on April 26, 1913, the following paragraph in a report on the "Foreign trade of the Philippine Islands":

CIGAR EXPORTS SHOW PROMISING GAINS.

The figures for the exports of cigars during the period under consideration are encouraging, showing as they do an increase of 37 per cent over those for the corresponding months of the preceding fiscal year—$1,605,123, as against $1,173,120. The average price also shows an upward tendency, being $16.80 per thousand, as compared with $15.17 for the fiscal year 1912. The grades exported to the United States run considerably higher. If the present rate of progress is maintained, the total exports to all countries during the whole of the present fiscal year will approach 150,000,000 in number. Exports of cigars to the United States increased during the fiscal year 1912 much more rapidly than the general exports of that commodity, since the market was recovering from the reaction that followed the expansion of 1910, and it is not easy to say exactly to what extent this rapidity of increase is likely to continue. If it does continue, even in part, the figures at the end of the current fiscal year should show a marked increase, although the total number exported to the United States is likely to continue for the present to fall considerably short of the maximum admitted duty-free under the tariff of 1909. The figure for the whole of the current year may, however, possibly surpass the record of 86,500,000, or 57.7 per cent of the duty-free maximum, set in 1910.

This official report of "foreign trade" clearly states causes which have justified the cigar-tobacco people of the United States in protesting against absolute and unlimited free trade in Philippine cigars and tobacco.

With the permission of the House, I insert in the RECORD the following communications, which illustrate a few of the many telegrams, letters, and resolutions I have received protesting against the passage of the pending tariff bill:

LANCASTER, PA.

Hon. W. W. GRIEST,
House of Representatives, Washington, D. C.:

At an informal meeting in Lancaster Township of 75 farmers an emphatic protest was voiced against free tobacco from the Philippines. Tariff removed from tobacco will jeopardize the welfare of the tobacco industry in the United States, and would be especially detrimental to the farmers of Lancaster County.

JOHN H. SHANK, *President.*

LANCASTER, PA., *April 14, 1913.*

To the honorable Committee on Ways and Means.

GENTLEMEN: We, the members of Cigar Makers' Union No. 257, of Lancaster, Pa., in meeting assembled, adopted the following resolution:

Whereas the section of the tariff bill (H. R. 10) which provides that all articles the growth or product of or manufactured in the Philippine Islands from materials the growth or product of the Philippine Islands or of the United States, or of both, or which do not contain foreign material to the value of more than 50 per centum of their total value, or 20 per centum in case of manufactures of tobacco upon which no drawback of customs duties has been allowed thereon coming into the United States from the Philippine Islands, shall hereafter be admitted free of duty;

Whereas the above section inserted into a tariff law which has for its purpose the destruction of monopoly and unfair competition in business can not be considered by the general public anything short of special privilege when it is a known fact for years that certain large cigar and tobacco firms have endeavored to get free trade upon manufactured articles made in the Philippine Islands for the sole object of utilizing and exploiting the cheap labor for their own aggrandizement;

Whereas no place in the world are cigars and tobacco produced as cheap as on these islands, and under such insanitary conditions, making their product a menace to the health of our citizens;

Whereas nothing, in our mind, could be more contrary to Democratic Party pledges than to allow one imported article have advantage over others of the same kind to benefit a particular interest: Therefore be it

Resolved, That we, the members of Cigar Makers' Union No. 257, numbering 350 working men and women, earnestly and respectfully protest against any lowering of the tariff rates with the Philippine Islands below that of any other foreign country.

HARRY TILLBROOK, *President.*
S. B. DUKE, *Secretary.*

Similar resolutions have been adopted by local cigar makers' organizations, including Union No. 301, of Akron, Pa.; No. 161, of Denver, Pa.; No. 12, of Oneida, N. Y.; No. 42, of Hartford, Conn.; No. 33, of Indianapolis, Ind.; local unions of New York City, N. Y., and Chicago, Ill.; Rhode Island State Branch 94; Union No. 132, of Brooklyn, N. Y.; and many others.

A PROTEST AGAINST UNLIMITED FREE TRADE WITH THE PHILIPPINE ISLANDS.

CIGAR MAKERS' INTERNATIONAL UNION OF AMERICA.

At a convention of the Cigar Makers' International Union held September, 1912, a resolution was unanimously adopted by the 400 delegates protesting against the importation of cigars duty free from the Philippine Islands and instructing the president to protest to the proper Federal authorities and to the Congress of the United States against such free importation of cigars duty free from the Philippine Islands, which resolution went to popular vote under the referendum and was practically unanimously adopted. Out of a possible 48,457 votes only 186 votes were cast against the resolution.

In compliance with such instructions and in behalf of the Cigar Makers' International Union, we earnestly protest against the proposition of the Committee on Ways and Means which provides for absolute free trade in cigars with the Philippine Islands for the following reasons: The bill not only permits cigars manufactured in the Philippine Islands to come in duty free, but it permits such cigars to contain 20 per cent foreign material. This means that a manufacturer in the Philippine Islands can put in the cigars a combination of American tobacco, Philippine tobacco, and 20 per cent of Havana tobacco, and would give the Philippine cigar manufacturers an unfair and undue advantage over the American manufacturers and be a consequent detriment to American working men and women.

The importation of cigars from the Philippine Islands under the present law has steadily increased. We hold that if Congress gives the Philippine cigars free access, without restraint or limit, to the markets of this country that the American Tobacco Co., which, despite the alleged dissolution acts, is just as effective as it ever was, would immediately establish large factories in the Philippine Islands and continue the manufacture of cigars there on a scale that would seriously interfere with the industry in this country proper. This is not an idle

statement. When Porto Rico was annexed and given free access to the markets of this country the trust immediately proceeded to obtain control not only of the cigar industry but also of the leaf or raw material of Porto Rico, so that to-day they practically control at the very least 80 per cent of the cigar industry of that island. In one year 1,250 cigar factories have gone out of business and thousands of American cigar makers have suffered in employment in this country. The trust, with its exceedingly large capital, will do precisely the same thing in so far as the Philippine Islands are concerned if this bill passes and an opportunity is thus given them to do so.

The proposition of the Committee on Ways and Means we unhesitatingly say is favorable to the trust and strengthens its hand and assists it to more quickly stamp out competition of the independents and to establish an absolute monopoly in the cigar and tobacco industry, though probably not so intended. The Tobacco Trust controls fully 85 per cent of the smoking and chewing tobacco, snuff, cigarettes, and little cigars in this country. It controls 80 per cent, if not more, of the cigar industry of Porto Rico, and it controls fully, if not more than, 75 per cent of the imported cigars coming from Cuba.

We earnestly protest against giving them an opportunity to further strengthen their straogle hold upon the independents by giving them the Philippine Islands, which they will exploit for the benefit of the trust and to the detriment of independent manufacturers, of working men and women, of the Federal Government, and of society at large.

The notion that American workingmen can compete with oriental, the cheapest labor in the world, of the Philippine Islands is absurd and preposterous and absolutely out of the question. The wage paid for making cigars in the Philippine Islands is less than one-fourth of the wages received by cigar makers in the United States. In the third annual report of the bureau of labor of the Philippine Islands, page 15, issued 1912, it officially states that wages of 11,300 cigar makers in the Philippine Islands in 53 factories were P193 annually, or about $96.50 American money, or 30 cents per hour, while the average wages of the cigar makers in this country are at least $1.50 a day, which includes the unorganized as well as the organized. I estimate that the average wages of the union cigar makers is at least $2 per day, and, as a matter of fact, that is pretty nearly the minimum wage, and it ranges from that sum to as high as $5 per day.

The question of transportation should not be lost sight of. A thousand cigars can be shipped from the Atlantic coast to Chicago for about 10 cents, and from coast to coast for about 18 cents or 20 cents. A thousand cigars, the wholesale price of which would be $100, weighs about 27 pounds. The question of transportation then is not a factor, as because of the lightness of the commodity it can be transported at a negligible cost. There are thousands of Chinese and Japs, which with the Filipinos are very apt learners, especially in the cigar industry, as they prefer factory to field work, and the cigar-producing capacity of the Islands can be reduced and brought up to any number in a very short time, and this, we assert, without fear of successful contradiction, will surely occur if you give them free access to this country. It is claimed that one-third of the population of Manila is Chinese. If the product of this oriental cheap labor comes into this country the result will be ruinous to the industry here, and would in a measure impair and partly nullify the Chinese exclusion act. The cigar industry in this country pays the Federal Government in internal taxes alone about $22,000,000 annually, and when we include the tobacco trade, which includes cigars, cigarettes, snuff, and manufactured tobacco, it contributed for the fiscal year ending June 30, 1912, $70,500,000. There are employed at cigar making, not counting those engaged in making smoking and chewing tobacco, etc., about 136,000 people, of whom about 110,000 are skilled workers and wage earners, who are directly and indirectly taxpayers and contributors to the maintenance of our Government, while, on the other hand, the Filipinos do not contribute a cent to the maintenance of our institutions.

The aggregate wages paid to cigar makers is $50,000,000 annually. The wholesale value of the output of cigars is about $350,000,000 annually. It ranks about the twelfth in the value of its output among the great industries of our country. The cigar and tobacco industry has always been taxed through custom duties and internal-revenue tax. It as a consequence is extremely sensitive to hostile legislation. During the last fiscal year over 1,250 small cigar manufacturers have been forced out of business. The union cigar maker receives from $7 to $12 per thousand for making the 5-cent cigar, and from $12 to $18 per thousand for making the 10-cent cigar, and from $18 to $50 per thousand for making the clear Havana cigars, or the two for a quarter and more expensive kind.

Under the present law, which limits the importation of cigars from the Philippine Islands duty free to 150,000,000 annually, the importation jumped from 22,900,000 in 1911 to 72,800,000 cigars in 1912.

From information received from the Insular Bureau of the War Department, we find for the first eight months of this fiscal year 65,000,000 cigars were sent here from the Philippine Islands.

Under the economic conditions prevailing here the allowance of 150,000,000 duty free per annum is more than fair to the Filipinos. Given an unrestricted free market in this country and the Cigar and Tobacco Trust will be enabled to increase the amount produced there and sent here and disposed of through its chain of stores to an extent that will be disastrous to American manufacturers and American working men and women. Owing to climate and the bounties of nature the Filipino lives very cheaply. Clothing is of the cheapest kind; he has no expensive rent to pay, no fuel to purchase, while he has self-sustaining food growing in abundance. We, on the other hand, must buy food, fuel, pay high rent, buy more expensive clothing, and with the always increasing cost of living we find the effort to sustain home, family, and life always equal to our income. We earnestly protest against being pitted against oriental labor—the cheapest labor in the world—in our struggle for existence. We protest against the proposed changes in extending the amount of free importation of cigars from the Philippine Islands.

Yours, respectfully,

G. W. PERKINS,
International President.

The Cigar Makers' International Union of America further voice their protest by the issuance of the following statement, a copy of which was given me by a representative of their organization. This document gives emphasis to the injustice of the proposed enactment:

MONGOLIAN AND ASIATIC COOLIES V. ORGANIZED LABOR IN THE UNITED STATES OF AMERICA.

One section of the tariff proposes absolute free trade in cigars imported from the Philippine Islands.

First Annual Report of the Department of Commerce and Labor, page 152, cigar makers' average daily wages in the Provinces are, in pesos, 0.74, equal to 37 cents in United States currency.

Province.	Pesos.	Cents.
Occidental Negros	0.17	8½
Cebu	.78	39
Cayagan	1.47	73½

Third Annual Report of the Bureau of Labor, page 15, states: Fifty-three cigar and cigarette factories paid in wages P2,183,049; average wages per annum, P193, equal to $93.50 in United States currency—less than $2 a week.

The total number of workers employed was as follows:

Males	5,166
Females	5,143
Boys (under 16)	425
Girls (under 16)	566
Total	11,300

The average number of hours of work reported ranged from 10 to 12 hours per day.

In the United States and in the Philippines cigars are made by hand labor. All attempts to supplant it by machine production within the last 50 years have failed.

For eight months of the fiscal year we received from the Philippine Islands 65,000,000 cigars free of duty.

Unlimited free trade will enable the European and American tobacco trusts to locate factories in the islands and swamp us with the Asiatic product.

One-half of the cigar factories in Manila are owned by Chinese coolies. Is this a fair "competitive tariff"?

—

S. R. MOSS CIGAR CO.,
Lancaster, Pa., April 12, 1913.

Hon. W. W. GRIEST,
House of Representatives, Washington, D. C.

DEAR SIR: Answering your kind favor of the 8th relative to the tariff bill, H. R. 10, we wish to impress upon you that if this bill should pass Congress in the shape in which it is now it would mean a complete paralyzation of the cigar-manufacturing industry of the United States. You well know that the price of labor in the Philippines is far below the rate in the United States, and, owing to this alone, if the above bill should become a law the Philippine manufacturers could import Sumatra wrapper and Havana filler and use these tobaccos on their product, send same into the United States free of duty, and sell the goods from five to ten dollars per thousand less than the domestic manufacturers. In addition, the importation of enormous quantities of Philippine cigars with the tobaccos above referred to would mean decreased output of the American manufacturers, and consequently would throw out of employment thousands of cigar makers, helpers, and other people employed in manufacturing in the United States. Were this bill to become a law we feel that our business would be ruined from stem to stern, all our investments in plants, etc., would practically be worthless, and the business which we have built up in 30 years or more would practically amount to nothing and be destroyed. We consequently would thank you to oppose in every way, shape, and manner the passage of this bill, and whatever efforts you make in our behalf will be very much appreciated.

Thanking you for giving us the information on this subject, we are, with kindest regards,

Very truly, yours,

S. R. MOSS CIGAR CO.,
H. J. RYDER, *Secretary.*

—

THE LANCASTER LEAF TOBACCO BOARD OF TRADE,
Lancaster, Pa., April 16, 1913.

Hon. W. W. GRIEST,
House of Representatives, Washington, D. C.:

Permit us to call your attention to the following resolutions adopted by the Lancaster Leaf Tobacco Board of Trade at a special meeting called to consider certain passages of the Underwood tariff bill:

Whereas the Underwood tariff bill now in the House of Representatives provides that all tobacco grown in the Philippine Islands, together with such manufactured tobacco and tobacco products as shall contain not in excess of 20 per cent in value of any foreign type of tobacco not grown in the Philippines or the United States, shall be allowed to be brought into the United States free of duty; and

Whereas the cost of labor to the grower as well as to the manufacturer in the Philippine Islands is less than 10 per cent of the cost of labor in the United States; and

Whereas the provision permitting the Philippine manufacturer to use up to 20 per cent in value of any class of foreign tobacco will enable them to manufacture a cigar that will appeal to the taste of the smoker in the United States: Therefore be it

Resolved, That we, the Lancaster Leaf Tobacco Board of Trade, in special meeting assembled on April 12, 1913, declare it to be our opinion that if this bill is permitted to become a law it will mean the ruination of our domestic tobacco and cigar industries in their manifold branches.

It will not only close our cigar factories and throw out of employment a vast army of cigar makers, but it will render the growth of tobacco unprofitable to our farmers and destroy the market for one of the very important products of our soil.

It will enable the large corporate interests to profit abnormally at the expense of total and permanent annihilation of thousands of small manufacturers, dealers, and growers.

In view of the above conclusion, we vehemently protest against the passage of this section of House of Representatives bill No. 10 and urge upon the Senate and House of Representatives the necessity of amending this bill, so as to embody the same provisions with reference to Philippine tobacco and cigars as is embodied in the present tariff schedule.

Respectfully submitted.

HERBERT P. TAYLOR,
President.
Hon. A. B. HESS,
I. H. WEAVER,
LOUIS A. KRAMER,
Committee.

I. H. WEAVER,
PACKER OF LEAF TOBACCO,
Lancaster, Pa., April 9, 1913.

Hon. W. W. GRIEST, *Washington, D. C.*

MY DEAR MR. GRIEST: Your very kind letter of the 8th instant received, and in answer thereto will say that the Democratic tariff bill introduced in Congress Monday (H. R. 10) which I understand includes a section that provides for the free admission into this country of Philippine cigars and tobacco. If this is a fact, I fear the death knell to our cigar and tobacco industry is near at hand. In many parts of these United States the leaf-tobacco business is gradually and permanently dying out, and has been doing so for the last few years. In our own county—Lancaster—there never was such a deplorable condition existing in the leaf-tobacco business as there is to-day. Farmers can hardly sell their tobacco at all, and those that can sell can not get near the first cost of production for their crops grown last summer This you no doubt know to be a fact without me telling you so. You also know that Lancaster County leaf-tobacco dealers are carrying thousands and thousands of cases of good old Pennsylvania tobacco which they can not dispose of at all. One of the reasons for this is that the new Cantrill bill which Congress passed nearly a year ago did more harm to the Pennsylvania tobacco industry than to any other leaf-tobacco industry in the United States, for the reason that it revealed to the world that there was more surplus Pennsylvania tobacco on hand than any other cigar-leaf tobacco grown in the United States. Consequently the world now knows this, and those who were at that time and are now large holders of Pennsylvania tobacco have suffered and will suffer a greater loss than the average Congressman or Senator of the United States will ever know. The trusts are the only ones that will have any advantage of that bill, because it revealed to them just what they wanted to know, and therefore will eventually put them in a position to buy Pennsylvania tobacco at their own price, and if on top of this cigars would come in free from other countries, why should manufacturers buy United States cigar-leaf tobacco for manufacturing cigars, as it may be very soon that our own country will be flooded with cigars and tobacco coming in from other countries?

Very truly, yours,

I. H. WEAVER.

—

THE CONNECTICUT TOBACCO CORPORATION,
Hartford, Conn., April 24, 1913.

Hon. W. W. GRIEST, M. C.,
Washington, D. C.

MY DEAR MR. GRIEST: In further reply to your letter of recent date, beg to say that I do not know of anything that the present Congress could do that would be more hurtful to the cigar-tobacco industry in all its branches than the passing of the present proposed Philippine schedule, and you may depend upon it that the tobacco interests in this section, in fact the entire cigar-tobacco interests of the country, will respond quickly to any arrangement that you may succeed in making in giving us a chance to appear before the Ways and Means Committee, or any work that it is possible for us to do in Washington, either before the committee or with individual Members of Congress. I think that the tobacco industry of the country made its position very clear on this point during the former administration. You can readily see that to open up absolute free trade with the Philippine Islands it will be a great incentive for the American Cigar Co. to go in there just as they have gone to Porto Rico, produce what tobacco they want, and manufacture the cigars with the cheap labor available on these islands, and within a few years, a very few years, we will find ourselves unable to produce the tobacco that will be salable in this country at a living price. It will certainly mean that within the next year or two we will have to reduce the wages of our people, and you know that it would be impossible for us to ever reduce wages sufficiently low to compete with the coolie labor that is available on the Philippine Islands. Of course we realize that it is going to be very hard to do anything with the present Congress, as free trade is one of their articles of faith, but it does seem to me that common honesty and justice would demand that they would consider very carefully a measure that is calculated to do a great amount of damage to a large industry of our home country that this measure would cause. I can only say that we appreciate anything that you may do in securing for us a hearing, or any suggestion you may make as to how we might proceed to get this matter clearly represented before the Members of Congress or before the Senate.

We are organizing to make a fight, in which fight the growers, dealers, manufacturers, and workmen will heartily join. In fact, every phase of the cigar industry will enter their earnest protest against the passage of this bill as now proposed.

If you will be good enough to advise us from time to time just what step we should take, we would appreciate it very much, and in the meantime I beg to remain,

Yours, sincerely,

MARCUS L. FLOYD.

The Tariff.

EXTENSION OF REMARKS
OF
HON. JOHN H. STEPHENS,
OF TEXAS,
IN THE HOUSE OF REPRESENTATIVES,
Thursday, May 1, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. STEPHENS of Texas. Mr. Speaker, the gentleman from Pennsylvania [Mr. MOORE] and other gentlemen on that side of the House have endeavored in this debate to show that this bill favors and is framed in the interest of the Southern States of this Union. This statement is without any foundation. The Democratic leader on this floor has very clearly shown that this charge is false in so far as it affects his State or district, and I desire to show that the statement is also false in so far as my district is concerned. My district is composed of 48 counties in northwest Texas. Sheep, cattle, and live-stock raising are our main industries. Our meats and our wool and our flour are our main articles of export. Our farmers feed the products of their farms mainly to cattle and hogs, and sell their meats and wool and hides on a free market, while they buy from the Northern States in a protected market all their manufactured supplies.

Mr. Speaker, our protective tariff Republican friends have for 50 years held power as a sectional party, and their main stock in trade has been to point in derision to the Southern States and their policies. The weak effort to resurrect from its silent resting place the old questions of sectional strife, only shows the desperate straits to which the standpat Republican Party have been driven by the voters of the United States. The Republican Party has had complete control of the Government for 16 years and the records of its various departments show that 90 per cent of Government employees belong to their party—although the civil service is supposed to protect Democratic employees and to give them an equal pro rata share of places, but this civil-service law has been a farce, a failure, and a fraud. Mr. Speaker, under Republican misrule a most unfair distribution of the Consular Service is shown from the official report of the Civil Service Commission. The following table shows the status, population, and representation in the National Congress and representation in the Consular Service, with salaries received:

States.	Population.	Senators.	Representatives.	Consuls.	Salaries.
Alabama	2,138,000	2	10	3	$6,500
Arizona	205,000	2	1		
Arkansas	1,575,000	2	7	1	1,000
Florida	751,000	2	4	3	2,000
Georgia	2,609,000	2	12	6	13,000
Louisiana	1,656,000	2	8	6	13,500
Mississippi	1,795,000	2	8	2	4,000
North Carolina	2,206,000	2	10	9	16,500
South Carolina	1,516,000	2	7	10	17,000
Texas	3,897,000	2	18	13	10,000
Virginia	2,062,000	2	10	16	22,000
Total (11)	20,412,000	22	95	69	105,000
Ohio	4,767,000	2	22	38	109,000

Thus it will be seen that Ohio, one of the Northern States, the home of the retiring President and the late President McKinley, representing one-twentieth of the population of the United States, one-fortieth of the United States Senate, and one-twentieth of the House of Representatives, has 38 representatives in the Consular Service drawing total salaries of $109,000, as against the 11 Southern States shown above, extending from the Atlantic to the Rio Grande, with more than one-fifth of the population, more than one-fourth of the Senators, and more than one-fifth of the Representatives, has only 69 representatives in the Consular Service, with total salaries of $105,000.

States.	Population.	Senators.	Representatives.	Consuls.	Salaries.
Alabama	2,138,000	2	10	3	$6,500
Arizona	205,000	2	1		
Arkansas	1,575,000	2	7	1	1,000
Florida	751,000	2	4	3	2,000
Mississippi	1,796,000	2	8	2	4,000
Total (5)	6,465,000	10	30	9	13,500
District of Columbia	331,000			24	72,000

The above table shows that the District of Columbia, with a population of only 331,000 and no Representative in the National Congress, has 24 representatives in the Consular Service, with total salaries of $72,000, while 5 Southern States, with a population of 6,500,000, 10 Senators, and 30 Congressmen, have only 9 in the Consular Service with total salaries of $13,500.

The inconsistency of civil service in consular appointments is shown by official figures obtained from the records of the State Department. There are in the Consular Service to-day, of the highest grades, ranging from $3,000 to $12,000 salaries, 98 consuls and consuls general who have never taken civil-service examinations, but were appointed purely as partisan political rewards, drawing a total salary of $428,000, and every one of them are Republicans.

From the records of the appointments, transfers, and promotions in the Consular Service from March 4, 1909, to December 20, 1912, it is shown that in every instance Republicans have been preferred. Whenever a promotion from consular agent to

consul or consul to consul general, or promotion by transfers have been made, the favored ones have been Republicans. There is only one Democrat in the Consular Service receiving as much as $4,000. There are two $12,000 posts, four $8,000, five $6,000, nine $5,500, five $5,000, sixteen $4,500, and numerous $4,000, $3,500, and $3,000 posts—all but one $4,000 held by Republicans, and that is civil service.

The following tables show the truth of the foregoing statements:

	Population.	Consuls.	Salaries.
Alabama	2,138,000	3	$6,500
Arizona	206,000	0	0
Arkansas	1,575,000	1	1,000
Florida	751,000	3	2,000
Georgia	2,609,000	6	13,000
Louisiana	1,656,000	6	13,500
Mississippi	1,797,000	2	4,000
North Carolina	2,206,000	9	16,500
South Carolina	1,515,000	10	17,000
Texas	3,897,000	13	10,000
Virginia	2,062,000	16	22,000
Total (11)	20,412,000	69	165,500
Ohio	4,767,000	38	109,000
Alabama	2,138,000	3	6,500
Arizona	205,000	0	0
Arkansas	1,575,000	1	1,000
Florida	751,000	3	2,000
Mississippi	1,797,000	2	4,000
Total (5)	6,466,000	9	13,500
District of Columbia	331,000	24	72,000

Consuls and salaries, by States.

	Consuls.	Salaries.
Alabama	3	$6,500
Arkansas	1	1,000
California	32	55,500
Colorado	4	6,000
Connecticut	12	14,000
Delaware	2	2,000
District of Columbia	24	72,000
Florida	3	2,000
Georgia	6	13,000
Hawaii	3	4,300
Idaho	1	4,000
Illinois	40	84,000
Indiana	21	34,500
Iowa	26	40,000
Kansas	8	7,000
Kentucky	6	13,000
Louisiana	6	13,500
Maine	13	22,000
Maryland	17	22,000
Massachusetts	37	72,800
Michigan	15	31,000
Minnesota	12	28,000
Mississippi	2	4,000
Missouri	14	37,000
Montana	3	5,000
Nebraska	7	13,000
New Hampshire	3	8,500
New Jersey	14	23,000
New Mexico	5	10,000
New York	89	82,000
North Carolina	9	16,500
North Dakota	2	8,500
Ohio	38	109,000
Oklahoma	5	7,600
Oregon	8	8,000
Pennsylvania	46	80,500
Rhode Island	7	9,000
South Carolina	10	17,000
South Dakota	4	8,500
Tennessee	9	25,500
Texas	13	10,000
Utah	2	4,000
Vermont	8	18,000
Virginia	16	22,000
Washington	5	10,700
West Virginia	5	16,000
Wisconsin	11	37,500

Mr. Speaker, these tables show that the gentleman's [Mr. MOORE] State, Pennsylvania, has 46 of these officers in the Consular Service, who receive a salary of $80,500, and that five of the Southern States, against whom he displays so much ill will, only have 9 of these consular places, with a combined salary of only $13,500. The gentleman seems to be greatly grieved because the people of the South will derive some benefit from a Democratic tariff bill.

The Payne-Aldrich Tariff Act that this bill repeals is filled with discriminations in favor of the eastern manufacturing States and against the southern and western agricultural States, and it grieves the soul of this and all other standpat Republicans to be forced to treat all men of all classes and all States and all sections alike, giving none the advantage over the others, and at the same time giving the toiling millions of wage earners in the East a free market basket and greatly reduced prices in the prime necessaries of life.

The Tariff.

SPEECH
OF
HON. WILLIAM M. CALDER,
OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Monday, April 28, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. CALDER. Mr. Speaker, I take great pleasure in inserting in the RECORD the following letter from Hon. Charles B. Law, who was a Member in the Fifty-ninth, Sixtieth, and Sixty-first Congresses, and one of the ablest Representatives Brooklyn has ever had in the Congress of the United States.

His views on the Underwood tariff bill now pending are exceedingly interesting.

OFFICE OF THE SHERIFF OF KINGS COUNTY,
BOROUGH OF BROOKLYN,
New York City, N. Y., April 19, 1913.

Hon. WILLIAM M. CALDER,
House of Representatives, Washington, D. C.

DEAR SIR: The letter addressed to you by Mr. Julian D. Fairchild, and published in last evening's newspapers is a most interesting contribution to current literature on the tariff. It happens that you and I, as Members of the Sixty-first Congress, voted for the present tariff law largely upon the very grounds now advanced by the treasurer of the Kings County Democratic organization as reasons why there should be no radical changes in its provisions. We encountered fierce Democratic criticism by reason thereof.

Mr. Fairchild reminds us that the effect on trade and commerce of the old Wilson bill of 1893 was so disastrous that it had to be repealed, and then calls our attention to the very obvious fact that the proposed bill is even more drastice and destructive. He wants to know why we should try again the harmful kind of tariff we had in 1893, and asserts that the consequence of the proposed tariff law will be "commercial failures, business depression, and widespread suffering for labor." He believes that free sugar will not result in cheaper sugar, but that, on the contrary, the inevitable closing down of many of our beet-sugar plants will enable not only the foreign producer but the remaining domestic producers to increase prices coincident with the decreased supply, and that the only ultimate beneficiaries of free wool will be foreign sheep raisers and foreign woolen manufacturers with their cheap labor. Generally, he sees nothing but dire disaster in the provisions of the pending tariff bill. Hence, he would be very sorry to see this bill become a law, although he favors moderate reduction of import duties.

In my judgment, Mr. Fairchild's apprehensions are fully warranted, but they come too late. He did not speak while the matter was yet an issue. Mr. Fairchild is a Democrat, and supported the Democratic ticket last fall. He knows perfectly well that the campaign was conducted upon certain clearly defined issues and that the most prominent issue upon which the Democratic Party was swept into power was the tariff and its alleged responsibility for the high cost of living. The Democratic platform said:

"We declare it to be a fundamental principle of the Democratic Party that the Federal Government under the Constitution has no right or power to impose or collect tariff duties except for the purpose of revenue." * * *

Will Mr. Fairchild kindly inform us how "a moderate reduction of import duties" will constitute a compliance with this platform declaration?

Mr. Fairchild naively informs us that "this country is not now as well able to withstand unwise tariff legislation as it was in 1893." This is undoubtedly quite true, but Mr. Fairchild knows that the Democratic platform declaration in 1912, as above stated, is precisely the same as contained in the Democratic platform of 1892. He knew what he was voting for.

Mr. Fairchild makes the shockingly heretical suggestion that the high cost of living may not be due to the present tariff, but he overlooks the fact that in 1910, and again in 1912, the Democratic Party won by taking the affirmative of that proposition. The Democratic platform says:

"The Republican Party in its platform attempts to escape from responsibility for present conditions (high cost of living) by denying that they are due to a protective tariff. We take issue with them on this subject, and charge that excessive prices result in a large measure from the tariff laws enacted and maintained by the Republican Party." * * *

Mr. Fairchild utterly fails to realize that the Democratic Party swept the country in 1910 and again in 1912, first, upon the declaration made not merely in its platform but everywhere upon the stump that the present tariff laws were mainly responsible for the high cost of living; and, second, upon the promise to reduce the cost of living by reducing the tariff, coupled with the declaration concerning the unconstitutionality of protective duties. Is no attention whatever to be paid to these declarations and promises now that the Democratic Party is in power? Does Mr. Fairchild adopt the cynical theory that platforms are not to stand on, but to get in on?

The only logical conclusion possible is that as a matter of plain honesty and good faith the Democratic Party, now that it has been placed in power, must repeal the present tariff laws and put upon the statute books precisely the kind of a tariff law that is now proposed by President Wilson and Representative UNDERWOOD. If Mr. Fairchild did not want this kind of a tariff, he should not by his vote, personal influence, and ability as a financier have supported the Democratic Party last fall. It may and probably will bring disaster, but, as former Mayor Boody so appropriately hints in his statement of this evening, Democrats should not get faint-hearted when it comes to the responsibility of performance. There were three national tickets in the field. The Republican and Progressive Parties both declared allegiance to the principle of protection. The Democratic Party alone declared its belief that protection is unconstitutional. The time for honest performance has now arrived.

As one of Brooklyn's ablest Representatives you have firmly and consistently continued to advocate a reasonable and proper policy of protection to American labor and industry, and to your courageous stand in this as in many other matters is due in large measure the prestige and popular confidence you now rightly enjoy.

Very respectfully, yours,

CHARLES B. LAW.

The Tariff—Hair Schedule.

EXTENSION OF REMARKS
OF
HON. SAMUEL W. SMITH,
OF MICHIGAN.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 1, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. SAMUEL W. SMITH. Mr. Speaker, under leave to print I submit the following:

ASSOCIATED IMPORTERS AND
MANUFACTURERS OF HUMAN HAIR,
New York, April 30, 1913.

Hon. SAMUEL W. SMITH, *Washington, D. C.*

DEAR SIR: We, the undersigned committee appointed at a meeting of the importers and manufacturers of human hair, are inclosing you herewith a copy of the memorandum submitted to the Senate Finance Committee in opposition to Schedule N, paragraph 362, bill H. R. 3321, affecting the importation of human hair.

We trust that you will give this matter your careful attention.

Respectfully, yours,

JOSEPH HYMAN,
BERNHARD FRANKENFELDER,
G. KIMPEL,
HARRY GLEMBY.

Memorandum on behalf of the Associated Importers and Manufacturers of Human Hair relative to paragraph 362, Schedule N, H. R. 3321.

STATEMENT.

The present tariff bill permits the importation of raw hair free of duty, while the proposed tariff bill imposes a duty of 10 per cent and 20 per cent on the importation of such hair.

POINTS.

I. The phraseology of paragraph 362 is ambiguous, and its interpretation would cause endless controversy between the importers and examiner, due to the improper classification of raw hair.

The classification generally understood in the hair trade by both importer and examiner is as follows:

"1. Human hair, raw, cut or combings, drawn or undrawn, but not turned (rooted).

"2. Human hair, turned (rooted) or bleached.

"3. Human hair, manufactured or articles of which human hair is the component material of chief value."

As classified in paragraph 362, you interweave subdivisions 1 and 2 of the foregoing classification, which naturally will cause dispute.

II. The imposition of a duty on raw hair of 10 per cent and 20 per cent provided for in paragraph 362 will actually result in imposing a duty of 20 per cent and 40 per cent.

The hair, as it is cut from the human head, contains various lengths, ranging from 6 inches to 36 inches. A large part of this hair, in fact, almost 60 per cent thereof, is what is called "short hair," and is of little commercial value, and if a general duty of 10 per cent and 20 per cent is levied upon all such hair it naturally results in the imposition of a duty never intended.

III. The differential between the duty on raw hair and prepared hair, as proposed by the new tariff bill, is not large enough.

The new tariff makes no change in the amount of duty imposed on the importation of prepared and manufactured hair, the only effect of it being to impose a duty of 10 per cent on what heretofore was a free commodity. Under this arrangement the general scheme of the tariff seems to have been abandoned, as it has always been the policy to permit raw articles to enter free. Should the Congress impose a 10 per cent duty upon the raw hair which heretofore entered free, the prepared and manufactured hair, which has always been considered in the luxury class, has not borne the proper proportion of increase to which other luxuries have been subject.

IV. The imposition of a duty on raw hair, while not raising the duty on prepared hair, will force the importers to import the latter, to the detriment of the workmen and the serious injury to the retail trade.

According to the statistics of the Department of Commerce, there was imported into the United States in the year 1911, 1,115,895 pounds of human hair, uncleaned, representing a value of $1,454,115, and there was imported in the year 1912, 1,231,896 pounds of human hair, uncleaned, representing a value of $2,403,053.

From July, 1911, to January 1, 1912, there was imported in value $95,908 of human hair, cleaned and manufactured, and during the year 1912 there was imported in value $205,492 of human hair, cleaned and manufactured.

It will be easily seen, in looking over these figures, that the proportion of human hair uncleaned that was imported against the human hair cleaned and manufactured which was imported under the old tariff was at 10 per cent to 1. The proposed tariff would place a premium upon foreign labor, and it would be an inducing cause to the importer to have the manufactured hair brought in rather than to expend time, money, and detail upon the raw and uncleaned hair, if the duty of 10 per cent is imposed upon the raw hair, and the corresponding duties of 20 per cent and 35 per cent on the manufactured hair are not increased. There are employed in this country in this industry thousands of workmen who are converting raw hair into so-called prepared and manufactured hair, and it will necessarily follow that these workmen will be thrown out of employment. It would also follow that the selling price to retailers will have to be materially increased.

V. The imposition of a duty on raw hair would be a violation of the principles enunciated in the platform of the Democratic Party, namely, that all raw materials be admitted free of duty.

Under the present tariff all raw materials are permitted to enter free of duty, and no valid reasons exist in the mind of your petitioners why a distinction should be made as to human hair.

VI. The impression seems to prevail in the minds of the Congress that in the obtaining of human hair from abroad the purchasers thereof have been unscrupulous as to how same was gotten, and that in many instances the peasants have been robbed and murder almost committed.

The fact is that the possession of hair by the female members of the peasant class has been a source of revenue for the family, and instead of being reluctantly given up, they go out of their way to seek a purchaser therefor.

There is also a false impression that the gathering of human hair is kindred to that of the aigrettes, whereas in fact the two are entirely dissimilar, and the importation of human hair is an industry quite apart from the feather industry.

RÉSUMÉ.

VII. We respectfully submit from the foregoing:

(A) That the classification adopted in paragraph 362 be changed to the classification as heretofore, namely:

"1. Human hair, raw, cut, or combings, drawn or undrawn, but not turned (rooted).

"2. Human hair, turned (rooted) or bleached.

"3. Human hair, manufactured, or articles of which human hair is the component material of chief value."

(B) That the duty of 10 per cent proposed in paragraph 362, Schedule N, H. R. 3321, should be omitted, and raw hair be imported free of duty, as heretofore; or

(C) That if a duty of 10 per cent be imposed upon raw hair, that a duty of greater amount than 20 per cent be imposed upon hair turned (rooted) or bleached.

Respectfully submitted.

JOSEPH HYMAN,
B. FRANKENFELDER,
G. KIMPEL,
H. GLEMBY,
Committee.

AUGUST L. MARTIN,
ADOLPH FREYER,
Of Counsel.

The Tariff.

SPEECH
OF
HON. S. KIRKPATRICK,
OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, April 28, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. KIRKPATRICK. Mr. Speaker, as a freshman in the House of Representatives, I desire to say that I was born a protectionist, and as a natural sequence drifted into the ranks of the Republican Party, where by reason of association and environment I was led to believe that it was indeed a grand old party. But it has had its day in court, its day and generation has passed, and now at the hands of a patient and forbearing people let it be buried in the graveyard of political oblivion, and let there be inscribed on its tombstone, "No resurrection."

If I were to change the phraseology of the Payne-Aldrich bill, instead of tariff schedules I would write "subsidy schedules." The bill that we are seeking to amend had its origin away back in the dark ages, and the latter-day sponsors of the measure are in no wise less cunning than their forbears.

But the dawn of a new day is breaking, thanks to the American people. They have at last assailed this system—this abomination with its ravaging effects and influences, this monster conceived in sin and brought forth in iniquity—which could well be placed along with slavery and the two properly denominated "The twin relics of barbarism."

I desire to take the time of the House only long enough to submit two or three object lessons. Gentlemen on the other side of the House have seemed moved to the shedding of croco-

dile tears in the use, play, and display of the word "protection," and I have tried to look upon the significance with all possible approval. But I find that in California, by the introduction of Japanese and Mexicans into the lemon and orange orchards, the price of American labor has been reduced one-half. Thus it does not appear that "protection" has protected the laborer. The fact is, the most substantial and effective protection afforded the workingmen of this country can be attributed to their own efforts in the matter of organization. In my opinion, without such organized effort for their own protection their wage scales would be almost wholly at the mercy of their employers.

Is it not high time for the accoucher to change the swaddling clothes of the so-called "infant industries," or are we to stand pat and let the world move on, and thus be compelled to look backward to find us sluggishly trailing in the wake of progressive thought and up-to-date and enlightened economic methods?

In 1868, as I now remember, Congress permitted lumber to be admitted from Canada free of duty, provided that it was used in the construction of railroads. I said at that time, "Why not allow all our people to become beneficiaries?"

And I challenge now any man on the other side of the Chamber to answer this inquiry. Speaking of subsidy duties on lumber, and the conservation of our forests through lumber duties, we have nothing to conserve but saplings and hoop poles, not even a hiding place for the raccoon of bygone days.

Mr. Speaker, I represent, in part, a State that teems with hog and hominy. Iowa sits as a royal queen in the sisterhood of a reunited Nation. The products of her fields, mines, and workshops are feeding and filling the arteries of trade and commerce leading to the markets of the world. Always leading in thought and sometimes straddling in politics.

In 1871 there came the great Chicago fire. Congress convened two months later, and said all importations of glass used in the rebuilding of Chicago should be admitted free of duty. Here is another nut for the protectionist to crack. If free glass would benefit that blighted city, why not extend the helping hand to other sufferers of like character?

In 1866 I bought a sewing machine for $70. I learned soon afterwards that the same make and style of machine was being exported and sold for $25, and the excuse for so doing was that the manufacturers had to realize on their investments. It is by just such exactions as these that the enormous fortunes of our manufacturers have been built up, created at the expense of the American purchaser and consumer.

And here is another query to the gentlemen on the other side. Is there a Money Trust? Echo answers, "There is." Are there money kings? There are. And the tariff has been chiefly responsible for their existence by fostering them. The searchlight of investigation now being turned on them is causing some to vacate, to go into seclusion and exile. Having in mind the injustice and exorbitance of the present tariff, I say, "Lay on, Macduff," and so forth, and when the Underwood bill shall have been crystallized into law and its beneficent results given to our people, then can it be truthfully said:

We have fought the fight; we have kept the faith.

The Tariff and Our Foreign Trade.

EXTENSION OF REMARKS
OF
HON. HENRY T. RAINEY,
OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 30, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. RAINEY. Mr. Speaker, under the general leave granted to print under the bill we are considering, I insert in the RECORD the following statement made to-day by Hon. William C. Redfield, Secretary of Commerce, in the matter of the imports and exports of the United States:

BALANCE OF TRADE IN FAVOR OF THE UNITED STATES.

DEPARTMENT OF COMMERCE,
Washington, D. C., April 30, 1913.

Secretary of Commerce William C. Redfield, in commenting to-day upon the detailed figures concerning the imports and exports of the United States for the month of March and the nine months ended March, made the following statement:

The figures are striking, both in their magnitude and in their details. The aggregate business, inward and outward, of the United States with foreign countries for the nine months was a little in excess of $3,300,000,000—an impressive total, which if maintained at the same rate would bring the business for the entire fiscal year well in excess of $4,100,000,000.

Great Britain is our largest customer, buying from us over $478,000,000 and selling us over $234,000,000, an aggregate for the nine months in excess of $712,000,000, or a total business of nearly $80,000,000 a month. Canada is our second best customer, buying from us $300,000,000 in nine months, equal to nearly $1,300,000 every working day. A pretty fair customer, that. Then Germany comes third, buying $268,000,000 from us in nine months and selling us $146,000,000. She is a pretty fair customer, too—buys over $1,000,000 a day. And fourth comes France, to whom we sold $120,000,000 and from whom we bought $112,000,000.

It is when we come to look at the details of our foreign commerce, by what are called great groups, that we get at the most striking facts. If, for example, one is told that our exports fell off in March, as compared with the same month a year ago, by about $18,000,000, so that we only sold $187,000,000 abroad in March, that might not seem a favorable condition. But, when one looks a little closer, he finds that the falling off was almost wholly in the sales of crude materials for use in manufacturing, and that, so far from a loss, there was an absolute gain in the important items of manufactures, which in the two important classes of manufactures for further use in manufacturing and in manufactures ready for consumption actually increased in the month of March by about $13,000,000. So that our manufacturers held their grip upon the foreign markets of the world more strongly in March than they did a year ago.

The figures for the entire nine months are such as to give just pride to every thoughful American to whose notice they come. Out of the total transactions of $3,300,000,000 there is a balance in our favor of a little over $500,000,000. Doing pretty well, that. But a few comparisons with 1912 make it look even better. For example, our sales of manufactures for further use in manufacturing increased over $56,000,000, and our sales of manufactures ready for use increased over the same period last year $88,500,000, an increase in these two lines of manufactured goods alone of over $144,500,000, as compared with the same period of last year.

This does not look like weakness in competing power, especially when one looks at the table of percentages published with the others and finds that the three groups, which include manufactured goods of all kinds, constitute 59.5 per cent of our total exports.

Merchandise imported from and exported to each of the principal countries during March and the 9 months ended March, 1913, compared with corresponding periods of the preceding fiscal year.

	Month of March—		9 months ended March—	
	1912	1913	1912	1911
IMPORTS FROM—				
Grand divisions:				
Europe	$74,490,095	$71,757,676	$611,189,738	$700,255,585
North America	37,814,007	31,483,713	225,024,087	261,635,002
South America	16,723,342	18,889,363	158,367,209	178,863,009
Asia	20,323,017	26,757,657	168,249,532	210,239,850
Oceania	4,202,421	3,505,041	26,556,176	29,786,628
Africa	4,024,246	2,955,503	14,578,340	20,964,009
Total	157,577,038	155,348,998	1,203,965,092	1,401,749,283
Principal countries:				
Argentina	3,514,373	2,553,665	19,051,912	22,867,788
Australia	1,825,074	1,091,743	7,129,192	8,718,189
Belgium	3,492,645	3,225,023	28,718,741	30,648,260
Brazil	8,723,069	9,447,642	98,700,646	104,485,915
Canada	7,727,846	8,496,534	75,227,620	80,647,518
China	3,247,463	3,437,020	21,791,404	29,820,419
Cuba	20,987,295	13,662,995	78,247,334	90,230,227
France	9,769,867	11,084,506	99,767,276	112,874,498
Germany	14,747,325	13,157,502	130,914,264	146,887,435
India, British	4,889,270	6,991,434	34,765,631	48,414,962
Italy	4,941,394	4,511,919	34,678,203	40,072,949
Japan	6,212,227	7,541,196	61,812,830	72,609,489
Mexico	5,994,963	5,801,817	44,592,961	56,935,955
Netherlands	2,679,215	3,941,669	24,441,408	28,024,516
Russia	2,014,655	2,385,473	16,678,083	24,321,349
United Kingdom	27,419,772	24,092,687	198,509,670	234,227,245
EXPORTS TO—				
Grand divisions:				
Europe	128,968,401	106,124,936	1,086,174,870	1,180,008,639
North America	46,818,966	49,180,849	309,929,078	455,416,304
South America	9,850,387	12,833,504	96,450,953	109,087,145
Asia	11,290,374	10,009,364	87,915,948	81,993,888
Oceania	5,834,942	6,517,679	53,181,433	59,710,734
Africa	2,648,222	2,651,289	17,746,985	21,869,633
Total	205,411,462	187,374,711	1,711,408,267	1,908,006,373
Principal countries:				
Argentina	3,719,147	4,697,650	40,422,223	39,940,501
Australia	3,357,061	3,355,979	29,204,325	33,102,462
Belgium	4,943,802	3,797,818	40,565,204	38,981,914
Brazil	2,437,305	4,091,635	22,906,800	32,057,631
Canada	29,639,097	32,919,349	230,569,042	200,824,450
China	2,014,241	2,171,491	18,173,309	12,894,101
Cuba	5,910,259	5,994,788	48,238,161	53,456,661
France	10,576,822	8,804,263	107,840,011	120,786,314
Germany	30,205,258	26,576,279	255,945,346	268,091,878
India, British	1,376,704	1,238,295	11,864,122	8,590,181
Italy	8,062,083	6,662,840	50,276,845	59,561,256
Japan	5,884,026	4,731,074	40,357,413	42,808,913
Mexico	5,138,383	3,897,643	38,701,566	42,680,962
Netherlands	9,434,746	11,486,479	81,771,246	96,109,941
Russia	3,288,710	1,766,964	19,121,709	20,048,756
United Kingdom	54,208,116	38,669,746	459,614,090	478,408,725

Imports and exports of the United States, by great groups, during March and 9 months ended March, 1913, compared with corresponding periods of the preceding year.

	Month o. March—		9 months ended March—	
	1912	1913	1912	1913
IMPORTS.				
Foodstuffs in crude condition and food animals	$16,569,115	$17,459,171	$164,354,323	$168,196,169
Foodstuffs partly or wholly manufactured	25,370,942	17,998,496	139,136,638	145,393,870
Crude materials for use in manufacturing	55,701,596	55,662,489	389,654,729	485,429,495
Manufactures for further use in manufacturing	24,778,709	31,410,927	215,575,433	262,879,107
Manufactures ready for consumption	32,815,960	31,537,475	280,725,155	327,673,383
Miscellaneous	2,340,716	1,280,440	14,518,814	12,267,259
Total imports	157,577,038	155,348,998	1,203,965,092	1,401,749,283
EXPORTS.				
Foodstuffs in crude condition and food animals	8,364,652	13,877,220	87,713,041	148,431,473
Foodstuffs partly or wholly manufactured	29,729,318	28,759,084	251,185,606	345,548,656
Crude materials for use in manufacturing	73,096,747	36,081,437	614,970,057	607,627,607
Manufactures for further use in manufacturing	29,297,966	35,196,394	247,828,018	303,417,594
Manufactures ready for consumption	61,193,709	68,607,315	481,841,972	570,323,612
Miscellaneous	809,455	878,430	5,645,359	5,648,129
Total domestic exports	202,491,847	183,399,880	1,689,184,053	1,880,997,062
Foreign merchandise exported	2,919,615	3,974,831	22,224,214	27,009,311
Total exports	205,411,462	187,374,711	1,711,408,267	1,908,006,373

Percentage of imports and exports, respectively, formed by each group, 1912 and 1913.

	Month of March—		9 months ended March—	
	1912	1913	1912	1913
IMPORTS.	*Per ct*	*Per ct.*	*Per ct.*	*Per ct.*
Foodstuffs in crude condition and food animals	10.51	11.24	13.65	12.00
Foodstuffs partly or wholly manufactured	16.10	11.59	11.55	10.37
Crude materials for use in manufacturing	35.35	35.83	32.37	34.63
Manufactures for further use in manufacturing	15.73	20.22	17.90	18.75
Manufactures ready for consumption	20.82	20.30	23.32	23.38
Miscellaneous	1.49	.82	1.21	.87
EXPORTS.				
Foodstuffs in crude condition and food animals	4.13	7.56	5.19	7.90
Foodstuffs partly or wholly manufactured	14.68	15.69	14.87	15.05
Crude materials for use in manufacturing	36.09	19.67	36.41	32.30
Manufactures for further use in manufacturing	14.47	19.19	14.68	16.13
Manufactures ready for consumption	30.23	37.41	28.52	30.32
Miscellaneous	.40	.48	.33	.30

NOTE.—The percentage which manufactures formed of the exports in March, 1913, was larger than in March of any earlier year.

The Tariff.

SPEECH
OF
HON. SAMUEL W. SMITH,
OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 1, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. SAMUEL W. SMITH. Mr. Speaker, early in April of this year the seventeenth annual convention of the American Cotton Manufacturers' Association was held in this city.

During the course of its deliberations Mr. W. A. Erwin, retiring president of the association, declared that if the rates suggested in the pending bill were to be made effective the injury to the industry would be unparalleled, and that a condition of depression would follow in cotton manufacturing which would be appalling.

It seems that most of the members of the association are from the South and are Democrats, and Mr. Erwin made it very clear that if it had been known during the election that cotton was to be put on the free list, President Wilson could not have been elected.

This is what he said:

COTTON MAKERS ARE ANGERED BY TARIFF—SAY WILSON COULD NOT HAVE BEEN ELECTED ON PLATFORM OF "FREE COTTON."

"It is with the greatest regret and consternation that we have seen the publication of rates on cotton manufactures in the tariff bill of the Ways and Means Committee. In all sincerity we state that if the rates thus suggested are made effective we believe the injury to our industry will be unparalleled, and that a condition of depression will follow in cotton manufacturing which will be appalling."

With the unanimous adoption of a resolution of which the above paragraph is a part, the seventeenth annual convention of the American Cotton Manufacturers' Association adjourned to-day.

The manufacturers made it plain that they are by no means in sympathy with the attitude of the present administration toward duties on cotton. Most of the members of the association are from the South, and are Democrats, but W. A. Erwin, retiring president of the association, declared that a reduction of the tariff beyond the competitive point, such as is contemplated in the Underwood bill, is not Democratic.

"The Democratic platform declared in favor of free wool, free sugar, free steel, and other commodities, but it said nothing about free cotton," said Mr. Erwin. "If the Democratic platform or President Wilson, in any of his preelection addresses, had declared in favor of free or near-free cotton, Mr. Wilson would never have been elected President."

Mr. Erwin also took occasion to answer that portion of the address delivered yesterday by Secretary Redfield, of the Commerce Department, relating to the tariff. Mr. Erwin said the Secretary ought to study the tariff and the cotton industry.

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TO GET WHAT THEY VOTED FOR.

"I am satisfied," said Mr. Erwin, the retiring president of the American Association of Cotton Manufacturers, "that President Wilson will insist that certain measures be enacted in conformity with party pledges, possibly free wool, free steel, and free sugar. But I have never seen any pledge regarding free or nearly free cotton. If there had been such a party pledge, Mr. Wilson would not have been president of the United States to-day." Why not, Mr. Erwin? You and your fellow members of the association who are interested in southern cotton mills knew perfectly well last November that you were voting for a free-trade President on a free-trade platform. What right have you to a tariff on cotton goods in a bill which provides for free trade in wool, in sugar, and in steel? What is sauce for the goose is sauce for the gander. You are getting precisely what you voted for.

—

BUFFALO, N. Y., *April 3, 1913.*

HON. SAMUEL W. SMITH,
Representative from Michigan, Washington, D. C.

DEAR SIR: As you are doubtless aware from petitions with signatures coming to you from your district the farmers and citizens of the said district are very anxious that the present duty on flax straw of $5 a ton of 2,000 pounds and manufactured tow from flax straw, $20 a ton of 2,000 pounds, should be retained.

Tow is not only used for upholstering, but it is used for lining refrigerator cars, which is an entirely new enterprise, and not less than 200,000 tons of flax straw a year are made into tow for lining refrigerator cars and used for that purpose, the lining firms having their own tow mills at their factories—for instance, at Winona, St. Paul, etc. The tow manufacturers use about the same amount, buying the straw in North and South Dakota, Minnesota, Wisconsin, Iowa, Michigan, and Ohio, and a tremendous loss to the farmers would be caused by a very large reduction on the present tariff of flax straw, who receive from $3 to $4 a ton in the Northwest and up to $9 in Ohio, Michigan, and partly Wisconsin, depending on the length and the quality of the straw. Canada, raising nearly as much straw as the United States, with Russia, could flood this country with flax and tow ten times over, and they were only kept out on account of the tariff. As I said, you have received petitions, and most of you gentlemen and several of the honorable Senators from the Northwest know all about these, the farmers' necessities.

The Hon. OSCAR W. UNDERWOOD, chairman of the Ways and Means Committee, has received many petitions with several thousand signatures of the farmers of the Northwest, praying that the duty be left as it is now, as above stated. I appeared before the committee on the 25th day of January as the representative of over 50 commercial clubs, western and northwestern banks, and citizens, and submitted powers of attorney from many of them and prayed the committee to leave the duties as they are.

As I stated, hundreds of thousands of dollars would be lost to the American farmers of the West and Northwest if the duty were taken off or considerably reduced, for they would have to burn their flax straw, as they did in the past, when there were no tow mills or only a few of them, and when flax tow had not been used for railroad-car linings or for lining large buildings, storage plants, and private houses as it is done now, for formerly, when fruit cars from California to New York needed three icings, now cars lined with tow need one icing—for instance, at Denver.

Now, therefore, in the interest of your constituents, farmers and business men of the West and Northwest and the manufacturers of tow, I, as their representative before Congress, pray that you use your influence to see, when the matter comes before Congress at the head of Schedule J, that you do your best that the duty remain on flax straw, flax tow, and all kinds of flax. The United States Agricultural Department at Washington is making strenuous efforts to have the farmers raise good flax for spinning, and it is already done in Michigan, Ohio, and partly in Minnesota and Wisconsin, and surely they deserve encouragement—all of which efforts would be destroyed were the borders opened to please the great monopolies of thread and cordage manufac-

turers, such as the Barbour Co. or other flax-spinning concerns, who do not care what becomes of the farmers as long as they get their trust share. I have the honor to be,

Yours, very respectfully, V. R. BLEHDON.

(Inclosed copy letter March 21 to OSCAR W. UNDERWOOD.)

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(Schedule J: Flax, etc. No. 333, flax straw, $5 per ton. No. 336, tow of flax, $20 per ton.)

BUFFALO, N. Y., *March 21, 1913.*

Hon. OSCAR W. UNDERWOOD,
Chairman Ways and Means Committee,
Washington, D. C.

HONORABLE SIR: On the 25th day of January I appeared before your committee as per record, pages 2503 and 2597, inclusive.

I appeared as the chosen representative of 32 towns in North Dakota and Minnesota, their commercial clubs, manufacturers of tow, and the farmers, as sellers of flax straw or owners of small tow mills.

I then submitted a lot of petitions with many signatures, and since that time there have been submitted direct from the farmers and myself a very large number of petitions and signatures, all praying that in order that they may sell their flax straw the present duty on the same may be continued, to wit, $5 a ton of 2,000 pounds on flax straw, and that the present duty of $20 per ton on tow, which is made out of flax straw, be sustained and continued, for if no tow can be made in this country the flax straw can not be sold.

Tow is used for upholstering furniture and lining of refrigerator cars, and thousands and thousands of tons of straw are bought of the farmers at from $3 to $9 a ton.

Canada raises as much straw as the United States, and Russia raises many times more, and as the wages in Canada are only one-half and in Russia about one-sixth what they are in America, and as flax straw can be bought over there at one-half the price, the farmers could not sell their straw, and thereby would be deprived of many hundreds of thousands of dollars, some farmers having 10 tons for sale, some a few thousand tons.

The selling of flax straw is an absolute necessity to the farmers in order to make the raising of "flax," as it is called by them, profitable, and the United States Agricultural Department has for the last few years made great efforts to encourage the raising of flax.

Of course, were the duty taken off, or in any considerable way lowered, the farmers could not compete, for they have to pay to hired men during seeding and harvesting from $3 to $5 a day, whereas the same labor can be had in foreign countries for from one-sixth to one-fifth the price.

In good years about 3,000,000 tons of flax straw is raised in the United States, for which there was no market in the past until tow mills were built about 20 years ago, and about 5 years ago the car-lining factories were started to line refrigerator cars with tow, and by this the icing of railroad fruit cars between California and the East has been reduced to one icing, where formerly, when charcoal, cattle hair, and cork were used, three icings were necessary.

The farmers in the Northwest are very much concerned that the duty should remain.

The price of tow ranges from $25 to $60, and even $80, per ton for best qualities, for the making of flax straw into tow it takes from 3 to 6 tons of straw to make 1 ton of coarse or fine tow, some of the straw having to run from two to five times through brakes, pickers, shakers, all driven by steam or electricity, and from 12 to 50 men are employed in tow mills.

Two concerns at St. Paul, Minn., and Port Huron, Mich., and several others make binder twine out of American flax straw.

The said flax straw is raised in the States of North and South Dakota, Minnesota, Iowa, Wisconsin, Michigan, and Ohio, and in some of the States large sums are now invested to manufacture wrapping and writing paper out of American flax straw.

Now, therefore, the raising of flax, or flax straw, as it should be technically called, should certainly be protected in order to make a great industry out of it, as it will be in time.

Some of the witnesses before you on the 24th and 25th of January—those connected with the Barbour Co., at Allentown and Paterson, and several other concerns who manufacture thread—had the temerity to say that no good flax for spinning is raised in the United States, whereas, as a matter of fact, the States of Michigan and Ohio and some parts of Wisconsin, and even in Minnesota, raise flax straw which is perfectly fit for spinning; but it is not encouraged by these big firms who manufacture and make prices on thread, and they prefer, for some reason, to import European flax because it is cheaper than it could be produced here under American labor wages.

The Barbour Co. has imported many cars of finished flax from Canada, which was imported as not hackled, and experts had to be called in to relieve the minds of the United States collectors, in preference to importing it from Europe, when they and their friends talk of Belgium and Russian spinning flax being the best.

One man, by the name of Mr. Loughlin (p. 3484), states that Canadian flax is the poorest he has ever seen and no good, whereas the Barbour Co., who make some of the finest articles, use it by the carload, importing it via Suspension Bridge.

I never heard of "flax dressers" in this country, unless they were employed by some of these million-dollar concerns who make prices.

These tremendous monopolies or corporations do not care what happens to the farmer as long as they get their tremendous profits, and not for the world would they want to have a reduction on finished thread or their goods, but they want what they call flax straw and tow on the free list.

As a matter of fact, tow can not be used for spinning, for it is used only for upholstering, refrigerator-car linings, and wrapping and writing paper.

Flax for spinning is not a raw material at all, for it takes great labor and large expense to make long spinning flax out of flax straw, for, as I said, flax straw is worth from $5 to $9 a ton, whereas long spinning flax is worth from $250 to $350 a ton.

Now, look at the statement of the United States Linen Co., Chicago, who came before you and told you honestly that it is false that no spinning flax can be raised in this country. (See p. 3490.) They declare these statements false and unfounded; and I, with great respect to your committee and with truth and honesty, do declare these statements false, and I say:

Gentlemen of the committee, give the farmers of the United States a chance to raise the same flax straw as they do in Europe and they can raise it, and they will raise it, as the United States Linen Co. tells you, and as the International Flax Twine Co., of Chicago, who make binder twine, could tell you; but the farmers must be given a chance, that, with the high wages they have to pay in this country, the duty will remain to protect them, and not open the country to these millionaire thread and twine manufacturers.

Less than 40 years ago all the flax straw raised in the United States was burned; now the Amenia & Sharon Land Co., of Amenia, N. Dak., and others have imported thousands of bushels of Russian and Irish flaxseed to this country and have sold it to the farmers, and are raising now flax straw, some of it a yard long, and as good as they do in foreign countries; and they will do more, and the United States will raise flax straw and flax as good as others, and the farmers therefore pray for protection, that the duty remain as it is.

I have the honor to be, yours, very respectfully,

V. R. BLEHDON.

Representing the flax-raising States in the Northwest, as per petitions and thousands of signatures turned over to the clerk of your committee, Mr. Daniel C. Roper.

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MERCHANTS AND MANUFACTURERS BOARD OF TRADE,
New York, April 5, 1913.

Hon. SAMUEL W. SMITH,
Representative in Congress, Washington, D. C.

DEAR SIR: I have the honor to inclose herewith a pamphlet containing a copy of a letter addressed to the chairman and members of the House Ways and Means Committee, the chairman and members of the Senate Finance Committee, and the President of the United States, protesting against any increase in the value of articles purchased abroad that Americans may bring into the United States free of duty. Such admissions of duty-free purchases, under section 709 of the free list of the present tariff act, is limited to articles of a value not exceeding $100. Our protest against any increase is on the ground that it would be indefensible class legislation and the granting of special privileges to the well to do and the wealthy who travel abroad in the way of tariff exemptions denied to Americans of lesser means who remain at home.

Inclosed letter is self-explanatory and is sent to you in the hope that you may be disposed to vote against any increase in the amount of the exemption should the new tariff act provide for any increase in the amount of the exemption.

I have the honor to remain, very respectfully, yours,

A. B. SMITH, *President.*

—

THE AMERICAN SPICE TRADE ASSOCIATION,
New York, April 15, 1913.

Hon. SAMUEL W. SMITH,
House of Representatives, Washington, D. C.

DEAR SIR: In the bill just presented by the Committee on Ways and Means whole spices are made dutiable by a small duty, which, on the basis of the importations for the year ending June 30, 1912, would yield a revenue of $768,462. The duties collected under the existing tariff on ground spices amounted to $218,209.

Ground spices, heretofore subject to a duty of 3 cents per pound, are made subject, under the new bill, to the same duty as whole spices. The use of spices for food can not be increased except by growth in population, whether ground in this country or in Europe; no more will be used than the sense of taste requires; no one would be tempted by cheap price to use more pepper or any other spice than he liked on the food on which or in which it was required as a flavor.

Many persons would drink an extra cup of coffee when the price is low which he would go without if the price was high, but there is no one in this whole country who does not have all the pepper or any other spice he wants and could not be persuaded to use more than he likes if it were given to him.

It seems to the spice trade that the committee was in error in classifying spices as luxuries. Spices are part of the regular stock in trade of every grocer; they are uniformly in every kitchen; pepper is on every table as generally as salt or sugar. They are used in food in some form every day by every person in the country. There is not a mining or lumber camp, there is not a fishing smack or ship of any kind, not a farmhouse or tenement house, there is not a picnic party, not an exploring expedition without spices to make the food palatable.

The poorer the person and the coarser the fare the greater the need of condiments to furnish flavor and variety.

It is claimed that food which is unpalatable is indigestible, and the use of spices is exactly to make food palatable. To tax spices is not to tax luxuries, but to tax food—to tax what has become a necessity of life; to increase the cost of living.

To tax whole spices is to hurt our export trade, which shows a considerable extension, and turn it over to England, where spices are not taxed and where shipping opportunity is better.

To levy the same duty on ground and whole spices would greatly injure our domestic trade, because it costs more to grind and pack spices in this country than in England, because of dearer labor here and because they are sold in small packages of tin or paper, which when imported pay no duty when they come in as containers but which when used by American grinders are subject to a protective duty on paper, labels, and tin plate.

The duty would be paid on the landed weight; there is shrinkage in weight in warehouse and loss in weight in grinding and packing. The American grinder would not sell the weight he paid duty on. This would mean that the rate of duty would be increased by the percentage of loss between the arrival and sale of the goods.

Further, it means to impair the protection afforded by our pure-food laws, because the American grinder uses better qualities of spices than the English grinder, due to the fact that wormy or damaged spices may not be imported here, while there is no restriction on the grinding of such abroad, and chemical analysis can not detect in the ground spice the character of the whole spice from which they were ground.

To reduce the duty or make free of duty large articles of everyday use like sugar, tea, coffee, and salt, and tax smaller articles like spices, which are just as necessary and fully as universally used, is inconsistent and unfair; it is hitting and injuring a small article simply because it is small.

Whole spices and mustard seed should be free and ground spices subject to a small duty, say, the duty now provided for whole spices in the tariff bill just presented to Congress by the Ways and Means Committee.

No study, no ingenuity, or skill can overcome the disadvantage of arbitrary higher raw material, cheaper labor, and protected accessories like labels, cans, and paper.

While there is no trust or combination in the spice trade, and while no one since the war became rich in the trade, but only the severest competition, a low duty on ground spices would permit importations of ground spices—a few come in even at 3 cents per pound—and check any exuberance of feeling or excessive price among the American trade.

This would not be fostering a trade exotic to this country, but only establishing equal facilities. A one-armed man is handicapped in standing off a man with two arms. All we want is equal opportunity.

Very respectfully,

E. W. DURKEE,
Chairman Tariff Committee.

—

THE LANCASTER LEAF TOBACCO BOARD OF TRADE,
Lancaster, Pa., April 16, 1913.

Hon. S. W. SMITH,
House of Representatives, Washington, D. C.

SIR: Permit us to call your attention to the following resolutions adopted by the Lancaster Leaf Tobacco Board of Trade at a special meeting called to consider certain passages of the Underwood tariff bill:

Whereas the Underwood tariff bill now in the House of Representatives provides that all tobacco grown in the Philippine Islands, together with such manufactured tobacco and tobacco products as shall contain not in excess of 20 per cent in value of any foreign type of tobacco not grown in the Philippines or the United States shall be allowed to be brought into the United States free of duty; and

Whereas the cost of labor to the grower as well as to the manufacturer in the Philippine Islands is less than 10 per cent of the cost of labor in the United States; and

Whereas the provision permitting the Philippine manufacturer to use up to 20 per cent in value of any class of foreign tobacco will enable them to manufacture a cigar that will appeal to the taste of the smoker in the United States: Therefore be it

Resolved, That we, the Lancaster Leaf Tobacco Board of Trade in special meeting assembled on April 12, 1913, declare it to be our opinion that if this bill is permitted to become a law it will mean the ruination of our domestic tobacco and cigar industries in their manifold branches.

It will not only close our cigar factories and throw out of employment a vast army of cigar makers, but it will render the growth of the tobacco unprofitable to our farmers and destroy the market for one of the very important products of our soil.

It will enable the large corporate interests to profit abnormally at the expense of total and permanent annihilation of thousands of small manufacturers, dealers, and growers.

In view of the above conclusion we vehemently protest against the passage of this section of House of Representatives bill No. 10 and urge upon the Senate and House of Representatives the necessity of amending this bill so as to embody the same provisions with reference to Philippine tobacco and cigars as is embodied in the present tariff schedule.

Respectfully submitted.

HERBERT P. TAYLOR,
President.

Hon. A. B. HESS,
I. H. WEAVER,
LOUIS A. KRAMER,
Committee.

—

MUSKEGON, MICH., *April 3, 1913.*

SAMUEL W. SMITH,
House of Representatives, Washington, D. C.

DEAR SIR: In connection with Schedule A of the tariff bill and relative particulars to the duties on tanning extracts, we wish to submit the following for your very careful consideration, and trust the same may be given due weight in your action relative to the duties upon the above-mentioned extracts.

The Muskegon Extract Co., of Muskegon, Mich., are manufacturers of tanning extracts from the waste sulphite cellulose liquor of the pulp mill at this place. We have now been on the market for about three years, and are beginning to get established in a substantial way. We have an investment up to the present time in this business of practically $175,000. This money has been spent in developing the industry and establishing the product on the market. This product is made from a refuse material, notably the waste sulphite cellulose liquors of the pulp mill. This waste liquor is a public menace in a great many places, pollutes the streams, rivers, and lakes, and the further development and enlargement of this industry will mean not only converting a waste material into a useful commercial product, but will at the same time aid in the further doing away with a public nuisance which in a great many cases will sooner or later force the closing of certain pulp mills.

Abroad, particularly in Germany, a number of pulp mills have been forced to shut down because of their inability to find some means of doing away with these waste liquors and keeping them out of the streams and rivers. Some of the German paper-pulp manufacturers are now, and have been for some time past, endeavoring to develop by-products similar to ours from these waste liquors. The lowering of the duty on waste sulphite cellulose liquor tanning extracts, or what is known generally by the name of sulphite cellulose extract, would work a great injury to us and might be the means of forcing us out of business entirely, as the German manufacturers would be willing to make and market this particular product at less than cost in order to keep their pulp mills going. The removal of the duty on all of the extracts, particularly upon quebracho extract, would likewise work an injury to us.

We would ask your most careful consideration of the above, and believe that your fair-mindedness will see the injustice of the removal of the duty on this particular material.

Very truly, yours,

MUSKEGON EXTRACT CO.,
GEO. H. TOUSEY, *Vice President.*

—

MENZIES SHOE CO.,
PRESIDENT'S OFFICE,
Detroit, Mich., April 16, 1913.

Hon. S. W. SMITH, M. C.,
Washington, D. C.

MY DEAR MR. SMITH: As an American shoemaker I am getting exceedingly worried. We do not want free shoes. The men, women, boys, and girls in our factory can not afford to work for the same prices as they do abroad.

If you would investigate our factory in Detroit you would find experienced men and women earning from $15 to $30 a week, and I don't see how they can really live like American citizens for any less. Even boys and girls in our factory are earning from $5 to $10 a week. I am given to understand, and by good authority, that the highest paid men and women do not earn over $8 a week in foreign countries.

If the good wages and prosperity of our people are to continue, I want to go on record as saying it will not continue unless a tariff is maintained; and also, if this tariff is removed, that the burden of it is going to fall on the workers in our factories and all workers in the United States.

We are living in a different age, and the people in this country are a different element, living on a different plane entirely—shorter hours, more leisure, have more of the nice things that make life worth living, especially in Detroit, where life is worth living.

If you want a continuation of prosperity in our factories and the medium and middle classes throughout the United States, I believe we must maintain a little tariff, sufficient for protection of the laborers.

I earnestly solicit a closer examination and investigation by you into the prices of labor in the United States and foreign countries.

Very truly, yours,

H. D. MENZIES.

—

AN APPEAL FOR FAIRNESS.

To Hon. S. W. SMITH,
Representative in Congress from the State of Michigan:

The American shoe-manufacturing trade respectfully ask from every Member of Congress, regardless of party, very serious consideration of all aspects of the industrial and commercial situation, with reference to shoes, in determining upon action in the matter of the duty on shoes imported into this country. The data presented herewith are believed to be dependable, being taken from Government reports, etc.

Respectfully submitted.

MENZIES SHOE CO., *Detroit.*

THE SHOE TRADE PROTESTS AGAINST REDUCTION OF DUTY.

A critical situation presents itself to the American shoe-manufacturing trade, an industry which employs an army of more than 200,000 workers and in which some $300,000,000 capital is invested, with a value of annual product reaching well toward $600,000,000, a sum in excess of the value of shoe production of England, France, Germany, Italy, and Austria.

The industry is confronted by a threat of national legislation on tariff which apparently is to some extent based upon a disposition to single it out for discrimination and for punishment, regardless of any question as to its general services to the American consumer, and in spite of the probable effect upon the wageworkers in the shoe industry.

ALREADY CUT IN HALF.

The duty on shoes imported into this country was for a long time fixed at 25 per cent, a rate much below the average. Three years ago, in the Payne law, this duty was cut in half; notwithstanding this, last summer a bill was passed by both Houses of Congress taking away the other half and throwing shoes upon the "free list"—alone among all articles worn by man, woman, or child, from head to foot, in thus being exposed to the open competition of labor abroad, invariably cheaper than American labor. There are aspects of the situation which are puzzling to the shoe trade, and which may well be puzzling to members of any trade, if they represent general tendencies or a settled program, with reference to coming business legislation at Washington.

ALL BRANCHES AGREE.

The retail dealers in shoes not less than the worker, the manufacturer, and the wholesale dealer, view with apprehension anything tending toward the serious disturbing of conditions and the sharpening of an already very keen competition, which has resulted in placing shoes at the bottom of the column in margin of profit in making or selling, as compared with any other general commodity or line of merchandise. The National Association of Shoe Dealers joined with the manufacturers and the wholesalers in the brief that was presented to the Ways and Means Committee. It is the manufacturer of shoes, however, upon whom falls the chief burden of defense of the trade. That defense had been seriously undertaken and fairly conducted by men of ample technical knowledge and practical experience, broad enough to believe that fairness is the soundest policy, and desiring nothing more in their own behalf at the hands of Congress.

The statement is made that "no damage is intended to any business"; but this is not saying a great deal, for it is seldom that a law is passed with the avowed intention of admission that it is intended to be damaging to any honest line of endeavor.

THE NARROW MARGIN.

The American shoe manufacturer is not unduly timorous, but he knows exceedingly well the very narrow limit of profit upon which he is now working; knows the American labor market, in which he has to purchase his operative help, in competition with industries the products of which are "protected" by duties triple and quadruple that are levied upon shoes; and knows how swiftly a small margin of profit can be changed to a fatal measure of loss.

American shoe manufacturers therefore protest against reduction of the duty upon footwear, for what seem to them to be ample reasons, some of which may here be considered. They protest—

Because the shoe trade took its reduction three years ago, when the Payne law cut the former duty of 25 per cent in half, by lowering the schedule to 10 per cent on shoes of bovine leather and 15 per cent on shoes of "kid" leather.

LOWEST ON THE LIST NOW.

Because the duties levied on shoes are already far below those on other wearable articles, as shown in the following brief tabulation:

	Per cent.
Hats	50 to 60
Shirts	60
Underwear, all kinds	45 to 55
Handkerchiefs	50 to 60
Clothing, all kinds	45 to 60
Hosiery	55 to 85
Shoes	10 to 15

Because whatever may be the prevailing opinion as to the merits of "protection" as a principle, any duty acts as a protection, as far as it goes, and helps to establish conditions to which all industries are subject.

THE CONSUMER WELL SERVED.

Because the mechanical skill, administrative ability, and merchandising economy of the American shoe trade as a whole have made this the best shod of nations, and have made it at least relatively (and probably absolutely in many grades of quality) the cheapest place in the world for the consumer to buy shoes.

Because, resulting from the above, "one day's work will buy a better pair of shoes in the United States than it will in any other land by fully 40 per cent"—a statement which is within the limits of conservatism, which presents a remarkable truth, and is deserving of deep consideration in estimating the service the American shoe trade renders to the American consumer.

LABOR COMPARISONS.

Because of such showings as the following, the figures being taken from dependable sources, including Government reports by the Department of Commerce and Labor, the United Kingdom—England, Wales, and Scotland—being the most dangerous competitor of the United States.

	United States, per week.	United Kingdom per week.
Cut sole leather, cleing-out machine, skilled	$14.00	$7.29
Cut sole leather, cleing-out machine, unskilled	9.00	2.92
Foreman, sole-leather stock fitting	20.00	9.73
Miscellaneous unskilled work, boy	7.00	2.43
Pull over, Rex machine	13.50	7.29
Operate consolidated lasting machine	15.00	10.22
Operate Rex rotary pounder	11.00	7.29
Tack on outer soles	12.00	7.29
Operate standard screw machine	16.50	8.50
McKay sew	15.00	8.51
Level, Hercules	12.60	8.51
Total	145.00	79.98
Ratio	100	55

Because in the markets of the world there are but few examples of lower duties than those now levied on shoes by the United States.

Because other nations, which are defending their own trade, not alone against this country but against each other, levy duties upon shoes, as shown in the following table, taken from the Government report on foreign tariffs:

Canada, per cent	20
Mexico, per pair	$0.30 to $1.50
France (new tariff), do	$0.57 to $0.95
Germany (estimated), per cent	25
Italy, per kilo	$0.20
Russia (estimated), per pound	$1.00
Argentina, per cent	40
Japan, do	40
Australia, do	40

Because the question is not local, since the business of shoe manufacturing is not local; 20 States figure with large output in the Government reports of production, and the second largest producer lies west of the Mississippi River.

Because practically all of the materials which enter into the manufacture of shoes bear duties, these running as high as 60 per cent.

Because with all the advantages of cheap labor and cheaper materials in favor of the foreign manufacturer, he is sufficiently favored with reference to the American market by the present small duty. Further encouragement must be at the expense of American workers, for there is nowhere else to cut except in the wage scale.

AGAINST MISLEADING STATEMENTS.

They protest against the persistent repetition of totally erroneous statements, bearing upon the shoe industry.

They protest against the continued repetition of the absurd theory that "free hides were an equivalent for free shoes," in the face of the fact that the raw hide in a pair of shoes forms only from one-fifth to less than one-tenth of its value.

They protest against the repetition of the false statement that "the shoe manufacturers agree to 'free shoes' if hides are made free." No such statement was made by anybody; and if it had been made by anybody it would have been against the wishes and beliefs and intentions of the rest of the 1,300 shoe manufacturing concerns of the United States.

They protest against talk of a "shoe trust," a thing which never existed in any form, or in any imaginable approach to reality.

They protest against being blamed for the situation regarding the cost of shoes, as it has developed within the past few years, this blame taking the form of a reproach: "The shoe manufacturers promised cheaper shoes if hides were made free, but shoes cost more instead of less"—such a reproach utterly ignoring the fact that the shoe manufacturer has no control whatever over the prices of shoe materials, and that hides began rising in price immediately after the duty was annulled, as shown by Government reports. Nobody made such a "promise"; and it would have been a promise utterly impossible of fulfillment if it had been made.

AGAINST OFFICIAL ANIMUS.

They protest against the disposition manifested in the reported declared intention of an officer of Congress "to get even with the shoe manufacturers," with reference to the duty on shoes—a purpose as improper as would be that of a judge on the bench who should declare his intention of "getting even with that litigant before me." The maker of law has more power than the interpreter of law, and should be the more bound by considerations of impartiality and fairness.

They protest against the theory that an American industry must suffer a certain amount of foreign competition, as a test of its efficiency, and respectfully point out that such a principle would operate as an encouraging of inefficiency and a penalizing and at least a partial nullifying of energy and enterprise. If the American maker of shoes has dominated the American market, it is because he has served the American consumer much better than the shoemakers of any other country in the world, wages and conditions being considered.

AGAINST DISCRIMINATION.

They protest against having their commodity product being singled out as a basis for campaign material, as used in speeches less than six months ago, in referring to the so-called "Farmers' free-list bill" and declaring that "We have given the people free meat, and free bread, and free shoes"—an argument unworthy of a statesman in its specious framing, and of a character fit only for appeal to the ignorance of natural-born paupers.

They protest against the ignoring of the truth that all duties are "protective" as far as they go, whether called so or not, except as they apply to a commodity not produced in this country at all.

They protest against undue weight being given to the present exportations of American shoes, in view of the fact that it is "fit and fashion" which are largely instrumental in selling the American high-grade shoe abroad, these qualities being held commercially desirable by the public, with reference to any article of clothing, but being subject to rapid change in demand. That is to say, the exportation is dependent to a large extent upon intangible and undependable style qualifications, rather than upon an economic mastery of foreign markets, defended, as most of them are, by duties larger than our own.

And they most earnestly request and urge that the brief submitted in their behalf, and the report of the hearing before the Ways and Means Committee, be fully and fairly considered by every Member of the House and Senate and by the President of the United States.

—

DETROIT, MICH., *April 15, 1913.*

Hon. SAMUEL W. SMITH,
House of Representatives, Washington, D. C.

DEAR SIR: The State of Michigan, and especially the city of Detroit, being the largest buyers and consumers of the base metal aluminum in the United States, we beg to refer a matter to you that is of utmost importance to our manufacturers in this industry, in hopes that you will at once take the matter up in the proper quarters with a view of having a more equitable and practical adjustment for all concerned in the proposed changes of the new tariff affecting this commodity.

The proposed new duty on aluminum, we presume, means that duty is 25 per cent on the general market price of the metal at the place from where shipped at the time of shipment. This is beautiful in theory, but will be most confusing and impossible in practice. Aside from the difficulty of fixing the general market price at the place of shipment, at the time of shipment, it is a matter of guesswork within certain limits, and the Government will fine you if your guess does not come within 1 per cent of its guess. It would have worked this way had it been in effect during 1912; and you never could tell from month to month what the base metal was going to cost you. That is to say, notwithstanding had you placed a contract during January for monthly shipments for total requirements throughout the year at 11¾ cents per pound, say, f. o. b. New York, duty unpaid, you would have paid duty ranging from a little over 2¼ cents to nearly 5 cents, depending on the market price at time of shipment of the various shipments. It must be remembered that aluminum went as high as 27 cents per pound in New York, and that the highest price duty unpaid was 70 per cent higher than the low price of the year duty unpaid. We sincerely hope that the ad valorem will not go into effect. It would be a handicap and a hindrance to everybody in connection with aluminum except the Aluminum Trust; the more others are hindered from importing foreign aluminum, the better they like it. At present prices they would have a protection of 25 per cent, ad valorem basis, amounting to 5 cents per pound, and we have no doubt they are pleased with the proposed "reduction."

A far more just, equitable, and practical working plan would be a fixed specific duty, as at present, only the same should be cut in two or reduced to, say, 3 cents per pound, which should be more than ample (taking in addition the transportation and handling charges) to offset the difference between European and American labor items, and considering the further great advantages of the lesser cost of manufacturing and production by the American trust, with their up-to-date and scientific methods of production.

Will you kindly acknowledge and give us your views on this matter, and we will be very pleased to furnish you promptly any further facts and data you may desire on the subject.

Yours, very truly,

UNITED STATES MCADAMITE METAL CO.,
J. P. CARRITTE, *Treasurer.*

—

PENINSULAR MILLING CO.,
Flint, Mich., April 5, 1913.

Hon. SAMUEL W. SMITH,
House of Representatives, Washington, D. C.

DEAR SIR: It is reported that the forthcoming tariff bill proposes to put flour on the free list, while wheat will be protected by a tariff. We do not want to take up your time with an argument, but wish to protest against this, as it would ruin the milling industry of the United States. If flour was accompanied by free wheat it would not be so bad, but as it would discourage wheat growing it would incidentally injure the milling business.

Kindly give this your consideration.

Yours, truly,

PENINSULAR MILLING CO.,
C. J. DE ROO, *Manager.*

—

MICHIGAN STATE MILLERS' ASSOCIATION,
Lansing, Mich., April 3, 1913.

Hon. SAMUEL W. SMITH,
House of Representatives, Washington, D. C.

DEAR SIR: News comes to me that there is a bill in the Ways and Means Committee of the House now which contemplates free flour, with 7½ to 10 per cent ad valorem duty on wheat.

Millers of the United States, including Michigan, are very much disturbed over this proposed amendment to our tariff, and believe that legislation to this effect would mean serious detriment to the milling industry. Some go so far as to assert that it would mean practical extinction of our American milling industry.

Of course, you can readily see that the millers are anxious to put a stop to this sort of legislation. Anything that you will do to aid us in this will be very much appreciated by all of Michigan millers.

With kindest regards to you, I am,

Very truly, yours,

HARRY E. HOOKER, *Secretary.*

—

LANSING, MICH., *April 2, 1913.*

Hon. SAMUEL W. SMITH, *Washington, D. C.*

DEAR SIR: It is rumored that the Ways and Means Committee are contemplating a bill admitting the free admission of flour into the United States and an ad valorem duty on wheat, and we beg to call your attention to this early, possibly prematurely, as the enactment of any bill admitting flour free would practically mean the extinction of the flour-milling business in this country.

The millers of Michigan have been seriously handicapped in the past few years through the light crops of wheat harvested, and could not stand the strain of free flour from, say, Canada, with that section so advantageously situated to flood this State with flour.

We sincerely hope this measure will not pass the committee, but if it should we trust you will do all in your power to prevent its becoming a law.

Thanking you, we beg to remain,

Very truly,

THOMAN MILLING CO.,
J. P. THOMAN, *Manager.*

—

THE MICHIGAN BEAN JOBBERS' ASSOCIATION,
OFFICE OF THE PRESIDENT,
Owosso, Mich., April 15, 1913.

Hon. SAMUEL W. SMITH, *Washington, D. C.*

DEAR SIR: I see that the proposed new tariff bill will reduce the tariff on beans from 45 cents to 25 cents per bushel of 60 pounds.

Now, I do not suppose that you will be able to do much under existing conditions, but we, the bean jobbers of Michigan, trust you will make a strong effort to prevent the proposed reduction. As you know, the growing of beans has become a very large and important business in Michigan. We are producing about 6,000,000 bushels annually, or 70 per cent of the crop of the United States. This crop has paid the farmers of Michigan from ten to twelve million dollars annually. Almost every year there are some beans imported from Europe, but not enough to seriously affect our market, but with the opening of the Panama Canal and a lower duty Japan c ruin our market for the reason that they have cheap labor and a surplus of beans. The export of beans by Japan from Manchuria in recent years has been greater than the entire crop of the United States.

I have a letter from the Bean Association of California, and they are making every effort to prevent the reduction in tariff.

Even with the present tariff Japan has for some years imported into California about 250,000 bushels of beans, and if the tariff is lowered they could control entirely the market of this country.

Thanking you in advance for your efforts in behalf of the Michigan Bean Jobbers' Association, I am,

Yours, truly,

FRED WEICH.

—

LOZIER MOTOR CO.,
Detroit, Mich., April 15, 1913.

Hon. SAMUEL W. SMITH,
House of Representatives, Washington, D. C.

DEAR SIR: We have received several communications from Honolulu in reference to free sugar, stating that if same goes into effect it will affect our trade relations with them.

Sugar represents 90 per cent of the industry of Hawaii, and if it should be put on the free list it would so seriously affect the welfare of the country that their purchases from the United States would be very seriously affected.

Free sugar means simply putting the American people absolutely in the hands of the trust—buying their sugar in foreign markets—and the wrecking of the cane and beet sugar interests of the United States.

I sincerely hope that you will vote against any provision to put sugar under the free list at any time.

Yours, very truly,

H. M. JEWETT, *President.*

The Tariff.

EXTENSION OF REMARKS
OF
HON. AUGUSTUS P. GARDNER,
OF MASSACHUSETTS,
IN THE HOUSE OF REPRESENTATIVES,
Saturday, May 3, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. GARDNER. Mr. Speaker, under general leave to print, I desire to have appear in the RECORD a number of resolutions in favor of a protective tariff. These resolutions originate with sundry bodies of organized labor in my county. I take issue with the official statements which we have heard that organized labor does not believe in a protective tariff. I call attention to the fact that the international president of the Boot and Shoe Workers Union, John F. Tobin, recently appeared in person before the Ways and Means Committee to ask for a duty on boots and shoes:

GLOUCESTER, MASS., *December 30, 1912.*

Whereas we, the members of Local No. 14307, of Gloucester, Fish Skinners, Cutters, Trimmers, and Pressmen, American Federation of Labor, desire to call the attention of Congress and the Senate of the United States to the fact that we respectfully ask that American wage earners be protected from the competition of the lower wages paid in foreign countries by the passage of such a tariff bill as will at least equalize the difference paid in wages here and abroad: Therefore be it

Resolved, That we go on record as a body that we favor such a tariff as will adequately protect the American wage earners, and that a copy of this resolution be spread upon the records of our meeting, and a copy be sent to Congressman A. P. GARDNER and the honorable Senators of this State with the request that they place our petition before the Congress and Senate of the United States.

JOHN E. SOUZA,
Secretary Local 14307, F. S. C. T. & P., Gloucester, Mass.

GLOUCESTER, MASS., *December 31, 1912.*

Whereas the protection of the fish industry of Gloucester is a matter of vital importance to us who make our living at the industry in the local plants; and

Whereas the wages paid in foreign countries are so much lower than those paid in the United States: Therefore be it

Resolved, That we, members of Local Union No. 14317, Fish Workers (women), of Gloucester, Mass., hereby petition Congress for such a tariff as will protect our wages and conditions against foreign labor; and be it further

Resolved, That these resolutions be spread upon our records, and a copy be sent to Congressman A. P. GARDNER and the honorable Senators of this State with the request that they place our petition before the Congress and Senate of the United States, asking them to do whatever possible to protect our conditions.

CLEMMIE BURKHART,
Secretary Local Union No. 14317, Gloucester, Mass.

—

GLOUCESTER, MASS., *January 1, 1913.*

Whereas the protection of the fish industry at Gloucester is a matter of vital importance to us who make our living by working at the industry at the local plants; and

Whereas the wages paid in foreign countries are so much lower in all industries than those paid in the United States: Therefore be it

Resolved, That we, the members of Local 14336, American Federation of Labor, at Gloucester, Mass., hereby petition Congress for such a tariff as will adequately protect the wages and conditions of the American wage earners; and be it further

Resolved, That these resolutions be spread upon the records of our meeting and a copy sent to Congressman A. P. GARDNER and the honorable Senators of this State, with the request that they place our petition before the Congress and Senate of the United States.

GEORGE ROBERTS,
Secretary Ship Riggers' Local Union 14336.

—

GLOUCESTER, MASS., *January 5, 1913.*

Whereas the wage earners of the United States are enjoying higher wages and working shorter hours than those wage earners employed in European and Asiatic countries; and

Whereas the wages and living conditions of American wage earners have been secured under a tariff law which has protected American industries, thereby giving employment to the American wage earner: Therefore be it

Resolved, That we, the members of Gloucester Teamsters' Local Union 266, of the International Brotherhood of Teamsters, affiliated with the American Federation of Labor, hereby petition Congress to protect our employment and scale of wages by the retention of a protective tariff high enough to equalize the difference paid in the wages in the United States and abroad, to the end that our wages and working conditions may be protected from competition of the poorly paid foreign labor; and be it further

Resolved, That a copy of this resolution be spread upon the records of our meeting and a copy sent to Congressman A. P. GARDNER and the honorable Senators of this State, with the request that they place our petition before the Congress and Senate of the United States.

GLOUCESTER TEAMSTERS' UNION, LOCAL NO. 266,
JOHN F. FOLEY, *President,*
WILLARD F. MITCHELL, *Secretary-Treasurer.*

—

GLOUCESTER, MASS., *January 19, 1913.*

Resolved, That we, wage earners, members of Teamsters' Union, Local 266, of the International Brotherhood of Teamsters and Helpers of America, affiliated with the American Federation of Labor, hereby petition your honorable body to protect the fishing interests of Gloucester, Mass., the principal industry of our city, by the retention of a protective tariff high enough to equalize the difference paid in wages in the United States and abroad, to the end that our wages and working condition may be protected from competition of the poorly paid foreign labor; and be it further

Resolved, That a copy of this resolution be spread upon our records, and also a copy of same be presented to Congressman A. P. GARDNER and the honorable Senators of this State, with the request that they place our petition before the Congress and Senate of the United States.

WILLARD F. MITCHELL, *Secretary.*

—

SALEM, MASS., *February 10, 1913.*

Whereas the wage earners of the United States are enjoying higher wages and working shorter hours than those wage earners employed in European and Asiatic countries; and

Whereas the wages and living conditions of American wage earners have been secured under a tariff law which has protected American industries, thereby giving employment to the American wage earner: Therefore be it

Resolved, That we, the members of Wood, Wire and Metal Lathers' International Union, Local 334, affiliated with the American Federation of Labor, hereby petition Congress to protect our employment and scale of wages by the retention of a protective tariff high enough to equalize the difference paid in the wages in the United States and abroad, to the end that our wages and working conditions may be protected from competition of the poorly paid foreign labor; and be it further

Resolved, That a copy of this resolution be spread upon the records of our meeting and a copy sent to Congressman A. P. GARDNER and the honorable Senators of this State, with the request that they place the same before the Congress and Senate of the United States.

EDMOND J. GADBOIS, *President.*
JOSHUA N. HENEON, *Secretary.*

—

SALEM, MASS., *February 12, 1913.*

Whereas the wage earners of the United States are enjoying higher wages and working shorter hours than those wage earners employed in European and Asiatic countries; and

Whereas the wages and living conditions of American wage earners have been secured under a tariff law which has protected American industries, thereby giving employment to the American wage earner: Therefore be it

Resolved, That we, the members of the Amalgamated Sheet Metal Workers International Alliance, Local Union No. 262, affiliated with the

American Federation of Labor, hereby petition Congress and the Senate of the United States to protect our employment and scale of wages by the operation of a protective tariff high enough to equalize the difference paid in the wages in the United States and abroad to the end that our wages and working conditions may be protected from competition of the poorly paid foreign labor; and be it further

Resolved, That a copy of this resolution be spread upon the records of our meeting and a copy sent to Congressman A. P. GARDNER and the honorable Senators of this State, with the request that they place the same before Congress and the Senate of the United States.

JOHN J. MASON, *President*.
W. E. JOHNSON, *Recording Secretary*.

LAWRENCE, MASS., *February 20, 1913*.

Whereas the wage earners of the United States are enjoying higher wages and working shorter hours than those wage earners employed in European and Asiatic countries; and

Whereas the wages and living conditions of American wage earners have been secured under a tariff law which has protected American industries, thereby giving employment to the American wage earner: Therefore be it

Resolved, That we, the members of the International Association of Machinists, Lincoln Lodge, No. 172, affiliated with the American Federation of Labor, hereby petition the Congress and Senate of the United States to protect our employment and scale of wages by the operation of a protective tariff high enough to equalize the difference paid in the wages in the United States and abroad to the end that our wages and working conditions may be protected from competition of the poorly paid foreign labor; and be it further

Resolved, That a copy of this resolution be spread upon the records of our meeting and a copy sent to Congressman M. P. PHELAN and the honorable Senators of this State, with the request that they place the same before Congress and the Senate of the United States.

CHARLES A. RYAN, *President*.
HERBERT HOYT, *Secretary*.

LAWRENCE, MASS., *February 21, 1913*.

Whereas the wage earners of the United States are enjoying higher wages and working shorter hours than those wage earners employed in European and Asiatic countries; and

Whereas the wages and living conditions of American wage earners have been secured under a tariff law which has protected American industries, thereby giving employment to the American wage earner: Therefore be it

Resolved, That we, the members of Local 785, Woolen and Cotton Yarn Workers of the United Textile Workers of America, affiliated with the American Federation of Labor, hereby petition Congress to protect our employment and scale of wages by the operation of a protective tariff high enough to equalize the difference paid in the wages in the United States and abroad, to the end that our wages and working conditions may be protected from competition of the poorly paid foreign labor; and be it further

Resolved, That a copy of this resolution be spread upon the records of our meeting and a copy sent to Congressman MICHAEL F. PHELAN and the honorable Senators of this State with the request that they place the same before Congress and the Senate of the United States.

JOHN J. O'CONNOR, *President*.

LAWRENCE, MASS., *March 5, 1913*.

Whereas the wage earners of the United States are enjoying higher wages and working shorter hours than those wage earners employed in European and Asiatic countries; and

Whereas the wages and living conditions of American wage earners have been secured under a tariff law which has protected American industries, thereby giving employment to the American wage earner: Therefore be it

Resolved, That we, the citizens of Lawrence, in mass meeting assembled at city hall, hereby petition Congress to protect our employment and scale of wages by the operation of a protective tariff high enough to equalize the difference paid in the wages and cost of production in the United States and abroad, to the end that our wages and working conditions may be protected from competition of the poorly paid foreign labor; and be it further

Resolved, That a copy of this resolution be sent to Congressman MICHAEL F. PHELAN and the honorable Senators of this State with the request that they place the same before the Congress and Senate of the United States.

JAMES R. MENZIE, *Chairman*.

The Tariff.

SPEECH
OF
HON. EDWARD E. BROWNE,
OF WISCONSIN,
IN THE HOUSE OF REPRESENTATIVES,
Thursday, May 1, 1913.

On the Bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. BROWNE of Wisconsin. Mr. Speaker, I am in favor of a downward revision of the tariff, and would like to vote for some of the provisions of the Underwood tariff bill, but under the order of the Democratic majority one must vote for the bill as a whole or vote against it. I must therefore vote against this tariff bill.

I would not for a moment refuse to vote for the pending bill because it is a Democratic measure. I will cheerfully vote for any measure that is presented here by Democrats, Progressives, or Republicans that I think is right, regardless of what a caucus of the Republican Party, the party in which I claim an honorable membership, should dictate.

It is hard for me to comprehend the partisanship in this the greatest legislative body in the world.

In Wisconsin we have no such partisanship. As a member of the senate of that State for six years I can truthfully say that during that time there has not been a single caucus by the Republican Party—and I do not think by the Democratic Party—on a matter of legislation. I do not know of a single legislative measure in that State upon which party lines have been drawn.

As a result there has been written on the statute books of Wisconsin in the past 12 years some of the most wholesome and salutary laws that can be found on the statute books of any State.

I refer to the Wisconsin primary-election law, the railroad-rate law, the public-utility law, the anti-lobby law, workingmen's compensation law, State-aid road law, and other progressive legislation.

These laws were not written in a partisan spirit. They were not written by Republicans alone, but the Democrats of Wisconsin have sat down at our tables and assisted us.

The same nonpartisan spirit has been shown in the appointment of our commissioners and in the election of our judges from the lowest to the highest.

It is therefore hard for a Wisconsin Representative to understand this strong partisan spirit that is exhibited in the framing of this tariff bill and in the temper of the discussion of it on the floor of the House.

It is hard also to understand how our own colleagues from Wisconsin on the Democratic side can be so subdued and curbed by the Democratic caucus as to vote against their own convictions and the interests of the people of the great State they represent.

One of the first things the Republicans did upon the convening of the Sixty-third Congress was to have a conference and agree that all future conferences and caucuses should be open to the public, and that no Member should be bound by a vote of the conference or caucus.

The Democrats have criticized, and justly, "Cannonism" and the arbitrary dictation of caucuses, and this was part of their thunder in the last two campaigns. But listen to the confession of the distinguished Democrat, Mr. ADAIR, of Indiana. I quote from his speech, delivered April 25, 1913, on page 417 of the RECORD.

Mr. Speaker, I shall vote for this bill as it was reported from a Democratic caucus without dotting an "i" or crossing a "t." I am one of those who believe in majority rule, and when a caucus of my party writes a tariff bill, regardless of what the rank and every item in the bill meets with my approval or not, I shall stand by the action of the caucus and give the bill my hearty and enthusiastic support. No Democrat can do otherwise.

In this frank and somewhat remarkable speech the learned Representative from Indiana admits that free wool is wrong. He admits that putting wool on the free list will do the wool-growers in the United States an irreparable wrong; that it will also result in losing the Government $9,000,000 annually in the revenue and transfer a like amount into the pockets of the Woolen Trust, no part of which would ever reach the consumer through cheaper woolen goods.

In his exact language, the Representative from Indiana says:

In other words, by placing wool on the free list you give the manufacturer cheaper raw material and at the same time continue a rate of duty on the finished product which gives him a monopoly of the American market and enables him to extort from the American consumer a price to suit himself. I want the people to have cheaper woolen clothes, cheaper woolen blankets, and cheaper woolens of every description, but they will never get them as long as the Woolen Trust has a monopoly of the market. The records of the Treasury Department show that a large amount of woolen goods made in American mills are exported every year to foreign countries and sold in competition with the world. A clothing manufacturing establishment in New York City has opened up branch houses in London, Liverpool, Berlin, and Paris, from which it sells annually in competition with the world nearly $2,000,000 worth of ready-made clothing made in the city of New York. In view of this fact, what excuse is there for giving them a high rate of duty on clothing and a monopoly of the American market? The only theory upon which the doctrine of free wool and a high duty on manufactured woolen goods can be based is upon the ground that if you add $9,000,000 more to the profits of the woolen manufacturers they may possibly allow a little of it to look down on the consumer. It has been clearly shown by Senator LA FOLLETTE on the floor of the Senate that the Woolen Trust under the Payne-Aldrich bill has been robbing the American people of over $100,000,000 annually on manufactured woolen goods, and I do not now want to add $9,000,000 more to that robbery. However, as I said in the beginning, I shall yield my own judgment and abide by the action of our Democratic caucus and vote for this bill.

Undoubtedly what actuates the honorable gentleman from Indiana actuated the rest of the 200 Democrats he refers to in his remarks, and, in fact, all the Democrats in the House.

It has been said by several of the Democratic leaders in this debate—and is undoubtedly true—that the House of Representatives should frame a tariff bill without interference; that it should not delegate any of its authority to anyone, but should jealously guard every power given it by the Constitution as the originator of revenue measures; and yet listen to the confession of one who attended and participated in and was an honored member of the Democratic secret caucus which framed the Underwood tariff bill:

Mr. Speaker, the 200 Democrats I refer to who voted against free wool one and two years ago have not changed their views on this question. They believe as I do this very minute, but the difference between them and myself is this: I voted in caucus in accordance with my honest judgment, and they laid aside their own convictions and voted the judgment of another for reasons better known to themselves. The chairman of the Ways and Means Committee, Mr. UNDERWOOD, stated that his committee agreed upon a duty of 15 per cent on raw wool, and wrote it in the bill, but struck it out at the request of the President. Had not this request been made by the President, every Democratic Member of the House, including the Ways and Means Committee, would now be voting for a 15 per cent duty on raw wool. I am giving these facts, Mr. Speaker, to show that my position on the wool question is the same as that taken by the Ways and Means Committee and practically every Democratic Member of the House.

I quote the Representative from Indiana in the same speech, page 417 of the RECORD.

The bold, frank admission that if some one outside of this body who had valuable favors to bestow on the members of the Democratic caucus had not demanded that the tariff on wool be stricken out, we would have had a tariff on wool in the present bill, and the United States Treasury have been $9,000,000 a year richer in the revenues and the manufacturers of woolen goods, the great Woolen Trust, $9,000,000 a year poorer; but the Democratic majority is willing to bow to that power, surrender the right of voting according to their convictions, presumably for the thousands of offices that have not yet been distributed.

The Democratic House one and two years ago passed tariff bills which carried a duty of 29 per cent on raw wool. These tariff bills were voted for practically unanimously by the Democrats and indorsed by the Baltimore convention.

I am glad to know the reason why this change of heart in the Democratic Representatives, and accept the explanation from one of their own number.

The same motives have also caused this same secret Democratic caucus, which is now king, to remove the tariff on practically all farm products and raw material, without taking it off to the same extent on the finished product, no matter whether the finished product is manufactured by a trust, and selling its wares in the markets of the world, or not.

I represent a district, Mr. Speaker, that has as great agricultural interests and possibilities as any in the United States—a great potato, stock, butter, cheese, and poultry country. Over 1,000,000 bushels of potatoes are shipped from my own city annually, and of the 87 starch factories in the United States 6 are located in this potato district.

Figuring the price per bushel received by the farmers for a period of 10 years, the price of potatoes will average from 35 to 40 cents per bushel. It costs on an average in Wisconsin to raise potatoes and market them from 20 to 30 cents per bushel, making a profit for the producer on an average of from 10 to 15 cents per bushel, which you must agree is not a large profit.

In the year 1912 there was imported into the United States 13,735,690 bushels of potatoes, which paid a revenue of $3,433,925—at the rate of 25 cents per bushel.

Certainly as a revenue producer this tariff on potatoes was a success, and at the same time it protected the farmer against competition with the farmers who have cheaper land, cheaper help, and are cheaper men. There is a great deal of land in Wisconsin and other States that is adapted to the raising of potatoes which can not be utilized or made profitable for raising other farm products. The farmer, by getting a good price every three or four years, makes it average up with the years when there is an overproduction and he has to sell at a loss.

The charge that the farmer is responsible for the high cost of living is untrue. If you figure the value of his land and the cost of producing the crop, including the value of the farmer's own work at the going wages for farm hands, you will find that the farmers are not getting 5 per cent interest on their investment.

If farmers are making a large profit, why do not the capitalists of the country buy more farms and hire the work done? Now and then a capitalist buys a farm and uses it as a plaything, but does not pretend to make a profit. As one of these "rocking-chair farmers" said to his guest at his dinner table, "You can take champagne or milk; both cost me the same."

Why is it that farmers in all sections of the United States are leaving the farms and going into the cities and seeking other employment if farming is so very profitable?

If conditions are so good in the United States for farming, why is it that in the past three years over 100,000 American farmers have gone to Canada, where they can get cheaper help and cheaper lands?

The late census shows that the rural population in the last 10 years in the great agricultural States of the Middle West has decreased.

What protection the farmer has he needs.

Why do you take the tariff off from potatoes and practically all other farm products? You answer, it is to give these food products to the people cheaper. What does that mean? It means, then, lowering the price the farmer receives; and God knows the American farmer is earning every dollar he gets for his products and earning it by the sweat of his brow.

If you want to strike at the high cost of living, enact a law that will facilitate distribution of farm products; give the Interstate Commerce Commission the same power that we give our Railroad Rate Commission in Wisconsin to lower freight rates. Do not allow the railroads of this country to pay dividends on from $10,000,000,000 to $15,000,000,000 worth of watered stock. Create a commission and give it ample powers and equipment to assist the farmer to cooperate so that the ultimate consumer will buy more directly from the producer, and by doing this you will bring down the high cost of living without driving more farmers off their farms.

Our last Secretary of Agriculture, Mr. Wilson, in his report for 1911, made a conservative statement when he said that "the farmer does not get 50 per cent of the price the consumer pays for farm products."

Who gets the other 50 per cent? Or, in other words, of the $10,000,000,000 crop that was produced in the year 1912, who got 50 per cent, or $5,000,000,000 of it? The railroads for transporting it and the commission men, wholesale merchants, jobbers, and the dozen and one other hands the farm products go through before reaching the consumer.

In the palmiest days of feudalism no feudal lord dared to exact from the tiller of the soil, his tenant, 50 per cent of the fruits of his toil; yet we allow it in America, and then attribute the high cost of living to the farmer.

The cost of living is undoubtedly higher than it should be, but in the large centers of population the trouble is not only the high cost of living, but the cost of high living.

POTATO STARCH.

Another part of the potato industry is the production of potato starch.

Potato starch is a by-product. It would not pay anyone, as you will see by the figures I submit, to raise potatoes for starch. The only reason or justification is that every few years there is an overproduction, and then the price of potatoes drops way down below the cost of producing them.

Potatoes are then made into starch, and what money the farmer who raises the potatoes gets from the starch company is that much saved from the failure caused by the overproduction and consequent low price.

Even though the farmer can not make much more than good wages for himself and team for hauling, if he has to haul a considerable distance, to say nothing about the cost of producing the crop, the money paid for starch potatoes materially lessens the losses in such years.

Under the present law there is a tariff of 1½ cents per pound on potato starch. This is reduced one-half cent per pound, or 50 cents per 100 pounds, by the Underwood bill; but it is a sufficient reduction to cripple if not wholly destroy the business.

In many places the starch factories are owned by associations of farmers and run as cooperative plants.

POTATO STARCH AND OTHER STARCHES.

At the outset I want to emphasize the distinction between potato starch and all other starches, whether corn, wheat, rice, tapioca, or any other starch.

I earnestly request that you carefully consider this industry from four different standpoints, viz:

First. As to trusts and competition.
Second. As to exports.
Third. As to imports.
Fourth. As to revenue.

There is no trust or combination.

The potato-starch industry in the United States is confined to 87 factories, 70 of which are located in the county of Aroostook, Me., and the remaining 17 in the States of Minnesota and Wisconsin, 6 of these factories being in my congressional district.

The largest number of factories owned by any one man, firm, corporation, or association is 8; the next largest, 7; and of the remaining 55 no more than 2 have the same ownership.

I would further say that there exists between all of these different manufacturers free and untrammeled competition. There is no "gentlemen's agreement" of any kind, either to control the price paid the farmers for potatoes or the price asked for the finished product.

There is no potato starch exported.

At all times within the last 10 years there has been a substantial importation of the foreign potato starch. These figures appear in the following table:

Potato starch imports.

Fiscal year.	Pounds.	Value.	Duty.	Duty collected.	Ad valorem rate of duty.
1903	4,888,341	$94,338.00	1½ cents per pound.	$73,325.17	77.72
1904	4,438,038	104,575.64	....do....	66,570.65	63.66
1905	4,462,439	114,260.00	....do....	66,936.98	58.58
1906	3,825,387	93,811.00	....do....	57,380.88	61.17
1907	4,826,167	104,641.00	....do....	72,392.87	69.18
Total	[1] 22,440,392			336,606.25	
1908	4,844,520	$113,807	1½ cents per pound.	68,168	59.90
1909	15,418,259	351,256	....do....	231,274	65.84
1910	9,812,905	255,049	....do....	147,194	57.71
From Cuba	4,609	124	1½ cents per pound (less 20 per cent).	55	
1911	7,724,912	202,482	1½ cents per pound.	115,874	57.23
From Cuba	4,672	147	1½ cents per pound (less 20 per cent).	56	
1912	14,010,532	405,135	1½ cents per pound.	210,158	51.87
Total	[2] 51,520,409			772,779	

[1] 11,220 tons. [2] 25,710 tons.

All figures in these tables taken from Department of Commerce and Labor.

An analysis of these figures will show that although the quantity imported varies from year to year, according to the amount of potato starch manufactured either here or abroad, the total importations in the last five years exceed by over 100 per cent the total importations for the five years immediately preceding, viz, 25,710 tons were imported during the last five years, while only 11,220 tons were imported in the previous five years.

Considering the above figures, it is apparent that not only has there been during every year of the past 10 years a substantial importation of the foreign product, but also that the extent of the importation shows a remarkable increase.

During the fiscal year ending July 30, 1912, the total importation was 7,005 tons, which would show the amount considerably above the average for the last five years, but as these figures may be somewhat exceptional we have here given the average instead of the figures for that year alone.

Reference to the above table will show that the amount of revenue contributed by potato starch under the present rate of duty is very considerable as compared with the total annual consumption in the United States. It has, of course, increased in exactly the same ratio that the imports have increased, the total of the last five years being over 100 per cent greater than the preceding five years, viz, $772,779 being collected during the last five years and $336,606 during the five years immediately preceding.

The consumption of potato starch in this country in the last 10 years has been 136,930 tons, an average of 13,693 tons per year. Of this amount consumed the proportion of imported has gradually increased, until it has reached during the year 1912 the amount of 7,005 tons, paying a revenue of $210.158.

If the duty is reduced to 1 cent per pound the imports must be increased to 10,507 tons to maintain the present revenue, leaving only 3,186 tons for the American production.

If any potato starch is to be produced in this country it will be far in excess of 3,186 tons, necessarily reducing the importations of this article, with a corresponding reduction of revenue.

In conclusion, I would urge that, inasmuch as there is no trust, combination, or monopoly of any kind in this industry, as there is already an active and growing importation, as none of the product is exported, substantially none is used for household purposes, and as potato starch already yields its fair proportion of revenue to the Government, no valid reason exists for the lowering of this duty, with the injurious results necessarily entailed to the manufacturers engaged therein and the farmers benefited thereby, especially as the only requests for a reduction in the duty come not from consumers of the product, but from representatives of German factories and American dextrine manufacturers.

The following figures are offered as showing the necessity of maintaining the present duty if this industry is to continue. All averages given are based on the past 10 years, exclusive of 1912, as the figures of that year are not yet available.

Total potato starch manufactured past 10 years—pounds	200,000,000
Total value, at $0.038 per pound	$7,600,000
Total number of starch potatoes used—barrels	10,000,000
Paid for same at average price, 45 cents	$4,500,000
A ton of potato starch costs the manufacturer:	
100 barrels starch potatoes, at 45 cents	$45.00
Overhead charges	15.20
Operating expenses	10.00
Total	70.20
Or $0.351 per pound.	
Average profit last 10 years:	
Selling price	$0.0380
Cost	.0351
Profit per pound	.0029
Or 29 cents per 100 pounds.	
Average price of foreign potato starch last 10 years	.0240
Duty	.0150
	.0390
Average price domestic potato starch last 10 years	.0380
Difference	.0010
Or 10 cents per 100 pounds.	

It is very evident if the potato-starch industry is to be maintained and continue to furnish a market for these otherwise valueless potatoes the present duty must be maintained.

We would further suggest that although the total of the above figures seem insignificant and its value to the farmers of the country as a whole too slight to be of importance, nevertheless, the factories being practically all located in a few localities, the preservation of the industry is of enormous importance to the farmers of those sections.

PROTECTION FOR THE PAPER INDUSTRY.

I have a petition, Mr. Speaker, signed by over 14,000 wage earners in 149 pulp and paper mills, asking that the tariff on wood pulp and paper remain the same as it was under the Dingley law.

The first Federal tariff bill framed placed a duty on the imports of foreign-made paper.

The framers of our early tariff laws did not proceed on the theory of the framers of the Underwood tariff bill, that the only object of a tariff act was for the purpose of raising revenue.

The preamble of the act of July 4, 1789, our first tariff law, declared that the purpose of the act was "for the discharge of the debts of the United States and the encouragement and protection of manufacturers." Such was the policy adopted by the founders of the Government and framers of the Constitution, and they based it upon the constitutional provision which empowered Congress to "lay and collect taxes, duties, imposts, and excises, to regulate commerce with foreign nations, and to legislate for the general welfare."

Yet despite all this the last Democratic platform declared that a protective tariff was unconstitutional.

That good old Democrat, Andrew Jackson, said:

> The right to adjust duties with a view to the encouragement of domestic branches of industry, if not possessed by the General Government, must become extinct, and our political system would present the anomaly of a people stripped of their right to foster their own industry and to counteract the selfish and destructive policy which might be adopted by foreign nations.

Until the act of 1911 there was no marked change in the policy of the Government to encourage and protect the paper industry.

The Walker Act of 1846 gave to the paper industry a duty of 30 per cent, and even the Gorman-Wilson Act of 1894 levied a duty of 15 per cent on print paper, 20 per cent on writing paper, and 30 per cent on surface-coated paper.

Under such a policy the manufacturing of paper in the United States increased and prospered, and instead of 4 mills at the time of the Revolution, the Tariff Board reported in 1911 that there were 824 plants making paper of some kind, with a total productive capacity of 5,196,398 tons.

In Wisconsin, and in the district I have the honor to represent, the paper industry bids fair to become one of the greatest manufacturing industries of Wisconsin. It was not believed that it was the intention of Congress, when it passed the reciprocity pact, to place wood pulp and paper under 4 cents a pound on the free list regardless of Canada's action, but this was a joker which was placed in the bill.

We believe that this and the whole reciprocity treaty should be repealed, and the tariff on wood pulp and paper remain the same as it was before.

To-day the Canadian press is enthusiastic over the likelihood that the present tariff bill will pass, and it has been reported that Canadian lobbyists have worked for the passage of this bill.

The reciprocity pact with Canada still remains on the statute books awaiting the approval of Canada, which is only withheld because of the prejudice of the bogey of annexation. This law not only on paper but upon its agricultural schedule, is the most unjust and discriminating law to the great agricultural classes of the country, in my mind, that was ever written, and was so characterized by every grange and farmers' society in the United States. I condemned it when President Taft was urging it, and I condemn it now and urge its repeal by the Democratic Party that is responsible for it and has a majority close to 150 in this House.

Canada, with its 8,000,000 inhabitants, has more acres of land that are subject to cultivation than the United States. It has water transportation, and its great system of governmental railways gives its shippers advantages that ours do not have, and with their new cheap land and cheap labor they are going to compete for the great markets of America, where over 90,000,000 of consumers buy.

Mr. Redfield, Secretary of Commerce, is quoted in the papers as saying:

> It will hardly be contended that our farmers can not raise potatoes save for the high duty, or that the Government needed the million or more which was collected in this single winter on potatoes. It seems to be a sad and shameful thing that the food of the many should have been taxed at many times the highest rate known for any real estate tax. I think too highly of our farmers to believe that they would desire, much less claim, that such a condition was necessary for their protection.

Looking up Secretary Redfield's biography, we find that he was born 55 years ago at Albany, N. Y.; has been director of the great Equitable Life Insurance Co. of New York; interested in a great manufacturing plant; is a city man and undoubtedly does not know the cost of raising a bushel of potatoes, a bushel of wheat, and other farm products, but looks at prices from the city standpoint of a Brooklyn or New York consumer.

I prefer to take the testimony of the great agricultural papers which voice the thought and sentiment of the farmers of the land.

The National Farm and Stock Grower, an independent newspaper, in a recent article said:

> We have no hesitancy in saying, as our editorial opinion, that the admission of farm products free of duty from other countries will gradually undermine the productive industries of this country. The change will not take place in a day, but will ultimately come.

Bismarck, the great German statesman, the founder of the German political and industrial empire, urged Germany to imitate the tariff system of the United States, because he said:

> It is my deliberate judgment that the prosperity of America is mainly due to its system of protective laws.

A tariff bill that reduces the tariff from 30 cents to 15 cents per bushel on barley and places the tariff on barley malt at 25 cents per bushel and on pearl barley at 1 cent a pound, or 48 cents a bushel, discriminates against the farmer in favor of the malster, brewer, and the manufacturer of prepared foods.

A tariff bill that takes the tariff off of rye and protects the distiller $2.60 per gallon on rye whisky discriminates against the farmer in favor of the distiller.

A tariff bill that reduces the tariff on live poultry to 1 cent per pound and places a tariff of 2 cents per pound on poultry after it has been killed discriminates against the farmer in favor of the packer and market men.

A tariff bill that lets practically all agricultural and dairy products, all vegetables, like onions, cabbage, and so forth, into this country free of duty, when there is a bare margin of profit in the raising of these products, is unjust, and strikes a blow at the greatest industry which we have in America, and the one upon which the prosperity of this country is most dependent.

The Underwood tariff bill does all this, and is more radical and sweeping than the Wilson tariff bill, which brought upon this country disaster and panic.

Sixteen years ago President McKinley called Congress in extra session to repeal the Wilson tariff bill and to pass a tariff bill along protective lines. The repeal of the Wilson bill and the passage of the Dingley tariff bill was followed by a wonderful era of prosperity.

Now, President Wilson calls Congress in extra session to revise the tariff on a basis still lower than the Wilson bill, and he uses almost the identical language of President McKinley in his proclamation in calling the special session.

The passage of the Underwood bill will be a reversal of a great industrial policy of the United States, an industrial policy which has brought us great prosperity.

If this prosperity continues under the new industrial policy of "tariff for revenue only" it will be the first time in our country's history.

The Tariff.

EXTENSION OF REMARKS OF HON. DENVER S. CHURCH, OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, April 25, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. CHURCH. Mr. Speaker, I have sat here for several days listening to gentlemen from both sides of the aisle giving reasons for the tariff hope that is within them. The advocates of a tariff for protection I find have two arguments which they bring forth on all occasions and upon the slightest provocation. The first of these arguments runs something like this: "Look at the wonderful development of this country during the last 50 years while the grand old Republican Party was steering the ship of state; look how our cities have grown, our country developed, and how our ships carry our products to every land." I might quote on and on, for there have been volumes written on the subject and orators by the thousands have proclaimed themselves hoarse in different parts of the country painting word pictures as to what the grand old party has done. Those making this argument ought to know that during the last 50 years in this goodly and favored land any people would have prospered under almost any form of government dominated by any political party. It is not the Republican Party that should have credit for the country's prosperity during the last 50 years.

The credit is due to the Creator of all things, who made and gave to us this goodly land. You might as well give a person credit for eating when he is hungry as to give our people credit for prospering under our marked and wonderful conditions. Is the Republican Party responsible for the great Mississippi Valley, rich as the Valley of the Nile; for the mountains of iron in Pennsylvania and the mountains of gold in Colorado? Is it responsible for the mother lode in my native State, California? Is the Republican Party responsible for the great West, which, 50 years ago, was a land almost unknown; for Alaska, the land of hardship, of glaciers, and river beds of gold? With these resources I submit any people that ever lived would have prospered. During the last 50 years gold mines, the marvel of the entire earth, have been discovered. The greatest valleys in the world have been redeemed from nature's hand, and with such a broad and sweeping domain undeveloped and unexplored, with such fertile soil, such healing air, with such an energetic people, and with such a flag, it would have been strange indeed had we not developed with the years.

The second argument, so often and tempestuously used, is this: The only time the Democratic Party has been in power in 50 years its administration was marked by a blighting panic. I have heard gentlemen use the above argument on a score of occasions. It has been made by old and battle-scarred Republican veterans—and, by the way, there are many scarred Republicans now—as well as by the later arrivals, whose feet seem uncertain on this floor. I observe this argument is not addressed to the bold, fearless spirits of this country who only ask the question, "Is it right?" but to the weaklings and cowardly ones whose criterion has always been, "Is it safe?" My answer to this grubstake argument is, "The premises are not true. The panic of the nineties referred to began in 1892, long before election and while the Republican Party was still in power; thus one might as well blame the city of Galveston for the disturbance in mid-sea that caused the tidal wave, because later it was in the pathway of the storm, as to blame the Democratic Party for this panic that received its impetus and was far on its sweeping way before the Democrats were in power.

A young man here, making his first speech, rose to his full height the other day and said, "The Democrats have done nothing for this country in 50 years but to bring on a terrible panic in 1893." A Democrat calmly rose and said, "Does the gentleman know the panic referred to started during the administration of the Republican Party in 1892?" I will not try to portray the effect this question had upon the orator of the wilds. He soon sat down, gazed toward the open window, and seemed to be longing for the quietude of home.

I think my Democratic brother ought to be a little careful in asking questions so promiscuously, for perchance he may ruin some one and his politics just in the dawn of a noisy and conspicuous career.

After all, when we consider what the conditions are in this country and what they ought to be under the natural advantages we possess; when we consider the poverty there is here, and that 53.5 per cent of the families are living under rented roofs; that under the protective policies of the Republican Party a small per cent of the people own a large per cent of the wealth; that we have two classes in our midst—the extremely rich and the extremely poor—we are forced to the opinion that the political party that has been in power during all these years is in no position to boast in regard to what has come to pass.

I am greatly pleased with the income provision of our bill. It removes in a measure the burden of taxation from the poor and laboring man and casts it upon the shoulders of the rich. Heretofore the laboring classes have borne 99 per cent at least of the indirect taxation levied for the support of the Government. This is made manifest when we remember that not one in a hundred is rich. The income tax solves two great problems which have been vexing the American people for years—first, the procuring of sufficient funds necessary to defray our Federal expenses; second, it curtails to a degree the flowing of the money into the coffers of the rich.

I note with interest a statement in the New York World, to the effect that 29 great millionaires of this country will pay, according to the terms of our measure, between $7,000,000 and $8,000,000 per annum. This money, instead of serving no purpose whatever other than to swell the already inflated fortunes of the rich, will be turned back to the Government and the people to serve its purpose and for redistribution.

It is claimed by the framers of this income measure that it will provide, to be used in defraying Federal expenses, $70,000,000, none of which will be paid by the poor and needy, but by men having an annual income of $4,000 or more. I have every faith in this system of taxation, and firmly believe that in the future, when the theory is developed by practical experience, it will solve more thoroughly than is now generally understood the one great menace to our country, namely, the accumulation of wealth in the hands of the few.

Mr. Speaker, I am pleased with our new tariff bill, which is so soon to become a law. I do not consider it an infallible measure, and I presume there are few who do. It does not suit me in every particular. It would be strange, indeed, if it suited everyone, but in my enthusiasm for the bill I almost forget the things I do not like.

I think the lemon industry of my State will suffer greatly by the tariff reduction. I have done all that I can to prevent it, and will work in the future along the same lines, trusting to see the same properly adjusted. I do not maintain the views I do in regard to lemons, simply because they are grown in my district, for the hatchet of the great Ways and Means Committee has fallen heavily upon a dozen other commodities in which my people are directly interested, but against which I have made, and will make, no complaint.

Lemons are grown for commercial purposes in southern Italy, Sicily, and in southern California only. Without California, the Italian growers would monopolize the world, and even now they do, outside of this country, and with the duty of 1½ cents per pound they defy our tariff laws and our lemon growers and supply one-half of what we use. In view of this it seems to me it was not necessary to reduce the tariff on lemons to secure greater competition from abroad. Bold, indeed, is the demand that the Italian should be permitted by American laws to have his duty cut from 1½ cents per pound to enable him to extend his market further in this country.

How can the Italians grow lemons and ship them to our shores and compete with our people? Is it because they have better climate or soil? Are the natural conditions more favorable to them? Is it a fact that the Creator has done more for that Italian land than he has done for our people in the Golden West? No; our sun is as warm, our sky is as blue, our air is as pure, and our soil is as deep. The causes are of an artificial nature. We pay our men in California $1.75 to $3 per day for working our orchards. They pay in Italy, for the same work, from 20 to 60 cents a day. In this country we encourage the men to do the work, while in Italy one-third of the labor in the orchards is done by women and children, with an average daily wage of from 20 to 25 cents. In this country, for the good of our citizenship, we have humanitarian laws restricting the hours of labor, and laws preventing women and children from being worked too hard, obstacles which the Italian lemon grower never encounters. Again, our freight rates to the Atlantic seaboard are 84 cents per box for lemons, while their freight rate by sea from Sicily to the same ports is but 30 cents per box.

From the above facts it seems a tariff duty must be placed high enough on imported lemons to cover the difference in labor costs and the shipping rates between this country and Italy, otherwise the home lemon industry will be severely injured if not killed, the very thing the Democratic Party declared it is not in favor of doing—injuring a legitimate industry. I call the attention of the gentlemen to the fact that in addition to not injuring a legitimate industry we believe in a tariff for revenue only.

By reducing the tariff on lemons we accomplish two results, each contrary to our avowed desires. First, we injure a legitimate industry, and, second, we reduce in this bill for revenue only our revenue from $2,184,548.14 to $901,250, the estimate under the new rates fixed—page 177—by the committee. So it seems by injuring this legitimate home industry the Government also injures itself by the loss of $1,283,298.

What are its advantages, if any? "Oh," says one, "it brings down the price of lemons to the consumer," and I submit this can be the only purpose in the reduction, for, from the standpoint of revenue, it is a failure, and from the standpoint of stimulating healthy competition, it is not necessary, for competition is 50 per cent now.

There were consumed in this country last year about 1,280,000,000 lemons. Divide this number by 100,000,000, approximately the number of people now in the United States, and we find the per capita consumption is a dozen lemons each year. It will also appear that this terrible burden cast upon the consumers of lemons in this country, when we take the whole revenue derived from lemons last year, $2,184,548.14, and double it, making $4,369,096.28, on the theory that the duty on imports increased in like proportion, the selling price of the home product, we find the annual per capita tax on lemons amounts to a trifle over 4 cents. Abandon $1,280,000 of revenue annually and our party's declaration that we will injure no legitimate industry for the sake of saving between 2 and 3 cents per capita to the American people annually, the entire 4 cents and a fraction per capita would not be totally saved to the consumer owing to the fact that we still propose to get, as mentioned before, nearly one-half the revenue formerly obtained.

Some one says the reduction will enable the sick people suffering in hospitals to secure the necessary lemons for medicinal purposes. T. Harold Powell, while before the Ways and Means Committee on the 20th of January last year, stated:

> I secured data recently from 15 of the leading hospitals of New York and found that the annual per capita consumption of lemons in these 15 hospitals is about a tenth of a lemon a year.

From the above it would appear that no hasty and radical move is absolutely necessary in order that the sick people of New York shall not suffer for want of lemons. I do not believe, gentlemen, that if this new rate on lemons is put in force you will find men standing in groups on the streets rejoicing in the fact that the Democratic administration has saved them each between 2 and 3 cents on their annual cost of lemons; but I do know that now, out in California, as fair a land as there is on earth, a cloud of despondency has settled above the homes of those law-abiding and heretofore happy people by reason of this proposed tariff reduction, and the people stand in groups at this, to them, an evil hour, discussing the perplexing problem as to what will become of the lemon industry, in which they have an investment of $30,000,000.

Should the lemon industry be killed by this tariff reduction, many predict we will have established by our tariff enactment a lemon monopoly across the sea, that which the Democrats most of all men despise, which will result when there is no competition here in raising the price of lemons to the consumers of this country, and thus in the end we will have brought to pass another condition which the Democrats declared against.

In my judgment, the lemon consumers of the United States are not interested in the reduction of the tariff on lemons, for at the late hearings before the Ways and Means Committee no one representing the consumers appeared, but a number of people came and asked, almost with tears in their eyes, for a reduction, all of them representing either commission merchants, shippers, jobbers, manufacturing "shook" interests, or, last but not least, the Italian Chamber of Commerce of New York. I do not mean by this that I think the lemon producers of this country will be driven out of business, for I have the utmost faith in the justness and wisdom of this great committee, and I believe before such a deplorable condition will come to pass the true facts will be known and the duty, at least in a measure, will be restored.

For every objection I have to this bill there are a hundred points that strongly appeal to me. I like it because it places agricultural implements on the free list, so the farmer can buy his plows, his harrows, headers, harvesters, reapers, agricultural drills and planters, mowers, horserakes, cultivators, thrashing machines, wagons and carts, and all other agricultural implements of any kind and description, either in whole or in part, including repair parts, without paying a tribute to the smokestacks and manufacturing establishments of our country. This helps 12,000,000 farmers; and what helps the farmer helps one and all, for upon the farm we all depend.

I like the bill because sewing machines are on the free list. This will cause common rejoicing in every home.

And typewriting machines are free, and the girl who chooses activity to an idle life, or who must work for her daily bread, will not be taxed to enrich a favored few.

This is the time when the cry of better roads is echoed everywhere. I like the bill because tar and oil spraying machinery used in the construction and maintenance of roads, as well as all other machinery used in making roads, are free.

I have a few hundred cattle in California, but it pleases me that meats—fresh beef, veal, mutton, lamb, and pork; bacon and ham; meats of all kinds, prepared or preserved, not otherwise provided for—are free. These articles of necessity are the poor man's friend and can be purchased without rendering a tribute to the packing Cæsars of this country.

I am glad potatoes and white flour are on the free list, a benefit to the laboring classes everywhere. I am pleased that barb wire bears no duty, so the small farmer in the West may fence his range without being reminded of interests big and far away.

I am glad the tax on common soap has been lowered from 20 per cent to 5 per cent; that the furniture of the poor man's house has been lowered from 35 per cent to 15 per cent; that the tax on bread and biscuits of 20 per cent has been removed and that these necessities are now free; that the tax on cotton clothing has been reduced from 50 per cent to 30 per cent; that flannels have been reduced from 93 per cent to 25 and 35 per cent; that the tax on women's and children's dress goods has been reduced from 100 per cent to 35 per cent; that the tax on shoes has been removed, an article that every man, woman, and child, rich or poor, must use; that the manufactures of cotton have been reduced from 46 to 30 per cent; that the manufactures of wool have been reduced from 56 per cent to 18½ per cent.

I might go on for an hour and tell why I like the bill, but with the heretofore mentioned facts in its favor, I do not know how anyone can raise his voice against it. It places necessities on the free list, and thus helps the poor. It procures the revenues from luxuries, and thus injures no one. It interrupts the amassing of large fortunes by taxing incomes. It assists the majority of our people and the laborers everywhere. This bill is not the rich man's enemy, but is the poor man's friend. It comes as a relief to the American people, as a pledge fulfilled on the part of the Democratic Party. At its passage we should have seasons of rejoicing. It is what we have been proclaiming and looking for for years.

The Alaska Coal Problem.

EXTENSION OF REMARKS
OF
HON. ALBERT JOHNSON,
OF WASHINGTON.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, May 3, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. JOHNSON of Washington. Mr. Speaker, a colleague from my State of Washington having declared "That the greatest band of cutthroats in the world now have a strangle hold on the throat of fair Alaska," I desire, under the general leave to print, to submit the following paper, which has been carefully prepared by Mr. T. P. McDonald, 1220 Alaska Building, Seattle, Wash., discussing the problem "How shall the Alaska coal land be opened up for development?" His paper follows:

THE ALASKA COAL PROBLEM.

In the year 1906 Alaska was very prosperous and was evidently on the eve of great development of her matchless mineral and coal resources. Railway construction was started from two good harbors on the southwest coast to the interior that would develop the two high-grade coal fields—the Matanuska and the Bering River—and would also afford rail transportation to the interior that would assure the development of many important mining districts, both placer and quartz.

This important era of development was brought to a sudden halt when like a thunderbolt out of a clear sky an Executive order was issued on November 12, 1906, withdrawing the coal lands from entry, thus abrogating the coal-land laws and bringing all progress to a sudden stop.

It has been quite generally stated that this Executive order was without authority of law, but that did not affect its effectiveness. The law remains suspended to this day, and the problem that has confronted Congress for the past six and one-half years is how to open the Alaska coal lands to development. All realize that railroads can not build nor can the country progress until the coal is developed. No coal had passed into private ownership at the date of the withdrawal.

The seriousness of the situation is well illustrated by the condition existing at Fairbanks, the most important mining town in the interior of Alaska. This is a placer-mining community, and the gravel beds being frozen to unknown depths must be thawed to facilitate mining.

This requires a large amount of fuel. Coal not being available the miners have drawn on the timber for their fuel supply. The demand has been so great that the timber has become exhausted for many miles surrounding the mines, with the natural result that wood is very expensive. A stranger on approaching Fairbanks last September would have observed the hillsides covered with stumps that had been dug up and piled in great heaps to be burned for fuel. This, too, in spite of the fact that one of the greatest coal fields on the American continent is only a few miles distant, but is withheld from development by this paralyzing policy of locking up the coal from use.

One of the burning questions confronting Congress at this time is the proper solution of this problem of enacting a law to open the Alaska coal lands to development.

All recognize the necessity for legislation that will promote the fullest development, effectually prevent monopoly, and, most important of all, furnish an ample supply of fuel to the consumer at the lowest price consistent with approved mining methods.

THREE METHODS OF DEVELOPMENT.

There are three methods pursued for the development of the coal industry:

First. By retaining the title to the land in the sovereign and lease to a tenant for a limited time on a royalty.

Second. By State operation.

Third. By granting a fee-simple title to individuals or corporations for a cash consideration.

THE LEASING SYSTEM.

This system is based on the theory that the title to the land should remain vested in the sovereign as a permanent asset, and that a revenue be derived by charging rentals or royalties for the benefit of the public treasury. It is argued that the State can better prevent monopoly by retaining supervision over the industry.

This system has been adopted by a number of the British colonies, notably in the States comprising the Commonwealths of Australia, New Zealand, and some of the Provinces of Canada.

The land, including all minerals, in those colonies is the property of the reigning sovereign of Great Britain, and during the early development of the English colonies the laws for the government of the colonies were promulgated from the home office, often in total disregard and defiance of the expressed wishes of the colonies. This policy led to the Revolution, and 13 American Colonies successfully rebelled and organized an independent Government of their own about the year 1776.

Later the British policy was modified, conferring on the colonies the right to make their own laws for their government, including the disposition of lands and minerals, subject to the approval of the home Government.

These colonies have very generally adopted the policy of treating the natural resources as an asset from which to derive revenue for the public treasury, and have thus quite naturally adopted the leasing policy in the development of coal and minerals; in fact, some of them lease all agricultural and grazing lands and adopt a general paternalistic government, the State making loans to the citizens to aid them in building homes, developing mines, etc.

It is important to note that in Canada, Australia, and New Zealand the laws for the disposition of the lands are not enacted by the Dominion Parliament of Canada, the Commonwealth Parliament of Australia and New Zealand, but by the Provincial Parliament of each separate Province or State. This with the very laudable object of placing the administration of local affairs in the hands of local people.

Experience proves that the most satisfactory government is one administered by officials who are in sympathy with the governed; officials who know the aims and ambitions, the needs and requirements, of the people whose affairs they administer.

Acting in the light of experience, Great Britain has unwisely placed the administration of the natural resources in the hands of each individual State in her colonies.

STATE OPERATION OF COAL MINES.

In New Zealand and in the State of Victoria, Australia, the State operates coal mines to supply fuel for the State-owned railroads and for the commercial market as well.

DEVELOPMENT OF COAL MINES UNDER TITLE IN FEE.

In establishing a land policy the United States sought to encourage the development of its agricultural and mineral resources by a wide distribution of ownership of the lands among its citizens. The principle on which this Government was founded is that the people are sovereign. Hence the policy that the most humble individual sovereign citizen should have the opportunity of acquiring title to a piece of land over which his rule should be supreme.

The statesmen who formulated our land policy evidently believed that to attach a people to a country make them owners of its soil. Thus they become loyal citizens. A man will fight for his home, but who will fight for a boarding house?

The United States sought to establish competition in all lines of industry by creating conditions that would make all lines of endeavor open to every citizen on equal terms. The natural resources were not disposed of for purposes of raising revenue, but for merely nominal prices to encourage development.

All are familiar with the method that has been pursued during all our development, of granting a title in fee for a merely nominal consideration to the individual who applies to purchase coal land under the terms of our coal-land laws; and all are familiar with the abuses that have grown up under that system whereby vast areas of coal lands have passed under the control of railroads and private corporations, thereby securing a monopoly and reaping undue profits from the transportation and sale of the coal.

The anthracite coal field of Pennsylvania, containing less than 500 square miles and being the only field of importance of this class of coal, long since passed under the control of the railroads that carried the product to market. It is now quite generally admitted that this should not have been permitted. Competition has been eliminated in the production and sale of hard coal.

According to the report of the United States Geological Survey, there is estimated to be 500,000 square miles of bituminous coal land in the United States.

The ownership of this coal land is very widely distributed, and a monopoly in ownership of the coal land would seem impossible, but, in view of the vast combinations of capital to control our various industries during the past few years, it seems only the part of prudence that legislation should be enacted that will make monopoly of our bituminous coal industry impossible.

To-day the bituminous coal of the United States is mined and marketed under keen competition, which necessitates the practice of every possible economy and the installation of the most up-to-date machinery, resulting in the cheapest fuel supply for the industries of the United States of any important coal-producing country on the globe. In fact, the competition has of recent years become so keen that the producers in the great coal-producing States of Pennsylvania, Ohio, Indiana, Illinois, and West Virginia have been diligently seeking some means of relief from this destructive competition and low prices.

The situation has of recent years become so acute that it has engaged the serious attention of our ablest coal-mining engineers and economists. The great captains of the bituminous-coal industry have been diligently seeking some method of evading the "Sherman law" to the end that they may form a monopoly in the way of organizing selling agencies to control the market, limit production, and fix the selling prices at figures that will assure them the handsome dividends enjoyed by those industries that are controlled by monopoly.

The area of our coal lands is so great and the ownership is so widely distributed that the financial interests despair of being able to control by centralized ownership of the lands.

In a speech delivered before the American Institute of Mining Engineers at Spokane, Wash., in 1909, Prof. Edward W. Parker, one of the best posted men in the coal industry in the employ of the United States Government, after reviewing the deplorable situation existing in the bituminous coal mining industry, by reason of overdevelopment and the evils of competition, suggests a possible remedy in Government regulation, and says (p. 1016, Transactions of the American Institute of Mining Engineers):

"Under such Government control bituminous-coal mining could be regulated through a system of license, and in order that restriction on coal production may be secured no license should be issued for the opening of a new mine until ample proof is shown that the necessities of the people or of trade require it."

Thus, it appears that these mining engineers are seeking to restrict production and thus secure monopolistic control of the bituminous-coal industry, and here is a prominent representative of a great bureau of our Government most intimately connected with our mining industry suggesting a method of accomplishing this end.

Recognizing the seriousness of this situation in the bituminous-coal industry, the honorable Secretary of the Interior, in a speech before the American Mining Congress in Chicago, in 1910, in outlining the policy of the Government in advocating a law for the development of the Alaska coal lands proposed to protect the coal operator against competition in the following language:

"The prime requisites of a leasing system are that only sufficient coal lands should be leased to meet the existing market conditions and encourage its development."

He thus made a strong bid for the support of those interests seeking a monopoly of the coal industry in Alaska. However, the people of the United States do not desire to give any corporation a monopoly of this or any other industry. The fight the people are making is against monopoly and for the establishment and maintenance of unrestricted competition, to the end that the law of supply and demand may fix prices, unhampered by great combinations of capital or Government restrictions that enable monopolists to charge extortionate prices for the necessities of life.

No complaint has come from the public, however, on account of the low prices of bituminous coal and no statesman has yet proposed legislation for the relief of these coal companies that are supposedly losing money for the purpose of affording cheap fuel to the industries of our country.

There are doubtless a few isolated instances of a local monopoly in the coal trade, as is charged in Colorado, where a great corporation controls such a large portion of the output that it can exact an exorbitant price. However, such instances are rare and purely local.

In the appendix will be found a table giving the production value at the pit mouth and annual production per employee in each State which proves that, with the exception of a very few States, where the production is small, the price is very low.

In many parts of the country the consumer is paying an exorbitant price by reason of the high freight rate or of combinations among the selling agencies. It can not be disputed that the selling price of bituminous coal at the point of production has for years been as low as can be hoped for and pay the miners living wages. The miners, be it said to their lasting credit, have, by maintaining a strong organization, kept wages as high as is paid in any coal-producing country.

Every man posted on the coal-mining industry knows that the low price of coal is due to competition in production, the result of wide distribution of the ownership of the coal lands. Any man or corporation in any part of the United States who owns a sufficient area of coal land to justify equipment and operation, and can demonstrate that he can operate at a profit, can finance his property on his title in fee and operate a coal mine.

Prevent monopoly in ownership or control of the coal lands and competition is assured in production, with reasonable prices for coal at all times.

PREVENT MONOPOLY.

Many of our able economists and statesmen fear the railroad or other corporate interests may, at some time in the future, secure control of a sufficient acreage of our coal lands in the West and Alaska to create a monopoly, prevent competition, and levy an unjust tribute on the consumers. They propose as a remedy that the title to all the coal lands of the public domain be retained in the Government and the coal developed under a leasing system, administered by a bureau under the supervision of the Interior Department. They point to the leasing system as being successful in operation in the various States of the Commonwealth of Australia, New Zealand, and in some of the Provinces of Canada.

This matter is of great importance to Alaska as affecting the economical development of its many resources. The vital economic result sought to be attained is to deliver the coal at the point of consumption at the lowest cost per ton, to the end that industry of all kinds may be encouraged.

Congress desires to enact a law that will protect the rights of the public, encourage development and insure competition, and effectually prevent monopoly in the coal industry. Cheap coal is secured by competition and not by monopoly.

THE OPERATION OF THE LEASING SYSTEM—EFFECT ON PRICES.

The several States of the Commonwealth of Australia have for many years been developing their coal lands under a leasing system. The same is true of New Zealand and some of the Provinces of Canada. It will be noted that in every instance the laws are State or provincial laws, and that in no instance is the central Government endeavoring to control the industry or administer the leasing laws.

In Australia and New Zealand there is a strong tendency to retain the title to all lands of every character in the State, and in some of the States not only the mining but the agricultural and grazing lands are leased. Royalties and rentals seem to be an important part of their system of taxation. However, in some of these States the royalty on coal is quite low, varying from 4 cents to 17 cents per ton, and they have endeavored to create conditions favorable to development with the evident purpose of encouraging competition.

The State spends large sums in prospecting for coal, and the annual mining reports show large expenditures for extensive drilling operations to encourage the investment of capital in new coal mines. Almost all the railroads are owned by the State, and in some instances the State operates coal mines to supply its railways and the general public as well.

A study of the economic operations of the leasing and Government operation of coal mines is of especial interest at this time. If these countries have prevented monopoly and secured ample development under competitive conditions, with economy of operation and consequent low prices so necessary to encourage the development of manufacturing and other industries, the system should prove the solution of this vexatious problem with us.

NEW SOUTH WALES.

New South Wales produces something like 80 per cent of all the coal in Australia. According to the report of the minister of mines, the production for 1911 was 8,691,604 tons, and coal at the pit mouth sold for $1.82 per ton, as against $1.11 per ton in the United States, producing 496 tons for each employee engaged in the production during that year. The great bulk of this coal was produced by a few large mining syndicates. These mining companies do not market their coal in competition, as is the case in the United States, and, in the absence of a "Sherman law," they hold a meeting annually and fix the selling price of the coal, as reported by our consul, G. H. Killmaster, reporting from New Castle in 1910. He says: "The colliery proprietors have decided that the price of coal for 1911 shall remain the same as in 1910, which was $2.68 per ton for round (lump?) coal. It was thought some time ago that the proprietors might seek to improve the trade by making some slight reduction in last season's selling price, but no good purpose would be served by any such move. A slight decrease in the declared price would not be likely to cause any appreciable increase of the trade outside the Commonwealth and the interstate trade would not be affected at all." (Daily Consular and Trade Reports, Feb. 2, 1911, p. 445.)

No competition, no consultation with the State officials or the consumer. In our country we call this a monopoly, and it would not seem that the leasing system has resulted in development to the extent that competition exists or that economy of operation has been stimulated.

WESTERN AUSTRALIA.

Production for 1911, 240,890 tons, valued at $2.22 per ton at mine, as against $1.11 in the United States, and a production of 539 tons per employee. (Report of Superintendent of Mines for 1911, p. 5.) This showing requires no comment.

NOVA SCOTIA.

Nova Scotia is the only Canadian Province that has developed her coal resources under a leasing system. All the great coal mines of Alberta and British Columbia were developed on lands that were Crown granted.

Nova Scotia charges 10 cents per ton royalty on regular leases and limits the acreage, with an exception that will be noted later. The report of the minister of mines for 1912 shows a production of 6,208,444 tons, with a value at the mines slightly in excess of $2 per ton, as against $1.11 in the United States, and with an annual production of 456 tons per employee. The Dominion Coal Co. produced about 60 per cent of all the coal, and has for many years produced on an average of 60 per cent of the total, the other 40 per cent being divided among some dozen or 15 other companies. Can anyone doubt but that the control of 60 per cent of the total production means monopoly, and especially when the table of production shows that a steel company and three railway companies produce another 20 per cent?

One of the strong recommendations for the leasing system is that the Government has at all times control of the industry and that the tenure is a limited one. An official publication, entitled "Opportunity in Canada," page 59, states that the Dominion Coal Co. has in excess of 125 square miles under its control. Its coal reserves have been proven to contain a supply of 3,500,000 per year for 1,000 years. It was a matter of wonder how control of such a large area of coal land could be secured under the leasing system. The love of dominion over a monopoly of the coal supply seems to be as strong in the coal operators in Nova Scotia as elsewhere. This large holding was desirable to retain the monopoly the company had enjoyed for so many years, and the Parliament, in recognition of the debt of gratitude due this corporation, showed its appreciation by enacting the following statute:

"Whenever it appears to the satisfaction of the governor in council that any company or person working or proposing to work any coal mine is willing to pay a greater royalty per ton than that fixed by this chapter or is prepared to prosecute coal-mining operations on such an extensive scale as would, without a higher rate of royalty, largely increase the revenue derivable from royalties, the governor in council may authorize the commissioner to accept the surrender of any lease or leases for the purpose of mining coal held by such company or person, and to issue in lieu thereof a new lease or leases for such term of years, and covering such tract of ground, and containing such terms and conditions, and providing for payment of such rate of royalty, not less than 12½ cents, on every ton of 2,240 pounds of coal sold or removed from the mine or used in the manufacture of coke or other form of manufactured fuel during the whole or any part of such period as the governor in council directs, and may regulate the taxation to which the property of such company or person shall be liable." (R. S. C. 18, S. 191.)

This statute is the law to-day in Nova Scotia, and under this law the Dominion Coal Co. and the Acadia Coal Co. have secured leases of very large areas of coal land—leases that no doubt are practically in perpetuity, with favorable conditions in relation to taxation. We can readily see how such lease might easily be preferable by a large corporation to a title in fee. The royalty of 12½ cents per ton in lieu of all taxes, with a nonforfeitable lease in perpetuity.

In none of these countries is there any law that gives protection to the consumer against combinations in restraint of trade or in any manner prevents absolute monopolistic combinations among the colliery proprietors.

STATE OPERATION.

VICTORIA.

This is another of the States composing the Commonwealth of Australia. According to the report of the minister of mines the total production for 1911 was 653,864 tons, with a value at the mine of $2.31 per ton. Of the total output the State coal mines produced 506,059 tons. So it appears that the State had a monopoly of production, and the selling price does not indicate economy of operation. It would not seem from this showing that development by private capital under the leasing system has been encouraged in Victoria, notwithstanding that very large sums have been expended by the State in drilling the coal fields, as shown by the report referred to above.

In 1912 the State mines produced 396,042 tons of value at mine of $2.28 per ton. (See statement by the general manager, George H. Broome, in appendix.)

NEW ZEALAND.

New Zealand operates two coal mines, under the management of W. C. Gosquain, Esq., and his statement for the operations for the year ending March 31, 1912, is found in the appendix to this article. This statement shows a total investment of over $1,000,000, and charging no royalty for coal mined. His report shows a net profit of less than $500, with an output of 271,626 tons, with a value at the mine slightly in excess of $2 per ton, as against $1.11 by the United States. A large proportion was sold to the general market. The total output of New Zealand for the year 1912 was 2,066,073 tons, but prices are not given. (Official papers and reports relating to mines and minerals of New Zealand for 1912, p. 98.) The average tonnage produced per employee for New Zealand for 1912 was 481 tons, while the average for the State mines was 468 tons. These figures do not indicate either competition or economy of operation.

Now compare the results of coal mining under the leasing system and State operation with private ownership as it exists in the United States, as it affects efficiency and the price of bituminous coal to the consumer:

	Tons per year per employee.	Selling price at mine per ton.
New South Wales (leasing)	496	$1.82
Western Australia (leasing)	539	2.22
Nova Scotia (leasing)	496	2.00
New Zealand (State mine)	468	2.00
Victoria (State mine)	(1)	2.28
United States (private ownership)	738	1.11

[1] Not reported.

It is admitted that the mining conditions are as favorable for the economical production of coal in these countries as in the United States. Then why the great difference in production per man employed? The coal miners of Australia and Canada are just as competent and industrious as their brothers in the United States, as every coal operator can testify, for we have employed many coal miners coming from these countries and find they are just as competent as our miners. The individual coal miner will mine as many tons of coal per day in Australia or Canada as he will in the United States, and does do it.

The smaller number of men employed in and about the coal mines in the United States is made possible by the installation of mining machinery and labor-saving machinery for automatically handling the coal after it is mined. Keen competition in the United States forces the mine manager to adopt every possible economy to reduce the cost of handling a ton of coal or he can not market it at a profit. He must produce his coal at a low cost or close down his mine. These competitive conditions have been brought about by the widely distributed ownership of the coal lands.

A title to coal land encourages development, for the title furnishes a basis for sufficient credit to float bonds to enable the operator to equip his mine for operation. A wide distribution of ownership assures a large number of operating companies and thus creates competition, so necessary to assure economy of operation and low selling prices for coal.

The keen competition in the production and sale of coal in the United States under our system of private ownership of the coal land is saving the industries of the country that consume our coal, as compared with those countries operating under the leasing system, hundreds of millions of dollars annually. Our present consumption is about 400,000,000 tons per year. Now, compute the annual saving to the industries of the United States on this annual coal bill of 400,000,000 tons as against—

New South Wales, a saving of $0.64	$256,000,000
Nova Scotia and New Zealand, $0.89	356,000,000
Western Australia, $1	444,000,000
Victoria (State mine), $1.17	468,000,000

This indicates a saving to the industries of the United States of approximately a million dollars per day, no mean advantage when we are seeking a world's market for the products of our mills and factories.

This is a fair illustration of the difference between private ownership and the leasing system in the production of coal. It fairly represents the difference between competition and monopoly.

Statistics prove that we are not suffering greatly as yet from monopoly in the bituminous-coal industry, but we are told that it is coming and we must take steps now to prevent it. Granted. However, is it wise to lightly abandon a policy that is giving us cheaper coal than is enjoyed by any other industrial nation on earth and adopt a system that has resulted in monopoly wherever it has been tried? Would it not be better to cure the defects in our own system?

It has never been the policy of the United States to seek to enrich the Federal Treasury from the proceeds of the sale of the natural resources. The object has been to secure the widest possible distribution of the lands among the people, and to this end liberal land laws have been enacted, placing the agricultural and mineral lands within the reach of the humblest citizen.

The coal-land law of 1873 was enacted upon the theory that every citizen should have the right to secure 160 acres of coal land. When the entryman had secured title to his land he had all the rights of ownership, including the right to buy or sell as his interests might dictate. It was at all times known that to justify the investment of the large sums of money necessary to equip and operate a commercial coal mine required more than 160 acres of coal land, but to insure the widest distribution of the benefits to be derived from the entry of these valuable lands it was deemed wise to limit the right of each citizen to one entry. The wisdom of this provision is proven in hundreds of instances when the farmer or small business man has entered 160 acres of coal land and sold it to a coal-mining corporation for a few thousand dollars that has put him on his feet in business or enabled him to improve his farm and establish a comfortable home.

Abuses have grown up under this law whereby large corporations have secured great areas of coal land that in some isolated instances have tended to create monopoly and strangle competition.

The wisdom of our policy of a wide distribution of ownership of our lands, both agricultural and mineral, has been amply demonstrated by the greatest development in our western country during the past 50 years known to history. The people of all civilized nations have flocked to our country to take advantage of the opportunities afforded by our public-land policy.

It is significant that while Canada, Australia, and New Zealand are spending vast sums of money to induce immigration to develop their great natural resources the United States has never made appropriations to induce immigration, but is advocating laws to restrict immigration. No system of disposition of public lands has ever shown such beneficial results as has been attained under our beneficent land laws. This upon the self-evident theory that to attach a people to a country makes them owners of its soil.

When a man owns a farm or a mine self-interest as well as pride of ownership prompts the best care and permanent improvement, but on rented property it is necessary for the landlord to employ agents to see that the proper care is exercised.

The wide distribution of ownership of our coal lands has created these conditions, resulting in competitive development that has given our industries fuel at such a low price as to encourage the successful operation of many lines of industry that would not have been possible with high-priced coal.

The results obtained under the coal-land leasing system in Australia, New Zealand, and Nova Scotia prove beyond question that the leasing system inherently makes monopoly inevitable. The lack of a title in fee prevents the financing of commercial coal mines, save by capitalists of sufficient wealth to underwrite the bonds of the company, thus confining the industry to a few wealthy syndicates and assuring monopoly. This condition creates a monopoly and the ability to arbitrarily fix the selling price of coal, destroys the incentive necessary to insure economical operation, and results, as we have seen, in a high cost of production in all these countries. In addition to these natural impediments to economy in production the Government must have a small army of salaried agents to care for its interest, all of whom are nonproducers and must be supported at the expense of the coal industry.

The inherent defects in the coal-land leasing system, as shown by its operations for many years where it has been in operation, are:

First. It discourages prospecting by depriving the discoverer of the opportunity of receiving a reward for his efforts.

Second. It discourages the development of the coal-mining industry, as is proven by the expense incurred by the State in prospecting its coal lands in efforts to induce capital to invest in the coal-mining business.

Third. By limiting the industry to a few wealthy syndicates it creates a monopoly and destroys all competition, resulting in high cost of production and arbitrary selling prices.

There can be no question of the wisdom of a wide distribution of ownership in the coal lands. If titles were granted on such terms as would effectually prevent any corporation from owning or controlling a large acreage of coal land, competition would be assured and monopoly made impossible.

The people of Alaska are asking that the coal lands be opened to development under private ownership with a reasonable limit on the acreage that any company may own or control; that combinations to limit production or control the selling price of the coal be prohibited; that all railroads, whether owned by private corporations or the Government, afford equal facilities to all coal operators to ship their coal to market. This will afford the operator of moderate means an equal opportunity with his stronger competitor. Such conditions will promote competition and assure efficiency in operation.

The people of Alaska have a deeper interest in the subject than any other body of men can have. The successful development of the many industries of Alaska will be largely influenced by their ability to secure fuel at reasonable prices. The people of Alaska understand local conditions better than it is possible for strangers to understand them.

It is the universal experience of all nations in the Government of colonies that such laws should be promulgated as meet with the approval of the citizens of such colonies. After a long and remarkably successful experience in colonial government, Great Britain long since adopted the plan of having the local parliament of each colony enact laws for the control and disposition of its lands and other natural resources, subject to the approval of the home Government.

The laws of any country must meet with the approval of the people of that country or serious trouble invariably ensues.

The people of Alaska want their coal resources opened to development under laws that assure an equal opportunity to all her citizens—laws that will encourage development, assure legitimate competition, and prevent monopoly. We hope some heed will be given their demands.

A SUGGESTED REMEDY.

We respectfully suggest the enactment of a law for the development of the coal lands of Alaska that will—

First. Limit the ownership or control of any coal company to 4 or 6 square miles, or such acreage as may be deemed sufficient.

Second. Fix adequate penalties to prevent combinations to control output or prices.

Third. Empower the Interstate Commerce Commission or some other competent court to make thorough investigation and fix minimum and maximum prices upon a proper showing by either a coal producer or a coal consumer and thus prevent the crushing of independent operators by their more powerful rivals on the one hand or the charging of extortionate prices on the other.

Fourth. Fix a permanent tax of a few cents per ton to be paid into a Territorial fund to defray the expenses of proper supervision of mining methods under laws to be enacted by the Territorial legislature, to protect the lives and health of the miners, and to provide a laborers' compensation fund.

Such a law would preserve the principle necessary to secure competition, a wide distribution of ownership, and enable the operator of moderate means to finance his enterprise, and provide for the welfare of the miners.

Fifth. The coal-land law of May 28, 1908, was intended to restrict the amount of coal land any company might own or control and to prevent monopoly; but that law is only applicable to such lands as were located prior to the withdrawal. That act has been nullified to all intents and purposes by construction and such drastic rulings by the Land Department that no titles can be issued under it.

I have appended hereto some statistics relating to the production of coal in countries operating under the leasing system and of State coal-mine operation, comparing some with the operations in the United States. These statistics are taken from the official reports of the various countries and tell their own story. If you are interested, study them. They prove beyond question that the leasing system means monopoly, inefficiency, and high-priced coal.

This question demands the conscientious and careful consideration of statesmen, and upon the wisdom of its solution depends the future of Alaska.

Coal production of the United States, 1911, by States.

[From repoct by Edward W. Parker, U. S. Geol. Survey, 1911.]

[Value per ton and price per ton per employee.]

States.	Tons.	Average per ton.	Tons per employee.
Alabama	15,021,332	$1.27	662
Arkansas	2,106,789	1.61	372
California and Alaska	11,647	2.00	.....
Colorado	10,157,383	1.45	710
Georgia and North Carolina	165,330	1.49	.....
Idaho and Nevada	1,821	2.68	.....
Illinois	53,679,118	1.11	701
Indiana	14,201,355	1.08	670
Iowa	7,331,648	1.73	442
Kansas	6,254,228	1.54	538
Kentucky	13,706,839	.99	628
Maryland	4,685,795	1.11	779
Michigan	1,476,074	1.89	444
Missouri	3,760,607	1.71	376
Montana	2,976,358	1.79	770
New Mexico	3,148,158	1.54	788
North Dakota	502,628	1.48	.....
Ohio	30,759,986	1.03	688
Oklahoma	3,074,242	2.05	350
Oregon	46,661	2.32	.....
Pennsylvania (bituminous)	44,754,163	1.01	860
Tennessee	6,453,156	1.12	601
Texas	1,974,593	1.66	.....
Utah	2,513,175	1.60	821
Virginia	6,864,667	.91	929
Washington	3,572,815	2.29	550
West Virginia	50,831,590	.90	896
Wyoming	6,744,864	1.56	851
Total	405,757,101	.....	.....

Average selling price per ton at pit mouth $1.11
Production per employee per year ..... tons.. 738

Coal production, selling price per ton at mine, and number of tons per each employee per year.

[From the Production of Coal in 1911, by Edward Parker, U. S. Geol. Survey, pp. 27, 47, 64.]

Year.	Tons.	Value per ton.	Number of tons per employee per year.
1901	225,828,140	$1.05	664
1902	260,216,844	1.12	703
1903	282,749,348	1.24	680
1904	278,659,689	1.10	637
1905	315,062,783	1.06	684
1906	342,874,867	1.11	717
1907	394,739,112	1.14	789
1908	332,573,944	1.12	644
1909	379,744,257	1.07	.....
1910	417,111,142	1.12	751
1911	405,757,101	1.11	738

Average production for 11 years ..... tons.. 330,485,203
Average selling price at pit mouth for 11 years $1.11
Average number tons per employee per year for 10 years.. 699

Coal production, value, selling price per ton, and number of tons produced per each employee per year.

[From Official Yearbook for New South Wales, Australia, for 1911, p. 331.]

Year.	Tons.	Value.	Value per ton.	Number tons per employee per year.
1901	5,968,426	$10,899,605	$1.82	489
1902	5,942,011	11,032,950	1.85	463
1903	6,354,846	11,598,300	1.83	488
1904	6,019,809	9,959,760	1.65	428
1905	6,632,138	10,017,305	1.51	473
1906	7,626,362	11,686,135	1.53	510
1907	8,857,924	14,612,095	1.65	507
1908	9,147,025	16,765,465	1.83	515
1909	7,019,879	13,092,980	1.86	400
1910	8,173,508	15,048,285	1.84	464

Average for 10 years ..... tons.. 7,154,193
Average value for 10 years $10,472,295
Average value per ton for 10 years $1.75
Average tons produced per employee per year for 10 years, 1901 to 1910 469

Production value for the year 1901 to the year 1911, inclusive.

[From report of minister of mines for State of Victoria, Australia, 1912, p. 26.]

Year.	Tons.	Value.	Value per ton.
1901	209,329	$735,955	$3.51
1902	225,164	779,250	3.46
1903	64,200	204,000	3.17
1904	121,741	351,040	2.88
1904	155,135	395,175	2.54
1905	160,630	401,420	2.50
1906	138,584	384,405	2.87
1907	113,425	320,265	2.84
1908	128,172	384,350	3.00
1909	369,059	944,885	2.56
1910	659,364	1,494,145	2.30

Average tons per year 212,667
Average price per ton $2.73

Number of employees not given.

STATE COAL MINE, VICTORIA, AUSTRALIA.

[Report of George H. Broome, general manager.]

Profit and loss account for year ending June 30, 1911.

DR.	£	s.	d.
To working expense, raising and dispatching coal	143,098	16	2
To salaries	1,589	3	4
To interest	2,467	10	6
To owners' contribution to accident fund	479	13	2
Bad debts	28	12	5
Balance net profit for the year	24,101	18	9
	171,765	14	4
CR.			
By sale of coal	163,524	9	0
By unpaid accounts	5,136	18	4
By sundry rents	182	7	6
By cash on hand June 30, 1911	2,922	0	0
	171,765	14	4

Number tons mined 396,042
Number tons used at mine 19,972
Number tons sold 376,070
Value at mine $857,910.00
value per ton $2.28

[From report of minister of mines for 1912.]

LIABILITIES.	£	s.	d.	£	s.	d.
Loan liability account No. 2240				141,000	0	0
Sundry credits	3,207	15	11			
Deposits account coal purchased	243	10	1			
				3,451	6	0
Net profits				24,101	18	6
				168,553	4	9
ASSETS.						
Unexpended balance loan	39,815	17	7			
Less accounts due and unpaid	4,267	07	3			
				75,548	4	4
Land purchased	3,672	9	4			
Shaft sinking, development, etc	44,041	3	10			
Building, etc	17,396	2	4			
Machinery	17,256	9	2			
Rail, tubs, ropes, plant, etc	10,487	3	8			
Horses, harness, etc	2,014	18	3			
Office furniture, investments	890	10	9			
				95,729	17	4
Stores on hand				22,809	1	4
Cash on hand				2,922	0	0
Sundry debtors and accounts on sale				5,187	15	3
Cash interest account				243	10	1
Cash at credit of sinking and depreciation fund (Above item £14,267 13s. 3d. for depreciation fund.)				15,575	1	6
Outstanding journal entry included				537	14	11
				168,553	4	9

New Zealand, 1912.

[From papers and reports relating to mines and minerals.]

Year.	Tons production.	Persons employed.	Annual production per employee.
1901	1,239,688	2,754	450
1902	1,365,040	2,885	477
1903	1,420,229	2,852	498
1904	1,537,838	3,288	469
1905	1,585,756	3,269	485
1906	1,729,536	3,692	468
1907	1,831,009	3,910	468
1908	1,860,975	3,894	477
1909	1,911,247	4,191	456
1910	2,197,362	4,599	477
1911	2,066,073	4,291	481

Average production per employee per year for 11 years, 473 tons.
Value per ton not given.

NEW ZEALAND STATE COAL MINE.

Report for year ending March 31, 1912.

[By W. C. Gasquaine, general manager. Balance sheet, p. 6.]

LIABILITIES.	£	s.	d.	£	s.	d.
Debenture loan				150,000	0	0
Sundry credits	17,550	3	3			
Accrued interest	2,389	4	11			
Debenture sinking fund	13,400	0	0			
Reserve fund	10,226	8	6			
				43,365	16	8
General profit and loss account:						
Balance of profit Mar. 31, 1911	50,552	1	4			
Net profits year Mar. 31, 1911	96	9	9			
				50,648	11	1
Total				244,014	7	9

ASSETS.

Point Elizabeth colliery and development account.

	£	s.	d.
Cost at Mar. 31, 1911	18,775	8	11
Additional outlay during year	1,411	3	5
Total	20,186	12	4
Depreciation	1,009	6	8
Balance	19,177	5	8
Machinery, plant, ropes, and cars, rolling stock:			
Cost at Mar. 31, 1911	35,217	10	10
Additional outlay during year	1,019	7	3
Total	36,236	18	1
Depreciation	1,853	11	1
Balance	34,383	7	0
Building at mines:			
Cost at Mar. 31, 1911	2,752	7	11
Additional outlay during year	66	5	9
Total	2,818	13	8
Depreciation	144	17	3
Balance	2,673	16	5
Cottages:			
Cost at Mar. 31, 1911	2,677	10	6
Depreciation	140	18	5
Balance	2,536	12	1
Stores (stock on hand)	1,734	18	1
Timber (stock on hand)	198	10	11
Coal on hand and at wharf	259	4	1
Coal afloat	1,893	0	11
Total	4,105	14	11
Point Elizabeth Colliery No. 2 (development and property account).			
Cost Mar. 31, 1911	40,052	12	9
Additional outlay during year	24,966	9	11
Total	65,019	2	8
Machinery, plant, ropes, and rolling stock:			
Cost Mar. 31, 1911	13,283	4	1
Additional outlay during year	10,532	0	1
Total	23,815	4	10
Buildings at mine:			
Cost Mar. 31, 1911	1,081	16	8
Additional outlay during year	45	3	6
Total	1,126	19	8
Cottages at mine	175	4	11
Timber account	9	3	4
Total	153,022	11	6
Seddonville Colliery (property account and development).			
Cost Mar. 31, 1911	11,145	16	10
Depreciation	586	12	6
Balance	10,559	4	4
Machinery, plant, ropes, and rolling stock:			
Cost Mar. 31, 1911	11,118	1	11
Additional outlay during year	30	0	0
Total	11,148	1	11
Depreciation	585	3	3
Balance	10,562	18	8
Buildings at mine:			
Cost Mar. 31, 1911	331	17	9
Additional outlay during year	47	18	9
Total	379	16	6
Depreciation	18	19	10
Balance	360	16	8

	£	s.	d.
Cottages:			
Cost Mar. 31, 1911	202	10	1
Depreciation	10	13	7
Balance	191	16	11
Stores (stock on hand)	314	3	10
Coal (on hand at mine and at wharf)	310	0	10
Coal (on hand afloat)	382	19	0
Total	1,007	3	8
Chroming Creek (boring and prospecting).			
Boring and prospecting	1,890	10	1
Additional outlay during year	1,075	7	7
Total	2,965	17	8
Bregerette plant:			
Cost Mar. 31, 1911	13,839	6	11
Depreciation	728	7	9
Balance	13,110	19	2
Hulks property account:			
Cost Mar. 31, 1911	1,462	11	2
Depreciation	76	19	6
Balance	1,385	11	9
Wellington depot property account:			
Cost Mar. 31, 1911	2,760	18	7
Depreciation	145	6	3
Balance	2,615	12	4
Stocks on hand	1,259	1	2
Total	3,874	13	6
Christ Church depot property account:			
Cost Mar. 31, 1911	5,489	3	8
Additional outlay during year	82	1	6
Total	5,571	5	2
Depreciation	288	18	1
Balance	5,282	7	1
Stocks on hand	1,695	3	10
Total	6,977	10	11
Waugami depot property account:			
Cost Mar. 31, 1911	1,559	10	6
Depreciation	82	1	10
Balance	1,477	13	8
Stocks on hand	802	9	5
Total	2,280	3	1
Dunedin depot property account:			
Cost Mar. 31, 1911	1,838	5	3
Additional outlay during year	56	18	3
Total	1,895	3	6
Depreciation	94	15	2
Balance	1,800	8	4
Stocks on hand	1,033	12	4
Total	2,834	0	8
Wellington office furniture account:			
Cost Mar. 31, 1911	81	13	5
Depreciation	4	6	0
Balance	77	7	5
Sundry debtors:			
Suspense account, premiums 1912–13, deposits, etc			197 9 5
Cash in hand and in public account, Mar. 31, 1911	23,478	14	6
Less	9,507	5	10
			13,947 8 8
Total			224,014 7 9

REPORT FOR YEAR ENDING MAR. 31, 1912 (P. 9).

Statement of general profit and loss account for year ending Mar. 31, 1911.

DR.	£	s.	d.
Point Elizabeth Colliery trade expense account	75,803	12	9
Seddonville Colliery	22,543	16	2
Brigerette Works	2,436	18	6
Wellington Depot	9,400	1	5
Christ Church Depot	6,434	16	2
Waugami Depot	2,094	16	0
Dunedin Depot	2,028	6	4
	120,742	7	4
Wellington office furniture depreciation	4	6	0
Balance, net profit for the year	96	9	9
Total	120,843	3	1

CR.	£	s.	d.
By Point Elizabeth Colliery, working and gross profit	79,746	18	9
By Seldomville Colliery	23,406	15	9
By Belgerette Works	819	3	5
By Wellington Depot trading account, gross profit	8,457	4	6
By Christ Church Depot	4,790	14	7
By Waugami Depot	2,128	5	7
By Danulin Depot	1,473	5	2
By Point Elizabeth Colliery rents	20	15	4
	120,843	3	1

PRODUCTION OF COAL IN NOVA SCOTIA.

Production by Dominion Coal Co., and tonnage per employee per year.

[From Annual Mine Report.]

Year.	Total production.	Production by Dominion Coal Co.	Annual production per employee.
1905	5,050,420	3,076,107	468
1906	5,866,660	3,605,983	484
1908	6,299,280	3,386,333	480
1909	5,217,915	2,785,754	497
1910	6,208,444	3,892,958	495

Production and value at mine, Nova Scotia.

[Annual Report of the Mineral Production of Canada, 1911, p. 186.]

Year.	Tons.	Value.	Value per ton.
1908	6,652,539	$13,364,476	$2.01
1909	5,652,089	11,354,643	2.01
1910	6,431,142	12,919,705	2.01

Production by companies for year ending Sept. 30, 1911.

[Report of minister of mines, Nova Scotia, 1911, p. 17 of tables.]

Dominion Coal Co	3,892,958
Nova Scotia Steel & Coal Co	757,823
Cumberland Ry. & Coal Co	191,849
Acadia Coal Co	466,337
Maritime Coal Ry. & Power Co	163,763
Inverness Ry. & Coal Co	291,587
Inter Colonial Coal Co	261,607
Sydney Coal Co	3,087
MacKay Colliery	29,081
North Atlantic Collieries Co	47,992
Port Hood Coal Co	41,192
Minudie Coal Co	54,481
Atlantic Grindstone & Coal Co	334
Colonial Mining Co	4,485
Great Northern Coal Co	1,207
	6,208,443
Total number employees	12,504
Tons per employee per annum	496

Production, value at pit mouth, and production per man employed in the United States and countries operating under the leasing system.

	Bituminous coal (tons).	Value.	Value per ton.	Tons per annum per employee.
United States, 1911[1]	405,737,101	$457,177,484	$1.11	738
Nova Scotia, 1911[2]	6,208,444	12,919,705	2.00	496
New South Wales, 1911[3]	8,691,604	15,835,825	1.82	496
New Zealand, 1912[4]	2,066,073			481
New Zealand (State mine), 1912[4]	271,628	543,270	2.00	468
Victoria, Australia (State coal mine), 1912[4]	396,042	857,910	2.28	
West Australia[7]	249,890	555,770	2.22	539

[1] Production of coal in 1911. Edward W. Parker, p. 14.
[2] Report of department of mines for year ending Sept. 30, 1911.
[3] Annual report of minister of mines.
[4] Papers and reports relating to mines and minerals, 1912.
[5] Report of manager of State coal mines, Nov. 31, 1912. (No royalty charged.)
[6] Report of George H. Broome, general manager State coal mine, 1912. (No royalty charged.)
[7] Report of mines for 1911. No miners permitted employment who do not speak the English language.

Net profits of State coal mines in New Zealand for year ending Nov. 31, 1912, was $482, with an investment of $1,200,000 in the industry and charging no royalty.

Report department of mines for western Australia for 1911.

[Page 5.]

	1910	1911
Production.....tons	262,166	249,890
Selling price per ton at mine	$2.16	$2.22
Tons per employee per year	503	539

Six mines were in operation.
No miners permitted employment who do not speak the English language.

The Tariff.

EXTENSION OF REMARKS
OF
HON. M. CLYDE KELLY,
OF PENNSYLVANIA,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, May 3, 1913.

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. KELLY of Pennsylvania. Mr. Speaker, under general leave to print, I submit the following editorial from the Nation's Business, the official publication of the Chamber of Commerce of the United States, in its issue of March 19, 1913. It voices the opinions of 160,000 individuals and business firms when it declares that the establishment of a tariff commission should be coincident with an immediate downward revision of the tariff. The editorial follows:

Never in the history of the United States have our business forces been better organized to cooperate in the work for which President Wilson asks the assistance of all patriotic citizens. In spite of the many and involved problems which have come with the unparalleled industrial development of a country still young, the business men of America have already accomplished much toward meeting the high ideals to which the President directs the attention of all our people in his inaugural.

In the establishment of better working conditions for their millions of employees, in the fixing of more rigid tests of individual and corporate integrity, in the development of that efficiency which makes for the prosperity of the country as a whole, they have gone forward rapidly in the last 15 years. Perhaps no country, within the same period, has made greater progress along these lines. Nevertheless the business men of the United States as a whole recognize that there is still much to be done in correcting the evils incident to our great industrial expansion, and in that spirit of patriotism which has always marked the advancement of the country's business they are ready to do their part in further promoting the cause of human progress.

THE SPIRIT OF COOPERATION.

The evidence of this lies in the spirit of cooperation among business men in every part of the country, which in the past 10 years has to a marked extent supplanted the strong individualistic leadership which served its purpose in the early days of a pioneer country. Almost every town and city in the United States to-day has its chamber of commerce, board of trade, or commercial club, in which the business men of the community are brought together to work for the benefit of the community as a whole, not alone to advance their own selfish interests.

The value of this type of broad-minded, patriotic effort has been demonstrated so clearly that within the last year the demand for broader cooperation and united action on the part of these local and sectional units has crystallized in the formation of a great country-wide federation—the Chamber of Commerce of the United States of America.

No organization in our country has ever been builded on a foundation more democratic or more representative. There has never been a more significant response to a call for public-spirited service than has been shown in the rapid growth of this chamber, in attracting to its membership, within a period of eight months, more than 300 organizations from 43 States of the Union, representing more than 160,000 individuals and business firms.

These many organizations, with their thousands of representative and progressive business men, have come together, with no narrow or selfish purpose, but in the belief that by more efficient organization they can play a greater part in the Nation's advancement than ever before.

THE TARIFF.

The Chamber of Commerce of the United States has already begun to make its contribution toward the solution of the problem to which the President directs attention. The business men of the country agree that in response to the pledges given the people the new administration should revise the tariff without delay, to the end that it may be more equitable. The fact is recognized, however, that consideration of the tariff problem which has concerned the country for so many years has never been based upon scientific, businesslike ascertainment of facts and action based on those facts. It is the belief of business men that the errors of the past should not be repeated; that, coincident with the enactment of new tariff laws, there should be created a permanent tariff commission, in order that future tariff changes may be based upon knowledge of world conditions as well as domestic demands, and not merely upon a desire for change.

In its first annual convention, held in January, 1913, in which nearly 500 delegates, representing 40 States, participated, and without regard for sectional interests, political affiliations, or other considerations, this representative body unanimously passed a resolution calling for the creation of a permanent tariff board or commission.

(a) That the appointment of the commission, following the usual procedure, be vested in the President with the advice and consent of the Senate.

(b) In order to make the commission an effective administrative body, the number of commissioners should be limited, preferably not more than five.

(c) That the term of office of members of the commission should be sufficiently long to give the board stability and permanency, preferably six years, and the terms of members should expire in rotation as in the Interstate Commerce Commission.

(d) That a provision should be made for minority representation as in the case of the Interstate Commerce Commission, where not more than three of the five members shall be of one party.

(e) That reports of the commission should be confined to ascertained facts and should exclude recommendations unless called for by the body having power to institute tariff legislation. The information secured by the commission shall be available to either House of Congress and to the President.

To the evolution of a plan of this character which will provide a better basis for future tariff legislation, the business men of the country are ready to aid by their counsel and experience and will welcome every opportunity to cooperate with the President and Congress.

The Cotton Schedule—Its Effect on Massachusetts Wage Earners.

SPEECH
OF
HON. JOHN JACOB ROGERS,
OF MASSACHUSETTS,
IN THE HOUSE OF REPRESENTATIVES,

Friday, May 2, 1913.

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. ROGERS. Mr. Speaker, I desire to lay before the House a few observations in regard to the provisions of Schedule I of the Underwood tariff bill, with especial reference to the probable effects, for weal or woe, which the enactment of that schedule into law will have upon the cotton-manufacturing future of this country.

I represent a district more than one-half the population of which is contributed by the city of Lowell, in which I live. And Lowell, as I shall show in greater detail, is one of the three greatest cotton-manufacturing cities in the United States, the other two, also in the Commonwealth of Massachusetts, being New Bedford and Fall River. I may, perhaps, mention at the outset that I am not now, nor have I ever been in the past, a stockholder or a director in any cotton or other textile company, either in Lowell or anywhere else.

I have taken as the text of my remarks a most enlightening statement made on the floor of this House by the gentleman from North Carolina [Mr. KITCHIN]—I ask you to note the State—then and now a member of the Ways and Means Committee, and one of the recognized spokesmen of the Democratic Party in Congress on tariff matters. On the 15th day of April, 1911, while the first session of the Sixty-second Congress was considering a tariff measure, he said (CONGRESSIONAL RECORD, vol. 47, pt. 1, p. 279):

> We in the South intend to make the New England mills come down and put their mills there or else go out of business.

And the veracious RECORD chronicles that the statement was greeted with applause.

That sounded the keynote of the Democratic leaders two years ago; it represents their highest, noblest, and purest aspirations to-day as, after having virtually enacted into law the Underwood bill in secret caucus, they are forcing it down the throats of a reluctant people.

Before taking up the effect which this bill will have upon New England, and especially upon Massachusetts, I shall set forth as briefly as possible the vast extent of this great industry whose future rests in the balance. Most of my figures are taken from the various bulletins and advance reports or volumes of the United States Census of 1910.

The total value of all textile manufactures in the United States for the latest year for which figures are available reached the enormous sum of $3,016,931,819. The total of cotton manufactures amounted to $1,540,716,622, or slightly over one-half the total. Out of a total value added by manufacture of all textiles in the United States, amounting to $1,291,650,819, cotton contributed $676,394,027. This total is again slightly over one-half the total for all textiles, and constitutes 43 per cent of the aggregate value of these cotton goods, above stated to amount to $1,540,716,622.

Out of a total number of 21,269 textile establishments in the United States cotton contributed 10,370, only a little less than one-half the grand total for all textiles.

Out of 1,414,167 wage earners in all textiles in the United States, receiving a total wage of $578,676,281 per year, cotton reports 813,550 wage earners, receiving $317,850,532; cotton thus employs more wage earners—58 per cent of all—and pays these wage earners more wages—55 per cent of all—than all other textile industries combined. The cotton schedule employs 13 per cent of the 6,310,454 wage earners in all schedules, being exceeded in this respect only by the metal schedule and the wood schedule. In value added by manufacture the cotton schedule ranks third of the specific schedules, being again exceeded only by the metal schedule and the wood schedule.

I do not need to dwell at length upon the place occupied by the United States in the markets of the cotton world. We grew last year 16,109,349 bales of cotton, nearly 3,000,000 bales more than in any previous year. Of this total, 10,681,758 bales, worth $365,849,271, was exported, four-fifths thereof going to the United Kingdom, Germany, and France, the first taking 4,197,336 bales, or 39.3 per cent; the second, 3,052,764 bales, or 28.6 per cent; and the third, 1,180,895 bales, or 11.1 per cent.

We imported in the same period only 229,268 bales altogether, and indeed our cotton fields furnish about 69.7 per cent of the world's supply.

So much for the raw cotton. Let us see something of the manufactured product. There are in the world about 140,996,000 active spindles. First, numerically, is the United Kingdom, with 55,317,000; next in order are the United States, with 31,582,000; Germany, with 10,726,000; Russia, with 8,800,000; and France, with 7,400,000. Thus, though the United States raises seven-tenths of the world's cotton, it has but about two-tenths of the world's spindles.

We have seen that the United Kingdom, France, and Germany take four-fifths of our raw cotton. What do they do with it? Most of it, of course, they retain or send wherever a demand exists therefor.

But in 1912 our imports of cotton manufactures amounted to $65,152,785, of which the United Kingdom imports amounted to $19,400,725. German imports to $15,384,519, and French imports to $11,694,388. These three countries thus were responsible for three-fourths of our imports of cotton manufactures, and, with Switzerland, which is a large importer of laces, for a total of $62,027,866, or over 95 per cent of the total.

Plainly, the cotton manufactures of the United States, though vast, have a far vaster potential field, and, as plainly, they are by no means without competition even in the field they now occupy. Yet this state of affairs has developed in an era of protection.

Let us now consider the position of New England, and especially of Massachusetts, in the cotton industry of the United States.

There are 31,582,679 spindles in the United States, the figures showing a rather gradual but healthy increase each year since 1908. Of these Massachusetts has 11,066,846, or slightly over one-third of the grand total. Massachusetts similarly shows a gradual but healthy increase for each year since 1908. Of the 5,367,583 bales retained by the United States out of the enormous 1912 crop of 16,109,349 bales, Massachusetts consumed 1,264,017 bales, slightly over one-fifth. Massachusetts has 234,249 looms and 7,141 knitting machines.

Analyzing the location of the spindles within the United States, Massachusetts is far and away in the lead, with its 11,066,846 spindles, or 35 per cent of all; South Carolina is second, with 4,327,178, or 13.7 per cent of all; North Carolina is third, with 3,403,996, or 10.8 per cent. Then follow in order Rhode Island, Georgia, New Hampshire, Connecticut, and Maine, with from one to three million spindles each, no other State having as many as a million. It will be observed that five out of the six New England States are in the first eight, the other three being that of the gentleman from North Carolina [Mr. KITCHIN] and her two neighbors. Of all spindles in the United States New England has 17,139,945, or 56 per cent, and the cotton-growing States have 11,582,869, or 37.9 per cent. Of the 5,367,583 bales of cotton used in the United States New England takes 2,108,360, or 39.3 per cent, and the cotton-growing States take 2,712,223, or 50.5 per cent.

But the gentleman from North Carolina proposes to get it all for his own section.

Massachusetts is preeminently a manufacturing State; it stands fourth in the Union in the value of its products. The latest figures available show that it had 11,604 manufacturing establishments, employing 644,399 men and women, who received wages of $364,452,000, turning out products valued at $1,490,529,000. The eight allied textile industries in Massachusetts (representing an investment of $398,729,906) give employment to 192,147 men and women (one-third of the grand total), producing commodities valued at $387,063,000 (over one-fourth of the grand total). It is impossible to learn accurately the total amount which, out of these vast figures, is ascribable to cotton, for the census figures do not list separately such items as the bleaching, dyeing, and mercerizing of raw fiber, yarns, and woven cloth, nor the printing of cotton piece goods, which, although grouped in the tables under "All other industries," are large and important. The figures which follow are therefore all considerably too low.

There are 182 cotton and cotton small wares establishments in Massachusetts and 65 hosiery and knit goods, a total of 247. The former establishments employ 108,914 wage earners (18.6 per cent of the total in the State), the latter 9,941 (1.7 per cent), a total for cotton of 118,855 wage earners, or 20.3 per cent. The wage earners of the former receive

$48,567,000 and of the latter $4,371,000, or a total of $52,938,000. The capital of the former is $214,017,000 and of the latter $12,477,000, or a total of $226,494,000. The former use materials costing $105,157,000 and add a value of $81,305,000, a total of $186,462,000 (12.5 per cent of the State total); the latter use materials costing $6,972,000 and add a value of $7,764,000, making a total of $14,736,000 (1 per cent of the State total); and a grand total for both cotton industries of $201,198,000 (13.5 per cent of the State total). Only one-third of the different cotton establishments in Massachusetts had a yearly output of as much as $1,000,000.

Cotton is the leading industry in Massachusetts in respect to number employed, and also leads in respect to value added by manufacture, if hosiery and knit goods be included in the tabulation.

The United States census says:

Massachusetts is not only the foremost State in the Union in the production of all textiles combined, but is first as regards three of the most important branches—cotton goods, including cotton small wares; woolen, worsted and felt goods, and wool hats; and cordage and twine and jute and linen goods. It ranks second in the production of shoddy, third in that of hosiery and knit goods and of carpets and rugs, and fifth in that of silk and silk goods and of fur-felt hats.

I shall not take much time to dwell upon the relative importance of the three or four great cotton centers within the State. I may be permitted again to quote the census:

Fall River, Lowell, and New Bedford, which in the value of manufactured products in 1909 ranked fifth, sixth, and seventh, respectively, in the State, owe their importance primarily to the manufacture of cotton goods. In 1909 the total value of cotton goods produced in Fall River was $48,576,000, or 75.7 per cent of all products for the city; in Lowell $24,744,000, or 41.1 per cent of the total; and in New Bedford $42,505,000, or 79.8 per cent of the total. These three cities led all others in the State, as well as in United States. In the manufacture of this class of textiles. Of the remaining industries the manufacture of woolen and worsted goods, of hosiery and knit goods, and of carpets and rugs, foundries and machine shops, the tanning, currying, and finishing of leather, the manufacture of boots and shoes, and of patent medicines, and the lumber industry were important in Lowell.

I quote also from Copeland, The Cotton Manufacturing Industry:

In Lowell, while drills, sheetings, and shirtings are still manufactured, such seasonal fabrics as fancy prints, corduroys, and velveteens are also of primary importance. This latter output is due primarily to the inclusion of printing and dyeing departments in the original equipment of the older mills. As the competition in the more common goods became keener, these mills undertook the printing of more fancy patterns and the output of special lines.

Lowell ranks seventeenth among the cities of the United States in number of employed. Of the 34,108 employed in 320 establishments 14,003 are employed in the 11 cotton establishments and receive upward of $6,000,000 per year. Lowell ranks thirty-eighth in the United States in respect to value of products and thirty-fourth in respect to value added by manufacture. Of the $60,271,000 value of products, cotton is accountable for $24,744,000; of the $27,440,000 of value added by manufacture, $10,801,337 is ascribable to cotton. The capital invested in Lowell cotton manufacturing is upward of $25,000,000; its spindles number about 1,000,000 and its looms about 25,529.

But it is often said that the position of the gentleman from North Carolina [Mr. KITCHIN] is highly unselfish as well as consistent; that he, too, represents a great cotton district, and yet he is willing and even eager to advocate the most slashing reductions in the cotton schedule. But, Mr. Speaker, this assertion will not bear the light of day. In the first place, the wage unit is very much lower in a Carolina cotton mill than in a Massachusetts cotton mill—probably about three-fifths as much; in the second place, the Carolina mills are in the midst of their raw material, with consequently lower freight rates and incidental charges; in the third place, whereas in Massachusetts there is probably not one man, woman, or child working in a cotton mill as many as 60 hours a week, there is probably not a man, woman, or child in a Carolina cotton mill who is working as few as 60 hours a week; in the fourth place, while the percentage of children under 16 is 5.7 in Massachusetts cotton mills and 4.4 in Massachusetts hosieries, it is 18.9 in North Carolina cotton mills and 27.7 in North Carolina hosieries, and 18.7 in South Carolina cotton mills and hosieries. I am glad to learn that my colleague from Massachusetts on the other side of the House [Mr. CURLEY], recognizing this disadvantage at which Massachusetts has placed herself by her very humanity, has within a day or two introduced into this House a resolution looking to a constitutional amendment permitting a Federal standardization of the hours of labor. And yet the gentleman from Massachusetts, though recognizing the evil, will support this tariff bill which is such a grave menace to the cotton industry and to the other industries of his State. The southern Democrats are in the saddle and the northern Democrats must tag along as best they may, no matter what ill may betide.

I am very far from being a believer in a tariff wall; I am not now advocating, nor have I ever advocated, a high tariff. But I do assert with all my might that the pay envelope should and must—and soon, if not at once, will—be protected.

This is not a question of a trust-ridden industry; there is no such thing in the cotton business and never has been. It is as keenly competitive a business as we have in the United States. And it is the wage earner and the very small manufacturer and not the heavy stockholder in the large mill who will be the real sufferer.

I quote from a letter I have just received from a man who, in a small way, makes certain cotton-mill supplies. He writes (I have merely omitted the name of the corporation):

A reduction of tariff on textiles so marked seems to me to presage a decrease in manufacture and a lowering of wages, which can only be brought about by closing down the mills for an indefinite period. This would stop two-thirds to three-fourths of the output of our factory.

The corporation has an active capital of $15,500, which is represented by the value of the plant and paper stock. It has a pay roll of about $1,000 per month and does a business at present of about $45,000 per year. It has never paid a dividend on its common stock and only this year has paid a 5 per cent dividend on its preferred stock. The writer has invested $5,000 in the common stock of this corporation and is employed by the corporation as its treasurer and general manager.

If this bill goes into effect in its present form, the writer sees not only his occupation gone, but the loss of most, if not all, of his capital, as idle machinery has little market value.

This corporation is not the member of any trust or combination, but an independent manufacturing establishment, doing business in competition with a combination doing a like business. It has no high-salaried officials, and its business is conducted on a very conservative basis. It is such a small manufacturing plant as the President in his public utterances seems to favor, but which will be ruined if this bill becomes a law.

It is not the trusts—the large organizations in business—who will suffer, but the small investor—doing business with a small surplus of cash—who must go to the wall as soon as business languishes. Mr. UNDERWOOD is quite right in predicting no decrease in the cost of living at once; that will come later through decreased purchasing power of the laborer, whose wages will be curtailed as the result of the new competitive condition. This bill is framed to kill New England industries.

But it is upon just this point that the Democrats in Congress express complete indifference. For example, the gentleman from Alabama [Mr. UNDERWOOD] said, in his opening speech upon reintroducing the tariff bill, "The Democratic Party stands for a tariff for revenue only, with the emphasis upon the word only." This carefully, and even defiantly, leaves out of all account in the Democratic policy any idea whatever of protecting the pay envelope. And a little earlier in the same speech he admitted that if we shall levy a duty representing the difference between even the average cost of production at home and abroad it "will drive out of existence the weaker mill." But it is in behalf of the weaker mill and of the weaker wage earner, and not of the strongest of mills or of men, that I raise my feeble voice.

I have said that the cotton-mill business has never known a trust in its midst; I will go further and say that, so far as the mills I am familiar with are concerned, it is not a lucrative business. A prominent broker in my district, in issuing, last week, a circular of statistics relative to Lowell industries, said that statistics compiled by him could not but serve to strengthen the growing impression among investors and trustees of the relative instability for investment of stock in cotton, hosiery, or woolen mills. I have made a careful examination of the dividend records of the 10 large cotton-manufacturing mills and hosieries in Lowell. Leaving out of account three reorganizations, which would reduce the result somewhat, I find that, taking the entire capital of these 10 concerns as a unit, they have realized for the last eight years an average dividend of a trifle less than 4½ per cent—not a very bloated industry.

But such figures as these do not disturb our Democratic tariff jugglers. They say, "Ah, but you must become competent; you must operate more efficiently, and foreign competition will bring this about. That is the solution." Yes; but how can these cotton mills become more efficient? If they could, why haven't they? Surely, they have not been making dividends enough so that they could dare to be careless or wasteful. It would be all the same if our mills had been making large dividends. Then, forsooth, they would have been overprotected, and down would come the duties in the same way. The Procrustean tariff maker punishes the cotton man with equal severity whether he has been long on prosperity or short on prosperity.

Imports of cotton manufactures rose from $41,296,239 in 1900 to $65,152,785 in 1912, an increase of over 50 per cent. Adopting a somewhat different classification, the gentleman from Alabama [Mr. UNDERWOOD] asserts that cotton manufacturing imports will increase 50 per cent the first year the law is in effect and that all imports will rise in about that proportion. They may be twice that; no man can be certain. Judging from the ill-concealed joy to-day among foreign manufacturers at the extraordinary opportunity they have ahead, the imports are likely to be far in excess of the estimate. But taking the gentleman from Alabama at his word, what will result? The amount which is imported in excess of last year, whether of cotton or anything else, will exactly measure the decrease in the employment our American workers will receive. Less work means less pay, and less pay means more misery, with a return to the bread lines and the soup kitchens of the last Democratic ascendency.

But the southern Democrats are in the saddle and the country must for a season follow in their trail.

Wages will fall. Will the cost of living go down so as to more than compensate? It is on that issue that our Democratic friends rest their case. The gentleman from Alabama himself says it will not go down at once. But what reason have we to hope for better things even at a later date? When we can learn from the unfortunate experience of others, without having ourselves to suffer misfortune, surely we should embrace the opportunity.

England is a free-trade country. What has been her experience, first, with the wage scale; second, with the cost of living?

I do not ask that Republican statements be resorted to to show that England is much worse off than the United States on both of these two heads. I shall cite three authorities out of many: (1) A great Democratic leader; (2) a great labor leader; (3) the exhaustive report of an English official investigation.

(1) William Randolph Hearst, in a specially cabled editorial to the Boston American, from Paris, under date of October 9, 1912 (New York Evening Journal, Oct. 10), says:

Scientific reduction of the tariff consists in judiciously and discriminatingly modifying the tariff in a way carefully calculated to benefit all the people of the United States, be they employers or laborers, producers or consumers. To secure and insure such scientific modification of the American tariff I beg most respectfully to suggest to Gov. Wilson the following course:

First. The abandonment of all old stock free-trade arguments based upon fallacies and upon exploded theories and upon promises which have been proven to be false by the practical and unprofitable experiences of free-trade nations like England.

Second. The recognition of the principle of protection of American industries, and the wise and just application of that principle to those industries which require and deserve protection.

It is useless to talk of a protective tariff, properly applied, being mainly responsible for the increased cost of living. It is worse than useless; it is senseless. The cost of living in England, a free-trade country, is quite as great as the cost of living in the United States, a protective country.

Indeed, to make an even more convincing comparison, the cost of living in England, a free-trade country, is notably greater than the cost of living in Germany, a protective country. If, therefore, free trade or radical tariff reduction can reduce the cost of living, why is not the cost of living in free-trade England largely lower than the cost of living in protected United States, or at least as low as in protected Germany?

As a matter of fact, even the most radical tariff reduction does not materially reduce the universally increasing cost of living, but it does materially reduce the wherewithal to meet the increasing cost of living. Radical tariff reduction does force manufacturers out of business and men out of employment, and by throwing a superabundance of labor upon the market does reduce the price of labor, which is wages.

In England the wages paid in most lines of labor are so low as absolutely to shock the American sense of justice and of regard for the general welfare.

In every industry that I have had occasion to investigate I have found wages 40 to 50 per cent lower in England than in America.

Yet with such wages working men in free-trade England are expected to meet a cost of living as high as or higher than ours.

No wonder there are industrial disturbances in England, and strikes and riots and men shot down by the soldiery; no wonder there are political and economical discontent and an emigration so great that the steamship lines can not carry all who desire to leave England.

The false statement that living is cheaper in England than in America has been made so often that it is believed by those who have not taken the trouble to learn the facts.

Living is not cheaper in England than in America. If anything, it is dearer. Food is much dearer in England than in America.

Luxuries, like fruit and many vegetables, are entirely beyond the reach of the average individual. Rent is cheaper in England than in many places in America, but taxes are immeasurably greater, raising the actual cost of rents from 30 to 35 per cent.

Custom-made clothing is cheaper in England than in America, but nowhere in the world is ready-made clothing as remarkable in cut and quality and cheapness as in the United States. Shoes are better and cheaper in the United States than in any other place in the world. Traveling and transportation in the United States are about half what they are in England. Meats, though high in the United States, are higher in England, and a good part of the beef in England is imported from the United States and Australia.

Newspaper men whom I have sent to England as resident correspondents have often asked to be allowed to return to the United States on account of the higher cost of living in England.

These are the facts, and facts should be the basis of every argument.

Gov. Wilson, like every other good American citizen, is trying to benefit his country, but we can not benefit our country by misleading our countrymen. Let all of us Democrats abandon worn-out and worthless free-trade arguments and frankly admit that a certain amount of judicious protection is a beneficial thing for our country and our people. Then let us seek to apply protection discriminately to develop and maintain valuable industries which require protection, and which, through the just and proper conduct of their business dealings with the public, deserve protection.

Let us realize that the tariff—even an unfair tariff—is not the cause of special privilege, but merely a symptom of special privilege; a useful institution partly corrupted by special privilege.

Let us then modify the tariff and purify the tariff, together with all the acts and operations of government, to meet the requirements of the times. But let us modify the tariff in a way which will benefit our own Nation at least as much as it will benefit competing nations.

Furthermore, the wages in the United States have increased in the last decade over 50 per cent; the wages in the United Kingdom have increased in a like period less than 10 per cent. The cost of such commodities as beef, bacon, mutton, wheat, wheat flour, and corn is less in the United States than in the United Kingdom. Trusts and monopolies exist in England in the same way and to the same extent as they exist in the United States.

(2) Samuel Gompers, after careful investigation of European living conditions, says in his recent book, Labor in Europe and America, pages 230–231:

Whether the cost of living in Europe or America is greater to the workingman depends entirely on the standard of living he adopts while in America. If he voluntarily lives the life of self-denial in this country that he compulsorily lived in his native land his outlay in money will remain about the same. Even then he will hardly be able to escape gaining something from the superior supply of the good things of life in America. Living is cheap to the wageworker in Europe only because he does without what in America soon becomes a necessity to him—food in good quantity and quality, presentable clothes among his aspiring fellow workmen and their families, and a comfortably furnished home in quarters responding to his awakened desires for equality with his American neighbors, and in general a larger, fuller, and freer life.

(3) The 1909 report of the British Board of Trade states that for every dollar paid to the British workingman the average United States workingman received $2.32, and this in spite of the fact that the United States hours of labor were 4 per cent shorter. Since the above report was made the hours of labor in Massachusetts cotton mills have, generally speaking, been reduced two hours per week and the wages raised from 10 to 15 per cent. The report states:

The economic condition of the classes studied is better in England than in America. The proportion of income left after paying rent and food bills is larger in America. Even the lowest income class of American families spend relatively less of their income upon food and rent than the highest income class of British families. Thus the American family has a wider margin of income for buying unnecessaries, enjoys a higher standard of living, and can save more if so disposed.

To summarize these three authorities, either nonpartisan or Democratic, it is clear that though the cost of living is greater in England, a free-trade country, than in the United States, a protective country, the workingman has less than half the amount of wages wherewith to meet his bills. It is, then, fair to say that the tariff has little or nothing to do with the high cost of living, which is a world-wide economic condition.

And the cry is abroad in the land, "Why, then, shall we make this drastic change?" The answer is patent—because nearly half of the 290 Democrats in the present Congress come from those States—of which the northernmost are Virginia, Kentucky, and Missouri and the westernmost is Texas—whose interests are primarily the growing of cotton, sugar, and tobacco, and who look jealously at the manufacturing supremacy of New England. These representatives say, "We do not make the manufactured goods we need except some of the cheaper grades, where the labor cost is low anyway; we import; let us, therefore, reduce the duty on manufactured goods and save just so much duty."

But what does New England get from all this? Nothing at all.

Up to this point I have tried to show two things—(1) the vastness of this cotton-manufacturing industry in New England and in the United States; (2) the gravity of the menace to that industry occasioned by the utter disregard of its welfare as a result of the application to it by selfish southern Democrats of a revenue theory rather than a moderate and rightly applied protective theory.

Let us now look at the rates proposed for cotton by Schedule I of the Underwood bill.

I quote from a letter from former Congressman Hill which was published in the Hartford (Conn.) Courant on April 10 last:

One serious objection to this bill is found in its sectional character. The cotton schedule contains eight different rates of duty for cotton cloth, duties graded according to fineness of yarns and finish of cloth.

The woolen schedule for cloth has one rate for all grades. On low grades of cotton cloth the rates are highly protective; on knit goods they are disastrous. In the section of the country where low wages, long hours, and child labor prevail the principal product is fully protected; in other sections where the law is aiming at decent conditions the principal products are exposed to ruinous competition.

The avowed purpose of the bill is to compel the American manufacturer who by his skill, his ingenuity, and his economy has, after a struggle for 50 years, succeeded in practically meeting the requirements

of the domestic market at lower prices than prevailed a generation ago to now "surrender" a greater or less part of it, variously suggested at from 10 to 50 per cent, to the foreign producer, in order that by the importation of the products of foreign factories and foreign labor the Government may be able to tax them at the customhouse. It is not possible to make a rate of duty which will admit 25 per cent of a competing product and not expose the other 75 per cent to a like displacement.

In my judgment the bill is wrong in principle, faulty in construction, and will prove unfortunate in its results. I hope I am mistaken.

It is difficult to make a thoroughly satisfactory comparison between a schedule based on ad valorem rates and one based on specific rates. However, I am willing in this regard to take the statistics accompanying the report of the Ways and Means Committee:

Commodities.	Present law.	Proposed law.
	Per cent.	*Per cent.*
Cotton thread	51.54	19.29
Cotton card laps, roping, sliver or roving	35	10
Cotton waste and flocks	20	5
Spool thread	22.95	15
Cotton cloths, including duck	42.75	26.44
Cotton with silk stripe	54.15	30
Tracing cloth	50.28	30
Cotton filled or coated	42.13	25
Waterproof cloth	50.56	25
Handkerchiefs and mufflers	59.27	30
Clothing	50	30
Collars and cuffs	64.03	25
Plushes, velvets, velveteens, corduroys, etc	51.15	40
Curtains, table covers, etc	50	35
Stockings, hose, and half hose	30 and 75.38	20 and 50
Gloves	89.17	35
Underwear	60.27	30
Cotton table damask	40	25

Another classification, unofficial, shows the average coefficient rate on all yarns to be 23.94 per cent in the present law, as against 8.9 per cent in the proposed law; on all cotton cloths, of 40.61 per cent in the present law, as against 16.23 per cent in the proposed law.

These figures show that the former duties, under which our manufacturers were not making unduly high profits nor, certainly, our wage earners unduly high wages, are to be cut about in halves, so that imports of cotton manufactures shall jump 50 per cent or more. Well may New England exclaim, "What will become of us?"

Rather than to attempt to analyze these figures, I prefer to quote extracts from a very few out of very many letters and telegrams I have received within the last week or 10 days, all with reference to the particular measure now before the House. Most of them are from wage earners or small manufacturers; none of them was written, so far as I know, with the slightest knowledge of the possibility of publication. They tell their own story, and I will not by comment enlarge or diminish their lesson.

Letter A says:

On the cotton schedule the rates proposed on cotton yarns will be ruinous to the cotton-yarn industry of this country, and this is especially true on fine yarns, which are made to such a large extent in Massachusetts. I can not understand how such rates could be considered by any committee. It would make it impossible for us to compete with foreign yarns, even if radical reductions were made in wages.

Letter B says:

Referring to the new tariff schedule upon knit shirts and drawers, the proposed rate of 25 per cent ad valorem will injure the industry almost irreparably, for the reason that with such a low rate the German, French, and Swiss manufacturers will obtain such a foothold in this country that only absolutely prohibitive rates at some future time will again give us the market.

The Payne bill gives us rates equal to between 50 per cent and 60 per cent ad valorem, the same as the previous bill. The underwear manufacturers did not ask for any increase at the time that the Payne bill was formulated.

The manufacture of knit underwear originated in the United States, and the foreign manufacturers have been followers, in machines and methods, instead of leaders. With rates cut in two and in some cases reduced 60 per cent the situation will be reversed, and we will be the followers, or perhaps out of business entirely, except in the low-priced end, where the cost is more cotton than labor. The proposed flat rate of a certain percentage is not a practical method of fixing duties. For instance, a shirt and drawers which we make has 70 cents worth of cotton to the dozen garments and $2.56 worth of labor, trimmings, and selling expense. A heavyweight shirt and drawers, which I have, costing in total practically the same as the above, has $1.82 worth of cotton and only $1.43 worth of labor. The lightweight goods are sold to the nice trade and are well finished in every way. The heavyweight goods go to the laboring man and are roughly put together. The rate of 25 per cent may possibly do for the very heavy and cheap goods, but it will not answer at all for lightweight goods, which have such a large cost of labor in them.

The result of their work seems to warrant the statement that New England and Eastern States interests are being intentionally sacrificed.

Letter C says:

The reductions in the cotton schedule in this bill are so sweeping that it is rather hard to pick out any one point in detail to comment on, except possibly the lowest end in coarse gray goods might be called sufficiently high; but from there up, to my mind, the schedules grow worse the higher they go.

The Payne-Aldrich bill duty runs from 36 per cent to 52 per cent, and the Underwood bill runs from 13½ per cent to 26 per cent, the average being, Payne-Aldrich bill, 40½ per cent; Underwood bill, 16½ per cent. This average is based on the percentages of consumption.

It would seem to me if this new bill became a law as it is that either a large proportion of the mills in New England would have to shut down, or there would be an enormous reduction in wages, and I am not sure that even this reduction would bring about the desired equality, because, as you know, the manufacturing basis in this country is on a much higher level than in England, which is our chief competitor in cotton goods.

Letter D says:

The Underwood tariff bill, which I believe to-day is being dubbed the Wilson tariff bill, will reduce, by from 25 to 75 per cent, the protection we received under the Payne-Aldrich bill.

It would be impossible for us to continue to operate the mills at anything but a loss without reducing the wages of the employees, and this I imagine is what will happen. If it does, it will, as Voltaire writes, teach the people to appreciate the sweets they have enjoyed in the past by having to eat a grand, good meal of bitters. There is no question in the minds of any manufacturer, or any man, even though he is not a manufacturer, that the result of a tariff of this sort would produce a calamity in the cotton industry of the United States such as we have never before experienced.

Letter E says:

Many of the items look to me to be low in the cotton schedule, but the principal thing that interests me is the ad valorem duty, which I always considered was so elastic that it never did afford proper protection on any class of goods.

Letter F says:

The cotton schedule, I should judge, would be disastrously low, when business is dull abroad. Nobody knows just how low England can sell. There is no data worth considering, and we must learn by experience. If full advantage could be and would be taken of the reduction in rates, it seems to me that it would amount to about two times what we believe the earnings on recent years' business have been in some of the northern mills, so you can see that it is quite serious.

Of course all of our goods go to converters, as we only deliver in the gray. Now, these converters see their business going out from under them, because of the small increase of duty allowed for finishing, namely, 2½ per cent. Should the converters suffer we also would suffer. The injury they and we fear is that England can sell finished goods in this country at a lower price than we and the converters can produce such goods for.

Letter G says:

The bill is a blow to the textile industry, and no doubt the Democratic leaders will try to force it regardless of what the effect will be. It will reduce the cost of living simply because the American laborer will not be able to earn money enough to maintain the present standard of living.

It affects us on cotton cloth, knit goods, and yarns, the rates being too low. At this season we usually sell the shoe manufacturers cloth for linings, but on account of the tariff agitation we are receiving no orders. On burlap used for baling goods the duty is increased. Cotton bagging used by the southern farmer is free.

Letter H says:

We certainly hope the cotton schedule, as drawn up in this bill, will not pass, as any such radical change in tariff can not fail to seriously injure cotton manufacturing in all branches.

Letter I says:

It looks as if New England would have to suffer not only in its industrial but in its agricultural interest as well.

Letter J says:

It seems to me that such a sudden and radical change in rates as is contemplated by the Underwood bill is bound to be a very serious injury to business not only in this but in all sections of the country, if we are to rely at all upon what history shows as following radical tariff changes in previous years.

Consequently I do not see how the Democratic pledges, including the President's, that nothing would be done which would work serious injury to business, can be reconciled to the Underwood bill as it now stands.

The country as a whole seems to want tariff reduction, and I think it should have it; but after swallowing the dose which is apparently prepared for us I venture to predict a general prevalence of sore throat.

Telegram K says:

Have carefully studied the present Underwood bill, and have no hesitation in denouncing it as sure to bring distress to the cotton industry. Manufacturers of fine yarns and cloths and coarse yarns and cloths of high grade and expensive finish will be put out of business.

Telegram L says:

The proposed tariff on cotton yarns and piece goods will not be sufficient to prevent disastrous foreign competition.

Telegram M says:

Passage will undoubtedly shut down any mills turning out high-grade yarns and cloth, and bring suffering to thousands of people employed in such mills.

Telegram N says:

Will you please do what you can to stop a reduction on the tariff on gingham flannelettes and colored goods made out of cotton? Also by all means stop any advance on imported dyestuffs. They should all come in free, as heretofore. No Massachusetts man can afford to vote for the Underwood bill as it now stands. It means the shutting down of the mills, or part of them, at least, and as a result a large number of operatives will be thrown out of employment.

Telegram O says:

The proposed Underwood tariff bill so far as it applies to cotton manufactures is a most unsatisfactory and an unjust bill. It will drive business from this country abroad and throw out of employment many thousands of people who are unable to work at any other kind of trade. The rates are much below what they should be and are very uneven and unjust in their application to cloths and yarns and the various processes of manufacture. I want to most vigorously protest against its passage.

Telegram P says:

Bill is very unsatisfactory. Fine yarns and cloths which require skilled labor are not protected enough.

How is this tariff question regarded to-day? Are sweeping reductions all along the line demanded even by Democrats? Again I turn to Democratic or nonpartisan sources of information.

(1) William Randolph Hearst says under date of April 13, 1913:

Mr. Wilson's opposition to the protective tariff is not inherently or essentially Democratic. Mr. Wilson is fundamentally opposed to the principle of protection, and his idea of radical, ruthless tariff reduction is but an expression of the English free-trade theories of Cobden and Mill. Mr. Wilson is an English free trader. He may obscure his utterances, but he can not conceal his acts. Mr. Wilson's political economy is the political economy of another nation and of another age. It is the political economy of a nation that is passing and of an age that is past.

And in the tariff legislation now pending the hand is the hand of Wilson, though the voice is the voice of UNDERWOOD.

(2) The thrice-elected Democratic governor of my own great Commonwealth, in a special message to a Republican legislature under date of April 3, 1913, said in part:

The average citizen would prefer the protective rates of the McKinley tariff, which transferred the tin-plate industry to the United States and built few years made us large exporters, to the so-called reductions which annihilate domestic industries and place the United States at the mercy of the foreign producer for its supply.

It will be conceded that a slow reduction of the tariff which reduces and stays reduced is better than a quick reduction which does not reduce at all. Reduction that benefits the country and sticks is based upon the same theory of the general welfare as protection. The two go naturally together.

But it does not necessarily follow that because protection is superfluous it should be eliminated. As the imposition of duties can be justified only on the ground of benefit to American industry, so is such benefit the only justification for the removal of a duty. A tariff tax is the price of admission to a market. In many cases the foreigner pays the price. If this condition exists without harm to American industry or the public welfare, it should not be disturbed except for a benefit to American industry and the American people. A market of 100,000,000 of the greatest consumers on earth is a possession of tremendous value. It is a possession of the American people. Every duty removed is a door opened to foreigners to enter upon this market. Every duty removed by the Democratic Congress without benefit or consideration to the American people will be a free gift to our foreign competitors of a valuable thing belonging to the American people.

For the steady administration of any tariff, a permanent board of nonpolitical experts, working in cooperation with our diplomatic service, our consular service, and the Treasury Department, can be of great usefulness to the country. The object of all scientific tariff making is to adjust rates to changing conditions in the markets of the world. The true proposal for a tariff commission and for a scientific tariff is for the application of the policy of general reciprocity.

The Democratic Congress is undoubtedly resolved upon a tariff policy that will punish the monopolies for their exactions from the people. But such a policy will surely result in two years or four years of depression under ill-considered tariff legislation, to be followed by a popular rebuke to the Democrats for giving their attention to a rebuke to the monopolies instead of to the interests of the people, and the tariff will be made a political football for years to come. Emphatic notice should be served upon them that no rate in the existing tariff law should be changed unless it can be shown that such change will open up new markets to American industry, reduce the cost of production at home, or benefit the great mass of the American people.

Precisely the reverse of this plan is likely to be put into effect by the Democratic Congress—a nonprotective, tariff for revenue only, unreciprocal, destructive upward and equally destructive downward revision. It is your right, it is your privilege, it is your duty to memorialize Congress in behalf of this Commonwealth against such a peril to the interests of Massachusetts.

(3) A dispatch from New Bedford, under date of April 14, 1913, says:

One phase of the tariff situation in New England which may be worth more than passing notice is that the apprehensions of manufacturers as to the disastrous effects of tariff reduction have aroused the labor unions to action. Last week the executive board of the United Textile Workers, the central labor organization of New England textile operatives, voted to protest against any tariff reduction that would injure the industry.

The labor unions have in the past generally held aloof from taking a position in tariff matters, but in the present instance the vote to take a definite stand was almost unanimous. They have gone on record at recent conventions as unanimously opposed to any wage reductions in the future, and it is generally felt that if the tariff changes should lead manufacturers to attempt any such course as this their action would precipitate a serious labor upheaval.

There are many things which I like and am glad to indorse in the Underwood bill. One is the antidumping clause, to prevent vast imports from Europe at ruinously low and unmeetable prices, while Europe is experiencing dull times. That, to be sure, is protection, though found in a Democratic revenue-tariff bill. Another is the solicitude displayed by the bill for the lives of the birds—if but only they would display the same solicitude for the lives and welfare of our American human beings. Another—although the section is crudely drawn and will prove most difficult in administration—is the income-tax provision, which is a sound tax in principle, though, alas, designed to secure the revenue lost by the taking away of urgently needed protection.

But the bill, as the gentleman from Alabama frankly says, is based on the revenue idea and not upon the protective idea.

To recapitulate:

First. The cotton industry is not a new and doubtful experiment, but an important and long-established branch of our industrial activity and one amply capable of supplying the needs of the country.

Second. The cotton industry is highly competitive and free from combinations harmful to the consumer.

Third. The cotton industry is conducted on a small margin of profit by reason of this competition.

Fourth. The advance in its prices has been exceptionally small.

One would suppose that an industry with such a record and in such a condition would receive some consideration from the framers of this tariff, but it has fared no better than many industries enjoying large profits.

It is possible that coarse goods may stand the proposed reduction in duties—in fact, we have in the past exported such goods—but mills on fine or higher grade products will be compelled, in order to meet the low-paid competition of Europe, to reduce wages, already low, to change to coarse goods and glut the market or to shut down.

And cui bono?

Even if cotton fabrics were made duty free, it is doubtful if a single consumer would be benefited to the extent of one dollar per year, and to that extent for only a short period; for, of course, such a tariff would close most of our mills—for our people will not work for European or Japanese wages—and the foreign producer, having our market to himself, would forthwith advance his prices, and the last state of the consumer would be worse than the present.

The cotton-cloth duties have been reduced disastrously, but the reduction in knit goods has been still larger, the duty on underwear having been reduced from 60.27 per cent to 30 per cent. And why has the knife been put so deeply into this branch of the business, so deeply that its very life is imperiled? Not from need of more competition, because many knitting plants fall by the way yearly under the competition already existing; not from excessive profits, for except in isolated cases the earnings of knitting mills have been small. And surely not because prices to the consumer have been oppressively advanced, for not only has the maker of cotton underwear been unable to advance his prices appreciably, but he is to-day giving fuller value than ever before. Such a drastic reduction in duty can be accounted for in only two ways—either those making the reduction failed to realize all the features of the case or they desired to terminate the industry in New England.

It has been stated by the Democrats here that one of the main objects of the bill is to reduce the cost of production by the increased pressure of foreign competition, which means, though the majority may not like to admit it, a lowering of costs by reducing wages. There is no room for any other meaning and there is no other feasible method of lowering costs. The Democratic argument, if it dared find expression, is that protection has unduly increased wages which the consumer has to pay in increased prices. Prices must be lowered, so wages must come down.

Now, that argument might apply with some reason to a schedule, if any there be, in which competition had been stifled and prices fixed ad libitum to increase already swollen profits, all at the expense of the consumer; but it does not apply to Schedule I, in which there is more than a healthy competition, in which profits average unreasonably low rather than high, and of whose prices no consumer has complained except at the instigation of importers controlling the product of foreign plants.

Yesterday a gentleman from my own part of the State called upon me—and I assume that my Democratic colleague from Massachusetts [Mr. PETERS], on the Ways and Means Committee, had a similar interview; he brought me samples of cloth which he manufactures in his mill, showing the product from the earliest stages right up to the final stage in which the cloth is ready to be sold across the counter.

He said: "How much do you suppose my mill gets for this beautiful piece of finished cloth?" I guessed very far from the mark. He said: "Twenty-five cents a yard." He then asked me, "How much do you suppose that retails for across the counter?" and I guessed 75 cents a yard. He said: "That retails for $1.50 or more per yard." Now, gentlemen, I say to you that you are attacking the wrong place on this tariff proposi-

tion, in so far as it relates to these duties in the cotton schedule. You are attacking the end of the business where neither profits nor wages are unduly high, and yet you are allowing to go absolutely unscathed the middlemen—the jobber, the wholesaler, the retailer—to do what they like with the price, and allow it to go skyward, to soar to the zenith, if you please, and get whatever they can from the ultimate consumer. It is the intermediaries who get the large profits, much larger than the manufacturer, and yet the former are absolutely unaffected by this tariff reduction.

I most earnestly urge, therefore, in the name of fair play and for the sake of the hundreds of thousands of people at work on the products enumerated in Schedule I and deriving a modest livelihood therefrom, that the destructive rates named in this bill may be so changed as to save this industry, already heavily burdened, from prostration. I am not worrying about any trust or unlawful combination or about the rich independent establishment with abundant resources, for all of them could probably weather a period of depression—the period of this administration, for instance—but I am appealing for the struggling small concern, the "little fellow" for whom our Democratic friends showed such touching solicitude before the election. If any industry is oppressing the public by exacting exorbitant profits, stick the knife in as far as you like and I will not protest; but do have some regard for a record as clean as that of the cotton textile industry during the hundred years of its existence.

In closing I wish to reiterate my oft-made statement that I stand squarely and firmly on the doctrine that we must protect our wage earners against low-priced European or Asiatic made goods and that to do this and to take the tariff, purely an economic question, out of the vexed realm of politics, we must have a nonpartisan tariff commission or board, on whose findings shall be based a tariff whose rates are as high as necessary, but not one iota higher, to protect the pay envelopes of our workers.

But this Schedule I is essentially sectional and will bring desolation to very many in Massachusetts. In the words of a constituent speaking of the bill, "Let us all sing one verse of that good old Methodist hymn and then adjourn, 'Death at the farthest can't be far.'"

I do not speak alone for the wage earner in the cotton mill, but for the farmer, the shoemaker, the butcher, the grocer, who supply his needs and whose income will go down in the same ratio as that of the mill worker to whom they sell; the excuse which I offer to the farmers and to the many and diversified industries of my great district for at this time laying so much stress upon the cotton industry is that all our eggs are in one basket; that ours is a common lot: that together we must sink or swim, live or die, survive or perish.

APPENDIX A.

Lowell textile corporations.

Mills.	Capital stock.	Incorporated.	1890	1891	1892	1893	1894	1895	1896	1897	1898	1899	1900	1901	1902	1903	1904	1905	1906	1907	1908	1909	1910	1911	1912	Dividends paid.	1913, divs. to Apr. 1.	Market value. Jan., 1912.	Market value. Apr. 1, 1913.	Manufactures.
Appleton Co	$450,000	1828	4	4	4	2	0	0	0	0	13	6	7	4	7	8	8	8	8	8	8	10	9	10	10	June, Dec.	....	190	172	White and colored flannels, fancy cotton goods.
Bigelow Carpet Co	4,030,000	1828	$25	$40	$40	$40	0	$15	$30	$15	$40	$25	2	5	5	5	5	5	5	5	6	6½	8	8	8	Jan., July.	5	168	155	Wilton, Brussels, Axminster, and ingrain carpets and rugs.
Boott Mills	1,000,000	1835	8	8	8	6½	3	6	4	0	4	3	6	0	2	2	0	10	4½	4½	5	4½	5	2½	0	Feb., Aug.	2	100	85	Coarse and fine cloth, Army and numbered ducks, carded and combed lawns.
Hamilton Mfg. Co	1,800,000	1825	6	6	6	6	4	4	2	0	2	4½	6	3	5½	5	5	5	5	5	5	5	2½	5	5	Feb., Aug.	2½	82	86	Flannels, stripes, ticks, drills, sheetings, shirtings, and yarns.
Lawrence Mfg. Co	1,250,000	1831	10	10	10	7	5	6	6	2	6	6	8	6	6	6	6	6	7	8	8	8	8	8	8	June, Dec.	....	174	165	Underwear, hosiery, and hosiery yarn.
Lowell Bleachery	400,000	1833	8	4	5	6	6	6	6	6	2	4	4	0	2	5	6	6	6	6	8	[2]15	[2]15	[2]15		Jan., July.	4	210	130	Cotton and linen fabrics, bleached, finished, dyed, indigo blue.
Lowell Hosiery: 6 per cent bonds	75,000	1869	0	2	4	4	4	4	4	4	4	4	4	4½	2	12	4	4	4	4½	4	2	0	0	0	Feb., Aug.	....	25	20	Seamless cotton hosiery.
Lowell Hosiery: Stock	50,000																													
Massachusetts Cotton Mills	3,000,000	1839	6	6	6	6	4	6	6	3	3	6	6	6	6	4	5	5	6	8	8	8	8	8	8	Feb., Aug.	4	119	113	Canton flannels, flannelettes, denims, ducks, chambrays, stripes and miscellaneous converting goods.
Merrimack Mfg. (preferred)	1,650,000	1822																								Mar., Sept.	2½	100	89	Merrimack corduroys, prints, plain and fancy cottons, etc.
Merrimack Mfg. (common)	2,750,000	1822	6	5	6	6	6	6	6	4	3	6	6	3	6	3	2½	0	0	4	2	0	0	0	0	Do.	....	40	32	Do.
Middlesex Co: Preferred	150,000	1830	7	10	10	8	5	6	0	5	6	6	6	3	3	0	0	0	0	0	0	0	0	0	0	June, Dec.	....	(100	100	Hosiery.
Middlesex Co: Common	250,000																											(75	50	
Shaw Stocking Co	450,000	1877	6	9	10	8	8	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	0	0	0	Feb., Aug.	1	90	78	Shawknit cotton, merino, wool, worsted, and linen hosiery.
Tremont & Suffolk	2,000,000	1831	6	6	7	8	8	8	8	7	6	7	8	4	3	6	6	0	0	0	0	2	4	0	0	Mar., Sept.	3	115	110	Cotton blankets, cotton and French flannels, outings, sheetings, and hosiery yarn.

[1] Reorganized. [2] Extra dividends included. [3] Issued 1901.

APPENDIX B.

[From the Boston Herald of Wednesday, Apr. 30, 1913.]

BAY STATE MAINTAINS LEAD IN GREAT TEXTILE INDUSTRY—UNITED STATES MAKES TO-DAY ONE-FOURTH OF WORLD'S COTTON CLOTH.

There is no doubt that the prosperity of the textile industry is a matter of tremendous moment to the country at large and to New England and Massachusetts in particular. The United States to-day is making more than one-fourth of the cotton cloth of the world, nearly one-fifth of the woolen cloth, and more than one-fourth of the linen. The other branches of this great business are of hardly less importance.

Dependent upon the mills are hundreds of thousands of workers, and to make the machinery move and carry the product through its numerous processes preparatory to marketing a vast amount of capital has been invested.

Perhaps the most striking way to bring home the enormous scope of this one phase of manufacturing is to quote the truly stupendous amount of money invested—$1,841,242,131. That figure represents the capitalization in the United States, while in Massachusetts alone the figure reaches a total of $398,729,906.

Scattered throughout the country are 5,332 establishments devoted to textile manufacturing, and these give employment to an army of operatives numbering nearly a million. In wages more than $335,000,000 is paid annually, and the value of the product is fixed in excess of $1,600,000,000. Of raw materials the country consumes in cotton 5,211,000 bales annually, and in the same period 510,000,000 pounds of wool.

The remarkable growth of Massachusetts as a textile center is evidenced by the fact that the cotton mills employ more than 108,000 hands and the woolen mills more than 60,000. In all its branches the industry requires 190,000 operatives of all classes. Invested in the production of cotton goods in this State is a sum roughly estimated at $214,000,000, and in the production of woolen goods $147,000,000 more. Linen is represented by capital of more than $17,000,000, hosiery and knit goods by a capital of $12,500,000, and silk by a capital approximately $8,000,000.

These figures, however, tell only part of the story. As in the case of every large business enterprise, it is not only those directly employed who are interested. The textile industry has been responsible for the upbuilding of thriving communities all over the State.

The 190,000 actual employees are by no means the only people interested directly or indirectly in the conditions of textile manufacturing,

although that number is great enough in itself. In many of the lesser New England communities the whole industrial life centers about the activity of the mills.

For years the textile manufacturers have been building up their business to keep pace with the growing demands of the public. More and more capital has been invested, and larger and larger numbers of operatives employed. Efficiency has been developed by wise methods of equipment and management, and the present commanding position of the State in this particular field has been due to the foresight and energy of a group of business men to whom New England owes no little part of its prosperity.

In the manufacture of cotton goods alone New England's leading position has long been recognized. The name of New Bedford is sufficient guaranty for excellence in the fine-goods field, while Fall River is no less important in the production of coarse goods. New England spindles number close to 16,000,000.

New Bedford alone has the capacity of producing each year 750,000,000 yards of fine cotton cloth. In addition it also produces the finest yarns in the world. It is no exaggeration to say that this one city produces more fine cotton goods than is placed on the market by all the rest of the country.

Of course, the greater part of the output of the New Bedford mills does not go direct to the consumer, but is taken up by brokers and is turned over by them to converters and to jobbers. For handkerchiefs alone millions of yards are used, and another grade little known to the general public is the cloth used for architects' drawing. For the manufacture of this particular grade the city has the largest factory in the world.

The great group of 67 mills is controlled by 37 corporations, with an aggregate capital of $36,821,300. In the equipment of the mills there are approximately 2,950,000 spindles and 55,000 looms, giving employment to more than 31,000 employees.

Fall River's output is equally stupendous. There the mills turn out annually 1,200,000,000 yards of cloth, using for the purpose an amount of cotton in excess of 500,000 bales. For the running of the plants 350,000 tons of coal and 400,000 gallons of oil are demanded, and the item of starch reaches something close to 4,000,000 pounds.

Nearly all the cloth is of coarse construction, and 65 per cent of it is for printing purposes. Fall River's working army numbers 34,000 operatives, who are employed in 39 mills, with 4,000,000 spindles and 97,000 looms. The capital invested is more than $30,000,000.

In the Blackstone Valley and in the region thence up toward Worcester there are other mills which represent a capitalization of $26,000,000 and give employment to 25,000 operatives.

Lowell and Lawrence are the great cotton-manufacturing centers of Massachusetts. In the former city there are mills which maintain a working force of 14,000 and operate 1,000,000 spindles and 26,000 looms and are capitalized at $12,000,000.

Lawrence, which boasts of the largest single cotton mill in the world, at the Everett Mills, has an equal importance with her sister city. Lawrence mills represent an investment of $15,000,000, with 600,000 spindles, 14,000 looms, and 16,000 operatives.

In New Hampshire, Manchester has gathered together the most notable group, with 800,000 spindles, 25,000 looms, 18,000 operatives, and a capitalization of $10,000,000. In Maine, Lewiston has mills with a capital of $6,000,000, with 400,000 spindles, 9,000 looms, and a working force of 5,000 operatives.

The Tariff.

SPEECH
OF
HON. JACOB JOHNSON,
OF UTAH,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, May 3, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. JOHNSON of Utah: Mr. Speaker, I desire to make a few observations in relation to H. R. 3321, and to state a few of the many reasons which impel me to oppose the bill becoming a law.

I have no apologies to make for the record of the Republican tariff legislation in the past. I do not claim that its enactments upon that subject in all cases have been perfect. Nothing which is the subject of human action can, in the nature of things, be perfect. But the great prosperity which this Nation has enjoyed for nearly 50 years, with a slight interruption, under Republican protective-tariff legislation convinces me that the welfare and prosperity of the people of this Nation can best be promoted and conserved by proper and just protective laws properly administered, and that free trade will reduce the standard of the people and their institutions to the level of the free-trade nations of Europe and Asia.

I do not desire to be understood as advocating a tariff tax upon every article of importation into this country. I would admit free of all tariff duties such commodities as we can not produce in this country at all or in sufficient quantities to supply our demands and which are necessary to the promotion of our comfort and prosperity. Such commodities as we do not produce, but are luxuries, as distinguished from necessaries, I believe should pay a tariff tax, properly graded.

All other commodities imported into this Nation and which come into competition with our own production in our market should pay a tax for such admission. This tax should amount to the difference of the cost of production at home and abroad of such article.

I can discover no other method by which to protect the laborer—and I mean skilled and the unskilled laborer of this Nation—in his high standard above that of his European and Asiatic brothers.

Labor and skill constitute the principal cost of every article which we possess and enjoy. And this is true of the crude material in every stage of its advanced condition until the finished product is produced, and money is the medium by which such labor and skill is measured.

If, therefore, the cost of the production of an article in the United States is $2 and the same article can be produced in Europe for only $1 and is admitted into the United States free of duty in competition with the American product, how can the American laborer successfully compete with the European product without reducing his status to the level of his European competitor?

We are told by the other side of this House, in substance, that we must overcome this difference by "whetting our wits." But may not the European laborer also have "wits to be whetted"? I know of no patent on the "whetting of wits."

My Democratic friends, do you propose to reduce the standard of the American laborer? If you pass this bill, you will have gone a long way toward the accomplishment of such a result. And in my humble opinion one of two things must result from such action, either, first, the American laborer must descend to the level of his European brother, or, second, he must go without employment. I can see no escape from such a result.

The following statement is a sample of many which appear in the public press. And I may state that I have received hundreds of such personal letters and telegrams from nearly all parts of the country—from New York to San Francisco. The following appeared in the Evening Standard, New Bedford, Mass., under date of April 18, 1913:

CAN IMPORT CHEAPER—GREYSTONE PLANT WILL CLOSE MILLS—NOTICE POSTED TO THAT EFFECT IF COTTON TARIFF BILL GOES INTO EFFECT—CAN MAKE GOODS CHEAPER IN ENGLAND.

PROVIDENCE, *April 18.*

The Greystone mills of Joseph Benn & Sons (Inc.) will not be operated after the Underwood tariff act becomes a law, except upon orders that are received from customers. This was determined after Harrison Benn, principal stockholder in the company, had figured out the cost of making goods in each of the mills that his company owns and had found that he could land English-made goods in New York for about 12 per cent less than he could from the Greystone plant.

Machinery is being stopped gradually in the plant, and about 400 of the employees are already out of work, it is said. The goods that they have stopped making here, they say, they are making in England, orders to that effect having been sent yesterday afternoon. The employees at the Greystone plant were first apprised of the coming shutdown by a notice posted in the mills Wednesday, signed by the Joseph Benn & Sons (Inc.) and by Harrison Benn.

The notice reads as follows:

"The provisions of the new Wilson tariff bill make it absolutely impossible for us to successfully compete with imported goods. Therefore a stoppage of machinery will take place immediately."

Mr. Benn says that the mills will not be closed at once, but that there will be lay offs of a few employees at a time at intermittent periods.

Harrison Benn, in commenting upon the notice, said:

"There is nothing strange in it, nor is there anything that a person can not understand. Our business here is different from that of other manufacturers in this country in that we have two plants, one here in Greystone and the other in Bradford, England.

"We make the same kind of goods in each mill, from the same kind of stock, and for that reason, when we find that we can manufacture a style cheaper in one mill than we can in the other we transfer the order to that mill. In the present case I have asked the Congressman from this State to try and have an adequate protective duty placed upon mohair and alpaca goods, that we may be able to operate both of our plants.

"This seems to be something that they either can not or will not do, and for that reason I find that under the proposed Underwood Tariff Act I can make goods in Bradford and land them in New York at about 4 cents a yard cheaper than I can make them in Greystone and ship them to New York. On 13 numbers of styles I find that we can save from 10.6 per cent to 14.6 per cent a yard by making the goods in the Bradford plant and shipping them to New York. For that reason I have ordered all work that is being done for 'stock' stopped in this plant and am sending a cable to the Bradford plant to start 5,000 pieces of goods to take the place of the goods that we have stopped making here.

"Our prices on yarns and tops are about the same also. To understand that there is no difference between the two plants, I will tell you that some of the machinery here was used in the other mill and that we cut down the production of that mill by shipping the machinery here. Another thing that is not understood is the difference in the price we pay our operatives for the same kind of work.

"In the Bradford plant we pay a weaver 48 cents for weaving a cut of cloth, and for the same thing here we pay $1.49; for goods that cost us 78 cents there we pay $2.41 here, and for goods that cost 98 cents there we pay $3.01 here. In the spinning room the prices range from $2.23 to $2.88 per week there, and here for the same kind of work on the same machines we pay from $5.35 to $7.50 per week. Another difference is in the pay which we have to give our apprentices. They are obliged to serve four years, and in the Bradford plant they receive for those four years $1.92, $2.40, $2.88, and $3.36 per week. In the Greystone plant they receive for the four years $6.50, $7.50, $9, and $10.50."

Mr. Speaker, if you pass this bill, you will greatly reduce the production of this country. And just in that proportion will you increase the importation, and in the same proportion will

you deprive the American laborer of employment which legitimately belongs to him. You may in the course of time reduce the cost of living by the introduction of cheap, foreign-made goods, but in so doing you will proportionately reduce the wages of the American laborer.

Labor is a commodity largely dependent upon the law of supply and demand, and if you reduce the demand you reduce its cost, the same as would result in any other commodity. And such reduction in the cost of labor falls most heavily upon he who has the labor for sale.

The farmer will be the greatest loser by this law, as it reduces the value of nearly everything which his labor produces.

The State of Utah, which I have the honor in part to represent in this House, will be greatly injured by this legislation, and its industries retarded if not wholly destroyed. Its industries consist principally of agriculture in its various branches, and of mining.

The agriculturist depends largely on the mining industry for a market in which to dispose of his products.

The mines of Utah most affected by this proposed law will be the lead mines, but it will affect the production of gold, silver, zinc, and other metals to a very great extent. The lead ores of Utah contain very nearly an equal amount in values of lead and other precious metals, no one of which alone would pay for its production, but requires the combined value of all to pay for their production.

The value of Utah's metal output for 1912 was as follows: Gold, $4,300,000; silver, $7,995,000; copper, $24,750,000; lead, $9,300,000; and zinc, $1,069,000, a total of $44,414,000, and employed directly in the mines about 7,000 men, and in addition about 8,000 men at the smelters and other outside work, a total of 15,000 men. These men are paid from $2.50 to $4.50 per day for eight hours' work. I am not informed as to the amount of capital invested.

It is proper to state that gold, silver, and zinc metals are associated with the lead ores. The lead constitutes about 35 per cent of the values contained in the ores. This is only an approximate statement, but I believe it to be approximately correct.

The present duty on lead is 1½ cents per pound. It is now proposed to reduce this duty 66⅔ per cent, or to one-half cent per pound. If this reduction on the protection of lead shall take effect, it must result in a reduction in the cost of its production. This reduction must fall largely upon the miners engaged in digging it out of the hills, or a suspension of the industry, and with it the production of the other precious metals. It will certainly delay the development of many mines not yet having reached a producing stage. Besides, will furnish an outlet for the cheap lead ores of Mexico, mined by cheap labor, and at a rate for which the American miner will and can not work.

If you pass this law, will you not reduce the wages of 15,000 laborers? And just in the proportion that you import foreign lead under this reduced tariff will you displace those laborers. What will you do with them? You not only deprive the farmer of that part of his market for his product, but you do very much more than that to the farmer. You remove the protection on his wool, thereby placing him on a level with the foreign producer of wool. He must either reduce his standard of living to the level of his foreign neighbor or he must go out of the business.

In the year 1912 the wool product of Utah was 18,908,263 pounds, of an average value of 16 cents per pound to the woolgrowers; in all worth $3,025,322.08.

You remove his former protection on flour, potatoes, and other of his products. You remove the tariff on the products from his beets. You remove the protection on his cattle, but permit free beef, flour, and admit free of duty other of his products.

Do you not see that the farmer and the laborer are the ones who are the most injured by your proposed action, next the man engaged in business? The person who has leisure at his command is the principal beneficiary of your action.

You invite the foreign competition, but remember in so doing you also invite the foreign conditions. Do you intend to do this? Do you desire such conditions to prevail in this Nation? Do you desire to reduce the American people to a level with the standard of European and Asiatic hordes? I can not believe that you so intend. And yet your actions lead inevitably to such a result.

You invite foreign competition in America, the best market in the world. You invite the foreigner to place his commodities in competition with American-made goods, and to replace them. You expect large importation of foreign-made goods to be made into this Nation. Will you not thereby reduce the American-made goods in the proportion to such importation to the disadvantage of American labor? I can come to no other conclusion.

One of our great troubles of to-day is the cost of high living, indulged in by a large portion of our people.

Another defect of our economy is the abandonment of the farm for the congested centers, thus reducing the producers and augmenting the consumers of food. This, to a very large extent, is the cause of the so-called high cost of living. Our production has not kept pace with our consumption. Relieve the congested centers and replenish the farm with intelligent labor and you will have solved a very great economic problem.

Another of the industries of Utah and the adjoining State of Wyoming which will be seriously affected by the proposed bill is the coke and coal industry.

In the year 1912 Utah produced 3,088,256 tons of coal and 347,356 tons of coke, employing 3,921 coal miners, besides a considerable number of outside laborers.

Much of the coal and coke produced found a ready market at the Montana smelters, in competition with Canada coal. Remove the tariff from this coal and the Montana market must be abandoned to the Canada producers, who, as I am informed, employ prison labor in its production.

Only by virtue of the present tariff can the business survive in competition with the Canadian coal industry in the State of Montana. If the tariff shall be removed, the Utah and Wyoming producers will be driven from the Montana market, and without any benefits to the Montana consumers.

If you pass this bill, you will seriously affect the business of this Nation, much of which can not survive under the operation of a practically free-trade law. You will retard the present prosperity of our land, fill our Nation with cheap foreign-made goods by cheap foreign labor, and to that extent reduce our own productions and displace our own laborers and in the end reduce them and our common country to a level with the standards and conditions of foreign countries.

That you will pass this bill I have no doubt, but in doing so you assume a tremendous responsibility, which, if my views are correct, will result in great injury to this Nation and its people, and it is for that reason that I protest against its enactment into a law.

The Tariff.

EXTENSION OF REMARKS
OF
HON. FRED A. BRITTEN,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, May 3, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. BRITTEN. Mr. Speaker, under the general leave granted by the House to print remarks in the RECORD, I will print the following letters:

CHICAGO, *May 1, 1913.*

Hon. FRED A. BRITTEN,
House of Representatives, Washington, D. C.

DEAR SIR: Please protest against the dollar fee which collectors are to demand upon the filing of protests after July 1 under the order made by President Taft on March 3 last, and which is now proposed in paragraphs M and N of section 3 of the new tariff. The law gives us a right to file protests, but the fee just about takes away the right which the law gives us. The collector takes duties which we think are unjust, but we can not afford in many instances to pay the fee to establish our claim where the individual amounts are small. Under the law we have to file a protest on every shipment that comes in while the case is being litigated, and each entry may have only a few dollars involved, while a great deal of money may be involved in the aggregate. Why should we be compelled to pay a dollar for the privilege of notifying the collector he has made a mistake?

Respectfully,

S. KARPEN & BROS.
ADOLPH KARPEN.

CHICAGO, *May 1, 1913.*

Hon. FRED A. BRITTEN,
Congressman, Washington, D. C.

DEAR FRIEND BRITTEN: Your kind favor of recent date was duly received, for which please accept the writer's best thanks.

I am writing a number of the Finance Committee of the United States Senate, and to some of the Senators and Representatives from Illinois, in regard to the Underwood tariff bill, imposing a duty of 20 per cent on ivory tusks in the natural state.

We have been informed that ivory tusks have been transferred from the free to the dutiable list, because articles of luxury are manufactured from this raw material. The chief use made of ivory tusks in this country is the manufacture of piano keys, and with music taught in the public schools at the expense of the State, and considered a necessary adjunct to an ordinary education, a musical instrument in the home can no longer be considered an article of luxury, and 85 per cent of the pianos manufactured are bought by artisans and people of small means.

The writer wishes to make an earnest protest, based on the above grounds, against the transfer of ivory tusks from the free to the dutiable list.

With very kindest wishes, we remain,

Yours, very truly,

P. A. STARCK PIANO CO.,
By P. A. STARCK, *President.*

The Tariff—Briefs Submitted on Behalf of Two California Industries.

EXTENSION OF REMARKS
OF
HON. JOSEPH R. KNOWLAND,
OF CALIFORNIA,
IN THE HOUSE OF REPRESENTATIVES,

Tuesday, May 6, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. J. R. KNOWLAND. Mr. Speaker, under the general privilege accorded to print during the consideration of the present tariff bill, I herewith insert a brief from the California Cotton Mills Co., of Oakland, Cal., and a statement by a committee representing the walnut growers of that State:

BRIEF RELATING TO THE REVISION OF TARIFF SCHEDULE J, AND ALSO SCHEDULE I.

[From California Cotton Mills Co., Oakland, Cal., to the Ways and Means Committee, House of Representatives, Washington, D. C.]

The California Cotton Mills Co., located in Oakland, Cal., was established in 1883, to manufacture a variety of goods made from raw cotton, flax, hemp, and jute. The cotton and hemp are of domestic growth and secured in the United States, the flax imported from Russia, and the jute from Calcutta, India. These mills have been operated continuously since they were started, and manufacture a great variety of textile articles, amongst which are cotton and flax towels and toweling, damask, duck, flax and cotton crash, cotton, jute, hemp and flax twines, rope and cordage, and large quantities of jute burlaps and jute yarns. These goods are sold largely on the Pacific slope, the Hawaiian Islands, and the Philippines. The mills give steady employment to fully 700 workpeople, who are paid good wages. The capital stock of this company is $2,000,000, owned by about 250 stockholders, some of whom are employees in the mills. The profits of this industry have run, during the 28 years of its existence, between 4 and 8 per cent per annum. During the years 1893, 1894, and 1895 the mills made little or no profit. Raw cotton can be landed at the mills at very little less than the cost of freight to land the same raw material at the mills of European manufacturing centers. In some cases it can be landed for less at the European mills than at mills in some parts of the United States, the freight rate by steamers being low. Raw flax, hemp, and jute may cost a little more in the United States than the laid-down cost at European textile-manufacturing centers.

The increased cost of manufacturing textile goods in the United States compared with European countries arises principally from the higher wages paid and from certain fixed charges other than wages that fall upon these industries in this country, such as insurance, taxes, light, and power, and the cost of dyestuffs and chemicals, all of which are important elements in the cost of manufacturing the finished products. The author of this brief and protest, made under the direction of the officers of this company, has worked in European manufacturing countries over 20 years before coming to America and is in close contact with business in the Old World, and can therefore state positively facts based on personal observation and practical experience.

Municipal, county, and State taxes in the United States where manufacturing establishments are operated are often twice as high as in most European states. Our systems of municipal, county, and State governments are very complicated and expensive, and all textile manufactories have to bear their share of the general burden of civil government.

The insurance rates on all textile industries in the Old World are much lower than insurance rates in the United States. In England, for example, insurance can be effected for 50 cents on 100 pounds sterling value covered by insurance.

Wages are the great item to be considered in the cost of manufacturing. Therefore in any reduction of the tariff wages will be the principal thing that will have to meet the crisis of a reduction of the protective tariff. The inventive genius of the highest order which has been at work perfecting the operations of machinery is now fast being applied by every civilized country; even in Japan, where the lowest paid textile operatives in the world are busy at work flooding the Chinese and Indian markets in competition with England, and even with China and India themselves, the most advanced and improved textile machinery is being installed and operated.

The Tariff Commission formed by the United States Government, which made a report containing much interesting matter, was in many cases far from correct in its statements of wages paid in foreign countries; and the cost of production of goods treated in that report, as stated by the commission, were in many cases misleading. We do not deem it necessary in this instance to cumber our brief with confusing figures as to the class of labor here and work and wages paid in various countries referred to in the following statement, but a general average will be found in this tabulated statement, showing the wages paid in those countries named. The figures given are based on a nine-hour day, 6 days a week, or 54 hours' working time.

The different countries may be fairly computed as follows:

Wages paid for a 54-hour working week.

	United States.	Great Britain.	France.	Germany.	Switzerland.	India.	Japan.
Textile machinists	$16.50	$8.75	$6.50	$6.00	$5.50	$3.10	$2.75
Cotton spinners	12.50	6.20	3.95	3.80	3.50	2.75	2.10
Cotton weavers	13.50	7.20	4.10	4.00	4.00	3.00	2.75

In other classes of workers there would be about the same difference as shown here, but they would be immaterial and too numerous to mention.

In view of these figures, which speak for themselves, we deem it proper to state here that to reduce the present tariff on textile fabrics and structures would necessitate a reduction of wages of those employed in the textile industries. We protest most strongly against any change being made in the present tariff rates, as it would lead in many cases to stoppage of the mills and bring ruin to the manufacturer and destitution to the workers. We therefore pray your honorable body to make no reduction of the present tariff on these goods.

In some branches of textile manufacture—cotton, hemp, flax, and jute—the present tariff does not cover the difference in cost of production, and the result is that a very large amount of foreign goods find a ready market in the United States in competition with the domestic manufactured goods. Over half the importations into this country at the present time come in free, and any increase over the $800,000,000 worth of free imports must impoverish the manufacturing interests of the United States.

Respectfully,

CALIFORNIA COTTON MILLS CO.,
By WM. RUTHERFORD, *Superintendent.*

—

WASHINGTON, D. C., *January 20, 1913.*

To the honorable Committee on Ways and Means,
House of Representatives.

GENTLEMEN: The following brief and its accompanying exhibits are hereby submitted by a committee representing the walnut growers of California in support of the retention of the present rates of duty upon walnuts.

Respectfully submitted.

C. C. TEAGUE.
FRED. A. HAZZARD.
J. A. OSMUN.

The walnut growers of California, through the undersigned committee, desire to submit for your consideration a few reasons, supported by facts and figures, showing why the present duty of 3 cents per pound on walnuts not shelled and of 5 cents per pound on walnuts shelled should be continued. Under the present rates of duty the walnut industry is having a healthy growth, the production having more than doubled in the last 10 years, until the domestic product is supplying about 50 per cent of the consumption of walnuts not shelled in the United States. (See Exhibit 1.)

From 1901 to 1911 the importation of walnuts not shelled has increased from 4,851 tons to 11,104 tons, an increase of 127 per cent. Shelled walnuts have increased from 1,112 tons to 5,356 tons, an increase of 363 per cent. In a corresponding increase the revenue to the United States upon these two classes of walnuts has gone from $402,311.69 in 1901 to $1,201,929.68 in 1911, an increase in revenue of 198 per cent. (See Exhibit 1.)

The countries furnishing these imported nuts are, in order of importance, France, with 78 per cent; Italy, with 13 per cent; Chile, Turkey, Hungary, Spain, Manchuria, and other countries collectively, 9 per cent. (See Exhibit 2.)

Only two districts in Europe, viz, Sorrento, in Italy, and Grenoble, in France, produce nuts comparable in quality and size with the domestic nut. The quantity that can be furnished by these districts is limited, and of the total importation of walnuts less than 20 per cent are of these grades.

The bulk of imported nuts are the Marbot and Cornes varieties. These correspond in size and quality to the second grade of the Pacific coast production. Many walnuts of foreign production, especially in France, are used in making oil. These nuts are small and practically unfit for exportation. If the present duty is lessened, many of these inferior nuts will be sent to the United States.

Under the present rates of duty the production of walnuts on the Pacific coast since 1903 has increased from 6,339 tons to 12,500 tons in 1911. (See Exhibit 3.)

The consumption of walnuts in the United States has increased from 16,166 tons of walnuts unshelled and 1,780 tons of shelled nuts in 1903 to 23,604 tons of nuts not shelled and 5,356 tons of shelled nuts in 1911. These totals are found by adding importation totals and domestic production. (See Exhibits 1 and 3.)

The rates of duty of 3 cents and 5 cents, respectively, per pound on walnuts barely represents the difference in the labor costs of production. The duty on walnuts shelled protects the consumer to a certain extent against excessive importations of a deleterious food product, for it is well known that walnuts shelled soon become rancid and unfit for consumption.

The probable effect of a decrease in duty on walnuts not shelled will be to encourage the importation of an inferior article, because nearly all of the world's supply of really good walnuts is already coming to this country.

The lands that are now devoted to growing walnuts are the very richest and most fertile in California, and are suitable for growing other crops, which are yielding as good or better returns than walnuts, and the margin of profit in growing walnuts is so low—see Exhibit 4–B—that if a reduction of the duty should result in less profits in the industry many would dig up their groves and devote the land to the growing of other products. This would result in an increased price to the consumer, as substantially all of the good walnuts produced in the world are now being consumed in this country, and without the California production there would be only about one-half enough to supply the American demand.

Foreign walnuts are not grown in orchard form as we grow them in this country, but are grown as border trees to plots of ground, along roadways, in pastures, and on hillsides or waste places, and therefore are without the cost of orchard care; while in this country irrigation is required, necessitating planting in orchard form and cultivation, entailing a cost on an average of $31.50 per acre, equaling a cost of 3¾ cents per pound. (See Exhibit 4–C.)

The cost of labor in this country being greatly in excess of labor in foreign countries, the costs of harvesting and packing are also greatly in excess of that in foreign countries.

The duty, on an ad valorem basis, estimated, is approximately 40 per cent on the walnuts not shelled and 30 per cent on the shelled product.

Considering the facts that a walnut grove costing $750 per acre—see Exhibit 4–B—under the highest culture will produce on an average only 825 pounds of walnuts each year, the present duty is much larger proportionately than on most other manufactures and products entailing so much investment.

SUMMARY.

A rate of duty which through experience has shown a benefit to all concerned can not be wrong. Under this duty and during a 10-year period the domestic production has more than doubled, the foreign importations have more than doubled, the consumption has more than doubled, the revenue to the Government has more than doubled, competition has been maintained, while the consumer has been furnished a better article without increase of price.

EXHIBIT 1.

Previous to 1901 no division was made in Government reports between walnuts and filberts, consequently our exact knowledge of the importation of walnuts begins with 1901.

The following table shows the amount of walnuts imported from all countries for the years 1901 to 1911, inclusive, showing tonnage invoice price at foreign ports of shipments. It also includes the duty paid to the United States Treasury Department:

	Value.	Average invoice price.	Duty.	Corresponding ad valorem duty.
				Per ct.
1900, reported 1901:				
Not shelled, 7,851 tons	$560,544.25	$0.058	$291,076.73	51+
Shelled, 1,112 tons	344,218.00	.155	111,234.91	32+
	904,762.25		402,311.60	
1901, reported 1902:				
Not shelled, 5,197 tons	553,773.06	.063	311,921.44	65+
Shelled, 1,297 tons	309,829.00	.12	129,714.71	41+
	863,602.06		441,536.15	
1902, reported 1903:				
Not shelled, 4,468 tons	537,014.00	.06	268,093.17	50+
Shelled, 1,517 tons	508,683.00	.167	151,798.50	37+
	1,045,697.00		419,891.67	
1903, reported 1904:				
Not shelled, 9,727 tons	1,084,385.00	.055	583,620.36	54+
Shelled, 1,789 tons	548,991.00	.153	178,997.05	32+
	1,633,376.00		762,617.41	
1904, reported 1905:				
Not shelled, 8,150 tons	905,131.00	.055	489,364.17	54+
Shelled, 2,089 tons	519,730.00	.124	208,900.50	41+
	1,434,861.00		698,264.67	
1905, reported 1906:				
Not shelled, 7,514 tons	1,044,330.00	.068	450,891.72	44+
Shelled, 2,474 tons	798,975.00	.161	247,408.75	31+
	1,843,305.00		698,300.47	
1906, reported June 30, 1907:				
Not shelled, 11,512 tons	1,409,422.91	.065	691,099.37	48+
Shelled, 3,509 tons	1,163,468.00	.162	359,999.39	30+
	2,572,891.91		1,051,098.76	
1907, reported June 30, 1908:				
Not shelled, 10,719 tons	1,530,640.65	.071	642,535.53	41+
Shelled, 3,539 tons	1,180,765.30	.166	354,947.92	30+
	2,711,414.95		997,783.50	
1908, reported June 30, 1909:				
Not shelled, 8,716 tons	1,083,792.21	.062	522,945.88	41+
Shelled, 4,392 tons	1,322,560.00	.151	439,095.43	33+
	2,406,352.21		962,041.31	
1909, reported June 30, 1910:				
Not shelled, 11,639 tons	1,545,197.34	.066	668,099.23	43+
Shelled, 5,481 tons	1,851,408.75	.169	548,049.40	29+
	3,396,606.09		1,216,148.63	
1910, reported June 30, 1911:				
Not shelled, 10,573 tons	1,680,301.35	.079	614,353.50	37+
Shelled, 6,322 tons	2,555,465.00	.227	582,202.73	22+
	4,235,766.35		1,196,586.23	
1911, reported June 30, 1912:				
Not shelled, 11,104 tons	1,643,909.25	.074	606,265.35	40+
Shelled, 5,338 tons	2,085,678.00	.196	535,664.33	25+
	3,729,638.25		1,201,929.68	

(Taken from yearly Reports of Commerce and Navigation of the United States.)

EXHIBIT 2.

Compilation of figures showing percentages of origin of walnuts imported from foreign countries.

SHELLED AND UNSHELLED.

	France.	Italy.	Chile.	Other countries.
Crop of—	Per cent.	Per cent.	Per cent.	Per cent.
1903	65	15	12	8
1904	72	13	8	7
1905	70	8	7	6
1906	83	13	.....	6
1907	88	8	2	4
1908	77	13	5	5
1909	76	14	.....	4
1910	76	17	.....	7
Average	78	12.3	.....	.....

EXHIBIT 3.

Walnut shipments of California from 1903 to 1911.

[Compiled by the J. K. Armsby Co. from railroad shipments.]

Year.	Pounds.	Tons.
1903	12,678,248	6,339
1904	15,175,994	7,587
1905	12,776,136	6,388
1906	15,098,887	7,548
1907	14,674,343	7,337
1908	20,286,749	10,143
1909	18,695,686	9,347
1910	19,388,776	9,694
1911	25,000,000	12,500

EXHIBIT 4.

Reports of State Board of Equalization of California.

1908, walnut trees bearing	666,471
1910, walnut trees bearing	651,852
1912:	
Walnut trees bearing	680,960
Walnut trees nonbearing	224,299

A.

Upon an average, 25 trees are planted to an acre.

680,960 ÷ 25 = 27,240—acres bearing.
224,299 ÷ 25 = 9,000—acres nonbearing.

The true values of bearing orchards, based upon assessed appraisement, is $750, as an approximate average.

The true value of nonbearing orchards in the same manner equals $300.

B.

$750 times 27,240—$20,430,000}
$300 times 9,000— 2,700,000} —investment.

Investment... 24,950,000

The production in 1908=10,240 tons=20,686,000 pounds.
The production in 1910= 9,694 tons=19,268,000 pounds.
The production in 1911=12,500 tons=25,000,000 pounds.
Dividing each of these outputs in pounds by the number of trees reported gives:

For 1909=31 + pounds.
1910=31 + pounds.
1911=36 + pounds.

98 ÷ 3=32.66, or 33 pounds average.

33 times 25=825 pounds per acre average output.

The average price for years from 1902 to 1911, inclusive, was 12.55 cents gross or 11.5 cents net to grower.

$0.115 × 825=$94.875.

From this amount the costs of production must be subtracted. These are approximately:

C.

	Labor costs.
$20.00, cultivation	$20.00
7.50, irrigation	7.50
2.00, pruning	2.00
2.00, fertilization	2.00
8.00, taxes.	
12.00, harvesting.	
51.50	31.50

$94.875—$51.50=$43.375.

The Tariff.

SPEECH
OF
HON. J. HAMPTON MOORE,
OF PENNSYLVANIA,
IN THE HOUSE OF REPRESENTATIVES,

Monday, May 5, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. MOORE. Mr. Speaker, herewith I submit two letters, one bearing upon the boot and shoe provision and the other relating to the difference in the cost of production at home and abroad:

LAIRD, SCHOBER & CO.,
Philadelphia, Pa., May 3, 1913.

Hon. J. H. MOORE,
House of Representatives, Washington, D. C.

HONORABLE SIR: No doubt you are deluged with letters and telegrams bearing on the proposed tariff bill now being considered by the Congress of the United States, which makes us hesitate to take up any of your valuable time to consider the proposition of placing boots and shoes on the free list. But we can not refrain from expressing ourselves and asking you to protest against any such foolhardy legislation.

PRESENT TARIFF DANGER LINE.

The Payne-Aldrich bill reduced the duty 40 per cent on boots and shoes made of goatskin, or from 25 to 15 per cent, and 60 per cent on boots and shoes made of calfskin, or from 25 to 10 per cent. This placed the industry at the danger line, and this action has caused foreign manufacturers to make preparations to invade this country.

PROPOSED CHANGE IN TARIFF PROHIBITS COMPETITION WITH FOREIGN MANUFACTURERS.

We have advices from our London branch stating that English and European manufacturers are producing boots and shoes in styles which are popular at the present time in this country, made over American lasts, from American leather, and by American machinery at prices about 20 per cent less than we can produce them. In view of this condition it seems foolhardy to place boots and shoes on the free list, ruining the boot and shoe industry, in which there is $220,000,000 of capital invested and a volume of business amounting to $500,000,000.

UNITED STATES LABOR COST AND OVERHEAD CHARGES.

The percentage of labor is a positive factor in the shoe industry, amounting to 20 to 30 per cent of the selling price. The labor cost in competitive countries, such as Germany and the United Kingdom, is approximately 60 per cent of the labor cost in this country on similar grades of goods. The overhead charges of the foreign manufacturers are also about 60 per cent of overhead charges in this country. In justice to ourselves and in duty to our employees we must ask you to use your best efforts to protect this labor condition and the boot and shoe industry.

FOREIGN TARIFFS PREVENT SALE OF AMERICAN PRODUCT ABROAD.

We were one of the pioneers to seek a foreign market for our product, which at one time was a profitable part of our business. This has been gradually reduced by tariff legislation and the improved product of foreign countries, which has practically reduced our foreign business to a very small amount, and it seems ridiculous to open our markets to the world in face of the duty that is required on all boots and shoes going into foreign countries, with the exception of the United Kingdom.

To give you a practical illustration: Our export business with Australia at one time was a large percentage of our business; to-day it is practically nothing. This change is caused by the duty imposed by Australian and New Zealand Governments, which has practically prohibited the importation of any great amount of American boots and shoes. Our agents who were selling shoes now direct their efforts to placing leather in the Australian market, where a number of shoe manufactories have been established on account of this change of tariff laws in the said countries.

DISASTROUS EFFECT ON LABOR-EARNING CAPACITY.

As we see it, the result of placing boots and shoes on the free list means eventually one of three things—first, an extreme reduction in the wages we are paying labor (which will reduce the employees to the condition of foreign labor); second, closing our factory; or, third, moving our plant abroad.

RIDICULOUS LEGISLATION, TAKING DUTY FROM BOOTS AND SHOES AND IMPOSING DUTY ON ARTICLES USED IN THE MANUFACTURE OF BOOTS AND SHOES.

We would say, further, that if free boots and shoes is brought about we must ask you to positively oppose any such outrageous action as allowing the duty to remain on any article that goes into the manufacture of boots and shoes. There are many fabrics used in the manufacture of boots and shoes, such as worsted cloths, cotton goods, velvets, velveteens, satin, cotton braid laces, and silk braid laces, and various kinds of leather, such as buckskin, kid skin, and bronze kid skin. In fact, by keeping the duty on any article used in the manufacture of boots and shoes and placing boots and shoes on the free list you will plainly see it means the forcing of the American manufacturer to pay a premium for the privilege of making shoes in his own country.

Trusting the above will receive your kind consideration, and that you will use your influence to protest against such a drastic measure as placing boots and shoes on the free list, we are,

Very respectfully, yours,

LAIRD, SCHOBER & CO.

SHEBOYGAN, WIS., *May 3, 1913.*

Hon. J. HAMPTON MOORE,
House of Representatives, Washington, D. C.

DEAR SIR: Manual labor is the chief item of cost in the production of high-grade enameled ware, in which American skill does not excel that of the Europenn. The American output per day, per man or woman, is less and the labor costs are from 75 to 400 per cent greater than those enjoyed by the European manufacturer.

We implore you, before reducing the present tariff 40 per cent on the above line, to first take those precautionary measures, which will demand of the European manufacturer the maintenance of American labor costs and standards of living, which you and all Americans demand of us. Then, and not until then, reduce or remove all tariff on this line as you elect and let the fittest survive. You demand proper remuneration by the American manufacturer; demand of us employers' liability, State income tax, Federal excise tax, and contributions to American standards, and now have in mind the entry into the States of a product by those who subscribe to little or none of these. Is this fair? Are you not showing an absolute preference for the European manufacturer under these unequal conditions? We appeal to you only from a standpoint of fairness and not from a desire for unjust protection at any point. We are now undersold by the European manufacturer in the Chicago market from 20 to 25 per cent and our net profits are not one-quarter of this.

Very truly, yours,

THE VOLLRATH CO.,
F. S. MORRIS, *Treasurer.*

I also submit a letter addressed to my colleague, Mr. VARE, on the question of chemicals:

YELLOW PRUSSIATE OF POTASH (H. R. 3321), SCHEDULE A, PARAGRAPH 65.

PHILADELPHIA, *May 5, 1913.*

Hon. WILLIAM S. VARE,
House of Representatives, Washington, D. C.

SIR: For your information we beg leave to hand you herewith copy of a letter written by Hon. FRANCIS BURTON HARRISON to Hon. ALFRED G. ALLEN, of Ohio, on the subject of duty on yellow prussiate of potash; and copy of our letter of this date to Mr. HARRISON, calling his attention to an evident misapprehension of the facts and conditions in the industry.

Yours, very truly,

HENRY BOWER CHEMICAL MANUFACTURING CO.,
W. H. BOWER, *Vice President.*

APRIL 29, 1913.

Hon. ALFRED G. ALLEN,
House of Representatives.

MY DEAR MR. ALLEN: I have received the communication from the Bahlman-Frederich Chemical Co., of Cincinnati, Ohio, manufacturers of yellow prussiate of potash, and I thank you very much for calling the matter to my attention.

The reduction in the duty in our bill from 4 cents to 1¼ cents per pound on yellow prussiate of potash was unavoidable. Consider how extensively this product is used in color making, in textiles, and for chemical manufacturing.

I think that the chief trouble with the American manufacturers of this product may be traced to the fact that they are making it by a process which has now become obsolete abroad. Previously the article was made exclusively from animal refuse, such as leather scraps, horn, and carbonate of potash. To-day it is obtained from a gas purifying mass, both materials and process being much cheaper.

The present duty equals over 40 per cent ad valorem, and even at that rate the American manufacturers can not hold their own on account of their obsolete process of manufacturing. Out of seven establishments that have manufactured this material in the United States in the past, at present only three remain. From this statement you can see that it would be unfair to the very extensive consumers of yellow prussiate of potash to continue the former high protective duty.

Yours, sincerely,

FRANCIS BURTON HARRISON.

PHILADELPHIA, *May 5, 1913.*

Hon. FRANCIS BURTON HARRISON,
House of Representatives, Washington, D. C.

SIR: Your letter of the 29th ultimo, addressed to Hon. ALFRED G. ALLEN, on the subject of duties on yellow prussiate of potash, has been placed before us.

We desire to state most emphatically that you have been misinformed, and the reasons you give for so great a reduction in this duty can not be substantiated.

We and the manufacturers in Syracuse, N. Y., use exactly the same raw materials and processes that are used abroad. The manufacturer in Cincinnati uses the old animal-refuse process, as it is cheaper for him to manufacture by that process there than by the use of gas purifying mass. The reason for this is that he has no competition in the purchase of leather scraps by fertilizer manufacturers.

Since our firm began the manufacture of yellow prussiate of potash, in the early sixties, we have built seven plants. Five of these have been discarded and scrapped. To-day we are working two plants, both modern, one having been built in 1909 and the other just put in operation after four years of experimenting.

You can verify our statements by a personal visit to our factory in Philadelphia, or by addressing the people from whom we purchase our supplies. Some of them are:

The United Gas Improvement Co., of Philadelphia, spent oxide.
Consolidated Gas Co., of New York, N. Y., spent oxide.
Astoria Light, Heat & Power Co., New York, cyanogen sludge.
The Roessler & Hasslacher Chemical Co., New York, carbonate of potassium.
Pfaltz & Bauer, New York, carbonate of potassium.
Peters, White & Co., New York, potassium chloride.
H. J. Baker & Bro., New York, potassium chloride.

Notwithstanding the fact that our process and materials are the same as are used abroad, we would be unable to compete under a duty of 1¼ cents per pound. This is owing to the fact that our labor costs are higher, and the prices of our raw materials purchased in this country are also higher, owing to the great labor costs of these raw materials.

We think that if we can prove to your satisfaction that the statements made in your letter to Mr. ALLEN are wrong, you should withdraw your opposition to an increase in the duty on yellow prussiate of potash and request that the great injustice done us be rectified by the Finance Committee of the Senate. We trust that you will give this matter very serious consideration and verify every statement that we have made.

Yours, truly,

HENRY BOWER CHEMICAL MANUFACTURING CO.
W. H. BOWER, *Vice President.*

The Tariff.

SPEECH
OF
HON. GEORGE W. EDMONDS,
OF PENNSYLVANIA,
IN THE HOUSE OF REPRESENTATIVES,

Monday, May 5, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. EDMONDS. Mr. Speaker, students of political economy will recognize in the proposed tariff bill the attempt made so many times heretofore to incorporate into the laws and policies of our country the ideas and teachings of Richard Cobden.

Richard Cobden was one of the greatest students of political economy the world has ever seen. He was a manufacturer and a member of the British Parliament. His idea was—and mark the similarity in the address of the chairman of the Ways and Means Committee—that there should only be a tariff on luxuries, and that for revenue only, and that all other taxes should be levied on land, incomes, and property.

Cobden's contention was made at a time when, owing to a failure of the crops, as well as a high tariff, particularly on

foodstuffs, the people were unable to buy bread, causing suffering and starvation to spread over the entire land. Circumstances favoring him, he was successful, and since then England has been a free-trade country. It is easy to recognize the fact that countries small in size and overpopulated, such as England, must of necessity furnish for its manufactured articles a market in order to obtain a necessary supply of foodstuffs.

But compare our country with England. Are people suffering and starving? Have our crops failed? In fact, is there anything occurring now that can in any way be compared with the condition of England at the time referred to? I confess I do not see it. We have never been so prosperous as during the past four or five years. Labor has had employment; business was never better. Not being satisfied, however, the members of the Democratic Party propose to upset all these conditions.

There is no question that the people of our country are desirous of a revision of the tariff, but they will not be satisfied with a bill that brings disaster to our industries. What the people do desire, what they will want after the passage of this bill, and what eventually they will insist on having, is a tariff constructed upon a scientific basis, which will give protection covering the difference of cost between here and abroad.

I firmly believe in a protective tariff system where the measure of protection shall equal the difference in the cost of production at home and abroad, and the best way, in my opinion, to find out that difference is by the appointment of a permanent board or commission. The commission should be composed of tariff experts to find out the facts upon which Congress can build a tariff and make classifications of articles to which Congress can plainly and accurately fix customs duties. The commission itself should not be allowed to fix duties, that function being left to Congress. Congress, therefore, parts with no legislative powers, as our Democratic friends fear it will.

Unless the members of the Ways and Means Committee of the House and the Finance Committee of the Senate, which committees respectively have charge of the framing of the tariff bills, are specially trained to give their whole time and attention in securing the facts upon which to base and enact a tariff law that covers thousands of items, touches every industry throughout the entire Nation, and concerns the livelihood of millions of people, can we expect any tariff revision except by the old-fashioned method of logrolling, when in the trading of votes favors are exchanged for favors?

When the Sixty-first Congress started on a revision of the tariff it found itself with very little, if any, information as to the relative cost of production here and abroad, and the President was therefore authorized to appoint a Tariff Board, which investigated two of the most important schedules, namely, the woolen and cotton, so thoroughly that its reports have been admitted by nearly every leading business man whose industries have been involved by these schedules to be the most complete reports ever issued.

Changes will constantly occur in the cost of production both at home and abroad, just as changes occur in the rates of our railroads. And for that reason alone, if for none other, we should have a permanent commission to inquire into those changes. Of course, there will be many objections to such a commission, one of which will be that it would disturb business. Producers would be unwilling to disclose their cost, fearing that such information may in some way be used against them, and the person who believes in free trade would assuredly raise a most emphatic objection. But experience has shown that all these objections can be overcome.

Some years ago a tariff commission was established by the German Government, composed of over 32 leading experts and business men, who investigated all of the large industries and examined hundreds of employers and employees. The work of the commission extended over six or seven years. Did the report of this commission result disastrously to the business interests of the German Empire, which is more intricate than our own? It did not, as it placed the business on such a basis that it is one of the soundest in the world.

Past Congresses have authorized the appointment of boards and commissions to investigate in every detail every economic subject save the tariff. The Monetary Commission has investigated and submitted its report on our fiscal policy. The Immigration Commission spent over a million dollars to suggest a solution of the immigration problem. The Industrial Commission, appointed some 15 years ago, spent thousands of dollars to investigate the labor question. Congress in its wisdom has seen fit to appoint an Interstate Commerce Commission, so that it may enforce the laws to regulate the railroads. We have had many other commissions and boards to investigate all sorts of questions but no commission to study in a thorough and scientific manner the most important subject of all and one which affects every man, woman, and child, namely, the tariff, although such a commission is desired by the business man, the manufacturer, the farmer, the producer, and the consumer.

It is true that we have had tariff boards and commissions, but they have been short-lived ones and have not had the opportunity to investigate our entire tariff system in the manner that it should be. With as diversified industries as exist in every State of the Union there should be a permanent tariff commission, such as the German tariff commission, which has placed the tariff of that country on as scientific a basis as any tariff system in the world.

If the last Tariff Board had been given the opportunity to investigate as thoroughly every schedule of the tariff bill as they did the woolen and cotton, Congress would to-day have such data that no political party could ignore. Did the majority of the Ways and Means Committee take advantage of the information furnished them by the board on Schedules I and K? The answer is No. Why? Because they believe in the Cobden theory.

Cobden's theory may be the best for a country like England, which is dependent upon the Continent and the world at large for the food supplies, but not for a country like our own, the welfare of which depends on a protective system that will give our labor employment, keep our mills in operation, and build up a market for our products.

Does H. R. 3321, to be popularly known as the Underwood bill, accomplish these things? No; but, on the contrary, it is causing the mills of a great manufacturing center like Philadelphia to begin preparations of reducing their forces and ultimately close down altogether. If the proposed tariff act shall go into effect, which seems probable, it will certainly make very serious changes in business affairs, especially as such changes affect the laboring interests of the country.

The report of the Ways and Means Committee on the present bill states that imports will increase the first year to the amount of $150,000,000. This means that $150,000,000 of good American money will be sent abroad and will not be spent in our own country for home products. Naturally its proportionate share will not go to our working people, so that they, with plenty of work and opportunity, can enjoy their share of the good things of life.

History, especially in tariff legislation, repeats itself, and after the bill in question becomes a law and the country begins to feel the effect of its drastic features, as it did when former Democratic measures were passed by Congress, the people will appreciate the necessity of a tariff revision along conservative as well as scientific lines.

Japanese Endanger Lumber Industry by Competition, and Flour and Wheat by Invasion.

REMARKS
OF
HON. ALBERT JOHNSON,
OF WASHINGTON,
IN THE HOUSE OF REPRESENTATIVES,
Thursday, May 1, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. JOHNSON of Washington. Mr. Speaker, I desire to extend my remarks made on this floor yesterday in which I undertook to prove that oriental labor in British Columbia would absolutely destroy the shingle industry of the State of Washington unless a tariff on shingles of 40 cents to 50 cents should be retained.

In addition to the various statements presented showing the danger to us from the Japanese, Chinese, and Hindus on our northern boundary, I desire to present a dispatch printed in the Grays Harbor Washingtonian of April 27, which has a direct bearing on the subject. I submit the following:

AVEY THINKS JAPS ARE SLIPPING ONE OVER.

MONTESANO, WASH., *April 26.*

E. S. Avey, a prominent attorney from Elma, and one of the best informed citizens, is another who feels that the Government should lose no time in making fortifications on Grays Harbor. He said this morning:

"Why Grays Harbor should have been neglected so long I can not see.

"It is the key to the Northwest in case of an invasion. I hope there is no real danger in this Jap scare, but I honestly believe that in case of a Japanese invasion the point of attack would be on Grays Harbor, and I can see nothing to prevent a successful invasion. Let me tell you something I have seen myself.

"A few months ago a friend and I were coming up the south road from Aberdeen. We noticed a bypath leading up a hill and thought we would see where it led to. When we came above a little spring we suddenly ran onto two Japanese men—apparently educated men, though they pretended to be not able to talk English to us. As we came up we saw them fold and hide in their clothing a big map. We couldn't see the map before they folded it, but we were sure it was a map of the Grays Harbor country, for from where they sat they had a view of the bay and valley, and as we came in sight one of them was pointing out over the bay with one hand and with the other pointing to the map.

"Other people will tell you that for a year past many Japanese men, without any apparent object in sight, have been going up and down this valley afoot.

"Grays Harbor is without anything to protect us from the entrance of war vessels, and yet of what value are the Columbia River or the Puget Sound fortifications when from here any enemy could grab all the railroads and the main-traveled wagon roads of the State. Not only the cities of this State but of neighboring States would be in danger of attack. The greatest wheat and flour stations in the West would be open to attack."

In this connection it is interesting to read from a speech by the Hon. William Jennings Bryan, now Secretary of State, delivered in Tokyo, Japan, in October, 1905:

I will promise those who hear me to-night that whenever there is a question between America and Japan I shall be a better friend of Japan than I have been in the past, if that is possible.

Mr. Bryan's remarks at the annual banquet of the American Society, in London, July 4, 1906, on The White Man's Burden are also significant, in view of the present occurrences on the west coast of the United States, as are also the statements contained in his book, published in August, 1906, and entitled Letters to a Chinese Official. Particularly his quoting the "official" as seeming depressed by the fear that foreign commerce will disturb the world's peace, and especially the lines reading:

The competition for markets bids fair to be a more fruitful cause of war than was ever in the past the ambition of princes or the bigotry of priests. The people of Europe fling themselves like hungry beasts of prey on every yet unexploited quarter of the globe. And it is precisely those trade relations which it was thought would knit you in the bonds of peace, which, by making every one of you cut-throat rivals of the other, have brought you within reasonable distance of a general war of extermination.

I submit, Mr. Chairman, that this prophecy, apparently from the mouth of a fictitious Chinese official, is being filled with remarkable fidelity to-day in Europe, and I wonder if the agitation now stirring our Western States indicates a further fulfillment of the prophecy.

The Tariff.

EXTENSION OF REMARKS
OF
HON. FRED A. BRITTEN,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,
Monday, May 5, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. BRITTEN. Mr. Chairman, I desire to present a petition containing some fifteen hundred names of members of the Cigar Makers' International Union of America residing in the city of Chicago, and this, I am informed, represents the sentiment of the cigar makers all over this country.

The petition earnestly protests against the proposition of the Committee on Ways and Means providing for absolute free trade in cigars with the Philippine Islands, and in connection with the petition I wish to say that this Democratic tariff bill not only permits cigars manufactured in the Philippine Islands to come in duty free, but it permits such cigars to contain 20 per cent foreign material. This means that a manufacturer in the Philippine Islands can put in the cigar a combination of American tobacco, Philippine tobacco, and 20 per cent of Havana tobacco, and would give the Philippine cigar manufacturers an unfair and undue advantage over the American manufacturers and be a constant detriment to American working men and women, as well as cigar manufacturers.

The importation of cigars from the Philippine Islands under the present law has steadily increased, and I hold, if Congress gives the Philippine cigars free access, without restraint or limit to the markets of this country, that the American Tobacco Co., which, despite the alleged dissolution acts, is just as effective as it ever was, would immediately establish large factories in the Philippine Islands and continue the manufacture of cigars there on a scale that would seriously interfere with the industry in this country proper. This is not an idle statement. When Porto Rico was annexed and given free access to the markets of this country the trust immediately proceeded to obtain control not only of the cigar industry, but also of the leaf or raw material of Porto Rico, so that to-day they practically control, at the very least, 80 per cent of the cigar industry of that island. In one year 1,250 cigar factories have gone out of business and thousands of American cigar makers have suffered in employment in this country. The trust, with its exceedingly large capital, will do precisely the same thing, in so far as the Philippine Islands are concerned, if this bill passes and an opportunity is thus given them to do so.

The proposition of the Committee on Ways and Means I unhesitatingly say is favorable to the trust and strengthens its hand and assists it to more quickly stamp out opposition and competition of the independents and to establish an absolute monopoly in the cigar and tobacco industry. The Tobacco Trust controls fully 85 per cent of the smoking and chewing tobacco, snuff, cigarettes, and little cigars in this country. It controls 80 per cent, if not more, of the cigar industry of Porto Rico, and it controls fully if not more than 75 per cent of the imported cigars coming from Cuba.

I earnestly protest against giving them further opportunity to strengthen their strangle hold upon the independents by giving them the Philippine Islands, which they will exploit for the benefit of the trust and to the detriment of independent manufacturers, of working men and women, of the Federal Government, and of society at large.

The notion that American workingmen can compete with the oriental—the cheapest labor in the world—of the Philippine Islands is absurd and preposterous and absolutely out of the question. The wage paid for making cigars in the Philippine Islands is less than one-fourth of the wages received by cigar makers in the United States. In the third annual report of the Bureau of Labor of the Philippine Islands, page 15, issued 1912, it officially states that wages of 11,300 cigar makers in the Philippine Islands in 53 factories were 193 pesos annually, or about $96.50 American money, or 30 cents per day, while the average wage of the cigar makers in this country is at least $1.50 a day, which included the unorganized as well as the organized. I estimate that the average wages of the union cigar makers is at least $2 per day, and, as a matter of fact, that is pretty nearly the minimum wage; and it ranges from that sum to as high as $5 per day.

The question of transportation should not be lost sight of. A thousand cigars can be shipped from the Atlantic coast to Chicago for about 10 cents, and from coast to coast for about 18 or 20 cents. A thousand cigars, the wholesale price of which would be $100, weighs about 27 pounds. The question of transportation, then, is not a factor as because of the lightness of the commodity it can be transported at a negligible cost. There are thousands of Chinese and Japs, which, with the Filipinos, are very apt learners, especially in the cigar industry, as they prefer factory to field work, and the cigar-producing capacity of the islands can be recruited and brought up to any number in a very short time, and this I assert without fear of successful contradiction will surely occur if you give them free access to this country. It is claimed that one-third of the population of Manila is Chinese. If the product of this oriental cheap labor comes into this country the result will be ruinous to the industry here, and would in a measure impair and partly nullify the Chinese-exclusion act. The cigar industry in this country pays the Federal Government in internal taxes alone about $22,000,000 annually, and when I include the tobacco trade, which includes cigars, cigarettes, snuff, and manufactured tobacco, it contributed for the fiscal year ending June 30, 1912, $70,500,000. There are employed at cigar making, not counting those engaged in making smoking and chewing tobacco, and so forth, about 136,000 people, of whom about 110,000 are skilled workers and wage earners, who are directly and indirectly taxpayers and contributors to the maintenance of our Government, while, on the other hand, the Filipinos do not contribute a cent to the maintenance of our institutions. The aggregate wages paid to cigar makers is $50,000,000 annually. The wholesale value of the output of cigars is about $350,000,000 annually. It ranks about twelfth in the value of its output among the great industries of our country. The cigar and tobacco industry has always been taxed through custom duties and internal-revenue tax. It as a consequence is extremely sensitive to hostile legislation. During the last fiscal year over 1,250 small cigar manufacturers have been forced out of business. The union cigar maker receives from $7 to $12 per thousand for making the 5-cent cigar and from $12 to $18 per thousand for making the 10-cent cigar and from $18 to $50 per thousand for making the clear Havana cigars or the two for a quarter and more expensive kinds.

Under the present law, which limits the importation of cigars from the Philippine Islands duty free to 150,000,000 annually, the importation jumped from 22,900,000 in 1911 to 72,800,000 cigars in 1912.

From information received from the Insular Bureau of the War Department I find for the first eight months of this fiscal year 63,000,000 cigars were sent here from the Philippine Islands.

Under the economic conditions prevailing here the allowance of 150,000,000 duty free per annum is more than fair to the Filipinos. Given an unrestricted free market in this country the Cigar and Tobacco Trust will be enabled to increase the amount produced there and sent here and disposed of through its chain of stores to an extent that will be disastrous to American manufacturers and American working men and women. Owing to climate and bounties of nature, the Filipino lives very cheaply. Clothing is of the cheapest kind; he has no expensive rent to pay, no fuel to purchase, while he has self-sustaining food growing in abundance. We, on the other hand, must buy food, fuel, pay high rent, buy more expensive clothing, and with the always increasing cost of living we find the effort to sustain home, family, and life always equal to our income.

I earnestly protest against pitting the cheapest oriental labor in the world against the men and women of this great free country and respectfully offer this amendment and ask its passage:

Amend page 196, line 11, after the word "duty," and insert the following: "Except in any fiscal year, cigars in excess of 75,000,000, which quantity shall be ascertained by the Secretary of the Treasury under such rules and regulations as he shall prescribe."

The Tariff.

EXTENSION OF REMARKS
OF
HON. AUGUSTUS P. GARDNER,
OF MASSACHUSETTS,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 24, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. GARDNER. Mr. Chairman, under general leave to print, I submit the following comparative table showing the tariff on articles entering into the manufacture of shoes:

	Payne Tariff Act.	Proposed Underwood bill.
	Per cent.	
Braids	60	50 per cent.
Cotton galloons	60	60 per cent.
Cotton goring	60	50 per cent.
Silk goring	60	50 per cent.
Nippers, pliers, etc	60	30 per cent.
Cotton webbings	60	25 per cent.
Buttons	57½	40 per cent.
Cotton lasings	52½	25 per cent.
Dextrine	50	¼ cent per pound.
Needles	47	25 per cent.
Hooks and eyelets	45	15 per cent.
Shoe machinery	45	Free.
Studs and rivets	45	20 per cent.
Tissue paper	41	30 per cent.
Brushes	40	35 per cent.
Wire (iron or steel)	40	20 per cent.
Gold leaf	39	35 per cent.
Oxalic acid	39	39 per cent.
Linen thread	38	25 to 30 per cent.
Cardboard for cartons	25	25 per cent.
Gelatin	35	10 to 25 per cent.
Plaster of Paris	35	25 per cent.
Cotton thread	34	5 to 25 per cent.
Cotton-lining cloth	31½	25 per cent.
Coal-tar dyes	30	30 per cent.
Glue	30	10 to 25 per cent.
Box shooks	30	15 per cent.
Silk thread	25	15 per cent.
Sal soda	23½	¼ cent per pound.
Sponges	20	10 to 15 per cent.
Chamois skins	20	15 per cent.
Wood alcohol	20	Free.
Last blocks	20	15 per cent.
Borax	18½	Crude, free; refined, ¼ cent per pound.
Cod-liver oil	17	Free.
Castile soap	15½	10 per cent.
Coal (bituminous)	15	Free.
Nails (iron or steel)	13½	Do.
Hobnails	10	Do.
Rough lumber	7	Do.
Tacks (small, iron or steel)	4	Do.
All leathers for boots and shoes	5 to 25	Do.

The Tariff.

EXTENSION OF REMARKS
OF
HON. L. C. DYER,
OF MISSOURI,
IN THE HOUSE OF REPRESENTATIVES,

Monday, May 5, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. DYER. Mr. Speaker, as a further protest against this tariff bill, I call attention to the following letters:

ST. LOUIS, *April 30, 1913.*

Hon. L. C. DYER,
House of Representatives, Washington, D. C.

DEAR SIR: Under the new tariff bill now being considered for revision we find Schedule G, item No. 203, reads as follows:

"Biscuits, wafers, etc., combined with chocolates, nuts, fruit, or confectionery of any kind, and without regard to the component material of chief value, 25 per cent ad valorem."

Item No. 430 reads as follows:

"Biscuits, cakes, etc., not especially provided for in this section, will be admitted free of duty."

This practically means that Schedule G, item No. 203, will result in a decrease in the duty of more than 25 per cent. Item No. 430 will involve a decrease in duty of over 20 per cent.

Owing to the fact that the foreign manufacturers can manufacture their goods cheaper than the American manufacturers probably can, due to the difference in the wage schedules, the American manufacturers would be placed in competition with the foreign manufacturers, which competition would place the biscuit manufacturers of this country at a decided disadvantage.

For your information, we beg to respectfully state that the most skilled bakers in foreign countries do not receive on an average over $7.50 per week as against $18 and $20 paid in this country for the same labor. A great many bakers are working at an average of $5 to $6 per week as against $12 to $16. We beg to most respectfully call your attention further to the fact that the import value of foreign biscuits is very small as compared with the amount of goods manufactured in this country, which averages annually upward of $100,000,000.

We understand that the new schedule of tariffs is to be debated in Congress this week. In behalf of the biscuit interests of this country we wish to enter our protest against any change in the present tariff, so far as pertaining to bakery products.

We believe that the property interests and welfare of the American manufacturers of bakery products should be carefully considered, and we feel that when this is done the amount of good which may possibly come from any reduction in the tariff will be offset by the damage which will be inflicted upon the bakery interests of this country as well as the thousands of employees who look to these interests for their livelihood.

Your assistance to defeat the proposed revision, so far as it pertains to Schedule G, items Nos. 203 and 430, is respectfully requested.

Thanking you for your favorable consideration of our welfare in this matter, we remain,

Yours, very truly,

LOOSE-WILES BISCUIT CO.
W. W. SCHIEK.

INSULAR GOVERNMENT OF PORTO RICO,
BUREAU OF INFORMATION
AND EXHIBIT OF GUARANTEED PRODUCTS,
New York, April 28, 1913.

Hon. L. C. DYER,
1531 Park Road, Washington, D. C.

SIR: I am sending you under separate cover two pamphlets descriptive of Porto Rico.

Please note from the extracts of the report of Hon. George R. Colton, governor of Porto Rico, that during the year 1912 the total exports from Porto Rico amounted to $49,705,000, of which amount $31,544,000 represented sugar. Reduced to a percentage basis this means that over 63 per cent of Porto Rico industry is in sugar, and as the Island's prosperity so largely depends on the profitable production of this commodity it should have the fullest protection that can be consistently accorded it by the United States. Under present conditions Porto Rico purchases annually $40,000,000 worth of manufactured goods in the American market, and this purchasing power depends principally upon the prosperous condition of those directly and indirectly dependent upon the sugar industry.

A limited quantity of the finest coffee is grown in Porto Rico, which has not been commercially known in the United States, the whole crop being purchased by Cubans and Europeans, by whom it is highly prized. So that you may know of the delicious quality of this coffee, I am sending you a sample under separate cover.

I will take pleasure in furnishing you with any further information regarding Porto Rico that you may require.

Sincerely, yours,

MORTIMER REMINGTON,
Commercial Agent of Porto Rico.

ST. LOUIS, U. S. A., *April 28, 1913.*

Hon. L. C. DYER,
Representative Twelfth District Missouri, Washington, D. C.

MY DEAR MR. DYER: I have your valued favor of the 12th, inclosing copy of new tariff bill, for which kindly accept my thanks.

In regard to the articles in which we are interested, will say that the fact that wool is being put on the free list will, of course, be very detrimental to the wool growers, dealers, and manufacturers of this country; and we should like to enter a protest on the reduction of the duty on manufactured goods as well as on raw wool, as it is going to be very hard for the mills to run at all against the lower cost of production in Europe. I believe, however, that the trade in general is of the opinion that the Democrats on the Ways and Means Committee have made up their minds to railroad the bill through, and they consider efforts made against a reduction in tariff as futile.

In regard to the tariff on raw furs, will say that the 10 per cent added on raw furs in this bill we approve of, because we believe that in the long run it will cause a bigger consumption of American furs at home and also make American markets more important. It will, however, cause some inconvenience in handling the many thousands of shipments that we receive from Canada in the course of a fur season, but we shall have to overcome this in some way.

We hope that you can do something toward getting the wool tariff adjusted; the fur tariff suits us under the circumstances, and we believe in most parts of America the fur trade in general is well pleased with it.

Thanking you for your kindly interest in this matter, we are,

Very truly, yours,

FUNSTEN BROS. & CO.,
P. B. FOUKE, *President.*

ST. LOUIS, MO., *April 28, 1913.*

Hon. L. C. DYER,
United States House of Representatives, Washington, D. C.

DEAR SIR: We are greatly surprised to learn that the duty on ferromanganese is to be raised by the new tariff measure from the specific duty of $2.50 a ton to 15 per cent ad valorem—virtually an increase of 200 per cent in the duty.

According to the best information obtainable, the only smelters or producers of ferromanganese in this country are the United States Steel Corporation, and we see no reason at all why the duty on ferromanganese should be raised, as it is certainly not a luxury and is an absolutely necessary ingredient of manganese steel, which is required principally by the railroad companies for improving the safety of their trackways.

We would greatly appreciate any efforts you might make in permitting the duty on ferromanganese to at least remain at $2.50 a ton.

Very truly,

ST. LOUIS STEEL FOUNDRY,
GEO. F. STEEDMAN, *President.*

RANDOLPH SALES CO., MANUFACTURERS' AGENTS,
St. Louis, Mo., May 1, 1913.

Mr. L. C. DYER,
Congressman, Washington, D. C.

DEAR SIR: I wish to bring to your attention a certain part of the new tariff bill which will seriously affect a new industry in this country—an industry less than one year old in the United States.

As you probably know, the English manufacturers of high-class steel casement sash have for many years enjoyed a monopoly of such business in the United States. About one year ago the Crittall Casement Co. was organized, with factory and offices in Detroit, and have furnished lively competition for these English manufacturers.

Schedule C, paragraph 108, provides that metal sashes shall be classed with and assessed at the same rate as steel bars and other steel but slightly advanced in the process of manufacture. The duty on this article at the present time being 45 per cent ad valorem.

It is evident that this paragraph is intended to cover the usual run of unfabricated or fabricated building materials as manufactured from unfinished steel as it leaves the rolls. Steel factory sash for industrial purposes, now being manufactured in large quantities in this country, comes in this class. The steel for this sash is rolled in the United States and the labor cost of assembling is very low, due to the unfinished nature of the product.

On the other hand, the product to which I refer is used in an entirely different and higher class of building, requires much skilled labor, a high finish, welded corners, and a rolled steel that must be imported under the same duty rate. The Crittall Casement Co. have tried to get this steel rolled in the United States, but the mills here have been unwilling to undertake it on account of the difficulty of rolling to the required accuracy.

Steel casement sash are being used by wealthy men of this country building expensive homes and memorial buildings.

If the Crittall Casement Co. is classed as in the present bill, it will throw them into unequal competition with the English product, which has been imported for years in large quantities, with no United States competition until within the last year. My main objection is that a highly finished article, requiring much skilled labor, is classed with a raw steel but slightly advanced in process of manufacture.

I know that you are beseiged with this sort of correspondence, and shall appreciate any effort you may make to change the classification of this particular article.

Respectfully,

N. B. RANDOLPH,
4252 Westminster Place, St. Louis, Mo.

The Tariff—Textiles.

SPEECH
OF
HON. AMBROSE KENNEDY,
OF RHODE ISLAND,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, May 3, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I desire to present for the RECORD the following communications received by me relative to the cotton and the woolen schedules in the proposed tariff measure, together with an article taken from the New Bedford (Mass.) Standard of April 18, 1913, setting forth the effect of the proposed Underwood tariff upon the plant owned and operated by Joseph Benn & Sons (Inc.), at Greystone, R. I., and also a sworn statement of certain employees of said company which recently appeared in the Philadelphia (Pa.) Inquirer.

The communications above referred to are from persons directly connected with the textile business, some of whom are engaged in manufacturing in my district, and all of whom are so engaged in the State of Rhode Island:

HOPE CO., *Phenix, R. I., May 2, 1913.*

Hon. AMBROSE KENNEDY, M. C.,
Washington, D. C.

DEAR SIR: It is my impression that the tariff bill, as now drawn, called the Underwood bill, will do a great injustice to the cotton manufacturers or the cotton industries throughout the United States, and we feel that the local conditions seem to indicate at this early period a very unsettled state.

Lower prices are being offered for the goods that are being placed on the market, and there seems to be no future market of any degree of strength or permanency.

We are not adverse to a rational adjustment of the tariff to a lower basis, but we strenuously object to a measure for the reduction of the tariff, which this bill seems to be the extreme limit.

Yours, truly,

HENRY R. BROWN,
Superintendent.

PROVIDENCE, R. I., *April 30, 1913.*

Hon. AMBROSE KENNEDY,
House of Representatives, Washington, D. C.

DEAR SIR: We wish to voice our protest vigorously against the proposed tariff changes in cotton and woolens.

Anticipation of the enactment of the proposed law has already affected our business, and not only in our opinion but among the many mills with whom our business brings us in close touch there is a feeling of absolute certainty that the enactment of such tariff legislation as the Underwood bill will prove most disastrous to the textile industry of the country.

Very truly, yours,

PROVIDENCE MILL SUPPLY CO.,
W. C. MURPHY, *Treasurer.*

PAWTUCKET, R. I., *April 30, 1913.*

Hon. AMBROSE KENNEDY, *Washington, D. C.*

DEAR SIR: As manufacturers of textile machinery involving flat carding engines and picking, we desire to enter a vigorous protest against the reduction in the tariff on textile machinery as outlined in the proposed Underwood bill now before the House. Any material reduction will force us to discontinue the manufacture of textile machinery as part of our product. We have wired you this day as follows:

"If Underwood bill in its present form on cotton goods and textile machinery becomes a law, our textile-machinery plant will be moved abroad."

The above is just what we mean, and should the Underwood bill go through as formulated, our textile-machinery plant will be moved abroad; and we have already taken steps toward this end in anticipation of the passage of this bill.

Yours, very truly,

POTTER & JOHNSTON MACHINE CO.,
JAMES C. POTTER, *President.*

PAWTUCKET, R. I., *April 30, 1913.*

Congressman AMBROSE KENNEDY,
House of Representatives, Washington, D. C.

DEAR SIR: Inclosed please find confirmation of telegram just sent you. We have been looking very carefully as to the effects the Underwood bill will have, not only in our own business but with cotton manufacturers as well, and we believe that if the Underwood bill becomes a law there will be nothing left to do but to shut down or pay labor same wages as are paid in foreign countries that we shall have to compete with.

We sincerely hope that this bill will be revised so we will have at least competitive production and so that labor will not have to be cut to the point where they can not live.

Anything that you can do to stop the passage of this bill will be appreciated not only by the employers of labor but by the employees as well.

Yours, very truly,

JENCKES SPINNING CO.,
F. L. JENCKES, *Treasurer.*

PROVIDENCE, R. I., *April 30, 1913.*

Hon. AMBROSE KENNEDY, M. C.,
Washington, D. C.

DEAR SIR: We confirm our telegram sent you to-day reading as follows:

"Being vitally interested in the success of the cotton and woolen textile industries, we emphatically protest against the tariff schedule proposed in the Underwood bill, and beg you to use your strongest efforts toward a modification of its conditions affecting those industries. Letter follows."

As members, through our officials, of both the American Cotton Manufacturers' Association and the National Association of Cotton Manufacturers, and our industry being dependent almost wholly upon the prosperity of the cotton and woolen textile business, we urge you to use your best endeavors toward a modification of the duties which are proposed in the so-called Underwood bill affecting those industries, which is now before Congress for legislation. A curtailment in the business of the textile industry of this country will not only affect many of our workmen but also the stockholders of this company, of whom there are several hundred.

At the convention of the American Cotton Manufacturers' Association, which was held in Washington on April 8, 9, and 10, the first day's proceedings were largely taken up by consideration of the cotton schedule affecting the import of cotton goods. The result of the association's consideration of the matter was the passing of a protest, a copy of which is attached. This protest was presented in person by the president and secretary of the association to the Hon. A. MITCHELL PALMER, leader of the Democratic caucus, on Tuesday evening, April 8.

The American Cotton Manufacturers' Association is made up very largely of the cotton-mill men of the South, and we think it can be truthfully stated that the success and prosperity of that section of our country to-day has been brought about largely through its cotton-mill manufacturing. The protest presents the matter so forcibly that

there seems to be nothing further to add, and we beg that you will take such action as will not only protect the industries to which we especially call your attention, but also to one of your own home industries, which this company represents.

Yours, very truly,

U. S. BOBBIN & SHUTTLE CO.,
WM. H. PERRY, *President.*

—

COPY OF PROTEST.

Hon. A. MITCHELL PALMER,
Chairman Democratic Caucus, House of Representatives,
Washington, D. C.

DEAR SIR: At the annual meeting of the American Cotton Manufacturers' Association held this day a committee was appointed to present to the Democratic Members of the House of Representatives a protest on behalf of the cotton manufacturers of the United States against the rates proposed in the bill known as H. R. 10, introduced on April 7, 1913, by Hon. O. W. UNDERWOOD and referred to the Committee on Ways and Means.

This association begs to present to your body a resolution adopted by it at its meeting held in April, 1912, which resolution reads as follows:

"That this association records itself as favoring such reasonable revision of the cotton schedule, based upon differences in cost of production and other conditions at home and abroad, as shall be consistent with the raising of revenue and the conservation of our home markets."

At a subsequent meeting of the tariff committee appointed by this association the following resolution was also adopted:

"We favor the reasonable revision of the cotton schedule based upon figures at which importations are actually being made and can be made, as shown by the comparative manufacturers' selling price at home and abroad, as shall be consistent with the raising of revenue and conservation of our home markets."

Acting upon this resolution, the tariff committee, at public hearings before the Ways and Means Committee, presented from time to time statements in which this association, with frankness and at length, gave information with regard to conditions affecting the industry and suggested such reductions as in the judgment of the association could be consistently made without injury to the domestic industry of cotton manufacturing and at the same time in consistency with the policy of reasonable downward revision and tariff for revenue.

We recognize the propriety of there being adopted at this time such provision in the tariff as would bring domestic and foreign manufacturers into competitive relation.

To the best of our belief the schedules suggested by this association to the Ways and Means Committee contained the lowest rates which could be in reason adopted without danger of injury to the industry of cotton manufacturing in this country.

We recognize, of course, that any suggestions made by ourselves are necessarily addressed to the discretion of the honorable committee charged with the consideration of the subject, and we can only say that we have with perfect frankness presented to the committee all information bearing upon the subject which could be obtained by us. We have not asked the committee to accept our unconfirmed statements upon these subjects, but we have in every instance referred the committee to the findings of the Tariff Board, confirming and proving the correctness of the statements made by ourselves to the committee. In addition, we supplied the committee with other authoritative data, fully confirming the statements of the representatives of the association.

It is, therefore, with the greatest regret and consternation that we have seen the publication of rates on cotton products recommended by the Ways and Means Committee.

In all sincerity we state to your honorable body that if the rates thus suggested are made effective we believe the injury to our industry will be unparalleled.

We earnestly enter a protest against the suggested rates, and state with positive conviction on our part that the effect of these rates will be to transfer a far larger proportion of cotton manufacturing from the United States to foreign fields, where cheaper labor and other favorable conditions obtain, than the Ways and Means Committee can have any conception of.

In an absolute conviction of the truth of our statements we appeal to your body not to make reduction in the rates as drastic as presented in the bill referred to, and would conclude with the statement that if the bill becomes enacted into law a condition of depression will follow in the industry of cotton manufacturing which will, in our judgment, be appalling. Cotton manufacturing is an industry confined not to one community but distributed throughout a large portion of our country, in portions of which it is the chief industry. It is an industry in which hundreds of thousands of employees are engaged, in which there are many plants with many thousands of stockholders.

There is absolutely an untrammeled competition between manufacturing plants in the cotton industry, so that there is no condition presented of a monopolistic industry whose control needs in any sense to be broken.

In these views we respectfully present our earnest request that further consideration be given to the cotton schedule in the bill referred to.

Very respectfully,

AMERICAN COTTON MANUFACTURERS' ASSOCIATION.
W. A. ERWIN, *President.*
C. B. BRYANT, *Secretary.*

—

PROVIDENCE, R. I., *May 1, 1913.*

Hon. AMBROSE KENNEDY, M. C.,
Washington, D. C.

DEAR SIR: Confirming our telegram of even date, proposed reduction in tariff on sewing thread and cotton yarns will, in our opinion, prove disastrous to manufacturers in these lines.

We respectfully request your efforts to prevent passing of schedule on present basis.

Very truly, yours,

THE ELIZABETH MILL,
WM. G. JAMES, *Treasurer,*
By FRED. P. WILBUR.

—

PAWTUCKET, R. I., *May 1, 1913.*

Hon. AMBROSE KENNEDY, *Washington, D. C.:*

As manufacturers of cotton yarns, novelties, etc., for the weaving and allied industries, we protest the provisions of the Underwood bill. If passed as at present drawn, we are confident it will work great injury and hardship through too great duty reductions.

DEXTER YARN CO.,
S. WILLARD THAYER, *President.*

—

PAWTUCKET, R. I., *May 2, 1913.*

Hon. AMBROSE KENNEDY,
House of Representatives, Washington, D. C.:

Lace paragraph in Underwood bill would be disastrous to this industry.

WM. H. SMITH,
Treasurer Cadoza Lace Co.

—

PAWTUCKET, R. I., *May 1, 1913.*

Hon. AMBROSE KENNEDY, *Washington, D. C.:*

As manufacturers of knitted fabrics and underwear, we wish to protest against the Underwood bill as at present drawn. We are confident it will result in great injury to our own and allied industries. The reduction in duties is too drastic.

LEBANON MILL CO.,
ALSTON THAYER, *Treasurer.*

—

PROVIDENCE, R. I., *May 1, 1913.*

Hon. AMBROSE KENNEDY,
Member of Congress, Washington, D. C.:

Proposed reduction in tariff on sewing thread and cotton yarns will, in our opinion, prove disastrous to manufacturers in these lines. We respectfully request your efforts to prevent passing of schedule on present basis.

THE ELIZABETH MILL,
WM. G. JAMES, *Treasurer.*

—

WOONSOCKET, R. I., *May 1, 1913.*

Hon. AMBROSE KENNEDY,
House of Representatives, Washington, D. C.:

Tariff proposed on yarns, sixties to hundreds, totally inadequate to allow of mills coming out even. Mercerized and bleached yarns, involving substantially increased labor costs, placed on same basis as common gray yarns, actual discrimination in comparison with mercerized cloth scheduled to carry additional 2½ per cent. Increased value of cloth is in yarns rather than in weave.

NYANZA MILLS,
E. F. WILLEY, *Agent.*

—

PROVIDENCE, R. I., *April 30, 1913.*

Hon. AMBROSE KENNEDY,
House of Representatives, Washington, D. C.:

The provisions of the present Underwood tariff bill are most unsatisfactory and dangerous to the textile industry, and we wish to enter our emphatic protest against its passage.

J. H. HAMBLY,
Treasurer Quidnick-Windham Manufacturing Co.

—

PAWTUCKET, R. I., *April 11, 1913.*

Congressman AMBROSE KENNEDY,
Washington, D. C.:

We feel that the duty of 15 per cent on spool cotton, which is the product of a Rhode Island industry employing about 2,000 workers, is inadequate, the rates proposed for cotton cloth made from fine yarns similar to those used by us being much greater—in fact, practically 100 per cent higher than for spool cotton. In order to protect this important industry, may we not have your assistance in increasing the rate to compare with that of other products made from fine counts of yarn.

J. & P. COATES.

—

PROVIDENCE, R. I., *April 30, 1913.*

Hon. AMBROSE KENNEDY, M. C.,
Washington, D. C.:

Being vitally interested in the success of the cotton and woolen textile industries, we emphatically protest against the tariff schedule proposed in the Underwood bill and beg you to use your strongest efforts toward a modification of its conditions affecting those industries. Letter follows.

S. S. BOBBIN & SHUTTLE CO.

—

PAWTUCKET, R. I., *April 30, 1913.*

Congressman AMBROSE KENNEDY,
Washington, D. C.:

If Underwood bill in its present form on cotton goods and textile machinery becomes a law, our textile machinery plant will be moved abroad.

JAS. C. POTTER,
President Potter & Johnston Machine Co.

—

CAN IMPORT CHEAPER—GREYSTONE PLANT WILL CLOSE MILLS—NOTICE POSTED TO THAT EFFECT IF COTTON TARIFF BILL GOES INTO EFFECT—CAN MAKE GOODS CHEAPER IN ENGLAND.

PROVIDENCE, *April 18, 1913.*

The Greystone mills of Joseph Benn & Sons (Inc.) will not be operated after the Underwood Tariff Act becomes a law except upon orders that are received from customers. This was determined after Harrison Benn, principal stockholder in the company, had figured out the cost of making goods in each of the mills that his company owns and had found that he could land English-made goods in New York for about 12 per cent less than he could from the Greystone plant.

Machinery is being stopped gradually in the plant, and about 400 of the employees are already out of work, it is said. The goods that they have stopped making here, they say, they are making in England, orders to that effect having been sent yesterday afternoon. The employees at the Greystone plant were first apprised of the coming shutdown by a notice posted in the mills Wednesday, signed by the Joseph Benn & Sons (Inc.) and by Harrison Benn.

The notice reads as follows:

"The provisions of the new Wilson tariff bill make it absolutely impossible for us to successfully compete with imported goods. Therefore a stoppage of machinery will take place immediately."

Mr. Benn says that the mills will not be closed at once, but that there will be lay offs of a few employees at a time at intermittent periods.

Harrison Benn, in commenting upon the notice, said: "There is nothing strange in it, nor is there anything that a person can not understand. Our business here is different from that of other manufacturers in this country in that we have two plants, one here in Greystone and the other in Bradford, England.

"We make the same kind of goods in each mill, from the same kind of stock, and for that reason, when we find that we can manufacture a style cheaper in one mill than we can in the other, we transfer the order to that mill. In the present case I have asked the Congressmen from this State to try and have an adequate protective duty placed upon mohair and alpaca goods, that we may be able to operate both of our plants.

"This seems to be something that they either can not or will not do, and for that reason I find that under the proposed Underwood Tariff Act I can make goods in Bradford and land them in New York at about 4 cents a yard cheaper than I can make them in Greystone and ship them to New York. On 13 numbers or styles I find that we can save from 10.6 per cent to 14.6 per cent a yard by making the goods in the Bradford plant and shipping them to New York. For that reason I have ordered all work that is being done for 'stock' stopped in this plant, and am sending a cable to the Bradford plant to start 500 pieces of goods to take the place of the goods that we have stopped making here.

"Our prices on yarns and tops are about the same, also. To understand that there is no difference between the two plants, I will tell you that some of the machinery here was used in the other mill and that we cut down the production of that mill by shipping the machinery here. Another thing that is not understood is the difference in the price we pay our operatives for the same kind of work.

"In the Bradford plant we pay a weaver 48 cents for weaving a cut of cloth, and for the same thing here we pay $1.49; for goods that cost us 75 cents there we pay $2.41 here; and for goods that cost 98 cents there we pay $3.01 here. In the spinning room the prices range from $2.23 to $2.88 per week there, and here, for the same kind of work on the same machines, we pay from $5.35 to $7.50 per week. Another difference is in the pay which we have to give our apprentices. They are obliged to serve 4 years, and in the Bradford plant they receive for those 4 years $1.92, $2.40, $2.88, and $3.36 per week. In the Greystone plant they receive for the 4 years $6.50, $7.50, $9, and $10.50."

STATEMENT OF WORKERS.

This is to certify that the undersigned wish to jointly testify to the following statements:

We have each and all worked for the firm of Joseph Benn & Sons (Ltd.), in Bradford, England, and now work for Joseph Benn & Sons (Inc.), Greystone, R. I., and also live in the same locality.

Regarding our work, we wish to state that we hold exactly the same positions we held in England, with the exception that in England we worked 55½ hours per week, whereas in the United States of America we work 56 hours per week. In all other respects our work is just the same. We make the same class of goods, with the same machinery, using the same speed, no faster.

We should now like to state our present rate of wages and living as compared to our English wages and living:

	English wages per week.	United States wages per week.
Sorter	$7.79	$16.50
Mechanic	7.30	15.00
Section spinning hand	8.03	16.00
Section weaving hand	8.76	16.00
Weavers	3.41	$11 to $12

English rent, 5s. 6d. ($1.34) per week for four rooms, without bath or toilet; United States of America rents, $2.50 per week for eight rooms, with hot water, bath, and toilet.

LIVE MUCH BETTER.

Now, regarding cost of living, this is best explained by stating that if we were content to live here as we did in England—that is, using only the same articles of food and purchasing of exactly the same qualities—we could live just as cheaply, but having double or more wages we find we are able to live a good deal better and have much more comfortable homes. With regard to clothing we find that there is very little difference. Climatic conditions here compel us to wear somewhat different clothing, but our wages are so much higher that we do not feel the difference. Last but not least, we are left with a surplus at the end of the week which is far in excess of what we had in England, which enables us to feel so much better off.

As stated in my letter, we are prepared to testify before any responsible body personally any details not included here regarding these questions. We remain,

Yours, respectfully,

MART SMITH, *Weaver.*
LENA BARKER, *Weaver.*
FOSTER BARKER, *Section Hand Weaving.*
WILLIAM THORNTON, *Mechanic.*
FRANK SWAINE, *Section Hand Spinning.*
AQUILLA JAFFER, *Wool Sorter.*

At Greystone, R. I., April 29, 1912, personally appeared before me the above named and made oath that the above statement is true.

HERBERT A. TENNER, *Notary Public.*

Upon this point we have also some official data supplied by a department of English Government in the report of British Board of Trade of its investigation into the wages and cost of living in the United States compared with the wages and cost of living in Britain. From this report it appears that in the trades covered by the examination (textiles not separately mentioned) the wages in the United States run from two and three-tenths to two and four-tenths as much as in England, while the cost of living was only from one-half to three-fourths higher in the United States than in England. Remember this is English testimony and from an official source.

The Tariff.

EXTENSION OF REMARKS
OF
HON. SIMEON D. FESS,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 2, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. FESS. Mr. Speaker, I arise to state that I am in favor of the principle of an income tax. While I admit there are some objectionable features in such a system of taxation, these features have never seemed to me to overbalance the argument in favor of the principle. As an officer of the Ohio constitutional convention last year when the taxation amendment including the principle of the income tax was brought to a total defeat by the friends of the uniform-rate idea, I was the member whose vote was changed in order to move a reconsideration, which was forced after hours of continuous parliamentary struggle, the result of which is the present income tax in the Ohio constitution. I regret that my vote in this body must be cast against this feature. But the authors of this omnibus bill leave no option. They demand that you vote for the entire bill or against it. A vote for the income tax here therefore means an abandonment of the protective system and its supersession by the "revenue-only" system. In other words, it means that I must join in the attack upon the integrity of American enterprise on behalf of and for the sake of foreign capital and foreign labor, as against our own capital and our own labor. That I will not do.

The time was, not only on the platform but in this House, a man who proved himself constructive, a builder of enterprise, was regarded patriotic. In those days an advocate of American enterprise as contradistinguished from foreign enterprise was heard with interest and even enthusiasm. But those days have passed, we are told. It is no longer the fashion of our people to defend the promoters of the home market. No longer are we permitted to enhance or encourage the building up of American industry. There is not a city worthy the name that does not through its business associations extend warm welcome to capital to invest in its midst, that a better business situation might be established. There is not a progressive country in the world that is not devoting much of its constructive energy to the promotion of home enterprise. Germany is one of the signal examples.

In our own Nation we once thought well enough of the business activities to create a Department of Commerce and Labor and dignified it with a Cabinet rank. The Republican idea held these two factors—capital and labor—inseparable. Its legislation proceeded upon the theory that capital could not exist in enmity with labor, and vice versa. The Republican policy looked to production in order to insure consumption. This policy aimed to unify the interests of the producer and the consumer, the investment of capital and the employment of labor. The object of the Department of Commerce was to stimulate enterprise; not to stifle it.

The policy of the Democratic tariff bill is to reverse this system, and while I would like to vote for an income tax, I will not do it when attached to such a bill as this free-trade propaganda.

There is scarcely an item of this proposed legislation that does not affect some industry of my State. I have daily appeals to offer opposition to this studied effort to enhance foreign business at the expense of home industry. I am appending for the RECORD some of these letters:

CLEVELAND, OHIO, *April 16, 1913.*

Hon. SIMEON D. FESS, *Washington, D. C.*

DEAR SIR: Knowing that the State of Ohio, which you so ably represent, is vitally interested, on account of the large number of people employed here in the knitted wearing apparel industry, embracing the manufacture of sweater coats, shawls, caps, gloves, mittens, etc., we take the liberty of addressing you on the subject of the pending revision of the tariff laws.

The rate of 35 per cent, as proposed in the Underwood bill, will not afford sufficient protection to offset the difference between the cost of production in this country and Germany, excepting on such low grades of goods on which the proportion of labor cost may be a small part of the entire mill cost. We fear that this will result in injury to us and our employees, and that in consequence we may be forced to cease manufacturing these goods entirely.

In order that this industry may be enabled to continue to exist it must have sufficient rate of protection to at least put it on a competitive basis with the foreign manufacturer. It is probably unnecessary to bring to your attention the fact that our costs for direct labor range from 150 to 300 per cent higher than the foreign manufacturers'

in similar lines, and that our overhead charges, such as rent, insurance, light, and power, are proportionately higher.

You can find detailed cost accounts of our products in part 4, section 2, in the report of the Tariff Board on Schedule K. The expert accountants of the Tariff Board investigated the costs of manufacturing fancy knit goods, in various mills throughout the United States, and their reports will substantiate our statements.

These figures prove that to cover the additional cost of our conversion over foreign goods, rates will be required varying from 22 to 43 per cent above those imposed on the woolen yarn, which is our raw material, and the total of which is equivalent to rates varying from 37 to 60 per cent ad valorem, if based on free wool, not taking into consideration any margin for profit. These rates will apply to machine-made goods only, and articles knitted and fashioned by hand, of which there are many, will require considerably more duty.

At the recent hearings before the Ways and Means Committee on Schedule K the manufacturers of knitted wearing apparel presented a brief explaining our position in this matter. You can find this by referring to the report of the Ways and Means Committee. We want to call your attention to this brief with the hope that you will kindly read it and give our desires your consideration.

Therein we laid special stress on the request that in addition to granting our industry such a rate of duty as will permit us to compete with the foreign manufacturer that our products shall be listed under a separate paragraph from ready-made clothing, which it is at present, under paragraph 382.

We made this request because both our raw-material and our conversion cost is entirely different from that of the clothing manufacturers. We get much closer to the consumer by eliminating the several profits of the cloth jobbers and cloth-selling agencies. Our raw material is woolen yarn, which we convert into the desired fabric, and upon which we have another conversion process to manufacture this knitted fabric into sweater coats or other knitted wearing apparel, while the raw material of the clothing manufacturer is the cloth which he gets ready-made.

A great proportion of our entire mill cost is for direct labor, and we feel, therefore, that we should be entitled to a higher rate of protection than is accorded to cloths or clothing.

Hoping that you can see your way clear to giving this industry your support, which will at the same time help thousands of constituents in your State, we remain,

Respectfully, yours,

The Consolidated Knitting Co., Morris J. Wolf, Treasurer; The Bamburger-Reutthal Co., S. Reutthal, Secretary; The Cleveland Knitting Mills Co., H. K. Neuman, President; The Standard Knitting Co., C. J. Bauer, Treasurer; The Friedman-Bing-Farber Co., I. Whitelaw, Vice President; The Federal Knitting Mills Co., H. G. Goldberger, President; H. J. Rich Co.; The Green-Haas-Schwartz Co., E. E. Schwartz, Secretary; The Empire Knitting Co., Mark L. Cohn, President; The United Knit Goods Co., J. W. Deutsch, President.

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CLEVELAND, OHIO, *April 23, 1913.*

Hon. S. D. FESS,
House of Representatives, Washington, D. C.

DEAR SIR: I am in receipt of your valued favor of the 19th and am very glad to note your interest as manifested in the contents of your valued letter. Quoting from your letter which says, "Members here argue the people commissioned such a reduction," I wish to quote an excerpt from a speech of Gov. Wilson's at Harrisburg, Pa., June 15, 1911, on the question of banking reform:

"There are well-known conditions which surround so great a task. In the first place, it can not be executed if attempted with inconsiderate haste.

"We must remember that the abuses which we seek to remedy have come into existence as incidents of the great structure of industry we have built up. This structure is the work of our own hands; our own lives are involved in it. Reckless attacks upon it, destructive assaults against it would jeopardize our own lives and disturb, it might be fatally, the very progress we seek to attain.

"It would be particularly fatal to any program to admit into our minds, as we perceive it, any spirit of revenge, any purpose to wreak our displeasure upon the person and the institutions who now represent the abuses we deprecate and seek to destroy. I do not say these things because I think there is danger of vengeful action or revolutionary haste, but merely because we ought always to recognize that it is of the very essence of constructive statesmanship that we should think and act temperately, wisely and justly, and in the spirit of those who reconstruct and amend, not in the spirit of those who destroy and seek to build from the foundations again."

Why the attitude of the Chief Executive of this country or the legislative body should be any different on tariff reform is a condition that we are at a loss to understand.

We trust that the sending of this matter may suggest a thought for a new line of action in combating this measure, and we remain,

Most respectfully, yours,

THE KEETCH KNITTING MILLS,
THE CONSOLIDATED KNITTING CO., *Proprietors,*
Per MORRIS J. WOLF.

—

CLEVELAND, *April 25, 1913.*

Hon. SIMEON D. FESS, *Washington, D. C.*

DEAR SIR: The National Cloak, Suit, and Skirt Manufacturers' Association, composed of manufacturers in the United States of women's and children's outer garments, respectfully submit the following for your thoughtful consideration in reference to the pending tariff bill:

Our business is that of making garments from what are known in trade parlance as "piece goods" or cloth in the bolt.

The present rates of duties on women's and children's outer garments were laid at a time when this industry in this country was in its infancy. The development of the industry does not now require nor has it needed for some years rates as high as those existing at present for adequate protection.

With the proposal to place wool on the free list we are not directly concerned, except in so far as it will lower the price of the cloth manufactured out of it and thus lessen the manufacturing cost of our products and consequently the ultimate cost to the consumer.

The proposed duty of 35 per cent on woolen cloths in like manner does not call for comment from us. Woolen cloth being the largest single item of raw material used in our industry, our purchases will naturally gravitate to the cheapest sources of supply, either domestic or foreign.

But it is not, in our estimation, either consistent or fair that the same rate of duty, namely, 35 per cent, be laid on the finished clothing, when it is borne in mind that there enters into finished clothing the cost of labor, and that the difference in the cost of labor in our industry here and abroad is greatly in excess of 35 per cent. Yet if this rate of duty on finished clothing is adopted, 35 per cent will be the measure of protection on the labor. We do not believe that it can be the intention of Congress to depreciate the prevailing standard of the wages, yet that will be the inevitable result if the duty on finished clothing is placed at 35 per cent.

Another feature of the proposed tariff bill to which we invite your attention is the provision that the new rates are to become effective immediately on the passing of the bill.

This provision alone is fraught with serious consequences not only to our industry but to that large class whom our industry serves, namely, the retail merchants of this country.

We are now engaged upon the production of women's and children's outer garments for the coming fall and winter. The materials entering into these garments have been purchased and contracted for on basis of the present tariff. The sale of these garments to the retail merchants is now in progress, and deliveries will be made to them during midsummer. A change of rates in the next few weeks or months will seriously affect values of materials and finished goods in the hands of manufacturers and retailers. The time consumed in designing, fashioning, and manufacturing garments necessitates commitments and contracts months in advance of actual requirements, and a sudden change of rates in the middle of the year will inflict serious loss on manufacturers and retailers alike.

It requires months of time to develop and manufacture piece goods and more time to design and fashion garments. The entire industry had reason to believe that a new tariff bill would be enacted, but the manufacturers also felt reasonably certain that Congress would investigate as to the time different schedules should go into effect, so as to occasion a minimum of loss to the industry and the people affected by it.

In common with the rest of the country, we hold the confident belief that Congress and the President of the United States desire to put the new tariff into effect with the least disturbance to and hardship on business.

We therefore respectfully urge upon your favorable consideration:

First. That the duty on finished clothing be made at least 10 per cent to 15 per cent higher than on woolen cloth.

Second. That the new rates on finished clothing shall go into effect not earlier than December 1, 1913, nor later than January 1, 1914.

Third. That the new rates on woolen cloth shall go into effect on December 1, 1913.

Fourth. That the change in the rates of raw wool shall go into effect on September 1, 1913.

Ash-Madden-Rae Co., Chicago, Ill.; Arbetman Bros. & Blair, Chicago, Ill.; Bischof, Sterne & Stein, Cincinnati, Ohio; Alexander Black Cloak Co., Toledo, Ohio; H. Black Co., Cleveland, Ohio; Chicago Novelty Cloak Co., Chicago, Ill.; Cincinnati Cloak & Suit Co., Cincinnati, Ohio; Cohen-Friedlander & Martin Co., Toledo, Ohio; Cohn-Goodman Co., Cleveland, Ohio; James E. Farrell & Co., Chicago, Ill.; Fried, Keller & Kohn Co., Cleveland, Ohio; E. M. Gilck & Co., Chicago, Ill.; Greenhut Cloak Co., Cleveland, Ohio; B. Hass & Son, Cincinnati, Ohio; Handmacher & Wolf, Chicago, Ill.; The Jeffras Co., Cincinnati, Ohio; Keplinger Kelly-Homer Co., Cleveland, Ohio; S. Korach & Co., Cleveland, Ohio; Lattin-Bloomfield Co., Cleveland, Ohio; L. Leitner & Co., Cleveland, Ohio; McBarron-Carder-Frolking Co., Cleveland, Ohio; McQueen & Bonda, Cleveland, Ohio; Meyer-Reighards, Higgins Manufacturing Co., Quincy, Ill.; Novelty Cloak & Skirt Co., Cleveland, Ohio; Percival B. Palmer & Co., Chicago, Ill.; Perfection Cloak & Suit Co., Cincinnati, Ohio; Perfection Manufacturing Co., Cedar Rapids, Iowa; Prince Wolf Co., Cleveland, Ohio; Printz-Biedermann Co., Cleveland, Ohio; Queen Manufacturing Co., Cincinnati, Ohio; Reskie & Kirshbaum, Chicago, Ill.; Nat. Ribback & Co., Chicago, Ill.; Schwartz, Huebschman & Forney, Cleveland, Ohio; Sheninger Heinscheimer Co., Chicago, Ill.; F. Siegel & Bros., Chicago, Ill.; M. T. Silver & Co., Cleveland, Ohio; E. Sperling & Co., Cleveland, Ohio; Sunshine Cloak & Suit Co., Cleveland, Ohio, *Members National Cloak, Suit, and Skirt Manufacturers' Association.*

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THE SELBY SHOM CO.,
Portsmouth, Ohio, March 17, 1913.

Hon. S. D. FESS, *Yellow Spring, Ohio.*

DEAR SIR: I had the pleasure of calling on Representative UNDERWOOD, chairman of the Ways and Means Committee, last Tuesday afternoon, and discussed the shoe tariff, together with the tariff on materials, etc., which affect the manufacture of shoes. In the course of our conversation Mr. UNDERWOOD volunteered the statement that the brief presented by the National Shoe Tariff Committee was the best that had been presented on any matter during the hearing. He also praised Mr. McElwain very highly in his presentation of it.

I am taking the liberty of sending you a copy of this brief, and ask that you give it careful consideration, and, if you will I shall be pleased to have you state your position regarding the shoe tariff.

I also desire to add one point which is not brought out in the brief, except in the chart, namely, the high tariff on a great many of the articles necessary in connection with shoe manufacture, some of which can not even be obtained in this country. The difference in sole price on linen thread alone in England and in this country adds an expense to the making of men's welt shoes of more than a cent a pair. Linen thread is controlled by a trust in this country, and I also wish to call your attention to the fact that one of the controlling interests in the linen-thread trust also has a great interest in the United Shoe Machinery Co., the trust which, as you know, has the shoe manufacturers by the throat, and they in turn are protected by a 45 per cent duty.

The United Shoe Machinery Co. leases such of their machines as use iron and brass wire so that the shoe manufacturer has to buy the wire from them at a fixed price, consequently the removing of the tariff from iron and brass products will give us no relief in that particular unless the duty is also removed from shoe machinery, so that we will be able to secure machinery for using the cheap brass and iron wire.

If a reduction is made in the shoe tariff, you can see that we will not only be compelled to compete with cheap foreign labor, but also with cheaper materials, unless that duty be removed also.

If the duty is substantially reduced on shoes, as the chairman of the Ways and Means Committee indicated it would be, we must insist that you at least remove the tariff burden on materials entering into the shoes and on shoe machinery.

Very truly,

P. E. SELBY.

—

THE XENIA SHOE MANUFACTURING CO.,
Xenia, Ohio, April 8, 1913.

The Hon. S. D. FESS,
House of Representatives, Washington, D. C.

MY DEAR MR. FESS: Please pardon the liberty I am taking in sending you Schedule N, sections 450 and 451, boots and shoes, brief in support of the retention of the present import duty on boots and shoes, filed with the Committees on Ways and Means of the Sixty-second Congress and the Sixty-third Congress, by the National Boot and Shoe Manufacturers' Association, the National Shoe Wholesalers' Association, the National Shoe Retailers' Association, and the New England Shoe & Leather Association, also "An Appeal for Fairness."

I have read these reports over very carefully, and I can honestly indorse and verify every statement made in them. After you have read them over if there is any feature about these reports that you do not understand I shall be glad to give you any information that I possess on this subject.

I think you will plainly realize after reading these reports over that if we are obliged to compete with the world that we will have to have the same conditions in this country as our competitors abroad enjoy, which are lower wages, lower finished leather, and all materials that go into the making of shoes, lower overhead charges and lower rates of interest. If the American manufacturer can have all these he can compete. If we do not get these and we have the world to compete with without any protection, it will necessitate manufacturers closing their factories and revising their labor schedule, which, no doubt, would cause a great many strikes and create a great hardship both to the manufacturer and the laboring man.

You will notice in the article "An Appeal for Fairness," in the list of wearing materials, that the lowest list is boots and shoes, and it is beyond me how any sane man can expect an industry to thrive with the duty removed, especially an industry like the shoe-manufacturing business, which has the smallest duty and has no special advantage over other manufacturers of wearing material, unless they want to force the manufacturers of shoes out of business or compel them to locate their factory in a foreign country, where conditions would be much more favorable, for by taking their superintendents and foremen with them it would enable them to teach the foreign labor in a certain way our system of manufacturing shoes, and import to this country American-style shoes made with the cheap labor of Europe. And if the duty on shoes is removed, I can promise you that this will be done.

Now, what advantage is this to the American people at large—to drive our factories to foreign soil by unfair and unjust laws? If the profits in the manufacture of boots and shoes were large, there would be some excuse for this, because you could reason that the manufacturer could take less margin and still do a profitable business; but it is positively a fact, as will be shown in Schedule N, that the profits in the shoe-manufacturing business are so small now, on account of the present competition of 1,300 factories, that it is simply impossible to do business on any closer margin, therefore the reductions would have to be made in the labor. I see no other place to make it.

If the Congress of the United States should think it wise to force the American mechanic to live on the same basis, in the same style, and under the same conditions as the cheap labor of Europe, then I think the wise thing for them to do is to take the duty off shoes and they can accomplish this. But I wonder how these 200,000 workmen in shoe factories would feel if they were compelled to face these conditions?

If capital can not see a legitimate profit, they will not invest in manufacturing enterprises; and it is a mistake to make conditions so unattractive to capital that they will invest in bonds and other securities rather than buy stock in manufacturing enterprises, and you know that one of the great nation builders is the manufacturing industry.

This is plainly shown by the conditions of Ireland. The southern part of Ireland is rich in agriculture. The poorest agricultural part is the northern section; but that section is the most prosperous part of Ireland to-day—Belfast, for instance—for the reason they have large manufacturing industries and employ an army of people.

Another fair illustration is India. At one time India was quite a manufacturing center, but Europe made it possible, through her advantages, to give most of the manufacturing products of India to her own country, England, and employ her own people so they could make a livelihood and still remain in England at the sacrifice of the most of the people in India, where wages to-day are the lowest in the world.

I not only favor protection for shoes, but I favor protection for every industry. I do not favor an unreasonably high tariff, but I do favor one sufficient to offset the conditions existing in European factories, and I think you have an opportunity to make yourself famous if you will devote your intelligence to the tariff question, as the Hon. William McKinley did, which made him President of the United States, and not only made him President of the United States, but lifted our country out of the terrible depression into which it had dropped under the Wilson bill tariff; and if the writer should live to be a thousand years old he will never forget the terrible conditions of our country under the Wilson bill and the year it took to pass it, with soup houses in our large cities and petitions that were gotten out for people to sign and send to Washington urging quick action on the Wilson bill; and during all this time the country was at a standstill.

If you will pardon a personal reference, I wish to say that I am a native of Massachusetts—a great shoe center. Forty years ago, at the age of 12, I first engaged in the shoe-manufacturing business, to learn the mechanical part, going to night school to obtain an education. At the age of 21 I went West and located in Columbus, where I took charge of a cutting room. After two years, at the age of 23, I commenced to travel, and I continued for six years selling boots and shoes in the Southern States and through the West.

I then came to Xenia and established the Xenia Shoe Manufacturing Co., which was 21 years ago, so you can see that my experience covers every capacity in the shoe-manufacturing business, from the lowest position to the president of the Xenia Shoe Manufacturing Co., which position I hold at the present time.

Therefore I think that I am in a position to know something about this business, and I can safely and honestly say that it will create an untold hardship if Congress should see fit to remove this small protection that we now enjoy in this great industry—the manufacture of shoes—a staple article, and an industry in which there is no combine and never has been.

Yours, respectfully,

P. H. FLYNN.

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CINCINNATI, OHIO, *April 5, 1913.*

Hon. S. D. FESS,
House of Representatives, Washington, D. C.

DEAR SIR: We understand that Congress will convene on the 7th of April next and that the tariff will be the principal business taken up. We are very much concerned regarding any reduction in the present tariff on pumping and air-compressing machinery, which at the present time carries a duty of 45 per cent and is under the basket or omnibus clause of Schedule C, metals and manufactures of. In the tariff bill passed by the House and the Senate last year and vetoed by the President the duty on machinery of the type manufactured by us was reduced from 45 to 25 per cent, and we are fearful that the new tariff bill proposed will carry the same reduction.

Walter Laidlaw, vice president of this company, appeared before the Ways and Means Committee on the 14th of last January, and tried to show the Ways and Means Committee by his testimony and data presented to the committee that no reduction should be made in the duty on machinery of the type above described. His testimony will be found in Tariff Schedule No. 8½, hearings before the Committee on Ways and Means, House of Representatives, on Schedule C, metals and manufactures of, January 14, 1913.

You will find by consulting this schedule that examples were presented showing that on machinery such as we manufacture the percentage of labor to shop cost is as high as 77 per cent, and the duty should in some cases be as much as 62 per cent, and this duty is only necessary to keep the wages of our workmen up to the present high standard, so that the standard of living of the American workmen will not be reduced.

We find from official Government reports and also from our own investigation that European manufacturers in our line pay at the most one-half the rate of wages that we pay to the same class of workmen in this country, and in several of the European countries much less than one-half of our wage rate. We find that the efficiency of the European workmen, particularly in Germany, is fully as high as our workmen in this country. The price of material in Europe and the price of the same kinds of material in this country are practically the same, so that the only protection we need is for the benefit of the American workmen. If the tariff is reduced, it will allow the European manufacturer to take the business in our home markets, and to protect our investment it will be necessary for us to reduce the wages of our workmen so that we can hold the business in this country.

Therefore our purpose in writing to you regarding this matter is to endeavor to enlist your support in preventing any reduction in the tariff on machinery such as we manufacture, so that the wages of our workmen will not be reduced and so that the standard of living of our American workmen will be maintained.

Thanking you in advance for your assistance in connection with this matter, we remain,

Yours, truly,

THE LAIDLAW-DUNN-GORDON CO.
WILLIAM GOODMAN, *Manager.*

—

BLANCHESTER, OHIO,
April 7, 1913.

Hon. S. D. FESS, M. C.,
Washington, D. C.

DEAR SIR: We are in receipt of information which indicates that in the forthcoming tariff bill flour will be put on the free list, while wheat will be protected.

If this policy is enacted into a law it would mean a great injury to the milling business of this country. If a duty is to be left on wheat, we presume that is to be done for the protection of the farmer. On the other hand, if flour is to come in free, then the farmers would receive no particular benefit from duty on wheat, and the millers of this country would have to remain idle and see their trade go to foreign millers.

Without entering into the merits of the duty on wheat and flour in a general way we wish to say emphatically that it seems wrong that flour should be free while wheat pays a duty. If both wheat and flour are placed on the free list, the millers will have very little about which to complain.

Yours, truly,

THE DEWEY BROS. CO.

—

SPRINGFIELD, OHIO, *April 16, 1913.*

Hon. SIMEON D. FESS,
House of Representatives, Washington, D. C.

DEAR SIR: We inclose some facts in regard to the tariff on wheat and flour, but the great question to be considered is that the farmer is going to be seriously affected.

There has been a great work started along the line of crop improvement in this country, and this is very successful; but free flour or a very low duty on flour will discourage farmers from raising wheat, as the millers of this country consume over 500,000,000 bushels per annum, and really make the market for farmers' wheat much above an export basis. This is where the great serious injury will be done.

The duty on wheat and flour should be equal and specific: if the tariff on wheat is 10 cents a bushel, then the tariff on flour should be 50 cents a barrel.

Yours, very truly,

THE ANSTED & BURK CO.,
J. W. BURK, *President.*

—

SPRINGFIELD, OHIO, *May 1, 1913.*

Hon. S. D. FESS,
House of Representatives, Washington, D. C.

DEAR MR. FESS: I have been in communication with Mr. Edward S. Kelly and Mr. Ed. O. Bowman, both of whom you know, especially Mr. Kelly, who has a large farm in your district, and Mr. Bowman has two large farms near Springfield. Of course they are mutually interested with ourselves in the welfare of the farmer, because we, as millers, need wheat and need it grown in Ohio. You know all about this, as we have had it up before.

* * * * * * *

We are in hopes something might be done yet in regard to this very unusual and very unfair tariff on foreign wheat and mill products of foreign wheat—making a tax on raw material and allowing the manu-

factured product in free, thereby reducing the price on our farmers' wheat to a basis of foreign wheats, which can be raised much cheaper than our farmers can raise it in this country.

Canada will raise more than 300,000,000 bushels this year, and at the rate they are increasing, in 10 years from now they will be raising 700,000,000 bushels; that is a little more than our crop has been at present.

The farmers of this country must have some protection from these cheap wheat lands; it is a case of self-preservation. When farm products are reduced to a very low cost the whole Nation feels it; every man, woman, and child feels it. It should not be a political question at all, but a question of self-preservation. We have always had it demonstrated when farmers are prosperous and get good prices for their products everybody is prosperous, and vice versa.

Mr. Bowman tells me he has been in Washington recently and don't see much chance for you people on the right side to do much, but we know you will do the best you can, and I hope it will have some effect.

Yours, very truly,

JOHN W. BURK.

UTICA, OHIO, *April 12, 1913.*

Hon. S. D. FESS, M. C.,
Washington, D. C.

DEAR SIR: The new tariff bill as reported is not satisfactory to the window-glass manufacturers of the United States. This industry has been having hard sledding even when amply protected under the Payne-Aldrich bill, and if rates are radically reduced as outlined in the new bill it will absolutely take from the American manufacturer all small sizes of window glass, which is a large proportion of the total.

Outside of the American Window Glass Co., who operate machines exclusively, there is a possible production in this country of 2,400 pots. Out of this number not more than 1,700 pots have been operating during the past two years, and 525 pots of this capacity are located in the State of Ohio.

The total value of the window glass produced in the United States per year is about $15,000,000. If you are interested in saving this business to the American manufacturer and workingman, and will so advise us, we will be pleased to place in your hands promptly all the facts and data necessary for your intelligent cooperation.

Yours, truly,

THE UTICA GLASS CO.,
By O. C. TEAGUE, *Secretary.*

I regret that the committee have not seen fit to modify that provision of the income-tax proposal so as to exempt the mutual life insurance companies doing business on a cooperative basis, which is similar in character to the building and loan association.

I am appending, with others, a letter from the President of the Ohio State University, Dr. W. O. Thompson.

COLUMBUS, OHIO, *May 5, 1913.*

Hon. S. D. FESS,
House of Representatives, Washington, D. C.

MY DEAR SIR: I desire briefly to call your attention to the manner in which two features of the amended tariff bill (H. R. 3321) affect the policyholders of mutual life insurance companies.

It is not our desire to avoid our just burdens of taxation, and my argument is for our policyholders, not for our stockholders.

Life insurance companies doing business on the mutual and participating plans are strictly as cooperative as are building and loan associations, mutual banks, fraternal benefit societies, mutual fire insurance companies and similar companies where the members cooperate for their mutual advantage and protection. Premium refunds (usually termed "dividends to policyholders") reduce the net cost to the policyholders in mutual and participating life insurance companies in proportion as the taxes and other burdens permit, just as in the similar cooperative companies named.

The net cost in all companies must be practically the same. Competition assures this. No profits can be paid to stockholders in stock companies which will increase the net cost by reducing the premium refunds.

It is proper to tax the profits which go to stockholders, but if I am correct in my premises, is it proper to tax the thrift and prudence of the policyholder by taxing the premium refunds?

The tariff bill specifically exempts certain cooperative companies. If the principle upon which these exemptions are made is correct, then premium refunds should not be taxed.

In fact there is greater reason why these refunds should be exempted.

Depositors in mutual banks and building and loan associations and policyholders in mutual fire insurance companies are primarily prudent and thrifty for their own sake. There is a selfish interest involved. Life insurance policyholders are primarily prudent and thrifty for the benefit of those dependent upon them, and their selfish interest is remote.

The vast majority of life insurance policyholders do not have incomes in excess of $4,000, and to the extent that their premium refunds are taxed they are indirectly taxed, even though their incomes are below the minimum.

I trust that Congress will permit premium refunds to be deducted from the incomes of life insurance companies in arriving at the net income to be taxed.

I also trust that amounts received as endowments and values on life insurance policies may be deducted from individual returns. You might as well tax principal funds, withdrawn from mutual banks and building and loan associations, and property and money inherited, as to tax such payments to policyholders.

We do not object to the proposed income tax for captions or selfish reasons, but feel it our duty to present our policyholders' interests for your consideration, as they will not appreciate the burdens placed upon them until it is too late.

Respectfully,

THE MIDLAND MUTUAL LIFE INSURANCE COMPANY,
By W. O. THOMPSON, *President.*
(President Ohio State University, Columbus, Ohio.)

XENIA, OHIO, *May 3, 1913.*

Hon. S. D. FESS, *Washington, D. C.*

DEAR DR. FESS: I respectfully protest against the passage of the income-tax bill, so far as it relates to mutual life insurance companies, and urge you as my Representative to vote against it. The objections to it in brief are these:

First. Mutual life insurance companies are not conducted for profit. They can not make a profit. They do effect savings, and these diminish the cost to me.

Second. To tax mutual life insurance is to discourage thrift. To tax alleged incomes received by them when, in fact, so much of said alleged income is never in the hands of the company, while undoubtedly a blunder reaches the proportions of gross injustice.

Third. Fraternal and beneficial associations, savings funds, and all mutual fire insurance companies are properly exempt from any income tax. To tax the income of a mutual life insurance company constitutes an indefensible discrimination against the largest and most efficient organizations in the world.

Fourth. Life insurance is already inexcusably taxed. In every State there is a tax upon premiums. When these are invested they are again taxed. Now a third tax is proposed.

Fifth. The income tax on the premiums of mutual life insurance companies is, in effect, indirect taxation, which the bill disavows.

Yours, very truly,

M. F. BARROWS.

THE COLUMBUS MUTUAL LIFE INSURANCE CO.,
Columbus, Ohio, May 5, 1913.

Hon. S. D. FESS, M. C.,
Washington, D. C.

DEAR MR. FESS: Please accept my sincere thanks and the thanks of millions of participating policyholders in the United States for your kindness in the matter of the income-tax bill.

All of the statements made in my telegram are true. We have received assurances that the bill will receive considerable modification as regards the tax on life insurance companies; but we all hope that no payments made or credited on life insurance, endowment, or annuity contracts shall be included as a part of the taxable income of any person, and that no dividends or premium refunds to policyholders, whether paid or credited, shall be included in the taxable income of any life insurance company.

I note from an insurance paper that Senator Charles Sumner, during the Civil War, when Congress contemplated taxing life insurance companies, in a speech in the Senate, used these words:

"This is contrary to all sound policy. Here you are proposing to tax those who have taxed themselves that the Nation might not have to support them. You are pulling down the pillars of the temple. You are undermining the structure."

While it is probable that the same wise course adopted by our Nation in that crisis will be followed in this instance, we ask you to help us bring it about. While it is true—absolutely true—that no company doing a participating business should be taxed, and no company that does a mixed business should be taxed on its participating business, it is also true that there is a phase of the life insurance business that should be taxed. A corporation for profit selling only stock or non-participating policies can righteously be taxed; a company writing both nonparticipating and participating policies can righteously be taxed upon its nonparticipating business. Such a tax would fall upon the stockholders and not the policyholders, and would be in keeping, in the strictest sense, with the spirit of the income-tax bill, if that bill eliminates entirely the tax on participating insurance.

Sincerely,

C. W. BRANDON, *President.*

CINCINNATI, OHIO, *May 2, 1913.*

Hon. S. D. FESS,
House of Representatives, Washington, D. C.:

Very much appreciate your considerate attention already given to interests of policyholders and company's income-tax section tariff bill. Two very important amendments further are needed to secure just treatment of policyholders. Believe bill should be amended to provide that no payments made or credited on life insurance endowment or annuity contracts shall be included as a part of the taxable income of any person; secondly, that no dividends or premium refunds to policyholders, whether paid or credited, shall be included in the taxable income of any life insurance company. Respectfully urge you to see members of House Ways and Means Committee and urge them to make these changes.

J. R. CLARK,
President Union Central Life Insurance Co.

NEW YORK LIFE INSURANCE CO.,
New York, May 1, 1913.

Hon. S. D. FESS, *Washington, D. C.*

MY DEAR SIR: From letters received I am satisfied the impression has gained currency with some Members of the Congress that the amendments made in committee to the pending income-tax bill cured certain features objectionable to life insurance companies operating on the mutual plan. May I correct this erroneous impression? The amendments made merely clarified the intended meaning; they did not meet any of our objections to the bill. In its present form the bill exempts some forms of mutual insurance. It should exempt, as did the 1894 income-tax law, all forms of mutual insurance.

With great respect,

Yours, very truly,

D. P. KINGSLEY, *President.*

(Since the income-tax edition of The Human Factor was sent to press the congressional leaders have responded to the popular demand by promising to correct in the bill as originally drawn two important discriminations against you, namely, the sections relating to the proceeds of policies payable at death and the reserves on life insurance policies. The tax, however, yet remains on refund premiums (dividends) and by implication on the cash proceeds of endowment and all other policies payable during life. This would tax your capital while every other corporation would be taxed only on net income.)

REGARDING THE PROPOSED TAXATION OF LIFE INSURANCE FUNDS IN THE INCOME-TAX SECTION OF THE TARIFF BILL NOW PENDING IN CONGRESS—PLEASE SIGN AND SEND THIS LETTER PROMPTLY TO YOUR SENATORS AND CONGRESSMEN.

Hon. S. D. FESS, M. C.,
Washington, D. C.

MY DEAR SIR: I respectfully request that you use your best efforts to have the pending income-tax bill so amended as to exempt from taxation the proceeds of all life insurance policies and all life insurance funds,

including the premium refunds, or so-called dividends, to policyholders, on the ground that such refunds are in no sense earnings or profits, but are the portions of the premiums collected for emergencies which are refunded to the policyholder if not used.

I protest against the taxation, in any form, of life insurance conducted on the mutual or participating plan as unjust discrimination and as contrary to sound public policy. I would, therefore, earnestly request your aid in removing an excessive burden from multitudes of our most provident and deserving citizens, who, by foresight and economy, are seeking to make provision for the future of those dependent upon them, and are thus relieving the Nation and State of heavy charges and responsibilities.

Very respectfully, yours,

W. S. SCARBOROUGH,
President Wilberforce University.

WILBERFORCH, OHIO, *May 1, 1913.*

I have similar petitions from C. S. Maloy, Lebanon, Ohio; A. W. Miller, Xenia, Ohio; A. O. Dill, Lebanon, Ohio; Frank Jackson, Blanchester, Ohio; Fred S. Pauley, Lebanon, Ohio; C. A. Tribbett, Westboro, Ohio.

The Income Tax.

EXTENSION OF REMARKS
OF
HON. J. M. C. SMITH,
OF MICHIGAN.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. J. M. C. SMITH. Mr. Speaker, the tariff bill, commonly known as the Underwood bill, has been presented to Congress and is now awaiting final vote for passage by this House.

I wish therefore, under the leave to print and extend my remarks in the RECORD, to present a communication received by me to-day from one of the agents of the Equitable Life Insurance Co. of Iowa, residing in my home town, for publication in the RECORD.

The communication is as follows:

EQUITABLE LIFE INSURANCE CO. OF IOWA,
Charlotte, Mich., May 5, 1913.

Hon. J. M. C. SMITH, *Washington, D. C.*

MY DEAR SIR: The provisions of the proposed income-tax bill having come to my attention recently I am writing to enlist your good offices in securing, if possible, some modifications of it as affecting life insurance companies.

First. The bill does not propose to deduct dividends to policyholders from the income. This I believe to be manifestly wrong. Dividends, so called, are not a profit realized upon an investment, but rather a return to the policyholder of an overcharge in premium, and are allowed for the purpose of furnishing the insurance to the insured at the absolute net cost; there is no investment principle involved. In the most of cases this refund is applied by the insured to reduce the cost for the ensuing year, the policyholder paying only the difference in the premium stated in the policy and the so-called dividend declared to him. If he uses the dividend to purchase additional insurance, or deposits it with the company under any other plan, it again goes upon the books of the company as additional income. Every company enters the premium in full, and then enters also as an off-set or deduction the dividend. This is in the way of ordinary bookkeeping and is necessary to comply with the State requirements. But if the dividend is not received at all, as in the case of it being applied to reduce the premium, it should not be counted as income; and if it is applied to purchase additional insurance it should not be counted twice, as will be the effect under the proposed bill in its present form.

Second. I am told that the committee has agreed that the proceeds of life insurance policies paid upon the death of the person insured shall not be included in the income account. To that should be added a provision to include endowment policies paid at maturity and all payments of installments or from income policies, annuity payments, and cash-surrender values. These are all alike in principle with death losses and the exceptions should cover them all.

Third. It appears that some of the mutual companies are endeavoring to get an exception made in their favor because they are mutual companies—an exception which would not include stock companies. This is unfair and unreasonable. The participating business of a stock company is just as much mutual in fact as that of a mutual company. To make the exception in their favor alone would be unjust discrimination, detrimental to the interests of policyholders of stock companies everywhere. All of our Michigan companies are on the stock plan, and while some of them do not write participating business it would be an injustice to those that do to discriminate against them in this matter. There is a long list of stock companies furnishing insurance just as good, as safe, and at as low—in some instances lower—cost than any mutual company. These stock companies are rendering just as good service to the people as the mutual companies, and there can be no good reason for any discrimination in this law between them.

Anything that you can do toward securing the modifications in the bill as outlined above will be in the interest of the insuring public everywhere.

Thanking you in advance for anything that you may do, I am, with the very best of wishes,

Very truly, yours,

MYRON HAWKINS.

I do this the more readily because I am in receipt of letters from a number of my constituents asking that the provisions of the Underwood bill levying an assessment on mutual life insurance companies be eliminated, and the above is the purport of such communications.

I might add that I am in favor of the income tax, although many of its provisions are intricate and not well understood. It seeks to levy a tax on those most able to pay. It seeks to provide revenue for the expenses of the Government by assessing those more fortunate, who have accumulated large fortunes. Because it is incorporated in the tariff bill no opportunity will be given to any Member to vote upon the income-tax bill as a separate measure. I predict that if the House were permitted to vote upon an income tax without being obliged to vote for the Underwood bill in toto there would be no substantial or formidable opposition to enacting an income tax into law. But the provisions of the tariff act are so inconsistent and of such sweeping changes in our fiscal system and tariff laws that a person who believes in protection can not support the measure.

Mr. Hawkins accompanies his communication with two concrete examples of the way the income tax would operate upon two policies specified by him. I incorporate both in my remarks for the purpose of elucidating the transaction and the effect of the law upon policyholders, which are as follows:

Equitable Life Insurance Co. of Iowa.

No. 35238.

Name, Roy S. Preston.
Address, Charlotte.
Date, March 14, 1906. Amount, $1,000. Annual premium, $32.69.
Age, 26. Kind, fifteen-payment life.

Year.	Premium.	Dividend.	Net premium.	Additions.	Amount insured.
1906	$32.69		$32.69		
1907	32.69	$3.92	28.77		
1908	32.69	4.08	28.61		
1909	32.69	4.24	28.45		
1910	32.69	4.41	28.28		
1911	32.69	4.60	28.09		
1912	32.69	4.90	27.79		
1913	32.69	5.20	26.49		
	261.52		229.17		
	229.17				
	32.35				

This proposed bill would have taxed $32.35 of premiums on Preston's policy that the company never had.

Equitable Life Insurance Co. of Iowa.

No. 35974.

Name, Clark L. Belnap.
Address, Eaton Rapids.
Date, May 31, 1906. Amount, $1,000. Annual premium, $33.38.
Age, [illegible] Kind, fifteen-payment life.

Year.	Premium.	Dividends.	Net premium.	Additions.	Amount insured.
1906	$33.38				
1907	33.38	$4.00	$12.68		
1908	33.38	4.40	13.25		
1909	33.38	4.45	13.52		
1910	33.38	4.68	33.94		
1911	33.38	4.92	14.36		
1912	33.38	5.20	15.05		
1913	33.38	5.55	16.77		
	267.04	33.20			
	33.20				
	300.24				

On the above policy the company received $267.04 in premiums, but by reason of its being a dividend-bearing policy would have to pay a tax on the dividends that were applied to increase the amount insured, thereby paying a tax on $33.20 which they never got, or paying it twice, whichever way it is figured.

It was explained upon the floor of the House that there would be no charge upon the payment of the sum covered by the policy to the beneficiaries upon the death of the insured. It was also made plain that the repayment to a person holding a policy of any sum maturing thereon, whether that repayment to the policyholder is called stock dividends, annual payment, tontine payments, overhead charges, or by whatever name these participating payments were called, would not be liable to an income tax providing that such payments were a part of the premium on amounts paid by the insured to the company; but that all profits, whether in the hands of the company or paid to the policyholder, would be subject to the terms and conditions of the income tax, thus making it plain that only the profits were to be taxed. I can make my position no plainer than to quote the statements of the chairman of the Ways and Means Committee [Mr. UNDERWOOD] when this measure was being considered, in explaining the application of the income tax to

insurance companies and insurance policies on the floor of the House in Committee of the Whole, which is as follows:

Mr. HULL. I am frank to say that in talking with some insurance men I get quite confused with their definitions of a number of these insurance terms, and I am unable to find many of these gentlemen who agree in every respect in their definition of these terms referred to. And I am slow to adopt a suggestion of terms unless a gentleman presents himself as an expert, with the knowledge of the full signification of the expression he undertakes to write into the law.

Mr. LENROOT. Mr. Chairman, I would like to be recognized in my own right.

It does not require an insurance expert to decide the question of whether a cash-surrender value of a life insurance policy should be regarded as income and taxable under this bill. The law, so far as I know, of every State regulating life insurance provides that there shall be cash surrender values of policies, and to tax as income the cash-surrender value of an insurance policy is exactly like taxing, not the income upon deposits in a bank, but taxing the deposits themselves.

Mr. MADDEN. Suppose the premium was $500 on a 10-year tontine policy and the cash surrender of that policy at the end of that 10 years was $5,000; if he paid the tax on the $500 annual premium, ought he to be compelled also to pay the tax on the surrender value of the policy? Would not that be paying the tax twice?

Mr. LENROOT. He ought not in any event to be compelled to pay a tax on the surrender value, because he is getting back his capital, his principal, that he has paid into the company, and he is not getting gains, profits, or income, but merely getting his money back.

Mr. UNDERWOOD. Mr. Chairman, I only rise to state what the committee's position is in this matter. As the bill now stands, there is no tax levied on the principal that is paid into an insurance company. There is a tax on the net income. The way we look at the proposition is this: Under the present law the net incomes of these corporations, whether they be insurance companies or not, are taxed 1 per cent. Under the clause of this bill the net incomes of these corporations, whether they are insurance companies or not, will be taxed 1 per cent. Now, there will be no tax whatever on the policy when it is paid on its termination, whether it expires on the death of a person or whether it is a tontine policy and expires before the death of the insured. But in the meantime there is a tax of 1 per cent on the net profits of the corporation, just as they are paid to-day under existing law.

Mr. MADDEN. Does this bill provide for the payment of the tax on the annual premiums paid by the policyholder?

Mr. UNDERWOOD. If they are net profits. I am not going into the question of what they are. We are going to leave that for the Treasury Department and the courts to determine.

If they are net profits on the net profits, or so much of them as are net profits, the tax will not rest upon them.

If they are not profits the tax will rest upon them.

When that policy is returned there may be a portion of it that is principal and a portion of it that is profit, and probably there is. Under that contract they will return the principal and they will return some of the profit. Now, the principal returned under the amendment that we adopted this afternoon will not be taxed, but if there is profit returned it will be taxed.

Now, that is all there is to it, and the amendment was framed to cover that.

Mr. LENROOT. Will not the company have already paid a tax on that profit?

Mr. UNDERWOOD. No.

Mr. LENROOT. The company has paid it, and must the insured also pay it?

Mr. UNDERWOOD. The insured pays on the profit he makes, just as you would pay on the profit you make.

Now, if the gentleman will allow me, I can not finish an argument in five minutes if some one else is speaking in my time. Let me give an example. If the gentleman should buy a farm or a storehouse, and he could make profits on that storehouse for a period of 10 years, say, under this bill if those profits amount to more than his exemptions he will pay the tax on it during that time—all his profits above the exemptions. Now, if at the end of 10 years the gentleman should sell his storehouse for twice as much as he paid for it, he will not pay a tax on the original principal that he invested in that storehouse, but he will pay a tax on the increased price he may receive for it, or for the profit he may sell it for, if it is profit.

Now, in the case of a life insurance policy it is the same as an investment in a house. The corporation, instead of the insured person, will be taxed on its net profits during the period the insurance runs, and at the termination of the period the insured will not pay a tax on his capital, but will pay a tax on the return of his profits, just as the man would pay a tax by the increased value of his storehouse in the case I cited. The two propositions are just the same.

Now, there is only one thing involved in this case. These great insurance companies are trying to get this Congress to untax them. They are eleemosynary institutions. I have nothing to say against them, but you have the choice whether you will invest your money in a home for your family, or in a storehouse, to furnish an income for your family and save it for the future, or whether you will invest it in a life insurance policy. You may invest it in a railroad company and get stock, and you do that in order to save it for yourself and your family. You may conclude that you are not as capable of handling your money as one of these great insurance companies is, and you send around and invest your capital in a policy. The only difference in the investment is that one is called a share of stock and the other is called a policy. You invest it for the purpose of profit in the policy, as you would in the stock.

The income-tax law will not be without its complications. Each insurance company has a method of its own in performing and transacting its business. The repayment to the policyholder is called by different names, and it will require some time to get a complete understanding of the operations of the law. It is copied largely from the English statute. This country has had experience with the income tax twice—first during the Civil War and afterwards in the year 1894, under the Wilson-Gorman bill. Three-fourths of the States have ratified the constitutional provision for the income tax. Its general provisions will meet with favor. Owing to the intricacy, it will require some time to be adapted to the methods of the different companies, and the applicability of this tax to all the different provisions of the insurance companies can only be known by actual experience.

The Tariff.

SPEECH
OF
HON. GILBERT N. HAUGEN,
OF IOWA.

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 2, 1913.

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. HAUGEN. Mr. Chairman, inasmuch as the bill under consideration has been drawn by the committee commissioned to draft and report tariff bills and agreed to by all the members of the majority, and a solemn compact entered into by the majority not to permit the adoption of a single amendment other than those offered by the committee in charge, an agreement religiously lived up to, I have refrained from offering amendments and taking part in the debate or the so-called sham battle. Besides, this bill, like the tariff bills of 1884, 1888, 1890, 1894, 1897 and the Payne-Aldrich bill, has been discussed pro and con with force and eloquence by experts on the subject, and both sides of the question have been fully and ably presented; and inasmuch as the people have recently recorded their judgment, and having on several occasions discussed the subject, both here and in the district, it is not my purpose to now discuss the Underwood bill in detail or to throw new light upon the subject. My only object in offering a few observations at this time is to perform a duty which I owe the committee and the thousands who have importuned me to aid in defeating the bill, to apprise the committee of their views and vigorous protests against the proposed outrage, the enactment of the Underwood bill, and the inevitable disaster to follow its enactment. With knowledge of the ruin, disaster, and starvation that has always followed free-trade legislation, and, believing as I do, no one conscious of his duty could do less than to at least apprise those who are about to perpetrate the wrong of the sentiment and intense opposition to such legislation, especially legislation meting out death-dealing blows to worthy and legitimate industries in one's district, as the Underwood bill evidently will do if enacted into law, as, for instance, the sugar-beet industry. In order that the committee may know how many of the people in my section of the country feel about it, I include in my remarks a copy of a petition:

ST. ANSGAR, IOWA.

To the Ways and Means Committee, House of Representatives, Washington, D. C.:

We, the undersigned petitioners, are residents of the State of Iowa, and are interested in the growing of sugar beets. We have observed the development of this industry in this section and we believe in its encouragement. We have noted decided increase in the crops succeeding sugar beets, and we believe that the introduction into the rotation in this State of this crop is of material benefit to the farmer. We find the growers are also generally satisfied with the results of beet growing measured by the immediate profits.

We would therefore respectfully petition that no legislation that will injuriously affect this industry, or that will prevent its further development in this State, will receive the support of our National Congress.

This is one of the many similar petitions received, aggregating thousands of signatures. The petition gives the view of the growers of sugar beets, and what they say as to sugar beets is true of many industries affected by this bill. Thousands of petitions, memorials, resolutions, and letters protesting against radical, sectional, discriminating, free-trade legislation, such as is proposed in the pending bill, have been received. To have copies of all printed in the RECORD would be an abuse of the privilege granted to print, and I will content myself with simply referring to the fact that they were received.

Considering the intelligence, eloquence, and integrity of the excellent gentlemen in power; considering all that you have said and promised to the good people, both in legislation and jobs, the power of the big stick, and your hunger for pie; considering the pressure brought to bear, the contributions made to the Democratic national committee, the support given your party in campaigns by your devoted and inseparable friends, representatives of the Sugar Trust; and knowing that you are pledged to free trade, commonly called "tariff for revenue only"; that you are now in full control of the executive and legislative branches of this Government, it is, of course, fair to assume that you will exercise your power and honestly redeem your party platform pledges. Yet, considering it all, with the evidence and facts before you, I was in hopes that you might at least save this one great and promising industry, one that not only concerns the farmers and consumers, but all the people of the United States.

It occurred to me that the fact that Uncle Sam has been paying annually about a hundred million dollars for sugar produced in other countries, an amount about equal in value to the total output of all our gold and silver mines, and the fact that sugar can, by a proper protection, cultivation, and encouragement, be produced at home with benefit to the farmer, thereby giving profitable employment to capital and hundreds of thousands of people, and will ultimately, if not immediately, furnish our 92,000,000 consumers sugar cheaper than now, and certainly cheaper than if that great industry is wiped off from the map, thereby giving the Sugar Trust a monopoly on sugar, and thus placing the consumers at the mercy of the Sugar Trust, whose representatives' urgent request has been so generously heeded in this respect. As to proof as to that, I refer you to the testimony given before your own select and excellent committee, the Hardwick special committee on the investigation of the American Sugar Refining Co. and others, testimony given by experts employed and witnesses summoned and examined by your own committee, as is, for instance, found in Senate Document No. 378, Sixty-second Congress, second session, A Brief Digest of Testimony Embodied in the Hearings Held Before the Hardwick Special Committee. Its contents, summed up, are as follows:

CHAPTER I.

Shows that the refiners of foreign raw sugar are a unit in desiring the duty on foreign raw sugar reduced or removed.

CHAPTER II.

Shows that the refiners are striving to have the duty reduced on foreign raw sugar in order that they may destroy the increasing competition of the home sugar industry, which already forces them to lower prices while the home product is on the market.

CHAPTER III.

Shows that the alleged "committee of wholesale grocers" is Spreckels, the New York sugar refiner, who uses the grocers as a cloak to conceal his identity.

CHAPTER IV.

Shows that when in September, 1911, the sugar refiners marked the price of imported sugar up to 7¼ cents per pound domestic sugar was not on the market.

CHAPTER V.

Shows that when domestic sugar came onto the market, in October, it was that and that alone which brought the refiners' price down to 6.11 cents in November and 5.63 cents in December.

CHAPTER VI.

Shows that the most effective manner in which to lower the price of sugar permanently is to increase the home production.

Wallace P. Willett, of Willett & Gray, publishers of the weekly Statistical Sugar Trade Journal, who, because of his long experience in sugar statistical work, was engaged by the Hardwick committee as a sugar expert, testified—see page 14 of the brief:

The CHAIRMAN. Your business?

Mr. WILLETT. Principally a wire-service news bureau covering the United States and a cable service covering every sugar country in the world, virtually, and also the publishing of a daily and weekly sugar-trade journal, and brokers in raw and refined sugars to a moderate extent. (Part 37, p. 3063 of hearings.)

* * * * * * * * *

The CHAIRMAN. Now, Mr. Willett, for the last 40 or 50 years you have been a close observer of sugar conditions throughout the world?

Mr. WILLETT. Yes, sir; I have been in the trade constantly.

* * * * * * * * *

Mr. HINDS. Then there were two advantages from the beet-sugar crop this year, so far as the public were concerned—the advantage of a slightly lower price because they did not foresee the rise, and the other advantage of having that store of sugar in the country, I suppose?

Mr. WILLETT. Yes.

Mr. HINDS. What would be the other advantage?

Mr. WILLETT. To supply the country during the intermediate period between crops.

Mr. HINDS. If we had not had that store of sugar in this country, we would have had to do as Europe did, and import sugar?

Mr. WILLETT. We would have had to do as Europe did; import sugar—from Java, principally.

Mr. HINDS. Would that have resulted in slightly further raising the sugar price?

Mr. WILLETT. Undoubtedly; in addition to the demand of Europe, the demand of America would have made the price higher than any other price we have seen. (Part 37, p. 3094 of hearings.)

* * * * * * * * *

Mr. FORDNEY. The domestic beet-sugar industry has certainly had a beneficial influence upon the price of sugar.

Mr. WILLETT. Yes; an enormous influence. If it were not for the domestic sugar industry, sugars in this country would be to-day very considerably higher. I can not say how much higher, because I can not tell what influence they have had upon the European market, but the refiners would be compelled to purchase a quantity of sugar in foreign ports equal to the production of beet sugar coming into the market from this country. I would not be surprised if it would be a cent a pound more but for the beet and cane sugar produced in this country. (Part 38, pp. 3153–3154 of hearings.)

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The CHAIRMAN. My idea in having this matter repeated, if it is repetition, was to understand Mr. Willett—who is probably the greatest living American authority on sugar prices—whether or not in point of fact the market and trade reports seemed to indicate that the beet-sugar people were sold ahead or not. You say they were sold ahead?

Mr. WILLETT. They were sold ahead. (Part 43, p. 3579 of hearings.)

* * * * * * * * *

Mr. RAKER. If that is a fact, can not Mr. Willett give us his view, from his thorough examination and knowledge of the matter, what was the prime inducement that brought down the price of sugar?

Mr. WILLETT. It was the coming on the market of the American beet-sugar crop; but not put on the market by the refiners but by the jobbers who had bought it at the lower refined price and sold it at the market price. The jobbers made the money, and the beet-sugar men did not. (Part 43, p. 3579 of hearings.)

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Mr. WILLETT. There is no question whatever, Mr. Chairman, that the coming onto the market in October of the Michigan sugars and other domestic sugars dropped the price from 6.57 in October down to 6.11 in November, and December 5.63. (Part 43, p. 3581 of hearings.)

* * * * * * * * *

Mr. FORDNEY. But, Mr. Willett, immediately after beet sugar came onto the market in October down went the price of sugar to about 5.75.

Mr. WILLETT. That was because of the coming on of the beet crop filling up the gap of known supply. (Part 43, p. 3584 of hearings.)

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Mr. SULZER. What, in your judgment as an expert, would bring about a permanent reduction of the cost of manufactured sugar to the consumers of the United States?

Mr. WILLETT. By increasing the amount of domestic production and in Porto Rico and Hawaii; that is, by increasing the quantity of sugar within the United States to the extent that we would be required to purchase no sugar whatever at a world prices. Last year we bought only 77,000 tons at the world price. We were as near as that to that condition in 1910. We did come within 77,000 tons of being entirely free and independent of the world's prices, whereas a few years before we had been importing 6,700,000 tons. [Misprint; should be 670,000.]

Mr. SULZER. In other words, you think it advisable for the Government of the United States to do everything within its legitimate scope to encourage the growth of cane and beet sugar in the United States?

Mr. WILLETT. Yes, sir.

Mr. SULZER. And in our insular possessions?

Mr. WILLETT. Yes, sir; in our insular possessions.

Mr. SULZER. And you also would recommend the abolition of all tariff taxes upon the importation of sugar?

Mr. WILLETT. No, sir. Do you mean import duties?

Mr. SULZER. Yes, sir.

Mr. WILLETT. No, sir.

Mr. SULZER. Would not the elimination of import duties on sugar materially reduce the cost to the manufacturers of sugar and the consumers in the United States?

Mr. WILLETT. At times it would, but at other times it would not.

Mr. SULZER. At what times would it not reduce it?

Mr. WILLETT. This year.

Mr. SULZER. Why not this year?

Mr. WILLETT. Well, because we had a very present example that the moment our American beet-sugar production became available on the market the rise stopped, and, owing entirely and totally to this American production, refined sugars were a cent and a half lower than they were at the highest point. But for that American production we to-day would be buying sugar at the world's prices. We can not get rid of it. There is no other source from which we could get sugar.

Mr. SULZER. But you fail to grasp the point I was suggesting. If the manufacturers of sugar in the United States could get raw sugar free, they would be able to sell the manufactured sugar cheaper to the American consumer just now?

Mr. WILLETT. Yes, sir.

Mr. SULZER. Hence the elimination of the tariff tax upon importations of sugar would cheapen the price of sugar to the people of the United States?

Mr. WILLETT. Yes, sir; and to the manufacturer.

Mr. SULZER. And that is one way to get cheaper sugar for the people?

Mr. WILLETT. Yes, sir.

Mr. SULZER. And another way to get cheaper sugar for the people of the United States would be to encourage the production of beet and and cane sugar in the United States and in her insular possessions?

Mr. WILLETT. Yes, sir.

Mr. SULZER. And these are the only two ways by which sugar can be sold to the consumer more cheaply?

Mr. WILLETT. Yes, sir; and in one of these ways the price of sugar would be dependent on the f. o. b. Hamburg market, but in the other case the price would be entirely independent of the f. o. b. Hamburg market. (Pt. 37, pp. 3083–3084 of hearings.)

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Mr. HINDS. How much beet sugar did they produce in this country this year?

Mr. WILLETT. Five hundred and fifty thousand tons.

Mr. HINDS. How much do you think that they ought to produce in order to maintain a proper equilibrium of prices here?

Mr. WILLETT. Well, just double that amount will do it. I believe that amount, a million tons, would carry us well below any excess in the world's prices.

Mr. HINDS. And would be a great advantage in giving us independence of Europe?

Mr. WILLETT. Yes, sir; and that is a tremendous advantage. (Pt. 37, p. 3086 of hearings.)

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Mr. SULZER. If we could produce all the sugar we need for our own consumption, we would be absolutely independent of the world's market, would we not?

Mr. WILLETT. Yes.

Mr. SULZER. And the fixing of prices in Hamburg and other places would have absolutely no effect on the consumers of the United States so far as the price is concerned?

Mr. WILLETT. Not the slightest.

Mr. SULZER. Quite true. Then it is your opinion that it would be a good thing for the Government to encourage the agricultural people of the United States to engage in the production of beet sugar wherever they can do so profitably?

Mr. WILLETT. Decidedly so.

Mr. SULZER. We have vast areas of this country now, have we not, that are peculiarly susceptible to the growth of sugar beets if they were irrigated and properly cultivated?

Mr. WILLETT. Yes.

Mr. SULZER. And with very little effort on the part of the agencies of Government which are now in vogue these vast areas could be brought into production?

Mr. WILLETT. Yes.

insurance companies and insurance policies on the floor of the House in Committee of the Whole, which is as follows:

Mr. HULL. I am frank to say that in talking with some insurance men I get quite confused with their definitions of a number of these insurance terms, and I am unable to find many of these gentlemen who agree in every respect in their definition of these terms referred to. And I am slow to adopt a suggestion of terms unless a gentleman presents himself as an expert, with the knowledge of the full signification of the expression he undertakes to write into the law.

Mr. LENROOT. Mr. Chairman, I would like to be recognized in my own right. It does not require an insurance expert to decide the question of whether a cash-surrender value of a life insurance policy should be regarded as income and taxable under this bill. The law, so far as I know, of every State regulating life insurance provides that there shall be cash surrender values of policies, and to tax as income the cash-surrender value of an insurance policy is exactly like taxing, not the income upon deposits in a bank, but taxing the deposits themselves.

Mr. MADDEN. Suppose the premium was $500 on a 10-year tontine policy and the cash surrender of that policy at the end of that 10 years was $5,000; if he paid the tax on the $500 annual premium, ought he to be compelled also to pay the tax on the surrender value of the policy? Would not that be paying the tax twice?

Mr. LENROOT. He ought not in any event to be compelled to pay a tax on the surrender value, because he is getting back his capital, his principal, that he has paid into the company, and he is not getting gains, profits, or income, but merely getting his money back.

Mr. UNDERWOOD. Mr. Chairman, I only rise to state what the committee's position is in this matter. As the bill now stands, there is no tax levied on the principal that is paid into an insurance company. There is a tax on the net income. The way we look at the proposition is this: Under the present law the net incomes of these corporations, whether they be insurance companies or not, are taxed 1 per cent. Under the clause of this bill the net incomes of these corporations, whether they are insurance companies or not, will be taxed 1 per cent. Now, there will be no tax whatever on the policy when it is paid on its termination, whether it expires on the death of a person or whether it is a tontine policy and expires before the death of the insured. But in the meantime there is a tax of 1 per cent on the net profits of the corporation, just as they are paid to-day under existing law.

Mr. MADDEN. Does this bill provide for the payment of the tax on the annual premiums paid by the policyholder?

Mr. UNDERWOOD. If they are net profits. I am not going into the question of what they are. We are going to leave that for the Treasury Department and the courts to determine.

If they are net profits on the net profits, or so much of them as are net profits, the tax will rest. If they are simply a return of the principal, the tax will not rest upon them.

When that policy is returned there may be a portion of it that is principal and a portion of it that is profit, and probably there is. Under that contract they will return the principal and they will return some of the profit. Now, the principal returned under the amendment that we adopted this afternoon will not be taxed, but if there is profit returned it will be taxed.

Now, that is all there is to it, and the amendment was framed to cover that.

Mr. LENROOT. Will not the company have already paid a tax on that profit?

Mr. UNDERWOOD. No.

Mr. LENROOT. The company has paid it, and must the insured also pay it?

Mr. UNDERWOOD. The insured pays on the profit he makes, just as you would pay on the profit you make.

Now, if the gentleman will allow me, I can not finish an argument in five minutes if some one else is speaking in my time. Let me give an example. If the gentleman should buy a farm or a storehouse, and he could make profits on that storehouse for a period of 10 years, say, under this bill if those profits amount to more than his exemptions he will pay the tax on it during that time—all his profits above the exemptions. Now, if at the end of 10 years the gentleman should sell his storehouse for twice as much as he paid for it, he will not pay a tax on the original principal that he invested in that storehouse, but he will pay a tax on the increased price he may receive for it, or for the profit he may sell it for, if it is profit.

Now, in the case of a life insurance policy it is the same as an investment in a house. The corporation, instead of the insured person, will be taxed on its net profits during the period the insurance runs, and at the termination of the period the insured will not pay a tax on his capital, but will pay a tax on the return of his profits, just as the man would pay a tax by the increased value of his storehouse in the case I cited. The two propositions are just the same.

Now, there is only one thing involved in this case. These great insurance companies are trying to get this Congress to untax them. They are eleemosynary institutions. I have nothing to say against them, but you have the choice whether you will invest your money in a home for your family, or in a storehouse, to furnish an income for your family and save it for the future, or whether you will invest it in a life insurance policy. You may invest it in a railroad company and get stock, and you do that in order to save it for yourself and your family. You may conclude that you are not as capable of handling your money as one of these great insurance companies is, and you send around and invest your capital in a policy. The only difference in the investment is that one is called a share of stock and the other is called a policy. You invest it for the purpose of profit in the policy, as you would in the stock.

The income-tax law will not be without its complications. Each insurance company has a method of its own in performing and transacting its business. The repayment to the policyholder is called by different names, and it will require some time to get a complete understanding of the operations of the law. It is copied largely from the English statute. This country has had experience with the income tax twice—first during the Civil War and afterwards in the year 1894, under the Wilson-Gorman bill. Three-fourths of the States have ratified the constitutional provision for the income tax. Its general provisions will meet with favor. Owing to the intricacy, it will require some time to be adapted to the methods of the different companies, and the applicability of this tax to all the different provisions of the insurance companies can only be known by actual experience.

The Tariff.

SPEECH

OF

HON. GILBERT N. HAUGEN,

OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 2, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. HAUGEN. Mr. Chairman, inasmuch as the bill under consideration has been drawn by the committee commissioned to draft and report tariff bills and agreed to by all the members of the majority, and a solemn compact entered into by the majority not to permit the adoption of a single amendment other than those offered by the committee in charge, an agreement religiously lived up to, I have refrained from offering amendments and taking part in the debate or the so-called sham battle. Besides, this bill, like the tariff bills of 1884, 1888, 1890, 1894, 1897 and the Payne-Aldrich bill, has been discussed pro and con with force and eloquence by experts on the subject, and both sides of the question have been fully and ably presented; and inasmuch as the people have recently recorded their judgment, and having on several occasions discussed the subject, both here and in the district, it is not my purpose to now discuss the Underwood bill in detail or to throw new light upon the subject. My only object in offering a few observations at this time is to perform a duty which I owe the committee and the thousands who have importuned me to aid in defeating the bill, to apprise the committee of their views and vigorous protests against the proposed outrage, the enactment of the Underwood bill, and the inevitable disaster to follow its enactment. With knowledge of the ruin, disaster, and starvation that has always followed free-trade legislation, and, believing as I do, no one conscious of his duty could do less than to at least apprise those who are about to perpetrate the wrong of the sentiment and intense opposition to such legislation, especially legislation meting out death-dealing blows to worthy and legitimate industries in one's district, as the Underwood bill evidently will do if enacted into law, as, for instance, the sugar-beet industry. In order that the committee may know how many of the people in my section of the country feel about it, I include in my remarks a copy of a petition:

ST. ANSGAR, IOWA.

To the Ways and Means Committee, House of Representatives, Washington, D. C.:

We, the undersigned petitioners, are residents of the State of Iowa, and are interested in the growing of sugar beets. We have observed the development of this industry in this section and we believe in its encouragement. We have noted decided increase in the crops succeeding sugar beets, and we believe that the introduction into the rotation in this State of this crop is of material benefit to the farmer. We find the growers are also generally satisfied with the results of beet growing measured by the immediate profits.

We would therefore respectfully petition that no legislation that will injuriously affect this industry, or that will prevent its further development in this State, will receive the support of our National Congress.

This is one of the many similar petitions received, aggregating thousands of signatures. The petition gives the view of the growers of sugar beets, and what they say as to sugar beets is true of many industries affected by this bill. Thousands of petitions, memorials, resolutions, and letters protesting against radical, sectional, discriminating, free-trade legislation, such as is proposed in the pending bill, have been received. To have copies of all printed in the RECORD would be an abuse of the privilege granted to print, and I will content myself with simply referring to the fact that they were received.

Considering the intelligence, eloquence, and integrity of the excellent gentlemen in power; considering all that you have said and promised to the good people, both in legislation and jobs, the power of the big stick, and your hunger for pie; considering the pressure brought to bear, the contributions made to the Democratic national committee, the support given your party in campaigns by your devoted and inseparable friends, representatives of the Sugar Trust; and knowing that you are pledged to free trade, commonly called "tariff for revenue only"; that you are now in full control of the executive and legislative branches of this Government, it is, of course, fair to assume that you will exercise your power and honestly redeem your party platform pledges. Yet, considering it all, with the evidence and facts before you, I was in hopes that you might at least save this one great and promising industry, one that not only concerns the farmers and consumers, but all the people of the United States.

It occurred to me that the fact that Uncle Sam has been paying annually about a hundred million dollars for sugar produced in other countries, an amount about equal in value to the total output of all our gold and silver mines, and the fact that sugar can, by a proper protection, cultivation, and encouragement, be produced at home with benefit to the farmer, thereby giving profitable employment to capital and hundreds of thousands of people, and will ultimately, if not immediately, furnish our 92,000,000 consumers sugar cheaper than now, and certainly cheaper than if that great industry is wiped off from the map, thereby giving the Sugar Trust a monopoly on sugar, and thus placing the consumers at the mercy of the Sugar Trust, whose representatives' urgent request has been so generously heeded in this respect. As to proof as to that, I refer you to the testimony given before your own select and excellent committee, the Hardwick special committee on the investigation of the American Sugar Refining Co. and others, testimony given by experts employed and witnesses summoned and examined by your own committee, as is, for instance, found in Senate Document No. 378, Sixty-second Congress, second session, A Brief Digest of Testimony Embodied in the Hearings Held Before the Hardwick Special Committee. Its contents, summed up, are as follows:

CHAPTER I.

Shows that the refiners of foreign raw sugar are a unit in desiring the duty on foreign raw sugar reduced or removed.

CHAPTER II.

Shows that the refiners are striving to have the duty reduced on foreign raw sugar in order that they may destroy the increasing competition of the home sugar industry, which already forces them to lower prices while the home product is on the market.

CHAPTER III.

Shows that the alleged "committee of wholesale grocers" is Spreckels, the New York sugar refiner, who uses the grocers as a cloak to conceal his identity.

CHAPTER IV.

Shows that when in September, 1911, the sugar refiners marked the price of imported sugar up to 7¼ cents per pound domestic sugar was not on the market.

CHAPTER V.

Shows that when domestic sugar came onto the market, in October, it was that and that alone which brought the refiners' price down to 6.11 cents in November and 5.63 cents in December.

CHAPTER VI.

Shows that the most effective manner in which to lower the price of sugar permanently is to increase the home production.

Wallace P. Willett, of Willett & Gray, publishers of the weekly Statistical Sugar Trade Journal, who, because of his long experience in sugar statistical work, was engaged by the Hardwick committee as a sugar expert, testified—see page 14 of the brief:

The CHAIRMAN. Your business?

Mr. WILLETT. Principally a wire-service news bureau covering the United States and a cable service covering every sugar country in the world, virtually, and also the publishing of a daily and weekly sugar-trade journal, and brokers in raw and refined sugars to a moderate extent. (Part 37, p. 3063 of hearings.)

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The CHAIRMAN. Now, Mr. Willett, for the last 40 or 50 years you have been a close observer of sugar conditions throughout the world?

Mr. WILLETT. Yes, sir; I have been in the trade constantly.

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Mr. HINDS. Then there were two advantages from the beet-sugar crop this year, so far as the public were concerned—the advantage of a slightly lower price because they did not foresee the rise, and the other advantage of having that store of sugar in the country, I suppose?

Mr. WILLETT. Yes.

Mr. HINDS. What would be the other advantage?

Mr. WILLETT. To supply the country during the intermediate period between crops.

Mr. HINDS. If we had not had that store of sugar in this country, we would have had to do as Europe did, and import sugar?

Mr. WILLETT. We would have had to do as Europe did; import sugar—from Java, principally.

Mr. HINDS. Would that have resulted in slightly further raising the sugar price?

Mr. WILLETT. Undoubtedly; in addition to the demand of Europe, the demand of America would have made the price higher than any other price we have seen. (Part 37, p. 3094 of hearings.)

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Mr. FORDNEY. The domestic beet-sugar industry has certainly had a beneficial influence upon the price of sugar.

Mr. WILLETT. Yes; an enormous influence. If it were not for the domestic sugar industry, sugars in this country would be to-day very considerably higher. I can not say how much higher, because I can not tell what influence they have had upon the European market, but the refiners would be compelled to purchase a quantity of sugar in foreign ports equal to the production of beet sugar coming into the market from this country. I would not be surprised if it would be a cent a pound more but for the beet and cane sugar produced in this country. (Part 38, pp. 3153-3154 of hearings.)

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The CHAIRMAN. My idea in having this matter repeated, if it is repetition, was to understand Mr. Willett—who is probably the greatest living American authority on sugar prices—whether or not in point of fact the market and trade reports seemed to indicate that the beet-sugar people were sold ahead or not. You say they were sold ahead?

Mr. WILLETT. They were sold ahead. (Part 43, p. 3579 of hearings.)

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Mr. RAKER. If that is a fact, can not Mr. Willett give us his view, from his thorough examination and knowledge of the matter, what was the prime inducement that brought down the price of sugar?

Mr. WILLETT. It was the coming on the market of the American beet-sugar crop; but not put on the market by the refiners but by the jobbers who had bought it at the lower refined price and sold it at the market price. The jobbers made the money, and the beet-sugar men did not. (Part 43, p. 3579 of hearings.)

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Mr. WILLETT. There is no question whatever, Mr. Chairman, that the coming onto the market in October of the Michigan sugars and other domestic sugars dropped the price from 6.57 in October down to 6.11 in November, and December 5.63. (Part 43, p. 3581 of hearings.)

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Mr. FORDNEY. But, Mr. Willett, immediately after beet sugar came onto the market in October down went the price of sugar to about 5.75.

Mr. WILLETT. That was because of the coming on of the beet crop filling up the gap of known supply. (Part 43, p. 3584 of hearings.)

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Mr. SULZER. What, in your judgment as an expert, would bring about a permanent reduction of the cost of manufactured sugar to the consumers of the United States?

Mr. WILLETT. By increasing the amount of domestic production and in Porto Rico and Hawaii; that is, by increasing the quantity of sugar within the United States to the extent that we would be required to purchase no sugar whatever at world prices. Last year we bought only 77,000 tons at the world price. We were as near as that to that condition in 1910. We did come within 77,000 tons of being entirely free and independent of the world's prices, whereas a few years before we had been importing 6,700,000 tons. [Misprint; should be 670,000.]

Mr. SULZER. In other words, you think it advisable for the Government of the United States to do everything within its legitimate scope to encourage the growth of cane and beet sugar in the United States?

Mr. WILLETT. Yes, sir.

Mr. SULZER. And in our insular possessions?

Mr. WILLETT. Yes, sir; in our insular possessions.

Mr. SULZER. And you also would recommend the abolition of all tariff taxes upon the importation of sugar?

Mr. WILLETT. No, sir. Do you mean import duties?

Mr. SULZER. Yes, sir.

Mr. WILLETT. No, sir.

Mr. SULZER. Would not the elimination of import duties on sugar materially reduce the cost to the manufacturers of sugar and the consumers in the United States?

Mr. WILLETT. At times it would, but at other times it would not.

Mr. SULZER. At what times would it not reduce it?

Mr. WILLETT. This year.

Mr. SULZER. Why not this year?

Mr. WILLETT. Well, because we had a very present example that the moment our American beet-sugar production became available on the market the rise stopped, and, owing entirely and totally to this American production, refined sugars were a cent and a half lower than they were at the highest point. But for that American production we to-day would be buying sugar at the world's prices. We can not get rid of it. There is no other source from which we could get sugar.

Mr. SULZER. But you fail to grasp the point I was suggesting. If the manufacturers of sugar in the United States could get raw sugar free, they would be able to sell the manufactured sugar cheaper to the American consumer just now?

Mr. WILLETT. Yes, sir.

Mr. SULZER. Hence the elimination of the tariff tax upon importations of sugar would cheapen the price of sugar to the people of the United States?

Mr. WILLETT. Yes, sir; and to the manufacturer.

Mr. SULZER. And that is one way to get cheaper sugar for the people?

Mr. WILLETT. Yes, sir.

Mr. SULZER. And another way to get cheaper sugar for the people of the United States would be to encourage the production of beet and and cane sugar in the United States and in her insular possessions?

Mr. WILLETT. Yes, sir.

Mr. SULZER. And these are the only two ways by which sugar can be sold to the consumer more cheaply?

Mr. WILLETT. Yes, sir; and in one of these ways the price of sugar would be dependent on the f. o. b. Hamburg market, but in the other case the price would be entirely independent of the f. o. b. Hamburg market. (Pt. 37, pp. 3083-3084 of hearings.)

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Mr. HINDS. How much beet sugar did they produce in this country this year?

Mr. WILLETT. Five hundred and fifty thousand tons.

Mr. HINDS. How much do you think that they ought to produce in order to maintain a proper equilibrium of prices here?

Mr. WILLETT. Well, just double that amount will do it. I believe that amount, a million tons, would carry us well below any excess in the world's prices.

Mr. HINDS. And would be a great advantage in giving us independence of Europe?

Mr. WILLETT. Yes, sir; and that is a tremendous advantage. (Pt. 37, p. 3086 of hearings.)

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Mr. SULZER. If we could produce all the sugar we need for our own consumption, we would be absolutely independent of the world's market, would we not?

Mr. WILLETT. Yes.

Mr. SULZER. And the fixing of prices in Hamburg and other places would have absolutely no effect on the consumers of the United States so far as the price is concerned?

Mr. WILLETT. Not the slightest.

Mr. SULZER. Quite true. Then it is your opinion that it would be a good thing for the Government to encourage the agricultural people of the United States to engage in the production of beet sugar wherever they can do so profitably?

Mr. WILLETT. Decidedly so.

Mr. SULZER. We have vast areas of this country now, have we not, that are peculiarly susceptible to the growth of sugar beets if they were irrigated and properly cultivated?

Mr. WILLETT. Yes.

Mr. SULZER. And with very little effort on the part of the agencies of Government which are now in vogue these vast areas could be brought into production?

Mr. WILLETT. Yes.

Mr. SULZER. And a great increase of beet-sugar production could be brought about?

Mr. WILLETT. Yes. (Pt. 37, p. 3090 of hearings.)

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Mr. HINDS. You speak of our being independent of Europe?

Mr. WILLETT. Yes.

Mr. HINDS. Even although we produced enough to, as you might say, supply ourselves, nevertheless that would not give us sugar any cheaper than they would get it in Europe on that specific year, would it?

Mr. WILLETT. It would give us sugar always cheaper than they would get it in Europe in any year, if I understand your question right.

Mr. HINDS. Yes. You think, then, it would be possible for us to get sugar, by reason of our greater production——

Mr. WILLETT. At all times——

Mr. HINDS (continuing). Under the world's price?

Mr. WILLETT. At all times under the world's price. We get it now at all times, except for two or three months in the year. (Pt. 37, p. 3093 of hearings.)

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Mr. WILLETT. * * * This promotion of our industry is a much more vital point (from the consumers' standpoint included) than is a reduction of tariff to a point that lets in foreign sugar and thereby diminishes the home production. Whenever we reach the condition indicated, competition between our free and partially free duty producers will begin and the consumers will benefit thereby, and the United States will be entirely free from the speculative and other influences which control the world's price, and it is not unreasonable to expect that under the conditions indicated the United States will become a considerable exporter of its surplus production to the foreign countries which may be short of supplies as under present conditions abroad.

As showing the ultimate effect of home production equal to or surpassing home consumption, I call attention specially for earnest consideration to the fact that in 1910 we reached this desired consummation within 74,000 tons, and as a result we were almost independent of Europe, so much so, in fact, that we got our supplies from Cuba at over one-half cent per pound under the world's prices, during which time one man (Santa Maria) was carrying on a big bull speculation in Europe in which we would certainly have been involved but for this limited amount we required that year. In 1911 the Cuban crop fell short of 1910 by 220,898 tons, and we required 212,182 tons from abroad to complete our supplies; hence we were involved in the world's prices in 1911, and the result was a hue and cry against the high prices of sugar. I am not making an argument, but am simply pointing to the facts that appear to me to make the consideration of the increase in our local supplies of greater importance in legislation than a reduction of duties beyond certain limits, those limits to be such as will positively exclude all sugars outside those of our States and dependencies. (Pt. 43, pp. 3556-3557 of hearings.)

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In all these analyses I reach the same conclusion—that to decrease the price of sugar to the consumer, increase the domestic production as rapidly as possible. (Pt. 48, p. 3978 of hearings, the concluding paragraph of Mr. Willett's testimony.)

It occurred to me that if your own employed experts' testimony could not be accepted that the testimony of Dr. Wiley, then Chief of the Bureau of Chemistry, Department of Agriculture—your much talked of as candidate for Vice President—might have had some influence with you in the matter, as, for instance, his testimony printed on pages 20 and 21 of the brief:

The CHAIRMAN. And if the Dutch standard could be wiped out it could all come in?

Dr. WILEY. Yes; if we could import as much refined sugar as raw sugar; but it wouldn't do any good in the world and would hurt the beet-sugar industry, and I have been encouraging it. I believe it to be one of the best things for the agriculture of this country that could possibly exist, because if one raises beets he must use scientific methods. Every beet-sugar field is practically an experimental station which teaches every farmer in the neighborhood. I am in favor of protecting the sugar crop in Louisiana and all along the coast. I am not making a plea for taking the tariff off of sugar at all; I am only trying to tell you what the Dutch standard does.

The CHAIRMAN. You say you are in favor of protecting sugar. Do you believe there will ever be any chance for our competing with the world without protection?

Dr. WILEY. Maybe so in the future.

The CHAIRMAN. Although you see reasonable prospects of that, I ask do you see any chance of it?

Dr. WILEY. I would protect them even if I thought there would never be any chance of it. I want to purchase our own sugar at home. (Pt. 42, p. 3445 of hearings.)

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Dr. WILEY. I look at this matter as I do everything else in which the farmers are interested; I want the farmers to have a fair chance in the markets, governed by supply and demand as to rise and fall, and not have everything they grow and everything they buy manipulated as to price by somebody that has nobody's interests at heart but their own. I can not sell a steer to-day, or a bushel of wheat, or a bushel of corn at a price governed by supply and demand, nor can you. The price of a steer, or of a bushel of wheat, or of a bushel of corn is set by gamblers in Chicago and elsewhere. (Pt. 42, p. 3447 of hearings.)

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Dr. WILEY. But the point I am giving is this, that under the present system we are absolutely dependent upon the refiners of this country for our sugar. They have taught us to use white sugar, and we will not take any other kind; and therefore they can fix any price thereon they please. I will say, on the question of price, that I think they are very reasonable about it and do not try to squeeze us very much. At the same time, whenever the Louisiana sugar comes in the price of sugar drops, and whenever the crop of beet sugar comes in the price of sugar drops. Again, as soon as the Louisiana and beet sugar men sell all they have to sell the price of sugar goes up again.

Mr. FORDNEY. That is true of last summer, I believe.

Dr. WILEY. Yes; and when the price of sugar went up to 7 cents retail I said, "Watch out; when the sugar crop comes in it will go down," and it did, and there was no sugar in the country even then. (Pt. 42, p. 3446 of hearings.)

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Mr. FORDNEY. The fact is that the refiner in New York does not control the market while our domestic sugar crop is on the market?

Dr. WILEY. As soon as the domestic sugar crop comes on they let the price drop, for they are then buyers themselves. They buy the most of the domestic crop except the beet sugar—buy almost all of the Louisiana crop.

Mr. FORDNEY. That is because it is raw sugar?

Dr. WILEY. Yes. They then want to buy and put the price down.

Mr. FORDNEY. And as soon as the crop is purchased they increase the price, do you mean?

Dr. WILEY. Yes; as high as they think the people will stand for. They do not put the price out of sight, because that would not be good business. (Pt. 42, p. 3448 of hearings.)

It would seem that under ordinary circumstances the testimony of these experts selected by your own committee would receive consideration and be heeded in preparing this all-important bill. Evidently the farmers and consumers, in whom you profess to have so much interest, were lost sight of and the persuasive and all-powerful eloquence of the Sugar Trust in its ceaseless efforts and unrelenting plea for free sugar won the day. Here you are—page 3 of the brief:

CLAUS A. SPRECKELS, PRESIDENT FEDERAL SUGAR REFINING CO.

Mr. HINDS. In other words, perhaps you would take it [the tariff] all off, would you not, and have free trade?

Mr. SPRECKELS. I would have free trade. (Pt. 27, p. 2277 of hearings.)

Mr. HINDS. You would have free trade in sugar?

Mr. SPRECKELS. Absolutely. (Pt. 27, p. 2278 of hearings.)

CHARLES R. HEIKE, SECRETARY AMERICAN SUGAR REFINING CO. FROM 1887 TO 1910.

Mr. FORDNEY. Now, if the duty were removed absolutely on sugar could we produce either cane or beets in this country?

Mr. HEIKE. I doubt it very much.

Mr. FORDNEY. Then that would destroy the industry absolutely in this country?

Mr. HEIKE. Yes.

Mr. FORDNEY. And you would approve of that?

Mr. HEIKE. Yes. (Pt. 4, p. 292 of hearings.)

WILLIAM G. GILMORE, PARTNER ARBUCKLE BROS., SUGAR REFINERS.

Mr. MADISON. In other words, you think the thing to do is to take off the duty, and that it would be to your advantage to take it off as a refiner of cane sugar?

Mr. GILMORE. Yes, sir.

Mr. MADISON. And you would advocate the taking off of the duty?

Mr. GILMORE. I would personally. I am only speaking now personally. (Pt. 14, p. 1169 of hearings.)

JAMES H. POST, PRESIDENT NATIONAL SUGAR REFINING CO.

Mr. POST. If Congress did not need the revenue from sugar. That is a different proposition. But they have to have it from something, and sugar seems to be the thing that has paid a part of it for a great many years. As far as I personally am concerned, I would like to see free sugar. As we look at the country at large, however, I think it would be a very unfair proposition. (Pt. 6, p. 527 of hearings.)

WILLIAM A. J. JAMISON, PARTNER ARBUCKLE BROS.

Mr. RAKER. How would it affect you if there was no tax on the importation of sugar—raw sugar?

Mr. JAMISON. I think it would enable us to run more constantly.

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Mr. RAKER. Because of the way raw sugar is shipped into the United States?

Mr. JAMISON. Oh, no; on account of the beet product. If there was no duty, I do not think the beet would be so prosperous, and we would probably sell more sugar. If the duty was removed, I mean to say.

* * *

Mr. RAKER. * * * What would you think would be a fair compensation? [Reduction.]

Mr. JAMISON. I think there should be a cent a pound taken off at the present time at least; and later——

Mr. RAKER. A little more?

Mr. JAMES. Yes; until it is entirely removed. (Pt. 14, pp. 1195-1196 of hearings.)

EDWIN F. ATKINS, VICE PRESIDENT AND ACTING PRESIDENT AMERICAN SUGAR REFINING CO.

Mr. HINDS. So that a reduction of the tariff passing beyond a moderate amount would tend to the prosperity of the refiners and to the detriment of the beet-sugar people?

Mr. ATKINS. Take the independent refiners, outside of our concern at all, that represent more than half the supply of the United States. They say, and I think they say truly, that it is for the refiners' interest to have a low rate of duty rather than a high rate of duty, and reduce the basis of value upon which they can sell. The lower the price of the refined sugar the greater is the consumption. I think their position is well taken. (Pt. 2, p. 174 of hearings.)

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The CHAIRMAN. Is it really on account of the competition, Mr. Atkins?

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Mr. ATKINS. I think so. * * * There is very much larger capacity than is required, and the beet sugars are taking away the trade of the refiners year by year. (Pt. 1, p. 48 of hearings.)

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Mr. MADISON. Then, as a matter of fact, your competition with the beet-sugar people exists only during a few months of the year?

Mr. ATKINS. Three months, and that is 25 per cent of the whole time (Pt. 1, p. 49 of hearings.)

[Query: If the production and marketing of 600,000 tons of domestic beet sugar gives the consumer cheaper sugar for 3 months out of 12, how many months would 1,200,000 tons make it cheaper, and what would be the effect if the production were 2,400,000 tons?]

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Mr. MADISON. You stated a moment ago, Mr. Atkins, or this morning, that you decidedly opposed going into the beet-sugar business. What was the reason of that? * * *

Mr. ATKINS. The beet-sugar business was a competitive business. It produced in the western territories, where our market lay. That is, I say "our market"—I mean the market of the refiners, the various refiners. As that industry grew—and I foresaw that it would grow rapidly—I believed that it would reduce the volume of business, not only of the American Sugar Refining Co. but of all the refiners on the Atlantic coast; and although we had millions of dollars invested in the business there we were building up a competitive business, one that would compete with ourselves, and one which was bound to get away from us; we could not control it in the end. I say "we"—I had no connection whatever with it; that was simply a business man's opinion. (Pt. 1, pp. 85-86 of hearings.)

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CLAUS A. SPRECKELS, PRESIDENT FEDERAL SUGAR REFINING CO.

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Mr. HINDS. Mr. Spreckels, you have been carrying on a campaign to reduce the tariff as beneficial to the cane-sugar refiners?

Mr. SPRECKELS. I have.

Mr. HINDS. Of course that will be damaging to the beet-sugar refiners?

Mr. SPRECKELS. To some extent it will. (Pt. 27, p. 2275 of hearings.)

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Mr. HINDS. In other words, perhaps you would take it [the tariff] all off, would you not, and have free trade?

Mr. SPRECKELS. I would have free trade. (Pt. 27, p. 2277 of hearings.)

Mr. HINDS. You would have free trade in sugar?

Mr. SPRECKELS. Absolutely. (Pt. 27, p. 2278 of hearings.)

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WILLIAM G. GILMORE, PARTNER, ARBUCKLE BROS., SUGAR REFINERS.

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Mr. GILMORE. The home beet-sugar industry of course is curtailing the sale of the cane-sugar products. You can not sell it twice.

Mr. MADISON. In other words, if they were out of the way, you would make more money?

Mr. GILMORE. We would have more employment, I suppose, for our output, for our capacity—our refining capacity.

Mr. MADISON. And the ultimate conclusion is you would make more money?

Mr. GILMORE. I think we would.

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Mr. MADISON. Suppose as a matter of fact they get to a point where, instead of producing about 600,000 tons of sugar a year, they actually produce a million and a half tons of sugar, what effect would that have?

Mr. GILMORE. It would shut down most of the eastern refineries for a part of the season.

Mr. MADISON. You would have to quit the business?

Mr. GILMORE. Yes.

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Mr. MADISON. It would be beneficial [removing the duty from sugar] inasmuch as it would destroy the beet-sugar people?

Mr. GILMORE. It would keep them at home.

Mr. MADISON. Keep them in a limited locality?

Mr. GILMORE. Yes.

Mr. MADISON. And leave the field to you people that is naturally yours, as you feel?

Mr. GILMORE. Our natural field. Yes.

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WILLIAM A. J. JAMISON, PARTNER, ARBUCKLE BROS.

Mr. RAKER. Michigan sugar, you say, competes with yours in New York?

Mr. JAMISON. Yes; the Michigan sugar has been down to New York State and all through there. It has interfered with us very largely in sales in Ohio and Pennsylvania.

Mr. RAKER. And West Virginia?

Mr. JAMISON. Yes.

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Mr. RAKER. Do you not have a supply all the time?

Mr. JAMISON. Well, we are not able to run full at all times.

Mr. RAKER. Because of the way raw sugar is shipped into the United States?

Mr. JAMISON. Oh, no; on account of the beet product. If there was no duty, I do not think the beet would be so prosperous, and we would probably sell more sugar. If the duty was removed, I mean to say. (Pt. 14, p. 1195 of hearings.)

WASHINGTON B. THOMAS, CHAIRMAN OF THE BOARD OF DIRECTORS, AMERICAN SUGAR REFINING CO.

Mr. MALBY. You have to-day competition among the beet-sugar industries of the United States, have you not?

Mr. THOMAS. We have.

Mr. MALBY. And good, sharp competition, say, with the Michigan Sugar Refining Co.?

Mr. THOMAS. We have. (Pt. 24, p. 2013 of hearings.)

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Mr. MALBY. So that, reverting to the question once more, if the beet-sugar industry was wholly destroyed, then you would get in there, would you not?

Mr. THOMAS. We would extend our sales, undoubtedly.

Mr. MALBY. Let us be frank about it. You would extend your sales to every single household where beet sugar is now sold, which would pay the price, would you not?

Mr. THOMAS. Oh, yes. It would take the place of beet sugar. (Pt. 24, p. 2014 of hearings.)

The testimony given under oath by the various presidents, partners, and directors of the Sugar Trust, their earnest and persistent plea for free sugar, to enable them to monopolize sugar, to manipulate prices, and to put up the price at will, I believe is sufficient to convince any disinterested, unbiased, and fair-minded man as to who will suffer, who will pay the price, and as to who will be the beneficiary if sugar goes on the free list. It is the old story so sacred to the Democratic Party when in the act of legislation, "trusts first, people next"; but you say that the wholesale grocers, the retail dealers, and the people in general are constantly importuning Congress to reduce the duty on sugar. Yes; many honestly believe that if the duty is removed the price of sugar will go down, but the Sugar Trust says it wants the duty removed so that the price can be advanced. According to printed testimony the Sugar Trust has gone to the trouble and expense of thousands of dollars in distributing literature under the assumed name of "Committee of Wholesale Grocers." I refer you to pages 9 and 10 of the brief:

Following is a copy of the heading of circulars which are being distributed broadcast, praying that the duty on foreign raw sugar be reduced:

"Committee of wholesale grocers—Formed to assist in obtaining cheaper sugar for consumers through reduction of duties on raw and refined sugars.

"F. J. Dessels, chairman; F. C. Lowry, secretary and treasurer. 138 Front Street, New York, N. Y.

"NOTE.—138 Front Street is the office of the Federal Sugar Refining Co."

FRANK C. LOWRY, SALES AGENT, FEDERAL SUGAR REFINING CO., "SECRETARY AND TREASURER," THE "COMMITTEE OF WHOLESALE GROCERS."

Mr. FORDNEY. Mr. Lowry, I notice by a paper here that you are secretary, and the paper says secretary and treasurer, of the grocerymen's committee.

Mr. LOWRY. That is correct.

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Mr. FORDNEY. Who was instrumental, Mr. Lowry, in organizing that committee?

Mr. LOWRY. I was.

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Mr. FORDNEY. You alone, then, organized the committee, did you?

Mr. LOWRY. I did.

Mr. FORDNEY. When and where, Mr. Lowry, was the meeting held at which it was formed, and who was present?

Mr. LOWRY. There have been no regular meetings by calling those people together from all over the country. * * *

Mr. FORDNEY. You have never had a meeting of any of the members mentioned in this pamphlet?

Mr. LOWRY. I never have called them together. * * *

Mr. FORDNEY. So there never has been a meeting of the committee since it has been organized?

Mr. LOWRY. Not as a whole; no.

Mr. FORDNEY. Have you ever had any of the members of the committee together, except as a personal interview by you?

Mr. LOWRY. No.

Mr. FORDNEY. You never have had?

Mr. LOWRY. No.

Mr. FORDNEY. What are the dues of the members, please?

Mr. LOWRY. There are none.

Mr. FORDNEY. There are none at all?

Mr. LOWRY. It is just an informal committee.

Mr. FORDNEY. How much money has been spent in distributing literature by that committee?

Mr. LOWRY. Somewhere in the neighborhood of $12,000.

Mr. FORDNEY. Who paid that money?

Mr. LOWRY. * * * the only one that subscribed was the Federal Sugar Refining Co.

Mr. FORDNEY. So that the Federal Sugar Refining Co. have paid in this $12,000 for the distribution of the literature?

Mr. LOWRY. Yes.

Mr. FORDNEY. And no other concern has paid in any sums of money?

Mr. LOWRY. No other concern; no. (Pt. 19, pp. 1607-1608 of hearings.)

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Mr. FORDNEY. The Federal Sugar Refining Co. has paid, then, for the distribution of all this literature?

Mr. LOWRY. Yes; so far they have. (Pt. 19, p. 1609 of hearings, July 13, 1911.)

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Mr. FORDNEY. You are still secretary of this committee of the wholesale grocers' organization?

Mr. LOWRY. So far; yes, sir.

Mr. FORDNEY. You testified here last spring that you were "it"—the whole thing?

Mr. LOWRY. No; I did not mean for you to construe it that way. I do not construe it that way.

Mr. FORDNEY. Well, have conditions changed as to finances, and initiation fees, and dues, and all those things, since the time when you were here last spring?

Mr. LOWRY. No.

Mr. FORDNEY. Does Mr. Spreckels donate all the expenses, pay all the expenses of sending out this literature? That is what you told us before.

Mr. LOWRY. He has been the only subscriber so far. (Pt. 41, p. 3379 of hearings, Dec. 9, 1911.)

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CLAUS A. SPRECKELS, PRESIDENT FEDERAL SUGAR REFINING CO.

Mr. HINDS. Mr. Spreckels, you have been carrying on a campaign to reduce the tariff as beneficial to the cane-sugar refiners?

Mr. SPRECKELS. I have.

Mr. HINDS. Of course that will be damaging to the beet-sugar refiners?

Mr. SPRECKELS. To some extent it will. (Pt. 27, p. 2275 of hearings.)

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Mr. HINDS. Now, Mr. Spreckels, it was testified in Washington that the movement for lowering the tariff on sugar, the movement which is going on now and in which you were interested, that your company had expended $12,000 for literature, etc.

Mr. SPRECKELS. Possibly. I do not know what the amount is. I dare say we have. (Pt. 27, p. 2276 of hearings.)

Nearly every day communications are received from Mr. Lowry. Here is one, Bulletin No. 34:

(Committee of wholesale grocers formed to assist in obtaining cheaper sugar for consumers through reduction of duties on raw and refined sugars, 138 Front Street, New York, N. Y.)

Reasons why the present "infamous" sugar tariff should be materially reduced, if not removed, at this time.

	Refined sugar.	Raw sugar 96° test.	Assessed difference per degree.
	Cents.	*Cents.*	*Cents.*
Present rates.....per pound..	1.90	1.685	0.035
Rates we propose.....do....	.624	.60	.005

Under reciprocity treaty importations from Cuba pay 50 per cent less in both cases.

Mr. Lowry's statements, I take it, must be accepted as pointed out in the brief, though necessarily humiliating to those whom he claims to represent, the wholesale grocers, and those who may have received, signed, and forwarded his literature. He testifies under oath that he is secretary and treasurer of the wholesale grocerymen's committee; that he was instrumental in organizing the committee; that he alone organized the committee; that no regular meeting was ever called; that he never had any other members of the committee together except as a personal interview; that somewhere in the neighborhood of $12,000 has been spent in distributing literature by that committee and that the only one that subscribed was the Federal Sugar Refining Co. His statement is corroborated by Mr. Spreckels, president of the Federal Sugar Refining Co., that he did not know what the amount was, but dared say $12,000 had been expended for literature, and so forth. According to this brief, Frank C. Lowry is a sales agent of the Federal Sugar Refining Co. No comment seems necessary.

As before stated, many are honest in their contention for free sugar. In my opinion, to put sugar on the free list, as the Underwood bill proposes to do May 1, 1916, will not only do harm, but will do exactly what the experts and representatives of the Sugar Trust, who testified before the committee, said that it will do—that is, it will destroy the sugar-beet industry in this country, and as a result of course additional millions will go to foreign countries to pay for sugar imported. Prices of American farms will go down, thousands of wage earners and producers of sugar beets will have to seek other employment, and I am afraid the price of sugar to the consumer will go up; but that is neither here nor there. The question of protection to American industries and labor has passed that stage, and argument along that line is simply a waste of time, as you have declared that it is not to be considered. Your party pledges are out; you promised free trade under the guise of "tariff for revenue only." You excuse your action on the ground that the people have spoken. The cure has been prescribed; the remedy is free trade. The bill puts sugar, together with many other farm products, on the free list. You promised free trade to the farmer; you have given it in spots. You put his products on the free list, especially in the Northwest. The grower of sugar beets is down and out and the Sugar Trust on top. The responsibility is on you.

Now, a word as to sectionalism and discrimination in this bill, so manifest from beginning to end. Far be it from my disposing this question in order to stir up sectionalism. No; I have glorified in the fact and believed that the last vestige of sectionalism was wiped out years ago and I regret exceedingly that it appears in this bill. The bill speaks for itself. Sectionalism? The gentleman from Tennessee [Mr. AUSTIN] and others say, "No." The bill says, "Yes." Discrimination? You say, "No." The bill says "Yes." As for instance, biscuits, bread, wafers, also wheat flour if coming from any country which imposes no duty on wheat flour imported from the United States, buckwheat and buckwheat flour, rye and rye flour, corn and corn meal, oatmeal, meats, fresh beef, veal, mutton, lamb, pork, and bacon, practically all produced up North, are on the free list; while down South cotton thread and carded yarn are protected by from 5 to 25 per cent ad valorem; cotton-card laps, 10 per cent; cotton waste, manufactured or otherwise advanced in value, 5 per cent; spool thread of cotton, 15 per cent; cotton cloth not bleached, dyed, colored, and so forth, from 10 to 27½ per cent; cotton handkerchiefs, 30 per cent; clothing composed of cotton, 30 per cent; shirt collars and cuffs of cotton, 25 per cent; cotton stockings and hose, 20 per cent; shirts, corset covers, and all underwear of cotton, 30 per cent; all cotton not specifically provided for, 30 per cent; peanuts or ground beans, three-eighths cent per pound; limes, oranges, grapefruit, and lemons, a duty of 18 cents for 1½ cubic feet, which to me looks like handing out a lemon to the North.

Your stock in trade before election was "Free trade, tariff is a tax." You promised that if you got in control you would tax the rich and relieve the poor. To tax luxuries and admit necessaries free of duty. What a relief and blessing it would be to the poor to pay 30 per cent ad valorem duty on clothing, on shirts, on corset covers, and on underwear of cotton grown down South. Certainly the poor will not object, as according to your theory they are luxuries and can be dispensed with. Certainly they will not object to paying a duty on fruit and food produced down South, as according to your views they are luxuries while the food produced up North is a necessity. They will have meats, flour, ham, and bacon free; what do they care about underwear, stockings, clothing, and corset covers? You say, "Nothing whatever," as you have declared them luxuries and previous free-trade legislation has proven your theory, as it is generally known the poor people did, in a large degree, get along without them under free-trade experience. You say "We tax the manufactured article and admit the raw material free." According to your philosophy peanuts and rice grown, oranges, lemons, and grapefruit picked from the tree down South are manufactured articles.

The fruit grower of the South picks the orange from the tree, packs it in a box, and carries it to the station. The grower of peanuts down South in Virginia picks the peanuts and delivers them at the station. They are protected by a high duty on the ground that their products are manufactured. The farmer up North furnishes the seed; he plants, cultivates, harvests, and thrashes the wheat, rye, and buckwheat. He takes it to the mill. It is ground and sold. He furnishes the seed; he plants, cultivates, picks the corn and feeds it to the hogs; and after 10 or 12 months' labor and care the hog is shipped and transportation paid, the hog is dressed, and the bacon and ham sold, according to your theory, as raw material. Your philosophy, logic, and conclusions, though difficult for me to comprehend, are not open for discussion, hence they must be accepted and submitted to, as your theory has been accepted, and power granted you to legislate and, according to your views, it will work out justice and happiness to all concerned. As before stated, I have no quarrel with anybody, with the South or the North. On the contrary, I give everybody credit of being sincere and honest, and my only object is to point out facts, and in doing so it can not be said that I reflect upon the integrity, motives, or judgment of any Representative. So far as I know they are all well-meaning gentlemen and loyal to the best interests of all the people. But nobody will dispute the fact that all men are more or less the product of their environment, and are more or less selfish and interested in that which concerns their own welfare and happiness. If Gen. Hancock's observation that the tariff is a local question is well founded, then it is fair to assume that all Representatives are most interested in their own constituents and their interests. If so, naturally the rights and interests of the farmers and manufacturers in one section of the country producing the things not produced in another section are not so well conserved when in the hands of those less interested in their welfare as if in the hands of those more directly interested.

With the manifest discriminations in this bill naturally one who is interested and in the dark as to the mysterious transactions in that secret Democratic caucus is led to ask, Why are the numerous articles extensively produced up North placed on the free list, or a sweeping reduction made, and the things produced extensively down South highly protected? As, for instance, in this bill the 6 cents duty on butter is cut in two, the 5 cents duty on eggs is reduced to 2 cents, while the 3½ cents duty on cocoa butter and cocoa butterine is left the same. Why was it done? Was it because Tammany Hall, the South Atlantic, and the South Central States, according to the census reports of 1900, produced less than 280,000,000 pounds of butter, while the North Atlantic, the North Central, and the Western States produced more than 1,211,000,000 pounds? Was it because Tammany Hall, the South Atlantic, and the South Central States produced less than 190,000,000 dozens of eggs, while the North and Western States produced more than 621,000,000 dozens of eggs that year? Was rye and wheat flour put on the free list and a duty of one-eighth of a cent per pound put on rice flour because rice grows in the South, while rye and wheat flour is produced in the North, or was it in the interest of the consumer?

Naturally, after studying the bill; agreeing with Gen. Hancock that tariff is a local question; taking into consideration the apparent discrimination in the bill and the fact that Representatives of the South and Tammany Hall were in a majority in the Democratic secret caucus, same as they always were and always will be as long as we have Democratic secret caucuses; knowing that they profess to believe that "tariff is a tax" and the removal or reduction of duties lowers the price; also knowing the fact that production down South is practically confined to cotton, fruit, rice, and peanuts, with the exception of sugar in Louisiana and cattle in Texas; and while believing that their Representatives were conscious of their duty and obligation to their constituents, a duty construed by many to mean the lowering of the price on that which they purchase; considering it all, naturally, one in the dark as to what took place in the caucus and committee, might conclude that possibly they might have stretched their conscience and resolved to put up the price on what they have to sell and lower the price on what they have to buy instead of giving high prices to the producer and low prices to the consumer as promised, also that Tammany, whose only business is politics, who had nothing to lose and all to gain, being of the same faith and also being in the market for butter, eggs, meats, flour, biscuits, bread, ham, bacon, and numerous other articles produced up North and not down South or by Tammany Hall, and, like the South, had none to sell, might have compromised their conscience to the extent of sacrificing the consumer to high tariff and high prices on that which they have to buy from the South and free trade and low prices on that which they buy from the North, and, in order to maintain the peace, brotherly love, and friendship that always existed between the two, for the good of the party they also concluded to sacrifice the cause to the extent of the consumer's going half naked, without cocoa butter and peanuts, rice, and fruit produced down South, and had, for the good of the party, joined hands with the South in the perpetration of the proposed outrage on the North, especially the northern farmer. If so, the interests of the North were sacrificed; and if so, the question is, Where and what were Democratic Representatives elected up North, sworn to do their duty to the country at large, including their own district—what were they doing and where were they?

How did it happen that the people who were so dear and near to them before election were left out in the cold? Why and how have they been sacrificed? If press reports are true, Democrats met in a secret caucus and solemnly pledged to support any tariff bill reported out of that caucus; that the Democrats from the North went in roaring like a lion, kicked, and found fault, but the South and Tammany, being 2 to 1 in that caucus, did the voting. As usual the South and Tammany Hall, always in the majority, did and always will run the party. Besides, the big stick had served notice "tariff first and pie after." The jig was up and our good Democratic friends from the North, notwithstanding the courage displayed before election, the promises made to their own dear and beloved people, were subdued and came out meek as lambs and never have they peeped since. Strange, indeed, notwithstanding their outstanding promises to guard and protect the interests of their district, 105 Democrats elected in the Northern States sat down in that caucus with 139 Democrats representing 18 Southern States, 31 Democrats representing the State of New York, the home State of the all-powerful Tammany, and 11 Democrats representing the State of New Jersey, the home State of the big stick. Not a 16 to 1 proposition, but about 2 against 1. It is reported that a few of the 105 found fault, kicked, groaned, and talked of bolting the caucus. Recently they had vigorously and bitterly denounced the vicious Cannon caucus system and the one-man rule; they had professed to be in sympathy with those of us who had fought for and succeeded in amending the rule and doing away with the caucus system. Some may have at times in the past voted to overthrow the one-man rule and dispense with the vicious secret and binding caucus, but there they were. With full knowledge of their being in a hopeless minority, they cheerfully and willingly sat down, submitting to the tying of their hands and feet and sealing their mouths forever. Here they now are in silence, dancing to the tune of the caucus, words composed by their leader, their spokesman, OSCAR UNDERWOOD. If reports are true, every one of the 105 will vote for the bill without the crossing of a "t" or the dotting of an "i," and their dear constituents in whom they had professed such a deep interest will pay the fiddler, and they are expected to pay the price regardless of cost without a murmur. If the dose shall prove bitter and heavy to carry they may rebel.

They will probably be obliged to change the tune from "My Dear Farmer" to "My Dear South and Tammany." Or if their downfall and desertion is due to the "pie counter" or lack of confidence in their own judgment and ability to protect the interest of their district, they will probably change their campaign speaches to "My dear deserted constituents, before election I loved you more than words can tell; I swore to protect you, but in my struggle for pie I fell in the tempter's snare and consigned you to the tender care and mercy of Tammany and the South, so generously guided and aided by the Big Stick," as undoubtedly their constituents will see more plainly than ever that under the vicious Democratic caucus system their Representatives are helpless as a babe in its mother's arms. They know that as long as their vote is dictated and voted by caucus combination and other interests they have no voice in this House; that they might as well vote directly for the leaders or those who control legislation as to continue voting for them indirectly. They know that as long as the Democratic caucus system is continued their Representative's vote will be dictated and voted by the combination. They know that under the Democratic caucus system the principle for which our forefathers fought and battled, freedom of thought and freedom of action, has been lost sight of. They know that their Democratic Representatives have lost courage; that they have turned their back on the reforms to make the House a representative body. They know that the taking the power away from the Speaker and giving it to another is simply a transfer of power, and that they still have a one-man power. That notwithstanding the fact that their Representatives hollered reform, found fault with autocratic power, assisted in the past in the overthrow of the autocratic rule which in a degree restored power to individual Members of the House, they have now gone back to the caucus and one-man power.

The people know that the power lodged in the chairman of a committee is as dangerous as that lodged in the Speaker. They know that under the Democratic caucus system their Representative's votes do not record their honest conviction, but necessarily the conviction of the majority members thereof and the conclusion of the caucus. They know that their Democratic Representatives did not stand for and assert their rights and they will undoubtedly judge them by their action.

I am no prophet and offer no prophecy, yet if you fail in your absurd philosophy, promises, or guaranty to the people to give higher prices to the producer and low prices to the consumer at one and the same time, if history should repeat itself, if wages and prices should go down, if meats, flour, butter, eggs, oats, and corn shall go down, if the factories and mills close, if again we shall find the farmers without a market for their products, the industries of this country on the verge of helpless bankruptcy, the railroads in the hands of a receiver, and—as alleged by Mr. Gompers—3,000,000 wage earners out of employment, as under the Wilson-Gorman bill, while some will undoubtedly contend, as they did then, that tariff had nothing to do with it, notwithstanding, I believe it fair to assume that, after the experience, the American people will conclude, as they did then, that confidence had been misplaced, and whether Republican legislation and administration had anything to do with prosperity and plenty under Republican rule or not, after reflecting, meditating, and comparing, they will undoubtedly resolve that Providence was a most generous giver under protection and Republican rule; that free trade and Democratic rule, as usual, swallowed them body and breeches, and that the trust got it all; and will ask to be delivered from the agony and mischief surrounding them and for forgiveness, judging from past experience.

Undoubtedly free-trade days will seem long to all of us, but our consolation is that the verdict will probably be that of the judge who decided the question, "resolved, that married men live longer than single men," who having had experience and having listened attentively to the eloquent and forceful arguments on both sides, reached the conclusion that married men live no longer, but that it seems longer.

The Tariff.

EXTENSION OF REMARKS
OF
HON. ANDREW J. VOLSTEAD,
OF MINNESOTA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 2, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. VOLSTEAD. Mr. Speaker, this bill does not appear to be drawn in accordance with any general policy, but is clearly the result of compromises between different sections and different classes. In this contest of sections and classes it is clear that the farmers of the North and West received but scant consideration. The chief aim, however, of this bill, as expressed by those who stand sponsor for it, is to reduce the cost of living, especially the cost of farm products to the consumers in the cities. It is this feature of the bill that is especially urged in justification of it and that has received the most

enthusiastic applause. Our complaint that this bill is unfair to the farmer is met with the answer that this is a general bill to reduce all duties; that the farmers must take their share of the reduction, as it is necessary because the people in the cities need cheaper food; and it is said that the farmers are rich; that they ride in automobiles, and can stand the reduction. If this bill equalized duties so that each class would bear the same burden and reap the same advantages of the tariff, the farmer would not complain, but that is not the plan of this bill. It provides substantial duties on nearly all foreign articles that may come in competition with American products except the products of the farm, while the latter are nearly all free, or the duty on the competing foreign article is so small that it is of little or no value either for revenue or protection. The farmers in the North and West depend almost entirely upon the production of grain, meats, and dairy products for their support, nearly all of which are made directly or indirectly free by this bill. Hogs and all the products from the hog are on the free list. A small duty is left on sheep and cattle, but meats and all other products from these animals are placed upon the free list. A small duty is placed on wheat, but flour is on the free list. Potatoes, rye and rye flour, corn and corn meal suffered the same fate, and so does buckwheat and buckwheat flour. To be sure that even the industrious farmer's wife should not profit overmuch on her poultry, the duty on eggs has been reduced from 5 cents to 2 cents per dozen, and even live poultry had to come down from 3 cents to 1 cent per pound.

One of the most ridiculous features is that providing a duty on such articles as wheat, cattle, and sheep, while at the same time their products, such as flour and meats, are placed on the free list. If anyone imagines that he can deceive our farmers into the belief that such a duty is of any value he must place a very low estimate upon their intelligence. Instead of shipping wheat, sheep, or cattle, flour and meats will be shipped. No revenue can be realized under such a tariff, and it can not be defended without insulting the intelligence of those who are said to profit by it. Flour from foreign wheat will glut our markets and force us to sell ours at the world's price less the cost of placing it upon the world's market. Mutton from Australia, or beef from Mexico, Argentina, and other countries will enter our markets in competition with the products of American sheep and cattle. The duty on butter has been reduced from 5 cents to 2 cents per pound, and milk and cream has been placed on the free list. Free milk and cream practically removes this 2-cent duty on butter coming from Canada. Cream is now shipped from the Dakotas to Chicago and may be shipped from any section in Canada to American creameries. In speaking of wheat it should not be overlooked that the bill contains a provision that flour shall pay a duty of 10 per cent as against a country that imposes a duty on our flour. It is urged that this is in effect, under present conditions, provides a 10 per cent duty on flour. The object of this proviso is to induce other countries to remove their duty on flour; otherwise it serves no purpose. It holds out no temptation to a country that is compelled to import large quantities of flour for home consumption. Such a country can have free flour by removing its own duty, and has no reason to seek an opportunity to export flour to this country, as it has none to export. It is only countries like Canada and Argentina that can profit, and the provision must have been inserted for the purpose of inducing such countries to take advantage of it. The provision is in effect the same in regard to wheat and flour as the Canadian reciprocity treaty, and I suspect that the framers of this bill must have some reason to believe that Canada or some other like country will accept it. Mr. UNDERWOOD, the Democratic leader, in explaining the bill to the House laid special stress upon the fact that this provision would in effect give free flour.

The duty of 10 cents per bushel on wheat is not sufficient to afford protection to that industry. The principal market of the farmers in the great wheat-growing sections of the Northwest is New England, Pennsylvania, and New York. The transportation charges on this wheat from the farms in Minnesota and the Dakotas will average at least 20 cents per bushel. Wheat at the present farm price of about 75 cents per bushel in Minnesota must be sold in New York for about 95 cents. The farmers of Ontario, Canada, can pay the duty of 10 cents and still realize for their wheat several cents per bushel more than the American farmer in my section. Wheat from Argentina and other countries with cheap ocean rates may do the same. The reduction of the duty on barley to 15 cents per bushel will have the same effect. Ontario is especially well adapted for raising barley. The Ontario barley raisers can more than compete with the West, even though they pay the 15 cents per bushel, as the transportation charge that our farmers must pay exceeds by more than that figure the freight paid by his Canadian competitor. This narrow margin between the American and foreign market will permit importation of foreign grain at almost any time and make it certain that our prices will nearly always be the European prices less the cost of placing our grain on the foreign market.

To show what this means I submit a recently published article commenting upon a statement made by Mr. John G. McHugh, secretary of the Chamber of Commerce of Minneapolis:

Relative to the pending tariff bill and its probable effect upon wheat prices if it passes as it stands, Secretary John G. McHugh, of the chamber of commerce, has issued a statement giving the comparative prices for Minneapolis, Duluth, and Liverpool wheat, which shows, Mr. McHugh said, that the prices ruling in Minneapolis and Duluth are not made in Liverpool.

"Such a comparison is timely," he said, "as bearing upon the question of the proposed wheat and flour schedule of the new tariff law. It is frequently argued by those supporting the tax on wheat with free flour, as set forth in the bill, that this country, being an exporter of wheat and flour, prices are therefore necessarily made in this country on an export basis, and that the miller has nothing to fear from such a tariff change.

"Figures have been published showing the comparison of Winnipeg prices, on one hand, with Minneapolis, Duluth, and Chicago prices on the other, and from such figures it has appeared that the Winnipeg price is commonly much below the Duluth and Minneapolis prices, and that Winnipeg, therefore, was inclined to be on an export basis.

"Even a hasty examination will show that Minneapolis and Duluth are not on an export basis with Liverpool, and a careful examination will show how very far this is from being true."

The table follows:

Comparative prices of wheat.

First trading day.	Minneapolis, No. 1 northern, delivered.	Duluth, No. 1 northern, track.	Liverpool. Future.	Liverpool. England, current prices.	Liverpool. United States equivalent.	Approximate cost to take wheat in store, Duluth, and deliver in store at Liverpool.
1910.				s. d.		Cents.
Jan. 3	113 -114	114	March	8 2½	117½	24
Feb. 1	113 -114½	112½	...do	8 4	120	24
Mar. 1	114 -115½	115½	...do	8 1½	117½-117½	24
Apr. 1	115 -116½	115½-117½	May	8 3	118½-119	24
May 2	103½-104½	103½	...do	7 2½	103½-104	18
June 1	103½-107½	104½-103½	July	6 4½	91½	18
July 1	113 -115	116	...do	6 9½	97½	17
Aug. 1	117	119½	October	7 3½	107½-10 ½	17
Sept. 1	112½-113½	113½	...do	7 6½	108½	19
Oct. 1	109½-109½	109½	...do	7 3½	104½-104½	20
Nov. 1	101 -102	102	December	6 10½	99½- 99½	21
Dec. 1	105½-106	104½	...do	6 10	98½	22
1911.						
Jan. 3	106½-107½	107½	March	7 2	103½-103½	24
Feb. 1	103 -104½	104½	...do	7 ½	101½-101½	24
Mar. 1	96 - 97½	94½	...do	6 9½	97½	24
Apr. 1	92½- 93½	93	May	6 6½	94½- 94½	24
May 1	98 - 99½	99½	...do	6 10½	99½	18
June 1	97½- 99½	98½	July	6 10½	99½	18
July 1	97½- 98½	97½	...do	6 10½	99½	17
Aug. 1	103½-104½	104	October	6 10½	99½	17
Sept. 1	102½-103½	103½	...do	7 2½	97½- 97½	19
Oct. 2	107½-108½	108½	...do	7 4½	102½	20
Nov. 1	106 -106½	106½	December	7 4	103½	21
Dec. 1	102½-102½	101½	...do	7 2½	103½-104	22
1912.						
Jan. 2	107½-108½	107	March	7 4½	106½	25
Feb. 1	106½	103½	...do	7 7½	110½	25
Mar. 1	108½-108½	107½	...do	7 11½	114½-114½	25
Apr. 1	107	107	May	7 10½	113½	25
May 1	113½	114½	...do	7 11½	114½	21
June 1	112½-112½	113½	July	7 7½	109½	21
July 1	110½	111½	...do	7 7½	110½	21
Aug. 1	108½-108½	106½	October	7 4½	106½-106½	21
Sept. 3	88½- 89½	91½	...do	7 7½	109½-110	24
Oct. 1	86½- 88½	88½	...do	7 8½	111	25
Nov. 1	85 - 86½	86½	December	7 7½	109½	28
Dec. 2	80½- 82½	80½	...do	7 2½	103½-104	28

"These figures show conclusively," says the statement, "that this country is not on an export basis and that prices of wheat as fixed in Minneapolis and Duluth are certainly not on the basis of Liverpool less the freight."

It is argued that the reductions contained in the pending bill will greatly benefit the public by reducing the price of articles that the consumer has to purchase. Upon the realization of this hope rests, I presume, the fortunes of the Democratic Party, but they must realize it and still maintain prosperity. Reduction in prices as the result of stagnation in business will not answer the purpose. I doubt very much that the consumer will profit in any marked degree by these promised reductions in prices. The present law made a substantial cut in the duty on lumber, but it did not reduce the retail price. Is there any reason now that a further reduction will be reflected in such price? I doubt it. The same law placed hides on the free list and almost took the duty off leather and shoes, still the consumer has paid as much and even more for his shoes since the reduction. The removal of a 40 per cent duty on 15-cent foreign wool is not likely to make a suit of clothes weighing 3 pounds sell for much less than it does today, though it may send our sheep to the shambles. Do you imagine that the consumer will get any very large part of the 16 cents which it is the purpose to save by cutting out this duty? The removal of duty from farm machinery is pointed to as a great boon to the farmer, though farm machinery is on the free list under the present law as against England. There has been no importation of farm machinery. The reason is plain. Farm machinery is cheaper in this country than in any other. This has been established by reports from our foreign consuls. It is fully confirmed by the Bureau of Corporations after an exhaustive examination and has been testified to under oath by officers of the International Harvester Co. The prices of farm machinery can not be affected by this bill.

I am not calling attention to these things as an argument in favor of the present law. I believe that law is in need of prompt revision. I am satisfied that it is too high in many respects. But if I have to choose between the present law and the pending bill, I am decidedly in favor of the present law. Under its provision the section that I have the honor in part to represent has greatly prospered. This bill clearly discriminates against agriculture and every one depending for his prosperity on that great industry. The cities can not prosper if agriculture suffers. The cry for cheaper food has written this bill. The cry comes from those who have infinitely more of the comforts and conveniences of life than those who produce the food. This is the American Cobden corn law. When by that law England made farm products free, the English farmer put an end to protection for the factories. Why should our farmers support a system of protection to the factory that necessarily enhances the price of the labor that he must pay in producing his crops and enhances the price of the products that he must buy while he is compelled to sell his own products in competition with the cheapest paid labor and the cheapest land in the world? Every protected country in Europe accords to its farmers a fair share of protection, though food products are higher there and labor receives less pay for toil. There is no good reason why in this country the farmers should be treated less favorably. There is no class of people that receives less reward for capital invested and labor expended than does the farmer.

The Tariff.

EXTENSION OF REMARKS
OF
HON. SAM R. SELLS,
OF TENNESSEE,
IN THE HOUSE OF REPRESENTATIVES,

Friday, May 2, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. SELLS. Mr. Speaker, it is not to be expected that much could be said in the short time allotted me for the discussion of this bill. Nor is it to be expected that anything which I might say, or that anyone might say, will in the least jot or tittle change or modify any of the provisions of what in my judgment is the most drastic free-trade bill presented to Congress within 50 years. I take advantage of the time accorded me merely to record my protest against this proposed legislation with the intention of utilizing the RECORD for an extension of my remarks so that the people of the first Tennessee district, whom I have the honor to represent, may understand my attitude toward this bill and know that I have resisted its unfair and unjust schedules.

I believe that I do not misrepresent the sentiment of this country when I say that the overwhelming majority of the people are disappointed—not to say outraged—over the Underwood bill. The producers of the country, manufacturer and farmer, had a right to expect more equitable treatment at the hands of the administration. I say they had a right to expect it, because it was during the campaign of 1912 promised them not only by Mr. Wilson himself but by Mr. UNDERWOOD and every Democratic campaign orator with a license to make promises for the performance of the party now in power. Time and again Mr. Wilson stated that no legitimate industry would suffer at his hands and that while the tariff would be revised, it would be done by gradual reductions extending over a long term of years, during which the business interests of the country would have ample time to adjust themselves to new and changed conditions. And now, in the face of these promises, explicit and unequivocal though they were, the American people recorded their verdict in favor of an adherence to the amply protective theory. Taft and Roosevelt, both of whom stood for protection, having received a combined plurality of the popular vote of more than one and a quarter millions. Mr. Wilson and his party are in power to-day not because they represent the ideas and convictions of the American voter, but merely because of an unfortunate situation which resulted in a division of their opponents.

All of us believed the Wilson tariff bill of 1893–1896 bad enough. Nobody now disputes it. Manufacturer, farmer, and laboring man suffered alike from its ruinous effects. And yet the Democratic majority, under the leadership of Mr. UNDERWOOD, and the patronage prod of the distinguished gentleman at the other end of the Avenue, proposes this bill, which, in general average, is 35 per cent lower than the rates contained in the Wilson bill. The gentlemen say that prices are too high and that this bill will lower them. I think no one reasonably well informed will gainsay that statement. The Wilson bill did it, and under its operation the farmer sold his wheat as low as 40 cents per bushel, cattle at 2 cents per pound, hogs almost as low, and the representatives from the great agricultural sections of the West and Middle West no doubt recall how corn was used for fuel, it being cheaper than coal at 15 cents per bushel. The sheep-growing industry was temporarily ruined, and it has never recovered from the blighting effects which resulted. There was no branch of agricultural industry which did not suffer, and with the memories of that era of low prices, of stagnation, and of ruin still poignant, the farmers of this country had a right to expect and demand fairer protection at your hands.

The Wilson tariff of 1896 provided an ad valorem rate on cattle of 20 per cent; the Underwood bill gives but 10 per cent. Horses had a protection of 20 per cent under the Wilson bill, and this rate, too, has been cut to 10 per cent. Exactly the same reduction has been made on sheep. On all live stock grown on our farms the Underwood bill, as compared with the Wilson bill, reduces the protection 50 per cent; as compared to the Payne tariff, the reductions range from 75 to 150 per cent. I submit herewith a table showing the ad valorem rates existing during 1896 under the Wilson tariff, in 1910 under the Payne tariff, and as proposed by the Underwood bill:

	Wilson.	Payne.	Underwood.
	Per cent.	Per cent.	Per cent.
Barley	30	45	23
Wheat	20	25	14
Butter	24	27	12
Cheese	28	34	20
Beans	20	28	15
Eggs	32	36	14
Hay	21	49	26
Apples, etc	20	22	8
Poultry, dead	24	28	18
Poultry, live	20	23	6
Buckwheat	20	24	Free.

There is scarcely an article in the whole list of agricultural products on which the tariff has not been either materially reduced or removed entirely, all of which leads me to inquire, What grievance has the Democratic Party against the American farmer? In these days of swollen fortunes no man has ever had the hardihood to say that the farmer was unduly protected, nor that he was receiving more than his proper and honest share of the rewards which his industry and frugality have earned him. He is the backbone of our civilization, the keystone in the structure of our Republic. In times of prosperity and stress alike a hundred million hungry mouths appeal to him for their daily food, and, be it said to his everlasting credit, he has ever gladly responded to the call. And yet, an examination of your bill would justly invite the criticism that the majority of this House regard him as a malefactor of great wealth, a unit in a great and lawless trust that menaces our institutions, instead of our chief and best benefactor. You let down the bars to the Beef Trust, which controls the cattle supply of the Argentine Republic, and invite his direct and ruinous competition with home-grown beef. To the sheep grower of Australia, where sheep are produced at less than half the cost in this country, you give a free and unrestricted market for his flocks. Through a removal of the duty on flour you ask the Canadian farmer, with his 30,000,000 acres of wheat land, unexcelled in the world for profitable wheat growing, and yielding 23 bushels on an average to the acre, to compete with the

American wheat grower, with a production per acre of but 15 bushels. "Oh," the gentlemen say, "we have protected our wheat grower, to some extent, by a tariff of 10 cents per bushel." Yes, I admit, but I would respectfully ask that you point out the protection for the farmer, when your bill provides for the importation of flour duty free. What has the American miller done to invite this unfair discrimination against his business and in favor of the Canadian miller? I have never heard it charged that the millers were in any combination in restraint of trade, nor that the profits of their business were unreasonable. My investigations have convinced me that their profits on flour per barrel do not exceed 15 cents.

I have here a full and complete report of the milling industry of the United States, made in 1910. It shows 11,691 establishments, with a capitalization of $347,152,000 and 66,054 employees. In salaries and wages they paid $33,981,000; for grain and other raw products, $767,576,000 or a total of $801,557,000. The total value of their products was $883,584,000, or a gross profit of but 11 per cent. out of which must be paid interest, taxes, insurance, maintenance charges, and other incidentals. I think I am within the truth when I say that the miller's net profit on his sales is less than 3 per cent. But notwithstanding this fact, and its truth is generally admitted, you have in effect levied a preferential tax upon him of 45 cents per barrel of flour and in favor of the Canadian miller. Under your free-flour provision the farmer's protection on wheat is not only taken away, but the milling industry, more especially along the Canadian border, will be ruined.

I have never received any explanation of these inconsistencies. To my mind they are not only unfair, but idiotic. They demonstrate your inability and unfitness to draft fair and wise tariff legislation, and lead me to say to you, in the same spirit that actuated the construction foreman to say to the Dago laborer, "Put down that wheelbarrow; what do you know about machinery?"

You say that you are going to reduce the price of living in this country; that you are going to provide a free market basket for the laboring man. The question is, What will there be in the basket? I think you tried this once before, in 1893. You provided free soup, but your bill of fare made no further provisions, and our laboring man did not appreciate the diet. It might suffice in those days, when there was nothing to do, but when the Republican Party in 1896, under the leadership of McKinley, gave him labor to perform at good wages, he found your free soup insufficient and demanded and received three square meals per day out of the abundant prosperity.

Nor is this all. In 1894 he had to his credit in the savings banks $1,777,000,000, which had grown in 1912 to $4,452,000,000, an increase of more than 250 per cent. In 1904 the total number of wage earners employed was 4,251,613, and their wages amounted to $1,891,228,331. In 1910 the total number had increased to 6,615,046 and their wages to $3,427,037,884. During the period of the Payne tariff, as compared to a similar period of the Wilson tariff, the number of wage earners increased 2,363,433, a gain of about 50 per cent, while their earnings increased $1,535,809,553, a gain of more than 80 per cent. Their average daily wage increased nearly 20 per cent.

And yet in spite of this record of prosperity and achievement the professional agitator and political demagogue have prejudiced the mind of the laborer against his employer; have deceived him into the belief that he is poorly and ill paid and does not properly share in the profits of his industry. Ninety-nine per cent of the men who make that statement never earned a dollar by honest toil themselves nor furnish employment to labor to earn it.

Democrats on the floor of this House have stated that the Republican Party is a party of unjust privileges and that it offers opportunity to the few at the expense of the many. I have always held to the belief that the interests of the manufacturer, the farmer, and the laboring man are so closely interwoven as to be practically identical. It is the experience of this country that their prosperity and material well-being are inseparable. And he who would array one class against the other or disturb that confidence and spirit of fellowship that has existed among and between them throughout our Nation's history is a demagogue, a charlatan, and an enemy of his country and its institutions.

That statement, now threadbare, that "the rich are growing richer and the poor poorer" has been chanted by the gentlemen on the other side of the House like a funeral dirge. Half of them honestly and ignorantly believe it; the other half dishonestly use it to further incite class hatred and to prejudice employee against employer. No figures have ever been given as a basis for such a statement. I have examined with care the reports compiled by the majority members of the Ways and Means Committee to accompany this bill, and they are exceedingly voluminous. There are, according to this report, 268,491 manufacturing establishments in the United States, with 7,678,578 employees and a total capital of $18,428,270,000. The value of their manufactured product yearly is $20,672,052,000, while the cost of materials used, with wages and salaries, reaches the sum of $16,508,404,000, leaving a gross profit of a little more than $4,160,000,000, or about 20 per cent. Out of this, too, must be deducted all fixed charges, fuel, rents, interest, taxes, and so forth. In only one instance have I found what is clearly an exorbitant profit, and that is on the manufacture of agricultural implements, which shows a gross profit of nearly 50 per cent. I commend the gentlemen for placing these implements on the free list, though I doubt seriously that it will result in a lower cost to the farmer. I believe that your efforts to regulate the trusts by a reduction in tariff rates can only result disastrously to legitimate business and with no corresponding benefit to the consumer. It is true that you may cheapen prices; financial panics and business depression always have that effect, both of which have invariably followed your efforts to revise the tariff. And upon what hypothesis do you base your conclusions that the results will be different now? In cheapening prices you must necessarily cheapen labor. If you put our manufacturers upon a competitive basis with foreign manufacturers, you must necessarily put American labor in competition with foreign labor, with an equalization of the wage scale in all the unprotected countries of the world.

And this means not only a reduction in the American rate of wages, but it means a lowering of the standard of living of our wage earner, and a decrease in his ability to educate his family, and to properly shelter, clothe, and feed them. The Tariff Board, which in 1911–12 made a comprehensive and thorough study of Schedule K, both in this country and abroad, submitted to this House an interesting report which illuminates the subject of relative wage scales in this and foreign countries. According to their report the most highly skilled operatives in the woolen factories of England and Germany receive a maximum weekly wage of $4.50 to $6.50, as compared to $14.50 in this country. And the wages of the less skilled operatives decrease in about the same ratio, and in every instance they are from 50 per cent to 75 per cent higher here than abroad. The difference in the cost of manufacture is about the same, proving, in my judgment, and beyond all doubt that if, as President Wilson has said, we must invite the foreign manufacturer to share our markets with us, we have but one of two alternatives to choose, viz, lower wages, or go out of business.

America ought to be for Americans, and Americans for America. I voted in this House but recently to keep out of this country the illiterate and vicious foreigner, and I did it from patriotic impulse, and I expect to act with the same patriotism when I vote against this bill. Foreign paupers and the product of foreign pauper labor are alike undesirable.

This bill strikes a deadly blow at the industrial development of the South, as fair a land as God's sun in heaven ever shone upon. Fifty years ago this was a barren waste, devastated by the ravages of a cruel war. Her slaves were freed, her credit gone, her entire industrial fabric destroyed. Her sons, heroic in war, were none the less heroic in peace, and with courage, energy, and prophetic vision they set about rebuilding her broken and crumbled fortunes.

History contains no record of a braver or more persevering race. Out of the ashes of her desolation have sprung beautiful cities, throbbing with the energies of a new industrial life. Her battle fields, reddened with the blood of her heroes, have been converted into fertile farms, potentially capable of furnishing food for a nation, and cotton for the manufactories of a world. Her deposits of coal and iron remain practically untouched. She possesses the hardwood timber supply of the continent. The process of her development has but begun. She is now but casting aside her swaddling clothes as she prepares to fulfill the prophecies of her fathers. I am proud to stand in this body as one of her Representatives; Republican though I am, every heart throb is for her and her people. I am bone of her bone and flesh of her flesh, and may God forget me when I forget her or falter for a moment in her service.

In spite of the fact that the South has been unwavering in her allegiance to the Democratic Party, the protective idea meets with her people's approval. They have remained loyal to you because of their traditions and the bugaboo of negro equality, a proposition that no red-blooded American has ever for a moment seriously considered. There is no section of this Union where protection is more needed and demanded. And notwithstanding the solidity of the support which the representatives of that section are giving this bill, I still maintain that they are in reality misrepresenting their people, and that the effect of this bill, when enacted into law, will be more injurious to the South than any other section of the country.

The pendulum of our prosperity swings to and fro. Its momentum may be accelerated or impeded by national legislation. Nothing can stop it altogether. But, in my judgment, the evil effects of this legislation, even at this time being felt in the business world, will create such a revulsion of sentiment as to sweep from power the party responsible for it. I am neither a prophet nor the son of a prophet, but he who is familiar with the history of tariff legislation in this country and the depression invariably following in the wake of radical tariff reduction does not need to be a prophet to foresee widespread disaster in the industrial life of the Nation as a result of your ill-advised and misdirected efforts.

The Tariff.

SPEECH
OF
HON. HENRY BRUCKNER,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,

Friday, May 2, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. BRUCKNER. Mr. Speaker, as a new Member of this body, coming fresh from the homes and firesides of the people, I have listened with much interest and amusement to the wails and cries of the Republican calamity shouters, predicting all sorts of disaster if the Democratic tariff bill introduced by Mr. UNDERWOOD becomes a law.

They have been painting pictures of poverty, misery, hunger, and starvation, with scenes of long bread lines for the poor and the destitute, begging bread to keep their families from dying from hunger, soup houses on every corner giving soup to the lowly and miserable, upon which they must exist until the next four years have elapsed, when the country will once more be restored to the Republican Party by the voters of this land, when the bread lines and soup houses will be wiped out, and once more we will be in the land of plenty.

As I listened to all this talk I wondered why it was that it had taken the Republican Party until now to discover all these things. Is it because the affairs of the Government have been taken from them? Is it because they feel that at last we have put the right foot forward and that the Democratic Party will redeem the continued pledges made to the people and give them what they have so long desired?

In 1910 the people had their first opportunity to repudiate the party that had failed to keep its pledges, and elected a Democratic Congress by a large majority.

The first act of this Congress was to pass a tariff bill in schedules, giving free meat and bread to the hungry, free lumber to the poor man to build his hut, free bagging and ties to the southern farmer who needed bagging and ties for his cotton, and free farming implements to the farmer. This bill passed the House of Representatives and a Republican Senate, was sent to President Taft for his approval. What happened? It was promptly vetoed.

In 1912 the Republican Party once more wrote in their platform a tariff-board plank, but the people were aroused; they thought of the words of Lincoln, "You can not fool all the people all the time." They knew that they had been fooled, and therefore refused to listen to their further pleadings. They said: "You have had your chance for 16 years. You have been promising us tariff reform; we cared not how we received it, whether by a tariff board, a Congress, or by a President. You had the opportunity, but you failed to keep your word."

The reason why the people repudiated the Republican Party was that it stubbornly fought and resisted all reasonable reform. They failed to move with the times. This is a progressive age, and the world moves in the direction of progress. The Republican chieftains could not adjust their views to modern schools of thought. They wanted to do things their own way and not the way the country wanted things done. It was the old game of delay—wait—but the people would not be denied; they gave the command "Forward, march."

The Democratic Party listened to this command; is ever ready to take the orders of the people and proceed now, as it has always proceeded, upon the doctrine which our political founder, Jefferson, planted his faith, "Equal rights to all, and special privileges to none," with no protection for the favored classes, to the detriment of the unfavored masses. We have heard much from these calamity howlers about the destruction and ruin to business on account of this tariff. Personally, as a manufacturer on an extensive scale, I have no fears, as my confidence in the American people is still firm. This cry, "Stop thief!" "Stop thief!" has been heard so often in this country that it no longer alarms sensible people. It is an effort to alarm and frighten honest, legitimate business into the belief that the Republican Party is the reservoir of all their prosperity and the advent of Democracy is the harbinger of shrinking profit and demoralization of business.

We have heard so much about shriveling industries, smokeless stacks, deserted farms, and dollarless banks that are to follow the enactment of this tariff law that it clearly demonstrates that it is their old policy of trying to fool the people. But, thanks to the intelligence and wisdom of the American people, this cry of fear will find no response in their hearts.

What has been the result of the Republican protective tariff? It has created trusts of enormous magnitude; fortunes unheard of less than a decade ago are nothing to-day in comparison to the enormous profits of these groups of men who have been receiving special legislation in return for their campaign contributions. We have seen the rich grow richer, men rolling in wealth; we have seen poverty and desolation increase in the homes of the toiling masses, and the burden of assisting them falling upon the middle classes rather than the rich. We have seen a few rich men pile up fortunes through the kindness and generosity of special legislation until they have become so rich that in order to soothe their troubled consciences they have endowed colleges and libraries. We have seen the enormous wealth of our country centralized in the hands of a few to such an extent that it is said now that 90 per cent of the total wealth of this Nation is owned by less than 10 per cent of the people. But, thank God, under new conditions as we propose, we hope this wealth will be more equally divided when we get back to the old principles of "equal justice to all and special privileges to none."

The day of class legislation is passed. The day that special and favored interests are to have a preference and advantage is now history, which will not be repeated while the Democratic Party is in power. These men, who had immense influence with the Government as well as special advantages and protection, must meet their less-favored brothers on an equal footing.

The people make just one request in this matter of tariff legislation. They ask justice, and they are determined to secure it. They demand that the tariff be so adjusted that its benefits will be equally bestowed upon all the people of this Nation and not upon any special class.

The Democratic Party is pledged by its platform not alone to fix the tariff rates, with the sole purpose of producing revenue for the Government, but to fix them in such a way so as not to destroy or injure any legitimate industry.

It is not the purpose of the Democratic Party to destroy any industry; it is anxious to carry out its pledges made to the people and reduce the tariff on the necessaries of life, thereby lessening the burdens of the toiling masses. It has been said by the Republican Party that a lowering of the tariff rates will react unfavorably upon wages. Since when has the Republican Party, this party of the classes, become so solicitous about the laboring masses?

During the past 16 years that they have been in power they have been too busy catering to the men of high influence and finance, as well as the owners of the great protected monopolies who are grinding the life's blood out of the poor laboring man, that they did not know he existed. Now they have seen the error of their ways and realize that the man of labor has had his eyes opened to conditions, and they are trying to fool him into the belief that it always has been their aim and desire to see that he has always received the benefits to which he was entitled under a protective tariff, namely, higher wages.

It seems strange to me that in the highly protected cotton industry of New England, which has always enjoyed the benefits of the high protective tariff, meant, as they say, to create high wages, a workingman is unable to earn enough to support his wife and family unless he is assisted by his wife, who should be at home attending to her household duties, or his children, many of them under age, who should be at school acquiring knowledge so that they would be able to go out into the world equipped with an education to prepare them in their struggle for success competing with the sons of the rich. What has hap-

pened there just recently? To the great disparagement of the Republican Party the people of this highly protected community have spoken in reply to their appeal by electing a Democratic Congressman, pledged to a downward revision of the tariff, to succeed Representative JOHN W. WEEKS, who resigned March 4 to enter the United States Senate.

This Democrat was elected on the 15th day of April, 1913, seven days after the Democratic Congress had convened in special session and the Democratic tariff bill had been introduced in the House of Representatives and was being considered, demonstrating only too plainly that the people of that section, particularly the section of Massachusetts comprising the thirteenth congressional district, which takes in part of Suffolk, Norfolk, Middlesex, and Worcester Counties, are no longer willing to be fooled, but that they had every confidence in the Underwood tariff bill and the Democratic Party.

The unusual thing about this election was that this district was carried by Representative WEEKS, a high-protection Republican to the Sixty-second Congress, by a majority of 4,341, while 33,733 votes were cast in that election, but Hon. JOHN J. MITCHELL was elected to succeed him by a majority of 4,148, receiving 12,991 votes, against 8,843 for Cutting, Republican, and 5,678 for White, Progressive, in the 27,512 votes cast, which were within 5,000 of the number of votes cast in the presidential election of November 5, 1912, in that congressional district, demonstrating at this special election the voice and sentiment of the people of this section of New England, always heretofore represented by a high-protective-tariff Republican, that they were tired of being humbugged.

Now, the Republican Party is crying for the rejuvenation of the Tariff Board. Why this, may I ask?

They wrote the Dingley bill without a tariff board. They wrote the Payne bill without a tariff board; and it was after the people of the country repudiated and drove them from power that they came before this House and openly declared and confessed their ignorance of legislative ability to write a revenue measure that was fair to the American people. When in the zenith of power tariff boards were most remote to their minds, and our answer to their prattle is this great tariff bill, which I know will be a great benefit to all the people of this land who want a square deal, of which we hear so much and see so little.

What are the main features of this bill?

SUGAR.

A commodity used in every American home.

We propose to reduce the tariff to about 1 cent a pound and at the end of three years to put it on the free list. As an extensive user of sugar in my business, I know for a fact that sugar always advances about 20 per cent about August 1, which is generally known as preserving time, when it is in great demand. I often wondered why this advance, and the only answer that I could get was that the Sugar Trust always advanced the prices at this time and established a zone system to carry out the same. I wondered, too, if the wages of the men in the refineries were advanced with the price the consumer paid. If not, then the fallacy of the argument that the Republican Party has put up, that the higher the cost of things correspondingly advanced the wages of the workingmen, is well proven. For the first time in 20 years the price of sugar did not advance at preserving time last year—I mean 1912. Why? Because the Sugar Trust thought that it could once more bunco the people and lead them to believe that the price of sugar was down, and perhaps it would be forgotten during the campaign. I can truthfully say without contradiction that sugar to-day is as cheap, with one exception, as it has been in 20 years. I ask in all fairness, Why is the price so low at present? Because the Sugar Trust thinks by keeping the price low during our deliberations perhaps, by some way, the duty will be retained. But they are too late, and the people will not be denied.

Sugar is a product that must be grown in a tropical climate. It is a product that can not be forced under disadvantageous conditions, although the plantations of Louisiana have been working at this disadvantage for many years, and it is utterly impossible, all things being equal, for them to produce sugar as cheap as it can be produced in Cuba, Hawaii, the Philippines, and other tropical climates.

If the good people of Louisiana would take the rich soil of their State, plant cotton, grain, vegetables, for which their land and climatic conditions are admirably adapted, they would gather much more revenue on their investments, and hence would not need special protection to keep alive an industry which the God of all nature has long decreed can not longer exist in their land.

The people of Louisiana admit that they can not produce sugar for less than 3½ cents a pound, while experts claim that if the Philippines can get modern machinery there and modern transportation to the sugar fields the Philippines alone can produce all the sugar the world can consume at a lower cost price than any country on earth.

Another disadvantage in Louisiana is that they are compelled to plant every year and cut the cane in October, before it is matured, to keep it from freezing. In the other great sugar-producing countries, where there is no frost, they plant once in 10 years; hence it can easily be seen what a tremendous advantage these other people have. It is just about as absurd to try to plant sugar in our country, to compete with the natural conditions of these tropical countries, as it would be to grow oranges, bananas, and pineapples in New England.

WOOL.

Free wool is another commodity that will enable the poor man to properly and decently clothe his family, and give them a chance to wear good clothes at a fair price.

MEAT.

Free beef, veal, mutton, lamb, pork, and meats of all kinds will enable the people of the poorer classes to enjoy meat at least once a day, a luxury that is impossible in any other land.

NECESSITIES.

Flour, the chief component part of the staff of life, the great product that keeps body and soul together, consumed in every American home, containing all the nourishment for sustenance, is well merited to be placed on the free list. These are the necessities of life that have been placed on the free list, together with coffee, hides of cattle, boots and shoes, milk, salt, as well as many other things, which demonstrates only too plainly that the Democratic Party will carry out all its pledges made at the last election to the people to the very last letter.

THE LUXURIES.

Consistent with the Democratic policy that the business enjoyed by the rich should be taxed we have placed a duty of 45 per cent on automobiles, so that those who would be extravagant and want to ride in a foreign-built car should pay for that privilege. For those who are not content to use the domestic product we have placed a duty of 40 per cent ad valorem on perfumed soap, 60 per cent on cologne, 50 per cent on fancy china, 30 per cent on opera glasses, 45 per cent on lace curtains, from 20 per cent to 35 per cent on carpets, 50 per cent on velvet ribbons, 50 per cent on billiard balls and poker chips, 60 per cent on precious stones, and 60 per cent on laces, maintaining and contending thereby that those who would have these luxuries should help defray the expenses of the conduct of our Government by paying the tribute as set down in this tariff bill.

THE INCOME TAX.

Mr. Speaker, as a matter of principle I believe in an income tax. The poor people of this country for more than 100 years have been bearing the burden of taxation. Upon their shoulders has fallen all the unfair demands to pay the expenses of our Government. No matter what idea or form we may conceive to raise revenue to defray the expenses of our country, the burden always falls most heavily on the people who earn their bread by the sweat of their brow.

The men who were most able to pay have always escaped the burden of taxation, and those who were least able to do so were always carrying the heaviest part of the load. Only those who have property on which a tariff can be laid can ever hope to share the benefits; but the wage earners, the toiling masses, composing about 75 per cent of our population, bear the major part of taxation; and yet these same people never get a chance to share in the benefits of such taxation. The income tax stands out in bold relief, declaiming that it is high time that the unequal burdens of taxation shall no longer be placed upon their backs, but placed where they properly belong—upon the backs of those who can well afford to pay in proportion to their incomes. I hope that those who will have charge of the collecting of this revenue will be alert, vigilant, and see that all who come under the provisions of this law shall pay their just share of this tax.

I hail the income-tax law as a harbinger of all good to the people of America—a relief to those who have been bearing nearly all our burdens in the past—and think that any and every person who comes under the provisions of this law should thank God that He has been merciful and generous to place each of them in the position where his income is so large that he can pay a part of it to this great Government to help pay its legitimate expenses, and at the same time relieve his less fortunate brothers.

The Democratic Party faces this new condition with all confidence and hope. It craves the indulgence, for a little while, of all good citizens, and it will do its best in honest, faithful, and diligent service to satisfy all reasonable expectations.

Necessity for Adequate Protection for the Manufacturers of Carpets, Gloves, and Glove Leather.

EXTENSION OF REMARKS
OF
HON. SAMUEL WALLIN,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,

Friday, May 2, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. WALLIN. Mr. Speaker, supplementing my remarks on the bill to raise revenues for the Government (H. R. 3321), permit me to give here some reasons why adequate protection to the manufacturers of carpets, gloves, and glove leather is necessary and should be given.

CARPETS.

Herewith are given a few facts regarding the carpet industry, which should, I believe, appeal to every reasonable man:

That the amount of capital invested in the manufacture of floor coverings in the United States is approximately $75,000,000;

That the industry gives employment to 40,000 persons, mostly skilled laborers, who are better paid than the employees of any other branch of the woolen industry;

That the wages of operatives in carpet mills in the United States are two and one-half times higher than the wages paid for similar labor in any other country;

That the carpet weavers of the United States are more steadily employed than those of any other country;

That the value of the annual production of floor coverings in the United States is approximately $75,000,000;

That the prices of floor coverings to consumers are fully 50 per cent less than they were 40 years ago, as will be seen by the prices of the following varieties of carpetings in—

	1875	1910
Wiltons	$3.25	$2.10
Brussels	2.00	1.15
Tapestry	1.15	.67½
Axminster	2.00	.90
Ingrain	1.05	.52½

That the present duties are barely sufficient to measure the difference in the cost of labor at home and abroad; and

That the present duties have not enabled the manufacturer to make more than a fair return upon his investment, nor have they resulted in the creation of a monopoly or so-called trust in this branch of industry; the manufacturers (about 140 in number) are independent of each other and are scattered through the New England States, New York, New Jersey, and Pennsylvania.

SOMETHING ABOUT THE CARPET INDUSTRY.

There is perhaps no industry in this country showing a more marvelous growth than does the carpet industry. A half a century ago more than 90 per cent of all the carpets consumed in this country were imported, while to-day more than 90 per cent consumed here are manufactured at home. In 1850 it was estimated the amount of capital employed in the carpet industry was about $4,000,000, and the value of the product about $5,000,000, while to-day it is estimated that not less than $75,000,000 are invested in the carpet industry, and the value of the product is not far under $75,000,000. In speaking of the carpet industry is also included the rug industry. There has been no time in the past decade when more carpet or rug looms were in operation or labor more steadily employed, and the industry has acquired such strength that the expression "carrying carpets to Kidderminster" has become almost as familiar as "carrying coals to Newcastle." The inference, however, must not be drawn from this statement that the carpet industry no longer needs the fostering care of a protective tariff. On the contrary, the wonderful growth in this industry is due more largely to the protection afforded by tariff legislation than to all other causes combined.

WAGES HERE AND ABROAD.

In meeting foreign competition the carpet manufacturer is obliged to face the wages paid abroad as compared with the prices paid labor in this country, and it is one of the serious problems forced upon him. The following figures, drawn from the most authentic sources, show this situation more eloquently than any other method:

Body Brussels carpet: Weaving, per running yard, United States, 8 cents; abroad, 4½ cents.

Wilton carpet: Weaving, per running yard, United States, 13½ cents; abroad, 8 cents.

Chenille, Axminster: Weft weaving, 74 strip, per running yard, 5½ cents; abroad, 2 to 3 cents.

Rugs: Weaving, per running yard, 9-feet width, United States, $1.25; abroad, from 29 to 43 cents.

Tapestry: Printing, 864 stripes per drum, United States, 4¼ cents; abroad, 18 cents. Winding, per 100 hanks, United States, 50 cents; abroad, 18 cents. Setting, per beam, United States, $12.25; abroad, $3.55.

Axminster: Average wages for one week per girl, United States, $15; abroad, $2.50. Setting, average wages for one week per girl, United States, $13; abroad, $5. Weaving, per yard, United States, 5.2 cents; abroad, 2.1 cents.

GLOVES.

In the county of Fulton, N. Y., most of the gloves manufactured in this country are turned out. An entire county is dependent alone on this industry. The proposed rates in this bill have caused consternation among not only the manufacturers but among the thousands of people interested whose livelihood is dependent upon the stability and success of this one line of business. They have united in a protest to Congress and the President against the enactment of a schedule of duties such as is pending here. Former Congressman Littauer, in an interview in the Leader-Republican, of Gloversville, points out the dangers in store for this community should this bill in its present form, so far as the glove schedule is concerned, be enacted into law. He says:

The Underwood tariff bill proposals are of such serious moment to the glove manufacturers of Fulton County that it behooves them to consider carefully its provisions that they may realize how their established manufacturing business is now in jeopardy.

The proposals are for a tariff which has no purpose in the glove trade except to raise some revenue for the Government from importations, and the effect is practically the same on the American glove industry as though gloves were placed entirely on the free-trade basis.

Leather is reduced from 20 per cent to 10 per cent, and, consequently, manufacturers must pay duty on leather they cut into gloves of between 40 and 50 cents for each dozen of gloves.

It is proposed to place a duty of $2 per dozen on men's gloves instead of $4.80 of the present law, a reduction of $2.80, which, however, will be lessened, because of reduced duty to be paid on leather from 20 per cent to 10 per cent, of 40 cents per dozen gloves, making the actual reduction $2.40. This reduction of $2.40 will, from the other standpoint, leave but $1.60 protection on men's gloves, allowing 40 cents to be paid for duty on leather.

One dollar and sixty cents does not balance more than one-half of the difference paid between the wages in this country and the average wages paid in Europe, and consequently places the future of the glove business in extreme jeopardy.

A man's glove sold to the consumer at $1.50 per pair is sold by the manufacturer at $13.50 less 6 per cent per dozen. A similar glove of very good quality high-grade leather and well finished can be bought in Europe at $8, and with the $2 duty to be paid can readily be sold to drive out the American article.

The men's dollar glove is now sold at $9.50 less 6 per cent per dozen, or about $9 net; a similar glove can be purchased in Europe from $6 to $7 per dozen, so that with the proposed rate of duty it would cost to land in New York between $8 and $9, and place the entire men's glove business in jeopardy.

The only ladies' glove business that is of large account to the American trade is the ladies' cape outseam and prixseam glove, which sells for $1 a pair or less, and which in the past has paid a duty of $3.30, now to be reduced to $2, a reduction of $1.30, less the 30 to 40 cents which the reduced rate of imported leather amounts to.

The average value of ladies' lambskin gloves, imported into New York during 1912, was $5 per dozen, to which add the new duty of $2, and we have $7 glove, which will drive out the ladies' $1 glove now being manufactured here in such large quantities.

I trust I have been able to make clear to you the exact position in which the threatened Underwood tariff would place this community. It demands that every workman and every workwoman in the glove trade, every storekeeper, every householder, or, in other words, every one in this community should arouse himself to a thorough appreciation of the threatened danger, which is more destructive to this community than the floods a few weeks ago were to our brethren in Ohio. In every walk of life the ministers, doctors, lawyers, bankers, as well as glove manufacturers are threatened with dire disaster through the proposed industrial revolution, and they should fight against it as they would against an attempt to steal their means of livelihood.

WHAT ANOTHER MANUFACTURER SAYS.

Joseph E. Wood, of Gloversville, a prominent manufacturer, writes of the situation in Fulton County to the editor of the Journal of Commerce as follows:

SIR: The term "competition" has been used before Congress, viz, "Real competition between the manufacturers of Europe and those of the United States." I think this is a wrong interpretation. The competition is not between manufacturers, but absolutely between the workingmen of Europe and the workingmen of the United States. No manufacturer in either country will use his money and brains in manufacturing unless he can so hire his help that he can compete with the other countries. Hence, tariff reduction means nothing but a reduction in wages. You can not make manufacturers hire help and do business at a loss.

Gloversville and Johnstown, in fact the whole of Fulton County will be wiped off the map. They exist on their glove and leather factories, of which there are over 200 in the county.

Gloves.—Under a duty of $2.50 they could not make ladies' gloves. If they could not make ladies' gloves, how could they make men's gloves under a $2 duty? They must close their factories. A $4 duty would only allow the glove manufacturers to exist.

Glove leather.—We make only one-twentieth of the fine leather used under a 20 per cent duty. Our mills must close under 10 per cent.

Can the workingmen stand the reduction called for by the Underwood bill? In Gloversville and Johnstown it means at least a cut of from 37½ per cent to 50 per cent in wages for glove cutters.

During the last five years I have traveled 100,000 miles through the different countries searching for skins at their lowest prices to compete with foreign manufacturers, and I have carefully studied into the working conditions of these countries.

I find in England over 1,500,000 people out of work and wages 60 per cent lower than in the United States.

Germany, wages 50 per cent lower.
Australia, wages 75 per cent lower.
Italy, 35 cents a day for good men.
Japan (girls), 8 cents a day on American cotton machines.
China, 15 cents a day for miners.
Without duty can our manufacturers compete with these wages?

In your editorial in the April 10 issue you again bring out "effective competition." My leather company has actually tried effective competition for five years under 20-per-cent duty. We have never been able to pay a dividend, because we paid our beam hands $2.25 and stakers $2.50. Our 20 German competitors, with agencies selling leather in our city, were paying beam hands in Germany 4 marks, or 96 cents, and getting two dozen more skins per day from them than our men would do for us. They were also paying their stakers 4 marks, or 96 cents, instead of $2.50, and we could not show a profit with this "effective competition."

Now, under the new bill we get 10 per cent, which is an order to close our factory. We have cabled our Capetown house to stop buying. What can an American company do? Just ship our machinery to Austria, where we can get all the men we want at $4 a week. We can then undersell all American firms. That is English free trade. Put men out of employment in their country and put them to work in other countries. You can not make prosperity in a nation by forcing wages down and workingmen out of employment, or by closing up factories. If this bill is signed as written it will mean 2,500,000 men out of employment inside of two years.

I know from what I have seen that our workingmen can not compete, and I do not believe the people voted to kill our industries, as this bill surely will. Every trade should storm Washington and bring the Congressmen to a realization of conditions. Workingmen and manufacturers should unite to save our industries.

Very truly, yours,

JOSEPH E. WOOD,
President Wood & Hyde Co.

GLOVE LEATHER MANUFACTURERS.

A business which will be killed if the present duties on gloves are lowered, and which will also meet its demise if the proposed tariff on glove leathers is put into effect, is that of the manufacture of fine glove leathers. In the first place it is dependent, of course, on the success of the larger industry of glove making; and, second, should that industry be able to exist under lower duties on foreign-made goods, it would be forced to abandon business because of the competition from abroad under a lower duty. The manufacturers of these leathers set forth their own case in a brief, which follows:

The glove-leather manufacturers respectfully urge that no change be made in the present tariff so as to affect the manufacture of glove leather. The tariff under section 451 of the tariff act of 1909 fixes a 20 per cent ad valorem duty on all glove leather imported into this country.

This tariff duty is not prohibitive and is no more than sufficient to allow the continuance of this industry under the wages paid and prices for materials that go into the tannage of glove leather in this country. That it is not prohibitive is shown by the fact that during 1911 and 1912 75 per cent of the fine glove leather used in this country was imported. This leather was valued at $1,791,260, upon which a duty of $358,252 was collected. It is impossible to give the figures on the importation of glove leather prior to the above date, inasmuch as glove leather was classified with other leathers, nor can statistics be given based on dozen lots, as the revenue tax is not fixed on glove leather by the dozens, but on the basis of hundreds. This method is adopted by European manufacturers of leather, while the American manufacturer of leather uses the dozen skins as the unit of count. Under it the American manufacturer has no way of checking by the dozen.

The manufacture of glove leather is not in any wise controlled by a trust or combination, but is a highly competitive business. There are 40 separate establishments manufacturing glove leather in Fulton County, State of New York, alone, besides many others in other parts of the country. Each of these 40 concerns in Fulton County are establishments entirely independent of each other and all are competitors, so there are no interlocking directors or other arrangements whereby various separate establishments are controlled.

The investment in this business in Fulton County, State of New York, represents from $800,000 to $1,000,000 in mill property alone, and about 2,000 men are employed.

CLASSIFICATION OF GLOVE LEATHER.

Glove leathers are classified as glacé, lambskin, nappa, friezed mochas, suedes, and chamois.

The different kinds of leather manufactured and imported are those finished on the grain or on the flesh side or on the surface exposed by removing the grain. The first two above are known as grain leather; the latter as mocha or suede. In the production of all these styles the American manufacturer is rivaling the European so far as quality is concerned.

As to mocha skins, this style of dressing had its origin in Fulton County, N. Y. In fact, 80 per cent of the Arabian skins dressed into mocha glove leather have been so dressed in this country up to the present time. The process of dressing this class of skins was unknown in Europe until recently. The glove-leather manufacturers of Europe are succeeding in producing mocha glove leather by labor taken from America and are now exporting mocha leather into this country. The European manufacturer is able to produce this article so much more cheaply, because of the labor cost, that he can successfully compete with the American mocha glove leather manufacturer in the home market.

The leather manufacturers of this country are producing as fine grades of leather as these made in Europe, and the demand for our output is steadily increasing.

The manufacturer of the fine grade of gloves in this country, which was encouraged under the Wilson, Dingley, and Payne Acts, has increased the demand for fine grades of glove leather. Most of the glove factories in Fulton County, N. Y., are now engaged in the manufacture of the finest grades of gloves, causing an increased demand for a finer grade of glove leather. The leather-dressing mills have gone hand in hand with the glove manufacturers in perfecting the finer product, and have succeeded under the encouragement given by various tariff acts in rivaling Europe in the quality of their product and year by year are increasing the volume of their business.

LABOR.

Labor is the principal element that makes up the difference in the expense of producing glove leather in this country and in Europe.

In the manufacture of glove leather little or no machinery can be used. This is true both in Europe and in this country. In order to produce good glove leather it is necessary that the work be done by hand labor, and good results can be obtained in no other way. Experiments have been made with machinery, but invariably this method has failed, so that the manufacturer of glove leather is compelled to rely upon hand labor.

The price of labor in the manufacture of glove leather is materially higher in the United States than in Europe. The following table shows the prices paid in the United States and Germany for the various departments in the manufacture of glove leather. Germany is taken for the comparison because nearly all the glove leather imported into this country comes from Germany:

	Germany, per week.	United States, per week.
Beam horse (labor)	$4.80	$10.50 to $12.00
Staking skins	7.68	14.00 to 16.00
Coloring skins	6.00	12.00
Expert tanner	9.60 to 12.00	20.00 to 25.00
Helpers in tan room	4.80	10.50

The foregoing table shows only the price paid men in Germany. Many women, however, are employed in the leather establishments of Europe at much less wages than the men and who perform work that is entirely done in this country by men.

In addition there is the apprentice system in the European factories which does not exist in this country, and in connection with which the wages are very nominal. Similar work in this country is done by men at a fixed wage.

The hours of labor and the amount of work required in European leather factories are such as to give the European manufacturer further advantage. In these factories the laborer is required to work from 10 to 12 hours per day, while in the glove-leather factories of this country 9 hours constitutes a day's labor.

In addition to the difference in the price of labor, there are other features which cost the American manufacturer more than the European. These are the various chemicals and coloring ingredients, together with the wool on all skins imported, upon all of which the American manufacturer pays a duty.

The 2,000 men employed in the leather mills in Fulton County, N. Y., are well paid and thoroughly employed and represent one of the thriftiest elements in New York State. The labor is made up principally of men with families. A considerable portion are skilled workmen who have come to this country to better their condition and all are vitally interested in the preservation of this industry.

EFFECT OF REDUCTION OR REMOVAL OF THE TARIFF.

If the tariff of 20 per cent be removed or reduced, there are two alternatives left to the American glove manufacturer—either the reduction of wages or the discontinuance of this class of business. In either instance labor is injured as well as the manufacturer.

If the manufacture of glove leather in this country is injured or destroyed, it gives to the European manufacturer the uncontrolled American market, subject to no competition or regulation, and leaves him free to charge whatever prices he sees fit for his product. The present duty is not prohibitive, as clearly appears by the large yearly importation of glove leather from Europe. Glove-leather manufacturing is a highly competitive industry, so that no pretense can be made that the present duty is in any way restrictive.

The present duty of 20 per cent ad valorem is merely a revenue duty and only gives the American glove-leather manufacturer a competitive chance with the European manufacturer, and it should be retained.

The Tariff.

EXTENSION OF REMARKS
OF
HON. AUGUSTUS P. GARDNER,
OF MASSACHUSETTS,
IN THE HOUSE OF REPRESENTATIVES,
Friday, May 2, 1913.

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. GARDNER. Mr. Speaker, under general leave to print, I present by request the following article from the Fitchburg Daily Sentinel of April 9, 1913:

SERIOUS EFFECT ON WORSTED BUSINESS—C. B. SMITH, TREASURER OF STAR WORSTED CO., DISCUSSES FEATURES OF PROPOSED DEMOCRATIC TARIFF MEASURES.

Charles B. Smith, treasurer of the Star Worsted Co., in an interview given the Sentinel to-day, on the proposed tariff reductions, strongly sets forth his views of the general tariff situation as it may affect Fitchburg's woolen industries. Mr. Smith is a deep student of the tariff question in its application to the American woolen industry, and his words carry much weight thereby. He said in reply to a question asked him by a Sentinel reporter:

"You ask how the Democratic tariff bill—some details of which have just been announced—will affect the worsted-yarn business. The answer is, very badly. Why? Because Mr. UNDERWOOD, through this proposed bill, sanctioned by the highest official of the United States, announces to every English spinner of worsted yarns: 'We know just how much it costs our American spinners to make a pound of worsted yarn; we do not lose sight of the fact that our American spinners pay double the wages that you do and that our American mills cost twice as much and all their machinery one-half again as much as your English mills and machinery have cost you; yet, in spite of that, we have fixed the tariff rate on worsted yarn so that now, Mr. English Spinner, spinner on any kind or size or quality of worsted yarn by 5 cents to 12 cents per pound.'

"This in effect is exactly what this proposed bill means. It does not matter that wool is on the free list. Wool might be used to stuff into a broken window or used to fill a bedtick, but it is of no use to the yarn spinner unless, after buying it at however low a price and spending further money for labor and manufacturing costs, he has a manufactured article merchantable at a price which will give his money back. There is no kind of staple worsted yarn such as the Star Worsted Co. has made for over 30 years which it can make under the terms of the proposed bill and get back a new for an old dollar—or anywhere near it. Take one illustration—a yarn known technically as two-thirty-seconds, used very largely by the weavers of dress goods. With free wool this yarn under present rate of wages will cost here 67 cents. The item of American labor is 14 cents. The cost of this yarn made in Bradford, England, for the same purpose, is 49 cents. The item of English labor is 6 cents. The proposed duty in the Underwood bill on the English yarn is 20 per cent, making the cost landed, duty and ocean freight paid, at not over 61 cents for the imported English yarn. Will any sensible person assume that the American spinner at 67 cents for this standard yarn can compete with the English spinner at 61 cents? As between 14 cents for the American wage earner and 6 cents for the English wage earner, does not the dominant party at Washington say in effect, when it offers only 20 per cent duty on this yarn, that the American wage earner is getting too much, and that the English product is therefore invited into our market? For it can not successfully be denied that the chief beneficiaries of a protective tariff are those who work for wages. Domestic competition for years in the textile industries has been fierce and has made undue profits absolutely impossible.

"But the election is over, and the party of tariff reform is a fact. The cost of living, anyhow, is to be replaced. Why, the old Wilson bill of 1894 put 30 per cent on imported yarns, and all rates were higher throughout that bill than in the present proposed bill, and that Mr. Wilson was hailed by Englishmen as a benefactor of English textile industries.

"What does the Star Worsted Co. meanwhile propose to do about it? All it is possible to do, under the new rates when the new bill becomes law. The experiment of 1892 was not considered a success by the American people, and they said so when the election of 1896 gave them an opportunity to express themselves. The experiment of 1912 is now on trial. It will certainly be a time of trial, too, for the textile industries and all connected therewith. Every mill owner will struggle to continue, and it is fair to say that business abroad is now so prosperous that the foreigner will not so quickly jump into our market as in 1894. But if it is certain that he will get here. If the Star Worsted Co. can then run without loss at the present wages, it will certainly do so. If not, it will curtail or close. Meanwhile we wonder—

"First, why our lawmakers legislate for the foreigner to the hurt of our own people.

"Second, how any wage earning voter can possibly bring himself to vote for a candidate of that party which always has legislated, is legislating, and probably when elected always will legislate for the foreigner to the hurt of our own people."

The Underwood Bill.

EXTENSION OF REMARKS
OF
HON. JAMES A. HUGHES,
OF WEST VIRGINIA,
IN THE HOUSE OF REPRESENTATIVES,
Thursday, May 1, 1913.

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. HUGHES of West Virginia. Mr. Speaker, this is the first bill presented to Congress within the memory of men now living which, if enacted into law, its friends frankly admit, will cause trouble for a very large number of honest, hard-working, upright citizens. There is no pretense by those who favor this measure that it will increase the wages of labor; on the contrary, we are told by its advocates that it is a competitive tariff. That in the future American labor and American capital and enterprise must take the product of their brains and hands and go into all the world and enter into a competition for the markets of the world with those whose earning power is so low that their standards of life tend to prove that civilization is going back into barbaric conditions instead of advancing. No one has pointed out to us the advantage it would be to the American laborer if the article which his toil produces is to be sold in the markets of the United States in competition with merchandise produced in other countries by labor whose wages are little more than one-half that which is paid to American workmen.

The principle of protection has been a part and parcel of our fiscal system for so long a time that our whole industrial system has been built up and developed by it. There is not a profession or an industry in the country that is not materially affected by a reduction of the tariff and an increase of the free list. So thoroughly intertwined with our industrial and commercial life is the principle of protection that it has for a long time become one of our established institutions. Now it is proposed to destroy this institution and substitute for it a fiscal system that will require a readjustment of all the lines and methods by which all of our business enterprises have been carried on for the last 50 years. The bill now before the House for consideration is the instrument whereby this revolution is proposed to be brought about. The principal object of this bill is to so lower this existing tariff that foreign-made goods may come into the United States and freely compete with our own products for the mastery of our own markets.

If we are to meet this increased inflow of foreign goods with any degree of success, we must at once begin to lower the cost of production. Since 90 per cent of the cost of producing a finished article is labor cost, expended in securing and assembling the raw material and converting that raw material into a salable article and delivering it to the consumers, it follows inevitably that the readjustment made necessary by this bill must begin by lowering the labor cost and reducing the wages of labor throughout the whole country. And it is certain that the income permitted from capital investments in our manufacturing enterprises under this bill, after deducting ordinary license and income taxes, will be so meager that capital will be discouraged from starting new enterprises or extending old ones. This is not prophecy but a frank statement of the immutable laws of trade. I will not indulge in even a guess as to the effect such a course must have upon the welfare of the people as a whole, because it is different to every man who reflects upon it.

Before entering upon this revolution it seems that plainest consideration of the public welfare would have prompted the friends of this policy to bear in mind the declaration of their party to the effect that in the new tariff which they propose to enact, "No legitimate business of the country would be injured." At least the promise which President Wilson gave to the country in his inaugural address, "That the Democratic Party had come into power not to tear down and destroy, but to build up," would be so respected by that party that the people could believe that the President really meant what he said. The President, when he was a candidate, gave out the following in his public addresses as among the reasons why he should be elected:

> I suspect that the people of the United States understand their own interests better than any group of men in the confines of the country understand them. The men who are sweating blood to get their foothold in the world of endeavor understand the conditions of business in the United States very much better than the men who have arrived and are at the top. * * * It is the point of view of those men (opposing him) who do not wish that the people should determine their own affairs, because they do not believe the people's judgment is sound. * * * No group of men less than the majority has a right to tell me how I have got to live in America. I will submit to the majority because I have been trained to do it, though I may sometimes have my private opinion even of the majority.

It is significant that a majority of nearly a million and a half voters at the last election were in favor of and voted for the principle of protection. This vote is the last concrete and only reliable expression of the public will. Every Democratic Member of this Congress will tell us that the people have a right to rule and govern themselves; and by "the people" he means a majority of the votes cast at the last election. There is no attempt upon the part of the administration or its friends to explain the reasons that prompt them as soon as vested with power to repudiate their own declarations of principle and preachments made in every campaign by every one of them and force upon the country a law involving the establishment of a principle of government which a very large majority of the people have rejected. If a very large majority of the people of this country repudiate at the polls a party and its principles, what moral right has that party to impose the will of the minority as the law of the land if by accident it has the power? Every vote that is cast for this bill says as plain as words can say that the expressed will of a large majority is no longer the guiding star in executing the functions of government. What change has come over their philosophy and the spirit of their dreams I know not.

When the party and their President made their solemn promise to the people that their tariff bills would not injure any legitimate industry nor tear down nor destroy the business of the country, it engendered an abiding hope in every laborer and business man that such promise was to be sacredly kept and faithfully performed. Relying upon their statements the business of the country went on in a normal way after the election practically the same until it became known that the party in power would disturb every business enterprise in the country directly and indirectly. Since the bill was published and its details became known protests have come from nearly every business organization in the country, regardless of politics. There is filed with your Ways and Means Committee, from which this bill emanates, reasons and statements strong as

Holy Writ why this bill should not become law. Already the shadow of its blight is being felt, for the volume of business has been greatly reduced in the last 30 days; orders are being canceled, as people do not know how either to buy or sell; and no new stocks are being laid in. The wheels of industry are slowing down, for this bill must inevitably curtail the power of the consumer to make purchases. Every industry in this country to-day stands in apprehension and fear of the consequences which they realize must follow an invasion of our home markets by foreign-made goods. They know that there will be a readjustment and realignment in our methods of production when goods made by foreign labor and foreign capital begin to displace in our own markets the products of American labor and American capital.

That our country has enjoyed a high state of prosperity in every branch of industrial enterprise under the existing tariff law and its predecessor is not questioned by even the most ardent reformer. The limit of our successes has been marked only by our ability to secure labor and provide the necessary capital. There has not been a day in the last 10 years that a man could not secure employment if he wanted it, and that, too, at the highest wages ever paid for human labor. During this period the farmer has been able to sell everything he produced at the highest price ever paid for farm products. At no time in history has any people ever been so prosperous in its material welfare as the whole people of the United States since the year 1900. The trade and commerce of the people, both at home and abroad, has grown with such rapidity that it is little short of the marvelous. To the statement that labor has not received its share of this prosperity, I point you to the fact that wages have increased constantly, and in a much greater ratio than the price of things that labor consumes. The growth of the deposits made by labor in the savings banks is likewise a complete refutation of this statement. While the friends of this bill admit the prosperous conditions of the country, they attempt to justify their assault upon our industries by saying that this is a "hot-house" prosperity, and, therefore, ought not to be permitted. It is of no consequence what name they may be pleased to bestow upon this country's progress, as long as good times and favorable conditions prevail in every field of human endeavor.

Before these gentlemen should embark on this reckless and daring enterprise they should consider well the effect that their propaganda must have upon the welfare of the people for whom they have power to legislate. Without thought and without consideration, they are glibly indulging in the platitudes that the laborers and the smaller business will be benefited by the operation of this bill. Will these gentlemen explain to us just how the American sugar grower and his thousands of American laborers are to receive benefits by the destruction of a business to which they have given their energies and their lives to build up? We are not told how the blessings will be bestowed upon our wool growers and the vast number of people employed by them. These gentlemen should explain the process whereby the hundreds of thousands of small manufacturers, engaged in producing every character of goods that enter into our civilized life, and their millions of employees are to be helped by greatly reducing the price at which they may sell the product of their labor.

It may be that great concerns like the Steel Co., who own all their raw material and their own transportation facilities, and who receive every particle of profit from the time the ore leaves the ground until the finished product is made and delivered at the consumer's door, can compete with foreign-made goods coming into our markets free of duty or under a tariff that makes substantial free trade. But companies so situated are comparatively few in number. But the great army of small manufacturers are not in a position to practice these economies, and their cost of production in consequence is much greater. They are not and can not be exporters, but must rely and depend exclusively upon the home market for the sale of their products. If driven out of their home market by the fierce competition that will be brought to their own doors by foreign-made goods they must go out of business and their workmen turned away without employment. Already the mills of England, France, and Germany are making preparations to invade the American markets with their goods in anticipation of the passage of this bill. The small manufacturer and business man and his employees will be its first victims. When we realize that these smaller business concerns are located in every city, town, and hamlet in this country, where their laborers have their homes and find lucrative employment, destruction or depression of these mean a nation-wide disaster.

FARMERS.

This bill will operate with as much severity upon the agricultural interest of the country as it will upon the manufacturing industries. No attempt has been made to explain to the farmer how the price of farm products is to be held up and at the same time greatly reduce the price of these products to the consumer. The friends of this bill claim that it is a measure in the interest of the consumer; that it is the consumer who must henceforth become the spoiled and pampered favorite of this Government; that the cost of living must be greatly reduced, so that the consumer may supply himself with the necessities of life at a much less sum than he is now required to pay. We are told that this is a glorious piece of political philosophy, because we are all consumers and therefore the country as a whole will be showered with universal blessings. The hope is held out that under the beneficent operation of this bill when it becomes a law every consumer of the country will be enabled to make all his purchases at greatly reduced prices without at the same time having his income reduced. The folly in this proposition lies in the fact that, with few and rare exceptions, the people of the country produce more than they consume. Their power to consume at all is measured and limited by the value of the thing they produce. This is especially true of those working for wages.

The selling price of farm products determines the farmer's ability as a consumer of the things he must purchase. There is only one contingency wherein he would be in favor of low prices, and that is a farmer who buys more than he raises and sells. Price levels for all commodities under the normal conditions maintain the same relative ratio, and this rule is applicable to wages, except in crop shortages agricultural products rise and fall in value in about the same relative proportion as manufactured products in normal times. The farmer must not expect high prices for the foodstuff that he raises and at the same time expect to purchase shoes and clothing at a very low price. The wages of labor will rise and fall with the rise and fall in the value of the commodity about which he works to produce. The hope that is held out to labor that it may continue to enjoy a high rate of wages and secure food and clothing at a low price is a delusion which the operation of this bill is sure to remove.

That the measure will greatly reduce the price of everything that the consumer requires is one of its principal virtues as advocated by its friends. At the same time, by the operation of an economic law that the fiat of the Democratic Party can neither change nor alter, his earning power will be so reduced that his standard of living will be lowered because of his inability to provide the means with which to make his purchases.

The chairman of the Ways and Means Committee has told us that the object of this measure was to favor the consumer, and that all the industrial interests of this country must be made subservient to that purpose. He states the issue fairly. He assumes that there is an economic conflict between the producer and consumer and that the whole power of government must be used in favor of consumer and against producer, to the end that the producer shall be compelled to feed and clothe the consumer out of the products that his toil and labor creates. Consumers are divided into two classes—those who produce and those who do not. Possibly one in every ten thousand of our population has retired upon a fixed income, who is not engaged in any industry and is exclusively a consumer. Wherever this small number of people can make their purchases at reduced prices they are to that extent personally benefited at the expense of all those engaged in productive enterprises. But the great body of consumers are engaged in industrial and commercial pursuits, and are absolutely dependent upon their earnings to provide that which they consume. The ability to earn fixes and limits the power to consume. They are producers first and consumers afterwards. They must first produce before they can consume. Whenever the right of power of production is limited or restrained it necessarily operates to destroy his ability to consume to the extent that his productive power has been lessened. It is a truism that production must precede consumption.

Senator BURTON expresses my views, perhaps, better than I could myself, and I am going to add what he says on this subject:

It is essential to the business of any country that changes be made gradually with due regard for existing conditions. Whether right or wrong, we have now been living for nearly 50 years under a fiscal system in which high duties on about one-half of our imports are a distinctive feature. The industrial and business interests of the country—indeed, the whole social system—all have adapted themselves to this policy. To make a sudden change, such as that contemplated by the Underwood bill, is like a fundamental change in the form of government. It affects the whole framework of our economic life.

No doubt a very substantial change could be made gradually, but years would be required for an orderly transition to new conditions—that is, if business interests are to be safeguarded and all occupations are to receive due consideration. Thus the first great objection to this bill is the abruptness of the changes proposed.

No doubt the price of some articles is increased by the tariff. The removal of the duty on sugar and on raw wool and the decreased duties on woolen goods will no doubt lower prices somewhat, though not at all in proportion to the proposed decrease in duties. The fact is that we, like all other progressive nations, are living in an era of high prices. These are world-wide and are intimately associated with the beneficial progress of the times. It costs more to live because life means more than it did, and a greater degree of abundance is a possession of nearly all the people. In most instances the tariff is but a trivial fraction which the consumer is compelled to pay. It would be difficult to find an instance in which a more erroneous opinion has gained wide credence than the idea that the tariff has materially increased the cost of living.

I can not help thinking that the framers of this bill made a serious mistake when they refused to accept information that would have aided them in avoiding such mistakes that must necessarily occur in the preparation of a bill of this kind by those unfamiliar with the subject in all of its important details and ramifications. Already in Rhode Island the effect of this bill is felt, and at least three manufacturers have gone out of business and one of them has gone into the hands of a receiver who just a year ago had $146,000 surplus.

The Income-Tax Feature as It Affects Life Insurance Companies.

EXTENSION OF REMARKS
OF
HON. J. A. GOULDEN,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,
Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. GOULDEN. Mr. Speaker, being desirous of making a few observations on the bill now before us, especially on the income tax, must form my excuse for taking up the time of the House.

In my opinion, the entire bill when enacted into law, as it certainly will be done speedily, with a few amendments, must commend itself to the sober thinking men of the country.

It is true that out of the large membership of this House many divergent opinions exist, and if each one had the privilege of writing a tariff bill there would be approximately 435 different bills. All law is of necessity the result of compromise, so that in the bill under consideration it must be give and take all around.

I propose to say something to-day on the income tax as it refers to life insurance, in which I have had some practical experience.

We did well to exempt mutual savings banks, mutual fire insurance companies, building and loan associations, and fraternal orders. Mutual life insurance companies are on all fours with these institutions, possessing equal or greater merit, and should have been treated in the same way.

Had the Committee on Ways and Means, composed of intelligent, well-meaning men, given this subject that careful consideration that was given to other portions of the bill, or had they consulted Members of the House familiar with the matter, based on actual experience, a different result would have been had.

True, some concessions were made in section "G" that tend to improve and remove some of the objections to this matter.

However, the real bone of contention is the fact that the millions of policyholders of the mutual life insurance companies have been discriminated against.

There is no valid reason why these institutions, owned and controlled by their members, the policyholders, should have been made subject to this tax any more than the others named.

It is wrong in both theory and practice, and I fear will do irreparable injury to the Democratic Party.

The total number of persons thus affected exceed 12,000,000, and judging from the number of protests received by the Members of this House and of the Senate there is widespread dissatisfaction.

It will not do to say these protests are the result of activity on the part of the 200 American life insurance companies who make premium abatements or, as they are frequently called, dividends.

The unrest is growing, and I greatly fear that it will become so great in volume that its demands can not go unheeded.

It may be expected—and it seems to me properly, too—that the companies having the best interest of their members at heart will, on every premium receipt going out to these more than 12,000,000 citizens, state the fact that the abatement is less and the premiums higher on account of the income tax levied by the Government. It becomes another added burden on the scanty income of the poor man.

As the Democratic Party, in its Baltimore platform and in the utterances of those on the stump last year all over the country, as well as the speeches made on the floor of this House, whether in caucus or Committee of the Whole, declare for a reduction of the cost of living, what excuses are we to make to our constituents for taxing this great mass of the people?

To me, with a good many years of experience, I greatly fear the result of our attempt to tax the frugality, the thrift, the savings, in fact, of the people and the desire to protect dependent ones.

It comes directly home to the people, and unless I am greatly mistaken will be resented.

It is rather astonishing to hear intelligent, patriotic men on the floor of this House, in the corridors, and elsewhere in and around the Capitol, criticizing life insurance companies, decrying their management, and finding fault with the fair and just salaries paid those who manage these beneficient institutions.

For information for these and others similarly situated it may not be amiss to give some actual statistics taken from official reports.

The admitted assets of these companies on January 1, 1912, were $4,164,491,688.

The reserves necessary for solvency and required by the various State governments amounted to $3,472,811,903.

Counting accumulations on all forms of deferred dividends or abatement-of-premium policies, which amounts to upward of $400,000,000, thus leaving about the same sum of actual surplus, less than 10 per cent of the assets, and necessary for the absolute solvency of the companies, especially in times of financial depressions or panics.

In any event in mutual companies this belongs absolutely to the members or policyholders.

The dividends or abatement of premiums paid by the companies reporting to the insurance department of New York in 1911 amounted to $20,459,583, which is taxed by this bill. The two hundred and odd American life insurance companies since organization have paid to their members in dividends or abatements the sum of $1,039,808,683. The total amount of insurance in force on more than 12,000,000 of our people amounts to eighteen billions.

The figures given stagger the average person and cause the desire on the part of many legislators to take some of it away by taxation. It looks like easy money, but I wish to remind my colleagues that it is a tax on thrift and comes directly from the pockets of the people.

I shall add as a part of my remarks a very able editorial from the Spectator, of New York, a leading insurance journal, under date of May 1, 1913:

AN OUTRAGEOUS AND INDEFENSIBLE TAX.

The income-tax section of the pending tariff bill, at least so far as it applies to the taxation of mutual life insurance companies, is an outrageous measure which should be actively opposed by every holder of a participating life-insurance policy in the country. There is absolutely no excuse or defense for it. No emergency demands it. It is a stupid, clumsy, and unjust attempt to supply a deficit in public revenues created by reductions in the tariff at the expense of a class of citizens already infamously overtaxed by the several States. Its injustice is emphasized by the fact that these same citizens have voluntarily taxed themselves to provide for the future of their dependents and have, to that extent, relieved the State and Federal Governments of the responsibility of caring for them. Its unfair discrimination, even between those who combine to insure themselves, is apparent from the fact that it exempts from its provisions fraternal, beneficiary, and other associations operating for mutual protection and benefit.

There is no precedent for such a measure either in our own country or elsewhere. Even during the Civil War, when the Government was forced to exhaust every available source of revenue to preserve itself, a similar measure was overwhelmingly defeated in the United States Senate when Charles Sumner eloquently denounced its injustice and unreason. In 1894 Senator Sherman fought successfully against including such a provision in the income-tax law passed in that year, which was subsequently declared by the Supreme Court to be unconstitutional. In 1898 a stamp tax was imposed on life insurance companies as a war revenue measure, but no such confiscatory plan as that now before Congress was even considered. It has remained for the present Congress, in a time of peace and general prosperity, to attempt to put this intolerable burden on the backs of the thrifty, home-loving, self-sacrificing citizens who have tried to do their full duty to their families.

Present indications are that this bill will pass the House and that it must be defeated, if at all, in the Senate. It can undoubtedly be defeated, if the opposition to it is organized and intelligent. Every officer and agent of a participating life insurance company should at once make every effort to impress upon the policyholders of his company the fact that a tax upon the company must be paid by the policyholders. Once drive this lesson home and a storm of indignant protest will arise that Congress will not dare to ignore.

The Underwood Tariff Bill.

EXTENSION OF REMARKS
OF
HON. DAN V. STEPHENS,
OF NEBRASKA,
IN THE HOUSE OF REPRESENTATIVES,

Friday, May 2, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. STEPHENS of Nebraska. Mr. Speaker, the people have directed the Democratic Party to reduce the tariff taxes at our customhouses to a revenue basis, and the party is now rapidly fulfilling the commission. Four years ago the people gave the Republican Party the same directions, but that party was betrayed by its leaders into the hands of special interests that have been sheltered behind a tariff wall, and the tariff was raised instead of lowered. These same leaders, or many of them, are to-day offering every obstacle possible to the passage of the Underwood tariff bill, which is a fulfillment of the Democratic pledges made to the people last fall. They have put in every hour possible in debate forecasting disaster to the country and general ruin to our industries. In fact, they have done their best, whether intending to do so or not, to force the country into a panicky condition. The Nation has decided to try out the Democratic method of taxation. For 50 years we have been talking to the people about it, and they have finally decided to take us at our word and see what we can do to improve conditions.

Now, my contention is that every patriotic Republican should sit back and present no obstacles to the fulfillment of the pledges we have made to the people. They should not forget that this is their country even though the Democratic Party is in control of the Government, and that if they bring misfortune upon the country by instilling fear and distrust into the hearts of the people and casting doubt and suspicion upon the Government it will all react upon their party. The Democratic Party should be given a free hand to prove what it has claimed all these years, so that if in the end it fails to make its promises good the claim can not be made by it that it never had a fair show—that special interests defeated a fair test of Democratic policies by artificial panics and depressions in industry, brought about deliberately in order to stampede the people again to supporting a Government in behalf of special interests. The people should not be misled by these prophets of evil. The country may suffer some disturbances in the operation upon the body politic that the Democratic Congress is now performing. Its condition is critical and some old ulcers have to be cut out before it can again be restored to a natural and healthy growth. Our Republican friends of the rank and file want to see this operation effectively performed, for it was they who stood shoulder to shoulder with the Democrats last November in giving the order that the operation should be commenced at once before it was too late. The people are tired of having their Government used as a political football by politicians for the purpose of winning back the offices they have lost, to again use the taxing power of the Government for the benefit of special interests, before this new method of raising revenue can be fairly tested. The Republicans had lost hope in seeing this operation of cutting out the special interests performed by their own party on account of the betrayal of their leaders and were patriotic enough to give their support to the Democratic Party that had been freed from the control of the plunderbund and was therefore in a position to carry out its promises to the people. The Democratic Party owes nothing to special interests and is in a position to cut the tentacles of the octopus that has been feeding upon the lifeblood of the Nation.

The politician out of office will use the weakened condition of the Nation that may result from the shock of change to mislead it in the belief that a change of doctors is desirable before the patient has a chance to show the results of the new method of treatment. In fact, they are even capable of doping the patient for the sake of again getting an interest in the taxing power of the Government for the benefit of special interests that have heretofore been in partnership with the Government in gigantic schemes to fleece the masses of the people through a protective t iff.

This Democratic tariff bill is the first one ever levied in the history of the country in the interest of all the people. In this particular it is the most remarkable of all tariff legislation. The rates in this bill are made for the purpose of raising revenues and not for the purpose of protecting private interests. The Government will no longer be in partnership with one class of its citizens in a scheme to rob another class through the taxing power of the Government. Under this bill it is believed every man has a square deal, and if it is found after a year of operation that some of the rates are wrong the Congress can correct them. But the people should be patient and give the country a chance to adjust itself to the new conditions before it passes judgment on this measure. One thing is absolutely certain, whatever the results may be, the bill was passed by the people for the people through their untrammeled representatives fresh from the people and against the protests of all the corporate interests that have heretofore been fostered by the Government. We have done what the people directed that we should do. If the measure fails after a fair trial, then the people will have settled a great question that has divided the country into two schools of politics since the beginning of our Government.

THE INCOME TAX.

The big outstanding fact of this bill is the income-tax provision, which lifts at one stroke of the pen nearly $100,000,000 in taxes from the backs of the people and places it upon the incomes of the comparatively rich. This income tax makes it possible to place the necessaries of life upon the free list and reduce the tariff on the entire 14 schedules about 25 per cent on an average. This is admittedly the most just tax ever levied by this Nation.

We have accumulated wealth in this country that has been produced by all of the people, but now owned by a comparatively few, amounting to $125,000,000,000. This great wealth does not pay one cent of tax to the support of the National Government for the protection of which the Government maintains an Army and Navy and hundreds of thousands of officers and men of every grade and kind. Few people realize this fact, and are startled when they understand that the Nation gathers its tax from the necessities of the people through a hidden tariff instead of from the surplus wealth that has been produced by all of the people, but who have lost title to most of it to clever men who have been favored by birth and our system of collecting taxes. The people are amazed when they realize that our Navy, for instance, with its dreadnoughts costing $18,000,000 each, was built not by these owners of swollen fortunes whom it protects but by the toll taken from the food and clothing and other supplies that the toilers of this Nation must buy in order to keep soul and body together.

By the raising of revenue through a tariff on customs it necessarily follows that, since the tax is on consumption, and a poor man eats as much as a rich man, a poor man who has no property contributes as much toward the support of the National Government as does a rich man who owns millions of dollars' worth of property. This means that if a man is so poor that he can scarcely get food and clothing enough to keep himself and family alive, and a portion of that food and clothing is taken in the form of a tariff tax, we are literally taxing his right to live. It is a blood tax in effect. He must pay it if he eats, and if he does not eat he dies.

This income tax on the rich and comparatively rich will lift nearly $100,000,000 from the food and clothing tax of the masses. The man who is blessed with an income large enough to come under this tax and understands it and still complains against its payment is not worthy of the responsibility and advantage that goes with the ownership of property. Men of that type produce anarchy among the people who are half housed, clothed, and fed, and my sympathies are with the people and against the man who can bear the burden, but is too greedy to do so. Incomes over $4,000 will be taxed 1 per cent; over $20,000, 2 per cent; over $50,000, 3 per cent; over $100,000, 4 per cent. This tax will compel the Rockefellers, Carnegies, Morgans, and Fricks to pay large sums of money at the rate of 4 per cent on their incomes into the National Treasury for the support of the Government. Some of these gentlemen may have to pay as much as $2,000,000 annually if they are not careful about their earnings hereafter. About the only way they can escape this tax is by not earning the income.

This is the greatest step in reforming our methods of national taxation that has ever been taken in the history of our country. It is the entering wedge to greater reforms that are to follow. The next step no doubt will be a national inheritance tax, such as many of the States now levy. The Nation must protect itself from the menace of abnormal fortunes that corrupt the morals of the people and that will ultimately absorb all of the wealth of the Nation. An example of the rate of increase in great fortunes, if allowed to grow in a natural way without regulation, is shown by the following statement. Capital invested at compounded interest will increase as set forth below:

Capital at 1 per cent will increase two and three-fourths times in 100 years.

Capital at 3 per cent will increase nineteen and one-fourth times in 100 years.

Capital at 6 per cent will increase three hundred and forty and one-half times in 100 years.

Capital at 12 per cent will increase eighty-four thousand six hundred and seventy-five times in 100 years.

Capital at 24 per cent will increase two billion five hundred and fifty-one million seven hundred and ninety-nine thousand four hundred and four times in 100 years.

The difference in the rate of increase at different rates of interest is a most astounding fact. It shows that the great fortunes, if left unchecked, will have absorbed all the property in the world in another century at their usual rate of earnings. These figures show that in the life of a nation a rate as high as even 6 per cent means bankruptcy to the people, and no one will dispute that these great fortunes have increased at a greater rate than 6 per cent annually.

A good, stiff inheritance tax on his property at the death of a plutocrat will have two good results: It will enable the Nation to pay its governmental expenses without taxing the people, and it will leave less money to his heirs for their corruption. The plutocrat taxed the people to get his fortune, then when he dies the Government simply takes a part of it for its expenses instead of taxing the people the second time for that purpose. By this method great fortunes will be gradually broken up or kept down below the danger point.

Recently the Astor estate of nearly $100,000,000, upon the death of John Jacob Astor, descended to his son, Vincent, a boy who probably never earned a dollar in his whole life. Yet the earnings of countless tens of thousands of people are handed down to this boy with a good title to it. Morally, it belongs to the people, and while it paid an inheritance to New York State, the fact that it has reached a total value of nearly one hundred millions is proof that enough has not been taken. According to the table above quoted, in 100 years the Astor estate at 6 per cent compound interest will have increased 340¼ times and reached the magnificent total of $34,000,000,000, or a little less than a third of all the wealth in the United States now. Astor's estate is one of the small ones, too. Three or four such estates will absorb all of our present wealth at the present rate of increase in 100 years if left alone to their own resources. But the Underwood bill will get some of the surplus earnings of Mr. Astor, and no doubt later on his estate will contribute in the proper proportions its share to the Nation's expenses. The establishment of this principle is the greatest reform of a century.

REDUCTIONS IN THE UNDERWOOD BILL.

The average man has neither time nor inclination to pursue a technical discussion of the Underwood bill, but he does want to know in a general way what sort of reductions it makes in the Payne schedules. The following table is instructive in this connection. It gives the average rates of duty for each tariff schedule under the Payne Act and the estimated rates of duty for the Underwood bill, and also shows the percentages of change in the average duties which we propose to make.

Comparative summary of average ad valorem rates of duty by schedules.

Schedule.	Average rate of duty.		Reduction in per cent of duty.
	Payne law, 1912.	Estimates for a 12-month period under H.R.3321.	
A. Chemicals, oils, and paints	25.9	19.6	24
B. Earths, earthenware, and glassware	50.7	33.1	34
C. Metals, and manufactures of	34.3	20.1	41
D. Wood, and manufactures of	12.4	3.5	74
E. Sugar, molasses, and manufactures of	48.1	35.9	25
F. Tobacco, and manufactures of	62.1	84.9	[1] 2
G. Agricultural products and provisions	29.0	16.8	42
H. Spirits, wines, and other beverages	83.9	83.3	0
I. Cotton manufactures	45.5	30.4	33
J. Flax, hemp, and jute, and manufactures of	45.1	26.0	42
K. Wool, and manufactures of	55.9	18.5	67
L. Silks and silk goods	51.5	43.9	16
M. Pulp, papers, and books	21.4	11.8	47
N. Sundries	24.7	33.2	[2] 33
Total, all schedules	40.12	29.60	26

[1] Increase in rate.
[2] Increase due to transfer of laces and embroideries from Schedules I, J, and K to Schedule N, which luxuries pay duty of 60 per cent.

The average protection in the Payne bill for the entire 14 schedules above enumerated is a little over 40 per cent. The average for the Underwood bill is 29 per cent, or a reduction in rates of 26 per cent under the Payne bill. Now, let us see how the various industries have been treated. I represent a district that produces more grain, beef, and pork than any other congressional district in the United States, and it has been especially affected by the Payne tariff because it is a great consumer of the products of manufacturers. My Republican colleagues from Nebraska have been raising a hue and cry about the reductions made in this bill on products of the farm in an effort to mislead the farmers into believing they have not had a quare deal in the framing of this bill. Because a man is a farmer is no reason that he is also a fool. He knows that tariff bills of the past were never written in his interests, nor were his interests ever considered. In the first place, it is only in rare instances that a tariff can be of any use whatever to a farmer anyway, but this has not prevented the tariff makers from placing a high tax on wheat, corn, and other products as a sop to him, so he would not squeal on a prohibitive tax on everything the manufacturers produce which he must buy. None but a tariff trickster with unlimited gall would ever try to make a farmer believe a tariff on corn would shut out importations of corn when no other country in the world produces corn in export quantities. There is not a farmer in the country who has every studied market reports who does not know that the price of his wheat is the price of export wheat, less cost of transportation. The tax of 25 cents a bushel on his wheat has not enabled him to get a single cent more for it than the foreigner gets, less transportation cost. The same is practically true on everything that he produces, although in minor crops the tariff will affect prices to some extent along the border, because it prevents a natural flow of commerce. But in a great country of the extent of the United States the effect is inconsequential on the products of the farm.

But this is not true on the products of manufacturers, because, unlike the products of the farm, they have much competition from abroad, and importations from abroad, free of duty, would tend to greatly reduce prices to the consumers. But these manufacturers have written every tariff schedule through their Representatives in Congress within the last 50 years, and they have put up the tariff to a prohibitive point, so importations could not be made practically at all, and behind this tariff wall they have put up their prices so high that the people complain universally of them. Now, the Underwood bill cuts down the tariff wall one-fourth, so that a foreign manufacturer who is right clever, who is a master in his line, can get over it with his products and compete to some extent with our manufacturers for trade, thus enabling the farmer to buy in a competitive market. True, he will have to add to his selling price the 29 per cent of tariff under the Underwood bill instead of 40 under the Payne bill, which he pays at the port of entry, which will enable every producer of the article in the United States to raise his price up to the level, or just under the foreigner's price, and as a result the home manufacturer will have an incidental protection of 29 per cent. We claim that this is all the protection that any manufacturer ought to ask for.

This Underwood tariff bill cuts the tariff duties on farm products 42 per cent, and, as stated above, the tax on corn and wheat has never enabled the farmer to get a single cent more for his crop than he would have gotten had there been no tax at all, because he is an exporter of these grains. Possibly absolute free trade might have some effect on the price of some minor products along the seaboard, but we do not have free trade in farm products, but instead an average protection of 16 per cent.

WHAT DOES THE FARMER GET?

Then, the question is, What does the farmer get for his share of the advantages under this new bill? First, he gets a reduction in the tariff on all the paints, chemicals, and oils he buys of 24 per cent; earthenware and glassware, 34 per cent; metals, steel, and iron products, 41 per cent; wood, lumber, shingles, furniture, and building materials, 74 per cent; sugar, 25 per cent; cotton goods, and so forth, 33 per cent; flax, jute, hemp, twine, rope, and so forth, 42 per cent; woolen cloth and clothing, 67 per cent; silks and silk goods, 16 per cent. These are the reductions in the tariff that directly affect most everything the farmer buys, and will undoubtedly bring him some relief in reduced prices. If it does not, then we will have learned something about the effect of tariff rates we did not before know.

My distinguished colleagues from Nebraska, representing the Republican Party in Congress, are opposing this bill, which means that they are in effect voting to keep the indefensible Payne tariff rates on the statute books, which levies a tax of from 24 to 74 per cent more than the Underwood bill on everything the Nebraska farmers buy, and offering the excuse for it

that the tariff on farm products has been reduced from 29 per cent to 16 per cent. I deny that these gentlemen are speaking for the farmers of Nebraska. They are speaking for the interests that are sheltered behind the Payne tariff bill, because by their vote they prefer it to the Underwood bill, which reduces the tax on the products the farmer must buy. The country rejected the Payne bill at the last election, yet these gentlemen show by their votes that they think it is better than the Underwood bill, that reduces the Payne rates 26 per cent on an average. Do these gentlemen believe that the people did not want the tariff reduced at least 26 per cent? Did a single one of these gentlemen defend the Payne bill during the campaign last year? Did they not in public speeches declare for a reduction of the tariff? Did not some of them secure their reelection to Congress upon the record they made last year in supporting some of the Underwood tariff bills and the Democratic contention for a revision of the Payne bill? That was the right positon for them to take last year to be elected, as that was the way the people felt about it. But now they are betting that we will have a drought or panic or earthquake which can be charged up to the Underwood tariff bill, which will make the measure unpopular with the people, thus making it safe for them to vote against it. But by voting against this bill they vote against the income tax, which takes nearly $100,000,000 from the backs of the farmers and producers of the country and places it upon the backs of the rich. I apprehend the farmers of Nebraska have been fooled by a tariff sop on corn and wheat about as long as they can stand it. They do not take kindly to the friends of the Payne-Aldrich tariff, and my Nebraska Republican colleagues will no doubt hear from them.

FREE SUGAR.

One of the big features of the Underwood bill that has caused much controversy is the question of free sugar after three years with a reduction at once of 25 per cent. It is admitted that sugar can be produced profitably in Cuba at 2 cents a pound, whereas it costs about 1½ cents in Louisiana. Some claim that free trade would not destroy the cane-sugar industry, but it is now generally admitted that it will; that the industry is not legitimate; that it would be as reasonable to try to grow oranges in a hothouse in Maine by giving it a tariff protection as to try to keep alive this Louisiana industry any longer. It is costing the American people all it is worth every year in the extra price of sugar. Mr. UNDERWOOD estimates that the American people pay at least $115,000,000 a year extra for their sugar as a result of the tariff of nearly 2 cents a pound levied for the protection of this industry. That sum of money is almost enough to buy the whole Louisiana sugar industry, including the lands on which the cane is grown, and yet we have paid for this outfit once every year for the last 10 years, or a total of considerably over a billion dollars in the added price of nearly 2 cents a pound on the sugar we have consumed. But even if we were so impractical as to keep this tariff on sugar for the protection of this cane-sugar industry, it is now admitted by all that the beet-sugar product would drive it off the market anyway, because the cost of beet-sugar production is much less.

The producers of beet sugar claim they need protection, but as a matter of fact every plant in the country is paying a dividend and some of them excessively large dividends on a capital stock that is half or more water. Not only is this true, but the Sugar Refining Trust has a controlling interest in nearly all the beet-sugar plants in the country and now controls the price on domestic sugar. Sugar is sold at wholesale to the groceryman who lives within the shadow of a beet-sugar factory at exactly the import price of sugar plus the cost of freight from the seaboard. The big question is, Can beet sugar compete with foreign sugar? The facts show that it can. The American people have no moral obligation to pay a dividend on at least twice the capital invested in this industry through a protective tariff. This bill may squeeze out some of the water and place the business on a solid foundation, so it will not have to be crying around Congress for a Government partnership in feeding the people. An industry located on the semiarid plains from 1,500 to 2,000 miles from the seaboard with a high wall of freight rates protecting it from competition with foreign sugar is much safer from disaster than the farmers who now compete with the foreigner to whom he sells his surplus wheat, corn, and cotton. The beet-sugar factories will have plenty to do to supply the sugar in this railroad-protected territory. They do not have to sell sugar in a foreign market as does the farmer, and then it is unfair to compel the farmer who must compete with the foreigner to pay out his profits to the sugar producers who have a market at their doors for all the sugar they can produce. The grain and stock farmer hires real American labor and is entitled to a square deal, whereas this protected, trust-controlled, gambling industry employs Japs, Chinese, Hindus, and rag-tag labor from whatever country it can get it. That is the policy of every protection-fatted industry we have in this country.

I would not want to destroy the beet-sugar industry, and I do not believe free sugar will destroy it. It will have three years to adjust itself to this new tariff. Let us see what will happen in these three years.

FREE WOOL.

The corn-belt farmer has been gradually abandoning the growing of sheep for many years. In fact, we have fewer sheep in this country than we had 30 years ago, notwithstanding the fact that both sheep and wool have enjoyed a large protective tariff. The industry of sheep growing has been carried on largely on semiarid lands and in the mountains of the West. Even there in many localities the hazard is very great, as the storms of the mountains and plains district often destroy a large percentage of the flocks. In spite of a 11-cent tariff on wool and the fact that we have to import nearly half of our supply, the sheep flocks have gradually diminished each year, so that we have now some 9,000,000 less sheep than we had 10 years ago. Between the rapacity of the Wool Trust on the one hand, that steals nearly all the benefit of the 11 cents tariff protection to the producer, and the Meat Packing Trust on the other hand, that makes the feeding of sheep a great gambling business, the farmer is gradually going into a business that is safer for him. In my district a farmer who has the nerve to buy a few thousand sheep to feed as a means of disposing of his crop and cleaning up his farm is liable to lose his savings of a lifetime, if he does not lose his farm. The business is so dangerous that only the shrewdest of farmers dare to engage in it. Should he undertake to raise his flocks, he finds that it is so subjected to various diseases that he must be an expert at the business to avoid losing money. These are the reasons that the sheep industry in America is waning.

Our protectionist friends want us to continue to levy a tax of 11 cents a pound on wool. By doing so we would do two things. We would first enable the Wool Trust to get most of the 11 cents and absolute control of the American market; we would force the American people to add 11 cents a pound to the cost of every pound of foreign wool we must import. If the sheep grower got the 11 cents, it would not be quite so bad, but he does not. He ordinarily gets 1, 2, or sometimes 4 or 5, cents more for his wool than the foreigner gets in free-trade England, but even now foreign wool is sold in London at practically the same price as in Boston. In fact, 150 bales of our wool was recently exported and sold in London at a shade better price than it would bring in this country. Where has the 11 cents per pound protection to the grower gone? It simply proves our contention that the tariff creates trusts, and that a tariff on trust-controlled products does not benefit either the consumer or producer.

The next thing we would do, if we kept the 11 cents a pound duty on wool, would be to furnish the woolen manufacturers a logical excuse to come back at us with the argument to the effect that now you tax my raw wool 11 cents for the benefit of the producer, you must give me a corresponding tariff on my woolen cloths so I can get back my 11 cents per pound for the raw material. That would mean, of course, that the 99,000,000 people out of the approximately 100,000,000 in the country, who were not even remotely interested in sheep raising, would have to pay an added price for their clothing to cover this tariff on raw wool. In fact, in the infamous woolen Schedule K the 11 cents is tacked on at every step, in some instances, in this intricate tax, so that it is collected several times in the increased cost of woolen products. It is a parallel to the sugar question. We buy literally many hundred million dollars' worth of woolens annually, and a small per cent of extra cost as a result of this wool tax would buy the whole sheep industry in a single year. Farmers in my district can grow tropical fruits, if they want to buy the heat and protect the plants, but it is cheaper for them to let some fellow raise the tropical fruit where it is naturally easily raised and buy it from him.

The tax on raw wool was the key to a high protective tariff. Since the Civil War this high tariff on woolen goods has been maintained by the union of the wool producers and the woolen manufacturers. This combine has fleeced the American people out of hundreds of millions of dollars since the Civil War. The Wool Trust got its share of the loot, but the woolgrowers got skinned out of theirs by an inside Wool Trust formed by the woolen manufacturers for the purpose of stealing the tariff on raw wool. It has been a confidence game from the beginning; and the woolgrowers and the people have been the victims. But the combine was not able to beat free wool in the House of Representatives, because their Schedule K was too notoriously bad to last forever.

Now, one more defense of free wool and then I must leave that subject. Every country in the world admits wool free of tax save Russia and the United States. In the United States, under a high protective tariff on wool, the sheep flocks have steadily diminished for 30 years. In England, where wool never had protection, the sheep industry has prospered greatly. No country in the world has as good sheep as England, and nowhere are sheep more profitably raised. Let the man who favors a tax on wool because he thinks it will enable us to raise more of our raw product and import less consider these cold facts and change his views accordingly.

WHEAT AND FLOUR.

Another bone of contention between those who speak for the millers and those who speak for the farmers is the question of a 10-cent tax per bushel on wheat and free flour, as provided for in the Underwood bill. The millers contend that since flour is free wheat should also be free, and, as a matter of logic, I think they are correct; but, as a matter of fact, I think their contention is groundless, because free wheat would not help them a particle, for the reason that we do not import wheat, and probably never will. If we ever do have to import wheat, then the contention that free wheat will help them will be correct. The truth is, notwithstanding the fact that there has been a tax of 25 cents a bushel on wheat, for many years the American farmer has been paid the foreign, or export, price for his crop, less the cost of transportation. It has been the tariff sop that the eastern manufacturers have through their Representatives in Congress thrown to the farmers to get them to support their protective theory. Never in the history of the tariff has the farmer gotten a higher price for his wheat as a result of the tariff of 25 cents per bushel; but he has paid his tribute to the eastern factories of the country generously, in the meantime buying his supplies in the highest market in the world, while he sold his products in the cheapest market in the world in competition with the so-called pauper labor of other countries.

But the millers may ask: "Why put a tax of 10 cents per bushel on wheat if it does not help the farmer?" I am free to say that I am a large producer of wheat myself, and I know the tax is of no benefit to me, but I see no reason for taking all the duties off of wheat for no other purpose than to furnish the protectionist a club to frighten those producers of wheat who may not know the flimflam game that has been worked upon them into supporting the protection contention in opposition to this bill. The truth is that while flour is placed on the free list, it is only on the free list with countries that admit our flour free; so, taking it all in all, flour has about the same protection wheat has, for England is the only country that admits our flour free, and therefore it is the only country that can ship flour into this country free in competition with our millers. Does anyone think our millers will suffer in competition with English millers, who must import their wheat to make flour to export to America? If he does, he has a vivid imagination not justified by the facts.

The cereals produced by our farms bear a tax of from 10 to 15 cents a bushel in the Underwood bill, and it is a question whether we are benefited at all as a result of it. The United States is the greatest food-producing country in all the world. We have been large exporters, and would be still larger exporters now if this industry had not been crippled by paying an enormous tribute to the special interests of the country in the form of a tariff. The agricultural industry produces nine or ten billion dollars' worth of wealth every year, and by a clever system of exchange, engineered by various organizations, it gets its food and clothes for its pains and a few dollars besides (sometimes), while we watch the various "big interests" concerns divide up this great wealth in dividends later on. The whole burden of the Nation rests on agriculture, and this system of levying tariffs on the stuff agriculture uses is the method whereby they get our big crop money each year. While the farmer digs and sweats in the fields clever men are begging Congress to help them skin him out of his crop by levying a large tax on everything he must buy, while he must sell his crop for what he can get for it abroad, because he produces a surplus. It is not at all probable that the Old World will ever be able to feed its own teeming millions, to say nothing of their ever overrunning this country with their products.

The favorite argument of the protectionist to frighten the farmer is to refer to importations of cheap wheat from Canada. Of course, anyone who knows the situation knows that the argument is absurd. He knows that the surplus wheat of Canada, the same as the surplus wheat of the United States, finds its market abroad, shipped over parallel railroads on opposite sides of the boundary line, and by ocean steamships, each paying approximately the same freight rates, and sell at the same price in a world-wide competitive market. Then how can wheat be cheaper in Canada? If at certain local stations in Canada the price is lower than in corresponding stations in the United States, it is because of price fixing by grain companies and higher railroad rates, all of which is deducted from the world price before the producer is paid. There are places in Canada where wheat is less than in corresponding places in the States, and the reason is clear to those possessed of the facts. The railroads and grain companies in a newly settled country, where the risks are great, always make larger profits. As an example and proof of this, many of my constituents own stock in a big grain company operating a line of elevators in western Canada. To my personal knowledge these stockholders have drawn from 15 to 50 per cent dividends on their stock during the last five years. A similar grain company in my district in Nebraska does well if it makes 10 per cent. This accounts for the difference in the price of wheat in Canada and the United States, when any difference exists, added to any difference that may also exist in transportation rates. The farmer can take either end of the argument and rest in peace, for he still has a protection of 10 cents a bushel on wheat and the miller has a protection of 10 per cent ad valorem on flour from every country save England, and England admits our flour free.

MEATS ON THE FREE LIST.

While grain and live stock bear a reasonable tax under this bill, meats have been placed on the free list. This is in conformity to the pledges we have made to the people for untaxed necessaries of life. The meat industry of the country is controlled by a great packers' trust, and whatever tariff benefits that may arise from a tariff on meats is absorbed by this trust. It is another proof of the uselessness of a tariff in protecting the producer when the article produced is trust controlled. The American packers sell our beef in London several cents a pound less than the same meat is sold to our own people. The tariff keeps out the competitors of the Beef Trust while the trust fleeces both the producer and consumer here at home and goes abroad and meets the competition there. The exports in beef last year were over $2,000,000. The packers get together every day and agree on the price they will pay for beef cattle and the producer has no choice in the matter. They fix this price at the bottom when the beef producer has his yards full of steers, and when they have all been gathered in and slaughtered at a cut-throat price to the producer they gradually raise the price while his yards are empty to induce him to again fill his yards in the hope that better prices will prevail the next year. But the next year he meets with the same old story, and about the time his beef steers are ready for the market the price begins to fall, by agreement among the packers, and his stuff goes on the market, on an average, at a loss. One of the best feeders I ever knew told me that he had barely broken even on feeding cattle in a run of 35 consecutive years. To-day the price of beef is the highest probably in the history of our country, and yet not half of the feeders, one year with another, can profitably produce beef because of this rapacity of the Packing Trust. This Meat Trust is reaching out to control the products of Argentina and South Africa, and it is only a question of time when they will control the markets of the whole world, and the tariff hastens the day; but in the meantime the American Congress will not permit it to take the Government of the United States into partnership in its schemes to rob both the beef producer and the beef consumer by a tax on meats. The packers have already reduced the beef supply in this country enormously. There is not a neighborhood in my district that you can not count a dozen cattle feeders who have quit the business because of its hazard. One might as well gamble on the board of trade as to fill his yards with stock cattle and take the chances on feeding his corn crop into them and ultimately getting his money back and a profit from the packers. I have tried the business myself, and had only my experience to show for it after several years' effort in producing beef. The result of these methods of the Packing Trust has been to greatly decrease the beef supply in this country. The farmer would not complain so much in producing the beef of the country for his board and clothes, but he objects to having the packers take the price of a small farm sometimes in one of their notorious short deals on the price of a trainload of fat steers. The farmer gets no benefit of the tariff on meats; the packer absorbs it all. Each day the various plants agree upon the price they will pay for beef steers. If a few more farmers get to the market on one day than on another, the packers slash the price, notwithstanding empty coolers, and the farmer is helpless. He can not ship fat steers back to his yards, and if he could he would have to send them back later

to the same market, after hundreds of dollars of extra costs have been charged up against his beef. It is poor consolation to offer the tens of thousands of beef producers of this country to tell them to protect the packers' meat with a tariff so that the packer can pay more for fat cattle.

The farmer knows the packer too well. The packer has had a tariff on his meat for many years, but it did not prevent him from driving beef producers into bankruptcy. Let them sing their plaint of protection to some one who has not produced beef. It may work on them, but it will not work on the one who has been burned. The beef producer is not going to join the packer in urging a tariff on meat for the sole purpose of fleecing the hungry millions who can not buy half enough of it to eat because of the packers' greed.

The cry is raised against cheap meat from Argentina if this bill passes. If we get any meat from Argentina it will be cheap meat in fact, from a scrubby breed of grass-fed cattle. This meat will not compete with our corn-fed beef, no matter what the price may be. If, on the other hand, it cheapens cheap meat to the hungry folks along our seaboard who are at the mercy of the packers, it will be a godsend to them. No well-fed, decent Christian farmer in Nebraska is going to complain about that. If by some chance meat is a little cheaper on our farms, which is wholly improbable, he is not hurt because this bill gives him cheaper machinery, tools, twine, cloth, clothing, rope, wire, building materials of all kinds, which will be a big offset for any loss he is liable to sustain from free meats. There is no use trying to frighten the farmer. He has been burnt too often.

CATTLE AND HOGS TAXED.

A tariff has been placed on cattle and hogs and other live stock, but, as in the case of wheat, corn, and cotton, it does not benefit the farmer to any extent. There is no place importations of this kind can come from save Canada and Mexico, and the whole output of these two countries could not perceptibly affect our markets if it were all thrown onto us at once. The whole cattle supply of Mexico would not supply our markets for a single week. The little dribs of stock that would come into this country from these sources would be a great benefit, as it would consume our crops and bring money to our people. The shortage of cattle in this country is getting to be a serious matter.

PRICE OF FARM PRODUCTS.

When a priest of high protection wants to paralyze a farmer who is complaining of high prices of the supplies he must buy he always propounds this stereotyped question: "Do you want 10-cent corn, 50-cent wheat, and 4-cent hogs again as you had in the Cleveland administration? Look at the price of your wheat, corn, and hogs now and be thankful for the beneficent effects of a protective tariff." This question used to work better than it does now. That reminder has beaten agriculture out of countless millions of dollars in the last 16 years. There never was a more absurd parallel than this. The prices of the farmer's grain has steadily risen for the valid reason that the output has steadily decreased and at the same time the population has increased. During the last 10 years the five principal cereals have decreased as follows:

The corn crop decreased 21 per cent.
The wheat crop decreased 15 per cent.
The oat crop decreased 12 per cent.
The rye crop decreased 5 per cent.
The cotton crop decreased 9 per cent.

The price of farm products has been forced up because of a decrease in quantity and a constantly increasing demand. No man is so stupid as to believe that a protective tariff against a phantom importation of grains had ever affected the price of grains. On the other hand, he knows that a decrease in production with an enormous increase in consumption brought about by increase in population and facilities for better distribution has increased the price of grain, and no other reason need be sought for the increase.

This is not only true of grain, but as pointed out heretofore in these remarks practically all kind of live stock, especially sheep and cattle and hogs, have greatly decreased, and therefore the price has gone up proportionately. The law of supply and demand affects the price of the farmers' products where the trusts have not interfered.

But contrast the farmers' case with the output of manufactures. The increase in the productions of the manufacturers has been fabulous in the last 10 years. They not only have outstripped the consumption of a constantly increasing population, but they have overrun the United States and are shipping abroad and selling to foreigners. The Secretary of Commerce reports that our exports in steel products alone for the last nine months amount to a million dollars a day. Now, has this enormous overproduction cheapened the products of manufactures to the farmers and consumers? I do not need to answer that question. Every man who has a few dollars to spend knows how each year he is confronted with higher prices for the things he must buy. If the law of overproduction produces lower prices, why are the prices constantly rising? There are two big reasons for it in case of the products of manufacturers, namely, a protective tariff and the trusts. The tariff keeps off outside competition while the trust controls the principal sources of production and the prices. The farmers are not in a trust, therefore they are the victims of trusts. But if the tariff and trusts were out of the way the productions of the factory would rise and fall in price as do the productions of the farm according to the law of supply and demand. Unlike the law of gravity, which can not be suspended, a trust can suspend the operation of the law of supply and demand and create artificial prices. The consumers are now paying artificial prices on every article that is produced in export quantities. The increased price of farm products is natural and logical, because the production is decreasing. It is hoped the higher prices will stimulate greater production, and they no doubt will, when the level is sufficiently high to attract men to agricultural pursuits. Up to the present time, however, the fabulous profits made in other industries have been robbing agriculture of its best men. This Underwood bill will help to equalize the distribution of wealth and therefore greatly benefit agriculture that has been the principal sufferer from a protective tariff.

TO CONCLUDE.

Whatever may result from the operation of this bill, it will stand in history as the most sincere effort to write a bill in the interest of all of the people that was ever made by the House of Representatives. The splendid, able, and unselfish leadership of Hon. OSCAR UNDERWOOD and his able and patriotic assistants on the Ways and Means Committee, is most commendable, and they are to be congratulated upon their splendid work. They know and we all know that our political future is at stake upon the operation of this bill. If it fails after a fair and untrammeled test to do what we believe it will do, then we have been wrong in our theories and should immediately correct our mistake. The country will have proved for the first time in history that water will run uphill.

We have prepared the way for this bill as much as possible, looking to the danger of having its good effects destroyed by a concerted move on the part of tariff-fostered industries to lower wages and close shops for the purpose of forcing the country to sustain the Payne rates. Chairman UNDERWOOD served this notice of warning upon them in his closing remarks upon the bill:

I give you notice now that if any manufacturer attempts in the interest of the Republican Party to threaten labor, there is a bureau in this Government, the Bureau of Foreign and Domestic Commerce, created by the Democratic Party, that will go into the factory, make a thorough investigation, and ascertain why.

It is hoped the notice will be sufficient.

Character and Effect of the Underwood Bill.

EXTENSION OF REMARKS
OF
HON. FRANK W. MONDELL,
OF WYOMING.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. MONDELL. Mr. Speaker, within a few hours, thanks to the caucus-bound majority, this bill will pass the House, and if I read the signs aright it will in due course of time pass the Senate without material change, so far as its important features are concerned. We have endeavored in the course of the debate to call attention to some of the fundamental errors, from our standpoint, and some of the inconsistencies, from any standpoint, of the measure.

The debate has been necessarily unsatisfactory owing to the fact that the caucus-bound majority, responsive to the nod of its leaders, has stood ready to vote down and has voted down every one of the hundreds of amendments offered from this side, not only the amendments which sought to change important rates of the bill, but amendments whose object it was to cure the measure of some of its many inconsistencies.

Holding the opinion that I do that this Nation, with its high standards of living, its high wage scale, can only be prosperous and its people steadily employed, with assurance of satisfactory returns for their efforts, under a protective system, I find it impossible to believe that this measure, radical and revolutionary, protective here, free trade there, and neither logical nor consistent from the standpoint of the general public welfare anywhere, can be placed upon the statute books and put into operation without such a destruction in property values, such a disturbance of business conditions, such a lowering of the rewards of labor and enterprise as will bring about nation-wide disaster and distress certain to produce a political revolution that will speedily restore to power, in all branches of the Government, those who believe in the protective system.

It is, of course, in the range of possibilities that the mighty momentum of unparalleled prosperity, the wonderful recuperative qualities of a marvelously energetic and forceful people, the steadying effect of great combinations of labor and capital compelled in self-defense to make the best of the situation, the sustaining energies of great industrial enterprises which have, in a measure, escaped the verdict of destruction which has been pronounced against others, the powerful influence of the press and of enterprises peculiarly favored, may be potent enough to prevent for a time the complete paralysis which the measure threatens, and thus temporarily retain in power the party responsible for this bill.

If such shall be the case, if for the time being the Nation shall escape such unfortunate conditions as shall bring about a speedy political revolution and return to protection, then the passage of this bill marks a more profound, far-reaching, and, in my opinion, unfortunate change in the industrial, economic, and social affairs and conditions of the Nation than we can at this time fully realize.

The measure is neither protection nor free trade; it is neither tariff for revenue or, as the gentleman from Alabama [Mr. UNDERWOOD] puts it, for competition, but a combination of them all, utterly devoid of real underlying principle and certain to start in motion certain tendencies and establish certain conditions, which, in their effect, will constitute a policy whose disastrous consequences will only be measured by the extent to which it progresses.

Under this legislation the activities of the farm and the forest, the range and the ranch, are placed in approximately or absolutely open and unprotected competition with all the world. On the other hand, the great textile and steel and iron industries are left with such measure of protection that the largest and the best financed of them may be able to sustain themselves, and, by further combination at home and abroad, which is inevitable under this legislation, even extend their operations and be permanently successful. A few industries, such, for example, as that of the assembling here of foreign-made automobiles, will receive an impetus and enjoy a profit they have never known.

The result of this is certain to be the enlargement and enrichment of great importing cities, the more or less gradual but certain abandonment of small manufacturing industries all over the country, and particularly in the towns and small cities of the interior and the West, with a resulting centralization and combination of business in great industrial centers. As a necessary corollary of this growth, tendency, and movement will be a checking of that tendency back to the farm which we have noted with vast satisfaction in recent years, and a constantly increasing tide or movement from the farm, the field, and the ranch to the great centers of import and manufacture. This tendency will be but little affected by the fact that the cotton-growing industry will be benefited rather than injured, because that particular industry is the only one in the domain of agriculture which does not in most sections attract the white farmer of small means or the white agricultural laborer. Carried to its logical conclusion this system would ultimately make us a nation of great importing cities, congested manufacturing centers, tumble-down towns, and indifferently improved, poorly tilled, and largely unprofitable farms and ranches.

Whatever the immediate result of the legislation may be, therefore, industrial or political, the inevitable tendency and the final result of this legislation will be as I have suggested. Vast industrial enterprises and combinations in large cities and manufacturing centers, great free-trade ports; diminishing population, vanishing industries, in small cities and country towns; and impoverished and decaying farming communities; this is the inevitable outcome of a combination of free trade in the country, protection in the city, with a steadily increasing proportion of those things the people use and consume made abroad.

A great American once said, "This Nation can not continue half slave, half free." It is equally axiomatic that the Nation can not survive and prosper part free trade and part protective in tariff. As I do not believe the country will become all free trade with its attendant transfer, according to the admission of all, of a large portion of our industries abroad and its accompanying idleness and poverty at home, I have confidence that whatever may be the immediate political effect of this measure, the tendency it creates, the forces it sets in motion, are certain to produce conditions against which the patriotism and the good judgment of the American people will revolt, and that swiftly, I believe; but certainly, in any event, we shall return to the protective policy. We shall reestablish it free from those faults and errors that have temporarily discredited it in the minds of many people, and go forward once again increasing, widening, and diversifying American industries, finding profitable markets for American products of the field, the forest, the farm, and the factory in a splendid era of prosperity and progress.

The Tariff.

EXTENSION OF REMARKS
OF
HON. MARTIN B. MADDEN,
OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. MADDEN. Mr. Speaker, under the general leave granted by the House to extend remarks in the RECORD, I print the following:

ACTION OF TARIFF CONFERENCE HELD UNDER AUSPICES OF ILLINOIS MANUFACTURERS' ASSOCIATION IN WASHINGTON, MAY 8, 1913.

WASHINGTON, D. C., *May 8, 1913.*

Hon. F. M. SIMMONS,
Chairman Senate Finance Committee, Washington, D. C.

SIR: On behalf of a conference of representatives of some of the largest organizations of manufacturers and producers of the United States, and including the representatives of the Hawaiian Islands and representatives of individual industries, held to-day in Washington, we have the honor to present the following formal request:

Whereas the Underwood bill includes provision for special duties (dumpling and countervailing duties) designed to prevent unfair or guerilla competition and to guard against bounty-paid goods, and these special duties cover only goods on the dutiable list: Therefore be it

Resolved, That the Finance Committee of the Senate be hereby petitioned to so amend paragraph E, Section IV, and paragraph R, Section IV, to provide that these special duties (countervailing and dumping duties) shall be effective for all articles on the free list as well as those on the dutiable list.

Respectfully submitted.

JOHN E. WILDER,
President the National Association of Tanners, Chairman.
J. KIRBY, Jr.,
President National Association of Manufacturers,
JULIAN SCOTT,
Treasurer International Milk Product Co. and Sheffield Farm-Swanson-Derby Co.,
J. L. TWADDELL,
Secretary National Association Shoe Retailers,
WM. G. COOKE (Hawaii),
Alexander & Baldwin (Ltd.),
BENJ. S. GRAVES,
The Biscuit & Crackers Manufacturing Association,
JAMES R. WATSON,
N. K. Fairbanks & Co.,
JOHN M. GLENN,
Secretary Illinois Manufacturers' Association.
Committee.

ACTION OF TARIFF CONFERENCE HELD UNDER AUSPICES OF ILLINOIS MANUFACTURERS' ASSOCIATION IN WASHINGTON, MAY 8, 1913.

WASHINGTON, D. C., *May 8, 1913.*

Hon. F. M. SIMMONS,
Chairman Senate Finance Committee, Washington, D. C.

SIR: On behalf of a conference composed of representatives of some of the largest organizations of manufacturers and producers of the United States, and including the representatives of the Hawaiian Islands and representatives of individual industries, held to-day in Washington, we have the honor to present the following formal request:

"Whereas the acknowledged purpose in the preparation and prospective passage of the pending tariff bill is liberal provision for the freer entrance to the markets of the United States of goods of foreign origin, to be sold in competition with articles of domestic production; and

"Whereas the policy of exchanging concessions in rates of duties is the principle now controlling the international trade relations of most of the leading commercial nations: Be it

"*Resolved*, That in view of the fact that the pending legislation will result in the admission of large quantities of merchandise which will displace articles of domestic manufacture, it becomes the plain duty of the Government to endeavor to utilize the proposed tariff concessions to the fullest possible extent in enlarging our foreign markets, to the end that a freer vent may be found for our own manufactured goods abroad.

"*Resolved*, That it is the sense of this convention that a clause should be enacted in connection with the pending tariff legislation, ex-

pressly providing that the reductions in the dutiable list and the additions to the free list shall be extended, in the case of nations now maintaining tariffs against articles of American production, only so rapidly as such countries agree, on their part, to extend what the President shall deem a fair equivalent for our own large concessions."

The conference was called under the auspices of the Illinois Manufacturers' Association, in response to a strong demand on the part of the industries affected by the free list in the pending tariff legislation. The manufacturers and producers representing this sentiment realize the obligation of Congress to revise the tariff, but they feel that Congress, in meeting the public demand, should guard against sacrificing the industries whose products are on the free list to the advantage of the foreign manufacturer and producer without benefiting the consumer.

The proposed opening of our markets for the exploitation on the part of foreign manufacturers and producers for the sale of their commodities covered by the free list, without first having made trade agreements with such nations for the freer exchange of our products is, in the judgment of your petitioners, against the fundamental principles on which trade agreements of other nations are made.

In other words, the gates of the American markets should be opened to foreign products only in so far as our people will be benefited. It will not be beneficial to admit products free of duty from countries which discriminate against our manufacturers and producers.

We respectfully request international fair play.

JOHN E. WILDER,
President the National Association of Tanners, Chairman.
J. KIRBY, Jr.,
President National Association of Manufacturers,
JULIAN SCOTT,
Treasurer International Milk Product Co. and Sheffield Farm-Swanson-Dirby Co.,
J. L. TWADDELL,
Secretary National Association Shoe Retailers,
WM. G. COOKE (Hawaii),
Alexander & Baldwin (Ltd.),
BENJ. S. GRAVES,
The Biscuit & Crackers Manufacturing Association,
JAMES R. WATSON,
N. K. Fairbanks & Co.,
JOHN M. GLENN,
Secretary Illinois Manufacturers' Association, Committee.

The Tariff and the Philippines.

EXTENSION OF REMARKS
OF
HON. ISAAC R. SHERWOOD,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, May 7, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. SHERWOOD. Mr. Speaker, the high cost of living and the unequal distribution of the earnings of the industrial classes are the two foremost vital questions of the hour. The enormous and constantly increasing appropriations for the support of the Government, coupled with the hogishness of the hundreds of great combines fixing and controlling prices, have been and are the chief factors in raising prices of all articles consumed by the masses, adding to the cost of living and causing the general unrest among the wageworkers.

The remedy and the only remedy lies in reducing tariff taxes and in inaugurating a system of rigid economy in Government expenditure.

Let me refer to this startling and sudden increase in Government expenses following our War with Spain and our wicked and cruel exploitation of militarism, imperialism, and vampirism in the acquisition and control of the Philippine Islands.

Let us see what eight years' increase in Army and Navy has cost the American people: The average annual cost of Army and Navy for the eight years preceding the Spanish War (1890–1898), $51,500,000; the average annual cost of Army and Navy for the eight years since the Spanish War (1902–1910), $183,400,000; the average yearly increase in the latter period as compared with the former, $134,000,000; making a total increase in eight years of $1,072,000,000, or 360 per cent; all raised by heart-breaking taxation of the industrial classes.

This eight-year increase exceeds our entire national debt by $158,000,000. It is three times the estimated cost of the Panama Canal, including purchase from the French company. It is $60 for every family in the United States.

NAVY IS TOP-HEAVY.

We have now an immense top-heavy Navy with 57,000 officers and middies, mostly parasites on the body politic, good men and competent, but with nothing useful to do.

Quite recently 12 of our useless and expensive war craft were cast into the junk heap. The 26,000-ton battleship *North Dakota* cost $12,000,000 originally, and when discarded had cost the taxpayers $28,000,000.

This $28,000,000 would build 1,400 churches at $20,000 each; would buy 6,000 farms at $4,000 each; would furnish a college education for 14,000 poor young men at $500 a year.

In 1823 when James Monroe sent his seventh message to Congress embodying the now universally accepted Monroe doctrine, he declared as a basis of that doctrine that as we did not propose to interfere with European policies or politics we do not propose to have the empires of the old world interfere with our policies or politics, or of any country on this hemisphere, and that means North America, South America, and Central America.

This was a defi by President Monroe to the whole formidable array of Old World monarchies, far more defiant and sweeping than Jefferson's defi to Great Britain July 4, 1776.

THE NAVY THEN.

Did we have an adequate Army and Navy at that time? Let us see. We had only 10,000 soldiers in the Regular Army, including Infantry, Artillery, and riflemen. And how about our Navy? We had 7 wooden battleships, 9 small frigates, 2 corvettes (low sloops with one tier of guns), 5 sloops, 2 brigs, and 5 small schooners—30 war craft all told. And how many sea dogs of war did we have then? Let us see. We had 30 captains, 30 master commandants, 9 chaplains, 356 midshipmen, 53 sailing masters, 16 boatswains, and 18 gunners; all told only 512, besides the lieutenants, quartermasters, and Army surgeons. What was the entire population of the United States at that critical period (1823)? By the census of 1820 we had, including Indians, not taxed, 9,633,822. How much did our Navy cost us in 1823? Nine hundred and twenty-nine thousand five hundred and three dollars, all told.

MANY MILLIONS NOW.

These figures are official. How does $929,503, when we defied all Europe, compare with $141,000,000 now (1913), when we are at peace with all the world, with no defies out, inviting war?

Let us see what we have now. In 1913, 29 modern battleships, 9 other battleships, 38 in all; 15 first-class cruisers, 3 second-class cruisers, 14 third-class cruisers, 32 in all; 21 gunboats, 49 destroyers, 32 torpedo boats, 35 submarines, and 10 monitors—whole outfit of war's horrid array, 217 engines of wholesale murder. Who says that it is not time to cry a halt?

JEFFERSON'S WORDS.

In 1801 Thomas Jefferson wrote:

Hamilton is ardent for the introduction of monarchy, eager for armies, making more noise for a great naval establishment than better patriots, who wish it on a national scale only commensurate to our wants and our means. This class ought to be tolerated, but not trusted.

Here is a fateful admonition for this very hour. And I call up Jefferson again. In 1799 Thomas Jefferson wrote to Eldridge Gerry these words of supreme wisdom that every patriotic American should pause and ponder well:

WOULD RELY ON MILITIA.

I am for relying for internal defense on our militia solely till actual invasion, and for such a naval force only as will protect our coast harbors from depredations, and not for a standing Army in time of peace, which may overcome the public sentiment; nor a Navy which by its own expenses and the external wars in which it may implicate us will grind us with public burdens and sink us under them.

We are nearing that time now. A member of the Naval Committee of this House said recently at a public meeting in Washington that the way we are legislating now our naval budget will reach $250,000,000 in five years.

TIME TO STOP.

Do you not think it is time for some one somewhere to brace up and make some kind of an effort to try and scotch this extravagant and demoralizing militarism and vampirism, and do something to cheapen the poor man's breakfast?

I am for Jeffersonian Democracy, Jeffersonian economy, and a real Christian civilization.

THE FIRST FORWARD STEP.

The Underwood tariff bill, now in continental debate, is the first step of our victorious Democracy to stop excessive, unnecessary, and exorbitant taxation.

The income-tax feature, should the bill be enacted into national law, will raise a hundred millions, and lift a hundred millions of burden from the backs of the wageworkers and the men and women of moderate means and place it on easy shoulders that will never feel the burden. And this income tax is bound to be a permanent factor in our fiscal policy in the future. England has had an income tax, on and off, since 1799, first adopted after the Napoleonic wars and the Seven Years' War with the American colonies. For over 50 years it has been an integral part of the fiscal and economic policy of the Empire. To-day every country and empire of Europe, with three exceptions only, imposes an income tax. So does Japan. So do all the continental islands of the Pacific. It is more humane and

just than a tariff tax, as the burden falls on those best able to pay. A tariff tax, whether for protection or revenue, imposes a burden on everything a citizen eats, wears, or consumes. Hence, a poor man with a wife and 10 children, with no income but his wage earnings, pays approximately twelve times as much tax as an idle hermit bachelor with a comfortable income who produces nothing to add to the census or the national wealth.

An income tax also adds an atom to the more general distribution of wealth and is a tax that is based upon the humane idea that under no possible construction can it work embarrassment or hardship to any citizen.

It should be the first business of the Democratic majority to reduce our enormous aggregate of Government expenses. It can be done by at least two hundred millions, without impairing the efficiency or usefulness of any department. It can be done by cutting down our enormous military establishment; and we can save over $50,000,000 a year by carrying into effect the pledge in the Democratic national platform to lift the "white man's burden" in the Philippine Islands. This is a matter of more vital moment than the much-discussed scheme to revise and reform our system of banking and currency.

POOR PROSPECT FOR CALAMITY.

During the long and interesting debate on this bill there has been a bedlam of unmelodious voices on the Republican side shouting calamity. This is both unfortunate and unpatriotic. The distinguished gentleman from New York, the putative sponsor for the Payne-Aldrich tariff law, has often joined these calamity howlers. And yet the law that bears the "Payneful" name of the late chairman of the Ways and Means Committee not only wrecked the Republican Party, but retired to private life all but two of the old-time stalwart leaders who for two whole decades have initiated and dominated the entire legislation of Congress. I refer especially to ex-Speaker Cannon, the Hon. John Dalzell, of Pennsylvania, and the able and time-tried old-timer, the Hon. Ebenezer J. Hill, of Connecticut.

As I witnessed day after day the affable and experienced gentleman from New York arise, serene, sarcastic, ponderous, and overpowering, in the environment of a small and divided minority, I was forcibly reminded of that pathetic poem of Mrs. Hemans':

The boy stood on the burning deck,
Whence all but him had fled;
The flames that lit the battle's wreck
Shone 'round him o'er the dead.

There is no possible excuse for these panic predictions. What is the average rate in this bill? A careful analysis shows an average rate of 24.8 per cent. Is this going to ruin any industry? No man of intelligence thinks so. Take the Walker tariff of 1846. It averaged 24.1 per cent, and it was accepted by the country as a fair rate by manufacturers. That was 67 years ago, before trusts were evolved out of a high protective tariff and when "monopoly" was not a quoted word among our stump orators, either Whig or Democrat. And way back in 1789, or 124 years ago, before we had any infant industries to nurture or protect, in our first tariff bill, signed by George Washington on July 4, 1789, the average rate, on both specific and ad valorem duties, averaged only 8½ per cent. The Walker tariff of 1846, with an average rate of 24.1 per cent, was the most popular tariff ever enacted. The Hon. James G. Blaine, the foremost Republican statesman of his time, Congressman for 20 years, Speaker, and nominee of his party for President, commends the Walker tariff in the highest terms in his valuable history entitled "Twenty Years in Congress."

I quote for the information of all conscientious students of the tariff Mr. Blaine's historic truths. On page 196 Mr. Blaine says:

The tariff of 1846 was yielding abundant revenue, and the business of the country was in a flourishing condition. The principles embodied in the tariff of 1846 seemed for the time to be so entirely vindicated and approved that resistance to it closed not only among the people, but among the protective economists and even among the manufacturers to a large extent.

So general was this acquiescence that in 1856 a protective tariff was not suggested or even hinted at by any one of the three parties which presented presidential candidates.

The Walker tariff was enacted 67 years ago, when all our industries were of the infantile order and when there was no such word as the noun "trust" in Webster's Unabridged Dictionary.

Now, we are leading every country around the world in many manufactured products, notably boots and shoes, and watches, and flour, and automobiles, and retired Army officers.

Do not forget that in the campaign of 1912 all three of the leading parties—Democrats, Republicans, and Progressives—put a tariff-reduction plank in their national platforms.

Again, I repeat, there can be no substantial reduction in our present onerous tax burdens until we reduce our present enormously extravagant military establishment, and this can not be done while we are wasting over $50,000,000 every year on a military force in the Philippine Islands.

Hence the question of surrendering our sovereignty in the Philippines is the most vital question of the hour.

From the start our rule in the Philippines has been marked by incompetency, cruelty, and crooked official conduct of the most flagrant character. Let me illustrate:

Only a short time ago my attention was called by a prominent Republican Congressman from Kansas to a contract for hay for consumption in the Philippines. The Quartermaster's Department let a contract for 15,000 tons of hay for the Philippines to contractors in the State of Washington at $32 per ton, when Kansas contractors had offered to put 15,000 tons of hay down at Manila at $22 per ton—just as good hay.

THE GRAB WAS $150,000.

The difference between the lowest bidder and the "big one" who secured the contract was $150,000.

THE TRAGEDY OF THE MULES.

Judge J. M. Liddell, formerly of Carlton, Miss., a prominent and reliable gentleman, told me that he was in Manila when a $350,000 cargo of mules arrived from the Pacific slope. These were the mules that were expected to eat this $32 a ton hay. When this mulish cargo left the Pacific slope we (Uncle Sam) had our $350,000 invested in these extraordinarily high-priced mules.

When the cargo arrived at Manila there was just one mule left on his legs, and the high-salaried quartermaster general at Manila reported his death two weeks later.

One of those tropical typhoons, typical of the Chinese sea, struck that $350,000 cargo of mules, destined to assimilate our western civilization with Filipino civilization, and the mules that were not thrown overboard or drowned on deck were leg broken, or back broken, or neck broken, and had to be destroyed. Who was responsible for shipping a cargo of mules without protection by stalls, instead of a loose range on the deck of a transport?

Mr. JONES, chairman of the Insular Affairs Committee, in an elaborate and carefully prepared speech on the floor of the House, delivered January 28, 1913, says:

STARVATION MONEY GRAFTED.

President Taft said in New York that "the Philippines have cost the United States to date only $3,000,000 for civil expenses, and that this money was appropriated to save them from starvation." Well do I remember that Congress donated this money to save the famishing Filipinos from starvation, but does President Taft know that a considerable part of it was expended on the Benguet automobile road, of which I have spoken? The act of Congress declared that the money should be expended "for the relief of distress in the Philippine Islands." In the estimation of the commission these starving Filipinos stood more in need of an automobile road than of the rice to purchase which the American people in their generosity gave this money. The Benguet Road is a highway less than 20 miles in length, built at a cost of several millions of dollars in gold through a mountain gorge to a health resort or residential park, called Baguio, to which place, at great expense, the seat of government is transferred from Manila for several months each year, and where American officials have handsome homes, clubhouses, polo grounds, and other sources of recreation and amusement. The Filipinos have from the beginning been violently opposed to these vast and absolutely inexcusable expenditures. Not only has it cost millions to build this automobile road through rugged mountains—a highway that is used solely for purposes of recreation and pleasure—but the cost of its upkeep is perhaps not less than $100,000 a year. Acting under the authority of the provisions of law, which I have just quoted, the Governor General has ordered the appropriation of a sum equal to the total appropriations made in the previous year for the support of the Government. Having thus gotten into his hands more than $12,000,000 in 1911 and somewhat less than $14,000,000 in 1912 of the public revenues of the Filipino people, the Governor General proceeded to expend these large sums according to his own will, and as in his sole judgment seemed desirable, and with an utter disregard for the purposes for which the prior legislative appropriations had been made. Is there, I ask, a Representative upon this floor who, after reading the law under which Gov. Forbes is supposed to have acted, will not denounce his actions as both arbitrary and illegal? Many an official has been impeached for less than this. Baguio and the Benguet Road were, of course, liberally provided for, new offices were created, and the salaries of existing offices increased. It is needless to say that the salaries of the heads of executive departments were not decreased. It is asserted by a former member of the commission that there were as many as 123 new offices thus created, among them a secretary to the Governor General at an annual salary of $4,500, and it is a most amazing and stupendous fact that the expenditures on account of bureaus and offices for the fiscal year ending June 30, 1912, were $9,638,369.80, as against $8,318,051.56 for the next preceding year, the excess being a mere bagatelle of $1,320,318.24 in gold. A people whose self-restraint is equal to orderly and peaceful submission to acts of tyranny and oppression such as these are surely capable of governing themselves.

Chairman JONES, who visited the Philippine Islands and speaks from personal knowledge, gives the items of expenditures of the military establishment in the Philippine Islands, and every dollar of this expense was paid out of the United States Federal Treasury, and all raised by onerous taxes on the people of the United States. He estimated that the Army in the Philippine Islands has been costing us yearly over

$40,000,000, and he gives items to justify these enormous figures. Again I quote from Chairman JONES:

The Army appropriation bill which passed this House on Tuesday last carried an item of $1,069,470.66 for the pay of the Philippine Scouts for the next fiscal year, and another item of $500,000 to be expended for permanent quarters and barracks for our troops in the islands. It will not be contended, I think, that these scouts would be needed or even available were we to withdraw from the Philippines, and in such an event we would not be required to spend half a million dollars a year for the erection of permanent barracks and costly officers' quarters, as we have been doing for years in furtherance of elaborate plans involving an expenditure of millions of dollars.

Mr. HEFLIN. Is it a fact that our Government has to pay a tariff on all of the supplies that are taken to the Philippine Islands from countries other than the United States for the support of the American soldiery in the Philippine Islands?

Mr. JONES. I believe that is true.

These three items alone aggregate $2,574,470.66, a sum which can scarcely be called "practically nothing."

The fortification bill, which we are now considering, carries for fortifications, searchlights, repair of torpedo-repair structures, mining casemates, etc., all to be expended in the Philippines, $782,350. In addition to this sum it contains appropriations aggregating $720,000 to be expended in our insular possessions, the bulk of which is to be spent in the Philippines. The naval, general deficiency, and sundry civil bills, yet to be reported, will carry large items for the Philippines, as has always been the case heretofore.

What it costs to feed, clothe, house, and otherwise care for 6,000 scouts in the Philippines I can not say, but the sum far exceeds their actual pay, which I have shown to be $1,069,470.66 annually.

What the Navy is costing us in the Philippines, Chairman JONES is not able to inform me. The Navy League, which was so persistent and prolific with statistics when the two battleship proposition was before the last Congress, is not furnishing statistics now of the enormous waste of our hard-earned dollars in sustaining our Navy in those far-away islands. The trans-Pacific fleet consists of nine Army transports. The cost of the operation and maintenance of these vessels, which are used in the transportation of troops to and from the Philippines and in transporting animals and supplies for the use of the Army of occupation, is enormous. The ordinary repairs for each one of them for each and every round trip cost about $2,500, and occasionally they require overhauling at an expense of hundreds of thousands of dollars each.

And the coal for coaling our useless battleships and transports in the Philippines is not mined in the Philippine Islands or on the Pacific slope, but at the Pocahontas mines in southwestern Virginia. It is transported to the seaboard at Norfolk, Va., by rail, something over 400 miles, and then transferred to Government transports which sail around Cape Horn and across the Pacific. And yet we were told when we wasted the first $20,000,000 in the purchase of these tropical islands from Spain that these islands were rich in coal and mineral wealth and agricultural resources, and would add millions yearly to the wealth, on land and sea, of this Republic.

And now it seems they can not raise hay in these islands fit to feed an average Missouri mule.

THE ONE FATAL DIPLOMATIC BLUNDER.

The treaty of Paris was the one idiotic, criminal blunder of our century and a quarter of national life. We allowed a whipped nation to saddle those torrid and horrid islands upon the United States, and to extort $20,000,000 besides.

It has been demonstrated that by that treaty we paid $20,000,000 for a tablet upon which to carve by the bloody sword the epitaph of the Republic of George Washington, Thomas Jefferson, and Abraham Lincoln. All this noisy talk after the ratification of this unfortunate treaty that it was a continental movement for expansion, patterned after President Jefferson's Louisiana Purchase or the acquisition of Florida or New Mexico, is fustian falsehood.

In the treaty with France for the great Northwestern Territory, which was negotiated April 30, 1803, was the following provision:

The inhabitants of the ceded territory shall be incorporated into the Union of the United States and admitted as soon as possible, according to the principles of the Constitution, to the full enjoyment of all the rights, advantages, and immunities of citizens of the United States and protected in the religion they profess.

The treaty for the acquisition of Florida, made in 1819 by John Quincy Adams on behalf of the United States and Ferdinand VII on the part of Spain, was for all coterminus territory peopled by men and women anxious to become a part of the United States, and this purchase gave us free, open way to the Gulf of Mexico. Article 5 of that treaty reads as follows:

The inhabitants of the territory which His Catholic Majesty ceded to the United States by this treaty shall be incorporated into the Union of the United States and admitted to all the privileges, rights, and immunities of citizens of the United States.

THE MEXICAN TREATY.

In our treaty with Mexico, after the Mexican War, the same provision was incorporated as into the Louisiana Purchase and Florida, as it guaranteed citizenship to the inhabitants of upper California, New Mexico, and Arizona. This immense territory was purchased from Mexico for $15,000,000, the same amount that we paid France for all that vast region known as the Louisiana Purchase. The Mexican treaty was negotiated on the 4th of July, 1848.

Witness where expansion ends and imperialism—a government of force—begins. In the Treaty of Paris all the former guaranties of citizenship and equality were cast aside. The Filipinos were left exclusively to the mercy of executive force. The following is the only clause in the Treaty of Paris giving the Filipinos any show of right:

The civil rights and the political status of the native inhabitants of the territory hereby ceded to the United States shall be determined by Congress.

Ever since these islands have been governed by military power.

THE TWIN DEVILS OF RAPACITY.

Militarism is the twin devil of imperialism. Imperialism is a government by force, and militarism is that force. In a time of profound peace with all the world, three months after the peace protocol with Spain had been signed, the President demanded an army of 100,000 men. Unless this vast and unnecessary army was to inaugurate a colonial policy—or imperialism—it was for waste and criminal idleness.

The question has been asked time and again, not only on this floor, but in open-field political debates, What is the civil status of a Filipino now? He is not a citizen of this Republic, because he is taxed without representation. Congress has up to date refused to define his civil or political status. The pretense of a civil government on the islands, even for the Christian Filipinos, is a farce, a delusion, and a cheat.

Chairman JONES, of the Committee on Insular Affairs, in a speech delivered on the floor of the House January 28, 1913, says:

The act of Congress under which the Filipinos are governed was passed more than a decade ago, and President Taft, more than any other human being, is responsible for its provisions. The Governor General, vice governor, members of the Philippine Commission, and the heads of the various executive departments are all appointed by the President of the United States. The legislature, since 1907, has consisted of two houses—this appointive commission, which is known as the upper house, and an elective assembly. The commission, under the organic act, is the sole legislative body for the non-Christian and uncivilized tribes and exercises supreme and exclusive legislative authority over all their territory, their lives, their property, and their public revenues. Let us see what has been the practical operation—some of the actual, tangible results—of this anomalous condition of affairs. In the first place, no measure originating in the assembly can become a law unless it meets the approval of the commission.

It will be seen by the above that the Filipinos are taxed inordinately for the support of a civil government in which they have no power whatever. Even their legislative assembly, elected by a restricted electorate, is subject to the absolute veto of a high-salaried commission appointed by the President of the United States. And only 15 per cent of the Filipinos are allowed to vote for members of this powerless, so-called Filipino assembly.

The Hon. MANUEL L. QUEZON, Resident Commissioner from the Philippine Islands, writes as follows in a Washington journal of April, 1913:

There is another point which shows the inconsistency of the position of those who would keep the Philippines under the United States because only 15 per cent of them have the right to share in the conduct of the government. The proposition is that it is not Americanism to permit that so small percentage of the population shall have in their hands the sole guidance of the ship of state. If it is not Americanism to permit 15 per cent of the Filipinos to govern their countrymen, what is it to permit five Americans to govern the whole population? For this is, in fact, the government of the Philippines to-day—an oligarchical government, monopolized by the American commissioners appointed by the President of the United States, acting without ever consulting the will of any Filipino.

THE HOBSON-JAPANESE SCARE.

If Japan ever desired to annex these islands to her Island Kingdom, she could have done so without much of a war any time during the past 50 years, as Spain only kept about 1,200 soldiers on the islands. No European empire, not even Russia, would care to annex a country in the Torrid Zone. It remained for the United States to produce the dazed-headed diplomats who after a brief opera-bouffe war with Spain were induced by the influence of war-crazed jingoes at home to violate all the time-honored and sacred traditions of the Republic and launch the United States into an experimental colonial policy.

It is a historical fact that no tropical colonies have ever paid as subjects of any European empire.

Every student of current French history knows that her African colonies are fast drifting the French Republic into bankruptcy. Not one of the French colonies in Africa pays expenses. France has held territories in Africa for 200 years. She holds about 22,000,000 of alien races in her commercial control. She has no "open door," but monopolizes all the trade she can control. Her exports into all her colonies only aggregate about $10,000,000 per year, while the cost of her civil and military establishment in these colonies is over $14,000,000 per year.

Imperial Germany has not a single colony that pays expenses. In her costly South African colony—costly in blood and treasure—Germany has a fine set of government buildings, with garden spots and harbor improvements in the settlements at Camaroon, and a well-stocked graveyard of what were once good German boys—victims of the deadly climate and the expansion policy. And see what Germany has lost by militarism. Look at the hundreds of thousands of stalwart sons of the Fatherland who have fled from the Empire because of that seven years of imposed service in the German Army and found homes in the United States.

And look at Italy, nearly ruined by militarism and a colonial policy. Every student of history knows the result of colonial wars in ancient Italy, but modern Italy is no better. She has lost yearly not less than $15,000,000 on her possessions along the Red Sea. Italy's entire import trade with Massowah, with its open-door policy, only amounts to about $5,000,000 per year, while Italy's yearly expenditure on account of her possessions along the Red Sea has been $24,000,000 per year. Thirty years ago, under King Victor Emanuel, the new nation was dedicated to liberty and progress. But her rulers caught the imperial fever in the cradle, and she started the military spirit to make Italy a world power by expansion, just as we tried the world-power idea in the Philippines. She raised a big standing army, as we have done, and built the fourth biggest navy in all Europe. They have saddled the people with a public debt of two billion and five hundred millions and the great mass of 30,000,000 people are taxed to a point where hopeless poverty takes counsel of despair. Militarism has ruined millions and sent hundreds of thousands of her paupers to the United States. The military jingoes of Italy brought on the recent war with Turkey, which practically destroyed her navy, killed thousands of the most stalwart men of the Italian Army, and got nothing out of it but a staggering addition to the national debt.

THE PHILIPPINE QUESTION.

The Philippine question is not only an economic question but it is a moral question; a question in the broad and humane domain of civics that touches the very vitals of free constitutional government in the United States. The able and alert and experienced chairman of the Committee on Insular Affairs, Mr. JONES, of Virginia, has a bill fully matured, that has been carefully scrutinized by the champions of Filipino independence not only in the United States but in the Philippine Islands, and there can be no possible excuse for not pushing this bill here and now into national law.

From the start our rule in the Philippine Islands has been a military rule, or a rule of force, and not a rule by consent or approval of the Filipinos. It has cost us already, according to the figures given me by the Anti-Imperialistic League, of Boston, over $1,000,000,000 and the lives of over 16,000 soldiers of our Army, and has added not less than $20,000,000 more to our pension list, and out of it all we have realized nothing but disappointment and recurrent and wasteful and cruel war, in which over 80,000 Filipinos have been slaughtered.

DOES TRADE FOLLOW THE FLAG?

Neither is that catchy philippic true that trade follows the flag. It is not even true of England, the leading commercial nation of the world. England's best trade to-day is where her flag does not float. The per capita consumption of goods and wares in England's great Asiatic possessions, including India, is only 97 cents, while England's trade in the United States, in Mexico, in Brazil, in Central America is 15 times as much. To-day we are literally wasting our substance in policing the Philippine Islands for the benefit of Japan and China and the four leading European powers.

A DISINTERESTED WITNESS.

As an appendix I submit extracts from a very interesting and valuable address by Dr. John McDill, of Milwaukee, a noted physician and surgeon and specialist, who spent 13 years in the Philippines. Dr. McDill is recognized as one of the world's best authorities on tropical diseases. He is also a thorough student of sociology.

The testimony of such a disinterested and competent witness as Dr. McDill will be accepted over that of our high-salaried officials in Manila, who are disinclined to surrender their easy jobs, or the globe trotters and exploiters from the United States who visit Manila as deadheads on a Government vessel, and who, after being wined and dined by the Government officials, civil and military, come back to the States and write glowing reports of our rich find in the Philippines.

THE PHILIPPINES—AMERICA'S LOST OPPORTUNITY IN THE ORIENT.

[By Dr. J. McDill, Milwaukee, Wis. Read before the Milwaukee Press Club Apr. 9, 1913.]

Mr. President and members of the Milwaukee Press Club, I am exceedingly glad of this opportunity to express my opinions on what I find to be a subject concerning which the American people are either indifferent or ignorant or misinformed.

This question of the Philippines is a very serious one, involving our national honor, and with the faith I have in my fellow countrymen I can but conclude that their indifference to it is due to their misinformation and misunderstanding of the facts.

For a proper appreciation of these facts, although at the risk of boring you, I must briefly relate the events that led to our present position in these far-away islands. I want you to consider attentively this relation, because our policy to-day is a corollary of the mistake we made a decade and a half ago.

On April 21, 1898, America declared war against Spain for the purpose of freeing the Cubans from the cruelties of Spanish dominion. In strayed on May 1 the Spanish fleet in Manila Bay. No attempt was made by Admiral Dewey to take Manila or, in fact, any territory outside of the naval station at Cavite. On the receipt of the news of Dewey's victory in Washington President McKinley cabled Admiral Dewey to know how large a military force would be necessary to complete the reduction of Spanish power in the Far East. Admiral Dewey replied, requesting 5,000 men. Meanwhile Aguinaldo was brought down from Hongkong by Admiral Dewey, put ashore at Cavite, and told to raise his army. This Aguinaldo did on the assumption that America would carry on the war in the Philippines with the same object in view that she had in Cuba. So great was Aguinaldo's success that in a few weeks the Spanish forces were driven entirely out of the Provinces, and Spanish power in the islands was confined to the city of Manila, so that on the arrival, by the month of August, of 15,000 American troops, three times the number suggested by Dewey, all that was left for America to do was to capture the city of Manila, which had stood a two-months siege by the insurgent forces.

Accompanying the American troops was a geological expert appointed from Washington to report on the mineral resources in the islands. Meanwhile peace negotiations were under way and the peace protocol was signed on August 13. Now, why did we in these peace negotiations demand the cession of the Philippine Islands?

On account of the reverence in which he is held by the American people, I am aware that any criticism of the policies of Mr. McKinley may be unpopular, but a careful and unprejudiced study of the events of the year 1898, preceding our acquisition of the Philippines, will show that whatever altruistic motives have since been alleged for our action, the motive in Mr. McKinley's mind in the summer of 1898 was the securing of desirable possessions in the Far East. It would appear that, flushed with the victories of our Army and Navy and the sense of might, and lured on by the dream of possible American control in the Orient, Mr. McKinley determined on the acquisition of the most desirable of the Philippine Islands, without any reference to the wishes of the Filipino people, but solely in the interest of trade expansion, after having cabled Admiral Dewey for information as to coal and other mineral deposits and as to what would be the most "desirable" island to retain. President McKinley instructed his peace commissioners as follows: "Incidental to our tenure in the Philippines is the commercial opportunity. The United States can not accept less than the cession in full right and sovereignty of the island of Luzon."

After a consideration of the testimony of Gen. Merritt and other officers, who had been in the islands during July and August, 1898, and who had learned their geography, the American peace commissioners decided that it would not be safe to American interests to demand less than the cession of the whole archipelago. The Spanish commissioners were horrified at this and expressed surprise that the Americans could think of such a thing, as no mention of the surrender of the Spanish sovereignty in the Philippines was made in the terms of the peace protocol. It was not until the offer of $20,000,000 was made that Spain would consider the proposition. That is how we came to pay that $20,000,000. It was not the salve to wounded Spanish pride that it has been reported to have been; it was because we wanted the Philippines for purposes of trade expansion, and had not thought of it when the terms of the peace protocol were arranged.

There is nowhere exhibited in all the inquiries made by the administration any solicitude regarding the Filipinos or their desires and aspirations. It is not apparent from a careful review of the testimony and reports submitted to the Paris Peace Commission that they considered anything but the benefits that might accrue to the United States from the possession of the Philippine Archipelago. All available information concerning especially the mineral resources of the islands, including the report of the before-mentioned geological expert, was collected and incorporated with this data in the official annals and various magazine articles on trade and economic conditions.

Nowhere is there any expert report on which was the most important question of all—what were the wishes of the Filipino people. The peace commissioners, it is true, were concerned only with the separation of the islands from the sovereignty of Spain, which was certainly what the Filipinos wished, but what they further wished and what was just as necessary at the time was a definite authoritative declaration from the lawmaking power of the United States as to just what would be their status in their relations with this Government.

On August 21, 1898, Mr. Hay transmitted to Mr. Day, the president of the Paris Peace Commission, a letter from Gen. Sir Andrew Clarke, whom he calls "one of the greatest living authorities in England on all subjects connected with the government of the islands in the Malay Archipelago."

Gen. Sir Andrew Clarke was the man who initiated the movement for British intervention in the Malay Archipelago, which has resulted in the federation of the Malay States, the romance of whose trade development has astonished the world. Sir Andrew sums up his suggestions in a single sentence: "Enlist native sympathy by fairness and justice and rule through native agents supervised by carefully selected American residents."

Following this in the records of the peace commission is another letter, written by a relative of Sir Andrew Clarke, a Mr. G. S. Clarke, who apologizes for offering his suggestions, but breaks through his British reserve to say in regard to the work accomplished in the Malay States: "How has this almost miracle been accomplished? Not by troops, not by force in any form, but wholly by a policy which I suggest is now open to you. In the main it consisted in admitting native rule, and placing by the side of each native ruler a strong and upright Englishman, who guides and restrains. Here is a protectorate in the best sense, and it does not cost us a farthing."

This was the policy of Imperial England, a policy of conciliation, consideration for, and recognition of, the native ruler. What was our

policy in the Philippines? A complete annihilation of the very efficient native government that had been instituted and an insistence on the recognition of the sovereignty of the United States and an enforcement of it by an Army of 120,000 men at a cost of at least $300,000,000.

Let those who believe in the necessity of retaining the Philippines under the present policy for the purposes of development consider the record of our achievements in trade since our occupation of them, and compare it with what England has accomplished in the Malay States under a mild and diplomatic protectorate such as we might have exercised over the Philippines. In the first 10 years of the existence of the Federation the imports jumped from $788,075 in 1875 to $7,538,855 in 1885, an increase of nearly tenfold; the exports went from $701,430 to $8,429,835, an increase of more than tenfold. From 1890 the sultanate of Pahang is included, so that the area of the Federated States is 27,506 square miles, with a population of 1,056,999. In 1890 the imports valued $13,552,460, the exports $15,218,475; by 1911 the imports had reached $38,810,355 and the exports $67,830,540.

The Philippines, with an area nearly five times greater and a population of seven times as many, had, in 1900, imports to the value of $38,007,380 and exports of $40,123,610. By 1911 the imports had increased to only $48,024,407 and the exports to only $44,887,291. The reason for this poor showing in the trade development of this country, of tremendous possibilities is, of course, to be found in the lack of cooperation which the armed imposition of our sovereignty necessarily entailed. But there is a further reason.

By the year 1902 we seemed to have been stayed in our career of conquest of a weaker people by an awakening of the conscience of the administration to a realization of the incompatibility of our conduct with the principles in which we had been bred and brought up. To make amends to the victims of our ambition, the cry went out, "The Philippines for the Filipinos," and Congress proceeded to enact legislation that would convince the Filipinos of the belated beneficence of our intentions and that we were not there in our own interests. Rigid restrictions were placed on the holding of public lands, mining claims, and stock in corporations by the act of July 1, 1902. This legislation has been effective in preventing the growth of large interests and has also placed a barrier to the development of the country. Many persons in the islands saw in this only the fine Italian hand of the monopoly interests in the United States who when they had looked the ground over carefully would have it repealed. However that may be, this legislation has been a weapon in the hands of the Filipinos to check the spread of our influence through the introduction of American capital. They were not able to resist our arms, but they can and do and will resist the development of their islands by foreign capital while they are under the sovereignty of a foreign power if that foreign sovereignty is made a condition of their development.

But, to go back to the year 1898, to justify our coercion of them the Filipinos were told that being unfit to govern themselves "their islands were being taken over by the American Government to be governed for the benefit of the Filipino people, and that as they developed fitness for partial self-government it should be gradually extended to them." This meant, of course, that we constituted ourselves the judges of their fitness.

In considering this phase of the question I want you to bear in mind that we are an occidental people, and the Filipinos, although a Christian nation, are orientals. We were wholly unacquainted with people of oriental descent and know nothing of their ideals and aspirations, but we proceeded to force upon them our standards of life and happiness on the principle that ours were the only correct ones.

Price Collier, writing recently of oriental peoples, among whom he seems to have traveled and observed much, says: "The peoples of oriental descent number more than one-half of the world's population; we occidentals have overestimated our importance, our influence, and the effect of our impact upon the orientals; we may conquer them, but we can change them but very little; many things that we consider of fundamental importance have no significance with them. Our much-vaunted civilization does not impress them and our strongest prejudices seem silly to the oriental. Long residence abroad by anyone brings more than the suspicion that all of us occidentals are provincials."

As a matter of fact, we knew nothing of the Filipinos or their capacity for self-government when we decided on acquiring their islands, and from what I have been able to gather since my return from 13 years' residence among them the American people have not been permitted to learn much, if anything, about them since. The question has been fairly stated by Judge Blount in his recent valuable book The American Occupation of the Philippines. "It is utterly fatal to clear thinking on this great subject, which concerns the liberties of a whole people, to treat Mr. Taft's reports as commissioner to and later as governor of the Philippines as in the nature of a judicial decision on the capacity of the Filipinos for self-government. When he consented to go out there he went, not to review the findings of the Paris Peace Commission, but at the urgent solicitation of an administration whose fortunes were irrevocably committed to those findings, including the express finding that the Filipinos were unfit for self-government, and the implied one that we must remain to improve the condition of the inhabitants. He was not a judge come out to decide on the fitness of the people for self-government, but an advocate to make the best possible case for their unfitness and its corollary, the necessity to remain indefinitely just as England has remained in Egypt. Unless some one goes out to present to the American people the other side of the case they will never arrive at a just verdict."

The census of 1903 shows the population of the islands to consist of 7,600,000 people. Of these, 7,000,000 are Christians and 600,000 are non-Christians. Of these non-Christians half are Moros or Mohammedans living in Mindanao and the Jolo group and the other half are uncivilized people of the mountains, in tribes living in widely separated districts. These 600,000 people are really a negligible quantity in the general political equation, but, unfortunately, these are the people who, for political reasons, have been the most widely advertised feature of the Philippine Islands.

Their repulsive pictures and habits have been persistently and officially portrayed in the leading magazines of this country and by lecturers until the majority of Americans regard them as typical of the Filipino people. The lecturer in vogue just now in America flashes on the screen a life-size rear view of a geestring-clad Bontoc Igorot at the bat, to show how the Filipinos have taken to baseball. This picture furnished to the dignified Woman's Club of Milwaukee last week their most vivid memory of a lecture on the Philippines. Contrasted with this are pictures depicting the wonderful possibilities of the Islands in hemp, copra, sugar, and tobacco cultivation, with suggestions as to what has been and can be done under American management. The entire issue of last September's National Geographic Magazine was devoted to the Head Hunters of Northern Luzon, and evidently has made a great impression all over the country. This article of a hundred pages and 106 wonderful illustrations portraying the most horrid habits possible to human kind, was written by a prominent Government official, an American member of the Philippine upper house, the man mentioned in Judge Blount's recent book as "the official digger-up of non-Christian tribes" and as "the direct calamity that has befallen the Filipinos since the American occupation." This writer's official reputation for honesty is protected in the inconspicuous closing sentence, which states that "the sometimes highly objectionable customs which have prevailed or still prevail among the million non-Christian inhabitants must not be credited to the Filipinos, the civilized and Christianized inhabitants of the Philippines, of whom there are some 7,000,000." But this obscure note fails to remove the false impression conveyed. The expense of the collection of this and similar damaging propaganda is paid for out of the pockets of the helpless Filipino people.

An exuberant magazine article of last year, referring to Brig. Gen. Clarence B. Edwards's achievements in Philippine affairs, spoke of "the strides we have made in the development of the 8,000,000 naked savages, gory head hunters, grinning Moros, and what not that Dewey pulled out of the wet under our star-spangled umbrella." That is the sort of popular trash with which Americans are blinded to the importance of this great national problem. The Filipino people are now the collection of ethnological curiosities they have been represented to the popular mind. This is a cruel calumny.

What was the estimate of the Filipinos before it became necessary to justify the McKinley policies? Admiral Dewey cabled in 1898 to President McKinley and later reiterated in a letter, "They are far superior in their intelligence and more capable of self-government than the natives of Cuba; I am familiar with both races, and further intercourse with them has confirmed me in this opinion."

George Kennon, after investigating much testimony in 1901 for the Outlook, says: "The American in the Philippines who seems to me to regard the people most fairly and to state his conclusions most frankly is Gen. MacArthur. Gen. MacArthur says of the character of the people, in his report to the Adjutant General, October 1, 1900, 'The Filipinos are not a warlike or ferocious people,' and that 'although the bands of insurgent guerrillas are not soldiers in the true sense of that word, it is a mistake to classify them as Ladrones or armed robbers.' The Filipinos generally he characterizes as 'sensitive, intelligent, generous, and flexible.' In the organization of local administration he declares that 'they have evinced such intelligent capacity as to encourage the expectation of rapid progress in the art of self-government when the larger political administrations are organized.' In the matter of education he describes them as 'eager to receive at once all that can be imparted,' and adds that 'this almost universal aspiration for education should appeal strongly to American sympathy.' Gen. MacArthur in 1901, in a personal conversation in Manila, stated to me that if the United States would fix a time for Philippine autonomy he would like nothing better than the task of assisting them in their problems for self-government."

PERSONAL ESTIMATES.

My personal experience with the Filipinos extended over a period of 13 years, the first 3 years of which I spent in the Army; during the last 5 years I was connected with the civil government as professor of surgery on a semiofficial basis in the University of the Philippines. In the Provinces and in Manila I met men and women of all classes, and I doubt if many Americans came to know them better.

What impresses one on first meeting a Filipino is his self-possession, dignity, and courtesy; he has an exalted idea of good breeding and an intense appreciation of elegance of manner and of dress. Even the ordinary Tao of the lowest class is quick to perceive the difference between the person of breeding and the boor. Their judgments in this regard are unerring. You have frequently heard of their universal love of music as a racial characteristic; among the educated this reaches a high degree of development. An appreciation of and familiarity with the best things in not only music but art is much commoner than in the corresponding social class in America.

The women of the upper and middle classes are notably characterized by an exquisite manner, and in graciousness and poise are unexcelled by the women of any country. If, as John Adams has said, "the manners of women are the surest criterion by which to determine whether a republican government is practicable in a nation or not," the Filipino people are preeminently fitted to govern themselves. It was also the conviction of the Spaniards that the Filipino woman was the mental and intellectual equal if not the superior of the man. When final action on the suffrage question is taken there the women should be given the franchise.

It is nonsense to say that the Filipinos are inscrutable or mysterious; they are nothing of the sort; they are quite understandable and will talk freely and frankly if allowed to be on such terms as permit of freedom and frankness. There is an ample supply of real sympathy between Americans and Filipinos who understand one another. As a race they are never worried by illness, and their malaan tendencies have considerable to recommend them. As laborers and artisans they are capable of high efficiency if properly handled and will take a personal pride in their work. Although the lower classes are subject to impulses of a violent nature, often resulting in personal injuries, it is doubtful if they are more so than the same class in this country.

As a race the Filipinos are conservative; their decisions are arrived at only after a careful consideration of every phase of a question. They are clever lawyers, and their jurists are notably impartial, upright, and profound; their decisions reviewed by superior courts compare most favorably with those of the American members of the bench.

In conclusion, let us look at this question fairly. It seems evident that our Philippine policy has been a mistake. We subjugated these people in what we thought were the interests of trade expansion and the strengthening of our influence in the Orient; we justified our doing so by a hypocritical assumption which the Filipinos resent, namely, that of their inability to govern themselves. We have lost the opportunity of earning a nation's gratitude and love and of assisting them in the proper development of their wonderful country. Our failure to avow authoritatively our intentions has instilled in their minds suspicion and distrust. The great American Republic is holding 7,000,000 people against their will and governing them by a theoretically benevolent but essentially despotic oligarchy of five royally salaried American officials, who firmly insist on our retention of the islands for the betterment of their people. The successors of these officials 100 years from now will sing the same song.

No one will deny that America has done much for the Filipinos, but with much awkwardness and hard feeling and at great cost. The most conservative estimate places the cost at $500,000,000, while Senator Hoar's figures, which have not been disproved, put it at twice that amount. There is always the question, Could it not have been done by the Filipinos themselves at their own expense under wise and amicable guidance from sympathetic Americans, which they would surely have invited?

Whether one agrees or not with our right to decide on the fitness of the Filipinos for self-government, the fact remains that it is left for us to decide, and it is time we took enough interest in them to do it. The Jones bill, which provides for a definite authoritative statement of their status, has been favorably reported to the House, and will be acted upon at the next regular session of Congress.

On the assumption that whatever our Nation has done has been the right thing most Americans have blindly accepted the official statements and interpretations of the facts, and have not troubled to inform themselves of the true conditions. It is the duty of the press to arouse interest in this great question by a publication of the real facts instead of giving currency to the prejudiced statements contained in official reports or the careless comments of globe trotters and irresponsible ex-soldiers.

With the radical change in the administration, which the people so emphatically decreed, there is hope that the question will be treated honestly, without hypocrisy, without a stultification of American ideals, and that the Filipinos will be given a square deal.

"There is no man or set of men wise enough or good enough to govern other men without their consent." (Abraham Lincoln.)

Income-Tax Primer.

EXTENSION OF REMARKS
OF
HON. J. HAMPTON MOORE,
OF PENNSYLVANIA,
IN THE HOUSE OF REPRESENTATIVES,

Wednesday, May 7, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. MOORE. Mr. Speaker, under general leave to extend remarks upon the tariff bill—H. R. 3321—I submit herewith some lay-mind questions and answers in primer form with reference to section 2—the income-tax feature of the bill. I adopt this method because the "Tariff primer," introduced in general debate on the Underwood bill, was fairly successful in inducing people to read up upon the details of this vitally important economic question, which they are so much inclined to disregard except in the heat of political campaigns. The income tax as written into the Underwood tariff bill is another evidence of the ease with which the people put on a boot at the instance of political agitators, though it develops corns and bunions when they undertake to wear it.

The reason the Democrats introduced an income-tax feature in their tariff bill was to make good their pretense that they would "relieve the people" of "the frightful burdens" which they have insisted the tariff imposed upon the people. In reducing the tariff at the expense of American capital and labor they will deprive the Government of at least $100,000,000 of revenue, which is now paid by the foreign manufacturer, or by the American importer who prefers to spend American money in foreign countries, and this loss in tariff revenue will create a deficiency in the running expenses of the Government. In order to avoid such a financial failure the income tax is resorted to as a saving clause.

It is explained by high Democratic authority, supported chiefly by the representatives of States which do not encourage industrial enterprises, that the income tax will smite the rich and relieve the poor. Just how it will relieve the poor is not clear, but the man who is not rich and who has little or no property is assured that while he is to be exempted the income tax will punish those who have acquired property or who have otherwise successfully met the battles of life.

In the accompanying primer I shall undertake to discuss the Democratic method of "punishing the rich and relieving the poor," and shall adopt the simple plan of putting questions and answers, that the average man who is neither a lawyer nor an accountant may understand.

AN INCOME-TAX PRIMER.

Question. What is an income tax?

Answer. It is a tax upon the earning power of the people.

Question. What is the purpose of it?

Answer. In war times it is to raise revenue. In the Underwood tariff bill it is to enable the Democrats to make a pretense of punishing the Carnegies and the Rockefellers and other alleged "malefactors of great wealth."

Question. Do politics enter into it?

Answer. It is suspected politics have much to do with it, because without "malefactors of great wealth" it would be impossible to conduct a Democratic or even an "uplift" campaign.

Question. Will the income tax destroy the wealth of the Carnegies and the Rockefellers?

Answer. No; it will be "nuts and raisins" for them and for their lawyers, their expert accountants, and their bookkeepers. The income tax, as provided for in section 2, will serve principally to harass "the little fellows" who are the ultimate victims of the entire tariff bill.

Question. How will it affect the small business man, the country merchant, the successful farmer, and the man who draws a salary?

Answer. It will give them a fine opportunity to engage lawyers, employ bookkeepers, perjure themselves, or "stand in" with the revenue collectors. They will have to account for what they take in and what they pay out from one end of the year to the other.

Question. But this tax is supposed to be in the interest of the poor man.

Answer. Yes; it is supposed to be, and that is what the people have been made to believe, but even the family man, unless the revenue collector fails to do his duty, will be obliged to keep an account of what he makes and what he spends. In this respect the bill is not only inquisitorial but educational. It encourages every man of thrift to become a bookkeeper or a lawyer. It applies to every man with a net income of $4,000 whether he be engaged in a business, a trade, or a profession. If he be not rated in the malefactor class, which has to pay at the rate of 2 and 3 per cent, he must pay 1 per cent upon all his earnings, denominated "income," above $4,000 per annum. Thus, the numerous small business men bear the heaviest burden of the law and will be subjected to the greatest annoyance. Likewise the expense of catching the small man will be far greater than that of reaching the so-called malefactor.

Question. Is it intended to apply the tax to small business and the heads of families?

Answer. As the bill reads, "the net income of a taxable person shall include gains, profits, and income derived from salaries, wages, or compensation for personal service of whatever kind and in whatever form paid," and it further provides that in computing net income for the information of the revenue collector certain deductions shall be allowed "not including personal, living, or family expenses." If the revenue collector suspects that a man earns from $3,500 to $4,000, or that the members of the family put together earn that much, though he be the head waiter in a city hotel, the manager of a shoe store, or the owner of an automobile truck carrying produce from the farm, the taxable person would be subject to the inquisition and, if found guilty of making a success of his business, made to pay.

Question. Could a rich man evade the tax?

Answer. Yes; because as the bill is written it provides for certain exemptions by which a shrewd investor could cover his tracks. For instance, the bill exempts the holders of national, State, and municipal or county bonds. It may have been intended to encourage the sale of these bonds, with the view of equalizing the distribution of wealth, but whether this was the actuating cause or not it remains that the wealthy investor could escape the tax by transferring his holdings from railroad, manufacturing, or industrial enterprises to bonds of the city, State, or Nation. The effect of such a recourse would be to make it more difficult to obtain money for industrial and railroad enterprises, which give employment to labor, and to encourage investments in municipal and State enterprises, upon which the interest must be paid by the people. It would thus relieve the so-called "idle rich" from assuming the risk that is incident to industrial undertakings and would fasten their hold directly upon the people.

Question. That would not seem to "lift the burden from the backs of the people"?

Answer. No; but it would tend to show the people how they suffer when they destroy the superstructure upon which their prosperity has been attained. A majority of the people voted in November, 1912, for a change in the tariff system which imposed no direct taxes, which closed no mills, but which increased the wage-earning power of the people and kept the Treasury full. It is doubtful if the people understood that the tariff should be so revised as to compel them to stand a direct tax upon their earning power to make up for losses in the reduction of an indirect tax.

Question. Who are exempted from the payment of the tax?

Answer. First, those who do not earn $4,000 a year, and then the President of the United States, who is paid $75,000 a year, the judges of the Supreme Court, and certain other well-paid officeholders, not including Congressmen.

Question. Why will the income tax be oppressive?

Answer. Because it adds to the burden of every responsible man who is already taxed in various ways. The owner of real estate must pay his local taxes, and if he is in business he must pay a mercantile tax, and if the business is incorporated he must pay the corporation tax, both national and local. With the income tax added, those already taxed in one form or another will have to pay more than they do now, and a very large part of what they pay will be expended for the support of the

officers of the law charged to levy and collect the tax. In outlying districts and in States where the population is widely scattered the expense of investigation and collection will be out of proportion to the returns.

Question. Will not this make the tax sectional?

Answer. Whether it is sectional or not, the fact remains that a few of the big industrial States will pay most of the tax for the benefit of the others. It is expected to collect about $69,000,000 altogether to make up the tariff loss of $100,000,000. Of this $69,000,000 one-half is to be collected from New York, Pennsylvania, Illinois, and Ohio; the other States are to pay the other half. The collections expected of New York amount to over $15,000,000, of Pennsylvania to over $8,000,000, of Illinois $7,500,000, and of Ohio $4,500,000. Alabama, the home of the chairman of the Ways and Means Committee, is expected to contribute $324,500, and Tennessee, the home of the gentleman who devised the income-tax clause, is expected to contribute $589,000.

Question. In what respect are heads of families affected by the bill?

Answer. Evidently it is intended that fathers shall account for the family income, including that of minor children, whose aggregate earnings would be taxable if they reached the limit prescribed. Trustees of estates must report therefor, and in certain instances principals and agents and landlords and tenants are susceptible of double taxation, while guardians must report for orphans who in certain instances are treated inequitably. Exceptions are made with regard to income derived from savings banks, mutual fire insurance companies, but policyholders in mutual life insurance associations are not exempt. The bill taxes the savings of the mutual life insurance associations whose membership is said to exceed 6,000,000 persons. All of these adopted the mutual life insurance method of accumulating funds for the benefit of those who would otherwise be left uncared for. In this respect the tax falls upon the poor man who is trying to do the best he can for his family. The mutual life insurance associations are obliged to pay taxes to the State and Nation, and this additional tax must come out of the policyholders.

Question. If the income tax is burdensome, why is it to be imposed?

Answer. For the reason, as stated, that the Democratic Party must "make good" after it destroys the Payne tariff law. The Ways and Means Committee reported its guess that approximately $69,000,000 would be recovered on income tax, and that that, with the Payne law corporation tax, would be sufficient to carry on the Government after the passage of the new law and leave a surplus in the Treasury the first year of $1,335,000. There was a balance of over $37,000,000 in the United States Treasury at the close of 1912, and with the Payne tariff law still in effect that balance will probably amount to $50,000,000 before the close of the fiscal year, June 30, 1913. The inauguration of the policy of the Democratic direct tax against the Republican system of protection, which raises a surplus of revenue at the customhouses, is responsible for the change to so narrow a margin.

Question. Do Democrats generally agree on the policy of direct taxation?

Answer. Not exactly, nor at all times. The gentleman from Alabama [Mr. UNDERWOOD] does not believe in the indirect method except for purposes of revenue. He is opposed to the Republican system of protection, which makes it possible under the Payne law to leave a surplus of $50,000,000 in the Treasury. The gentleman from Pennsylvania [Mr. PALMER], who is credited with so close a contact with the White House as to speak the presidential mind, in opposing an amendment to tax incomes of less than $4,000, argued against the indirect method, holding to the view that "the indirect taxes which the people have been paying heretofore" are "largely consumption taxes," and therefore weigh unduly upon the poor.

Question. What are the views of President Wilson upon this question?

Answer. The President's recent utterances appear to be in line with those of the gentleman from Alabama and the gentleman from Pennsylvania, but as Woodrow Wilson, the educator, in an address to the Tariff Board in 1882, he was not so positive that the General Government should levy direct taxes, but believed direct taxation should be left to the States. In that address Mr. Wilson said:

"The necessities of our Government are the necessities of the revenue; and it is well known that our Government is not embarrassed from any necessities of revenue; on the contrary, it has an immense surplus. It is undoubtedly a part of true wisdom that the taxes laid by the General Government should be indirect taxes. The province of direct taxation should be left to the States, and in order that the two systems may not clash and overburden the people, it is a part of wise policy that the National Government shall make the most of its taxation indirect."

Question. What actuated the Democrats in specializing the tax on incomes at $4,000 and over?

Answer. They were afraid to fix a lower rate. They knew if they taxed incomes of $800 and over, as is done in England and in Wisconsin, they would bring down the wrath of the rank and file of the voters of the country. They did not think it necessary, either, to make any distinction between married men who support large families and single men who do not. This distinction is made in the Wisconsin law. The Democratic leaders admit that to make the tax uniform as is contemplated by the Constitution and public policy would be to take away the valuable campaign asset of "relieving the poor and taxing the rich." They took their chance on the $4,000 limit, believing the great mass of voters of the country would not be affected by it.

THE LESSON AND THE MORAL.

Mr. Speaker, to the foregoing questions and answers I have very little to add. It may be, as many gentlemen have indicated in debate, that the income tax is an ideal method of raising revenue. Perhaps it would be if it were uniform and if the so-called burden were equally apportioned and were not specialized or sectionalized, as in the present bill. There are 30 pages of the income-tax section, of which the gentleman from Tennessee [Mr. HULL] is the author and committee champion, and credit may fairly be given to him for the industry and research he has devoted to so important a proposition. But when this is said we may justly enter upon a criticism of the measure itself. We are aware that an income tax has been discussed by the various political parties in recent years and that Congress was lately authorized by constitutional amendment to levy such a tax if it deemed it advisable. But why should such a tax be levied now, when the country is prosperous and at peace with the world? And why should it be applied to only a few of the people, to the great annoyance of most of the people, as proposed in the present bill? The 30 pages of the income-tax section of the bill are so intricate and legally technical that an income-tax primer such as the foregoing will be even of scant service to the average citizen who has to pay. It is one of our great misfortunes to-day that the average man who wants to act intelligently in public affairs is led to shout for any kind of "reform" in political campaigns, and frequently votes authority and instructions which, enacted into law, increase rather than diminish his burdens. Here we have a case in point.

The average voter is not a lawyer, and the less his daily affairs are hindered by legal complications the better he likes it, but with each political campaign and with each succeeding session of Congress or the legislature, largely as a result of his own action, he finds himself more deeply enmeshed than ever in legal tangles, bounds, and hindrances. The "proof of this pudding" will be found in the eating of the income-tax pie. The lawyers and the revenue collectors will revel in this new institution, and the people who voted for it, believing the Democratic assertion that it would take an "awful burden" from their backs, will have an awakening. When the small merchant, the industrious farmer, and the responsible citizen of moderate means realizes that "the burden" has been put directly upon his back and that it is he who must pay the piper, the meaning of direct and indirect taxation may be better understood.

A TAX OF ABOMINATIONS.

It is not the tax alone that the average citizen must bear; the accounting he must do will be the heavier burden. Accounts must be kept to the satisfaction of the governmental inquisitor of the receipts and expenditures in the business and of the household, and mayhap for the information of the competitor or the knave. But the income tax as proposed by the majority is to come, and the people ought to know that it is directed at them. They are to be "relieved of the tariff burden," which is imperceptible; they are to obtain cheap goods from abroad to the prejudice of American manufactures, which give them an earning power; and they are to keep accounts of what they take in and pay out, that the Government may tax them upon their earnings. It is a fine outlook for expert accountants, lawyers, and revenue officers, but for breadwinners and thrifty business men it is not so pleasant. With a full Treasury, due to the successful operation of a Republican tariff law, the new tax as proposed is economically unpardonable. We are not compelled to levy an income tax to harass men engaged in legitimate enterprises, and we ought not to be forced to commit industrial suicide. But the Democratic Party declares it has been commissioned by the people to destroy protection and to raise revenue by indirect taxation. The people must pay, and when they learn they must pay from an earning power diminished by unwise and unnecessary tariff legislation they may rise in their indignation and smite this Democratic experiment as a tax of abominations.

The Tariff.

EXTENSION OF REMARKS
OF
HON. MARTIN B. MADDEN,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. MADDEN. Mr. Speaker, a statement from ex-Congressman Charles H. Weisse, of Sheboygan Falls, Wis., relative to the leather tariffs is instructive as coming not only from a tanner, but from a Democrat of eight years' experience in Congress, and therefore inclined to be without the usual prejudice of the manufacturer.

Mr. Weisse claims that most of the leather which is imported to compete with the American product is of the "luxury" kind, and should therefore be assessed with at least a small duty to insure to the Government just so much more revenue. If all articles used in tanning were on the free list, he would not recommend a duty for sole leather nor harness leather—the kind he produces himself—and the leather used by the common people, but he does recommend a duty for calfskins and sheepskins and all other classes of leather which go into the manufacture of "luxury" leather goods, such as high-grade gloves, high-grade shoes, fancy bags, automobiles, and so forth, for revenue purposes.

Mr. Weisse's statement follows.

Below is a copy, with a few alterations, of the brief presented before the Ways and Means Committee by the National Association of Tanners.

On behalf of the National Association of Tanners, representing a large part of the sole, belting, harness, calf, side-upper, and patent-leather tanning interests of the country, we respectfully urge your consideration of the following facts in revising the duties on these commodities:

WIDE DISTRIBUTION.

The United States census for 1909 reports that the tanning industry represents 919 tanning establishments, controlled by 784 proprietors and firm members, with an invested capital of $333,000,000. The product is valued at $327,000,000. The wages amount to $39,000,000, paid to 66,000 employees. The production is distributed over 39 States, from Maine to California. The industry is one of active, intense competition.

COMPARISON OF DINGLEY AND PAYNE TARIFFS.

The following tabulation shows the duties under the Dingley and Payne tariffs and the percentage of reduction:

	Dingley tariff.	Payne tariff.	Percentage of reduction.
Rough leather	20 per cent	5 per cent	75 per cent.
Sole leather	do	do	Do.
Belting leather	do	do	Do.
Harness leather	do	15 per cent	25 per cent.
Calf leather	do	do	Do.
Side upper leather	do	7½ per cent	62½ per cent.
Patent leather:			
10 pounds weight or less, per dozen	30 cents per pound and 20 per cent.	27 cents per pound and 15 per cent.	10 per cent and 25 per cent.
10 to 25 pounds	30 cents per pound and 10 per cent.	27 cents per pound and 8 per cent.	10 per cent and 20 per cent.
25 pounds and over	20 cents per pound and 10 per cent.	20 cents per pound and 10 per cent.	No change.

LOW RATES ON LEATHER.

You will note from the above table that the rates of duty now in force are extremely low, and are already permitting material competition from foreign markets. We have never sought high duties, but we do contend that this country should not become a dumping ground for the world's surplus of leather. The duties recommended below are as low as can prevent such unfair competition.

DUTIES RECOMMENDED.

After careful investigation, and in full recognition of the general demand for lower duties, we believe we can make concessions to this demand on harness, calf and patent leather, but under no conditions should the duty be lower on sole, belting, rough, and side upper leathers. We recommend the following duties:

	Payne duties.	Recommended duties.	Per cent of reduction.
Sole leather	5 per cent	5 per cent	No change.
Belting leather	do	do	Do.
Rough leather	do	do	Do.
Side upper leather	7½ per cent	7½ per cent	Do.
Harness leather	15 per cent	10 per cent	33 per cent.
Calf leather	do	do	Do.
Patent leather:			
10 pounds weight or less per dozen	27 cents per pound and 15 per cent.		
10 pounds weight to 25 pounds	27 cents per pound and 8 per cent.		
25 pounds and more	20 cents per pound and 10 per cent.		
Classification changed for recommendation—			
Japanned on the grain side		2 cents per square foot and 7½ per cent ad valorem.	About 40 per cent.
Japanned on the flesh side and patent splits		4 cents per square foot and 10 per cent ad valorem.	About 10 per cent.

RATES OF FOREIGN COUNTRIES.

The duties imposed on heavy leather by foreign countries are shown below. The rates on other leather would be as much or greater in each case.

Figures are based on average price of 21 cents per pound.

	Per cent.
Australia	35
Austria-Hungary	13.1–19.8
Belgium	6.2
Canada	17.5
China (about)	5
Crete	11
Cuba	15.0–18.75
Denmark	18.5
France	33.4
Germany	11.3–16.9
Greece	27.2
Italy	18.7–35.5
Japan	27.2
Newfoundland	20
Norway	17.9–26.8
New Zealand	19.0–38.07
Portugal	70
Russia	59.5–109
Peru (about)	14.2
South Africa	15
Tunis (North Africa)	8
Spain	33.3–107
Sweden	20.2–26
Switzerland	6.6–8.3
Turkey (Syria)	8
England	Free trade

With heavy duty into other foreign countries and with free trade into England accounts for the fact that about 87 per cent of our exportations go to England.

Ad valorem equivalents of import duties in the United States and specified foreign countries.

No.	Articles.	United States.	Canada.	Austria-Hungary.	France.	Germany.	Italy.	Russia.
	Leather, and manufactures of:							
207	Leather	12.9	13.5	2.6	4.4	2.1	4.9	18.0
208	Boots and shoes	11.9	28.5	5.7	12.3	6.5	9.5	38.7
209	Gloves	45.7	29.6	2.0	4.0	2.6	6.7	35.2
210	Harness and saddlery	24.4	27.3	9.2	10.2	5.2	7.7	40.8
211	Other manufactures of leather	41.0	28.1	12.6	7.6		7.2	33.4

The table above represents the equivalent ad valorem duties of imports of leather into foreign countries, but does not truly represent the condition. Many rates into foreign countries are prohibitive, which keep out certain classes of leather and bring down the apparent average rate on total importations.

To illustrate, the equivalent Canadian ad valorem duty as above is 13.5 per cent, whereas below the duties chargeable range from 5 per cent up to as high as 25 per cent.

The Canadian customs tariff of 1907.

Items.	British preferential tariff.	Intermediate tariff.	General tariff.
	Per cent.	*Per cent.*	*Per cent.*
604. Dongola, cordovan, calf, sheep, lamb, kid or goat, kangaroo, alligator, and all leather, dressed, waxed, glazed, or further finished than tanned, n. o. p.; harness leather and chamois skin	12½	15	17½
605. Skins for morocco leather, tanned but not further manufactured; belting leather, of all kinds; tanners' scrap leather; leather not further finished than tanned and skins n. o. p.	10	12½	15
606. Sole leather	12½	15	17½
607. Glove leathers, tanned or dressed, colored or uncolored, when imported by glove manufacturers for use exclusively in their own factories in the manufacture of gloves	5	7½	10
608. Japanned, patent, or enameled leather; morocco leather and leathers in imitation of morocco leather	15	22½	25
609. Belting, of leather	15	20	22½

The foregoing table shows the rates on leather in Canada. Most of these grades of leather are free under the Underwood bill, and were reduced from 20 to 5 per cent under the Payne-Aldrich bill, and the importations did not increase nor did it lower the price of leather. The American tanner should have the same protection against Canada that Canada asks of us in order to be on an equal trading basis.

RAPID INCREASE IMPORTATIONS.

To illustrate the growth of importations under a low tariff, we give below the imports of heavy leather during the past five years and during six-month periods during the past year:

Imports for consumption, bend, belting, and sole.

	Values.	Duties.	Rate.
			Per cent.
Year ending June 30—			
1908	$58,862	$10,772	20
1909	88,767	17,753	20
1910	1 955,740	1 49,068	1 5 and 20
1911	611,068	30,552	5
1912	1,049,232	52,461	5
Year ending Dec. 30, 1912	1,578,802	78,940	5

1 11 months at 5 per cent, 1 month at 20 per cent.

You will note that in 1908 and 1909 the importations of heavy leather were insignificant, but that in 1910, after the duty was reduced from 20 per cent to 5 per cent, there was an increase from $88,000 to $955,000. During the 12 months ending December 30, 1912, the importations have increased to $1,578,802. The duties collected on heavy leather have increased from $10,000 in the fiscal year 1908, to $78,940 in the calendar year 1912.

Importations of belting, sole, and rough leather, duty 5 per cent.

Six months ending—	
December, 1911	$314,422
January, 1912	406,406
February	452,565
March	497,558
April	535,615
May	626,349
June	706,492
July	806,891
August	871,398
September	872,528
October	932,200
November	904,594
December	872,310

The total duties collected on leather in the fiscal year ending June 30, 1912, were $849,110, and as foreign tanners become better acquainted with the needs of our market the importations will continue to increase.

LOSS OF REVENUE.

It is our belief that you gentlemen do not wish to see so important and highly competitive an industry threatened. You do seriously threaten it if you put it on the free list. If leather is put on the free list, the reduction in revenue, based on importations of the present year, will amount to about $1,500,000 annually, owing to the fact that you can not expect to put leather on the free list without also removing the duty on tanning materials. In other words, the revenue derived from leather and extracts alone was $1,400,157 for the last fiscal year, exclusive of the duties on oils, greases, chemicals, and manufactures of leather.

The following table shows that the total imports of leather are increasing under the Payne tariff at a much higher ratio than the exports:

Total value of all leather imported (11 months):	
1912	$7,702,992
1911	5,362,148
Increase of all leather imports, 43.6 per cent	2,340,844
Total value of export leather (11 months):	
1912	40,411,591
1911	35,061,731
Increase of all leather exports, 15.1 per cent	5,349,860

The major portion of the labor of our industry is recruited from unskilled labor who have recently come to this country. The efficiency of this labor is but slightly greater in this country than abroad, and in some instances even less so. The recent reports of Mr. Arthur H. Hutman, special agent of the Department of Commerce and Labor, investigating the leather industries in Europe, show that the wages paid the tannery laborers here are about double those paid in European countries to-day. The average wage in this country is approximately $12 per week, against $5 to $6.50 paid abroad. We have no advantage over our foreign competitors in so far as specialized machinery is concerned. The same makes of machines used in this country are also in general use in the foreign countries.

CANADIAN COMPETITION.

The large supplies of hemlock and oak bark, which at one time gave American tanners a great advantage over our foreign competitors, have been almost exhausted. Our tanning industry is now dependent on imported tanning materials, and these materials cost us more than they cost European and Canadian tanners.

Our Canadian competitors have a decided advantage over us, especially in the production of heavy leathers, such as sole, belting, and rough leather, enjoying, as they do, free tanning extracts and cheap bark. Bark is cheaper in Canada than in the United States, and the American tanners, located in the North, are buying bark in Canada and importing it into this country for use in their tanneries. The Canadian tanners also have a decided advantage over us in their imported tanning extracts. These are free of duty in Canada, and here we pay duties which averaged during the fiscal year ending June 30, 1912, 22.08 per cent. In many instances the Canadian tanners are as near to our larger American markets as our own tanners, which puts them at no disadvantage so far as freights are concerned, and makes them extremely keen competitors. The Canadian tanners, on the other hand, are protected against our leather by a 15 to 25 per cent duty.

If the duty is entirely removed from heavy leather, Canada is in position to use us as a dumping ground for their surplus. The capacity of the Canadian tanners is greater than the local consumption. They are large exporters of leather. A removal of the duty will surely build up the Canadian industry at the expense of our own.

PATENT LEATHER.

We recommend that the present obsolete classification of patent leather be changed, as shown above, for the reason that patent leather is no longer sold by the pound.

Patent leather requires a higher duty than any other class of upper leather used in the manufacture of shoes, for the reason that the production cost is about twice the cost of producing other upper leathers. The tanning cost is practically the same, but there is an additional equal or greater amount for the cost of the japanning.

Any purchase of hides or skins under the American method of japanning on the grain side will turn out all grades of leather, from the lowest to the highest, while the foreign method of japanning on the flesh side enables the foreign manufacturer to produce from a hole of skins only the medium and high grades, eliminating the loss of low grades, which we can not do because of our method of japanning on the grain.

We give below percentages of the different items in our manufacturing cost:

	Per cent.
Cost of labor	51.70
Cost of material	34.44
Manufacturing expense	13.86
	100

Below we apply this manufacturing cost to the cost of the finished product (including the cost of the pelt):

	Per cent.
Cost of labor	22.70
Cost of material	15.12
Manufacturing expense	6.08
Cost of raw stock	56.10
	100

In the rates we propose for patent leather we ask for an equalizing duty on labor, which is from 95 per cent to over 100 per cent more here than in foreign countries, and with a relative efficiency in the japanning department in favor of the foreign manufactures. In this connection we call to your attention that in the establishment of Cornelius Heyle, Worms, Germany, the largest foreign manufacturer of patent leather, there are employed about 43 per cent women and children, while in our own patent-leather factories we do not employ women and children. And we ask for an equalizing duty on materials which the foreign manufacturers get free of duty and on which we pay a varying rate of from 20 to 27 per cent.

* * * * * * *

Gentlemen, the leather industry should have the same consideration that other manufacturers have. We are now on a low-tariff competitive, revenue basis. We are willing you should make such further reductions as recommended in this brief, but the tanners of 39 States will feel you do an injustice if you put leather on the free list.

PROPOSED CHANGE IN WORDING OF LEATHER SCHEDULE.

Statistical records of imports and exports of the leather industry are as yet incomplete. In order to prepare for the future in the matter of statistical information and to simplify the work of the appraisers we suggest more detail in the classifications of leather and a demand on the Treasury Department and the Statistical Bureau of the Commerce and Labor Department that accurate and detailed statistics be collected, collated, and published monthly on imports, exports of domestic, and exports of foreign leather. In this manner our industry and the Ways and Means Committee will be better able to judge in the future as to how the leather schedules should be handled.

PROPOSED WORDING.

Sole-leather sides, backs, bends, and offal, ——— ad valorem; belting-leather butts, ——— ad valorem; rough leather, ——— ad valorem; goat and kid leather, tanned, but unfinished, ——— ad valorem; side upper leather other than patent, ——— ad valorem; harness leather, saddlery leather, case, bag, and strap leather, ——— ad valorem; upholstering leather, ——— ad valorem; patent leather, finished on the grain side other than upholstering leather, ——— per square foot and ——— ad valorem; patent leather, finished on the flesh side, and patent splits other than upholstering, ——— per square foot and ——— ad valorem; other upper leather other than patent, calf, and kip, ——— ad valorem; horse and colt, ——— ad valorem; goat and kid, ——— ad valorem; sheep and lamb, ——— ad valorem; glove-leather grains, ——— ad valorem; leather splits, tanned but unfinished, ——— ad valorem; tanned and finished, ——— ad valorem; bookbinder's leather, ——— ad valorem; piano-action leather, ——— ad valorem; chamois leather, ——— ad valorem; all other leather not specially provided for in this section, ——— ad valorem; all the foregoing, whether tanned only or tanned and finished, unless otherwise specified: *Provided*, That leather advanced in process by cutting, stamping, or molding into shapes, forms, blocks, or taps, suitable for conversion into manufactured articles, or by producing an artificial grain by boarding or embossing, shall pay a duty of 10 per cent ad valorem in addition to that imposed by this paragraph on leather of the same character as that from which they were so advanced in process.

And it is hereby provided that all leather entered for export from or for import into the United States of America shall be sworn to in writing before a proper officer of the Government, as belonging under one of the classifications above noted, and the Treasury Department shall keep an accurate record of measures and values of all said exports and imports, and shall furnish said records to the Department of Commerce, to be collated and published monthly in Summary of Commerce and Finance, under the classification headings indicated above, showing exports, imports, and reexports of leather.

Respectfully submitted.

THE NATIONAL ASSOCIATION OF TANNERS,
AUGUST H. VOGEL,
Chairman Tariff Committee.

On May 3, 1913, Hon. ANDREW J. PETERS, of Massachusetts, says in the RECORD:

The following table is instructive in this connection. It gives the average rates of duty for each tariff schedule under the Payne Act and the estimated rates of duty for the Underwood bill, and also shows the percentage of change in the average duties which we propose to make.

Comparative summary of average ad valorem rates of duty by schedules.

Schedule.	Average rate of duty.		Reduction in per cent of duty.
	Payne law, 1912.	Estimates for a 12-month period under H.R.3321.	
A. Chemicals, oils, and paints	25.9	19.6	24
B. Earths, earthenware, and glassware	50.7	33.1	34
C. Metals, and manufactures of	34.3	20.1	41
D. Wood, and manufactures of	12.4	3.5	74
E. Sugar, molasses and manufactures of	48.1	35.9	25
F. Tobacco, and manufactures of	82.1	84.9	2
G. Agricultural products and provisions	29.0	16.8	42
H. Spirits, wines, and other beverages	83.9	83.3	0
I. Cotton manufactures	45.5	30.4	33
J. Flax, hemp, and jute and manufactures of	45.1	26.6	42
K. Wool, and manufactures of	55.9	18.5	67
L. Silks and silk goods	51.5	43.9	16
M. Pulp, papers, and books	21.4	11.8	47
N. Sundries	24.7	33.2	1 2 33
Total, all schedules	40.12	29.60	26

1 Increase in rate.
2 Increase due to transfer of laces and embroideries from Schedules I, J, and K to Schedule N, which luxuries pay duty of 60 per cent.

BUSINESS AND THE TARIFF.

The greatest benefit to the greatest number has been the controlling basis for the changes summarized in the above table. At the same time the committee has not been unmindful of that provision in the Democratic national platform adopted at the Baltimore convention, which stated that our system of tariff taxation is intimately connected with the business of the country and that we favored the ultimate attainment of the principles which we advocate by legislation which will not injure or destroy legitimate industry. Business is too much dovetailed and labor too immobile to justify too sweeping a reduction of the tariff, which, while it would ultimately be a benefit, would in its immediate effect bear so grievously on a minority as to cause inexcusable hard-ship.

On the other hand, the committee has realized that "business" is sometimes guilty of going on what may be called a "sympathetic strike." The Ways and Means Committee has made every effort to get at the facts, and we believe that we are offering a tariff bill which is economically sound, a bill which takes from the minority the discriminatory advantages which they have enjoyed but have not shared, and which gives to the majority its fair proportion of the benefits of our American markets and industries.

Following is a table showing some of the materials which enter into the cost of making shoes on which there will be a material reduction in the rate of duty:

Boots and shoes.

Article.	Rate of duty on ad valorem basis.	
	Under Payne law (fiscal year 1912).	Under H. R. 3321.
Cattle hides	Free.	Free.
Sole leather	5.00	Free.
Grain, buff, and split leather	7.50	Free.
Patent, etc., leather weighing not over 10 pounds per dozen hides	29.55	Free.
Patent, etc., leather, weighing over 10 and not over 25 pounds per dozen hides	24.90	Free.
Patent, etc., leather weighing over 25 pounds per dozen hides	25.60	Free.
Upper leather dressed, n. s. p. f.	15.00	Free.
Calf kips	15.00	Free.
Leather cut into shoe uppers or vamps	15.00	Free.
Shoe machinery	45.00	Free.
Coal, bituminous	13.60	Free.
Coke	20.00	Free.
Borax, crude	11.82	Free.
Nails:		
Wire	7.16	Free.
Cut	13.34	Free.
Hobnails	16.70	Free.
Tacks	14.00	Free.
Wood alcohol	20.00	Free.
Lumber for boxes	20.00	Free.
Studs and rivets	7.60	Free.
Shoe knives	43.58	20.00
Shoe laces, cotton	41.98	27.00
Tannic acid and tannin	53.98	25.00
Castile soap	73.04	16.40
Borax, refined	16.20	10.00
Sal soda	21.22	1.31
Glue	20.83	16.25
Dextrin and substitutes	30.00	10 to 25
Cotton thread	42.42	23.33
Linen thread	31.54	19.29
Silk thread	37.06	25 and 30
	26.00	15.00

Boots and shoes—Continued.

Article.	Rate of duty on ad valorem basis.	
	Under Payne law (fiscal year 1912).	Under H. R. 3321.
Cotton lining cloth	31.50	25.00
Braids	60.00	50.00
Cotton webbings	60.00	25.00
Cotton goring	60.00	50.00
Silk gorings	60.00	50.00
Buttons	60.00	50.00
Hooks and eyelets	45 and 48	15 and 40
	45.00	15.00

It is very plain from a comparison of the above tables that the policy of the Democratic Party in not wishing to injure any industry by too drastic cuts in duty rates was not followed in the case of leather.

List of the principal materials required in the tanning industry, showing the duty under the Payne law and the proposed duty in the Underwood bill.

Items.	Payne duty.	Underwood duty.
Acetic acid	2½ cents per pound	2½ cents per pound.
Alum	½-¾ cent	15 per cent.
Amyl acetate	25 per cent	5 cents or free.
Blues	8 cents	15 to 20 per cent.
Blue vitriol	¼ cent	Free.
Borax	2 cents	⅜ cent.
Bichromate soda	1½ cents	⅜ cent.
Bichromate potash	2½ cents	1 cent.
Coal-tar dyes	30 per cent ad valorem	30 per cent.
Cod oil	8 cents	3 cents.
Degras	¼ to ½ cent per pound	¼ cent.
Extract:		
Logwood	⅜ cent	Free.
Quebracho	½ to ¾ cent	Do.
Hemlock bark	¼ cent	Do.
Mangrove bark	⅜ cent	Do.
Other bark	...do	Do.
Sumac	⅜ cent	Do.
Chestnut	...do	Do.
Other woods	...do	Do.
Fish oil	8 cents	3 cents.
Fusel oil	¼ cent	⅜ cent.
Formaldehyde	25 per cent	1 cent.
Formic acid	...do	1½ cents.
Glycerine	1 cent	1 to 2 cents.
Linseed oil	15 cents	12 cents.
Lactic acid	2 to 3 cents	1½ cents.
Lampblack	25 per cent	15 per cent.
Olive oil	50 cents per gallon	20 per cent.
Oxalic acid	2 cents	2 cents.
Sal soda	¼ cent	¼ cent.
Soda ash	¼ cent	Do.
Sulphate aluminum	¼ to ½ cent	15 per cent.
Sulphur, powdered	34 ton	Free.
Sumac, ground	¾ cent per pound	Do.
Sulphuric acid	½ cent	Do.
Soda sulphide	½ to ¾ cent	¼ cent.
Soap	20 per cent ad valorem	5 per cent.
Sod oil	8 cents	3 cents.
Talcum	20 per cent	15 per cent.

There should be a small duty placed on leather to offset the duties still retained on important chemicals and other materials used in tanning in order to put the American tanner on the same basis with the foreigner.

The following table taken from Hide and Leather shows the price of hides for a term of 10 years, showing that since hides were put on the free list they have advanced steadily to the top price in the fall of 1912 and the early part of 1913. The law of supply and demand the world over has caused hides to advance, and therefore the consumers of leather were obliged to pay higher prices, resulting in higher prices of shoes and all leather goods.

Comparative prices of Chicago packer hides for 10 years, week ending May 3, 1913.

	Spready steers.	Heavy native steers.	Heavy Texas steers.	Light Texas steers.	Extra light Texas steers.	Butt brands.
1904	12½-12¾	10¾-11	13	12	10¾-11	10½
1905	14 -14½	13 -13¾	15 -15½	14 -14½	13 -13½	13½
1906	15½	14½-15	15 -15½	15	14½	13½-13¾
1907	16 -17	14 -14½	14½-15	14½	14½	14½
1908	14½-13½	11 -11½	13	11½	10½	10½
1909	16	15½-16½	16	15	14	14½-15
1910	19 -21	13½-14	14½-15	13½-14	12½-13	13
1911	12½-14	11½-13	13 -13½	12 -12½	11 -11½	11½-12½
1912	19½	16 -17	16½-17	15½-16	15½-15¾	15½-15¾
1913	18 -19½	16½-17	17½	17½-17¾	16½-17	16½

Comparative prices of Chicago packer hides for 10 years, week ending May 3, 1913.—Continued.

	Colorados.	Branded cows.	Heavy native cows.	Light native cows.	Native bulls.	Branded bulls.
1904	10½-10¾	10 -10½	10	10	8½- 9	7½- 8
1905	13 -13½	12½	12½-12½	12½-12½	10½-10¾	9¼
1906	12¾	14	14½-15	15	11½	10½
1907	13¼-13½	13 -13½	12½-13	12 -13	11½-12	10½
1908	10 -11	9	9½- 9½	9½	9	7½- 8
1909	14½-15	13½-14	14 -14½	13½-14½	12	10½
1910	13	12½-13½	12½	12½	12½	11 -11½
1911	11½-12½	11 -11½	11½-12½	11½-12½	10½	9¼
1912	13½-14½	13 -13½	13½-14	13½-13¾	13	11 -11½
1913	16½	16	15¾-16	15¾-16	13½	12½-13½

Comparative prices of Chicago country hides for 10 years, week ending May 3, 1913.

	Heavy steers.	Heavy cows.	Buffs.	Extremes.	Bulls.	Branded hides.	Calfskins.	Kips.
1904	9 - 9½	8½- 8¾	8¼- 8½	8¾	7¾	7 - 8¼	12½-13	10 -10½
1905	11½	10¾-11	11	11	9¾	10 -11½	14 -14¾	10½-11
1906	13¾	13½-13¾	13½-13¾	13¾-13¾	11	12¾-12¾	14¾-15¼	12 -13½
1907	12	11	10¾	10½	10	10 -10¾	14½-15	11
1908	8¼- 8¾	7¾	7¾	7¾- 8	7	6¾- 7¾	12½-13½	7¾- 8
1909	13 -13½	12¾-13	12¾-13	12¾-13	10¾-11	11 -13	16 -17½	12½-12¾
1910	12 -12½	11 -11½	11 -11½	11 -11½	10¾	9¾-10¾	16	10½-11
1911	11 -11½	10¾-10¾	10¾-10¾	11 -12	9¾	8¾- 9¾	14½-17	11 -13½
1912	13¾-13¾	13¼-13¾	13¾-13¾	14½-14¾	11 -11¼	12 -12¾	17½-20	15 -16½
1913	14½-14¾	14¾	14 -14¾	14¾	12¾-12¾	13 -13½	17 -21	13 -17

Monthly range of prices at Chicago for 1,200 to 1,500 pound native beef cattle during 1881, with yearly prices.

MONTH.	Steers, 1,200 to 1,350 pounds, average.	Steers, 1,350 to 1,500 pounds, average.	Steers, 1,500 to 1,800 pounds, average.
April	$3.80 to $5.60	$4.25 to $5.70	[1] 4.45 to $5.80
May	3.90 to 5.90	4.25 to 5.90	4.60 to 5.90
June	4.50 to 6.65	5.20 to 6.65	5.60 to 6.70
July	4.40 to 6.63	5.00 to 6.55	5.40 to 6.50
August	3.80 to 6.40	4.25 to 6.40	4.75 to 6.40
September	3.65 to 6.35	4.25 to 6.55	4.90 to 6.50
October	3.50 to 7.00	4.10 to 6.90	5.10 to 7.00
November	3.50 to 7.10	4.00 to 7.25	4.70 to 7.30
December	[1] 3.35 to 12.25	[1] 4.00 to 9.00	[1] 4.40 to 10.50
YEAR.			
1904	3.35 to 12.25	3.80 to 9.00	4.35 to 10.50
1903	3.35 to 6.80	3.75 to 7.50	4.10 to 7.55
1902	3.60 to 9.00	4.00 to 9.00	4.25 to 14.50
1901	3.60 to 8.75	4.30 to 12.00	4.80 to 9.30
1900	3.90 to 8.50	4.30 to 11.00	4.70 to 15.50
1899	4.00 to 7.30	4.30 to 8.25	4.60 to 8.25
1898	3.80 to 5.90	3.90 to 6.15	4.10 to 6.25
1897	3.35 to 5.60	3.65 to 6.00	4.00 to 6.60
1896	2.90 to 5.85	3.20 to 6.30	3.40 to 6.25
1895	2.80 to 6.25	3.20 to 6.40	3.60 to 6.60
1894	2.90 to 6.40	3.10 to 6.40	3.50 to 6.60
1893	2.90 to 5.80	3.10 to 6.05	4.00 to 6.75
1892	2.85 to 5.85	3.25 to 6.35	3.75 to 7.00
1891	2.70 to 6.20	3.00 to 6.30	4.00 to 7.15
1890	2.75 to 5.10	3.25 to 5.00	3.75 to 6.40
1889	2.60 to 4.70	2.85 to 5.40	3.40 to 6.10
1888	2.75 to 6.40	3.30 to 6.75	4.00 to 7.00
1887	2.60 to 6.25	3.20 to 6.25	3.60 to 6.50
1886	3.00 to 5.80	3.50 to 6.10	4.25 to 6.50
1885	3.50 to 6.10	3.50 to 6.00	4.75 to 6.80
1884	4.10 to 7.00	4.50 to 7.25	5.35 to 8.00
1883	4.10 to 7.00	4.80 to 7.12½	5.35 to 7.25
1882	4.25 to 9.00	4.70 to 9.00	5.40 to 9.30
1881	3.80 to 7.00	4.10 to 7.20	5.30 to 8.00
1880	4.50 to 5.50	4.30 to 6.00	5.00 to 7.00
1879	3.20 to 5.00	3.90 to 6.50	4.60 to 6.00
1878	3.00 to 4.70	3.50 to 5.00	4.00 to 5.50

[1] International show cattle. Highest on open market, $7.65.

During 1904 Chicago received 2,882,185 head of so-called "native" cattle, being the second largest run of natives on record. Receipts of straight Texas during 1904 were the smallest in over 25 years, while western range receipts were over 90,000 larger than in 1903.

Classified receipts of cattle at Chicago for 18 years.

Year.	Natives.	Texas.	Westerns.	All kinds.
1904	2,882,185	77,000	300,000	3,259,185
1903	3,072,386	150,300	209,800	3,432,486
1902	2,441,990	190,269	309,300	2,941,559
1901	2,729,499	161,419	140,478	3,031,396
1900	2,387,320	194,726	147,000	2,729,046
1899	2,159,524	171,222	173,700	2,514,446
1898	2,154,943	130,408	195,546	2,480,897
1897	2,118,696	202,697	233,331	2,554,924

Classified receipts of cattle at Chicago for 18 years.—Continued.

Year.	Natives.	Texas.	Westerns.	All kinds.
1896	2,095,279	328,422	271,775	2,695,476
1895	1,798,389	350,641	439,526	2,588,558
1894	2,215,462	384,469	374,429	2,974,360
1893	2,148,887	670,099	314,420	3,133,406
1892	2,583,516	717,153	271,127	3,571,796
1891	2,190,520	689,187	370,343	3,250,350
1890	2,597,733	657,053	229,494	3,484,280
1889	3,246,128	910,757	160,396	4,022,281
1888	1,796,804	547,185	267,494	2,611,543
1887	1,635,205	483,328	261,273	2,382,008
1886	1,404,350	320,330	238,320	1,963,000

Range of prices of No. 1 buffs and calfskins since 1892 in Milwaukee.

Year.	No. 1 buffs. High. Price.	No. 1 buffs. High. Month.	No. 1 buffs. Low. Price.	No. 1 buffs. Low. Month.	No. 1 calfskins. High. Price.	No. 1 calfskins. High. Month.	No. 1 calfskins. Low. Price.	No. 1 calfskins. Low. Month.
	Cents.		Cents.		Cents.		Cents.	
1892	8½	Jan.	4½	Sept.	9½	Dec.	7½	June.
1893	8	Mar.	3½	Nov.	10½	Mar.	6½	Aug.
1894	6	Dec.	3¼	June.	9½	Dec.	7	Apr.
1895	9½	July.	5¼	Feb.	14½	July.	8	Dec.
1896	9¼	Oct.	5¼	Aug.	11½	Nov.	7¾	Apr.
1897	10	Sept.	7¼	May.	13½	Nov.	9½	May.
1898	10½	June.	9	Apr.	13½	Feb.	11½	Apr.
1899	11½	Dec.	9½	Apr.	13½	Dec.	12	June.
1900	11	Jan.	8½	Aug.	13½	Jan.	9½	Aug.
1901	9½	Oct.	7¼	Apr.	12½	Oct.	11¼	Mar.
1902	9¼	Sept.	7¼	Mar.	12½	Dec.	11	July.
1903	9½	June.	8	Nov.	13	Dec.	11½	June.
1904	10½	Nov.	8½	Feb.	14½	Dec.	13	Apr.
1905	13½	Nov.	10	Mar.	16	Nov.	14½	June.

This table plainly shows that calfskins, which are upon the free list, advanced and declined at different times, depending solely upon the supply and demand and not the tariff.

Green hide prices since 1851 in St. Louis.

Year.	Highest.	Lowest.	Year.	Highest.	Lowest.
	Cents.	Cents.		Cents.	Cents.
1854	6½	4½	1880	10	6½
1855	6½	4½	1881	9½	8½
1856	8	6	1882	9½	8½
1857	11	4	1883	8½	7
1858	7½	4½	1884	9½	8½
1859	8½	6	1885	9½	7½
1860	7	6	1886	9½	8½
1861	6	2½	1887	8	6½
1862	7½	4½	1888	7½	6½
1863	9½	7	1889	6	4½
1864	11½	8	1890	8	4½
1865	9	5	1891	6½	4½
1866	10½	6½	1892	4½	3½
1867	12	8	1893	4½	2½
1868	12	10	1894	5½	3½
1869	12	9	1895	9	5
1870	10	7½	1896	8½	4½
1871	10	9	1897	9½	7½
1872	11	10	1898	9½	8
1873	11½	7	1899	10½	8½
1874	9½	8½	1900	9	7½
1875	9½	7	1901	8½	6½
1876	9½	6	1902	8½	7½
1877	9½	7½	1903	8	7½
1878	8½	6½	1904	9½	7½
1879	10½	6½	1905	13½	9½

Antwerp prices of South American salted ox hides.

Year.	Price.	Year.	Price.
	Cents.		Cents.
1905	14½	1895	13½
1904	14½	1894	10½
1903	14	1893	10
1902	13½	1892	9½
1901	12½	1891	10½
1900	13	1890	11½
1899	12½	1889	11
1898	12½	1888	10½
1897	11½	1887	13½
1896	11	1886	12½

The price of hides is, after all, the best index of supply and demand. It will be observed that South American hides were dearer in 1905 and 1904 than at any time in 20 years. It should be interesting and instructive to readers of Hide and Leather to discover that conditions affecting the supply and cost of hides are substantially the same in South America as in our own country.

THE SUPPLY OF PACKER HIDES.

The actual slaughter of cattle at five leading western packing points for 1905 shows an increase of 295,090 head from 1904, but a decrease of 127,772 head from 1903. This table gives the detailed figures:

Slaughter of cattle at 5 points for 3 years.

	1905	1904	1903
Chicago	2,002,273	1,939,132	2,168,031
Kansas City	1,244,773	1,012,665	1,025,384
Omaha	681,737	642,277	706,870
St. Joseph	307,910	406,407	404,037
St. Louis	765,162	766,292	821,431
Total	5,001,883	4,766,793	5,189,655

It is evident from this showing that the supply of packer hides is not keeping pace with the increased consumption of leather caused by the increased population and prosperity of the country.

MARCH 29, 1909.

Mr. WEISSE. If we would remove the 15 per cent duty on hides, we would give employment to American labor and American capital and make them into leather and leather goods and export the same, thereby producing $5 worth of finished product to every dollar's worth of hides on which a duty of 15 per cent is levied. This 15 per cent compels the foreigner to sell the hides in European markets, and tanners in Europe buy our extracts and tanning materials and tan them there.

I have endeavored to secure statistics from the Animal Industry Bureau, but they have not furnished any information that can be used in a reliable way. I have taken the census report of 1905 of manufactures and compiled the figures that I herewith submit, which are about as near correct as can be obtained anywhere:

Dutiable hides used in 1905	$89,120,593
Large packer produced	44,206,107
Imported	14,949,628
Total	59,156,735

Leaving the kill for the farmer and small packer and butcher about $30,000,000, two-thirds of which, no doubt, is marketed through the butcher and small packer, and the sales of these hides are mostly controlled by the packers, leaving only about $10,000,000 worth to be sold direct by the farmer, which would not net him to the extent of seven to nine millions, or about 10 per cent of the total dutiable hides used.

There were used by the tanners of leather, calfskins, kips, and other skins imported, according to the Commerce and Labor report, 1907, skins to the value of $49,814,518, free of duty, and there were used $6,426,614 worth of domestic skins of the same kind. With this amount of raw material we produced leather and leather goods to the grand total of about $700,000,000, and we exported leather and leather goods made of dutiable hides.

Exports of leather and leather goods, 1905.

Sole leather made from dutiable hides—rebate	$9,444,873.00
Total revenue from duty on hides, 1905	2,185,381.53
Total drawbacks	565,514.99
Net revenue	1,619,866.54

Free of duty.

Patent leather	$166,320.00
Upper and split leather	15,057,791.00
Other leather	1,813,134.00
Boots and shoes	8,057,697.00
Harness and saddles	502,660.00
All leather goods	1,318,046.00
Total	26,915,668.00

APRIL 3, 1909.

Comparative table of cattle, hides, and hogs, taken from the official market reports in Chicago, showing the relative cost of hides and meats.

Year.	Packer hides.[1] Price heavy native cows.	Packer hides.[1] Price branded cows.	Chicago country hides—No. 1 buffs.	St. Louis market—green salted country hides. Highest, per pound.	St. Louis market—green salted country hides. Lowest, per pound.
	Hundred pounds.	Hundred pounds.		Cents.	Cents.
1888				7½	6½
1889				6	4½
1890				8	4½
1891				6½	4½
1892	$5.94	$5.17	$4.86	4½	3½
1893	5.21	4.71	4.26	4½	2½
1894	4.95	4.53	4.21	5½	3½
1895	8.76	8.00	7.86	9	5
1896	7.51	6.66	6.88	8½	4½
1897	9.35	8.74	8.86	9½	7½
1898	10.84	9.72	9.94	9½	8
1899	11.27	10.90	10.08	10½	8½
1900	10.62	10.18	9.11	9	7½
1901	10.66	9.87	8.73	8½	6½
1902	11.12	10.01	8.74	8½	7½
1903	10.07	9.19	8.59	8	7½
1904	10.60	10.28	9.45	9½	7½
1905	13.16	12.74	11.88	13½	9½
1906	14.96	14.11	13.41		
1907	13.12	11.88	10.83		
1908	11.42	10.40	9.19		

[1] Prices taken from the hide and leather trade publication.

Comparative table of cattle, hides, and hogs, etc.—Continued.

Year.	Average farm price per head.[1] Milch cows.	Average farm price per head.[1] Other cattle.	Prices,[2] Chicago market. Western cattle.	Canning cows.	Average price for hogs, all grades.
			Per hundred.	Per hundred.	Per hundred.
1888	$24.65	$17.70			
1889	25.94	17.03			
1890	22.14	15.21			
1891	21.62	14.76			
1892	21.40	15.16			
1893	21.73	13.24	$0.65-$3.60		$6.60
1894	21.77	14.66	3.60	.75- 4.40	5.65
1895	21.97	14.60	3.75	.75- 4.40	4.30
1896	22.35	15.86	3.50	.75- 3.60	3.50
1897	23.16	16.65	3.90	1.00- 3.70	3.70
1898	27.45	20.92	4.20	1.45- 3.60	3.83
1899	29.06	22.79	4.60	2.00- 3.23	4.05
1900	31.60	24.97	4.35	1.25- 3.25	5.05
1901	30.00	19.93	4.65	1.00- 2.90	5.85
1902	29.23	18.76	4.95	1.00- 3.25	6.85
1903	30.21	18.45	3.65	1.00- 2.75	6.00
1904	29.21	16.32	3.65	.75- 2.75	5.15
1905	27.44	15.15	3.80	.75- 2.90	5.25
1906	29.44	15.83	4.40	.75- 3.03	6.25
1907	31.00	17.10	4.80	1.00- 2.85	6.10
1908	30.67	16.39		1.25- 3.40	5.70

Year.	Estimate of average weight of hides sold by the farmer on other cattle.	Price of heavy native cows as price basis for hide value.	Value of the meat and offal, if killed by the packer.
	Pounds.		
1888	50		
1889	50		
1890	50		
1891	50		
1892	50		
1893	50	$2.97	$12.19
1894	50	2.60	12.04
1895	50	2.47	12.19
1896	50	4.38	10.68
1897	50	3.75	12.11
1898	50	4.67	11.98
1899	50	5.42	13.59
1900	50	5.03	17.16
1901	50	5.31	19.66
1902	50	5.33	14.60
1903	50	5.50	13.20
1904	50	5.03	13.42
1905	50	5.30	11.02
1906	50	6.58	8.57
1907	50	7.48	8.37
1908	50	6.56	10.54
	50	5.71	11.18

[1] From Bureau of Statistics, Department of Agriculture.
[2] Prices taken from Drovers' Journal, the official paper of the Chicago Union Stock Yards.

In order to illustrate the marked decrease in the supply of hides, I show tables below which indicate large increasing imports of cattle into the United States to offset the decreased domestic supply, while at the same time the exports of cattle to other countries have decreased about 60 per cent, further indicating the decreasing domestic supply of the tanners' raw stock.

Imports and domestic exports of the following articles for stated years as follows:

[Data from Department of Commerce.]

Imports of cattle.

	Free, for breeding. Number.	Free, for breeding. Amount.	Dutiable. Number.	Dutiable. Amount.
Year ending June 30—				
1885	14,956	$99,104	134,825	$666,749
1886	734	15,091	217,092	1,494,765
1897	204	24,300	328,773	2,565,497
1898	577	76,631	291,012	2,836,592
1899	624	95,353	199,128	2,225,099
1900	1,045	202,615	179,961	2,055,079
1901	1,249	273,728	144,773	1,657,705
1902	1,928	375,695	94,099	1,231,626
1903	1,481	225,875	64,694	935,673
1904	684	79,986	15,372	230,751
1905	2,314	98,084	25,541	365,488
1906	829	118,368	28,190	430,062
1907	835	122,220	31,567	442,892
1908	3,188	149,142	89,168	1,358,168
1909	3,049	146,713	136,135	1,858,709
1910	2,611	291,139	193,327	2,708,685
1911	2,441	362,220	180,482	2,590,857
1912	2,129	365,222	316,243	4,500,352

Exports of cattle.

Year.	Number.	Amount.	Year.	Number.	Amount.
1892	394,607	$35,099,095	1903	402,178	$29,848,936
1893	287,094	26,032,428	1904	593,409	42,256,291
1894	359,278	33,461,922	1905	567,806	40,598,048
1895	331,722	30,605,796	1906	584,239	42,081,170
1896	372,461	34,560,672	1907	423,051	34,577,392
1897	392,190	36,357,451	1908	349,210	28,339,134
1898	439,255	37,827,500	1909	207,542	18,046,976
1899	389,490	30,516,833	1910	139,430	12,200,154
1900	397,286	30,635,153	1911	150,100	13,163,920
1901	459,218	37,566,980	1912	105,506	8,870,075
1902	392,884	29,902,212			

Hides and skins, not elsewhere specified.

HIDES.

HIDES, RAW OR UNCURED, WHETHER DRY, SALTED, OR PICKLED, AND OTHER SKINS.

No. 2040.—Under section 3, act of Oct. 1, 1890.

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Pounds.			*Per ct.*	*Per ct.*
1894	1½c. per lb	4,857,028	[1]$482,262.00	$72,855.44	$0.10	15.11
1895	do	467,072	[1]40,910.00	7,006.08	.088	17.12

No. 2041.—Under general tariffs of 1890 and 1894.

1894	Free of duty		[2]$7,665,792.57		$0.083	Free.
1895	do	177,569,551	15,172,634.96		.12	Free.
1896	do	164,402,777	20,216,528.83		.15	Free.
1897	do	[3]84,045,739.10 [4]34,118,625	[3]13,741,078.62 [4]3,792,609.29		.11	Free.

HIDES OF CATTLE, RAW OR UNCURED, WHETHER DRY, SALTED, OR PICKLED.

No. 2042.—Buffalo hides. (Acts of 1897 and 1909.)

1898	15 per cent	8,549,785	$801,890.00	$120,283.50	$0.094	15.00
1899	do	9,497,843	1,018,873.00	152,830.95	.107	15.00
1900	do	19,769,631	2,349,402.00	352,410.30	.119	15.00
1901	do	18,729,993	1,694,137.00	254,120.55	.090	15.00
1902	do	16,304,919	1,936,112.00	290,416.80	.119	15.00
1903	do	10,966,963	1,395,812.00	209,371.80	.127	15.00
1904	do	7,887,971	997,518.00	149,627.70	.126	15.00
1905	do	11,201,814	1,506,312.00	225,946.80	.133	15.00
1906	do	12,588,356	1,797,108.00	269,566.20	.143	15.00
1907	do	13,034,348	1,907,830.00	286,174.50	.146	15.00
1908	do	5,658,907	747,022.00	112,053.30	.132	15.00
1909	do	6,144,808	745,842.00	111,876.30	.121	15.00
1910	do	111,680	14,192.00	2,128.80	.127	15.00
	Free of duty	10,796,810	1,341,677.14		.125	Free.

[1] Except sheepskins with the wool on.
[2] Except sheepskins with the wool on (act of 1890).
[3] Horse and cattle, including calf.
[4] All other.

No. 2042a.—Buffalo hides, dry.

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Pieces.	*Pounds.*			*Per ct.*
1911	Free of duty	180,220	3,347,390	$502,507.00	$0.150	Free.
1912	do	261,740	4,919,945	740,501.00	.151	Free.

No. 2042b.—Green or pickled.

1911	Free of duty.	390	18,432	$1,839.00	$0.100	Free.
1912	do	1,137	82,313	8,789.00	.107	Free.

Hides and skins, not elsewhere specified—Continued.

HIDES—Continued.

HIDES OF CATTLE, RAW OR UNCURED, WHETHER DRY, ETC.—continued.

No. 2043.—Calfskins.

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Pounds.				*Per ct.*
1898	(15 per cent	1,647,465	$289,859.00	$43,478.85	$0.176	15.00
	(Free of duty	10,085,978	1,473,287.00		.146	Free.
1899	do	24,659,369	3,616,434.27		.147	Free.
1900	do	44,403,466	7,177,053.00		.161	Free.
1901	do	34,466,797	5,695,394.66		.165	Free.
1902	do	39,679,179	6,820,631.68		.172	Free.
1903	do	34,074,137	5,837,877.67		.171	Free.
1904	do	34,501,775	5,862,988.99		.17	Free.
1905	do	50,144,313	9,775,400.02		.195	Free.
1906	do	56,102,594	11,466,027.64		.204	Free.
1907	do	48,991,055	11,163,702.51		.227	Free.
1908	do	54,329,798	12,102,427.29		.223	Free.
1909	do	74,205,691	16,617,334.85		.224	Free.
1910	do	77,207,401	18,059,350.76		.234	Free.

2043a.—Calf and kip skins, dry.

Fiscal year ended June 30—	Rate of duty.	Quantity.		Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Pieces.	*Pounds.*				*Per ct.*
1911	Free of duty.	7,287,157	23,409,138	$7,762,032.90		$0.332	Free.
1912	do	13,412,627	42,202,925	14,743,375.95		.349	Free.

2043b.—Calf and kip skins, green or pickled.

1911	Free of duty.	4,032,355	36,334,795	$6,429,504.35	$0.177	Free.
1912	do	7,984,033	72,902,345	11,766,138.00	.161	Free.

No. 2044.—Other cattle hides. (Acts of 1897 and 1909.)

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Pounds.				*Per ct.*
1898	15 per cent	103,893,817	$11,070,047.26	$1,660,507.10	$0.106	15.00
1899	do	115,767,045	11,993,914.89	1,799,087.22	.104	15.00
1900	do	134,597,843	15,833,504.04	2,375,025.60	.118	15.00
1901	do	101,833,071	13,178,115.27	1,976,717.48	.128	15.00
1902	do	134,689,998	15,733,355.11	2,360,003.25	.117	15.00
1903	do	120,738,049	14,730,580.47	2,208,087.04	.122	15.00
1904	do	75,599,004	9,802,560.75	1,470,385.06	.13	15.00
1905	do	99,752,817	13,027,661.30	1,954,149.21	.131	15.00
1906	do	145,391,991	19,984,610.37	2,997,691.59	.137	15.00
1907	do	120,846,328	18,565,333.42	2,780,300.00	.154	15.00
1908	do	88,807,731	11,078,495.14	1,661,773.44	.125	15.00
1909	do	152,595,404	19,032,109.68	2,854,816.56	.125	15.00
1910	do	11,373,364	1,639,732.37	245,959.86	.144	15.00
	(Free of duty	317,923,054	46,746,999.51		.147	Free.

No. 2044a.—Cattle hides, dry.

Fiscal year ended June 30—	Rate of duty.	Quantity.		Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Pieces.	*Pounds.*				*Per ct.*
1911	Free of duty	2,478,696	55,415,612	$10,214,912.72		$0.184	Free.
1912	do	3,706,472	77,432,776	15,084,397.99		.195	

No. 2044b.—Cattle hides, green or pickled.

1911	Free of duty	1,839,120	95,106,021	$11,433,135.10	$0.120	Free.
1912	do	3,402,091	173,863,832	23,316,114.59	.134	Free.

Hides and skins, not elsewhere specified—Continued.

HIDES—Continued.

HIDES OF CATTLE, RAW OR UNCURED, WHETHER DRY, ETC.—continued.

No. 2044.—From Hawaiian Islands (cattle and calfskins).

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Pounds.				*Per ct.*
1898	Free of duty.	900,035	$78,314.00		$0.087	Free.
1899	do	1,249,702	110,006.00		.089	Free.
1900	do	1,734,149	122,024.00		.07	Free.

From Porto Rico. (May 1, 1900–July 25, 1901.)

1900	15 per cent	5,867	$692.00	$15.57	$0.118	2.25
1901	15 per cent. do.	411,371	43,839.00	986.84	.107	2.25

From Cuba. (Reciprocity treaty, Dec. 27, 1903.)

1904	15 per cent less 20 per cent.	165,975	$15,121.00	$1,814.52	$0.091	12.00
1905	do	481,088	44,046.00	5,285.52	.092	12.00
1906	do	1,325,479	143,861.00	17,263.32	.109	12.00
1907	do	3,317,316	332,637.00	39,916.44	.10	12.00
1908	do	1,479,229	106,885.00	12,827.40	.072	12.00
1909	do	6,652,403	567,023.00	68,042.76	.085	12.00
1910	do	598,860	60,631.00	7,275.72	.101	12.00

SKINS.

No. 2045.—Bird skins. (After 1902 with No. 2055.)

1896	Free of duty.		$12,464.00			Free.
1897	do		67,838.00			Free.
1898	do		10,764.00			Free.
1899	do		5.00			Free.
1900	do		25.00			Free.
1901	do		1,047.00			Free.
1902	do		122.00			Free.

No. 2046.—Calfskins. (See No. 2043.)

No. 2047.—Fishskins.

1894	Free of duty.		$477.00			Free.
1895	do		885.00			Free.
1896	do		629.00			Free.
1897	do		272.00			Free.
1898	do		7,999.00			Free.
1899	do		3,291.00			Free.
1900	do		4,495.00			Free.
1901	do		3,775.20			Free.
1902	do		22,252.00			Free.
1903	do	219,887	5,351.00		$0.024	Free.
1904	do	263,305	4,606.82		.018	Free.
1905	do	434,150	6,943.62		.016	Free.
1906	do	407,438	17,790.00		.044	Free.
1907	do	444,144	16,771.00		.038	Free.
1908	do	408,692	7,630.00		.019	Free.
1909	do	500,113	8,916.00		.018	Free.
1910	do	639,330	9,342.00		.015	Free.
1911	do	635	151.00		.238	Free.
1912	do	[1]1,333	482.00		.362	Free.

No. 2048.—Goatskins, under section 3, act of Oct. 1, 1890.

1894	1½c. per lb	1,650,568	$378,141.00	$24,758.54	$0.23	6.55
1895	do	144,830	30,963.00	2,172.45	.21	7.01

No. 2049.—Angora goatskins. (Prior to 1903 with No. 2050.) (Acts of 1897 and 1909.)

1903	Free of duty.	148,940	$23,940.00		$0.161	Free.
1904	do	17,846	3,231.00		.181	Free.
1905	do	43,450	6,661.00		.153	Free.
1906	do	97,563	15,841.00		.162	Free.
1907	do	95,516	18,980.00		.199	Free.
1908	do	30,745	5,450.00		.177	Free.
1909	do	298,912	40,022.00		.134	Free.
1910	do	399,664	67,818.00		.170	Free.

No. 2050.—All other goatskins.

1894	Free of duty.		$8,159,217.00			Free.
1895	do	54,374,417	10,993,504.00		$0.202	Free.
1896	do	45,715,327	10,363,359.78		.23	Free.
1897	do	50,488,361	11,328,161.50		.22	Free.
1898	do	64,868,562	15,760,058.60		.243	Free.
1899	do	69,730,485	18,489,341.60		.265	Free.
1900	do	83,103,533	22,065,834.60		.265	Free.
1901	do	76,309,493	20,760,953.00		.272	Free.
1902	do	87,721,106	25,470,708.67		.290	Free.
1903	do	85,180,382	24,926,328.80		.292	Free.
1904	do	85,325,996	23,971,495.20		.281	Free.
1905	do	98,385,482	26,937,622.20		.274	Free.
1906	do	110,716,107	31,704,980.90		.286	Free.
1907	do	98,085,209	31,718,980.80		.323	Free.
1908	do	63,600,189	17,316,963.00		.272	Free.
1909	do	103,390,342	25,962,670.68		.250	Free.
1910	do	115,555,025	30,861,304.75		.267	Free.

[1] 543 pieces.

Hides and skins, not elsewhere specified—Continued.

SKINS—Continued.

No. 2050a.—Goatskins (dry).

Fiscal year ended June 30—	Rate of duty.	Quantity.		Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Pieces.	*Pounds.*				*Per ct.*
1911	Free of duty.	36,447,043	64,331,441	$18,790,710.52		$0.292	Free.
1912	do	38,703,294	69,128,899	19,980,165.45		.289	Free.

No. 2050b.—Goatskins (green or pickled).

1911	Free of duty.	7,043,147	21,575,159	$2,961,664.00		$0.137	Free.
1912	do	6,616,776	26,141,090	3,359,057.00		.128	Free.

No. 2051.—Horse and ass skins. (Prior to 1898, see No. 2041.)

1898	Free of duty.		1,078,987	$127,118.00		$0.118	Free.
1899	do		536,822	40,886.75		.076	Free.
1900	do		2,257,619	248,053.65		.109	Free.
1901	do		2,916,504	282,141.40		.097	Free.
1902	do		6,356,885	681,050.41		.107	Free.
1903	do		10,232,550	1,414,784.90		.138	Free.
1904	do		15,722,458	2,752,384.16		.175	Free.
1905	do		18,561,323	2,647,642.00		.146	Free.
1906	do		33,150,390	4,463,688.65		.143	Free.
1907	do		19,269,410	3,887,190.50		.201	Free.
1908	do		13,230,024	2,217,339.60		.168	Free.
1909	do		18,776,413	2,429,491.90		.129	Free.
1910	do		19,527,400	3,081,089.55		.158	Free.

No. 2051a.—Horse, colt, and ass skins, dry.

1911	Free of duty.	503,469	4,539,921	$1,010,154.46		$0.223	Free.
1912	do	885,999	7,265,142	1,483,276.00		.204	Free.

No. 2051b.—Horse, colt, and ass skins, green or pickled.

1911	Free of duty.	176,607	5,717,426	$572,833.00		$0.100	Free.
1912	do	178,260	5,496,223	563,282.00		.102	Free.

No. 2052.—Kangaroo skins. (Prior to 1898, see No. 2041.)

1898	Free of duty.		1,320,631	$452,373.00		$0.343	Free.
1899	do		1,528,653	623,550.00		.408	Free.
1900	do		1,315,556	566,830.00		.431	Free.
1901	do		1,238,208	604,662.00		.489	Free.
1902	do		1,362,588	670,117.60		.492	Free.
1903	do		1,514,836	722,099.00		.477	Free.
1904	do		782,078	365,858.00		.468	Free.
1905	do		830,620	406,734.00		.49	Free.
1906	do		986,694	549,213.00		.557	Free.
1907	do		1,056,658	629,523.00		.596	Free.
1908	do		568,220	368,017.00		.648	Free.
1909	do		719,609	380,831.00		.529	Free.
1910	do		766,735	443,350.00		.577	Free.
1911	do	635,047	708,400	436,007.00		.615	Free.
1912	do	914,434	871,616	448,759.00		.515	Free.

No. 2053.—Sheepskins. (Prior to 1902, see No. 2055.)

1902	Free of duty.		28,491,043	$5,130,406.00		$0.180	Free.
1903	do		43,277,321	7,099,960.00		.164	Free.
1904	do		42,807,409	7,056,161.20		.165	Free.
1905	do		51,195,808	8,984,476.70		.175	Free.
1906	do		59,327,309	12,394,896.90		.209	Free.
1907	do		57,415,855	13,666,096.02		.238	Free.
1908	do		46,906,556	9,541,149.96		.203	Free.
1909	do		49,131,406	8,298,165.94		.169	Free.
1910	do		66,960,762.50	11,256,920.79		.168	Free.

No. 2053a.—Sheepskins (dry).

1911	Free of duty.	8,854,908	18,814,831	$3,613,752.08		$0.192	Free.
1912	do	11,856,525	25,860,502	5,013,055.00		.194	Free.

No. 2053b.—Sheepskins, green or pickled.

1911	Free of duty.	16,590,074	36,677,265	$5,400,763.00		$0.147	Free.
1912	do	16,210,422	34,613,049	4,843,149.00		.140	Free.

No. 2054.—Sheepskins (with the wool on).

1898	10 per cent			$242.00	$24.20		10.00

No. 2054a.—Pigskins (prior to 1911, see No. 2055).

1911	Free of duty.	61,695	487,879	$28,364.43		$0.058	Free.
1912	do	127,455	695,610	40,292.09		.058	Free.

Hides and skins, not elsewhere specified—Continued.

SKINS—Continued.

No. 2455.—All other hides and skins, n. s. p. f. (Acts of 1897 and 1909.)

[Prior to 1898, see Nos. 2040 and 2041.]

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Pounds.				*Per ct.*
1898	Free of duty	43,194,782	$5,813,834.88		$0.135	Free.
1899	do	42,534,385	5,914,469.46		.139	Free.
1900	do	50,790,454	8,401,870.67		.165	Free.
1901	do	37,466,467	6,254,017.93		.167	Free.
1902	do	12,858,441.50	1,776,992.69		.138	Free.
1903	do	11,717,425	1,855,235.94		.158	Free.
1904	do	6,143,146	1,031,743.82		.168	Free.
1905	do	6,118,817	1,024,182.00		.167	Free.
1906	do	6,287,526	1,070,664.20		.17	Free.
1907	do	6,333,305	1,384,511.47		.219	Free.
1908	do	5,320,158	1,140,853.50		.214	Free.
1909	do	5,362,236	1,054,585.05		.197	Free.
1910	do	10,189,885	1,843,482.90		.181	Free.
1911	do	6,982,971.63	1,325,997.28		.190	Free.
1912	do	5,135,775	980,531.39		.191	Free.

Leather, and manufactures of.

No. 2499.—Band or belting, and sole leather. (Under general tariff.)

1894	10 per cent		$15,415.86	$1,541.58		10.00
1895	do		255,578.50	25,587.84		10.00
1896	do		81,134.81	8,113.48		10.00
1897	do		156,968.00	15,696.80		10.00
1898	do		5,943.70	594.37		10.00
1899	20 per cent		149,701.80	29,940.36		20.00
1900	do		47,021.10	9,404.22		20.00
1901	do		49,216.75	9,843.35		20.00
1902	do		30,320.25	6,064.05		20.00
1903	do		75,035.90	15,007.98		20.00
1904	do		68,803.40	13,760.68		20.00
1905	do		46,055.56	9,211.11		20.00
1906	do		82,037.25	16,407.45		20.00
1907	do		105,923.25	21,184.65		20.00
1908	do		61,739.11	12,347.82		20.00
1909	do		53,802.50	10,772.50		20.00
1910	do		88,767.25	17,753.45		20.00
1911	do		8,549.00	1,709.80		20.00

No. 2499a.—Band, bend, or belting, rough and sole. (Act of 1909.)

1910	5 per cent		$947,191.00	$47,359.56		5.00
1911	do		611,858.82	30,592.96		5.00
1912	do		1,049,232.26	52,461.61		5.00

From Porto Rico. (May 1, 1900–July 25, 1901.)

1901	15 per cent of 20 per cent		$3.00	$0.09		3.00

No. 2500.—Calfskins, tanned or tanned and dressed.

1894	20 per cent		$397,450.00	$79,490.00		20.00
1895	do		[1] 602,000.00	[1] 120,401.20		20.00
1896	do		[1] 514,404.07	[1] 102,880.82		20.00
1897	do		(2)	(2)		
1898	do		134,392.88	26,878.58		20.00
1899	do		285,830.46	57,167.28		20.00
1900	do		119,154.50	23,830.90		20.00
1901	do		114,363.50	22,872.70		20.00
1902	do		169,166.80	33,833.36		20.00
1903	do		171,581.00	34,316.20		20.00
1904	do		216,881.00	43,376.20		20.00
1905	do		188,164.00	37,632.80		20.00
1906	do		215,799.00	43,159.80		20.00
1907	do		206,854.00	41,370.80		20.00
1908	do		143,861.00	28,772.20		20.00
1909	do		165,624.00	33,124.80		20.00
1910	do		22,392.00	4,478.40		20.00
1911	do		256,303.00	38,445.45		15.00
1912	do		194,549.62	29,182.45		15.00
	do		129,344.00	19,401.60		15.00

No. 2501.—Calfskins, japanned. (Acts of 1890 and 1894.)

1894	30 per cent		$31,133.00	$9,339.90		30.00
1895	do					
1896	20 per cent		(3)	(3)		
1897	do		(4)	(3)		
	do		(5)	(3)		

[1] Includes calfskins, japanned. [2] With No. 2507. [3] With No. 2500.

Leather, and manufactures of—Continued.

No. 2501a.—Chamois skins. (Prior to 1910, see No. 2504.)

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Pounds.				*Per ct.*
1910	20 per cent		$496,515.60	$99,303.12		20.00
1911	do		138,384.00	27,676.80		20.00
1912	do		149,283.50	29,856.70		20.00

No. 2501b.—Glove leather. (Prior to 1910 with No. 2512, in 1910 and 1911 with No. 2505.)

1912	20 per cent		$1,791,261.00	$358,252.20		20.00

SKINS FOR MOROCCO.

No. 2502.—Finished.

1894	20 per cent		$34,282.78	$6,856.56		20.00
1895	do		89,207.42	17,841.49		20.00
1896	do		73,735.56	14,747.11		20.00
1897	do		50,624.82	10,124.99		20.00
1898	do		46,064.86	9,212.97		20.00
1899	do		44,912.14	8,982.43		20.00
1900	do		100,192.78	20,038.54		20.00
1901	do		51,305.78	10,261.14		20.00
1902	do		56,595.40	11,319.08		20.00
1903	do		55,580.50	11,116.10		20.00
1904	do		88,841.05	17,768.60		20.00
1905	do		105,969.90	21,190.18		20.00
1906	do		102,206.81	20,441.35		20.00
1907	do		41,697.58	8,339.49		20.00
1908	do		65,462.36	13,092.47		20.00
1909	do		76,648.00	15,329.60		20.00
1910	do		7,210.49	1,442.10		20.00
	15 per cent		88,658.65	13,298.80		15.00
1911	do		49,212.00	7,381.80		15.00
1912	do		64,801.00	9,720.15		15.00

No. 2503.—Tanned, but unfinished.

1894	10 per cent		$2,588,555.00	$258,855.51		10.00
1895	do		3,575,135.00	357,513.50		10.00
1896	do		3,170,447.14	317,044.72		10.00
1897	do		3,577,947.56	357,794.76		10.00
1898	do		3,066,590.59	306,659.05		10.00
1899	do		2,449,015.00	244,901.50		10.00
1900	do		3,098,766.00	309,876.60		10.00
1901	do		2,731,867.00	273,186.70		10.00
1902	do		1,855,255.00	185,525.50		10.00
1903	do		2,134,821.00	213,482.10		10.00
1904	do		1,797,962.00	179,796.20		10.00
1905	do		2,231,400.00	223,140.00		10.00
1906	do		2,688,403.00	268,840.30		10.00
1907	do		3,112,821.75	311,282.22		10.00
1908	do		1,887,205.18	188,720.52		10.00
1909	do		1,492,188.67	149,218.86		10.00
1910	do		155,260.56	15,526.05		10.00
	15 per cent		1,068,961.83	87,448.09		15.00
1911	do		1,146,062.00	67,303.10		15.00
1912	do		1,972,130.00	98,606.50		15.00

No. 2504.—Skins, chamois or other; bookbinders' calfskins, kangaroo, sheep, and goat skins, including lamb and kid skins, dressed and finished, n. s. p. f. (Under general tariff.)

1894	20 per cent		$907,685.47	$181,537.09		20.00
1895	do		1,042,879.94	208,575.99		20.00
1896	do		1,163,241.85	232,648.37		20.00
1897	do		981,058.00	196,211.60		20.00
1898	do		954,905.27	190,981.05		20.00
1899	do		732,260.14	146,452.03		20.00
1900	do		893,667.30	178,737.46		20.00
1901	do		635,270.00	127,054.00		20.00
1902	do		805,008.47	161,000.09		20.00
1903	do		763,193.88	152,638.77		20.00
1904	do		772,284.20	154,456.84		20.00
1905	do		883,191.16	176,638.24		20.00
1906	do		1,519,581.25	303,916.25		20.00
1907	do		806,589.75	161,317.95		20.00
1908	do		900,631.25	180,126.25		20.00
1909	do		1,446,699.65	289,307.93		20.00
1910	do		4,484.00	896.80		20.00
	15 per cent [3]		808,316.25	121,247.75		[4] 15.00
1911	do [3]		727,263.37	109,089.51		[4] 15.00
1912	do [3]		824,497.75	123,674.68		[4] 15.00

From Cuba. (Reciprocity treaty, Dec. 27, 1903.)

1905	20 per cent less 20 per cent.		$2.50	$0.40		16.00

[1] With rate reduced importation decreased.
[2] Chamois skins not included; shown under No. 2501a.
[3] Leather used for fine work and luxuries.

Leather, and manufactures of—Continued.

SKINS FOR MOROCCO—continued.

From Philippine Islands. (Sec. 5, act 1909.)

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Pounds.				*Per ct.*
1911	Free of duty		$32.00			Free.

No. 2505.—Planoforte and planoforte-action leather.

1894	35 per cent		$134.00	$46.90		35.00
1896	20 per cent		659.00	131.80		20.00
1897	do		83.00	16.60		20.00
1898	35 per cent		1,625.00	568.75		35.00
1899	do		223.00	78.05		35.00
1900	do					
1901	do					
1902	do					
1903	do					
1904	do					
1905	do					
1906	do					
1907	do					
1908	do					
1909	do		1,566.00	548.10		35.00
1910	do		398.00	139.30		35.00
	20 per cent [1]		1,686,020.00	337,204.00		20.00
1911	do [1]		1,366,153.00	273,230.60		20.00
1912	do		7,311.00	1,462.20		20.00

No. 2506.—Leather, cut into shoe uppers or vamps, or other forms, suitable for conversion into manufactured articles. (Acts of 1894 and 1897.)

[Under general tariff.]

1895	20 per cent		$3,434.00	$686.80		20.00
1896	do		5,334.00	1,066.80		20.00
1897	do		1,041.00	208.20		20.00
1898	do					20.00
	35 per cent		756.06	264.62		35.00
1899	do		526.00	184.10		35.00
1900	do		1,923.70	673.35		35.00
1901	do		512.00	179.20		35.00
1902	do		807.00	282.45		35.00
1903	do		1,060.00	371.00		35.00
1904	do		1,827.07	639.47		35.00
1905	do		2,269.36	794.28		35.00
1906	do		582.00	203.70		35.00
1907	do		2,964.31	1,037.50		35.00
1908	do		12,821.82	4,487.64		35.00
1909	do		1,978.82	692.59		35.00
1910	do		299.00	104.65		35.00

From Cuba. (Reciprocity treaty, Dec. 27, 1903.)

1904	35 per cent less 20 per cent.		$0.93	$0.26		28.00

LEATHER, CUT INTO SHOE UPPERS OR VAMPS, OR OTHER FORMS, SUITABLE FOR CONVERSION INTO MANUFACTURED ARTICLES, AND GAUFFRE LEATHER.

No. 2506a.—Made from band, bend, or belting, rough, and sole.

1910	15 per cent		$1,757.00	$263.55		15.00
1911	do		3,029.00	454.33		15.00
1912	do		6,135.29	920.74		15.00

No. 2506b.—Made from calfskins, tanned or tanned and dressed.

1910	25 per cent		$81.80	$20.45		25.00
1911	do					
1912	do		3,478.00	869.50		25.00

No. 2506c.—Made from chamois skins.

1910	30 per cent		$2,664.00	$799.20		30.00
1911	do		1,605.00	481.50		30.00

No. 2506d.—Made from grain, buff, and split.

1910	17½ per cent		$972.00	$170.11		17.50

No. 2506e.—Made from patent, japanned, varnished, or enameled leather, weighing not over 10 pounds per dozen hides or skins.

1911	27c. per lb.+ 25 per cent.	1	$4.00	$1.27	$4.00	31.75

No. 2506f.—Weighing over 10 and not over 25 pounds per dozen hides or skins.

1910	27c. per lb.+ 15 per cent.	2.25	$8.00	$2.05	$3.51	25.62

[1] Includes also "Glove leather" for 1910 and 1911.

Leather, and manufactures of—Continued.

LEATHER, CUT INTO SHOE UPPERS OR VAMPS, ETC.—continued.

No. 2506g.—Weighing over 25 pounds per dozen hides or skins.

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Pounds.				*Per ct.*
1911	20c. per lb.+ 20 per cent.	1	$3.00	$0.80	$3.00	26.67
1912	do	367	491.00	171.60	1.34	34.95

No. 2506h.—Pianoforte and pianoforte-action leather and glove leather.

1911	30 per cent		$187.00	$56.10		30.00

No. 2506i.—Made from skins; bookbinders' calfskins, kangaroo, sheep, and goat skins, including lamb and kid skins and other dressed and finished, not specially provided for.

1911	25 per cent		$17.00	$4.25		25.00
1912	do		296.00	74.50		25.00

No. 2506j.—Made from upper leather, dressed, not specially provided for.

1911	25 per cent		$83.00	$20.75		25.00
1912	do		11,540.00	2,885.00		25.00

No. 2506k.—Made from all other leather, not specially provided for.

1910	25 per cent		$4,791.00	$1,197.75		25.00
1911	do		8,373.00	2,093.25		25.00
1912	do		3,300.00	825.00		25.00

No. 2507.—Upper leather, dressed, including patent, enameled, and japanned leather, dressed or undressed, and finished.
(After 1897 see Nos. 2508–2511.)

1894	20 per cent		$788,888.14	$157,777.63		20.00
1895	do		982,121.36	196,424.27		20.00
1896	do		899,101.54	179,820.31		20.00
1897	do		[1] 1,544,493.15	308,898.62		20.00

No. 2508.—Upper leather, dressed and finished. (Acts of 1897 and 1909.)

1898	20 per cent		$479,379.00	$95,875.80		20.00
1899	do		482,517.00	90,503.40		20.09
1900	do		635,365.00	127,073.00		20.00
1901	do		497,946.50	99,589.30		20.00
1902	do		825,414.00	165,082.80		20.00
1903	do		911,140.00	182,228.00		20.00
1904	do		849,837.00	169,967.40		20.00
1905	do		988,721.77	197,744.35		20.00
1906	do		858,715.00	171,742.60		20.00
1907	do		2,167,945.75	433,589.15		20.00
1908	do		799,782.00	159,956.45		20.00
1909	do		730,619.00	146,123.80		20.00
1910	do		42,087.00	8,417.40		20.00
	15 per cent		93,198.00	13,979.70		15.00
1911	do		31,726.00	4,758.90		15.00
1912	do		107,345.00	16,101.75		15.00

From Cuba. (Reciprocity treaty Dec. 27, 1903.)

1909	20 p. ct. less 20 p. ct.		$16.00	$2.56		16.00

No. 2508a.—Grain, buff, and split. (Act of 1909; prior to 1910 with No. 2508.)

1910	7½ per cent		$106,395.00	$7,979.71		7.50
1911	do		90,521.00	7,789.16		7.50
1912	do		92,740.00	6,955.61		7.50

PATENT, JAPANNED, VARNISHED, OR ENAMELED LEATHER.
(Acts of 1897 and 1909.)

No. 2509.—Weighing not over 10 pounds per dozen hides or skins.

1898	30 cts. per lb. and 20 per cent.	$103,571	$154,172.00	$61,905.70	$1.49	40.15
1899	do	177,405.27	275,836.00	108,388.78	1.55	39.29
1900	do	252,388	423,549.00	160,426.20	1.68	37.88
1901	do	270,720	493,365.00	179,880.00	1.82	36.46
1902	do	222,261	398,449.00	146,366.10	1.79	36.73
1903	do	192,701	347,725.00	127,335.30	1.80	36.63
1904	do	175,115	304,467.00	113,427.90	1.74	37.25
1905	do	161,712	259,752.36	97,464.07	1.71	37.52
1906	do	125,076.83	208,801.00	79,283.25	1.67	37.97
1907	do	116,020	216,113.00	78,028.60	1.86	36.10
1908	do	74,307.25	142,587.75	50,809.73	1.91	35.63
1909	do	83,538	147,130.00	54,488.60	1.76	37.03
1910	do	10,343	20,265.00	7,155.99	1.96	35.31
	27 cts. per lb. and 15 per cent.	53,861	97,895.00	29,181.72	1.81	29.90
1911	do	44,584	85,798.00	24,907.38	1.92	29.03
1912	do	53,859	99,939.00	29,532.78	1.86	29.55

[1] Includes calfskins, tanned and japanned.

Leather, and manufactures of—Continued.

PATENT, JAPANNED, VARNISHED, OR ENAMELED LEATHER—continued.

No. 2510.—Weighing over 10 and not over 25 pounds per dozen hides or skins.

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Pounds.				Per ct.
1898	30 cts. per lb. and 10 per ct.	163,999	$209,154.00	$70,100.40	$1.27	33.52
1899	do	229,373	408,782.00	139,691.90	1.24	34.17
1900	do	426,092	585,979.00	195,425.50	1.28	33.35
1901	do	324,378.66	437,227.00	141,090.30	1.35	32.27
1902	do	166,437	236,449.00	73,576.00	1.42	31.12
1903	do	156,394	219,645.00	68,882.70	1.40	31.36
1904	do	99,249	147,530.00	44,520.60	1.49	30.18
1905	do	68,417	106,226.00	31,147.10	1.55	29.32
1906	do	95,037	116,756.00	40,186.75	1.23	34.42
1907	do	69,963	92,185.00	30,189.40	1.32	32.75
1908	do	39,607	60,680.00	17,950.10	1.53	29.58
1909	do	41,561	62,502.00	18,538.50	1.49	29.14
1910	do	5,340	8,378.00	2,430.89	1.58	29.01
1910	27 cts. per lb. and 8 per ct.	39,262.50	60,846.00	15,468.55	1.55	25.42
1911	do	34,049	56,399.00	13,721.15	1.66	24.34
1912	do	28,891	45,905.60	11,472.97	1.59	24.99

No. 2511.—Weighing over 25 pounds per dozen hides or skins.

1898	20 cts. p. lb. and 10 p. ct.	108,344	$111,853.58	$32,854.06	$1.03	29.39
1899	do	152,752	154,919.00	46,042.30	1.01	29.72
1900	do	240,553	260,656.00	74,179.29	1.08	28.46
1901	do	228,634.25	357,849.00	101,511.75	1.02	28.37
1902	do	251,909	328,695.08	82,984.37	1.29	25.45
1903	do	271,516	253,247.00	79,627.90	.933	31.44
1904	do	170,722.00	165,266.00	50,671.12	.968	30.66
1905	do	105,084.50	102,987.00	31,315.60	.98	30.41
1906	do	82,500.25	80,384.80	24,538.48	.974	30.53
1907	do	64,636.75	59,722.00	16,900.25	1.05	28.29
1908	do	25,452	25,986.00	7,681.00	1.02	29.65
1909	do	21,720.75	21,960.00	7,144.85	1.01	29.81
1910	do	16,239	16,496.00	4,883.49	1.01	29.80
1911	do	13,122.50	14,647.75	4,066.28	1.11	27.86
1912	do	11,189.00	14,349.00	3,672.70	1.28	25.60

No. 2512.—All other leather, n. s. p. f. (Under general tariff.)

1894	10 per cent		$54,910.30	$5,491.03		10.00
1895	do		291,929.10	29,192.91		10.00
1896	do		176,177.70	17,617.78		10.00
1897	do		93,062.23	9,506.22		10.00
1898	do		10,447.50	1,044.75		10.00
1898	20 per cent		295,402.35	59,085.47		20.00
1899	do		459,941.83	91,988.38		20.00
1900	do		309,250.75	61,850.15		20.00
1901	do		348,711.38	69,742.27		20.00
1902	do		365,997.03	73,139.45		20.00
1903	do		394,850.35	78,970.07		20.00
1904	do		407,679.00	99,535.80		20.00
1905	do		563,873.00	112,774.60		20.00
1906	do		982,876.83	196,575.36		20.00
1907	do		1,231,369.25	246,273.85		20.00
1908	do		827,550.69	165,510.14		20.00
1909	do		1,109,435.93	221,887.18		20.00
1910	do		223,321.25	44,664.25		20.00
1910	15 per cent		727,871.42	109,180.69		15.00
1911	do		$10,177.89	122,876.69		15.00
1912	do		847,949.00	82,192.35		15.00

From Philippine Islands. (Sec. 5, act of Aug. 5, 1909.)

1910	Free of duty		$3.00			Free.

From Cuba. (Reciprocity treaty, Dec. 27, 1903.)

1903	20 per cent less 20 per cent.		$10.00	$1.60		16.00
1907	do		16.00	2.56		16.00
1909	do		2,315.00	370.40		16.00
1909	do					
1910	15 per cent less 20 per cent.		30.00	3.60		12.00
1911	do		17.00	2.04		12.00
1912	do					

Duty remitted (on above No. 2512).

1900	Duty remitted for use of foreign ministers.		$3.00			

Leather, and manufactures of—Continued.

PATENT, JAPANNED, VARNISHED, OR ENAMELED LEATHER—continued.

No. 2513.—Boots and shoes. (Under general tariff.)

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Pounds.				Per ct.
1894	25 per cent		$67,197.36	$16,799.60		25.00
1895	do		6,397.91	1,640.48		25.60
1896	20 per cent		38,991.71	7,778.31		20.00
1894	do		40,039.08	8,007.82		20.00
1897	do		27,687.85	5,537.68		20.00
1898	do		2,104.85	423.97		20.00
1898	25 per cent		33,899.55	8,474.99		25.00
1899	do		39,707.46	9,926.89		25.00
1900	do		45,979.03	11,494.81		25.00
1901	do		65,597.81	16,399.58		25.00
1902	do		159,700.44	39,947.66		25.00
1903	do		146,201.64	36,550.47		25.00
1904	do		162,666.53	40,516.63		25.00
1905	do		149,417.37	37,354.41		25.00
1906	do		155,842.43	38,993.71		25.00
1907	do		164,509.37	41,127.46		25.00
1908	do		129,075.47	32,268.92		25.00
1909	do		104,934.74	26,231.27		25.00
1910	do		15,013.19	3,753.29		25.00

No. 2513a.—Boots and shoes, made wholly or in chief value of leather made from cattle hides and cattle skins, of whatever weight, of cattle of the bovine species, including calfskins.

		Pairs.				
1910	15 per cent		$7,410.55	$1,111.58		15.00
1910	10 per cent		91,722.48	9,152.25		10.00
1911	do		201,964.65	20,196.47		10.00
1912	do	162,567	131,728.33	13,172.91	$0.809	10.00

No. 2513b.—Boots and shoes, all other

1910	15 per cent		$37,527.63	$5,674.18		15.00
1911	do		123,52?.68	18,529.33		15.00
1912	do	294,447	98,624.60	14,793.79	$0.335	15.00

No. 2512.—From Porto Rico. (May 1, 1900–July 25, 1901.)

1901	15 per cent of 25 per cent.		$3.60	$0.11		3.66

From Philippine Islands. (Act Mar. 8, 1902.)

1906	75 per cent of 25 per cent.		$7.60	$1.32		18.75
1907	do		21.00	3.94		18.75
1568	do		14.00	2.63		18.75
1909	do		16.00	3.03		18.75

From Cuba. (Reciprocity treaty, Dec. 27, 1903.)

1905	25 per cent less 20 per cent.		$18.00	$3.60		20.00
1908	do		5.00	1.00		20.00
1907	do		119.50	23.80		20.00
1908	do		151.00	30.20		20.00
1909	do		98.00	19.60		20.00

Duty remitted (on above No. 2513).

1909	Duty remitted for use of foreign ministers.		$42.00			

From Philippine Islands. (Sec. 5, act of Aug. 5, 1909.)

1910	Free of duty		$3.00			Free.

From Cuba. (Reciprocity treaty, Dec. 27, 1903.)

1910	10 per cent less 20 per cent.		$3.50	$0.28		8.00
1911	do		11.00	.88		8.00
1912	do	2.00	9.00	.72	4.50	8.00

From Cuba. (Reciprocity treaty, Dec. 27, 1903.)

1910	15 per cent less 20 per cent.		$27.00	$3.24		12.00
1911	do		7.00	.84		12.00

Leather, and manufactures of—Continued.

538. LEATHER: BAND, OR BELTING, ROUGH OR SOLE.

	Wilson (1896).	Dingley (1905).	Payne (1911).	Payne (1912).
Duties	$8,113.48	$16,407.45	$49,069.36	$52,461.61
Do			7,979.71	6,955.61
Do		97,464.07	36,337.62	29,522.78
Do		31,147.10	17,899.35	11,472.27
Do		31,315.60	4,888.40	3,672.70
Do	179,830.31	197,744.35	22,397.10	16,101.75
Do	102,880.82	37,682.80	42,923.35	19,401.60
Do	17,617.78	112,776.20	153,848.54	82,192.35
Do	1,086.80	794.28	263.55	920.74
Do			2,654.00	
Do			3.51	
Do				171.60
Do				74.60
Do				2,885.00
Do			1,492.96	1,694.50
Do			99,303.12	29,856.70
Do	659.00		337,343.30	359,714.40
Do	317,044.72	233,140.90	98,893.14	98,606.50
Do	14,747.11	21,180.11	14,740.90	9,000.00
Do	282,648.37	176,638.64	122,144.55	123,674.68
Total	874,578.39	956,291.50	1,012,182.46	848,379.89

ST. PAUL, MINN., *January 19, 1906.*

HON. CHARLES H. WEISSE,
Washington, D. C.

DEAR SIR: Replying to your communication of the 15th, would state the amount of leather used in a heavy team harness ranges, according to the style and dimensions, from 35 to 60 pounds. Think the average for this section is about 45 pounds per set, for two horses, and costs (cut stock), not counting labor for cutting, if average good stock is used, $22.50 at the present price of leather. The labor on an average-priced team harness, by hand, about $6.50 per set. A good ordinary team horse collar has 85 feet of leather, and which is worth $17 per dozen. Labor, from $5.50 to $6.50 per dozen.

It seems to the writer, when we consider, according to the best statistics at hand, there is a world shortage on hides, and especially when the price of cattle is not at all based on the value of the hide, which is considered a by-product only and really benefits only the large packers, who control both the hide and leather market to-day, the tariff ought to come off. There is no considerable number of people benefited by high-priced hides, as the percentage of country hides taken off is very small indeed compared to a few years ago, before the time when large packers inaugurated their present system of furnishing dressed beef to all the small markets throughout the country, thereby cutting off the local killing by the small butchers. The heavy increased demands for different kinds of leathers has, during the past two years, made it very difficult for manufacturers to secure sufficient quantity of certain kinds of leather to supply their needs. Tanners outside of what is ordinarily called the "trust" claim that they are unable to secure hides at a price sufficient to run their tanneries at a full capacity.

Very truly, yours,

CHICAGO, *January 17, 1906.*

HON. CHARLES H. WEISSE,
House of Representatives, Washington, D. C.

DEAR SIR: In reply to yours of 15th instant, the cost of leather in producing heavy farm team harness is from $10 to $20 per set; the labor from $3 to $6 per set. For heavy full-leather horse collars cost of leather is from $15 to $20 per dozen, and labor from $4 to $10 per dozen.

This information is not definite, but there is considerable difference as to both cost of materials and labor, depending upon the grade and heft of the harnesses and collars.

Very truly, yours,

KANSAS CITY, MO., *January 19, 1906.*

HON. CHARLES H. WEISSE,
House of Representatives, Washington, D. C.

DEAR SIR: Replying to yours of the 15th, will say that in a single set of heavy farm team harness there is about 40 pounds of leather, at about a valuation of 45 cents per pound. In a dozen full-leather horse collars there are about 100 feet of collar leather, at 21 cents per foot.

Trusting this will be satisfactory, we remain,

Yours, very truly,

EXHIBIT B.

[Letters from manufacturers of plow shoes and plow boots, showing quantity of leather used and its value per pair.]

MILWAUKEE, WIS., U. S. A., *January 20, 1906.*

MR. CHARLES H. WEISSE,
Sheboygan Falls, Wis.

DEAR SIR: We have your favor of the 15th instant, inquiring as to the amount of leather used in producing heavy grain-leather plow shoe and boot.

It takes fully 2¼ feet to cut a regular height (6 inches) plow shoe, and for the lowest plow boot we make, which is 14 inches, it takes fully 4½ feet of leather. The leather we are using now costs 19 cents a foot.

Yours, truly,

CHICAGO, *January 18, 1906.*

MR. CHARLES H. WEISSE,
House of Representatives, Washington, D. C.

DEAR SIR: Replying to yours of the 15th, figures such as you ask for necessarily will vary in different institutions, according to the size of the last, height of shoe, and quality. Those we give below are the ones in use in our establishment, and apply to standard height, last, and quality made for workingmen.

Six and one-half to 7 ounce western oil grain is used, for which we are asked 183 cents per foot, with the usual discount. It requires about 2½ feet per pair; about quarter of a foot for the gusset, or tongue, which is cut out of 7-cent leather. The strap on leather is usually got out of scrap which falls from the cutting of the sides. On shoes made plain, without any trimmings, the above constitute all the leather in the upper.

In sole leather it is hard to give any idea of the amount, for different stocks are used for outsoles, slip soles, counter, and heels, and the total weight in the shoe can only be arrived at by footing up the estimates for these different parts and dividing by the average cost of the leather. In this way we arrive at about 2½ pounds. As to cost, there is considerable variation, according to the quality of the leather used. An outsole cut from leather tanned from South American dry hides, at 24½ cents per pound, to-day's market, would cost about 24 cents per pair on our dies; inner soles, about 7½ cents; slip soles, 6½ cents; the counter, at 7½ cents; the heel and top lift, 10 cents; total of 56 cents. If domestic-slaughter sole leather is used, about 2½ cents should be added to the allowance for the outsole.

The amount of stock used in boots varies according to the height. We have made boots which take only 5½ feet per pair, and from that up to 6. These would be cut from 7½-ounce oil grain sides, which are to-day quoted at 20 cents per foot, with the usual discount. This brings the cost of the upper from $1.05 to $1.20. To the sole-leather estimates about 12 to 15 per cent should be added on account of the heavier weight required for boots.

Trusting that this information will be satisfactory, and ready to serve you further,

Yours, truly,

APPENDIX K.

EXHIBIT A.

[Telegrams showing weights of western hides.]

MINNEAPOLIS, MINN., *January 17, 1906.*

CHARLES H. WEISSE,
House of Representatives, Washington, D. C.:

Three thousand October hides shipped by one dealer average 50 pounds, including all selections 25 pounds and up.

CHICAGO, ILL., *January 15, 1906.*

HON. CHARLES H. WEISSE,
Washington, D. C.

DEAR SIR: Shipments of hides received from small packer in Montana to-day. After sorted 25 pounds and up, the hides, 1,055 green salted, averaged 56½ pounds.

Yours, truly,

KANSAS CITY, MO., *January 16, 1906.*

HON. CHARLES H. WEISSE,
Washington, D. C.

DEAR SIR: The hides sold in Kansas City during the month of October and September, this year, 25 pounds and up, averaged 48 to 50 pounds.

Yours, truly,

DAYTON, OHIO, *January 16, 1906.*

HON. CHARLES H. WEISSE,

DEAR SIR: Our hide collections in September, 1905, averaged 52 pounds for 25 and upward. Indianapolis collections averaged about the same.

EXHIBIT B.

[Letters quoting freight rates of the Chicago, Milwaukee & St. Paul Railway on green and dry hides.]

CHICAGO, MILWAUKEE & ST. PAUL RAILWAY,
Chicago, January 20, 1906.

Confirming my telephone message of this date, following are present rates from Denver, Colo., to Chicago, Ill.:

Hides, green:	
L. C. L., per 100 pounds	$1.25
C. L., per 100 pounds	.70
Hides, dry:	
L. C. L., per 100 pounds	2.05
C. L., per 100 pounds	.95

CHICAGO, MILWAUKEE & ST. PAUL RAILWAY,
Chicago, January 20, 1906.

Confirming my telephone message of this date, following are present rates from Butte, Mont., to Chicago, Ill.:

Hides, green:	
L. C. L., per 100 pounds	$2.10
C. L., per 100 pounds	1.15½
Hides, dry:	
L. C. L., per 100 pounds	3.10
C. L., per 100 pounds	1.80

CHICAGO, MILWAUKEE & ST. PAUL RAILWAY,
Chicago, January 20, 1906.

Confirming my telephone message of this date, following are present rates from Salt Lake City, Utah, to Chicago, Ill.:

Hides, green:	
L. C. L., per 100 pounds	$2.20
C. L., per 100 pounds	1.38
Hides, dry:	
L. C. L., per 100 pounds	3.30
C. L., per 100 pounds	1.57

EXHIBIT C.

[Letters showing ocean freight rates on green and dry hides, loose and baled.]

NEW YORK, *January 22, 1906.*

Hon. CHARLES H. WEISSE,
Washington, D. C.

DEAR SIR: In reply to your esteemed favor of the 20th instant we beg to quote you the following freights:

Dry hides from Mexico, loose, 20 cents each and 5 per cent primage.

Dry hides from Mexico, when baled up, three-fourths cent per pound plus 5 per cent.

W. S. hides from Mexico, three-eighths cent per pound plus 5 per cent.

Dry hides from Central America, in bales, 1½ cents per pound net.

Dry hides from South American ports, 12½ cents each plus 5 per cent, and lighthouse dues 86 cents per ton, wharfage 12 cents per ton. These are export entry charges.

If we can get you any further information, please command us.

Yours, truly,

NEW YORK, *January 23, 1906.*

Hon. CHARLES H. WEISSE,
House of Representatives, Washington, D. C.

DEAR SIR: Referring to your previous inquiry about freight rates, we give you below the following quotations which we received this morning, and which we hope will be of service to you:

From Calcutta: Buffalo hides, 60s. per 14 hundredweight; goatskins, 70s. per 14 hundredweight.

NOTE.—Sixty shillings equal $14.75; 70s. equal $17.20.

NEW YORK, *January 17, 1906.*

Hon. CHARLES H. WEISSE,
Congress, Washington, D. C.

DEAR SIR: Referring to our communication regarding the freight rates, our freight agent gets us the following:

London to New York, goatskin hides, 15s. plus 10 per cent for 2,240 pounds (on deck).

New York to Milwaukee, goatskin hides, 30 cents per 100 pounds, minimum 30,000 pounds; less than carload, 35 cents per 100 pounds.

London to New York, dry hides, loose, 27.6s. plus 10 per cent; in bales, 22.6s. plus 10 per cent.

New York to Milwaukee, dry hides, loose, 50 cents per 100 pounds; in bales, 35 cents per 100 pounds; minimum, 20,000 pounds.

If we can be of any service to you here, please command us.

We are importing dry Batavia cowhides, very spready, about 8 pounds average, which we have sold very extensively in your neighborhood, and we expect some in next month, and can offer you about 1,000 of them, subject to previous sale, at 36 cents per pound.

If you are interested in them, kindly advise us.

Hongkong-New York rates are not obtainable here, but we estimate 25 per cent for green salted.

Yours, truly.

[According to the above letter of Jan. 17, the rate on green salted hides from London to New York is 15s. plus 10 per cent for 2,240 pounds (on deck), which is about 33 cents per hundred, or 68 cents per hundred to Milwaukee in less than carload lots, against a rate of $2.10 for less than carload lots from Butte, on green salted hides to Chicago, and a rate of $2.20 on less than carload lots on green salted hides from Salt Lake City, making a difference in the stock about the same as the difference in the tariff, or, according to the average country hide prices since the duty has been on, making a difference in the value of hides from there about the same as the duty, and the man from Butte, Mont., doesn't receive any more for his hides if he ships them to Chicago than the man from London, England, who ships to Chicago, which is the greatest hide market in the world. How does the 15 per cent duty protect the man in Butte, and is it not the railroads that fix the price?]

APPENDIX L.

A COMPARISON OF THE WORLD'S CATTLE STATISTICS—TABULATION OF OFFICIAL RETURNS.

[By Alfred Seymour Jones in the London (England) Leather Trade Review. Reprinted in Hide and Leather, issue of Jan. 27, 1906.]

WHY HIDES ARE DEARER.

"I am inclined to say that the increase in cattle has not kept pace with the constantly increasing demand for leather brought about by increase in population, new industries, factories, and wealth." (Alfred Seymour Jones, English leather trade authority.)

Much has been said and written to explain the cause of, or causes for, the advance in the values of hides during recent times. Among the causes advanced the following have been especially urged: That the birth rate of cattle has not kept pace with the birth rate of human beings. That when a country becomes a manufacturing area it does so at the expense of the depletion of the head of cattle. That rinderpest and drought have caused serious losses. That more people to-day buy leather than formerly. That war, during recent years, has, at least in two countries, accounted for large declines in local herds.

In order to ascertain whether these causes are good, we must take the official returns for all those countries which at present furnish them and, at the same time, compare in a relative sense the demands of the population for leather.

In all cases I give the maximum head first, then the minimum, and when necessary the latest returns. The figures are extracted from official returns during the past 25 years. The comments following each are my own.

THE UNITED KINGDOM.

1905	11,674,026
1882	9,832,417

The progress of increase has been steady for over 25 years, and the total head has never been so large as it is to-day.

It is interesting to note and to remember when comparing the figures for the United States that the British board of agriculture say: "The live imports of cattle for 1904 numbered nearly 550,000 head or 27,000 more than for 1903. The increase came from the United States, whence 100,000 more cattle were received than in 1903, equal to 72 per cent."

We will now turn our attention to the four leading continental countries.

Russia in Europe, including Poland and Caucasia.

RUSSIA.

1900	32,913,228
1883	23,628,031
1903	32,791,700
1904 (estimated)	30,858,410

POLAND.

1888	3,013,392
1903	2,887,400
1904 (estimated)	2,340,524

CAUCASIA.

1903	3,625,600
1900	2,515,590
1904 (estimated)	2,892,841

The official Russian returns for 1904 show a decline, and from my knowledge of that country I should put the reduction down to the unsatisfactory political situation which has existed there for some years past, but with the establishment of good government the total head of cattle should be largely augmented. The country is especially suited to the rearing of cattle.

GERMANY.

1900 (latest)	18,939,662
1873	15,776,702

I have gone back 30 years in the case of Germany to ascertain if there is any justification for the plea that "when a country has become a manufacturing area it does so to the depletion of the head of cattle."

I think no one will deny that the Fatherland, since the war of 1870, which brought her unity, has become a large manufacturing country. Yet from 1873 up to date each year shows a steady and progressive increase in her cattle.

FRANCE.

1902	14,928,550
1885	13,104,970
1903	14,103,090

The increase has been continuous up to 1902.

AUSTRIA.

1900 (last)	9,506,626
1869	7,425,212

HUNGARY.

1895 (last)	6,783,365
1870	5,279,193

In the instance of Austria I had to go as far back as 1869 to find the minimum. It is regrettable that both countries afford no later dates than those given, but each country shows a remarkable and steady increase.

In referring to the above countries, the British board of agriculture says: "So far as the head of the five leading European countries are concerned, viz. Russia in Europe, Germany, United Kingdom, France, and Austria, there would appear to have been a general advance in numbers. The combined heads are greater by nearly 22 per cent than they were some 30 years ago. If the older figures may be trusted, the percentage of rise in Austria was the greatest, or something like 28 per cent, as against 20 per cent in France and Germany and 13 per cent in our own country."

UNITED STATES OF NORTH AMERICA.

1900	67,822,336
1870	28,820,608
1905	61,241,907

"The heads of the United States have, according to the official data, shown no growth whatever since this country began," say the British board of agriculture.

It will perhaps be of interest if I give the statistics since 1870:

1870	28,820,608
1880	29,675,333
1890	57,648,792
1900	67,822,336

The above are census figures. The census of 1900 included spring calves, a procedure, it is explained, adopted in only a few instances in the enumerations of 1890, 1880, and 1870.

1902	61,424,599
1903	61,764,433
1904	61,049,315
1905	61,241,907

It appears to me that had the annual census been taken on 1900 basis there would have been no falling off, but a fairly steady total during the past five years.

CANADIAN DOMINION.

1901 (last)	5,576,451
1891	4,120,580

The data collected at the census for the following Provinces do not agree with those published by the provincial governments, consequently are not comparable with above:

ONTARIO.

1904	2,776,104
1881	1,702,167

The increase has been constant annually.

MANITOBA.

1903	310,577
1902	282,343
1904	306,943

NORTHWEST TERRITORY.

1901 (last)	501,730
1891	231,827

NEW BRUNSWICK.

1901 (last)	227,196
1891	204,692

NEWFOUNDLAND.

1901 (last)	32,767
1891	23,828

NOVA SCOTIA.

1891	324,772
1901 (last)	316,174

PRINCE EDWARD ISLAND.

1901 (last)	112,770
1881	90,722

QUEBEC.

1901 (last)	1,365,829
1891	969,312

With the exception of two Provinces, Canada as a whole has steadily, year by year, increased her store of cattle.

Australian Commonwealth.

NEW SOUTH WALES.

1895	2,150,057
1902	1,741,226
1903	1,880,578

This State every three years reaches 2,000,000 head, and in subsequent two years loses ground. Drought possibly has something to do with it.

VICTORIA.

1881	1,286,267
1891	1,782,881
1901	1,602,384
Census taken every 10 years.	

QUEENSLAND.

1895	6,822,401
1903 (last)	2,481,717

This State has reduced her head of cattle steadily since 1895, and appears to be going out as a live-stock producer.

SOUTH AUSTRALIA, EXCLUDING NORTHERN TERRITORY.

1891	359,938
1903	213,343
1904	244,610

This State has been declining in head of cattle for some years, falling below 300,000 in 1897.

WESTERN AUSTRALIA.

1903 (last)	497,617
1887	93,544

This State shows an annual increase since 1887.

PAYNE BILL.

450. Hides of cattle, raw or uncured, whether dry, salted, or pickled, shall be admitted free of duty: *Provided*, That on and after October 1, 1909, grain, buff, and split leather shall pay a duty of 7½ per cent ad valorem; that all boots and shoes, made wholly or in chief value of leather made from cattle hides and cattle skins of whatever weight, of cattle of the bovine species, including calfskins, shall pay a duty of 10 per cent ad valorem; that harness, saddles and saddlery, in sets or in parts, finished or unfinished, composed wholly or in chief value of leather, shall pay a duty of 20 per cent ad valorem.

451. Band, bend, or belting leather, rough leather, and sole leather, 5 per cent ad valorem; dressed upper and all other leather, calfskins tanned or tanned and dressed, kangaroo, sheep, and goat skins (including lamb and kid skins), dressed and finished, other skins and bookbinders' calfskins, all the foregoing not specially provided for in this section, 15 per cent ad valorem; chamois skin, 20 per cent ad valorem; japanned, varnished, or enameled leather, 5 per cent ad valorem; patent, japanned, varnished, or enameled leather weighing not over 10 pounds per dozen hides or skins, 27 cents per pound and 15 per cent ad valorem; if weighing over 10 pounds and not over 25 pounds per dozen, 27 cents per pound and 8 per cent ad valorem; if weighing over 25 pounds per dozen, 20 cents per pound and 10 per cent ad valorem; pianoforte leather and pianoforte-action leather, and glove leather, 20 per cent ad valorem; leather shoe laces, finished or unfinished, 50 cents per gross pairs and 10 per cent ad valorem; boots and shoes made of leather, 15 per cent ad valorem: *Provided*, That leather cut into shoe uppers or vamps or other forms, suitable for conversion into manufactured articles, and gauffre leather, shall pay a duty of 10 per cent ad valorem in addition to the duty imposed by this paragraph on leather of the same character as that from which they are cut.

THE DINGLEY LAW.

[Act of July 24, 1897.]

Leather and manufactures of:

437. Hides of cattle, raw or uncured, whether dry, salted, or pickled, 15 per cent ad valorem: *Provided*, That upon all leather exported, made from imported hides, there shall be allowed a drawback equal to the amount of duty paid on such hides, to be paid under such regulations as the Secretary of the Treasury may prescribe.

438. Band or belting leather, sole leather, dressed upper and all other leather, calfskins tanned or tanned and dressed, kangaroo, sheep and goat skins (including lamb and kid skins) dressed and and finished, chamois and other skins, and bookbinders' calfskins, all the foregoing not specially provided for in this act, 20 per cent ad valorem; skins for morocco, tanned but unfinished, 10 per cent ad valorem; patent, japanned, varnished, or enameled leather, weighing not over 10 pounds per dozen hides or skins, 30 cents per pound and 20 per cent ad valorem; if weighing over 10 pounds and not over 25 pounds per dozen, 30 cents per pound and 10 per cent ad valorem; if weighing over 25 pounds per dozen, 20 cents per pound and 10 per cent ad valorem; pianoforte leather and pianoforte-action leather, 35 per cent ad valorem; leather shoe laces, finished or unfinished, 50 cents per gross pairs and 20 per cent ad valorem; boots and shoes made of leather, 25 per cent ad valorem: *Provided*, That leather cut into shoe uppers or vamps or other forms, suitable for conversion into manufactured articles, shall be classified as manufactures of leather and pay duty accordingly.

M'KINLEY LAW.

[Act of Oct. 1, 1890.]

Leather and manufactures of:

455. Bend or belting leather and sole leather and leather not specially provided for in this act, 10 per cent ad valorem.

456. Calfskins, tanned or tanned and dressed; dressed upper leather, including patent, enameled, and japanned leather, dressed or undressed, and finished; chamois or other skins not specially enumerated or provided for in this act, 20 per cent ad valorem; bookbinders' calfskins, kangaroo, sheep and goat skins, including lamb and kid skins, dressed and finished, 20 per cent ad valorem; skins for morocco, tanned but unfinished, 10 per cent ad valorem; pianoforte leather and pianoforte action leather, 35 per cent ad valorem; japanned calfskins, 30 per cent ad valorem; boots and shoes made of leather, 25 per cent ad valorem.

457. But leather cut into shoe uppers or vamps or other forms, suitable for conversion into manufactured articles, shall be classified as manufactures of leather, and pay duty accordingly.

WILSON LAW.

[Act of Aug. 27, 1894.]

Leather and manufactures of:

339. Sole leather, 10 per cent ad valorem.

340. Bend or belting leather, and leather not specially provided for in this act, 10 per cent ad valorem.

341. Calfskins, tanned, or tanned and dressed, dressed upper leather, including patent, enameled, and japanned leather, dressed or undressed, and finished; chamois or other skins not specially enumerated or provided for in this act, 20 per cent ad valorem; bookbinders' calfskins, kangaroo, sheep, and goat skins, including lamb and kid skins, dressed and finished, 20 per cent ad valorem; skins for morocco, tanned but unfinished, 10 per cent ad valorem; pianoforte leather and pianoforte action leather, 20 per cent ad valorem; boots and shoes, made of leather, 20 per cent ad valorem.

342. Leather cut into shoe uppers or vamps, or other forms, suitable for conversion into manufactured articles, 20 per cent ad valorem.

The above tables show that the lowering of rate did not increase importation of leather and only caused a loss in revenue, as the leather imported is mostly all used in articles of luxury, and free leather will only cause further loss in revenue and no change in price on fine leather and goods made from same, and the tariff should remain on these grades same as recommended by the tanners' association. It will produce a revenue of $500,000 to $1,000,000 or more.

NECESSARIES AND LUXURIES.

In its tariff-revision work the committee has kept in mind the distinction between the necessaries and the luxuries of life, reducing the tariff burdens on the former to the lowest possible point commensurate with revenue requirements and making the luxuries of life bear their proper portion of the tariff responsibilities.

In the following table are presented comparative rates in the act of 1909 and H. R. 3321 levied upon articles which may be properly classed as luxuries:

Comparison by schedules of rates upon luxuries under the act of 1909 and H. R. 3321.

Item.	Act of 1909.		H. R. 3321.	
	Rate.	Equivalent ad valorem, 1912.	Rate.	Equivalent ad valorem.
Schedule A:		*Per cent.*		*Per cent.*
Attar of roses	Free		20 per cent	20.00
Perfumery, including cologne	60 cents per pound, plus 50 per cent	72.08	40 cents per pound, plus 60 per cent	74.29
Ambergris	Free		20 per cent	20.00
Soap, perfumed toilet	50 per cent	50.00	40 per cent	40.00
Schedule B:				
China, porcelain, parian, and crockery ware, painted or decorated	60 per cent	60.00	55 per cent	55.00
Manufactures of glass, ornamented	....do	60.00	45 per cent	45.00
Manufactures of marble, onyx, alabaster, and jet	50 per cent	50.00	....do	45.00
Schedule C:				
Automobiles	45 per cent	45.00	....do	45.00
Shotguns, breech-loading, valued at over $10 each	$6 each, plus 35 per cent	43.69	35 per cent	35.00
Gold leaf	35 cents per 100 leaves	38.77	35 per cent	35.00
Tinsel wire	5 cents per pound	10.59	10 per cent	10.00
Aeroplanes	45 per cent	45.00	25 per cent	25.00
Gold, manufactures of, n. s. p. f	....do	45.00	50 per cent	50.00
Silver, manufactures of, n. s. p. f	....do	45.00	....do	50.00
Schedule D:				
Briar root or briarwood	15 per cent	15.00	10 per cent	10.00
Bamboo porch or window blinds, dyed or polished	40 per cent	40.00	25 per cent	25.00

Comparison by schedules of rates upon luxuries under the act of 1909 and H. R. 3321—Continued.

Item.	Act of 1909. Rate.	Act of 1909. Equivalent ad valorem, 1912.	H. R. 3321. Rate.	H. R. 3321. Equivalent ad valorem.
Schedule E:				
Schedule G:		*Per cent.*		*Per cent.*
Fancy cakes	50 per cent	50.00	25 per cent	25.00
Mushrooms and truffles	2½ cents per pound	17.33	2½ cents per pound	17.86
Caviar	30 per cent	30.00	30 per cent	30.00
Comfits and fruits of all kinds, preserved, containing over 10 per cent of alcohol	$2.50 per proof gallon plus 35 per cent	90.98	$2.50 per proof gallon plus 20 per cent	70.00
Olives, n. s. p. f	15 cents per gallon	32.66	15 cents per gallon	32.14
Game, except birds	2½ cents per pound	10.61	1½ cents per pound	10.20
Schedule H	(1)		(1)	
Schedule I, Nottingham lace window curtains, etc., containing 9 points		52.04	35, 40, and 45 per cent	
Schedule J, pile fabrics	60 per cent	60.00	....do	45.00
Schedule K, oriental rugs and carpets, and those woven whole for rooms	90 cents per square yard plus 40 per cent.	58.10	50 per cent	50.00
Schedule L:				
Pile fabrics		58.64	....do	50.00
Handkerchiefs or mufflers, hemstitched, etc	60 per cent	60.00	....do	50.00
Articles of wearing apparel of silk	....do	60.00	....do	50.00
Schedule M:				
Decalcomanias backed with metal leaf	65 cents per pound	63.34	20 per cent	20.00
Albums	35 per cent	35.00	25 per cent	25.00
Schedule N:				
Beads and spangles	....do	35.00	35 per cent	35.00
Trimmed hats or bonnets	50 per cent	50.00	40 per cent	40.00
Dice, chessmen, billiard and pool balls	....do	50.00	50 per cent	50.00
Firecrackers	8 cents per pound	125.13	6 cents per pound	98.00
Artificial or ornamented feathers, fruits, flowers, etc., n. s. p. f	60 per cent	60.00	60 per cent	60.00
Fans	50 per cent	50.00	50 per cent	50.00
Jewelry		75.74	60 per cent	60.00
Laces and embroideries, silk		63.52	....do	60.00
Gloves		44.15	....do	31.77
Ivory tusks	Free		20 per cent	20.00
Glove leather	15 per cent	15.00	10 per cent	10.00
Upper leather (light skin)	....do	15.00	Free	
Patent leather	27–20 cents per pound and 15–8 per cent ad valorem.	30.00	....do	
Automobile and upholstering leather	15 per cent	15.00	....do	
"All other leather," n. o. s	....do	15.00	....do	

(1) No change in rates except in scrap tobacco, which was reduced from 55 cents to 35 cents per pound.
(2) No change in rates from those of the act of 1909 except in mineral waters.

The complement of the preceding table is one which deals with the necessaries of life and which indicates the consideration the committee has given to the question of the relation of the tariff to the cost of living.

It is obvious from the above that certain "luxury" leathers have been reduced more than is warranted from the "luxuries" theory, as stated above and taken from a statement by Hon. Mr. PETERS. This is especially true with respect to those "luxury" leathers above listed and now proposed for the free list. They should carry a small duty, the same as glove leather, say about 10 per cent, so that the Government may obtain just that much more revenue. They are used in the manufacture of fancy bags, novelties, high-grade shoes, automobiles, and high-grade furniture; but none of them go into the manufacture of the low-grade shoes or harness.

Comparison by schedules of rates upon necessaries under the act of 1909 and H. R. 3321.

Item.	Act of 1909. Rate.	Act of 1909. Equivalent ad valorem 1912.	H. R. 3321. Rate.	H. R. 3321. Equivalent ad valorem.
Schedule A:		*Per cent.*		*Per cent.*
Cream of tartar	5 cents per pound	25.45	2½ cents per pound	17.86
Medicinal preparations	55 cents per pound	58.93	10 cents per pound + 20 per cent	31.11
Castor oil	35 cents per gallon	35.20	15 cents per gallon	15.00
Wash blue	3 cents per pound	23.59	15 per cent	15.00
Saltpeter	¼ cent per pound	9.27	$7 per ton	6.88
Common soap	20 per cent	20.00	5 per cent	5.00
Saleratus or bicarbonate of soda	¼ cent per pound	21.54	¼ cent per pound	8.50
Sal soda, washing soda	¼ cent per pound	20.93	¼ cent per pound	16.25
Borax, refined	2 cents per pound	21.22	....do	1.31
Schedule B:				
Lime	5 cents per 100 pounds	9.17	5 per cent	5.00
Earthenware and crockery, not decorated, etc	55 per cent	55.00	35 per cent	35.00
Grindstones	$1.75 per ton	9.22	$1.50 per ton	8.33
Schedule C:				
Bicycles	45 per cent	45.00	25 per cent	25.00
Pocket knives		77.68	35 and 55 per cent	35 and 55
Razors		74.36	....do	35 and 55
Scissors and shears		53.77	30 per cent	30.00
Knives and forks		41.98	25 and 30 per cent	25 and 30
Schedule D:				
Boards, planks, deals, and other lumber, planed, tongued and grooved, etc		7.60	Free	
Clapboards	$1.25 per M	3.85	....do	
Laths	.20 cents per M	7.98	....do	
Shingles	50 cents per M	21.29	....do	
Furniture	35 per cent	35.00	15 per cent	15.00
Schedule E:				
Sugar		48.54		36.25
Schedule G:				
Swine	$1.50 per head	13.81	Free	
Cattle		27.08	10 per cent	10.00
Bran	20 per cent	20.00	Free	
Bread and biscuit, not sweetened	....do	20.00	....do	

Comparison by schedules of rates upon necessaries under the act of 1909 and H. R. 3321—Continued.

Item.	Act of 1909. Rate.	Act of 1909. Equivalent ad valorem 1912.	H. R. 3321. Rate.	H. R. 3321. Equivalent ad valorem.
Schedule G—Continued.				
Buckwheat flour	25 per cent	*Per cent.* 25.00	Free	*Per cent.*
Macaroni, etc	1½ cents per pound	34.25	1 cent per pound	23.81
Rice, cleaned	2 cents per pound	54.05	....do	33.33
Wheat flour	25 per cent	25.00	Free	
Rye flour	¼ cent per pound	13.69	....do	
Eggs	5 cents per dozen	36.38	2 cents per dozen	14.28
Stocks, etc., of fruit trees	$2 per M	54.44	$1 per M	27.59
Fish, fresh, dried, smoked, salted, or pickled		12.71	Free	
Meats, fresh beef, veal, mutton, lamb, and pork, bacon and hams, meat of all kinds, n. s. p. f.		21.88	Free	
Schedule H:				
Mineral waters		40.26	30 per cent	27.41
Schedule I:				
Spool thread		22.95	15 per cent	15.00
Cotton cloth		42.75		26.44
Cotton clothing	50 per cent	50.00	30 per cent	30.00
Stockings, hose, and half hose, selvedged		75.38	40 and 50 per cent	40 and 50
Men's and boys' cotton work gloves	50 cents per dozen pairs plus 40 per cent.	89.17	35 per cent	35.00
Knit shirts, drawers, etc., and underwear		60.28	30 per cent	30.02
Schedule J:				
Bagging for cotton, etc	⅛ cent per square yard	9.53	Free	
Collars and cuffs	40 cents per dozen plus 20 per cent	49.10	30 per cent	30.00
Schedule K:				
Blankets		72.69	25 per cent	25.00
Flannels		93.29	25 and 35 per cent	25 and 35
Clothing, ready-made		79.56	35 per cent	35.00
Women's and children's dress goods		99.70	....do	35.00
Schedule L:				
Sewing silk		25.00	15 per cent	15.00
Schedule M:				
Printing paper not valued above 2½ cents per pound				
Wrapping paper	35 per cent	14.01	Free	
Books	25 per cent	35.00	25 per cent	25.00
Schedule N:		25.00	15 per cent	15.00
Brooms	40 per cent			
Matches	6 cents per gross	40.00	....do	15.00
Boots and shoes	10 or 15 per cent	27.59	3 cents per gross	14.52
Harness and saddlery of leather	20 per cent	12.14	Free	
Harness and saddlery, other	35 per cent	20.00	....do	
India rubber, manufactures of	....do	35.00	20 per cent	20.00
Lead pencils	45 cents per gross plus 25 per cent	35.00	10 per cent	10.00
Sole leather, belting and heavy	5 per cent	38.88	25 per cent	25.00
Harness leather	15 per cent	5.00	Free	
Side upper	7½ per cent	15.00	....do	
		7.50	....do	

The following rates will provide revenue for the Government and will not make a difference in the cost of common shoes to the consumer; the sole leather of a pair of such shoes (about 2 pounds at 25 cents a pound) would save 2½ cents and the upper would save not to exceed 3¾ cents, a total of 6¼ cents, which would be of no benefit to the consumer because he would not get it:

Sole leather sides, backs, bends, and offal, 5 per cent ad valorem; belting leather butts, 5 per cent ad valorem; rough leather, 5 per cent ad valorem; gont and kid leather tanned but unfinished, 5 per cent ad valorem; side upper leather other than patent, 7½ per cent ad valorem; harness leather, saddlery leather, case, bag, and strap leather, 10 per cent ad valorem; upholstering leather, 10 per cent ad valorem; patent leather, finished on the grain side, other than upholstering leather, 2 cents per square foot and 7½ per cent ad valorem; patent leather, finished on the flesh side, and patent splits, other than upholstering, 4 cents per square foot and 10 per cent ad valorem; other upper leather other than patent, calf, and kip, 10 per cent ad valorem; horse and colt, 10 per cent ad valorem; goat and kid, 10 per cent ad valorem; sheep and lamb, 10 per cent ad valorem; glove leather, grains, colt, calf, goat, kid, sheep, and lamb, 15 per cent ad valorem; horse and cattle, 7½ per cent ad valorem; leather splits, tanned but unfinished, 5 per cent ad valorem, tanned and finished, 7½ per cent ad valorem; bookbinders' leather, 15 per cent ad valorem; piano-action leather, 15 per cent ad valorem; chamois leather, 15 per cent ad valorem; all other leather not specially provided for in this section, 10 per cent ad valorem; all the foregoing, whether tanned only or tanned and finished, unless otherwise specified, provided, that leather advanced in process by cutting, stamping, or molding into shapes, forms, blocks, or taps suitable for conversion into manufactured articles, or by producing an artificial grain by bonding or embossing, shall pay a duty of 10 per cent ad valorem in addition to that imposed by this paragraph on leather of the same character as that from which they were so advanced in process.

[Hide and Leather.]

EXPORTS AND IMPORTS OF HIDES AND SKINS.

We are exporting comparatively few hides and skins (excepting furs). The total for November, 1912, was only $377,000, although these figures are twice the record for November, 1911. For 11 months ending November, 1912, however, our exports were $3,500,000 against $3,800,000 for same period, 1911. These figures indicate high markets at home. We are keeping the great bulk of our raw material for our own use, leaving only scanty offerings for other countries.

Our imports, however, are another story. During November, 1912, we received more than $2,000,000 worth of dry and green salted calf and kip, or a trifle over receipts for November, 1911. For 11 months ending November, 1912, our imports of foreign skins were over 50 per cent larger than for same period the year previous.

Imports of dry and green salted hides last November were more than twice as large as in November, 1911. Receipts for 11 months ending November, 1912, were more than twice as large as imports for same period in 1911.

Imports of goatskins decreased a little last November, as compared with November the year previous, but imports of goatskins for 11 months ending November, 1912, aggregated $22,000,000, or about $2,000,000 more than for similar time, 1911.

Imports of dry and pickled sheep skins have been heavier, and this same applies to receipts of horse hides, colt and ass skins.

Total imports of hides and skins of all kinds (except furs) for 11 months ending November, 1912, were $110,798,562, against $73,223,313 for similar period, 1911.

These heavy purchases of raw stock compensate somewhat for the deficiency in production of hides and skins in the United States.

MORE FOREIGN LEATHER COMING IN.

Imports of leather of all kinds during November, 1912, were about 40 per cent larger than for November, 1911. It is also worthy of notice that our imports of leather and tanned skins for 11 months ending November, 1912, were $7,702,992, against $5,362,148 for similar period 1911.

Although these figures can not be regarded as alarming it indicates that leather from other countries is growing more popular in America. If the new tariff bill still further reduces the duty on leather, importations would probably be larger than ever. This is something for the Ways and Means Committee to ponder over, as the shoe and leather industry was given a severe cut in the bill of 1909, and the tariff should not be further reduced.

It may be interesting to note that the total imports of leather, tanned skins and manufactures of, including boots, shoes, gloves, etc., totaled $16,385,000 for 11 months ending November, 1912, against $13,422,000 for similar period 1911.

FOREIGN SHOE TRADE EXPANDING.

Boot and shoe exports for 11 months ending November, 1912, were about $16,039,000, compared with $13,642,000 for same period in 1911.

This increase in our foreign shoe trade indicates the skill and ingenuity of our shoe manufacturers, in selling abroad in competition with goods made at lower wages than in the United States. This success is probably due to the vigorous and enterprising manner in which some shoe manufacturers are seeking foreign customers as a relief from the competition for orders in the United States.

JAPANESE IMPORTS OF LEATHER AND RELATED GOODS.

[Consul George N. West, Kobe.]

The following table shows the importations into Japan in the fiscal year closed March 31, 1912, of hides and skins, manufactured leather, shoes, rubber boots, and overshoes, as given in the Annual Returns of the Foreign Trade of the Empire. Where no figures are given the imports were unimportant but not necessarily absent altogether.

Imported from—	Hides and skins.	Leather.	Rubber boots, overshoes, and shoes.
Australia	$82,808	$1,491	
Austria-Hungary			$1,936
Belgium		1,837	
British India	8,387		
Canada and other British possessions		3,021	141
Chile	145		
China	99,817	921	2,139
Denmark	716		
Dutch India		5,536	
France	154	7,936	2,839
French Indo-China	39,920		
Germany	2,311	141,714	4,691
Great Britain	27,763	116,813	1,915
Kwangtung Province	52		
Russia:			
European			116
Asiatic	1,736		
Siam	12,713		
Straits Settlements	13,394	54,667	
United States	132,607	976,776	40,617

The amount of leather manufactured from animals slaughtered in Japan is large, but seems to be decreasing. In the years from 1905 to 1909 the figures of production were as follows:

Year.	Families engaged.	Employees.	Value of output.
1905	1,533	5,800	$8,320,470
1906	1,182	5,669	5,419,726
1907	1,162	5,494	4,466,535
1908	1,096	3,954	3,571,523
1909	965	3,780	3,459,739

Of the total in 1908 cow and calf leathers amounted to over $3,200,000, and horse and other leathers comprised the remainder. The principal centers are Osaka, with over $1,740,000 in 1908, and Tokyo and Hyogo, totaling about $1,500,000. Leatherware in the shape of trunks, bags, boxes, etc., is largely consumed in Japan. Leather goods are exported to the value of about $150,000 each year, principally to England. White leathers produced at Himeji are much in demand for making suspenders, corsets, etc.

[Hide and Leather, May 3, 1913.]

FREE SHOES AND LEATHER—COMMENT FROM LONDON TRADE PAPERS—MUCH OF IT INSTRUCTIVE.

MORE TRADE WITH AMERICA.

[Boot and Shoe Trades Journal.]

Naturally the question arises, What will be the effect of the removal of the duties upon shoes and leather? The obvious, if perhaps not exact, answer is that the results will be in our favor; but if the theories held by free traders are true, then we may expect keener competition. The removal of the duty from leather ought, of course, to lead to a bigger traffic in English sole leather. A considerable trade already exists in spite of the duty now prevailing, and the removal of the present charge will no doubt increase the trade. But any additional outlet for the mild tannages of this country will necessarily reduce the quantities available for home consumption and incidentally raise prices. Ultimately it may lead to a larger output and subsequently to a decreasing dependence of this country upon other nations for our supplies; but that effect can only be expected in the dim and distant future. With the shoe trade matters will be different. The removal of the duties ought to lead to big exports from this country. The 10 per cent tax, whilst not being an insurmountable barrier, was a barrier. One shilling upon a 10s. shoe was the difference between a profit for the importer and no profit at all. English boot manufacturers climbed America's tariff wall in 1909, and for a time did a fair trade, but the difficulties in the way of a rapid expansion were due more to the vagaries of fashion and to our unpreparedness than anything else. Much water has run down the Hudson since that time, and many changes have taken place on both sides of the Atlantic. Fashions are not so fickle in the States as they were, whilst our ordinary styles have not only increased in number but have become more American-like than they ever were. We have also progressed in other respects, and believe we are correct in saying we have utilized our machinery to such an extent as to bring costs down to the lowest possible point of production. In a word, then, we are better fitted to do trade with America, and if we were able to sell Americans shoes four or five years ago, in face of the duty and with our then inexperience of the market, we ought to do so now.

SUGGESTS ENGLISH SHOE SHOPS.

[Shoe and Leather Record.]

If shoes and leather go on the free list, American buyers of both will find much to interest them at the October fair. There are those who believe that a big market can be developed in New York and the larger American cities in English-made boots and shoes. This, however, can best be done with the assistance of American merchants who know the requirements of their own people and how best to attract their attention to novelties. It would probably pay to open shops for the sale of British goods only, as was done in this country when American shoes were first introduced here. But we do not recommend British boot manufacturers to embark upon such an adventure with their own capital. Overtures will certainly be received from the other side if real business is to be done. And before October arrives everybody will know for certain what the chances are. We extend our welcome to the fair to all Americans who realize the possibilities of making a market for British boots in the United States. The gathering will give them the opportunity they need of examining styles and comparing values. As to the market for British leather in the United States, we are confident that it must increase rapidly, for the simple reason that the average English tannage is of higher quality than the average American tannage.

ENGLISH LEATHER FOR AMERICA.

[Bristol correspondent of the Leather Trades Review.]

Local tanners keep moderately busy, and there has been quite a good demand during the past 10 days or so for good shoulders for the American trade. There is no doubt that when the duty comes off leather, English tanners will be shipping a good deal of leather to the United States, as there is no surplus stock there from all accounts. English beads of light and medium average are scarce and wanted. Heavy weights have not been in such good request. Bellies have been selling freely, and tanners and factors here are generally short of stock. American hemlock bellies have been advanced during the week to 17 cents in America. Though there is the usual lull in the Kingswood boot trade at this time of the year the Bristol factories are busy.

[Leeds correspondent.]

There has been much conversation in local leather circles during the past few days on the new American tariff bill, and the announcement that boots and shoes and leather are included in the articles to be admitted free of duty has caused general satisfaction. At one time considerable quantities of leather, manufactured in Leeds, were exported to the United States, and it is felt that if the Underwood bill becomes law local manufacturers will again secure some of this business. Anyhow, it is safe to say that every effort will be made to bring about this result.

ANOTHER VIEW.

[Wolsall and Birmingham correspondent.]

Trade has improved somewhat since my previous report. The prospect of a reduction of tariffs in America is already telling, and the local firms who suspended a large number of hands a few weeks ago have now restarted and are working full time. Other fancy leather-goods manufacturers report more doing as the season advances. Two or three more firms are adding fancy leather goods to their list of manufactures, and this branch continues to expand. Harness makers are a little better employed and collar makers have also more orders in hand. Currers and leather dressers are moderately employed.

Tables showing the rates and duties collected under the law of 1897 for the year ending June 30, 1907, also the rates under H. R. 1438 as it passed the House of Representatives, rates and estimated revenues under proposed bill as it passed the Senate, July 8, 1909, and as reported from conference, with tables of imports, production, and consumption.

[Prepared under direction of Finance Committee, Senate, 61st Cong., 1st sess. The ad valorems are based on the dutiable values.]

Schedules.	Value of merchandise (dutiable and free).	Revenue under—			Equivalent ad valorems.		
		Present law (act of 1897).	Senate bill.	Conference bill.	Present law.	Senate bill.	Conference bill.
	Dollars.	*Dollars.*	*Dollars.*	*Dollars.*	*Per cent.*	*Per cent.*	*Per cent.*
A. Chemicals, oils, and paints	41,329,675.85	11,124,088.61	11,028,532.48	10,619,095.21	27.64	29.35	28.26
B. Earths, earthenware, and glassware	31,326,109.47	15,350,019.67	15,283,852.50	15,283,206.15	49.03	48.79	48.79
C. Metals, and manufactures of	68,194,136.11	21,982,145.87	21,905,574.67	21,365,073.03	32.59	32.13	31.35
D. Wood, and manufactures of	24,818,753.90	3,704,201.76	3,338,391.22	3,170,917.53	15.12	13.53	12.79
E. Sugar, molasses, and manufactures of	92,784,081.69	60,338,523.31	59,635,940.54	59,635,886.65	65.03	65.30	65.30
F. Tobacco, and manufactures of	29,939,081.79	26,125,037.41	26,113,185.29	26,113,185.29	87.20	87.18	87.18
G. Agricultural products and provisions	64,917,221.87	19,205,886.36	21,213,538.41	20,432,044.39	30.14	32.82	32.20
H. Spirits, wines, and other beverages	23,083,420.03	16,318,120.14	20,518,162.77	20,575,894.52	70.69	88.89	89.13
I. Cotton manufactures	31,557,017.07	14,284,628.15	15,128,702.11	16,126,096.98	44.84	47.49	50.62
J. Flax, hemp, and jute, and manufactures of	123,075,272.44	49,800,953.69	53,569,946.86	50,288,943.55	45.72	43.96	44.07
K. Wool, and manufactures of	62,831,601.31	36,561,217.64	36,561,193.15	36,560,651.38	58.19	58.19	58.19
L. Silks and silk goods	38,816,839.20	20,313,706.39	20,503,890.23	20,445,130.77	52.33	52.83	52.67
M. Pulp, papers, and books	20,005,025.62	4,136,029.42	4,264,664.70	4,328,812.57	20.67	23.08	23.43
N. Sundries	147,254,417.06	29,887,383.19	33,275,218.90	27,799,680.60	22.51	22.60	24.20
Total from customs	800,282,633.41	329,117,441.61	342,340,853.36	332,750,688.62			
Net increase			13,223,392.25	3,633,247.01			
Total luxuries, articles of voluntary use, dutiable and free	329,912,382.35	162,495,497.23	173,018,117.82	170,637,370.19	49.25	52.44	51.72
Total necessaries, dutiable and free	1,085,489,902.43	166,623,944.38	169,322,735.54	162,113,318.82	15.35	15.60	14.93
Leather	7,997,060.19			771,194.33			9.64

The above table shows that the average tariff on leather—less than 10 per cent—is lower than the average of all the other schedules.

INTERVIEW OF C. H. WEISSE, FORMER MEMBER OF CONGRESS.

[From Sheboygan Press.]

At the present time there is a great deal said about the tariff, and for the information of the readers I give a few rates of the Payne-Aldrich bill, taken from the report of the Finance Committee, Sixty-first Congress, first session.

The bill contains the following rates:

Schedule N: Sole leather has a rate of 5 per cent, labor cost is about 11 per cent.

Schedule K: Some grades of woolen blankets have a rate of 182.17 per cent, wool hair 252.20 per cent; the labor cost is 18 per cent.

Schedule H: Wine in bottles is 34 per cent; the alcohol which is used for medicinal purposes is 1904.31 per cent, and cherry juice, a rate of 474.86 per cent. Labor cost 9 per cent.

Schedule J: Flax has a rate of from 21 to 189 per cent, and the labor cost is from 5 to 30 per cent.

These figures speak for themselves and show the injustice of the tariff bill.

Comparing the different rates on articles, it has the appearance of the rates charged by a pawnbroker on loans made to different classes of people and depending upon what they can put up for the favor.

The Underwood bill, however, corrects a great many of these rates, but at the same time our Republican friends are saying that it will not protect the American laborer. The average labor cost of all the manufactured articles in America according to the report filed with the Department of Commerce and Labor in 1900, is less than 20 per cent. The tariff rates of the Underwood bill average 29.06 per cent according to the figures given by Mr. Peters, of Massachusetts, which is greater than the total labor cost. It is not alone labor that enters into the manufactured articles. In the tanning business, of which I am a part owner, we pay every year to the railroads for transportation of our goods more than we pay to the laborers in the tannery. Also taking repairs, insurance, and taxes with interest charge is about equal to the labor cost.

We do not fear, so to speak, the foreign competition, when we can buy hides from foreign countries and export the leather to the same countries and pay the duty that they ask. The home competition has been so close that we have 40 per cent less tanneries to-day than we had 10 years ago. Placing sole, harness, belt, and rough leather made from cattle hides on the free list would not injure us, as this is the class of leather we are making. But, however, if the other leathers are placed on the free list it will be a loss of revenue to the Government without any benefit to any leather buyer where used for common use or otherwise. About all the leather imported is used in leather articles of luxury, including automobiles, furniture, bag, belt, and pocketbook leather, and fine French calfskins that are used in the very highest grades of shoes, and that we can not make here. I insert a table to show that the amount of leather imported has not changed since the tariff was lowered.

	Leather imported.	Duties collected.
1896 (Wilson)	$6,099,005	$893,000
1906 (Dingley)	5,612,642	956,000
Payne:		
1911	5,376,175	993,000
1912	6,951,233	860,000

Imports of all kinds of leather.

Year ending June 30—	
1895	$6,863,343
1896	6,098,005
1897	6,337,644
1898	5,625,147
1899	5,237,707
1900	6,519,172
1901	5,701,193
1902	5,021,846
1903	5,173,566
1904	4,900,231
1905	5,612,642
1906	6,670,848
1907	8,071,285
1908	4,852,409
1909	5,313,137
1910	7,007,923
1911	5,376,175
1912	6,951,233

The above table shows the importations of leather with lowering the duties. The only loss sustained was through the loss of revenue. It would be just as well to leave the duty on all light and fancy leathers and secure the revenue. We operated a tannery in North Carolina where we paid laborers $1 a day, and also have a tannery in Wisconsin where we pay $1.75 to $2, and it costs us less to produce leather in Wisconsin with the high-price labor, which goes to show that it takes more than labor to produce goods. It is uncalled for at this time for the manufacturers of this country to threaten to reduce wages on account of the tariff.

Exports of leather and manufactures of leather.

Year ending June 30—	
1891	$13,278,847
1892	12,084,781
1893	11,912,154
1894	14,283,429
1895	15,614,407
1896	20,242,756
1897	19,161,446
1898	21,113,640
1899	23,466,985
1900	27,293,010
1901	27,923,653
1902	29,798,223
1903	31,617,389
1904	33,980,615
1905	37,926,745
1906	40,642,858
1907	45,476,969
1908	40,688,619
1909	42,974,795
1910	52,646,735
1911	53,073,056
1912	60,756,772

According to the foregoing table, hides imports increased and also leather exports increased about 50 per cent over 1908, when hides were dutiable, and hides increased about 40 per cent in value, making higher prices for shoes. Calfskin and all hides under 25 pounds were always on free list, and there should be a small duty on all leather made from skins for revenue only.

[Data from the Department of Commerce.]

Imports of hides and skins.

	Pounds.	Value.	Dutiable.
Year ending June 30—			
1891		$27,930,759	
1892		26,850,218	
1893		28,347,890	Free.
1894		16,786,152	Free.
1895	226,575,745	26,122,942	Free.
1896	210,398,011	30,520,177	Free.
1897	206,109,844	27,863,026	Free.
1898	245,774,616	37,068,032	$13,624,989
1899	267,090,750	41,988,043	15,021,946
1900	345,934,778	57,935,698	19,498,217
1901	280,909,837	48,220,613	14,647,413
1902	325,124,103	58,006,618	17,474,039
1903	319,094,698	58,031,613	16,159,932
1904	274,733,467	52,006,070	10,989,033
1905	337,874,862	64,764,146	14,949,628
1906	425,280,110	83,882,167	21,862,069
1907	370,983,815	83,206,545	20,649,258
1908	282,764,925	54,770,145	12,044,435
1909	444,554,325	78,487,324	23,785,692
1910	608,619,028	112,247,539	4,336,196
1911	374,901,395	70,504,980	Free.
1912	537,768,098	102,476,327	Free.

Exports of hides.

	Pounds.	Value.		Pounds.	Value.
1895	36,002,859	$2,310,323	1904	32,727,643	$3,246,887
1896	39,545,324	3,858,946	1905	10,268,722	1,051,641
1897	31,119,166	2,888,330	1906	10,732,827	1,223,253
1898	11,536,073	1,015,032	1907	15,396,806	1,760,032
1899	10,140,840	929,117	1908	14,650,454	1,536,225
1900	7,486,256	804,674	1909	12,858,975	1,271,190
1901	11,161,740	1,064,952	1910	14,635,075	1,738,216
1902	9,372,747	906,504	1911	44,594,235	4,802,637
1903	12,859,549	1,224,409	1912	25,246,800	3,158,493

The above table indicates a marked increase in imports of hides and skins since they were placed on the free list, which has insured increased employment to American labor and capital.

The Tariff.

EXTENSION OF REMARKS

OF

HON. WILLIAM N. BALTZ,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. BALTZ. Mr. Speaker, the question of how to raise revenue to support the General Government has been a question which has long been discussed by political parties. The Democratic Party has always favored a tariff for revenue, levied, as Jackson stated, in a spirit of equity, caution, and compromise so that the great interests of agriculture, manufacture, and commerce will be equally favored.

Under Republican tariff laws, and especially the Payne-Aldrich tariff law, great combinations of wealth have been welded into a plutocracy. Who is favoring high-tariff laws? The great corporations and wealthy individuals engaged in manufacturing establishments favor a high tariff so that they can increase their gains under the plausible argument that they deserve it in order to pay better wages to their employees. In this manner the laborer was deceived into believing that a high protective tariff is a protection to him. Our high protective tariff laws have not raised wages, but it is self-evident that they have raised the cost of living. The cost of living has increased 50 per cent during the last 15 years, while wages have increased only 15 per cent during the same period. The latter increase is due to the laborer's own efforts and to the labor organizations throughout the country. The best-paid labor in this or any other country is the labor that is not protected, such as the plasterers, plumbers, painters, bricklayers, carpenters, and masons.

The tariff has not protected the laborers, as is evidenced by the fact that the laborer, to protect himself, had to organize against the mighty forces created by the combination of wealth

and capital that were surrounding him. He felt that he could not stand alone as an individual against such forces and he felt the necessity of organization. They organized on the theory that in unity there is strength, and that through such organizations they could secure justice in their struggle for self-preservation. Laborers in this country no longer believe that a high tariff is the cause of high wages. Recent inquiries substantiate that fact. The best-protected industries paid starvation wages to their employees and then had the audacity to ask these laborers to support the high tariff for their own good.

The people protested against the Payne-Aldrich tariff bill two years ago when they elected a Democratic House. The reason for this can not be laid to a schism in the Republican Party. If it can be, then it was due to the dissensions that arose within the Republican Party over the high tariff. To a large number of the Republican Party the obvious reason for a high tariff had vanished, and they can only be termed later-day tariff-for-revenue-only men. It was the principle for which the Democratic Party has been striving all these years that entered a wedge between standpat and liberal-minded Republicans on the tariff question and that so overwhelmingly carried the off-year election for the Democratic Party. The people were clamoring for relief, and the measures framed by a Democratic House intending to give the people relief were vetoed by President Taft. President Taft was elected on the pretext that he favored a revision of the tariff downward, and I firmly believe that he was sincerely in accord with this idea, but the powers that be would not permit him to take such a course. So instead of putting into law the embodiments of the Republican platform, the faithful were given the very opposite of what had been promised to them, and the tariff walls were built higher and higher. The Democrats in that great convention at Baltimore declared in favor of a revision of the tariff downward. The people stood by this platform and elected Woodrow Wilson President and increased the Democratic majority in Congress. This Congress stands pledged to carry out the sacred trust that has been imposed upon them by a misled people. I believe in this tariff bill with the embodiment of the income-tax clause as framed by the Ways and Means Committee. Clauses of it may not be popular in different sections of the country. It is but natural that some objections should be offered to it. It is in the interests of the general public that we must legislate. Our Government has too long been conducted on the theory that we must provide and legislate for the rich and then trust to God that they will take care of the poor. This bill legislates for all. It places the burden where it can best be endured. The reduction of the tariff on the necessaries of life removes the burden of supporting the Government from the toilers and producers of wealth and the income tax places the burden of taxation where it can best be endured. We have been intrusted with this power, and it becomes our sacred duty to carry out the wishes of the masses and ignore the dictates of the classes. It gives me great pleasure to have the honor of being a Member of the Sixty-third Congress and to lend my assistance toward lessening the burdens of the common people by passing this tariff bill.

The Tariff.

EXTENSION OF REMARKS

OF

HON. ANDREW J. PETERS,

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. PETERS. Mr. Speaker, under the general leave to print I wish to place in the RECORD a memorandum explanatory of the changes proposed by the pending tariff bill in the customs administrative laws. The administrative provisions are now included in section 28 of the act of August 5, 1909, commonly known as the Payne law. In the Underwood bill they form Section III.

The administrative features of the law have received careful consideration by the Ways and Means Committee, and have been changed in several respects. The Treasury Department is faced by many difficult problems in the administration of the present law. The question of undervaluation is a particularly troublesome one.

The increase in the number of the ad valorem duties in the bill now under consideration makes it doubly necessary to strengthen the provisions by which the Treasury Department can determine the proper value of the merchandise imported and enable it to punish frauds effectively. The committee has the fullest confidence in the fairness of the administration of the Secretary of the Treasury, and has increased his powers in full knowledge that they will be used to protect the revennes and in nowise to embarrass us in our relations with foreign countries.

Undervaluations work not only a fraud on the Government, but are a menace to the honest importer, for they give to his less scrupulous competitor an unfair advantage.

I desire to submit a review of the changes which have been made in the administrative provisions, and I am calling attention, briefly, to the alterations, at the same time mentioning the circumstances or the decisions which influenced the committee in making the proposed changes:

B.

It is proposed to change the existing law by adding the sentence—

That for the purpose of this act bringing or causing merchandise to be brought within the territorial limits of the United States shall be construed to be an attempt to enter or introduce the same into the commerce of the United States.

This is to meet the decision in the following case:

United States *v.* Twenty-five Packages of Panama Hats. Castillo, claimant. T. D., 32737, July 23, 1912, Circuit Court of Appeals, Second Circuit.

In this case it was held that the provisions of section 9, customs administrative act, June 10, 1890, as amended by section 28, subsection 9, act of August 5, 1909, are penal in character and must be strictly construed and are not applicable to goods until an entry of the same has been actually made or attempted. In spite of the fact that the foreign consignor or shipper sold or consigned the goods to a resident of this country and filed with the United States consul at Panama, to be forwarded to the collector of customs at New York, invoices in which the merchandise was deliberately undervalued the court held, one judge dissenting, that the goods were not liable to forfeiture. The Government has appealed this case to the Supreme Court of the United States, where it is now pending. If the decision should be affirmed, the Government will be left in a position of complete helplessness with respect to all cases in which fraud is suspected or discovered between the time the merchandise is shipped from abroad and the time of a formal entry thereof being made at the customhouse. (See also Goetze *v.* U. S., 182 U. S., 221; De Lima *v.* Bidwell, 182 U. S., 1.)

C AND D.

These sections have been changed by inserting the phrase "or agreed to be purchased" and similar expressions in defining the distinction between consigned and purchased merchandise. These changes follow the recommendations contained in the appraisement commission's report and are to meet a practice which has grown to very alarming proportions of making entry of merchandise upon the consigned form of invoice where in reality the transaction is a purchase disguised by the consignor and importer for the purpose of preventing the discovery by the appraising officer of the price agreed to be paid for the merchandise in question. This practice increases the difficulties of the appraising officers in getting at the truth concerning values to a very considerable extent, and is not one contemplated by the provisions of the act of August 5, 1909. The amendments proposed will result in requiring the importers to disclose the true nature of the transaction which has taken place with respect to their imported merchandise which is offered for entry.

It is also amended to provide for the consulating of invoices in the consular district where the merchandise is assembled for shipment in case merchandise is purchased in several districts.

F.

Paragraph F takes the place of subsection 5 of section 28 of the present law. It provides that whenever merchandise is imported into the United States a declaration upon a form to be prescribed by the Secretary of the Treasury shall be filed with the collector.

The present law specifies four forms of declaration to be made out for the various transactions involved in importing into this country. The change in the present law recommended by us substitutes for the words "one of the following declarations" the words "a declaration upon a form to be prescribed by the Secretary of the Treasury."

It is proposed by this change to allow the Secretary of the Treasury to prescribe forms which shall be used by the importer, agent, consignee, or owner. The present forms do not cover all the cases, and are conspicuously inadequate in the case of a transaction where the title passes while the goods are in transit. It is impossible at present for an importer to sign one of the four forms prescribed and tell the truth. It is thought best to allow the Secretary of the Treasury to prescribe forms for use in all cases.

The constitutionality of delegating to the Secretary the prescribing of forms of declaration, even though they will be elements of criminal liability, is supported by United States *v.* Grimaud (220 U. S., 506), Brodbine *v.* Revere (182 Mass., 598), and United States *v.* Ford (50 Fed. Rep., 467).

We have also recommended striking out the provision which requires the invoice to be sworn to before a notary public designated by the Secretary of the Treasury. It is thought better to allow this invoice to be sworn to before any notary public. Some abuse of the present law has grown out of the importers simply sending the invoice to a notary designated by the Secretary of the Treasury and that notary taking his acknowledgment on it without the personal appearance of the importer. It is thought to be more effective to allow the Treasury Department to go before the State officials appointing the notary, should he be guilty of the offense, and have his certificate revoked by the State.

G AND H.

The changes in these two sections (which take the place of subsections 6 and 9) were made to meet various decisions of the court in the following particulars:

(a) The case of United States *v.* One Silk Rug (C. C. Appls., third circuit, Jan. 30, 1908, 158 Fed. Rep., 974). In this decision it was held that section 9 of the customs administrative act of June 10, 1890, which was substantially the same as subsection 9 of section 28 of the act of August 5, 1909, defined various offenses against the customs revenue and prescribed two penalties—the forfeiture of the goods and the criminal conviction of the offender. It further held that the same guilty intent must be shown for the former penalty as for the latter, and that to incur a forfeiture there must be a guilty scienter and intent on the part of the forfeitor.

In this case merchandise, which was actually worth and for which the price paid in Egypt was £457, was valued on the consular invoice by the seller at £120. The merchandise, instead of being shipped to the purchaser, was shipped to importing agents with instructions to collect £362, the balance due after the advance payment was subtracted from the original price. The importing agents employed a customs broker to make entry, which was made upon the consular invoice value of £120. The fraud having been discovered by the appraising officer, forfeiture proceedings were brought and the importing agents, together with the customs broker, were named as claimants. The court held that a forfeiture could not be decreed because section 9, containing the criminal clause, must be strictly construed in both the criminal and civil cases, and the court could not exclude a guilty intent when enforcing the latter clause. At the end of the decision the court added:

If, as contended, this construction embarrasses it (the Government) in the collection of its revenue the remedy lies in legislative amendment.

By providing separate sections for the criminal aspect of such cases and for the civil or forfeiture aspect the new bill will enable the Government to succeed in a forfeiture case where there has been fraud without having to bring home to the claimant the fraud of the foreign shippers and other persons interested in evading the proper payment of duties.

(b) The introduction of the words "without reasonable cause to believe the truth of such statement" in the two sections is made to require an importing agent or broker to be put upon inquiry as to the fact concerning the transaction and the value of the merchandise. Under existing laws, and in view of the decision above quoted, and other unpublished decisions, it is at the present time possible for fraud to be practiced with impunity by the simple expedient of having the entry made by the forwarding agent or broker from whom the true facts concerning the merchandise and its value are withheld, either innocently or deliberately. All that he has to do is to make a declaration that to the best of his knowledge and belief the value stated is correct, when, as a matter of fact, to quote the appraisement commission's report, he "has not the faintest semblance of knowledge or the frailest foundation of belief." Under such a state of affairs to-day there is no liability, either civil or criminal, resting upon anybody concerned in the transaction except the foreign shipper, who is without the jurisdiction of the United States. The changes may be briefly summarized as follows:

Section G is amplified and strengthened and applies wholly to the criminal aspect of the case. It replaces subsection 6 of the Payne law.

Section H is strengthened, and applies wholly to the civil aspect of the case, the criminal provisions having been omitted. It replaces subsection 9 of the Payne law. The possibility of doing injustice to innocent importers by the increased severity of these provisions is overcome by the authority vested in the Secretary of the Treasury to remit or mitigate penalties and forfeitures under sections 17 and 18 of the act of June 22, 1874 (18 Stat., 189, 190), and Revised Statutes, sections 5292 and 5293.

I.

The first four lines were slightly changed to conform the law to the department's practice, as stated in article 208 of the Customs Regulations of 1908.

L.

This section is amended by providing that the Secretary of the Treasury may determine the existence or nonexistence of a foreign market. This is rendered necessary by lack of uniformity among local appraisers in determining this question, owing to the lack of knowledge of true conditions and also to prevent the deception of the local and general appraisers by the use of "wash" sales to create evidence of foreign markets.

M AND N.

The requirement of protest and appeal fees is based upon recommendations of the department, also of the committee which investigated the Board of United States General Appraisers. It has been recommended at various times by various Secretaries of the Treasury in their annual reports. It is approved by practically all customs officers. Its object is to cut off the great number of frivolous speculative protests, it being the practice of some brokers to protest against almost every liquidation, in the hope that something may arise or be found to make a case.

All these duplicate or frivolous protests at present require the following handling:

At customhouse: Received, recorded, transmitted to appraiser.
At appraiser's stores: Received, recorded, report of facts to collector, record of return.
At customhouse: Receipt of report of appraiser, formulate collector's report (often rubber stamp), transmitted to board.
At the board: Received, docketed, placed on calendar, called by the board on calendar (and abandoned), decided.
At the office of Assistant Attorney General: Prepared for hearing.
At customhouse: Receipt of decision, record.

M is also amended by the addition of the following words in the fifth, sixth, seventh, and eighth lines:

And no reappraisement or reappraisement shall be considered valid because of the absence of the merchandise or samples thereof before the officer or officers making the same.

This is to meet the decision in the following case: Tilge & Co. *v.* United States Court of Customs Appeals (T. D., 31507), April 10, 1911. In this case it was held that samples selected by the collector at the port of entry and deposited at the public stores should be examined on a reappraisement is a mandatory requirement of the law. Where the goods have gone into commerce on failure to produce such samples it is not permissible for the Government to substitute consular samples. While this decision was somewhat modified and explained in the same case on a petition in behalf of the Government for a rehearing (Tilge *v.* U. S. Court of Customs Appeals, May 31, 1911, T. D., 31676), it apparently still remains true that under the decision there must be some sample of merchandise exhibited to the general appraiser or to the Board of General Appraisers. In the cases of perishable merchandise—of live stock and of other articles of similar character—this requirement precludes a valid reappraisement, and the amendment suggested in this regard is for the purpose of permitting valid reappraisements in such cases. In commenting upon this feature of the case the court, in its decision upon the petition for rehearing, stated that—

that presents a matter of legislation which this court did not create can not remedy. * * * (See also Oelrichs *v.* United States (T. D., 32091).)

N is also amended by inserting the words "if dissatisfied with such decision, imposing a higher rate of duty or a greater charge, fee, or exaction than he shall claim to be legally payable," in lines 21, 22, and 23. This is to meet the decision in the following cases: United States *v.* Schwartz & Co. (Court of Customs Appeals, T. D., 32315, Mar. 12, 1912); American Manufacturing Co. *v.* United States (Court of Customs Appeals, T. D., 33161, Feb. 1, 1913).

In the first of these cases the court—one judge dissenting—held that a person might be "dissatisfied" with the rate or amount of duty assessed by a collector within the meaning of the statute, even though he was a domestic manufacturer importing merchandise similar to that manufactured by himself and desiring to have a higher rate of duty assessed by the collector than was actually assessed by that officer, for the purpose of affording himself a higher rate of protection upon his manufactured product. The result of these decisions is obviously to create fictitious litigation, which has always been objected to by the department. The attitude of the department has been up

to the time of this decision that there was no authority for an appeal by any importer because the rate or amount of duty assessed was too low. Consequently, in doubtful cases the department has always given the benefit of the doubt to the Government, thus permitting the issue to be raised by bona fide importers, and not by domestic interests masquerading as importers.

In the second of the cases above cited the court held—one judge dissenting—that where a domestic manufacturer of imported merchandise had protested against the rate of duty assessed because it was too low, he had a right to have the merits of his contention heard before the Board of General Appraisers, although the Government assented at the time of the hearing to the entry of a decision on his protest, in accordance with the claim made by the protestant. This decision forms a logical sequence to the one first cited above, and places the Government and the Treasury Department in the extraordinary position of being unable to extricate itself from litigation, even when it acquiesces in the contentions raised by the opposing side. The proposed amendment, if adopted, will relieve this anomalous situation.

O.

This section as now drafted qualifies the merchandise concerning which persons may be interrogated by the words "then under consideration or previously imported." This amendment is proposed to meet the decision in the case of United States against Calhoun, United States District Court for the Southern District of New York, January 9, 1911, reported as Treasury Decisions 31730. In the Calhoun case it was held that the collector was without authority to require an importer to answer questions under the citation provided for in subsection 15 of section 28 of the act of August 5, 1909, when the time within which a reappraisement might have been called had expired, although one year from the date of liquidation had not expired, and by implication this decision also is to the effect that neither the local appraiser nor any general appraiser could require the questions to be answered in response to the issuance of such a citation under the circumstances described.

It is also amended by making certain that the testimony taken shall be used in subsequent hearings or trials.

P.

This section is amended in view of the doubts expressed by the court in the case of United States against Bornn Hat Co., decided by the United States District Court for the Southern District of New York, January 9, 1911, Treasury Decisions 31730. The amendment also provides for an effective and summary means of collecting the penalty imposed, with a possible increase of that penalty from $100 to $500, the $100 penalty being obviously a very slight one as compared to the interests of the importer or a witness in keeping hidden from the appraising officers the documents or evidence which would establish the true value of the merchandise entered at an undervaluation.

Q.

This section gives the Secretary of the Treasury clearly joint power with the board in deciding what abstract decisions shall be published, and also requires from the board a statement of facts upon which their decisions are based. Such statements are now furnished in classification, but not in reappraisement cases.

The object of the change is to make these decisions more easily understood by the department, the local appraisers throughout the country, and the importers of similar merchandise, to the end that uniformity of appraisement may be attained. The present practice of publishing the results only is of slight practical benefit to the persons and officers interested.

T.

This section contains an amendment providing that the burden of proof in suits for value shall be upon the defendant as it is under existing law in seizure cases.

There seems to be no reason why the burden of proof should be upon the Government in cases where the property has escaped seizure, when it is not upon the Government if seizure is made. The proposed change places both kinds of suits upon the same basis. It will not only aid the Government in trying its suits for value, but will also be of benefit to the importers by reducing the number of seizures, since the Government officers will realize that they will not jeopardize the interest of the Government's litigation by failure to make an early seizure of the merchandise involved.

U AND V.

These provisions are new and are inserted in view of the great difficulty the Treasury Department has found in obtaining accurate information as to values from both the foreign manufacturers and shippers and the domestic importers. It is strongly urged by the department's appraisement commission in order to prevent undervaluations. With a large increase in the number of ad valorem rates applicable in the new tariff, a proper and just administration of the customs laws will require extremely summary and effective means afforded to the Treasury Department to ascertain actual values and market conditions. It is believed that these sections provide such means and should have the support of all persons involved whose books will disclose values in accordance with the values appearing upon their invoices and entries. In other words, these provisions should have no terrors for the honest exporters and importers.

W.

This section is new and is provided for the purpose of doing away with a considerable amount of litigation caused by the continued recurrence of the question as to whether or not a commission alleged to be paid to a commissionaire is a bona fide commission, and consequently a nondutiable item. This litigation has lasted for years and occupied a great deal of the time of the appraising officers, collectors, Board of General Appraisers, and the department. It has been somewhat fostered by the decisions of the Court of Customs Appeals in the case of Stein *v.* United States (T. D., 31007, Oct. 18, 1910), Stein *v.* United States (T. D., 31525), and United States *v.* Bauer (T. D., 32627). In these cases it was held that where a commission which was added by an importer to an entered value in order to make what he believed the appraiser would appraise as market value, although against the better judgment of the importer, such commission was added under duress and the liquidation should have been made upon the entered value without addition of the amount of the commission. The litigation and inconvenience caused by these decisions and the easy form of subterfuge and fraud offered by the present law governing the nondutiability of commissions will be obviated by the enactment of the proposed amendment.

X.

Paragraph X is also new, and is inserted upon the recommendation of the Appraisement Commission of the Treasury Department. It represents the practice now followed by several large importers. If adopted, it will enable the appraising officers to obtain accurate information concerning the transactions affecting values of merchandise.

REENACTED PARAGRAPHS.

Paragraphs E, J, K, R, S, Y, Z, BB, CC, and DD of Section III H. R. 3321 are essentially the same as subsections 4, 8, 10, 18, 19, 22, 23, 25, 26, and 27 of section 28 of the present law.

The Tariff.

EXTENSION OF REMARKS
OF
HON. FRANK B. WILLIS,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. WILLIS. Mr. Speaker, during the discussion of this bill various opinions have been expressed as to the methods of procedure of the Tariff Board and the conclusions of fact reached by it concerning the production of wool in the United States.

Personally I am strongly in favor of revision of all the various schedules of the tariff in such a manner as to equalize the difference in cost of production at home and abroad, such difference to be ascertained by a scientific nonpartisan tariff commission.

In my opinion the people of the United States are demanding this kind of tariff revision because they know that in no other way can a tariff law be framed that will be based on cold facts collected by scientific, nonpartisan experts and that will be fair and just to all. The pending bill rests on no scientific basis; it is not framed according to any well-defined logical principle; it discriminates against the American farmer and the American laborer; it puts a penalty on the building of industries in our own country and a premium on the building of industries in foreign countries; it furnishes additional employment for no American laborer; it makes a market for no American product; it will lower the prices which the producer receives; it will not permanently benefit the ultimate consumer. Importers and foreign trade journals are gleeful over the prospects of the passage of this bill; our own people are downcast and discouraged under the threat of impending free trade. The only permanent relief that can be obtained from this haphazard method of tariff making is through the maintenance of a reasonable degree of protection based upon facts collected by a tariff commission. As an illustration of how such a commission would work, I submit for publication in the RECORD the following editorial from the National Wool Grower for April, 1913:

WHAT THE TARIFF BOARD PROVED.

Every little while you see some one trying to prove that the report of the Tariff Board showed that the duty on wool should be reduced in order to conform to the difference-in-cost theory. However, anyone who understands the exact findings of the board can not fall into this error.

Now, the board found that the income from sources other than wool in Australia was sufficient to pay the total cost of handling their sheep during the year. This, of course, left the entire wool crop as a profit, and as the income derived from wool alone was found to be $1.31, the net profit per sheep is then $1.51.

In the United States the Tariff Board found that if the income from sources other than wool was deducted from the operating costs, there still remained a charge against a pound of western wool of 11 cents; against a pound of fine eastern wool, of 19 cents; against a pound of crossbred wool in the farm States, nothing. Therefore, to determine what the average cost for the United States is, these three items must be properly weighted by applying them to the number of sheep producing wool at each particular cost.

This then presents the following problem:

Millions of sheep.		Cost per lb.		
35	×	11	equals	385
5	×	19	equals	95
10	×	0	equals	0
50				480

480 divided by 50 equals 9.6.

The above problem gives 9.6 cents as the average cost of producing wool in the United States, even when 10,000,000 sheep are credited with producing wool at no cost whatever. Against this no cost exists for producing wool in Australia when measured on the same basis. Now, before costs of wool production become useful for comparison they must be reduced to the cost of producing scoured wool. As there was no charge against a pound of grease wool in Australia, there is certainly no charge against a pound of scoured wool. In the United States the average charge against a pound of grease wool was 9.6 cents, and as the average shrinkage of our wool is 60 per cent, then the cost of producing a pound of scoured wool is 24 cents, against nothing in Australia. Therefore if we were to be given the full difference in cost of wool production between this country and Australia we would need a tariff of 24 cents per scoured pound.

The woolgrower does not now, and never has, asked for a tariff of 24 cents per scoured pound. What he has asked for in the past has been 18 cents per scoured pound, which is 6 cents per pound below what the board shows he ought to have. However, the woolgrower accepts the spirit of the times, and believes that the party in power desires a reduction in the tariff upon everything, and in accordance with this spirit the woolgrower is willing to stand his share of that reduction and to cooperate with the new administration in bringing this about. But in the readjustment of the schedules the woolgrower will expect to see his industry dealt with fairly. The campaign for the election of President was fought under the promise that the reduction of the tariff would bring injury to no American industry, and the woolgrower expects that in the readjustment of his schedule this pledge will be fulfilled. This is all he is asking.

The Tariff.

EXTENSION OF REMARKS
OF
HON. ANDREW J. PETERS,
OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 2, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. PETERS. Mr. Speaker, under the general permission to print I desire to extend in the RECORD some comments on paragraph 358 of the tariff bill. This paragraph contains the following provision:

Provided, That the importation of aigrettes, egret plumes or so-called osprey plumes, and the feathers, quills, heads, wings, tails, skins or parts of skins of wild birds, either raw or manufactured, and not for scientific or educational purposes, is hereby prohibited; but this provision shall not apply to the feathers or plumes of ostriches or to the feathers or plumes of domestic fowls of any kind.

I desire to insert in the RECORD, in order that the matter may appear completely, the letters which have been sent criticizing this provision and the replies which seem to me to completely answer the objections made to this paragraph.

In answer to the letter of Alfred L. Simon & Co., of New York, I will insert a letter of Dr. John C. Phillips to me of May 7, 1913. Dr. Phillips is an ornithologist of the highest personal character and standing. His study of bird life and experience entitle his opinions to great weight. His personal observations and his contributions to magazines place him as a recognized authority on the subject.

The second letter which I insert is from the Audubon Society, the principal aim of which is the preservation of our bird life, in the aid of which it has done so much.

Extract from letter to Ways and Means Committee.

DEAR SIR:

(1) We beg to refer to that part of Schedule N of the proposed tariff bill which, if enacted, will prohibit the importation of feathers of wild birds, and we would respectfully call your attention to the hardships which its enactment would inflict on the principals and employees engaged in the feather industry.

(2) We would further add that the millinery trade does not employ song nor insectivorous birds to any extent seriously worth the mentioning, and we are perfectly safe in asserting that the song and insectivorous birds that are used would probably be less than one-fiftieth of 1 per cent of the trade in feathers, and these have only been used in the endeavor to realize on stock bought many years ago.

(3) We have read the testimony and briefs submitted to your committee by Messrs. Hornaday & Pearson, and while we appreciate their humane intentions, yet many of their statements regarding the use of some birds must have been based upon false or exaggerated information.

(4) As we understand it, the proposed bill will prohibit the importation of feathers of all wild birds, which would include feathers of game birds such as phesants, grouse, partridge, and wild ducks, and we believe you will agree with us that it would be very unfair to permit the flesh of such game birds to be admitted, and yet prohibit the importation of their feathers.

(5) These few items which we mention form a very large part of the feathers that are used in our trade, and the feathers of food birds, together with the feathers of such birds as are pests in their respective countries, crows, parrots, etc., together with the feathers of the barnyard birds, and if we except the feathers of the ostrich, egret, and paradise, furnish at least 95 per cent of the material used in the fancy-feather industry.

(6) This statement can be verified, we believe, by referring to customhouse records.

(7) We should like to call your attention to another phase of this proposed measure, and that is the difficulty that the customhouses in various parts of the country would have in determining whether feathers come from wild birds or from barnyard fowl.

(8) It is known in the trade—and every honest ornithologist will acknowledge it—that it is very difficult to determine the origin of many feathers when detached from the birds, and while this is a fact as regards crude feathers, when it comes to determining the origin of feathers that have been dyed and manufactured, it is well-nigh impossible to tell accurately the kind of bird the feathers have come from.

(9) To correctly and impartially enforce this proposed law, and any law that can not be impartially enforced we believe you will concede is a poor law, it will be necessary to have an expert ornithologist at every port of entry, and then there will always be questions of doubt.

(10) In order to enforce the law correctly it would be necessary to examine the feathers on every hat brought into the country, either by merchants, or in the possession of wearers, and it would have to go so far that the examiners would have to look into all kinds of bedding, or materials for bedding, quilts, and muffs that are imported, and even the feathers of the eider duck would be disbarred if this bill were to become a law, for this bird is a wild duck the same as mallards, widgeon, brants, etc.

(11) An item against which there is no prohibition is the ostrich feather, and if such a law as the proposed one had been in force in this and other countries 50 years or so ago the incentive to domesticate ostriches would not have existed, and thus a very important industry—that of ostrich farming—would never have started.

(12) As it is to-day, the important houses of the feather industry (and we might say that the individuals are as humane as the rest of mankind) are decidedly against the destruction of bird species, for if a specie were to be annihilated there would be no merchandise to be sold, and so they are encouraging in every way the domestication of wild birds whose feathers are valuable for millinery.

(13) To show you how important a phase this is on the subject, we can tell you that the rhea, the bird that furnishes feathers for the better grades of feather dusters, and which is used to a very great extent in millinery, is now raised on farms in South America, whereas it was only a few years ago when there were no tame rheas in existence; and as it is with the rhea, so it will be with other wild birds.

(14) If this country, which is probably the most important from the consumption of merchandise standpoint, should enact this proposed law, it will put back domestication of wild birds for many years.

(15) We fully recognize that your committee in formulating a tariff had an immense amount of work on its hands and could not give lengthy consideration to every item in the bill, and yet in a fair sense of justice, which we know you entertain, it is only right that both sides of the question should be heard, especially on a proposition which is not of rates, but of an entirely new feature, which has, in effect, the probable ruination of a trade; and while it appears that Messrs. Hornaday & Pearson appeared before your committee to present their views on the subject, we can not find that any representatives of the feather trade—Mr. Dejonch appeared for the flower manufacturers—were present, nor were asked their views on the subject.

(16) If this part of the tariff bill becomes a law it will not alone mean the loss of capital and perhaps bankruptcy for manufacturers and importers through taking away a large part of their business, but will be the means of closing factories in this country, also in Europe, and throw out of employment many thousands of employees, principally women, many of whom have been engaged in that work for many years and would be incapable of earning a living wage in unaccustomed branches.

(17) We have strong faith in the committee's sense of justice and fairness, and we hope to hear from you that you will use every endeavor to have the paragraph that is objected to eliminated.

(18) After giving attention to what we have written, if there is still doubt in your mind on this subject, may we not ask you to let representatives of this trade have a hearing at some time convenient to yourself, either alone or at the same time with representatives of the

societies, which through good motives of a misguided nature put honorable people in peril of financial straits through an unusual method of legislation?

Thanking you in advance for your kind consideration and response to this communication, we are,

Very respectfully, yours,

ALFRED L. SIMON & Co.,
New York.

—

WENHAM, MASS., *May 7, 1913.*

Hon. ANDREW J. PETERS.

DEAR SIR: I have been especially interested in the "extract from the letter addressed to Hon. OSCAR W. UNDERWOOD" by Alfred L. Simon & Co., of New York.

I have examined this letter with care and have answered the different headings in order. My qualifications for the statements to follow are as you know a general knowledge of ornithology and a great interest and some acquaintance with the subject of conservation of animal life.

I have consulted with our State ornithologist and he has made valuable suggestions.

The following gentlemen have read and heartily indorsed the sentiments following:

Mr. Samuel Henshaw, director of the Museum of Comparative Zoology, Cambridge, Mass.;

Mr. Outram Bangs, department of birds and mammals; and

Dr. Thomas Barbour and Dr. Henry B. Bigelow, both curators in said museum.

A long paper could be written on this subject but I have confined myself to its most important aspects and have been necessarily brief.

1. Of course this will be a hardship on a small class of tradespeople for a short time. This is no argument at all.

2. This is a perfectly loose statement. Many birds which are not ordinarily considered insectivorous nevertheless belong to this class, e. g., herons of several species. The important point is of course the protection of species, whether insectivorous or not, when they are threatened with extermination. The æsthetic side must be considered and we have no right to sacrifice nature to the whims of woman and the good of a small trade.

3. I have not seen the brief mentioned but know Dr. Hornaday and Mr. Pearson and am sure they are accurately posted as to the existing conditions. (See Hornaday's book, Our Vanishing Wild Life, 1912.)

4. The largest part of the game birds now imported come from game preserves of the Old World. This does not mean a depletion at all, e. g., English pheasants, mallards, and Scotch grouse. Feathers, however, are another matter, for these can and do come from various exotic species all over Asia, pheasant species which will never be raised on farms or preserves and which are being rapidly trapped and shot by native hunters for the feather trade. (Tragopans, monaul pheasants, and many others.) (See various articles by C. W. Beebe.) The importation of foreign game as now conducted is a legitimate business and involves no extirpation or diminution of species.

5. I do not believe that any more than a very small proportion of birds used for the millinery trade can be called pests. Gulls, terns, albatrosses, rollers, trogans, humming birds, egrets, birds of paradise, etc., are commonly in use. Crows and starlings might be considered pests by some. The use depends on the fashion. The magnificent goura pigeon of New Guinea is now in great demand. This is a species which will be very easily reduced or exterminated, and is one of the finest birds in the world to-day.

6. Custombouse records might be referred to, but would be entirely untrustworthy on account of the lack of special knowledge necessary for this branch of importation.

7, 8, 9. All that is necessary is to prohibit importation of poultry feathers. We have poultry enough over here and there is no reason why we shouldn't learn to "doctor" their feathers as they do in Paris.

10. Eider-duck down will not be disbarred, as downs are allowed. Eider ducks' feathers are seldom if ever used on hats. They can be obtained by legal methods here in the United States.

11. I see no reason why ostrich feathers should not be imported as they can be easily told from the other feathers. However, if they were disbarred it would be a fine thing for our United States ostrich farmers, though it would raise the price of feathers very much at first.

12. This statement would scarcely "go down" with anyone who is at all acquainted with the subject at hand. Whether the milliners are humane or not may be left on the side, but they are without question contributing at the present time to the extinction, or at any rate great reduction of some of our most highly prized birds; birds which can not possibly be replaced; as soon as one species becomes scarce, another one is taken up and pushed, and this war can continue for a long time. There are multitudes of birds, but the worst of it is our finest species suffer most in this trade. We would not complain if the English sparrow became fashionable.

13. I am not informed as to the rhea, but I should like to hazard a guess that there are no large rhea farms in existence. This matter is interesting and should be looked into. We have never heard of milliners encouraging the domestication of wild birds. Very few plumage birds can even be raised economically on farms, as every aviculturist knows.

14. I may be very dense but I fail to follow this train of reasoning. The proposed law can not have any such effect. The reverse would rather be the case.

15. The millinery business does not depend on bird feathers. All sorts of other things are in use. Besides, the feathers of a large variety of game birds and domestic birds can be used in this country. A new business can be started, the preparing of these feathers.

16. This is probably greatly exaggerated. A few importers will be injured. Somebody has got always to feel a change of law such as this is. In the end this should be an actual benefit to home industries. Only importers have really benefited much by this trade.

18. This could probably have been arranged, but it is too late in the day now.

Sincerely, yours,

JOHN C. PHILLIPS.

—

NATIONAL ASSOCIATION OF AUDUBON SOCIETIES
FOR THE PROTECTION OF WILD BIRDS AND ANIMALS.
New York City, May 9, 1913.

Hon. ANDREW J. PETERS,
House of Representatives, Washington, D. C.

DEAR SIR: One of our members, Mr. Frederic H. Kennard, has kindly forwarded to us copies of letters sent to you by the Jordan Marsh Co. and William Filene's Sons Co., both of Boston, in re Schedule N of the tariff bill. We should like to call your attention to the fallacy of the contentions made against this schedule. These contentions are as follows:

"1. There is no humane reason why the feathers of game birds, whose flesh is proper food, should not be used in millinery. All feathers of game birds are excluded in this proposed bill."—The stimulating of an additional demand for the destruction of game birds will doubtless result in the more speedy extermination of these birds. The result of the extermination of so-called legitimate game birds is to bring about a demand for the including in the class of game birds species which certainly should not be so considered.

"2. There is no humane, or any other reason, why the feathers of birds that are killed because they are pests should not be used. These are also excluded in this bill."—Who is to determine what birds are pests? The milliners would certainly not be competent or impartial judges. A great many of the birds that are considered pests in certain localities are distinctly beneficial in other localities. It is not desirable to create a special demand for the killing of any of these; local laws permit their killing where they are locally obnoxious.

"3. Feathers of game birds and pestiferous birds constitute the most important part of all importations."—We deny this assertion. The plumage of egrets, commercially known as aigrettes or ospreys, birds of paradise, goura pigeon, and a number of others constitute the great bulk of the wild-bird feathers used in the millinery business and of the importations of such goods. None of these birds are pestiferous and few, if any, are properly to be considered game birds.

"4. The provision in the proposed law would cause irreparable injury to all those who have anything to do with the millinery trade, both wholesale and retail."—We deny this statement. If a man has been dealing in illegitimate goods, i. e., in goods the commercial use of which is contrary to public policy, prohibition of such dealing is likely to cause him some loss. Legitimate substitutes for such goods will be readily found and already exist for a continuation of the millinery trade.

"5. It would be absolutely impossible to enforce this law justly and reasonably. It can not be determined whether imported, manufactured, and dyed feathers come from wild birds or not."—We deny this statement. It will not be a difficult matter to so arrange under the proposed clause of the tariff act as to permit of importations of feather millinery with far less complications than exist in customs examinations of thousands of classes of goods to-day.

We also desire to refer to the implication that the feather milliners had no chance to be represented at the hearing on this schedule, and that a representative of the artificial flower manufacturers "appeared with the representatives of the Audubon Society." There was no secrecy about the schedule or the hearing thereon and it was the fault of the feather milliners themselves if they were not represented there. As a matter of fact, the representative of the artificial flower manufacturers spoke also for the feather milliners' interests and was supposed to represent them. In fact, the whole plea of the millinery interests is not made in good faith, but is simply an attempt to introduce amendments to the schedule with a view to destroying its whole object.

We are aware of the fact that the tariff bill has already passed the House of Representatives and therefore that, as far as your vote on this schedule is concerned, this explanation would not be necessary, but we desire to have you know the facts in the case, and they may be of value to you in the event that you are able and inclined to use still further influence in behalf of this schedule while under consideration in the Senate.

We trust and believe that you are a supporter of the principle involved in the introduction of this clause.

Very truly, yours,

T. GILBERT PEARSON, *Secretary.*

The Tariff—Admission of Manufactures of Tobacco Free of Duty from the Philippine Islands into the United States.

EXTENSION OF REMARKS
OF
HON. AMBROSE KENNEDY,
OF RHODE ISLAND,
IN THE HOUSE OF REPRESENTATIVES,
Wednesday, May 7, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. KENNEDY of Rhode Island. Mr. Speaker, the tobacco industry of Rhode Island, comprising 65 establishments whose combined capital amounts to $228,146 and the value of whose products is more than one-half million dollars, in the interest of American labor is opposed to the increase in the quantity of cigars to be admitted from the Philippine Islands into the United States free of duty, as contemplated by the proposed Underwood tariff bill. In behalf of those employed in this industry, I wish to offer the following protests from the Rhode Island State Branch of the Cigarmaker's Union, No. 94, and the cigar makers of Pawtucket, R. I., against any increase in the importation into the United States of cigars free of duty from the Philippine Islands:

PROVIDENCE, R. I., *April 23, 1913.*

DEAR SIR: The following resolution is presented to you for your consideration:

Whereas there is now imported into the United States of America 150,000,000 cigars annually from the Philippine Islands free of duty; and

Whereas these cigars are coming in direct competition with the American workmen; and

Whereas the standard of living of the Philippine workman is below that of the American workman we find that it is impossible for the American workman to compete with the Philippine workman: Be it therefore

Resolved, That the Rhode Island State branch, in convention assembled, protests against the importation of these cigars free of duty from the Philippine Islands; and be it further

Resolved, That we urge the American Federation of Labor to protest to the proper authorities to have the law repealed which permits these cigars coming from the Philippine Islands free of duty.

JOHN H. SHEA,
Cigar Makers' Union No. 94.

—

PAWTUCKET, R. I., *April 30, 1913.*

Hon. AMBROSE KENNEDY,
House of Representatives.

DEAR SIR: We, the cigar makers of Pawtucket, R. I., in mass meeting assembled, protest against any increase in number of cigars admitted free of duty from the Philippines. Wages of orientals, 30 cents a day. New England industry can't compete.

Respectfully, yours,

A. E. HOHLER, *Secretary.*

The Tariff.

EXTENSION OF REMARKS
OF
HON. JAMES R. MANN,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,
Monday, May 5, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. MANN. Mr. Speaker, under the general leave granted by the House to print remarks in the RECORD I beg to call the attention of the House to the following instructive statement made by Friedlander-Brady Knitting Mills, Chicago, Ill., relative to knitted gloves and mittens, and of gloves and mittens made of fabric:

THE TARIFF AND ITS EFFECT UPON THE MANUFACTURE OF KNITTED AND FABRIC GLOVES AND MITTENS, COTTON AND WOOLEN, IN THE UNITED STATES.

To the honorable Members of the Sixty-third Congress:

If the tariff bill now before Congress becomes a law the manufacturer in this country of knitted gloves and mittens and of gloves and mittens made of fabric (glove cloth) will be absolutely destroyed. Under the existing tariff foreign-made goods comprise a large percentage of the American consumption of this class of merchandise, and a cut in the duties such as is proposed will entirely remove the American manufacturer as a competitor.

President Wilson has stated that no industry will be ruined by changes in the tariff, and we therefore believe that you will consider our plea, which we know to be a just one.

The manufacture of knitted gloves and mittens began in this country as an industry about 55 years ago. To-day nearly every State has its factories for the making of these goods. Individually the establishments are comparatively small, operating in keen competition with each other, but in the aggregate the investment of capital is large and a large number of people are dependent upon the business for their livelihood.

The Bulletin of the Thirteenth Census of the United States, relating to "manufactures, United States," abstract, page 44, under "Hosiery and knit goods," shows gloves and mittens as follows:

Years.	Pairs.	Value.
	Dozen.	
1909	2,527,889	$7,296,887
1904	2,260,508	5,556,260
1899	1,898,587	4,244,046

Until a few years ago the knitting of double seamless mittens, Exhibit A, comprised the chief article of manufacture in this line, but the knit yarn gloves, Exhibit B, and more recently gloves made of fabric, or glove cloth, Exhibit C, have in a large measure supplanted the knitted mitten.

Fabric gloves are made of finely knitted cloth, but are fashioned in the same way as are fine leather gloves, and those of the better grade have the appearance of suede leather and chamois. In length, buttons, embroidered back, and style of seams the fabric glove closely follows its leather prototype.

The popular demand is for gloves that retail at 25 and 50 cents per pair. For the 25-cent glove the jobber pays from $1.50 to $1.75 net per dozen pairs. For the 50-cent glove he pays from $3 to $3.50 net per dozen pairs. The jobber buys the best value that can be produced at these standard prices.

A glove knitted from yarn or fashioned out of fabric requires skilled labor, and labor is the important element of its cost.

In the United States all knitting and sewing is done at the mills. The time for work is limited to about 50 hours per week, and children are not generally employed. The wages paid for this class of work averages from $8 to $9 per week for females and from $12 to $15 per week for males.

Foreign-made goods, on the other hand, are for the most part produced in the home, where the children often do the work and the hours are not limited. The average wages paid for females is $3 per week and for males from $6 to $7 per week.

Through the Department of Commerce we learned that Thomas H. Norton, United States consul at Chemnitz, Saxony, the home of the industry in Germany, was in the United States on his vacation, and we sent him the following telegram:

CHICAGO, *April 25, 1913.*

To Consul THOS. H. NORTON,
210 Niagara Street, Lockport, N. Y.:

Can you furnish us with information as to wages paid in the knitted-glove industry of Germany? What are the number of hours of work per week, and what are the laws regarding work in the homes and the age at which children may be employed? Kindly wire answer at our expense.

FRIEDLANDER-BRADY KNITTING MILLS.

He replied by letter as follows:

AMERICAN CONSULAR SERVICE,
210 NIAGARA STREET,
Lockport, N. Y., April 25, 1913.

FRIEDLANDER-BRADY KNITTING MILLS, *Chicago.*

GENTLEMEN: Your telegram with inquiries relative to the knitted-glove industry of Germany just received. I take pleasure in furnishing you the following data:

1. The organization of the glove industry in Saxony, in my consular district, is such that the bulk of the work is done by female operatives at home. Factories devoted to the "fabric gloves" are comparatively small. They contain the machines for knitting "glove cloth" in varying degrees of fineness and the necessary equipment for cutting out individual glove. The sewing of the glove, the pointing, hemming, etc., is executed by women and girls, usually in their own homes, at regular rates per dozen pairs. The gloves are returned to the factory to be examined, "finished," attached in pairs, labeled, and packed in cartons ready for shipment. Frequently the dyeing and finishing of the gloves is carried on by a separate dyeing establishment, where often the packing and shipment to customers is effected at fixed rates per dozen. The knitting machines are conducted by male operatives. Hours are usually 60 per week. Wages about $6 to $7 per week. Female operatives in a factory earn about $3 per week. The work of sewers, etc., at home is by the dozen. Women and girls use their time when free from household duties.

2. All-knit gloves are sometimes made entirely in factories; sometimes the yarn is supplied to home workers, who are paid by the dozen. Dyeing, finishing, etc., are performed as above indicated.

3. Laws are now being formulated to bring "home" or "cottage" work more under the control and supervision of factory inspectors. All children must attend school until 14. Practically there is no limitation on the length of time children at any age may be occupied at home in gainful occupations.

4. Very valuable investigations on the extent and character of home industries have been published by trades-union organizations.

I think that my friend Prof. S. P. Orth, of Cornell University, Ithaca, N. Y., has such publications. His recent work on socialism is a notable book, and his studies were carried on at Chemnitz. A prominent Chemnitz editor and author, E. Heilman (address Rerrn Ridakteur E. Heilmann, "Die Volksstemme," Chemnitz, Saxony), could either furnish you with a copy or give you information how to obtain the last annual report on this subject.

The very exhaustive reports on the wage question in this industry were supplied by me to the Ways and Means Committee of Congress in 1908–9 and the "Tariff Commission" in 1910.

I will be glad to furnish you with any additional information required after my return to my post on July 1.

I remain, gentlemen,

Yours, very respectfully,

THOS. K. NORTON.

[See also the Daily Consular and Trade Reports, Jan. 12, 1910, No. 3683, p. 4.]

Because of the great percentage of labor, especially hand labor, which enters into the cost of production, and because of the difference in working conditions and in wages here and abroad peculiar to this business, the manufacture of cotton and woolen gloves and mittens is dependent upon a tariff for the existence of the industry in the United States. While in the past the tariff has encouraged the making of such goods in this country, it has never been sufficiently high so as to exclude foreign importations. Under the existing rate of duty the importations have been quite large, and this is especially true of women's cotton fabric gloves.

Under date of April 26, the Department of Commerce writes us:

"Recurring to your inquiry with reference to the importation of women's cotton and woolen gloves, made on occasion of your visit to this office, I have to inform you that in accordance with our suggestion on that occasion letters were written to the collectors of customs at New York, Philadelphia, Boston, and Chicago, asking for information upon this subject, and copies of their replies are inclosed herewith.

"It is apparent from the statements made in the letters that the collectors of customs do not keep this classification separately, and that statements upon this subject must be compiled from the entries in existence in the various offices. You will see that while the collectors at Boston, Philadelphia, and Chicago have presented figures of imports of a part of all the fiscal year 1912, taken from the entries, the collector at New York states that the preparation of a compilation of this character, to make up for actual entries of the year would be a proposition of such magnitude as to make it a decidedly impracticable measure."

New York is the chief port of entry for gloves and mittens of this class, and figures showing the importations through this port would be very valuable to us, but as these data are not available we must look to the figures furnished by the port of Chicago to the Department of Commerce under date of April 23, 1913, which show the imports for the fiscal year ending June 30, 1912, as follows:

Women's cotton gloves; rate of duty, 50 per cent.

Dozen pairs	64,345
Value	$95,431.00
Duty	$47,715.50

Now, for this same period the value of all imports through the port of Chicago amounted to $23,065,387, while the value of all imports into the United States amounted to $756,200,914.62. Applying the same ratio to women's cotton gloves, it follows that as the importation of women's cotton gloves through the port of Chicago amounted in value to $95,431, the importation into the United States of women's cotton gloves was approximately $3,000,000.

Women's cotton gloves, on which the importations as shown have been very heavy, consist chiefly of fabric gloves. Under the existing tariff rate of 50 per cent ad valorem the manufacture of women's cotton gloves in this country has been small. If the rate is still further reduced, the manufacturing of these gloves in the United States will cease.

As to men's and boys' cotton gloves the tariff handbook (p. 212, par. 265) shows the following:

Item.	Payne tariff.		Estimates for a 12-month period under H. R. 3321.
	1910	1912	
Imports:			
Quantity (dozen pairs)	176,254	86,887	$150,000
Value	$312,947	$88,363	
Average unit	$1.77	$1.03	$52,500
Duties	$218,684	$78,788	(2)
Rate	69.88	(1) 89.17	35.00
Equivalent ad valorem per cent			

[1] 50 cents per dozen and 40 per cent. [2] 35 per cent.

Men's and boys' cotton gloves show imports in 1910 amounting in value to $312,947 (tariff handbook, p. 212, par. 265), or more than double the estimate of $150,000 shown under a rate of 35 per cent ad valorem, as proposed in the Underwood bill. A severe cut in the rate on this class of goods will necessarily stop the manufacturing of men's and boys' cotton gloves in this country.

A tariff rate covering all cotton gloves should take into consideration the present low rate on women's cotton gloves (50 per cent) and the higher rate on men's and boys' cotton gloves (89.17 per cent). A reduction of one third of the rate on men's and boys' cotton gloves and an increase of one-fifth of the rate on women's cotton gloves would give a rate of 60 per cent on all cotton gloves. Under this rate there would still be a chance for the American manufacturer to get a share of the business.

As to woolen knit gloves, it is again necessary to resort to the data furnished by the port of Chicago to the Department of Commerce, which show the imports for the fiscal year ending June 30, 1912:

All-woolen gloves, rate of duty 41 cents per pound and 60 per cent.

Dozen pair	20,083
Weight, pounds	17,443
Value	$27,904.00
Duty	$24,094.20

Using the same proportion as was employed in determining imports of women's cotton gloves, the imports of woolen knitted gloves into the United States during this period amounted in value to over $1,000,000.

As the value of the imports through the port of Chicago amounted to $27,904, and the duties thereon amounted to $24,094.20, the equivalent ad valorem rate of imports on this class of goods figures about 88 per cent ad valorem.

As yarn is the glove knitter's raw material and it is proposed that the tariff on yarns be made 20 per cent ad valorem, the corresponding rate on woolen yarn gloves would figure about 75 per cent ad valorem.

It may be possible for the American manufacturer to operate at a lower rate than 75 per cent, but it will be impossible for him to do so if the rate is reduced under 60 per cent ad valorem.

On silk gloves no data have been obtained.

The following is a tabulation of the results from the data available:

	Manufactures (1909).	Importations (1912).	Payne rate.	Rate H. R. 3321.	Rate recommended.
			Per ct.	Per ct.	Per ct.
Women's cotton gloves		[1] $3,000,000	50.00	35.00	60.00
Men's and boys' cotton gloves		88,363	89.17	35.00	
Woolen gloves		[1] 900,000	88.00	35.00	[2] 65.00
Silk gloves			60.00	60.00	
Total	$7,296,887				

[1] Estimate. [2] Yarns at 20 per cent ad valorem.

Knitted and fabric gloves and mittens should be classified by themselves. They do not belong with "hosiery" or with "knit goods other than hosiery," and under the general division of "clothing or other wearing apparel" the industry is completely lost sight of. The fabric glove has become an important factor in the glove trade. The fine gauge lightweights make an excellent substitute for "kid" gloves in warm weather, while those of heavier material are displacing the less dressy looking yarns gloves. It will be of vital interest to the Government, as well as those engaged in the industry, to have accurate knowledge of the imports and manufactures of such goods.

Cotton and woolen knitted gloves and mittens will probably continue to be retailed at 25 cents and 50 cents, no matter what the tariff may be on this class of goods, for the people who buy them do not use more than one or two pair a year and a cut in price would be no inducement to purchase more. It may mean larger profits to the jobber and to the retailer if they are able to buy their goods in the foreign market at a reduction of 25 cents or 50 cents per dozen pairs, but the consumer will still pay the standard prices of 25 cents and 50 cents.

Whatever may be the case with other wearing apparel, the prevailing prices at which knitted and fabric gloves are sold in the United States are not high, and they have had no part in raising the cost of living. The proposed reduction in the tariff upon these goods means to the consumer a saving at the very most so small as to be negligible, but to the American manufacturer of these goods it means utter impossibility of continuing in the business. This would mean a heavy loss in the value of his materials and merchandise and a total loss of his machinery, while to the skilled operator employed in this industry it means loss of the employment for which he has fitted himself.

Respectfully submitted.

FRIEDLANDER-BRADY KNITTING MILLS,
Chicago, Ill.

The Tariff.

EXTENSION OF REMARKS
OF
HON. JAMES W. BRYAN,
OF WASHINGTON,
IN THE HOUSE OF REPRESENTATIVES,

Friday, May 2, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. BRYAN. Mr. Speaker, throughout the debate on the Underwood tariff bill it has been charged by the Progressives and the Democrats that the Republican Party is so late a convert to the doctrine of a permanent nonpartisan board of tariff experts to report facts relating to rates and to furnish up-to-date information on all the other facts necessary to intelligent tariff revision as to render that party subject to the charge of insincerity and an attempt now to play the opportunist.

It has been pointed out that the Republican Party has had 50 years to establish a tariff board, but that it has uniformly neglected and refused to take steps in that direction, although it had full power so to do.

In turn so distinguished a Member as the gentleman from New York [Mr. FITZGERALD] has asserted that the leader of the Progressive Party in the United States, ex-President Theodore Roosevelt, also failed to suggest that Congress needed such a board of tariff experts until after he left the White House, and the suggestion is made that the Progressive Party is thus chargeable with the same quality of negligence and insincerity as the Republican Party.

The gentleman from New York [Mr. FITZGERALD] is mistaken, and in evidence of his error I submit one of many similar prior utterances of Theodore Roosevelt while he was President of the United States. The following article appears in American Industries, on February 1, 1909:

PRESIDENT ROOSEVELT APPROVES A COMMISSION—WHAT WE REALLY NEED IN THIS COUNTRY IS TO TREAT THE TARIFF AS A BUSINESS PROPOSITION.

A commission of business experts can be appointed whose duty it should be to recommend action by the Congress after deliberate and scientific examination of the various schedules as they are affected by the changed and changing conditions. The unhurried and unbiased report of this commission would show what changes should be made in the various schedules, and how far those changes could go without changing the great prosperity which this country is now enjoying or upsetting its taxable principle.

What we really need in this country is to treat the tariff as a business proposition and not from the standpoint of the temporary needs of any political party. It surely ought not to be necessary to dwell upon the extreme unwisdom from a business standpoint, from the standpoint of national prosperity, of violent and radical changes amounting to the direct upsetting of tariff policies at intervals of every few years.

A nation like ourselves can adjust its business after a fashion to any kind of a tariff. But neither our Nation nor any other can stand the ruinous policy of readjusting its business to radical changes in the tariff at short intervals. This is more true now than ever it has been before, for, owing to the immense extent and variety of our products, the tariff schedules of to-day carry rates of duty on more than 4,000 articles.

Continual sweeping changes in such a tariff touching so intimately the commercial interests of this Nation, which stands as one of the two or three greatest in the whole industrial world, can not but be disastrous. Yet, on the other hand, where the industrial needs of the Nation shift as rapidly as they do with us, it is a matter of prime importance that we should be able to readjust our economic policy as rapidly as possible and with as little friction as possible to these needs.

We need a scheme which will enable us to provide a reapplication of the principle to the changed conditions. The problem, therefore, is to devise some plan by which these shifting needs can be recognized and the necessary readjustment of duties provided without forcing the entire business community, and therefore the entire Nation, to submit to a violent surgical operation, the mere threat of which and, still more, the accomplished fact of which, would probably paralyze for a considerable time all the industries of the country.

Such radical action might very readily reproduce the conditions from which we suffered 16 years ago, in 1893. It is on every account most earnestly hoped that this problem can be solved in some manner into which partisanship shall enter as a purely secondary consideration, if at all—that is, in some manner which shall provide for an earnest effort by nonpartisan inquiry and action to secure any change, the need of which is indicated by the effect found to proceed from a given rate of duty on a given article; its effect, if any, as regards the correction of a substantial monopoly; its effect upon domestic prices, upon the revenue of the Government, upon importations from abroad, upon home production, and upon consumption.

My personal preference would be for action which would be taken only after preliminary inquiry, and upon the findings of a body of experts of such high character and ability that they could be trusted to deal with the subject purely from a standpoint of our business and industrial needs.

The health of the community will be subserved by treating the whole question primarily from the standpoint of the business interests of the entire country, rather than from the standpoint of the fancied interests of any group of politicians.

The Tariff.

EXTENSION OF REMARKS
OF
HON. WARREN W. BAILEY,
OF PENNSYLVANIA,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, April 26, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. BAILEY. Mr. Speaker, in the course of a short address in the House yesterday the Hon. SAMUEL W. SMITH, of Michigan, declared that the Democrats could not point to any free trade or tariff for revenue legislation which did not injuriously affect all our industries. He said:

It is not possible for one of you gentlemen to point to any free trade or tariff for revenue legislation in this country under which we have not had results like we had in 1837, in 1857, between 1893 and 1897, and I am frank to say to-day that I would like to have somebody give to the country some consolation and comfort that we can hope that this bill will be an exception to every other tariff for revenue or free-trade piece of legislation written on the statute books.

Were we to produce the testimony of Democratic authorities or even the testimony of disinterested and impartial observers to prove that the Walker tariff law (under which the lowest tariff duties were levied) produced the greatest period of prosperity this country has ever known, our Republican friends would say that we were attempting to falsify history for political effect.

Therefore I will produce the testimony of a man who for a generation was the acknowledged and undisputed national leader of the Republican Party; he was Speaker of this House, a Member of the Senate, the Republican candidate for the Presidency in 1884, and Secretary of State under two Republican administrations. I have reference to your great popular idol, James G. Blaine. As a philosophical historian he was obliged to confine himself to the facts and tell the whole truth in his admirable work, Twenty Years in Congress. In that great work he said:

The Whig victory of 1848 was not sufficiently decisive to warrant any attempt, even had there been a desire, to change the tariff. Gen. Taylor had been elected without subscribing to a platform or pledging himself to a specific measure; and he was therefore in a position to resist and reject appeals of the ordinary partisan character. *Moreover, the tariff of 1846 was yielding abundant revenue; and the business of the country was in a flourishing condition at the time his administration was organized. Money became very abundant after the year 1849; large enterprises were undertaken, speculation was prevalent; and for a considerable period the prosperity of the country was general and apparently genuine. After 1849 the Democrats had almost undisputed control of the Government and had gradually become a free-trade party. The principles embodied in the tariff of 1846 seemed for a time to be so entirely vindicated and approved that resistance to it ceased, not only among the people, but among the protective economists and even among the manufacturers to a large extent. So general was this acquiescence that in 1853 a protective tariff was not suggested or even hinted by any one of the three parties which presented presidential candidates.*

It was not surprising, therefore, that with a plethoric condition of the National Treasury for two or three consecutive years the Democratic Congress in the closing sessions of Pierce's administration enacted what has since been known as the tariff of 1857. By this law the duties were placed lower than they had been at any time since the War of 1812. The act was well received by the people and was indeed concurred in by a considerable proportion of the Republican Party. * * *

(Page 202.)

The free traders consider the tariff of 1846 to be conclusive proof of the beneficial effect of low duties. They challenge a comparison of the years of its operation, between 1846 and 1857, with any other period of the history of the country. Manufacturing, they say, was not forced by a hothouse process to produce high-priced goods for popular consumption, but was gradually encouraged and developed on a healthful and self-sustaining basis not to be shaken as a reed in the wind by every change in the financial world. *Commerce, as they point out, made great advances; and our carrying trade grew so rapidly that in 10 years from the day the tariff of 1846 was passed our tonnage exceeded the tonnage of England. The free traders refer with special emphasis to what they term the symmetrical development of all the great interests of the country under this liberal tariff. Manufactures were not stimulated at the expense of the commercial interest. Both were developed in harmony, while agriculture, the indispensable basis of all, was never more flourishing. The farmers and planters at no other period of our history were in receipt of such good prices, steadily paid to them in gold coin, for their surplus product, which they could send to the domestic market over our own railways and to the foreign market in our own ships.*

Now, I admit that the low duties under the tariff law of 1833 were a factor in producing the industrial depression of 1837, and that the low duties under the tariff law of 1846 produced the industrial depression of 1857; but they were not produced in the way the Republicans imagine. The fact is that low duties have always and everywhere produced periods of marvelous material prosperity; that this prosperity has naturally and necessarily increased the demand for land; the increased demand for land has increased its economic value, and this in turn has led to land speculation. The speculative advance of land values tends to force capital and labor to less productive fields, thus reducing their proportionate shares in the aggregate wealth produced by their combined efforts. It is evident that speculative rent can only advance at the expense of labor and capital, and that the only way that they can counteract the forcing down of wages and interest is by the cessation of production.

Take any industrial community in which population is increasing and the consequent cooperation of individual powers is developing old industries and creating new ones, and land must increase in value, constantly and continuously. This assured increase of land values naturally leads to speculation, in which future increase is confidently expected, and speculative values are forced beyond the point at which, under the normal conditions of production, their usual earnings would be received by labor and capital. Their failure to receive their just returns disposes them to stop production. This cessation of production at some parts of the industrial system must necessarily show itself at others in a lessening of effective demand, which retards production there, and thus the depression communicates itself through the whole industrial system, resulting ultimately in widespread industrial depression. This is how seasons of marvelous material prosperity and progress have produced industrial depressions and financial panics.

The taxation of land value, irrespective of improvements, would remedy this by destroying the incentive to land speculation.

During this debate much has been heard from the other side of the Chamber regarding the low labor cost of production abroad in comparison with labor cost in the United States. I deny that we are at any such disadvantage, and I reassert the proposition that ours is actually the cheapest labor on earth. And in this connection I want to call attention to the testimony of Mr. Frank A. Vanderlip, a Republican of high standing, formerly a Secretary of the Treasury, and to-day regarded as one of the foremost business men of the country. He went abroad soon after his retirement from the Treasury Department to study the commercial and economic conditions of Europe, and on his return he wrote a series of articles for an American magazine, not included in the "yellow" or muckraking class, on "The American commercial invasion of Europe." Let me quote from Mr. Vanderlip to show the lifeless of the talk on the other side of our inability to cope with European competitors on account of our so-called higher wages and higher standard of living. Here is what that eminent Republican authority says:

THE AMERICAN COMMERCIAL INVASION OF EUROPE.

(By Frank A. Vanderlip, in Scribner's Magazine, January, 1902, p. 10.)

American locomotives, running on American rails, now whistle past the Pyramids and across the long Siberian steppes. They carry the Hindu pilgrims from all parts of their Empire to the sacred waters of the Ganges. Three years ago there was but one American locomotive in the United Kingdom; to-day there is not a road of importance there on which trains are not being pulled by American locomotives. The American locomotive has successfully invaded France. The Manchurian Railway, which is the real beginning of oriental railway building, bought all its rails and rolling stock in the United States. American bridges span rivers on every continent. American cranes are swinging over many foreign moles. Wherever there are extensive harvests there may be found American machinery to gather the grain. In every great market of the world tools can have no better recommendation than the mark "Made in America."

We have long held supremacy as a producer of cotton. We are now gaining supremacy as makers of cloths. American cottons are finding their way into the markets of every country. They can be found in Manchester, as well as on the shores of Africa and in the native shops of the Orient. Bread is baked in Palestine from flour made in Minneapolis. American windmills are working east of the Jordan and in the land of Bashan. Phonographs are making a conquest of all tongues. The chrysanthemum banner of Japan floats from the palace of the Mikado on a flagstaff cut from a Washington forest, as does the banner of St. George from Windsor Castle. The American typesetting machines are used by foreign newspapers, and our cash registers keep accounts for scores of nations. America makes sewing machines for the world. Our bicycles are standards of excellence everywhere. Our typewriters are winning their way wherever a written language is used. In all kinds of electrical appliances we have become the foremost producer. In many European cities American dynamos light streets and operate railways. Much of the machinery that is to electrify London tram lines is now being built in Pittsburgh. The American shoe has captured the favor of all Europe, and the foreign makers are hastening to import our machinery, that they may compete with our makers. In the Far East, in the capital of Korea, the Hermit Nation, there was recently inaugurated, with noisy music and flying banners, an electric railway, built of American material by a San Francisco engineer, and now it is operated by American motormen.

Also, in Scribner's Magazine of February, 1902, page 202:

In Vienna I met an American who is at the head of one of the large boiler works in this country. He has been interested in making comparisons of the cost of labor and of the methods of work in the Viennese factories, and I found him amazed at the wasteful methods and

the high labor cost that resulted from the Austrian manufacturers failing to use modern machinery.

"I was informed in one shop," he told me, "that a boiler of about 150 horsepower cost for labor alone $750." That boiler would have been built in an up-to-date shop in America for a labor cost of $150. In the United States three workmen with modern tools would accomplish as much in one day as would be done by four workmen in a Vienna shop working one week. The cost of labor in the United States would be about $5, the men receiving for this class of rough work a little more than $1.50 a day. Of the four men in the Vienna shop, two would receive 80 cents a day, one 60 cents, and one 40 cents; but even at those low wages the total labor cost there would be $15.60 against about $5 with us. I found an almost total absence of labor-saving machinery in some of the largest shops in Vienna; plates were being handled by hand; there were no riveting machines, no traveling cranes, no modern hoists.

The Tariff.

EXTENSION OF REMARKS
OF
HON. JAMES R. MANN,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,

Tuesday, May 6, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. MANN. Mr. Speaker, under the general leave to print granted to Members, I insert herewith in the RECORD an address to the Republicans of New Britain, Conn., by Hon. Ebenezer J. Hill, for many years a Member of this House prior to this session. Mr. Hill was one of the ablest and most industrious and capable Members which the House of Representatives ever possessed. Honest with others and honest with himself, he was an indefatigable digger after facts, especially those which relate to tariff matters, and any statement by him is an enlightening contribution on the tariff subject.

An address to the Republicans of New Britain, Conn., by Hon. E. J. Hill, Tuesday, April 29, 1913.

"WHAT SHALL THE HARVEST BE?"

The campaign of 1912 was won upon an honest declaration in the South that there was no constitutional tariff except a tariff for revenue only, and in the North by the declaration that in attaining it "no legitimate industry would be injured or destroyed."

With all of our industries developed and built up under the policy of protection for the past 50 years the two utterances are absolutely inconsistent, and the victory came, therefore, as the result of conflicting declarations by the party and misunderstandings by the people, of course supplemented by disastrous division in the ranks of the Republican opposition with reference to other questions.

THE OUTCOME.

The outcome is an administration with not a New England man in it for the first time in our Nation's history.

It is composed throughout of those who are honest, conscientious believers in a theory which, from the New England standpoint, is, in its practical operation, far more disastrous than absolute free trade, for a duty which eliminates protection from the finished product and surrenders the home market to a lower foreign cost of production is, under this plan, supplemented by a revenue duty upon raw material, which makes our access to foreign markets impossible to many existing industries.

The election gave to the country a House of Representatives peculiar in many respects.

It is said that for the first time in 50 years there is not a Union soldier on the Republican side and but one on the Democratic.

The last Congress, with 63 Democratic majority, repealed the requirement of proof of loyalty in establishing claims to captured and abandoned cotton at the close of the war, and opened the Treasury doors to demands for the refunding of millions of dollars legitimately expended for national purposes a half century ago.

It authorized longevity pay for Lee and Jackson and all the officers of the Army who resigned to enter the Confederate service.

It spent $87,000,000 more than any Republican Congress ever appropriated.

At the same time and in compliance with party instructions it attempted to pass six tariff bills, which would have decreased the revenue by $65,000,000 annually, and if they had not been stopped by the presidential veto the Treasury deficiency for 1914 would have approximated $150,000,000.

In one of these measures alone nearly five billions of American products would have been put on the free list and exposed to the unrestricted competition of the world.

And yet, in face of such a record, the House majority of 63 was increased to 145 and the Senate was changed to a Democratic majority of 6.

"WHAT SHALL THE HARVEST BE?"

With the cry that the people must rule, a party that is in a minority of 2,000,000 of the popular vote is now doing what it tried to do before the election—reversing the historic policy of the Nation—and doing it by the binding vote of a sectional majority in a party caucus.

On the 3d of March I was talking with a northern Democrat who was about to retire from Congress.

The welfare of his State is largely dependent upon its production of sugar, lead, and wool, and all had been heavily hit by the attempted legislation.

I said to him, "How did you enjoy the privilege of being bound to vote on these things without having seen the bills before you went into caucus, and without being given time to read them when you got there?"

His reply was, "We went into the caucus blindfolded and were carried out hog tied, and I am glad I am through with it."

If the Republican Party had ever attempted to enact tariff legislation in that way it would have deserved and received the severe condemnation of the American people.

The Democratic Party is rewarded by having their majority doubled.

And now, relying as before upon a southern majority secured by a representation which bears no relation to the popular vote, and serenely confident in the persuasive force of patronage withheld from the northern contingent, a slight concession is made to legislative decency, and permission given for a reading of the bill and for amendments to be uselessly offered, because they are foreordained to overwhelming defeat.

A SCREAMING FARCE.

As a good illustration of a screaming farce I quote from recent reports from our local papers:

WASHINGTON, *April 11.*

Representative JEREMIAH DONOVAN made his debut on the floor of Congress when he arose in the Democratic caucus and stated that the manufacturers of hats in his district as well as those of several other industries were of the opinion that the cut in the tariff had been more severe than these manufacturers had wished.

Leader UNDERWOOD good-naturedly responded to the Connecticut Congressman by stating that the Democratic Party had gone before the people with a plan to lower the tariff, and that he believed that Connecticut had wanted it lowered because of the fact that she had sent five Representatives to Congress.

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WASHINGTON, *April 15.*

The Connecticut Congressmen showed the most spunk of all the Members in the House Democratic caucus Saturday. Congressman REILLY, supported by Congressman DONOVAN, presented amendment after amendment to the Underwood tariff bill, to go down to defeat each time with nearly two-thirds of the Members present standing by the bill as it was presented. The Connecticut Members who want the reduction of the tariff to be on a more gradual scale than the plan proposed took their defeat gamely.

The amendments offered by Mr. REILLY called for an increase in the proposed duties on wood screws, builders' hardware, clocks, double-barreled and breech-loading shotguns, machine tools, and numerous other articles in the iron and metals schedule.

While there were undoubtedly a number of the listeners to the Connecticut Congressmen who believed that there was merit in their arguments, it was quite evident that the whips of the Ways and Means Committee fear that any single amendment to the bill might cause a break in the program that would cause wholesale amending.

Think of it! "Tom and Jerry," the innocent twins, doing the Chinese act called "saving their face."

In the last Congress Mr. REILLY of Connecticut voted to put machine tools on the free list, and for the identical rates on the other things which he now says are too low.

He knew then that the bill would be vetoed by a Republican President.

He knows now that it will be approved by a Democratic one, and he fears the result at home, for I am told that for a week before the last election he advertised in the local papers that he stood for protection to all of the products of Connecticut.

And his colleague, Mr. DONOVAN, also, according to the Bridgeport papers of October 17, 1912, closed a speech that night by saying that "he was a free trader himself when it came down to free beef and the commodities of life, but was for a just protection of all things made in Connecticut."

Their colleague, Mr. LONERGAN, was more prudent, for when he was before the Ways and Means Committee in January he said "he was for protecting Connecticut tobacco," but declined to commit himself on woolen goods until he knew what the committee was going to do about them.

Since I have read the pending bill and found that the present limit of 150,000,000 cigars from the Philippines, for which I voted and for which I was denounced by Mr. DONOVAN to the cigar makers all through the campaign, is now to be taken off so that an unlimited amount can be brought in free, I have wondered if either of them will have nerve enough to bolt the caucus and vote with the Republicans on the final passage of the bill.

Why not be brave like Mr. KENNEDY of Connecticut, who, if correctly reported, says, "He likes his dose," and that a Waterbury manufacturer has told him that it will do no harm, anyway?

Out of 290 Democrats in the House, 5 are from the manufacturing State of Connecticut, nearly 60 to 1 against them from southern cotton fields, from western prairies, and the Mountain States.

If favorites are to be played and fundamental principles ignored, it will be a cold day for the working men and women of Connecticut.

Let our little heroic band come out boldly and stand for their newborn convictions, for they will never be missed among so many.

And if they were, their places will be filled by men from Western States, who were once Republicans and would be now but for the strangle hold with which ambition has fastened its grip upon them.

Last summer I said to one of their leaders: "What are you trying to accomplish?" And his answer was: "I am out to beat Taft and kill your damned New England tariff."

These cases to which I have referred are not isolated ones.

In the tariff hearings last January it was shown that all of the congressional candidates in California last fall—Republican, Democratic, and Progressive—were pledged to protection for the products of California, and left free to exercise their judgment upon the products of other States.

The same thing was said to be true of Louisiana and Florida.

Shades of Washington, Clay, and Randall, men who lived and died in firm belief in the doctrine of protection to American labor and American industry, to such a complexion has your party come at last.

NEW METHODS DEMANDED.

The fact of the case is that with a country as large as ours, with interests so enormous and so diversified, with due regard to the welfare of a hundred million people living under different climatic conditions and reaching halfway round the world, the old ways of political tariff making must stop.

The industrial earthquake which has shocked this Nation four times in the past 20 years, and which we are now having again, is an economic crime which no other people would tolerate and which I am sure no other people could survive.

Great Britain confines her free-trade policy to an area less than that of the single State of California, and permits her self-governing colonies to make tariffs for themselves suitable to their own conditions.

The time must come, and must come soon, when the industrial welfare of this great Nation shall no longer be determined by the guesswork of temporary political favorites, but shall be based upon the thorough, exhaustive, and world-wide study of the basic facts of each industry by a nonpartisan permanent tariff commission.

A public report must be made by them and actual conditions shown to the people, and no changes made except with reference to subjects thus investigated.

This is the practice in Europe now, and it can and should be so here.

When the Philippine tariff was made four years ago it was fully discussed by the Manila Chamber of Commerce before it went to the Philippine Assembly, and when it came here for action by Congress, as chairman of the subcommittee in charge of the bill I called in my Democratic colleagues for joint and open consideration of it, and the same policy was pursued in the conference committee of the House and Senate.

There was no secrecy about it from start to finish, and should be none in making our own tariff.

The injury that is done to great industries by secret conferences, by logrolling and political trade and dickers, is infinitely greater than the entire amount of the tax involved.

No better illustration of this could be found than that afforded by the pending revision.

Six months ago the Democratic Party proposed and voted to put a duty on wool and to make sugar free. To-day the same party proposes to put a duty on sugar and make wool free, and it has no reason to give for either action except political exigencies, utterly regardless of the welfare of either of these great industries.

We collect every year more money from internal revenue than we do from customs, and do it at about one-half the expense.

Nobody dreams of making that a political question.

It is treated as a business proposition purely, and there is no reason why the making and administration of any form of a customs law should not be put upon the same basis.

MISUNDERSTANDING AND ENLIGHTENMENT.

But aside from declaring that there was no legal tariff, except one imposed for revenue only, the Democratic platform promised that in the attainment of that result "no legitimate industry should be injured or destroyed."

What did that mean? Woodrow Wilson knew that it meant that no industry built up on an illegal foundation could itself be legitimate, and he boldly and courageously announced, in his first public utterance after his nomination, that while the business which stood on its own bottom had nothing to fear, others "had everything to fear if all they had under them was the prop of a tax."

But the country understood it to mean that trusts and combinations would receive no consideration, and over and over again in the tariff hearings, Democrats, in their protests against reduction of duties, coupled their assurances of sympathy with the party policy with declarations of the legitimate character of their own industries.

Citrus-fruit growers from Florida and California, manufacturers from Massachusetts and Connecticut, cattle raisers from Texas, sugar planters from Louisiana, and even a member of the electoral college of the State of New York who had stumped the State for Wilson, all asserted that they were carrying on honest business enterprises, and that the elimination of adequate protection would be destruction to their industries and a flat violation of the party platform.

When the committee could stand it no longer, it was authoritatively announced by Mr. FRANCIS BURTON HARRISON, speaking for the committee, that the word "legitimate," as used in the Democratic platform, was interpreted by the committee to be "economically legitimate," and that it bore no relation to trust-controlled products, which another clause of the platform directed to be put on the free list.

This definition put squarely into the class of illegitimate industries every one "sustained by the prop of a tax," and left men who thought they were honest, who believed they were working and struggling for the common good of their State and Nation, to be classed hereafter as outlaws and plunderers of the people.

Men high in the councils of the party did not hesitate to denounce it as an outrage, and declare their intention to repudiate the party which was responsible for it.

Think if you can of any productive industry in this country, where the highest wages in the world are paid, which is not the beneficiary of the protective system.

Over and over again in the hearings men were asked if they could compete on a free-trade basis if they could have the same wage scale as their foreign rivals, and the reply was invariably in the affirmative, but that it was impossible unless conditions were equalized, and that was all they asked.

It inevitably follows, therefore, that if protection is unconstitutional, under the definition of the committee, there is no "legitimate industry in this country," for even the American market place itself is sustained by the prop of a tax on all competing products.

Relying on this promise, manufacturers, hoping for cheaper raw materials and lower wages for labor, and assuming, of course, that their own business was legitimate, voted the Democratic ticket.

Relying on this promise, workingmen, believing that a lower cost of living would result from tariff revision, and if no legitimate industry was to be injured or destroyed, that their own wages could be maintained by the power of their unions, voted the Democratic ticket.

Progressives, sincere and enthusiastic in their desire for many social reforms for which the times seemed ripe, declared for extreme and radical protection in their own platform, and then, relying on this promise, put candidates of their own in the field, thus dividing the protective vote, or went clear over to their old-time opponents and voted the Democratic ticket.

It was a new Armageddon, with the hosts of the Lord on the devil's side.

Never in the history of American politics was a greater bunko game played than that to which honest American business now finds itself exposed, by relying upon the promises of the Democratic Party.

PROTECTION A NATIONAL POLICY.

The purpose of the first tariff act passed by this Nation on July 4, 1789, was declared to be "for the discharge of the debts of the United States and the encouragement and protection of manufactures."

For three-quarters of a century the right of labor to own itself or be owned by a master was fought out with human slavery, backed by the self-styled aristocracy of the South, on one side, and freedom, embodied in the sturdy yeomanry and artisans of the North, on the other, until in '63 slavery went down in war and ruin, and the dignity of free labor became the priceless possession of popular government.

From that day to this our growth has been the wonder of the world.

In the last 10-year census period alone the increase in manufacturing investment has been from nine to eighteen billions, in farm values from twenty to forty billions, in all bank deposits from seven to fifteen billions, and in savings banks alone from two to four billions of dollars.

That Connecticut has had her share of this prosperity is shown by the fact that during this same period her savings bank deposits increased by more than $90,000,000, or more than 51 per cent.

But it is claimed that this great prosperity has not been equally distributed among all classes.

That is undoubtedly true, now, for it always has been and always will be true, under any system of taxation, and is just as true under English free trade as under American protection.

And yet all have been lifted up together.

Those things which were the luxuries of former years are necessities now.

The separate cottage has replaced the tenement house.

Homes are better furnished; there is better food and more of it; wearing apparel more tasty, better designed, and at lower cost; shorter hours of labor, and the children in school with education as a right and not as a privilege; factory inspection and sanitation; compensation for injuries; free hospitals; free libraries; and to those who have lived here long enough to learn American ways and methods, wages with a purchasing power for the necessities of life far beyond that of any time in the history of this Nation and so far beyond that of any other nation that during this same 10-year period 8,000,000 people from other lands have left their homes and come here to share in our prosperity.

Protection gives opportunity to all, but the greatest fortunes of to-day are not the result of protected manufactures.

Vanderbilt, Gould, Huntington, and Harriman gathered their millions in the field of transportation; Morgan, Stillman, and Baker in banking; Astor, Stewart, and Marshall Field in trade and merchandising; Rockefeller and his associates in the collection and distribution of a natural product of the earth; Clark, Hearst, Daly, and the millionaires of the Mountain States from the mines of copper and silver and gold; and Pulitzer, Munsey, and Bennett from publications.

Others, after weary years of toil and struggle, have won success by fortunate inventions and coined their thoughts into untold millions from the patents given them by the laws of every nation.

Others still, by skill and daring on the stock exchange or in the produce markets, have made great fortunes for themselves.

But these were geniuses in their chosen fields, and where a few hundred have been successful a million others have been failures, and the protective system has neither brought success to the one nor failure to the other.

What it has done has been to equalize conditions of production between this and other countries, to protect the standard of wages in a young and expanding nation from the deadly competition of the congested centers of Europe, and to give to countless millions here a fair chance in life for better things than were possible in other lands.

A SURRENDER TARIFF.

To such a nation the order now comes to put on the brakes and reverse the wheels of progress, to surrender the best market place in the world, with one-third of the world's consuming power, in order to secure the effective foreign competition which President Wilson says must be the object of tariff duties henceforth laid—"the whetting of American wits by contest with the wits of the rest of the world."

From such a contest, on equal terms of wages and social conditions, no American has ever shrunk or ever will.

Is it not enough that the gates of Ellis Island are flung wide open to the free admission of those who come from every land to cast in their lot with us and share for good or ill in this Nation's growth?

Shall we add to this the free admission of the products of those who remain behind, held there like slaves at their daily task at a wage which means for them a bare existence only?

It is a contest of wages, not of wits—of the cold, hard facts of life and not of dreams—to which the President invites the working men and women of this Nation, to the end that the importation of foreign products may be increased, for the sole purpose of taxation and increased revenues at the customhouse.

To the men and women of to-day, born and brought up under the policy of a protective tariff, such a statement seems incredible.

During all their life it has been instilled into their minds that, industrially and commercially, it was far better for this Nation to produce those things which our climate, soil, and resources made possible, and so be independent in time of peace and self-reliant in time of war.

In pursuance of this policy luxuries have been taxed by all parties to just short of the point of reduced consumption and diminished returns.

Under Republican policy the things which we can not produce are admitted free of duty and the things the like of which we can and do produce are taxed to the point of equal conditions of production and thus put on a basis of fair competition.

The proposition is now to tax the things which we do not produce and also give to other nations an unfair advantage on the things the like of which are natural products here.

It is precisely what South Carolina demanded for the whole Nation in 1828 and precisely what the Southern Confederacy prescribed for themselves in 1861; and it was right from their standpoint, for with the single product of cotton, in which they had a world monopoly, sold in a free market they felt that they had a right to buy the things they consumed in the free markets of the world.

To the whole Nation to-day, however, it presents the square alternative of salaries, wages, and home standards cut down to the European level or a surrender of the home market to foreign competitors.

The hearings on the proposed bill, the rates of duty in the bill itself, and the provisions for future administration all lead straight to this conclusion.

COMPETITION ENFORCED.

At the hearings on Schedule B, Mr. W. E. Wells, of East Liverpool, Ohio, representing the white and decorated tableware industry, had shown that $22,000,000 worth were imported as against $16,000,000 worth made here.

He declared "that the foreigner has now, as he always has had, the better part, the larger part, of the American market."

In the general discussion which followed Chairman UNDERWOOD said:

I will state, and I think I state correctly the judgment of the committee, that the real issue is whether the present rate is competitive or not. I think the witness has clearly shown competition of a large percentage on the products involved in this industry. That is the governing reason, from our standpoint, in fixing a revenue tariff, because without competition we can not have revenue.

And yet, notwithstanding this showing, this industry was heavily cut in the new bill.

WAGES SACRIFICED TO REVENUE.

In the hearings on Schedule C, during the questioning of Mr. John A. Topping, president of the Republic Iron & Steel Co., the following significant statement was made concerning wages and revenue:

The CHAIRMAN. If we are levying this tax for revenue—and even our Republican friends expect to raise funds to support the Government—you will have to let enough come in to produce revenue. There must be enough importations come into the country to produce a reasonable amount of revenue. If we are not going to allow that, we might adopt the policy of building a Chinese wall of law and say that nothing shall come in.

Mr. TOPPING. Your total revenues under Schedule C in 1911, as I remember the figures, were about $18,000,000. If my figures are correct, and they are approximately so, with our annual pay rolls of approximately $322,000,000, and you bring about a reduction of only 10 per cent in wages, you are sacrificing $32,000,000 in order to stimulate a little increase in your revenues under Schedule C.

The CHAIRMAN. We can not mix up the proposition of benefiting the people by raising wages and losing revenue. As long as we pursue this policy of raising a large portion of our revenue at the customhouse—and I think this committee expects to do so—we must levy on articles at a rate that will produce revenue; and there is no reason why we should raise a large amount of revenue from one schedule and not from another.

Later in the hearing the question of area of competition in this country affected by the bill was under consideration, and Mr. UNDERWOOD said:

We will strike a compromise. Assuming that it was 25 per cent—assuming that in 25 per cent of the market you will have competition that you will have to meet from abroad, are you going to break your price and your chance to make profits on the other three-quarters of the market in order to come down and drive English competition or German competition out of that competitive zone?

Mr. TOPPING. Just as soon as you inject into this market 25 per cent supply of foreign stuff, just so soon will you unsettle the values of the entire market of the United States.

Again it was shown that a surrender of the market was to be made for revenue purposes.

Mr. Topping said:

The return to capital invested in foreign works has been greater abroad than it has been at home. Why should we impair our prosperity by exposing our markets and our labor unnecessarily to this surplus? You only stimulate us to need it by reducing our price and reducing our profit. The Government does not accomplish anything if it is the people that are hurt.

The CHAIRMAN. That is not what we want.

Mr. TOPPING. You want revenue.

The CHAIRMAN. We want you to surrender a very small part of your market for the benefit of the Government.

When Mr. Topping was about to conclude his testimony, the following protest was made:

Mr. HILL. I want to dissent most emphatically from one statement that has been made. I want to enter my protest right now against the proposition advanced here to-night that it is necessary to surrender a material portion, which, I think, has been stated at 25 per cent several times——

Mr. TOPPING. Yes.

Mr. HILL. Of the American markets to foreign producers to raise revenue as a matter of necessity.

Mr. TOPPING. That is right.

That protest was based on the fact that under the present law there had been:

A surplus revenue in 1910 of $15,806,323.94.

A surplus revenue in 1911 of $47,234,377.10.

A surplus revenue in 1912 of $37,224,501.90; and everything pointed to a still larger surplus for 1913.

BEFORE ELECTION AND AFTER.

On Wednesday of last week, Mr. UNDERWOOD, speaking in the House, declared that a new era in tariff making had come upon the country.

I think he misspelled one word.

It should have been "error" instead of "era."

But he ridiculed the idea that it was possible to make a tariff measured by the difference in cost of production at home and abroad.

I cite once more from the hearings to show that Democratic promises concerning "competitive tariffs," as well as "legitimate industries," are one thing before election and entirely another afterwards.

W. C. Temple, an orange grower of Florida, said that he never had voted anything but the Democratic ticket.

He pleaded the promises of the party as follows:

I have before me an alleged interview with Mr. UNDERWOOD, of Alabama, published in the Metropolitan Magazine, in which it is stated that Mr. UNDERWOOD said, and, Mr. UNDERWOOD, I hope you are correctly quoted:

"If you make your tariff rates balance the difference in cost at home and abroad, including an allowance for difference in freight rates, and stop there, the tariff will be competitive. It will permit the growth of free competition."

The CHAIRMAN. I think that is true, but I do not think it is true that you have that condition here now, with exportations and American consumption running into many millions of dollars, and importations fallen off from $3,000,000 down to about $100,000. It seems to me that this tariff is prohibitive, protecting producers' profits, and not competitive. I would like very much for you to suggest to the committee what would be a competitive rate whereby we may get a reasonable amount of revenue.

Mr. TEMPLE. Mr. UNDERWOOD, that is all I ask, and that is all my people ask. If it is true that foreign labor is very much lower than our own, that their cost to produce under present conditions are sufficiently lower on the labor item alone, and their cost of transportation is sufficiently below our cost of transportation to make our present tariff no more than enough to offset that difference, am I not justified in supposing I am in the house of my friends and that they will protect us or recommend protection to that extent?

To which Mr. UNDERWOOD replied in part as follows:

What we want to-day is, in arranging this tariff, and I think what the committee wants to do, and especially in reference to oranges, is to get a reasonable amount of importation, so we can get a reasonable amount of revenue. That is what we expect from the duty. You must take that portion of competition.

Unequal and unfair competition on the things we make; unequal and unfair competition on the wages of the men and women who make them.

This is the harvest which we are to gather from the seed sown last November.

Even the freight rates from foreign factories to our markets are to be in effect eliminated by a 5 per cent discount on the duties in this bill if the importations come in American vessels.

ONLY A BEGINNING.

Now, if the bill which is soon to be passed were the full program for the next four years, I would have less criticism to make upon it, for I am somewhat of a tariff reformer myself, and it would indeed be strange if, among thousands of items in a tariff law, the rates on some of them should not be fairly satisfactory.

But this is not the end, for two provisions are made in the bill itself for readjustment of such rates as permit the American market to be supplied by American producers, so that there is held up to the American manufacturer the delightful prospect of successfully adjusting the organization of his business to one set of tariff rates, only to find himself punished for his enforced economies by another and still lower set.

The first of these is found in paragraph A of section 4, as follows:

A. That for the purpose of readjusting the present duties on importations into the United States and at the same time to encourage the export trade of this country the President of the United States is authorized and empowered to negotiate trade agreements with foreign nations wherein mutual concessions are made looking toward freer trade relations and further reciprocal expansion of trade and commerce: *Provided, however*, That said trade agreements before becoming operative shall be submitted to the Congress of the United States for ratification or rejection.

It is, in effect, a repeal of the present maximum and minimum system.

Now the general rate is the minimum and the maximum is punitive.

This proposition makes the new rates the maximum, and authorizes the President to negotiate trade agreements between this and other nations for still lower ones, such agreements to be approved by a majority vote of each House instead of by a two-thirds vote of the Senate as heretofore. The fact that the Democratic Party can not control a two-thirds vote of the Senate, but can dictate to a majority by party caucus, was probably the reason for this change.

A TARIFF FOR FOREIGNERS.

The second provision for the future is found in paragraph S of section 4, as follows:

S. That the President shall cause to be ascertained each year the amount of imports and exports of the articles enumerated in the various paragraphs in section 1 of this act, and cause an estimate to be made of the amount of the domestic production and consumption of said articles, and where it is ascertained that the imports under any paragraph amount to less than 5 per cent of the domestic consumption of the articles enumerated he shall advise the Congress as to the facts and his conclusions by special message.

Instead of a nonpartisan, permanent tariff commission, making world-wide investigation of an industry, and reporting all of the facts to Congress concerning it, as favored by the Republican Party when in power and by the Democratic Party before they came into power, the failure of foreign manufacturers to ship into this market more than a fixed percentage of the American consumption is to be the determining factor in fixing import duties in future.

During the tariff hearings in January official representatives of the Bermuda and Bahama Parliaments were permitted to come before a committee of Congress and plead direct to the legislative branch of the Government for laws advancing their own commercial interests, instead of presenting their case through diplomatic channels in the usual way. It was the second time in our history that this has been done, the other being in the making of the Wilson bill.

But so far as I know, this is the first time that it is made a part of the statute law that the prices of the products of our farms, our factories, and our mines, the salaries of employees, the wages of the workingmen and women of the country, and the net profits of our industries shall all be made dependent upon the skill and ability of foreign producers to possess and control a certain portion of our home trade, for if the Democratic theory is correct, that domestic competition is of little effect in controlling prices and that the tariff tax is added to the domestic cost, this is precisely what this paragraph means.

What marvelous changes are coming to this great country of ours!

In England, France, and Germany their great captains of industry are honored by those nations and are presented by their rulers with titles of commercial distinction.

Here, ours are presented by our Attorney General to a grand jury for indictment and criminal prosecution under a law which even our Supreme Court has not yet been able to construe.

THE INCOME TAX.

Knowing as I do the binding force of the decision of an irreducible majority of a "hog-tied" party caucus, I shall waste no time in analyzing the rates of the various schedules of the Underwood bill. Its author says that his "party stands for a tariff for revenue only" with the emphasis on the "only."

As such the bill is a complete and total failure, for by his own admission the revenues from it will be nearly forty millions annually less than the present law gives, and the Treasury deficit for the coming year would amount to $70,000,000.

The claim is made that this is a reduction of taxes on the poor and a transfer of the burden to the rich.

What it really is is a transfer of the consumption tax only from the West and South to the accumulated savings of the North and East.

As the bill was originally drawn, and until I called the committee's attention to it, more than three billions of savings banks deposits in New England and New York were made subject to the income tax.

The corporation tax is made a part of the income tax.

Last year Connecticut alone paid $758,235.99 out of a total of twenty-seven millions.

Alabama, Alaska, Arizona, Arkansas, Delaware, Idaho, Mississippi, Montana, New Mexico, North Dakota, Oklahoma, South Carolina, South Dakota, and Wyoming, all put together, paid only $754,420.79.

Alabama, with a population of 2,138,093, as against Connecticut, with a population of 1,114,756, paid only $165,698.04, or a little more than one-fifth of Connecticut's tax.

The population of these States, which, of course, determines the amount of consumption tax now paid by them, is 11,489,100, or almost exactly 10 times that of Connecticut.

If the shifting of a part of the consumption tax on the basis of 10 to 1 is found so easy, how long before the whole of it will go and English free trade in all its glory take its place?—for President Wilson has informed Congress that "we must abolish every semblance of privilege," which is the name he gives to protection, and UNDERWOOD says that "protection is already dead."

GENERAL CRITICISM.

One very unfortunate feature of the bill is its sectionalism.

Why should bagging for cotton be made free and for other farm products be dutiable at 25 to 30 per cent?

Why should a piece of steel, cut to lengths, painted and fitted with buckles for baling cotton, be put on the free list and the same piece of steel unmanufactured be duitable at 12 per cent?

Why should cotton cloth be classified according to fineness and finish and graded duties applied accordingly, and woolen cloth be bunched under one rate without regard to quality?

It makes all the difference in the world as to what a duty should be from the protective standpoint, whether a finished article is principally material, with a little labor added, or principally labor with a little material used.

The committee recognized this fact with reference to cotton, but not with wool, and justify their action in this report, or try to, but refuse to apply the same rule to silk and wool. Why?

WHY?

Why should a farmers' free list be made for the agricultural sections and the manufacturing sections paralyzed by revenue taxes on raw materials, protection taken from finished products, and thrift and industry robbed by an income tax, to make up national deficits intentionally created to secure party support?

FREE FINISHED PRODUCTS, DUTIABLE RAW MATERIAL.

The Democratic Party pledged itself to reduce the cost of living, and it puts forward a new free list in fulfillment of that pledge.

It will not do it, and with one accord their leaders are either now offering excuses or asking for a year's postponement of the happy day.

This free list takes from the dutiable list of the present law a hundred millions of last year's importations, at a loss of sixty millions of revenue, and by so doing exposes about ten billions of American products to absolutely unrestricted competition with the world, and in almost all cases, except lumber and leather, leaves the raw materials out of which they are made on the dutiable list.

More than this, it takes $60,000,000 worth of almost exclusively raw materials from the free list of the Payne bill and taxes them an average of 10 per cent for revenue purposes.

It is like burning the candle at both ends.

The effect of it is to cut out entirely or reduce the protection given under the present law, and at the same time increase, or, what is the same thing, not proportionately reduce the cost of production.

The inevitable result will be that the importer will not be compelled to compete with a reduced cost of the domestic product, which the lowered duties are intended to secure, and as human nature is pretty much alike everywhere, will get all he can, and the reduced cost of living will go a glimmering.

So far as I can see, the importer will be the principal beneficiary of this new system, and the manufacturer and workman will be ground between the upper and nether millstones of lower wages and lessened volume of trade.

The fact is that in this country of ours the tariff has far less to do with the price to the ultimate consumer than many people think.

In the report of the Tariff Board on the cotton industry, prices were carefully followed on a hundred different fabrics, from the mill cost to the consumer.

It was shown beyond dispute that in that industry the manufacturers' profit, including selling expenses, was 11 per cent; the jobbers', 19 per cent; and the retailers', 44 per cent.

Now, it costs just as much to job and retail foreign goods as it does domestic.

I have no doubt but that the products of most industries will show a like cost of distribution.

Indeed, in food products, distributed in far smaller quantities for daily use, the expense is probably greater still.

So that the President and Mr. UNDERWOOD are profoundly wise in now reaching the conclusion, after the election is over, that the reduction in the cost of living will probably be delayed for a year or more, until stocks of goods now on hand are sold out.

In my own business experience, however, I have found that a situation of this kind is generally discounted.

The only chance I can see for a reduced cost of living is in an increased production of the things we need, or the demand decreased, either voluntarily or from necessity, and I sincerely hope that the latter will not be the case.

LESS EMPLOYMENT FOR LABOR.

According to Democratic estimates, the net reduction in the revenues from this bill as compared with the Payne bill will be $37,896,035.

This does not mean lessened taxation to that amount, but only that the method of taxation has been changed.

The estimated increase of dutiable importations under the bill will be $141,790,085.

Add to this the large increase in the articles transferred to the free list and it is fair to assume that from $400,000,000 to $500,000,000 worth of foreign products which have heretofore been made in this country will during the first year of this "new era" be turned out by foreign factories, and the employment of American workingmen reduced accordingly. In my judgment this is a very conservative estimate. The amount will, of course, be enormously increased when they have adapted themselves to our styles and patterns all along the line.

AN IMAGINARY HARVEST.

In return for this, however, the committee solemnly declares that, in their judgment, "the future growth of our great industries lies beyond the seas."

Think of it!

Fourteen Democratic lawyers, eight of them from the agricultural States of Texas, Mississippi, Tennessee, Kentucky, Alabama, North Carolina, Missouri, and Minnesota, sending a message to the captains of industry in New England that if they will wipe out of existence their obsolete plants and methods, replace the machinery which they are told should long since have been relegated to the scrap heap, increase the efficiency of their workmen, and remodel their establishments generally on foreign methods, they shall have the privilege of fighting for the home market—the best in the world—against foreign competition, encouraged by steadily downward revision of duties, and that in return for this they may indulge in the glorious hope that "the future growth of American industries lies beyond the seas."

Is it not manifest that either the free-trade author of this report has a delicious sense of humor in his mental make-up, or that the best and only effective teacher of economics in the school of American industry for the next four years will be a dearly bought experience?

Protection of American Industries, American Labor, and American Homes is the Polar Star of American Prosperity.

EXTENSION OF REMARKS
OF
HON. ADDISON T. SMITH,
OF IDAHO,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 30, 1913.

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. SMITH of Idaho. Mr. Chairman, if I believed that the proposed law would result in reducing the cost of living without reducing the income of the wage earner, or the prices the farmer is now receiving for his products, I would cheerfully give it my support. If I believed that because of the duty on imported articles the price of living was being gradually forced upward in this country, I certainly would not oppose the measure now under consideration.

On the contrary, the advance in the price of commodities, which has been gradual for the last 10 years, affect alike free-trade countries as well as those that have a protective-tariff system all over the world.

REASONS FOR INCREASING PRICES.

An increase each year over the previous year of the quantity of money in circulation is one great reason for the advance in prices. In 30 years the quantity of money in circulation in this country, per capita, has almost doubled, notwithstanding the great increase in population; and our gold supply has more than doubled in the last 15 years.

By selling abroad more than we buy from our foreign neighbors we are constantly adding to our wealth as a Nation; and plenty of money is available for the development of our mines; the building of our mills and railroads; improving our cities, rivers, and harbors; the reclamation of our arid and swamp lands; and other large undertakings. All these enterprises furnish employment to millions of men at good wages, whose necessities our millions of farmers supply at prices which have also enabled them to prosper.

The growing system of doing business on credit, the extra expense of delivering goods to customers, the exquisite and delicate manner of packing goods for retail, the apparent need of so many middlemen in merchandising, the expensive method of advertising in magazines and by elaborate signs, all add to the price of commodities, which burden the consumer must bear. In addition, the trend of the people from the country to the city, curtailing production and increasing the number of nonproducers, has a tendency to force prices upward.

The contention of the chairman of the Ways and Means Committee that the proposed law will be a great benefit to our people by developing a competitive basis for us, so that we can more successfully enter the markets of the world, is most fallacious. Competition in all lines of industry is now most intense, our methods of manufacture the best in the world, and our wage earners receive larger compensation than those engaged in similar employment in any other country on earth. Ours is the best market in the world, which we are asked to share with the foreign producers on a free-trade basis, with the hope of competing in a poorer market, where starvation wages are paid.

WE SHOULD DO OUR OWN MANUFACTURING.

If this bill becomes a law, many of our manufacturers will move their establishments to Europe, Japan, China, and India in order to get advantage of the low-priced labor, and then flood our markets with goods which, under the protective-tariff system of the Republican Party, have heretofore been made in our own country by our own people. Foreign manufacturers who have come to our country to manufacture their goods for our market, and thus obviate the payment of tariff duties, can soon go back to their own country, where labor cost is low. With no tariff duties to pay and with cheap labor, how can our manufacturers continue to compete with them unless the cost of production here is reduced? In that event the price of raw material and labor must be reduced.

We not only lose the revenue produced by the duty, but our money goes abroad for commodities which we can produce and which we are now producing.

WHY THE UNITED STATES IS PROSPEROUS.

According to statistics just announced by the Department of Commerce, the United States has been exporting merchandise at the rate of $7,000,000 per day during the last nine months, and we have been importing merchandise at the rate of $5,000,000 per day. In other words, we sell more than we buy to the extent of $2,000,000 per day and are, as a Nation, that much richer each day than the day before. Just think of it—we are $500,000,000 richer to-day than we were August 1, 1912. If this new law drives many of our factories abroad, as it certainly will, and as the result of foreign competition others are forced to close, we would be buying from foreign producers more than we sell; our money would go abroad, and we would be poorer each day as a Nation. If the income of a family is $1,000 per year and it spends $1,200 it is only a question of time when it will be forced into bankruptcy. On the same principle we must sell abroad more than we buy if we are to continue to advance as a Nation and maintain our present prosperous condition. The change in our fiscal policy as proposed by this bill will certainly have the opposite effect.

The great nation of China, with a population of 400,000,000 people, whose successful struggle for independence commands the admiration of all liberty-loving people, will doubtless soon enter upon an era of manufacturing and commercial activity which will have a marked effect on trade relations. By reason of their great numbers 90 per cent of them have been compelled to struggle for existence, as a drowning man struggles for his life. They have of necessity solved the problem of the high cost of living and exist on a few cents per day. Under the present protective-tariff system they are encroaching on our markets, and as they enlarge and extend their manufacturing enterprises they will soon be most dangerous competitors. The same is true of Japan. If these and other nations can successfully compete with us under the existing law what will be our fate if we must open our markets to them on a free-trade basis?

It seems incredible, Mr. Chairman, that there should be any occasion for any portion of the membership of this body to protest against the assault that is being made through this free-trade tariff bill now under consideration upon the industries of this country which have been built up and developed under the protective-tariff system of the Republican Party until we are now the most prosperous nation on earth.

A MINORITY PARTY IN CONTROL.

If the proposed legislation was in accordance with the wishes of a majority of the American people as expressed at the polls, those who believe in the principles of a protective tariff would cheerfully acquiesce in the will of the majority; but the Democrats find themselves in control of this House and the Senate and the Presidency as a result of an accidental division last fall in the ranks of the Republicans, both factions of which are in favor of that fiscal policy under which this country has made such wonderful progress in manufacturing and in the development of our various resources.

With about two-fifths of the voting population behind them, this Democratic administration is attempting to place a free-trade law on the statute books over the protests of three-fifths of the voters, which whenever heretofore tried in this country has brought years of industrial depression, stopped the wheels of progress, created an army of unemployed men, and brought discouragement and despair upon a happy, prosperous, and contented people.

What a price to pay in order that a theory may be demonstrated! If only those who believe in free trade were made to suffer as a result of such reckless and ill-advised legislation, you would find that those on this side of the House would be perfectly willing to give the supporters all the rope they desired; but, unfortunately, the distress and hardships which will result from the baneful effects of this proposed legislation must be borne by all alike. As is usual, the wise and the foolish, the innocent and the guilty, the just and the unjust, must pay the penalty of the indiscretions and the recklessness of a few. The Democratic leaders are determined to continue their experiments in government regardless of their failures of the past.

MANY DEMOCRATS ARE PROTECTIONISTS AT HEART.

If a secret ballot could be taken on the Democratic side on this bill, I venture to say that at least one-half of the Members would vote against a large proportion of the reductions in the present law, as they believe in protection to American industries and American labor; but in view of the determination of the Chief Executive to force this law on the statute books, and by reason of the binding rules enforced in the secret caucus, every Democrat will doubtless take the dose. Probably but few will make any outward demonstration of protest, feeling that the President must be sustained, regardless of the protests of their constituents and the great injury they believe the proposed law will bring upon them; yet they do not hesitate to denounce the measure in their secret caucus, and many of them denounce it privately outside of the House.

SOME DUTIES SHOULD BE LOWERED.

I am not one of those who believe that the tariff should not be revised. There are many articles on which the duty should be lowered, but what excuse can there be for proceeding blindly? Why did not the committee make use of the valuable data collected by the Tariff Board? If it was because this board was appointed by a former President, why did not the present Executive appoint a board composed of men in whose judgment and integrity he had confidence, to collect data and statistics as to the cost of producing commodities in this country and abroad, upon which a fair, equitable, and reasonable bill could be drawn, and not force a half-baked law upon the statute books?

More than one-half of the cost of commodities is represented by the amount paid for labor in producing them, and without a protective tariff on imports our wage earner will be forced to accept lower wages if we are to compete on a free-trade basis.

In European countries, in many of the trades, the wages received are only about one-fifth the amount paid in this country.

Comparative wages per day.

	Belgium.	Germany.	England.	United States.
Laborers	$0.40	$0.64	$0.80	$2.00
Brick and stone masons	.64	1.04	1.68	4.50
Carpenters	.56	1.04	1.60	4.00
Painters	.50	.96	1.44	3.50
Plumbers	.64	.88	1.69	5.00
Mechanics	.64	1.04	1.36	3.50

It is confidently believed by the masses of business men and thousands of disinterested men of rare judgment that the industrial, commercial, and farming interests of the entire country will be greatly disturbed and injured if this bill is enacted. This will be especially true in the Rocky Mountain country, which is far removed from the large centers of population, and from where freight rates to the markets exhaust a large proportion of the profits. The present prosperous condition of the people of that section can not in the light of past experience be continued if the duty is reduced or removed as proposed and we are forced to compete on a free-trade basis with foreign producers.

A BLOW TO OUR LEAD MINES.

It is proposed in this bill to reduce the duty on lead ore to one-half cent per pound, under which but a few of the mines can be operated. We have in northern Idaho a population of about 12,000 people dependent directly or indirectly on the operation of our lead mines, which produce over 30 per cent of the supply of the United States. Nearly $5,000,000 yearly goes to railroads for freights in transporting the products of the mines and the mills and merchandise needed by the communities which are sustained by this industry. In addition, the wages of the miners, supplies, rents, etc., amount to nearly $10,000,000 per year. This industry has been built up under a protective tariff of 1½ cents on lead ore. In addition to the mines in operation, there are a great many prospective mines which are being developed at great expense, and this development will be abandoned in many instances if the lead producers are compelled to enter the market in competition with Mexican ores. The latest statistics compiled by the census show 2,185 mines reported, and that out of that number only 154 were producing mines. The total capital invested was $72,738,889, 44 per cent of which was invested in prospective mines, all of which would be a total loss if the lead producers are not to have the benefit of existing protective laws. I can not understand how any man who loves his country and who is interested in the happiness and welfare of his neighbors could support a measure which would place them on a par with the cheap laborers of Mexico who receive one-fourth of the wages received by the miners in Idaho.

Observe the comparison between the wages paid in Idaho and Mexico.

	Cœur d'Alene, Idaho.	Mexico.
Miners	$3.50–$4.00	$0.75
Muckers	3.00– 3.50	.50
Laborers	3.00– 3.50	.50
Timbermen	3.50– 4.00	.75– 1.00
Pumpmen	4.00	1.00
Engineers	4.50– 5.00	1.00
Shift bosses	5.00– 6.00	
Truck and pipe men	3.50– 4.00	1.00
Blacksmiths	4.00– 5.00	1.00– 1.25
Blacksmith's helpers	3.50– 4.00	.75
Machinists	4.50– 5.00	1.00
Millmen	3.50– 4.00	.65

Average, Cœur d'Alene, $3.60; day's work, 8 hours.

Average, Mexico, 80 cents; day's work, 10 to 12 hours.

Who would be benefited by the proposed reduction of the duty and the suspension of the lead-mining industry in the United States? Why should we send our money out of the country for these things that are now being produced by ourselves? It will not make lead cheaper to the consumer, but will throttle the industry in the United States and enable the Lead Trust to monopolize the business of importing and smelting lead ores, and when this is accomplished they can dictate prices because of their complete control of the output.

THE WOOL INDUSTRY.

But for the benefits afforded by the protective-tariff policy of the Republican Party the woolgrowers and the wool manufacturing industries could not have been so successfully established and maintained in this country. The report of the Tariff Board proves conclusively that it costs approximately 24 cents more to produce a pound of scoured wool and 9½ cents more to produce a pound of raw wool in this country than in Australia, and without a protective tariff equal to the difference in the cost of production in this country and abroad we can not successfully compete with the foreign producer.

Our President during the campaign led the people to believe that no radical changes would be made in the tariff laws, and in a speech delivered on October 18 in Pittsburgh, Pa., in support of his candidacy, said:

The Democratic Party does not propose free trade nor anything approaching free trade. It proposes merely a reconsideration of the tariff schedules such as will adjust them to the actual business conditions and interests of the country.

If that means anything, it means nothing would be attempted in the way of tariff changes which would jeopardize our farming and manufacturing interests, and yet it is a matter of common knowledge that but for the President's insistence that wool should go on the free list a substantial duty would have been provided.

Many of those who are in favor of placing wool on the free list argue that there are great wool barons in the western country who are amassing large fortunes in the sheep business, and that by placing raw wool on the free list woolen clothing and mutton will be cheaper. As a matter of fact, there are comparatively few wealthy men engaged in the raising of sheep. The risk involved because of the adverse climatic conditions, disease, scarcity of pasturage, and the increasing cost of labor have a tendency to increase the expenses of the business to such an extent that only a reasonable per cent of profit is possible. The wages paid to herders, camp tenders, and the other necessary help is about three times the wages paid for similar work in other countries.

According to the arguments advanced by some of those supporting this bill it would be supposed that the sheepowner is able to enrich himself with the entire amount he receives for his wool and sheep, when, as a matter of fact, he has to pay out nearly the entire amount for labor at an average of $60 per month per man in the Northwest; for taxes, for alfalfa and grain to his neighbor for winter feed, and for freight to the market nearly 2,000 miles away. This money goes into circulation in the community, and all are benefited. The abandonment of the protective duty will result in such injury to the sheep industry that many of those now engaged in it will have to turn their attention to other pursuits, the scarcity of sheep will increase the price of mutton, and the value of the farms will be decreased as the market for much of the hay and grain will be destroyed.

Because of the increasing expense of the business there are now nearly 10,000,000 less sheep in the United States than 25 years ago. Under the free-trade Wilson law production of wool in the United States decreased from 348,538,138 pounds in 1893 to 259,153,251 in 1897. In other words, we produced in this country 90,000,000 pounds less wool in 1897, the last year the Democratic law was on the statute books, than in the last year the Republican law was on the statute books, while the imports of wool the last year the protection-tariff law was on the statute books, in 1894, was 55,152,585 pounds, which increased each year under the Wilson law until 1897, the last year the Democratic law was on the statute books, when we imported 350,852,026 pounds.

Is it not reasonable to assume that the proposed free-trade law will have the same effect?

Our Democratic friends contend that with wool on the free list clothing will be cheaper, and as an illustration of the weakness of their argument I quote from a statement of the facts as contained in a brief filed with the Ways and Means Committee:

For illustration, take the khaki-colored suit worn by the officers of our Army. These suits are of medium weight and made under Government supervision, of the best half-blood wool. No cotton, shoddy, or wool waste enter them. Three and one-fourth pounds of scoured wool is all that is required to make 2½ yards of cloth needed for the average man's suit. The grower received for this wool about 53 cents per pound, or for all the wool in the suit about $1.72. The tariff upon wool has advanced the cost of wool in this suit about 48 cents. However, if you purchase the suit from your tailor it costs from $30 to $40. The Army storekeeper retails it from $25 to $30, yet the woolgrower, with all his tariff, gets but $1.72 out of it. Would your storekeeper or tailor have sold this suit to you for 48 cents less if wool had been on the free list? Such has not been their custom in the past. The man who made this cloth was not responsible for the high price at which the suit sold. The manufacturer sells such cloth at about $1.30 per yard. Three and one-half yards to the suit brings him $4.55 for all the cloth in the suit. Out of this he paid $1.72 to the woolgrower for the wool and about 35 cents to the railroad and commission firms for handling the wool. This left him $2.48 on the suit, out of which must come the entire cost of converting the wool into finished cloth. Thus, we find that the woolgrower and manufacturer combined got $4.55 out of a suit that sells at $25 to $40. The balance went to the tailor and middleman.

The following editorial from the Morning Post, London, April 10, 1913, indicates how the consumer will pay more for woolen clothing instead of less if the Underwood bill becomes a law, and how pleased our English friends are over the prospect of extending their market to the United States unencumbered by tariff duties:

Messrs. Dalgety & Co., of Melbourne and London, who are among the principal authorities in the world on the wool trade, placed at the disposal of the Morning Post representative yesterday their collected information regarding the American situation, from which it would appear that even if wool be not placed on the free list the present heavy duties will certainly be lowered to a point that will materially increase the importation of Australian wools into America and substantially increase prices in the English wool markets.

Although the United Kingdom uses more wool for manufacturing purposes than the United States, the latter country leads all nations of the world in the consumption of wool, the explanation being that we manufacture for export, while the States do not.

Another leading authority informed the Morning Post representative that if the present American demand can so materially affect prices, one can imagine that the result of the remission or reduction of duties will be to materially reduce the production of wool in the United States, while stimulating the output of woolen goods and increasing manufacturers' demands for imported wool. This means increased competition in the woolen market, and must put up prices all round, a state of things that will be aggravated by the fact that there is going to be a serious shortage in the Australian wool supplies coming forward. Altogether it is impossible to avoid the conclusion that if the American wool proposals are ratified the British woolen manufacturer must look forward to considerably enhanced prices for his raw material, at least so far as Australian and New Zealand wools are concerned. As the United Kingdom uses 492,000,000 pounds of wool annually for manufacturing purposes, anything like a permanent increase in the market price of this material must be a serious matter for this great industry.

It has frequently been demonstrated that the placing of an article on the free list does not reduce the cost of that article. In 1909 hides were placed on the free list, but it did not cheapen shoes or harness, as our Democratic friends claimed would result, and we are losing to our National Treasury nearly $3,000,000 per year in revenue. The same is true with reference to many other articles placed on the free list.

THE FARMER NOT APPRECIATED.

The farmers, those who above all others should not be compelled to compete with the foreign producers on a free-trade basis, appear to have been given the worst of the deal by the authors of this bill. Many of their products are placed on the free list or the duty greatly reduced, as will be observed from the following table:

Articles.		Republican, Payne law, 1909.	Democratic, Underwood bill, 1913.
Wool		[1]43.61	Free.
Cattle		[1]27	[1]10
Horses	each	$30.00	$15.00
Sheep	do	$1.50	[1]10
Barley	bushel	$0.30	$0.15
Oats	do	$0.15	$0.10
Wheat	do	$0.25	$0.10
Beans	do	$0.45	$0.25
Hay	do	[2]$4.00	[2]$2.00
Peas	bushel	$0.45	$0.25

[1] Per cent ad valorem. [2] Per ton.

Notwithstanding the present duties on these articles, we imported during the year 1912 $4,000,000 worth of cattle, over $2,000,000 worth of horses, nearly $600,000 worth of sheep, $2,000,000 worth of barley, over $1,000,000 worth of oats, over $2,000,000 worth of wheat, $1,500,000 worth of beans, $6,500,000 worth of hay, and nearly $500,000 worth of peas. With the tariff reduced as proposed is it not fair to assume that the importations will increase, and thus displace to that extent in our own market our own productions?

BEET-SUGAR INDUSTRY.

Mr. Chairman, there has been built up in this country, under the wise legislation of the Republican Party, the great sugar industry, in which is invested over $100,000,000. Seventy-five beet-sugar factories in 18 States consumed last year 5,000,000,000 tons of sugar beets, producing 1,200,000,000 pounds of granulated sugar. Twenty-five years ago there were but two small factories in this country. The McKinley law of 1890, providing a bounty of 2 cents per pound, encouraged the building of four more factories, but not until the Dingley law of 1897, placing a duty on 96-degree foreign raw sugar of 1.68½ cents, did the sugar industry really begin to expand.

Thirty years ago the wholesale price of sugar was 10 cents per pound; in 1890 it was 6.27 cents; in 1900, 5.32 cents per pound; while to-day sugar retails at 5 cents per pound. What possible reason can there be for destroying the home production of this most necessary article of food? How can the consumer be benefited by decreasing the supply of sugar and thus make necessary the importation of the foreign product to supply the needs of the people?

There is no question but that we would soon be producing sufficient sugar to supply our own needs if the existing duty is retained, and thus save for our own people the $100,000,000 which we are annually sending abroad for the purchase of sugar.

In Idaho we have four sugar factories which last year produced 48,000,000 pounds of sugar from 20,000 acres of beets, for which our farmers received nearly $1,000,000. A careful estimate shows that Idaho has over 1,000,000 acres adapted to the growing of sugar beets, 50 times as much land as was devoted to the raising of sugar beets in the State last year. Why should this industry not be protected when its continuance means cheaper sugar and an abundant supply for all our demands?

The following editorials from various sections of the country indicate the ill effect the proposed law will have on the sugar industry in the respective localities. Will our Democratic friends close their ears to all arguments and force the enactment of a law which, according to past experience, will surely result in curtailing home production and force us to buy abroad?

PREDICT HIGHER PRICES—EXPERTS SAY FREE SUGAR WILL CAUSE CONSUMER TO PAY MORE.

The New York Times recently asked the views of wholesale dealers and handlers of sugar as to the effect of the reduction in the tariff on sugar and its entire removal at the end of three years, as contemplated by the Wilson-Underwood bill. These men were asked to speak merely as trade experts. If they have any bias it naturally would be in favor of free sugar, since their business relations are chiefly with the big refiners, who are trying to have the tariff removed for the benefit of their own pockets and who might be expected to pass along a small slice at least of their increased profits under free sugar to the wholesalers and jobbers. Most of these men, thoroughly familiar with sugar-trade conditions, were disinclined to predict lower prices under free sugar, while many of the best informed declared that the removal of the duty would surely increase prices to the consumer in the long run.

The head of one of the largest grocery houses in the city went on record with the prediction that sugar would sell higher before the end of 1913 if the tariff bill went through. The price, he said, would be likely to grow gradually higher until the duty was taken off, and then a material advance would occur owing to the shortage of supplies which he foresaw.

"My views are obtained," he said, "from many years' knowledge of the sugar trade. I have watched the development of our own beet-sugar industry from its beginning to the great proportions that it now has reached in the Western States. A reduced tariff, even though it leaves a duty of 1 cent a pound on imported cane sugar, can not but cause a check in beet growing, and when the products of Cuba are allowed entry into the country duty free, disaster will come upon the beet-sugar industry. Production is bound to suffer.

"The Cuban producers are no fools; as a matter of fact, they are largely American or of American backing. They will realize the state of affairs and be entirely sure that a notable decline in production will have occurred long before free sugar is a reality. What they will do can be predicted easily enough. Supplies will be held back from our market in an increasing ratio. Stocks in the hands of the refiners will quickly melt away, for there will be no accompanying decrease of demand and it will be a matter of a short time only, in my opinion, before the consumer is paying considerably more than he is now."

Another large handler of sugar said that he believed the consumer would derive some benefit from a slight reduction of the tariff, but that free sugar inevitably would result ultimately in higher prices.

"There can be no question," said he, "but that the Louisiana cane output and the beet production of Colorado and California will be seriously affected. Aggregate supplies will, in my opinion, be gradually reduced, and I can not see anything ahead but a higher price for sugar because there will not be enough of it to meet the growing demand."

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DENVER SEES LOSS TO FARMERS.

The Denver Chamber of Commerce, the largest representative commercial and industrial body in Colorado, has petitioned President Wilson against "any substantial reduction in the sugar tariff." The petition says, in part:

"The sugar industry in Colorado, developed through the efforts of the chamber of commerce, has become, by reason of the tariff, our leading and most important agricultural industry. Any material reduction in the tariff will almost certainly prevent the expansion of the industry and will prevent further operation of existing factories. It will force the price to be paid the farmers for beets to so low a figure that beets can not be produced without loss to the grower."

The board of directors of the chamber has adopted resolutions urging the Senators and Congressmen from the State to oppose free sugar.

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[San Francisco Call.]

The program for an immediate reduction of 25 per cent and free sugar after three years involves an immediate loss of about $1,100,000 a year to the California beet-sugar industry. It means an ultimate loss, without reference to any development loss, of approximately $4,500,000 a year to the industry in this State.

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[Mankato (Minn.) Free Press.]

The opposition to free sugar is not limited to any particular section, but is country wide. * * * In Minnesota the raising of sugar beets is still in its infancy. If the duty is permitted to remain on sugar this vegetable will become one of the most productive in the State and the farmers will realize millions of dollars from its sale to the sugar-beet factories that are sure to be built.

—

[New Orleans (La.) Picayune.]

The destruction of the sugar industry of our insular dependencies through the adoption of free sugar would be a serious political mistake without compensating advantages, * * * with every prospect that we will pay more eventually on a free-sugar basis than we do now with the tariff in full force. That was exactly our experience with coffee, for which American consumers pay more now than they did when the Government derived a revenue from coffee imports.

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[Shreveport (La.) Times.]

Sugar produces more revenue in a month than cattle do in a year. The annual revenue which the tariff on sugar yields amounts to $55,000,000, beside which the revenue produced by the tariff on cattle is a mere bagatelle, and yet it is proposed to wipe out this source of revenue and rely on the income tax to offset it. And Louisiana Congressmen are blamed for raising their voices in protest against an action that is as inconsistent as it is unjust.

[Oshkosh (Wis.) Northwestern.]

Citizens familiar with the subject matter here agree that there is little hope of raising the necessary money with which to erect a beet-sugar factory while there is any likelihood that the tariff will be taken off raw sugar. On the other hand, if Congress had decided to let sugar alone in the tariff legislation, it is confidently believed that this city would have had a $750,000 factory within one year.

[New Orleans (La.) Picayune.]

Despite the fact that the South has done more for the Democratic Party than any other section of the country, this section will be more seriously damaged by the Underwood bill than any other.

INCOME TAX.

Mr. Chairman, there is one feature of this bill which I most heartily approve, and that is the provision for a tax upon incomes of over $4,000 per annum. The prosperous and wealthy corporation and individual, under existing law, are able in many instances to escape paying a just proportion of the burden of defraying the expenses of the Government by investing their money in intangible property. The man who works and earns his bread by the sweat of his brow in the store, shop, mine, and office, as well as those upon the farms, not being able to invest in stocks and bonds, or being disinclined to so manipulate his property as to avoid the taxgatherer, frequently pays much more than his share of taxes. The proposed law will compel the rich to disclose the source of their incomes and to contribute their proportionate share of the taxes.

Under the income-tax provision of the proposed law, all those having an income of over $4,000 per annum must pay 1 per cent of the excess per annum, and 1 per cent additional on incomes from $20,000 to $50,000; on incomes from $50,000 to $100,000, 2 per cent; and on incomes in excess of $100,000, 3 per cent.

A recent issue of the New York World contained the following estimate as to the effect the proposed income-tax law would have on the fortunes of the extremely rich men of this country:

	Capital.	Income.	Tax.
John D. Rockefeller	$300,000,000	$50,000,000	$2,000,000
Andrew Carnegie	300,000,000	15,000,000	600,000
William Rockefeller	200,000,000	20,000,000	800,000
Estate of Marshall Field	120,000,000	6,000,000	240,000
George F. Baker	100,000,000	5,000,000	200,000
Henry Phipps	100,000,000	5,000,000	200,000
Henry C. Frick	100,000,000	5,000,000	200,000
William A. Clark	80,000,000	4,000,000	160,000
Estate of J. P. Morgan	75,000,000	7,500,000	300,000
Estate of E. H. Harriman	68,000,000	3,400,000	146,000
Estate of Russell Sage	64,000,000	3,200,000	128,000
W. K. Vanderbilt	50,000,000	2,500,000	100,000
Estate of John S. Kennedy	65,000,000	3,250,000	130,000
Estate of John J. Astor	70,000,000	3,500,000	140,000
W. W. Astor	70,000,000	3,600,000	140,000
J. J. Hill	70,000,000	3,500,000	140,000
Isaac Stephenson	74,000,000	3,700,000	148,000
Jay Gould estate	70,000,000	3,500,000	140,000
Mrs. Hetty Green	60,000,000	3,000,000	120,000
Estate of Cornelius Vanderbilt	50,000,000	2,500,000	100,000
Estate of William Weightman	50,000,000	2,500,000	100,000
Estate of Ogden Goelet	60,000,000	3,000,000	120,000
W. H. Moore	50,000,000	2,500,000	100,000
Arthur C. James	50,000,000	2,500,000	100,000
Estate of Robert Goelet	60,000,000	3,000,000	120,000
Guggenheim estate	50,000,000	2,500,000	100,000
Thomas F. Ryan	50,000,000	2,500,000	100,000
Edward Morris	45,000,000	2,250,000	90,000
J. O. Armour	45,000,000	2,250,000	90,000

In the $25,000,000 to $35,000,000 class, yielding incomes of $1,250,000 to $1,750,000 and taxes of $50,000 to $70,000, are James Stillman, J. H. Schiff, Charles M. Pratt, J. H. Flagler, Quincy A. Shaw, E. T. Bedford, E. T. Stotesbury, John Cladin, Henry Walters, E. C. Converse, Clarence H. Mackay, Nathaniel Thayer, W. H. Moore, and the estates of H. H. Rogers, Robert Winsor, George Smith, W. B. Leeds, W. Scully, John Arbuckle, J. Crosby Brown, John F. Dryden, W. L. Elkins, and O. H. Payne.

While I am in favor, as indicated, of a tax upon large incomes as a general proposition, I am opposed to including within the provisions of this measure the earnings of mutual insurance companies, fraternal societies, building associations, and similar organizations formed and conducted solely in the interests of its members and not for gain or profit to the organization itself. It would be manifestly unfair to tax the income of such organizations, as to do so would compel the small stockholder to pay an income tax, regardless of how small his share of the earnings might be, as any tax paid by the organization would necessarily have to be apportioned among the stockholders according to the amount of stock owned.

The application of the proposed law to life insurance companies was explained by Mr. UNDERWOOD, chairman of the Ways and Means Committee, when this feature of the bill was under consideration, as follows:

Mr. HULL. I am frank to say that in talking with some insurance men I get quite confused with their definitions of a number of these insurance terms, and I am unable to find many of these gentlemen who agree in every respect in their definition of these terms referred to. And I am slow to adopt a suggestion of terms unless a gentleman presents himself as an expert, with the knowledge of the full signification of the expression he undertakes to write into the law.

Mr. LENROOT. Mr. Chairman, I would like to be recognized in my own right.

It does not require an insurance expert to decide the question of whether a cash-surrender value of a life insurance policy should be regarded as income and taxable under this bill. The law, so far as I know, of every State regulating life insurance provides that there shall be cash-surrender values of policies, and to tax as income the cash-surrender value of an insurance policy is exactly like taxing, not the income upon deposits in a bank, but taxing the deposits themselves.

Mr. MADDEN. Suppose the premium was $500 on a 10-year tontine policy and the cash surrender of that policy at the end of that 10 years was $5,000; if he paid the tax on the $500 annual premium, ought he to be compelled also to pay the tax on the surrender value of the policy? Would not that be paying the tax twice?

Mr. LENROOT. He ought not in any event to be compelled to pay a tax on the surrender value, because he is getting back his capital, his principal, that he has paid into the company, and he is not getting gains, profits, or income, but merely getting his money back.

Mr. UNDERWOOD. Mr. Chairman, I only rise to state what the committee's position is in this matter. As the bill now stands, there is no tax levied on the principal that is paid into an insurance company. There is a tax on the net income. The way we look at the proposition is this: Under the present law the net incomes of these corporations, whether they be insurance companies or not, are taxed 1 per cent. Under the clause of this bill the net incomes of these corporations, whether they are insurance companies or not, will be taxed 1 per cent. Now, there will be no tax whatever on the policy when it is paid on its termination, whether it expires on the death of a person or whether it is a tontine policy and expires before the death of the insured. But in the meantime there is a tax of 1 per cent on the net profits of the corporation, just as they are paid to-day under existing law.

Mr. MADDEN. Does this bill provide for the payment of the tax on the annual premiums paid by the policyholder?

Mr. UNDERWOOD. If they are net profits. I am not going into the question of what they are. We are going to leave that for the Treasury Department and the courts to determine.

If they are net profits on the net profits, or so much of them as are net profits, the tax will rest. If they are simply a return of the principal, the tax will not rest upon them.

When that policy is returned there may be a portion of it that is principal and a portion of it that is profit, and probably there is. Under that contract they will return the principal and they will return some of the profit. Now, the principal returned under the amendment that we adopted this afternoon will not be taxed, but if there is profit returned it will be taxed.

Now, that is all there is to it, and the amendment was framed to cover that.

Mr. LENROOT. Will not the company have already paid a tax on that profit?

Mr. UNDERWOOD. No.

Mr. LENROOT. The company has paid it, and must the insured also pay it?

Mr. UNDERWOOD. The insured pays on the profit he makes, just as you would pay on the profit you make.

Now, if the gentleman will allow me, I can not finish an argument in five minutes if some one else is speaking in my time. Let me give an example. If the gentleman should buy a farm or a storehouse, and he could make profits on that storehouse for a period of 10 years, say, under this bill if those profits amount to more than his exemptions he will pay the tax on it during that time—all his profits above the exemptions. Now, if at the end of 10 years the gentleman should sell his storehouse for twice as much as he paid for it he will not pay a tax on the original principal that he invested in that storehouse, but he will pay a tax on the increased price he may receive for it, or for the profit he may sell it for, if it is profit.

Now, in the case of a life insurance policy it is the same as an investment in a house. The corporation, instead of the insured person, will be taxed on its net profits during the period the insurance runs, and at the termination of the period the insured will not pay a tax on his capital but will pay a tax on the return of his profits, just as the man would pay a tax by the increased value of his storehouse in the case I cited. The two propositions are just the same.

Now, there is only one thing involved in this case. These great insurance companies are trying to get this Congress to unfax them. They are eleemosynary institutions. I have nothing to say against them, but you have the choice whether you will invest your money in a home for your family or in a storehouse to furnish an income for your family and save it for the future, or whether you will invest it in a life insurance policy. You may invest it in a railroad company and get stock, and you do that in order to save it for yourself and your family. You may conclude that you are not as capable of handling your money as one of these great insurance companies is, and you send around and invest your capital in a policy. The only difference in the investment is that one is called a share of stock and the other is called a policy. You invest it for the purpose of profit in the policy, as you would in the stock.

Mr. Chairman, while it may be impossible to secure an amendment in the House making clear the application of the law as it affects life insurance companies and removing some of the objectionable features, it is hoped that when the measure reaches the Senate an amendment may be adopted which will prevent the imposition of an unjust tax upon the income of all associations organized for mutual aid to their members and not for gain or profit to the organizations.

A PROPHECY.

I realize, Mr. Chairman, that there is no argument which can be advanced against the bill under consideration from this side of the House which will deter the Democratic Party from forcing this iniquitous measure through this branch of Congress in its present form. The die is cast. The appeals from the manufacturer, the wage earner, and the farmer will not be heeded; but in the light of past experience we on this side believe that

the radical change in the fiscal policy of this Government which you are about to adopt, the abolition or reduction of the duty on many articles which are now being produced in this country, will result in transforming the unprecedented prosperity which this country has been enjoying for the last 15 years into an era of business stagnation which will throw hundreds of thousands of honest men out of employment. Our importations will increase and our home production will be curtailed. Discouragement and dismay will overwhelm our manufacturing and commercial interests from ocean to ocean and from the Lakes to the Gulf, without any benefits accruing to the great mass of consumers for whose interests you are attempting to legislate.

On the Election of Postmasters.

EXTENSION OF REMARKS
OF
HON. DAN V. STEPHENS,
OF NEBRASKA,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. STEPHENS of Nebraska. Mr. Speaker, the question of post-office patronage has always been a source of great annoyance to Congress and loss to the country every time the politics of the administration has changed. It is a most interesting spectacle to witness the delegation of a great State quit important work and go in a body to see the President or a department head and present in person a candidate for postmaster or for some other unimportant office and urge his selection. It is really nothing short of a burlesque, and yet for years this wasteful system in one form or another has continued. So far as the postmasters are concerned, there is absolutely no valid reason why this particular officer should not be elected by a direct vote of the people in the same manner and at the same time other local officers are elected. In order to bring about this much-desired result I have introduced a bill in the House providing for the election of second and third class postmasters, restricting the candidates to the party in power

BILL PROVIDES.

The bill provides that at least one year before a postmaster's commission is to expire notice of that fact shall be sent by the Postmaster General to the postmaster, who, in turn, shall send it to the local political committee. This committee is given power to call the election, to appoint an election board, and provide for an election. All legal voters who are patrons of the office, irrespective of party, are entitled to vote. The result of the election is to be certified to the Postmaster General, and the winner shall be given a certificate for a four-year term of office.

The power of filling vacancies or removing postmasters for cause is reserved to the Postmaster General.

The provisions of the bill are made to apply only to second and third class postmasters, because a complex and expensive election machinery would have to be devised for the election of postmasters in large cities, and this would open the bill to attack from a quarter in which it is not now vulnerable.

The whole measure is an outgrowth of the plan of postmaster election which I have instituted in the third district of Nebraska.

I doubt if there can be found a sane man in the United States who will hold that the best possible public service can be obtained through our postal department so long as it is used as party spoils. Yet for one reason or another we have never been able to get it out of politics, each party refusing to give or take in agreeing upon a plan. Personally I think the Republican Party, in power for 16 years, should have taken a step in that direction, as it would have been much easier for it to have accomplished the task on a full stomach than it is for the Democratic Party to do so on an empty stomach with the spoils of political warfare within reach. But I have hit upon a plan that will fill the Democratic stomach temporarily and yet remove absolutely the Postal Department from the spoils system and place the election of postmasters in the hands of the people.

This restriction of candidates to the party in power seems necessary to the success of the bill. The Democrats in and out of Congress would feel outraged if the measure would prevent them from realizing the conceded fruits of the election after the Republicans had held these positions during the past 16 years. This sense of fairness would extend to Republicans also, as no fair-minded Republican would contend that the Democrats are not entitled to these positions under existing circumstances.

But when this measure becomes a law and the people elect their first postmasters the Postal Department immediately ceases to be of any interest whatever in national politics, and after that good day comes it will be an easy matter to let down the bars so the office may be sought by candidates from any political party.

SERVE FOUR YEARS.

Under the provisions of the bill the term of office is fixed at four years, and the Postmaster General may remove a postmaster for the good of the service and call upon the patrons of the office affected to elect a new postmaster. This does two important things: On the one hand prevents a life tenure in office with the resulting incompetency of old age, and on the other keeps the service up to a high standard by giving the Postmaster General power to dismiss a postmaster for the good of the service when the people make a mistake in their choice or from any other cause. But the rights of the people are still safeguarded, in that they always choose their servants and their servants are therefore responsive to the people they serve. This makes a double check on the postmaster, and is a guaranty to the people that their interests will be conserved. The idea that the people should pay a man good wages—far above the average wages—to handle their mail and let a political boss hire this man for them has never been so repugnant as it is right now.

Four-year terms are long enough for the good of the service. If a postmaster is worth while he can get an indorsement of the people for reelection; if he is not he goes out. Under the civil-service plan he holds on for life, and the Government now has in its service thousands of old men and women unable to do the work required of them, and the public service suffers. It is not humane to discharge these people who have spent a lifetime in the service and are unfitted for any other work. The only alternative is to pension them, and that is manifestly unfair, for why should one class of servants be pensioned at the expense of other classes? The farmers of Nebraska work 15 hours a day and the clerks and factory hands work 8 to 10 hours a day. Why should they be taxed to support in old age men who work from 6 to 8 hours a day on better wages for the Government? But the biggest objection is the danger to the very existence of our form of government if a public-service pension would be granted.

ARMY OF EMPLOYEES.

There are hundreds of thousands of Government employees scattered throughout the United States. When these folks with a vote demand of Congress favorable legislation along the line of pensions for public servants, just what will happen to the principal idea that our Government is for, of, and by the people? It will cease to be so, and will be a Government of, for, and by the pensioners. If Congress refused an increase in pensions they would defeat it for reelection, and elect instead a Congress that would grant it. We now pay a tremendous total of about $200,000,000 a year for war pensions, and the Philippine war veterans are not yet on the rolls to any extent. Add to these war pensioners the civil pensioners, and the end can easily be seen. This Government, strong as it is, can not resist a strangle hold like that. Yet I feel that all of the people owe the war pensioners all they get, for all of the people were back of the war, but this public-service pension is another matter, and will naturally follow a life tenure of office for Government employees.

This bill which I have introduced into Congress for taking the Post Office Department out of politics is a long stride toward popular government, and whether it becomes a law or not it is safe to say that the people will not accept boss-appointed postmasters much longer.

There is no valid argument against the people's rule. The people learn by doing. They make mistakes, of course, but they have the right to, because they pay for them, and through their mistakes they learn their lessons.

The question is a broader one than at once appears. We found that the framers of the Constitution made a mistake in placing the power of electing Senators in the legislatures of the various States. The people have since corrected this blunder of the fathers by issuing primary instructions to the legislatures, directing these representative bodies whom to elect. It is only one further step for the towns and cities to direct the President of the United States whom to appoint as postmasters through properly constituted primaries.

I greatly question the moral right of a Congressman to pay off his political obligations by giving away post-office jobs. He has about as much moral or legal right to name a postmaster as

he has to choose a ruler of the Fiji Islands. It has been generally considered legitimate to give these places to the party men who have fought the political battles, and there is some reason for this action. But would it not be infinitely better to let party men seek these positions through the votes of the people rather than through political bosses? Is it not a bad thing for the country to have its offices parceled out by a few men who happen to get into the saddle? In Turkey the Government sells the privilege of levying taxes at auction to the highest bidder, and the successful bidder is then privileged to loot the country for all he can get. The fact that this privilege of giving out these post offices has not been greatly abused is a splendid commentary upon our citizenship. It is possible under this system of distributing post offices and other appointive offices in the gift of the President to raise a corruption fund that would control a general national election. The way to cure it is to have the appointive power absolutely wiped out. Let every man who is to serve the people in any capacity secure his commission directly from the people. He will then know that he was elected to office to serve the people.

This thankless job of recommending candidates for postmasters is no part of the constitutional duty of a Congressman, and has been placed upon him by the Executive through force of circumstances, because the President could never have personal knowledge of the merits of the candidates. It has grown to be such a burden on Congressmen the country over as to seriously interfere with the legitimate duties of his office as a legislator. Practically half or more of his time is taken up with this question of ascertaining the merits of candidates and giving every one a fair and impartial hearing, and after he has done his best to recommend the best men for the places he finds the discontent with his selections is almost universal, and at the next election his success or failure to win a reelection depends upon the manner of handling recommendations of candidates for post offices rather than upon his success as a legislator.

This trouble can be wiped out completely by the President ordering the people to choose their postmasters at properly constituted primaries, and thereby get his authority for appointing postmasters directly from the people instead of taking the indorsements of Congressmen. This would be fair to the people and fair to the Congressmen, who are rent in twain as a result of acting as a buffer between the President and the people.

There is no office in the scheme of our Government that comes closer to the people than do postmasters.

Every normal person does business with him. We elect practically every other local officer, yet we permit John Doe to pass out the post office, because the President must depend upon some one's recommendation, since the people have nothing to say about it. The absurdity of permitting any one man or set of men who happen to be in power to pick their postmasters, or any other administrative officers, for them is apparent as soon as the question is examined closely.

I have tested the feasibility of the plan of electing postmasters by ordering voluntary primaries in my district in the towns where vacancies are to occur soon. The results have been very satisfactory, but the critics have been very numerous. In answer to these critics and for the purpose of encouraging those who believe in the principle I issued a circular letter to my constituents, a copy of which I shall make a part of my remarks, as it covers the usual objections to popular elections of postmasters.

ANSWER TO CRITICS ON ELECTION OF POSTMASTERS.

In view of the numerous inquiries and criticisms on my plan for allowing the people to choose their own postmasters, I wish to state for the benefit of those interested in this great reform that the plan is working admirably and that the people are intensely interested in exercising this privilege. We have now held seven elections in all where the people have held open elections or Democratic primaries or caucuses. In every instance there has been a good man chosen for postmaster, and in most instances the vote cast has exceeded that cast at any general election. Even when a Democratic caucus or primary has been held the vote practically equals the total usually cast by all parties at a general election. For example, at the last election for postmaster, where the voting was restricted to Democrats upon the request of the five candidates, there were about 200 votes cast. The local press described it as a most enthusiastic election and says that the streets were blocked by the people and business practically suspended while the people were busy picking a man to serve them as postmaster. In closing, however, the author of the article, who was a defeated candidate, stated that the plan was very unpopular and that many thought if their Congressman did not have backbone enough to appoint a postmaster without bothering the people with it, he did not have backbone enough to serve the people as Congressman. Certainly a candidate who receives less than 10 votes out of a total of about 200 has a right to feel that the people can not be trusted to attend to their own business. But they surely show plainly what they want, and if the people did not want to be bothered with this little matter of choosing their postmaster, they would not block the streets coming out to an election.

THE HOOPER CASE.

Down in Hooper they liked elections so well they held two of them, and some wanted a third whirl at it, but I protested. The Democrats held a caucus, and the Republicans later on held a mass meeting. Everything went off in fine shape, and the critics of the plan have had great fun lying about it. The Democrats held a caucus and elected Mr. Fritz unanimously. The caucus was the only poorly attended meeting of the seven, due to a stormy night; but since there was no other Democratic candidate, another election was not necessary. Mr. Ring, the present Republican postmaster, and a good man, was a candidate for reappointment, and since many Democrats wanted him named I had agreed to recommend Mr. Ring in case a Democratic caucus recommended him to me. The Democratic caucus did not do so, but instead, unanimously recommended Mr. Fritz, whereupon Mr. Ring, through two or three friends, called a mass meeting, and naturally, Democrats refused generally to attend it. Even this meeting, called for the specific purpose of nominating Mr. Ring, gave Mr. Fritz, who was not a candidate before the meeting, 15 votes. No less than 25 newspapers have printed the account of this mass meeting, and the fact that Mr. Fritz received 15 votes to Mr. Ring's 150, and that I refused to appoint the people's choice, and not one of them mentioned the fact that a previous Democratic primary had elected Mr. Fritz unanimously, and that Republicans are barred from being candidates under the rules.

I mention these details to correct the record and to show that the people are as much interested in electing their postmasters as they were in electing a President last fall, and where such interest prevails good results must follow.

THE SHORT-BALLOT CRITIC.

Another critic advances the idea that my plan of electing postmasters is against the latest ideas of government, which is a tendency toward the short ballot—the election of fewer officers instead of more. If he had considered the subject closely he would have seen that the election of postmasters is the short-ballot idea in a nutshell. It is the shortest ballot possible, and the candidates are known to every voter. The evil that argues for a short ballot is the long list of candidates, for instance, that the average voter does not know and which is elected, as a rule, by guess. Whatever merit the question of a short ballot may have it applies forcibly to the election of postmasters, for if the people are not competent to elect their own postmasters from among their friends and acquaintances whom they know almost as well as they do members of their own families, just whom are they competent to elect? They elect now mayors, members of the legislature, and State officers, and they do not come in contact with these officers once a year, whereas they deal with the postmaster daily. Does the fact that they must meet the postmaster daily and stand for everything he does, good or bad, disqualify them for passing upon his merits at the polls? Well, hardly. It puts them in fine shape to pass upon him, and it has a splendid effect upon the postmaster to know he has a boss in the people he serves rather than in some political boss who used to own him.

THE CIVIL-SERVICE ADVOCATE.

The same critic advocates placing the postmasters under the civil service, which again leaves the appointment to the Postmaster General. This simply means changing a political boss who does have a local interest for a post-office inspector boss to recommend the postmaster to the department who does not have. This inspector knows about as much about whom the people want or the efficiency of the man he recommends as any other passing stranger would know, and I deny that any one man knows more about whom the people want and who can serve them best than the people know themselves. To admit that such is true is to admit that our form of government is a failure, and a king could serve us better. The people can change a party boss now and then when they can not stand him any longer and get a new postmaster, but under the civil service a postmaster might be fairly capable but exceedingly offensive to the people and still hold his job in spite of them. But an elective postmaster will try to please the people he serves, because he will want a reelection. Further, a clerk under him in the civil service will be more responsive to the people, because the postmaster over him must be, and the postmaster has influence with the department. On the other hand, if the postmaster was under the civil service the people could rage all they pleased, and the postmaster would stay on—the people be damned—and a clerk who was not utterly bad could not be disturbed.

THE PARTISAN CRITICS.

There is another class of critics, mainly very partisan Republicans, who complain because we do not permit Republicans to compete as candidates. These are the last men who should complain, because they took the offices of the people for 16 years through the operation of a political boss, and now that they have lost control of the Government by abusing the privilege given them they would still like to hold a portion of the offices. No fair-minded Republican objects to the right of Democrats to hold the offices, providing they are decent, capable men; and I feel that the rights of all the people are being safeguarded when I refer the matter for settlement to either a Democratic caucus, where a large percentage of the people vote, or to a primary, where all the people vote. At least the people will not have thrust upon them an objectionable officer through the spoils system. The ideal method is a wide-open election, without restrictions, but any man with gumption enough to have an opinion worth considering knows that to make these offices available to Republicans at this time, after they have hogged every office for 16 years that rightfully belonged to the people and paid bad political debts with them, would outrage the sense of fairness of every man, regardless of politics. It will be an easy matter to throw these offices open to general elections after the people once get used to this new privilege of attending to their own business, even though they must now pick the postmaster from among Democrats. When politicians quit selling these offices for political services the people will be let alone to elect whom they please, regardless of politics. It even strikes me as absurd now to be consulted by the towns of my district on a matter of choosing postmasters for them. Later on, when they get used to picking postmasters for themselves, it would cause a riot for a victorious party to undertake to again sell the people's offices to the highest political bidder. The man who defends the spoils system to-day will be heartily ashamed of it to-morrow.

Then there is another class of critics who complain because Republicans are allowed to vote upon Democratic candidates. Under our rules the candidates, in conjunction with the county chairman, can decide whether a Democratic primary or an open primary shall be held. Personally I very much favor an open primary, but I do not wish to thrust my convictions upon those who do not believe in them. In answer to these critics, I would simply offer the suggestion that possibly the Democrats of those towns in which they have open primaries know what they want, and if they prefer to have their Republican brothers vote with them on this subject I do not know of anyone but a political boss or these same critics who would have the nerve to interfere with their wishes. I never could find any facts to warrant the fear, as charged, that Republicans, if allowed to vote on Democratic candidates, would pick the worst on the list in order to embarrass the Democratic Party by electing a bad man to office. I have never insulted my Republican brothers by considering them so devoid of patriotism and common sense and decency. The charge is a political nightmare and will pass away when the victim of the dream gets out in the sunlight. Nor do I believe Republicans will vote for a milk-and-water Democrat who has never had political convictions or been active in party politics. They will vote for the candidate that they want, regardless of politics or religion. The facts of elections bear out the statement.

Notwithstanding large Republican majorities in Nebraska, the Republicans favored fighting Democrats like Gov. Moorehead, Senator HITCHCOCK, and in congressional districts MAGUIRE, LOBECK, and myself have been elected and reelected over Republican majorities, all disproving the statement that active, fighting Democrats can not receive political support from Republicans. It sometimes happens that an active Democrat is also an exceedingly offensive one personally, and of course he could not be elected and should not be elected. If he were appointed because of service, he would be a thorn in the side of the people and a weakness to the Democratic Party. In one town election an active worker had the Democratic indorsement of the county central committee and a portion of the State committee. He was one of five candidates, and out of several hundred votes he got less than 20. Under the spoils system he would have gotten the job and the will of the people would have been thwarted. I deny that such a man has earned a place by his party service. I deny that a man who can not command a greater support has ever been able to render a great service to his party. The chances are that his activities have annoyed the people and driven support from the party instead of bringing support to it, and he may be a good man, too, but simply unfortunate in his personal appeal.

HAS TRIED THE SPOILS SYSTEM.

I have tried the Democratic primary or caucus, the open primary, and the spoils system, and I am so strongly convinced that the primary method in one form or another is the best method for the people that I shall make no further recommendations where there is a contest without receiving my instructions from the people. Before I decided upon the elective method I recommended candidates in three towns under the old spoils system that my critics so heartily indorse. They also point to this fact to show my inconsistency and how my rule of the people only works where I want it to. There is no doubt about my action in these three cases being wrong in principle, though I am sure I named excellent men, but I suggest that my action in these three cases be used by my critics as a horrible example of the spoils system. They need make no excuses for me, such as having acted before I decided upon the election plan. I am not asking for any quarter in this contest with the bosses.

Now, to conclude, I make this broad assertion, that there are only two classes of people who favor the spoils system of appointing postmasters. In the first class are all who think they or their friends can profit by it in one form or another regardless of the wishes of the people. In the other class are those who do not believe the people are competent to attend to their own business. Those in the first class always favor the spoils system until they find out I am not for their candidate, then they think a chance with the people is better than none. Those in the second class belong to the kingly crowd and have an honest doubt of the ability of the people to govern themselves. At least their motives are not mercenary, even though they are misguided. Let the people take their choice of attending to their own business or letting the bosses do it for them. I am more than pleased to submit the case to the jury.

The Tariff.

EXTENSION OF REMARKS
OF
HON. WILLIAM S. GREENE,
OF MASSACHUSETTS,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. GREENE of Massachusetts. Mr. Speaker, the importance of the tariff question as a great economic subject was well exemplified by my colleague, Hon. PHILIP P. CAMPBELL, who represents the Third district of the State of Kansas in the House of Representatives, in an address delivered before the City Club, a nonpartisan organization located in the city of Boston, in the Commonwealth of Massachusetts, the day following the presentation of H. R. 3321, known as the "Underwood tariff bill," by Hon. OSCAR W. UNDERWOOD, chairman of the Committee on Ways and Means, to the House of Representatives.

The gentleman from Alabama [Mr. UNDERWOOD] clearly and forcibly expressed his views on the tariff question as embodying the views of the Democratic Party on this important economic subject, explaining why he and they thought the policy of protection to American industries and American labor should be supplanted by the proposed law, which was to provide a tariff for revenue upon a competitive basis, to be established by manufacturers across the seas, and to result, as he hoped and believed, in a substantial advantage to the American consumer. The address of my colleague [Mr. CAMPBELL of Kansas] delivered, as I have stated, before the City Club of Boston, Mass., expounds the policies of the Republican Party and refutes the theories of the Democratic Party, that prosperity can be best secured to American capital and American labor by providing competition from abroad, where the wages of labor are lower and conditions are very much inferior, both in the cost of production and the standard of living, than they are in the United States.

Theories in considering the tariff question may satisfy college professors, importing interests, and doctrinaires, but the plain American citizen understands very clearly that every dollar's worth of products manufactured in other countries and entering this country from abroad because of the lowering of tariff barriers at the ports of entry in the United States, deprives Amer-

lean laborers of employment, and prevents reasonable earnings for invested capital, and the plain American citizen will be heard from at the ballot box. The address of my colleague from Kansas [Mr. CAMPBELL] follows:

Mr. CAMPBELL said:

"Mr. Chairman and gentlemen of the City Club of Boston, I thank you for your cordial greeting and assure you that I esteem it a very great privilege as well as a pleasure to participate in the open and free discussion that you are having of this very important subject. I shall omit the stories that I may have had in mind to tell and go right to the job that I have in hand. [Applause.]

"We are dealing with one of the oldest, if not the very oldest, questions in American politics, and at this moment the most important. It was announced on the floor of the House of Representatives yesterday by Mr. UNDERWOOD, chairman of the Ways and Means Committee and the leader of the Democratic Party on the floor of the House, that the Democratic Party was to inaugurate a new era in the fiscal policy of the United States; that it was going to reverse the policy to which we had adhered for a half century or more; and to begin a policy of competition with the world in the products of our labor and our industry.

"Gentlemen, that is one of the most important declarations made on the floor of the American House of Representatives for a half century. Let us see how important it is.

"First, let me say that two things are essential for the prosperity of the American people: steady employment for its laborers at the highest possible wage; and, second, good prices for the product of American labor on the farm, in the factory, in the mill, and in the mine. You can not have a prosperous country without both of these conditions. The fathers of the Republic believed in building up and protecting American industries. Let us see whether or not they were wise. Let us examine the experience of the American people with the policy of the fathers, as established under the leadership of Alexander Hamilton, renewed under the leadership of the Republican Party, and compare with the people's experience under the policy of nonprotection to American industries, as inaugurated by John C. Calhoun in 1833 and renewed by OSCAR W. UNDERWOOD in 1913.

"We may indulge in all the sophistries that are possible, but when we reach the experience, when we put theories into operation, we find out whether or not they were wise and whether they work to the welfare of the people.

"But before I take up that discussion let me notice some of the things that have been claimed for reduction in the tariff. Your chairman has stated that the Republican Party had promised in the national election of 1908 to reduce the tariff in the interests of the American consumer. Now, gentlemen, who is the American consumer? Why, the American consumer is the American producer—we are all producers and all consumers. We consume your products and you consume ours. We are the producers of things of which you are consumers, and you are the producers of products of which we are consumers, both producers and consumers alike. We produce bread and meat for the employees in your shoe factories, and we consume the shoes that are the product of your factories. And what I say of shoes is equally true of every other product, of every other section of the country, with its factories, farms, mills, shops, and mines.

"But your chairman, who, I understand, is a shoe manufacturer, led me to believe that he thought that a reduction in the tariff upon a given commodity would be a benefit to the consumer. I was one of those who protested against taking the duty off hides. And I say to the chairman and to other gentlemen here that one of the reasons the Republican Party under the leadership of Mr. Taft was not popular in the West, in the Mississippi Valley, was because he took the conferees on the Payne bill into his hands and forced them to take the duty off of hides; but I supported the bill as it came from the conferees with free hides in it, being told that that would result in a reduction in the price of shoes. I ask the chairman now if putting hides on the free list and reducing the tariff on shoes—about 65 per cent, I believe, or 60 per cent—has resulted in cheapening of the cost of shoes to the American consumer? Did it?

"Mr. JONES. It did.

"Mr. CAMPBELL. Where?

"Mr. JONES. Everywhere.

"Mr. CAMPBELL (resuming). Why, sir, every man who buys shoes knows that the price of shoes has advanced since hides went on the free list and the duty on shoes has been reduced. I know it and you know it.

"A VOICE. You bet your life!

"Mr. CAMPBELL. My good wife buys shoes for four children——

"A VOICE. You're all right! [Laughter.]

"Mr. CAMPBELL. I thank you, sir. She went to a shoe dealer of whom she had been buying shoes about six or eight weeks after the passage of the tariff bill—the Payne-Aldrich tariff bill. She found that the price of the same shoes she always got from the same dealer had been advanced from 25 cents to 50 cents a pair. She was surprised and asked why it was. And the dealer said, 'Why, this iniquitous Payne-Aldrich tariff law is responsible for that.'

"I did not know that the tariff had been taken off of hides and that a 60 per cent reduction had been made upon shoes. She paid the increase in the price for the shoes and has continued to do so ever since.

"If a reduction in the tariff on other things does not bring better results to the American consumer than the reduction of the tariff on shoes and putting hides on the free list, it will be of but little benefit to the American consumer. [Applause.]

"Now, it is not my purpose to discuss the 4,000 items embraced in the tariff bill, but I may be permitted to take your time long enough upon one schedule to say that the American shoe manufacturer has had the advantage which was given to him by the Patent Office; he has had the advantage of the inventive genius of American inventors, and patents on machinery have protected him. That is the reason the American shoe manufacturer has been able to manufacture the best shoes in the world and to get those shoes into the markets of the world. And I want to tell my distinguished friend, the chairman, that when the Japanese begin to use on a larger scale American shoe machinery and pay one-eighth of the wages to the men and women and children who operate that machinery—one-eighth of the wages that are paid in Massachusetts—that he will find some difficulty in competing with Asiatic labor in the production of shoes. [Applause.]

"He may not feel that next year, nor the year after, but it is the product that is produced by low-paid Japanese labor that will control the market under free trade.

"The laborers employed in the shoe factories of Massachusetts can not compete with labor that receives from one-half to one-tenth of the wage that is paid to the American shoe laborer.

"Now, let me state broadly again that the new policies that will be inaugurated by the enactment of the Underwood bill means more in its consequences to the American people than any law that has been enacted in the United States Congress in a half century. It has been stated by the author of this bill that his law is very much like the Walker tariff law of 1846; he states that it is not the intention of the makers of this law to make it for the protection of any industry in the United States; that the sole purpose in this bill is to raise revenue; and that he had not intended that any one industry should be taxed for the purpose of maintaining any other industry in our country.

"We have had experience under low tariffs, and we have had experience under what your chairman calls a "high protective tariff." I do not know why he uses the word "high"; there is only one kind of a protective tariff, and that is a tariff that protects. As a farmer boy I learned when the neighbors' cattle got into our field that there was only one kind of a fence that would keep them out, and that was a fence that was high enough. And I know of only one kind of a tax upon importations from foreign countries that will protect similar products produced in our own industries, and that is a tax that is high enough to keep our market for the products made by our own labor.

"That may not be the popular thing; it has not been popular for men to stand before American audiences and to defend that policy within recent years, but after four years of experience under a nonprotective tax—a tax that is levied simply for revenue—that the American people throughout the length and breadth of this Republic will be mighty glad to come back to a policy that puts a tax upon the products of foreign industries and foreign labor, which are to be sold in our markets in competition with the products of our own institutions and of our own labor. [Applause.]

"We began with protection in 1789, and had a protective tariff until 1816; that was a period of marvelous growth and development in our country; industries grew up and multiplied; laborers everywhere increased in number; the farmers had a market for everything they had to sell; business men prospered. We had abundant revenues with which to defray the expenses of our Government.

"In 1816 a low tariff law was enacted; a tariff that was not high enough to protect us against competition with the conditions in Europe. The conditions of manufacture there were such as to enable manufacturers to send their commodities into our market and undersell us; and they did so. In many instances they sold here cheaper than they sold at home. The result was that our industries one after the other closed; our laborers, hundreds after hundreds, thousands after thousands, went out of employment; the farmer lost a market for what he had to sell; revenues fell off; the Treasury became bankrupt. The President of the United States at that time, Mr. Monroe, called attention to the deplorable condition of our country, and the fact that our farmers were mortgaging their farms to raise money with which to buy the product of foreign factories. This money went to Europe and remained there. The people appealed to Congress for a return to the policy of protection.

"There was a return in 1824, and the country remained under that policy until 1833. That period marked the revival of industry; closed factories opened, mills, shops, factories opened everywhere and idle labor found remunerative employment. Wages were increased; the farmer had a market for everything he had to sell; revenues were abundant to defray the expenses of the Government; in 1832, in his first annual message, President Jackson congratulated the country on the prosperous condition of industry everywhere and upon the condition of the Treasury, that we were able to pay off the last dollar of the national debt of two wars, and that was done; it was a proud and happy day for the Republic. We had had nine years of 'high protection'—nine years of protection to the laborers of our own country against competition with the lower-paid laborers of other countries, and the nine years of protection to the industries of our own country against the products of the industries of other countries; nine years of protection that made a market to the producers of the products of the soil, of the mines, and of the factories everywhere; nine years of the greatest prosperity that the country had known up to that time.

"In 1833 John C. Calhoun discovered that Massachusetts was prospering far beyond its due, as he supposed, and he announced that the South should not be taxed for the benefit of New England; and he coined the expression that has been used over and over again by Democrats and held Democratic orators ever since, that one man should not be taxed in this country for the benefit of another; that one industry in this country should not be taxed for the maintenance of another industry, and he won.

"In 1833 the tariff law made a gradual reduction downward with a gradual closing of industries. Laborers were going out of employment, farmers were losing markets, the Treasury was losing revenues, until ruin spread all over the country and blighted every industry; there was bankruptcy everywhere until the disaster and depression covered the whole land. Everything was in a state of industrial and financial paralysis; the Treasury was again bankrupt.

"President Tyler called attention to the fact that he could not sell the bonds of the United States at 12 per cent in a time of profound peace. That was under one of your 'low tariffs'—under a nonprotective tariff, when the consumer, whoever he is, had the advantage of buying the product of the laborer of other countries.

"The whole country was pauperized. That condition continued until 1842, when we again returned to the policy of protection. That opened our mills, our shops, our mines and factories, and again our laborers found remunerative employment; again the farmer had a market; again the banks opened, and business revived everywhere. Industries went out of the hands of receivers, and we had another era of prosperity inaugurated.

"But the theory of free trade advocated by John C. Calhoun was too strong. In 1846 we abandoned the policy of protection and went to the policy of nonprotection or free trade—competition with the world.

"Now, it has been said that the tariff of forty-six inaugurated an era of great prosperity, and that whatever may be said about other times in our country's history, that of that period it must be said that the American people prospered under free trade.

"That statement was made yesterday by Mr. UNDERWOOD. He compared his own bill with the Walker tariff; he stated yesterday, on the floor of the House of Representatives in introducing his bill, that the Walker tariff inaugurated and maintained one of the greatest eras of prosperity that the country had ever experienced. If that is true—and it is not—why, his bill may prove beneficial to the American people.

"But let us see. The men who lived in that day ought to know something about the conditions at that time. I do not see anybody here old enough to know, but I have in my possession a statement of the then President of the United States, Mr. Fillmore, made in his annual message of 1852, in which he reviews his former message in which he called the attention of Congress to the deplorable condition of the country, of its manufacturers, of its laborers, and urged again a return to the policy of protection. This is what he says:

"In my first message to Congress I called attention to what seemed to me some defects in the present tariff, and recommended such modifications as in my judgment were best adapted to remedy the evils and promote the prosperity of the country. Nothing has since occurred to change my views on this important question. Without repeating the argument contained in my former message in favor of discriminating protective duties, I deem it my duty to call your attention to one or two other considerations affecting this subject. The first is the effect of large importations of foreign goods on our currency. Most of the gold of California, as fast as it is coined, finds its way directly to Europe in payment of goods purchased. In the second place, as our manufacturing establishments are broken down by competition with foreigners the capital invested in them is lost. Thousands of honest and industrious citizens are thrown out of employment, and the farmer is to that extent deprived of a home market for the sale of his products. In the third place, the destruction of manufactures leaves the foreigner without competition in our markets, and the consequent rise in articles sent here for sale is now seen in the increased cost of iron imported from England.

"That is the statement of Mr. Fillmore, made in his annual message in December, 1852. The conditions of the country were peculiar at that time; we had discovered gold in California and were mining it in large quantities, and it was giving a measure of prosperity to the country. We were also building railroads and the laborers who had gone out of our factories, our shops, and our mills found employment for the time upon the railroads in building them; but the drain upon our resources was so great that we could not stand it—we were sending our money to foreign countries with which to purchase the products of their factories, their mills, and their shops; that continued until we were in a condition of hopeless bankruptcy and industrial ruin.

"The Presidents continued to call attention to the deplorable condition of our industries, and in 1857 President Buchanan, another Democratic President, said that in the midst of natural conditions that ought to promote the welfare and prosperity of the people we were in a condition of industrial depression and disaster that was unparalleled in the history of our country; said that we would have to sell the bonds of our country with which to raise money to defray our expenses, and even that would be better than for the Government to say that it could not pay its expenses. Every time we have had a nonprotective tariff law, or a tariff for revenue, we have had the same conditions. We have had labor out of employment, industries idle, business in bankruptcy, and not enough revenue coming into the Treasury to pay our running expenses.

"A tariff for revenue has never produced enough revenue to defray the expenses of the Government, even in a time of profound peace.

"In 1860 the country readily returned to a policy of protection. The statement of Mr. UNDERWOOD yesterday, that that tariff act was signed by President Lincoln, was not true. The Morrill Tariff Act was signed by President Buchanan, a Democratic President; it was passed, it is true, by Republicans. They returned to a policy of protection before the war; it was not a war tariff, as stated by Mr. UNDERWOOD yesterday; it was a tariff to open the industries of our country to the idle labor of the land, to make markets for the farmers of the country, so that their crops would no longer rot in the field for want of a market. It was to open up avenues of trade for the business of the country, and to revive the condition of prosperity in the country, and to provide revenue with which to defray its running expenses in a time of peace. And the industries did open. Under that tariff we went through a four-years' war that devastated and reduced to ashes the Southland. It took four years of the life of the Nation, four years of the time and the best blood of the Nation, and cost billions of treasure; and yet for a period of 30 years after the passage of that law we experienced 30 years of the greatest revival of industry, the greatest growth and prosperity that our country has ever known in any 30 years of its history up to that time. The South was rebuilt, and the West that you have been told of by free traders and near free traders [laughter] did not have shoe factories, nor the woolen mills, nor cotton mills, nor the watch factories, nor any other factory; all they had was prairies and plows, but they voted for protection to the industries of Massachusetts and New England. And what in 1860 was a part of the American desert—raw prairie land that was not worth a dollar and a quarter an acre—became at the end of that period an imperial empire, inhabited by a prosperous and happy and contented people, living on splendidly developed farms and homes. They had a market for the products of the farms; they prospered by selling their corn, their wheat, and their oats, and their pork and their beef; and the laborers employed in the shoe factories and the woolen and cotton mills of Massachusetts prospered by selling their shoes to us. We prospered together.

"The chairman may find in Japan and India and other countries that will be competing with him in the manufacture of shoes a better market than the farmers of Kansas for the product of his factory, but I doubt it. We have been pretty good customers for the industries of this country out our way. And you have been pretty good customers of ours, and we have been content to work along with you for the prosperity of the whole country. We are willing in four years from now to renew that contract with you. [Applause.]

"And I will tell you what we will probably require of you, however; we shall probably require of you that you will not demand the right to sell us your products and at the same time buy products of the Canadian farmer. [Applause.]

"But I am not going to be led away. After 30 years of prosperity the country again tired of protection; that is, those who denounced protection as the robbery of the poor for the benefit of the rich. They told the farmers in Kansas they had been robbed for 30 years in the interests of the shoe manufacturers of Massachusetts. And the farmer said, 'That is so.' Peffer and Simpson denounced Ingalls and the others who had been supporting the policy of protection. And the country went just like Maine went one year—for free trade; it was the first experience that we had had of it for thirty-odd years. That tariff inaugurated another era in which our industries closed, our laborers went out of employment, and everywhere mills, shops, and factories were idle; the laborers were wandering all over the highways of the country in search of work they could not find. The farmer had no market for what he had to sell; everything was cheap—cheap as you could buy it in Europe. Shoes were cheaper than they are now; they were cheap because nobody had the money with which to buy them. [Applause.] People were going barefoot or wearing their old shoes—and they only had one pair. What was true of shoes was true of everything everywhere—everything at that time was cheap. Bread and meat were cheap, but people went hungry; clothing was cheap, but the people were poorly clad. Farms became cheap, horses were cheap, shoe machinery was cheap, men were cheap, labor was cheap, but nothing was going on, and the Treasury again was bankrupt; and again, in a time of profound peace under a tariff for revenue we had to sell the bonds of the Government to raise money with which to defray the expenses of the Government. We sold $260,000,000 of the bonds of the United States to raise a little money to pay the salaries of the officers and to defray the expenses that are incident to the operation of a great Government like this. No war; no extraordinary expenses; but we were under a tariff for revenue, and free trade.

"The people did not have the money with which to encourage the importer to bring into the country the cheap products of the labor of the world, and they could not buy the cheap products of either Europe or Asia, or of any other country. So we were without revenue. It would be difficult to exaggerate the conditions, the hardships prevailing throughout the country during that period, and I will not take your time doing it. I shall only say that in 1897 we again returned to the policy of protection. High protection, if you please to call it, but protection which means a tax upon importations coming into the country when these importations compete with like products produced in our own country, and under that law, taxing these products, we competed with ourselves in like products. Our mills, shops, factories were open everywhere, and laborers in the country who had been idle for years again went into the active industries of the country at a remunerative wage that has been increasing ever since.

"The era of prosperity, beginning with the tariff of 1897, has continued for 15 years, and we have had an era of the greatest growth, the greatest prosperity, that the country has ever known or that has ever been experienced in any country in the world. Even the chairman, I take it, has prospered. [Laughter and applause.]

"Under the law that he stigmatizes as 'a high protective tariff' his industry and the industries of hundreds of thousands of citizens of our country and the products of our labor were again protected in the markets of our country; and because of that the American labor continued in employment and made a market for the American farmer—made a market for the products of other industries than those in which he labored. Together they all prospered, buying the products of each other's labor, giving prosperity to the transportation companies of the country and the business men of the country, the banker, the merchant, the wholesale and retail merchants, everyone everywhere has prospered.

"The chairman stated that under free trade we would enjoy the markets of the world. Do you, any of you, think that the world outside is a better market than we have at home? We have here nearly 100,000,000 of prosperous people, all employed at remunerative employment, either as wage earners or producers, as farmers or factory or mill employees, or upon our great transportation companies of the country. Are they not better consumers than the laborers employed in the other countries of the world? Why, one American laborer is worth two in the best country in the world outside of the United States, and worth 12 of many countries outside. We are the greatest consumers, per capita, in the world, and the best, of all manner of products.

"Why, the chairman knows that in these 15 years we have been swinging the balance of trade in our favor in the inward and outward commerce that we have had with the rest of the world; in these 15 years the balance of the trade with the world has been in favor of the United States. We have sold more to the world outside than we have purchased from the world outside.

"I do not know whether you have experienced it or not; I known by experience that when you buy less in a trade than you sell you have the advantage. I used to go to town with butter and eggs when the balance of trade was with the grocer; I had to raise money by selling corn at 13 cents a bushel to pay the balance to the grocer; when the balance of trade was in my favor I said, 'Just give me credit for that until the next time I come to town.'

"For 15 years the balance of trade has been with Uncle Sam in his transactions with the world. In those 15 years we have fought a foreign war; we have constructed the greatest engineering enterprise ever undertaken by any nation; we have increased our expenses enormously by multiplying the operations of the Government in every way; we shall have a balance in the Treasury on the 1st day of July next without resorting to the selling of bonds for the ordinary expenses of the Government and without efforts to reach every man, woman, and child in the United States with some process of direct taxation.

"We have paid our expenses as we have done during those years, in addition to the fact that we have had all our laborers employed in our business of every character prosperous.

"Now, gentleman, why is all this true? When can this 16-year-old boy that Congressman HEFLIN, of Alabama, told you about, following his mother with a stone in his hand, be weaned? I did not read that story; I have not had an opportunity to read the speech of my genial friend, Mr. HEFLIN of Alabama, but I got the story. Now, I will tell you when he can be weaned. In other words, we can abandon that policy of protection by leveling our standard of living—mark you now—leveling our scale of wages to the level of the wages of those who compete with us with their products in our market. That is one alternative or one condition under which we can abandon the policy of protection.

"I am not in favor of reducing the wages of the American laborer nor his methods of living to the wages and methods of those with whom he will have to compete under free trade, whether they be employed in England, Germany, France, Italy, Japan, or India; but I will consent, as I am sure you will, as patriots, to free trade, to the Underwood tariff bill, if you please, when the other countries of the world level their standard of living and wages up to ours, but not until then. [Applause.]

"Then their labor cost of production will be equal to ours; then we can compete with them in the 'markets of the world,' and not until then. The industries will control the American market—the best in the world—that can produce at the cheapest labor cost.

"I said a while ago that two things were essential to our prosperity—steady employment for labor at good wages, and good prices for products of the farm—and I repeat it here. Does it pay, though? Has this policy that we have pursued here for half a century, with the hiatus of four years, been a mistake? I have been told that it was. In an interesting interview that I had a short time ago with Sir Wilfrid Laurier, Premier of Canada, one of the most brilliant free traders with whom I have ever talked, he said that the Americans had made a great mistake in the adoption of their policy of protection. He said: 'You have built a wall about yourselves; you keep out and in; you prevent free and untrammeled trade with the world; it is a great economic mistake"; and he proceeded to dilate upon it to me, and made it look more plausible than anything I have seen in any of the books written by presidents of colleges. [Laughter.]

"After he was through I said to him respectfully that the area of Canada is just a little larger than ours; that it boasts of as fertile a soil as ours, of rivers as deep, of forests as rich in wood products, of hills and mountains as rich in minerals—the natural resources of the countries are equal. Canada began about 20 years before we did; we have worked along side by side; we have had an equal chance in the world. We put a fence around our premises, and have kept that fence up a good deal of the time since 1789. We have acquired a population of nearly 100,000,000 people—the richest, most prosperous people on earth—there are seven cities along our northern borders that make a mighty attractive market for Canada. In the same time we have been acquiring that population of one hundred and odd million people Canada has acquired a population of 7,250,000—not as many as we have in seven cities along our northern border, upon which Canada looks as such a desirable market for the products of her farms.

"And there you are. Until recently they have had the policy of free trade. But labor does not have the chance to get the remunerative wage and the steady employment that it has in the United States. The farmer does not have as good markets for his product as he does in the United States; they did not build up there because there was not the inducement that there was in the United States. And the same is true down in Mexico, below us; they can produce everything there—rich soil, abundant resources, and poverty everywhere—and free trade.

"Cheap? Why, yes; everything is cheap, and nobody prospering. Everything cheap; few people with anything with which to buy. There is a cheap man with a cheap wife and children living in a cheap house in a cheap way behind every cheap product of labor. [Applause.] Whether you find him in the United States, in Mexico, in Japan, or in India, you will find a cheap man behind every cheap product of labor. Now, do you want that to come? Do you want free trade anywhere in this country? Well, if the Senate does not change this bill you are going to get four years of it, whether you want it or not. In these four years the price of shoes will come down. You did not reduce the price when you got hides on the free list, but when Mr. UNDERWOOD's bill goes into effect and everything else goes upon the free list, and the laborer goes out of employment, and the price of shoes will come down, as also will the sale and the quantity of shoes manufactured come down. And that is true of textile products and of every other product produced in the United States. It is the easiest thing in the world to reduce the cost of things—just reduce the ability of the people to buy them and you will reduce the cost. Just as soon as our laborers begin to go out of employment, perhaps not in the shoe industry first, but the chairman probably knows that there are other industries besides the shoe industry in the United States.

"When the men who make needles and pins, hooks, eyes, and buttons, and shoe pegs, and shoe strings, and all that sort of thing get out of employment there will be a whole lot of people out of work. The little industries of the country will be closing, and that closing will have a very appreciable effect on the country, and then the big industries will be hit. Probably the small shoe factories will close before the chairman's. He will have the advantage for a while in supplying the trade that these little fellows have now, but he can not hold on in competition with the shoe manufacturers of Japan. He may, by reason of his larger operations, be able to hold trade for a while, but he will finally succumb to the competition that he will have with the cheaper labor that is employed in other industries producing the same kind of shoes upon the same kind of machines that he uses. And I repeat, what is true of shoes is true of every other product of manufacture.

"Gentlemen, I beg your pardon for having taken so much of your time—— [Cries of 'Go on! Go on!' and applause.]

"A VOICE. Tell us about wheat.

"Mr. CAMPBELL. Wheat? All right, I will tell you about wheat. We raise wheat out in Kansas. You raise very little in Massachusetts. We sell to you. We have been buying your products in exchange, and we do not want to put wheat on the free list, because they can produce wheat cheaper in Canada than we can in the United States, and we think it is fair to us who have been buying your products for 50 years that you should be content to buy our wheat, rather than going to Canada to get it. We have helped to make you a good market for your commodities, and we have a right to have the same kind of protection for our products that you have for yours.

"There is a difference of from 9 to 13 cents a bushel just across the road between Canada and North Dakota in the price of wheat. That is in favor of the American wheat grower, and is caused by the tariff. One of the reasons North Dakota came up the way it did in the last campaign was because of reciprocity with Canada, which put wheat on the free list.

"You see, gentlemen, this is a very great country, and the laborers out on the prairies of North Dakota and Kansas are just as much entitled to protection for the products of their labor as are the industries of New England and Massachusetts.

"Let me say this, and then I must close: This era of high cost of living through which we have gone in the last 15 years has marked an era of the best living that we have ever had. The price of things is a little high, but you have been able to buy the wheat and the meat of Kansas, and at the same time lay aside about $4,500,000,000 in the last 15 years—put it into the savings banks of the United States, after you have paid this high cost of living.

"You, under free trade for your products and ours, will spend that money that you have laid away in the savings banks buying free wheat in Canada, and the money will go there, and they will buy the product of Canadian shoe factories, and the product of Canadian woolen mills, and the product of Canadian shops and factories engaged in the production of other things. Every dollar sent to Canada for wheat will be spent in Canada for the product of other industries and labor. Every dollar you send to Kansas, if you maintain the policy of protection for wheat, will be spent in the United States for the products of American industries, if you maintain a policy of a discriminating tariff." [Applause.]

The Tariff Bill and Life Insurance.

EXTENSION OF REMARKS
OF
HON. HENRY T. RAINEY,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,
Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. RAINEY. Mr. Speaker, at the present time the managers of the great life insurance companies of the country are engaged in the business of misrepresenting the income-tax provisions of this bill. Thousands of policyholders throughout the land are being advised by circular letters that their insurance policies are in danger, that the income-tax features of this bill impose burdens upon the beneficiaries; that at the death of the policyholder the amount due to his beneficiary on the policy will be considered as a part of the income of the beneficiary and will be taxed. Policyholders and their relatives and friends are being advised that the burden of these income-tax features will be placed upon purely mutual companies in such a way as to affect policyholders; that endowment policies are also taxed, and thousands of men, women, and children throughout the country are being advised that while ordinarily an income of $4,000 is exempt, yet whenever one of them pays $1 to an insurance company he is taxed on that dollar.

These statements sent out by the managers and officers of the so-called mutual life insurance companies of the country are misleading in the extreme, and many of these circulars are apparently intentionally misleading.

PRESENT BILL DOES NOT MATERIALLY CHANGE EXISTING LAW.

The present bill, so far as it applies to life insurance companies, does not change in any particular the corporation-tax law which has been in force for four years, except that the amount of income exempt in this bill is $4,000. In the corporation-tax bill it was $5,000. This change, however, does not affect any life insurance company. From 1909 to the present time insurance companies have paid this tax without a murmur. This bill, however, reaches incomes generally in no uncertain way. The demands of the people of this country for a tax on incomes have reached this body, and we have kept our promises and incorporated in this bill these income-tax features.

PROTESTS OF LIFE INSURANCE COMPANIES SIGNIFICANT.

It is significant that these protests come from these insurance companies just at a time when we propose to reach the great incomes of the country. Men whose incomes are from $50,000 to $1,000,000 per year have not the courage to protest themselves against the features of this bill which impose this tax upon them; but following their custom, they reach out through the life insurance companies of the land and attempt to prejudice thousands of policyholders throughout the country by persuading them that this bill imposes burdens upon them. All these misleading circulars call upon policyholders and their friends to write to Members of Congress, protesting against the burdens they have been advised have been placed upon them and asking Members of Congress to exempt these great insurance companies. At the present time, Members of Congress are being flooded with protests from policyholders throughout

the land. It would be impossible for any Member of Congress, especially a Democratic member of the Ways and Means Committee, to answer all these letters. The only answer that can be made to letters of this kind is to advise policyholders that the statements made to them by the managers of these great insurance companies are absolutely false in every particular.

The income-tax features of this bill exempt from its operation "fraternal beneficiary societies, orders, or associations operating under the lodge system, and providing for the payment of life, sick, accident, and other benefits to the members of such societies, orders, or associations and dependents of such members." The bill also provides:

That the proceeds of life insurance policies paid upon the death of the person insured or payments made by or credited to the insured, on life insurance, endowment, or annuity contracts, upon the return thereof to the insured at the maturity of the term mentioned in the contract, shall not be included as income.

The falsity of the statements made by the managers of these insurance companies will therefore appear from a reading of the bill.

WHAT WE ARE TRYING TO REACH.

The object of this bill is to reach the great accumulations of insurance companies which belong not to policyholders but to the stockholders and which are manipulated by the officials of these great companies for their own personal advantage.

The Mutual Life Insurance Co. of New York admits that its assets amount to over $587,000,000. The New York Life Insurance Co. admits that its assets amount to nearly $685,000,000. The Equitable Life Insurance Co. of New York admits that its assets amount to nearly $504,000,000. The Penn Mutual Life Insurance Co. of Philadelphia admits that its assets amount to over $126,000,000. What we are trying to reach with this tax on incomes is these great accumulations. No policyholder, if he is treated fairly and honestly by these companies, will be affected in the least by this tax. Policyholders, however, have not always been treated fairly and honestly by the great insurance companies of the land. We reach by this bill only those companies which issue stock, and our attempt is to reach only the stockholders and to compel them to pay upon their profits. Of course, if an investor receives each year profits from his investment in an insurance company he will be expected to have those profits in mind when he makes up his return, and if his entire income is over $4,000 per year, including the profits on investments in insurance companies, he will be expected to pay on the excess above $4,000.

A share of stock in the Ætna Co. of the par value of $100 is now worth more than $10,000; a share of stock in the Metropolitan Life having a par value of $100 is now worth $15,000; $100 shares in the Prudential are worth now $17,000. These values do not affect policyholders. What we are trying to reach are these great accumulations in the hands of insurance companies which never under any circumstances will go to policyholders. The accumulations which make $100 shares of stock worth from $10,000 to $17,000 each arise from savings in the expenses of conducting insurance companies; they arise from "lapses," from "surrenders," and from "excess interest earnings." The whole business of life insurance is conducted in such a bewildering manner as to make it possible to easily deceive holders of policies. I refer, of course, to the so-called mutual companies operated upon the stock plan. Five or six years ago a New York capitalist bought 51 of the $100 shares in one of these old-line companies for something like $2,500,000, and paid cash for them. These shares were all of a par value of $100 each, and the entire capital stock of the company amounted to only $100,000. This immense value had been added to the shares on account of payments made by policyholders, and the policyholders did not have, nor can they ever have, any interest in the accumulations and the tremendous profits belonging to the shareholders.

And now when a Democratic Congress tries to reach these great accumulations the managers of the large life insurance companies throughout the country organized on this plan send out these misleading statements intended to discredit this bill and make it unpopular.

RECENT HISTORY OF SOME OF THESE COMPANIES.

It might be advisable before giving any weight to the statements of the managers of some of these companies to examine into the history of these same life insurance companies in the recent past. Other companies organized on the same plan might have been subjected to the same investigation as the New York companies if they had been organized under the laws of the State of New York. The results of the recent investigation conducted by the Armstrong committee in New York are fresh in the minds of most of us. These investigations affected principally the New York Life, the Mutual Life, and the Equitable; other and smaller companies were, however, also involved.

It was disclosed in the investigations six years ago that Richard A. McCurdy, president of the Mutual Life of New York, was 76 years old, that he rarely visited his office, and that he received for his services $150,000 per year. It was also disclosed that his son, Robert H. McCurdy, received from the same company an income amounting to $100,000 per year. From 1890 to 1905 it was shown that these two McCurdys received from this company for their services $2,113,253. The investigation of the McCurdys and their friends also showed that comparatively a few years prior to the investigation over $1,000,000 had been paid out for the purpose of "advertising," although no vouchers were ever produced and it was impossible to explain these large items for advertising. The books of this company also showed the payment of many checks, amounting to from $10,000 to $25,000, which could never be explained. L. A. Thebauld, another member of this family at the time of the investigation, was shown to be in receipt of an income of $147,000 per year.

The disclosures with reference to the New York Life were similar. John A. McCall, the president, and 21 members of his family, in 15 years received as a compensation for alleged services rendered, $1,416,000. John A. Hamilton, the legislative agent of this company and other companies charged with the business of corrupting legislatures, influencing legislation, and bribing politicians, was shown to have received, together with John A. McCall, $219,000, which was never accounted for. In a few years John A. Hamilton, familiarly known as "Andy Hamilton" and sometimes called Judge Hamilton, received from three or four of these great companies $700,000, paid to him by the legislative bureaus of the several companies to be used by him in influencing legislatures and for other questionable purposes.

George W. Perkins admitted that on behalf of the New York Life he contributed to the Republican Party in the last three campaigns prior to the investigation $150,000. It was proven also that the Equitable Life Insurance Co. contributed a like amount to the national Republican committee in the same campaign.

It was also proven that seven members of the Alexander family took out of the Equitable in 15 years $1,314,731, and James Hazen Hyde and his mother obtained in the same period of time from the same company $676,270. It was established that four families in 15 years received from the three companies I have just mentioned almost $10,000,000 in cash. Therefore some of the life insurance companies now challenging the income-tax features of this bill and stirring up policyholders throughout the country are somewhat discredited by the investigation recently had in the State of New York. Their solicitude for policyholders has evidently not extended over a considerable period of time.

THESE COMPANIES ALWAYS UPHOLDING REPUBLICAN PARTY.

These companies have been found always upholding the Republican Party and contributing to its campaign funds, and they can now, of course, be relied upon to align themselves with the same party and to endeavor to influence their thousands of policyholders throughout the country to fight the battles of plutocracy and to oppose this measure. Immense sums of money morally stolen by the families and the men to whom I have called attention were stolen from the policyholders of the country, the same policyholders they are now endeavoring to stir up against this bill.

It was established in these investigations that wage earners, holding the smaller policies, out of every dollar they pay into these insurance companies, contribute 40 cents to the officers of the company, its stockholders, its agents, and for the payment of the ordinary running expenses. It was proven in the investigations by the Armstrong committee that in one year, to wit, the year 1904—and no investigations of value have been made since the Armstrong investigations—three companies, the Equitable, the Mutual Life, and the New York Life, collected in premiums and income from investments the sum of $254,870,441.37, and out of this amount they paid to stockholders only $111,161,965.25, or 43.63 per cent. The balance, except $7,000, was used by them either for expenses or accumulated for the future. Under such circumstances as these, is it any wonder that the Democratic Party tries to reach these great accumulations? Resorting to characteristic tactics the managers of these companies send out to their policyholders false and misleading statements.

HOW THESE COMPANIES DECEIVED OTHER COUNTRIES AND STATES.

It has not been long since George W. Perkins, a member of the firm of J. P. Morgan & Co., and also vice president of the New York Life Insurance Co., testified as to the concealment of stocks owned by this company. At the time of the concealment of the ownership of these stocks the company was trying to get into Prussia, and the design of this elaborate system of frauds was not alone to deceive the Prussian Government but

to deceive the New York insurance commissioners and its policyholders. At that time this company held $4,000,000 in bonds of the International Mercantile Marine. It was a poor investment and the stocks had depreciated in value. Investigations showed that $800,000 worth of these bonds were turned over at par to the firm of J. P. Morgan & Co. on December 31, 1903. Three days later the bonds were transferred back to the New York Life Co. This was done in order that the officers of the company might under oath present to the insurance departments of the several States and of the countries in which they operated an official statement which would show that the company at the close of the year 1903 did not hold these bonds. Mr. Perkins also in his examination confessed that about that time a large block of these bonds were sold to two employees of the company, one of them being a colored messenger who received a salary of $600 per year. These two employees gave their notes for $3,357,000 with this stock as collateral, and the notes were then listed as a part of the assets, and up to the time of the examination of Mr. Perkins the New York Life Co. declared in its advertising that it had no stocks at all.

I am calling attention to these things merely for the purpose of showing how much credibility is to be given to the statements spread broadcast by these life insurance companies and by other companies organized on this plan as to the income features of this bill.

CAN THE COMPANIES PASS THIS TAX ON TO THEIR POLICYHOLDERS?

These great insurance companies are unable to do the things now, in the light of the publicity they have recently received, that they were able to do a few years ago. I do not think they will dare to pass this tax on to policyholders. The company which does it will find itself considerably discredited, and will find its business falling off.

The investigation of the Armstrong committee showed that they had prepared themselves for possible emergencies and the policyholders do not have much to say about their methods of accounting. The following paragraphs were, at the time of the Armstrong investigation, incorporated in the applications of policyholders for insurance and the following waivers were made a part of the contract for insurance:

MUTUAL LIFE OF NEW YORK.

I further agree that in any distribution of surplus the principles and methods of which may be adopted by the company for such distribution, and the determination of the amount equitably belonging to such policy shall be, and are hereby, ratified and accepted by and for every person who shall have or claim any interest under the contract now proposed.

EQUITABLE OF NEW YORK.

That the distribution of surplus which may be adopted and approved by the society is hereby accepted by me in my own behalf and for every person who shall have any interest in the policy now applied for.

NEW YORK LIFE.

(See policy, General Provisions 4.)

In any apportionment or distribution of profits the principle and methods which may be adopted by the company for such apportionment or distribution and its determination of the amount equitably belonging to this policy shall be conclusive upon the insured and upon all parties having or claiming any interest under this policy.

Other so-called mutual companies issuing stock probably compel the policyholders to enter into similar contracts. If there is an attempt to enforce such contracts as these, I predict that there will be another "policyholders' committee," just as there was six or seven years ago, to prevent these varieties of fraud.

I herewith incorporate in the RECORD an Associated Press dispatch, published six years ago in the newspapers throughout the country, reviewing the disclosures made by the Armstrong committee up to that time, and I also publish herewith an article which appeared in the Washington Post on the 21st day of March, 1906, containing an exact reproduction of the receipt given by C. N. Bliss, treasurer of the Republican national committee, in October, 1896, for $75,000, the same being a part of the contributions of life insurance companies to the Republican national campaign fund of that year through "Andy" Hamilton. I might go at still greater length into the disclosures of a few years ago affecting these companies, but I think I have called attention to enough to completely discredit them in the efforts they are now making.

EIGHT MILLION FOUR HUNDRED AND SIXTY THOUSAND NINE HUNDRED AND SEVEN DOLLARS OF LIFE FUNDS IS SQUANDERED ON FOUR FAMILIES—NEW YORK LIFE, MUTUAL LIFE, AND EQUITABLE PROFLIGATE WITH POLICYHOLDERS' MONEY WHEN RELATIVES ARE ON PAY ROLL—MUTUAL CO. THE LEADER IN NEPOTISM—RICHARD A. M'CURDY, PRESIDENT, RECEIVES $150,000 A YEAR, TREBLE AMOUNT PAID PRESIDENT OF THE UNITED STATES—SEVENTY-SIX YEARS OLD; RARELY VISITS OFFICE—ROBERT H. M'CURDY, PRESIDENT'S SON AND GENERAL MANAGER OF THE CONCERN, GETS INCOME OF MORE THAN $100,000—INCOMPLETE AS THE FIGURES ARE, IT IS KNOWN THAT THE ENORMOUS SUM OF $8,460,907 HAS BEEN SQUANDERED SINCE 1900 BY THE NEW YORK LIFE, MUTUAL LIFE, AND EQUITABLE INSURANCE COS., ON FOUR FAMILIES, THE M'CALLS, M'CURDYS, HYDES, AND ALEXANDERS.

NEW YORK, *October 6.*

Millions of dollars leaking away through scores of business crevices and family favoritism showed the Mutual Life Insurance Co. to be by far the most loosely managed of the three great life insurance companies of New York when to-day's session of the legislative investigating committee was ended.

Incidentally, the amount of money so far paid to Judge Hamilton by the New York Life Insurance Co. was shown to be $711,000 since 1900. The additional amount went to his credit through some mysterious channel booked as "tax rebate."

The Mutual was the company which received the attention of Charles E. Hughes, counsel for the committee, and the condition of that institution was shown to be so honeycombed with nepotism and extravagance as to make its "loading" charge something to astonish even the most sensational of life insurance company promoters.

M'CURDY GETS $150,000 A YEAR.

The salary of the president, Richard A. McCurdy, was also brought to light after Robert H. McCurdy, son of the president and general manager of the company, had declared he was unable even to hazard a conjecture as to what his father received.

When the list of salaries of the company was handed to Mr. Hughes, however, it was shown that Richard A. McCurdy receives the princely sum of $150,000 a year. The average yearly income of Robert H. McCurdy, his son, is more than $100,000.

This triplicate of the salary paid the President of the United States for managing the affairs of a great nation is paid to a man 76 years old, who rarely visits the office he is supposed to manage and whose chief characteristic of executive ability has been exhibited in placing his relatives upon the salary roll of the Mutual.

ALL RELATIVES CARED FOR.

Delving deeper and deeper into development of nepotism in the Mutual, Mr. Hughes revealed the fact that nearly every person who can be shown in any way to have any connection with the McCurdy family is cared for at the Mutual crib. The relatives of C. H. Raymond, whose office is a pasture for members of the McCurdy family, are also well cared for by the company, as are the friends and relatives of Vice President Grannis. This bit of testimony, taken to-day, gives some slight insight into the manner in which the funds of the policyholders of the Mutual are distributed among the highly favored relatives of the executive officers.

But few facts were developed concerning the salaries, fees, or commissions paid to these favored ones, but it was shown that Mr. Gillette had a contract with the Mutual which gives him the whole territory of the State of Texas and an overriding commission of 5 per cent. This advantage of 5 per cent over the other agents of the Mutual means an enormous income yearly.

ANOTHER "YELLOW DOG" FOUND.

In addition to these facts regarding the nepotism existing in the Mutual, Mr. Hughes brought forth another "yellow dog." The item of "advertising, printing, stationery, and postage" was shown to have cost the company last year $1,134,833.

Charles A. Preller, the auditor of the Mutual, was on the stand an hour and a half, but Mr. Hughes could get from him no admission as to the nature of the advertising, printing, stationery, and postage which had cost the Mutual nearly a million and a quarter dollars.

In the books of the company were also detected several payments of amounts ranging from $10,000 to $25,000, of which the auditor knew nothing whatever. He was told that he would have to come before the committee next week with all his books and accompanied by such official documents as might be able to assist him in remembering the details of the transactions noted in the ledger by Mr. Hughes.

WITNESSES ARE CONVICTED.

It was easily seen to-day that the members of the committee were deeply impressed by the nature of the testimony of the officials of the Mutual, and on a number of occasions questions were asked by members of the committee which called for no statement of detailed information, but for opinions as to the good faith of the officers of the company in the course they had pursued. These questions invariably convicted the witnesses and the company as effectively as though they had been direct statements by the committee.

When the committee ended its session and adjourned until Tuesday its records were loaded with facts which have stripped away from the "big three" life insurance companies for all time that aspect of respectability and conservatism under which they have heretofore been cloaked.

EIGHT MILLION FOUR HUNDRED AND SIXTY THOUSAND NINE HUNDRED AND SEVEN DOLLARS TO FOUR FAMILIES.

Incomplete as the figures are, it is known that the enormous sum of $8,460,907 has been squandered since 1900 by these three companies in payments to the members of four families, in caring for the "yellow-dog" fund devoted to the bribery and corruption of legislatures, and to the presidential campaign funds.

This amount is considerably understated, for while it is certain that the Equitable and the New York Life contributed $50,000 to the Republican Party in each of the three last presidential campaigns the contribution of the New York Life is the only one so far admitted in evidence.

Jacob H. Schiff has placed James Hazen Hyde on record as having paid a large sum to Cornelius N Bliss last year, and this, of course, came from the funds of the Equitable. Sooner or later it will be trailed down by Chief Inquisitor Hughes, as will be the contribution of the Mutual. As the figures stand they do not represent the payments.

MUTUAL LEADS IN NEPOTISM.

In the matter of nepotism the Mutual easily leads, for it has been shown that the two McCurdys and L. A. Thebaud have taken $2,113,253 from the Mutual since 1900. This takes into account the salaries of Richard A. McCurdy and Robert H. McCurdy to the end of next December as well as the commissions of Robert H. McCurdy and omitting this year's account of the "takings" of L. A. Thebaud. The amount will be considerably above this when Thebaud's interest is added, for having made $147,000 out of the Mutual last year it is certain he will be credited with an equally large amount by the end of this year.

The shares of General Agent Gillette, of Texas, and the many other connections by marriage and otherwise are not added to this general sum, as the exact amounts received by them have not yet been made public. At least half a million for the five years can be added for these, and no stock be given to conservatism by this estimate.

CLAN M'CALL FAR BEHIND.

Far behind the McCurdy clan in point of millions comes the clan McCall, credited with $1,416,000 drawn from the New York Life since 1900. This estimate takes no account of the millions of profits in syndicate participations, for these 5 per cent shares in profits went always to some outside broker and were not taken directly by the officers of the company, as was the custom in the Equitable. There were 21 members of the McCall clan to share the $1,416,000, which is

but a faint comparison with the division of a much greater sum among three of the clan McCurdy.

For this reason the clan Alexander is shown to have drawn a much greater amount per capita in the period since 1900 than the McCalls. The testimony of Superintendent Hendricks shows that seven of the Alexander family took a sum approximating $1,314,731 out of the Equitable.

Trailing far behind this magnificent procession James Hazen Hyde and his mother are shown to have taken only $676,270 out of the Equitable.

OTHER SUMS MUST BE ADDED.

To these sums must be added the $711,000 turned over to Judge Hamilton by the New York Life, taking no account of the sums paid to him by the other companies; the Jordan and Alexander note for $685,000; the missing checks of the Equitable, aggregating $235,000; the New York Life campaign contributions of $150,000, and the "advertising, printing, stationery, and postage" bills of the Mutual.

Owing to the fact that Mr. Hughes has not nearly completed his investigation of the real estate methods of the New York Life, the sum of the losses of the policyholders through bad investments can not be correctly given at this time, but when the reduction of appraisements and actual losses are counted up the total runs well into the millions.

This enormous aggregate of nearly ten millions expended in the most extravagant manner and without adequate return to the policyholder is the blackest record ever developed in an investigation of this kind. The revelations of the last week have shown that the Equitable scandal is but a slight affair compared to those that have been developed in the New York Life and the Mutual.

[From the Washington Post, Wednesday, Mar. 21, 1906.]

THE VOUCHER IN THE REPUBLICAN CAMPAIGN FUND DISPUTE.

Republican National Committee,
MADISON SQUARE.

New York, Oct. 1st / 20th, *1896*

Received from Andrew Hamilton, Esq.

Ten thousand no/100 *Dollars*

and sixty-five thousand dollars—Total seventy-five thousand.

$ 75,000 C. N. BLISS,
TREASURER.

(Receipt which Andrew Hamilton says was given to him by C. N. Bliss.)

[From the New York Herald.]

SHOWS BLISS VOUCHER—AGENT OF NEW YORK LIFE EXHIBITS RECEIPT FOR $75,000—PAYMENT TO CAMPAIGN FUND—ANDREW HAMILTON EXPLAINS HOW TRANSACTION WAS MADE SO AS NOT TO APPEAR ON BOOKS—TREASURER OF NATIONAL COMMITTEE SAYS "IT'S A LIE," REFUSING TO LOOK AT PAPER—HILL'S ADVICE IGNORED.

"I see that Cornelius N. Bliss, treasurer of the Republican national committee, denies that he received from me for the New York Life the sum of $75,000 for campaign purposes in 1896," said former Judge Andrew Hamilton yesterday, commenting upon Mr. Bliss's assertion that he never met the judge.

"Maybe this might stimulate his memory a bit," he added.

Judge Hamilton reached inside the breast pocket of his coat and produced a sheaf of vouchers, some of which bore the signatures of the foremost men in finance to-day, and stripped off a white receipt form such as the Republican national committee uses. He smoothed out the bit of paper, gazed at it with an amused smile, and spread it flat upon the table in his apartment.

"Looks as if it was up to Mr. Bliss to think some more, does it not?" continued Mr. Hamilton.

MADE IN TWO PAYMENTS.

The receipt is a voucher for $75,000, signed by Mr. Bliss and dated October 1 and 20, 1896. It is explained that the amount was paid over in two payments, the first one of $10,000 on October 1 and the balance of $65,000 on October 20, the figures at the left-hand lower corner of the voucher being raised from $10,000 to $75,000.

When it was first brought to the attention of the Herald on Sunday that Andrew Hamilton said he held a voucher showing that he had paid $75,000 to Mr. Bliss, in addition to the $50,000 admitted by Mr. McCall to have been paid to the campaign fund of the Republican Party in 1896, Mr. Bliss was asked concerning the matter, and he denied all knowledge of such payment. His exact language was:

"Such a statement is utterly false. I, as treasurer of the Republican national committee, did not receive any money, nor was any voucher therefor issued by me. I do not know Andrew Hamilton, would not know him if I should see him, and never heard of him until recently."

In his home, 180 Madison Avenue, yesterday, the matter was again called to the attention of Mr. Bliss.

"Since applying to you for information about the alleged payment of an additional $75,000 into the Republican national committee's fund in 1896 by Andrew Hamilton new evidence has come to hand, Mr. Bliss. Can you recall the incident to-day?" was asked.

"LIE," SAYS MR. BLISS.

"I have said all I care to say about the matter," returned Mr. Bliss. "No such sum was paid over by Mr. Hamilton or the New York Life. My word ought to be accepted as final."

"But it is now known that a voucher exists."

"That is untrue. No such receipt exists. If anyone says so, he lies. Have you seen such a voucher?"

"Yes, Mr. Bliss, and I have a photograph of that voucher. Will you let me show it to you in order that you may pass upon the genuineness of the signature?"

"No, sir; I won't look at it. I decline to say another word about the matter."

Judge Hamilton explains the existence of the check and takes a peculiar delight in recalling the careful manner in which the payment was kept off the books of the New York Life.

"Bliss wanted more money," he said, "I don't know anything about the $50,000 which Mr. McCall acknowledged was paid to the Republican campaign fund in 1896. That was another matter. But I knew I was instructed to pay this money to Mr. Bliss, and that I borrowed $75,000 upon my notes and passed it over to Mr. Bliss. I first passed over $10,000 and got Mr. Bliss's receipt for it, and when I raised the balance I paid that over, and in order to simplify the transaction caused the additional $65,000 to be receipted for upon the same voucher, preserving the two dates of payment, 20 days apart.

NOT ON THE BOOKS.

"I borrowed this money, and when I was reimbursed I took up the notes and settled the indebtedness. I know this transaction does not appear in the regular way upon the books of the New York Life.

"But you do not suppose, do you, that Andrew Hamilton was paying $75,000 of his own money to the Republican campaign fund? As a matter of fact, the entire transaction can and will be proved to the satisfaction of everybody in due time. Do they want any more vouchers of this sort?

"I notice that several men on the executive committee have intimated that they think they ought to make good to the McCall estate the amount of $148,000 which Mr. McCall paid over to the Republican fund. That is all right, but I am in a position to tell them they will have to pay over much more than $148,000 to square the actual money contributed to the campaign funds by the New York Life during the last 13 years. This $75,000 is one addition. Let them get busy and find more.

"I promised a second edition of my remarks before the legislature. At that time I took occasion to mention the manner in which certain trustees shrank from standing up and admitting their share of responsibility for Mr. McCall's predicament before the Armstrong committee. Among these is William B. Hornblower, one of the counsel of the company, as well as trustee. I attribute most of Mr. McCall's later troubles to this man. His unreasoning jealousy of me and his unwillingness to acknowledge that he could be mistaken have been responsible for much of the innuendo and misunderstanding which have been projected at my head.

HORNBLOWER IS DEFEATED.

"It was first because I differed with Mr. Hornblower upon the matter of the former president, Mr. Beers, that his enmity was enkindled. When it became necessary to retire Mr. Beers it was found he was so strongly intrenched behind proxies that he could not be budged. It was then that Mr. Hornblower was paid $5,000. I think, to draw up a cast-iron agreement conferring a life pension of $35,000 a year. After Mr. McCall came in he got hundreds of letters from agents all over the country protesting against the newspaper notoriety which this pension had stirred up and begging that the pension be recalled.

"Mr. McCall asked Mr. Hornblower what could be done to abrogate the pension contract, and was informed it could not be broken. He then submitted the contract to Joseph H. Choate and Frederick R. Coudert, each of whom sustained Mr. Hornblower. He asked my opinion and I told him I did not consider it worth the paper on which it was written, as it was beyond the province of the trustees to confer such a pension. There was no service to be rendered for the pension, hence I held it was void.

HORNBLOWER MUCH MORTIFIED.

"In spite of the violent opposition of Mr. Horablower, I advised that a suit be brought, and I won. The contract was declared faulty, and Mr. Hornblower was mortified to see his contract destroyed.

"Then the Prussian Government ordered the New York Life out of Prussia unless it changed the form of its investments. I counseled getting a retaliatory measure passed, but Mr. Hornblower opposed this, saying it would ruin the insurance business. I prevailed. The retaliatory legislation was passed, and the ban was taken off the New York Life by the Prussian Government.

"Along in Mr. Cleveland's second term Mr. Hornblower concluded that the judicial ermine would suit him, and got Mr. McCall to interest himself for him. The result was that Mr. Cleveland sent Mr. Hornblower's name to the Senate to fill a vacancy upon the bench of the Supreme Court of the United States. But it did not meet with that overwhelming enthusiasm which Mr. Hornblower assumed his nomination ought to awaken in the hearts of his countrymen, and the nomination was hung up. It was apparent that the hostility of Senator David B. Hill would defeat Mr. Hornblower's ambition, unless something could be done to induce the Senator to change his course.

HILL'S ADVICE IGNORED.

"Mr. McCall called me into his office and said he was anxious that Mr. Hornblower be confirmed, and asked me if I would not go to Senator Hill, who was a warm friend of mine, as well as of Mr. McCall, and plead with him to withdraw his opposition. I consented, and that night saw the Senator in his home in Washington.

"Mr. Hill said he did not approve of Mr. Hornblower, and drew an accurate pen picture of the man. I told him Mr. McCall was pledged to Mr. Hornblower and that we were both anxious that the nomination be confirmed. At length Senator Hill said:

"'Well, I don't like Hornblower, the party don't like him, but he will be confirmed if he will keep his tongue still. He has been bitter in invective against our friends. If he agrees not to open his mouth again until the confirmation takes place he will be seated.'

"I returned home, and in Mr. McCall's private office, in the presence of Mr. Hornblower, told them what Senator Hill had said. I assured Mr. Hornblower that he would be confirmed by the Senate if he would bridle his vitriolic tongue and cease to criticise the man who had undertaken to obtain his confirmation. Immediately Mr. Hornblower conceived the idea that he had inspired fear in the breast of Senator Hill, and said he was sure to be confirmed, in spite of Hill. He left our presence and launched right out into more abuse of Senator Hill, and lost his seat upon the Supreme Court bench. He subsequently intimated that he did not believe we had sincerely worked for him, and the mortification of his rejection by the Senate is rankling to-day in his mind. It rankled when John A. McCall, heartbroken, but ruggedly honest, tendered his resignation from the presidency of the company which he had done more to build up than any other man. And it was William B. Hornblower who stood in the meeting of the board of trustees which accepted the resignation and prevented the adoption of a resolution of sympathy, respect, and confidence in the retiring president.

RECOVERED THE TAXES.

"William B. Hornblower opposed a fair exposition of the affairs of the company where they relate to myself. Even in the matter of the rebates upon taxes of the New York Life he had his hand in my denunciation. When Gov. Odell caused the franchise tax to become a law upon our statute books, I informed Mr. McCall that it was unconstitutional, save so far as it taxed the first year's premiums. Mr. Hornblower, as ever, took the other side, laughed at my contention, said it was farcical, and declared the law was perfectly constitutional and that we would have to pay the tax.

"I offered to bear the expense of recovering the taxes and having the tax law declared unconstitutional. The New York Life, Equitable, Metropolitan, and Mutual entered into agreements with me whereby I was to receive one-third of all the taxes I recovered. In order that the public might not raise an outcry because the big insurance companies were trying to dodge their taxes, I had some one suggest to Mr. Scott, president of the Provident Life, that it would be a good thing to employ me to collect these back taxes.

"I accepted and fought the law in the name of the Provident Life. I purposely let the matter run on for three years, while the taxes were paid, for I knew if I exposed the weakness of the law at once the legislature would amend it. Finally, I won in the court of appeals, and got back for the New York Life, Mutual, Equitable, and Metropolitan $1,033,000. Of this I was entitled to one-third—that is, $344,333. The share of back taxes I recovered for the New York Life was about $200,000. I have not yet collected all that is due to me from the New York Life, and the Equitable has not paid me, for the reason that Mr. Hyde and Mr. Alexander continually put me off. The Mutual has paid me, and the Metropolitan is all right.

"Then I undertook to recover the tax in other States where the retaliatory tax was imposed. I got some of the foreign corporations to give me an agreement similar to that which the big companies had given me, and to-day I have suits pending in Western States for the recovery of these taxes. Several days ago I received notice that $33,000 of taxes had been refunded by Illinois to the New York Life. Of that amount $11,000 belongs to me. Now, I want it understood that no other lawyer ever recovered a penny of this illegally collected franchise tax, and that I collected for the big four more than $1,000,000.

HAMILTON UTTERS DEFIANCE.

"Let the members of the Fowler committee deny, if they dare, that the contract with me for the collection of the extorted taxes was not spread upon the minutes, and let them assert now, if they dare, that I have been paid all that is coming to me. I can easily prove the facts. It must be understood that the State never refunds money paid over in the shape of taxes, but issues certificates of indebtedness, which may be used in the payment of future taxes. I sold my share, so far as I was able, of these taxes to other concerns, and in this way derived a cash benefit from my work.

"I want to call your attention to something which seems to have escaped the notice of the reading public. During the time the Armstrong committee was sifting evidence the insurance examiners of five great States were examining the books of the New York Life. They gave the books a more searching examination than Mr. Hughes did, and they were veteran insurance accountants. They went to work for the special purpose of discovering what had become of the money which was paid over to me for purposes of defense. They called for the vouchers and got down under the surface. Their power was greater than that of the Armstrong committee, for a refusal would mean that the company would have to give over business in the States affected.

"These shrewd and unbiased men, sent here for the purpose of finding irregularities in my accounts, found not one voucher missing, not one thing on which they could place their fingers and say a dishonest transaction lay hidden here and there. They have their notes with them still. I ask that they be called upon to speak if they found one dollar wrongfully expended by Andrew Hamilton.

"Again, I wish to call your attention to the very small proportion of the money which was expended every year which came into my hands. Do you realize that the annual expense item of the New York Life foots to $18,000,000? Do you consider $61,000 a very large proportion of $18,000,000 to be expended in 40 States to obtain benign legislation and defeat obnoxious measures?"

The Tariff.

EXTENSION OF REMARKS
OF
HON. WILLIAM B. FRANCIS,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. FRANCIS. Mr. Speaker, the bill now before the House is so voluminous, covering 14 schedules of the tariff, together with a free list and an income-tax measure which, taken as a whole, has so many features to which we can subscribe that I am in the outset constrained to say that when the bill is put to a vote I intend to support it.

I shall address myself simply to a part or some of the schedules which, to my mind, are detrimental to the legitimate industries of the country, and in this I include the laborer, the producer, and the manufacturer.

The great test of the vitality of the Democratic Party at the present is not so much what it has done in the past, but that it is now intrusted with all the reins of Government to be administered in the future and, above all things else, as to whether it will keep its express pledges and implied promises to the people as enunciated in the campaign speeches and in our platform.

On this tariff question the Republican Party has been evasive, and has gotten itself in a contradictory light. It promised the people in 1908 an honest revision of the tariff, which everybody understood was to be a revision downward. But in violation of its platform, which was an express contract with the people, it revised it upward instead of downward. It violated its sacred promise, and the people in no uncertain terms during the last campaign and election repudiated that party so thoroughly that it received only eight electoral votes in the electoral college.

We promised to revise the tariff downward, and in speaking of the perfidy of the Republican tariff we said in our platform that—

It raises the cost of the necessaries of life to them—the people—but does not protect their product or wages. The farmer sells largely in free-trade markets and buys almost entirely in the protected markets.

Again, we said:

We recognize that our system of tariff taxation is intimately connected with the business of the country, and we favor the ultimate attainment of the principles we advocate by legislation that will not injure or destroy legitimate industries.

We went to the people on this platform, our leaders quoted it, and the people came to rely upon it and returned us to power. But now we find that no sooner have we taken up the reins of Government than we propose a tariff bill which in many of its provisions, it seems to me, duties are so far reduced below what we promised that we are violating the platform on which we were elected. I for one wish to stimulate as far as possible the industries of my district and every other district by fostering the man at the plow, the farmer with his herds, the laborer at the furnace, the miner and manufacturer, that the operations of our mills should have such a fair competition that stagnation in legitimate business would be made impossible.

In all the explanations and reasons for drastic cuts in our tariff legislation I want to say that I agree with the Ways and Means Committee that in many instances drastic cuts should be made, and I defer to their judgment as far as I can consistently do so, because of their great experience and study on these problems, yet it seems to me that they have overlooked the hundreds of millions of dollars' worth of property on the shelves of the wholesaler and retailer. The very purpose of this bill is to reduce the high cost of living and to reduce the burdens of taxes which have been levied upon the people. To enact this legislation, having in view that purpose which can only be brought about through the reduction in the price of articles which the people would buy, has a direct consequence to reduce the capital of the merchant who has the goods on his shelf from 10 to 20 per cent. These people are the business men of the country, ranging from those operating a business in matches and pins to those operating business involving millions of dollars; and herein lies the crucial test of the wisdom of our tariff legislation, and for their benefit schedules should be arranged not to destroy them at one fell swoop, for they are engaged in legitimate industries which we promised not to injure. It is admitted as to the sugar schedule that the tariff on sugar should not be removed entirely at once, but that it should be graded for three years and at the end of that time should be placed upon the free list. If that is an argument for sugar, why would not a gradual reduction be an argument that should be applied to those engaged in raising wool and in manufacturing of glass, pottery, and tin, and to the hundreds of thousands of merchants who are sure to be greatly harmed by the severe cut in this tariff legislation.

What has been the history of the business public as to purchasing in this country? It is a rule founded in experience and in human nature that merchants and consumers each refuses to buy on a falling market; they wait to see the bottom. Now, from the very argument in support of this bill it will cause a reduction in prices; a falling market must inevitably happen. The consumers, which consist of the producers, the farmers, and laborers of this country, very properly will hesitate to buy supplies until they reach the cheapest point. The merchant in his store will refuse to stock up his counters when his capital has been already greatly reduced by falling prices until he sees the bottom. The wholesaler will stand in the same relation to the business world, and I fear that in some instances the factory will fail to receive the orders it formerly did and that smoke may cease to come out of their chimneys and the wheels of industry cease their hum. Back of the gates of these great industrial institutions stand the laborers ever ready and willing to work for fair wages when orders are received; but trust relations have so far reduced their opportunities in so many ways that in many employments protection does not protect, but it has been used as a decoy for the workman's vote.

Now, I do not want any of my Democratic free-trade friends to jump up and say to me that I am a protectionist, for I am not; but I simply want the competitive tariff that has been so often spoken of here and in caucus to be enacted in reason and justice and which will be practicable. We all agree that it

is necessary to raise by tariff duties the revenues necessary to run this Government, and to raise that by competitive tariff and with such discretion as will, in the language of our platform, "not destroy any legitimate industry." And if the very object is attained which the ultra free traders claim in this bill, the result will be just what I have described, and I can not, for the life of me, see why any fair-minded Democrat will not heed his better judgment and go a little slow on this question of paring down the tariff.

The object of this bill is to raise revenue with which to pay the expenses of the Government, as I have indicated, to benefit the producer, the consumer, and, above all, the laborer, and to keep our party pledges inviolate to the American people. Now, if we should fail by this bill to carry out any one of these three or all of them, we have to that extent failed in the purpose for which we were invested with power. The raising of revenue by a tariff was an American idea born and fostered by such Democrats as Thomas Jefferson, the father of our party, and under a system of gathering taxes with which to pay the expenses of government, in this manner we have built up the greatest and most powerful Government on earth. When we consider that it requires over $5,000,000 to be gathered in this system of taxation and in internal revenue and from corporation taxes from each congressional district in the United States to run our Government for a single Congress, we can see that there is no other means known to man that can be employed whereby the Government expenses can be procured except in this way. The old scheme in the East, as in England, was to levy direct taxes for the purpose of running the Government, which taxed every doorstep, their windows, and the things necessary for their very existence. Not only in that country was such taxation odious, but it resulted in many a war and revolution. But in this country we have built up the strongest Nation under our system of tariff for revenue, and the only real complaint we have had is its abuses by special privileges and by trusts and monopolies; and I might here add, that the trouble to-day is not so much with the tariff but with the trusts, which should be dealt with first before we can expect to reduce the high cost of living to our people through changes in tariff schedules.

We believe that some of the cuts in this bill have been too drastic to permit a fair wage to be paid and a fair profit to such legitimate industries as the manufacture of clay, pottery, and other pottery-producing plants, the manufacture of tin, and the manufacture of glass. We believe there is no way to explain to the agriculturists of this country, the stock raiser, and the woolgrower our attitude in placing their many products on the free list when he is compelled to buy supplies in a protected market which we are pleased to call a tariff affecting competitive markets.

I care to refer for a short time only to Schedule K, and that part of it which provides for placing the farmers' wool on the free list. It is argued, with some force, that wool in this country and in England is about the same price, that the usual trend of the market in England is a little lower than the American market; but it should be remembered that the wool of no two countries is exactly the same in quality, and there is no just standard of comparison between Ohio wool and Australian wool. It should be remembered also that the wool produced in no two given sections of the United States is of equal quality, and therefore this matter of comparison is erroneous. But the fact is that to-day there is the highest tariff on woolen manufactured goods that has ever been known in the country, while on wool the ostensible tariff of 11 and 12 cents a pound is so far modified by a subtle clause placed in the tariff bill that the fact is we have a tariff of only 3½ to 4 cents a pound as a competitive duty on raw wool. There was written into the Payne-Aldrich tariff bill a clause providing that skirted wool should come in as prior to 1891 at 12 cents per pound, washed, or 11 cents in the grease. This seemingly harmless clause so little understood has been the means of driving the merino sheep from the hills and forcing the woolgrower in many instances to raise a mutton sheep instead, and the farmer has been deceived and has known very little about how this trouble was brought about when he is shown that there is an ostensible tariff on wool of 11 and 12 cents. If you will take 100 pounds of foreign wool skirted, and this skirted wool simply means taking off the legs, buttocks, abdomen, head, and neck, leaving the back and sides, being the best prime wool. This is admitted into our ports at 12 cents a pound, washed; and by consulting the statistics as to the importation of our foreign wools we find about $40,000,000 worth out of a total of about forty-seven million comes into this country skirted, and that which does not comes in for carpets and rugs and is such wool as does not compete with our home production, while a like hundred pounds of our domestic wool having all the inferior parts to it and all the heavy parts is worth much less when analyzed as to its shrinkage and value, and the ratio between the two values when reduced will show that the potent effect of this tariff in its final analysis only amounts to the competitive duty of 3½ to 4 cents a pound on wool, and this is one of the reasons of the decline in prices of wool after the enactment of the infamous Payne-Aldrich bill, for the duty had in this subtle way been removed.

To illustrate: Let us take this 100 pounds skirted, washed, imported wool and 100 pounds of our domestic wool unwashed; the 100 pounds of imported wool loses 20 per cent, or 20 pounds, in scouring, resulting in a product of 80 pounds of clean, scoured wool. Our domestic wool, having all the heavy and inferior parts, loses in scouring 60 per cent, or 60 pounds, which, deducted from the 100 pounds, we get therefrom but 40 pounds ready for the mill. This places the ratio of the foreign product in comparison with the American just double, or 2 to 1.

But we are not through with the illustration. This foreign wool, being the best wool on the sheep, is worth 90 cents a pound; hence 80 pounds at 90 cents equal $72. Our domestic wool, having the inferior parts in it, is worth but 60 cents per scoured pound, hence 40 pounds at 60 cents make a value of $24; by which it is demonstrated that when reduced in quantity and value the foreign wool, on a competitive basis, amounts to exactly, in an advantage to the foreign producer, of 3 to 1 to ours. Now, if you will take your 12 cents tariff per pound and divide it by 3, taking the one-third of it, it leaves you 4 cents a pound duty on wool; and herein lies the cause of the difference between American and foreign wool, to a great extent. This is the "nigger in the woodpile," and this is why there is so little difference between the price of wool in the American markets and in the London markets.

But there is one thing more, and that is the trust conditions that exist in the woolen manufacture of this country, which has the entire purchasing of it under their power and that they go to the American people and pay them just such prices as they choose to give; and by these two means the American woolgrower has been robbed of his product for the last 30 years.

Now, I want to ask if any fair-minded man would say that we should hand over to the great American Woolen Trust, composed, as it is, of 150 mills and 34 separate organizations, the wool of the American farmer free of any competitive duty so that this gigantic trust might, with its products, sell back to the farmers and producers and laborers of the country their product and thereby rob the American people? If you will take the markets on manufactured woolens immediately after the enactment of the Payne-Aldrich bill, you will find that this American Woolen Co. increased its price to the consumer on an average of 36 per cent, and yet this very bill proposes to give into the hands of this trust more than it really desires for the purpose of continuing its robbery and exploitation. It is admitted that a tariff on wool of 20 to 30 per cent ad valorem will not enhance the price of goods to the consumer. It is also admitted that by taking the duty off wool we lose about $16,000,000 of revenue. Now, if it does not burden the consumer by putting it on and it benefits the sheep raiser, which must be admitted, and by making it free we lose $16,000,000 revenue, then why, in the name of common sense, will we not leave a reasonable duty on, when the very purpose of the bill is to raise revenue?

Since our caucus was dominated by the free-trade idea of handing to this woolen company free raw wool on a platter, and by so doing affect the great woolen products of the 26 wool-producing States in the Union, representing a number of sheep almost equal to the entire population of the United States, affecting over 4,000,000 sheep in the State of Ohio, which is certain to bring down the price of the sheep to such low ebb that they will be driven from the hills to the slaughterhouses, thereby destroying one-third of the meat product of our people, enhancing the price of meats to the laborer, all of which is so apparent to me that I can see in it political and commercial suicide, and I must register my protest against such legislation.

And in taking this stand I am neither at variance with my party platform nor with the Ways and Means Committee nor with the bill which they reported to the House, but I am standing squarely on our party's policy. In the Sixty-second Congress the Ways and Means Committee reported a bill carrying 20 per cent duty on wool, which, after it went to the Senate and came back to conference, a duty of 29 per cent was agreed upon; and in the second session of the same Congress they again reported a bill for 20 per cent, which went to the Senate and was returned, and in conference we agreed on 29 per cent ad valorem; and when the Ways and Means Committee reported this bill, after repeated hearings and after their most mature judgment, we find that this committee determined to place a duty on wool of 15 per cent ad valorem. So that it will be seen from reading our platform, taking the proceedings of our Democratic Congress and their pledges to the people, that their best judgment is that some duty should have been left on wool. Throughout the last campaign no one advocated free trade in wool, and our constituents confidently believed we meant no such legislation.

We read a great deal about the term "raw material" and "raw wool," but, Mr. Speaker, I want to say to this House that there is no raw material except such material as has not yet been touched by the hand of man. You are pleased to call wool ready for the market raw material. This requires the care that has been bestowed on the flocks in breeding—the lamb from its birth, to take care of the sheep for 365 days in the year, prepare its food for it and feed it daily during this time, cutting off and preparing its fleece for the market and selling it; and then, when it is sold to some trust organization, which makes it into cloth in four or five days, so far as the farmer is concerned it is called raw material, but, so far as the trust is concerned, it is called the manufactured product, and that it should have a protection on its goods of 35 per cent ad valorem, which is contained in this bill, and the farmer who buys back this trust-controlled product should give this wool, which you are pleased to call "raw material," free of any competitive duty, and buy it back in his suit of clothes burdened with 35 per cent duty, hence paying $7 extra on this $20 suit of clothes. Would any fair-minded man say that this is a square deal? And the farmer will not be unmindful that you are treating his wheat, his oats, his rye, and other products of the farm in the same way.

I think I understand the desire of the electorate in the last campaign. They do not want any longer a high protection prohibitive tariff, neither do they want free trade. They believed the Democratic Party meant to administer this Government by passing between these two extremes; they deduced this fact from our action in the Sixty-second Congress; they read it in the Baltimore platform; they heard it in our campaign oratory and read it in our campaign literature, and if we go beyond our promises to the free-trade theory, to which our party was never committed in any platform, they will not excuse us, neither will they longer follow our lead.

It has become a popular Democratic saying that our party stands for a tariff for revenue only. What does this statement standing alone mean? It simply means that in order to raise revenue sufficient to run the Government, economically administered, that it proposes to raise the money by a tariff, and the qualifying word "only" means that it goes no further than to collect sufficient revenue for this purpose, admitting some articles burdened with a tariff duty and some free of such duty, and that it will not use this means of raising revenue as a matter of protection to any particular industry; but when we come to levying this tariff it must be done with caution and discretion, and in levying it upon the many diversified imports care must be exercised, and we are obliged to go to the brink of protection and ascertain the competitive basis at which our industries can exist and our agricultural prosperity be maintained when brought in competition with foreign imports, into which so largely enters the element of labor.

So, call it a competitive tariff if you will, yet it is a fact that we have adopted this system, and it is the policy of the Democratic Party in enacting the present tariff bill. Where I differ from some of my colleagues is in the degree to which we should go in framing these schedules rather than in the means by which the end should be attained.

I advocated, supported, and voted for an amendment in the Democratic caucus providing that all boys' and men's ready-made woolen suits of a value of $10 or less should be admitted free of duty. This would have given the farmer free clothing and would have been in a great measure a compensation for the free wool that you exact from him. It would have given the laborer in the mines, mills, and factories free clothing in which to work, so that he would have had the benefit of this glorious free-trade proposition that some of our Democratic brethren are pleased to advocate; but, to my surprise, some of those who advocated these principles were the first to vote against free clothing, and these same parties were ready to vote for a duty on this woolen clothing, which the poor man and laborer most usually buy, of 35 per cent ad valorem, thereby charging the dear people an extra $3.50 for each and every $10 suit of clothes that a man purchases for himself or the members of his family. This would have been a good opportunity to compensate the farmer for the loss sustained by free wool and have benefited the laboring classes of our country. But this Underwood bill has reduced the tariff on manufactured woolens from an average of 90.10 per cent to 35 per cent, which will certainly be of great benefit to the consumer, but how it will affect the wool raiser remains to be seen.

If this part of the woolen schedule as to free wool was the only matter on which we were obliged to vote, I should cast my vote, as I did in caucus, against it; but as we must approve or reject this entire bill and are obliged to vote on these 14 schedules and on the free list and on the income-tax, which levies a tax upon the well-to-do and the rich and relieves the working classes from taxation to the extent of about $70,000,000, and owing to the fact that the infamous Payne-Aldrich bill will be repealed and this Underwood bill enacted in its stead, having for the greater part regard for competition between our products at home and abroad, whereby the burdens of taxation will be reduced to the consuming masses of over $500,000,000, I am constrained, owing to the fact that this bill will ultimately result in the greatest good to the greatest number, to cast my vote in its favor.

The Tariff.

SPEECH
OF
HON. HENDERSON M. JACOWAY,
OF ARKANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. JACOWAY. Mr. Speaker, when one comes to discuss the tariff, which, after all, is but a system of taxes that must be borne at last by the people, he undertakes a stupendous task. To use the language of one of the greatest orators America has produced, it may be likened to an endeavor "to grasp a globe so large that the hand obtains no hold." The tariff has been defined as a system of taxes levied upon goods brought into a country from abroad. Again, it may be treated as a device for forcing a people to buy domestic goods instead of foreign goods. Be it also said that the tariff is in no sense a product of modern thought. We are told that to raise revenue the Athenians levied a tax upon all foreign merchandise; it was used by the Romans; and was in vogue in Venice in the Middle Ages.

It is the opinion of many that were it possible to secure the necessary revenue to pay the expenses of our Government otherwise they would be free traders. However, it is contended that there may be great merit in the language of him who said that free trade with the nations of the world is in this day and time an iridescent dream.

POSITION OF THE TWO GREAT PARTIES.

The Republican Party takes this position: That the maintaining of a high tariff insures stable markets for American products, raises the wages of American laborers, elevates them to a more dignified status, and places a barrier insurmountable between them and the pauper labor of other lands. The Democratic Party, in its policies, platforms, and other utterances, boldly traverses these contentions, and more than demonstrates the fallacies of Republican argument. The Democratic Party says that when our country was in its inception and this young Nation stood upon the threshold of a national political policy, and when the fathers, imbued, as it were, with a sixth sense, realizing the great possibilities of this embryonic but lusty Republic of ours, saw that in order for these infant industries to be placed upon their feet and protected from the competition with the old and established nations of the world, that a certain modicum of protection at that time was not only necessary but mandatory. But that was multiplied years ago. Since then the days have dragged their weary and tortuous lengths into decades, and the decades have woven themselves into a century and a quarter. The thirteen original States that were a nucleus for the greatest Government that was ever formed or planned in the mind of man, then scattered desultorily along the Atlantic seaboard, in numbers have been multiplied by more than three; and in all, by the genius, thrift, foresight, and indomitable energy of that character known as the American citizen, 48 sovereign States have been carved from a vast domain, and the history we have since written has been the marvel of the world. A network of railways connects the most eastern point with that of the farthest west, while the north, by this system of annihilating distance, has been brought into quick and direct contact with the south. The telegraph and telephone have made New York next door neighbor to San Francisco. Innumerable smokestacks dot the earth in all directions; our forests have been felled, and by the energy and deft hand of the farmer there have been opened to cultivation millions of acres upon which to produce one of our great essen-

tials—food; our rivers have been improved, and in this respect a national liability has been turned into a national asset in the form of cheap transportation for carrying the products of the farm to the congested centers, and the products of the factories back to the farm. Proud streams and great arteries of commerce are they upon which white sails bear their burdens to the sea. In short, in all the national virtues we are the wonder of the nations of the earth—a great, beneficent world power, risen from a few handfuls of people to a population of 90,000,000, and boasting of a national wealth of $150,000,000,000, as compared with the wealth of the United Kingdom from whence we came a century and a quarter ago, estimated at $80,000,000,000; France, $65,000,000,000; and Germany, $60,000,000,000. Our flag is respected and revered in every land and on every sea. In the commercial world, the industrial world, the agricultural world, and all the various callings, vocations, and avocations of life we are accredited with an invincible potency that challenges admiration and commands respect from all quarters of the globe. I mention this splendid array of facts and figures, not boastfully, but, I hope, with pardonable pride, as an argument that as a rule general the manufacturing establishments and the products of American industry no longer need a high protection or an artificial impetus. We have established beyond cavil that they may live and successfully compete in the markets of the world, and that in the contest they will not emerge second best.

In other words, Mr. Speaker, the infant has become a man. He has arrived at a mature age and discarded with disgust his swaddling clothes. Covering that period of time, from his tender age, 124 years ago, up to the present, he has, like the little busy bee, improved each shining hour. Aided by the Republican Party year in and year ont, the infant industry has been the pleased and pleasing beneficiary of a bounty in the form of taxes unjustly wrung from the citizens of this country and gratuitously placed in his coffers. He has been the willing receiver o stolen goods, the product of tariff burglary. To inspire a hate for the system gratuitously fastened upon an unwilling public only a few facts out of many that could be cited are necessary to be submitted.

THE WORKING OF OUR TARIFF SYSTEM.

If the high-protection policy of the Republican Party were to the effect that the necessities of life were to be taxed least and the luxuries most, thus placing the burden of taxation where it rightly belongs, its position would be more tenable. But is this done?

Under the Payne-Aldrich bill the person who imports $1,000 worth of diamonds pays a tax of but $100, or 10 per cent. If he were to import a thousand shirts worth a dollar each, he would have to leave at the customhouse, and add t his selling price, $600, or 60 per cent. If he should bring in $1,000 worth of champagne—one of the few instances where this is a large increase—the tax levied under the tariff would be $500, but if blankets to the amount of $1,000 should be imported into the United States, before these could come through the customhouse, a tariff of $1,645.42 must be paid, and this also is added to the selling price to the consumer. On an importation of $1,000 worth of paintings and statuary the custom tax would be only $200; on sugar it would be $788.70. On $1,000 worth of jewelry the importer would have to pay $600; but if instead of jewelry he imported woolen goods, the tax would be $1,050.90. If he imported an automobile worth $5,000, his tax would be $2,250; but if it were $5,000 worth of furs, the tariff tax would be $6,000; if $5,000 worth of clothing it would be $4,330. If some multimillionaire desired a $100,000 ocean yacht the tariff on his importation would be $35,000, while, were the importation stockings instead, the tax would be $76,950.

Another illustration submitted shows that on every pound of beef shipped into this country a tax of 3 cents is placed, and that the principal beneficiary is the Beef Trust is undeniable. That this protection against competition with foreign beef is unnecessary, reference only need be made to the trade journals in which the fact is demonstrated that American beef, after paying the freight on our transcontinental lines for hundreds of miles and then being transferred to ocean freighters and the freight again paid for a distance of 3,000 miles, can be sold in free-trade England, after being brought into competition with the beef of the world, for less than it is sold to the American consumer. What is true of beef can be said of numerous other articles. As we proceed let us put the interrogatory and ask, Should there be any form of law that permits of a condition like this? There is but one answer, in my judgment.

Without burdening this argument with undue detail, we find, also, that the American manufacturers, sheltered by a high protective tariff, sold tools to the American laborer at a rate 30 per cent higher than to the foreign laborer. Multiplied and varied are the facts that could be presented showing that under the high protective system, upheld and nurtured by the Republican Party, the burden and taxes of government are unequal, and that righteous is the indignation of the people when they come to know how far our Government has drifted from the course intended by the fathers when they declared that all men are created free and equal; that taxes should be uniform and the burdens of government equally distributed. As stated by Mr. Gladstone, there should be no law that would permit one Englishman to steal from another Englishman. Making it absolutely applicable to us, the American Congress should make no law that would permit one American, under the guise of statutory right, to steal from another American.

Injustice has ever been the parent of disorder and strife. It is a breeder of anarchy, a sure destroyer of the love for liberty, and a threat and a menace to good government. When each man can know that his burdens and his blessings and the restraints laid upon his actions are commensurate with the burdens and blessings and restraints of his fellow man, then are the murmurings of discontent hushed and the mutterings of rebellious discord stilled. When the tiller of the soil, the weaver at the shuttle, the man behind the desk or in the countinghouse, in the field or at the forge, can feel that the mantle of the law covers and protects him no less than the moneyed king and plutocrat; when he can know that unjust discrimination for the benefit of a class or classes has ceased and that each is equally burdened in working out a just and a humane system of government, then will the evidences of unrest disappear, one of the greatest secrets of a nation's success will be solved, and universal peace will spread its wings abroad. Not that peace which succeeds annihilation; not the enforced silence of the convict, nor the timorous murmurings of the ignorant and helpless, whose powers of resistance have been crushed out by the taxgatherer, but that broad, gentle, and beneficent peace that takes captive the citadel of the heart, melts the soul in sympathy, gives to humanity the highest attainable degree of happiness, and holds all men equal before the law.

Is it any source of wonder that the people have risen in vigorous protest, when we are brought to realize that under the law as written on the statute books by the Republican Party they are discriminated against at almost every angle?

Two of the greatest documents ever promulgated, the Declaration of Independence and the Federal Constitution—safe guides, too, as the years will testify—many of the expressions of which are worn and tattered by constant use and have been stammered by a thousand schoolboys from a thousand rostrums—but which, none the less, contain provisions sublimely true—hold that under our theory of government all men are equal; not in power, wealth, or native ability, for in these an unequal distribution has always existed and always will, but before the law. There, neither in penalties nor protection, should there be discrimination. From its very birth the Democratic Party has stood for that equality, and the present tariff bill stands out with solid front against the policies of the Republican Party, which, it seems, has lifted certain industries above and made them paramount to the law; which has accorded great concessions to special privileges, whose potency seems to be greater than that of the law. No saying was ever truer than that the tariff is the mother of the trusts.

Is it any wonder that the patriot sees with genuine alarm the present trend of our Government, when the golden streams of our national wealth are flowing, unobstructed, into the coffers of the tariff-protected trusts? Is one to be rebuked for asking why it is that out of every $5 levied under the tariff $4 finds its way into the pockets of the specially privileged? It takes no great gift of prophecy to say that not until this unequal distribution of taxation is abolished, and equality before the law established, and freedom in its broader sense secured for all the people will the cry for justice be stilled.

THE GROWTH OF THE WATERED STOCKS DUE TO THE TARIFF.

Is it any wonder that the taxpayer makes an outcry and registers his war of millions of ballots when he reads in the political history of that Government which is his that when one Republican President entered the White House the trusts and combinations had a capitalization, in round numbers, of $3,784,000,000, and that on the day, seven years later, when he turned the administration over to his Republican successor this capitalization was $31,672,000,000, and that more than 70 per cent of the total capitalization was watered stock, showing an increase of $27,000,000,000, or twenty times the assessed valuation of the States of Arkansas and Alabama, or more than forty times the tax-book valuation of the property of the entire State of Arkansas? Is he to be called an anarchist, a disturbing factor, an enemy to good government if he asks that these injustices be rebuked? When it is taken into consideration that during these seven years, while the trusts unceasingly formed into unholy coalitions of capital to contest the prices of every necessity from the swaddling clothes that wrapped the tiny form of the newborn infant to the headstone that marked the last resting place of the old man, the Federal Government had in its service 171 district attorneys and assistant district attorneys, at a cost of $735,612.06 in salaries and other expenses, in addition to appropriations for the maintenance of the Department of Justice amounting to $250,965.58, can the taxpayer regardless of party be blamed for overturning a great Republican majority in Congress and placing the reins of government in the hands of the Democratic Party? To have done differently would be for him to have acknowledged a mentality on the plane of the animal and a sycophantic truculency classing him a vassal and a serf instead of an American freeman. Shall he have the vials of the wrath of the Republican Party poured out upon him when he calls attention to a condition that points with unerring accuracy to the lamentable fact that under Republican rule for a long period of years corporate wealth has been pyramiding in colossal form and individual wealth diminishing to the end that its sad commentary that it charged that fewer people comparatively own their own homes now than at any other period of our Government's existence? To all who stand for justice and fair play can any other than a negative answer be given?

A PLEA FOR JUSTICE.

A love for equality and freedom was one of the propelling causes for the establishment of the American Government. If the citizen did not contend for what was justly his, he would not be an American citizen. Love for liberty and equal-handed justice are two of the greatest foundation stones upon which our Government is established, and to these qualities are attributable the dizzy heights to which we have climbed in governmental preeminence. These are the sentiments that are incorporated into the first official document that issued from our Nation; these are prominent in our racial characteristics. They are guaranteed to us by our Federal Constitution and have been written into every constitution of every State born into the Union. It is but carrying this principle of government into effect that the 90,000,000 people upon whom the burdens of government rest demand at the hands of that Government, which professes to stand as the boldest exponent of the principles of equal taxation, a redemption of its pledges. None can be heard to say that these demands are not just; and if just they are, and still ungranted, then the Government has been derelict in framing its laws somewhere or somehow, or in the proper enforcement of them. The burden bearers of this Government ask only fair play. This has grown to a demand, and to the end of securing it the Democratic Party is pledged. If it is not secured, the enforcement of our laws is a failure.

HAS THE REPUBLICAN PARTY KEPT FAITH?

As has been said, in the early history of our Government a certain amount of protection was deemed necessary that in the course of time American institutions could stand upon their own merits and compete with the other nations. For years the Democratic Party has contended that this contingency has long since passed and that the tariff should be revised quickly and downward. The Republican Party has been in power for nearly 50 years; yet for it the time has never been opportune to make good its promise to the people. In each succeeding tariff act that the party has written the rates have risen to a most alarming degree. The table I insert below demonstrates this fact in terms more forcible and eloquent than any I could employ. It is a comparison between the first tariff act of 1789 and the Payne-Aldrich Act of 1909.

Comparison between the tariff act of 1789 and the Payne-Aldrich Act of 1909.

Item.	Tariff of 1789.	Tariff of 1909.	Increase.
Jamaica distilled spirits, per gallon.	10 cents	$2.60	2,500 per cent.
All other distilled spirits, per gallon.	8 cents	$2.60	3,150 per cent.
Molasses, per gallon	2½ cents	20 per cent to 6 cents.	140 per cent.
Madeira wine, per gallon	18 cents	45 per cent to 60 cents.	150 to 233 per cent.
All other wines, per gallon	10 cents	do	350 to 500 per cent.
Beer, ale, or porter:			
In casks, per gallon	5 cents	23 cents	360 per cent.
In bottles, per dozen	20 cents per gallon.	45 cents	125 per cent.
Malt, per bushel	10 cents	do	350 per cent.
Brown sugars, per pound	1 cent	1.685 cents	68 per cent.
Loaf sugar, per pound	3 cents	1.9 cents	36 per cent.[1]
All other, per pound	1½ cents	do	26 per cent.
Coffee per pound	2½ cents	Free	Inf.[1]
Cocoa, per pound	1 cent	2½ to 5 cents	150 to 400 per cent.

[1] Decrease.

Comparison between the tariff act of 1789 and the Payne-Aldrich Act of 1909—Continued.

Item.	Tariff of 1789.	Tariff of 1909.	Increase.
Candles:			
Tallow, per pound	2 cents	20 per cent	
Wax, per pound	6 cents	25 per cent	
Cheese, per pound	4 cents	6 cents	50 per cent.
Soap, per pound	2 cents	1½ to 20 cents	600 per cent.[2]
Boots, per pair	50 cents	10 to 15 per cent	
Shoes:			
Leather, per pair	7 cents	do	50 to 90 per cent.
Silk, etc., per pair	10 cents	50 per cent	400 per cent.
Cables, per 112 pounds	75 cents	2.4 cents	210 per cent.
Tarred cables, per 112 pounds	do	do	Do.
Untarred cables and yarn	90 cents	do	160 per cent.
Twine and packthread, per 112 pounds.	$2	$11.20 to $6.72	400 per cent up.
Unwrought steel, per pound	¼ cent	⅛ to 7½ cents	800 per cent.
Nails and spikes, per pound	1 cent	⅛ to 1½ cents	
Salt, per bushel (50 to 80 pounds).	6 cents	7 to 11 cents per 100	
Manufactured tobacco, per pound.	do	55 cents	Do.
Snuff, per pound	10 cents	do	450 per cent.
Indigo, per pound	16 cents	10 cents	37 per cent.[1]
Wool and cotton cards, per dozen.	50 cents	Out of use	
Coal, per bushel	2 cents	1.8 cents	
Pickled fish (200 pounds), per barrel.	75 cents	$1 to $2	33 to 1,600 per cen up.
Dried fish (220 pounds), per quintal.	50 cents	$1.10 to $1.65	100 per cent up.
Tea imported in American-owned ships from China or India:			
Bohea, per pound	6 cents	Free	Inf.[1]
Souchong, per pound	10 cents	do	Do.[1]
Other black, per pound	do	do	Do.[1]
Hyson, per pound	20 cents	do	Do.[1]
Other green, per pound	12 cents	do	Do.[1]
Tea imported in American-owned ships from Europe:			
Bohea, per pound	8 cents	do	Do.[1]
Souchong, per pound	13 cents	do	Do.[1]
Hyson, per pound	26 cents	do	Do.[1]
Other green, per pound	16 cents	do	Do.[1]
Tea imported in any other way:			
Bohea, per pound	15 cents	do	Do.[1]
Souchong, per pound	22 cents	do	Do.[1]
Hyson, per pound	45 cents	do	Do.[1]
Other green, per pound	27 cents	do	Do.[1]
Blank books	7½ per cent	25 per cent	230 per cent.
Writing and print paper	do	10 to 58 per cent	25 to 700 per cent.
Paper hangings	do	35 per cent	360 per cent.
Pasteboard	do	do	Do.
Cabinet wares	do	do	Do.
Buttons	do	30 to 80 per cent	300 to 960 per cent.
Saddles	do	20 to 35 per cent	160 to 360 per cent.
Gloves of leather	do	20 to 65 per cent	160 to 760 per cent.
Hats of fur or wool	do	35 to 80 per cent	300 to 960 per cent.
Millinery, ready made	do	35 to 50 per cent	300 to 500 per cent.
Castings	do	11 to 26 per cent	150 to 300 per cent.
Bar of rolled iron	do	10 to 40 per cent	150 to 430 per cent.
Leather and manufactures	do	14 to 70 per cent	90 to 930 per cent.
Canes and whips	do	15 to 35 per cent	100 to 360 per cent.
Clothing, ready made	do	63 to 160 per cent	760 to 2,030 per cent.
Brushes	do	40 per cent	430 per cent.
Gold and silver plated ware	do	45 per cent	450 per cent.
Jewelry and paste	do	50 to 85 per cent	560 to 1,300 percent.
Anchors	do	40 per cent	430 per cent.
Wrought-iron ware	do	45 per cent	450 per cent.
Tinware	do	do	Do.
Playing cards, per pack	10 cents	35 per cent	360 per cent.
Coaches and carriages	15 per cent	45 per cent	450 per cent.
All other wares	5 per cent	20 to 80 per cent	160 to 960 per cent.
Hemp, per ton	$22.40	$22.50	Little change.
Cotton, per pound (after 1790)	3 cents	Free	Inf.[1]
Saltpeter	Free	Free to 10 per cent	Do.
Tin in pigs	do	Free	
Tin plates	do	35 per cent	300 per cent.
Lead	do	45 to 105 per cent	Inf.
Old pewter	do	25 per cent	230 per cent.
Brass wire	do	35 to 40 per cent	360 to 430 per cent.
Iron wire	do	do	300 to 430 per cent.
Brass	do	45 per cent	450 per cent.
Copper plates	do	Free	
Wool	do	42 per cent	Inf.
Cotton	do	Free	
Dyeing woods	do	17 to 23 per cent	Do.
Dyeing drugs	do	do	Do.
Hides	do	Free	
Beaver	do	do	
Furs	do	Free to 20 per cent	
Deer skins	do	15 per cent	Do.
On all other merchandise from China or India imported in foreign owned vessels:			
Goods, wares, and merchandise.	12½ per cent	20 to 300 per cent	60 per cent up.
Looking glasses	10 per cent	45 per cent	350 per cent.
Glass, window	do	10 to 128 per cent	60 to 1,180 per cent.
China, stone and earthenware.	do	20 to 60 per cent	100 to 500 per cent.
Gunpowder	do	10.23 per cent	
Shoe and knee buckles	do	30 to 60 per cent	200 to 500 per cent.
Gold and silver lace	do	60 per cent	500 per cent.
Gold and silver leaf	do	25 to 40 per cent	150 to 300 per cent.

[1] Decrease. [2] Average.

Beyond doubt these figures tell their own story. I can draw no other conclusion but that the promises of the Republican Party to revise the tariff downward have not been kept, either in the letter or in the spirit of the law. As a result the people, disgusted and rebellious, have voted the Republican Party out of power. In 1910 the Democratic Party secured a majority in the House, and in 1912 we became Democratic in both branches of Congress and elected a Democratic President, due, I believe, in a great degree to the high cost of living, the high protective tariff, which supports the high cost of living, and the Republican exploitation of the many for the enrichment of the few.

THE PRESENT TARIFF BILL.

For a long period of years the Democratic Party has held an outstanding promise to the people that if clothed in plenary powers it would redeem its pledges. Have we made good? Let the record speak. The Underwood bill is for tariff for revenue only. But the feature that stands preeminent is that it is an equitable tax to secure sufficient means to meet the expenses of Government economically administered, and that in fixing the rates the luxuries are taxed highest and the necessities lowest, or free.

In verification I give a comparison of the rates in the Underwood bill as reported to this House and the Payne-Aldrich bill:

PAYNE-ALDRICH BILL.	UNDERWOOD BILL.
Cotton cloth, 50 per cent.	Cotton cloth, 30 per cent.
Flannels, 93 per cent.	Flannels, 25 and 30 per cent.
Women's and children's dress goods, 100 per cent.	Women's and children's dress goods, 35 per cent.
Shoes, 10 per cent.	Shoes, free.

Woolen dress goods, from 99.70 to 35 per cent.
Ready-made woolen clothing, from 79.50 to 35 per cent.
Flannels for underwear, from 93.29 to 25 and 35 per cent.
Woolen blankets, from 72.69 to 25 per cent.
Cotton underwear, from 60.27 to 25 per cent.
Stockings, hose, and half hose, from 75.38 to 50 per cent.
Shirts, collars, and cuffs, from 64.03 to 25 per cent.
Ready-made wearing apparel, from 50 to 30 per cent.
Handkerchiefs and mufflers, from 59.27 to 30 per cent.
Cotton thread, from 31.54 to 19.29 per cent.
Gloves, from 44.15 to 31.77 per cent.
Anvils of iron and steel, from 32.11 to 15 per cent.
Bolts, from 20.59 to 15 per cent.
Chains of all kinds, from 46.59 to 20 per cent.
Pocketknives, from 77.68 to 40 per cent.
Scissors and shears, from 53.77 to 30 per cent.
Table and butcher knives, forks, etc., from 41.98 to 27 per cent.
Files, etc., from 60.47 to 25 per cent.
Tinware, from 45 to 25 per cent.
House or cabinet furniture of wood, from 35 to 15 per cent.
Sugar, from 48.54 to 36.25 per cent.
Red lead, from 60.35 to 25 per cent.
White lead, from 38.01 to 25 per cent.
Castile soap, from 16.20 to 10 per cent.
All bricks, from 30.23 to 10.28 per cent.
China, crockery ware, from 55 per cent to 35 or 50 per cent.
Wire rope and strand, from 49.84 to 30 per cent.
Common window glass, from 46.38 to 28.20 per cent.

THE FREE LIST.

As far as it can be done, consistent with sound governmental policies, the necessary articles of food eaten by the American citizen to sustain life, the clothing that he wears to protect his body from the suns of summer and the blasts of winter, and the shelter that covers him, should be given to him at the lowest possible cost. As I view it, this is one of the most mandatory functions of all governments, for all must eat, all must wear clothes, and all must have shelter. Reference to the present tariff bill discloses that these beneficent and humane demands are recognized, and we find among the great number of articles on the free list the following:

Agricultural implements, bagging and ties, beef, lard, buckwheat flour, coffee, drugs, ice, milk and cream, horseshoes, needles, oils, newspapers, printing paper, rye and rye flour, sheep, barbed wire, turpentine, hubs for wheels, animals for breeding, bacon, lamb, pork, wheat flour, corn meal, fresh-water fish, hides, lemons, nails, wire staples, bolts, kerosene, lubricating oils, quinine, potatoes, trace chains, sulphur, shotguns, wool, and innumerable other useful and necessary articles.

The figures above cited speak for themselves, and need no comment. Their force and eloquence carry conviction and demonstrate, in tones not dubious but distinct and clear, which go ringing around and across the continent, that the Democratic Party has arisen to the demands of the hour; that it has heeded the commands of those clothing them with power and redeemed the preelection promises to the people. Once again, Mr. Speaker, has the bow of promise appeared in the heavens, and those governmental tendencies to make this a Nation of serfs and vassals to a political, commercial, or industrial organization is checked, and the task has fully begun of restoring to the people the Government, to end in complete fulfillment.

THE BIRTH OF A NEW FREEDOM.

Many have been the tests of the strength and solidity of our Government. All of them she has survived, and though hampered, hobbled, and trammeled for a long stretch of years in a manner to stunt the most healthy and normal development, yet from each contest she has emerged stronger. Ten years ago I heard a national character say in a speech that we had outgrown the Declaration of Independence and the Federal Constitution; that these were antiquated governmental forms that live only in history. With this argument I take the opposite of the issue. I am one who believes in the Federal Constitution and the Declaration of Independence. With our Government firmly planted upon the principles incorporated into each of them, recognizing them as the all-sufficient fountains of our faith, far we can not stray. The truth remains that as we look about us and note the great achievements of the American people in all the walks and avenues of life we are amazed at its perfection and feel that the acme of human endeavor is being reached at rapid rate. But this high standard of governmental attainment is not the result of a growth that is ephemeral. It is the product of the combined work, energy, and genius of ages past. Generations have labored, planned, and hoped to reach this high plane of perfection, only to pass from the scene of their endeavors, not, however, to have their efforts lost or dissipated but to be taken up and further prosecuted by succeeding generations, who each in turn have left behind them, as a heritage to the generations that were to follow, a pyramidal monument of a higher perfection than that which they found. Hence this laudable evolution has steadily developed until, as we view the product of all these forces and energies, we look upon the consummation of an approaching preeminence pleasing to contemplate and commanding our unstinted admiration. That this end may be reached, that these conditions shall grow broader and deeper, more beneficent, and humane with the lapse of years, is the prayer of every patriot, so that in truth and in fact all can feel and know that this is—

A land of settled government;
A land of old and just renown,
Where freedom slowly broadens down
From precedent to precedent.

The Tariff.

EXTENSION OF REMARKS
OF
HON. JAMES MANAHAN,
OF MINNESOTA,
IN THE HOUSE OF REPRESENTATIVES,
Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. MANAHAN. Mr. Speaker, the admission of flour free under the terms of this bill may result in a small saving to flour consumers, and if it does so result, well and good. The amount of this saving to the great wheat-producing State of Minnesota will be very small compared with the loss it will occasion in that State by the depressed prices of wheat. Minnesota produces, as everyone knows, many times as much wheat as it consumes. Whatever may be said about the price of wheat in Liverpool being fixed by the law of universal supply and demand, this is not true of this country and the Northwest, particularly the State of Minnesota. The price paid for wheat in these great terminal markets is subject to the influence of the tariff and also to the local market conditions. The tariff is, of course, under the control of Congress; local market conditions in the great terminals of Minnesota are under the control of State government. I take the opportunity in this connection, granted by the unanimous consent of this House, to extend my remarks in the RECORD, for the purpose of showing the facts regarding the prices of wheat that have prevailed for years under the present tariff on wheat and flour, and in the same connection showing the difference in these Minnesota prices and the Winnipeg and Liverpool prices during the same period. In addition to these tables of comparison in prices between Minnesota terminal markets and foreign markets under present conditions I will also extend in the RECORD the findings of a special committee of the House of the State of Minnesota at the last session of its legislature, showing the conditions of these terminal markets, the manner in which the grain of the Northwest is handled, and the way in which wheat has been inspected, graded, and sold.

The committee of the Minnesota Legislature, who made the report submitted herewith, did so after a thorough and painstaking investigation, and the report shows conclusively that the higher prices obtained in the terminal markets of Minnesota for wheat must be credited to the protection of the tariff which compels the Canadian farmers to sell their surplus on export basis based on Liverpool prices.

The following table shows for the years 1910, 1911, and 1912 on the first trading day of each month the prices that were paid for No. 1 northern wheat at Minneapolis, Duluth, and Liverpool, with the approximate cost to take wheat in store Duluth and deliver in store Liverpool at the time indicated:

Comparative prices of wheat.

First trading day.	Minneapolis, No. 1 northern, delivered.	Duluth, No. 1 northern, track.	Liverpool. Future.	Liverpool. England, current prices.	Liverpool. United States equivalent.	Approximate cost to take wheat in store Duluth, and deliver in store at Liverpool.
1910.				s. d.		Cents.
Jan. 3	113 -114	114	March	8 2½	117½	24
Feb. 1	113 -114½	112½	do	8 4	120	24
Mar. 1	114 -115½	115½	do	8 1½	117½-117¾	24
Apr. 1	115 -116½	115½-115¾	May	8 1	115½-116	24
May 2	108½-110½	107½	do	7 2½	103½-104	18
June 1	105½-107½	104½-105½	July	6 4½	91½	18
July 1	113 -115	116	do	6 9½	97½	17
Aug. 1	117	119½	October	7 3½	103½-105½	17
Sept. 1	112½-113½	113½	do	7 5½	108½	19
Oct. 1	109½-109¾	109½	do	7 3½	104½-104¾	20
Nov. 1	101 -102	102	December	6 10½	99½- 99¾	21
Dec. 1	105½-106	104½	do	6 10	98½	22
1911.						
Jan. 3	106½-107½	106½	March	7 2	103½-103¾	24
Feb. 1	103 -104½	104½	do	7 3½	101½-101¾	24
Mar. 1	96 - 97	94½	do	6 9½	97½	24
Apr. 1	92½- 93	93	May	6 6½	94½-94¾	24
May 1	98 - 99½	99½	do	6 10½	99½	18
June 1	97½- 99½	98½	July	6 10½	99½	18
July 1	97½- 98½	97½	do	6 10½	99½	17
Aug. 1	103½-104½	104	October	6 10½	99½	17
Sept. 1	102½-105½	105½	do	7 2½	97½- 97¾	19
Oct. 2	107½-108½	108½	do	7 4½	103½	20
Nov. 1	106 -106½	106½	December	7 4	103½	21
Dec. 1	102½-102¾	101½	do	7 2½	103½-104	22
1912.						
Jan. 2	107½-108½	107	March	7 4½	106½	23
Feb. 1	106½	105½	do	7 7½	110½	23
Mar. 1	108½-108¾	107½	do	7 11½	114½-114¾	23
Apr. 1	107	107	May	7 10½	113½	23
May 1	113½	114½	do	7 11½	114¾	21
June 1	112½-112¾	113½	July	7 7½	109¾	21
July 1	110½	111½	do	7 7½	110¼	21
Aug. 1	108½-108¾	109½	October	7 4½	106½-106¾	21
Sept. 3	88½- 89½	91½	do	7 5½	109½-110	24
Oct. 1	86½- 88½	88½	do	7 8½	111	25
Nov. 1	85 - 85½	86½	December	7 7½	109¾	28
Dec. 2	80½- 82½	80½	do	7 2½	103½-104	28

The following table shows the Minneapolis market enjoyed a better price for wheat than Winnipeg from 1905 to 1910, inclusive. It is taken from Senate Document 849 of the Sixty-first Congress, and is based on a report of the Tariff Board relative to various commodities named in the Canadian reciprocity measure. The table follows:

Minneapolis and Winnipeg prices and the advance of Minneapolis over Winnipeg prices, page 97 of Senate Document 849, Sixty-first Congress, third session, being message from the President of the United States transmitting, in response to Senate resolution of Feb. 23, 1911, a report from the Tariff Board relative to various commodities named in the proposed Canadian reciprocity measure.

	Minneapolis prices.	Winnipeg prices.	Difference.
1905.			Cents.
January	$1.13⅞	$1.00	13⅞
February	1.16	1.01½	14½
March	1.11	.92⅞	18⅛
April	1.09	.91¾	17¼
May	1.15½	.91	24½
June	1.10½	1.01⅝	8⅞
July	1.09½	1.07½	2
August	1.09¼	1.01	8¼
September	.82½	.77⅝	5⅞
October	.84¾	.77	7¾
November	.84¾	.77⅛	7⅝
December	.87⅛	.76⅞	11⅛
1906.			
January	.83½	.76¼	7⅜
February	.82⅝	.76⅛	6½
March	.75½	.72⅝	2⅞
April	.80⅜	.78⅛	1¼
May	.82⅝	.79⅜	2¼
June	.84⅛	.83⅞	⅛
July	.78⅜	.79½	1⅛
August	.75	.74½	½
September	.70⅜	.72	2
October	.76½	.75½	1
November	.80	.73⅜	6⅝
December	.81	.73½	7½

Minneapolis and Winnipeg prices, etc.—Continued.

	Minneapolis prices.	Winnipeg prices.	Difference.
1907.			Cents.
January	$0.79½	$0.72½	7
February	.84½	.75⅜	8⅛
March	.81⅛	.75⅞	5¼
April	.82⅝	.77	5⅝
May	.99½	.87½	12
June	.99½	.89½	10
July	.99	.91½	7½
August	.93⅜	.89½	6⅜
September	1.07½	1.02	5½
October	1.17	1.13	4
November	1.03	1.02	1
December	1.08	1.05½	3½
1908.			
January	1.10½	1.08½	2
February	1.04	1.06	2
March	1.07½	1.09½	2½
April	1.00	1.01	1
May	1.05½	1.14½	9
June	1.09	1.05½	3½
July	1.15½	1.04½	10½
August	1.23	1.06½	16½
September	1.02½	.98½	4
October	1.02½	.98½	4
November	1.08½	.98½	9½
December	1.06½	.97½	9
1909.			
January	1.07½	.99½	8
February	1.12½	1.07	5½
March	1.16	1.10½	5½
April	1.26½	1.23½	3
May	1.29½	1.23	6½
June	1.34½	1.31	3½
July	1.31½	1.30	1½
August	1.37½	1.13	24½
September	1.01½	1.00½	1
October	1.03½	.99½	4
November	1.06½	.98½	8
December	1.13½	.98½	14½
1910.			
January	1.15½	1.04	11½
February	1.14	1.02½	11½
March	1.14	1.04	10
April	1.13½	1.05½	8
May	1.11	.97½	13½
June	1.05	.89½	15½
July	1.25½	1.17½	7½
August	1.17½	1.09½	8
September	1.11	1.05	6
October	1.07½	.98½	8½
November	1.04½	.91½	13
December			

Mr. Speaker, I desire also under the unanimous consent of the House to extend in the RECORD the report in full of the special house grain investigating committee of the State of Minnesota, which held protracted hearings and thoroughly investigated the terminal grain markets of Minnesota during the last session of its legislature. I do this so as to show the care taken and efforts made by the State of Minnesota to secure fair market conditions for its most important product and also to show that the higher prices enjoyed by the grain producers of the Northwest over the Liverpool and Winnipeg markets were not the result of any sort of artificial inflation temporarily by bidders in the pit a Chicago or Minneapolis, nor to any partiality in the matter of grade or inspection, but the result solely of the protection of the tariff, which the free-flour provisions of this bill will destroy.

The report in full, as made to the house on April 17, 1913, is as follows:

REPORT OF THE SPECIAL HOUSE GRAIN INVESTIGATING COMMITTEE.

To the Speaker and the House of Representatives of the State of Minnesota:

Your committee, appointed under resolution of January 21, 1913, to investigate the organization, management, control, and methods of doing business of any and all corporations or copartnerships and of every person in any manner engaged in the business of buying and selling or handling of grain or live-stock products in the State of Minnesota, and into the details in every respect whatsoever referring to the State board of grain inspection and its methods of procedure and of doing business, authorized by such resolution to employ counsel to assist the committee in the examination of witnesses and of books and papers and other instruments of evidence in the matter of this investigation and to assist in the preparation of its report on the conclusion of such investigation; this committee, consisting of C. M. Bindexon (chairman), A. F. Telgen, Martin Schwartz, D. P. O'Neill, and Frank Hopkins, respectfully make the following report:

JAMES MANAHAN was employed as counsel for the committee and public hearings were held in the capitol at St. Paul, as well as at Minneapolis and Duluth, at which representatives of all parties interested appeared in person and by attorney.

The rules, by-laws, and reports of the Minneapolis Chamber of Commerce and of the Duluth Board of Trade, together with many letters from shippers, statements and tabulations prepared by commission merchants and elevator companies, and the rules, reports, and statistical tables prepared by the railway and warehouse commission regard-

ing the inspection and moving of grain, were received in evidence and considered in connection with the testimony of a large number of witnesses, who testified as shown by the transcript of such testimony submitted herewith in connection with the exhibits offered in evidence as a part of this report.

Your committee thoroughly investigated the manner in which grain received at the terminal markets of Minneapolis and Duluth is sampled, inspected, and marketed, taking the testimony of samplers, inspectors, and officers of the railway and warehouse commission and of the State board of appeals, officers of the Chamber of Commerce of Minneapolis and Duluth Board of Trade, managers of terminal elevator companies and commission merchants, pit traders and independent dealers, as well as a large number of country elevator men, managers of farmers' cooperative concerns, representatives of the American Society of Equity, and farmers.

We find that the grain markets of Minneapolis and Duluth handle the bulk of the grain produced in the Northwest. The business of buying and selling grain at each of these terminals is well organized, and the commission men generally have adopted a method of promptly and accurately reporting all trades made by them. There seems to be no opportunity or inclination for individual traders on these markets to engage in any practice detrimental or unfair to either the shipper or receiver of grain, but in certain respects conditions have prevailed which your committee considers unsatisfactory and tending to burden the producers and to some extent the general public, and regarding these conditions we find and recommend as follows:

COMMITTEE'S RECOMMENDATIONS.

First. The Chamber of Commerce of Minneapolis and the Board of Trade of Duluth are voluntary associations organized under the general laws and consisting of a limited number of members elected by the board of directors of these associations under rules which at the same time confer upon such board of directors substantially absolute control over the admission of new members.

The number of members is limited, but any member may own an unlimited number of memberships. Notwithstanding the tremendous increase in the grain business of the Northwest, the number of members of the chamber of commerce has not been enlarged for more than 10 years past.

Your committee therefore recommends that the State should assert and have sufficient control over the internal management of these associations to insure at all times freedom of the market from any possibility of control by any combination (should such combination be attempted) and recommends that the by-laws and rules of such associations should be so made and enforced that the general officers and directors and membership committees should be elected by the full membership by secret ballot, and that all nominations for such offices should be made by a suitable primary system.

Your committee also recommends that suitable rules and by-laws be adopted to enable an applicant for admission to membership to such associations to appeal from an adverse decision by the board of directors to the vote of the membership at large, and your committee further recommends that such legislation be enacted as will enable such applicant to appeal to a court of competent jurisdiction in any case where he is arbitrarily denied admission to such associations.

RULES CRITICIZED.

Second. The following rules of these associations your committee believes are arbitrary and objectionable:

(a) Upon violation of any rule, regulation, or custom of the association any member may be punished by a fine, suspension, or expulsion from the association by vote of the board of directors only.

(b) Another rule provides that members can not bid against each other for carload lots on track at country points. This rule makes such bids absolutely noncompetitive, which your committee believes is against the best interests of producers and shippers.

Your committee believes and recommends that all secrecy as to the doings and rules of the Chamber of Commerce of Minneapolis and the Duluth Board of Trade should be eliminated so far as that may be done without unduly disclosing what may be termed private business relations of the members of these associations. Publicity is the greatest possible corrective of all public evils, and your committee believes that publicity in this would result in a wholesome improvement in matters referred to as well as strengthening of public confidence in the doings and practices of said Minneapolis Chamber of Commerce and Duluth Board of Trade.

3. Your committee also finds that for a number of years a private price list bureau has been operated with offices in the Chamber of Commerce, Minneapolis, and with access to the floor and in close relation with the quotation committee of said chamber. The business of this private price list bureau is to furnish subscribers at country points a daily card showing what purports to be the price on grain at the local station where such card is sent and as a guide to buyers at such station, which price card is based upon the closing prices of that date at the terminal markets, with freight charges and what is supposed to be a reasonable margin of profit deducted. Under this practice this card is sent to subscribers at the various stations upon the theory that the prices quoted may be changed at any station whenever any subscriber at that station desires to pay more for the grain than is quoted by the card itself. The prices quoted on this card are generally followed at country points by the buyer, and on account of the recognition of the right of the buyer at any station to raise the price as given on these cards sent to that station it has often been used to crush out competition. We believe that this grain bulletin should be substituted by a public agency, and that the railroad and warehouse commission should be authorized and directed to adopt suitable rules and take the necessary steps to send daily price cards to all subscribers willing to pay therefor, showing on a uniform basis the prices that are being paid at the terminals and that may be paid at the country stations after allowing for freight and a uniform and reasonable margin of profit.

SWITCHING CHARGES.

For years the members of the Chamber of Commerce of Minneapolis have imposed an arbitrary charge of $1.50 switching charge upon every car of grain handled at Minneapolis. This charge has been imposed under authority of the association and was made to appear to be justified on the ground that it was an "average" of the charges actually imposed by the railroads for switching services. As a matter of fact, the statistics of the railroad and warehouse commission show the charge to be in excess of the average imposed by the railroads.

Moreover, according to the testimony adduced before this committee, Minneapolis is the only grain terminal in the United States where a switching charge is charged against the shipper; and, as was admitted by witnesses before your committee, this arbitrary charge of $1.50 a car has been assessed annually upon thousands of cars which actually paid no switching charge whatsoever. Consequently, this excessive and unjust switching charge has been an unfair burden inflicted upon the grain growers of the State, and your committee therefore recommends:

Fourth. Legislation that will abolish these unfair switching charges against grain marketed at Minneapolis and that the railroad and warehouse commission make, and enforce such regulations as will secure to shippers and consigners of grain at terminal market at Minneapolis a free switching service to any industry located in said city.

Fifth. Under the law of Minnesota corporations are permitted to transact business with subsidiary corporations when the dealings are fair, and, as a result, the buying and selling of grain by commission merchants at terminal markets to their own subsidiary companies has been practiced to a considerable extent, generally with the knowledge and consent of the customer, in some instances where no such consent has been obtained. We think this is an unwise practice and one which, if continued, would afford opportunity for abuse; and we therefore recommend legislation to prevent the sale of any sort of product or grain by any broker or commission merchant to any company, with or without the consent of its consignor, in which such broker or commission merchant has any interest, either direct or indirect.

SELLING TO SUBSIDIARIES.

That this custom of selling grain to subsidiary companies is recognized by the chamber of commerce to be an unwise custom, likely to be abused, is shown by the fact that the board of directors of said chamber of commerce during this investigation has made and adopted a rule forbidding any member to sell or buy consigned grain to or of a subsidiary company, whether the consent of the consignor has been obtained or not.

Sixth. A large part of the business at the terminal market is closely connected with what is known as future trading. The operations in the "pit," so called, and the prices listed from similar future markets at other terminal points, like Chicago, to a very large extent fix the prices paid for a car of wheat on the arrival at Minneapolis, as the same is offered for sale by and inspected on the floor of the trading room in the Chamber of Commerce of Minneapolis and the Duluth Board of Trade. It is claimed that this so-called future market serves a useful purpose by permitting what is known as "hedging" and what may be termed investment by those who wish to speculate and are competent to assume and carry the commercial risk of a change in prices between the gathering and distribution of the crops. It also appears evident from the testimony adduced before your committee that there are some small investors and poorly informed speculators who are not financially able to incur such risk and who do not know enough about the business to justify their dealings in futures, and they should be protected against this inclination toward gambling so far as such protection is possible. We therefore recommend:

(a) Such rules and legislation as will confine dealing in futures to the "hedging" of grain and grain products actually bought and sold to investors who are ready, willing, and able to carry the burden of the purchase or sale as a straight investment on a reasonable margin.

(b) That brokers' offices for future dealings in grain should be confined to cities of the first class and to the principal place of business of such brokers, who should be prohibited from operating branch offices in the same city where the principal office is located.

(c) That the initial margin required of investors in futures be not less than 10 cents per bushel on lots of less than 5,000 bushels.

Apparently recognizing the evils of this indiscriminate speculating in futures, the chamber of commerce directors during the closing days of March, 1913, passed a resolution instructing the officials of the chamber of commerce to enter into correspondence with the officials of other grain exchanges throughout the country and arrange if possible so as to require the purchasers of futures to comply with the conditions recommended above. It was admitted by the officials of the chamber of commerce before this committee that if these rules were generally adopted by grain exchanges of the country it would go far to eliminate the gambling element in future transactions and would at the same time practically prevent the small, inexperienced, and financially unfit speculators from undertaking to carry the burden of speculative risk involved in future transactions. At the same time, we wish to affirm that we believe any transaction in futures is legitimate and commendable, where the parties engaged have an actual purchase or sale to hedge or protect, and where by reason of experience, business sagacity, and ample means they are fitted to engage in such business.

Seventh. It is the opinion of your committee that the State board of appeals is, under the present law, too intimately connected with the railroad and warehouse commission and too restricted in its operations to enable it to fully and satisfactorily perform the duties imposed on it by law. Your committee would therefore recommend that legislation be enacted that would make the State board of appeals an independent body in fact as well as in name and confer upon it such authority as will enable it to provide for the necessary help and facilities for carrying on its work in the most thorough and efficient manner possible.

INSPECTION COMMENDED.

Eighth. The railroad and warehouse commission has perfected a system of sampling and inspecting grain well designed to protect producer and consumer and conducive to uniformity and stability of grades. Under the rules and practices that have prevailed in the grading and inspecting department of the board of appeals and the railroad and warehouse commission, the reliability of the grades shipped in Minnesota are recognized by markets of the world generally. Producers everywhere know that the grain they buy on Minnesota inspection will not fall below the grade designated. But your committee believes that the desire of the boards and departments to maintain this reputation for its grading has unconsciously led them to an unnecessary severity in grading grain on its arrival at the terminal markets from country points, and that the terminal elevators and mills at the terminal markets have, by taking advantage of the right to mix and blend wheat, secured large quantities of newer, inferior, and no-grade wheat at prices that were lower than the producers should receive; and it is the belief of your committee that an absolute separation of the board of appeals from the regular grain-inspection department will result in a more efficient check on the first inspection and thus secure more exact justice to the producer without in any degree lowering what is known the world over as "Minnesota grades." In connection herewith, it should be borne in mind that what is known as "Minnesota grades" is established on the grading of the wheat out of the terminal elevators, and not on the wheat arriving at these terminals from the country elevators. Consequently the price received by the producer is not based on the severe grading of wheat on its arrival from the country, but is based on the more lenient grading out of the terminals; and to the extent that these two grades differ, to that extent the producers are deprived of what is justly due them.

The testimony adduced before your committee proved that what is known as no-grade wheat is lowered from the higher grades principally because it is presumed to contain a percentage of moisture exceeding the limit for safe storage, but testimony adduced would tend to prove that under the present method of inspection it is a mere matter of guess as to whether wheat, being somewhat damaged, should be placed in the no-grade class or in the class of the higher grades. As the difference in price between No. 1 northern and no-grade wheat is considerable, ranging all the way from 5 to 15 cents per bushel, your committee believes that the board of appeals and the railroad and warehouse commission should provide facilities for ascertaining what per cent of moisture wheat may contain and still be safely stored, as only by this method can a fair and just grading be established on this class of wheat. In connection herewith your committee feels it is its duty to state that the testimony before this committee proved that the board of appeals had at various times requested the railroad and warehouse commission to furnish it with such facilities, but as yet this request has not been granted.

Ninth. We recommend that more attention be given to determining the commercial value by laboratory and baking tests, particularly of the newer grades of grain, and in establishing grades, and that the benefit of the doubt be given the wheat in determining the grade.

Tenth. We recommend further that the rules of inspection and the practice of the inspection department be so revised and changed as to secure on the inspection of grain shipped into the terminal markets a more liberal and fair grade. That the grading of so-called "plugged" cars should be changed so as to protect innocent shippers from being penalized to the profit of the purchaser in cases where poor or inferior wheat may be shipped in the same car; and suitable legislation should be enacted that will severely punish a shipper who deliberately plugs a car, but the penalty should not work to the benefit of the purchaser of that car, but rather to the State.

Eleventh. We find that the variety of wheat known as velvet chaff has been unjustly discriminated against, both as to its milling and its true commercial value, as certified to by millers and exporters testifying before this committee, causing great loss to the producers of the State. The fact is shown in the testimony that as an export wheat this variety will command a premium over No. 1 northern. On account of its merits, particularly as to weight, it has been used for mixing purposes to lift millions of bushels of no grades into No. 1 and No. 2 northern. Therefore we further find that its classification as No. 1 northern was justified by the authorized board.

PRICE CARDS SENT OUT.

But this established grade has been absolutely disregarded by the buyers who have, as above referred to, arbitrarily discriminated against this variety of wheat, and this private price-list bureau previously referred to has absolutely disregarded the established grade on this wheat and on the price cards sent out to country points has put this wheat in a different class and at a lower price than was warranted by the grade established by such authorities. This your committee deems unfair.

(12) In view of that fact the testimony adduced before your committee proved that millions of bushels of low-grade wheat had been raised to higher grades by drying, blending, and cleaning, which has resulted in large profits to those engaged in the business without corresponding benefit to the producers; and in view of the further fact that this question of blending, cleaning, and drying wheat, judging from past experience and attempts along this line, is too large for farmers' cooperative associations to solve, your committee would therefore recommend that suitable legislation be enacted that would enable the State to provide facilities for this purpose and that such facilities be operated by the State at least until such time as farmers' cooperative associations have developed to such an extent that they will be strong enough to undertake this business.

AS TO EQUITY EXCHANGE.

(13) Some time after the appointment of this committee by the speaker of the house the senate appointed a similar committee, ostensibly for the same purpose. This senate committee devoted nearly all its time and effort to inquiring into the business methods of what is generally known as the "Equity Exchange of Minneapolis." In view of the fact that this senate committee went into this matter so thoroughly, your committee considered that it would be a duplication of effort and a waste of time and money to devote any great amount of time to this subject, as the senate committee will undoubtedly in due time make its report to the legislature. The only witnesses in regard to these matters that appeared before this committee were Messrs. Holt, Bundy, and Schmitt, who appeared in behalf of the Voltaire Farmers' Elevator Co., of North Dakota. Messrs. Bundy and Schmitt made charges of irregular practices on the part of the equity exchange. Mr. Holt testified that the business relations between the Voltaire Farmers' Elevator Co. and the Equity Exchange had been entirely satisfactory to his company and repudiated many of the statements made by Bundy and Schmitt, pointing out the inconsistencies in their claims.

Your committee feels that it would not be doing its full duty if it should refrain from stating that certain undesirable features of future trading do not prevail in the Duluth Board of Trade to any considerable extent. Your committee also found that all switching charges were eliminated at Duluth and consequently to that extent the expense against grain arriving at that market is lessened. Your committee also believes that the market bulletin published and circulated by the various members of the Duluth Board of Trade comes nearer to reflecting and quoting the exact market conditions than does the Minneapolis so-called price-list bureau card.

Respectfully submitted.

C. M. BENDIXEN, *Chairman.*
MARTIN SCHWARTZ.
A. F. TEIGEN.

We concur in the findings of the majority report of the committee except in the following respect:

We do not believe that the grain board of appeals has been limited in any respect in doing its duty under the present law and therefore dissent from section 7 of the report.

FRANK HOPKINS.
D. P. O'NEILL.

The Democratic Tariff Bill.

EXTENSION OF REMARKS
OF
HON. CHARLES L. BARTLETT,
OF GEORGIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, May 5, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. BARTLETT. Mr. Chairman, this bill complies with the demands of the Democratic platform made in Baltimore in 1912, and in my judgment will meet the expectations of the people. This is the first tariff bill constructed according to the Democratic theory and along Democratic lines since the act of 1846, known as the Walker tariff law, and we have every reason to believe that it will be as beneficent in its results to the masses of the people as that famous act was; that it will furnish ample revenues to the Government, reduce the burdens upon the people, and maintain prosperity throughout the land.

I do not believe that a tariff should be collected except for revenue. I do not believe that the Government should exercise its power to tax the property of the citizen and thereby bestow favors upon particular individuals and aid private enterprises and build up private fortunes. As I understand it, the Democratic idea in levying tariff duties is and should be based upon the following principles:

First. That no more money should be collected than is necessary for the wants of the Government, economically administered.

Second. That no duty be imposed on any article above the lowest rate which will yield the largest amount of revenue.

Third. That below such rate discrimination may be made, descending in the scale of duties, or, for imperative reasons, the article may be placed in the list of those free from all duty.

Fourth. That the maximum revenue duty should be imposed on luxuries.

Fifth. That all minimums and all specific duties should be abolished and ad valorem duties substituted in their place, care being taken to guard against fraudulent invoices and undervaluation, and to assess the duty upon the actual market value.

Sixth. That the duty should be so imposed as to operate as equally as possible throughout the Union, discriminating neither for nor against any class or section.

To quote from the report of Secretary of the Treasury Walker made in 1846, whose suggestions and judgment were followed in making the tariff law of that year:

"In arranging the details of the tariff, it is believed that the maximum revenue duties should be imposed upon luxuries. It is deemed just that taxation, whether direct or indirect, should be as nearly as practicable in proportion to property. If the whole revenue were raised by a tax upon property, the poor, and especially those who live by the wages of labor, would pay but a very small portion of such tax; whereas by the tariff, the poor, by the consumption of various imports or domestic articles enhanced in price by the duties, pay a much larger share of the taxes than if they were collected by an assessment in proportion to property. To counteract as far as possible this effect of the tariff—to equalize its operation and make it approximate as nearly as may be to a system of taxes in proportion to property—the duties upon luxuries, used almost exclusively by the rich, should be fixed at the highest revenue standard. This would not be discriminating in favor of the poor, however just that might be within the revenue limit; but it would mitigate, as far as practicable, that discrimination against the poor which results from every tariff by compelling them to pay a larger amount of taxes than if assessed and collected on all property in proportion to its value. In accordance with these principles, it is believed that the largest practicable portion of the aggregate revenue should be raised by maximum revenue duties upon luxuries, whether grown, produced, or manufactured at home or abroad.

"An appeal has been made to the poor by the friends of protection on the ground that it augments the wages of labor. In reply it is contended that the wages of labor have not augmented since the tariff of 1842, and that in some cases they have diminished.

"When the number of manufactories is not great, the power of the system to regulate the wages of labor is inconsiderable; but as the profit of capital invested in manufactures is

augmented by the protective tariff there is a corresponding increase of power, until the control of such capital over the wages of labor becomes irresistible. As this power is exercised from time to time, we find it resisted by combinations among the working classes, by turning out for higher wages or for shorter time, by trades-unions, and in some countries, unfortunately, by violence and bloodshed. But the Government, by protective duties, arrays itself on the side of the manufacturing system, and by thus augmenting its wealth and power soon terminates in its favor the struggle between man and money—between capital and labor. When the tariff of 1842 was enacted the maximum duty was 20 per cent. By that act the average of duties on the protected articles was more than double. But the wages of labor did not increase in a corresponding ratio or in any ratio whatever. On the contrary, whilst wages in some cases have diminished, the prices of many articles used by the working classes have greatly appreciated.

"A protective tariff is a question regarding the enhancement of the profits of capital. That is its object, and not to augment the wages of labor, which would reduce those profits. It is a question of percentage and is to decide whether money vested in our manufactures shall, by special legislation, yield a profit of 10, 20, or 30 per cent, or whether it shall remain satisfied with a dividend equal to that accruing from the same capital invested in agriculture, commerce, or navigation.

"The present tariff is unjust and unequal, as well in its details as in the principles upon which it is founded. On some articles the duties are entirely prohibitory and on others there is a partial prohibition. It discriminates in favor of manufactures and against agriculture by imposing many higher duties upon the manufactured fabric than upon the agricultural product out of which it is made. It discriminates in favor of the manufacturer and against the mechanic by many higher duties upon the manufacture than upon the article made out of it by the mechanic. It discriminates in favor of the manufacturer and against the merchant by injurious restrictions upon trade and commerce, and against the shipbuilding and navigating interest by heavy duties on almost every article used in building or navigating vessels. It discriminates in favor of manufactures and against exports, which are as truly the product of American industry as manufactures. It discriminates in favor of the rich and against the poor by high duties upon nearly all the necessaries of life and by minimums and specific duties, rendering the tax upon the real value much higher on the cheaper than upon the finer article."

I desire to call attention to some history of tariff legislation in this country.

NEW ENGLAND'S FIRST VIEWS ON THE TARIFF.

Up to 1846 England was and had been for centuries the most earnest, vigorous, and determined champion of protection the world ever saw, and enforced the extremest doctrines by all the powers of war and all the arts of diplomacy. To use the language of a distinguished Republican Senator from Maine in 1882:

"She destroyed the growing commerce of Ireland by one blow of her navigation laws; repressed her cattle raising, her woolgrowing, her manufactories, and made her the waste of to-day. She attempted the same rôle in America; forbade the exportation of her products to any other country than her own; forced all the carrying trade into English bottoms; repressed all manufactories of fabrics, and provided by law that none of the American colonies should manufacture iron of any kind; that no smith should make a bolt, spike, or nail of bar or wrought iron; that no mill or other engine for rolling iron or furnace for making steel should be permitted; and finally drove us to the Revolution and lost the brightest jewel from her diadem."

The resistance to this oppression by taxation and restriction of trade showed itself in Massachusetts Bay, when the citizens of Boston, painted as savages, boarded the tariff-ridden ships and dumped the tea of tyranny into the waters of the harbor. The crack of the rifles of the patriots at Bunker Hill and Lexington in defense of the right to resist this oppression was heard around the world.

It may be well to recall something that Massachusetts has said and done in opposition to the protective policy, since Massachusetts and the East are to be benefited, probably, more by the present protective policy than any other section of the country, and have grown rich and powerful by the maintenance and continuance of the protective system. The merchants of Boston in 1820 met at a town meeting and appointed a general committee, consisting of 20 men, amongst them some of the most honored of the State and most distinguished of the country. Mr. Daniel Webster was appointed chairman of a committee of seven to consider the scheme of a protective tariff. They issued an address, in which they invited the manufacturers, merchants, and farmers of the State to confer with them, and these delegates from all parts of the State formulated their views into a series of resolutions.

Certain things are stated in the resolutions and in the report made by Mr. Webster which may sound strange now, but it may be well to recall them. Amongst other things they alleged:

"That the avowed object of protection was to direct and control the occupations of men by granting special privileges to those engaged in particular pursuits."

They said further:

"This can be done (waiving any question whether it can be done at all without violating the spirit of the Constitution) only at the expense of the community, for it is a fact that legislation does not create wealth, but simply transfers it from hand to hand, and can enrich one class only by impoverishing others. It would surely be surprising that a system of restrictions so unequal and so repugnant to all sound theories should be adopted by a free and enlightened people at a time when the greatest nations of Europe, after a long trial of it, have openly acknowledged its incorrectness, and whole nations suffering and lamenting the consequences of its adoption, and when our own unexampled success, under a more liberal policy, has given the sanction of experience to the deduction of reason."

THE DEMOCRATIC DOCTRINE.

The substance of the Democratic theory can be found in the declarations of its platforms enunciated in 1832, 1836, and 1840, and since then in this proposition:

"That justice and sound policy forbid the Federal Government to foster one branch of industry to the detriment of any other or to cherish the interests of one portion to the injury of another portion of the common country. We hold that the citizen of every section of the country has a right to demand and insist upon equality of rights and privileges."

HENRY CLAY'S VIEW.

The Republican doctrine of to-day, which claims to be founded upon the theory of the American system advocated by Mr. Clay, who was the chief exponent of the system in the early days of the Republic, has gone far beyond anything ever conceived or intended by Mr. Clay, and to-day the Republican doctrine stands for protection not to the infant industries but protection to certain favored manufacturing industries at the sacrifice of the rights and interests of all the other thousands and millions of people in the United States. The American policy advocated by Mr. Clay never looked to the closing of our markets against foreign products; all that he ever claimed was such an adjustment of duties for revenue as would afford incidental protection to home industries. In 1815, in a debate on the tariff, he proposed to raise money to pay off the war debt and urged a duty on imports of only 25 per cent instead of 20 per cent. He said:

"In three years we can judge of the ability of our establishments to furnish these articles as cheaply as they were obtained from abroad, and can then legislate with the lights of experience."

He believed that three years would be sufficient time to place our industries on this desirable footing. Yet nearly 100 years have passed since Mr. Clay announced this doctrine, and it is claimed now that we should levy tariff taxes not only to raise revenue but to encourage industries that were infants at that time. A century of protection has hardly been able to satisfy these infant industries, and we have now a tariff tax of 45 per cent ad valorem; and when the Treasury has been full and a surplus accumulated that surplus has been dissipated by extravagant and wasteful expenditures, and there has not been any effort made to reduce taxes to something like a revenue standard, and every effort to do so is denounced by protectionists as ruinous to American industry. Mr. Clay can not be charged with having any such ideas as are now entertained by the Republican majority.

In 1842, in the Senate, while discussing the tariff act of 1832, in which all the duties were pared to the uniform rate of 20 per cent, Mr. Clay said:

"If the compromise act had not been adopted, the whole system of protection would have been swept by the boards by the preponderating influence of the illustrious man at the head of the Government (President Jackson) at the very next session after its enactment."

And that so far as he could go he would; and that was not to lay duties for protection alone, but in laying duties for revenue to supply the Government with means, to so lay them as to afford incidental protection. He would, therefore, say to the friends of protection, "Lay aside all attempts beyond this standard and look to what is attainable and practicable."

Surely, if the spirit of Henry Clay could revisit these Halls, he would be shocked and horrified to be told that he was the

father or founder of any such system which would produce such a law for the country as we now have.

DANIEL WEBSTER'S VIEW.

Daniel Webster, in his debate in the House in 1824, in reply to Mr. Clay, who advocated what he called "the American policy of protection," said:

"Sir, that is the true American policy which shall most fully employ American capital and labor and best sustain the whole population. With me it is a fundamental axiom; it is interwoven with my opinions; the greatest interests of the country are united and inseparable; agriculture, commerce, and manufacturing will prosper together or languish together; and that all legislation is dangerous which proposes to benefit one of these without looking to consequences which may fall on the others."

THE DEMOCRATIC TARIFF OF 1846.

Various tariff battles were waged and laws enacted until 1846, when what is known as the "Walker Tariff Act" was passed.

This was a Democratic tariff, which imposed the highest duties upon luxuries and the lowest upon necessaries. No duty, even upon luxuries, was higher than 40 per cent ad valorem, except in the case of brandy and whisky distilled from corn, and other spirituous liquors or beverages of a similar character, which were taxed 100 per cent. No better illustration of the assertion that this Walker Tariff Act was the best tariff law we have ever had could be found than in the statement of Senator Allison, a Republican, of Iowa, in 1870, then a prominent Member of the House, and later, and until he died, one of the most distinguished Senators of the United States, as follows:

"The tariff of 1846, although confessedly and professedly a tariff for revenue, was, so far as regards all the great interests of the country, as perfect a tariff as any we have ever had. If any interest was depressed under the tariff of 1846, it was the iron interest. I do not believe that this interest, as compared with other interests, had sufficient advantage under that tariff; yet when we compare the growth of the country from 1840 to 1850 with the growth of the country from 1850 to 1860—the latter decade being entirely under the tariff of 1846, or the amended and greatly reduced tariff of 1857—we find that the increase in our wealth between 1850 and 1860 was equivalent to 126 per cent, while it was only 64 per cent between 1840 and 1850, four years of which decade were under the tariff of 1842, known as a "high protective tariff," but the average rate of which was about 70 per cent below the existing rate, or 27 per cent under the tariff of 1842 as against 44 per cent upon all importations under the present tariff. Our industries were generally prosperous in 1860, with the exception, possibly, of the iron interest. This was the statement of Mr. Morrill, of Vermont, on this floor during the discussion of the tariff of 1864. With regard to the condition of the steel industry in 1860, the steel manufacturers in 1866, memorializing Congress for increase of duties on steel, stated that—

"'It was reserved for Pittsburgh to bring about the first substantial and enduring success in the year of 1860, and, encouraged by our example, numerous establishments have sprung into existence, as already indicated in this paper. This shows that under the revenue tariff of 1857, which imposed only an ad valorem duty of 12 per cent on steel, a substantial success was achieved in the steel manufacture in 1860.' I have read the language of the memorial."

This act of 1846 remained in force until 1857, when the duties on imports were reduced, and this remained true until 1861, at the beginning of the Civil War, when a tariff act was passed providing for the raising of revenue for the Government at that time, and this was from time to time amended, increasing the rates and imposing an internal-revenue tax and a direct tax; and the captions of these bills show that they were intended to temporarily increase the duties on imports. These laws continued in force until 1870, when a tariff bill was framed reducing the internal-revenue taxes, but not reducing the tariff taxes. In 1872 a pretense was made to reduce duties, but the high protective duties still continued. Again in 1883 the internal-revenue tax was decreased, but the tariff taxes were kept up. An effort was made in 1888 by a Democratic House to reduce tariff taxation in what was known as the "Mills bill." While this bill passed the House it failed in the Senate, the Senate being Republican. This brings us to the McKinley bill of 1890, the title of which act was to reduce revenue, which had accumulated under the tariff act of 1883, and under this act the protective duties were higher than during the war. Then came the Wilson bill of 1894, to provide revenue for the Government, but which failed of its purpose by reason of the decision of the Supreme Court of the United States declaring the income tax unconstitutional. Then we had the Dingley bill of 1897, which had for its purpose to provide revenue and encourage the industries of the United States; and now we have the Payne law, which had for its alleged purposes to provide revenue, equalize duties, and encourage industries.

The American people, chafing under the injustice and wrong of these schedules which have existed since 1897, made demands upon the Republican Party in power that they should be reduced. The pledge of the Republican Party, as construed by Mr. Taft while a candidate for the Presidency, is that we shall have tariff revision downward. Yet in the Payne law the same special interests were taken care of, duties are not equalized, and the same discrimination and injustice is practiced against the American people. The same power to tax is exercised and used and the burdens of the people are not at all diminished, and the property of the citizen is again to be confiscated by the Government for the benefit of the few. If it were left to me, I would eliminate every trace of what I conceive to be the plunder of the public for the benefit of the few from this system of taxation; I would prevent a few men from making their living in the sweat of other men's brows. It is not, in my judgment, a proper exercise of the taxing power; when the Government thus taxes the property of the citizen it amounts, in many instances, to confiscation, even though the proceeds be devoted to governmental purposes. By the exercise of the power conferred by this bill, under the guise of protection to the industries of the country, the Government places in the hands of individuals and corporations the power to confiscate the property of their neighbors for private gain. Taxation for governmental purposes is a burden, but to confer upon individuals the power to confiscate property is robbery.

This system of protection has grown so strong and has been fostered to such an extent that those who live upon it think it is sacred as a statute contained in the Ark of the Covenant, and that it should be preserved unchangeable, like the laws of the Medes and Persians. They assume that it is right and proper at any time to put burdens upon the people, but that the people who bear these burdens have no right, whether in times of prosperity or in the time of adversity, to have them mitigated; that no Democrat shall dare touch it, and that it can only be handled by its friends. They flatly declare that we should bear the burdens of the system, sell our products wherever we can, but that we must buy what we need where they please for us to buy.

The Democratic Party, commissioned by the people to reduce tariff taxation, present this bill, which we believe will meet their demands and receive their approval.

REDUCTIONS UNDER THE PENDING BILL.

A study of the pending bill will show that many changes are made in the existing law. It will reduce the duty on articles of clothing, food, and the general household, and, if it is enacted into law, it is believed and expected, and I have no doubt that it will, aid in relieving the people from the burdens under which they are now suffering, due to the extremely high cost of living. It will be interesting to compare the present law with the pending bill. The following are some articles of general consumption:

	Present law.	Pending bill.
	Per cent.	*Per cent.*
Cattle	27	10
Swine, per head	(1)	(2)
Sheep, do	14	8
Other live animals	20	10
Barley, per bushel	30	15
Buckwheat, do	15	8
Corn, do	15	(2)
Macaroni, etc., per pound	1½	1
Oatmeal, etc., do	1	(2)
Rice, cleaned, do	2	1
Rye flour, do	¼	(2)
Wheat flour	25	(2)
Biscuits, etc	20	(2)
Butter, etc	6	3
Cheese	31	20
Milk, per gallon	2	(2)
Beans, per bushel	45	25
Beets	25	10
Sugar beets	10	5
Beans and peas (in tins and jars)	2½	1
Pickles and sauces	40	25
Cider, per gallon	5	2
Eggs, per dozen	5	2
Honey, per gallon	20	10
Onions, per bushel	40	20
Peas, green, do	25	15
Peas, dried, do	25	15
Fish (packed in jars or tins)	20–42	15–20
Caviar	30	30

[1] $1.50. [2] Free.

	Present law.	Pending bill.
	Per cent.	*Per cent.*
Fresh-water fish.....per pound	½	(1)
Mackerel.....do	1	(1)
Halibut and salmon.....do	1	(1)
Apples, peaches, quinces, cherries, plums, peas, green or ripe, per bushel	25	10
Cranberries	25	10
Jellies	35	20
Prunes.....per pound	2	1
Raisins and dried grapes.....do	2½	2
Currants.....do	2	2
Olives.....per gallon	15–25	15
Grapes	25	25
Lemons.....per pound	1½	1½
Oranges, limes, and grapefruit.....do	1	½
Pineapples	8	6
Bacon and hams.....per pound	4	(1)
Beef, fresh.....do	1½	(1)
Veal, fresh.....do	1½	(1)
Mutton, fresh.....do	1½	(1)
Lamb, fresh.....do	1½	(1)
Pork, fresh.....do	1½	(1)
Venison, fresh.....do	1½	(1)
Poultry, live.....do	3	1
Poultry, dead.....do	3	2

[1] Free.

The following table shows the changes that the bill will make in the tariff upon clothing:

	Present law.	Pending bill.
	Per cent.	*Per cent.*
Boots and shoes	12	(1)
Leather working gloves	50	(1)
Cotton clothing	50	30
Ready-made clothing	79.56	35
Women's and children's dress goods (nearly)	100	35
Hosiery	75	50
Knit shirts and underwear	60	25
Collars and cuffs	50	30
Cotton cloth	40	25.09
Men's cotton work gloves	99	35

[1] Free.

Among the articles of common household use upon which the tariff will be reduced are the following, with the present rates and those that the bill will prescribe:

	Present law.	Pending bill.
	Per cent.	*Per cent.*
Blankets	75	25
Flannel	93	25–30
Spool thread	40	26.89
Sewing silk	25	15
Brooms and matches	12	(1)
Knives, forks, razors, scissors	7	(1)
Furniture	35	15
China (not decorated)	55	35
Common soap	20	5

[1] Free.

TAXES UNDER THE PAYNE LAW.

During the last Congress, in the discussion of the steel schedule before the House, I called attention to the taxes that the Payne bill imposed upon the people, and the following table shows the burdens placed upon them by that bill:

	Per cent.
Taxes on the parlor.	
Carpets, if made of druggets	66
Carpets of flax or cotton	50
Wooden furniture	35
Wall paper	35
Looking-glass (common)	45
Carpets of tapestry	64
Ingrain carpets	64
Plush furniture	96
Window curtains (common)	50
Knickknacks	35
Taxes on the bedroom.	
Common wooden bed	35
Commonest blankets	93
Feather beds	60
Wooden chairs	35
Cast-iron bed	35
Sheets	42
Mattresses	20
Common chinaware	55
Taxes on the wardrobe.	
Commonest handkerchiefs	51
Flannel underwear	91
Ready-made clothing	65
Hats of wool	85
Knitted goods	95
Cotton underwear	60
Corduroy suits	66
Waterproof coats	49
Cloaks	65
Shawls	96
Jackets	65
Corsets	60
Stockings	67
Suspenders	87
Cotton gloves	40
Cotton laces	60
Taxes on the kitchen.	
Plain yellow crockery	25
Cheapest glassware	60
Bone-handled knives and forks	50
Hollow ware	40
Commonest oilcloth	45
Cotton tablecloths	50
Common wood ware	35
Brass ware	45
Tallow candles	20
Brooms	40
Toothpicks	35
Bacon	20
Mutton	34
Butter	28
Salt	104
Sugar	63
Cabbage	51
Potatoes	28
Vinegar	29
Flour	25
Lemons	79
Almonds	54
Commonest chinaware	55
Looking-glasses	45
Average cutlery	65
Commonest stoves	45
Cotton window shades	50
Commonest tinware	45
Common yellow ware	45
Common clock	40
Scrub brushes	40
Matches	33
Starch	57
Beef	23
Poultry	29
Cheese	35
Rice	65
Candy	55
Onions	53
Pickles	40
Bread	20
Eggs	35
Apples	25
Walnuts	43
Taxes on sundries.	
Carriages	45
Brick	20
Explosives	45
Window glass	80
Hay	50
Buckles	48
Cutlery	76
Files	68
Furnaces	45
Typewriters	45
Nippers	60
Jewelry	73
Harness	35
Leather goods	40
Wagons	45
Tiles	67
Hemp carpets	71
Spectacles	119
India-rubber goods	35
Cast-iron pipe	28
Razors	89
Shotguns	51
Shot	75
Nails	16
Saws	30
Lead pipe	45
Building stone	50
Gloves	50
Copper wire	45
Blasting caps	61
Linen fabrics	60
Glue	32
Wire rope	40
Iron chain	183
Scissors	50
Fishhooks	45
Machinery	45
Needles	44
Three-quarter-inch screws	128
Thread	42
Structural iron	31
Boots and shoes	15

It will be interesting to note the changes made by the pending bill in the duties imposed upon articles of domestic use. To do this I have compared the rates fixed by this bill upon such articles with the Dingley rates and the Payne rates, and this is shown by the following table:

Comparison of rates in Dingley, Payne, and Underwood tariffs on articles of domestic use.

	Dingley.	Payne.	Underwood.
TAXES ON THE PARLOR.			
Carpets made of druggets	74.20	66.28	20.00
Carpets made of flax or cotton	50.00	50.00	20.00
Wooden furniture		35.00	15.00
Wall paper		50.04	35.00
Looking glass (common)		20.80	7.14
Carpets of tapestry	61.00	64.41	20.00
Carpets of ingrain	68.41	64.34	20.00
Plush furniture		35.00	15.00
Window curtains (common)	50.00	52.98	44.00
TAXES ON THE BEDROOM.			
Common wooden bed		35.00	15.00
Common blankets	88.12	73.42	25.00
Feather beds	50.00	52.13	40.00
Iron bed	45.00	45.00	25.00
Wooden chairs		35.00	15.00
Sheets	45.00	45.00	30.00
Mattresses	Free.	20.00	5.00
Common chinaware	55.00	55.00	30.00
			50.00
TAXES ON THE WARDROBE.			
Cotton handkerchiefs	58.22	59.05	30.00
Linen handkerchiefs	50.00	50.00	35.00
Flannels for underwear	107.06	103.87	25.00
			35.00
Ready-made clothing	82.20	81.31	35.00
Hats of wool	82.20	81.31	35.00
Knitted goods	82.20	81.31	35.00
Cotton underwear	61.41	59.00	25.00
Corduroy suits	62.95	63.28	40.00
Waterproof coat	44.60	49.73	25.00
Cloaks	82.20	81.31	35.00
Shawls	82.20	81.31	35.00
Jackets	82.20	81.31	35.00
Corsets	61.41	59.00	25.00
Stockings	30.00	30.00	20.00
Cotton gloves	60.57	71.66	50.00
Laces	60.00	59.83	60.00
TAXES ON THE KITCHEN.			
Plain yellow crockery	25.00	24.95	15.00
Common glassware	60.00	60.00	45.00
Knives and forks	50.20	43.26	27.00
Hollow ware	40.00	40.00	25.00
Common oilcloth	39.73	41.25	25.00
Cotton tablecloths	50.00	50.00	35.00
Brooms	40.00	40.00	15.00
Toothpicks	43.54	32.53	25.00
Bacon	26.33	17.29	Free.
Mutton	18.17	17.29	Free.
Butter	28.95	27.64	12.00
Salt	40.12	50.96	Free.
Sugar	56.65	52.77	35.25
Cabbage	44.24	51.28	15.00
Potatoes	26.59	28.67	Free.
Vinegar	31.56	28.92	17.39
Flour	25.00	25.00	Free.
Lemons	47.88	71.21	24.03
Almonds	34.48	26.21	17.35
Common chinaware	55.00	55.00	35.00
			50.00

Comparison of rates in Dingley, Payne, and Underwood tariffs on articles of domestic use—Continued.

	Dingley.	Payne.	Underwood.
TAXES ON THE KITCHEN—continued.			
Looking-glasses		20.80	7.14
Cutlery	50.20	43.26	27.00
Tinware	53.12	43.20	20.00
Common yellow ware	25.00	24.90	15.00
Common clock	40.00	40.00	30.00
Scrub brushes	40.00	40.00	35.00
Matches	31.30	25.64	14.52
Starch	58.58	57.71	35.71
Beef	18.17	17.29	Free.
Poultry	29.86	28.45	18.18
Cheese	41.42	34.65	20.00
Rice	60.84	65.09	33.33
Candy	67.11	55.79	30.00
Onions	50.00	50.00	25.00
Pickles	52.82	53.07	26.67
Bread	40.00	40.00	25.00
Eggs	20.00	20.00	Free.
Apples	45.84	36.98	14.28
Walnuts	30.51	22.72	8.33
	54.07	43.24	28.66
TAXES ON SUNDRIES.			
Brick	23.57	30.00	10.00
Window glass	82.70	92.03	64.34
Hay	51.49	40.03	26.67
Buckles	66.48	47.64	15.00
Cutlery (penknives)	79.50	76.51	40.00
Scissors and shears	62.53	62.10	30.00
Razors	64.54	71.94	60.00
Files	67.93	68.06	25.00
Furnaces	36.01	44.98	20.00
Typewriters		30.00	Free.
Nippers		58.04	30.00
Jewelry	66.00	73.23	60.00
Harness	45.00	20.00	Free.
Wagons	20.00	15.12	Free.
Tiles	50.26	67.56	25.00
Hemp carpets	63.04	59.47	35.00
Spectacles	54.86	51.27	35.00
India-rubber goods	30.00	34.04	10.00
Cast-iron pipe	18.52	18.10	12.00
Shotguns	51.01	46.53	35.00
Shot		75.01	30.00
Nails	17.74	17.67	13.54
Saws	30.00	25.65	12.00
Lead pipe	58.89	46.88	25.00
Building stone	50.00	50.00	25.00
Gloves (leather)	52.58	49.52	31.77
Copper wire	45.00	45.00	25.00
Blasting caps	88.75	61.92	18.75
Linen fabrics	52.56	52.61	35.00
Glue	38.92	32.68	14.29
	25.00	25.00	15.00
Iron chain	34.45	49.58	25.00
Fishhooks	46.98	48.85	21.00
Sewing machines		45.00	30.00
Thrashing machines		30.00	Free.
Needles	20.00	15.12	Free.
Screws	34.71	41.93	25.00
Spool thread	63.01	54.76	25.00
Structural iron	27.35	26.63	15.00
Boots and shoes	36.09	30.81	12.00
	25.00	15.00	Free.

From this analysis it will be observed that if this bill shall become a law the masses of the people will receive the relief which they have so long demanded and be freed from the burdens which they have long borne, not for the benefit of the Government but for the benefit of a few special interests and particular manufacturers. As was to be expected, the special interests which have so long enjoyed the benefits and privileges of the tariff vigorously and violently have assailed the efforts on the part of the Democrats of Congress to reduce the burdens of taxation upon the masses of the people.

Our experience is but a repetition of history. The people of England had a long struggle with special privilege before they were able to repeal the corn laws. So, too, the American people have had a long struggle before they have been able to secure a downward revision of the iniquitous tariff that has during so many years been upon our statute books. Then, as now, those who had so long enjoyed the privilege of taxing the food and necessities of the English people resisted bitterly and strenuously every effort to relieve the people of the high tax on food. It will be recalled that on the very night that Sir Robert Peel saw his bill to repeal the corn laws carried to a successful passage his enemies in Parliament defeated him upon another important matter involving his administration and forced him to resign his office. In resigning he said:

"I shall leave a name execrated by every monopolist who, from less honorable motives, maintains protection for his own individual benefit; but it may be that I shall leave a name sometimes remembered with expressions of good will in those places which are the abode of men whose lot it is to labor and

to earn their daily bread by the sweat of their brow—a name remembered with expressions of good will, when they shall recreate their exhausted strength with abundant and untaxed food, the sweeter because it is no longer leavened by a sense of injustice."

Though he was defeated and resigned, the people of England secured cheaper food, and years afterwards thousands of English workingmen, each bringing his small contribution, erected a monument to his memory and placed upon it this inscription:

"He gave cheap bread to the poor of England."

The protectionists who have opposed this measure have predicted political defeat for those who now advocate it. I do not believe that their predictions will be realized. While it is true that it will be denounced by every monopolist who maintains protection for his own individual benefit, still it will be applauded and supported by those whose lot it is to labor and to earn their daily bread by the sweat of their brow; and when they shall recreate their exhausted strength with abundant and untaxed food the authors and advocates of this measure, should it become a law, will be entitled to and will receive the well-earned approval and plaudits of the masses of the people, because it gives to the poor of the United States cheaper food and cheaper clothing.

The policy so long followed of enacting high protective tariffs in the interests of the manufacturer has caused the population of our rural sections to gather in the centers of the large cities and larger towns. This has grown to such an extent as to alarm many patriotic and philanthropic people, and many suggestions have been made that something should be done to have our rural population remain on the farm or return to the farm and engage in agricultural pursuits which are acknowledged to be the mainstay and backbone of the prosperity of our country. Instead of building up special interests by an exercise of the taxing power of the Government, we could do no more patriotic and beneficial thing for the entire country than to do that which would build up the agricultural interests and invite our people to remain in the agricultural districts, upon the farm, or to return there and live contented and happy lives.

"The country always hath its splendid glories, but if the tide of lost ones ebbed back along our roads, if every idle pair of arms were offered for the harvests, how many a blithe bridal would there be, and merry christening.

"May each deserter halt and wend his way toward the farm and where his parents died. May truants call to mind the trade they have unlearned. 'Tis country labor that will make us strong."

The Tariff.

EXTENSION OF REMARKS
OF
HON. SERENO E. PAYNE,
OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 13, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. PAYNE. Mr. Speaker, I take advantage of the general leave to print on H. R. 3321 by printing a letter of Mr. William C. Hunneman, of Boston, Mass., directed to me under date of May 7, 1913, and my reply thereto, as follows:

BOSTON, MASS., *May 7, 1913.*

Hon. SERENO E. PAYNE, *Washington, D. C.*

DEAR SIR: I have read with much interest the substitute for Schedule K which you introduced last Saturday in the House, and have also read your remarks on that occasion. I am writing now to ask you how you justify the specific duty on scoured wool in the face of the following facts:

1. Such a duty is impracticable. This is proved in the analysis of the Tariff Board report on Schedule K, by S. S. Dale, a copy of which I inclose, and call your attention to the part beginning with "the defects of the scoured basis for tariff rates." This demonstration, it seems to me, is clear enough to convince anyone, but in addition we now have the Dale conclusions confirmed by the telegram to Congressman GARDNER from F. W. Hobbs, president of the Arlington Mills, and which you will find on page 1001 of the CONGRESSIONAL RECORD of May 3. The Arlington Mills consumes approximately 14,000,000 pounds of wool a year, and the statement of the president of such a large manufacturing establishment should be conclusive on this point.

2. A uniform duty of 18 cents a pound on scoured wool, such as you propose, would create inequalities in the ad valorem equivalents even greater than in the ad valorem equivalents on grease wool under the present law. This is evident from the fact that in many cases the shrinkage on wool tends to equalize the ad valorem equivalents of the specific rate on the grease weight, whereas the ad valorem equivalents of the specific duties on the scoured weight vary far more, because there is no factor in shrinkage to equalize them. You will find an illustration of this in the inclosed pamphlet on page 17, in which specific duties on the grease weight of a number of lots of wool are compared with the specific duties on the scoured weight of the same wool.

3. Lastly, the most serious objection to the duty on scoured wool which you propose is that it bears so heavily on low-priced materials as to exclude them from the country in the same way that, as the Tariff Board reported, the present specific duty on grease wool tends to exclude low-priced heavy shrinking wool from the United States. This, as you must recognize, is the principal reason for the virulent and overwhelming condemnation that has been visited on Schedule K, not particularly in the bill that bears your name but in every tariff bill that has been passed since 1867. And this remark applies not only to the specific duties on raw materials but to the specific duties on all materials that have a wide range of values.

Furthermore, I want to call your attention to the flimsiness of the objection to ad valorem duties that is constantly dinned into our ears—that is, the danger of undervaluation. Admitting that there is a danger, it would be very slight under the drastic administrative features of the Underwood bill, and such undervaluation would be a mere bagatelle compared to the wide variation under specific duties on raw wool. I need go no further than your 18-cent duty on scoured wood to illustrate this point. Scoured wool as sold at London varies from 8 to 60 cents a pound. On 8-cent wool your duty is 225 per cent; on 60-cent wool it is 30 per cent. Here is a variation more than sevenfold. Can you imagine anything one-tenth as great under a straight ad valorem tariff?

I would be glad if you would answer my inquiry by letter and also elucidate it in your next public comment on the tariff question. In conclusion, I want to express the candid opinion that the course of the Republican Party the last four years in regard to Schedule K is just the course that is calculated to wreck that party, to bolster up the Progressive movement, and to keep the Democratic Party in power. Moreover, it undoubtedly has a tendency to make extremists of many of those who are intrusted with the duty which the Republican Party has refused to perform, namely, the revision of these indefensible schedules.

Yours, very truly,

WM. C. HUNNEMAN.

P. S.—Referring to the impracticability of the scoured weight duty, will you not take the trouble to look up the letter from the National Association of Wool Manufacturers to Senator Aldrich on this matter? It was published in the bulletin of that association in June, 1909.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, D. C., May 13, 1913.

Mr. WILLIAM C. HUNNEMAN,
60 Congress Street, Boston, Mass.

DEAR SIR: Yours of the 7th instant was received on the closing day of the tariff debate in the House, and I am taking the first leisure I have had to look into the matter since receiving your letter and the accompanying documents.

I had received four or five telegrams from men in the woolen and worsted business when my substitute came up before the Republican caucus. Each of these was brief, stating that the substitute was worse than the Underwood bill and should be beaten. I promptly wrote them—I meant to write all of them—sending them a copy of the substitute and inviting them to point out the defects in it which they alleged and the facts on which they founded their belief. I have had no reply to these letters, unless your letter is prompted by some one to whom I wrote.

You state that such a duty as suggested in my substitute is impracticable, and found it on an analysis by Mr. S. S. Dale, an editor who writes for a textile newspaper, and for that reason he is supposed to be an expert. On page 17 of his analysis he quotes parts of certain tables which appeared in the report of the Tariff Board on page 387, and following especially a few items in reference to crossbreds. He then proceeds to give the equivalent ad valorems on these wools at 11 cents a pound in the grease and 20 cents the scoured pound. Evidently Mr. Dale had not seen the substitute which I offered before his criticism was written or he would not have said that the proposed duty on scoured wool was 20 cents. The duty proposed on scoured wool is 19 cents per pound when the same has actually been through the scouring process; but when levied on the cleaned content (which is the equivalent of the scoured wool content) of wool in the grease, whether washed or unwashed, the duty is only 18 cents a pound, just 10 per cent less than the basis of Mr. Dale's figures. Deduct the 10 per cent and you will find an ad valorem equivalent less under my substitute than under the 11 cents per grease-pound duty on all of the wools mentioned except the crossbreds; and you will find also that these ad valorems are pretty uniform on all the merino wools under the 18-cent duty. If you are to reject this specific duty because of the slight differences on these different samples of wool, you will be obliged to reject all specific duties in tariff bills.

On the crossbreds Mr. Dale omits two or three pages from the Tariff Board report on crossbreds, which will be found on pages 389–391 of the report. He selects, however, the importations of South American crossbreds on nine samples given on page 391 in order to get his high ad valorems on the false basis of 20 cents duty per pound instead of 18 cents. If you will examine the other importations and figure out the results you will find that the equivalent ad valorem on all except these nine samples, both of merinos and crossbreds, averages about 35 per cent on the 18-cent rate in the substitute. The Tariff Board figures show that the clean pound duty is entirely practicable and lowers actually the present rate.

Of course there are exceptions, and some wools might be excluded that could be profitably imported under a lower rate, but the proportion seems to be quite small. If it should be found on further examination that these wools bearing the higher rates are essential and profitable to import for the manufacturing industry, they could easily be taken care of by a maximum ad valorem rate, which would have but little effect on the specific rate provided in the substitute law.

Of course there is a difference in qualities of wool and some low grades would come in at a higher ad valorem.

Mr. Dale's article does not seem to have added much to the sum of human knowledge in opposition to what is stated fairly in the report of the Tariff Board.

I can not agree with you that the telegram of Mr. Hobbs is conclusive on this point. His opinion simply says that the duty is impracticable on this basis.

Of course, from what I have said above, it appears that on an ad valorem equivalent the scoured-rate basis of 18 cents is considerably lower than the present rate of 11 cents a pound on grease wool.

Mr. Dale makes an argument against the practicability and accuracy of the test. I commenced an investigation of that subject four years ago, when it occurred to me that the duty on the clean content of the wool would be the best test, running through from wool in the grease to the finished product. I got evidence from the Bureau of Standards, from Mr. Graham Clark, who had spent a couple of months investigating wool industries and sales in England only recently, and I became convinced that without difficulty the amount of clean content could be ascertained within 1 per cent of the actual amount. Some manufacturers disputed this and wanted me to call Mr. Fred Swindell, of Rockville, Conn., which I did very promptly, and his evidence appears in the fifth volume of the Tariff Hearings of 1909, at page 5588. From his testimony it appeared that this clean content could be shown in wool in the grease within 1 or 2 per cent of the exact amount and not exceeding 2 per cent. He was a gentleman who had had actual experience. This was on the 10th of February, 1909. At page 5659 of the same volume he states that all wool should have approximately the same duty for the clean content. It was also stated, and I believe is generally admitted, that the wool prices are based on the amount of clean wool, and that this is one of the main objects effected by the conditioning houses in London and other markets.

When the Tariff Board met I requested them to examine thoroughly into this matter, both as to the practicability and the accuracy of a duty based on the clean content. The report of the board shows facts that are conclusive on this matter, and their opinion is that if there is a duty on wool this is the correct basis.

The main difficulty with Schedule K has been its inequalities, more than with the rates on wool. The theory was to put a compensatory duty on the wool content in every manufactured article. The result was that these compensatory duties were in all cases too high for merely compensation for the wool duty, and had generally an enormous protective feature to them clearly beyond the requirements of the manufacturer. The duty on tops in the Dingley law and the somewhat lower duty in the present law are absurd in the discrimination that is made and in the concealed protection in the compensatory duty. The duty on goods made with cotton backing, or where cotton makes anywhere from 40 to 75 per cent of the weight of the cloth, is perhaps the most glaring instance of the injustice of these concealed duties.

It is these things, coupled with the statements on the stump of the opponents of protection showing from official figures the equivalent ad valorems growing out of these enormous compensatory duties, that have caused so much just criticism of Schedule K.

I am firmly of the conviction that there is no other way to adjust properly the compensatory duty on manufactured goods of wool than that which gives the duty on the weight of the clean content of the wool in every article. The Tariff Board went fully into this question, showing the weight of wool necessary to be used in each process of manufacture, making due allowance for waste and the value of the waste, so that when the duty on the clean content was adjusted at 18 cents the duty necessary on manufactured articles could be accurately fixed. This is the whole basic scheme of Schedule K in my substitute. Although the members of the Tariff Board differed as to whether wool should be dutiable or not, they all agreed that if it were dutiable the rates in my bill and the method of their assessment were better than any other scheme offered.

I can not agree with you that the most serious objection to the present specific duty is that it tends to exclude low grades and high-shrinkage wools from the United States. That may be the case from the manufacturers' standpoint, but it is not the case in the popular mind. But it is a fact that manufacturers have uniformly, since it was first adopted, objected to any change in the schedule of the duties on wool in any State, and fought it from the beginning. Of all the manufacturers who appeared in 1909 I got no sympathy from any of them in my efforts to reduce the duties on wool, although I appealed to some of them personally to take the matter up and give me the benefit of their experience on the subject. If they were so dissatisfied why did they fight any change?

I think you will have to agree with me, after reading what I have said before in reference to Mr. Dale's editorial, that it is not true that the 18-cents-a-pound rate would exclude from this country all the low-priced materials, as in the case of the present law. But if that were the case, it could be easily remedied in the manner I have suggested to you.

You express a hope and confidence in the drastic administrative features of the Underwood bill. The drastic features are not very much changed from the administrative features of the present law. I made an effort four years ago to recast section 11 of the administrative portion of the bill to meet the gravest fraud on the revenue by importers who consigned goods, selling none of them abroad and all of them here, and leaving as a result no market value abroad except that which was fixed by the conscience of the importer. This was to take the selling price here and work backward, deducting the duty, expenses of selling, etc. While this provision has had some effect in frightening importers, the only instance in which it was specially invoked produced no results. After the importers had proved that there was no market abroad, and the attorneys for the Government had shown the market prices here, the importers obtained an adjournment of the case, their people went abroad, and with some fake sales came back with the evidence of the market value there, and so defeated this drastic provision of the law. Mr. UNDERWOOD has adopted my section 11, extending its provisions not only to consigned goods but to goods actually bought. As the difficulty has been with consigned goods mainly, it is difficult to see how he has strengthened the law greatly in this respect.

That the framers of the Underwood bill now see the strength in the "flimsiness" of the argument against ad valorem duties is evidenced by the fact that since the bill passed the House they have made a general proposition that the Secretary of the Treasury shall have power to fix the value of imported goods; but this last proposition is impracticable. The value must be fixed, not by the Secretary himself, but by some employee, and the difficulty has been that the employees have fixed the value heretofore, aided by the statements of the importer, as they must now under this proposed innovation.

With the knowledge that all the commercial countries of the world have adopted the specific rate and discarded the ad valorem, and that every Secretary of the Treasury, from the beginning until now, except Mr. Walker, has protested against the ad valorem rate and made arguments in favor of specific duties, it is difficult for me to understand how you can speak of the "flimsiness of the objection to ad valorem duties that is constantly dinned into our ears; that is, the danger of undervaluation."

The duties to meet the difference in conversion cost are fixed in the bill after careful study of the Tariff Board report. The principal criticism I have heard of these duties, if not the only one, has been that on tops. Some one I think perhaps Mr. Dale, argues that the Tariff Board report is useless, because they show the conversion cost in one case on tops where the mill is running full time and in another where the mills are running only part of the year. You can hardly argue that we should fix the duty to protect mills running only a few months in the year with the overhead charges going on all the time. To me such an argument would find deaf ears. But the duty in my proposed amendment covers fully the difference in conversion cost, where each manufacturer, here and abroad, is awake and alert to business.

In conclusion, you impliedly blame me for the mistakes of the Republican party during the last four years in regard to Schedule K. You do not seem to be aware that four years ago I devoted more time to Schedule K and a thorough revision of it than to any other matter in the tariff bill. And it is not my fault that the duties in Schedule K were not revised on a more just and equitable basis all the way through. I should have liked to have heard your voice then in my aid or that of any other intelligent manufacturer of woolen goods.

Yours, very truly,

SERENO E. PAYNE.

The Tariff.

EXTENSION OF REMARKS
OF
HON. JAMES W. BRYAN,
OF WASHINGTON,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, April 26, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. BRYAN. Mr. Speaker, under the privilege of extending and printing in the RECORD, I desire to insert as supplemental to my remarks made on April 26 the following article relating to the proposed reorganization of the Republican Party, issued from the Progressive Party headquarters, Mr. O. K. Davis, national committeeman in charge, at Washington, D. C. The article is as follows:

Considerable newspaper attention has been given during the last few days to a meeting of so-called Republican leaders in Chicago, the advertised purpose of which was to bring about, if possible, a union of the Progressive Party with the Republican Party.

Who are these new "Republican leaders"? They are Senators ALBERT B. CUMMINS and W. S. KENYON, of Iowa; WILLIAM E. BORAH, of Idaho; and A. J. GRONNA, of North Dakota, and former Gov. Hadley, of Missouri. This is the first appearance of all these men in the role of "national leaders" of the Republican Party. Each of them has attained prominence in Republican leadership in his own State, but none has heretofore professed to play an important part in "national Republican leadership."

What evidence is there that the Republican Party is ready in any respect to give heed to the leadership of any of these men? On the old rule of judging the future by the past, the evidence is that the Republican Party has no interest in the doings of these new "leaders" and will pay no attention to their "leadership."

All five of them were either personally in attendance in Chicago last June or were represented there. Mr. Hadley was the floor leader of the Roosevelt forces in that convention and Mr. BORAH was an advocate of the nomination of Mr. Roosevelt. Mr. KENYON was there in the interests of the nomination of Mr. CUMMINS and Mr. GRONNA was there as a supporter of Senator LA FOLLETTE. All of them were then opposed to the "national leadership" of the Republican Party represented in Chicago by Bill Barnes and ELIHU ROOT, of New York; PENROSE, of Pennsylvania; Crane, of Massachusetts; Dave Mulvane, of Kansas; Tom Devine and Archie Stevenson, of Colorado; Ralph Williams, of Oregon; and the rest of that unsavory group.

The national leadership of the Republican Party has not changed in personnel or in character since that convention. Nothing has occurred to enhance the standing, the influence, or the authority of these new "leaders in the Republican Party." For reasons of their own they have chosen to remain in a party whose leadership and whose actions they have opposed and denounced. One of them, Mr. Hadley, has explained that he chose to remain regular "for reasons of expediency which might not apply outside of Missouri."

Why are these men suddenly called "Republican leaders"? It was only year before last that the real leaders of the Republican Party were going up and down through the line breathing fire and slaughter and reading them everlastingly out of the party. And it was only last year that the Republican Party officially and publicly rebuffed and discredited them. Nothing save their own claim now gives title to these gentlemen to assert Republican leadership. There is no pretense of other authority in their proposition. It has and it pleads but one justification—that of their own dire necessity. Their personal situation, because of their refusal to take the open, honest course has become desperate, and they urgently need relief. They could have got relief last year, and they can still get it, but there is only one way to get it, and that is by joining the Progressive Party, and not, as they propose, by having the Progressives join the Republican Party and surrender the incalculable advance that has been won by a year's effort.

The reforms these gentlemen now propose for adoption by the Republican Party are not new. They themselves have proposed the same reforms before, and the Republican leaders to whom the proposition was submitted scornfully rejected them. What evidence or hope is there now that the Republican leaders of to-day, who are the identical individuals who before rebuffed these gentlemen, will now admit their error and reform?

When these gentlemen were rebuffed previously, men who believed with them turned to the leadership that has since crystallized into the Progressive Party. Under that leadership every one of the reforms

that they then proposed has been adopted and is now part of the Progressive Party law. But these men who had the opportunity to strike a telling, effectual blow in behalf of the reforms in which they professed to believe hung back, hindering rather than helping the work, and now they have the iron effrontery to ask the Progressive Party to abandon the reforms actually accomplished and turn backward and help them in a renewed effort to enforce these same reforms upon the unwilling Republican leaders who have already refused them. They ask the Progressives to give up achieved success, in order to undertake a movement which experience has already proved to be hopeless. What nonsense can exceed that?

These gentlemen met in Chicago on their own invitation, by their own authority, and they represent themselves and nobody else. Their invitation to the Progressives to come backward into the party which they denounced last year and which in turn denounced them is not supported by the public word or act of any recognized Republican leader. So far as the real Republican leaders have commented upon the proposition, they have decried and disavowed it. It is obvious that the Republican Party is not in sympathy with and does not indorse the conference of these self-appointed "leaders" or its action.

So far as the Progressives are concerned, there has never for a moment been any possibility of a favorable response to such an invitation. The Progressive Party was formed last year upon a definite declaration of concrete principles to which the Republican Party is unalterably opposed. The Progressives have never had and have not now the slightest intention of abandoning those principles. The Republican leadership, permanently reactionary, has not the slightest intention of subscribing to them. The union of the two parties is an idle dream. It is a waste of time and energy to give it consideration.

The Tariff.

EXTENSION OF REMARKS
OF

HON. HOWARD SUTHERLAND,

OF WEST VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. SUTHERLAND. Mr. Speaker, it will be impossible for me to discuss at length the many articles affected by the bill under discussion in which the people of my State of West Virginia are interested. I shall therefore only touch upon a few of them as illustrative of the attitude, as I believe, of the majority of the people of West Virginia with reference to the proposed excessive reduction of the tariff on these articles.

West Virginia abounds in natural resources, which, in fact, have scarcely yet been touched. A great part of her area is underlaid with coal of the very finest quality to be found in the United States, and perhaps in the world. These seams of coal lie one above the other in her hills and beneath the surface of many of her valleys, in some instances as high as five or six different seams being mined above water drainage in the same hill, and being discharged into railroad cars over the same tipple. The greatest part of this vast area of almost inexhaustible richness has hardly been touched by the miner's pick, and it is safe to say that West Virginia could produce enough coal for the wants of the entire country, if this were found necessary, and for an indefinite length of time. By far the greater part of the tonnage of coal produced in the State is shipped out of the State for steam-producing purposes in other States and on the navigable waters adjacent to our seacoast. Because this product is shipped in what is termed a raw state, it is by many people ignorant of the subject regarded as an absolutely raw material; and many well-meaning people, who have reached the conclusion that the tariff should be reduced on raw materials, are willing, and even anxious, to reduce the tariff on coal, while at the same time they insist upon having tariff duties kept up upon the articles produced in their several localities.

The fact of the matter is that almost the entire cost of a ton of coal, either at the pit mouth or on cars at the mines, is the cost of labor. In fact, from 3 to 10 cents per ton will cover the cost of the coal itself, when mined on a royalty basis, in the greater part of the State, whereas in many instances a very much smaller amount would cover the actual value per ton of the coal itself. It will thus be seen that when a ton of coal is delivered at the eastern seaboard for steam purposes, or to be transported to other points on our coast, practically its entire value is represented by labor charges in the production of the coal and by transportation charges to the seaboard, the latter of which is also largely made up of labor charges. It will be seen from this that while, to the unthinking person, what is West Virginia's greatest natural product is in the shape of a raw material, yet it is a manufactured commodity, almost entirely produced by the labor of the thousands of honest and intelligent miners of the State of West Virginia, whose labor deserves protection at the hands of Congress, and, in making up this tariff, the difference in the cost of production in the State of West Virginia and in the other bituminous-coal-producing States of the Union, under the conditions that prevail in the United States, and the cost of production in the mines of Nova Scotia should be taken fully into account.

It has been charged upon this floor by the gentleman from Illinois [Mr. BUCHANAN] that the conditions among the miners of West Virginia were wholly discreditable to the people of that State, and while we admit that a regrettable labor disturbance exists there, yet it should be said in behalf of the vast majority of our miners that they are a happy, prosperous, and contented people who, under the beneficent conditions of a Republican tariff, have been enabled to find steady employment at good wages throughout the year; in fact, at higher wages, on an average, than are paid in any other State for similar work; and it should be borne in mind, further, that the area and the number of miners affected by the present strike disturbances are comparatively small when the vast coal acreage of the State and the number of persons employed in that industry in the State of West Virginia are taken into consideration.

In order that the Members of this body may understand fully the actual conditions that have obtained for some time in that region I will submit at the conclusion of my remarks, and as a part thereof, the report of the West Virginia mining investigation commission appointed by Gov. Glasscock on the 28th day of August, 1912. The distinguished character, the high intelligence, and the unimpeachable integrity of the men who composed this commission is a guaranty to the people of West Virginia, to the people of the United States generally, and to the Members of this Congress that their report is a fair and impartial one.

Mr. Speaker, I have come to think with a great many of those who strongly believe in and advocate the policy of protection to the wage earners of the United States that it is but fair and right that there should be a downward revision of the tariff in some of its schedules, and if some of the features of this bill were submitted to me separately for my vote I should unhesitatingly cast my vote for them; but as we are compelled to accept all the provisions of the bill or none, I shall be compelled by a sense of duty to my constituents to vote against the bill, if for no other reason, because it is plainly ruinous to the farming interests of West Virginia. A great many of our honest farmers were led by one cause or another last year to vote the Democratic ticket. It was largely on the promise of the Democratic candidate for President and some of the other leaders of his party that no legitimate industry would be injured by any tariff bill the Democrats would pass, if given the opportunity. One short year ago, Mr. Speaker, wool was being bought from our farmers at from 27 to 30 cents per pound. My advices at this moment are that 15 cents per pound is the ruling price in West Virginia for this year's clip. Is not the woolgrowing industry a legitimate industry? Is it fair to our farmers to cut their revenues from this product one-half? This will mean not only a direct and irreparable loss financially to an important element of our population, but it means loss of opportunity to many of our country boys and girls, West Virginia's and the country's best asset.

West Virginia contains about a million sheep, of a value of about $3,500,000, while the United States, as a whole, contains over 50,000,000 sheep, of value in 1910 of $233,000,000. Is it right to strike down this great industry and allow the wool of the world to come into our country free of duty in competition with the wool produced here under American high standards of living, and without imposing a reasonable protective duty which would represent the difference in the cost of production here and abroad? Was not a solemn pledge given by the Democratic candidate for President that no legitimate industry would be made to suffer? Has not that pledge been broken when you, my Democratic friends, put the wool of the farmer on the free list? It will be difficult for any Democrat to go before the farmers of my State and prove to them that the wool industry is not a legitimate one and ask their votes for Democratic candidates, after the actual experience with free-trade wool prices they are having this year of 1913.

And, Mr. Speaker, while our farmers are apparently doomed by the passage of the Underwood bill to a direct loss on some of their principal products, they are threatened also with an indirect loss by the injury that will be done to some of our manufacturing industries, and may the good Lord be merciful to the workers in those industries as long as the Democrats have the power to write their unbusinesslike and ruinous free-trade views into law. I should like to discuss fully before this body the impending danger to our pottery workers, our steel and

iron workers, our glassworkers, our lumber workers, our pulp and paper workers, our tanners, and others of that large and prosperous element of our people, who by their industry, thrift, and intelligence have built substantial cities and towns with their earnings under the policy of protection as fostered by the Republican Party through all these years. I can not take your time further, and will only submit a memorial with reference to the glass industry sent me by some of the glassworkers of Salem, W. Va., through the president and secretary of the local union of National Window-Glass Workers:

MODERN LOCAL,
Salem, W. Va., April 15, 1913.

HON. HOWARD SUTHERLAND,
House of Representatives, Washington, D. C.

DEAR SIR: We are in receipt of information from Washington which informs us that there has been a very radical reduction in the tariff rates on window glass, and as we are all practical window-glass workers working in the Modern Window Glass Co. of this city and depend on said work for our bread and butter, we think it is going to hurt our trade very much, and we at a special meeting of the National Window Glass Workers of the Modern Local at Salem, W. Va., have decided to protest vigorously against the reductions taken in said tariff on window glass up to the 24 by 30 inch bracket, for the reason that foreign manufacturers and workmen are given an advantage that greatly handicaps American workmen and manufacturers, so we hope that you will do all you can to retain the old tariff or as low a reduction as possible.

We only work eight months in the year at an average of $100 a month, so that means on an average of $15 weekly the year around, which is only a minimum living wage, and by reducing said tariff we will be obliged to meet the foreign competition and obliged to take a reduction in wages and working months, as eight months' work in all the glass factories of this country is enough to supply same for one year; and if foreign glass comes in it will be that much less for us to make, meaning the ruination of our trade and homes.

So please study this matter very carefully before you act, and think of how many families depend on the manufacture of window glass to earn their bread and butter, and then vote for the benefit of the people if you think we are asking for a fair and just demand.

Thanking you in advance, I remain,

Yours, truly,

JOS. MONDRON, *Local President.*
VICTOR BRANEUR, *Secretary.*

Also, a letter from the secretary of the Modern Window Glass Co., of Salem, W. Va.:

MODERN WINDOW GLASS CO.,
Salem, W. Va., March 31, 1913.

Hon. HOWARD SUTHERLAND,
House of Representatives, Washington, D. C.

DEAR SIR: Your acknowledgment of our recent letter received, and as you ask us for additional data are very glad to offer you the following, as we see it:

West Virginia is one of the largest producers of window glass in the country, and no doubt you have or can readily verify the fact that even under the Payne and Aldrich protective tariff the manufacturing of this commodity has been very bad from a financial standpoint, due to competition among the various factories. Even at the present time at least 20 modern plants are standing idle, and those at present in the business can only operate not over eight months per year. These few statements being true, it occurs to us, What would happen if we are left without adequate protection?

A removal of the tariff would close down the balance of the plants, and it is a question if they could adjust their affairs to ever resume, because we, being originally Belgium workmen, though now American citizens and owners of our factory here in Salem, know that the differences in wages between the two countries (Belgium and the United States), as well as the other factory costs, would not allow us to compete.

We have no export in window glass to our knowledge, and have never heard of any of our competitors quoting or shipping to any foreign country, Canada included, notwithstanding the brief filed by Semon Bache & Co. before the Ways and Means Committee, in which they stated our product is being offered in Canada at figures below our cost of manufacture. The writer has been in business the past 13 years.

Some of our fellow workmen are under the impression that Semon Bache & Co. were interested in Belgium, owing to the authority shown by their representatives in some of the jobbing houses over there. If this is true, it will explain their interests in this question, they being practically the only jobber in this country who are taking views opposite to the manufacturers of window glass.

The Belgians only consume in their own country 5 per cent of their production, the balance of 95 per cent being sold in different countries at different discounts, some high there and some low here, just to meet any competition.

The manufacture of window glass in this country is a small thing compared to other lines, only being around $13,000,000. If we are not protected, what would prevent the Belgium Mutual Syndicate—this being the name of the trust in Belgium, which is favored and sanctioned by the Belgian Government—to dump glass in this country at discounts that would put us out of commission and make up what they lose here in some other country until such time as they control the market here.

The manufacturers of window glass have an interesting arrangement with their men for their wage scales, which permits their workmen to take advantage of any rise in the selling discounts.

The workmen in the window-glass business know that their interests are tied up with those of their employer and are with him in resisting the contemplated radical reductions in the window-glass schedules.

We thank you for giving this matter your careful attention and study, as we know you will, as this affects 10,000 workmen and their dependents as well as the various window-glass companies.

Yours, very truly,

MODERN WINDOW GLASS CO.,
LOUIS MATTIS, *Secretary.*

These letters show that owners and employees are alike apprehensive of the effect the rates proposed by the pending bill will have upon this great industry.

I also read a letter relating to one of the great thriving industries of our eastern Panhandle, the Interwoven Mills Co., of Martinsburg, W. Va., which is managed by one of the captains of industry in my State, Mr. C. W. Kilbourne.

OFFICE OF COMMISSIONER OF LABOR,
Wheeling, W. Va., April 18, 1913.

Hon. HOWARD SUTHERLAND, M. C.,
Washington, D. C.

DEAR MR. SUTHERLAND: My attention has been called to a proposed tariff reduction that will affect the Interwoven Mills Co., of Martinsburg. You know the importance of this industry. It is a hosiery establishment, the largest of its kind in the United States, employing about 1,500 men and women. It is one of West Virginia's greatest industries. The proposed tariff reduction will affect that establishment so much that it will put it out of business. I am familiar with the growth of this industry, it having been located in West Virginia within the 16 years of my administration as labor commissioner, and I can not refrain from writing you that you may use your knowledge and influence in prohibiting any reduction of tariff along this line. It is true it is the only one in our State, but it is important in the eastern Panhandle, feeding more than 4,000 mouths. It is one of those industries that is continuously at work; it does not lose any time, but works 313 days in the year.

It is interesting for you to know the importance of this industry, nationally considered. With an invested capital of $133,329,413, employing 129,644 employees, with an annual wage of $39,420,030, and an annual value of product of $170,697,673. This industry is confined to 10 States only.

The proprietors of this desirable industry are among the best people of our State, having greatly added to West Virginia's prosperity.

I have it from the president, Mr. Kilbourne, that any change lessening the tariff on their product would be disastrous, necessitating the abandonment of their plant

With best wishes, I am, yours, very truly,

I. V. BARTON.

In conclusion, Mr. Speaker, I will say that the absurdities and inconsistencies of the pending measure are as many and varied as its dangers. But you and your associates, led by the urbane and resourceful leader of the majority, Mr. UNDERWOOD, are determined it shall pass; and pass no doubt it will by the aid of the party lash and party patronage, for you have, by the chance of a division in the Republican Party, which division did not cover the tariff, a majority large enough to ride over any protests of the minority. But the day of reckoning will come, when you gentlemen on that side must meet your constituents and explain how you construed a split in the Republican Party to be a mandate of the people to injure or ruin some of our most thriving industries, and particularly the farming industry.

Let me make a prediction before I close, and that is this: The time will come, and soon, when the principle of protection will be universally recognized and admitted as being fundamentally sound with reference to this Nation, and with that as a basis it will then be possible to remove the tariff schedules from the domain of partisan politics. An absolutely nonpartisan tariff commission or bureau will then obtain with scientific accuracy the data necessary for Congress to make tariff changes from time to time, always making due allowance for the difference between the cost of production here and abroad and fixing the tariff duties in such a manner as will protect and encourage American workingmen, while discouraging the formation of trusts and conspiracies in restraint of trade. This is the condition of affairs toward which all patriotic citizens should work, and to this I shall devote my efforts. I thank you.

REPORT OF WEST VIRGINIA MINING INVESTIGATION COMMISSION, 1912, APPOINTED BY GOV. GLASSCOCK ON THE 28TH DAY OF AUGUST, 1912.

To His Excellency WILLIAM E. GLASSCOCK,
Governor of West Virginia.

SIR: We the undersigned, appointed by your excellency on the 28th day of August, A. D. 1912, to make investigation into the strike prevailing in the mines along Paint Creek and Cabin Creek in Kanawha County and parts of adjacent counties, in the State of West Virginia, and also to examine into general mining conditions throughout said State along lines laid down by your excellency, beg leave to report as follows:

From the 3rd day of September, A. D. 1912, to the 10th day of November, 1912, we have been engaged, with sundry unavoidable interruptions, in the inspection of the physical condition of the various mining plants throughout the Commonwealth, and also in taking testimony, under oath, of miners, operators, officials, mine experts, physicians, private citizens, and of all others whose knowledge, experience, and skill might throw light on the industrial questions in issue. A transcript of the testimony heard and considered by us is herewith returned as part hereof. At the outset we feel it our duty, as well as a great pleasure, to make public acknowledgment of the desire of the parties to the controversy to aid us in our labors and of the uniform courtesy with which we were treated by all.

For the sake of clearness of presentation it has been deemed best to report on the strike region in and about Paint Creek and Cabin Creek, respectively, and to treat separately the remaining mining regions of the State.

GUARD SYSTEM.

Your excellency requests that the commission investigate the guard system in operation in the strike region. The testimony on this head has been voluminous and somewhat conflicting. Before the industrial trouble commenced, that is to say, before May, 1912, the number of guards on the two creeks was exceedingly small—about six on Cabin Creek and on Paint Creek and vicinity about four or five. They were men who had become friends and neighbors of the operators and miners, some having actually intermarried in the families of the lat-

ter and settled down as permanent residents. Most of them were of reasonably good character and habits and exercised their authority with discretion. But when the situation became tense and the strike commenced, and life as well as property were placed in jeopardy, many scores of guards were hastily assigned to duty. Of these latter some were not of as high a grade as those originally engaged. There is much evidence tending to show that some were not even residents of the State, and this evidence was strengthened by the findings of the military commission organized in connection with the proclamation of martial law on September 3, 1912. From the cloud of witnesses and the mass of testimony figuring in the hearings had by us there emerges clearly and unmistakably the fact that these guards, while personally brave men, openly, recklessly, and flagrantly violated, in respect to the miners on Paint Creek and Cabin Creek, respectively, the rights guaranteed by natural justice and the Constitution to every citizen, howsoever lowly his condition and estate. Some allowance should be made for them in view of the intense excitement and the physical and mental strain under which they bore themselves. Many crimes and outrages laid to their charge were found upon careful sifting to have had no foundation in fact; but the denial of the right of peaceable assembly and freedom of speech, many and grievous assaults on unarmed miners, show that their main purpose was to overawe the miners and their adherents, and if necessary beat and cudgel them into submission. We find that the system employed was vicious, strife promoting, and un-American. No man worthy of the name likes to be guarded by others armed with blackjacks, revolvers, and Winchesters whilst he is endeavoring to earn his daily bread.

It is repugnant to the spirit of the laboring man, and, we believe, to the opinion of the American people, that the same class of men who, with great personal daring indeed and with untiring persistence, tracked through the mountain fastnesses of Virginia the desperadoes who assassinated the judge and other officers in open court in Hillsville should be placed over the miner endeavoring by hard toil to obtain an honest living for himself and wife and little ones. We are, therefore, unanimously of the opinion that the guard system as at present constituted should be abolished forthwith. If such action has not already been taken. Assuming, as we do, that this mine-guard system should not and can not be continued, the question arises what régime should be established in its place? Various opinions have been expressed. The owners of mining properties have a right to protection and security. A scanty police force, with one or more justices of the peace and a like number of constables on each creek, is obviously inadequate. We are of opinion that watchmen in sufficient numbers should be employed, subject to the supervision and control of the State authorities. These guardians of order, property, and life should be men of known good repute, and citizens of the State. They should be required to take the oath prescribed for other peace officers and to give bond conditioned for the faithful discharge of their duties. They should be held to strict liability for any injury resulting from their illegal acts, and there should be vested in the governor the power of their appointment and summary removal upon notice. It appears to be quite certain that no lasting peace will be established between the operators and miners as long as the present system of guards is maintained.

THE CONDITION OF THE MINERS.

We now approach the question of *the condition of the miners* in the present strike region and closely adjacent territory, reserving some observations as to their status in the remaining coal fields of the State. To this inquiry we have devoted special attention within the limits of the time and opportunity at our disposal, and, after careful personal investigation, supplemented by a great body of formal sworn testimony, sifted and tested by severe and exhaustive cross-examination, this commission has arrived at the unanimous conclusion that the general surroundings of the miners on Paint Creek and Cabin Creek, respectively, are very good, when compared with those of the miners of the few unionized plants on the right bank of the Kanawha and with those of the miners throughout the State and the Nation. We have gone into their houses and carefully examined them. They are above the average of miners' homes in most places. At a fair estimate, most of the lots on which they stand are 40 by 200 feet, and the dwellings are as comfortable as those of the average farm hands or of those who live by other manual labor. The rent, while perhaps slightly excessive, is not exorbitant, and a thrifty householder, in his hours of leisure, can raise a good crop of vegetables for his own use. The sanitation, in view of the location and other surroundings, is as good as can be expected. The coal companies, through their physicians and others in authority, urge the employees and their families to keep their premises in good condition, and lime for such purpose is furnished gratis in any reasonable quantity required. The physicians along the creeks appear to be competent and conscientious gentlemen, and ready always to respond in case of grave accident or serious illness. The uniform rules appear to be that single men contribute 50 cents a month for attendance, medicines, and surgical requisites of all kinds; families give $1 a month for like service, while 15 cents a month is paid for hospital expenses, such as board, medical attendance, medicines, and surgical appliances. The Sheltering Arms, at Hansford, situated on the main line of the Chesapeake & Ohio Railway, and in close proximity to the mines, receives the miners or their families in case of accident or sickness. It is a first-class hospital, thoroughly up to date, and supported partly by endowment, partly by voluntary contributions, and also by the amounts received from pay patients. In view of the liability to grave accidents and the known carelessness of many miners in guarding against disease, we consider the amounts they pay, whether sick or well, as not high. In moderation. Careful questioning failed to elicit any information as to any serious epidemics on Paint Creek or Cabin Creek within the past 10 or 15 years.

WAGES.

Next in the order of investigation comes the important question of *wages* in the localities under examination. It was more or less inevitable that there should be much conflicting testimony on this head. There are, too, many varying factors in the solution of this question. A careful consideration of the evidence adduced leads us to the following conclusions:

(1) The average annual wage of miners in West Virginia for the years 1905–1911, inclusive, is $554.26.

(2) The average annual wage of miners on Paint Creek and Cabin Creek is from $600 to $700.

(3) The average wage on Paint Creek and Cabin Creek (nonunion) is fully equal to if not greater than that of the miners in the very limited number of unionized plants in the State on the opposite bank of the Kanawha River.

These figures may appear small and inadequate, but, slender as they are, they exceed the average wage obtained in Illinois, a unionized State, which is but $510.86 a year. We have been unable to secure any official figures as to the average annual wage in the unionized States of Indiana, western Pennsylvania, and Ohio; but we are informed by experts and we believe that the average wage in the two States first mentioned probably falls a little below that prevailing in Illinois, while the annual wage in Ohio, owing to local mining conditions, falls a little below those of western Pennsylvania. This classification, in the order of the rewards of labor, puts West Virginia at the head of the list. If we inquire into these figures more closely, we find they are very substantially affected by several causes, among which comes, first, the unwillingness of a large number of miners to work more than four days a week at the most. A minute examination of the pay rolls discloses the fact that 16 or 17 days in the month constitute a high average, and that many engaged in the mines decline to labor more than 12 or 14 days. This is particularly true of some of the native-born miners and many colored men, and results in the necessity of keeping 20 or 30 per cent more miners in a given operation than would be required if steady application to work were the rule. At several of the mines in the district under investigation were found men wholly illiterate and without any special knowledge or skill other than that acquired by their daily experience earning four to five and in some cases even six dollars a day of eight or nine hours; men with savings-bank accounts of one or two thousand dollars and others who had purchased out of their savings small farms or other properties adjacent to the mines. The schools in the district are as good as the average in the State, and, moving up and down along either creek, one is impressed with the robustness of the children and the general prosperity reflected in good, substantial clothing and household equipment.

THE OVERCHARGES OF THE COMPANY STORE.

The above statements embody the bright and cheering aspects of the miner's life and condition. We turn now to the darker side—the shaded lines. Undoubtedly the evidence shows that he has his hardships and grievances. If his sense of self-respect has been outraged by the guard system, to him most odious and galling, he has, furthermore, earnestly and vigorously claimed that positive injustice has been visited upon him in other respects. He protests that after he has wearily labored in the depths of the mine the purchasing power of his wages has been ruthlessly decreased by *the overcharges of the company store*. On the other hand, the operators contend that such stores are kept for the convenience of their employees and they make but a modest profit of, say, 10 per cent when the expense of buildings, clerk hire, and especially freight are taken into account. Much testimony was taken and scores of exhibits were filed in support of these respective contentions. Several of the miners and their wives, as also women who conducted company boarding houses, testified that they paid these necessaries of life, such as flour, meat, vegetables, and clothing, 40 or 50, and, in a few instances, 60 per cent more than the same article could be bought for in the ordinary independent stores, and that even the necessary implements of their work, such as powder, axes, and picks, were sold at exorbitant rates. As to overcharge, the truth, as usual, seems to lie between the two extremes. Weighing the mass of evidence carefully, we are unanimously of opinion that the company stores in the districts under examination have charged more than a fair average figure in open market for any given article. In view of the heights to which prices in independent stores throughout the country have soared during the last decade, we feel that we can not be too emphatic in our condemnation of such practices. It has borne hard on weak and delicate and naturally indolent men, and even on industrious men with large and helpless families. We are loath to believe that the stockholders or even the principal officers of such mines, many of whom are men of high character, can be fully cognizant of such injustice. It may result from the desire of subordinates "to get results." But whether they are or are not, the fact remains. What is the remedy for such abuse? It is, on the part of the operators, to rouse their consciences to a keener sense of justice to their fellow man and to helpless wives and children; and, on the part of the miners, to guard their rights by close examination of prices and the preservation of lists, bills, and other documentary evidence.

One of the most pathetic features of the whole investigation was the lack of astuteness among the miners in making out a clear-cut case. All that was needed was to buy at the company store on a given date the same or like articles of a well-organized brand or make, and known as such to all housekeepers, carefully noting the price, and on the same day to purchase exactly similar articles in the open market and compare the prices. Not all of the companies, however, have been at fault in the same degree. We believe that a number of them—the exact proportion it would be difficult to determine—have been fair and considerate toward their men. So, too, as in other corporations, the light of ample publicity would shine effectively for all concerned. On the other hand, the laboring man would see if he were obtaining strict justice, and, on the other hand, the employers would be forced by public opinion into just and humane dealings.

SYSTEM OF DOCKING.

Other hardships of which the miner complains are the *system of docking* for the slate and other impurities in the coal and the non-compliance with the State law requiring a check weighman. We believe from the evidence that some injustice to the miner has been done, though it is most difficult to estimate its amount. It has, however, been conclusively shown that the operators must in self-defense be strict on this head. Much correspondence from firms throughout the country was submitted showing that clean coal must be furnished at the imminent risk of losing business.

BLACKLISTING.

One more alleged grievance remains. Letters were laid before the commission purporting to emanate from the officials of mining plants and also from detective agencies warning other companies against receiving into their employ certain miners designated by name. Their physical appearance was in some instances minutely described. The reasons alleged for their rejection were one or more of the following:

(a) They were favorably inclined to the union; or
(b) They were trying to organize a branch of the union; or
(c) They disobeyed orders made for the general safety.
(d) They demanded a check weighman.

In several cases there were lists of illiterate foreigners—Hungarians, Poles, Slavs, and the like—utterly ignorant of the English language. Now, while these documents were not presented in such a way as to constitute admissible evidence, yet this commission, not feeling itself bound by the strict rules of court procedure, desires to record its belief that such a system of blacklisting has to some extent prevailed, not indeed in the present strike region but in some of the other districts. The array of foreign names in the lists furnish some presumption, not conclusive, but tending somewhat to establish the fact. We are loath to believe that in any region resort has been had to such reprehensible tactics. It is repugnant to the genius of our institutions and to the ordinary instincts of manhood to deprive permanently a poor and often wholly illiterate fellow man of the opportunity of earning his daily bread for himself, his wife, and his helpless children because he insists on his plain rights and the observance of laws such, for example, as that providing for a check weighman.

The above are some of the contributing causes of the strike which has for months paralyzed the coal industry along Paint Creek and Cabin Creek. It may be useful to set forth *the main cause*.

THE MAIN CAUSE.

This arises, in our judgment, from the efforts of the United Mine Workers to organize the union in the whole chain of plants along said creeks. Their desire is to make the present strike region the piece for the insertion of the thin edge of the wedge of unionism with the ultimate aim of organizing the whole State. The frank declaration on oath of Mr. Thomas Cairns, local president of district No. 17, would appear to put this intention beyond the region of doubt. The United Mine Workers' Association contends that this is essential to the well-being of the 76,000 or more miners of West Virginia. That by this means, and this alone, can their lot be improved, their rights safeguarded, and the standard of living so raised as to bring it up to a level befitting a citizen, howsoever lowly, of this Republic. All classes of people, recognizing the force of the adage "In union there is strength," do so organize. Even the operators themselves form associations. "Why," say the toilers, "should we also not unite in lawful combination?" The operators can not and do not resist this right as a general proposition, but their claim is that the peculiar industrial conditions in West Virginia render it ruinous and therefore impossible for them to recognize the union.

The geographical position of this State is such, together with the small consumption within her own borders, that of her total coal output of over 60,000,000 tons she markets barely 10 per cent within her own borders, while 90 per cent or more must be hauled to the market through the competing territories of Pennsylvania, Ohio, Indiana, and Illinois, known as the four competitive States; that the operators of said States have always on the floors of joint miners and mine-owners' conventions shown fierce and undisguised hostility to this State, endeavoring in every way to crowd her out of the market, and going the length of stating by the mouth of one of Pennsylvania's leading operators that the opening of mines here at all was an "economic blunder." Resort has even been had to the Interstate Commerce Commission, resulting in reduction of rates, to the material advantage of the competitors of West Virginia operators in freight differentials. It has been claimed, too, and with some appearance of probability, that the operators of the said four competitive States are hand and glove with the United Mine Workers in their attempts to unionize West Virginia, so that the representatives of the coal interests of the State must go with their relative small representation into conventions to regulate conditions and prices, and would come home having rates imposed upon them which, taking into consideration the heavy differentials in railroad hauls, would practically put them out of business and close every mine in the State. They decline, they say, to be wiped out in such fashion; they claim the right to settle their own affairs within the borders of their own State. Even if they come to terms with the district authorities of the United Mine Workers here in West Virginia these terms may not be approved at the headquarters at Indianapolis, and all the labored attempts at amicable adjustment may fall through. Further, they claim that the few unionized mines in West Virginia do not and can not obtain anything like an adequate return on the capital invested. And so, to probe this deplorable situation down to the bedrock of facts, the geographical position of West Virginia is largely responsible for all this industrial strife. Our retarded manufacturing development is also a contributing cause. The consumption of coal within our borders, as elsewhere noted herein, particularly by manufacturers, is almost negligible. No State in the Nation has more inviting natural resources nor offers greater inducements to manufacturing enterprises than West Virginia—great areas of superior coal for steam and coking, splendid timber of many species, almost inexhaustible supply of natural gas, and unlimited water power awaiting to be utilized in the arts of industry. It is impossible not to recognize the merit of and to sympathize with many of the contentions on both sides of this unhappy quarrel. Most assuredly each party believes unanswerably in the justice of its claims. It is in the attempted enforcement of them that each has passed the limits of justice, to say nothing of Christian charity and broad humanity. Two facts loom big over the smaller ones developed in this bulk of testimony—the desperate efforts and often unwarranted and unlawful acts of the United Miners to force the union into the disturbed districts and the equally desperate, unwarranted, and unlawful acts of the operators and their agents to keep the union out. Thus for months before the actual break union agitators, many of them strangers, attempted to invade Paint Creek and Cabin Creek to persuade the miners to join the union. They called a meeting of the workers and described to them the hardships and injustice of their lot and the oppression under which they suffered. The wildest theories concerning the rights of property and the means of production were propounded and advocated, and doctrines closely verging upon anarchy were upheld with such effect that men, who before were living peaceably and in comparative prosperity, purchased Winchesters, revolvers, blackjacks, and other murderous weapons to shoot down the coal "barons" and their myrmidons. Mild-eyed men, 75 per cent of them with usually cool Anglo-Saxon blood in their veins and with instincts leading to law and order, inherited down through the centuries, gradually saw red, and with minds bent on havoc and slaughter marched from union districts across the river, like Hughes ton, Cannelton, and Boomer, patrolled the woods overhanging the creek bed and the mining plants, finally massing on the ridges at the headwaters and arranging a march to sweep down Cabin Creek and destroy everything before them to the junction. Meanwhile the operators hurried in over a hundred guards heavily armed, purchased several deadly machine guns, and many thousands of rounds of ammunition. Several murders were perpetrated, and all who could got away; men, women, and children fled in terror, and many hid in cellars and caves.

If ever there was a case for some strong measure like martial law, the conditions prevailing on Monday, September 2, 1912, the eve of the proclamation, presented it. In fact, in the opinion of expert witnesses on the scene, martial law and martial law alone was the only measure to meet the desperate situation. We believe, partly on the evidence adduced and in part from the personal knowledge of two members of the commission who were on the ground, one in active military service, that but for such proclamation taking effect on Tuesday, September 3, at daylight, there would have been great destruction of property and loss of life in the strike zone. The enormous quantities of Winchesters, revolvers, and other weapons up to machine guns captured from both sides and brought to camp at Paint Creek Junction also bore mute but eloquent witness of the height to which the passions of the opposing forces had mounted.

Now, these propositions, trite and fundamental as they are, will assist us to apportion the blame for the strike and the subsequent disorders on Paint Creek and Cabin Creek and the close neighborhood:

First. Every man has a right to quit his employment and seek other work for any grievance he has or wrong or injustice which he may conceive to have been done to him; but

Second. He has absolutely no right to obstruct, molest, threaten, or otherwise prevent another man from taking the position he has of his own accord abandoned. Organized society and natural law can never yield one jot or tittle on that head. To do so would be to acquiesce in the régime of brute force—a veritable reign of terror.

Third. Labor has the right to organize for its benefit, protection, increase of wages, and better living conditions, and to have recognition of such organization; but

Fourth. Its organization has no right to coerce by threats or violence anyone to become affiliated with it when he does not desire to do so, nor to assault or put in bodily fear one who desires to labor without belonging to it, nor to destroy property of the employer who does not desire to contract with it, nor to violate its contract with its employer without cause.

There is abundant evidence before us that a reign of terror was attempted to be organized in the strike district and outside of it. It is true that the officers of the United Mine Workers professed to counsel moderation and a strict observance of law and order on various occasions, but there is testimony tending strongly to show that harangues delivered in public, and of which stenographic reports have been submitted as exhibits, incited the miners to violence and in some cases to murder. These harangues were in some instances delivered in the presence of officers of the United Mine Workers' Association and from platforms upon which they stood and from which they, too, spoke; but the murderous and anarchistic utterances referred to were never disclaimed or disapproved by them either at the time or subsequent to their delivery. Furthermore, there is some evidence tending to show that officers stood by, without interfering or protesting, while nonunion men were brutally beaten. Again, the warning to other miners from outside not to come into the strike region, published for many weeks in their local organ and also filed as an exhibit and amounting, in effect, to a grave threat, throws a strong light on the actual situation. We fear that the net result of the action and utterances of those acting and speaking under the apparent sanction and approval of the officers of the United Mine Workers was to foment bitter feeling and to incite to serious breaches of the peace. In all this, even granting that they were not acting against any express law set down in the statute books, yet they were acting against the fundamental principles of right and justice. We are of opinion, in view of the recent deplorable happenings in this State, that some statute should be enacted making more comprehensive and more drastic the law against acts and declarations tending to incite riot, tumult, breach of the peace, injury to person, and destruction of property, with suitable provisions for speedy enforcement thereof.

The foregoing are some of the instances in which the United Mine Workers' Association and those led by them have been blameworthy in bringing about the present conflict and disorder.

We can not refrain, in this connection, from recording our judgment, based on the whole trend of the evidence, that the local peace officers of the disturbed regions have, during the strike and many months before, exhibited a woeful lack of resolution and energy in the enforcing law and order. This dereliction of duty crops out repeatedly in the course of our investigations; in fact, all those upon whom locally rested the duty of maintaining the peace and enforcing law and order have utterly failed to do so. Had these in the beginning taken a determined stand, with public opinion at their back, much of the disorder and bloodshed might, in our opinion, have been avoided. But men were assaulted in open day in the presence of dozens of witnesses, profanity filled the air, arms were carried at will, mobs organized, houses riddled with shots, and but the feeblest efforts put forth by the local officers to quell the rising tide of turbulence and lawbreaking. Few arrests were made and fewer warrants issued; justice, swift and sure, overtook hardly any offenders, until at length cowardly thugs, waxing bold by this quasi connivance, went up and down the districts, gathering others about them to the number of a thousand, as on the eve of the proclamation of martial law, and spreading terror through the countryside.

This is not the last strike of the many that has disturbed and will doubtless disturb the peace of the State. Unless some remedial measures are provided, indications would seem to point to their more frequent recurrence in the future than in the past. The vast majority of our citizenship have no direct interest in these quarrels. Not more than approximately fifteen thousand out of fourteen hundred thousand in the State are directly in this fight. But many hundreds of men in the State militia have been debarred for months, some with great pecuniary loss, from pursuing their usual peaceful avocations, and must besides contribute their share of the hundreds of thousands of dollars which the State has expended in preserving law and order. We are accordingly strongly of opinion that there should, by proper enactment, be vested in the governor of the State the power, made as plenary as our constitutional safeguards will permit, of removing or, at least, suspending all officers charged with the duty of preserving peace and enforcing law and order who refuse or neglect to perform such duty through apathy or fear or favor or other considerations whatsoever, to exercise the powers with which they are clothed and take a stern and uncompromising stand for the enforcement of the law.

In the present state of our laws the governor can not act until the sheriff or other officers designated in the statute shall make and file with him a request setting forth that law and order can not be maintained by the civil authorities; and, in that event, his power is exhausted by calling out the State national guard or by declaring martial law if he deems that a condition of warfare or great peril to life and property exists. The following is the exact language of the statute:

"In case of any breach of the peace, tumult, riot, unlawful assemblage, or resistance of law, or imminent danger thereof which can not be speedily suppressed or effectually prevented by the ordinary posse comitatus and peace officers, it shall be the duty of the judge of any court of record, sheriff of any county, or mayor of any city, town, or village to call upon the governor for aid, and in cases where the emergency is such as not to admit of this delay, upon the commander of any brigade, regiment, battalion, company, or battery, and it shall be the duty of the commanding officer of the brigade, regiment, battalion, company, or battery, upon whom such call is made, to order out in aid of the civil authorities the military force or any part thereof under his

command. Such call for aid shall be by means of a summons issued by such judge, sheriff, or mayor directed to the commander of any such brigade, regiment, battalion, company, or battery, directing him to order his command or such part thereof as in the judgment of such commanding officer may be necessary, to appear at a time and place therein specified, to aid the civil authority in supporting the laws."—Code of West Virginia, chapter 18, section 55 (serial section 624).

In our judgment the time has come for the enlargement of the functions of the governor in this direction. There must be some strong central authority to compel officers to discharge their duties faithfully in times of stress and danger. While the governor is chief executive in times of stress and danger. While the governor is chief executive and is charged with the duty of seeing that the laws are enforced, he is helpless when subordinate officers decline or refuse to fulfill their obligations. In these latter days there is manifested an inclination to call for new enactments to meet each new phase of our experience, instead of looking to statutes already provided. Our law makes (a) the sheriff the high peace officer of his county, armed with plenary power, both by common and statute law, to preserve peace and enforce order; (b) it designates the prosecuting attorney the agent, upon information of the violation of any penal law, to "forthwith institute and prosecute all necessary and proper proceedings in such case"; (c) it makes it the resident judge's—as well as justice's—duty to suppress and disperse riots, routs, and unlawful assemblies, and to go among, or near as may be with safety, persons riotously, tumultuously, and unlawfully assembled, and command dispersement, and upon failure to obey such command the power of the county, including, if necessary, every citizen thereof, shall be employed in the enforcement thereof. Under the provisions of sections 1 to 5, chapter 148, code, a resident judge has far-reaching duties, power, and protection when riots, tumults, and disturbances exist in his county.

Have the operators been wholly free from animadversion? The whole situation, as well as the formal evidence, constrain us to answer in the negative. It may be observed in general that, in the effort to safeguard what they conceive to be their rights they have undervalued the power of kindness and of some degree of identification of themselves with the aims and aspirations of their men. By their very situation, wedged between hills or mountains, the toilers on these creeks are cut off from the great stream of life with its amusements, its distractions, its joys, and its sorrows. The opportunity for cultivating a cordial feeling with the men, some of that friendliness that existed in olden times before the rise of corporations, was an exceptional one, but we fear such opportunity was not in most instances embraced.

It may be objected that such an attitude is, in these modern days, well-nigh an impossibility, but this claim is brilliantly and most effectively refuted by the example of Mr. Charles A. Cabell, of Decota, who provided for his men a swimming pool fed by mountain springs with water crystal clear, a library and reading rooms, a bowling alley, and even a miniature theater; in fact, all the equipment usually found in high-class clubs for men. Mr. Cabell joined in the games when the day's work was done. He was most solicitous also for the spiritual welfare of his employees, and the commission takes genuine pleasure in thus commending him for his humanitarian efforts and in citing his example as one that could with advantage be followed by the operators in other mines.

After temporarily suspending investigations in the strike regions the commission proceeded to the Fairmont district and later to the chain of mines strung along the Norfolk & Western Railway from Bluefield to Eckman. In the former locality we made a careful inspection of the plant of the Consolidation Coal Co. at Monongah, about 6 miles from Fairmont, and on a subsequent day at Owings, and on a later day still of the works of the Jamison Coal & Coke Co. near Barracksville, a suburb of Fairmont. This inspection we followed up by taking testimony at Monongah and at the Jamison plant and by painstaking scrutiny of the pay rolls and other books of the respective companies. The results were most gratifying. The wages of the men, both miners and day men, were found to be good. We think it was clearly made out that any man of average ability and industry could make from $2.50 to $3 a day. Some made as high as $4 and even $5 per day. The houses were comfortable, with electric lights, good sanitation, and water supply. Shower baths were provided at some of the mines, and every appliance of the most advanced modern mining science was used for the safety of the employees without apparent regard to expense. The equipment of the engineer's office at Fairmont and that of kindred departments in the magnificent building recently erected is one of the finest in the country. We interrogated men on oath, who testified that they had been with the company for periods ranging over 10, 15, and 20 years. During that time they had saved considerable money, which they had invested in homes or in small farms. Several former miners were proprietors of prosperous stores in the neighborhood. A most careful inquiry into the management of the company store developed the following facts: The prices were as fair, quality considered, as any independent store in Fairmont, Monongah, or Clarksburg, or at intermediate points, lists of such prices being posted conspicuously in every department. We could discover no traces of any pressure, direct or indirect, put upon the miners to deal there. On the contrary—and this seemed most convincing—large numbers of farmers and others near by, in no way connected with or dependent upon the company, deal at their stores for the reason, as they allege, that they can get better value for their money there than at other stores in Fairmont, Clarksburg, or elsewhere. The company has presented ample sites for churches, schools, and rectories free. As to the structures themselves, it has advanced the money, to be paid back without interest at the convenience of the congregation, and this commission knows of its own knowledge that that convenience has extended over 6 or 8 or 10 years. A careful investigation among the banks in the neighborhood further shows that out of the earnings of the miners the sum of $7,500 per month, or $90,000 per annum, is sent to the relatives and dependents of the men, mostly in Italy and Poland. One bank declined to furnish the figures, and the commission did not deem it proper to attempt to obtain statistics from the post-office money-order departments in Fairmont and Monongah. Making, however, a rough estimate of these latter, it would probably be within the truth to say that the sum of one hundred and twenty-five thousand to one hundred and fifty thousand dollars is sent to various parts of Europe annually by the miners in the close neighborhood of Fairmont and Monongah. An idea can thus be formed of the immense sums sent from the 44 operations of this company within the limits of the State. Here we found no guards furnished to the corporation by a detective or other agency. Some of their own men act rather as private watchmen than armed guards. The company's generous policy and the cordial relations between officials and workers seem to constitute the best guard and the most ample protection.

Of course, the general average of the pay roll is, as elsewhere, lowered by the occasional car shortage, the indisposition of some to work more than three or four days a week, and by the fact that the miners of foreign extraction insist on observing the holidays of this country and their own country as well. It would probably be safe to say that these holidays, doubled up as they are, with their aftermath, lessens the production of coal in this State by some 10 15 per cent.

The investigation into the mines in the Norfolk & Western Railway district was next taken up, but, owing to the lack of time, was not of such a thorough nature as the commission could have desired. The Empire Coal Co., of Landgraf, was selected as a test of the local mines generally. Here the commission found matters in a prosperous condition, the great scarcity of labor being the only drawback.

The men were easily making three or four or sometimes five dollars on such days as their own good will or supply of cars allowed them to work. A model miners' boarding house of about 40 rooms, with shower baths, private lockers, and every modern convenience was part of the equipment. The most cordial relations seemed to exist between officials and men from the general manager, Mr. William D. Ord, down to the youngest clerk. The houses for families were the neatest and cleanest the commission had seen, which arose probably from the fact that prizes were offered annually for the best-kept gardens and premises. The whole locality was a most pleasant and surprising intermingling of an Arcadia and a coal-mining village.

Somewhat similar condition prevailed at the mines east and west of Landgraf. Careful, though informal, questioning of miners by members of the commission without revealing their identity or the motive of said questions brought out the information that affairs were moving prosperously; that many of the workers had remained with the same company for 15 or 20 years and were saving money, and, in short, they were well satisfied with their surroundings. In the course of our investigations, which included a number of conferences with officials of the Department of Commerce and Labor at Washington, the commission unexpectedly came upon a little information which throws a strong and yet impartial light on conditions obtaining in the extensive mines of the United States Coal & Coke Co. in and around Gary, McDowell County. An official of the Department of Commerce and Labor—to be more definite, a contract railway inspector—was sent to Gary in September, 1911, to investigate some alleged violation of the foreign-labor contract law. While on the ground he also looked into general surroundings. The following is an extract from his report rendered to the department: "It was found that the men employed in the mines at Gary were satisfied with the conditions and loyal to the company. There are no company boards employed, and it is optional with the men where they deal. While the company has a large store, they also allow an independent store to do business throughout their territory." The portion of the annual report of the Department of Mines for the year 1911 which bears upon the Gary district is also inspiring reading. The circular letter, No. 265, of the general superintendent to the superintendents and foremen, as well as other subsequent letters, insists most emphatically and strenuously that the safety of the men employed is to be "the first consideration" and offers substantial premiums to mine bosses and others who shall most distinguish themselves by avoiding fatalities or even accidents in the mines.

To sum up, we find that the operators in this State are within their rights in declining to recognize a union which would place them in a helpless minority when joined to those of the four competitive States; and by the operation of the freight differential of 19 cents per ton to the Lakes and other points would, all other conditions being equal, render them absolutely unable to find a profitable market for the 90 per cent of their total output. This finding is modified, however, as follows:

The miners have the right to organize for the mutual benefit, protection, and general welfare of themselves and those dependent upon them. We make the following suggestions, which we trust will be accepted in the same kindly spirit which prompts them:

That the economy of their organization be so modified that they, through their officers and representatives in their local district (No. 17), may meet in convention with the operators of their district and agree upon a wage scale, conditions of employment, and other matters affecting their respective interest, wholly independent of dictation from, or interference by, operators of competitive States or other outside influences.

That the organization enforce compliance with the terms of any contract made by it with the operators; in other words, that a contract made and entered into by the operators and the organization shall be in fact a contract to be kept and performed, and that the party violating it shall be responsible to the other for damages.

That the organization make some fixed standard for membership in its organization and put forth every effort to raise the efficiency of its members, thereby tending to create, so to speak, a skilled class, and thus gradually bring about a recognition of if not demand on the part of the operators for men belonging to the organization.

That when recognized it has no right by threats and violence to coerce men to become members of the organization or interfere with those who are not members thereof and who desire to work, realizing that if it can show merit to the employer and benefits to its members the former will be glad to contract with it and the latter will be glad to be identified with it.

Third. There has been in some plants, though not in all by any means, an overcharge ranging from 10 to 25 per cent at the company stores, which, in view of the high prices of the necessaries of life obtaining throughout the country, has made the lot of the miner, especially with a family, hard in the extreme.

We have hereinbefore indicated that vigilance on the part of those who suffer and full publicity may secure the needed relief.

Fourth. There has been much evidence concerning the docking system and of a very conflicting nature; also as to nonfulfillment of State law in respect of a check weighman. We are of opinion that the charges against the operators have not been fully made out, although there may have been some instances in which injustice was done. It would be most desirable if not only a check weighman but some disinterested individual could decide on questions of docking as they arise. There should be recourse somewhere against possible arbitrary docks on account of impurities.

Fifth. The miners are clearly in the wrong in resorting to threats and violence in the endeavor to keep others from working on the terms they reject.

Sixth. They are also culpable in seeking wantonly and maliciously to destroy the property of the companies.

Seventh. We condemn with all the emphasis in our power the effort to inflame the public mind with wild speeches predicated upon charges having no foundation in fact. To cite one instance: A great throng of miners and their wives and children marched through the streets of the State capital on the evening of September 21, 1912. One of the banners in this procession bore this legend: "Death to the human hyena, the Baldwin thug, who cut a woman's breast off at Kayford."

This banner and others like it elicited an outburst of indignation and profound sympathy from all. An account of it was telegraphed to several newspapers; thus sending a thrill of horror through the country. The commission took pains to ascertain at Kayford and elsewhere what justification there might be for such an atrocious charge. They invited counsel and officials of the miners' union to bring the witnesses forward. Not a scintilla of evidence was even offered. The commission was forced to the conclusion that it was a fabrication, pure and simple. The same is true of many more of the alleged facts cited by the speech makers in the various gatherings.

Eighth. It is imperatively necessary, as we set forth above, that the hands of a chief executive of the State be strengthened so that he may compel the local peace officers in disturbed districts to perform their duty under the law.

Ninth. We consider the guard system as recently maintained on the two creeks as vicious and bad, not so much by reason of the personality of its members, but because, as a system, it is contrary to the spirit and genius of our free institutions. We adopt the language used in the able and interesting report of the commission which investigated the famous Pennsylvania anthracite coal strike in 1903: "They (the guards) are really the employees of the coal companies, and thus do not secure the respect and obedience to which officers of the law are entitled. Their presence is an irritant, and many of the disturbances in the coal regions during the late strike grew out of their presence. Should this matter be regulated by legislation, so that the laws could be enforced, and peace preserved by a regularly constituted constabulary, appointed and paid by the county or State, the commission believes that much of the disorder which accompanies strikes would be avoided." (Bulletin of the Department of Labor, No. 46, May, 1903, p. 510.)

We beg to submit herewith, as "Draft A," a tentative bill outlining the provisions for a system of officers, to be appointed by the governor, and removable by him, to hold the balance even between interest and interest, class and class. But after all, the best guards and noblest forms of protection are realized in strict justice between man and man.

Tenth. We recommend consideration by the legislature of a workman's compensation act, and submit herewith as "Draft B" a tentative outline of such a bill drawn by Dr. I. B. Reynolds, of the State university. Sixteen States of the Union have enacted a similar law, and among other advantages to the public, to say nothing of the advantage to the individuals (both employer and employee), are:

(1) The establishment of better relations between employer and employee.

(2) The tendency by the better class of labor to seek the State where such laws are enforced.

(3) Less expense to the public—for in the last analysis the people pay the enormous cost incident to accidents in the fields of labor, either in caring for the injured and those dependent upon him, or in maintaining the judicial machinery necessary to try the claims arising from injuries sustained.

(4) A diminished number of casualties and accidents in the field of labor. The fact that the employer and employee both contribute to the fund from which the injured must be paid naturally brings about a greater degree of watchfulness upon the part of both; in other words, each is mutually interested in the protection of the right of the other.

Eleventh. In these days much is said and written about conservation of our natural resources. All will agree that the safeguarding of life and health is the first duty of the State. We recommend that legislation be enacted making the laws relating to this subject more comprehensive and giving to the State board of health additional powers to prescribe and enforce needful rules of sanitation in municipalities, mining, manufacturing in rural communities, and tenement districts by suitable enactments and with sufficient appropriations. The man who toils in mine or factory or follows other employment, and lives in a tenement house is entitled to reasonable safeguards to life and health in the home, as well as in the mine, factory, or other places of employment.

Twelfth. We recommend some form of legislation embodying as closely analogous to the Canadian industrial-disputes act of 1907 as our form of government will permit. One feature of that act should commend itself to every just and thinking man. While the arbitration is pending work should continue in the industry affected to await the result of the arbitration. It should never be forgotten that the whole body of our citizenship suffers in its peace of mind and in its estate while the parties to the quarrel lapse for the time being into barbarism, by use of violence and brute force. The State has a right to quasi domain over them, compelling them to submit their cause to an impartial tribunal chosen in the main by themselves.

The public, while not a direct party to the quarrel between employer and employee, is often, if not always, more or less the greater sufferer, in many instances subjected to the greatest inconveniences, to pay the expenses of the strife, to respond for damages done by violence, and even to freeze and to starve, yet, all the time, helpless to find in all the clamor and uproar the real cause of trouble. This third party, the public, is usually right, and if it only knew the cause its sentiment—public sentiment—would in many instances, if not all, bring the quarrel to a righteous end.

The measure we recommend does not deny the right to strike or lockout, but requires, before a strike or lockout is declared, that notice of the demands of the complaining party be given to the other, hearings had thereon, and the public fully informed of the differences; and then, if either party can not submit to the decision of the arbitrators who have heard the evidence and made an award, he may strike or lock out. It has been objected by some who might be affected by the provisions of this act, first, that it has been a failure in its operation, and, secondly, that it has a generally "chloroforming" effect. The former contention is not, we believe, borne out by the facts. Nothing human is perfect, but, while the measure has not met with uniform success, the fact remains that it has, in a large number of instances, been instrumental in putting an end to disastrous strife and great industrial loss. As to the "chloroforming" effect we seriously doubt whether the objection is well taken. When there is riot and disorder in our own bodies and one of the vital functions goes on strike the cool-headed surgeon administers chloroform or other anesthetic and while we sleep he, with steady hand and consummate skill, probes into the cause of the trouble and applies the needed remedy. We believe, for instance, that the temporary application of some form of moral anesthetic to the operators, miners, and their respective sympathizers on Paint Creek and Cabin Creek would have worked great good to all concerned, as it most certainly would have redounded to the good name and financial benefit of the State.

This is an age of education and progress. It is a time when right should prevail more and more over might and mere force should yield to the majesty of the law. The poet sang of old that amid the clash of arms law was silent. But we would fain express the hope that, by moderation on both sides, by mutual concessions and an honest desire to submit to disinterested tribunal differences which, in the nature of things, no participant can be a competent and disinterested judge, the day of disastrous strikes, with their cruelties, their bitterness, their injury to life and property is rapidly becoming a thing of the past.

And now, before closing this report, we venture to offer a few remarks and suggestions as to the relations of this State and the Federal authorities in Washington in the matter of immigration. During the course of our inquiries there was developed the fact of some antagonism to and discrimination against this State. We do not call the integrity or good faith of any men in question. Indeed, some degree of honest prejudice might have been anticipated from the fact that a number of officers in Washington and New York, charged with the administration of the laws bearing upon immigration, were formerly high in the councils of the various federations of labor. Mr. John Nugent, of this State—without compensation from the State—holds a commission from West Virginia to foster immigration of miners here, but all his efforts to induce immigration to come have so far practically been in vain. In a letter to Mr. William D. Ord, of Landgraff, W. Va., bearing date December 11, 1912, Mr. Nugent states that he was blocked in all of his efforts at Washington and New York; that out of 42,000 immigrants arriving at the latter port during the last week of March, 1912, 3 children and 2 women only were booked for West Virginia, and that "while we received into our country from Europe something like 40,000 practical miners from the mines of Europe, less than one-half of 1 per cent of these come to West Virginia."

Now, here is a condition of affairs well deserving the serious attention of all who may be directly or indirectly interested in the upbuilding and development of the State, for we are convinced, as a result of our investigation and from our previous personal experience, that no part of this vast Republic offers a better field for the industrious and thrifty miner. Our climate is all that can be desired; our streams, from the majestic Ohio and the beautiful Kanawha down to the innumerable small rivers and creeks that feed them, make us one of the best watered of the States. The great coal fields in other parts of the country, or some of them, have reached the zenith of production. Others are distinctly on the decline. West Virginia has barely touched the numerous veins of coal in her mountains, a fact which the increase in production from 7,394,654 gross tons in 1890 to 59,581,774 gross tons in the year ending June 30, 1912, abundantly proves. Moreover, only one-twelfth of our total coal area has yet been developed. In the last decade there has been a vast improvement—we compute revolution—in mining conditions. The fatal accidents, a large per cent of which, by the way, result from the miner's own recklessness or carelessness, are being reduced to a minimum by scientific methods, by diligent inspections, and especially by rigid examinations conducted by the department of mines for the position of the mine foreman and mine boss. That the native population will be unable to supply labor for this vastly increased and vastly increasing development is obvious. We must fall back, therefore, upon other labor; but we can not effectively rely upon it unless we disabuse the public mind, especially the immigrant's mind, of the impression that West Virginia is an undesirable place to cast his lot and make his home. This effort is worthy of any man's ambition. He can readily show to any impartial inquirer that among all the States none is more favorable to the miner or other man seeking a home. Here in a few years, with our illimitable expanses of good virgin land, the industrious, thrifty home seeker can readily pass from condition of miner to that of farmer. The tremendous impetus given to agriculture in the last decade promises great things for West Virginia, even undreamed of a short quarter of a century ago, and it is most gratifying to observe that considerable numbers of those who have come into our State, after some years' work in the mines or forests, have purchased with their savings small farms and have gone back to the honorable occupation which for centuries was that of their ancestors.

Let the employers be just and even liberal and helpful. Their reward will be the loyalty and willing service of their employees.

All of which is respectfully submitted.

P. J. DONAHUE,
S. L. WALKER,
FRED O. BLUE,
Commissioners.

CHARLESTON, W. VA., *November 27, 1912.*

The Tariff Bill.

I hope to live to see the day when as much money is appropriated by this Government for highways as is appropriated for rivers and harbors. * * *

I want the American laborer to live like an American.

EXTENSION OF REMARKS
OF
HON. WILLIAM A. ASHBROOK,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Monday, May 5, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. ASHBROOK. Mr. Speaker, I feel that I am justified in burdening the RECORD sufficient to make my position on this tariff bill clear, not only to my friends here, but to those who sent me here. I was one of the insurgent Democrats in the caucus, but did support the bill. I therefore desire to give a reason for my opposition as well as for my submission.

I have the honor to represent an agricultural district, although there is extensive manufacturing in several cities in the seventeenth Ohio district. I am not prejudiced, therefore, against the manufacturer or in favor of the farmer. My contention has been, and is now, that all interests should be treated fairly and

alike. Because I did not believe the Underwood bill in some respects was so framed I registered my protest. I know the same criticism might well be made of every other tariff bill. I cast no reflection on the chairman of this great committee or upon the other members of that committee. I believe there never was a more able or a more conscientious chairman of the Ways and Means Committee than the gentleman from Alabama [Mr. UNDERWOOD]. The bill as a whole is a good one and is what the country demanded—tariff revision downward. It certainly is downward this time, and on some of the items is a jump from a reasonably high eminence to the bottom of the sea.

I have been criticized by some of my good friends back home, who believe things will never be just right until we have free trade, because I joined with my colleagues Messrs. SHARP, BATHRICK, POST, FRANCIS, WHITE, WHITACRE, and CLAYPOOL in a vain attempt to keep a duty on raw wool. I believe I have been consistent, if not regular, in the minds of some. I know I have acted in good faith, and while I regret that my action here does not meet with the approval of all, my conscience consoles me. I am not a protectionist, neither am I a free trader. From an argumentative position I would take the affirmative side of the latter, but when practically applied it will not wash well under existing conditions. This country has lived too long under a protective system to make a single jump to free trade. The only safe policy, in my opinion, is to reduce tariff duties gradually that business may not be seriously disturbed. This, I believe, is in accordance with the Democratic platform and Democratic declarations during the last campaign.

Let us go back a bit and see whether or not I have been regular and acted in good faith. The Sixty-second Congress passed several schedule tariff bills. Take Schedule K. The Ways and Means Committee of the House reported the bill placing a duty of 20 per cent ad valorem on raw wool. The House passed the bill. The Senate increased the duty to 29 per cent. The House concurred in the bill as amended by the Senate, but President Taft vetoed it. The House in the Sixty-second Congress was Democratic and the Senate was Republican. The Democrats, therefore, then clearly favored a duty of 20 per cent on raw wool. The record of the Sixty-second Congress was indorsed by the Democratic convention at Baltimore, and our candidate for President, who now occupies the White House, likewise indorsed it in his speeches to the country. The country also indorsed that record, and largely upon the record made by the Sixty-second Congress and the confidence by it engendered the Democrats were successful in electing a President, secured control of the Senate, and elected 291 Members of the House, giving it the phenomenal majority of 143. Did anyone anywhere during the last campaign advocate free wool or a reduction in any schedule so radical as to disturb business? Did anyone from the stump talk free trade? I think not. Believing that the Sixty-third Congress would not depart far from the record made by the Sixty-second Congress and having this assurance from the chairman of the Ways and Means Committee and other members of that committee, I assured my constituents that they need have no fear of a Democratic Congress. Was I warranted in making such assurances? I think I was. What followed? The Ways and Means Committee of this Congress prepared an omnibus bill, abandoning the schedule-by-schedule scheme of the last Congress, and fixed a duty of 15 per cent on raw wool, with corresponding reductions on manufactured woolen goods. This bill was submitted to the White House. President Wilson insisted that wool be placed on the free list, and the committee yielded, although more than one member of that committee has stated to me that it was a mistake to do it. In the Sixty-second Congress we favored a duty on wool and free sugar. Now we have turned our coats inside out. I hope no one will believe that I am disposed in the slightest degree to criticize the President. I am simply stating plain facts. I have the greatest admiration for President Wilson. I believe he will go down in history as one of the most intellectual, high-purposed, honorable, and purest American citizens who ever attained the high honor of becoming the Chief Executive of the greatest Nation known to civilization. He may make mistakes—all men do—but the honesty of his purpose will never be questioned by unbiased men.

This bill was therefore changed to conform to the suggestions of the President, and the poor old sheep was consigned to the scrap heap. Some of my good friends, who have taken active part in the debate on this schedule, evidently think that sheep feed on a scrap heap, with an occasional blackberry brier thrown in for relish. I doubt if they could tell a sheep from a goat if they would see one. This is a brief recital of the facts, correctly stated, and which warranted me with my colleagues as mentioned, and also Members from Indiana, West Virginia, Pennsylvania, Arizona, California, and other States, making the best fight in the caucus that was in us to keep wool off the free list.

I represent a sheep-raising district, of course. Had the manufacturer of woolen goods been treated the same as the farmer, while doubting the wisdom of such legislation, my protest would have been milder. Does anyone deceive himself in the belief that a few cents per pound duty on wool will make cheaper clothing? With a duty of 20 per cent ad valorem, it would not amount to $1 on the kind of a suit of clothes I am accustomed to wear. And who will get the few cents reduction? Will the consumer get his clothes or his blankets 32 cents or 76 cents less than heretofore? No; the manufacturer, the clothier, and the tailor will divide the pennies, and the dear people, in my opinion, will pay the same old price. But how about the farmer? Those few pennies, I fear, mean the destruction of the sheep industry in this country. But old Rube must stand it. He has no big influences behind him; he is unorganized and defenseless. He has grown accustomed to the short end, and perhaps his back will bear it.

Let me say a word here to those who like to take a slam at the farmer and charge him with being responsible for the high cost of living. There is no doubt but what many of the products of the farm are high. But who is responsible? Surely not the farmer. He never had but little benefit from a protective tariff, and if this bill becomes a law he will be stripped as bare as a buzzard in molting season. He sells his products in the open market; he is in no combine. Supply and demand make his prices. And yet he must pay a duty on about everything he buys. If the farmer boys would remain on the farm and not rush to the towns and the cities; if greater interest and encouragement were given to agricultural pursuits prices might be lowered by increased production. And let me say the best way to keep the boys on the farm is to legislate in the interest of the farm. Give them the same beneficial legislation—but no more—the manufacturers and the employees in the factories receive. Federal aid for national highways would be the greatest boon this Government could give to agriculture, and would be far more likely to reduce the cost of living than to put wool on the free list or give world-wide competition on barley, buckwheat, and potatoes. I hope to live to see the day when as much money is appropriated by this great Government for highways as is appropriated for rivers and harbors. Do not kick the farmer. He is entitled to no more than any other class, and certainly is entitled to no less.

This bill and debate thereon has developed one fact that ought to open the eyes of the farmer who has had, may I say, the wool over his eyes all these years. He has been misled in the belief that his interests and the interests of the down-east gentry who have fixed the price on wool were mutual and dependent upon each other. Hand in hand they must go, have they told my farmer friends. The farmer has pulled the chestnuts out of the fire for his New England and New York friends for the past 50 years.

The duty on wool, whether it was high or low, has been shared far from equitably. The farmer got a bite and the Woolen Trust a stomach full. The farmer has made the mistake of demanding a high tariff on wool and woolen goods as well. Had he rowed his own boat he would not now likely to have been made to seriously suffer. The farmer pays his help good wages, but how about the woolen mills? An investigation made a short time ago developed that the woolen mills of New England largely employed women, children, and foreign-born unnaturalized help at prices far below the average factory wage. The high tariff on woolen goods has therefore not helped the American laborer or woolgrower, but the Woolen Trust has been the big beneficiary. Not a Member of this body from the districts wherein are located the woolen mills lifted his voice in protest against free raw wool or voted in caucus with those who demanded a duty on wool. Why? They heard their master's voice, and the Woolen Trust was willing to let—yes, anxious to let—the woolgrower drown if he could but save himself. Wool is on the free list, while woolen goods get 40 per cent or more protection. If we are to have free wool let us have free woolen goods—not hit the farmer square in the face and pat the manufacturer on the cheek.

There are other items in this bill that do not quite look good to me. Why should meat come in free when cattle on the hoof are taxed? Will that cheapen meat? Will it help the farmer, or will it help the Beef Trust? The scales are supposed to always be fairly balanced, but it has oftentimes seemed to me that the Goddess of Justice in whose hands hang the scales was not totally blind but could see just a bit out of the nigh eye.

The pottery manufacturers complain bitterly against this schedule. A manufacturer in my district, who is at the head of the Pope-Gosser China Co., says:

If the proposed tariff bill becomes a law its effect on the pottery industry of the United States will be so serious that no one can foretell the outcome, but that lower wages are sure to follow.

I am not familiar with these duties, but have confidence in the gentleman who made this statement. If the bill becomes a law in its present form and the result is as predicted, it is not necessary to assume the rôle of a prophet. I strongly favor the recommendation made by the Secretary of Commerce, Mr. Redfield, a few days ago, that an appropriation be made to investigate the closing down of factories or the lowering of wages following the final passage of this bill. If manufacturers attempt to do either for political or selfish purposes, those facts should be known. If on the other hand an investigation develops that such action is warranted by the manufacturers, Congress and the country will have information that can not be disputed. My understanding is that representatives of the pottery interests appeared before the Ways and Means Committee last winter and made a satisfactory showing that the existing tariff rates were not excessive, and left with assurances that they would not be disturbed. If this be true, I can not account for a reduction of these duties. The glass manufacturers also complain and state boldly lower wages must follow. I am not here to defend everybody whose toes have been pinched. I believe that every article manufactured in this country that is sold in other countries at a lower price than it is sold here should be on the free list. But I do want the American laborer to live like an American, and if in order that he may so live it is necessary to have protection, if you wish to call it such, I am in favor of it, providing all classes and all interests fare alike. I am in favor of tariff revision downward, but since there must be a duty on certain commodities to raise the revenue to run this Government, why not reduce it gradually and fairly? Cut it 30 or 40 or 50 per cent, if need be, on the raw product and a like per cent on the manufactured article. We will lose $15,000,000 by putting wool upon the free list without bringing, in my opinion, much relief to the people. Why?

These are some of the reasons why I have opposed this bill. They may not be good, and if such is the case, my judgment is bad, and those who criticize me are right. I do not pretend to know much about the tariff, but I want to say here that a tariff commission honestly appointed and honestly administered, in my judgment, could better solve this most delicate question, too likely to be influenced by political policy, than by the great majority, which includes myself, who are honored by a seat here.

Now, why do I vote for this bill? Because in the main I believe it is a fulfillment of party pledges. It is what the country demanded. The Republican Party went on the rocks because it failed to keep faith and passed the unpopular Payne-Aldrich tariff bill, which was a revision upward and not downward. No one will call this a Winona speech. But I do believe with due allowance for all criticism herein made that the Underwood bill is a better bill than the Payne-Aldrich bill. If I could vote against certain items in this bill I would do so, and no party lash could whip me into line. The papers of my State say that certain Ohio Members sitting here, including myself, were gerrymandered out of their old districts because we have been obstreperous, but I do not believe that. Rather was it the work of ambitious statesmen in the legislature who have their eyes turned toward Washington. As concrete cause for my conclusion five members of the legislature, which attempted to fix my clock, are announced as my rivals. But we shall see what the people have to say on this question. The press has also warned the warring members, I am sure without warrant, that the administration would personally oppose all who dared deny their support of this bill and even take away patronage by rights their due. Such reports did not influence me one iota to support this bill. I know full well that the President is an honest and honorable man and not a boss. But if all these reports were true my position would be the same, for I know a right good place back in Ohio where I can go and be my own master.

This is an omnibus bill and it must be voted for or against entire. I am willing to surrender my convictions on all other items rather than vote against the income tax. I hope the day is not far distant when all revenue will be raised by direct taxation. An income tax and an inheritance tax would go far toward supporting this billion-dollar country. This bill includes the income tax. My position always has been that those who are fortune favored should bear the burdens of their less fortunate brothers. Why tax the man who works 10 long hours for $1.50 to $2 per day the same as the man whose income is counted by the thousands. It is unjust and it is unfair. The poor man now pays about as much to support the Government as those who ride in automobiles and wear diamonds taxed 10 per cent. The income tax, in my opinion, brings greater relief to the poor man than the lowering of the duties on a thousand items in this bill. Now, give us an inheritance tax that the great estates, created under laws that have made them possible, may give back to the Government an equitable accounting. We will then have two of the greatest and most meritorious revenue raisers that can be devised.

In conclusion, I want to say that should I not be considered quite orthodox in the estimation of some good people the Almighty is to blame, for I see things as He permits me to see them. I am a Democrat, however, and believe that with all its faults the Underwood bill is better tariff legislation than the country has ever secured under Republican rule.

The Farmer and the Tariff.

EXTENSION OF REMARKS
OF

HON. FRANK B. WILLIS,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. WILLIS. Mr. Speaker, as has been repeatedly pointed out in this debate by those of us who are opposed to the pending bill, and as has been frankly admitted by the sponsors for the measure, this bill is drawn without reference to the effect it will have on American laborers and producers.

Whether the standard of living and rates of wages in this country, which are now the highest in the world, shall be maintained seems to have given the framers of this tariff bill little or no concern. Under its provisions our workingmen are to be brought into direct competition with the half-clad, underfed laborers of Java, Japan, South Africa, and India, earning only a few cents per day. In many lines of production our workingmen earn as much in a day as their oriental competitors earn in a month.

It is insisted that we can produce as cheaply here as elsewhere; perhaps this might be true if we were content to bring our standard of living and wages down to that of the oriental, for, after all, cheapness of production is very largely a question of wages. That is why workingmen and farmers protested and are now protesting against the passage of this bill.

The farmer is especially discriminated against. The defenders of this bill complain bitterly because his products have increased in value since 1897, and one of the avowed objects of this legislation is to reduce the price of what the farmer has to sell. By this bill the products of his honest toil are put on the free list or the rates greatly reduced.

The farmer must sell his horses, cattle, hogs, sheep, wool, wheat and other grains, poultry, hay, onions and other vegetables, and, in fact, everything he has to sell at greatly reduced prices if the promoters of this legislation are to have their way. How the farmers will look on this attempt to compel them to sell their products at such prices as reigned under the Wilson law of 1894 is indicated by the following brief editorial from the Belle Center (Ohio) Herald:

FARMERS BLAME DEMOCRATS.

Wool buyers in Belle Center have finally made a price to be paid to the producers. They offer 16 cents per pound, 4 cents under the price paid last year before the tariff was removed. Farmers are howling to beat the band, and the Democrat who would come up for office now would get but few farmer votes in this part of the country.

Even the rates provided in this bill are deceptive. For example, in paragraph 190 of the bill sheep are made dutiable at 10 per cent ad valorem, yet in subsequent paragraphs wool, mutton, lamb, sheep hides, horns, tallow, and even the bones of the sheep are put on the free list.

Of what advantage is a duty on sheep when everything that can possibly be made from the sheep is put on the free list? The only purpose of this 10 per cent duty is to deceive the farmers and sheepmen. Their viewpoint of the tariff is cogently set forth in the following extracts from an address delivered at Cheyenne, Wyo., on January 9, 1913, by S. W. McClure, which,

under the general leave to print, I submit for publication in the RECORD:

HISTORY OF WOOL TARIFF.

At about this date (1867) South America, Australia, and Africa were the great wool-producing nations. The wool produced in Australia was very like ours both in quality and character, and little of it had as yet been imported. The Australian wool then shrank from 60 to 70 per cent, according to best available data. The situation in South America was somewhat different. The merino and the native sheep of that country had been crossed, yielding a cheap, heavy wool, which shrank from 60 to 70 per cent, the same as our own wool. However, in addition to this merino wool, South America produced a considerable quantity of what was known as native carpet wool. These native wools shrank at that time around 50 per cent, but they were coarse, poor in character, and so filled with burrs that they were considered very inferior wools and not looked upon as a competitor to be guarded against. It was the heavy merino wool that was to be excluded. After considering these facts the conference between grower and manufacturer resulted in the conclusion that the average shrinkage of all desirable wools of the merino type, both in this and in foreign countries, averaged 66⅔ per cent, and upon this basis the entire law was predicated. It has been asserted that the Syracuse convention intended to place the duty upon the grease basis. This assertion, however, is not in accord with the facts, for the entire line of reasoning pursued by these conferees recognized scoured wool as the important material to be taxed, and they clearly provided that wool imported in the grease should pay the same relative duty upon its scoured content as it would pay had it been imported scoured. However, as a matter of convenience in the collection of the duty, the tax was placed upon the grease pound along with its equivalent upon the washed and scoured pound. Therefore, in accord with the recommendations of this conference, Congress, in 1867, levied a duty upon all merino wools imported in the grease of 10 cents per pound plus 11 per cent ad valorem. If washed, double the grease duty; and if scoured, treble the grease duty. Thus we see that the intent was to place the duty on the scoured wool obtained, and not upon the grease and dirt. If further proof be desired as to the shrinkage of wool in 1865 or to the actual protection which the law presumed the woolgrower would get, it will be found in the fact that in levying a compensatory duty, which that law gave to the manufacturer to compensate him for what he paid because of the tariff upon wool, this compensatory was levied on the basis of 4 to 1; that is, the compensatory duty assumed that 4 pounds of grease wool were required to make 1 pound of cloth. This ratio was correct only when wool shrank 66⅔ per cent or more, and it would have been dishonest to give this much compensatory duty if imported wool then shrank less than this amount.

As we have before stated, our protection must be measured not by the duty on the grease pound, but by the duty paid to obtain sufficient wool to make a pound of scoured wool. Since in 1867 domestic and foreign wool of class 1 was of the same shrinkage, our growers had the full protection of the law regardless of whether the wool was imported in the grease or in the washed or scoured condition. Under the stimulus of this law our wool production rose from 160,000,000 pounds in 1867 to 337,500,000 pounds in 1884, at which time our protection was considerably reduced. Of course, in 1872 the wool duty was reduced 10 per cent, but this was restored in 1875. The wool tariff, however, became the subject of general revision in 1883, when an important reduction in the duty was made. The law of 1867 had placed the duty at 10 cents per pound plus 11 per cent ad valorem. In 1883, the average value of Port Phillip fine wool was 24½ cents per pound. Our protection against this, then, was 12⅞ cents per pound. The average price of Australian crossbred wool was then 18 cents per pound and our protection against it 12 cents per pound. The law of 1883 reduced the tariff to 10 cents per pound, which in effect reduced our protection from 2 cents to 3 cents per grease pound. Under this reduction our wool clip fell until in 1880 we produced but 293,500,000 pounds. In 1890 the tariff was again revised and the duty on wool raised 1 cent per grease pound. In accordance with this increase in duty wool production likewise increased, so that by 1893 we produced 348,500,000 pounds, or the greatest amount in the history of the industry. Then came an election and wool was placed upon the free list. In response to this our production fell from 348,500,000 pounds in 1893 to 259,000,000 pounds in 1897, a reduction of 89,500,000 pounds in four years. Then the wool tariff was again revised and a duty of 11 cents per pound given to grease wool. Production again increased from 259,000,000 pounds in 1897 to 318,500,000 pounds in 1911. I anticipate that the 1912 clip will be less than the 1911 clip, but this reduction is largely attributable to the tariff, for be it remembered that in 1911 we had a special session of Congress from which a very low wool bill was sent to the President for his veto. This coming at a time when all our wool was on the market enabled the buyers to purchase our clip at free-trade prices, which forced many growers to give up the sheep business. There was no good excuse for the low prices of 1911.

All of the foregoing makes it evident that there exists an intimate relation between woolgrowing in this country and the tariff. And it must further be apparent that in the absence of less actual protection than we now have a large decline in wool production must inevitably follow. This, of course, brings up the question of our actual protection at the present time. Two important events have occurred since 1867 to influence the actual protection which American woolgrowers have received under the law. The law placed the duty on grease wool. The importer at once saw that the only way he could reduce the duty was by reducing the shrinkage of the wool he imported. No other avenue was open, for if he imported washed or scoured wool the duty was relatively just as high as if he imported it in the grease. Therefore the importer, early in the seventies, set about the purchase of light shrinking wool. He began to pay a premium on light wools. The foreigner began to pack his light wools separately in response to this premium. However, it must be evident that to change the shrinkage of a nation's wool is a slow process, and this was a slow process. How slow it was is not a matter of record, but the best available data seem to show that up to 1880 imported wools shrank about as much as our domestic wool, so that for many years after 1867 we had practically the full protection of the law. About 1880 an event occurred that was destined to materially reduce our protection. This was the permanent establishment of the frozen-meat trade. The first attempt at the exportation of frozen mutton from Australia to Europe was in 1861, but it was a failure. Repeated efforts met with no better success, and it was not until 1879 that the exportation of frozen mutton was successfully established. Then began a change in the wool production of South America and Australia. The heavy-shearing merino had reigned supreme throughout the world except in parts of Europe. Now the road had been paved for the sale of mutton, and consequently a change in the type of sheep was demanded. Therefore in South America and New Zealand the merino began to give way to the crossbred and the production of light crossbred wool necessarily followed. In our own country the worsted industry that demanded crossbred wool was growing apace. The carded industry that used our heavy merino wool was failing, just as it was doing abroad. This left our short clothing wool in less demand. Thus, by 1883, even before the tariff was reduced, our actual protection had been reduced by reason of the increased clean yield of imported wool. Add to this the tariff reduction of 1883 and we have the cause of the decline in the wool production that followed until 1890. Along in the eighties the skirting of foreign fleeces had become general, and our importations were largely skirted wools even before this iniquitous feature was added to the McKinley bill. It had previously been permitted by the customhouse. As we approach the present date the causes which I have here given as operating to reduce our protection have become more and more intense, so that where we had the full protection of the law from 1867 to about 1883, these influences have now reduced our actual protection to but little more than one-half of what it originally was, and what the law and the country supposes it is to-day. In other words, the wool tariff has automatically reduced itself to about one-half its former proportions. That this gradually decreasing protection has been the active factor in retarding wool production in this country seems to me evident, for when we had the full protection—from 1867 to 1883—our wool production increased at the rate of 1,000,000 pounds per year. But from 1897 to 1911, under the decreasing protection of the present law, our average increase has been but 4,500,000 pounds per year.

PROTECTION RECEIVED BY THE FARMER.

Now, as to the protection which we actually receive. A scoured pound of class 1 wool is to-day imported at from 15 cents to 22 cents in duty, being the lowest for the quarter-bred wool and advancing with the fineness of the fiber. Class 2 wools are obtained at from 14 cents to 16 cents in duty. Of course, where a product like wool rests in the hands of a great number of producers, there is great competition to sell, so that regardless of the rate in the law you do not and can not have the price of your product advanced to the full extent of that rate. This would be as true under the proposed Democratic bill as it is true under the Payne-Aldrich law. It will always be true as long as the grower sells his wool for less than it is actually worth. In order to determine your actual protection I have taken fleeces of wool, divided them down the back, sent one half to Boston and the other half to London, and obtained the scoured price at each point. On a fleece of Oregon fine wool the London price was quoted as 42½ cents, the Boston price at 50 cents, a difference in favor of Boston of 16½ cents per scoured pound. This difference, however, may not all be due to the tariff, for the Boston price of this wool included the entire cost of getting the wool to Boston, and before a foreign wool could get to Boston in competition with ours similar charges would have to be added to it. The probable cost of buying and laying this class of wool down in Boston from London is 2½ cents per scoured pound. Therefore this must be added to the London price in order to have the Boston price of the same wool, which would make it 45 cents. Therefore your protection on a scoured pound of this wool as a result of the tariff is the difference between 45 cents and 59 cents, or 14 cents. However, the actual tariff that is paid to import a pound of this class of wool is 18½ cents, yet your price was only advanced 14 cents. You failed to obtain 22 per cent of the actual protection in the law.

I treated a fleece of extra fine Ohio wool in the same manner, sending half to London and half to Boston. The London price scoured was 50½ cents, the Boston price 70 cents. Adding 3 cents to the London price as the importing cost, this wool would then be worth 53½ cents in Boston in the absence of a tariff. Therefore your protection represents the difference between 53½ cents and 70 cents, or 16½ cents per scoured pound. The actual tariff paid to import a pound of this class of wool is 24½ cents. Again, we find that our wool failed to equal the foreign cost, plus the tariff, by 5 cents per scoured pound, which is equal to 23 per cent of the actual duty paid. A fleece of low-quarter blood, Idaho wool, sold in London at 30 cents, in Boston at 44½ cents. Adding 2 cents to the London prices, we find the tariff benefits us 12½ cents per scoured pound, or 64 cents per grease pound. An examination of prices here and abroad seems to show that on our wool ranging from three-eighths blood down to braid our protection has more nearly equaled the actual duty paid to import a similar wool than it has in the case of wools classed higher than three-eighths blood. This is undoubtedly due to the fact that our supply of fine medium and half-blood wools is about equal to the domestic demand. Our western braid and low quarter-blood wool sold this year on the basis of 42 to 45 cents, clean, at Boston. At that time similar wools were selling in London on a clean basis of 28 cents to 32 cents. This indicates that on this class of wool the tariff was benefiting us to the extent of 12 cents to 14 cents per scoured pound, which, on the grease basis, meant 5 to 7 cents per pound.

IMPORTANCE OF THE SHEEP INDUSTRY.

Germany once had 30,000,000 sheep, and at that time placed wool upon the free list. Consequently, woolgrowing has declined until to-day the German flocks number scarcely 7,000,000 sheep. The German Government now recognizes its error in destroying wool production, for it has resulted in giving Germany the highest-priced meat of any nation in the world, and, more important still, it has placed the German people in absolute dependence upon the colonies of Great Britain for their supply of wool. However, Germany is now trying to make amends for its shortsightedness and at an enormous expense, is endeavoring to establish woolgrowing on her own soil in German East Africa.

Our sheep industry is one of the most important pursuits of the Nation, measured from any angle. Our sheep at the last census were worth $231,000,000. The land and equipment needed to maintain these flocks represent an investment of $350,000,000. Thus our sheep industry represents a total investment of $581,000,000, or more than is invested in all forms of wool manufacturing. The last census shows sheep on 610,000 farms. These farms are situated in every county in the land. Our woolgrowers annually pay to labor to care for their flocks $47,580,000, and this labor is decidedly better paid than any similar labor anywhere on earth. They pay to the farmers of this country for forage each year $23,400,000, and this item is yearly increasing. The taxes on our sheep alone are $2,600,000 per annum. The freight on our wool is annually $4,000,000. The actual cost of maintaining the 52,000,000 sheep in this country amounts to $137,000,000 per year. Surely such an enormous sum as this can not be disturbed without disturbing the general welfare of the Nation. Our immense supply of sheep has furnished the markets with 800,000,000 pounds of mutton per year, a supply so great that mutton is the cheapest of all American meats, and in the absence of this enormous supply other meat would advance to prohibitive prices. The sheep have settled and developed nearly all of the Western States and are to-day using lands which are practically worthless for other purposes. They have been our great soil fertilizers, and have contributed immensely to our annual supply of grain crops. In addition, they are to-day the most effective fire fighters in the Nation and preserve range and forest from this destructive force. These facts place our sheep industry among the most important industries in the land and entities it to protection if any industry is to receive it.

WHAT THE FARMER ASKS.

All the protection our woolgrowers ask is the difference in cost of production between this country and Australia, the nation that makes the world's wool prices; but he asks that this difference be given in such form that he can get it. In other words, he asks a competitive tariff. The Tariff Board has determined that this difference in cost is 9½ cents per pound of grease wool, and no one has as yet successfully disputed the findings of that board. This difference is largely made up of labor cost, a cost which all political parties presume to protect. The labor cost here per sheep is 82 cents, against 7 cents in Australia. The average forage cost here is 45 cents, against 8 cents in Australia. The average western interest charge is 9 per cent, against 5 per cent in Australia. However, after all the differences in costs have been taken into consideration, except cost of transportation and interest charges, there remains a charge of 9½ cents more against a pound of our wool than against Australian wool. If the purpose, therefore, be to place our woolgrower on the same footing as the Australian, this 9½ cents must represent our tariff, but in order for our grower to obtain it it must be levied on the scoured basis.

Would it pay the Nation to reduce its supply of sheep? Not, we think, if it considers the future. A tax upon wool is the most equitable of all taxes. If it benefits the producer, that benefit is spread broadcast into every county in the land. If it increases the cost of clothing, that increase is borne by all the people, but more particularly by the rich. A reduction in our supply of wool means an advance in the price of the world's wool; not, however, until our grower has hopelessly given up the business. Do not forget that the world's greatest crop of clothing wool was back in 1895. More important to the Nation at large than the increase in the price of wool will be the advance in the price of all meat foods. Any important reduction in our wool tariff means a reduction of 50 per cent in our supply of sheep. This means an annual loss of 400,000,000 pounds of dressed lamb and mutton, and this loss must be reflected by a decided advance in the price of other meats. If our sheep stock ever becomes depleted, it can not be rebuilt in a generation, for there will be no sheep from which additional stock may be obtained. Do not lose sight of this fact.

CONSUMER NOT AFFECTED BY TARIFF ON WOOL.

Is the tariff on wool a burden to the multitude of the people? This must be answered in the negative, for it is probable that a tariff upon wool is the least burdensome of all tariffs. For illustration, take the khaki-colored suit worn by the officers of our Army. These suits are of medium weight and made, under Government supervision, of the best half-blood wool. No cotton, shoddy, or wool waste enter them. Three and one-fourth pounds of scoured wool is all that is required to make the 3¾ yards of cloth needed for the average man's suit. The grower receives for this wool about 53 cents per pound, or for all the wool in the suit about $1.72. The tariff upon wool has advanced the cost of wool in this suit about 48 cents. However, if you purchase the suit from your tailor, it costs from $30 to $40. The storekeeper retails it from $25 to $30, yet the woolgrower, with all his tariff, gets but $1.72 out of it. Would your storekeeper or tailor have sold this suit to you for 48 cents less if the wool had been on the free list? Such has not been his custom in the past. The man who made this cloth was not responsible for the high price at which the suit sold. The manufacturer sells such cloth at around $1.30 per yard. Three and one-half yards to the suit brings him $4.55 for all the cloth in the suit. Out of this he paid $1.72 to the woolgrower for the wool and about 35 cents more to the railroad and commission firms that handling the wool. This left him $2.48 on the suit, out of which must come the entire cost of converting the wool into finished cloth. Thus we find that the woolgrower and manufacturer combined get $4.55 out of a suit that sells at $25 to $40. The balance went to the tailor and middlemen. Let the American people, then, clearly understand that any important reduction in the duties upon wool, while injuring the woolgrower, will bring no reduction in the price of clothing.

INSTABILITY OF WOOLGROWING.

Those who oppose the tariff on wool find satisfaction in the assertion that wool has been protected for many years and we still fail to produce an adequate supply for our domestic needs. The fact is we are producing over 70 per cent of the clothing wool consumed in this country, and not a wool-consuming nation in the world produces 40 per cent as much as we produce, and in some kinds of wool we are producing more than can be consumed in this country. The reasons we do not produce more are because wool has been continually attacked by one of our great political parties, which attacks have made the success of the industry so uncertain that thousands of men have given up woolgrowing permanently. No fair man can examine our wool tariffs from 1816 to the present time without understanding that under them our woolgrower could have but a part of the protection the law presumed to give him, the only exception to this being the tariff from 1867 to 1883, and under it woolgrowing prospered immensely. Another cause is the fact that the wool manufacturer in late years has absorbed about 50 per cent of the tariff intended for the woolgrower.

SPECIFIC RATHER THAN AD VALOREM DUTIES.

If, then, it be granted that the woolgrower is entitled to protection, in what form should he have it? Our experience with the tariff upon the grease pound has not been satisfactory. Such a tariff makes the compensatory duty impossible of ascertainment and discriminates against the importer of heavy wool. It leads the country to believe that the woolgrower's protection is about double what it actually is, and therefore makes him the continual subject of political forces which seriously disturb his business. Therefore, such a tariff is unscientific.

It has been suggested that the tariff should be ad valorem. Such a tariff leads to undervaluation of imports, deprives the grower of his protection and the Government of its revenue, and tends to drive the honest importer out of business. Such a tariff gives the greatest protection when the least is needed, and the least protection when most is needed. It encourages the importation of inferior wools, thereby reducing the standard of American garments. Ad valorem has been abandoned by most other progressive countries and should not be taken up by this one. It is neither a protective tariff nor a revenue producer. Under it all is uncertainty.

We have left, then, but one form of duty, and that is a specific duty on the scoured content of imported wool. Such a duty is fair to all woolgrowers. It gives one manufacturer his wool at the same duty as another. It encourages the importation of the best grade of wool. It determines accurately what the compensatory duty should be on imported cloth, and it is this compensatory duty that needs revising most at this time. It assures the Government of a stable revenue, and the woolgrower and wool manufacturer of honest and fair protection. Such a duty imposes no administrative difficulties, reduces the liability of fraud, and places the revenues of the Government upon the same sound business basis upon which rests the business of the wool manufacturer. It is therefore the only sound and equitable basis for wool duties and should have been enacted into law in 1909.

FREE WOOL—WHY NOT FREE CLOTH AND FREE CLOTHES?

To the manufacturer who seeks free wool let us say that there should be no free wool in this country unless it carries with it free cloth. One industry is just as important as the other. If the American woolgrower, representing 610,000 individuals, must go abroad to find a market for his wool, he will demand the privilege of going abroad to buy his clothing. The great prosperity of wool manufacturing in this country has been due not to the protection that the law gave to manufacturers of wool, for the Wilson bill gave almost as much as the present law, but to the additional protection that these manufacturers have been able to take from the woolgrower, largely in the form of a compensatory duty. However, let us hope that the manufacturing industry is fair enough and broad enough to see the justice and necessity of a tariff upon wool, even after that tariff has been placed upon a basis that does not afford them concealed protection. The woolgrower feels that the manufacturer is entitled to protection, and hopes that it will be given to him. The report of the Tariff Board shows the degree of protection needed, and that should be the guide of the grower so far as the manufacturer is concerned.

President Elect Wilson has said that no legitimate industry in the United States need fear the forthcoming tariff revision. Surely, in the judgment of the President, the sheep industry must fall within this class. And if this promise is to be carried out then we shall hope to see the Democratic majority pass at the special session of Congress a bill similar to the Payne bill, carrying a duty of 11 cents per pound on scoured content of imported wool. The present duty on scoured wool is 33 cents, and therefore if a duty of 18 cents was granted on scoured wool it would be a reduction of 45 per cent in the wool duty. The consumer is interested in this particular duty of 33 cents on scoured wool, because this is what he pays in the form of a compensatory duty on the cloth. This compensatory duty under the present law is 33 cents on a pound of scoured wool. Therefore, if the wool duty was reduced from 33 cents per pound to 18 cents per pound, the compensatory duty could likewise be reduced to 18 cents per pound of scoured wool. The woolgrower should not be asked to stand any greater reduction than this, and if it is the purpose of the new administration not to disturb business the only way this purpose can be carried out is by granting the woolgrower a tariff on the scoured content of imported wool of approximately 18 cents per pound. The new Congress should remember that the woolgrower has passed on to labor its full share of the tariff and that among the growers there exists no trusts or combinations for the control of prices. The growing of wool rests in the hands of an enormous number of farmers, with keen competition existing between them individually, and also with foreign countries. This is an ideal condition from the viewpoint of the party now charged with revising the tariff.

The Tariff.

EXTENSION OF REMARKS
OF

HON. WILLIAM A. CULLOP,
OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. CULLOP. Mr. Speaker, the passage of this tariff measure marks the dawning of a new era in the tariff legislation of this country. It is drawn on the basis of revenue and not, as tariff bills have been heretofore drawn by the Republicans, as protective measures. That party has tolerated the beneficiaries to dictate their tariff legislation. This bill has been drawn in the interests of that larger class, the ultimate consumers of this country. This clearly defines the difference between Republican and Democratic ideas of tariff bills. The Democrats recognize in their legislation the welfare of the people who pay the tariff as well as those who receive it—the Republicans, the beneficiaries alone. During the course of this debate the Republicans on this floor have bitterly opposed the measure and have attacked it from every conceivable standpoint, and have prophesied all imaginable kinds of disaster as the result of its enactment. But we can not disobey the plain mandate of the people and be guided by the mandate of men whose views have been repudiated by the public, as theirs have been. It is amusing to hear the calamity predictions, the awful disasters, and the universal stagnation we are told will follow the adoption of this measure.

Now, I have come to the conclusion, forced upon me by their insatiable desire to have the Democratic Party defeated, that

if they believed one half they say about it they would do all in their power to hasten its passage, in order to secure early control of the Government. Instead of contesting every schedule, as they have been doing, and delaying its early passage they would, on the contrary, facilitate it. The trouble with them, in my judgment, is they fear it will prove popular legislation and give their pet policy of protection its Waterloo. They fear and know that the adoption of this measure will furnish convincing proof to the people of this country that prosperity is not made by taxing the people, by multiplying their burdens, but that it can be secured the better by relieving them of taxation and permitting them to enjoy the profits of their labors and the rewards of their frugality.

We are taught by Holy Writ that "a house divided against itself can not stand." This doctrine of such authority may be applied with much force against the Republican Party in reference to this measure. The gentleman from Pennsylvania [Mr. MOORE] and the gentleman from Wyoming [Mr. MONDELL] tell us this is a free-trade measure, and denounce all who support it as free traders, that it will close factories, destroy business, and injure labor; but another gentleman from Pennsylvania [Mr. HULING], a Republican, has just told the House that it is a revision of the tariff upward, and for that reason he can not support it; and the gentleman from Washington [Mr. BRYAN], a Progressive, tells the House it is not a free-trade measure, that nobody in this House is for free trade, as everyone knows, and that he will vote for the measure, as it is an improvement over existing law. "Verily, verily, a house divided against itself can not stand." The Republican Party passed the Payne law, and then, because of its arbitrary exercise of power in steam rolling it over the tariff reformers in that party, division was made and the breach has been growing wider from that day to this, until now that once strong and militant party is hopelessly divided into factions warring against each other, without hope of being reunited.

The gentleman from Michigan [Mr. FORDNEY] and other radical protectionists on this floor have declared the passage of this measure will close up the manufacturing business in this country and give our markets to foreign producers and have been, as they say, opposing every paragraph in it for that reason. Mr. Chairman, no one believes its passage will be attended by any such radical and disastrous consequences, and we do not think they believe it. If they did so believe they would not delay its enactment as they have been doing, but, on the contrary, would hasten its passage, because, if attended by any such disastrous results as they prophesy, it would be the means of turning the Democratic Party out of power. This, above all things, they desire, and they would make herculean efforts to bring about such a result. Nothing would please them more. But, Mr. Chairman, the gentlemen who have been predicting such results for this measure, inveighing so strongly and earnestly against it, using all the parliamentary tactics known to parliamentary bodies, fear its passage will be the dawn of a better, a more prosperous, era in this country, will expose the fallacy of the protective theory, and destroy the protective doctrine, which it will do as soon as in full and complete operation. It will sound the death knell of special privilege and show to the world that prosperity can flourish with equal opportunities to all and without special privileges to any. For this reason they are contesting every proposition and delaying its progress to final passage. This is their purpose, and this inspires their efforts. This measure places the Holy Bible and religious books on the free list, but in their desperate efforts to save protection our Republican friends have opposed this provision and attempted to have them restored to the dutiable list. So much wedded are they to the protective principle that they are unwilling to have religion free. We are not surprised, for doubtless some of the great trust magnates and tariff barons care to hear but little about future punishment as taught in these great works and prefer that the people should hear less about them. They shudder when they think of the judgment day, when they shall have to answer for the wrongs perpetrated in the name of protection on the starved laborers, hungry children, and poorly clad women who have suffered at their hands and because of their special privilege.

Mr. Speaker, this measure contains the income-tax law, one of the most beneficent enactments ever spread on the statute books of this country. Heretofore this country has been practically supported by taxing consumption and letting the wealth escape taxation. The poor have paid more tax than the rich, but here is a change in our taxation system. A new policy is adopted—one that will require the rich to bear a fair proportion of governmental burdens. It is the dawn of a new era in our Government, and one that will shift the burden of supporting the Government from the backs of the poor, in part, to those of the rich. It has been opposed by those who desire the retention of the protective system. They well know what it means. It is the beginning of the end of protection in this country. It is opposed also by others unwilling to pay their fair share of the burdens of government. They want its protection to property, life, and limb, but do not want to pay—for this requires them to do so. Every "tax dodger" in the country opposes it also, on account of its drastic provisions for listing incomes and collecting the tax on them. I do not say every person opposing it is a "tax dodger," but I do say every "tax dodger" is opposed to it, and well he should be. But every patriot will hail its enactment with delight and indorse it as one of the fairest and best measures ever enacted. It does justice to all and injury to none. It embraces a cardinal policy in the tenets of our Democratic faith and keeps the pledges which we made to the people.

Mr. Speaker, the radical protectionists, during this debate, have declared that, if this measure is enacted into law, the great manufacturers will retaliate by causing a panic. Let me say to them that this is a dangerous threat and forebodes injury to them. Presiding over the destinies of this great country to-day is Woodrow Wilson, a fearless Executive, a wise man, one who believes in fairness and justice. Special privilege has no manacles on his limbs and predatory wealth has no claim on his administration. He loves his fellow man and fears his God. He will do his plain duty to all his countrymen and strive to have the door of opportunity equally open to all. If these great aggregations of wealth, in a spirit of retaliation, attempt to punish, harass, or unnecessarily burden the people, he can and will set in motion the law now in force through the Department of Commerce for the purpose of investigating all such conduct and make public to the world whether cause existed for such action, and hold them up to the derision and scorn of their countrymen, and they will receive the punishment such conduct merits.

The day is past in this great Republic—and it is high time it was—when a few men engaged in any calling can dictate the policies of 95,000,000 people, demand legislation granting them special privileges by which they can exploit the public, and mercilessly plunder the helpless consumer. Our legislation of the last two years has not been in vain, and will constitute an impenetrable barrier between the innocent public and these buccaneers of public patronage. Let them beware of any such an attempt lest an avenging Nemesis visits them with the punishment they deserve.

The Tariff.

EXTENSION OF REMARKS
OF
HON. JAMES W. BRYAN,
OF WASHINGTON,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. BRYAN. Mr. Speaker, I desire to print in the RECORD as an extension of my tariff utterances the following excerpt from the Post-Intelligencer, a leading standpat newspaper, published in my home city, Seattle, Wash.:

BRYAN RIDICULED.

Representative BRYAN, Progressive, of Seattle, also talked a good deal, but most of his remarks were so extreme as merely to keep the House, which is always looking for fun in these long, tiresome tariff sessions, in a hilarious mood.

I am intending to communicate to the voters of my district practically all that I said during my brief participation in the tariff debates, and it occurs to me that this newspaper article, although entirely false, may nevertheless be used for a good purpose. In order to use it for that purpose the law requires me to get it into the RECORD. I intend to print it on the outside of the Government envelope which will convey my remarks on the tariff to my constituents. When so published I believe the article will help stimulate the readers to wade through my utterances, which the newspaper says are so voluminous. The reader can have a threefold purpose to read:

(1) Are they funny? If so, I will enjoy the fun.

(2) If BRYAN was justly ridiculed, we want to know it.

(3) If not, why did the Post-Intelligencer attempt to mislead the public about him; why did the newspaper dislike his remarks?

I shall propound this query to everyone who reads the outside of the envelope containing my speeches: "Was BRYAN ridiculed or is 'Seattlepostintelligencer' a short, ugly word?"

Trade Agreements (Cartels) in Germany.

EXTENSION OF REMARKS
OF
HON. HERMAN A. METZ,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. METZ. Mr. Speaker, cartels are associations formed voluntarily by individuals or corporations for the purpose of preventing competition and controlling trade conditions through mutual action. They exist in very many different forms, growing out of the degree in which the various branches of industry adapt themselves to their formation.

These organizations are known by various names, such as associations, cartels, syndicates, combinations, rings, and so forth. The nomenclature is often chosen more or less arbitrarily.

Three different forms of trade agreements may be distinguished, based on the strength of the organizations:

1. Those controlling conditions.
2. Those controlling prices.
3. Those controlling sales. (Syndicates.)

THE CARTEL CONTROLLING CONDITIONS.

1. The cartel controlling conditions is the loosest form, and is found principally in the textile industry. It is limited to the enforcement of certain regulations as to terms of payment, sales, or samples. It has been developed almost entirely in Germany and Austria (Comp. Tschierschky, "Cartel and Trust," Leipsig, 1911), and is found principally in those industries where it is impossible to fix prices on account of the difference in the fabrics of the various manufacturers. Its main purpose is to eliminate certain drawbacks in credits. Such trade agreements as this have been founded in the German and Austrian silk industries, the umbrella-cloth industry, the worsted industry, and in several branches of the cotton and woolen goods industry.

THE CARTEL CONTROLLING PRICES.

2. The cartel controlling prices is the most ordinary form. Its purpose is to establish uniform price lists and terms of sale and credit. Such trade agreements as this differ widely in detail, according to the degree of independence enjoyed by the individual components of the combination.

THE CARTEL CONTROLLING SALES.

3. The cartel controlling sales is the most highly developed form. It is seen in the syndicates, or those associations which have established sales agencies. The other two forms of cartel enter merely into certain agreements and maintain their individuality in other respects, but the syndicates or trusts become new bodies. They are established mostly as sales or distributing agencies and often as limited stock companies. (Juristische Personen.)

SYNDICATES OR TRUSTS.

The following description relates only to the syndicates or trusts, as their influence upon economic conditions is more widely felt than that of either of the other forms, and, furthermore, they are the only ones whose business methods can be judged to any extent by the public.

During the period from 1902 to 1905 an investigation of the trusts was instituted by the Imperial Government, and the results of it form the basis of the Government's present attitude toward such combinations. This investigation could not go so far as to include all existing forms of trade agreements, and especially the "loose" conventions of the textile industry and of commerce. The Government's report mentions 366 industrial trade agreements, 200 of which are denominated as syndicates with sales departments. In addition to these, there are about 115 brick cartels. The following list shows the proportion of sales agencies in the combinations named:

Coal industry, 9 out of 13.
Iron industry, 20 out of 53.
Metal industry, 7 out of 16.
Chemical industry, 17 out of 46.
Wood industry, 2 out of 5.
Paper industry, 2 out of 6.
Glass industry, 4 out of 10.
Cement industry, 5 out of 7.
Lime and gypsum, 10 out of 19.
Porcelain and pottery, 2 out of 4.
Foodstuffs, 4 out of 17.
Others (asbestus, linseed oil, etc.), 3 out of 9.
Textiles, leather, and rubber, none out of 35.

The cartels of the highest importance to the economic conditions of Germany are those of the "great industries." The largest of these are the Rhenish-Westphalian Coal Syndicate, the German Steel Corporation, the Potash Syndicate.

THE RHENISH-WESTPHALIAN COAL SYNDICATE.

In 1878 several "Foerderkonventionen" (production cartels) were formed among the Rhenish-Westphalian owners and, since 1887, price agreements established. The following five sales agencies were organized as stock corporations: The Westphalian Coke Syndicate and the Dortmund, Bochum, Essen, and Steele-Muelheim Coal Sales Cos. At the beginning of 1893 the last four united under the name of the Rhenish-Westphalian Coal Syndicate (Inc.), with headquarters at first at Bochum and later at Essen. In 1903 it absorbed the Westphalian Coke Syndicate, of Bochum, and the Briquette Sales Co., of Dortmund.

The syndicate was constituted thus:

	1893	1900	1905	1910
Number of members	68	88	87	70
Participation factor (in million tons):				
Coal	35.5	54.5	75.7	78
Coke			11.3	14.5
Briquet			2.5	3.7

The coal production of the syndicate amounts to over 50 per cent of the entire German output and 95 per cent of the amount produced in the Ruhr district. The actual production and consumption vary in comparison with the "participation" according to market conditions. In April, 1910, the restriction of the output as compared with the participation amounted to 15 per cent for coal, 27½ per cent for coke, and 17½ per cent for briquets. The factor of participation is determined by a commission composed of eight members, who are elected annually at the first meeting of mine owners.

THE GOVERNING POWER.

The meeting of mine owners, which is called by the directorate, is the governing "power" of this syndicate. Each mine has one vote for every 1,000-ton participation factor. It is the duty of the mine owners, according to paragraph 1 of the agreement, to sell their entire output of coal, coke, and briquets to the syndicate, which assumes the sale in proportion to the participation factor. But the following amounts are exempt from sale to the syndicate:

(a) Consumption at the mines themselves and at the smelting establishments that controlled the mines at the time of closing the agreement.
(b) The coal, coke, and briquets necessary to run the plants operated by mine owners, such as gas works, coke works, brickyards, etc.
(c) The amount of coal taken out charged against the land value.
(d) Coal, coke, and briquets consumed in the households of officials and workmen employed at the mines and given away for charitable purposes.
(e) Gas coke produced in the gas works of mine owners.

Aside from this body is the advisory council. Every mine owner or combination of owners has the right to appoint to this council one member and one alternate for every 1,000,000-ton participation. It is the highest court, as it were, in the decision of participation factors, and, above all, it must determine the "limit prices"—that is, the general standard of prices to which the directorate of the syndicate must adhere as rigidly as possible.

PRICES AND PROFITS.

With these "limits" as a basis, they figure the "accounting prices" of each quality and kind for each mine. This price represents what the syndicate pays each mine for its output. It is usually fixed twice a year—for the summer and the winter. The difference between this price and the selling price obtained in territory where there is no competition goes to the owner delivering the coal. The profits made in competitive territory, however, remain with the syndicate. The selling prices of the syndicate for noncompetitive territory remain the same throughout the year, and contracts with regular customers are also made for one year, dating from April 1 to March 31.

The prices for competitive territory are fixed from time to time according to market conditions. The "accounting prices" are generally so set that they represent the average selling price. The syndicate has never made a net profit, and it covers its running expenses by levying an assessment.

THE OUTPUT AND THE DEMAND.

The relation between the output and the demand is established as follows: The convention of mine owners, after hearing the report of the directorate on the state of the market, determines what percentage of the output must be fixed as the full capacity. This curtailment is apportioned equally to each member. In like manner this process is reversed when conditions indicate that the output should exceed the total participation.

Each mine owner is responsible to the coal syndicate for the quality and prompt delivery of the coal sold to it. Various penalties are provided for violation of the rules.

For the disposal of the output the syndicate is divided into five departments, each covering a separate territory. All orders are received at these stations, assorted according to the grade, price, and time of delivery, and sent to one of the four forwarding agents who control the shipment of the various grades of coal. These agents in turn distribute the orders to the several mines for shipment.

COAL DEALERS' ASSOCIATIONS.

In 1890, when a number of abuses occurred in the coal trade, the increases in price by the syndicate were interfered with by the dealers. Therefore an endeavor was made by the syndicate to organize the dealers. As a result, coal dealers' associations were formed in Germany and the Netherlands, for the most part in connection with existing associations of wholesale dealers. These associations are monopolies to a greater or less extent, according to the conditions of competition, and their standing with the syndicate is dependent upon whether or not they are required to purchase coal exclusively from it. The most important of them is the Rhenish Coal Trade & Shipping Co. (Ltd.), in Muelheim am Ruhr. It was founded in 1903 by the syndicate and the four large shipping firms of Mathias Stinnes, Haniel, Hugo Stinnes, and Kannengiesser for the purpose of shipping and dealing in coal on the Rhine. Soon afterwards 40 wholesale dealers joined this combination. The various coal dealers' associations do not sell directly to all retail dealers. The latter are organized in many different ways, a number of them in competitive territory having been founded independently of the syndicate.

THE MINES AND THE WORKS.

Since the end of the nineties the coal syndicate has been differentiating more and more between straight collieries and coal mines with smelting and steel works allied with them. The fact that the latter were independent of the syndicate for their coal supplies led other manufacturers to form similar alliances. They became no longer interested in the syndicate, and it was only with difficulty that the agreement with them was renewed in 1903. This was done through making great concessions to them in regard to participation factors, exempting their own coal requirements from sale to the syndicate, and binding them only to sell it their surplus. However, in 1909 an agreement was made limiting the amount of coal set aside for smelting or refining purposes.

The limit was placed so high (on the basis of the 1907 sales) that this arrangement will hardly be productive of great practical results. The combinations between the mines and the steel and iron works have by no means ceased to exist, and it is very doubtful if the coal syndicate, which terminates in 1915, will be renewed in its present form. In 1910 a commission met to consider a renewal of the agreement.

THE GERMAN STEEL-WORKS SYNDICATE.

Since the end of the eighties syndicates representing the pig-iron, rail, structural-steel, pipe, and wire industries have been developed from a number of loose trade agreements in the iron industry, some of which dated back as far as 1870. In 1904 the billets and the structural-steel syndicates, the German Tie Community, and the German Community united to form the German Steel-Works Syndicate. The general scheme of organization is about the same as that of the coal syndicate. It is incorporated, and has its headquarters at Dusseldorf. It is a sort of general sales company for the various products which are divided into these two groups:

(a) Billets (raw steel; blooms, bar iron), railway-construction material (sleepers, rails, etc.), structural steel (girders, angles, channels, etc.). For each of these three grades there is a special sales department, with a domestic and an export division.

(b) This group includes all other products of the rolling mill—bar iron, rolled wire, sheet iron, pipe, and so forth.

While the products under group (a) are bought by the syndicate from its members and sold in its own name, those under group (b) are limited to a fixed quota of output.

THE POTASH SYNDICATE.

This syndicate was formed in 1876 by factories using potash as a raw material for the manufacture of other products. In 1879 a syndicate was formed of the four existing potash mines. It remained in operation, barring a brief interruption in 1883, until 1909. The new potash mines all joined the syndicate, membership increasing between 1879 and 1909 from 4 to 52. In 1900 negotiations for renewing the agreement were interrupted by the Solistedt, Aschersleben, and Einigkeit mines, which were owned by the American southern trust (Virginia and Carolina).

For a short time all mines engaged in a vigorous competition which lasted until the contending forces united against the three outsiders. Several German States were mine owners, and interested, therefore, in the restoration of the potash industry. In 1910 the potash law went into effect. It provided for a forced apportionment of the output, but left the creation of a sales organization in the hands of the industry. A new syndicate, founded on this law, was formed comprising all the mines. The more essential provisions of the law are as follows:

THE DISTRIBUTION TO MINES.

The total output of potash salts for each calendar year, with the distribution to the several mines, is fixed by a distributing commission composed of seven members. The chairman and two members of this board are chosen by the imperial chancellor, and the other four members by the mine owners. During the first two years after the law went into effect the apportionment for the mines of the coal output remained the same as before. The participation factors were then recalculated, based on the composition of the potash deposits and the efficiency of the plants. Potash mines, put into operation after the enactment of the law, are given permanent participation factors only at the end of two years and not until the conditions of production can be definitely determined. These factors, however, are cut 50 per cent in the third year, 20 per cent in the fourth year, and 10 per cent in the fifth year. Government mines are exempt from these conditions. The transfer and exchange of such factors between members is permissible. Maximum prices for all the potash products are fixed every five years by the Bundesrath, after hearing the representatives of the potash mine owners and the consumers. Higher prices are subject to confirmation by the Reichstag.

THE INTEREST OF THE WORKMEN.

Several other conditions imposed by the law are important, namely, those drawn in the interest of the workmen. Before this law became operative a number of mine owners had announced their intention to cut wages. Paragraph 13 of the law provides that if the pay of the workmen employed at the mines is reduced below the average wage in effect during the years 1907–1909, there must be a proportionate cut, or a minimum of 10 per cent, in the participation figures of the mine. The provision, according to paragraph 16, does not affect those owners who have made definite wage and labor agreements with the workmen, if these agreements were approved by a majority of the workmen in a secret ballot. In such cases the right of workmen to form unions must not be interfered with or prevented.

TRUSTS.

Although a tendency exists in Germany to bring about the fusion of a number of enterprises in certain industries, yet the merging of a whole industry is very rare. The prevailing type of monopoly is, almost without exception, the trade agreement (cartel).

THE GOVERNMENT AND THE TRADE AGREEMENT.

The founding of large syndicates was the cause of considerable opposition. The fear that danger existed in their further development was manifested in a demand for regulating them. There are, however, no special laws in Germany governing such organizations, and therefore they are subject only to the general civic and trade laws.

There have been repeated but unsuccessful endeavors in the German Reichstag to create a syndicate commission which should supervise all cartels. The Government, on its own initiative, investigated the matter and found that many complaints of consumers in regard to price regulation by the syndicates had been exaggerated or were unfounded. It further decided that the business methods of the various syndicates did not warrant any interference on its part.

THE GENERAL VIEW.

The people, too, are gradually adopting the opinion that these trade agreements are founded on a sound basis, and that an adjustment of the production to the demand is necessary. This point of view had been impressed frequently upon the legislative bodies by representatives of the Government when the question arose.

The fear that the syndicates of the German coal and iron industries might develop along lines similar to those of the American trusts does not seem well founded, as the Government, through its own railways, could counteract easily any pernicious expansion.

Generally speaking, the German Government has been encouraging the formation of trade agreements. For instance, the potash law was the means of the creation of a syndicate. In like manner, the liquor duty is responsible for the formation of a distillers' syndicate. The Prussian Government, furthermore, as a coal-mine owner, stands in close relationship with the coal syndicate, since its total output is sold to the syndicate.

The Tariff.

EXTENSION OF REMARKS
OF
HON. JOHN M. MORIN,
OF PENNSYLVANIA,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. MORIN. Mr. Speaker, having been elected to this, the Sixty-third Congress, as a Representative at Large from the State of Pennsylvania, and representing, as I do, in the neighborhood of 8,000,000 people in that great Commonwealth, who by a majority of 325,112 voted against the Democratic theory of tariff revision, I feel I would be derelict in my duty to my constituents if I did not at this time go on record in accordance with the wishes expressed by the voters of my State at the last presidential election. However, fully realizing that the remarks I am about to make with the limited time at my disposal will probably have little effect upon the majority side of the House, yet before this great blow is dealt the country through the changes provided for in the tariff bill now under consideration I must raise my voice in protest.

I have received, and am still receiving, scores of communications from my State, and also from citizens throughout the United States, urging me to oppose the passage of the tariff bill in its present form.

It is no light matter to the business interests of the great State of Pennsylvania to have the protection their business and their employees have had suddenly taken away and the doors thrown open to competition with the cheap foreign labor of the world.

Of the millions and millions of dollars invested in business enterprises in Pennsylvania, in the Pittsburgh district in which I reside there is alone invested in mills, mines, factories, and other industrial plants the enormous sum of $642,527,046. This proposed change in the tariff schedules will flood the United States with the products of cheap foreign labor and so handicap our industries and their employees that I am firmly convinced it will cause a life-and-death struggle for existence.

In order that you may fully realize the effect that the proposed tariff changes will have upon the manufacturing and other industries of Pennsylvania, and especially on those in the Pittsburgh district, which is known as the workshop of the world, I will furnish a few figures to demonstrate the immensity of this hive of industry you are about to bring to the verge of ruin:

Number of plants, 2,369; capital invested, $642,527,046; salaried employees, 20,692; wage earners, 139,285; total paid out in salaries, $24,934,082; total paid out in wages, $90,115,842; a grand total paid out annually in salaries and wages of $115,049,924.

The value of the products manufactured in 1909 was $578,815,493, according to the United States census report.

Since these figures were compiled the country has been enjoying unprecedented prosperity under the Republican system of a protective tariff, and the figures for 1912 will prove to be even greater than for 1909.

While these figures are staggering to those not familiar with Pittsburgh as a manufacturing center, it must be remembered that the figures here presented relate only to manufactories. Pay rolls, value of product, and so forth, relating to wholesalers, jobbers, public-service corporations, railroads, and all other business activities other than manufacturers are not included.

Pittsburgh's tonnage, which has quadrupled in the past 13 years and which has doubled in the past 6 years, is more than double the combined tonnage of the greatest maritime ports of the world's four great maritime nations, these ports being New York, London, Hamburg, and Marseille, which have a combined tonnage of 83,377,338 against Pittsburgh's 167,733,268 tons. Pittsburgh's tonnage for 1910, compared with the tonnage of the world's great ports for the same year, the figures being the latest obtainable, is as follows:

Port of Liverpool, 14,341,088; port of Marseille, 15,172,000; port of London, 19,665,134; port of Hamburg, 22,955,533; port of New York, 25,584,721. The Suez Canal is 23,633,283. I might also state here that the total tonnage of the Great Lakes—more than half of which is contributed by Pittsburgh—is 159,727,372.

The industrial and business supremacy of the metropolitan district of Pittsburgh is better understood when it is stated that this district covers a radius of approximately 10 miles, within which there are 63 distinct communities having their own municipal governments outside the city of Pittsburgh. Many other self-governed communities which are important in population and manufacturing fringe this 10-mile radius and are part and parcel of the Pittsburgh metropolitan district, but are outside this 10-mile radius.

As a national distributing center Pittsburgh is second to none, and to thousands outside of Pittsburgh the fact is not appreciated that from Pittsburgh one can reach more important cities and consumers in a one-night ride than can be reached from any other center in the United States.

More than 42,000,000 people—nearly one-half the Nation—live within a 450-mile radius of Pittsburgh. No other community in the United States presents such distributing facilities. When Pittsburghers ship to New York and Chicago, they cover no more ground than New York shippers do in shipping to Chicago, and vice versa.

Pittsburgh, according to the 1910 census, supplies 42,597,198 people residing in a 450-mile radius; New York in the same radius can only reach 31,571,295; Detroit, 31,193,706; Chicago, 29,934,350; and Boston, 24,998,254.

Pittsburgh's supremacy as a manufacturing center is emphasized by comparing the value of manufactured products of the metropolitan district with that of entire States. The value of products manufactured in the Pittsburgh metropolitan district in 1909, according to the United States census, was $578,815,493. The value of products manufactured in the following States, according to the World's Almanac of 1912, were as follows:

Missouri, $439,548,957; Michigan, $429,120,060; Wisconsin, $411,139,681; Indiana, $393,954,405; Connecticut, $369,082,091; California, $367,218,494; Minnesota, $307,258,073; Maryland, $243,375,996; Rhode Island, $202,109,583; Kansas, $198,244,992; Louisiana, $186,379,592; Iowa, $160,572,313; Kentucky, $159,753,968; Alabama, $109,169,922, and so forth.

Although Pittsburgh is regarded by the uninitiated solely as a manufacturing center for iron and steel and allied products, an analysis of the manufacturing census for 1909 as published in the United States Census of 1910 shows that by subtracting from the sum total of manufactured products all relating to car and shop construction for railways, electrical manufacturing in all branches, glass, foundry products, blast furnaces, rolling mills, forgings, tubes, metal work, pipe and all branches of iron, steel, and tinplate manufacture, the diversified industries of the Pittsburgh metropolitan district still represents an annual product valued at $117,156,317.

These small diversified manufacturing products of this district compared with the entire production of States is as follows:

Alabama, $109,169,922; Colorado, $100,143,999; West Virginia, $99,040,676; South Carolina, $79,373,363; Montana, $66,415,452; Vermont, $63,083,611, and so forth.

In eastern Pennsylvania are located the great textile industries of the State, and in the same section are also found the great tobacco-producing districts, while the middle of the State, outside of the coal, coke, iron, and steel produced there and other natural resources with which this great State is blessed, is given over largely to the farming and fruit industries.

In this tariff bill you have either placed on the free list or cut down the duty to such an extent on all these products either manufactured or handled by Pittsburgh and Pennsylvania manufacturers and dealers that it will be exceedingly difficult, if not impossible, for the manufacturers and producers of this State to exist, let alone compete with manufacturers from abroad.

By revising the tariff in the manner you have, in my opinion you will lay the heavy hand of disaster upon a prosperous community which has nearly one-half of the people of the Nation at its door. With the many products now made in Pittsburgh unprotected under this tariff bill and allowed to come in free of duty from foreign manufacturing plants, many of the plants in Pennsylvania will have to shut down, the skilled and unskilled workmen, being without employment, will have to seek work elsewhere of whatever kind they are able to secure. They will have to enter other lines in order to make a living for their families and themselves. The result will be disorganization and disorder, and men who have devoted their lives to becoming skilled in positions which for years past under the Republican protective tariff system have been paying wages that allowed them and their families to live in better conditions and give their children the advantages of the higher educational facilities than wage earners doing similar work in foreign countries. The American workman, skilled and unskilled, will be reduced to the necessity of living on a lower scale, and in many instances their children will be compelled to seek employment to help support the family.

Without having the protection that these industries have had, which extended its protecting wing over the employees in these plants, the products of which will have to go on the open market in competition with the foreign-made products which can be put out at a cheaper value, because it costs less to manufacture them, and the American manufactnrer to meet these new conditions must of necessity cut wages in accordance with the prices received for their finished products, and thereby the wage earners are permanently injured.

In conclusion I would remind the framers and supporters of the Underwood tariff bill that their plans for revising the tariff strikes a death blow at a capital investment of $642,527,046, endangers the livelihood of 159,977 skilled workers in the Pittsburgh district alone and thousands of other employees whose occupations depend largely upon the prosperity of the big industrial and other plants in the district, more than $115,000,000 annually paid out in wages, and the production in the Pittsburgh district alone of more than $579,000,000 worth of finished commodities.

The dire effect on the shipping business whereby Pittsburgh supplies go to almost one-half of the American Nation by the adoption of this tariff bill should be sufficient to make the advocates of the Democratic tariff theory hesitate before they vote to put its provisions into effect.

As a representative of about 5,000,000 people of Pennsylvania I can not see these sweeping changes as proposed in the Underwood tariff bill become a law without recording my objections. I will vote against the adoption of this measure by this House.

EXTENSION OF REMARKS
OF

HON. JAMES R. MANN,
OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 15, 1913.

Mr. MANN. Mr. Speaker, under leave granted to extend my remarks in the RECORD, I insert herewith an article by Hon. Joseph G. Cannon, former Speaker of the House of Representatives, which appeared in the Saturday Evening Post May 3, 1913:

FOLLOWERS AFTER STRANGE GODS.

Crusades for political regeneration come periodically, like other epidemics. They are as different as are the measles, the whooping cough, and chicken pox. The crusaders are neither constant nor consistent. Each agitation is for a new idea, with new discoveries of shortcomings in the Government and new remedies.

I speak of these things with the utmost respect, because I have been a victim; and in my youth I sometimes despaired of the Republic and questioned the wisdom of the men who projected it. We had, back in the early fifties, the American or Know-Nothing movement, so called because none of those engaged in it professed to know anything about it. They were franker than many of their successors in the reform movements we have had since that time, for these gentlemen professed to know all about everything.

The Civil War absorbed the attention of the citizenship; but even then we had men and newspapers in the North who thought that Lincoln was "too slow and unprogressive" or "too rash and impulsive"; and so much did they think alike on the central idea of opposition to Lincoln that they easily compromised their differences on principles to unite in their prejudices in an effort to defeat the reelection of the Great Emancipator before the war was ended.

Then we had the Liberal movement in 1872, with opponents of nationalism and protection supporting Greeley, the arch-opponent of State rights and free trade, with the assurance that they were the only men in this country governed by principle rather than by prejudice. Next came the Greenbackers, reenforced by the fiat money advocates, who insisted that the Federal Government could coin paper as well as gold and silver and create wealth by the fiat of law. With them came the Prohibitionists, who believed that they could regulate man's appetite by statute, and the Labor Party, which demanded special legislation for a class with the watchword of no class legislation.

THE JONAHS OF POLITICS.

A few years later we had the Grange and the Farmers' Alliance, which went a step further than the Greenbackers and insisted that Government deposits should be guaranteed by nonperishable agricultural products, which must have meant fertilizer, as that is the only nonperishable product of agriculture and the one into which all other agricultural products sooner or later resolve themselves.

Then came the Populist Party—to reform everything; and a little later the Free Silver Party, which was to the Democratic Party as the whale was to Jonah until the Lord released him. Now, we have the Progressive Party, which seems to have almost played the whale to a Republican Jonah for the time being. These reform movements have all been earnest, and perhaps honest, though misguided, in demanding legislative reforms that could not be realized, and after each effort the people behind them found a place in one or another of the old parties.

The last impulsive movement of this kind is more ambitious and, in my judgment, more misguided than all the others, because it does not stop at legislative reform, but goes directly to fundamental principles and seeks to rewrite or destroy the primary law of the country as laid down in the Constitution. In all other efforts the people have been handicapped by tradition or sentiment, veneration or patriotism, or something that made them hesitate to lay violent hands on the Ark of the Covenant. But no tradition or veneration or sentiment has stayed the hands of the latest crusaders of reform, for they would unhesitatingly rewrite the Constitution or do away with it entirely as the fundamental law and convert this Government into a pure democracy, to be swayed like an old-time camp meeting by the fervor of the exhorter rather than by the logic of the ordained minister.

I have had some patience with all former reform campaigns, for in my younger days I had some of the same impulses; and, moreover, had any one of these campaigns succeeded the experiment could have been undone as quickly and as easily as it was done, when the experiment proved that it was not the panacea for all our political ills. I have little patience with these latter-day reformers who would upset all the developments of more than a century of government by law and return to the old rule of the mob, led by men endowed with superior ability—or, rather, plausibility. Had the Progressive movement of last year succeeded in carrying with it a majority of the people, and had it been lasting enough to have abrogated the Constitution, this country would have been committed to revolution as completely as was France to that which placed that country under the rule of an unrestrained majority and a reign of terror. It would have required years of sanity to undo that work of the wreckers and patiently build up again a foundation of fundamental law.

To a man who has passed half a century in public life in the most strenuous and progressive period of civilization, and who has for nearly 40 years had a part in the clash of opposing ideas, sentiment, and prejudice in the House of Representatives, which is the clearing house of American policies, there has never been a more dangerous movement in American politics or one more reactionary than this which has caught the eye of many people with the alluring label of the Progressive Party.

THE CHANGES OF A GENERATION.

I have, as a boy, watched the old weather vane on the barn box the compass in an hour on a gusty April day, and wished I could be as free in my movements and not controlled by the hand of necessity in driving a straight furrow to the end of the field. But after some years of experience I have no desire to see a Government of 91,000,000 people modeled after the weather vane, and swing to all points of the compass in response to the zephyrs of impulse and the gusts of sentiment or the whirlwind of passion; to lynch a man in an hour and build a monument to him in the next hour as a hero and a martyr to rumor and prejudice.

No; the Constitution may have been the work of ordinary and even mediocre men, rather than of the great geniuses they are pictured by tradition, but that work is the foundation upon which has been built the greatest superstructure of legislative enactment, executive administration, and judicial decision that has ever been known in civilization. I am not willing to see without protest government by dynamite, either by mistaken labor leaders or by other mistaken enthusiasts, who would apply the dynamite theory and blow up the foundation of a government by the people. I object to such methods, even though the wreckers may be as wise as Solomon, as devoted to the people as Brutus professed to be, or as virtuous as pictured in their own prospectuses.

I have seen this country develop under that Constitution so as to make the United States the marvel of the world and the model of free government everywhere, even in the Orient. I am old enough to have seen the railroads cross the Allegheny Mountains and spread like a spider web over the whole continent—to carry the products of the West to the seaboard more economically for the people than they could be exchanged in New England before this area of steam.

I have seen the reaper and mower, the gang plow, and the whole revolution in agriculture by labor-saving machinery. I have seen the telegraph and the telephone when they were looked upon as experiments; the electric railroad and the electric power-plant development; and I was ridiculed as a reckless spendthrift legislator when I helped make considerable appropriations to aid Prof. Langley in his experiments with the flying machine.

I have seen great discoveries in science and medicine that benefited the whole people in the years since I left North Carolina with my parents and heard my mother cry out, "Good-by, civilization," because we were emigrating to the West. And I have seen greater development, not only of enterprise, but also of education, charity, and benevolence, by the people, as a whole, through the agency of the State and also by the efforts of the individual, than had developed before in all the years from Moses to the time when I was born.

I may be a little old-fashioned, a little wedded to the past, but I like to ride in an automobile; and when I engage a chauffeur I look to his familiarity with the machine and how it is made, rather than to his ability to toot a horn and turn on all the power to surprise and scatter the crowd with his nerve and speed. And in government I prefer a chauffeur who can turn a corner without skidding against the curb and wrecking the machine. The auto is a progressive machine and a promoter of business or funerals—it depends on the chauffeur.

In a government of the people and by the people there must of necessity be political parties to express the will of the people touching national policies. It has been so from the beginning and will be so to the end. There have been two great parties, under varying names, since the Government was founded, and for more than 60 years these parties have been under the names Republican and Democratic. The Democratic Party is now in full power and has full responsibility for legislation. That party represents the will of the people by a constitutional majority, and the change has come without any manifestation of passion or revolutionary protest. We all accept President Wilson as our President and the Democratic Congress as our Congress to make the laws and administer them. No better evidence could be presented that the American people are capable of self-government.

No one wishes the present administration success more than I do, for the success of the Government represents the success of the people. That is what we are all striving for; and we shall all wait with patience to see whether the Democratic Party, in carrying out its policies, can give greater prosperity more diversified among the people, greater peace and happiness, than followed the enactment of Republican policies. If they can succeed in doing this they will have long life and deserve it. There is, however, wise caution in King Ahab's advice to the King of Syria: "Let not him that girdeth on his harness boast himself as he that putteth it off."

There have been two great questions on which the American people have divided, and these two questions naturally created two great political parties. These questions were the extension of slavery into the national territory and the revenue policy. Both were fundamental. Other questions were secondary.

One of these questions has been settled—at great cost, it is true, but in a way that no one now would have changed. The whole country has developed and prospered under the new freedom of men that could not have been under the old system of slavery. No one has more happily expressed the advantages of this change than did President Harrison in his inaugural address, when he said: "Mill fires were lighted at the funeral pile of slavery. The emancipation proclamation was heard in the depths of the earth as well as in the sky; men were made free and material things became our better servants."

AN ERA OF SWIFT EXPANSION.

My honored friend, the leader of the majority in the House, Mr. UNDERWOOD, can testify to the force of this expression. I understand that the great industrial city where he has his home is the best illustration of mill fires lighted at the funeral pile of slavery that can be found in the country; for the iron ore, coal, and limestone which give life to that city had lain for a hundred years under a cotton plantation, and that wealth was not brought to the surface until the emancipation proclamation was heard in the depths of the earth to make these factors better servants than had been slavery.

While I rejoice in the new development and prosperity of the South, and also of the East, let me briefly call attention to the development which came, with a force never before witnessed anywhere, by reason of the abolition of servile labor, by the granting of homesteads for the people on the national domain, and under the Republican policy of protection. We have some people now who fear the Government has been too liberal and has wasted its public land; but I can remember when the Government practically could not give away lands that are now worth $200 an acre. We have given away millions of acres of the public lands; but we have by so doing built up an empire in little more than half a century that could not have been developed in a thousand years under the old régime, and we have made men more of an asset than mere land. The map of the United States to-day as compared with the map in the geographies when I was a boy tells the story more graphically, and so do the reports of the Census Office.

When I left North Carolina to find a home in the West my map of the United States had little but Ohio, Indiana, and Illinois as the West, and beyond the Mississippi River was marked the "Great American Desert," the "Staked Plains," and the "Rocky Mountains"—a country of which few men knew anything. The United States was then practically east of the Mississippi River. There were but two States west of the Mississippi River—Missouri and Arkansas. Our total population was 17,000,000, with less than 4,000,000 west of the Allegheny Mountains. But to-day we have 91,000,000 people in the United States, and 45,000,000 of them are in that territory which was then called the West and the unexplored country beyond.

Why, in 1860 we had but 31,000,000 people in this country, and only 11,000,000 west of the Alleghenies. We encouraged and protected manufacture and agriculture; we passed homestead laws; gave public lands to the people and to aid in the construction of the Pacific railroads. This legislation covered the whole country and gave an impetus to every kind of industrial development; and, with the settlement of the old question of checking the extension of slavery, it made the East a center of manufacture and the Great American Desert and the Staked Plains the granary of the world. Even the mountain fastnesses have been converted into gardens, and millions of enterprising people there are still unable to estimate their wealth and opportunity.

I have no regret for the liberality of the Government in giving away public lands, for this liberality brought such results as would not have been recorded in many generations under the old policy of having the Government hoard its public lands and wait for purchasers. The losses to the Government were relative. The railroads and the homesteads were tremendous factors in the building of a nation; and to-day nearly one-half of our western people are there, making two-thirds of all the wealth taken from the soil and two-fifths of all the manufactured products of this country. Yes; the Government has been liberal and liberally has it been rewarded.

We were liberal in our immigration policy, and millions of men and women from every civilized country under the sun took advantage of that liberal policy to come here and become American citizens. Who can look over this American commonwealth and tell from whence came the blood of the great body of the American citizenship? We have developed men from those who here first learned the meaning of the word manhood, and we have developed industry, skill, enterprise, and intelligence in keeping with American citizenship. It is in this new West that we have the lowest percentage of illiteracy to be found in the United States. When I am inclined to grow pessimistic after reading some of the wailings and criticisms of latter-day economists and reformers, I take down the map of the United States and a volume of the census reports and find there the realization of the wildest dreams, of the greatest optimists who ever lived; and I am satisfied that the mistakes of the past were, after all, rather fortunate mistakes.

This marvelous development of the West, however, demoralized agricultural conditions in the East and in the older countries across the sea. It demoralized the western people, too, for a time, because they could not measure their own opportunities with older conditions that prevailed elsewhere. The opening of the new prairie lands of the West made competition in the East embarrassing and sent millions of acres in New England, the North Atlantic, and the South Atlantic States back to the wild lands and abandoned farms.

The House of Representatives, where the membership is based on population, tells the story of our development as a Nation. In 1840, when I went to the West, the old South had 98 Representatives; New England, New York, New Jersey, and Pennsylvania had 112, and all the country west of the Allegheny Mountains had only 32. To-day, in the same grouping, the old South

has 109 Representatives, the East 124, and the West 202; and there are 115 Members now in the House who come from States that were unknown in 1840.

The statesmen in the Washington of that day, while talking about "fifty-four-forty or fight," had not yet determined that the Oregon country was worth keeping. Notwithstanding the explorations of Lewis and Clark, in the early part of the nineteenth century, there were men in Congress in 1840 who insisted that the Rocky Mountains marked our western boundary and that a statue of the fabled god Terminus should be planted there to warn our people against tempting fate by trying to go farther.

Gen. Frémont had not then set out on his exploration of the West, and the old missionary, Marcus Whitman, had not made that memorable ride from Walla Walla down across Utah and Colorado and through Missouri in the winter to tell the wise men in the National Capital that there were Americans in Oregon who had made their way across the mountains and were beginning to set up housekeeping for themselves with a government under the American flag, but without the recognition of the parent Government. I have seen one-half of the 48 States admitted to the Union and, as a Member of the House, I have helped admit 11 of them.

THE WESTWARD COURSE OF EMPIRE.

The West is not all-wise and the demagogues have been as successful there as in the older sections of the country. They have preached new doctrines and are trying some experiments that have failed elsewhere. The people have been too busy to study these questions for themselves; but they will in time, and then they will cease to be gulled by demagogic theories as opposed to practical conditions. I have heard much talk about progress and progressive ideas and policies in the last few years; but I have seen no better evidences of progress than were manifest by the pioneers who peopled the West and created an empire greater and richer than was the whole Nation, which at that time gave more of discouragement than of aid to their progressive efforts.

I have heard in Congress some of the men who aided in that first progressive western movement denounced as reactionaries. They can not protest, because they are dead; but that is the way of progress—in the hurry to get forward we fail to note the work of the front rank who blazed the trail and opened the way for the newer Progressives. When I see men beat the air and grow hysterical about progressive policies, I am tempted to call their attention to the great picture that fills the wall space over the western stairway of the House wing of the Capitol, which portrays the progress of their forbears who went out and conquered the West. I have never been schooled in the arts, but to me that picture is one of the most inspiring paintings I have ever seen. I have passed it these many years; and I have never failed to look up at those heroic men and women who moved westward, scaling the Rocky Mountains, which some of those in Congress marked as the boundary the Almighty had placed there to limit the adventurous spirit of the American and forever fix the western confines of the Republic.

Those progressive spirits of the past did not make the air vibrate with lamentations, but with shouts of encouragement as the stalwart youths planted the flag on the higher cliffs to inspire with courage the women and children who were toiling up the path to find a way to the golden Pacific beyond. They did not even tarry long to bury the dead, but silently prepared the grave there in the mountain fastnesses and, with a benediction, passed on to the new duties and new conquests.

When the history of the West and the men and women who made it is written, larger space will, I hope, be given to the pioneers who toiled and suffered in silence than to those who have from time to time grown hysterical over the growing pains of this mighty empire that has spread in my time from the Mississippi to the Pacific and beyond the Arctic Circle and almost to the shores of Siberia.

I have for 40 years heard the lamentations of western political progressives because nature gave that section a surplus of wheat and corn which could not be turned into gold and silver at once and a surplus of silver which could not be turned into coin of the realm at the mint on demand. I have heard the lamentations of the Greenbacker and the Populist in days gone by, and they were no more doleful than some of the Progressives of to-day. More than 20 years ago, when I offered an amendment to the Mills tariff bill to place sugar on the free list, as we did not then need the revenue, the Kansas delegation to a man complained that I was striking at the great Sunflower State, which had begun to raise sorghum. They had the figures to prove that with protection to sugar Kansas would in a few years produce more sorghum sugar than would be necessary to sweeten the tooth of the whole civilized world.

The tariff on sugar has remained, but what has become of Kansas sorghum? It now sounds like a joke, but Kansas was just as earnest then and just as apprehensive of the calamity to that State from free sugar as she is now hopeful for the initiative and the recall. The grasshopper blight was no more perilous to Kansas than was free sugar, and neither of them more awful to contemplate than are reactionary policies to-day. Moses, in his rebuke to the children of Israel, said the Lord had found them in the desert lands and made them to ride on the high places of the earth and eat from the fat of the land, with milk and honey. "But Jeshurun waxed fat and kicked," and followed after strange gods. So it has ever been with the children of men. So it has been with a part of the people of these United States.

THE AMAZING INCREASE OF WEALTH.

In the last 10 years we have had the most phenomenal prosperity ever known here or anywhere else; and we have followed the example of the children of Israel and kicked until not only have we almost convinced ourselves that we are suffering unusual hardships, but have caused the people of the Old World to wonder if at last their predictions are not coming true, and that the Republic is about to crumble under dissatisfaction and division. I do not make this assertion about our prosperity on my own observation alone. I take the census figures, and I am told at the Census Office that our total wealth is to-day estimated at $150,000,000,000; it was $88,000,000,000 in 1900, $65,000,000,000 in 1890, and only $16,000,000,000 in 1860. The increase in wealth was not only the greatest in volume but the greatest in percentage in the last decade that has ever been recorded by the Census Office.

This total wealth has not been gathered into the hands of the Money Trust or the tariff barons, nor has it been centered in Wall Street. It is just where wealth has always been—among the people who go to the soil, the mine, and the factory and produce wealth. The total value of farm property increased from $20,000,000,000 in 1900 to $41,000,000,000 in 1910, and to this should be added the estimates of the Agricultural Department of $9,000,000,000 for last year's crop to make the farm wealth of the country $50,000,000,000, or one-third of the total wealth of the country.

Our manufactured product was valued at $20,000,000,000 in 1910, and this does not include the value of the plants. Our railroads are worth $20,000,000,000 and the real estate in cities and towns is estimated at between $40,000,000,000 and $45,000,000,000. So, without counting the value of the mines and the shipping interests on the coasts and on the Great Lakes, I can find no evidence that the Money Trust has gobbled up all our wealth. The value of farms and farm property not only doubled in the last 10 years, but it has increased fivefold in the last 40 years, for this farm wealth was only $8,000,000,000 in 1870, and it is now almost as great as the total wealth of the country in 1880.

It may help to relieve the fear from the Money Trust to locate this farm wealth. It is not in New York or in New England, or within a thousand miles of Wall Street. More than thirty-two billions, or more than four-fifths of it, is in the West—the country that has been developed in my time. Let me repeat the fraction—four-fifths of all our farm wealth is west of the Allegheny Mountains, in what was the old Northwest Territory, and in the States west of the Mississippi River, where the people are still supposed to be easily frightened over the bugbear of a Money Trust; but to-day those western farmers use high-power automobiles on their farms and have safe-deposit vaults in the village banks. And should this Money Trust make a raid into that country, the people could probably escape with their ready cash. Only $8,000,000,000 of this farm wealth is to be found in New England, the North Atlantic and South Atlantic States—or what was considered the United States when I was a boy in North Carolina.

New England has 4,000,000 acres less of improved farmland than she had in 1860; the Middle Atlantic States 4,000,000 acres less of improved farmland than in 1880; and the South Atlantic States 3,000,000 acres less of all farmlands than in 1860. This means that the farmers of the country are in the West and that there has been an increase of 500,000,000 acres of farms in that new empire. It means that two-thirds of all the crop values are in the West; that 80 per cent of all the cereals is raised in the West; that 77 per cent of all the cattle, 80 per cent of the horses, 77 per cent of the hogs, 86 per cent of the sheep, 66 per cent of the dairy products, and 72 per cent of the eggs are produced in the West.

This may explain to some people in the East why food products are higher now to them than a few years ago. They have to buy from the West; and the West is not only feeding them but an increased industrial population at home, as well as selling abroad when the prices are sufficient to invite export. In addition to these factors the West has 56 per cent of all the mineral products of the country. It has practically all the gold and silver, 86 per cent of the iron ore, 43 per cent of all the coal, 58 per cent of the petroleum and natural gas, and 40 per cent of all the manufactured products. The West has the raw material and is fast developing its manufacturing industries, so as to turn its own products out ready for the consumer.

THE TARIFF ISSUE FUNDAMENTAL.

This may explain why the West is not as hostile to protection as it once was. But has not the Lord blessed these western people as He did the children of Israel, making them ride on the high places and live on the fat of the land? And have not some of them waxed fat and kicked?

We settled the slavery question, and since then we have had the revenue policy as the great question to divide our people; it is a natural and legitimate issue. On that question we have had divisions since the organization of the Government, and we shall continue to divide on it for years to come. The Democratic Party still holds to the old Democratic policy of a tariff for revenue only, while the Republican Party stands for the old doctrine of protection to American production. We each have good ancestry for our political beliefs touching this question, but I think the Democratic policy belongs to the old system of labor that has been abolished.

The revenues that maintain the machinery of government form the very lifeblood of the Government, and the revenue policy is fundamental. We can cross party lines on other questions, but here is where we must represent the people on a fundamental issue; and the man who desires to take the tariff out of politics does not know what he is talking about—in my judgment. So long as we have these two schools of economic thought as to the policy governing the raising of revenues, the tariff will remain a question of politics—and of the highest and best order of politics at that.

We who represent the protection policy have been in control for many years. Since 1860 the Democrats have had complete control to enact laws in harmony with their policy for only the short period of two years. They then enacted the Wilson-Gorman tariff law. I am not going into the history of that act, but it did not meet with the approval of a majority of the American people, and for 16 years we have again been able to have this Government follow our policy of protection. The country has prospered under that policy.

The Democrats have again come into control and have all the machinery to enact a tariff law in harmony with the policy they have consistently maintained should be the proper revenue policy of this Government. Their platform last year was just as radical on this question as it was in 1892, and even more radical than in the years before the Civil War. I do not believe that policy when carried into effect will be any more satisfactory to the people than it was in 1894; but we all have maintained that platforms represent the demands of the people; and, as Mr. Cleveland said, should be accepted as the decree of the masters of Congress and written into the statutes.

President Cleveland, in his inaugural address on March 4, 1893, declared:

> The people of the United States have decreed that on this day the control of their Government in its legislative and executive branches shall be given to a political party pledged in the most positive terms to the accomplishment of tariff reform. They have thus determined in favor of a more just and equitable system of Federal taxation. The agents they have chosen to carry out their purposes are bound by their promises, not less than by the command of their masters, to devote themselves unremittingly to this service.

And yet President Cleveland refused to sign the Wilson-Gorman tariff bill, indicating by that action that either the Congress or the President forgot or ignored the command of their masters.

THE ROUGH ROAD OF REFORM.

I have no doubt President Wilson will remind Congress of the same promise—that the Democrats are to carry out the command of their masters, who have voted for a change in our revenue policy. I do not believe it will succeed any better than it did in 1894; but I recognize that it would be craven and disloyal if they did not make the effort and devote their best energies to a tariff revision in harmony with their platform—a tariff for revenue only—and set their faces sternly against incidental protection or progressive free trade, or any other compromise between the two systems. They have declared all protection to be unconstitutional and the robbery of the many for the benefit of the few. They can not compromise the Constitution, nor can they compromise with robbery. I have no doubt they will try to reach their ideal in a tariff bill, and I suspect they will find fairly good Democrats in Congress who are perfectly willing to strike down the tariff that protects some other industry in some other State, but who will urge delay touching schedules that benefit their own people in the States and districts they represent.

It is the weakness of human nature for men to be more eager to reform the affairs of others than to reform their own. We had that kind of human nature to deal with, and the Democrats will have it to deal with. They will even find the great metropolitan press, which has been with them in favor of tariff reform, differentiating as to what the term means when they come to deal with its product. But they will have to do this, whether their work meets with the approval of a majority of the people or not, for political parties are made up of the best manhood of the country, notwithstanding the wails of the muckraker, and the manhood of the Democratic Party is now compelled to go forward with legislation to carry out the platform of that party, whether their new legislation spells political defeat or political victory.

A constitutional majority of the people has given the command, and the Democrats can not ignore that command without being condemned for cowardice and treachery to the people, which would be worse than condemnation for another failure of their policy. They will be opposed by the same forces that have opposed them in the past. The opposition will not be measured by the men who are called Republicans in Congress—these may be few—but the opponents will be the people of the United States who believe in protection—the men on farm and in factory, who will be the first affected by the policy when written into law. They are the producers, and they are also the consumers of the country.

It was one of the Democratic policies that brought defeat to their political opponents last year. They furnished the votes to pass the reciprocity pact, which received the indorsement of a Democratic House in the beginning of the Sixty-second Congress. That act, carrying into law the recommendations of a Republican President, raised up more opposition to him than any other act of his administration; in fact, the good acts of his administration were not all equal in the balance to the weight of that one act with a very large part of the American people. A majority of the Republicans in Congress voted against that bill, though it came from a Republican President; but it received a hybrid majority both in the House and in the Senate that placed it on the statute books, and some men said the tariff had been taken out of politics. The opposite was true. That act raised up opposition to the President in his own party and all explanations could not satisfy the people.

We had there a demonstration of the fact that the tariff is in politics, whether men in public life choose to discuss it or not. The President's friends tried to ignore the reciprocity pact—tried to forget that there had been such recommendation and legislation; and so did the newspapers after they had secured free print paper; but the people would not forget.

This question must be settled according to one policy or the other. The Democrats have declared in favor of a tariff for revenue only, and they will break with their own people if they are not true to their profession of faith. On the other hand, they will drive back to their old moorings all protectionists who were not satisfied with the present tariff law if they do carry out the pledges of their platform. I do not see how they are to escape the embarrassment of the old preacher out on the Wabash, who said:

> You shall and you shan't;
> You will and you won't;
> You'll be damned if you do
> And be damned if you don't.

I have seen a number of efforts made at tariff revision as well as a number of tariff bills enacted by Congress. The Democratic Party tried to revise the tariff in the Forty-eighth Congress, when William R. Morrison, as chairman of the Committee on Ways and Means, reported his famous horizontal reduction bill. Some of the best protection speeches I have ever heard in the House were made by Democrats in opposition to that bill.

A HOUSE DIVIDED AGAINST ITSELF.

When the bill came up for final vote on May 6, 1884, it was George L. Converse, an Ohio Democrat, who moved to strike out the enacting clause. That motion was carried in Committee of the Whole in a House that had a Democratic majority of 74. The Democratic opponents of that bill were not satisfied without a record, and when the bill was reported from the Committee of the Whole to the House, with the recommenda-

tion that the enacting clause be stricken out. Mr. Converse demanded a roll call; and on that roll call 40 Democrats voted with the Republicans against the bill reported from a Democratic Committee on Ways and Means.

Among those Democrats who voted against the Morrison bill were Samuel J. Randall, who had been the Democratic Speaker; Andrew G. Curtin, an old Democratic war governor of Pennsylvania; and William McAdoo, of New Jersey. William R. Morrison, the first great tariff revisionist since the Civil War, was beaten in the House of his friends; and his bill only provided for 10 per cent and 20 per cent reductions on the various schedules.

I saw the Democratic Party in control of the House when it passed the Mills bill, and there was strenuous opposition by Democrats as well as Republicans to that measure. I saw Samuel J. Randall punished for his opposition when Morrison reported from the Committee on Rules a new rule taking from the Committee on Appropriations the control of many appropriation bills and giving them to other committees. That was done to minimize the influence of Randall, who was chairman of the Committee on Appropriations.

I was in the House when it passed the Wilson tariff bill, and I heard the present Speaker denounce those Democrats who opposed the bill as traitors to the people. I also heard Democrats in the House declare they would never accept the Senate bill; and after many protestations they suddenly grew tired of their opposition and adopted a rule by which the House had to vote on the whole list of Senate amendments without division. So I am impressed with the possibility that they may have trouble in enacting a tariff law in harmony with their platform, and that they will have trouble if they do succeed. Irresponsible promise and responsible performance have different effects.

We do not need any new system of initiative, referendum, and recall. The system that is as old as the Government is entirely effective. The election of a Democratic President and a Democratic Congress last fall was the initiative for a tariff for revenue only, and the people have the power to reverse the legislative engine two and four years from now. They are the only power to recall the command given last November; and, though it may be discouraging to the Democratic efforts to realize that they may be recalled, it is one of the fates of those who represent the people in our form of government.

We have had much discussion about the high cost of living and the Democrats have laid the responsibility on the tariff. They are now to demonstrate just how much and in what way the tariff affects the cost of living, especially when more than one-half of our people live in sections of the country which produce less than one-fourth of the food products.

THE MIDDLEMAN'S TOLL.

After all, it is an old saying that it costs more to market a product than to produce it. We have developed an extravagant if not a luxurious method of marketing our products, of both the farm and the factory. An ultimate consumer up in Winnipeg last fall bought a barrel of apples, and found a note in the barrel from the apple grower in Ontario, which read: "I got 70 cents for this barrel of apples. What did you pay for it?" Mind you, that was not in this country, but in Canada—a country many consumers have desired to reciprocate with in trade.

Well, the Winnipeg consumer had paid $5.25 for the apples. He was anxious to know where the $4.55 increase went, and he found that the barrel had cost 30 cents and the freight 70 cents. Still there was left $3.55 to pay for the cost of marketing the fruit. It is the same over here with a suit of clothes.

The Tariff Board gave us an example in its report. That board found that in a suit of clothes selling for $23 and upward the woolgrower received $2.32 for the wool; the woolen manufacturer received $4.78 for the cloth, and the cost of all the material that entered into the making of the suit, except the labor, was $7.55. The cost of making the suit was $3.74 and the entire factory cost of the clothes was $12.41. This was the factory price, but the consumer had to pay anywhere from $23 to $30 for that suit of clothes. If the suit sold for $23 the profits between the factory and the consumer amounted to $10.59; if it sold for $25 it cost more to get that suit from the factory to the consumer than it did from the back of the sheep through the factory.

Mr. B. F. Yoakum has estimated that in the year 1911 the farmers received $6,000,000,000 for their products, and that the consumer paid $13,000,000,000 for those same products. The railroads received $495,000,000 for transportation, so that the cost of production and transportation combined was less than one-half of the price paid by the ultimate consumer. More than $6,500,000,000 went to pay the expenses and the profits of the men who sold these products to the consumer. The tariff had nothing to do with it. This is one of the problems the Democrats have to deal with, and they will only embarrass themselves by continuing to hold the tariff responsible for all the troubles of the ultimate consumer.

When the Democrats have fulfilled their promise for revenue reform they will find how numerous are their critics, and that criticism and opposition will crystallize just as they have in times past under the same old organization and the same old principles that have dominated the Republican Party since its organization. A good many gentlemen have been agitating about the future, but I have no fear as to the future of the Republican Party. It will not be reorganized in Des Moines or in New York, or Chicago, or Kansas City, or by any group of men who are willing to undertake the direction of its affairs.

The Republican Party does not need reorganization. It is as much in evidence now as it was in 1892, when it went to defeat. It has been temporarily divided between personal ambitions, but personal ambitions have never made the party and they will be of little effect when the Democrats have enacted legislation in harmony with their policy. The Republican Party will be in the field then and the millions of Republicans will select their leaders just as they have always done in the past. In a government of the people the leaders come from the ranks and are not designated either by Divine power or by self-constituted authority. Do not make the mistake of thinking that the raiment of Lincoln has been parceled out by any board of executors who may think they have been appointed to settle the estate of the Republican Party.

Some of my former associates in the Republican Party, who have come to the conclusion they are the John the Baptists for a political regeneration, are anxious to reorganize the Republican Party. They claim that the old party has strayed after false gods and that they are the only true followers of Lincoln. I have heard this claim presented by others in the past who made no pretensions of relationship—even the remotest—to the Republican Party. For instance, the senior Senator from South Carolina, who would resent the suggestion that he is anything but an old-fashioned Democrat, traveled over my State several years ago campaigning for William J. Bryan, and carried with him a volume of Lincoln's speeches from which he quoted to show that Bryan was a better follower of Lincoln than was Theodore Roosevelt.

JUDAS OR SAUL OF TARSUS.

The Republican Party may need some reformation—not reorganization; but that work will not be left to any self-constituted leadership. It is said that Judas claimed to be one of the earliest disciples of the Master and that Saul of Tarsus was not converted until he was blinded by a great light. Does anyone now present the whole history of Judas and his 30 pieces of reform silver as an evidence that he did more than Paul to establish the Christian religion? The Republican Party is to-day constituted—just as it was before the election—of the millions of men who believe in protection to American production; and the Democratic Party in Congress is going to sound the note which will show that the Republican Party does not need any other organization than the note of alarm that will come from the House early this summer.

Both political parties have had great leaders, and these leaders have grown up in the service. They have not been selected by any small body of men to be clothed with the people's approval. We had one sad illustration of the failure of that kind of leadership when a few public-spirited men, who had opportunity to make themselves heard, selected an old-time Republican to lead the liberal hosts and the Democratic phalanx to the White House. It was one of the saddest tragedies in our political history. There were brilliant and able men in the movement of 1872, and they controlled the greatest organs of publicity in the country. They were able to make a great noise; but when the ballots were counted it was the silent deep and not the shallows that spoke.

Grant was re-elected with the most overwhelming majority ever given up to that time to a President, and Horace Greeley died of a broken heart a few days after the election. But for the tragedy which followed, that effort of Carl Schurz, Murat Halstead, Horace White, Whitelaw Reid, and Henry Watterson would have been one of the greatest jokes of American politics. As it was, it showed how a few men in control of the organs of publicity can fool a great political party by adopting the same methods those do who sell breakfast foods and patent medicines—by advertising their wares.

The Tariff.

SPEECH
OF
HON. RUFUS HARDY,
OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, April 28, 1913.

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. HARDY. Mr. Chairman, I have been interested in this discussion in the very different views of the Representatives who have spoken. My distinguished friend from Kansas [Mr. MURDOCK] opened with an interesting little story about a girl who did not know where the milk came from, and who finally went out in the country and discovered the milking of the cow. She came back looking very solemn, and said she did not like the way the milk was obtained. In like manner Mr. MURDOCK announces to us very solemnly that he does not like the way this tariff bill was brought forth. I desire to submit that this girl and my friend Mr. MURDOCK are equally hard to please, for it seems to me that the good old way of getting the milk is perhaps the best, provided it is done with clean hands. My friend, I believe, would prefer to have his cow milked by machinery and his tariff reform bill produced by a tariff board. He desires to have friend PAYNE'S tariff board or his own tariff board or any old tariff board, provided its members are nonpartisan. Friend PAYNE labors to show that MURDOCK was not near the whole tariff-board show. Both seem to think just at this time, and perhaps for this time only, that the Representatives here elected by the people have not knowledge or wisdom enough to frame a bill.

Both MURDOCK and PAYNE, I think, are for any old tariff board that will block or delay tariff reduction. I want to call to your minds the fact that Brother PAYNE is perhaps the oldest Member of this House in point of service and in years and one of the leaders of the Republican protective policies. For four years I have heard him thunder and roar for high protection. The other day he told us that gratitude was "a lively sentiment, based on expectation of favors to come." With that kind of gratitude to the highly protected industries of this country both standpat and progressive Republicans seem now ready to serve the special interests. Mr. PAYNE was here when the Dingley bill was enacted. He needed no tariff board then. He was here four years ago when the Payne bill was enacted, and he sought no tariff board then; but when he has fixed up the bars and erected the barriers as high as the protected interests wanted them now he wants, must have, and can not do without a tariff board. It is an old familiar trick of a lawyer asking a continuance, wanting delay in a bad case, and my friend MURDOCK, who professes to want to reduce the tariff, has fallen into line, urging waiting to give time for the report of the Tariff Board and urging revision, schedule by schedule, after each schedule and item shall have been reported upon by this Tariff Board. He joins PAYNE and all the high priests of protection in their motion for continuance, although the platform on which he ran last year—the Bull Moose platform—demanded an immediate revision of the tariff downward, without waiting for the Tariff Board. Now, I just want to refer to a few more things. Our friend, Mr. PAYNE, makes comparisons. He says the average tariff rate on all goods imported under the Payne bill in 1912 was 18 per cent and the average under this Underwood bill, as estimated by its authors themselves, is 16 per cent. Comparisons are frequently made to deceive. The average tariff on all imports into this country is arrived at by adding the sum of the imports, both free and taxed, and dividing the total amount of duty received by the total value of goods imported. There may be a very high duty on goods dutiable, yet with a vast amount of nondutiable goods imported the average rate on all the goods imported will be small. Duties on many articles may be so high as to be prohibitive, and yet not affect the average. The comparison is absolutely worthless, and it is calculated, if not intended, to deceive. And so he tells us that American-made binders sold in Europe may be brought back here without any duty, and that therefore the claim that they are sold cheaper abroad than here is untrue; but he does not tell us the fact that it frequently happens that our manufacturers, in selling their wares abroad cheaper than they are sold at home, sell under contract with the purchaser not to bring them back into this country. A half truth is the devil's shrewdest falsehood. But I must not take up my time in these matters.

In the brief time I have I want to discuss the broad question of a tariff "for protection" as distinguished from a tariff "for revenue only."

It is fashionable still, as it has been for a long time, to taboo any discussion of the academic question whether "protection" is a right or wrong principle, a wise or unwise policy. The question of the right, the justice, the wisdom of a policy is, to my mind, always pertinent. A frequent recurrence to first principles is essential to the preservation of just government. I shall not be deterred from presenting the objections to and evils of protection by the epithet of "free trader," used by those interested in protection to frighten and alarm the timid and the greedy. Taxation is a problem as old as human government. The purpose of its levy and manner of its collection, the amount and distribution of its burden are problems almost equally old. Self-interest has been the key used to solve all these problems from the beginning. In all ancient civilization there were distinctly a governing and a governed class, and the most serious question of taxation was how much was the most the class that governed could wring from the class that paid, and how it could be extracted most easily, surely, and safely. In these later times has come a demand by the great paying, burden-bearing masses that the Government should try to find how little is the least that must be collected in order to administer just government, and how that burden may be so distributed as to bear lightest on the toiler. To state such a demand in times gone by was deemed, in high quarters, sacrilege; to urge it now is, in the same quarters, deemed demagogy. In the shepherd days, if we judge from the story of Abraham, taxation consisted simply in the patriarch taking all the fruits of labor of his servants, and, in return, giving to them food and raiment and some kind of shelter. Big men like Abraham and Lot traded with each other, each for the benefit of himself and his tribesmen; and sometimes the shrewd laborer was given an interest in the fruits of his labor, as was Jacob, working for Laban. The relation of the Highland chieftain and his clansmen was not unlike that of the patriarch and his tribesmen, and these relations were similar to those in the days of feudalism—of the baron or earl or duke and his retainers.

The feudal lord did not take all, but only a certain portion, of the substance of his retainers, and the toilers' immediate lord in turn paid in tribute a portion of his substance to a superior or supreme overlord. Just in passing permit me to say that, followed to its logical end, and substituting "the state" for "the patriarch," socialism would simply be a return, under up-to-date conditions, to the essence of patriarchal government, all men laboring for the government and the government in return, through its organized ministers, or ruling class, giving food, raiment, and shelter to the laborer.

The old systems of the patriarch, the chieftain, and feudal lord were not without reciprocal obligations on the part of the governing toward the governed classes, and these obligations were strengthened, while the burdens of the governed were tempered by the kindness of kinship and friendship and personal sympathy. The rise of cities destroyed patriarchism and feudalism. In Judea the tithing system was adopted in lieu of the "take-it-all" system.

And in other countries varying and uncertain levies of tribute and sales of privileges supplied the wants, the necessities, and demands of government and of the governing classes. Not content with such tribute as could be wrung from the toilers of their own class or tribe or country, the ruling classes began to make war. Not only did the strong man oppress the weak man, but the strong tribe or nation crushed the weak. Jacob and Esau roamed the plains of Mesopotamia with their armed retainers. They fought with and overcame the little kings of that land and came near fighting with each other for its rich pastures.

As tribe grew into nation, nation made war on nation, and all with the purpose of laying burdens on the toilers and filling the coffers of the ruling classes. Whole nations were spoiled or enslaved or driven out from the land of their heritage and their homes occupied by the victors. Other nations were made what were called tributaries, over whom the agents and emissaries of their conquerors were placed as governors and tax gatherers to send the tribute home to the ruling class. All these direct taxes and burdens, plainly seen and well understood by those who bore them, irked the toilers, and as knowledge grew selfish men began the perpetual, eternal struggle, each man seeking to avoid or evade the burden for himself and to participate in the fruits of other men's labor.

Men bought from the government certain privileges—the right to build a bridge and charge toll, the right exclusive to make or sell certain things, and so forth. In a thousand ways one man obtained advantage over another, and still the wants of the ruling or favored classes remained unsatisfied. Always the cry was for more; more tribute to the strong from the weak, to the rulers from the toilers. The puzzle grew harder and harder to solve—how to collect enough tax or tribute to feed and fatten the rulers or the favored ones. Among the means of gathering taxes, on some evil day for the human race, the idea was born of levying tribute upon trade in name while levying it upon toil in fact. Whether the idea originated, as some say, from pirates in the Mediterranean levying protection or safety money on passing ships when that great sea was the highway of nearly all the commerce of the world, and thence was adopted by the Athenian, Carthagenian, and Roman Governments, or whether it goes back into darker and more remote ages, when international trade was infinitesimal in volume, I do not know, but I do know that in its first forms its present possibilities were not dreamed of.

TARIFF ON IMPORTS.

In a small way it appears that tariffs on imports were in vogue among all the nations of antiquity concerning whose economic policies historical records are in existence. From inscriptions on tablets excavated in Egypt it is inferred that as far back as the reign of Usurtasin taxes of this character were levied. It is certain that tariff taxation was one of the means of bringing money to the state treasury among the early Athenians and later on among the Romans. In Athens, where both export and import duties were imposed at the ordinary rate of 2 per cent, an additional tax was collected from vessels engaged in foreign trade for the use of the harbors in which they anchored.

Rome in her conquered Provinces frequently allowed the individual State authorities to impose such import duties as they saw fit to collect, but stipulated that Roman citizens should be exempt from the payment of any such duties. The list of commodities on which import duties were levied was largely increased under the reign of Augustus Cæsar and still further under later Emperors. The Digest of Justinian contains a record of these import duties. In the earlier days the general rate of import duties at Rome seems to have been about 5 per cent, but under the later Emperors it appears to have gone as high as 12½ per cent.

The feudal lords of the Middle Ages practiced a system of imposts on goods in transit through their dominions which was little better than systematized robbery, and not infrequently merchants were able, either through influential friends or by the payment of a bonus, to obtain relief from the most onerous of these exactions.

In England the first tariff for revenue of which there is a record was established in the latter part of the tenth century under King Ethelred, the duty being levied on both ships and goods. Under Edward I special duties were exacted from foreign merchants which were protective in their nature, and this seems to be about the first suggestion of protection of home industries by means of a tariff.

The greatest abuse of the taxing prerogative recorded in history was the farming out of the collection of revenue, which for a while was practiced in England and flourished most viciously in France under Louis XIV and Louis XV. While these revenue farmers were confined in their activities mostly to the collection of internal taxes, it was not an uncommon occurrence that they managed also to lay hands upon import duties, though of course this had to be done more or less surreptitiously. Compared with modern commerce, international trade was in its infancy when import duties were first laid and for a long time afterwards. Its working demonstrated its smoothness. Smuggling was popular here and there with those who sought to beat the Government out of little sums for themselves, and before the merchant learned to pass the burden wholly on to his customers. Then it dawned on the trader that all he had to do was to add it in with his ships' expense, his purchase price, his house rent, and charge for all alike. Then he ceased to grumble. His customer knew nothing about it and of course did not grumble. And so the ruling class had found the great thing so long sought for, a tax that would be paid in silence, a burden that could be imposed with safety and against which there was no grumbling. In the beginning, too, only the direct effect of the tax was felt. The indirect effect, the enhancement of home products, was negligible. Wars that decimated in those days all the nations of the earth were fought when taxes were mainly direct, and the governments conducting them demanded scarcely more than a tenth of the earnings of the people, although their earning capacity was far less than it is to-day, and import duties when laid were then only from 5 per cent to 10 per cent or 12 per cent.

Twenty-five per cent of all the people's earnings now would not pay all the taxes—national, State, county, and municipal—that are gathered from the people in time of peace.

But this is not all nor even one-half the wicked beauty of the tariff tax. When international trade grew and millions and billions of dollars' worth of products began to flow from nation to nation, it was not only found that those who paid it did so without knowing it but also that hundreds and thousands of those who made the same kind of goods as those imported were ever watchful for their own interest and ready to increase the price they charged by the amount of the tax, and so were all the time, in season and out of season, boosting the tax. To them every extravagance of government was a boon, because the higher the import tax the higher the tribute gathered by them; and so two greeds—the greed of the governing classes proper and the greed of the favored leeches and bloodsuckers who fattened and filled their pockets along with the government—were joined and the world-old struggle between the masses and the classes grew harder and darker and more cruel than ever before.

That, Mr. Chairman, is the twofold evil in the tariff, that it is taken without being known or comprehended by those who pay it to the Government and that it raises a class of bloodsuckers who combine together and profit many times more than the government by every burden imposed by it.

But, Mr. Chairman, these bloodsuckers have something to say for this tax and for themselves. First, they say it is a time-honored system, established by the fathers. It is time honored. The tariff tax was established by the fathers. When this Government was formed the fathers found that all nations practically had resorted to the levy of import duties to raise revenues, and many of them for other purposes, such as to cripple the industries of other nations or to build up their own. But our fathers also knew why this tax had been resorted to, and they faintly grasped the evils that lurked in it. They needed money, more than, as they feared, the people would stand for in direct taxes, and they were not without the shrewd counsel of those who persuaded them that in our then struggling and poverty-stricken condition such a tax would help our infant industries to get on their feet. There was no question then of helping our labor against the pauper labor of England or Europe, for wages were lower here than there; and the fathers, in so far as they could, in the Constitution limited the evil of the tariff by declaring it should only be levied to raise Government revenue and that no such tax should ever be levied by the States, thereby insuring for all time the freest of trade between the States.

Had the mild and moderate purposes of the fathers been adhered to, and had the argument of the early protectionists that competition among home producers would soon bring the level of prices at home down to or below the level of prices abroad been borne out by our subsequent history, there would be no tariff question to-day. But the greed of those who benefited by the tariff made such amazing demands that the early tariffs, levied when we had infant industries which with some reason urged their need of help, came to be trifling in comparison with the later tariffs and then the vaunted home competition became so minimized that in the vast majority of cases our home prices of most manufactures do not even approach the foreign prices of the same class of goods, and at last we are brought face to face with the fact that our home producers of the great manufactures have combined to stifle competition, and in many instances not only do not sell to us at nearly as low price as the foreign maker of the same article sells it in his home market, but they do not sell to us at as low prices as they themselves send their wares abroad and sell them for.

In modern times one of the most conspicuous instances of concessions to a favored class is the enormous import duties levied by Germany upon imports of meats. This policy was entered upon at the behest of the "agrarians," who formed so numerous a party in the Reichstag as to enable them to form coalitions with other parties in the parliament and thereby compel the Government to accede to their demands for the imposition of tariff duties especially protective of their particular interests. A like policy has been pursued by the German Government in behalf of the same agrarian interest, who have greatly raised the price of the wheat grown on the lands of the German lord by an enormous duty laid on all imports of American wheat, so that to-day meat is beyond the reach of the great body of German workingmen and bread almost doubled in price. The same system in this country is fast taking meat from the mouths and woolen clothing from the backs of the poor and the toilers in great cities.

The protectionist also said that the tariff was not paid by us, but by the foreign producer. In the face of the patent fact that the goods we import with a duty on them can be bought and are bought all over the world by the people of the nations where they are made cheaper than we buy them by the full amount of the tax or nearly so, and in the face of the fact that ours is notoriously the highest market in the world for almost every manufacured article on which we levy the tax, whether we import it or make it here, he has abandoned that pretense.

The protectionist is a special pleader. At first he had no wage argument; now it is his sole remaining argument in the United States. Here it is cried from the housetops, it is proclaimed on the hills and in the valleys, in the cities and in the country, that we must have a tariff to protect the wages of the American workingman against the low wages of the pauper labor of Europe and the Orient.

The Bethlehem Steel Co., a concern that put six millions of capital in its business 10 years ago and has from its earnings added twenty millions to its capital since then, and declared last year 20 per cent dividend on its twenty-six millions capital, tells us we must keep up the tariff for the benefit of the American workingman.

The story of the United States Steel Trust, its inflation of capital and profits, when told in simple verity, staggers our capacity of belief. The story of the woolen mills is the same. Yet the laborers in these concerns are no better paid than other laborers; few of them can own their homes; many of them are women and boys and girls, paid only starvation wages, and over 50 per cent of these so-called American working people for whose benefit the tariff was levied are foreigners who can not speak our language and were imported by the tariff profit takers to beat down the wages and take the places of the American workingman. The truth is the tariff benefits go into profits and not into wages. This was shown so plainly the other day by Mr. RAINEY, of Illinois, that I will give just a short extract from his speech showing the enormous profits of a few of the corporations that cry so loudly for the American workingman:

It might be advisable at this time to call attention to some of the profits New England mills are distributing under the present tariff laws. The Acushnet Mills, of New Bedford, paid 16 per cent in dividends from 1902 to 1910, and in 1910, in order to cut down their apparent profits, they increased their capital stock 100 per cent, and in 1911 their dividends amounted to 8 per cent. The Bristol Mills, of New Bedford, pay from 4 to 6 per cent in dividends every year, and watered their stock 20 per cent in 1908, and in that year and in succeeding years they have continued to pay 5 to 6 per cent on their stock, water and all. The Butler Mills, of the same city, pay from 5 to 9 per cent each year in dividends. In 1910 they made a stock dividend of 20 per cent, and in 1911 they paid 8 per cent upon their stock, water and all.

The Dartmouth Mills, of New Bedford, paid on their common stock 8 per cent in 1902, 1903, and 1904. In 1905 they paid 20 per cent; in 1906, 26 per cent; in 1907, 66 per cent; in 1908, 66 per cent; and in 1909 they increased the amount of their common stock 100 per cent and divided it among their stockholders in order to keep down dividends. The same year they paid 13 per cent upon their common stock, water and all; and in 1910 they paid 16 per cent upon the common stock so watered, and in 1911 the same amount. In 1909 this company made a stock increase of 50 per cent on their preferred stock, and paid 5 per cent upon their preferred stock so watered in that year, and have been paying 5 per cent ever since.

He gives many more, but that is enough to show that the tariff baron beats down wages all he can, all he dares. He is found to give in dollars and cents something of a higher wage here than is given in Italy or Germany or England, because he must give enough to his laborers to enable them to pay at trust prices for the necessaries of life to hold body and soul together, but he does not pay one cent more unless he is compelled to do it by labor unions, and this is absolutely true whether the tariff is 100 per cent, 50 per cent, 10 per cent, or nothing at all. The tariff baron adds every dollar he possibly can to his profits. Wherever he has been able to effect combination and stifle competition he puts into profits, dividends, and betterments every dollar that he can wring from the business, leaving to the laborer only what is necessary to keep the blood running in his veins and the flesh clinging to his bones. Every law for the protection of childhood, of womanhood, of manhood, must be won over his protest and fierce opposition. His profits must come first. His capitalization may be only water, standing for the possibility of future dividends; but dividends it must earn if by ingenuity he can make it. Captains of every industry in the land are clamoring for protection. Every ship on the sea is clamoring for subsidy—all for the American workingman—but the imported foreign children in our woolen mills shiver in New England winter and our American seaman struggles in vain against the dollar for rules that will require, in the interest of safety and humanity, seamen capable of understanding the language of the ship's officers and hours of labor that will not strain to breaking the powers of human endurance.

The profit takers say protection has given American workingmen higher wages than Europe or England gives. I asked a leader the other day if protection did that for the American wage earner, why did it not do the same for the German, the French, and the Italian laborer. He never answered or tried to answer. All these countries have high protective tariffs, yet our defenders of protection call their labor pauper labor. If the pauper labor of these countries is our argument for protection against their products, in God's name what is their argument for protection against our products?

Do not be alarmed for fear the resourcefulness of self-interest in Germany or Italy will fail to furnish plausible reasons. The truth is that free-trade England gives higher wages than Germany or any other high-tariff country except the United States and Canada, and that the tariff does not affect wages. The real reason for protection in all countries is the same. It enables the capitalistic classes in each country to beat down labor to its lowest possible living point, and then take in profits all the tribute that can be levied on the industry and thrift and needs of that country.

Capital is without nationality and without patriotism and without benevolence. Whenever capital engaged in any industry finds that it can produce its goods cheaper elsewhere than here it is going to build its factories elsewhere for every bit of its product that it can sell elsewhere.

Prohibitive tariffs are the strangest of all inconsistencies. There is no doubt that all civilized countries can pass prohibitive tariffs. We have done so in many things. Germany, Canada, and other countries have done the same. Is it not strange that we spend $400,000,000 building a canal; we deepen harbors and send our agents and consuls abroad, make treaties, and in a thousand ways strive to promote trade with the world, and then turn around and shut our doors to all but a few things of other nations, and stimulate them by our example to shut their doors against all but a few things of ours—that we force them to trade elsewhere by refusing to take their products or to permit them to give us their products in exchange for ours? We know that many of our farm products must go abroad to find consumers. Protection not only enhances the price we must pay for the products of the factory here, but it decreases the price we receive for our farm products abroad. The South American farmer sends his $100,000 worth of corn and wheat abroad and buys a cargo of $100,000 of English or German goods in return. If we send $100,000 worth of corn and wheat and cotton abroad, we can only buy $50,000 or $60,000 worth of English or German goods with the proceeds, because we must save out $40,000 or $50,000 with which to pay duty before we can bring in our goods.

To those of us who can not be hothoused—the cotton farmer, the grain farmer, the farmer generally, and that vast army of men who have only their labor to sell—there is no bounty in protection. No tribute is gathered for them. They are the ones that furnish the bounty. They are those who, by their labor every year, contribute that vast sum which goes to make up what we proudly call our balance of trade, which serves to fill the coffers of the profit-taking protected capitalistic few. The truth is, the capitalistic few take to themselves nearly all the surplus riches that this magnificent country and people every year pour into the aggregate wealth of the world. It may be that we are consuming the corpus of our rich heritage and making our country poorer; our soil may be getting thinner, our timber may be vanishing, our mineral resources depleted, still we are living, and living fast, and our millionaires are multiplying and fattening.

Let us stop and think. Let us get some things in exchange for what we send to Europe besides samples of effete and bankrupt aristocracy. Let us have the comforts those people make in exchange for the comforts we give. But our protectionists sometimes say—and particularly do the cotton-mill men of the South say—"We are on the ragged edge; if you lower the tariff we will be destroyed. Already our mills are overstocked; we can not make a profit even now; and if we must sell lower to meet English competition we must go broke." That sounds hard, and they seem to believe it. What has happened with them? Just this: They have been hothoused. They did not need any hothousing, they were a natural and proper industry for the South, particularly in North Carolina and other States where water power is going to waste and the cotton field is at their doors and the cheapest labor in America abounds.

But they were hothoused. Now, the difference between hothousing a plant and hothousing an industry is this: If you hothouse a plant or a number of plants, the plants have no volition in the matter; every plant on the outside is not looking at the warm sunshine of the hothouse in the winter or its cool

shade in the summer and hungering for it and moving in to get it. But industries are linked up with self-interest and volition, and as soon as A, B, and C go into a business that is hothoused and given a high rate of profit, E, F, and G begin to get hungry for that same great profit, and they, too, move in and go to work in the same house, and it is the same thing on down to X, Y, and Z, until the hothouse gets overcrowded. To leave the metaphor, when by the very nature of the case our tariff can only raise the price of cotton goods in the United States, and so many have gone into cotton manufacturing in the South, tempted by these high prices and profits, that they oversupply our home market, then they glut the market, and even the high price of the product does not give enough profits to go round nicely, and they must all or many of them perish whether you lower or raise the tariff. The only relief for them is to widen their markets. Let them shake off their baby strings, get the up-to-date best machinery, best managers, and best labor in the world, and with the cheapest raw material and best natural advantages and biggest near-by market in the world as a basis, go out and conquer all the markets of the world. That is the ultimate destiny of the cotton manufactory in the South, or else decay. It is one of the anomalies and paradoxes of protection that nobody is louder in talk of capturing the markets of the world than its advocates. Nothing can be surer than the fact that any manufacturer either can compete with foreign producers of his commodity here at home or else he can not compete with him abroad.

If he can not compete at home he can not compete abroad. If the manufacturer can compete abroad but only wants protection to enable him to make a greater profit at home, he only shows his greed by his demand and we only show either our complicity in his greed or our utter want of common sense if we grant it. Let no man talk of conquering the markets of the world in one breath and in the next declare he can not compete successfully in the markets at home.

Perhaps the most important feature of protection is the combinations it makes. There is no question that in the beginning of our tariff legislation the manufacturing protectionists preached the doctrine of free raw material, with a tariff on the finished manufacture; and for their purpose, except from one standpoint, they were right. To use wool and woolen goods for illustration, it was plain that a tax on wool without a tax on woolen goods was impossible, because if the American manufacturer was by law compelled to pay 10 cents per pound more for his wool than the English manufacturer, even if he did all the work of making cloth at the same cost with his English competitor, still his competitor could undersell him by the amount of the tax on the wool which the American millman had to pay and the Englishman did not have to pay. It was also plain that in that case the American woolen manufacturer would go out of business and the American woolgrower have to take his wool abroad to sell it in the world's open market, thus losing his protection also. On the other hand, if wool were on the free list and woolens protected by a tariff he argued that he could give the home woolgrower a better price than he could get abroad, by the amount of the transportation charges both ways, and still make a profit on his woolen cloth. For a long time all protectionists fought any duty on raw wool. But protection was making a losing fight. Many people wanted to know why woolen cloth ought to be protected. Then the protectionists sought recruits and revised their creed. They had enlisted all the manufacturers; but these were too few. Then the manufacturer began to make combinations.

He discovered the doctrine of compensatory duties. What did it matter to him if there was a duty on wool, provided an additional duty on woolens was levied to compensate or a little more than compensate him for the duty he paid on wool? Then he sent for the woolgrower and they had a little friendly conference, and instead of fighting each other they combined to fight together for a duty on wool, to benefit the woolgrower, and first a compensatory duty, to recoup the manufacturer for the duty he paid on the wool, and then an additional duty on woolen cloth, for the benefit of the manufacturer. Then all the protected industries discovered that what they needed was numbers in their ranks—they needed to enlist the self-interest of enough people to enable them to dominate the whole and by combination so adjust the climbing scale of tariffs by a system of compensatory duties as to pass one tariff on and incorporate it in another, until at last it should be unloaded on the final consumer. They began to go out into the walks of all industries and hunt up every man the price of whose products might be enhanced or who might be persuaded to believe so. They went out into the highways and the byways and invited all they could induce to come to the feast, and to those they could not persuade to come they sent a piece of the feast cake. Truly, it has been a drunken debauch ever since. They knew full well that the great body of the people could not feed at their table; could only work to provide the feast. They knew also that thousands would sell their birthright for a mess of potage, and by organization and shrewd sophistries and lavish expenditure of money they set out to persuade the American people they could tax themselves into riches. They took in the weak, the simple, and the selfish. They put a tariff on chemicals, oils, and paints, from acids to vanillin; on earths and earthen and glass ware, from bricks to grindstones and slate; on metals, from pig iron to watch movements, and metal articles they could not think of they lumped for luck and put in a basket clause at, say, 45 per cent.

They put a tax on woods from brier-root wood to house furniture; on sugar and candy; on everything on the farm and the ranch, from apples and dried eggs to spices and vinegar; on spirits and wines; on tobacco and snuff; on cotton manufactures, and on wool and woolen manufactures—they spread a snare for all. But enough. Is it any wonder that with this army of healthy, hungry supporters, bought and paid for and mutually bound together, protection is hard to overthrow?

The CHAIRMAN. The time of the gentleman has expired.

Mr. UNDERWOOD. How much time does the gentleman desire?

Mr. HARDY. About 10 minutes; not more.

Mr. UNDERWOOD. I yield 10 minutes additional to the gentleman.

Mr. HARDY. The object now of the high protectionist is not to exclude anyone, but to include everyone they can. They want every recruit they can get, and they go out in the highways and byways and gather in reenforcements here and there, and so they take in the sheepmen, they take in the fruit grower, they take in the sugar men, they take in the wheat grower. They put a duty on every possible object in order that every man who gathers a little bit from the benefits of protection might swell the ranks of his forces and serve to aid in imposing higher and higher duties upon the great masses, who are not benefited and can not be benefited by it. My countrymen, no philosopher or poet ever uttered a truer expression than Burns when he said:

> But och! Mankind are unco weak, an' little to be trusted;
> If self the wavering balance shake, it's rarely right adjusted.

The time may come—God grant us mercy that when it does come that our people may resist the temptation. The Lord's prayer was wisest in the one sentence, "Lead us not into temptation, but deliver us from evil"—but if the time ever comes when it may be necessary for corn to be imported into this country, when the granaries of these United States fail to meet the demand for consumption and the granaries of the world are sought in order to supply the hunger of our labor, then God grant that our farming people may be able to resist the temptation to pile on the burdens of those who struggle hard for bread in order to put coin in their coffers.

That is what is the matter with Germany to-day. The landlords are her nobility. The highest houses there own the land in Germany, and then impose a high duty on wheat. They combine with the mill men so that the miller and landlord combining together pay one duty on wheat and a higher duty on flour, and together they compel the common laborer of Germany to pay two prices for the bread he eats. It is a world-wide truism that human greed is never satisfied; that human appetite is never surfeited. I want to add but one little thing just by way of conclusion.

We can not have free trade in this country, because we must raise revenue, but if we, under the Constitution, levied our taxes only for revenue we would not suffer much. I know our country is prosperous. It would be so if absolutely cut off from the world. If we might never see or hear from another land, in our own land among 48 States we have the soil, the climate, the mines, the forests, the brawn, the brains, the sobriety, the industry to make us, even so isolated, perhaps the greatest and most prosperous people on earth; but there is much that other people might give to us in exchange for much that we might give to them, to the wider happiness of both them and us. We have prospered not because of but in spite of restrictions on our freedom. For one I would like to see established a little world of freedom. I would like to see my home county in just such a state. Just free to buy from all the world just what we wanted to buy, and sell to all the world what we had to sell. I would sell at home all I could sell for less at home than abroad. I would sell abroad all I could sell for more there than at home. If I wanted a hat, I would like the liberty of buying it for $2, if I could, and not be compelled to pay $5 for it. I surely do not fear that the things I wanted to buy would pour in so cheaply I could not live. If I wanted to buy a horse, and my neighbor asked me $200 for him, I would like to have the freedom to go over into an adjoining county, or even to a foreign land, and buy a better horse for $150 if I could. If my neighbors and I wanted cattle and they were scarce and high in my home county, I would like the privilege of going down in south Texas, or even into Mexico, and buying them cheaper, and then of bringing them home to feed and fatten for our eating. I would like to be free to take my corn, my cotton, my potatoes, my chickens, my cattle, my horses to Maine, to New York, to California, or Florida, to anywhere in all the world, and sell them and bring back what I got there in exchange. I would like to quit paying tribute to some man no better but more favored than I. I would like to strike off the shackles that have been wrought by Satan himself to bind over half of my countrymen in chains at the chariot wheels of a favored few. I would like to see my country free once more to trade, to buy where they would, to sell where they would, and once more to look the sun of freedom in the face as free men on a free earth. [Applause on the Democratic side.]

The Panama Canal.

EXTENSION OF REMARKS
OF
HON. L. C. DYER,
OF MISSOURI.
IN THE HOUSE OF REPRESENTATIVES,

Tuesday, May 20, 1913.

Mr. DYER. Mr. Speaker, under leave granted to extend my remarks in the RECORD, I insert herewith an address delivered by me at the Central Wesleyan College, Warrenton, Mo., on Thursday evening, May 1, 1913, on the subject of the Panama Canal. Following is the address referred to:

"Mr. Chairman, members of the faculty, students, and friends of Central Wesleyan College, it is a great honor and pleasure to me to talk to you this evening upon what is to be one of the greatest epochs in American history, the dedicating to the world by the United States of the Panama Canal. On a recent trip to the canal I was wonderfully impressed with this great undertaking from the standpoint of American engineering and enterprise, and I know of none that I would rather talk to upon the history, the greatness, and the meaning of the Panama Canal than to this splendid audience.

"The great Speaker of the House of Representatives, the Hon. CHAMP CLARK, who is also your Representative in Congress from this district, gave me a message to bring you. He said to me just before I left Washington:

"I understand you are soon to lecture at the college at Warrenton. I think a great deal of that college, its faculty, and the student body. They are doing a fine work. About once in two years I lecture there instead of talking party politics. I enjoy it and they seem to enjoy it. Give them all my love.

"I know that you appreciate this message from Speaker CLARK, for he is one of the very greatest of Americans.

"The Panama Canal is located, as you all well know, on the Isthmus of Panama, some 2,000 miles slightly west of south of New York and 1,400 miles quite a little east of south of New Orleans. Pittsburgh and Buffalo are practically on a straight line with the western boundary of the Canal Zone where it begins on the Atlantic side, at Colon, a city with a population of 17,740.

"The Isthmus of Panama is an east-and-west neck of land, connecting North and South America, and has a population of some 400,000. It is 32,000 square miles in area, having a length of 430 miles and a width of 70 miles. It begins at 77½° west longitude on the boundary of the Republic of Colombia, South America, and extends to 83° west longitude to Costa Rica, in Central America. It lies between 7½° and 9½° north latitude—500 miles from the Equator.

"On the Pacific side of the Isthmus is the city of Panama, with a population of 37,505. The canal extends through what is known as the Canal Zone, a strip of land 10 miles wide from the Atlantic to the Pacific. The canal crosses the Isthmus at its northerly or upward turn, and makes the canal run from northwest to southeast, and makes the Pacific entrance to the canal 22½ miles east of the Atlantic entrance—connecting an eastern sea with a western ocean. From the Tivoli Hotel at the Pacific entrance to the canal you can see the sun rise directly before you out of the Pacific Ocean.

"The history of Panama is an interesting one, and I commend its careful study to the young men and young women, the students of this college. Columbus visited the Isthmus in 1502, and although he was not the first man to actually land upon its soil, yet he being the first discoverer of land thereabouts, previously, he was naturally given credit for the finding of this narrow neck of land, as it afterwards proved to be, extending between North and South America. At the Atlantic entrance to the canal, in the city of Cristobal, stands the statue of Columbus, and no one can view it without realizing that at last the new route to India is about solved. Of course Columbus died without knowing the nature of this land. Lowell said, 'Columbus started out to find the entrance to the back door of the Old World and found the front door to the New.' The first one to learn the nature and width of the Isthmus was Balboa, who, from a peak of the Culebra Mountains, in 1513, saw the Pacific Ocean. He it was who learned that the Isthmus was 'the waist of the world,' and to-day the name of Balboa is honored by the United States in naming the Pacific entrance to the canal 'Balboa.'

"The idea of a canal across the Isthmus was conceived some 250 years before there was a United States of America. During the reigns of the Spanish Kings, Charles and Phillip, there was exploring and investigating of the Isthmus with this idea in mind. When the matter was brought before King Phillip he consulted with his advisers, including the Dominican friars, who advised against the cutting of a canal through the Isthmus. The argument that they presented to King Phillip was that, 'What God hath joined together let no man put asunder.'

"For a period of some 350 years from Balboa's discovery not much was done in regard to the project. Numerous explorers and writers visited the Isthmus and discussion was had and articles written on the feasibility, advisability, and so forth, of connecting the Atlantic and Pacific with a water route. In 1827 we find a prophetic vision of the canal from that celebrated German poet, dear to the hearts of Central Wesleyan, and in whose honor one of the splendid literary societies of this college is named—'Goethenian.' Goethe was writing concerning the theories of Humboldt, who had visited the Isthmus and given his ideas of how the canal could be made. Goethe said in part:

"All this is reserved for the future and for a great spirit of enterprise; but so much is certain: If a project of the kind succeeded in making it possible for ships of whatever lading or size to go through such a canal from the Gulf of Mexico to the Pacific Ocean, quite incalculable results would ensue for the whole of civilized and uncivilized humanity. I should be surprised, however, if the United States were to let the opportunity escape them of getting such an achievement into their own hands. We may expect this youthful power, with its decided tendency westward, in 30 or 40 years to have also occupied and peopled the extensive tracts of land beyond the Rocky Mountains. We may further expect that along the whole Pacific coast, where nature has already formed the largest and safest harbors, commercial cities of the utmost importance will gradually arise, to be the medium of trade between China, together with the East Indies and the United States. • • • It is absolutely indispensable for the United States to effect a way through from the Gulf of Mexico to the Pacific Ocean, and I am certain they will compass it. This I should like to live to see, but I shall not.

"This was in 1827, but we do not find any particular activity by the United States as regards the canal until about 1872 and 1875, when commissioners were sent by Congress to make investigations, surveys, and so forth, of the Panama and Nicaragua routes. It is true that the United States had discussed the matter of a canal years previous to this, but no formidable undertaking in that regard was had. Two of the preeminent reasons why, perhaps—nothing definite was done by the United States about this time—were the building of the Panama Railroad across the Isthmus about 1850, and the great Civil War, which took all the resources and energy of the United States for the time being.

"Lucien N. B. Wyse, a Frenchman, obtained a concession from the Republic of Colombia to dig a canal across the Isthmus of Panama, and in 1879 a company was formed in France, with de Lesseps at its head, to dig a sea-level canal across the Isthmus. Work was started in about 1881, and after the expenditure of some $260,000,000 they had succeeded in excavating only 7 miles of the less difficult part for the canal. The failure of this French company was followed by the organization of a new company in France, which determined upon a lock canal. They continued the work of digging the canal in a desultory way till the United States purchased the French rights and property on May 4, 1904, for $40,000,000. At the time the French sold out to the United States the Republic of Colombia owned the territory through which the canal was to pass. Representatives of the United States and Colombia agreed to treaties which were submitted to the Colombian Congress for ratification, by which the United States was to have absolute right to certain territory, and so forth, through which to dig the canal. The amount of money to be paid Colombia was considered by her not enough. One of the treaties provided for the payment of $7,000,000 cash and $250,000 annually after the fourteenth year; after this proposition was disagreed to, a new

treaty was entered into by which $10,000,000 in cash was to be paid her and $100,000 yearly after the ninth year. This was rejected by the Republic of Colombia October 31, 1903. Immediately following that portion of the former Republic of Colombia known as the Isthmus of Panama withdrew from Colombia and set up a government of its own, and which was on November 7 recognized by the United States Government as the Republic of Panama. The United States then entered into a treaty with the Republic of Panama to secure the necessary rights to dig the canal. This treaty, known as the Hay-Bunau-Varilla treaty, signed at Washington on November 18, 1903, was ratified by the Panaman Congress, signed by its President, and proclaimed February 26, 1904. The important provisions of this treaty were as follows:

"First. The United States guarantees to maintain the independence of the Republic of Panama.

"Second. Panama grants to the United States in perpetuity a strip across the Isthmus extending 5 miles on each side of the canal, the cities of Colon and Panama excepted. Over this strip, called the Canal Zone, the United States is conceded absolute jurisdiction.

"Third. All railway and canal rights of the zone are ceded to the United States.

"Fourth. The property of the United States in the zone is exempt from taxation.

"Fifth. The United States is to have the right to use military force, to build fortifications, and to perfect transit.

"Sixth. The United States is to have sanitary jurisdiction over the cities of Panama and Colon, and the right to preserve order in the Republic should the Panama Government, in the judgment of the United States, fail to do so.

"Seventh. The United States agrees to pay Panama $10,000,000 at once and to pay an annuity of $250,000, beginning with the year 1913.

"The necessary authority and funds having been obtained from the Congress of the United States, as well as the necessary authority from the Republic of Panama secured, President Roosevelt proceeded without delay to begin the actual work of digging the canal. He appointed commissioners, and from time to time made certain changes, finally deciding that the best results would be obtained by centering the authority in one chief engineer. This he did on April 1, 1907, when Col. George W. Goethals was appointed chief engineer and chairman of the Isthmian Canal Commission.

"In the meantime, however, much had been done in the way of preparing for the digging of the canal. The United States having obtained from the French the Panama Railroad, found that there was much work to be done in the way of laying track, providing equipment, etc., to get the necessary use out of the railroad for the work of the canal. Some $9,000,000 was spent in doing this. The quartermaster had to gather together the necessary supplies; sanitation was one of the great problems to be considered. Col. A. W. Gorgas, the great American yellow-fever expert, was placed in charge of this, and a great deal of money and work was spent in ridding the Canal Zone of the mosquito and diseases of various kinds, with the result that the zone to-day is as healthy as the United States. Schools had to be established, as many Americans coming to work on the canal were bringing their families with them. Hotels, restaurants, etc., had to be built for the men and their families. Cold-storage and refrigerating plants had to be built to provide proper food for the workmen, with the result that to-day the best plants of this kind anywhere are located there, there being in addition plants for making ice, baking, coffee roasting, ice cream, laundry, packing, etc. Every morning at 4 a. m. a train loaded with provisions for the workmen throughout the Canal Zone is started out from Cristobal, the Atlantic terminus of the canal, these meats and provisions going out from Cristobal in refrigerating cars. In addition to all these necessary preparations, some of which have been casually mentioned, there had to be gathered together on the Canal Zone the necessary machinery and equipment for the work. In order that you may fully understand the enormous task of bringing these things to the canal from New York and other places in the United States and Europe, I will name some of the principal equipment now or that has been in use in digging the canal, to wit:

Canal service.

STEAM SHOVELS.

105-ton, 5 cubic yard dippers	15
95-ton, 4 and 5 cubic yard dippers	30
70-ton, 2½ and 3 cubic yard dippers	33
66-ton, 2½ cubic yard dippers	10
45-ton, 1½ cubic yard dippers	11
20-ton	1
Trenching shovel, ¾ cubic yard dipper	1
Total	101

LOCOMOTIVES.

American:	
106-ton	100
105-ton	41
117-ton	20
Total	161
French	104
Narrow-gauge, American, 16-ton	33
Electric	9
Total	307

DRILLS.

Mechanical churn or well	196
Tripod	357
Total	553

CARS.

Coaches	57
Freight	1,434
Total	1,491

CRANES.

Locomotive	2
Wrecking	2
Total	4

PILE DRIVERS.

Track	1
Floating	1
Total	2
Tugboat	1

LIGHTERS.

Coal, all steel	5
Cargo, steel and iron	8
Total	13
Motor boats	2
Steam ditcher	1

CONSTRUCTION CARS.

Flat, used with unloading plows	1,760
Steel dumps, large	596
Steel dumps, small	1,207
Ballast dumps	24
Steel flats	487
Narrow gauge	200
Motor	6
Pay car	1
Pay certificate	1
Automatic, electric	45
Decauville	224
Special, shops	12
Total	4,572
Spreaders	26
Track shifters	9
Unloaders	30
Pile drivers	14

DREDGES.

French ladder	7
Dipper	3
Pipe line	7
Seagoing suction	2
Clamshell	1
Total	20
Cranes	47
Rock breaker	1
Tugs	11
Towboat	1
House boats	3
Clapets	12
Pile driver, floating	1
Crane boat	1
Barges, lighters, and scows	72
Launches	29
Drill boats	2
Floating derricks	2

Panama Railroad.

LOCOMOTIVES.

Road (12 oil burners)	36
Switch	26
Total	62

"With the equipment at hand, with food and clothing, the zone made healthy, etc., we find one more thing necessary before work can be begun in earnest. This is to get the necessary laborers. After much effort along these lines the Isthmian Canal Commission was plentifully supplied in that regard by laborers, mostly from Jamaica, and have, as a general rule, given good service. The skilled workmen, mechanics, engineers, etc., have all come from the United States. The total number of laborers employed in the digging of the canal, the rebuilding of the Panama Railroad, etc., average about 30,000. In addition, there are about 5,000 Americans, skilled in various ways. With this word in regard to the necessary preparations of supplies and men, I will take up with you some of the really big things of the canal, to wit, locks, dams, spillways, and lakes—necessarily brief, however.

"The locks are six in number, there being three at Gatun, one at Pedro Miguel, and two at Miraflores. They are all in pairs, so that vessels can go in opposite directions at the same time.

"A lock is a walled chamber between two bodies of water of different levels, having gates at either end, in which it is possible to confine vessels while they are being raised or lowered from one level to another by allowing water to flow in or out of the lock chamber.

"The locks are built entirely of concrete, each one being 1,000 feet long and 110 feet wide. The total length of the Gatun flight, with approach walls, will be over 3,500 feet, or nearly two-thirds of a mile, and the entire width about 300 feet at the top. The massive side walls will be 81 feet high, 45 to 50 feet wide at the floor level, and then gradually taper to 8 feet at the top. The huge middle or separating wall will be 60 feet wide, carrying near its base a great central culvert, through which the water, rushing in turn into smaller or lateral branch culverts under and up through the floors of the locks, will flood each chamber and float the passing vessel. This main central culvert, extending the entire distance of the lock, will be 18 to 22 feet in diameter and could hold a mogul locomotive, while the laterals would make an easy driveway for a two-horse truck wagon. There are also culverts in the two side walls of corresponding size, so that an entire lock can be filled or emptied, using one culvert, in 15 minutes and 42 seconds, and, using two culverts, in 7 minutes and 51 seconds. This will be extraordinarily quick work, considering the enormous size of the locks, but will provide quick passage for ships. These culverts are also so arranged and controlled by valves that the water from one lock can be used to fill the one below it or the one alongside of it. The locks are built in parallel pairs for reasons both of safety and expedition. If one set is out of commission, the other can be used. If vessels are coming up in one set, others can be descending in the parallel set.

"The lock gates or leaves almost overwhelm one with their magnitude and majesty. The layman wonders how they can be safely and successfully manipulated. The individual leaves of the gates vary in height from 45 feet 7 inches at the end of the upper flight or third level to 79 feet at the beginning of the first flight or level. They are 7 feet thick and 65 feet long. Two sets of gates separate the high level from the lower level as protection in case one set is damaged by a collision with a vessel or otherwise put out of use. A huge chain is also dropped in front of the gates, made of such size and strength that it could check a ship of 10,000 tons moving at 5 miles an hour.

"For absolute safety still another remarkable precaution is provided. At the head of each flight of locks are emergency dams, consisting of swing bridges, which in case of an accident can be drawn across the locks. From these swing bridges wicker girders are let down. They, in turn, are supported by a sill at the bottom and the horizontal truss work of the bridge at the top. These wicker girders act as runways for gates which are lowered and gradually stop the flow.

"In each lock are intermediate gates forming lesser lock chambers of 600 and 400 feet length, respectively, to take care of the great majority of vessels and to save the necessity of filling the whole 1,000 feet of the regular locks.

"Ships will not be allowed in either of the locks under their own steam, but will be towed from one end to the other by specially designed powerful electric-motor locomotives running on tracks laid along the central and side walls of the locks. There will be two of these motors in front on either side and two behind, so that they will have absolute control of the vessel. The electricity which will not only operate these motors but all the gates and valves of the canal will be generated by water turbines located at the spillway of the Gatun Dam.

"The Gatun Dam is a huge earth structure and is, in fact, more of a mountain than a dam. It is so constructed as to complete the natural range of mountains which, excepting at this one point, entirely surround the low-lying basin of the Chagres River. By completing this basin it is possible to retain the waters of the Chagres and thereby form the Gatun Lake.

"The dam is constructed of two outer walls of dry fill, a large part of which was excavated from the Culebra Cut. These two walls, or toes, as they are usually called, were constructed so as to be 1,200 feet apart (inside measurement), and this space in between the two walls is filled with a mixture of sand and clay which is sucked up from the river bed of the Chagres, both above and below the dam, by means of large suction dredges and then pumped through long pipe lines into the space between the two walls of dry earth fill. About 20 per cent of the material passing through these pipe lines is solid matter, the balance water. After the solid matter settles the surplus water is drained off and in that way the inner portion of the dam is built up. This inner core is usually known as the hydraulic core and forms the water-tight portion of the dam. After the hydraulic core has been carried a short way above the water level it will be discontinued and the outer walls will then be carried higher and closer together until they entirely incase and cap over the inner core.

"The Gatun Dam at the base is 2,100 feet, or about a half mile thick, 400 feet thick at the water surface, and 100 feet wide across the crest. The crest of the dam stands 105 feet above sea level and 20 feet above the surface of the water of the lake. The length of the dam measured along the crest is 7,500 feet, but of this length only 500 feet will be subject to the full pressure of 85 feet of water due to the natural rise of the ground along the inner slopes of the dam.

"The spillway, which is located about midway of the dam, is built right into a natural hill, which stood at an elevation of 110 feet above sea level. This hill was practically solid rock, so they simply cut a channel 300 feet wide through it and lined it with concrete, building a dam across the head of this channel to form the spillway or regulating works for Gatun Lake. This dam forms nearly a semicircle across the head of the spillway channel and will be constructed of solid concrete up to an elevation of 69 feet. At this level piers rise 45 feet apart on the crest of the solid portion of the dam, and in between these piers come the steel gates which will control the level of the lake. Water can be discharged from the lake, either over the top of these gates at an elevation of 87 feet, which would be the height of the crest of the gates when closed, or by raising the gates the water can be discharged under them and over the concrete portion of the dam at an elevation of 69 feet. At the latter part of each rainy season the gates will be closed and the lake level increased from 85 to 87 feet. This would give 2 feet of water over 164 square miles, which would be sufficient to make 58 lockages a day during the dry season; that is, 10 more than could possibly be made with vessels following one another at intervals of one hour. Then, when the rainy season begins again and the large floods occur, the gates could be raised, allowing water to escape below them at an elevation of 69 feet, which would result in an increase in the volume of the water discharging through the spillway, due to the pressure of the water standing above the point of discharge. In this way as the level of the lake rises the efficiency of the spillway automatically increases.

"The spillway will be capable of discharging 154,000 cubic feet per second, which is more than the greatest momentary discharge of the Chagres River at Gatun. In addition to the control of the Chagres effected by means of the spillway, there is the great reservoiring effect of the Gatun Lake, it being of such great area that it would take the greatest known flood of the Chagres River nine hours to raise the level of the lake 1 foot, even though no water was discharging through the spillway at Gatun.

"Gatun Lake will impound the waters of a basin comprising 1,320 square miles. When the surface of the water is at 85 feet sea level the lake will have an area of about 164 square miles, and will contain about 183,000,000,000 cubic feet of water. During eight or nine months of the year the lake will be kept constantly full by the prevailing rains, and consequently a surplus will need to be stored for only three or four months of the dry season.

"The Culebra Cut begins at the point where the canal leaves the valley of the Chagres River, near Bas Obispo, and follows the winding valley of the Rio Grande until it reaches the Continental Divide, near Culebra. After cutting through the divide it follows the valley of the Rio Grande to Pedro Miguel.

"The average depth to which it was necessary to excavate below the natural surface at Culebra Cut was approximately 120 feet through the entire length of the cut. At the point where the Continental Divide was severed between Gold Hill and Contractors Hill, the cutting will average 375 feet. The lowest point of the Cordillera Mountains, which reach in a majestic barrier for 10,000 miles from the Yukon River, in Alaska, to the Straits of Magellan, in southern Chile, will be at the bottom of Culebra Cut, which, when the canal is completed, will be exactly 40 feet above sea level, and the deepest cut of which will be at Gold Hill, 495 feet.

"The cut is 9 miles long and 300 feet wide at the bottom. It is widened at right angles so that vessels 1,000 feet long can make the turn with perfect ease. The amount that had been

excavated at Culebra Cut to April 1 was 91,847,517 cubic yards, and there was remaining to be excavated 7,510,300 cubic yards.

"The Culebra section of the canal is terminated by the Pedro Miguel Locks, which, with a small earth dam about 1,104 feet long, and having a concrete core wall connecting the lock and the high ground to westward, and a crest of 105 feet above mean sea level, forms a small lake and bay.

"The Pedro Miguel and Miraflores Locks are the same in all essential features as the Gatun Locks. There is only one lift at Pedro Miguel, of 30½ feet. We then have the Miraflores Locks, two in number, with a combined lift of 55⅓ feet. From the Miraflores Locks the vessel is lowered to sea level and passes out to the Pacific Ocean and to deep water.

"The canal excavation to date is about as follows:

	Cubic yards.
By French companies	78,146,960
French excavation useful to present canal	29,908,000
By Americans:	
Dry excavation	121,152,783
Dredges	74,436,624
Total	195,589,407
May 4 to Dec. 31, 1904	243,472
Jan. 1 to Dec. 31, 1905	1,796,257
Jan. 1 to Dec. 31, 1906	4,948,497
Jan. 1 to Dec. 31, 1907	15,765,290
Jan. 1 to Dec. 31, 1908	37,116,735
Jan. 1 to Dec. 31, 1909	35,096,166
Jan. 1 to Dec. 31, 1910	31,437,857
Jan. 1 to Dec. 31, 1911	31,603,899
Jan. 1 to Dec. 31, 1912	30,269,349
Jan. 1 to Apr. 1, 1913	7,309,095

Totals by divisions and amount to be excavated.

Divisions.	Amount excavated.		Remaining to be excavated.	
ATLANTIC.				
Dry excavation	8,796,716		117,401	
Dredges	35,213,810	44,010,526	3,793,850	3,911,251
CENTRAL.				
Culebra Cut	91,847,517		7,510,300	
All other points	12,384,655		300,000	
		104,232,172		7,819,300
PACIFIC.				
Dry excavation	8,312,134		1,998,605	
Dredges	39,034,575		8,819,735	
		47,346,709		10,818,341
Grand total		195,589,407		22,548,892

"The excavation of the canal would equal a tunnel or subway 13 or 14 feet in diameter through the 8,000 miles of the earth. The total excavation, dry and wet, for the canal as originally planned was estimated at 103,795,000 cubic yards in addition to the excavation by the French companies. Changes in the plan of the canal, made subsequently by order of the President, increased the amount to 174,666,594 cubic yards. Of this amount 89,794,493 cubic yards were to be taken from the central division, which includes the Culebra Cut. In July, 1910, a further increase of 7,871,172 cubic yards was made, of which 7,330,525 cubic yards were to allow for slides in Culebra Cut, for silting in the Chagres section, and for lowering the bottom of the canal from 40 to 39 feet above sea level in the Chagres section. These additions increased the estimated total excavation to 182,537,766 cubic yards. In 1911 a further increase of 12,785,613 cubic yards was made, of which 5,257,281 cubic yards was for slides in Culebra Cut and the remainder for additional excavation and silting in the Atlantic and Pacific entrances, raising the grand total of estimated excavation to 195,323,379 cubic yards.

"In 1912 a still further increase of 17,180,621 cubic yards was made, of which 3,545,000 cubic yards was for slides in Culebra Cut and the remainder for dredging excavation at Gatun Locks, silting in the Atlantic entrance, and for the Balboa terminals, bringing the grand total of estimated excavation to 212,504,000 cubic yards. The Balboa terminals embrace 7,371,000 cubic yards of wet excavation and 1,423,000 cubic yards of dry excavation for the basin and docks. Deducting these amounts the total for canal excavation proper, according to the estimate of 1912, is about 203,710,000 cubic yards.

"Over 99 per cent of the total of 4,446,530 cubic yards of concrete to be placed in the locks had been laid at the close of work on April 12, the amount in place being 4,425,410 cubic yards.

"About 98 per cent of the concrete for the system of three twin locks at Gatun has been laid, the amount in place at the close of work on April 12 being 2,013,511 cubic yards out of a total of 2,043,730. In the spillway of Gatun Dam there had been placed 224,253 cubic yards out of a total of 225,000 cubic yards.

"Concrete work in the lock at Pedro Miguel is almost completed, 919,503 cubic yards having been placed at the close of work on April 12.

"Over 99 per cent of the concrete for the system of two twin locks at Miraflores was in place on April 12, the total amount on that date being 1,491,585 cubic yards, bucket measurement, out of a total of approximately 1,499,800.

"Over 2,000,000 cubic yards of concrete have been required to construct the Gatun Locks alone. This would make a wall 8 feet wide and 12 feet high 133 miles long, or half way around the State of Delaware, while all the concrete used in the construction of the canal, about 5,000,000 cubic yards, would completely inclose that State with a wall of these dimensions and be able to impound the largest fresh-water reservoir in the world.

"Another fact worth mentioning is that all the concrete used in the locks, spillways, dams, etc., would build a wall 12 feet high, 8 feet thick for 266 miles, the distance from New York to Washington.

"The total fill placed in dams is about as follows:

Year.	Gatun.		Pedro Miguel.	Miraflores.	
	Wet.	Dry.	Dry.	Wet.	Dry.
	Cubic yards.	*Cubic yards.*	*Cubic yards.*	*Cubic yards.*	*Cubic yards.*
To January 1, 1911	5,833,076	6,128,105	260,852	294,712	609,863
1911	3,493,388	2,613,066	57,669	366,336	460,514
1912	1,402,501	2,498,492	352,159	.....	418,042
1913	.....	334,502	22,198	.....	130,993
Total	10,728,965	11,574,165	692,878	661,048	1,619,411

Grand total, 25,276,470 cubic yards.

"The canal proper begins in the deep water of the Caribbean Sea, near Toro Point breakwater, which is 11,000 feet long, and is to protect Limon Bay from heavy storms, which are very frequent there, and is dredged directly south of Limon Bay for 5 miles to regular shore line, and thence 2 miles through lowland in a straight line to entrance of the Gatun Locks. This 7-mile channel has a minimum depth of 41 feet and a width of 500 feet. This is the Atlantic side sea-level part of the canal and is 7 miles in length.

"At Gatun we have three locks, which I have already discussed to some extent. Vessels are here lifted from the sea-level part of the canal to 85 feet above sea level through a flight of the three locks. Then the vessel passes directly into Gatun Lake, which is an artificial body of water 164 square miles in area.

"After the ship is raised from the sea-level part of the canal of Gatun Lake, 85 feet above sea level, by the Gatun Locks, it is free to proceed for 24 miles on the Gatun Lake, the channel for this distance being from 1,000 feet to 500 feet wide; then for 9 miles, extending through Culebra Cut to Pedro Miguel Locks, the channel is 300 feet wide. At Pedro Miguel the vessel enters a lock and is lowered 30½ feet to a small lake, called Miraflores Lake, which has an elevation 54⅓ feet above sea level, and then passes through the lake for 1½ miles to Miraflores. There it will enter two locks, in series, and be lowered 54⅓ feet to sea level, passing out into Panama Bay and the Pacific Ocean through a channel 8½ miles in length with a width of 500 feet. To protect the channel in the Panama Bay a breakwater has been built from Sosa Hill to Naos Island for 3 miles. This is to prevent the canal from being filled with silt or sand from waters of the Panama Bay. This breakwater is made with material from Culebra Cut. Thus it will be seen that the length of the canal from deep water to deep water is approximately 50 miles, 15 miles of which being sea level. The maximum width of the canal is 1,000 feet, the minimum 300 feet, and the minimum depth 41 feet. Forty ships can pass through the canal in 24 hours—20 each way.

"To pass a vessel through the canal will take from 10 to 12 hours, according to the size of the ship and the rate of speed at which it can travel. To go through the three locks at Gatun it takes one hour and a half—30 minutes to each lock, or 3 hours for all the locks. This is a remarkably short time, considering the ponderous mechanism employed, and is also an interesting contrast with the old way, for by the new way vessels can go from Colon to Panama in 12 hours, accomplishing the journey which when made around South America takes 30 to 40 days.

"One of the great benefits to come from the Panama Canal is the decreasing of the distances between eastern and western

ports of the United States. It is interesting to note the distance in nautical miles that will thereby be saved. As an example of this we will take the city of New York and see what is saved by vessels sailing from there via the Panama Canal on trade routes, to wit:

	Miles.
New York to San Francisco by way of—	
Magellan	13,135
Panama	5,262
Saved	7,873
New York to Guayaquil by way of—	
Magellan	10,215
Panama	2,810
Saved	7,405
New York to Callao by way of—	
Magellan	9,613
Panama	3,363
Saved	6,250
New York to Iquique by way of—	
Magellan	9,143
Panama	4,004
Saved	5,139
New York to Valparaiso by way of—	
Magellan	8,380
Panama	4,633
Saved	3,747
New York to Honolulu by way of—	
Magellan	13,312
Panama	6,700
Saved	6,612
New York to Manila by way of—	
Suez	11,589
Panama	11,548
Saved	41
New York to Yokohama by way of—	
Suez	13,079
Panama	9,798
Saved	3,281
New York to Hongkong by way of—	
Suez	11,628
Panama	11,383
Saved	245
New York to Melbourne by way of—	
Magellan	12,852
Panama	10,030
Saved	2,822

"St. Louis and Missouri will also benefit by reason of the shorter route for its products. St. Louis is to-day exporting some $50,000,000 worth of goods annually to South American countries. St. Louis will be nearer the western coast of South America, when the canal is finished, than any other manufacturing city. The export trade of St. Louis will greatly increase, and as its manufacturing industries enlarge and its product becomes greater, so will the great agricultural sections of the Mississippi Valley feel this impulse, and greater prosperity come to it also. In a short time I expect to see a deep-water channel in the Mississippi River from St. Louis to the Gulf of Mexico. Then we will see big ocean steamers loading the wares, merchandise, and products of St. Louis and its near-by territory at the St. Louis wharves, and then steaming on down the Mississippi to the Gulf, and on through the Gulf of Mexico and the high seas via the Panama Canal, delivering their cargoes to the western coast cities of North and South America, and on to Honolulu, Yokohama, and the East. When this has been accomplished the manufacturers of St. Louis will save almost one-half in freight rates that they are now paying to send goods to the same points by railroad. There are other great and beneficial results to the American people that will come from the completion of the canal besides the commercial one mentioned. One other is the benefit it will be in case of war with some foreign country. Our battleships can go from the Atlantic to the Pacific or from the Pacific to the Atlantic in much less time, and will be a great benefit to our country, one of the reasons being that we will not need so many battleships. Most all of you remember the memorable trip of the battleship *Oregon*, during the Spanish War, from San Francisco to the Atlantic waters. It had to make the long and perilous trip around the Horn to join the Atlantic Fleet. Many of the wars of the future will begin and end in less time than it takes to make this trip. The canal will also be a great boon to the passenger traffic, shortening trips and saving many lives. It also teaches the people of America, and civilization in general, the great possibilities of American genius and the splendid progress of our Nation, for we accomplish one of the greatest known engineering feats, one that has baffled the great engineers and people of other countries. America is showing to the world that we can successfully do the biggest thing that has ever been done for civilization, and we are also letting them know that we have no motives and purposes in digging the canal other than the great and lasting benefit it will be to all mankind. America is satisfied for itself with the glory that we have been able to do the job. It is the greatest project of its kind that the world has ever seen; its locks are bigger and more ingeniously constructed than any ever before attempted. Its dams, spillways, lakes, tunnels, mechanism, and all, are the wonder of the world and greater in each case than ever before seen.

"The drilling through rocks for purposes of blasting, that has been necessary, would make a hole through the entire earth; 500,000 pounds of dynamite have been used at Culebra Cut alone each month for blasting; rivers have been diverted from their regular channels and been given new beds; an artificial lake, 164 square miles in area, is one of the wonders of this great undertaking. In fact, the only way that one can adequately appreciate the greatness of the work being done there is to see the canal while under construction and before it is filled with water. It is now predicted that the canal will be open to the commerce of the world by October next. Of course unlooked for slides, many of which have taken place in the last year or so, may delay this. These slides have been wonders in themselves. It is stated that one of these slides took in in its movements 160 acres of territory. Col. Goethals, the chief engineer, stated to me that he felt no great uneasiness about the slides of the future, and that after the canal had been finished and water turned in the danger of slides would be lessened and that those that did happen could be taken care of with dredges.

"One of the important questions concerning the future of the canal is as to whether or not tolls shall be charged to all ships passing through the canal, or whether American ships shall receive any preference in that regard. The Congress of the United States during the Sixty-second Congress decided by an act that tolls should not be charged to American coastwise ships. There was considerable opposition to this in Congress and throughout the United States, based principally on a treaty entered into between the United States and Great Britain and known as the Hay-Pauncefote treaty of December 16, 1901. This treaty provided that all nations should be allowed to use the canal on equal terms and conditions. The exact language of that treaty in part is as follows:

"The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules on terms of entire equality, so that there shall be no discrimination against any such nation or its citizens or subjects in respect of the conditions or charges of traffic or otherwise. Such conditions and charges of traffic shall be just and equitable.

"Another section, however, of this treaty is as follows:

"It is agreed that the canal may be constructed under the auspices of the Government of the United States, either directly at its own cost or by gift or loan of money to individuals or corporations or through subscription to or purchase of stock or shares, and that, subject to the provisions of the present treaty, the said Government shall have and enjoy all the rights incident to such construction, as well as the exclusive right of providing for the regulation and management of the canal.

"The United States has gone ahead and fortified the canal, and taken other means to exercise complete control over it. Those who have favored excepting American coastwise vessels from paying tolls claim that that provision in the treaty providing that all nations shall be treated on terms of equality does not include the United States, for the reason, that the United States owns and is furnishing the money and doing the work of building the canal. The Hay-Pauncefote treaty was entered into to take the place of what was known as the Clayton-Bulwer treaty, which was conceived to form an obstacle to the United States building the canal, in that it provided in part that the United States and Great Britain should exercise equal rights to the use and management of the canal, and that it should be open also on equal terms to all other nations. This would have prevented our country from occupying or fortifying the canal to the exclusion of Great Britain. The United States was not willing to spend the necessary money in the enterprise with that treaty in existence. Therefore the Hay-Pauncefote treaty was entered into to supersede the Clayton-Bulwer treaty. With reference to this question, Secretary Hay, on January 15, 1904, said:

"The Clayton-Bulwer treaty was conceived to form an obstacle, and the British Government therefore agreed to abrogate it, the United States only promising in return to protect the canal and keep it open on equal terms to all nations in accordance with our traditional policy.

"For the reasons stated, and because, perhaps, of a broader one, to wit, that it would injure the commerce and good name of the United States should we even apparently take any advantage in the matter, there is very strong sentiment with the American people that Congress should repeal that portion of the law which now provides that American coastwise vessels shall be exempt from the payment of tolls, and that they, along with all other ships passing through the canal, shall do so on equal terms as to the payment of tolls. This, no doubt, will finally be done, and, in my judgment, it will be another splendid argument in favor of the greatness of the United States and its people, that even though they have built this canal at great expense and labor, yet they are willing to dedicate it to the good of the commerce and the people of the whole world, reserving no special benefits to the United States except, of course, in time of war. As I stated to you before, we have already fortified the canal for use in time of war. We also, in case of war, will give preference to our battleships and troop ships in passing through the canal, especially as opposed to those of the nation or nations with which we may be engaged in war. It seems very clear that the American people should have some special benefits from the canal because of the great amount of money that has been expended and risked in this great project, the total cost of which, when the canal is completed, will be approximately $375,000,000. I myself believe that the only preference this Nation should take in the use of the canal should be in time of war.

"While I feel that the treaty referred to gives us the right to the absolute control of the canal, and that we have a perfect right to give preference to our own coastwise shipping, yet, that we may do a great good and set a splendid example for the world in general, I am of the opinion that we can well afford to open the canal on equal terms to all nations, including our own, with the single exception referred to—in time of war. This question of the right and propriety of the United States in exempting its coastwise ships from the payment of tolls is one that will be much discussed during the present Congress, and I would specially urge upon the students of this college that they give deep study to that great question. The Members of Congress act in a great measure upon the advice and wishes of their constituents, and the only way in which a Member of Congress can intelligently vote the wishes of the people is by them giving intelligent consideration to questions that Congress must determine and by the people voicing those sentiments in petitions and otherwise to the Congress. This country has on numerous occasions demonstrated to the world that it is for the advancement of all the people, and that we want to help them whenever we can in the enjoyment of peace, happiness, and prosperity. I believe that everything honorable should be done as regards the Panama Canal by this country to prevent war and to settle all international questions and disputes by arbitration. War is a horrible thing, and brings suffering and want to many. Therefore in the settling of this dispute between the United States and Great Britain as to the question of the United States favoring American coastwise-trade vessels let us so settle it that we will be adding to, in the words of Charles Sumner—

"The great temple of universal peace, whose dome shall be as lofty as the firmament of heaven and as broad and comprehensive as the earth itself."

"And now, Mr. Chairman, in closing I want to express to you and to the faculty, students, and friends of this great college my sincere appreciation of being here to-night. I remember with a great deal of pleasure and benefit the years that I spent in this college as a student. The good that this college is and has been doing for many years for the young men and young women who are privileged to enjoy its benefit is immeasurably great. Men here, like Profs. Frick, Vosholl, Kriege, and the many other newer teachers whom I am not so well acquainted with, because they have come since I was here, as well as the good and splendid instructors that have passed away, such as good old Dr. Koch, Rinkle, and Kessler, have builded for themselves a monument that will redound to their glory and the good of our country in the many years to come. Their work for the Nation is as great as that of men who are much greater known and talked about. In fact, while the history of the Panama Canal will always be closely connected with the administrations of the great and good William McKinley, who was President of the United States when the real beginning of the canal was begun; the determined and successful President, Theodore Roosevelt, and that splendid and able statesman, President William Howard Taft, education in this section of the country for all that is best will be closely akin to the lives of the splendid and excellent teachers of this college, present and past, that I have named."

Farming Implements.

EXTENSION OF REMARKS
OF
HON. CLYDE H. TAVENNER,
OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, May 20, 1913.

Mr. TAVENNER. Mr. Speaker, the congressional district which I have the honor to represent in this body—the fourteenth Illinois—boasts of some of the greatest implement factories in the world, giving employment to thousands of workmen and shipping their products around the globe.

The farmers of the entire world, one might say, are the clients of these concerns, and they take a deep and sincere interest in the welfare of those who till the soil, spending large sums of money in instructing the farmer how to get the best and surest crops.

Some of the most sensible articles on the subject of soil culture that I have ever read have emanated from the high-salaried expert investigators employed by these world's greatest implement manufacturers, and my purpose in making these remarks is to present an article which points out two things: First, that the American farmer is not the cause of the existing high prices; and, second, that the farmer can benefit himself as well as consumers by taking more interest in the raising of live stock.

It is a great pity that these tracts do not have a more extensive circulation among the farmers of this country. I am going to take the liberty of suggesting to this House and to my good friend Dr. Joseph A. Arnold, the very competent chief of publications of the Department of Agriculture, that it might be a good idea if these tracts, such as the one I now present, could be adopted as public documents and be listed and sent out upon request as farmers' bulletins, which are proving so popular among the farmers in every one of our districts.

The particular pamphlet which I desire to be reproduced here is from the pen of Dr. W. E. Taylor, director of the soil-culture department of Deere & Co., Moline, Ill. Dr. Taylor is one of the recognized soil-culture experts of the United States. It is my pleasure to know this gentleman personally. He knows the methods of modern soil culture, because he devotes his entire energy to studying them. And when he is not studying farming he is speaking to the farmers in the schoolhouses and fairs throughout the United States or is making addresses to farmers' organizations.

Regarding Dr. Taylor's article, which follows, the Moline (Ill.) Dispatch has the following to say editorially:

DR. TAYLOR'S ARTICLE.

Dr. W. E. Taylor's article in this issue on "What about the cost of living?" is well worth careful perusal not only by the farmer but by the city man and woman.

Dr. Taylor in this article corrects some mistaken notions and he controverts some bad advice that has been given by alleged experts to the farmers in this region.

The farmer is being blamed for the high cost of living. The doctor shows that prices of all staple farm products are unusually low. Prices of meat and dairy products are very high. For this the farmer is largely to blame, but he has the excuse of having been advised by high authority against the raising of live stock in connection with grain farming, because a given amount of grain will feed more people than the same amount of grain when converted into meat. The doctor shows the error of this position, and he urges the farmer to produce more live stock, learning first to give the animals a balanced ration of the coarser grains, and thus putting himself in position to largely increase his profits and to maintain the fertility of his soil.

The article contains some fresh statistics, direct from the official records in Washington, showing that we have practically ceased to export meat products and have begun to buy meat from other countries. So long as we pursue this course the cost of meat is bound to continue to increase.

Not only are we ceasing to export live stock and meats, but the live-stock census shows an alarming decrease in the number of animals of all kinds in the United States.

The doctor seeks to controvert also the notion that our soil is losing its fertility. Under more scientific farming yields to the acre have been increasing for 60 years.

And, due to improved implements and farming methods, the labor entering into a crop has been vastly reduced. For instance, in 1850 it required three hours of labor on the average to produce a bushel of wheat; now it requires only 10 minutes.

WHAT ABOUT THE COST OF LIVING?

[By Dr. W. E. Taylor, director soil culture department, Deere & Co.]

Is the cost of living abnormally high?

Is the farmer receiving more than a reasonable compensation for the products of his soil?

Is the soil losing its fertility?

These are questions of vital importance. So much is being written and said that it may be well to make some inquiry in order that we may know the facts.

It is possible that the gloom man, who is by nature a pessimist, is creating an impression which is not only erroneous but alarming the people.

The staple farm crops are lower in price now than the average price for the previous five years. Many crops, especially the staple ones, are 50 per cent lower than a year ago.

FARM PRODUCTS LOW.

The price of corn is nearly cut in two. Last year and the previous year it was worth from 70 to 75 cents a bushel, and now the farmer is receiving from 35 to 40 cents.

Wheat is selling from 70 to 80 cents a bushel, oats from 25 to 30 cents, potatoes are cheaper than they have been in many years and in sections where potatoes are grown extensively they are a drug on the market.

The prices of barley, rye, hay, buckwheat, and apples is at a very low ebb.

In fact, the farmer is receiving hardly enough for his crops to pay a fair interest on his investment and nothing but a bare living for his labor. The reason is not hard to understand.

The price of the farmer's products is governed by the inexorable law of supply and demand. When the price of his products is high or, in other words, when the price is very attractive to the farmer, he, without difficulty, produces abundantly, and if the supply exceeds the demand there is a reaction from a higher to a lower price. During the year 1912 practically all the products mentioned were high in price, due to a shortage in production the previous year, as will be seen by referring to the Government statistics. But, on account of the enormous production last year, which became available late in the fall, the prices, in strict obedience to the law of supply and demand, went down until no one who is at all familiar with conditions would regard them exorbitant or even high.

MEATS AND DAIRY PRODUCTS HIGH.

There is one class of food, however, which is produced on the farm that is extremely high, namely, meats and dairy products. The reason is strictly in keeping with the law of supply and demand. The flocks and herds have gradually been decreasing until the demand far exceeds the supply.

The following figures from the Bureau of Commerce indicate how rapidly the depletion is taking place. The figures indicate that we have practically ceased to export and that we are buying meat from other countries.

BUYING MEAT ABROAD.

Exports of fresh beef for the 9 months ended March 31, 1913, 5,400,000 pounds.

Exports of fresh beef for the 9 months ended March 31, 1907, 200,169,729 pounds.

Cattle exported in the 9 months ended March 31, 1913, 5,210 head.

Cattle exported in the 9 months ended March 31, 1907, 307,726 head.

Imports of cattle for the 8 months ended February 28, 1913, 222,216 head.

Imports of cattle for the 8 months ended February 28, 1907, 12,513 head.

Statistics further show that during the last 6 years beef cattle have decreased in the United States 14,306,000 head.

It is very evident that if the decrease in beef animals continues for another year or two, we will not only cease to export entirely but our purchases from abroad will increase and with that increase the price to the consumer will ultimately be prohibitive.

OTHER STOCK DECREASES.

The decreases in other meat products are equally as startling. For instance, during the year 1912, sheep decreased 880,000 head, dairy cows 202,000 head, and swine 4,232,000.

Butter, milk, cheese, and in fact all dairy products are extremely high and for the same reason that meat is high.

Who is to blame? What has brought about what appears to be an alarming condition?

Primarily the decrease in beef cattle began when the home seeker preempted the free ranges in the West. As those lands have been converted into cultivated farms, the herds have disappeared and the farmers in the Mississippi Valley and the Eastern States have not made up the deficit.

BAD ADVICE TO FARMERS.

Unfortunately the farmers in the Mississippi Valley have not been encouraged, to make stock raising an important feature, but, on the contrary, they have been advised not to raise live stock in connection with grain farming. For some unaccountable reason they have been told, even by prominent experts, that they should not raise stock in connection with grains, and have been given as a reason that a hundred bushels of grain will feed five times more people than will the same amount of feed converted into meat.

They seem to lose sight of the fact that meat to the American people is indispensable as a diet, and they also ignore the great value of manure from the stock to maintain the fertility of the soil.

They do not attempt to teach the farmer that if he will feed the coarser products of his farm to live stock in a scientific way—that is, give the animal a perfect balanced ration—he (the farmer) will secure double and sometimes treble the market value of his products in addition to the manure. The farmer is not told that the manure contains approximately 80 per cent of the plant food required to make the feed, nor that the organic portion of the manure when placed on the soil is converted into humus, a substance which is of even more value than the plant food it contains.

TWO INTERDEPENDENT FEATURES.

Most farmers appreciate the fact that when barnyard manure is applied to their soil its productiveness is greatly increased, and all farmers should know that there is not a people nor a country on earth that has failed to make farming a success when they have observed stock raising as a feature of equal importance with crop raising. They should not forget that barnyard manure is the one sheet anchor that has always maintained fertility of the soil and always will until the whole economy of plant life has been changed.

Where the interdependence of the two features has not been observed, the people have suffered because of the high cost of living, either of meat or grain products, and the fertility of their soil has gradually lessened.

RAISE MORE LIVE STOCK.

The solution, therefore, to the high cost of living, which all centers around meat and dairy products at the present time, is to raise more live stock for meat and more dairy cows, or, in other words, make the two features, namely, stock raising and crop raising, of equal importance.

The consumer should not hold the producer responsible for any profits or prices asked by the middleman or dealer. He should also remember that freight rates make a wide variation in prices in different localities.

Are our soils losing their fertility?

Are our crop yields decreasing?

SOIL GROWING MORE PROLIFIC.

The story was told a few years ago that our crop yields were gradually diminishing because of a loss of fertility of the soil, and that in a few years our people would come to want. That story has been told so many times that most people think it to be true.

Statistics show that the yield to the acre has been gradually increasing for the last 60 years, and that the highest crop yields ever secured have been in the last 15 years. Occasionally we have had a poor year, but the general trend is upward.

Stimulated by a high price for corn and by adopting better farming methods, Illinois farmers increased their corn crop for the year 1912 7⅞ bushels an acre; Iowa made an increase of 12 bushels an acre; Missouri 6 bushels; Texas 11⅞ bushels; in fact, all the corn States increased the production very materially and most of them reached their highest mark.

The same is also true of other crops, such as wheat, oats, barley, rye, and potatoes, all indicating that the fertility is in the soil and can be made available by adopting scientific methods.

CHANGE IN 60 YEARS.

It is estimated that 60 years ago approximately 80 per cent of the people of the United States were employed on farms, and that at that time we did not produce enough to feed our own people. To-day with only 33 per cent of the people on farms enough is produced to feed our population, which amounts to nearly 100,000,000, and have a goodly amount for foreign nations. This is due to improved implements and better farming methods.

For instance, in 1850 it required three hours of labor to produce a bushel of wheat, and now but 10 minutes; then the cost of labor was 17½ cents a bushel, and now 3½ cents. The time of labor required to produce a bushel of corn at that time was 4½ hours, and now but 41 minutes. The cost then was 35¾ cents a bushel, and now 10½ cents; all due to improved and better methods.

Without question, if prices of farm products were sufficiently attractive, our farmers would now be able to double the present production.

While most of our soils are still bristling with fertility, which can easily be made available by adopting the right methods, most of them are beginning to need humus or organic matter, a substance which can easily be supplied by applying barnyard manure.

It must be remembered that soils are sensitive to neglect, and prices soar just in proportion to the decrease in production. From 1751 to 1801, a period of 110 years, farms were neglected and the production was inadequate to meet the needs of the people, with the natural result that during the entire period of 110 years the lowest price paid for wheat on the Liverpool market was $1.52 and the highest price was $3.07. During that period the cost of breadstuffs throughout the world was certainly high, and the people had just cause to lay the high prices to the farmer, but at the present time we feel that it is unjust to hold the farmer responsible, except for the high price of meat and dairy products, and in that he has been misguided.

The Tariff.

EXTENSION OF REMARKS
OF
HON. GEORGE M. YOUNG,
OF NORTH DAKOTA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, May 5, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. YOUNG of North Dakota. Mr. Speaker, I desire to call attention to a statement prepared by one of the large grain growers of my district upon the subject of the drawback as related to wheat. The statement reads:

DRAWBACK PROVISION MEANS FREE WHEAT.

For a number of years there has been a drawback provision in the tariff law which has permitted the rebating of 99 per cent of duty paid where the wheat imported is afterwards exported in the shape of flour. The flour millers have not been able to use the law to speak of, because it has been necessary to pay duty on the by-products—bran and shorts. That is to say, the drawback has been operative only as to a portion of the wheat, because there is no export demand for bran and shorts. So the existing drawback law has been practically a dead letter so far as flour is concerned.

ENTIRELY DIFFERENT IN THE UNDERWOOD BILL.

The Underwood bill is entirely different, because bran and shorts are on the free list, and because the Underwood law expressly provides that where the by-product is on the free list then the whole of the duty paid shall be refunded.

MAKES WHEAT PRACTICALLY FREE.

It is plain, then, that wheat is practically free to the extent of the flour exported. Last year over $50,000,000 worth of flour was exported, which will make it possible to use quite a large

amount of Canadian wheat under the drawback privilege in looking after the export trade. The farmers want to be treated upon the level. We do not want to have it understood that wheat is being protected when, in fact, it is not. Free flour and the right to mill Canadian wheat under more liberal drawback privileges will destroy the protection which would otherwise result from the duty of 10 cents per bushel on wheat. This unfair and unjust provision of the bill should be corrected. The way to correct it is to put the by-products of flour, bran and shorts, on the dutiable list. Better still, put flour on the dutiable list at about 50 cents per barrel. In fact, the only way to furnish real protection to the wheat raiser is to put wheat and that which is produced from it—flour, bran, shorts, and screenings—on the dutiable list. It is plain that for every barrel of Canadian flour imported about 5 bushels of American wheat will be displaced. It is almost as bad for the farmer to have flour on the free list as to put wheat on the free list. The effect is much the same.

This will not hurt the consumers, because it has become well known that the change in price of a few cents per bushel for wheat does not affect the price of flour or bread.

The Postal Savings Fund and School District Bonds.

EXTENSION OF REMARKS
OF
HON. JOHN E. RAKER,
OF CALIFORNIA,
IN THE HOUSE OF REPRESENTATIVES,
Thursday, May 15, 1913.

Mr. RAKER. Mr. Speaker, on April 7, 1913, I introduced the following bill:

A bill (H. R. 107) to amend an act entitled "An act to establish postal saving depositories for depositing savings at interest with security of the Government for the repayment thereof, and for other purposes," approved June 25, 1910.

Be it enacted, etc., That an act entitled "An act to establish postal saving depositories for depositing savings at interest with security of the Government for the repayment thereof, and for other purposes," approved June 25, 1910 (36 U. S. Stat. L., pp. 814–819), be, and the same is hereby, amended by inserting after section 17 thereof a new section, to be numbered and known as section 18, reading as follows:

"SEC. 18. Notwithstanding anything in this act contained, the board of trustees of said postal savings fund shall have the right, and it shall be their duty, to make loans from such fund upon school-district bonds direct, without the intervention of any bank or banking institution, upon the application of the board of trustees of any school district within the United States of America."

Under the proposed bill the Federal Government may loan its postal funds to the various public-school districts throughout the country at the rate of 2½ per cent, or at a saving of fully one-half to the school district. At present school bonds bear anywhere from 4½ to 8 per cent interest, the poorer districts paying the heaviest interest. The postal-savings funds, of which there is already $38,000,000, and which may increase to $50,000,000 before the end of next year, are, under the law, loaned to banks at 2½ per cent interest. The plan under H. R. 107 is for the Government to purchase the bonds for school districts, which offer a safe investment and at the same time the districts will pay 2½ per cent interest instead of 4½ or 6 or 8 per cent as at present. For instance, just now the city of San Francisco, Cal., is paying interest on $9,000,000 on bonds issued for school purposes at the rate of 4½ per cent. In other words, something over $400,000 annually goes for interest on these bonds. Under the plan suggested by H. R. 107 the amount could be reduced nearly 50 per cent.

The California State Legislature at its recent session unanimously passed a resolution favoring the plan suggested in H. R. 107. The resolution is as follows:

Assembly joint resolution 2, relating to requesting the United States Congress to forthwith amend and direct the Postal Savings System to loan its funds to school districts.

Whereas under the act of Congress now in force which establishes a Postal Savings System throughout the United States, there is no authority by which the board of trustees of said Postal Savings System is permitted to loan the funds of said system to the various school districts throughout the Nation; and

Whereas it appears that if such authority existed the school districts of this State and every State would be able thereby to obtain money directly from the funds of said Postal Savings System with more facility and at lower rates of interest; and

Whereas it appears that by their ability to borrow money more easily and under better conditions the school districts of this State and of every State will receive great benefits of economy, saving, and financial prosperity, which will consequently afford the rising generation of our Nation better education and development: Be it therefore

Resolved, That the Senate and Assembly of the State of California hereby join in requesting the Congress of the United States to amend the act establishing the Postal Savings System in such manner as will authorize and direct the board of trustees of said Postal Savings System to loan the funds of said system (in school district bonds of the various school districts of the several States) and that our representatives in the Senate and House of Representatives of Congress do their utmost to further such legislation as will effect the above result; and be it further

Resolved, That copies of these resolutions be forthwith transmitted by the clerk of the assembly to the President of the Senate of the United States and the Speaker of the House of Representatives of the United States and a copy hereof to each Member of Congress and to each newly elected Member of Congress.

Hon. James E. Delzell, superintendent of public instruction for the State of Nebraska, indorses the bill in the following letter:

STATE OF NEBRASKA,
DEPARTMENT OF PUBLIC INSTRUCTION,
Lincoln, March 28, 1913.

Hon. JOHN E. RAKER,
House Office Building, Washington, D. C.

MY DEAR SIR: Mr. Murray has presented the matter of House bill No. 107 to this department, and we are heartily in sympathy with same. I am writing a letter of introduction to each of our Congressmen, urging them to investigate the matter, that the boys and girls of Nebraska may have the benefit of a low rate of interest on the bonded indebtedness of our school districts.

Very truly, yours,
JAS. E. DELZELL,
State Superintendent.

In a favorable comment on this proposed legislation Hon. John F. Murray, of San Francisco, ex-State superintendent of schools of Colorado, says:

SAN FRANCISCO, CAL., *May 10, 1913.*

Hon. JOHN E. RAKER,
House of Representatives, Washington, D. C.

DEAR SIR: I most heartily indorse and approve of your bill H. R. 107, which provides for the loaning of United States postal funds to school districts.

The postal fund is handled by a board of trustees composed of the Postmaster General, the Attorney General, and the Secretary of the Treasury. Some time ago I wrote to these men setting forth my ideas on this matter. They replied as follows:

"POSTAL SAVINGS SYSTEM,
"OFFICE OF BOARD OF TRUSTEES,
"*Washington, September 5, 1911.*

"JOHN F. MURRAY, *San Francisco, Cal.*

"MY DEAR SIR: In reply to your recent letter I beg to state there is no authority in the act of Congress creating the Postal Savings System which would authorize the board of trustees to loan postal savings funds to school districts. School-district bonds which meet the requirements of the regulations are acceptable as security for postal savings funds deposited in banks qualified to receive them.

"Very truly, yours,

"T. L. WEED,
"*Secretary Board of Trustees.*"

CHILD CONSERVATION; SIN'S ANNIHILATION.

As the child is both cause and effect of government, and as the public school is the only institution that lays a helping hand on the shoulder of every child in the Nation, it is evident that whatever strengthens the public school is in a measure a benefit to every child in every school district in the Nation.

A few years ago the Federal Government established a postal savings fund. At present that fund amounts to $38,000,000.

This money is being loaned only to "National banks, State banks, savings banks, and trust companies doing a banking business" at 2½ per cent per annum, the banks being required to give as security for the loan "bonds backed by the taxing power."

This money is under the control of a board of trustees composed of the Postmaster General, the Attorney General, and the Secretary of the Treasury. They have ruled that school-district bonds come under the heading of "bonds backed by the taxing power," and banks have borrowed money thereon.

The amendment is very simple and can be easily understood by any voter. It in no way interferes with the operation of the existing law, save cutting out the middleman in the placing of school-district bonds in the hands of the Federal Government and getting the money thereon for 2½ per cent per annum.

"SEC. 18. Notwithstanding anything in this act contained, the board of trustees of said postal savings fund shall have the right, and it shall be their duty, to make loans from such fund upon school-district bonds direct, without the intervention of any bank or banking institution, upon the application of the board of trustees of any school district within the United States of America."

Here is an amendment which, if enacted into law, will be a great benefit to every school district in every State in the Nation. And the beauty of it is that to give this vast benefit to the children we take nothing from anyone nor do we add a penny to the burden of the taxpayer.

Surely all recognize the benefit to redound to government through a proper development of the children, and our Government should not hesitate to put forth every effort it can in that direction, as herein lies the cure for all corruption.

Ours is the greatest government the world ever saw. The Federal Constitution is the most liberal ever written. Our natural resources are valuable beyond computation. Yet with all these advantages poverty and crime are increasing on every hand.

The founding of each government that ever existed was for the best good of the whole people. Soon, however, selfish greed caused the powerful to usurp the nation's natural resources. Then followed protests from the masses, corruption from privilege holders, moral decay, and death of the nation.

In America we have run this gamut so rapidly that, according to the words of leading thinkers, we while yet in our youth have reached the stage of vice and corruption that immediately preceded the downfall of Rome. Will we allow history to repeat itself?

If we are honest with ourselves, we will discuss our present deplorable moral condition with calmness, but with truth, deep, searching truth. While we should blush for shame at existing conditions, still it is the part of wisdom to search out the facts, as we can not remedy the disease without knowing the cause.

But a few years ago this Nation held in reverence the words "mother, home, and heaven." To-day all thinking people stand aghast at the awful truth. Never since the days of Christ has there been such an unsettled condition of the public mind. Statesmen are at their wit's end; courts and legislatures are as a rudderless vessel on a stormy sea; the bonds of society are being relaxed. We trample on the things our mothers held sacred until to-day many writers tell us "If the home is to survive, marriage must be modernized," and the devils in hell approve.

WHEREIN LIES OUR WEAKNESS.

Consider well this statement. The collectivity can not think. While each individual can reason, the thoughts of the whole are as grains of sand. The collectivity never wrote a book, painted a picture, nor conceived an invention. On the other hand, the collectivity never committed perjury, never bribed a jury, nor corrupted a legislative body.

There are in the United States about 100,000,000 persons. The power to think is in each individual head. Each person thinks according to his occupation and environment. A moment's thought will show you the tremendous amount of agitation—speaking and writing—required to arouse this vast multitude into united, thoughtful action.

This certainly should convince all of the awful responsibility resting upon our leaders, such leaders as the President and Cabinet, Senators and Representatives, governors and legislators, mayors and city councils, editors, ministers, and school directors.

The sin of omission is equal to the sin of commission. Hence I unhesitatingly declare that unless these, our leaders, strive strenuously and continuously to bring about a better moral condition, their souls will be smeared with the blood of the debauched women and children of their day.

There is an old saying "Strike while the iron is hot." There has been a great amount of agitation for moral reform during the past 20 years, and President Wilson seems to look with favor upon such efforts; and so I believe that the hour has arrived for a far-reaching, clearly defined movement looking toward a better moral condition through proper child development. "For as the twig is bent the tree inclines." If we rear our children strong and clean, government will be strong and clean.

ALARMING INCREASE OF CRIME AMONG CHILDREN.

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Crime among children, insanity, and feeble-mindedness among our youth are on the increase three times the birth rate. If you desire further information on these matters get a copy of the report of the Commissioner of Education, a copy of the report of the late Secretary of War, a copy of the report of the late Police Commissioner Bingham, of New York; a copy of the Medical Journal, containing the speech of Dr. H. H. Hazen, of April 18, 1913; also send for copy of report of the late Secretary of Commerce and Labor, containing the statistics on the increase of crime and insanity. How long, oh, leaders, will the ballot have any sacredness under this rapid increase of inefficiency?

Seeing the terrifying flood of vice and corruption that is sweeping over our land, I would that I could cry out so loud that every minister, editor, politician, public speaker, and writer could hear me. Then would I say to them, Why spend your time digging drains to a swamp place when the inflow of corruption is three times as great as your ditches can possibly carry away?

There are in this Nation about 45,000,000 children; 27,750,509 of them are of the school age. The average daily attendance last year was 12,843,357. Such treatment of the child is like a retired merchant who purchased a fruit farm. He found thereon thousands of young, straight, thrifty trees and a few old hulks. He spent his time in a vain endeavor to straighten up the old hulks, and as a consequence at fruit-picking time he found most of his young trees with bodies bent and broken, with limbs twisted and misshapen, and all because of his misapplied effort.

From eternity to eternity there is nothing but the child. Man is but a child of larger growth. Give every child proper care and guidance and you will minimize, and eventually abolish drinking, gambling, white slavery, divorces, labor troubles—all man's inhumanity to man. But we are

PATCHWORK REFORMERS.

Jesus Christ declared against patchwork in child development. But we split upon his advice. We deific the child, then erect jails and penitentiaries in which to cleanse it. We saturate the child with filth, then we separate into groups to fight drink, divorce, white slavery, etc.

Our efforts against evil are like the efforts of several physicians who are doctoring the patient for blood poison. One poultices the feet, one poultices the hands, another bloods the patient. As none of them has reached the seat of the disease the patient continues to grow worse.

And yet there never was a time in the world's history when so many warm-hearted men and women were devoting their time and their money to the betterment of humanity. Why do we fail? We do not go to the seat of the trouble. If we would sweep vice and corruption from the land, we must see to it that every child has proper development.

TYRANNY OF HABIT.

But let us not deceive ourselves into the belief that all we have to do is to hold meetings and pass resolutions. For 2,000 years the church has been thundering against evil from a million pulpits, while the fearless press has laid bare sin's ravishings. Yet sin and corruption grow apace. Remember that it is hard to teach an old dog a new trick. We have so lived these many years that our loose way of thinking has become a habit with us. Now, habit is the strongest human characteristic. It can even grapple with love, throttle it, and trample it into the dust. A drunkard or a gambler may sincerely love the woman he marries, but when habit calls love, wife, and children are forgotten. If we want men and women to have habits of clean living, we must inculcate such habits in the child.

Mental habit is as tyrannous as physical habit, hence we ninety-nine times in a hundred demand a precedent before we act. Habit is as the roadbed of a railroad over which hundreds of ponderous trains pass daily only to be carried to safety or destruction according to the strength of the rails. It is as hard for a slave to habit to break away therefrom as it is for a train to leave the rails and run up hill or across country. The supreme necessity is to

SAVE THE CHILDREN.

There was a rapid river with a high falls over which no person could be carried and live. The river was full of children whose hands were tied. They were being carried over the falls in large numbers. A cry of alarm was heard, and the whole people ran to the rescue of the children. Yet despite their strenuous and continuous efforts many children were swept to their death. Word came to the people that a number of men were up stream tying the children's hands and casting them into the river. With one accord the people rushed upon these men and chased them out of the country. Thus by going to the source of the trouble all the children were saved with less effort than was put forth to save the few.

And as one weed in a garden may scatter its seeds and foul the whole garden, so one vile or vicious child may foul a whole neighborhood or school. And so the future must see to it that every child gets proper care and counsel.

The wise farmer gives greater care to the tiny shoot than to the mature plant. Are plants of more value than men? If a plant becomes dwarfed or crooked, it can be pulled up by the roots and that ends it, but if a child becomes mentally dwarfed or morally crooked it will be a lifelong curse to itself and all its associates.

THE LAWS OF GOD AND MAN.

Too many of us think lopsided. We forget that the foreordained laws of God are from everlasting to everlasting. Did you ever sit by old ocean and wonder at its ever-moving vastness? Yet you can tell a thousand years in advance just when it will be high tide or low tide on a given day. Did you ever look into the heavens and, seeing the thousands of whirling worlds, become lost in wonder? And still you can know 10,000 years in advance just when there will be an eclipse of the sun or moon or just what time the moon changes will take place. Then, have you realized that in his sphere man is supreme? He can act or he can refuse to act. But if man transgresses the laws of nature he can not escape punishment. A man sitting by a fire could put his hand into the fire or he could keep it out. But if he put his hand into the fire his free will could not save him from the foreordained laws of nature.

Working in harmony with nature is like a man with a two-wheeled cart, with but little effort he can move straight forward. To deny foreordained natural laws or free will man power is to take one wheel off the cart, and though the man work ever so hard he moves in a circle and gets nowhere.

Nature has provided that the proper atmosphere for child development is the home environment. Where a man and woman love, marry, and live in peace there is the nearest heaven on earth the mind of man can conceive. Hence the revised school systems must have a home atmosphere; and as there are millions of homeless children in this Nation, the school must take care of every homeless child.

MAN'S SCHOOL LAWS DEFY NATURE'S LAWS.

The first law of childhood is activity; our school boards make activity in school a crime. Nature calls for men and women to marry and proves that mother love is the nearest Christlike attribute of humanity. Our school boards consider motherhood in a teacher an offense. Nature has endowed each child with different capacities; the school boards tie them together and make them walk in lock step. We are like the man who attempted to erect a many-storied brick house on the ocean.

Child development and the public-school question are as far-reaching as every other question of human activity combined. Our schools must become the very soul of the community. They are as a great mill into which we pour every kind and condition of people and then expect that superior grist American citizens. How varied and steadfast must be the influences to accomplish that great work.

THE FUTURE HOME SCHOOL.

As selfishness, weakness, and corruption are far-reaching and deep-seated, the remedy therefor must be continuous and as far-reaching. So the future school must be a permanent home. The studies and occupation must be such as to keep the child from becoming supercilious, noninitiative, seeker after clerical employment, afraid of manual labor. So each child will be required to do enough manual labor to keep its physical system in proper condition, so that its brain will be clear and its stomach strong; then its blood will flow through its veins with such force as to sweep every disease-breeding germ from its body. At present too many of our school children have weak hearts, weak stomachs, sluggish blood, diseased bodies, general debility.

Let us take our present school system for a foundation; then add to each school site 10, 20, 40, or more acres of ground; then place two of your best teachers in this school home, the parents of the district being the only power to remove. Give every orphan child in the district a home here as one of the teachers' own children. This would abolish at one move all child poverty, child slavery, and child idleness.

Referring to California, my home State, I assert that if a school was located under such conditions on a 10-acre tract of grapes, apples, prunes, or citrus fruits it would be self-sustaining. Give the children opportunity, not charity.

Here the boys, while developing their bodies and brains, would have plenty of time and ability to erect the needed cottages, bathrooms, recitation rooms, music rooms, conservatory, library, auditorium, gymnasium at little or no expense.

Here would be a band stand, baseball grounds, tennis grounds, basket-ball grounds. These, with the trees, flowers, and beautiful lawn, would form such an attraction that few young people would think of leaving the home grounds to look for pastime in the city.

Here every week there would be a singing class, a spelling bee, a lecture, or a debate.

On each school ground there would be a carpenter shop, a blacksmith shop, and a shoe-repairing shop; thus fitting the boys for life's actual duties.

GIVE CHILDREN HELPFUL TRAINING.

Here boys and girls would get practical farm training by doing farm work. They would find pleasure in caring for animals and looking after the crops. Thus when they reached maturity their desire would be for farm life or mechanic's life, but always clean life.

And here our girls would get real home training in home making. Home making is the greatest business on earth. It is the foundation for all contentment. A happy home makes a man's toil light. A man who sits at home in the evening smoking his pipe or pottering around the garden, finds himself in good condition to meet the next day's work. But how can our girls make home comfortable and happy, if they know nothing about home keeping and have to depend on hired help, who, very likely, know as little about home making as does the mistress.

The first thing for us to do is to fit our girls to be heads of households, then make our sons worthy to be the husbands of such girls, then give them to understand that the farmer's wife is the real first lady of the land and the mechanic's wife is her sister.

Each district would have an electric power plant to supply light and power for the school. How easy to supply light and power to the farmers of the district at a low rate and yet at a profit.

Each school-teacher would be commissioned a postmaster. The rural mail carrier, instead of trudging around from one farmhouse to another,

would ride up to the schoolhouse, pass out the incoming mail and parcels, take the outgoing mail, then hasten away to the next school. In the evening as the children started home the teacher would pass out the mail. Thus the vexing question of free rural mail delivery would be solved to the remotest home of the Nation.

OUR MORAL FORCES AS ROPES OF SAND.

Jesus Christ, in speaking of the moral character of the children, said we should build upon a foundation solid as a rock if we wanted our children's honor to stand the stress of business. He told us if we would build upon a loose moral character like sand the honor of the children would fall at the slightest test.

On such a school farm the children would grow up morally strong, physically healthy, and mentally steadfast. Then, when they entered the business avocations of life, they would be numerous enough and morally strong enough to remodel all our activities. And the same would be accomplished as unconsciously as a healthy tree brings forth fruit after its kind.

One grave, if not fatal, weakness in "government by the people" is the inability for a great thought to be put into the minds of all the people at the same time. Our territory is so large and our people so scattered that the most widely circulated publication reaches comparatively but a few.

But here in this home-school system all that would be remedied. A Federal commission of five capable persons would prepare a monthly address on humanity's welfare, not politics, which would be read in every schoolhouse in the Nation, and everyone in the class for which it was prepared must be at their local schoolhouse on that night.

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And in the warm afternoons, when nature called to the tired child, mother would gather it to her arms and place it in a restful position where the sunshine and warm breezes would soothe it to rest and restore its mental and physical vitality.

Think of the uplifting influence of such a home school. Every child well fed, well dressed, its little body kept clean, and tucked into bed each night with a kiss and a smile. At present too many of them go to bed with a kick and a curse as their nightly benediction. And they will return measure for measure when they come into power.

Here an education would mean the completest mental, moral, and physical development, so a wider knowledge, a broader culture, a stronger character, and a higher standard of life's duties would follow.

Here every pupil would gain the strength of character given by rural environment as well as the intellectuality gained at our best city schools.

WHAT CAN SAVE US FROM OURSELVES?

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Our treatment of the child is like the farmer who planted an apple seed. It sprouted, grew, and in due season bore fruit. When the farmer went to gather his apples, he found this tree had bore crab apples. He was disappointed, but as he looked the tree over he saw that the fruit grew on the ends of the twigs, and so in his ignorance he said to himself, "I will snip off the ends of the branches upon which these crab apples grow. Then next year I shall expect a crop of Pippins or Baldwins." Then the devils in hell laughed.

CHARACTER BUILDING THE PARAMOUNT ISSUE.

Our present school system is too sedentary, which carries with it several detrimental effects. It habituates us to the ways and wants of office life, and so when we leave school our desires are away from physical labor to clerical employment. We have to go to the city to find work suited to our desires.

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As a man thinketh in his heart so is he. False thoughts put into a child's mind will go with it through life. Yet visitors at our schools are apt to laud and magnify the glories and powers of captains of industry, of politicians, of the rich and powerful. Now, we all well know that not one child in a thousand can go through life without working, and so we are false leaders and teachers if we fill the child's mind with the idea that to earn its daily bread by the sweat of its brow is degrading, something to be shunned. We mislead the children when we give them to believe that wealth or political power makes the man or that jewels, fine dresses, and social leadership makes the woman.

Proceedings for Contempt Against Charles C. Glover.

REMARKS
OF
HON. HENRY ALLEN COOPER,
OF WISCONSIN,
IN THE HOUSE OF REPRESENTATIVES,

Friday, May 9, 1913.

The House had under consideration the following resolution (H. Res. 99):

"*Resolved*, That the Speaker do issue his warrant, directed to the Sergeant at Arms, commanding him to take in custody wherever to be found the body of Charles C. Glover, of the city of Washington, in the District of Columbia, and the same in custody to keep, and that the said Charles C. Glover be forthwith brought to the bar of the House of Representatives on this the 9th day of May, 1913, to answer the charge that he, on Friday, April 18, 1913, in the city of Washington, D. C., committed an assault upon the person of Representative THETUS W. SIMS, a Representative in the Sixty-third Congress from the State of Tennessee, because of words spoken by the said Representative SIMS in debate on the floor of the House of Representatives while the House was in regular session during the Sixty-second Congress, and that in committing said assault Charles C. Glover has been guilty of a breach of the privileges and a contempt of the House of Representatives; and that the said Charles C. Glover be furnished with a copy of this resolution and a copy of the report of the select committee of the House of Representatives appointed to investigate the charge made against him in the House of Representatives."

Mr. COOPER. Mr. Speaker, I did not intend to say anything at this time on this question, and changed that intention only after hearing the gentleman from Tennessee [Mr. MOON] attack in so virulent a manner the character of Mr. Glover.

I never spoke to Mr. Glover but once in my life. I have had no business relations with him. I have never owned an inch of real estate in the District of Columbia, nor even the slightest interest in any such real estate. There would be nothing necessarily wrong if I had owned something of that kind, but I have not. Parks and park extensions here are of no interest to me, except that I wish, as our people everywhere wish, to see Washington in all respects made worthy of its proud position as the Capital City of the Nation. But I agree cordially with this passage in the report of the special committee:

"The House of Representatives is vitally concerned with the safeguarding of its privileges and the preservation of its legislative integrity and dignity. It is just as seriously concerned, however, with the maintenance of such a course of conduct on the part of each of its individual Members as will assure to every citizen of the land protection from defamation on the floor of the House."

I speak now to assist, if I may, in rousing a spirit here which, in the language of that report, will protect citizens from defamation on this floor.

I well remember when this trouble began. I heard the speeches by Mr. Andrus, then a Representative from New York, and by the gentleman from Tennessee [Mr. SIMS]. Mr. Andrus is a business man—a millionaire several times over—and business men, we are often reminded, are presumably very accurate. But see how grossly he was mistaken: He said—RECORD, March 3, 1909—that on March 27, 1906, Senate bill 5289 called for $660,000—referring to the property on which Mr. Glover had an option; that on March 30, 1906, "evidently a conscience was pricked"—those were his words—"evidently a conscience was pricked, and a bill was introduced for $550,000, $50,000 less"; that "on February 16, 1907, the conferees of the House and Senate came to an agreement of $475,000, which," he said, "was not satisfactory," but that "the thing took on new life," and so forth.

Then, he said, a new bill was brought in here asking for $423,000. Thereupon a Member of the House asked him if it was the same proposition, and Mr. Andrus replied that it was; the same bill. He said, "We are talking now about $423,000 as against $600,000 three years ago."

The gentleman from Tennessee [Mr. SIMS] followed Mr. Andrus and said: "They started in on this tract at $600,000, and now they have got it down to $435,000."

But he also was entirely mistaken.

Now, here is what Mr. Glover said about this before the Committee on the District of Columbia:

> Mr. Chairman, the statement that I offered that property to the Congress of the United States at $600,000, that I was pricked by conscience and reduced the sum to $550,000, that it was embodied in any bill by my authority at $475,000, or, as Mr. SIMS says, is now before the House at $435,000, is an unqualified falsehood. I never offered the property save at the one single price of $420,000, plus the $3,000 added by the Commissioners of the District of Columbia. * * * I do not believe, Mr. Chairman, that these gentlemen intended to make an untrue statement—

That was Mr. Glover's language—

> I do not believe, Mr. Chairman, that these gentlemen intended to make an untrue statement; but the bill was before them. Here is the identical bill, and the last clause of the bill says that the price of that land was $423,000.

In reply to this, the gentleman from Tennessee [Mr. SIMS] made a speech in the House on the 15th of January last in which he sought to explain his mistake, for it was a mistake, the fact being that this $600,000, $550,000, and $475,000 reduction was upon Meridian Hill property and not at all upon the Massachusetts Avenue—Rock Creek Park—property, on which Mr. Glover had an option for park purposes.

The gentleman from Tennessee [Mr. SIMS] said:

> I heard the remarks of the gentleman from New York, Mr. Andrus, and I was yielded five minutes, in which I discussed the bill as best I could. * * *
>
> Now, the facts were that the bill was for $423,000. I am quoted in the RECORD as saying $435,000.

He omitted to mention that he was quoted in the RECORD as saying in his speech that $600,000 had been first demanded for the land in question.

> Now, at nearly the hour of midnight, on the last day of the session, on a motion to suspend the rules, when there was no time to investigate and understand anything, almost anyone was liable to be misled. But the gentleman from New York, Mr. Andrus, spoke before I did, and read from a report by Senator GALLINGER.

And so forth.

> But as that bill, which this report accompanied, also embraced another tract of land known as the Meridian Hill tract, the two being together, the gentleman from New York, Mr. Andrus, made the mistake of reading from that part of the Senate report which referred to the Meridian Hill property instead of this Rock Creek Park addition.

Mr. POU. Mr. Speaker——

Mr. COOPER. One moment. I have only 10 minutes, and I wish to get through with this. I would have said nothing at this time had there not been this attempt, needlessly—because we are now simply to vote whether there shall be an arrest and a hearing—to go into an ex parte statement of the alleged facts, when the RECORD itself shows that the gentleman from Tennessee [Mr. MOON] himself was as utterly mistaken as was his colleague [Mr. SIMS] when he and Mr. Andrus made the first charge.

Mr. POU. Mr. Speaker——

Mr. COOPER. I can not yield.

Mr. MOON. You have made a statement in reference to the matter that the RECORD shows is not correct.

Mr. COOPER. I have not the time to yield. The gentleman from Tennessee [Mr. SIMS] said on January 15 that he made that mistaken statement at about midnight, "when there was no time to investigate and understand anything." But in saying this the gentleman was again mistaken. For his speech of March 3, 1909, is in the RECORD of that date, on page 3793, and the same RECORD shows that after his speech there was a roll call, a speech of some length by Mr. BURTON, a message from the Senate, and the transaction of other business, until the House took a recess on a motion made by the gentleman from New York [Mr. PAYNE] (RECORD, Mar. 3, 1909, p. 3802):

> Mr. Speaker, I move that the House do now take a recess until 10 o'clock this evening.
>
> The motion was agreed to.
>
> Accordingly (at 6.15 p. m.) the House was declared in recess.

This RECORD, showing the recess at 6.15 p. m., following the transaction of business after the speech of the gentleman from Tennessee [Mr. SIMS], is an absolute demonstration that the speech was made not at "nearly the hour of midnight" but during the afternoon, and not far from 4 o'clock.

I know that the privileges of the House of Representatives, and especially, Mr. Speaker and gentlemen, the right of free discussion on this floor and in the Senate, are necessary to the preservation of the liberties of the American people. No patriot with any knowledge of constitutional history doubts that this is absolutely true. But I do know also that there is nothing else so dear to an honorable man as is his reputation for integrity. Bitter, merciless charges were made in speeches in the House against the integrity of Mr. Glover. Here is the public record of these charges confronting him and his family and friends, and here after he has passed from earth, here always while the years come and go, this record will remain to confront his descendants.

Mr. Speaker, though we can not excuse an attack upon a Representative in Congress for words spoken in debate, yet in view of the admitted facts in the pending case we may pardon something to the feelings of a man who is without remedy under the Constitution, denied opportunity to be heard in court, utterly helpless, against charges that would forever rob him of his good name.

The SPEAKER. The time of the gentleman has expired.

Mr. POU. I should like to ask the gentleman a question.

The SPEAKER. The gentleman has no time to answer.

Mr. COOPER. Mr. Speaker, under general leave to extend remarks I desire to call attention to certain pertinent facts not already mentioned and to discuss more fully others to which reference has been made.

I have never been a member of the Committee on the District of Columbia and have therefore been obliged, when District bills were before the House, to rely for knowledge of the facts upon gentlemen presumed to be familiar with them.

On March 3, 1909, I voted against the bill to extend Rock Creek Park, my vote being influenced by statements made in the debate by the gentleman from Tennessee [Mr. SIMS] and the gentleman from New York, Mr. Andrus. Their speeches began the controversy by making charges and impugning motives. It now appears that the whole controversy turned on the confusion by these gentlemen of the Massachusetts Avenue project with the Meridian Hill project. The Massachusetts Avenue project called for an appropriation of $423,000. No more ever was asked for it. The other project called originally for an appropriation of $600,000. Both gentlemen confused the two, as the gentleman from Tennessee [Mr. SIMS] in subsequent speeches admitted.

Mr. Glover, as he said under oath, December 30, 1912, before the House Committee on the District of Columbia, never saw the speech of the gentleman from Tennessee [Mr. SIMS] until the month of December last. He declares in his newspaper article—January 25—that he was so disappointed and disgusted by the defeat of the park bill that he did not read even the newspaper accounts, and, until December last, never saw the report in the CONGRESSIONAL RECORD, which publication he does not take and does not ordinarily read. Although he was in and out the House gallery during the debate on March 3, 1909, he says that he was not in the gallery during the speech of the gentleman from Tennessee, and therefore was entirely ignorant of it until December, 1912.

Having been summoned, on December 30, 1912, as an expert witness on land values before the House Committee on the District of Columbia, then investigating the so-called "insurance company charges," Mr. Glover, apparently filled with indignation which the speeches of March 3, 1909, had excited, proceeded suddenly, on the spur of the moment, and apropos of the discussion of land values, to tell the story in reply to the gentleman from Tennessee. This he did without having with him any of the options or other papers relating to the Massachusetts Avenue Park project. Naturally in such an offhand statement, without documents at hand, minor inaccuracies occurred, but the substance and the important part of what Mr. Glover said was correct, as was shown in his subsequent newspaper article after he had consulted the documents in the case.

Following the statement of Mr. Glover before the House committee came the speech of the gentleman from Tennessee [Mr. SIMS], on January 15 last, in which he quoted Mr. Glover's statement before the House committee, admitted that he had been confused and misled as to $600,000 being first demanded for the park project, but then proceeded by further insinuation practically to reiterate his charges.

To this second speech Mr. Glover replied in an article in the Washington Post and other papers on January 25. With that article he printed a sample of one of the options covering the greater part of the property, namely, 88 acres out of 99 $\frac{14}{100}$ acres. The remainder of the tract was in small parcels, including a small one of 2 $\frac{1}{10}$ acres belonging to a Member of Congress, who, Mr. Glover said, was more unwilling to sell than were even any of the other owners and demanded and received promise of a higher price because he was unwilling to sell. I have recently learned that this Member was from an Eastern State.

Mr. Glover said also in his article that, in general, the owners were reluctant to sell, because it was known that the land was rising in value; and that for the same reason they were reluctant to extend options at the one price, namely, $420,000, agreed upon at the beginning of the negotiations in which he had secured the options, which price, with the additional sum of $3,000 added by the District of Columbia for official expenses, remained the price to the end. But, as Mr. Glover further said, and he was confirmed by Mr. Charles J. Bell in his own subsequent newspaper statement, he—Mr. Glover—did get extensions under the options which covered the whole period of the negotiations with Congress looking to legislation necessary to secure the property. The text of the sample option shows clearly that it could be used only for public park purposes, and that Mr. Glover could not personally make a dollar of profit out of it.

In his testimony before committees of Congress Mr. Glover made no statement as to the names of the owners of the property nor in concealment of them. Knowing the difficulty he had had in getting the options, knowing, as he said, that the price of the land was advancing and that he could not have secured an extension of the options but for the effects of the financial depression of 1907 which checked the sale of property generally, and being eager to add to Rock Creek Park, which the facts show had been created largely through his efforts, Mr. Glover very probably thought the names of the particular owners a negligible quantity.

I am convinced from a thorough reading and study of all of the documents and pertinent facts in the case that the charges and insinuations in the speech made January 15 last by the gentleman from Tennessee [Mr. SIMS], that the owners were combining with Mr. Glover to unload their land on the Government at an unreasonable price, and that Mr. Glover himself could have made some personal profit out of the sale, are disproved by the known facts set forth in Mr. Glover's newspaper article of January 25 and in a subsequent newspaper statement of Mr. Charles J. Bell. I have no personal acquaintance with Mr. Bell, nor have I ever, directly or indirectly, had any communcation with him. I do know him, however, by reputation as one of the leading business men and citizens of Washington. A little later in these remarks I shall insert his statement.

The gentleman from Tennessee [Mr. SIMS], in a speech in the House, February 5 last, replied to Mr. Glover's newspaper article. In this, his third speech, the gentleman changed his ground and attacked the good faith of the options themselves and the good faith of all who had taken part in them. He charged that these were bogus options, and treated the sample option as though it were the only option. He also repeated the charge that Mr. Glover had misled the Appropriations Committee when he said that the options could not be renewed, and

declared that Glover was not actually in possession of options covering the whole period of the efforts before Congress.

Thus the gentleman from Tennessee once more impugned the honesty of Mr. Glover and the good faith of all concerned in the transaction with him. In closing this speech the gentleman said that he would not follow the matter further, and "one of my reasons for not doing so is that I do not wish to add further to the mortification and humiliation of a dishonored, discredited, self-impeached man."

After making this bitter concluding statement, and also before beginning this speech, the gentleman from Tennessee [Mr. SIMS] did ask unanimous consent that Mr. Glover's newspaper article might be published in the CONGRESSIONAL RECORD. These two requests were defeated by the objections of another Member.

Subsequently—February 13 last—Mr. Charles J. Bell published in the Washington Post a statement of his own, to which I have referred, refuting absolutely Mr. SIMS's statement as to the options. I am unable to find that any attempt was made to get Mr. Bell's statement in the RECORD, such an attempt probably seeming hopeless in view of the exclusion of the Glover article. Nor can I anywhere find a denial of the truth of the Bell statement, nor any attempt to answer it. Here is the statement in full as it appeared in the Post:

"DENIES SIMS'S CHARGES—MR. GLOVER DID HAVE PARK LAND OPTION, MR. BELL SAYS—NO 'FRAUD ON GOVERNMENT'—PROOF EASILY OBTAINABLE BY REPRESENTATIVE, ASSERTS FINANCIER—CONCESSIONS WERE DIFFICULT TO SECURE, HE ADDS—WITNESS BEFORE INSURANCE INQUIRERS MERELY QUOTED ONE CONTRACT.

"Charles J. Bell, president of the American Security & Trust Co., last night gave out the following statement, based upon the viewpoint of the trustees and owners of the Massachusetts Avenue property which between 1906 and 1909, was offered under an option from the owners by Charles C. Glover for public park purposes:

"'My attention has been directed to a statement made by Representative SIMS on the floor of the House, in which, while he speaks of myself and other trustees in a complimentary manner, he makes the statement that the option given to Charles C. Glover in March, 1906, by which the trustees of the Massachusetts Avenue syndicate agreed to sell through him to the United States Government, for park purposes, a tract of land lying between Rock Creek and the National Cathedral, was "a bogus option," "a mere framed-up counterfeit device." And he further charges Mr. Glover with making, under oath, "a deliberate false statement, known to be false when made," when he, Mr. Glover, stated that he had a continuous option from the trustees and owners of the land, running through the various sessions of Congress from March, 1906, to the close of the second session of the Sixtieth Congress, expiring in the spring of 1909.

"PROOF OF THE OPTION.

"'If Mr. SIMS had taken the trouble to call at my office I should have been very glad to exhibit to him absolute proof of the existence of these options, running from March, 1906, to the close of the second session of the Sixtieth Congress, and thus prove to him conclusively that the statement made by Mr. Glover was absolutely correct, and that during all the period of time he was offering this property to the United States Government he had a full and complete option, made in perfect good faith, granted to him by the trustees and owners of the property.

"'Mr. SIMS also charges Mr. Glover with making a false statement in relation to the difficulty the trustees had in getting the owners to consent to the extensions of the original option. As I had personal charge of this matter for the trustees and owners, I speak with authority in stating that it was with the greatest difficulty I succeeded in getting a number of the owners to consent to these extensions, so that Mr. Glover was entirely justified in the statement he made to the subcommittee on appropriations that he believed it impossible to renew the option.

"SHOULD HAVE LEARNED FACTS.

"'Mr. SIMS is undoubtedly correct in his definition of a falsehood as being a "false statement made by a person who knew it was false at the time he made it," but surely Mr. SIMS does not believe that any man is justified in making reckless and unwarranted statements charging three gentlemen with being parties to the giving of a bogus option to the United States Government, and another with uttering a falsehood without first having at least taken the trouble of finding out the truth or falsity of the charge, especially when he makes these statements on the floor of the House of Representatives under immunity granted to Members of Congress.

"ONE OPTION AS SAMPLE.

"'It must be evident to any intelligent reader of Mr. Glover's recent published statement, first, that when he appeared before the insurance investigating committee he spoke offhand and without any documents before him, and, second, that when he prepared his statement in reply to Mr. SIMS, he quoted only from one option contract and one renewal as a sample and for the specific purpose of showing that the option was for public park purposes exclusively, and that no private profit could come to him from the transaction.

"'Mr. Glover needs no defense from me; his position in the community and his many acts of public service are well known to all of us, but I feel I would be false to myself, to Mr. Glover, and to my cotrustees if I did not publicly deny the truth of the accusations made by Mr. SIMS.'"

Mr. Glover, having been thrice attacked by the gentleman from Tennessee [Mr. SIMS] on the floor of the House, and his answer having been refused publication in the CONGRESSIONAL RECORD, being unable to proceed against the gentleman from Tennessee in the courts because of the immunity granted that gentleman by the Constitution, and, as he says, feeling deeply the gross injustice which had been done him, did, in a moment of passion—as he admits in his letter to the special committee—and, under great provocation, slap the gentleman from Tennessee twice in the face upon meeting him for the first time after this open controversy began. This, as the testimony reported by the special committee shows, he did openly, while fronting the gentleman from Tennessee, not from behind nor secretly.

Moreover, the testimony before the special committee overwhelmingly shows that the statement on this floor of the other gentleman from Tennessee [Mr. MOON] that Glover slapped his [Mr. MOON'S] colleague only once, and that he did this mildly and only with a view to provoking his colleague to strike back, so that Glover might have color of justification in fatally wounding him, is without foundation.

To say that Mr. Glover's remark to Representative JOHNSON expressing regret that the laws against dueling prevented a man from calling to account one who, he said, had slandered him, meant that Mr. Glover had a purpose to commit murder is unwarranted.

Undoubtedly all this trouble could have been averted if, after Mr. Glover, in December last, called attention to the error of the gentleman from Tennessee and at the same time acquitted him of intentional misstatement, there had been an acknowledgment of the mistake unaccompanied by new attacks upon Mr. Glover's integrity.

Mr. Speaker, this project was not an isolated one, but was in complete harmony with the general park improvement of the city of Washington. It would have fitted in with Rock Creek Park and the National Zoological Park to the north of Massachusetts Avenue, with Potomac Park to the south on the river front, and with the connecting parkways between Rock Creek Park, the Zoological Park, and Potomac Park, which connections were authorized by Congress at its last session. The press in this city have declared—and it is well understood by the citizens of Washington—that Mr. Glover has been a leader in public-spirited efforts to obtain for the National Capital, and therefore for the entire country, a park system unequaled in the world. He had been the chief factor in securing Rock Creek Park and Potomac Park, and naturally worked for the connecting park lands between them.

Upon inquiry I have learned that the property in question, for which was asked $4,000 an acre, is now being held and sold at 80 cents per square foot. Allowing net only 30,000 square feet for an acre, this rate would make the present value of the land $24,000 per acre—certainly more than $20,000 an acre.

But the gentleman from Tennessee [Mr. MOON] supports his colleague [Mr. SIMS] in that gentleman's claim for credit, because a portion—about 17 acres—of the 100-acre tract has been reserved for park purposes by the syndicate which is now selling the rest of the tract by the square foot after having cut down trees and leveled the land for building purposes. This portion the gentleman from Tennessee [Mr. SIMS] describes in one of his speeches as "a gulch, a deep ravine between precipitous hills." It is evident that it could not be built upon, and therefore was of necessity reserved for park purposes. For park purposes it might well be worth $4,000 an acre, but it would not be worth $4,000 an acre, much less $24,000 an acre, for building purposes. Nor does its preservation compensate for the loss to the park system of the rest of the 100-acre tract with all its remarkable natural beauty. This beauty, now forever destroyed, I well remember, and I remember, also, to have heard Ambassador Bryce, an authority of the highest distinction, say that the failure to preserve it means to the city of Washington a loss that is irreparable.

The price of $4,000 an acre secured by Mr. Glover for the Government under the options was a low one compared with prices paid by the Government and other purchasers years before for similar property in the same general neighborhood.

In 1898 the Protestant Episcopal Cathedral Foundation paid $245,000 for about 30 acres, or more than $8,000 an acre, for the property which it now occupies west of the proposed addition to Rock Creek Park, and in May, 1902, deed dated May 21, 1902, the same Foundation paid $24,256, as the deed recites, for 3 $\frac{11}{100}$ acres on Woodley Road adjoining its former purchase.

In 1901 the United States Government purchased additional lands within the Naval Observatory Circle, on Massachusetts Avenue, as follows:

Plat 1. Robert D. Weaver, 8.645 acres, purchased at a cost of $37,657.62.

Plat 6. J. W. Thompson, 7.895 acres, purchased at a cost of $85,976.55.

Plat 2. Theodore Barnes, 0.389 acre, purchased at a cost of $4,050.07.

Plat 4. John A. Barber, 0.425 acre, purchased at a cost of $2,221.56.

It will be noticed that these prices ran from about $4,000 an acre to nearly $12,000 an acre, and this in 1901.

Two other tracts, one belonging to Philip Young, of 0.714 acre, for which the Government offered $4,665.28, and one belonging to A. W. Fleming, of 1.732 acres, for which the Government offered $15,089.18, had to be secured by condemnation, the owners refusing to accept the prices fixed by the Government appraisers. They were subsequently secured at a much higher price.

Plat 6, for which the United States paid in 1901 over $10,000 an acre, was part of the Thompson tract, which furnished 88 acres of the proposed park addition that Mr. Glover tried to secure for the Government.

Besides these purchases the Navy Department and Commissioners of the District of Columbia in 1904 agreed that the District of Columbia should sell to the United States Government a tract of land belonging to the District and occupied by the Industrial Home School, within the Naval Observatory circle, consisting of 6.764 acres, for the sum of $74,404, or $11,000 an acre, exclusive of buildings. The Acting Secretary of the Navy, Hon. Truman H. Newberry, under date of April 24, 1906, submitted this proposition to the Committee on Naval Affairs of the Senate and House of Representatives in a letter and with a draft of a bill authorizing the purchase of the land and the removal of the Industrial Home School to another site. A separate price of $110,000 was named for the buildings on the Industrial Home School site.

This property has a limited frontage on Wisconsin Avenue, but at that point is so far below grade that it would be costly to fill it in for building purposes.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE TRUSTEES OF THE PROTESTANT EPISCOPAL CATHEDRAL FOUNDATION, SEPTEMBER 7, 1898.

"The bishop further stated that after several conferences with Mr. Barber, in which he endeavored to obtain a reduction of the price, Mr. Barber had this morning consented to reduce the price to $245,000 for the whole lot if he, the bishop, would accept this offer in the course of the morning, and that he, the bishop, had done so upon his own responsibility, hoping for the ratification of his action by the board, and that he had paid to Col. Robert I. Fleming, the agent of Mr. Barber, $5,000 on account of the purchase money."

* * * * * * *

"Contract approved and adopted by the board for the purchase of about 30 acres."

REPORT OF THE CHIEF OF THE BUREAU OF EQUIPMENT TO THE SECRETARY OF THE NAVY, 1901, PAGE 65.

"The naval appropriation act approved March 3, 1901, contains the following clause:

"'Naval Observatory, purchase of lands: For the purchase of lands lying within the observatory circle, as established by the joint resolution of August 1, 1894, $149,571.08; and the Secretary of the Navy is authorized to sell, at such time and in such manner as may be most advantageous, but at prices not less than those fixed in 1894 by the board of appraisers, of which John W. Ross was chairman, such lands of the Naval Observatory reservation as are situated within the limits of said circle.'

"The illustration accompanying this report indicates what steps have been taken to comply with this provision of Congress, as follows:

"'Plat 1. Robert D. Weaver, 8.645 acres; purchased at a cost of $37,657.62.

"'Plat 6. J. W. Thompson, 7.895 acres; purchased at a cost of $85,976.55.

"'Plat 2. Theodore Barnes, 0.389 acre; price of $4,050.07 accepted; purchase under way.

"'Plat 4. John A. Barber, 0.425 acre; price of $2,221.56 accepted; purchase under way.

"'Plat 3. Philip Young, 0.714 acre; appraised at $4,665.28; price not accepted; condemnation proceedings under way.

"'Plat 7. A. W. Fleming, 1.732 acres; appraised at $15,089.18; price not accepted; condemnation proceedings under way. Only $15,000 was appropriated for this purchase, leaving a deficiency of $89.18.

"'Plat 5. District Industrial Home School, 6.764 acres; no appraisal.

"'Plats 8 and 9. Observatory property, outside of circle.'

"It is recommended by the bureau that steps be taken to acquire plat 5, now the property of the District of Columbia.

"It is also recommended that the land in plats 8 and 9 be not sold at present, owing to its increased prospective value."

The latter recommendation is official testimony to the general expectation of increase in value.

The gentleman from Tennessee, Mr. SIMS, the gentleman from Tennessee, Mr. MOON, and Mr. ANDRUS, formerly a Representative from New York, have in speeches in the House reflected severely upon Mr. Glover. The two gentlemen from Tennessee have gone so far as to charge that in the matter of this proposed park extension he was lacking in personal integrity. In view of these charges and of the fact that the gentleman from Tennessee [Mr. SIMS] twice on the floor of the House asked unanimous consent that Mr. Glover's article of January 25 last be printed in the CONGRESSIONAL RECORD, and as the article has never appeared therein, I submit it herewith:

[From the Washington Post, Jan. 25, 1913.]

"C. C. GLOVER REPLIES—VIGOROUSLY DENOUNCES REPRESENTATIVE SIMS'S SPEECH ON ROCK CREEK PARK PLANS—GROSS INJUSTICE WAS DONE HIM, THE BANKER DECLARES—PRESIDENT OF RIGGS NATIONAL QUOTES AT LENGTH FROM RECORDS TO PROVE THAT HE SOUGHT NOT ONE PENNY OF PERSONAL PROFIT—WORKED SOLELY FOR THE CITY'S WELFARE—ELABORATES ON TESTIMONY BEFORE INSURANCE COMMITTEE.

"Charles C. Glover, president of the Riggs National Bank, made public the following statement last night in response to the charges made by Representative SIMS, of Tennessee, on the floor of the House of Representatives on January 15:

"Instead of admitting in a frank and manly way, that would have done him honor while doing me justice, that he was entirely wrong in his attack on me in the House of Representatives on March 3, 1909, to which I replied before the insurance investigating committee on December 30, 1912, just after it had been brought for the first time to my attention, Representative SIMS, of Tennessee, made another unwarrantable speech about me in the House on the 15th of the present month. A reply is necessary because his latest speech is even worse than his former one, since he can no longer pretend to be ignorant of the facts and because by insinuation he makes a worse charge than he made before. It is true that a careful reading of his latest speech in the light of the record shows that he had to admit that his former statements were untrue. But this admission is obscured by other misstatements and by an innuendo which goes beyond anything he said before in its falsity and malice.

"AGREES WITH TWO STATEMENTS.

"With two statements of his speech of January 15, 1913, I agree. The first is (p. 1576, CONGRESSIONAL RECORD):

"I want to say, Mr. Speaker, that any Member of this House who in debate on the floor of the House makes a false statement about what is pertinent to be considered at the time and misleads the Members of the House and causes them to vote otherwise than they would ought to be expelled. No such man has any business in this House."

"That is exactly right.

"The second is in part of the next paragraph, on the same page, as follows:

"I am aware that Members of the House, under the privileges of this House, can get up and denounce individuals and make derogatory statements about men, and under the law they can be held responsible for it nowhere else. Consequently I do not think it is a manifestation of great moral or physical courage to get up here and denounce individuals when you can not be called to account for it.

"Out of his own mouth in these statements Mr. SIMS stands convicted of conduct justifying his expulsion and of moral cowardice.

"RECALLS SPEECH OF MARCH 3, 1909.

"It will be remembered that the substance of Mr. SIMS's charge on March 3, 1909, which so misled the House that it defeated the bill that would have added 100 acres to Rock Creek Park at a low cost to the Government, was that I, having secured options upon that land, had offered it first at $600,000, then at $550,000, and finally at $435,000, with the implication that I had tried to cheat the Government. He distinctly made those assertions. Confronted by the facts in my recent statement before the insurance investigating committee, he now grudgingly and obscurely admits that he was wrong, but says he was misled by the statement of another Member in the de-

bate, who read from a report of the District Commissioners on another park project—that of Meridian Hill—and applied it to the Rock Creek Park addition. Although, as the CONGRESSIONAL RECORD shows, his remarks of March 3 were made in the afternoon of that day, he further excuses himself by saying that they were made in the fatigue and confusion of a midnight session.

"But he has gone further in his speech of January 15, 1913, in which (p. 1578, CONGRESSIONAL RECORD), in speaking of the land in question, and after misquoting me as saying that in 1908 it was worth $11,200 an acre—which I never said—he says:

"QUOTES SIMS'S SPEECH.

"'At what he swears was then the value—over $11,000 an acre—he would make nearly, if not quite, $1,000,000.

'Now, if that language was true, and he says that it was and swears to it, the assessment shows that if he could have exercised his option, paid for it, and could have given the Government more than half of it, he would have made a big profit out of the balance.

'But he did not exercise that option. He let it go back to those who held the property or the option or contract on it.

'This is the insinuation, the innuendo, to which I have referred.

'Now, this, and every other material statement on the subject by Mr. SIMS, was made—as he says, page 1576, CONGRESSIONAL RECORD, in his latest speech—when 'the matter had been before the House so often that the subject was very well understood by Members who had been in the House when bills for the same purpose had formerly been considered, and they knew perfectly well what was referred to.'

'And, in addition, he had on January 15, 1913, the truth as it was fully stated in my recent statement before this committee.

"SAYS TRUTH IS ON RECORD.

'Fortunately, this truth is of record. I did not have the records or even a memorandum of them with me when, on the spur of the moment, I made my former statement, but they have always been accessible to Mr. SIMS and every other Member of Congress since the project was first brought up.

'The foundation document is, of course, the contract for an option which I secured, wholly in the public interest and in order that the Government might get the property at a low price on an advancing market. There were three separate options given by three different sets of trustees, all on the same terms, and therefore I quote only from that covering the greater part of the tract, namely, the 88 acres known as the Thompson syndicate property.

'This contract, dated March 9, 1906, between the trustees of that syndicate and Charles C. Glover, says:

"EXTRACT FROM CONTRACT.

"'Whereas the parties of the first part are the owners of the pieces and parcels of ground hereinafter described; and

"'Whereas the parties of the first part are willing that the said pieces and parcels of ground shall be made and shall become a public park upon the terms and conditions hereinafter stated; and

"'Whereas the party of the second part desires, without compensation and in consideration of the public interests to be thereby promoted and subserved, to aid so far as he can properly do so in having said pieces and parcels of ground made a public park on the terms and conditions hereinafter stated:

'This agreement witnesseth that the parties of the first part, each for himself or herself, and in respect of their several and respective interests, each for himself and not one for the other, in consideration of the sum of $1 lawful money of the United States to each of them in hand paid by Charles C. Glover before the signing and sealing of this agreement, the receipt whereof is hereby acknowledged, and in consideration of the other payments and the performance of the conditions hereinafter specified, do hereby covenant, promise, and agree to and with the said Charles C. Glover to sell to the United States or to the District of Columbia, for the purposes of a public park, for and in consideration and at the rate of $4,000 per acre and a fraction of an acre, all those pieces and parcels of ground in the District of Columbia described as follows.

"PRICE ASKED WAS $420,000.

'The total amount of the land was 99.74 acres. A slight difference in the acreage price of one of the smaller tracts brought the total price of the whole up not to exceed $420,000. No other price was ever named to Congress or expected under the options. There was, of course, no warrant for any statement that $600,000 or $550,000 or $435,000 was ever asked.

'The bill for the acquisition of this park property as presented to Congress added $3,000 to the $420,000 at the instance of the District Commissioners in order to cover official expenses in the matter, so that the amount named for appropriation in every bill on this subject was $423,000, or so much thereof as might be necessary.

"DECLARES BILL ANSWERS SIMS.

'No one could honestly believe that under these options anything whatever could be done with this land except to secure it in its entirety to the Government as a public park. The mere quotation from the text of the contract, which was accessible at all times to Congress, answers sufficiently the slander of Mr. SIMS's insinuation. The text of the bill for the acquisition of this park property, as I caused it to be introduced in 1906 and again in 1908, and as it was approved in the strongest way by the Commissioners of the District of Columbia and by the committees of the Senate and the House, is the answer to all the false statements as to the amount of appropriation required.

"No sane man could believe, no honest man would say, that I could by any possibility make one penny of personal profit out of the transaction covered by these options or that the United States was ever asked to pay for the land more than its actual cost under these options, with the addition of the $3,000 for the official expenses, or in all not exceeding $423,000.

"PANIC CAUSED EXTENSION.

"These options were procured by me only by great and prolonged effort and through many difficulties. A renewal of them was secured by me in contracts made the 15th of January, 1908, with the same trustees only because the panic of 1907 had prevented the trustees from marketing the property on more advantageous terms after they had told me repeatedly that no extension could be secured, and I had so reported to the commissioners and to the committees of Congress in perfect good faith. It was, of course, throughout a labor of love with me, faithfully carried on until it was finally defeated by the misleading remarks of Mr. SIMS and Mr. ANDRUS, of New York, on the afternoon of the 3d of March, 1909. I never read those misleading statements until, as I said in my former statement, just a short time before I appeared before the committee in December last.

"Let me now request an examination of the latest speech of Representative SIMS, beginning on page 1575 of the CONGRESSIONAL RECORD, under the date of January 15, 1913, in order that I may point out in detail its misstatements, in view of the gross injustice they do me.

"Mr. SIMS first quoted from the printed record of the insurance committee the portion of the statements made by me on the 30th day of December last, in which, after quoting what had been said by Mr. SIMS and Mr. ANDRUS in the debate of March 3, 1909, I said:

"MR. GLOVER CITES HIS STATEMENTS.

"'Mr. Chairman, the statement that I offered that property to the Congress of the United States at $600,000; that I was pricked by conscience, and reduced the sum to $550,000; that it was embodied in any bill by my authority at $475,000, or, as Mr. SIMS says, 'it is now before this House at $435,000,' is an absolute and unqualified falsehood. I never offered the property save at the one single price of $420,000, plus the $3,000 added by the Commissioners of the District of Columbia.

"'As that charge stands, I can well understand why Maj. Judson has had to defend my character before some Members of the House. It leaves me, instead of being a public-spirited citizen, a man with an option on a piece of property at $420,000 endeavoring to palm it off on the Government of the United States at $600,000.

"'I do not believe, Mr. Chairman, that these gentlemen intended to make an untrue statement, but the bill was before them. Here is the identical bill, and the last clause of that bill says that the price of that land was $423,000.

"A STATEMENT BY SIMS.

"Mr. SIMS then proceeds to make the statements which I have just approved, that a Member who misleads the House, causing it to vote otherwise than it would, by false statements, ought to be expelled, and that denunciation of individuals by Members on the floor who can not be called to account for it is not 'a manifestation of great moral or physical courage.'

"In giving next a short history of the bill, he makes the inaccurate statement that I added $3,000 to the option price to cover any expenses that might be incurred in connection therewith. It was, of course, the District Commissioners who added that $3,000. Then comes this gratuitous insinuation:

"He claimed to want the Government to own it for park purposes.

"AGAIN QUOTES CONTRACT.

"The option contract and the bill itself answer that.

"In referring to the favorable action of the Senate and of the House Committee on Appropriations, to whom the Senate bill was referred, in 1908, he makes the admission above quoted, that the matter was so well understood by Members of the House that it was not necessary for the Appropriations Committee in its report to give any details whatever about the matter, so that they simply recommended the passage of the bill.

"Then he comes in his story to March 3, 1909. He describes that day as—

"The last day of that Congress when, as we all know, we have to stay up all night to consider conference reports and matters of that kind.

"Then, a few lines further on, he says:

"Now, at nearly the hour of midnight on the last day of the session, on a motion to suspend the rules, when there was no time to investigate and understand anything, almost anyone was liable to be misled.

"This is intended to be an excuse for his adoption of the mistake of Representative ANDRUS, who had preceded him in the debate, in reading from the report of the District Commissioners on the Meridian Hill Park bill and applying it to the Rock Creek Park addition bill so as to charge me with asking first $600,000, then $550,000 under the prick of conscience, and finally, as Mr. SIMS said:

"Now they have got down to $435,000.

"If Mr. SIMS, in honest and manly fashion, had only said that he was misled and so had misled the House or helped to do so, and that he was very sorry for it and for the injustice done to a private citizen who could not defend himself on the floor and who could not call him to account elsewhere, there would be no occasion for my making this additional statement to-day. In any event, I would not have noticed his misstatement as to the time of day when he made his attack on March 3, 1909. But it is characteristic of the reckless and misleading style of speaking in which he indulges, even to the point of absolute misrepresentation, that he does not even tell the truth as to the time of day.

"SAYS VOTE WAS IN AFTERNOON.

"I have taken the pains to read the CONGRESSIONAL RECORD of March 3, 1909, and invite your attention to the fact that the debate in which Mr. SIMS and Mr. ANDRUS, by their misleading statements, killed the Rock Creek Park addition bill, together with the yea-and-nay vote on that bill, took place in the afternoon, not at night. The proof is found on page 3802 of the CONGRESSIONAL RECORD of March 3, 1909, near the bottom of the right-hand column of the page, where the following is recorded:

"RECESS.

"Mr. PAYNE. Mr. Speaker, I move that the House do now take a recess until 10 o'clock this evening.

"The motion was agreed to.

"Accordingly (at 6.15 p. m.) the House was declared in recess.

"AFTER RECESS.

"The recess having expired (at 10 p. m.), the House was called to order by the Speaker.

"And the debate in which Mr. SIMS and Mr. ANDRUS killed the bill by misleading Members of the House and causing them to vote otherwise than they would is recorded in the same CONGRESSIONAL RECORD of March 3, 1909, 10 pages back, namely, on pages 3792 and 3793, while the yea-and-nay vote by which the bill was defeated is found on page 3794, and it is evident from the most cursory inspection of the RECORD that much business was transacted between that vote and the recess taken at 6.15 o'clock for dinner.

"The published official record of the proceedings of the House strips from Mr. SIMS his poor excuse of midnight weariness and confusion for the wrong that he did the National Capital and incidentally one of its private citizens in misleading the House to defeat that bill.

"He has to admit, of course, in the face of the text of the bills and the reports of the District Commissioners, that his statements were misleading, even though he denies that they were technically false, and seeks to defend them even while he admits that they misrepresented the facts.

"ALLEGES NEGLIGENCE OF DUTY.

"In the very next passage in his speech, in which he publishes as part of his defense the report of Senator GALLINGER in 1906 on a composite bill framed in that shape by the Senate Committee on the District of Columbia so as to contain the two separate bills, that for the Rock Creek Park addition and that for the Meridian Hill Park project, and the two reports of the District Commissioners on the two projects, all of which he had had three years to examine in connection with the matter which he himself states was so familiar to the Members of the House that in 1908 it was perfectly understood, so that it was not necessary for the Committee on Appropriations to do more than recommend the passage of the bill, he convicts himself of negligence of duty as well as wrong performance of his duty as a Member of the House.

"I insert for information the copy of Senator GALLINGER's report as quoted by Representative SIMS:

"MR. SIMS QUOTED GALLINGER.

"Mr. GALLINGER, from the Committee on the District of Columbia, submitted the following report to accompany S. 5201:

"The Committee on the District of Columbia, to whom was referred the bill (S. 5201) to acquire certain land in the District of Columbia as an addition to Rock Creek Park, having considered the same, report thereon with the following amendments:

"On page 1, line 14, before the word 'which,' insert the words 'and the location of proposed new streets.'

"On page 3, line 14, after the word 'therefrom,' insert the words 'along the center of a proposed new street.'

"SEVERAL AMENDMENTS TO BILL.

"On page 3, line 16, after the word 'line' where it first occurs, insert the words 'following the center line of a proposed new street.'

"On page 6, line 1, after the word 'plan,' strike out the words 'as 90 feet in width.'

"On page 6, line 2, after the word 'are,' strike out the word 'not,' and after the word 'for,' in the same line, strike out the words 'in said plan' and substitute the word 'herein.'

"Add sections 7, 8, 9, 10, and 11 to the bill.

"Also amend the title so as to read: 'To acquire certain land in the District of Columbia as an addition to Rock Creek Park and in Hall & Elvan's subdivision of Meridian Hill for a public park.'

"Two bills, S. 5201, 'To acquire certain land in the District of Columbia as an addition to Rock Creek Park,' and S. 5289, 'To acquire certain ground in Hall & Elvan's subdivision of Meridian Hill for a Government reservation,' were submitted to the Commissioners of the District of Columbia for examination and report, and their replies are hereto appended, as follows:

"REPLIES OF COMMISSIONERS.

"OFFICE COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
"*Washington, March 27, 1906.*

"SENATOR: The Commissioners of the District of Columbia have the honor to submit the following on Senate bill 5201, Fifty-ninth Congress, first session, 'To acquire certain land in the District of Columbia as an addition to Rock Creek Park,' which you have referred to them for report touching the merits of the bill and the propriety of its passage:

"A blue print is inclosed, showing, on a large scale, the pieces and parcels of land proposed to be condemned for the addition to Rock Creek Park, and also a map on a smaller scale, showing the relation of the proposed addition to Rock Creek Park and the connection between the two.

"Rock Creek Park, as now established, starts at the District line, extends along both sides of Rock Creek to the Zoological Park, and then south of this latter park in a narrow strip along the east side of Rock Creek to Massachusetts Avenue. South of this point the United States owns a small strip of land about 500 or 600 feet in length, bought for the use of the Washington Aqueduct.

"ADDITION JOINS PARK.

"The addition proposed by this bill joins this latter part of the park. It will lie along the west of Rock Creek and extends up the valley of a small branch running about parallel to Massachusetts Avenue. The valley of this branch is very deep, and the tract of land abutting the creek is well wooded with large and beautiful trees, making it an ideal piece of property for park purposes. The tract proposed to be acquired extends about 4,000 feet along Rock Creek and northwest about 4,000 feet along Massachusetts Avenue, with a width of 500 to 1,000 feet.

"The tracts included in the proposed addition have been owned by two or three estates, which up to the present time have not developed the property. Recently, however, in continuation of the rapid development of that section, a large tract of land has been purchased by a syndicate, and arrangements are being made to lay off the land into lots and blocks for the purpose of building. This tract includes about 88 acres of the land this bill proposes to purchase for park purposes, and unless the land is acquired by the Government it will undoubtedly be built upon within a short time. All of this section will probably develop rapidly during the next year or two and the value be greatly enhanced.

"CONSIDERED PRICE REASONABLE.

"In determining on the part of these tracts to be used for park purposes, it was endeavored to leave what was most suitable for building purposes and take for park purposes such part as was best adapted to such use. The area of the land proposed for a park is about 100 acres, and the price is about $4,200 per acre, which is considered to be reasonable, in view of all the circumstances. Options are left on it so that it can all be acquired at such figures as to bring it within the amount appropriated in the bill.

"It is further provided in the bill that a small piece of property belonging to the United States lying south of Massachusetts Avenue may be exchanged for an equal amount of land lying to the north. The Naval Observatory grounds are located in this vicinity. The original grounds of the observatory contain about 75 acres, irregular in shape. The opening of Massachusetts Avenue and Observatory Circle, in accordance with the authorized system of highway extension leaves two strips of the original tract—one on the north of Massachusetts Avenue, containing 14 acres, and one on the south side of the avenue, lying in the angle between Massachusetts Avenue and Observatory Circle, containing about seven-tenths of an acre. This latter strip is proposed to be exchanged. It is of little value to the observatory or to the United States on account of being separated from the remainder of the holdings of the observatory by streets, so that it would seem desirable to exchange it, as proposed in the bill, for an equal amount of land that can be used. The 14 acres to the north can be used as a part of a park or such other use as the United States may desire.

"BENTON STREET SUPERFLUOUS.

"The bill further provides that a short section of a projected street called Benton Street shall be abandoned as a highway. This is private property, and the provision means simply that the system of street extension is changed to that extent. It can be seen from the small map that this street will be superfluous if the land is acquired for park purposes.

"The bill further provides that the landowners surrounding the proposed park shall dedicate 30 feet for a street and establish a building line of 15 feet, and that the United States shall do the same along the park boundary. This will give a street practically 90 feet wide around the park, which is eminently desirable.

"MINOR AMENDMENTS NECESSARY.

"In order to more fully carry out the intention, a few minor amendments are necessary to be made in the bill, as follows:

"Insert, in line 14, page 1, before the word 'which,' the words 'and the location of proposed new streets.'

"Insert after the word 'therefrom,' in line 14, page 3, the following words: 'along the center of a proposed new street.'

"Insert, in line 16, page 3, after the word 'line,' the following: 'following the center line of a proposed new street.'

"Strike out the words 'as 90 feet in width,' line 1, page 6, and also the words 'not' and 'in said plan,' in line 2, page 6. Also insert after the word 'for,' in line 2, page 6, the word 'herein.'

"RECOMMENDED BILL'S PASSAGE.

"The commissioners recommend the passage of this bill as being a measure of public benefit. The land is located within easy access of a large population. It is eminently suited to park purposes on account of the hilly character and the magnificent trees, which could not be grown in many years. It is to-day, although private property, used by many persons as a park, and with the rapid increase of population will certainly prove of the greatest value. The commissioners further be-

have that if not purchased before being subdivided and developed its cost would be greatly increased, and, besides, many of the trees will be cut down and the beauty impaired.

"Very respectfully,

"HENRY B. F. MACFARLAND,
"President Board of Commissioners, District of Columbia.

"Hon. J. H. GALLINGER,
"Chairman Committee on the District of Columbia,
"United States Senate.

"WANTED LAND ON MERIDIAN HILL.

"MARCH 30, 1900.

"SENATOR: The Commissioners of the District of Columbia have the honor to submit the following on Senate bill 3289, Fifty-ninth Congress, first session, 'To acquire certain grounds in Hall & Elvan's subdivision of Meridian Hill for a Government reservation,' which you referred to them for report touching the merits of the bill and the propriety of its passage:

"A plat is inclosed showing in blue the land proposed to be condemned.

"The object of the bill is to acquire for a Government reservation tracts of land, aggregating about 10 acres in extent, lying between Euclid Street, Columbia Avenue or Fifteenth Street, W Street or Florida Avenue, and Sixteenth Street extended, in Hall & Elvan's subdivision of Meridian Hill. The reservation is similar in nature to the small reservations or parks now existing throughout the city of Washington, such as Lincoln Park, Judiciary Square, Garfield Park, Franklin and Lafayette Squares, which reservations add so much to the attractiveness and health of the city.

"SCARCITY OF PARKS.

"There are no parks of this type north of Florida Avenue, and nothing in the shape of public reservations to the south, except small triangles, nearer than Iowa or Dupont Circles, a mile or more distant, and the nearest large park is the Zoological Park, in the valley of Rock Creek, about three-quarters of a mile away. The land is being rapidly built up as a residence section, and a large section of the subdivisions of Columbia Heights, Mount Pleasant, and Meridian Hill, and, in addition, those living in the portion of the city to the south, would make use of this reservation.

"An inspection will show the great use of these small parks in the residence sections and will demonstrate their utility as well as their beauty. This proposed reservation might also be made use of for governmental purposes, such as the construction of buildings, the laying off of gardens, etc. For a small reservation its location is unique. There is no other tract of land in this vicinity which could take its place for such use. It lies along the great boulevard, Sixteenth Street, which connects the White House with Rock Creek Park, and is situated on the crest of the line of hills surrounding the lower valley of the Potomac. All of this crest, from North Capitol Street to Rock Creek, is now practically built up, so that it is the only space of its kind that remains unimproved.

"VALUABLE FOR ITS VIEW.

"It has a view over the city and town and the valley of the Potomac River, and in the summer is exposed to the southwest breezes prevalent in this section of the country. It extends down the steep slope of a hill from a point between Chapin and Belmont Streets to W Street, and this slope is necessary as a part of the reservation to prevent the construction of houses which would cut off the view and the sweep of the wind. This portion would also give greater diversity in the character of the park. The upper part is flat and well adapted either to the laying out of a garden or the erection of public buildings. To diminish the size of the park would be detrimental to its value as a park.

"The price named in the bill—$600,000 for about 437,000 square feet of land, or about $1.37 per square foot—is in excess of the estimate of value of the land by the board of assessors, their value being $320,000. Very little property has changed hands in this immediate vicinity recently, so it is difficult to gauge the value, but from the price paid by the District for the condemnation of Sixteenth Street extended about five years ago, which amounted to from $1.25 to $1.75 per square foot, and from figures at which it is known some of the owners of the land in this vicinity hold the same, it is not thought that the land could be obtained for less than that named in the bill. In fact, it is due to a large portion of this tract being on the market on account of the settlement of an estate that so low a figure as that proposed in the bill can be obtained. Conditions are improving in that vicinity, and an early increase in the value of the land is anticipated.

"AN OPPORTUNITY FOR CITY.

"The commissioners believe that this is an opportunity to obtain a reservation in the line of those laid out in the original city limits, in a locality which is without a park at present, and where one is much needed now, and will be more needed as this section of the city builds up; that to obtain this reservation will greatly enhance the beauty of the city and its environments, and will add greatly to the beauty of the Sixteenth Street Boulevard, and in that way would be of benefit to all the people of the United States, a great number of whom, in visiting Washington, drive on this boulevard; that at the present time the land can be purchased at a more reasonable figure than it can be in a year or two from now, and that there is no other site in the District as suitable for a Government reservation.

"The commissioners therefore recommend favorable action on the bill.

"Very respectfully,

"HENRY B. F. MACFARLAND,
"President Board of Commissioners of District of Columbia.

"Hon. J. H. GALLINGER,
"Chairman Committee on the District of Columbia,
"United States Senate.

"It will be observed that the commissioners recommend the purchase of the properties included in both bills, and for the purpose of simplifying the matter your committee have combined them in one bill, the passage of which is recommended.

"CALLS SPEECH ATTACK ON HONOR.

"It would seem incredible, if we did not have the speech before us in the CONGRESSIONAL RECORD, that after all this Mr. SIMS should make next, in his treatment of the matter, what is really the gravest attack on my honor of any that he has made, either on March 3, 1900, or on January 15, 1913. That it is in the form of an insinuation, an innuendo, makes it worse. He did not dare make the direct charge that it was possible that I might have made a million or a half a million of dollars out of the transaction. Knowing the facts, as he assuredly did, such a direct charge was too much even for him to make. But to cover up the admission which had been wrung from him that he had misrepresented the facts, misled the House, and so defeated the bill and deprived the National Capital of a beautiful park of 100 acres, he insinuates this covert charge into the RECORD. I have read it to the committee.

"I restrain my natural indignation and content myself with pointing to the text of the option contract as the all-sufficient answer, an answer also which was perfectly accessible to Mr. SIMS or any other Member of the House at all times from the date of the first contract, the 9th of March, 1900, to the present day.

"SAYS SIMS WANTS CREDIT.

"After this Mr. SIMS makes an attempt, more ingenious than ingenuous, to claim that he is entitled to credit for securing, by the defeat of the bill, the dedication by the owners of the principal tract that it sought to acquire of a small portion, about one-sixth of the 100 acres, which portion, as he says, 'is a gulch, a deep ravine, between precipitous hills.'

"It must be clear to everyone who thinks at all that the subsequent action of the owners in setting apart for the purposes of their suburban villa sites a portion of this tract suitable only for park purposes as a small park affords no adequate compensation to the National Capital for the loss of the natural beauties of 100 acres now inevitably altered for commercial purposes.

"The report of the District Commissioners to the Senate Committee on the District of Columbia upon the bill to acquire this addition to Rock Creek Park, under date of March 27, 1900, closes with these words:

"COMMISSIONERS RECOMMEND BILL.

"The commissioners recommend the passage of this bill as being a measure of public benefit. The land is located within easy access of a large population. It is eminently suited to park purposes on account of the hilly character and the magnificent trees, which could not be grown in many years. It is to-day, although private property, used by many persons as a park, and with the rapid increase of population will certainly prove of the greatest value. The commissioners further believe that if not purchased before being subdivided and developed its cost would be greatly increased, and, besides, many of the trees will be cut down and the beauty impaired.

"Very respectfully,

"HENRY B. F. MACFARLAND,
"President Board of Commissioners, District of Columbia.

"Hon. J. H. GALLINGER,
"Chairman Committee on the District of Columbia,
"United States Senate.

"SITE IS GONE FOREVER.

"What the commissioners foresaw, what we all foresaw, has happened. There is a fine commercial suburban property, incidentally preserving a small ravine now, but the noble park of 100 acres that we worked so hard to get for the National Capital is gone forever with all its great natural beauties.

"Passing over some personal sneers at myself, which are part of my reward for working so hard to try to save to the National Capital this park land, I come next to Mr. SIMS's misleading statement that I said that 'the land is now worth $2,000,000 to $4,000,000 on account of the rapid increase in value, but he never told the committee that many hundred thousands of dollars had been expended in improving the western portion of the land.'

"I expressly did tell the committee of the improvements referred to. But the assertion that I told anybody that the land had become worth $2,000,000 to $4,000,000 is simply another of his misstatements. He quotes me in that immediate connection as saying before the House Appropriations Committee in 1908 that the land in 1908 was worth $11,250 an acre, a statement which I never made. All I said to the committee was that I had been informed by Mr. Charles J. Bell, one of the trustees of the tract, that it was then assessed at $7,500 an acre. Mr. SIMS rings the changes on his assertion that I said the land was worth $11,250 an acre, and so claims that the dedication of the ravine by the owners in their villa-tract project amounted to 'nearly $200,000 worth of real estate.'

"MEMBER OF CONGRESS OWNED LAND.

"After that Mr. SIMS says that I was not candid or frank, because I did not volunteer the information when the bill was pending that a Member of the House had an interest in the smallest of the three portions, including about 3 acres. The fact is that I had more difficulty in getting the option on that small tract than on either of the others, because that very Member of Congress was the most unwilling of all interested to let me have it at what he held was one-half of its then value in 1900. He would not allow his trustees to give the option until he had been personally importuned. Of course I referred Congress to just what I had, the options with trustees for the three separate portions of the tract. The Member of Congress did not want to sell at the price, and was very glad when the options lapsed. He immediately sold part of it for more than twice the option price. Even Mr. SIMS has the grace to say in this connection that 'the Member of the House who owned part of the land was offering to sell it to the Government through that option at a loss, which was no discredit, if the facts had only been known.'

"SAYS PARK DID NOT HELP LAND.

"Representative SIMS then proceeds to comment upon statements I made before the committee as to land that I bought on Sixteenth Street bordering Rock Creek Park many years after that park had been acquired by the Government and the rise in value which has taken place in that land. Mr. SIMS was not, of course, candid or frank enough to say that the rise in value was due to the opening of Sixteenth Street and to the extension of the Fourteenth Street car line and not to the opening of Rock Creek Park, which, like other parks, does not of itself enhance the value of adjoining property.

"It is difficult to credit at face value Mr. SIMS's statement in his speech referring to my efforts in trying to secure for the capital the 100-acre park:

"I have not the slightest disposition to treat Mr. Glover unjustly. I have no quarrel with him. I have no reason to quarrel with him. He had a right to do this thing and to pursue his own course.

"Such a statement seems hypocritical when shortly afterwards, in the same speech, he tries by what he thinks, apparently, is sarcasm to impugn my motives and deprive me of my share of the credit for the park improvements of the National Capital.

"MR. GLOVER FATHER OF PARK.

"'He claims,' says Mr. SIMS of me, 'to be the father of Rock Creek Park, the father of the movement.' Yes; I do so claim; and I have the right to have my claim allowed, in view of the years of persistent effort, in season and out of season, which I devoted to this public service. I did have the bills introduced; I did press them; I did have the act approved by the President; I did recommend to President Harrison the three unofficial members of the Rock Creek Park Commission whom he appointed—R. Ross Perry, H. V. Boynton, Samuel P. Langley, secretary of the Smithsonian. This is all well-known history here.

"If I need to offer any proof of this, allow me to offer this letter from one who has now passed on to his reward, the late John J. Hemphill, of South Carolina, who did so much for Washington when he was chairman of the committee:

"HOUSE OF REPRESENTATIVES,
"October 7, 1896.

"MY DEAR MR. GLOVER: The bill to establish Rock Creek Park, which passed Congress only after the most strenuous efforts, has been approved by the President and is now a law. As it was at your request that this bill was introduced setting aside this beautiful section of the country as a park for all time, I desire to congratulate you on the final approval of the measure and to say that without your earnest, intelligent, and untiring efforts during the entire contest it would, in my judgment, have failed to become a law.

"Your valuable work in behalf of this great pleasure ground at the National Capital ought to be known and long remembered by the many thousands who shall hereafter enjoy it.

"Yours, most sincerely,

"JOHN J. HEMPHILL.

"QUOTES AN EDITORIAL.

"Again, the Washington Evening Star said in an editorial about the same time:

"Congratulations and credit for the creation of the Rock Creek Park are due to many public-spirited citizens and to many intelligent legislators, but the lion's share of honor undoubtedly belongs to C. C. Glover, without whose energy and enthusiasm the project would never have been crystallized into legislation.

"I have always given full credit to the 'many public-spirited citizens' and 'many intelligent legislators' to whom the Star editorial referred. Without them, of course, nothing could have been done. But I think it is only the truth of history to say that I started the movement, that I stuck to it until success was won, and that I gave more effort to it than anyone else. Not the least of my labors was to interest and stimulate others to cooperation in this community movement, just as I did in the case of the Potomac Flats Park improvement, for which I worked harder than for anything else in my life, except the Rock Creek Park improvement.

"May I add that it seemed to me perfectly natural that I should continue to work for Rock Creek Park when I saw an opportunity to acquire an additional 100 acres necessary to complete it, and to begin the connection with the Potomac Flats Park below, so carrying out my pet idea of increasing parks and connecting them the District round?

"And after Rock Creek Park had been established, years after, when I bought land on its eastern border at prices far below the present prices, I offered to let the Government have that land for exactly what I had paid for it, although the prices had already begun to rapidly rise. But that opportunity was had already begun to rapidly rise. But that opportunity was neglected, and I finally withdrew the options which I had given.

"A LETTER FROM MR. HEMPHILL.

"May I read another letter from Representative Hemphill?

"FIFTY-SECOND CONGRESS,
"COMMITTEE ON THE DISTRICT OF COLUMBIA,
"HOUSE OF REPRESENTATIVES, UNITED STATES,
"Washington, D. C., March 3, 1893.

"(J. J. Hemphill (chairman), South Carolina; John T. Heard, Missouri; J. D. Richardson, Tennessee; Harry Welles Rusk, Maryland; James E. Cobb, Alabama; John R. Fellows, New York; Tom L. Johnson, Ohio; Samuel T. Busey, Illinois; Elisha E. Meredith, Virginia; Cornelius A. Cadmus, New Jersey; Alfred C. Harmer, Pennsylvania; Philip S. Post, Illinois; William Cogswell, Massachusetts; James J. Belden, New York; Edwin Hallowell, Pennsylvania; William P. Pollock, clerk.)

"MY DEAR MR. GLOVER: My official connection with the District of Columbia as Member of Congress closed with the session recently ended. During my service in the House I was eight years a member of the Committee on the District of Columbia, and four of these its chairman.

"In that time I have availed myself so frequently of your extensive knowledge of District affairs and of your unselfish and patriotic advice that it seems not improper to express my high appreciation of your public-spirited labors in the advancement of the best interests of this community.

"In the passage of the bill providing a permanent system of highways in the District, so recently enacted into law, your efforts were most timely and efficient throughout, and largely contributed to the final favorable result.

"This act and the one establishing Rock Creek Park are of great, general, and permanent interest to the capital of the Nation, and it should be especially gratifying to you to know that you have been able to render such splendid service in bringing both these important measures to a successful termination.

"With sentiments of the highest esteem,

"Yours, sincerely,

"JOHN J. HEMPHILL.

"To Mr. CHARLES C. GLOVER,
"Care Riggs & Co., City.

"EDITORIAL FROM THE POST.

"I must give you the contemporaneous opinion of the Washington Post of March 1, 1897. On that day it said editorially:

"SHALL IT BE 'GLOVER PARK'?

"The President has signed the bill devoting what are known as the Potomac Flats to the purposes of a public park. It is the consummation of a work of years, prosecuted faithfully under every discouragement and setback by one public-spirited and courageous man, Mr. Charles C. Glover, the active manager of the Riggs National Bank, in this city. There has been much opposition to the measure, chiefly conducted by impulsions new Congressmen from remote districts, who innocently supposed that the first duty of a true statesman was to hold down the District and to make a record as defenders of the groaning masses against its selfish and rapacious schemes. It happened, however, that there was in Congress good sense enough, to say nothing of wisdom and information, to set aside this opposition and to disregard the clamorous demagogy that inspired it. The bill passed both Houses, and the President has now, by his signature, made it law.

"PARK IN PLACE OF MUD BARS.

"The result can easily be foreseen. We shall have in place of the unsightly mud bars that now fill up the channel of the Potomac a beautiful and gracious park, open to the enjoyment of the public from all parts of the country—a delightful green spot where now is shabby desolation—a summer resort of surpassing value and attraction and an ornament to the Capital at every season of the year.

"All this is to be credited to the patriotic and disinterested efforts of a gentleman—a private citizen—who has already laid the city under grave obligations by labor and achievement in other important directions. It is to Mr. Glover that we owe the realization of the Rock Creek Park scheme. It is to Mr. Glover that we owe lasting gratitude for his potent help in the matter of the new Corcoran Art Gallery. It is to him that we are now indebted for this last and crowning achievement at present under discussion. Alone, against every ignorant and frivolous opposition, he has labored patiently and bravely for years. Alone, sustained only by his personal influence and force, he has confronted and prevailed over the apathy and prejudice of Congress. Mr. Glover secured the passage of the bill, and it is Mr. Glover that we have to thank for the attractive and delightful prospect that has been thus revealed to us.

"INDEBTED TO CHARLES C. GLOVER.

"We have no doubt that the work of beautification will be prosecuted with all due energy and skill. It is to be expected that within a very few years the now unsightly 'flats' will be converted into a beautiful and gracious spot where our people may resort with benefit and comfort to themselves. It should be called 'Glover Park' by every rule of justice and propriety, but, whatever name they give it, we shall all know that we are indebted for it to the unselfish and public-spirited efforts of our distinguished fellow citizen, Charles C. Glover.

"Also the editorial from the Washington Times of March 14, 1897, headed 'Potomac Park':

"Few of our citizens are aware of the great importance attaching to a bill, not 10 lines long, which, after the most earnest solicitation, President Cleveland formally approved a few minutes before his term expired. This was the bill declaring the Potomac Flats a public park and dedicating it, or, as Mr. Cleveland would probably observe, 'consecrating it forever to the use and for the recreation and pleasure of the people.'

"This adds in one body nearly 700 acres of ground to the park system of the Capital City, and when it shall have been laid out in ronds and walks skirting the half dozen or more artificial lakes and

nearly 3 miles of river front, it will be difficult to exaggerate its beauty and attractiveness. Joined, as Potomac Park will be, with the Monument Grounds, the Agricultural and Smithsonian Grounds, the Botanic Garden, and the Capitol Terraces, all of which will be united in one comprehensive and intercommunicating park, certainly no city of this continent, and possibly only Paris of European cities, with its expansive Bois de Boulogne, can be considered as having the slightest pretensions to rivalry.

"PRAISE FOR MR. GLOVER.

"To Mr. Charles C. Glover, more than to any or all of the citizens of Washington, are her people indebted for this great boon. It was he who conceived its practicability, as well as its possibility, when in 1897 he invited a score or more of prominent citizens to meet at his residence and begin the work of promotion. The succeeding steps have all been taken under Mr. Glover's direction, and every progressive movement has been promoted and energized by his persistent endeavors. Conflicting titles to some of the tracts involved, which bade fair at one time to make shipwreck of the whole project, have dually been adjudicated or bought up, until at last the title has been declared unequivocally in the Government. Money has been annually appropriated to carry on the necessary work of reclamation—not automatically or spontaneously as some might suppose, but because Mr. Glover has made it his business to see that the necessary machinery was put in operation. His crowning service was the last one, when, against a very strong open opposition and an equally powerful but subtle secret hostility, he worked through the passage of the bill dedicating the ground thus obtained for the use and benefit of the people, and not of the railroad interests, which were determined to have it.

"We do not always agree with Mr. Glover in his views, but we do not care to withhold a particle of the praise which is justly his due in this instance. It has been his unflagging work—in and out of season—his unselfish work, we may also add, which has made this great public benefaction possible, and we shall be glad to testify our acknowledgments at any time in something more enduring than type-printed words.

"Thus, year by year, Washington is made more beautiful in the eyes of its own people—more attractive to the tens of thousands who make an annual pilgrimage to its shrines, and more worthy of its name and its possibilities—the cherished Capital of a Nation of seventy and soon to be a hundred million people.

"STREETS ADDED TO VALUE.

"As to the remarks of Mr. SIMS with respect to assessment of benefits for the adjacent land by the Rock Creek Park Commission after the acquisition of the original park lands, I have only this to say, that I do not consider that that acquisition of the park land added to the value of the adjacent property. It was the opening up of Sixteenth Street and the extension of the Fourteenth Street car line later which enhanced the value of the land on the eastern side of the park, and the gradual improvement of Connecticut Avenue and the Chevy Chase region which enhanced the value of the lands on the west side of the park.

"It was the opening up of Sixteenth Street and the extension of the Fourteenth Street car line which increased the value of the land adjacent to the eastern boundary of the park, which I bought afterwards, and part of which I have since sold at an advance.

"I am not a lawyer, but it is common sense, and I believe also good law, that no assessment for benefits could be made justly except at and as of the time when the park lands were acquired for Rock Creek Park by the Government. Certainly no one would claim that it would now, 15 years later, be equitable or even legal to assess the adjacent property for benefits really caused by the opening of Sixteenth Street and the extension of the Fourteenth Street car line, or even by the opening of roads in the park itself.

"WORK OF PARK COMMISSION.

"Now, I promised the insurance committee that I would ascertain exactly what was done by the Rock Creek Park Commission in regard to this matter. I have obtained and now submit an official copy of an extract from the minutes of the Rock Creek Park Commission on this subject, as follows:

"WASHINGTON, D. C., *October 4, 1898.*

"The commission met in room 53 of the District Building at 3 o'clock p. m., pursuant to adjournment at previous meeting.

"Present: Gen. Wilson, Gen. Boynton, Mr. Langley, Capt. Beach, and Mr. Weightman.

"The chairman introduced to the commission Mr. Richard Weightman, who was appointed by the President of the United States to succeed Mr. R. Ross Perry, resigned.

"The minutes of the last meeting were read and approved.

"Mr. William P. Richards, who made the survey of Rock Creek Park, testified, and his testimony will be found in the stenographer's report of even date. No other testimony was offered. The commission then proceeded to discuss the question of special benefits, and after each member had given an expression of opinion in the matter the following resolution was adopted:

"NO BENEFIT TO NEIGHBORHOOD.

"*Resolved*, That the Rock Creek Park Commission, having, as directed by section 6 of the act authorizing the establishing of a public park in the District of Columbia, heard testimony from all parties who came before it, after public advertisement required by said section, and having made a personal examination of the ground, are of the opinion that, while they believe Rock Creek Park, if improved, would be of special benefit to surrounding property, yet in its present condition, that of an unimproved tract of public land with no thoroughfare through it to allow of communication from east to west and acting as a barrier to the development of property lying adjacent to its eastern and western boundaries, they believe that it has, to date, conferred no appreciable benefit on surrounding property, and, therefore, the commission, in carrying out the provisions of section 6 of the act that it assess such proportion of the cost of the land for the park upon the lands, lots, and blocks situated in the District of Columbia specially benefited by reason of the location and improvement of the park, as nearly as may be in proportion to the benefits resulting to such real estate, do determine such benefits to be inappreciable at this time and not sufficient to be indicated by a money value.

"*Resolved further*, That the executive officer of the commission is directed to prepare a report to the Supreme Court of the District of Columbia, embodying the conclusion of the commission, as expressed in the foregoing resolution, and submit a copy of same to each of the members of the commission for his approval, the approved report to be then signed by the commission and forwarded to the court.

"There being no further business before the commission, it was moved, seconded, and carried that the commission adjourn to meet at the call of the chairman, and it accordingly adjourned at 3.45 p. m.

"JOHN M. WILSON,
"*Brigadier General, Chief of Engineers, Chairman.*
"*Executive Officer and Secretary.*

"A true copy.

"DANIEL E. GARGES,
"*Clerk to the Commission.*

"ARGUES AGAINST ASSESSMENT.

"May I add that I do not believe that any court in the world or any man of common sense would hold that now, 15 years after that action was taken, with the conditions all changed, benefits should be assessed?

"At this point in his speech Mr. SIMS tries to discredit my statement that I did not know of the attack upon me of March 3, 1909, until my attention was called to it in the CONGRESSIONAL RECORD of that date only a short time before I last appeared before this committee. He does this by relating a conversation which he says occurred between him and me at my place of business in November, 1909, in which he quotes me so as to make it appear that I knew then all about the attack that he had made on me. He may have had a conversation with me at that time and place. I have no recollection of any such conversation as he reports. Certainly his intimation that I knew then that he had attacked me as he did in his speech of the 3d of March, 1909, is absolutely false. I would not have welcomed him to my office or allowed him to remain there unless he came to apologize if I had known then that he had made such an attack on me in the House.

"The fact is that while I was in and out of the Gallery of the House and talking with Members in the corridor at the time on the afternoon of March 3, 1909, when the debate was going on in which the attack was made on me, I did not hear any of the attack nor read any of it until I read it in the CONGRESSIONAL RECORD the week before I appeared before the committee in December last. After the vote was taken that afternoon and the bill defeated I was so disgusted that I went straight home without speaking to anyone, except to say to my friends that I would never appear at the Capitol to ask for legislation again. I was so disgusted with the defeat of my long effort in the public interest that I did not want to read even the newspaper accounts, and did not do so. I do not take the CONGRESSIONAL RECORD, and I did not see the CONGRESSIONAL RECORD of March 3, 1909, until December, 1912, when a friend called my attention to it. Different people spoke to me about the matter, naturally, but no one told me of the attack upon me. Obviously I would have replied then, if I had known of it, as I have replied now.

"Mr. SIMS himself furnished the proof of this in this very statement about the alleged conversation (p. 1577, CONGRESSIONAL RECORD) when he says:

"I said to him, 'I will be glad, Mr. Glover, to correct anything in the RECORD that may have been said to put you in a false light, and anything that *you* will send me I will be glad to put in the RECORD.'

"WOULD HAVE ANSWERED SOONER.

"It must be plain to everyone that if I had then known of the attack, and if Mr. SIMS had made me such an offer, I would have availed myself of it at the time.

"That is the way that any man in my situation would have acted. Even Mr. SIMS does not claim that I made any response to this alleged offer to set me right in the CONGRESSIONAL RECORD.

"By another characteristic inaccuracy, Mr. SIMS attributes to me a statement that was really made by Mr. GEORGE, in the hearing before this committee, when I made my former statement.

"Mr. GEORGE made the assertion that the price paid for the land in Rock Creek Park was eight times the assessment. I did not know whether that was the fact or not, and therefore I did not say whether it was the fact or not. When Mr. GEORGE first made the statement I answered, as in a question, with the word 'Yes?' and should have been so reported. He repeated the statement (p. 431 of the record of the hearing before this committee), as follows:

"GEORGE SAID PRICE WAS TOO HIGH.

"Mr. GEORGE. And the sum paid was $1 125,215, and the assessment was for $133,334; so that the Government paid 8.06 times the assessed value of the property.

"All I said was:

"Mr. GLOVER. Property was not looked upon as very valuable out in that section.

"And on page 426 of the hearing, when Mr. Chairman JOHNSON asked me a direct question as to the assessment of the land taken for Rock Creek Park, I said:

"Mr. GLOVER. I do not know what the assessed value of the property was, but I know it was taken at vastly more than its real value.

"SAYS HE QUOTED NO VALUE.

"So I put no value upon it before this committee or elsewhere.

"The latter portion of Mr. SIMS's extraordinary speech of January 15, 1913, on page 1570 of the CONGRESSIONAL RECORD, contains some of his most extraordinary statements. He says that he is, and has been, opposed to taking advantage of options on land secured for the benefit of the Government, and prefers that the land should be acquired by the power of condemnation, and that the owners should get the full value for it. Speaking of this particular case, he says:

"I do not think it reflects any credit upon a banker of large means to have acquired an option on land at not much more than one-third of its value from private owners, and then sell it to the Government even without profit, which is abundantly able to pay all that it is worth.

"CITES ANOTHER 'INSINUATION.'

"In that last sentence he stuck in the phrase, 'even without profit,' in furtherance of the insinuation upon which I have already commented. But leaving that out, he says that he would rather pay three times the value of land acquired by the Government than take it under an option secured to save the Government two-thirds of its value. This will be interesting reading to his constituents and to all who talk about economy in Government expenditures, and to all who desire to get things cheaply for the Government.

"He says in the next sentence:

"Another thing: I do not approve of the members of the District government going around and getting options on land in this District and then lobbying in either House to have us purchase it.

"This is his ungrateful allusion to the methods by which the District commissioners have gotten better bargains for the District government in purchasing lands for public uses, by securing suitable options, than could possibly have been obtained under condemnation proceedings, as the record of condemnation proceedings here and elsewhere abundantly proves.

"LAND NOW WORTH MILLIONS.

"Finally Mr. SIMS, after once more claiming credit for saving to the Government $70,000 for the ravine now dedicated for park purposes by the owners of the tract—$70,000 if it had been obtained under the option, and, as he says, 'in round numbers, $200,000 if the property had been acquired by condemnation'—winds up by saying that the owners of the property ought to be thankful for the defeat of the bill, since their land 'is now worth to them $2,000,000 to $4,000,000.'

"Of course, if Mr. SIMS had not defeated the bill the Government would now have had that land, according to his statement, worth from $2,000,000 to $4,000,000, the National Capital would now have a 100-acre addition to the Rock Creek Park, preserving all the remarkable natural beauties in the vicinity of the Connecticut Avenue Bridge and the Massachusetts Avenue Causeway (which, together, cost the District of Columbia $1,250,000); and also the beginning of the park connection that must be made, and that will be made, but at far greater cost, with the Potomac Park on the south.

"SIMS PROUD BILL WAS DEFEATED.

"It is hard to see how even Mr. SIMS, as a Member of Congress, a representative of the people of this great country, who desire their National Capital to be the most beautiful on earth, and who desire their Government to acquire land on the most reasonable terms, can say, 'To the extent that I had any part in defeating that bill I am proud of it.'

"Still less is it possible to understand how any man fit to sit in the House of Representatives could take pride in so misusing his privileged position as to malign a private citizen for his years of effort to serve the National Capital.

"The very last words of Mr. SIMS's speech of January 15, 1913, are these:

"Now, I have not said any unkind word in the way of adverse comment on Mr. Glover, but I will leave the question to you as to whether Mr. Andrus or myself ought to be expelled.

"I am perfectly willing to leave the matter just where Mr. SIMS left it, without further comment.

"OPTION WAS EXTENDED.

"Articles of agreement made and concluded this 15th day of January, in the year of our Lord 1908, by and between Charles J. Bell, Amos H. Plumb, and John Cassels, trustees, under decree entered April 15, 1903, in the Supreme Court of the District of Columbia, in equity cause 23345, parties of the first part, and Charles C. Glover, of the city of Washington, party of the second part.

"Whereas by an agreement bearing date the 9th day of March, 1906, an option was given to Charles C. Glover to purchase two certain parcels of land, a copy of which agreement is hereto attached and made a part hereof; and

"Therefore it is hereby mutually agreed to and with each other that the said option shall be held and considered as continuing and being in full force, operation, and effect until the termination of the first session of the present Congress (the 60th Cong.), and for such time thereafter as may be necessary to obtain the payment of any sum or sums of money appropriated at said session of Congress, and shall then cease and determine and be of no effect.

"Witness:
"CHARLES J. BELL.
"Witness:
"A. H. PLUMB.
"Witnesses:
"J. DONALD CASSELS,
"JOHN CASSELS, *Trustees.*
"Approved.

"AMERICAN SECURITY & TRUST CO.,
"*Trustee Estate of J. W. Thompson.*
"C. J. BELL, *President.*
"CARRIE S. PLUMB,
"By A. H. PLUMB.
"MARY IDA THOMPSON,
"ROSS THOMPSON."

"TEXT OF OPTION.

"Articles of agreement made and concluded this 9th day of March, in the year of our Lord 1906, between the persons whose signatures are hereunto attached as owners of interests in the pieces or parcels of ground hereinafter described, constituting a part of what is known as the Thompson syndicate property, title to which said property was vested in Charles J. Bell, Amos H. Plumb, and John Cassels by decree entered on the 15th day of April, 1903, in the Supreme Court of the District of Columbia in equity cause No. 23345, parties of the first part, and Charles C. Glover, of the city of Washington, D. C., party of the second part:

"Whereas the parties of the first part are the owners of the pieces and parcels of ground hereinafter described; and
"Whereas the parties of the first part are willing that the said pieces and parcels of ground shall be made and shall become a public park upon the terms and conditions hereinafter stated; and
"Whereas the party of the second part desires, without compensation, and in consideration of the public interests to be thereby promoted and subserved, to aid so far as he can properly do so in having said pieces and parcels of ground made a public park on the terms and conditions hereinafter stated:
"This agreement witnesseth that the parties of the first part, each for himself or herself, and in respect of their several and respective interests, each for himself and not one for the other, in consideration of the sum of $1 lawful money of the United States to each of them in hand paid by Charles C. Glover before the signing and sealing of this agreement, the receipt whereof is hereby acknowledged, and in consideration of the other payments, and the performance of the conditions hereinafter specified, do hereby covenant, promise, and agree to and with the said Charles C. Glover to sell to the United States or to the District of Columbia, for the purpose of a public park, for and in consideration and at the rate of $4,000 per acre and fraction of an acre, all those pieces and parcels of ground in the District of Columbia described as follows:

"Parcel No. 1: All that part of the aforesaid property lying to the south of the south building line of Massachusetts Avenue and to the east of the center line of Rock Creek drive, as said drive is shown on the plan of the permanent system of highways in the District of Columbia, and containing 3¼ acres more or less.

"Also parcel No. 2: All that part of the aforesaid property described as follows: Beginning at the center of Rock Creek Drive, as shown on the said plan of the permanent system of highways, where said center line crosses the property line between the said property of the Thompson syndicate and Woodley Park; thence southerly along said property line to the boundary of the said property of the Thompson syndicate at or near Rock Creek; thence along said property line down Rock Creek to the north building line of Massachusetts Avenue; thence northwesterly along said building line of Massachusetts Avenue to the point where the property line of the said property of the Thompson syndicate leaves said avenue; thence following said property line in a northerly and northwesterly direction to its intersection with the north building line of the Observatory Circle; thence along said building line of said circle in a westerly direction to its intersection with the center line of Thirty-fourth Street, as said Thirty-fourth Street is shown on said plan of the permanent system of highways; thence due north along the center line of said Thirty-fourth Street to the center line of Garfield Street, as said Garfield Street is shown on said plan of the permanent system of highways; thence due east along the center line of Garfield Street to a point 325 feet distant at right angles from the center line of Cleveland Avenue, as said avenue is shown on said plan of the permanent system of highways; thence southeasterly and parallel to said center line of Cleveland Avenue and 325 feet distant therefrom to the point where said line intersects the center line of Twenty-ninth Street, as said Twenty-ninth Street is shown on said plan of the permanent system of highways, said line running parallel to Cleveland Avenue to be the center of a 90-foot street; thence southeasterly by a reversed curved line to the intersection of the center line of Rock Creek Drive, as said Rock Creek Drive is shown on said plan of the permanent system of highways, said reversed curved line to be the center of a 90-foot street; thence about 350 feet along the center line of said Rock Creek Drive to the point of beginning; and containing 84½ acres more or less; the pieces or parcels of land aforesaid containing together 88 acres of land more or less.

"A further condition and consideration for the conveyance by the aforesaid trustees to the United States of the pieces or parcels of land above described is that that portion of Benton Street, as shown on said plan of the permanent system of highways, shall be abandoned by the United States from where said Benton Street intersects the reversed curved line referred to in the aforesaid description of the land to be taken for a park eastwardly to the junction of said Benton Street with said Rock Creek Drive, the purpose of said abandonment being that the reversed curved street is to be the boundary of the park at this point and shall take the place of that portion of Benton Street proposed to be abandoned.

"A further condition and consideration for the conveyance of the above-described pieces and parcels of land by the aforesaid trustees to

the United States is that wherever the park line follows the center of a street as now laid out on the said plan of the permanent system of highways or a street to be laid out as provided herein, a strip of land 30 feet wide on each side of said center street line shall be dedicated for roadway and sidewalk purposes by the United States, and the aforesaid trustees out of and from any piece or parcels of land within said 30-foot strips owned or that may be owned by them severally.

"The covenants hereby made and entered into are upon the express condition that they shall be executed in their entirety, and that all and not a portion of the pieces and parcels of land herein provided to be set apart and become a park shall be taken and paid for according to the terms herein set forth.

"Upon the performance of the conditions herein prescribed and the full payment of the purchase money herein provided for to John Cassels, Charles J. Bell, and Amos H. Plumb, the trustees who hold the title to the above-described property, the said trustees and the survivor or survivors of them shall and they are hereby directed to make, execute, and deliver proper conveyances, and to do and perform all acts necessary in their judgment to carry into effect the purposes of this agreement.

"It is further agreed that this agreement shall continue in force until the end of the first session of the present Congress, the Fifty-ninth Congress, and shall then cease and determine and be of no effect, unless the legislation herein contemplated and specified be obtained and an appropriation made for the purchase money herein designated at said first session.

"This agreement is to bind as well the heirs, executors, administrators, and assigns of the parties hereto as the parties themselves.

"Executed in duplicate.

"Witness the following signatures of owners:

"[SEAL.] "JOHN W. PILLING.
"AMERICAN SECURITY & TRUST CO.,
"Trustee Under the Will of John W. Thompson.
"[SEAL.] "C. J. BELL,
"President and Trust Officer.

"Witness:
"WALTER J. PILLING.

"Approved.
"MARY IDA THOMPSON.
"ROSS THOMPSON.

"[SEAL.] "HARVEY DURAND.
"[SEAL.] "JOHN T. GARVER.
"[SEAL.] "JOHN T. GARVER, *Assignee.*
"[SEAL.] "LAURA R. GREEN.
"[SEAL.] "CARRIE S. PLUMB.

"Witness:
"A. H. PLUMB.

"Attest:
"AMERICAN SECURITY & TRUST CO.,
"C. J. BELL, *President.*
"[SEAL.] "ALDIS B. BROWNE,
"Trustee of the Estate of A. T. Britton.

"Witness:
"JAMES F. HOOD, *Secretary.*
"[SEAL.] "WARNER MOORE.
"[SEAL.] "WARNER MOORE, *Executor and Trustee.*
"[SEAL.] "WM. J. LOCKE,
"Executor and Trustee Under Will of William A. Allison.

"Witness:
"MARY P. STEINLEIN.
"[SEAL.] "A. S. WORTHINGTON,
"Per J. C. HEALD.
"[SEAL.] "J. C. HEALD.
"[SEAL.] "GEORGE W. WINGATE,
"Per J. C. HEALD.

"Witness:
"C. J. BELL."

The Tariff.

SPEECH

OF

HON. BURTON L. FRENCH,

OF IDAHO,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, April 26, 1913.

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. FRENCH. Mr. Chairman, it now seems to be the very settled policy of the Democratic majority of the House to bear the full responsibility of shaping the tariff legislation that it proposes to give the country.

The Democratic Party for the first time in 20 years is placed in control of the House and the Senate and the Executive branch, as well, of the Government. In view of that, I recognize the point of view, at least, of the majority in this House when that majority decides to pass a measure without giving to the Republicans, or the members of any other party for that matter, the opportunity of submitting amendments with any reasonable hope of their receiving consideration.

I do not defend the caucus method of arriving at a conclusion upon the part of our Democratic friends. It was the method that they condemned so earnestly when followed by the Republicans when the Republicans were in control.

However, this question is one that the country will hold the Democratic Party responsible for in the same way that the country will hold the Democratic Party responsible for the particular tariff bill that it will pass.

I desire to-day to call attention very briefly to my position upon the tariff question. We can not, if we would, approach the question of the tariff as though we had not had a tariff in the history of the country or as though there had not been a protective tariff. I do not know, if the question were to be raised for the first time, whether or not it would be the best policy to adopt a protective tariff. I believe that had there been no protective tariff granted by act of Congress for the encouragement of the various industries of our country more than 100 years ago and had no protection been granted since that time our country would not be the country that it is to-day. Our population would possibly be one-half as large. Instead of many transcontinental lines of railroad there might be one pioneer railway connecting the East with the West. The great cities of our Central and Western States would to-day be towns and villages and hamlets or else have no existence whatever. So in our Eastern States. Conditions would be very similar to the conditions that existed the middle of the last century, with, of course, some impetus that would have been given by modern inventions and discoveries.

On the whole, I believe that as regards population, and as regards industrial development our country would be one-half a century behind what it is to-day if we had not adopted the policy of a protective tariff.

Maybe had this been the case our country would have been just as well off. Maybe our country would have been better off if we had made progress more slowly, if we had not adopted a system that in itself tended to encourage people by the thousands and millions to immigrate to our shores. Maybe our country would have been as well off if the great States to the west could have remained Territories for another 25 or 50 years. All this discussion, however, is beside the mark. The fact is, we adopted the policy of a protective tariff when the first tariff law was passed that received the approval of the first President of our Republic. From that time, with more or less fidelity, with more or less vacillation, we have maintained the policy of a protective tariff.

It is, then, from the standpoint of industries developed, of a population that equals almost 100,000,000 people, certain definite wages paid for employment of labor, certain prices paid for the products of the mines, the mill, the farm, from which in return these wages are paid and profits yielded to the employer of labor or the captain of industry—it is with these considerations that we must view the question of maintaining the principle of a protective tariff.

It would be elementary for me to discuss the question of a tariff and the theoretical influence that a tariff has upon industries. From the examination that I have been able to make I have not the slightest doubt that a protective tariff does protect. It may protect too much. Having committed ourselves to the policy of a protective tariff, or, rather, I would say, having been committed to the policy by our fathers during more than 100 years, the true problem is, Shall we scale down the tariff at once, so that there shall be no protection? Shall we have regard to industries, to wages, to certain standards of living that have been attained under the application of the protective principle, or shall we, without regard to all these considerations, adopt a principle that a new people might adopt, untrammeled and unhampered by the actions of any predecessors?

I said a few moments ago that a tariff might give protection enough or it might protect too much. Having committed ourselves to the policy of protection, we can not in good conscience abandon the policy for such a one as will bring disaster upon the people interested in any line of business. On the other hand, I am as earnest as any Member of this Congress in my desire to see to it that our tariff schedules shall be scaled down in every instance so that in not one of them will there be represented in the duty placed upon commodities imported from foreign countries one iota of protection in excess of the difference in cost of production within this country and the cost of production in foreign countries.

What, then, is the basis that should be followed in determining this difference? In my opinion the question has already become so involved that the facts can be ascertained only by the most careful and painstaking examination by those who may be intrusted for a considerable time with the responsibility of inquiry into the questions of wages, cost of raw material, amount of raw material that enters into various commodities, and so forth, such as can be ascertained through a tariff commission of permanent character.

ELIMINATION OF COMPETITION.

We are living in a remarkable age. Nearly everything that enters into the home in the way of commodity or luxury is produced by a comparatively few persons engaged in that particular line of production. Realizing our great development as a nation, realizing that our population has doubled since the middle of the last century, realizing the fact that commodities are consumed in an even greater increase of ratio than is suggested by population, we are amazed to find that in nearly every line of production, aside from agriculture, there are less agencies engaged in production than there were at the middle of the last century. There are less manufacturing establishments producing woolen goods than there were in 1850. There are about two-thirds as many producing boots and shoes; less than one-fifth producing leather; less than half as many producing agricultural and farm implements; less than half as many producing the salt that goes upon our table as there were in the middle of the last century. And I could amplify this many times, and then I could call your attention to other lines of activity where there has been scarcely a perceptible increase in the number of producing agencies in spite of the fact that during this time there has been an increase of more than 100 per cent in population and a still greater increase in the consumption of the commodities produced.

It is not difficult to find the reason for this. The inventive genius of man has been given tremendous encouragement in our country, with the result that the sickle has been superseded by the combined harvester; that the ox wagon has been superseded by the automobile; that the log chains and teams that hauled the logs to the mill have in part been superseded by the overhead wire, along which by electric power is conducted log after log from the heart of the forest to the bank of the stream or to the railroad to be hauled to the place where they will be manufactured into lumber.

And so we can go to all the various lines that have to do with supplying the wants of mankind either upon the farm, within the mine, the forest, or the mill, and there we will discover these agencies of a more up-to-date world. It is also apparent that it costs more money to equip a sawmill with the machinery of the present day than it cost to equip a sawmill with the machinery that was in vogue 50 years ago. It costs more money to construct a railroad from New York to Chicago than it cost to establish a freight line with horses and wagons and drivers that would connect New York with some interior city in the early part of the last century. It costs more money to establish a great steel plant than it cost to open up a blacksmith shop or a forge, from which were wrought the various implements made of iron and of steel in the days of our fathers.

The result of all this is that the many can not engage in these various lines of production because they do not have the means. Only a few working individually can engage in them, and only a comparatively few, measured by the population of the country, can engage in them when combining and associating their money, having then the capital of one gigantic institution necessary to conduct the business.

The country generally believes, however, and I think we may all believe, that this development has meant for good, not for ill; that the average citizen to-day has comforts of life that kings did not dream of a century ago, and that all things considered the very development has been in the way of progress.

However, with this progress one great agency that we had almost believed to be a true law and that had to do with the fixing of prices for finished products has been more and more nearly eliminated. That great agency is competition. If the freighter with his dozen mule teams and several freight wagons charged too high a price for hauling goods from some center of trade to a smaller business community some miles away, another freighter could engage in business with half as many mules and horses and half as many wagons, and he, at any rate, could force down the price and probably they both could make an honest living.

If the shoemaker on the corner making boots and shoes for the people of one community charged too high a price for his product, public-spirited citizens of the community saw to it that another shoemaker opened up a shop just across the street and prices were reduced. If the buyer of hides did not pay enough to the farmers for the hides that had been curing in the old shed during the past season, some other buyer was induced to come in and the prices of hides would go up. If the sawmill man did not pay as high wages as he should to his engineer, his sawer, and his men to stack lumber or to drive logs, they would leave him and go to some other manufacturer of lumber where their services could be better appreciated in dollars and cents.

In fact, we had come to think of competition as rather an invariable law—rather, a just law—and on the whole I think that so far as the masses of the people were concerned it was a law quite to be commended. Under competition it mattered little, so far as the producers were concerned, just what the tariff might be so long as it was enough to protect. If it furnished a margin of protection to such an extent that in the production of boots and shoes the manufacturer could make a profit of $1 per pair, and manufacturers generally could get along with a profit of only 50 cents per pair, the profit through competition was held down to 50 cents per pair and not $1.

A TARIFF COMMISSION.

With the elimination of competition in large part, with the consolidation of industry in large part, the relation of industries to a protective tariff is absolutely changed. Shall we strike down the protective tariff entirely? No; that does not seem the way to meet the situation. That might bring ruin and disaster to the industries, few in number though they may be, engaged in the production of certain commodities. The industries, we must remember, have been built up with respect to a tariff policy.

If the people can not be protected without striking down the industry, then undoubtedly the rights of the people should prevail. But there is a way to protect the people, whether they be laborers engaged in mill or mine or factory or the farmers selling their raw material to the vast body of consumers of the country or purchasing the products of industry or those who have invested much money in productive enterprises, and that method does not consist in maintaining a tariff duty that is one whit above a duty needed for protection. That method does not consist in striking down all protection. That method does not consist of making any sliding reduction, reducing the tariff a little this year and a little next year, and so on, until it shall be reduced to the point necessary. That policy does consist in striking down at once the duty upon every schedule to the precise point that represents the difference in cost of producing here and in foreign countries.

This should be the measure of our protection, and I believe that the way to obtain the information necessary to enact a tariff law that will recognize this is through a tariff commission. Sometimes a guess made upon a very complex problem will be found to be correct and the person who makes the guess will receive something of the praise that might otherwise go to him who, as a result of careful, painstaking effort, discovered the same answer. It may be that our Democratic friends, upon the basis of the report of the Tariff Commission touching a few schedules and upon the basis of what general and common information we all have, will be able to prepare a tariff bill at once that, enacted into law, will be perfect. If so, they will undoubtedly receive their measure of applause just as though they had prepared the bill as the result of grave research and inquiry into every schedule.

THE PRESENT PROGRAM.

But, gentlemen, I do not think that such a happy termination will result. I do not know what ratio the possible right guesses may bear to the possible wrong guesses. My idea is that you have a small possible chance of guessing right.

We are a great country, and every section of our land is interested in one tariff schedule or another. The manufacturers of New England, of the South, the agriculturalists of the Middle West, and the farmers and miners of the great West are all bound in interest alike. Take the State that I have the honor to represent in part upon this floor—the State of Idaho. Probably no State is more vitally interested in the tariff schedules than is that State. Our lead mines produce nearly one-third of all the lead produced in the United States. The miners receive good wages. A large section of country is dependent upon the industry. The zinc industry is carried on with it. Both are dependent upon a tariff, and without it many of our mines would be forced to reduce their wages paid or cease to operate. Just where the line of protection might be drawn is somewhat difficult to determine, but it is our duty to assume difficult tasks. To strike the duty down entirely would mean not only the closing down of most of our mines but the checking of development. To maintain the schedules where you have placed them in the pending bill may be almost as disastrous.

Our sugar industry is of vast importance. We have but a few factories in Idaho, but last year there was paid out a million and a half of dollars to the farmers for sugar beets and to the laborers for their services. To carry through the program that you have outlined on sugar will mean the dismantling

of our factories and the forcing of our people to seek other lines of thrift and industry.

Turn to our stock industry and it is the same. We produce annually millions of dollars' worth of live stock and the products of live stock. Last year we sold between six and seven million pounds of scoured wool. The schedules which you propose spell ruin and disaster. Your bill is in the interest of foreign countries and against the well-paid laborer of our own. So we could continue. In industry after industry it is the same, and the main question seems to be, How much havoc will your measure bring?

Mr. Chairman, if I were mean enough to place the welfare of my party above my country, I could hardly wish anything better than the passage of the pending measure, that has been considered for a few days and which, it is understood, will be passed within the next few weeks by a Democratic majority in Congress and approved by a Democratic President. I believe, however, that I am broad enough and large enough to place the welfare of my country, the welfare of 100,000,000 people, above the advantage to any organization, no matter how long a time it may have been favored by the people of this country. For that reason I could wish that the majority party in this Congress would do that which from my standpoint would be the most patriotic thing that could be done by any political party intrusted with responsibility.

The great parties of the country in the last campaign told the people that they would consider the tariff question and indicated to the people something of what they proposed to do. I believe that party responsibility is something that the people of this country have come to expect, and that the majority party in Congress to-day has resting upon it the duty of meeting the question that was discussed during the last several years, and especially in the last two campaigns. There are two ways of meeting that question, gentlemen, that are presented to this Congress to-day. One of them is to meet it in the way that you are meeting it—to guess off a tariff bill; to enact a tariff statute without regard to the true understanding of conditions that exist in this country and in foreign countries and in absolute disregard of the facts that a nonpartisan board has placed before the Congress and made available to the thoughtful people of the United States. I believe that the other way, however, is the way that would commend itself to thoughtful people in the Nation. That way is to meet in extra session, as we are met, and within 60 days from the time of the meeting enact a tariff statute touching Schedules K and I—the wool and cotton schedules—and provide for a duty that would follow the line that can be clearly marked as indicated to the people of this country by the Tariff Board that reported upon both of these schedules only about one year ago. That could be done within 60 days. Then I would follow that up and within another period of 60 days—you having control of the House, the Senate, and the Presidency—by another law touching other features of the tariff question that you can reasonably modify and rely for information in framing it upon the Tariff Board's incidental findings and upon what information is available to all of us. This all should be accomplished within a period of about four months. And, third—and I think this should be done immediately—provide for a permanent tariff commission, not of partisan but of nonpartisan character, not bipartisan, not tripartisan, but of nonpartisan character, I say, whose duty it would be to inquire into the conditions of our labor, the conditions touching industries, the conditions concerning the consumers of this country, the producers here and in foreign countries, and then indicate to the country that the Congress proposes in the future to hold to tariff laws that will be in line with the facts that such a commission would report.

INCOME TAX.

And now a word upon the income-tax feature of the bill, for you have incorporated the question of an income tax with the question of the tariff.

With the ratification of the amendment to the Constitution of the United States under which an income-tax law may be utilized for the purpose of raising revenue by the Federal Government, it can probably be accepted as quite certain that this species of tax will constitute a definite and permanent part of our revenue system for the future.

This is as it should be, for, regardless of whether or not it has been found in times past to be in part unsatisfactory in places where it has been tried, conditions to-day are vastly different from conditions that existed prior to the last generation and there is undoubtedly a class of people who are abler than the average citizen to bear a reasonable portion of the burden of government which, as a matter of fact, is bearing the minimum of that burden simply because our revenue laws were enacted to meet conditions that existed at a time when the laws were passed and have not been brought up to date.

Essential principles that must be considered in the enactment of any revenue-producing law are fairness and uniformity, together with the reasonableness and certainty with which collection may be made.

Probably the first essential of government in its beginning was to constitute some organization that would serve to protect human life, to ward off a common foe, to protect and sustain the individual earnings of the members of society or the earnings of society as a collective body. The beginning was so simple that in the few words that I have used to describe the end to be attained by government I have indicated the essentials. With the development of society, however, the wants of mankind expanded, and more and more it was found that there could be done collectively to great advantage much that it had been thought could be best attained by private initiative, or yet which to attain there was no demand at all. With the development of government and the taking over of responsibilities from time to time, with the adding of the responsibility of building highways to the responsibility of protecting life, with the adding to these responsibilities further responsibilities in the way of public libraries, schools, improvement of rivers and harbors, maintenance of institutions for the encouragement of art and science, maintenance of courts, and agencies, in fact, either for the service of the public as agencies or for the purpose of protecting the public against private organizations upon which society had come to depend, such governmental machinery was necessary as to call for tremendous expense upon the part of organized society supporting its government.

For this purpose we must raise revenue. To this end we must provide systems by which money may be collected from the people generally to sustain a government that has to do with so many ramifications.

In primitive government, more nearly than under modern, the individual units were more nearly identical, so far as their ability to bear a part of the responsibility of government was concerned.

The result was that the poll tax was adopted as probably the best means of raising revenue, or, in other words, a system that exacted the identical contribution from each member of society. Maybe it was work; maybe it was money; maybe it was the fruits of work. At any rate, the responsibility rested fairly equally upon the members of society. By and by, with the responsibilities of government, and without attempting to indicate which anticipated the other, functions of government or amplified enterprises upon the part of the citizens, private citizens began to assume, and government came to protect them in assuming, title to land, rights of one kind and another that were not possessed by the people generally. The result was that here and there an individual was found who owned vastly more than his neighbor in the way of property. The building of a road helped him and his property in far greater ratio than it helped his neighbor and his property. The same principle applied generally to society caused a demand that some type of raising revenue be adopted that would apportion the responsibility of government more equitably, and the result was the adoption of the property tax.

Until the last comparatively few years property taxation was regarded as equitable, and it was regarded as a system that with much certainty exacted taxes from those who were capable of paying them. Under this system A, whose property was worth twice as much as the property of B, was expected to pay twice as large an amount of taxes as was exacted of B, and it was right that he should be asked to do so.

Conditions, however, developed that made it necessary for government to reach out for other methods of taxation. Among these conditions were, first, the enlargement of the function of government and the consequent necessity for vastly greater revenues than had ever been required in the past.

To meet the additional revenue required by calling upon the people to bear each an equal part of the expense of government, was to impose a burden upon those who were least able to bear additional burdens. Again to ask that the revenues be raised from taxes upon land or physical property was to place a burden that could be seen and felt and keenly realized by those who were the owners of physical property, and as well to make the burden heavy upon the poorer landowners.

The result was that governments began to cast about for some system of raising revenue that would be indirect, that would, if possible, result in the collection of the money necessary to defray the expenses of government, but that in its collection the smallest burden would be imposed upon the person contributing his share of the revenue. Accordingly various kinds of taxes that might be called consumption taxes were adopted. We provided excise taxes. We provided for the raising of money by placing duties upon commodities imported from foreign countries. We provided even that a small fee should be paid by the purchaser of a stamp for the mailing of a letter or upon recording an instrument, requiring a stamp to be placed upon the instrument, or before a check could be cashed requiring a stamp to be placed upon the check. In fact, so completely did we become impressed with the advisability of indirect taxation that the vast part of the taxes for the Federal Government has been raised in this manner.

A second condition that contributed to the demand for a change in our revenue system has made itself manifest a few times in the history of other countries. It is especially a condition that compels our attention to-day, and probably in the future, during the years that we can reasonably anticipate, will continue to demand the attention of our country in an ever-increasing degree.

Property used to be considered as something physical, something real. To-day property has come to be recognized as vastly more than this. It oftentimes consists of rights or of privileges. More than this, we have approached a time when many of the wealthiest citizens of our country have their wealth invested in property that is other than real. It is invested in franchises, for which a minimum charge has been made. It is invested in institutions that have become vastly profitable on account of the special privileges that either law or natural monopoly has conferred upon them, without regard to the amount of the original investment.

The question, then, that presents itself is, Shall we adhere to the old system of raising revenue? We abandoned the idea of raising revenue alone by requiring each unit of society to contribute his part as under a poll-tax system. We abandoned this as individuals began to own property and their ability to bear the burden of taxation increased.

We abandoned these as agencies alone for raising revenue, and adopted the indirect methods when the demands of government and the expenses of government reached the point where direct taxes would have been intolerable to a large part of our population.

We are now face to face with new conditions, and the Government in enacting an income-tax law is merely asking one class of society to bear a share of the burden of government that under our former system it may have in large part avoided.

We hear it said that the system of indirect taxes—excises, taxes on imports, and so forth—is the system that should prevail. It is probably true that this system will continue to be an important one in our Government, but I submit that under this system the burden of taxes rests unequally upon the members of society measured by the ability of the members to bear each his part in government.

A tax upon bread might raise sufficient money to run the Government, but would anyone contend that the poor man earning his wages by his day's labor would eat less than the millionaire? Would anyone contend that the clothing worn by the banker or the dealer in stocks and bonds bears anywhere near the ratio in cost to the clothing worn by the bookkeeper in the bank or the carpenter working at his trade as the wealth of the one bears to the wealth of the other?

It is true that the expenses of families of wealth for food which they must eat, clothing which they must wear, and homes within which to live are greater than the expenses of the poor man for food for himself and family, for clothing, and for his habitation, but it is not true that there is a ratio of difference between the cost upon the one side and upon the other that can be measured by the wealth of the one when compared with the wealth of the other.

So long as government relies upon this method of indirect taxation, so long will it place the responsibility of government in an unequal manner upon the shoulders of those who are not so capable of bearing the responsibility of government as are their more fortunate fellows in society.

The income tax is a departure from this system and it is a departure against which nothing can be said, providing the system is practicable. I probably should not fail to mention the fact that to require a tax upon income is also to require the citizen to bear the responsibility that he ought to bear when measured by the responsibilities required of other citizens of wealth whose investments have been made in classes of property that can be readily located and upon which taxes may be levied.

IS THE INCOME TAX JUST?

A few days ago in writing a friend with regard to possible legislation of the present Congress, I facetiously congratulated him that his income was not in excess of $4,000 per year.

It had never occurred to me that anyone would seriously contend that a limit fixed by law below which incomes may be exempted and above which an income tax may be levied could in anywise interfere with the laudable ambitions of citizens of this country to better their condition. Yet apparently there are some who contend that such is the case.

There has come to my desk a copy of an article that is signed by a very responsible citizen of Atlanta, Ga., and which appeared in the Atlanta Constitution on April 2 last, which takes this very point of view. The author raises the question that if $5,000 be fixed as the minimum below which an income tax shall not be required—

> A man would say to himself, "Why should I strive to have an income of $5,000 or more per annum when I must begin to pay a direct tax to the Government for enjoying that privilege? Why should I not be content to make $4,000 or $4,500, or even $4,900, and escape taxation?" It is evident that such an exemption would put an arbitrary limit upon his ambition and stunt the possible commercial growth of the citizen.

That statement seems to me to carry its own refutation upon its face.

If the income tax equaled or approximated the amount of a man's earning in excess of the minimum fixed by law, the logic might be good; but in view of the fact that no income tax is suggested that even proposes more than an exceedingly low rate of taxation upon an income, it certainly occurs to me that the average citizen will not limit his energies when his income shall reach the minimum provided by law simply because if he exceeds the minimum he will need to pay 1 per cent or a small per cent, not of his income but of the excess income above the minimum, in the way of taxation.

Is it possible that any citizen who may be earning $4,000 per year and who may be exempt from the income tax would refrain from expending such energies as might be necessary to raise his income to $10,000 per year, even though by so doing his taxes would actually amount to $60 upon his excess income? So I say the proposition is too extravagant to receive great consideration.

The same writer, however, raises another question that is deserving of some consideration. He says:

> It seems but just and right that if a man has an income of $1,000 per year he should pay for the benefits he enjoys as a citizen, and on a basis of 1 per cent income tax it would be no harder for him to pay $10 per annum to the Government than it would be for the man whose income is $10,000 to pay $100. They would and should be on a parallel basis, the Government treating everyone alike.

If the income tax were the only tax that the citizens of the Government were called upon to meet, there would be much merit in the argument that has been suggested; but such is not the case. Does anyone believe that a flat capitation tax would be reasonable that would place the same burden upon the day laborer as upon the president of a great railway or a man worth $10,000,000? Not at all. Yet aside from the income and inheritance tax our methods of taxation suggest this principle.

We might place a tax upon coffee imported into the country. Here is a tax that is borne by the users of coffee everywhere. The day laborer who earns $3 per day drinks his cup of coffee in the morning before leaving for his work, as does the president of a bank, whose salary may be $10,000 per year, or as the multimillionaire, whose annual income may be $5,000,000. It may be true that the man of wealth purchases a somewhat better grade of coffee than does the poor man. It may be true that the poor man pays for his coffee 30 cents per pound; but if the man of wealth paid at the same ratio for the coffee that he uses his coffee would cost him $1,000 per pound, $2,000 per pound, or possibly even an amount far in excess of that. Does anyone pretend that such is the case? Absolutely not. Worse still would be the contention that the rich man by any possible means uses 1,000 or 5,000 times as much coffee as does the poor man; and, as a matter of fact, the difference in cost is not great between that which goes upon the table of the poor man and that which goes upon the table of the man of wealth. The fact is the poor man pays vastly more in proportion than does the rich.

If our system of taxation is to be one that apportions taxes not according to ability to pay them, not according to amount of property owned by individuals, but so that each member of society shall pay an identical amount with his fellow, we had better abandon the income-tax idea altogether. But such is not the case. We have largely abandoned the capitation tax because it was unjust. We are trying as much as possible to ease those least able to bear the burden of taxation. The principle that is fast becoming recognized as cardinal or basic, and in which I firmly believe, is that the members of society shall pay taxes in proportion to their ability to pay.

The great question, then, is, How shall we attain a knowledge of what that ability may be?

The writer of the article complains because the man who earns his bread by day labor in such an amount as can be measured in a few dollars per day is not asked to pay from that income a share of his taxes, when he is forgetful of the fact that the common poll tax that means one or two days' labor, upon the part of the poor man represents but a few minutes income upon the part of the rich, and not as much as he might pay for the use of a taxicab to convey him from his office to his home at night.

He forgets that the poor man pays his full share of taxes upon property. He forgets that the poor man pays far more than his share of taxes collected in the way of duties and excises, and that under any of these methods it is wholly impossible for the man of wealth to be required to bear his burden of taxation.

The writer says that both are citizens of the same Republic and that they are served to the same extent by the same public agencies, and yet the writer is forgetful that this same service makes it possible, on account of different ability or circumstances or conditions over which the individual may have little to do, for the one man to attain an income of thousands or even millions per year, while it is all the other man can do to earn food and clothing for those who by the ties of kinship are dependent upon him.

If the writer does not think that such is the case, may I ask what success would he be making in his business if government could be abolished? As we approach the absence of government among the people of the world to-day, in the most primitive corners of the earth, we find the minimum of difference between the individual members of society.

In lands where there is no government, or where the government is merely tribal, there are no millionaires and there are no beggars. Government as we know it, and as we are proud of it, in a certain theoretical sense does mean the same to all citizens of the country, but in another sense it does not mean the same, for it does not guarantee that all shall succeed to the same extent.

In a government that is so constituted that an individual member of the society of that government may be able by his own initiative to bring about such a condition as will yield him profits annually to the extent of thousands of dollars or millions of dollars, surely the beneficiary of such a condition can not with any degree of justness complain because he is asked to pay a tax to his government for its maintenance upon so much of his income as may be regarded as the margin above which it reasonably may be said that it will cost a family to live.

After all, the reason for a minimum above which an income tax is required is that there may be a figure establishd that may be regarded as the measure of living for the American family. It may be that the figures that have been placed in the bill—$4,000—are too high. That is not the question here. The question is one of principle, and, as a matter of principle, I have not the slightest doubt in the justness of an income-tax law that will provide a margin below which the income tax shall not be required.

From an examination of the various features of the pending bill I am convinced that several of them should be modified. These features will be considered later on under the five-minute rule, and I shall not discuss them now. I have tried merely to indicate in a brief way my approval of the principle involved and to meet a few of the chief criticisms directed against the legislation.

IN CONCLUSION.

And now a word in conclusion. In a comparative way it would cost but little to maintain government if the policing of a people were all that government need consider. But government means more than that, and civilized peoples demand more because there are some burdens and problems that can be met by society in a collective sense instead of by society laboring through its individual units.

Experience has demonstrated abundantly that expenses far greater than those that are borne to-day by government for the maintenance of certain institutions that we have developed would need to be borne by the individuals as members of society in supplying the various wants of mankind that are supplied by government.

The principles suggested by our Socialist friends argue, in fact, that we are doing but part of the great work that we might do in a collective manner. I do not care to discuss that question. I merely want to say that probably, with scarcely any exception, the people of our Nation approve of the work that is being carried on by us as a Nation for the benefit of the Nation's people.

We approve of our splendid educational system, although it costs millions of dollars every year to maintain the same. We approve of the building of roads and bridges, although the purposes for which they are maintained are different from the purposes for which the original highways were constructed by men. It costs millions again every year to maintain these highways. We approve of the great work that is being carried on by the Agricultural Department that has meant for the development of better grains, better forage plants, better foods, better stock, and more wholesome conditions generally for those interested, especially in farm work, although the budget necessary to maintain this great department of government represents millions and millions of the people's money.

In the same way and for the same reason we approve of the Post Office Department. We approve of the improvement of rivers and the maintenance of harbors, and facilities necessary to the marketing of the products of the mine, the factory, and the farm. And so we could continue, and we could turn to the various agencies with which government has to do, and looking at the agencies, one after the other, we would pronounce upon them the approval of the Nation, even though it means vast expense to maintain these agencies for the benefit of society.

Who shall maintain these agencies? Who shall maintain government? Upon whose back shall the burden be placed? That is the vital question, and that has been the question that has probably caused no small amount of dissension and discord and war with all its carnage during the centuries that have gone by.

Who shall bear this responsibility? There are those who say it should be borne by people generally in proportion to the benefits received. The rich and the poor, the strong and the weak, need the protection of government. They need the protection of life and of property; they need the advantages that may be afforded by schools, by the various agencies of government, and it is urged that all alike need these things and actually share them in almost equal degree, and consequently the burden of taxation should be placed upon them all alike, or in proportion as nearly as may be to the benefits received from government

In fact, there are some who go further than this and say the poor and the weak need the protection of government in far greater degree than the wealthy and strong, because the latter may themselves supply that in the way of schools and libraries and roads and even protection to life and property that the poor and the weak may not. And yet I can not find myself in accord with this idea of proportioning the responsibilities of bearing the burden of government.

Another theory is that the burden of government should rest upon the individual members of society in proportion to the ability of the individual members of society to meet that responsibility.

This after all is the true measure of duty that a citizen owes to government. It is the true measure of service to be performed by the rich and the poor, the strong and the weak, and, in my judgment, whatever methods of taxation may be considered to-day, regard should be given to the placing of the burden of taxation upon those who can best bear that burden.

The rich would not exchange their places with the humbler members of society. Organized society running perhaps through the hundreds of years has made it possible for them to assume their place of superior eminence among their fellowmen, and falling heir as they have to the untold blessings of organized society through the countless years, ability to serve should be fixed as the measure of service that every member of society owes to the organization of which he is a part.

It is for this reason that I believe in an inheritance tax. It is for this reason, referring to the tariff law, that I have always favored the idea of requiring the heaviest burden of taxation to be borne by those who purchase the luxuries of life.

It is for this reason that I have favored the amendment to the Constitution of the United States making it lawful for our Government to maintain an income tax, and that I believe an income-tax law should be enacted.

If such a law will do as many have assumed, cause the public to be vitally interested and watchful of the wayin which public funds are expended, and bring the representatives of the people in the various offices of public trust to be more solicitous of public welfare, another service of vast importance will have been attained. Our patriotic citizens do not begrudge the money that they pay in taxes provided there be returned to them dollar for dollar of service.

A New Tariff Policy.

This new tariff policy will put in motion a train of misfortunes that will travel along every avenue of trade, commerce, and business, touch every profession, avocation, and calling of life, and visit with its unwelcome shadow every household, fireside, and home in the land.

SPEECH

OF

HON. DICK T. MORGAN,

OF OKLAHOMA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, April 28, 1913.

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. MORGAN of Oklahoma. Mr. Chairman, we have met in an extraordinary session of Congress. We have come together at the call of the President. The chief work before us is the revision of the tariff. We now have under consideration H. R. 3321. Judged by its title, this is "A bill to reduce the tariff." But the title is misleading. This is not a bill to reduce tariff rates, but a bill to revolutionize our tariff policy. The real purpose of this bill is not a reduction of tariff duties, but the introduction of a new tariff system. The main question is not the percentage of duty levied, but the principle of political economy involved. If this bill shall become a law, we will have abandoned the great national policy of protection; we will have committed this Government to the policy of a tariff for revenue only. Such a change is not revision; it is revolution.

Personally, I have no objection to any reasonable reduction in our tariff rates. I believe that from time to time duties may be lowered, schedules may be readjusted, rates may be changed. But I do not believe in a change of policy. I am not in favor of abandoning the principle of protection. I am opposed to a tariff for revenue only. I believe that the passage of this bill would threaten our industrial independence, endanger our national prosperity, check the growth of our country, decrease employment of labor, reduce wages, and lead the country from its splendid position of safety and security out upon the perilous rocks and reefs of an ocean of doubt and uncertainty.

THE PRESENT LAW.

The present tariff law is a protective tariff measure. It has been upon our statute books nearly four years. It has gone through the ordeal of criticism. It has stood the test of time and experience. Four years of probation have largely vindicated the measure. Conditions in the country to-day are most favorable—times are good, business is prosperous, commerce is flourishing. All our industrial forces are active. Capital is employed, labor is in demand, and good wages are paid. There never was a time in our history when our people were better clothed, better fed, and better housed. There never was a time when they enjoyed superior advantages, had greater opportunities, or were more richly and abundantly blessed with all the good things of life.

This protective tariff measure, enacted four years ago, did not close a single factory, destroy a single industry, or bankrupt a single individual. It did not restrict the employment or reduce the wage of a single American laboring man. It did not disturb business, destroy confidence, retard enterprise, or block progress. It did not depress trade, discourage commerce, or frighten investors. It made no bankrupts, paupers, tramps, or beggars. It caused no depreciation in the value of property, and did not multiply debts, mortgages, or incumbrances.

Under this protective tariff law our farmers have received good prices for their products, and the value of their lands have been enhanced. Our merchants have extended their trade, increased their business, and augmented their profits. There is something for every man to do at remunerative wages, and there is a demand for every product at good prices; in brief, throughout the length and breadth of the land there abounds peace, plenty, prosperity, and happiness.

A NEW POLICY PROPOSED.

In face of this happy condition the party in power proposes to repeal the present law and establish a tariff for revenue only. The advocates of this measure certainly do not realize what this change in our tariff policy will mean. This revolution in the economical policy of the Nation will require the readjustment, reorganization, and remodeling of our industrial fabric. A long period of doubt, uncertainty, and gloom is inevitable. Prices, values, rents, incomes, wages, salaries, earnings, profits—all must change to square with the new order of things. As the tariff goes downward, everything else must travel the descending scale. Our standards of living, prices, values, and wages—all must seek the level prevailing in foreign countries. This new tariff policy will put in motion a train of misfortunes that will travel along every avenue of trade, commerce, and business, touch every profession, avocation, and calling of life, and visit with its unwelcome shadow every household, fireside, and home in the land.

DISLOYALTY TO AMERICAN INTERESTS.

In the majority report upon this bill the statement is made that this bill has been prepared "without thought of protection." This is tantamount to saying that the authors of this bill are wholly indifferent as to the effect its provisions will have upon the farmers, the manufacturers, the wage earners, and the general business interests of this country. This to my mind sounds like rank disloyalty to American business interests and to the 35,000,000 men who constitute our industrial army. In my judgment, the authors of this bill have misinterpreted the voice of the people. There are thousands of people who believe in the reduction of the tariff, but who do not believe in the abandonment of the principle of protection. The vast majority of the voters of this country believe in the principle of protection. They will not approve a measure that has been drawn "without thought of protection" to the great industries that support and sustain our own people, and to which we must look for our industrial strength and independence.

AN INCREASE OF IMPORTATIONS.

The majority report declares that in the preparation of this measure the attempt has been made "to introduce in every line of industry a competitive tariff basis, providing for a substantial amount of importation."

This declaration reveals the principle underlying this bill. Importations of all kinds are to be largely increased. The bill is designed to encourage our people to purchase more largely from abroad, to consume an increased amount of goods manufactured in foreign countries, to patronize more liberally the institutions, the establishments, and the industries of other countries, and to send more money across international boundaries and over the seas to enrich the farmers, the manufacturers, and the wage earners of other lands.

This is a strange doctrine. I can not support such a policy. We should patronize home institutions. The less we buy abroad the better. Money sent to another country never returns. Every dollar we pay for foreign-made products means one less dollar at home. Consumption of foreign-made goods means less demand for homemade goods. Less demand for homemade goods means less employment for home labor. Less employment for labor inevitably means lower wages. To increase foreign importations means loss on every hand. If this bill becomes a law we will send abroad many millions of dollars annually that should remain at home to bless and benefit all our people, to build up our industries, to add to our wealth, and to increase the sum of human happiness under the Stars and Stripes.

A BOON TO OTHER COUNTRIES.

The increase of importations under this bill will be a great boon to the farmers, the manufacturers, and the wage earners of other countries. They will have an increased demand for their products, for their goods, and for their services. This will mean to them higher prices, better wages, and augmented profits. What they gain our farmers, manufacturers, and wage earners must lose. Under such conditions capital will flow to other countries, our farmers will be encouraged to emigrate to Canada and other countries where land is cheaper, where taxes are less, and where farm labor is not so expensive, but where under our new tariff policy they will still have access to our American markets. So we go on from bad to worse. You have adopted a tariff policy that drains our country of wealth, that cramps, cripples, and dwarfs our fundamental industries, that curtails production on the farm and in the factory, that lessens the demand for labor, lowers wages, and decreases the earning capacity of our people; that tends to stagnate business, demoralize enterprise, and impede progress, and that will impoverish our country, weaken our national strength, and bring on an endless train of misfortunes, calamities, and disasters.

FOREIGN COMPETITION NOT A CURE FOR THE TRUSTS.

A tariff for revenue only is presented as a cure for all the ills with which our business and industries are afflicted. The authors of this bill propose, through foreign competition, to destroy the trusts, annihilate monopoly, suppress combinations and conspiracies, and eradicate all other existing evils in our commercial, financial, and industrial affairs.

Competition from abroad is not a remedy for monopoly at home. To cure the trust evil we should apply a remedy that will act on the trust alone. The reduction of the tariff to a competitive basis will act upon all industries alike. The good and the bad, the guilty and the innocent, the just and the unjust, the individual and the corporation, the farmer and the manufacturer, the independent concern, and the illegal combination must take the same medicine. The good must go down with the bad, the innocent must suffer with the guilty, the farmer meets the same fate as the manufacturer, and the small business concerns must take the same dose of foreign competition that is intended to strangle the gigantic industrial corporations of our Nation. The result is obvious. The trust can stand foreign competition that will destroy the independent concern. The trust has the advantage in capital, in credit, in organization, in markets, in raw material, in transportation facilities, in the amount of its product, and many other important factors and elements which affect the cost of production.

The three indisputable propositions—first, that trusts flourish in free-trade England; second, that trusts control products in this country that are upon the free list; and, third, that there are trusts in articles upon which the tariff duty levied is not protective—demonstrate two things: First, that protection has not created the trusts, and, second, that a tariff for revenue only will not cure them.

Mr. CAMPBELL. Will the gentleman from Oklahoma [Mr. MORGAN] permit me to suggest that he explain the relation of the tariff to the Baseball Trusts?

Mr. MORGAN of Oklahoma. That would be an example.

Mr. LOBECK. He would make a hit if he does.

Mr. THOMPSON of Oklahoma. I take it, of course, that the gentleman from Oklahoma is opposed to the Underwood tariff bill. What I would like to know is if he is opposed to that provision which provides for free lumber.

Mr. MORGAN of Oklahoma. I will say that when the Payne tariff bill passed upon five different roll calls I voted for free lumber.

Mr. THOMPSON of Oklahoma. I would like to know, now, if the gentleman is opposed to the income-tax provision of the Underwood bill.

Mr. MORGAN of Oklahoma. If you will present that separately, so that I can, I will vote for that. [Applause.]

Now, I can not yield any longer.

The point I wish to make is this, that the enactment of this bill into law will not destroy the trust. The fact is that the trust is the last business concern this bill will destroy. Our great industrial corporations, commonly called trusts, are business concerns that have the least need of protection. The United States Steel Corporation, with its immense capital, splendid organization, efficient equipment, will cope with foreign competition and be doing business when the small concerns are in the scrap pile and their employees are tramping through the country hunting for jobs.

We have in this country 268,000 manufacturing establishments. They employ nearly 7,000,000 persons, and 30,000,000 people depend upon these concerns for support. Not as many as 500 of these manufacturing establishments are trusts or corporations that possess any monopolistic control. The 267,500 smaller manufacturing establishments will be the first to go down in competition with foreign concerns that employ cheap labor. These smaller concerns are in competition with each other and with the large establishments. You propose to introduce foreign competition, but in doing so you will destroy the establishments which constitute our home competition. We may then have competition, but it will be the competition of the foreign trust against the home trust. Then will follow the international trust, and our country is worse off than ever before.

I do not know how others feel about it, but, so far as I am concerned, if I must buy of a trust I do not want to buy of a foreign trust. I prefer to buy of a trust that pays taxes to an American Commonwealth, that employs American labor at good wages, that is amenable to the laws of the United States, and that does business under the Stars and Stripes. [Applause on the Republican side.]

FEDERAL COMMISSION NEEDED.

I have said that the reduction of the tariff will not solve the trust question. This, to my mind, is self-evident. The greater part of the monopoly of this country exists wholly independent of the tariff. If we would destroy the trusts and place proper and effective control over our large corporations, many of which possess dangerous monopolistic power, we should enact additional laws to prevent the formation of monopolies and create some kind of a national commission, which shall have jurisdiction and control over our great industrial corporations similar to the control the Interstate Commerce Commission has over the railways, express, telegraph, and telephone companies. Most of our monopoly is the result of business methods and not the result of the tariff. The Sherman antitrust law should be supplemented with additional laws to regulate, restrict, limit, and control the methods and practices of our big corporations, and then all of our gigantic corporations, possessing any considerable degree of monopolistic control over any particular business, should be placed under the strict supervision of a Federal commission. This will be practical legislation and will bring real, practical results.

Mr. Chairman, on the 25th day of January, 1912, I introduced in this House H. R. 18711, which was entitled "A bill to regulate the commerce of certain corporations, and for other purposes." I have reintroduced the bill this Congress. This bill not only creates a national commission with jurisdiction over the big corporations but contains a number of important provisions which will destroy existing monopoly and prevent the formation of additional monopolistic concerns. On February 21, 1912, in the House of Representatives I delivered a speech in which I advocated the creation of such a commission. So far as I know this was the first bill introduced in the House to create such a commission, and so far as my knowledge goes I was the first to advocate in a formal address on the floor of the House the creation of such a commission. When the Republican national convention met in Chicago in 1912, in referring to the control of our great industrial corporations, it declared in its platform, June 22, as follows:

> In the enforcement and administration of Federal laws governing interstate commerce and enterprises impressed with a public use engaged therein, there is much that may be committed to a Federal trade commission, thus placing in the hands of an administrative board many of the functions now necessarily exercised by the courts. This will promote promptness in the administration of the law and avoid delays and technicalities incident to court procedure.

The Republican Party was the first to recognize in its platform the necessity of a Federal commission to deal properly and effectively with big business. The Progressive Party was organized in August following, and in its first platform declared on this subject as follows:

> We therefore demand a strong national regulation of interstate corporations. • • • To that end we urge the establishment of a strong Federal administrative commission of high standing, which shall maintain permanent active supervision over industrial corporations engaged in interstate commerce, or such of them as are of public importance, doing for them what the Government now does for the national banks and what is now done for the railroads by the Interstate Commerce Commission.

Two of our national political organizations have indorsed the idea of creating a national commission as a governmental instrument with which to deal with our giant corporations commonly called trusts. We are losing valuable time. It is, as I think, unfortunate for the country that the Democratic Party now in power apparently stands for the idea that a change of the tariff policy will destroy the monopoly existing in our business and will be a remedy for the so-called trust evil. The people are doomed to disappointment. We might have years of absolute free trade and the trust and gigantic corporation would abide with us still.

HIGH COST OF LIVING.

A tariff for revenue only is presented as a remedy for the high cost of living. The great increase in the cost of living during recent years is due to the higher prices of food products. And what we eat constitutes about 60 per cent of the cost of maintaining a family. Any legislation enacted to reduce the cost of living is legislation to reduce the price of food products. Food products come from the farm. If a tariff for revenue only reduces the cost of living, it will reduce the price of farm products. To this I am unalterably opposed. I am against any legislation that has for its object the reduction of the prices of farm products. First, because it is unjust to the farmers; and, second, because I believe any injury or loss inflicted upon agriculture will react and redound to the detriment and loss of every other trade, occupation, and business.

It is true that in 10 years farm products have doubled in values. But 15 and 20 years ago farm products were too low to give the farmer a legitimate return for his labor. Farming was unprofitable, lands decreased in value, and the farmers and their families suffered untold loss and privation. Farm products are not too high. I am opposed to reducing the tariff upon the farm products, with a view to reducing the prices of farm products by importations from abroad. One thing is certain, the prices the farmers receive are not the result of a farmers' trust. There is free competition among the 6,500,000 farmers of the United States. If there is any monopoly in food products it will be found among the middle men who handle farm products. The farmer gets only 46 per cent of the price the consumer pays for food products. Over half the price the consumer pays goes into the pockets of the middle men who handle farm products. If food products are too high, if the prices of food products are the result of monopolistic control, the trouble is with the transportation, manufacturing, storage companies, or with the wholesale, retail dealers, commission men, and distributors of these products. Transportation companies, storage companies, wholesale and retail dealers, commission men, and distributors of food products are not protected by the tariff. There is no protective duty on their business. A tariff for revenue only will not give them any additional competition or destroy any monopoly they now possess. These facts illustrate the absurdity of adopting a free-trade tariff policy to reduce the cost of living. The remedy will not be effective. The innocent farmer will be the only one to suffer from foreign competition. His market will be filled by products from other lands. He will be compelled to compete with the farmers of other countries, but the railway companies, storage and elevator companies, wholesale, retail, and commission men will go on unmolested by any foreign competition, wholly unconcerned and oblivious about any changes made in our tariff policy. If the prices which people pay for food products are the result of combinations, conspiracies, illegal agreements, or of monopolistic control in any form, can we not discover a remedy that will reach the diseased spot, that will punish and control the guilty, without inflicting injury and loss upon the innocent? If living is too high we ought to ascertain where the trouble is. We ought to find out who is to blame. We should learn the cause. We have the power. The Congress of the United States is clothed with ample authority. Then let us adopt a remedy that would be effective and a remedy that would not inflict great injury and loss upon the 45,000,000 people who reside upon our farms, and let the real culprits, the actual conspirators against free competition, go undisturbed, unmolested, and unpunished.

WHY NOT RAISE WAGES?

There has been much said about reducing the cost of living. I have pointed out that the effect of this agitation is the creation of a belief among many people that the prices of farm products are too high. Hence, the nonfarming population are inclined to favor any proposed legislation that promises to reduce the prices of food products. If, however, the wage-earning classes do not receive a wage that enables them to live according to American standards, why can we not reach the same end by raising the scale of wages and salaries? Why not inaugurate a movement to raise wages, instead of demanding a reduction of the prices of farm products? Why not raise wages to the level of our prices? This would accomplish the same purpose. More than that, this would be the logical and natural procedure, and is a safer process for our business affairs. Because when you reduce prices of food products, by the introduction of foreign competition, the reduction may go to a point that will bring great and irreparable loss to agriculture and work untold injury to our farmers. The farmers of this country should clearly understand what is the purpose of reducing the tariff upon farm products. There can be but one purpose, and that is to increase the supply of food products by importation of farm products from abroad and rely upon the increased supply of such products to reduce the price. In other words, by bringing into the markets of the United States large quantities of food products from other countries, the law of supply and demand will naturally and inevitably lower the prices of such products. When prices once start downward, no one can tell when or where the downward movement will end. There will be no power to arrest the downward movement until the farmers have suffered untold and irretrievable loss. I am opposed to any such policy. I am opposed to trying experiments upon the farmers of this country. Let us enact laws that will compel those who employ labor to pay a wage scale that will enable our wage earners to pay farmers reasonable prices for the food products that come from the farm, and supplement such laws with legislation that will prevent middlemen from arbitrarily controlling prices, and we will have solved the real problem, preserved the prosperity of our farmers, and yet distributed to labor its just share of wealth by the payment of wages commensurate with the service rendered and the wealth produced.

AGRICULTURE AND MANUFACTURING.

Agriculture and manufacturing are the two great fundamental industries. Trade, transportation, commerce, mercantile pursuits, banking, insurance, professional employment, personal service, and similar occupations are subsidiary, secondary, and supplemental industries. About 75,000,000 of our population are supported by the two fundamental industries. In the grand parade of our industrial progress agriculture and manufacturing constitute the main performance. All the subsidiary industries live by tribute levied upon the wealth primarily produced by agriculture and manufacturing. For many years the economical policy of this Government has been founded upon the principle that the prosperity of agriculture and manufacturing meant prosperity to all other industries. Through the levying of protective tariff duties we have encouraged and promoted the growth, development, enlargement, and expansion of these two great basic industries. Experience has more than justified the wisdom of this policy. In every line of human activity we have had an era of unparalleled growth and development. We lead not only in agriculture and manufacturing, but we have surpassed all other nations in the production of wealth, in the development of internal commerce, and in the variety, extent, and volume of internal business transacted.

Whatever may be said to the contrary, in no other great country is wealth so evenly and widely distributed among the masses of our people. In face of this record the administration in power—the political party that controls both the executive and legislative branches of the National Government—proposes to abandon the policy that has made this country rich, great, and prosperous. Protection is to be withdrawn as a pillar of support to agriculture and manufacturing. Our farmers and manufacturers are to be placed in competition with the farmers and manufacturers of other countries. Who will be benefited by this change of policy? What good will be accomplished? What will be the result? You can not help the subsidiary and supplemental industries by injuring agriculture and manufacturing. The 20,000,000 people supported by trade, transportation, commerce, banking, insurance, mercantile pursuits, clerical and personal service can not prosper unless the 75,000,000 people supported by the farm and manufacturing establishments are prosperous. When you strike at agriculture and manufacturing, you deal a blow at all other industries. When you cripple, embarrass, hinder, or burden agriculture and manufacturing, you adopt a policy that will dry up the very fountains of wealth from which all prosperity flows. When you take out the prop that upholds, sustains, stimulates, safeguards, and protects our farmers and manufacturers, you are inviting disaster to the people in every other business, calling, avocation, and profession of life.

It may be asked why should we protect agriculture and manufacturing and not protect other industries. There are two main reasons:

1. Because agriculture and manufacturing are fundamental industries upon which all others are built and from which all others draw their support.

2. Because agriculture and manufacturing are the only great industries that are subject to competition from abroad.

The banks, mercantile establishments, express, telegraph, and telephone companies, public-service corporations, storage companies, hotels, theaters, newspapers, professional occupations, and many other occupations are not subject to competition from abroad. The nature and character of the business exclude competition from abroad. Our people can not deposit their money in foreign banks; they can not trade with local merchants in other countries; they can not patronize public-service corporations in foreign lands; they can not transport their freight on the transportation companies of Europe; they can not get the news from newspapers printed across the ocean; and from necessity must patronize our home lawyers, doctors, teachers, and preachers. But the farmers and manufacturers of other countries, if protection shall be abandoned, may ship their goods and products by cheap ocean freight to this country, distribute them throughout the Nation, and sell them in every hamlet and home in the land. If we rely entirely upon our home competition in trade, transportation, commerce, banking, merchandising, personal service, clerical and professional pursuits, why is it necessary to have foreign competition in agriculture and manufacturing? Why is it unjust, inequitable, or unfair to give to agriculture and manufacturing, through protective tariff duties, some exemption from foreign competition, when other great industries have complete protection from such competition by the very nature and character of their business? But aside from its fairness, protection to agriculture and manufacturing is in harmony with sound economical principles and wise statesmanship, because increased prosperity will come to all through greater prosperity to agriculture and manufacturing.

CONCLUSION.

Mr. Chairman, in these remarks I have discussed general principles. I have not considered the bill in detail. Later on I hope to discuss some of the provisions of this bill as they

affect some of the products of my own district and my own State.

So far as I am concerned, I would like to see our country and our people benefited by any changes that may be made in our tariff policy. There is so much at stake that no one for mere party advantage can wish for failure to the administration now in power in the new tariff policy about to be inaugurated. But it is, nevertheless, the duty of those who constitute the minority in this House, before it is finally too late, to point out the defects of the measure, to call attention to its probable effect upon the country, and warn the majority in this House of the imminent danger in abandoning the principle and policy of protection, under which our country has made its greatest strides of progress and attained its highest plane of prosperity, and in substituting for protection a tariff for revenue only, under which when last tried, during the Cleveland administration, our country suffered its greatest business depression, our industrial development met with its severest and most bitter reverses, and when our people felt most keenly the awful scourge of poverty and hard times.

Washington, Jefferson, and Franklin on War.

EXTENSION OF REMARKS
OF

HON. RICHARD BARTHOLDT,
OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Friday, June 13, 1913.

Mr. BARTHOLDT. Mr. Speaker, under leave granted to extend my remarks in the RECORD, I insert the following:

[From an address on "The Principles of the Founders" before the city government and citizens of Boston in Faneuil Hall, July 4, 1903.]

(By Edwin D. Mead.)

Independence for the sake of independence, a new nation for the sake of a new nation—that was not the aim and motive of the founders of this American Republic. Their dream was of a new nation of juster institutions and more equal laws; a nation in which should dwell righteousness, and which should mark the beginning of a new era among men. It should be especially an era of peace and brotherhood among the nations. They hated war. They believed that the time had come when the bloody dispensation of war, with all its terrible wickedness and waste, should cease; and their ambition and high hope was that their new Republic might lead in the new dispensation of peace and order and mutual regard. This abhorrence of war was a cardinal and controlling sentiment with the men who achieved our independence, and no eloquence can be so powerful and persuasive as the simple presentation of their words.

We call Samuel Adams the "Father of the American Revolution." He first clearly foresaw it, and he did most in the days before 1775 to determine its character and direct its course. Of all the statesmen of the Revolution he was the one whose views were closest to those of the great author of the Declaration of Independence. When in 1801 Jefferson prepared his inaugural address as President, he wrote to our venerable Boston patriot: "In meditating the matter of that address, I often asked myself, Is this exactly in the spirit of the patriarch of liberty, Samuel Adams? Is it as he would express it? Will he approve of it? I have felt a great deal for our country in the times we have seen, but individually for no one so much as yourself." Among the manuscripts of Samuel Adams there exists one of the most remarkable and prophetic documents of that prophetic time. Whether it ever became a legislative act we do not know; but it is in the form of a letter of instructions from the Legislature of Massachusetts to the Delegates in Congress, and it apparently belongs to the period between the close of the Revolution and the adoption of the Constitution. The General Court in this letter declares the instruction to be one "which they have long had in contemplation and which, if their most ardent wish could be obtained, might in its consequences extensively promote the happiness of man." The instruction is as follows:

> You are hereby instructed and urged to move the United States in Congress assembled to take into their deep and most serious consideration, whether any measures can by them be used, through their influence with such of the nations in Europe as they are united with by treaties of amity or commerce, that national differences may be settled and determined without the necessity of war, in which the world has too long been deluged, to the destruction of human happiness and the disgrace of human reason and government.

If it was found that no definite action could then be taken, it was urged that it would redound to the honor of the United States that its Congress attended to this subject, and that it would be accepted as a testimony of gratitude to God for his signal blessings upon the States; and the Delegates were instructed to have the letter entered in the Journals of Congress, to remain for the inspection of Delegates from Massachusetts in future time.

This proposition from the father of the American Revolution—whose severe general exposures of the banefulness and inconsistency of militarism in democracy are so well known—for some regular and permanent arrangement for international arbitration among the nations of Christendom to make an end of war was penned more than a century before the similar proposition of the Czar of Russia resulted in the conference at The Hague and the establishment of the permanent international tribunal, whose creation is the distinctive historical event and the crowning glory of the present age.

Washington, Franklin, and Jefferson—these are the three names of world-wide fame in connection with the achievement of our independence and the birth of the Nation. What was their attitude toward war and the military system? What was their ideal and desire for the United States? By fortunate fatality the history of Jefferson's administration has been written by a descendant of John Adams, the great defender of the Declaration of Independence on the floor of Congress, and nowhere else have the political purposes and aspirations of the great author of the Declarntion been so well stated briefly as by Henry Adams in this history:

> Jefferson aspired beyond the ambition of a nationality, and embraced in his view the whole future of man. That the United States should become a nation like France, England, or Russia or should conquer the world like Rome, was no part of his scheme. He wished to begin a new era. Hoping for a time when the world's ruling interests should cease to be local and should become universal; when questions of boundary and nationality should become insignificant; when armies and navies should be reduced to the work of police, he set himself to the task of governing with this golden age in view. Few men have dared to legislate as though eternal peace were at hand, in a world torn by wars and convulsions and drowned in blood; but this was what Jefferson aspired to do. Even in such dangers he believed that Americans might safely set an example which the Christian world should be led by interest to respect and at length to imitate. As he conceived a true American policy, war was a blunder, an unnecessary risk; and even in case of robbery and aggression the United States, he believed, had only to stand on the defensive in order to obtain justice in the end. He would not consent to build up a new nationality merely to create more navies and armies, to perpetuate the crimes and follies of Europe; the central government at Washington should not be permitted to indulge in the miserable ambitions that had made the Old World a hell and frustrated the hopes of humanity.

To Thomas Pinckney, in 1797, Jefferson wrote a word which suggests an utterance of John Bright's forescore years afterwards giving the truth a broader application to the United States and her opportunity as the great peace power of the world. Wrote Jefferson to Pinckney:

> War is not the best engine for us to resort to. Nature has given us one in *our commerce*, which, if properly managed, will be a better instrument for obliging the interested nations of Europe to treat us with justice.

John Bright, in the House of Commons in 1879, speaking by interesting coincidence on the Fourth of July, set forth to England and the nations of Europe the folly of their burdensome armaments and exhausting taxation, and the terrible disadvantage under which they labored in competition with the United States, unhampered as she was by such taxation, by costly armies and navies, and a "spirited foreign policy." Her resources were all free for constructive purposes. If the United States persisted in her political wisdom and commercial common sense for a quarter of a century, the nations of Europe would be compelled, he believed, to throw over their costly military system in mere commercial self-protection. Incredible to the great English statesman and lover of America would have been the intimation that before the quarter of a century rolled by we should see the growth among us of a movement recklessly seeking to throw away this very commercial advantage and our chief lever for pressing downward the disarmament and peace of the nations; incredible that we, too, should be wasting hundreds of millions on needless and wicked wars, we, too, shouting for a "big navy" and organizing "navy leagues," descending to meet the nations of Europe on their own terms and plane instead of forcing them up to ours, tempted to put on their hoary old plumes and arms and false prides and ambitions just when the best minds among themselves are striving so earnestly to make them put them off.

One year after his letter to Thomas Pinckney, Jefferson, in a letter to Sir John Sinclair, gave memorable expression to his abhorrence of the war system.

> I recoil with horror—

> He said—
>
> at the ferociousness of man. Will nations never devise a more rational umpire of differences than force? Are there no means of coercing injustice more gratifying to our nature than a waste of the blood of thousands and of the labor of millions of our fellow creatures? Wonderful has been the progress of human improvement in other lines. Let us hope, then, that the law of nature, which makes a virtuous conduct produce benefit and vice loss to the agent in the long run, which has sanctioned the common principle that honesty is the best policy, will in time influence the proceedings of nations as well as individuals, and that we shall at length be sensible that war is no instrument *entirely inefficient toward redressing wrong; that it multiplies instead of indemnifying losses.*

And in this striking passage he proceeds to urge the economic argument against war:

> Had the money which has been spent in the present war in Europe been employed in making roads and conducting canals of navigation and irrigation through the country, not a hovel in the highlands of Scotland or mountains of Auvergne would have been without a boat at its door, a rill of water in every field, and a road to its market town. • • • A war would cost us more than would cut through the Isthmus of Darien; and that of Suez might have been opened with what a single year has been thrown away on the rock of Gibraltar.

The word comes with new and added force just as we are preparing to cut through that Isthmus of Darien by the taxation of the people, after wasting three times its cost in damaging and demoralizing war.

Jefferson became an honorary member of the Massachusetts Peace Society almost immediately upon its founding, and his letters to Noah Worcester, the founder of the society—especially his treatment of wars as the duels of nations and his prophecy that they would run the same course and come to the same end as dueling among gentlemen—are among the most significant papers in the first volume of the peace society's journal, "The greatest of human evils." That was Jefferson's verdict upon war.

It was to Jefferson that the new Republican Party appealed and dedicated itself in its Philadelphia platform of 1856; it declared its purpose to restore the action of the Federal Government to "the principles of Washington and Jefferson." Abraham Lincoln, the year before his election as President, wrote to a great Republican gathering in Boston to celebrate Jefferson's birthday:

> The principles of Jefferson are the definitions and axioms of free society. And yet they are denied and evaded, with no small show of success. One dashingly calls them "glittering generalities," another bluntly calls them "self-evident lies," and others insidiously argue that they apply to "superior races." These expressions, differing in form, are identical in object and effect—the supplanting the principles of free government and restoring those of classification, caste, and legitimacy. They would delight a convocation of crowned heads plotting against the people. They are the vanguard, the miners and sappers of returning despotism. We must repulse them or they will subjugate us. This is a world of compensation; and he who would be no slave must consent to have no slave. Those who deny freedom to others deserve it not for themselves, and under a just God can not long retain it. All honor to Jefferson—to the man who, in the concrete pressure of a struggle for national independence by a single people, had the coolness, forecast, and capacity to introduce into a merely revolutionary document an abstract truth applicable to all men and all times and so to embalm it there that to-day and in all coming days it shall be a rebuke and a stumbling block to the very- barbingers of reappearing tyranny and oppression

Could the words of Lincoln reach to-day the Republic which Jefferson dedicated, and which he at Gettysburg rededicated in Jefferson's words, what other words than Jefferson's would he choose to bring home to us the enormity of the subjugation by the Republic of a protesting, struggling people, and the enormity of all unjust and unnecessary war?

To the common sense of Franklin we should naturally expect that the military system would seem folly; and as matter of fact we find that his condemnations of the wickedness and waste of war are even more numerous and more energetic than Jefferson's. Some of them are well known; but it will be useful to bring this strong body of testimony together. First, Franklin's letter to Dr. Richard Price, in 1780. This was in the very midst of the war, and Dr. Price was a London clergyman, a subject of King George; but Franklin and he remained warm friends throughout, and this letter is one of many which Franklin sends from Paris:

> We make daily great improvements in *natural*, there is one I wish to see in *moral* philosophy: The discovery of a plan that would induce and oblige nations to settle their disputes without first cutting one another's throats. When will human reason be sufficiently improved to see the advantage of this? When will men be convinced that even successful wars at length become misfortunes to those who unjustly commenced them and who triumphed blindly in their success, not seeing all its consequences?

In 1782, in a letter from Franklin to Dr. Priestley upon man's common inhumanity to man occurs the following famous passage:

> In what light we are viewed by superior beings may be gathered from a piece of late West India news, which possibly has not reached you. A young angel of distinction, being sent down to this world on some important business for the first time, had an old courier spirit assigned him for his guide; they arrived over the seas of Martinico in the middle of the long day of obstinate fight between the fleets of Rodney and De Grasse. When through the clouds of smoke he saw the fire of the guns, the decks covered with mangled limbs, and bodies of dead or dying, the ships sinking, burning, or blown into the air, and the quantity of pain, misery, and destruction the crews yet alive were thus with so much eagerness dealing around to one another, he turned angrily to his guide and said: "You blundering blockhead, you undertook to conduct me to the earth, and you have brought me into hell."
>
> "No, sir," says the guide; "I have made no mistake; this is really the earth and these are men. Devils never treat one another in this cruel manner; they have more sense and more of what men vainly call humanity."

The next year, 1783, the treaty of peace was signed which recognized the independence of the United States; and Franklin writes as follows to Sir Joseph Banks:

> I join with you most cordially in rejoicing at the return of peace. I hope it will be lasting, and that mankind will at length, as they call themselves reasonable creatures, have reason enough to settle their differences without cutting throats; *for, in my opinion, there never was a good war or a bad peace.* What vast additions to the conveniences and comforts of life might mankind have acquired if the money spent in wars had been employed in works of public utility. What an extension of agriculture, even to the tops of the mountains; what rivers rendered navigable, or joined by canals; what bridges, aqueducts, new roads, and other public works, edifices, and improvements, rendering England a complete paradise, might not have been obtained by spending those millions in doing good which in the last war have been spent in doing mischief—in bringing misery into thousands of families and destroying the lives of so many working people who might have performed the useful labors.

In the same year he writes in the same strain from Paris to David Hartley in London:

> I think with you that your Quaker article is a good one, and that men will in time have sense enough to adopt it. • • • What would you think of a proposition, if I should make it, of a compact between England, France, and America? America would be as happy as the Sabine girls if she could be the means of uniting in perpetual peace her father and her husband. What repeated follies are these repeated wars. You do not want to conquer and govern one another. Why, then, should you be continually employed in injuring and destroying one another? How many excellent things might have been done to promote the internal welfare of each country; what bridges, roads, canals, and other public works and institutions tending to the common felicity might have been made and established with the money and men foolishly spent during the last seven centuries by our mad wars in doing one another mischief. You are near neighbors, and each have very respectable qualities. Learn to be quiet and to respect each other's rights. You are all Christians. One is *The Most Christian King*, and the other *Defender of the Faith*. Manifest the propriety of these titles by your future conduct. "By this," says Christ, "shall all men know that ye are My disciples, if ye love one another." "Seek peace and ensue it."

In 1783, when peace was uppermost in his thoughts, he wrote also to Mrs. Mary Hewson:

> All wars are follies, very expensive, and very mischievous ones. When will mankind be convinced and agree to settle their differences by arbitration? Were they to do it even by the cast of a die, it would be better than by fighting and destroying each other.

Four years later, in 1787, just after the close of the Constitutional Convention, he returns to this aspect of the subject in the following impressive letter to his sister, Mrs. Jane Mecom:

> I agree with you perfectly in your disapprobation of war. Abstracted from the inhumanity of it, I think it wrong in point of human providence. For whatever advantages one nation would obtain from another, whether it be part of their territory, the liberty of commerce with them, free passage on their rivers, etc., it would be much cheaper to purchase such advantages with ready money than to pay the expense of acquiring it by war. An army is a devouring monster, and when you have raised it you have in order to subsist it, not only the fair charges of pay, clothing, provision arms, and ammunition, with numberless other continuent and just charges to answer and satisfy, but you have all the additional knavish charges of the numerous tribe of contractors to defray, with those of every other dealer who furnishes the articles wanting for your army and takes advantage of that want to demand exorbitant prices. It seems to me that if statesmen had a little more arithmetic, or were more accustomed to calculation, wars would be much less frequent. I am confident that Canada might have been purchased from France for a tenth part of the money England spent in the conquest of it. And if, instead of fighting with us for the power of taxing us, she had kept us in a good humor by allowing us to dispose of our own money and now and then giving us a little of hers by way of donation to colleges or hospitals or for cutting canals or fortifying ports, she might easily have drawn from us much more by our occasional voluntary grants and contributions than ever she could by taxes. Sensible people will give a bucket or two of water to a dry pump that they may afterwards get from it all they have occasion for. Her ministry were deficient in that little point of common sense; and so they spent one hundred millions of her money, and after all lost what they contended for.

To Alexander Small, in England, he wrote in 1787:

> You have one of the finest countries in the world, and if you can be cured of the folly of making war for trade (in which wars more has been always expended than the profits of any trade can compensate) you may make it one of the happiest. Make the most of your own natural advantages instead of endeavoring to diminish those of other nations and there is no doubt but that you may yet prosper and flourish. Your beginning to consider France no longer as a natural enemy is a mark of progress in the good sense of the nation.

Finally, in 1788, he wrote as follows to M. Le Veillard in France:

> When will princes learn arithmetic enough to calculate, if they want pieces of one another's territory, how much cheaper it would be to buy them than to make war for them, even though they were to give a hundred years' purchase? But if glory can not be valued, and therefore the wars for it can not be subject to arithmetical calculation so as to show their advantage or disadvantage, at least wars for trade,

which have gain for their object, may be proper subjects for such computation; and a trading nation, as well as a single trader, ought to calculate the probabilities of profit and loss before engaging in any considerable adventure. This, however, nations seldom do, and we have had frequent instances of their spending more money in wars for acquiring or securing branches of commerce than a hundred years' profit or the full enjoyment of them can compensate.

With these remarkable letters, showing Franklin, as does so much besides, so far in advance of his time, or for that matter of ours, should be read his Observations on War. Remarking upon the fact that Europe till lately had been without regular troops, he lays his finger on the reason for the portentous growth of armaments in our own time and the great difficulty of disarmament save in concert: "One powerful prince keeping an army always on foot makes it necessary for his neighbor to do the same to prevent surprise." He laments the frightful loss to the world of the labor of all men employed in war, and notes that the soldier loses habits of industry to such degree that he is rarely fit for sober business afterwards. It is for the interest of humanity that the occasions of war and the inducements to it should be diminished; and he urges the nations to hasten in better mutual organization:

By the original law of nations, war and extirpation were the punishment of injury. Humanizing by degrees, it admitted slavery instead of death. A farther step was the exchange of prisoners instead of slavery; another, to respect more the property of private persons under conquest and be content with acquired dominion. Why should not this law of nations go on improving? Ages have intervened between its several steps; but as knowledge of late increases rapidly, why should not these steps be quickened?

If it is ever permitted the departed to come back from the other world to this, then surely the spirit of Franklin must have hovered over the peace conference at The Hague, where the law of nations took a step so momentous and sublime; and it must have been present in the great church at Delft when, on that 4th of July in 1899, by invitation of the commissioners of the United States, the members of the conference gathered there about the tomb of Grotius and the silver wreath was laid upon it in tribute to the father of international law, in behalf and by instruction of the Government of the great Republic which Franklin and Adams and Jefferson and Washington brought into being with the prayer that it might bring a new era to the world, an era of peace on earth and good will among men.

Washington, the father of his country; what of him? From him, too, we have the strong, constructive word. As in other things, so here, Washington unites the common sense of Franklin and the vision of Jefferson. "Cultivate peace and harmony with all nations" was one of the charges of his Farewell Address; and his cautions against those policies and entanglements which so naturally lead to war are known, or ought to be, by every American. His admonition to keep ourselves always in a "respectable defensive posture," when strained, as it so often is by our militant folk, to cover their schemes is wantonly misused. He knew, as well as John Bright knew a century later, how happy is our position and how impregnable we are so long as we act like Christians; and the measure of his idea of a "respectable defensive posture" is the fact that the total expenditure for national armament under his sanction during the entire eight years of his administration was less than $8,000,000. In the last half dozen years we have spent in direful and needless war $800,000,000, and we are multiplying battleships by the dozen—surely not needed for "respectable defense"—a single one of which costs almost as much as our whole Army and Navy appropriations during Washington's long term as President. In the Farewell Address itself he denounced great armaments and spoke with deepest feeling of their dangers to democracy. "Overgrown military establishments are, under any form of government, inauspicious to liberty, and are to be regarded as particularly hostile to Republican liberty." Washington was no parochial statesman. No man in his great day saw so far west as he; to-day his vision would sweep around the world. Freeman wrote of him as "the expander of England," because he first drastically and effectually taught England that her empire could expand and endure only by justice. He was much more the great expander of the Republic, and he would be the great expander of the Republic's true influence among men. He would tell the Republic to-day that it is no longer boy, but man, and that it must acquit itself like a man. While he was yet with us, he foresaw the time "when, our institutions being firmly consolidated and working with complete success, we might safely and perhaps beneficially take part in the consultations held by foreign States for the advantage of the nations"; and he would tell us that a hundred relations are imperative for us to-day which were not expedient for us a hundred years ago. But he would also tell us that there are truths which do not change with the centuries and with which the nation that measures its power on a continental scale may no more trifle with impunity than the new man child. There is an indissoluble union, he would still repeat to us, between "an honest and magnanimous policy and the solid rewards of public prosperity"; and the smiles of heaven can not be expected on a nation when it "disregards the eternal rules of order and right."

A nation never does this more flagrantly, he held, than in unjust and unnecessary war, and the war spirit is the subject of his constant rebuke. One of the points which he puts down to urge among the early hints for the Farewell Address is "That we may never unsheath the sword except in self-defense so long as justice and our essential rights and national respectability can be preserved without it." To David Humphreys, secretary of the commission sent abroad to negotiate treaties of commerce, he wrote, in 1785, concerning war:

My first wish is to see this plague to mankind banished from the earth, and the sons and daughters of this world employed in more pleasing and innocent amusements than in preparing implements and exercising them for the destruction of mankind.

In the same tone he wrote in the same year to the Marquis de la Rouerie, an officer just appointed to the command of a French army corps:

My first wish is (although it is against the profession of arms, and would clip the wings of some of your young soldiers who are soaring after glory) to see the whole world in peace, and the inhabitants of it as one band of brothers striving who should contribute most to the happiness of mankind.

To Rochambeau, in 1786, he expressed his abhorrence of the "rage of conquest" among the nations of Europe, and of the "effusion of human blood for the acquisition of a little territory." To the Marquis de Chastellux, in 1788, he wrote, while the "great personages" of the north of Europe were "making war under the infatuation of Mars":

It is time for the age of knight-errantry and mad heroism to be at an end. Your young military men who want to reap the harvest of laurels do not care, I suppose, how many seeds of war are sown; but for the sake of humanity it is devoutly to be wished that the manly employment of agriculture and the humanizing benefits of commerce would supersede the waste of war and the rage of conquest; that the swords might be turned into plowshares, the spears into pruning hooks, and, as the Scriptures express it, "the nations learn war no more."

In the same year he writes to Lafayette:

Would to God the harmony of nations were an object that lay nearest to the hearts of sovereigns, and that the incentives to peace, of which commerce and facility of understanding each other are not the most inconsiderable, might be daily increased!

And again:

There seems to be a great deal of bloody work cut out for this summer in the north of Europe.

If war, want, and plague are to desolate those huge armies that are assembled, who, that has the feelings of a man, can refrain from shedding a tear over the miserable victims of regal ambition? It is really a strange thing that there should not be room enough in the world for men to live without cutting one another's throats.

At the same time he wrote to Jefferson:

In whatever manner the nations of Europe shall endeavor to keep up their prowess in war and their balance of power in peace, it will be obviously our policy to cultivate tranquillity at home and abroad and to extend our agriculture and commerce as far as possible.

To Rochambeau he wrote the next year, 1789:

Notwithstanding it might probably in a commercial view be greatly for the advantage of America that a war should rage on the other side of the Atlantic, yet I shall never so far divest myself of the feelings of a man interested in the happiness of his fellow men as to wish my country's prosperity might be built on the ruins of that of other nations.

To the merchants of Philadelphia he said in 1793:

The friends of humanity will deprecate war, wheresoever it may appear, and we have experienced enough of its evils in this country to know that it should not be wantonly or unnecessarily entered upon.

In his speech to Congress just before this, in 1792, he spoke the following serious word, which it becomes his countrymen never to forget:

It would be wise, by timely provisions, to guard against those acts of our own citizens which might tend to disturb peace with other nations and to put ourselves in a condition to give that satisfaction to foreign nations which we may sometimes have occasion to require of them. I particularly recommend to your consideration the means of preventing those aggressions by our citizens on the territory of other nations and other infractions of the law of nations, which, furnishing just subject of complaint, might endanger our peace with them.

Such were the sentiments of the leaders of the American Revolution and the founders of the Republic concerning war; such their solemn warnings to us against its wickedness and waste; against great armies and navies, against the indulgence of the military spirit so hostile to democracy; against the rage of conquest and the lust for territorial aggrandizement—that "original sin of nations," as Gladstone so well called it—and against injustice to any people; and such their lofty summons to the Nation at its birth to make itself the great peace power of the world and hasten the day when the arbitrament of reason should supplant everywhere the arbitrament of arms.

Commodore Perry's Flagship Niagara.

EXTENSION OF REMARKS
OF
HON. MILTON W. SHREVE,
OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, June 28, 1913.

Mr. SHREVE. Mr. Speaker, under leave granted to extend my remarks in the RECORD, I insert the following:

[From an address on Perry's Victory Centennial Celebration, delivered in the city of Erie June 7, 1913, by Hon. MILTON W. SHREVE, on the occasion of the second launching of Commodore Perry's flagship *Niagara*.]

"The impressment of our seamen by Great Britain, her disregard of neutral rights and unwarrantable seizure of our merchant marine, so inflamed the public mind that on June 18, 1812, the Congress of the United States declared war against the United Kingdom of Great Britain and Ireland. This famous ship now being launched for the second time played an important part in that war.

"The first nine months of war had witnessed the fall of Detroit, the evacuation of Fort Dearborn, and the massacre of the River Raisin. In fact, the events of the war up to the early part of 1813 had been particularly disastrous, and the settlers of the frontier were left practically defenseless from the savage outrages of the Indians.

"In this impressive ceremony there are two characters that stand out preeminently in the history of this historic ship—Capt. Daniel Dobbins, who first apprised the National Government of the situation on the Great Lakes in the summer of 1812, and Commodore Perry, who won the splendid victory in the Battle of Lake Erie, September 10, 1813.

"Capt. Dobbins, a resident of Erie, then a hamlet of four or five hundred, with the schooner *Salina*, was lying in the harbor at Mackinac during the summer of 1812 when the post was captured by the British. His schooner fell into the hands of the enemy, and it was with difficulty that he made his way back to Erie. On his return he immediately reported to Gen. Mead, and was at once dispatched to Washington, where President Madison was so taken with his appearance that he called a meeting of his Cabinet, before whom Capt. Dobbins gave in detail his experience and strongly urged the President and Cabinet to lose no time in fortifying the frontier border on the Great Lakes and at the same time to begin the construction of a fleet to meet the advances of the enemy.

"Capt. Dobbins, as a result of this meeting, was commissioned sailing master in the Navy; was given $2,000 and ordered to return to Erie and begin the construction of a navy. He immediately sought the services of Noah Brown, one of the most skillful shipbuilders of his time, and together they began building the fleet, the five vessels not being completed for 10 months thereafter.

"In the spring of 1813 Gen. Proctor, commander of the British forces, was assembling his army, augmented by several thousand Indians, on the northern shore of Lake Erie, while Gen. Harrison, commander of the American forces, was camped near Sandusky with a body of men, most of whom were Kentuckians. Commodore Barclay was reconstructing his fleet at Malden, and the American fleet was being built in the landlocked harbor of Erie. It was evident that a great battle was soon to take place on Lake Erie, and Commodore Perry, a young man of 26, asked the War Department to be assigned to service on the Great Lakes.

"Before making the perilous trip to Erie in March, 1813, he had been 12 years before the mast as midshipman, lieutenant, captain, and post commander, and just prior to his departure for Erie had charge of a flotilla of 17 gunboats in the harbor of Newport and was fully equipped for the important position assigned him, and impartial historians have given him a place among naval heroes which time can not destroy.

"Oliver Hazard Perry was born on the 21st of August, 1785, at South Kingston. The chief characteristics of Oliver's early years were an uncommon share of beauty and a sweetness and gentleness of disposition and a perfect disregard for danger. At an early age he learned to read under the tuition of his mother and was removed to a private school for the education of the children of the neighborhood. Afterwards he was sent to Tower Hill, distant 4 miles from Judge Perry's farm, where Oliver's father continued to reside. He was so proficient in his studies that his father, desiring to secure for his children a better education than South Kingston afforded, established his family at Newport.

"Here Oliver was placed in the private school of Mr. Frazer, under whose careful and judicious tuition he made rapid progress in all his studies.

"In Newport, Oliver attracted to himself no less attention and good will than among his friends in South Kingston. His modesty and gracefulness of manner won for him many friends, among the number Count Rochambeau, son of the distinguished general of that name, who commanded the French auxiliary army during our Revolutionary War. This noble, being driven by the terrors of the revolution from his own country, had established himself in Newport, where his father's previous residence prepared for him many friends.

"Newport offered many attractions to persons of refinement, and many of the inhabitants were wealthy and highly educated, and the tone of society in which Oliver early mingled was elegant and intellectual. At 11 years of age he was confirmed in the Episcopal faith.

"It was Oliver's father's wish that his son should become a naval officer, and his school days, though well improved, were short. At the age of 14 he left school to become a seaman. His residence in Newport and the occupation of his father brought him much in connection with ships and seamen and blended with his inclination for a military life a desire to make his home upon the sea. Oliver's name was placed upon the list of midshipmen on board the *General Green*, and in April, 1799, he received his warrant and order to report for duty.

"The young midshipman made several cruises with his father. His health and strength increased with life in the open air. He soon developed great capacity and courage, and participated in the action that resulted in the reduction of Jacmel with great credit to himself, receiving for his skilled service the approbation of his father. This was the last active service of the *General Green*. Perry then served as lieutenant in the Tripolitan wars in the squadron of Commodore Morris and later with Commodore Rodgers as lieutenant commander of the U. S. schooner *Revenge*, employed to prevent infraction of the embargo laws. After he returned to America at the conclusion of peace with Tripoli he served in various capacities, proving himself an efficient leader.

"The first service upon which the young commodore was employed after the commencement of war with England was taking charge of a flotilla of gunboats stationed at Newport. This service was not strenuous enough for Perry to satisfy the deep desire for action. To the north of the shores of the great chain of inland seas there was an impending conflict. Every indication pointed to the concentration of power on the Great Lakes. Perry was impatient, and went to Washington and asked to be ordered into active service against the enemy. He also wrote Commodore Chauncey and offered his service. Commodore Chauncey, knowing Perry and knowing his worth, asked the War Department to send Perry to Lake Erie; and, accordingly, on the 18th day of February, 1813, Perry received his orders to proceed to Sacketts Harbor with the best men of his flotilla. So anxious was Perry to carry out the order that on the very day, before nightfall, he had started his first detachment of 50 men under one of his lieutenants. Two days later another detachment of 50 men followed, and five days later 150 men had been dispatched, fully one-third of whom were held on Lake Ontario by Chauncey, and never reached Erie.

"On February 22 Perry set out for his command over mountains and hills and through a trackless forest. It was a severe journey at that season of the year. Perry had with him his little brother, a lad of 13, whom he was taking to be a midshipman on his ship. After 11 days' traveling, much of the way through a dreary country where the only evidence of human life was fleeting glimpses of savages as they hovered around the white man's trail, the two brothers reached their destination and reported at Sacketts Harbor.

"Sacketts Harbor was a mere hamlet possessing a few houses and was the official headquarters of the Army of the North. It is said that the principal business of the community was smuggling, and the arrival of the United States officials was looked upon with suspicion and displeasure. The English were in undisputed control of Lake Erie, and at Sacketts Harbor Perry learned that they were preparing plans for extending the Dominion of Canada along the Ohio and Mississippi Rivers to the Gulf so as to permanently separate the United States from the great undeveloped country to the west.

"It was Perry's duty to regain control of Lake Erie, a task that would tax his skill and ability as a naval commander to the utmost. At the time of his arrival at Sacketts Harbor it was expected that the English would make an attack on the

place, so Perry remained two weeks to assist in its defense. The attack did not materialize, and on the 16th of March he set out for Erie. On the 24th he arrived at Buffalo, and from there made his way in a sleigh to Erie, and arrived on March 27 and established his headquarters at Duncan's Hotel. Capt. Dobbins, who had been in charge of the American naval affairs on the Lakes, had, with the assistance of Noah Brown, laid down several vessels, which were now nearly completed. Maclay, the historian, tells us that 'the two brigs, *Niagara* and the *Lawrence* were being constructed at the mouth of Cascade Creek at the time Perry arrived'; that they were being built with white and black oak and chestnut frames, the outside planking being of oak, while the decks were of pine; that many trees found their places in these vessels the same day they were felled in the forest; that the brigs were 110 feet over all, and had a 30-foot beam; that the '*Lawrence* was so named by order of the Secretary of the Navy; and that two gunboats nearly planked were at the mouth of Lees Run, while work on the schooner *Scorpion* was just begun.' McKenzie writes:

"In the evening of the 27th Perry reached Erie, and immediately called around him the persons engaged in building and equipping the squadron. These were Mr. Noah Brown, of New York, the master shipwright, and Sailing Master Dobbins, who was a resident of Erie, and who superintended the construction by direction of Commodore Chauncey.

"I am satisfied that much of the preliminary work of constructing the fleet had been accomplished under Capt. Dobbins, and I do not find that Perry ever claimed credit for the planning, designing, and constructing the ships here referred to. Capt. Dobbins, to my mind, has never received full credit for the distinguished service he rendered his country during that period.

"At the time Perry arrived satisfactory progress had been made in the construction of the ships, and it was practically to their equipment that Perry turned his attention. Perry at once sent Capt. Dobbins to Buffalo, and went himself to Pittsburgh in search of needed supplies.

"Capt. Dobbins was with Perry in June, 1813, when he returned from his expedition against Fort George, bringing with him the five vessels which had been blockaded by the British in the Niagara River. He was also with Perry during the engagement of September 10, 1813. Sailing Master Dobbins, as he was then called, was in charge of the *Ohio*, a boat used in supplying the wants of the Navy, and at the time of the battle was returning from a trip to Erie for supplies, and it was in consequence of being a few miles away from the scene of the conflict that he was lost sight of by the historians of that period.

"I will not attempt to follow Perry through the various vicissitudes incident to equipping the fleet, securing men and material to man his ships. Neither will I attempt to describe the celebrated battle, so familiar to every schoolboy—a battle that brought great fame to him who won it. It was the first time a whole British fleet had been taken in open conflict. Perry was applauded throughout the land. He became a national hero, and so remains to this day. The enthusiasm and excitement when the news was received at Newport, his home and where his family resided, knew no bounds, and all were anxious for his return, but it was not until November that he reached Newport. His triumphant march home was a continuous ovation, the people seeking every opportunity to honor him. Every town from Boston to Savannah praised him. The legislatures of the various States, including Pennsylvania, passed commendatory resolutions. Pennsylvania also voted a gold medal, but it was not completed until after the death of the commodore, and was given to his wife on the 29th day of November, 1819, by Col. U. N. Irvine, who was intrusted to perform that duty. Medals of every kind were voted Perry. New York City gave him the freedom of the city in a gold box, on the cover of which was a view of the battle he had so bravely fought and won. Boston gave him a silver service, and his home town gave him a silver vase surmounted with emblematic figures. On one side was engraved a view of the battle, where Perry was passing from the *Lawrence* to the *Niagara*.

"No conquering hero ever returned with greater honor than did Commodore Perry. During the remaining years of his life he continued to uphold the reputation he had won.

"While on a diplomatic mission to South America, on the evening of August 23, 1819, his thirty-fourth birthday, he died at Trinidad of yellow fever. At 5 o'clock on the afternoon of the following day the body of the dead commander was laid to rest with military honors amid a large concourse of people, all joining with the American seamen in their sorrow in the great loss the Nation had sustained. Seven years later the American Government sent a ship of war for the honored remains of Perry, and on the early morning of the 27th of November, 1826, the vessel entered the harbor of Newport with its sacred burden. A few days later the body was buried in the cemetery at Newport with imposing ceremony, where the State of Rhode Island has erected a monument befitting his memory.

"Dr. Usher Parsons, a resident of Providence, who was surgeon on the *Lawrence*, said of him:

"His literary acquirements were respectable, his taste refined; he united the graces of a manly beauty to a lion heart, a sound mind, a safe judgment, and a firmness of purpose which nothing could shake.

"The first memorial to the memory of Perry and his brave men was erected in 1862 by popular subscription by the people of Cleveland. The inauguration was one of the great events of that period. The ceremony was inspiring and bequeathed to posterity a rich heritage relating to the events of the Battle of Lake Erie. Many distinguished Americans who were with Perry participated in that event. The old colored fifer was there. Mr. Quinn, of Pittsburgh, who made the cordage; Capt. Brownell, who commanded the *Ariel;* and Dr. Usher Parsons, surgeon of the flagship *Lawrence*, at that time the last surviving commissioned officer of the fleet.

"Gov. Dennison, who welcomed the Rhode Islanders, quoting President Madison, in speaking of the Battle of Lake Erie said:

"It was never surpassed in luster however much it may have been in magnitude.

"Gov. Sprague, the war governor of Rhode Island, who is still living, replied in part as follows:

"I thank your excellency very sincerely for the kind welcome which you have given to the Rhode Island delegation. That delegation consists of two veterans who served in the Battle of Lake Erie; Capt. Brownell, on my right, as second officer of the *Ariel;* and Dr. Usher Parsons, on my left, whose services on board the *Lawrence* in ameliorating the sufferings of the wounded have become historical; a son of the heroic Perry, bearing the honored name of his father, and two nephews; our secretary of state; a large delegation of the State legislature; the gentlemen of my personal staff; the general staff of the State; the major general of the State; and a brigadier general of the line, staff officers, and 101 members of the First Light Infantry Company of Providence, whose ranks are filled to-day by some of our most valuable and eminent citizens; the mayor of the city of Providence, as their guest; the line and staff officers of the Battery of Light Artillery in Providence; and the former chief engineer of the fire department in their ranks. It will, sir, I am sure, be considered as giving special interest to the presence of the Infantry who have accompanied me here to-day when I state the fact that they bore the remains of the heroic Perry to his last resting place. Such the State of Rhode Island sends here to represent her on this great occasion, with her cordial greetings to the people of Ohio.

"Nearly a century has rolled around since the living participants of that struggle for liberty received the plaudits of their countrymen, and it is eminently fitting and proper that the centennial celebrating 100 years' peace with Great Britain and in memory of the honored dead should be observed. By reason of our history, tradition, and location we are particularly interested in the proposed memorial.

"Probably its most conspicuous adornment will be a bronze tablet bearing the names of the commissioners who drafted the treaty of Ghent, which is the greatest peace achievement in international history. The prominent Americans who composed the commission were John Quincy Adams, Henry Clay, Joseph Russell, Senator Bayard, and Albert Gallatin. It was a commission made up of statesmen.

"John Adams, at the age of 11, accompanied his father on a diplomatic mission to Paris and got his first introduction into distinguished society. At 17 he accompanied Francis Dana as envoy to Russia as his private secretary. Later he joined his father in Paris, where that gentleman was engaged with Franklin and John Jay in negotiating the treaty of peace between the Colonies and the mother country. He aided as additional secretary in the preparation of that instrument which settled the question of the independence of our country. After the signing of the treaty his father was appointed as minister to the Court of St. James, and the young man had another opportunity to mingle with men of public affairs. However, he concluded to go home and enter Harvard College, where he was graduated in high standing. He studied law in Boston, and in 1794 was nominated minister to The Hague. His nomination was confirmed and on his twenty-seventh birthday he received his commission.

"Adams had rendered such valuable diplomatic service to his country that in 1797 he was transferred to Berlin, where he accomplished a treaty of commerce between Russia and the United States. He was recalled in the closing days of his father's administration and returned to Boston and resumed the practice of law, but was soon elected to the Senate of Massachusetts, and in 1803 the legislature of that State elected him to the United States Senate. In 1809 he was appointed minister to Russia. During the whole period of his stay in Russia the great wars of Napoleon were in progress. He saw the burning of Moscow and the disastrous retreat of the haughty invaders. He was the personal friend of Alexander, who in 1812 suggested his willingness to act as mediator between the United States and Great Britain in bringing about peace. However, this offer, although rejected by Great Britain, was the means of Great Britain submitting a proposition to the United States to consider terms of peace.

"Henry Clay was a Member of Congress from Kentucky, fiery, patriotic, and a great lover of his country. It was Clay, who probably more than any other man, while Speaker in Congress, should be given the credit of inciting the American people to a full realization of the wrong and cruelties that had been heaped upon them by the mother country. It was Clay's irresistible effort and determined spirit that inspired the American people to patriotism and love of country and a declaration of war.

"Albert Gallatin, born and educated in Geneva, Switzerland, first settled in Boston and soon went to Virginia, where he took the oath of allegiance to the United States; afterwards came to Pennsylvania and purchased a large tract of land in Fayette County, where he made his future home. He was several times a member of the Pennsylvania Legislature, and introduced a system of county taxation that endured for many years. He also proposed a plan for county schools that was after wards adopted.

"In 1793 he was elected to the United States Senate, but after taking his seat was excluded from that august body because he had not been a resident of the United States 9 years, the length of time prescribed by the Constitution, although he had been actually 13 years in this country, some 4 years or more before taking the oath of allegiance.

"Gallatin had so endeared himself to his people that he was elected to Congress from the Fayette County district, where he remained some time. In Congress he established the Ways and Means Committee, and was recognized as one of the greatest financiers of his age.

"He was Secretary of the Treasury during the War of 1812, and, although foreign born, had acquired a keen perception of the needs and requirements of the American people, while Adams, born an American citizen, had spent most of his time abroad and was not in touch with the common people.

"Russell was a minister to Sweden, and largely under the influence of Clay and Bayard, a United States Senator from Delaware, while having opinions of his own, usually agreed with John Adams.

"With this brief survey of the members of the commission, so different in character, habits, and experience, it is easy to understand how to make them agree among themselves was as difficult as to make a satisfactory treaty with Great Britain.

"The first proposition made by England was to the effect that the great Northwest Territory should be ceded to the Indians under an English guaranty or protectorate, and should renew the treaty rights giving the English the right to navigate the Mississippi. To the first proposition all of the members of the commission dissented, but to the second Adams was inclined to agree. Clay strenuously objected, and with the same tenacity and fixedness of purpose that he fought for the declaration of war he now fought not only to preserve the totality of our country but also to protect the rights of navigation on the Mississippi River, and thereby save from further oppression the great western part of our country.

"And so for five long months they contended, during all of which time it was the master mind of Gallatin who, by his logical reasoning and accurate conclusions, persuaded the members of the commission to agree.

"I will not attempt to recount all of the propositions and counter propositions that passed between the parties, nor the many altercations between Clay and Adams.

"The treaty when signed did not contain a single word regarding the impressment of seamen, order of council, or neutral rights. However, it was hailed with delight by both countries and brought great credit to those who participated in its confirmation. And for a hundred years, along the 3,000 miles of imaginary boundry line between the United States and Great Britain there has not been a single regiment or company or soldier to protect either nation.

"We have enjoyed nearly a century of peace with Canada and the mother country, and to-day 10 great States of the Union and the National Government are preparing to celebrate the anniversary of the 100 years of peace with Canada and Great Britain and fittingly commemorate those who took part in the great northwestern campaign under Gen. Harrison and the Battle of Lake Erie won by Commodore Perry. A magnificent monument will be erected at Put-in-Bay which will surpass that of Brock at Queenstown, which, from the English point of view, will forever stand as a monument to his bravery and valor in capturing Hull's American army August 16, 1812, at Detroit. He was killed at Queenstown October 15 the same year.

"The memorial will be grander and more imposing than the monument in Trafalgar Square, London, perpetuating the memory of that great general, Nelson, whose name is honored in every country and under every flag.

"The memorial will be more beautiful than the celebrated statue of Frederick the Great opposite the Emperor's palace Unter den Linden in Berlin, probably the grandest monument in Europe and perpetuating the memory of one who, at the age of 33 years, was the most conspicuous sovereign of his time.

"The memorial will be more magnificent than the Hotel de Invalides, Napoleon's tomb, on the banks of the River Seine in Paris, which will forever tell of the remorseless ambition of the hero of Marengo, Austerlitz, and Paris; of his defeat and disaster at Leipzig, of his banishment to Elba; of his escape and retaking an empire, and the awful carnage upon the battle field of Waterloo, where Napoleon's army suffered final defeat. It will tell of Napoleon at St. Helena, where, when approaching his end, he said: 'It is my desire that my remains be carried back to the land of my nativity and buried upon the banks of the River Seine among the people whom I loved.' His last wish was granted, and to-day his remains rest beneath the dome of a magnificent sarcophagus of black Egyptian marble, upon which is chiseled his inspiring words, which indicate that, notwithstanding his success and defeat, his joys and sorrows, notwithstanding the widows and orphans he had made and the fabulous sums spent for his glory, after all there was implanted in his heart a sacred love for his country.

How different the story told by the Perry memorial. Perry never was engaged in many wars, and yet, at the age of 27, he achieved a victory in one battle that so endeared him to the American people that 100 years after that momentous event 10 States are engaged in erecting to his memory a monument that will be grander than any of these, grander than any monument erected to a hero of modern times save Washington. It will tell of honor, valor, and the noble achievements of Perry. It will also commemorate the campaign of the Northwest Territory under Harrison; it will be a reminder of the fearful havoc of the River Raisin, of the fall of Detroit, and of the Battle of the Thames. It will tell of the story of Erie Harbor; how Capt. Dobbins, cruising in the vicinity of Detroit, was captured; how he was released and went to Washington and informed the President of the situation on the Great Lakes. It will tell of Perry and his little band sailing out of Erie Harbor; how for days his fleet remained under the protection of the islands around Put-in-Bay; how anxiously they watched for the sails of the enemy, and how Perry on the eventful day, when the sails were seen in the distance, unfurled his battle flag bearing the inscription, 'Don't give up the ship,' and flung it to the breeze and gave his first order in the eventful struggle which was soon to follow. It will tell of the terrible attack sustained by the *Lawrence*, and how Perry, in an open boat, reached the *Niagara* in safety, and how in a brief space of time the battle was fought and won, American supremacy established upon the Great Lakes, and the Northwest Territory restored to the United States.

"The Perry memorial will not shelter the honored ashes of Perry. His remains, like Napoleon's, were carried back to the land of his nativity and buried among the people whom he loved.

"It will shelter the honored remains of American and British officers who died in the battle—Lieut. Brooks and Midshipman Laub, of the *Lawrence*, and Midshipman John Clark, of the *Scorpion*, of the American fleet, and the captain and first lieutenant of the *Queen Charlotte* and the first lieutenant of the *Detroit*, of the British fleet.

"Immediately following the battle the men of both fleets participated in the solemn burial of their dead. At 4 p. m. the boats moved slowly in procession, with oars keeping time to the music of the fife and drum, the flags were at half-mast, and the signal guns were fired at regular intervals. The landing place was wild and picturesque. The graves had been dug beneath the spreading branches of a lofty willow near the shore. The American and British walked two by two in alternate couples to the graves of their heroes. The last gun was fired and the sorrowing company departed to their ships, and there for a century their remains have reposed in absolute solitude, American and English side by side and undisturbed. The wounded of both fleets, after the Battles of Lake Erie and the Thames, were sent to Erie, where Barclay was seen, with tottering steps, supported between Harrison and Perry, as he walked from the landing place to his quarters.

"From this monument the American people will catch a new vision of a united country, all free, all vitally related, bound in a universal brotherhood of peace and good will."

The Indian Appropriation Bill.

REMARKS

OF

HON. HARRY LANE,

OF OREGON,

IN THE SENATE OF THE UNITED STATES,

Tuesday, June 17, 1913.

The Senate had under consideration the bill (H. R. 1917) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes.

Mr. LANE. Mr. President, I am of the fixed and firm opinion that in authorizing the expenditure of moneys, as is done in the Indian appropriation bill, we, as Senators, act in the limited capacity of agents only, and that no liberty of action is granted to us or should be assumed by us greater than that which is allowed to any other agent. I believe also that we are in duty bound to use every means at our command, carefully and properly to safeguard the expenditure of such moneys. I go even further, and claim that by reason of the fact that we have been especially honored in being elevated to fill the positions of high estate which we occupy as members of this body, that our obligation is even greater than that of a business agent in the daily walks of life. Acting in this capacity, I am of the opinion that it is a matter of plain duty with us to deal fearlessly and openly with all measures presented here for our consideration, and mete out to them without prejudice the exact amount of respect and consideration to which they are entitled and no more. If a measure is presented which is of dubious character to begin with, and whose most persistently urged claim for consideration seems to be an urgent desire to secure its enactment regardless of the consequences which will ensue from the enforcement of its terms, I feel that if we do nothing else we should at least label it as accurately as we can, in order to call attention to its defects, and it is with this object in view that I undertake the disagreeable task before me today. I am fully aware of the fact that it would be much easier for me and more pleasing to numbers of others if I were to let this measure take its usual course without too much question concerning it, yet I feel that in fairness to myself I must pursue the other course.

The bill now before us is officially entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with the various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1914." Right here I wish to call attention to the comprehensive grant of power contained in the right given to administer the affairs of this bureau "for other purposes" than those specified. For what "other purposes" we are asked to grant a general ukase I do not know, but I am beginning to harbor an increasing amount of respect for the long-headed gentleman, whoever he was, who so sagely and with such far-sighted wisdom added that portion of the enacting clause to the measure.

There are certain conditions which accompany the affairs of the Bureau of Indian Affairs and this bill as it relates to them, which, it seems, have existed for years, and which, when compared to the ordinary affairs of life, are anomalous to say the least. I am willing to, and do, acknowledge myself to be in the dark respecting the working of many of its provisions, concerning which I have evinced some curiosity, yet I am of the opinion that I am not more ignorant in that respect than the majority of the Members of this body, some of whom are members of the Committee on Indian Affairs. If it were so that free access could be had to a full statement of the facts as they relate to the affairs governed by this measure, I have an idea that the Senate would have before it at this time a bill differing in many ways from the one which we are about to consider. In justice to the measure and the affairs with which it is concerned, it is due to them to state that they have the general and seemingly well-earned reputation of being about, if not actually, the worst with which we have to deal, which is no mean compliment, as you all must allow. In fact, I am told that, by sheer merit, they have attained to the great distinction of being in many respects the flower and the very fruition, as it were, of every variety of skullduggery that has ever been devised or suggested by the fertile mind of man.

The bill itself is a most interesting measure, and the rights conferred in its provisions as they appear upon the surface are by no means the most interesting portion of it; for, snugly ensconced under its not too discursive enactments, "full many a gem of purest ray serene" lies concealed to the eyes of all but the initiated. Withal, the condition in a general way is a pathetic one, for the reason that no man, however honest he may be, can hope to deal with its affairs officially in an effort to better conditions without having questions raised concerning his integrity, and no man familiar with its conduct in the past who cares to keep his name or his hands clean desires to have anything to do with it.

The measure authorizes the direct expenditure of between ten and eleven million dollars in cash during the next 12 months, and in addition thereto the personal and property rights of about 300,000 human beings are involved in it in one way or another. Just how many Indians are entangled in the web of its varying provisions I do not know, there being a difference of opinion, amounting to several thousand, between the Indian Bureau and the Census Bureau in regard to the same. In accounting for this condition it is claimed by some who say that they know whereof they speak that numbers of Indians who for years have dwelt in the "happy hunting grounds" still live upon the rolls of the Bureau of Indian Affairs and prove themselves in their disembodied forms to be even more useful to their pale-faced brothers in securing for them the titles to valuable allotments of lands than they were aforetime, when they roamed about in this vale of tears, encumbered with no "allotments" and no clothing other than a plug hat and a pair of spurs. How true all this may be I do not know, but that it is not impossible, reasoning by analogy, I am prepared to believe, for the reason that I once knew an enterprising gentleman who dominated a Republican convention by industriously voting the proxy of a man who had been dead for five years, and the diligent and effective work of the gentleman deceased, I am told, prepared the way for the election of one of my distinguished predecessors to a seat in this august body—but I am digressing.

What I wished to call attention to was the fact that under the provisions of this measure (which, like charity in that respect, but perhaps in no other, covers a multitude of sins) there rests the ultimate fate of property rights which are estimated to have a value of about $900,000,000. The many different kinds of things which can happen to $900,000,000 in cash and realty when resourceful men are turned loose upon it, authorized by law to administer upon it for "other purposes," and with no responsibility fixed upon them for so doing, is pretty well indicated by the continuous wail which goes up from the owners of the said property from all over the country.

In my short experience as a member of the Committee on Indians Affairs I have found that much interest is evinced in this bill by many persons, not all of whom are Indians, generically speaking. As a matter of fact, and without prejudice to anyone, it may be said, and I believe it to be conceded by the persons in charge of Indian affairs, that the condition of affairs in this bureau of the Government in many respects is one which at no time in the past has reflected any credit upon this Nation, and that those existing at this time are deplorable and not improving; that larceny, both petit and grand, is practiced upon the Indian, and that physical and moral degradation and disease and death by starvation and even by poison go hand in hand and blithely accompany and seemingly are directly, and at times even officially, attached to our supervision of the affairs of these, our unfortunate wards and hapless fellow creatures.

Where there is so much complaint coming from so many different quarters and from all classes of people, backed up and corroborated by circumstantial evidence which is seemingly irrefutable and apparent to anyone who cares to look at it, the conclusion is inevitable that there is something radically wrong and that, in one way or another, much of it owes its being and its continued existence to the authority which is granted in one way or another in this bill. It is the legislative casket, as it were, from which the Indian's Pandora looses all evils upon him.

Believing that if we could secure an analysis of its provisions such as would permit an insight into the reasons, financial and otherwise, for their existence, we would be in a position to aid in bringing about a better condition of affairs in this branch of the Government's affairs, and believing, also, that until this is done, and done thoroughly, no permanent relief will come to the Indian, I have urged the necessity of such a scrutiny. I have thought also that, accompanying each appropriation which was sought from the people in this bill, we, as their trusted agents, in authorizing the disbursement of some ten millions of dollars of their money and legalizing other rights and grants affecting so many, were entitled to a succinct statement to accompany each request for the different appropriations, such a statement as would set forth plainly the actual facts concerning the same—such a statement, indeed, of each specific appropriation as banks all over the world require of their customers before they advance money to them with which to carry on the ordinary business affairs of everyday life. I am quite willing to concede that I have failed to secure such data, except in a few instances, and that I am unable to account for many things which puzzle me and others in connection with this important piece of legislation.

The first item of appropriation in the bill confers the right to survey, resurvey and classify, etc., the lands of the Indians throughout the country, and appropriates $200,000 for such purpose. The object to be derived from the expenditure of this money is said to be necessary and of great importance to the Indians, and in the main, such may be and probably is the fact as it relates to that work. Upon the other hand, however, much complaint comes from the Indians concerning the rights which it loosely grants. They fear it worse than they do a rattlesnake for the reason they say that under its provisions, despite their protests, they can be and do sometimes find themselves resurveyed and allotted out of their best agricultural and other lands after they have improved the same. I am told in this connection that after an Indian has undergone such an experience two or three times and finds himself, to his indignant surprise and disgust, resurveyed out of his improved farm, and finally landed by allotment onto a sand dune, being constitutionally of a grave and rather serious turn of mind, and lacking that true sense of humor which is so essential in cases of this sort, he becomes unduly discouraged and undertakes the hopeless task of trying to drown his sorrow in fire water, "hoochinoo," peyote, or some similar intoxicant, and is no more a "good" Indian. With careful forethought no doubt for this ensuing condition, the very next item in the bill provides an antidote for his distemper by authorizing an appropriation of $100,000 for the "suppression of the traffic in intoxicating liquors." What more could anyone ask?

In this connection I present for your inspection at this time the blue print of a map which shows one of the said "resurveys" for which a similar appropriation was made. By an engineering feat which is not accounted for in the primitive system of logic current among Indians they find themselves separated from much of their best and most valuable timber lands on one well-known reservation. The untutored savage who loaned me the map requested of me as a favor to refrain from getting him personally involved in connection with any complaint concerning this "resurvey," for the reason that he desired to continue to dwell peacefully, if he could do so, on that reservation; and as a precaution, you will observe, I have carefully scratched his name off the exhibit. He also stated that the Indians on that reservation desire to send a delegation to Washington to see their "Great White Father" and explain to him the manner in which they have seemingly been "bunkoed" out of their holdings in this respect. Having been refused the funds necessary to make the trip, their case has not been presented in due form, and for that matter it may never be.

The fact that a deficit which was incurred through the unauthorized expenditure of public moneys and is interwoven with and covered in an appropriation in this bill which specifically sets forth that the money is to be expended for work which is to be performed during the ensuing fiscal year, without a word of warning or explanation to this body of the existence of such irregularity, should be sufficient indication of the need for full and balanced official statements to accompany each item of appropriation which is asked to be authorized by this body. That deficits can be and are so easily disposed of is proof that something is radically wrong with our methods of handling the affairs of the people, and stern measures should be taken to rebuke the imposition of irregularities of such a grave character upon the Senate.

Among other appropriations authorized in the bill there are about 30 items which provide for the "support and civilization of Indians" at the different reservations scattered throughout the country, which in all authorize the expenditure of some $700,000 or $800,000 for these beneficent purposes. On examination, however, it is found that in some cases not a cent of the money specifically appropriated for that purpose is spent for either the "support" or "civilization" of the Indians, except and unless the payment of salaries to employees can be classed as such. Upon the contrary, it is frankly stated by those in charge of the bureau, who seek such appropriations, that there is no intention to expend any money for the "support" of Indians if it can be avoided. I have no objection to offer to the policy which encourages Indians to support themselves where such a course is proved to be practicable. I do object, however, to honoring requisitions for money for the specific and definitely stated purpose of the support of Indians when it is known by the persons asking for the money, before they ask for it, that they not only will not spend the money for such purpose but actually intend to, and will, expend it for something else. It smacks too much of false pretense and lying to suit me.

It is worth while to know also that under the cover of these authorizations of moneys for the "support and civilization of Indians" that there lie other things which are not apparent to the casual observer. For instance, in one item, in which the sum of about $35,000 is specifically set aside for the support and civilization of the Indians at one agency, an analysis of the item shows that it carries with it and under it, as an attachment and sort of a by-product, as it were, the authority to administer upon a fund amounting to $834,000 in cash, which is dismissed with the simple statement that it is "loaned" to "different banks." No names are given of the aforesaid "banks" in which the money is deposited by which they can be identified, nor is it stated upon what, if any, security the money is loaned, or what rate of interest the "different banks" pay the Indians for the use of the money, or anything else concerning the transaction—just the bald statement that $830,000 belonging to the Indians is "loaned to different banks." The addition of two letters would make it read to "indifferent" banks. Such matters of information are apparently considered to be unimportant and not worth the time which it would take to explain them, and they remain unexplained.

Besides this large amount of money, there is over $2,000,000 worth of other property belonging to the same Indians which is unaccompanied by as much as a "whisper" of information concerning the same. I must repeat, at the risk of tiring you, that such methods of conducting public business would not go far in private affairs.

Some data officially submitted should accompany transactions of such magnitude. Of the entire number of about 30 of these appropriations, we succeeded in getting statements pertaining to about half of them, concerning which we find that small details relating to minor matters are carried out in full, while those of large concern, such as I have quoted, receive but passing and cursory mention. It would be tiresome to go over all of these appropriations for the so-called "support and civilization" of the Indians. In fact, one of the heads of the bureau has frankly stated in one of the numerous "hearings" that the justifications do not show the itemized amounts which are supposed to be expended for such purposes.

In the "hearings," or "listenings," upon this bill which were held by the Indian Committee (true to the traditions of the past, I am told), such information as was secured by the committee was gleaned by a series of tiresome cross-examinations of witnesses, voluntary and otherwise, not all of whom agreed in respect to facts, upon questions which arose when individual members of the committee were engaged in fishing for information concerning the appropriations. To obtain even a general idea of the facts, as they relate to this bill, it is rendered necessary, in addition to the examination of such witnesses as voluntarily present themselves, to check through innumerable so-called "hearings" which have been evolved in the past. Necessarily, this method is ineffective, and merely skirts the edge of things, although sometimes something useful and illuminating does crop out. In the meantime those most nearly interested in the bill—the sophisticated—sit tight in possession of facts which would be invaluable were they known to those in search of them.

In another of the interesting appropriations for the so-called "support" and civilization of the Indians the entire amount, some $300,000 I am informed, is to be paid out to settle a lot of old bills which the Indians have incurred at traders' stores in the past. No specific showing was made to the committee concerning the transaction, nor was any definite reason volunteered showing why it was necessary for the Indians to go in debt in the first place, or why it would not be cheaper and better to change the plan and have them pay cash for their purchases of supplies in the future. In another instance where some "aged Indians" are said to be suffering from want, the statement shows an average of about $33 or $34 per capita spent last year for the sustenance of such aged and indigent Indians, and several hundred dollars expended for the purchase of "sheep dip," if you please.

In some instances in connection with these items appropriating money for their "support," it was shown that the Indians were actually self-supporting, that they were well-to-do; in fact, that they even possessed property worth above $20,000 apiece, and that not one-quarter of a cent was expended for the beneficent purpose of either their support or civilization.

In another case much more money was expended for "cement" sidewalks than was spent for the actual "support" of the Indians.

Hundreds of thousands of dollars are authorized to be expended for reclamation projects in cases where the lands of the Indians are made responsible for repayment of the expenditure incurred in such work, although in many cases the lands of the Indians held responsible for the outlay can not be and never

will be watered, while the land of the white man can and will be irrigated.

In one section of the bill the creation of a commission is authorized to reestablish a roll and adjudicate certain matters concerning which there is some dispute on the part of certain Indians. The particular interesting feature pertaining to this item is that the identical membership of the commission has been named, I am informed, in advance of the passage of the bill which creates the commission—"taking time by the forelock," as it were. One of the members of the commission thus designated before the bill becomes a law is said to be an attorney who represented a large lumber company and drew contracts with Indians, which contracts are now being disputed in the courts regarding the fairness of their terms and the methods used in securing the same. Indians claim they do not like this and that they regard it as being a proceeding similar in nature to what is known among palefaces as a packed jury. They also say that there is power invested in this commission under this authorization which will make it hard for an Indian to ascertain what is going to happen to his property, or when it is going to happen; that he must keep on the qui vive and watch out for the notices and the form of the notices respecting his rights which the commission will send out for his information; and that they fear that the worst will come to them. They claim also that they are forbidden under another law to employ lawyers to defend their rights if they desire to appeal to a court of law from the decisions of this commission.

It does seem queer to one not familiar with that method of doing business that the identical membership of the commission should be selected and even be named in advance of the legislative action which creates the commission itself. That is, it seems so to me, but I will concede that I am unused to a whole lot of things with which, I presume, I will become better acquainted later on. In my opinion that provision ought to be stricken out of the bill unceremoniously on general principles.

As an illustration of what methods can be and are being pursued in the management of the ordinary affairs of this Government when Congress carelessly grants powers without responsibility or even asking for an accounting to its servants to carry out its wishes, I will call your attention to a condition which exists at this time in the affairs of the Chippewa Indians. These Indians have sold under contracts the timber growing upon a certain and definitely specific portion of their lands to a large lumber company, which is engaged in manufacturing it into lumber. The Indians allege in respect to this transaction that the contracts were secured and drawn in the first place in a manner which discriminated against them and unduly favored the lumber company. Be that as it may, they also state as a matter of fact that the said lumber company persistently enters upon other of their lands, which are not under contract, and cuts timber from it. They also claim that in order to derive profit from so doing, the same lumber company, either carelessly or by design, sets out fires which it allows to escape in places where such fires will burn, around lands containing good timber, and then designates and cuts all of the timber within the burned area, both dead and live timber, and pays for it on the false assumption that it is all burned and dead timber, such dead and burned timber being rated at a lower price in the contracts than is live timber, despite the fact that it frequently happens that the burned timber is but a small portion of the amount which is classed as such.

Upon making inquiry concerning these complaints, and not from any information officially submitted relating thereto or voluntarily tendered by the official guardian of these wards, we were assured by him that the aforesaid lumber company was actually engaged in "trespassing" upon and cutting timber from lands of the Indians, upon which they had no lawful right to enter for that purpose. As evidence of the vigilance and good faith of the Indian Bureau, however, the same official assured us that he had employed timber cruisers and set them to "counting the stumps" left upon the lands which had been unlawfully logged off, in order to ascertain, as nearly as he could do so, the amount of timber which had been removed, upon which information, when secured, he intended to base a claim for a settlement with the lumber company. In some places, if a person enters upon lands not belonging to him and removes the timber therefrom without first obtaining the permission of the owner to do so, the owner of the land thinks he has been robbed and designates the act by a harsher term than "trespass," and it is the other fellow who undertakes the task of "counting the stumps" and trying to make "terms of settlement" before the facts are brought to the attention of a grand jury; which method, it seems to me, might properly be followed in dealing with this lumber company in this instance. Poaching upon the timber lands of these Indians is cause sufficient to forfeit all contracts with the lumber company and could be used to compel it to be ejected from the reservation, and the Indian Bureau has both the right and the power to do so, and by right ought to rid the Indians of such neighbors, yet it has not taken any steps in that direction, so far as I can ascertain.

As the matter stands it is said to be more profitable for the lumber company to cut timber from the uncontracted lands of the Indians than from the contracted lands, and prolong negotiations with the Indian Bureau and keep it "counting stumps" in its wake as long as possible, for the reason that the price of timber has gone up since the contracts were entered into. I am informed that the Indian Bureau is incidentally, but perhaps ignorantly, engaged at this time in compounding a felony in its attempt to make a settlement for what is an unlawful act.

In closing—I know you are glad to hear me speak those welcome words—I would say, in passing a share of my interest in this matter over to you for your consideration, that I am informed it has been the custom heretofore in the final stages of this bill to throw the legislative machinery of Congress into the "high gear," as it were, and speed the measure through, and—after the evils which follow in its wake become entrenched behind the barriers of its enactments—to begin an "investigation" upon some far-distant agency, respecting some one or another of the individual charges of wrongs arising under it and consequent upon it, if you please. These investigations, it seems, have caused to be printed a set of so-called "reports" and hearings consisting of thousands upon thousands of pages of printed matter, and the net results seem to have been a large outlay of the money of the people to pay for printing the same. That this method is the exact and proper way to defeat every attempt to remedy conditions seems to be proved by the experience which has been obtained from it in the past and may have had something to do with its adoption. At any rate, it is an old game, if I may be pardoned for calling it such, and like the old-time English courts of chancery can be so prolonged and drawn out as to lead far afield, and fritter away both the time and the money of such as seek relief from it, until, becoming exhausted, they fold their tents and steal silently away.

Given 300,000 people, possessed among them of $900,000,000 worth of property, in cash and otherwise, it would seem on the face of the proposition that the affairs of such a people might be so handled as to bring to them a reasonable amount of health and happiness, instead of reacting upon them like a scourge visited by an outraged and offended God. Rich in property, yet helpless wards who may not benefit by its use, groping their way about in blindness, with eyesight seared out with trachoma, huddled into insanitary hovels, racking themselves to death with consumption, in dirt, destitute, unhappy, hopeless, and wretched to a degree, thousands of helpless women and little children are lifting their feeble hands appealingly up to you and to me to-day. On us rests in a large measure the responsibility—and we can not evade it—for the unhappy state of these our unfortunate fellow creatures.

It seems to me that in one way and another it all comes back home to us here for our careless methods of legislation. We are the power which grants and bestows the right to administer these affairs. We make large grants loosely drawn and without any responsibility attached to them or fixed anywhere and, as a result, the Indian loses his property, and no sophistry of reasoning can evade the logic of the deduction that in the last analysis the responsibility comes back here, right under this roof, into this Chamber, and rests upon us, you and me.

Protest Against the Raker Bill.

EXTENSION OF REMARKS
OF
HON. DENVER S. CHURCH,
OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, June 6, 1913.

Mr. CHURCH. Mr. Speaker, under leave granted to extend my remarks in the RECORD I submit the following:

MODESTA, CAL., *May 27, 1913.*

Hon. DENVER S. CHURCH, *Washington, D. C.:*

Whereas a determined effort is being made all over the United States for the conservation of water and other natural resources for the development of contiguous territory; and

Whereas San Francisco is making a determined effort to divert the waters of the Tuolumne watershed for its uses, much to the detriment of the welfare of the San Joaquin Valley; and

Whereas it has been clearly proved that San Francisco can secure an adequate supply for its own use from other sources where the water is not needed for the contiguous territory: Therefore be it

Resolved, That the Stanislaus County Board of Trade protest against the diversion of any and all waters from the watersbed of the Tuolumne and call upon our Representatives in Congress to use all legitimate means to protect the interests of the San Joaquin Valley and thereby assure the proper development of its semiarid lands as well as make permanent the development of the natural resources of the State.

STANISLAUS COUNTY BOARD OF TRADE,
By GEO. T. MCCABE, *Secretary.*

MADERA, CAL., *May 26, 1913.*

Hon. DENVER S. CHURCH, *Washington, D. C.:*

The Madera County Chamber of Commerce to-day indorsed the resolution of the Stanislaus County Board of Trade, protesting against the appropriation of the waters of the Hetch Hetchy or Lake Eleanor or any waters of the San Joaquin Valley watershed by San Francisco, and urging the people of San Francisco in their own interest and the interest of California to seek their water supply from available sources that will not permanently injure the agricultural interests of California depending on irrigation.

MADERA COUNTY CHAMBER OF COMMERCE.

VISALIA, CAL., *May 31, 1913.*

Hon. DENVER S. CHURCH,
House of Representatives, Washington, D. C.:

The Tulare County Board of Trade, representing 11 civic organizations, heartily indorses the resolution passed by the Stanislaus County Board of Trade, relative to the diversion of the waters of Tuolumne River from the San Joaquin Valley to San Francisco.

J. SUB JOHNSON, *President.*
A. E. MIGT, *Secretary.*

DENAIR, CAL., *May 31, 1913.*

Hon. DENVER S. CHURCH, M. C.,
Washington, D. C.:

The Denair Board of Trade heartily indorses the resolutions adopted and wired you by Stanislaus County Board of Trade.

A. M. MORTON, *Secretary.*

WATERFORD, CAL., *May 29, 1913.*

Hon. DENVER S. CHURCH, M. C.,
House of Representatives, Washington, D. C.:

We hereby ratify the action taken by the Stanislaus County Board of Trade in their protest wired to you on May 27.

WATERFORD CHAMBER OF COMMERCE,
GEO. W. COLLINS, *President.*
C. C. HORSLEY, *Secretary.*

PATTERSON, CAL., *June 4, 1913.*

DENVER S. CHURCH, M. C.,
Washington, D. C.:

We hereby indorse resolutions adopted and wired you by Stanislaus County Board of Trade, protesting against granting to San Francisco any right to waters of the Hetch Hetchy. We earnestly request that you make every effort to protect the water interests of this valley by opposing San Francisco claims.

PATTERSON CHAMBER OF COMMERCE.

Lobby Investigation.

SPEECH
OF
HON. CLEMENT C. DICKINSON,
OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 9, 1913,

On House resolution (H. Res. 198) directing the Speaker of the House to appoint a select committee of seven Members to inquire into and report upon all matters of an alleged lobby organized by and on behalf of an organization known as the National Association of Manufacturers for the purpose of improperly influencing legislation.

Mr. DICKINSON. Mr. Speaker, I care not so much for the form of the resolution to be passed by this House, seeking to provide for the investigation into the truth of the charges made in said resolution regarding unlawful and corrupt efforts of certain lobbyists, who have sought to influence either this or other bodies, as I do that the investigation be speedily and thoroughly made, and I care less about the mere wording of the resolution and the country cares less than it does about the personnel and strength and character of those who shall compose the committee to be appointed to make such investigation. The country desires and demands a real investigation and has a right to expect it at the hands of this House. The honor and integrity of this House and of Congress demands an honest and searching inquiry. The country is entitled to know the whole truth, and that speedily.

A failure to make a thorough investigation and an earnest effort to put an end to unlawful lobby influence will be hurtful not only to this body but to every Member thereof.

For years the press and magazines of the country, read recently with so much interest, have continually charged the presence and influence of an ever-present lobby in Washington, seeking to influence legislation, and the country has believed in the existence and activity not of one but of many lobbies, organized by and on behalf of great business concerns for the purpose of improperly influencing legislation by Congress, and no small per cent of the people of the country have believed that the efforts of these lobbyists in a measure have been successful; that the lobby would not exist and the agents of these great interests would not be in attendance in Washington when Congress is in session unless their efforts bore some fruit.

In recent years, prior to this date, it was charged that Mr. Archbold and the Standard Oil Trust were guilty of great crimes against the public. In a recent magazine, speaking of a period five years prior to this date, the following language was used, which I quote:

> Steel, sugar, tobacco, coal, every trust on the black-flag list, had been and was buying Senators and House men, judges, and governors, as industriously as were Mr. Archbold and Standard Oil. The only difference between them and Mr. Archbold was that no one had come forward thus far with their letters. They had not been found out.

Such a condition is charged to have existed prior to this date. A very short while ago, there came an utterance from the White House in which President Wilson said:

> Washington has seldom seen so numerous, so industrious, or so insidious a lobby. The newspapers are being filled with paid advertisements calculated to mislead the judgment not only of public men, but also public opinion of the country itself. There is every evidence that money without limit is being spent to sustain this lobby, and to create an appearance of a pressure of public opinion antagonistic to some of the chief items of the tariff bill.

The country reads the utterances of the press and reads greedily the magazines of to-day, and President Wilson to-day has the listening ear of the public and the country is ready to read, and will read with interest, what is being brought out in these investigations, and will want to know how much of proof there is in the charges made by Mulhall and Lamar and other confessed corrupt agents of special interests, and the country is entitled to know at the hands of this body the real facts, if possible, and nothing less than a fearless, vigorous, and impartial investigation will satisfy the country. The failure to satisfy the demands of the country for such an investigation as it is entitled to have at the hands of Congress will make vacant many a seat in this legislative body.

Let the inquiry be so impartial and so searching and so honest that an end shall come to all efforts at corrupt lobby influence. The corrupt lobby has become a stench in the nostrils of the American people, and it will ever be so. The main purpose of a lobby or the presence of agents of special interests seeking to influence Congress or its organization or any part of its membership is due to the desire to prevent legislation useful and beneficial to the public interest.

I believe in the honesty of this body, and in the honesty and good purpose of the overwhelming majority of the Members who compose this House of Representatives, but I believe it is up to this membership to convince the country, by its own courageous conduct in this lobby investigation, that it is absolutely free from the corrupt influence of any outside agencies. It is the duty of this House to give evidence to the country that however numerous and however industrious and however insidious the lobby spoken of to-day by President Wilson may be, that it has and will fail utterly to stay legislation demanded by the public, and this Congress demands that a most searching investigation be made. It is the duty of this Congress to show to the country that whatever success in the past has attended the steel, tobacco, coal, and other great industries that were charged with buying Senators, Congressmen, judges, and governors, that these great special interests are powerless to-day to corruptly influence the American Congress.

Let the measure be passed and passed quickly, and then let the committee of strong, courageous, able men be appointed to carry out the mandate of this House without delay, and from time to time speedily report to the House the result of their investigation, so that the country may know all of the facts while it is fresh in their minds. Let not the public be wearied by long-drawn-out investigations.

Let it not die of dry rot. Let not the conduct of this committee be such that the press and magazines of the country, or anyone, charge that the investigation was a failure. Let it not be believed that the investigation is other than a true, honest, searching, determined inquiry to the end that the utmost publicity regarding what has been going on may be had, so that the devilish actions of those who would strike a corrupting blow at the law-making body of the country may be unfolded to the eager gaze of all the people, and to the end that effective legislation may be enacted by virtue of which no corrupt agent of any selfish interest shall ever dare again, in daytime or night, to corrupt or attempt to corrupt any Member of Congress.

The press, the pulpit, and the stump orator have poured into the willing ears of the public charges of corruption in high places, until many have believed that their public servants are absolutely unworthy of their trust. Charges of shortcomings

have not only been made against those who wore the robes of justice, but Federal judges have been charged so long and without end of having been reached by the agents of selfish corporations, and executive officers from time to time have been believed to be unworthy of public confidence.

The Senate of the United States has purged its body and driven from its halls recently a United States Senator believed to have been corruptly elected to his place in the Senate, and the public in the past have believed that other men have come to Congress by corrupt methods and expenditure of large sums of money and undue influence of great corporate interests, until great cries of wrongdoing in high places went out over the land. The Senate of the United States was denounced throughout the length and breadth of all the country. Cries also went up for an amendment to the Constitution of the United States to the end that Senators could be elected by direct vote of the people.

We hear less to-day about the evil influence in connection with that great body than we have heard in the past. A wonderful change in a brief, short while. Very recently a Federal judge has been tried by this House before the Senate, found guilty, and he was stripped of his judicial robes and driven from his high place on the Commerce Court.

In several States of the Union very recently members of legislative bodies have been prosecuted and convicted and ousted of their membership because they have yielded to the corrupt influences of agents of vested interests. The country demands that this House protect its honor and its integrity and its virtue, and protect the honor, integrity, and virtue of this country by punishing those who seek to corrupt.

If the evidence shall show that any Member has yielded to the influence of any corrupt lobby or lobbyist, the committee and the House should act upon it. Go on with the investigation fearlessly, courageously, and searchingly, so that the country shall believe and know that there has been an honest and real investigation.

The country has read with interest the utterances of Lamar, the wolf of Wall Street, and the vile utterances made by him and Lauterbach, his associate, against public men, who enjoy the confidence of the public and will perhaps discount much said by him against others held in less favor by the public; but much of what they have said about Wall Street will be believed. Though Lamar be a self-confessed liar, he may know Wall Street and tell the truth in some things. But more particularly will the country read the confessions and disclosures made by Mulhall, the long-time agent of vested and corporate interests, who have sought to control legislation for many years, and to the extent that Mulhall is corroborated his testimony is valuable and will be taken seriously by the country.

The public has believed and the Democratic Party has charged in its party platforms and through its public speakers and accredited leaders that these interests have been controlling affairs at Washington and preventing legislation desired in the public interest, and the Republican Party went out of power largely because of the settled belief in the public mind that there was a close alliance between special interests and many Republican leaders and that legislation was being prevented and influenced by the agents of corporate wealth.

Do not discard the testimony of Mulhall and others merely because of the source from which it comes, but let the country have the benefit of the disclosures, and let the committee sift the evidence, so that the real and full truth be known, to the end that good shall result and Congress and the country be the better by reason of this investigation.

I know that a committee of the highest character and of determined purpose will be named by the Speaker, who knows the membership of this House and believes in the honesty of its membership, and I feel confident that such committee will respond to and vindicate the hope of Congress and of the country.

The Sugar and Wool Schedules.

SPEECH

OF

HON. FRANCIS G. NEWLANDS,

OF NEVADA,

IN THE SENATE OF THE UNITED STATES,

Friday, June 13, 1913.

The Senate had under consideration the motion of Mr. MARTIN of Virginia to recede from amendment of the Senate numbered 2 to the bill (H. R. 2441) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1914.

Mr. NEWLANDS. Mr. President, regarding the attitude which I took in my recent speech of May 16 with reference to the transfer of sugar and wool from the dutiable to the free list, I have received from my constituents numerous letters and telegrams, of which some are critical and some commendatory, but all of which express the hope that dissensions will be avoided. No one indulges this aspiration to a greater degree than myself; but I believe that party harmony is to be secured by party justice, and that party justice involves an equitable adjustment of tariff burthens and benefits as between industries and sections.

The earnestness of that speech was regarded by some as indicating antagonism to the administration, but this is not so. The warmth of my expression on that occasion was prompted by the unjustifiable contention of the Senator from Kentucky [Mr. JAMES] that the party platform bound all loyal Democrats to free sugar.

NOT BOUND TO FREE SUGAR.

I served on the platform committee of the Baltimore convention as a substitute for Mr. Belford, of my State, who approved a tentative platform which I had drawn, and who desired me to have the opportunity to press it. Mr. Belford's views regarding the gradual reduction of tariff duties were in harmony with my own and were embodied in a plank which I drew and which he approved. That platform, together with numerous others, was presented to the committee, and the result was a composite platform, the tariff plank of which I regarded as substantially embodying the views which I had entertained for years, and which I have repeatedly urged upon Congress as to a gradual reduction by a sliding scale.

I shall append to my remarks the tentative platform referred to and quote therefrom the following:

THE TARIFF.

Fourth. The protective tariff is one of the chief sources of high prices. Whilst refusing to indorse the principle of protection, we recognize the fact of protection, and that under a protective policy industries have been stimulated which it would be unwise violently to disturb. We therefore favor the gradual reduction of tariff duties toward a revenue basis, so accomplished as to disarm the charge that reduction of excessive duties will cause a flood of importations which will displace American labor and impair American industries. We declare our purpose to feel our way prudently and with a due regard to American wages and industry toward a revenue basis.

I also quote from the Democratic platform adopted at Baltimore in 1912, as follows:

TARIFF REFORM.

We favor the immediate downward revision of the existing high and in many cases prohibitive tariff duties, insisting that material reductions be speedily made upon the necessaries of life. Articles entering into competition with trust-controlled products and articles of American manufacture which are sold abroad more cheaply than at home should be put upon the free list.

We recognize that our system of tariff taxation is intimately connected with the business of the country, and we favor the ultimate attainment of the principles we advocate by legislation that will not injure or destroy legitimate industry.

QUESTION LEFT OPEN.

I served on both the main committee on platform and on the subcommittee at the Baltimore convention and shared in all the deliberations relating to the tariff, and I state most emphatically that the subcommittee, realizing that the House Democrats of the Sixty-second Congress, though differing in view, finally declared for free sugar and dutiable wool, whilst the Senate Democrats favored dutiable sugar and wool, though at reduced rates, determined to indorse neither contention, but to leave the whole question to the party councils after anticipated victory. It was for this reason that the platform declared only for material reductions on the necessaries of life and for the ultimate attainment of the principles of the Democratic Party by legislation that would not injure or destroy legitimate industry.

Upon the subcommittee which framed the tariff platform were Mr. Bryan, Senator O'GORMAN, Mr. WALSH, now Senator from Montana, Senator CULBERSON, myself, and four or five others whose names I do not now recall. I have recently consulted Mr. Bryan, Mr. O'GORMAN, and Mr. WALSH, and I find that their recollection as to the framing of this platform accords with my own; namely, that the party platform was not intended to, and did not, commit the party either for or against free sugar or free wool.

The Democratic Party realized that we had lost in every campaign mainly through the defection of the industrial workers, who, though naturally sympathetic with our party, indulged the fear, sedulously cultivated by our opponents, that if we were placed in power we would act so radically regarding the tariff as to imperil industry and wages.

TOOK MIDDLE GROUND.

The very purpose of our action was to avoid the hysterical outcry against needed economic changes, which had so often beaten us, and to steer clear of business depression and panic, than which nothing could be more prejudicial to our success,

either at the election or in subsequent control and administration of the Government.

It is true that in a plank not relating specially to the tariff the Baltimore platform indorsed the action of the Democratic House of Representatives in the last Congress, but it specifically stated the particulars in which it indorsed that action, referring to numerous reform measures which passed the House, and there was no expression—in fact, it studiously avoided any expression regarding the contention which existed among Democrats as to whether sugar and wool should be entirely taken off the dutiable list, some contending for a low revenue duty and others for free listing.

It is also true that the Democratic House of the last Congress declared in favor of free sugar and dutiable wool. Obviously, then, if the Baltimore platform, by indorsing the action of the Democratic House in the previous Congress, declared in favor of free sugar, it also declared in favor of dutiable wool, for the House bill of that Congress put wool upon the dutiable list. And so the present Underwood bill, if this contention be maintained, would be a violation of the Baltimore platform, because it places wool upon the free list.

THE SENATE DEMOCRATS.

As a contemporaneous construction of the Baltimore platform it is well to add that immediately after the adjournment of the Baltimore convention the Democratic Senators and Congressmen who were present there returned to their unfinished duties at Washington, and thereafter the Senate Democrats by a unanimous vote, both in the Committee on Finance and upon the floor of the Senate, declared that wool and sugar had throughout the entire history of the party been dutiable articles, and that they should be maintained as such in the bill then pending. I shall insert an extract from this report of the Senate Democrats on sugar:

[Senate Report No. 763, pt. 2, Sixty-second Congress, second session.]

DUTIES ON SUGAR.

Mr. WILLIAMS, from the Committee on Finance, submitted the following views of a minority:

The tariff on sugar is peculiarly a revenue tariff. Very much the major part of the tax levied upon the consumer of sugars and sweets goes actually into the United States Treasury for the use and behoof and benefit of the American people. A minor part of the tax goes into the pockets of the producers. Upon numberless articles in the Payne-Aldrich tariff bill the duties are either prohibitive, or very nearly prohibitive, or highly exploitive, and in all these cases very much the major part of the tax levied upon the consumer goes into the pockets of the American producers, a special and favored class, and very scantily, and sometimes not at all, reaches the Treasury. In the next place the majority of the tariff schedules which have been adopted by the House and sent over to the Senate during this Congress make a reduction of about one-third. In the face of its record in connection with other bills, the House reduced the duties upon sugars and the products of cane and sugar beets 100 per cent; in other words, entirely canceled the existing duties. It seemed to us that this was not in keeping with the promise of Democratic platforms to reduce present protective duties "gradually" toward and finally to a revenue basis. We have seen no reason why sugar should have been excepted from the general policy advocated by the Democratic Party and believed by us to be right.

Again, in levying an import duty upon sugar for revenue purposes, we are imitating the time-honored and time-justified precedents.

The abolition of the Dutch standard and of the differential, together with the reduction of duties upon refined sugar, will strike a serious blow against one of the great American trusts, which has not been scrupulous either in its dealings with the Government or with the people. We do not believe that the reduction of duties which we propose will seriously disturb any legitimate or fair business. We think the only effect will be to reduce excessive and undue profits made by sugar-beet factories, some of which have been enormous, while cheapening the product to the household.

With regard to cane sugar, the cost of the production of sugar from which is greater than the cost of the production of beet sugar, owing to the fact that the labor engaged in the production of beet sugar is intelligent, efficient white labor, and the labor engaged in the production of cane sugar is for the most part unintelligent and inefficient, there may accrue some disturbance to businesses not well equipped and not well managed, but none to any business well equipped and well managed.

That the reduction which we propose is a sufficient reduction our political antagonists confess by the fact that one faction of them does not propose any reduction at all, and the other faction proposes a reduction much smaller than the substitute which we advocate makes.

We have not felt that it was wise to surrender fifty millions of public revenue at one swoop by putting sugar and sugar-cane and sugar-beet products upon the free list, especially in view of the fact that there exist numberless other import duties prohibitive in their character from which the people's treasury does not procure any money at all, or else a negligible revenue, the practical operation of such taxes being to take money from the pockets of the consumer and put it into the pockets of the producers.

We feel confident that within a few years the duty which we propose will bring as much money into the Treasury as the duty now existing under the Payne-Aldrich tariff brings, owing to the cheapening of the product, the encouragement of its use, and the increase of the demand, and the increase of the importations to meet the demand.

JOS. W. BAILEY.
F. M. SIMMONS.
W. J. STONE.
JOHN SHARP WILLIAMS.
JOHN W. KERN.
CHARLES F. JOHNSON.

The fact is, Mr. President, that at the Baltimore convention the question as to differences of opinion between Democrats regarding the policy of imposing revenue duties upon sugar and wool were discussed in the committee on platform itself, and we came to the conclusion that it would not do to carry these contentions into the campaign. They were left to be settled later on, after victory was secured, in the councils of the party.

RADICAL ACHIEVEMENT BY PROGRESSIVE STEPS.

Mr. President, I have long entertained the view, frequently expressed upon this floor, that the surest way toward reform in tariff matters is, whilst having a radical goal in view, to reach it by moderate and progressive steps, and that if violent readjustments should be attempted they would involve general business disturbance prejudicial to the country and to party success. I have contended that the Democratic Party should have a lease of at least eight years of power within which to accomplish its beneficent purposes, and that it should not take the risk by disturbing or radical action of being thrown out of power and thus defeating itself in accomplishment. I shall insert in my remarks quotations from certain of my utterances upon this subject, and particularly an article in the Independent, published shortly before the last election. The matter referred to is as follows:

[From remarks of Hon. FRANCIS G. NEWLANDS in the Senate of the United States, June 22, 1911.]

HIGH CUSTOMS DUTIES—SHALL WE JUMP OR SLIDE DOWN?

As to customs legislation, we are very much in the position of a man who has climbed to the top of a high steeple and who realizes that he can not remain there long, that it is dangerous for him to remain there, and he hesitates as to whether he should jump down or slide down. The question now before us is, the American people having made up their minds that this tariff shall be reduced, and materially reduced, whether Uncle Sam, having reached this high and perilous pinnacle, shall throw himself to the ground or shall gradually slide down. So far as I am concerned, I believe in the sliding process. We have made so little progress during the last 50 years in tariff reform that if we should take 25 years to accomplish that which we desire I would not regard the time as very lengthy. In the history of governments and of great economic movements it does not make much difference whether a thing is accomplished in 1 year or in 25 years as compared with the great eras of time through which governments live and in which economic principles operate. So I would rather slide down slowly to a correct standard than tumble down or throw our entire economic and industrial system into confusion.

[Extract from an article in the Independent for Oct. 3, 1912, by Senator NEWLANDS, entitled "Possibilities of a Democratic administration."]

The Democratic Party is opposed to radical readjustments and has declared its purpose to feel its way gradually and prudently toward a revenue basis. Realizing that the American industries have become interlocked with a high protective system it has declared its intention to accomplish its ultimate purpose in a way that will not impair or injure any legitimate American industry. In giving this assurance it will disarm the fear of the workers in the protected industries, numbering several millions, who, naturally affiliated with the Democratic Party in sympathy, have been frightened by their employers into voting against that party on the ground that its policies constitute a menace to their employment and their wages. We will at the same time disarm the fear of wealth that radical increases will be made in its burdens. If we reduce our revenues from customs duties slowly there will be no reason for rapidly increasing the taxation of wealth. By pursuing this policy we will avoid the hysterical outcry against needed economic changes, which has so often beaten us; we will pacify labor, the manufacturer, and law-abiding wealth, and we will steer clear of business depression and panic, than which nothing could be more prejudicial to our success either at the election or in subsequent control and administration of the Government. We must break up the habit of swinging like a pendulum from reform to monopoly through the intermediate process of panic.

[Extract from legislative program for the extra session of 1913 offered by Hon. FRANCIS G. NEWLANDS, of Nevada, in the Senate of the United States, Mar. 13, 1913.]

TARIFF AND TAXATION.

Resolved, That the Senate Committee on Finance report at as early a date as possible during the extra session upon the following questions:

(a) Whether the prices of any farm products in the United States are raised above the international level of prices by the duties now imposed on such products; and if so, what products, and whether such duties on such products can be abolished or materially reduced without injury to American industry, and to what extent. In such inquiry shall be included meats, cheese, wool, sugar, tobacco, wines, citrus fruits, and dried and preserved fruits.

(b) What products now on the dutiable list should be put on the free list.

(c) Whether it is practicable and advisable to change all duties from specific to ad valorem duties.

(d) The average percentage of the duties imposed by the existing tariff, and the average percentage to which it is desirable to reduce the duties imposed under the proposed revision of the tariff, and the maximum and the minimum duties which it is desirable to impose.

(e) Whether it is practicable and desirable to distribute the proposed reduction over a period of four years.

(f) Whether it is practicable and advisable after making the contemplated reduction in the tariff to organize an administrative tariff board, which, acting under rules fixed by Congress, shall have the power, either upon its own initiative, or upon the initiative of any importer, producer, or consumer, to further inquire into complaints of excessive duties prohibiting or unduly restricting importations, or of diminished duties permitting excessive importations, to the prejudice of existing domestic industries, and to the injury of the capital or labor employed therein, or of excessive duties prejudicial to domestic consumers, such board to present to the President and to Congress such recommendations as it may deem advisable.

(g) Whether it is practicable and advisable to give such tariff board, after full investigation and hearing, the power, with the approval of the President, to make reductions or increases in duties, within certain

limitations and under rules prescribed by Congress; and if so, what limitations and rules should be prescribed.

(h) Whether it is practicable and advisable to make such rules and regulations for the action of such a tariff board as will enable the Government to feel its way gradually from a higher protective to a revenue basis without readjustments prejudicial both to domestic labor and capital, and without denying to the consumers needed relief from the imposition of excessive taxes upon foreign imports and excessive prices for domestic products.

(i) Whether it is advisable to provide a graduated income tax and a graduated inheritance tax with a view to making up any deficit in revenue caused by a reduction in customs duties, and also with a view to extending the operations of the National Government in cooperation with the States in the improvement of post roads, the regulation of rivers in aid of navigation, irrigation, water-power development, and swamp-land reclamation, and also in cooperation with the States in the advancement of vocational education

MR. WILSON'S POLICY.

Mr. President, the great thing that attracted me in the candidacy of the President was his masterly expression of radical achievement through moderate and progressive action, and I now recall with pleasure the clearness of his expression when, prior to his nomination, he declared that it was the duty of the Democratic Party to cut out the corrupt without injuring the healthy tissue. His masterly conduct of the campaign was in line with that statement and did more than anything else to disarm the fears of the wage earners, who, though naturally sympathetic with the Democratic Party, had been repeatedly driven from its support at election time by the false alarm that Democratic victory meant the disturbance of employment and wages.

We won, Mr. President, and the entire administration of the President has thus far vindicated the high opinion which we formed of his abilities and policies. He has pursued his course with strength, with vigor, with dignity, with purpose. His very action regarding sugar and wool indicates that he had in view the adjustment of tariff reform to the business requirements of the country; for his suggestion to the House Democrats that the bill as agreed upon by them should be changed by transferring wool from the dutiable to the free list and by taking sugar off the free list and putting it upon the dutiable list for three years was doubtless inspired by the belief that immediate free listing would not harm the wool industry but would harm the sugar industry. The principle upon which his action was based indicated that if a similar extension of time were shown to be necessary in order to save the wool industry he would not oppose it, and that as to both of these industries he might be disposed to look with favor upon an extension of time beyond the three years if accompanied by gradual reductions to a lower or free-trade basis.

So I declare that I am not in antagonism to the administration in its general policy, but that, on the contrary, I am in sympathy with the declaration of the President before he was elected and with his actions since in proposing to so adjust these duties as not to make a violent wrench in any industry, but to save all, if possible, whilst reforming all.

Mr. President, regarding sugar and wool, the Democrats of the Senate will shortly enter into a great council, and we shall be called upon to exercise our unbiased and uninfluenced judgment regarding these questions. With reference to those two industries I wish to present these considerations:

It is announced that the recent action of the majority members of the Finance Committee has striken almost all farm products, such as wheat, oats, barley, hay, butter, eggs, and so forth, from the dutiable list and put them upon the free list. I applaud that action, because it involves taking off the dutiable list sham duties which have neither produced revenue nor given protection, and which were placed in a protective tariff by the skilled minds of the Republican Party with a view to deceiving the farmers and making them believe that they were partners in the protective system. I am against all shams, and therefore I approve the action of the majority members of the Finance Committee. Yet this action accentuates the fact that almost the only far western products retained upon the dutiable list will be the citrus and fruit products of California. This, too, in face of the fact that nearly 4,000 articles competitive with the products of eastern manufacturers are retained by the pending bill upon the dutiable list, involving a total revenue of $260,000,000 to the Government, with the power to the manufacturers of similar products to increase their prices to the amount of the duty, thus imposing upon the consumption of the country a tax to the manufacturers of nearly ten times the amount paid to the Government, whilst practically no duties, either revenue or protective, are levied upon imported articles similar to the products of the far West.

REVENUE PRODUCERS SACRIFICED.

The party will thus be subjected to the charge that it has maintained the products of the Atlantic and Middle Western States upon a protective basis, whilst it has drifted the products of the Southwest and the West to a free-trade basis; and also to the charge of sacrificing two industries—sugar and wool—which are large revenue producers, whose prosperity is essential to the country, and whose prostration may make us depend upon foreign countries for two products entering into the daily use and comfort of our people.

The wool and sugar industries are essential to the prosperity of the West. The wool industry will gradually change in control from the large ranch and range owner to the small farmer, and the sugar industry will promote the intensive cultivation so essential to the success of our irrigation projects.

The arid West now produces annually over 600,000 tons of beet sugar, worth about $50,000,000, of which one-half goes to the farmers, one-fourth to the sugar factories and the labor employed in them, and one-fourth to the railway carriers and jobbers.

The arid West could in time, aided by our insular possessions, whose product amounts to about 1,000,000 tons annually, supply the entire consumption of the United States aggregating nearly 4,000,000 tons. This would be an addition to the productive capacity of the arid West of between $200,000,000 and $300,000,000 annually.

A beet-sugar factory has recently been established in an irrigation project in my own State of Nevada capable of handling in a season 100,000 tons of beets, which would mean the production of about 12,000 tons of sugar, worth about $1,000,000, the larger portion of which will go to the farmers and the men employed in the factory. The process of establishing such a factory is a slow one. Although the mill had a capacity to handle 100,000 tons of beets in a campaign of 100 days, there were only 4,000 tons produced the first year, and about 20,000 or 30,000 tons will be produced this year. The progress of development is slow, and should meet with no discouragements. Fifty such manufactories could be maintained in the fertile valleys of Nevada, if fully developed by irrigation, and they would yield a revenue far greater than that of all Nevada's mines. Every beet farm would be an agricultural school, showing the value of intensive cultivation, and would aid in the industrial and commercial development of the State.

It has been the policy of all European countries to stimulate beet-sugar production by bounties and protective duties. Why should we deny this great industry the merely incidental protection secured by a low revenue duty, which will enlarge the revenues of the Government and contribute to its expenses?

HIGH DUTY NOT CONTENDED FOR.

It must be remembered that I do not contend for the maintenance of the present high duty on sugar. I believe in immediate reduction of one-fourth, and at the end of three years in a further reduction of one-half of the existing duty. All that I contend for is that the same graduated principle of reduction which has been applied to the Atlantic coast and middle western products shall be applied to the products of the far West.

And now, Mr. President, I wish to refer to a charge which has been made in my own State, that my suggestion of an ideal tariff which would involve a gradual reduction of the existing duties to the 25 per cent level fixed by the pending bill and a gradual imposition of duties on articles now on the free list, commencing at 1 per cent and ending at 5 or 10 per cent, would involve taxing the necessaries of life. I declare that the existing free list shaped by the Republican Party does not include the necessaries of life, but includes numerous chemicals and other articles which enter into manufacture, the free listing of which was intended as a further subsidy to the manufacturers. My critic in Nevada evidently supposed that the existing free list covered food products, whereas, on the contrary, almost all food products are on the dutiable list, and the free list simply covers articles which largely enter into manufacture and thus cheapen the cost to the manufacturers.

Mr. President, I have always favored putting food products either on the free list or on a low dutiable list, and the only exception I have urged was as to hothouse products, like sugar and wool and the citrus fruits, which have required tariff stimulation to maintain life; and as to those I have advocated simply a gradual reduction in the heat, so as to accustom them to a normal temperature.

I stand either for low duties or the free listing as to all necessaries of life; but I also stand for such gradual action in this line as will not destroy any stimulated industry which employs labor and whose product is necessary to the economic development of the country.

Whilst I have believed in a revenue tariff, Mr. President, I have also believed in gradual downward steps from a high protective to a revenue basis, and I have believed in placing upon the dutiable list almost all commodities except food products. You may ask, then, Why should I not also except sugar and wool and citrus fruits from the dutiable list? Simply because they are all hothouse products, products which have been stimulated by a protective tariff, for the wool industry itself, though protected by a tariff duty, has not largely increased in this country and has barely been able to hold its own. As to sugar and citrus fruits, they would never have been built up as industries except under protection of a wall, either revenue or protective.

Mr. SHEPPARD. Mr. President, may I ask the Senator a question?

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Texas?

Mr. NEWLANDS. I would prefer, if the Senator will permit me, not to be interrupted.

Mr. SHEPPARD. I merely want to call attention to one fact which may be of some value in the discussion. The fact is that the highest price wool ever brought in the history of this country was during a period of free wool.

Mr. NEWLANDS. In what period was that?

Mr. SHEPPARD. About 1814.

Mr. NEWLANDS. That is a long time ago, Mr. President, and I am not, of course, prepared to meet contentions upon conditions of a century ago. I will merely say that wool has only been able to hold its own without increased domestic production, notwithstanding the high protective duty, and that for that reason I believe in lowering the duty gradually, in the hope that the character of the industry itself will gradually change from an industry pursued in the far West by great ranch owners, owning enormous ranges, to an industry followed by the small farmers, who, under the intensive cultivation of the new irrigation projects, are gradually taking the place of the large ranch owners. I hope that whilst this duty is being gradually reduced to a low revenue, or even to a free-trade basis, by a process of evolution, the industry will be saved and not destroyed, for I believe that a great Nation like ours should not be dependent upon other nations either for its food or for its clothing supply, and that it is the highest public policy in every way to see that self-development is secured regarding industries that affect the necessaries of life.

It is for this reason also that I hope to see the sugar industry maintained and developed, because I realize that sugar is not to-day the luxury that it was 50 years ago. It has become a necessity of life, and it has come within the reach of the humblest person by reason of the systems of bounties and protection which have prevailed in all the countries of Europe, under which beet-sugar production has grown within less than 100 years so that in tonnage it now equals the cane production of the world, accompanied by a reduction in price from over 10 cents to 5 cents a pound. This system of encouraged and stimulated production has steadily lowered the price of sugar, whilst all other food products within the last 15 years have been steadily rising in price.

It must be recollected, Mr. President, that I make no contention for high duties. I believe that so far as wool is concerned, instead of having a 45 per cent or a 50 per cent duty as under existing law, it should be reduced to 15 per cent, and later on, if the party wills it, to free trade, scattering the reduction over a series of years by a sliding scale. I believe that as to sugar the duty should be immediately reduced 25 per cent, and at the end of three years should be reduced 50 per cent, and that thereafter it should be reduced by a sliding scale until it reaches either a low revenue basis or, if the party wills it, free trade. I believe that as to lemons, an industry now approaching firm establishment on the Pacific coast, threatened under this bill with destruction by its Sicilian competitor, the duty should be reduced immediately one-third, that within three years it should be reduced another third, and finally to a low-revenue basis, if not to free trade, according to the will of the party.

I am not contending for high protective duties. I am simply contending that the temperature of these hothouse industries should not be suddenly reduced so as to destroy them, but that it should be gradually reduced so that they can become accustomed to a normal temperature.

MAGNITUDE OF INDUSTRIES.

The magnitude of these industries in the West is well known. One-half of the wool industry of the country belongs to the arid and semiarid region. It is one of the most important industries there, closely and intimately connected with the commercial, the transportation, and the banking life of that region. It will not do rudely to disturb it. It will not do to put it even in a disturbed state of mind. The treatment of this question is not merely economic; it is psychological. We should so legislate as to disarm the fears of the people engaged in these industries; and in order to disarm fears we must exercise caution in legislation.

As to the sugar industry, we all know that over 600,000 tons are produced annually in the arid and semiarid region; that the total consumption of this country approximates 4,000,000 tons; that of that consumption about a million tons are furnished by our insular possessions, Hawaii, Porto Rico, and the Philippines; 300,000 tons are furnished by Louisiana; 600,000 tons are furnished by the arid and semiarid West, nearly 2,000,000 tons in all, and that the balance comes from the island of Cuba, which since the Spanish War has rapidly increased its production consumed in this country, notwithstanding a handicap of 1½ cents per pound, or $27 per ton, imposed upon that production through our revenue duties.

If Cuba, in order to meet the demands of our consumption, can rapidly increase her production in 13 years from 500,000 tons to 2,300,000 tons under the discouraging condition of an almost prohibitory tariff of $27 a ton, the tariff duty almost equaling the cost of Cuban production, what will Cuba do when she is relieved of that handicap? Her sugar, delivered in New York and New Orleans to-day at a cost of 2 cents a pound, will make its way to the centers of population in this country, after having passed through a cheap cleansing process called refining and having paid trifling rates for transportation, whilst the western sugar, for which the farmer receives in the beet 2 cents a pound—the same price paid for Cuban raw sugar at New York and New Orleans—has to pass through an expensive factory process of cutting and slicing and granulating and refining, and to suffer high rates of transportation over long distances, before it reaches the centers of population and competes with Cuban sugar.

How will it be with our insular possessions, whose production has increased under the stimulus of a protective tariff until it has nearly doubled within the last 10 years, but whose production has not increased by anywhere near the proportion that the production of Cuban sugar has increased under the most discouraging conditions? How will the industry suffer in those islands, with which we have built up 300,000,000 of trade, sugar representing almost the entire insular contribution to that trade? Can you imagine the readjustments there when Cuban sugar takes the place of their product, the readjustment in transportation from those islands to the mainland, the readjustment in commerce between our insular and our continental territory? Is it a thing to enter upon lightly and cheerfully, as if it involved nothing serious?

INQUIRY BY EXPERTS.

How do other countries conduct themselves in the face of such economic conditions? What did the European countries—Germany, Italy, Austria, France, Belgium, and Holland—do when England, disturbed by the economic conditions of her dependencies growing out of the condition of the sugar industry, applied to them for a conference? Did they dismiss the matter as lightly as we do? Did they give it the cheerful and accidental treatment which we accord to it? No. It was held to be a matter of sufficient importance to warrant a council of the nations; and diplomats met in Brussels to confer upon the economic question of the relation of sugar to the food supply of the nations, with a view to securing it at a reasonable price and maintaining an equilibrium of production. At that conference it was determined to do away with the bounties, to reduce the high protective duties to a moderate duty of about one-half cent a pound, and since then free-trade England has subjected her people to a duty approaching one-half cent a pound. To-day, throughout the civilized world, sugar is regarded as one of the most reliable revenue products, upon which moderate duties are imposed, not prejudicial to the consumers, but beneficial to the Government itself, and all involving an incidental protection that steadies the industry in the locality in which it is pursued.

Mr. President, whenever England considers a question that relates to her dependencies, her insular possessions, she enters upon the inquiry with grave and painstaking solicitude. A royal commission is generally appointed, to which the representatives of the islands are summoned for participation, and before which experts give their views regarding the proposed change or the development of an industry.

England acts upon judgment and inquiry. How do we act with reference to these insular possessions which fortune has thrown into our hands, all of them now subjected to high labor charges and high supply costs under our high protective system and suddenly to be thrown for the market of their products into unprotected markets?

It would be a wise thing if, right at this juncture, we should authorize not a royal commission but a democratic commission, consisting of the Secretary of War, who has charge of our insu-

lar possessions; of the Secretary of the Interior, who has charge of our irrigation projects and control over the island of Hawaii; and of the Secretary of Agriculture, whose jurisdiction extends over agriculture and that system of agricultural stimulation which public policy has decreed as the concern of the Nation. Take these three officials, authorize them by law within the next month to bring together their experienced men and their experts in sugar and wool as well as the officials of the islands, and let that commission make a report to the Senate before final action, which will be at least two months hence. We would then have action after deliberation, comparable to that of the Brussels sugar conference, which resulted in the abolition of bounties and high protective duties and the substitution of a low revenue duty, comparable also to the royal commissions which England always appoints in dealing with matters relating to the welfare of her dependencies. The report of such a commission, composed of high officials having jurisdiction, respectively, over our insular dependencies, our irrigation projects, and the development of farm industry, would be based upon inquiry, information, and deliberation with the aid of the experienced and expert judgment at their command. Such a report would either inspire caution or disarm fear.

POLITICAL EMBARRASSMENTS.

Mr. President, these questions involve not only economic but political embarrassments in the far western region, which heretofore has been strongly Republican and protective and which within recent years has increased its Democratic representatives in the Senate from 1 to 14—a region which, whilst it believes in the honest and downward revision of the tariff, will not favor the placing of two of its chief industries upon the sacrificial altar, whilst high though reduced protective duties are still maintained upon Atlantic coast and middle western products.

These questions also involve depressing readjustments in our insular possessions, unable to compete with Cuba on a free-trade basis; in Louisiana, the victim of recent floods; and in the arid and semiarid West, whose sugar, costing about as much in the beet as Cuba's raw sugar delivered at New York and New Orleans, has to pass through an expensive factory process and to suffer transportation at high rates before it can reach the centers of population, which Cuban sugar reaches after a cheap cleansing or refining process and at trifling rates for transportation.

The questions involved include also the possible monopoly of the sugar refineries, which, standing like sentinels upon our seaboard, absorb the imports of raw sugar and put them through the refining process, and whose interest is to destroy domestic beet-sugar production, which pays them no toll, and to promote external cane production, which pays them toll. They involve also the risk of turning over our sugar industry to Cuba, with its tendency to revolution likely, as heretofore, to interrupt our supply and raise the price. They involve also the wool-growing industry, of which over half belongs to the far West, where it is intimately interwoven with banking, commerce, and transportation. Although wool has had a high tariff duty, which should be materially reduced, the industry has not grown as was anticipated, and it would seem that it would require at least the same period for readjustment at a reduced duty as has been accorded to the cane-sugar industry of Louisiana.

A REFINERS' MONOPOLY.

What shall we do? Shall we pursue a domestic policy that will make the refiners the monopolists of sugar, controlling not only the profitable refining process, but controlling the markets of the country, as they have hitherto done, by most objectionable methods? Or shall we, obedient to Democratic policies, reduce the high protective duties which have unduly restricted the competition of foreign sugars and move gradually toward a revenue basis which will at least permit domestic industries to survive and struggle with foreign sugar and trust-produced sugar for the supremacy or, at least, the partial control of our markets?

Have we realized what monopoly means? What is it that has brought so much discredit to the very name of sugar? Has it been the action of the beet growers of the West? No; it has been the iniquities of the sugar refiners, commonly known as the Sugar Trust, who are now openly conducting an agitation for the promotion of foreign cane sugar and the suppression of domestic beet sugar.

Why shall we give the refiners a monopoly? How have they exercised it before? A shortage in the world's market during the year 1911 of only 1,000,000 tons out of 18,000,000 tons of the world's production gave our sugar refiners an opportunity to mark up the price from 5 cents a pound to 7½ cents a pound within two or three months, and that monopolistic price was only beaten down when the beet sugar of the West came into the fall markets and met the cane sugar in competition on the banks of the Missouri and the Mississippi and in New York and Boston itself, forcing down a reduction from 7½ cents to less than 5 cents a pound.

Mr. President, I have no fault to find with the general policies of our distinguished President. I believe that the humane action which he took in prolonging the life of the cane-sugar industry of Louisiana three years by his interposition, demonstrates that he is prepared to act with a calm, an equal, and a just mind regarding every industry in the country.

It is not to be wondered at that out of 4,000 items in the tariff, involving every complexity of production and marketing, no one man should be able to master the intricacies of every industry; and whilst I have no doubt he is sincere in his belief that these two industries can be rapidly drifted to free trade without injury to the country or without injury to the industries, I will expect, and the American people will expect, him to yield to the facts when presented in clear and orderly and convincing fashion.

We have as yet organized no tribunal to make this inquiry. We have been conducting it through the scattered energies of about 300 Democrats in the House and Senate, all of them pressed by multifarious duties and driven, through their special committees, into the swift and immediate consideration of economic questions of the highest importance.

Is it to be expected that under these conditions we can act with the calmness and deliberation with which the Brussels conference acted? Is it to be expected that we will pursue the inquiry with the certainty and the accuracy with which the English royal commission proceeds? Is it not now time for us to pause and to organize some kind of a commission, composed of such officials as I have referred to, the Secretary of War, the Secretary of the Interior, and the Secretary of Agriculture, who, with the aid of their subordinates and their experts, easily accessible, will bring in a report that will either establish the confidence of the Democratic Party in the course which it has outlined for itself in the House or inspire caution, a report contributing either way to the peace of mind of the people engaged in these industries and assuring them that the final action of the Democratic Party would not result in their injury.

Can we not proceed in this course, holding in view all the time the ultimate purpose of Democratic achievement, a low-revenue tariff, planting in this very bill the seed that will bring ultimate achievement through a sliding scale, and thus fixing the will of the Democratic Party almost immutably in the pending measure, not to be varied by the changes of politics, not to be varied by the loss of the Senate next year or the loss of the House or the Presidency two years later, but immutable, or almost immutable, because it will require a change in the House and the Senate and the Presidency to alter the decree of the law?

I submit that this is the wise, the prudent, and the courageous way of meeting great economic conditions. It is wise because it will satisfy the country. No party will outstrip us in zeal in lowering the tariff. The party that will beat us will be the party that will come into power not because we have done too little but because we have done too much. Let the protective forces of the country marshal themselves under one leader two years hence under conditions of disaster brought about by violent economic readjustments and no one can predict with certainty Democratic success.

APPENDIX.

A TENTATIVE PROPOSAL FOR A NATIONAL DEMOCRATIC PLATFORM, SUGGESTED TO THE BALTIMORE CONVENTION BY SENATOR NEWLANDS, OF NEVADA.

First. We, the representatives of the national Democracy in convention assembled, reaffirm our belief in an indestructible Union of indestructible States and in the exercise of all powers of popular sovereignty, both National and State, for the common good.

Second. Whilst reaffirming our faith in home rule and in keeping the powers of government as far as practicable in the hands of the people in the municipalities and States, we also believe in the full exercise of the granted powers to the Nation and in the cooperation of the Nation with the States, within their respective jurisdictions, in the promotion of the general welfare.

Third. We declare that the Republican Party has drifted from the teachings of Lincoln and has become during long years of power the protector of privilege and abuse, whilst the Democratic Party still stands true to the doctrines declared by Jefferson of equal rights to all and special privilege to none.

THE TARIFF.

Fourth. The protective tariff is one of the chief sources of high prices. Whilst refusing to indorse the principle of protection, we recognize the fact of protection and that under a protective policy industries have been stimulated which it would be unwise violently to disturb. We therefore favor the gradual reduction of tariff duties toward a revenue basis, so accomplished as to disarm the charge that reduction of excessive duties will cause a flood of importations which will displace American labor and impair American industries. We declare our purpose to feel our way prudently and with a due regard to American wages and industry toward a revenue basis.

THE TRUSTS.

Fifth. We declare that private monopoly is indefensible and that combinations of plants and of capital having such monopoly in view should be restrained and broken up.

We declare against any modification of the Sherman Antitrust Act, but we favor supplementing it by the organization of a nonpartisan independent interstate trade commission possessing powers of investigation, publicity, and recommendation regarding interstate trade similar to those possessed by the Interstate Commerce Commission regarding interstate transportation and giving such commission the power to aid the courts in the disintegration of monopolistic combinations and to act independently upon complaint, or its own initiative, in investigations, with a view to bringing such combinations to justice where they fail to conform with the law.

We declare that the system of enforcing the Sherman law regarding monopolies in interstate trade through the Attorney General's office, with its shifting incumbencies and varying policies, has not been satisfactory, as compared with that of the Interstate Commerce Commission in enforcing the laws regarding interstate transportation, and that this experience constitutes a controlling reason for organizing an independent interstate trade commission, which, regardless of political exigencies or executive or political influence, will insure the steady and continuous enforcement of the laws relating to trusts and monopolies.

We also favor the declaration by law of the conditions upon which corporations shall be permitted to engage in interstate trade, including among others the prevention of holding companies, of interlocking directors, of stock watering, and the control by any one corporation of so large a proportion of any industry as to make it a menace to competitive conditions.

BANKING AND FINANCE.

Sixth. Whilst opposing the Aldrich plan for the organization of a central banking and reserve association, we favor the union, under national law, of both National and State banks within the boundaries of each State in reserve associations analogous to existing clearing-house associations, for the purpose of perfecting their reserves and cooperating in the prevention of bank panics, the membership of the State banks in such reserve associations to be made dependent upon their complying with the requirements of the national banking act regarding capital and reserves and upon their submitting to such examination as the national banks are subjected to.

We also favor federating under national law such reserve associations of the respective States by the organization of a central reserve commission, composed of nine members, to be selected by the various State reserve associations, one member thereof from each judicial circuit, such commission to have such powers in bringing the various State reserve associations into cooperation as Congress may determine and to be advisory to Congress and to the executive department.

We also favor the merger of the comptroller's office, with all its officials, funds, powers, and duties, in a nonpartisan national banking commission, to be appointed by the President, of which commission the Secretary of the Treasury shall be the chairman and the Comptroller of the Currency the secretary, such commission to have powers of investigation, correction, and publicity over banks engaged in interstate exchange analogous, so far as practicable, to those now exercised by the Interstate Commerce Commission over carriers engaged in interstate transportation.

We favor a law which will bring such banking commission into cooperation with similar commissions organized by the respective States.

We also favor legislation which will gradually do away with the existing pernicious practice of allowing a large proportion of the reserves of the country banks to be deposited in reserve city and central reserve city banks, to be used there for purposes of speculation instead of exchange.

CONSTRUCTIVE POLICIES.

Seventh. We favor constructive policies under which at least one-fifth of the total revenue of the Government will be expended in constructive work of a durable character, and to this end we favor the expenditure of at least $50,000,000 annually in the regulation of our rivers for navigation and in supplementing bank and levee protection below by the diversion and storage of flood waters above in aid of the reclamation of swamp and arid lands and of water-power development; such work to be accomplished under the direction of a board of experts appointed by the President, of which board the Chief of Engineers of the Army shall be the chairman, to act, with the approval of Congress, in cooperation with the States in plans and works intended to accomplish the full development of our rivers for every useful purpose under the respective powers and jurisdictions of the Nation and the States. The recent devastation of the lower Mississippi Valley accentuates this movement and necessitates not only additional bank and levee protection below, but the control of the headwaters above.

We favor the expenditure of $25,000,000 annually in the construction of model interstate roads, such work to be conducted under a system of cooperation with the States, approved by Congress.

We favor also the appropriation of at least $30,000,000 annually for public buildings, the construction of which shall be conducted under a board of architecture and arts composed of experts in architecture, construction, and art, such work to be taken out of the spoils system and put upon the basis of adaptability to locality and use based upon public necessity.

We also favor the expenditure of at least $30,000,000 annually in the construction of a proportionate Navy, consisting of fighting and auxiliary ships, the latter to be used in time of war in aid of the fighting ships and in time of peace, so far as practicable, as training schools for the Naval Reserve and in opening up new routes of foreign commerce under lease to shipping companies.

We also favor the expenditure of at least $10,000,000 annually in the construction of fortifications and the expenditure of at least $10,000,000 annually in securing the national control and ownership of deforested areas within the watersheds of navigable rivers.

We insist that all the foregoing works shall be conducted continuously through the creation of funds in the Treasury for that purpose and without the breaks hitherto experienced through political change and exigency.

THE MILITARY DEFENSE.

Eighth. We favor high efficiency in our military expenditure by regarding the military defense as a unit and by uniting the Navy and the Army in cooperation, through a board of military defense, consisting of distinguished Army and naval officers, which board shall be advisory to the President and to Congress. We also favor the cooperation of our Army with the militia of the various States in securing discipline and drill that will result in a citizen soldiery able at any time to respond to the demands of war.

Realizing the importance of having officers trained in drill, sanitation, and care of troops to take charge of the citizen soldiery in case of war, we favor an increase in the military school at West Point, with a view to meeting such requirements.

RENEWAL OF PLEDGES.

Ninth. We renew the declaration made in our last platform relating to the neutralization of the Philippines, the development of waterways, the conservation of natural resources, the imposition of an income tax, the enforcement of the civil-service law, a generous pension policy, the organization of a Health Bureau, and the extension of agricultural, mechanical, and industrial education. We also favor cooperation with the States in the establishment of vocational schools which will serve as models for vocational training.

MERIT IN WORKS AND PROJECTS.

Tenth. We favor the abolition of the spoils system in projects and works as well as offices. We condemn the practices under which the apportionment of river and harbor improvements and public buildings are made dependent upon log-rolling rather than on merit. We favor the construction of all public works under the direction of a board of experts, to be organized by law, which will bring into coordination with it the various bureaus and services affected. And we favor the enlargement of the Engineer Corps of the Army with a view to increasing their employment in such public projects and works. We favor the enlargement of the functions of the National Art Commission, so that it may embrace all matters of art and architecture in national works and include cooperation with similar commissions organized by States and municipalities.

BUDGET COMMITTEE.

Eleventh. We favor the organization of a budget committee in each House of Congress, such committees to act in cooperation with the executive department in matters relating to efficiency and economy and to recommend the apportionment of revenue between the different departments and offices of the Government.

INCOME, OCCUPATION, AND INHERITANCE TAXES.

Twelfth. In addition to the income tax, we favor an extension of the occupation tax imposed on corporations to all individuals, firms, and persons, and also a graduated inheritance tax under which a deduction not exceeding one-half may be made in States now deriving a portion of their revenue from inheritance taxes, such taxes to make up any deficit in revenue caused by a reduction of customs duties and also to be applied to the constructive work herein demanded regarding river regulation, public buildings, and other public works.

LABOR AND INJUNCTIONS.

Thirteenth. We renew the declarations made in our last platform regarding labor and injunctions. We favor a workingmen's compensation act applied to common carriers engaged in interstate commerce. We favor the frank imposition of the expenditures under such an act of interstate commerce as a part of the transportation charge and as a compensation for the hazard of the occupation.

THE PUBLIC DOMAIN.

Fourteenth. We declare that the Nation has always regarded itself, and should now regard itself, as the trustee of the public domain, holding the great natural resources in land, water, timber, and minerals included in such domain as trustee for the interest of settlers of the West, both those who are there now and those who are to come; and whilst it is the duty of the Nation to guard these natural resources against combination and monopoly, it is also its duty to see that they are not unduly withheld from development or from the taxing powers of the States within which they are situated.

We therefore favor the passage of laws that will break the existing deadlock and which will secure the full development of western resources, at the same time guarding against monopolistic control.

The rapidly approaching exhaustion of the public domain and the increasing difficulty which would-be settlers on the land find in securing homes have created a condition which makes it the duty of the Nation to take charge of the settlement of the people on such lands. We favor the establishment of a homestead service with appropriate officials and machinery for aiding settlers in finding homes on the land, instructing them how to make a living from it, and making the remainder of the national domain available to the people on conditions favorable to successful settlement and cultivation.

The following plank is also presented for consideration:

THE RACE QUESTION.

Fifteenth. History shows that wherever two races differing in color have coexisted upon the same soil the result has been either amalgamation or the subordination of one to the other. Both are undesirable—the one resulting in the impairment of race integrity, the other in conditions that are incompatible with the maintenance of true democracy.

Experience has demonstrated that the granting of the franchise to the blacks under the belief that it was necessary for their protection was a mistake, and that it has led, and can lead, to nothing but their injury.

We declare that our whole policy regarding the blacks since the war has been a mistaken one; that their sudden elevation from a condition of slavery to that of political sovereignty was a cruel injury both to them and to the white race; and that the blacks should have been regarded as an infant race, wards of the Nation, entitled to vocational training and to intelligent and humane assistance in emigration from this country to the land of their origin under the plan proposed by Lincoln in 1862, and so gradually conducted, without injury to the industrial development of the South, as to result in the colonization of the blacks on African soil under such conditions of territorial control as would secure their advancement and progress.

Our country is peculiarly subject to race complications by reason of the residence of 12,000,000 blacks within our borders, whose constantly increasing numbers threaten our race integrity and our institutions. Confronting us on the Pacific are nearly 700,000,000 people who look upon the United States as the promised land of opportunity. Experience on the Pacific coast has demonstrated the danger of race complications and of race war resulting from their unrestricted immigration to this country.

Entertaining nothing but the most humane and helpful purposes regarding the blacks in our midst and the most friendly disposition to races differing in color and confronting us on the Pacific, we declare our purpose to maintain this as a white man's country, and to that end we favor a constitutional amendment confining the privilege of voting to the white race and legislation prohibiting the immigration to this country of all peoples other than those of the white race, except for such temporary purposes of education, travel, or commerce as comity between friendly nations may require.

New Nationalism—Presenting Addresses of Gov. William Spry, of Utah, and Gov. Elias M. Ammons, of Colorado.

EXTENSION OF REMARKS
OF
HON. EDWARD T. TAYLOR,
OF COLORADO,
IN THE HOUSE OF REPRESENTATIVES,
Tuesday, July 29, 1913.

Mr. TAYLOR of Colorado. Mr. Speaker, at the conference of western governors at Salt Lake City on the 6th of last month, the rights and needs of the West for the proper settlement and development of that portion of our country were discussed at length by the governors and other public-spirited citizens, and a set of resolutions in the nature of a memorial to Congress was adopted, and I introduced that memorial in the RECORD on June 17, 1913, page 2340. In addition to the memorial, a number of prominent men delivered speeches that should be preserved in some permanent form. While I will not ask space in the RECORD for all of them, I do feel that the formal addresses delivered by Gov. William Spry, of Utah, and Gov. Elias M. Ammons, of Colorado, ought to be inserted in the RECORD as a fair and patriotic statement upon the subject of new nationalism as it is being practiced upon the West at the present time. I therefore ask leave to extend my remarks in the RECORD by inserting those two addresses, and I earnestly request all fair-minded people to carefully consider them.

CONSERVATION—THEORETICAL AND PRACTICAL.

[By Hon. William Spry, governor of Utah.]

Conservation as developed under the Roosevelt administration is a beautiful theory. Gov. Spry tells in this article why it is impractical as administered in the West and points out what true conservation means and how to accomplish it. As the governor of Utah, Mr. Spry has had exceptional opportunity to see the new theory in practical operation. His argument is commended to those who have favored the new nationalism. This article was delivered as an address before the conference of western governors in Salt Lake City on June 6 and was approved as representing the sentiment of the Western States.

"The movement for the conservation of the natural resources of the Nation, which has been widely heralded and freely discussed, has raised a vital question of deepest importance to the people of the West—the most serious question, in my opinion, that has presented itself in the history of the West—the public-land question. The most important point in connection with the national conservation policy is the handling of the public lands. Our public domain is the corner stone of every policy of conservation that may be launched in the United States, and to a great extent every theory that has been given the dignity of a try out has involved primarily the handling of the public domain. Our public domain contains the agricultural, mineral, timber, coal, and hydrocarbon lands which are the chief national resources susceptible to the application of principles of conservation of these lands in the so-called public-land States and are largely in Government title.

"It is a striking fact that the application of this modern theory of conservation tends to upset a precedent in the disposition of the public lands, the strict adherence to which has been deviated from only in rare and, I may add parenthetically, unfortunate circumstances. The experiments thus far conducted with this conservation policy do violence not alone to the traditional use of the public domain; they violate the conditions of a sacred compact entered into between the original 13 States and work an injustice upon the younger States so patent as almost to prohibit a word of defense. The story of the formation of our Union is one familiar to every schoolboy. It need not here be rehearsed. It is sufficient to remind you of the wide differences and serious difficulties which arose in determining the relative power and strength, to be exercised in the confederation which was being formed, by the then colonies possessing great land grants and those which were to come in with land holdings equal only to the area within their respective boundaries. It is a historical fact that in a spirit of magnanimity the landed colonies eventually founded and cemented the Union through granting to the common fund the great tracts which they had acquired, with the express understanding that as population increased in the remote territory new States should be formed and admitted to the Union on terms of equality.

"The pages of history record that America's early statesmen were, above all else, believers in, if not children of, the soil. No man raised his voice in prophecy concerning the future of the Republic but predicated his faith in the strength, the power, the stability, and the endurance of the Union on the reclamation of the soil and the placing of title to a part of the public domain in the men and women who were to conquer the land. Vested ownership with a joint interest and with widely scattered individual responsibility was the rock upon which we builded. None, however, even dreamed of the richness and extent of the existing territory and that which was later to be acquired.

"The tide of immigration from foreign countries was received with favor, was even encouraged, if, indeed, it was not actually solicited; and the policy of those who were directing the affairs of government was always to locate the people upon the land. Thus it developed that instead of reserving the public lands to be used as security for the debts of the Nation or of disposing of them to meet the Government obligations the public domain came to be looked upon as the heritage of every man who would lend allegiance to his Government by cultivating the soil. The policy of disposing of these lands at a nominal figure to bona fide home seekers was encouraged and followed without material deviation, except in such grants as were made to the railroads, those made for the promotion of education, and the disastrous swamp-land grants which were made to certain individual States, the proceeds of the sale of which were intended to be used for the purpose of internal development.

"Under that benevolent policy the great East was built up; through the liberal homestead laws the South was settled and the North developed, and there was attracted to the Middle West a tide of immigration which brought that territory under cultivation. Meanwhile the revenues of the Nation increased by leaps and bounds, the credit of the United States, instead of being impaired, was strengthened, the products of the soil increased in volume, and the country generally was in a prosperous condition.

"As population increased in the Eastern States the public lands became more scarce and the adventurous began to push toward the West. With them came those who had speculated in land scrip and who had been largely instrumental in securing the passage of laws providing for lieu selections. Not content to satisfy their claims against the Government in the acceptance of the lands remaining in the East, they invaded the rich western portions of the country and exercised their lieu rights in the selection of the very choicest timber and other highly valuable lands. The forerunner of the bona fide western homesteader was the 'lieu-land scrip shark,' who had purchased these certificates at very small figure and, gathering them together, made blanket filings on the choice timberlands of the West. But the lumber camp was a small factor in the development of the West. The West needed substantial, permanent improvement. It needed the home seeker, and to secure the settler depended on a continuation of the Government's liberal policy of disposing of its unoccupied public lands.

"Recognizing a disposition on the part of certain great corporations to gobble up the timberlands, the National Government inaugurated the policy of withdrawing from public entry certain timber areas and setting them apart as forest reserves. It became strikingly apparent that some of the very choicest lands in the public-land States had been and were being secured and held by corporate interests under Federal sanction and that the resources were being exhausted; and there shortly developed a well-defined feeling that steps should be taken to at least prevent the waste of these resources.

"Personally I believe that the motive that inspired the conservation movement, which was more or less crystallized in the first conference of governors, held at Washington during President Roosevelt's incumbency, was an unselfish one. I believe that its true aim was to preserve as far as possible the public resources from waste and destruction.

"A perusal of the addresses which were given at this conference indicates that the men who gathered there were actuated by the highest motives and the sincerest desires on behalf of the Nation. But in the light of subsequent developments it is apparent that the participants were not impressed with any uniform and well-defined method of correcting a recognized evil. So far as my information discloses, the moral support afforded by the men who took part in that conference was seized upon by the promoters of the gathering and utilized in putting into operation, under national direction, certain theories without that calm and careful consideration that should enter into questions of so great concern. And in the meantime little has been accomplished by the individual States in the way of effective measures for saving the resources. What has been accomplished by the National Government has been accomplished at the cost of the development of the States and at the increasing expense of that cordial and close relationship that should exist between the States and the Federal Government.

"We have progressed far enough with the problem to determine that the intelligent discussion and application of principles of conservation involve the discard of elaborate theories and popular fads and the resort to good, sound, wholesome, old-fashioned first principles. The past is altogether too filled with experience to permit of radical changes, and the future is altogether too full of promise to justify revolutionary experiments with an administrative policy which is fundamental.

"In the light of experience and on the record of the past no one can honestly question that theoretically, and in most cases, practically speaking, our attitude toward the public domain has been right. Our conservation policy as enunciated and urged by the enthusiastic conservationist has grown into a high-sounding theory that is riding and would continue to ride to death one of the basic principles and best policies of our National Government.

"If we can not utilize our resources to produce valuable results, then we are poor, since poverty is the lack of property and the adequate means of support. In government the profit is what is really good, helpful, and valuable.

"Of what value to a State, present or future, is a tract of land dedicated and set apart as a forest reserve, whose meandering boundary lines, aside from incorporating within their limits a small stand of timber, include agricultural lands upon which the evidences of former timber growth are entirely lacking and upon which the hope of the forest culture is an idle dream and reforestation a misnomer? In all sincerity I assert that you can be taken to forest reserves in Utah through which you can be piloted for days without encountering trees in profusion sufficient to afford adequate shade to shelter you from the burning sun during the noonday meal. And searching through the rank growth of sagebrush—that is the principal product of some of our forest reserves—I venture to assure you that I will locate for you cedar posts, transported thither over many weary miles, and planted by the hand of man, alone, forsaken, in strange company, sentinels marking the boundary line of some United States forest reserve. From the top of these posts you will find the customary warning to beware of forest fires, etc.

"Picture, if you will, no less a distinguished person than the Chief Justice of our Supreme Court, halted in the waste between the railroad and St. George under the burning August sun with a disabled automobile that had been laboriously threading the dusty road cut through sagebrush and magnanimously extracted from the forest reserve to afford a trailing way for cattle and sheep—picture him in the scorching sun, reading through the shimmering light the warning not to trespass upon Uncle Sam's forest reserve; his longing search of the conservation forest landscape for a tree to shelter him from the burning rays; his discovery in the distant vista of either a scrub cedar or an overgrown sage, and his desire to avail himself of the protection it afforded. Imagine the judicial weighing of the necessities to make the spot and questions of endurance and physical ability to do so—literally torn between suffering and doubt and the forest warning to remind him of the theories of the office conservationist. Had you been present on that occasion you would have learned more of conservation in forcible language than you ever heard before.

"I am unable to reconcile the high-sounding objects of the withdrawal of timberlands with the cold fact that in Utah the forestry department stands ready to release for sale certain timber if the people will pay the price it demands, which price the dealers feel is a dollar a thousand too high and which price constitutes a dollars-and-cents proposition standing between the timber supply of our children and the Treasury of the Government.

"I grant you that wise foresight has not characterized the handling of the lands at the headwaters of the Mississippi, for instance. The denudation of the ranges at the tributaries of this mighty river has resulted in erosion, and the precipitous run-off of snow deposits and rainfall, to the disadvantage, the disaster, and the untold expense of those living in the lower Mississippi Valley. But what has occurred in the Mississippi Valley can not occur in Utah, as, indeed, it can not be repeated in many of the public-land States. In the first place, our high mountains afford cool depositories for the snows; in the second place, our precipitation is light as compared with eastern sections; in the third place, our rivers are small and the topography of the country is such that we have no such vast areas that find their drainage into one channel as are found in the East.

"It is none the less true that we are deeply interested and vitally concerned in the adequate protection of our watersheds, all of which can be accomplished by reasonable regulation and supervision, which I hold can be administered quite as effectively by local authorities as by agents of the Government, and which I am convinced can be handled more sensibly and economically by the States than by the departments at Washington.

"Note, if you will, how easily and jauntily the conservationist in his enthusiasm fell into the advocacy of a system of leasing the mineral, coal, hydrocarbon, and oil lands, and even the agricultural lands—a practice at once so repugnant to the American spirit as to warrant the assertion that if adopted it would find support only from the ignorant immigrant. Every ideal of our citizenship is outraged by the suggestion that our people shall in this country of liberty and independence be thrown back as serfs under a system of landlordism and tenantry such as has been the curse of certain of the older European countries.

"Do I believe in conservation? I certainly do. But it appears there are two distinct views of the question—the one which, unfortunately, has been the official view—narrow, selfish, looking altogether to the welfare of generations yet unborn, totally ignoring obligations of trusteeship, and brushing precedent aside so ruthlessly as to render experience an invaluable thing, and calculated to enrich the General Treasury at the expense of the younger and financially weaker States. The other, the view of those who recognize a tendency toward extravagance in the improvident drafts on the national resources, who see a disposition to waste those resources, and who, recognizing the evils, have a sincere desire and determination to adopt means to avoid waste. I prefer to ally myself with the latter class, and from the viewpoint of one of this class permit me to explain my understanding of true conservation.

"In the beginning, we are informed by Holy Writ, after creating the heavens and the earth and all that in them is, God created man and gave him dominion over the fishes of the sea, the fowls of the air, and the beast of the field, and bade him use all things created. That dominion man has always held and exercised, and in holding and exercising it he has been compelled to draw upon the resources largely in accordance with the demands of the day and generation in which he lived. Up through the various stages of civilization man has been compelled to gain his living by the use of those things over which God gave him dominion, and so long as civilization endures, so long, indeed, as humanity remains, man must continue to live through some method of utilizing the resources about him, and the success of his struggle for survival will be measured by his ability to understand and make those resources useful to his purpose with least extravagance and loss.

"The one important consideration in connection with the handling of our resources overlooked by the conservationist is the fact that primitive man made but primitive drafts on the resources which he found most easily available, and just so long as those drafts were primitive man remained primitive; when modern man made modern requisition on the natural resources civilization had attained its highest perfection.

"When men lived in mounds and caves the forests were but slightly disturbed and civilization was not very far advanced; when men rubbed sticks to make a fire sulphur was not being exhausted; when men paddled in canoes and traveled overland by horseback our steel deposits were aging in the everlasting hills; when men went whaling for blubber with which to make candles electricity was unknown, and this powerful and subtle force was a mystery of the elements; when men gathered a few sticks of driftwood to cook their meals the coal deposits were unmolested; when scribes were a rarity, if not a novelty, and historians carved hieroglyphics in stone, wood pulp was not even in demand; and when men were content to merely exist, the demands that manufacture, trade, and commerce have made upon our natural resources were not even dreamed of.

"Look conservation squarely in the face and answer: Would you exchange the modern home with its accessories and comforts, made possible through the use of the natural resources, for the dugout of the man who made his home in the mound or the habitation of the cliff dweller? Would you exchange the sulphur match for the wooden stick or flint of days gone by?

"Would you barter your electric lamp for the candle made from the blubber of whale? Would you give up your modern sea vessel, your twentieth century steel train, your automobile for the canoe of your forefathers, the horse of the mail carrier, or the one-horse shay of your ancestors? Would you give up your newspapers, your magazines, your libraries, your textbooks for the tablets of stone? Would you silence the busy machinery of manufacture, would you stop the wheels of commerce, to go back to the life of a century ago? Would you exchange all or

any of these accessories of modern civilization for every atom of natural resources that entered into their making?

"Would any one of you—having at heart first, the true interests of your country; second, the welfare of the State you represent; and, third, the well-being of your fellow men—exchange 100 men, with their wives and families, who were willing to forego the comforts of life and locate on the public domain for the sacred purpose of home building; would you exchange those families, who would uproot the sage and greasewood, who would drive the plow into the parched earth, would conserve the sunshine, who would conserve the rain, the snow, the moisture, who would make the land fruitful and pleasing to look upon where before it was a barren and dreary waste, who would drive the lean and hungry coyote one ridge farther back toward the fastness of the mountains; would you exchange these 100 State builders for a forest reserve, with a small stand of timber, a vast area of sagebrush, and a forlorn hope that seeds from Germany will produce timber for the use of generations yet unborn? What loyal man of the sparsely settled public-land State of the West will support the withdrawal and leasing system being worked out by the conservationist and discard the system that has been followed with signal success since the formation of the Union?

"In his message to Congress, December 4, 1832, President Andrew Jackson said:

"It can not be doubted that the speedy settlement of these public lands constitutes the true and best interest of the Republic. The wealth and strength of the country are its population, and the best part of the population are the cultivators of the soil. Independent farmers are everywhere the basis of society and true friends of liberty.

"In addition to those considerations questions have already arisen and may be expected hereafter to grow out of the public lands which involve the rights of the new States and the powers of the General Government, and unless a liberal policy be now adopted there is danger that these questions may speedily assume importance not now generally anticipated. The influence of a great sectional interest when brought into full action will be more dangerous to the harmony and unison of the States than any other cause of discontent, and it is the part of wisdom and sound policy to foresee its approaches and endeavor, if possible, to counteract them.

"It seems to me to be our true policy that the public lands shall cease as soon as practicable to be a source of revenue and that they be sold to settlers in limited parcels at a price barely sufficient to reimburse the United States the expense of the present system and costs arising in our Indian compacts. The advantages of accurate surveys and undoubted titles now secured to purchasers seem to forbid the abolition of the present system, because none can be substituted which will more perfectly accomplish these important ends. It is desirable, however, that in time this machinery be withdrawn from the States and the right of sale and the future disposition of it surrendered to the States, respectively, in which it lies.

"The adventurous and hardy population of the West, besides contributing their equal share of taxation under our impost system, have in the progress of our Government for the lands they occupy paid into the Treasury a large proportion of $40,000,000, and of the revenue received therefrom but a small part has been expended among them. When to the disadvantage of their situation in this respect we add the consideration that it is their labor alone which gives us real value to the lands and that the proceeds arising from their sale are distributed generally among States which had not originally any claim to them and which have enjoyed the undivided emoluments arising from the sale of their own lands, it can not be expected that the new States will remain longer contented with the present policy for the payment of the public debt. To avert the consequences which may be apprehended from this cause, to put an end forever to all partial and interested legislation on the subject, and to afford to every American citizen of enterprise the opportunity of securing an independent freehold, it seems to me therefore best to abandon the idea of raising the future revenue out of the public lands.

"The need that the public lands of the West shall go to the bona fide homeseeker under liberal terms is a great need. That need was forcibly set forth by President Jackson 76 years ago. His message to Congress in that particular needs no revision, and other Presidents, including Van Buren, Buchanan, Polk, and Grant, have urged as did President Jackson.

"Compare, if you will, the broad-minded, far-seeing policy of President Jackson with the present attitude of special prosecutors of the Department of Justice in harassing the homesteader on technicalities and urging special agents of the land department to stir up cases against applicants for the public lands, so that their activities in prosecutions will save their precious scalps in official positions.

"True conservation of the natural resources is the management and handling of those resources with that same degree of judgment and efficiency that characterizes the successful head of a family or an institution, or that is typical of any business administration that combines development and growth with the economical utilization of such resources as are at hand to conduct such business.

"Conservation of the natural resources involves the same questions with which one must grapple in conserving human energy or company finances.

"As in the ordinary affairs of life every man knows that waste means poverty, that nonuse means stagnation, and that intelligent use and application means growth and development, so in the conservation of our natural resources we must remember that first and above all else we must grow and develop, and that any policy that tends to curtail or destroy the opportunities for such advancement is unprogressive and illy calculated to bring to fruition the dreams of the founders of our Republic.

"While this article has been devoted largely to conservation as it relates to the forest policy, I have discussed this phase of the question particularly because forest withdrawals have in such large measure interfered with the settlement of our public lands and forest regulations have, in many instances, worked distinct hardships on the people of the West. The forest-reserve policy in principle is unquestionably a good one, but in practical operation it must be administered, as I have outlined above, with a proper regard for rights and with due consideration of local conditions and circumstances.

"With the cry that our mineral, coal, hydrocarbon, oil, and water-power resources are in such danger of exhaustion as to warrant their entire withdrawal from public entry I have no sympathy whatever, and I am absolutely opposed to the leasing of such resources, or rather the leasing of the public lands for the purpose of developing such resources. The blanket withdrawals of lands supposed to contain oil have already defeated several reclamation projects in Utah, and the net result of our national conservation policy leads me to believe that it is aimed more at securing for the National Government a permanent income from the West than it is operating for the preservation of the natural resources.

"Assuming for the sake of argument that the natural resources may be exhausted, if we must choose between the exhaustion of our resources and the return to the civilization that existed 100 years ago, every intelligent man and woman in the world will say exhaust the resources, and every intelligent man and woman in the world will turn his face to the future in confidence that the succeeding generation will find a means of using the heretofore untried elements of nature and making them serve the same purposes which were served by those that are lost. And that confidence will not be misplaced.

"Basing our hopes of the future on the experience of the past, is it not reasonable to believe that conservation will find its most efficient and effective supporters in the ranks of the men of science and among the investors who are harnessing the elements and finding new and beneficial uses for our natural resources?

"Nature and science coupled with economy and frugality on the part of the people will insure this and future generations against suffering for the want of natural resources."

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WHO OWNS THE PUBLIC LANDS?

(By Hon. E. M. Ammons, governor of Colorado.)

The new States of the West having large areas of unappropriated public lands are commencing to wonder where they are at under the new conservation policy of Uncle Sam under which the United States has withdrawn vast areas from entry and apparently is arranging to maintain a permanent tenure. Gov. Ammons points out how this is a direct violation of the contract between the original States and the United States when the first States ceded their lands.

"The forcing of the so-called 'conservation' policy upon the public-land States of the West has brought up the subject of the rights of the States and the relationship of the new States to the public domain. To most of the present generation this is an entirely new subject. They have always understood that the United States 'owned' the public lands, and the popular idea is that the ownership is exactly the same as an individual proprietorship would be. But there is a vast difference, and it is in that very difference that the foundation of this Republic lies.

"It was upon this question of the ownership of the public domain that the Confederation of the States was almost wrecked in the formation of the Government. The Declaration of Independence was signed in 1776, and almost immediately steps were taken to form the new Government, and the original States got together and formed the Articles of Confederation, which was the first Coustitution. While these articles placed supreme authority in Congress, they contained this clause:

"*Provided also*, That no State shall be deprived of territory for the benefit of the United States.

"Nearly all of the original States had claims to lands outside of their borders. In fact, few of them were very certain as to just where their borders were, and all were extremely jealous over their land claims. Each was afraid that some of the other States might secure more territory than they were entitled to, and each was on guard against any combination that might give some of the other States an advantage.

"New Hampshire, Rhode Island, New York, Pennsylvania, Delaware, and Maryland contained unoccupied former Crown lands to which they had secured title by the treaty with Great Britain. Pennsylvania paid Penn heirs for their title; Connecticut had no Crown lands within its recognized boundaries, but it had extensive claims, based upon an old colonial charter, to the Wyoming lands in the territory claimed by Pennsylvania and to unoccupied land extending west to the Mississippi River.

"Massachusetts, New York, Virginia, North Carolina, South Carolina, and Georgia had considerable unoccupied Crown lands and colonial proprietory lands and also large claims to unoccupied western lands.

"Many of these claims in the western lands overlapped and were conflicting. New York's claim was based upon treaties with the Indians, and the remaining titles rested upon charters by the English Crown. For instance, Virginia had a charter for a strip of land 400 miles wide extending from 'sea to sea,' which was interpreted to mean from the Atlantic to the Pacific. All of the claims were indefinite, and the territory claimed was still unmapped and imperfectly known.

"From 1778 until 1784 there was a constant wrangle between the States and in Congress over the public lands. It was generally agreed that these vast areas outside of the original States should be settled in some way and made into additional States, but the question was, Should it be done by Congress or by the States owning the lands? But for the fact that there were so many conflicting claims for the same lands, the matter might have been determined by each State handling its own lands, but because of the inability to agree on these claims there gradually grew up a sentiment in favor of turning all of the lands into a common fund to be disposed of by Congress to settlers so that new States could be created.

"The matter was finally brought to an issue by Virginia. Within the western territory claimed by Virginia the Vandalia Co. had planned to erect a colony. There were also the Indiana, Illinois, and Wabash companies claiming to have title to some of the lands from the Indians, and they also wanted to start settlement, and they sought confirmation of their titles by Congress. Virginia had passed a law to prevent settlement in her territory until the question of titles could be adjusted, and when Congress consented to consider the claims of these aggressive colonization companies Virginia adopted and presented to Congress a solemn protest, in which it took the position that if Congress should arrogate to themselves a right of adjudication unwarranted by and expressly contrary to the fundamental principles of the confederation, superseding or controlling the internal policy, civil regulations, and municipal laws of Virginia or any State, it would be a violation of public faith and of the sovereignty of such State. It claimed that the United States held no territory except in the right of some individual State. When Virginia acceded to Union, her sovereignty and jurisdiction within her own territory were reserved and secured to her, and could not be altered or infringed without her consent.

"This remonstrance was passed by Virginia in December, 1779, and brought matters to an issue. In the following April New York expressed a willingness to give up her lands to the United States, either with the jurisdiction and right of preemption of the soil or with the right of preemption only 'for the use and benefit of such of the United States as shall become members of the Federal alliance and for no other use or purpose whatever,' said lands to be disposed of in such manner as Congress shall direct.

"In September, 1780, Congress finally determined to dodge the question, deciding that the problem involved questions that were declined on mature consideration when the Articles of Confederation were debated, and thought the questions could not be revived with any prospect of conciliation:

"It appears more advisable to press on the States which can remove the embarrassments respecting the western country a liberal surrender of a portion of their territorial claims, since they can not be preserved entire without endangering the stability of the general confederacy—

"the report continues.

"That this report be transmitted to the legislatures of the several States with the earnest recommendation that the States claiming western territory pass such laws and give their delegates in Congress such powers as may effectually remove the only obstacle to a final ratification of the Articles of Confederation.

"This appeal to the patriotism of the people was generally well received. It was becoming evident that the new Government was drifting upon rocks that would wreck it; and to make the intent of Congress clearer, in October, 1780, a month after the report above referred to, Congress adopted a resolution providing that lands which may be ceded to the United States by any particular State pursuant to the recommendation of September 6—

"shall be disposed of for the common benefit of the United States and be settled and formed into distinct republican States, which shall become members of the Federal Union and have the same rights to sovereignty, freedom, and independence as the other States. That the reasonable war expenses of any State shall be reimbursed. That the said lands shall be granted or settled at such times and under such regulations as shall hereafter be agreed upon by the United States in Congress assembled, or any nine or more of them.

"The discussion had now reached the point where the ratification of the Articles of Confederation depended upon the proper settlement of the land question. The resolution of Congress, together with the report, met with much favor; Virginia, having the largest claims in the back lands, was opposed vigorously by Maryland and other States, and such pressure was brought to bear that in January, 1781, the General Assembly of Virginia passed an act offering to cede her lands to the United States upon the general conditions set out in the resolution of Congress, but providing for various dispositions and declaring the cession void unless all the States ratified the Articles of Confederation and ceded their lands also.

"March 1, 1781, New York, preparing to deed her western lands to the United States, declared that in view of the condition set up by the Legislature of Virginia that the United States should guarantee her boundaries, New York would also make the same requirement.

"In the meanwhile the land companies were keeping up a vigorous fight in Congress for recognition and consideration, and Virginia was worried for fear that enough of the States would combine to recognize these titles and give these companies a right to settle and claim lands. All this time Maryland, having no special title to any of the western lands, was insisting that the lands should belong to all of the States, and that no extensive claim of any State to the soil or jurisdiction over the back lands should be guaranteed.

"September 6, 1781, after continued debate in Congress over the conflicting claims, Congress adopted the following resolution:

"If the States claiming exclusive property in the western lands will make cession to the United States agreeable to the recommendations of Congress September 6 and October 10, 1780, it would be an important fund for the discharge of the national debt. That the cessions of States conforming to these recommendations be accepted. That the States making cessions not conforming to these recommendations be recommended to reconsider and resubmit them to Congress. If this recommendation is complied with, Congress will not interfere with the determinations of particular States regarding private property in property in lands within these cessions.

"Virginia finally decided to cede her lands, and on March 1, 1784, the deed was presented in Congress and accepted. The deed provided that the territory ceded should be laid out and formed into States containing a suitable extent of territory, not less than 100 nor more than 150 miles square, or as near thereto as circumstances will admit—

"and that the States so formed shall be distinct republican States and admitted members of the Federal Union, having the same rights of sovereignty, freedom, and independence as the other States. That all the lands within the territory so ceded to the United States shall be faithfully and bona fide disposed of for that purpose and for no other use or purpose whatever.

"The transfer of the Virginia western lands ended the long, bitter, and dangerous controversy, which nearly destroyed the Union at its birth. The fundamental thought which controlled these long negotiations was that in order to erect new and sovereign States the ownership of the soil must pass to the new State. The idea was that the United States were not to hold the lands as a sovereign nor as a proprietor, but in trust for the new States that were to be created out of the territory acquired. The States were just escaping from one central government and were determined to insure the right of local self-government, and as they could not be sure of this unless they were guaranteed the ownership of the soil, they were exceedingly careful to retain sovereignty over the lands within their borders and provide that the United States must dispose of the lands ceded so that they would ultimately become States having the same rights as the original States in every respect.

"All of the remaining States, one ofter the other, followed the lead of Virginia and turned over their lands, and all contained the clause that—

"All lands ceded shall be considered as a common fund for the use and benefit of the United States and shall be faithfully disposed of for that purpose and for no other use or purpose whatever.

"As soon as Congress accepted the deed of Virginia it began the consideration of rules and regulations for the disposition of the lands. Mr. Jefferson, of Virginia, formulated the first act, which was passed April 23, 1784. This first act is interesting as indicating very clearly the understanding Congress had as to its powers. It provided that the lands should be offered for sale and divided into distinct States, in which the

settlers should provide a temporary government, and when 20,000 inhabitants was reached it could erect a permanent State. It provided that these new States should be permanent members of the Union, subject to the Articles of Confederation the same as original States and to the acts and ordinances of the United States. They should in no case interfere with the primary disposal of the soil by the United States nor with the ordinances and regulations which Congress might find necessary for securing title to bona fide purchasers. They should bear their share of the public debt; should impose no tax upon lands the property of the United States; should be republican in form; lands of nonresidents not to be taxed higher than those of residents.

"This ordinance was repealed in 1787, but was reenacted in a somewhat different form, but in greater detail in embodying all of the provisions of the act of 1784, and all of the States have been admitted under the provisions of this ordinance. While this last ordinance was being debated in Congress the Constitutional Convention met and prepared the new Constitution which was to take the place of the Articles of Confederation and which was to be the basic law of the Republic. This convention apparently had but one idea regarding the clause in relation to the public lands, and that was that they were to be disposed of by Congress so that new States could be created that would be equal to the other States in every respect. The development of this clause was as follows:

"Mr. Madison, of Virginia, submitted for the committee of detail the following powers as proper to be added to those of Congress:

"'To dispose of the unappropriated lands of the United States. To institute temporary government for new States arising therein.

"This was referred to the committee, and shortly thereafter Mr. Carrol moved that—

"'Nothing in this Constitution shall be construed to alter the claims of the United States or of the individual States to the western territory, but all such claims be examined into and decided upon by the Supreme Court of the United States.

"Mr. Morris moved to postpone this to take up the following:

"'The Legislature shall have the power to dispose of and make all needful rules and regulations respecting the territory and other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States or of any particular State.

"This construction was finally agreed to and became the law of the land. At that time there was no question in the mind of anyone as to the position of the General Government in regard to the public lands. They were simply being held in trust 'to be disposed of' by Congress in whatever manner might be determined so that additional States could be made out of them. As the new States must be equal 'in every respect,' with the original States, Congress could have no power over the lands within the borders of any State except to dispose of them.

"In 1845 the Supreme Court passed upon this matter in a case brought from Alabama in relation to the title to some tide lands. The court declared that the transaction between the United States and Virginia and Georgia and the Louisiana Purchase constituted a contract and created a trust, under which the United States secured control of the public lands to pay the public debts—

"'by bona fide disposing of them in order that new States might be erected which should be equal in every respect to the original States; that the United States holds the public lands for temporary purposes only, and in trust for the States where they lie; that until the lands were disposed of by the United States the new State was not on a footing of equality with the original States.

"The right of Congress to make reservations of lands in States for military purposes was never questioned, but even in these cases the consent of the State legislature was secured to give the United States sovereignty over such reservations.

"The first departure from the old idea came in Cleveland's administration, when Congress permitted the insertion of a clause in an appropriation bill providing for forest reserves. The only idea then was to provide protection to the forested lands at the head of streams, but no attention was paid to the matter until during the Roosevelt administration, when the power granted under this act was taken advantage of in a wholesale manner, and then grew up the conservation idea and almost before the public-land States were aware of what was happening vast areas were reserved and withdrawn from entry.

"'Pinchotism' was a natural outgrowth of the conservation idea. Gifford Pinchot, then Chief Forester, conceived the idea of popularizing the forest reserves by making them produce revenue for the General Government. He figured out the capitalized value of all of the natural resources, not only on the forest reserves, but on the public domain, and showed where it would be possible to make them produce a great revenue for the Government. The fact that by this plan one section of the country would be taxed for the support of another section and that the public-land States would not be upon an equality with the other and original States did not seem to bother Mr. Pinchot. Plans were made to lease the lands and resources and preparations were made for the Government to go into business. Wherever any lands were found to contain natural resources, or even only suspected of having valuable resources, such lands were withdrawn from entry, and Congress was finally induced to give the President power to withdraw any lands upon his own motion by simply making proclamation.

"At first many people in the West thought the new plan might work out all right, but gradually it became evident that this departure from the original plan of the Government was actually leading to a new system of government, a new political structure. Instead of 'disposing' of the lands, Federal bureaus were administering them under rules and regulations, having all the effect of law, and all looking toward a permanent tenure over these lands. Western States found their development and growth suddenly stopped. Government agents swarmed over the Western States and the very thing Virginia feared, a division of sovereignty, has come to pass in the West. The States are denied all control of the soil; the Federal courts hold jurisdiction; the police power is exercised by Federal officers; the eminent domain of the State is denied; and the State can levy no tax upon this land, even though the right of taxation is so fundamental that a sovereign State can not exist without it.

"The new policy is based upon the theory that the United States 'owns' the public lands in the same manner that a proprietor could own land. If this theory was true, the United States would have had the right to retain permanently all of the lands in the West as it is now trying to retain permanently as much as a third of the area of some of the new States in the West. But the exercise of such a power, in the beginning, would have prevented the formation of new States, and that was the vital basis of the contract made by the United States when the lands were ceded by the original States, that the lands 'should be faithfully disposed of' and that 'the territory so ceded shall be laid out and formed into States,' which should have 'the same rights of sovereignty and be equal in every respect to the original States.'

"At last the Western States are aroused to the situation and steps are being taken to awaken the country to the danger that threatens. They are going to demand the equality promised them under the Constitution and which can not exist if the Government is to retain permanent tenure of the land. It is a 'State-rights' question that reaches to the very basis of the Government and if persisted in can mean but one thing, unequal States and a centralized Government at Washington.

"In the Constitutional Convention held in Philadelphia in 1787, Mr. Randolph, of Virginia, declared that 'Congress has pledged the public faith to the new States, that they shall be admitted on equal terms. They never would or ought to accede on any other.' This declaration met with no dissent in the convention. It was the basic idea of the federation and the withdrawal of this right of equality must inevitably lead to a revolution in the form of government which has built the greatest Nation the world has ever seen."

The above addresses were published in this month's issue of the Farmer's Life, a periodical published in Denver, Colo., and in the same issue I notice what evidently appears to the average western farmer as a suitable collection of synonyms for "conservation," which, as regards practical results, are not inappropriate:

CONSERVATION DELINEATION.

Origination: Determination elimination.
Forestration: Conflagration abomination.
Convocation: Determination instigation.
Administration: Formulation legislation.
Regulation: Reservation confiscation.
Nutification: Adjudication federation.
Operation: Ranger station multiplication.
Innovation: Abrogation complication.
Realization: Civilization retardation.
Population: Irritation aggravation.
Expostulation: Indignation disputation.
Publication: Allegation imputation.
Emigration: Extermination cultivation.
Indication: Inequation in the Nation.
Consummation: No taxation, much stagnation.
Conservation: Exclamation, "Oh, damnation!"

The Grape Industry of California.

EXTENSION OF REMARKS
OF
HON. JOHN E. RAKER,
OF CALIFORNIA,
IN THE HOUSE OF REPRESENTATIVES,
Tuesday, July 29, 1913.

Mr. RAKER. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD, I include a protest and brief of the grape growers and wine makers of the State of California against proposed tax upon grape spirits used in fortifying pure sweet wines, as contained in Senate committee amendment (section 254½) to the pending tariff bill, H. R. 3321, Sixty-third Congress, first session.

The protest and brief is as follows:

THE GRAPE INDUSTRY OF CALIFORNIA.

Acreage.

	Acres.
Wine grapes, exclusively	168,500
Raisin grapes	110,500
Table grapes	61,000
Total	340,000

About one-third of the raisin and table grapes go to the wineries and distilleries. This affords a market to the growers of raisin and table grapes for their by-products, the pure grape brandies obtained therefrom being afterwards used in the fortification of pure sweet wines. The average vineyard contains less than 25 acres.

Production, 1912.

	Gallons.
Pure dry wines	24,000,000
Pure sweet wines	17,797,718
Pure commercial grape brandy	1,700,000
Total	43,497,718

Amount grape brandy used in making pure sweet wines, 4,648,842 gallons.

DIFFERENCE BETWEEN DRY AND SWEET WINES.

Pure dry wines are made by allowing all of the sugar in the pure grape juice to ferment into alcohol, 2 degrees of sugar making 1 degree of alcohol.

Pure sweet wines are made by arresting the fermentation through the addition of pure grape brandy, which acts also as a preservative. No pure sweet wine can be made any other way, for the simple reason that pure sweet wine contains nothing but the pure juice of the grape.

Total investment in vineyards and wineries	$150,000,000
Number of families engaged in grape growing	15,000
Cost of producing 1 acre bearing vines	$300
Total production sweet wines, United States, 1912	18,547,718 gallons.
Total production sweet wines, California, 1912	17,797,718 do
Produced outside of California, 1912	750,000 do
Production pure sweet wines in California, 1890	1,083,274 do
Production pure sweet wines in California, 1912	17,797,718 do
Increase under operation 1890 sweet-wine law	16,714,444 do

This tremendous increase in the production of pure sweet wines in California was due to the 1890 law permitting the use of pure grape spirits free; since 1906 a payment of 3 cents per proof gallon has been paid on the brandy so used to reimburse the Government for the cost of supervision in the making of pure sweet wine.

THIS 3-CENT CHARGE HAS NEVER BEEN REGARDED AS A TAX.

Under the provisions of the act of 1890 these pure sweet wines can not contain more than 24 per cent alcohol, which is the dividing line between wines and spirits according to our tariff laws as well as the act of 1890. It logically follows that inasmuch as these pure sweet wines can not be classified as spirits the wine maker is not enjoying any special privilege, but to the contrary he is working in harmony with the wise governmental policy that encourages the cultivation of the soil in small holdings and the production of a pure-food product. Nor can it be claimed that favoritism has been shown to the California wine makers, for the provisions of the 1890 law are equally open to all wine growers in the United States.

The pure wine law of 1890 was the first pure-food legislation in America and its fruits have more than justified the hopes of its advocates. In 23 years there has never been a criticism of this law nor any material changes proposed; furthermore it has served as a model for other pure-food enactments. Once annul or interrupt the good effects of this law and the distinct line between pure wines and counterfeit wines in this country will be wiped out to the irreparable damage of the grape growers and producers of sweet wines and to the certain injury of the consumers of wines.

COST OF PRODUCTION, ETC.

Average cost of producing 1 gallon pure sweet wine, 20 cents; this includes payment to grower of an average of $11 per ton for his grapes. Average selling price in bulk per gallon, 29½ cents; increase in cost of producing 1 gallon pure sweet wine under present methods, which are the best, should a $1.10 tax on grape spirits be imposed, 30 cents, bringing the original cost of producing a gallon of pure sweet wine to 50 cents.

As an example of how the proposed tax will operate we submit the following instance, which applies in the same ratio to every other producer of pure sweet wines in California: In 1912 the Bradford Winery, in Sacramento County, an independent concern owned and operated by the Bradford Bros., who buy 10,000 tons of grapes annually from neighboring farms, used 150,000 gallons of grape spirits in the fortification of pure sweet wines, paying 3 cents per gallon to the Government, or $4,500. Figured at $1.10 per proof gallon this one firm would be taxed $165,000.

It thus appears that if the $1.10 tax be imposed the cost of production will be increased 150 per cent and the selling price 100 per cent. It is the common people that are now consuming the California pure sweet wines, because the present price is within their reach; but they can not afford to buy it at any material increase. An increased tax means a decrease in the use of pure wines. The market can just about take care of the present production of grapes in California, and a diminished market simply means that the grape growers will not be able to sell their crops, either for wine or brandy purposes. The grapes will be left to rot on the vine for a season, until the farmer has time to pull up his vines, which pulling up will impose a cost of some $15 per acre.

REVENUE.

Those who figure that the revenue received from the imposition of a $1.10 tax upon grape brandies used in the fortification of pure sweet wines will yield many millions of dollars are laboring under a serious misapprehension. If we assume that the same amount of pure sweet wines will be made and marketed, and then further assume that the same amount of grape spirits will be so used, then of course it resolves itself into a matter of simple multiplication; but unfortunately for any sound fiscal calculations there are too many "assumptions" here. In the first place, the sale of pure sweet wine will fall off tremendously, nobody can say exactly how much, but certainly it will not amount to one-fourth of the present consumption. The present steady market that has been created for pure California wines by years of education and hard work will certainly become badly demoralized, and that condition will surely be further demoralized by the undoubted production of sweet wines (?) preserved by neutral spirits, chemicals, and what not. Secondly, the man who makes a sweet wine, if compelled to pay a tax on his spirits, is certainly going to do two things, i. e., use as little alcohol as possible and buy that alcohol as cheaply as he can. In doing this he can not be criticized, for the prudent, economical management of his business will demand it. Let us now see how this will work out. Instead of arresting fermentation at a point of high saccharine strength, he will let the fermentation proceed until nearly all the natural grape sugar has been converted into alcohol, for every degree of alcohol that he can obtain through the natural fermentation of the grape juice will save him just so much money in the purchase of taxed spirits. For example, the average amount of sugar in sweet wine grapes is 26 degrees, which is equivalent to 13 degrees of alcohol, if the juice be fermented dry.

The amount of alcohol in ports and other types of sweet wines ranges from 20° to 23°. Under present methods the sweet wines are fermented until about 7½° alcohol is shown. To this wine is then added about 12½° grape spirits. Taking advantage of the provisions of the pending Pomerene amendment, the wine maker may add 20° sugar, and thus be able to produce 15° of alcohol through natural fermentation, leaving 16 per cent of sugar for the taste of the consumer. He can then rest content with his 15° of alcohol and market his wine under the claim that it is a pure sweet wine without adding a single drop of taxed alcohol, substituting as a preservative benzoate of soda or other permitted chemicals. But suppose he does wish to raise the alcoholic strength of his sweet wines to 20°. This will require him to add only 5°, of taxed alcohol, where he now uses 12½° of grape brandy, thus cutting down the amount of alcohol or brandy used 60 per cent. It follows that even if the total amount of sweet wines consumed can be maintained at the present volume the above change of methods alone will reduce the amount of spirits used 60 per cent, and therefore three-fifths of the contemplated revenue must be deducted for this reason. If the wine maker is required to pay a tax on his alcohol, he will naturally buy that which is cheapest. The use of neutral alcohol is permitted by the pending measure. This kind of alcohol can be made from "black strap," cannery refuse, pineapple refuse from the Hawaiian Islands, potatoes, and even from sawdust and shavings, and will be obtainable by the California wine maker at the cost of from 8 to 10 cents per proof gallon. Pure grape brandy costs about 40 cents per proof gallon when grapes are selling at $11 per ton. The use of cheaper spirits will spell the destruction of five-sixths of the brandy making in California, thereby destroying the market for 137,500 tons of grapes annually. The use of untaxed preservatives will be resorted to in preference to the use of taxed spirits, which further renders it problematical whether the Government will obtain any considerable revenue from tax upon grape spirits used in the making of pure sweet wines; but whether the revenue be large or small, it can not possibly justify the wholesale destruction of the grape-growing industry that is bound to follow the levy of any tax upon the grape spirits so used.

SUMMARY.

1. The imposition of a tax on grape spirits used in fortifying pure sweet wines will utterly destroy millions of dollars' worth of property that is now devoted wholly to viticultural purposes in California.

2. The small grape grower will be hurt the most, for he and his family are entirely dependent upon the annual crop of his vineyard, and if the wineries and distilleries can not take his grapes he will be deprived of the sole market for his product.

3. It is the custom of the grape growers and the wine makers to enter into contracts for a term of years at fixed prices for grapes, and the contracts now in force invariably provide that in the event of adverse legislation the wine maker, at his option, may cancel his contract.

4. The imposition of a tax upon a pure sweet wine is in contravention of the announced policy of our Government, backed by strong public sentiment, in favor of purity in foods, drugs, and beverages of all kinds.

5. The imposition of such a tax will inevitably lead to the breaking down of the barriers between pure wine and its many imitations, causing confusion and difficulty in securing a pure article and leading to temptations to market cheaper, adulterated brands in the place of genuine wines, thereby undermining the public health through concealment and fraud practiced upon the consumer.

6. The imposition of the proposed tax will not produce any material increase of revenue. The claims of its proponents will not be realized, but, worse than this, the attempt to raise additional revenues in this manner will bring disaster to thousands of men and women of high character and good citizenship, thrifty, patriotic, and temperate, who are now engaged in various branches of the grape industry.

7. It is contrary to our avowed policy of encouraging the intensive cultivation of the soil in small holdings and rendering the pursuits of the soil profitable and inviting.

8. California's vineyards are of imported stocks, and that State alone is able to give the people of this country a pure, delectable wine in competition with the imported brands.

9. A curtailment of the market for sweet wines will result in an overproduction of dry wines, and such overproduction means that tens of thousands of tons of grapes will not be worth marketing.

10. California's present viticulture is the result of a hundred years of experimentation and development, and the work of a century should not be nullified by the imposition of the proposed tax. It is the traditional policy of all Governments to foster and upbuild this industry.

11. A ton of grapes being used for making the brandy that is now required to fortify the juice of a ton of sweet-wine grapes, it is apparent that a tax on such grape brandy will destroy the market for five-sixths of the grapes that now go to the distilleries.

12. The 15,000 heads of families who are now engaged in grape culture and wine making in California earnestly protest against taxing any of the interrelated branches of the grape industry.

Respectfully submitted.

M. F. Tarpey, Fresno, Cal.; Theodore A. Bell, San Francisco, Cal.; L. W. Juilliard, Santa Rosa, Cal.; Louis S. Wetmore, Stockton, Cal.; J. C. Needham, Modesto, Cal.; J. A. Barlotti, Los Angeles, Cal.; G. E. Lawrence, Lodi, Cal.; Louis Landsberger, Berkeley, Cal.; Perley K. Bradford, Sacramento, Cal.; Edward L. da Roza, Elk Grove, Cal., Committee.

The Arbitration Law.

SPEECH

OF

HON. LAWRENCE B. STRINGER,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, July 15, 1913,

On the bill (S. 2517) providing for mediation, conciliation, and arbitration in controversies between certain employers and their employees.

Mr. STRINGER. Mr. Speaker, the speedy passage of the pending bill will add force and strength to the inherent qualities of our institutions.

It is a cause for national congratulation, it seems to me, that it has at last become possible in this country of ours to secure unity and commonality of action in the method of procedure to be observed in the settlement of disputes arising between the managers of mighty corporations and their employees.

The time was, and it is not very long ago, when disputes between capital and labor often meant scenes of violence, riot, and bloodshed. It is not very long ago when labor troubles brought widespread disaster and suffering, not only to those directly interested but to the entire business and industrial energies of the whole Nation as well.

The time was, and it is within recent memory, when disputes between capital and labor meant relentless war, with no capitulation, no quarter, no flag of truce, no effort to meet on common ground—only a determined, heartless purpose to coerce or exterminate, to compel or destroy.

The circumstances surrounding the present effort to speedily enact this bill into law marks a new era in our industrial life, and that regardless of what the immediate effect of this measure may be upon the strained situation which now confronts us.

A dispute as to wages has arisen between railroad managers and their employees. A general strike seems imminent, which in its results will lock every locomotive wheel on every mile of railroad east of the Mississippi and north of the Potomac Rivers, bringing in its wake direful and dreadful results to great cities, populous Commonwealths, and thousands of industries.

The President of the United States, patriot and statesman as he is, with a mind ever alert to the needs of the millions of people whose interests have been intrusted to his care, has acted with his accustomed promptness and vigor in an effort to hold back the disaster which seems imminent.

Well has the gentleman from Kansas [Mr. MURDOCK], leader of the Progressive Party in this House, said:

I think that nearly all men will commend the dispatch and the determination in the conduct of this measure which has characterized President Wilson's course.

Rarely in our industrial history has such a scene been enacted as that which occurred at the White House on yesterday. There the President of the United States, keen and alert to the urgencies of the situation; there the presidents of mighty railroad systems, representing investments of millions of wealth; there the heads of five great brotherhoods of railroad employees, representing the muscle, the brawn, the keenness of brain and sense which sends the traffic of a continent over the steel highways of trade; and there the representatives of both branches of the greatest legislative body of the world.

And these great leaders of industrial thought and action had met there, with their varying and antagonistic ideas and interests, to counsel, consult, and, if possible, agree upon peaceful ways and means and fair methods of procedure in having their dispute and controversies settled, without coercion, violence, or force, but by the sane and beneficent system of arbitration.

The conferees represented all parties interested in the dispute. Not alone the railroad managers and their employees but the people themselves were there in the person of their chosen Executive and their chosen representatives, for, after all, whatever the interest be of those directly involved in labor disputes, the whole people are vitally affected in every branch of industry and in every calling of life, and it is right and proper that their interests should likewise be considered and conserved.

The pending measure, Mr. Speaker, is the concrete expression of the combined wisdom and fairness of those who comprised that conference. It represents the unanimous consensus of opinion of all parties as to the matters involved. It is a healthful, progressive, satisfactory piece of proposed legislation, and the promptness with which it is about to be enacted into law is not only commendable but worthy of emulation by both branches of this body in the disposition of other important and needed legislation now pending upon the calendars.

The Erdman law, upon which the pending measure is based, was passed in 1898, and was a step in the right direction, but for nearly a decade it lay dormant upon the statute books, inoperative and unused.

The pending measure revivifies, reconstructs, and reorganizes that law, readjusts it to meet new conditions, and recognizes important principles which were omitted and ignored in the original law.

As the Erdman law was a step in the right direction, so is this law a further step toward the desired end. As the Erdman law was not a finality, so this law is not as comprehensive as it might or should be, or as, in my judgment, it will be in the very near future.

The pending measure has been passed to meet an urgent and imminent situation, and it should be enacted into law without delay. But desirable as its passage now is, it will not be complete, not have reached the possibilities of its usefulness until it has been so amended and so extended and amplified in its provisions and scope as to furnish a basis for voluntary arbitration, not to certain lines of employment in a single industry alone, but to every line of employment in every industry in which labor is employed.

The pending measure should be hailed with satisfaction by every wageworker in the land on account of the national recognition therein of the principle of absolute individual liberty of action vouchsafed to him in the provision that—

nothing in this act contained shall be construed to require an employee to render personal service without his consent, and no injunction or other legal process shall be issued which shall compel the performance by any employee against his will of a contract for personal labor or service.

More significant still is the fact that this measure enacts into the organic law of the land the recognition of the right of individual laborers to organize into associations and unions for their own protection and benefit and gives legal sanction and approval to such organization on their part.

The pending measure is operative upon the theory that the parties to the arbitration, numerous though they may be, shall select those who represent them on the arbitration board through the channels of their regular organizations.

So clearly does the act contemplate action of this kind that it makes special provision to cover labor disputes where those interested "are not members of a labor organization."

The principle of arbitration throughout the history of the world has been considered the fair, sane, and effective method of settling all disputes and controversies.

Yet when controversies are to be settled between corporations on the one side and vast numbers of employees on the other, arbitration is practically impossible unless both parties to the dispute are thoroughly organized in such a manner that they may choose officials to represent them, with full power and authority to do the same.

The laborers as individuals, each man for himself, could no more successfully participate in such an arbitration than could the stockholders of the railroad themselves. Both stockholders and employees must act through regularly accredited officials.

Arbitration has for all time been utilized in disputes between a few individuals, but the principle of arbitration was never successfully used in the settlement of industrial disputes until labor had effected successful organization; and labor organizations have always advocated and they have made possible the application of the principle of arbitration to modern conditions in our industrial life.

We live in a day and an age of organization. It is the law of civilized society. It is the natural and inevitable outgrowth of our industrial, commercial, and social life.

The man whose philosophy is so narrow that he concedes to capital the right to organize and combine, but at the same time refuses to labor the same right, places himself beyond the pale of reason and in the category of those who are blind because they refuse to see.

No fact is more patent in our industrial life than the one that the happier and better condition of the workingmen of America to-day over those in other lands is due not to any legislative legerdemain, but to the energy and the efforts of their organizations.

I know not what the effect of the pending measure may be upon the situation now so imminent. I know not whether some unforeseen obstacle may arise which will thwart the purpose and objects of this bill. But I do know that the manner of its origination, the method by which it was brought about, the vigor and wisdom shown by the President of the United States in endeavoring to avert disaster, as well as the promptness with which Congress has risen to the emergency, will mark a milestone on the highway of industrial progress for many years to come.

Mr. Speaker, I regard it as a special privilege to be given the opportunity of supporting this bill.

Mediation, Conciliation, and Arbitration.

SPEECH

OF

HON. JOSEPH TAGGART,

OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, July 15, 1913,

On the bill (S. 2517) providing for mediation, conciliation, and arbitration in controversies between certain employers and their employees.

Mr. TAGGART. Mr. Speaker, the time has come in the history of legislation when the immediate requirements of the public are a controlling factor. Acts have been passed by Congress which were preceded by long speeches, campaigns full of excitement, and sensational newspaper articles, and in the end the legislation was not of any practical value. Now we have quietly and without ostentation or display brought before us a piece of legislation that is of vital importance to millions of people. Employees of railway companies engaged in train service have determined to demand a higher rate of wages or cease their employment in a body. It will be impossible to estimate the result of such a course as this. These men have not arrived at this determination simply because they wish to make trouble, but because they believe that in their judgment they are not receiving what their services are worth, and because they further believe that railway companies have an income that would warrant them in paying a higher rate of wages. The Government has no adequate law whereby it may take part in properly adjusting such a controversy. We have an act on the statutes which was approved June 1, 1908, known as the Erdman Act. It provides that when a controversy shall arise between a carrier engaged in interstate commerce and its employees that it may be submitted to the arbitration of a board of three persons, one named by the carrier—the employer directly interested—the other by the labor organization, or where there is more than one organization involved, by the several labor organizations, and that the two thus chosen shall select the third commissioner of arbitration. This has proved unsatisfactory in many cases. Each of the arbitrators appointed by the interested persons in many instances have used their efforts to control the third member that each of them took part in selecting, with the result that it amounts to nothing more than an arbitration submitted to one man.

Under the amendment which has passed the Senate and which we are now considering, whenever a controversy concerning the wages, hours, labor, or conditions of employment shall arise between employer and employees engaged in transportation of passengers or freight wholly by railroad, or partly by railroad and partly by water, either party to such controversy may apply to the board of mediation and conciliation which will be created by this act and invoke its services for the purpose of bringing about an amicable adjustment of the controversy.

Under this amendment a board of arbitration consisting of six is authorized, each party naming two arbitrators, and the four, by a majority vote, may select the two remaining arbitrators; or should they fail to do so within 15 days the board of mediation and conciliation shall name the two remaining members. The agreements shall be filed with the board of mediation and conciliation. Under the former act the award was filed with the clerk's office of the circuit in the district court of the United States in the district in which the controversy arose. Under the amendment it will be filed not only with the clerk of the district court of the United States but with the board of mediation and conciliation. If there is anything in the arbitration that is disagreed to or not understood, this board of mediation will have the power to reconvene the arbitrators and adjust the matter. If the award filed in the clerk's office of the district court of the United States is not appealed from in 10 days, it will become final and conclusive and binding upon the parties the same as a judgment in equity. If it is appealed from by either party, the judgment of the circuit court of appeals on matters of law will be final. The leading feature of the amendment is the creation of this new board of mediation and conciliation. Under the new act it will consist of a commissioner appointed by the President with the consent of the Senate, to hold his office for seven years.

The other two members shall consist of other officers of the Government who have been appointed by and with the consent and advice of the Senate, and the three shall constitute the board. Another feature is that this board will not be responsible to any department of the Government. It shall not be their duty to report to any department. No Cabinet officer or any other officer of the United States shall have any control whatsoever over this board of mediation.

This bill was thoroughly discussed in the office of the President of the United States. A meeting was held at the White House, consisting of the representatives of the various organizations of the men engaged in the interstate commerce as employees and the representatives of the leading railroads of the United States.

While this bill is imperfect, perhaps, and does not include all the classes of employees that might be included, it was unanimously agreed upon by the representatives of the railroads and of the employees, and has the approval of the President. It is intended to furnish a means whereby a great threatened controversy may be peacefully adjusted. The bill passed the Senate without a roll call and apparently without a dissenting voice. The leaders of all three parties in the House have been consulted with reference to the measure and have recommended its passage. There can be no doubt that it will receive the unanimous vote of this body.

Mr. Speaker, it will not be long until we will regard strikes as the crudest method of adjusting labor controversies. Strikes have been justified in nearly every instance in the absence of any other way of securing better terms for labor. If we could sum up the loss, the suffering and privation, the ruin and destruction of property, and what is worse than all, the disturbed condition of the public mind in which the passions of men are wrought up and a sense of injustice comes into the hearts of those who labor, we will fully realize the terrible meaning of a great controversy between employers and employees.

The American people are sufficiently intelligent to provide a way of adjusting these matters. Those who labor, and especially that great intelligent class of men who are engaged in interstate commerce, are not unreasonable. It is a fact, and they know it to be a fact, that the great mass of the American people desire that those who work at hard labor for a living should be well paid. As a striking evidence of it we are all agreed that we should furnish additional machinery whereby such controversies should be settled and whereby employees may be awarded better terms. This board of mediation should have been created long ago. This is only a beginning. This act will need many amendments in the future. Its scope will have to be widened so as to include every person whose work has any share in conducting interstate commerce. Shopmen and those engaged in mining coal in mines owned exclusively by railroad companies for railroad purposes, and many others, will be included. As a member of the Judiciary Committee it will give me pleasure to help recommend the broadening of this act so as to include all of those who take part in conducting interstate commerce. I believe that this board of conciliation will be increased in the future, and it would give me pleasure to add to its power. It should be, and it will be, composed of level-headed men who will represent the whole people of the United States, and whose judgment, when intelligently delivered in good faith, will, I hope, represent the united judgment of a hundred millions of people. The members of this board should be well paid and be made absolutely independent.

Mr. Speaker, let it be hoped that we are beginning a course that will finally bring about complete peace and confidence be-

tween employer and employee in this country. The most impressive sentence ever uttered on this continent is cut in stone on the tomb of Gen. Grant—"Let us have peace." These words were spoken in his first inaugural address, March 4, 1869.

Those who own railroad stock and who are employed to manage and conduct railroads love peace as well as everyone else. Those who are engaged in conducting and operating lines of railway are also lovers of peace. I hope and believe that we are now inaugurating a system whereby all controversies may be adjusted with dignity and impartiality, and without the awful consequences of the loss of time, the loss of confidence and peace of mind, and even the loss of homes, that have characterized the crude methods whereby these controversies have been adjusted in the past.

United—The Blue and the Gray.

EXTENSION OF REMARKS
OF
HON. RICHARD W. AUSTIN,
OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, July 29, 1913.

Mr. AUSTIN. Mr. Speaker, under leave granted I extend my remarks in the RECORD by inserting an address delivered by our colleague, the Hon. J. HAMPTON MOORE, of Pennsylvania, at the "Bloody Angle," Gettysburg, on the fiftieth anniversary of the battle, July 3, 1913. On behalf of the Seventy-first Regiment, Philadelphia Brigade (Union Army), Mr. MOORE presented a silk flag to the survivors of Pickett's division, Longstreet's corps (Confederate Army).

Mr. MOORE said:

"Veterans of the blue and the gray, our Nation and the sovereign States from which you come were poor, indeed, had they not embraced this anniversary occasion to bring together you, the citizen soldiers of the North and the South, upon this, the greatest of American battle fields. Here where you contended in mortal combat half a century ago you meet to-day to clasp each other's hands in warm embrace and to extol the virtues in each other found. Our country will be the richer and her fame the greater for this unique visitation. It is an incident, nay, an epoch, unparalleled in martial history.

"And while you have come from the South and the North bearing the tattered colors that once distinguished you as enemies, wearing the blue and the gray as you gallantly wore them through the tumult of battle, you meet again here at the 'Bloody Angle,' the very zenith of the mighty current of the war, not as furious, fighting champions of State or section, but as messengers of peace; as men and brothers, loyal to a common country, united under one flag—the Stars and Stripes. In thus assembling, mindful of your past differences only as thrilling reminiscences in the story of your lives, you are manifesting the highest, the truest qualities of patriotism.

"Wide, indeed, was the breach that put you asunder, and long were the years of bitterness and misunderstanding that ensued; but you have outlived them all. The elements of discord have spent their force, and now you know each other better; you appreciate each other more. You who wore the gray well knew the ilie of life or death was cast in that fierce charge you made through yonder field in 1863. Now you have come again, not in obedience to the command of those you followed even to the death, but at the call of those who clubbed their guns and turned you back—the boys who wore the blue.

"With shot for shot and bayonet for bayonet you met each other then; now, when the musket and the saber rest amongst the treasured trophies of the war, you look into each other's eyes, you swap again your countless tales of perilous adventure, knowing, each of you, on either side, what all the world concedes, that those with whom you here contended were 'foemen worthy of your steel.'

"The sutler and the camp follower may not exult over such a reunion as this, but the fighting man best knows the worth of him with whom he broke his lance. You hallow this ground to-day by standing square in peace with all the bravery you displayed in war.

"You have talked of Armisted, the Confederate, who, cap on sword, cheering his men with 'Give them the cold steel, boys,' carried the charge to this angle of stones only to meet a soldier's death; and we have talked of Cushing, the gallant lieutenant, who, thrice wounded, fell by his gun, striving to give you 'one more shot.' Your great Confederate leaders have passed in review with our Meade and our Hancock and Gregg. The soldierly fortitude and the Christian character of Lee have been calmly contrasted with the high purposes and devoted determination of the generals who overwhelmed him. A wholesome reunion of sentiment has pervaded this fraternizing of veterans.

"No more the earth trembles with the impact of heavy guns; the mad tramping of the wounded chargers is over; the shouts of the marching legions have died away. You were a part of it all, proud of your part in it all. Then what does it mean that you should be sounding each other's praises, you who were 'Yank' and you who were 'Johnny Reb'? It means that civil strife shall be no more; that backed by the sturdy generations that have sprung from your loins, building our country upon the foundations of loyalty and industry, we need have no fear of any power on earth. Here is a lesson for the rising generation—yea for the statesmen of our country who would ever again bestir the enmities or arouse the passions incident to the great conflict.

"Your battle of half a century ago was fought in Pennsylvania. We are proud of the Keystone State; proud of Virginia; proud of Alabama, of Texas, of Louisiana, of North Carolina. Each of them, all of them below the imaginary line that once divided us, are stars in the brotherhood of the Union that can not be effaced. But 50 years ago to this very hour it was the duty of Pennsylvanians, of the Philadelphia Brigade, to resist at this stone wall the highest tide of Lee's invasion, the memorable charge of the dashing Pickett. It was the most terrific hand-to-hand encounter of the war, a titanic test of human courage. Unionist or Confederate, the honor of this day rests with those who stood on either side, rests with those who fought and passed unscathed, with those who carry yet the wounds they then sustained, with the memory of those, your comrades, who sacrificed their lives upon this field.

"Three regiments of Philadelphians, under the heroic Webb, stood at this point. They were the fighting Sixty-ninth, the Seventy-first, and the Seventy-second, together with certain companies of Morehead's One hundred and sixth. The Seventy-first had been organized by Col. E. D. Baker, of Oregon, who left the United States Senate to don the uniform. It was known as the "California Regiment," and was the first three-years regiment to complete its organization. It was baptized in blood at Balls Bluff, where Baker was killed; but from that time on it served heroically and with heavy losses throughout the war. Evincing the spirit of the Philadelphia Brigade and of the Grand Army of the Republic, the survivors of this old command have commissioned me to turn over to you of the gray, their erstwhile foemen, whom they learned so dearly to respect on this day 50 years ago, the simplest and best token of their patriotic affection.

"Since the days of Betsy Ross, whose deft fingers first fashioned its now familiar folds, the Stars and Stripes have been the emblem of this Nation. It was your flag and our flag in the closing days of the Revolution. We had no quarrel then, for we stood side by side in grim and successful resistance to our common oppressors. It was your flag and our flag when we marched upon the Mexican capital. Grant and Lee supported it then. It was our flag when you raised the Stars and Bars; but we continued to hold and to cherish it, not alone for ourselves, but for you. Then came the War with Spain. Again it was your flag and our flag, the flag of Dewey and the flag of Wheeler, fighting together as patriots and countrymen. And now, when we boast of a reunited country, more rich and powerful in men and wealth than any nation on the face of the globe, it is still your flag, as it is still our flag—the glorious emblem of a peaceful and a prosperous people. This, veterans of the gray, survivors of Pickett's charge against "the bloody angle," is the token that your quondam adversaries of the Seventy-first Pennsylvania desire me to present to you. It is their expression of loyalty, friendship, and good will.

"And, soldiers, in performing this pleasant service, may I add one thought—more important than all, more satisfying than all. By your own acts this day it is ordained that you shall not depart in rancor nor in malice; that you shall not carry with you at the parting the bitterness resulting from your mighty struggle. You have truly made this ground more sacred by uniting upon it in bonds of amity and fellowship. The God of Peace now reigns above the scene of carnage, and you who trod these dusty roads to wage a deadly war may now return to your homes to await the last muster, conscious when the final summons comes that you can face eternity with the mantle of charity and kindness covering the last vestige of enmity that may have found a lurking place in your hearts."

The Progressive-Republican Merger.

EXTENSION OF REMARKS
OF
HON. JAMES W. BRYAN,
OF WASHINGTON,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, August 5, 1913.

Mr. BRYAN. Under the leave granted to me to extend my remarks in the RECORD I include an article from the Saturday Evening Post, of Philadelphia, June 28, 1913.

The article is as follows:

THE PROGRESSIVE-REPUBLICAN MERGER.
[By Albert J. Beveridge.]

After its first defeat and before its second victorious campaign earnest proposals were made to the new party of Lincoln to merge with all other elements opposed to the Democratic Party of that day. The new party had suffered some local reverses; and it seemed clear that if all elements of the Whig Party would get together again that party could win. It appeared equally certain that if this was not done success was impossible. Yet Lincoln strongly opposed this plan.

"Rational men," said Lincoln, "can only entertain it in the strange belief that Republicans are not in earnest for their principles. This mistake must be dispelled. For the sake of their principles, forming their party, they broke and sacrificed the strongest mere party ties and advantages which can exist. There can be no letting down. * * * 'He who is not for us is against us; and he who gathereth not with us scattereth.'"

So the merger plan was rejected, and at the next election the people placed the new party in charge of the Government.

The people felt that a new party was needed in Lincoln's day just as the people had felt the same thing four times before Lincoln's day. There had been the Federalist Party of Washington and Hamilton, the Republican Party of Jefferson and Madison, the Whig Party of Webster and Clay, the Democratic Party of Jackson and Van Buren; and then came the new party of Seward and Lincoln. Looking back over our history all of us now see how good a thing it was for the country that these parties rose and fell. We now see that each of them did a needed work which the others could not do, and then gave place to a new party that better stood for the spirit of the times.

The average life of American political parties has been about 30 years. Jefferson thought even that too long. The only exception was made by the Civil War, which practically dissolved the Democratic Party for many years and gave the Republican Party an unnatural lease of life. History then, as well as present conditions, shows that the time is overripe for a new party now.

Recently a few gentlemen calling themselves Progressive Republicans met in Chicago to arrange for a merger of the Progressive and Republican Parties. The day before they met Senator GALLINGER, the Republican dean of the Senate, declared in the public press that "when the time comes to reorganize the Republican Party we must follow the men who helped build the party and not those who helped to wreck it." And the newspapers added "Senator SMOOT and other regulars expressed similar sentiments." The following day the same newspapers that described the meeting of these Progressive Republicans in Chicago carried a dispatch from New Haven, quoting Mr. Taft, the last Republican President, as saying in his Yale lecture that progressive reforms are "hair-trigger" affairs "leading to anarchy and despotism by the majority." And the day after the meeting Mr. Cannon, the last Republican Speaker, wanted Senator CUMMINS, leader of the Progressive-Republican Chicago conference, to tell why Senator CUMMINS four years ago had not supported the very plan to reduce southern representation in Republican national conventions that Senator CUMMINS now favors. Still the promoters of the merger went merrily ahead.

Even if these well-meaning gentlemen had composed these radical differences among those who still call themselves Republicans they still would be up against the impossible in trying to unite the Progressive Party with the Republican Party. They start out with three fundamental errors, all fatal to their plan:

Their first mistake is that the Progressive Party is only a faction of the Republican Party. But one plain fact knocks this theory in the head—the fact that more than a million of those who joined the Progressive Party and voted the Progressive ticket last year were men who had been Democrats. Long before the election Mr. PENROSE said publicly that more than a hundred thousand of his followers in Pennsylvania would vote for Mr. Wilson; and in his first formal speech in New York after the election Mr. Taft said that more than a million Republicans had voted the Democratic ticket. That was true, and it is also true that a good many more than this number of Democrats voted the Progressive ticket.

More than this, men who had been lifelong Democrats were and are among the most active, vigorous, and efficient of the workers and committeemen of the Progressive Party. Many of these were prominent men whose solid qualities gave them an influence extending beyond their own States, as, for example, John M. Parker, of New Orleans, who became and now is a vice chairman of the national committee of the Progressive Party. Hundreds of county committees of the Progressive Party were made up of former Democrats and Republicans alike. Almost every county committee of the Progressive Party had and has one or more members who had been lifelong Democrats. And in almost every case these former Democrats are men of substance and weight in their own communities. As I write I can think of many such men whom I personally know—farmers, merchants, workingmen, secretaries of commercial clubs, doctors, and teachers. And these workers of the Progressive Party, who formerly were Democrats, are as able, determined, and enthusiastic as any of their fellow Progressive Party workers who formerly were Republicans.

Also, many Progressive candidates for Congress were former Democrats, and this was true of our candidates on Progressive county tickets. Mark well the fact, too, that these candidates on county, State, and congressional tickets of the Progressive Party were mostly men who had never run for office before. Very seldom could they be accused of being disappointed office seekers. Also most candidates of the Progressive Party became such knowing that they could not be elected, for from our great leader down nearly all Progressive candidates for office in 1912 were willing to make the fight without any notion of succeeding at that election. One of the many fine things about the campaign the Progressive Party made last year was this very fact that it was made for principle and not for spoils.

All this proves that the promoters of the proposed political merger of the Republican and Progressive Parties are wrong in their major premise. How do they propose to amalgamate this great host of Progressive voters, who formerly were Democrats, with the Republican party? And the fact that the Republican Party cast a great many hundreds of thousands of votes less than the Progressive Party cast will not help the merger promoters to answer that question. How are they going to merge men like Parker, of Louisiana; and Wannamaker of South Carolina; and Harris, of Georgia, with ROOT, of New York; LODGE, of Massachusetts; and SMOOT, of Utah? For the matter of that, how do these gentlemen propose to make an amalgam out of such materials as Mr. LA FOLLETTE and Mr. Cannon, or Mr. CUMMINS and Mr. PENROSE, all of whom still label themselves Republicans? Do they think that such a mixture would be attractive to American citizens? Do they think that anybody would believe in the sincerity of such a political gentlemen's agreement?

The second fundamental mistake that our promoter friends are making in trying to get up a merger between the Progressive and Republican Parties is that the Progressive Party is merely a protest against certain purely party methods and laws, which became more plain and clear than usual in the Republican convention last year in Chicago. They think that the party law governing the election of national committeemen and the party rule by which Republican delegations from the Southern States are given great power in national conventions are what caused more than 4,000,000 American citizens, both Democrats and Republicans, to leave the two old parties and form the Progressive Party. Does not the mere statement of this show how deeply mistaken the amalgamationists are?

Men and women do not leave their parties to which they have belonged all their lives and openly join a new party for any such surface reasons. Such things may cause them silently to vote for the opposition party in order to register their resentment; but men do not publicly and irrevocably cut lifelong party ties and formally become members of a new party for such feeble reasons.

They did this, too, with hardly any party organization, and everybody knows how necessary organization is if a party's full strength is to be registered at the polls. Last year our Progressive Party committees were formed almost at the polls; literally they were minutemen. By far the larger number of the members of our county, State, and even national committees were totally unacquainted with political work or management; by far the greater majority of them were merely earnest and thoughtful men and women who sincerely believed in the principles and program of the Progressive Party. They were

like undrilled volunteers meeting seasoned and veteran regulars. Yet, even with these beginnings of an organization, the Progressive Party became the second party in the Nation.

Now, however, the Progressive Party is perfecting its organization everywhere. In those States where we have no organization at all one is being built. In States where our organization was poor—and they were many—our committees are being strengthened.

Within two weeks after the election great Progressive meetings began to be held in various States and sections, precisely what happened after the first defeat of Lincoln's new party. Within two months these meetings developed into party conferences. And this remarkable phenomenon has continued up to the present time and is going on right now. Every one of these Progressive Party conferences is a notable affair in the number, character, and enthusiasm of those who attend them. This is admitted even by the old party newspapers at the places where these extraordinary gatherings are held.

The fact is that at the present moment more party work is being done by the Progressive Party than by both of the old parties put together. For example, Progressive Party clubs are being formed in many States. Over 5,000 such clubs have been organized during the present year. And this work is being pushed into other States as rapidly as they can be reached. It is an understatement of the truth to say that more Progressive Party clubs are now being formed than Republican and Democratic clubs put together. As a department of our national committee, we have a progressive service that is a new thing in party politics and characteristic of the Progressive Party's purposes. This service is sowing Progressive Party literature and spreading the Progressive Party propaganda throughout the Nation. Next year the Progressive Party will have full county tickets in most of the States and a Progressive Party candidate for Congress in practically all the congressional districts of the Nation. Last year we had very few such tickets in the field. Also in 1914 the Progressive Party will have its own candidate for United States Senator—a straight-out Progressive Party man—in every State where a Senator is to be chosen. A gloomy prospect for the merger promoters, is it not?

It is when one gets to the heart of the present situation, however, that one sees how impossible is the proposal to Progressive voters to leave the Progressive Party and go back again to either of the two old parties; in fact, Progressives could well say to both the old parties, "Physician, heal thyself!" before such a proposal from either of the old parties could become understandable.

Take, for example, the Republican Party at the present moment: Its leaders are not agreed on a single principle or policy for which the party can stand throughout the Nation. On the contrary, they are at unrelenting war with one another, to which there can be no end or even a temporary truce without a yielding of basic convictions. For example, Mr. CUMMINS believes in Republican voters nominating their candidate for President by a nation-wide primary; but only the other day, in a carefully prepared lecture, Mr. Taft was hard put to it to find words strong enough to denounce that very thing. Mr. LA FOLLETTE believes in the initiative and referendum; yet Mr. Cannon, in a very able, reactionary article in this magazine, called this "the dynamite theory," which would "blow up the foundations of the Government."

Compare what the Republican Party stands for in Rhode Island with what it stands for in Nebraska. A Republican of Iowa is a good deal more of a stranger among Republicans of Massachusetts than among Democrats of Oklahoma. The Republicans of Utah and New Hampshire announce the same beliefs; but put the beliefs of New Hampshire and Utah Republicans in parallel columns with those announced by Republicans of North Dakota and Wisconsin!

It is just as bad, or even worse, with the Democratic Party. The governor of Connecticut says he is a Democrat; and we must believe him, for he is a very learned, honorable, and able man; but the governor of Washington also says that he is a Democrat, and he, too, is an honorable, able, and informed man. Yet Jefferson and Adams did not hold each other's views in greater detestation in 1800 than the Democratic governors of Connecticut and Washington do in 1913. Mr. Sullivan, boss of the Chicago Tammany Hall, calls himself a Democrat, is consulted and deferred to by Mr. Wilson, and is the strongest single factor in the Democratic Party of Illinois. Yet Mr. Sullivan is opposed to everything for which Mr. Bryan stands, on the one hand, and Mr. Bryan is opposed to those things for which Mr. Sullivan stands. If a foreign student of our politics were to read the New York Times, published in New York, and the Rocky Mountain News, published in Denver, he would think that those two papers were printed in the interest not only of opposing political parties but of frantically hostile political parties; yet each of these papers declares that it truly states the principles and purposes of the Democratic Party.

So we see that neither of the old parties has any principle or even any policy on which the respective parties agree or can agree throughout the whole country. Both have come to be merely crazy quilts of glaringly opposite beliefs.

One of the moving causes that for many years have been forming a new party was to put an end to just this confusion—a confusion that prevented either party from standing for clear-cut principles and plainly understood programs which would be carried out in the event of party success, and permitted evil and nonpublic interests to work out their will, no matter which party won an election. For be it remembered that the more the people are confused by these party jumbles of conviction and party catchwords of expediency, the clearer the antipublic forces see their way. These forces never are confused; they know exactly what they want, are always ably generaled, and so perfectly disciplined that they act as a unit. That is why they want the two old parties to stay as they are and are bringing all their power to bear against the Progressive Party.

For a long time millions of thoughtful citizens were impatient of this party condition; and their impatience finally grew to despair. It was inevitable, then, was it not, that there should be a new, intelligent, and honorable party alignment? We need a frankly liberal party, with plainly understood liberal principles and clearly stated liberal policies, to which all citizens who believe in them can belong; and a frankly conservative party, with plainly understood conservative principles and clearly stated conservative policies, to which all citizens who believe in them can belong.

With such a party alignment citizens can know exactly what they are voting for and be sure they will get what they voted for if their party succeeds. It was this deep and fundamental necessity that created the Progressive Party. It is the liberal party of America, to which all who believe in its principles and policies will come in the end; and its very existence will compel all those who believe in opposite principles and policies to get together in an opposition party in the end. Thus, and only thus, can we have honest politics in America.

The third mistake the promoters of amalgamation make is the assertion that the Progressive and Republican Parties want the same things. But this is not true. It is the worst mistake of all. For example, take the subject this moment most before the public—the business question. The Progressive Party is as far apart from both the Republican and Democratic Parties on this subject as were the Whig and Democratic Parties on the subject of internal improvements.

The whole country needs business peace. Yet here we are in the midst of a tariff upheaval, which has in it the seeds of still another tariff upheaval. And this will go on just so long as this great business question is handled by the two old parties. Both the Democratic and Republic methods of building a tariff are exactly the same, and must and do produce equally unsatisfactory results. The country was promised great things from the last Democratic revision of the tariff under Cleveland; it was promised great things from the last Republican tariff revision under Taft; and it was equally deceived and disappointed by both. And now again we are told that the needs of the country will be met by the Democratic tariff revision at present under way. The Democratic leaders have formally and in terms told the country that the tariff bill now making will put an end to the high cost of living, on the one hand, and increase wages, on the other hand; that it will improve business at home and enlarge our foreign trade; and that this miraculous new law will also take away the power of the trusts by taking away the special tariff privileges they now enjoy.

TARIFF MAKING IN FEW HANDS.

Yet certain stern facts already loom up clear and large. Strange, is it not, that though we are told that the trusts are to be punished by this new Democratic tariff law the great interests do not appear to be more worried by this bill? Perhaps time will clear up this mystery.

Of course hardly anybody knows what is in the bill. It was framed in exactly the same way that the Payne-Aldrich bill was framed. Not more than a dozen men all told had any part in its making. There are not 20 Members out of more than 500 Members of House and Senate who at this moment can explain its provisions. And it is being rushed through by the same autocratic methods that were used to jam through the Payne-Aldrich bill, with those autocratic methods raised to the *n*th power.

Just how the bill is to do away with the high cost of living, raise wages, improve business, and extend foreign trade is not explained; but we are told that the new law will do all these things, and the country is taking this statement on faith. Of course all of us hope these things may happen. All of us hope that the high cost of living will be lowered; that wages will be raised, business improved, profits increased. But suppose these things do not come to pass. Suppose we find ourselves next year paying as much as we do now to keep ourselves fed, sheltered, and clothed. Suppose wages are not raised—I do not ask you to suppose the terrible possibility that wages actually may be lowered. Suppose business does not become better—I do not ask you even to suppose that business may become poorer. Suppose any or all these things. What then? Does anybody imagine that people who have thus been so fooled and wronged will not strike down the party which has promised all this and not made good? Of course they will.

What will the people then do? If they turn to the Republican Party, that party will say that at last the people have indorsed the Payne-Aldrich tariff bill; at last Mr. Taft's statement at Winona that the Payne-Aldrich bill was the best ever passed has been proved to be true. That is what the Republican Party will say, and that party will have a right to say just those things. Its leaders are saying just those things right now by way of prophecy. So if the people in their disappointment and despair turn to the Republicans, the latter will give us another dose out of the same bottle from which they dosed us with the Payne-Aldrich tariff bill. We should have again the same one-sided and worthless hearings; the same star-chamber caucus methods; the same framing of a bill by a few men, with the unjustly favored interests in the background; the same slugging of the bill through Congress; the same outrages and injustices in the end. The only difference would be that the Republican Party will feel licensed to be more extreme than ever, for it will reason that the people, tired and exhausted with this endless tearing down and building up of tariffs, will stand for anything rather than see it continue.

Very soon, however, the people will rebel against that unjust tariff, just as they rebelled against the Payne-Aldrich tariff, and the country will find itself once more up against another tariff revision. The country will at the end of all this turmoil be just exactly where it is to-day. And this process will go on just so long as the country tolerates the method of handling the tariff that both old parties alike employ. So we see that business peace—a settlement of the tariff question—is not possible through either of the old parties.

The Progressive Party is absolutely and utterly against this method of tariff making that both old parties employ. The Progressive Party believes that the tariff should be taken out of politics and handled as a purely business question, which it is, instead of as a political question, which it is not. The Progressive Party believes that our tariff should be built on exact facts as nearly as those facts can be gotten; and that it should be changed schedule by schedule, section by section—or even item by item—when the facts make such change necessary. This is the way in which prudent and farseeing business men manage their business affairs.

It is the way that Germany, France, Japan, and other protective-tariff countries handle their tariffs. Tariff changes in those rival countries do not upset the business of those countries but strengthen it. They are made almost automatically. Can anybody recall when France was plagued with a tariff upheaval? Of course France or Germany or any other rival country could not stand the upsetting of business by the wholesale tariff revisions we Americans permit the two old parties to impose upon us. The reason why rival nations have better tariff methods than we do is not because their statesmen are abler or their people more intelligent than ours, but because those countries are so crowded and their resources are so small that they can not afford such haphazard, unbusinesslike, and wasteful tariff methods as we Americans employ.

DARK-LANTERN METHODS.

You see, Americans are the only people on earth who can afford a government by politicians. We are so few in numbers and so wealthy in resources that we can manage to get along with politician-made tariffs and dark-lantern tariff methods. But ought we go on with such tariffs and such methods just because our wealth is so great and our numbers so few that we still can live in spite of such tariffs and such methods? The Progressive Party believes that we ought not. If Germany and France and other rival nations, with many more times our population to the square mile and with very little natural wealth compared with us, can equal us in domestic prosperity, beat us badly in steadiness and security of domestic business, and, comparatively speaking, make us take their dust in foreign trade just by using common-sense business methods, what could we not do with our few numbers and great resources if we also used common-sense business methods?

All of us have heard the bombast of the political stump speaker about our having the greatest prosperity the world has ever known until we are sick and tired of it; for though in sums total our business transactions and growth in resources are very great, still statistics show that our prosperity is not nearly so great, comparatively speaking, as that of rival countries packed with people and without any of our advantages. The plain truth is that we Americans are allowed to realize only a part of the prosperity we ought to have. Our politician methods of lawmaking, especially in our business laws, keep us from making ourselves as prosperous as our scanty numbers and unrivaled advantages justify. And what prosperity we do have is not fairly distributed. The business policy of the Progressive Party is to make our business laws by common-sense business methods and fit those laws to actual conditions, as less favored but more successful nations do. The Progressive Party believes that we should do this in order to give us that greater prosperity which we ought to have and in order to pass that prosperity around.

So the Progressive Party would make a thoroughgoing tariff commission of experts, as permanent and able as our Interstate Commerce Commission. The Progressive Party would make this tariff commission as nonpartisan and independent as the Interstate Commerce Commission; and we would give this tariff commission all the powers needful to discharge its duties. We would have that commission prescribe a uniform system of accounting for protected industries. We would have it gather facts concerning the tariff even fuller and more detailed than the facts the Interstate Commerce Commission gathers concerning the railroads, because the gathering of these facts would be the basic work of the tariff commission. And we would have the benefits in any protected industries go to the workingmen employed in that industry, for the Progressive Party holds to the protective-tariff doctrine of Abraham Lincoln—that the purpose of a protective tariff is to protect American workingmen from competition with workingmen elsewhere who are paid less than American workingmen can live upon by our American standard of living. The Progressive Party believes that this standard of living is the vital problem of American statesmanship.

THE FIGHT FOR A TARIFF BOARD.

And we are at relentless war with the present-day Republican doctrine of a guaranty of profit to manufacturers. Such an idea never was heard of before the Taft-Aldrich-Root-Lodge combine forced it into the Republican platform. Why not guarantee profits to farmers and barbers and doctors and lawyers?

Neither of the old parties believes in the Progressive Party method of handling our tariffs. The Democratic Party frankly says that it does not; and, though some Republican politicians have been driven by the terror of their situation to appear to favor a tariff commission, yet the Republican Party as such is estopped from taking that position. The Republican Party can not be heard now to say that it favors a tariff commission. Not only did its leaders attack the tariff-commission bill when it was introduced some years ago in terms hardly fit to print, not only did certain prominent Republican leaders who now pretend to favor a tariff commission do all they could against it; not only do they admit in private conversation that they take no stock in it now, but it is a matter of public record that three times within the last five years the Republican Party, having full power, had a chance to fix a genuine, permanent, nonpartisan, and powerful tariff commission in our laws as firmly as the Interstate Commerce Commission is fixed, and neglected and refused to do so. Of course everybody knows that Mr. Taft's so-called tariff board was feeble and worthless.

The fact that a very few prominent men now in public life, who illogically have chosen for a while longer to remain in the Republican Party, do sincerely favor a tariff commission and the Progressive Party's method of handling the tariff question does not relieve the Republican situation. The fact only makes it worse. For here again we see the fatal division of the Republican Party within itself. The other day Mr. PENROSE, the Republican leader of the Senate, prepared a careful article for the public press in answer to Mr. Wilson. Mr. PENROSE said about everything anybody could think of in attacking the present Democratic tariff bill and in defense of the policy of protection, but not one word about a tariff commission, not one word about condemning methods of tariff building employed by both old parties. On the contrary, this Republican leader of the Senate made a two-handed defense of those very methods. Mr. Cannon, in his strong but medieval article in this weekly, took the same ground that Mr. PENROSE takes.

You have only to read the CONGRESSIONAL RECORD of three, four, or five years ago to find out what the Republican leaders really think of a tariff commission. Of course they now are willing to put a tariff-commission plank in their platform; but then putting a thing in a platform before election and carrying it out after election are two very different things. It is the men behind the platform that count. And, besides, all of us know that the Republican Party is willing to put nearly anything in its platform just now. It is the old case of a drowning man catching at a straw.

So, then, on the tariff question how are you going to merge the Progressive Party, whose members all believe in the Progressive Party method of handling the tariff, with either of the old parties, both of which have fought that method as hard as they could and are against it now? The only sensible thing for those who have remained in the Republican and Democratic Parties, but who believe in the Progressive Party's method of handling the tariff, to do is to become members of the Progressive Party; for what these men want is the fruitful success of policies and principles in which they believe, instead of the barren success of a mere party name, with which they have been labeled—is it not?

Or take that other great division of our business problem—the question of the trusts. Here again the Progressive Party policy is at war with that of both old parties. Briefly stated, both the Democratic and Republican Parties propose to go on with that series of actions to break up the trusts which the country has witnessed for 25 years. Of course these useless lawsuits under the Sherman law amount to nothing so far as any benefit to the people is concerned. All they amount to is to badger business, on the one hand, and to give to such great interests as can afford to go through the courts a decree to go on doing everything that really hurts the people, on the other hand. Witness the so-called dissolution suits of the Standard Oil Co. and the Tobacco Trust. Did either of these lawsuits reduce the cost of oil or tobacco? No; the cost of tobacco has not changed and the cost of oil has been increased; the price of gasoline has been raised seven times. Did they prevent the watering of stocks? No; the trusts can go on doing that as much as they like; one former component of the Standard Oil Co. made a stock dividend of $29,000,000 within a few months after the decree. Did they prevent the manipulation of prices and unfair methods of competition? If so, point out where those practices have ceased.

So where do the people get any relief? Nowhere. On the other hand, all legitimate business is utterly confused. No matter how honest, American business men to-day can not get for any fee from a reputable lawyer an opinion as to whether in many important, necessary, and wholly honorable transactions they are lawbreakers or not. A great number of indispensable business arrangements now are being carried on, though those who carry them on are criminals under the law. Yet they must go ahead, because they can not do business under modern conditions in any other way.

FOREIGN TRUST REGULATION.

This intolerable trust condition and the politician-like treatment of it by both the old parties do even more to hamper American prosperity than the old party methods of handling our tariff. Here once more the policy of the Progressive Party is different in its very nature and theory from the shifty and shifting policy to which the two old parties equally hold. The Progressive Party takes the ground marked out by every great authority on modern economics. We hold with these standard economic authorities that great organizations of capital engaged in industry are not only inevitable but necessary; that they are caused by railroads, telegraphs, telephones, and all modern agencies of communication which bring scores of millions of people into direct touch with one another, which make a modern nation a single industrial family.

These mighty organizations of industry called trusts are found in free-trade England and in protected Germany, as well as in the United States; they are even greater and stronger, considering comparative wealth and numbers, in those countries than they are with us. And instead of trying to break them up those foreign Governments encourage them. For example, last year a German cartel, or trust agreement, expired. The big concerns that were parties to this trust agreement each wanted more of the future profits of the trust than the others would agree to, and so they would not sign the new trust agreement. But this concerned German business and especially German foreign trade, so the German Government promptly notified these firms that if they did not at once renew their trust agreement the Government would increase railroad rates on the products of each member of the expired trust. Of course that was going too far in the other direction, and we would tolerate no such governmental practice here. I cite it only to show how other nations, which can not afford waste of any kind, deal with this profound subject.

But while these foreign Governments encourage trusts, they control them—sternly and effectively control them. That is just what we ought to do here. So the Progressive Party would stop the policy of badgering business through sham battles against the trusts, which is the only plan the two old parties have with which to deal with this question, and, instead, control them, so that they can not hurt but only serve the people.

The Progressive Party recognizes that the organizations of business can not be and ought not to be destroyed, on the one hand; but we say that they can and must be bridled and directed, on the other hand. The greatest business concerns can be made the greatest servants of all the people.

Just this is what the Progressive Party would do. We would make these vast industrial concerns do the people's work instead of letting them exploit the people. We would pass a business law plainly stating what business practices are unlawful, punishing its violation by prison sentences instead of money fines; and we would create an independent arm of the General Government to control and regulate these giant business agencies in the interest of the public. If the Interstate Commerce Commission is a good thing to regulate and control the railroads of the country, will anybody tell us why an interstate trust commission would not be an equally good or better thing to control and regulate the trusts, whose products the railroads carry?

THE FOUNDATIONS OF THE PARTY.

Thus, and only thus, will there be an end put to the watering of stocks, which taxes the whole consuming public as the Government itself does not tax it; an end to the arbitrary, unjust, and wicked raising of prices, which makes life a burden to the masses of our people; an end put to those crushing and criminal manipulations that have so choked legitimate business. Yes; and an end put to that business uncertainty which chills the energies of American business men and to that confusion which blinds the vision of the clearest business eye. In short, the Progressive Party would establish business peace on the firm foundations of fact and justice.

Yet against this plain, simple, common-sense statesmanship of the Progressive Party, both old parties and also the great and evil interests that have worked their will upon the American people are united. Thus we see that on the business question—the tariff and the trusts—there is no common ground upon which the Progressive Party and either of the old parties can get together.

I have enlarged upon the Progressive Party's business program and the common hostility of the two old parties to that program, because the business question is the one now biggest in the public eye; but when one comes to the underlying principles of the Progressive Party one sees even more clearly why any kind of merger with either of the old parties is impossible. There are three fundamental principles on which the Progressive Party is founded and from which its policies flow. Let us state these three principles and give an illustration of each.

First, the Progressive Party stands for a broader, more logical, and more helpful nationality. Most of the problems that bear down upon the American people to-day are national in character and can be dealt with only by the people of the Nation acting as a unit. So the Progressive Party searches our National Constitution to find power for the Nation to do those things the welfare of the whole people demands; the two old parties, on the other hand, search the Nation's Constitution not to find such power but to find limitations upon such power. The Progressive Party believes that the master words of the Constitution are the very first words in that great charter: "We, the people * * * in order to * * * promote the general welfare, * * * do ordain and establish this Constitution." And we Progressives read our fundamental law by the light of those master words. On the contrary, the two old parties say that these guiding words of the Constitution have no real meaning.

The result is that the two old parties think the States should handle every problem, no matter how national in character, that the Constitution does not expressly command the Nation to handle; whereas we Progressives believe that the Nation should handle all national questions that the Constitution does not expressly forbid the Nation to handle. This principle of the Progressive Party was better stated by Abraham Lincoln than by anybody else. Lincoln said: "The Nation should control what concerns it; a State or any minor political community should control what exclusively concerns it; an individual should control what exclusively concerns him."

Take one of many illustrations of this principle of the Progressive Party—the subject of child labor. For every possible reason this is a national question, and everybody who has studied it knows that it can be handled wisely only by national law. The Progressive Party favors a national law on this vital subject. The two old parties say that the Nation has no power to deal with child labor at all, but that the subject must be left to the States. Yet if left to the States, not only can child labor not be ended; not only will the ruin of American citizens in the making go on in the various States that fail to stop it; not only will labor disturbances in States with good child-labor laws continue to be caused by the employment of children in other States, but also the most serious business inequality is set up all over the Republic. For manufacturers in States which do not permit the employment of children must make their goods with manhood labor, paid manhood wages—and yet sell those goods in the open market in direct competition with business men in other States who are allowed to make their goods by childhood labor, paid childhood wages. I personally know manufacturers who employ children and who would be glad to stop it, but can not, because other manufacturers next door to them go on employing children.

How, then, can the Progressive Party, which has this concept of nationality as one of its basic principles, be merged with another party which denies that principle? Will the Republican Party put a national child-labor plank in its platform? Let the merger promoters try it.

HOW TO STRENGTHEN LIBERTY.

The second principle on which the Progressive Party is founded is a broader, purer Democracy. We believe that liberty can be strengthened best by strengthening the foundations of liberty. So the Progressive Party believes that women should have the right to vote precisely the same as men. We see no sense in allowing some of us to vote because we happen to be men and not allowing others to vote because they happen to be women. And especially the Progressive Party believes in making the people's laws and public servants subject to the people's will all the time.

We think that no harm, but only good, can come from giving the people power over the people's laws under which the people must live, and over the people's servants who make those laws and conduct the people's Government. That is what every individual does in his own affairs; why should not the people do it in their affairs? The initiative, referendum, and recall strengthen our representative Government by making it certain that it will really represent the people whose Government it is, and not the special interests whose Government it is not. Everybody knows that our representative Government has fallen under the influence of antipublic forces.

Yet we find the two old parties, as parties, standing together against the Progressive Party's principle of a stronger and more vital popular Government.

True, some Republicans and some Democrats favor this Progressive Party principle; but the majority of both Democratic and Republican leaders are against it. Mr. LA FOLLETTE is for it and Mr. LODGE so unalterably opposed to it that he gave this as his excuse for deserting his personal friend and greatest benefactor, Col. Roosevelt. Mr. CUMMINS is for it, but Senator Root thinks it will break down our Government.

The Democrats are in exactly the same case. Mr. Bryan favors this Progressive Party principle, but did not write it into the Democratic platform, while Mr. UNDERWOOD frankly and boldly opposes it. A few western Democrats stand for this Progressive Party principle, but eastern Democrats are against it to a man. For example, Gov. Baldwin, of Connecticut, a Democrat, is quite as sure that this Progressive Party principle would blast out the foundations of the Republic as is Senator Root, a Republican.

So we see there can be no getting together of the Progressive Party with any other party on this second vital principle upon which the Progressive Party is founded. Neither of the old parties, as parties, stands for it—both of the old parties, as parties, are against it—and the only reasonable and sincere thing that those who believe in this underlying principle of the Progressive Party can do is to join the Progressive Party, which, as a party, is pledged to this principle.

The third principle upon which the Progressive Party is founded is that of humanity in legislation. I do not mean that we Progressives are kinder or better than members of other parties; but I do mean that, as a party, we Progressives insist on making our laws from the human point of view rather than from the purely commercial point of view. For example, the Progressive Party rejects the savage economic doctrine of the obsolete Manchester School that labor is nothing but a commodity, to be bought at the lowest possible price, used until efficiency is exhausted, like a shovel, or a machine, or a bucket of coal, or a bushel of wheat. We insist that the man whom the accident of birth or fortune makes a laborer is a human being, with all the feelings and aspirations, all the capacities for joy and sorrow, for pleasure and for suffering, possessed by the other man whom birth or fortune places in a more happy plane of life.

The Progressive Party, therefore, would draw its labor laws according to this fundamental principle of economics.

We think it a great deal more important that men and women engaged in any industry should not have their health ruined or their lives destroyed than it is that the manufacturer should make abnormal dividends. We Progressives believe it is of far greater consequence that children shall grow into normal human beings, with an equal chance with other human beings, so far as health and strength are concerned, than that the industries which employ these children should make larger profits because of their employment. We think that the industrial order, which, notwithstanding the enormously increased productivity of machinery, nevertheless drives human beings to such hard and excessive hours of labor that their usefulness is sucked out of them by middle life, is utterly wrong; and so, under the head of social and industrial justice, the Progressive Party platform proposes a program of comprehensive, systematic, and practical reforms to carry out this third great principle on which our party is founded.

Nobody has yet been willing to say that these human reforms are not desirable; but the two old parties say they are not practicable. The answer to this, of course, is that every one of them has been tried and found to work well in other less favored countries than our own. But the two old parties are against the social and industrial justice section of the Progressive Party's platform—some of the old party leaders are quite violent in their opposition; but with Progressives these human reforms are the expression of a principle in which they earnestly believe. So how is a merger of such strong and hostile convictions possible? How is it even thinkable?

So we see that the broad and deep-lying principles which created the Progressive Party and which give it its life and strength are not accepted, but opposed, by both of the old parties. The same is true of the Progressive Party's policies. Here and there you will find numbers of Republicans and Democrats who, in this locality and that, favor both the principles and policies of the Progressive Party; but neither the Democratic Party, as a party, nor the Republican Party, as a party, can be made to stand for any of the Progressive Party's principles or policies throughout the whole Nation.

On the contrary, the Democratic Party, as a party, and the Republican Party, as a party, stand against these Progressive Party policies and principles as national propositions. Yet a political party must have principles and policies as broad as the country.

The Progressive Party, however, as a party, stands for its principles and policies throughout the whole Republic. What we fight for in Oregon we fight for in Florida. What we preach in Kansas we preach in Rhode Island. What we stand for in Wisconsin we stand for in New York. Whereas fragments of the two old parties are willing to stand for some Progressive policies in localities where those policies happen to be popular and yet fight those very policies where they happen to be unpopular, the Progressive Party fights for those policies and principles a little bit harder in the localities where they are unpopular than it does in the localities where they are popular. For the Progressive Party fights for political convictions; the two old parties merely maneuver for expediency.

If this sounds harsh, ask yourself whether it is not true. If it is not true, then explain the difference between the Democratic platform of Oklahoma and the Democratic platform of Connecticut; between the Republican platform of Nebraska and the Republican platform of Rhode Island. Explain the sudden about-face of the Republican manipulators in Michigan and the stonewall standing fast of the Republican bosses of New York.

It is plain, then, that our merger-promoting friends have undertaken an impossible task. And why, after all, should there be any amalgamation of parties believing in different things? Certainly not for the purpose of carrying out clearly stated principles and well-understood policies; for there is no agreement on those principles and policies but, on the other hand, utter disagreement.

To what end, then, is this proposed merger? "To win," answer the merger promoters. Quite so. But to win what? To win offices and power. When you get at the bottom of it, will anyone point out what else there is to come from this proposed merger and amalgamation? And is that result attractive to any sincere and thoughtful man?

The Currency.

EXTENSION OF REMARKS
OF

HON. JEFFERSON M. LEVY,
OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, August 5, 1913.

Mr. LEVY. Mr. Speaker, some time ago I publicly stated that the 2 per cent bonds could not fail to go below par if their circulation privilege was not sustained, and also that the 3 per cents would go below par if they did not receive the right of circulation. Common sense will convince anyone that the value of 2 and 3 per cent bonds has only been sustained on account of the privilege of issuing circulation against them. The premier security of England—Consuls, 2½ per cent—are only quoted at 73; the 3 per cent bonds of Germany are only quoted at 73; and the 3 per cent rentes of France are only quoted at 85. In the face of all this how can we expect either the 3 per cent or 2 per cent to be sustained above par if the circulation privilege is not allowed them?

I most heartily approve the action of the Secretary of the Treasury in giving notice at this particular time that he proposes to use the great resources of the country for the purpose of facilitating the movement of the crops. Under our defective banking system there is no method of increasing the circulating medium at the present time except by the deposit with the banks of redundant funds in the Treasury. What we need for moving the crops is currency. A deposit by the Government is equivalent to an increase in the circulation.

I can not too highly commend the rare good judgment and foresight of the Secretary of the Treasury and his exercise thereof at the proper psychological moment. Last year I urged the deposit of redundant funds on the Republican administration, and introduced a resolution to that effect, but failed to get any response from the then Secretary of the Treasury. He refused to place a dollar in the banks of the country during the crop season.

CURRENCY.

The bill proposed by the respective chairmen of the Senate and House Banking and Currency Committees is, in my opinion, put forward only as a tentative measure or working basis for discussion and consideration. Its main underlying purpose is unanimously approved, and if there are any grave defects they should be ascertained by a careful and dispassionate consideration of the bill on its merits, prompted by the wish that this meritorious effort at needed legislation may not be wrecked.

I do not believe in the tendency to consider financial legislation esoteric in its nature, for I think there are certain well-defined principles which are easily understood when explained, and which *must be followed* if we would not risk the consequences of unsound experiments in finance.

In my remarks before the Glass committee, as published in the CONGRESSIONAL RECORD of June 23, I stated what I consider to be the correct principles which must be followed in any banking and currency legislation.

These principles were embodied in bills which I have introduced, and these principles *are followed* in the Glass-Owen bill; the differences between the two bills consist in the form of the application of the principles or the method of applying remedies to existing defects. I propose in a general way now to consider some of these differences, and when the committee reports I purpose to discuss them more in detail.

At the time referred to I then stated *the problem* which confronts us in these words:

To legislate whereby the debts of the banks may be safely substituted by the people for coin in their daily interchange of property and service with a reasonable profit to the banks.

I explained that the bank debts referred to are the "deposits" and "circulating notes" which constitute the great mass of the "circulating medium" of the country and are the "substitutes for coin" used in the daily exchanges of human wants.

To solve this problem these are the three *essential requisites*, as then stated:

1. To restore the bank function of note issue.
2. To remove from our statutes the evidences of fruitless efforts to create values by legislation.
3. To provide some reserve source of credit.

FIRST REQUISITE.

To meet the *first* requisite the Levy bill provides as follows:

(a) To allow the present national banks to issue currency not exceeding capital stock against a 50 per cent gold reserve and current assets, the notes to be printed and controlled by the Government, as now—all to be redeemable at the Treasury on presentation in gold to be provided by the banks as a part of their 50 per cent gold reserve.

(b) To retire the present bond-secured currency at the option of the banks, by allowing the present 2 per cent bonds to be exchanged for currency certificates which shall represent the bonds, allowing such certificates to be reexchanged into the same bonds at the option of the holder, thus giving elasticity to the present volume of bank currency and enabling the Government to carry the debt represented by the bonds, at a less rate of interest than 2 per cent, to the extent that bond certificates are used.

To meet the first requisite the Glass-Owen bill provides as follows:

(a) The organization of other banks called Federal reserve banks, for which the present banks must contribute the capital. The issuance of *Government obligations* by such reserve banks, against which they must furnish a gold reserve of 33⅓ per cent and deposit of their assets in commercial paper with the Government, 100 per cent of such issuance.

(b) The retirement of the present bond-secured currency, to extend through a period of 20 years, by the substitution of 3 per cent bonds for the present collateral bonds, such currency to be replaced by Government obligations to be deposited with the newly organized reserve banks.

In comparing the merits of these different remedies to attain the same end the fact that the Glass-Owen bill provides *in form* Treasury notes instead of bank notes must not lead us into the error that these Treasury notes, under the conditions which they are issued, are *Government currency* or that they are the same thing as the existing greenbacks without the legal-tender feature. The two are entirely different in nature, in origin, and in effect. In point of fact the Treasury notes proposed under the Glass-Owen bill are a *bank currency*, as a little reflection will confirm, and *this fact* is the redeeming feature of this provision. If it were not so, we should have "greenbacks" pure and simple, and the benefits which we are now reaping from the fight for sound money, made some years ago, would be lost. Pray observe! These notes, though the nominal obligation of the Government, are not to be paid by the Government; the Government receives no value in exchange when it parts with them, and the notes have no existence as an obligation until they are issued, i. e., delivered by a bank for value. They can not be issued by the Government for its own purposes nor even in exchange for an equal amount of gold. They are in law similar to what an accommodation note is when offered for discount to a bank—"stillborn" until value is paid.

As the bank is required to acknowledge the note *as its own debt*, by crediting the face amount thereof to the Government (when it receives value, or issues it), as it must furnish the gold reserve to be held for its payment on presentation, and must pay from its own assets when so presented, there is absolutely no difference in treatment between this Treasury note and its own circulating note, except that the latter when issued would be credited to the account called "circulation."

The present bond-secured bank currency represents the debt of the Government, indorsed or guaranteed by the banks; the proposed Treasury-reserve-note currency represents the debt of the banks, indorsed or guaranteed by the Government.

I do not understand why those in charge of the needed remedial legislation considered that in order to restore the function of note issue to the banks and to have an elastic bank currency it was necessary to have the notes *in form* the obligation of the Government, but having decided upon this, it followed necessarily that the Government should assume control not only of the method of issue as now practiced, but also the control of the *bank function* of note issue, and hence the organization of the Federal Reserve Board. This organization, I concede, should consist of Government officials, if we must have the obligation of the Government as the bank currency.

The Levy bill contemplates the continuance of the national banking system by restoring the bank function of note issue *to the individual banks*, they being in direct contact with the necessities of the people, requiring 50 per cent gold reserve, not only for the security it affords, but also to prevent any profit from note issue "per se" acting as an incentive to inflation. Contraction is secured by having the United States Treasury as one place of redemption for all bank notes, so that each bank maintains its gold reserve there by sending in other bank notes for redemption.

The necessity for doing away with the present bond-secured currency as being incompatible with the needed elasticity of the currency is conceded by the provisions of both bills.

The provision of the Glass-Owen bill to fund the present 2 per cent bonds into 3 per cent bonds follows the suggestion of the Aldrich plan; except that it limits the process to 5 per cent per annum, thus requiring 20 years to complete the operation. The plan in itself is open to the objection that it entails an additional interest charge upon the Government of about $7,500,000 per annum and with the limitations placed upon funding will probably force the price of the 2 per cent bonds much below par; cases will arise where the 2 per cent bonds must be sold at times when the annual limit of funding has been reached; the prices will be then fixed by the investment value, and these forced sales will thus make the market price.

The plan suggested by the Levy bill of making these 2 per cent bonds interconvertible with currency certificates removes the objections named, and besides gives many advantages not possessed by any plan heretofore suggested.

It leaves the Government debt, where it now is, carried by the people, but without the intervention of the banks.

It carries this debt at the maximum rate of 2 per cent, reduced by whatever amount the certificates may be demanded by the people in proportion to the whole debt. If the whole of the present bank currency should be converted into these certificates, the saving to the Government on the present basis of interest would be $14,720,000 per annum. On the basis of interest, as proposed by the Aldrich plan or pro rata by the Glass-Owen plan, the saving would be over $22,000,000 per annum.

It furnishes an elastic Government currency to replace the present inelastic bank currency. It allows the banks to make this exchange without loss and without limit as to time or amount. It provides the method of such exchange without increasing or decreasing the volume of the circulating medium. It broadens and enlarges the demands for 2 per cent bonds and gives to all State banks and trust companies and other corporations or individuals a form of quick assets which will always command currency, irrespective of commercial crises or financial panics.

SECOND REQUISITE.

As to the second requisite—"to remove from our statutes the evidences of fruitless efforts to create values by legislation"—the two bills are in accord, as far as the Glass-Owen bill goes.

The Levy bill does away entirely with the fiction of counting the debt represented by the item "Due from reserve agents" as a part of the required legal reserve of country banks.

I maintain that the only proper reserve money is gold and that no amount of legislation can convert any debt whatsoever into the equivalent of gold. I maintain further and prove by figures that the provision of the law allowing this debt to be counted as reserve money eliminates from the actual reserve money of the country three-fifths of the amount which the law provides country banks shall keep against the deposits therein.

The Glass-Owen bill acknowledges the principle involved, but allows 5 per cent or one-third of the country banks' required reserve to continue as a debt from reserve agents, at the discretion of the Federal reserve board.

The Levy bill gives the holders of greenbacks the option to exchange them into 2 per cent convertible bonds. The Glass-Owen bill makes no provision for this Government debt other than allowing its continuance with the present gold reserve held in trust to maintain its parity with gold.

I contend that the present greenback represents the only fiat money we have; that the creation of the debt in this form was a war necessity; and that its continuance is no longer necessary; that under Gresham's law it has driven an equal amount of gold from the country, part of which we were compelled to restore as a reserve fund; and that by giving the holders an opportunity to fund it into interest-bearing debt we are doing what commercial honor demands. In my opinion, we are performing a yet greater service for the welfare of our country, for we are thus removing the dangerous fallacy which now exists in the minds of many men that this greenback debt is money.

THIRD REQUISITE.

As to the third requisite "to provide some reserve source of credit." It is a well-known banking principle that in times of financial panic some source must exist from which undoubted credit may issue, which means that the ability to create a debt, which will be accepted by the people as a substitute for coin, must be provided or else the whole industrial and commercial fabric will fall to pieces. The Levy bill provides this source through the extension of the act of May 30, 1908, by amending that law so as to remove the prohibitory tax on emergency circulation therein provided repealing the requirement for a bank to have outstanding 40 per cent of its capital in bond-secured currency before being allowed its privileges, and also admitting State banks and trust companies to its benefits. This provision of the Levy bill continues in existence the present organized National Currency Association having an aggregate capital and surplus of about $575,000,000.

The act of May 30, 1908, is further amended so as to allow these currency associations—prior to, subsequent, or simultaneously with the issue of emergency notes—to issue certificates of indebtedness available among themselves and their constituent members for the payment of clearing-house debit balances; the purpose being to allow a combination of assets among the banks, thus applying legally the effective remedy heretofore adopted by clearing-house associations in times of panic.

My belief is that under these amendments an undoubted and tried method of relief from any financial stress is provided, even without the use of the emergency notes by the public, as contemplated in that act; the latter provision being retained only out of abundant caution.

The Glass-Owen bill in providing this source of reserve credit goes at once to the fountain of all credit and provides that Federal Treasury reserve notes shall be issued by the reserve banks. It makes no distinction between banking facilities, which may be needed in the daily and ordinary requirements of business, and in facilities which may be necessary under abnormal and extraordinary conditions; on the theory, doubtless, that the Federal reserve banks, backed by the Government, would be equal to all emergencies under the guidance of the governmental Federal reserve board.

MINOR PROVISIONS.

These essential requisites as stated having been compared, there are other minor provisions in which both bills agree as to results to be accomplished, such as to deposit with the banks until needed any redundant funds of the Treasury so as to prevent reduction of the volume of the currency through the collection of the revenue; provision for branches in foreign countries to facilitate foreign trade; limited loans on real estate security to satisfy banks in agricultural communities; circulation of all checks at par through clearing-house facilities by the regional banks, and so forth.

FUNDAMENTAL VARIATIONS.

The fundamental variation of the bills is in the mandatory character of the Glass-Owen bill, practically uprooting the present system and assuming Government control of the bank function of note issue, which I anticipate will incur violent opposition and dissatisfaction unless materially changed. It does not meet my ideas of right, that the law should require one party to contribute the capital for an investment and give some one else not only control of it but the whole profit thereon beyond a small percentage which is less than the capital now yields.

The Levy bill, through voluntary action on the part of the banks, preserves their individuality, and with no violent changes restores to them all the normal functions of banking, providing at the same time the method whereby in times of commercial crises they may combine for mutual protection of themselves and the community.

Among many letters received by me concerning the Levy bill I append one written by a leading merchant of Providence, R. I., which clearly and forcibly expresses how the matter is viewed by the business interests:

I have read your bill amending national banking laws and your argument in support thereof.

I do not claim to be skilled in banking matters, but I do claim to understand a plain business proposition when I see it.

It seems to me that in drawing the distinction between actual money and bank debts which are used as money you divest the whole subject of banking of much of its mystery and put your remedies for our financial ills as a plain business proposition which everybody can understand. I think your suggestion of an interconvertible bond a much better method of getting rid of the present bond-secured currency than the plan suggested by Mr. Aldrich to issue 3 per cent bonds and thus put the country to an additional interest expense of more than $7,000,000 per annum.

I think it is much better to preserve the separable individual units of our banking system, giving them the power to exercise all the normal functions of banking, rather than to concentrate the functions of note issue, which is the most important to the industrial and agricultural interests of the country, in one central institution.

I think it is most desirable to have the paper representatives of coin, which we use as and call money, to be based on a gold reserve in preference to any paper promise to pay, though it may be issued by the Government; or the promise of any bank, though located in places designated "reserve cities."

I think the fixing of a maximum limit for the "working balance" of the Treasury will prevent the interference with the industrial interests of the country as now is the case, through the withdrawal of currency in the collection of temporary excessive revenue; and that the deposit of such excess in the banks with adequate security keeps the revenue always available, while it allows the public the benefit thereof until needed for Government purposes.

I think one great advantage of your plan is that there is so little that is mandatory about it. Nearly all the provisions are to be availed of voluntarily. You give the banks the opportunity to avail of the benefits, removing restrictions which have heretofore hampered them in the exercise of their normal functions, but leave them free to take advantage thereof or not, and in this way there can be no shock to business or violent change to impede our progress.

I trust you will be successful in having your bill enacted into law.

Mediation, Conciliation, and Arbitration.

SPEECH

OF

HON. S. KIRKPATRICK,

OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, July 15, 1913,

On the bill (S. 2517) providing for mediation, conciliation, and arbitration in controversies between certain employers and their employees.

Mr. KIRKPATRICK. Mr. Speaker, the reenactment of the Erdman Act, together with certain amendments thereto at this particular time, in my judgment is more important to all our people than all the tariff and currency legislation that could be strung on the calendar of this House for any considerable time. Incomplete as it seems to me, I will cheerfully support the measure with unstinted approval, still I desire to point out some apparent defects in the bill. The measure comes from the Judiciary Committee, and the House seems to have agreed to its consideration with the privilege of two amendments, and these can only originate with the committee. The object sought in the speedy passage of this act being to apply in an emergency when there is thundering at our doors a contest between labor and capital, the magnitude of which the world has never experienced, then why not make it possible for this arbitration board to agree by the selection of five, seven, or nine members, instead of six, as provided in the bill, thus rendering it possible, and I might say probable, for the board to divide in halves with no practical results? I would increase the number of the board to nine members, as this would give a wider range of hearing and representation on said board.

Some have said that arbitration would curtail litigation in the trend of its influence. However, be this as it may, men of legal attainments are patriotic and have high ideals of industrial progress and prosperity. At no time in the history of industrial developments has there ever been an epoch such as now exists, where labor and capital were so nearly agreed to arbitrate their differences. As for myself, in dealing with these industrial elements I would guard as sacredly the legitimate interests of capital as I would that of the man who occupies a cottage or a hovel. I might, however, discriminate between the two, as did Judge Gresham, where, under an order of the court, the Wabash Railroad went into the hands of a receiver. The following day the officials of that road appeared and demanded their pay. "Stand back," said the judge, "I am going to pay off the tin-bucket brigade first."

Mr. Speaker, I use the word labor in advance of capital because of the fact that labor creates all wealth and should be entitled to the first and highest consideration. Senator Wade once stood up in the United States Senate and said, "I am for the laboring portion of our people. The rich can take care of themselves."

Alas, there are too many of us who do not consider or contemplate the gravity of existing conditions. Two years ago, when the downward stroke of public demand was made for a reduction in rates to be applied to all carriers, I said, "Do not allow the pendulum of public opinion to swing too far, because of the fact that at that particular time the cost of building and equipment had advanced beyond all previous records, and that too great a reduction would not profit the labor world." And now after 40 years as a laborer among laborers I am about to witness the consummation of a principle so long and devoutly wished for—that under an agreement of arbitration all our people will realize that all have common interests in the growth and development of all legitimate industry.

Then, in conclusion, permit me to say, in the language of one of our great captains, "Let us have peace."

Government for the People.

EXTENSION OF REMARKS

OF

HON. WILLIAM A. CULLOP,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, August 1, 1913.

Mr. CULLOP. Mr. Speaker, I desire to call the attention of the country to the significant statement in the following article, which appeared in the Washington Times of July 31, 1913:

THE BAROMETER GOES UP.

The United States Steel Corporation reports earnings for the quarter ended June 30 as $41,219,813, with one exception the largest for this period in the company's history.

The steel market is looked upon as the barometer of business conditions. Under any circumstances at all, therefore, the publication of such figures could be accepted as gratifying. Still more pleasing is it at a time when the industry is facing a very material reduction of the tariff on its products. The earnings show not only that impending changes have led to no cessation in the steel industry, but that consumers and producers in general have no fear of such a disturbance of business that they must make early preparations to meet it.

The report conveys one other suggestion. If the notable cut in the tariff on steel products promises lower prices, why have purchasers continued to buy heavily? Surely sales in this period have not been only of material for immediate use.

This editorial states the facts as given by the statistics furnished by this great industrial institution, the greatest in the country. It is most encouraging and is a fair representation of the real situation existing in every industrial department of our great country. The condition of the iron and steel business in this country has long been taken as the correct barometer of the true business situation. This report clearly and conclusively shows there is no basis for alarm or stringent times. It is calculated to and will stimulate business activity and accelerate the prosperous conditions now attending all our industrial operations. This splendid showing should forever still the voice of the "calamity howler," who goes over the country talking about panic. To his great sorrow his vocation is gone, and around and about him are abundant evidences for the refutation of his preposterous declarations. The conditions are most marvelous, and the like has never been witnessed before in the history of this country under similar circumstances. We are radically changing the fiscal policies of the greatest country on earth, changing the revenue system from a protection to a revenue basis, revolutionizing the whole system. The policy of a protective tariff has been our fiscal policy for a half century, and it is being transformed into a revenue policy, reduced on an average about 50 per cent, and yet while this radical change of policy is being made the business conditions of the country are being adjusted to it without interfering or even checking its wonderful and most prosperous progress.

Search will be made in vain to find a parallel. There must be a reason for this happy condition. Sir, the reason for it is found in the fact that the people throughout the country have confidence in the executive and the legislative departments of this Government. They believe in the fearless, honest, high-minded man who presides over the destinies of this great Nation, Woodrow Wilson; they believe in the militant Democrats composing a majority of both branches of the National Congress; they believe in the principles of the Democratic Party as enunciated in the Baltimore platform and the determination of their high officials to carry them into execution, both in spirit and in letter. With these policies crystallized into legislation, the business of the country is safe, the rights of every citizen guaranteed under the law, and prosperity, which may shower its blessings on all alike, is assured. The people understand now the Government is administered for all and not alone for a favored few, as has been the case under Republican administrations. They understand it is the purpose to open the door of opportunity to all and not close it in the face of the many, in order that a favored few may reap golden rewards as the pampered beneficiaries of special privilege, as has heretofore been too frequently done. This understanding inspires confidence, encourages business, quickens industry, stimulates prosperity, and produces the healthy conditions existing at the present time.

The iron and steel business is not the only business in a highly prosperous state—the best ever witnessed in its history—but every other industry is enjoying similar conditions.

The merchant is enjoying the greatest trade he has ever known, the traveling salesman is making more sales than it has ever been his good fortune to make heretofore, and all mercantile pursuits are thriving to a degree hitherto unknown.

Farm products are commanding top prices everywhere. Wheat at harvest time, with a most bountiful yield, is bringing 85 to 90 cents per bushel; corn, with the largest acreage in cultivation ever known, promising a bumper crop of 3,000,000,000 bushels, is bringing to-day 65 to 70 cents per bushel; timothy is selling in the field at from $16 to $18 per ton, and clover hay at from $12 to $14 per ton; horses and mules never sold higher than now; for wool and sheep the farmer is realizing splendid prices; cattle bring from 9½ to 10 cents per pound; hogs sell from 8½ to 9 cents per pound. Better prices for farm products were never realized. These products will never be cheap again, for the reason the difference between the amount produced and consumed is no longer large. The farmer never received better prices in the history of his vocation.

The manufacturers of this country this year have more and larger orders than ever known in their business. They are taxed to their utmost capacity, and many of them all over the country are enlarging their plants to meet the increased demands for their production. This is an era of prosperity under the inauguration of Democratic policies, with Democratic officials in office determined to carry out faithfully the Democratic doctrines which the people have approved and which the country supported.

There is nothing in the signs of the times which presages adversity or stringency, but everything indicates a prosperous era and a successful career in all lines of business. The people expect the policies heretofore outlined by the President to be carried into execution and the promises of the Democratic Party faithfully kept in order that the country may profit therefrom and in reality have a Government for the people and not alone for the special interests. The splendid conditions existing all over the country, the great activity in all branches of business, the growing demand for all productions, the universal employment of labor at remunerative wages, the contentment of the producers in every department of our great and diversified industrial pursuits, assure the people of a continuance of these healthful and happy surroundings.

It is an indorsement of the wise and frugal policies already outlined by the Democratic Party. Supported with the belief of a great majority of the people, they will be enacted into laws and executed. It is the assurance of the confidence of the country that it has faith in the wisdom of its policies.

Under the policy of a tariff for revenue the natural law of supply and demand regulates prices and eliminates the artificial character in values, regulates markets on a natural and stable basis, destroys monopoly, and stimulates real prosperity, founded upon a wholesome basis. Business activity under such conditions is healthy, genuine, and lasting. It is not dependent merely on legislative dictum for its stability. If prices of commodities are high under such conditions, it is because of the demand and not because of legislative action increasing the prices. This produces real and not artificial conditions in our commerce.

The wise and splendid administration of President Wilson has set a new and wholesome example in the distribution of the public funds in the Treasury by depositing the same in the country banks, where they may be employed in assisting the legitimate industries of the country.

This policy can not be too highly commended. It is much better to have placed the idle money in the country banks, distributed over the agricultural sections, so it can be employed in moving the bountiful crops now being harvested, so as to assist legitimate business, than to have deposited it in the banks of Wall Street, for them to loan at a high rate of interest to stock speculators to buy and sell watered stocks and fleece the unsuspecting public. This action on his part deserves the approval of the American people and demonstrates his intention of giving the country an administration in the interests of the whole people and for the promotion of the general welfare of the entire country. It is a welcome assurance that he is determined to make this, as its founders intended it should be, a Government for the people, a Government for the benefit of the many, a Government the blessings of which, "like the gentle dews of a generous heaven, shall fall on all alike."

Hetch Hetchy Bill.

EXTENSION OF REMARKS

OF

HON. JOHN I. NOLAN,

OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, August 12, 1913.

Mr. J. I. NOLAN. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include the following circular letter signed by the 11 members of the California delegation bearing upon the Hetch Hetchy bill now pending before the House.

WASHINGTON, D. C., *August 1, 1913.*

DEAR SIR: The Public Lands Committee of the House, after two months' painstaking investigation, unanimously reports in favor of the use of the Hetch Hetchy Valley in the Yosemite National Park as a reservoir site for San Francisco.

The use of this valley is also approved by the Secretary of the Interior, the Secretary of Agriculture, the Secretary of War, the Chief of the Reclamation Service, the Chief of the Geological Survey, the Chief Forester, and by Gifford Pinchot, former Chief Forester.

The irrigationists who have prior rights on the Tuolumne River also desire this bill passed, as they are assured water, which they would not otherwise obtain.

The Hetch Hetchy Valley is an inaccessible canyon, 30 miles from the Yosemite Valley proper. The San Francisco project proposes to make this an accessible mountain lake, with roads and trails leading to the high Sierras.

The only opposition to this project comes from a small number of well-intentioned persons who wish to have the valley remain in the state of nature. You no doubt will receive protests from these people. Members of the California delegation in the House earnestly request you to not prejudge this proposition in favor of the nature advocates, and earnestly request you to read the hearings before the Public Lands Committee and the committee report which will accompany the bill. We feel that with the full facts before you San Francisco's request will be granted. The city needs this water supply and the completed project would be of inestimable benefit to one-fourth of the population of the State of California.

Sincerely, yours,

JOHN E. RAKER,
DENVER S. CHURCH,
JULIUS KAHN,
JOHN I. NOLAN,
WILLIAM KENT,
CHAS. W. BELL,
J. R. KNOWLAND,
WILLIAM KETTNER,
WM. D. STEPHENS,
C. F. CURRY,
E. A. HAYES,

Representatives from California.

Why I Attend Church.

EXTENSION OF REMARKS

OF

HON. SCOTT FERRIS,

OF OKLAHOMA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, August 8, 1913.

Mr. FERRIS. Mr. Speaker, I have just read in Leslie's Illustrated Weekly of August 7 an article by my colleague in Congress from Oklahoma, Hon. CLAUDE WEAVER, which is well worthy of space in the CONGRESSIONAL RECORD of this Congress.

The article teems with brilliancy, pathos, and a devotion to the church of God. It deserves to be read and referred to in every church and Sunday school in the United States.

I ask unanimous consent, Mr. Speaker, to incorporate it in the CONGRESSIONAL RECORD that it may there be preserved for those who come after us.

The article is as follows:

[From Leslie's Illustrated Weekly of Aug. 7, 1913.]

WHY I ATTEND CHURCH.

(By Hon. CLAUDE WEAVER, Congressman from Oklahoma.)

It is sweet on a summer's morning, when the air is aquiver with the love songs of the birds and fragrant with the odor of roses blown, to hear the music of the churchgoing bells, an invitation to the world-wearied to enter God's temple and find peace, because the instinct of worship is in the heart of man and the church is the temple of the living God.

I go to church because I find peace there, that peace which De Quincy described as a resting from human labors, a Sabbath of repose, a respite granted from the secret burdens of the heart, as if I stood at a distance and aloof from the uproar of life; as if the tumult and fever and strife were suspended; as if there brooded over me a dovelike and halcyon calm.

I go to church because I love the music that I hear there, the mighty roll of the great organ, mingled with the marvelous symphonies of that divine stringed instrument, the human voice, untwisting all the chains that tie the hidden soul of harmony.

I go to church because I delight to hear the teachings of the preacher, whose soul is dedicated to God, whose field is as wide as God's universe, whose theme is the destiny of man, and whose words are the oracles of Fate. Marvelous is the spell of the preacher to whom God has given genius and consecration and the power of illustration drawn from the old, sacred, immortal Book, and from the miracles of nature, no less revealed in the crimson-tipped flower turned up by the plowshare of Robert Burns upon the soil of Ayr than in the long reaches of the star-girt skies.

I go to church because "the way is dark and I am far from home," and because the church is the polar star to light my pathway in the rayless night.

I go to church because the church ministers not only to the spiritual but also to the material needs of life, and because it is there that the charities that soothe and heal and bless are scattered at the feet of man like flowers.

I go to church because in that atmosphere vice and crime wither and die.

I go to church because I hear the teachings of the philosophy of Jesus, the incomparable man; and if you say his teaching is philosophy and not religion and that he was a man and not a god, then the philosophy of that man has redeemed the world from savagery and blessed mankind with Christian civilization, and, to my mind, it is a thing worth while to hear.

I go to church because I find there consolation and hope; because I see there the dawn and not the sunset; and it is better for man, if the hope is baseless and the vision but an elusive phantom, to cherish a dream so glorious and beautiful than to be weighted down and crushed with the quarried mountains of a world without hope and without God.

Additional Judge, Eastern District of Pennsylvania.

EXTENSION OF REMARKS

OF

HON. JAMES W. BRYAN,

OF WASHINGTON,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, July 15, 1913.

Mr. BRYAN. Mr. Speaker, our judicial system is wrong in many essential particulars. That can be well illustrated from the facts of this case. The eastern district of Pennsylvania has two Federal judges, Judge Holland and Judge Thompson. Each of these judges holds office during good behavior, which is generally interpreted for life. There is a great deal of business to be done, and one of the judges, Judge Holland, is entirely unable to perform the duties of his office. He is sick and is searching for health. The gentleman from Pennsylvania [Mr. PALMER] has said here in this debate that Judge Holland "is now in such physical condition as to hold out absolutely no hope that he will ever be able to return to the bench." Judge Holland has served as Federal judge for nine years.

The judge's salary is $7,000 per annum. This money theoretically is paid him for services performed. Our system does not provide for a pension to this judicial officer. It necessarily follows that Judge Holla d is drawing down his salary absolutely without right, since he is not rendering the required equivalent service therefor. In contemplation of law he is paid for performing the many and delicate duties of that office, but in fact he has become a national charge. The taxpayers of the country are to pay him $7,000 a year so long as he lives.

A THIRD JUDGE TO BE NAMED.

But that is not all. Congress is now called upon to name another judge to perform the duties of Judge Holland at $7,000 per year so long as Judge Holland lives. The President is to appoint another lawyer who has done well in his profession and presents the proper Pennsylvania indorsements, and place him on the pay roll for life. For better, for worse; in sickness, in health; in poverty, in wealth—till death do them part, this judge and the pay roll will be joined in holy bonds. No divorce here, no separation possible. He is as safe as a drunken husband married to a rich widow in South Carolina. To get "unmarried" is impossible. "Once married" to the Federal pay roll as a Federal judge, "always married."

The venerable Senator from South Carolina [Mr. TILLMAN], on the Senate floor a few days ago, in describing the legal status of husband and wife in South Carolina, gave, it seems to me, the nearest likeness I have read of the union that exists between a Federal judge and the pay roll. The Senator said:

It is true that, if life together becomes unbearable, a man and wife may separate and live apart, but even then the bonds that bind them are only stretched, not legally broken. In South Carolina we tie a matrimonial knot that baffles alike the skill of legal logic, the dexterity of sophistry, the nimble fingers of a false expediency, and the brute strength of a statute. The knot we tie holds faster than the fabled "Gordian knot" of antiquity. Ingenuity can not unfasten nor force destroy it. The skeleton fingers of death alone can loose it.

The male chivalry of South Carolina cavaliers has so enacted that a husband, though a drunkard, a sufferer from a loathsome disease, a wife beater, or a vagabond, when once joined with a woman, howsoever pure, intelligent, and lovable, is fixed for life.

"THERE SHALL BE NO PARTING THERE."

It is not the intention of this reference to challenge the Senator's position in lauding this view of the marriage relation. The Senator considers it an argument for exclusive male suffrage and against the equal suffrage for both sexes. I am not to discuss that feature in these remarks, but surely the South Carolina status of a woman who gets the worst of a marriage obligation—and there are a hundred women who get stung in that transaction to one man—is almost identical with the status of the people who get stung by the appointment by a Taft or a Hanna or even by an Attorney General, as is now the plan, of an unworthy judge. The judge may become old, cross, deaf, blind, mean, notionate, cynical, arbitrary, partial, and even corrupt and indecent, but he is judge for life. Impeach him if you can. It is true that there is such a thing as impeachment, but the general rule is that once tied to the Federal pay roll as a Federal judge "the knot holds faster than the fabled 'Gordian knot' of antiquity. Ingenuity can not unfasten nor force destroy it. The skeleton fingers of death alone can loose it."

LIFE TENURE BRINGS COURTS INTO DISREPUTE.

I hold in high esteem the judiciary of our country, but I am utterly opposed to life tenure of Federal judges. The life-tenure practice is doing much to bring the courts into disrepute. The people demand reforms. After much agitation, education, and labor the demand ripens into a live issue and the legislative branch of the Government is so impressed that it must and does yield. The Executive is ready to act, and does act, but the enemies of this particular reform find some judge who by the very nature of his surroundings is bound with bands of steel to the past, whose vision is not of the present or the future, who is probably old and feeble, may be cross and garrulous, likely overworked and in need of mineral baths, who often sits half asleep during long, tiresome days of evidence, and after hearing shrewd lawyers sum up the case decides what is the common welfare, and his opinion of the common welfare becomes the law of the land—indeed, a part of the very Constitution itself.

"Unconstitutional," says the judge. All the work of education and agitation and toil is gone. The people are told that they were about to touch the ark of the covenant—that sacred document, the Constitution. If you want that law passed you must first have the Federal Constitution amended.

Then again, in some other State the same proposition is submitted to a judge whose training was different, who had more human kindness in his nature, knew more of mankind and how the other half lived, was perhaps younger and of happier disposition, and he decides it is constitutional. At this time I only mention this practice which permits conflicting opinions and conflicting decisions as to constitutional provisions.

JUDGES SHOULD COME FROM THE PEOPLE DIRECT.

If the courts of the country are to retain their power to supervise congressional and legislative enactments, granting them life when they approve and as certain death when they disapprove, then these judges ought surely to come from the people direct. They ought to be elected and at the end of their terms of a few years—not more than six—they ought to surrender their commissions. A retirement pension to a Federal judge whom the people had reelected for three or more terms would meet with th approval of many, but I can not condone or encourage unconditional pensions for life without regard to statute, to public approval, or to length of service.

In the present case, Judge Holland has been on the bench for nine years. Why should a public servant in any department be granted a pension of $7,000 a year during the remainder of his life after nine years' service, much of which, no doubt, has been inefficient on account of his deplorable malady? It may be answered, and very correctly, too, that no such pension or gratuity is allowed by any law on the statute books. Then why do judges (for Judge Holland is only one of a large number) take this money without rendering equivalent service therefor? Here is the oath Judge Holland took:

I do solemnly swear that I will administer justice without respect to persons and do equal right to the poor and the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as United States district judge, according to the best of my abilities and understanding, agreeably to the Constitution and the laws of the United States; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

It is life tenure that breeds this kind of practice. Let the Federal judges know that they must render account of their stewardship to the people who pay them for their service and you will find a better standard of efficiency than is established in many cases.

If it was only a question of revenue, it would not be so bad. The salary drawn down by inefficient judges for whom substitutes are named at public expense is but a small part of the loss. Life tenure and autocratic power must be protected, and weak judges are all too ready to nestle up to powerful men and to intrenched interests to protect them in their position. They are not so poorly informed as to believe that the rank and file

of the people will protect them against the democratic tendencies of all times. Under such conditions it is as natural and necessary that many decisions be influenced against the poor man and in favor of the rich man as it is natural and necessary for sparks to fly upward or for the unrestrained bowlder to crash down the mountain's side. We have always the contest between labor and capital. The representatives of labor claim that their people do not fare as well at the hands of the courts as do the men of great wealth.

MANY LABOR LAWS DECLARED UNCONSTITUTIONAL.

According to a statement of Mr. James Boyle, former private secretary to Gov. McKinley and former consul of the United States at Liverpool, England, published in the Forum in the month of December, 1909, the Supreme Court of the United States has within a recent period declared unconstitutional the following labor laws, which had appeared so humane and fair as to have passed the gamut of popular discussion, legislative enactment, and Executive approval:

That the Constitution be made amendable by majority vote.
The law of the State of New York (passed by the State legislature) limiting the hours of workmen in bakeshops to 10 per day.
The law prohibiting "common carriers" engaged in interstate commerce from discharging employees because of membership in a labor organization, or from discharging them for any reason.
The laws limiting the hours of telegraphers and other railway employees of common carriers engaged in interstate commerce.
The eight-hour law so far as it applies to dredgemen in Government employ.
Federal courts other than the Supreme Court have also declared unconstitutional the law passed by Congress prescribing the hours for telegraphers and other railway employees; and also the congressional law providing for the liability of common carriers engaged in interstate commerce for accidents to their employees.

By the same authority:

There have been a multitude of similar decisions by the State courts, and as they have not been negatived by a higher court or by legislation they must be considered the law of the land.
Maliciously inciting the employees of a railroad which is being operated by a receiver of the court to strike is contempt of court, and punishable.
Combinations of employees to compel railroads to cease using certain cars (because of a strike against the owners or makers) is a boycott, and is an unlawful combination.
An employer is under no legal obligation to give a discharged employee a statement of his service.
The "black list" has been declared lawful.
In the noted case of the Buck Stove & Range Co. *v.* The American Federation of Labor the latter was enjoined from declaring, threatening, or maintaining a boycott.
Combinations to compel a manufacturer whose goods are sold in other States to "unionize" his shop is in "restraint of trade" within the meaning of the antitrust act, and is therefore illegal.
Contracts of public bodies limiting the work to union labor are void.
A law prohibiting an employer from making a condition of employment the withdrawal from a trade union on the part of the employee is unconstitutional.
The "unfair list," when its object is to induce a boycott, is declared unlawful.
A labor organization which compels an employer to discharge nonunion men by threats to notify all labor organizations that the employer is a nonunion one, is liable to action for damages by a nonunion employee as an aggrieved party.
A demand by workmen for a "closed shop" is contrary to "public policy."
A statute compelling corporations to assign reasons for discharging an employee is unconstitutional.
A statute prohibiting "blacklisting" by employers is unconstitutional.
"Picketing" for the purpose of annoying nonunion men is unlawful.

This statement was made in 1909. There have been a large number of similar decisions since that date.

THE CASE AGAINST GOMPERS, MORRISON, AND MITCHELL.

The decision of the Supreme Court of the District of Columbia in Buck Stove & Range Co. *v.* American Federation of Labor (33 App. Cases, D. C., 83) is one of far reaching import. As an outcome of a violation of the "inherent right" of the court to punish for contempt, the head of the American Federation of Labor stands condemned to serve a term in a Federal prison. I shall not attempt to discuss this case except to cite it as one of unusual significance. Mr. J. W. Van Cleave was the principal owner of the Buck Stove & Range Co., of St. Louis. He was also the president of the National Manufacturers' Association, whose manipulations as a corruptionist and insidious lobbyist, with its Mulhall and its millions, constitute the leading sensation of the present day. The Buck Stove & Range Co. employed union and nonunion men. Thirty-five union men in one branch of the company's service got into a dispute with their employer over matters pertaining to hours of work. The difficulty was not satisfactorily adjusted and a strike ensued. The American Federation of Labor indorsed the action of the men, ordered a boycott of the products of the company, and placed its name upon the federation's "We don't patronize" list. The company applied to the Supreme Court of the District of Columbia for an injunction to restrain such boycott. On December 18, 1907, the court granted an injunction, pendente lite, restraining the defendants as prayed for in the bill.

The injunction granted pendente lite in this case was in violation of the Constitution, and the appellate court so decided. It was an absurd autocratic order that trampled upon individual freedom, the freedom of the press, and was entirely unjustified. This is established by the majority opinion of the appellate court, by which the absurd injunction was materially modified, but in my judgment the dissenting opinion of Chief Justice Shepherd should have been the conclusion of the majority. The injunction both as originally granted and as modified by the majority opinion of the court prohibited the publication of the "We don't patronize" list in the American Federationist, the journal of the labor organizations.

The people of this country are not going to permanently stand for such power as permits a life-tenure judge to order an editor in advance of a trial on an ex parte hearing not to publish this or to publish that. Surely if the judge can say what the editor can not publish, by the same token he can tell him what he must publish. The term "freedom of the press" becomes a silly and meaningless phrase under such conditions. The learned judge in his dissenting opinion cited Chancellor Kent, as follows:

It has become a constitutional principle in this country that every citizen may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right, and that no law can rightfully be passed to restrain or abridge the freedom of speech or the press.

Chief Justice Shepherd continues:

The true ground for the denial of jurisdiction to restrain the publication of a libel destructive of property is that the exercise of such jurisdiction would amount to an abridgment of the freedom of the press by establishing a censorship over the press so enjoined. The soundness of this view is demonstrated in an able opinion by Fenner, J., speaking for the Supreme Court of Louisiana, in such a case. (State, ex rel. Liversey, *v.* Civil District Judge, 34 La. Ann., 741, 745.) He says: "There would be no safe course except to take the opinion of the judge beforehand or to abstain entirely from alluding to the plaintiff. What more complete censorship could be established? Under the operation of such a law, with a subservient or corrupt judiciary, the press might be completely muzzled and its just influence upon public opinion entirely paralyzed. Such powers do not exist in courts, and they have been constantly disclaimed by the highest tribunals of England and America. It has passed into a settled rule of jurisprudence that 'courts of equity will not lend their aid to enjoin the publication of libels or works of a libelous nature, even though the libelous publication is calculated to injure the credit, business, or character of the person against whom it is directed.'"

In view, then, of the provision of the first amendment, I can come to no other conclusion than that the only remedy for libelous or otherwise malicious, wrongful, and injurious publications is by civil action for damages and criminal prosecution. There is no power to restrain the publication.

For the reasons given I can not agree to the terms of the decree as modified. In my opinion it should be modified so as to restrain the acts only by which other persons have been or may be coerced into ceasing from business relations with the Buck Stove & Range Co., but so as not to restrain the publication of the name of that company in the "We don't patronize" columns of the American Federationist, no matter what the object of such publication may be suspected or believed to be.

Chief Justice Shepherd believes the attempt to enjoin Gompers, Morrison, and Mitchell from publishing this list in the American Federationist and from talking about the Van Cleave outfit as unfair was an infringement of the Constitution of the United States, and that Gompers, Morrison, and Mitchell had the right to print and talk about the matter and that no court could take that right from them. Is it surprising that Gompers, Morrison, and Mitchell believed the same thing?

THE COURT'S ORDER MUST BE OBEYED, THOUGH UNCONSTITUTIONAL.

The labor leaders at once appealed from the order to the higher court. They put up their bond on appeal, just like the Mulhall employers had put up their bond on obtaining the order. Notwithstanding the appeal, the order remained of full force till reversed. The fact that the appellate court would modify the order and deliver an opinion that it was an outrage on the Constitution could not abate in the slightest its "inherent"—from God descended—power. "What if it does violate the Constitution, this court's order must be obeyed." This is the uniform position taken by all courts as to their injunctions. It does not lie in the mouth of any puny man or labor leader to question a court's order; if it violates the Constitution, reverse it if you can by the regular, tedious, and expensive course of the law's delays, and by the order of a brother judge, but in the meantime, like a South Carolina wife, obey is the word.

It is worthy of note that obedience does not need be granted to a statute of Congress which violates the Constitution. Not for a moment. If Congress violates the Constitution in the enactment of a statute, no attention need be paid to it. Such a statute is void ab initio. Anyone is at liberty to violate it with impunity—the quicker it is violated and wiped off the statute books the better for all concerned. If Congress were to enact into law the principles of the iniquitous injunction issued for Mulhall's overlords by the court, prohibiting certain publications

and ordering people not to talk about the Mulhall crowd being unfair, no newspaper publisher would for a moment attempt to obey the statute. They would fall back on the Constitution and their rights, as they have done hundreds of times, and then the court would say, as it has said hundreds of times: "You did right; you did not need to obey Congress; the law was unconstitutional." And by its later doctrine the court has found that an "unreasonable" statute is absolutely void and need not be obeyed.

Not only are unconstitutional legislative orders void and entirely unworthy of notice or obedience, although solemnly passed by the House and the Senate and duly signed by the President, but Executive orders, presidential proclamations, treaties with foreign countries, and all forms of Executive demands are void and not worth the paper on which they are written if not in accord with the Constitution. All such may be held in contempt or may be totally ignored.

AN EX PARTE INJUNCTION IS PRIVILEGED ABOVE A STATUTE.

Not so when a judge at the behest of the Mulhall crowd orders men at the head of a great movement for the bettering of labor conditions to suspend exercising their constitutional rights. What if the order does violate the Constitution, it is the voice of the court. It is not the puny legislative or executive department that now speaks; it is the department of the judiciary, which rules like the Kings of England once ruled—by "inherent" right.

Gompers, Morrison, and Mitchell knew this, and they did their very best to obey the order. They took the Mulhall concern off the unfair list and tried to edit their paper to the liking of the court. While the order was on appeal, however, these three men were, on motion of an attorney who was a fellow employee of Mulhall, brought before court and ordered to pay heavy fines and to go to Federal prison, there to do hard labor for 12, 9, and 6 months, respectively, for "contempt" alleged to have been committed in the violation of the injunction. No trial by jury; of course not! Jury trials are designed for the other branches of the Government—the legislative and executive. This is the judiciary enforcing its decree. It makes no difference that the order was made ex parte, before trial, and is yet on appeal. In this case the court is acting under powers superior to statute and the Constitution. It is acting under "inherent" rights derived from God Himself under procedure set in motion by Mulhall's associate, as an humble agent in the hands of God to work out His immutable decrees!

FACTS INVOLVING CONTEMPT VERY INDEFINITE.

Gompers had written and published editorials, had appealed for funds, and had advised the members of the federation as to their duty and their rights, and had made references to this suit and to labor's constitutional rights in campaign speeches. Morrison was in contempt because he had allowed old copies of the American Federationist to be circulated that had this "We don't patronize" list in them. They had obeyed the order and allowed the judge to edit their magazine to the extent of eliminating the "We don't patronize" list from all editions after the order was signed. Malefactor Morrison had also sent out printed copies of the printed official proceedings of a prior convention of the American Federation of Labor which contained a record of officers and committee reports of the convention relative to this very controversy. He had also sent out copies of the Federationist. Mitchell had violated the order of the judge against talking or printing by presiding at a convention of the United Mine Workers of America, where a resolution was introduced calling upon the members of the union not to patronize this outfit of lobbyists and stove makers.

There is nothing in the record of this case to show that this National Manufacturers' Association, of which Van Cleave was the president, was, through one of its representatives, just about this time attempting to bribe Gompers to throw down his work for organized labor and pass into a life of ease, in which case, of course, the case would have been dismissed and the contempt of court duly purged. Yet that very fact seems to be one of the things fully confirmed in connection with the recent exposures of Mulhall, Van Cleave's special agent. It is true that this fact has no direct connection with this case, but it may be very profitably considered as an interesting side light.

JUDGES WHO EDIT NEWSPAPERS BY "INHERENT" RIGHT.

Here we have an illustration of the kind of decisions, the kind of judicial proceedings, life tenure breeds. Men who have the audacity to assert "inherent" power to edit newspapers in which they have no interest by judicial decree and to tell men just what they must think and say ought not to be favored by the people with life tenure in office.

If Samuel Gompers, the head of the American Federation of Labor, or either of its officers is ever compelled to serve one day of the sentence thus imposed upon them for exercising their plainest rights under the Constitution, the people will have an object lesson that I hope will hasten the day when they will assert their independence of old judicial forms and, while maintaining due respect for the court, as an institution, they will require the judges to render account of their conduct at stated terms. There should be no delay, no waiting for the consummation of such an incident before this reform is adopted.

The subjection of judges to recall at the end of a definite term or sooner in case of special necessity is wise and essential. Judicial recall is demanded by the people. It is sure to come. It will not bring disrespect for the court, but the very opposite will be the result.

THE RIGHT OF TRIAL BY JURY.

Courts all over the land are usurping the right of trial by jury more and more. They deliberately instruct the jury what kind of a verdict to render or else let the jury have its say and then the judge renders a verdict to suit himself, notwithstanding the verdict of the jury.

Judge Story in Parsons v. Bedford (3 Peters, 433), one of the very early decisions, said:

> The trial by jury is justly dear to the American people. It has always been an object of deep interest and solicitude, and every encroachment upon it has been watched with great jealousy. One of the strongest original objections taken against the Constitution of the United States was the want of an express provision securing the right of trial by jury in civil cases. As soon as the Constitution was adopted this right was secured by the seventh amendment of the Constitution proposed by Congress, and which received an assent of the people so general as to establish its importance as a fundamental guaranty of the rights and liberties of the people.

Yet it is the order of the present day for courts to set up their orders as superior to statutes and the Constitution. Not only do they alter jury decisions, but they write their injunctions and throw men in jail without jury trial for alleged violation of their order made by "inherent" right.

THE IDAHO JUDICIAL OUTRAGE.

Following the lead of the Federal judges our State judges are growing more and more arbitrary. In point is the Idaho judicial outrage of last year. In this case the judges not only ruled that they had "inherent right" to punish for contempt and to violate the right of trial by jury, but they actually asserted and exercised authority to supersede and violate a definite legislative enactment on the subject of contempt. These supreme court judges, a majority of the court anyway, had played favorites between Taft and Roosevelt as candidates for President of the United States, and by twisting the statutes of the State had made it almost impossible fo. an elector to vote for Roosevelt. It was a coarse piece of judicial jobbery, and very naturally the Progressives had to get busy to overcome as nearly as possible the effect of an order depriving the party of representation on the ballot.

Col. Roosevelt sent the following message, extremely remarkable for its mildness under circumstances so provoking to anyone possessing any sense of justice whatever:

CHICAGO, ILL., *October 21, 1912.*

To J. H. GIPSON and PAUL DAVIS,
Chairman and Secretary of the Progressive State Central Committee:

Through you I desire to appeal to the men and women of Idaho not to permit themselves to be disfranchised as the court has sought to disfranchise them. It is impossible to protest too strongly against what is literally the infamy of this decision. Every upholder of law and order and every sincere well-wisher of the cause should take the lead in condemning such utterly reactionary conduct by a reactionary court.

Absolutely without warrant of law and in the interest only of the great apostles of special privileges in politics and industry the reactionaries wish to disfranchise the people whom they recognize in the Progressive Party as the only party which really and in good faith stands for the people.

It is an attempt to beat the cause by trickery and chicanery, because those who inspired the attempt know that they have no chance of success in a fair and open fight before the people themselves.

This action by the court has shifted the issue in Idaho to a square issue as to whether or not the people are to be allowed to express their deliberate judgment. It is an attempt to stifle such expression of deliberate judgment by the people.

It was an infamous thing for the Republican State central committee to bring such an action, and the decision by the reactionary partisan court before which it was brought was against the law, against equity, against justice, and against the whole course of decisions in all our American courts.

THEODORE ROOSEVELT.

C. O. Broxon, editor of the Boise Capital News, published the Roosevelt message and a similar one from United States Senator POINDEXTER. These judges ordered Broxon and R. S. Sheridan and A. R. Curzen, who the judges decreed in advance aided and abetted the editor, to be arrested for contempt of the court's high authority. It is impossible for me to cite all the details of this judicial travesty on personal honor as well as official fidelity. For the present purpose it suffices to say that the court, under exercise of its "inherent" right, fined the

men and sent them to jail. The following is a copy of the order of commitment:

In the Supreme Court of the State of Idaho.

D. C. McDougall, attorney general of the State of Idaho, plaintiff, *v.* R. S. Sheridan, C. O. Broxon, and A. R. Curzen, defendants.

ORDER OF COMMITMENT.

The State of Idaho to the sheriff of the county of Ada, greeting:

Whereas the judgment of this court has upon this day been pronounced and entered in the above-entitled cause, to the effect that said defendants be adjudged guilty of the offense of contempt of said court, a certified copy of which judgment is hereto attached and made a part hereof;

Now therefore this is to command you, the said sheriff of the county of Ada, to take and safely keep and imprison the said defendants, R. S. Sheridan, C. O. Broxon, and A. R. Curzen, in the county jail of the said county of Ada for the period of 10 days, commencing on the 2d day of January, 1913. And these presents shall be your authority for the same.

Witness the Hon. George H. Stewart, chief justice of the Supreme Court of the State of Idaho, this 2d day of January, 1913.

Attest my hand and the seal of said court the day and year last above written

[SEAL.] J. W. HART, *Clerk.*

COURTS SUPERSEDE ALL LAW AND CONSTITUTIONS IN WEST VIRGINIA.

Perhaps the most infamous of all assaults upon the most fundamental human right was the martial-law decision of the Supreme Court of West Virginia in the recent insurrection there. A full copy of the decision of the court and the dissenting opinion referred to may be had by procuring Senate Document No. 43, Sixty-third Congress, first session. The dissenting opinion of Justice Robinson, from which I insert excerpts, sets forth the awful crime of this decision as follows:

> The majority opinion boldly asserts that the sacred guaranties of our State constitution may be set aside and wholly disregarded on the plea of necessity. It had long been supposed that such a doctrine was forever condemned and foreclosed in this State. It was believed that the ringing denouncement against that doctrine in the opening sentences of our constitution was sufficient to bar it from recognition by any citizen, official, or judge. The unmistakable words were supposed to be too clear ever to endanger our people by a disregard of their meaning. Hear them:
>
> "The provisions of the Constitution of the United States and of this State are operative alike in a period of war as in time of peace, and any departure therefrom or violation thereof, under the plea of necessity or any other plea, is subversive of good government and tends to anarchy and despotism." (Art. I, sec. 5.)
>
> How closely akin are these words to those that were uttered by the Supreme Court of the United States shortly prior to the adoption of our Constitution:
>
> "The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men at all times and under all circumstances. No doctrine involving more pernicious consequences was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false; for the Government, within the Constitution, has all the powers granted to it which are necessary to preserve its existence." (Ex parte Milligan, 4 Wall., 120; 18 L. Ed., 281.)
>
> A decision based on that which our people have so clearly condemned and inhibited from recognition in our State government, and which the highest tribunal in the land has so plainly declared to be pernicious and to have no place in our form of government, meets my emphatic dissent.
>
> It is not difficult to comprehend why our State constitution contains such a clear and unmistakable protest against the disregard of constitutional guaranties under the plea of necessity. During the decade immediately preceding the making and adoption of that instrument, this doctrine of necessity was a live issue before the American people. Indeed, just at the close of the Civil War and immediately thereafter the doctrine was one of the foremost issues of the times. Events brought it vividly before the Nation. Those who applied the doctrine during the war and its close for the summary trial and execution of noncombatants were met with the accusation of murder from both North and South. Even in one of the counties of this State a citizen was summarily deprived of his life under the plea of military rule and the doctrine that necessity suspended the constitution. Instances of this character, as well as the many instances of imprisonment without civil trial, caused the question to come immediately before the statesmen of the times, and, by the debates upon it, to come directly before all the people. People had become thoroughly familiar with the subject. Great men of the North, foremost among them the illustrious Garfield, had thundered against the doctrine. And at last the great judicial tribunal of the Nation had set its seal of condemnation upon it.
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> * * * * * * *
>
> Martial law can not rightly be sanctioned in West Virginia in the face of this constitutional declaration. For, as the majority opinion admits, martial law is a departure from the constitution, a plain violation thereof, under the plea of necessity. It substitutes the law of a military commander for the law of the constitution. It is the total abrogation of orderly presentment and trial by jury, so jealously guarded by the constitution. Then, since martial law is such a plain departure from the constitution, that instrument itself brands martial law as subversive to good government and as tending to anarchy.
>
> Having made this general declaration against martial rule, the makers of our constitution went further. They provided that the privilege of the writ of habeas corpus should not be suspended. This was a radical change from the constitution of 1863, and was radically different from the Constitution of the United States. Our constitution of 1863 had provided:
>
> "The privilege of the writ of habeas corpus shall not be suspended except when in time of invasion, insurrection, or other public danger the public safety may require it." (Art. 2, sec. 1.)
>
> The Constitution of the United States provides:
>
> "The privilege of the writ of habeas corpus shall not be suspended unless when in cases of rebellion or invasion the public safety may require it."
>
> But in the making of our present constitution, in dealing with the great writ of freedom, no exception was made. Again unmistakable, imperative words were used:
>
> "The privilege of the writ of habeas corpus shall not be suspended." (Art. 3, sec. 4.)
>
> * * * * * * *
>
> "The military shall be subordinate to the civil power; and no citizen, unless engaged in the military service of the State, shall be tried or punished by any military court for any offense that is cognizable by the civil courts of the State." (Art. 3, sec. 12.)
>
> There is no ambiguity in these words. He who runs may read. They directly strike at martial law; they directly inhibit martial law; for the height of martial law is the supplanting of the civil courts by military courts. But this provision expressly ordains that military courts shall never take the place of the civil courts of the State for the trial of civil offense. No military sentence for a civil offense can rightly stand in the face of these words. Nor can these words rightly be overlooked in order to uphold any such military sentence. To do so is to make the constitution a rope of sand.
>
> The men of the constitutional convention of 1872 had all witnessed the suspension of the privilege of the writ of habeas corpus and the trial and sentence of citizens by military courts. They had learned that departure from the constitution, though dictated by the best of motives, was liable to abuse. Experience admonished them to guard against anything of the kind in the future of their State. They no doubt believed that by the three provisions which we have noticed they had banished all claim for martial law in this State. Determination to do so was plainly dictated to them by the experiences through which they had passed. By those experiences they had come to know the truth of that which Hamilton and written long years before:
>
> "Every breach of the fundamental laws, though dictated by necessity, impairs that sacred reverence which ought to be maintained in the breast of rulers toward the constitution of a country and forms a precedent for other breaches where the same plea of necessity does not exist at all or is less urgent and palpable." (The Federalist, No. 25.)
>
> Can these direct provisions of our constitution be overcome by any implication that the people meant to retain martial law whenever an executive declared it necessary? Is there a presumption, as the majority opinion claims, against intent on the part of the people to abolish martial law? Can any such presumption prevail against the direct declarations which absolutely negative any such presumption? No; the principle of martial law can not be inhereně connected with any constitutional government in which the constitution itself directly declares against the principle, as our constitution does.

Yet this West Virginia court sanctioned the suspension of all the laws and the State and National Constitutions, permitting drumhead courts in the most informal manner to condemn men to hard labor for terms of years. There could have been no reason for the decision except an unjust or corrupt allegiance between the West Virginia court and big business. No habeas corpus, no jury trial, a reign of barbarous brute force was instituted. The investigation of these transactions by a Senate investigating committee was most ably begun, but for some reason has been abandoned, for the present at least, greatly to the disappointment of those who were following the investigation.

REACTIONARY FORCES GENERALLY DICTATE APPOINTMENTS TO FEDERAL BENCH.

The manner in which Federal judges are named tends to render them under obligation to special interests. Chambers of commerce and bar associations generally make the recommendations. If there is any organization more reactionary than the commercial interests themselves, it is an ordinary bar association. Judge Hanford, in the State of Washington, while being investigated after impeachment on the floor of the House, resigned—and it was not because he was tired of his job that he resigned. Within a few hours he attended a meeting of the Washington State Bar Association, in session at Tacoma, Wash. A corporation lawyer had just denounced the recall of judges and of judicial decisions. Tom Dovell, who represented the Taft impostors as delegates to the Chicago convention, was the presiding officer. Beverly Colner, who presided over the State Republican committee that stole the delegates from the people, was in the audience. As Judge Hanford entered the room, Colner mounted a chair and shouted to the lawyers to stand, and they did stand and gave the judge an ovation. The congressional investigating committee had not yet left for the National Capital. The association also passed a vote of confidence in favor of the judge.

The organization members of the association immediately joined with the big interests of the State and prevailed on President Taft to appoint Clint Howard, of Bellingham, a man of known ability, but a corporation lawyer of unusual shrewdness, an ex-president of the association, to succeed Hanford. Confirmation of this appointment was defeated by Senator POINDEXTER. Upon such recommendations a lawyer is appointed to the bench.

THOMAS JEFFERSON WARNED THE PEOPLE AGAINST AN "INDEPENDENT" JUDICIARY.

The gentleman from Georgia [Mr. BARTLETT] on the floor of the House the other day said:

> If you do not want to see judges recalled, if you do not want the socialistic disposition of the time to demand that decisions shall be submitted to the test of a popular vote, then you ought to be careful, aye, you ought to be quick to permit charges made by reputable citizens against the conduct of those who wear the ermine to be investigated.

There is a tendency on the part of both the old parties in this day to censure the Progressive Party in its position, taken generally by its leaders all over the country, for a definite curbing

of the power of the judiciary, yet when Thomas Jefferson, the greatest Democrat of his day, considered the judiciary, here is what he said:

A judiciary independent of a king or an executive alone is a good thing, but independence of the will of the people is a solecism in a republican government. * * *

The judiciary bodies were supposed to be the most helpless and harmless members of the Government. Experience soon showed, however, in what way they were to become the most dangerous; that the insufficiency of the means provided for their removal gave them a free hold and irresponsibility in office; that their decisions, seeming to concern individual suitors only, pass silent and unheeded by the public at large; that these decisions nevertheless become law by precedent, sapping by little and little the foundations of the Constitution and working its change by construction before anyone has perceived that that invisible and helpless worm has been busily employed in consuming its substance.

JUDGES SHOULD BE ELECTED AND SUBJECT TO RECALL.

I not only oppose life tenure, but I oppose this manner of selecting judges. Judges should be elected by the people of the district in which they are to preside and exercise judicial functions. There is no reason why judges should not be responsible to the people and be subject to recall. No man who is not strong enough to do right, whether subject to recall or not, is fit to hold the high and exalted position of judge, either of a State or Federal court.

ANOTHER JUDGE IS NOT THE PROPER REMEDY.

I am opposed to treating the situation as it is treated in the pending measure. Of course, the appointment of another judge will give the people of Philadelphia relief, but Judge Holland, if no longer able to perform the duties of his office, should resign or be removed from office.

Down-East Industries and State of Maine Folks!—Where the Democratic Tariff Bill Hits Everyone of You.

EXTENSION OF REMARKS
OF
HON. AUGUSTUS P. GARDNER,
OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, June 24, 1913.

Mr. GARDNER. Mr. Speaker, I submit the following extracts from remarks of Senators and Representatives in Congress on the pending Underwood-Simmons tariff bill:

HON. ASHER HINDS, OF MAINE, IN HOUSE OF REPRESENTATIVES.

NATURE OF WORLD-WIDE COMPETITION.

Mr. HINDS. The watchword of this new administration is competition. It is assumed that the American Nation is getting lazy; that they need an incentive to greater effort. I quote from the address of the President:

The object of the tariff duties henceforth must be effective competition, the whetting of American wits by contest with the wits of the rest of the world.

The words of the President deserve to be weighed always; but I wonder if he and the American people realize what that dire world "competition" is. I once knew an old soldier who served in the Civil War, and for many years also in the campaigns of the West. I asked him if a white soldier was the equal of an Indian in a campaign in the Indian country. His answer was, "A white man can compete with an Indian if he is willing to live as the Indian lives." The American people can compete with the markets of the world, perhaps, if they are willing to live as the people of the competitive nations live. It can not be, however, that the Members of this House have pictured to themselves what this competition means. It can not be that they realize the sordid and mericless conditions of modern competition, which inevitably results in leaving out the labor of men and putting the burden upon the shoulders of women and children.

THE NATIONS WHICH USE WOMEN'S LABOR.

Readers of the Century Magazine for February, 1913, noticed an article on Japan's commercial crisis by Mr. James Davenport Whelpley, who has been one of the commercial agents of the Department of Commerce and Labor, and one of the most discerning observers of financial and economic conditions in the country. In this article he shows that in the industries of Japan there are nearly twice as many women as men on the pay rolls of the country, and it is the testimony of all large employers that women are the industrial backbone of the country. The employment of women and children is the secret of the competitive power of the Japanese textile industries. Reduced to percentages, the proportion of wage-earning women in the great industrial nations is given as follows:

Japan, 50 per cent.
Great Britain, 25 per cent.
Germany, 20 per cent.
United States, 14 per cent.

THE TRAGEDY OF COTTON.

That brief table tells the story of modern competitive life. Let us examine a little further the conditions of this strife which we are invited to enter. As we examine, the cry "Cotton is king," so often heard in the Hall of this House, comes to our ears, for about the cotton industry competition rages most fiercely. It was introduced into modern commercial life by a great tragedy. The home of the industry was in India, where a large part of the men, women, and children were engaged in spinning and weaving on household looms, which produced every grade of material, from the coarsest to that of such marvelous fineness that a lady could draw a robe made from it through a finger ring. But England harnessed the steam engine to the natural labor of the women of Lancashire, denied the help of a tariff to India, and took from her the cotton industry. Deprived of their industry, the people of India had to turn to the land, there to lead a life of penury, varied by recurring famines.

England, possessed of this imperial industry, developed it almost beyond the imagination of man, and in the year 1913 she has not only the world-wide cotton market which feeds so many of her people, but also one of the most unique and distressing social problems which ever afflicted a nation. In England proper 500,000 people are cotton operatives, and 65 per cent of that great number are women and children. This great industrial army of 325,000 women and children labor in the mills of England to hold for Great Britain the cotton market of the world.

AMERICA IN THE WORLD COMPETITION.

To-day the greatest competitor of England is the United States. To-morrow it will be Japan. The cotton operatives of America number 370,000 in round numbers, 50 per cent of whom are men, the other 50 per cent women and children. It is manifest, then, that the cotton industry has forced America to put burdens upon the women and children, but not to the same extent as in England. Yet America still holds out in this fierce competition for the ideal of our race, which has always been manly men who make their way in the competitions of the world and womanly women who make the homes of the Nation. It is not necessary to review the cotton industry of Germany and Japan. It is worthy of note, however, that among the operatives of the cotton mills of Japan there are five women for every man, showing that this industry which is commercially most promising is being built up almost entirely by the labor of women. Not only this, in the recent report of the American minister we are informed that the new Japanese factory law provides that no children under 10 years are to be employed, and no children under 15 or women are to be employed more than 12 hours a day. But the provision in regard to children applies only to new help, and children of 10 years may be continued if they are already in the factory. But the Government may extend the working time of women and children to 14 hours for a period of not more than 15 years after this law goes into effect. In the cotton industry, then, it seems that the pleasant prospect of world competition which the President holds out, the prospect of "the whetting of American wits by contest with the wits of the rest of the world," means that the women of Japan are to carry on the great competition which she hopes will make her great and powerful. Not only this, but the statesmen of Japan suspend their limitation of the hours of labor for 15 years, in which time those patient drudges are expected to conquer the cotton trade of the Orient for Japan.

THE WOMEN WHO PARTICIPATE IN THIS COMPETITION.

If the statesmen of America have not been awakened, the statesmen of Germany are awake and do know what this modern competition involves. In addition to other textile industries, Germany has a promising cotton industry in Saxony, which is the foremost industrial State in Germany. The recent business crisis has shown the tendency to use female labor in place of male labor wherever possible. Our consul at Dresden reports as follows:

From the statistics of sick funds, it is learned that the employment of female labor is increasing much more rapidly than male, and also much more rapidly, comparatively, than the female population. From 1906 to September, 1910, the number of female workers increased by 24.5 per cent. The great accession of able-bodied female workers in the last few years is remarkable, and is to be attributed to the rise in the cost of living, which causes women to leave household duties for more remunerative work.

The hausfrau of Germany has even anticipated the progressive thought of our President, leader of the Democratic Party, and proposes to abandon her pots and pans and start out to sharpen her wits "by contests with the wits of the rest of the world."

America has hitherto been protected by the wisdom of the Republican statesmen of the last 50 years. But on Wednesday, when the chairman of the Ways and Means Committee, the gentleman from Alabama, opened the debate on this bill, he warned this House and the country that that 50-year era is ended, and that we are about to return to the piping times "before the war," when the United States Government borrowed money at 12 per cent interest and all the people dwelt in Democratic simplicity. The gentleman from Alabama thinks that his changing of eras is going to be attended by no greater disturbance than the singing of a grasshopper in a deserted field on a midsummer day. The President thinks there may be a little disturbance, some people being so unreasonable as to remain awake during the performance, for the President says in his address:

To some not accustomed to the excitement and responsibilities of greater freedom our methods may in some respects and at some points seem heroic, but remedies may be heroic and yet be remedies. It is our duty to see that they are genuine remedies.

FREE TRADE IN AGRICULTUREAL PRODUCTS.

This world-wide competition to which the President and the Democratic Party wish to commit this country makes no exception of classes except in some favored cases. The wheat farmer of the Northwest has protection, but the potato farmer must exist under absolute free trade. Consider for a moment the condition of a potato farmer who has for years raised his crop for the New York market. Year in and year out he probably does not realize 30 or 35 cents a bushel, for the freight rates on a bushel of potatoes sometimes amount to 15 or 20 cents if the farmer is as far away from New York as Maine or Ohio.

Now, to what sort of competition does this bill subject the potato farmer? To the competition of all the world, including the great potato-raising regions of Germany. The freight on a bushel of potatoes from Hamburg, Germany, to New York City is 9 cents, so that Germany as a market is nearer than the greater part of the eastern country which is tributary to New York City. European wages for day labor are very small for both men and women. It is probable that 50 cents for a man and 30 cents for a woman would be a fair compensation for work in the potato fields. I can not give the exact figures, because the work on which I was obliged to rely—German Life in Town and Country—was published in 1901, when wages were lower, men getting 36 cents and women 24. But under the protective policy of Germany wages have increased. Moreover, the treatment of the female farm laborers has probably greatly improved. The authority which I have already cited records this incident, which, in 1901, was said to have occurred "several years ago":

Upon a manorial estate in West Prussia some 40 Polish women are employed. These people could no longer bear their terrible ill usage, for they were treated like cattle, and they resolved to seek release in flight, which they did by taking the night train to Berlin. No sooner, however, was their flight discovered on the estate than word of it was sent to the police there, with the result that two police wagons were in waiting for the party at the station on their arrival, and in these they were placed and conveyed to prison.

Yet there is no doubt that the competition of the underpaid men and women in the potato fields of Germany will at once become a serious factor in the farm life of America, when we remember that the American farmer has been forced to pay a wage which in Europe would be considered princely.

SCIENTIFIC PROTECTION.

I do not believe that many Members of this House wish inordinate protection. I for one cooperated gladly with my Republican associates in proposing a tariff commission. When this fateful bill shall have run its brief course, another House of Representatives will frame a bill on scientific and humane principles, which will be indorsed by the American people for years to come.

The great question which is before us in this Hall to-day is how best to conserve the old ideals of America. Tariff contentions are supposed to be largely devoted to questions of wealth, and that is necessary in this age, when wealth, properly distributed, uplifts mankind. But before it is possible to distribute wealth conditions must be right for the production of wealth. After all, however, the great question has not to do with wealth, but the well-being and advancement of the men, women, and children who live in this America to-day. On this side we uphold the principles of the glorious era which has done so much in the last 50 years and with confidence await the outcome.

HON. THOMAS STERLING, OF SOUTH DAKOTA, IN SENATE.

Mr. STERLING. But the fact remains that through your representation at the other end of the Capitol and on this floor your 20,000,000—and I am not counting your colored vote any more than you do, and I voice no prejudice against a white man's government "down there," only I would not for economic reasons have you "cover too much territory"—your 20,000,000 are rulers over 90,000,000. With your 57,0000,000 bushels of wheat, you, in effect, determine that the producers of 630,000,000 bushels shall come into direct competition with the surplus wheat of the world under whatsoever conditions as to labor, cultivation, or soil that surplus is produced. With your 60,000,000 bushels of oats in 15 Southern States, you control in the determination that the producers of 947,000,000 bushels shall be protected by a tariff of only 6 cents per bushel. With your 710,000 bushels of barley raised in the 15 Southern States in 1909, you say that the growers of 172,633,000 bushels of barley shall compete with the many million bushels which will be imported under the rate provided in this bill, a reduction of 50 per cent from the rate of 1909. Nobody will be more highly pleased over this item than the American Brewers' Association, though it will be at the cost of many million dollars to the farmers of the Northwest alone.

I here refer to a table I have compiled from the census reports of 1910, showing the production of these crops in the several States of the South in 1909 and the total production in the other States of the Union, and ask that the same be printed in connection with my remarks.

The PRESIDING OFFICER (Mr. OWEN in the chair). Without objection, permission will be granted.

The matter referred to is as follows:

Farm statistics.

[1910 census reports.]

State.	Wheat.	Oats.	Barley.	Flax.
	Bushels.	*Bushels.*	*Bushels.*	*Bushels.*
Alabama	113,953	3,251,146	372	.....
Arkansas	526,414	3,212,891	1,267	.....
Florida	137	606,380	10	.....
Georgia	752,858	6,199,243	655	.....
Kentucky	8,739,269	2,406,004	65,596	.....
Louisiana	488	420,033	.....	2,215
Maryland	9,463,457	1,160,663	135,454	.....
Mississippi	4,670	1,268,785	753	.....
North Carolina	3,827,145	2,782,508	7,535	.....
South Carolina	310,614	5,745,291	3,483	.....
Oklahoma	14,008,334	16,606,154	127,641	9,093
Tennessee	6,516,539	4,720,692	53,201	.....
Texas	2,560,891	7,034,617	52,438	.....
Virginia	8,076,959	2,884,495	253,649	.....
West Virginia	2,575,996	1,728,305	8,407	.....
Total in South	57,477,735	60,027,703	710,461	11,308
Total in North	625,901,524	947,115,212	172,633,751	19,501,457
Total in United States	683,379,259	1,007,142,980	173,344,212	19,512,765

Mr. STERLING. And so with the other farm products. The producers of 38,000,000 bushels of potatoes, 395,000,000 pounds of butter, 426,000,000 dozen eggs in the entire 15 States of the South determine, through their Representatives, that the producers of 350,000,000 bushels of potatoes shall sell their surplus in free competition with the rest of the world; that the producers of 1,225,000,000 pounds of butter shall have as their protection the unreasonably low rate of 2½ cents per pound, which would easily mean a loss of $15,000,000 to the producers of the American product; that free competition with Canada shall be the lot of the producers of 1,165,046,485 dozen of eggs is all settled by the votes of the States producing a little more than one-third that number.

HON. WESLEY L. JONES, OF WASHINGTON, IN SENATE.

Mr. JONES. I will say briefly that under existing conditions the Canadians impose a duty of 17½ per cent on our lime going into that country, while on lime coming into this country the duty is 5 cents per hundred pounds, including the package. According to the handbook, that is equivalent to an ad valorem duty of 8 or 9 per cent. So that the Canadians practically shut us out of their market, while under the existing law we give them an advantage in ours.

The effect of the proposed law is to leave the barrier that Canada has erected against us, and to take down still further whatever barrier between this country and Canada exists on our side. In other words, they will maintain their 17½ per cent duty on our lime and the package in which it is imported, while we propose to reduce our tariff to 1 cent per hundred pounds.

HON. PORTER J. MCCUMBER, OF NORTH DAKOTA, IN SENATE.

DEMOCRATIC PARTY VERSUS AMERICAN FARMER.

Mr. MCCUMBER. And so I shall address myself first to you, the Democratic Party, with reference to your assault upon the American farmer. In this year 1913 you are about to commit a greater crime against the American farmer than has ever been perpetrated by any political party against any class of people during any period of recorded history. You are about to rob him of sacred rights which he has paid for through long years of toil, self-denial, and patient waiting. With violent hands you are about to strip him of every advantage which the changed conditions of home supply and demand were about to yield him. You have declared that he is an outcast in the land which he has made, the only one of all the classes of American people who is not entitled to any consideration at your hands. You have insulted his sense of fairness, slapped him in the face, and kicked him into the gutter. * * *

You had him in the slough of depression during all of your last administration, from 1893 to 1897. You saw him working himself out of that mire and just beginning to reach a degree of prosperity to which he was justly entitled. You behold the farmer by close frugality and economy just getting his head and shoulders out of the muck of this depression, out of the everlasting debts and into the sunshine of prosperity, and it seems to afflict you with a fit of madness, and with the swift and deadly stroke of your tariff bludgeon you strike him down.

* * * * * * *

Unlike the United States, which consumes nearly all of its wheat crop, Canada does not consume one-seventh of its western crop. That vast surplus must go into the world's market. Its nearest market is the Minneapolis, Duluth, Buffalo, and other mills of the Northwest. Open the floodgates of our present tariff wall and it will immediately pour over and into this country and level our prices to the world prices and keep them level for at least a century.

If the farmer were more prosperous than the rest of the world, I could see some reason for legislating against his interests, but as he is far less prosperous than any other people in the United States, further depressing his prices, further aggravating the injustices of his situation, seems to me to be almost criminal.

—

HON. FRANK E. GUERNSEY, OF MAINE, IN HOUSE OF REPRESENTATIVES.

CANADIAN POTATO MENACE.

Mr. GUERNSEY. One of the chief food products of the country is potatoes. One of the great potato-growing sections of the country is New England and particularly the State of Maine. This industry in Maine is exceptionally exposed to foreign competition. On three sides the State is surrounded by Canada. Across the international line farm lands equally as good as those within the State are valued at 30 to 50 per cent less. Farm labor per month is proportionately less. The potato pickers of Aroostook County last fall were paid from $2.50 to $3 per day, while at the same time in the Annapolis Valley, in Nova Scotia, the same class of labor was receiving $1.50 per day.

The Democratic tariff bill selects this great food product grown in New England States for sacrifice, placing it on the free list and placing it there now, with the result that it will imperil the price of the crop this year; placing it there in the face of the fact that foreign potatoes can enter the markets of New York and Boston, the great potato markets of the East, at water rates far cheaper than northern Maine potatoes can be transported to such points by rail.

DANGER OF FOREIGN POTATOES.

The danger of this foreign competition is clearly shown by the extent that foreign potatoes entered these markets during the last fiscal year, even with the present tariff in force. For the fiscal year ending June 30, 1912, there were imported into this country from England 3,377,426 bushels; from Scotland 4,645,877 bushels, and from Ireland 4,606,981 bushels of potatoes, which, together with some other importations, brought the total amount of potatoes imported up to nearly 14,000,000 bushels, which paid the duty of 25 cents per bushel and entered our markets. With that duty removed foreign potatoes many times that amount will annually be imported and take from our farmers our markets to that extent.

MAINE FARMERS INJURED.

Add to the foreign competition the competition of Canada, with her lower-priced lands, lower-paid labor, and cheap water transportation from the Maritime Provinces to Boston and New York markets and it will be seen that the Maine potato grower will, under the provisions of the pending bill, suffer from severe shrinkage in his land investment and in loss of market for his product. All considered, the present 25 cents duty is none too much to properly equalize conditions with the potato producer, foreign or Canadian.

If this administration believes that a reduction in the potato tariff should be made, it should be made gradually; only a portion should be removed at this time. The immediate free listing of this important product, in the production of which so many have their all invested, will bring financial ruin to large numbers of farmers in the New England States. If this provision in the bill free listing potatoes is allowed to stand and become a law, the Democratic Party must be held accountable in the elections to come for whatever distress and disaster follows. This tariff discrimination against potatoes is particularly unjust in view of the fact that the framers of the bill in dealing with other important food products not grown in New England dealt differently.

UNFAIR DISCRIMINATION.

The great wheat-growing sections of the Northwest are allowed to retain a duty of 10 cents a bushel on wheat to guard their product against the wheat fields of Canada. The rice of Texas and other Southern States is amply protected under the provisions of this bill for the well-known reason that in the South they are making at present large investments in rice culture, and a protective tariff is necessary to promote the industry; consequently the rice growers are taken care of. The producers of pineapples, oranges, and grapefruit in Florida are allowed protective duties, and the Louisiana sugar grower is given three years in which to adjust his business to the proposed free listing of his product.

I assert again that the Underwood tariff measure now before Congress contains in its provisions deliberate, intentional, and unjust discriminations against the manufacturing and agricultural interests of the New England States. [Applause on the Republican side.]

—

HON. A. P. GARDNER, OF MASSACHUSETTS, IN HOUSE OF REPRESENTATIVES.

FISH.

Mr. GARDNER. In the name of the consumer fish is to be put on the free list. Poisonous as that cup may be for the fisherman, his draft has been embittered because his sense of injustice has been aroused.

My Democratic friends, why did not you in the name of the consumer put rice on the free list?

Is it because rice yields a revenue? Fish yields more revenue. Is it because rice is imported, notwithstanding the present duty? More fish than rice is imported, notwithstanding the present duty. Is it because the cultivators of rice are poor men? In all the history of Gloucester, never was anyone able to retire from business on profits made in the fisheries.

What is the explanation then? Why in the name of the consumer do you distinguish between one raw food product and another raw food product? Why do you make fish of fish while you make fowl of rice and of vegetables, early and late, and, for a while at least, of sugar? Some one must throw light upon this question. Else it should be no cause for astonishment should the censorious accuse you Democrats of sectional favoritism.

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HON. WILLIAM D. B. AINEY, OF PENNSYLVANIA, IN HOUSE OF REPRESENTATIVES.

Mr. AINEY. Mr. Chairman, the people of this country are just awakening to the fact that a minority party temporarily in power is about to take advantage of its transitory authority and place upon the statute books of our Nation a tariff law the avowed purpose of which is to strike down the long-established policy of protection to American industry.

Under the specious argument of reducing the high cost of living it first attacks the products of the farm by proposing wholesale reductions of the present protective duty upon articles raised or produced by the American farmer, leaving the agricultural interests of our land to withstand the tide of importation from Canada, South America, and Europe.

On these articles the custom duty under the proposed Underwood bill is on an average but one-half what it is under existing law. Dairy products receive woeful hurt. Foreign butter soon may be imported to compete with the American product by paying 3 cents per pound in place of 6 cents; hay at $2 per ton in place of $4.

Apples will be called upon to compete with the great Canadian and Nova Scotian crops with the protection of only 10 cents per bushel as against an existing duty of 25 cents.

Milk and cream may, under the Underwood bill, be brought across the Canadian line at any point free of any duty, to depress the price, as against the protection afforded the farmer by the duty of 2 cents per gallon on milk and 5 cents per gallon on cream, which the existing tariff law requires to be paid.

Milk, preserved or condensed, will go upon the free list, and thus bring the American dairyman into unequal competition with the foreign products.

What is true of dairy products is equally true of grains and vegetables produced on the American farm, notably potatoes, which, under the present law, are subject to an import duty of 25 cents per bushel, will, under the Underwood bill, be admitted free, and so supplant the products of American soil.

When the Underwood bill becomes a law, those engaged in producing them must face a new rival and greater competition; and this, the Democratic Party frankly admits, is for the purpose of reducing the high cost of living.

The farmers of the country are asked to accept this tariff bill and policy, which lays the ax at the very root of the tree of their prosperity, because, forsooth, the Underwood bill proposes to place agricultural implements on the free list.

The Democratic proposition is to remove the duty on the implement with which the farmer digs his potatoes, and expect the farmer to so rejoice in the saving on the price of a hoe that he would welcome the flood of duty-free potatoes imported to depreciate the price of his own product.

Such logic could find no better illustration than in a proposition to cut one's throat to stop one's appetite.

The toiler in America is an American citizen. This gives the highest honor which can rest upon anyone. The toiler in other lands is not protected and cared for by such an equality of citizenship or privilege.

The living and the wage must necessarily be different, and a protective tariff imposed by the Federal Government measures that difference and is calculated to keep and maintain every American citizen on the high plane and privilege of his American citizenship.

—

HON. FRANK PLUMLEY, OF VERMONT, IN THE HOUSE OF REPRESENTATIVES, APRIL 28, 1913.

Mr. PLUMLEY. There is no answer in the bill or the report to my question: Why is the tariff on manufactured marble reduced only 5 per cent and the tariff on manufactured granite reduced 50 per cent? But there is a reason, and perhaps I find it. In No. 4 of the hearings, relating to Schedule B, on page 565, I find the statement of Mr. Frank J. Hanold, of Townsend, Townsend & Co., 423 West Twenty-first Street, New York City, representing the National Association of Wholesale Granite Dealers, comprising 18 firms engaged in the business of selling domestic and imported granite monuments at wholesale. He recommends that the tariff on manufactured granite be reduced from 50 per cent to 20 per cent. He claimed that at 20 per cent ad valorem the cost of the imported article would be in excess of the cost of the domestic article. * * *

No manufacturers of granite were heard, and the rate of duty was cut to 25 per cent, substantially granting the request of the importer. Whether it was because the importer requested a tariff that would invite competitive importation or because the committee regarded this industry, whose finished product is practically all labor, as one which should be stripped bare of protection and left to combat its foreign rivals with a wage scale that is high while theirs is low, I can not say, but such is the result of their action—and the consequences must be most serious.

Wages in Barre, Vt., and vicinity: Cutters, 40¾ cents per hour, minimum; polishers, 40¾ cents per hour, minimum.

Foreign: Cutters, 15 cents per hour, average; polishers, 14 cents per hour, average.

When the present bill of prices expires the new bill will require $4 a day for eight hours.

The granite business of the United States is in no sense a trust; each manufacturer is in competition with every other. In Washington County, Vt., my home county, there are over 140 manufacturing concerns in direct competition with each other, and I am advised that the same condition exists all over the United States. Should the tariff be raised 100 per cent over the rate of to-day it would not at all affect the prices of the product, owing to the sharp competition which prevails. It would mean simply increased production within the United States without increase of price to the consumer. If the tariff is reduced so that foreign competitors ship their manufactured product into this country to any considerable extent, it will reduce the output of our manufacturers without lessening the cost to the consumer.

This is a case where that for every foreign monument sold in the United States American labor manufactures one less. The American laborer gets just so much less opportunity to sell his product, and the American manufacturer parts with his profits for the benefit of the foreign producer and the home importer. * * *

EXCERPT FROM DEBATE ON GRANITE PARAGRAPH IN SENATE.

Mr. DILLINGHAM. Mr. President, I wish to inquire of the member of the committee having this matter in charge what consideration moved the committee in reducing the rate of duty upon granite from 50 per cent to 25 per cent ad valorem?

Mr. GALLINGER. And the duty on unmanufactured granite from 10 cents to 3 cents per cubic foot?

Mr. STONE. It was reduced by the House one-half, from 50 per cent to 25 per cent, because the House presumed that the reduction was a proper one in the interest of the consumer and of the revenue.

Mr. DILLINGHAM. I have examined the House hearings, but have been unable to find that anybody recommended it, excepting Mr. Hanold, who represented the firm of Townsend, Townsend & Co., of 423 West Twenty-first Street, New York City. Mr. Hanold said that, in appearing before the committee, he represented the "National Wholesale Granite Dealers' Association, comprising 18 firms engaged in the business of selling domestic and imported granite monuments at wholesale," and so forth.

If anybody else appeared before either the House or the Senate committee recommending this reduction or giving any reason for it, I should be glad to know who it was.

Mr. STONE. I was just about to say that I do not recall that anyone appeared before the Senate committee in relation to this item; but my attention is now called to the fact that a granite manufacturers' association of Quincy, Mass., filed a brief.

Mr. DILLINGHAM. Yes; but they were opposed to the proposed reduction.

Mr. STONE. Yes; they were opposed to it.

Mr. DILLINGHAM. Now, I am asking upon what consideration the recommendation was made that the rate be reduced? Who asked for it?

Mr. STONE. Just upon the ground that it was thought that the rate was unnecessarily high and should be reduced. There are practically no importations.

Mr. DILLINGHAM. Does the Senator recall anybody except the band of importers in New York represented by Mr. Hanold who recommended the reduction?

Mr. STONE. No; I do not know who appeared. * * *

I do not think any person interested in quarrying or manufacturing marble or granite appeared before either committee to insist upon a reduction of the duties. I think not.

Mr. DILLINGHAM. I think not, too. No consumer in the United States asked for it, so far as I have been able to find by an examination of the record of the hearings. I do not think that anybody asked for it, except the importing companies in New York, and they recommended that the duty be reduced from 50 per cent to 20 per cent.

Mr. STONE. That may be so, if the Senator please. I do not know.

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HON. A. J. GRONNA, OF NORTH DAKOTA, IN THE SENATE.

Mr. GRONNA. If we really wish to extend our markets abroad by securing more favorable tariff rates, why not make offers meaning something to countries which can give us a market for our products rather than throw our markets open to countries which will give us nothing in return?

Mr. President, this is so absolutely contrary to the policy advocated by that great statesman, James G. Blaine, that I do not want anyone to believe or think that he can delude the American farmer and make him believe that this is reciprocity such as was advocated by that great statesman.

—

HON. JOHN D. WORKS, OF CALIFORNIA, IN THE SENATE.

Mr. WORKS. Mr. President, there is another phase of the question that to my mind is more serious and threatening than the enactment of an ill-advised and injurious tariff law.

I do not believe, Mr. President, that if it were not for the influence of the executive branch of the Government, directed at the lawmaking power, and the coercive effect of the secret political caucus, the passage of this bill through either branch of Congress would have been possible. I take it for granted it will pass this body substantially as it was framed in advance. This, if newspaper accounts are to be credited, was done by a committee of Democrats and a Democratic President, or with the mutual agreement or concurrence of the two. It has been asserted and has been very generally believed that the President insisted that certain provisions should go into the bill and that other of its provisions are a compromise of views as between the President and Democratic members of the committee and the Democratic caucus. So, in any comments I may make on this phase of the question I will assume that the President of the United States aided in framing the bill and is using his

powerful influence to have it passed in the form approved by him and known to have his approval. Added to this comes the political caucus that adopts the bill in the form desired by the President. The bill, as thus indorsed, is not satisfactory to many even of the dominant party. Its adoption and support by the majority party is the result of presidential and caucus influence combined. The President lets it be known that he desires the passage of the bill. The party leaders, in caucus, insist that this is an administration measure and that Democrats must stand by the administration, and this secures its adoption in caucus. That is one step. Then, when the bill comes up for consideration it is insisted that it was agreed upon in caucus and is a party measure and Democrats must stand by the party. And they do. It is not a matter of individual conscience, reason, or judgment. A man under oath must forego his own conscientious convictions and judgment and vote with his party or come into disfavor and be branded as an apostate and betrayer of his party. The President commits himself beyond recall to a bill not yet introduced and without having heard the presentation of their views by the legislative representatives of the States where vital interests and important industries are to be affected by it.

Thus we have a bill agreed upon and marked for final passage upon consideration only by a few men of one party, concurred in by the President acting with representatives of this one party. This comes in part from the pernicious doctrine that the President is the leader of his party instead of, or as well as, the President of the whole people. The two are utterly inconsistent when it comes to the making of laws. Having committed himself to the measure in advance, we hear of the remarkable spectacle of distinguished Members of this body of his own party going to the White House and pleading with the President of the United States to consent that Congress may so modify the bill as to afford some protection to one of the great industries of their States.

HON. FRANK W. MONDELL, OF WYOMING, IN THE HOUSE OF REPRESENTATIVES.

Mr. MONDELL. Our wages are higher in this country under organization, because by and through a protective tariff that maintains prices it is possible for the manufacturer to pay a good wage, and therefore possible for the organized laborer and the organized artisan to compel the payment of a good wage.

But take from the industry its profits, place it in competition with unpaid labor abroad, make it nonproductive, and you can make bread of stones and draw blood from a turnip as easily as you can secure a living wage under those conditions.

Contested-Election Case—William J. MacDonald Against H. Olin Young.

EXTENSION OF REMARKS
OF
HON. J. D. POST,
OF OHIO,
IN THE HOUSE OF REPRESENTATIVES,

Tuesday, August 26, 1913,

On House resolution 231.

Mr. POST. Mr. Speaker, at the November election, 1912, there were four candidates in the twelfth congressional district of the State of Michigan standing for the office of Representative in Congress. In this contest, however, we are only concerned with the single question of whether or not the contestant, William J. MacDonald, under the proofs submitted by him, is entitled to a seat in this body.

Before entering into a discussion of this question it may be well to recite some facts pertinent to the inquiry, and resort to some of the laws of the State of Michigan relating to the primary and general elections of that State.

It is provided that each elector, to be entitled to cast his ballot, must enroll himself before registration officers provided for that purpose and designate his party affiliations. The registration days are the last Saturday of January and the first Monday in April preceding the primary election, except that on election day any enrolled voter may change his registration. No person is entitled to vote unless he is enrolled in the manner provided by the law.

The primary election law provides that a general primary for the nomination of candidates shall be held upon the last Tuesday of August preceding every November election.

At the primary election it is provided that delegates may be selected to a county convention from the wards, precincts, and townships in such number as the controlling committee of a political party may designate. A political committee is chosen by the county convention, and the committee selects its chairman and secretary. A congressional committee is authorized to be selected either by the various county committees or by the candidate for Congress.

When a vacancy occurs by the nominee for Congress withdrawing or other cause, the congressional committee is authorized to fill such vacancy.

In case of the formation of a new party all candidates must be presented by way of petition, but electors may write in the name of a candidate not upon the ballot.

The evidence in the case before us discloses that at the August primary held in the twelfth Michigan district names of persons, in some of the counties comprising the district, were written upon the ballot and voted for as the candidate of the National Progressive Party for the office of Representative in Congress. Of the persons thus voted for Joseph M. Rogers, an elector of Marquette County, received 11 votes, the highest number of votes cast for any person whose name was so written upon the primary ballot. At the time he was not enrolled as a member of the Progressive Party, but was enrolled as affiliated with the Republican Party.

It is significant to note here that the primary act contained a provision to the effect that "all votes cast for a candidate upon the ballots of one political party, when such candidate is enrolled as a member of another party, shall not be counted," and it was made unlawful for any board of election commissioners to print the name of any candidate upon the official ballot prepared for the use of the voters for the November election, unless such candidate was selected under the authority of the primary act.

It certainly can not be successfully contended that Joseph M. Rogers was nominated in conformity to the provisions of the primary act. His nomination, to say the least, was irregular. He was not eligible to be the recipient of votes, at the time being enrolled as a Republican, and the board of election commissioners were wholly unauthorized to count or canvass the vote cast for him.

The votes cast at a primary are to be canvassed by the board of election commissioners, and any candidate who conceives himself aggrieved in the count made by the election inspectors, or the return made by the board of commissioners, may file with the board a petition, setting forth the fraud or irregularity complained of, and in this manner procure a correction of any fraud, irregularity, or mistake in the counting of the ballots or the conduct of the election. Notice is required to be served upon the opposing candidate and ample opportunity is given to present to the tribunal created for that purpose any claims that might be made against the manner in which a name has been placed upon the ballot or any irregularity in the conduct of the election.

The contestee, Hon. H. Olin Young, nor anyone in his behalf, filed no complaint with the board of election commissioners in the counties of the district where names were written upon the ballots for nominees of the National Progressive Party. No Republican in that district raised any objection to the counting of such ballots, and the boards of county commissioners certified the results, as required by law, to the secretary of state. The State board of commissioners, composed of the secretary of state, the treasurer of the State, and the commissioner of the general land office, canvassed the votes in counties for Joseph M. Rogers, without any objections emanating from any source whatever. The matter rested in this condition until about the 9th or the 10th day of October, 1912, without any steps being taken to determine the legality of the nomination of Joseph M. Rogers as the candidate of the Progressive Party. Joseph M. Rogers, on or about the 10th day of October, 1912, withdrew as a candidate and mailed a notice of his withdrawal to each board of election commissioners in the 15 counties comprising the district. No candidate of any political party and no elector of the district from the August primary to the withdrawal made any contention whatever as to the regularity of his nomination.

As I have heretofore said, in one or two counties of the district members of a Progressive county committee were selected at the August primary. The members of these committees, with certain volunteers, called a meeting to be held at Escanaba, Delta County. At this meeting a congressional committee was selected, and Nathaniel L. Fields was chosen chairman and George Shiras secretary to such committee. After the withdrawal of Joseph M. Rogers the chairman and secretary of the committee, about the 14th of October, 1912, filed with the board of election commissioners of Marquette County the name of the contestant, William J. MacDonald, duly certified, to fill the vacancy occasioned by the withdrawal of Rogers. Subsequently and shortly thereafter a like certificate was filed in each of the remaining counties of the district.

On the 14th day of October the chairman and secretary of the State central committee of the national Progressive Party filed with the board of election commissioners of each county in the district, as required by law, a certificate showing the nominees of that party for presidential electors, State officers, Congressman at large, and the name of William J. MacDonald as the nominee for the office of Representative in Congress. The sole purpose of this certificate is to enable the election officers to determine how to prepare and print the ballots for the use of the voters on election day. In this certificate contestant's name was spelled "M-c-D-o-n-a-l-d," when it should have been spelled "M-a-c-D-o-n-a-l-d," and on the 15th day of October the secretary of the State central committee sent to each of the county boards a telegram in these words: "Congressman, twelfth district, should be spelled William J. MacDonald, correct." In 14 counties of the district this telegram was properly interpreted, but in Ontonagon County the message was misinterpreted, and the word "spelled" was taken to be the word "Sheldon." In that county the name of the contestant was printed on the ballots as "Sheldon William J. McDonald."

By the law of Michigan it is the duty of the county and State committees of political parties to certify to the boards of election commissioners, who print the ballots for the use of the voters, the names of all candidates not less than 20 days before the election. All of these various steps were taken in order to procure the name of the contestant to be printed upon the official ballot; the ballots were printed, and no candidate of any political party, committee of a party, or elector raised an objection to the manner or form of placing contestant's name upon the ballot until November 1, four days prior to election day, when the chairman of the Republican State committee sent a night letter to each county board to the effect that, according to a recent ruling of the Supreme Court of Michigan, the name of contestant could not be placed upon the ballots, and pointed out that it was their duty to reconvene and order ballots printed omitting his name. On the 2d day of November he sent another telegram, asking that stickers be placed over the name of contestant before the ballots were delivered to the voters.

It seems as though the deputy attorney general of the State of Michigan also sent a telegram to each board of election commissioners of the same purport as the first message of the Republican State chairman. Upon learning of these telegrams the contestee engaged a little in the telegraph business himself and sent to the various boards this message:

> It is my personal desire that the name of W. J. MacDonald remain upon the election ballot of your county.

The request of the Republican State chairman and the deputy attorney general were wholly ignored and that of the contestee acquiesced in. The contestee also addressed a letter to the voters of the twelfth congressional district, in which he said the contestant was a candidate for prosecuting attorney in Houghton County in the August primary on the Republican ticket; that he was defeated, and he himself was the Republican candidate for Congress, receiving 21,905 votes, while he accused the contestant of being hand picked, not more than 25 persons being concerned in his selection. He asked, "Which, then, is the people's candidate?" He further stated in his message that he had known from the day of MacDonald's selection that his name could not legally be placed on the ballot, but that he was at all times willing to submit the question to the test of a popular vote, and wound up his message with the exhortation "Let the people rule." Upon these facts the contest was submitted to the electors of the district.

If MacDonald could not legally be the candidate of the National Progressive Party because he was not registered as a Progressive, we submit that there was ample time and opportunity between the time of his selection and the election to have settled that question in the courts of the State of Michigan. If votes cast for Joseph M. Rogers could not be counted for lack of authority in that act because enrolled as a Republican, the act itself in explicit terms points out the remedy. If MacDonald was selected to fill a supposed vacancy caused by the withdrawal of Rogers, and there was in fact no vacancy to fill, because Rogers's supposed nomination was without warrant or authority of law, there was a remedy at law under the statutes of the State of Michigan in that exceptions could have been filed against the counting of the ballots cast for Rogers. If the Progressive State and congressional committees were irregularly and illegally created, and for that reason without potentiality, and their acts wholly void of legal essence, we take it that the courts of the State of Michigan are clothed with the inherent power to declare void and set aside such acts.

But the settlement of none of these questions, to our mind, is necessary to arrive at a proper conclusion in the case before the House. The contestee was more vitally interested in the contest than any other person. He warned the voters of the district before the election that he had known from the day of MacDonald's selection that his name could not be legally placed on the ballot, and invited the rule of the people. He declined to adopt the means laid down in the laws of the State to permit the use of a name upon the ballot claimed to be there illegally and wrongfully. Neither did the State committee of the Republican Party, nor the attorney general's office, take any legal steps to prevent the use of MacDonald's name in the battle of ballots that was fought out in the Upper Peninsula of Michigan on the 5th day of November last. Is there or not a day of repose, a limitation in which all questions are or must be considered settled? Can those most vitally interested remain quiescent until the will of the voters has been expressed at the polls, and, if opposed to their contention, then disfranchise the electorate of the district, however innocent, that electorate may be of any wrongdoing, on account of technicalities in the manner of nominating a candidate? Measured upon principles of equity and justice, such should not be permitted. This House should not be so encompassed by the technical statutes of the States, when by the fundamental law of the land it is the sole judge of the qualifications, election, and returns of its Members.

This House, with its large powers and wide discretion, should not be confined within too narrow limits. It possesses all the powers of a court having full jurisdiction to try the question, Who was elected? It is not limited to the powers of a court of law, but under the Constitution possesses all the functions of a court of equity.

It is contended that from the fact that contestant, at the time of the general November election, 1912, was enrolled as a Republican, and the Michigan primary act, providing that no ballots cast for the candidate of a political party shall be counted for such candidate when enrolled as affiliated with another party, is decisive of his right to a seat in this House. In one of the earliest contested cases to come before the House, the Georgia case of Spaulding against Meade, decided in the Ninth Congress, the House decided that its "power to judge could not be concluded by a State law."

In the Pennsylvania case of Wright against Fuller, Thirty-second Congress, decided in the House in 1852, it was considered that, notwithstanding section 5 of Article I of the Federal Constitution makes the House of Representatives the judge of the election returns and qualifications of its Members, that the powers enumerated are not plenary but are subordinate to the second and fourth sections of the same article—the first of these sections providing that Members of the House shall have the qualifications requisite for the most numerous branch of the State legislature—the fourth section empowering the legislature in each State to prescribe the places, manner, and times of holding elections for Senators and Representatives, such regulations being subject to alterations made by the Congress.

The State legislatures may prescribe the places and times of holding elections for Members and regulate the manner of conducting such elections, subject to any alterations Congress may see proper to impose. They may do these things, but I deny their right to go further. They can not impose upon a Member a qualification not coming clearly within the limits of the provisions in the Federal Constitution. A Representative must be 25 years of age, a citizen of the United States for seven years, and an inhabitant of the State from which he is chosen.

In addition to these qualifications he must be qualified to be a member of the most numerous branch of the State legislature.

The only qualifications prescribed by the constitution of the State of Michigan for a representative in the general assembly are that he shall be a citizen of the United States and a qualified elector of the district he represents.

At the November election last year the contestant was more than 25 years old; had always been a citizen of the United States; was a resident of the State of Michigan; and was a qualified elector of the twelfth congressional district. He possessed all the qualifications requisite to entitle him to a seat in this House under both the Federal and State Constitutions. He was enrolled as affiliated with the Republican Party on the very day of the election. He was never enrolled otherwise, unless since the election. If this registration under the statutes of Michigan disqualified him from being a candidate on the Progressive ticket, then I submit a new qualification has been imposed upon a Member of the House, and one not required by either the Federal or State Constitution. I am reverting to this question at some length for the reason that the contestee in his

answer alleges this enrollment to be fatal to the candidacy of the contestant and renders the votes cast for him illegal and void.

Fortunately we are not without precedent upon this highly important question. In the Thirty-fourth Congress (1856) two contested-election cases came before the House, Turney against Marshall and Fouke against Trumbull. The constitution of the State of Illinois, from which the cases arose, contained this provision:

The judges of the supreme and circuit courts shall not be eligible to any other office of public trust or profit in the State or the United States during the term for which they are elected nor for one year thereafter. All votes cast for either of them for any elective office given by the general assembly or by the people shall be void.

Marshall and Trumbull were both judges of the class enumerated in the Illinois constitution, were while serving in office candidates for the office of Representative in Congress, each received majorities of the votes cast in their respective districts, and were each given their certificates of election by the governor of the State. Both their seats were contested upon the grounds that the votes cast for them were null and void under the provisions of the State constitution. It seems to me that the question presented in these cases is on all fours with the case now before the bar of the House. The sole question in each case was whether a State might superadd to qualifications prescribed by the Federal Constitution for a Representative in Congress. If the contestant, William J. MacDonald, was enrolled as a Republican, then the Michigan primary law says no votes cast for him upon the Progressive ticket shall be counted. The question in the case is identical, if the law is applicable to the general election, and superadds a qualification not embraced within the Constitution of the United States. Mr. Justice Story in his Commentaries (vol. 2, p. 101) says:

The States can exercise no powers whatsoever which exclusively spring out of the existence of the National Government that the Constitution does not delegate to them. They have just as much right, and no more, to prescribe new qualifications for a Representative as they have for a President. Each is an officer of the Union, deriving his powers and qualifications from the Constitution, and neither created by, dependent upon, nor controllable by the States.

The Constitution having prescribed the qualifications of a Representative, it is only fair to presume that it was intended to exclude all others. In the cases of Marshall and Trumbull the House practically unanimously decided that the provision of the Illinois constitution, providing that votes cast for a candidate for Representative while he was serving a term as a supreme or circuit judge should be null and void, was imposing a new qualification not provided for by the National Constitution. Under this decision it certainly must follow that the provision of the Michigan primary act, if applicable to the general election, providing that no votes cast for a candidate for Representative shall be counted if such candidate is enrolled as affiliated with another party is null and void. This must be true upon principle. If a State, under the inhibition of the Constitution, could add a new qualification, it could add more than one. It could superadd many new qualifications, and would have the power to vary or change them. The different States might make different qualifications, and such an incongruous state of affairs would deprive the people of the right to choose for a Member of Congress any person having only the qualification mentioned in the Constitution. The addition of any qualification imposed by the State would necessarily disqualify any person having only the qualifications prescribed by the Federal Constitution. It may be said the question involved in this case may not be one of qualification of a Member of Congress, but a question of election arising under the primary act and laws of the State of Michigan. The contestee in his answer makes the point that the contestant is ineligible for his seat in Congress, not because he lacked any of the qualifications prescribed by the Constitution of the United States, but because he was disqualified by the laws of the State of Michigan. He was disqualified from receiving votes upon the National Progressive Party ballots because he was then registered as a Republican.

In this connection I want to quote from the able brief filed in behalf of the contestee by Mr. Henry E. Davis:

Out of abundant caution let it be emphasized that contestant's right to the seat claimed by him is denied, not so much because the Ontonagon ballots may not be counted for him under the plainly and repeatedly declared law of Michigan respecting the correction of errors of form—about the propriety and expediency of which law, although it is the law of the State, opinions may differ—as because of the larger, greater, and controlling fact that by the law of the State, her power and right to make which is beyond all question, and in the deliberate and purposed contemplation thereof, contestant was never a candidate, and accordingly was not voted for, at the election which he claims to have been chosen, and all ballots purported to have been cast for him at such election were and are void. Behind and over this law the House can no more go than it can go behind or over the law of Michigan prescribing under Article L, section 2, clause 1, of the constitution the qualification requisite for electors for the most numerous branch of the State legislature.

The broad assertion that the contestant was never a candidate, that all ballots purporting to have been cast for him are null and void, is certainly begging the very question at issue. This assertion can only be made upon the assumption that contestant was not qualified to be a candidate, and being disqualified no votes cast for him could be counted. If the Legislature of the State of Michigan exceeded its powers in making such laws, and imposed a qualification not authorized by the constitution of the State, this House certainly can go over or behind such laws. The constitution of the State of Michigan is fixed and definite in defining the qualifications of the electors for the most numerous branch of the State legislature.

In Coffin *v.* Election Commissioners, Ninety-seventh Michigan, page 189, it is held:

The source of all authority to vote at popular elections is the constitution.

The electorate is constituted by the fundamental law and the qualifications of electors must be uniform throughout the State. To the same effect is the holding in case of Attorney General *v.* Abbott, One hundred and twenty-first Michigan, page 545.

Article 3, section 1, of the constitution of Michigan, says:

In all elections every male inhabitant of this State, being a citizen of the United States, 21 years of age; a resident of the United States, 21 years of age; a resident of the State for six months, the township or ward for 20 days, shall be an elector and entitled to vote.

If the contestant measured up to these qualifications defined by the fundamental law, then he was a qualified elector of the district, and under section 5, article 5, of the State constitution possessed all the qualifications for the most numerous branch of the State legislature.

It can not be said in the face of the decision in the Marshall and Trumbull cases that this was not an addition of a new qualification, the right to create which is prohibited by the Federal Constitution.

In 1856 the Senate, in the case of Lyman Trumbull, decided that a State had no authority to add to the qualifications prescribed by the Constitution for a Senator. In 1884, in the case of Wood against Peters, coming from the State of Kansas, the House reaffirmed its position that a State may not add to the qualifications prescribed by the Constitution for a Member.

No contention is made by the contestee that the persons who voted for the contestant were not qualified electors and legally entitled to a vote, nor is it intimated that the election was not conducted in all respects according to law. In addition to this the proviso to the effect that votes cast for a candidate upon the ballots of one political party when such candidate is enrolled as a member of another party shall not be counted for such candidate is limited exclusively to the primary election and is wholly inapplicable to the general November election.

In the election Mr. Young received 18,190 votes, and in 14 counties Mr. MacDonald received 17,975 votes, while in Ontonagon County he received 458 votes. The State board of canvassers did not count the votes for the contestant he had received in Ontonagon County, because his name was preceded by the word "Sheldon." Had these votes been canvassed for him he would have received 18,433 votes, or a plurality of 243. Their result was not announced until the 10th day of December, when a certificate of election was issued to the contestee.

At the opening of the present session Mr. Young appeared at the bar of the House, took the oath of office, and served until the 10th day of May, when he resigned his seat.

Notwithstanding his resignation it still remained for the contestant to show that he is entitled to the seat made vacant by the resignation. That act on the part of Mr. Young could not destroy whatever rights the contestant had in the premises. The question, stripped of all its legal technicalities, resolves itself into the question of the intention of the voters who cast the 458 votes in Ontonagon County. Did these voters intend to cast their ballots for the contestant?

It was indeed unfortunate that a mistake occurred in this county in printing the ballots.

There is no evidence to indicate that if the word "Sheldon" had not been printed before the contestant's name in Ontonagon County, and apparently as a part of his name, that the result would have been different. In fact, the numerous candidates whose names appeared upon the ballot of the National Progressive Party ticket, along with that of the contestant, received practically the same number of votes cast for the contestant. No one would question but that the voters intended to cast their ballots for the other candidates upon the ticket, and by what process of reasoning any doubt can be thrown upon those cast for the contestant I am unable to understand.

The State board might well have treated the word "Sheldon" as mere surplusage. However, they saw proper to give the word efficacy as a part of the name, and being a ministerial body, clothed with limited jurisdiction, we have no fault to find with their determination. Under the decisions of the courts of the State of Michigan it may have been confined to the face of the returns from the several counties in the district, but the House is not so circumscribed. It may look beyond the face of the returns and consider all the surrounding circumstances of the election to determine the intention of the voters.

In the Virginia election case of McKenzie against Braxton, decided by the House in 1872, it was held:

That the House can go behind the ballot to ascertain the intent of the voter, so as to explain what is ambiguous or doubtful. If by the aid of extrinsic evidence that which is ambiguous or doubtful can be made clear and perfect, then no harm can result by resort to such evidence.

In the contested case of Campbell against Morey, decided in 1884, it was held:

That the intention of the voter ought to prevail whenever it can be ascertained by an inspection of the ballot, and if the ballot is ambiguous the intention of the voter may be shown.

It is not claimed that there was any other William J. MacDonald in the twelfth congressional district of Michigan, or that there is any other person in the district by the name of Sheldon William J. McDonald. It is not contended that the 458 votes cast for Sheldon William J. McDonald in Ontonagon County were intended to be cast for any other person than the contestant. But, it is contended, that at the time of the general election last November it was the settled law of the State of Michigan that the intention of the voter must be determined from the face of his ballot, and that such had been the adjudged and settled law of the State for more than 70 years, as laid down by the highest judicial tribunal of the State, and that the name "Sheldon William J. McDonald" could not be taken and read as, or intended to be, "William J. MacDonald" in canvassing the votes cast for Representative.

The supervisors of elections for the county of Ontonagon canvassed all the votes cast for Members of Congress upon the National Progressive Party ticket under the name of "Sheldon William J. McDonald," and certified to the State canvassing board that such person had received 458 votes. In the other 14 counties the votes were certified under the name "William J. MacDonald." The State board of canvassers had then before them the certified returns from all the counties in the district, and it must have been patent to them that a mistake had occured in printing the name of the congressional candidate on the official ballot in Ontonagon County. The record before them made in 14 counties in the district pointed unerringly and indisputably to only one fact, and that was that the name of the official nominee for Congress of the National Progressive Party was "William J. MacDonald." They knew more than this. They knew the 458 votes certified under the name of "Sheldon William J. McDonald" from Ontonagon County were intended for no other than the official nominee of the National Progressive Party, and that such candidate, by every consideration of fairness and justice, was justly entitled to them. If they did not know these things, their lack of such knowledge will not justify the House in deliberately disfranchising 458 voters of Ontonagon County and 17,975 who voted for the contestant in the other counties of the district.

When they saw the name of "William J. MacDonald" canvassed upon the return of 14 counties in the district and the name of "Sheldon William J. McDonald" standing alone upon the canvass of Ontonagon County they knew that a mistake had been committed in the printing of the ballots of that county. And while the State board of canvassers may have felt that they were bound, under the laws of the State of Michigan, to recognize the mistake and that they were helpless to remedy the wrong that had been innocently made, yet we do not believe that the House is without power to administer the proper remedy.

Cooley, in his excellent work, page 611, says:

We think evidence of such facts as may be called the circumstances surrounding the election, such as who were the candidates brought forward by the nominating conventions, whether other persons of the same name resided in the district from which the officer was to be chosen, and, if so, whether they were eligible or had been named for the office; if the ballot was printed imperfectly, how it came to be so printed, and the like, is admissible for the purpose of showing that an imperfect ballot was meant for a particular candidate, unless the name is so different that to thus apply it would be to contradict the ballot itself, or unless the ballot is so defective that it fails to show any intention whatever, in such case it is inadmissible.

It will be noticed that Cooley says "if the ballot was printed imperfectly" that the courts have a right to consider how it came to be so printed, and that evidence aliunde is admissible for the purpose of showing that an imperfect ballot was meant for a particular candidate. When the board of State canvassers observed that the name upon the ballot in 14 of the counties was William J. MacDonald and in Ontonagon County alone was Sheldon William J. McDonald, it was certainly apparent to them that the ballots used in the latter county were imperfect ballots, and that the name had been improperly printed upon the ballots used in that county.

We do not believe that they were justified in rejecting the entire poll of Ontonagon County for this office. McCrary on Elections, section 488, says:

The power to reject an entire poll is certainly a dangerous power, and though it belongs to whatever tribunal has jurisdiction to pass upon the merits of a contested-election case, it should be exercised only when in an extreme case—that is to say, a case where it is impossible to ascertain with reasonable certainty the true vote.

Certainly no one will contend that it is impossible to ascertain with absolute certainty the true intent of the voters who cast 458 ballots in Ontonagon County for the contestant. For this House to follow the precedent set by the board of State canvassers in rejecting the entire vote cast for the contestant in Ontonagon County would be to establish a very dangerous precedent.

In the case of Daley *v.* Petroff (10 Philadelphia Reports, 389) the court, upon this question, says:

Power to throw out the vote of an entire precinct should be exercised only under circumstances which demonstrate beyond reasonable doubt that there has been such disregard of law or such fraud that it is impossible to determine what votes were lawful or unlawful or to arrive at any result whatever, or whether a great body of voters have been prevented from exercising their rights by violence or intimidation.

In Chadwick *v.* Melvin (Bright's Election Cases, 489) it is stated in this way:

There is nothing which will justify the striking out of an entire division but an inability to decipher the returns or a showing that not a single legal vote was polled or that no election was legally held.

McCrary on Elections, in section 489, states the rule in a different way to be that—

Nothing short of an impossibility of ascertaining for whom the majority of votes were given ought to vacate an election, especially if by such decision the people must, on account of their distant and dispersed situation, necessarily go unrepresented for a long period of time.

It is said that "Sheldon William J. McDonald" is not the same name as "William J. MacDonald." Looking at the face of the ballot only, this is literally true, but looking beyond the ballot, considering the extrinsic evidence, the circumstances surrounding the election, we know that both stand for the same identical person. The circumstances of the election demonstrate this beyond any reasonable doubt. We know beyond peradventure that the word "Sheldon" was prefixed before the name of contestant upon the ballots in Ontonagon County by a mistake pure and simple. Knowing all these things, is the House, sitting as a court of equity in the trial of this case, powerless to correct the mistake? Are we, in the face of this knowledge, to ratify the action of the State board of canvassers and reject the poll of an entire county? Applying the rules of law heretofore cited, it seems that there should be little difficulty in a proper solution of the problem. Is it conceivable that simply because the board of election commissioners of Ontonagon County, having innocently caused the word "Sheldon" to be printed before the name of the contestant—458 legal votes, cast in good faith by honest electors—the House is without jurisdiction or authority to correct so palpable a mistake? Suppose the ballots had been printed "W. J. MacDonald," or "W. Jos.," or "W. Jas. McDonald," and the evidence showed that they were intended for the contestant, the election being otherwise honest, this House by an unbroken line of decisions in contested cases would count every such ballot for the contestant.

The printing of the word "Sheldon" before the name of the contestant is shown by the undisputed evidence to have been an egregious error on the part of the election officials, and to adopt the language of the court in the case of Bowers *v.* Smith (11 Mo., 55)—

The suffrage is regarded with jealous solicitude by a free people, and should be so viewed by those intrusted with the mighty power of guarding and vindicating their sovereign rights. Such a construction of the law as would permit the disfranchising of a large body of voters because of an error of a single official should never be adopted.

If we are mistaken in assuming that precedents have been established by this House for the correction of such errors committed by the election officials intrusted with the preparation of the ballot, then we submit that this case is one in which it is highly important to establish such a precedent. Such a course

in dealing with this case will be approved by the sense and intelligence of every fair-minded man.

It must be borne in mind that had the clerk of the board of election commissioners of Ontonagon County followed the strict letter of the law and caused the name to be printed on the ballot as it appeared upon the certificate filed by the chairman and the secretary of the committee, instead of attempting to follow the telegram, there could be no pretense for a contest in this case. It was, to say the least, an act of extreme carelessness on his part. It is significant that in the canvass of the votes of Ontonagon County the votes cast for the contestant were thrown out while the votes cast for one of the presidential electors, whose name stood upon the ballot in a worse attitude than that of Mr. MacDonald, were counted. The true name of the elector was Gustavus D. Pope, and was printed upon the official ballot as Gustavus T. Tope. These ballots were counted by the State board of canvassers for Gustavus D Pope. In that case they certainly looked carefully to the intention of the voter. The two words spelled different names, but it was clearly a misprint in the preparation of the ballots. The one is no more flagrant than the other, and the same rule of construction should have been applied to each. As the returns lay before the State board of canvassers they exemplified a written instrument in which the name of William J. MacDonald appeared fourteen times and Sheldon William J. McDonald once only. The word "Sheldon" was ambiguous and uncertain, and the cases are numerous that extrinsic evidence is admissible to cure such imperfections even in the most solemn instruments, and thus guarded the rule is most salutary and just, and not to apply it in this case would be to establish a precedent and deprive a contestant of rights fairly and honestly acquired.

Evidence was taken to establish the fact that the contestant did not file with the Clerk of the House within the time prescribed by law his statement of expenses after the November election, 1912, nor until the 21st day of April, 1913. On that date he did file a statement showing that he had incurred no election expenses subsequent to the filing of his statement before the election on October 26, 1912. Later he filed a statement showing the sources from which he obtained campaign funds. The correctness of these statements have not been questioned. My individual opinion is that a fair construction of the statute requires the filing of the statement whether any expenses have been incurred or not. In other words, the statute is in terms mandatory. Yet it must be conceded that it is open to construction. Should the House, on account of the omission, deprive the contestant to a seat to which, as we have shown, he is justly entitled?

In this connection I want to call attention to the fact that the contestee raised no issue whatever upon this question in his answer filed to contestant's notice of contest. He could have made the question by a countercharge in his answer, but wholly failed to do so. The evidence offered upon this point was taken without objection. The precedents are numerous to the effect that the contestant in an election case must confine his proof to the allegations of his notice and the contestee to the countercharges alleged in his answer.

The Revised Statutes of the United States, section 105, provides that the notice shall specify particularly the grounds upon which the contestant relies in the contest, and section 106 requires the answer to admit or deny the facts alleged in the notice and to further state specifically any other grounds upon which the contestee rests the validity of his election.

As early as the Ninth Congress, in a case reported in Clarke & Hall's Reports, page 165, it was held by the House that a "petitioner ought not to be permitted to give evidence of any fact not substantially alleged in his petition."

In the case of Butler v. Lehman (37th Cong., 1 Bartlett's Repts., 358) it was held that when the issues are made the inquiries of the committee "should be directed solely to determining those issues as presented by the parties and to the consideration of such testimony only as should be found pertinent to sustain them as in proceedings at law."

And, again, in the case of Stovell against Cabell, Forty-seventh Congress, reported in Second Ellsworth, page 668, it was held that "depositions in regard to precincts not mentioned in the notice of contest or upon issues not raised by it were inadmissible."

There are numerous other precedents sustaining the position that the contestee having omitted to make an issue of contestant's failure to file in time his expense account after the election evidence relating thereto should not now be considered. And in view of the fact that no one has questioned the truth of the belated statement filed as late as April, 1913, and the one filed subsequently, the case might rest upon these decisions. However, the Federal statute is penal in its nature and does not relate to any of the qualifications of a Member of Congress. If an issue is made in a contested case, or whether an issue is made or not, and the truth or the falsity of a statement is attacked and the evidence discloses that such statement was falsely made for the purpose of concealing an election procured by bribery or fraud, then I believe it is the duty and the right under the law to consider, in connection with other facts, such false statements.

Let me say in conclusion that when the facts in this case are fairly considered and the law applicable to the established facts justly applied, we have here presented a free and fair election and a true determination of who a plurality of the voters of the twelfth congressional district of Michigan desired to represent them in Congress, and that the title of William J. MacDonald to a seat in the House is beyond question just and legal.

Combinations in Restraint of Trade.

EXTENSION OF REMARKS
OF
HON. RICHARD W. AUSTIN,
OF TENNESSEE,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, August 30, 1913.

Mr. AUSTIN. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include an interesting and able editorial which appeared in the New York Times of August 11, 1913, the subject being "Combinations in Restraint of Trade."

The editorial is as follows:

COMBINATIONS IN RESTRAINT OF TRADE.

The forecasts of the foreign trade figures for the fiscal year indicate an advance over those of 1912. Exports of iron and steel, for example, were $304,500,000 against $268,000,000 the year before. Oil will exceed one hundred millions, and copper about the same. The increase of our manufactures in foreign trade is as surprising as the recent decrease of our agricultural exports, and the astonishing thing about it is that the growth is mainly the result of the efforts of combinations on their defense against restraint of trade, the Government being the accuser. It is an easy estimate that the Steel and Oil Trusts contribute almost half an annual average of our manufactured exports by the entire country, although they would fall below that in a year whose exports was abnormally large like 1912–13. That the Oil Trust's goods go to the ends of the earth is known to all.

In some countries our Government is defending that trade against foreign attack at the same time that it is attacking the trust at home. That is the case in Austria and Germany.

The last report of the Harvester Co. contains this passage:

"The expansion of the foreign trade continues. This has been the most important feature in the development of the industry since the formation of the company in 1902. The foreign trade has increased fivefold in the 10 years of the company's operation, increasing from $10,400,000 in the year 1902 to $50,000,000 in the last year. It now constitutes 40 per cent of the entire business of the company. On the other hand, the sales of harvesting machinery, tillage implements, and twine in the United States now constitute only one-third of the company's total sales."

The extent to which the Steel Trust rivals this salesmanship was put on record in President Farrell's testimony in the conspiracy suit. In 1912 this single concern built up an export trade of $92,000,000. It was a good answer to the reproach of neglected opportunities, and a promise that the hobbies should be removed in the new dispensation. President Farrell testified that in 1912 17 per cent in volume and 14 per cent in value of the trust's business was export. It even sold to Australia, 14,000 miles away, and maintained domestic prices at that. But users of the trust's materials were assisted in every way to sell abroad, even salesmen and office facilities abroad being supplied. This suggests to what an extent our amazing foreign trade is the creation of these "big fellows."

All existing markets have been preempted by those who had a foreign trade when we were importers. These possessors of the markets were prejudiced against interlopers, and inspired a like prejudice against the goods of competitors, ourselves. It is necessary to establish warehouses all over the world and to keep scores of thousands of tons afloat ready for sale on orders to arrive, destinations being changed according to market variations during a voyage. The trust's component corporations failed where the "trust has succeeded. The result of putting the trust out of business as a conspirator in restraint of trade is indicated by the changing character of our foreign trade. We are ceasing to be hewers of wood and drawers of water for the rest of the world, and are making foreign buyers tributary to the workers in our factories. Our exports of manufactures now exceed $1,500,000,000 annually, and of that total manufactures of foods contributed only $319,000,000. The greatest gain in our exports for the year just finished was in manufactures ready for consumption, which increased $105,900,000, to $778,000,000. Here lies the prosperity of the future, the recompense for the agricultural prosperity of the past, when we could not eat the food we raised, just as the time is coming when we can hardly raise the food we eat. But our exports of manufactures must be the products of the trusts, because they are the greatest producers. To shackle the trusts or to abolish them is to tie our own hands in the world's contest for ease of life through the profits of industry.

Contested-Election Case—William J. MacDonald v. H. Olin Young.

EXTENSION OF REMARKS
OF
HON. BURTON L. FRENCH,
OF IDAHO,
IN THE HOUSE OF REPRESENTATIVES,

Tuesday, August 26, 1913.

Mr. FRENCH. Mr. Speaker, the facts in the contested-election case of William J. MacDonald versus H. Olin Young are not greatly complicated, but are such as to raise several very important questions that it is the duty of the Congress to consider.

The certificate of election was issued to H. Olin Young upon the showing that at the last general election he had received 18,190 votes as against 10,322 votes for John Power, 1,077 for William O. Trezise, 17,975 votes for William J. MacDonald, and 458 votes for Sheldon William J. McDonald.

Contestant instituted the pending contest upon the ground that the votes cast for Sheldon William J. McDonald were, as a matter of fact, intended for and should be counted for William J. MacDonald, and that if they were counted for him it would give the said William J. MacDonald a total of 18,433 votes, or a plurality over the vote of the next highest candidate, H. Olin Young, of 243.

The contestee, Hon. H. Olin Young, accepted the certificate of election upon the theory that the question of whether or not he or MacDonald should be seated in the Sixty-third Congress was a question that could only be considered by that Congress after it should convene and the elections committees be appointed.

Upon May 10, 1913, Mr. Young tendered his resignation to the House of Representatives.

In the course of his remarks, prior to tendering his resignation, Mr. Young made the following statement:

I am convinced that if the 458 votes in Ontonagon County should be counted for the contestant, no other facts can be satisfactorily proven which in a forum governed by broad equitable rules would justify a verdict in my favor. I am also convinced that it was the intention of those 458 electors to vote for the candidate of the National Progressive Party.

The contestant was the only person claiming to be such candidate, and while under the law of Michigan as it now is, and as it has been for 70 years, he is not entitled to such votes, I do not care to hold a seat in this House under a title that may be questioned by some honorable and disinterested men. I have therefore prepared my resignation as a Member of this House, and shall forward it to-day to the secretary of state of Michigan and file a duplicate with the Speaker.

In the usual manner contestant filed with the Elections Committee No. 1 his brief. This was followed by the filing of a brief entitled "Brief in opposition to seating contestant," and Mr. Henry E. Davis, of counsel, on pages 3 and 4 of the brief submitted by him, after reviewing the case in part makes this statement:

This being the situation, it is wholly immaterial that contestee for a time occupied and afterwards resigned the seat involved, and is not now claiming the same; the question is whether contestant is entitled to the seat. In such situation contestee might well leave the matter in issue for consideration without suggestions of his own toward its proper solution, but upon advice of counsel it seems due to him and to the interests of the people of his district that he should, through counsel, rather as amicus curiæ than as his advocate, submit for consideration of the House what is hereinafter set forth, in which view this memorandum is entitled as above, namely, "Brief in opposition to seating contestant," rather than, as is usual in such cases, "Brief for contestee."

Appearing, then, according to his own designation, as amicus curiæ rather than as advocate of any rights of contestee, counsel set forth in his brief numerous questions that have to do with the right of contestant to a seat in this body.

THE ISSUES.

The notice of contest makes the following allegations:

"1. The nominee of the Progressive Party (one Rogers) entered under the law by petition, having resigned and declined to become a candidate, the congressional committee of that party duly designated contestant to fill the vacancy caused by such resignation.'

"2. Formal notice of contestant's nomination was sent to the board of election commissioners of every county.

"3. Pursuant to such notice, the name of contestant appeared as candidate in each county, being printed in the regular place on the final ballot, except in Ontonagon County.

"4. In Ontonagen County the county clerk printed contestant's name in the proper place on the final ballot as 'Sheldon William J. McDonald,' instead of 'William J. MacDonald.'

"5. The surplusage 'Sheldon' thus appearing was unknown to contestant at any time which would afford him opportunity to seek relief from the addition of such surplusage, and became known to him only after publication of the determination of the board of canvassers.

"6. The official return of the canvass of Ontonagon County certified the vote of the county as follows: 'For William J. MacDonald, none; for Sheldon William J. McDonald, 458.'

"7. The total number of votes cast and counted for contestee is 18,190, and for contestant 17,975; and if the votes cast and counted for Sheldon William J McDonald had been added to those cast and counted for contestant, the latter would have had a plurality over contestee, to wit, of 243 votes."

The answer of contestee admits or affirms that:

First. Contestant was the apparent Progressive nominee, but denies that he was in law such nominee.

Second. The person professing to be the nominee of the Progressive Party (Rogers) claiming to have been chosen by primary election, declined to be a candidate, and that a body purporting to be the congressional committee of the Progressive Party presumed and undertook to designate contestant to fill the supposed vacancy.

Third. That no ballots whatever cast for contestant at the election, whether those in question or those not in question, can be counted for him, for the reason that by the statutory and adjudged law of the State he was not a candidate of the Progressive Party "under the authority of the law," and accordingly was not eligible to be, and in contemplation of law was not, voted for at the election, and the ballots purporting to have been cast for him at the said election were and are void.

Fourth. That formal notice of the supposed and pretended nomination of the contestant was sent to the board of election commissioners of every county, and that his name appeared as candidate in every county in the regular place on the official ballot as candidate of the Progressive Party, except in Ontonagon County; that the county clerk of Ontonagon County caused to be printed in the proper place on the official ballot reserved for the candidate of the Progressive Party the name Sheldon William J. McDonald, and that the return of the canvass of Ontonagon County was as alleged in the notice of contest.

Fifth. That by the statutory and repeatedly adjudged law of the State of Michigan, the Ontonagon ballots in question can not be counted for contestant because of the difference in name, the correction of which, if error, would require going behind the ballots, which is not permissible under the law of the State.

LEGALITY OF NOMINATION OF CONTESTANT.

It is urged that contestant is not entitled to receive any of the votes cast for him in any of the counties upon the theory that he was not legally upon the ballot. This contention rests upon the manner in which the vacancy or supposed vacancy that contestant was nominated to fill was created, and whether as a matter of fact there was such a vacancy, and if so, whether or not the candidate was eligible to be placed upon the ballot, and if so whether or not the parties nominating him were eligible so to do.

The primary election law of Michigan contains, among others, the following provisions:

No person shall be permitted to vote at any primary election unless he shall have been enrolled in manner provided as a member of a political party, and voters in the various political parties have opportunity to become enrolled voters of the particular party with which they affiliate, on certain specified days. Whenever an enrolled voter has changed his party affiliation and desires to be enrolled as a member of another political party, he may personally make application for reenrollment only on enrollment day. In every congressional district there shall be nominated at the August primary election preceding every general election, by direct vote of the enrolled voters of each political party, a party candidate for Representative in Congress. There shall also be elected at the primary, by direct vote of the enrolled voters of the political party in each county, as many delegates as such parties shall be entitled to by the call issued by the county committee of such party for the county convention thereafter to be held by the party within said county in that year for the purpose of electing delegates to the State convention called for the purpose of nominating candidates for State offices. When any candidate, after having been nominated as in the law provided, shall withdraw before the printing of the ballots, the proper board of election commissioners shall cause to be placed upon the ballot, in place of the name of such candidate, the name of the candidate selected by the proper party committee, as shown by the certificate of its chairman and secretary, in manner prescribed by the general election law; and in congressional districts comprised of more than one county, the county committee provided for in the law of each political party of each county of the district shall elect one or more electors of the party, residing within the district to be represented, as a member or members of the committee of such political party for such district: *Provided*, That the party nominee shall have the privilege, if he so elect, of naming the committee of the political party for the district from which he has been nominated. Votes cast for any candidate upon the ballots of one political party, when such candidate is enrolled as a member of another party, shall not be counted; and it shall be unlawful to print on any official ballot prepared for the use of voters at any election the name of any candidate, unless such candidate was selected under the authority of the law, and this prohibition shall operate against any candidate selected in any mass convention, or by any so-called independent voters at any caucus or convention. The county committee, except chairman and secretary, shall be chosen by each political party at each county convention held after each August primary.

It is admitted that at the time of the general primary election in August, 1912, the person who was nominated for Congress

as the nominee of the Progressive Party (one Rogers) was an enrolled elector as a Republican in Marquette County. The law provides that "votes cast for any candidate upon the ballots of one political party where such candidate is enrolled as a member of another, shall not be counted."

I do not think that, under the decisions of the courts of Michigan, if the candidate Rogers were nominated for an office wholly within the control of the State, there would be any question as to the interpretation of the foregoing statute, and I believe that under it Rogers would fail of nomination. Rogers was enrolled as a Republican. The law specifically states that votes cast for any candidate upon the ballot of one political party where such candidate is enrolled as a member of another party shall not be counted.

The supreme court of Michigan on November 1, 1912, held that the nomination of one Cook as a candidate for judge of probate in a county of the State of Michigan was illegal and void, for at the time he was voted for as a candidate of the Progressive Party in the primary, he was enrolled as a member of another political party.

With regard to the view that the Congress should take in the matter of the nomination of Rogers, it is important to consider whether or not the particular statute of Michigan is not unconstitutional as applied to a Member of Congress on account of the provisions of the Federal Constitution defining the qualifications of Members of the House of Representatives, which are that a Member shall be not less than 25 years of age, a resident of the State from which he shall be elected, and shall have resided not less than seven years within the United States.

In my judgment the provision of the Michigan statute attempts to impose a qualification upon persons seeking membership in the House of Representatives that is not in harmony with the Constitution. The State of Michigan has added to the qualifications recognized by Congress, the additional qualification that a person to be eligible for nomination shall be enrolled as a member of no other political party than that of which he received the votes at the primary election. This identical question has probably never been presented to this Congress, but questions somewhat similar have been presented and the principle, at least, is not a new one.

In the case of Wood against Peters, from the State of Kansas, in the Forty-eighth Congress, it was developed that Peters had received 99,866, and that contestant Wood had received 83,364 votes. It was contended that Peters was not entitled to his seat because he fell within the inhibition of the constitution of Kansas that provides that the supreme and district judges of the State shall not hold any office of profit or trust under the authority of the State or United States during the term of office for which said justices or judges shall be elected.

It was held in this case by the House that such provision could not be binding upon this body, because otherwise the State would be conceded the power to limit or qualify the eligibility of persons aspiring to membership in the House of Representatives.

In the report upon that case, the majority of the committee cite the cases in the Thirty-fourth Congress of Turney against Marshall and Foulke against Trumbull, both of Illinois, as cases that involve precisely the same question.

After reviewing the case in point and precedents, the House adopted the report of the majority of the committee that Peters was duly elected a Member of Congress from the State of Kansas and is entitled to his seat.

It is true that the minority report was submitted, but the very vote by which its adoption was rejected is significant of the sentiment prevailing in Congress upon that question, for in support of the minority report there were 20 yeas as against 106 nays. After this vote when the proposition of confirming the title of Mr. Peters was submitted it was agreed to without division.

In view of this it is my judgment that, notwithstanding that which is apparently the well-fixed rule or law of the State of Michigan as applied to officers over whom the State has entire control touching qualifications, I can not concede that the State has the right to so limit the possible candidates for Congress in a manner that would make the nomination of Rogers illegal and invalid if he is otherwise qualified.

ROGERS'S RESIGNATION AND THE NOMINATION OF M'DONALD.

If, then, we may recognize that Rogers was nominated, clearly when he resigned he created a vacancy, but it is contended that contestant was not eligible to such vacancy assuming that there was one.

It is urged that he, too, was enrolled as a Republican and consequently could not have had his name placed upon the ticket. The same conclusion that I have reached with regard to the placing of the name of Rogers upon the ticket is reached by me in considering the question of eligibility of MacDonald from the standpoint of his qualifications. I need not review this further. I believe that he was eligible, and I might say in this connection that the limitation that has been placed upon the right of ballots to be counted only for candidates who may not be enrolled as of another political party than that for which the votes are cast is the more unreasonable when applied to the contestant as a candidate for nomination for Congress under the Michigan statute for the reason that there was no possible way by which he could have qualified. The period within which he should have enrolled as a member of the Progressive Party had passed. Indeed, it had passed prior to the time that the Progressive Party was organized, so it was something that was wholly beyond the power of contestant to control.

LEGALITY OF CONGRESSIONAL COMMITTEE.

But it is urged that if contestant be eligible he was not nominated by a duly organized body authorized to act under the laws of Michigan for and in behalf of the Progressive Party. It is true that the Progressive Party was of recent origin. It is altogether probable that in many instances mass meetings were held in place of conventions, and, in the absence of a regularly constituted party machinery, volunteers were recognized and relied upon in various localities to act for and in behalf of the political organization.

It is a well-established principle that it is presumed that the laws have been complied with that have to do with directing the manner in which political organizations shall operate and the manner in which ministerial officers shall perform their duty. It is charged that the committee that nominated contestant was not legally constituted, but it has not been proven. It was stated by contestee in a letter to the voters of the twelfth congressional district:

As a candidate for Congress Mr. MacDonald was "hand picked" by the Progressive committee, which was appointed by one man, Mr. Joseph M. Rogers, who himself had received 11 votes only as a candidate for the Progressive Party for Congress.

But it is urged that as a matter of fact the committee was not constituted in this way. The testimony of several persons has been obtained tending to support this point of view. One of the persons relied upon is Joseph M. Rogers. In the examination that was conducted in laying the foundation for the defense of contestee against contestant the question was asked whether the Progressive or National Progressive committee was selected at the Escanaba conference and he replied that he knew nothing about it. He was asked whether it was selected at any other time or place, and he replied, "I have no knowledge." He was asked whether or not he ever appointed a congressional committee, and he replied, "I did not." Upon cross-examination he was asked whether or not he did not send a written communication declining to be a candidate for Congress on October 9, 1912, the said communication addressed to the committee of the Progressive Party. He replied that he did. He was asked if he understood that Mr. Field was chairman and Mr. Shiras was secretary of the committee, and he replied that he did. He was asked whether or not he could state that delegates were not elected to attend a congressional convention of the Progressive Party, and he replied that he could not.

Somewhat similar information was obtained from other persons, but nothing that I have discovered in the evidence conveys a stronger opinion than a doubt or an admission of lack of information upon the subject. The burden of proof rests upon the contestee or upon those who challenge the right of contestant to a seat in Congress, and my judgment is that they have not established as a fact that the Progressive congressional committee was not elected and organized according to law.

It is brought out to my satisfaction, and, I think, to the satisfaction of the committee, that in at least two of the counties there were regularly chosen members of the congressional committee. It may be admitted that from some of the other counties those who were working with the committee were not chosen according to the provisions of the law touching party organizations. The general election law of Michigan provides a certain way by which the congressional district committee of each political party may be selected and organized. More than this, there is provided in the primary law that the party nominee shall have the privilege, if he so elect, of naming the congressional committee of his party for the district from which he has been nominated. This provision is recognized as standing in lieu of the selection of the committee under the general election law.

It may be urged that the committee that nominated contestant was not elected under the general election law and was not nominated by Rogers, the original nominee of the Progressive Party. However, the committee, if not in fact named by Rogers, was recognized by him as the congressional committee of the twelfth district, or, in other words, the district for which he was nominated.

He recognized said committee most emphatically when, early in October, 1912, he resigned as the National Progressive nominee for Congress, transmitting his resignation to the organization that purported to be the congressional district committee of the twelfth congressional district. He addressed letters to the honorable election commissioners of Ontonagon County, under date of October 9, 1912, advising them of his resignation. Clearly the committee was recognized as such by Mr. Rogers, and it is reasonable to view this recognition as tantamount to appointment; and in the absence of any challenge made prior to the election of the authority or asserted authority of the congressional committee that nominated MacDonald, I can only conclude that the committee must be regarded as having acted within its rights and that at any time subsequent to the general election in November, it is too late to question the authority of such committee.

More than this, no one working within the Progressive Party, either within the twelfth district in Michigan or elsewhere, is heard to question the authority of the committee of that party organization.

RIGHT OF ALL VOTES TO BE COUNTED.

Admitting that if contestant had been a candidate for an office wholly under the control of the State his name could have been prevented from going upon the ticket because of the fact that he was not enrolled as a Progressive or because of the possibility that the congressional district committee that nominated him had no such authority, the fact remains that contestant's name was actually placed upon the ticket in all of the counties excepting Ontonagon and in that county was placed upon the ticket with an additional word "Sheldon" as a part of his name.

The question now is pertinent whether or not the votes which were cast for MacDonald in all the counties shall not be counted for him in spite of whatever irregularities may have occurred. MacDonald, the contestant, was the de facto nominee of the Progressive Party in the twelfth congressional district.

He was nominated by the de facto committee, whose right and authority in the matter was not questioned, but rather was accepted by the ministerial officers of the State when the name of contestant was placed upon the ticket. If, as a matter of fact, contestant's name should not have appeared upon the ballot, the question should have been raised and could have been raised by some elector in the district prior to the general election.

A similar question was raised with respect to a candidate for probate judge and the supreme court held that his name should not go upon the ticket. Here is the remedy that could have been applied by any elector of the district. Here is the remedy that ought to have been sought if anyone expected ever to seek relief. It could not be claimed that the electors of the district were unaware of the possibilities in the case for the chairman of the State committee had sent telegrams to the various county clerks advising them not to place the name of contestant upon the ticket. More than that, contestee had recognized the discussion that was evidently taking place in the district with respect to the right of the name of contestant to appear upon the ballots, and he stated in a public communication to the voters of the twelfth congressional district that it was his personal desire that the name of W. J. MacDonald remain upon the election ballot.

There have been other instances where de facto committees and de facto officers have been recognized by Congress, and the question that I raise is not altogether new, although probably it is applied in this particular manner for the first time. More than this, I can not believe that the Congress of the United States must be bound by the strict interpretation of the several State laws in such degree that it must refuse to recognize the will of a majority or of a plurality when such will has found expression through the institution that has been provided for the preservation of the rights and the liberties of a free people.

The electors of the twelfth congressional district might have written upon the ballots the name of contestant and voted for him. They went into the booths with their ballots and found the name William J. MacDonald printed upon what purported to be an official ballot. They voted for MacDonald in good faith, there can be no question about this, and I have no doubt in my mind as to the right of the votes to be counted that were cast for contestant in the several counties.

The attorney for contestant contended vigorously before the committee that the several States should be left free to define their election laws under the Constitution and that the interpretation of the laws and the sufficiency of the compliance with the laws governing election officials recognized by the courts of the several States should be binding upon Congress.

I asked counsel if this might not mean that upon the same state of facts a person presenting himself as elected to Congress from the State of Michigan might not be denied his right to a seat while another person presenting himself to Congress from a district in Wisconsin, immediately across the line, might be declared entitled to membership. Counsel admitted that such might be the case, but urged that it would be proper. It is my judgment that such a rule as that can not and should not meet with the approval of the Congress.

While this seems to be the natural and reasonable conclusion, it is a conclusion that I think we are compelled to reach, and that is abundantly sustained by precedents from the State courts and precedents established by the House of Representatives. It was held in the case of Commonwealth *v.* Combs (27 Kentucky Law Report) that when the certificate of nomination was filed substantially in the form and manner prescribed by law it was not within the province of an election officer to go behind it to determine whether or not it was rightfully done.

In the cases of Schuler *v.* Hogan (168 Ill., 369) and State ex rel Piggott *v.* Benton (13 Mont., 306) the election was contested because of the alleged invalidity of the certificate of nomination and courts held that the certificate of nomination regular upon its face and filed by the proper officer was prima facie evidence of the nomination so certified.

The case of Bowers *v.* Smith (111 Mo., 45) is exceedingly interesting. The Union Labor Party had not polled at the last preceding election the requisite vote that would entitle the party to put a ticket in the field in the manner provided for parties casting a certain vote. The ticket, however, had been placed in the field; it had been duly certified; ballots had been printed and furnished to voters and the election had been held. The court decided that objection because of insufficiency of votes at the previous election should have been made before the election and not afterwards. In other words, to quote the principle as indicated in another decision, Allan *v.* Glynn (17 Colo., 349):

Irregularities which do not tend to affect the results are not to defeat the will of the majority; the will of the majority is to be recognized even when irregularly expressed.

Somewhat similar cases have been presented to Congress in the past. Among the early ones were the following: David Bard, Fourth Congress; Talliafaro *v.* Hungerford, a Virginia case in the Thirteenth Congress; Spaulding *v.* Mead, in the Ninth Congress. The doctrine followed in these cases has been followed since. It was followed in the election cases of Milliken *v.* Fuller, in the Thirty-fourth Congress; Shiel *v.* Thayer, in the Thirty-seventh Congress; and Boyden *v.* Shober, in the Forty-first Congress.

In the contested-election case of Smith *v.* Jackson, Fifty-first Congress, on January 23, 1890 (p. 757, vol. 1), Mr. John Dalzell presented a report. Numerous questions were considered in connection with this case, and among them the question of technical violation of the law upon the part of the election officials.

In several precincts it appeared that the actual voting place was not the place established by the county court as the legal voting place. Again, it was charged that in one precinct the ballot box was left for a time with one of the judges unsealed, contrary to law, and it was asked that the votes of this precinct be thrown out.

In passing upon these questions of technical violation of the law, assuming that in all instances there had been an actual violation, the House sustained the committee in holding that if there had been any violation of law it was only technical and did not tend to the interest or prejudice of the contestee, and could not deprive the voters of the right of having their votes counted as cast.

In the Virginia case of Cornet *v.* SWANSON, in the Fifty-fourth Congress, questions arose that are of interest in connection with the pending case. The constitutionality of the election law of Virginia was questioned and the majority of the committee, after stating the fact that the Supreme Court of Virginia had by unanimous decision affirmed the constitutionality of the law in every particular, declared that it was not necessary to pass on the question in order to reach a just conclusion in the case, but says:

It would not necessarily follow, in the opinion of the committee, were it conceded that the Walton election law was unconstitutional, and therefore inoperative as to the particular features of that law here assailed, that no valid election had been held in the fifth congressional district of Virginia. The sections which are assailed by reason of their alleged unconstitutionality are not so essential to the operation of the law under which this election was held, or so inseparably connected with

its other provisions and requirements, that even should they be thought to be inoperative this committee would be justified upon that ground in declaring that there had been no legal election.

In the course of the debate it was urged by a member of the committee, Hon. John J. Jenkins, of Wisconsin, that the election having been de facto, even conceding the law to be unconstitutional, the contestant must still make out a case to enable the House to seat him, and that to unseat the sitting Member would bring the House face to face with the proposition that all the Virginia Members, including at least one seated by the House, owed their seats to elections held under that law.

In this case the committee was sustained by the House.

Recognizing that the statute of Michigan requires a congressional committee to be appointed in a definite way, I can not construe the statute adversely to contestant when there was open the opportunity of any elector in the district to challenge the right of the proper authorities to place the name of MacDonald upon the ticket to be voted upon at the election.

It is immaterial that the chairman of the Republican State committee notified the respective officials that they should not place MacDonald's name upon the ticket. Such notice could not be regarded as an official action. The proper remedy that the electors of the district, or any electors of the district, had was to invoke power of the courts in determining the question.

This was not done. MacDonald's name was permitted to go upon the ticket, and the Congress, following a long line of precedents, must refuse to set aside an election where there was no fraud and where the action complained of it is not alleged resulted in misleading any voter and where to set aside the election would be to set aside the clear expression of opinion of a plurality of the district.

SHALL THE VOTES CAST FOR SHELDON WILLIAM J. M'DONALD BE COUNTED AS CAST FOR WILLIAM J. MACDONALD?

The next important consideration for the House is to determine whether or not the votes cast for Sheldon William J. McDonald should be counted for William J. MacDonald. Now, what are the facts in connection with this matter?

Upon the official ballot in all the counties of the twelfth congressional district save one MacDonald's name appeared as William J. MacDonald. In Ontonagon County, however, it appeared as Sheldon William J. McDonald. John Garvin was the county clerk of Ontonagon County in Michigan, and as such was the clerk of the board of election commissioners and canvassers of the county. It was the duty of said board to prepare the official ballot, and with respect to the placing of the name of contestant upon the ticket Mr. Garvin has been examined with great care and his testimony is very clear.

He states that he received a certificate from the board of State canvassers certifying the names to be printed on the official ballot, and showing that of Joseph M. Rogers for Congress, and that he had been duly nominated. He testifies that he received two notices of withdrawal, one from J. M. Rogers and the other from Joseph M. Rogers as a candidate for Congress.

He testifies that he received a notice of substitution of William J. MacDonald in the place of Joseph M. Rogers as candidate for Congress on the National Progressive ticket for the twelfth congressional district, and that this notice was signed by Nathaniel Field, chairman, and George P. Shiras, secretary, of the district organization.

He testifies that following this he received a letter from Charles F. Hoffman, secretary of the State central committee of the National Progressive Party, dated October 12, 1912, inclosing certificate of nomination of various candidates, and upon which the name of the candidate for Congress for the twelfth district appears as William J. McDonald. Witness testified that following this he received a telegram from Hoffman that he understands was sent to each of the 15 members of the election commissioners, requesting them to correct the spelling of MacDonald's name, it having been certified to the various boards of election commissioners as McDonald, whereas it should have been MacDonald. Witness Garvin also produced a telegram addressed to him, which read as follows:

10/15, 1912.

Received at
Dated Detroit, Mich., 15.
To BOARD OF ELECTION COMMISSIONERS,
Courthouse:

Congressman twelfth district should be Sheldon William J. McDonald. Correct.

CHARLES F. HOFFMAN.

As a matter of fact, an error was made somehow in the transmission of the telegram to the clerk of Ontonagon County, and a communication from the manager of the Western Union Telegraph Co. to Mr. Charles Hoffman, Owosso, Mich., shows the telegram as sent by Mr. Hoffman to John Garvin, county clerk of Ontonagon County. The communication is as follows:

THE WESTERN UNION TELEGRAPH COMPANY,
MANAGER'S OFFICE,
Detroit, Mich., December 28, 1912.

Mr. CHAS. HOFFMAN,
Owosso, Mich.

DEAR SIR: Replying to yours of December 27, beg to state that we have now located the telegram to Ontonagon, which read as follows:

"Congressman twelfth district should be spelled William J. MacDonald, correct."

We have shown this message to-day to Mr. Charles O'Neil, who has called on us.

Very respectfully, C. H. CADWALLADER, *Manager.*

As a result the name of MacDonald appeared incorrectly as Sheldon William J. McDonald upon the ballot in Ontonagon County and 458 votes were cast in said county for such candidate. Shall these votes be counted?

It seems to be generally admitted that it was the intention of the 458 electors to vote for the National Progressive Party candidate for Congress. Contestee admits this in his speech in the House of Representatives on May 10 last. He admits that the contestant was the only person claiming to be such candidate. No one is heard to raise a question that challenges the accuracy of this assumption. The one thing that Congress then is called upon to determine in this connection is whether or not the votes cast for Sheldon William J. McDonald shall be counted for William J. MacDonald.

In numerous cases that have come before the House of Representatives this question has been met, and it has been determined that the equitable and just course to follow is to count the votes for the person for whom it was intended that they be cast.

Among the early cases were Turner against Bayliss, Eleventh Congress; Williams, Jr., against Bowers, Thirteenth Congress; and Willoughby against Smith, Fourteenth Congress.

In the Virginia election case of McKeuzie v. Braxton, in the Forty-second Congress, the House decided that it has the right to go behind the ballot to ascertain the intent of the voter, so as to explain what is ambiguous or doubtful. It is clearly developed in that case that in printing of ballots whereon occurs an error in a name the limitations of the House are very different from those of a canvassing board.

The official returns gave Lewis McKenzie 10,259, Elliott M. Braxton 9,065, E. M. Braxton 3,654, and L. McKenzie 935.

The grounds that were relied upon by contestant were, first, that the House is not permitted to look beyond the ballot to ascertain the voters' intent; second, that the ballots in question can not be held to have been intended for Elliott M. Braxton.

The committee reports continued, as follows:

It may and doubtless is sometimes necessary to sacrifice justice in a particular case in order to maintain an inflexible legal rule, but all just men regret such necessity and avoid it when possible to do so. Your committee are clearly of the opinion that no such necessity exists here. So far from demanding such a sacrifice of right the law as well as equity forbids it.

The contestant asks the House to apply the strict rule which has sometimes, though not always, been held to govern canvassing officers, whose duty is purely ministerial, who have no discretionary powers, and can neither receive nor consider any evidence allunde the ballots themselves. It is manifest that the House, with its large powers and wide discretion, should not be confined within any such narrow limits. The House possesses all the powers of a court having jurisdiction to try the question, Who was elected? It is not even limited to the powers of a court of law merely, but under the Constitution clearly possesses the functions of a court of equity also. If, therefore, it were conceded that the canvassers erred in counting for the sitting Member the votes cast for E. M. Braxton and Elliott Braxton, it would not determine the question as to what the House should do. What, then, is the true rule for the government of the House in determining what votes to count for the sitting Member? Your committee are clearly of the opinion that where the ballots give the true initials of the candidate's name that is sufficient, and we therefore without hesitation hold that the ballots given for E. M. Braxton must be counted for the sitting Member.

Another objection, urged with much more zeal by contestant's counsel, is to the votes cast for Elliott Braxton, 235 in number. These, it is urged, can not be counted for Elliott M. Braxton, the sitting Member. Even if we were not permitted to look beyond the ballots themselves, we could have little doubt as to our duty; but under some circumstances and for certain purposes evidence outside of the ballots themselves is admissible. It is true that no evidence allunde can be received to contradict the ballot nor to give it a meaning when it expresses no meaning of itself, but if it be ambiguous or of doubtful import the circumstances surrounding the election may be given in evidence to explain it and to enable the House to get at the voter's intent. We see no reason why a ballot ambiguous on its face may not be construed in the light of surrounding circumstances in the same manner and to the same extent as a written contract.

* * * * * * *

The cases are numerous where an imperfect ballot, by the aid of extrinsic evidence, can be made clear and perfect. No harm can result from admitting such extrinsic evidence so long as it is only admitted to cure or explain such imperfections and ambiguities as could be cured if they occurred in the most solemn written instruments, and to this extent and no further would we carry it. Thus guarded and qualified, the rule is most salutary and most just.

This case is very illuminating in indicating the powers of Congress in endeavoring to ascertain who have been elected to the Congress, and the principle is recognized that purely ministerial officers must necessarily be bound to consider what appears upon the face of the returns themselves, but that a different rule applies when the parties in interest come before a body clothed with full power to pass upon their rights, in the light, not only of the returns themselves, but of all competent evidence.

In the case of Mudd against Compton (Md.) in the Fifty-first Congress, the certificate of election had been awarded to Compton, and contest was instituted by Sidney E. Mudd. Without going into all the details of the case, and recognizing that there were numerous other points at issue besides the one to which I shall call attention, one point especially is important to be cosidered as a precedent in examining the present case, which developed in the case of Mudd against Compton. There were cast for Sidney E. Mudd 16,279 votes, for S. N. Mudd 1 vote, for S. E. Mudd 1 vote, for Mudd 1 vote, and a ticket upon which Sidney E. Mudd's name appeared twice was not counted at all, though the voter indicated clearly his intention to vote for him. It was decided that this ballot should be counted, as well as the others, notwithstanding the different spelling of the name; and the total votes, as ascertained by the committee, that were cast for him were 16,283.

The committee found that there were cast for Barnes Compton 16,280 and for Compton 1 vote, making a total of 16,281, a plurality for Sidney E. Mudd of 2 votes.

In the report of the majority members of the committee, submitted by Hon. William C. Cooper, it is stated, "There were no persons by the name of Mudd and Compton other than the contestant and contestee candidates for Congress at this election, and therefore, under the well-established rule of the House, the vote for "Compton," if counted at all, should be counted for contestee, and the votes for "S. E. Mudd," for "Mudd," and for "S. N. Mudd," for the contestant.

The report of the majority members of the committee was approved by the House of Representatives by a vote of 150 yeas against 145 noes.

In Noyes against Rockwell, Fifty-second Congress, there were 3 ballots cast for Hosea Rockwell, 4 for H. H. Rockwell, 1 for Hosey Rockwell, 1 for H. Rockwell, making 9 which were rejected by the canvassing board. Both the majority and the minority members of the House committee reported that these votes should be counted for the contestee. There was 1 ballot cast for H. Noyes, 1 for Henry T. Noyes, and 1 for Henry Noyes, making 3 which were rejected by the canvassing board, but both majority and minority members of the committee in their reports expressed their conviction that these ballots should be counted for contestant.

SHOULD A DIFFERENT RULE APPLY?

But it is urged that in view of the position that the court of Michigan has taken, a different rule ought to apply to the pending case.

I am satisfied that it has been the established law of Michigan that for offices wholly within the control of the State the incorrect spelling of a name such as appears in this case would be fatal. The question then arises, Shall Congress be bound by the rule that has obtained in Michigan? It is a very generally accepted doctrine that where the supreme court of a State has made an interpretation of the law of the State the Congress shall regard this interpretation as correct, if it shall not be ont of harmony with the Federal Constitution; but it is an equally well-established rule of Congress that no decisions that are of mere inferential character shall control the Congress in its determination of a question of this character. Indeed, the Congress is not required to recognize the decisions of the supreme courts of the States when these decisions are pertinent to the particular question at issue.

In this case the supreme court did not pass upon the question that is now in issue. It is true that contestant applied to the court for relief. He filed a petition with the Supreme Court of the State of Michigan praying for a writ of mandamus to be transmitted to the board of State canvassers compelling said board to reconvene and recanvass the returns and issue a certificate to contestant.

The supreme court denied the petition, but filed no opinion therewith. The conclusion of the court as stated upon the hearing was that the court declined to take jurisdiction on the ground that Congress was the sole judge of the qualifications of its Members.

Upon the foregoing facts the board of State canvassers issued a certificate of election to H. Olin Young.

The question, however, received wide attention. It attracted the attention of the late candidate of the Progressive Party for President, Col. Theodore Roosevelt, and in view of statements made by Col. Roosevelt a letter was written by the then chief justice of the Supreme Court of the State of Michigan, Justice Joseph B. Moore, addressed to the editor of the Detroit Evening News and published in the News on March 31, 1913. Quoting from the letter, Justice Moore said:

I took no part in the decision in the MacDonald case, because I was in Detroit when the case was presented upon necessary business of the court. I claim nothing because of the fact, because I approve of what the court did. Mr. Roosevelt says the question is simple, and that by denying Mr. MacDonald relief the court overruled itself, citing Joachim v. Kennedy (37 Mich., 67). If Col. Roosevelt ever read that case, he knew that the parties to it were contestants for the office of city treasurer at Ishpeming, a case where the State courts could, of course, take jurisdiction.

The case of MacDonald was entirely different. The contest was between a Congressman and one who claimed to be a Congressman-elect. If Mr. Roosevelt possesses a tithe of the intelligence he credits himself with, he knew that the State court had no right to interfere in this controversy. Section 5, Article I, of the Constitution of the United States reads: "Each House shall be the judge of the elections, returns, and qualifications of its own Members, and a majority of each shall constitute a quorum, to do business." This language may not mean much to Mr. Roosevelt, but to a court that has taken the oath to support the Constitution of the United States, it means much. The language is simple and unambiguous, and to one who respects his oath of office it is controlling.

As early as the Ninth Congress, in the Spaulding case, it was held that the whole question of the returns and qualifications of Congressmen rested with the House of Representatives, and that has been the uniform holdings of Congress and the courts from that time until this. In 94 Michigan, 448, when the court was made up of John W. McGrath, chief justice, and George H. Durand, Frank A. Hooker, Charles D. Long, C. B. Grant, and H. M. Montgomery, associate justices, A. Oren Wheeler, claiming to be elected Senator on the Republican ticket, asked for a writ of mandamus, just as Mr. MacDonald did, to compel the canvassing board to act. The court declined to do so for the reason that under the State constitution, the State senate was the sole judge of the election and qualification of its members. This opinion was based upon earlier opinions of the court where the same principle was involved. It has been followed in many later cases. Among them that of Mr. Belknap, who claimed to be elected to Congress. The court said in that case: "The House of Representatives is made the judge of the election and qualification of its own Members."

From the foregoing it must appear that the Supreme Court of Michigan did not expect that the Congress would be bound by any decision that it might make and did not regard it in any other way than that the question of whether or not the votes cast for Sheldon William J. McDonald in Ontonagon County should be counted for contestant should be determined by the House itself.

This attitude of the court is undoubtedly in line with the principle that has been established by the House. It has become axiomatic that the courts of a State have nothing to do directly with the judging of elections, qualifications, and returns of Representatives in Congress, and numerous cases are in point, and among them the Illinois election case of Le Moyne against Farwell, Fifty-fourth Congress.

As a rule the House has held that it should be governed by the interpretations of the State supreme court touching the law of the State in question, but the decision of the court on an analogous case, though not the identical question in issue, can not be regarded as binding, as was determined in the Mississippi election case of Lynch v. Chalmers in the Forty-seventh Congress.

The Michigan cases cited in brief of counsel on behalf of contestee can not be regarded as more than analogous, and the chief justice of the supreme court of the State has expressly disclaimed any intention of the court to pass upon the question involved in the case that is before the House.

In view, then, of the attitude of Congress touching election laws in numerous States, of the fact that the Supreme Court of Michigan declined to pass upon this particular question upon the theory that the question was one that belonged to the jurisdiction of the House, I am forced to come to the conclusion that not only all the votes cast for Sheldon William J. McDonald should be counted for contestant, but that the House of Representatives is abundantly within its right when it so determines.

CAMPAIGN EXPENSES.

The question is raised that contestant did not comply with the campaign-expense laws of the Federal Government prior to and following the last general election.

The law provides that every person who shall be a candidate for Congress, not less than 10 nor more than 15 days before the date of the general or special election, shall file with the Clerk of the House of Representatives "(1) a full, correct, and itemized statement of all moneys and things of value received by him or by anyone for him with his knowledge and consent, from any source, in aid or support of his candidacy, together with (2) the names of all those who have furnished the same

in whole or in part, (3) and such statement shall contain a true and itemized account of all moneys and things of value given, contributed, expended, used, or promised by such candidate, or by his agent, representative, or other person for and in his behalf with his knowledge and consent, together with (4) the names of all those to whom any and all such gifts, contributions, payments, or promises were made for the purpose of procuring his nomination or election."

The law also provides that every such candidate within 30 days after such general or special election shall file with the Clerk of the House of Representatives "(1) a full, correct, and itemized statement of all moneys and things of value received by him, or by anyone for him, with his knowledge and consent, from any source, in aid or support of his candidacy, together with (2) the names of all those who have furnished the same in whole or in part, (3) and such statement shall contain a true and itemized account of all moneys and things of value given, contributed, expended, used, or promised by such candidate, or by his agent, representative, or other person for and in his behalf with his knowledge and consent up to, on, and after the day of such primary election, nominating convention, general or special election, or election by the legislature, together with (4) the names of all those to whom any and all such gifts, contributions, payments, or promises were made for the purpose of procuring his nomination, indorsement, or election. (5) Every such candidate shall include therein a statement of every promise or pledge made by him, or by anyone for him with his knowledge and consent or to whom he has given authority to make any such promise or pledge, before the completion of any such primary election or nominating convention or general or special election or election by the legislature, relative to the appointment or recommendation for appointment of any person to any position of trust, honor, or profit, either in the county, State, or Nation, or in any political subdivision thereof, or in any private or corporate employment for the purpose of procuring the support of such person or of any person in his candidacy, and if any such promise or pledge shall have been made, the name or names, the address or addresses, and the occupation or occupations of the person or persons to whom such promise or pledge shall have been made shall be stated, together with a description of the position relating to which such promise or pledge has been made. In the event that no such promise or pledge has been made by such candidate that fact shall be distinctly stated."

Evidence was taken showing that the contestant failed to file with the Clerk of the House as provided by law prior to the general election held on November 5, 1912, an affidavit setting forth the source or sources of moneys contributed to his campaign fund, and that contestant also failed to file, as provided by law, an affidavit touching election contributions and expenses within 30 days following the general election.

No issue was made in the pleadings upon this subject, and the committee found that the precedents are numerous to the effect that, no issue having been made, the committee is not bound to give the subject consideration. However, for my part—and I am satisfied that all the members of the committee agreed with this idea—I felt it was the duty of the committee to inquire into the facts that were disclosed in an effort to determine whether or not the contestant should be entitled to a seat. The country has been impressed with irregularities in connection with numerous elections; the country has witnessed the wholesale expenditure of money in the conduct of various campaigns. In response to a nation-wide public sentiment that laws be enacted looking to the purification of our elections, most of the States have endeavored to meet the situation within the States by the passage of corrupt-practices acts, and the Congress of the United States has endeavored to meet the situation by the passage of an act looking to the publicity of campaign contributions and expenditures made in connection with the campaigns.

In the last Congress the House affirmed its belief in the principle that a person presenting himself as a Member-elect to the House could be denied his seat for violation of laws having to do with campaign expenses and publicity of the same, though the laws in question were statutes of the States and not of the Federal Government. This principle was affirmed in the cases of McGill against Catlin and McLane against Bowman. The same principle would undoubtedly apply in the present case, and if it were disclosed that the report filed by contestant was intended to mislead and to deceive the House and the failure of the contestant to file an adequate report prior to the election, or any report at all within 30 days following the election, were intended to cover up the receipt of money from unworthy sources or the illegal expenditure of money, for my part I would stand for invoking the right of the House to deny a seat to the contestant.

In the pending case contestant did file an affidavit prior to the election setting forth expenditures that he had made. He did not file prior to the election an affidavit setting forth the sources of moneys received nor an affidavit within 30 days following the election setting forth either his expenditures that he had made or the contributions that he may have received.

It is shown, however, that later on contestant tried to correct these mistakes. It is shown that on April 21, 1913, contestant filed an affidavit referring to all expenses that he had incurred subsequent to the first affidavit that he had filed on October 26, 1912, and set forth in the affidavit that he had been to no expense whatever following that date.

The records also show that contestant on April 24, 1913, filed an affidavit setting forth that he received a contribution to his campaign fund in the amount of $500, through George Shiras, on behalf of the National Progressive Party.

From an examination of the facts in the case it does not appear that the failure of contestant to comply with the law was willful or on account of ulterior purposes. It is set forth in his affidavit filed five months almost after it should have been filed that contestant was to no expense whatever following the filing of the previous expense account. Certainly there was nothing with regard to which contestant could have been afraid or could have desired to avoid disclosing by his affidavit. There was nothing to disclose other than the most creditable circumstance that he had been to no expense whatever.

Admitting that the House might impose disciplinarian punishment and deny the person presenting himself as Member-elect a seat because of failure to comply with the campaign-publicity law, does the House believe that under the circumstances the penalty should be imposed in the face of the facts recited? Again, the contribution that contestant received, amounting to $300, was most assuredly a reasonable contribution, and was not even sufficient to pay the postage on one letter addressed to each of the persons in the contestant's district to whom he had a right to appeal in asking that he be elected.

The source of the fund was perfectly legitimate, for the money came from the organization of the party of which contestant was a candidate through the hands of a member of that party who personally is regarded in the highest esteem on account of his probity and manly worth. Surely upon this showing the House will not desire to invoke the extreme penalty that it could impose.

I take the position that every case that may be presented to this House rests distinctly upon its own merits with relation to invoking extreme remedies on account of the manner in which the person presenting himself for membership in this body conducted his campaign. If it were shown that in this case contestant had failed to file an expense account to avoid disclosures of unworthy receipt of money or an excessive expenditure of money or the expenditure of money in a corrupt manner, for my part I would vote against recognizing him as entitled to a seat in the House. But under the circumstances, with nothing disclosed that reveals discredit, and in spite of a contest in which it may be reasonable to expect that if contestant had conducted himself in his campaign in an unworthy manner it would have been brought to the attention of the committee, I can not feel that justice would be promoted, that good citizenship would be served, that our laws looking to the purification of our election would be vindicated by denying contestant a seat in this Chamber.

CONDUCT OF MR. YOUNG.

There is another feature connected with this case to which I can not fail to refer. The contestee, Hon. H. Olin Young, was for many years a Member of this body, who was honored and respected on account of his high conception of public duty and the manner in which he met the responsibilities that membership in the House of Representatives placed upon him.

Mr. Young was awarded the certificate of election as a result of the conclusions of the board of election commissioners following the last campaign. He accepted that certificate, as he stated to this House, with the knowledge that the question of whether or not he was entitled to his seat or whether or not contestant was entitled to a seat could not be determined prior to the assembling of the Sixty-third Congress, nor by any other body besides the House itself.

There were rumors, as Mr. Young advised the House, of conditions that might be disclosed touching substantial errors in his district that might modify the final count. However, after further examination and consideration of the various features of the question, on May 10, 1913, contestee tendered his resignation to the House and thereby relinquished whatever rights, if any, he may have had.

The House can not fail to recognize and approve the candor and honesty of judgment displayed by contestee in reaching a conclusion so disastrous to his personal interest prior to the opportunity of the House to inquire into the merits of the case, nor can the House fail to approve of the frank and honorable manner in which contestee has conducted himself during the entire trial.

In concluding his address to the House prior to tendering his resignation on May 10 last, Mr. Young said:

But after 10 years of service here, reflecting on the conditions under which men are elected to the House and on the strength of the temptations here to palter with one's intellectual integrity in favor of what is believed to be popular and the greatness of the reward for so doing in temporary honors, I am confirmed in my opinion of the high average, unselfishness, honor, and courage of the membership of this House.

I could not do better than to borrow the sentiment expressed by Mr. Young as characteristic of his fellows in the House, and to say that he has demonstrated himself as worthy of its being ascribed to him.

Mr. Speaker, in discussing this question, as I have reached the various features important for the House to consider in connection with the case, I have indicated my conclusions. In view of this I shall omit any lengthy summary and shall briefly say that, in my judgment, no essential reason has been advanced why the votes cast for contestant in the twelfth Michigan district should not be counted for him, nor why the votes of Ontonagon County cast for Sheldon William J. McDonald should not be counted as cast for contestant, for whom it is conceded they were intended.

I believe that this House should find that contestant was duly elected, and that he should at once be permitted to assume the full responsibilities that go with being a Member of this body.

The Underwood Tariff Bill a Step in the Dark for the Farmer, the Laborer, and the Business Man.

EXTENSION OF REMARKS

OF

HON. ASHER C. HINDS,

OF MAINE,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, August 30, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. HINDS. Mr. Speaker, while we are in the midst of a difficult task it is well for us to pause for a moment and, forgetting details, take a general view of the work. Because the Underwood tariff bill has about 2,000 paragraphs it is very difficult to give at once an idea of its tendencies as a whole. Emphasis has been given to one portion or another according to the views of localities or special industries. There have been learned debates on the woolen schedule and the cotton schedule, and on certain parts of the agricultural schedule which involves the great staples like wheat and corn. But viewing this bill as a whole, throwing aside complicating details when possible, and referring to them only as they bear upon the great principles they involve, it seems that the treatment of the farming interests of America affords the key to the problem. Indeed, this must be so from the nature of our civilization, as Prof. Thorold Rogers said: "It is certain that the agriculturist must earn more than is necessary for his own support before any other person can contrive to exist. It was with some reason, therefore, that the economists and Adam Smith put him in the first rank of productive laborers. However scanty may be his share in the distribution of wealth, except he abide in the ship, none can be safe."

In what I have to say to-day, however, I do not speak for the farmer any more than for the merchant in the city and the artisan in the factory. The principle of protection must include all, directly or indirectly, else our tariffs are robberies, and all conscientious men must hasten toward free trade as fast as possible.

HARMONIOUS NATIONAL DEVELOPMENT.

It has been widely assumed that protection was simply a device for helping infant manufacturing industries. Inasmuch as many of those infants have got to be very old and some very prosperous, the Democratic argument that protection is not necessary is obvious if we are going to take a superficial view of the great question.

If, on the other hand, we are to take the view that protection is necessary for attaining and keeping a harmonious national development, the question assumes another phase. If we are going to take the view that every other nation except England has taken, then we must look into the subject of tariffs from the standpoint of our own national independence and self-reliance.

Keeping in mind that viewpoint, the treatment of the agricultural schedule is the most significant part of the bill. Because the wisdom of the fathers decided in 1824, when ocean freight rates were very high, that there should be a tariff of 10 cents a bushel on potatoes is not in itself significant now that the Democratic Party has decided to abolish the present tariff of 25 cents a bushel and open our ports freely to the potatoes of all the world. A Senate amendment would provide for a countervailing duty of 10 per cent from countries or dependencies which impose a duty on potatoes imported from the United States. This means that if there is any virtue in such protection the remedy is in the hands of the foreign competitors of the American farmer.

Because in 1824 a tariff of 5 cents a pound was levied on butter is not in itself a reason why the tariff should be cut to half this amount in the year 1913. It may be that the farmer will be able to furnish butter 2½ cents cheaper, even though the consumer may not get the advantage. Because milk and cream have had a duty for 20 years is not in itself a reason now why there should not be free trade, unless there is some fundamental reason connected with the harmony and prosperity of the people of America. If there is some fundamental reason why the Underwood bill in these respects is wrong, we ought to find it out and withhold our approval from it.

REVOLUTIONARY ACTION TO BE DEPLORED.

There is one reason which should be disposed of at once. All governmental action ought to be taken slowly and by degrees. Neither in prices nor in policies ought there to be revolutionary actions. When in 1846 the Democratic Party, under the lead of Robert J. Walker, decided to go toward a free-trade basis, they decided that a reduction in the tariff ought not to be made abruptly. Again, in the temporary lease of power which the Democratic Party had in 1894 the wisdom of the Democratic statesmen of that time concluded that the duties of the agricultural schedule should be reduced but not abolished. This year the Democratic caucus of both the Senate and House have decided that a large number of the staple products are to be dealt with with a heavy hand, and at once. No one can at this time picture all the unfavorable results of such drastic and revolutionary changes in business. It reaches into every farmhouse, it reaches into the business of the city merchant, it reaches into the income of every man, directly or indirectly. For it can not be that a revolution in the business of one class can confine itself to that class alone without in the end bringing discomfort to all.

THE PRINCIPLES OF JUSTICE IN LEGISLATION.

But beyond the unwise extent of this revision there comes up the broader question whether or not such a sudden change is inherently wise and just. The public conscience has been aroused in legislative questions to an extent not before known in America. A greater proportion of the people are watching the course of action of Congress to-day than ever before. There ought to be also, with this increased interest, an increased desire to confront all questions, especially economic questions, with candor, with a painstaking common sense, and with a laborious statistical knowledge. If we do not do this, the public business will go so far wrong as to militate against the public welfare and the welfare of individuals.

MODERN CONDITIONS DO NOT FAVOR FREE TRADE.

The first thing we must keep in mind always is that the world is continually changing so far as the business of producing, distributing, and consuming commodities is concerned. The Democratic Party, sponsors of the Underwood tariff bill, assume that the trend of modern civilization is in favor of lower tariffs or no tariffs at all. It is an assumption directly against fact. Historically that party has always leaned toward free trade and the English example. If we can prove that the English example is inexpedient for a country situated as the United States is situated, then the argument which bolsters up so many thousands of Democrats will have received a tremendous blow. This argument addresses itself especially to portions of the agricultural schedule.

THE FARMER AND THE MANUFACTURER.

In the best of our tariff bills heretofore agricultural products have had fair treatment with manufactures. Underlying that idea was a basic proposition that legislation was intended to make happier and more prosperous the American people. This meant not a few already prosperous people but all the people. A tariff bill that only helps some of the people and makes less

prosperous many other people ought not to have its place in enlightened statesmanship in any country.

It is not proper to so arrange the tariff rates that certain manufacturers shall have great advantages at home and abroad while similar enterprises, like the farm home, shall be put under an undue stress of competition.

Tariff legislation is the most important of all legislation, because it reaches nearer than any other legislation into every home. If a machinist or a stonecutter or other laborer is obliged to see the product on which he works passed by in the markets because the product of foreign workmen can be produced at a lower cost, and if this condition is brought about by the legislation in Congress, then we ought to see to it that the change has back of it the principles of justice and equity. If the American farmer is to live with the incidents of a modern civilization in a highly enlightened Nation, he ought not to be compelled to dispose of his products alongside of the products of farmers who live in a cruder or less enlightened manner.

REASONS FOR ESTABLISHING A TARIFF COMMISSION.

Therefore it is evident that tariff legislation ought to be based on fairness, equity, and justice. It is believed that the best modern thought gravitates to the idea of tariff legislation which has been followed so successfully by Germany and other continental countries, and which the best thought in America has adopted, whereby tariff legislation should be preceded by an exploration of facts and reasonings which should not be limited by partisan and selfish motives. This is the idea of the tariff commission, which has become a cardinal principle among the most progressive thinkers in America.

The Democratic Party, in its tariff legislation at this session of Congress, has rejected this equitable and modern method and has returned to the antique method, making as its excuse that the American people have been oppressed by the legislation of the last 50 years, and that freedom can only be restored by a return to the old policies of the Democratic Party.

Now, what were those old Democratic policies? They were, in tariff matters, an approximation to free trade. America discarded those ideas in 1861. In 50 years of Republican legislation it has been a cardinal principle that tariff legislation must be equitable among all classes of occupations. If the manufacturer must be considered, so also must the farmer and the laborer.

PROTECTION WORLD WIDE.

In the 50 years which have marked the great work of the Republican Party for liberty, civilization, and progress the idea of the United States Government in establishing the doctrine of protection has been approved by nation after nation, until to-day there is but a single country that adheres to the idea of letting business affairs, so far as tariffs are concerned, entirely alone. That country is England. I do not mean the British Empire, because the great colonies of England have followed the example of the United States of America. I mean simply England, with Wales, Scotland, and Ireland. They, under the jurisdiction of their Parliament, have still adhered to what is known as free trade.

Modern thought has gradually come to the conclusion that what is called "big business"—that is, great corporations with great capitalization, where personal responsibility and personal conscience have become reduced to a minimum and the greatest success is the criterion as measured by dividends—that such "big business" must be regulated by the Government to a certain extent. I believe that all civilized nations recognize this, England among the others. And the question of the imports of merchandise was one of the earliest to have Government supervision. England, by her peculiar situation as developed in the last 60 years, has thought that while "big business" must be regulated in general, yet in the matter of imports of merchandise from other countries, she has thought that the individual could take care of himself. All other nations have been thinking differently in the last 30 years.

Germany, France, and up to this time the United States, have made it a cardinal principle that in matters of trade the producing classes ought to be free from discrimination originating abroad. Strange anomaly, that England, always so jealous of all the rights of Englishmen, should have gone so far in the direction of free trade that English farmers find themselves under a substantial disadvantage. It is undoubtedly an outrage that grain, bacon, and eggs from Denmark and fruits and vegetables from France and Holland should be carried by the English railroads from the seaport to the place of consumption at rates far lower than are charged for similar foodstuffs of English production. But the foreigner can furnish solid trainloads, where the isolated English farmer can furnish only scanty truck loads. This discrimination against the English farmer has been one of the causes of working out the decay of English agriculture.

ENGLAND'S EXAMPLE OF FREE TRADE.

Inasmuch as the President of the United States and the Democratic Party have decided that they would go toward the example of England and away from the old example which other nations except England have followed, a question is presented which, finally, every one of us must settle for himself at the ballot box.

The leader of the opposition in the British Parliament, in a speech at Leeds, England, within a twelvemonth laid great stress on the fact that the phenomenon of an increased cost of living without a corresponding rise in wages is met with in England, but not elsewhere. In Germany there has been a rise in wages which much more than compensated for the increased cost of living.

Hitherto much has been spoken against this new Government policy so far as it relates to the laboring man in manufactures. Less has been said in relation to the farmer and to other producers of natural products. Yet the farmers make up a third of the people.

The greatest lack of our processes of legislation and policies of government is a lack of sympathy and understanding between classes of occupations and classes of society. This tariff bill has been framed with a fine regard for the great merchant classes of the great metropolitan centers of the country. In this House we ought to look out that justice may be done among all classes, both those who can come here to make their demands known and those who are precluded by the expense of the journey. Two hundred years ago Madam de Sévigné described flippantly the injustices and cruelties of the Government in Brittany, but "it would be a mistake," says De Tocqueville, "to suppose that Madam de Sévigné, who wrote these lines, was a selfish or cruel person," but she "had no clear notion of suffering in anyone who was not a person of quality." An American legislator ought, by study and investigation, to put himself in the place of those for whom he is legislating.

THE AGRICULTURAL DUTIES.

It should be remembered that the agricultural duties which are being swept away either absolutely or in large part have been in existence 20, 30, 40 years, and some of them since the foundation of the Government almost continuously. Now, a new policy is to be enacted at once without any examination worthy the name, and simply because of the high cost of living, although it can not be proven that the tariff has had any material effect on this question. In the countries outside the United States tariff changes are made after careful study and in due regard to the changed conditions of progress. This bill simply lays a rough hand on existing economic conditions without regard to anything except the desire to change.

Let us see how this bears on the small farmer. I do not mean the small farmer who lives within 20 miles of a city, where he can take his produce and dispose of it to the consumer at first hand. He undoubtedly has an advantage, inasmuch as he reaps the benefits of the high cost of living, while still keeping the advantage of country location. But I mean the great mass of the farmers who have to sell by means of railroad freights, and the intervention of the city middleman. What has happened in the last 15 years and 30 years to change their basic conditions?

THE CONSOLIDATION OF MARKETS.

First. The consolidation of markets so that the farmer, to a large extent, finds his market no longer in the village or city of his county, but rather in the metropolitan market which does business for a whole section of country. Such markets are Boston, New York, Chicago, Baltimore, etc. Take the illustration of one of the Eastern States. Farmers living a hundred and twenty-five miles from Boston, and on the railroad line, ship their products to the great market, although there may be a smaller market within 20 miles, and the smaller market may seek supplies from the larger. From this it happens that the great market has not only great purchasing power, but it also has great financial and moral power over the small and relatively weak producer, as well as over the consumer.

THE INTRODUCTION OF COLD STORAGE.

Second. The establishment of cold-storage plants has brought another great revolution in the farmers' market. Cold-storage plants require a large capital and a great paraphernalia of arrangement. Therefore the great metropolitan markets like Boston, New York, and Chicago have, as annexes, great cold-storage plants. The scattered producer on the farm, oftentimes acting without concert with other similar producers, finds his convenience and profit in still further becoming a supporter of the great market, and at the same time the great market increases its hold on the producer as well as the consumer. It is a common thing in these later days for eggs to be collected in the country in summer, shipped to the large market, to be held there until winter, and then the same eggs are shipped back into the country.

THE REVOLUTION IN TRANSPORTATION.

Third. Another great revolution has come in the last 30 years. The transportation on land and sea has been revolutionized. On the land in this country the fast freight and the refrigerator car have made the farmer tributary to markets which he never even heard of in his youth.

With all these changes, how are the producing classes and the consumers likely to fare? More than 200 years ago a famous Englishman wrote, "Traders may grow rich while the nation grows poor."

With so great markets, with free trade bringing the products of all the nations, is everybody going to be satisfied and prosper? Apparently all Englishmen are not happy over this great world-wide market.

FREIGHT RATES CAN NOT BE NEGLECTED.

To-day the ships of England and Germany work together to give low freight rates to other countries, especially to America, and the European Governments have a watchful eye over these arrangements and over one another. For instance, not long ago the British tariff commission awoke to the fact that the freight rate from Hamburg, Germany, to London, England, was considerably lower than from London to Hamburg. This meant, of course, a disadvantage for English goods as against foreign goods. One of the witnesses before the tariff commission developed the fact that goods could be sent from Berlin, Germany, to Leicester, England, more cheaply than from Southampton, and a leading manufacturer in Leicester gave this testimony:

My son, when he was in Berlin, found the rate for export very much less than the rate for German internal trade. He told me that they were sending into London goods at only half what it cost to bring goods back from London to Germany. The Government owned the railroads and do everything to assist the business.

All this supplementing railroads with steamers has gone on in the world's commerce since the Republican tariff rates in America have been built up. Now America proposes to turn down the old tariff system, and do it without adequate investigation or study. Mr. UNDERWOOD and the majority on that side of this Chamber have rejected the theory of a tariff commission and propose to turn over the farm and the factory of America to chance. But while we are relying on chance, there is to be keen and comprehensive arrangement so far as our competitors are concerned.

THE CONTRACTING OF THE WORLD'S GIRDLE.

Forty years ago a talented author, much in favor in boyhood days, wrote a book describing the adventures of a traveler who had accomplished the seemingly impossible feat of going around the world in 80 days. Three years ago a member of the staff of a Paris newspaper reduced the time of such a journey to less than 40 days. This summer a journalist attached to one of the New York papers has accomplished the feat in 35 days, 21 hours, and 35 minutes. Since the boyhood days of the legislator the girdle of the world has been reduced from 80 days to 35—less than one-half.

That wonderful revolution of transportation has been accomplished in a generation. Remarkable results in an economic way have been brought about in this shortening of the earth's girdle. Not long ago the London papers recorded that 2,000 cases of peaches from the Wenatchee Valley, in the State of Washington, United States of America, were delivered to Covent Garden, with the bloom still on the fruit, within 13 days. It was a miracle of transportation and it emphasized a great fact in economics. Whatever civilization may be in different States and countries, whatever the conditions of labor may be, whether people live in comfortable homes or uncomfortable homes, whether they have good raiment or poor raiment, there is a world market which more and more is obliterating the local markets of our fathers.

The Democratic Party is evidently going to try for the American people this world-wide market. They say it is a good thing for England, why should it not be a good thing for the United States. It is true that we have not investigated the subject. Mr. UNDERWOOD and his associates declare that a scientific investigation is not necessary, and we have been turned over to the secret deliberations of Democratic caucuses.

INTERESTING PHENOMENA OF TRANSPORTATION.

Three years ago an inquiry developed the fact that the ocean freight rates and the land freight rates were so diverse that the foreigner was getting a great advantage over the manufacturer in the United States. The cost of carrying 100 pounds of crockery in crates from London to Chicago was 22 cents, while the cost of the same amount of freight from a pottery in Ohio to Chicago was 21 cents. From London to Abilene, Kans., the rate was 73 cents, while from the Ohio factory to Abilene the rate was $1.03; and the rate from London to "common points" in Colorado 74 cents, while the rate from the Ohio factory to Colorado was $1.45. Probably considerable of the injustice has already been obviated through the agency of the Interstate Commerce Commission.

But in the main the great difference between ocean rates and land rates can not be obviated, because there are two different kinds of transportation. There seems to be no limit to the tonnage of steamers, except the necessity of dredging the harbors. But the limit of freight cars has been well-nigh reached, and now freight rates on the land are beginning to be raised. The rates in England have been raised, and it is evident that there must be an increase in America if the increase in the wages of the employees is to go on.

Another great fact must be taken into account, and that is that the ocean transportation is dominated by an international trust, of which America has little part or lot. And this great fact ought to make us hesitate when we are about to commit the prosperity of America to the hands of foreigners, so far as tariff rates are concerned.

A DISQUIETING SITUATION.

Another thing about ocean freight rates that ought not to be forgotten is that they are cheaper from Europe to America than from America to Europe, and for that reason the trans-Atlantic steamers bring over from Europe to New York cheap stuff to ballast the ships.

The seaboard manufacturer and farmer find this fact one of tremendous significance. With the great changes that the approach to free trade will bring, with the unsolved problem of ocean freights dominated by a European trust, both manufacturer and farmer must view the prospect with disquiet. This is especially so with the farmer, because of the experience of the English farmer with free trade and ocean freight rates.

WHAT IS ACTUALLY HAPPENING TO ENGLAND.

The statisticians of Great Britain have for half a century kept a record of the increase of British capital, meaning the private capital owned by the people, as distinguished from money in the national treasury. It is a striking and interesting record of the progress of that nation which has been held up as the wealthiest nation on earth, and yet one development of British society makes an exception to the general record of prosperity. Without going into details, the capital or property of the United Kingdom, in dollars, have been given by the London Economist, a great financial paper, from decade to decade. From these facts the following remarkable table has been deduced:

	1865	1875	1885	1895	1905	1909
	Millions of dollars.	*Millions of dollars.*	*Millions of dollars.*	*Millions of dollars.*	*Millions of dollars.*	*Millions of dollars.*
Lands	9,071	9,737	8,229	6,740	6,356	6,326
Farmers' profits	3,017	3,251	2,540	1,791	1,655	1,604
Houses, furniture, &c.	7,451	10,317	14,050	16,147	19,583	20,848
British capital invested abroad	.....	.....	6,330	7,786	9,855	11,349
Material property, public utilities, trade capital, corporations, etc.	.....	.....	17,700	19,428	25,992	27,846
	19,539	23,305	48,855	51,892	63,441	68,063

THE RESULT OF OCEAN FREIGHT RATES AND THE WORLD MARKETS.

The purport of this table means that the value of land is reduced continually and that the farmers are gradually being driven to the wall, while capitalists are seeking other investments. It is to be noted, also, that the decreases in English agriculture have been going on right at the time when it is thought that gold has been growing cheaper. In other words, it is thought that in the last 20 years the gold dollar does not represent so much purchasing power as formerly.

EFFECT OF PROTECTION ON AMERICA.

Turning from England to America, how different is the picture. In the last decade the value of farm property in the United States has increased from $20,439,000,000 to $40,991,000,000. It is true that America is a newer country and an expanding country, and it should not be expected that England should have such a superabundant prosperity; but in the older parts of America there is also a healthy prosperity. In New England, for instance, the value of farm property has increased from $639,000,000 to $867,000,000. In the Middle Atlantic States the increase has been from $2,310,000,000 to $2,959,000,000.

In Germany agriculture is well known as one of the most prosperous industries. France also is well known for its prosperous agriculture since it has abandoned the principles of free trade.

ENGLISH AGRICULTURE A SICK INDUSTRY.

More than a hundred years ago a poet, whose heart beat for humanity, put in verse a plaintive lament over one of the sudden changes due to the economic policies of England, and the words of Oliver Goldsmith might well be applied to this age, as they have been applied time out of mind:

Ill fares the land, to hastening ills a prey,
Where wealth accumulates and men decay.
Princes and lords may flourish or may fade—
A breath can make them, as a breath has made—
But a bold peasantry, their country's pride,
When once destroyed, can never be supplied.
A time there was, ere England's grief began,
When every rood of ground maintained its man.

Critics say that Goldsmith mistook the signs of the times, but anyone who has had the leisure to read, not the poets of England but the financial journals of that country, knows that the evil days of English agriculture are come. Only a month ago a leading article in the London Times entitled "The land and the people" summed up in one tense sentence the facts:

The root of the whole matter is that agriculture is and long has been a sick industry, and the problem is how to cure it, as an industry, not by treating parts of it, and still less by setting one part against another, but by infusing life into it as a whole.

EFFECT ON NATIONAL STABILITY.

The reason is well understood in England. Under the modern development of world markets the soil of England can not feed her people. Therefore it is impossible to have a tariff on agricultural products, because the landowners would at once become monopolistic. The Unionist Party found that they could not agree to a duty on agricultural products, although they were protectionists in principle. So that, apparently, England must become more and more a land of merchants, manufacturers, and artisans, and less and less a self-sustaining and harmoniously developed nation.

Germany avoided the English mistake. The ocean freight rates had been reduced so greatly that the wheat farmer of Europe must go out of business or be protected by tariffs. Then Bismarck led off, making his memorable declaration in the Reichstag in 1879:

Is not the moment approaching when our agriculture will no longer be able to exist because corn is pressed down to a price at which it can not be remuneratively produced in Germany, taxation, the cost of living, and the cost of land being as they are? When that moment comes then not only agriculture but the Prussian State and the German Empire will go to ruin as well.

EFFECT ON THE NATIONAL PHYSIQUE.

On the morning of March 5 of this year, when the great inaugural procession was a recent memory in Washington, the Washington Post had a communication complimenting the military display, in which the writer, a resident of London, said:

Your inauguration procession yesterday impressed me as a parade of the virile, living heart of the United States of America. The color of the leather worn by the troops, the variegated hues of the cloaks, the horses, the unmilitary carelessness of some of the militia companies could be adversely criticised; but, whatever they lacked in detail, the physique of the men was obviously a finer average than our own, excepting our picked crack regiments.

And the writer added:

I have seen every pageant that has passed through London streets during the last 20 years.

THE EFFORT TO FOLLOW ENGLAND.

Apparently the watchword of this Democratic administration is foreign trade without regard to the harmony and contentment of the American people. Foreign trade is a great advantage to any country if it can be combined with domestic prosperity. Germany has reaped great advantages from the foreign trade that has come to her during the last decade. Secretary Redfield, of the Department of Commerce, has made foreign trade his main aim. As a Member of Congress he made a strong speech against the tariff, claiming that manufacturers ought to study efficiency, and that tariffs were not necessary. That set the pace for the raid on the American manufacturers as being behind the times. And yet the other day I picked up the annual Encyclopedia Britannica for 1912, and I found there that in the American cotton mills the machinery was ahead of all competitors in the world.

Of course the meaning of the new statesmanship, led by the President in the White House and the Secretary in the Department of Commerce, means in trade policy and political policy that America is to follow in the pathway of England. England's pathway is to keep cheap labor, in order that she may compete in the markets of the world with her manufactured goods. Do you want to follow England? The Democratic Party evidently thinks it is the proper thing to do. They are cutting down the duties on manufactured goods and are reducing the duties on agricultural products to a free-trade basis.

AN IMPORTANT STEP WITHOUT CAREFUL INVESTIGATION.

This great revolution in policy is being taken without any deliberate study or investigation. There should have been a tariff commission to find out what the effect of this revolution would be on the people of America, especially on those who live in the farm homes and in the industrial villages. In 50 years we have not had a change in the protective tariff, excepting in matters of detail. Now we are having a radical change of policy, going beyond matters of detail, and we are making this surpassing change without a semblance of inquiry.

Do you think it is safe to follow England's example blindly? Do you suppose that a policy that may be good for England will necessarily fit America, with its continental position? The area of England is only about that of the single State of Georgia. No English town is more than 90 miles from the sea. What may be good for her may not be good for all the lands and people of America. Do you not think that some responsible body ought to have deliberated on this great question of policy? Does it seem the part of common sense that this bill should have been framed in a secret caucus, without the farmers of America being consulted?

DOES THE NEW WAY PROMISE BETTER THINGS?

But you say that we have tried the American policy for 50 years, and we have had duties on potatoes, shoes, and cotton cloth for all this time. It is true that we have prospered in a way that no other nation on earth ever prospered, but nevertheless we want a change. In the last five or six years prices have been high. We are not certain it is due to the tariff. We have had the same old protection for 50 years, and sometimes prices have been low and sometimes high. But nevertheless we are going to take away this protection, and by following the free-trade example of England we ought to be happy. If we are going to follow England's example, it must be because England is happier than we. Is England happier than America? In 1912 almost half a million British subjects left that country. Those who are left, something like 40,000,000 people, constitute a prosperous nation undoubtedly—a nation of noble men and women, but a nation which has destroyed its industrial and social equilibrium. The emigration has taken away thousands of men in the prime of life, leaving the women to work in the factories. There are in England proper and Wales an excess of females over males of 1,200,000. Is it any wonder that the social discontent has in some cases gone to extravagant lengths?

Even in the older parts of this country, like New England, the number of males and females are practically the same. In the whole of America there are 106 males for every 100 females. In Germany also the balance of society has been kept.

SOME MISCONCEPTIONS AS TO FOODSTUFFS.

We have thought very little about the relative importance of our foodstuffs. We have thought of the United States as a great wheat-producing country, and the great city merchant and banker have gladly reckoned the credit that would be brought to America on the ledgers of the banks of Europe. It would surprise most people who have not examined the subject that the national corn crop is almost four times the wheat crop, and that the oat crop is greater than the wheat crop, and that the potato crop is over half the wheat crop. An interesting book which came from the press last year, entitled "The Potato," gives some interesting statistics about food products that are most used by mankind, and lo and behold, like Abou ben Adhem, the modest potato leads all the others in Christendom!

In 1909 the potato crop of the world was estimated at almost 5,000,000,000 bushels. The world's corn crop that year was about 3,500,000,000 bushels, while wheat was a little less than corn. The Democratic economists have assumed that we are an exporting country in agricultural products because of wheat and corn, and therefore they have lumped together all the agricultural products and declared that so far as farmers were concerned free trade was the best policy. It is evident that we are in great danger of assuming too much. And it may be that the world market that has made such havoc in England may work havoc also in this country. Other things besides wheat and corn can be transported long distances. The Egyptian onion farmer can send a bushel of onions to New York at an expenditure of about 20 cents in ocean freights. The potato farmers of Canada and all Europe have a potentiality that would flood any market. In the latest statistics, as given in the work already cited, the potato crop in the various countries, in bushels, foots up as follows:

United States	278,985,000
Canada	74,746,000
Austria-Hungary	639,407,000
France	373,000,000
Germany	1,702,803,000
Great Britain and Ireland	285,713,000

Certainly all those potato fields of the world can get to the New York market without trouble if they are not too far remote, for Europe, at least, is nearer to New York than most of the potato fields of America, as is shown by the table of freight rates:

Railroad rates on potatoes, carload lots, to New York from—	Cents.
St. Paul, Minneapolis, Minn.; Oshkosh, Manitowoc, Green Bay, Wis.; Escanaba, Bagley, Mich.—per bushel	21.68
Fredericton, St. Johns, New Brunswick—do	15.53
Presque Isle, Me—do	17.87
Houlton, Me—do	15.53
Greenville, Me—do	14.65
Hamburg and Bremen, Germany, by steamer—do	9.80

AN ILLUSTRATION OF THE WAGES HERE AND ABROAD.

Not only is the American at a disadvantage as to the freight rates to the New York market, but he has also a great disadvantage in the matter of wages. In Lincolnshire, England, potatoes are picked up at wages, for men, $1; women, 48 cents; and for boys and girls, 30 cents a day, and all board themselves.

We have been told that efficiency ought to be studied in America and that tariffs are extravagances. Undoubtedly in some things America may be behind the times, and it may be that the Democratic policies may awaken us from our lethargy. But it may be, on the other hand, however, that those gentlemen who are preaching efficiency so loudly are simply putting forward carefully assorted but exceptional facts, and that, after all, the American people are as near up to the times as any other people.

BREAD MAKING AFFECTED BY CIVILIZATION.

A certain school of political thought in this country will not bring themselves face to face with the fact that we have built up a civilization unlike any other, where the man who does the ordinary service of daily life gets a better income and a larger life. His services have to be compensated for and it works out into the cost of living. Three years ago the United States Senate investigated the high cost of living, and the Democratic minority of the committee proposed the following conundrum:

Wheat bread superior to most of that made in America, and made of American wheat flour, can be bought in London at retail for 5 cents for a 1-pound 6-ounce loaf. In Marseille the retail price of the best bread is 8.6 cents per 2.2-pound loaf. It does seem odd that we furnish the London baker with the material for making his bread and then he makes a loaf weighing 170 per cent of the weight of our own loaf for half the same money.

The problem now being before the partisan economist, he answers it according to the prevailing explanation. This year we may be expected to be told that the bread makers of America are less efficient than those of Europe. But it so happens that a year after this problem was presented the British Board of Trade sent investigators to America to study the cost of living, and they took up the question of bread making, and they have set forth the true reason as they found it:

In spite of a connection that is manifest between the prices of bread and those of wheat flour, the high price of the former has to be looked for mainly in the circumstances attending the manufacture and distribution of the loaf—in the rate of wages paid, in the establishment charges (including those of delivery and of advertisement), in the more frequent distribution through middlemen, and in the range of high total profits involved in the machinery of production and distribution.

In other words, a London baker gets $8.75 weekly wages while an American baker gets $18 a week.

Fresh bread can not probably be imported by ocean liners, but potatoes can be, and therefore we will have bread a la American civilization and potatoes a la European civilization.

THIS GREAT STEP IN THE DARK.

The doctrine of protection has existed in its greatest success during the 50 years of Republican administration. Suddenly the other doctrine finds itself intrenched in all departments of the National Government, and we are about to see enacted into law a great bill which changes all the economic professions of America. And yet governments and legislative bodies sometimes exhibit such sudden changes. Great bodies of men are sometimes more prone to take a step in the dark than individuals. Where in America would you have looked for political sanity if not in the Commonwealth of Virginia in the year 1795? George Washington was then President of the United States, and the great Virginia leaders who were grouped around him were still living, and yet adverse public opinion arose to such an extent against Washington's conduct of affairs that the Virginia Legislature declined to express undiminished confidence in him; and when the friends of the great President asked that the legislature might at least disclaim any imputations on the motives of the President, the resolution was, after a division, carried by a majority of only 16 in a house of 140.

In other words, the Virginia Legislature, yielding to the temporary craze of political passion, solemnly declared that while George Washington might possibly be honest he had still been wonderfully fooled. Yet the policy which Washington adhered to was justified by time and experience. We have seen the policy which has been approved in principle in these Halls for 50 years thrown down by a great and heedless majority. They have taken this step in the dark with all the self-confidence that sometimes overtakes majorities and individuals. They have changed a policy that has existed for 50 years, under the plea that the people have desired it, when in reality it was desired by great and selfish interests. The great mass of the people have not looked into the details of this bill. That which the people expected would be done with deliberation and care is being done at the behest, not by the whole of the people but by certain localities and interests. We might apply to the majority which has framed this bill in secret caucus what a great historian applied to a famous but injudicious sovereign:

No man is fit to govern great societies who hesitates about disobliging the few who have access to him for the sake of the many whom he will never see.

Navy and Naval Reserves.

EXTENSION OF REMARKS
OF
HON. WILLIAM KETTNER,
OF CALIFORNIA,
IN THE HOUSE OF REPRESENTATIVES,

Tuesday, September 2, 1913.

Mr. KETTNER. Mr. Speaker, I ask unanimous consent to print in the RECORD a couple of resolutions by the San Diego Chamber of Commerce regarding the Navy and Naval Reserves.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The matter referred to is as follows:

THE CHAMBER OF COMMERCE OF SAN DIEGO COUNTY,
San Diego, Cal., August 27, 1913.

Mr. WILLIAM KETTNER,
608 House Office Building, Washington, D. C.

DEAR SIR: We inclose herewith copies of a resolution adopted by our board of directors at the regular meeting held Wednesday, August 20, 1913, one being in reference to the formation of a naval reserve on the Pacific coast and the other urging the carrying out of the program of Secretary of the Navy Daniels in regard to military and naval needs of the Pacific coast as reported in the daily press, and would earnestly request that you give the matter such attention as will best bring about the desired result.

Yours, very respectfully,
WM. TOMKINS, *Secretary.*

Resolution.

"Whereas the Navy Department of the United States has been recently reported in the daily press as favoring a substantial increase in our Navy; and

"Whereas there are at present an insufficient number of officers and men to properly man the battleships and auxiliary boats of the fleet now constructed, and in the event of war untrained men of little value in the naval or military service short of two or three years' practical experience in the service; and

"Whereas a great many recruits will be required for the new battleships and auxiliary boats to be constructed:

"Now, therefore, the San Diego Chamber of Commerce strongly advocates the formation of a naval reserve which will be an important branch of the naval defense; and be it further

"*Resolved*, That a copy of this resolution be forwarded to the Secretary of the Navy, to the southern California Representatives in Congress, to the associated chambers of the Pacific coast, and to each and every chamber of commerce and kindred organization of the Pacific coast, with the request that a similar resolution be adopted and forwarded to their respective Representatives in Congress."

I hereby certify that the above is a true and correct copy of a resolution unanimously adopted by the board of directors of the San Diego Chamber of Commerce at a regular meeting held Wednesday, August 20, 1913.

F. J. LEE, *President.*

Attest:
WM. TOMKINS, *Secretary.*

SAN DIEGO, CAL., *August 27, 1913.*

Resolution.

"Whereas the San Diego Chamber of Commerce is in favor of a good, strong Navy that will enable this Nation to maintain its position and make its reasonable demands on other countries respected; and

"Whereas a strong Navy is the first and indispensable line of defense for the Pacific coast; and

"Whereas it has been reported in the daily press that the Secretary of the Navy has recommended, or is about to recommend, to Congress an appropriation to construct at once four battleships of the largest and most approved type, together with all other necessary auxiliary boats: Now, therefore, be it

"*Resolved*, That the San Diego Chamber of Commerce most strongly indorse such naval program and that this expression of indorsement is entertained by a great majority of the citizens of the Pacific coast; and be it further

"Resolved, That this resolution be mailed directly to the Secretary of the Navy and a copy thereof mailed to Senator JOHN D. WORKS, to Congressman WILLIAM D. STEPHENS, and a copy to the Associated Chambers of Commerce of the Pacific Coast, and a copy to each and every chamber of commerce and kindred organization on the Pacific coast, with the request that they adopt similar resolutions, expressing the sentiments of their immediate locality, and forward the same to the Secretary of the Navy and their respective Representatives in Congress, to the end that the Secretary of the Navy and all Pacific coast Representatives in Congress be fully advised that the entire Pacific coast is strongly of the opinion that the time has come to not economize in respect to the Navy and that a strong Navy located in Pacific coast waters, with all strategic points along the Pacific coast of the United States well fortified, garrisoned, and mined, are necessary for the proper defense of the Pacific coast, an important factor in the maintenance of peace."

I hereby certify that the above is a true and correct copy of a resolution unanimously adopted by the board of directors of the San Diego Chamber of Commerce at a regular meeting held Wednesday, August 20, 1913.

E. J. LEA, *President.*

Attest:
WM. TOMKINS, *Secretary.*

The Defense of Alaska—The Union of the White Race and the Problem of Universal Peace.

EXTENSION OF REMARKS
OF
HON. ALBERT JOHNSON,
OF WASHINGTON,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, August 30, 1913.

House joint resolution 121, introduced by Mr. JOHNSON of Washington, August 26, 1913:

"Whereas Alaska at present depends for its defense entirely on the Navy; and

"Whereas the Navy may through some unforeseen accident be crippled and become unable to protect our Pacific coast; and

"Whereas Alaska would in that case be occupied by the enemy and be used as a base of operations against the Pacific coast States; and

"Whereas for these reasons it is urgently desirable that a railway should exist which would enable our Army, with the consent of Canada, to undertake the defense of Alaska; and

"Whereas it is practically certain that the railway would never be used for that purpose, since its mere existence, without any express agreement with Canada regarding its use, would discourage an attack on Alaska: Therefore be it

"*Resolved, etc.*, That the President be, and he is hereby, requested to take the necessary steps, by negotiating with the British and Canadian Governments, to establish railway connection between the United States and Alaska."

Mr. JOHNSON of Washington. Mr. Speaker, soon the United States must adjust itself to the idea of the new Pacific Ocean. Three great world movements are making headway, all tending to a great change on the Pacific and to a new order of things beyond that ocean. These great movements are:

(1) The opening of the Panama Canal.

(2) The awakening of Asia.

(3) The building of railroads in Alaska and the peopling of that great Territory.

These three great forward movements make it certain that all the world must change its point of view. What has been the back door becomes the front door. Who will have control? Who will be master of the new Pacific? Who will keep the peace on that great ocean, whose very name is a synonym for peace? Which nation will have commercial supremacy? On which side of the broad waters will be the New York of the Pacific? Which one of a dozen ambitious cities will become another Liverpool? What will be the medium of exchange? Will it be the pound sterling, or the Japanese yen, or the German mark, or the dollar of Uncle Sam?

These great world movements will make a new Pacific. Not one of these movements can happen again. There are no more hemispheres to bisect. There are no more world majorities to awaken. There are no more great domains on this continent to populate and develop.

For the purposes of this discussion the peopling of Alaska may well be considered in connection with the peopling of western Canada. It will be well for the United States in its development of Alaska to walk hand in hand with the Government of the Dominion of Canada. Particularly can we benefit by the example of British Columbia. We should study the laws by which that great region is being prepared for a full share of the prosperity that must come to the North Pacific under the conditions which are now in the making.

So far as human wisdom can forecast the future the events of the next decade will be decisive; the conditions which they will create will be final—simply because our planet is just so large and not larger. If we desire that these conditions should be in accord with our wishes, we must make up our minds now.

Thus my remarks in explanation of House joint resolution 121 will relate to two problems:

(1) The development and defense of Alaska.

(2) The permanent control of our own destiny.

The first of these two problems is of immediate urgency; the second somewhat more remote, though of supreme importance. Happily, in solving the first we shall also take an important step toward the solution of the second.

I.

THE DEVELOPMENT AND DEFENSE OF ALASKA.

The United States has made the new Pacific possible by cutting the canal at Panama. The next step is the development and protection of Alaska. With the tariff bill enacted and a currency bill scheduled for early action, we should, in my opinion, allow no problem to take precedence over the question of railways in Alaska. Until the Committee on Territories makes its report, it would be premature to say whether these railways should be built by the Government or by private capital, but no one can have a moment's hesitation in saying that they should be built forthwith. Deeply impressed with this conviction, I feel compelled to say a word now, in advance of the regular discussion. I wish to point out the need of these railways from a new point of view, and thus to do what in me lies to secure for the subject the earliest possible consideration

The new point of view concerns the importance of these railways for the defense of Alaska and of our entire Pacific coast. Everyone remembers what an essential part the Trans-Siberian Railway played in the Russo-Japanese War. Had that line not been in existence, Russia would have lost not only Manchuria but eastern Siberia. Had the line been double-tracked there would have been no war. Russia's position would have been too strong to be assailed with any chance of success. You see, a railway may become a very effective guaranty of peace.

ALASKA'S PERIL.

We have no railway from the United States to Alaska, either double-tracked or single-tracked. In case of war Alaska would be lost to us within a week unless we held the naval supremacy in the Pacific. Now, I do not for a moment suppose that our Navy would not make a better showing than the Russian Navy did. If we could keep all our warships together, no Japanese fleet at present could face them. But could we keep them together? We have 8,000 miles of seaboard to protect. We could hardly leave our entire Atlantic and Gulf coasts without naval defense in order to place our united Navy in the Pacific. The Japanese Navy, on the contrary, might be free to act as a unit anywhere, without having to detach a single skiff for home defense, for the west coast of Japan can only be approached through five narrow straits, which would probably be blocked by mines, while her east coast is so fortified as to require no naval protection.

Japan with her modern-built battleships—

Says The Navy of June, 1913—

could wipe out the entire force of the United States from the Pacific as easily as one of our Atlantic dreadnoughts could destroy a fleet of wooden men-of-war of 100 years ago. An enemy could easily land an army of 100,000 or 200,000 men with impunity on the Pacific coast, and it is questionable whether the coast defenses at Honolulu could repel a naval attack by modern battleships. Even if a naval attack was unsuccessful an army could be landed within a few miles of these fortifications and the forts could be invested from the rear.

The chance of our being involved in war in the Pacific seems remote. But many wars were declared impossible until they broke out. If we are sure that we shall have no more wars, then all the millions that we spend on Army and Navy are thrown away and we ought to abolish those useless establishments at once. If prudence demands that they be kept in a state of efficiency, prudence also demands that we forecast the emergencies under which they may be needed, and that we remedy any conditions which might condemn our valiant Army and Navy to inaction, and by that very fact invite attack. A stitch in time saves nine. He who offers his undefended cheek to the smiter is apt to be smitten. No sensible man wants war if it can possibly be avoided. If we can lessen the danger of war by simply giving our people access to a vast reservoir of wealth, any unnecessary delay would damage our reputation as level-headed business men.

Three facts stare us in the face:

(1) In the absence of railway communication Alaska depends for its defense entirely on the Navy.

(2) We could send only part of our naval force to defend it, while the enemy might be free to attack with his whole force.

(3) If our fleet were defeated the south coast of Alaska would afford to the enemy the best conceivable base for attacking our Pacific States.

An editorial in the Washington Post of July 16 describes the situation so clearly that I can not do better than quote it:

THE VANCOUVER DOCTRINE.

If our Pacific coast is practically without naval protection, as affirmed by Rear Admiral Van Reypen, a war with Japan would involve the loss of Alaska. With unlimited resources in coal and timber, the south coast of Alaska would present an ideal base for an attack on our Pacific coast, being much nearer to Asia and to Puget Sound than any base that an enemy might capture on the Hawaiian Islands. This fact lends interest to a communication in the Vancouver News-Advertiser, printed elsewhere in this issue, to the effect that, as a geographic necessity, Canada is the protector of the United States. Says our Canadian contemporary:

"At the mere thought of another power in possession of Alaska, every Canadian feels his flesh creep, his hair stand on end. We simply could not tolerate it, and should be compelled by the most obvious requirements of our own safety to join our forces to those of the United States in an attempt to drive out the invaders."

Unfortunately, so long as the British navy is tied up in the North Sea, and no railway communication exists between the United States and Alaska, even the combined land forces of the United States and Canada could not prevent the temporary occupation of Alaska by a superior naval power. From this point of view, the recent announcement of the early construction of a railway through northern British Columbia to Dawson and thence to the Alaska boundary becomes interesting.

Premier Richard McBride, of British Columbia, expects soon to visit Ottawa and Washington to discuss that proposed extension of the Grand Trunk Railway. It may be taken for granted that in his conferences with our statesmen the strategic value of the proposed railway will not be overlooked. Branch lines would, of course, be built to connect the main line with the harbors of Alaska, to their immense commercial benefit. When the facilities exist for concentrating the combined American and Canadian forces on any threatened point within a few days, no naval force, however superior, will care to attack any part of the Pacific coast, either of the United States or of Canada. Senator Power, of the Canadian Parliament, who some weeks ago was disturbed by the vision of 20,000 Japanese invading British Columbia, will thus regain his composure.

The projected Canadian line would stimulate railway building through Alaska. When the safety of our entire Pacific coast can be assured by building the two lines needed to connect Cordova and Seward, the two leading ports of southern Alaska, with the interior, with each other, and with the Dawson line, the necessary legislation ought to be forthcoming.

The statement that "the United States is by far the pleasantest, safest neighbor that Canada could possibly wish" will be thoroughly appreciated and reciprocated on this side of the boundary.

I feel convinced that the time is not far distant when this "Vancouver doctrine" will be considered of at least equal importance with the Monroe doctrine. Its original statement in the News-Advertiser being thus an important historical document, it is reprinted entire as an appendix. A few days ago it was restated in a far more impressive form by no less an authority than Sir Richard McBride, prime minister of British Columbia, as quoted in various newspapers, as follows:

PREMIER MCBRIDE FAVORS PANAMA-ALASKA RAILWAY—PROPOSES THAT CANADA AND THE UNITED STATES COOPERATE IN BUILDING GREAT STRATEGIC LINE.

The Panama-British Columbia-Alaska through line has for some time past occupied a prominent place in the policy of provincial developments now being carried into full effect by the prime minister of British Columbia, Sir Richard McBride, and may indeed be looked upon as the climax of that policy.

In addressing the Progress Club at Vancouver a few days ago Sir Richard intimated that he regarded the bringing into existence of a railway connecting Alaska with the United States and the great canal via British Columbia as the principal ambition of his career.

I have been working for some time on this railway project, and it is only within the past two years, since the provincial government undertook to build the Pacific Great Eastern Railway, that such a north and south line through British Columbia has made the entire scheme altogether feasible.

As the situation stands at present the Pacific Great Eastern will extend from Vancouver northerly for 700 miles, and our proposal is to secure the further extension of this line through the Yukon to the Alaskan boundary, there making contact with the United States Federal railway system, toward the construction of which that Government proposes to appropriate $40,000,000.

I would point out that until Alaska gets direct rail connection with the south it will and must continue an isolated zone and unable to secure the best advantages for its legitimate development. Needless to say, while the expenditure of the moneys likely to be provided by the American Congress will greatly assist local development in Alaska through railway media, without overland connection to the south such development can only continue within a very circumscribed zone.

COST MANY MILLIONS.

To intersect the Grand Trunk Pacific Railway at Hazelton, British Columbia, and build from the Peace River to Alaska will call for an investment of from forty to sixty millions. My plan is to have the Ottawa and Washington Governments guarantee company bonds sufficient to carry out the work and enter into an agreement with the Pacific Great Eastern Railway Co. for the construction and operation of the line.

The road can be projected through a country of splendid potentialities, a country thoroughly adapted for successful mineral, timbering, and agricultural development, apart altogether from its great scenic, tourist-attracting values. The line can be built and in operation within four years from to-day. As next year marks the completion of the centenary of peace, it would, in my opinion, be wise for both interested countries to consider this project as fully equal in commercial and historic value and significance with the opening of the Panama Canal.

Apart from the highly important commercial values of such a north-and-south international Pacific coast railway, the strategic utility of such a line would be unquestionable.

The relations between Canada and the United States of America at the present time are thoroughly harmonious and singularly cordial. War between these two countries in the future appears an impossibility. Perhaps never before have we come to such perfect understanding of one another's work and ambitions. And hence a way should easily be prepared for the completion of a treaty between the two countries which would allow Americans generous privileges through British Columbia. Among these privileges the transportation of troops in time of necessity should be an easy item to adjust.

RICH AREAS UNDEVELOPED.

Because of their distance from the settled centers of civilization to the south, the potentially rich areas of northern British Columbia and Alaska have heretofore been greatly handicapped in their development. Indeed, only recently have the surpassing riches of these territories secured general recognition. The present day holds great expansion in store for these sections of the neighbor countries.

If is impossible to bring about the complete and desirable development of these isolated northern areas without railways, and a project of so great international advantage and importance should be easy of consummation if a treaty be devised providing for the building of the road and its operation with full protection of American interests. When it is considered that the Province of British Columbia alone proposes to answer for the building of the first 700-mile section, this should be sufficient warrant for the larger authorities undertaking the completion of the plan.

FOR DEFENSE AND DEVELOPMENT.

Every Member of this House who has given thought to Alaska and to the problem of national defense will join me, I am sure, in thanking our Canadian friends, especially Sir Richard McBride, for this high-minded declaration and for the promise of the early construction of a railway which is so important to us. This resolute and far-seeing action on the part of the Canadians ought to put an end to the stepmotherly treatment which Alaska has received from us during the 46 years of our ownership.

Even if the Canadians build their line to Dawson and grant us the privilege of transporting troops over it in case of necessity, that will not help us much unless we build the lines required in Alaska itself, for Dawson is 330 miles from Cordova and 440 miles from Seward, and separated from them by the wildest kind of mountains, practically impassable for troops except by rail. And if it be true that the Canadian line to Dawson would hasten the development of railways throughout Alaska, it is equally true that the building of Alaskan railways would hasten the building of the Canadian line, which is to connect Alaska with the United States and thus make it defensible by our land forces. As the writer in the News-Advertiser very properly remarks, not one soldier, not one pound of ammunition would ever be shipped over that line, nor would any agreement with the Canadian Government be needed; the mere existence of the railway would suffice to scare away the enemy. If any doubt still existed on that subject, Sir Richard McBride's statement has removed it.

CAN WE HESITATE?

Because I wish to see Alaska developed, because I wish to see her placed beyond all danger of attack, and especially because I wish to make sure that her south coast shall never be used by a hostile fleet as a base for attack on Puget Sound, Grays Harbor, Portland, and San Francisco, therefore I say that we ought not to delay another moment in endowing Alaska with an adequate system of railways. Bitterly did the Russians regret the procrastination and parsimony which led them to delay the building of the Trans-Siberian Railway so long, and to lay only a single track, and thus forced them in the end to spend a sum which would have sufficed to build a dozen such lines.

With such an object lesson before us can we hesitate? Even $100,000,000 would be a cheap price if thereby our entire Pacific coast can be relieved of the danger of invasion. A war would in a short time cost us many hundred million dollars, for which we could get no return. Dreadnoughts are a good insurance against war, but we vote for them with sour faces, because they yield no revenue. Not sour but sweet should our faces be, as sweet as joy can make them, when voting for the construction of a railway system which will constitute an insurance policy on a novel endowment plan, not only requiring no payment of premium but yielding an immediate and rapidly growing revenue.

II.

THE PERMANENT CONTROL OF OUR OWN DESTINY.

But while we are on the subject of insurance against war I should fail in my duty if I did not point out the greater danger which is to be met by a still cheaper insurance policy. Strategic railways skirting our coast from San Diego to Seward will, by the courtesy of Canada, insure us against invasion so long as the would-be invaders, even though in command of the sea, are inferior to us in numbers and resources. But neither railways nor the utmost expenditure for Army and Navy will insure us when the invaders are nine times stronger than we. The overshadowing question of to-day is: What are we going to do when the nine hundred millions of Asia united and armed in the same proportion as Japan demand unrestricted admission for those of their laborers who wish to profit by the opportunities of the land of high wages? Gentlemen, we pride ourselves on being a

wide-awake, energetic, practical Nation. Our boast is that when a thing has to be done we go ahead and do it. Shall we sit with idle hands and watch this Asiatic danger growing till it is beyond our control? Here is a case where a stitch in time will save not nine but nine millions.

We do not know what is going to happen in China this year or next, but anybody with half an eye in his head can see that the overthrow of the Manchus meant the breaking of the dam that restrained the yellow flood. The Manchus dared not develop the great army planned by Sir Robert Hart, knowing that an army consisting mainly of Chinese would inevitably turn against the Manchu Government. No such motive restrains the present Government, which is completely in the hands of the Chinese themselves. The very conflict that is now going on must hasten the development of the army and afford it that training in actual warfare which is better than all maneuvers. They need not be in a hurry to raise Sir Robert Hart's army of 4,000,000; half a million will suffice to make the continuance of British rule in India impossible. And when India escapes from British control the supremacy of the white race is at an end, the supremacy of Asia assured. Even if southern China cuts loose from the north, that will not alter the result; south China, north China, Japan, and India will be a unit on the question of emigration.

YELLOW PERIL NOT A BUGBEAR.

An article on this subject by J. O. P. Bland in the Atlantic Monthly for June, 1913, is all the more instructive because written with the avowed purpose of proving the yellow peril military to be a bugbear. The author admits and even emphasizes the high mental caliber of many of the Chinese leaders; he fully realizes the immense resources of the Empire and the tremendous advantage it possesses in its superabundance of cheap labor to develop those resources; he repeatedly declares the Chinese to be "economically superior to any race on earth"; he describes how rapidly these 435,000,000 are becoming aware that beyond the borders of their Empire there are rich lands where life is a luxury compared to the perpetual struggle against famine at home; he pictures the growing indignation of these 435,000,000 when they find that the white man is determined to exclude them from all these lands of hope. Yet, in the face of all these patent, permanent facts he declares the yellow peril military to be a bogy. Why? Because the present administrators of China are too corrupt and too jealous of one another to permit the early introduction of substantial reforms. In a word, the safety of the white race depends on the continuance of Chinese official corruption!

WHAT STRONG MEN HAVE DONE.

A brief glance through history reveals a dozen instances proving how quickly that condition is apt to vanish. France, in the early days of the Revolution, seemed condemned to hopeless anarchy; yet a few years later, through the genius of one man, she had become more solidly united and more efficiently organized than any other nation and was giving laws to Europe.

Turkey in 1656 had for 30 years been on the brink of ruin, plunged in official corruption that seemed beyond remedy, with her treasury empty, her armies defeated and mutinous, revolt in every Province, her very capital threatened by the Venetians. Mohammed Köprilli, a penniless Albanian, 75 years old, who began his career as a cook and never learned to read or write, was appointed prime minister. In five years his armies were victorious everywhere, his treasury overflowing, and Europe was once more trembling at the Turkish power. An Albanian—that is to say, an Aryan—placed his genius at the service of a Mongolian power and tried his best to make that power supreme, just as Sir Robert Hart did 200 years later.

You say China is too poor to fight. You forget that the wars of the first French Republic were fought entirely on paper money. All authorities, including Mr. Bland, bear witness to the integrity and administrative capacity of Chinese business men. If such is the case, do you not see that China may at any moment find her Napoleon, as France did, and as China herself did a dozen times during the past 3,000 years? When he begins to turn the rascals out and looks around for honest and able men to take their places, will not the business world offer him an ample choice? And if he thus transforms China into an obedient, efficient machine, do you think he will be content any more than his French prototype or his Chinese predecessors were? British dominion in India hangs by a thread. A Chinese Napoleon could put an end to it with a word, and thus add the 315,000,000 of India to the 435,000,000 of China. The vast Mohammedan world, hissing with hate of Christendom, would instantly join hands with an efficient, triumphant Asiatic league in order to complete and share its supremacy and to wreak the long pent up vengeance on Europe.

Then our turn will come. The Chinese leaders gave notice long ago that as soon as they are strong enough they will force open the doors of Australia and America for their emigrants, with cannon if necessary. Then the question will arise: "Shall America's destiny be controlled by herself or by Asia?" If we do not wish to adopt the policy of the ostrich, trying to banish the peril by shutting our eyes to it; if we wish to make good our boast of being the most active, most clear-sighted, and promptest Nation, we must take the proper steps without delay. A stitch in time saves nine. When the Baltimore fire started, a bucketful of water would have put it out; after it had gained headway, the united fire departments of several cities were powerless to stop it.

What are the proper steps? Against united Asia, a power of 900,000,000, soon to number 1,000,000,000, there is but one defense—the early union of the white nations. This, therefore, must be the keynote of our policy. I am glad to be able to announce that a movement in that direction has been started in this very capital of the Nation, and that a promise of cooperation has already been received from Europe. I feel confident that the seed has fallen on fertile soil and in the right season, and while its growth may not be as rapid as the planters might wish, it has every prospect of bearing fruit.

PANARYAN ASSOCIATION.

The aims of the movement are set forth in the prospectus of a proposed Panaryan association to promote the union of the white race. The prospectus says:

As soon as the 900,000,000 Asiatics are strong enough they will demand free admission to the United States and to European colonies. If even the 50,000,000 of Japan are able to exert such pressure as we now witness, what will happen when the 435,000,000 of China and the 315,000,000 of India possess modern armies and navies proportioned to their numbers? Their common demand for unrestricted admission will serve as an iron bond, uniting their armed forces into one huge mass.

Against such a power, even the utmost armament of any single white nation would be of no avail. To look no further ahead than five years were childish, nay criminal levity. A policy of drift must inevitably lead to a series of frightful wars, sweeping aside all arbitration treaties like wisps of straw. The United States, Canada, and Australia, the lands of highest wages, would have to bear the brunt of the onset. The only possible means of defense, the only reliable protection for white labor against deadly competition, is the union of the great white nations. To that paramount necessity all other considerations must yield. United we stand, divided we fall. To every white nation it is essential that India's 315,000,000 and vast resources shall not reenforce the Mongolians but remain under the beneficent control of Britain, thus strengthening the Aryan race to which their highest castes belong. It is equally essential that the 6,000,000 white men of Australia and New Zealand, our own flesh and blood, shall not become subject to Mongolians; that Siberia, the destined bulwark of Europe, the America of the Slavic race, shall remain a part of the Russian Empire; that France and Holland shall not be robbed of their East Indian possessions. None of these dependencies can in the long run be defended except with the support of the united white race.

To attempt to unite all the white nations at once would needlessly complicate a task which will prove sadly complicated even in its simplest form. The initial combination must be just large enough to be predominant, but not larger than necessary, lest it lose its cohesion and become impotent through the internal strains peculiar to every political structure before it gets into the habit of acting as a unit. A "trust of civilization," consisting of Britain, France, Germany, and the United States, would suffice to break the deadlock which paralyzes Europe and to replace it by an effective concert based on common interests, and magnetic enough to secure the virtual union of the entire white race in the near future. In fact, such a quadrilateral trust would instantly have the support of nearly all the other European States, for they would feel that the destinies of humanity could not be more safely guarded than by the four strongest, most enlightened, most humane nations.

That quadrilateral trust—suggested by Mr. Carnegie in his letter to the Boston Peace Congress in 1904—would at once constitute that international executive power which is the only means to insure universal peace, the early cessation of the growth of armaments, and their gradual reduction till they shall be just sufficient to keep the executive power securely predominant. It would represent that "concentration of the preponderant military strength into the hands of the most pacific communities" without which, according to the Navy League, there can be no permanent peace.

The Navy League—Southern Building, Washington—and the National Defense League—District Bank Building, Washington—deserve credit for their wise foresight in urging the Nation to maintain an adequate armament. But against the 900,000,000 of Asia, with their incredibly cheap labor, which may soon enable them to build with ease six or eight warships to every one of ours, no armament that the United States alone can maintain, even with the sacrifice of half our revenue, will be strong enough. The only adequate armament is the cheapest—union with our parent nations.

What is the first thing to be done? The whole country is fast awaking to a sense of its peril, and statements like the above are heard on every side; but all this agitation will remain fruitless so long as it is unorganized. The advocates of union must give the example of union. America, being most exposed and best acquainted with the peril, has the strongest motive to take the lead. The name "Panaryan Association" has been suggested as the most appropriate and the most serviceable in appealing to the educated class in Europe.

The first task will be to discuss the means to promote union. Early union is impossible without mutual concessions on the part of Britain, France, and Germany. We can not take active steps in this country to bring about these concessions, nor even hint their nature without appearing presumptuous; but a Panaryan Association started here would soon have branches in Europe, whose work would naturally consist in pleading with their fellow citizens in behalf of these mutual concessions.

The supremacy of the white race does not mean that other races are to be forever denied admission to lands controlled by white men. It means that the problem of their admission or exclusion is to be solved, not by a mere counting of heads nor by cannon answering cannon, but through patient scientific study and balancing of arguments by the wisest men of the wisest, justest, most humane nations.

OVERPEOPLED, FAMINE-STRICKEN ASIA.

The fundamental principles of this movement are well set forth in a letter from Prof. E. A. Ross, of the University of Wisconsin, one of the foremost economists in America. The letter accompanied his application for membership in the proposed Panaryan Association.

Statesmanship is the art of seeing and providing for coming problems a long time in advance, and, therefore, I regard your endeavor to promote the "get-together" spirit among the leading groups of the white race as statesmanlike. I agree with you that, during most of this century at least, the interests of civilization and the well-being of the laboring classes will best be served by preventing the high-pressure areas in Asia from discharging their surplus population into the regions now held by the white race. I have set forth this idea in a chapter of my book Changing America, and also implied it in my book The Changing Chinese. I do not assume the superiority of the Aryans over the Mongolians, but I take my stand on the proposition that the terrible struggle for existence, produced in most parts of Asia by certain elements of their civilization, ought not to be communicated to other lands by great streams of migrant coolies with low standards, ready to work for almost any wage. All the low-pressure countries should protect themselves against the high-pressure countries until these countries, by elevating woman, individualizing their people, and restraining their fecundity, have become low-pressure countries.

To many of you this question has not the local importance that it has for the people of the Pacific coast. But I take it that all place the welfare of the Nation first and foremost. Now, what doth it profit the Nation to gain all the wealth in the world and lose its own soul? The question of Asiatic immigration is a question of life and death to the white race. Expose the white workman to a competition which takes away his opportunity to labor, and you take away his opportunity to live; you kill him just as surely as if you shot him with a rifle. Representative RAKER and Senator NEWLANDS would forbid the immigration of any but white people to this country. That is very well so far as it goes, but if we do nothing else, if we let things drift while we are wrangling over the tariff, the lobby and the Mexican muddle, a time is bound to come when the Asiatic, nine times stronger than we, will demand admission with the voice of cannon. Then we shall pray on our knees for an entangling alliance and most likely pray in vain, for by that time all our possible allies will have been crushed, robbed of their colonies, and reduced to helplessness.

The only means to ward off the crisis, the only means to keep the white race in this country from being swamped in a dusky flood, the only insurance policy that will cost us nothing, is the timely union of the great white nations. To bring about that union while it is yet timely is the foremost duty of American statesmen, if they care to deserve the name. A stitch in time saves nine. It is encouraging to know that in this undertaking we are sure of the whole-hearted cooperation of the most powerful man in Europe, the Emperor of Germany, who, as far back as 1895, long before anyone else thought of the yellow peril, uttered his famous warning: "Völker Europas, wahret eure höchsten Güter!" (Peoples of Europe, guard your highest interests!). All other pending questions are trifles to this. A sense of solidarity must be developed until the cry of any white nation in danger shall bring the whole race to its assistance as automatically as a nation rushes to the assistance of one of its provinces. Such a habit can not be drilled into half a dozen vast nations in a year, nor in five years, and hence the time to begin the drilling is not to-morrow but to-day. We poke fun at the people who say mañana. Let us not say it ourselves. A stitch in time saves nine.

ONLY WAY TO AVOID COMPULSORY MILITARY SERVICE.

Many of you feel it a burden to have to maintain a navy sufficient to hold its own against the Japanese Navy supported by the meager resources of a nation of fifty millions. What sort of a Navy shall we have to maintain when the rival on the other side of the Pacific numbers 900,000,000? And what about the Army? If Europe, with 440,000,000 population, keeps 5,000,000 men under arms, Asia, with more than twice the population, can easily keep 8,000,000. Can you conceive of any way by which we could then escape compulsory military service? Australia and New Zealand have already been compelled to adopt it. If we be grown men, not heedless children, let us open our eyes to this fast-approaching crisis now and provide for it in time, while it costs us nothing, and not wait till it costs us untold millions of treasure and torrents of blood. We can increase our Navy fivefold without the expenditure of a cent. How shall we do it? By simply annexing the British, German, and French Navies. We can have an army of two millions on a peace footing and an Army of eight millions on a war footing at no cost to ourselves, simply by making the German, French, and British Armies coalesce with our own. This is the only way in which we can hope to escape universal military service and a crushing expenditure for a gigantic navy, which, after all, could not keep abreast of our 900,000,000-headed rival.

Do you not think it worth while to look into this matter? And if you will take the trouble of looking into it you will find that the defensive union of the four most advanced nations is entirely feasible. It is simply a matter of a few compromises for the advantage of everyone concerned, compromises which have already won the approval of the best thinkers in Britain, France, and Germany. Everything depends on the first step, and that step we can take by simply creating an organization for the purpose.

PRACTICAL WAY TO ASSURE UNIVERSAL PEACE.

You are aware of the widespread movement for peace. Mr. Nobel has given $1,800,000 to it; Mr. Ginn, $1,000,000; Mr. Carnegie, $10,000,000. Thousands of people all over the globe are studying night and day how to solve this problem of universal peace. Here is a way—the surest way—probably the only way; at any rate, the way in which all existing peace has been brought about: By the consolidation of the existing areas of internal peace, a consolidation which in the past was accomplished for the most part by conquest, in a few cases by voluntary union under external pressure. One more consolidation and the area of internal peace will become world-wide. Any one can see that the four great powder-making nations, the four great gun-making, machine-using, coal-mining, shipbuilding, money-owning, technically trained nations, representing probably nine-tenths of the world's industry, would together constitute such an overwhelming power as to make war henceforth impossible. It would mean the almost immediate arrest of armaments and their gradual reduction to a mere fraction of their present size. Not only would our insurance policy cost us nothing, but it would greatly reduce our present expenditure. This union of the four leading nations we can bring about by simply creating an organization for the purpose.

GUARANTEE THE RIGHT TO LIVE.

Many of you share these views. Let me entreat you to act in accordance with your convictions and to let no technicalities stand in the way. We are gathered here to look after the interests of our constituents, their inalienable rights to life, liberty, and the pursuit of happiness. The primary, fundamental right is life. Our foremost duty, therefore, is to make sure that our constituents' right to live shall not be abridged. This foremost duty compels us to take the proper measures to secure our constituents against a competition which threatens to take away their opportunity to labor, that is to say, their opportunity to live. The proper measures for this purpose require the cooperation of the other white nations. Evidently we can not legislate for foreign countries. Shall we say, therefore, that we will not do our foremost duty, simply because it can not be done by legislation? Every one of us is daily doing for his constituents a score of things which are not legislative. Let us do for them the most important thing of all, even though it be not legislative. By creating an organization to work for the union of the white race, we can give the impulse toward the creation of similar organizations in Europe, which will have it in their power to bring about the fulfillment of the conditions of union. It stands to reason that our example will make all the deeper impression in Europe if the initiative in setting the example is taken by the Members of the highest legislative body of the land. In a word, the mandate with which our constituents have honored us, the confidence which they have reposed in us that we will look after their highest interests, imposes on us the duty of doing this extra legislative work which is to assure to our fellow citizens their primary, fundamental right—the right to live.

APPENDIX.

THE VANCOUVER DOCTRINE—ALASKA'S VALUE—A PLEA FOR CONSTRUCTION OF RAILWAYS THROUGH BRITISH COLUMBIA, NORTHWARD.

[News-Advertiser, Vancouver, British Columbia, April 12, 1913.]

In the Century Magazine for February, 1913, Mr. Alfred Holman, editor of the San Francisco Argonaut, asks:

"Could we lose Alaska? We have seen that Russia lost Alaska because the country could not be retained by a nation without what Admiral Mahan has defined as sea power. Except for her respect for the American Republic and the restrictions of the Monroe doctrine, England would have possessed herself of Alaska during the Crimean War. The figures on the board have indeed been changed, but the essential conditions are precisely what they were 50 years ago, plus an emphatic demonstration, in recent years, of the strategic as well as of the commercial value of the country. With Alaska, the United States is, and may remain, master in the Pacific Ocean. I say 'with Alaska,' because in Alaska are to be found the timber, coal, and food supplies essential to naval efficiency, even to naval supremacy. These facts write plainly on the wall of national prudence and caution, 'Have a care!' If Alaska is to remain American territory under any condition which may arise, we must have a defensive policy, and we must sustain defensive forces adequate to any possible demand upon them."

The general impression in the United States is that the Hawaiian Islands are the most important naval base in the Pacific, and that so long as they are held by the United States the coast of California,

Oregon, and Washington is safe. In the Forum, March, 1893, five years before the annexation of the islands, Admiral Mahan wrote:

"Too much stress can not be laid upon the immense disadvantage to us of any maritime enemy having a coaling station well within 2,500 miles * * * of every point of our coast from Puget Sound to Mexico. Were there many others available, we might find it difficult to exclude them all. There is, however, but the one. Shut out from the Sandwich Islands as a coal base, an enemy is thrown back for supplies of fuel to distances of 3,500 or 4,000 miles—or between 7,000 and 8,000 going and coming—an impediment to sustained maritime operations well-nigh prohibitive. * * * It is rarely that so important a factor in the attack or defense of a coast line—of a sea frontier—is concentrated in a single position, and the circumstance renders it doubly imperative upon us to secure it."

In saying "There is, however, but the one," Admiral Mahan evidently did not deem it necessary to add "aside from those which are already ours." As a matter of fact, every word that has been written to emphasize the importance of Hawaii for the protection of the coast of the Pacific States must be repeated with double emphasis in regard to the Aleutian Islands and the south coast of Alaska. The public would be more familiar with this fact if geography were taught by means of globes instead of maps. Every skipper in the Pacific knows that the straight line of navigation between Seattle and Yokohama runs not through the Hawaiian Islands but through the Aleutians. Shift the eastern terminus to San Francisco, and the line still passes only 200 miles south of the Aleutians. The Yokohama-Seattle line is 1,687 miles shorter by way of Alaska than by way of Honolulu. Shift the east end to San Francisco and the Alaska route is still 1,015 miles shorter than the Honolulu route. In other words, a fleet trying to establish a base of operations for attacking the United States would never dream of going 1,000 or 1,700 miles out of its way to Hawaii, when an ideal base, totally undefended, may be found near the Bering River coal field, only 1,150 miles from Seattle.

For the present, indeed, the supremacy of the United States Navy in the Pacific, soon to be made doubly effective through the opening of the Panama Canal, secures Alaska against attack. But naval supremacy is a precarious thing. A cyclone, like that of Samoa, may in a few minutes wreck the finest fleet. Pearl Harbor, "the Gibraltar of the Pacific," is carved out of comparatively recent volcanic rock. What if a renewed outbreak like that of Mount Pelee should overwhelm a squadron while at anchor in the harbor? At present, indeed, volcanic activity in the Hawaiian Islands is confined to the easternmost island, 200 miles east of Pearl Harbor, but geology has given no guaranty that the eruptive force, which hitherto has traveled eastward, may not take a backward leap. Submarines and airships have introduced new elements of uncertainty. In its recent maneuvers the United States Navy technically lost half a dozen of its finest battleships through attacks by submarines. If this should happen in real warfare, Alaska would at once be defenseless. The enemy would promptly occupy its south coast and use it as the most convenient base of operations against Seattle, Portland, and San Francisco, without paying the slightest attention to Hawaii.

This is a matter which Canada can not regard with indifference. It is a mere platitude to say that the United States is by far the pleasantest, safest neighbor we could possibly wish. A hundred years' experience has made it plain that from this neighbor we have absolutely nothing to fear. At the mere thought of another power in possession of Alaska every Canadian feels his flesh creep, his hair stand on end. We simply could not tolerate it, and should be compelled by the most obvious requirements of our own safety to join our forces to those of the United States in an attempt to drive out the invaders.

The moment we put this conclusion in plain words we perceive with dismay that our help would avail very little against an enemy able to throw his force at will on any point of the coast, which, in the absence of railways, we could only reach with troops inferior in numbers and equipment. Grievously is the fact thus brought home to us that the British Navy, supposed to rule the five oceans, is in reality tied up in the North Sea.

The situation would be wholly different if a railway extended from the Grand Trunk to Dawson and thence to the Alaska boundary, with a branch to every port, thus establishing continuous railway connection between the United States and Alaska. This would lead to the speedy construction of a network of railways in Alaska, extending to every part of the coast that is worth protecting. The very sight of those railways on the map would suffice to scare away the would-be invader, for he would know that Canada, in order to safeguard her own vital interests, would instantly place her lines at the disposal of the United States for the transportation of troops and supplies. In reality not one soldier, not one pound of ammunition would ever be sent that way so long as it was known that the means of sending them existed. The railway would simply banish war from the eastern half of the Pacific, and that name, hitherto undeserved, would become singularly significant.

The value of a Hazelton-Dawson railway would for a good while be mainly strategic. We have already drawn pretty heavily on the future in the matter of railways, and so long as the southern half of British Columbia is insufficiently provided with them, we should deem it premature and somewhat imprudent to build a line through the wilderness a distance of some 800 miles, which for many years could hardly pay expenses. Though we should like to see the safety of Alaska insured, yet that motive is one which concerns our neighbors more than ourselves.

An imperative motive for the immediate construction of the line would be created if it were made a condition of the transfer of southeastern Alaska to Canada, as has been suggested in connection with the Stephens resolution introduced in the United States Congress on February 7. We should in that case feel it our duty to build that line with all possible speed, and to postpone all other railway work until we had seen the first train running from the United States to the Arctic Circle, even though we knew that the line would not pay a cent in dividends for 20 years to come. However, though the longitudinal line might by itself remain unremunerative, the transverse branches to the ports, unhampered by a line of custom-houses, would at once give rise to an active trade, and the northern half of British Columbia, with the climate of Scotland, Denmark, and southern Sweden, would soon be filled with settlers. Skagway, Juneau, Wrangell, and all the other ports of the present coast strip of southeastern Alaska would in a few years develop into wealthy emporiums, controlling the lumber trade of the interior and smelting its ores.

Some Canadians in their patriotic pride feel uncomfortable to think that, in virtue of the Monroe doctrine, Canada is under the protection of the United States. They may gain a new sense of equilibrium from the knowledge that the United States in also under the protection of Canada, in virtue of a Canadian supplement to the Monroe doctrine, a supplement which we may without undue presumption call the "Van Cleave doctrine," after the city where, so far as we know, it was first promulgated.

Woman Suffrage.

EXTENSION OF REMARKS
OF
HON. EVERIS A. HAYES,
OF CALIFORNIA.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, September 3, 1913.

Mr. HAYES. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include a speech delivered by my colleague [Mr. KENT] on last Sunday at the Columbia Theater, in this city, on the subject of "Woman Suffrage."

The speech is as follows:

CONCERNING WOMAN SUFFRAGE—FROM A MAN'S VIEWPOINT.

We who claim descent from northern Europe are legitimate heirs of a respect for our women. Back through all the Germanic and Scandinavian literature, through the historical records of Tacitus and others, runs the tradition of woman's high place in the home and the State, a position of equals and companions, rather than of dolls and drudges. And no one can charge that we spring from effeminate stock.

Latterly, with the growth of luxury, the oriental, the southern doctrine crept in among the wealthy, carrying with it the idea of man's possession of woman, with its inevitable concomitant of seclusion, but it did not affect the large bulk of the people. The pale-faced, soft creatures that flit through the tales of Scott and other chroniclers of the aristocracy were not the mothers of the race. They did not represent the old traditions which persisted among the middle classes and the common folk. The ideal of woman purring by the fireside was not the ideal that inspired the pioneers of the ages or any of our race who have had the stern work of the world to do.

It is true that in those ancient days and down to modern times women took but little direct part in Government except as it came to them from heirship. This was because the conception of democracy was inchoate. The later development of the demand for universal suffrage as an inherent element of democracy was slowly being formulated. It is not at all remarkable that this should have been belated, for as we look back to our Revolutionary times we find that the chief reason our men gave for their revolt was an objection to "taxation without representation"; that is, their resentment was first directed against the taking of a small part of their property unless they had a voice in its abstraction and subsequent disposal.

It was not until later, when Jefferson formulated in the Declaration of Independence the great statement of the right to "life, liberty, and the pursuit of happiness," that people phrased their realization that there were more sacred things to be secured and preserved by representative government than mere property. It is directly in this line of democratic progress that we shall confer suffrage upon our women.

Even now there are shallow minds who, while admitting that those women that are taxed by the assessor should have a voice in electing that assessor, believe that the franchise should be curtailed so as to include only those from whom the assesssor collects directly.

These taxation doctrinaires ignore a matter of fundamental import. For all women, as well as all men, are taxed directly or indirectly; and, further, all legislation has a bearing upon taxation, so that the tax-representation people are forced by their own reasoning to admit that all women have the right to be represented and to secure that representation in the only way they can secure it directly and effectively—at the ballot box.

It has long been recognized that the selected individual has practically reached his maximum development. Ancient Greece probably furnished the world the most perfect type of individual men of which there is record. But Socrates and Phidias were jostled by slaves; and, lacking real democracy, Greece perished. Development from now on must be social, must be a recognition of the duty of human beings to each other, so that by gradual process more people may enjoy greater opportunity. This is the meaning of democracy. It is this social impulse which is now moving the world.

From the standpoint of individualism I know no possible argument against the emancipation of women. They are entitled to equal opportunity, and even without it many of them have risen to positions of equal eminence with men. But when we look at the problem from the social side we find that there is insistent need for their full participation in the responsibilities of life as found in organized society. In women the social sense is more fully developed, more a motive force, than in men.

None of us who has had the good fortune to have had a mother's care fail to recognize that his real code of ethics is based upon her teaching and her example. As that code broadens and becomes more heedful of the "other fellow," more nearly concerns the welfare of society, then there comes the necessity that the mother, knowing the needs of the times, shall teach the social code to the children. A boy whose mother has taught him that politics is something abstruse and something necessarily unclean, of which she knows nothing, that boy is unnecessarily ignorant and will have much to learn on his advent into the larger world. He may not always learn the lesson aright, as his teachers may not possess the moral character of his mother.

I do not believe that any greater benefit can come to our people than that which will accrue by giving to the mothers the franchise privilege and responsibility, which will educate them to a clear comprehension of political needs, so that they may impart social ideals to the coming generation. I shall revert to these three propositions again.

I do not believe that a woman can be an adequate companion—looking at the matter from the selfish standpoint of the man—without realizing and comprehending those problems which are of the highest interest to every man who is a worthy citizen of the Republic.

Again, although there is no such thing as an inherent right to vote—indeed, no such thing as inherent rights of any kind, as all rights must flow from what is recognized from time to time as social expediency—yet, having established the ideals of democracy and of equal rights, as we conceive them, under democracy there can be no logical denial of the right of the woman to participate in government. Again, women in common with men have a duty to society and this duty can not be fully performed without knowledge of conditions and participation in the attempt to better them. Instead of being denied the vote, they, and men as well, should be compelled to vote.

Those men who have been of use in the world have usually traced their character to their mothers. It is inconceivable that any man of the right sort who had a mother sufficiently strong to mold his character would deny her adequacy to exercise the franchise. It is always the other fellow's mother that will not pass muster. Somehow, democracy and Christianity have not yet drilled into us the appreciation of the equal rights of the "other fellow."

When we consider our wives the viewpoint may be different. There has been a tradition imparted from other races of possession and of control. What a farce this control is, is known of all and especially fills the funny sheet with banal joy. This theory of possession and control may be operative in what is left of Turkey, but it has no standing with us.

The follies of extravagant women spring largely from this discredited theory of the sheltered life. There can not be a sheltered life for anyone in these days of yellow journalism, yellow dances, and questionable garb. The only shelter is the shelter of inherent character. I wish to quote from the great prophet of American democracy, Walt Whitman:

Her shape arises,
She, less guarded than ever, yet more guarded than ever;
The gross and soil'd she moves among do not make her gross and soil'd;
She knows the thoughts as she passes—nothing is conceal'd from her;
She is none the less considerate or friendly therefor;
She is the best belov'd—it is without exception—she has no reason to fear and she does not fear;
Oaths, quarrels, hiccupp'd songs, smutty expressions, are idle to her as she passes;
She is silent—she is possess'd of herself—they do not offend her;
She receives them as the laws of nature receive them—she is strong,
She, too, is a law of nature—there is no law stronger than she is.

When we come to consider our daughters, the idea which we must contend against, for it is still prevalent, is that she, too, if the family be financially fortunate, should purr by the fire and practice on the piano, learning nothing worse about life than what she may read of crimes in the newspapers and of disgusting nastiness in the erotic novels.

Of course, she can help the poor by giving them coins she begs from papa, but she must never know the source of his prosperity, for it often springs from social injustice; nor may she suspect that the remedy for undeserved poverty must lie in letting the people have what they produce, rather than in begging papa to hand back to his real creditors, the working people, 2 cents on the dollar. That would be teaching her socialism.

I am often asked how suffrage works in practice. It works just as sane and sensible people would expect it to work. In California, it has improved our conditions in all respects, and most visibly in the decency which has come about in elections. Women have not been anxious to force or to inaugurate women's policies. For this, they deserve our gratitude. Nothing could be worse than that a sex line should be drawn in politics. We feel that we shall never have to meet this issue.

For 20 years I have been in the thick of political contention. I know the great game of practical politics from the suburbs to the stock yards, from the city to the thrashing crew in the field. There is nothing dirty about politics unless the cards are played with dirty hands. We have seen in California, with woman suffrage, the schoolhouse displace the saloon as political headquarters.

With the ballot we confer upon our women, our partners and companions, an added appreciation of social responsibility, an ability to contribute directly to social welfare, a noble, a limitless opportunity for the exercise of that altruistic sense which they possess more fully than do men.

As to those who oppose our ideals of society and of democracy—as these ideals appear in the adult suffrage movement—I have never been able to comprehend the arguments of such of them as are disinterested and honest. I realize that many people are belated. Let us pray that they may soon catch up with progress. But there are many whose opposition bears the stigmata of vicious personal interest; the alcohol traffic, white slavery, much of the polite and useless and demoralized society are opposed to the emancipation of women. The alliances which are formed against adult suffrage are surprising.

It is strange to consider the opposition here in Washington. To anyone who knows how anxious are the Members of the House and Senate to receive the vote of their constituents it seems obvious that those Members who violently line up in opposition have no faith that their wives would vote for them if they had a chance.

We hear talk of the feminization of the race, but men have not been feminized by having been born of woman, any more than the widow who has struggled in the world of men, that her sons and daughters might live, has become masculine.

Effeminacy is not a matter of sex. It is a question of uselessness. The stronger, the keener, the more intelligent our women become, the more virile will be the race.

I began with the thought of equal companionship, the ideal of a home where human nature can develop to the full. You, whose mothers and wives are strong, able, loving women, have you never felt the thrill of real fellowship, have you never added to the tenderly loyal affection you feel for them as women, the handclasp which you give to the man who is your closest friend? You who have never enjoyed the privilege of going to the polls, our most sacred shrine, in company with your mother and your wife, as I have done, can not realize the supreme pleasure of sharing with your nearest and dearest the highest of privileges, that of full American citizenship.

In closing I again quote from Whitman:

Where women walk in public processions in the streets, the same as the men,
Where they enter the public assembly and take places the same as the men;
Where the city of the faithfullest friends stands;
Where the city of the cleanliness of the sexes stands;
Where the city of the healthiest fathers stands;
Where the city of the best-bodied mothers stands;
There the great city stands.

Preparedness for War.

EXTENSION OF REMARKS
OF
HON. KENNETH D. McKELLAR,
OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, September 6, 1913.

Mr. McKELLAR. Mr. Speaker, several days ago various newspapers published statements, purporting to come from the Secretary of War, about our unpreparedness for war in so far as our Army is concerned.

I am confident that these published statements did not correctly set forth the views of the Secretary of War, and on Sunday last a statement was made by Mr. JAMES HAY, the chairman of the Committee on Military Affairs of this House, which statement so clearly sets forth the condition of our Army and its preparedness to meet any emergency that I feel that this statement should go in the RECORD.

Therefore I ask unanimous consent that it may be printed in that part of the RECORD reserved for such documents as a part of my remarks.

The statement is as follows:

ARMY READY, HE SAYS—HAY, OF VIRGINIA, MAKES REPLY TO SECRETARY GARRISON—URGES CRITICS TO GET FACTS—REPRESENTATIVE ASSERTS THAT PEOPLE WOULD NOT STAND FOR LARGER FORCE—COSTS $160,000,000 YEARLY NOW—NO MIDDLE GROUND BETWEEN PRESENT PLAN AND ENLISTMENT OF 500,000 MEN.

Representative JAMES HAY, of Virginia, chairman of the House Military Affairs Committee, yesterday scoffed at the statement of Secretary of War Garrison that the United States is unprepared for war so far as its Army is concerned. He declared that the Army of this country is exactly what it is intended to be; that is, a nucleus for the country to rally around in time of war.

"We have an Army," said Mr. HAY, "that is better paid, better clothed, better housed, and better equipped than any army of its size in the world. The personnel, both enlisted men and officers, is unsurpassed. Our officers are particularly well educated in all branches of military science.

"The genius of the American people will never stand for a large army. Our present Army cost over $100,000,000 last year, and in the last 10 years we have spent over $1,000,000,000 on the Army. If that vast amount has not produced anything better than we are led to believe by statements recently made, it would be a great deal better to stop the appropriations altogether.

AMPLE RESERVE SUPPLY.

"As a matter of fact, we have in reserve over 1,000,000 service rifles and all the small-arms ammunition needed for them. Our reserve of small-arms ammunition is now what the War Department has frequently told Congress it desired.

"We are acquiring field artillery in reserve and field artillery ammunition in reserve. We have a large clothing reserve and a plentiful quantity of medical supplies.

"So that the Army is prepared for any emergency that may arise.

"The only way possible to put this country on a footing with the first-class powers is to increase the Regular Army to at least 500,000 men. That would cost not less than $500,000,000 a year. We have not had a war with a first-class power since 1812, and it does not seem to me that we would be justified in spending so much and departing from a policy in order to be prepared for a war which is in the minds of some people, but which, as a matter of fact, taking our situation into consideration, is inconceivable.

"The plan proposed by some persons to have a reserve is based upon what is done in continental Europe, where military service is compulsory. In order to have a reserve here we must pay for it. It is impracticable to expect men to enlist for one, two, or three years and then serve without pay four years in the reserves.

MAKE ARMY EFFICIENT.

"The service is not so attractive as to invite men to serve without pay, and it seems to me to be the part of wisdom to make the Army we have, which can not be increased, the most efficient in the world instead of aping the militarism of continental Europe.

"We have a national guard of about 120,000 men, who in a short time could be placed in the field and render efficient service. There is a bill pending now in Congress to create in time of war a volunteer force, which will probably become a law before this Congress ends.

"So Congress, at least, has not been neglecting the Army nor blind to the importance of preparing for the defense of the country in time of war.

"For myself I deplore the action of some gentlemen in holding up the Army of the United States to the world as inefficient and unprepared, when they ought to know, if they take the trouble to learn the facts, that such is not the case."

Memorial of the Carded Woolen Manufacturers' Association.

EXTENSION OF REMARKS

OF

HON. ASHER C. HINDS,

OF MAINE,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, September 4, 1913.

Mr. HINDS. Mr. Chairman, I ask permission to insert in the RECORD a memorial of the Carded Woolen Manufacturers' Association. Although the woolen schedule has been dealt with by the House and Senate, yet certain manufacturers ask the favor of printing certain views. As it has been an important matter in the State which I in part represent, I ask that this memorial be preserved in this way.

The CHAIRMAN. The gentleman from Maine [Mr. HINDS] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The memorial referred to is as follows:

SCHEDULE K AND THE RULE OF JUSTICE.

When we act we should act with caution and prudence, like men who know what they are about, and not like those in love with a theory. (Woodrow Wilson.)

A letter to the President of the United States and the Sixty-third Congress from the Carded Woolen Manufacturers' Association.

CARDED WOOLEN MANUFACTURERS' ASSOCIATION,
450 OLD SOUTH BUILDING,
Boston, Mass., June 26, 1913.

To the President of the United States and Members of the House and Senate of the Sixty-third Congress, Washington, D. C.

SIRS: Four years ago the carded woolen manufacturers were among the first to urge the Sixty-first Congress to make the tariff on wool and wool goods fair to all producers and consumers by making the rates ad valorem instead of specific. The request was denied, and as a result not only the wool-manufacturing industry but the business of the entire country has been kept in a state of uncertainty by tariff agitation. Now the Sixty-third Congress is engaged in revising the tariff, and we desire to call your attention to serious defects in the Underwood Schedule K as passed by the House of Representatives and as redrafted by the Finance Committee of the Senate.

FREE WOOL IS UNJUSTIFIABLE.

The first defect to which we direct your attention is the removal of the duty from wool and wool by-products. This feature of the proposed revision is unjustifiable, regardless of whether the tariff is designed for protection or for revenue only. It will not be denied that this country is suited for the growing of wool and for converting wool into finished products. Consequently, a tariff on wool or wool goods is protective, regardless of whether it is intended for revenue or for protection. It follows that a tariff on wool materials must be placed on wool, by-products, and manufactures of wool, in order to be fair.

The history of the Payne-Aldrich tariff law illustrates a fact that requires no proof—that is, that a tariff law must be based on justice in order to be reasonably permanent. A tariff act which protects one class of producers and exposes another class to the full force of foreign competition introduces that element of privilege and discrimination so abhorrent to the American sense of fair play. Gov. Wilson in his speech accepting the nomination for President said:

"There are two great things to do. One is to set up the rule of justice and of right in such matters as the tariff."

We ask that the rule of justice be applied in the revision of Schedule K by placing a fair duty on wool as well as on wool goods.

ANOTHER PERIOD OF AGITATION.

A law that makes wool free and places a duty on manufactures of wool will settle nothing. Its enactment will be the beginning of another period of agitation to place a duty on wool and wool by-products or to remove all duties from wool goods. If there are any manufacturers so shortsighted as to want wool free of duty in their mills, while a duty is retained on the products of their mills, we want it understood that we are not numbered among them. The country has not voted for free wool or free trade. Gov. Wilson when a candidate for President put the quietus on free trade, so far as he and his party were concerned, by this statement:

"You can not have free trade in the United States, because the Government of the United States is of necessity, with our present division of the field of taxation between the Federal and the State Governments, supported in large part by the duties collected at the ports."

A large majority of the voters at the last election cast their ballots for candidates who favored protection to American industries. It is admitted that the Underwood bill as originally framed by the Committee on Ways and Means provided for a duty on wool. We ask that the will of the voters be obeyed by carrying out this plan of the committee, and presumably of the House of Representatives, and that the tariff on wool materials, whether framed for revenue or for protection, shall be apportioned fairly on all commercial products—wool, by-products, tops, yarns, roving, and fabrics. As to the rate to be placed on wool we recommend that it be ad valorem and that it be the same on all kinds of wool and wool by-products. Only in this way will it be fair.

THE TARIFF ON WOOL GOODS.

As to the tariff on partly manufactured products and finished wool goods, it is our deliberate judgment that the 35 per cent proposed by the Underwood bill is calculated to cause serious injury to wool manufacturing in this country. The belief is based on our own experience and on the recent experience of the Canadian woolen industry under a tariff approximating very closely the Underwood rates. In this connection we call your attention to the report of a recent investigation of the Canadian woolen industry made by a representative of the Daily Trade Record, of New York, and which has been printed as a Senate document. We believe that wool manufacturing is as efficient and economical in the United States as anywhere in the world, if efficiency and economy are measured not in dollars and cents but in the expenditure of labor and material to produce a given result in the finished fabric. But wool and wool goods are exchanged in foreign and domestic commerce on the basis of dollars and cents. The American woolen industry is unable to compete with the foreign industry under the Underwood tariff rates because of the higher money cost for labor and other items of manufacturing expense in the United States. Added to this is the important fact that for nearly 50 years woolen manufacturing in this country has been conducted under the unequal conditions created by specific tariff rates, by which vast quantities of certain grades of raw material have been excluded from the country by prohibitory duties, while other grades of raw material have been imported under comparatively low duties. The equipment and organization of our mills, the processes of manufacture, and the experience of our operatives have all become adjusted to these arbitrary conditions that have resulted directly from the laws enacted and enforced by the United States Government.

OFFICIAL RESPONSIBILITY.

Those charged with the duty of revising the tariff now should remember that the United States Government is solely responsible for the arbitrary conditions that have resulted from the woolen schedule enacted in 1867 and still in force. For that Government now, after a period of 46 years, to change suddenly from high specific duties to the low ad valorem rates of the Underwood bill would be an act of injustice that would prove disastrous to the wool manufacturers of the country.

These facts, in our judgment, create an obligation on the part of the present administration to make no change in policy without giving American manufacturers time to adjust their manufacturing plants, organization, and processes to the new conditions. Whatever form this bill may finally take, we earnestly urge that the duties on foreign manufactured goods should not become operative until 90 days after the change on raw material goes into effect. In taking this course, which is prompted by justice, common sense, and ordinary prudence, we are but urging that you put into practice the following policy stated by Gov. Wilson in his speech accepting the nomination for President:

"We do not ignore the fact that the business of a country like ours is exceedingly sensitive to changes in legislation of this kind. It has been built up, however ill-advisedly, upon tariff schedules written in the way I have indicated, and its foundations must not be too radically or too suddenly disturbed. When we act we should act with caution and prudence, like men who know what they are about and not like those in love with a theory. It is obvious that the changes we make should be made only at such a rate and in such a way as will least interfere with the normal and healthful course of commerce and manufacture."

The fixing of the rates on wool goods under such complex conditions as obtain at present is a matter not of arithmetical calculation but of judgment. It is our judgment that the new tariff should, as the first step in tariff revision, be made to provide a net protection of not less than 45 per cent ad valorem on the finished goods, and that the duties on partly manufactured articles—tops, yarns, etc.—shall bear the same proportion to the rate on the finished goods that the cost of manufacturing such products bears to the cost of manufacturing the finished goods.

We ask you, regardless of party affiliations, to support the various suggestions we have made for the revision of Schedule K, because we believe they will contribute to a settlement of this question on a basis of justice and thus give to the textile trade and the country an assurance of freedom from tariff agitation.

Respectfully,

CARDED WOOLEN MANUFACTURERS' ASSOCIATION,
EDWARD MOIR, *President.*
ARTHUR WHEELOCK, *Secretary.*

Steel Cars on Railroads.

EXTENSION OF REMARKS

OF

HON. CHARLES A. TALCOTT,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Monday, September 8, 1913.

Mr. TALCOTT of New York. Mr. Speaker, I ask unanimous consent to extend in the RECORD remarks I made before the Interstate and Foreign Commerce Committee last February concerning the use of steel cars on railroads.

The SPEAKER. The gentleman from New York [Mr. TALCOTT] asks unanimous consent to extend his remarks in the RECORD on the subject of steel cars on railroads. Is there objection? The Chair hears none.

The remarks referred to are as follows:

Mr. TALCOTT. In April, 1911, Mr. Chairman and gentlemen of the committee, an excursion of teachers left Utica, N. Y., for this city on the Delaware & Lackawanna Railroad. The route was first to Binghamton by the branch line, then by the main line of the Delaware & Lackawanna to Stroudsburg, where the train was transferred to the tracks of the Pennsylvania Railroad, and on that road, at Martins Creek, in the State of Pennsylvania, the train was derailed and 12 of the excursionists were killed, and, the cars taking fire, some were burned to death. This disaster called my attention to the matter of steel cars, especially so when the report of the Interstate Commerce Commission in regard to that accident contained as one of the findings that if steel cars had been used on this train there would have been little, if any, loss of life.

The desirability of steel cars needs very little argument now. First, it is established by the action of the managers of railroad companies themselves who are voluntarily introducing steel cars in their equipment throughout, and the following shows the increase in the purchase of steel cars during the past few years: Recent statistics given by the Railway Age show that in January of 1912 the passenger cars under construction were about 77 per cent steel, 16 per cent wood with steel underframes, and 7 per cent wood. The increase of steel and steel underframe passenger cars is shown by the following table:

Cars approximately in service.

	Steel.	Steel underframes.
Jan. 1, 1909	629	673
Jan. 1, 1910	1,117	1,098
Jan. 1, 1911	3,133	1,636
Jan. 1 1912	5,347	2,399
Increase 1912 over 1909	4,718	1,726
Increase, 1912 over 1909 per cent	750	256

So far as interstate commerce is concerned, many roads equip trains traveling at a high rate of speed with steel cars now.

Second, the results of accidents show the great superiority of steel cars. Take the accident to the Twentieth Century Limited at Hyde Park, New York, in March, 1912, when the cars, with one exception, traveling 60 miles an hour were derailed, the track for hundreds of feet torn up and demolished, and the train thrown into the Hudson without a single fatality; or take the accident on the Pennsylvania Railroad at Warrior Bridge, in February, 1912, where the whole train was thrown down an embankment when traveling at the rate of 60 miles an hour with only five fatalities; then compare these cases with cases like the Martins Creek disaster, or the disaster at Westport, or the disaster on the Delaware & Lackawanna road at Corning and you have evidence of the superiority of steel cars that is strong and convincing.

Third, the superiority of steel cars is shown by the reports of the Interstate Commerce Commission and the reports of the experts connected with that commission as well as the reports of other experts. Accidents have been investigated and reports have been made to the Interstate Commerce Commission in regard to them, and the commission has given thorough consideration to the necessity of the introduction of steel cars. In the report of the Interstate Commerce Commission for 1911 at page 91 there is the following reference to steel cars:

The commission on February 2, 1911, in responding to Senate resolution of June 25, 1910, respecting the cost of building and maintaining postal cars of wooden and of steel construction, reported in part as follows:

"We regard the steel car for use in passenger trains as having passed the experimental stage, as is evidenced by the rapidly increasing use of that type in newly constructed sleeping cars, coaches, and dining cars. There can be no doubt that a steel mail car will afford much more protection to the safety of the employees in the car as well as to the mail matter. The cost of a steel car is but little more than that of a wooden car. The cost of maintenance of the steel car can not be accurately stated at this time, but there is no reason to assume that it will be much greater than for a wooden car. In any event the extra cost of construction and maintenance can not equal the advantages arising from the added safety which the steel car affords. We think that hereafter steel mail cars should be constructed in the place of other types made partly or largely of wood."

In the report of the Interstate Commerce Commission for 1912, at page 62, there is the following:

In its last annual report the commission recommended legislation requiring the adoption of steel cars and the use of the block system, as well as standardization of the operating rules of all interstate carriers. It also noted the necessity of ascertaining and improving the physical condition of tracks and roadways. Up to September 1, 1912, 81 accidents had been investigated, 49 of which were collisions and 31 derailments, the other one being a grade-crossing accident. These investigations have confirmed the superiority of the steel car from the standpoint of safety. It may be noted, however, that the railroads generally are replacing their older cars with modern cars of all-steel or steel underframe construction as rapidly as conditions will permit, and as a result the danger from the use of unsound cars is gradually disappearing.

In his report on the accident at Westport, Conn., October 3, 1912, Commissioner McChord says:

The cars in train second No. 53 were of wooden construction, and the forward end of the first parlor car was lying against and across the fire box of the overturned engine and immediately caught fire. Three parlor cars were burned. It is obvious that had these cars been of modern steel construction they would not have been destroyed by fire, and it might have been possible to have saved the lives of some of the injured passengers who were caught in the wreckage and crestrate the inherent weakness of wooden cars and their unsuitability for service in modern high-speed trains, and emphasizes the necessity of compliance with the commission's recommendation in its last annual report relative to the adoption of steel cars.

The report of the accident at Warrior Bridge, Pa., February 15, 1912, says (Accident Bulletin No. 43, p. 26):

The comparatively small loss of life can undoubtedly be attributed to the all-steel equipment of the train.

In his report on the accident near East Corning July 4, 1912, Mr. H. W. Belnap, chief inspector of safety appliances of the Interstate Commerce Commission, says:

This accident has again demonstrated the superiority of all-steel equipment. In this connection attention is called to the following recommendation which was made in the report dealing with the accident which occurred on the Pennsylvania Railroad at Fort Wayne, Ind., on August 13, 1911:

"That in order to provide the safety to which the traveling public is entitled, the substitution of all-steel equipment in high-speed passenger service shall be required at the earliest practicable date."

It is also noted that in its twenty-fifth annual report to Congress the commission recommended "the adoption of steel cars—postal, baggage, and passenger."

In the report on the accident near Estabutchie, Miss., Mr. Belnap says:

The first three cars of this train were of steel underframe construction, and none of them were materially damaged, as is shown by illustration No. 1. In illustration No. 2 the dining car is seen at the left, standing on the southern end of the trestle. On the right is seen the third car of the train, the body of it being perfectly undamaged. Between these two cars can be see the remnants of the two wooden tourist cars, one of which was built 26 years ago. What happened to these two cars can not but lend emphasis to the recommendation contained in the commission's last report to Congress that the adoption of steel cars be required. The bridge through which these cars plunged, although in good condition and well maintained, was not of sufficient strength to withstand the pressure to which it was subjected. Had these cars been of modern steel underframe or all-steel construction, or had the bridge been of stronger construction, the long list of casualties would undoubtedly have been greatly reduced.

In the report of the accident at Fort Wayne, Ind., August 13, 1911, he says:

The entire equipment of the train, with the exception of the dining car, was of all-steel construction. The dining car was equipped with non-telescoping ends. The speed of this train was so great and the impact of the colliding engines so terrific that the head engine on No. 28, as well as the freight engine which they fouled on track No. 3, was turned entirely around. Several of the six-wheel trucks were torn from the

cars in No. 28 and buried entirely in the rock ballast of the roadbed, while three of the cars of this train were torn entirely from their trucks and landed at the foot of the embankment.

Had the cars on this train been of the wooden construction commonly used they would undoubtedly have been crushed to pieces and telescoped by the impact, causing a frightful loss of life. To the all-steel equipment can undoubtedly be attributed the fact that not a passenger lost his life and only one was seriously injured.

And among the recommendations made is the following:

It is further recommended that, in order to provide the safety to which the traveling public is entitled, the substitution of all-steel equipment for wooden equipment in high-speed passenger service shall be required at the earliest practicable date.

The bill H. R. 11822 was introduced by me June 17, 1911, referred to the Committee on Interstate and Foreign Commerce, and the committee requested the opinion of the Interstate Commerce Commission in respect to the bill. In the annual report of the commission for 1911, at page 91, there is the following statement in relation to that bill:

On June 24, 1911, in response to a request from the Committee on Interstate and Foreign Commerce of the House of Representatives for the expression of the commission's opinion with respect to House bill No. 11822, the intent of which was to require steel passenger cars, we further indicated our views regarding the requirement not only of steel postal cars, but also with respect to passenger, baggage, and express cars, as follows:

"* * * The commission has considered this bill and approves of its general purpose as a reasonable provision for greater safety, but would suggest the advisability of some modifications, as follows:

"1. It would deem highly important that the provisions of such act as may be passed in this respect should include all mail, baggage, and express cars.

"2. It is believed that the limit of time within which carriers should be prohibited from bringing into use new cars not in conformity with the provisions of the act should be approximately a year after the passage of the act or, possibly, a somewhat shorter period. This is suggested for the reason that there are doubtless many orders already placed and contracts in existence for the building of new cars, many of which are no doubt also in process of construction.

"3. It seems to us that the period within which all carriers subject to the act should be required to bring into conformity all their equipment of the kinds designated with the proposed act should be extended somewhat beyond that suggested in the bill, and perhaps ought to be not less than 10 years from the passage of the act. This suggestion is made because of the knowledge that at the expiration of a shorter period of time there would be many cars capable of as satisfactory service as they are now, and that to put them out of service altogether in a less period than that suggested would entail a very heavy loss upon the carriers and would deprive them of the use of cars approximately as good as many of their standard cars now in use.

"4. It is believed that even at the end of the 10-year period suggested there would be many cars available for further valuable service with reasonable safety, especially on minor roads where few and small trains are operated and for short distances. This would be particularly true with respect to cars of special construction and strength, such as Pullman cars. For these reasons it is also believed that the commission should be vested with authority, in the event the bill is enacted into law, to extend the period of time within which particular carriers might continue the use of cars, also the time within which any carrier might be permitted to use particular cars which might at that time be deemed by the commission to be reasonably safe upon such investigation or inquiry as might in its judgment be necessary."

The experience and observations of the commission since these views were expressed, taken as a whole, tend toward their confirmation.

When I framed bill H. R. 13038 I introduced provisions in keeping with some of these suggestions. It provides for steel postal, express, and baggage as well as for steel passenger cars, and discretion in relation to the operation of many provisions of the law is lodged with the Interstate Commerce Commission.

The bill, I think, is open to argument in but one section. It is that section which refers to the location of steel cars in the trains. I take it for granted, so far as the use of steel cars is concerned, that the case is made out by the Interstate Commerce Commission and by the opinion of all men who have made the matter a study.

Mr. ESCH. Would you think the increasing output of steel cars by the carriers is really an estoppel as against them from now claiming that they should not adopt steel cars?

Mr. TALCOTT. I think not, Mr. Esch. You yourself have given a great deal of time to this matter. You introduced the first bill, I think, in regard to steel cars. That must be seven or eight years ago.

Mr. ESCH. Eight years ago, I think.

Mr. TALCOTT. When I introduced this bill I did not know of your bill, but I found afterwards that you were really the pioneer in the matter. I think you realize, Mr. Esch, that in these matters there must be systematic action, that there must be a correlation established. If the measure related simply to the business of one railroad in a single State, it would be one thing; but here we are dealing with the regulation of the railroads of the whole country and there must be some way by which a degree of correlation can be had. Under this last bill of mine I have placed large discretionary power with the Interstate Commerce Commission, and there is nothing in the bill which is hostile to the railroad companies, for I believe they are just as much in need of this legislation as the people who use the railroads. They already have undertaken the introduction of steel cars to a very large extent, and it is the purpose of this bill to follow up this work and make it effective. If steel cars are used high speed is practicable; if wooden cars are used a safe limit of speed should be required.

Mr. DRISCOLL. Were there any steel cars in that excursion train?

Mr. TALCOTT. In the Martins Creek accident?

Mr. DRISCOLL. Yes.

Mr. TALCOTT. No, there was not one.

Mr. HAMILTON. That accident where the train was thrown into the Hudson, I am curious to know why some people were not drowned.

Mr. TALCOTT. The water was not deep enough there, I think. Of course, in deep water a steel car will sink, and I think a wooden car will also with its heavy trucks. The river was covered with ice.

Mr. HAMILTON. You said there was not a single casualty.

Mr. TALCOTT. I did not say a single casualty; I said there was not a single fatality. There was a large number of injuries, and so in the accident at Warrior Bridge, in Pennsylvania.

Mr. HAMILTON. I should think falling into the river would be just one of the cases where a steel train would be particularly defective.

Mr. TALCOTT. I did not intend to argue that a steel car was unsinkable, but I think you will find that the ordinary wooden car is no better. But, as I say, the last bill that I introduced, which is the basis of this hearing, contains the provisions of the bill first introduced by me, which was referred to in the report of the Interstate Commerce Commission for 1911, and it also contains provisions intended to carry out some of the suggestions contained in that report of the Interstate Commerce Commission. In section second there is a further provision in relation to the location of wooden cars in trains. That provision is as follows:

That from and after January 1, 1912, it shall be unlawful for any common carrier engaged in carrying United States mail to locate or run in any train between adjoining steel cars or between the engine and an adjoining steel car any mail car not constructed of steel, and from and after the said 1st day of January, 1912, it shall be unlawful for any common carrier engaged in interstate transportation to locate or run in any train on its line in interstate traffic or in interstate transportation of passengers between adjoining steel cars, or between the engine and an adjoining steel car, any express car, baggage car, or passenger car not constructed of steel.

Now, Mr. Chairman and gentlemen, that provision is simply an extension of the provision relating to the use of steel mail cars. It makes that provision applicable to passenger, express, and baggage as well as mail cars. And there is a criticism by one of the members of the Interstate Commerce Commission, I think, and his objection in part is based on the fact that the number of rear-end collisions exceeds the number of head-on collisions, and that if wooden cars are put in the rear end of the train they will get the full force of the impact in a rear-end collision; also that there are some matters of detail in the running of railroads that would make such a location of wooden cars inconvenient. Now, it seems to me the main criticism leaves out of consideration one important fact, and that is the number of accidents from derailment. If you take the number of accidents from derailment, together with the number of accidents from head-on collisions, they will greatly exceed the number of those from rear-end collisions; but, in the case of both head-on collisions and derailments, the presence of the steel car is a very great advantage.

Speaking in regard to the accident at Westport (in connection with the accident at Corning), the New York State Public Service Commission (Rept., p. 9) called attention to the fact that if there had been a steel car at the front of the train at Westport it would have saved a great many of the lives, because one great cause of loss of life was the burning of the Pullman cars, one of which fell across the fire box of the engine. This danger of fire seems to be always present in the accidents in which wooden cars are involved.

The CHAIRMAN. You spoke a few moments ago of the action of the railroads themselves in voluntarily adopting the use of these steel cars to some extent. I ask what your observation is as to the rapidity with which they are doing that. Are they making as much progress as they can reasonably be expected to make?

Mr. TALCOTT. That I can not state. I think the Interstate Commerce Commission can speak in relation to that.

Mr. ESCH. I think, Mr. TALCOTT, that in the January number of the Railway Gazette of this year you will find a list of steel cars put in commission by the various railroads in the United States. I have that list for a year ago, and I can hand it to you for printing in the record, if you wish.

Mr. TALCOTT. I think the last report of the Interstate Commerce Commission said that they were making as many introductions of steel cars as could be expected under the conditions.

But I think we have reached a point where steel cars on high-speed trains should be required. If wooden cars are used, a safe speed limit should be fixed.

The CHAIRMAN. I had in mind, at the beginning of this Congress, to insist on reporting a bill requiring all trains that run above a certain speed to be composed of steel cars.

Mr. TALCOTT. All steel cars?

The CHAIRMAN. Yes; all steel cars; but it was represented to me by the railroads, and, if I recollect rightly, the Interstate Commerce Commission was rather sanctioning that claim, that they were putting them in as rapidly as under the conditions they well could be expected to put them in.

Mr. TALCOTT. Well, under the conditions, but the conditions are not such as lead to satisfactory correlation of the work; and if the committee will refer this matter to the Interstate Commerce Commission I believe that the Interstate Commerce Commission will agree with this view.

The CHAIRMAN. You do not want to increase still further the profits of the Steel Trust by requiring the railroads to take their entire output, do you?

Mr. TALCOTT. That is not my purpose. I am in favor of steel cars, and I am also in favor of steel rails, and it seems to me that we have reached the point in transportation where both are necessary.

The CHAIRMAN. What is your idea, if legislation should be determined upon, to accelerate the progress of the railroads as to the limit of speed at which that requirement should be made?

Mr. TALCOTT. That I should have to ask somebody to pass upon who is more conversant with the practical matter of railroad transportation; but I think if the use of wooden cars is permitted a safe speed limit should be fixed.

Mr. DRISCOLL. Are you willing to let them wear out their wooden cars?

Mr. TALCOTT. In this bill that is left to the Interstate Commerce Commission.

Mr. ESCH. What limit do you put to the time that they should all be steel cars?

Mr. TALCOTT. The first limit was 1916. The commission, I think, recommended a limit of 10 years from the time the bill becomes law.

The CHAIRMAN. Would it not be all right to allow them to wear out their wooden cars by operating them in slow trains?

Mr. TALCOTT. Certainly; and there is that provision at the end of the bill, as follows:

SEC. 5. That the Interstate Commerce Commission may from time to time, upon full hearing and for good cause, extend the period within which any common carrier shall comply with the provisions of section 1 of this act, and the Interstate Commerce Commission may from time to time, after such investigation as may be necessary, permit any such common carrier to use particular mail cars, express cars, baggage cars, or passenger cars, the use of which shall be deemed by the commission to be reasonable and proper.

There has been no disposition, I think, to draw a harsh rule against the railroad companies; because, of course, there has to be adaptation to these circumstances, but the use of steel cars has gone so far now by the companies that complete equipment will be an easy matter.

In regard to the second section, I agree with you, Mr. Chairman, that the best plan, the only really safe way to make up a train is to have it all of steel cars. It does not make very much difference where you have the wooden cars in a train in which there are steel cars; in case of collision something must happen to the wooden car. For instance, in the Corning disaster the last car was a wooden car, and the next to the last car a steel car; then there was a wooden drawing-room car, or a wooden sleeping car; when the collision occurred the last car, the wooden car, was completely demolished and a great portion of the lives lost, I think, were lost in that car; the engine then telescoped the steel car about 5 feet, and it was only a steel coach, and drove it two-thirds way through the wooden sleeper. That case seems to show very conclusively that wherever you put the wooden car in the train something will happen to it, especially in a rear-end collision.

In the Mississippi case there were three steel cars ahead; then came two wooden cars, and these wooden cars were completely demolished. The steel cars were unharmed. It seems to me, however, that the safest place for the wooden cars, after all, is in the rear of the train; because then in a derailment or in a head-on collision you have the advantage of the protection of the steel car in front.

Mr. ESCH. Of course, head-on collisions are generally more disastrous than rear-end collisions, because the trains are approaching from opposite directions. In rear-end collisions the forward train is either stationary or moving in the same direction as the colliding train; hence the impact will never be so great as in the head-on collision.

Mr. TALCOTT. It would seem not. Of course, there have been very great losses of life in rear-end collisions, like the one at Corning; but I think you are right, Mr. Esch, as a general rule.

Mr. ESCH. You have heard some objections made to the installation of all-steel trains. One was on account of the added weight and hence the increase of motive power, the increase of the size of the rail and the strengthening of bridges. Do you think those objections are insuperable?

Mr. TALCOTT. The increase of weight in rolling stock has been so great during the last few years that I think almost all railroads have provided strength in roadway and bridges sufficient to stand the weight of steel cars. I doubt if the steel-car train produces so great weight as some of the freight trains when loaded. I do not think it makes very much difference in the expense of rolling stock, and I believe steel cars last longer. Take the two cars that were involved in the accident at Odessa. The rear car was a sleeper; the next car was a diner; they were both all-steel construction, and the last car was telescoped by the locomotive in the rear and telescoped in front by the dining car; but both these cars were taken 500 miles on their own trucks to Milwaukee to be repaired. The telescoping of the sleeper by the diner was caused by the unusual position in which the sleeper was placed when struck by the locomotive.

The CHAIRMAN. I believe you modestly disclaimed being a mechanical expert?

Mr. TALCOTT. I am not a mechanical expert. All I know about the subject I have learned since the accident at Martins Creek. The matter was called to my attention in this way.

The CHAIRMAN. I wished to examine you about this idea embodied in one of the bills. Of course, I understand that, so far as fire is concerned, the danger you speak of would be obviated; but would not strength and lightness of weight be as well obtained by the steel frame?

Mr. ESCH. Underframe.

The CHAIRMAN. As by the entire car?

Mr. TALCOTT. That is a matter of argument, and when I drew this bill I drew it with the idea that the term "steel cars" would cover both steel frame and all-steel construction.

The CHAIRMAN. I suppose the superstructure of steel cars is more expensive than the frame used in the framework, is it not, Mr. ESCH?

Mr. ESCH. Yes, sir; there is more of it.

The CHAIRMAN. It is of a more expensive character, too, is it not?

Mr. ESCH. You can put any amount of ornament you want to on it.

Mr. TALCOTT. I have this provision in the bill: "Unless constructed with steel by plans approved by the Interstate Commerce Commission." I thought that could be safely left with the Interstate Commerce Commission—whether there should be merely steel frame or entire steel construction. On the Harriman lines, as I understand it, where they have introduced steel cars to a large extent, they are of steel-frame construction. The superstructure is not steel, as is the case with many cars on the New York Central and Pennsylvania lines.

Mr. ESCH. I think the car sills are also made of steel, and the vestibules and framework are made of steel.

Mr. TALCOTT. That is so, too, on a great many wooden cars.

Mr. ESCH. You know we legislated in regard to mail cars, and I think the provision there was for steel cars or steel underframes.

Mr. TALCOTT. Steel underframes were provided for; yes.

Mr. ESCH. That raises another objection against all-steel cars; that is the possibility of heating; or, in our northern latitude, of keeping them heated in the winter season. What can you say in regard to that subject?

Mr. TALCOTT. I admit there may be some objection in that respect; but I have never noticed it on the New York Central, for instance, where steel construction is very generally used. I think both objections to the cold in winter and to the heat in summer in regard to steel cars is overcome by the great advantage of the steel in two respects. In the first place, by the use of steel superstructure you avoid one of the great dangers of fire; and, in the second place, you avoid the danger of loss and injury from splintering. A wooden superstructure when it goes through an accident is pretty well splintered; and there is time after time in the accidents that have occurred when injuries have been due to this splintering of the wood of the superstructure.

If I recall rightly, one of the lives that was lost at Bridgeport was lost in that way, and I think if you will take the reports of accidents and study the details you will find in the case of wooden cars many casualties have been occasioned by the splintering of the wooden superstructure. Those are the two advantages that I think outweigh the disadvantages, which,

of course, to a certain degree, exist in regard to temperature, both cold in winter, perhaps, and heat in summer. But as far as that is concerned these objections are merely temporary, because I think you are going to have a steel-car construction very soon, if you have it not already, that will give just as good protection against cold in winter and heat in summer as any wooden car has ever given. It must be remembered, too, that this question is not one of convenience merely; it is a question of safety, of protection to life.

I believe if a reasonable statute like the one before the committee is not enacted regulating the use of steel cars there are certain to be laws regulating the speed of trains in which are wooden cars.

I will print as a part of my remarks the following bill:

[H. R. 13038, Sixty-second Congress, first session.]

A bill to promote the safety of passengers and others upon railroads by compelling common carriers engaged in interstate commerce to use cars constructed of steel, and for other purposes.

Be it enacted, etc., That from and after the 1st day of January, 1914, it shall be unlawful for any common carrier engaged in carrying United States mails to use on its lines any mail car not constructed of steel, and that from and after the 1st day of January, 1918, it shall be unlawful for any common carrier engaged in interstate commerce to use on its lines in interstate traffic or in interstate transportation of passengers any express car, baggage car, or passenger car not constructed of steel.

SEC. 2. That from and after January 1, 1912, it shall be unlawful for any common carrier engaged in carrying United States mail to locate or run in any train between adjoining steel cars or between the engine and an adjoining steel car any mail car not constructed of steel; and from and after the said 1st day of January, 1912, it shall be unlawful for any common carrier engaged in interstate commerce to locate or run in any train on its line in interstate traffic or in interstate transportation of passengers between adjoining steel cars, or between the engine and an adjoining steel car, any express car, baggage car, or passenger car not constructed of steel.

SEC. 3. That from and after January 1, 1913, any common carrier engaged in carrying United States mail is prohibited from bringing into use on its line any new mail car not constructed of steel; and that from any after January 1, 1913, any common carrier engaged in interstate commerce is prohibited from bringing into use on its line in interstate traffic or interstate transportation of passengers any new or additional express cars, baggage cars, or passenger cars unless constructed of steel in accordance with plans approved by the Interstate Commerce Commission.

SEC. 4. That any such common carrier using on its lines any mail car, express car, baggage car, or passenger car in violation of any of the provisions of this act shall be liable to a penalty of $1,000 for each and every such violation, to be recovered in a suit or suits to be brought by the United States district attorney in the district court of the United States having jurisdiction in the locality where such violations shall have been committed; and it shall be the duty of such district attorney to bring such suits upon duly verified information of such violation being lodged with him; and it shall be the duty of the Interstate Commerce Commission to lodge with the proper district attorneys information of any such violations as may come to its knowledge. Every distinct violation shall be a separate offense, and in case of a continuing violation each day shall be deemed a separate offense.

SEC. 5. That the Interstate Commerce Commission may from time to time, upon full hearing and for good cause, extend the period within which any common carrier shall comply with the provisions of section 1 of this act, and the Interstate Commerce Commission may from time to time, after such investigation as may be necessary, permit any such common carrier to use particular mail cars, express cars, baggage cars, or passenger cars the use of which shall be deemed by the commission to be reasonable and proper.

The Late Maine Election.

EXTENSION OF REMARKS
OF
HON. GUY T. HELVERING,
OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, September 11, 1913.

Mr. HELVERING. Mr. Speaker, we have heard considerable from the other side of the House in relation to the recent contest in Maine, and it would appear, if we are to take Republican authority for it, that a most notable victory was won.

However, I note, when we begin to look into the records of the past, that the third Maine district, in its present form and before it was redistricted, has been practically uniformly Republican, as in the last 17 elections the Democrats have been successful but once. Evidently our friends, the enemy, are content with most any crumb of comfort, as they have but slight hopes of soon securing a square meal at the table provided by the voters for their honored guests.

Now you will note that while our opponents are ready to proclaim that the election of Mr. PETERS means a repudiation of Democratic tariff legislation, the statistics show that the Democrats polled their normal vote, and that, in my opinion, is remarkable under the circumstances.

I say remarkable, because the most contemptible pressure has been brought to bear to sway the voters of that district—a form of oppression used with success in the campaign of 1896 and at frequent intervals since in order to prevent Democratic victory.

I hold in my hand a copy of a calamity sheet published in Skowhegan, Me., on January 2, 1913. Mark the date, for it furnishes the proof that even before the death of Mr. Goodwin the manufacturers of Skowhegan had started out to discredit Democratic legislation by threatening their employees with the most dire results if the tariff was revised downward.

This paper was sent to me by one E. B. Moore, treasurer of the Wesserunsett Worsted Co., of Skowhegan, and I am led to the conclusion that he and the other manufacturers had financed the publication, because we find on the first page, in bold-faced type, the announcement that by sending to the office of the publisher a list of the names of those to whom it is wished to send the paper all would be furnished copies. I have yet to find a publisher willing to do this for nothing, and it is an extremely probable conclusion to infer that he would look for his pay to come from Moore and other interested parties, especially as Mr. Moore seemed to be active in circulating the sheet among Representatives.

On the first page we find a picture representing the satyr "Radical tariff revision," bringing ruin and desolation to a manufacturing center. On the last page we find an illustration showing how "Soup houses came after the Wilson bill passed." The relation of the Wilson bill to the disastrous times of the early nineties has been too often discussed to require any attention at this time, and as the prophecy contained in the first illustration can only result from a distorted imagination we can only deal with it as romance and dismiss it as unworthy of argument.

The leading article we find is an interview with this same E. B. Moore, and from that I will quote but one paragraph, for it shows to what extremes these tariff beneficiaries will go when it is feared that special privilege is to be withdrawn from them. Mr. Moore said:

> Our company will close the Wesserunsett Worsted Mills if the Underwood-La Follette bill becomes a law, and I further predict that every other mill in this community engaged in any branch of the textile industry will have to close its doors.

And with that threat to the labor of Skowhegan Mr. Wood and his brother manufacturers would have each one of the 6,000 people of Skowhegan write to all of those with whom they have business relations, to all relatives and personal friends, and thus secure at least 100,000 to bring pressure to bear on Congress to let the special privilege alone.

Were these men who started this campaign of misrepresentation and coercion engaged in a legitimate business? I will let Mr Moore answer that, and the quotation which I shall read is from the brief which he submitted to Hon. OSCAR UNDERWOOD, chairman of the Ways and Means Committee. Mr. Moore wrote:

> Cloths marked "Made in Britain," "Made in Germany," "Made in France" command a higher price and are given the preference by the American buying public over even more meritorious cloths offered as domestic. A large percentage of the cloths now sold to the consumer as imported are made here.

From this we must logically conclude that the American manufacturers, at least some of them, are not above obtaining money under false pretenses. For once I am inclined to give them credit, for it is their due. They are only guilty of petty larceny in misrepresenting only a portion of their product, while they could make a much greater profit by resorting to grand larceny and misrepresenting it all.

And while we are on this subject we should not overlook the fact that the manufacturers are, by their own statement, given a protection not shown in the tariff rate. We know what the latter amounts to; but according to Mr. Moore they have another margin of protection, because the American consumer pays a higher price for the goods with a foreign label.

But let us return to our calamity sheet. Here we find interviews with various business men of Skowhegan. How much these interviews were influenced by the pressure brought to bear by the manufacturers I do not know, but it is reasonable to believe that those who are asking the people of Skowhegan to bring pressure to bear on Congress would not be above using coercion to get the desired interview from those who exist largely by and through the favor of the mill managers. Some of these interviews are worthy of publication in Puck or Judge, and I will read a few excerpts to show you how illuminating they are.

We find that Mr. S. H. Swain, who is, we are informed, the biggest real estate agent in the county, the first real estate agent to sell Maine farms extensively and now the agent for the E. A. Strout Farm Agency, of New York, the biggest in the country—thus it is that the paper introduces him—can only see

ruin to himself and his town if Mr. Moore's predictions come true, and he is certain that this ruin will engulf him and wreck his business, a business, by the way, which is so enormous that he has "been able in 12 years' time to sell 60 farms in Somerset County to people from other States and Aroostook County men, as well as others."

If the real estate movement is to be judged by this volume of business done in 12 years, it would appear as if there was mighty little to ruin.

Mr. F. W. Bucknam is proprietor of the largest drug store in the county—again I quote the paper. He says:

> The closing of our textile mills in town would so cripple the drug business, at least, I have my doubts as to whether or not we could ever recover from the blow.

From which we conclude that revision downward will mean less sickness, less drugs to be bought, and I am surprised that Mr. Moore did not follow this up with an interview with the undertaker to show that as the result of this decrease in sickness and in the purchase of medicine he would be forced to either go out of business or else offer cut rates in coffins.

Even the milkman has to be dragged into this calamity chorus, and A. C. Newton, who is declared to be one of the biggest milk dealers in the county, says:

> The milkmen of Skowhegan can not furnish as good milk with the worsted and woolen mills of our town closed as they do now.

There is logic for you. As soon as the cows are informed that the Underwood bill has become a law they will immediately seek revenge by impairing the quality of their product. They might stand for our putting their hides and their meat on the free list, but if we touch the profits of Mr. Wood they will visit us with their vengeance.

I could quote many more such extraordinary statements from this sheet, but will not go further into it. I have referred to it in order to show you the pressure brought to bear upon the voters of the third district of Maine. The men who were threatening in January were unquestionably making use of threats in September. We can imagine the way the voters who were employed in these mills were intimidated and threatened with the loss of employment if they did not vote against the party which had made tariff revision possible. For the voters who were so intimidated I have naught but sympathy. It is pretty hard to be true to your convictions when, if you live up to them, you are threatened with loss of employment, and have wife and children in the home who must be fed and clothed. That many of these voters were so intimidated I have no doubt, but the astonishing thing is that there were to be found in that district nearly 15,000 voters who were independent enough to say to those men who would debauch the ballot: "You may control the labor which we sell to you; you may possess the right to say whether you shall or shall not give to us employment, but you can not control our franchise or our rights as American citizens."

Oh, yes, our Republican friends may rejoice over the result of this particular election, but I wonder if they are enamored with the means resorted to in order to encompass it?

Banking and Currency Bill.

EXTENSION OF REMARKS
OF
HON. S. A. WITHERSPOON,
OF MISSISSIPPI,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, September 10, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. WITHERSPOON. Mr. Speaker, under general leave to print and extend my remarks in the RECORD I submit the substance of the speech delivered by me in the Democratic caucus, as follows:

This bill provides for a currency system as a substitute for our present system. The proposed currency is based on certain assets described in the bill, and within the short time at my disposal I wish to advocate the proposition that the notes of farmers, secured by the warehouse receipts of the products of their tolls, should be included in the assets forming the basis of this currency.

In order that my position shall not be misunderstood I wish to say that I am opposed to all asset currency. According to my understanding of the subject asset currency is a return to the ages of barbarism. Centuries ago, when the science of money was unknown, divers assets were used as a medium of exchange. In the rude ages of a misty antiquity cattle were used as money, and Diomede gave nine oxen for his armor, while Glaucus gave a hundred. Instead of money the people used salt in Abyssinia, shells in India, dried cod in Newfoundland, tobacco in Virginia, sugar in the West Indies, nails in Scotland, copper in Rome, iron in Sparta, and other commodities in other countries. But the lessons of experience and the wisdom of centuries finally forced all civilized countries to the conclusion that silver and gold are the best mediums of exchange, and the very qualities of those metals convinced the world for many centuries that they were created by God and stored in the earth to serve its inhabitants as the best money that can be used.

But the fact that for so many centuries these metals proved that by their use the people could exchange their commodities at the least possible cost and with the maximum amount of justice between man and man, and that their use as money afforded the least possibility for selfishness and greed to monopolize and appropriate the profits of the people's toil, brought down on both metals the most bitter hostility of modern commercialism, which hostility first manifested itself in the demonetization of silver throughout the world, and, secondly, in a scheme of currency by which the use of gold as a medium of exchange shall be as effectually prevented as that of silver. This scheme of currency locks up in the vaults of the banks all the gold in existence, calling it a bank reserve, forbids its use as a medium of exchange, and destroys its function as money just the same as if it were all buried in the bottom of the ocean.

When the law stops the coinage of silver and then provides as a condition of conducting the banking business that the banks shall accumulate and monopolize all the gold and silver money of the country and lock it up in their vaults and call it a sacred reserve never to be used as a medium of exchange, it has effectually destroyed the use of money and created the necessity for the substitution of something else in its stead. The substitute which modern selfishness, greed, and ignorance has found for money is bank credits, and the present bill, recognizing the utter unreliability of bank credits as a substitute for money, shapes those credits in the form of currency notes and secures them by the deposit of assets as a basis of their issuance.

The adoption of this asset currency is the legitimate offspring of goldbuggery. It is the logical and inevitable conclusion which follows the gold-standard heresy. When we accept the stupid nonsense that gold is the only legitimate medium of exchange, then the fact that this one metal is so limited in quantity that it can not possibly affect as money the interchange of our commodities, we are forced to discover something else as a substitute, and the present bill has discovered bank credits in the form of currency notes secured by assets. This was the aim and purpose of the bankers of the world when they fooled the people into the demonetization of silver, and in this bill they will realize the fulfillment of their fondest dream. It is the return of civilization to the asset money of the barbarous ages. It is the rejection of all the lessons of the centuries and the repudiation of all the experience and wisdom of the past. It tramples under foot the science of money as developed and expounded by the great philosophers of political economy and follows the footsteps of selfishness and greed. It is the same old cross of gold on which the people hung in 1896 and listened to the thunder of Bryan's eloquence. It is the same old crown, but its cruel thorns have grown much longer, sharper, and more poisonous than they were 17 years ago.

AGRICULTURAL ASSETS.

While I oppose all forms of asset money, yet, assuming what I believe to be true, that the present scheme of asset currency will become the law of the land, I contend that the notes of farmers, secured by warehouse receipts for the products of their toil, should be made the basis of the proposed currency on the same terms as the paper of commercial and manufacturing concerns, and that no discrimination should be made against agriculture in favor of either commerce or manufactures, and if it were necessary to make any discrimination at all I should favor making it in favor of agriculture, because it is the basis of the prosperity of both commerce and manufactures.

The contention that the issuance of currency would involve the system in speculation and increase the high cost of living suggests two questions with reference to this feature of the bill. The first of the questions is whether the language of the bill does or does not include the notes of farmers, and the second question is whether or not they should be embraced.

First. Does the language of the bill include or exclude the notes of farmers secured by agricultural products? On this question my position is that section 14 of the bill does embrace

such paper and makes it eligible for rediscount at the regional reserve bank, but that section 17 of the bill authorizes the Federal reserve board to refuse the issuance of the proposed currency on the security of such notes, and that if the Federal reserve board should see fit to reject such notes as the basis of the new currency their eligibility for rediscount would be futile, because in that case the regional reserve bank could not get the funds with which to rediscount such notes. The correctness of this position will be apparent from an inspection of sections 14 and 17 of the bill.

SECTION 14.

This section describes the paper eligible for rediscount as "notes and bills of exchange drawn for agricultural, industrial, or commercial purposes, or the proceeds of which have been used for such purposes." Both clauses of this description accurately designate the notes of farmers secured by the warehouse receipts for their products. It is conceded if a farmer gives his note to the bank for money to be used in the planting, plowing, hoeing, gathering, and ginning of his cotton it would be for an agricultural purpose, but it is suggested that when he comes to sell his cotton and in order to secure a fair price he borrows money from the bank, pledging his cotton as security, he ceases to be a farmer and becomes a speculator in that transaction. In other words, it is contended that as long as he is producing the cotton he is a farmer, but in disposing of the product of his toil he is suddenly converted into something else. All my life I have seen these tillers of the soil coming to market in the fall of the year and selling their cotton, but I never heard one of them called anything else but a farmer because he was engaged in disposing of the products of the farm.

The truth is that in selling his cotton he is not only engaged in agriculture—just as much as he was in the planting and cultivation of it—but he is then engaged in the most important part of the business of a farmer, without which all the other acts of his business would amount to nothing. When the manufacturer has finished the products of his factory and borrows money with which to send men all over the country to sell them, nobody calls him anything but a manufacturer in disposing of his goods or denies that money thus borrowed is for any other than manufacturing purposes, though the money borrowed may enable him to hold his goods for a better price; and if we are to apply the same rules of construction to the same language with reference to the farmer and manufacturer, then when in order to hold his cotton for a better price the farmer gives his note to the local bank, secured by the warehouse receipts for his cotton, he is engaged in the business of disposing of the products of agriculture, and such a note is drawn for agricultural purposes, just the same as if it had been given to raise money with which to plant and cultivate his crop. The first clause of this description therefore literally embraces the kind of notes which I think should be the basis of this proposed asset currency. But the second clause of the description of notes eligible for discount still more clearly covers these notes when it provides that all notes shall be eligible for rediscount whose proceeds have been used for agricultural, industrial, or commercial purposes. In the beginning of the year the farmer arranges with the merchant to "run him," or supply him with goods to make his crop. In the fall of the year the farmer takes his cotton to town and goes to his merchant to settle the account. But the price of cotton is so low that the proceeds of the cotton will not pay it. He then puts his cotton in the warehouse and takes the receipts with his note to the local bank, which discounts the note and gives him the money. He then takes the proceeds of this note and pays his account with the merchant, as far as it will go, giving him a trust deed to secure the balance of the account. This account is a commercial debt, because it is due to a merchant engaged in a commercial business, and it is also agricultural in purpose, because the credit was extended solely to enable the farmer to engage in agriculture. Therefore, when the farmer uses the proceeds of his note at the bank to pay his account with the merchant he has used the proceeds both for an agricultural and a commercial purpose, and it falls literally within the terms of the second clause of the description.

But some seem to think that because the transaction shows that he intends to hold his cotton for a higher price, therefore the note was given, not for a commercial or agricultural but for a speculative purpose. If this view were correct, then no note could ever be drawn for agricultural, industrial, or commercial purposes, for in every case there is always an ulterior purpose. When the manufacturer gives his note for money for the purpose of making or selling his product he is not only actuated by this manufacturing purpose, but his ultimate purpose in the transaction is to get some profits for himself out of it. When the merchant gives his note to the manufacturer to evidence his debt for the goods he has bought his purpose is to engage in a commercial transaction, but his ultimate purpose is to secure the profits in the sale of his goods, and he expects to accomplish this purpose by holding the goods until he can sell them at prices that will make his business profitable. When the banker borrows money from another banker and gives his note therefor his purpose is to transact a strictly commercial business, but, all the same, his ultimate purpose is to reloan that money and to get the interest on it. The position, therefore, that when a farmer discounts his note at the bank and raises thereby the money to pay his debt to the merchant the proceeds of the note are not used for an agricultural or commercial purpose, because he intends to hold his cotton for a better price, logically leads to the absurd conclusion that no paper can be drawn for such purpose.

While, therefore, I believe that the language of section 14 clearly embraces farmers' notes, yet I have no objection to but will vote for any amendment that will make the meaning plainer. My whole object in discussing section 14 is to emphasize the fact that the trouble does not lie here, but in section 17.

SECTION 17.

In the provision of section 17 lies the danger of discrimination against the farmer. This is the section of the bill which provides for the issuance of the proposed currency. It provides that the regional bank which has rediscounted notes and bills of exchange may make application to the Federal reserve bank, composed of seven appointees of the President, for the issuance of currency on the notes which it has rediscounted, and that it is entirely in the discretion of said board whether it will permit such notes to be the basis of the new currency or not. It can refuse to allow any currency to be issued on the notes of farmers without giving any reason therefor. The language of section 17 is as follows:

SEC. 17. That Federal reserve notes, to be issued at the discretion of the Federal reserve board for the purpose of making advances to Federal reserve banks as hereinafter set forth, and for no other purpose, are hereby authorized.

In this language of section 17 we find the joker of the bill, so far as the farmer is concerned. If this board should think, as others think, that in holding his cotton the farmer is a speculator, and should desire, as others have expressed the desire, that the farmer should let his cotton go as fast as it is ready for market, and should deem it bad policy to supply him with the funds with which to hold his cotton, then under the unlimited discretion given to the board in section 17 it will never authorize any currency notes to be issued on the notes of farmers secured by the warehouse receipts for agricultural products. The fact that section 14 has made the farmers' notes eligible for rediscount will avail nothing, for however willing the local bank may be to discount his note and however willing the Federal reserve bank may be to rediscount that note, yet if the Federal reserve board should refuse to authorize the issuance of currency notes on his paper, the local bank and the Federal reserve bank will be unable to accommodate him, because they will not have the funds. The only way to avoid the danger of this discrimination against the farmer is not in an amendment to section 14 but in an amendment to section 17, limiting the discretion of the Federal reserve board, so that it will be powerless to make such discrimination. I suggest that the first sentence in section 17 be amended by adding these words:

Provided, That the board shall not refuse to authorize the issuance of currency notes on the security of notes secured by warehouse receipts for agricultural products on the ground that such notes are drawn for speculative purposes.

If this amendment were adopted, then all possibility of discrimination would be removed and the farmer could feel that he had been treated as all other classes.

AGRICULTURAL ASSETS SHOULD BE INCLUDED.

Having shown that the notes of farmers secured by the warehouse receipts for their products will not certainly be included unless section 17 of the bill should be amended, the second question is whether they ought to be included. It is feared by some that to make these notes the basis of currency would result in the speculative holding of agricultural commodities and thus increase the high cost of living and be injurious to commerce. This contention is incorrect, and will appear so for several reasons. In showing these reasons I shall refer to cotton, because I am more familiar with it, but what I say with reference to cotton applies to wheat, corn, and other products of the farm.

COTTON A NATIONAL AND NOT A SECTIONAL QUESTION.

If the farmers of the South could be placed in a position of independence which would enable them to market their cotton as the world needs it and be relieved from the necessity of throwing the entire crop on the market at once, it would undoubtedly enable them to get a better price therefor, and this

would increase the national wealth. The benefit would not be confined to the South. The cotton crop is about 15,000,000 bales. Of this, one-third, or 5,000,000 bales, are sold and consumed in our own country and two-thirds, or 10,000,000 bales, in foreign countries for nearly one-half billion dollars in gold. While the value of this cotton sold in foreign markets is measured in money, yet, like all other commodities in international trade, it is exchanged or bartered for what we get from the countries with which we trade. In exchange for this cotton we get the tea, coffee, silks, laces, linen, diamonds, champagne, and other luxuries of foreign countries, and the commodities for which our cotton is exchanged do not come to the South, because our people are too poor to use them, but they satisfy the wants and gratify the tastes of the wealthy classes in the North. The quantity of these commodities for which our cotton exchanges depends entirely upon the price it brings. If cotton is worth 15 cents a pound, it will exchange for one-third more of these commodities than when it is worth 10 cents a pound, and therefore the national wealth, and especially the wealth of the North, is in direct proportion to the value of the cotton exported. But I am asked if I would repeal the law of supply and demand, and I answer in the negative. I want the price of cotton and all other products to be regulated by that law. The law of supply and demand, if permitted to operate without legislative and artificial obstacles, will fix the prices of all products at the cost of production and a reasonable profit. This is all that any honest man will ever desire and all that any dishonest man should ever be permitted by law to take from his neighbor. But in order that the law of supply and demand should fix the price of cotton so as to give the farmer the cost of production and a fair profit, it is necessary that he should be placed in the same condition of freedom and independence enjoyed by those with whom he exchanges the products of his toil. If his poverty and helplessness forces him to sell his cotton at prices dictated by others and in quantities larger than the market demands, then he will no more get the cost of production and a profit on his cotton than will the merchant whose debts force him to take whatever price he may be offered for his goods. If the pressure of debts compel the farmer to dispose of as much cotton in a couple of months as the world can use in 12 months, the inevitable effect will be in the future, as it has been in the past, to reduce the price of cotton below the cost of production; and to avoid this injustice to the farmer, as well as this economic loss to the Nation, I insist that the bill should be so amended that the farmer can secure the benefits of the proposed currency and thereby enable him to market his cotton as the world needs it, in order that he may obtain a fair price for the product of his toil and the Nation may obtain an adequate return in its exchange for those commodities of foreign countries which supply the needs of the great, rich North.

But it may be asked how the southern farmer gets pay for his cotton if it is exchanged with foreign countries for commodities used mostly in the North. The answer to this is that the southern farmer buys the goods manufactured in the North, and this is the way in which he receives the price of his cotton in the clearing of international trade. The value of his cotton therefore determines not only the quantity of foreign commodities with which it supplies the richer section of the Union, but also measures his purchasing power to take and consume the products of northern factories and western grain and meat. The economic relations of the different sections of the Union are such that it is impossible to impoverish one without injury to the others and impossible to benefit one without increasing the prosperity of all the others. It is therefore nothing less than national folly to discriminate against the farmer in this or any other legislation.

INDEPENDENCE OF COTTON FARMERS NOT INIMICAL TO THE MANUFACTURER.

Having shown that the national wealth would be increased by higher prices for exported products, and that the North as well as the South would reap the benefit from proper marketing of 10,000,000 bales of cotton in foreign countries, I come to the objection that this involves the idea that domestic manufacturers must pay more for the cotton they buy. Of the 5,000,000 bales of cotton used in American factories, one half of it, or two and one-half million bales, is used in southern factories and the other half in northern factories. If, therefore, the gradual marketing of cotton and the consequent higher prices would injure one section, it would to the same extent injure the other, and hence the question can not be regarded as sectional.

But I submit there is no real conflict between the interests of the manufacturer and the farmer who supplies him with his raw material, and this will be apparent from a consideration of the real condition of cotton. The 15,000,000 bales of cotton annually produced are made ready for market within the short space of three months—September, October, and November. The fact that the farmer is in debt for the supplies with which he has produced this cotton and is unable to procure the funds with which to pay these debts forces him to throw all this cotton, whose value often approaches a billion dollars, on the market at once at whatever price it may bring. This places the manufacturer in the position of purchasing enough cotton in the fall months to supply his factory for the entire year. He must either do this or permit this cotton to pass into the hands of speculators, at the risk of having to pay later an exorbitant price. To lay in a year's supply of cotton within two or three months is a great burden on the manufacturer, and imposes on him the investment of three-quarters of a billion dollars practically at one time.

This cotton becomes idle capital on his hands until it is gradually used up. The interest on the money he must borrow to carry it and the insurance and storage charges is a huge sum to be taken from his profits. In order to sustain these burdens he must necessarily get the cotton at less than its value and thus impoverish the farmer upon whom he is dependent for his raw material. This condition forces the cotton manufacturer to become a speculator. When he buys his year's supply in the fall he often makes a mistake as to the value, which depends upon the size of the crop. The Government with all its means of information sometimes errs in its estimate of the crop as much as 2,000,000 bales as late as the 1st of December. If this estimate is much less than the actual production, the manufacturer buying his year's supply in the fall will naturally pay more than its value, and if the estimate is too great he will pay less. In both cases the success of the manufacturer rests upon the uncertain basis of speculation, and these conditions result either in abnormal profits or disastrous losses, and in both cases either the farmer or the manufacturer must sustain the injury resulting from an unnatural glutting of the cotton market at one season of the year. The only remedy for this evil is the gradual marketing of the cotton crop just as the world needs it. This can be accomplished in no other way than to place the farmer in a position where he can procure on the security of his cotton the funds with which to pay his merchant and to sell his cotton as the world needs it. His notes secured by warehouse receipts for his cotton should, therefore, be included in the paper on which the new currency is to be issued. This would save him the profits now made by speculators and the interest now made by the money lenders, who now supply the funds for the manufacturers to hold the cotton. It would greatly increase his productive capacity and insure the world a more bountiful supply of the fleecy staple. It would not injure the manufacturer, for what he needs is not so much a low price on cotton as a steady, stable price, which would enable him to make his contracts on a safe basis of prices. He would be relieved from the danger of violent fluctuations in the market and from the necessity of gambling in cotton futures to hedge against the manipulations of the gamblers. It would put him on the same level with all the other business men who buy their goods as they need them and no longer be compelled to buy a year's supply at once.

The truth is that the interests of the farmer and the manufacturer, the interchange of whose products constitutes the business of the country, are so mutual and interdependent that whatever benefits or injures one will have the same effect upon the other. The holding of farm products lessens rather than increases speculation.

Having demonstrated that the issuance of currency notes on the paper of farmers secured by warehouse receipts for their products will increase the national wealth and benefit rather than injure the manufacturer as well as the farmer, I deny that the issuance of currency on farmers' notes would increase speculation. The idea that it would result in the extensive holding of cotton for exorbitant prices is an impossibility. The farmer is like all other men, and would be subject to the same law which governs other classes in the disposition of his products. The law of supply and demand would regulate the sale of his product, as it does the sale of the goods of the manufacturer and merchant, and whenever that law offered him the cost of production and a reasonable profit he would sell, just as others do. The interest he would have to pay on the borrowed currency, the other expenses of holding his cotton, and the necessity of using the proceeds in making the next crop would certainly induce him to let his cotton go as soon as he could sell it at a fair profit, and the real danger is that these conditions would often force him to part with it too soon. The only possible effect of placing him in a condition where he could procure funds on the security of his cotton would be to relieve him of that helplessness and dependence on his creditors which necessitates the sale of his cotton at a loss. He is not and could never

become a speculator. To denominate the farmer as a speculator is to confound all distinction between the producer of wealth and the speculator and gambler. The speculator produces nothing. He adds nothing to the wealth of the world. He simply buys from one and transfers to another, and his profits are the difference between what he pays and what he receives for the products of others. The gambler neither produces anything nor does he transfer what belongs to another. He simply bets on the fluctuations of the market, and what he makes or loses is the result of chance. But the farmer is a producer of wealth, and his profits are the difference between the cost of production and the price at which he sells. He looks no more like the speculator and the gambler than a rosebud looks like a monkey.

INFLATION OF THE CURRENCY.

Another objection urged against the use of farmers' notes for the issuance of currency is that it will result in an undue inflation of the currency. We are reminded of the immense values of cotton, hay, corn, wheat, and other agricultural products, and on the assumption that if notes secured by these commodities could be used as the basis of currency the amount of money would be increased to the full value thereof, the conclusion is drawn that an absurd inflation of the currency would follow. This would not be possible. It could not happen under any bill based, as this is, on the gold-standard heresy whose prime object and inevitable effect is to contract and limit the currency. The express provision of this bill is that there shall be $1 of gold or lawful money in the vaults of each regional bank for every $3 of currency issued. If the regional reserve banks could collect every dollar of money in existence in their vaults, they would only have $3,000,000,000, and therefore the highest possible amount of currency that could be issued would be $9,000,000,000, which would be just one-half of the $18,000,000,000 of bank credits which under the present financial system has been substituted for money as a medium of exchange and which is the fabulous amount on which the people pay interest as one item of the enormous cost of the interchange of their products. If under the system of currency provided in the bill the banks should not collect in their vaults any more money than they have now, the greatest possible amount of the new currency would be $4,500,000,000. Whether this would be a harmful inflation of the currency would depend on the question whether it would be added to or substituted for the enormous bank credits which have taken the place of money, but if it should be, and the necessity should arise to exclude any class of paper as a basis of currency, it would be much wiser to exclude prime commercial paper whose value depends upon the solvency of banks and merchants than the notes of farmers secured by warehouse receipts for wealth already produced whose value depends on no such contingency.

JUSTICE TO THE FARMER.

No currency system which fails to give the farmer the same facility in guarding his interests against economic losses as it gives to those engaged in commerce and manufactures is fair and just. Recognizing the weakness of the plea of justice in an age of selfish commercialism, I have shown how the financial independence of the farmer in the disposition of his crops would increase the national wealth and how it would really benefit the manufacturer at the same time it benefits the farmer. I have also shown how futile are the objections that it would result in speculation and in the inflation of the currency. If I have established these four propositions, then this at least is a case where there is no reason why justice should not be done him in the currency laws. The real situation discloses the injustice in the discrimination against the farmer. His products are interchanged for manufactured goods. Nine billion dollars of agricultural products are annually interchanged for the products of the factory, and the terms on which this exchange is made fixes the profits or losses of the farmer. At the first of the year he begins to buy the goods of the manufacturer, and the merchant charges them against him all through the year. He can take no part in the prices at which these goods are charged, for the law enables the manufacturer to fix the price. A protective tariff enables the manufacturer to add the amount of the tax to the value of his goods, and cutting the farmer off from foreign markets forces him to pay the law-fixed price. As he can not buy elsewhere, he must pay the price, though it be double the fair value of the goods. N. only does the iniquitous tariff law shield the manufacturer in the disposition of his goods, but the patent laws are equally as potent in effecting an unfair and unjust interchange of agricultural and manufactured products. The Committee on Patents in the Sixty-second Congress spent a month in investigating the effect of these laws, and it was made clear in the hearings that a very large proportion of manufactured goods are now covered by patents, and that within the last five years there has grown up a custom by which manufacturers, exercising the powers given them by the patent laws as construed by the courts, not only fix the prices of their goods to merchants, but also fix the prices at which the merchants must sell these goods to consumers.

This monopolistic domination of the prices of manufactures requires that the merchant must sell these goods at prices which give him profits ranging from 20 to 150 per cent, and if the merchant is unwilling to charge such exorbitant prices he can not buy the goods. The manufacturer, under the power of his patent monopoly, makes the merchant his tool to oppress the farmer. The Patent Committee reported a bill to the last Congress to remedy this evil, but the bill was never considered in the House. It is to be hoped that the same bill will be reported to this Congress and passed into law.

But under the tariff and patent laws the price of every item in the farmer's account is fixed, and always at exorbitant rates, in the amount of which he has no voice. The price is already marked on the goods when he comes to buy, and he must take them on the terms fixed by others. No merchant or clerk ever asks him how much he will give for an article, but the question always is, What price has already been marked on the goods?

He comes to town in the fall to settle the account of supplies with which he has made his crop, and then he finds the long account, setting down the price of every item. He offers his cotton in payment. He is not asked how much he will take for his cotton. He has no more voice in its price than in the prices of the goods for which he exchanges his cotton. He is shown a telegram showing the market price of his cotton as fixed by a gang of gamblers on the cotton exchanges of New Orleans, New York, and Liverpool, and he is then called upon to agree upon the final terms of the exchange of his cotton for the goods of the manufacturer whose prices have been fixed in the one case by gambling and in the other by the power of the Government exercised in its tariff and patent laws. If the prices of both products involved in the exchange are such that his cotton does not bring the cost of production, then the farmer must either submit or make other arrangements for the payment of his debt.

If he submits, the settlement is made, the proceeds of his cotton is credited on his account, and he executes a mortgage to secure the balance and also his supplies for another year. But if he rebels against the injustice and goes to the bank with his note and the warehouse receipt for his cotton and thus tries to borrow the money with which to pay his debt to the merchant, in order that he may be able to hold his cotton for a fair price, the contention is that the wording of this bill should compel the banker to refuse him the money, because it would be speculation and result in an inflation of the currency. In other words, with the club of protection in one hand and of the patent monopoly in the other, the Government fells the farmer to the ground, and when he struggles to his feet and staggers to the bank with the best security on earth the proposition in this bill is that he be sent away with the denunciation that he is a speculator because he is unwilling to accept the prices fixed by gamblers.

THE FOLLY OF THIS DISCRIMINATION.

The injustice of this discrimination in legislation against agriculture just pointed out finds no compensation in resulting benefits, either to commerce or manufactures, and is therefore sheer folly, if not a crime. Agriculture is the basis of all material prosperity. It is the foundation on which both commerce and manufactures rest. No factory could run a day without the raw materials that come from the country and without the food which the farmer supplies to sustain its employees. The greatest possibility of manufactures is therefore limited by the wealth produced on the farms, and this possibility increases or diminishes as agriculture prospers or languishes. The profits, interests, and freights of commerce must come out of agriculture, and when legislation forces the profits of manufactures and commerce up to that abnormal point which equals or exceeds the entire profits of the farms, their factories close, their laborers strike, banks and merchants fail, railroad companies fill their sidetracks with empty cars and panic breeds universal disaster, because foolish legislation has undermined the foundation of prosperity. This folly is like the folly of the man who takes the stones and brick from the foundation of his house in order to strengthen and decorate the roof whose abnormal weight then crushes the entire structure. A fair illustration of the effect of the discriminations by which the farmer is impoverished for the enrichment of commerce will be found in a table published on page 294 of part 1, volume 47, of the CONGRESSIONAL RECORD, showing that he gets little more than half

of what consumers pay for his products, the balance being distributed among the agencies of commerce:

	Received by farmer.	Paid by consumer.
Onions	$821,000	$8,212,000
Potatoes	8,437,000	60,000,000
Coffee	2,402,000	12,009,000
Rice	1,354,000	6,191,000
Cabbages	1,825,000	9,125,000
Milk	22,912,000	48,880,000
Eggs	17,238,000	28,730,000
Meat and poultry	219,300,000	291,000,000
	274,289,000	464,147,000

This table shows that the American consumers pay $464,147,000 annually for eight products of the farms while the farmers receive for the same products only $274,289,000, the difference of $189,858,000 constituting the interest of the banks, the freights of the railroad companies, and the profits of the merchants who effect the distribution of these commodities. Our financial system exacts as large a penalty from agriculture for the enrichment of commerce as the tariff and patent laws exact for the enrichment of manufacturers.

This legislative discrimination against agriculture has been the vice of Republicanism for a half century. Every function of the Federal Government has been freely exercised to impoverish agriculture for the benefit of commerce and manufactures, and the practical result of this pernicious policy has been to concentrate the wealth of the country in the cities and towns and to build up the fabulous fortunes of multimillionaires engaged in these Government-favored departments of our commercial and industrial life. On the other hand, the legislation of profits out of farming has naturally driven the people into the towns and cities, so that we have in the last two decades an abnormal growth of urban population, which has increased from one-third to one-half of our people, and a corresponding decrease in our rural population from two-thirds to one-half, with an absolute decrease of the rural population in many sections and with 11,000,000 acres of abandoned farms in New England alone as a splendid monument to our folly.

But the vice of this discrimination has been continued so long that it has become a habit of thought, and it has become almost impossible to frame a law on any economic subject without some trace of this vicious policy. The farming classes, after many years of agitation, constrained the passage of a parcel-post law, but the law was framed, though ostensibly for the benefit of the farmers, in such a way that it at once developed a stupendous movement of manufactured goods all over the country; but on account of the prohibitive rates and other absurd provisions it has been utterly futile to move the traffic of farm products from the country to the cities. And, likewise, in the provisions of this currency bill as construed by its framers this same pernicious policy has manifested itself. It is strange that we should find this Republican vice in Democratic councils after it has been so long denounced in our party, and it can only be explained on the principle that "Vice is a monster of such frightful mien" that we may hate it for a while, but long contact with it will finally make us endure it, and then welcome it, and at last embrace it.

Glass Currency Bill.

EXTENSION OF REMARKS
OF
HON. A. W. LAFFERTY,
OF OREGON,
IN THE HOUSE OF REPRESENTATIVES,
Saturday, September 13, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. LAFFERTY. Mr. Speaker, during the past summer I spent two months in Europe, during which time I studied conditions abroad in a general way. It seemed to me that the bankers are in the saddle over there more securely even than they are here. I was requested by the city editor of the Washington Post, Mr. Rochester, to prepare a statement of my impressions for that paper, and it is printed herewith:

[From the Washington Post, Sunday, August 31, 1913.]

BEAUTIES OF EUROPEAN TRIP SURPASSED ON PACIFIC COAST—FOREIGNERS OPPRESSED BY MIGHTY ARMIES, SAYS REPRESENTATIVE LAFFERTY, LOOK UPON AMERICA AS THE WORLD'S LEADING NATION—BANKERS RULE OTHER COUNTRIES.

(By WALTER LAFFERTY, Member of Congress from Oregon.)

Doubtless few pass through this life without contemplating, at least, a trip which will give them a personal observation of the principal parts of our globe and the inhabitants thereof. Sharing this common desire, I took occasion recently, during the pendency of the tariff bill in the Senate and the consequent lull in the House proceedings, to spend two months in Europe. The trip was much more delightful than I had imagined it would be. I was never given to hard work. Therefore to find that during travel abroad one can not help but absorb quite a bit of knowledge, even without effort, appealed very strongly to me.

I wish that all Americans could visit Europe. Not only would they enjoy it, but they would come home with higher appreciation of our institutions than they had ever supposed possible. They would come home with a fervid patriotism. They would return with an admiration for Washington, Jefferson, and the other heroes and statesmen of the formative period of our Republic more intense than they had ever felt before.

PEOPLE SUPPORT BIG ARMIES.

The people of Europe are our equals in every way. They only lack in opportunities. Their taxes are heavy. Germany supports nearly 1,000,000 soldiers in time of peace and France 500,000. No wonder the foreigners coming to our shores oppose a large standing army. Think of it! The United States, with wealth and population far exceeding either France or Germany, has a standing Army of only 95,000 officers and men.

The people of Europe are under control of the money power. That is to say, the banks and bankers exercise an influence on the Governments of Europe which is controlling. The Bank of England, a private corporation, issues its own notes, printed on the cheapest kind of white paper in ordinary black ink, with the name of the governor of the bank, and the auditor in fac simile, and these notes are the legal tender in Great Britain. They also pass current anywhere in Europe. They are "asset currency" of the simplest kind. The Bank of England assures us that it has the securities on hand to justify its note issues, and we take their word for it. The bankers of England and the bankers of other European countries form an aristocratic class. They sell credit to the average business man at high rates of interest, a function which should be under control of the Government.

EUROPE LOOKS UP TO UNITED STATES.

The people of America have control of their own Government, or at least they are fast getting control of it. * * *

Throughout Europe, America is regarded as the leading nation of the world. American inventions are in use everywhere. * * *

Comparisons lead me to believe that with the progress America is now making toward complete government by the people it will not be long till laws will be enacted which will actually guarantee equality of opportunity in this country, or, in other words, a fair and equitable distribution of the wealth we are producing. When that time comes no person will be allowed to work more than 8 hours a day, nor more than 48 hours a week. It will be unlawful to employ any man, woman, or child for less than a living wage. Every man who works will be able to take a vacation of 30 to 60 days each year in the mountains or at the seashore. And every man and woman who is industrious will some time in life be able to travel and see the world in which they live.

WEALTH IS CONCENTRATED.

Millions in America are working 10 and 12 hours a day for a bare subsistence, while bankers are selling at a profit credit which should be provided by the Government at cost on good security. It is said by our Government statisticians that the total wealth of this Nation amounts to $125,000,000,000, and that 50 men own 40 per cent of this wealth. Think of it! And that 200,000 men own 70 per cent of our wealth, leaving only 30 per cent for the remaining 99,800,000 people! These figures are staggering; but we are going to change all that, cut out the graft, and give to every man what he earns and no more. I think I clearly see this trend of things in America, and America is going to emancipate the world.

COST OF EUROPEAN TOUR.

The cost of a two-month trip to Europe may be kept within $500. The steamer ticket will cost $100 each way, first class, or $35 second class. One's expenses while in Europe, including railroad fares, hotel bills, and incidental expenses, should not exceed $5 a day.

However, many claim that the average tour of Europe, first class, including incidental expenses, will reach $1,000, so it would be well for anyone contemplating the trip to figure that he may spend more than $500. In Europe practically all classes of people travel by rail second and third class. The rates are much cheaper than first class and accommodations for a day trip are just as good. Much can be saved in the way of hotel bills by avoiding those hotels making a specialty of entertaining Americans. Such hotels charge rates much higher than American hotels, considering the service.

Starting upon an ocean voyage one should take along some old and warm clothing. It gets quite cold at sea at all times of the year. The passengers lounge on the sun decks, play shuffleboard and other games, and new clothes would soon be old.

Every ship now has wireless equipment. The larger passenger ships issue small daily papers, giving the more important events. Messages are sent from and received on the ships in midocean without delay or difficulty. The expense is not much more than ordinary telegraphing.

SEASICKNESS NOT COMMON.

Severe seasickness is not so common as formerly. The vessels are heavier and steadier. Still it is well to get a stateroom near the center of the ship if possible. Most passengers feel a little squeamish the first day or two out, but after they have gotten over it and acquired their "sea legs," as the sailors say, which means accommodating the body to the motion of the ship, nothing is more exhilarating than life at sea.

I visited Ireland, Scotland, England, France, Belgium, Denmark, Germany, and Austria. The people were most interesting everywhere. The scenery is pretty enough, the fields and lawns are well kept, and

dwelling houses are made to look cheerful with flowers, but for natural scenic beauty there is nothing that I saw to compare with the Pacific-coast country in America. The "blue Danube" at Vienna probably is the prettiest river in Europe. At least it equals the Rhine. But neither of these rivers approach in beauty or grandeur the Columbia or the Willamette, in Oregon. The snow-covered mountains of Switzerland, of which I had a glimpse, would only make foothills for the towering white-capped peaks of the Cascades and the Sierras. The pine forests of Austria and Germany would but make underbrush alongside the gigantic redwoods of California and the stately firs of Oregon and Washington.

WONDERFUL OLD CATHEDRALS.

By association with the ancient cathedrals and other old buildings of Europe, history is brought back to the tourist and made to appear as though it happened but yesterday. One is reminded forcibly of the rapidity with which the generations pass. In London, upon the Strand, one may gaze upon numerous buildings which stand to-day just as they stood the day Shakespeare was born. And they look quite modern at that. In Vienna, wherever you go "a thousand years are looking down upon you." In fact, St. Stephen's Cathedral in that city was started only 500 years after Christ. The Egyptian obelisks and Grecian statuary in Paris, brought there by Napoleon's army only a little over a century ago, were chiseled by artists who flourished centuries before the birth of Christ.

The little cathedral on the banks of the Seine, in Paris, containing the tomb of Napoleon, is one of the modern places of interest. The granite sarcophagus containing the remains of the great soldier looks as though it might have been finished yesterday. The hundreds of flags and banners carried by Napoleon's soldiers are arranged around the walls near the dome of the cathedral. They are not incased, and are beginning to disintegrate.

EASY TO LEARN LANGUAGE.

One of the most pleasant surprises to every young American traveling abroad comes when he learns how easy it is to pick up a smattering of foreign languages. To be able to ask a question of a German or speak to a Frenchman in his own tongue, and to understand his reply in the same language, I had supposed required months or years of study. Such is not the case. The secret is to be found in the fact that many of their words are practically the same as ours, and when you get the accent from hearing the words pronounced many times a day, you are well on the road to speaking the language. I was told that anyone with an ear for music would learn the languages rapidly, as much depends upon remembering sounds and being able to reprodnce them. Much help is also derived from the little books with which all tourists provide themselves, giving the foreign language parallel with the English.

In Vienna I bought one book giving seven different languages in parallel columns. I found that in some instances the English word ran clear across the page, with but slight variation. The reason for this similarity of words in all European languages is the fact that all the nations of Europe came from a common source. When the people started north through Europe they scattered and settled in different parts, and in the centuries they have developed different languages, but many of the words originally used in common have been retained in all the languages, which but illustrates again how small the world is and how closely we are all akin.

Urgent Deficiency Appropriation Bill.

EXTENSION OF REMARKS
OF
HON. JOSEPH B. THOMPSON,
OF OKLAHOMA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, September 6, 1913,

On the bill (H. R. 7898) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes.

Mr. THOMPSON of Oklahoma. Mr. Chairman, the smallest and most unimportant incidents are seized upon and by constant repeating and additions are made the pretext for arguments and reasons to increase the size, and thereby multiply the expense of maintaining our Army and our Navy. Once during each year when the appropriation bill is before the Congress we hear the same prophecies of disaster that await us if millions of dollars additional taxes are not levied upon the American people for the increase of the Army and the Navy. We are told that we can no longer isolate ourselves and refuse to take part in European politics; that we are a world power, and that we must enlarge our Army and our Navy in order that we may be prepared to enter upon any conquest or take part in any war that our position as a world power and our meddling in European politics may thrust upon us. During the past three months our relations with Japan and Mexico have furnished new and powerful arguments to those who would increase the expense of the Army and the Navy.

I for one am opposed to an increase in either branch of our military service. I do not believe in war. I believe that the nations of the earth have advanced in intelligence and moral development to that position where war will shortly be known among the nations of the world no more. The handling of the Japanese and Mexican situations by the President and the Secretary of State during the present crisis affords a striking illustration of the settlement of disputes by peaceable means and without recourse to arms. The conduct of the President and Secretary Bryan during all the periods of anxious diplomacy through which our Nation is now passing has reflected great credit on them and added luster to the high ideals of American statesmanship. In the absence of war, and with a certain knowledge that all disputes between nations can and will be settled by peaceable methods, there is no necessity for a large Army and a large Navy. Our people are already weighed down by the burdens of taxation without entering into competition with England, Germany, and France and embarking upon the enterprise of enlisting new men in the Army and sending new ships out upon the seas. The expenses of this Government were $236,964,372 in 1878, in 1888 they were $259,653,959, in 1898 they were $443,368,582, and in 1908 they were $659,196,319, an increase of nearly 300 per cent during the period of 30 years from 1878 to 1908. The increase in population between the same dates was 84 per cent. In 1796 the per capita expenditure of our Government was $1.34; in 1907 it was $8.91. I believe an average family in the United States is supposed to consist of five members. Therefore every family in the United States in 1908 was paying toward the support of the General Government $44.55 per annum. It is true that this amount is not extended on the tax duplicates and is not collected from us by the tax gatherer, but it is no less a tax by reason of being collected indirectly and over the merchant's counter than if it were collected directly by the tax gatherer. I believe it is estimated too that where one dollar finds its way into the Treasury by reason of collecting this tax indirectly by the tariff method five dollars are taken out of the pockets of the American people and placed in the vaults of the manufacturers.

Every family in the United States is paying more than $250 per year directly toward the support of this Government and indirectly for the benefit of special privilege.

The appropriation for the support of the Army for the fiscal year 1913 was $90,958,712.98, and the appropriation for the naval service during the same period was $123,151,538.76, a total of $214,110,251.74. During the year 1912 there were enlisted in the United States Army 81,331 men and 4,470 officers, and during the same period there were enlisted in the Navy 46,651 men and 3,114 officers; and, in addition, there were in the Marine Corps 9,567 men and 319 officers, and in the Philippine Scouts, which is under the control of the War Department, 5,480 men and 180 officers, making a total of 151,112 men, or 1 man for every 595 of the population of the United States. Mr. Speaker, this does not take into consideration the militia of the various States or the Naval Militia, which is about equal to the number of enlisted men. An army of this size is large enough for the purposes of this Government or any other Government that is not embroiled in war.

We do not need a large army and a large navy. We are 5,000 miles away from Europe and its troubles and 7,000 miles away from the Orient, and on every farm in this country there is an arm ready to be stretched forth in the defense of our country should necessity require it. If the dollars expended in one year for the support of our Army and Navy as they are, and without increase, were laid one against another, it would make a string that would reach from New York to San Francisco and from San Francisco back to New York again, or one-fourth the distance around the world.

It would pay 342,029 men a wage of $2 per day for an entire year. It would employ a thousand men at $2 per day every working day in the year for 342 years. As against this enormous expenditure for the support of the Army and the Navy, there was appropriated for the fiscal year 1913 to promote agriculture the pitiful sum of $16,648,168, and yet more than 40 per cent of the population of the United States are engaged in this great industry. There comes up from all parts of the country a demand for development and an appeal for the best class of immigration, and yet in the face of this demand we are spending nearly fifteen times as much annually for the support and increase of our Army and Navy as we are for the benefit of the great producing masses of the country. It is high time for us to quit following the fashions of rotten and fast-decaying European monarchies by attempting by a display of pomp, ceremony, uniforms, and music to stir the blood and thrill the souls of our people with patriotic love for our flag unless on that flag in its every fold is displayed the motto of the Republic:

Equal rights to all and special privileges to none.

The farmers and the working people of our country desire no more than this; they are entitled to no less.

The purposes and uses of large armies and navies by the nations of the Old World are twofold: First, to repel invasion or to enter upon a foreign campaign to maintain its territorial integrity or to extend the borders of its frontier; second, to maintain within its own borders the system of special privilege

which recognizes the division of its people into classes—a governing class of lords, dukes, and counts, and a lot of other detestable flunkyism, on the one hand, and a working class of serfs, who bear the burdens and fight the wars for the poor privilege of being slaves, on the other.

Mr. Chairman, God so created this world as to render a large army and navy on our part unnecessary for the first purpose, and Thomas Jefferson so created this Republic of ours as to render it unnecessary for the second purpose.

The necessity for a large army and navy is not the fault of the Creator of the world or the creator of the Republic. If a necessity for it does exist, it is because of the weakness and folly of those who have been trusted with power and who by law have built up a privileged class in this country, who, knowing the source of their power and the cruelty of their privilege, are unwilling to trust to the just judgment of their countrymen. I am unwilling to spend one dollar of the people's money to increase an army or add an additional ship to a navy to be used in forging the chains of industrial slavery by forcing our laboring people to work at a wage which will not furnish food for the mouths and clothing for the backs of those who call them husband and father.

Mr. Chairman, I am opposed to the aristocracy that exists in the Army and Navy. It has so come to pass that it is almost impossible for the splendid young men, the sons of our working people, our farmers, and our business men, to secure entrance to our Military and Naval Academies. When I came to Congress last spring I was foolish enough to harbor the fond delusion that I had a right to nominate one young man to attend the United States Military Academy at West Point and two young men to attend the Naval Academy at Annapolis. This fond hope was soon shattered, for when I named for these positions the sons of Oklahoma farmers and laborers and business men, the first intimation I had that they were rejected came from parties here in Washington, who were kind enough to inform me that I could give the appointment to their sons and they could enter immediately. Made to order for the very purpose. When I suggested that there was a statute requiring the appointee to be an actual resident of the State from which the appointment was made, I was informed that I could have the right to name some town in my State as his place of residence.

I informed them, one and all, that the sons of Oklahoma fathers and mothers—boys who loved Oklahoma, who loved the history of our country, the traditions of our fathers; boys who, when they became officers in our Army, would be able to sympathize with those who labor to feed the world in time of peace and who fight the battles of the Nation in time of war—would be appointed to the places at my disposal, or they would remain vacant until Gabriel should declare time at an end.

But I have drifted far afield in discussing this subject from the lesson I wished to impress—the picture I desire to draw. If the lessons of history are true we are following in the footsteps of all the governments that have arisen and flourished and passed away, and whose wrecks now serve as the milestones of time in our treatment of and preparation for war, and the attention and solicitude we manifest toward those things which promote peace.

The Government has by law aided in building up our great manufacturing industries and our railroad systems. Of this we make no complaint if the people of the country are to and do receive fair treatment from them, but we are unwilling to make them our masters and furnish a guard with which they can maintain their mastery. I protest against continuing to make large appropriations for war, and plead that we for a little while devote our attention to bettering the condition of that large class of our citizenship for whom we have done so little, but to whom we owe so much. I desire to call the attention of the Congress to a few figures which are more eloquent than any words can possibly be of the neglect of the Government toward the American farmer.

Millions and multiplied millions of dollars have been taken from the pockets of the American people to build up the manufacturing industries of our country. Beginning with the first tariff act in 1789 down to the Underwood Tariff Act in the year 1913 our Government has levied a tribute on the consuming masses for the benefit of the manufacturer that has built up and developed that branch of industry beyond conception and unparalleled in history. The same is true of our transportation lines. The Congress early began a system of appropriations to deepen the rivers, widen their channels, dredge the gulfs and bays, connect bodies of water by canals, and, after the invention of the steam engine, to assist in constructing railroads, and by appropriations and land grants by the Federal Government and gifts and gratuities on the part of States, counties, cities, towns, and communities these have jumped into billions of dollars. The land grants alone by the Federal Government aiding in the construction of railroads amount to more than 200,000,000 acres of land, valued at more than $6,000,000,000. We are just now completing across the Isthmus of Panama a canal to connect the waters of the Atlantic and Pacific at a cost of nearly a half billion dollars. All this has been done for the purpose of bettering the condition of our people and to advance the prosperity of our country, but during all these years not one dollar has been appropriated to aid the farmer in the construction of good roads that he might more cheaply and expeditiously market the products of his farm. All of the manufacturing industries of our country might be closed, but if nature had sent an abundant crop throughout our country we would be blessed with general prosperity. Every railroad might cease to operate its trains, and yet if the wheat, corn, and cotton and the other staple crops were abundant famine would not be abroad in the land. The manufacturer may conduct his industry during every working-day in the year, and the railroads may run their trains every day in the year, but the very moment a drought strikes down the wheat, corn, and cotton crops every line of industry and every line of business is paralyzed. The manufacturer must close down his plant and the railroad must cease its operations. The farmers of the country furnish the products for the manufacturer and the freight for the transportation company.

In the Philippines, Porto Rico, and in the Canal Zone the Government of the United States is spending millions of dollars in the construction of good roads. If we will decrease the appropriations we are annually making for the Army and Navy and increase the appropriations for good roads in the United States, we will have made the greatest and most effective preparation for war, because it is the farmer and the laborer of the country who in time of war goes forth to defend his country against its enemies, both foreign and domestic. Unless some action is taken by the Congress that will make farm life more profitable and consequently bring more contentment to the farmers, a very serious condition will exist in the United States within a short time. Our farm products are now decreasing. In 1904 we exported 593,000 head of cattle; in 1909 we exported 208,000; in 1910, 125,000; and in 1911 about 95,000 head. We imported from Mexico, in 1908, 63,000 head of cattle; in 1910, 188,000; and in 1911 over 200,000. In 1908 we exported foodstuffs in its raw state, $189,000,000, and manufactured foodstuffs, $331,000,000; cotton, $437,000,000. In 1907 we exported more than $1,050,000,000 worth of farm products. Since that year our exports have been steadily decreasing and our imports increasing. With this shifting of the balance of trade we are becoming a debtor instead of a creditor nation.

In 1908 the number of cattle on the farms in the United States was 50,073,000; in 1909 there were 49,379,000; in 1910 there were 47,279,000; in 1911 there were 39,679,000; in 1912, 37,260,000; and in 1913, 36,030,000; showing a steady decrease in the number of this great food-producing product of the farm—nearly 15,000,000 in a period of five years, or 3,000,000 animals per year; and this, too, notwithstanding the increased demand for beef and all by-products of the packing plant.

Beginning with the year 1907 and extending down to and including the year 1912, the wheat crop of the United States was, in—

	Bushels.
1907	735,260,970
1908	634,087,000
1909	664,602,000
1910	737,189,000
1911	635,121,000
1912	621,338,000

showing a steady decrease in this great food-producing cereal, the crop in 1912 being 114,000,000 bushels short of the crop produced in 1907.

During the 10-year period from 1890 to 1900 the increase in the agricultural occupation in the United States was 21 per cent. In other occupations it was 32 per cent. In all parts of the country our citizenship is gradually drifting away from the farms and into the cities. In my judgment this drifting of the people from the farms to the cities could be largely decreased, if not entirely stopped, if there was a system of good roads throughout our country that would permit the farming and laboring population to enjoy some of the privileges of social life that under existing conditions are denied to them on the farms but afforded them in our cities. There are over 2,000,000 miles of public roads in the United States, and the Government of the United States is using more than one-half of this mileage in transporting its mails over rural and star routes. The Government uses these roads which it has not contributed one penny toward building, and it constantly holds over the heads of the farmers and those supplied with mail the threat that it will discontinue such service if they do not, at their own expense and by their own toil, keep these roads in good condition. The

Government of the United States has no better right to appropriate the roads built by the farmers of the country than it has to appropriate the railroads of the country; in fact, it would have a much better moral claim if it were to attempt to appropriate the railroads of the country to its own use, because it has contributed many billions of dollars toward their construction.

The matter of good roads is not only of great interest to the farmers of the country, but it is likewise of great interest to the consumers of farm products. The cost of transportation must finally be paid by the consumer, and the cost of transportation at this time almost equals the cost of production. Whatever, therefore, will decrease the cost of transportation will decrease the price finally to be paid for the agricultural products by the consumer without decreasing the amount the farmer secures for his products. It simply would reduce the expense of the middleman—the transportation company.

The latest Federal census showed the value of farm products to be nearly $9,000,000,000. About two-thirds of these farm products are consumed at home. The other third, or $3,000,000,000, is marketed, and in order to place it upon the market an average haul of 9 miles to town must be made over the unimproved dirt roads. The Secretary of Agriculture of the United States estimates that there is moved over the 2,000,000 miles of unimproved dirt roads annually about 3,000,000 tons of farm products at a cost of 25 cents per ton-mile, and he further estimates that this cost could be reduced by one-half if the roads were improved. This would result in an annual saving of $300,000,000 to the consumers of farm products.

Mr. Chairman, what I have said points the moral I desired to draw, and that is that the safety of a country and its perpetuity is not measured by the number of its armed soldiers nor the size and thickness of the walls of its forts and arsenals nor the bore and range of its cannon, nor yet by the thickness of the plates of steel and the swiftness of its battleships, but rather by the love and veneration of its citizenship, who by fair treatment have come to know that the rich and the poor, the mighty and the weak, all stand equal in the presence of the law.

Woman Suffrage and Good Roads.

EXTENSION OF REMARKS

OF

HON. BURTON L. FRENCH,

OF IDAHO,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, September 11, 1913.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent to insert in the RECORD an address by my colleague from Idaho [Mr. SMITH] delivered at Fairview, Ohio, a large part of which discusses the suffrage question.

The CHAIRMAN. The gentleman from Idaho asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection?

There was no objection.

The address is as follows:

[Speech of Hon. ADDISON T. SMITH, Representative in Congress from Idaho, delivered at the Thirty-fourth Annual Pennyroyal Reunion, at Fairview, Guernsey County, Ohio, August 21, 1913.]

"Mr. Chairman, ladies, and gentlemen, it is certainly most appropriate that the people of this historic section should year after year gather here to renew their bonds of friendship, to exchange their plans for the future, and to tenderly recount the good deeds of those who have passed on.

"We are occupying historic ground to-day. Over the old National Road traversing this section passed many times to and from Washington Presidents Jackson, Harrison, Polk, and Taylor; also such distinguished men as Sam Houston, John C. Crittenden, Chief Justice Marshall, and Davy Crockett.

"It is the only great highway built entirely by the Federal Government. It extends from Cumberland, Md., to St. Louis, Mo., a distance of over 800 miles, and was constructed at a cost of over $7,000,000. From the time of its construction, in 1825, until the railroads were built to the Mississippi it was the chief thoroughfare from the East to the then frontier States.

"The building of this great road was a godsend to the pioneer farmers along the way, as it furnished employment to thousands of them with their teams. They were not only benefited by their own earnings, but by the money spent in their locality, and land values were enhanced because of their proximity to such a splendid highway.

"As many as twenty 4-horse passenger coaches have been counted in line at one time, and there were thousands of broad-wheeled wagons covered with canvas in use for transporting freight. It took fast mail from Washington 54½ hours to reach Columbus and 94 hours to St. Louis.

"Along this old road passed the hardy and restless pioneer, whose spirit has constantly moved westward and is now wrestling with the mountains and plains of the Rocky Mountain and Pacific Coast States.

"The people who rescued that great West from the almost impassable barriers to civilization and those who are now there reclaiming the desert wastes, opening the storehouses of the mountains and harnessing the mighty rivers, possess the same indomitable spirit as those hardy pioneers who nearly a hundred years ago traversed this great thoroughfare seeking a favorable spot on which they could spread their tent and make homes for themselves and their families.

"The western country is still in its infancy. It is only a few years since the wealth in mountain, valley, and river has become known. These resources only need the progressive spirit of the pioneer to make these opportunities available and to demonstrate the possibilities of that region. Those who have gone there have not only been active in developing the material resources, but they have also made great strides in civilization and in the enactment of laws for the betterment of society and the elimination of the spirit of greed and domination which is so prevalent in older communities. The pioneers have always been the reformers, as the history of the human race shows, and those of the West are no exception to that rule.

"Among all the States in the new West Idaho proudly lifts her head. She was one of the first States in the Union to give woman her rightful place in the affairs of government. For nearly 20 years woman has been on an equality with man at the ballot box, and she has brought to that responsibility a determination to have those laws enacted which are intended to improve the morals of the people, to protect the public health, to give her children better opportunities in the struggle of life, and to accomplish many other things which will benefit her community, which the men, because of their disinclination or indifference or their time being too much occupied in their business affairs, have not done.

"Her natural ambition for the education and success of her children and the improvement of her surroundings, which has made the American wife and mother the best guardian of the home in all it signifies, has spurred her on to accomplish her great work. She constantly has in view the welfare of the home, the welfare of her children, and the general welfare of the human race. Through her active cooperation at the polls there have been placed on the statute books of Idaho many laws far in advance of those in the older States. Our pure-food laws, which are as stringent as any in the Nation; our antigambling laws, which have practically eliminated this vice in Idaho; our local-option laws, which have driven the saloon from over three-fourths of the counties in the State; our direct-primary laws, which have placed the selection of the State and county officers in the hands of the people; the widow's pension law, which permits her children to remain with their mother, their natural guardian, instead of sending them to an institution; our fruit-inspection laws, prohibiting the sale of wormy fruit and requiring the systematic spraying of fruit trees; our Sunday rest and many other beneficent laws are all due to the intelligent and active cooperation of the women of the State in the creation of public sentiment in favor of these wise enactments and by placing in office those who were favorable to this progressive legislation.

"I do not desire to be understood as approving the unreasonable campaign that is being conducted by the militant suffragettes in England. Their disgraceful and illegal acts can not aid their cause, and are deplored by all sensible and law-abiding people.

"The campaign which has been made in this country during the last 50 years for woman suffrage has been conducted in the most dignified and conservative manner. They have appealed to reason and patiently awaited the ripening of public sentiment favorable to their cause. They have shown that their interests are unselfish; that while they desire to have a voice in the making of the laws in order that good results may follow, they are perfectly willing that the men shall have the honor of executing the laws. They were only impelled by the deep affection for their children and their love of the home and the fireside to assert their right to help place in the legislature those who are willing to enact the laws which they demanded. What is true of Idaho is equally true of all woman-suffrage States. They tried persuasion for years to accomplish their plans, without success, and are now trying the ballot. In all those States where the women have won the right to vote much has already been accomplished toward the enactment of legislation which has contributed greatly to the betterment of all mankind. The polling places have been moved from the obscure street and placed in a prominent and neatly kept building. The act of casting the ballot has been dignified into a great responsibility and privilege. Only men with clean records are put up for public office and the old-time ward heeler has lost his occupation.

"Under the gentle influence and cooperation of woman—wife, mother, sister, and sweetheart—I confidently believe that within the next decade politics in this country will be placed on a higher plane in all the States; that the reins of government in town, county, State, and Nation will only be placed in the hands of those who are unselfishly devoted to the moral and intellectual improvement of the people; that laws will be passed which will inure to the protection of the wage earner, the weak, and unfortunate, and that the grasping and selfish will be curbed in their greed to acquire more than their share of the wealth of the country to the exclusion of those who have been deprived of the opportunity to enter the race unhampered.

"While many wise and wholesome laws have been enacted and many more are being contemplated, I hope that Congress and the various State legislatures may soon enact legislation providing for a comprehensive, systematic, and cooperative plan for improving the roads of the country from the Pacific to the Atlantic and from the Lakes to the Gulf. The benefit to the commerce of the country by the construction of the great Panama Canal can not be estimated, yet I confidently believe that if the expenditure of the four hundred millions in that great undertaking had been spent in the improvement of the roads of the country it would have brought greater prosperity to the Nation and the people than will result from the opening of the canal. I am glad to note that the enthusiasm of nearly a century ago for national highways which resulted in the construction of the National Road is being revived, and that we can confidently look forward to the construction of similar highways in all parts of the country during the next decade.

"We are this year appropriating $180,000,000 for pensions for our soldiers, and their widows and orphans, for the great service they rendered our Government when its life was in peril, which is distributed in the rural communities, towns, and cities in every section of the Union. No other Government funds find their way into so many of the interior States, for the millions appropriated yearly for the construction of battleships, for the improvement of rivers and harbors, the payment of the Army and Navy, and the thousands of Government employees is spent largely in the coast States. When our veterans and their widows have passed away the money that is now being spent for pensions should be appropriated for road construction. In this way the inland communities will get their proportion of the Government funds, of which they contribute their share in the internal revenue and customs duties.

"In all probability next year's appropriation for pensions will be eight or ten million dollars less than last year. By the use of this saving on the pension appropriation for road building we could undertake an immense system of road improvement without feeling the burden on our resources. Each year the pension appropriation will be less than the previous year, and the good-road appropriation could be correspondingly increased, until within 10 or 15 years we would have a network of highways that would bring unexampled prosperity to the wage earners, enrich the farmers, and give a stimulus to commercial undertakings which have not been equaled in the world's history.

"When we contemplate the possibilities of this great country and reflect on our Nation's history and the progress we have made in the arts and sciences, in inventions, in agriculture, and in the cultivation of those Christian graces which bind us closer in brotherly affection, how glad we should be that we are American citizens living in the twentieth century. While we may differ in our politics or our religion, we are patriots and lovers of a common country, ready to work together for its advancement and the preservation of its institutions, and to take a determined stand against those doctrines opposed to our form of government, the advocates of which prefer the red flag to our Stars and Stripes.

"It is good to live in times like these and to participate in the grand undertakings which are making the world better. Such occasions as this can only result in good. An interchange of opinion is always desirable, and better acquaintance results in unity and cooperation and a more kindly interest in the welfare of our neighbor. We go from this place more loyal than ever to Pennyroyaldom, more proud of our country and its achievements, and more confident that the future has in store for us continued progress and development as a people and a Nation."

The Modern Woman.

EXTENSION OF REMARKS

OF

HON. HENRY GEORGE, JR.,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, September 17, 1913.

Mr. GEORGE. Mr. Speaker, I ask unanimous consent to print in the RECORD an article by Helen Keller, entitled "The modern woman."

The SPEAKER. The gentleman from New York asks unanimous consent to print in the RECORD an article by Helen Keller. Is there objection?

There was no objection.

The article is as follows:

[From the Metropolitan Magazine, December, 1912.]

THE MODERN WOMAN.

[By Helen Keller.]

THE WOMAN AND HER HOUSE.

We women have often been told that the home contains all the interests and duties in which we are concerned. Our province is limited by the walls of a house, and to emerge from this honorable circumscription, to share in any broad enterprise, would be not only unladylike, but unwomanly. I could not help thinking of this the other day when I was asked to go to a far State and take part in some work that is being done for the blind. If I accepted this invitation, should I not be leaving my proper sphere, which is my home? I have thought of it many times since I learned that there are in America over 6,000,000 women wage earners. Every morning they leave their homes to tend machines, to scrub office buildings, to sell goods in department stores. Society not only permits them to leave their proper sphere; it forces them to this unwomanly desertion of the hearth, in order that they may not starve. O my sisters in the mills and shops, are you too tired, too indifferent, to read the ridiculous arguments by which your rights are denied and your capacities depreciated in the sacred name of the home and its defense?

Woman's sphere is the home, and there, too, is the sphere of man. The home embraces everything we strive for in this world. To get and maintain a decent home is the object of all our best endeavors. But where is the home? What are its boundaries? What does it contain? What must we do to secure and protect it?

In olden times the home was a private factory. The man worked in the field or at his handicraft while the woman made food and clothes. She shared in out-of-door labor; but indoor work naturally became her special province. The household was the center of production, and in it and about it man supplied himself with all that he needed—or all that he had—by rudimentary hand processes. The mill to grind corn was not far away. The leather used by the shoemaker was from a beef killed by a neighbor. Over every cottage door the words might have been written: "Mr. & Mrs. Man, manufacturers and dealers in general merchandise." Home life and industrial life were one. To-day they are widely separated. Industries that used to be in the house are spread all over the world. The woman's spinning wheel and part of her kitchen and dairy have been taken away from her. When she seeks to understand economic affairs and to exert her authority in their management she is in reality only following her utensils.

HOME IS WHERE THE WORK IS.

The spinning wheel, ancient emblem of domestic industry, has been removed to great factories. She has followed it there both as worker and owner. So she still does her part in the great task of clothing the human race. Where the spinning wheel is the woman has an ancestral right to be. For no matter how complex wheel and loom have become she depends on them still to make the blanket that covers her child in its sleep. It is her duty as a housemother to watch her spinning wheel, to see that no member of the world family goes ill clad in an age when wool is abundant, when cunning machines can make good coats, when a ragged frock on a self-respecting woman is a shame to us all. It is for woman to follow her wheel, to make sure that it is spinning wool and not grinding misery, that no little child is chained to it in a torture of day-long labor. The spinning wheel has grown a monstrous thing. In order to identify it one must study wages, tariffs, dividends, the organization of labor and factory sanitation. The woman who studies these problems and insists on having a voice in their solution

is in her home as truly as was her grandmother whose tireless foot drove the treadle of the old spinning wheel. The home is where those things are made without which no home can be comfortable.

Once the housewife made her own butter and baked her own bread; she even sowed, reaped, thrashed, and ground the wheat. Now her churn has been removed to great cheese and butter factories. The village mill, where she used to take her corn, is to-day in Minneapolis; her sickle is in Dakota. Every morning the express company delivers her loaves to the local grocer from a bakery that employs a thousand hands. The men who inspect her winter preserves are chemists in Washington. Her ice box is in Chicago. The men in control of her pantry are bankers in New York. The leavening of bread is somehow dependent upon the culinary science of Congressmen, and the washing of milk cans is a complicated art which legislative bodies, composed of lawyers, are trying to teach the voting population on the farms.

It would take a modern woman a lifetime to walk across her kitchen floor, and to keep it clean is an Augean labor. No wonder that she sometimes shrinks from the task and joins the company of timid, lazy women who do not want to vote. But she must manage her home; for, no matter how grievously incompetent she may be, there is no one else authorized or able to manage it for her. She must secure for her children clean food at honest prices. Through all the changes of industry and government she remains the baker of bread, the minister of the universal sacrament of life.

When she demands to be mistress of the national granary, the national kitchen, the national dairy, the national sewing room, whoever tells her to confine herself to her house is asking her to move forward and backward at the same time. This is a feat which even her inconsistency can not achieve. The inconsistencies reside not in woman and her relation to her plain duties, but in her circumstances and in some of her critics. She can put a basket on her arm and bargain intelligently with a corner grocer, but she can not understand the problem of nationalizing the railroads which have brought the food to the grocer's shop. She is clever at selecting a cut of meat, but the central meat market must not be opened to her investigation; a congressional committee, which she did not choose, is doing its whole duty as father of the house when it tries to find out who owns the packing houses in Chicago, how much money the owners make out of her dinner, and why thousands of tons of meat are shipped out of the country while her family is hungry.

She opens a can of food which is adulterated with worthless or dangerous stuff. In a distant city a man is building himself a palace with the profits of many such cans. If a petty thief should break into her pantry, and she should fight him tooth and nail, she would be applauded for her spirit and bravery, but when a millionaire manufacturer a thousand miles away robs her by the peaceful methods of commerce she has nothing to say, because she does not understand business, and politics is not for her to meddle in.

Woman's old "domestic sphere" has become not only an empty shell with much of the contents removed, but a fragile shell in which she is not safe. Beside her own hearth she may be poisoned, starved, and robbed. When shall we have done with the tyranny which applies worn-out formulas to modern conditions? When shall we learn that domestic economy is political economy? The noblest task of woman is to get bread for her children. Whatever touches her children's bread is her business.

THE MOTHER SPIRIT IN THE WORLD.

Woman from times long gone has been the nurse, the consoler, the healer of pain. To-day the sick bed is often in a great public hospital. There she has followed it as professional nurse, and her services have been welcomed and acknowledged. In the hospital wards where she moves, deft, cheerful, capable, there are men unnecessarily laid low by the accidents of trade and children maimed and dying who might be well and playing merrily in the bright morning of life. From the battle fields of industry come the wounded, from the shambles of poverty come the deformed. What enemy has stricken them? How much of all this disease and misery is preventable? Shall the wise nurse stand by the bed of pain and ask no questions about the social causes of ill health? If her own child in her own home is needlessly hurt, she blames herself for her carelessness. In the world home if a child is needlessly hurt, she is equally responsible. By her vigilance in the world home woman can help to bring about a civilization in which every preventable disease shall be rooted out and every condition that causes broken bodies shall be examined and abolished. This is her problem. She is mistress of the sick room, and the sick room is world-wide.

The education of children is acknowledged as lying within the scope of maternal care. The mother is the first teacher before the child goes to school, and in the schoolroom her unmarried sister devotes herself as a professional foster-mother to the children of others. The American nursery is a public building with a flag flying over it. If anywhere, woman is mistress in the schoolroom. So evident is this that in relation to schools she has a certain political privilege. She can vote for the school committee and serve on it herself. But even here she is bound by a very short tether. She has nothing official to say about how much money shall be spent for schools. Her freedom in this respect, as in some others, is the form without the substance, for the fundamental question in the public-school problem is the question of money. That must be appropriated by men. Moreover, the laws relating to children—for example, the laws of compulsory education—are made by men. It is not for her to say whether a child shall be taken from school to grind in mill and factory. Yet every child plunged in ignorance, bent by man's work before his time, is a thwarting of her sacred mission to fill the world with children well born, well bred, beautiful, wise, strong for the burdens of life. The schoolroom and all that it means belongs to the central intimacy of home, and all that violates the schoolroom violates the sanctity of the woman's hearth.

It is idle to say that woman could not improve the schools, that the schools are already free, and that every child has opportunity for instruction. The efficiency of the school depends upon things outside the schoolroom. It has been found that you must feed your child before you can teach it, and that the poor home defeats the best schoolroom. Behind the free school we must have a free people. What profits it to provide costly school buildings for anemic, underfed children, to pass compulsory education laws and not secure a livelihood for the families whose children must obey them? What is the common sense of free textbooks without wholesome food and proper clothing? Where is the logic—masculine or feminine—of free schools and free child labor in the same commonwealth? These questions concern the most ignorant woman and the best educated woman, and the solution of them is necessary to the health and comfort of every home.

Woman's place is still the household. But the household is more spacious than in times gone by. Not all the changes of modern life have changed her duties essentially. Her work as spinner, bread giver, helper of the helpless, mother, and teacher of children is nowise different to-day, but is immensely increased and intensified. Too often confused by the dazzle and uproar of modern life she is the primal woman still, the savior and shaper of the race. In what a grim, strange abode must she often discharge her old-time functions! Sometimes it is no home at all, but an overcrowded, sunless lodging; it is not a shelter, but an industrial prison; it is not a nursery, but a lazaretto.

Countless mothers of men have no place fit to be born in, to bear others in, to die in. Packed in tenements forgot of light, unheeded and slighted, starved of eye and ear and heart, they wear out their dull existence in monotonous toil—all for a crust of bread! They strive and labor, sweat and produce; they subject their bodies and souls to every risk, lest their children die for want of food. Their clever hands which have so long been set to the spindle and the distaff, their patience, their industry, their cheapness have but served to herd them in masses under the control of a growing industrial despotism.

Why is all this? Partly because woman does not own and direct her own share of the national household. True government is nothing but the management of this household for the good of the family. Under what kind of government do we live? To this question, her question, woman must find an answer by following her sisters to their places of sojourn. It is for her to know if their home is home indeed, if their shelter is strong and healthful, if every room—in lodging, shop, and factory—is open to light and air. It is for her to see that every dweller therein has freedom to drink in the winds of heaven and refresh his mind with music, art, and books; it is for her to see that every mother is enabled to bring up her children under favorable circumstances.

THE NEW FAITH.

The greatest change is coming that has ever come in the history of the world. Order is evolving out of the chaos that followed the breaking up of the old system in which each household lived after its own manner. By using the physical forces of the universe men have replaced the slow hand processes with the swift power of machines. If the woman demands it a fair share of the machine products will go to her sisters and their families as when the loom stood at hand in their dwellings. They will no more give all their best years to keep bright and fair the homes of others while their own are neglected. They will no more consume all their time, strength, and mental capacity in bringing up the rosy, laughing children of others while their own sweet children grow up pitiful and stunted. There is motherhood enough in the world to go round if it is not abused and wasted.

Yes; the greatest change is coming that has ever come in the history of the world. The idea that a higher power decrees definite stations for different human beings—that some are born to be kings and others to be slaves—is passing away. We know that there is plenty of room in the world and plenty of raw material in it for us all to be born right, to be brought up right, to work right, and to die right. We know that by the application of ordinary intelligence and common good will, we can secure to every one of our children the means of culture, progress, and knowledge; of reasonable comfort, health, and happiness; or if not happiness, at least freedom from the unnecessary misery which we all suffer to-day. This is the new faith that is taking the place of the faith in blind, selfish, capricious powers. Religion, the life of which is to do good, is supplanting the old servile superstitions. The spirit of the time we are in has been eloquently described by Henry Demarest Lloyd:

It is an ethical renaissance, and insists that the divine ideals preached for thousands of years by the priests of humanity be put into form, now, here, and practically, in farm and mine, stock market, factory, and bank. It denies point-blank that business is business. It declares business to be business and politics and religion. Business is the stewardship of the commissary of mankind, the administration of the resources upon which depend the possibilities of the human life, which is the divine life.

What is there, then, so cold, sordid, inhuman in economics that we women should shrink from the subject, disclaim all part in it, when we touch it daily in our domestic lives?

Many young women full of devotion and good will have been engaged in superficial charities. They have tried to feed the hungry without knowing the causes of poverty. They have tried to minister to the sick without understanding the causes of disease. They have tried to raise up fallen sisters without knowing the brutal arm of necessity that struck them down. We give relief to a mother here and there, and still women are worn out at their daily tasks. We attempt social reforms where we need social transformations. We mend small things and leave the great things untouched. We strive after order and comfort in a few households, regardless of the world where distress prevails and loveliness is trodden in the dust.

Our abiding place will be home indeed when the world outside is a peaceful, bright home for mankind. Woman's happiness depends upon her knowledge of the facts of life as much as upon her lovely thoughts and sweet speech and her faithfulness to small duties. In woman is wrapped the hope of the future. The new child, the new civilization, all the possibilities that sleep in mankind are enfolded in her. In her travail is the resurrection of the human race. All this glorious promise can be brought to naught by ignorance of the world in which it is to be fulfilled. To plead with woman, to urge her to open her eyes to the great affairs of life, is merely to bid her make ready her house for the child that is to be born.

Currency.

EXTENSION OF REMARKS
OF
HON. C. BASCOM SLEMP,
OF VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, September 17, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. SLEMP. Mr. Speaker, I avail myself of the privilege afforded each Member of the House of extending his remarks in the RECORD by inserting therein the following:

First. A copy of resolutions adopted by the executive council of the Virginia Bankers' Association at a meeting held in Richmond, Va., on the 6th day of September last.

Second. Sundry letters from bankers in the ninth district of Virginia containing comments on the currency bill now before the House.

The resolutions and the letters speak for themselves and uniformly condemn the bill.

VIRGINIA BANKERS' ASSOCIATION,
OFFICE OF THE SECRETARY,
Farmville, Va., September 15, 1913.

MY DEAR SIR: The executive council of this association held a meeting in Richmond on the 6th instant to discuss the currency bill now pending before Congress, and the following resolutions were unanimously adopted at said meeting:

"*Resolved*, That while recognizing the patriotism and ability which characterize the currency measure now under consideration by Congress, we desire to record our convictions that the enactment of the bill in its present form would not be acceptable to the banks of this State, and would, in our judgment, involve the surrender of national charters by many of the institutions in this State; and that we earnestly suggest that each bank, National and State, should advise our Senators and Congressmen of our convictions and invoke their efforts to obtain modifications which we believe will be necessary to secure the efficiency of the banking and commercial interests of this State.

"*Resolved*, That in our belief the recommendation of the recent Chicago meeting of representative banking interests of the country furnishes a reasonable ground for the modification of the pending currency bill, and that copies of these resolutions be sent to our Members in Congress and to the chairmen of the Senate and House Committees on Banking, respectively."

Jos. M. Hurt, Blackstone; Walker Scott, Farmville; W. B. Vest, Newport News; J. W. Bell, Abingdon; C. E. Tiffany, Warrenton; C. Taylor Burke, Alexandria; H. W. Jackson, Richmond; Oliver J. Sands, Richmond; Thos. B. McAdams, Richmond; S. L. Barrow, Blackstone; T. P. Beery, Harrisonburg; Julien H. Hill, Richmond; R. E. Jordan, South Boston; G. R. Ratcliff, Manassas; J. J. Scott, Bedford City, members of the executive council."

Faithfully, yours,

WALKER SCOTT, *Secretary.*

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THE PEOPLE'S NATIONAL BANK,
Abingdon, Va., September 13, 1913.

Mr. C. B. SLEMP, *Washington, D. C.*

DEAR MR. SLEMP: I am just in receipt of your letter of the 12th, and take pleasure in giving you my views regarding the currency form which is now before the House. I wish to say that I am not in favor of a change along the line which the new law predicts, and I do not believe it would be accepted by the majority of the banks in this State, and should this law be passed I believe it would involve the surrender of national-bank charters by many of the institutions in this State.

In my judgment it would be a hardship on most of the banks to take 10 per cent of the capital stock out of their business on 60 days' call. As for ourselves, we have no trouble in keeping up our reserve, and we would much prefer the present arrangements. When we have occasions to borrow money we have at all times been granted these accommodations, and I would much prefer borrowing money from the people whom we keep our reserve and balances with.

In regard to the exchange proposition, will say that I think this would curtail the income for country banks, as this source alone brings in considerable money in the run of a year. Of course my experience in the banking business is limited and my ideas which I have given you are to the best of my judgment for the betterment of banks in our section.

With kindest regards, I am,
Yours, very truly,

F. B. MCCONNELL,
Cashier.

—

THE FIRST NATIONAL BANK,
Wytheville, Va., September 15, 1913.

Hon. C. B. SLEMP, M. C., *Washington.*

MY DEAR SIR: I am due you an apology for not replying to your letter of recent date in regard to the currency bill now before the House, but as the executive committee of the Virginia Bankers' Association was to meet on the 6th instant I deferred writing.

That committee held its meeting on that date, and you possibly have before you now the resolutions that were passed, which resolutions I indorse.

If the present bill should become a law it would decrease our earnings in the loss of our interest and exchange account, and we do not like the idea of surrendering 10 per cent of our capital.

If the present bill should become a law I think a large per cent of the national banks in this section would surrender their charters and return to the State system, which we would not like to do, as we have tried both, and we like the workings of the national system under the present law so much better than we did the State. It looks to me that the Currency Committee should give some heed and show some respect to the opinions of men experienced and trained in the business of banking, but they seem to think it all emanates from that much-despised street in New York, and they can not see beyond their nose.

Yours, very truly,

C. W. GLEAVES, *Cashier.*

—

THE FIRST NATIONAL BANK OF ABINGDON,
Abingdon, Va., September 13, 1913.

Hon. C. B. SLEMP, *Washington, D. C.*

MY DEAR MR. SLEMP: I have your esteemed letter of the 12th instant in reference to the currency bill which is now before the House of Representatives.

I agree with you that the bill is a very important one, and one that affects the business and banking interests of the whole country vitally. It is my opinion that the recommendations made by the meeting at Chicago recently form a reasonable groundwork for the modification of the bill.

I think the national banks are in a less favorable position than the State banks on account of being compelled to either enter into the Federal reserve system or give up their charters, as you know the State banks have the option of either becoming members or remaining as they are. The national banks will be compelled to become members of the association or surrender their charters, in which latter event they will be forced to retire their circulating notes, which will make it necessary to dispose of their Government bonds. Unless the Government makes some provision for the immediate redemption of the 2 per cent bonds, any considerable number of national banks retiring from the system would cause the market for these bonds to go to an investment basis, which would result in a loss to the retiring national banks of more than the cost of their subscription to the Federal reserve banks. This makes it practically compulsory upon the national banks to enter the system. The State banks will probably wait until the new law is tried out by the national banks. If it proves to be a good thing, they will avail themselves of their privilege of entering the system; otherwise, they will remain as they are, operating under their State charters.

You can readily see from this how it places the State institutions in a much better position than the national banks.

The requirement of 20 per cent subscription to the stock of the Federal reserve banks, 10 per cent of which will have to be paid in cash and the remaining 10 per cent to be paid on call, is, in my opinion, excessive. It seems to me that the subscription should, in any event, be reduced to 10 per cent of the capital of each bank, 5 per cent of which should be paid in cash and a liability for the remaining 5 per cent. It seems unreasonable that each bank should be compelled to surrender 20 per cent of their capital to be managed by the Federal reserve banks and so little of the profit to be allotted to the stock-holding banks. I believe also that the banks should have some voice in the selection of the members of the Federal reserve board, as it does not seem fair or just that the banks should be required to furnish all the capital without any representation upon the board and only a meager return for the use of their money.

Another objection that I have to the bill is the requirement to keep the reserve of national banks with the Federal reserve banks without interest. It would seem to me that if the Government is to receive nearly all the profit from the Federal reserve banks that the banks should have at least interest upon their balances; otherwise, the bank that had $50,000 deposit with the reserve bank would receive no more benefit than the bank that only kept $5,000.

I do not think the rediscount privileges would be of any considerable advantage to banks in this section directly. It is possible that it might make it easier for their city correspondents to get accommodations from Federal reserve banks and thereby he the better enabled to accommodate their country bank correspondents, but as for any direct accommodation to be extended to banks in this section from Federal reserve banks, I do not anticipate it.

Another part of the bill that seems to me very objectionable is the extraordinary powers granted to the Federal reserve board over the national banks. As I understand the bill, it gives them power to make any number of examinations at any expense, requiring the bank to pay same, and it really seems to me that it takes the management of the banks out of the control of their officers and directors and places the entire management in the hands of the Federal reserve board. It would seem that under the new law the banks might be placed in a position of having to consult the Federal reserve board before extending their customers a line of credit.

The provision of the bill providing that the Federal reserve banks receive from any member checks on any other member at par would practically wipe out the exchange account of all the banks in this section and would very materially curtail the income of every bank in this section, and I think this applies generally to country banks over the entire country.

There are several other points in the bill that I would like to call to your attention, but I am in a hurry to get this letter off on the mail, and I may write you again Monday.

Thanking you for writing me, I am,

Yours, very truly,

J. W. BELL.

—

FARMERS' BANK OF SOUTHWEST VIRGINIA,
Wytheville, Va., September 13, 1913.

Hon. C. B. SLEMP, *Washington, D. C.*

MY DEAR SIR: Your favor of the 12th instant to hand and contents carefully noted.

The currency bill, as I understand it, applies more particularly to national banks. Ours is a State bank, but nevertheless there are many features in the bill that are decidedly objectionable to State banks, if these provisions apply to them as well as to national banks. State banks, as I understand it, can take stock or not as they may elect.

Then to require banks to collect and remit for drafts without charge is altogether wrong, and would curtail the income of the State as well as national banks.

There is so much that is objectionable in the bill that it would require more time to elaborate than I can possibly devote to the subject at present.

In its present shape the bill should be defeated in the House.

Very truly, yours,

V. C. HUFF.

—

PULASKI, VA., *September 15, 1913.*

Hon. C. B. SLEMP, *Washington, D. C.*

MY DEAR SIR: Your kind letter of the 12th is at hand. The currency bill, as you state, is very important. It will very materially reduce the income of our bank and of all country banks, with no corresponding benefit to the patrons of our bank or of any country bank.

If I understand the bill, the reserve bank does not pay interest on reserves deposited with them. The compulsory subscription of an amount equal to 20 per cent of our capital stock I do not like. The bill was not prepared to benefit the national banks, but it may benefit some people somewhere, but not in Pulaski or southwest Virginia.

I have not gone over section 27, referring to the savings department of national banks, very carefully or fully, but it will certainly increase the work and cost of that department, and I am unable to see the benefit.

It is a change, and as we have been a prosperous people for the past 13 years, it looks as though a change was wanted and we are about to get it.

Will you kindly send me a copy of the bill. Only one copy in our town.

Truly, yours,

JNO. W. ECKMAN.

—

THE FIRST NATIONAL BANK,
Pearisburg, Va., September 16, 1913.

Hon. E. BASCOM SLEMP, M. C.,
Washington, D. C.

MY DEAR SIR: Replying to your letter of recent date asking my views of the proposed currency legislation, would say there is much of the bill that a man of bank experience can not approve. I think all compulsory features are bad, whether applied to banking or otherwise.

The bill simply means to us that we will have to withdraw from our home customers not less than—

10 per cent of capital	$10,000
5 per cent of deposits	15,000
Total	35,000

on which we will be allowed to make or get a dividend of $500. We are using the money fully now at 6 per cent. Some small compensation may be realized by reduced reserve, but such profit will, no doubt, be taken up in expense of extra examinations.

As you know, with the development going on in this part of the State, we need all our money and more. You also know, Mr. SLEMP, that our paper is as good as the best, but at the same time we have no commercial (the kind banks lose money on) paper that would come under the rediscount class, as provided. It might be put in by misrepresentation, but without that we in the Southwest could not raise $100,000 of the true kind. We prefer what we have, backed by real estate, for, as J. J. Hill has said, "the fire risk is good, and it don't run away."

Briefly, we believe the administration is going to put that bill across. In that case we will accept it in good faith for a trial, but if it does work injustice to us we will simply give up national charter.

I wish you were in position to really do something along the right line, but we all know they are not going to let you have a word to say that they will listen to.

Viewed from a distance, it looks very much like a deal of strong-arm method is being exercised at present and that the Republican Members might as well be at home cutting corn.

Thanking you for writing me, and with best personal wishes, I remain,

Very truly,

C. L. KING.

—

TAZEWELL NATIONAL BANK,
Tazewell, Va., September 13, 1913.

Hon. C. B. SLEMP, *Washington, D. C.*

DEAR MR. SLEMP: Yours of the 12th received. I have read the currency bill carefully, and have also, as far as I have been able, read what recognized leaders in the banking world have had to say about it. One can easily see, with the total membership of the Federal reserve board appointees of the President, how our money system might become the tool of politics and with grave results. I do not, however, feel competent to discuss this feature of the bill.

I do not see how the bill as a whole will help the small banks. We are required to subscribe to the capital stock of the reserve bank an amount equal to 20 per cent of our own capital, 10 per cent of which is to be paid in cash, with the remainder subject to call. In addition, we are required to keep 5 per cent of our deposits with the reserve bank without interest. In return for all this we get not over 5 per cent dividends on our stock in the reserve bank and a discount privilege of doubtful value. In our case, and with our average deposits during the last year as a basis, we would receive $300 for the use of $20,000, at 1½ per cent. Take any agricultural section, such as ours, and commercial paper in the true sense is not to be had. Our loans are made to farmers and merchants to be used in their business in a general way and with a tacit understanding that the money will not be paid back until the farmers and merchants are good and ready. In the larger centers time paper is executed by one person or firm to another for goods delivered, and with the understanding by both the party executing and the party receiving the note that it will be promptly paid at maturity. This is commercial paper in its true sense, and as far as I know there is none in our district, unless perhaps in Bristol. If we get this class of paper we must go on the market and buy it, which we would not likely do for the purpose of rediscounting it. The reserve banks, with the consent of the Federal reserve board, may make their definition of commercial paper broad enough to admit the character of paper we handle; but if this is not done, in addition to the reserve we will be required to carry with the reserve bank, we will have to carry with our city correspondents sufficient balances to induce them to come to our rescue in time of need. Are you not afraid that even if the definition of commercial paper is broad enough to cover the character of paper handled by the country banks that the red tape to be gone through with in connection with rediscounting and the amount of publicity connected will restrain the country banks from using the privilege? To make myself clear, if one of our customers should receive notice from the reserve bank that they held his note, which he thought we held, and that he must pay it at maturity, it would put him in a panic, and he would make panicky every neighbor in 5 miles.

It seems to me that the notes to be issued should be bank notes, but with strict Government supervision as to reserves and redemption. This, however, is too big a question for the little fellow.

The provision to par all items will hurt the country banks quite a good deal. I know banks in small places that could hardly exist but for their revenue from exchange charges.

Do not understand me as opposing currency legislation. Means should be provided for a mobilization of reserves and for an elastic currency. I do think, however, that a system that would give quick relief to the larger centers, and by them to the country banks, would be preferable to the bill proposed. It is the business of our city correspondents to know us, and if they can get relief in stringent times they will gladly pass it along.

With kindest regards,

Yours, respectfully,

W. T. GILLESPIE.

P. S.—One other feature. The bill provides that while we may keep as much more than the 5 per cent of our deposits required with the reserve bank we must under no circumstances allow our balances with the reserve bank to fall below the 5 per cent. This means that a bank that has four times its capital in deposits will lose control of an amount equal to 40 per cent of its capital. Under present conditions we are required to keep a certain reserve with our agents in the cities, but the law contemplates that we can use these reserves in stringent times and have a reasonable time in which to build them up again.

W. T. G.

—

GATE CITY, VA., *September 16, 1913.*

Hon. C. B. SLEMP, M. C.,
Washington, D. C.

DEAR SIR: We have your letter addressed to us in regard to the currency bill now before Congress.

First, we desire to say that the banking system of this country needs some changes, but we do not think that the matter is being considered as it should be. This whole currency bill is being rushed upon the country without giving the country, and especially the bankers, time to weigh and consider the different features and conditions of this bill. The bill has had so many different proposed modifications that it is right difficult to know just what is proposed in the bill.

We believe that this bill as first offered to the country, without the changes as offered to the bill by the bankers at the recent Chicago meeting of bankers, will not bring the relief that the country wants, and will be positively harmful to the banking interests, as a whole, all over the land.

We have gone carefully over the proposed changes as offered by the bankers at Chicago, and we heartily indorse them all.

We do not believe that banks should be compelled to take stock in the regional reserve bank, but make it optional to the bank, at least for one year after the bill goes into effect, or as to that make it optional with the bank whether it ever takes stock in the reserve bank.

We do not think that the Government should go into the banking business, asking to take over the profits over and above 6 per cent paid to the holding banks on the stock held by them. This, it seems to us, is giving to the Government the profits that would naturally belong to the banking interests of the whole country, as this profit to-day properly belongs to them.

We do not think that this reserve bank should have the exclusive right to issue Treasury notes or Government notes. This will cripple the prestige that now belongs to a national bank.

The discount privileges under this bill are no advantage at all to a country bank, or, as to that matter, to an ordinary bank, as they can now rediscount with the city correspondents any first-class paper to a reasonable amount, and they are not hindered by a legal limitation as to the amount so rediscounted. It leaves it entirely optional with the directors of the reserve bank, and this is too great a power to place in the hands of men over the banks of a given district.

One of the very greatest harms that can possibly be done to a country bank is to take away the right to charge exchange. All country banks make a good per cent of their earnings in this way. This will cause us to lose quite a lot in our yearly income.

Again, we ask that the Federal reserve board be controlled in their appointments—at least a majority—from the banking interests of the whole country and not left entirely at the dictation of the President of the United States, as this will bring the banking interests under the control of politicians. And most certainly there will be an endless warfare if the banking system of the whole country is turned over to politics. Keep the banks of this country from politics, and in doing this we best serve the people and the bankers, who themselves have built up the marvelous system we have to-day.

We would urge that you use your influence to have this banking reform deferred until the December session of Congress, and by that time the whole matter will be more thoroughly settled by the bankers, who after all are the best men to consult in this whole reform.

If the same can not be deferred until then, we ask that you use your influence against the bill in its present form, unless the proposed changes as outlined by the recent bankers' meeting at Chicago be accepted and incorporated into this bill.

It will positively ruin the small banks of this country out of business, and they are as much entitled to do business as the large banks of the large cities. As the bill stands now it is legislation for the big bankers against the little banker. It is legislation for the few against the many. It is legislation for "special privileges of the few rich bankers against the many small bankers."

We both jointly ask that you try for these amendments, and if not granted vote against the bill.

We are,

Yours, very truly,

THE PEOPLE'S NATIONAL BANK, GATE CITY, VA.
By J. H. PETERS, *Cashier.*
THE FIRST NATIONAL BANK, GATE CITY, VA.
By J. W. CARTER, *Cashier.*

—

THE NATIONAL BANK OF NORTON,
Norton, Va., September 15, 1913.

Hon. C. B. SLEMP,
House of Representatives, Washington, D. C.

DEAR SIR: I have yours of the 12th instant, and replying beg to say that I have read the currency bill which you sent me, but have not studied it as closely as I would like. It looks like there are many good features in it, but, of course, good results from it will depend largely on how the whole matter is managed and carried out by the men who will be at the head of it.

It seems to me that 10 per cent ought to be the total amount of the capital stock required from country banks and allow the other 10 per cent optional, and in regard to the matter of exchange charges it seems to me that way the act reads that one reserve bank shall accept all items at par from other reserve banks, but if it means that we could not collect any exchange from any of the banks with which we do business, we would not want it by any means, as it would work a great hardship on us and would very seriously affect our profits.

We received this morning copy of the bill with alterations made by a conference of bankers held in Chicago August 22 and 23. I have not yet had time to examine their corrections to see what they suggest. I will try to examine it right away and let you know what I think about it. I suppose you have a copy of these corrections.

Yours, very truly,

E. H. OULD.

—

BANK OF CLINCH VALLEY,
TAZEWELL, VA., *September 16, 1913.*

Hon. C. B. SLEMP, *Washington, D. C.*

MY DEAR SIR: Answering your favor of the 12th instant asking my views on the pending banking legislation, have to say that as a general proposition the whole question is entirely too big for me.

I will say, however, that I suppose I am committed to the report adopted by the representatives of the State bankers' associations and clearing-house associations at the conference held at Chicago, August 22 and 23, because at a recent meeting in Richmond, Va., I voted in the affirmative to the effect that the recommendations of the Chicago meeting furnished a reasonable ground for the modification of the pending currency bill. While undoubtedly there are many apparent objections to this bill, I am none too sure that the good features do not outweigh the bad, and I have every faith in you folks in Congress passing a bill that will measure up to the emergency when the test is applied, prove of the greatest benefit to the greatest number, and properly safeguard depositors, business interests in general, and the banking interests as well.

In this community, as in all this section perhaps, the discount privileges under this bill will be negative, and I might say under most any other bill they would amount to nothing, for we carry very little or no business paper, all being what we term "old-field accommodation paper." Absolutely none can be found that is better, and at the same time I may add none can be found that is slower. To give you an idea of the strength of this class of paper, offer as an illustration the fact that in the 24 years we have conducted this institution not one dollar has been lost by reason of a bad loan, and yet no one seems to have contemplated a bill whose features offer any encouragement to this class of paper, and I do not undertake to doubt the wisdom of same.

Respeaking your good offices in cooperating with the Democrats in trying to pass a safe and sane measure, and with kind, personal regards, I am,

Yours, very truly,

HENRY PRESTON, *Cashier.*

Mr. George W. Gillespie, of Tazewell, Va., president of the Tazewell National Bank, incloses a clipping from the Washington Post which he commends as important and of which he approves:

[From Washington Post of September 15.]

BANKERS ARE BEST CURRENCY CRITICS.

"The objections of the bankers to the Glass-Owen currency bill certainly are a more reliable index to the sentiment of the country than the opinions of so-called 'students of finance,'" remarked Henry J. Stafford, former State bank examiner of one of the Western States, at the Shoreham. "I do not believe anyone can question that the bankers are honest in their objections, and surely their opinions are based on practical experience. You might say that the banking interests, State and national, hold the 'purse strings of the country,' and unwise legislation might result disastrously. Any policy that would tend to control a portion of the paid-up capital, for affording a surrender of a percentage of their deposits in an arbitrary manner, as proposed in the Glass bill, and which would have the effect of reducing earning capacity and assets is bound to be looked upon with suspicion and met by resistance, and especially so where the benefits are more or less uncertain.

"This is particularly true of that class of national banks termed country banks, of which there are something over 7,000, and which have to contribute to the capital stock of the proposed regional reserve banks over $60,000,000 from their paid-up capital on the first assessment and be subject to call for a like amount in the event it is found that the full 20 per cent is required, and at the same time to surrender absolutely their control of more than $100,000,000 of individual and $32,000,000 Federal deposits, reducing their earning capacity in proportion and for a doubtful benefit. It is doubtful, because if advantage is not taken of the rediscount provisions—and certainly some banks will not while conditions remain normal—there would be no benefit, and in cases of stress, when aid from the reserve banks was necessary, the character of the paper of these country banks, while good, would be such as not to meet the approval and requirements of the Federal reserve board. Another objection is the basis of subscription to the capital stock of the reserve banks. The June statement of the comptroller shows that central reserve banks have a surplus of practically 90 per cent, other city reserve banks 70 per cent, and country banks but 60 per cent. It might be claimed, and with reason, by the country banks that a fair basis of stock subscription to the Federal reserve banks should be made on the basis of capital stock and surplus rather than on the basis of capital stock alone. The question of control of the Federal board, of the number of regional reserve banks, the sharing of profits, which indirectly constitutes a tax on somebody, presumably the borrower; placing of authority for note issues, reserve required, and other minor questions all have to be considered. I have failed to find any evidence of the Glass bill being received with any enthusiasm in any section of the country."

We inclose this view, and hope it will not be overlooked.

G. W. G.,
Tazewell National Bank.

Pure Wine Assassinated.

EXTENSION OF REMARKS
OF
HON. CHARLES F. CURRY,
OF CALIFORNIA,
IN THE HOUSE OF REPRESENTATIVES,
Saturday, September 13, 1913.

Mr. CURRY. Mr. Chairman, under the leave granted to me to extend my remarks in the RECORD I include an article on sweet wines by Mr. Wiley.

The article is as follows:

PURE WINE "ASSASSINATED"—PUT TO DEATH BY SENATE AMENDMENT TO TARIFF BILL, SAYS WILEY—POSSIBLE FOR MANUFACTURERS TO ADULTERATE THE AMERICAN PRODUCT FREELY BY USING SUGAR AND WATER.

Pure wine in America has been assassinated by the United States Senate, in the opinion of Dr. Harvey W. Wiley. In a statement issued last night the former chief chemist of the Department of Agriculture said:

"From time to time as occasion presents, some one takes advantage of an ambush to shoot the food law full of holes. The last attempt is of such a particularly dangerous character as to warrant a notice and a protest. In the proceedings of the Senate, when the new tariff bill was under consideration, Senator STONE offered an amendment, which was adopted, to a certain proviso in the bill, which as amended reads as follows:

"'*Provided*, That the tax herein imposed shall not be held to apply to pure wine made exclusively from fresh grapes, berries, or other fruits to which has been added, before, during or after fermentation sugar, pure boiled or condensed grape must, or water, not exceeding in either case 20 per cent of the weight of such wine.'

"What a travesty on language to call such a concoction 'pure wine.' But if the Congress of the United States thus defines a pure wine it will

You can readily see from this how it places the State institutions in a much better position than the national banks.

The requirement of 20 per cent subscription to the stock of the Federal reserve banks, 10 per cent of which will have to be paid in cash and the remaining 10 per cent to be paid on call, is, in my opinion, excessive. It seems to me that the subscription should, in any event, be reduced to 10 per cent of the capital of each bank, 5 per cent of which should be paid in cash and a liability for the remaining 5 per cent. It seems unreasonable that each bank should be compelled to surrender 20 per cent of their capital to be managed by the Federal reserve banks and so little of the profit to be allotted to the stockholding banks. I believe also that the banks should have some voice in the selection of the members of the Federal reserve board, as it does not seem fair or just that the banks should be required to furnish all the capital without any representation upon the board and only a meager return for the use of their money.

Another objection that I have to the bill is the requirement to keep the reserve of national banks with the Federal reserve banks without interest. It would seem to me that if the Government is to receive nearly all the profit from the Federal reserve banks that the banks should have at least interest upon their balances; otherwise, the bank that had $50,000 deposit with the reserve bank would receive no more benefit than the bank that only kept $5,000.

I do not think the rediscount privileges would be of any considerable advantage to banks in this section directly. It is possible that it might make it easier for their city correspondents to get accommodations from Federal reserve banks and thereby be the better enabled to accommodate their country bank correspondents, but as for any direct accommodation to be extended to banks in this section from Federal reserve banks, I do not anticipate it.

Another part of the bill that seems to me very objectionable is the extraordinary powers granted to the Federal reserve board over the national banks. As I understand the bill, it gives them power to make any number of examinations at any expense, requiring the bank to pay same, and it really seems to me that it takes the management of the banks out of the control of their officers and directors and places the entire management in the hands of the Federal reserve board. It would seem that under the new law the banks might be placed in a position of having to consult the Federal reserve board before extending their customers a line of credit.

The provision of the bill providing that the Federal reserve banks receive from any member checks on any other member at par would practically wipe out the exchange account of all the banks in this section and would very materially curtail the income of every bank in this section, and I think this applies generally to country banks over the entire country.

There are several other points in the bill that I would like to call to your attention, but I am in a hurry to get this letter off on the mail, and I may write you again Monday.

Thanking you for writing me, I am,

Yours, very truly, J. W. BELL.

FARMERS' BANK OF SOUTHWEST VIRGINIA,
Wytheville, Va., September 13, 1913.

Hon. C. B. SLEMP, *Washington, D. C.*

MY DEAR SIR: Your favor of the 12th instant to hand and contents carefully noted.

The currency bill, as I understand it, applies more particularly to national banks. Ours is a State bank, but nevertheless there are many features in the bill that are decidedly objectionable to State banks, if these provisions apply to them as well as to national banks.

State banks, as I understand it, can take stock or not as they may elect.

Then to require banks to collect and remit for drafts without charge is altogether wrong, and would curtail the income of the State as well as national banks.

There is so much that is objectionable in the bill that it would require more time to elaborate than I can possibly devote to the subject at present.

In its present shape the bill should be defeated in the House.

Very truly, yours, V. C. HUFF.

PULASKI, VA., *September 15, 1913.*

Hon. C. B. SLEMP, *Washington, D. C.*

MY DEAR SIR: Your kind letter of the 12th is at hand. The currency bill, as you state, is very important. It will very materially reduce the income of our bank and of all country banks, with no corresponding benefit to the patrons of our bank or of any country bank.

If I understand the bill, the reserve bank does not pay interest on reserves deposited with them. The compulsory subscription of an amount equal to 20 per cent of our capital stock I do not like. The bill was not prepared to benefit the national banks, but it may benefit some people somewhere, but not in Pulaski or southwest Virginia.

I have not gone over section 27, referring to the savings department of national banks, very carefully or fully, but it will certainly increase the work and cost of that department, and I am unable to see the benefit.

It is a change, and as we have been a prosperous people for the past 15 years, it looks as though a change was wanted and we are about to get it.

Will you kindly send me a copy of the bill. Only one copy in our town.

Truly, yours, JNO. W. ECKMAN.

THE FIRST NATIONAL BANK,
Pearisburg, Va., September 16, 1913.

Hon. E. BASCOM SLEMP, M. C.,
Washington, D. C.

MY DEAR SIR: Replying to your letter of recent date asking my views of the proposed currency legislation, would say there is much of the bill that a man of bank experience can not approve. I think all compulsory features are bad, whether applied to banking or otherwise.

The bill simply means to us that we will have to withdraw from our home customers not less than—

10 per cent of capital	$10,000
5 per cent of deposits	15,000
Total	35,000

on which we will be allowed to make or get a dividend of $500. We are using the money fully now at 6 per cent. Some small compensation may be realized by reduced reserve, but such profit will, no doubt, be taken up in expense of extra examinations.

As you know, with the development going on in this part of the State, we need all our money and more. You also know, Mr. SLEMP, that our paper is as good as the best, but at the same time we have no commercial (the kind banks lose money on) paper that would come under the rediscount class, as provided. It might be put in by misrepresentation, but without that we in the Southwest could not raise $100,000 of the true kind. We prefer what we have, backed by real estate, for, as J. J. Hill has said, "the fire risk is good, and it don't run away."

Briefly, we believe the administration is going to put that bill across. In that case we will accept it in good faith for a trial, but if it does work injustice to us we will simply give up national charter.

I wish you were in position to really do something along the right line, but we all know they are not going to let you have a word to say that they will listen to.

Viewed from a distance, it looks very much like a deal of strong-arm method is being exercised at present and that the Republican Members might as well be at home cutting corn.

Thanking you for writing me, and with best personal wishes, I remain,

Very truly, C. L. KING.

TAZEWELL NATIONAL BANK,
Tazewell, Va., September 13, 1913.

Hon. C. B. SLEMP, *Washington, D. C.*

DEAR MR. SLEMP: Yours of the 12th received. I have read the currency bill carefully, and have also, as far as I have been able, read what recognized leaders in the banking world have had to say about it. One can easily see, with the total membership of the Federal reserve board appointees of the President, how our money system might become the tool of politics and with grave results. I do not, however, feel competent to discuss this feature of the bill.

I do not see how the bill as a whole will help the small banks. We are required to subscribe to the capital stock of the reserve bank an amount equal to 20 per cent of our own capital, 10 per cent of which is to be paid in cash, with the remainder subject to call. In addition, we are required to keep 5 per cent of our deposits with the reserve bank without interest. In return for all this we get not over 5 per cent dividends on our stock in the reserve bank and a discount privilege of doubtful value. In our case, and with our average deposits during the last year as a basis, we would receive $300 for the use of $20,000, or 1½ per cent. Take any agricultural section, such as ours, and commercial paper in the true sense is not to be had. Our loans are made to farmers and merchants to be used in their business in a general way and with a tacit understanding that the money will not be paid back until the farmers and merchants are good and ready. In the larger centers time paper is executed by one person or firm to another for goods delivered, and with the understanding by both the party executing and the party receiving the note that it will be promptly paid at maturity. This is commercial paper in its true sense, and as far as I know there is none in our district, unless perhaps in Bristol. If we get this class of paper we must go on the market and buy it, which we would not likely do for the purpose of rediscounting it. The reserve banks, with the consent of the Federal reserve board, may make their definition of commercial paper broad enough to admit the character of paper we handle; but if this is not done, in addition to the reserve we will be required to carry with the reserve bank, we will have to carry with our city correspondents sufficient balances to induce them to come to our rescue in time of need. Are you not afraid that even if the definition of commercial paper is broad enough to cover the character of paper handled by the country banks that the red tape to be gone through with in connection with rediscounting and the amount of publicity connected will restrain the country banks from using the privilege? To make myself clear, if one of our customers should receive notice from the reserve bank that they held his note, which he thought we held, and that he must pay it at maturity, it would put him in a panic, and he would make panicky every neighbor in 5 miles.

It seems to me that the notes to be issued should be bank notes, but with strict Government supervision as to reserves and redemption. This, however, is too big a question for the little fellow.

The provision to par all items will hurt the country banks quite a good deal. I know banks in small places that could hardly exist but for their revenue from exchange charges.

Do not understand me as opposing currency legislation. Means should be provided for a mobilization of reserves and for an elastic currency. I do think, however, that a system that would give quick relief to the larger centers, and by them to the country banks, would be preferable to the bill proposed. It is the business of our city correspondents to know us, and if they can get relief in stringent times they will gladly pass it along.

With kindest regards,

Yours, respectfully, W. T. GILLESPIE.

P. S.—One other feature. The bill provides that while we may keep as much more than the 5 per cent of our deposits required with the reserve bank we must under no circumstances allow our balances with the reserve bank to fall below the 5 per cent. This means that a bank that has four times its capital in deposits will lose control of an amount equal to 40 per cent of its capital. Under present conditions we are required to keep a certain reserve with our agents in the cities, but the law contemplates that we can use these reserves in stringent times and have a reasonable time in which to build them up again.

W. T. G.

GATE CITY, VA., *September 16, 1913.*

Hon. C. B. SLEMP, M. C.,
Washington, D. C.

DEAR SIR: We have your letter addressed to us in regard to the currency bill now before Congress.

First, we desire to say that the banking system of this country needs some changes, but we do not think that the matter is being considered as it should be. This whole currency bill is being rushed upon the country without giving the country, and especially the bankers, time to weigh and consider the different features and conditions of this bill.

The bill has had so many different proposed modifications that it is right difficult to know just what is proposed in the bill.

We believe that this bill as first offered to the country, without the changes as offered to the bill by the bankers at the recent Chicago meeting of bankers, will not bring the relief that the country wants, and will be positively harmful to the banking interests, as a whole, all over the land.

We have gone carefully over the proposed changes as offered by the bankers at Chicago, and we heartily indorse them all.

We do not believe that banks should be compelled to take stock in the regional reserve bank, but make it optional to the bank, at least for one year after the bill goes into effect, or as to that make it optional with the bank whether it ever takes stock in the reserve bank.

We do not think that the Government should go into the banking business, asking to take over the profits over and above 6 per cent paid to the holding banks on the stock held by them. This, it seems to us, is giving to the Government the profits that would naturally belong to the banking interests of the whole country, as this profit to-day properly belongs to them.

We do not think that this reserve bank should have the exclusive right to issue Treasury notes or Government notes. This will cripple the prestige that now belongs to a national bank.

The discount privileges under this bill are no advantage at all to a country bank, or, as to that matter, to an ordinary bank, as they can now rediscount with the city correspondents any first-class paper to a reasonable amount, and they are not hindered by a legal limitation as to the amount so rediscounted. It leaves it entirely optional with the directors of the reserve bank, and this is too great a power to place in the hands of men over the banks of a given district.

One of the very greatest harms that can possibly be done to a country bank is to take away the right to charge exchange. All country banks make a good per cent of their earnings in this way. This will cause us to lose quite a lot in our yearly income.

Again, we ask that the Federal reserve board be controlled in their appointments—at least a majority—from the banking interests of the whole country and not left at the dictation of the President of the United States, as this will bring the banking interests under the control of politicians. And most certainly there will be an endless warfare if the banking system of the whole country is turned over to politics. Keep the banks of this country from politics, and in doing this we best serve the people and the bankers, who themselves have built up the marvelous system we have to-day.

We would urge that you use your influence to have this banking reform deferred until the December session of Congress, and by that time the whole matter will be more thoroughly settled by the bankers, who after all are the best men to consult in this whole reform.

If the same can not be deferred until then, we ask that you use your influence against the bill in its present form, unless the proposed changes as outlined by the recent bankers' meeting at Chicago be accepted and incorporated into this bill.

It will positively ruin the small banks of this country out of business, and they are as much entitled to do business as the large banks of the large cities. As the bill stands now it is legislation for the big bankers against the little banker. It is legislation for the few against the many. It is legislation for "special privileges of the few rich bankers against the many small bankers."

We both jointly ask that you try for these amendments, and if not granted vote against the bill.

We are,

Yours, very truly,

THE PEOPLE'S NATIONAL BANK, GATE CITY, VA.
By J. H. PETERS, *Cashier.*
THE FIRST NATIONAL BANK, GATE CITY, VA.
By J. W. CARTER, *Cashier.*

THE NATIONAL BANK OF NORTON,
Norton, Va., September 15, 1913.

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G. W. G.,
Tazewell National Bank.

Pure Wine Assassinated.

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OF
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The article is as follows:

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"From time to time as occasion presents, some one takes advantage of an ambush to shoot the food law full of holes. The last attempt is of such a particularly dangerous character as to warrant a notice and a protest. In the proceedings of the Senate, when the new tariff bill was under consideration, Senator STONE offered an amendment, which was adopted, to a certain proviso in the bill, which as amended reads as follows:

"'*Provided*, That the tax herein imposed shall not be held to apply to pure wine made exclusively from fresh grapes, berries, or other fruits to which has been added, before, during or after fermentation sugar, pure boiled or condensed grape must, or water, not exceeding in either case 20 per cent of the weight of such wine.'

"What a travesty on language to call such a concoction 'pure wine.' But if the Congress of the United States thus defines a pure wine it will

of necessity overrule any provision of the existing law relating to wine.

"There is only one kind of pure wine in the world and that is a wine made exclusively of the juice of sound, ripe grapes. All other wines by common consent must be prefixed with the name of the fruit from which they are made. Think for a moment what a riot of adulteration the above definition would permit. The total addition of 20 per cent of the weight of the wine may be made before, during, or after fermentation. No one can ascertain how much adulterating matter was used, because it is impossible to tell how much the weight of the finished wine will be. It is evident that it would of necessity be much larger than the original weight of the expressed grape juice. Hence, there would be no standard by means of which it would be possible to prevent an excessive addition of the adulterating ingredients.

"Let the people who are interested in the purity of products immediately protest against this outrageous attempt to debauch the wines of this country.

"A real, pure wine, made only of grape juice properly fermented and properly aged, has the poisonous properties of its alcohol modified until the wine may become actually wholesome taken in moderation. But here the Senate of the United States not only undertakes to define the worst possible adulterated article as pure, but under the guise of its authority seeks to poison the American consumer of wines with insidious and deleterious rum. In addition to this, by indirect and concealed means, it seeks to defraud the United States of the revenues which otherwise might be derived from the tax on brandy withdrawn for the fortification of sweet wines.

"It only remains now for the Senate to define whisky as an alcoholic beverage made of neutral spirits, burnt sugar, and synthetic flavors, and beer as an alcoholic beverage made of any old thing that will ferment and embittered with anything that is bitter, from capsicum to aloes, to complete the debasement of American beverages. Strange to say, this awful amendment was listened to and adopted without a single word of protest. The scene closes with the following laconic statement:

"The VICE PRESIDENT. The question is on concurring in the amendment of the committee as amended. The amendment as amended was concurred in."

"The assassination of pure wine was neatly and quickly accomplished."

Currency.

SPEECH

OF

HON. S. D. FESS,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, September 16, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. FESS. Mr. Speaker, the most significant bit of research on monetary lines for a century was that done by the Monetary Commission, whose report is found in more than 20 volumes. The concrete recommendation of this commission is expressed in the central-bank proposition defeated in the last Congress. This proposed law was defeated before it was introduced by the label fastened upon it of money influence. It was approved by the banking interests generally, which in these days would be sufficient to defeat it. The Aldrich plan met with general disapproval, whether wise or otherwise. The present bill now before us purports to do what the Aldrich bill was designed by its sponsors to do, without giving dangerous power to the money power. Its author yesterday asserted it was written in the interest of the people and not the banks.

At this time it would be well and edifying to compare the two plans—the Aldrich with the Glass scheme. The Aldrich plan proposed a national reserve association—a central bank—with a capitalization of $200,000,000, with the banks of the country as stockholders; branches of this association, 15 in number, to be opened in that number of districts, these branches to be made up into local associations of not less than 10 banks to each association, with an aggregate capital of $5,000,000, under a board of directors. The present plan omits the association, but adopts the regional bank scheme of 12 Federal banks, made up of the capitalization of 20 per cent of that of the national banks in the region, with a minimum of $5,000,000, under a directorate. The chief difference here between the two schemes is in the control—both have a local directorate and both have a central authority. In the Aldrich plan the local directorate is chosen by the banking interests, while the general board is chosen in part by the banking interests and in part by the Government. The Glass proposal provides that the local directorate be chosen partly by the banking interests and partly by the Federal board, the latter the ruling element in the finality. The general board is chosen by the President. Membership in the Aldrich plan was optional with banks and trust companies, while it is compulsory in the Glass bill for national banks, but optional with all other banks.

The capitalization in the Aldrich plan was furnished the reserve association by the banks subscribing 20 per cent of their capital, half paid in and half on call, with a provision against hypothecating the stock. The same provision is made in the Glass bill.

The Aldrich plan made the life of the charter 50 years, while the Glass bill provides for a 20-year charter.

OFFICIARY.

The local association in the Aldrich plan was left to choose its directors—three-fifths by the banks, each bank to have one vote; two-fifths by members voting in accordance with shares in the association. The Glass plan provides a directorate of nine members, three representing bank interests, three representing industrial, commercial, and agricultural interests of the district, and three chosen by the Federal board.

The Aldrich plan proposed a directorate of the national association of 39 members—15 to represent the branches, 15 the agricultural and commercial interests, elected by each branch, and 9 by banks in the ratio of shares. In addition there are 7 ex officio members—2 deputy governors, Secretary of the Treasury, Secretary of Agriculture, Secretary of Commerce, and Comptroller of the Currency.

The present plan provides for a board of seven, all chosen by the President, with the consent of the Senate, to consist of the Secretary of the Treasury, Secretary of Agriculture, and Comptroller of the Currency, together with four others, one of whom is to be a practical banker and not more than two of whom can belong to the same political party.

FEDERAL ADVISORY COUNCIL—GLASS BILL.

There is to be created a Federal advisory council, which shall consist of as many members as there are Federal reserve banks. Every Federal reserve bank shall select annually one member of said council, to receive no compensation for services, but to be reimbursed for expenses. Meetings of said council to be held at Washington at least four times a year, or oftener, if called by Federal reserve board. Council may select its own officers and adopt its own method of procedure.

Federal reserve council to have power, first, to meet and confer directly with Federal reserve board on general business conditions; second, to make oral or written representations concerning actions taken, proposed, or contemplated by said board; third, to call for complete information and give advice concerning discount rates, rediscount business, note issues, and general affairs of the reserve banking system.

EARNINGS.

The Aldrich plan provided a flat dividend of 4 per cent cumulative. In addition provision was made for a contingent fund not to exceed $2,000,000 to care for losses. One-half of additional net earnings to create a surplus fund, which shall amount to 20 per cent of the capital. Of the remaining half one-fourth goes to the Government and one-fourth to shareholders, provided the shareholders do not get above 5 per cent. The excess above this is to go to the Government.

The present plan provides 5 per cent dividend over and above all expenses; then one-half to go to a surplus fund until such fund shall amount to 20 per cent of capital, the balance to be distributed 60 per cent to the Government and 40 per cent to banks.

POWERS OF CENTRAL CONTROLLING BOARD.

The Aldrich plan gave the central association the power to use a seal, to continue 50 years, to enter upon contracts to purchase real estate, to choose officers, to adopt rules and regulations, to exercise through directorate all necessary powers.

The present plan empowers the Federal board to examine work of the reserve banks and make weekly reports thereon, to control rediscounts of Federal banks, to suspend reserves, supervise issuance of Federal notes, to dictate central reserve cities, to remove officials of reserve banks, to write off doubtful assets of reserve banks, suspension by receivership of reserve banks, to perform all duties specified and implied in this act.

DEPOSITS.

The Aldrich plan proposed no compulsory deposits from member banks in the national association. The Government was to deposit its general funds with the reserve association, upon which the association paid no interest. The national association was to act as fiscal agent of the Government.

The present plan requires every national bank and member bank to establish with its district reserve bank a credit balance equal to 5 per cent of its total demand liabilities.

All money in the general fund of the National Treasury must be deposited with the Federal reserve banks, which shall act as

fiscal agent of the Government, no interest to be paid on any deposit except those of the United States, and then one-half of 1 per cent.

MARKET OPERATIONS.

The Aldrich plan allows the reserve association to invest in United States bonds, State bonds, or foreign bonds. It can deal in gold and make loans, may deal in bills of exchange payable in foreign countries, open agencies in foreign countries, and transfer funds of one depository bank to the credit of another through the branches of the association.

The present plan gives the reserve banks the power to deal in the open market in bankers' bills and bills of exchange, to deal in gold, and to make loans thereon.

EXHIBIT A.

RESERVES.

ALDRICH PLAN.	PRESENT PLAN.
On demand deposits, all national banks and subscribing banks to maintain the same percentage of reserve as now required by the national banking law, and in the same manner in respect of keeping part of their reserve in reserve cities. On time deposits, not payable within 30 days, no reserve is required; but within 30 days of payment the same reserve to be kept as in case of demand deposit. All demand liabilities, including deposits and circulating notes, of a national reserve association to be covered to the extent of 50 per cent by a reserve of gold or other lawful money. When such reserve falls below 50 per cent the national reserve association to pay a special tax upon the deficiency of reserve, namely, for each 2½ per cent or fraction thereof that reserve falls below 50 per cent a tax to be levied at rate of 1½ per cent per annum, and no additional notes to be issued so long as the amount of reserve is below 33⅓ per cent of outstanding notes.	Country banks shall have a reserve of 12 per cent, which, after a period of three years, shall be as follows: Five per cent in own vaults, 5 per cent in Federal reserve bank in its district, and remaining 5 per cent either with Federal reserve bank or in its own vaults, or both. Banks in reserve cities, after a period of three years, shall have reserve of 18 per cent, of which 9 per cent shall be in own vaults, 5 per cent with Federal reserve bank in its district, and 4 per cent either in its own vaults or in the reserve bank of its district. Banks in central reserve cities, after a period of 60 days, to have a reserve of 18 per cent, of which 9 per cent shall be in own vaults, 5 per cent in reserve bank, and 4 per cent in either, remainder as credit. Every Federal reserve bank shall always have in its vaults gold or lawful money equal to 33⅓ per cent of demand liabilities.

NOTES.

The Aldrich bill devotes attention first of all to taking over the bond-secured circulation of the national banks. Banks might maintain existing issues, but further issues or reissues were forbidden. The National Reserve Association offered for a period of one year to purchase the 2 per cent bonds, securing circulation at par and accrued interest and to take over the responsibility and redemption of the notes, issuing therefor its own notes when the same are presented for redemption.

The National Reserve Association may issue additional notes from time to time to meet business requirements, but whenever the total amount of notes issued by it (including the outstanding national-bank notes) shall exceed $900,000,000 the notes in excess of that amount which are not covered by an equal amount of lawful money or gold shall pay a certain tax of 1½ per cent per annum, and when notes exceed $1,200,000,000 the tax is 5 per cent on the excess not so covered.

Notes to be secured by legal reserve of gold or lawful money to the extent of 50 per cent (see provision under reserve against demand liabilities above) and by notes and bills arising out of commercial transactions, the same as are acceptable for rediscount, or obligations of the United States.

Notes to be redeemable in lawful money at head office or branches and are receivable at par for all taxes, payments, excises, and debts, except obligations of the United States specifically payable in gold.

National Reserve Association, on application and without charge, to forward its notes to any depository bank against its credit balance.

An issue of Federal reserve notes is authorized, amount not specified, to be issued at discretion of Federal reserve board, for purpose of making advances to Federal reserve banks, and for no other purpose. Said notes to be obligations of the United States and shall be receivable for all taxes, customs, and other public dues. They shall be redeemed in gold or lawful money at the Treasury at Washington or any Federal reserve bank.

Notes are issued upon application of Federal reserve banks to Federal reserve agents, accompanied by collateral to secure the notes, security to be the same as are acceptable for rediscount. Whenever a Federal reserve bank shall pay out notes it shall segregate in its own vaults and carry to special reserve account gold or lawful money equal to 33⅓ per cent of reserve notes, such reserve to be used for redemption of notes as presented; but banks must immediately make good the deficiency in the reserve, so that they shall always keep 33⅓ per cent of outstanding circulation.

Notes to bear on their face a distinctive letter and serial number, which shall be used for redemption against issuing banks. No other Federal reserve bank to issue such notes under penalty of tax of 10 per cent upon face value of notes. Notes presented for redemption at the Treasury shall be paid and returned to Federal reserve banks to which they were originally issued.

Federal reserve banks may be required to keep in the Treasury a sum in gold or lawful money equal to 5 per cent of outstanding notes for the purpose of redemption, but said redemption fund to be counted as part of reserve. Federal reserve board to have the right to grant in whole or in part, or to reject entirely, any application of Federal reserve bank for notes. Federal reserve banks whose application for notes have been accepted shall pay such rate of interest as may be established by Federal reserve board. Notes to be a first and paramount lien on all the assets of such bank.

Retirement of note liability is provided for by the deposit by Federal reserve banks of notes whether issued by itself or by other banks or in lawful money or gold with any Federal reserve agent or with the Treasurer of the United States. Substitution of collateral behind notes is allowed.

Clearing-house certificates, cashiers' checks used as circulating notes, etc., are forbidden.

DISCOUNT.

National reserve association, through a branch, may rediscount, upon the indorsement of a member, notes and bills of exchange arising out of commercial transactions having a maturity of not more than 28 days and made at least 30 days prior to date of rediscount.

This discount privilege not to extend to include notes and bills issued for carrying stocks, bonds, etc. Amount rediscounted shall not exceed capital of applying bank, and the paper bearing name of one person or firm not to exceed the 10 per cent of capital of applying bank.

But national reserve association through its branches may discount paper maturing up to four months; in such case paper must be guaranteed by the local association.

Whenever in the opinion of the national reserve association public interest so requires, opinion to be concurred in by Secretary of Treasury, the national reserve association may discount direct the obligation of a member bank indorsed by the local association, secured by satisfactory pledge or securities, amounts so loaned not to exceed three-fourths the value of the securities.

National reserve association may purchase acceptances of banks or acceptors of unquestioned financial responsibility, such paper not to exceed 90 days, and bearing indorsement of another member bank besides the acceptor.

DISCOUNT RATES.

National Reserve Association to have authority to fix rates of discount from time to time, which, when so fixed, shall be published and shall be uniform throughout the United States.

Federal reserve banks to establish each week, or oftener, subject to review and determination of Federal reserve board, minimum rate of discount to be charged by each bank on each class of paper, which is intended to accommodate the commerce of the country.

ACCEPTANCES.

National banks authorized to accept drafts drawn upon them, having not more than four months to run, arising out of commercial transactions and limited to one-half of capital and surplus of accepting bank.

Any member bank may accept draft drawn upon it having not more than six months to run, representing importation or exportation of goods, amount of acceptances not to aggregate more than one-half of its capital.

REFUNDING.

Upon application the Secretary of the Treasury shall exchange 2 per cent United States bonds, now deposited for circulation, for 3 per cent bonds, payable after 20 years from date of issue with circulation privilege. No national bank shall present in any one year bonds for exchange to an amount exceeding 5 per cent of present circulation, but should any national bank fail in any one year to so exchange its full quota of 2 per cent bonds, the Secretary may permit any other national bank or banks to exchange bonds in excess of 5 per cent to an amount equal to the deficiency. After 20 years, every holder of United States 2 per cent bonds then outstanding shall receive payment at par and accrued interest. After 20 years national-bank notes still remaining outstanding shall be recalled and redeemed by issuing banks.

Meanwhile every national bank may continue to apply for and receive circulating notes from the comptroller, based upon 2 per cent bonds.

Upon application of the National Reserve Association the Secretary of the Treasury to exchange 2 per cent bonds purchased for subscribing banks for 3 per cent bonds payable after 50 years, and the National Reserve Association to hold the 3 per cent bonds so issued during the period of its incorporated existence; except that after five years the Secretary of the Treasury may permit the National Reserve Association to sell not more than $50,000,000 of such bonds annually and the United States reserves the right at any time to pay any such bonds before maturity or to purchase any of them at par for the trustees of the postal savings, or otherwise.

The National Reserve Association to pay to the Government a special franchise tax of 1½ per cent annually upon the bonds transferred to it by the subscribing bank.

FOREIGN AGENCIES.

Banking corporations may be formed to conduct business in foreign countries and to act when required as fiscal agents of the United States by no less than five persons. Such corporations to have a capital of no less than $2,000,000. It shall not receive deposits in the United States, but may buy and sell exchange here relating to foreign business. Majority of capital stock of such corporations to be owned by citizens of the United States or corporations chartered here. Comptroller of the Currency may take charge of such corporation when it becomes insolvent. Any stockholding bank of the national reserve association may subscribe to stock of this corporation, but not exceeding 10 per cent of capital of the subscribing bank.

Any national bank having a capital of $1,000,000 may apply to the Federal reserve board to establish branches in foreign countries and to act, if required to do so, as fiscal agents of the United States. The Federal reserve board may reject application if, in its judgment, capital set aside for conduct of this foreign business is inadequate Accounts of business of foreign branches to be kept independently.

LOANS ON REAL ESTATE, ETC.

National banks may loan not more than 30 per cent of their time deposits upon improved or unincumbered real estate, loans not to exceed 50 per cent of actual value of property, which property to be situated in territory tributary to the bank. This privilege not to extend to banks acting as reserve agents.

National banks situated outside of reserve cities may make loans secured by improved and unincumbered farm lands, the loan not to extend for more than nine months, nor to exceed 50 per cent of actual value of property, and such property to be situated within the bank's Federal reserve district. Bank may make such loans to an amount equal to 25 per cent of its capital and surplus.

COLLECTIONS AND TRANSFERS.

Local association may, by vote of three-fourths of its members, and with the approval of a national reserve association, assume the functions of a clearing house. The National Reserve Association may require any local association to perform such services.

The national reserve association or its branches, upon request, to transfer deposit balance of any member bank to the credit of any other depository bank. Deposit balances may be transferred, likewise, between branches by mail, telegraph, or otherwise, at rates to be fixed by the branch at which transaction originates.

Federal reserve bank to receive on deposit, at par and without charge for exchange or collection, checks drawn upon any of its depositors or by any of its depositors upon depositors in any other Federal reserve bank. Federal reserve board to make regulations governing the transfer of funds at par among Federal reserve banks, and may require each Federal reserve bank to act as clearing house for its shareholding bank.

What does this comparison show? The bill now before us is in many features a copy of the Aldrich plan. The chief difference is in the control of the system. The Aldrich plan was weak in this feature. It gave not only the operation of the banking business to the banks, but it also kept most of the control of the business in the hands of private interests. Here is the real ground of danger of this central plan. The banking business, although owned by private individuals and operated in the main for profit, can not be considered wholly from that standpoint. It has a public value. The banking business now is a public institution in a sense. It at least affects the public so much that it can no longer be run without regard to the public welfare as well as the owners' interests. In this sense the public is greatly concerned about its management.

As a privately owned corporation, its operation and administration should be within the hands of its owners, but as a public agency its regulation should be under the control of the public. The men who undertake the risk, bear the burdens of the business, responsible for its losses as well as its profits, should have the management, initiation, operation, and administration. The public, which is the larger factor that must be concerned for the benefit of the many, should have the veto power or final control in all features directly affecting the public.

The Aldrich plan failed to reach this consummation. It invested operation in the banker's power without permitting sufficient regulation by the public. This gave undue influence and power to the money classes, which may be serious.

What does the Glass bill do? Its proponents claim it gives control to the Government without placing the Government in the banking business. I can not agree with this position. It virtually takes the banking business out of the hands of the owners and places it in the grasp of the Government. To be specific, it makes the Government the operative agent, the administrative factor, instead of limiting it to the regulatory or controlling function.

As the Aldrich bill gave too much power to the banks the Glass bill gives too much power to the Government or too little power to the owners of the property to be administered.

The advocates of this bill are not a unit upon its meaning. In the early stages of its interests we could hear on all sides, as we can here and there yet, the statement that we propose to have a scheme where the Government would operate the banking business of this country. But more recently this innovation is denied. Its author Wednesday asserted specifically that the Government is not in the banking business. I listened with great interest, as well as admiration, to his scholarly presentation of the bill and noted his emphasis on this point—how he disclaimed any purpose of placing the operation of the banking business into politics. However, his chief emphasis was not that the Government was not the operative agent, but that, quoting the occupant of the White House, no man would prostitute this high office by choosing the Federal board upon a purely partisan basis. He used the strong language that such policy would discredit him while he lived and dishonor his memory after he is dead.

This utterance, assuring us against any danger from this score, is in strange contrast to the copious utterances of Andrew Jackson from 1829, when he opened up his fight, to 1836, when he had completely paralyzed the institution of a United States bank by forcing its liquidation. But more of that later.

The first serious defect in this bill is in its Government operation rather than control. All will agree the Government should control the business, just as the Government, through the Interstate Commerce Commission, controls the railroad business. But we do not believe the Government should operate the banking business, as we do not believe it should operate the railroad business.

No one questions that the national reserve association controlled the banking business under the Aldrich plan. A comparison of its powers with those of the Federal reserve board under this plan will be illuminating and sufficient to convince us.

The Aldrich plan provided a governing board of 45; this plan, a governing board of 7, with a directorate of 9 members in each of the 12 districts, each directorate subject to the Federal board.

The Aldrich plan limited its charter to 50 years, this one to 20. The Aldrich plan gave the power of election of officers of banks, this plan the power to remove them, which is the same in final effect.

The Aldrich plan gave the power to make rules and regulations, to make contracts, to sue and to be sued, and so forth. This plan gives the same power. The one difference is that the Aldrich plan operates directly, while this one operates both directly and through separate directorates, over which the Federal reserve board has control. According to the committee's statement, which has accompanied this bill, there are over 40 items of power given to the Federal reserve board, enumerated on pages 46 and 47.

After specifying items of power of this board the final scope is expressed in line 14, page 25, in the following plenary utterance: "To perform the duties, functions, or services specified or implied in this act." Pray, what item of operation is not covered by this power of implication? This bill takes $105,000,000 from its owners at one swoop at the penalty of death to the business, and administers upon that sum by a political board which is neither owner of the property nor necessarily possessor of the business acumen for such enterprise.

It will also claim $400,000,000 reserves belonging to others, for which it pays nothing.

This board of seven, five of whom will be appointed by the same man—and of course will be a partisan board—will be able, if the plan works, to have control of $25,000,000,000 worth of bank resources, two-fifths of all the banking resources of the world.

This provision is faulty, first, because it extends governmental control to governmental operation; secondly, it will be partisan. If, according to Speaker CLARK, it is preposterous to think we can create a nonpartisan tariff board, because, as he stated on this floor, men will not repress their partisan views—and that statement was backed by the majority party—if men can not be found who would keep out their partisan bias in the mere matter of gathering facts upon which legislation is to be based, pray, what must we think of a board whose function is to operate or even control the billions of banking resources of this Nation? If facts in the possession of a board will make it partisan, what will the purse of the Nation in the hands of an appointive board be?

This provision is faulty because it directly provides for partisan activity in the currency question. Of all the questions that ought to be exempt from party bias, it is the money question—the banking question. The chief purpose of a banking plan is the creation of a system of credit and the maintenance of the same. If 95 per cent of the business of the country is done on a credit basis, the better the system. No system of credit that is made the football of politics can be safe. Credit is confidence. Lack of confidence is due to uncertainty. Partisan control is uncertain. No system of credit can stand uncertainty. No matter how good the system of credit is, it can not be maintained under a policy of uncertainty due to the whims of party leaders and the contingencies of political campaigns.

The advisory council of bankers is an improvement upon the original plan, but it does not go to the core of the trouble, because it is given nothing but recommendatory power, and in due time will probably die of atrophy.

The banking business should be operated, I repeat, by a directorate chosen by the persons whose property is involved, subject to the regulation and control of a Federal board of similar character to the Interstate Commerce Commission. This supervisory board should not have power to initiate, operate, or administer, but should have a veto power of the operative directorate—indeed, a control—of such character that the banking business should be operated by the representatives of the banks under the control of the Government. This is justice for the banker and safety to the public. It seems to me consonant with our past experience.

The first bank of a Federal character was in 1791, with a capital of $10,000,000 and a tenure of 20 years. Jefferson opposed it, giving two reasons against it, namely, he claimed it was unconstitutional and unnecessary.

In 1811, when the charter expired, Jeffersonian Democracy was in power. While refusal to recharter was consistent with Democracy, the exigencies of the time forced Madison to favor the second United States Bank, which was chartered in 1816, with a capitalization of $35,000,000, to continue 20 years. The Government held a portion of the stock and had a voice in its management.

Jackson began his fight on the bank in his first message in 1829. He continued his attack in the most ultra language, in each of his annual messages throughout his two terms calling attention to what he considered great dangers. The fuller statement of his opposition was made in his veto message July 10, 1832.

His determination to repudiate the bank did not stop with his veto of the rechartering bill, but extended to a specific effort to hopelessly cripple the institution by the removal of the public funds from the Bank of the United States to the State banks. On the 18th of September, 1833, the President read to the Cabinet his long message on the question of removal, in which he gave his views of the bank.

On December 3, 1833, in his annual message, he used this language:

It being thus established by unquestionable proof that the Bank of the United States was converted into a permanent electioneering engine, it appeared to me that the path of duty which the executive department ought to pursue was not doubtful. The question is distinctly presented whether the people of the United States are to govern through representatives chosen by their unbiased suffrages or whether the money and power of a great corporation are to be secretly exerted to influence the judgment and control of their decisions. It must now be determined whether the bank is to have its candidates for all offices in the country, from the highest to the lowest, or whether candidates on both sides of political questions shall be brought forward as heretofore and supported by the usual means. (Annual message, Vol. II, p. 1249.)

On December 1, 1834, in his annual message he employed the following language:

The bank had attempted to control elections. The use of its corporate fund and power in that attempt was fully disclosed. It made vigorous efforts through interference of elections to control public opinion and force the Government to yield to its demand. This, with its corruption of the press, its violation of its charter, its exclusion of the Government directors from its proceedings, its neglect of duty, and arrogant pretensions, made it, in the opinion of the President, incompatible with public interest and the safety of our institutions that it should be any longer the fiscal agent of the Treasury. The immense capital and peculiar privileges bestowed upon it enabled it to exercise despotic sway over the other banks in every part of the country. From its superior strength it could seriously injure, if not destroy, the business of any one of them which might incur its resentment. It openly claimed for itself the power of regulating the currency throughout the United States. In other words, it possessed the power to make money plentiful or scarce at its pleasure at any time or at any place by controlling the issues of other banks and permitting an expansion or compelling a general contraction of the circulating medium according to its will. * * * The result of the ill-advised legislation which established this great monopoly was to concentrate the whole money power of the Union, with its boundless means of corruption and its numerous dependents, under the direction and command of one acknowledged head, thus organizing this particular interest as one body and securing for it unity and concert of action throughout the United States and enabling it to bring forward on any occasion its entire and undivided strength to support or defeat any measure of the Government. In the hands of this formidable power was placed unlimited power to regulate value of property and the fruits of labor in every quarter of the Union and to bring prosperity or ruin upon any city or section of the country.

In his farewell address, delivered March 4, 1837, he used this language:

The power which the money interests can exercise when concentrated under a single head and with our present system of currency was sufficiently demonstrated in the struggle made by the Bank of the United States.

These are a few of the official utterances which indicate President Jackson's opposition to the bank. However, his spokesman on the floor of the Senate, Col. Thomas H. Benton, of Missouri, voiced the President's opposition in detail in a long speech in February, 1831. Benton denounced the bank as an institution too powerful to be tolerated in our Government. He declared it to be the "power of the purse which was superior to that of the sword." He said it possessed the power of $35,000,000 capitalization, and in addition the right to possess $55,000,000 of profit, making the grand total of $90,000,000. What would he have said of the present proposition in 1913 that proposes a scheme to allow the control of banking resources of a sum greater than that of the banks of England, France, and Germany combined?

The second count in his indictment is the issuance of notes dependent upon the will of Congress. Against this he exclaimed: "This opens the door to boundless emissions, for what can be more unbounded than the will and pleasures of successive Congresses?"

He then proceeded in an academic manner to specifically point out the dangers one by one. First, the keeping of the public moneys, which amounted to $26,000,000. What would he have said of a proposition to have the custody of a billion dollars? Second, its notes are receivable for all Government obligations. Compare this with the Glass bill. Third, the bank has the name of the United States and the Government as a partner. Fourth, it can discriminate against other notes of other banks, which thus makes it the uncontrolled monarch of the money system of the country. Compare this provision with the proposed bill. He then raises the question, To whom is this power granted? and declares it to be in the hands of a small board.

Then he takes up the discussion in extenso. His first fundamental charge is that the bank tends to subjugate the Government. Second, it tends to collusions between the Government and the banks in the terms of the loans. Third, it tends to create public debt by facilitating public loans and substituting unlimited supplies of paper for limited supplies of coin. Fourth, it tends to beget and prolong unnecessary wars by furnishing the means of carrying them on without recurrences to the people. Fifth, it tends to make the rich richer and the poor poorer, to multiply nabobs and paupers, and to deepen the gulf which separates Dives from Lazarus. Sixth, it tends to make and to break fortunes by the flux and reflux of paper.

His third fundamental objection to the bank was that it created a monopoly to be enjoyed by the banking classes—first, by carrying on the trade of banking upon the revenue and credit of the Government; second, by paying the revenues of the Union in their own notes; third, by holding the moneys of the Government without compensation for the undrawn balances; fourth, by discrediting the notes of other banks by excluding them from the collection of Federal revenue; fifth, by the right to hold real estate and to receive rent; sixth, by the right to deal in bills of exchange; seventh, by the right to establish branches in the States without their consent.

These strictures made upon the United States Bank by the Democratic leaders of the Jackson era read with peculiar interest in the light of the proposed Wilson currency plan. If the control of over $35,000,000 capitalization is dangerous, what about the control of $600,000,000, as proposed by this bill? If note issues limited only by the will of Congress are so unwise, what about an issue limited by a political board of seven appointees of the President? If the custody of $26,000,000 of the Nation's money is to be feared, what about the keeping of more than a billion dollars in the hands of a political board? If bank-note issues receivable in payment of debts were to be so bitterly condemned in 1831, why not now? If notes in that period should not bear the name of the Government, why should they under this present administration? If, for the sake of uniformity, it was wrong to allow the United States Bank the control of note issue, why is it right to allow a political board to do so now? If it was unpatriotic to allow a joint board made up of representatives of the Government and the stockholders of the bank to control the bank in Jackson's time, why is it right now to allow a small board of the President's appointees to exercise control in the interest of party, especially when it is recalled that Mr. GLASS, the author, in answer to the protest of the members of his committee against making the currency question a party measure, declared that this was a Government of parties?

An enumeration of the long list of counts against the United States Bank will enable any fair-minded man to note the striking inconsistency of this Democratic measure in the light of Democratic history. If it is answered that the old United

States Bank was a private institution, jointly controlled by the Government and individuals, and therefore objections to it would not hold against the present plan, it is sufficient to quote President Jackson in his famous message of September 18, 1833, covering this point:

To give the President the control over the currency and the power over individuals now possessed by the Bank of the United States, even with the material difference that he is responsible to the people, would be as objectionable and as dangerous as to leave it where it is. Neither one or the other is necessary and ought not to be resorted to.

If concentrated money power is dangerous, it must arise out of the possible corrupting influences to which it may be put. Here is a proposal which makes it possible to concentrate the banking resources of $25,000,000,000 within the control of seven men to be chosen by a political head, and at a time when the party in power has proclaimed against commission government on the declaration that there is no such thing as a nonpartisan commission. The power of this board of seven men as declared by the terms of the act is plenary. First, it controls each of the boards of directors of the 12 Federal reserve banks.

It exercises control of the books of each of the Federal reserve banks.

It controls the rediscounting of these banks.

It controls the power of suspension.

It controls the issue and retirement of the Treasury notes.

It has the power to classify the banks and reserve banks, country banks, and so forth.

It controls the officials of the reserve bank.

It controls the assets of the reserve bank.

It can suspend operations and appoint a receiver of Federal reserve banks.

It performs duties, functions, and services specified and implied in this act.

Another very striking Democratic change from the Jackson régime of banking refers to the repudiation of the Jackson Independent Treasury idea by providing for the Hamiltonian theory of Federal instead of State control, as Jackson and Jefferson demanded.

When Jackson wished to cripple the central power he ordered funds transferred from the single United States bank and deposited in 80 State banks. This was accomplished after he had transferred his first Secretary of the Treasury—Mr. McLane—to another post to make room for Mr. Duane to do his bidding. But when Duane hesitated on constitutional scruples he was removed to make way for Roger B. Taney, who did the bidding of his chief. This was the occasion of one of the most dramatic scenes ever witnessed in the Senate, when Calhoun joined Webster and Clay and secured a vote of censure against the President after a spectacular fight. Not until 1837 was this resolution expunged, and then only after an equally brilliant maneuver under the leadership of Col. Benton. Now this system of Independent Treasury must be abandoned by order of the latest Jackson devotee.

These utterances read with peculiar significance in the light of the address of the distinguished chairman Wednesday.

What a contrast is read in Jackson's attitude to Federal control and operation of the banking business to the present occupant of the White House. Through Jackson's influence Van Buren's administration established the Independent Treasury system. Although it was repealed soon after it was reenacted in 1846 by the Democrats under Polk, it has continued an uninterrupted career until this present bill, which proposes to reverse this famous Democratic principle also by the total destruction of the Independent Treasury system.

NOTE ISSUE.

This bill attempts to renew the dangerous dogma that the Government can make money value by its decree. "Fiat" has taken such deep hold upon a portion of our people that it springs up at every passing chance, and here in Congress as well as out on the hustings. We probably will never be free of that class of thinkers which wrote the history of the South Sea bubble; that furnished the following of John Law; that put upon the statute books of France the assignats and mandats; that clamored for more Continental money, "not worth a continental"; that believed a confederacy could by simple decree give purchasing power to a currency stamped by the Confederate Government; that assured the world that even in time of storm and stress of civil war, with a million men at arms, at a daily cost of at least $3,000,000, all that was needed to prosecute such a war was for the Government to use its prerogative, place its stamp upon a piece of paper, thereby decreeing it money, and it would be money and perform all the functions of money need. In other words, we are assured that the fiat of the Government is the essential thing. This financial school of coin denies the intrinsic value of a standard, ignores the need for specie, and pins its faith upon Government decree.

It broke out in this country in 1873, when we were assured that the stringency of the money market could be and should be relieved by the issuance of greenbacks. It swept the country in 1878, when several States were carried into the vortex of greenbackism. It made its most spectacular campaign in 1896, when we were hurled into a veritable babel of tongues denouncing the advocates of a single standard as against an impossible double standard of value, and when every man who stood against the dogma of the Government's attempting to make by simple decree 50 cents pass current for a dollar was stigmatized as a plutocrat abandoning the money of the fathers. Who here has forgotten the mighty enthusiasm of those days? Where is the man who can not recall the superb eloquence of men still in public life, with influence in the administration, who from the stump, the press, and the "First Battle" aroused a great portion of our citizenship to pursue this phantom of fiatism less than a score of years ago?

You say that is no longer an issue. Then, I answer, the dogma that money is determined by the Government's stamp will always find a strong following in such a Government as ours. The issue dead! It will continue to offer us a panacea for national as well as political ills. Yesterday, when the gentleman from California [Mr. HAYES] pointed out this feature in the bill, the gentleman from Indiana [Mr. KORBLY] asked, "Are they not the notes of the bank, secured by the Government?" This is naming the baby and then attempting to disown it. The friends of the bill are making strenuous efforts to reconcile this populistic feature with the fact, widely recognized, of its abandonment by all the Governments of the civilized world by saying the issue is made by the banks, secured by the collaterals, and made a first and paramount lien on the assets of the bank.

If they believe this, why stipulate in the bill the specific requirement that these notes shall be obligations of the Government? Why stipulate their redemption at the Treasury of the United States, or reserve bank, which by this bill becomes the fiscal agent of the Treasury? The two specific items of this contract between the holder and the maker are placed with the Government.

There is no other explanation. That provision went into this bill as the price of the support of the element in this country who believe the meal ticket can be substituted for the meal, that the Government can stamp a chip a biscuit and it will be a biscuit. When this bill came to the public first, Mr. Bryan sent out his interview, printed throughout the country, indorsing this bill, and especially emphasizing the two points which marked, as he stated, the triumph of the people, one the political and the other the recognition of the function of the Government to issue its own notes. Here are his words:

The bill involves three fundamental principles:
First. The notes issued must be issued by the Government and not by the banks.
Second. The issue must be controlled by public servants and not by private institutions or individuals.
Third. The emergency currency issued must be issued through State banks as well as through national banks.

The bill as prepared observes these three requirements: The right of the Government to issue money is not surrendered to the banks; the control over the money so issued is not relinquished by the Government; and national banks are not given a monopoly of the benefits flowing from the issue of these emergency notes. That provision is in this bill as the price openly paid for the support of the fiat crowd, not an inconsiderable number among our people. Herein lies the seriousness of this provision. If we stand upon the theory that the Government can make money, we invite the demand that the Government should do it. Whenever a considerable portion of the voters are convinced either by reason or the lack of it that the Government's function is to issue notes, that portion will seek to be heard as often as the opportunity offers. Such a theory places the money question into politics, the last place it should be found. It makes it possible to go before the country with it as an issue as in 1832, 1878, 1896, and again probably in 1916, after this measure becomes a law.

Hard times are always measured by one's lack of money. Relief from hard times comes by an increase of money. So runs the campaign. If the Government can thus relieve us, we will demand that it do it.

Who has not heard the nostrum doctor out on the hustings haranguing the people for their ignorance and vicious indifference for not compelling the Government to make sufficient money to place us all on "Easy Street"? We have all heard the silver-voiced orators and felt the glow of their zeal, and at

times become stirred to anger for lack of governmental action as they plead: "Fellow citizens, you are in great distress. The smoke of your furnaces no longer ascends the sky, the clang of your mills and workshops is no longer heard. Your workers in metals and miners in coal are out of employment. Stagnation of mills, depression of business, and public distress is seen on every hand. What has caused these disasters? Manifestly, a lack of money. Is there any man among you who has money enough? If there be, let him stand forth and declare it. Is there one who does not need more money to carry on his business? [Cries of 'No!' 'No!'] The bankers have brought you to this by contracting the volume of currency, by destroying the people's money, your money. We come to save you from this ruin. We insist that you shall have more money, not less. We are resolved to make and keep the volume of currency equal to the wants of all," and so forth.

This is the note we must expect when we propose to make the National Treasury a bank of issue and to place, not in the control of Congress, but even the operation of the banking industry, in a political board of seven men, five of whom must be appointed by the same President, the vast money power of this Nation to be administered according to the whims or the caprice that the necessities of a political party may decree.

Federalist as Hamilton was, the very antonym of Jefferson in policy of finance, he held that such power was too great to be centralized in the hands of one body.

The Government should never issue notes save in the last extremity. The greenback issue was such extremity.

In times of war, should such disaster befall, the Government's obligation to such notes would be a serious burden, and then this unnecessary blunder would be too late for correction.

REQUIREMENT OF GOLD.

There are two very significant items in this provision for note issue that demand careful scrutiny—the redemption feature and the legal-tender feature. The notes are to be redeemed in gold or lawful money on demand. This pretends to preserve the gold standard, but in reality it may mean its abandonment. The two terms, "gold" and "lawful money," are fraught with the greatest significance. It raises again the question fought out in 1896. All the agitation of that fateful campaign centered in the two words, "in coin," written in the obligation of the Treasury note of 1890. This note was identical in obligation with the greenback, except it added these two words. The obligation ran:

The United States will pay the bearer ——— dollars in coin.

The entire silver issue of 1896 arose out of the policy of the Government—whether the Treasury could safely refuse to redeem the note in gold and compel the holder to accept silver. There was no legal question. The Government clearly had this right. The only question was one of policy. Our Democratic friends, under the leadership of the present distinguished Secretary of State, declared the Government should use its option. No matter whether the holder demanded gold as against silver, the final decision must be left to the Government. The Republicans declared such a discrimination against silver which would destroy the parity between the two metals. Around this item raged the war.

The Republican Party won in the contest, and in 1900 the gold standard was written in the statutes. The obligation in the notes of the present bill provides redemption in lawful money. What is lawful money? It is gold, silver dollars, and greenbacks. According to the Democratic theory of 1896 the Government should exercise its option even against the will of the holder of the note to redeem these notes in silver or greenbacks in case it did not have a supply of gold. In this connection what about the future supply of the Government's gold, for if the Government should decide to maintain the gold standard, the redemption feature of these notes will demand an increase of gold for this purpose. But instead of looking to an increase of gold the legal-tender feature of the notes insures a decrease in the supply, since it makes the notes receivable in payment of customs duties. Heretofore the Government has expressly refused to accept either the greenbacks or national-bank notes in payment of such customs. We have uniformly looked to this source for our needed gold to supply the necessary redemption functions. But here for the first time in our history, so far as I know, we have made this dangerous innovation. It is at least a pertinent question to ask, Does this proposed substitute of currency as tender for customs, which in that degree depletes the gold income, look to an abandonment of this standard on the basis that it will not be needed for redemption? There is no question about the law or legal right in the premises. What is the purpose of the administration? Suppose redemption of these notes is demanded in gold, will the present administration use its option to refuse and offer in its stead other lawful money—that is, silver or greenbacks? It probably will depend upon the supply of gold. Suppose this doubt seizes the holder of the greenbacks, the silver certificates, or gold certificates, and so forth, how long after notes of this character are issued will confidence repose in the minds of our business men?

The friends of this measure must not overlook the oft-repeated utterance of this majority that under our "new freedom" we shall have a competitive tariff by which we will import millions of dollars worth of goods from abroad.

It is to be seen whether this bill in the interest of the foreign producer as against our own will turn the balance of trade against us. If it does, and that may happen, then our gold must go abroad to settle these balances.

The burdens placed upon gold, if we maintain it as a standard, and the two laws, containing provisions of depleting the fund in this country, are ominous.

Under the law we have $346,681,000 greenbacks to be redeemed in gold with a reserve to care for it of $100,000,000. We also by law hold $50,000,000 gold to care for outstanding Treasury notes. We have $1,000,000,000 gold certificates, which, of course, require that amount of gold held in Treasury, not to be used while the certificates are out. We have $700,000,000 of silver dollars and silver certificates together, which since 1900 depend upon gold. Now, add to this sum the redemption needed for the new notes, if you intend to preserve the gold standard. Then answer me, What prospect do you have to care for all this when you are endangering an outflow to Europe on the one hand and providing a substitute as against an income from abroad?

In connection with this fiat element in this bill the charge of Secretary McAdoo that the banks of New York City were conspiring to depress the price of the 2 per cent bonds to arouse the opposition of the country banks against the bill should be carefully noted, because of two utterances. Waving aside the question of the grounds for his statement, his utterance that the 2 per cent bonds are worth their par value is significant. It reflects the one serious item in this sensitive subject. It is another straw which points to the fiat element in this administration. McAdoo gives the public to understand that the 2 per cent bonds are worth 100 cents on the dollar, whether they are or not, because the Government says so, or an official of the Treasury says so. He ignores the ruling item in the regulation of price, that a bond, like any other commodity, is worth what it commands in the open market and not what an arbitrary decree of the Government may publish or an official of the Treasury might announce.

If the public are inclined to doubt the danger of political influence under the proposed currency bill, it would be well to know the full significance of the Secretary's meaning when he expressed the hope that the depression would not be carried to the point where the department would have to take action. What action does an administration contemplate in preventing the price of a commodity declining? Does it mean that prices are determined by governmental decree rather than supply and demand? If the administration is to maintain a price of securities, surely a slump in the market will at once be ground for an assault upon the administration. Here is an object lesson, suggestive at least, of what might be expected by an administration in power, headed by a less honorable and patriotic man than the distinguished occupant of the White House, when he might decide to use the power vested in him by the Glass bill to continue in power.

The Secretary's amusement over the statement that throwing less than $14,000,000 worth of bonds on the market would affect the price of the $700,000,000 is not in accord with the oft-repeated statement that prices are determined by the demands for the surplus. Most certainly if an offer of $14,000,000 of bonds would not be taken above a certain price, $700,000,000 would not rule beyond that price.

RESERVES.

I am in sympathy with the purpose of the authors of this bill to make better uses of the bank reserves. It is not true that our present system is the cause of panics, but it is true that it is not designed to prevent them nor to relieve the stress when they come. On the other hand, our system of reserves which are to protect the depositors against such dangers, really enhance the distress by causing the banks to hoard the funds.

But the plan of this bill to assist in this purpose will not do what it pretends. It pretends to prevent money from going to the centers to be used in speculation. It will not do this. Money does not leave the country for the centers because of statutory enactment, nor for the lack of statutory enactment. It flows with the ease of the current from the country when it does not find employment to the centers where it does find em-

ployment. No law enacted by this Congress can, nor should it if it could, compel money to lie idle in the vaults of a country bank most of the year when it could find employment elsewhere to the benefit of the community which it serves. Neither should it be compelled to go to a section where it does not find employment. Money in a community not in use is no advantage to either the community or its possessors. To undertake to forbid by law money lying idle in Xenia from going to New York, where it can be realized upon for much of the year to be returned when again called, is like attempting to prevent the growth of a city like Detroit, or Pittsburgh, or Cleveland, or New York, or any other place whose growth depends, not upon statutory enactment, but the laws of nature. These cities owe their position to conditions that do not nor could not respond to resolutions or laws that might be enacted in legislative halls. I admit that growth can be impeded by unwise legislation as it can be augmented by wise laws, but after all you can not make water run up hill by declaring it shall do so by law.

If New York by its constant constructive development continues to demand money for its marvelous growth it will get it. If the country banks hold funds not demanded during that part of the year when by nature the country is not active in money demand, who should say that this money must not be allowed to go where it can be most profitably employed? Why should any part of the country voluntarily cripple itself in the pretension that it will prevent a movement that does not lie within the province of congressional legislation?

The advocates of this measure publish broadcast the assurances that it will prevent the use of the reserves in stock investment. This profession is both unsound and misleading. It is an attempt to punish the innocent in the name of the guilty. The question of stock gambling in New York is a matter for the State to regulate. It does not comport with wise legislation to forbid liquid reserves from entering the great fields of financial operations because of a fear that such funds might be used by those who are active on the stock exchange. The chief value of such professions is to be found in the use that might be made in the campaign upon the hustings. In some places the ability to denounce the stock exchange and Wall Street is a winning slogan. While I should support all legitimate efforts to curb illegitimate dealings in futures, I do not wish to be a party to an effort to cure an evil that is not within our domain by crippling the banking industry of the country. It is too high a price to pay for campaign literature.

What the country bank needs is a system that readily responds to the financial activities of the community which it serves, that it may facilitate the growth of business already established, finance new businesses awaiting development, and conserve a system of credits which will instill confidence in the business methods of both banks and their operators.

I am willing to admit that our duty is to modify our present system. Most people declare it archaic, and it is pronounced by some the worst system in the world. Our distinguished Speaker was quoted as so stating. It has been declared a patchwork system.

That is because, in addition to our specie, we have at least five kinds of paper currency, viz, greenbacks, national-bank notes, Treasury notes of 1890, gold certificates, and silver certificates. While we denounce this system we should not forget it possesses some elements that every valuable system must possess. While our currency is various it is uniform. It matters not whether it is greenback, national-bank note, or what not, it will be received in any quarter of the civilized globe dollar for dollar. It is also stable, for while the face of each bill indicates an obligation that may not be uniform, yet the Government since 1900 stands ready to make each bill of whatever issue equal to gold by standing ready to redeem it in that metal.

Its safety is universally regarded throughout the world now. It is also sufficient in volume, being a greater per capita circulation than any other Government, save one, in the world.

Under this "worst system of currency in the world" this country has gone, under Republican policies, by leaps and bounds until to-day, although only a little older than the lifetime of an individual, it is now one and three-quarters times wealthier than the next richest country upon the globe, and that country is over fifteen hundred years old. This is not a bad record for the worst banking system of the world.

But I admit it has some bad features that ought to be corrected, especially the rigidity—the lack of elasticity.

Will the Glass bill supply the elasticity without the loss of these other qualities?

The wisdom of a law must be judged as you estimate the strength of a chain. We never estimate the latter by the superior links, but by the weakest. Likewise we are compelled to overlook the many most excellent features of this bill to seek out the weaker features, upon which its value must be tested.

I wish now to recapitulate some of the weaker items.

First. Its compulsory feature will cause it to be tested in the courts, with a probability of its being pronounced unconstitutional on the ground that it violates the provision of the American Bill of Rights, or that particular part of it which forbids the taking of property without due process of law. This feature has been eminently argued.

Second. It endangers stability by subjecting a system of credit to the uncertainties of a political campaign. Here is a provision for placing the banking resources of the Nation, which are equal to two-fifths of all the banking resources of the world, in a political board, subject to the impulses of public opinion.

Third. It fails to discriminate between governmental control and governmental operation. The first is desirable; the last should be avoided.

Fourth. It makes the Government Treasury a bank of issue, a feature abandoned by all the countries of any significance in the world. It thus invites periodic disturbance from the fiat element of our country, an element always present, in throwing the country into a campaign for more and cheaper money. It also enlarges the Government's possibilities of serious embarrassment in case of war.

Fifth. In an attempt to make better use of the reserves and to prevent stock gambling it cripples the country banks by limiting their powers to allow funds to flow and reflow where business demands will insure them a safe rate of profit as well as to serve their communities.

Sixth. It raises the question of doubt as to the purpose of its sponsors in regard to the gold standard.

Seventh. Conceding to it, for the sake of argument, all the virtues claimed by its advocates, it still is but an experiment, with strong probability of its total failure because of its unworkable features.

I assert that this section 17 on note issue of the pending bill reserves or gives the authority to the Secretary of the Treasury to reverse our policy of maintaining the gold standard, and thereby effectually nullifies the law of March 14, 1900, which, by statute, fixed the gold standard for the country. This is the triumph of Mr. Bryan in this legislation after a struggle which has lasted for just 20 years, when upon this very floor in August of 1893 he made his first great fight for unlimited Government issue, and so forcibly indicted the advocates of the gold standard. Among other things, he said:

> These notes (the Sherman notes) are a legal tender redeemable in gold or silver at the option of the Government. There is also a clause in the law which states that it is the policy of the Government to maintain the parity of the two metals. The administration, it seems, thus decided that the parity can only be maintained by violating a part of the law and giving the option to the holder instead of to the Government. (Pp. 102–103.)

Speaking at Milwaukee in 1896 on the question of the gold standard, Mr. Bryan denounced the gold standard as the source of our troubles and declared the remedy to be in more money of flat character. Here is his statement:

> There is only one way to stop this constant issue of bonds, and that is to return to bimetallism and allow the Government to exercise its option of redeeming its coin obligations in either gold or silver.

In the same year in Knoxville, Tenn., he said:

> If there is anyone who believes that the gold standard is a good thing or that it must be maintained, I warn him not to cast a vote for me, because I promise him that it will not be maintained in this country longer than I am able to get rid of it.

Again, in a speech delivered at Indianapolis in 1896, Mr. Bryan was reported by the newspapers to have said:

> We have commenced a warfare against the gold standard, and expect to continue that warfare until there shall not be a man in this country who will dare to raise his voice in favor of the gold standard.

These statements of Mr. Bryan's have been published over and over again, and, so far as we are aware, have never been denied nor has there ever been or is there now any reason for believing that this gentleman has changed the opinions so expressed. Again referring to the Democratic Party's platform in 1900, indorsed by Mr. Bryan, we find the following:

> We are opposed to the private corporation paper circulated as money but without legal-tender qualities, and demand the retirement of the national-bank notes as fast as Government paper or silver can be substituted for them.

In the campaign of 1900 he was asked at Wilmington, Del.:

> Will you, if elected President, require your Secretary of the Treasury to pay the Sherman notes in silver?

His answer was:

> I want the Republicans who want that question answered to first find out what the law requires, and then I want them to know, if elected, I will enforce that law. But you ask me to construe a Republican law, and I reply that I shall not construe a law until it becomes my duty to enforce it.

There can surely be not a doubt in anyone's mind as to the meaning of that answer as late as 1900. If anyone is inclined to believe that Mr. Bryan has changed front on the question which has made him famous, let him read the necessary comments in the Commoner, especially along in the year 1908, when the Vreeland currency bill was before Congress. Let him read the comments upon the bill as it finally passed. No previous indictment of the gold standard was more bitter than that of note issue by the National Bank Association of 1908, by the aid of which Secretary McAdoo quieted the fears in the money market recently when he announced he would resort to the $500,000,000 emergency issue if necessary to relieve the situation. Mr. Bryan has not altered his views, but he has triumphed in this measure. When first announced the measure did not include the dangerous items of unlimited issue, nor redemption in silver, Treasury notes, or greenbacks. It was originally placed on a par with these notes, but not superior to them. For reasons perfectly patent to all of us the bill was changed.

Mr. Bryan at once authorized his published indorsement. Note his words. On June 24, speaking of the triumph in the legislation, he said:

> The right of the Government to issue money is not surrendered to the banks. The control over the money so issued is not relinquished by the Government—

And so forth.

He ends his interview in these words:

> Only two classes, those who dispute the right of the people to issue through their Government the money which the people need, and those who, distrusting the representatives chosen by the people to guard the public welfare, would deny the Government officials control over the issuance of emergency notes.

What did Bryan demand in 1893? The continued issuance of the Sherman note, payable in coin, the law which Cleveland's special session repealed.

What did Bryan demand in 1896? The Government should exercise its option to pay the Sherman note in silver, which would have placed the Nation on the silver basis, and which would have driven the gold from the country. In this he was repudiated.

What did Bryan demand in 1900? That he would not construe a Republican law until called upon to enforce it, which meant he would not discriminate against silver, which, of course, was his position of 1896. In this he was again repudiated.

What did Bryan demand in 1904 and again in 1908? Read his utterances, and especially the Commoner, to get the real gist of his objection.

What does Mr. Bryan demand to-day?

First. An unlimited issuance of United States notes not by the banks, but by the Government.

Second. These notes to have a legal-tender feature equal to gold, beyond the greenback or the Treasury note. (In other words, there is the triumph of the wildest idea of the greenback days.)

Third. They are to be redeemed in lawful money; that is, silver and greenbacks, Treasury notes, as well as gold. Now, I want to repeat the question so often put to Bryan: If in authority the holder presents this note and demands gold, would you, as you demanded in 1893–1900, exercise your authority to give the Government the option to refuse to pay gold and order it paid in "lawful money"?

If not, what is the meaning of your statement that the Government has not relinquished its right over the control of these notes? In that case what becomes of the law of March, 1900, fixing the gold standard? The right given in this bill to pay in lawful money is the right to refuse gold, for the two are given as coordinate but alternative. The right is to pay either in gold or lawful money. That right is equivalent to refuse to pay in either unless you surrender the right of the Government so to do, but Mr. Bryan says this refusal to relinquish the right is one of the two special triumphs.

Therefore this bill in this section is inconsistent with the law of 1900, which entails upon the Secretary of the Treasury to maintain the gold standard. It even specifies the reserves for the purpose, how much, how secured, how protected, and how replenished, even to the extent of the issuance of bonds.

This law of 1900 is certainly inconsistent with section 17. In that case section 29 of this bill declares the law of 1900 of no force in that degree. I ask the lawyers on the Democratic side of this Chamber, Does not this bill, if it becomes a law, repeal the gold standard? If that is the purpose of the Democratic majority, we ought to know it and the country at large has a right to know it.

Mr. Speaker, I desire to compliment the Committee on Banking and Currency for the character of the bill which they have reported. I sincerely regret the manner, however, in which it was brought to the House. Some of us who have been interested for years as students of this subject would have liked to have had a part, at least a chance to offer suggestions in the way of amendments to the plan. Without desiring to be captious, I am sure the country would have accepted the work of Congress, on this subject at least, if it could have been free of all partisan labels. However, that is not a conclusive argument against the bill. Aside from the partisan manner of its framing, it does not come out as a Democratic measure in toto. Indeed, it is in many respects more Hamiltonian than Jeffersonian.

It adopts the centralization feature of control, which is purely Hamiltonian. It repeals the Independent Treasury system, so dear to Jackson's heart. In fact, aside from the "soft-money" idea in section 17, it is Hamiltonian almost entirely.

However, the bill should be amended, and probably will be in the other end of the Capitol, so as to distinguish governmental control from governmental operation.

It also should have provided for an administration based upon efficient banking other than political banking.

It also should have made the membership of Federal reserve banks voluntary instead of compulsory.

I have very serious doubts on the reserve section, which prevents or attempts to prevent money in the country banks flowing where it can best be employed.

But by far the most serious section is that which refers to the note issue, which renews the old greenback or silver agitation of other years.

The chairman of the committee insists that this bill does not touch the gold standard. When I asked him whether, if a holder of one of these notes demanded of the Treasury gold in redemption, the Secretary of the Treasury could not refuse to pay gold and compel the holder to take silver or greenbacks, he did not answer directly but said the Government would not do that. I first attempted to amend the section by striking out the phrase "lawful money," but the majority resisted this effort.

Being assured by the committee that the bill does not intend to touch the gold standard, I then offered an amendment declaring the purpose to maintain the gold standard. This is to test the sincerity of the committee on this point. While I regard all the objectionable items mentioned as specific weaknesses of the measure, I would be willing to forego further opposition to the bill as a whole if the amendment maintaining the gold standard is accepted.

Maine Congressional Election.

EXTENSION OF REMARKS
OF
HON. J. A. FALCONER,
OF WASHINGTON,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, September 11, 1913.

The House had under consideration the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. FALCONER. Mr. Speaker, under leave granted to extend my remarks in the RECORD, I submit the following:

[Post, September 11, 1913.]

THE RESULTS IN THE MAINE CONGRESSIONAL ELECTION.

The result of the election to fill the vacancy in Congress from the third district of Maine can not carry much gratification to either the leaders of the Democratic or those of the Republican Party.

We have not heard of rejoicing in the Democratic camp, and while a distinguished leader of the Maine Republicans has taken occasion to claim a great victory for "new Republicanism," whatever that may be, it is not easy to perceive how a reduced party plurality and a reduced party vote on a greater total vote than in the congressional election of 1912 gives a sound basis for any party advantage, however loudly claimed.

That both the Democrats and Republicans exerted themselves to the utmost to produce a result that would justify the heralding through the Nation of a party triumph is well known.

That a decided increase in the Democratic vote would have given a victory that would have been made much of by the Democratic leaders in Congress, as well as those in the executive departments and those throughout the States, is admitted.

The indorsement of the administration and of the party policies by the electors in such an important election was very naturally ardently desired.

That such indorsement was not secured comes therefore as a most keen disappointment to the party in power; that while the vote of the district increased nearly 1,500 over the congressional vote of 1912 and 400 over the total vote for President in that district last November, yet the vote for Pattangall is nearly 2,000 less than the vote for Gould, Democrat, in 1912, and 139 less than was polled for Wilson, Democrat, for President, this can be accepted as a decline in popular support of the Democratic Party.

That the Republicans polled 2,100 votes less for their congressional candidate, Peters, last Monday, than they did for Forrest Goodwin, their congressional candidate in 1912; that Peters's plurality is but 553, as compared with a plurality for Goodwin of 709, this on its face gives no right to claim a growth in public favor of either old or new Republicanism.

There are two features of the Maine election that can not be wisely overlooked, must be observed and noted, if correct deductions are to be made from the results.

First, that both the Democratic and Republican leaders exerted themselves to the utmost to obtain a favorable expression from the electors of the district as to their respective parties; that this resulted in a much larger vote in the district than was polled at the last congressional election, and upon that congressional vote the Republican and Democratic candidates each showed a falling off of approximately 2,000 votes.

Secondly, the polling of 6,487 votes by Lawrence, the Progressive candidate for Congress, gives the answer to the question as to what became of the votes the Democratic and Republican candidates lost, as compared with votes of their congressional candidates one year ago.

There is much in this Maine election to impress upon Republican leaders that the cleavage of the Chicago convention is still deep, distinct, and definite; much in that election to warn Democratic leaders that their party is not so strong as it was last year.

Banking and Currency Bill.

EXTENSION OF REMARKS
OF
HON. MICHAEL E. BURKE,
OF WISCONSIN,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, September 17, 1913.

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. BURKE of Wisconsin. Mr. Speaker, under the general permission granted to Members of the House to print and extend their remarks upon the banking and currency bill in the RECORD, I desire to submit the following observations:

BANK OR MONEY PANICS.

Millions of our countrymen vividly remember the panic of 1907. It occurred in a year and at a time when this country was far more prosperous than it had been for years before. Farm, industrial, and legitimate commercial business transactions were far in excess of the previous year. It came while all of our people were busily engaged in agricultural, commercial, and industrial enterprises, and without thought or warning of impending danger. It came like a flash of lightning or a thunderbolt out of a clear sky.

On the evening of the 27th of October, 1907, the industrial, farming, and commercial sections of our country retired without any disturbance being noticeable in the farming, business, or industrial world. Before the next evening, however, they realized that there had been an explosion in the financial centers of New York. The price of staple articles of commerce, which the day before had commanded the highest prices, not only for that year but for several years preceding, fell in 24 hours at least one-third. The news spread like wildfire, not only among those engaged in commerce, industry, and farming, but among the workingmen and those who had theretofore deposited their little and their all in the banks of the country. Every depositor in all the banks throughout the country was suddenly filled with fear and apprehension. A wild rush was made by depositors on their banks in every locality. They were met, however, with closed bank doors or with the awe-inspiring information over the counter that no money was to be had; that the bank had plenty of commercial paper and other sources of wealth, but that it was unable to realize at the time on the same or convert it into cash; and that if given time to collect and liquidate its commercial papers and other assets it would have plenty of money with which to pay its depositors. Many banks and their officers resorted to ingenious devices with which to pacify their apprehensive and doubtful patrons. The principal device that was used among country banks was known as "cashiers' checks." Not a dollar in gold or legal money of the United States was paid over the counter of many country banks for from four to seven weeks to its depositors, industry and commerce came practically to a standstill, shops were closed, and farm products remained immovable and unmarketed.

IDLE COMMERCIAL PAPERS AND INVESTMENTS.

In many cases not a dollar was to be had with which to meet and pay for the necessaries of life or with which to carry on the business in different localities. The vaults of the country banks were filled with prime commercial and investment paper. The reserves of the banks had been drawn down to the amount required by law, and that amount was soon used up. The banks could not realize upon their prime securities and commercial papers, because people who had money would not invest in any securities or paper. Prime securities were as so much deadwood in country banks of the Nation. This was a tantalizing situation. The banks were rich and overloaded with wealth, yet they had no money. They were unable to sell or rediscount their commercial papers and other securities because every bank was in a like embarrassing position. If, then, the banks had a place where they could have rediscounted, or, in other words, where they could have sold such securities representing the deposits of their depositors, they could have realized and satisfied the demands of their eager and apprehensive depositors. Yet in all the broad country there was no place where this could be done to any considerable extent. This was due in a large measure to the imperfect banking and currency system then and now prevailing in the country.

Unless we reform and modernize that system, which we intend to do by this bill, such a situation is liable to occur at any time, especially in years when there may be a slight depression in the industrial, commercial, and farming prosperity of the country.

BANK RESERVES IN 1907.

At the time of the 1907 financial crash, and for a long time previous thereto, in accordance with the banking laws of the country, the country banks had on deposit with the central city reserve banks, situated in New York, Chicago, and St. Louis, and in the 47 reserve banks of the country, such of their reserves as they were not required by law to hold in their vaults, some 9 per cent of the aggregate amount of their bank deposits. The greater portion of these reserves were centralized in the New York national banks, it being one of the center reserve cities, and a city which apparently offered the greatest opportunities for the investment in all kinds of securities. On these reserve deposits of the country banks they received an interest of 2 per cent. Now, it has been stated—and I have reason to believe from what I consider reliable information—that the so-called country banks not only had this 9 per cent of their legal reserve on deposit with New York banks, but in pursuance of secret agreements with the New York banks, under which they were to receive advantageous rates of interest, the country banks had larger portions of the money in their banks on deposit or loan with the New York City banks, knowing full well the precarious investments made with such money by the New York banks. The New York banks, in order to make a profit on the transaction, were obliged to keep the money actively employed in one way or another.

The necessity of finding some employment for funds, coupled with an effort to so invest them as to keep them loaned at call, has resulted in a very large development of the call-loan movement in New York, a market whose principal business is that of carrying speculative transactions largely on the New York Stock Exchange, as can be easily remembered upon reflection. These so-called "call loans" are loans made subject to call; that is, without time of maturity. Such loans are in nearly every instance pure speculations in bonds and securities of the different railroads, interurban roads, street railways, ship lines, mining ventures, and all other classes of securities such as we may see listed on the market page every morning and evening of every daily paper, not only in New York, but in all the large cities of the country. We all know or can easily learn of the insecure and fluctuating valuation of these different securities. Those of us who have not had such observations can easily secure the same by keeping watch of the market pages of the newspapers of the country.

They are securities in which no savings bank, no trustee, no executor or administrator is allowed to invest his trust fund under the laws of any State; they are investments which are considered as not only fluctuating, but as unsafe and unreliable. Yet people on the New York Stock Exchange and other stock exchanges will invest in them, and will pay high rates of interest for money to invest in such securities. At the time of the 1907 financial crash there was an unusual large amount of call loans secured by collateral of this character.

Much of the reserve money of the country was at that time invested in call loans on stock-exchange collateral on the theory that such loans were absolutely liquid; that is, easily convertible into cash. No doubt this is true of a single loan of this character, because by its terms it is payable on call and is secured by collateral, for which there is usually a ready market. But when a considerable number of these loans are called at the same time they are not liquid, because the calling of a large number of these loans knocks the bottom out of the stock exchange and spoils the sale of all that kind of collateral. Experience has repeatedly proven this to be the case.

PANICS OF 1873 AND 1893.

Hundreds of thousands of laboring men, farmers, and merchants well remember the great panic of 1893, when the gloom of industrial depression spread from ocean to ocean and from the Great Lakes to the Gulf; when every hamlet in our great dominion bore sad witness to the business stagnation and depression which prevailed everywhere in the country, and when National and State banks were financially dynamited and exploded by the onward rush of depression; when the hard earnings of a lifetime and of years of toil were swept away in a minute, never to be recovered. The stagnation and depression arising from this panic continued throughout the Nation for a period of four or five years. Again, thousands of our citizens vividly and sadly remember the disastrous panic of 1873. The loss and destruction caused by this panic were almost beyond description. Earnings were swept away and property destroyed and devastated, and the hopes of thousands blasted.

With the knowledge of these three gigantic bank and industrial periods of depression and stagnation fresh in the minds of our countrymen, an almost unanimous demand has existed during the past five or six years throughout the length and breadth of this country for a change in our system of banking and currency. Fear and apprehension prevail almost everywhere among us that at any time, even in the greatest of prosperity, that these sad and devastating occurrences may reoccur. To protect the farming, commercial, industrial, and workingmen's welfare this bill has been framed, and for that purpose President Wilson and the Democratic Party have urged that remedial banking and currency legislation shall be enacted as soon as practicable.

DEMOCRATIC AND OTHER PLATFORMS.

The bill before us is a complete redemption of the pledge contained in the Democratic platform at Baltimore in 1912, and also in accordance with the resolutions adopted by the National Grange, American Farmers' Union, and American Federation of Labor in the same year.

THE DEMOCRATIC PLATFORM OF 1912.

We oppose the so-called Aldrich bill or the establishment of a central bank, and we believe that the people of the country will be largely free from panics and consequent unemployment and business depressions by such a systematic revision of our banking laws as will render temporary relief in localities where such a relief is needed from control or domination by what is known as the Money Trust.

Banks exist for the accommodation of the public and not for control of business. All legislation on banking and currency should have for its purpose the securing of these accommodations on terms of absolute security to the public and of complete protection from the misuse of the power which wealth gives to those who possess it.

We condemn the present method of depositing Government funds in a few favorite banks, largely situated in or controlled by Wall Street, in return for political favors; and we pledge our party to provide by law for their deposit by competitive bidding in the banking institutions of the country, National and State, without discrimination as to locality, upon approved securities and subject to call by the Government.

PLATFORM OF THE NATIONAL GRANGE, 1912.

Whereas the National Grange recognizes the necessity for the revision of our banking system along more equitable and scientific lines: Therefore

Resolved, That we are unalterably opposed to the so-called Aldrich scheme for centralizing banking, which is in the interest of bankers and opposed to the interests of the people.

Resolved, That the issue of currency is fundamentally a Government function which should be exercised in the interest of all the people and not be surrendered as a special privilege to any set of individuals.

Resolved, That in any revision that may be made of our banking system and laws regulating the same such revision shall be made in the interest of the people and not the money lenders. (Journal of Proceedings, 46th annual session, 1912, pp. 22–23.)

PLATFORM OF THE AMERICAN FEDERATION OF LABOR.

The nineteenth plank of the platform of the American Federation of Labor, an organization with 2,000,000 dues-paying members, is as follows:

"We favor a system of finance whereby money shall be issued exclusively by the Government, with such regulations and restrictions as will protect it from manipulation by the banking interests for their own private gain."

REPUBLICAN PLATFORM OF 1912.

It—Republican Party—is committed to the progressive development of our banking and currency system.

Our banking arrangements to-day need further revision to meet the requirements of current conditions. We need measures which will prevent the recurrence of money panics and financial disturbances and which will promote the prosperity of business and the welfare of labor by producing constant employment. We need better currency facilities for the movements of crops in the West and South. We need banking arrangements under American auspices for the encouragement and better conduct of our foreign trade.

It is therefore apparent that it is high time, and that an imperative necessity exists for the reforming and readjustment of our banking and currency laws.

NO HOSTILITY TO THE BANKING BUSINESS.

It must be borne in mind by all, and especially by those engaged in the banking business, that in their desire to reform and readjust our banking and currency system the intelligent public is not and that neither party is hostile to bankers or the business of banking. The Democratic Party and its representatives here in the House of Representatives recognize the profound fact that banking is a necessary, legitimate business, not only in this country but in all civilized countries. Whatever is done in the line of reforming our financial system will be done with the best of intentions and motives. The bankers of the country may rest assured that the representatives of the Democratic Party in this House of Representatives are actuated in considering this important question only by a proper and most sincere consideration of the welfare of the bankers and their patrons, the welfare of the agricultural, industrial, and commercial interests of the country and the public in general. Bankers have been of great service to the Nation as a Nation in the past and to the public, and there is no reason why the bankers of this country, under a more modern and up-to-date system of financing, can not be of greater service to the country in the future, and with advantage to themselves. Our sole aim is to preserve what is good in the present banking system and to rectify the abuses in banking and currency customs that have become incorporated in the system. It is not our intention, in passing the pending bill, to discriminate against the State banks or the trust companies of the country, for they have their own legitimate fields of enterprise. It is our aim to eliminate from the national banking system the abuses which have grown up in its life and to improve that banking system if we are able to. If the improvements that we make in the national banking system make it so attractive as to draw business from State banks and trust companies, it will be due to the virtues of this bill when it becomes a law and not to any improper motives on our part.

WHERE THE TROUBLE LIES.

It is generally considered that in the line of banking and currency the country needs a decentralization of bank reserves and of great accumulations of money held in the great financial centers, especially in New York City. It also needs a more elastic currency by having a proper volume of currency not only in crop-moving times but also in financial emergencies. It needs an established discount market or fixed place of sale for commercial paper, and a greater governmental control over national banking. These four great needs appear at the first blush to be simple and to be easily solved, yet when we come to the details necessary to accompany such changes we reach many puzzling problems upon which honest and patriotic men may and do differ in opinion. It is the aim of the pending bill to decentralize the reserves and accumulations of money in the great financial centers of the country; to provide ways for securing additional currency or money in crop-moving times and in times of emergency; to establish a discount market or place for the sale of commercial paper; and to strengthen the control of the Government over banking transactions.

Under the present law it is necessary that every national bank should have at all times a certain amount of money on hand, because it may be called upon at any time for money by its depositors. This money which the bank is required to keep on hand at all times is known as reserve money, and it varies in each bank from time to time and in different places; and the amount of reserve money that it is required to keep is according to the needs of the locations of the different banks.

Under our present banking law, upon application of three-fourths of the national banks situated in any city having more than 200,000 inhabitants, the Comptroller of the Currency may designate such city as a central reserve city, and likewise upon application of three-fourths of the national banks located in any city having a population of at least 25,000 it may be designated as a reserve city. Thus we have three classes of national banks, to wit: The central reserve city banks, of which there are but three, to wit, New York, Chicago, and St. Louis; the reserve city banks, of which there are now 47, and the country national banks, consisting of all national banks situated in cities containing less than 25,000 inhabitants, and all national banks situated in cities where there are no central reserve city banks and no reserve city banks.

Under the present law the amount of reserve required by country national banks is 15 per cent of the total amount of their deposits, and by the national banks situated in reserve and central reserve cities 25 per cent of their total deposits. These reserves may consist of gold, silver, gold certificates, silver certificates, United States notes, Treasury notes, and clearing-house certificates, showing the deposit of gold may be counted by the country national banks as a legal reserve. Country banks are required to keep money in gold, silver, gold certificates, silver certificates, United States notes, Treasury notes, and clearing-house certificates showing the deposit of gold in their own vaults to the extent of two-fifths of the 15 per cent reserve required of them, and the balance of their legal reserve may be in

the form of a credit balance in one or more national banks situated in reserve or central reserve cities.

Reserve city banks must keep their reserve money in some, or all, of the above-described kinds of money to the extent of one-half of their required legal reserve, the rest of which may consist of credit balances showing a deposit of gold in banks situated in central reserve cities. The central reserve city banks must keep all of their required reserve in cash in their own vaults. It is therefore clear that the loaning power of any national bank will be limited by the amount of its reserve; that is to say, the greater the reserve the less the bank will have to loan or invest. When the amount of the legal reserve is about as low as the law allows the bank can not make new loans or enter into new credit obligations until it shall have replenished its reserve. And the more a country national bank has as a reserve with the central reserve city banks and in the reserve city banks the less it will have to loan to its local customers.

A custom has grown up among the country national banks in all sections of the country of keeping balances for reserve and exchange purposes in central reserve cities, and especially in New York banks qualified as reserve agents. These reserve banks have encouraged the building up of such balances of country banks by paying an interest thereon, usually at the rate of 2 per cent. It is generally believed that a combination of banks—or the so-called Money Trust—has encouraged these country banks in keeping in the New York national banks not only such balance of their reserve as the country banks are required to keep, but a large additional amount of their funds; so that when a panic comes on not only the reserves of the country banks but a large amount of their loaning funds, which if kept at home could be used to accommodate their local customers, are tied up in the clutches of these New York banks. Then it is that the country bank finds itself unable to accommodate its depositors when they demand a return of their money, or to accommodate the business men of its locality, because it can not secure from the New York banks the return of its loanable funds. When this situation develops, then fear and apprehension drive the country bank customers to demand their money, and failing to receive the same, then the panic is on. Then it is that hundreds of thousands of patrons of local country banks cool their heels at closed bank doors.

FEDERAL RESERVE BANKS.

To overcome the above financial difficulties the pending bill proposes to establish 12 Federal reserve districts, and in each such district a Federal reserve bank at some place therein that is now a reserve or central reserve city. These districts are to be created and distributed fairly from a business and geographical standpoint throughout the country. Details for the establishment and organization of these banks are provided in the pending bill. Provision is made for the admission of national banks, State banks, and trust companies in each regional district into membership with the regional bank therein. Over the several regional banks there is placed a Federal reserve board, consisting of seven members, including the Secretary of the Treasury, Secretary of Agriculture, and Comptroller of the Currency, who shall be members ex officio, and four members chosen by the President of the United States, by and with the advice of the Senate. The office of this Federal reserve board is located at Washington, and it is to have general supervision over the several regional reserve banks. Its powers and duties are clearly set forth in the pending bill.

NOTE ISSUES.

The most important authority conferred upon the Federal reserve board is the power to issue, at its discretion, for the purpose of making advances to the several reserve banks as applied for by them, or either of them, what is to be known as Federal reserve notes or money. These notes are to be obligations of the United States, and shall be receivable for all taxes, customs, and other public dues. They shall be redeemable in gold or lawful money of the United States at the Treasury of the United States or at any Federal reserve bank.

WHEN MONEY IS SHORT IN LOCAL BANKS.

We all realize that every bank is in business for profit and not for its health or for recreation. It endeavors to put its money out at interest, the deposits which it receives are put out at interest, and it is the aim of every bank to keep invested all its money and all money received on deposit, excepting such as it is required by law to keep in reserve. In the case of national banks these investments are made, as a rule, in notes and bills of exchange of short-time maturity. Oftentimes a bank has but little available cash in its vaults, but has in those same vaults millions of dollars in value of prime and first-class commercial paper. Commercial paper can not, of course, be loaned to a borrower. When depositors rush in large numbers to the bank because of business or fear or apprehension, they can not be satisfied with these millions of dollars of commercial paper in the vaults of the bank.

It is at such times that the bank must close its doors and then usually go into bankruptcy; it is at such times that the bank officers say, "We are all right if you will only give us time to turn our property into cash"; but the trouble is at such times there is no one with the necessary money to buy such commercial papers; there is no place at such times where the bank holding such securities can have the same turned into cash. When these regional banks are established under the pending bill adequate relief will be at once at hand in such circumstances. It is to these regional banks in crop-moving season and when financial panics and emergencies come on that the local banks can and will go with their securities and commercial papers and have the same converted into cash, and with that cash pay off and satisfy the frightened and appealing depositors at its doors.

It does not have to wait upon the pleasure of some New York bank, where millions of the country's money are tied up in gambling speculations; it does not have to wait until it can find some local man of means to buy those papers. All that is necessary is that it go to the reserve bank of which it is a member, present its prime commercial paper, receive its money, and satisfy its obligations, for the reserve bank is always so situated that it has the necessary money with which to back up and convert into cash the local bank's commercial paper; or if such reserve bank has not immediately on hand sufficient cash for that purpose, it can, by applying to the Federal reserve board, in a very short time obtain so much of the Federal reserve notes as it may apply for and have sufficient security to guarantee. In times of emergency the Federal reserve board may require and compel the Federal reserve bank in any Federal reserve district to rediscount; in other words, to buy the discounted prime paper of other Federal reserve banks. It is thus provided that in the matter of rediscounting of prime commercial paper that if for any reason any Federal reserve bank is unable to accommodate its regional member bank, then it may have its prime commercial paper rediscounted at some Federal reserve bank which has on hand the means of so rediscounting. Thus any Federal reserve bank can be compelled to come to the relief of another such bank, thus enabling the latter bank to accommodate its local member bank.

The Federal reserve board by the provisions of the pending bill has authority to issue whatever amount of notes is applied for by the local bank, provided it furnishes the security required by law to secure the amount of notes requested. Thus it will be seen that by this program it is proposed to enact a law under which there will be no shortage of money, provided that legal security is at hand.

The provisions in the pending bill providing for the transaction of business between the local member bank and the Federal reserve bank respecting their transactions will be found in section 14 of the bill, and can probably be better understood by setting it forth at length herein:

REDISCOUNTS.

SEC. 14. That any Federal reserve bank may receive from any member bank or, solely for exchange purposes, from other Federal reserve banks deposits of current funds in lawful money, national bank notes, Federal reserve notes, or checks and drafts upon solvent banks, payable upon presentation.

Upon the indorsement of any member bank any Federal reserve bank may discount notes and bills of exchange arising out of commercial transactions; that is, notes and bills of exchange issued or drawn for agricultural, industrial, or commercial purposes, or the proceeds of which have been used, or may be used, for such purposes, the Federal reserve board to have the right to determine or define the character of the paper thus eligible for discount, within the meaning of this act, but such definition shall not include notes or bills issued or drawn for the purpose of carrying or trading in stocks, bonds, or other investment securities; nor shall anything herein contained be construed to prohibit such notes and bills of exchange, secured by staple agricultural products, or other goods, wares, or merchandise from being eligible for such discount. Notes and bills admitted to discount under the terms of this paragraph must have a maturity of not more than 90 days.

Upon the indorsement of any member bank any Federal reserve bank may discount the paper of the classes hereinbefore described having a maturity of more than 60 and not more than 120 days, when its own cash reserve exceeds 33⅓ per cent of its total outstanding demand liabilities exclusive of its outstanding Federal reserve notes by an amount to be fixed by the Federal reserve board; but not more than 50 per cent of the total paper so discounted for any member bank shall have a maturity of more than 90 days.

STOCK SPECULATION NOT ALLOWED.

The foregoing section 14 of the pending bill defines the kind of notes and bills of exchange which the local bank that is a member of the regional reserve bank may have discounted or sold to the regional bank. In other words, the local member bank, if it desires to take advantage of the opportunities afforded by the Federal reserve bank of its district, must only invest in such kinds of commercial and other paper as the Federal reserve bank is allowed to discount or buy.

The above section contains the following language:

The Federal reserve board to have the right to determine and define the character of paper thus eligible for discount within the meaning of this act, but such definition shall not include notes or bills issued or drawn for the purpose of carrying or trading in stocks, bonds, or other investment securities.

From this it is apparent that the local member bank of any Federal reserve bank is prohibited from investing any of its funds in or from carrying on transactions in stocks, bonds, and other investmen securities of whatsoever character or worth, if it desires to preserve the right in cases of emergency to realize on its investments by having the same discounted by the Federal reserve board. Heretofore much of the money of our country national banks has been tied up in stocks, bonds, and other unreliable investment securities on the New York market.

The fluctuating value of such stocks, bonds, and other investment securities may be seen on the market page of every daily paper, and there the value of such securities are shown to run from next to nothing to pretty near par value. We are all familiar with the sight of the alluring gilt-edged mining stocks, petroleum stocks, and other mushroom stocks that are offered for sale by many agents throughout the country. In most cases they have proven valueless, and the value of these stocks offered for sale in many cases may fluctuate at times from 5 and 10 cents a share to $80 and $90. In other words, investments in such stocks are nothing more than gambling and speculating propositions and are so recognized by the business world. In such gambling speculations much of the reserves of very many of the country national banks has heretofore been invested. Such sources of investment are prohibited to the local member bank if it desires to avail itself of the advantages of the proposed new system of banking.

OPEN-MARKET OPERATIONS OF FEDERAL RESERVE BANKS.

In addition to the rediscounting provided for in section 14 any Federal reserve bank may invest in addition in the commercial securities described in section 14 in many open-market operations under such rules and regulations as may be prescribed by the Federal reserve board. Such bank is, among other things, permitted to purchase and sell in the open, either from or to domestic or foreign banks, firms, corporations, or individuals, prime bank notes and bills in exchange for the kinds of securities by this act made eligible for rediscount and cable transfers. Additional kinds of investments are also provided in the pending bill for the Federal reserve bank, and can be found defined in section 15 of said bill.

Nowhere in the pending bill are Federal reserve banks allowed to discount or rediscount notes or bills issued or drawn for the purpose of trading in stocks, bonds, or like securities, thus forcing the Federal reserve bank to refrain from investing their money in the kinds of bonds hereinbefore described. In other words, to refrain from investing its money in investments of a gambling or speculating nature. It must be obvious to everyone that the less money that is permitted to be invested in gambling speculations, such as stocks, bonds, and like securities, the more money will remain in the local banks to accommodate borrowers and to pay off depositors in times of emergency.

It is also apparent that the more money that the Federal reserve bank has on hand the more commercial paper held by the local member bank it will be able to discount.

In addition to this, the pending bill contains a provision whereby all the moneys in the Government's general fund is at all times to be deposited in the 12 Federal reserve banks, which shall act as the fiscal agent of the United States. The Government moneys thus deposited will draw interest and are to be distributed in equitable portions among the several reserve banks, taking into consideration the volume of business in each regional district.

From all of these provisions and precautionary measures it will be seen that the Federal reserve banks will, at all times, be able to rediscount or buy any and all prime commercial paper which may be offered to it for discount or sale by the local member bank of its region, and there will be no fear among depositors, when this situation is once known to exist, that they will not receive promptly their demands in cash.

ADDITIONAL RELIEF IN EMERGENCIES.

Section 20 of the proposed banking law contains a provision changing the amount of reserves to be held by the local member banks, reserve city banks, and central reserve city banks. Under the proposed law a country bank is compelled to keep as a reserve an amount equal to 12 per cent of its total deposits, not including savings deposits. It will be remembered that under the existing law such country banks are required to keep in reserve 15 per cent of their total deposits. Under the new law five-twelfths of the country national bank's reserve shall consist of money which national banks may under the existing law count as a legal reserve, held actually in the bank's own vaults. Another five-twelfths of such reserve shall consist of a credit balance with the Federal reserve bank of its district. The remaining two-twelfths of such reserve shall consist, either in whole or in part, of reserve money in the bank's own vaults, or of a credit balance with the Federal reserve bank of its district.

The reserve required to be kept under the proposed law by the reserve city bank is 18 per cent of the total amount of its deposits, not including savings deposits, at least one-half of which shall consist of money which national banks may under the existing law count as a legal reserve, held actually in the bank's own vaults. Five-eighteenths of such reserve city bank's reserve shall consist of a credit balance with the Federal reserve bank of its district. The remaining four-eighteenths of such reserve may consist, either in whole or in part, of money in the bank's own vaults, or of a credit balance with the Federal reserve bank of its district.

The central reserve city bank under the pending bill is required to maintain a reserve of 18 per cent of the total amount of its deposits, not including savings deposits. At least one-half of such reserve shall consist of money which national banks may under the existing law count as a legal reserve held actually in the bank's own vaults. The remainder of such reserve required of such central reserve city banks shall consist, either in whole or in part, of reserve money held in its own vaults or of a credit balance with the Federal reserve bank of the district.

SUSPENSION OF RESERVES.

Among other powers conferred upon the Federal reserve board by subdivision C of section 12 of the bill under consideration is the power to suspend any and every reserve requirement specified in the act. The language used is as follows:

The Federal reserve board shall be authorized and empowered (C) to suspend for a period not exceeding 30 days (and to renew such suspension for periods not exceeding 15 days) any and every reserve requirement specified in this act.

This, of course, means that in times of emergency, when through fear and apprehension there is a run upon a bank or banks which are members of the Federal reserve bank of its district, that such local member banks and the Federal reserve bank may use a part or a whole of its reserve money to meet the demands of its creditors and depositors. Every provision is made and caution taken by this bill to guard and protect the banks and their patrons and to protect their creditors and depositors from loss, and every depositor hereafter in a local bank member of the Federal reserve bank may rest assured that when depositing in such bank he is protected against all loss excepting such as may arise through the crookedness of the bank officials of his particular bank or through the poor or mistaken judgment of such officers in making investments. Personal crookedness and poor judgment on the part of bank officials are human elements. It is quite impossible to completely guard and protect bank depositors and creditors against these two elements of human nature in banking excepting through the enactment of a bank-deposit guaranty law. It is because it is impossible to eliminate these two human elements or to place them under control that so many banks object to the passage of a law guaranteeing bank deposits.

Personally I am surprised that a section or paragraph providing for the guaranty of bank deposits is not contained in this bill. I can account for its omission only upon the theory that the Committee on Banking and Currency thought it wise to at this time avoid as much opposition as possible to the bill, as it is well known that among bankers, small and large, there is considerable opposition to such a banking provision. I firmly believe, however, that within a short time after this bill has become a law such a proposition will be attached to it by a law amending the same.

One thing is certain, however, that under this bill there will be plenty of money for the seasonal moving of crops in the South and West, and that there will be absolutely no danger of a local member bank of the Federal reserve region closing its doors, failing or going into bankruptcy on account of what any other bank or banks may do, or on account of any corner that any money trust may create in the money market, or on account of any run its depositors may make on any bank.

NO INFLATION.

Some people fear that under this system of issuing Federal reserve notes, as hereinbefore described, that it will cause an undue inflation of the currency of the country. Others believe that such Federal reserve notes will be used by unscrupulous persons for the purpose of drawing gold from the United States Treasury and depleting the supply thereof. The answer to these two objections is that in the first place these Federal reserve notes are obligations of the United States and of the Federal reserve bank which issues them, and that the same are redeemable at the Treasury of the United States in gold or legal money,

the same as silver is, and the same as Treasury notes or greenbacks now are. A person can present a Treasury note or silver at the United States Treasury and secure gold upon it, but as under the present law silver and Treasury notes are worth as much among the people as gold there is nothing to be gained by so doing, and as the new Federal reserve notes are to be redeemable in gold or legal money of the United States they will be equal in value to gold and there will be no advantage in anyone exchanging them for gold.

The business men of the country prefer to carry on their business not with gold, but with notes as a matter of convenience. Then again, a provision is contained in this bill whereby no bank can issue any of such notes without having provided in its own vaults a redemption fund in gold of 33¼ per cent of the amount of notes issued by them. These notes will under the law bear a designating letter, whereby it can be easily determined which reserve bank issued the same. A tax by way of increased interest is imposed upon the Federal reserve bank issuing these notes so long as they continue in circulation, and when the reserve bank finds it unprofitable to longer allow such notes in circulation it will, in order to relieve itself of the extra tax so imposed, gradually redeem and retire such notes when the emergency which caused their issue shall have subsided.

SUCCESS ASSURED.

Many thoughtful men are in doubt as to the success of the proposed system of Federal reserve banks. They contend that the new system is not sufficiently advantageous to the national banks to attract or draw them into the new system. Of course, if the national banks in any considerable number should refuse to enter upon or adapt themselves to the system provided by this bill it will be a failure. I, however, have absolute faith and confidence in the success of the new banking and currency system outlined in this bill. There is no doubt in my mind about its final and complete success. There are many reasons for this. There are many reasons upon which I base my faith. The more this plan of banking and currency is examined and scrutinized the greater its merits loom up. There is not a so-called country national bank which will not absolutely and directly benefit by becoming a member of the regional reserve bank of the district in which it is located. Some may be so blind as to at first not see or want to see their advantages under this system, but whether these banks voluntarily enter into this system or not, I firmly believe that they will finally, and within the time allowed them, be driven by their patrons or public opinion into the new plan of banking and currency.

There are in my home county perhaps 35 State and national banks. If at first only one bank should enter this system, it would not be long before every other national bank in the county would follow suit. When the advantages of this system are made known to the workingmen who have deposits in these banks, and are made known to every other man and depositor, the public will patronize only the bank or banks that have behind them the protection and guaranty of the Government. It can not be denied that any local bank which becomes a member of the regional reserve bank is absolutely protected and guaranteed under this system against all closing of doors, against failure, and against bankruptcy brought on by the shortage of money, by unusual demands for money, or by runs upon the bank.

The advantages of a bank doing business under this system will be made known to the depositors and business men of this country, and the remembrance of the panics of 1907, 1893, and 1873 will move and actuate every depositor to patronize the bank which has behind it the protection and guaranty of the Government against such failures. Banks outside of the system, when they realize that the deposits of workingmen and business men are being made in member banks which have this Government protection, will be forced, in order to maintain their existence, into this system.

With a guaranty of deposits amendment, hereafter to be attached to this law, it will absolutely guarantee all deposits. Banks make their profits out of the deposits and money left with them. Banks with little or no deposits make nothing. Self-interest will drive every national bank, excepting a few of the largest ones in the great financial centers, into this banking and currency system when it becomes a law.

LITTLE OPPOSITION.

This bill in substantially its present form was given to the public about the 25th of June last. Ever since that date it has been in the limelight of the public gaze and has received special attention at the hands of the bankers and financiers of this country. There is some opposition to it on the part of the large bankers in the great financial centers. It is not to be wondered that those bankers are opposed to it, for, among other things, it removes millions and millions of dollars from the legal reserves which country national banks are bound by the present law to maintain in reserve and central reserve banks in the large cities. In addition to these reserves there has been a great amount of money belonging to the country national banks deposited in these large banks which has been used for speculative investments. The withdrawing under this bill of the country bank's reserve and the prohibiting of the investing of the money of any bank in stocks, bonds, and other speculative securities, deprives the banks in the large money centers of millions upon millions of money. It is not to be wondered at that such banks are found in opposition to this bill. Heretofore such banks have centralized and combined as much money as possible. Under this bill these vast accumulations of the country's money are to be decentralized and distributed over the country in the country national banks and in the Federal reserve banks for the accommodation of the people's business. No country national bank which understands the terms of this bill is opposed to it. Many of such banks would like to see the bill changed in some details, and much of the opposition of such banks to this bill has been exaggerated.

In the Democratic caucus, and I think in this House also, it was charged that a poll of the country national banks of Wisconsin disclosed every such bank opposed to this scheme excepting two or three. Since hearing this statement I have made diligent inquiry if any such poll had been made and if any such results were shown. I am informed that a poll was made, but that no such results were shown. These Wisconsin bankers met in conference on the 3d of September, 1913, for the purpose of considering the pending bill. The meeting was largely attended by some of the most representative bankers of our State. The convention passed resolutions upon this subject, a copy of which I herewith insert:

Resolutions as passed by the country national banks of Wisconsin.

Whereas a conference under the auspices of the currency committee of the American Bankers' Association was recently held in Chicago, which conference failed to adopt suggestions made by country bankers to reduce Federal reserve bank deposits required of currency banks from 5 per cent to 1 per cent of their deposits; at the same time this conference recommended material reductions as to reserve city banks' reserve requirements, which recommendation has since been incorporated in the bill. Further, such a reduction of reserves by the central reserve city banks is no burden to them as against the severe burden placed upon the country banks, which the latter can not afford to bear, because their cash reserves are proportionately smaller; and

Whereas the bill as drawn has many admirable features, yet we as country bankers believe several amendments are very essential: Therefore

Resolved, That we urge upon Congress the following essential principal changes, viz:

a. So amend the bill that country banks not in reserve cities be compelled to contribute not exceeding 2 per cent instead of 5 per cent plus 2 per cent at end of three years of deposit liabilities for the reserve of Federal reserve banks.

b. As section 27 of the bill (creating savings departments) provides for a segregation not only of securities covering the savings deposits, but a segregation of capital to an amount equal to 20 per cent of capital and surplus; but capital can not be less than $25,000, and requiring investment of such demand deposits in long-term securities, which we believe wrong in principle and not offering such security as is now offered savings depositors, we urge this section be eliminated from the bill.

c. That term of real estate loans be increased from one year to five years.

d. That dividends allowed reserve bank stockholders be increased from 5 per cent to 6 per cent.

e. That the 40 per cent of excess earnings allotted to banks be divided among them on the basis of capital stock in reserve banks instead of on average deposits therein.

f. That banks be allowed the same interest on deposits as is allowed upon Government deposits.

It will be noticed that in the first preamble to the above resolutions that the country national bankers in such conference charged the American Bankers' Association, which is largely made up of bankers from the financial centers, with having failed to adopt suggestions made by the country bankers to reduce the Federal reserve bank deposits required of country banks from 5 per cent to 1 per cent of their deposits, and that at the same time material reductions in the reserve required of reserve city banks and central reserve city banks were urged at such American Bankers' Association meeting and have since been incorporated in this bill.

It appears that the representatives of the large banks of the country act upon the principle of "everyone for himself, and the devil take the hindmost." In other words, they furnish proof that it is to the interest of some of the large bankers of the country to be against this bill.

It will be noticed from the second preamble of these resolutions of the Wisconsin Country National Bankers that they say this bill as drawn "has many admirable features, yet we as country bankers believe several amendments are very essential." It will be noticed that the resolutions relate merely to the details of the bill. Many of these details were thrashed up hill and down hill in the Democratic caucus for three weeks and have since been thrashed upon the floor of this House. They are details upon which sincere men may have an honest difference of opinion.

Subdivision A of said resolution asks that the country national banks not in reserve cities be required to contribute 2 per cent instead of 5 per cent of their deposits for their reserve in the Federal reserve bank. This proves conclusively that the country bankers appreciate the lessening of their reserve requirements under the bill. They regard it as a beneficial change, and they simply say that it would be of greater benefit to them if the amount of reserve that they are required to maintain with the Federal reserve bank was made 2 per cent of its total deposits instead of 5 per cent. That resolution is also misleading in that it assumes that the country national bank is required to maintain a reserve of 7 per cent of its total deposits with the reserve bank, whereas in fact it is only required to maintain a reserve of 5 per cent and may maintain a reserve of 7 per cent.

Subdivision B of such resolutions relates to the savings departments and asks that section 27 of the bill, relating to such savings department, be eliminated from the bill. Section 27 has been materially changed by the committee and the House since the 3d of September, when such bankers' meeting was held. The capital now required for such department is but $15,000, and the class of securities upon which loans may be made by that department and the class of property which it may purchase has been clarified and improved, and I doubt if such bankers would now offer any further opposition to section 27.

Subdivision C of such resolutions demands that the term of real estate loans be increased from one year to five years. This demand is entirely unreasonable, for the reason that the longer the term for which the national banks invest their assets the less liquid the same will be and the more difficult it will be to convert such securities into cash in times of emergency. It must be remembered that national banks are in the main commercial banks and devote the great bulk of their business activities to commercial banking instead of investment banking. It will be borne in mind that according to the terms of section 14, hereinbefore set forth, that no security having more than 90 days to run before maturity will be discounted by the reserve bank. It thus will be seen that in times of bank runs, in times of emergency, and in times when an extension of currency is needed for the movement of crops, that the more money a bank has tied up in long-time securities the less accommodation it can give the public, and its ability to withstand a rush of depositors is weakened.

Subdivision D of such resolutions relates to dividends allowed to reserve bank stockholders—that is, banks which are members of the regional bank—and asks that such dividends be increased from 5 per cent to 6 per cent. This is one of the points that has been thrashed over in the caucus and in the House. It affords a striking illustration of how honest men may differ in their opinions. I submit that the question of what is a proper rate in this case, 5 or 6 per cent, can only be determined after three or four years' experience with the new banking system. It is a detail which can be readily, if experience shows that it ought to be, changed from 5 per cent to 6 per cent.

Subdivision E of said resolutions asks that the 40 per cent excess earnings allotted to banks be divided among them on the basis of capital stock in reserve banks instead of on average deposits therein. This resolution is very unreasonable, for the reason that a member bank with only $25,000 capital stock in the reserve bank may have an annual average balance of deposits with such reserve bank of far more than a bank which has $100,000 capital stock in such reserve bank. Upon the slightest reflection it can easily be seen that the proposition contained in the bill is far more equitable, right, and just than the one contended for by the Wisconsin bankers in such resolutions.

Subdivision F of such resolutions asks that banks be allowed the same interest upon deposits as is allowed upon Government deposits. There may be some merit in this last proposition. It must be remembered, however, that after the payment of the necessary expenses and the taxes of a reserve bank, that the member banks are entitled to an annual dividend of 5 per cent on the paid-in capital stock, which dividend shall be cumulative. The only reserve which a member or local bank is required to keep in the Federal reserve bank is 5 per cent of its total deposits. A little reflection discloses that if the reserve bank had only for its use the small amount of money which the member banks are required to keep on deposit in such reserve banks, that the amount would be small and that it would be impossible for the reserve bank to pay the 5 per cent dividends to its member banks. These member banks may keep in these reserve banks an additional deposit that may be small or large in amount, but the Government will have in these reserve banks all of its general funds, which amount on the average to about $150,000,000 a year. It is clear that it is the Government deposits that in the first instance the reserve banks must rely upon to pay the necessary expenses and taxes, and its 5 per cent dividend. Experience in the operation of this new system may, however, demonstrate that this contention of the Wisconsin bankers is right, and if it is it can be easily changed.

RURAL CREDITS.

Throughout the country there is a great demand on the part of farmers for the establishment of a system of rural credits in this country similar to that which prevails in Germany, France, and other European countries. Years of experience have demonstrated in Europe the value of such a credit system, and the report filed by the American commission which recently returned from an investigation of the system in Europe is to the effect that with certain changes the system can be made extremely serviceable to the American farmer. It was the collective judgment of the Democratic Representatives of this Congress, in caucus, that in order to secure the greatest benefits from such a system of rural credits that it is necessary that a distinct and separate system of rural-credit banking be established. This requires study, observation, reflection, and sound judgment. In Democratic caucus it was decided that this subject should be taken up for legislation during the next session of this Congress and a sound and wise system of rural banking, adapted to the welfare of the farmers of our country, should be established.

From section 14, hereinbefore set forth, and from other parts of the bill, it will be seen that the farmers of the country are to participate and share in the benefits which this proposed bill, when enacted into law, will bring to the welfare of the American people. The bill contains a provision, found in section 26 thereof, whereby national banks belonging to the Federal reserve bank are permitted to make loans secured by improved and unincumbered farm lands for a period of one year and to an amount not exceeding 50 per cent of the actual value of the property offered as security, provided that any bank making such loans shall not invest in such securities more than 25 per cent of its capital and surplus. This broadens the opportunity of farmers to obtain upon their real estate loans for the transaction of their business. It is true that a farmer's note, secured by real estate, running 12 months will not be rediscountable at the Federal reserve bank, but all such notes will be subject to discount at such bank when not more than 90 days remain before the maturity of the same.

Under this bill the cotton farmer, having his cotton stored, bonded, and insured; the wheat farmer, the barley farmer, the potato farmer, and the cheese producer may store, bond, and insure his products, and with a certificate of the storing, bonding, and insuring of the same offered as security for his note, running not more than 90 days, may obtain a 90-day loan with which to pay his expenses and necessaries of life so as to enable him to take advantage of the rising markets within that 90 days, and it will be safe for the local bank to accommodate him, because a note thus secured and with such maturity can be at any time rediscounted or bought at the Federal reserve bank, and if the farmer should desire to hold his crops for a longer period than 90 days he is in a position to secure an extension of time on his loan.

One of the advantages under this bill will be to draw funds to the various sections of the country where they can be used to the best advantages, and as a result reduce the rate of interest now prevailing in the communities which receive the additional capital through the use of the acceptance method. In short, one of the main purposes of this bill is to help the communities which must resort to the banks for their loans, and to help the farmers in that community. It will help him as it will help the commercial and business men by enabling him to secure more and better banking accommodations. He is given a fair opportunity and placed upon equal terms with the commercial credits of the country, and it may be depended upon that later a separate and distinct law adapted to his peculiar conditions will be enacted.

CRITICISM.

Many fierce objections have been uttered against the Federal reserve board. It is contended that too much power, authority, and responsibility is centered in this board. Fears are expressed that its powers and authorities may be abused. It is claimed that there is danger that it will be drawn into politics, and that partisanship will be drawn into its control and in the exercising of its important responsibilities. But gentlemen who resort to such criticism forget that during the entire history of our country tremendous power has been vested in the President in appointing a Supreme Court and lower Federal courts. Seemingly

they forget that the Supreme Court of the United States, in the discharge of its duties, may exercise functions that will have as important a bearing upon the liberties, happiness, and welfare of the people of the country as any action this Federal board may take. Yet during 135 years of our Nation's existence not a single judge appointed to that bench has in a partisan or corrupt manner degraded or disgraced himself or the country. Every judge so appointed has realized his high responsibilities and has exercised care and caution to discharge his duties in an impartial manner to the satisfaction of and for the welfare of the country.

The same hue and cry was raised at the time of the establishment and creation of the Interstate Commerce Commission. That commission exercises power and authority over as great a share of the prosperity and the welfare of this country as the Federal reserve board can possibly exercise.

When that commission was established it was also claimed that too much power was being invested in it, and that it was liable to be used for partisanship and corrupt purposes. Experience, however, has demonstrated that the Interstate Commerce Commission is one of the most serviceable and one of the most powerful and one of the greatest commissions in this or any other country, and that during its life no one will contend that it has been prompted in any of its actions by partisanship or by corruption or by any other motive than the welfare of the people. It discharges the duties imposed upon it to the satisfaction of the people, although it is vested with tremendous power.

People who are fearful and apprehensive that the Federal reserve board may abuse its extensive powers, who fear that it may be actuated by partisanship motives or corruption, may have their fears allayed when they reflect upon the powers which have been vested in the Secretary of the Treasury and the Comptroller of the Currency under the banking laws. Nearly every power vested in the Federal reserve board by this bill has been, since the establishment of the national bank act in 1863, conferred upon the Secretary of the Treasury and the Comptroller of the Currency, and yet no person and no class of business men and no party has complained that such officers ever abused their power and trust. It is true that partisanship bitterness and prejudice in this country arise at time to extreme intenseness; yet the American people have confidence that whoever is President will always select for membership upon the Federal reserve board statesmen who will be, while on the board, Americans first and partisans second.

BANK CONTROL OR GOVERNMENT CONTROL.

The Democratic Party has long held to the principle, "The issue of money is a function of the Government." With this as a foundation in legislation of this character, there can be no question whether we shall have bank or Government control with the necessary machinery to carry out the provisions of this bill. It contains a provision whereby the notes of the banks shall be gradually retired from circulation and Government notes issued. It further provides a fund which can be drawn upon as the needs of the country demand. The national platforms of the Democratic Party, of the National Grange, Farmers' Union, and American Federation of Labor all demand a system of financing whereby money shall be issued by the Government, with such regulations and restrictions as will protect it from manipulation by the financial interests for their own private gain.

INTERLOCKING DIRECTORS.

Official investigation and examination have disclosed that a great share of the abuses prevailing in the banking world are due to the custom or system whereby a director, or many of the directors, of a given bank may be directors in one or several more other banks and industrial enterprises. It is claimed that it is by means of this interlocking of directors that the money or banking trust and industrial trusts create combinations and the mighty trusts which the people so loudly complain of. This pernicious custom prevails to as large an extent in the banking business as in any other enterprise. It seems it is considered a dangerous policy wherever it exists.

The Democratic Party in its 1912 platform declared in favor of a law preventing the interlocking of such directors. Many honest people have contended that such a provision should be incorporated in this bill. Such an amendment was offered to this bill in Democratic caucus, but it was there pointed out that the provision prohibiting the interlocking of directors and regulating the question of directorship belonged properly to the laws regulating trusts. Believing such to be a fact, the Democratic Party has not considered it wise to attach such an amendment to this bill, but has pledged itself to enact such legislation at the regular long term of this Congress. To show its good faith in that direction, it has already instructed the Judiciary Committee to report a bill regulating the matter of directors, not only in banks, but also in industrial companies, at the beginning of the next session. The people of the country can depend upon the Democratic Party to enact this much needed and wise legislation.

The bill contains many more interesting and wise features which will help to make it a success. Time and space, however, at present forbid me from entering upon a treatment of the same. Every precaution has been taken in this bill to guard and protect the interests of the public and of the Government. It is not a perfect bill. We do not claim it to be; but we do assert that it is the best bill of its kind which the wisdom of any party has been able to present to Congress in over 50 years.

We assure the people throughout the country that they need have no alarm over the operation of this bill when it becomes a law. It is designed to promote the welfare of merchants, farmers, manufacturers, workingmen, and all useful classes of American citizens, and we have an abiding confidence that it will accomplish the purposes for which it is designed.

Currency.

EXTENSION OF REMARKS
OF
HON. JOHN JACOB ROGERS,
OF MASSACHUSETTS.
IN THE HOUSE OF REPRESENTATIVES,

Thursday, September 18, 1913.

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. ROGERS. Mr. Speaker, under leave granted to extend my remarks in the RECORD, I append the substance of two letters received by me from a personal friend of mine who is distinguished throughout New England as a banker, a scholar, and a business man. The letters are dated, respectively, September 12 and September 16, 1913. I also print extract from the Boston News Bureau of September 12, which was inclosed with the former of the two letters and referred to with approval therein:

* * * * * * *

I have read this morning with interest the brief report given in our newspapers of your speech in the House yesterday. The methods of the committee in compiling this bill seem to me in every respect open for criticism. The whole question of sound currency is not a partisan matter; it is so difficult a question to solve and so important a one that the combined wisdom of both parties will not be too great.

I was present at the conference in Chicago and listened attentively with great interest to all the proceedings. Two things struck me specially—one that there was so much unanimity among the bankers themselves in the final outcome of the conference, and the other that the sentiment among the country bankers was so strong against the proposed bill in its present form. The authorities in Washington are, to my mind, wholly mistaken in the idea, which has been allowed to get into print, that the bankers are not in any accord and are broken into factions, and that the country banker in particular is rather in favor of than opposed to this bill. Some of the most vigorous criticisms of the bill came from country bankers, and, strange as it may seem, the person who was apparently most indifferent to the bill is a very prominent New York banker.

Many of the statements made by Mr. GLASS in his speech a couple of days ago, accompanying the introduction of the bill, seemed to me untrue and unfair. I do not believe for a minute that the chief fear on the part of the banks in connection with the present bill is that they will be deprived of certain reserve deposits and the earning power which goes with them. I believe that every banker in the country is ready to pay something in the shape of loss of profit on his business for the sake of getting a good currency bill. They are willing to do this as a matter of self-interest and also from a desire that credit conditions in this country, which the banker knows and understands far better than anyone else, shall be fortified and put on a better basis.

The bankers are opposed to the make-up of the Federal reserve board as proposed in this bill, and I think justly so. This is not because they fear the President would appoint bad men, but because the handling of bank credit throughout the country is probably the most serious and important task which can be imposed on any body of men; and the Federal reserve banks, which have to do with credit throughout the country, ought to be more largely represented on the reserve board.

I am not afraid of political control, as the word "political" would be commonly understood. I am very much afraid, however, of inexperienced or ignorant control; and if the board is to be made up of seven members, only one of whom must be a banker, I should think the risk of such control very great.

The provision of the bill for not less than 12 reserve banks seems to me economically wrong and wholly unwise. We are trying to really concentrate reserves and make them available, and this could be far better done by three, or at most five, reserve banks, instead of a dozen.

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In my judgment, if the bill in substantially its present form should become a law, a large number of our smaller institutions would at once proceed to organize under some form of State charter; some of the larger ones would probably test in the courts the question whether the charter of a national bank, which has been guilty of no violation of law, can be revoked because the bank declines to comply with the terms of a new law requiring it to take 10 per cent of its stockholders' money and invest it in an outside business, over which it has no direct control. While I am not a lawyer, I think the case for the bank could be made very strong.

I do not think any State banks or trust companies would avail themselves of the privileges of the bill, and that in itself is a great defect. There will undoubtedly be some national banks that will come in—perhaps quite a number—but they will do so reluctantly and against their better judgment in a good many respects.

The credit disturbances which would follow in this state of affairs would, in my judgment, be very serious and unpleasant.

The banks in the reserve cities will have to pay down their reserve deposits in very large measure, and that will mean a considerable curtailing of credit, that will probably remove them from the market as buyers of paper, and they will undoubtedly have to reduce loans in other directions.

BOSTON NEWS BUREAU,
Friday, September 12, 1913.

In the present attitude of the bankers it would seem that their only recourse, if the bill becomes a law in its existing shape, will be to take out State charters. A good deal has been said heretofore about the larger banks leaving the system. There seems good reason for believing that this action is contemplated by some of the big institutions in this city and Chicago. But the big banks have really less to lose, proportionately, than the smaller concerns throughout the country. Notwithstanding the assertions of the framers of the bill that the country banks are in favor of the measure, the administration will probably be surprised how little support it will receive from them after the bill goes through.

It is these small banks that are going to feel the onerous conditions under which they will be compelled to supply the necessary resources of the proposed regional reserve banks. Ten per cent of capital is a large item to many of these small country institutions; and, moreover, 5 per cent interest on their money is too small a return for them to make the subscription attractive. In the rural communities they are accustomed to 7 per cent, 8 per cent, and even 10 per cent on their funds. To part with 10 per cent of their capital, upon which they will receive only 5 per cent interest, and to be denied a voice in its control, will naturally be distasteful to the country banker who is, as a general rule, not to be influenced against his own interest on purely patriotic grounds. The big banks, which Mr. GLASS denounces as being accentuated by personal motives, are far more inclined to make this sacrifice for the sake of having a proper banking system.

In the question of the redistribution of reserves Mr. GLASS is also mistaken when he says that it is the banks in the reserve centers that object to this feature. It is the country banks that this will particularly hurt. They are going to lose the interest of 2 per cent and even 3 per cent which they now obtain from their reserve correspondents. They will now be required to impound these reserves in the regional banks upon which they will receive no interest allowance at all. In forcing their funds away from New York, however, much as Mr. GLASS or Mr. OWEN may deride Wall Street and its malign influence, it is a source of profit for the country banks for their otherwise unemployed funds.

Furthermore, the western banker knows his eastern correspondent. He knows he is treating with flesh and blood, and this is some consideration when he is in a tight corner. He would naturally rather come for accommodation somewhere else than in his own locality where, under the new system, his business would be brought to the notice of his immediate rivals.

Currency.

EXTENSION OF REMARKS
OF
HON. FINLY H. GRAY,
OF INDIANA,
IN THE HOUSE OF REPRESENTATIVES,

Friday, September 12, 1913.

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. GRAY. Mr. Speaker, when I speak of bankers and financial interests I refer only to speculating financiers and special money-manipulating interests preying upon legitimate industry and production. I have no reference whatever to country and commercial bankers, for these men are engaged in necessary business transactions and are loaning credit to promote commerce, trade, and actual industrial growth and the substantial development of legitimate interests. They are as necessary to business and industry as those actually engaged in the various useful occupations, trades, and callings and the productive enterprises of the country. These bankers are a part of the people, interested in common with the people, sharing in their prosperity and suffering with them in their losses and business reverses. When I speak of the interest of the people and their right to control the issue, volume, and distribution of money, to make the same equally and impartially available to all, I mean to include by that term the country and commercial bankers.

Let no country or commercial banker be deceived by the ultimate purpose of the Monetary Commission bill, commonly known as the Aldrich bill. By this bill these bankers were to be relieved of their right of note issue and all power over such issue was to be concentrated in a central bank in which their voice would be inaudible. I quote from the Monetary Commission report, urging upon Congress the enactment of that measure, on pages 17, 21, and 66, respectively, as follows:

We propose that the authority now exercised by seven or eight thousand national banks shall be vested in this cooperative association of all the banks. We propose to relieve the United States from the obligation to redeem the outstanding national-bank notes based on bonds, which are to be taken over by the reserve association.

We therefore propose that the national reserve association shall purchase at not less than par and interest the 2 per cent bonds held by national banks and take over with the purchase the right to issue notes to an amount equal to the bank notes now outstanding, such new notes to be issued and redeemed in the manner elsewhere provided.

The national reserve association shall issue upon the terms herein provided its own notes, as the outstanding notes secured by such bonds so held shall be presented for redemption and may issue further notes from time to time to meet business requirements, it being the policy of the United States to retire as rapidly as possible consistent with the public interest bond-secured circulation, and to substitute therefor notes of the national reserve association of a character and secured and redeemed in the manner provided for in this act.

Thus would the country and commercial banks not only be deprived of their right of note issue and all opportunity to participate in the control of the volume of money, but they would be left wholly dependent upon this central financial body, under private, selfish control, for accommodations in funds, without power or influence to claim or ask for fair consideration. Under the pending bill these banks are to retain their note-issue privilege to the amount of all outstanding circulation until voluntarily surrendered, or the same may be retained while enjoying the full advantages of its provisions. Not only this, but these banks will be independent under this bill of any central-banking interest, and can apply direct to the Government for funds with which to supply the demands of their customers.

Money not only represents value but is a measure of value fixed and determined by the amount of money in circulation and available for use in proportion to the amount of services, commodities, and other property on the market and being exchanged. A volume of money is not required sufficient to represent all the property which may exist, but only so much thereof as is on the market for exchange. Stable prices require that this proportion of money to property which is being moved should be evenly maintained. The volume of money should keep pace with the volume of business transactions. Whenever the volume of business is temporarily increased and an increased amount of property for exchange is upon the market, such as the moving of crops in season, an increased volume of money is required to meet the increased volume of business transactions.

When this emergency is over and the volume of actual exchange reduced, the amount of money should be correspondingly decreased to the normal volume of circulation. It is to supply an increase in the volume of available money in use to relieve the strain of local and periodical demands and to add to the volume of money from time to time to keep pace with the growth and development of the country, and thereby to maintain the equilibrium of stable prices, that the Federal reserve board is to be created and given control over the currency.

I do not indorse the appointment of the Federal reserve board by the President as the ultimate and final solution to be reached in vesting the power to issue money, to control its volume in circulation, and its distribution to make the same equally and impartially available to all the people. I accept and indorse this provision only as a step in the right direction of control by the people of their own money and credits, and with a view of laying the foundation of further legislation to make at least the four appointive members of the board elective by both the House and the Senate on the nomination of the President.

This is primarily a public currency measure, and as such embodies two main propositions. It provides for the issue of currency by the Government, and stripped of all verbiage and of the many intricacies in detail it shows the framework of a system for the distribution of this money to the people. The framers of this bill might have accomplished the disbursement of the money to be issued by creating a new public agency, with branches in every section of the country, or they might have provided for its distribution by some already existing agency of the Government, but this would have called for expense and delay in creating such new agency and for a revolution of an existing Government department and a consequent confusion of duties and functions to be performed. But neither of these plans were adopted. As the banks of the country were especially equipped with facilities for receiving funds and loaning the same to the people they were made public agents under this bill to receive and disburse the money to be issued by the Government. The one great, vital, and most important purpose of this

bill is the distribution of public currency through the instrumentality of the banks to the people equally, impartially, and without discrimination. One of the greatest means in the hands of these agencies to evade this purpose of the bill is the system of interlocking directorates, whereby the banks may combine and organize among themselves to withhold these funds from the people generally and concentrate the same in the hands of the few, to be used to support monopoly and to impair and destroy the ability of competitors, and thereby to restrain trade.

But aside from this special purpose to be accomplished, the prohibition of interlocking directorates should go into this bill. From the money investigation it has been shown that monopoly is largely effected in this country through the instrumentality of interlocking directorates and that the control of money and bank credits is the one most potent of all factors in the destruction of competition.

It has been found that from the bank director's room has come the eternal fiat fixing the status under which industry might exist; that from the bank director's chamber has come the decree of what institutions should live and what industries must die; that from the bank director's room has come the ultimatum to competition of surrender or destruction. It has been shown that interlocking directorates are the citadel of monopoly, the bulwark of trusts, and the refuge of the enemies of the competitive system of industry.

Credit is necessary to enable enterprise to be initiated and carried on. To withhold credit is to defeat enterprise and industrial efforts, and to extend credit is to build up and maintain enterprise. Credit is the power that can maintain or destroy industry, maintain competition, or create monopoly. Impartial consideration before the law and freedom of trade require that credit be extended to all equally and impartially.

Upon these considerations and the clear and unequivocal plank of the national Democratic platform against interlocking directorates and my own declared opposition to the same I will be constrained to record my vote in favor of an amendment, if offered, to prohibit such interlocking directorates among banking institutions, which are to be made public agencies for the distribution of money, to insure its equal and impartial availability to all the people.

In considering these two bills for comparison, the corresponding provisions respecting the duration of the institutions created must not be overlooked.

The Aldrich law as proposed grants a charter and right of succession for 50 years, during which time there can be no relief by way of amendment or repeal for a whole half century.

Under the Aldrich law the men of to-day could not even indulge themselves in the fond hope of relief during their lifetime, but could only pray for and dream of deliverance of their children or their children's children in the far-away future.

This bill grants a charter for only 20 years and reserves to the people the right to alter, amend, or repeal the whole law at any time during that period, leaving them free to choose for themselves the currency system at all times under which they are to live.

This bill does not involve any question respecting the standard of money or the parity of its different forms. What it does do is to change and determine the control of its issue, its volume, and distribution. The claims to the contrary are but efforts to inject into this bill elements not comprehended in any way in the scope of the subject under consideration. There is no demand for silver by the men who stood for it in 1896. The friends of silver are accepting the standard of money as it is to-day, and are satisfied with the solution of that question by the increased production of gold as correct under the quantitative theory of money, for which alone they contended.

There is no demand for any change. There is no proposal for any change. There is no change under contemplation, and there is and will be no change effected by this bill. If a change, it will come from the so-called gold men who will oppose gold and seek to demonetize it if it continues to increase in volume, so as to prevent their control of basic money.

The Aldrich bill, if it had been enacted into a law, would have given the banks absolute domination over our financial system and a concentration of power over the currency in the hands of the few, the like of which Alexander Hamilton, the founder of the first National Bank, and Nicholas Biddle, the champion of the second National Bank, never dreamed of in their most far-reaching plans for a monetary system under private bank control.

The demand for elasticity is but a delusive plea and another name for arbitrary bank control of the volume of the currency. Contraction and expansion could have been effected at will, prices controlled, values manipulated, and all business subjected to absolute bank dictation. Panics would have been at its beck and call, and for half a century this great central bank would not only have been the rival of the Government, but Congress on convening in regular session or on special call would have notified the central reserve association of its organization being perfected and of a quorum present and expressing its readiness to receive any message which the central reserve association might wish to submit directing the legislation to be enacted.

The humiliation of Montezuma, after his welcome of Cortez as the Fair God, would not have been more complete than the plight of the American people if the Monetary Commission had carried out the work it had begun and fastened the Aldrich bill upon them, without the hope of relief for half a century. The conspiracy of Burr and Blennerhassett to wrest the great West from this Nation and found an empire was not more daring and desperate than the Aldrich currency conspiracy, and their failure was not more favorable for the welfare of the country than has been the failure of this conspiracy to set up a money despotism over the people.

English Firm Outbids Americans.

EXTENSION OF REMARKS
OF
HON. WILLIAM A. CULLOP,
OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, September 12, 1913.

Mr. CULLOP. Mr. Speaker, I desire to read the following news item, appearing in the Washington Times of date September 11, 1913:

ENGLISH FIRM OUTBIDS AMERICANS.

Outbidding American firms by an enormous figure, an English firm was awarded the contract to-day for the turbine rotary drums to be installed in the new battleship, No. 39, now building in the New York Navy Yard. The contract was awarded to John Platt & Co., agents for Cammell, Laird & Co. (Ltd.), who constitute the Cyclops Steel & Iron Works, of Sheffield, England. Two American concerns, the Midvale Steel Co. and the Bethlehem Steel Co., bid $160,272 and $169,568, respectively, while the English concern offered to furnish the drums for $57,436, a saving to the Government over the lowest American bidder of $102,836.

The above clearly illustrates the profits some of our highly protected industries have been making off the American people. It clearly shows why battleships have been so expensive. It clearly demonstrates the enormous profits the protected industries have been extorting from the American people when once protection gave them a monopoly of our markets, as is the case in the iron and steel industry.

In this one item for material for a battleship the English company offers to furnish for $57,432 what the Bethlehem Steel Co. asks $169,568 and the Midvale Steel Co. asks $160,272. The English company underbids the lowest American company by $102,836. In other words, the foreign company offers to furnish the product for about one-third of what the lowest American company offers to furnish the same thing.

Now, why this great difference in the price? Just think, if this had not been thrown open to competition, what the additional expense would have been to the Government in the building of this battleship.

Doubtless some enthusiastic protectionist will insist this difference in price represents the difference in labor cost in this country and in England; but this difference is too great for such an excuse. The labor cost in England is fully as high as here. The investigations already made have clearly shown this to be true. It further shows the wages paid in our iron and steel industry are lower than almost any of the other protected industries, and it will not do to attribute it to the difference in labor cost.

Mr. Speaker, protection has given our great iron and steel industries a monopoly of our markets, and by this means they have been extorting enormous profits from the American people. It discloses the fact that these industries need no protection and that they should be required to compete in our markets with the products of the world. Investigation shows we produce iron and steel goods cheaper than any other country in the world, and hence these products should be on the free list, so that they can no longer monopolize our markets and wrongfully plunder our people.

Currency.

EXTENSION OF REMARKS
OF
HON. WALTER ELDER,
OF LOUISIANA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, September 22, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. ELDER. Mr. Speaker, if I judge the times and signs aright, the day of the party caucus, except on strictly party questions, is about to end. The game as now played by some party leaders is fast and loose. If they see that they have a majority on a particular question or amendment, it is taken into the caucus, and those opposed to it are bound and gagged, delivered body and soul. If they have not such a majority and it is an amendment that would suit the Republican Members, such as that proposed by Mr. FESS, known as the gold-standard amendment, they take what committee following they have amongst the majority and with the help of the Republican minority fasten the useless "gold-bug" amendment on the bill. On the other hand, fearing the result in the whole House on the interlocking directorate feature, where it developed that there were practically 100 votes outside the caucus for this provision, they take the subject into the caucus and attempt to bind and gag the majority Members. Such procedure, in my humble opinion, is certain eventually to destroy the caucus action. Men of intelligence will not continually allow themselves to be handled in such a fast and loose manner by a small, selfish party machine, a wheel within a wheel, unexcelled even in the palmy days of Caunonism. As a loyal Democrat I have never and never will bolt a caucus action.

Heretofore I have kept my expressions of such procedure within the confines of the secret caucus. Hereafter, I wish to say here and now that while I will abide the majority, expressed in the caucus action, yet I reserve the right to express my views, at least of any unfair procedure directed against good legislative government in any public place. I opposed this currency bill in the caucus, for the reason that I believed that it was not good nor safe legislation. At one time I was bound by the caucus action. However, as the committee saw fit to make substantive changes in several respects, and thereby unwittingly released Members of contrary views, I have exercised the opinion that I expressed in the caucus and have voted against the bill.

I believe that it is a bad bill; first, because it gives too much power to a President. Of course, if we had a certainty that such good and able men would always be in the presidential chair as we now have in President Wilson this difficulty might be overcome. However, we have no such guaranty, and it is an axiom in political economy that a power once granted is at some times both used and abused. The Government bank was strenuously opposed by the great leaders of the Democratic Party—Jefferson and Jackson—and since the days that Jackson threw Biddle out of power it has been supposed to be unalterably opposed to a Government bank; and while I am not a prophet, yet I predict if this bill becomes a law some day the American people will have a memorable fight to unshackle themselves from this Government bank. We are putting the banks into politics, and it is now up to them to go into politics for protection of their own selfish interests.

In the second place I am opposed to the bill because I do not believe in asset currency. The present banking system is unfair enough. The banks of this country receive the deposits of the people and in turn loan the people these same deposits at rates varying from 5 to 10 per cent. Not satisfied with these profits, the bankers of this country naturally believe in an asset currency; there is no more money to loan, no greater interest to gather, so they wish the Government to take these assets on which the banks are now drawing this rate of interest and hold these assets as security and issue the banks in turn more money on which they—the banks—can again draw from 5 to 10 per cent. The people of the country in the first place have made the deposits and borrowed the deposits, paying interest thereon; they are again requested, by a piece of bookkeeping legerdemain—the people constituting as they do the Government, giving full faith and credit to the Government—to issue more money on these assets and borrow that new money, which is their own money, again, in turn, at certain rates of interest—as much as the bankers can command and demand.

The demand for this bill has arisen on account of panics and the shortness of ready money in certain sections during crop-moving seasons. Taking advantage of this feeling, this bill is being put through. We have not enough money at certain times I am free to confess. However, under general conditions the production of gold in the world has been sufficient to supply the commercial needs of these United States. We have enough credit, and what we need is not more credit, but that in times of financial stress, which comes periodically and are caused by too great expansion of credit, is for the Government, when money conditions are bad and the crops are being moved, to say to the commercial world that it will give its faith and credit as a temporary relief and until conditions can naturally reassert themselves. To say to the bankers of the country that we will let you have this money to tide over this time of stress to pay your depositors and to move crops, but that when that purpose has been accomplished you must return us this money; the knowledge that the Government would do this would, in my opinion, act as an absolute preventative. There would be no rush of the depositors to draw out their money; there would be no rush to sell securities.

Further, under this plan I believe the Government should say to the bankers that we will not allow you to charge these high rates of interest to the people on this money which we are furnishing to you, but you can only charge the same amount that we charge you plus your overhead or running expenses. You shall not be allowed to take advantage of this condition to extort, if you might please, from the people of this country additional dividends for your stockholders.

Again, I think this bill as it now stands, where a bank with $100,000 capital can borrow ten million or a hundred million from the Government as long as it furnishes good and sufficient assets, is bound to compel an enormous inflation of the credit of the country. The Government under this bill will issue this money to the various banks up to the amount of about three and a half billion dollars. When the point is reached that conditions are flourishing and the exhausted Government can not issue any more money, what is going to happen? Certainly a reaction will take place; the pendulum will swing back and the labor pain of overcredit will be compelled to produce a child in the shape of a financial panic. Then who is going to come to the relief of the situation? The Government no longer has any money to issue for the help of these banks and has removed from itself its only chance to be of financial help to the commercial interests of the country in a time of need.

Along with some others, I labored earnestly in the caucus to attempt to give the farming interests of this country a chance under the bill. Finally a small sop was handed to the farmers, with the promise that next fall a rural credit system would be inaugurated. While I doubt, yet I hope that this promise will be carried into execution and that the men who most need the help and who are receiving the least assistance will receive some proper attention—some actions instead of promises from the Government.

I believe that this is strictly a bankers' bill. Of course, the bankers of the country would like to have some certain amendments. They would like to have a bill along the lines proposed by Representative LEVY, of the Tammany district, which would practically turn over the Government's coffers to them without restrictions. At a propitious time it was discreetly announced that the great bankers of the country were opposed to the bill. This, in my humble opinion, was for the purpose of flushing the country Members into line and support of the measure. It is interesting to note that in the caucus which framed this bill not a single Representative from any of the large cities, where the great financial interests and bankers are located, was opposed to this measure. If this was not a better bankers' bill than the Vreeland-Aldrich bill, why this concert of action? As Democrats in the last campaign we discussed and cussed the Vreeland-Aldrich bill from every platform and from every stump. At the time of the passage of the Vreeland-Aldrich bill we find the Democratic Members in the House voted against it in a solid phalanx. Yet there are whole passages in this bill bodily taken from the Vreeland-Aldrich bill. The Republicans, largely, are voting against it. I see that they want it passed, but they feel that the common people of this country are liable to resent the measure when they see its workings, and they are in the position of the man who says, "I told you so."

There are other minor defects in this bill which have already been discussed in detail on this floor, and I consider it useless

to beclond the main issues by mentioning them at this time. I certainly hope that my judgment of this bill shall prove erroneous. I regret that my opinion compels me to differ with a great majority of you on your vote on this question. From observation and conversation I am inclined to believe that most of you are absolutely and fundamentally opposed to this bill, yet you lack the nerve to go against the powers that be, but take the safe course, in the event of its failure, of hiding behind and under the coat tails of an administration undoubtedly and deservedly popular with the people of the Nation.

The wisdom of following a political life is doubtful, and if it is necessary for me on questions of principle to subvert my conscience in order to hold my position, I would rather retire from politics. Some voted for this bill because they feared they would bring down on their heads the disfavor of an administration. I do not believe that our President is that type of man, for big men are liberal and only little men are picayunish, and I do not believe, in any event, the people of my district would have their Representative violate his conscientious beliefs and principles.

Currency.

EXTENSION OF REMARKS
OF
HON. JOHN JACOB ROGERS,
OF MASSACHUSETTS,
IN THE HOUSE OF REPRESENTATIVES,

Wednesday, September 17, 1913.

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. ROGERS. Mr. Speaker, I have listened attentively for many days to the arguments ably and eloquently urged by the Members of this House for and against the pending Federal reserve act, commonly known as the currency bill; I have read and pondered over the language of the bill itself and of the voluminous report which accompanied its introduction into this House, and I have made such independent research as was possible to inform myself on its more intricate features.

I am free to say that when the bill was introduced I fully expected to vote for it. I welcomed this attempt to improve the undoubted and grave defects in our present system, and in spite of the most unfortunate partisanship which had marked the framing of the bill, and to which I have heretofore adverted, I was prepared to embrace cordially this remedial measure which I believed then and still believe represents the conscientious and painstaking endeavor of the public-spirited and high-minded majority members of the committee. I expected, of course, that there would inevitably be some provisions which I could not indorse, but I was eager to convince myself that the bill as a whole was such that it would be my duty to support it.

I regret that in spite of these predilections I feel it to-day my duty to vote against the bill. Why? Because in it there are several provisions which are beyond a shadow of a doubt fraught with the gravest dangers to sound banking methods and to the people of the United States. These defects are very specific, very easily to be cured if desired by the majority, and their correction in no way involves the rewriting of the bill or the revision of the very many admirable things in it. It is my hope and belief that they will be remedied in the Senate and that it may be my pleasure to vote in favor of the bill when, amended and improved, it again comes before this House prior to its final enactment. I repeat, Mr. Speaker, that it is a great personal disappointment that I can not vote for this bill. I am particularly unwilling to appear guided by considerations of partisanship in a matter of this moment, and I beg you to believe that I should equally record my vote against the measure in the form in which it is before us if it bore the indorsement of a Republican committee and a Republican caucus.

I desire to set forth the few elements of this bill which command my strong dissent. There are, of course, many others of lesser moment, but these I do not care to enumerate, for they do not contribute to my decision. The matters which seem to me fundamental are:

(1) The bill virtually makes the United States Government itself a banker, with all the duties and obligations which this status entails. The history of this country and of other countries proves this dangerous. The United States should regulate, supervise, and even control banking much as, through an Interstate Commerce Commission, it regulates railroads; it should not manage or operate.

(2) By section 2 (p. 3, lines 11 to 13) "every national bank * * * shall be required to subscribe" to the capital stock of its Federal reserve bank, on pain (sec. 8, p. 14, line 26, and p. 15, lines 1 to 5) of dissolution. There is a very great doubt of the constitutionality of this provision, in the first place; but, aside from that, its expediency is for obvious reasons more than questionable.

(3) Section 11 puts enormous powers into a "Federal reserve board, which shall consist of seven members, including the Secretary of the Treasury, the Secretary of Agriculture, and the Comptroller of the Currency * * * and four members chosen by the President * * * (of whom) not more than two shall be of the same political party, and at least one shall be a person experienced in banking." The powers given this board are, as above indicated, too varied and too broad, savoring of ownership rather than of regulation; but aside from that its personnel puts a premium upon partisanship, upon ignorance, or upon inefficiency. Five of the seven will usually be of one party, and but one of the seven will necessarily know anything of the practical side of banking.

(4) Section 17 authorizes the issuance of Federal reserve notes and provides (p. 29, line 19) that they shall be "obligations of the United States." This saddles upon the United States the ultimate responsibility for these notes, and in time of war or panic might, as history shows, lead to grave complications. It, in effect, makes the United States Government a bank of issue.

(5) Section 17 provides (p. 29, lines 21 and 22) that these Federal reserve notes "shall be redeemed in gold or lawful money," and (p. 30, line 20) for a special reserve against these notes of "gold or lawful money." These provisions resemble an insidious attempt to strike down the gold standard and a return to the free-silver heresies of 1896; it may be that the eleventh-hour amendment to section 29 tends to obviate this difficulty. I fear, however, that such amendment merely results in a conflict between the two portions of the bill. At all events there can be no sound objection to the striking out of the words "or lawful money" in the two places above mentioned.

(6) The number of Federal reserve banks can not by section 2 (p. 3, line 4) be less than 12 and may be more. While I recognize the danger of having but 1 Federal reserve bank, as was provided by the Aldrich Act, there can be no such objection to a plan calling for 3, 4, or 5 of such banks. The difficulty of requiring at least 12, each with a capital (p. 4, line 1) of at least $5,000,000, is that some of the 12 will be weaker than is consistent with an entirely sound fabric, and the weaker ones will be a serious burden and drag upon the stronger and upon the public.

(7) Section 26 (p. 44, lines 3 and 4) provides that certain banks "may make loans secured by improved and unencumbered farm land." Admitting the propriety of authorizing such loans, why the discrimination against other classes of real estate? Is farm land the only safe real estate security?

I repeat, Mr. Speaker, that I hope and trust that amendments to cure most, if not all, of the evils above enumerated may be adopted in the Senate and that I may thus have an opportunity conscientiously to vote for the measure in its final form.

Currency.

EXTENSION OF REMARKS
OF
HON. S. KIRKPATRICK,
OF IOWA,
IN THE HOUSE OF REPRESENTATIVES,

Wednesday, September 17, 1913.

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. KIRKPATRICK. Mr. Speaker, to the four evangelists was assigned the duty of writing the law of redemption for mankind from the blighting influences of a sin-cursed world. Likewise it has become the bounden duty of the Sixty-third Congress to write a law upon the statute books that will, by its enactment and enforcement, relieve the American people from the thralldom of a banking system that no longer meets legitimate demands.

We no longer use the sickle in reaping down our fields of amber grain, other and more effective methods having been brought into use. We can not live on tradition alone. We must meet conditions as we find them. We can not afford to procrastinate. To do so would be financial suicide.

To my mind the path of duty is so very plain that a wayfaring fool, though a man, need make no mistake. We should not deceive ourselves and thus betray a confiding public, or be cajoled into the thought that Jefferson and Jackson had reached the acme of finance. Their judgment doubtless applied in its day and generation, but to-day would not meet the requisites necessary to the successful operation of a peanut stand.

Mr. Speaker, I represent in part a State teeming with hog and hominy, buckwheat and Chinese sugar cane, and our flapjacks are always sweetened from the bunghole of a molasses barrel, and the tarantula no longer infests the contents of the demijohn. Money bears the same relation to industrial and commercial interests that blood does to the human system. In the latter the physical body must be supplied with a full, healthy flow of blood. Otherwise the body soon becomes diseased and death ensues. So should all legitimate industries be kept constantly supplied with a healthy volume of a sound circulating medium.

The per capita of to-day will not suffice for to-morrow. I have been in close touch with most of the banking interests of my district, and on being asked as to what kind of currency legislation was needed a uniform response came in these words: "Give us a more elastic currency, based on the faith and credit of the Nation, with the privilege of rediscounting good commercial paper." And I feel quite sure that in this all their wants will be supplied.

Mr. Speaker, as a matter of convenience and economy I would not coin any of the yellow metal into money. A gold certificate is more convenient than a gold coin; besides, there is no loss by abrasion.

Let me call the attention of the House to the reports of the Treasury. These statements are based on the amount of all money coined and issued from the dawn of our Republic. It must be borne in mind that of all the money coined and issued a considerable portion is not now in existence. Still it is being carried along as if it were a part of our assets. Many thousands of coined dollars have been unlawfully used in the arts. Many thousands have been destroyed by fire or otherwise lost. Thus the volume of money as reported is incorrect. And, again, the per capita as reported applies to our population of three years ago. Hence, the volume of three years ago will not apply to present demands because of increased wages and the advance in the price of commodities.

Now, as to asset currency as compared with the issue of legal-tender money issued by the Government, I prefer the latter. The products of the farms, mines, and workshops are all good in their place, but as a basis for our indebtedness would be like standing a pyramid on its apex.

Give us a broader basis. Place the taxing power of the Government, backed by all our people, on the reverse side of all our paper-money obligations; then it becomes your paper and my paper, and we will not in any manner discredit our own obligations.

Let me call attention to some of the inconsistencies indulged in by many of our people. In 1896 the calamity howl of 53-cent dollars went up, and within two short years the same party authorized the additional coinage of these despised dollars to extend to not less than eighteen millions annually.

Coming along down the line, the then President directed that the motto "In God we trust" be stricken from our gold coins. At the time I suggested that inasmuch as gold coins have always played a cowardly part in time of financial distress, and the American eagle, in its rapid-transit flight into the pockets of a few money barons, would say, "Farewell, vain world; I'm going home"; or we might have substituted the following: "God be with you till we meet again."

I am not attacking Wall Street or New York simply because it is New York and Wall Street. I am seeking to do that which will inure to the benefit of the American people.

Some have said this is a political measure, that the several boards to be placed in control will be partisan. If this be true, then why not cry out against the Interstate Commerce Commission and the Supreme Court?

At first I looked upon this bill as a sort of Chinese puzzle, an abrupt turn in the highway of modern finance; but I am not looking for perfection in earthly things. As we advance along the financial lines of higher altitude the perception of our best financial agents will be able to cope with all legitimate demands.

Thus, on the whole, I am giving this bill my unqualified indorsement. It is "gospel measure, pressed down and shaken over."

Currency.

EXTENSION OF REMARKS
OF
HON. FINLY H. GRAY,
OF INDIANA,
IN THE HOUSE OF REPRESENTATIVES,

Wednesday, September 17, 1913.

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. GRAY. Mr. Speaker, this bill does not in any way affect the present law fixing the standard of money or the parity of its different forms in circulation. It leaves the same unaltered and unimpaired. While the enemies of this bill, in their attacks upon it as a whole, as well as every paragraph and section separately, have made this claim generally, they have not been able to specifically point to one word, one line, or one sentence in this bill that would repeal or modify, or could be construed to repeal or modify, or in any way affect the existing law fixing the standard and to guarantee the parity of money.

None of all the friends of this bill who have declared their intention to support this amendment have done so on the ground that the bill will in any way change, modify, or affect the present law. On the contrary, they have declared their firm conviction that it does not so change, modify, or affect it. There has not been a single member of the committee offering this amendment who claims that this bill will in any way change the existing standard of money. On the contrary, all have declared their intention to vote for the amendment on the sole ground of political expediency to meet a sham claim made by the opponents of the bill.

This bill provides that the currency to be issued under the control of the Federal reserve board shall be redeemed at the Treasury in Washington in gold or in lawful money which is redeemable in gold, making every dollar issued under this bill convertible into gold directly or into lawful money and gold ultimately, and the Federal reserve banks are required to carry a special gold reserve for this purpose in addition to the gold reserve held in the Federal Treasury for such redemption.

It does not in any way change the existing law fixing the standard of money, and this amendment is not offered with any intention to alter, change, or modify the bill for that reason. The amendment has not been suggested by the opponents of the bill in good faith, but only to mystify and disconcert the friends of this legislation and to pave the way for and bring about the appreciation instead of the maintenance of the present money basis, and thereby in fact to change it and overcome the effects of the increase in the production of gold and the availability of the basic money of our currency system.

The money question has been settled, not so much by law, but by the increased supply of the basic money metal. The increased supply of gold was not nor could not have been foreseen, nor is it the result of legislation. No one ever predicted or ever suggested that its volume would be increased in such ample quantities as to more than equal the double standard. This has all been brought about by invention and discovery and by new and improved means and processes in mining the precious metals and the opening up of the Klondike, the Transvaal, and other productive fields, whereby the annual production of gold has been increased from $202,251,600 in 1896 to more than $461,542,100 in 1911, or more than double the annual production of basic money metal. By reason of such increased production the volume of basic money obtained from the supply of two metals is now available from the supply of one.

The trouble is that the increased gold supply is fast becoming a menace to the special interests which seek to profit by the control of basic money. While this constant and continuous increase in the production of gold can not be controlled so as to control the measuring unit of money directly, the measuring unit can be controlled indirectly by multiplying and increasing the demands upon gold so as to appreciate that metal as effectually as to limit its supply and production. If the production of gold continues to increase at the same ratio in the future, and its measuring value can not be controlled by multiplying and increasing the demands upon it, the next financial move of Wall Street to be observed will be a movement to demonetize gold and to abandon it as a means to control values and maintain the price level.

While our opponents are exchanging artful and wily nods, the remarks of the gentleman from Kansas [Mr. MURDOCK] show

the purpose which this amendment is intended to serve, and the consternation it is producing is being observed with great satisfaction by the men opposing this bill who are here in charge of the scare.

I here quote from the transcript of the Reporter's notes of Mr. MURDOCK's exposé of the artifice now in process of being successfully worked upon the untrammeled Democracy, bold and defiant even in disorderly retreat:

Mr. Chairman, there seems to be a divided allegiance on the Democratic side just at this moment, as between the caucus and the authority of the committee, as between the caucus and Mr. Bryan and the President. I do not think it is a very material thing, but I want to say to the Democrats here, as one standing apart, that the Republicans are playing politics with you, and that is all there is to it. [Applause on the Democratic side.] This proposition is made with the idea that there will be enough Democrats over there who, combining with this side, will be able to put this amendment into the bill. Then, when the committee rises and reports the bill to the House, the Speaker will ask, "Is a separate vote demanded on any amendment?" The separate vote will be demanded, and you Democrats will be put on record, for no other reason on earth than to embarrass you. It is a trap, and if you want to walk into it, why, do so.

I decline to take fright at this legislative bugaboo now being dangled so adroitly before us.

I refuse to participate in the consternation fast forming around the Committee on Banking and Currency, or to join in the great alarm everywhere spreading on the Democratic side, or to obey the imperative command for mobilization in haste for a general rout to escape imaginary pursuers and foes disarmed and defenseless.

Mare Island Navy Yard.

EXTENSION OF REMARKS
OF
HON. J. R. KNOWLAND,
OF CALIFORNIA,
IN THE HOUSE OF REPRESENTATIVES,
Thursday, September 18, 1913.

Mr. J. R. KNOWLAND. Mr. Speaker, the article to which I refer was published in part in the September number of the Pacific Marine Review, of San Francisco. Editorial reference to the article is included:

[Editorial from Pacific Marine Review, September, 1913.]

We have received a letter from the Hon. C. F. CURRY, Member of Congress from the third California district, which letter was written when the Secretary of the Navy was on the coast inspecting the various navy yards.

The statements of Mr. CURRY regarding the value of the Mare Island Yard are fully sustained by the views expressed here by Secretary Daniels, and there appears to be no doubt but that the Mare Island Yard will be maintained in the highest degree of efficiency.

Mr. CURRY, like Secretary Daniels, is heartily in favor of a merchant marine flying the United States flag, and promises to do what he can with that end in view. In this regard Mr. CURRY occupies a different position from that of Secretary Daniels. The Secretary can use his influence and can advise, but he can do only that which the statutes as passed by Congress permit him to do. Mr. CURRY, however, is a part of the lawmaking body, that body which prescribes the limits within which the Secretary may exercise his discretion. Mr. CURRY can advise and use his influence, and he can also vote on the bills as presented. That he will use this prerogative in favor of a greater navy and of some method whereby the merchant marine may recover the position it once held is very evident from the tone of his letter, but the attitude of the present Congress, with regard to legislation with respect to both subjects, does not hold out much encouragement for a successful issue.

The award last month to a Japanese line for the carriage of trans-Pacific mails is but one more instance of the utter stupidity and lack of patriotism exhibited by our lawmakers. The Japanese line is subsidized by the Japanese Government, and for this reason can and did underbid the line flying the Stars and Stripes. For some time the various Congresses have shied at anything which savors of subsidy, and possibly it was considered that the few dollars difference between the two bids might be considered as of the kindred of subsidy, and for that reason the Japanese line, with no better service, is given the award. Economy, both public and private, is a grand thing, but many are the sins which are committed in its name. The letter from Mr. CURRY follows:

[Article by Hon. CHARLES F. CURRY, Member of Congress from California, on the advantages of the Mare Island Navy Yard and its availability as the location for the proposed Pacific coast dry dock, with incidental reference to the American merchant marine.]

Until recent years the idea of building Government ships in Government yards was ridiculed by the trades journals, discouraged by the Navy Department, and given very little consideration by Congress. That attitude has gradually changed, and at the present time the Navy Department's expressed determination to use to their capacity the splendidly equipped navy yards for the purposes of the Navy, including the construction of battleships, meets with the approval of Congress, of the people, and of the press.

During a recent inspection of the eastern navy yards the Secretary of the Navy, Hon. Josephus Daniels, at a reception tendered him in Boston, expressed his ideas on the subject. I read an account of his address in the newspapers and wrote him the following letter:

JUNE 20, 1913.

Hon. JOSEPHUS DANIELS,
Secretary of the Navy, Washington, D. C.

MY DEAR MR. DANIELS: I was pleased to read in the newspapers that in your recent address at Boston you stated that there should be one battleship building at all times in each of the three great navy yards, at Norfolk, New York, and Boston, but I was somewhat disappointed at your not having included Mare Island in your list of navy yards at which a battleship should at all times be in the course of construction. I suppose you inadvertently overlooked Mare Island at the time you were making your speech.

Mare Island is fully equipped with men and machinery to construct a duplicate of the greatest battleship afloat. The work of her mechanics will compare favorably with that of any mechanics in the world, and the work turned out at Mare Island is completed at a cost less than similar work in some of the eastern yards and always within the estimate and appropriation.

Before at least one of the eastern yards named by you in your speech would be in a position to construct a battleship it would have to be equipped with much more machinery than it now has, including a crane that would cost at least $200,000.

It seems to me that while two battleships are being constructed on the Atlantic at least one should be in the course of construction at Mare Island.

It is as unreasonable to advocate immediate disarmament as a means of insuring international peace as it would be to prohibit the practice of medicine to eliminate sickness or to do away with peace officers to prevent the commission of crime.

Story, in his Commentaries on the Constitution, says:

"No nation was ever deprived of its liberty by its navy. The same can not be said of its army. And a commercial nation would be utterly without its due share of sovereignty upon the ocean, its means of self-protection at home, and its power of efficient action abroad without the possession of a navy. Yet this power until a comparatively recent period found little favor with some of our statesmen of no mean ability."

I congratulate the Nation that it has a Secretary of the Navy who believes in the maintenance of an efficient Navy and in the construction of Government ships in Government yards, and I congratulate you on your stand for a national armor-plate plant and for a Government powder works.

Respectfully, yours,

C. F. CURRY,
Representative in Congress, Third California District.

To my letter Mr. Daniels replied as follows:

THE SECRETARY OF THE NAVY,
Washington, D. C., July 21, 1913.

Hon. C. F. CURRY,
House of Representatives, Washington, D. C

MY DEAR MR. CURRY: Your letter of the 20th pleases me very much. When I spoke of the three eastern yards I had them in mind, for I had visited each of them and had an opportunity to see at first hand their potential values, but I had no intention of forgetting the Mare Island Navy Yard, nor had I done so. I stated that I had visited the yards on the Atlantic and would visit all of the yards on the Pacific before making any statement as to them. It is my intention to visit all of the Pacific yards this summer. I really believe that the Government should utilize to the fullest extent the investment that has been made at these different places, and it seems very right that the Pacific coast yards should be allotted their share of the general work. I suppose under the old system it was not expedient that the work should be done on that side of the country, inasmuch as the fleet has always been assembled on the Atlantic seaboard, but now that we have the canal that obstacle is removed.

With sentiments of esteem and high regard, believe me,

Cordially, yours,

JOSEPHUS DANIELS.

Mr. Daniels is now on the Pacific coast inspecting the navy yards at Bremerton and Mare Island and examining available sites for the location of a dry dock. Later in the year Assistant Secretary of the Navy Roosevelt and the House Committee on Naval Affairs also intend to visit the Pacific coast yards. Their visits will undoubtedly be of great benefit to the yards and incidentally to the Government.

The location of Mare Island, at the mouth of Napa River, opposite the city of Vallejo, is undoubtedly the very best site on our Pacific coast for a navy yard. It is situated in the best harbor on the Pacific Ocean, just across the bay from San Francisco, the great commercial, financial, manufacturing, and shipping metropolis of the Pacific, and the harbor and railroad development being prosecuted on the east side of the bay will add to its strategic value. In time of war it will be safe from attack from outside the Heads, and could only be in jeopardy in the event of a hostile fleet being in possession of the bay. The Government has 1,400 acres of building site, with a water front of an ample depth on its operative line for the accommodation of the largest ships, and being inland, is free from the destructive elements found in salt water. The yard is also protected by its location from storms. Some objection has been made to Mare Island on account of the shallowness of the channel. That objection is untenable. When the yard was located the channel was of adequate depth. The *Independence* was sent to the yard about 50 years ago; she drew 21 feet of water, and went in on low tide. Since that time the debris from hydraulic mining, from which there is no more trouble, as hydraulic mining was stopped by law years ago, and the erosion caused by cultivating the virgin soil did shallow the channel; but the work being done on the channel by the Army engineers and the Navy Department is deepening the channel, and there is no doubt but that any reasonable depth required can and will be made and maintained.

At the present time the channel is more than deep enough to permit of the construction and launching of a duplicate of the largest battleship afloat. I have had the channel question up with the Army and the Navy Departments several times since I came to Washington. At my last interview with the Army Engineers I was assured that the work of deepening and maintaining the channel would be vigorously prosecuted by the Government; that commercial necessity would demand and justify it even if the navy yard had not been located there. That the work already done on the channel has been effective is evidenced by the fact that on the 27th of March of this year the *California*, drawing 27 feet of water, was launched, after being overhauled, and left the yard without any difficulty whatever. There is only one navy yard in the United States that has a deeper channel approach than has Mare Island, and much more money has been spent in dredging the channel to that yard than to Mare Island.

In my opinion the proposed Government dry dock ought to be located at Mare Island. Only in case of being badly damaged in battle or collision will a battleship ever draw as much as 40 feet of water, and in that condition it would be hard to get her into any stationary dock wheresoever located. And if a battleship were wounded in a battle outside of the Golden Gate, it would be quite an undertaking to bring her over the bar if she drew over 40 feet. In addition to a stationary dock a floating dock might be built. The floating steel dry dock *Dewey*, built in the East and sent out to Cavite, cost $1,124,000 and will lift 16,000 tons. A few of our larger battleships displace too much to be lifted by this dock.

The addition of a dry dock, a paint shop, and a few minor improvements and rearrangements would make Mare Island the model navy yard in the United States. As it is, she is adequately equipped to build a battleship and her executive officers and mechanics are second to none in the world. The climate is ideal and makes it possible for a man to work without discomfort from heat or cold every week in the year. Better work at less cost to the Government is turned out at Mare Island than at any other Government or private shipbuilding yard in the country.

The collier *Vestal*, built at the New York Navy Yard, cost $60,000 more than her sister ship *Prometheus*, built at Mare Island. The training ship *Cumberland*, built at the Boston Navy Yard, cost $10,000 more than the *Intrepid*, built at Mare Island. Two steel targets built at the Norfolk Navy Yard cost $5,000 more than similar targets built at Mare Island, and as further evidence of the quality and economy of the work done there the repairs on Army transports, revenue cutters, and Fish Commission boats are frequently awarded to the Mare Island yard. If given the opportunity Mare Island will build a battleship that will be the pride not only of California, but of the Nation, and she will build it as cheaply as it can be built in any yard in the country. If we all work with that object in view, I believe she will be given the opportunity. A few months ago the yard was inventoried and appraised at nearly $12,000,000. In addition to determining the value of the plant the inventory proved it to be one of the best-equipped yards in the country. It would be nothing but common sense business judgment on the part of the Government to use its navy yards to their capacity before awarding contracts to private yards when the navy yards' bids and estimates are as low as those of private yards, and they usually are. Even though it should continue to be the policy of the Government to award the building of some of its ships to the private yards, navy yard competition would keep the bids and contracts for construction in private yards down to a minimum that would permit of a reasonable profit, and in the time of war or threatened war the Government would not be at the mercy of the private ship-building yards. Of course, to make navy yard competition effective at such times it would be necessary for the Government to own and operate an armor-plate plant with an output capacity sufficient to manufacture at least one-half of the armor plate necessary for the Government's use.

The Spanish-American War made the United States a world power. The construction of the Panama Canal will compel the United States to assume the position of the world power, at least so far as the Atlantic and Pacific shores of North and South America are concerned, if we intend to maintain the Monroe doctrine and determine to control and operate the canal in our own way, primarily for our own benefit, and not give way to the unreasonable requests and demands of certain European nations that our interstate coastwise commerce be not permitted to pass through the canal toll free. The canal is being built by the American Government, with American money, primarily for the American people; when completed it will be part of our coastwise shipping route, and no other nation on earth should be permitted to dictate our governmental policy toward our domestic shipping. If we are to maintain our rights we must have an adequate and efficient Navy. During the debate in Congress in favor of the construction of the canal the argument was used that the canal connecting the Atlantic and Pacific and bringing our two coasts so close together would obviate the necessity for materially increasing our Navy. That argument was without foundation in fact. The completion of the canal will make it necessary for us to maintain a larger and more efficient Navy than ever, for the opening of the canal will be followed by a material development of the Pacific coast in population, commerce, manufactures, mining, and agriculture unprecedented anywhere in the history of the world, and will necessitate our maintaining an adequate and efficient squadron on each coast. The possession of an efficient Navy by a nation is a good investment as an insurance agaiust war. It more often prevents war than it is used in battle.

All right-thinking men desire international peace. They hate war as they hate sickness and sin, but the health laws of Moses and the efforts of scientists have not eliminated sickness or lessened the per capita number of physicians, and sin exists regardless of the Ten Commandments and the Sermon on the Mount. The idea of world-wide perpetual peace, compulsory arbitration of the differences between nations, universal disarmament, and the maintenance of a small international navy, the ships of which shall be of the revenue-cutter type, to be used only for the policing of the ocean, is a beautiful theory that will not be realized before the dawn of the millenium, which can not be until after Armageddon, and the battle of Armageddon has not as yet been fought. In the meantime, to be prepared for war is the surest way a great seacoast country has of maintaining peace with other nations. In a Republic like ours, where the Government exists for the individual and not the individual for the Government, a large standing Army is unnecessary and would be a menace to the liberties of the people, but an adequate and efficient Navy is necessary to insure our national existence, to enforce the recoguition of our rights, and to maintain our dignity and standing among the nations of the world. The Athenians, and after them the Romans, knew, as was stated first by Themistocles and later by Pompey, "That the people who were masters of the sea would be masters of the world." As it was in their times, so it is in the present day and generation, and it behooves the American people to profit by the experience and wisdom of the ages.

The United States is the only Nation that ever existed whose people have proven themselves capable of effective self-government and at the same time enjoy both personal and political liberty.

Most monarchical governments are jealous of her success and prosperity. Should our Government fail or be destroyed, personal liberty would soon cease to exist on the earth.

We need an efficient Navy, not for conquest, but for self-protection. The ships of the Navy, when practicable and possible, should be built in the Government navy yards. It is practicable and possible to build a battleship in the Mare Island Navy Yard. It ought to be done.

Of almost equal importance with her navy is a nation's merchant marine. It is the shame of our Nation that her merchant marine is a negligible quantity in the ocean-carrying trade of the world. Nearly all of our international commerce is carried in foreign ships. The American flag on a merchant ship in a foreign port is a curiosity. This ought not to be so. I have been appointed a member of the House Committee on Merchant Marine and Fisheries. As a Member of Congress I shall advocate remedial and constructive marine legislation and shall do what I can to assist in the passage of laws to help the American merchant marine to again become a power in the transoceanic carrying trade of the world.

Since the above article was written the Secretary of the Navy has let a contract for the improvement of the hydraulics of Mare Island Straits, in accordance with the report submitted in House Document No. 1103, Sixtieth Congress, second session. The contract calls for the dredging of the channel 400 feet wide and 30 feet deep and the removal of Commission Rock. As the contract price is less than the amount appropriated, the Secretary of the Navy hopes to be able to increase the width of the channel to 600 feet. This should insure a channel of adequate depth and width.

Currency.

EXTENSION OF REMARKS
OF
HON. GEORGE W. EDMONDS,
OF PENNSYLVANIA,
IN THE HOUSE OF REPRESENTATIVES,
Wednesday, September 17, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. EDMONDS. Mr. Chairman, while the proposed new banking act contains many features of merit it also contains some provisions that are very unwise.

The bill starts out by placing the banking system of the country in the hands of a political board, which is to be known as the Federal reserve board. It is proposed that the board shall consist of seven members, including the Secretary of the Treasury, the Secretary of Agriculture, and the Comptroller of the Currency ex officio, and four other members, to be chosen by the President of the United States, by and with the advice and consent of the Senate.

Part of section 11 providing for the establishment of the Federal reserve board reads as follows:

Of the members thus appointed by the President not more than two shall be of the same political party, and at least one shall be a person experienced in banking. One shall be designated by the President to serve for two, one for four, one for six, and one for eight years, respectively, and thereafter each member so appointed shall serve for a term of eight years, unless sooner removed for cause by the President.

The powers given to this Federal board are so sweeping that it would constitute control of the entire financial situation of the United States, virtually forming a bank of the United States, with a directorate of seven men, five of whom would be of the same political faith.

That this body is political is plainly apparent when you read section 12, paragraph B. In this part of the bill you will find that money can be transferred from one reserve district to another upon consent of five members of the Federal reserve board, the bill specifically stating that five members only need be present. What does this mean but that the three officeholding members and the two partisan appointees can change the flow of money as they please?

President Jackson well said in his farewell address when speaking of the Bank of the United States:

In the hands of this formidable power, thus perfectly organized, was also placed unlimited domiuion over the amount of circulating medium, giving to it the power to regulate the value of property and the fruits of labor in every quarter of the Union, and to bestow prosperity or bring ruin upon any city or section of the country as might best comport with its own interest or policy.

Think of such tremendous power, Mr. Chairman, being lodged in the hands of a board which on account of the manner of its appointment can not help but be more or less of a political body.

Had not the majority of the House, composed of members of the Democratic Party, which is responsible for this bill, been bound by its own caucus action, thereby preventing its own members to submit amendments, if they so desired, after the House had resolved itself into the Committee of the Whole, I would have certainly offered an amendment proposing seven members of the board, these seven members to comprise the Secretary of the Treasury, or Comptroller of the Currency, and six members to be appointed by the President, by and with the advice and consent of the Senate, only two of whom should belong to the same political party, and that these members shall be appointed for life at a salary large enough to secure the very best men of banking and business experience. A board appointed in such a manner could not possibly be amenable to political influ-

ence, and having a life work before them would become expert in financial matters which cover a very large field of activities.

Never have I as fully realized as now the viciousness of a party caucus which, by the exercise of moral agreement and good faith among its members, as completely binds them to the thoughts and actions of a few men as if they were shackled.

Another objectionable feature of the bill is the provision that every national bank will be compelled to subscribe 20 per cent of its capital stock to the capital of the Federal reserve bank of its particular district, one-half of the subscription to be paid in as prescribed by the bill and the remainder shall be subject to call. While, of course, it is necessary to provide capital stock for the various Federal reserve banks, it is questionable whether all of the national banks will consent to centralize so much money in the hands of the members of the Federal reserve board, composed merely of politicians. This provision will, no doubt, force many of the national banks to apply for State charters.

I have been listening to Members on the floor explaining that this bill will help the farmer by giving him a credit of 90 days on his notes and bills at the Federal reserve banks, but importers can have acceptances of six months at the same counter. The bill does give the farmer the right to mortgage his farm to a banking association up to 50 per cent of its value for 12 months; but of what little value such a proposal is to a farmer, except for ready money, can at once be seen when foreign countries find it necessary to encourage farming loans of from 25 to 75 years' duration.

I fully realize that it is imperative that our currency system needs many changes so as to make it more elastic, but I regret that I am compelled to cast my vote against the bill under consideration, as I do not feel that the business and financial conditions of the country can readily adjust themselves at this time, especially when a new tariff bill is about to become effective, to the requirements of a bill that contains so many radical features, a few of which I have only had the opportunity to point out.

Banking and Currency Bill.

EXTENSION OF REMARKS
OF
HON. J. I. NOLAN,
OF CALIFORNIA,
IN THE HOUSE OF REPRESENTATIVES,
Thursday, September 18, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. J. I. NOLAN. Mr. Speaker, under the general permission granted to Members of the House to print and extend their remarks upon the banking and currency bill in the RECORD, I desire to submit the following:

HIGH COST OF LIVING; THE CAUSE AND REMEDY.

(By Richard Caverly.)

Owing to invention and general progress the natural tendency of prices, measured in labor, is toward a lower level. As commodities are produced with greater ense and facility they tend to become cheaper, so that one pays less labor for the things one earns or buys. Prices would remain stationary only in a stationary world, and prices would naturally tend upward only in a world or country on the down grade.

The economic progress of the world is, therefore, measurable by the rate at which prices tend downward.

Bearing in mind that real price is cost measured in labor, a rise in real prices indicates disease in the body economic, just as increased temperature shows disorder in the physical body.

The United States Bureau of Labor issued a report on retail prices March 18, 1913. That report showed that the cost of 15 of the principal articles of food had advanced 55 per cent in the past 20 years, and that prices of the other necessaries of life had advanced in still greater degree. During that period the wages of railroad employees have increased 30 per cent, so that there has been a relative decrease of wages although a nominal increase.

In the face of such a situation and during the same period the amount of dividends on railroad stock has increased over 400 per cent, or from more than $87,000,000, in 1890, to over $460,000,000, in 1911. To-day the railroads are paying dividends on $7,000,000,000 worth of fictitious watered stock. To pay such dividends they are levying a tax upon every article that the American people use. (See CONGRESSIONAL RECORD, July 19, p. 2437.)

If the inhabitants of a country should become insane, devoting themselves to the destruction of labor-saving machines and the annihilation of wealth, prices would rise just as they have for some years.

Our country's facilities and resources have not been destroyed, but all the advantages of invention, discovery, and the abundant gifts of nature have accrued to the benefit of a few monopolists, while the masses, shorn of all the material fruits of civilization, are as helpless and hopeless as if they lived in a declining world. This condition is the result of legislation—the achievement of privilege. Every barrier to trade and every law that facilitates monopoly sends prices higher.

PRIVILEGE MAKES THE LAWS.

No man nor any corporation can plunder the public except by virtue of special privilege obtained by legal legerdemain. The cupidity of the few and the stupidity of the many have enabled privilege to make our laws; and now, finding that a day's labor will hardly buy a dinner, we stand bewildered while the attorneys for privilege kindly and learnedly explain that the real causes of the trouble are "lack of farmers," "labor unions," the "law of diminishing returns," "extravagance of the working classes," "the discovery of too much gold," and so forth.

Several professors of political economy have given generous aid in teaching the unanswerable rabble how simple and self-evident it is that too much gold necessitates bare backs and empty stomachs. Perhaps a little more gold would cause the human race to wind up its affairs and die of starvation. "Of course the professors hesitate a little before pointing out the errors of God, who made the gold."

Seriously, gold is subject to the law of supply and demand, and being our monetary standard, any material increase in its supply making it cheaper causes a proportional increase in nominal wages and nominal prices; but if all the mountains in the world were turned into gold the miracle would not diminish the purchasing power of a day's work. As gold becomes cheaper a day's work will purchase more of it, but not less of other things on that account.

The depreciation of gold in recent years is of no consequence whatever, but the fact that the purchasing power of labor is decreasing daily is a sign of public distress and industrial disaster to be dreaded. Monopoly in its various forms is the root of all economic evil. There can be no easement from press of prices while tariff laws permit the monopoly trade; nor relief from the demands of privilege while the commonwealth of the people is in the hands of the despoilers; nor freedom from tribute while our country is being sacked and plundered effectually like the domain of Gaul at the hands of Cæsar. Prices will fall as soon as our benevolent Government refuses a helping hand to the predatory power.

INCREASE OF LAND RENT.

In the background, unobserved by many, is the fact that land—space upon which the men, women, and children of America must live, work, or play—is rapidly becoming more and more valuable. Its income-bearing power is growing from day to day. Still further, the great and growing volume of rents of various kinds is thrown upon the shoulders of business and ultimately upon those of the consumer, an inert burden which is in no small way responsible for the high cost of living. Land rents, rural and urban, have been swiftly rising during the last two or three decades.

In addition to this must be mentioned a multitude of various gains from monopoly and special privilege. Every wide-awake American must admit that monopoly is to-day a potent factor in the business world; it can no longer be neglected in any careful study of prices or any adequate discussion of the increased cost of living. Indeed, industry in the United States is handicapped by an enormous burden of fictitious values, stocks and bonds, and unnecessary taxation. The rapid trend away from the small business units and competition toward the large business unit and the control of prices by means of combination and agreement furnish a favorable opportunity to increase the returns from capital actually sunk in the business and to capitalize those extraordinary returns into stocks and bonds bearing interest charges labor must pay. The leveling forces of competition have lost their potency in most lines of industrial activity, and as yet we are groping in the dark for a substitute. The existence of enormous returns upon fictitious values and unique opportunities alongside of low wages and poverty and misery emphasize the need of a radical change in our social system and our mode of taxation. Not only is the amount of the annual national income or dividend which goes to private individuals in the form of rent or of monopoly returns increasing, but the total has already assumed vast proportions.

THE INCREASE OF WEALTH.

Since 1870 our population has increased from 38,000,000 to 98,000,000, or about 150 per cent, while property has increased in the same time from $30,000,000,000 to $125,000,000,000, or 300 per cent. The per capita of wealth has increased during this time from $775 to $1,500. Much of this wealth had its origin in what is called the unearned increment, the value that comes to land by the increase of population. This part of wealth of the country was not created by the owners, but has resulted from productive energy and enterprise of the community in general. It has accrued through the sweat of the brow of others and without toil on the part of those who enjoy it. It should therefore be used for the common good of all the people.

Mr. John Moody, a competent and conservative authority, not long ago estimated that about one-half of the wealth of the Nation was not "created" wealth; it was fictitious or paper wealth. But men are deriving incomes from this paper wealth and society is quietly paying the bill, while prices rise. Prof. Davenport avers that—

It is probably not going too far to assert that two-thirds of the durable properly basis of income in the country are nothing else than this capitalization of privilege or capitalization of predation.

The annual increase in land values in the city of New York is greater than the cost of carrying on the city government. The average value per front foot of the best business property in that city is, say, $20,000, or approximately $8,000,000 per acre.

THE DANGER OF SURPLUS WEALTH.

Assuming a net income of 4 per cent to the landowner, the net annual rent from 1 acre would be $320,000. This income is approximately equal to the income of 640 wage earners earning the average wage now paid in the United States. Surplus wealth is a lever which may be used to obstruct or to promote material prosperity. It may reduce labor to the verge of starvation, to anarchy, and revolt; or it may elevate labor to a condition of cooperative industrial brotherhood. Surplus-wealth owners, through combination, can and do increase prices.

If the passive factor of production, the earth and its riches, consisting of farms, ore bodies, city lots, and all other forms of natural resources, be subject to private monopoly, then surplus wealth will flow toward such opportunities for investments. It will do so for the greater safety, the more certain profits, and the less attention. But such investments depend for returns on tribute wrung from labor, and progressively they make for lower wages in proportion to products. If, on the other hand, the community were to absorb monopoly land values into the Commonwealth, surplus wealth could only be invested in promoting the activities of the active factor of production—labor. Increasing pressure of this kind would tend first to elevate wages to the highest economic point, the full earnings of the wage receivers, and then resolve every industry into a form of cooperation in which the employees would be the stockholders, and thereby their own employers.

LAND VALUES AND ITS RELATION TO PRICES AND THE CIRCULATION OF MONEY.

The two sides of the land question are production and distribution, and their relation to prices and the circulation of money is also important.

Production has long been held to be the only vital problem in public accounts, and it has too often been assumed that distribution would take care of itself after the question of production was answered.

The distribution of money is a vital issue, and when the mistakes of distribution have been corrected there will be no troubles of production to worry about.

The distribution of wealth and its relation to prices is not the art of owning improvements upon lands and transporting goods to consumers, but it is a science which distributes money to buyers, so that buildings may be constructed and goods may be purchased. Money must find its way into the hands of buyers before labor will be employed to reproduce goods. As we look upon labor molding materials into useful forms and engaged in visible and concrete activity we seem to be observing the only process of any importance in producing and exchanging wealth.

But after the material processes are all complete we must encounter the invisible forces by which money is distributed and by which the price of work is determined. Back of the visible and moving objects of production are the invisible forces by which labor and material are moved, and it is these forces which determine the quantity of money, the speed of circulation, and determine the condition under which mankind may live.

A wheat crop represents a very small amount of work done by man compared with a very large amount of work done by the invisible power of nature. The work done by man is paid when the wheat is sold to the consumer, and the price received for the wheat will govern the price paid for the labor under fair conditions.

If nature works without cost and furnishes raw material free, then total prices for all labor products and total wages must absolutely balance.

In such cases the quantity of wages in circulation or held in reserve must balance the quantity of prices. If quantity of wages and quantity of price must always equalize each other and there is no cost for raw material or land, there will be no limit to cheapening the forces of nature, and each step in overcoming the resistance of nature will be a step which must advance wages.

At this time, however, quantity of price and quantity of wages do not appear to balance each other because we permit a privilege class to collect toll for services and charge a price for raw material, largely produced by nature.

Unequal distribution of wealth arises by selling to labor and collecting from labor a price for the bounties and forces of nature by including them in the price for products and in price for land.

Primary money or cash can not circulate or increase in volume unless prices of labor and its products directly respond and all suffer loss equally or get equal benefits from falling or rising prices. But with circulation that is first redeemed in money and then money alone is redeemed in labor, a large volume of such money may circulate outside of labor and the entire price sustained by such a currency may be a total loss to labor and a total gain to the class who benefit from it.

All that is required to keep such a system in operation is a legal privilege creating property which labor must buy, but which labor can not be paid to produce. The price of land in the United States estimated at $60,000,000,000 sustains a volume of bank-check currency wholly spurious so far as labor is concerned, a currency which buys the property labor produces, but which does not enter into the price of labor.

Labor is being compelled to use land in one of its myriad of forms and is compelled to pay cash for such use, and in this way the cash exchanges arise which support a great volume of bank checks. A given proportion of bank checks redeem each other and a given proportion may employ labor on time to be redeemed by other labor on time, thus cutting out labor entirely from any benefits of such currency. Whatever money or credit is put into circulation by landowners, using the value of land as security, is wholly a spurious and counterfeit circulation of money so far as labor is concerned.

If primary money was inflated by a volume of counterfeit, circulated as cash, the loss to labor would be measured at once in the amount of such money, but prices would advance all over the market and distribute the loss in proportion to wealth. But secondary money by billions of dollars is maintained in circulation and sustains a price of land which is charged against labor, but does not distribute any loss. If the price was driven away from land by taxation, the credit created by labor would continue to circulate a volume of bank checks which continue the same price, but they would become prices of labor products.

In examining the gain in prices of every kind, which rise above cost on account of the growth of credit, it is discovered at once that the prices at which buildings and improvements sell is an exception to the universal rule, and such improvements invariably sell without profit and at cost of production.

THE PRICE OF LAND DETRIMENTAL TO IMPROVEMENT.

This exception in selling buildings and improvements arises from the fact that a price must first be paid for land, leaving so much less of the total selling price to buy the improvements or building.

With land costing nothing, improvements must thus gain the general average in selling profit that other labor products enjoy, and in doing so take up the price that land loses.

It is absurd to claim that labor could not sustain an increase of $60,000,000,000 in prices for improvements, when labor now sustains such prices for land as a total loss, while the distribution of such value to improvements would be a total gain to labor—a change from a debt to a credit. Wealth may only arise by gains from an increase in price—increase in price of land, for goods, for stocks and bonds. Unequal wealth can only arise from an increase in price of land, because the distribution of new wealth depends upon prices rising first before such new gains in wealth may be distributed.

A rise in the price of land is the only gain in price which takes wealth out of the channels of distribution and holds it out against labor.

Land must be bought everywhere before any improvements may be made, and this widespread demand for land causes a

stringency of money to follow the greatest activity in building for a time.

THE PRICE OF LAND LIKE THE PRICE OF A SLAVE.

The price of land has no limit to its rise except the limit in the volume of currency that may be kept in circulation to buy it and the limit in the rate of profit at which money will circulate. As the price of land advances and the rate of profit declines, we are burning the candle of progress at both ends by multiplying the risks of business. The price of land is like the price of a slave, for the money buying slaves can not increase the earnings of slaves while it increases their price, and the money to buy the land becomes harder to get as land is higher in price, because it takes the money out of circulation among workers and creates a counterfeit among financiers to take its place, which laborers must redeem.

BONDAGE OF THE PEOPLE.

In the United States we have to-day 288,352 corporations of all kinds, such as joint-stock companies, banks, insurance companies, and associations of various kinds.

Amount of capital stock	$60,067,138,925.42
Amount of bonds and other indebtedness	32,163,537,961.40
Total bonds, stocks, and other indebtedness	92,230,676,886.82
Total net income	3,213,707,247.82

(The above figures are taken from the Statistical Abstract of the United States, 1913, p. 693.)

Note the above paper evidence of ownership amounting to the fabulous sum of $92,230,676,886.82. Note also the total net annual income sustained by productive labor of $3,213,707,247.82.

It is a well-known practice of grafters and confidence men to impose upon the unsuspecting who have saved money and sell them something which is worthless, and they aptly call this business. If we had a similar system wherein the victim would find another to whom he could sell at a profit, and this could be continued and the people believed the gain they made could be charged to posterity, we would have a parallel to our "watered" stocks and bonds and our present land system. To support and extend a system of buying and selling "blue sky" to a limited number of people for a short time, who may resell at a profit, ends in disaster, as was shown many years ago in the Mississippi bubble and the black tulip craze; and such disaster of a most widely extended and parallel system is equally shown in many panics, in vast suffering and poverty among the mass of the people, and in drunkenness, vice, crime, insanity, and suicide, not to consider its effect on prices.

WHY PRICES FOR IMPROVEMENTS ARE LOW.

The man who buys a business block in a city does not pay a half million dollars for a lot because the land produces a penny's worth of value, but he pays because the volume of trade will pay a high profit on the improvements at the location.

It is this fact of being compelled to pay a high price for land in order to get profits from improvements that keeps prices of improvements down to the lowest possible level so they may be able to sell with a price for land added to them.

LAND VALUES LIKE SLAVE VALUES.

This burden of the price for land holding down the price of labor and material by holding down prices of improvements contracts the volume of money in circulation by limiting such volume to price of improvements.

The volume that makes the price of land is the debt volume, which is completely outside the circulation which pays wages. A land title is simply a special privilege created by law; it is very similar in its nature to the ownership of a slave, consisting in the power of the owner to appropriate to himself the future production of other men who must use the land or have dealings with people who do use it.

VOLCANIC ERUPTION, FREEMEN, AND RAISE OF WAGES.

Speaking of land titles reminds me of a story I read some time ago that told the following: In the island of Martinique, after the destruction of St. Pierre, its principal city, by the eruption of Mount Pelee, a traveler visited the islands and expected to find a scene of desolation and waste. But to his surprise he found the island was more prosperous than ever before for generations. Wages had greatly advanced and industry was active as never before, and no complaint was heard about the high cost of living. He inquired the reason of this strange phenomenon from some resident friends, and was told that nearly all the rich landowners of the islands lived in St. Pierre, and most of them, including all their relatives, had been annihilated by the eruption and the records of land titles and of mortgages and debts had been completely destroyed. To be sure, many of the laboring classes had also been killed, but the remainder of them went out upon the land to work, free from the obligations which weighed upon their predecessors.

The destructive forces of nature which had wrought such havoc and confusion in the island had also destroyed the parasite who had been absorbing the greater part of the fruit of their labor.

The volcanic forces which had exploded the mountain had also lifted the burden of special privilege—the taxing power—from their backs, and they stood forth free men once more to satisfy their wants by their own labor, as nature intended.

Of course, if the system of land tenure were retained, it would in time produce the same result and create other landlords and other tenants and the same accompanying extremes of riches and poverty, watered stocks and bonds, increase of prices, and other vile things too numerous to mention that degrade humanity and rob labor.

But the point that this illustration makes clear is that only real wealth that had been destroyed were the building and implements of production and personal property. The destruction of land titles and landlords had not destroyed any real wealth; only privilege was destroyed.

HOW THE EARTH IS LOST TO LABOR.

There is no source from which to secure money to buy the earth, and there is no way the people could have lost the earth except by going into debt and giving the earth as security for the loan which can not be paid.

Let me illustrate how this works; one of the many cases:

The Norfolk & Western Railway purchased a boundary of Pocahontas coal land for $20,000,000 from owners who received it from other owners, who merely accepted it as a gift from the States of Virginia and West Virginia. In this process the land advanced in price from zero to $20,000,000 in round numbers. The Norfolk & Western Railway combined with the Pennsylvania Railway and issued 4 per cent bonds, giving the coal land as security.

The landowners received $20,000,000 worth of surplus wealth, without giving any equivalent, which had previously been accumulated and had not been distributed in higher wages, and the railroad is secured by the coal lands upon which its bonds are based. But who is bound in this agreement to pay $20,000,000 in the future? If it is not the people who mine, who transport, and who consume Pocahontas coal, who is it?

This is not a bond upon land at all, but is a legal form by which future generations of labor are sold into debt by selling their rights in Pocahontas coal for a surplus wealth they themselves should have received in higher wages, instead of its having been paid to owners of land, under a system of bondage.

THE ECONOMIC SIGNIFICANCE OF RISING PRICES.

Advance in price of iron is generally heralded as a sure sign of growing prosperity.

While it is true that a sustained advance, coincident with maintained or increasing output, signifies increased purchasing power on the part of the public, this is of minor importance compared to the economic significance of the price advance in itself. For is it not an axiom of political economy that increased productivity tends not toward higher but toward lower prices?

Rising prices for iron may indicate increased general affluence; but we should not lose sight of the further fact that it may also indicate a power in monopolists of the sources of supply to charge not merely an equitable price, but a price—any price—within the power of the consumer to pay. If this power really exists, not only in relation to iron but also in the relation to raw materials of industry in general, then it is evident that prices will be arbitrarily advanced to absorb any increase in the people's power to pay.

If adverse conditions have forced the prices down below the point that affords an equitable margin of profit, then a return to that point should be a matter of general gratification. But under the monopoly conditions that now prevail in the field of raw materials the public can not possibly know when that point has been reached.

Where the element of competition is freely operative price may indeed fluctuate within narrow limits, but the unvarying tendency is to the point of equitable remuneration for service rendered.

But where the factor of competition is absent—in the field of monopoly—the point of equitable remuneration affords no check to the upward tendency of prices.

In the competitive field A must perforce limit his selling price to what his competitor, B, would accept. But in the field of monopoly C is the sole operator, and he charges not the same that some one else is willing to accept, for there is no one else, but all that his customers, A and B, can be forced to pay. His price stops at the point which in his judgment will afford him, all things considered, the largest possible return.

He could exact more for a brief period, but only at the penalty of shrinkage in volume of sales, with the further risk of crippling his customers, and thus inducing panic and general business depression. In fact, this is precisely what he does do in the end; he did it in 1873, in 1893, and last in 1907.

The point is that the monopolists of the sources of supply of the raw materials of industry have the power to charge all that they choose to ask, and that prices in that field are determined not by value of service rendered but by the monopolists' judgment as to the paying power of the public.

Advancing price of raw material is a manifestation of the monopolists' method of forestalling the public of the prosperity that otherwise it would enjoy.

Under competitive operation increasing business activity and gradual decline in the price of iron would coincide, distributing thus prosperity to the general public. But under existing conditions business activity and rising price of iron will coincide, thus apportioning the activity to the public and the prosperity to the monopolist.

These truths are becoming manifest to an increasing number of the people, which fact accounts for the widespread sentiment in favor of a revision downward of the tariff; for the public is getting hold of the fact that the protective tariff buttresses the monopolists' position; that in the absence of the tariff the American public would have access to sources of supply not controlled by American monopolies.

It is only a vague sentiment with the general public as yet, however; it does not amount to a settled intelligent conviction. The prevailing sentiment is in favor of equal opportunity, and many who ought to know better actually believe that such condition exists.

"We've equalized *opportunity*. This is the *most* that society *can* do; it *can not* equalize *men*." That is the way a certain voluminous dogmatist puts it, emphasis and all. The quotation shows that the author of it is, in sentiment, in favor of equal opportunity, and it further shows that he is ignorant of the fact that equalization of opportunity still waits upon the action of society.

Let us hope that society can not nor ever will be able to equalize men.

And let us also hope and confidently believe that society will yet equalize opportunity, to the end, in part, that the increasing productivity of human society shall not longer afford special opportunity to the few to arbitrarily advance the price of the raw materials of industry.

Let us believe that society can do this. Let us see to it that society shall do this.

The sign of its accomplishment will be progressive decline in prices with increasing productivity and a consequent tendency toward universal prosperity.

LAG IN PAYMENT OF WAGES BENEFITS CAPITAL.

When the individual history of any capitalist is closely examined to discover the wealth he has contributed to enterprise it is found he has been almost wholly occupied in taking capital away from the worker instead of providing any. The simple truth is that successful undertakings furnish their own capital when they are given time enough to carry out the saving and economies they introduce. The truth should further be made known that the time needed and the first advance to industry are secured by holding back the wages of labor after they have been earned and have been paid into the market. Although each workman when considered separately offers no basis for an accumulation of capital, yet when the market is considered, where tens of millions of them continually deposit their wages, the view changes.

When the payment for labor is not made daily after the work has been done, but lags behind from 10 to 30 days in the commodity market alone, then a vast reservoir of money accumulates representing hundreds of millions of dollars which is constantly available to institute new undertakings that become quickly self-sustaining. The creation and persistency of capital depend upon this lag in the payment of wages to labor, and capital does not arise, as is falsely represented, from the superior ability of particular groups of men, nor does it arise by accumulations from past generations.

The lag in the return of wages to labor has two periods in time of its circulation. There is a short lag period during which cash tarries in the commodity market and there is a long period for the return of capital advanced from labor. Commodities being constantly consumed must be as constantly reproduced, and this process requires the constant return of cash used in this market, because the wages of labor may not be held back for a longer time than food and shelter may be loaned. The loss to labor during this short lag is confined to the cash spending money of the privileged classes in servants, travels, jewels, works of art, and other expenses for living and luxury, and is therefore quite limited when compared with the entire volume of goods consumed.

During the long lag in the return of capital, however, the failure in such return causes a loss to labor of the earth itself and all the wealth stored within the earth now controlled by the privileged classes.

The natural return of deferred wages arises when merchants and manufacturers accumulate bank deposits from profits in the commodity market and spend them to increase the output of goods or to employ labor in new development; such profits break up into individual wages and returns to labor. But if such profits are invested in some form of property having a legal existence only, such as land values, which sells because it confers a privilege upon the owner, then the sum spent for such privilege can not break into individual wages but remains a joint account represented by the selling price of the legal property as against labor property.

In this manner, by spending money for something labor does not and can not produce, the raising of prices of such takes up the rising accumulation of capital by preventing the distribution of deferred wages. When the price of privilege has absorbed all the wages that may at the time be held back the demand for labor to create new improvements fails, because no money returns to circulation with which to employ them. Such time comes when the price of watered stocks or bonds and land values equals half the total price of all income property.

Progress then ends in a panic, and prices fall, including land values and rent.

EXTRAVAGANCE OF CONGRESS.

Congress is often criticized for its extravagance, and must share the responsibility for increased expenditures and increased prices. But no one knows better than Congressmen, from correspondence and from numerous requests to support different measures, that the country itself is not adverse to heavy expenditures. Everyone is in favor of curtailing appropriations, except as to those matters in which he is interested, and as to those matters he looks upon even increased appropriations as parsimonious. Congress will never deal successfully with expenditures nor adopt any plan of permanent worth or value in taxation until the country itself is aroused and joins in an intelligent effort to bring about that result.

In 1901–2 the appropriations by Congress reached the sum of a billion dollars. That fact gave rise to considerable discussion for awhile and became a subject of criticism by the opposition party.

We have now reached the point where we appropriate more than a billion dollars for a single session. At the close of the last session it was found that the appropriations and obligations upon the Treasury amounted to the stupendous sum of $1,175,604,134. This vast sum of money is paid by the consumers of wealth; privilege escapes; land values escape. We are treading the old paths; not finding new ways and taxing the old sources up to the limit. While we will have an income tax, the people of this country will experience no lifting of the present weight from that source.

There is one class of expenditures which ought to be very interesting in these days, in view of the discussion which is constantly going on in regard to the era of universal peace, which seems to be so near at hand, let us hope. For the past 15 or 20 years there has been upon the part of the influential and benevolent people advocates of universal peace—and I doubt not that great and marked progress has been made—but the period in which we have been advocating with great zeal, the period characterizing above all others in the history of the world by the increase of expenditures for armament, these expenditures have grown in proportion to the earnestness and zeal of the advocates of universal peace.

In 1911 the expenditures for this purpose upon the part of Germany were $318,000,000; upon the part of France, $270,000,000; upon the part of Great Britain, $341,000,000; upon the part of the United States, $282,000,000. Last year, 1912, our expenditures for war, including pensions, was $383,000,000. The sum total of expenditures for armament during the year 1911 upon the part of the civilized nations of the earth was $2,263,000,000.

The present annual cost of our two departments, the Army and Navy, including interest on war bonds and the loss of the Regular soldiers' labor power, but not including the military pensions, would furnish an annual old-age industrial pension of more than $200 each for 1,450,000 people.

A real statesman, Senator Charles Sumner, has said:

> The standing army is to the nation what the sword was to the modern gentleman, the stiletto to the Italian, the knife to the Spaniard, the pistol to our slave masters—furnishes like these the means of death, and its possessor is not slow to use it.

TAXATION OF THE POOR IN FAVOR OF THE RICH.

In a report which accompanied the tariff bill to the House at the present session of Congress I find the following:

> For the fiscal year ending June 30, 1912, the Government derives $311,000,000 from tariff taxation and $293,000,000 from internal

revenue proper. These taxes rest solely on consumption. The amount each citizen contributes is governed not by his ability to pay tax, but his consumption of the article taxed.

It requires as many yards of cloth to clothe and as many ounces of food to sustain the day laborer as the largest holder of invested wealth, yet each pays into the Federal Treasury a like amount of taxes upon the food he eats, while the former at present pays a larger rate of tax upon a cheap suit of woolen clothing than the latter upon his costly suit. The result is that the poorer classes bear the chief burden of our customhouse taxation.

Under existing conditions in the United States the burdens of taxation, taking them all in all, are becoming more unequally distributed, and the wealthier classes are bearing a gradually smaller share of the public burden.

Something is needed to restore the equilibrium, and this something can scarcely take any form but that of a tax on land values. The public mind may not yet be prepared to apply the code of a genuine revenue reform of this kind, but a few years of future experience will convince the whole body of our people that a system of national taxes which rests the whole burden of taxation on consumption and not one cent on property or income is intrinsically unjust. While the expenses of the National Government are largely caused by the protection of property, it is but right to require property to contribute to their payment. It will not do to say that each person consumes in proportion to his means; this is not true. Everyone can see that the consumption of the rich does not bear the same relation to the consumption of the poor that the income of the one does to the wages of the other. As wealth accumulates this injustice in the fundamental basis of our system of taxation will be felt and forced upon the attention of our people. But, furthermore, we levied a tax a short time ago, known as the corporation tax, and that tax is often considered as a tax upon the wealth—a tax upon property of the country. The fact is that the larger portion of that tax upon corporation income is paid by the consumers of the country precisely as the other tax upon the consumption.

When you levied a tax upon the income of corporations in 1838—upon refining companies, tobacco companies, oil companies, express companies, and others—it was ascertained after the tax had been in effect two and a half years that we had collected from the income of these corporations $211,000,000, and it was said that the great corporations had responded in a patriotic way to the call of the Government at a time when it was at war and had paid out of their treasuries $211,000,000 for the purpose of assisting the Government. Yet when an investigation followed it was afterwards ascertained, upon what seems to be entirely accurate information, that those corporations paid no part of the $211,000,000, but that by the raising of the price of the articles and the decrease of the size of the package they had transferred the entire $211,000,000 to the consumers in the country and they paid the tax in advanced prices instead of its being paid out of the earnings of the corporations.

The following is a quotation from the speech of Senator BORAH in the United States Senate, published in the CONGRESSIONAL RECORD July 23, 1913:

> Mr. President, there is another feature of this proposition which is presented. The small property holder with a small income has all his property in sight. He practically lives in a glass house, so far as the tax collector is concerned. He pays the entire per cent upon all the property that he has seventy-five or eighty times out of a hundred, while the man with a vast income and a great estate will not pay upon anything like all the property he has. For instance, a short time ago there were some seven estates probated in this country, and they amounted in probating them to $215,000,000. They had paid taxes upon $3,000,000 before the death of the parties. I have a statement here from a report made by the tax commission in a State in the East. A part of that report reads as follows:
>
> "First, that the assessed value of all personal property is (in New York State) approximately $800,000,000; second, that the value of all personal property owned by citizens of this State is not less than $25,000,000,000; third, that the richer a person grows the less he pays in relation to his property or income; fourth, experience has shown that under the present system personal property practically escapes taxation for either local or State purposes."

The above report is in harmony with what we know to be the general practice—that the larger the estate the less fully do they give in their property to the tax collector and the more difficult it is to discover it, because it consists of that kind of property which can not be ascertained or located by the assessor as can the property which is ordinarily owned by the man of small means.

I will state for the information of the members of the Commonwealth Club that the figures given in this paper are taken from Government reports and the CONGRESSIONAL RECORD.

THE SOURCE OF GRAFT AND INCREASED PRICES.

This Nation has bestowed upon its railroads 155,273,500 acres of land without receiving a penny in return. The idea the railroads had is that so fast as this property increased in value the railroads shall issue securities against it and increase rates to pay the increased interest charges on these always increasing securities. The land of the people that Congress bestowed upon private railroad enterprise, amounting to 242,614 square miles, is an area of 33,784 square miles greater than the entire German Empire, 35,500 square miles greater than all of France, 94,850 square miles greater than all of Japan, 132,664 square miles greater than all Italy. At the average price that most of the railroads have received for such of these lands as they have sold, the money value of the gift is more than $1,000,000,000, and amounts to about one-ninth of the actual capitalization of all the railroads with the water squeezed out. All these railroads are now keen for an increase of freight rates.

In 1905 the outstanding bonds of the Chicago & Alton Railroad amounted to $27,000,000. Mr. E. H. Harriman, in the course of the dizzy maneuvers by which he built his colossal fortune, came to a point where he needed $48,000,000 in a hurry. Having at that time control of the Chicago & Alton he increased its bonded indebtedness overnight from $27,000,000 to $75,000,018. It is to pay the interest charges on this gigantic grab and others like it that freight rates are to be increased, and the cost of living increases as well.

Charles Edward Russel, in Peterson's Magazine, August, 1913, from which I have taken the above figures, says:

> We shall get nothing but greater burden piled upon the bowed backs of the toilers; nothing but every evil social condition made worse, nothing but further increase in the cost of living, now crushing the vast majority of the population into lower depths of poverty.
>
> An increase of 18 per cent in transcontinental freight rates made in 1909 was found on investigation to have increased the cost of living to the people of California by $10,000,000 a year.

SOME RECOMMENDATIONS.

Gold is said to be an exception in nature, and for that reason has been called the natural money metal, and it is given a standard price above cost by law which is denied to all other products. The price of gold does not fluctuate on account of the increase in the supply, because each ounce of the new supply may be coined into $20, which buys the gold as well as other property. I remember the time when silver had a legal privilege like gold now has; the Mexican silver dollar sold in San Francisco at a premium of 3 cents over the American gold dollar. If gold is able to buy itself at a fixed price with money it produces, why may not cotton or wheat be given a similar privilege?

The coinage law which creates money from gold at a standard price does not change the fact that gold is produced from the earth, like cotton or wheat; and although gold has a fixed price, such price does not alter the risk or hazard of new production from new gold fields. The difference between cotton or wheat and gold is that the price of cotton or wheat may fall to absolute cost in favorable fields, while gold can not fall below its highest cost of production. As over 90 per cent of the world exchanges are carried on without use of gold, we think it would be an advantage to humanity to take the legal privilege away from gold, placing it on par with silver. When the price of cotton falls from a 14-cent level to a 9-cent level the producer wants to know why he is selected to bear so heavy a burden while the owners of gold are exempt from loss.

The scientific principle which is now forcing its way into the taxation system of the civilized world is that the burden must be carried, not by the productive industry, as at present, but by natural resources. The effect of this upon mining would be to stimulate the active operations of exploration, discovery, and production and to discourage the speculative holdings of unused mineral land and all land as well. Like other States which are rich in mineral sources, California has great areas of valuable mineral land which is held tightly and is idle, undeveloped, and unpopulated. This is not for the good of the State. As with speculative holding everywhere under present systems, the taxes upon such lands are exceedingly small in proportion to their real market value. Speculative holders of land which is not earning anything are extremely sensitive to taxation; and if this land is merely assessed properly, as directed by the present laws, the increase will cause many holders to bestir themselves and to utilize their properties in some way.

Under the above principle the taxes now paid by operating mines would be greatly reduced, taxes upon machinery equipment, improvements, or production would cease, and the only one left would be upon the value of land they occupy.

There are five forms of special privileges that should be abolished in order to properly regulate prices and restore prosperity to all people:

First. The franchise privilege.
Second. The privilege of land monopoly.
Third. Patent-monopoly privilege.
Fourth. Bank or credit privilege.
Fifth. The protective-tariff privilege.

The remedy for the first is to abolish private ownership of public utilities, such as railways, telegraph and telephone lines, gas and water works.

For the second, to exempt everything that man produces from taxation; tax land values for city, county, State, and National purposes, so as to take all the unearned increment of land for public use. This would restore the land to the people and exempt all man-produced wealth from taxation; prices would fall to a natural level.

The third, the right of the inventor to the full reward due him from society for his invention. At present he often gets nothing, and the public often get nothing, and the people go without benefits because of the suppression of valuable inventions by corporations and others. Abolish monopolistic ownership of patents and allow everyone to manufacture any patent device by payment of a royalty to the inventor, royalty to be regulated by patent commissioners.

Fourth, the Government to have full control of all the banks in the country, thus taking the control of credit from private hands.

Finally, all forms of indirect taxation to be abolished, such as the tariff, internal-revenue taxes, and license tax, because the effect of such taxation is to form out the collections of taxes to individuals or corporations.

Currency.

EXTENSION OF REMARKS
OF
HON. SAMUEL J. TRIBBLE,
OF GEORGIA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, September 16, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. TRIBBLE. Mr. Speaker, the right of extension being granted, I will include remarks, in part, made before caucus considering currency legislation, September 2-6, 1913.

This is not a perfect bill, in my opinion, but this caucus has assembled for the purpose of improving the bill and correcting the evils contained therein, if there are such, if it is possible to do so. When the caucus shall have completed its work the bill will not be a perfect piece of legislation then, because, as all men know, the currency question is one on which men are wide apart. I have read and studied the bill carefully, and now it is in the hands of the Democratic Party, and when my party completes its work on this bill and places its stamp of approval thereon I shall give it my support. That our present currency system is inadequate to meet the increasing demands of commerce and trade no one questions. Then let us give our best efforts to our common country in constructing this most important legislation without haste or impatience to complete the work before us.

There are three schools of finance in this country:

First. One school contends that every currency note put in circulation should be redeemed in gold. That is to say, there should be placed in the Treasury gold coin or bullion to the value of $1 for every currency dollar note issued, so that the holder of such note may return same to the Treasury and receive $1 in gold.

Second. Another school contends that money should be issued on assets.

Third. Another school contends that money should be issued by the Government and that the stamp of the Government is sufficient to guarantee the circulating value.

This bill in a manner embraces the three contentions. Currency notes, commonly called money, are bills or notes in paper circulation representing money and accepted as money. The issue of money proposed in this bill is protected as follows:

First. There shall be deposited for every dollar issued 33⅓ per cent in gold or lawful money drawn from the general funds of the bank. When notes are redeemed the fund is re-created so that there shall always be protection to the issue by this specific fund. In other words, the Government has claim on the 33⅓ per cent deposit as a redemption fund.

Second. The Federal bank has on deposit 100 per cent of prime paper specially set apart for the redemption of the money issue furnished in the first instance to a member bank and turned over to the Federal reserve bank.

Third. First lien on all the assets of the bank as a guaranty of payment. In other words, the bank must protect the issue.

Fourth. The Government's stamp authorization, ultimate responsibility to redeem currency issued in lawful money and the Government contract to receive same.

One section reads as follows:

> The issue is hereby authorized of Federal reserve Treasury notes which shall purport on their face to be an obligation of the United States and shall be receivable for all taxes, customs, and other public dues.

The bill proposes a substitute for the present national-bank notes.

There was money in circulation, authorized issue of the Government, on September 3, 1913, as follows:

Gold coin (including bullion in Treasury)	$811,000,353
Gold certificates	928,636,490
Standard silver dollars	77,105,001
Silver certificates	67,896,661
Subsidiary silver	77,896,661
Treasury notes of 1890	146,176,000
United States notes	346,681,016
National-bank notes	705,022,027
Total	3,290,403,290

Gold certificates are circulating bills which call for a certain amount of money in gold, and when presented to the Treasury the gold is there in bullion or gold coin for redemption. The same is true of the silver certificates. These are interchangeable under the present laws and may be redeemed in gold. The same is true of subsidiary silver and Treasury notes of 1890. The United States Treasury notes, or greenbacks, are Government issue. During the War between the States they were issued on the credit of the Government. At the present time greenbacks have gold reserve of $150,000,000, held by the Treasury for the purpose of redemption. The Government has made greenbacks interchangeable with gold and silver, and they are redeemable in hard money. The Government's redemption fund set apart for the redemption of these Treasury notes, or greenbacks, and held as a reserve, is about 43 per cent. The bill we are now considering has a reserve of 33⅓ per cent, 100 per cent assets bank guaranty, and the stamp of the Government responsible for redemption.

The issue proposed in this bill is for the purpose of making more elastic the currency, and deals particularly with national banks. It proposes the retirement of national-bank notes from circulation. These notes circulate as money. Such notes are written instruments, showing indebtedness of bank to the holder thereof. On September 3, 1913, national-bank notes in circulation represented $705,022,027. National banks are authorized to issue notes, commonly called money, by act of Congress to the extent of 90 per cent of the face value of bonds, and are protected by the Government. This money the bank loans its customers. The national banks purchase the Government's bonds, and in consideration thereof is permitted to issue bank notes as a circulating medium, for which privilege the Government receives no interest.

The bill before the House creates 12 Federal reserve banks authorized to issue currency. The control of these Federal banks is in the hands of the Government. The bill provides that the President shall appoint seven members of the board who shall have control and supervision over the banking structure proposed in this bill and the issue of money. The Government exercises no control over national banks. The advocates of this bill claim that the national-bank system of supplying the demands of a circulating medium in paper money concentrates the money in a few centers, the chief of which is in New York. When money is needed by the country banks to move crops, the money centers can release sufficient currency for that purpose if they see fit to do so, or they can refuse, thereby depressing prices of stable products and demoralizing business by money manipulation.

The 12 Federal reserve banks are established for the purpose of preventing money centers and money trusts, and to give our currency more elasticity. Every Federal reserve bank is charged with the duty and responsibility of acting as a circulating medium and to retain within its circumference the money issued by such reserve bank so that the territory embraced by its circumference may have money ample to supply demands at all times.

The question of the standard of value has not been raised in this bill. The committee drafting the bill has used the language of previous acts on this question. It is proposed to reform the currency system, leaving existing standards where this Congress found them. The progress of the country has been frequently confronted with panics, due largely to the inadequate currency system under the national-bank issue of currency. There has been but little change since 1863 in our currency system. Great and powerful combinations have controlled the money market; they have lowered prices of farm products and closed the doors of public enterprise by contracting

the currency almost at will. This was demonstrated in 1907 when the prosperity of the country was unprecedented. This panic was brought on unexpectedly, and there was so much contraction of the currency that the cotton crop was largely moved by clearing-house certificates in many sections. The closing of the doors of industrial establishments and forcing down the price of stable products caused untold misery and want. There was great loss to the cotton planter of the South for the reason that there was a greater demand for his cotton that season than there has been since the Civil War. Manufactories were running day and night with contracts signed six months in advance. If the panic had not occurred there is no estimating what the price of cotton would have been during the fall of 1907 and spring of 1908. In addition to that great loss to the South, the depression in the business of the country at large lowered the price of cotton several seasons. All financiers charge this panic to our imperfect currency system. It is of utmost importance that panics be averted in some way, and I say to you, gentlemen of the House, we are now dealing with the most important question before the American people. The people are trusting your wisdom to handle this question with proper discretion and judgment.

Banking and Currency Bill.

EXTENSION OF REMARKS
OF
HON. CLAUDE WEAVER,
OF OKLAHOMA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, September 17, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. WEAVER. Mr. Speaker, the Banking and Currency Committee of this House believes that adequate Federal legislation against the trust evil, including prohibition of interlocking directorates, can not be properly embodied in this banking and currency bill. Of the same opinion are the President and his constitutional advisers, including the Secretary of State, whose counsels have been invaluable to the committee in the preparation of this bill.

There were those in the Democratic caucus which considered the present bill who advocated an attempt at trust legislation in the banking and currency bill, but they did not offer to the caucus nor have they offered to this House a specific program well digested, complete, and of permanent value. During the discussion in the caucus the chairman of the committee, Hon. CARTER GLASS, read a letter from Mr. Bryan, and Mr. Bryan reproduces it in the September number of the Commoner. The letter is as follows:

WASHINGTON, D. C., *August 22, 1913.*

Hon. CARTER GLASS,
House of Representatives, Washington.

MY DEAR MR. GLASS: Replying to your inquiry I beg to say that I have for many years advocated a law preventing the duplicating of directorates. While the principle applies to banks as well as to trusts—although I think in a less degree—the plan has been considered mainly as a means of dealing with the trust evil; in fact, it is embodied in the antitrust plank of the Baltimore platform. Competition can be effectually prevented where the same men act as directors of competing companies. I am as much in favor of the remedy now as I was when I began to advocate it; in fact, more so, because recent disclosures have given further proof of the employment of this means of eliminating competition, but I do not think it wise to make it a part of the pending currency bill. In attempting to secure remedial legislation care must be taken not to overload a good measure with amendments, however good those amendments may be in themselves. A boat may be sunk if you attempt to make it carry to much, however valuable the merchandise. A bill is usually the result of compromise. The President and Secretary McAdoo, in conjunction with the chairmen of the Currency Committees of the House and Senate, have formulated a tentative measure. It was prepared after extended investigation and a comparison of views. It embodies certain provisions of great importance and is, I believe, fundamentally sound. The provision in regard to the Government issue of the notes to be loaned to the banks is the first triumph of the people in connection with currency legislation in a generation. It is hard to overestimate the value of this feature of the bill. In the second place the bill provided for Government control of the issue of this money; that is, control through a board composed of Government officials selected by the President with the approval of the Senate. This is another distinct triumph for the people, one without which the Government issue of the money would be largely a barren victory. The third provision in this bill which I regard as of the first importance is the one permitting State banks to share with national banks the advantages of the currency system proposed.

These three provisions are, to my mind, of such transcendent importance that I am relatively but little concerned as to the details of the bill. I do not mean to say that the details are unimportant, but whatever mistakes may be made in detail can be corrected easily and soon—a wrong step in a matter of principle would be more difficult to retrace. There are doubtless differences of opinion over matters of detail, and it was to adjust these that the caucus was held, but I take it for granted that no one who is really in favor of the bill will permit a difference of opinion on a matter of detail to lead him to jeopardize the bill.

The papers have in a few cases reported Members of Congress as presenting views which were alleged to be mine. I do not know to what extent these reports may exaggerate what has been said and done, but you are authorized to speak for me and say that I appreciate so profoundly the service rendered by the President to the people in the stand that he has taken on the fundamental principles involved, that I am with him on all the details. If my opinion has influence with anyone who is called upon to act on this measure, I am willing to assume full responsibility for what I do when I advise him to stand by the President and assist in securing the passage of this measure at the earliest possible moment. I am sure that the President will be ready to join in making any change in detail that can be made to advantage, and being sure of his singleness of purpose, I am willing to leave to future action the correction of any provision which he may now regard as essential to the plan and purpose of the bill.

Congratulating you upon the splendid manner in which you have presented the merits of this bill, I am,

Very truly, yours,

W. J. BRYAN.

After exhaustive discussion by the Democratic caucus that caucus referred the entire subject to the appropriate committee having jurisdiction thereof, the Judiciary Committee of this House, with instructions to report a bill at the first regular session of the Sixty-third Congress.

The Democratic Party is pledged. the Democratic administration is pledged, to legislation limited only by the constitutional grant of power to the Congress, not to regulate but to destroy the combinations of the great corporations shown by the Pujo Money Trust investigation to have a strangle hold upon the finances, the industries, and the commerce of the American people. The pledge of the Democratic Party I quote from the Democratic platform of 1912, written at the Baltimore convention.

ANTITRUST LAW.

A private monopoly is indefensible and intolerable. We therefore favor the vigorous enforcement of the criminal as well as the civil law against trusts and trust officials, and demand the enactment of such additional legislation as may be necessary to make it impossible for a private monopoly to exist in the United States.

We favor the declaration by law of the conditions upon which corporations shall be permitted to engage in interstate trade, including, among others, the prevention of holding companies, of interlocking directors, of stock watering, of discrimination in price, and the control by any one corporation of so large a proportion of any industry as to make it a menace to competitive conditions.

We condemn the action of the Republican administration in compromising with the Standard Oil Co. and the Tobacco Trust, and its failure to invoke the criminal provisions of the antitrust law against the officers of those corporations after the court had declared that from the undisputed facts in the record they had violated the criminal provisions of the law.

We regret that the Sherman antitrust law has received a judicial construction depriving it of much of its efficacy, and we favor the enactment of legislation which will restore to the statute the strength of which it has been deprived by such interpretation.

The report of the committee of the Sixty-second Congress, known as the Pujo committee, appointed pursuant to House resolutions 429 and 504, being Report No. 1593, submitted by Mr. Pujo February 28, 1913, to investigate the concentration of control of money and credit, shows that the Banking and Currency Committee of this House is right, and that the great administration leaders who have advised with the committee are right in their judgment that only by separate and well-considered legislation can the hydra-headed evils of the trust be controlled.

The report of the Pujo committee ought to be in the hands of every thoughtful citizen in the United States who takes active interest in the affairs of his Government. While I favor rigid economy in governmental expenditures, I believe money would be well spent that is appropriated to the publication of this report and to its distribution throughout the country.

I desire, Mr. Speaker, to incorporate into the RECORD for the benefit of my constituents, to whom I shall send it, chapter 4 of said Pujo report, being a summary of recommendations of the Pujo committee.

Said chapter is as follows:

CHAPTER FOURTH.—SUMMARY OF RECOMMENDATIONS.

Summed up, the recommendations of your committee for enactment into law are:

SECTION 1.—AS REGARDS CLEARING-HOUSE ASSOCIATIONS.

A. Incorporation and regulation: National banks should not be permitted to be members of clearing-house associations which are not bodies corporate of the States in which they are respectively located, and every solvent and properly managed bank or trust company should have the right, enforceable at law, to become and remain a member: *Provided*, That no clearing association should be required to admit a member having a capital stock not less than that required of a national bank in the same locality

B. Examination of members: Periodical examinations of members by a committee of the association should be prohibited, and instead all such examinations should be conducted by public authorities.

C. Issuance of clearing-house certificates: Until other measures of relief are provided by Congress such associations should be permitted to issue certificates on the security of their members' assets for circulation amongst members to pay balances owing to each other at the clearing house, but only on condition that both the issuance and retirement of such certificates shall be under governmental control.

D. Regulation of rates for collecting out-of-town checks: The practice now so general amongst such associations of compelling members, under pain of expulsion, to charge prescribed rates for collecting out-of-town checks should be prohibited.

E. Regulation of rates of discount and of interest on deposits, etc.: Such associations should be further prohibited from prescribing rates of interest or discount, rates of interest allowed on deposits, rates of exchange, or any other regulation not appropriate to its function of instrumentality for the collection of checks by banks of the same community one from another that interferes with competition.

SECTION 2.—AS REGARDS THE NEW YORK STOCK EXCHANGE.

A. Conditions precedent to use of mails, telegraph, and telephone: That Congress prohibit the transmission by the mails or by telegraph or telephone from one State to another of orders to buy or sell or quotations or other information concerning transactions on any stock exchange, unless such exchange shall—

1. Be a body corporate of the State or Territory in which it is located.

2. Require corporations whose securities it lists to make a complete disclosure of their affairs, in particular any commissions paid to promoters, middlemen, or bankers out of any such security issue or the proceeds thereof.

3. Require a margin of not less than 20 per cent on all purchases of stock.

4. Prohibit as far as possible the execution of simultaneous or substantially simultaneous orders proceeding from the same person or persons to buy and sell the same security for the purpose of creating an appearance of activity therein and any orders the purpose of which is to inflate or depress the price of any security.

5. Prohibit members from pledging securities purchased and carried for a customer for an amount greater than the unpaid portion of the purchase price, whether with or without the consent of such customer.

6. Prohibit members from lending to other members securities carried by the former for customers, whether with or without such customers' consent.

7. State in its charter the condition on which issues of securities shall be admitted or removed from the trading list, and provide for a judicial review of its action in this regard.

8. Keep books of account, showing the actual names and transactions of customers, and give access thereto to the Postmaster General.

SECTION 3.—AS REGARDS CONCENTRATION OF CONTROL OF MONEY AND CREDIT.

A. Consolidations of banks: Two or more banks should not be permitted to consolidate unless such consolidation shall have been approved by the Comptroller of the Currency as in the public interest. He should have plenary power to forbid it where it threatens to result in undue concentration of control.

B. Interlocking bank directorates: No person should be permitted to be a director in more than one national bank serving the same community or locality, nor should any person who is a director of any State bank or trust company, or is a partner or associate of any private banker or banking firm, be eligible as a director of any national bank serving the same community or locality, except that a director in a national bank may have one partner who is a director in a trust company.

C. Interlocking stockholdings amongst banks: No part of the stock of any national bank should be permitted to be owned or held directly or indirectly by any other bank or by any trust company or holding company; and no national bank should be permitted to own or hold any part of the stock of any other bank or trust company.

D. Voting trusts in banks: The transfer of any part of the stock of national banks to trustees solely or primarily in order that they may vote the same at annual elections and other stockholders' meetings—"voting trusts," as they are generally known—should be expressly prohibited.

E. Cumulative voting: Minority representation in the directorates of national banks should be secured by adopting the system of cumulative voting, i. e., by providing that at elections for directors each stockholder shall have as many votes as are equal to the number of his shares, multiplied by the number of directors to be elected, which votes may be cast solidly for one director or distributed among several, as the shareholder shall see fit. And no national bank should be permitted to purchase the obligations or lend upon the obligations or shares of any corporation whose directors are not chosen at elections conducted under the cumulative system of voting.

F. Security-holding companies as adjuncts to banks: The stockholders of a national bank should be expressly prohibited from becoming associated as stockholders in any other corporation under agreements or arrangements assuring that the stock of such other corporation shall always be owned by the same persons or substantially the same persons who own the stock of the bank or that the managements shall be substantially the same.

G. Fiscal agency agreements: Interstate corporations should not be permitted to enter into any agreements or other arrangements constituting any bank, banker, or trust company their sole fiscal agent to dispose of their security issues.

H. Private bankers as depositaries: Interstate corporations should not be permitted to deposit their funds with unsupervised, unregulated, private bankers who do not disclose their resources or liabilities, who keep no reserve, and are free to invest their depositors' money as they see fit.

I. Banks not to engage in underwritings: National banks should be prohibited from directly or indirectly engaging in any promotion, guaranty, or underwriting, involving the purchase, sale, public offering, or issue, or other disposition of the securities of any corporation.

J. Investments of banks in bonds: National banks should be expressly authorized to invest 25 per cent of their capital and surplus in the obligations of States, cities, counties, or other municipal subdivisions and in mortgage bonds of corporations on which interest has been regularly paid for five years or in case of new issues when the earnings of the corporation within the period were sufficient to have paid such interest.

K. Reform of railroad reorganization: The method of reorganizing insolvent railroads should be reformed by adopting in substance the system provided by the companies' act of Great Britain, whereby briefly stated, the plan and procedure on reorganization are placed under the direction and control of the courts, the receiver is elected by the votes of those interested in the property, no sale is involved, a single shareholder can defeat an unjust plan.

L. Railroad reorganizations under supervision of Interstate Commerce Commission: The Interstate Commerce Commission should be empowered, subject to review by the courts, to supervise and review plans for the reorganization of interstate railroads and the issue of securities thereunder.

M. Interstate railroad security issues under supervision of Interstate Commerce Commission: The security issues generally of interstate railroads should be placed under the supervision and control of the Interstate Commerce Commission.

N. Competitive bidding for interstate security issues: It should also be required that in the disposition of such issues competitive bids, public or private, be invited.

O. Borrowings by officers from their own banks: Borrowings, directly or indirectly, by an officer of a national bank from the bank of which he is such officer, and all other transactions between them of a financial character, should be rigidly prohibited.

P. Borrowings by directors from their own banks: Borrowings, directly or indirectly, by a director of a national bank or by any firm of which he is a member or any corporation of the stock of which he holds upward of 10 per cent, from the bank of which he is such director, should only be permitted on condition that notice shall have been given to his codirectors and that a full statement of the transaction shall be entered upon the minutes of the meeting at which such loan was authorized.

Q. Financial transactions of bank officers to be in their own names: Loans or other transactions with a national bank in the interest of or for the eventual benefit of an officer or director of a national bank, either alone or with others, should be required to be made or done in the name of such officer or director.

R. Participations by bank officers and directors in underwritings: Officers and directors of national banks should be prohibited from participating in syndicates, promotions, or underwritings of securities in which their banks are or may become interested as underwriters or owners or as lenders thereon.

S. Accepting and offering rewards for bank loans: It should be made a crime for officers or directors of national banks to accept any compensation, commission, or other form of reward whatsoever, for making, directing, voting for, or otherwise promoting any loan of the bank's funds; and it should also be made a crime to offer any such inducement.

T. Limitation of number of directors of bank: The number of directors of national banks should be limited to not less than 5 nor more than 13.

U. Publicity for assets and stockholders of banks: National banks should be required to open to public inspection schedules of their assets other than the names of borrowers, and to make lists of their stockholders public.

The Federal Reserve Law.

EXTENSION OF REMARKS
OF
HON. LAWRENCE B. STRINGER,
OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, September 18, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. STRINGER. Mr. Speaker, there is no governmental question now before the American people so pressing, so important, so vital, so far-reaching in its ramifications and effect as the question of a reformation of the banking and currency system of the Nation.

It is a question which affects not the banker and financier alone, but the merchant, the manufacturer, the farmer, and the wage earner as well. It is a question which concerns all classes of people in every walk and every condition of life. It is a question which touches every energy and every enterprise in the broad land and its importance is so great that it demands immediate attention, careful study, and definite and speedy action.

QUESTION OF GENERAL INTEREST.

The bankers of the country perform an important part in the industrial development of the Nation. They are in the main men of financial skill and business integrity. They are interested in the Nation's prosperity, for they prosper only as the Nation prospers. But the question here considered is not a bankers' question alone, but one in which all citizens are deeply interested.

The banker suffers, and suffers severely, in times of stress, but there are opportunities offered to him that are closed to others. Except in rare emergencies, he can foresee tightening times, can curtail his loans, call in his credits, and forfend against the gathering storm. He can even suspend payment and escape insolvency, for the public knows that in times of panic he can not procure cash or credit and it makes allowance therefor. He may be hit, and hit hard, but he can survive.

Not so fortunate is the merchant or the manufacturer who is conducting his enterprise upon a credit strained, perhaps, to its utmost and which may tumble in an instant like a deck of

cards. To close up his business means financial ruin. His market is many months or perhaps a year away and failure to secure credit at the crucial time brings down disaster on his head.

Not so fortunate is the farmer who must have money to move his crops, who has planted and cultivated and gathered the same in anticipation of the rewards of harvest, but which do not come by reason of instability of the market in the realm of agricultural trade. Not so fortunate are the transportation companies, upon which the farmers and all others rely to carry the products of toil to the marts of trade, and without which the farmers' crops would rot in the field and the great cities be threatened with starvation.

Not so fortunate is the mighty army of laborers, brawn and sinew which must be fed, who with panicky times find the factory, mine, and mill suddenly closed, employment ended, and with no means to buy for themselves and families their modicum of daily bread.

In short, the reformation of the banking and currency laws is a question for the bankers; yes, and one of vital interest to them in every angle which that question can assume. But it is equally vital and equally important to the merchant, the manufacturer, the laborer, the investor, and the borrower, and in framing or reframing financial laws the interests of all should be considered and conserved.

REFORM NEEDED.

That the present banking and currency system is antiquated, fraught with danger, and in need of reformation is a proposition so generally conceded as to need little proof.

In fact, it has been said that the United States has no system of banking at all, but merely a series of banks, artificially grouped, acting independently of one another, yet suffering from the others' mistakes, and without any general policy as to control of reserves, the fixing of rates of discounts, or the granting of loans.

Organized amid the throes of civil war, with a view of meeting conditions then existing, it has had a life of over a half century, with little modification as to its constitution or scope. Now and then alterations have been made as necessitated by extraneous features of national policy, but beyond this patchwork of incidental change the original plan still exists.

It is now generally conceded that the present system is wholly inadequate to meet the demands of trade; that it affords no protection against loss of confidence; that it not only does not prevent panics, but it actually breeds and produces them; that it is powerless to grant relief in times of industrial distress, that its note circulation is inelastic, unsound, inadequate, and ill adjusted to local needs; that it furnishes no general market for commercial paper, however sound its quality; that it imposes severe hardships on the banks themselves; that it does not control the international flow of specie, supplies no facilities for foreign trade, and in general provides no system of cooperation among the banks themselves, none between the banks and the National Government, and none between the banks and the industrial, commercial, and mercantile life of the Nation.

NEED OF COOPERATION.

It is this lack of banking cooperation that is the great disturbing element in our financial affairs. It is this lack of cooperation which prevents the massing of the full strength of financial activity behind the business community in times of special demand, whether these demands be of normal seasonal requirement or abnormal in periods of financial stress.

With over 25,000 banking units, there is no tie to bind them together. There is no cohesion in the structure and no keystone to the arch. When the sun shines and the skies are clear everything is lovely, but when disaster portends all run to cover. Each bank looks after its own interests and proceeds to protect itself, regardless of the other units in the system, even regardless of its own customers and regardless of the business and industrial world outside.

THE CAUSE OF PANICS.

Constantly recurring panics at intervals of almost startling regularity in our financial history have shown the tendency of our system to fail at the most critical period and prevent the attainment of relief at the very time when relief is needed.

We have come to consider these panics as dispensations of Providence and we bow to the Divine will. We have regarded them as we do cyclones—unavoidable, uncontrollable, and irremedial. The best we can do is to crawl into a temporary cave, await the passing of the storm, and perhaps we may emerge alive and perhaps we may not.

Demagogues seize upon them with avidity and use them, as they did in the panic of 1893, to make the people believe that they came because some particular political party, not theirs, happened to be in power. And the people, regarding this as the nearest cut to a solution, too often adopt the superficial explanation of designing demagogues and are thus led astray.

Strange it is that in other lands panics are few and far between and bank failures occur at intervals the rarest. During the period from 1890 to 1910 there were 400 failures of national banks in the United States and 1,400 of saving banks and trust companies—1,800 in all—while in the same period there were but 7 bank failures within the boundaries of Canada, our neighbor on the north.

Of course business and industrial depressions are bound to occur. But in a country like ours, unsurpassed in resources, illimitable in opportunity, with comparatively a small population to the square mile, there is no excuse for panics, which in a night bring ruin, disaster, and distress upon the whole population.

But under our antiquated banking system a business depression nearly always spells panic, more or less severe. A run on a single solvent bank starts a scare. Other bankers, knowing by experience the weakness of our banking system, proceed to protect themselves. They draw in their money from money centers where deposited; they begin calling in loans; they refuse credit to solvent parties; credit is strained; individual assets, sound as old wheat in the mill, become worthless for immediate use; confidence is lost; suspension of cash payments and the breaking down of domestic exchange follows, and then come the closing of factories, business failures, lack of employment, and hard times.

PANIC OF 1907.

The panic of 1907 is evidence of the fact that tightening times may come when there is not even business depression upon which to predicate the same, but that in the most prosperous of times panics may be precipitated by the mere breaking down of the banking system itself. The panic of 1907 is proof of the assertion that not only is our banking system unavailing to prevent panics, but it actually produces them where there is really no good reason for them to exist.

The panic of 1907 came in the midst of peace, prosperity, and plenty. There were no wars or rumors of wars. Business was active; mills were running overtime; crops were abundant; railroads were unable to supply cars for the freight tendered for transportation; labor was fully employed; and the smoke of factories rose heavenward in mighty volumes as incense to the god of trade.

There was no political contest before the people, and no prospects of change in administrative affairs. The President and both Houses of Congress were in Republican control, and the Dingley high-tariff bill was doing business daily at the same old stand. It was conceded that the next year's election would not change the nature of political control.

And yet in the midst of this prosperity a panic was suddenly precipitated upon the Nation and disaster followed. A "rich man's panic" it was called, but the poor suffered as well.

Describing the conditions which followed, the chairman of the national Republican committee in 1912, over his own signature, said:

> Only four years ago (1907) capital was tied up in safe-deposit boxes; mills and factories were closed, because manufacturers could not sell the goods they made; empty freight cars filled the railroad sidings; farms were mortgaged; labor was hungry and desperate; the country was prostrate; industry was paralyzed; investors, wherever possible, had withdrawn their capital; enterprise was dead; and all this was the result of the panic of 1907.

Possibly the description was overdrawn for political effect, for the purpose of discrediting President Roosevelt, but it is nevertheless true that the panic of 1907 was disastrous and disturbing and it suddenly precipitated the country from a condition of prosperity and plenty to one of financial embarrassment and distress.

THE MONETARY COMMISSION.

So pronounced was the panic and so evident was the fact that its origin lay in our defective banking and currency laws that, at the next session of Congress after the panic of 1907, provision was made for the creation of a National Monetary Commission of 18 members of the Senate and House to inquire into and report to Congress what changes were desirable or necessary in our banking and currency laws.

The work of the members of the commission was exhaustive, thorough, and complete. They held extensive hearings in every great city of the United States; they collected volumes of statistics and facts; they visited the banks in the money centers of the world. In 1911 they submitted to Congress a report of their investigations, with their recommendations based thereon.

Referring to this report, President Taft, in his message to Congress the same session, among other things, said:

> The recognition of the gross imperfections and marked inadequacy of our banking and currency system even in our most quiet financial periods is of long standing, and later there has matured a recognition of the fact that our system is responsible for the extraordinary devastation, waste, and business paralysis of our recurring periods of panic.

AS THE COMMISSION SAW DEFECTS.

The Monetary Commission in its report set out the principal defects of our banking system, and, in brief, they were as follows:

1. No provision for the concentration of the cash reserves of the bank or for their mobilization or use in time of trouble.
2. Antiquated laws restricting the use of bank reserves and prohibiting the lending power of banks at times when reserves should be freely used and credit liberally extended
3. No adequate means for replenishing reserves or increasing loaning power when needed.
4. Inadequacy of the bank-note issue to respond to the changing needs of business by automatic expansion and contraction, its volume being dependent upon the amount and price of Government bonds.
5. Lack of effective cooperation on the part of banks to protect themselves and the public interests in times of stress.
6. No effective agency covering the country, affording necessary facilities for making domestic exchanges between different localities or preventing disruptions of such exchanges in troublous times.
7. No instrumentality that can deal effectively with questions affecting the credit and status of the United States in international propositions.
8. The lack of commercial paper of an established standard available for investments by banks, leading to an unhealthy congestion of loanable funds in great centers and hindering the development of the productive forces of the country.
9. The narrow character of our discount market, with its limited range of safe investments for banks, resulting in sending the surplus money to New York, where it is largely used for stock speculative purposes.
10. The absence of a board discount market, creating a condition of dependence on the part of individual banks.
11. A marked lack of equality in credit facilities between different sections of the country.
12. No agency whose influence can be made effective in securing greater uniformity, steadiness, and reasonableness of rates of discount in all parts of the country.
13. No effective agency that can surely provide adequate banking facilities for different regions promptly and on reasonable terms to meet demands for moving crops or other purposes.
14. No power to enforce the adoption of uniform standards with regard to capital, reserves, examinations, and reports of all banks.
15. No provision for branches of American banks in foreign countries for purposes of foreign trade.
16. Restriction of powers as to loans on real estate.
17. The provision of law under which the Government acts as custodian of its own funds in irregular withdrawals of money from circulation and the return of same.

DEFECTS AS NOTED BY BANKERS.

Perhaps a more succinct statement of the defects in our present banking laws is found in the answers of the currency commission of the American Bankers' Association to questions formulated by a subcommittee of the Banking and Currency Committee of the United States Senate. To the query, "What are the essential defects of our banking and currency system?" the commission replied:

> First. A principal defect of our system is the absolute rigidity of our currency. A bank in order to take out circulation must invest more money in Government bonds than it is permitted to issue in currency, thereby impairing, rather than increasing, its power to aid commerce and trade. Outside of the three central reserve cities there is no redemption of national-bank notes except when they wear out and become unfit to circulate. This condition is inherent in the system and is certainly unsound.
>
> Second. The system lacks cohesiveness, there being no provision for cooperation among the banks in it. Under ordinary conditions this is not so much felt by the banks individually, but under strained financial conditions, when each bank is thrown on its own resources and must in self-protection act independently of all the rest, the lack of a system under which all could cooperate through a common policy of action becomes keenly felt, and it becomes evident that what is really lacking is a system.
>
> Third. The requirement that the banks must individually control their own portion of the legal reserve money of the country, without being provided with proper means for the protection or replenishment of their legal reserves, is unscientific and economically wasteful.
>
> Fourth. An unsound system of reserves under which in periods of anxiety it becomes necessary in the protection and maintenance of individual reserves for each bank in the national system to contend against every other bank, the dissipation and scattering of the great bulk of the reserve money of the country into a large number of small hoardings completely destroying in times of stringency the strength and power which might be gained by unification and massing of reserves for the mutual support of the banks and the common good of the public.
>
> 5. The use of so much of the legal reserve money of the country in actual circulation for ordinary business purposes is another economic waste. No provision is made for the use of any substitute for legal reserve money as a circulating medium other than the national-bank notes secured by Government bonds, which are as inflexible in their volume and therefore as irresponsive to the fluctuating commercial needs for them as the legal reserve money itself. The gold certificates now in circulation, amounting to $1,085,480,000, being merely warehouse receipts for an equal amount of gold in the Government Treasury, form the most conspicuous example of this economic waste.
>
> 6. The lack of elasticity in the circulation, all forms of our present circulating medium being rigidly fixed in amount. The necessities of commerce for a circulating medium are arbitrarily met with a fixed amount of it, which does not respond in its volume to the fluctuating demands. Assuming that the aggregate amount may be just sufficient for an average volume of general business, then there must be a surplus when the volume of business falls below the average and a deficiency when the volume of business rises above the average. The actual condition, however, is that in each year there are seasons in which the needs for circulation are much heavier than they are in other seasons, so that its inadaptability in volume to the legitimate existing demand is constantly felt. We have as a rule either a surplus or a deficiency.
>
> 7. The restriction of the use by the banks of their legal reserves and the prohibition of their lending power in the presence of unusual demands upon them, without means of protecting their reserves by the use of any satisfactory substitute therefor, or of replenishing them through adequate rediscounting facilities, which would enable them to convert their available assets into cash or legal reserve.
>
> 8. The lack of provision for the organization of American banking institutions in foreign countries, which are necessary for the development of our foreign trade.
>
> 9. The Independent Treasury system, under which the Government acts as partial custodian of its own funds, resulting in irregular withdrawals of money from the bank reserves and from circulation and materially interfering with the even tenor of general business.
>
> 10. No open market for commercial paper; banks of sufficient capital should be allowed to accept drafts for a commission, with a view to the sale of the acceptances in the open market, thereby establishing a current market for commercial paper, and thus enabling banks to buy, whenever they have an overplus of funds, or sell in this market whenever they wish to strengthen their position or meet demands against them or accumulate funds for their regular clientele.

REMEDY FOR DEFECTS.

It is to remedy many, if not all, of these defects that the present banking and currency act has been placed upon its passage, and the object of the pending measure is to provide a system, based on a sound and scientific basis, which will respond adequately to the varying requirements of the American people in conducting the trade and commerce of the Nation.

Dr. O. M. Sprague, of Harvard University, in his monograph on The National Banking System, says:

> Somewhere in the banking system of a country there should be a reserve of lending power. Ability to increase loans and to meet the demands of depositors for money would have allayed every panic since the establishment of the national banking system.

To provide such a system, without endangering the soundness and safety of our monetary basis on the one hand and on the other to keep the control of the Nation's finances in the people's hands is the desired consummation.

KEYNOTE OF REFORM.

The keynote of the proposed reformation was sounded by President Wilson in his special message to Congress, when he said:

> We must have a currency, not rigid as now, but readily, elastically responsive to sound credit, the expanding and contracting of credits of everyday transactions, the normal ebb and flow of personal corporate dealings. Our banking laws must mobilize reserves, must not permit the concentration anywhere in a few hands of the monetary resources of the country or their use for speculative purposes in such volume as to hinder or impede or stand in the way of other more legitimate, more fruitful uses. And the control of the system of banking and issue which our new laws are to set up must be public, not private; must be vested in the Government itself, so that the banks may be the instruments, not the masters, of business and of individual enterprise and initiative.

With the objects so tersely expressed by President Wilson in view, the Committee on Banking and Currency of this House carefully prepared the measure now pending here and submitted it first to the Democratic caucus for its approval and later to this House for its action thereupon.

In its preparation the committee had the advantage of the exhaustive investigations of the Monetary Commission of 1908, the very complete library which it gathered and compiled, the discussions of the Aldrich bill, and the written views of bankers, experts, and financiers. When completed the bill was approved by leading financial experts throughout the Nation and was heartily indorsed by President Wilson, Secretary of State William J. Bryan, and Secretary of the Treasury William G. McAdoo.

OBJECTS OF THE PENDING MEASURE.

The main objects sought to be attained in the pending bill, shorn of the numerous details necessarily appertaining thereto, may be briefly expressed as follow:

First. The formation of a cooperative organization among the banks of the country, whereby the full strength of all may be massed behind the business community when demanded.

Second. The creation of a system for the extension of credit to banks which possess sound assets and which desire to liquidate them for the purpose of meeting legitimate commercial requirements.

Third. The establishment of a more nearly uniform rate of discount throughout the country and a prevention of overexpansion of credit in localities.

Fourth. General economy of reserves in order that such reserves may be held ready to protect banks in every locality and thus enable them to meet their obligations.

Fifth. The furnishing of an elastic currency by the ultimate retirement of the present bond-secured currency and the substitution of a flexible and adequately protected Government currency in its place.

Sixth. The creation of a market for commercial paper.

Seventh. Provision for extension of American banking facilities in foreign countries.

Eighth. The commercial use of the funds of the Government now isolated in the Treasury of the United States.

Ninth. General supervision and control of the banking system by a Federal board appointed by the President of the United States as the representative of the people.

THE FEDERAL RESERVE BANKS.

Under the new system as proposed there will be organized no less than 12 reserve or rediscount institutions, geographically distributed, to which shall be assigned the function of bankers' banks in the district where located, doing business only with the individual banks of the district and the Government, and whose capital stock shall be subscribed by said individual banks. These institutions, known as Federal reserve banks, shall be under Federal control and supervision.

These Federal reserve banks are to be related to the individual banks as the individual banks are to their individual customers, holding the surplus funds of the individual bank, furnishing them loans when required, offsetting their payments and receipts, and supplying them with the means of making remittances. They are to be cooperative institutions, conducted in the interest of the individual banks as well as for the public, while the Government is to get the excess profits.

The business of these reserve banks will be to rediscount commercial paper presented by the individual banks with a maturity of from 90 to 120 days. They may purchase and sell Government bonds, gold and silver bullion, foreign exchange, and open-market bills of given maturity, but are not to enter into competition in any way with the individual banks of their own or other districts.

The organization of these reserve banks in no way interferes with the present independence of the national banks. It makes them more independent. They will still compete with each other in a business way and continue to do business as separate units, but not isolated as before.

While waging vigorous competition, they will still be parts of a harmonious whole, strengthening and fortifying one another for greater service to the people and cooperating when necessary to sustain the credit of each other, the credit of the business community, and the credit of the country among the nations of the world.

MOBILIZATION OF RESERVES.

Under the present system the national-bank reserves are unavailable for purposes of extending commercial accommodation, for when the reserves reach the minimum established by law no further loans can be made, however urgent the need. Whenever panic appears in any section the banks are unable to mass the reserves and stop the panic before it has an opportunity to spread. Instead of this an effort is immediately made to draw away from the locality attacked every possible dollar.

Instead of providing safety, our system of reserves is a standing menace to the country and to the banks. It compels panic whenever financial clouds appear anywhere and compels every banker to fight for his own preservation.

The pending law provides for a concentration and mobilization of these reserves, rendering them easily available whenever occasion demands for the assistance or support of any bank or section. It will enable the banks to adopt that policy of simultaneous strengthening of reserves and extension of credits which has for half a century prevented panics among the commercial nations of the Old World.

PROVISION FOR ELASTICITY.

Coupled with the system of mobilization of reserves is also the provision for elasticity of the currency. While it is true that 95 per cent of our business transactions are performed with instruments other than currency and that elasticity of credits is more important than elasticity of cash, still both are closely bound together.

In a country which produces $9,000,000,000 worth of crops annually, and where a quarter of a billion dollars of actual cash is needed to move these crops, elasticity of currency becomes an important factor.

Other nations get their extension of cash needed to move their crops from an expansion of their bank-note issue, with gold and short-time paper as a basis; but under our system bank-note issues bear no relation to the needs of business. It is rigid and inflexible. In the use of Government bonds as security for this issue, the volume is limited by the volume of the bonds and fluctuates according to the market price, which is determined not by the investment value of the bonds, but by the profits possible to the banks using them as security for circulating notes.

Nowhere in the wide world is there a banking system similar or analogous to that of our own. It is a relic of the days of the Civil War. There is no other nation in the world that bases its bank-note circulation upon Government bonds. Japan tried it for a while in 1882 and then abandoned it as inadequate and dangerous.

In the history of the financial world there has been but two systems of bank currency which have stood the test of experience. One is the Scotch-Canadian system, where the banks are given the right to issue note circulation against their assets and to establish an unlimited number of branches. The other system is where the bank-note issue is centralized in a single institution. Our system is neither one nor the other. It is "betwixt and between."

The pending bill authorizes the ultimate withdrawal of the circulation privilege from Government bonds of all classes and provides for an issue of notes by the Government through the reserve banks upon business paper held by such banks and a redemption of such notes by the reserve bank when the exigency calling for them ceases to exist. This provides an elastic and flexible currency which will automatically expand or contract to meet the necessities of trade, prevent the cornering of the country's money by combinations of financiers, and safeguard the solvency of banks.

By the mobilization of reserves and the rendering of them available as a basis of loans, together with an easily secured and elastic currency when business necessity requires, a system is created which will revolutionize the commerce of the country and give to trade a stability which it has never before enjoyed.

ADVANTAGES OF THE NEW SYSTEM.

This new system will conserve the public credit, control the movements of gold and foreign exchange, insure cooperation in times of stress, equalize bank and credit facilities the Nation over, create uniform rates of discount, prevent interruption of domestic exchanges, provide for replenishment and concentration of cash reserves when needed, establish standards for commercial paper and create a market for the same, prevent shrinkage of assets in periods of stringency and consequent forcing of business men into liquidation, and protect public and private interests when imperiled.

Under this new system business depressions may occur, but panics will be unknown. Panics are the result of fear. When the business world understands that at all times and under all conditions those with sound assets can get currency when needed to conduct the manifold dealings of manufacture and trade there can be no financial fear, and therefore no panics.

There will then be no "run on the banks," no constriction of credits, no abrupt and unexpected changes of value, no waves of financial depression, but business will be stable and national energies will be employed on a basis of continuity and security at all times.

If the system works hardships on the country banks in some respects, it more than makes it up in the peace of mind, freedom from fear, and the sense of security given in the destruction of the constant apprehension of future trouble, in the abolition of panics, the ever-ready availability of reserves, the constant stability of business, the ability to always accommodate customers, the privileges of farm loans and savings bank departments, and the general prosperity that will follow.

It is, above all, an American system, erected upon American ideas, and built on an American plan. It is a representative system of federated banks in which all have an equal voice. It has its foundations in popular control, and it will extend, augment, and render potential and preeminent for all time the financial power of America in the world's mightly struggle for the international balance of trade.

Mr. George H. Shibley, director of the American Bureau of Political Research, in a recent monograph published July 19, 1913, says:

Taken as a whole it is evident that the Democratic bill as thus far outlined is the greatest banking and currency bill ever considered by any nation, and the enactment of the proposed law would make it one of the great events in a wonderful age.

FREEDOM FROM WALL STREET CONTROL.

Another great benefit which this system will entail will be the severing forever of the bonds which have for years bound the commerce and trade—yes; even the destinies—of the Nation to the stock-gambling influences which dominate Wall Street, New York. With this bill enacted into law bulls and bears may tear and devour, but they will no longer terrorize legitimate business in legitimate avenues of trade.

Under the present system New York holds the ultimate reserves of the Nation. Wherever the surplus money be deposited it finds its way to New York. The banking system revolves around New York and Wall Street is the hub. Whenever in the past financial strain has been put upon the New York banks they have invariably broken down and taken refuge behind clearing-house walls. Suspension of payment the country over ensues, and when confidence has been destroyed in New York, as a result of stock speculation or otherwise, every financial institution in the United States faces peril.

The pending measure rings out a declaration of new financial freedom from Wall Street control. If it did nothing else, this item alone is worth all that the measure has cost in time, energy, and investigation. It means the death knell of speculative domination. It destroys the influence of the "ticker" in commercial affairs. It emancipates financial America from the rules of the special interests and the tyranny of the privileged few.

POLITICAL CONTROL.

Criticism has been made of the composition of the Federal reserve board in that provision is not made therein that the bankers be authorized to select some of the members of this board, and it is therefore alleged that the banking system will be under political control.

In the same sense is not the Supreme Court of the United States under political control? The Supreme Court is the highest tribunal in the land; it can declare null and void the acts of Congress; it passes upon questions involving every right which bankers, investors, business men, and all others enjoy. Its members are appointed by the President, not for a few years, but for life. And yet who complains of political control of the Supreme Court?

The Interstate Commerce Commission is likewise appointed by the President of the United States. This commission has arbitrary powers in matters of rate regulation and the thousand and one things pertaining to railroad legislation. Why not have allowed the railroads to select one of the commissioners of this interstate-commerce body?

Nearly every State has governing boards over railroads, warehouses, or public utilities; but what State allows the railroads or public utilities themselves to select the members of these boards? And how long would the people stand for such a procedure?

The bill provides that at least one member of this board shall have had banking experience. The Secretary of the Treasury and the Comptroller of the Currency are ex officio members. They are usually men of banking experience, more or less. In the very nature of things, the President is likely to appoint men of banking experience to other places on the board. But to recognize the principle that the banks themselves should select these members would be class legislation of the most dangerous kind and in direct opposition to the time-honored position of the Democratic Party that functions of government must not be transferred into private hands.

It is sufficient answer to this criticism to say that there is not a Government board in this country or any other civilized country on earth where private interests are allowed to control, in whole or in part, the membership of the board which regulates them.

It is somewhat peculiar that many of the provisions of this bill now criticized severely in certain quarters were swallowed eagerly by the same parties when they were incorporated in the Aldrich bill. And it is further strange that the requirement that banks invest substantially 10 per cent of their capital in the capital of the Federal reserve bank, which will protect them at all times from danger, is denominated "compulsion," while the provision of the present law, which forces banks to invest 25 per cent of their capital in Government bonds before they are allowed a charter, is not considered as compulsion at all. Why the difference?

CONCENTRATION OF POWER.

On the other hand, it is argued that too much power is placed in the hands of the Federal reserve board, and hence too much power placed in the hands of the President. Substantially every power here given to the reserve board has for a half century heretofore been vested in the Secretary of the Treasury or the Comptroller of the Currency, and what has heretofore been the province of two men is now made the province of seven.

As to the power lodged in the President—who is the President, and from whence does he come? He is elected by the sovereign people and is their direct representative. If you can not trust the President, you can not trust the people. If you can not trust the people, then our system of government is a fraud, a delusion, and a sham. You trust the President to appoint the Supreme Court, which can unmake every law, and appoint its members for life. Why can not he be trusted here?

SIDE ISSUES.

The pending measure is not a measure to revise the coinage laws of the United States. It is primarily a banking law, and deals with bank-note circulation and the bonds upon which they are predicated. It provides a currency to be issued in times of emergency by the Government through the banks in place of the present bank notes based upon Government bonds. It provides this emergency currency for use by the banks, to be withdrawn when the emergency ceases to exist.

It is therefore unfair and unjust to attempt to drag into the consideration of this measure issues entirely foreign to the questions here involved. Such efforts are only calculated to retard the passage of a needed measure.

It is likewise injudicious and untimely to attempt to load down this bill with extraneous matters, even though those matters in themselves be deserving of recognition. Such matters as, for instance, the prohibition of "interlocking directorates" or an establishment of a system of rural credits, have no place here. They are objects of independent legislation, which require special consideration and attention at the proper time and place.

To inject them into this bill at this time is to afford only a limited relief, even if successful, while the tendency would be to destroy the real objects sought as well as to endanger the success of the pending measure. The President of the United States has promised to urge the passage of these remedial measures in the very near future, and no true friend of these reforms should attempt to discredit them by making a patchwork of them here.

As Mr. Bryan has well said:

In attempting to secure remedial legislation care must be taken not to overload a good measure with amendments, however good these amendments may be in themselves. A boat may be sunk if you attempt to make it carry too much, however valuable the merchandise.

CONCLUSION.

The pending measure is not perfect in every detail, for perfection in currency legislation has never been and possibly never will be attained. Since the days of Adam men have been endeavoring to solve this problem and thousands have devoted their lives to the study of the intricacies of this question, so complicated and so abstruse. If details be defective, experience will show and a remedy can be provided.

But the principles which underlie the proposed new system appear sound and substantial. They square with the rule of reason. They are republican in their representative balances. They are democratic in their diffusion of benefits to all. They are American in their recognition of control by the people and not by the privileged few. They tally with the experience of other nations. They breathe forth the spirit of the age.

Concerning this measure Secretary Bryan has well said:

Considering the principles involved, who can afford to oppose so wise a measure as that now offered? Not the general public, because their rights are fully protected. Not the business interests, for their needs are fully met. Not the State banks, for they come, for the first time, into association with the national banks in the enjoyment of accommodations furnished by the Government. Not the average national bank, because the President's plan is to it a life preserver. Who, then, can object? Only two classes: Those who dispute the right of the people to issue through their Government the money which the people need, and those who, distrusting the Representatives chosen by the people to guard the public welfare, would deny to Government officials control over the issuance of emergency notes.

President Wilson deserves the thanks of the people for his steadfast determination in urging immediate action in this matter and for his sturdy advocacy of the principles inherent in this bill. In every act of his official life one is reminded of the immortal words which concluded his unparalleled inaugural address:

This is not a day of triumph; it is a day of dedication. Here muster not the forces of party, but the forces of humanity. Men's hearts wait upon us; men's lives hang in the balance; men's hopes call upon us to say what we will do. Who shall live up to the great trust? Who dares fail to try? I summon all honest men, all patriotic, all forward-looking men to my side. God helping me, I will not fail them if they will but counsel and sustain me.

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APPENDIX.

SYNOPSIS OF THE FEDERAL RESERVE BILL.

GENERAL ORGANIZATION.

Organization committee: The Secretary of the Treasury, the Secretary of Agriculture, and the Comptroller of the Currency constitute the reserve bank organization committee, and it shall be their duty—

(1) To designate from among the present reserve and central reserve cities authorized by the present banking law not less than 12 of said cities to be known as "Federal reserve cities."

(2) To divide the continental territory of the United States into districts (not less than 12 in number), with due regard to the convenience and customary course of business, said districts to be numbered and known as "Federal reserve districts."

(3) To organize in each such Federal reserve city for the Federal reserve district in which said city is situated a central bank to be known as "The Federal Reserve Bank of ——" (naming city).

Member banks: National banks located within a given district shall be required to subscribe to the capital stock of the Federal reserve bank organized in said district a sum equal to 20 per cent of their unimpaired capital, one-fourth to be paid in cash, one-fourth within 60 days, and the remainder on call.

National banks thus subscribing become stockholders of the said Federal reserve bank and are known as "member banks," and national

banks failing to subscribe stock as aforesaid within one year after the passage of the act forfeit their charters as national banks.

State banks and trust companies may likewise be admitted as stockholders in the Federal reserve bank of the district where they are located upon the same terms as national banks.

Federal reserve board: The Secretary of the Treasury, the Secretary of Agriculture, the Comptroller of the Currency, comprising the organization committee as above, and four other members appointed by the President, by and with the advice and consent of the Senate, shall constitute the Federal reserve board and shall have general supervisory authority of the banking system as hereinafter provided.

The appointed members shall not be officers or directors of banks; they shall devote their entire time to the duties of their office; one of them shall be experienced in banking, and no more than two of them shall belong to the same political party.

In the first instance, one member shall be appointed for two years, one for four years, one for six, and one for eight years, respectively; and thereafter one member shall be appointed every two years, to serve for eight years unless sooner removed for cause by the President.

FUNCTIONS OF THE RESERVE BOARD.

Duties and powers: The Federal reserve board are authorized and empowered—

(1) To examine at discretion the accounts, books, and affairs of each Federal reserve bank, and to require such statements and reports as it may deem necessary.

(2) To permit or in time of emergency require Federal reserve banks to rediscount the discounted prime paper of other Federal reserve banks, the exercise of this compulsory rediscount power to be subject to an interest charge to the accommodated bank of not less than 1 nor greater than 3 per cent above the higher of the rates prevailing in the districts immediately affected.

(3) To suspend for not exceeding 30 days (and renew such suspension for periods not to exceed 15 days) any and every reserve requirement specified in this act, except those as to Federal reserve notes.

(4) To suspend the officials of Federal reserve banks, and for cause stated in writing, after opportunity given for being heard, to require the removal of said officials for incompetency, dereliction of duty, fraud, or deceit, such removal being subject to approval by the President.

(5) To require the writing off of doubtful or worthless assets upon the books and balance sheets of Federal reserve banks.

(6) To suspend for cause relating to violation of any of the provisions of this act the operations of any Federal reserve bank and appoint receiver therefor.

(7) To define and determine the character of paper eligible to rediscount by the Federal reserve banks upon indorsement of the member banks and to review and determine the minimum rate of discount charged for various classes of paper.

(8) To supervise the methods and provide for the regular and special examinations of Federal reserve and member banks.

(9) To publish a weekly statement of the condition of each Federal reserve bank as to assets and liabilities and the character of lawful money held as reserve and the amount, nature, and maturities of the paper owned by said reserve banks.

(10) To annually make a report of its fiscal operations to the Speaker of the House, which report shall be printed, and to perform other general supervisory functions provided for.

FEDERAL RESERVE BANKS.

Stock issues: No Federal reserve bank shall be organized with less than $5,000,000 paid up and unimpaired capital, and the capital stock is divided into shares of $100, shares being neither transferable nor subject to hypothecation.

Branches: Reserve banks may establish branches at points in their districts, the total number of such branches not to exceed one for each $500,000 of the capital stock of the Federal reserve bank.

Succession: Reserve banks are to be bodies corporate and to have succession for a period of 20 years, unless sooner dissolved by act of Congress.

Directors: Reserve banks shall be under the control of a board of directors consisting of nine members, holding office for three years, and divided into three classes:

Class A, to consist of three members chosen by the directors of the member banks from among their own number.

Class B, to consist of three members chosen by the directors of the member banks who shall not be officers or directors of any bank but who shall be representative of the commercial, agricultural, or industrial interests of the district.

Class C, to consist of three members chosen by the Federal reserve board.

For the purposes of election of directors member banks in each district are classified into three groups of as nearly an equal number of banks and of as equal a capitalization as possible, and the terms of directors are arranged so that three directors, one of each class, shall be selected each year.

Federal reserve agent: One of the directors of class C of the Federal reserve bank, as appointed by the Federal reserve board, shall be designated by said Federal reserve board as chairman of the board of directors of the said Federal reserve bank. He shall be also known as Federal reserve agent, shall have an office on the premises of said Federal reserve bank, shall make regular reports to the Federal reserve board and act as its official representative, and shall be removable at the pleasure of the reserve board without notice.

Powers of directors: The board of directors of the Federal reserve bank have the same powers as those conferred upon boards of directors of national banking associations under existing laws not inconsistent with the provisions of this act.

Reserve: Each Federal reserve bank shall have on hand at all times in its vaults, in gold or lawful money, a sum equal to not less than 35% per cent of its outstanding demand liabilities, and on failure to make good such reserve within 30 days after notice shall have a receiver appointed to wind up the business of said bank.

RESERVE BANK DEPOSITS.

Deposits: Federal reserve banks may receive from the member banks (or, solely for exchange purposes, from other Federal reserve banks) deposits of current funds in lawful money—national-bank notes, Federal reserve notes (hereinafter described), or checks and drafts upon solvent banks—payable upon presentation.

Reserve banks shall not receive or credit deposits except from member banks, other reserve banks, or the Government of the United States, and no reserve bank shall pay interest upon any deposit except those of the United States as hereafter provided.

It shall be the duty of every reserve bank to receive on deposit at par and without charge for exchange or collection checks and drafts drawn upon any of its depositors or by any of its depositors upon any other depositor, or drawn by any depositor in any other reserve bank upon funds to the credit of said depositor in said other reserve bank.

The Federal reserve board shall make and promulgate regulations governing the transfer of funds at par among reserve banks and may exercise the functions of a clearing house for such reserve banks or designate a reserve bank to exercise such functions or require each reserve bank to exercise such functions for the member banks.

RESERVE BANK REDISCOUNTS.

Rediscounts: Upon the indorsement of any member bank Federal reserve banks may discount notes and bills of exchange arising out of commercial transactions, provided that such notes and bills have a maturity of not more than 90 days, and provided further that the Federal reserve board shall have the right to determine the character of the paper eligible for discount within the meaning of this act, but with the following exceptions:

1. Notes and bills issued or drawn for the purpose of carrying or trading in stocks, bonds, or other securities shall not be rediscountable.

2. Notes and bills having a maturity of more than 90 days and not more than 120 days may be rediscounted by the reserve bank upon indorsement of the member bank when the cash reserve of the reserve bank exceeds 33⅓ per cent of its total outstanding demand liabilities by an amount to be fixed by the Federal reserve board, but not more than 50 per cent of the total paper so discounted by any member bank shall have a maturity of more than 90 days.

3. Upon the indorsement of a member bank a reserve bank may discount acceptances of such banks which are based on the exportation or importation of goods and which mature in not more than six months and bear the signature of at least one member bank in addition to that of the acceptor, provided that the amount so discounted shall at no time exceed one-half the capital stock of the bank for which the rediscounts are made.

4. Any member bank may, at its discretion, accept drafts or bills of exchange drawn upon it having not more than six months' sight to run and growing out of transactions involving the importation or exportation of goods; but no bank shall accept such bills to an amount equal at any time in the aggregate to more than one-half the face value.

RESERVE BANK OPERATIONS.

Open-market operations: All Federal reserve banks shall have power:

1. To purchase and sell in the open market, either from or to domestic or foreign banks, firms, corporations, or individuals, prime bankers' bills and bills of exchange of the kinds and maturities by this act made eligible for rediscount and cable transfers.

2. To deal in gold coin and bullion, both at home and abroad, to make loans thereon, and to contract for loans of gold coin or bullion, giving therefor, when necessary, acceptable security, including the hypothecation of United States bonds.

3. To invest in United States bonds and bonds issued by any State, county, district, or municipality.

4. To purchase from member banks and to sell, with or without their indorsement, bills of exchange arising out of commercial transactions, as heretofore defined, payable in foreign countries, providing such bills have not exceeding 90 days to run and bear the signature of two or more responsible parties, of which the last shall be that of a member bank.

5. To establish each week, or as much oftener as required, subject to review and determination by the Federal reserve board, a rate of discount to be charged by such bank for each class of paper, which shall be fixed with a view of accommodating the commerce of the country.

6. To open and maintain banking accounts in foreign countries and establish agencies therein for purchasing, selling, and collecting foreign bills of exchange, and to buy and sell, through correspondents or agencies, prime foreign bills of exchange, subject to the rules of the Federal reserve board.

GOVERNMENT DEPOSITS.

Government deposits: All moneys held in the general fund of the United States Treasury are to be deposited in the Federal reserve banks, and such reserve banks shall act as fiscal agents of the Government; and all revenues of the Government are to be regularly deposited in such banks, and disbursements by the Government are to be made by checks drawn against such deposits.

Apportionment: The Secretary of the Treasury, subject to the approval of the Federal reserve board, shall apportion the funds of the Government among the reserve banks equitably as to sections of the country, and may charge monthly interest thereon, to be paid by the banks holding such deposits.

NOTE ISSUES.

Federal reserve notes: Under the direction of the Federal reserve board there shall be issued, for the purpose of making advances to Federal reserve banks, and for no other purpose whatsoever, Federal reserve notes, which shall be obligations of the United States redeemable in gold or lawful money on demand at the Treasury Department and receivable for all taxes, customs, and other public dues.

How issued: Federal reserve banks may make application to the local Federal reserve agent for the amount of Federal reserve notes desired, accompanying application with a tender of collateral security equal in amount to the sum of the notes applied for, such securities to consist of notes and bills heretofore described as being the subject of rediscount, and additional security may be required at any time by the Federal reserve board.

The Federal reserve board may grant or reject in whole or in part the application for Federal reserve notes, but to the extent granted shall order the notes deposited in the reserve bank applying for same, charging such reserve bank a rate of interest established by the reserve board, and the amount so deposited shall constitute a first and paramount lien on all the assets of such reserve bank.

Reserve requirement: When any Federal reserve bank pays out any of the said reserve notes issued to it it is required to segregate in its own vaults lawful money to the amount of 33⅓ per cent of the notes thus paid out, to be used for the redemption of the said notes as presented; and on redemption of said notes by a Federal reserve bank it must carry to its reserve account lawful money sufficient to keep said reserve equal to said 33⅓ per cent of its outstanding notes.

The Federal reserve board may require reserve banks to maintain on deposit in the Treasury a sum in lawful money equal to 5 per cent of such amount of Federal reserve notes as may be issued to them, but such 5 per cent shall be counted and included as part of the 33⅓ per cent reserve above referred to.

Federal reserve banks may at any time reduce their liability for outstanding Federal reserve notes by the deposit of Federal reserve notes, gold bullion, or lawful money with the Treasurer of the United States, and such reduction shall be accompanied by a corresponding reduction in the required reserve fund set apart for the redemption of said notes and by the release of a corresponding amount of collateral, and they may withdraw collateral and substitute other collateral of equal value.

Redemption: Whenever Federal reserve notes issued through one reserve bank shall be received by another they shall be returned for redemption to the reserve bank originally issuing them or shall be charged off against Government deposits and returned to the Treasury or shall be presented to the Treasury for redemption.

Reserve notes presented to the Treasury for redemption shall be paid and returned to the reserve bank originally issuing them, and reserve notes received by the Treasury otherwise than for redemption shall be exchanged for lawful money out of the 5 per cent redemption fund and returned to the reserve bank issuing them.

REFUNDING BONDS.

Repeal: All prior acts providing for the transfer and delivery to the Treasurer of the United States of a stated amount of United States registered bonds as a condition precedent to engaging in the national banking business are repealed.

Refund of existing bonds: Upon application the Secretary of the Treasury shall exchange the 2 per cent bonds which have been heretofore deposited by any national bank with the Treasurer as security for circulating notes for 3 per cent bonds without the circulating privilege, payable in 20 years and exempt from taxation, provided that no bank shall present for exchange in any one year 2 per cent bonds in an amount exceeding 5 per cent of the total amount of its bonds on deposit with the Treasurer; but that if any bank shall fail to exchange its full quota of 2 per cent bonds in any one year, as herein provided, the Secretary of the Treasury may permit other banks to exchange in excess of the 5 per cent aforesaid in an amount equal to the deficiency, allotment to be made to applying banks in proportion to their holding of bonds.

Retirement of bank notes: At the expiration of 20 years all holders of 2 per cent bonds are to receive payment at par and accrued interest, and national-bank notes then outstanding are to be recalled and redeemed by the banks which issued them, and notes still remaining in circulation at the end of such period are to be secured by an equal amount of lawful money to be deposited with the Treasurer by the banks originally issuing them.

Meanwhile every national bank may continue to apply for and receive circulating notes based on bonds bearing the circulating privilege, but no bank shall be permitted to issue other circulating notes, except such as may be secured as herein provided or to issue or make use of any substitutes in the shape of clearing-house certificates, cashiers' checks, or other obligation.

NATIONAL-BANK RESERVES.

Country banks: Country banks—that is, banks outside of reserve and central reserve cities—shall hold and maintain a reserve equal to 12 per cent of the aggregate amount of their deposits, not including savings deposits, hereafter provided for.

Five-twelfths of such reserve shall consist of money which national banks may, under existing law, hold actually in the banks' own vaults; and, for a period of 14 months subsequent to the date of organization of the reserve bank of the district, at least three-twelfths and thereafter at least five-twelfths of such reserve shall consist of a credit balance with the reserve bank of the district.

The remainder of the 12 per cent reserve, for a period of 36 months subsequent to the date of reserve bank organization, may consist of balances due from national banks in reserve and central reserve cities; and from and after a period of 36 months subsequent to the date of reserve bank organization shall consist either in whole or in part of reserve money in the banks' vaults or credit balances with the reserve bank.

Reserve city banks: Banks in reserve cities shall maintain a reserve of 20 per cent of aggregate deposits for a period of 60 days subsequent to organization of the reserve bank and permanently thereafter 18 per cent, and at least one-half of such reserve shall be money in the banks' vaults.

After 60 days and for one year at least three-eighteenths and permanently thereafter at least five-eighteenths of such reserve shall consist of a balance with the reserve bank.

The remainder of the reserve, for a period of 36 months subsequent to organization, may consist of balances due from national banks in central reserve cities, and from and after a date 36 months subsequent to date of organization may consist either in whole or in part of reserve money in the vaults or credit balance with the reserve bank.

Central reserve city banks: Banks in central reserve cities shall maintain a reserve of 20 per cent of their aggregate deposits for the first 60-day period and thereafter 18 per cent, and at least one-half of such reserve shall be money in the vaults.

After 60 days and for a year at least three-eighteenths and permanently thereafter at least five-eighteenths shall consist of a credit balance with the reserve bank, and the remainder shall consist either in whole or in part of reserve money in the vaults or of credit balance in the reserve bank.

DIVISION OF EARNINGS.

After payment of necessary expenses and taxes the member banks of each Federal reserve bank shall be entitled to an annual dividend of 5 per cent on the paid-in capital stock, which dividend shall be cumulative.

One half of the net earnings, after the aforesaid dividend claims have been fully met, shall be paid into a surplus fund until such fund shall amount to 20 per cent of the paid-in capital stock of such bank; of the other half of said net earnings 60 per cent shall be paid to the United States and 40 per cent to the member banks in the ratio of their average balances with the Federal reserve bank for the preceding year.

Whenever and so long as the surplus fund of a Federal reserve bank amounts to 20 per cent of the paid-in capital stock and the member banks shall have received the dividends at the rate of 5 per cent, as above provided, 60 per cent of all excess earnings shall be paid to the United States and 40 per cent to the member banks in proportion to their annual average balances with such Federal reserve bank.

All earnings derived by the United States from Federal reserve banks shall constitute a sinking fund to be held for the reduction of the outstanding bonded indebtedness of the United States.

FARM LOANS.

Member banks outside of reserve cities may make loans secured by improved and unencumbered farm land situated within the Federal reserve district for a period not to exceed 12 months and for an amount not exceeding 50 per cent of the value of the property offered as security, such loans being limited in the aggregate sum to 25 per cent of the bank's capital and surplus.

SAVINGS DEPARTMENT.

Member banks may, on application to the Comptroller of the Currency, be permitted to open savings departments and conduct same under rules and regulations set forth in detail.

The sum set apart for the uses of the proposed savings department shall not be less than $15,000, or a sum equal to 20 per cent of the paid-up capital and surplus of the bank.

The savings department may accumulate and loan the funds of its depositors, receive deposits of current funds, both time and demand, loan any funds in its possession upon personal or real estate security, collect same with interest, and pay dividends or interest upon demand and time deposits under specified regulations.

FOREIGN BRANCHES.

Member banks having a capital of $1,000,000 or more may be permitted to establish branches in foreign countries and, when required, to act as fiscal agents of the United States, subject to the approval of the Federal reserve board.

MEMBER BANKS.

Examinations: Bank examinations shall be made at least twice a year or as much oftener as deemed necessary. Bank examiners are to receive fixed salaries and no two successive examinations are to be made by the same examiner.

Commissions prohibited: Officers and directors of member banks are prohibited under penalty from accepting fees or commissions by loans or fiduciary transactions in connection with their banks.

Liability of stockholders: Stockholders of member banks are held individually responsible for all contracts, debts, and engagements of said banks to the amount of the par value of the stock held by them.

FEDERAL ADVISORY COUNCIL.

How created: There shall be created a Federal advisory council to consist of one member from each Federal reserve bank, who shall receive no compensation for their services and who shall meet in Washington four times each year.

Powers: The Federal advisory council shall have power to meet and confer directly with the Federal reserve board on general business conditions, to make representations concerning matters within the jurisdiction of the Federal reserve board, and to call for information and make recommendations in regard to the general affairs of the reserve banking system.

Currency.

EXTENSION OF REMARKS
OF

HON. LOUIS FITZHENRY,
OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, September 17, 1913.

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. FITZHENRY. Mr. Speaker, there has been so much solicitous advocacy for the country national banker during the discussion upon the pending measure that I feel it incumbent upon me to call the attention of the committee to the position of the country banker in the district which I represent. The seventeenth Illinois district is located in the very center of the great corn belt. The census of 1910 gives it the place of honor at the head of all of the agricultural districts in the United States. The country banker of central Illinois is an astute, intelligent business man and a thorough student of financial matters.

When this bill as originally drafted was first printed, I sent a copy of it to every bank in my district, whether national, State, or private, with the request that it be criticized. My request was complied with by many of the managing officers. With one exception the bill was criticized in a friendly spirit. The discussions were based upon the admitted need of banking and currency legislation, and with universal approval of the basic principles underlying this legislation. After the bill had been considered in the Democratic caucus and many material amendments added, it was reprinted. I again sent copies of the bill as reprinted to my bankers, and so far have not received an unfriendly criticism. In this connection I want to call the attention of the Committee of the Whole to one of the communications which I received relative to this measure to-day.

Mr. A. B. Hoblit, of Bloomington, Ill., is the vice president of the State National Bank of Bloomington. He is recognized as one of the ablest bankers in the Middle West. I know of no man in all this country who so ideally fills the description of "a country national banker" as Mr. Hoblit. Very able and naturally studious, a national banker of many years of experience, thoroughly alert to the best interests of his bank and the community which he serves, I believe his estimate of the bill, as now pending before this committee, is entitled to great respect and serious consideration. I will therefore ask the Clerk to read his letter, which I send to the Clerk's desk.

BLOOMINGTON, ILL.,
September 15, 1913.

Hon. LOUIS FITZHENRY, M. C.,
Washington, D. C.

DEAR SIR: I am in receipt of H. R. 7837, for which I thank you.

Section 27, relating to savings department, is certainly an improvement, but does it go far enough? Why not permit national banks having savings departments the right to continue this branch of their business, commencing with the date of their admission to membership in the Federal reserve bank? Otherwise they would not be likely to apply for membership in the Federal reserve banks until the end of the year after the law had gone into effect. No doubt you know that the conference held in Chicago August 22 and 23 recommends the entire elimination of section 27. Should this prevail, it would undoubtedly keep many national banks who already have savings departments from becoming members of the Federal reserve banks.

Section 26, covering loans on farms, would be of little value to national banks, for the reason that few mortgage loans are made for a shorter time than five years, with privilege to pay at any interest-paying period, at the option of the borrower.

The discounting privileges, covered by section 14, appear to be amply provided for.

As to division of earnings, it seems to be eminently fair. Much is being said about the confiscation of property by compelling national banks to invest 20 per cent of their paid-in capital toward the capital of the Federal reserve banks. I am not a lawyer, as you know, but I can see little difference between this provision and compelling national banks to invest 25 per cent of their capital in United States bonds before a charter will be granted. To my mind it is six of one and half a dozen of the other, with the odds in favor of the new law.

As to the noise being made about political control, this I consider as a bogy man set up to frighten timid bankers. In any event, political control can be no worse than what happened when a coterie of gentlemen of high financial proclivities pulled off the panic of 1907 without cause or reason except to attain their own ends. It is really interesting to learn how much more our Republican friends in Congress know about finance than they did while in power, when they should have given us the best banking methods of any country; but they frittered away 20 years of golden opportunity and finally stood godfather to the Aldrich bill, which was repudiated both by the banks (with few exceptions) and the people.

It is my belief that the administration bill, if enacted into a law, will effect a very important reform, and many now opposing it will be disillusionized and become strong and loyal supporters of the bill.

Yours, very truly,

A. B. HOBLIT, *Vice President.*

The committee will notice from the reading of the letter that Mr. Hoblit speaks of national banks having savings departments. Of course under the present national banking laws a national bank can not directly engage in the savings-bank business, but the savings bank in Illinois, as in many other States, has become a very important and desirable branch of the banking business. It has been necessary, therefore, for national banks in these States, in order to furnish their patrons with full and complete banking facilities, to organize a savings bank or trust company under the laws of the States in which they are located. In Illinois many of the larger and more substantial national banks have in connection with them State savings banks. The stockholders of the national bank are the holders of the stock in the savings bank, and usually the directors of the national bank are the directors of the savings bank. The sale of stock in the savings bank is limited very largely by contract between the shareholders of the national bank and the savings bank, so as to insure control of the savings bank by the national bank.

In Bloomington, Ill., the State National Bank, of which Mr. A. B. Hoblit is the managing head, has what is known as the State Trust & Savings Bank. In Chicago the First National Bank of that city has its First Trust & Savings Bank, an institution organized under the laws of the State. The subsidiary State savings bank and trust company has been made necessary because of the lack of authority to national banks to engage in that business under the national banking charter.

The Committee on Banking and Currency has been criticized because it did not report in this bill a section prohibiting interlocking directorates. An amendment of this character was presented and voted down. I voted against the adoption of the amendment to this bill for three reasons: First, because the Committee on the Judiciary has now under consideration a general law prohibiting interlocking directorates in all kinds of corporations engaged in interstate commerce in line with the plank in the Democratic platform promising legislation of this character as a partial solution of the trust problem; second, because the need for immediate legislation relative to banking and currency is so great that relief should be granted speedily without involving other questions; and, third, because I deemed it very unwise to vote for an amendment to this law which would have made an outlaw of every national banker in the United States who is operating a savings and trust bank incorporated under local laws in connection with the national bank.

The bill now under consideration is designed to meet all of the necessities of modern banking. A national banker should have an opportunity to reorganize his savings department under the new law before being penalized for resorting to the laws of the State in which he is conducting his business to meet the needs of the community which his bank serves.

The Banking and Currency Bill.

EXTENSION OF REMARKS
OF
HON. SILAS R. BARTON,
OF NEBRASKA.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, September 18, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. BARTON. Mr. Speaker, certain reforms are demanded by the people of to-day and they are measuring men as well as parties. Caucus rule, we supposed, with the passing of Czar Reed and Uncle Joe, was only an incident of the past and would never again be vitalized in American politics.

If the Members who are holding their seats to-day had told their constituents that when they took their oath of office and their seats in the Halls of Congress that they would enter into and be bound by a secret caucus, surrendering their rights as individuals and their opinions as men to the dictation of a few political bosses, I believe there would have been in many cases men elected in their stead who would act independently and free.

The only excuse for the secret caucus that I have heard from the men on the other side of the Chamber is "that Republicans did it." You do not seem to be following other Republican policies; why do you follow this one? Because Republicans held secret caucuses, does that in your judgment make it right? Republicans of to-day are not doing so, and I venture the assertion that no matter what strength they may have in the future, they will never do so again.

The people have condemned this policy and they will condemn it again. We have a measure pending before us to-day that should not in any sense be made a partisan measure. The people of all parties demand a change in our monetary system and we are here at the expense of the Government to do the things that they demand. We are not permitted to fulfill the purposes for which we were elected. Caucus rule governs and forbids individuality.

A ready-made bill is handed the chairman on Banking and Currency and he, with other active leaders that dominate the destinies of the majority, gather you into a secret caucus and, with the powerful influence of Federal patronage, force men to subscribe to measures in detail that are repulsive, revolting, and repugnant to their sense of reason.

I have attended every session of this Congress from the tap of the gavel at the beginning to the present day. I have seen many sessions of this House when there were not 50 Members present and seldom do we have a quorum. Instead of spending the time during the entire summer in open session before the world working out this currency system, we met and adjourned in three-day periods and waited until we were handed this bill. It was given to the House and not more than six days were permitted us for consideration—presented with the ironclad agreement that not one amendment would be admitted unless suggested by the committee, and these amendments must not change the bill in any substantial way. Do you think the American people will approve any such action and go back to the centralized rule of King Caucus? I believe they will censure such action, no matter what party practices it, and that they will demand that their laws be made in the white light of publicity. Republican Presidents for the past several years have advocated currency reform. It has been written in the platforms of all parties. But what does currency reform mean? It is a general statement, and when we attempt to write the definition in specific terms we should exercise the greatest care that in creating a new condition we are not making our financial system worse than it is at present.

We all desire a condition that will cause currency to flow automatically to the place and at the time needed. We all desire that the laws be written to forever take from the throat of the people of this Nation the financial trusts who have now secured a strangle hold. In fact, it is my judgment that we want to regulate and control this condition, but do the people of this country want this great Government to effect a partnership with the banks, putting the Government into the banking business and the banks into the Government business?

Take this bill as it now stands and the power of the President is unparalleled in history. The government of this banking system would change with each administration, and the banking system would not only be governed by men in political office with the President as absolute dictator, but the banks would be the prize for which political parties would contest every four years.

Most of the banks of the district I represent are of small capital and, in common with western banks, carry relatively small surpluses as compared with eastern and metropolitan banks. One of the most important provisions affecting the organization of the new system is the power given the Government, if the banks do come in, to call for 10 per cent of the capital, and, contingently, 10 per cent more to be taken to the metropolitan city where the new regional bank would be established, thus segregating a large amount of financial capital from the place where it was earned and carried a great distance to aid in building up already populous centers. To my mind, the metropolitan and eastern influence in the making up of this bill was shown in the basis adopted—that of capital of each bank, instead of the combined capital and surplus. The surplus which is certified by each bank for the purpose of its doing business is to many intents and purposes as effective and, to some extent, as stable as the capital itself; so that should be the basis instead of the capital. To show how this would discriminate against Nebraska and my district, will say that, treating the capital and the surplus as a unit, for every $1,000 in the banks of Philadelphia there would be called, in the first instance, $36.25; in the city of New York, $50.50; in Omaha, $57.50; in the fifth district of Nebraska, $65. If we should eliminate the three largest institutions in the fifth district, the requirements from the remaining 26 banks, collectively speaking, would be $75. So I feel that in the arrangement of this bill the country bank has been discriminated against.

The interest of the wage earner, the farmer, the merchant—in fact, all business—is so interwoven with that of the banker that you can not harm one without harming the other, and to force the banks to comply with the provisions of this act would necessitate the calling of loans, would send this much-desired capital out of my State and district, and it would be possible to force a condition that would mean financial distress, which in their present condition is very undesirable.

If the bill would not do this, and, on the other hand, would mean prosperity—not inflation—for our banks and the people, then surely it is not fair to prohibit 67 State banks in my district from not participating in the era of prosperity. They are prohibited in this bill because their capital stock is not $25,000 or more. Surely this is not a good reason, for my experience on the banking board of Nebraska teaches me that a small bank can be just as sound as a larger bank and just as responsible for its undertakings. It would be just as fair to debar an individual from making a loan unless he could qualify for a stated amount.

Besides, our State banks that could qualify do not, nor can they, know the law to govern them, for this power of making the law is taken away from Congress by this act and given to a board.

If this bill should become a law in its present form, we would create a board to control these banks whose power is unlimited and political in its nature, and if this power should fall into the hands of men that could be influenced, the results to our Nation would be most damaging. The Federal reserve board located in Washington would have the power to control the whole organization and operation of the 12 Federal reserve banks. No rate of discount can be fixed by these banks that is not subject to the determination and review of the Federal reserve board. They may shift the reserve from one bank to another; they may compel one bank to rediscount the notes of another, binding the banks so closely that their identity is lost in the real or central bank at Washington. Neither the people nor the banks can know under what terms State banks and trust companies may come into this association until this Federal reserve board has made the by-laws controlling the matter. We will not know the rate of taxation on the capital stock for operation expenses of the Federal board until this is determined by their action. I think these powers should be determined in this bill and acted upon by Congress.

The Pujo committee, appointed by the House of Representatives to investigate the concentration of control of money, made a very exhaustive examination and disclosed conditions that should be remedied in this bill, such as a consolidation of banks, interlocking bank directorates, interlocking stockholding amongst banks, voting trusts in banks, and 16 other remedies to obviate, forbid, and prohibit the concentration and control of money and credits, but it seems, from reading this bill, that the well-considered recommendation of the committee was omitted. I hope that these valuable recommendations will receive consideration in the Senate for, in my judgment, the interlocking system, or concentration of wealth by a few men, is the most dangerous element in our financial system and should be carefully treated.

In spite of the fact that this measure was forced through the House by a partisanship-caucus rule, I am going to consider the matter on its merits or demerits. I have heard every line of the bill read and debated, every speech that has been made, for and against it, and, in the limited time given, have made as careful a study of the bill as possible.

I shall vote against its passage now, for I honestly believe that if the bill in its present form should become a law, it would work an injury, not only to my district and State, but to the Nation. It does not cure our condition, and I most sincerely hope that when it reaches the other end of the Capitol it will not be treated as a partisan measure, but on the broad principle of counseling with all and working out a system that will destroy the present bad condition and give to our people freedom from the control of the Money Trust.

If the bill is well considered, and I believe it will be, by the United States Senate, on the return of the bill to the House I shall vote for it, as I recognize the need of remedial legislation.

The Banking and Currency Bill.

EXTENSION OF REMARKS
OF
HON. DUDLEY M. HUGHES,
OF GEORGIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, September 18, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. HUGHES of Georgia. Mr. Speaker, my views on the currency bill in part are given in the following synopsis of my speech before the Democratic caucus:

Especially do I favor the amendment to this bill making a farmer's paper, secured by cotton, a prime commercial paper. There was an amendment to the currency bill, as presented by the Banking Committee, to this effect, and I am happy to know it was adopted. I favored this amendment from the fact that I thought the original bill was a great injustice to the producer. Agriculture is the basis of all prosperity and development of this country. In the last analysis, agriculture and the farmers' holdings are the true basis of credit.

Cotton is not only the money crop of the South but of the Nation. With its by-products it adds one billion of dollars to the country's wealth annually. It keeps in motion millions of spindles and looms in the manufacture of the finished product. It clothes over 60 per cent of the people of the world. It keeps intact the gold reserve of this Government. It is on a par with gold. It is the equivalent of gold, for it can be exchanged for gold in any civilized country on earth. Cotton properly baled and housed can be kept indefinitely. Like gold it is indestructible save by fire. But unlike gold, it has another destroyer, the financial manipulator, who is more dangerous than fire. You can insure against one but not the other. Cotton can only be protected against the gambler by this Government. Currency issued on a bale of middling cotton to the amount of $35 is better secured to the Government than any commercial paper that can be presented by any bank. If it is speculative to issue currency on cotton it is speculative to issue currency on gold, bonds, or commercial paper.

In this great financial rearrangement we ask you to issue some of the currency on the products of agricultural industry and let it go to the farmer the same as to the banker. This bill as it came from the Banking and Currency Committee authorized currency to be issued upon what is known as prime commercial paper, which can be a note given by an individual, indorsed by two persons. Such a note could be rediscounted, with no information demanded from the maker as to the purpose for which he intends to apply the money borrowed. It may be to purchase land forced on the market and hold such land for 100 per cent profit, or it might be to buy cotton that must be sold on a broken market to hold for an inevitable rise. Anyway, the borrower gets the money on his properly indorsed note, and no questions are asked whether it is for the purpose of buying the necessities of life or cotton futures on the New York Cotton Exchange.

Now, Mr. Speaker, here was a condition to which I interposed my earnest objections, both as a cotton grower and a

representative of the cotton growers of Georgia. To illustrate: A farmer has a note which will mature in a few days, said note given as part payment on the land upon which he lives or in payment for the mules with which he made his crops. He takes 20 bales of cotton to market. He finds the market demoralized, which condition is made known by a wire just received from the New York Cotton Exchange. The farmer has every reason to believe that the fearful decline is only temporary; therefore he desires to hold his cotton for 30 or 60 days, hoping the market will revive and go higher. He places this cotton in a warehouse and takes his receipts from this warehouse and presents them to the banker as security for a loan amounting to one-half the value of the cotton in store. The banker, being informed that he wishes to hold his cotton for a higher price, tells him that his security is gilt edge, but he must refuse the loan upon the ground that it is speculative. Under the currency bill as presented by the Banking Committee this note could not be rediscounted; hence the bank rejects the loan. Under this condition the farmer would be absolutely at the mercy of the cotton speculator and would be forced to sell his cotton on a demoralized market to a purchaser who makes a prime commercial paper out of his personally indorsed note, obtains the money from the bank, buys the cotton on speculation, ships it to New York or Liverpool, and in 60 or 90 days makes a profit of $10 or $15 per bale. This injustice or inequality of the banking law would have caused the farmer to have lost the $10 or $15 per bale, and I am happy to say the amendment was adopted preventing this injustice. Personally I believe that the time limit of farm paper should be six months instead of three, as this bill now provides.

This measure has been discussed fully and will meet the approval of a large majority of the Democrats and, I believe, a majority of the Republicans also. The Democrats are responsible to the people of this Union for the currency legislation. They are willing to shoulder the responsibility and abide the result, and a large majority of this House will concur in the declaration that it is the best currency bill that has been enacted in a century.

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EXTENSION OF REMARKS
OF
HON. AUGUSTINE LONERGAN,
OF CONNECTICUT.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, September 18, 1913.

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. LONERGAN. Mr. Speaker, thinking it of interest to the country, I submit a copy of the laws of Connecticut—a State where savings banks are among the best regulated by law and best managed in the country—concerning investments by savings banks of said State and the management thereof:

[Public acts of 1913, senate bill No. 78, chap. 127.]

An act concerning investments by savings banks.

SECTION 1. Savings banks may invest their deposits and surplus only as hereinafter provided.

SEC. 2. In the stock or bonds or interest-bearing notes or obligations of the United States or those for which the faith of the United States is pledged to provide for the payment of the principal and interest, including the bonds of the District of Columbia.

SEC. 3. In the stock or bonds or interest-bearing obligations of any State of the United States which was admitted to statehood prior to January 1, 1896, which has not, within 10 years previous to making such investment by such corporation, defaulted for more than 90 days in the payment of any part of either principal or interest of any debt authorized by the legislature of such State to be contracted; and in the bonds or interest-bearing obligations of any such State of the United States which have been issued and outstanding for a period of at least 10 years previous to making such investment by such corporation, and which have been issued in pursuance of the authority of the legislature of such State, first, for the funding or settlement of any previous obligation of such State theretofore in default, or, second, for the refunding of such funding or settlement obligation of such State theretofore in default, and on which said funding or settlement obligation or obligation issued to refund the same there has been no default in the payment of either principal or interest since its issue, provided the authorization of any obligation by the legislature of any such State herein before referred to shall not have been in violation of any constitutional provision, and provided such bond or interest-bearing obligation shall be the direct obligation of such State and that the faith and credit of the State shall be pledged for its payment, principal and interest.

SEC. 4. In the obligations of any county, town, city, borough, school district, fire district, or sewer district in this State.

SEC. 5. In the stock or bonds of any incorporated city situated in one of the States of the United States which was admitted to statehood prior to January 1, 1896, and which was incorporated as a city, under the same or a different name, at least 25 years prior to making such investment, and which has not less than 20,000 inhabitants, as ascertained by the United States or State census, or any municipal census taken by authority of the State, next preceding such investment, provided the amount of the bonds of such city, including the issue in which such investment is made, and its proportion, based on the valuations of property therein for the assessment for taxation next preceding such investment, of the county and town debt, after deducting the amount of its water debt and the amount of the sinking funds which are available for payment of its bonds other than water bonds, does not exceed 7 per cent of the valuation of the taxable property in such city, to be ascertained by the valuation of property therein for the assessment of taxes, next preceding such investment, and provided the city issuing such bonds, or the State in which it is located, has not defaulted for more than 90 days in the payment of any of its funded indebtedness or interest thereon, within 15 years next preceding the purchase of such bonds by the savings bank. The provisions of this section shall not authorize the investment of funds in any "special assessment" or "improvement" bonds, or other bonds or obligations which are not the direct obligations of the city issuing the same, and for which the faith and credit of the issuing city are not pledged. A city or State shall be considered to be in default within the meaning of this act while any unpaid and overdue obligation, either principal or interest, shall be outstanding.

SEC. 6. In the bonds or interest-bearing obligations issued by a railroad corporation organized under the laws of any of the New England States, and owning in fee not less than 300 miles of railroad located in said States, and which has paid in dividends in cash an amount equal to not less than 4 per cent per annum on its outstanding shares of capital stock in each fiscal year for the five years next preceding such investment, or in the bonds or interest-bearing obligations issued by a railroad, terminal, depot, bridge, tunnel, or street railway corporation, organized under the laws of any of the New England States or the State of New York assumed by a railroad corporation organized under the laws of any of the New England States and owning in fee not less than 300 miles of railroad located in said States and complying with all the provisions of this section; if any such railroad corporation shall be leased to another railroad corporation organized under the laws of any of the New England States and owning in fee not less than 300 miles of railroad located in said States, under a lease which provides for the payment by the lessee as rental of an amount sufficient to pay dividends on the capital stock of the lessor amounting in the aggregate in each fiscal year of said lessor corporation during the term of said lease to not less than 4 per cent on its outstanding shares of capital stock, such lessor shall be regarded as having paid its dividends within the meaning of this section, but in case the lessee shall hold any shares of the capital stock of the lessor such shares shall not be considered as outstanding within the meaning of this section.

SEC. 7. In the bonds or debentures actually issued by a railroad corporation incorporated in any of the New England States at least one-half of the railroad of which is located in said State, whether such corporation is in possession of and is operating its own railroad or such railroad is leased to another railroad corporation incorporated in any one of the New England States, provided such bonds or debentures shall be secured either by a mortgage which was at the date thereof, or is at the time of making the investment, a first mortgage on not less than 75 per cent of the railroad of such corporation owned in fee at the date of the mortgage, or by a refunding mortgage which provides for the retirement of all prior lien mortgage bonds of such railroad corporation, or by a mortgage which is a prior lien on some part of the railroad covered by a refunding mortgage which provides for the retirement of all outstanding prior lien bonds, or that if the railroad and railroad property of such corporation are unincumbered by mortgage such bonds or debentures shall be issued under the authority of one of said States which provides by law that no such railroad corporation which has issued bonds or debentures shall subsequently execute a mortgage upon its road, equipment, franchise, or upon any of its real or personal property, without including in and securing by such mortgage all bonds or debentures previously issued and all preexisting debts and liabilities, and provided such corporation has paid in dividends in cash an amount equal to not less than 4 per cent per annum on all its outstanding capital stock in each fiscal year for the five years next preceding such investments. If any such railroad company shall hold the railroad of another such railroad corporation under a lease which provides for the payment by the lessee as rental of an amount sufficient to pay dividends on the capital stock of the lessor amounting in the aggregate in each fiscal year of said lessor during the term of said lease to not less than 4 per cent on all its outstanding capital stock such lessor shall be regarded as having paid its dividends within the meaning of this section, but in case the lessee shall hold any shares of the capital stock of the lessor, such shares shall not be considered as outstanding within the meaning of this section.

SEC. 8. No bonds or other interest-bearing obligations shall be made a legal investment by sections 6 and 7 in case the authorized issue thereof, with all outstanding prior debts of the issuing or assuming corporation, including all evidences of debt that may legally be issued under any of its prior authorizations or under any of its assumed prior authorizations, after deducting therefrom, in case of a refunding mortgage, the bonds reserved under the provisions of said mortgage to retire prior debts at maturity, shall exceed three times the outstanding capital stock of said corporation at the date of such investment.

SEC. 9. In the bonds issued by a railroad, terminal, depot, bridge, tunnel, or street railway corporation organized under the laws of any of the New England States or the State of New York, the property of which is located wholly or in part in one of said States, or in the bonds issued by a railroad, terminal, depot, bridge, tunnel, or street railway corporation, organized under the laws of any of said States, assumed by a railroad, terminal, depot, bridge, tunnel, or street railway corporation organized under the laws of said States, provided such bonds shall be secured either by a mortgage which was at the date thereof, or is at the time of making the investment, a first mortgage on not less than 75 per cent of the railroad owned in fee at the date of the mortgage, in the case of a railroad or street railway corporation, or the fixed property, in the case of a terminal, depot, bridge, or tunnel corporation, owned by the corporation issuing the bonds, or by a refunding mortgage which provides for the retirement of all prior lien bonds of such corporation, or by a mortgage which is a prior lien on some part of the property covered by a refunding mortgage which provides for the retirement of all outstanding prior lien bonds. No bond shall be made a legal investment under this section unless the bonds are guaranteed principal and interest by indorsement by, or guaranteed

principal and interest by indorsement which guaranty has been assumed by a railroad corporation, owning in fee not less than 300 miles of railroad in the New England States, whose bonds are made a legal investment under section 6. No bonds shall be made a legal investment by this section in case the mortgage securing the bonds shall authorize a total issue of bonds which added to the total debt, described in section 8, of the guaranteeing corporation, including therein the authorized amount of all previously guaranteed bond issues, shall exceed three times the outstanding capital stock of said guaranteeing corporation at the time of making said investment.

SEC. 10. In the mortgage bonds, as described in section 15, issued or assumed by any railroad corporation incorporated under the laws of the United States, or any State, provided such railroad corporation owned in fee during each of the five fiscal years of such railroad corporation next preceding the date of such investment not less than 500 miles of standard-gauge railroad, exclusive of sidings, within the United States, and provided such railroad corporation has complied during each of said fiscal years with the provisions of section 14, or if such corporation owned in fee less than 500 miles of such railroad, the gross earnings of such corporation, as reckoned in section 14, shall have been not less than $10,000,000.

SEC. 11. In the mortgage bonds, as described in section 15, issued or assumed by any railroad corporation incorporated under the laws of the United States, or any State thereof, provided during each of the five fiscal years of such railroad corporation next preceding the date of such investment its railroad subjected to the lien of the mortgage securing its bonds has been operated by a corporation described in and which has complied with all the provisions of sections 10 and 14. No bonds shall be made a legal investment by this section unless the bonds are guaranteed, principal and interest, by indorsement by, or guaranteed, principal and interest, by indorsement which guaranty has been assumed by, the corporation operating the railroad covered by the mortgage securing the bonds and which has complied with all the provisions of sections 10 and 14.

SEC. 12. In the mortgage bonds, as described in this act, issued or assumed by any terminal, depot, bridge, or tunnel company incorporated under the laws of the United States, or any State, provided the property of such terminal, depot, bridge, or tunnel company is used by one or more railroad corporations described in and which have complied with all the provisions of sections 10 and 14. No bond shall be made a legal investment by this section unless the bond is guaranteed, principal and interest, by indorsement by, or guaranteed, principal and interest, by indorsement which guaranty has been assumed by, one or more railroad corporations described in and which has complied with all the provisions of sections 10 and 14.

SEC. 13. In the mortgage bonds, as described in section 15, issued or assumed by any railroad corporation incorporated under the laws of the United States, or any State, provided during each of the five fiscal years of such railroad corporation next preceding the date of such investment such railroad corporation owned in fee not less than 100 miles of standard-gauge railroad, exclusive of sidings, within the United States, and provided such railroad corporation has complied during each of said fiscal years with the provisions of section 14. No bonds shall be made a legal investment by this section unless the bonds are guaranteed, principal and interest, by indorsement which guaranty has been assumed by, a corporation described in and which has complied with all the provisions of sections 10 and 14, nor unless it complies with the provisions of section 16.

SEC. 14. Any railroad corporation described in sections 10 and 13 shall comply with the provisions of this section during each of the five fiscal years of such railroad corporation next preceding the date of such investment, before any of its mortgage bonds, as described in section 15 shall be made a legal investment. Such railroad corporation shall have paid the matured principal and interest of all indebtedness and shall have paid in dividends in cash to its stockholders an amount equal to at least 4 per cent upon all its outstanding capital stock; the gross earnings from the operation of the property of such railroad corporation, including therein the gross earnings of all railroads leased and operated or controlled and operated by said corporation, and the gross earnings from the sale of coal from mines owned or controlled by it, shall not have been less in amount than five times the amount necessary to pay the interest payable upon its entire outstanding indebtedness, the rentals of all leased lines, and the interest on all outstanding indebtedness of railroads controlled and operated which are not owned by said corporation, after deducting from said interest and rentals interest and dividends received from the stocks, bonds, or notes of railroad corporations not operated by said corporation, which have been deposited with a trustee as the only security for the payment of bonds or notes issued by said corporation, but not in excess of the interest on said last-named bonds or notes.

SEC. 15. Whenever the term "mortgage bonds" is used in sections 10 to 20, inclusive, it shall mean either (1) that the mortgage securing the bonds was at the date thereof or is at the date of such investment a first mortgage on not less than 75 per cent of the railroad in the case of a railroad corporation or the fixed property in the case of a terminal, depot, bridge, or tunnel company owned in fee at the date of the mortgage by the corporation which executed the mortgage and issued the bonds; that 75 per cent of the railroad subject to the lien of said mortgage is connected; that the date of said mortgage is at least five years prior to the date of such investment; unless the corporation issuing, assuming, or guaranteeing the bond has complied with section 14 for each of the 10 fiscal years of such corporation next preceding the date of such investment; but a mortgage given in substitution for and which has complied with all the provisions of sections 10 and 14; (2) that if the mortgage securing the bonds was at the date thereof or is at the date of such investment not a first mortgage on not less than 75 per cent of the railroad owned in fee at the date of the mortgage, it is a first mortgage on at least 75 per cent of the railroad subject to the lien of said mortgage at the date thereof; but if any stocks or bonds are deposited with the trustee of said mortgage as part security therefor, representing or covering railroad mileage not owned in fee, the bonds secured by said mortgage shall not become legal investments unless said corporation owns in fee at least 75 per cent of the total mileage which is subject to the lien of such mortgage, including the mileage which is represented or covered by said stocks or bonds; that 75 per cent of the railroad subject to the lien of said mortgage is connected; that the date of said mortgage is at least five years prior to the date of such investment; unless the corporation issuing, assuming, or guaranteeing the bond has complied with section 14 for each of the 10 fiscal years of such corporation next preceding the date of such investment; but a mortgage given in substitution for and not greater in amount than such mortgage covering the same railroad or property shall be considered to be in accordance with this requirement; (3) that the mortgage securing the bonds was at the date thereof or is at the date of such investment a first mortgage, or a mortgage or trust indenture which is in effect a first mortgage upon all the railroad, subject to the lien of said mortgage or trust indenture by virtue of the irrevocable pledge with the trustee thereof of an entire issue or issues of bonds which are a first lien, upon the railroad of a railroad corporation which is owned and operated, controlled, and operated, or leased and operated, by the corporation issuing or assuming said bonds; that 75 per cent of the railroad subject to the lien of said mortgage is connected; that the date of said mortgage is at least five years prior to the date of such investment, unless the corporation issuing, assuming, or guaranteeing the bonds has complied with section 14 for each of the 10 fiscal years of such corporation next preceding the date of such investment; but a mortgage given in substitution for and not greater in amount than such mortgage and covering the same railroad property shall be considered to be in accordance with this requirement; (4) that the mortgage securing the bonds was at the date thereof or is at the date of such investment a refunding mortgage which provides for the retirement of all prior lien mortgage bonds of said corporation outstanding at the time of said investment and covering at least 75 per cent of the railroad owned in fee by said company at the date of said mortgage. No mortgage is to be regarded as a refunding mortgage under the provisions of this section unless the bonds which it secures mature at a later date than any bond which it is given to refund, or in case bonds are issued to mature at an earlier date than any bond which it is given to refund, the mortgage contains the provisions that bonds issued to mature at an earlier date may be retired by a like amount of bonds reissued under said mortgage; (5) that the mortgage securing the bonds is a prior lien to a refunding mortgage described above on some part of the railroad or railroad property covered by said refunding mortgage, provided the bonds issued under such mortgage are to be refunded by said refunding mortgage and the property covered by said prior lien mortgage is operated by, and its operations included in, those of the railroad corporation issuing said refunding mortgage.

SEC. 16. No bond shall be made a legal investment by section 10 in case the mortgage securing the same shall authorize a total issue of bonds which, with all outstanding prior debts of the issuing or assuming corporation, including all bonds not issued that may legally be issued under any of its prior debts, or of its assumed prior debts, after deducting therefrom in case of a refunding mortgage the bonds reserved under the provisions of said mortgage to retire prior debts at maturity, shall exceed three times the outstanding capital stock of said corporation at the date of such investment. No bond shall be made a legal investment by sections 11, 12, and 13 in case the mortgage securing the same shall authorize a total issue of bonds which, added to the total debt, as defined in this section, of the guaranteeing corporation, including therein the authorized amount of all previously guaranteed bond issues, shall exceed three times the capital stock of said guaranteeing corporation outstanding at the time of making said investment. In case of a mortgage executed prior to the passage of this act, under which the total amount of bonds which may be issued is not specifically stated, the amount of bonds outstanding thereunder at the date of such investment shall be considered as the total authorized issue.

SEC. 17. Bonds which have been or shall become legal investments under any of the provisions of sections 10 to 20, inclusive, shall not be rendered illegal, although the corporation issuing, assuming, or guaranteeing such bonds shall fail for a period not exceeding two successive fiscal years to comply with the requirements of sections 10 and 14, but no further investment in the bonds issued, assumed, or guaranteed by said corporation shall be made after the first fiscal year of such failure; but if after the expiration of said period said corporation complies for the following fiscal year with all the requirements of sections 10 and 14 it shall be regarded as having complied therewith during said period, and thereupon said bonds shall be legal investments, but in case of any subsequent failure to comply with said sections 10 and 14 the bonds of said corporation shall not be purchased until said corporation shall have complied each year for five successive years with said sections 10 and 14.

SEC. 18. Bonds which have been or shall become legal investments under any of the provisions of sections 10 to 20, inclusive, shall not be rendered illegal because the property upon which they are secured has been or shall be conveyed to or legally acquired by another railroad corporation and the corporation which issued or assumed said bonds has been or shall be consolidated with another railroad corporation, if the consolidated or purchasing corporation shall assume the payment of said bonds and so long as it shall continue to pay regularly interest or dividends, or both, upon the securities issued against, in exchange for, or to acquire the stock of the corporation consolidated, or the property purchased, or upon securities subsequently issued in exchange or substitution therefor, to an amount at least equal to 4 per cent per annum upon the capital stock outstanding at the time of such consolidation or purchase of said corporation which issued or assumed said bonds.

SEC. 19. If a railroad corporation which has complied with all the requirements of sections 10 and 14, except that the period of compliance is less than five years, shall be or shall have been consolidated or merged with, or its railroad purchased and all the debts of such corporation assumed by, another railroad corporation incorporated under the laws of the United States or any State, the corporation so succeeding shall be considered as having complied with all the provisions of said sections during those successive years next preceding the date of such consolidation, merger, or purchase in which said consolidated, merged, or purchased corporations, if considered as one continuous corporation in ownership and possession, would, taken together, have so complied, provided in the case of a railroad corporation which has complied with all the requirements of said sections, except that the period of compliance is less than five years, said succeeding corporation shall continue so to comply for a further period which shall make such compliance equivalent to at least five successive years.

SEC. 20. If, by means of consolidation, merger, or purchase, a railroad corporation shall own and possess the properties and franchises which prior thereto belonged to similar corporations, and during the years next preceding such consolidation, merger, or purchase one or more of said corporations have regularly paid in cash to stockholders dividends in amounts equaling or exceeding 4 per cent per annum upon the entire capital stock of the successor corporation outstanding at the time of the investment, such successor corporation shall be considered as having paid such dividends during the same period of years.

SEC. 21. Savings banks may invest not exceeding 2 per cent of their deposits and surplus in equipment trust notes, bonds, or certificates

issued by or which are guaranteed by indorsement both as to principal and interest by or which are secured by lease of equipment to a railroad corporation which, in case of a railroad corporation incorporated under the laws of any of the New England States, has complied with section 6, or which, in the case of a railroad corporation incorporated under the laws of any other State, or of the United States, has complied with all the provisions of sections 10 and 14, provided said notes, bonds, or certificates are secured by a first lien on or by a lease and conditional sale of new standard railroad equipment free from other encumbrances for the purchase of which said notes, bonds, or certificates were issued at not exceeding 90 per cent of the purchase price thereof, and provided the instrument under which such notes, bonds, or certificates are issued or the lease of such equipment to the railroad corporation provides for the proper maintenance of the equipment covered thereby and for the payment of the entire issue of such notes, bonds, or certificates in not exceeding 15 annual or 30 semiannual installments, without the release of any part of the lien or interest in any of the equipment securing such notes, bonds, or certificates until the entire issue of such series of notes, bonds, or certificates shall have been paid or redeemed. No equipment trust notes, bonds, or certificates shall be made a legal investment by this section in case the series authorizes an amount which, added to the total debt as defined in section 8 in the case of a railroad corporation organized under the laws of any of the New England States or section 16 in the case of a railroad corporation organized under the laws of any other State or of the United States, which issued or guaranteed or is the lessee of the equipment securing such equipment trust notes, bonds, or certificates, including therein the outstanding amounts of all previously issued series of such equipment trust notes, bonds, or certificates, shall exceed three times the capital stock of such railroad corporation outstanding at the time of making said investment.

SEC. 22. Savings banks may invest not exceeding 2 per cent of their deposits and surplus in bonds issued by any street railway corporation incorporated in this State the railway of which is located wholly or in part therein, provided such bonds are secured by a mortgage which was at the date of the mortgage or is at the date of the investment a first mortgage on not less than 75 per cent of the railway of such corporation owned in fee at the date of the mortgage, and provided the gross earnings of said corporation each fiscal year for the five years next preceding the date of such investment were not less than $100,000, and that said corporation in each of said years earned and paid in dividends in cash an amount equal to at least 4 per cent per annum upon the outstanding capital stock, and provided at the date of any such dividend the outstanding capital stock is equal to at least one-half of the debt of such corporation.

SEC. 23. Savings banks may invest not exceeding 2 per cent of their deposits and surplus in mortgage bonds and other interest-bearing obligations of any water company supplying water for domestic use to communities in this State having a population of not less than 50,000 whose franchise is an exclusive one and unlimited in time, provided the amount of all the outstanding debts of such company does not exceed its capital stock, and provided such water company has earned each year and paid in cash from its officially reported net earnings, as shown by its annual report or other sworn official statement, to municipal, State, or United States authorities, dividends of not less than 4 per cent per annum on its entire outstanding capital stock, for a period of four years next preceding the making of the investment.

SEC. 24. Savings banks may invest not exceeding 2 per cent of their deposits and surplus in bonds of any telephone company incorporated in this State, whose property is located chiefly in this State, which are secured by a first mortgage upon at least 75 per cent of the property of such company, including its franchises, rights, and privileges, and limiting the amount of bonds issuable thereunder to 75 per cent of the valuation of the property mortgaged, excluding any valuation of said franchises, rights, and privileges, and providing the gross income of such telephone company shall have been not less than $2,000,000 per annum during each of the five fiscal years of such telephone company next preceding the date of such investment.

SEC. 25. Savings banks may invest not exceeding 2 per cent of their deposits and surplus in bonds of any telephone company incorporated in any of the New England States, or in the State of New York, and secured by a first mortgage upon at least 75 per cent of the property of such telephone company, or by the deposit with a trust company incorporated under the laws of one of the New England States or of the State of New York of bonds and shares of stock of other telephone corporations under an indenture of trust which limits the amount of bonds so secured to 75 per cent of the value of the securities deposited as stated and determined in said indenture, and provided the gross income of such telephone company shall have been not less than $25,000,000 per annum during each of the five fiscal years of such telephone company next preceding the date of such investment. No bond of a telephone company shall be made a legal investment under sections 24 and 25 unless during each of the five fiscal years of such telephone company next preceding the date of such investment said telephone company shall have paid the matured principal and interest of all its indebtedness, and shall have paid, during each of said years, in cash dividends an amount equal to not less than 6 per cent per annum on all its outstanding issues of capital stock, and the dividends paid on the capital stock of such telephone company shall not have been less than the total amount necessary to pay the interest upon its entire outstanding indebtedness.

SEC. 26. Savings banks may invest in the capital stock of any bank or trust company located in this State; or in the city of New York, in the State of New York; or in the city of Boston, in the State of Massachusetts, but no savings bank shall hold by way of investment or security for loans more than 20 per cent of its deposits in the stocks of such banks or trust companies at par value, nor more than 3 per cent of its deposits, nor more than $100,000 of par value in, nor more than one-quarter of the capital stock of any such bank or trust company. The provisions of this section shall not render illegal any such investments now owned by any bank or trust company.

SEC. 27. Savings banks may invest in loans secured by first mortgage on unencumbered real estate not to exceed 50 per cent of the value of such real estate located in this State or in the counties of Providence or Washington, in the State of Rhode Island; or in the counties of Hampden or Berkshire, in the State of Massachusetts; or in the counties of Dutchess, Putnam, or Westchester, in the State of New York.

SEC. 28. When any loan is made by a savings bank upon real estate the security shall be appraised by two or more suitable persons well known in the community where such loan is made, one of whom shall be a trustee of the bank making the loan. Such appraisal shall express upon its face the amount at which such property is appraised and, with a certificate of title or a title insurance policy, shall be lodged and kept with the institution making such loan. No loan shall be made by any savings bank to any corporation or association or ecclesiastical society secured by mortgage upon its property unless the same shall be accompanied by the individual guaranty of some responsible party or parties or by other collateral security of value equal to the amount of the sum loaned. The directors or trustees of any bank consenting to any loan contrary to the provisions of this section shall be individually responsible for any loss by reason of such loan.

SEC. 29. Savings banks may invest not exceeding 20 per cent of their deposits and surplus in notes secured by pledge of stock or bonds as collateral, provided the corporation issuing such stock or bonds shall have paid thereon dividends or interest at the rate of not less than 4 per cent per annum during the two years next preceding the time when such loan is made; or by the pledge of any stock or bonds or other obligations which under the provisions of this act may be purchased by savings banks; but the market value of any securities given to secure any collateral loan shall be at least 20 per cent in excess of the amount of the loan and not more than 5 per cent of the aggregate deposit in any savings bank shall be loaned on the stock, bonds, or other obligations of one corporation, or by the pledge of deposit accounts and books in savings banks in this State to an amount not exceeding the balance due from said savings banks on such deposit account.

SEC. 30. Savings banks may invest not exceeding 10 per cent of their deposits and surplus in notes, each of which shall be the joint and several obligation of two or more parties, all residents of this State, but no savings bank shall loan on personal security to one person more than 3 per cent of its deposits at the time of making such loan. No savings bank shall buy, or lend any money upon, any obligations on which only one person or firm shall be holden without taking additional security for the same equivalent to the guaranty or indorsement of some other responsible party.

SEC. 31. No savings bank shall expend in the purchase or construction of any building, for the purpose, in whole or in part, of accommodating the business of such bank, a greater sum than may, in the opinion of the bank commissioners, properly be taken from the surplus of such bank, after allowing for depreciation of its assets, and such expenditures shall in all cases be subject to the approval of the bank commissioners.

SEC. 32. Savings banks may deposit in incorporated banks or trust companies located in this State or the States of New York, Massachusetts, or Rhode Island, or the city of Philadelphia, but such deposits shall not in any case exceed 30 per cent of the capital stock, surplus, and undivided profits of such depositary.

SEC. 33. No savings bank shall demand or receive on any loan, either as bonus, commission, or tax, or in any other way, directly or indirectly, more than 6 per cent per annum, but taking interest in advance, for a period not to exceed six months, and reimbursement of any money paid by a bank for insurance or taxes on property mortgaged to it shall not be a violation of this section.

SEC. 34. When any loan or investment is made by any savings bank the names of the directors or trustees consenting thereto shall be entered upon the records of such bank, and said records shall be open at all times to the inspection of the corporators and auditors of such bank and the bank commissioners and be prima facie evidence of the truth of the statements therein contained.

SEC. 35. All banks and trust companies maintaining a savings department, or soliciting or receiving deposits as savings, shall invest all such deposits so received according to the requirements of the general statutes concerning the investment of deposits in savings banks; and said investments shall be segregated and set apart and not mingled with other assets of such bank or trust companies, and shall be for the exclusive protection of the depositors in said savings department, and shall not be liable for or used to pay any other obligation or liability of said bank or trust company until after the payment of all of the depositors in said savings department.

SEC. 36. The provisions of this act shall not render illegal the investment in, nor the investment hereafter in, any bonds or interest-bearing obligations issued or assumed by a railroad corporation which were a legal investment at the time of the passage of this act, so long as such bonds or interest-bearing obligations continue to comply with the laws in force prior to the passage of this act, but no such bond or interest-bearing obligation that fails, subsequent to the passage of this act, to comply with said laws shall again be a legal investment unless such bonds or interest-bearing obligations comply with the provisions of this act.

SEC. 37. If any street railway company, the bonds of which are a legal investment, prior to the passage of this act, shall fail, in any fiscal year subsequent to the passage of this act, to pay dividends equal to 4 per cent upon its outstanding capital stock, the bonds of such railway company shall cease to be a legal investment, until such company has complied with all the provisions of section 22 of this act.

SEC. 38. Prior to the 1st day of November, 1913, the bank commissioners shall ascertain what bonds and other interest-bearing obligations are legal investments under the provisions of this act and shall also ascertain what bonds and obligations are then legal investments under the provisions of section 36, and within the first 10 days of November, 1913, said bank commissioners shall send to each savings bank and to each bank and trust company having a savings department a certificate, stating over their signatures that upon investigation they find that the bonds and obligations specified in one list in said certificate are authorized as legal investments by the provisions of this act, and that the bonds and obligations specified in a second list therein are authorized as legal investments under the provisions of section 36.

SEC. 39. On the first day of November, 1913, and of the months of May and November in each year thereafter, said bank commissioners shall send to each savings bank and to each trust company having a savings department a similar certificate.

SEC. 40. Said certificate shall be prima facie evidence of the correctness of the findings of said commissioners, and shall so continue until the issuance of the next certificate of said commissioners, or of an intermediate certificate correcting and changing the list of legal investments in the certificate last issued. The purchase of any bond or obligation specified in any such certificate made before said respective bonds or obligations are withdrawn or omitted by the bank commissioners in a subsequent certificate issued by them shall be a legal investment under this act.

SEC. 41. Any person financially interested in any finding of the bank commissioners as to any bond or obligation may take an appeal therefrom to the superior court next to be holden at Hartford, which court shall have power to inquire into and render a judgment whether said bond or obligation comes within the provisions of this act as an authorized investment for savings banks. In case of such an appeal due service thereof shall be made upon the bank commissioners at least 12 days before the return day of said appeal.

SEC. 42. In the sections of this act which relate to railroad bonds, the word "debt" shall be construed to mean obligations issued or assumed, evidenced by a series of bonds or other interest-bearing instruments which mature at a time or times exceeding three years after their date, and the term "railroad corporation" shall be construed to mean a corporation which owns or is in possession of and operating a railroad or railway of the class usually operated by steam power. Street railway corporations are not railroad corporations within the meaning of this act.

SEC. 43. All acts or parts of acts inconsistent herewith are hereby repealed.

(The following paragraphs, S. 9, and 10 of section 3428 of the General Statutes, are herewith published because of the provisions of section 36 of chapter 127 of the Public Acts of 1913:)

(S) In the bonds of any railroad company organized under the laws of any of the States mentioned in this section, and which bonds are secured by a first mortgage as the only mortgage security given by such railroad company upon some portion of the railroad owned by it, or given by a railroad company, a majority of the capital stock in which is owned by the railroad company issuing such bonds, upon some portion of the railroad owned by it but leased or operated by the railroad company issuing such bonds, and which portion of such railroad in either case shall be located wholly or in part in one or more of the States mentioned in this section, provided the entire railroad of such company is located wholly within the United States; in the consolidated bonds of any railroad company incorporated by this State and authorized to issue such bonds to retire the entire funded debt of such company: *Provided*, That in every case such company shall have paid each year, for a period of not less than five years next previous to such investment, in addition to the interest on its funded indebtedness, dividends of not less than 4 per cent per annum upon its entire capital stock outstanding: *And provided further*, That said outstanding capital stock at the time of such investment equals or exceeds in amount one-third of the entire outstanding indebtedness of such bonds; (9) in the bonds of the following-named railroad companies, viz: Boston & Albany Railroad Co., Boston & Lowell Railroad Co., Boston & Maine Railroad Co., Concord & Montreal Railroad Co., Fitchburg Railroad Co., Harlem River & Portchester Railroad Co., Maine Central Railroad Co., New England Railroad Co., New York & New England Railroad Co., New York, New Haven & Hartford Railroad Co., and Old Colony Railroad Co.; also the following securities: Central Railroad Co. of New Jersey, general mortgage 5 per cent gold bonds, due July 1, 1987; Burlington, Cedar Rapids & Northern Railway Co. system, Cedar Rapids, Iowa Falls & Northwestern Railway consolidated first-mortgage 5 per cent bonds, due October 1, 1921, and Burlington, Cedar Rapids & Northern Railway Co. consolidated first-mortgage and collateral trust 5 per cent bonds, due April 1, 1934; Great Northern Railway Co. system, St. Paul, Minneapolis & Manitoba Railroad Co., Montana Extension, 4 per cent bonds, due June 1, 1937; Pacific Extension mortgage 4 per cent bonds, due July 1, 1940; Montana Central Railway Co. first-mortgage 5 per cent and 6 per cent bonds, due July 1, 1937, and Wilmar & Sioux Falls Railway Co. first-mortgage 5 per cent bonds, due June 1, 1938; Illinois Central Railroad Co. system, Chicago, St. Louis & New Orleans Railroad Co. consolidated mortgage five per cent gold bonds, due October 1, 1951; Chicago & Northwestern Railway Co. system, Chicago, St. Paul, Minneapolis & Omaha Railway Co. consolidated mortgage 6 per cent bonds, due June 1, 1930, and in the mortgage bonds heretofore issued which said consolidated mortgage 6 per cent bonds are to retire at maturity; Chicago, Milwaukee & Puget Sound Railroad Co. general consolidated and first-mortgage 5 per cent bonds, due November 1, 1937, and in the mortgage bonds heretofore issued which said general consolidated and first-mortgage 5 per cent bonds are to retire at maturity; Minneapolis & St. Louis Railroad Co. first and refunding mortgage 4 per cent bonds, due March 1, 1949, and in the mortgage bonds heretofore issued which said first and refunding bonds are to retire at maturity; Milwaukee & Northern Railroad Co. consolidated mortgage 6 per cent bonds, due June 1, 1913, and in the mortgage bonds heretofore issued which said consolidated 6 per cent bonds are to retire at maturity; Atlantic Coast Line Railroad Co. first consolidated mortgage 4 per cent gold bonds, due July 1, 1952, and in the mortgage bonds heretofore issued which said first consolidated mortgage bonds are to retire at maturity; Terminal Railroad Association of St. Louis general mortgage refunding 4 per cent sinking-fund gold bonds of 1953, and in the mortgage bonds heretofore issued which said general mortgage bonds are to retire at maturity; St. Louis, Iron Mountain & Southern Railroad Co., river and gulf division, first-mortgage 4 per cent bonds, due May 1, 1933; Buffalo & Susquehanna Railroad Co. first-mortgage 4 per cent gold bonds, due in 1951; (10) any general or consolidated mortgage bonds issued by any of the following-named railroad companies to retire at or the outstanding prior mortgage bonds secured upon the property covered by such general or consolidated mortgage: Chicago & Northwestern Railway Co., Chicago, Burlington & Quincy Railroad Co., Chicago, Milwaukee & St. Paul Railway Co., Chicago, Rock Island & Pacific Railway Co., Chicago & Alton Railroad Co., Cleveland & Pittsburgh Railroad Co., Lake Shore & Michigan Southern Railroad Co., Michigan Central Railroad Co., Morris & Essex Railroad Co., New York Central & Hudson River Railroad Co., Pennsylvania Railroad Co., St. Paul, Minneapolis & Manitoba Railway Co., Eastern Railway Co. of Minnesota, northern division, and Louisville & Nashville Railroad Co., and in the mortgage bonds hitherto issued which such consolidated or general mortgage bonds are to retire at maturity; Louisville & Nashville Railroad Co., and in the mortgage bonds hitherto issued which such consolidated or general mortgage bonds are to retire at maturity: *Provided*, That at no time within five years next preceding the date of such investment in such general or consolidated mortgage bonds issued by any of the railroad corporations last named shall such railroad corporation have failed to pay regularly and punctually the principal, at maturity or as extended, and interest on all its mortgage indebtedness, and, in addition thereto, dividends upon all its outstanding capital stock during the preceding five years: *And provided further*, That at the date of every such dividend the outstanding capital stock of such railroad corporation shall have been equal to at least one-third of the total mortgage indebtedness of such railroad corporation, including all bonds issued or to be issued under any mortgage securing any bonds in which such investment shall be made. No bond of any railroad corporation named in this section shall be a legal investment for a savings bank when such corporation or the system of which it is a part shall fail to pay dividends on all of its capital stock; and this section shall not be held to authorize any investment in the bonds of any corporation operating its railroad exclusively by any means other than steam as a motive power or in the bonds of any street railway company.

[Public acts of 1905, substitute bill for Senate joint resolution No. 131, ch. 207.]

An act amending an act concerning investments by savings banks.

Chapter 171 of the public acts of 1903 as amended by chapter 184 of the public acts of 1905 is hereby amended to read as follows: "Savings banks may invest their deposits and surplus in the first-mortgage bonds of the Hartford Street Railway Co. and the Fair Haven & Westville Railroad Co., and in all bonds of the Consolidated Railway Co. and the Connecticut Railway & Lighting Co."

SEC. 3435. Limit of deposit of one person in a year. Savings banks may receive on deposit from any one individual, in his own name or in the name of another, in any one year, a sum not exceeding $1,000.

SEC. 3436. Disclosure of facts about deposits in trust: When a deposit is made in any savings bank by one person in trust for another the name and residence of the cestui que trust and the nature of the trust shall be disclosed and the deposit shall be credited to the depositor as trustee for such person; and in case it be a trust created by deed, will, or judicial appointment, a certificate to that effect shall be filed at the time of the deposit. If no notice of the existence and terms of such a trust has been given in writing to the bank, in the event of the death of the trustee the deposit, with the interest thereon, may be paid to the cestui que trust.

SEC. 3437. Deposits of minors: When any deposits shall be made in a savings bank by a minor the receipt of such minor shall be a sufficient and valid release and discharge for the payment of such deposit or any part thereof.

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[Public acts of 1907, House bill No. 325, ch. 61.]

An act concerning payment of joint deposits by savings banks.

When deposit is made jointly payment may be made to either depositor: When a deposit has been or shall be made in any savings bank in the name of two persons and payable to either or to the survivor, such deposit, or any part thereof, or any interest or dividend thereon may be paid to either of said persons, and the receipt of the person so paid shall be a valid and sufficient release and discharge on account of the payment so made.

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[Public acts of 1907, house bill No. 323, ch. 62.]

An act concerning the pledge of deposits in savings banks.

Actual transfer on books of bank required, when: Any deposit in a savings bank may be pledged by delivery of the pass book evidencing such deposit to the pledgee, with an order for its transfer; but no such pledge shall be effective to secure such deposit against any person other than the pledgor, his executor, or administrator, unless an actual transfer of said deposit shall have been made upon the books of the savings bank or a copy of the order for such transfer shall have been filed with the savings bank holding such deposit.

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[Public acts of 1907, substitute for senate bill No. 162, ch. 65.]

An act concerning the payment of orders on savings bank deposits.

Order may be paid after death of drawer, when: Any savings bank may pay an order for a sum not exceeding $300 drawn by a person who has funds on deposit to meet the same, notwithstanding the death of the drawer, if presentation is made within 30 days after the date of such order, and at any time if the corporation has not received actual notice of the death of the drawer.

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[Public acts of 1907, substitute for house bill No. 583, ch. 130.]

An act concerning lost pass books.

Payment of deposit or issuance of new book when pass book is lost, how made: When any pass book issued by a savings bank or other institution for savings has been lost or destroyed the person in whose name such book was issued, or his legal representatives, may make written application to the bank which issued such pass book for payment of the amount of the deposit represented by said book or for the issuance of a duplicate book therefor, and shall give public notice of such application by advertising the same at least once a week for three weeks successively in a newspaper published in the town in which such bank is located, or if no newspaper be published in said town, in a newspaper having a circulation in said town. If said books shall not be presented to said bank within six months after the date of the first advertisement, as foresaid, said bank shall, upon proof that notice has been given as hereinbefore provided, pay the amount due on said book or issue a duplicate book therefor, and upon such payment or delivery of a new book all liability of the bank on account of the original book shall terminate.

SEC. 3439. Rate of interest on loans: No savings bank shall demand or receive on any loan, either as bonus, commission, or tax, or in any other way, directly or indirectly, more than 6 per cent a year, and at that rate for a longer or shorter period; but the taking of interest in advance for a period not to exceed six months and the reimbursement of any money paid by a bank for insurance on property mortgaged to it shall not be a violation of this section.

SEC. 3440. Dividends: The net income of any savings bank in excess of one-eighth of 1 per cent of its deposits actually earned during the six months last preceding, and no more, may be semiannually divided among its depositors. No dividend shall exceed a rate of 4 per cent per annum, except as provided in section 3441.

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[Public acts of 1913, substitute for House bill No. 174, ch. 187.]

An act concerning supervision of banks, savings banks, and trust companies.

SECTION 1. Section 3441 of the general statutes is hereby amended to read as follows: "No savings bank shall make any dividend, except as provided in section 3440 of the general statutes, until its surplus shall have accumulated to an amount equal to 3 per cent of its deposits. Such surplus shall be kept as a contingent fund, but no savings bank shall carry to its contingent fund more than 15 per cent of its deposits. Such contingent fund shall include all items of excess earnings not included in the interest account, and such portion of the interest account as exceeds the amount necessary to pay the semiannual dividend. Any surplus in excess of 15 per cent of the deposits shall be divided among the depositors entitled to such dividends in sums of not less than 1 per cent of its deposits."

SEC. 3442. Discrimination in dividends: In declaring dividends the directors of savings banks shall have power to discriminate between

deposits of $1,000 or less and those over that sum. Such discrimination shall not exceed 1 per cent per annum, and if at any time a discrimination becomes necessary it shall be made in favor of those deposits which are less than $1,000.

SEC. 3443. Regulation concerning officers: No more than three officers of any one savings bank shall be officers of any one bank of discount or circulation or trust company; and no cashier of a bank of discount or circulation shall be treasurer of any savings bank having over $500,000 deposits

SEC. 3444. Compensation of presidents of savings banks limited: Savings banks whose deposits exceed $400,000 may pay their presidents such compensation as their directors, managers, or trustees deem reasonable, not exceeding $300 a year; those whose deposits exceed $1,000,000 may pay not exceeding $500 a year; those whose deposits exceed $2,000,000 may pay not exceeding $750 a year; those whose deposits exceed $3,000,000 may pay not exceeding $1,000 a year; those whose deposits exceed $5,000,000 may pay not exceeding $1,500 a year; those whose deposits exceed $7,500,000 may pay not exceeding $2,000 a year; and those whose deposits exceed $10,000,000 may pay not exceeding $2,500 a year: *Provided*, That in cases where such compensation shall exceed $300 a year it shall be determined by an affirmative vote of three-quarters of the whole number of directors, managers, or trustees, as the case may be.

[Public acts of 1913, substitute for House bill No. 174, ch. 187.]

An act concerning supervision of banks, savings banks, and trust companies.

SEC. 2. Section 3445 of the general statutes is hereby amended to read as follows:

"The treasurer of every savings bank shall give a bond in a sum not less than $10,000, payable to such bank, and shall give in the case of personal surety a new bond as often as once in every six years. Every bond required by this section and the surety thereon shall be to the satisfaction and acceptance of the directors or trustees of such bank. No president, director, or trustee of any such bank shall be surety on any such bond. Such bonds and all certificates of the renewal thereof, and in cases of perpetual bonds the latest receipt for premium, shall forthwith be recorded at length on the books of such bank and in the office of the secretary of the state, and shall at all times be subject to the inspection of the bank commissioners, and shall be inspected by them at every examination of such bank. The president of such bank shall safely keep the original bonds so given and all certificates of the renewal thereof. In case of the loss of any such bond a copy thereof, certified by the secretary of the state, may be admitted in evidence on the trial of any civil or criminal action.

SEC. 3. Section 3446 of the general statutes is hereby amended to read as follows: No officer, director, or trustee of a savings bank shall be a borrower, or surety for a borrower of any of its funds, or receive any money or valuable thing for negotiating, procuring, or recommending any such loan from such savings bank, or for selling or aiding in the sale of any stocks or securities to such savings bank. The word "director" or "trustee," as used in this section, shall not include any incorporator of any bank or trust company unless such incorporator shall have been elected as a director or trustee and shall have accepted such office.

SEC. 4. The directors or trustees of every savings bank or other bank or trust company having a savings department shall semiannually or oftener take or cause to be taken a trial balance of the depositors' ledgers and report to the bank commissioners the amount of any difference if such balance does not agree with the amount of deposits in the general ledger, and the penalties for a violation hereof shall be those set forth in section 3453 of the general statutes. Once in five years the trial balance herein referred to shall be taken by a certified public accountant employed by said directors or trustees.

SEC. 5. Section 3452 of the general statutes is hereby amended to read as follows: The treasurer of each savings bank on or before the 1st day of November in each year and oftener if required by the bank commissioners shall transmit to them a sworn statement of its condition as of the 1st day of October, giving the par value and book value of its assets and information as to all particulars required in the annual statements of banks and trust companies to said commissioners.

SEC. 6. Section 3447 of the general statutes is hereby amended to read as follows: The directors, managers, or trustees of every savings bank shall annually appoint not less than two auditors, who shall not be directors, managers, or trustees thereof, who shall examine the books, accounts, and securities belonging to such bank and make a sworn statement showing the true condition thereof on the 1st day of October in each year, which shall be kept on file in the office of such bank and an attested copy forwarded to the bank commissioners on or before the 1st day of November in each year. Such auditors shall cause to be exhibited the last trial balance of the depositors' ledgers, verifying the same with the controlling account in the general ledger, and immediately report any variance to the bank commissioners.

SEC. 3448. Notice of meetings: The treasurer of each savings bank shall, at least 10 days before each meeting of the corporators, mail or deliver to each a written or printed notice of the day and hour of holding such meeting; and if he shall neglect to give such notice he shall be fined $100.

SEC. 3449. Removal of corporators: At the annual meeting of any savings bank when two-thirds of all the corporators of such bank are present a corporator may be removed by a four-fifths vote.

SEC. 3450. Vacancies in office. Assistants: The directors, managers, or trustees of each savings bank may fill any vacancy in any office in such bank, and the person chosen shall hold such office till another is chosen in his stead. When any officer can not perform the duties of his office they may appoint an assistant to him to serve during their pleasure, up to the time of the next annual meeting of the corporation; and such assistant shall have the same powers and duties as such officer.

SEC. 3451. Annual statement of unused accounts: The treasurer of every savings bank shall annually, on or before the 10th day of July, deliver to the comptroller a sworn statement containing the name and amount standing to the credit of every depositor who shall not have made a deposit therein or withdrawn therefrom any part of his deposit, or any part of the interest thereon, for a period of more than 20 years next preceding; but this section shall not apply to the deposit made by any person known to the bank to be living. The comptroller shall communicate the statements which shall be so delivered to him to the general assembly on or before the third day of its next session. If the treasurer of any savings bank neglects or refuses to comply with the provisions of this section, he shall be fined $100.

SEC. 3453. Penalties affecting officers and directors: The directors, managers, or trustees of any savings bank, assenting to a violation of any provision of law relating to savings banks, shall be jointly and severally liable to such savings bank for any loss which may result therefrom. Every officer, director, or trustee of any savings bank who shall intentionally violate any of the provisions of law relating to savings banks shall be fined not less than $100 nor more than $1,000, and the State's attorney for the county where such bank is located shall prosecute any person charged with such violation on complaint by the bank commissioners.

SEC. 3454. General penalty: Every person who shall violate any provision of law in relation to banks, savings banks, or trust companies, for which no other penalty is provided, shall be fined not less than $100 nor more $500.

DEPOSITS.

It is interesting to note at this time that the amount of deposits in savings banks of Connecticut—the data being taken from the Connecticut Register Manual for 1913 (p. 372)—is as follows:

Total amount of deposits in savings banks of Connecticut Jan. 1, 1913	$291,753,432.82
Increase during 1912	10,699,517.35

Savings-banks deposits first congressional district, Connecticut.

Berlin Savings Bank, Kensington	$589,748.45
Bristol Savings Bank, Bristol	3,772,926.73
Burritt Savings Bank, New Britain	1,767,926.40
Collinsville Savings Society, Collinsville	1,124,685.69
Dime Savings Bank, Hartford	3,915,789.75
Farmington Savings Bank	5,245,552.61
Mechanics Savings Bank, Hartford	8,244,043.61
People's Savings Bank, New Britain	77,874.55
Savings Bank of New Britain	7,120,872.84
Savings Bank of Manchester	930,447.01
Society for Savings, Hartford	35,581,719.49
Southington Savings Bank	1,660,034.35
State Savings Bank, Hartford	5,907,846.26
Suffield Savings Bank, Suffield	623,976.51

Currency.

EXTENSION OF REMARKS
OF
HON. JAMES A. FREAR,
OF WISCONSIN,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, September 17, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. FREAR. Mr. Speaker, when Congress was called in special session by the President, he urged upon us a revision of the tariff and thereafter a revision of the currency system.

Promises that the high cost of living would be reduced by tariff legislation and that no legitimate business interest would be disturbed, yet echoed in our ears when in his second message of April 8 the President said:

It would be unwise to move headlong with reckless haste or with strokes that cut to the very roots of what has grown up amongst us by long process and at our own invitation. * * * We must build up trade; especially foreign trade. We must build up industry as well and must adopt freedom in the place of artificial stimulation only so far as it will build up and not pull down.

This general statement was construed by the country to recommend a policy of downward tariff revision that would not destroy legitimate business or the protective laws under which national prosperity has so rapidly been advanced. Progressive Republicans with Progressive Party Members in this House, whose party platforms recognized the protection principle, stood ready to join hands with our Democratic friends in securing a just and equitable tariff law, reduced to a point measured by the difference in cost of production here and abroad.

By methods that will ever be condemned, neither the Republican nor Progressive Party Members of the House were permitted to have any voice in the preparation of the Underwood tariff bill. It was made a strictly partisan measure, ignoring all suggestions from Republicans or from the Tariff Board. While providing for a tax on incomes, that all parties favor, it completely swept away protective duties on many legitimate lines of business, giving preference to favored localities, and the bill was then hurriedly passed against the protest of every Republican in this House, many of whom favor an income tax and a genuine equitable downward revision of the tariff.

WILL COST OF LIVING BE REDUCED?

As if to distract attention from preelection pledges, that living expenses would be reduced, it has repeatedly been reiterated by members of the new administration, that the ultimate consumer can not expect to materially profit by tariff reductions because the present tariff of less than 25 cents on the raw wool contained in a $15 overcoat or a duty on wheat heretofore given to the farmers' products but now removed, will be lost among middlemen before reaching the consumer.

The Department of Labor of the present administration has just issued a bulletin based on statistics to the effect that the

retail price of sugar will probably not be permanently reduced or affected by a reduction of tariff duties because of the profits exacted by refiners, jobbers, and retailers, corroborating arguments that have been repeatedly urged against free sugar. On the other hand, it has been admitted that in wiping out home production and home competition, through the destruction of the sugar business, which will be precipitated by the new tariff bill, a loss is to be incurred by growers and manufacturers estimated at $100,000,000, and by some authorities reaching double that amount. Where under the new tariff law is to be found compensation for this great loss to the industries of the country and for a direct loss of $52,000,000 in annual revenues?

FREE TRADE WILL NOT REACH EXTRAVAGANCE.

A new gospel of revelation has also discovered that while tariffs and trusts in one form or another have exacted unjust tribute in the past, every step in remedial legislation which raises the standard of labor, necessarily occasions additional cost to the consumer. Further, that the cost of production is frequently a small fraction of the price paid by consumers, and that extravagance and waste in securing comforts and luxuries unknown to our forefathers must be paid for and can not be avoided by drastic tariff reductions.

It is further declared by our Democratic friends that a sudden change in tariff rates may cause special interests and designing men to precipitate a panic, and in order to prevent such calamity a new currency law is urged which will enable business men to procure needed funds when possessed of good loan collateral. For this reason a currency bill has been hastily introduced and we are about to vote upon it.

Every Republican in the House voted against the Underwood bill, believing it was worse than existing law, and that action has been vindicated by the Democratic majority in the Senate, which tacked 676 amendments onto the House bill, changing the original document so that, as a tariff expert recently said on this floor, its most intimate friend would not recognize it through the multitude of changes plastered over its physiognomy.

A QUESTIONABLE EXPERIMENT.

Is the proposed new tariff law a dangerous experiment? Consider for a moment what it proposes to do. Average tariff rates are not conclusive as to discriminations, but what is to be expected from the new law, which averages a rate of less than 27 per cent, or 1 per cent lower than the Underwood bill and far lower than any tariff law ever before enacted? We condemned the Payne-Aldrich bill because of its unfair exactions through its average rate of 40 per cent, but the average rate contained in the Wilson-Gorman law of 1894, which wrecked the Cleveland Democratic administration, was 39.45 per cent, or less than 1 per cent below the Aldrich tariff law. What may we now expect upon discovering that the so-called free-trade Wilson law of 1894 was approximately 50 per cent higher than the proposed Underwood-Simmons tariff law, with its new freedom for foreign producers?

The Underwood bill placed most of the northern farmers' products on the free list. The character of this discrimination has been frequently explained, and it is sufficient now to say that while the bill gives protection to many southern products, extending from the whiskies and tobaccos of Kentucky to rice, goats, and peanuts in other Southern States, it places wool, flour, potatoes, dressed meats, sugar, and, finally, wheat and other products upon the free list.

I joined in the opposition offered against the sham Canadian reciprocity bill. Its passage proved the undoing of a President. It proposed to throw down the bars which to some degree protected the farmers of this country against competition with cheaper lands and cheaper labor possessed by our northern neighbor and was unjust to our own agricultural interests. What shall be said of the new tariff bill that sweeps away protection and without reciprocal advantages gives to Canada and every other country possessing cheaper lands and labor, equal privileges in our home market and yet retains duties on manufactured products which the farmer is compelled to buy?

MOVEMENT FROM THE FARM TO THE CITY.

One of the most serious problems confronting our country is the movement from the farm to the city. It is a change that affects not only the farmer but all those who depend upon the farmer. Of what avail is legislation by States seeking to make agricultural pursuits more remunerative or otherwise attractive when a tariff bill is being enacted that—

strikes at the very roots of what has grown up amongst us and at our own invitation—

to use the language of the President.

These debates have disclosed that the admitted difference in the cost of production of wheat here and abroad runs from a minimum of 6 cents a bushel to 10 cents and over. All protection has been swept away by the new tariff. The 1909 wheat crop of this country reached $657,656,000. No man can accurately determine in advance the effect of opening our home market to the free wheat of Siberia, Argentina, and Canada; but whatever the loss may be, it is directly borne by the farmer and indirectly by all classes that depend upon him.

Packers, distributing agencies, and a vast army of consumers in this country are protesting against the scarcity of beef, with its accompaniment of higher prices, and they are appealing to American farmers to raise more stock to meet the growing demand of a home market. With the same breath the framers of this new tariff law drive our farmers into direct competition with free dressed meats imported from Mexico, Australia, and other countries, while free wool, according to the supporters of the new tariff, will discourage the sheep-growing industry of this country.

Six hundred and ten thousand farmers in 1910 owned over 52,000,000 sheep, valued at $232,841,585. These sheep produced $65,000,000 in wool that year, and yet with a duty of 11 cents a pound, $23,532,000 in raw wool was imported from foreign countries in 1910. The new rates sweep away all protection and immediately throw open the doors to Australia, New Zealand, and Argentina, which alone possess 180,000,000 sheep.

FIFTY-EIGHT PER CENT REDUCTION IN DAIRY PRODUCTS.

The total value of dairy products in this country in 1909 reached $600,000,000, practically equaling wheat, of which amount Wisconsin, standing first, produced over one-tenth, consisting almost entirely of butter and cheese. Existing law levies a 6-cent duty per pound on butter and cheese imported from abroad, but the proposed law reduces the rate to 2½ cents.

In confirmation of our fears of the effect of the new law we learn through the press that hundreds of millions of dollars in foreign manufactured products in bond at the port of New York are awaiting the assured passage of the law. The press also announced that a portion of these goods consists of thousands of butter firkins from Siberia and Argentina. Will a reduction in living expenses occur through these importations or will the tariff be absorbed by shippers, as claimed? Time will demonstrate; but whatever the result, in his home market, the American farmer must now meet competition with the world.

FARMERS DO NOT CREATE PANICS.

When the shoe pinches, farmers do not depress the money market by gigantic failures, but after working double the hours daily permitted under factory union rules, the farmers take an account of stock whenever they pay interest on the 10,655 farm mortgages in my district, approximately one-half the whole number of farms, or when they pay taxes, and be it remembered no farm ever escapes the assessor. Smaller profits mean greater economies or abandonment of the farm to join the tide moving cityward. This is the invitation held by the pending tariff bill, for the President has declared we are to set ourselves free "by removing the trammels of a protective tariff."

Members of Congress have agricultural yearbooks, agricultural bulletins, and garden seeds furnished to them by the Government for distribution among their constituents. The purpose is to increase knowledge and interest in agriculture. Why this intense appreciation of the intellectual welfare of the farmer if we chop off his income with a tariff meat ax?

In a letter received from the officials of an organization which represents "hundreds of thousands of farmer members" is the statement that—

All history proves that agriculture is the basis of national prosperity and the broadest, deepest, and most fundamental problem before the American people to-day is the insurance of agricultural progress, prosperity, and development.

To this proposition every thinking man must assent. Referring to the pending tariff measure, it continues:

If we are to have free raw sugar, then free refined sugar; if free wool, then free woolens. * * * The farmers of the country insist upon not being discriminated against in the letting down of the bars.

No one can doubt the fairness of this demand, and yet the new tariff law turns a deaf ear to this protest made on behalf of the food producers of the country.

HOW WILL A LOW TARIFF HELP LABOR?

A brief statement of one other assured result has been repeatedly urged against the passage of an extreme reduction in tariff rates. To labor in this country has been given privileges and opportunities not offered elsewhere. Hours of labor, regulated by State statutes or agreement, minimum wages, prohibited child labor, workmen's insurance, and other progressive laws involve additional privileges to labor, but an enlarged expense that must be met by the employer. When to these privileges are added double wages, compared to the average paid abroad, it follows as sure as night follows day that competition with unrestricted foreign labor, when the tariff is reduced below the

safety line, exists, if at all, through reduced expenses or the employer must surrender his home market to the foreign producer, and with a surrender comes idle labor, without the wherewith to buy. That was the effect of the Wilson tariff bill and the logical effect of any tariff bill which gives our home market over to the foreign producer. The conditions disclosed at Lawrence, Mass., may be duplicated in hundreds of cities throughout the country if history repeats itself, and we may discover we have swallowed a remedy that is worse than the disease. Business prosperity is not measured by political theories or ingenious arguments, but by uncontrovertible statistics, and, as a general proposition, it is agreed that when the balance of trade with foreign countries is in our favor, times are prosperous in this country. Government statistics show that out of $4,278,000,000 in our foreign business last year, exports were 40 per cent greater than imports, the balance of trade in our favor amounting to $652,600,000. During the past 12 years, and under existing tariff laws everywhere acknowledged to be imperfect, our foreign exportation of manufactured products increased 110 per cent, a greater proportion than in any other country in the world.

WHO IS TO BE BENEFITED?

Will a new tariff law based upon free-trade theories improve this prosperous condition? If so, how? As has before been asked, will the proposed tariff law cause capital to seek investment? If so, when or where? Will it give employment to one additional laborer? Will it increase the wages of a single employee? Will it increase the value of farm products in a single instance? Will it persuade one boy or one girl to remain upon the farm? Will it reduce the cost of high living, or will it bring prosperity or disaster to the country?

Never since the days of the 1894 Wilson bill have we beheld such blind confidence on the part of our Democratic friends that somehow, in some way, the proposed tariff bill, which is much lower than the Wilson bill, will better the conditions of the producer and the consumer. If it does, and every man, whatever may be his politics, sincerely hopes such will be the case, it is evidence that our country has grown so strong that through an elastic currency we can withstand any storm. If you gentlemen across the aisle are right and we are wrong, then the tariff will forever cease to be a political issue.

THE SECRET CAUCUS V. CANNONISM.

One further phase of this tariff and currency legislation is as objectionable as Cannonism in its most despotic days. Never has the caucus gag in legislation been more completely applied than during this session. The gentleman from Kansas [Mr. MURDOCK] pointedly says:

The caucus is the design of the devil. It is not a part of representative government.

A Democratic Member [Mr. ADAIR] declared of the Underwood bill that it would never have received the indorsement of a handful of Members on that side of the House excepting through the caucus, yet proudly added he would vote for it without a change in the dotting of an "i" or crossing of a "t." During the discussion of this currency bill the gentleman from Georgia [Mr. HARDWICK], one of the leaders on the other side of the House, said:

It is my purpose to vote for this bill, not because I like it * * *, but I conceive it is my duty to do so because of the caucus action of my party.

To make clearer his devotion to party he added:

When I enter a Democratic caucus I always support a nominee no matter how much I dislike him or how great a rascal I think he is.

Speaking of the pending measure, the Democratic Member from Texas [Mr. CALLAWAY] says:

It was whipped through the committee by the administration, brought into caucus and made a party measure by the administration, and whipped through the caucus by the same power.

Continuing, he pertinently adds:

No suggestions the Republicans could offer would render any assistance. Why shut them out completely by binding the overwhelming Democratic majority to this administration bill?

Other Democratic authority has been offered on this floor of the legislative travesty on representative government now being enacted.

The gentleman from Minnesota [Mr. ANDERSON] who has refused to serve longer on the great Ways and Means Committee, declares he was not permitted to attend any hearing or participate in any committee meeting that assumed to frame the Underwood bill. Not one Republican member of the committees required by law to report the tariff or currency bills has been permitted to be present when either bill was being framed, and every one of the 4,000 items of the tariff bill was the product of a Democratic secret caucus. Not one amendment, out of hundreds offered to both bills, has been accepted. Never before has the secret caucus been invoked in the Senate. Never has it assumed such power in the House. It destroys representation to every district in the country that has sent a Republican or Progressive Party Member to Congress.

THE CAUCUS DISFRANCHISES DISTRICTS.

Through the secret caucus, three Democratic Members from Wisconsin admitted to the caucus are given the legislative representation accorded to 11 Members of our State by the Federal Constitution. Eight Members and their districts have been disfranchised as completely as are the negroes of the South, and the same argument has been used on this floor to justify the disfranchisement in each instance. Judging by the sacrifice in agricultural products and discrimination against the dairy interests of my own State in favor of the whisky distillers, tobacco interests of Kentucky, and other products of the South, the three Members have been unable in the Democratic secret caucus to protect these important interests.

Can a more flagrant violation of legislative rights be conceived than the secret-caucus treatment of the tariff by both Houses? The senior Senator from my own State, an experienced legislator and tariff student of national reputation, was chosen a member of the Senate Finance Committee and a Senate tariff conferee because of his long and important public service. Yet, although one of the national leaders in formulating progressive legislation, he was denied participation in the deliberations of either committee because he is a Republican. Why should three Democratic Members from Wisconsin, none of whom has any special knowledge of tariff schedules, be permitted to have a voice, however feeble, in framing the tariff law, when all the remaining Wisconsin Members of Congress in both Senate and House were shut out?

Pursuant to this same principle, the one Democratic Member for Minnesota is more powerful than the remaining eight Members, with the two Republican Senators included, because he alone was permitted within the secret caucus. However, the southern Members controlled the caucus deliberations, and Minnesota received the same treatment that has been accorded to Wisconsin under the new tariff law.

THE MACHINE WITHIN THE MACHINE.

Is there a machine within a machine? A leading Democrat, Senator HITCHCOCK, has so declared from the floor of the Senate. Mr. ANDERSON, of Minnesota, gives a reason for the granting or refusal to grant tariff favors when he says to us that 14 Southern States send 130 Democrats to the House and control the Democratic membership and legislation of the House. These 14 States hold 38 out of 58 chairmanships, including every important chairmanship excepting one, the Committee on Appropriations. This powerful influence permeates all legislation, he has declared.

What are the practical results of caucus legislation? The House passed the Underwood bill of 4,000 items by a strict party vote. Few men knew what the bill actually contained. It went to the Senate, and after two months came out of the Senate caucus with 676 amendments. On every sixth item the Democratic secret caucuses at opposite ends of the Capitol disagreed on a measure which every Member of the House was asked to swallow without being permitted to change the dotting of an "i" or the crossing of a "t."

I know human judgment differs as to the relative percentage of good and bad to be found in the existing tariff law, the Underwood bill, and the Senate bill; but aside from the threatened dynamite found in the bills given to us by the Democratic secret caucuses, admittedly framed on free-trade theories, the fundamental danger from such methods of legislation is more serious in its consequences than all the supposed iniquities which exist in the Aldrich bill and the Underwood bill combined.

Neither tariff bill now in conference is a deliberate expression of the majority of either House. Each is an utterance of a majority of a secret caucus, secured through secret means over men who were bound together by an unconscionable agreement. What shall be said of a "new freedom" that gags all opposition, repels all aid unless proffered by Democrats, and in its operation virtually destroys the representative government guaranteed by the Constitution?

IMPERATIVE NEED OF CURRENCY LEGISLATION.

Advocates of the new tariff measure admit it may create serious business disturbances unless a more elastic currency system is made available to meet the emergency. Whatever may be his politics, the prosperity of our people is of equal importance to every man, and I am convinced that the immediate necessity for remedial currency legislation is not exaggerated.

Many defects have been pointed out by critics in the pending currency bill, but if the law can be put in operation through co-

operation of banking interests, I believe it is an improvement over the present law, because it affords larger opportunities to raise emergency currency wherever satisfactory security is available. I would include the smaller banks, if they so willed, enlarge the period for which farm loans can be carried, lessen the political complexion of Federal board membership, and favor many other changes, but all this may be accomplished by future amendment.

It is repugnant to be forced to vote for a secret-caucus measure which has placed every Republican Member of Congress outside the pale of legislative participation, but I shall vote for it, because I believe the bill is an improvement over existing law and because of its imperative need by a business world that will soon be struggling in the throes of new tariff adjustments.

Glass-Owen Currency Bill.

EXTENSION OF REMARKS

OF

HON. DAN V. STEPHENS,

OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, September 18, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. STEPHENS of Nebraska. Mr. Speaker, the fight waged by President Andrew Jackson against rechartering the old United States Bank, which the Government had created and turned over to private control, is one of the most dramatic contests ever waged in civil times. This bank was given the power of note issue and carried the Government deposits and had the Government prestige and support. With this great advantage it was not long before it grew to such power and influence that its president, Nicholas Biddle, conceived the idea that it was bigger and more influential than the Government which it had been attempting to dominate. At any rate, when President Jackson opposed the rechartering of the bank, Nicholas Biddle went to him and threatened him with defeat for reelection if he did not sign the bill, and then proceeded to show President Jackson how many States the bank could control and just how he could defeat him. Jackson said something about that being too much power for any corporation to possess in a Republic like this and straightway laid violent hands on that institution. It was a long and bitter struggle between the President and Congress, as Congress favored the bank, but the President finally won by a narrow margin. But when the people got a chance at the question at the next election the President was so overwhelmingly indorsed at the polls that from that day to this there have never been enough votes in Congress to pass a national currency bill that provided for anything like a privately controlled central bank.

THE ALDRICH CURRENCY BILL.

A few years ago a large sum of money was spent by the Monetary Commission created by Congress, which assembled the largest library on banking and currency in existence. As a result of its studies it presented to Congress what is known as the Aldrich currency bill. This bill proposed a great central bank, privately controlled in effect, which was the essential objection to the old United States Bank. This bill never stood the slightest show of becoming a law. A central bank privately controlled would be a menace to the Republic, as was the old United States Bank, and the people will not stand for it. Yet it is essential that the legal money reserves of the banks of the Nation should be united for the common defense against panics and business depression. The question has been how to unite these reserves under one control with safety and yet keep the Government out of the banking business. The result has been realized in the Glass-Owen bill. In order to show the necessity of this legislation let us look at existing banking conditions in the United States.

EACH BANK IS INDEPENDENT.

Each national bank is an independent corporation standing absolutely alone. This is a most desirable feature at all times save one, and that is in times of financial disturbances. The branch banking system of Canada and other countries is satisfactory for big business, but the lack of self-interest of the men in charge of these branches leaves each town and community without the splendid influence that an independent bank has upon the community, but they are comparatively free from panics. An independent banking system like ours gives to each town a self-interested, hustling banker who is encouraging and supporting every movement for the development of the country around his bank. He is vital to the country's growth and is interested in every man's success, but he is subjected to the dangers of money stringencies because he has no big bank with millions of dollars in reserve to protect him. Therefore it is not remarkable that he sometimes finds it impossible to carry the whole community on his back when a financial storm comes.

What we want, therefore, is to preserve our splendid independent banking system, with all of its virtues, and add to it the protection that it needs in times of stress. At present when a financial storm appears the first bank in its path is liable to go down under the impacts of cowardly capital trying to save itself. Other bankers see what has happened and immediately begin to curtail credit and force borrowers to pay up in order that the bank may have cash to meet the demands of depositors. Business of all kinds is paralyzed for want of capital and credit. Manufacturers close down one after another for want of money to meet pay rolls, and labor is thrown out of employment, and finally the whole country is in the throes of a panic. Panics nearly always start in New York City; so when the bankers fail to check them the Government always comes to their aid with immense deposits from the United States Treasury, which restore confidence and furnish funds to take the place of those that sought cover at the first sign of danger. The net result of a Nation-wide panic is always the transfer of untold millions of wealth from the hands of those who earned it in the sweat of their faces to the pockets of those who were able to grab the most ready money for use at the time when the panic was at its crest and when people had to let go of their property to get money. The wreck and ruin to men's fortunes that follow in the wake of one of these panics, and the greed, selfishness, and cowardice displayed is a sad commentary on human nature. It is a parallel to what occurs in a railroad wreck, where human beings lie mangled and bleeding and the ghouls rob them of their money and jewelry under the pretense of relieving suffering and saving lives. So it is in one of our bankers' panics—those who control the credit and ready money reap a bountiful harvest from the broken and bleeding business men of the Nation.

THE UNITED STATES TREASURY CHECKS PANICS.

The fact that at every sign of financial distress the banks must be supported by the Treasury of the United States with large deposits of cash to enable them to cover the demands made upon them for money has led to the conception of the Glass-Owen currency bill. If the Government must back up our independent banks now whenever they get into trouble, it is argued, why not prepare a comprehensive currency measure that will allow this cooperation in a perfectly legal and businesslike manner, with every safeguard provided for the protection of the United States Treasury and the depositors of the banks, by making panics impossible? The answer to the argument is this splendid Glass-Owen measure that is now before Congress.

Under the present law the national banks must keep a legal reserve of lawful money (gold, silver, and greenbacks) in their vaults or with reserve agents to protect their depositors. The amount country banks must keep is $15 on every $100 of their deposits; reserve city banks and central reserve city banks, $25 on every $100 of deposits. The joker in this law is the right granted country banks to keep $9 of the $15 with a reserve city bank, and a reserve city bank can keep half of its $25 reserve in a central reserve city bank. The result of this law was soon realized by the big bankers, who conceived it, when they began to pay the country banks 2 per cent on their reserves the law permitted them to keep with reserve agents. The law would not permit the country banker to loan the last $15 on every $100 deposited with him, but singularly it allows the reserve agent to loan $9 of it if the country banker will deposit it with him. So all the reserve agent has to do is to offer 2 per cent interest on it and every country banker will deposit the amount the law allows him to deposit with his reserve agent. The law will not permit the reserve city banker to loan the last $25 on every $100 of deposits he carries, but he can send half of it to a central reserve city banker, where he can get 2 per cent on it. It was a clever scheme originated in the minds of the big bankers in New York City, and aided by their handy men in Chicago and St. Louis, for the purpose of drawing into their keeping the immense legal reserves of the banks of the United States. With the legal reserves also went other untold millions, until New York City has become not only the greatest money center, but the greatest gambling and wildcat

promoting center in all the wide world. The law looks innocent enough. No bank is required to keep its reserves in New York City. It simply says they may keep portions of them there if they wish. Since the banks are not allowed to loan their reserves, the 2 per cent sop is sufficient to get most all of them into the big centers of New York, Chicago, and St. Louis. New York City gets the lion's share because her size and trade attracts them.

The evil results that have followed the mobilizing of these reserves into privately controlled banks in Chicago and New York are so great that it staggers imagination. It has resulted in furnishing available cash for organizing all of the big trusts of the country with their tremendous load of watered stocks, and the thousands of smaller combinations that have been whipped into shape by promoters. The trust bankers simply use the people's money to handle temporarily the organization and then pass the stock on to others full of water, and the people must pay the interest on them forever through increased prices.

The trust banker takes out his commission of from 1 to 50 per cent for using the bank's influence and the people's money to work the confidence game on the country. J. Pierpont Morgan organized the Steel Trust and wrote into its capital $700,000,000 of water with a stroke of the pen, and passed the stock that did not cost a cent on to the people, and every man who uses steel must pay the tribute interest as long as the Steel Trust makes steel. For this trifling service, performed with other people's money intrusted to his keeping, he charges a small commission of $66,000,000. There are shallow-pated, unthinking people who fawn at the feet of men who have used these great privileges to lay the toiling millions under a load of debt forever, but, for me, I consider them the greatest criminals of the age J. Pierpont Morgan was the greatest trust organizer in his time, and the amount of watered stock he has loaded upon the American people through industrial organizations he has floated with the people's money intrusted to his care is beyond human conception. It would take the entire net earnings of all the people and all the industries of my State a whole year to pay for the watered stock in the Steel Trust alone. His commissions on that deal would run the State government of Nebraska for many years.

I am not quarreling with the promotion of large industries on legitimate capital, but I complain of the wholesale robbery that has been legalized and looked upon by some men as honest practice indulged in by these guardians of the money of the people which has been made possible, to a large extent, by our national-bank laws covering the item of bank reserves.

HOW TO PREVENT USE OF RESERVES FOR SPECULATION.

Now, the question is, How are we to prevent this sort of use of the people's legal bank reserves by the enactment of the Glass-Owen bill? We can prevent absolutely the pyramiding of the legal reserves of the Nation in New York banks under private control, where they can be used for stock-gambling and stock-watering purposes, to the very great loss of the whole Nation. It is true, however, after we have done this, the banks of New York are still rich beyond the dreams of Cresus.

For the last 15 years they have been waxing fat on the tolls they have taken from commerce and through high financing. They have transferred from the people's credit to their own credit millions upon millions of the people's capital every year. They neither spin nor weave, therefore produce no wealth. They simply feed upon those who do produce it by controlling the vast credits of the country for their own benefit. Therefore New York will go on collecting her tribute upon the Nation's commerce, but her power will be lessened by a few hundred millions of legal bank reserves which the Glass-Owen bill will take from her control. New York City is an economic waste to the Nation. Through the haphazard method of permitting commerce to take its own course, without regard to cost or consequences, we find many railroads and steamship lines centering in that city, forcing to the highest point the cost of handling commerce. Building lots selling at the rate of $25,000,000 an acre, skyscrapers built at an enormous cost, tunnels under the great Hudson River in many places, subways blasted out through the length of Manhattan to expedite traffic—all this is done at a cost of untold millions of money, every dollar of which is collected in tolls from the commerce of the Nation that clears there and from the profits of stock watering and gambling. Four million people are congested on a rock-bound island in the Hudson River, the most impractical and expensive place possible to locate a city. The cost of conducting business there is not only inordinately great, but the evils arising from the congestion of population make the city a great ulcer on the body politic. It is fast becoming a menace to the peace and welfare of the Republic in more ways than one. The day, no doubt, will come when the Government will have to direct the movement of commerce in order to prevent the overdevelopment of great cities. Great cities are to nations what a tumor is to a human body. We may have to cut them out some day to save the life of the Nation.

PROVISIONS OF THE GLASS-OWEN BILL.

The Glass-Owen bill simply proposes to take the legal reserves of all the national banks—or, rather, that portion which they are not required to keep in their own vaults—and place them in 12 large Federal reserve banks, located in 12 different sections of the United States. These Federal reserve banks will be organized by the national banks of each section, each bank being a member or stockholder. These Federal reserve banks will be supervised and controlled by the Government of the United States through a Federal reserve board of seven members appointed by the President. The relationship of the Government to the banking business is simply a supervisory control, while the actual banking business is done by the Federal banks.

The bill provides that these Federal reserve banks will do business only with the member banks and the National Government. The member banks put up $105,000,000 of the capital of the Federal reserve banks and keep a portion of their legal reserves on deposit with them, amounting to several hundred million dollars more. The Treasurer of the United States will keep the deposits of the Government in these banks also, so that the total assets of the 12 banks will reach nearly a billion dollars when the system is in complete operation. As a compensation to the Government for the part it takes in the operation of the Federal banks it will receive 60 per cent of the profits, after 5 per cent has been paid to the member banks on their capital stock, 40 per cent going to the member banks.

This vast banking capital will be used exclusively in rediscounting commercial paper arising out of agricultural, commercial, and industrial transactions upon which member banks may wish to borrow money for use of their customers. Not a dollar of it can be loaned for gambling on the stock exchanges or for wildcat speculations, a kind of banking transaction that seems to be popular in large centers like Chicago and New York. We are assured through the provisions of this bill that every dollar of these reserves will be used as a basis of credit to the great business of production and distribution of the necessities of life. Every section of the country will have the use of these reserves in proportion to its capital and needs. The reserves of a district are mobilized into the Federal bank of that district for the use of its member banks. If a money stringency occurs anywhere in the district, instead of the banks of that locality standing alone against the storm, as they are compelled to do under our present law, the banks in trouble can call on the Federal bank for aid and get it at once, without any question, upon the presentation of good, bankable notes guaranteed by the banks holding them. Every banker doing a legitimate and safe business will have in his vaults paper suitable for rediscount to an amount beyond his possible needs under any condition that may arise. If he has not, his bank is insolvent, anyway, and ought to be closed up for the public safety. Thus it will be seen that nothing but a country-wide disaster such as we have never known could possibly produce a country-wide panic like the one we experienced in 1907. A panic like the one in 1907 could not possibly have developed under the provisions of this Glass-Owen bill, because the money needed to allay the stringency could have been supplied at once, before the trouble was handed on to other banks and ultimately to every hamlet in the United States.

Under the new law the legal reserves of the banks of the New York district would have been mobilized in the Federal bank, ready for use at a moment's notice, and the panic would have been nipped in the bud at its incipiency. It could not have even started, the need of cash would have been supplied so quickly. After the country was well-nigh ruined by its ravages the Secretary of the Treasury of the United States stepped in and calmed the tempest with $25,000,000 deposit of the people's money. If it should happen that the financial stress was so deeply rooted that the Federal reserve bank can not allay the trouble, the Federal reserve board can order another Federal bank to the aid of the first one, and if that is not sufficient, still another and another till the whole battery of 12 Federal banks are brought into action with the greatest aggregation of banking capital back of them in all the world. If this would not stop a panic, then nothing known to banking science would. But in the judgment of experienced men nothing but the rankest dishonesty of member banks in their management or a nation-wide calamity could produce a panic that these great Federal banks could not snuff out at once before it could be called a panic.

REDISCOUNTING PROVISIONS.

In ordinary times the Federal banks will do a regular rediscount business with their member banks, furnishing each section of the country ready money for crop-moving and other purposes. The modus operandi is something like this: A country banker finds, for instance, he needs $50,000 for crop-moving purposes, and he has already loaned up to the limit of his reserves. He takes $50,000 worth of notes which the bank indorses and sends them to the Federal bank for rediscount. Under this law the Federal bank is empowered to issue Treasury notes under the approval of the Federal reserve board, and will in all probability issue these Treasury notes for rediscounting paper from a member bank instead of using lawful money—unless specifically called for—which is needed for reserve purposes. If Treasury notes are issued to the member bank, the $50,000 worth of customers' notes will be placed in the vaults and $50,000 worth of Treasury notes—new money—issued to the member bank. The member bank pays them out in the course of crop moving and they pass as do national-bank notes, but they are not lawful money and can not be used by the member bank as reserves. Since the loaning power of the member bank depends on the amount of lawful money held as reserves, it is apparent it would want to get these Treasury notes back to the Federal bank as soon as the need of them passed away, because they are a liability, and reduce the member bank's power to extend credit to the exact amount of these notes it holds in its vaults. Thus, while these notes will pass everywhere in the hands of the people just as national-bank notes do, they are a liability in the hands of the bank, because no matter how many of them a bank holds the bank's power to loan money would not be increased one penny as a result. They are not lawful money, and a bank must have lawful money in its vaults upon which to make loans. Therefore, every bank that gets hold of these Treasury notes sends them back to the Federal bank for redemption as soon as the need for them passes. Thus we have an elastic currency.

When the Federal bank issues these Treasury notes it must segregate in its vaults a reserve of 33⅓ per cent of lawful money for the purpose of redeeming them as fast as presented. The notes therefore have as a security for redemption the $50,000 of customers' notes, which the member bank guaranteed, and a reserve fund of $16,666⅔ of gold or lawful money, and the credit of the United States besides. There is no better money than this in existence, as it is based on actual commercial transaction and passes out of circulation with the close of the transaction. It is elastic, a quality so much needed in our currency.

The Glass-Owen bill will, if enacted into law in its present form, prevent panics. It will guarantee that every section of the United States will have its share of benefit from the legal reserves. It guarantees ample money to do the country's business with dispatch and economy. It provides against a shrinkage of property value as the result of a shortage of money and against inflation of prices from a superfluity of money. In short, it is the most important piece of legislation proposed by Congress in the last 50 years, and it is to be deplored that we have not had such a law from the beginning and thus saved to the producers untold wealth which they have been swindled out of by recurring money panics.

Banking and Currency.

EXTENSION OF REMARKS

OF

HON. LOUIS FITZHENRY,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, September 17, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. FITZHENRY. Mr. Speaker, as diversified as are the opinions of those who represent the various political parties in this body as to the merits of the pending measure, all minds are in harmony upon one proposition—that the present banking and currency laws are inadequate, defective, and a constant menace to the prosperity of our people and the stability of our institutions. Indeed, the differences of opinion are more fanciful than real, more speculative than substantial. Our Progressive friends complain that we have not gone far enough, while our Republican associates, more in a spirit of envy than legitimate criticism, say that in writing this bill we have gone too far; but neither the gentleman from Kansas [Mr. MURDOCK] nor my colleague from Illinois [Mr. MANN] have been able to point to one material provision which has escaped a serious, sound, and sensible consideration. The Progressive leader [Mr. MURDOCK] would have this House cure all of the ills of the body politic in this one measure. He is not content that we should single out the more serious ones and cure them one at a time, while the Republicans have no substitute to offer.

Were it necessary to procure evidence of the insufficiency of the present system of banking and currency, I would call to witness the great Monetary Commission which sat at Indianapolis 15 years ago and called the attention of Congress and the people to the crying need of legislation of this character. Every national convention of every political party has pledged itself to the passage of laws which would give us a sound banking and an elastic currency system that would meet the demands of the business of the country. Conventions of representatives of the banking associations have repeatedly called the attention of Congress to the necessity of amending our laws so that our bankers could cope with the emergencies which were likely to happen at any time.

Political capital was made of the panic of 1893, and so successfully that many well-meaning and ordinarily well-informed people believed that it was caused by a tariff bill which was to be passed at some time in the future and which was finally passed a year and a half later. Political exigencies required that the real cause of the panic of 1893 be hidden from view; and, unfortunately for the American people, it was. That panic followed closely upon the passage of the McKinley law, which granted special privileges liberally to a favored few of our people. It was when beneficiaries of those special privileges began to finance them that our system broke down completely, prostrating the industries and paralyzing the markets of the country.

RANKING PANIC OF 1907.

After the panic of 1893 the country finally settled down to business again and things ran along smoothly. Many improvements in agricultural methods were made and production of labor in all lines was increased. The factories were humming along joyously, and their output was immense; the farms of the country brought forth their most bounteous crops; the bank vaults of the country were supposedly full of money; and, in fact, so far as surface indications went, all were enjoying peace, prosperity, and plenty. The Nation was apparently at the ideal stage in its history.

This was our condition when our banking system broke down completely again without a moment's warning and to all intents and purposes without the slightest provocation. National banks suspended payment, mills closed down, factories went to the wall, soup houses and bread lines were established to feed the unemployed. The banking and currency panic of 1907 was on with all of its costly and terrible consequences, and this at a time when there was more money in the country than ever before; more agricultural products to be sold and transported to market than at any previous time in years; business to be done, but no money available with which to do it; the last presidential election three years in the past and the next one a year in the future, with the incidental unrest not yet started and the Republican Party in absolute control of both Houses of the Congress and a Republican occupying the White House.

ILLINOIS FARMERS WILL NOT SOON FORGET.

The bronzed, industrious farmer of the great corn belt in Illinois will not soon forget the consequences of the fall of 1907. With his bounteous crop ready for market and contracted for delivery, he found it an impossibility to get his money, because the grain buyer had none with which to pay him. Had he been especially diligent, marketed his crop early, gotten his money and deposited it in the bank, he discovered he was unable to draw it out to pay his debts. He and all others found themselves the victims of the twin evils of speculation and currency concentration—the children of set banking and currency laws, passed as a war measure—the shackles of an industrious and frugal people.

Upon former occasions these money panics had taken place at times when it was easy to mislead men not especially well versed upon the subject into a belief that they were caused by some other combinations of circumstances. Not so this time. With nothing, other than prosperity itself, with which to confound it, and like a bolt of lightning out of a clear sky came the banking and currency panic of 1907 with all its dreadful consequences. It is almost unnecessary to state the particular features of that law which made that disaster possible, were

it not proper to seek out the particular evils of present laws for the purpose of correcting them.

EVILS OF PRESENT SYSTEM.

It is unnecessary to detail all of the evils of the present system, but everybody skilled in matters of finance admits that—

(1) Our present system of currency is neither elastic nor mobile, while a proper system should be elastic—that is, expanding and contracting readily to meet the needs of the business of the country—and movable, easily and quickly, from where it is not needed to where it is needed.

(2) Our present system of currency naturally and almost necessarily tends to concentration in the great banks of New York City.

(3) It encourages speculation and hazards the banking reserves of the country upon the turn of the markets.

(4) The funds of the Government are gathered together and stored in the United States Treasury and the subtreasuries, located in the different parts of the country, and are thereby actually removed from circulation. These funds are of no more benefit to the business of the country than though they did not exist. At the close of business on the 16th of September, 1913, this sum amounted to $286,129,330.

(5) We have no system of banks or branches of banks in any foreign country, which has always been an embarrassment to our trade and which makes us, in a measure, the financial subjects of Great Britain.

The exports of the United States for the fiscal year ended June 30, 1913, amounted to almost two and one-half billion dollars. All of this business, done by American merchants and producers, was done through foreign banks, principally the banks of London. We have been endeavoring for many years, at great expense to the people of this country, to encourage friendly relations with the South American Republics. Our business interests have increased their trade with South America very considerably, but notwithstanding the growth we get less of the South American trade than England or Germany.

In 1912 our export business to South America amounted to $115,000,000. All of the banking business incident to this volume of trade with South America was necessarily done through the banks of London. Conceive, if you will, the embarrassment of our position—while endeavoring to gain the good will and the trade of South America, Great Britain controls the finances of the two continents, so far as international trade between North and South America is concerned.

(6) The present law is a panic breeder and enables a handful of men in New York City to dominate the commercial interests of the Nation.

(7) The present system affords absolutely no savings bank facilities and prohibits the national banks from making loans upon real estate, the best security which the Omnipotent has given us.

THE ISSUE IS PLAIN.

It is known that the panics of American history have been due to the fact that our currency system was based upon an arbitrary fact—the bonded indebtedness of the Nation—which has no relation in the world to the commercial needs of the people, and under existing laws it is possible for the big banks of New York to gather the reserves of the country banks into their vaults and loan them out for use in gambling in stocks and bonds on Wall Street. This latter specification—the possession of the national purse—together with the inelastic character of our currency, have given to the so-called Money Trust the power to completely dominate the banking business of the country and, through this domination, the positive control of the prosperity and destiny of ninety millions of American souls. Is this not more power than should be put in the hands of any set of individuals for their own private use? It certainly is. When, by the very nature of the situation, we are brought face to face with the proposition that either the banks are to control the Government and the people, or the people, through their Government, must control the banks, the issue is so plain and simple that our duty is unmistakable. Ninety-nine per cent of the opposition to this bill is due to the agitation of clever, crafty representatives of the big banking interests in the central reserve cities, who see in this proposed legislation the control of a great people slipping from their grasp. I might add that the other 1 per cent of opposition is due to a lack of careful consideration of the bill and the reasonable and natural consequences of its provisions.

THE FEDERAL RESERVE BOARD.

The instrument provided in this bill which is to control the national banking system for the people and in the interest of the people is the Federal reserve board. This body will sit in Washington, and the tremendous power of the Money Trust will be transferred from the gilded halls of Wall Street, where it is now used for private profit, to the Capital of the Nation, where it will be wielded by a governmental agency for the public good. As at present provided in this bill, this public agency will be composed of seven members, three of them by virtue of their offices—the Secretary of the Treasury, the Secretary of Agriculture, and the Comptroller of the Currency. The other four are to be appointed by the President of the United States directly to this service, by and with the advice and consent of the Senate.

The Secretary of the Treasury is the direct custodian of the material wealth of the Government and the processes of redemption which make every dollar of our money as good as every other dollar and all as good as gold. Is it not proper that this Cabinet officer should be a member?

The Secretary of Agriculture is the direct representative of the great basic industry of the Nation and those who pursue it, and the Cabinet representative of those who feed and clothe our people and many others among the nations of the earth. Is it not eminently proper that the official representative of the greatest producing class we have should be a member of this important board?

The Comptroller of the Currency, the officer of the Government charged directly, even to a higher degree than any other officer, with the administration of our banking and currency laws, certainly should be given a place in the councils of this great public agency. Is it not wise that he should be a member ex officio?

For the four appointive members of the board the bill provides such limitations upon their selection by the President that it insures an able, nonpartisan, well-balanced instrumentality.

Not more than one can be from a Federal reserve district.

The President is required to have a due regard to a fair representation of different geographical divisions of the country.

They shall devote their time to the business of the board.

Not more than two of them shall be of the same political party.

At least one shall be a person experienced in banking.

No member can be either an officer or director of any bank.

These are a few of the precautions that the law provides to insure the selection by the President of a board that will administer the duties of these exceedingly important offices. But the bill does not stop there. Another and independent agency is provided, which has powers and duties and is privileged to know that this board is performing its duties and exercising its great powers fairly and in the interest of all the people. This additional agency is—

THE FEDERAL ADVISORY COUNCIL,

which is composed of one member elected by the members of the boards of directors of each of the Federal reserve banks. The bill very wisely authorizes the Federal advisory council (1) to meet and confer directly with the Federal reserve board on general business conditions, (2) to make representations concerning matters within the jurisdiction of the board, (3) to call for complete information and to make representations in regard to the business of the board and business of the country.

In other words, the Federal advisory council has a right to know just what is being done and why and how; also why certain things are not done. Had some legally constituted authority possessed this power over the coterie of bankers who precipitated and directed the panic of 1907, there would have been no panic, and the prosperity of the country would not have been so needlessly interrupted and so much suffering entailed.

A COMPARISON.

The Federal reserve board is said to be the "capstone" of this new and very effective, I believe, bureau for the administration of the national banking system in the interest of the people of the country. It is given ample power to manage the banking business of the country, and to doubt its efficiency is to question our form of government. Compare, if you will, this governmental agency with the self-constituted board of control in New York, which for a quarter of a century has wrecked railroads, destroyed great industries, created panics, closed banks, ruined trust companies, floated watered stocks and inflated bonds upon the great utilities of the country—which are, in turn, but burdens upon the people served by these great quasi public agencies—corrupted the fountains of liberty, and limited the God-given opportunities of a race of people. Yet those who have wielded this great power object to the creation of this board unless the law requires the unanimous consent of all its members to act, and that they be given "minority representation" on the board. Suppose the railroads had minority representation upon the Interstate Commerce Commission. In other words, the big bankers of the country have no objection to the board if Congress will but let them run it.

THE FEDERAL RESERVE BANKS.

Having considered the great administrative agency created by this measure for the control and regulation of the national banking system, let us discuss for a moment the machinery through which the board will work. The country will be divided geographically into not less than 12 Federal reserve districts, having due regard for the established lines of business, and in each of these districts will be located, at some central point, a Federal reserve bank, which shall be owned by all of the banks in the district, called member banks. All national banks are required to become members by qualifying under the law and by-laws of the Federal reserve board. Each reserve bank is managed by a board of directors of nine, three to be chosen as representative of the member banks, three who are representative of the public in the district served, and all six of whom shall be elected by the member banks. The other three members of the board of directors shall be appointed by the Federal reserve board, who shall designate one of its appointees to be chairman of the board. The Federal reserve board is also given the power to remove the three directors elected by the member banks as representative of the general public if in the opinion of the board these directors are not fairly representative of the agricultural, industrial, and commercial interests of the district.

The purpose of these reserve banks is to compel national banks and to permit State banks to place themselves in a position where they are entitled to the benefits and their patrons furnished the conveniences afforded. These Federal reserve banks are the instruments through which the Government will put currency in circulation among the people and regulate, so far as practicable, the diffusion of credits.

If a member bank has all of its available funds loaned out, and the needs of the community require additional currency with which to transact the business, the member bank may take such portion of its prime securities as it desires to the Federal reserve bank and have them rediscounted. The securities are accepted by the reserve bank and held for collection, and in payment of them the reserve bank issues to the member bank the Government's Federal reserve notes, which the member bank issues and uses the same as money. As the securities are paid off and the emergency exhausted, the Federal reserve notes find their way back to the bank of issue and are retired until another emergency arises. Thus, the proposed bill provides an emergency currency system which expands automatically when the emergency appears and contracts automatically when the emergency is passed without an undue inflation or a dangerous contraction, the volume of emergency currency in circulation depending entirely upon the needs of commerce, and not upon some arbitrary fact which has no relation whatever to the business needs of the country, as at the present time. The present system is entirely satisfactory when the business of the country is running along smoothly—indeed, any kind of a system would do as well; but when the extraordinary condition, the emergency, comes, it breaks down utterly, as it has always done in all panicky times.

I believe, Mr. Speaker, that this measure might truthfully be called "a bill to prevent panics."

FARM LOANS.

For the first time in a half century, if this bill becomes a law, national banks will have the right and power to make loans to their customers upon real estate security. Heretofore the national bank has, strictly speaking, been required to do a commercial banking business, as distinguished from an investment or capital loaning business, which has been done by the savings and trust banks organized under the State laws. To meet this growing branch of the banking business, national banks have found it necessary and proper to organize, through their stockholders or directors, State trust and savings banks, which could engage in the business of accumulating small savings of time deposits and loaning them out upon the security of farm mortgages and trust deeds.

The pending measure authorizes national banks to create under their Federal charters savings-bank departments, subject to proper limitations and regulations. When a department is thus properly organized its powers are almost unlimited in that particular class of banking, and loans may be made for long terms and renewed. Should a national bank for any good reason decide not to set by a portion of its assets for the organization of a savings-bank department, then this law gives the bank the right, even while doing a purely commercial banking business, to make loans on real estate for a period of not longer than one year.

Those familiar with the manner in which farm loans are made are at first inclined to feel that the loaning power for the period of one year is of little value; but when we consider that for many years national banks have been furnishing funds for large real estate transactions, with no security other than personal security upon promissory notes, it must be apparent that this grant of power will be very valuable to the bank, adding to the integrity of its short loans for closing up real estate transactions and a great accommodation to the patrons of the bank.

This provision of the bill, if enacted into law, will add materially to the efficiency of the national banking system. It will cause national banks in many instances which now, through their stockholders or directors, control a State-bank corporation to abandon the State charters and bring their entire business within the provisions and the regulation of the Federal system. It will also have a tendency to encourage strictly State banks to come into the Federal system and receive the immense benefits of the rediscounting privileges of the Federal reserve bank, thus insuring in a measure the safety of the deposits of our people.

A FALSE CRY.

When the enemies of this measure found themselves unable to seriously criticize any material provision in this bill they resorted to the false cry that the present majority in the House of Representatives was attempting to surreptitiously destroy the present standard of value of our financial system. This contention is purely malicious and wholly without foundation, for not one word in the bill, from its enacting clause to the last word in the last section, even refers to a change of the established standards of value of this country. It may be that some day it will prove wise to change the present standard of money in the United States, but it would be unwise to do so at the present time, and neither the Banking and Currency Committee nor any Member of the House has even thought of such action.

FEDERAL RESERVE NOTES.

The only change in the currency that is proposed by this measure is to retire the Government 2 per cent bonds, which are now the basis of the circulation of bank notes, at the rate of 5 per cent annually, and incidentally the national-bank notes, and in their stead and subject to the quality of elasticity provided for in this bill, substitute the Federal reserve bank note. In all of the discussions of this measure, both during the general debate and under the five-minute rule, no Member of this body has presumed to question the soundness of the Federal reserve bank note provided in this bill. When the banker has all of his funds loaned out and an emergency arises requiring more money he takes his prime securities to the Federal reserve bank, where they are rediscounted and the banker given in payment for his securities these Federal reserve notes, which are a legal tender for the payment of all imposts, excises, and Government dues. A Federal reserve bank is required to have in its vaults as security for these Federal notes at least 33⅓ per cent of their par value in gold coin, as well as the par value of the notes evidenced by the prime securities of the member bank which had them discounted. When these securities are transferred they are indorsed by the member bank, so that behind every Federal reserve bank note that can be issued under this law the holder of the bank note will have as security for its payment one-third of the par value in gold, 100 per cent actual prime securities, the entire assets of the member bank discounting its securities, the entire assets of the Federal reserve bank issuing the notes, and, in addition, the taxing power of the United States Government.

Bank notes are not money. They are evidences of credit and promises to pay lawful money. In other words, they are a substitute for money. Each dollar of actual money in this country is required to do about $8 worth of business. It has to assist it in the performance of its work all sorts of substitutes for money and all kinds of means for the transfer of credits, such as the bank check, the promissory note, and bank notes of various kinds. But to my mind the substitute for real money provided for in this act and alluded to as Federal reserve bank notes is such a perfect substitute that it is as near real money as it can possibly be without being made and declared actual money.

ADMINISTRATION OF THE LAW.

The general administration of national banks under the present law is not substantially changed, except the bank reserves are cared for in such a way that the reserves required to be held by national banks can not be accumulated and transferred to the great financial metropolis of the United States for improper use, but must be held in the Federal reserve district in which they belong. It is true the law requires national

banks to subscribe for capital stock in the Federal reserve bank to the extent of 10 per cent of its capital stock, subject to an additional call of 10 per cent. But, on the other hand, the banks will be relieved of the necessity of buying not less than $25,000 worth of 2 per cent Government bonds before they can engage in the banking business.

RELIEF AND SECURITY.

Under this law the farmers of Illinois will be able to market their crops without the aid of a special dispensation from the great financiers of New York. And after they have marketed their crops and placed their money in their local national banks, there never will be any question about their ability to draw it out any time they desire to do so, because under this law the local banker will have the money to pay the depositor or he will have the means of procuring money from his Federal reserve bank with which to pay his depositor upon demand. The savings of the merchant, manufacturer, farmer, and the workingman will not be loaned by local bankers to the New York bankers for gambling purposes. In fact, the Federal reserve bank is absolutely prohibited from rediscounting any paper the purpose of which is to enable the holder to deal in or hold stocks or bonds or other similar security for speculating purposes. The concentration of the wealth of this great Nation into the coffers of one city has created a power which threatens the destruction of the liberties of the American people unless removed. This bill decentralizes the wealth of the Nation. That is why the big bankers and banking syndicates of our great metropolis so strenuously oppose the provisions which this law contains.

Banking and Currency.

EXTENSION OF REMARKS

OF

HON. WILLIAM A. CULLOP,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, September 17, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. CULLOP. Mr. Speaker, prior to the Money Trust investigation conducted by the Pujo committee in the last Congress the people were not fully apprised of the defects in our banking and currency system, and but little understood the immense power exercised by a few men who practically controlled the money of the entire country. That investigation made manifest the absolute necessity for a revision and reformation of our banking and currency laws. It exposed the abuse of power exercised by a few men under the existing system and the necessity for legislation regulating the issue and distribution of the circulating medium of the country. It revolutionized public sentiment on this important question and awakened the people to a realization of the fact that for the good of the common welfare of this Republic reformation of our financial system was an imperative necessity in order that the industrial commerce of the greatest country on earth might be conducted fairly and freely and that business disasters might be averted. They knew that under the present system within the last 30 years six panics have occurred, producing financial disaster, bankruptcy, distress, and ruin, but they had never been able to successfully diagnose the cause or satisfactorily fix the responsibility other than to believe something was wrong with our financial system or its administration.

Previous to the Money Trust investigation the people did not realize how helpless they were in the hands of a few financial "kings" operating in Wall Street, who from avarice, greed, or selfishness were able to dictate the business policy of the whole country and manipulate it as their personal interests might require.

Financially powerful enough to make a panic if they desired or prosperity if they wished.

Because of the defects in the existing system which the investigation disclosed to the world the people learned why it was that financial text-book writers of Europe denounced our system as "barbarous" and pointed to it as the "poorest of all the great financial countries of the world."

President Wilson, desiring to serve the whole people to the best advantage, in his message to Congress on this subject, wisely said:

We must have a currency, not rigid as now, but readily, elastically responsive to sound credit, the expanding and contracting credits of everyday transactions, the normal ebb and flow of personal and corporate dealings.

Our banking laws must mobilize reserves, must not permit the concentration anywhere in a few hands of the monetary resources of the country or their use for speculative purposes in such volume as to hinder or impede or stand in the way of other more legitimate, more fruitful uses. And the control of the system of banking and of issue which our new laws are to set up must be public, not private, must be vested in the Government itself, so that the banks may be the instruments, not the masters, of business and of individual enterprise and initiative.

This clearly and concisely states the object of the proposed measure and the noble purpose which prompts this legislation. Banks should be the instrument and not the masters of the public, the instrument for conducting and expanding legitimate enterprise, and not for curtailing or paralyzing it; the instrument for encouraging development of all healthful business, and not for dwarfing or strangling it; the instrument for inspiring competition in all industrial affairs and not preventing it. To this worthy purpose it is wisely directed in order that our incomparable facilities may be developed and utilized for the benefit of the whole people and the advancement of our great commercial opportunities, to the end of maintaining a permanent prosperity.

Critics have assailed this measure most severely because it lodges the control of our currency in a Federal reserve board of seven men, but this objection can not prevail, because under the present system it is lodged in only one man—the Secretary of the Treasury—operating through the Comptroller of the Currency. He is clothed with this power now and can exercise it practically as he pleases.

"In a multitude of counsel there is wisdom," and who is there that would not prefer this great power in the hands of seven men composed of different political faiths, coming from seven different sections of the country, acquainted with the diversified business requirements, than to have it lodged in the hands of one man vested with authority to arbitrarily use it as he desires? Of course every candid person would prefer it to be in the hands of seven men to assure a fair and just exercise of the same. Again, every fair-minded man in this Republic would prefer this power to be vested in seven men selected from different parts of the country than to have it remain in the hands of the five managers of the New York clearing house, where practically the control of our money now is, who represent the 51 banks of New York City which compose the New York clearing house and which completely dominates the money and credits of this great Republic. It will destroy their arbitrary power and break down their ability to dictate our entire industrial and commercial affairs. To this self-constituted and unauthorized organization and its unchallenged power it deals a deadly blow in order to secure for us industrial and commercial freedom. They assail it, and well they should, for it will end their tyranny over the business of the people of this Republic.

It is criticized because some assert it is placing the financial system of this country in politics because the President appoints the Federal reserve board, but under the present law the President appoints the Secretary of the Treasury and the Comptroller of the Currency, both of whom are partisans and who have complete control under the present system. This measure provides that of the four members appointed on this board, outside of the official membership, not more than two shall be of one political party, and that not more than one shall be from the same regional reserve. Can critics on this ground justify their assault? If so, how?

Does not this provision assure the fair and nonpartisan administration of this important function of our Government, the one nearer to and more important than any other to the people? Is it not more preferable than the existing method?

The burning ambition of every man who has been or will be President is fame. This one thing he cherishes above all others and knows it depends upon the success of his administration. If his administration is a business failure, if it is attended with business prostration or panic, it will be condemned by the people. If it is attended with prosperity, it will receive their commendation. One of the great responsibilities resting upon him will be to see that this department is administered so as to enhance his glory by advancing the prosperity of the country. I venture the assertion here and now that every man in the country would prefer this responsibility be placed in the hands of any Chief Executive this country has ever had or ever will have than to remain in the hands of the managers of the New York Clearing House Association, where it now practically is and where it will remain as long as the existing system continues.

The President would have it administered in the interests of the whole people, while the latter would control it in the interest of themselves and their associates; the former from patriotic motives and the latter for selfish purposes; one for the good of the country, the other for private gain.

Another criticism of the measure is that it takes the control of private business out of the hands of its owners and places the same under Government control. This objection is based on the fallacious assumption that the national banks are private institutions and in their management and operation the public have no concern. Any business in order to organize which requires a charter from a national, State, or municipal government is not a private business, but a quasi public one, and the public has the unquestioned right to regulate, supervise, and control it. The banking business is such a business, and the public therefore has the power to regulate it in order that it may better serve the public convenience and promote the general welfare. This opposition was urged to the establishment of the Interstate Commerce Commission, to the enactment of railroad legislation, telegraph and telephone supervision, and pure-food laws, and yet the courts upheld this right wherever it was controverted and fully and firmly established both the duty and power of Congress to regulate, supervise, and control the same. It is one of the vested powers delegated to Congress by the Constitution. Who now would be bold and audacious enough to advocate a repeal of the above-enumerated legislation? The opposition to them has faded away and the public with one accord concedes their wisdom and from year to year appeals to Congress to strengthen and extend the regulation and secure more and better opportunities.

Mr. Speaker, so it will be with this legislation when once in operation; when the people see its beneficial results they will approve and ask its extension. It places the banks and the currency of the country under Government control, where they belong. Its inception was to secure such supervision, and this is its best feature; it is created for that purpose and will be executed with that object in view. The Government fairly administered is a better guardian of any person or business than any private or industrial corporation. The Government has no selfish interest to serve, no greed to satisfy, and no avarice to appease; the latter has all to dominate and control it.

Under our Constitution Congress alone has the power to coin and issue money. This power can not and should not be delegated to corporations or individuals. Any attempt to delegate this power is a perversion of constitutional authority and an invasion of constitutional limitations. The Government should issue the money and should not transfer this function to any private institution or individual, in order that full faith and credit be sustained and no undue advantage be given one class of citizens over another.

If this measure places our finances under political control, then they have been, under the existing system, under political control for the past 50 years, for there is not a single administrative feature in this measure but what is contained in the present system in a more arbitrary form and which could be exercised in a more tyrannical manner.

Another criticism upon which its opponents lay great stress is that it will enable the large banks to oppress and tyrannize over the small banks of the country. This objection is absolutely without foundation. Just the reverse is nearer the truth. By the provisions of the measure the country is divided into 12 regional reserves, and each of these have a regional reserve board elected by the banks constituting the regional reserve, each member bank having but one vote. As the small banks outnumber the large banks by an enormous majority, as the report of the Comptroller of the Currency shows, the small banks can control the regional reserve board, if they desire to do so, in every reserve region in the United States. Then how could the large banks oppress and dominate the small banks? It would seem this objection was raised solely by the large banks in order to arouse the opposition of the small banks to defeat the measure, but the small banker will read and think for himself, and he will readily see and comprehend how baseless this criticism is and what are the advantages furnished by this measure for him to be emancipated from the domination of the large banks. He will understand it furnishes the means and points the way to his freedom and financial independence.

It has been criticized because it establishes 12 regional reserve banks instead of 1 as provided by the Aldrich plan. Those who urge this objection will feel its effects. They constitute the little coterie who manipulate the Money Trust. It strikes a fatal blow to their domination of the financial and industrial affairs of this great Nation. From their manipulations this country has suffered long enough; markets have gone up and down at their dictation, business fell prostrate when they directed, and development stood still or was active, as they desired. With a central bank such as the Aldrich plan proposed, their lease of power was assured, and their exploitation of the public was continued. We are not surprised at their criticism, opposition, and protestations. The 12 regional reserve banks are prescribed in order to prevent control by a few of our circulating medium, in order that it may not be turned from legitimate pursuits to stock-gambling purposes; that it may be retained in the communities that own it and available when they need it to move the crops, work the mines, operate the factories, assist mercantile businesses in the dull season, and develop the resources which abound in all these regions. This feature is the most commendable of all. It will enable the real producers of wealth to have the means to carry on the legitimate enterprises with which the people are identified and in which the welfare of the country is deeply interested. It will manacle the paralyzing hand of the panic maker and silence the voice of the calamity howler. Write in this bill a provision for one central bank located here in the city of Washington and the criticism of these men will disappear and their approval will supplant it. They conceal their real objections and put forward ostensible ones, hoping to create opposition. They mourn the loss of the opportunity they would like for it to confer, but they may as well understand now that the Executive and the Congress as now constituted represent the people of this country and not the special interests; laws now are written by the representatives of the people and not alone by the beneficiaries of them as heretofore. Too long, yes, much too long, has this been the case in this country, and the people have determined it shall cease. A new order has been proclaimed in this Republic, an order that the people shall rule and not the special interests, and the President and Congress have been commissioned by the people to execute this order, which they propose to do both in spirit and in letter.

We see a splendid example of this order of things in the passage of the new tariff bill, the first in 50 years that has been written by the people's representatives elected for that purpose. Others heretofore have been written by the protected industries, the beneficiaries of the legislation, and who have for this reason garnered golden harvests.

But, Mr. Speaker, it is amusing to see men criticizing provisions in this bill which they commend in the Aldrich currency plan. Every one of the above I have discussed were contained in a more arbitrary form in that bill, and these same critics, who are objecting so strenuously now, indorsed them in that measure. If they were acceptable in their arbitrary character in that bill, entitled to their indorsement and approval, why are they in a modified form here so obnoxious? Ah, Mr. Speaker, it is because this bill does not establish a central bank, because the ability to dominate the money supply of the country is safely provided against, because their opportunity for stock gambling is broken up, because they can not at will divert the money of the country under its provisions from the legitimate channels of trade. Their opportunity to paralyze business, shut down industries, prevent competition, and dominate the finances of the country is safely and securely guarded against and practically prohibited. It sounds the death knell of the Money Trust, ends high financing, and is a body blow at monopoly. These constitute the real reasons for their opposition, and because of this fact the people will like it the better on account of the enemies it has made.

I have in my way pointed out and answered some of the objections its critics have made against the measure. There are a few others sometimes urged which I have not the time to answer and would not trespass upon the patience of the House if I had the time to spare. However, it is proper to say in reference to them that they are baseless, as an examination will show to the most casual observer.

Mr. Speaker, a few have come out in the open during this debate and offered a defense of the existing system—only a very few—because it is almost universally discredited and roundly condemned everywhere. It was initiated in an emergency, made necessary as a war measure when the Nation was in the throes of a terrible Civil War which threatened the existence of the Republic. Its usefulness passed long ago, as well as the occasion for its adoption. Why the American people have tolerated it and allowed it to remain so long is almost incomprehensible.

The existing system is a compulsory debt-creating and a debt-perpetuating system and should have been changed long ago.

As long as it is retained we can not extinguish our national debt. It is founded upon indebtedness, to reduce which would necessarily contract the volume of our currency; to expand which would necessarily increase the public debt. To retain the system means to retain the public indebtedness. If we pay off our public debt, we must retire our circulating medium, and for this reason the system should be changed. For 50 years the people have paid interest on the Nation's public debt and will continue to do so without reducing the obligation as long as the present currency system is retained. Instead of basing our circulating medium on our indebtedness, as is done by the existing system, it should be based upon our assets, as is proposed to be done by the measure now under consideration. This is its merit over the existing system, and this distinction will meet the hearty and enthusiastic indorsement of the American people. They demand a currency based on what we own and not on what we have spent; on our wealth and not on the want of it; on our assets and not on our liabilities, as under the present system. The burdens of the people from which they have complained for 50 years can not be removed, but are perpetuated and increased from year to year by it. Under the proposed system they can be yearly wiped out. Under the existing system if we are to reduce our indebtedness we contract our currency, and if we expand our currency we increase the Nation's debt.

The people demand a reduction of taxation, the extinguishment of our public debt. Under our existing currency system this result is impossible, but under the proposed plan it is possible and can be gradually obtained. Does any man doubt the advantages of this measure over the antiquated, burdensome, debt-perpetuating system now in operation? If so, he surely believes debt is a blessing and not a misfortune, that taxation is an advantage rather than a disadvantage. The President has wisely, in my judgment, declared that it is essential that currency-reform legislation should immediately follow a revision of the tariff in order that the people may profitably enjoy the beneficial results which will flow from the reduction of high taxation and have a currency system that will adjust itself and respond to the requirements of our great and growing industrial and business operations.

With great prophetic vision he penetrates the future and desires to create a condition which will meet every requirement the future has in store for the people and have them prepared to take care of every possible condition which expanding business affairs may need.

Now, Mr. Speaker, some have denominated this an administration measure. I am glad they have done so, for no man in the past half a century has occupied the high office of Chief Executive who has had the confidence of the American people to a greater degree than Woodrow Wilson. The people of this country have implicit faith in his ability, integrity, and statesmanship. He is the greatest constructive statesman of the age; fearless, bold, and conservative, ready to discharge his duty as he sees it; free from all influences save the one to do right, as God gives him the power to see the right. He fears no master but the people; he serves no interest but the public good. There are no manacles of special interests on his body and no shackles of sinister purpose on his limbs. He is truly the President of all the people and has no favorites in any section of the country.

Day by day he discharges the responsible duties of his office without fear or favor and with eminent satisfaction, and is winning the approval of the people irrespective of party affiliations all over the country.

Tariff.

EXTENSION OF REMARKS
OF
HON. WILLIAM C. ADAMSON,
OF GEORGIA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, September 30, 1913.

On the adoption of the conference report on the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. ADAMSON. Mr. Speaker, the Underwood Tariff Act will immortalize its author, not only on account of the ability, patience, and urbanity displayed in its preparation and management through the House and through the conference, but because its results will bless the people in an unprecedented degree.

It is true he had allies and assistants in the great work worthy of their great leader. The result fulfills the promises of the Democratic Party and rewards the long and faithful efforts of its members.

This country, although handicapped by exclusive protective rates, has prospered and progressed by leaps and bounds, because, enjoying internal free trade between the States, it has generated a commerce greater than that of all the world besides, both domestic and foreign. In spite of the handicap in foreign trade it has become the workshop, clothier, and granary of the world, producing so much in field and factory which the balance of the world was compelled to have that we built up a tremendous export trade in spite of protective shackles restricting our opportunities and markets. Of course, we had to buy something abroad or the people we sold to would not have been able to buy our commodities, but if the handicap of exclusion had been reduced so that with reasonable taxation on imports we could deal in honest exchanges with the nations of the world needing our products, our foreign commerce would have kept pace with our domestic commerce.

The protective policy in its restrictive effect has borne hardest upon the South and West, both of which have been its victims, and the West has also been its dupe. The South always knew both the method and extent of its robbery as well as the reason why it was done. Protection was never necessary for anybody in this country. New England pretended that it was necessary to pamper her infant industries, but what she really meant and realized was that by shutting out competition she could exact higher prices and realize greater profits with less labor, risk, and travel.

While a few nabobs might not have grown quite so wealthy they would have acquired all they could use in this world under an open, fair system of competition, and all their neighbors and fellow citizens would have participated to some extent in a common prosperity which they have never known under exclusive protection. The South and West especially need an open field, and are prepared to enjoy the highest success and prosperity in competition with all the world in our own markets as well as all others. If the West can exchange its food crops with the nonproducing manufacturing and trading population of our own country to the extent of the home demand, and then be permitted to exchange the surplus abroad and bring home on reasonable terms the proceeds thereof, prosperity will begin to equal what God and nature designed for that region.

If the South, after furnishing on fair terms to the factories in our own country the cotton they spin and to the people of the country the cotton goods they need, taking in exchange the goods and wares of other industries, can then be permitted to sell the surplus abroad, taking in part payment therefor some of the products of countries which must sell their products to enable them to buy our cotton, the South will begin to realize that degree of opulence and comfort which it is justly entitled to enjoy and would have been enjoying now to an extent unprecedented on earth if the Republican Party had never been born to inflict protection on us. This handicap will be largely removed by the Underwood bill. Courage and confidence will return to the people. Realizing that they will be permitted to enjoy the rewards of their labor without having them filched away through the operation of protection, they will work with renewed energy, and prosperity will indeed bless a smiling land and reward the courage, patience, and patriotism of a glorious people.

The beneficiaries of protection have complained and groaned and cried "calamity," but there will be no calamity. The only mischievous results following the Underwood bill will not be due to the bill itself, but to the false statements of interested alarmists, who tried to delay or defeat its passage or impair its value. In my judgment, cotton mills will multiply in the South. You will find crops diversified there. Profitable market gardening and food production to supply the demands of increased manufacturing and trading population will increase.

The farmers, able to buy farming implements at a lower rate, will buy more of them, which will benefit the manufacturers and merchants by increasing their business. Producing most of their supplies at home, the farmers will be able to save something from a cotton crop raised as a surplus. When the cotton mills operate looms and spindles enough to take half of the cotton crop there will be no trouble about maintaining a fair price for cotton and holding it at a more steady rate; and the surplus that goes abroad will bring home showers of gold to maintain the balance of trade, and, in common with the exports of the balance of the country, encouraged by the possibility of more imports to make competition at home, not only the South but the West and East and North will cooperate to make us the richest as well as the greatest and freest country the sun ever shone upon.

Banking and Currency.

EXTENSION OF REMARKS
OF
HON. WILLIAM M. CALDER,
OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, September 17, 1913.

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. CALDER. Mr. Speaker, I am opposed to the incorporating of any provision in the currency bill permitting any national bank making a temporary loan on lands of any character, but if this provision is to remain, the same consideration should be extended to the small-home owners in cities and villages throughout the United States who may be compelled to borrow money for a period not exceeding one year, and for that reason I favor the amendment offered by the gentleman from Pennsylvania [Mr. BURKE]. No one of any great financial experience can for one moment wish that banks of deposit be allowed to tie up their deposits in mortgages, a class of security which is not liquid, and thereby further decrease the possibility of payment to their depositors in case of stress.

No nation in the world has attempted to improve the condition of its agricultural borrowers by a further extension of the present system of loaning, for the placing at the disposal of the borrowers of a small percentage of the deposits of the national banks will only add to the burden of existing conditions and may imperil the banks. The need of the borrowers of money where farms and dwellings are pledged as security can only be met by the methods which have prevailed so long in Germany and in France. Here I wish to state that greater comfort, cheaper rates, and safer methods of borrowing are needed by the farmer and at the same time by the owner of the small dwellings in the towns, villages, and cities of the country, and no scheme which does not include both classes of borrowers should for a moment be considered by this House.

The present system of borrowing money on bond and mortgage by which the borrower obtains his money for a period of three or five years with the possibility and the probability of refunding that mortgage at its expiration with new charges, new commissions, and a new lender, is savage in its cruelty and does not attend borrowing in other great countries of the world.

I desire that a charter shall be granted to a great mortgage company based upon the methods of the Crédit Foncier of France. That company has been running now for over 60 years. The incorporators of such a company should be those men in this country who are willing to devote a certain amount of their recognized ability to the improvement of the condition of those who "have not." This company should afford an opportunity to the borrower on bond and mortgage to obtain a loan at a fixed rate of interest plus an amount not less than one-half of 1 per cent and not over 2 per cent per annum, which will be applied to the reduction of the principal of the mortgage—none of the mortgage loans made by this company to become due unless desired by the borrower until the entire principal is liquidated by the small annual payments. These small annual payments and the interest would be less than the small borrowers of this country are now paying for interest alone, and would result in the liquidation of the principal of a mortgage without any increased burden upon the borrower. This seems almost ideal, but is entirely practicable, when you remember that one-half of 1 per cent per annum will liquidate a debt in about 75 years, 1 per cent in approximately 45 years, and 2 per cent in approximately 25 years. At the present time in France a borrower can obtain from the Crédit Foncier a loan at 4½ per cent. If he pays 6½ per cent, which is 2½ per cent per annum difference, his entire indebtedness will disappear in 25 years. Now, gentlemen, this method of loaning is perfectly practicable in this country, as it has been in France and Germany, and it is used even in Egypt, Algiers, and Argentina.

The great Crédit Foncier obtains its money by the sale of its debentures to the little people, and this French mortgage company merely acts as the intermediary by which the savings of the "little" man are used to loan to the small borrowers. The small savings of the poor are thus not deposited in banks for the use of the big financial interests, but are placed in the debentures of this mortgage company, which have always redeemed at par since the organization of the company in 1852.

There are people enough to manage a company of this kind; there is capital enough to subscribe to its stock, and all that is lacking is the legislative authority of Congress—and, in my judgment, the time of the House would be well spent in discussing this great subject, which would be of such inestimable benefit to those who are trying to get ahead in this world and are compelled to borrow money. If the Democratic majority of this House would allow me the time, I should like to discuss the details attending the incorporation of a great mortgage bank, for I have given the subject much study. I should also like to show how such a company could be made to work hand in hand with those organizations which should be formed among the farmers for the purpose of giving short credits, based upon the credits of all, for any improvements which may be needed and which would add to the income of the farmer. Such lending is done under the Raiffeisen method, which has been much discussed in theory but little done toward its accomplishment. I propose, in conclusion, to read a speech made by Frank Bailey, vice president of the Title Guaranty & Trust Co., of New York City, at a conference of the State Bankers' Association held in Kansas City on August 26, 1913. In the city of New York, Mr. Bailey has already tried to furnish a mortgage running for 10 years to house owners, payable 1 per cent of the principal each year, and his experience with this method of loaning, and the general mortgage conditions in Germany and France, prompt me to incorporate his address as to some of the details of such a corporation. I commend it to the Members of the House, for I am sure its perusal can but be instructive to those who will take the time.

Mr. Bailey's speech is as follows:

THE DIFFICULTIES ATTENDING THE FURNISHING OF LONG-TERM AGRICULTURAL CREDITS AND A POSSIBLE PLAN.

"The discussions during the past six months in the press, in Congress, and on the platform have probably brought to the attention of all interested in finance and in the improvement of our producing population the necessity for some permanent improvement in the relations between the borrower owning a farm or a small dwelling and the lender on bond and mortgage. For the purposes of this discussion I am bound to assume that everyone present is familiar with the disadvantages under which the borrower on bond and mortgage now labors. To a great extent those relations have not yet passed beyond the primitive relations of barter. Rates of interest and terms of mortgages on adjoining properties of equal value frequently differ as a result of the negotiations between the borrower and lender.

"There exists in this country no central organization of sufficient size and importance to act as a proper intermediary between the borrower and lender, or of sufficient strength to influence the rate of interest or the terms of borrowing. Of course a borrower wishing money on bond and mortgage must find a lender, and in most cases the lenders are now represented by agents who act as intermediary or middlemen. The charge of these agents of necessity is so material as to add much to the rate of interest paid, even if distributed over the term of the mortgage.

"How the borrower on bond and mortgage is compelled to raise his money in the poorest possible market, inasmuch as it is a retail rather than a wholesale market; how he is compelled to take money for a short term of years; how he is generally forced to repay or renegotiate a new loan at the end of each period, usually three years, with new charges again to be added to the interest; how the maturity of a mortgage frequently comes in times of panic when borrowing is most difficult; how the surcharge interest, to wit, the expense of placing and replacing a loan, works to the detriment of the borrower; how the opportunities for the repayment of sums borrowed (except in bulk) are limited by the requirements of the lender—are too well known to need discussion here. The conditions are wasteful, extravagant, and unnecessary.

"The paper by Ambassador Herrick circulated by the Department of State shows with great care how other nations have solved this problem. It is to my mind, however, a little unfortunate that the discussion has so far been limited to the necessities of the farm owner, as if he were the only borrower worthy of consideration. The borrowers in the towns and cities, men who are struggling to own their own homes, are likewise entitled to relief in the same way as the borrowers on farms, and it is for all these classes of people that any scheme of relief should be planned.

"The ideal should be considered first—and let us talk for a moment of the ideal. There should be one or more places in every State of the Union where a borrower on bond and mortgage having satisfactory collateral could borrow money at a standard rate of interest, limited by the rate paid for the money

by the lender. Money so lent should run for a period of years, but under terms compelling the borrower to repay the money lent in small annual installments, running over a period of years, the term depending upon the class of property offered as security. Only borrowers having productive property of earning capacity and living on their farms or in their own dwellings should be entitled to borrow in this way.

"These mortgages should bear, say, 6 per cent interest, possibly 6½ per cent, and out of the interest from one-half to 1 per cent should be applied in reduction of the principal each year, and the borrower should have the privilege of anticipating payments, which payments when so anticipated should be credited to future reduction requirements, at the option of the borrower. This would act as a great safeguard to the borrower in that successful crops in one year would insure him to a great extent against the failures of a subsequent year. The lender should also have the right to waive the necessity of installment payments any year if so desired, to the end that relief might be furnished in times of undue stress.

"The cost of obtaining this money, to wit, appraisal fees, title fees, mortgage tax, and so forth, should be fixed and never repeated during the term of the mortgage excepting where reappraisal might be necessary. Such an institution should be prepared to lend money to the farmer, to the owner of homes in the cities and in the suburbs on a percentage of value running from 40 to 60 per cent, according to the marketability of the property.

"The terms of lending and rate of interest should be uniform in every State, excepting that the time of total repayment might vary, and a State not willing to pass fair laws determining the relations between borrowers and lenders should not be favored with the services of such an institution.

"Assuming that such an institution were prepared to accept mortgages at practically all times upon such rates as were fair to both borrower and lender, I know of nothing that would be more ideal for the advancement of the thrifty and the worthy savers of the Nation.

"It does not seem necessary at this point for me to dwell for a moment upon the necessity of starting such an institution if such ideals can be nearly approached. At the present time various States in the Union are passing laws enabling the formation of companies to lend money along the methods I have discussed. Such laws, in my opinion, are entirely futile in that they do not provide any method of furnishing the necessary capital to lend. Unless the State is prepared to underwrite and guarantee the debentures which must be sold for the purposes of furnishing this long-term money—a plan I do not favor or believe to be necessary—the capital to lend, I do not believe it will be forthcoming. Many institutions will be formed, however, which will attempt to lend money on the long-term basis, but they will be managed primarily for the profit of the stockholders, and will only add one more to those institutions of which there are now so many, practically brokerage concerns, obtaining from the borrower the maximum amount of interest in order to pay the lender a rate of interest sufficient to coax him to take that which he considers to be a risky investment. In no way can the money be furnished upon terms which will be of great and proper benefit to the borrowers unless there is formed an institution national in its scope, chartered by the National Government with a capital of not less than $10,000,000, with governmental representation on the board, with an audit made under the direction of the Government every six months or once a year, with a management which starts with the idea that its money shall be lent primarily for security; secondarily, at the lowest rate of interest compatible with the rate at which its debentures can be sold; probably three-fourths of 1 per cent per annum difference between the rate charged and the rate borne by the debentures would be ample. Such a company must have a manager selected from those men in the Nation who wish the country well and will use it not for exploitation but for the advancement of the interests of the borrower. Such an institution probably would, of necessity, form subcompanies in each State, one-half of the capital of which should be contributed by local interests, and each local company would in turn guarantee the parent company. The vast extent of our country requires personal knowledge of each locality and efficiency in the valuation of property for the purposes of loan can only be obtained from those who would lose because of errors in judgment. A man is very much more certain to be sure of the value of a piece of property on which a loan is to be made if he is a stockholder in the company lending the money. Fraud, acceptance of commissions, and the untoward things which have been attending corporate management in the past should be punished severely under the terms of the act forming the company. A company thus formed with a capital of ten to twenty million dollars, although an infinitesimal part of the amount required for this purpose, would enable the company to start with the necessary credit. Its character and the character of its management must then establish a market for its debentures, from the sale of which the business of the company can proceed. Its debentures, backed by such a capital, would day by day grow in popularity until they would, as in other countries, be a favorite investment.

"In 20 years the company of which I am an officer, lending money in Greater New York only, has sold and guaranteed the payment of nearly $400,000,000 of mortgages. So the establishment of first-grade credit is a necessity for the success of such an organization, for millions of money would be required. The company's credit should be artificially stimulated only by making the debentures legal investments for trustees and institutions in every State of the Union. Any other artificial stimulus, such as indorsement by State or Nation or by lottery—which is the favorite method in France—can but lead, especially in case of State indorsement, to tremendous disaster.

"In proposing a plan for such a company to be chartered by Congress, I appreciate that I am treading on dangerous ground. I know that there will be danger of centralization and that any management is more ready to lend its money where it can see the security than where it can not. The tendency of the management of the Crédit Foncier in France has been to lend its money in the cities and not sufficiently in the country. I know that corruption, where there is no standard value to real estate—a piece of property being worth what you can make the other man think it is worth—is almost too probable in such an institution; still, I believe that there are honest men in corporations who can be drafted for this work—men who are capable and efficient and wish this country well—who could make this plan succeed. The ambition of any man or men who desire the good of this country would find ample scope in such a concern.

"Decentralization could be accomplished by this series of subcompanies which, while controlled by the parent company, would have the individual capital of investors in each State, and each State, therefore, would look after itself and compel fairness on the part of the general management. Such a company should not be formed for farmers alone, for a man trying to own a home in the city is as worthy of aid as the farmer, and the success of the institution would come from the aid which it could give to all classes—both the farmer and artisan.

"No plan for the formation of a company has shown a way to obtain capital in sufficient quantities to be of any real benefit, and I believe that the plan I have outlined is the only plan which can furnish the credit necessary for success.

"I have in mind many of the safeguards necessary to the success of such an organization, but those are details which need not be discussed to-day. I would, however, suggest the organization of such a company, and believe in its success, because of the success of a smaller organization operating in the city of New York, an organization which has limited its profit practically to one-half of 1 per cent on each mortgage, has looked at the security first and its profit second, has been honest and profitable to a remarkable extent. I believe that the profit to the stockholders must come from a great volume of business done on a narrow margin rather than from 'hog' profits made on a little business, which is now the standard of most of the mortgage companies doing business.

"I would further extend the powers of this company so that it would have the right to purchase the obligations of small and large municipalities and sell its debentures against those obligations, so that the rate of interest to the small school district and the small borrower would be materially reduced. I would also give it power to furnish the necessary capital through the sale of its debentures for the advancement of those institutions which might be formed for short-term credits to the agricultural interests, such institutions as are known as Raiffeisen banks.

"There has been considerable discussion of the method of improving the short-term agricultural credit, but there has been up to the present time no method offered for furnishing the necessary capital. Such a company could furnish the capital.

"One of the great benefits of such an organization properly managed, in addition to making thrift to the borrower possible, is that it would teach the lesson of thrift by compulsion, for every mortgage would compel annual reduction by the borrower, small in amount, but sufficient to retire the entire principal during the term of the mortgage. It would also afford the plain people of this Nation a sound investment at a fair rate of interest, fairly negotiable, which is something that the people of this country need. The appalling sums of money which are lost by our people, who are otherwise astute, is lamentably

enormous. In no country is the 'gold-brick' dealer and the patent-medicine man so successful. Our unwillingness to accept the advice of the professional banker in our investments and of a doctor of medicine for our ills is altogether too characteristic and unfortunate. The professional banker and the individual who knew of an investment which did not increase or decrease in value, which paid a fair return, would quickly advocate the purchase of the debentures of this company. In the end they would become very attractive to those who save, so that the capital of this country which is now wasted in improper investments would be conserved to the advantage of those who save, and the entire Nation would be the gainer. If such a company could accomplish all of these ideals, of course we should start it this afternoon. Results will not come quickly. It will require a long agitation to produce a company such as I have outlined, and it will require most careful management to make it a success.

"I plead with you for your interest in this subject as I believe it is not a subject for politics, but it is a subject which goes right to the price of the food we eat. If a man owning a little farm and wishing to borrow $500, because of the cost of obtaining his money and the high rate of interest paid, pays $20 a year more than he otherwise should pay, it means that man produces less produce each year than he otherwise would produce if his capital came to him at a cheaper rate. If the little borrower can be brought to the lender through the mediary of a great central institution, whose size would be a tower of financial strength, whose management would give it a character not to be questioned by anyone in the country, the money of the masses can be obtained to help the masses. If, however, we make our aim any little goal, such as a little company with a petty capital, we will only put one more link in the chain around the borrower's neck. If we who are here are willing to put up the prescription which I have outlined, I think we will find the public prepared to take it, and, personally, I have no doubt of the cure, although I appreciate that the disease is so deep-seated that improvement will be slow though certain."

Banking and Currency Bill.

EXTENSION OF REMARKS
OF
HON. WILLIAM S. VARE,
OF PENNSYLVANIA,
IN THE HOUSE OF REPRESENTATIVES,

Wednesday, September 17, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. VARE. Mr. Speaker, while it would be idle for a member of the minority to offer amendments to the present banking and currency bill, it must be plain even to the Democratic Party that there can be no such radical change in the established banking system as is now contemplated without some disturbance of existing business conditions and considerable disturbance of banking relations. It is plain that this disturbance should be reduced to a minimum. The bill contains some provisions to this effect. I submit, however, that it does not go far enough. It provides, for instance, for the simultaneous establishment of 12 regional reserve banks.

As a matter of fact, I do not think that the present bill will work toward the relief generally demanded by the public, and as it is hopeless for the minority to effect a general change in the system proposed by the Democratic Party, I believe it my duty to call attention to the fact that to place this proposed system into fairly effective operation would require practically the entrance into it of all the national banks.

If all the national banks came in within a year, there would be afforded an aggregate capitalization for reserve banks of approximately $100,000,000. But no one claims that under the present system the banks would respond instantly and subscribe that amount of capital, even under the coercive plan outlined. Even if three-fifths of them responded within a reasonable time, the aggregate capitalization would be $60,000,000, or enough for 12 institutions of $5,000,000 each. But in the distribution of this amount Chicago and New York would contribute, and should contribute, at least two-thirds, leaving only $20,000,000, much too little to capitalize the remaining 10 institutions.

Here is a practical illustration of the difficulty of the plan to put 12 institutions into immediate operation. The probability that the difficulty would be actually encountered is the greater when the temper of the bankers is considered. To some degree the situation is psychological rather than real, but it demands attention just the same. It is real enough to the banker. He can not theorize. He wants concrete outlines and direct demonstrations. He has difficulty in seeing beyond these four results:

First. He will have to withdraw the balance he carries with his present reserve agents. This annoys him, because it will break relations long maintained, always agreeable, and usually of a personal nature.

Second. If he continues these relations, he must rediscount with the reserve institution all call loans to obtain funds, and thus lose some profit.

Third. He will lose the 2 per cent interest on his balances with the reserve agents.

Fourth. He must establish new relations.

All these things are stern realities with him, and against them can only be placed promises or predictions of advantages; and these are only matters of opinion. In short, the banker must be shown. What the Democratic Party is now doing, however, is to foist on the bankers 12 regional reserve banks which they do not want and which the public does not demand, establishing a system of credit which the bankers say is dangerous and objectionable, and yet which does not protect or please the public, and drawing from the banks so large a portion of their reserves that they complain that the currency system will be even more inelastic than at the present time. In other words, this bill pleases neither the bankers nor the public, nor anyone but the men who framed it and the party which has decided to support it in caucus.

A great deal of effort seems to have been made to benefit the banks of the South and West, and the Democratic Party has even considered proposals for issuing a special kind of currency based upon the wheat, corn, and cotton which the farmers have placed in storehouses. The party which has promised to reduce the cost of living thus appears as an instrument for attempting to raise the cost of living, and the people in the large cities—the shopkeepers and workingmen—are the ones upon whom the burden will fall.

The system of reserves as planned by this bill will work to restrict credit rather than make it freer. I do not believe that enough thought has been given to the small business man in the large cities. Most of the suggestions upon which this bill is based come from college professors. If we are now to have the system proposed by the Democratic Party, we will be worse off than we were before. Credit may be freer for the big business man, but I maintain that more credit should be given to the small business man—those without Wall Street connections.

The present system will not afford the relief desired, and the Democratic Party has made a serious mistake in establishing such a radical change in the currency and banking system, putting 12 regional reserve banks in operation simultaneously, and thus drawing large amounts of money from free circulation. If the plan had been established more gradually, the shock would not have been so great and improvements would ultimately have been effected. As it is, however, we will find that the directors of the Federal board of control will be yielding constantly to the pressure from different sections of the country for large sums of money, and in yielding to this pressure serious harm may be done to the other sections.

One of the worst features of the bill is the fact that the Federal reserve board, consisting of seven members, including the Secretary of the Treasury, Secretary of Agriculture, and Comptroller of the Currency, who shall be members ex officio, and four members appointed by the President of the United States, will naturally be of partisan character. The minority representation of this board will consist of two members, and only one member of the board is to be an experienced banker. In each President's term only one member of the board—the one appointed for two years—will be retired, and with the comptroller, the Secretary of the Treasury, and the Secretary of Agriculture new men will make up a majority on the board, absolutely under the control of the President.

Thus we will always have partisan control of the banking and currency system of the United States, and each time a new party comes into power we will find the banking system made the football of politics, with all sorts of efforts being made to control this important Government function.

It is because of these obvious defects in the bill that I have determined to vote against it.

The Tariff.

EXTENSION OF REMARKS
OF
HON. DAN V. STEPHENS,
OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, September 30, 1913,

On the conference report to the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. STEPHENS of Nebraska. Mr. Speaker, the high cost of living will be materially reduced by the operation of this splendid Underwood tariff bill, but it is not the panacea of all of our ills. This bill will in a great measure free us from the struggle hold of the trusts that have controlled our markets by bringing them some competition from the outside, but it can not remove the billions of dollars of counterfeit capital that these trusts have put into all of our industries and upon which the American people are compelled to pay interest through the increased prices of the necessaries of life. Not only have all of our industries been brutally robbed by "high financing," but the arteries of trade, the railroads, have also been plundered by stock watering and freight rates doubled in order that an interest rate may be earned on their counterfeit stock.

No matter how honest our tariff bill may be, it can not remove the watered stock from our industries and railroads, and this item alone has added many times more to the high cost of living than has the robber Payne tariff bill. This Underwood bill will cut out the special advantages that big business has had by being in partnership with the Government in a contract to shut out competition from abroad while big business collected its tribute from people at home, but the possibility of offsetting our advantage is still left open for the promoters to continue the stock watering of our industries, which is the quickest method ever known for transferring the wealth produced by the people to the pockets of the Money Trust via the watered-stock route. It is a complex game these high financiers play, and the average citizen is not acquainted with it. He can not see his relationship to the bankers of Wall Street, and never will till he gives some attention to the subject.

The average citizen works hard for his daily bread and excuses himself for not taking more interest in public questions with the thought that he has delegated the power to act to a representative. "Let him study the public questions. That is what he is paid for." This transfer of responsibility would be well enough if the average man would always know when his public servants were truly representing him, but the average man who does not keep himself well informed on matters of public importance does not know when he is being represented. The facts of history show that his absorption in his own affairs to the neglect of his public duties leaves him at the absolute mercy of schemers and sharpers who are always on the lookout for chances to rob the unwary. It is the absorption of the average man in his own immediate affairs that has led to the transfer of 90 per cent of all the wealth of the Nation into the hands of 10 per cent of the people. The 90 per cent produced the wealth in the sweat of their faces, and, by some hook or crook, the 10 per cent skinned them out of it. The theft was easily committed and is being daily committed, because the average man is dead to the causes of his troubles. He will not study public questions. He sometimes considers his public servants owe him a favor for the sacrifice of the time it took him to go to the polls to vote. It often happens that only a small per cent of the total male population votes at a primary election. The average man refuses to believe that the public business is his business, and the result is the sharpers fleece the people of the results of their hard-earned labor.

If a man does not study public questions he can not tell whether his public servants are truly representing his interests. One public servant says a thing is so and another says it is not so. One may be speaking for the 90 per cent, the other for the 10 per cent, but the man who does not study public questions can not tell which is true and which is false, for they both speak fairly and reason plausibly in behalf of the people. He, the voter, being busy with his own affairs and forgetting that attention to public business is vital to his success, is completely at sea, so he guesses at the right one and misses as often as he hits. The result is the transfer of 90 per cent of his productions to the pockets of the man who neither spins nor weaves. These are cold facts that are well known to him who studies the relationship he bears to society as a whole.

It will not do for a man to make the excuse that he is too busy to give attention to public matters if he wishes to protect the product of his toil. Ignorance of questions that affect society as a whole leaves him at the absolute mercy of schemers and shysters. The average citizen may be robbed without his ever knowing it by men thousands of miles away and by methods wholly unsuspected by him if he keeps his eyes forever on his own little job and does not study his relations to society in general. For example, while the farmers of Nebraska were busy keeping the wolf from their doors schemers were doubling and in some instances quadrupling the capital stock of the railroads by filling them full of water, upon which they must pay a doubled and quadrupled freight rate forever on everything they buy and sell that the railroads handle. While they were too hard worked, too tired, as they thought, to study the question, they were being held up and robbed in the most brutal fashion. Time spent studying the other side of their business, which is marketing and buying, would have yielded many times what they actually got for their daily toil in the fields. They would have sent intelligent men to their legislatures and to Congress with specific instructions on what to do. The trouble has been the farmers did not know, and, not knowing, did not care, nor did their representatives, what was happening to them, and the marvel is that they have as much property left in their own names as they have.

But the farmers are beginning to take notice. They are already full of suspicion that they have been skinned. Back in the eighties I burned corn for fuel on a Nebraska farm because it was too cheap to sell. In fact, 10 cents a bushel did not pay for marketing it, and when necessity was not too great we burned it rather than chop wood or buy coal. It was easier to husk corn for fuel than to chop wood and cheaper than to buy coal. Was corn cheap because there was too much of it? No; it was simply the idiotic management of the railroads and the rapacity of grain speculators. They charged more freight and profit than the traffic would bear, so they lost some of the business and starved and robbed our people at the same time.

That ought to have caused us to take control of the railroads through the strong arm of the State, but the pass-carrying men who represented the railroads, while pretending to represent us, told us we produced too much corn and glutted the market, and being too busy to trace the story back to the liars and crooks who were responsible for it, we let it go, and the people of Nebraska to-day are being robbed by freight rates on watered stock of countless millions of dollars annually. The robbery is more heinous than that of a highwayman, who takes his loot at the point of the gun. He at least has the courage of his inclinations, whereas the thieves who robbed us by watering railroad stocks did it while pretending to be our friends, and worked the fraud upon us when we were too ignorant and poor to resist them.

Now our troubles are coming to a head rapidly, as the high cost of living increases and the price of labor does not keep pace with it. The example of turning counterfeit railroad stock into cash and compelling the people to pay a dividend on it in the form of increased freight rates led to the same transactions in practically every large and profitable industry in the United States. For example, the steel mills of the country, worth possibly $350,000,000, were gathered together under one head known as the Steel Trust, and were capitalized for $1,400,000,000, probably a round billion dollars of which was watered stock not worth a cent. When the trust got complete control of the steel output it pushed up the price and the watered stock began to earn a dividend. Every year steel products have gone up in price, and everything the people use into which steel enters has gone up in price correspondingly. The American people therefore are paying a dividend on a billion dollars of capital that has no basic value back of it save the power to tax the people on the increased price of steel products. J. Pierpont Morgan received $66,000,000 commission for this gigantic robbery of the people of a great Nation, and he used the people's money and credit on deposit in the banks of New York City with which to turn the deal. There have been thousands of men hung for a less offense against society than this. And yet this is not the only sin charged to Morgan & Co. He was able to organize more trusts than any other man of his time, and the poverty and suffering that is sure to follow in his wake will surpass that ever caused by any other man who ever lived on the earth who was not vested with kingly power to tax the people.

The case of the Steel Trust is only one in thousands, only it is the largest and most flagrant. The watered stock in its organization equals nearly the whole net earning power of all the people of Nebraska for two years, and the commission of

$66,000,000 paid Morgan & Co. would run our State government for many years. In the face of these wholesale robberies of the American people the agents of the plunderbund have the unmitigated gall to charge the high cost of living to the farmers of this country, who produce the wealth that pays the dividends on the countless millions of counterfeit stock in our industries and railroads.

All these things have been possible only because the average citizen has not informed himself on questions affecting society as a whole, and has permitted special interests to influence legislation. Recently a beef packer made the statement that beef would go to a dollar a pound if farmers do not raise more cattle, and he should have added, "for the packers to plunder them of," for that is exactly what has happened and that is why cattle are scarce. The farmers have simply refused to produce beef in sufficient quantities because it is too hazardous a business. The nerve of these beef packers, who simply rob the public on the one hand and the farmers on the other in as cold-blooded a fashion as a pirate ever cut a throat, is a spectacle to shame the devil himself. Their robberies are made easy because the average citizen refuses to interest himself in questions beyond his own dooryard, shop, or store. If he once informed himself how the trick is turned, the trouble would soon be over. It is so easy and simple that these packers make the devil green with envy. A thousand farmers will start a thousand cars of cattle to the market the same day without regard to the condition of the market or the number of offerings. A half dozen packers know exactly how many cattle are coming and they agree among themselves as to the price they will pay and the division of the shipments. The farmer has no choice. He barters around with a commission man for awhile and fools himself with the idea that he is helping himself, but he is not. It is all a cold-blooded frame up. The packers know these cattle can not be shipped back, and if they were, there are no other packers to sell to. The Beef Trust has the farmers by the throat, and will have until such time as the farmers get informed on these questions and are willing to cooperate in marketing their beef. They can control the packers when they get together and go after them.

At the present time we have such idiotic performances as this: A rancher at North Platte, Nebr., wants to sell his yearling steers. He ships them over the watered-stock railroad to Omaha. Another rancher or farmer has pasture, so he buys them and ships them back over the watered-stock railroad to Grand Island and pastures them a couple of years. Now, they are ready for the feed yards, but he has no corn, so he ships them back to Omaha again over the stock-watered railroad, and a farmer who tried to buy them at Grand Island and save the railroad freight, but could not, because the owner thought he could get more at Omaha, bought them at Omaha and shipped them back to Grand Island the next day and put them on feed. He keeps them six months and sends them to Omaha again and lets the packers have them at their own price. It takes nerve to go against a packer. It is simpler and easier to gamble on the board of trade and save one's self a nasty, cold, winter job of carrying corn to the cattle.

That bunch of cattle was shipped five times over that water-logged railroad, a distance of from 150 to 300 miles each trip, paying an extortionate freight rate. It is an exceptional case, but the average run of steers, ready for the packer, have been sent over the road three times. Everyone suffers as a result of the folly, and it can not be stopped until farmers organize marketing associations. When that day comes they will be able to sell cattle before shipment and ship direct to the purchaser with a minimum freight to pay. They will also bring the packer to his knees or pack their own meat for the public. This steadying of the market will encourage men to produce beef with the assurance of a profit rather than the risk of bankruptcy. Every neighborhood in the corn belt has men who have been financially ruined trying to produce beef at a profit. That is why cattle are scarce. The producer can not go on forever making money for the packer at a loss to himself.

Ten or fifteen years ago the prune growers of California were cutting down their orchards, for they were wholly unprofitable. The grape growers of Michigan were grubbing out their vineyards. They had been ruined by haphazard methods of marketing. Hundreds of cars of their fruit would arrive in big centers from hundreds of isolated shippers, with no one to look after them but commission men who were looking after themselves. The result was natural and logical. The same thing happened to them that is now happening to the corn and beef producers. They were robbed and their fruit often given away when an excess amount was thrown onto one market.

There were some wise men among these fruit growers, and after many discouraging efforts, beset on every hand by jealousy and ignorance, they succeeded in organizing associations for marketing their product. The associations now market the product of all their members by placing the fruit where it is needed and in such quantities as the people can use. The result is the fruit growers are comparatively independent and their business has become prosperous, and the public has not in the least suffered as a result of this system in marketing. There is no watered stock in these associations.

The high cost of living resulting from high financing of our industries and railroads is the penalty we have to pay for our ignorance and indifference to public questions. If men are ignorant of conditions and the methods of the plunderbund, they are unable to pick out their friends from their foes, and are as apt to support a representative of the special interests as they are a friend of the people.

As an example, Congress is now in a mighty struggle with the Money Trust in an effort to frame a currency bill that will take from Money Trust vaults a half billion of dollars of the people's legal bank reserves, which Morgan & Co. used in organizing the Steel Trust, and place them under Government control in Federal banks. These guardians of the people's reserves—the Money Trust—will not let go without a terrible struggle, so they are poisoning the minds of country bankers in order to get help to defeat this reform in the interest of the people. Our only chance for winning the contest with the Money Trust lies in an intelligent study of the question by the people and country bankers, because Congress will not be able to fight the Money Trust and the home folks both at the same time. The system always counts on there being enough selfish and ignorant people in the country to enable it to put the screws on the money market a little and at the same time tell them that proposed legislation is the cause of it, to start a hue and cry against the action of Congress. In other words, when Congress is about to put the screws to the Money Trust its cry for help brings to its aid the timid, the cowardly, and ignorant, who prefer slavery forever to a little temporary self-sacrifice in the cause of humanity. If we can once get this currency bill enacted into law we will have taken the first step ever taken to control this monster that is eating at the heart of the people.

Those who refuse or neglect to study the problems of life that are ever before us are simply contributing to the enemies of free institutions and a free and independent people. It is this class who have contributed to the downfall of all the nations of the earth in the ages dead and gone by their indifference to the public welfare. Let us profit by their example and refuse to allow our country to pass into the hands of those who would enslave and debase the people. The remedy lies in the general enlightenment of all of the people through the study of the problems of society and government. The man who uttered these words, "Eternal vigilance is the price of liberty," uttered God's solemn truth, and every people throughout all the history of the world who have disregarded this truth have sunk to serfdom and slavery and have passed out of existence as organized governments.

The Tariff.

EXTENSION OF REMARKS
OF
HON. J. THOMPSON BAKER,
OF NEW JERSEY,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, September 30, 1913,

On the adoption of the conference report on the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. BAKER. Mr. Speaker, it is manifest they have had a fall—they who sit on the other side of the aisle which is said to divide the wise from the unwise, or otherwise—a far fall and a hard fall. When the precipitation has been suffered, has attained the grammatical position of the perfect tense, there is little to gain by bawling about it. We know that to bawl is neither a valuable nor commendable nor appreciative indulgence, for it betrays a chaotic state of mind, or, to speak with greater euphony, it lends latitude to the fair inference, the just surmise, that something has transpired which gravely contravenes the felicity of the one who bawls. Besides, to bawl is to disturb the equanimity of the cadences which normally are dependable to preserve harmony in the local atmospheric zone; also, bawling has never been classified as an accomplishment, nor has it arrived at the dignity, let alone the effervescence, of

a social triumph. To be sure, the word illustrates the fertility, the fecundity, the facility, the universality of intelligence deducible from a single syllable of the Anglo-Saxon tongue, for there is the occasion when "we chase the glowing hours with flying feet," called the ball; there is the diminutive spheroid, tossed and hurled and batted by youth and age alike, the ball; there is the elongated form of liquefied exhilaration called the high ball. All called ball; all suggestive of moments of pleasure; all have the mind with memories of delight; none of them is the bawl which stung our ears, but they have the honor in our delectable language of being real things, nouns, while the bawl that grates upon our nerves is only a homely, restless verb, and its activities take participial form known as bawling and mark the chronic occupation of those who have sinned away their opportunities to serve the state, and therefore they now frequent the wailing places of disappointment and remorse.

Who can gainsay the rightness of these pains and penalties? The majority of the American people believe the tariff system as constructed and fostered and increased from decade to decade by the devotees of the prohibitive system is anything but protective in the final analysis. They believe it is the most subtle scheme ever devised by unscrupulous men to make labor a hewer of wood and drawer of water for the benefit of the few; that it is the most stupendous confidence game ever practiced against honor, intelligence, and patriotism; that to use the word "protective" as a qualification of the American tariff system as it is now adjusted and stands on our statute books is the worst misnomer ever employed to delude the unwary. The people believe those who are devoted to this system are like Dagon, god of the Philistines, "who had eyes but saw not and ears but heard not." They believe the prohibitive protectionist could learn wisdom from the pantheistic augurs, who cast horoscopes from the harnspices deduced from the smoking entrails of dying animals; that they could get better light on the civil rights of men from the guttural mutterings of a North American Indian medicine man. They believe our tariff system as now adjusted is an obstruction to American progress; that it compels us to consume ourselves; that it paralyzes our energies as a commercial and manufacturing Nation, for it discriminates against our people of small means and antagonizes the markets of the world, and with its kindred navigation laws it has driven our merchant marine from the high seas; that it has blinded us to our real interests and has robbed us of the arts and opportunities of competition. It handicaps our diplomacy, for it has hostilized the civilized world against us. They believe it is the father of the treason that turned our Congress over to the tender mercies and superserviceable dicta of the Speaker of the House. Cromwell needed Roundheads to drive Parliament from its halls; Napoleon had grenadiers to disperse the Council of Five Hundred. It needed only the facile consciences and servile prejudices of prohibitive protectionists to surrender here all real power of legislation into the hands of one man—the blackest blot that blasts our boasted civilization. It has made us the laughingstock of all intelligence.

Even a Patagonian knows if he cures more wild hides than he can use he must find a market for them. It is to this system as now adjusted, this Moloch, sweetly named "Protection to American Industry," we owe the demoralization, the degradation, the pollution of the American electorate. It has filled our halls of legislation with sycophants, our gubernatorial chairs with acrobats, and has subjected us to the derision of mankind, which has come to look upon our glorious Capital as the paradise of parasites and a bulging bed of barnacles.

We are in the situation of a man who has been enticed to the top of a high mountain. He has been told the air is purer there; that there are no disease germs there; that the atmosphere is translucent there; and that he can see the whole world from this pinnacle. But he found it was cold there; that there was no water there, nor food, nor clothing, save for the favored few; and he wanted to return to the valley where the brooks meander and the flowers and the harvest bloom for all. How shall he get back into the vale of reason and universal happiness? Shall he hurl himself from the top of the mountain, or shall he pick his way down with circumspection, avoiding the caves and gorges and pitfalls that beset his footsteps? Which is the safe and sane way?

We have been lured to the top of a prohibitive protective-tariff mountain. We are riding a horse that has been fed with condiments until he is bursting with artificial exhilaration, and the whole world knows that we are riding for a fall. How shall we curb this steed; how shall we descend from the regions of folly into the realm of reason? We are doing it by stages, by readjustment on equitable and honest lines until we shall be once more recognized as "clothed and in our right mind," on the subject of the taxing power of governments.

Cotton Futures.

EXTENSION OF REMARKS
OF
HON. HORACE W. VAUGHAN,
OF TEXAS.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, September 30, 1913,

On the amendment to H. R. 3321, relating to taxing gambling on exchange in cotton futures.

Mr. VAUGHAN. Mr. Speaker, being unable to obtain any part of the time, which was necessarily very limited, allowed for debate on the conference report as it relates to Senate amendment No. 600, known as the Clarke amendment, taxing gambling on exchange in cotton futures, I avail myself of the privilege granted to print remarks in the RECORD, in the hope that when the subject is before the House again, as it will be, for the House has refused to concur in the Clarke amendment and the Senate will not agree to the substitute which the House has proposed in lieu of it, the Members from the cotton-growing States may get together and agree upon the legislation needed to remedy the evil and vote for it solidly. Members from other parts of the country will support whatever may be agreed upon by the Representatives from those sections directly affected by legislation upon the subject; at least such appears the disposition now.

Under the operations of the exchange speculators who never owned and do not expect to own a pound of actual cotton sell and promise to deliver in the future many times more bales of "phantom cotton" than the total number of bales of actual cotton produced by all the tollers in all the cotton fields in the land. The operations of these speculators and the gamblers upon the exchange keep the price of cotton fluctuating, going sometimes up a little, sometimes down a little, now jumping and then dropping, always fluctuating and responding to the manipulations of the bulls and the bears, as the one or the other may gain advantage.

The operations of the speculators on the exchange affect the price of actual cotton when sold on the market; in fact, the price of the farmer's cotton is fixed by the sale of "phantom cotton" by the speculators, and fixed in a market where the "phantom" is put in competition with the real article, where the speculator, without any cotton, puts his promise to deliver in the future in competition against the farmer's actual cotton.

Under these operations the price of cotton is, to say the least of it, too largely controlled by speculators on the exchange, and this control or influence of speculators on the exchange upon the price has operated against the farmer and has been injurious to him. This is evidenced by the fact that during the time the farmer is selling his cotton the price drops lowest, and after he is "separated from it" the price goes highest. Senator CLARKE shows this very conclusively in his speech delived in the Senate on September 1.

The evidence taken at various congressional hearings, and the reports of Government officials charged with the investigation of the subject, fully sustain the case against gambling on the exchange as being injurious to those engaged in the cotton industry, and against the operations of the exchange as heretofore and now conducted as being in greater per cent gambling transactions.

For years the farmers have complained against these gambling operations on the exchange, and various propositions have been advanced to remedy the evil. Representatives from the cotton-growing States have thundered long and loud before audiences of their constituents against these gambling operations, sometimes giving a shower of tears along with the thunder; and they have spoken much against the evil in this Hall in the past, and declared what they would do if they had the power.

The time has come; the opportunity has arrived for action. What are you going to do? If you are sincere, if you wish to do what you have been telling the people you wanted to do, if you want to protect the farmers against the vampires, the Clarke amendment will do the work, and it will not lay the tax on any transactions or dealings in cotton except those into which the parties enter for the purpose of gambling on the rise or fall of the price. It will drive the vampires from the market and leave it free to legitimate dealings.

They say that it will tax "hedging" so high as to prohibit it, and that "hedging" is not gambling. Well, what is it, when the "hedger" has no intention of delivering the cotton which he contracts to sell in the future, and merely makes the contract as a means of betting that the price of cotton will go down to protect himself against loss on actual cotton he has contracted for and expects to be delivered at a certain time in case the price should go down at or before that time? Does not the "hedger" enter into a gambling transaction in the hope of avoiding loss on a contract for purchase he has made?

We are told that we should not use the taxing power for the purpose of prohibiting the evil, that to do so would be to prostitute the taxing power. Was it a prostitution or a misuse of the taxing power to use it against the opium trade? Only recently a bill passed this Congress taxing opium for the avowed purpose of prohibiting the use of it, except for strictly legitimate medicinal purposes.

We are told that the exchange furnishes a constant market for cotton. It is not proposed to destroy the exchange, unless taxing the gambling operations on the exchange will do so. Can not the exchange live without the toll it collects from the gambling operations it conducts?

Currency.

EXTENSION OF REMARKS
OF
HON. BENJAMIN IRVING TAYLOR,
OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, September 30, 1913.

The House granted Mr. TAYLOR of New York permission to extend his remarks on the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. TAYLOR of New York. Mr. Speaker, at the outset I was of the humble opinion that President Wilson was making a mistake in forcing currency legislation upon the country at a time when a new tariff bill was to take effect. Since I have given some study and thought to our currency system and the provisions of the Glass bill, I have become convinced that the prosperity and happiness of the American people are absolutely at the mercy of a few high financiers, so called, because of our loose national currency system dominated by Wall Street and its gambling contingent. It is therefore high time that the system be remedied—the quicker the better.

It would be unwise to reform the system along some of the lines proposed by Members of this House. It would be the height of folly to prohibit the stock gambler of Wall Street from conducting his stock speculations with money furnished by our banks and at the same time require the banks to accept a grain elevator certificate with an insurance policy attached as security for a long-time loan. This would permit speculation in wheat, corn, cotton, barley, and other necessities of life, a far more destructive form of speculation than that of stock gambling. Nor would it be wise to make such a certificate equivalent to money, as was so eloquently proposed to this body.

The reason why we adopted the gold standard is because we realized the necessity of having a fixed standard for all things of value, gold being our most valuable metal, the value of which fluctuates less than that of any other thing of value. Wheat, corn, cotton, barley, and so forth, are constantly fluctuating in price. Any currency system that adopted a certificate based upon such values as money would be unstable and disastrous. Thanks to the good common sense of the great majority of the Members of this House, amendments along these lines were kept out of the bill.

It has surprised me to learn during the debate on the Glass bill that so many Members sincerely entertain such peculiar and opposite views as to what money is, how it should be distributed, and what is necessary to be done in order to give it free circulation. When I consider these divergent views and the fixed ideas the different Members have in regard to them, I am firmly convinced that the gentleman from Virginia deserves all the credit possible for presenting a bill with so few wholesome objections and so many admirable provisions.

As the bill made its progress through the House he was always fair enough to admit when he was wrong and to accept amendments setting himself and friends on the committee right. If this spirit had not been evinced, I might venture to predict that its passage would never be accomplished.

Considering the fact that for years complaints have been lodged against our present system, that nobody raised a voice in its defense, but all united to condemn it, and that for years genuine efforts have been made to create a system to take its place without success, we must all acknowledge the Glass bill is a step in the right direction and almost as good a bill as might be expected where compromises have had to be made to unite as many as possible to its support.

If we were to devise a system based upon the fact that we had sufficient specie to transact all our business with, our task would be easy. The volume of our business involving the use of money or credit obligation is six or seven times greater than the amount of our actual cash or specie. We are therefore required to create a credit system so regulated as to keep our specie in free circulation, ever ready to flow into sections where demands for it are made. A system of this character is difficult to devise, as the maker is always confronted with the fear that some provisions will unduly contract and others permit careless inflation of currency. Either of the defects would work ruin unless they were properly safeguarded against. If the Glass bill provides these safeguards and at the same time furnishes an elastic currency system, it has done all that can be expected.

It seems to me that the Government deposits of specie in the reserve banks and the rediscount privileges will more than overcome any contraction that may result from compelling the national bank to retain 12 per cent of its deposits in cash in its vaults or those of its reserve bank. It is seriously contended that inflation and wildcat speculation will result from the undue exercise of the provisions contained in the bill, allowing unlimited issue of Government notes to be based upon notes and bills accepted by reserve banks for rediscount, such notes to be Government obligations.

At the outset the Federal reserve board retains absolute control over these issues, the nature and kind of securities demanded, and may increase the gold reserve fixed by the act to protect these Federal notes. Personally I would like to see this privilege better safeguarded. Still, when I consider the benefits contained in the bill, the reserves required to protect these issues, and the further fact that the reserve banks must apply to the Federal reserve board and show good reason why an issue of these notes should be made, it seems improbable that a reckless use of this power would be made. I have concluded I should not refuse it my support because of this one provision. After all, power must be lodged somewhere; the fact it might be abused is only one reason why it should not be given, whereas there are numerous good reasons why it should be granted in order to create an elastic system.

Our national banks have in order to meet the demands of trade and business attempted to provide a uniform system in their dealings with each other. Each bank has selected in one of the large reserve centers a correspondent bank from which it borrows money for rediscount, exchange, and other purposes, and deposits with the correspondent bank its reserve funds, upon which it receives interest at 2 per cent.

The framers of the Glass bill, bearing these customs of the national banks in mind, have created regional reserve banks, which will perform the functions of retaining reserve funds, rediscounting, and other purposes of the present correspondent bank. Complaint is made because the Glass bill will require the country bank—and, in fact, all national banks—to retain 12 per cent of its deposits as a reserve fund in its own vaults and those of the regional reserve banks. This money will be taken out of circulation; and because of this fact, it is claimed the bill will contract the currency of the country. It neither seems unfair nor unreasonable to require a bank to retain at least 12 cents on every dollar deposited for the protection of its depositors. In other words, our national banks should be able to do business and pay dividends upon the remaining 88 per cent of the depositors' money, to say nothing about the Government and other funds, which they will receive for rediscount purposes and have available in their respective localities.

The millions of dollars in reserve have for years found their way into Wall Street where they have been used for gambling and speculative purposes and frequently for the purpose of tying up the money of the country so as to cause a scarcity in money and create an excuse for an increase in interest charges generally at a time when money was demanded for moving crops and other legitimate business purposes. During the months of July and August of this year we had a fair example of this method of the banks. They began to collect all these reserve and other funds in the city of New York, knowing that there would be a large demand for money to move the crops and conduct the full business of the country. Call money reached as high as 10 per cent and was going higher until the Secretary of the Treasury came to the rescue of the country by doing the unprecedented thing of actually loaning the Government's money to the farming sections for crop-moving purposes. As soon as he made this

announcement money rates dropped to 2½ per cent, and the banks in the city of New York let loose millions of dollars.

This process might be considered high finance, but in my estimation it is plain highway robbery, and the humorous thing of it all is that the blood-sucking transactions were being carried on with the people's money deposited by them in their banks.

It was with the use of this enormous reserve fund that the stock gamblers in Wall Street bought up control of the New Haven Railroad and caused millions of dollars in watered bonds and stocks to be issued to the innocent public, and as a result the New Haven Railroad, for years considered one of the most valuable and best-conducted railroad properties in the world, now lies almost in wreck and ruin. The purchasers of its stocks and bonds have lost millions and at last have become convinced that our great captains of finance are not such great philanthropists and God-fearing men as they were once considered. It is not only the stockholders of this railroad that are now suffering because of the manipulations of these captains of finance, but the general public. In order to make dividends on this enormous watered stock and bond issue, passenger and freight rates have been increased beyond reason, so that the country along the road is becoming depopulated, land and property values have decreased to the point of ruin. The Glass bill should be supported because it will have the effect of taking this enormous sum of money from Wall Street and guard innocent people from being debauched and robbed with their own money.

The depositor's money should be available for business and commercial purposes, and never for speculative or gambling. The depositor does not place his money in the bank for that purpose. I have read with interest the criticism of the bill made by their large bankers. From the tone of their articles, I was convinced that these gentlemen are of the opinion that they are in the banking business solely for the purpose of making dividends for their stockholders. In truth, they are trustees of the people's money and their primary duty is to protect the depositor, and making large dividends is a secondary proposition. The Glass bill makes this duty of the large banker very plain, and from past performances many of them have entirely overlooked their duty in this regard.

A central bank with branches in every section of our country would, no doubt, furnish us with the best system of banking that could be devised. The people of this country have since the days of Andrew Jackson been firmly committed against a central national bank. They justly fear such an institution and the enormous power for political control and manipulation that would be vested in those controlling the central bank. They would have the power to increase or withdraw funds from one or more sections of the country for the purpose of influencing the political opinion of the people therein. There is no political party to-day that advocates a central bank. The bankers, because of the jealousy existing between them, do not advocate a central-bank system, as one set of bankers are afraid that the other set would gain control to the disadvantage of the first. In the Aldrich bill, approved by the bankers, they did not dare create a central bank vested with the powers of a banking institution; it was merely proposed to create a central clearing house.

Since the Glass bill was reported a great deal of discussion has been had as to whether or not the bankers or Government should control the banking business of this country. The bankers in neither Russia, England, France, nor Germany control the currency system. It is recognized as a function of the Government. The crown heads of Europe are thoroughly acquainted with the powers that go with a national banking and currency system, and for their own protection have retained this power unto themselves. Surely if the ruling powers of Europe recognize the enormous influence attached to their currency and banking systems, we in this Republic must give them the same recognition. It has always been one of the fundamental principles of this Government that no power within it should become greater than the Government and that all power, for the protection of the Government, should be diffused. This is the underlying thought that we have in the discussion of the trust question. It produces a feeling that the concentration of power should not be permitted.

Under the Glass bill the Government's deposits, amounting to millions of dollars, will be taken from its vaults and placed in circulation through the regional reserve banks. It neither seems unfair nor unreasonable that the Government, being such a large depositor, should not only have representation, but should actually control the entire system, if for no other reason than to protect its deposits. When it is considered that the system is divided into 12 districts, the banks in each district having absolute control, and that the Government merely has representation on the Federal board, which is advised by a council of bankers, it is absolutely improbable or impossible for politics directly or indirectly to have any control over the system outlined in the Glass bill. If politics were attempted, the system is so diffused and the opportunity for detection so great that the politicians attempting to manipulate the system would soon find themselves entirely out of politics.

For years the bankers have been contending that the Government money should be put in circulation. The Glass bill provides for putting it into circulation. They have been contending that they should have the right to establish foreign branches; that Canadian and English banks were doing all the foreign banking; that our bankers were losing the commissions on foreign business. The Glass bill also provides for the establishment of foreign branches. Since the establishment of trust companies, who pay interest on their deposits, our national banks have been asking permission to establish savings branches in connection with their banks. This privilege has always been denied them, but under the Glass bill provisions have been made for this very thing.

Every reasonable suggestion of the bankers, except Wall Street control of the reserves, has been complied with. This bill is such a great improvement upon our present system that I feel it is my duty to support it. No doubt there are many objections that could be made to it. In my mind its many beneficial features far outweigh and overcome the few objectionable features.

Banking and Currency.

EXTENSION OF REMARKS
OF
HON. ROBERT J. BULKLEY,
OF OHIO,
IN THE HOUSE OF REPRESENTATIVES,
Friday, September 12, 1913.

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. BULKLEY. Mr. Speaker, let me say a word about the contention that this bill imposes a hardship on the country banker. It is said that the new arrangement will cost him dearly because he is to be deprived of the interest which he now receives from the reserve city banks on his reserve balances. Let us figure that out. Against each $100,000 of deposits the country banker is now required to carry a reserve of $15,000. Of this, $6,000 must be cash in his vault, drawing no interest. If he gets 2 per cent on the other $9,000, it will amount to $180 a year. Under the provisions of this bill this $180 interest from the reserve city bank will be lost to the country banker; but inasmuch as he will in the future be obliged to carry but $12,000 reserve instead of $15,000 as in the past, there will be released from his required reserve $3,000, and he will have this additional amount to lend. If he lends it all out in cash at 6 per cent, he will receive $180 a year, or just enough to reimburse him for the loss of the interest which he has been getting from the reserve city bank; but if he uses the $3,000 as reserve and makes loans by credit to deposit accounts, he will have an added loaning power of $25,000, which at 6 per cent will bring him $1,500 a year, or $1,320 more than he is now getting from his reserve city agent. At the worst, then, he will be as well off as he is now, and the chances are that he will in fact make a much better profit. In addition to the profits I have already shown he will share in the profits of the regional reserve bank in proportion to his balances with that institution.

It is uncertain how much this will bring, but, whatever it may be, it represents clear gain over and above present possibilities. If it be argued that the country banker's investment in the stock of the regional reserve bank will be unprofitable, we need only stop and figure exactly how unprofitable it will be. A bank with $25,000 capital will pay in a subscription of $2,500, on which it will get 5 per cent. If money is worth 6 per cent, the annual loss is 1 per cent of $2,500, or $25, an insignificant sum in proportion to the profits which I have just shown. Yet my illustration does not do full justice to the situation, because the $25,000 bank will ordinarily have deposits considerably in excess of the $100,000 which I have assumed in my calculation. But some one may say that the loss on the stock investment will be more than 1 per cent because money in some sections is worth 7 or 8 per cent. If that is so, we must go back and figure the profit on the release of reserves on a 7 or 8 per cent basis, and we have a much stronger showing for the new system than I have made out.

There is in fact no burden placed on any national bank by this bill, and there is nothing in it that will afford a good reason for a bank to give up its national charter. On the other hand, banks which have been benefited for years by the prestige of the national charter will be loath to give that up now, and they will not fail to see that the business man will want to keep his money and secure his line of credit at a bank which is entitled to the rediscount facilities now to be afforded and which is scrutinized by a Federal examination more complete than has ever existed before. For these reasons any bank which leaves the national system will quickly be replaced by a new one coming in; and in this connection it must be remembered that new national banks can be organized in the future under less burdensome conditions than heretofore, since it is no longer required of them to make an investment in 2 per cent Government bonds, and they will be subject only to the less burdensome requirement of a smaller investment in 5 per cent Federal reserve bank stock, carrying with it facilities more valuable than those accompanying the Government bonds.

The Tariff.

The Baltimore platform pledged the Democratic Party to a reduction in the burden of taxation, to economy and simplicity, and to a lightening of the public burdens. This pledge should be faithfully fulfilled.

SPEECH
OF
HON. WARREN WORTH BAILEY,
OF PENNSYLVANIA,
IN THE HOUSE OF REPRESENTATIVES,
Tuesday, September 30, 1913,

On the conference report to the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. BAILEY. Mr. Speaker, in opening his speech in opposition to the conference report on the tariff bill, the distinguished gentleman from New York [Mr. PAYNE] delivered himself of a generous boast regarding the tariff law which bears his name and the death knell of which we are sounding to-day. He was particularly proud of the fact that this bill, in the 50 months which a patient people had permitted it to run, had wrung from the American consumers a surplus of more than $140,000,000. He seemed to feel that this was a proud achievement, that it reflected glory upon his party, that it vindicated his own title to statesmanship, and that this money were better in the Treasury of the United States for devotion to extravagant expenditures than in the pockets of the plain people who in toil and trouble had earned it.

It is my theory that a surplus revenue is a reproach to the party responsible for it. I do not forget the sapient remark of the late Gen. Fred Grant that a surplus is a much easier proposition to deal with than a deficit, but statesmanship should not be seeking the easy proposition when it comes to a question of dealing with the problems of taxation. Not one dollar should be taxed out of the pocket of labor unnecessarily. For this reason I rather hope that the prophecy or prediction of the gentleman from New York—that the new tariff will produce a revenue below the estimates of Mr. UNDERWOOD and Mr. SIMMONS—may be justified by the event. It is with no little concern that I have noticed an apparent purpose in the framing of this bill to provide a volume of revenue substantially equal to, if not actually in excess of, that which the Republican Party has been squeezing out of the people during its long riot of extravagance.

The total receipts of the Government from all sources in 1912 were $938,522,481. It is estimated by Chairman UNDERWOOD that the total receipts from all sources for the fiscal year 1914 will be $1,029,000,000 and for 1915 $1,026,000,000. With a total revenue of $938,522,481 for 1912 there was a surplus of $37,000,000. The estimated surplus for 1914 is $16,000,000 and for 1915 $18,000,000. It thus appears that there is to be no reduction in the volume of revenue, but an actual increase; that while taxes are to be more equitably distributed, they are to remain pretty much what they have been under Republican administration.

The expenditures in 1912 for the War Department amounted to $148,795,422. It is estimated that the Democratic administration will spend $178,000,000 on this account for 1914 and $175,000,000 for 1915. Expenditures for the Navy Department in 1912 reached the huge total of $135,591,956. It is estimated that this total will be increased to $147,000,000 for 1914 and $145,000,000 for 1915. Expenditures for pensions for 1912 were $153,590,456. The estimated expenditure on this account for 1914 is $180,000,000 and an equal amount for 1915. Thus, on account of war, past and anticipated, we are to expend no less than half a billion dollars, or about half of the entire revenue collected from the people.

Mr. Speaker, I feel like directing the attention of Democrats to what I am tempted to describe as a forgotten plank of the Baltimore platform. That plank was very much in evidence in the campaign of 1912. The changes were rung upon it by Democratic orators, and Democratic newspapers emphasized it day after day. But I am afraid that it is not receiving the consideration which it deserves. That plank was as follows:

We denounce the profligate waste of the money wrung from the people by oppressive taxation through the lavish appropriations of recent Republican Congresses, which have kept taxes high and reduced the purchasing power of the people's toil. We demand a return to that simplicity and economy which befit a democratic government and a reduction in the number of useless offices the salaries of which drain the substance of the people.

Undoubtedly there had been profligate waste of the money wrung from the people by oppressive taxation; undoubtedly recent Republican Congresses had made lavish appropriations in order to absorb and justify the excessive taxes levied upon the necessities of the consuming masses; and undoubtedly the net effect of this was to reduce the purchasing power of the people's toil. The Democratic Party assumed a great mission in undertaking the correction of this abuse. It appealed to the people for a return to that simplicity and economy which befit a democratic government; and this appeal met with a generous popular response. The people had felt the burden of taxation; they had looked with reprobation upon the profligate waste of their substance; they had rebelled against the Republican riot in extravagance. And when we pledged ourselves to set a new pattern of retrenchment and economy we were taken at our word and were intrusted with a commission from the people to redeem that pledge.

Are we keeping our word when we are proposing to raise more revenue than the Republicans ever thought of raising? Are we keeping it when we propose to spend more money than the Republicans ever dared to spend? Of course this is a big country; of course we have been extending the sphere of Federal activity; and of course all of this has entailed the necessity of increased expenditures. But I can not believe that we are justified by the size of the country, the wealth it contains, the increased Federal activities which we have witnessed and which may or may not be wise, in collecting more than a billion dollars a year from the toiling masses of this land. I am profoundly of the belief that we are spending scores of millions more on Army and Navy than can be justified on any moral or other ground. We are carrying a war burden in a time of profound peace almost equal to what would be required were we engaged in actual conflict with a powerful enemy. And no end seems to be in sight. There are the same ambitious schemes for enlarging the Navy and for increasing military "preparedness" that we witnessed under Republican auspices; and if there is anywhere any real purpose of curtailing expenditures in this direction the fact has not become apparent.

The gentleman from New York complained that the Democrats had been indulging in guesswork when they made their estimates of the revenue which the Underwood bill is expected to produce. Naturally there must be some guesswork in matters of this sort. There undoubtedly was guesswork regarding the revenue which the Payne tariff was expected to produce; there had been the same sort of guesswork as to the revenue-producing qualities of the Dingley law. No one can possibly, with certainty, foretell just what revenue will be produced by a tariff measure. But one thing can be foretold with confidence, namely, that low rates of duty will tend to produce a larger revenue than high rates of duty. In my judgment, the Underwood bill will invite an enormous increase of importations, and that in consequence the aggregate revenue will equal, if not exceed, the estimates. These importations will come in to pay for the increased exports which a freer trade will make possible. I confidently look forward to such an increase in our trade as that which followed the low tariff of 1846. Under the low rates of the Walker tariff we enjoyed a marvelous period of prosperity, a prosperity which was diffused and which affected all lines of industry, farming, mining, manufacturing, banking, merchandising, transportation. It was not a prosperity that a few only shared in. It was a prosperity that found its way

to the cottage door and not alone to the palace. That low tariff of 1846 produced not merely an abundant revenue; it produced a redundant revenue; and after it had been in effect a few years it was found necessary still further to reduce duties, and this was done without protest from any source. No party thought of demanding an increase of duties or the retention of old ones. No party thought of urging protection for our infant industries. No party dared go on record in its platform in support of any proposition looking to a reversal of the tariff policy which was inaugurated by the Democrats in 1846. The results flowing from that tariff were a complete vindication of every claim the Democrats had made; and so complete and so overwhelming was this vindication that the tariff question had actually disappeared as an issue in American politics, and there can scarcely be a doubt that it never would have reappeared as a political issue had not the War of the Rebellion opened the way for a return to the old discredited policy of protection.

That the Underwood tariff will vindicate itself as the Walker tariff was vindicated let no one doubt. The farmer, particularly, has been fooled on the subject of protection. He has been befogged and befuddled and befooled by protectionist sophistries until he has felt that he was, somehow or other, the chief beneficiary of the greatest swindle ever perpetrated upon any people. He has perhaps in a most peculiar way been befooled and befuddled in regard to the tariff on wool and its beneficial effects on the agricultural interests. Of course, he has been befooled and befuddled regarding the tariff on wheat, the tariff on corn, the tariff on hay and oats, the tariff on butter and eggs and meat; but the keystone of the arch of protectionism has been the wool tariff, and the farmer has believed that his future really depended upon its maintenance. Just how badly he has been fooled, just how completely he has been deceived, just how willfully the real truth has been distorted, I shall not undertake to say myself, but I am going to let a high authority speak. I am going to let him turn on the light. I propose to ask him to take the witness stand and testify regarding the history of wool and the wool tariff. No man of the present day has given more careful study to the tariff and to its effects upon the people, and especially to its effects upon the farmer, than Lee Francis Lybarger, who is widely known as a writer on economic subjects and as a speaker of great power. He was present during the debates on the Underwood bill in the House and he was particularly struck by the speech of the gentleman from Ohio [Mr. WILLIS]. That gifted gentleman had declared that—

whenever the duties have been below 11 cents a pound on wools of the first class flocks have always decreased. On the other hand, when duties have been as at present—11 cents a pound or higher—they have always increased.

Mr. Lybarger proceeded to inquire into the matter with his accustomed thoroughness, and I propose to give the results of his study below. He tells "The plain truth about wool" in one article; in another he deals with "Sheep: A declining industry"; in the third he treats of "The foe of sheep—the plow." The whole comprises a story so complete, so convincing, and so thoroughly impregnable that it is commended to the candid consideration of all thoughtful men who really want to be informed regarding this vital phase of the tariff question. What Mr. Lybarger has made so clear regarding wool can be made equally clear regarding every other product of the farm which the Republicans have professed to protect.

The article referred to is as follows:

PLAIN TRUTH ABOUT WOOL.

[By Lee Francis Lybarger.]

Whenever the duties have been below 11 cents a pound on wools of the first class flocks have always decreased. On the other hand, when duties have been as at present (11 cents a pound or higher) they have always increased.—Hon. FRANK B. WILLIS, of Ohio. (See CONGRESSIONAL RECORD, p. 39.)

Having shown in a recent article that the repeated reductions and declines in the number of sheep in the United States could not possibly be traced to repeated reductions in the tariff on wool, as Congressman FRANK B. WILLIS alleges, since there has been practically but one such reduction in all the years since the Civil War; and having shown, therefore, that the decline of the wool industry has occurred not only under the one Democratic tariff in 53 years of history, but also under the supposed "fostering care" of every high protective tariff the Republican Party has passed, it now remains to point out more fully the repeated declines in the number of sheep and to show that these declines are sometimes even greater under a protective tariff than they were under Democratic "free wool."

Having excepted this one and only Democratic tariff law in half a century of history, truth requires us to say that for 45 years the rate on wool has been practically unchanged. And that rate has been 10 cents a pound and 12 cents a pound on wool of the first class—merino sheep—until the McKinley Act of 1890 made a general average of the two and fixed a straight rate of 11 cents a pound on wools of the first class and 12 cents on combing wools. On washed wools the rate is doubled. On scoured wools the rate is multiplied by three. That is the tariff as it stands to-day.

Stated in its simplest form, the utterly absurd and unfounded proposition of the Hon. FRANK B. WILLIS is this: A decrease of just 1 penny on the pound will destroy the sheep industry, while an increase of only 1 cent in the tariff rate will build it up. Such a proposition is almost too absurd for serious consideration. Especially is this true when the fact is kept in mind that the price of wool often varies 5, 10, 15, 25, and even 30 cents a pound in a single year. It seldom varies less than 3 cents. Ohio wool, medium, was 12 cents a pound less in 1911 than it was in 1909, the year the Payne-Aldrich bill was passed. From 1872 to 1876 the price of this same wool declined 35 cents a pound. And yet here comes along a so-called "statesman" who declares, even in the Halls of Congress, a reduction of just 1 penny on the pound will destroy the sheep-growing industry.

Mr. WILLIS begins the "proof" of this most extraordinary proposition way back in 1867. He has taken the pains to review the wool industry under each successive tariff. Let us follow him. It is really "worth while." He tells us that during "the last 4 years" of the tariff of 1867 "the number of sheep increased 25 per cent." That is a good showing. We are willing to call it 30 per cent. In 1879 there were in the United States 38,134,000 sheep. By 1883 they had increased 11,113,000. Why deal only with "the last 4 years" of this act. It was in existence 16 years. Why were these last years more important than the first years? We think we can tell you why. It was because under the first years of the act sheep did not increase. They decreased—and at a terrific rate.

In 1867 (see Yearbook, Department of Agriculture, 1911, p. 637) there were 39,388,000 sheep. On wools of the first class, worth 32 cents or less, there was a duty of 10 cents a pound, plus 11 per cent. That was equal to a specific duty of 13 cents a pound. On wools of a higher value there was a duty of 12 cents a pound, plus 10 per cent. And that would equal a specific duty of at least 15 cents a pound, or an ad valorem duty of nearly 50 per cent. What more could the sheep ask than that? And yet in just five years they decreased 7,706,000. There were that many less, not more. Congressman WILLIS tells us that when wool is 11 cents a pound "flocks have always increased." Here was a minimum rate of 13 cents a pound. And still they did not increase. On the contrary they decreased 7,706,000—a decrease of nearly 20 per cent. Again we ask, Why did they decrease instead of increase? There had been no "tinkering" with the tariff. The rate on wool had not been reduced. It had been increased—doubled.

WHY DIDN'T HE TELL?

We would like to know why the Hon. Mr. WILLIS did not tell his constituents about this enormous slump in sheep. Perhaps it was because it occurred under a Republican tariff, the highest in our history. He called special attention to "the last 4 years," when the number of sheep had increased 30 per cent. Why was he silent when they had decreased 20 per cent—and under an increased rate? We think we know why, but will not mention it.

And now, just what are the facts in reference to these "last 4 years"? Well, the facts are really astounding—to a protectionist. They show that the tariff was not higher, but lower. Congress passed a law in 1872 which made a horizontal reduction of 10 per cent on wool. And now comes a most amazing and perplexing fact. Under the highest wool tariff in our history the number of sheep actually decreased 7,706,000; while under a 10 per cent reduction of this same tariff the number of sheep increased 11,113,000. What might they not have increased had the reduction been still greater? Nor is that all. Twelve years after the tariff of 1867 and doubled the rate on wool, there were fewer sheep in the United States than when the act was passed.

Mr. WILLIS tells us that under the Republican tariff law of 1883 the number of sheep decreased 16 per cent. And the estimate seems correct. In that year the Department of Agriculture reports 49,237,000 sheep. There were only 44,336,000 in 1890. That made a decrease of 4,901,000 sheep in seven years. Why did they decrease? What caused it? Here is the explanation which Mr. WILLIS gives: "During the last four years of the tariff of 1867 the duty on wool was 12½ cents a pound, while under the act of 1883 it was only 10 cents a pound." Our only objection to that statement is this: It is not true. The tariff was not 12½ cents a pound under that act or any other. No such rate was ever levied. Both laws contained both rates on wools of the first class—a 12-cent duty and a 10-cent duty.

How did he get those rates? He got them by changing the basis of comparison. Then he compared the highest rate under the one with the lowest rate under the other, speaking as if each law contained but the one rate. And yet, as a matter of fact, both laws contained both rates. Why, then, did this supposedly honorable gentleman mention only one rate under each? Such an act was either gross carelessness or gross criminality. Did he not intend that his constituents should infer that under the tariff of 1867 clothing wools paid 12½ cents a pound, while under the act of 1883 they paid only 10 cents a pound? And, if so, then what other purpose could he have had but to deceive the people?

The tariff of 1883 did just two things—it took off the additional ad valorem duty of 10 per cent on one grade of first-class wools and 11 per cent on the other. That was a reduction. Second, it reduced the minimum of the wool that should bear a 12 per cent duty, reducing it from 32 cents to 30. And that was an increase. For instance, under the act of 1867 wool worth 31 cents a pound paid a duty of 10 cents a pound. Under the act of 1883 it paid a duty of 12 cents a pound, and so the act of 1883 made practically no reduction in the tariff on wool. It could scarcely have exceeded a quarter of a cent a pound. And yet Congressman WILLIS tells us that sheep declined, and that they declined 16 per cent. Their number decreased by 4,901,000. What caused it?

It could not have been caused by the tariff. Mr. WILLIS sought by changing the basis of comparison to give the impression that there was a reduction of 2½ cents a pound. We have shown that if there was any reduction at all it could not have been half this amount, or even one-fourth of it. Furthermore, if we granted the whole of his false and fraudulent claim, it could not possibly have caused this decline. We enter this period with the price of Ohio fleece, medium, at 45 cents a pound. During the period it dropped as low as 31 cents. Could a tariff reduction of 2½ cents a pound cause a price reduction of 14 cents? And what shall we say of the intelligence of men who do such reasoning as this? If they do not know better, then they are mentally incapable. If they do know better, then they are morally incapable. Think of it! A reduction of 2½ cents in the tariff on wool—which never occurred—caused a decline in the price of wool of 15 cents!

Let us pass on. Mr. WILLIS tells us that the McKinley tariff made a straight rate of 11 cents a pound on wool, which it did, and that as a result "the number of sheep increased 10 per cent." His joy at finding sheep increase once more carried him beyond the facts. There were 44,336,000 sheep in 1890. There were only 712,000 more in 1894. And that, we submit, does not make an increase of 10 per cent. It is even less than 2 per cent. That is not so much. We have seen sheep increase 30 per cent after the tariff had been reduced. We have seen them decrease 20 per cent after the tariff had been doubled—and under the highest wool tariff in our history. And so Mr. WILLIS was lucky to get off with an increase of even 1.6 per cent. So far as the tariff has anything to do with the sheep industry, the law would seem to be: To increase the tariff decreases the sheep; to decrease the tariff increases the sheep.

WHAT THE M'KINLEY TARIFF DID TO SHEEP.

And so when the McKinley tariff struck a general average between the 10-cent and 12-cent rates, calling it 11 cents a pound, it must have reduced the previous rate, judging from the past. This much was certain: It reduced the sheep. The first year following the passage of the McKinley bill saw the number of sheep decrease 905,000. And the fourth year under this tariff saw a decrease of 2,226,000. It probably took the sheep some time to get used to the new rate. They had to become acclimated. In fact, they never did get used to it. They kept right on going down, even after the law had been repealed. And when later on its duties were restored and the sheep seemed to be standing it all right they suddenly started in on a worse decline than ever.

Forty-five years of high protection have established the fact that, whatever may be a good thing for sheep, a protective tariff is not. The sheep discovered that long ago. But Congressman WILLIS has not. However, it is worth while to notice that while a sheep has wool on its back it has none over its eyes. And that is more than we can say for him.

Mr. WILLIS tells us that the Democratic tariff of 1894 put wool on the free list, which it did, and that as a result sheep declined 21 per cent. We insist that it was only 18 per cent—not so much of a decline as when the act of 1867 doubled the rate. There were 45,048,000 sheep in 1894; there were only 36,819,000 in 1897, a decrease of 8,229,000. But where is the proof that it was caused by reducing the tariff? Where is the proof that they would not have decreased had wool not been placed on the free list? They began the decrease the last year of the McKinley tariff and decreased over 2,000,000 the year before the act was passed.

We have seen sheep decline when the tariff was raised. We have seen them decline when the tariff was lowered. We have seen them decline when the tariff was unchanged. The whole truth seems to be that the sheep industry in the United States is in the "declining" business. Civilization is against the sheep.

Practically every Republican and Progressive speaker in the recent congressional debate called attention to the fact that the sheep declined under a Democratic tariff. We admit it. And while we are sorry for it, yet we are glad to have a protectionist speaker get even one fact. We also admit that it is "unusual" for sheep to decrease. They had not decreased more than twenty times before the Democrats put wool on the free list.

Strange, however, that none of them called attention to the fact that they had decreased 7,706,000 under the tariff of 1867; that they decreased 905,000 the first year after the enactment of the McKinley bill; that the last year under that tariff saw a decrease of 2,226,000; and that in the last two years they have decreased under the Payne-Aldrich tariff 4,854,000; while from 1903 to 1905 the number of sheep decreased 18,796,000 under the Dingley Tariff Act and 4,854,000 in the last two years under the Payne-Aldrich tariff. They did not forget to mention the fact that Ohio fleece, medium, declined 3 cents on the pound when wool was on the free list, but they did forget to mention that it declined 14 cents a pound under the McKinley tariff.

Here, then, is a most extraordinary fact. A reduction of 11 cents a pound on wool seems a reduction of only 3 cents a pound in the price of wool, while an increase in the tariff rate, made by the McKinley bill, is followed by a reduction of 14 cents on the pound. Why did not these protectionist speakers mention these great facts? And how can their constituents depend upon them for reliable information when they forget to mention truths of such significance as these? They also forgot to mention the fact that the price of wool declined 10 cents a pound under the Payne-Aldrich tariff and 35 cents a pound under the tariff of 1867.

But why should men who are fighting for a falsehood, fighting for a colossal lie, fighting for the most gigantic superstition and delusion that ever was imposed on the credulity of the human race—the delusion that a people can be enriched by voluntarily taxing themselves—why should they be expected to mention such facts as these, especially when such facts knock their whole theory into atoms?

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SHEEP—A DECLINING INDUSTRY.

[By Lee Francis Lybarger.]

Sheep growing—for the primary purpose of producing wool, with mutton as only a by-product—is a declining industry in the United States. The forces of civilization are against it. The same story has been repeated in every land and under every civilization. We have already shown that the tariff can not maintain it. And even if it could, it would do so at an economic loss to the country. But this is not a matter for alarm or even of regret. The decline of an industry, through the advance of civilization, does not mean a decline in the production of wealth. The very reverse is true. It simply means that the pressure of population has developed a more profitable use of land.

We have shown that the number of sheep has repeatedly increased after the tariff had been lowered. We have shown that their number has repeatedly decreased after the tariff had been raised. To quote but two instances, we saw them decline 18,795,000 under the Dingley tariff, which took wool off the free list, and we saw them increase 11,113,000 after the act of 1872 had reduced the tariff by 10 per cent. And yet, with the exception of three years, when the Democrats put wool on the free list that for 45 years tariff on wool remained practically unchanged. And in reference to those three "Democratic years" it must be said that neither the decline in the number of sheep nor the price of wool was as great as under the McKinley tariff. And so it has not been for lack of "protection" that the sheep industry has declined.

Twelve years after the act of 1867 had doubled the tariff on wool found fewer sheep in the country than when the act was passed. There were more than 18,000,000 fewer sheep in 1905 than in 1903. There was 4,854,000 fewer sheep in 1912 than in 1910. And after a lapse of 30 years the averages for the 5 years ending in 1900 showed fewer sheep than for the four years ending in 1870. During that time the population had doubled. What hope, then, for the sheep industry? While there have been many slumps in the sheep industry, yet the whole period shows an actual increase in the number of sheep. But that increase had not kept pace with the increase of population. Let us take the average per year for the four years ending in 1870 for the basis and divide the rest of the time into five-year periods. The average for the first period shows 39,238,000 sheep. Giving only the even millions, the number of sheep for the successive periods are as follows: 33, 37, 38, 45, 44, 39, 55, 54; and for the years 1911–12, 53,000,000. The high-water mark in the production of sheep was in 1903, when their number rose to nearly 64,000,000. Two years later they had actually decreased by over 18,000,000. Then their number rose to 57,216,000 in 1910. Since then they have been steadily declining. The period ending in 1900 shows fewer sheep than the one ending in 1870. There were just 12,977,000 more sheep in 1912 than in 1867.

While there has been a slight increase in the actual number of sheep, there has been also a relative decrease—relative to population. The population in 1867 was 36,211,000. The number of sheep was 39,385,000. At that time there were more sheep than people. There was a fraction over 1 sheep for each inhabitant—about 1.08. In 1912 there were 52,362,000 sheep and 95,000,000 people. And so after 45 years of "protection" there are only about half as many sheep as there are people. An equal division of sheep now would give only 0.55 of a sheep for each inhabitant. In other words, sheep have declined one-half relative to population. While the number of sheep has increased 40 per cent, the population has increased 103 per cent. While the number of sheep has increased 40 per cent, the population has increased 162 per cent. In other words, while the number of sheep has been multiplied by 1.4, the population has been multiplied by 2.9. And so the increase in the number of sheep falls far short of keeping pace with the increase in the number of people.

We shall find the same startling facts if we compare the increase in the number of sheep with the increase in other farm animals. In 1867 there were 9,096,000 milch cows in this country. They had increased to 21,268,000 by 1912. That is an increase of 133 per cent. Hogs had increased during this same period from 24,769,000 to 58,241,000—an increase of 135 per cent. And so while hogs and cows have not kept pace with population, they have increased nearly 3 times faster than sheep. Horses increased from 6,232,000 to 20,766,000—an increase of 220 per cent. And so horses have increased 5 times faster than sheep. Let us take the case of cattle. They have increased from 12,786,000 to 43,399,000—an increase of 240 per cent. They have increased 6 times faster than sheep. The case with reference to mules is still stronger. During the past 45 years their number has increased from 945,000 to 4,215,000. That makes an increase of 445 per cent. And so mules have increased 11 times faster than sheep and 2 times faster than people.

How stands the case with reference to the price of wool? In spite of a protective tariff on wool that often approaches 50 per cent, yet from 1872 to 1896 the price of wool speedily declined the same as did the price of all other products of farm and factory. The average price of wool for the 4 years ending in 1867 was 47 cents a pound. Taking this as the basis and following in 5-year periods, the successive prices were as follows: 56, 40, 39, 30, 27, 27, 31, 37, and for 1911–12, 32 cents. That is not the farm price, but the retail price. The farm price runs about 6 cents lower. Judging from the delusive arguments of protectionists, one would infer that the Wilson bill was passed in 1872 and had been in existence ever since. In the whole catalogue of error, where is there any more utterly without foundation in logic or fact than the one which declares that a protective tariff benefits the American farmer?

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THE FOE OF SHEEP—THE PLOW.

[By Lee Francis Lybarger.]

There is a fact bearing on the sheep-growing industry that is mightier than the tariff. It is the fact of civilization. It is the fact of progress. It is the fact of the advance of human society from the pastoral stage into the agricultural stage. And so the foe of the sheep is not the tariff, but the plow.

Sheep raising is one of the most ancient of human industries. It dates back in history when mankind lived by "following flocks and herds." We read about this ancient industry in the Bible in connection with "those that dwelt in tents." It had its origin in the dim dawn of time as mankind was emerging from savagery into barbarism.

Under savagery mankind lived directly from nature as hunters, fishermen, etc. The club and spear were their first implements. These were used not only in their warfare with fellow human beings, but also with wild animals. Not only food but clothing and even shelter depended upon the fortunes of the chase. The walls and doors of the wigwam were furnished with the skins and furs of savage beasts.

Gradually there came the idea of the domestication of wild animals. They were to be made to do the will and supply the wants of the human race. And among the earliest of domestic animals was the sheep. It furnished food and drink and clothing and even shelter. Great have been the contributions which the wool and meat and milk of the sheep have made to mankind. The memories of the herdsman's life hover about all our ancient traditions. They came from all climes and races—the black, the brown, the white. Countless were the contests and struggles to get possession of the best pasture lands. And this gradual transition from hunting to herding marks the advance from savagery into barbarism, and it was a mighty step forward.

The third stage of development brought agriculture, and with this came civilization. Gradually there developed the idea of planting seeds, of cultivating the ground, and of domesticating trees and plants. The basis of agriculture is the plow. The plow and the pen are the mighty factors of civilization. However, herding long continued side by side with farming and fruit raising. Domestic animals still depended upon wild grasses and so required herding. Nor had the avocation of the hunter entirely ceased. But with the idea of constructing so common a thing as a fence and the production of food not only for people, but also for domestic animals, still greater changes followed. There was another advance toward freedom from an immediate and slavish dependence upon the vicissitudes of nature. And this advanced step—in which food was grown not only for people, but for domestic animals—marks a tragic fact in the future destiny of the sheep.

History shows that while it remained profitable to support the horse and the cow and the pig with the plow, it was not profitable thus to support the sheep. Thus were sheep, seemingly by an edict of nature, excluded from the advance of civilization and confined largely to pastoral lands and peoples. The sheep and the plow were not to travel together like the other domestic animals. There seemed a direct and deadly conflict between them in an effort to get possession of the fields. And so it has developed, through centuries of this struggle, that it is not profitable to preserve plowlands for sheep lands. The plow represents a higher use of land, a more intensive cultivation.

Fate has thus decreed that sheep are to occupy only such lands as are not arable—plowable. The story told in every land and in the development of every nation is this: Sheep have always preceded the plow, and the plow has ever driven them relentlessly onward, onward toward the hills, the mountains, the arid plains, and the deserts. They always follow the pioneer into new worlds. They tend ever to be confined with him on the fringes of civilization. And with him are driven ever onward toward the pacific—the pacific of oblivion. Just as the industry of the plowman drives out that of the hunter and the woodsman, so does the plow drive out the sheep.

And so, only permanent abiding places for the sheep are those which the plow can not enter. There they have remained for centuries and will ever remain. But to devote arable lands to this industry and in competition with those which have no other uses is to violate a fundamental law of political ecoomy and devote a portion of the earth to a low-grade production when it is capable of a higher and more profitable production.

The part which sheep play in the great drama of civilization is that of the "curtain riser." And they have played their historic part in this country. They are the pioneer scavengers. They clean out the fence corners and sprout the stumps. They help the woodsmen to prepare the ground for the plow. And then when the plow comes, the fields that once knew them knows them no more. They move onward into the open, unfenced plains and the uncleared forests. In those sections which the plow can not reach they will remain. But from those sections which it can reach they will be slowly but surely driven out, never again to return.

But in presenting this historic drama of the function and fate of the sheep we are considering it wholly from the standpoint of being a producer of wool, with mutton as only a by-product. The growing of wool belongs "to the desert and waste places of the earth." But when we reverse the purpose of sheep raising and make mutton the primary thing and wool as a by-product, then opposite results will follow. It is profitable to support meat-producing animals with the plow. And so, when the transition is made from wool sheep—that is, sheep of merino strain—to mutton sheep, the antagonism between the sheep and the plow will disappear. Food supplies will be enormously increased. The quantity of wool produced will be nearly as great, perhaps greater. Here, then, lies the hope, and the only hope, of a declining industry. The tariff can not save it.

It must conform to the requirements of civilized life or go the way of all the ancient industries.

The Tariff Conference Report—Pure Sweet Wines v. Skin or Pomace Wines.

EXTENSION OF REMARKS
OF
HON. JULIUS KAHN,
OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, September 30, 1913,

On the conference report to the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. KAHN. Mr. Speaker, I would not ordinarily have participated in this discussion, because the ground of opposition to this conference report has been fully covered by the gentleman from New York [Mr. PAYNE] and others on the Republican side. As my views are in accord with theirs, there is no need to reiterate them. But I want to commend the conferees on the part of the House for having so strongly stood out against agreeing to the Senate amendment known as the "Pomerene amendment," which proposed to tax grape brandy used in the fortification of sweet wines at the rate of $1.10 per proof gallon. The enactment of that amendment would have struck a vital blow at the sweet-wine industry of California.

The State of California produces about 20,000,000 gallons of sweet wines per year. The production has stood at that figure, approximately, during the entire decade between 1902 and 1912. There has been no appreciable increase in the production in that State in all those years. Why? Because since 1906 no large wine-making concern has declared more than one dividend, while many vineyardists and producers have been forced out of business by unfavorable conditions. The capital stock of the various companies manufacturing sweet wines has never been at par since 1906, and the value of the capital stock of some of the larger companies has depreciated as much as 50 per cent. This fact can be shown by the quotations of the San Francisco Stock & Bond Exchange. About 250,000 acres of land in California are cultivated to the grape. There are over 15,000 farmers in California engaged in grape growing and wine production. Over $100,000,000 is invested in the industry.

The addition of grape brandy to sweet wines is absolutely essential for their preservation. The sweet wines include such well-known types as port, sherry, Madeira, Angelica, muscatel, and Tokay. The wine growers of every country in the world use grape brandy to fortify sweet wines. But there is not a country in the world that imposes a tax upon grape brandy used in the preservation and perfection of sweet wines.

Much of the sweet wine that is made in California is retailed through drug stores for medicinal purposes and on prescriptions of physicians. The imposition of a tax of $1.10 per proof gallon would greatly increase the cost of these wines to the consumers of the country.

This entire subject has been stirred up by the Ohio wine makers, who for years have "skinned" the wine consumers of the United States by selling "skin" wine, or pomace wine, as it is known to the trade, to the American people. There is only one country in the world, other than the United States, that permits the manufacture of this "skin" wine. That country is France. But the laws of France do not permit it to be sold except for export to foreign countries or for domestic use at the identical winery where it is manufactured.

The formula, as announced by one of the manufacturers of this "skin" wine, is approximately as follows:

Take 1,250 pounds of sugar, 650 gallons of water, and 450 pounds of grape skins from which the juice has been pressed and allow the mixture to ferment. When partially fermented add a little benzoate of soda as a preservative and serve as wine.

I am told that under the pure-food law the makers of this pomace or "skin" wine are compelled to designate the amount of benzoate of soda used for preserving purposes on the original package that leaves their factories. Of course, this original package is the barrel in which this spurious wine is contained. When the barrel reaches the customer the latter decants it into bottles and the fact that it has been preserved with benzoate of soda is not put upon the label of the bottle, so that the customer is in very truth "skinned" when he buys this "skin" decoction for pure wine.

If the law allowing free use of pure grape brandy for the preservation of pure sweet wines were to be repealed, as proposed in the Pomerene amendment, the impetus given to the manufacture of imitation or "skin" wines would be sufficient to drive the manufacturer of pure sweet wines out of business. It has been asserted that there are 107 makers of sweet wine who derive all the benefit of the existing law. But there are 15,000 heads of families engaged in growing the grapes that are sold to these wine makers in California aloue. Ninety-six per cent of the sweet wine makers have their wineries in the State of California. But sweet wine is also made in the States of New York, New Jersey, North Carolina, Virginia, Alabama, and in the Territory of Hawaii. The makers of sweet wines in these States all receive the benefits conferred under the laws which allow the use of grape brandy for the fortification of sweet wines upon the payment of a charge of 3 cents per gallon. The only two States in the Union that make wines and do not avail themselves of this law are the States of Ohio and Missouri. It is in these two States that most of this pomace or "skin" wine is made.

While the California wine maker has to pay the farmers who raise the grapes $10 and $12 per ton, the Ohio and Missouri makers of this "skin" wine buy the skins at $3 per ton, and under their formula they can keep using the skins a number of times and turn out several vintages out of one set of skins.

They claim that Germany allows the addition of water and sugar in the manufacture of German wines. That is a half truth. The fact is the normal quantity of sugar contained in the grapes in the various wine-growing districts of Germany is well known to the wine producers. The quantity of the sugar in the grape varies in the different districts, and, naturally, it has an important bearing on the flavor of the wine. Some years the quantity of sugar contained in the grape in some of the districts is a little less than normal. Under the German law the wine maker is permitted to add a sufficient amount of sugar to bring the quantity contained in the natural juice of the grape, or the "must," as it is called, to the normal standard. The addition of this sugar is made under the supervision of a government official and is not allowed to exceed the normal amount found in the grape of the particular district in which the particular brand of wine is made. In other words, the amount of sugar contained in such famous brands as Liebfraumilch, Johannisthaler, Affenthaler, Rudesheimer, and so forth, is well known to the German wine experts. In abnormal years, when there is a deficiency of sugar in the grapes, the Government allows the addition of a sufficient amount of sugar to bring the grape juice to the normal standard, but not a pound more.

That is a far different proposition than the one that prevails in the States of Ohio and Missouri, where these "skin" wines are made and sold to the American people as pure wine. To call such stuff pure wine is a perversion of the English language.

To be sure, nature has been very lavish in the quantity of sweetness contained in California grapes. There is always an abundance of sugar. But all California wine is made from the pure juice of the grape. The wine consumers of America are not "skinned" by the wine makers of that State. The skins, which would be used by the wine makers of Ohio and Missouri to make pomace or "skin" wine, are thrown away in California. They are not utilized for any such purpose. They are spread upon the land as a fertilizer. And it is small wonder that these makers of these spurious products have sought to tax the producers of pure sweet wine in the other wine-producing States of the Union out of existence.

Our Government for over 10 years has been endeavoring to give the people of this country pure food and drugs. The proposed Pomerene amendment is a distinct reactionary step. It would enable spurious wines made out of grape skins, sugar, and water to drive out of the market the pure grape wines made in California, New York, New Jersey, North Carolina, Virginia, Alabama, and the Territory of Hawaii.

As a matter of fact, the sweet-wine law of 1890 was the first pure-food law enacted in the United States. Up to the present time it has withstood every attack directed against it by the manufacturers of "skin" or pomace wines.

The Pomerene amendment as originally drawn allowed whisky, rum, or any other kind of alcohol to be used in the fortification of sweet wines. It is my belief that wine made out of the pure juice of the grape should not be allowed to become blended with a foreign substance made from grain, molasses, or vegetables, or even with benzoate of soda. To permit such a blending, in my judgment, is an imposition upon the consumers of this country. This "skin" or pomace wine can be produced so cheaply that unless some remedial legislation be enacted it will ultimately drive from the markets of the United States the pure wines produced in all the wine-producing sections of the United States where the pure juice of the grape is allowed to ferment and thus become wine.

The effort of the manufacturers of this "skin" wine to further "skin" the American people has been frustrated through the action of the House conferees on the pending tariff bill. We of California deeply appreciate the firm stand they took in refusing to concur in the Pomerene amendment. Pure wines have won a signal victory. The efforts of the makers of "skin" wines to tax the makers of pure sweet wines out of existence did not avail. While at first it seemed to be a most serious performance, it eventually turned out to be a mere farce and a fitting title would be "The Skinners Skinned; or Hoist by Their Own Petard."

APPENDIX.

EXHIBIT A.

UNITED STATES DEPARTMENT OF AGRICULTURE.
OFFICE OF INFORMATION.

PRODUCTS OF OHIO WINE FIRMS RECENTLY SEIZED IN FIVE OTHER STATES. Goods were all shipped from Sandusky, Ohio.

WASHINGTON, D. C., *September 2, 1913.*

Agents of the Department of Agriculture have just reported the following seizures of products of the Sweet Valley Wine Co., of Sandusky, Ohio:

August 13: Two barrels labeled "Scuppernong Bouquet Wine" and three barrels labeled "A Ohio Scuppernong Wine." Seizure made at Detroit, Mich.

August 14: Two barrels labeled "A Ohio Scuppernong Wine." Seizure made at St. Louis, Mo.

August 15: Two cases labeled "Scuppernong Bouquet Wine." Seizure made at Chicago, Ill.

August 15: Seven cases labeled "Scuppernong Bouquet Wine." Seizure made at Hannibal, Mo.

August 16: Fifty-four quarts labeled "Scuppernong Bouquet Wine." Manufactured by the Sweet Valley Wine Co. and shipped by the Bay View Wine Co. Seizure made at Montgomery, Ala.

Another Ohio wine firm whose products have been recently seized is the A. Schmidt, jr., & Bros. Wine Co., of Sandusky, Ohio. The seizures are as follows:

August 13: One barrel labeled "A Scuppernong Type Wine, Ohio Product." Seizure made at Pittsburgh, Pa.

August 14: Three hundred barrels labeled "Scuppernong Type Wine, Ohio Product." Seizure made at St. Louis, Mo.

Adulteration and misbranding were charged in all these cases against both firms, because the product was labeled either "Scuppernong Wine" or "Scuppernong Type Wine," when in fact it was a base wine or imitation "Scuppernong Wine."

A. Textor & Co., also of Sandusky, Ohio, shipped a barrel labeled "Muscatel Wine" into Michigan, where it was seized on August 15. Adulteration and misbranding were charged because it was alleged that the wine was artificially sweetened in imitation of the true Muscatel type.

Cases against theses three Ohio wine shippers are now pending in the courts, where they will be prosecuted by the United States Government.

EXHIBIT B.

CONDENSED ARGUMENT OF CALIFORNIA GRAPE GROWERS AND WINE MAKERS AGAINST SECTION 25½—SWEET-WINE AMENDMENT—TARIFF BILL.

There are three features of the above amendment which we earnestly protest against:

(1) The use of sugar and water.
(2) The use of neutral alcohol.
(3) The imposition of a $1.10 tax on the wine spirits used in fortifying pure sweet wines.

(1) THE USE OF SUGAR AND WATER.

(a) According to the standards of purity for food products promulgated by the Secretary of Agriculture on June 26, 1906, wine is defined to be—

"The product made by the normal fermentation of the juice of sound, ripe grapes, and the usual cellar treatment."

We contend that this definition conforms to the immemorial definitions of wine and that no other product is entitled to be called wine.

(b) The provision of the bill permitting sugar and water to be used is in contravention of both the letter and the spirit of our pure-food laws.

(c) Under this provision, the grapes, plus water and sugar, may be fermented absolutely dry; that is, until all of the natural sugar of the grape and the added sugar have been fermented into alcohol. The resulting product they call dry wine. Then this so-called dry wine they convert into fortified sweet wine by the addition of more sugar and alcohol, which product is obviously a "sweetened" and not a "sweet" wine.

(d) Every pound of sugar can be fermented into a pound of proof alcohol, thus substituting for the natural wine spirits an alcohol created artificially by the fermentation of added sugar.

(e) If any considerable amount of sugar and water is allowed to be used it inevitably results that the pure grape juice will occupy only a subordinate place in such wine making.

(f) The use of sugar and water must be placed under the supervision of the Internal-Revenue Department; otherwise gross abuses are bound to occur by the "stretching" of the wines.

(g) The consumer of wines is entitled to know the real character of the wines, and hence adequate provisions must be made for properly branding or labeling any product not made exclusively from the juice of the grape.

(h) Pure wines made exclusively from the juice of the grape must be protected against imitation, modified, or artificial wines, the same as all other pure-food products.

(i) Over 90 per cent of the wines of America are produced in California, and made exclusively from the juice of the grape; if the use of sugar and water be legalized, this is bound to lower the standards of these wines to the level of base products.

(j) In California we make wine from wine grapes exclusively, the stocks being imported from Europe, about 160 gallons of pure dry wine or 80 gallons of pure sweet wine being produced from 1 ton of grapes; while east of the Rockies the grapes are native or indigenous, adapted more for table purposes than for wine.

(k) Eastern grapes sell for about three times as much as California grapes, due to their local demand for table purposes, and eastern wine makers, desiring to obtain as many gallons as possible from each ton of grapes, crush the grapes and draw off two-thirds of the juice for unfermented grape juice, champagne, or wine, and then they take the skins, which carry the coloring matter and the acid that lies close to the skin, and proceed to "ameliorate" this by adding large quantities of sugar and water. By this process they obtain many times as much "wine" from 1 ton of grapes as we do in California.

(2) THE USE OF NEUTRAL ALCOHOL.

(a) Neutral alcohol or neutral spirits can be very cheaply produced from potatoes, corn, molasses, beets, pineapple, and cannery refuse, or from any vegetable or fruit containing sugar or starch, and also from sawdust, shavings, etc.

(b) Even though neutral spirits may not be deleterious to health, their addition to wine (the pure juice of the grape) should not be permitted unless the resulting product be branded or labeled as a compound, in order that it may conform to the definitions contained in the United States Pharmacopœia, which is made a part of the pure-food law of 1906.

(c) Ninety-six per cent of the fortified sweet wines of America are made in California with grape brandy; hence these wines are pure sweet wines as defined in paragraph 5, schedule 3, F, beverages, standards of purity for food products, above referred to. If the use of neutral spirits is permitted upon the same terms as wine spirits, the competition in sweet wines will naturally lead to the use of neutral spirits in California sweet wines in the place of pure wine spirits, for neutral spirits can be produced in California for one-half the cost of grape brandy; and, therefore, not only will the purity of sweet wines suffer from the use of neutral spirits, but $1,500,000 of grapes that are now sold to the distilleries in California will be without a market and left to rot on the vines. Every branch of viticulture will be seriously affected, including the table-grape and raisin-grape industry, one-third of these latter crops being sent to the distillery.

(See protest and brief, pp. 84-88, hearings before subcommittee of the Committee on Finance, United States Senate.)

(3) TAX ON WINE SPIRITS.

(a) In the protest and brief, just mentioned above, we have set out at length the reasons why the law of 1890 allowing tax-free wine spirits to be used in fortifying pure sweet wines should not be disturbed.

(b) The imposition of a tax on wine spirits used in fortifying pure sweet wines will be destructive of the sweet-wine industry in California, which has grown since 1890 from about 1,000,000 gallons to 17,000,000 gallons per annum. Tens of thousands of acres have been planted by reason of the encouragement that was given to sweet wines by the law of 1890. These vineyards have been largely planted in the Sacramento and San Joaquin Valleys, where the large amount of sugar in the grapes fit them peculiarly for sweet-wine purposes. A large proportion of these grapes can not be made into dry wine on account of the sugar they contain. Moreover, if they be made into dry wines, they would glut the dry-wine market, thus causing a great depreciation of prices for dry wines and a consequent loss to the vineyardists in the dry-wine section of the State.

(c) The independent wine makers of California will not be able to finance such a tax, which simply means that the sweet-wine making of that State will probably pass into the hands of one or two powerful concerns. The 15,000 families now raising grapes in California are largely dependent upon the independent wine makers for a living price for their grapes, and any blow that is struck at these wine makers will bring ruin and disaster to the vineyardists.

(d) If any tax is imposed on wine spirits used for fortifying purposes, then justice will demand that an equivalent tax be placed upon all sugar added to wine. Eight and one-half pounds sugar will produce 1 gallon of proof alcohol, and therefore every pound of sugar so used must bear a tax in proportion to the tax placed on wine spirits.

For instance, if wine spirits are to be taxed $1.10 per gallon, then the sugar added to wine should pay a tax of 13 cents per pound, and such use of sugar should be under strict regulations and supervision of the internal-revenue department.

(c) The law of 1890, permitting the use of tax-free wine spirits in the fortification of sweet wines, has always been available to all wine makers of America upon equal terms. The eastern wine makers, if they do not choose to use their high-priced table grapes for brandy purposes, can always obtain in the future, as they have in the past, an ample supply of sweet wine spirits from California at a small margin of manufacturer's profit. Some of the reasons why the eastern wine makers of fortified sweet wines have not always used tax-free wine spirits are because (a) upon the crushing of their grapes they add both sugar and water in excess of that permitted by the 1890 law, and (b) they first make a dry wine in the above manner, and then sweeten it with more sugar, and the Government does not furnish a tax-free brandy to anybody to fortify either dry wine or sugar and water; hence by their own adopted methods they preclude themselves from using tax-free spirits. It is the methods of wine making which they elect to pursue and not any inequality in the law itself that is at fault, and therefore they should not be heard to complain against the provisions of a law that is manifestly intended to encourage the making of pure sweet wine.

REVENUE.

The Senate amendment will not raise any considerable revenue. We have clearly demonstrated this in the protest and brief above referred to. If all the spirits used for fortifying purposes be taxed at $1.10 per proof gallon, and the use of any material amount of sugar be authorized, the average amount of spirits used for fortifying such gallon of wine will not exceed 4½ per cent. There are about 17,000,000 gallons of fortified sweet wine made in this country each year. Multiplying this by 4½ per cent, we have 765,000 gallons of spirits, which, figured at the rate of $1.10 per gallon, will yield a gross revenue of only $841,500.

It must be apparent that it is impossible to levy a tax upon wine spirits without at the same time enacting a pure-wine law. It is neither fair nor just to tax wine spirits without imposing a greater tax upon compound, ameliorated, and imitation wines. This means, therefore, that the measure must be exact in its definitions of the various kinds of wines, placing larger burdens on any wines not made exclusively from the juice of the grape, and carrying ample provisions for labeling and branding the same, and particularly providing that all substances or ingredients that may be added to the juice of the grape shall be under strict regulation and supervision of the Internal-Revenue Department. In order to draw a measure that will be just to all concerned, including the consuming public, careful studies and investigations of wine making and grape growing in the different sections of our country should be made, for without such data and information mistakes are bound to be made, to the great detriment and injury of our foremost industries.

We respectfully urge that before any tax is placed upon wine spirits or any other ingredients added to wines some means be provided for a thorough investigation of viticultural conditions in America, with ample time and opportunity given to those who may be selected to conduct such investigations.

Respectfully submitted.

THEODORE A. BELL,
M. F. TARPEY,
LOUIS WETMORE,
JAMES BARLOTTI,
Committee, California Grape Growers and Wine Makers.

The Banking and Currency Bill.

The business men of the country must rejoice at the prospect of their credits being no longer periodically curtailed by local commercial crises; the wage earners must rejoice at the prospect of steady employment with no shutdowns on account of impaired credits of those for whom they work; and the farmers must rejoice at the prospect of being able to obtain currency on their crops at a reasonable rate of interest.

EXTENSION OF REMARKS
OF
HON. LATHROP BROWN,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,
Monday, September 29, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. BROWN of New York. Mr. Speaker, I feel called on to make a few remarks on the currency bill, notwithstanding the many admirable speeches made on the subject, because of a mistake made by one of the clerks of the House in recording my vote on the "gold amendment." I was recorded as voting against the amendment, although I was paired "for" on this vote and the final vote on the Glass bill with Mr. SMITH of Idaho, who was "against" the bill, as the RECORD clearly shows. Of course the RECORD was corrected at the first opportunity, and a note sent explaining the circumstances to the newspapers, who had in good faith commented rather strongly on what they termed my free-silver vote. The corrections were made in the newspapers in the usual way—where nobody would see them—and tended not in the least to still the clamor raised in first-column editorials a few days before.

The defects of our present currency system have frequently been pointed out of late, and now that the Glass bill has passed the House it would seem more fitting to look toward its probable effects than to the mistaken legislation which created the necessity for this or some similar bill. I will state that I am a strong advocate of the Glass bill just passed by the House of Representatives, and wish it a speedy journey to the White House for signature. I am glad that the gold amendment was added, because, although gold is the recognized monetary standard not only of this country but of the whole Christian world, yet some fearful persons require that assurance should be made doubly sure. It does no harm to repeat a well-known truth, and often makes people happy.

Members of the committee in charge of preparing this bill had a stupendous task confronting them. Their problem was in one sense more difficult than that of the Ways and Means Committee in writing the tariff bill, because all Democrats in the House were agreed that tariff duties generally should come down, and the question was only on the amount of reduction on the 4,000 articles covered by the bill. The members of the Banking and Currency Committee, however, found several divergent points of view in approaching the subject, viewpoints honestly held and ably argued both in committee and in the Democratic caucus. Members from the cotton-growing States, in which cotton-warehouse receipts had for years been their best and most easily negotiable security, insisted that such receipts be made sufficient security when deposited, for the issuance of Federal reserve notes. Members from the corn and wheat growing States took the same stand with regard to currency based on their warehouse receipts. Members from agricultural communities, comprising chiefly prosperous farmers, who by scientific methods of soil culture are almost certain, barring extraordinary climatic conditions, of a paying crop each year, insisted that there was no security equal to that of a farm mortgage. Their constituents have no occasion to borrow money for any other purpose than to improve their farms, and under the present law national banks may not loan on farm mortgages. Consequently the farmers are deprived of the use of one of the chief lending sources, the national banks; and from their point of view, knowing little and caring little about commercial banking, they feel properly aggrieved at what to them appears discrimination. It is hard to convince a man who knows that what he has to offer is good security, that this same security is not proper security on which to issue Government notes.

I have mentioned a few local objections hurled into the maelstrom of congressional opinion in order that the commercial borrowers and lenders of the East and North may understand the viewpoint of the agricultural borrowers of the South and West.

Underlying all argument was the failure to understand that money travels with the speed of the telegraph from Frisco to London, from New York to Shanghai, where a better opportunity for investment in recognized paper or acceptances presents itself. Many Members could not or would not understand that money from the interior of this country flows to the money centers for this chief and main reason only, that there is use for that money in these centers while there is no use for it at home. Other Members maintain that certain financiers in New York were wholly responsible for the panic of 1907; that New York is a den of financial iniquity; that an active market in stock and bond securities is to be condemned, although an active market in cotton, wheat, and corn is eminently to be desired.

But underneath all the surface differences of opinion was this general feeling, as I see it: We are a new country; we need not only our own capital but European capital as well; we see in Europe how a system of rediscounts keeps capital available for use instead of locking it up; we see a market for discounts and acceptances which attracts capital as readily from London to Berlin as from Berlin to Paris; and the Glass bill is the great compromise measure for the good of the whole country. Although the acceptance method is only permitted in the case of exports and imports, I have no doubt that in the course of a few years this method will be generally extended, as it now is in Europe. I believe that the section permitting national banks to open branches in foreign countries will remove one of the greatest handicaps under which our foreign trade now labors.

It is claimed that many national banks will refuse to participate in this plan and will surrender their charters, but I do not think so. It is claimed that a great many country banks will have difficulty in procuring the 10 per cent of their capital stock which will be required to be paid in cash into the Federal reserve bank in their neighborhood, but I do not believe this will be the case. What concerns me most is the fact that the 12

Federal reserve banks will have paid-up stock and deposits in excess of $700,000,000, and the amount of credit which can be made available to the Nation is variously estimated at between two billion and three billion dollars. Should this credit be made immediately available, such an expansion of business would occur as would probably wreck the Nation before long. The directors of the Federal reserve banks will be subjected to enormous pressure to extend credits more rapidly than the business world can assimilate them, and the success of the whole measure must depend on the wise administration of the affairs of the Federal reserve banks by their respective directors and by the members of the Federal reserve board.

It is difficult to realize at first glance the tremendous stimulus to legitimate business which the availability of two or three billion dollars of credit will mean to this fast-growing Nation, but with the opportunity walks hand in hand the danger of overproduction and unwise speculation.

The business men of the country must rejoice at the prospect of their credits being no longer periodically curtailed by local commercial crises; the wage earners must rejoice at the prospect of steady employment with no shutdowns on account of impaired credits of those for whom they work; and the farmers must rejoice at the prospect of being able to obtain currency on their crops at a reasonable rate of interest.

Tariff Catechism.

EXTENSION OF REMARKS
OF
HON. FRANK E. DOREMUS,
OF MICHIGAN,
IN THE HOUSE OF REPRESENTATIVES,
Tuesday, September 30, 1913,

On the conference report to the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. DOREMUS. Mr. Speaker, some time since, upon the suggestion of Mr. Bryan, Representative OLDFIELD, of Arkansas, prepared for the Commoner a "tariff catechism" on the subject of free raw materials. At the request of numerous Members, I insert this catechism in the RECORD under the general leave to print:

"Q. I am somewhat confused as to what is meant by the phrase 'raw materials'; can you explain it to me?—A. Yes. Raw materials are those materials which are in their lowest and crudest form when they enter commerce.

"Q. Can you name some things which are raw materials?—A. Yes. Cotton, wool, lumber, coal, iron ore, etc., are raw materials.

"Q. What do you mean by free raw materials?—A. I mean that the raw materials, such as I have just named, are free when they are imported into this country from a foreign country free of any tariff tax.

"Q. What do you mean by the terms tariff tax or customs duty?—A. A tariff tax or customs duty is a charge which is paid at any customhouse for the privilege of bringing a particular article into this country from a foreign country.

"Q. Does this tariff tax enhance the price of the article to the consumer?—A. Yes.

"Q. Will you give me an illustration?—A. Yes. If a foreign hat merchant has a particular kind of hat which he can afford to sell for $2 and he brings that hat to this country to sell, and if he were not compelled to pay a tariff tax he could sell it for just a little more than $2, say $2.25, but if he is compelled to pay a tariff tax of $1 on the hat, then he must sell the hat for more than $3.

"Q. Well, I believe I understand that. Now, tell me, is the doctrine of free raw materials good Democratic doctrine?—A. Yes.

"Q. What Democratic tariff bill can you name which recognized this doctrine?—A. The Democratic tariff bill of 1883, known as the Morrison bill, recognized it. The Mills bill of 1888 and its framers recognized this doctrine. The Springer bill of 1892, another Democratic tariff bill, and its framers advocated and recognized this principle; and the Wilson bill of 1894 and its framers recognized this principle or doctrine of free raw materials; also the Underwood tariff bill recognizes this principle or doctrine of free raw materials.

"Q. What Republican tariff bills have put into practice the doctrine of free raw materials?—A. None.

"Q. Can you now give me the names of Democratic leaders who have stood for this doctrine of free raw materials?—A. Yes. Robert J. Walker, the great Democrat who was Secretary of the Treasury when the tariff of 1846 was written, and James M. Guthrie, another great Democrat and who was Secretary of the Treasury when the tariff of 1857 was written, both advocated the doctrine of free raw materials.

"Q. Can you give me the names of distinguished Democrats who have advocated this doctrine of free raw materials of a more recent date, say since the Civil War?—A. Yes. Roger Q. Mills, William L. Wilson, William R. Morrison, John G. Carlisle, Benton McMillin, Clifton R. Breckinridge, Roswell P. Flower, Isham G. Harris, Z. B. Vance, Daniel W. Voorhees, James B. Beck, Richard Coke, John H. Reagan, Grover Cleveland, William J. Bryan, Champ Clark, Oscar W. Underwood, Senator Kern, Senator Gore, and other Democratic leaders of the House and Senate, and Woodrow Wilson, the President of the United States.

"Q. Can you give me the names of some distinguished Republicans who oppose the doctrine of free raw materials?—A. Yes. John Sherman, Thomas B. Reed, Julius C. Burrows, Sereno E. Payne, William H. Taft, John Dalzell, Albert J. Hopkins, James S. Sherman, Reed Smoot, Henry Cabot Lodge, Joseph G. Cannon, Nelson W. Aldrich, Boies Penrose, Simon Guggenheim, Isaac Stephenson, and William Lorimer, all of these leaders of the Republican Party and the protection idea oppose the Democratic doctrine of free raw materials.

"Q. Can you give me any particular instance of any of the distinguished Republicans you have just named expressing opposition to free raw materials?—A. Yes. John Sherman, in his book entitled 'Forty Years in the House, Senate, and Cabinet,' says: 'The dogma of some manufacturers, that raw materials should be admitted free of duty is far more dangerous to the protective policy than the opposition of free traders; a denial of protection on coal, iron, wool, and other so-called raw materials will lead to the denial of protection to machinery, to textiles, to pottery, and other industries.'

"Q. What has Mr. Aldrich said on this subject?—A. In 1909, when the Payne-Aldrich tariff bill was under discussion in the Senate, Mr. Aldrich said he knew of no Republicans and no protectionists who were in favor of the doctrine of free raw materials.

"Q. Well, I guess Mr. Aldrich would have known if any Republicans and protection manufacturers were in favor of free raw materials, would he not?—A. Yes. Nobody in the country knows the personnel of Republican leaders and the teachings of the Republican Party better than Mr. Aldrich.

"Q. I have read where some distinguished Democrats have recently said that they believe in a small revenue duty on everything. Also, if we must have a tax on the finished product, then the people who produce the raw materials should have the benefit of a tariff. How about this doctrine?—A. I would say, beware of this doctrine.

"Q. Why?—A. Because this sort of doctrine leads you to the conclusion that tariff taxes are not burdens, but benefits.

"Q. How is that?—A. The Republican theory is that tariff taxes should be so laid that there shall be both equal burdens and equal benefits, although it does not work out that way and, in the very nature of things, can not work out that way.

"Q. Now, what is the Democratic doctrine on this proposition?—A. The Democratic doctrine is that all taxes are burdens and are therefore evils. The Democratic doctrine is that the power to tax is the power to destroy.

"Q. Does the Democratic Party believe that tariff taxes take money out of the pockets of the people?—A. Yes.

"Q. What does the Republican Party teach that tariff taxes do for the people?—A. The Republican Party says that 'tariff taxes are not burdens,' but they are good things and help the people.

"Q. Does not the Republican Party teach that all taxes are burdens?—A. No. The Republicans say that the more the people are taxed the richer the people become.

"Q. But I have read where some prominent Democrats in Congress say that they do not believe in a free list, but that everything should be taxed a little.—A. If you will converse with those same Democrats for a little while you will discover that this is only a veil they use in hiding their real motives, and when you hear a Democrat say he believes in a little tariff tax on all articles you may put it down that he is a protectionist and is more anxious to secure a high duty on something produced in his own district or State. In other words, he has herrings on the brain.

"Q. What do you mean by the last part of your answer, saying he has herrings on the brain? What do herrings have to do with this question?—A. Didn't you ever hear of the letter the Englishman wrote Sir Robert Peel, when he was trying to

destroy the protective system in Great Britain, back in 1842, asking him not to repeal the tariff on herrings?

"Q. No. Won't you please tell me about it?—A. Well, Sir Robert Peel was the leader in the House of Commons, in 1842, in the fight to reduce tariff taxes in Great Britain, and while delivering a speech in the House of Commons he read this letter from one of his constituents, which is quite similar to letters which are being received by Representatives and Senators in Congress now. Here is the letter: 'I am a free trader in every other respect, but with respect to herrings I caution you against applying the general rule to them.'

"Q. Why are the sentiments contained in that letter similar to the views held by Representatives and Senators who want a little tariff on everything?—A. Because, while they are free traders in the products raised in other Members' districts, they know they can not get the protection they desire on the products produced in their own districts unless they concede a little protection to articles produced in the districts and States of other Representatives and Senators.

"Q. Oh, I see. But, back to wool. Did you say wool is a raw material?—A. Yes.

"Q. The woolen manufacturer is in favor of free or untaxed wool, is he not, since he would then get his raw material cheaper?—A. The woolen manufacturer is not in favor of free wool, for the reason that if there is a duty on raw wool then the manufacturer is invariably compensated by having the duty on his finished products increased to the extent of covering all of the tax or duty he has to pay on his wool. Hence the duty on the wool does not cost him anything, as he just charges it to the consumer, who has to pay all of the duty on the raw wool and also the duty on the finished product of the manufacturer, together with interest and profits added.

"Q. Is there any other reason why the manufacturer of woolen clothing does not want free wool?—A. Yes; they want the cooperation and help and influence of the woolgrowers of the country to assist them in passing the kind of tariff legislation they want.

"Q. You don't mean to say that the woolen manufacturers and the woolgrowers together have so much influence over the people's Representatives and Senators at Washington that they can write the kind of wool and woolen bill in Congress they want, do you?—A. President Taft stated, after the Payne-Aldrich bill became a law, that the influence of the woolgrowers and the woolen manufacturers prevented the Republican Party from revising the wool schedule downward, as should have been done.

"Q. Well, how would free wool help in the matter of tariff reform?—A. If wool were placed on the list free of duty, then the producers of wool would demand that the duty on manufactured woolen goods be reduced to a revenue basis, and eventually the finished woolen goods would also go on the free list.

"Q. I see. You would divorce the interests of the woolen manufacturers and the woolgrowers.—A. Exactly. When protectionists fall out, honest people get their dues.

"Q. Can you illustrate this more fully?—A. Yes. When the tariff is taken off of wheat, then the wheat grower will be ready to help the Democratic Party take the tariff off of flour. When the tariff is removed from the farmer's hogs and cattle, he will be ready to help remove the tariff from pork and beef. When the tariff is taken off of wool, then the woolgrower will be ready and anxious to take the tariff off of woolen cloth and woolen blankets and woolen fabrics.

"Q. Well, now, I see that a tax on wool helps the woolgrower and also helps the woolen manufacturer, but whom do these duties hurt?—A. Every man, woman, and child in the United States who buys woolen clothing, woolen blankets, and woolen fabrics for protection from the winter's cold.

"Q. How much did the woolgrowers and the woolen manufacturers get of the people's money under the Payne-Aldrich tariff law, owing to the high tariff on wool and woolens?—A. About $400,000,000.

"Q. How much did the woolen manufacturers get of this amount?—A. They got abont $370,000,000, and the woolgrowers got the balance.

"Q. Do you believe that all raw materials of manufacturers should be placed on the free list?—A. Yes.

"Q. Why?—A. Because the people would get the finished product cheaper.

"Q. Is it true, as I have heard some people state, that the consumers would not get the finished article any cheaper if the raw material were placed on the free list?—A. Well, I believe I can prove by such Republicans as Sereno E. Payne, Thomas B. Reed, and John Dalzell that the consumers would get the finished products cheaper if raw materials were placed on the free list.

"Q. Well, I would like to have the proof.—A. When the Wilson bill, a Democratic tariff bill, was under consideration in Congress, Sereno E. Payne, John Dalzell, Julius C. Burrows, Thomas B. Reed, Albert J. Hopkins, and John H. Gear signed a minority report on the bill. In this report they used this language: 'If he (the manufacturer) can make his goods any cheaper because of free wool, he must sell them just as much cheaper.'

"Q. Well, well, these big Republicans admitted that free wool was right from the consumer's standpoint, didn't they?—A. They did.

"Q. How many woolen-manufacturing establishments are there in this country?—A. In 1905 there were only 1,213 such establishments.

"Q. How many sheep raisers are there in the country?—A. That is a difficult question to answer. There are probably only a few thousand who are exclusively in the woolgrowing business.

"Q. Which one of the States in the Union produces the greatest quantity of wool?—A. Montana.

"Q. How many people live in the State of Montana?—A. Five hundred thousand.

"Q. How many people in the State grow wool?—A. Not more than 1,000.

"Q. Oh, yes. The 500,000 people in the State are taxed for the benefit of the 1,000 who grow wool. Is that right?—A. You are exactly right.

"Q. What other profit is there in the sheep-growing business besides the production of wool?—A. Why, sheep are valuable as mutton, a food product. As a matter of fact, wool is rapidly becoming a by-product in the sheep-growing industry the world over.

"Q. Then this tariff on wool is placed on a necessary of life to help a comparatively few sheep owners?—A. Yes.

"Q. Is it Democratic doctrine to place all raw materials of manufactures on the free list?—A. Yes.

"Q. Should the question of revenue to pay the expenses of the Government enter into the question?—A. Yes. Of course we must raise a sufficient amount of revenue to run the affairs of the Government.

"Q. If you can not obtain enough revenue to run the Government by levying a duty on manufactured products, then how will you get the revenue?—A. I would place a revenue duty on raw materials not produced in this country—like raw silk, raw rubber, and diamonds.

"Q. Why do you say you would place a duty on raw materials not produced in this country?—A. First, because whatever the people might have to pay for the privilege of consuming such materials or articles manufactured out of them would go into the Public Treasury and not into the pocket of some special interest.

"Q. What is your second reason?—A. Well, when it became necessary to change the duty or tariff tax on such raw materials such change would not disturb the business conditions of the country.

"Q. But would not this duty cause these things after they are advanced to the finished article to cost the people who use them more than if they were placed on the free list?—A. But people who wear diamonds and silk and own automobiles are better able to pay taxes than those who have to buy woolen clothing.

"Q. Then you would not lay down the hard and fast rule that all raw materials should always be placed on the free list?—A. I would say all raw materials out of which are manufactured the necessaries of life should be placed on the free list, so that the poor could get those necessaries cheaper than if the raw materials were taxed.

"Q. Where would you place the highest tariff taxes?—A. On luxuries.

"Q. The next highest?—A. On the comforts of life.

"Q. Then what would you do?—A. I would place the necessaries of life on the free list.

"Q. But, if you could not raise enough revenue in that way to run the Government, what would you do?—A. I would pass an income-tax law, the most just and equitable tax that has ever been devised, just as we have done in the Underwood bill.

"Q. But, another question on raw materials. I have read in the CONGRESSIONAL RECORD where some distinguished Democrats have said, 'The raw material of one man is the finished product of another.'—A. You mean that great Democrat, ex-Senator Nelson W. Aldrich, of Rhode Island, said that, don't you?

"Q. Come off; what are you giving me? Do you think I am so ignorant that I do not know that Aldrich is a Republican and has been one of the leaders of the Republican Party for the past quarter of a century? I don't mean Aldrich; I mean

I have noticed where Democratic Members of Congress and Senators have advanced this doctrine in recent speeches in Congress. I want to know who originated this doctrine that for tariff purposes the raw material of one man is the finished product of another.—A. I am glad you have asked me that question, because I believe I can give you the origin of this fallacious doctrine. Back in 1888, when the Mills bill, a Democratic tariff measure, was being considered by Congress, Mr. Aldrich, of Rhode Island, submitted to the Senate a report on this bill in which he said: 'The doctrine of free raw materials as advocated by tariff reformers is a difficult one to enforce in legislation. In the usual division of labor, the finished product of one man becomes the raw material of his industrial successor.'

"Q. Well, it seems that Democrats who make that argument are following in the footsteps of Senator Aldrich rather than in the footsteps of the Democratic fathers. Is that true?—A. That is undoubtedly true.

"Q. Well, I now think our Democratic Representatives and Senators should advocate the time-honored principles of the Democratic Party, including free raw materials, and reduce the tariff on the finished products of the manufacturer to a strictly revenue basis. Then, when we succeed in enacting a graduated income-tax law in this country, we can lighten the burdens of the toiling millions of this Republic, caused by the tariff taxes on what they consume and the tools they work with, and thereby compel the wealth of the country to bear its just proportion of the burdens of government.—A. You are right. Shake."

The Tariff.

EXTENSION OF REMARKS
OF
HON. JAMES MANAHAN,
OF MINNESOTA,
IN THE HOUSE OF REPRESENTATIVES,

Tuesday, September 30, 1913,

On the conference report to the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. MANAHAN. Mr. Speaker, when this tariff bill was before the House in May I tried to have it amended, to make it more favorable to the Northwest and less favorable to the South, to give some protection to our producers and less protection to the eastern manufacturers and the southern cotton belt. I fought hard, but in vain, for these amendments, and voted against the bill as a protest and in the hope that it would be improved in the Senate.

The Senate debated the measure all summer and made 676 amendments, which have improved the bill in many particulars. It is a much better bill as it now comes before us from the conference committee than when it was considered by the House in the early summer. It is a fairly protective measure; in fact, the rates are still too high on many articles. But no further change is possible at this time, and it is now necessary to choose between this measure and the Payne-Aldrich law which the people have condemned. I prefer to keep company with ROBERT M. LA FOLLETTE rather than SERENO E. PAYNE in this matter, and I unhesitatingly vote for this bill on its final passage.

This record squares with my platform and pledge of the last campaign, which was as follows:

It costs too much to live. The laws favoring special privilege overtax everybody to benefit a few.
High prices hit consumers without profiting anyone but carriers, trusts, and holders of watered stock.
Farmers and toilers hold the sack while Wall Street and big business, by tariff laws, trusts, and railroads, gather the profits.
Everybody is overtaxed by monopolies and overcharged for public service under existing laws.
I propose to fight for tariff reduction, lower transportation charges, destruction of monopoly, a fair chance to men and women who work, and no chance for those who steal.
I stand for the Wisconsin idea, including the initiative, referendum, and recall, presidential primaries, and the direct election of United States Senators.
I believe in the people, and to the people submit my candidacy.
I pledge myself to all legislation making it cost less to live.

On this platform and promise I was elected by a majority of 84,656 votes.

This bill for which I vote is a substantial tariff reduction and redeems my promise in that regard. It will give us all cheaper sugar, cheaper shoes, cheaper cotton and woolen goods, cheaper steel and iron utensils, and it will give the farmers cheaper grain sacks, fencing wire, saddles, harness, and agricultural implements generally. The provisions of the Underwood bill taxing the raw furs so extensively used in our climate by men compelled to work out of doors were also changed in the Senate, and in the present bill they are admitted free of duty. This, too, will help our people in the matter of clothing, so important during our inclement winters.

The general effect of this bill should be to reduce the cost of living to all consumers. If the Canadian Government imposes a duty on wheat, flour, or potatoes, our producers will be protected, under the terms of the Senate amendment, by a duty of 10 cents a bushel on wheat, 45 cents a barrel on flour, and 10 per cent ad valorem on potatoes. Should the Canadian Government admit our wheat, flour, and potatoes to their markets free, as I fear they will, it will open our doors to the competition of the farmers of Canada, which is unfair, in my opinion, to our farmers. At the time these schedules were first considered in the House, I vigorously opposed and voted against the removal of the tariff on these staple commodities. I think we ought to have maintained on wheat a duty of not less than 6 cents a bushel—10 would be better—and a corresponding duty on flour and potatoes—this to represent substantially the actual difference in the cost of production between Canada and the United States. However, this disadvantage, which we will doubtless suffer as a producing State, will be made up to us, in large measure, by making cheaper the things we have to buy and by shifting a large portion of the burden of taxation to those who enjoy large incomes.

THE INCOME TAX.

This the income-tax provision does; and the more I study this income-tax schedule the more certain I become of the wisdom of the law, in spite of its unfairness to our wheat raisers.

In fact, Mr. Speaker, this income-tax schedule, which has been improved by the Senate, more than redeems the whole measure. Taxing, as it does, annual incomes from $3,000 up, which is increased by an additional tax when the income exceeds $20,000 per year, this law will compel men of large incomes to bear a heavy part of the national burden of taxation. To illustrate: A multimillionaire, like Carnegie or Rockefeller, whose income is, say, $10,000,000 per year, will pay an annual tax to support the Government of $700,000. Our own millionaires, like Hill and Weyerhaeuser, with incomes estimated at $1,000,000 per year, will have to pay $70,000 annually to support the National Government. To some this may seem oppressive, but to me it looks like simple justice. Our laws have been so lax and there has been such unlimited opportunity for exploitation of the natural resources of the country that there is to-day too wide a spread between wealth and poverty. A few are so very rich and many are so very poor in this country that it has become necessary to restore the equilibrium, as far as possible, by taxation. Otherwise the day would come when brutal methods would prevail. There is a great menace in the concentration of wealth in a few hands. It ruins rich and poor alike. There is hope in laws like this, made to bring about a fairer distribution of wealth and a more just distribution of the burdens of government.

THE CLARKE AMENDMENT—GAMBLING IN COTTON AND WHEAT.

I regret that the conference committee and the House refuse to agree on the Clarke amendment passed by the Senate. This amendment provides for the collection of a tax on all future trading in cotton. It would have destroyed gambling in the pit and the manipulation of prices by traders in that great commodity. Congress is not justified in permitting the great cotton and wheat exchanges of the country to maintain and operate a great gambling institution. The cotton and wheat gamblers of the United States operating on these cotton exchanges and chambers of commerce under sanction and protection of law by betting and pretending to bet with each other as to the future prices of cotton and wheat have controlled the markets and depressed the prices to the farmers during the periods when the farmers had to sell, while at the same time controlling distribution, transportation, credit, and trade so as constantly to increase the cost of living and the burdens of consumers. These cotton and wheat gamblers absorb millions annually, increasing the cost of living to all and cheating the farmers. This Congress should at its general session enact legislation similar to the Clarke amendment to this tariff bill, but enlarged so as to cover all the staple articles produced by the farmers in which there is future trading, and thus destroy gambling in the necessities of life and manipulation of markets.

OTHER LAWS ARE NECESSARY.

The downward revision of the tariff alone will not solve the high cost-of-living problem. It is a step in the right direction, but it is necessary to take other and firmer steps before the goal

is reached. It is necessary to establish and maintain a banking system that will enable agriculture to finance itself at a low rate of interest. It is necessary to free our great terminal markets from the oppression of manipulating and gambling. It is necessary to compel the great transportation companies to haul freight at a lower rate and to permit a common interchange of railroad equipment without discrimination. It is necessary to prevent stock watering of all the great industrial corporations, as well as of transportation companies. The Coal Trust and the cold-storage abuse must be destroyed; and most important of all, it is necessary to break the grip of the giant bankers over the control of the credit of the entire Nation, a control which fosters monopoly, prostitutes society, persuades preachers, hires special pleaders and writers, frightens business men, and often owns politicians.

THE EVIL OF PARTISANSHIP.

I regret to find so many men in this Chamber who are inclined to be influenced by partisan considerations. To me partisanship is a deadly blight. Until brave men broke the bond of party solidarity under Cannon the control of big business over national legislation was complete. It will be the same thing under UNDERWOOD. The secret party caucus defeated the Clarke amendment to this bill and protected the gamblers in cotton and wheat. The liberty and protection of the people must always rest on agitation, insurrection, and rebellion against the machinery of organized partisanship. While I regret the necessity of differing from many of my Republican associates, I purpose while in office to maintain my right to an individual judgment on every matter before the House and to keep my pledge to the people of Minnesota to support and vote for "all legislation making it cost less to live," regardless of whether that legislation is labeled Republican, Democratic, Progressive, or otherwise. The label is not the law; but the law is life or death to business, to property, to labor. The law measures by the machinery of taxation, tariff taxes, freight-rate taxes, trust and monopoly prices which it permits, just how much people shall have of the fruits of their own toil. The law fixes the channels through which flow the fruits of the earth and the products of toil. The law is a mighty power and its making a sacred function. Partisanship should have no place in its making. Patriotism is a safer guide, and it is better to be right than to be regular.

Steel Cars.

EXTENSION OF REMARKS
OF
HON. CHARLES A. TALCOTT,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,
Thursday, October 2, 1913.

Mr. TALCOTT of New York. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I will print the following extracts from the Scientific American of January 25, 1913, and September 20, 1913.

The extracts are as follows:

[From the Scientific American, Jan. 25, 1913.]

THE MERCY OF STEEL AND THE MENACE OF WOOD.

A STUDY OF SOME RECENT RAILROAD ACCIDENTS.

When the *Titanic* brushed elbows with an iceberg and tore open 200 feet of her length, the public wondered at the frightful character of the injury. But the engineer did not wonder—he knew perfectly well, although he had temporarily forgotten it, that the 1,000,000 foot-tons of energy in that onrushing ship was sufficient, had the obtrusion been solid rock instead of crumbling ice, to have opened up the whole length of the ship, if the pressure of her helm had sufficed to hold her a little longer against the side of the iceberg. In multiplying length and breadth, tonnage and speed, naval architects had overlooked the fact that it was incumbent upon them to introduce underwater constructions which would limit the dangers due to the enormous energy of the giant vessels of the twentieth century.

What is true of the sea is true also on the land. There has been an astonishing growth in the length, size, and weight of the modern railroad train. Cars have trebled and engines have doubled in weight during the past three or four decades. Speed, also, has gone up to a higher figure, and with all this there has come an enormous increase in the energy, the destructive energy, of the train when it is developed by collision, derailment, or other form of accident. Let us prove this by figures. The modern steel car weighs 70 tons and the modern express locomotive 200 tons. Such a locomotive on level tracks can haul 10 such cars at a speed of 70 miles an hour and on a downgrade 80 miles an hour or more. At 70 miles an hour a train weighing 900 tons would have a striking energy of 150,000 foot-tons. If, through disobedience or failure to see signals, it dashed at full speed into a stalled train, it would strike a blow equal to that delivered by three of our latest 12-inch naval guns—and each of these, be it remembered, can bore a 12-inch hole clear through some 42 inches of iron.

How many enginemen of fast expresses realize that if they were riding three 12-inch shells, delivered at point-blank range, they would hit the target no harder than the fast-flying train which they hold in their hands would hit a standing train ahead?

Now, when from 50,000 to 150,000 foot-tons of energy is suddenly arrested, whether by the instantaneous shock of collision or by the more gradual and multiplied shocks of a derailment, something has got to go; and just how it goes is shown in the accompanying series of photographic views (not printed) of more or less notable railroad accidents which have occurred during the past 18 months. They represent photographs of wrecks which were investigated by Mr. H. W. Belnap, chief inspector of safety appliances for the Interstate Commerce Commission. Federal inspection of railroad wrecks is a development of the past few years, and one has only to read the many careful and intelligent reports which are regularly issued by the commission to understand that this section of their work is one of the most powerful of the many influences which are now working for the promotion of safe railroading.

The writer has selected these views with a view to emphasizing two truths—first, the peril of the faulty steel rail, and second, the merciful protection to life and limb which is afforded by the steel car. The first photograph shows the results of a derailment, caused by a broken rail, which occurred August 25, 1911, on the Lehigh Valley Railroad, near Manchester, N. Y., and resulted in the death of 29 persons and the injury of 92 others. The track was first class and well maintained, consisting of 90-pound rails, with tie-plates on each tie, the rails being double spiked on the inside of the rail through the plates. The train consisted of 2 engines and 14 cars. The rail broke, probably under the engine, at a point 247 feet west of a steel girder bridge over Canandaigua Outlet. Two cars fell over the bridge. The first dropped entirely, and in it the majority of the fatalities occurred. The second car fell and stood on end, as shown. The pieces of the broken rail were sent to the Bureau of Standards, Washington, and most carefully examined. It was found that the rail was what was known as a "piped" rail, and the report states that the piping or "slag split" could be seen in practically every portion of it. The illustration in the corner of our engraving shows this pipe—represented by the fine black line extending through the vertical web. No inspection of the track could possibly detect a defect so completely concealed.

This accident, then, is chargeable to faulty work at the rail mills.

There is probably no defective member of which the railroad man stands in greater fear than the "piped" rail. It has been the cause of endless wrecks, some of them of the most disastrous character. The "pipe" is generally a hollow shrinkage cavity formed when the ingot is cast, which is closed up when the rail is rolled, and exists as an incipient flaw or fracture in the body of the rail, where it is generally entirely hidden from sight. Under the stress of traffic cracks develop, spread, and ultimately result in complete fractures. Illustrations VI and VII show broken sections of a rail which went to pieces under a train on the Great Northern Railway near Sharon, N. Dak., causing the death of 5 people and injuring 18 others. The entire train of 8 cars was derailed. The head of the rail was found to be split for a length of nearly 8 feet, but the investigation showed that the initial rupture at the time of derailment was a crescent-shaped fracture in the base of the rail (shown in illustration No. VII), due to laminations in the metal. The split head was due to segregation of the phosphorus and sulphur in the rail and irregularity in the carbon contents. These defects are chargeable to the present unsatisfactory methods of rail manufacture. They are curable by the use of such methods of ingot casting as that shown in our issue of December 21, 1912, describing the Hadfield method of casting ingots.

The 90 and 100 pound steel rail, if properly made, will stand up to its work, even under the exacting conditions of present heavy and fast traffic, provided it is thoroughly fastened to the ties and ties and roadbeds are maintained in absolutely first-class condition. Illustrations III and IV show the derailment, at Hyde Park, N. Y., March 31, 1912, of the Twentieth Century Limited while it was running on a 2° curve at a speed of 50 to 60 miles an hour. Says the Interstate Commerce Commission report: "It is believed that the use of shims" (small blocks of wood used to raise the tracks and placed between rails and ties), "together with irregularities or unevenness in the track, so weakened the track structure that it could not withstand the strain due to the heavy locomotive and train rounding the curve at high speed, and the outside rails were forced outward, probably by the engine."

From the point of derailment the outside rail of the curve was turned completely over for a distance of about 1,700 feet. The first rail to be disturbed is marked "Illustration II." On the inside of this rail 11 spikes were partially drawn; and on the inside of rail 3, the outside ties had been crowded outward more than their width. The engine, tender, a buffet car, and one sleeping car remained on the roadbed. The remaining five cars, four of them of steel, rolled down the embankment and came to rest on the heavy ice of the Hudson River. This served to show, first the insufficiency of the common form of track fastening to hold the outside rail on curves up to its place against the centrifugal thrust of the modern, heavy, high-speed train. The remedy is to be found in using tie plates beneath the rail on every tie and substituting the powerful screw spike for the archaic and very inefficient wedge spike, which, after all is said and done, is nothing more or less than a magnified nail. The other lesson taught is the wonderful protection afforded by the strong steel car, which, even under such rough handling as this, was neither telescoped nor crushed. The picture of these cars lying intact on their sides on the ice of the Hudson River speaks for itself.

Further proof of the remarkable strength and stiffness of the steel car was given in the wreck last November of a fast passenger train on the Pennsylvania Railroad at Glenloch, Pa. This was a heavy 14-car train, of steel construction, hauled by two engines. A box girder on a bridge over the train's crossing yielded under the weight of the two engines, the depression being about 18 inches, and the jar derailed the train. Five of the 75-ton steel sleeping cars were thrown down the embankment, the cars shutting up concertina fashion, and coming to rest in the positions shown in the illustration No. IV, published by courtesy of the Railway Age Gazette.

Years ago, when the Scientific American was advocating steel-car construction, we pointed out that instead of the telescoping which was so frequent and so destructive of life with wooden-car construction, the train of steel cars would probably yield at the couplings, the energy of the train being absorbed in folding up, as it were, the train. Now this is exactly what happened at the Glenloch derailment. The only steel car seriously damaged of those shown in this picture is the one at the right hand, which turned over on its side, its roof colliding with a loaded coal car, and the relatively frail roof structure inevitably crumpling up under the force of the impact. Four people only were killed. Forty-nine were injured by being thrown around the cars.

The fragility of the wooden car and the fact that the work of developing the energy of the train will occur at its weakest point is shown in the illustrations 5 and 8 of a wreck on one of the southern railroads. The derailment was due to poor track conditions. The energy of the

after part of the train, which remained on the track, completely telescoped two rather flimsy tourist wooden cars into less than the space formerly occupied by one of them. By far the most significant picture of those which we present is illustration No. 10, showing a steel day coach after it had assisted in completely demolishing the two wooden cars to the rear and in front of it. This car passed through the frightful collision on the Delaware, Lackawanna & Western Railroad, near East Corning, N. Y., on July 4, 1912, when an express train, disregarding the distance and stop signals, crashed at 60 miles an hour into the rear of an express train ahead of it. The energy of the colliding train was expended mainly on the last three cars of the train ahead. The rear car was a wooden day coach, the next was a steel coach, and ahead of that was a wooden sleeping car of very strong construction. The flagman of the stalled train went back some 2,000 feet from the rear of his train, put a lighted green fuse on the end of the tie on the enginemen's side of the track, waved his flag, but did not, as he should have done, place any torpedoes on the rail as required by the rules during foggy or stormy weather.

An eight-car express train, running 60 miles an hour, swept round a curve, disregarded the distance and home signals, the flagman's flag, and the green fuse, and swept straight ahead. The engineer was busy with his injectors, which were out of order, and when he passed the flagman was observed to be looking not ahead but across the boiler. The rear wooden car, caught between the upper and nether millstones of the engine and the steel car, was reduced to matchwood, as shown in illustration No. IX. In acting as the anvil for this mighty blow of nearly 70,000 foot-tons, the steel car suffered no worse injury at its after end than the crushing in of the platform. Driven forward by the impact, it reduced to unrecognizable wreckage no less than two-thirds of the heavy sleeper ahead. In doing this it suffered the injury shown at the left end of the car in illustration X. Beyond the fracture of windows, the main body of the car, as can be seen from the photograph, is practically intact.

An automatic stop, set 1,000 feet back from the home signal, would have averted this wreck, in which 49 people were killed and 88 injured.

Summing up, then, we may say that the lessons taught by the accidents we have had under review are mainly three: First, the imperative necessity of changing the practice of our rail mills so as to absolutely eliminate rails that are piped or otherwise defective; second, the substitution, as quickly as financial and other conditions will allow, of steel for wooden cars; and, last, the universal adoption, in connection with the present block-signal system, of the automatic stop.

[From the Scientific American, Sept. 20, 1913.]

THE STEEL CAR AS A LIFE-SAVER—TELESCOPING IS PREVENTED BY ALL-STEEL CONSTRUCTION.

In the recent wreck on the New Haven Railroad the heavy colliding engine and train split entirely apart the two rear wooden sleeping cars of the train ahead, scattering the wreckage and the helpless passengers to right and left as it crushed its way through. Over a score of people were killed outright.

It is begging the question to say that had the cars been of all-steel construction none of these lives would have been lost; but there is abundance of evidence, drawn from the behavior of steel cars under conditions practically as severe as these, to show that steel construction would have saved the lives of many, if not of the greater part, of the occupants of these two rear cars.

In the event of a heavy collision wooden cars fail, either by going entirely to pieces, as in this case, or by one of the massive and strong underframes mounting upon another and shearing the superstructure of the lower car entirely from its base. Wooden construction has the disadvantage that, although its strength to resist the first shock is great, once it has given way it offers but little progressive resistance to the crushing and rending energy of the collision; whereas the tough metal of which steel cars are built not only offers a much greater resistance to the first shock, but, after the car or cars have begun to give way, the material still puts up a stubborn fight to retain its original form.

The behavior of trains of steel cars in collisions shows that the end platforms and vestibules, which are not or should not be occupied by the passengers when the train is in motion, form a natural buffer and "yield point," and that the first energy of the collision, and generally the whole of it, is expended in crumpling up the vestibules; furthermore, this usually occurs without any loss of life.

Although the steel car will save its inmates from crushing injuries which result in more or less speedy death, it can not safeguard them from the contusions due to the sudden arresting of the train and the hurling of the passengers forward or backward, according as they are in the train which strikes or the one that is run into.

These facts are brought out in a report of the Interstate Commerce Commission on the wreck at Tyrone, Pa., on July 30, on the Pennsylvania Railroad, in which, although 153 people were more or less injured, only one was killed. This collision was an almost exact duplication of that at North Haven on the New Haven Railroad. A train standing on the track was struck in the rear by a fast train. Not one car in either train was of wooden construction, and the only damage resulting was the crushing in of the vestibules. The heaviest damage, of course, was done to the rear car, which was crushed for 10 or 12 feet in the rear, while the forward end was jammed for 6 or 8 feet into the rear of the car ahead. Subsequently to the New Haven wreck, a fast train was ditched near Wylie's station, on the Pennsylvania Railroad, on September 9, and although six steel coaches were flung from the track and turned over in a corn field, only 35 persons were injured and none were killed.

By way of showing the great resistance afforded by steel construction, we present the accompanying illustrations of a wreck which occurred in July of this year on the tracks of the Northern Pacific Railway in the State of Washington, in which three passengers and one employee were killed and seven passengers were injured. The train consisted of a 200-ton engine, followed by 3 refrigerator cars, 1 combination baggage and express car, 3 day coaches, 1 dining car, 1 Pullman sleeping car, and 1 observation car, making 10 cars in all. The train, which was making up lost time, jumped the track when it was running at a speed of 60 miles an hour. The engine rolled over into a gravel embankment, and the whole train was brought so suddenly to a stop that the shock was not much less severe, probably, than that of a direct collision. The forward truck of the first steel day coach was knocked from beneath the car, allowing the forward end to drop and causing the rear end of the car ahead to mount the underframe and crush in the left-hand side of the car to the extent shown in our illustration.

When we remember that this 15 or 20 feet of the car had to absorb the enormous energy of the six rear cars, running at 50 to 60 miles an hour, the great resistance of the steel construction will be evident.

Cotton Futures.

EXTENSION OF REMARKS
OF
HON. WILLIS J. HULINGS,
OF PENNSYLVANIA,
IN THE HOUSE OF REPRESENTATIVES,
Tuesday, September 30, 1913,

On the amendment to H. R. 3321, relating to taxing gambling on exchanges in cotton futures.

Mr. HULINGS. Mr. Speaker, for more than four months the House has done nothing but wait until the Senate should act on this bill and wait until the Democratic caucus should enact a currency bill.

It seems very strange, then, to me that when a measure is proposed the object of which is to strike a blow at gambling in cotton, a measure which is surely in accord with enlightened public sentiment, a measure that is of great importance, a measure that has aroused greater general interest among the Members than any other single item in this tariff bill of 4,200 items, yet that this House with days of unoccupied time before it should only be able to devote 30 minutes to its discussion.

The Clarke amendment seeks to stop gambling in cotton futures by imposing a heavy tax, to be refunded in case the cotton is actually delivered. As I have stated in my former remarks, I fear that this method of prohibiting mere gambling transactions is unconstitutional, because the only warrant Congress has to legislate at all upon this question is derived from its power to raise revenue, when the fact is the bill could produce no revenue except by a violation of the prohibition.

The Underwood amendment, which came to him direct from the President, upon close examination—and very few Members were given the time to study it closely—does not require an actual delivery, and strict construction of the amendment, if enacted, would not stop gambling.

The volume of gambling transactions in cotton is but a drop in the bucket compared with the gambling done in stocks, grain, and other commodities.

There is a great pretense that these transactions are needed to "steady the market," to serve as "hedges" against legitimate business risks, to "carry over surpluses" in times of heavy crops, and thus to level up in times of short crops, and while it is true that the exchanges do perform a valuable function of trade, and as such are not to be injured, yet if the exchanges "carry over" surplus crops to times of short crops they can not complain if they carry the actual surplus crop, and not merely "wind."

Gambling, mere wagers in the fluctuations, actually achieve none of the valuable functions of the exchange. The argument that these gambling transactions aid the farmer is mere subterfuge. The gambler toils not, neither does he spin. He costs the country $100,000,000 a year, and the producer and the consumer among them, somehow, pay the bill.

There are no dealings in futures in cattle or horses, nor so far as I know in hay, potatoes, poultry, and in all these things the farmer does a great deal of trade without the help of the gambler or the exchange.

Stocks have no times of surplus or short crops; no "hedges" in stocks are necessary to cover legitimate business risks. Not one man in a thousand buys stocks because he wants stocks.

He merely takes a "flyer" in the market to satisfy his gambling propensity, and the transactions in stocks on the exchanges are enormously greater than transactions in agricultural products.

I can not understand, then, why stocks and grain were not included with cotton, since the evils are equally obvious.

Public sentiment is ripe for the extermination of the useless, expensive, and demoralizing features of exchange gambling.

The only valuable feature in the Underwood amendment is the enforcement when a delivery is made—and whether a delivery is made or not is optional with the seller—of one of the Government standard grades.

The Clarke amendment levies a heavy penalty if the delivery of the cotton is not actually made in all cotton contracts.

What is most needed is neither of these piecemeal measures, but a carefully devised bill that shall include stocks, grain, cotton, and all the vehicles of these gambling transactions on the exchanges; which shall clearly fall within the legislative power of Congress; and which shall effectually prohibit gambling operations which have become a public curse.

Such a measure, I believe, will be found in H. R. 7360, to which I have already referred and which I commend to your consideration for further action.

The Tariff.

Tariffs are taxes mainly levied upon the necessaries of life of the people and not upon accumulated property. They are taxes upon want and not upon wealth. Hence the lower we make tariff taxes the better it must necessarily be for the great mass of the people, who as consumers are compelled to pay this tax sevenfold.

EXTENSION OF REMARKS
OF
HON. WILLIAM N. BALTZ,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,
Tuesday, September 30, 1913,

On the conference report to the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. BALTZ. Mr. Speaker, I am a plain farmer and business man, representing a district made up of citizens wholly occupied in mining, agriculture, manufacturing, transportation, and merchandise. Our people have no interest in the tariff question and the currency question different from that of the great mass of the honest people of the whole United States. Therefore in speaking for the people of my district I believe I am voicing not only their sentiments, but those of the great majority of good citizens throughout the country who have no ax to grind and no special privileges to be protected.

Therefore in speaking I speak for no great group of monopolistic, millionaire protective-tariff-bred manufacturers, and for no great center of high finance dominated by the Money Trust.

I am firmly convinced that what the people of my district desire and what will be legitimately most for their benefit, as well as for the benefit of the whole country, is a fair reduction of the tariff downward.

Tariff taxation is indirect taxation, and as such the man who pays it pays a sum vastly greater than the Government which levies the tax receives. It has been estimated by eminent authorities that for every dollar that the Government collects in tariff taxes the ultimate consumer pays $7. It must be conceded that such a system is an enormously wasteful and burdensome method of collecting taxes.

Tariffs are taxes mainly levied upon the necessaries of life of the people and not upon accumulated property. They are taxes upon want and not upon wealth. Hence the lower we make tariff taxes the better it must necessarily be for the great mass of the people, who, as consumers, are compelled to pay this tax sevenfold.

Just to the extent that in the Democratic tariff which we have passed at this session we have substituted income taxes for tariff taxes, just to that extent have we taken from the masses of the people and the wealth producers a burden unjustly laid on them and placed it upon wealth that will not feel the burden. If I were to suggest any improvement on this new revenue law it would be one which I hope and expect to see adopted in the near future, and that is a very substantial graduated increase in the taxes on large incomes of $25,000 or $50,000 a year and upward, with an especially heavy increase on those which run upward of $100,000 and to and beyond the million mark. Such vast incomes are not only an eminently proper subject for taxation, but the enormous concentration of wealth which they indicate is a menace to the prosperity and safety of the Republic.

Direct taxes such as the income tax are infinitely preferable in every way to indirect taxes such as protective tariffs. When the Government levies a direct tax on a citizen he knows just what he is paying and that just what he pays is just what the Government gets. On the other hand, when the Government levies an indirect tax like a tariff it is first paid by the importer, a percentage is then added on to it and the price of the goods charged to the jobber or wholesaler, who in turn adds his percentage and passes it on to the retailer, who also adds his percentage, and the aggregate of these various additions is finally paid by the consumer, who must pay this tax with all these percentages of profit added, not only on the amount of goods imported, but upon the goods of the same character manufactured in this country. So that where $1,000,000 worth of goods are imported and $10,000,000 worth are consumed in the country the Government gets taxes into the Public Treasury on $1,000,000 worth, while the consumers pay taxes into somebody's private pocket on the whole $10,000,000 worth.

I am not of those who believe that the tariff tax is the only tax in this country that should be revised downward. The Democratic Party has made a good beginning by revising downward the tariff duties on the necessaries of the poor man and revising upward the income tax on the revenues of the rich man.

We should go forward in the good work and make a broad and sweeping downward revision in the taxes levied on us by the great railroad corporations of the United States in the way of excessive and unfair freight and passenger rates. These rates are fixed so high now that the railroads are able to pay dividends to the amount of hundreds of millions of dollars a year on fictitious and fraudulent watered stocks and bonds which represent no investment of capital whatever—represent in fact nothing at all except the power of corporate monopoly to plunder the people.

Then there is another odious and burdensome tax of immense proportions levied upon the consumers of this country, including the railroads themselves, by the great mining and manufacturing monopolies and trusts, like the Steel Trust, the Oil Trust, Coal Trust, and so forth. I would be fair to the railroads, and, while compelling them to reduce their unjust taxes on the people, I would relieve them from the tax of extortionate prices for steel rails and structural steel levied on them by the Steel Trust by a strict enforcement of all the provisions of the antitrust law, which would break up this odious monopoly, restore free competition in the steel business, and put an end to the Steel Trust taxing the railroads $28 a ton for $14 rails and $32 a ton for $18 or $20 structural steel.

By the thorough and effective enforcement of all the provisions, both civil and criminal, of the antitrust law we would relieve not only the railroads but the people generally of monopoly taxes, amounting to many hundreds of millions of dollars a year, now unjustly and unlawfully levied on the consumer by the Coal Trust, Steel Trust, Tobacco Trust, Oil Trust, and scores of other criminal combinations, whose burdensome exactions amount to an annual levy upon the pocketbooks of the people, compared to which even the exactions of the robber tariff pale into insignificance.

The demand that the people rather than the representatives of protected interests should rule was the cause of the great Democratic victory last year. The Democratic Party has once more demonstrated that it is the party of the plain people, and it has redeemed its pledge to enact legislation which would revise the tariff downward. In so doing it has proven that it is the party of Jefferson, whose platform of "equal rights to all and special privileges to none" will not die while justice lives—yes; this Jeffersonian platform, this Democratic platform, is the only one that will preserve for us and for our posterity a government of the people, for the people, and by the people.

Gambling in Cotton Futures.

EXTENSION OF REMARKS
OF
HON. J. B. THOMPSON,
OF OKLAHOMA,
IN THE HOUSE OF REPRESENTATIVES,
Tuesday, September 30, 1913,

On Senate amendment 609 to the tariff bill, by Senator CLARKE, of Arkansas, to suppress gambling in cotton futures and the proposed substitute to regulate and license future transactions.

Mr. THOMPSON of Oklahoma. Mr. Speaker, in my opinion there is but one way to fight an admitted evil, and that is to fight to kill it. Gambling on the exchanges or in the bucket shops on farm products is an admitted evil. Why not by adopting the Clarke amendment destroy these exchanges, these bucket shops, where gambling is carried on in agricultural products? The only regret I have is that this amendment does not include gambling in all agricultural products the same as it applies to gambling in cotton. If it were permissible under the rules of parliamentary law that govern this House, I would move an amendment to the Clarke amendment so as to make it apply to all other agricultural products as it does now to cotton. The Democratic Party is pledged to legislation along this line, for in our Baltimore platform we said:

We favor the enactment by Congress of legislation that will suppress the pernicious practice of gambling in agricultural products by organized exchanges or others.

To me that platform is a command to suppress, to destroy, these exchanges or bucket shops and not to license them to prey upon the American farmer.

The Clarke amendment, it is admitted by all, will do the very thing that the Baltimore platform pledged the Democrats would be done—destroy gambling in cotton on the exchange and in the bucket shop. It not being permissible at this time to broaden the scope of the Clarke amendment so as to destroy gambling in all farm products, I shall support it as it is, with the statement that I shall introduce on the first day of the next session of this Congress a bill that will destroy gambling in all agricultural products produced by the great laboring masses of our country. It is admitted that the Underwood amendment to the Clarke amendment will not carry out our platform promise, but that it legalizes transactions on the exchanges. It provides a tax of 50 cents per hundred bales in the nature of an excise tax on all exchange deals, and it thereby places the legitimate dealer who desires a delivery of actual cotton on the same footing with the gambler who makes his purchase, knowing that there will be no delivery of actual cotton demanded.

The farmers are not opposed to an actual purchase of their products, whether the same take place on the exchange or on the street, but they object to a fictitious sale of their crop ten times over during the season. The best statistics obtainable indicate that more than 100,000,000 bales of cotton are sold on the New York Exchange during each season and one-half that many on the New Orleans Cotton Exchange, making a total of 150,000,000 bales sold on the stock exchanges, as against an actual production of 15,000,000 bales. I am not in favor of compromising with gambling on agricultural products by licensing it. I shall vote on every occasion presented to carry out to the remotest letter every promise we made the people in our Baltimore platform. When the currency bill was before this House I voted to amend it by inserting a provision that prevented banks from loaning money to be used in gambling on farm products. I think the evil could have been destroyed had that amendment been adopted. It was lost, however, and I shall at this time vote for the Clarke amendment, because, in my judgment, it will effect a destruction of this evil.

We do not license poker playing and other gambling devices. Be not deceived, the American farmer will not be fooled by voting down the Clarke amendment, which destroys gambling in cotton futures, and voting up the substitute provision which legalizes and licenses gambling in cotton futures and bids the Wall Street stock jobber and speculator, who never saw a bale of cotton, do his worst.

Mr. Speaker, the stock exchange, which is but another name for the bucket shop, is a place where an agreement is made whereby the seller is to deliver and the purchaser to accept a certain number of bales of cotton at some future time, the price being agreed on at the date of the contract, with the knowledge on the part of both seller and purchaser that the contract is a fake and a fraud, and that no cotton is going to be actually delivered when the time for its delivery under the contract arrives, but that the party who has bet wrong on the price at that time, whether he be seller or purchaser, will pay the other party the difference between the price on that date at which he agreed to purchase or sell, as the case may be, the cotton and the actual price of spot cotton at that time and place. It is a bet pure and simple by the seller that the price on a certain day is lower than the other party to the contract says it will be.

There is no difference whatever between this gambling and a bet on the value of a poker hand or the swiftest horse on the track. It is even more demoralizing than either of the other forms of gambling, for it touches and is indulged in by a greater number of our citizenship, and is given an air of respectability by going under such high-sounding names as "dealing on the board of trade," or "purchasing on the stock exchange." The principle is the same and the effect is the same, whether it is carried on in the back room of a pool hall where you find installed a telegraph instrument, an operator, and a cigarette, or around the sumptuous board of the so-called New Orleans or New York exchanges, where the value of a seat ranges all the way from $40,000 to $100,000. No matter where this infernal thing is carried on the participants are gambling on the labor of millions of our citizens and depressing the price of the products of their toil.

The farmers of Oklahoma are among the most progressive, the most industrious, and the most critically thinking people in all this world. They are investigating economic subjects, and they have come to know that in the past they were compelled to sell their products on a free-trade market in competition with the producers of all the world, and they were likewise compelled to make their purchases on a protected market with competition fenced out, the price of their products forced down, while the price of their purchases was forced up. The tariff bill just passed by a Democratic Congress and signed by a Democratic President goes a long way toward relieving the injustice that has been done the great producing masses in the past. This bill places sugar, tea, coffee, salt, shoes, agricultural implements, such as plows, tooth and disk harrows, headers, harvesters, reapers, drills, planters, mowers, horserakes, cultivators, thrashing machines, cotton gins, wagons and carts, cotton bagging and ties, whether manufactured from jute, jute butts, or cotton tares, Bibles, woolen and cotton blankets, sewing machines, typewriters, shoe machinery, cream separators, linotype and all typesetting machines, coal, coke, drugs, gloves, ice, iron ore, leather used in the manufacture of boots and shoes, harness and saddle leather, needles, newspapers and periodicals, printing paper, quinine, and barbed wire on the free list, and the duty on woolen clothing was reduced from 79 to 35 per cent, or more than 100 per cent, and on woolen dresses for women and children from 99.07 to 35 per cent, or nearly 200 per cent, which enables the farmer to purchase on a market where the wits of the world are permitted to compete. This will result in saving multiplied millions of dollars every year to the great producing masses of the country.

They are entitled to the same kind of treatment in the matter of currency that is extended to the commercial, the manufacturing, and the corporate interests of the country. They are entitled to a farm-credit system that will permit them the use of the currency of the country at the same low rate of interest that it is furnished to all other classes and industries. If the banking and currency system contained a provision which would do full justice to the great producing masses of the country, bucket shops, stock exchanges, agreements in restraint of trade, and all other combinations and monopolies would have little effect on their prosperity. The great trouble with which the producers are face to face, and which must be solved before permanent and lasting prosperity will be theirs, is the matter of the sale of their products. By reason of our present banking and currency system and the fact that it contains no provision which extends them long-time loans at a cheap rate of interest, forces them to dump onto the market their products as the same are gathered, thereby glutting the market and forcing down the prices. If they could secure money easily, cheaply, and on long time, they would be enabled to withhold from the market the products of their labor and toil and dispose of it as the law of supply and demand required. As it is, the 15,000,000 bales of cotton produced are disposed of in the period of about four months. If the farmers could withhold this cotton and dispose of it during the entire 12 months of the year, they would secure, as they ought to secure, the enormous profits that are now going into the pockets of the middlemen.

The farmers are also demanding that interlocking directorates, which places the control of the money of the country in the hands of a few men, thus enabling them to raise or lower the price of farm products, be legislated out of our business life.

The farmers also demand that gambling in farm products shall cease. On the 6th of September, this year, less than a month ago, at a meeting of the National Farmers' Union held at Salina, Kans., in a resolution they declared:

Whereas gambling in cotton and other farm products is a vicious, immoral evil that has been fully investigated and reported upon by congressional committees and executive branches of the Federal Government as well as testified to time and again before our national lawmakers; and

Whereas such gambling in farm products threatens the very foundation of our financial and business and commercial prosperity, and should be abolished, not licensed or legalized by an internal-revenue duty short of one that would actually destroy: Therefore be it

Resolved by the Farmers' Educational and Cooperative Union in national convention at Salina, Kans., representing over 3,000,000 farmers, That we urge the abolition of gambling and certain commercial different practices and fraudulent transactions on the exchanges by which the prices are regularly depressed during the harvest seasons and run up 50 and 60 per cent later, and that some such bill as has passed the lower branch of Congress repeatedly and is now before the Senate and House be passed.

This great organization, representing more than 3,000,000 farmers, knows the blighting effect of market juggling and gambling on exchanges in the products of their toil.

I call attention to a comparison of the spot price of middling cotton with the closing bid price of future contracts for the spot month on the New York Cotton Exchange, Fridays, September, 1905, to April, 1908, as the same is reported by the Commis-

sioner of Corporations of the United States for the year 1908, as follows:

Date.	Closing spot price.	Closing future bid.	Margin.
1905-6.	*Cents.*	*Cents.*	*Cents.*
Sept. 1	10.95	10.52	0.43
Sept. 8	10.90	10.41	.49
Sept. 15	10.75	10.23	.52
Sept. 22	10.95	10.57	.38
Sept. 27 [1]	10.90	10.38	.52
Oct. 6	10.20	9.63	.57
Oct. 13	10.10	9.50	.60
Oct. 20	10.40	9.97	.43
Oct. 27	10.65	10.30	.35
Nov. 3	11.15	10.72	.43
Nov. 10	11.65	10.93	.72
Nov. 17	11.15	10.54	.61
Nov. 24	11.75	11.02	.73
Dec. 1	11.65	11.08	.57
Dec. 8	12.60	11.65	.95
Dec. 15	12.20	11.58	.62
Dec. 22	12.10	11.53	.57
Dec. 28 [2]	11.90	11.42	.48
Jan. 5	11.85	11.35	.50
Jan. 12	11.80	11.23	.57
Jan. 19	12.25	11.56	.69
Jan. 26	11.70	11.10	.60
Feb. 2	11.45	10.80	.65
Feb. 9	11.25	10.62	.63
Feb. 16	11.25	10.67	.58
Feb. 23	10.80	10.31	.49
Mar. 2	11.10	10.44	.66
Mar. 9	11.25	10.50	.75
Mar. 16	11.15	10.35	.80
Mar. 23	11.65	10.85	.80
Mar. 29 [2]	11.70	10.97	.73
Apr. 6	11.60	10.94	.66
Apr. 12 [2]	11.80	11.18	.62
Apr. 20	11.75	11.11	.64
Apr. 27	11.75	11.08	.67
May 4	11.80	11.22	.58
May 11	11.95	11.40	.55
May 18	12.00	11.49	.51
May 25	11.90	11.35	.55
June 1	11.25	10.45	.80
June 8	11.20	10.55	.65
June 15	11.20	10.65	.55
June 22	10.90	10.33	.57
June 28 [2]	10.80	10.14	.66
July 6	10.80	10.23	.57
July 13	10.90	10.22	.68
July 20	11.00	10.08	.92
July 27	10.90	9.85	1.05
Aug. 3	10.90	9.75	1.15
Aug. 10	10.60	9.34	1.26
Aug. 17	10.20	8.92	1.28
Aug. 24	9.90	8.69	1.21
Aug. 30 [2]	9.80	8.76	1.04
1906-7.			
Sept. 7	9.80	8.60	1.20
Sept. 14	9.80	8.80	1.00
Sept. 21	9.75	8.79	.96
Sept. 28	9.70	9.00	.70
Oct. 5	11.10	10.92	.18
Oct. 12	11.20	10.87	.33
Oct. 19	11.00	10.78	.22
Oct. 26	10.65	10.15	.50
Nov. 2	10.40	9.90	.50
Nov. 9	10.10	9.54	.56
Nov. 16	11.00	10.45	.55
Nov. 23	11.10	10.37	.73
Nov. 28 [1]	11.40	11.00	.40
Dec. 7	10.95	9.93	1.02
Dec. 14	10.45	9.19	1.26
Dec. 21	10.55	9.17	1.38
Dec. 28	10.65	9.30	1.35
Jan. 4	10.75	9.48	1.27
Jan. 11	10.50	9.60	1.20
Jan. 18	10.80	9.26	1.54
Jan. 25	11.00	9.32	1.68
Feb. 1	11.00	9.04	1.96
Feb. 8	11.10	9.44	1.66
Feb. 15	11.00	9.18	1.82
Feb. 21 [2]	11.00	9.18	1.82
Mar. 1	11.25	9.62	1.63
Mar. 8	11.45	9.85	1.60
Mar. 15	11.25	9.56	1.69
Mar. 22	11.10	9.45	1.65
Mar. 27 [1]	10.95	9.30	1.65
Apr. 5	11.00	9.33	1.67
Apr. 12	11.00	9.44	1.56
Apr. 19	11.20	9.75	1.45
Apr. 26	11.30	9.83	1.47
May 3	11.55	10.12	1.43
May 10	11.90	10.66	1.24
May 17	12.15	11.03	1.12
May 24	12.35	10.97	1.38
May 29 [1]	12.50	11.15	1.35
June 7	13.25	11.85	1.40
June 14	13.15	11.82	1.33
June 21	12.85	11.54	1.31
June 27 [2]	13.00	11.72	1.28

[1] Wednesday's quotations. No closing future price quoted for Friday or Thursday.

[2] Thursday's quotations. No closing future price quoted for Friday.

Date.	Closing spot price.	Closing future bid.	Margin.
1906-7.	*Cents.*	*Cents.*	*Cents.*
July 5	13.50	12.33	1.17
July 12	13.05	11.70	1.35
July 19	12.95	11.82	1.13
July 26	13.00	11.95	1.05
Aug. 2	13.25	11.56	1.69
Aug. 9	13.40	11.63	1.77
Aug. 16	13.25	11.20	2.05
Aug. 23	13.25	11.25	2.10
Aug. 29 [1]	13.55	11.62	1.93
1907-8.			
Sept. 6	13.50	11.74	1.76
Sept. 13	12.80	11.72	1.18
Sept. 20	11.25	11.09	1.16
Sept. 27	11.75	10.72	1.03
Oct. 4	11.63	10.71	.94
Oct. 11	11.75	10.76	.99
Oct. 18	11.75	11.02	.73
Oct. 25	10.95	10.23	.72
Nov. 1	10.90	10.35	.55
Nov. 8	10.80	10.12	.68
Nov. 15	10.70	10.20	.50
Nov. 22	11.20	10.55	.65
Nov. 27 [2]	11.45	10.90	.55
Dec. 6	12.05	11.71	.34
Dec. 13	12.10	11.53	.57
Dec. 20	11.80	11.15	.65
Dec. 27	11.80	11.11	.09
Jan. 3	11.40	10.42	.98
Jan. 10	11.45	10.63	.82
Jan. 17	12.25	11.47	.78
Jan. 24	11.75	11.02	.73
Jan. 30 [1]	11.75	11.05	.70
Feb. 7	11.70	10.89	.81
Feb. 14	11.35	10.49	.86
Feb. 21	11.50	10.56	.94
Feb. 27 [1]	11.45	10.35	1.10
Mar. 6	11.45	10.50	.95
Mar. 13	11.20	10.25	.95
Mar. 20	10.65	9.67	.98
Mar. 27	10.40	9.40	1.00
Apr. 3	10.50	9.56	.94
Apr. 10	10.25	9.26	.99
Apr. 16 [1]	9.90	8.76	1.14
Apr. 24	10.10	8.30	1.80

[1] Wednesday's quotations. No closing future price quoted for Friday or Thursday.

[2] Thursday's quotations. No closing future price quoted for Friday.

This statement shows the future market during the nearly three-year period covered by this report to be from $2 to $10 less per bale than the spot market on the same days. To my mind this table of figures is absolutely conclusive of the depressing effect of dealing in futures on the stock exchanges.

Since the Clarke amendment was proposed in the Senate on two separate occasions the value of cotton has been reduced from $2 to $3 per bale, and this in the face of the fact that the amendment by its own terms does not go into effect until September 1, 1914. Any combination or institution that has the arbitrary power to reduce the price of farm products at its own unbridled will, as it has been demonstrated the New York Cotton Exchange has, ought to be legislated out of existence. There can be no justification for compromising with it and licensing it to further prey on the labor and toil of the American farmer.

Mr. Speaker, the passage by this House of the Underwood amendment, which legalizes and licenses gambling in cotton futures, in lieu of the Senate provision, which will destroy gambling in cotton futures, will, in my judgment, result in no legislation on this subject at this session of Congress. The gamblers and stock jugglers will be permitted to go on fleecing the farmers of our country out of hundreds of millions of dollars yearly. For 20 years the toilers of this country have been asking for this relief. Be it said to the credit of many who have occupied seats in this House, and many who occupy seats here at this time, that a continuous and determined fight has been waged to relieve the farm products of the strangle hold of the gamblers. Bills have been introduced having for their purpose the destruction of gambling in futures. The Hatch bill passed the House and Senate in the Fifty-third Congress, 20 years ago, but never became a law. The Scott bill passed the House in the Sixty-first Congress, but failed of passage in the Senate. The Beall bill passed the House in the Sixty-second Congress, but failed of passage in the Senate. All three of these measures would have effectually destroyed speculating in cotton futures on the exchange.

We now have an opportunity, by accepting the Senate amendment, to destroy this evil. Will we do it or will we vote for the substitute, which will result in no legislation on this subject and leave the farmer at the mercy of the speculator?

Preelection Promises Carried Out.

EXTENSION OF REMARKS
OF
HON. CLYDE H. TAVENNER,
OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, September 30, 1913,

On the conference report to the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. TAVENNER. Mr. Speaker, I believe I can make at least one statement in connection with the revision of the tariff that no one will contradict, and that is that in passing the Underwood-Simmons bill, which reasonably reduces the iniquitous Payne-Aldrich rates on everything and places many of the necessaries of life on the free list, we have carried out our preelection promises to the letter.

No greater compliment can be paid a man in public life than that it may be truthfully said of him he did after election precisely what he promised the people before election he would do.

Campaign after campaign the politicians have been promising the people to do certain specific things, each time forgetting the promises as soon as they were safely elected, pretending that the people had misunderstood their platform or had placed a wrong construction on their statements from the stump.

PEOPLE WERE LOSING CONFIDENCE IN ALL POLITICAL PARTIES.

Things had come to a pass where the masses of the people had begun to lose all confidence in platforms and election promises. They considered them a joke. In the course of my campaign for Congress last fall, while meeting hundreds of voters every day and having the opportunity of talking to them and learning their sentiments, I could not help but be impressed by the lack of confidence the average man seemed to have in the platform promises of all parties. The average man appeared to feel it made little difference what promises the various political platforms contained, because the party promising the reforms would not carry them out even if it was successful.

At the very outset of my campaign I resolved to state exactly where I stood on the big issues, and determined that, if elected, I would conscientiously endeavor to carry out every promise I had made to the people in order to be elected.

The tariff was one of the principal issues in the last campaign, and on this subject I said:

AS TO WHERE I STAND.

I am a Democrat and stand on the platform adopted by the Baltimore convention, not a single line of which was dictated by any trust or special privilege.

But while I am a devoted Democrat I am not a bidebound partisan, and in my newspaper articles from Washington I have always advocated the principle of "more patriotism and less partisanship."

There are many patriotic men on the Republican side of the House of Representatives, and I would no more cast my vote against a good measure simply because it emanated on the Republican side than I would cast my vote for a bad bill simply because it originated on the Democratic side.

I believe I can serve the Democratic Party best by serving the people best.

MY TARIFF ATTITUDE.

Protection as it is being played at the present time is simply a business transaction between a few multimillionaire tariff magnates and a few politicians. The tariff magnates contribute hundreds of thousands of dollars to the campaign funds of the party of protection purely as a business proposition.

There is an explicit understanding between the trust magnates and the politicians to the effect that if the protectionist party is successful its Representatives in Congress will maintain tariff rates so high that the tariff trusts will be able to extort from the people in increased prices not only the amount of the campaign contributions, but enormous dividends on watered stock as well.

At the present time the attorneys for the tariff trusts write their own tariff rates, and, naturally, they write them in the interest of the tariff trusts and not in the interest of the people.

The tariff schedules should be written by the representatives of the people for the mutual welfare of both consumers and workers and manufacturers.

I believe in an honest downward revision of the tariff, with greatest reductions on sugar, woolens, cottons, lumber, agricultural implements, etc., in order that the ever-increasing cost of living may be reduced.

I would not favor a revision of the tariff that would injure any legitimate industry in my district. No one outside of an insane asylum would want to do that.

I simply believe that the tariff should be reduced in the interests of the masses instead of in the interest of only a comparative handful of men who are already rich beyond the dreams of avarice.

The Underwood-Simmons bill, I submit, is a complete fulfillment of the above preelection tariff promises. We have kept faith with the people and accomplished after election what we promised to do in order to be elected.

A half-century fight has been ended—victoriously for the people. The Underwood-Simmons law now goes forth to be judged by the country. So strong have been the classes against the masses, so powerful entrenched privilege against the people, for these decades that this is the first honest downward revision since the Civil War, the first time that tariff revision has not been a betrayal and a scandal.

LOBBYISTS DRIVEN WHOLESALE FROM WASHINGTON.

It will be recalled that in spite of the fact that we were pledged to the people to revise the tariff downward a horde of tariff lobbyists were on hand when Congress met, ready and prepared to deprive the people of a well-earned victory. But instead of receiving the reception they had been accustomed to they were promptly set upon by President Wilson and driven en masse from the Nation's Capitol. The result is that for the first time in many years there will be a tariff law on the statute books that was really framed by the representatives of the people instead of the representatives of the tariff trusts.

To all practical ends the Underwood-Simmons bill provides an average of lower taxation than any bill presented in three-quarters of a century. The Wilson law carried an average rate of 39.95 per cent; the average rate of the Payne-Aldrich law was 40.12 per cent; the Underwood-Simmons bill averages about 26 per cent.

Throughout the bill is framed on the theory that luxuries should bear the heaviest duties and the necessaries of life the lightest duties. Many necessaries have, as a matter of fact, been placed on the free list. Recognizing the economic importance of the American home, an earnest endeavor has been made in this bill to lighten the burdens upon the American family.

INCOME-TAX PLEDGE ALSO FULFILLED.

During the campaign I declared if elected that I would do everything within my power to obtain the passage of a bill taxing incomes. On this subject I said:

I believe in the passage of an income-tax bill which will require the rich to bear a fair proportion of the burden of taxation, which they are not now doing. It is not just that the men who own 90 per cent of the wealth of the United States should shoulder but 10 per cent of the burden of taxation. That is the condition at the present time.

This promise, like the pledge to revise the tariff downward, has been fulfilled. True to our promises, we have placed an income-tax law on the statute books.

In my opinion the income tax is the greatest victory that the masses of the people in this country have won since the Civil War.

Under this bill a man will be taxed according to his ability to pay. If he has a small income he will pay a small tax, and if he has a large income he will pay a large tax. John D. Rockefeller, for instance, on an estimated personal fortune of $500,000,000 and an estimated annual income of $50,000,000, would pay an annual tax of more than $2,000,000. Heretofore Mr. Rockefeller has paid little if any more toward defraying the expenses of the National Government than the poor man with a large family. Under the Payne-Aldrich law everything the people eat, wear, and use is taxed, but there is no tax whatever on wealth or incomes. This is not just.

WHAT CHAMP CLARK SAID.

I believe that what CHAMP CLARK, that great man who is Speaker of this body, said in reference to the income tax strikes the nail on the head. He said:

One great thing that this bill will do, and I congratulate the gentleman from Tennessee [Mr. HULL] on that most cordially, is that it will introduce into the taxing system of this country the proposition that we will tax what a man has instead of what he has to buy to live on. I refer to the income tax. I will debate that proposition with any man living, with the absolute certainty of coming out on top.

I believe as firmly as that I am living that on a sealed ballot, so that nobody could ever find out how you gentlemen over on the Republican side would vote, nine-tenths of you would vote for the income-tax proposition in this bill.

I will tell you what else I believe. I believe if you had a plebiscite, as Louis Napoleon used to call it, or secret vote, 95 per cent of the people of the United States would vote for the income-tax proposition in this bill. Just as certain as you live that is coming to stay, and the people will magnify the name of Hull in the days to come. If you gentlemen on the Republican side ever get into possession of the Government again you will no more dare to repeal the income tax than you would attempt to jump off the top of the Capitol. The people will not permit it.

PROVISIONS OF INCOME-TAX LAW.

Under the provisions of the income-tax law unmarried persons will be taxed on their incomes in excess of $3,000 and married persons, living with their life partners, will be taxed on their incomes in excess of $4,000. Single persons having an annual income of less than $3,000 and married persons with an income of less than $4,000 will not pay any tax under this bill.

The rate of taxation increases with the income, as follows:

	Per cent.
$3,000 to $20,000	1
$20,000 to $50,000	2
$50,000 to $75,000	3
$75,000 to $100,000	4
$100,000 to $250,000	5
$250,000 to $500,000	6
More than $500,000	7

Estimated income tax for the year 1915.

Incomes.	Number of incomes.	Rates.	Tax.
$3,000 to $4,000	75,000	1 per cent	$375,000
$4,000 to $5,000	126,000	....do	630,000
$5,000 to $10,000	178,000	....do	5,340,000
$10,000 to $15,000	53,000	....do	4,240,000
$15,000 to $20,000	24,500	....do	3,185,000
$20,000 to $25,000	10,500	1 and 2 per cent	2,100,000
$25,000 to $50,000	21,000	....do	9,660,000
$50,000 to $75,000	6,100	1, 2, and 3 per cent.	6,832,000
$75,000 to $100,000	2,400	1, 2, 3, and 4 per cent.	4,776,000
$100,000 to $250,000	2,500	1, 2, 3, 4, and 5 per cent.	13,775,000
$250,000 to $500,000	550	1, 2, 3, 4, 5, and 6 per cent.	8,805,500
$500,000 to $1,000,000	350	1, 2, 3, 4, 5, 6, and 7 per cent.	13,653,500
Over $1,000,000	100	....do	9,301,000
Total	500,000		82,673,000

This table shows that the income-tax returns will amount to approximately $83,000,000 annually. Every cent of this is new revenue to the Government. Heretofore those who owned 90 per cent of the wealth of the United States contributed but 10 per cent of the burden of taxation. As a result of the income-tax law, however, those who own 90 per cent of the wealth will be required to stand a larger proportion of the tax burden.

A THIRD PLEDGE BEING CARRIED OUT.

The tariff is not the only agency that has to do with the ever-increasing cost of living in the United States. Overcapitalization also plays its part. In my campaign I repeatedly called attention to this fact and declared that if elected would work to obtain a physical valuation of the railroads, telegraph lines, and other public-service corporations. A good start has already been made toward carrying out this third preelection promise, as is also the case in connection with the pledge to revise and improve the currency system.

One hundred dollars annually is the amount the crime of overcapitalization, or watered stocks, costs every American family.

This statement can be demonstrated by a little arithmetic. Various prominent financial students and authorities are responsible for the statement, and their conclusions are wholly sustained by reports of the United States commission and the published figures of the national corporation tax returns, that about $30,000,000,000 of the stocks of railroads and tariff trusts represent only water. On this stock, dividends of about $1,500,000,000 are being paid yearly, amounting to approximately $18 a person, or nearly $100 per family.

Now, this $1,500,000,000 is not picked up out of the streets. Where, then, does it come from? The answer is: From the pockets of the consumers. There is not a dollar of "water" or inflation in the capitalization of corporations that does not impose burdens upon consumers and producers.

Congress has just appropriated an additional $300,000 to enable the Interstate Commerce Commission to make a physical valuation of the 250,000 miles of railroad in the United States.

Of course $300,000 will be but a drop in the bucket compared to the huge sum that will be necessary to finance this colossal task.

But the enterprise will be worth to the people every penny that it is going to cost them. When we know the actual value of the railroads we will then know what is a fair freight and passenger rate. The Supreme Court held in the Nebraska Rate case that one of the principal elements to be taken into consideration in determining the reasonableness of a rate is the value of the equipment used in the transaction. As the Interstate Commerce Commission does not know the actual physical value of a single railroad, it must simply guess at what is a fair rate.

That the average railroad is overcapitalized from 25 to 50 per cent there is little doubt.

Here is a sample illustration out of a multitude which could be cited if space permitted. The Chicago & Alton was capitalized at $30,000,000. When turned over to the purchasing syndicate in 1899 it was capitalized at $94,000,000.

When we buy a railroad ticket we are not only paying interest on money actually invested, but principally interest on the water in the railroad stocks and bonds.

Overcapitalization also causes many lives to be needlessly taken every day. This is because the railroads have such a hard time paying interest on their heavily watered stock that they neglect to keep their equipment in proper repair. The result is, wrecks occur, many of them needlessly.

The plan of the commission, which is to make a physical valuation of all the railroads, provides for five main engineers. Each of their engineers is to be in charge of a district embracing one-fifth of the total railway mileage, or about 50,000 miles of railway.

Each mile of railway is to be surveyed and appraised. They are to appraise it by what they call field parties. Each field party will have in it five squads, and they will have at the head of each squad an engineer. Each one of these squads is to make an actual physical survey of railroad property.

Each squad, it is estimated, can view physically about 2½ miles of property per day. The size of the squads may be increased or their number may be increased to expedite the work.

OPEN CAUCUS V. SECRET CAUCUS.

Discussion of the open caucus versus the secret caucus seems to be raging over the country like a blizzard of words.

Personally I believe in the principle of the open caucus. I have voted for the open caucus whenever I have had the opportunity to do so.

Looking at the subject from my own personal viewpoint as a legislator, I can see no reason why I should prefer a secret caucus to an open caucus. On the other hand, however, I can see many reasons why it is to my advantage to be in an open caucus.

Members of Congress are merely employees or paid representatives of the people, and it seems to me that the people have a perfect right to know what they do.

Neither the secret caucus nor the binding rule of a caucus seem to me to be desirable or advisable, and should be prohibited either by law or by the rules of the House of Representatives.

OPEN CAUCUS BOTH USEFUL AND NECESSARY.

However, it would be a great mistake to assume from this that there should be no open caucus or conference by party representatives. It is necessary for those who are working to a common end to get together and confer on a plan of action, but as long as this caucus or conference is to be for the people and in the interest of the people, I can not understand why there should be any desire to prevent the representatives of the people from being present.

WHAT A LEGISLATIVE CAUCUS IS.

The legislative caucus is a conference of the friends or the opponents of a pending measure to bring about united action and to make effective their strength to secure the passage or defeat of such measure.

The movement to cure the evils of present-day legislative methods by abolishing such conferences is a misguided and ill-directed effort. The abuses to be corrected are not found in organization for concerted action, but result from the secrecy of action and the binding rule, which have no place in legislative procedure.

The numerous members of a legislative body deprived of the means of concerted effort would be powerless to advance reform, to resist encroachments upon popular rights, to move with effective force in obedience to popular will, or even to act at all.

While a majority of the members of a legislative body may favor the same policy or be actuated by a common purpose and intent, yet there will be found almost as many different views respecting the form in which the same should be enacted into law as there are individual members supporting such policy.

The success of a measure before a legislative body is therefore largely dependent upon the ability of its friends to harmonize their different views and unite on a common line of support.

Any organization, however, is open to the criticism that it contains possibility of danger. We see perfect political organizations controlled by evil elements in the great cities. But the late Tom L. Johnson, of Cleveland, had a political organization or machine as all-powerful as Tammany ever could be; but Johnson used his organization for good, and accomplished things for the people which could not have been accomplished without his machine. And so the people of Cleveland, one of the most enlightened municipalities on earth, elected Johnson and his organization for term after term.

The individual support of members of a legislative body without a concerted plan of action may not only be of little avail to advance a pending measure, but the friction of different means and methods pursued at the same time to reach a common end may have the effect to neutralize the efforts of all.

The efficiency of a large body of men depends largely upon their organization. There must be organization, some method of averaging individual opinions and welding them into a compromise and composite policy in which all can unite. Even the Progressives, those fighting against the Democratic caucus, can scarcely deny this fact. For the Progressives themselves are acting in a similar manner. They have conferred, agreed upon a plan of action, and they are now engaged in carrying out their legislative plan with singleness of purpose. The Socialist Party offers an example of the closest organization known to politics. The Democratic caucus is the organization, the machinery adopted by the party for carrying out its program.

The Democratic caucus is dominated by men who have the interests of the people at heart. The caucus in this instance has been used for the welfare of the people. There is no complaint to be made on the score of the character of legislation resulting from the Democratic caucus. The best legislation has been turned out of this caucus that the American people have had in three-quarters of a century. The only issue is the necessity and advisability of the secret caucus, and the binding rule.

UNORGANIZED FORCES ALWAYS WEAK.

Even if a legislative policy may be substantially promoted by individuals acting independently, this could only be where such policy was without formidable opposition, for organized opposition would compel united action to meet the same as a matter of defense alone.

Without such concerted action, a majority would be as chaff before an organized minority. The will of the majority would be defeated, and a minority would rule instead.

The masses of the people and their representatives have always possessed the power to rule. Their cooperative strength is and always has been an irresistible force under our form of Government. They have failed only for want of organization and concerted action, and they can not hope to rule without such action. It is especially in the interest of the masses of the people that the means for organization for united action be enlarged and safeguarded rather than destroyed.

The representatives of the people have nothing to conceal and no advantage to gain by secrecy in their legislative conferences, and even if secrecy could be made an advantage it could not be obtained in a movement promoted by the masses of the people.

In the very nature of things, all movements originating with the people and to be carried out by their representatives are matters of general public knowledge and impossible of concealment.

Instead of an advantage secrecy is a positive disadvantage. While secrecy fails to cover the movements in legislative bodies representing the general welfare of the people, yet it does enable selfish interests, by reason of the limited number of persons concerned and participating, to conceal their systems of control from public view, and thus afford such interests the advantage of concealing their own operations while profiting by a full knowledge of all opposing movements.

LAW SHOULD PROHIBIT SECRECY.

Instead of the rights of the representatives of the people to organize for concerted effort being prohibited, such rights should be recognized and safeguarded to them by positive law.

The law should supplant the secret, binding caucus with the open legislative conference, safeguarding the Members to act free in response to the will of their constituents and in good faith with their platform pledges to the people.

Other disadvantages of secrecy to the representatives of the masses are that it both subjects them to the suspicion of their friends and to the misrepresentation of their enemies without means of correction or defense.

DEMOCRATIC PARTY IS PROGRESSIVE.

The Democratic Party is the first party in power to take an advance step toward publicity and freedom of action in the legislative caucus. It has made substantial progress toward these reforms by exempting Members from the binding rule where they have pledged their support or have received instructions to act otherwise, and by providing for a public record vote under the same rules and requirements as such vote is provided for in the House of Representatives.

DEMOCRATS WHO VOTED FOR OPEN CAUCUS.

Representative VICTOR MURDOCK, of Kansas, the brilliant leader of the Progressive Party, while speaking on the floor of the House of Representatives, in part, said:

I realize that there is a considerable group of men in the Democratic Party who are fighting to open up the Democratic caucus to the public. They have my heartiest commendation for their efforts. I congratulate them. The vote they cast in the Democratic caucus on April 8, 1913, is one of the most important votes of the present session. Fortunately, and unlike most of the votes in the caucus, it was a recorded vote and, under the rules of the caucus, is available to the public. The proceeding in the caucus was as follows when the question of open caucus came up April 8, 1913. The following resolution in caucus was offered by Mr. SHACKLEFORD:

"*Resolved*, That this caucus shall be open to the press, to the President, to the Senators, and to the Cabinet officers, and that the President, the Senators, and the Cabinet officers may occupy seats upon the floor."

The following substitute resolution was offered by Mr. CARLIN:

"*Resolved*, That hereafter all Democratic caucuses or conferences, when called either by the membership or by the chairman of the caucus, shall be open to the public."

Mr. HAY moved that both resolution and substitute be referred to a committee of three, to be appointed by the Chair, this committee to report later.

Mr. THOMAS moved that both resolution and substitute be tabled, which motion carried by a vote of 167 to 84.

Those who voted "nay"—that is, those who voted for the open caucus—were:

"Abercrombie, Allen, Aswell, Bailey, Bathrick, Borchers, Bowdle, Brockson, Broussard, Brown of New York, Brumbaugh, Buchanan of Illinois, Bulkley, Candler of Mississippi, Carlin, Casey, Collier, Connolly of Iowa, Cox, Crosser, Cullop, Deitrick, Dershem, Dickinson, Donohoe, Doolittle, Dupré, Elder, FitzHenry, Floyd of Arkansas, Foster, Garrett of Texas, Gordon, Hammond, Hardy, Harrison of Mississippi, Harrison of New York, Hayden, Helvering, Henry, Hobson, Hoxworth, Kenting, Kindel, Kinkead of New Jersey, Lazaro, Lee of Pennsylvania, L'Engle, Linthicum, Maguire of Nebraska, Morgan of Louisiana, Murray of Massachusetts, Murray of Oklahoma, Oldfield, Palmer, Pepper, Phelan, Quin, Rainey, Raker, Reilly of Connecticut, Roddenbery, Rubey, Rucker, Scully, Seldomridge, Shackleford, Sharp, Sims, Sisson, Smith of New York, Smith of Texas, Stephens of Mississippi, Stone, Stout, Stringer, Talcott of New York, Tavenner, Taylor of Arkansas, Taylor of Colorado, Thompson of Oklahoma, Walsh, White, and Wingo."

This list should also include Representative FINIS GRAY, of Indiana, who is a consistent advocate of the open caucus.

The Tariff.

EXTENSION OF REMARKS
OF
HON. JAMES S. DAVENPORT,
OF OKLAHOMA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, September 30, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. DAVENPORT. Mr. Speaker, I feel it my duty to express my views in a limited way upon the question of the labor that has been performed in preparing and submitting this bill to Congress. Many weeks have been consumed by both Houses in carrying out the promises of the Democratic Party made to the people before the last campaign, and now the bill is before this House for final action.

To my mind it is one of the best bills that has ever been written upon the tariff question. Every promise made to the American people prior to the election will have been fulfilled so far as tariff for revenue is concerned. There have also been many wise provisions with reference to placing articles upon the free list. I am glad to know that I have been permitted to cast my vote for putting lumber upon the free list; also I am proud of the fact that we have extended to the American farmer a right to purchase his agricultural implements in a free market. All machinery and implements used by the American farmer can under the provisions of this bill be purchased without paying any tariff duty. But as there has been so much said with reference to this bill it is not necessary for me to deal at length upon its many provisions that, to my mind, will work a benefit to the toilers of the United States.

One amendment that was placed in the bill by the Senate has been left by the conferees to be considered by this House; that is, the amendment known as the Clarke amendment, taxing stock gambling or gambling in futures. I am heartily in favor of some kind of a provision similar to the Clarke amendment, yet I fear that the one-tenth of 1 per cent imposed upon the purchase as provided by the Clarke amendment will not be sufficient to put the stock gamblers out of business. The amendment now pending before the House and offered by the gentleman from Alabama [Mr. UNDERWOOD] has some very good features in it, yet I fear that if this House should adopt the Underwood amendment as an amendment to the provision known as the Clarke amendment that that means there will be no legislation at this session of Congress upon the subject of preventing gambling in futures. This House is pledged and committed to the proposition of stamping out gambling in farm products, and for many years repeated efforts have been made by different Congresses to pass a bill that would prevent gambling in agricultural products. In the Sixty-first Congress the Scott bill was considered and passed by an overwhelming

majority. In the Sixty-second Congress we had the Burleson bill. The other bills heretofore considered by Congress aiming at the suppression of stock gambling in farm products and the amendments now pending to the bill under consideration seek the same object. If I had my own way I would make the penalty more severe than the Senate amendment, and I would make the penalty so severe that it would entirely prohibit gambling upon the stock exchange. Instead of placing the rate at one-tenth of 1 per cent, which to my mind is nothing more nor less than a license permitting them to gamble, I would place it at 10 per cent or higher in order to stamp out entirely the evil that is complained of so much throughout the United States. Both of the amendments pending are a step in the right direction, yet in my judgment neither goes far enough, and I do not believe that the provisions of either of the amendments pending are sufficiently severe to prohibit the evil sought to be killed, yet all parties agree that gambling on future products is an evil that is detrimental to the best interests of the American farmer.

Taking the two amendments together, I have reached the conclusion that if the Underwood amendment is adopted by this House, which I believe it will be, that that means no legislation upon the subject of stock gambling at this extra session of Congress, and for that reason I feel it my duty to express myself upon this subject and to say that I shall be compelled to vote, when the time comes, to recede from the disagreeing vote of the House to the Senate amendment; and then I shall vote against the amendment offered by the gentleman from Alabama [Mr. UNDERWOOD], and if given an opportunity will vote for the Clarke amendment, as I believe this the only method by which we can obtain legislation at this session of Congress. I predict now that if the Underwood amendment is adopted as a substitute or an amendment to the Clarke amendment by this House that when it goes back to the Senate the Senate will refuse to concur, and that will in effect take the provision out of the bill entirely, and the result will be that no legislation upon stock gambling will be passed at this session of Congress, and the people will have to wait until some future date for such legislation; and judging the future by the past it would be difficult now to predict when it would be possible to get an independent bill through Congress and up to the President for his approval.

If I am not mistaken, this subject has been considered by different Congresses for more than 20 years, and under some subterfuge or another each time the bill has been sidetracked or prevented from becoming a law by the rules of the House or some peculiarly unknown manipulation of parliamentary law. I am heartily in favor of a law that will prohibit dealing in futures, one that will compel the party selling to deliver in kind of products sold at the time he agrees to deliver in his contract of sale, and I sincerely trust that the Members of this House may feel as I do upon the subject and cast their votes so that we may have an opportunity to accept the Clarke amendment.

The Tariff.

EXTENSION OF REMARKS
OF
HON. GILBERT N. HAUGEN,
OF IOWA,
IN THE HOUSE OF REPRESENTATIVES,
Tuesday, September 30, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. HAUGEN. Mr. Speaker, it was generally believed when the House bill passed with its numerous unjust and unfounded discriminations against the producers of farm products in the Northwest that no further injustice would be inflicted; yet, in looking over the Senate report I find that it contains this language:

> In an effort to mitigate the high and rising cost of living, the House bill placed on the free list a number of agricultural commodities. The Committee on Finance has placed on the free list additionally live animals used for food purposes, wheat, eggs, lard compounds, and lard substitutes. In a number of instances it has recommended further reductions in the House rates, such as on butter, cheese, peas, meat extracts, cocoa, currants, and other articles of minor importance. It has restored a duty on oatmeal and rolled oats, making it 33 cents per hundredweight, or one-third of the existing rate, and has increased the duty on rice used for fermentation purposes from one-eighth of a cent, as provided in the House bill, to one-fourth of a cent per pound.
>
> The Senate committee has placed for revenue purposes a duty of one-tenth of a cent per pound on bananas. Bananas are admitted free under the existing law, and were left on the free list in the House bill.
>
> The fundamental amendments proposed by the Senate committee to Schedule J consist in transferring hemp, tow of hemp, flax, and tow of flax, hackled, etc., to the free list. These amendments are strictly in line with the general purposes and objects of the revision, and bring hemp and flax into line with all other textile raw materials.

Next, when I turn to the comparison of rates of H. R. 3321 as passed by the House and as amended by the Committee on Finance, I find that the following changes have been made:

Comparison of rates.

SCHEDULE G.—AGRICULTURAL PRODUCTS AND PROVISIONS.

Paragraph.	Article.	House rate.	Senate rate.
188	Cattle	10 per cent	Free.
189	Horses and mules valued at $200 or less per head.	$15 per head	10 per cent.
190	Sheep	10 per cent	Free.
196	Oats	10 cents per bushel	6 cents per bushel.
	Oatmeal and rolled oats	Free	33 cents per hundredweight.
	Oat feed	15 per cent	9 cents per hundredweight.
197	Rice for fermentation purposes.	¼ cent	¼ cent.
198	Wheat	10 cents per bushel	Free—subject to countervailing duty.
200	Butter and butter substitutes.	3 cents per pound	2½ cents per pound.
201	Cheese and cheese substitutes.	20 per cent	Do.
203	Beets	10 per cent	5 per cent.
208	Eggs	2 cents per dozen	Free.
	Frozen eggs	2½ cents per pound	2 cents per pound.
	Liquid egg albumen	3 cents per pound	1 cent per pound.
209	Blood, dried, soluble	1½ cents per pound	Free.
214	Peas	15 cents per bushel	10 cents per bushel.
	Split peas	25 cents per bushel	20 cents per bushel.
	Peas in small packages	¼ cent per pound	½ cent per pound.
215	Greenhouse plants	25 per cent	Free.
217	Linseed	20 cents per bushel	15 cents per bushel.
	Seed, n. s. p. f.	10 per cent	5 cents per pound.
223	Currants	2 cents per pound	1 cent per pound.
227	Bananas	Free	⅒ cent per pound.
233	Meat extracts, n. s. p. f.	15 cents per pound	10 cents per pound.
	Fluid extracts of meat	7 cents per pound	5 cents per pound.
236	Cocoa, manufactured and sweetened chocolate, valued between 15 and 20 cents per pound.	25 per cent	2 cents per pound.

SCHEDULE I.—COTTON AND MANUFACTURES.

255	Cotton thread, yarns, etc., not bleached, mercerized, etc. (between Nos. 80 and 99).	20 per cent	22½ per cent.
257	Cotton cloth, unbleached and not mercerized (between 80 and 99).	22½ per cent	25 per cent.
261	Cotton collars and cuffs	25 per cent	30 per cent.
	Cotton gloves	35 per cent	45 per cent.
267	Bandings, bellings, bindings, etc.	25 per cent	30 per cent.

SCHEDULE J.—FLAX, HEMP, AND JUTE, AND MANUFACTURES OF.

272	Flax, undressed	½ cent per pound	Free.
273	Flax, dressed	1½ cents per pound	Do.
274	Tow of flax	½ cent per pound	Do.
275	Hemp, and tow of hemp	1½ cents per pound	Do.
	Hackled hemp	½ cent per pound	Do.

SCHEDULE N.—SUNDRIES.

342	Ramie hat braids	15 per cent	40 per cent.
347	Shell and pearl buttons, over 26 lines.	40 per cent	25 per cent.
	26 and less	do	50 per cent.
	Agate buttons	do	15 per cent.
358	Fur, wearing apparel of other than domestic animals.	50 per cent	45 per cent.
370	Leather toilet sets and similar articles.	30 per cent	40 per cent.
373	Women's leather gloves	$2 per dozen pairs	$2.50 per dozen pairs.
	Men's leather gloves	do	$3 per dozen pairs.
376	Manufactures of amber and gut.	10 per cent	20 per cent.
379	Manufactures of mother-of-pearl, shell, hard rubber, etc.	25 per cent	15 per cent.
380	Masks	20 per cent	25 per cent.
388	Pencils valued less than $1.44 per gross.	25 per cent	36 cents per gross.

In looking over the conference report I find the following Senate amendments reducing the duty on products of the Northwest:

SCHEDULE G.—AGRICULTURAL PRODUCTS AND PROVISIONS.

Cattle, sheep, and other domestic animals suitable for use as food, wheat and wheat products, and eggs have been transferred to the free list.

Reductions have been made on oats, butter, beets, frozen eggs, peas, greenhouse stock, Zante currants, chocolate and cocoa sweetened, and extracts of meat from the rates provided by the House.

The rates have been increased over those provided by the House on broken rice, fish packed in oil, and ground spices. A rate of 20 per cent ad valorem is placed on ground spices in addition to the specific rate provided by the House on spices ground or unground.

The Senate receded from the reduced rate placed on flaxseed and its amendment placing a duty on bananas.

The House classification on lemons and other citrous fruits is accepted.

It will be observed that the bill has been drawn so as to greatly reduce the duty or to put on the free list practically everything produced on the farms in the Northwest under the designation of raw material, while the products from the farms down South and manufactured articles, especially cotton goods made from cotton grown down South, are protected by a high duty. Farmers in the Northwest will be permitted to sell in competition with farmers in all the world and made to buy trust-made goods made in the United States under a high protective duty. They will be permitted to sell their products at the price fixed by the world, which is, of course, the lowest, and buy in the United States, the highest market. On the other hand, the manufacturer—as a general thing, everything he buys is put on the free list under the guise of raw material, and everything he sells is protected by a high duty under the garb of finished product. When he goes into the market to buy, the market of the world is open to him. When he sells, the doors to the outside world are closed and the highest market of the world is reserved for him. In other words, it is proposed to rob Paul to pay Peter. Unfortunately for the Northwest farmer Paul pays Peter. He is the goat and holds the bag, or, as stated recently by a distinguished Democrat, that if he was back in the Senate he could not vote for the bill on account of its discriminating provisions that under the bill manufacturers are benefited as the reduction of duty on so-called raw material will exceed the reduction made in the actual protective duty on the finished article—that is, his saving in buying raw material will be greater than his loss sustained in the reduction of price, while practically everything the farmer has to sell is on the free list and everything he buys is highly protected.

In calling attention to the changes made, it is not done in the hope that the bill can now be improved upon. I fully appreciate that any such effort would prove a fruitless task, hence my object is simply to call attention to the rank injustice done; also to have printed in the RECORD the following extracts from a letter received:

NEW YORK, *September 2, 1913.*

DEAR SIR: We call to your attention a paragraph in the proposed new tariff bill now under consideration by Congress which will vitally affect the producern and dealers in pure butter in this country, namely, section 4, paragraph D:

"That articles, goods, wares, or merchandise going into Porto Rico from the United States shall be exempted from the payment of any tax imposed by the internal-revenue laws of the United States."

Under this section, if it be enacted, it will be possible to ship to Porto Rico, free of tax, colored oleomargarine and adulterated butter, both of which are now subject to a tax of 10 cents a pound when shipped there. The probable result will be to destroy the pure butter trade of the United States with the island.

The total quantity of butter used in Porto Rico is about 3,000,000 pounds a year, practically none of which is produced there. A very large part of the trade in that island in pure butter will be lost to the dairy industry of the United States if the above quoted paragraph is enacted into law as it now stands. The only ones that will profit by this provision in its present form will be the manufacturers of colored oleomargarine and the shippers of adulterated butter, while the loss of the Porto Rico market will be felt by every dealer and shipper in pure butter in this country, irrespective of the fact that the Government will lose the international revenue tax, not only on butter but on all other products subject to internal-revenue tax which may be shipped to Porto Rico.

* * * * * * *

We feel that our interest as exporters of pure butter to Porto Rico is identical with yours in this matter, and we trust you will make an earnest effort to free this trade in Porto Rico from the competition of oleomargarine and adulterated butter which threatens it.

* * * * * * *

Yours, very truly,

Here again is the old story, "Down with the genuine and wholesome dairy product to make room for counterfeit oleomargarine." No discussion of the subject is necessary. Now that the bill has passed the stage of amendment, it is enough to say that the paragraph referred to is in line with oleo legislation, championed by the friends of this bill, and evidently, now that the organized and unceasing efforts to legislate so as to substitute fraud, deception, and counterfeiting oleo for worthy, legitimate, and genuine products of butter have failed, the tariff legislation had to be taken advantage of, and legislation by inserting jokers was resorted to.

Income Tax.

EXTENSION OF REMARKS
OF
HON. JOHN A. MAGUIRE,
OF NEBRASKA,
IN THE HOUSE OF REPRESENTATIVES,
Tuesday, September 30, 1913,

On the conference report on the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. MAGUIRE of Nebraska. Mr. Speaker, in a very few days a new tariff law, a Democratic tariff law, will be upon the statute books. It will mark the first great triumph of the Democratic administration in its efforts to secure for the people of this country a fair and equitable tariff law and one which has been drafted and passed by the chosen representatives of the people. The hand of special privilege has had no part in this tariff bill. The sordid influences which have prevailed in shaping and passing other tariff bills for nearly two decades found no quarter and scant welcome in the deliberations which have marked the passage of this measure. It is my judgment that the American people will accept this law as a great piece of statesmanship and as a fulfillment in good faith of the pledge of the Democratic Party for tariff reduction in the interests of the tax-burdened people. They will recognize in it no tajnt of selfish greed or corrupt influence. It will be heralded as an emancipation proclamation to our people, who have been paying unjust tribute for years because of special favors granted by their own Government. This tariff bill does not take away from any man or from any industry anything to which he is rightfully and lawfully entitled. In this bill our people are not humiliated by being forced to look upon their Government as a benefactor distributing public favors to certain classes of beneficiaries. I rejoice that the wisdom and good judgment of the American people give assurance that no artificial panic can be thrust upon the country as a result of the enactment of this legislation. Only those have cause to fear who have sought and secured in the past the special privileges at the hands of the Government, which enabled them to wring from the consumers of this country exorbitant prices for their manufactured products. These prices have been soaring higher and higher. Business or industry built upon such an unstable and uneconomic basis may find, when forced into the field of fair competition, some difficulty for a time in holding its own, but will learn to readjust its operations to meet the new conditions. My confidence in the genius of the American people and in the business men of our country persuades me that legitimate business will rejoice in its freedom and henceforth it will thrive because of its own merits and scientific management.

But, Mr. Speaker, what I have just said has special reference to the tariff features of the bill, and, as I have stated, this bill as a tariff-reform measure marks a splendid and complete triumph in a struggle which has lasted half a century. But the tariff feature of the bill is only part of the greater achievement which the bill as a whole has accomplished. Inasmuch as raising revenue is the essential justification of a Democratic tariff measure, it was deemed not only proper but wise to incorporate in it the income-tax provisions. These two reforms have been on the firing line in every campaign where there was a Democrat to lift his voice or drive his pen. Their advocates have borne the brunt of the fight against tremendous odds and now victory is about to perch upon their shields. The champions of the people have won at last. All honor to the courageous leaders who have led the fight for the people for 20 years. Some have lost and others have won, but ultimate victory is on the side of humanity because of the loyalty and devotion of the friends of justice and good government. Add together the friends of the tariff reform and the friends of the principle of the income tax and you have a combined force of progressive thought in this country which will be able not only to overwhelm the opponents of reform but will also sustain these measures when enacted and hold the ground already gained. When our people realize how complete has been their triumph they will wonder how the transition was made so quietly. They will also have reason to rejoice that the people are again in control of their own Government.

The adoption of the income tax is even a greater achievement than tariff reform, because it has helped to solve the tariff question by furnishing a more equitable and just means of raising needed revenue for the support of the Government. Protectionists can not longer argue that reduction in tariff rates will

empty the Treasury. This income-tax reform has been slow coming and has met with the most stubborn and determined opposition. Since the blow received when the Pollock case was decided the advocates of an income tax have been discouraged, but they never lost hope.

Over a year ago, when discussing the question of revenue by taxation, I expressed the hope that the time was not far distant when this Government would be able under a constitutional amendment to enact an income-tax law by which the larger portion of the necessary revenue might be collected. I rejoice at this time that my hope is about to be realized.

Before the sixteenth amendment was adopted the constitutional provision that all direct taxes must be apportioned according to population gave rise to endless discussion and several judicial decisions as to what was a direct tax, and also what could be subject to such a tax under the Constitution. In the tariff law of 1894 an income-tax provision was incorporated, and this brought up again the old controversy over direct taxation. But inasmuch as the income tax of that year was not apportioned a case was brought to the Supreme Court of the United States in which the constitutionality of the act was questioned. The prevailing opinion of the time was that a tax upon incomes was not a direct tax, and hence Congress had power to levy such a tax without apportionment. By a divided court decision it was held that the act in question which levied a tax on incomes was unconstitutional.

This situation not only disappointed the advocates of an income tax but it also created a deficit in the Treasury from which the Democratic Party in power suffered. Undismayed by the results of their efforts the people again declared their belief in the justice of an income tax, and the agitation was begun in Congress and out in the hope of securing a reversal of the Pollock case decision, or if not that, then a constitutional amendment specifically giving Congress the power to levy a tax upon incomes. Meanwhile, several of the States adopted inheritance tax laws in the hope of forcing wealth to contribute to the support of the State governments. In some of the great centers of wealth the tax commissioners found that there was a systematic evasion of taxation; that wealth was in hiding and was being converted into intangible securities which could not be reached for the purpose of taxation; that no inconsiderable amount of wealth and property was held in this country by foreign residents who spend their large incomes abroad while enjoying the protection of this Government. These conditions aroused public sentiment in favor of the Government resorting to an income tax so that the burdens might be borne by those able to pay them. Democratic platforms have declared repeatedly in favor of an income tax. The Democratic platform adopted in 1896, referring to the decision in the Pollock case, says:

We declare that it is the duty of Congress to use all the constitutional power which remains after that decision, or which may come from its reversal by the court as it may hereafter be constituted, so that the burdens of taxation may be equally and impartially laid, to the end that wealth may bear its due proportion of the expense of the Government.

And again in the platform of 1908:

We favor an income tax as part of our revenue system, and we urge the submission of a constitutional amendment specifically authorizing Congress to levy and collect a tax upon individual and corporate incomes, to the end that wealth may bear its proportionate share of the burdens of the Federal Government.

And finally in the platform of 1912:

We congratulate the country upon the triumph of two important reforms demanded in the last national platform, namely, the amendment of the Federal Constitution authorizing an income tax and the amendment providing for the popular election of Senators, and we call upon the people of all the States to rally to the support of the pending propositions and secure their ratification.

The demand was so strong that in the 1909 tariff law the Senate was compelled to yield so far as to allow an amendment for a tax on incomes of corporations. In the last Congress the Democratic House passed a bill extending the provisions of the corporation-tax law to individuals even before the constitutional amendment had been ratified by the States. The same Congress had already adopted a joint resolution to amend the Constitution giving Congress power to levy an income tax, and this was finally ratified by the required number of States, and on February 25, 1913, by proclamation, the amendment was declared to be a part of the Constitution of the United States.

Under the constitutional power now in Congress a bill has been passed and will soon become a law by which all net incomes over $3,000 will be required to pay a tax of 1 per cent, with certain exemptions. An additional tax of 1 per cent is levied upon net incomes between $20,000 and $50,000, and the rate is graduated up to the point where a total rate of 7 per cent is levied upon net incomes above $500,000.

This power to levy an income tax should serve not only for emergencies, as some would have it, but as a permanent part of our taxing system. The whole question of taxation is involved. Such a tax is justified from any reasonable standpoint. Wealth has not borne its share of the public burdens of taxation. The principle of an income tax recognizes that as wealth has more at stake for the Government to protect it should therefore in all fairness welcome heavier burdens than those who have little or nothing. An income tax is a just tax because it takes in proportion to what a man has to give. It taxes those whose accumulations make their income great and easy of return. It lessens not their necessary supply but only their excess and abundance. The measure of this tax is not what a man consumes, as is the case with tariff taxation.

By this tax the burdens of indirect taxation can be made lighter for all. Those who are not so fortunate as to have incomes large enough to be taxed will still pay their share toward the support of the Government by way of indirect taxes laid upon the articles they eat and wear.

The increasing needs of our Government make it necessary for a large amount of revenue to be collected. Until now we have had but two principal sources of revenue taxes, namely, customs and internal revenue. By adding this new source, namely, the wealth of the country, it will not be necessary to collect such a great amount through the customhouses as have been collected under the high-tariff system. Every dollar so collected as tariff comes ultimately from the consumer. But this is not the greatest evil of high tariff. For every dollar collected for revenue the people pay five to the protected interests. On the other hand, every dollar collected under the income tax finds its way directly into the United States Treasury.

The expenses of maintaining this great Government are growing heavier each year, and these expenses must be paid out of revenues raised by taxation. It is found that we must collect now about $1,000,000,000 annually to run the Government.

For 1913 the internal revenue under the new tariff law is estimated at $322,000,000, and the new income-tax law may produce, as estimated, $82,000,000, thus relieving the strain upon customs taxation which has been borne by the great multitude of consumers.

With the aid of the new income-tax law we can lay protective tariff on the shelf and eliminate the many evils which have their roots in the unjust system. Trusts and monopolies can be treated as separate problems and will, doubtless, be less difficult of solution. Deficits and bond issues need not occur as long as Congress has the power to tax incomes and establish this equitable method of raising revenue as a permanent and vital arm of the taxing power.

Very soon the people of this country will find in the working out of these two great reforms—the tariff and the income tax—that their interests have been carefully guarded in this legislation. I am confident the people of my State will accept the work we have accomplished as the greatest progress in reform for more than a generation. I am glad to have been able to assist in this achievement for better government and happier homes.

Our Merchant Marine.

EXTENSION OF REMARKS
OF
HON. J. CHARLES LINTHICUM,
OF MARYLAND,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, October 2, 1913,

On the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. LINTHICUM. Mr. Speaker, there is no more humiliating and pathetic chapter in the legislative history of our country than that pertaining to our merchant marine. Our forefathers, with that splendid ability and foresight which ever characterized them in their handling of our national problems, found at the close of the Revolutionary War that 75 per cent of our over-sea commerce was being carried in foreign vessels. The gravity of such a situation was at once apparent, and they immediately set about to transfer that control to where it properly belonged.

By a reduction of 10 per cent in the duty on all imports in American vessels, by fixing a tonnage tax of only 6 cents a ton on American vessels, of 30 cents on American-built foreign-owned vessels, and 50 cents a ton on foreign-built foreign-owned vessels they gave to American shipping such a stimulus that within five years American ships were carrying 90 per cent of our foreign commerce. Thus, as if by magic, we rescued from foreign competitors our carrying trade and placed that trade in the hands of American shipowners.

Not satisfied with carrying 90 per cent of our commerce, a later generation argued that so impregnable were we on the sea that nothing could wrest from our grasp that domination of the waters which we seemed to hold in the hollow of our hands, and that if we would cease to discriminate we would gain the other 10 per cent, and so we modified our laws, and in our efforts to secure the remaining 10 per cent we lost the 90 per cent that we formerly possessed. Within that period of more than half a century, during which time preferential duties to American ships were in effect, our vessels carried on an average of 80 per cent of our imports and exports.

Withdrawing our policy of preferential duties, abandoning our bonuses to those lines which were competing with the subsidized lines of Great Britain and other foreign countries, we saw our shipping steadily decline during the past 51 years until we carried only 19 per cent of our foreign commerce, and now it has fallen to a point where we carry only 10 per cent.

With this inglorious record in mind I was pleased to note that when this bill was originally passed by this House and sent to the Senate, Section J, subsection 7, provided:

A discount of 5 per cent on all duties imposed by this act shall be allowed on such goods, wares, and merchandise as shall be imported in vessels admitted to registration under the laws of the United States.

That was one section in this bill in which I am particularly interested, and it was my pleasure to register with my vote my indorsement of this, which I hoped was to be the first of a series of legislative acts destined in time to give back to us our American merchant marine—that essential adjunct of our commercial supremacy—in all its old glory, made dear to us through its many hallowed memories and noble traditions.

But I am bitterly disappointed to find that the House conferees have agreed that this provision be emasculated by the addition of the following proviso:

Provided, That nothing in this subsection shall be so construed as to abrogate or in any manner impair or affect the provisions of any treaty concluded between the United States and any foreign nation.

As amended by the Senate much that this provision was intended to accomplish has been nullified, as I understand that Russia is the only country with whom we have no commercial treaty at the present, and that country will be the only one to fall within the operations of this law. But let us hope that these treaties may be so construed or altered as to give us the full benefit of this clause as was intended by this House.

MARYLAND AND OUR MERCHANT MARINE.

Embracing within its area so much of that vast expanse of water which constitutes the beautiful Chesapeake Bay, it is natural that Maryland should take a keen interest in our merchant marine, and that she should be vitally affected by everything that relates to it.

The water is the theater of activity of many of our people, and many of those now living can remember the day when the Chesapeake was dotted with its white fleets of clipper ships whose prowess and reputation made the name Baltimore famous throughout the world. My father, Sweetser Linthicum, who spent seven years of his early life as the captain of his father's vessel, has told me on numerous occasions of the great merchant ships of our city which traversed the globe when he was thus engaged and when our merchant marine was in its glory, and he was sad when relating how our marine had gradually faded away during his life. And Richard Henry Dana, jr., in that splendid work of his, Two Years Before the Mast, refers to the good ship *Ann McKim*, of Baltimore, as being one of the fastest and best-sailed merchantmen on the Pacific coast. Thus, even while Baltimore was in her infancy, her clipper ships were carrying her goods and making her products known to the people of distant lands.

The free-ship policy we have pursued that caused us to lose our maritime prestige has not only proved a failure in this country, but likewise to France, Germany, Austria, and Italy. England, after building up her shipping under a system of rigid navigation laws, discriminating duties, and subsidies on an enormous scale, adopted the policy of free ships because it was clearly to her interest to do so. Carrying 56 per cent of the entire commerce of the world, having secured this position through discriminatory legislation in favor of her own shipbuilders and shipowners, she now, by every artifice at her command, and by holding the threat of retaliation over the heads of other nations, has been generally successful in thwarting in those nations the endeavor to regain their commerce through the adoption of a policy identical with that which caused her own shipping to flourish. So keen is the dread inspired by these threats that a prolific source of argument against the preferential duty proposed in the pending bill was that this provision might invite English retaliation. In other words, British threats have bluffed the world and kept in British ships the world's commerce.

DISAPPEARANCE OF OUR MERCHANT FLAG.

On a recent visit to this country of Dr. Lauro S. Muller, the Brazilian minister of foreign affairs, that able and scholarly diplomat reviewed to some extent the trade relations existing between the United States and Brazil. Pointing out that in 1912 our imports from Brazil amounted to $123,881,644, he stated that our exports to Brazil reached only $34,678,081. In accounting for this great discrepancy between our imports from Brazil and our exports to that country he asserts that, in his opinion, the chief factor in the situation is the fact that the American flag does not fly from a single vessel regularly engaged in the Brazilian trade, and emphasizes this need of ships by declaring:

We of Brazil and the United States need ships and again ships. There is no excuse for delay, because Brazil, with her ports on the Atlantic, is one of the few Latin-American countries that will not be brought nearer by the Panama Canal

This balance of trade against us in this one South American country, wherein we buy one-third of her total output and sell to her only one-tenth of her imports, should certainly direct our attention to our present niggardly attitude toward our foreign carrying merchant marine and the necessity for some change in our present policy.

It seems difficult to realize that but little more than 60 years ago American merchant ships, sailed by American masters and manned by American crews, were supreme upon the sea. It was the era of the clipper ship, the highest development in the art of wooden-ship building. The American ship in that day was the most perfect mechanism that sailed the waters. American shipmasters were men of energy, genius, and ability, while the crews they commanded were of a class whose equals were not to be found elsewhere upon the waters of the earth.

To-day our foreign merchant marine is perilously near extinction. Our carefully protected coastwise shipping has developed into a business of huge proportions, but under our neglect of our foreign shipping the Stars and Stripes, other than those to be seen on an occasional man-of-war, are almost a rare sight in foreign harbors throughout the world.

OUR ECONOMIC LOSS.

Ninety-five per cent or more of our imports from and exports to Europe are carried by foreign ships, of which British vessels monopolize about 60 per cent. During the Boer War Great Britain was compelled to withdraw from peaceful commerce 250 steamships, with an aggregate carrying capacity of 1,000,000 tons. The result of this withdrawal was to direct the mind of Americans to the dependency of their country on a foreign merchant marine, and especially upon that of England, for the carrying of their export trade.

A frequent argument advanced, especially by foreign steamship managers, is that the insufficiency of our merchant marine affects only the coast States, which naturally build, man, and operate those ships, and that it does not to any extent affect the other parts of the Union, and especially the agricultural sections of the land. This theory was, however, absolutely exploded during the Boer War, which I have just mentioned, because, while it has always been an argument and a theory that war between European countries or by European nations with any other country would increase the demand for our agricultural products, we find that during the Boer War, when England was compelled to withdraw only the small number of ships which I have mentioned, the export of cattle alone fell off considerably.

For instance, during the year 1898, before the Boer War began, we sold to the United Kingdom cattle valued at $31,068,909, while in the year 1899, when the Boer War had begun and the ships mentioned had been withdrawn from the merchant marine, we sold them only $27,737,770, a loss in export of cattle alone of more than 12 per cent. Not alone did it affect that industry, but it affected equally the export of breadstuffs, which are carried to all parts of the world by British steamers. Not only did the United Kingdom itself take less of the breadstuffs of our country, but by withdrawal of the ships and the decrease of the carrying capacity of the marine we fell off in our export of breadstuffs to the entire world. These exports shrank from $317,879,746 in 1898 to $269,955,771 in 1899 and to $250,786,080 in 1900, showing conclusively that it was not alone the coast States which were seriously hampered and injured, but it was likewise the large agricultural industry of the land. As the result of this petty conflict and our dependency upon a

foreign merchant marine, we lost in our export trade alone in the neighborhood of $150,000,000. Imagine what our loss would have been had this been a prolonged war between formidable combatants, in which Great Britain would have needed more ships than those she was compelled to divert in this struggle against a few small States who had no navy whatever.

So that we must conclude that having practically no merchant marine of our own greatly injures the entire country and affects not only coast States and agricultural States, but the entire land in all its industries and commerce.

ECONOMIC ASPECTS OF THE SITUATION.

A moment's reflection will bring home to anyone considering the subject how independent the United States is or would be in the building of its own shipping. Thousands of miles of sea separate us from the great shipyards of Europe. It is natural, therefore, that we should depend on ourselves for our ships and that we should build these ships adapted to our own needs. It is a historical fact that the shipbuilding nations have ever been the ship-owning nations, and that nations without shipbuilders are nations without ships and without trades of their own. To neglect to build our own ships is to neglect to own the ships in which our commerce is carried. To neglect to own the ships in which we carry our commerce is to attempt to compete with our rivals for that commerce under conditions most unfair. The successful commercial nations of the past have been those nations who have built their own ships and have carried their commerce in these ships to the nations of the earth. To endeavor to build up a great state from commerce without controlling the vessels of commerce is a proposition as impossible as that to set aside the laws of gravitation.

We have adopted the doctrine of freer trade relations with the nations of the earth through the reduction of our present tariff laws, but many do not seem to realize that notwithstanding how cheap and successfully we can produce in this country we can never hope to secure the greatest success in our foreign commercial enterprise if these natural advantages which we enjoy be fettered by a condition in which we are compelled to transport the things we produce to other nations in the ships of nations who are our rivals for the same trade.

Not only is it an economic impossibility for us to successfully secure the trade of other countries when our business is carried on in foreign ships, but at the same time we are losing annually a vast amount of money which should be paid to American capitalists, American officers, and American seamen, who are deprived of carrying our commerce.

We are told that it is costing us $300,000,000 a year to carry our foreign commerce, that this cost has doubled in the past 20 years, and that it is entirely probable that it will double again within the next 20 years. Assuming this estimate to be correct, the ships that will be engaged in this commerce will earn upward of $9,000,000,000, and it will cost a billion and a half of dollars to build them. If we adopt a policy whereby we build these ships ourselves, then the money involved in the construction will be spent in the United States for American material and American labor, and at the end of that time we shall possess a shipping worth a billion and a half of dollars and shall have retained in the United States the $9,000,000,000 which these ships have earned. Furthermore, if we assume the task of building our own merchant marine, we immediately change our position to that of the leading creditor nation of the world; whereas if we continue along our present course we shall "continue to remain what we are now—a debtor nation."

The wisdom of the policy of our forefathers in encouraging building and the maintenance of an adequate merchant marine has been demonstrated time and again. We are told that under their far-seeing policy of encouragement eligible farms became town sites, land increased in value, and trade and industry everywhere felt the quickening impulse of foreign trade. Every interest in the country was benefited by the policy adopted which gave to our country the business of shipbuilding; of getting ship timber; of building dry docks and repairing vessels; of making spars, blocks, and pumps; of fitting, rigging, and sail making; of making anchors and chains, windlasses, and capstans; of building boats and making oars; of equipping and outfitting vessels; of supplying provisions and clothing for crews, and many other incidental trades.

THE MERCHANT MARINE AND THE NAVY.

The people of no other nation take more pride in their navy than do the American people, nor have the people of any other nation of the earth more reason to take pride in their navy than have the American people. Yet no navy can be successfully maintained unless there is behind it an adequate merchant marine. The one is essential to the other.

It will be recalled that in the War of 1812 our merchant marine furnished us with the strongest arm of our fighting service. At that time at least 40,000 native Americans followed the sea for a livelihood. The merchant vessels having been laid up through the "peaceful policy" of Jefferson's embargo, there being no opportunity for these men in the national service, the only outlet for their activities was as members of privateer crews. How well they served in this capacity is a matter of historic record. In that day we had more than a hundred times as many experienced men as would have been required to equip every vessel we could possibly float, whereas to-day, in spite of all the inducements we can offer, we find it difficult to get enough to man the limited number of vessels which comprise our present fleet.

Thomas Jefferson, with his usual keen foresight, predicted what might be expected by letting our foreign trade fall into the hands of our commercial rivals:

> If particular nations grasp at undue shares of our commerce, and, more especially, if they seize on the means of the United States to convert them into ailment for their own strength and withdraw them entirely from the support of those to whom they belong, defensive and protective measures become necessary on the part of the nation whose marine resources are thus invaded or it will be disarmed of its defense, its productions will be at the mercy of the nation which has possessed itself exclusively of the means of carrying them, and its politics may be influenced by those who command its commerce.

Daniel Webster expressed a similar thought in 1824. He said that it was a fundamental axiom that the great interests of the country were united and inseparable; that agriculture, commerce, and manufactures must flourish together or languish together, and that all legislation was dangerous which proposed to benefit one of them without looking to the consequences that might befall the others.

OUR PRESENT POSITION.

What would be your opinion of the business acumen of a merchant, keenly competing with other merchants for trade, who hired the vehicles of his competitors to deliver his goods? Without hesitation you would say that if this merchant was not wholly ruined by such a policy he would at least never reap the full benefit of his success.

A national business policy and an individual business policy proceed along identical lines, and what is disastrous to the individual is equally disastrous from a national viewpoint.

Just so long as we continue to pay profits to our competitors for transporting our goods, just that long do we suffer a handicap in our competition with them.

Let us not overlook that every transportation system is an artery of commerce and that every artery of commerce becomes sooner or later a producer of commerce. The representatives of these systems become the logical agents of the goods they handle, for in developing their own business it is necessarily incumbent on them to stimulate that commerce from which they derive their profits.

It is a significant fact that the phrase "Made in Germany" first began to attract widespread attention in this country contemporaneous with the advent of the great German steamship lines. Among their many other good qualities the Germans are a philosophical people; they pursue the lines of least resistance, and it did not take them long to discover that if German goods were to find foreign markets it was essential that they have behind them the powerful support of a German merchant marine. To-day goods of German manufacture are fast crowding into all the markets of civilization, and undeniably their appearance in these markets may in no small measure be accounted for by the German flag on vessels of commerce, which is rapidly becoming a familiar sight in all the harbors of the world.

We are to-day spending upward of $375,000,000 upon the Panama Canal, and yet under present conditions seldom will our flag be seen flying from a merchant ship engaged in foreign trade, while flags of all other nations will be passing to and fro carrying the commerce of the world. Shall we continue this policy, or shall we extend our laws along the line suggested by the section referred to, so that our ships may again enter into competition for our export and import trade?

The city of Baltimore, situated as she is so close to the West, with her commerce steadily increasing, so that she is fast eclipsing in certain branches her rival cities of the coast, is vitally interested in the proper solution of this great problem. Let us hope that legislation and treaties may so encourage our shipbuilders that vessels carrying our flag will be again a familiar sight on the high seas and that our people may reap the great benefits from freer trade with all the nations of the world.

BALTIMORE'S INTEREST.

Baltimore's interest in our merchant marine is manifest. In 1909 she was the thirteenth city of the United States in the volume of her manufactured products, and her increase in production bids fair to advance her on this list. For instance, from 1899 to 1904 she made a gain of only 11⅞ per cent in the volume of her manufactured products, while from 1904 to 1909 her gain was 24⅛ per cent. According to the census of 1909, of the whole value of the products reported for the State of Maryland 59⅞ per cent was made in Baltimore, and 66⅔ per cent of the average number of wage earners of the State were employed there. The men's clothing industry of the State is practically confined to Baltimore.

The development of the city as a manufacturing center has steadily increased, for in 1899 there were 2,274 establishments engaged in manufacture, while in 1909 this number had increased to 2,502. In 1899 the number of workers employed was 66,571, while in 1909 they were 71,444. In 1899 Baltimore was turning out products to the value of $135,108,000, while in 1909 the value of this production had increased to $186,978,000.

During the past two decades Baltimore's commerce has shown a like increase. In the decade from 1894 to 1903 she imported goods to the value of $155,718,902 and exported to the value of $902,460,964, constituting together a total foreign trade handled of $1,058,179,866.

In the decade from 1904 to 1913 her imports increased to $284,294,070 and her exports to $927,512,049, bringing the total of her foreign commerce up to $1,211,806,119.

In the export of grain Baltimore leads all ports on the Atlantic coast except New York. In a recent letter in the Philadelphia North American it was stated that of the 35 tramp steamers chartered between June 30 and August 9, 1913, for full grain cargoes to Europe not one was designated for loading at Philadelphia, that New York was to load 2, Montreal 3, New Orleans 1, Galveston 4, other Gulf ports 10, and Baltimore 15.

In the light of these facts and figures it is plain that the development of our merchant marine must prove of decided benefit to Baltimore, and that the State, too, with its extensive area of water and unsurpassed harbors, is vitally interested.

Mr. Speaker, I look forward to the day when, under proper legislation and with abundant port facilities, the harbor of Baltimore shall be crowded with foreign-going merchant ships flying the American flag, as it was in the days of yore. To these days all Marylanders look eagerly in anticipation, for they have not forgotten that in the past American-built ships were the ideal type that sailed the sea, and that in the keen rivalry of those days vessels hailing from Maryland ports were familiar sights in nearly every harbor of the world. Our people believe that this Government will not always persist in its present policy of ignoring this great national asset we have so lightly cast away, and that when the day returns when American shipbuilders shall receive that encouragement and just treatment to which they are fairly entitled American-built ships, laden with American goods and sailed by American crews, will invade every ocean and Baltimore will become again, as it was in the past, a name familiar in every port of the globe.

Industrial Education.

EXTENSION OF REMARKS
OF
HON. BENJAMIN IRVING TAYLOR,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, October 2, 1913,

On the joint resolution (S. J. Res. 5) providing for the appointment of a commission to consider the need and report a plan for national aid for vocational education.

Mr. TAYLOR of New York. Mr. Speaker, I had some remarks I would like to have made in regard to vocational education. I would like to have permission to extend them in the RECORD if possible.

Mr. Speaker, in attempting to formulate a plan for a system of vocational education in our schools we need not destroy the present efficient public-school system, that has cost our people so much money and thought. Any plan that we may formulate should contain the outlines of a workable system capable of being added to our public-school systems in the different States. I mean that we should outline a course of study and provide that the Federal Government advance from year to year, according to the school population, a stated amount of money to aid those States willing to adopt the system. A method of this character would meet the objections of those professing State rights ideas. It would thereby leave each State to conduct its system of education as it may see fit, the only requirement being that it should adopt the course of study provided or outlined either in the bill or from time to time by the Department of Education, under whose jurisdiction it should be placed. The creation of a system somewhat along the lines of the regent system in the State of New York might not be objectionable.

The commission in whose care the drafting of the bill is left will be required to exercise the greatest of care not to frame a measure interfering with our public-school system or the State's rights notions of many of the Members of Congress. The subject matter of Senate joint resolution No. 5 is of the utmost importance to this country. It is more important than tariff or currency legislation, for, if properly worked out, it will educate a vast army of young men and women now neglected and create in them a moral and intellectual force working in harmony for the uplift of every section of this country. Such a force, if properly directed, can do more good than a thousand Panama Canals and at a much less cost.

Vocational education is by no means new in this country. Education along these lines has been introduced in the schools in many of our large cities—for instance, the city of Cleveland, where it is accomplishing wonderful results. In different sections of our country we find feeble attempts to introduce it through the medium of free night schools, where a general and business course is followed in conjunction with our public-school system. The idea of a movement in this direction, emanating from this body, is to make this kind of education popular through the instrumentalities of the Federal Government.

Our public-school system is the most expensive in the world, as a general rule the school buildings are monuments of architectural beauty and grandeur, requiring a great deal of care and money to maintain, and, together with the salary list and equipment, call for vast appropriations of the people's money. All of our citizens help our schools, take an interest in them, and, consequently, are so jealous of them that they will not tolerate interference.

Millions of dollars are levied each year in taxes, either by direct or indirect means, to perfect and maintain our schools, and every dollar of these taxes are cheerfully paid. It is not the desire of any Member of this House to criticize our educational systems or anyone in charge of them; it is merely our desire to point out certain lines along which they can be improved and extended to cover the several fields of education not provided for generally in an educational way to meet the demand of the times.

When a boy I often heard the old folks of that time laugh at the idea of giving their daughters anything more than a common-school education. To educate the girls was considered a waste of time and money. The boy who was to fight the battles of the world should be educated. They entertained the same fixed ideas in relation to the education of the boy who was to till the soil or become a mechanic—he was not supposed to need an education. To-day we have schools and colleges where our daughters and sisters can and do receive the best education possible on equivalent lines with the boys. The struggle for supremacy has become so keen we all recognize the fact that education is absolutely necessary for the advancement and welfare of the girl and the boy no matter what field each is to engage in through life.

In years gone by great strength was looked upon as an accomplishment, and only those endowed with it were considered worth while. Now we expect strength and intelligence to work in accord. It is the young man with a keen, intelligent mind, bright eyes, quick, and elastic muscles who succeeds to-day, and is fast making our country the greatest in the world.

Education in this country has become a great moral force, through years of patient labor a grand and imposing system has been created. It has been built along lines tending to make our children great thinkers, and reflects the ideas of scientific educationalists, containing many of the fads and fancies of our past and present educational authorities.

The country has been advancing, the ideas and thoughts of our people have been changing, but our system of education in the general sense has not kept apace with these changes. New fields of education have opened before our eyes while we slumbered peacefully. The present system is admirably adapted to educating our young men and women to become doctors, lawyers, teachers, and business men, but it does not meet the requirements of the boy or girl who will be obliged to make his or her livelihood on the farm, in the factories, or at the trades.

We are acquainted with the boy who is always backward in his studies, running away from school, causing endless trouble,

and as a result is taken from school at an early age, thereby missing the advantages of an education. This boy is active and industrious about the farm, helps father in the store, and evidences some brains and ability. The question we are asking is, "What is the trouble with this boy? Why did he leave school?" The answer is simple—he never was interested in the studies given him. There are many things in life adaptable in which this kind of a boy can be interested. It is the duty of our teachers to find that out, instruct him in these subjects, and when once you get his attention you hold it for all time. We used to call that "bent." That is what I mean by vocational training.

The farmer's boy is interested in the farm workings. If he were required to bring a collection of the seeds from the farm and test them, do you not suppose he would be interested in the work? If he were asked to bring a sample of the milk from the favorite cow for testing, do you not think his eyes would be opened and his interest aroused? We could continue these illustrations to the end of the list with the same result; get the boy interested, then teach him. When you start him along lines interesting to him, do not stop; give him all the latitude and be able to meet and answer his every question in the premises.

One of the defects of our present school system is that we teach the children reading, writing, and arithmetic until they reach the age of 12 or 13 in the graded schools, when, even if they continue to the higher schools, generally that is the last they hear of either of these rudiments. I may here make the astonishing assertion that less than 40 per cent of our high-school graduates can spell correctly or do a common example in fractions.

As a general rule, the parents of our public school children are poor or in the humbler stations of life. We have all witnessed the struggles of some parents to keep their children at school until they graduate. This is usually at the age of 16. This means that the boy or girl who expects to take up a trade must work as an apprentice three or four years after graduating before becoming self-sustaining. This prolongs the burden of the parents in supporting them. Suppose, when this child becomes 13 years of age, it could continue with its studies, and at the same time be instructed in the trade or business it expects to follow, qualifying it to earn a livelihood upon leaving school on the completion of the course. Therefore, in place of having 90 per cent of our children leaving school at the age of 16, unqualified for their world's work, they would come out finished, thereby lightening the burden of their respected parents by being able to sustain themselves and aid the parents as well.

What is the great German Nation doing along these lines of vocational work? Here is a sample of it.

In the agricultural districts the course of study outlined for a young man who is to become a farmer is as follows:

1. Cultivation of the ground, general field and plant culture, theory of fertilization for special plants.
2. Teaching of the breeding, feeding, and handling of domestic animals.
3. Zoology and veterinary science.
4. General business instruction.
5. Agricultural chemistry.
6. Physics.
7. Plant culture.
8. Introduction to the forms of business correspondence.
9. Theory of the principles of farm management.
10. Agricultural bookkeeping.
11. German language.
12. Arithmetic.
13. Geometry, surveying, and drawing.
14. Fire brigades.

The school term being over, "the farm demonstrator," who is known there as "Der Wanderlehrer," follows the circuit, the homes of his students of his winter class, going from farm to farm, and is with his pupils in their own fields from sunrise to sunset, putting the learned theories to practice.

The girls in the household are not forgotten. They are taught "the efficiency of the kitchen," "how to save a pfennig here and there," "salting, curing, smoking, and cooking meats of every sort, handling of milk and the making of cheese and butter, preserving fruits and vegetables, caring for the poultry, pigs, and calves," all keyed to the demands and conditions of country living, carefully set out by "Die Wanderlehrerin," so that the apt pupils become a bulwark against the high cost of living.

This is an illustration of how different courses of study could be formulated, every one of which are useful.

My interest was also attracted to the story of what one man, Mr. Lyman Ward, was doing in Alabama to aid the white young men and women in securing an education along real lines to sustain themselves, which I consider well worth repeating, as it shows what is needed to-day.

This story was printed in the Sunday Magazine of the Washington Star of August 24, 1913:

LYMAN WARD, A SOUTHERN SCHOOLMASTER.

Down in the red clay country, where summer birds and barefooted boys may be seen in midwinter, but where the open fireplace—burning wood—is not only a delightful luxury but a stern necessity, I found a school. This school is not merely a place where boys and girls spend four years studying books. It fits its pupils for life, taking them at all ages and at all degrees of uneducation.

Back of the school is a man, and the fact that man and school are there is largely the result of two spoken sentences. "The difference between Seth Low and myself is this: Seth Low believes in helping men. I believe in helping men to help themselves." So spoke Henry George in that memorable campaign just before his death. In the throng that heard him was a young Universalist preacher, and the sentence struck home. "I am doing the wrong thing; I am trying to help men instead of helping them to help themselves," he admitted to himself.

It so happened that this young minister was about to go upon a southern trip in behalf of his church, "The Save-All Church," as the negroes of the South called it. And thus a sentence of Henry George's became wedded to a sentence of Booker T. Washington's, "To uplift the negro you must uplift the white man with him"; for as Lyman Ward traveled he learned of the thousands of white boys in the South without education or means of education. Booker Washington was struggling to train the ignorant colored youth, but where was a similar opportunity for the backward white boy of the South? Here, then, was work worthy of a man who wanted to help men to help themselves; and, seeking the line of greatest resistance, he settled in Alabama.

Alabama is a proud State, and among the boasts that she can make is that she is first in illiteracy! Sidney Bowle, of Birmingham, estimates that there are 100,000 white boys and girls in the State who can neither read nor write. In 1911, out of 800,000 boys and girls of school age, both races, nearly 500,000 were not in school a single day. Add to these facts that 80 per cent of Alabamans live in the country and you can see why Lyman Ward established his industrial school in the very heart of Alabama, near a little town called Camp Hill.

He had no money and but few friends, but he had a realization of the need and a spirit that does not know how to spell the word "discouragement." He soon learned, of course, that the people of Alabama were like the people anywhere else—that the young men and women wanted an education, and that many a poor parent would give his last dollar to give his children a "chance."

One of his first supporters was a poor woman, who drove 15 miles to bring the school 25 cents. One man of 40 entered the school as a pupil in 1907, and to-day is teaching a school of his own. On the day I was in Camp Hill I met a man who had driven 20 miles in a prairie schooner—and driving is not boulevarding in rural Alabama—to place two pupils in the school. He had brought all the money he had in the world—$35—to pay for their board and tuition, and he cheerfully gave it all except 75 cents, which he retained for food for himself and horses on the return trip.

The school educates both sexes—the ages range from 16 to 30—and there are girl boarders who have no money whatever and whose bread and clothing must be found while they are acquiring an education. Ward took them in, and Ward will find a way to put them through; but—but—is it not a marvelous thing that some of our multimillionaires find it hard to give away some small part of their money worthily?

The school started in a rickety three-room building, heated by only one stove. There are no luxuries even yet, but there are several buildings, built by teachers and pupils of the school. This is real industrial education, and the boys and girls are there for earnest business. At Camp Hill, as a trustee put it, everybody works, including father. Nor does father hesitate at any particular kind of work. A visitor found him acting as waiter at the common breakfast table, and expressed some surprise.

"I ask my boys to do nothing that I won't do myself," responded Lyman Ward tersely. The remark is characteristic of the man and his democracy. Cultured of mind, broad of thought, keenly alive to all the world's activities, good humored, witty, active, informed, he is a man whose religion is democracy and whose democracy is religion. Such is the founder and president of the school.

The school itself is based on the idea that the white youth of the South deserves as much chance as the black youth. Small as the school is compared with the work there is to do, there is hope that it may be an example and an inspiration to the founding of similar schools where needed. This school does not take the boy from the farm; it puts him back upon the farm educated in head and hand. The school itself is a farm, an old slave plantation of 400 acres, and the boys farm it to help pay for their schooling.

Most of the raw material that comes to the school is, indeed, pretty raw—not stupid, not at all; just unsophisticated. On the day the school opened Mr. Ward announced that those who knew something of arithmetic would report to a teacher in the adjoining room. While several knew something of arithmetic, not a pupil moved. Not one knew what he meant by the word "report." Some of the pupils, when they arrive, do not know that they live in the twentieth century; they never have had occasion to differentiate one century from another. Some of them, when asked, have not known that this is the Christian Era. Many have never heard of any such man as Mark Twain. One boy entered the printery and exclaimed at seeing a sponge. It was an unidentified animal to him.

Examples of their lack of commonplace knowledge might be multiplied, but these suffice to show the character of the material out of which are shaped live men and women with their faces to the future. Surely many a man celebrated in the mouths of men might envy the fine work that is being done by this modest schoolmaster, Lyman Ward, instigator of efficiency. (Edmund Vance Cooke.)

If our schools would only adopt textbooks and courses of study along real lines, we would have no more tough or dull scholars.

God created us equal, but the opportunities of some are greater than those of others. This kind of legislation will tend to make the opportunities of all equal. It is my earnest hope that a commission will be appointed and that it will act with expedition.

The New Tariff—What Is the Return from Canada?

EXTENSION OF REMARKS
OF
HON. ALBERT JOHNSON,
OF WASHINGTON.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, September 30, 1913.

On the conference report to the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. JOHNSON of Washington. Mr. Speaker, a few days ago the president of the Canadian Manufacturers' Association gave utterance to the following statement:

An examination of the Underwood bill as finally amended confirms me in the belief that Canada made no mistake in rejecting the reciprocity agreement of 1911. In saying this I do not question the value of the market concessions we would have secured thereunder; but whereas then we would have secured these concessions only in return for similar concessions on our part, now we are to secure many and some of the most substantial of them without an embarrassing consideration of any kind.

There you have the situation in a nutshell. The Canadians concede the value of the concessions they would have received under a reciprocity pact, but congratulate themselves that they did not vote for reciprocity, for now under the Underwood tariff bill they receive the concessions full and free, and give nothing to the United States in return. We are neither given a market nor paid anything in duties on the principal things that Canada grows or makes.

Mr. Speaker, Canada refused reciprocity and receives a gift of the great American market, to quote the very words of the astute president of the Canadian Manufacturers' Association—

Without an embarrassing consideration of any kind.

And what is more, Canada, while accepting and gloating over her opportunity to send across the line duty free the hundred and one products for which she seeks a market, places an export tax on the raw materials which we might use. I am not familiar with the whole list, but I can present a few facts with regard to British Columbia's export duty on logs, bolts, spars, and so forth.

EXPORT OF LOGS BARRED.

Do you realize that British Columbia forbids the exportation of logs or raw material to the United States on all lands except a few classes of Crown-grant lands?

The people of western Washington feel that there should be at least a small benefit in return for the opening up of a market of 90,000,000 people to Canadian products. Free logs from British Columbia may enable some of our shingle mills to obtain cheaper logs and bolts and thus continue manufacturing on this side of the line.

CROWN-LAND LOGS FOR EXPORT TAXED.

Not only does British Columbia prohibit the exportation of logs from licensed lands, but places an export tax on Crown-grant logs when exported. From this tax the following official rebates are allowed:

Schedule No. 1.

SPARS, SAW LOGS, AND SAW BOLTS.

The following rebate on tax shall be allowed when the timber upon which it is due or payable is manufactured or used in the Province of British Columbia. All tax over and above 1 cent per hundred feet board measure.

Feet.	Inches.	No. 1.	No. 2.	No. 3.
40	24	2.00	1.50	1.00
50	24	2.25	1.75	1.25
60	24	2.50	2.00	1.50
70	24	2.75	2.25	1.75
80	24	3.00	2.50	2.00
Over 80	24	4.00	3.00	2.50
25	31	.20	.15	.10
32	36	.40	.30	.20
37	41	.60	.45	.30
42	45	.80	.60	.40
46	48	1.00	.75	.50
Over 48		1.50	1.00	.75

Schedule No. 2.

PILES, POLES, AND CRIB TIMBERS.

The following rebate on tax shall be allowed when the timber upon which it is due or payable is manufactured or used in the Province of British Columbia. All tax over and above one two-hundredths of one cent per linear foot.

Feet.	Inches.	Cents.	Length.	Per thousand feet board measure.
			Feet.	
40	11	$0.01	40	$2.00
50	11	.01½	50	2.25
60	11	.01½	60	2.50
70	11	.01½	70	2.75
80	11	.01½	80	3.00
Over	11	.02	80	4.00

Provided always, that the lieutenant governor in council may allow such rebate on piles, telegraph poles, and crib timber not manufactured or used in the Province as may be deemed advisable.

Schedule No. 3.

	Cents.
Mining props and lagging, per cord	50
Railway ties, per cord	50
Cordwood, per cord	25

Schedule No. 4.

Shingles or other bolts, of cedar, fir, or spruce, $1 per cord. The rebate to be allowed when manufactured or used in the Province of British Columbia shall be all over and above 1 cent per cord.

A COURT DECISION.

With regard to the prohibiting of certain timber exports from British Columbia the following dispatch, from the Seattle Post-Intelligencer, is of interest:

RULES IN SHINGLE CASE—BRITISH COLUMBIA COURT DECLARES EXPORTATION OF BOLTS ILLEGAL.

VANCOUVER, BRITISH COLUMBIA, *September 7.*

By deciding that it was illegal to export sawn shingle bolts from British Columbia Mr. Justice Clement in supreme court chambers upheld the action of Government officials in confiscating carloads of such bolts found on the Great Northern Railway tracks at Crescent, consigned by the Excelsior Lumber Co. to a firm in Blaine, Wash.

On reading this dispatch Hon. F. D. Becker, manager of the Pacific Coast Shippers' Association, went immediately to Victoria, British Columbia, to ascertain the truth of the statements made in the dispatch, and secured the following report:

ACT IS SUSTAINED.

In order to test the definition of the timber manufacturers' clauses of the forest act, the Excelsior Lumber Co. entered an action against the Province in regard to some shingle bolts, which the company contended were manufactured lumber, while the forest department held that they were unmanufactured and therefore could not be exported from the Province. Mr. Justice Clement heard the case, and he has decided in line with the contention of the Government. He says the lumber in its present form is not a finished product in the sense that it can be put to any permanent use without further process.

Now, as a matter of fairness, if shingles are to go on the free list the manufacturers in the United States should have the benefit of free raw material from Canada. The British Columbia Parliament prohibits the exportation of logs into the United States, and if parliament does not remove this embargo the United States should provide a retaliatory duty. Otherwise, it is easy to predict where the shingles will be manufactured, and it is also easily seen that west Washington shingle manufacturers will be tempted to move their plants across the line, which is exactly why the British Columbia laws read as they do.

Mr. Speaker, the point is that in return for a market in the United States the British Columbia government should allow the free export of raw material from all classes of land. If they do not reciprocate, they should pay a duty. This is fair.

SECTION E DOES NOT APPLY.

In commenting in the Senate on this situation, Senator SIMMONS is quoted in the CONGRESSIONAL RECORD, page 4335, second column, as follows:

I call the Senator's attention to the fact, although it does not reach the case fully, that there is already such a provision in the bill. I think it is paragraph J of the section in the administrative part of the bill. It provides that whenever any foreign country imposes an export duty or a bounty upon any product shipped to this country the export duty and the bounty shall be added to the duty imposed upon that country by our tariff law.

Senator SIMMONS refers, no doubt, to paragraph E of section 5 of the administrative part of the bill, which, unfortunately, can not be made to fit the case, for the very simple reason that the Underwood bill puts lumber and shingles slap bang on the free list, which bars all chance for retaliation.

FOR THE AMERICAN MARKET.

Mr. Speaker, I desire to extend these remarks by printing an affidavit from F. D. Becker, secretary and manager of the Pacific Coast Shippers' Association. It follows:

STATE OF WASHINGTON, *County of King, ss:*

F. D. Becker, being first duly sworn, on oath deposes and says that he is a resident of Seattle, Wash., and is secretary and general manager of the Pacific Coast Shippers' Association, the members of which are wholesale dealers and manufacturers of Pacific coast forest products;

that the week ending September 13, 1913, this affiant spent in British Columbia, in the city of Vancouver and vicinity; that during such time affiant visited a number of shingle mills operating there; that approximately one-half of the shingle output then being cut by these mills was being manufactured for the American market and was of the grade known as the extra-clear shingles, which are 5 to 2 (being cut of a thickness so that when packed there are five courses or thicknesses of shingles to each 2 inches).

Shingles which are manufactured for British Columbia and Canadian markets are cut 6 to 2 (six courses of shingles to 2 inches in thickness). It was stated to me by several of these British Columbia shingle manufacturers that these 5 to 2 shingles were being manufactured for the American market, and that the Vancouver shingle manufacturers were at that time soliciting business from the American retail lumber dealers; the prices being quoted by these British Columbia shingle manufacturers were considerably less than those being quoted by the American manufacturers for like grade and quality. The quotations now being made by these British Columbia manufacturers in the American market are conditioned on the removal of all tariff restrictions on British Columbia shingles.

F. D. BECKER.

Subscribed and sworn to before me this 27th day of September, 1913.
[SEAL.] JOSEPH B. ALEXANDER,
Notary Public in and for the State of Washington, Residing at Seattle.

MILLS SHUTTING DOWN.

Mr. Speaker, the wholesale prices on shingles have been steadily dropping for some time, but prices have not dropped in retail yards. A few days ago "clears" were quoted at $1.75 and "stars" at $1.45, the lowest prices in two years. This is the result of contracts made by British Columbia manufacturers based on the passage of the Underwood tariff bill, to which the House of Representatives is to-day putting the finishing touches. Last week in one county of western Washington 24 mills shut down. An inquiry by Secretary Redfield, of the Department of Commerce, is welcomed.

A Big Navy Insures Peace.

EXTENSION OF REMARKS
OF
HON. FRED A. BRITTEN,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, September 13, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. BRITTEN. Mr. Speaker, a few weeks ago I introduced in the House a resolution directing the Committee on Naval Affairs to report to the House at the earliest practicable date a bill providing for an emergency appropriation sufficiently large to make it possible to begin the immediate construction of three additional battleships of the dreadnought type.

This resolution was inspired by a careful study which I have made during the past six months of the general naval equipment of the United States as compared with that of other first-class nations.

My observations have profoundly impressed me with the belief that one of the most important matters to be considered by Congress from year to year is to see that the Navy is constantly built up and kept to the highest point of efficiency, both in materiel and personnel. For if war should come, this Nation must win, and the prime factor in securing victory must of necessity be the Navy. If the Navy fails us, then we are doomed to defeat, no matter what our resources may be or how high a type may be our patriotic citizenship.

Peace with every nation is the heartfelt wish of every patriotic citizen of the United States, but peace under existing conditions can be maintained only by being prepared for war. The war cloud is not so remote but that the observing eye can detect its outer fringe, and however earnestly we may look forward to a state of tranquillity among nations we are compelled to look at conditions as they exist.

History demonstrates that mankind of yesterday is the mankind of to-day. The millennium is still in the indefinite future. Until ironclad treaties are devised that will make arbitration binding without military demonstrations, the question of disarmament is of necessity chimerical. We might as well accept this as a cold, indisputable fact. Let no false sense of security lull us to slumber. No policy of disarmament can perpetuate the peace we now enjoy. The millennial peace is yet below the horizon of our vision.

Glance back over the past year and its kaleidoscopic history tells one continuous story of war and the mighty roar of rattling guns and drawn sabers. It shows the Italian-Turkish War; the war in the Balkans; Russian massacres in Persia; an increasing unrest in India; revolutions and massacres in China; progress in the invasion and enslavement of Korea; the beginning of an imbroglio between Russia and China; general turmoil in Central America, particularly in Nicaragua; revolutions in San Domingo; continual revolutions in Mexico; and rumors of war in South America. The year has seen a renewal of the triple alliance and the development of the triple entente, neither of which is precisely a peace measure. There is grave danger of war between Austria and Servia that may involve all Europe. Sweden is gathering her forces in anticipation of a possible attack by Russia. The powers east and west are straining every nerve to increase their navies and to build up armaments afloat and ashore. The only thing that has prevented a general European war is the armed strength of the great powers. The treaties and agreements signed at The Hague do not seem to have the slightest effect on recent events in Europe. The dove of peace has been compelled to fly so high as to be entirely out of sight.

The United States has long since passed from a continental to a world power; and as a world power, who can tell at what moment it may become necessary for this country to be placed on a war footing?

This, with our acquisition of territorial possessions, with the racial question and antipathies which we are now facing, together with our insistence upon the carrying out of the Monroe doctrine, makes positive the fact that a state of preparation is the only one which will command respect, and so long as we command that respect our peace will not be threatened.

It is the man behind the punch that goes by unmolested.

Preparedness for war is the best promoter of peace, and a navy of sufficient size that is known abroad to be prepared for war is the strongest guaranty of peace; but a navy which Congress pretends to be ready for war, but which foreign powers know to be unprepared, is a manifest danger.

Power is the climax to all argument.

And, Mr. Speaker, just at this point I feel constrained to say that in my study of the naval situation I have frequently asked myself whether or not the one-battleship program of the last Congress has not had a great deal to do with the continued unsettled condition of the anti-alien land laws and the flouting in our faces by the Mexican Government of the expressed wishes of the Chief Magistrate of this country.

And at this time, Mr. Speaker, I desire to enter my protest against the unwise, unpatriotic, and un-American policy of the Sixty-second Congress, which voted to squander millions upon the pork barrel and the reelection of its own Members, but refused to spend the necessary money for the country's peace and its defense.

The United States is not immune to war; it is not invincible in war; it is not prepared for war; and the attitude of the last Congress is incomprehensible to me. The Representatives of the Nation are preparing to sacrifice a thousand million dollars to save an expenditure of fifty or sixty million dollars in the next year or two. There is no getting away from this fact or getting around it. If Congress in the last 10 years had adopted the naval programs which have been presented to them by naval experts, paid by the Government to tell the Government what is needed for the national defense, we would then have had a navy large enough to make war—which is not unlikely to come at any time—not only improbable, but impossible; and Congress can only vindicate its stupendous folly of the last decade by now voting for a naval program which will make impossible the shameful conditions and the frowning menace of to-day.

It is time for the country to wake up to the necessity of divorcing the naval appropriation from political logrolling and removing the Navy budget as far from politics as have been the canal appropriations.

Three battleships of the dreadnought type should be built this year, three next year, and at least two each year thereafter, making a program of two dreadnoughts each year, with an accompanying relative number of torpedo-boat destroyers and submarines.

For the last decade this country has been relying on a policy of international peace, looking to disarmament, that has gradually been putting us at an ever greater disadvantage, seeing that other nations are evincing no inclination to dispense with or curtail their preparation for war.

For instance, the United States has now in process of building warship tonnage to the amount of 125,238 tons.

Against this Great Britain has in process of building warship tonnage amounting to 499,940 tons, Germany 280,275 tons, France 175,960 tons, Japan 142,166 tons, Russia 172,277 tons, and little Italy overshadows us with 191,473 tons.

This comparison is as disheartening to me as it must be to Secretary Bryan with his battleship program of doves and good will.

Mr. Speaker, I believe that America's most pressing need at the present time is a Navy large enough to protect her coasts. At present we have a Navy barely strong enough to look after the Atlantic coast, which leaves the Pacific coast practically without any protection at all.

With the opening of the Panama Canal there will come an expansion of commerce on the Pacific. Our coast cities will grow with marvelous rapidity, and they must be fully protected from any hostile force.

The States and Territory which we possess upon the Pacific coast will be transformed by the influx of people from all parts of the world, and their development will attract investments, be a factor in national prosperity, and be entitled to the security that can only come to the coast through a strong and efficient Navy.

We have in the Mexican situation but a slight embarrassment compared with many that could arise, carrying with them naval needs far beyond our present capacity to successfully provide for.

It has been an open secret for years that Japan's ambition is the supremacy of the Pacific, which alone should be a sufficient reason for not curtailing our naval program, and the present difficulty between the United States and Japan, which many thinking men are inclined to believe is not the kind to be settled by the peace-loving diplomacy of President Wilson and Secretary Bryan, should make us intensely alive to the fact of our naval unpreparedness, when we are without a modern ship or an army or a completed fortification in the Pacific region, as against Japan's readiness for operation, offensive and defensive, against all comers.

A Democratic House of Representatives last year authorized the construction of but one battleship, and insisted on its program being passed by the Senate, and yet in the face of this we find incorporated in the Democratic national platform of last year this felicitously phrased, most patriotic sentiment:

> The party that proclaimed and has always enforced the Monroe doctrine and was sponsor for the new Navy will continue faithfully to observe the constitutional requirements to provide and maintain an adequate and well-proportioned navy sufficient to defend American policies, protect our citizens, and uphold the honor and dignity of the Nation.

Can any sane man reconcile the contradictions?

And in this connection I want to say that one has but to look back over the past few weeks covering the present Mexican imbroglio to see how little this part of the national platform meant to President Wilson and the Democratic Party.

The Democrats since coming into power have prevented the authorization of more than one new battleship, and Secretary Bryan's peace propaganda has had an added deterrent effect in Democratic defense legislation.

But it is noticeable that since the Japanese controversy became acute, the Mexican affair more critical, and the Senate indisposed to ratify the arbitration treaties Mr. Bryan has talked less about "friendship" and "fellowship" as substitutes for real battleships.

Mr. Speaker, it is but the part of wisdom to recognize that international difficulties may arise from so many sources that it is the height of folly not to be prepared at any hour to fully protect and maintain the interests of the Republic and our people.

Competition in commerce, desires for extension of trade or of political dominion, differences as to international boundaries or international rights, racial differences and difficulties, neglect or violation of treaty provisions, the exercise of powers of international police, alliances of unfriendly nations, the application of the Monroe doctrine, the guarding of the canal—these all must be considered as possible factors of clashes of opinions, possibly resulting in appeals to arms.

Trouble may be brewing for this country at any time, and it is now time to prepare for it. Congress is forewarned that it should enable the naval forces to cope with any dangers that may threaten. The people expect Congress to provide the means for placing this Nation in the position of the just man armed.

I was intensely gratified, Mr. Speaker, to learn that the Navy General Board has again recommended the building of four battleships, for it is the only authority in the Government which is thoroughly posted as to the conditions of the Navy. When the Navy General Board speaks, it speaks upon exact information, inspired by broad patriotism and absolute disinterestedness. The last Congress turned a deaf ear to the recommendations of the General Board and the Secretary of the Navy. Politics was mixed up in its consideration of naval affairs, and the pork barrel took precedence over the upbuilding of the Navy. But the men who have been responsible by their blindness and selfishness for our debilitated Navy and our unpreparedness in national defense must inevitably be held responsible for the record—responsible for war and its expense and its humiliation. It will be useless and weak for them to plead that they did not know and could not foresee. It was their business as statesmen then, as it is our business now, to know the probabilities of the future.

Their intelligence and our intelligence has been appealed to by information and argument from experts and veterans so as to leave no excuse save obstinacy not to understand and not to foresee.

The country favors a Navy of the very first rank, and the masses of the people are enthusiastic for its increase, a large and decided increase in the number of vessels over that of the present establishment.

Battleships are cheaper than battles, and the patriotic people of this country—and in time of peace real patriotism is even more necessary than in time of war—are demanding battleship insurance against war.

The United States is not a military Nation; her Army is small in proportion to our territory and population; and, being so situated geographically that any fear of invasion need be anticipated only from the sea, our main strength must necessarily be concentrated in the Navy. With the Panama Canal and a coast line of nearly 20,000 miles to defend, and with colonial possessions separated from us by a great ocean, it is but natural that the Navy should be our principal protection. As a Nation of ideas, present prestige, and high civilization, we owe it to ourselves, as well as to the world at large, to uphold that dignity which by reason of supremacy, wealth, and influence for good is ours. The maintaining of this standard is the mission of the Navy. Reduce the Navy and we become a retrogressive Nation.

I sincerely trust, Mr. Speaker, that my resolution may be favorably reported by the Committee on Naval Affairs and a three-battleship program adopted by the Sixty-third Congress for the next two years at least.

TORPEDO TUBES, BUT NO TORPEDOES.

Mr. Speaker, I ask unanimous consent to offer a few remarks along the lines of what I consider the most serious weakness of our Navy, the necessity of more torpedoes.

During my recent visit to the torpedo station at Newport I was fortunate in obtaining data which I feel should be in the possession of every Member of the House, and when I have finished my remarks I am sure that not even the most economical Member of the House will fail to comprehend the great necessity of supplying more torpedoes to the Navy just as quickly as possible, and that he will also support my bill for an appropriation to double the capacity of the naval torpedo station at Newport, R. I.

The total number of torpedoes of all types in the service in July of this year numbered 967, of which 268 were being converted and overhauled, while many others were fit only for target practice and experimental uses, leaving less than 700 torpedoes which might reasonably be termed as modern and first class.

Just think of it, Mr. Speaker, if war were declared to-morrow our great flotilla of battleships, destroyers, cruisers, torpedo boats, and submarines could fire but 700 torpedoes when the entire supply of the United States would be exhausted, and we could not get an additional torpedo in this country or in Europe for love or money.

It does not seem possible that previous administrations, while appropriating for battleships, each with an equipment of from two to four torpedo tubes, and while considering the construction of destroyers, each of which are equipped with from four to six tubes, and the construction of submarines, which are usually equipped with four tubes, that it was possible to overlook the necessity of appropriating for a sufficient number of torpedoes to at least keep our Navy and these ships above the ridicule of foreign nations.

The 700 torpedoes in service are not even adequate to fire two shots from each of the 463 tubes with which the various vessels of our Navy are equipped.

The torpedo situation is as ridiculous as would be the sending of a soldier to the front in time of war armed with a first-class rifle and one cartridge.

Our fleet of 40 destroyers is traveling the high seas to-day with from one to three torpedoes on each ship, while our torpedo boats and submarines, which must depend entirely upon their torpedoes for success in battle, are carrying as few as from none to four torpedoes on board each ship. Of course this might not be a serious menace if it were possible to obtain torpedoes as we obtain powder and other munitions of war, but when you consider that the total American output of torpedoes

is less than 1 torpedo per day, or 300 each year, and when you further consider that the total output of Whitehead torpedoes in Europe has been contracted for three years in advance by foreign Governments, you will then understand the seriousness of the present torpedo situation.

The firing of 700 torpedoes could be accomplished in short order, after which our destroyers, torpedo boats, and submarines might just as well never have been built, unless, of course, it is supposed that our first 700 shots will completely wipe out of existence any opposing fleet.

The torpedo is not a new weapon of war, but was employed with considerable success during the Civil War, and has since been passing through various stages of development until to-day it is a veritable ocean automobile of terrible destructiveness, capable of traveling 10,000 yards at a speed of approximately 30 miles an hour.

There are but two commercial manufacturers of torpedoes in the world, the Bliss Co., of New York, and the Whitehead Co., of Europe, so that our source of supply is limited to these two companies and the addition, of course, of the total output of our own plant at Newport.

The total annual capacity of the Bliss Co. is 200 torpedoes a year, while the capacity of our Newport plant is 100 torpedoes per annum, making a possible total of 300 projectiles each year under the most favorable circumstances, and in this connection permit me to say that we have contracted for some 500 torpedoes from the Bliss Co., which will insure their output to us for two years to come, but their capacity could be increased if our Government would place a substantial order with them for a reasonable delivery.

You will of course understand it would be impossible for us to purchase torpedoes abroad in time of war, even though we offer a liberal bonus to foreign powers for their supply on hand or in the process of manufacture. You might just as well expect them to sell us their battleships, which of course would be out of the question.

In 1891 the Chilean torpedo boats *Lynch* and *Condell* attacked the insurgent battleship *Blanco Encalado* in the harbor of Caldera, Chile, firing seven torpedoes at her, of which at least one and possibly two took effect, sinking her inside of five minutes.

The Japanese obtained control of the sea in the opening of their war with China when they at Wei-hai-wei torpedoed and sunk the Chinese vessels, accomplishing more in five minutes than might have been their good fortune in a long protracted battle, and then again profiting by previous experience the Japs duplicated the operation by sinking or crippling the best portion of the Russian fleet by an unexpected torpedo attack almost before war was declared, and thus obtained control of the sea during the war with Russia, and practically insured the final success of that terrible slaughter which is still fresh in our memories. Without control of the sea you will agree with me that Japan would have been as helpless on her little island as a mouse that has been trapped, and still in the face of all this information you go on appropriating for submarines and destroyers without insuring an adequate supply of torpedoes upon which their efficiency entirely depends.

I should like further to call your attention to the fact that a torpedo may be used almost indefinitely for target practice without impairing its efficiency, so that a goodly supply of them is like their equivalent value in cash which may be expended when war makes their use necessary.

Unlike the firing of a heavy gun, the cost of firing a torpedo in practice is almost nothing. It is sent out of the tube by air pressure, and manufactures its own motive power from a tank of several thousand pounds of compressed air after it reaches the water and is speeding toward its target.

After its force has been spent it remains on the surface of the water and is picked up and taken on board for recharging and further use.

SAVING A MILLION DOLLARS A YEAR ON ARMOR PLATE.

Mr. Speaker, I am not conscious of entertaining a prejudice against any sort of a legitimate American industry, and I am as anxious as any other Member of this body to encourage and foster any industry that means employment for the American workman; but I am opposed to offering continued encouragement to any business that, under a guise of pretended competition, places the United States Government, which happens to be the only customer for a particular commodity, in a position where it is compelled to pay an exorbitant price for an article necessary for the carrying out of a governmental policy.

For this reason, Mr. Speaker, a few days ago I introduced in the House a bill, which has been referred to the Committee on Naval Affairs for its consideration, providing for the erection of an armor making plant to be owned by the Government, operated by the Navy Department, and which will produce a large part of the heavy and expensive armor used in the protection of battleships.

For some months past there has been a growing conviction in my mind that vast sums of money could be saved the country by manufacturing, in part at least, its own armor plate, and that Congress should appropriate for the erection of a Government armor-making plant; and I am more than pleased that my opinion and belief in this matter has been confirmed by a report on the subject recently made by the Secretary of the Navy, who declares that the project is both practicable and desirable.

The bill which I have introduced provides for an appropriation of $7,000,000 for the acquiring of a site, the erection of suitable buildings, and the purchase of necessary machinery and supplies for the establishment and maintenance of an armor-making plant, active operation on the same to begin within six months after the passage of the bill.

Mr. Speaker, I believe that there is more to be said in favor of the construction of a Government armor plant than there is in behalf of almost any other form of Government enterprise. Armor plate is a commodity for which the Government practically is the sole customer and which has thus far been supplied to it under almost monopolistic conditions, owing to the small number of concerns and what apparently amounts to a mutual understanding as to bids between them.

In introducing this bill, Mr. Speaker, I have had in mind the breaking up, if possible, of the trust now controlling the armor-plate situation in this country; and the opening of the bids at the Navy Department a few days ago for armor for battleship No. 39, appropriated for last year, in which the bids of the three armor-producing companies in the United States corresponded exactly, and the same amount per ton as last year, showing so conclusively the collusion existing in the bidding, regardless of the fact that each bidder attests in an affidavit submitted with their respective bids that said company is not engaged in any such combination, conspiracy, or agreement, and proving conclusively that competition for this enormous amount of Government business is a farce, has determined me to press the bill as quickly as possible to a passage.

The only way to secure armor plate at anything like a reasonable price is for the Government to enter into direct competition in its manufacture with the companies already engaged in this work. I am not in favor of entering into the field to such an extent as to put the present armor-producing companies out of business, but to manufacture a sufficient amount of this commodity so as to force them into competition and compel them to offer us their armor at least at a fairly reasonable price.

Investigations recently made in this direction have shown that in a Government plant capable of turning out 10,000 tons a year, which is about half of the armor needed on a two-battleship program, the cost of the armor will not exceed $314 a ton. The difference between this and the amount bid a few days ago for the armor for battleship No. 39—which was exactly the same per ton as the bids submitted last year, $454—on 10,000 tons, at a saving of $140 per ton over the price now paid, the Government would save $1,400,000 per annum. Deducting the interest on the money used in building the plant, the Government will still save considerably over a million dollars a year, which amount in a very short time will cover the cost of the plant, and at the same time we will be independent of this branch of the Steel Trust. As a business proposition the plant would net the Government more than 17 per cent, or $1,200,000, on the entire investment, after allowing 3 per cent on the total expenditure.

In 1906 the price of armor plate was $346 a ton, in 1907 the trust jumped it to $420 a ton, and last year it was raised to $454 a ton. The price goes up constantly and remains up, and the evidence is not lacking that the price at the present time is based more upon what the companies think they can get than what it costs.

In the past the Government has encouraged as far as possible the development of private armor-plate factories. There are only three now operating which produce the heavy armor required for the battleships. These are the Bethlehem, Midvale, and Carnegie plants. To these three companies the Government has paid for armor plate since its introduction in construction of battleships more than $77,000,000.

It has been the custom in the past to give each of these three concerns an equal share of the contracts for plate, the price being fixed at the lowest bid offered by any one of the three companies. But it is easy to see how this arrangement has led to competitive bidding becoming the merest farce; for with the understanding that each was to get a share of the contracts, it was easy for the companies to arrange that their bids should

be not low in any sense of the word. And their grasping desire to take advantage of the opportunity placed in their way has led them to so overreach themselves that action should at once be taken by the Government to become independent of this trust.

The United States is not the only country which has suffered from the grasping manufacturers of armor plate. The "Armor Trust exists abroad as well as in this country, and it has contrived to keep up even higher prices on armor plate than the manufacturers in this country.

Three European Governments have undertaken to solve the problem of reducing the price of armor plate for themselves. France has sought to reduce the price of armor by erecting a plant which produces a portion of the armor needed for her ships, and which plant will be used as a basis for determining the actual cost of the manufacture of armor plate, and at the same time will be capable of being enlarged to a sufficient size to manufacture all the armor needed in the French navy.

The Russian Government has undertaken to manufacture all the armor plate required for its navy, and has adopted a plan to erect the plant and invite foreign manufacturers to come in and manage it for the Government.

Japan has built two Government armor-making plants, and it is believed that they are successful, though no information can be had regarding them; and in England the newspapers have recently been agitating the subject of a Government armor plant in order to break the monopoly and high prices which exist there.

Some years ago we were confronted with this same problem in the purchase of powder for the use of the Army and Navy. We built a powder plant, entered into direct competition with the powder companies, and to-day are saving $269.80 on each ton of powder.

We manufacture our own powder in part, we manufacture our own guns, and there is no reason in the world why we should not manufacture a part of our own armor plate. The cost of the plant is not prohibitive, and the cost of operation will not be a severe obstacle, and the saving will be enormous.

I am convinced that the Government should erect a plant large enough to manufacture a goodly portion of the armor required and give the rest of the work to such firms as are willing to bring their prices down to what will be shown by the Government plant to be a reasonable figure.

Since the introduction of my bill two of the companies forming this Armor Plate Trust submitted bids to the Navy Department for furnishing turbine drums for battleship No. 39, and were practically 300 per cent higher than the bid submitted by their only competitor, an English firm, which is but another evidence of the "strangle hold" they have had on Government business in the past. Of course their bids were rejected.

I am prepared to deliver in the ninth district illustrated lectures on the construction of the Panama Canal, its benefits, and so forth, to schools, clubs, societies, lodges, and church organizations, and have prepared a number of stereopticon slides from photographs taken during my visit to the canal in March, 1913.

Roads.

EXTENSION OF REMARKS
OF
HON. ROBERT N. PAGE,
OF NORTH CAROLINA,
IN THE HOUSE OF REPRESENTATIVES,

Friday, October 10, 1913.

Mr. PAGE. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include an address delivered in Detroit on September 30, 1913, by the Hon. DORSEY W. SHACKLEFORD, of Missouri, chairman of the Committee on Roads, House of Representatives.

The address is as follows:

"Mr. President, Ladies, and Gentlemen, I esteem it a distinguished honor to have been invited to address this great road congress. The deliberations of this body, if wise, must advance the civilization and promote the happiness of this already highly civilized and happy land.

"Nothing is more essential to the prosperity, the intelligence, and the happiness of the people than easy and convenient ways of travel and transportation. The degree of a country's civilization may, in a measure, be gauged by its highways.

"The term highway is not to be limited to mere roads but must be held to embrace oceans, rivers, canals, railways, and every other means over which people or property may be carried.

"No country has a more extensive and adequate system of highways than the States of this Union. With their vast coast line, indented by multitudinous harbors; their canals; their innumerable rivers, with unbounded possibilities for navigation; their millions of miles of well-constructed and efficiently maintained railways; their more than 2,000,000 miles of roads of varying degrees of perfection, the American people may well be proud of their possessions and their achievements in the matter of highways.

"The subject upon which I am expected to talk to-day is 'Federal road legislation.'

"Whatever doubts may have formerly existed, it is now generally conceded that the Federal Government has authority to construct and maintain roads which are used for Federal purposes. This granted, it follows that it also has authority to aid the States in the construction and maintenance of roads which are in part devoted to Federal use.

"There are at least three sources from which Congress gets power to legislate in relation to roads: First, to provide military roads; second, to provide post roads; third, to provide roads over which interstate commerce may be carried.

"To what extent these constitutional powers should be exercised is a question which will severely tax statesmanship to answer.

"Primarily it is the duty of the States to provide their inhabitants with roads, and it would be a long step backward if congressional legislation should afford them any means for avoiding this fundamental obligation. On the other hand, to provide an adequate system of roads lays a heavy burden upon the taxpayers of a State, and it is no more than justice that the Federal Government should contribute to the upkeep of the roads of the States which it uses in the performance of Federal functions.

"It can not be doubted that an overwhelming majority of the people want Federal road legislation; but, unfortunately, they radically differ in opinion as to what such legislation should provide. They are divided into two general classes, which for the purposes of this discussion may be designated as the 'touring-roads' class and the 'business-roads' class. The 'touring-roads' class is marching under a banner upon which is inscribed in letters of gold: 'See America first.' The 'business-roads' class is marshaling its forces under a flag which bears the legend: 'Cheaper transportation and lower cost of living.'

"The 'touring-roads' class is largely made up of rich automobile owners, who desire to spend a part of their leisure in touring the country. These are reenforced by manufacturers of road machinery and road materials, who regard Uncle Sam as 'good pay,' a liberal buyer, and one who would be a valuable customer if only he would embark in the business of building 'national roads.'

"The 'touring-roads' class demands that the United States shall limit its road activities to the construction and maintenance of a few 'ocean-to-ocean' and 'across-country' highways of great perfection and then leave the rest of the people to build their own roads or do without, as they may choose.

"The 'business-roads' class believes that in dealing with roads we must keep in mind their functions and the relation which they bear to the general transportation system of the country; that, as the harbor is the terminus of the river and the railroad, so, for practical purposes, the railway station is the terminus for roads; that neither freight nor passengers will ever be carried long distances over roads as cheaply as they could be over railways, and that it is an idle dream to imagine that auto trucks and automobiles will take the place of railways in the long-distance movement of freight or passengers; that the proper function of roads is not to connect antipodal oceans nor the distant capitals of far-away States, but to make easy communication between the farms on one hand and the towns and railway stations on the other, to the end that the farmer may market his crops at less expense and the town dweller may get farm products more easily and at less cost. They therefore favor a general system of roads radiating from the towns and railway stations out among the farms.

"I am quite convinced that a large majority of the people belong to the 'business roads' class, but they are not here to-day. They are at home sowing wheat for a harvest from which all of us must get our bread. They have neither the time nor the money to travel across the continent to attend road congresses. Nevertheless, Mr. President, they are the plain people—the producing masses—upon whom we must all depend.

"Mr. President, I have been accused of being antagonistic to automobiles and automobile interests. It is not true. I am an automobilist myself and a member of an automobile club. I believe that no economic instrumentality has contributed more

to the progress of our times than has the automobile industry. I do not want to see the number of automobiles in use diminish, but rapidly increase. I want to see the whole country supplied with a general system of average good roads and every farmer replace his horse and buggy with an automobile. I want the time to speedily come—and come it will—when the products of the farm are hauled to the towns and the railway stations in auto trucks, when the fields are plowed, the crops cultivated and harvested, by self-propelled tractors. If I shall live my allotted time, I will see all of this. Even now the time has already come when the automobile is no longer regarded as a mere toy of the idle rich, but as the utility vehicle of the plain, everyday business man. It also affords me pleasure to know that there are now more autos in the country than in the large cities.

"The 'touring-roads' advocates have two plans, by one of which they hope to secure some high-class 'see America first' boulevards.

"Their favorite plan is to have the United States, independently of the States, build and maintain a system of 'national roads.' If they shall not be able to get these 'national roads,' then their next plan is to have the Federal Government and the States jointly construct and maintain a limited mileage of excellent 'across-country' roads.

"Under both plans the primary purpose is to get 'touring roads.' To accomplish this they feel that they must, as far as possible, get away from local influence and local control.

"The 'national roads' movement has had most of its momentum imparted to it by the American Automobile Association and the National Highways Association. The first of these is an association formed to promote the pleasure of its members, to whom 'touring roads' are a necessity.

"The leading spirits in the other—the National Roads Association—are gentlemen who are, or have been, connected with the manufacture of road machinery and road materials. Both of these associations are dominated by men of the highest character and ability. They have abundant leisure and unlimited resources. They have devoted much time and money to their propaganda. Every year they collect and expend many thousands of dollars to cultivate sentiment for 'touring roads.' They have found the fountains of publicity. Wherever a road convention or a road congress has been held they have been in it with delegates enough to dominate it—to fashion and form its resolutions. They have even been powerful enough to place before the country in an unfavorable light those who have opposed their plans. Yet, Mr. President, at the hazard of being called a 'knight of the dirt roads,' or a 'pork-barrel Congressman,' I will avail myself of this opportunity to reason with these 'touring-roads' advocates—to convince them that the first duty of Congress on this, as on every other subject, is to legislate in a practical way, in the interests of the general masses of the people.

"Let us examine the 'national-roads' scheme.

"There are in this country about 2,250,000 miles of roads. Every mile of these roads is a prime necessity to the people who live along it.

"Mr. Charles Henry Davis, president of the National Highways Association, estimates that it would cost $20,000 a mile to build 'national roads.' At that figure our entire road system of 2,250,000 miles would cost $45,000,000,000. The human mind is paralyzed in contemplation of such an enormous sum. All the nations of the world could scarcely raise it.

"To escape from such a situation the American Automobile Association and the National Highways Association propose that only a limited number of miles of 'national roads' shall be built. Fifty thousand miles is the limit they suggest. This would leave 2,200,000 miles of roads unprovided for; and yet the people along these 2,200,000 miles of unprovided-for roads would be taxed to give these 50,000 miles of fancy 'national roads' to favored communities and favored classes.

"I hold in my hand a map of the United States showing the tentative location of these proposed 50,000 miles of 'national roads.' I can not take the time to analyze it as to all of the States. One or two will illustrate the whole scheme. Look at Ohio, for instance. One 'national road' is laid along its northern boundary, through the counties of Ashtabula, Lake, Cuyahoga, Erie, Ottawa, and Lucas—7 counties. The other is laid across the center of the State through the counties of Belmont, Guernsey, Muskingum, Licking, Franklin, Madison, Clark, Montgomery, and Preble—9 counties. All told, these 'national roads' in Ohio would touch only 16 counties and leave wholly untouched 72 counties. Yet to give 'national roads' to these favored 16 counties the other 72 untouched counties would be taxed. The entire mileage of these two 'national roads' through Ohio would not be much more than the mileage of improved roads which Hardin and Auglaze Counties have already built for themselves; but the enterprising people of these two counties would be taxed to build these 'touring roads,' over which the rank and file of them would never travel or haul a bushel of wheat in a lifetime.

"Let us take another State, Alabama. This 'national-roads' map lays one of these 'touring roads' through the counties of Dekalb, Etowah, St. Clair, Jefferson, Tuscaloosa, Green, and Sumpter—7 counties. Another passes through Cleburne, Calhoun, Bibb, Marengo, Clarke, Washington, and Mobile—8 counties. In the whole State of Alabama 15 counties are touched by these expensive highways and 52 counties are left wholly untouched. Yet these 52 untouched counties must be taxed to build luxurious roads through these favored 15 counties. After these untouched counties have paid this tax they may then build themselves some roads if they have any money left. These proposed high-class 'national roads' through Alabama would not aggregate more than 400 or 500 miles. Montgomery County alone has built more than that many miles of improved roads. Yet her wide-awake people would be called upon to help pay for these 'joy rider' roads, which would be too far away to ever be used by them.

"Let us look at these 50,000 miles of proposed 'national roads' from another angle. I recently read a paper by Mr. Charles Henry Davis, president of the National Roads Association, in which I find this statement:

"Fifty thousand miles of national roads at $20,000 a mile would cost a billion dollars.

"Now, the Federal Government will not likely expend more than $25,000,000 a year on roads. At that rate it would require 40 years to complete the proposed 50,000 miles. Long before that time shall have elapsed most of us will have died and gone to judgment. What we want is roads while we live.

"But Mr. Davis proposes that having once adopted the policy the Government would proceed to build one road at a time. In that event some States would be reached the first year and others not until the end of 40 years. Which would be the first lucky State? which the last unlucky one?

"Mr. President and gentlemen, don't you see that this 'national-roads' scheme is a dismal delusion?

"Now, just a word or two in relation to the other scheme for getting 'touring roads'—that of having the Federal Government and the States jointly construct a limited mileage of high-class 'across-country highways.

"The most concrete presentation I have seen of this plan is a bill now pending in Congress. I have not the time to analyze it in detail now. I shall content myself with calling attention to its two most salient features. As I said a moment ago, the 'touring-roads' class desire to get as far as possible away from local control. To accomplish this the bill to which I refer provides that a new office shall be created—that of public-highway commissioner—who shall keep his office at Washington, where he may not be influenced nor even impressed by the yearnings of the people among whom the roads should radiate. Then, 'to make assurance doubly sure,' the bill carries this further provision:

"*Provided*, That all questions as to the location, method of construction, and maintenance shall be finally determined by the commissioner of public highways.

"If such a provision as that shall ever be written into the Federal law, then, indeed, will the 'joy rider' reign supreme.

"Mr. President, it is not a road, nor yet few roads that we want. What we must have is a general system of good roads extending throughout the length and breadth of the land.

"I hold in my hand a pamphlet issued by the National Roads Association.

"On one page of this pamphlet is a picture of a rocky, muddy, impassable road. Beneath the picture in bold type is printed the words:

"'Poor roads—poor schools—ignorance—poverty.'

"On the same page is another picture—a picture of a good road under which, in equally bold type, is printed the words:

"'Good roads—good schools—knowledge—prosperity.'

"That is a pertinent illustration. According to this pamphlet, where good roads are there will be good schools, knowledge, and prosperity, while along bad roads poor schools, ignorance, and poverty will prevail. Yet this pamphlet advocates devoting 40 years to improve 2 per cent of the roads, leaving the people along the other 98 per cent groping in ignorance and poverty. Even worse than that, the National Roads Association proposes that the people along the 98 per cent of the roads who are thus to be left 40 years wandering in the wilderness of poor roads, must help pay the costs of the 2 per cent of the roads which the American Automobile Association and the National Roads Association would build to the end that the rich automobile owners may 'see America first.'

"Abraham Lincoln once said 'This country can not exist half slave and half free.' Paraphrasing that lofty utterance I say this country can not exist 2 per cent enlightened and 98 per cent ignorant—2 per cent good roads and 98 per cent bad.

"Mr. President, another fundamental error into which aristocratic classes fall is that there is no official wisdom and capacity except in Federal officers. Why may not a State officer possess wisdom, capacity, and devotion to duty to the same extent as a Federal functionary? Suppose you should create the office of public highway commissioner as asked for by the 'touring-roads' advocates. Where will you get a man to fill the office? Will Jupiter detail Mercury to bring us one from the ethereal realms above? No. You will have to take some citizen from some State, educated and trained in some State college. Can not the States get the same kind of men? Indeed, have not many of them already provided themselves with the best talent in the land?

"Oh, you say the States have been slow to grapple with the road problem. Sir, how much slower have the States been in this respect than has been the Federal Government?

"The States have not been slow in dealing with roads. On the contrary, they have made great progress, considering the difficulties they have had to meet.

"'Touring-roads' gentlemen beam with enthusiasm as they tell us of the good roads of France over which they have traveled. Why do not they go to the trouble to inform themselves of the fact that there are more miles of good roads in this country than there are in France. Every mile of these roads has been built by the States without either financial or engineering assistance from the Federal Government.

"Before the 'touring-roads' advocates berate the States for being tardy in road building let them consider the surrounding facts.

"The rapid changes which have taken place in the character of road vehicles and the method of their propulsion has thrown even the engineering world into confusion as to what should be the character of road construction to meet the demands of traffic. Roads which were sufficient for the uses to which they were put a decade ago are wholly inadequate for the traffic of the present day.

"Again, most of the States are hampered by archaic constitutions which prevent them from levying as much road tax as their people would cheerfully pay. It takes time to amend constitutions. However, they are doing it with much celerity.

"Until recently few of the States had provided themselves with adequate highway departments. In another year or two very few will be without them. Already some of the best administrative and engineering talent of the country has been secured by State highway departments.

"Road construction and road maintenance involves many mechanical and financial difficulties. Differences of climate, kinds of road material at hand, volume of traffic, and available road funds will require much variety in road construction and upkeep. These are problems for the States and their civil subdivisions. Roads are local affairs, and their control should remain with the States and the people in whose midst they are. The Federal Government should not invade this domain. Any Federal legislation which should in the slightest degree tend to belittle or discount States or State highway departments would be reactionary in the extreme.

"Where the States construct and maintain roads of such degree of perfection as to supply the Federal Government with highways over which to perform its functions with reasonable facility, then it should contribute to their upkeep.

"Of course, the Federal Government should see to it that it is not overreached in these expenditures. Congress should provide general standards of roads for which contribution would be made. The Government could then protect itself by inspection and a refusal to make payment for any road falling below specified standards. Such a system would not require much Federal machinery to administer it.

"Mr. President, I fully realize that I am not in entire harmony with the dominant spirit of this great roads congress. I am conscious that a majority of the delegates here are members either of the American Automobile Association, the National Roads Association, or some other organization affiliated with one of these. You, gentlemen, are seeking to promote the construction and maintenance of a limited mileage of excellent highways, while I am seeking to secure the construction and maintenance of a general system of good roads. You believe that a few very high-class boulevards stretched across the continent would serve as object lessons to the people generally. On the other hand, it is my opinion that if we should succeed in securing a general system of average roads they would be maintained in such manner that in a few years they would grow into high-class roads. You want 50,000 miles of expensive 'touring roads' to be built in 40 years. I want 1,000,000 miles of 'business and post roads' to be built in 5 years.

"Now, gentlemen, I know you are just as conscientious and public spirited as I am, and it is that consciousness which moves me to conclude my remarks in an appeal to you to withdraw your opposition to a plain people's plan, which we desire to pass through Congress at the next session.

"Our plan will be a modest one. It will not be expensive, and a vast majority of the people favor it. Get out of the way and let us try it out. If it fails, then we can take up one of your more ambitious schemes.

"In the last Congress we passed through the House a bill providing a yearly contribution to each mile of roads in the States which should be constructed and maintained according to specified standards. Although vigorously opposed, this bill passed the House by a vote of 240 to 86. It failed in the Senate, however. I am informed that the American Automobile Association claims the credit of its defeat. How that was accomplished has not been revealed.

"Had the bill become a law it is my candid opinion that within one year it would have given us 50,000 miles of improved roads and in five years would have given us a million miles.

"As a warrant for this expression of opinion let me cite some facts.

"Last winter the Legislature of Missouri passed a bill modeled after ours, providing that every mile of road in the State leading from county seat to county seat which should be built up to specified standards should receive aid from the State to the extent of $15 a mile. The State highway commissioner, who was charged with the duty of administering this law, refused to accept any road which was not 40 feet wide between fences, 30 feet wide between side ditches, so graded and crowned as to quickly shed water into side ditches, and provided with all necessary culverts, to be of stone or concrete. These are rather hard specifications. Yet that law has been in operation in Missouri only about six months, and 6,000 miles have been accepted by the State highway commissioner as having been brought within the provisions of the law. In many cases where public funds were not available money, labor, and material were contributed by private persons. Within a year this $15 a mile stimulus will have given the people of Missouri 10,000 miles of good roads. Had the same thing been done in the other of the 48 States a single year would have given us 480,000 miles of good roads.

"Recurring again to Missouri, Gov. Major, by public proclamation, set apart August 20 and 21 as road days, upon which he requested all able-bodied men to work the roads. Two hundred and fifty thousand men responded, and it is estimated that in labor and material there was more than a million dollars put upon the roads of Missouri during those two days. Later the governor of Arkansas issued a similar proclamation with similar results.

"These facts warrant me in feeling that if the Federal Government would stimulate the road movement by a very modest aid per mile of improved roads astonishing results would follow.

"Another lesson to be drawn from the facts which I have just cited from Missouri and Arkansas is that the States, the counties, and the people can be stirred to action, and that it would be unwise to take away from them the control of their roads and transfer it to Washington.

"Mr. President, I repeat that if only moderate encouragement by the United States is given to the States and local authorities we shall in five years have a million miles of good roads—roads over which you gentlemen may in comfort tour any part of this great country of ours.

"Won't you 'come over and help us'?"

Tariff.

EXTENSION OF REMARKS

OF

HON. ADOLPH J. SABATH,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, September 30, 1913,

On the adoption of the conference report on the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. SABATH. Mr. Speaker, this House is about to place its stamp of approval upon a measure of which we, as Democrats, have indeed reason to be proud. We can say to the country

that the Democratic Party has lived up to its traditions and, true to its pledges and promises, has enacted a tariff measure which will benefit the masses and not the privileged few, and which in years to come will stand out as one of the greatest tariff bills of all time.

For years the people of this country, under Republican misrule, have been obliged to suffer extortion at the hands of the protected interests which have so long been aided and abetted in their crimes by Republican legislation. For years the Republican Party has promised relief from these intolerable conditions, but in each and every instance has it failed to keep its promise. In 1908 the national convention of the Republican Party faithfully pledged that party to a revision of the tariff downward, with a corresponding decrease in the high cost of living.

President Taft, a Republican President, in an effort to carry out the pledges of his party, called an extraordinary session shortly after his election, for the purpose of revising the tariff, and what was the result? The Republican Congress, controlled by the trusts and the special interests, in that memorable session not only failed to lower the duties on the necessities of life but revised the tariff upward. The only excuse that they could give for this willful betrayal of the people was that contained in President Taft's celebrated Winona speech, when he frankly admitted that the Woolen Trust was too strong within the Republican Party to permit the reduction of the woolen schedule. Well might he have admitted what was known to every student of public affairs, that this statement applied not only to the woolen schedule but to every other schedule in the bill.

Nearly every section of the celebrated Payne-Aldrich bill was dictated by the special interests, and the public was not considered in the preparation of a single schedule, for was it not the aim of the Republican Party to enact legislation that would prove satisfactory to the protected interests, that they might again be in a position to demand large campaign contributions from these interests as the price of this legislation? Not only is it true of the tariff bill that it was prepared under the supervision of the protected interests, but this can be said as well of all legislation enacted by the Republicans.

Mr. Speaker, some years ago I stated on the floor of this House that the American people would not tolerate this injustice much longer; but, notwithstanding my warning, the Republican Party continued to pursue its tactics of making pledges and promises to better conditions, only to break these as soon as they were made. Finally, true to my predictions, the people arrived at the conclusion that they could expect nothing from a party which had betrayed them again and again, and they turned to our party, the Democratic Party, the party of the people, for relief. In 1910 they elected a Democratic House, and that Democratic House, true to its promises and faithfully abiding by the wishes of the people, passed several bills changing the most obnoxious schedules of the Payne-Aldrich bill. However, since the Senate was Republican and the President as well a member of that party, none of these bills were permitted to become laws.

Recognizing our honest efforts in their behalf, the people of this country not only returned nearly all of the Democratic Members to this Congress, but elected many others as well; and, not content with thus displaying the confidence they have in us, they also elected a number of Democratic Senators, thus changing the political complexion of that august body. Then, in order to insure hearty cooperation between the legislative and executive branches of our Government and to make doubly sure the carrying out of the people's wishes without delay, they placed in the White House one of the greatest Democrats and most able Executives that this Nation has ever known, Woodrow Wilson, whose record during the short time that has passed since his election stands unequaled.

Realizing that one of the greatest evils which confronted us was the system of high protective tariffs in vogue, the President immediately upon assuming his office called this extraordinary session, insisting that there should be enacted a tariff law that would relieve the people from the oppression and robbery practiced by the trusts and protected interests. Knowing, too, that under the present Republican system of banking and currency laws the country was at the mercy of the Money Trust, which had not only been permitted to flourish but had been aided by the Republicans in its unholy manipulations of the money market, President Wilson urged the enactment of legislation to relieve the country from the tolls extracted by the unscrupulous Wall Street gang and release the people from bondage. I am proud to say that in accordance with the President's wishes as expressed in his message to Congress a very meritorious currency measure has already passed the House and will shortly pass the Senate, and I am confident that this, together with the tariff bill that we are to finally pass to-day, will bring about greater benefits and greater blessings to the American people than any other legislation that has been enacted within the history of our country.

By enacting these two laws we will place the country upon a safe and sound business basis and eliminate the possibility of panics being brought about in the future, as they have been in the past, at the pleasure of the Money Trust. It will no longer be possible for Wall Street plunderers to control absolutely the money and credits of the country, and gather to themselves millions of dollars which rightfully belong to the laboring men of this country and which these parasites have used for their own aggrandizement and enrichment without ever considering for a moment the hardships and untold misery that they have inflicted upon millions of American citizens.

I fear I am digressing somewhat, however, for it is not my intention to speak on currency legislation; all that I desire is to place before the people my humble views on the tariff, and I shall endeavor to confine myself to that subject.

Mr. Speaker, as I have stated before, we have been called in extraordinary session to revise the tariff law, and time will tell whether or not we have revised it in the best interests of the American people; our work is completed and it will speak for itself. Personally, I am satisfied that there has never in the history of our country been any tariff legislation enacted which has been so carefully drafted as this bill, never a measure which contained as many meritorious provisions and from which the ultimate consumer would derive so much benefit. I am confident that the passage of this bill marks the end of the reign of the protected interests, which have during the Republican administrations absolutely controlled legislation of this character.

Mr. Speaker, I am more than gratified to know that nearly everything in the way of tariff legislation that I have fought for during the past six years is incorporated in the bill now under consideration. I have continually demanded, ever since my entrance into this House, the placing of the necessities of life upon the free list. I have insisted that if there is to be a tax upon our imports that it be upon the luxuries and not upon the necessities of life. In the Sixty-first Congress I introduced a bill which provided, among other things, that sugar should be placed on the free list. I regret that I have not been successful in securing the adoption of my bill as introduced, but I am satisfied.

The bill now under consideration reduces the duty on sugar 50 per cent immediately and provides that it shall be placed on the free list at the end of three years, this delay giving the sugar growers of Louisiana, Michigan, and Colorado an opportunity to adapt themselves to the changed conditions. Placing sugar on the free list will mean the removal of an annual tax of over $125,000,000 which has been exacted from the American people on this one commodity alone. I know that with the possible exception of a few sugar growers and the sugar barons, the people of this country will approve of this step which we have taken and appreciate the great saving that this will mean to every family. I know that the placing of this one article on the free list means to the residents of my district alone an annual saving of nearly $300,000.

The bill which I introduced in the Sixty-first Congress, and to which I have previously referred, provided that the following articles should be placed on the free list: Sugars of all grades, maple sugar and maple sirup, buckwheat and buckwheat flour, corn or maize, corn meal, oatmeal and rolled oats, oat hulls, rice of all grades, rye, rye flour, wheat, wheat flour and semolina, butter, cheese, milk (fresh), milk (preserved or condensed, or sterilized by heating or other processes), sugar of milk, beans, eggs, honey, peas of all grades, potatoes, freshwater fish, herrings, fish, cattle, swine, sheep, bacon, hams, fresh beef, veal, mutton, lamb, pork, meats of all kinds (prepared or preserved), extract of meat, fluid extract of meat, lard, poultry, and tallow. I am very glad to say that the bill now under consideration has greatly reduced the duties on these products or placed them on the free list, and I am satisfied that this will go a great ways toward reducing the present high cost of living.

A comparison of the Payne-Aldrich bill with the Underwood bill will show that the free list of the latter is much larger, while the tariff on every necessity of life has been materially lowered and the duty on the luxuries increased accordingly.

Mr. Speaker, I do not contend, and no one can expect, that all at once the prices on all of the necessities will be reduced, but we are even now commencing to see the effect that this legislation will have, and I am satisfied that within a short space of time the lowering of the cost of living will be felt by every consumer and will be especially evident to every housewife. This reduction will not only be evidenced in the lower prices of foodstuffs, but will make itself known in many other ways. Unless I am greatly mistaken, there should be a general reduction of from 15 to 25 per cent in nearly all things that we eat and wear.

Our Republican friends, as heretofore, are trying to mislead the American people by proclaiming that this legislation will have an injurious effect upon the country and will bring about a panic. They again charge us with having been responsible for the business and financial depression in 1893, when they are well aware that our legislation was in no way responsible for this, it being instead the result of the deliberate efforts of the protected interests and the Wall Street gang to discredit our administration. In their own hearts the Republicans know full well that the predictions they are making are false; they know that conditions throughout the country have not been affected by the election of a Democratic President, though it has been known that the tariff was to be revised downward. They know that never before in the history of our country has business been so stable during the consideration of tariff legislation. It has been demonstrated beyond the question of a doubt that the people have confidence in our party, that they have confidence in our administration, that they are confident that we will legislate for the best interests of the country. It must be clear to any right-thinking man that all of these prognostications of dire calamity to follow upon the enactment of this legislation are unjustifiable, that they have been made only for political purposes, the gentlemen making them having no premises upon which to base their conclusions, and that they are nothing more nor less than political buncombe.

The country to-day is on a sounder and safer basis than ever before, and conditions are growing better from day to day. Our manufacturer of to-day need not fear foreign competition, for we can, with only a few exceptions, produce better goods, in larger quantities, at less cost than any other nation on earth. We are to-day underselling the world. Our exports are greater than ever before. Our foreign commerce amounts to over $4,000,000,000 annually, and our exports exceed our imports by over $652,000,000. Every working day we sell over $2,000,000 worth more than we purchase. Is there another civilized nation on the globe to-day which can point to such a record? These figures should demonstrate to anyone that our "infant industries" can take care of themselves without a high protective tariff, for these same "infant industries" have assumed such proportions that they control the markets of the world. If any protection is needed, the people need to be protected from the monster trusts and combinations which were created under and have been fostered by the high protective tariff with which this Nation has so long been afflicted.

Mr. Speaker, our Republican friends have prophesied that were we to reduce the tariff it would immediately result in the marked reduction of our exports, the closing down of manufacturing enterprises of all classes and descriptions, and the consequent throwing out of employment of thousands of American workmen. What do we find to be the actual condition of affairs? The Monthly Summary of Commerce for June, 1913, issued by the Department of Commerce, shows that for the fiscal year ending June 30, 1913, our exports have exceeded those of 1912 by $258,186,530; that for the same period our imports of "crude materials for use in manufacturing" and "manufactures for further use in manufacturing"—in other words, the raw materials which are worked up in our factories—have exceeded by $130,385,511 those of 1912. Surely these figures demonstrate conclusively that our manufacturing enterprises are enjoying a healthy growth. A further inspection of the statistics prepared by the Department of Commerce will develop the fact that during 1913 our exports of "manufactures for further use in manufacturing" and "manufactures ready for consumption," these two classes embracing the output of our factories, exceeded those of 1912 by $156,537,973.

Will the Republican Members who have made such direful prognostications please explain to me in what way this activity on the part of the manufacturers is to be accounted for if it does not indicate prosperity? Here we have evidence which can not be controverted to show that business is thriving as never before; that our manufacturers, instead of planning to close down their factories, are spending millions upon millions of dollars for material with which to carry on their business and are shipping millions of dollars' worth of their products abroad to be disposed of at a comfortable profit. Everything would indicate that we are about to enter upon an era of prosperity which has never before been equaled in our history.

Mr. Speaker, I am absolutely certain that no legitimate manufacturer will suffer by this legislation; but, on the contrary, I am firm in my conviction that they will all eventually derive great benefit from it, and under this law our country will prosper as never before, while this prosperity will be enjoyed by each and every one of us and not alone by the few favored ones, as has been the case in the past.

In this bill, Mr. Speaker, we are relieving the workingman and the workingwoman—yes, 99.9 per cent of the people of this country—of burdens imposed upon them by Republican legislation enacted in the interest of the other one-tenth of 1 per cent—the favored few, the idle rich. In this bill we are not taxing the poor in the interest of the rich, we provide that the rich shall pay their fair and proper share of taxation, so as to relieve the masses from carrying the entire burden, as they have in the past, and this we accomplish by providing for an income tax.

Mr. Speaker, I admit that there will be found quite a large number of gentlemen who will strongly denounce the income-tax feature embodied in this bill; but upon close examination we will find that they all belong to that class of citizens known as "tax dodgers." These men will find it difficult—yes, well-nigh impossible—under the strict enforcement of this law by the Government, to evade the payment of a tax on their large incomes, as they have evaded the payment of city, county, and State taxes on their personal and real property.

The income-tax provision of this bill will reach and tax the concentrated wealth of this country and compel the individuals who control this wealth to pay a fair proportion of our Government expenditures. The greatest thinkers of the present age have advocated a tax on incomes and believe that it is a just and righteous tax. It is something for which I have fought for many years. In my speech on the floor of this House in 1909 I made the prediction that the day was not far distant when such legislation would be enacted, and now I have the opportunity of placing my stamp of approval upon a bill in which is embodied this very meritorious provision.

The income-tax provision on which the House and Senate have finally agreed calls for a tax of 1 per cent per annum on the net income of every individual, with certain deductions, and an additional tax of 1 per cent per annum upon the amount by which the total net income exceeds $20,000 and does not exceed $50,000, 2 per cent per annum upon the amount by which the total net income exceeds $50,000 and does not exceed $75,000, 3 per cent per annum upon the amount by which the total net income exceeds $75,000 and does not exceed $100,000, 4 per cent per annum upon the amount by which the total net income exceeds $100,000 and does not exceed $250,000, 5 per cent per annum upon the amount by which the total net income exceeds $250,000 and does not exceed $500,000, and 6 per cent per annum upon the amount by which the total net income exceeds $500,000. This section further provides "that there shall be deducted from the amount of the net income of each of said persons, ascertained as provided herein, the sum of $3,000, plus $1,000 additional if the person making the return be a married man with a wife living with him, or plus the sum of $1,000 additional if the person making the return be a married woman with a husband living with her, but in no event shall this additional exemption of $1,000 be deducted by both a husband and wife, provided that only one deduction of $4,000 shall be made from the aggregate income of both husband and wife when living together."

Of course, Mr. Speaker, as to myself, I find that I am discriminated against in this provision, but I believe in this instance it is just discrimination, and I stand willing and ready to pay the penalty for being a bachelor.

It is calculated that this tax, together with the tax on corporations, will net the Government $120,000,000 per annum, thus relieving the laboring people of the country of this burden and shifting it to the shoulders of those who can best afford to carry it.

Mr. Speaker, I believe that I have reason to rejoice when I can point to this legislation for which I have struggled and to which the Democratic Party has been pledged and which is now to be written upon our statute books, knowing as I do that it is in the interest of all of the people and not of the select few.

In conclusion I wish to congratulate the chairman of the Ways and Means Committee and his associates upon that committee upon their great display of unselfishness during all these long months while this legislation has been considered, and I want to congratulate the Democratic Party and the people of our country upon having witnessed the enactment of a measure of such great merit.

Urgent Deficiency Appropriation Bill.

EXTENSION OF REMARKS
OF
HON. JACOB JOHNSON,
OF UTAH,

IN THE HOUSE OF REPRESENTATIVES,

Friday, October 10, 1913,

On the conference report on the bill (H. R. 7898) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes.

Mr. JOHNSON of Utah. Mr. Speaker, in extending my remarks on the motion of the gentleman from California [Mr. RAKER] to concur in the Senate amendments Nos. 27 to 33, both inclusive, of H. R. 7898, I desire to say that I shall address my remarks more especially to amendment No. 33—the assay office at Salt Lake City, Utah.

This office was created by act of Congress many years since, and has been in successful operation ever since. That there was a necessity for its creation there can be no doubt, and that such necessity still exists is also equally certain. Also, that to enable said office to continue operations the small appropriation of $1,000 is equally necessary. This sum is required for the purchase of supplies, fuel, light, and so forth, and without which the office can not continue its operation, as I am advised, longer than to the 1st of January next. Unless this small appropriation is made the office must cease operation at that date.

The Salt Lake assay office is located at Salt Lake City, Utah, in the very center of the gold and silver producing region, not only convenient to the mines of that State but also to adjoining States, and acts as a kind of clearing house for the disposition of the bullion of that region.

It is absolutely necessary that there should be some place in reasonably close proximity to the mines at which the miner can ascertain the value and dispose of his bullion, the product of his industry.

As I have before stated, the mining industry of the State of Utah is one of great importance to the State and to the Nation. The gold and silver extracted from the hills form an important basis for business and for the credit of this Nation.

It furnishes employment to the citizen, a market for the product of the farm, and adds substantial wealth to the State and Nation without injury to anyone. It comes not in conflict with other industries, but rather aids them. Those engaged in the business of mining are constantly exposed to great hazards and risks, and, as I believe, are entitled to some consideration from the Government and should be fairly treated by it.

I can not forget that when, in 1862 to 1865, we were engaged in a civil conflict and the credit of the Government was much lower than it now is that it was the stream of gold and silver constantly flowing from the Western States and Territories to the Eastern States and into the war chest of the Government which contributed in no small degree to uphold the hands of the Government and its credit in its time of need and tended directly to the maintenance of credit generally.

It is even doubtful if specie payment could have been accomplished as promptly as it was but for the mines of the West. Why now abandon that industry, which has done so much for the Nation, its business and credit, by refusing to make this niggardly appropriation for its benefit and the benefit of the Nation as well?

The following table shows the amount of gold and silver, in value, produced in the State of Utah from 1877 to 1912, inclusive:

Year.	Gold.	Silver.
1877	$358,107	$5,321,643
1878	276,874	4,722,159
1879	325,180	4,105,471
1880	165,773	4,029,501
1881	144,317	5,522,762
1882	186,836	6,114,874
1883	144,593	4,984,939
1884	114,305	6,123,047
1885	184,025	6,211,596
1886	218,620	5,860,837
1887	235,369	5,976,884
1888	287,023	5,787,527
1889	516,233	6,656,249
1890	699,700	8,492,209
1891	747,427	8,759,206
1892	789,331	7,792,388
1893	1,117,608	5,233,965
1894	1,666,246	4,199,674
1895	1,302,199	5,356,032
1896	$1,940,830	$5,843,868
1897	1,663,362	4,522,038
1898	2,168,283	4,403,854
1899	3,581,408	4,612,351
1900	4,263,414	6,248,610
1901	3,945,303	6,243,491
1902	4,007,189	5,648,814
1903	4,904,660	5,886,157
1904	5,688,714	7,143,516
1905	5,140,950	6,127,999
1906	5,218,396	7,686,193
1907	5,121,646	7,459,987
1908	3,946,700	4,457,357
1909	4,313,300	5,376,572
1910	4,312,700	5,652,164
1911	4,696,998	6,511,108
1912	4,300,000	7,995,039
Total	77,643,526	213,075,062

I will not now take up the time necessary to recapitulate the other metals produced in the State for the above period of time, but suffice it to say that in the year 1912 the total value was in the sum of $44,414,000, inclusive of rare minerals, divided as follows:

Gold	$4,300,000
Silver	7,995,000
Copper	24,755,000
Zinc	1,069,000
Lead	6,300,000

In addition to the above, there is shipped annually to Salt Lake City from adjoining States a large quantity of such metals for assaying and sale, the exact amount of which I have not now at hand.

It would appear that the precious metals accumulated at that point would be sufficient to justify the maintenance of an assay office there to enable the miner to ascertain the value of his produce and dispose of the same, but this can not be done without the appropriation contained in the Senate amendment.

If it is the policy of this administration to strike a blow at the mining industries of the Western States by refusing to make the necessary appropriation for their continued operation, then abolish them by act of Congress enacted in the open and not by a miserable subterfuge.

Mock not the predestined victims with the delusive hope of a continued existence, when in your minds you have determined to accomplish their demise. And when the streams of gold and silver shall cease to flow from the mines of the West to the coffers of the East because of better accommodations elsewhere for their marketing, you will probably realize that the present demands of the western miners—that assay offices be maintained in close proximity to the mines where the metal is produced—were not unreasonable and should have been granted.

Urgent Deficiency Appropriation Bill.

EXTENSION OF REMARKS
OF
HON. J. B. THOMPSON,
OF OKLAHOMA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, October 11, 1913,

On the conference report to the bill (H. R. 7898) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes.

INCREASE OF POLICE FORCE.

Mr. THOMPSON of Oklahoma. Mr. Speaker, I felt constrained on yesterday to vote against the adoption of the report of the conference committee, for the reason that it carried a provision increasing the number of the Capitol police by 14 and appropriating an additional sum of $11,925 for their pay.

The Democrats at the expiration of 16 years, in 1910, by the votes of the American people, were given control of this House largely because of the extravagance of the Republicans. Fresh from the people, one of the great reforms inaugurated by the Democratic Congress, a reform which met with instant and universal approval on the part of the country, was a reduction of $200,000 per year in the expenses of this House. I venture that no fact was more often referred to and none more eloquently dwelt upon by Democratic orators during the campaign of 1912 than this remarkable saving to the taxpayers by a Democratic House. Now that we have been trusted again on the splendid record of economy that we then made, are we to prove false to our promises and begin an unparalleled course of useless expenditure and extravagance in the face of our campaign pledges? I for one am unwilling to do so. I know that I pointed out in my campaign this remarkable saving to the people; that I stated to the people that I approved of it at that time; and I say to the House that I approve of it at this time. I am unwilling to be put in the attitude of saying one thing to the people and another thing to this House.

A MEMORIAL BRIDGE ACROSS THE POTOMAC RIVER.

There are a number of other provisions in this bill which I oppose, and I am glad that the conference committee on the part of the House likewise opposes those provisions and disagreed with the Senate with reference to them, and that they have been brought back here and will be submitted to this House for a separate vote, so that every Member here can go on record and the American people may know exactly how he stands with reference to useless and extravagant appropriations. I am opposed to Senate amendment 82, which appropriates $25,000 for the purpose of investigating and reporting to Congress a suitable design for a memorial bridge across the Potomac River from the city of Washington to a point at or near the Arlington estate, in the State of Virginia. I do not believe the people of this country ought to be taxed for the purpose of erecting memorial bridges and memorial buildings in the city of Washington or elsewhere in the United States. The erection of private buildings and bridges with money wrung from the toiling masses of the American people I think is unnecessary, unwise, and in direct violation of the Democratic promises of economy in the expenditure of the public money.

It will be noted that the purpose of this amendment is the appropriation of $25,000 to investigate and report to Congress a suitable design for a memorial bridge across the Potomac River. If that meant the end of this matter, it would not be such an important item as it is, but this appropriation is but the beginning, and if made it means that from five to ten millions of dollars will be taken from the pockets of the taxpayers and put into this proposition before the bridge is completed. Our people are burdened enough as it is, and I protest at this time against this small appropriation in order to save the millions that will necessarily follow.

It has been stated here that this bridge will be called the "Grant and Lee Bridge," and an attempt has been made to influence our votes by the patriotic pride we all share in these two illustrious Americans. I am satisfied if these distinguished men could be consulted with reference to this project that they would protest against the use of their names in connection with a scheme that means so much additional burden to the already overburdened people. It has been stated by the distinguished gentleman from Kentucky [Mr. JOHNSON], chairman of the Committee on the District of Columbia, of which I am a member, that behind this whole proceeding—this propoganda for the erection of this bridge—was a real estate scheme on the part of certain Washington real estate men. My observation since I have been a member of this committee convinces me that the statement of the chairman is correct, and I am unwilling to vote for the enactment of any law that places a burden of taxation on the people of this country to enrich and make millionaires out of a few real estate speculators in Washington.

AN AUTOMOBILE FOR THE VICE PRESIDENT.

I am also opposed to Senate amendment No. 93, which provides for the purchase of an automobile, including driving, maintenance, and care of the same, for the use of the Vice President of the United States, and appropriating $7,000 for that purpose.

I am a great admirer of the present Vice President of the United States. I have watched his course since he became governor of the great Commonwealth of Indiana with pride and admiration. I believe him one of the greatest disciples of the simplicity of Thomas Jefferson living in our country to-day. I can not believe that he sympathizes with this expenditure of the people's money. He is essentially one of the people of this country. By force of his genius, his ability, his integrity, and his great fund of common sense he has risen from a position of obscurity until he occupies the second highest office within the gift of the American people. He has always been a frugal and economical man, opposed to extravagance in government, and practicing economy in his own business affairs. He accepted the nomination to the high office which he now holds when there was no law on the statute books authorizing an appropriation of this kind. I do not think he expects it now, and I feel absolutely sure that he will not be disappointed if this item of expenditure is denied.

Two years ago, while a Republican occupied the high position of Vice President of the United States, a Democratic Congress refused an appropriation for this very purpose. I do not see how we can go before the country and claim to be consistent if we give to the Democratic Vice President that which we withheld from a Republican Vice President. We have heard no reason advanced why we should change our policy of economy on this subject, and inasmuch as I approved of the action of the Democratic Congress when this item was rejected two years ago. I shall vote to reject it at this time.

AN EXTRA MONTH'S PAY TO THE OFFICERS AND EMPLOYEES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

Mr. Speaker, I am also opposed to Senate amendment No. 97, which appropriates a sum equal to one month's pay at the compensation now allowed them by law to enable the Secretary of the Senate and Clerk of the House of Representatives to pay to the officers and employees of the Senate and House of Representatives and the employees on the maintenance roll of the Senate Office Building borne on the annual and session rolls on the 1st day of October, 1913, an extra month's pay.

If this provision is adopted we will have returned in full to the extravagant practices of the Republican Congress in the palmiest days of "Cannonism." The rejection on the part of the Democratic House elected in 1910 of this custom, which had grown up in the long misrule of the Republicans, was hailed by the country as a healthy sign of economy on the part of the Democratic Congress. Now that we have been twice trusted with power, is it possible that we have so lost sight of the burdened tax-paying masses of this country that we will vote a gratuity to a number of employees who are not compelled to accept these positions, but who, on the contrary, arduously seek them? These positions pay quite well. The salaries in practically all instances amount to $100 per month where the employment runs for 12 months of the year, and in the cases of session employees the period of employment will also be 12 months during the present session, so that each class of the employees will, without this provision, have received at the end of the year an annual salary on an average amounting to $1,200, some of them amounting to a great deal more and in only a few instances to a small amount less. Their positions are not affected by a scourge of grasshoppers nor subject to the depredations of the boll weevil. Too much rain does not affect it and a drought does not blast it. Their salaries are known and their checks come regularly. I assert, without any fear of contradiction, that if the power were mine to fill all these places I could do so many times over from the district that I represent in Oklahoma at a saving of 25 per cent on the salaries now paid by appointing splendid and competent men, with a guaranty that they would not ask an extra month's pay out of the Federal Treasury.

My opposition, Mr. Speaker, to this amendment does not arise out of any opposition to the officers and employees of this House, because for them and each of them I have the kindliest feeling and would be glad to see them prosper in every possible way, but I can not bring myself to the belief that the struggling taxpayers of this country ought to be burdened with an extra tax in order to give them an extra month's pay, which is not provided in their contract, which they have not earned, and which would be a mere gift or gratuity. We owe no duty to these officers and these employees. We have discharged our contract with them to the very last letter. We do owe a duty to the struggling working people of the United States—a duty to take just as few dollars away from their pockets as we possibly can in order to economically run this Government. It is not right to go into the cotton fields, the cornfields, and the wheat fields of Oklahoma and force the little barefooted girls and boys, shivering in the cold of the morning and writhing in the heat of midday, and exact from them an added tax to discharge this gift.

These employees are paid for 12 months' work whether Congress is in session or not, and, in addition, they are allowed one month vacation during each year. They are therefore paid for 12 months' work when they actually perform only 11 months of labor. If this amendment is carried they will be paid for 13 months' work, while they actually perform only 11 months of labor.

The acceptance by the House of this Senate amendment will add a quarter of a million dollars per year to the pay roll of this House—more than the Democratic House two years ago saved to the people by cutting down Republican extravagance.

EXTRAVAGANCE IN GOVERNMENT.

In 1909 the officials who were on the pay roll of the United States and whose salaries, not including expenses incident to their employment, were paid by the American people were 370,065—more than one-third of a million. The employment of extra policemen, the unnecessary appropriations for automo-

bills, the adding of an extra month's pay to the officers and employees of the House and Senate, however, is but in keeping with the history of this Government since its organization, but as it has grown older the extravagance has become more marked and noticeable.

In 1816 the number of officials on the pay roll of the United States was 6,327. They had increased to 40,212 in 1863, and in 1871 they had increased to 53,912. In 1881 there were 107,095 on the pay roll. In 1899 they had increased to 208,215, and in 1909, as I have just shown, they had increased to 370,065, an increase of 161,850 during the period between 1899 and 1909, or a little more than 16,000 per year. The expenditures of the legislative department of the United States as compared with the expenditures of the British House of Lords and House of Commons is as follows:

The appropriation for the support of the Senate and House of Representatives of the United States for the year 1907 was $12,788,886, as against $512,000 for the support of the two Houses of Parliament of Great Britain. There was spent during the same year for the maintenance of buildings, furniture, fuel, stationery, printing, and general supplies in Great Britain $980,000, as against an appropriation of $6,394,810 to support the Public Printer in the United States; and this, Mr. Speaker, in the face of the fact that we are the people of a great Republic supposed to be free from useless extravagance.

EXEMPTING DEPUTY MARSHALS AND DEPUTY INTERNAL-REVENUE COLLECTORS FROM THE CIVIL SERVICE.

Mr. Speaker, on last night I voted for the amendment of the gentleman from Georgia [Mr. BARTLETT], which directed the conferees to recede from their disagreement with Senate amendment No. 8 and to concur therein with an amendment. This amendment provides that any deputy collector of internal revenue or deputy marshal required by law or by authority or direction of the collector of internal revenue or the United States marshal to execute a bond to the collector of internal revenue or the United States marshal to secure the faithful performance of official duty may be appointed by the collector or marshal without regard to the provisions of the civil-service act.

Mr. Speaker, if the civil-service law had been honestly administered in the past there would not be the great prejudice, in my judgment, against it that exists at this time, but it has not been administered in that way. It has been a mere subterfuge by which the Republican politician could place his "ward heeler" in office and at the same time satisfy the demands of a large number of very splendid people in this country who are sincerely in favor of the merit system. Any man who has lived in the Southern States knows the hypocrisy of the Republican pretended friendship for the civil service. I think it will be admitted that the Democrats of the South are equally as intelligent as the negro population of that section of the country that largely constitutes the membership of the Republican Party; and yet throughout the South under the farcical enforcement of the civil-service law intelligent white Democrats in an examination have been surpassed by negro Republicans, who have been elevated to office over them. In a large number of cities in the Southern States practically all the mail carriers are negroes, appointed under what our Republican friends call the "beneficent provisions of the civil-service law," over intelligent and honorable white men. Then, again, the Republicans have had all executive offices, such as postmasters, United States marshals, and internal-revenue collectors, and by manipulation these chief executive officers have promoted Republican employees over such few Democratic employees as were able to stand the civil-service examination and secure a position.

If we are going to have the civil service, let us have a real civil service and not a farcical one. No more farcical enforcement of the provisions and intentions of the civil-service act can be imagined than the Executive order of President Taft covering all fourth-class postmasters, amounting to 35,000 in number, putting them into the classified civil service, and thus perpetuating them in office during the remainder of their natural lives without any examination or competition whatever. Be it said to the credit of the present administration that this order has been set aside in so far as it gave them a life tenure of office without a competitive examination, and the citizenship of this country, irrespective of party, will be permitted in a short time to take the examination, and it is hoped that a large number of Democrats will succeed in securing these appointments. I say "hoped" because it will be for the good of the public service. I am not one of those who believe that it is a discredit to a man to be a Democrat and to be a Democratic worker. If the principles of Democracy are right, then it is the duty of all good men to promote those principles and to assist in enacting them into the laws of the land. I do not belong to that class who are willing to accept the support of a Democrat before election and attempt to make capital and popularity for myself by abusing that Democratic worker after the election. I am opposed to "rings," "cliques," and "shell-game" performances in politics, because I have observed that the class of men who usually carry on those kind of performances are willing to give their allegiance to any party that promises the most in return; but for the honest, open, and fearless Democratic worker who in season and out of season carries the burdens of his party because he loves its principles, its history, and its traditions, and who earnestly and sincerely believes that the prosperity of this country will be promoted by the enactment of those principles into the organic law of the land, I have the highest regard, and I believe that he is entitled, like the veteran soldier, to the very best reward that his party can give him. I believe when the Democratic Party goes into power that the offices—not the offices where expert and technical training along a particular line is required, but executive offices, where a policy is to be enforced—should be filled by Democrats who are in sympathy with the Democratic administration, and that the execution of the policies and the ideals of an administration should not be trusted to hostile hands.

Since the present administration has been inaugurated we have had a very notable example of the advantage taken of the administration by leaving in office a man who was not in sympathy with the administration. The United States attorney for the northern district of California, Mr. McNab, was permitted to hold office after the inauguration of the present administration.

The administration made a suggestion to him with reference to the prosecution of a case. He immediately refused to follow the suggestion, resigned his office, took advantage of his agency, exploited his resignation before the public, and did everything he possibly could to embarrass those who had permitted him to continue in the public service. This course was followed in order to promote his own personal welfare and the welfare of the Republican Party. It would not have occurred had the office been occupied by an appointee who was in harmony with the administration. The subsequent conduct of the administration and the final result of the prosecutions illustrate the wisdom of the course pursued by the administration and the clear purpose on the part of District Attorney McNab to make political capital out of his position.

I do not believe that an internal-revenue collector or a deputy marshal who can stand the best examination in geography, arithmetic, spelling, and grammar is the best qualified man to make arrests of desperate criminals. Our Republican friends are preaching what they never practiced when in office. When the oleomargarine law was passed it provided that the force to carry into effect its provisions should be selected without regard to the civil service. When the denatured-alcohol bill was passed it provided that its provisions should be carried into effect by a force selected without regard to the civil service. When the Payne-Aldrich bill carrying the corporation-tax section was passed it provided that the provisions of that section should be enforced by employees selected without regard to civil service. All of these acts were passed during a Republican administration and when the Republicans were in complete control of the executive and both branches of the legislative department of our Government. We heard no cry from the Republicans at that time, and the Democrats, be it said to their credit, did not make the hypocritical fight that we are witnessing at this time.

Mr. Speaker, the fact that 95 per cent of the positions which have been filled by the civil service are occupied by Republicans shows that the Democrats were right when they said in the Baltimore platform:

We favor a reorganization of the civil service.

CONTINUING THE TERM OF THE JUDGES OF THE COURT OF COMMERCE.

Mr. Speaker, this bill as originally passed by the House abolished the Commerce Court created by the act of June 18, 1910, and legislated out of office the five additional circuit judges created by that act. Senate amendment No. 61 agrees to the provisions of the act as it passed this House originally, with the proviso that the circuit judges should continue in office and continue to draw the salary until they resign or are removed by death or otherwise. This amounts to a gratuity to these judges. The offices that they were appointed to fill have been abolished. The Senate amendment places us in the peculiar attitude of abolishing the office and continuing the judge for life on the pay roll of the United States. I am opposed to this. It is clearly within the power of Congress, in my judgment, to abolish these positions and to legislate these judges out of office.

Congress, by creating this court and providing for the appointment of these judges, is in a most peculiar and awkward position if it now finds itself without authority to recall them.

I do not believe that the creature is ever greater than the creator. I believe that the people who constitute the Government of the United States should have the power at all times and under all circumstances to recall any official whose services are not satisfactory.

The principle of the recall is neither unrepublican nor unfair. In this Republic we take the Declaration of Independence as a fairly good expression of democratic principles. Thomas Jefferson said in that document expressive of the hopes and aspirations of an oppressed and liberty-seeking people:

We hold these truths to be self-evident: That all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted among men deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends it is the right of the people to alter or abolish it and to institute new government, laying its foundation on such principle, and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness.

Mr. Speaker, if the power were mine I would not stop at abolishing the Commerce Court and legislating out of office the five judges that constitute that court, but I would abolish every inferior Federal court in the United States and legislate out of office every inferior Federal judge. I would not do this because of any hostility to the courts, because I believe in law and order and the orderly administration of the law. It has been my observation that judges appointed for life often lose sympathy for the great struggling masses, and when a man loses sympathy for and interest in the welfare of the people and the great problems of life which daily they are compelled to meet, he is not a fit person to hold any position, much less a high judicial position. I am more disturbed and more anxious to stay the arbitrary power of the Federal judge than I am to keep down a large army. I believe there is less danger to the people of the country in a large army than there is in life tenure in office for inferior Federal judges. The Army can not be used for oppression unless it is so directed by the executive department of the Government. The Executive is elected every four years by the people and is responsible to the people, and for this reason the occasions will be rare where wrong or oppression grow out of a large army. Federal judges appointed for life, who make reports to no one and are responsible to no one for their official conduct, who are sometimes wined and dined by the special interests and carried over the country in the palatial private cars of monopoly, will occasionally believe that their friends and associates are correct in their views and that the people—the struggling people—are wrong.

I would transfer the jurisdiction of these inferior Federal courts to the State courts, where a case could be tried in the county of the residence of the parties, and if a Federal question were involved I would permit a final appeal to the Supreme Court of the United States for settlement of that question. We have all in our experience seen cases where suits were brought against corporations in the State court for damages by reason of personal injury or otherwise. We have seen these cases transferred to the Federal court on account of diversity of citizenship, and we have seen the plaintiff, by reason of his poverty, compelled to dismiss meritorious cases because he was unable to take his witnesses and go many hundred miles to the seat of the Federal court in order to try his cause.

Down in my State the Federal courts have been lavish with writs of injunction. Our 2-cent-rate provision in the constitution was enjoined, our tax laws were enjoined, the orders of our corporation commission fixing freight rates were enjoined, and the corporations went glibly on while the people paid the bill, and all because of the action of inferior Federal judges who, without notice and without a hearing, tied up the laws of a sovereign State.

Mr. Speaker, the gentleman from Georgia [Mr. BARTLETT] when charged by the gentleman from Wyoming [Mr. MONDELL] with favoring the recall denied it. Unlike the gentleman from Georgia [Mr. BARTLETT], I am in favor of the recall. I believe this Government will be a better Government; I believe that the officers and agents of the people will be better officers and better agents if they understand and know that the people at all times have the right and power to remove them if they fail to discharge with fidelity the duties of their positions. There is no reason in contending that a private individual should have the right to discharge his agent or employee at any time and in withholding this same right from the public. No man would employ an agent and turn over to him the conduct of his business affairs for the period of two or four years without a provision in the contract that the employer might discharge the agent at any time his services were unsatisfactory. If it is a wise provision in a contract for private employment, why is it not a wise provision in a contract for public employment?

We have the recall now, except the people do not exercise the authority. Under the law the President of the United States can recall a postmaster, United States attorney, or a United States marshal, and the Senate of the United States can recall a Federal judge. The same is true of the governor and senate of the States with reference to State officers. Is it possible that these officials, who under existing law have the power to recall, are better prepared and more capable of determining whether the services of an official whom they never met, and who resides many hundred miles away from them, are satisfactory to and for the best interests of the people than are the people themselves? Is it possible that a few men have more judgment and are better able to determine what the people need and what they want than are the people themselves?

The right to recall will do away with the necessity for a recall.

When a public servant knows that the people have a right to discharge him if he fails to render satisfactory service he will be sure to see that his services are satisfactory.

Mr. Speaker, the Democrats were trusted by the people and given control of this great Government on certain promises made in the Baltimore platform. Among these promises we said that we would reduce taxation so as to take from the people only what was necessary to run this Government on an economical basis. We further said that we would restore to the people the control of this Government. If we do what we promised; if we strike down all useless appropriations; if we relieve the people of the unjust burdens imposed upon them by special interests and enact laws that will insure equal opportunities to all the people, we will continue in power for the next generation. If we fail to do what we promised we will be, as we ought to be, hurled from power by an outraged and disappointed people.

Urgent Deficiency Appropriation Bill.

EXTENSION OF REMARKS

OF

HON. WALTER I. McCOY,

OF NEW JERSEY,

IN THE HOUSE OF REPRESENTATIVES,

Friday, October 10, 1913,

On the conference report on the bill (H. R. 7898) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes.

Mr. McCOY. Mr. Speaker, I wish to thank the gentleman from Illinois [Mr. MANN] for not objecting to my request for leave to extend in the RECORD my remarks in regard to this very important amendment of the Senate, because of the fact that being paired my vote will not stand recorded against it.

A distinguished Democrat, writing in the year 1888 about the "spoils system," stated that it has been—

an evil second only to slavery, and from which we are only now recovering.

Another straight-seeing and clear-thinking Democrat, Thomas H. Benton, said in the early fifties:

I consider "sweeping" removals as now practiced by both parties a great political evil in our country, injurious to individuals, to the public service, to the purity of elections, and to the harmony and union of the people. Certainly no individual has a right to an office; no one has an estate or property in a public employment. But when a mere ministerial worker in a subordinate station has learned its duties by experience and proved his fidelity by his conduct it is an injury to the public service to exchange him for a novice, whose only title to the place may be a political badge or a partisan service. It is exchanging experience for inexperience, tried ability for untried, and destroying incentive to good conduct by destroying its reward. To the party displaced it is an injury, having become a proficient in that business, expecting to remain in it during good behavior, and finding it difficult, at an advanced age and with fixed habits, to begin a new career in some new walk of life. It converts elections into scrambles for office and degrades the Government into an office for rewards and punishments, and divides the people of the Union into two adverse parties, each in its turn, and as it becomes dominant, to strip and proscribe the other.

More than 80 years ago a Federal officeholder, writing about removals, said:

I turned out six clerks on Saturday. Several of them have families and are poor. It was the most painful thing I ever did, but I could not well get along without it. Among them was a poor old man with a young wife and several children. I shall help to raise a contribution to get him back to Ohio.

I need not add anything further to show that the "spoils system" is brutal, demoralizing, and dangerous and that the "merit system" is founded on true democracy and a desire to

give the country the best that can be given in the way of public service. The pledge of the Democratic Party, frequently reiterated, is based on this belief and is not a declaration made in a single instance to meet a passing whim of the people.

I am sorry to think that Members of Congress belonging to the Democratic Party are willing to take the risk of creating the belief that the "merit system" is to be broken down, for even the suspicion of such a possibility generally entertained by the voters of the country would result in disaster to our party. So I hope that, notwithstanding the inconvenience which might be caused by a veto of the urgent deficiency bill, the President will see his way clear to take that action should it contain the Senate amendment which to me is so objectionable. In my opinion nothing that he has done or shall do can add greater strength to his already strong hold upon a large majority of the people of this country.

Vocational Education, Freight Rates, and Parcel Post.

"Who saves his country saves all things, and all things saved bless him;
Who lets his country die lets all things die, and all things dying curse him."

EXTENSION OF REMARKS
OF

HON. GEORGE J. KINDEL,
OF COLORADO,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, October 2, 1913,

On the joint resolution (S. J. Res. 5) providing for the appointment of a commission to consider the need and report a plan for national aid for vocational education.

Mr. KINDEL. Mr. Speaker, I do not want to be understood as opposing vocational education or opposing any plan whereby the Federal Government may aid the States in training their children in a manner to make them better and more prosperous citizens. I am strongly in favor of vocational education, and I do not think any part of the Federal revenues could be better spent than that part which I hope will be spent in the future to make our people of the South better farmers, fruit growers, and stock raisers, our people of the East better manufacturers and merchants, and our people of the West better in every line of commercial and industrial endeavor, for there is no vocation from mining to manufacturing in which the West will not lead the country when we get equitable transportation rates.

But I want to take this opportunity to urge the importance of vocational education in transportation and transportation rates. I want to see every possible avenue opened for increasing the efficiency of the American farmer, but the American farmer can never be prosperous unless he enjoys reasonable and fair freight rates. The manufacturer may improve his machinery and his business organization until he can produce his goods at the lowest possible cost and with the highest degree of perfection, yet he must fail inevitably if he is not given fair transportation rates to reach his markets. There is no line of endeavor in which a man or woman can engage that is not dependent to a greater or less degree upon transportation rates.

The gentleman from Alabama [Mr. ABERCROMBIE] has referred to the thoroughness of the Germans. He has praised them for their methods, and has praised them very justly. They have given attention to vocational education and have not neglected the important subject of transportation and transportation charges. Germany's vast shipping business is done, it is said, on a tariff scarcely larger than a bill of fare.

In the United States, with an Interstate Commerce Commission costing the people $1,500,000 a year, the tariffs under which our shipping business is done cover several city blocks and could not be carried in a freight car. It is safe to say that there is not a member of the Interstate Commerce Committee of the Senate or the Interstate and Foreign Commerce Committee of the House who can read and interpret our freight tariffs, much less justify the "crazy-quilt" system of transportation rates under which we are compelled to try to do business.

The House Committee on Interstate and Foreign Commerce is composed of 21 lawyers. The members, though none of them is a shipper or a manufacturer, are accustomed to work out intricate problems in connection with our very complicated laws, and I am informed that all of them have been remarkably successful in this particular. Yet there is not one among them who can reconcile our present parcel-post rates, which have been given the rubber-stamp approval of the Interstate Commerce Commission, or interpret the intricate tariffs that our merchants, manufacturers, and other shippers must use. Even our learned President, than whom there has never been a more able and honest man at the head of our Government, does not pretend to comprehend present transportation conditions and knows nothing of the intricacies of our freight tariffs. In the very nature of things he can not personally take up such matters, but must leave them to the proper departments and bureaus. In this case we are compelled to look to the Interstate Commerce Commission for relief, and I regret to say, as I shall prove further on, that the Interstate Commerce Commission has failed to furnish the relief to which we are entitled.

It would be futile to try to point out any large percentage of the discrepancies and harmful discriminations that enter into this system of tariffs. The very fact of the complexity of the system is one of the strongest impeachments against it. When you have studied it for 25 years, as I have done, and discover new complaints to lodge against it almost every day, you will be as thoroughly convinced as I am that the system is indefensible. Recently the Interstate Commerce Commission has published rates for the express companies, which are contained in one comparatively small volume. I think the volume can be made much smaller and be all the better for it. Why, then, should the freight tariffs be so voluminous that it would require almost a lifetime to read them?

But let me give just an example or two, in passing, of the sort of rates contained in these tariffs. If the Capital Traction Co., which charges a 5-cent fare from the Capitol to Georgetown, should charge two fares for the passenger riding only as far as the Treasury—half the distance to Georgetown—you would pronounce the company a robber or its officials insane. Yet on goods from the Atlantic coast, such as carpets, boots, and shoes, Colorado pays 100 per cent higher freight rates than are charged on the same goods from the Atlantic seaboard to the Pacific coast, though they pass through Colorado en route and travel from 1,000 to 1,500 miles farther.

While participating recently in the dedication of the tallest building in the world—the Woolworth Building, in New York—I conceived the idea of calculating how much more it would cost to ship the material required in its construction from New York to Leadville, a city in the congressional district from which I was elected, than to ship it through Leadville to the Pacific coast, over 1,000 miles farther. I insert here a table showing the penalty that would have to be paid by the people of Leadville on a part of this material in the way of excess freight rates over the Pacific coast if those people desired to erect such a building in Leadville.

What it would cost to take materials in Woolworth Building from New York to San Francisco and from New York to Leadville, Colo.

	Pounds.	Freight rate to San Francisco.	Freight rate to Leadville	Penalty against Leadville.
Structural steel	48,000,000	$384,000	$528,000	$144,000
Terra cotta	60,000,000	450,000	579,000	129,000
Glass	640,000	5,760	7,680	1,920
Red lead	283,000	3,255	4,404	1,149
Wire and machinery	780,000	9,750	13,650	3,900
Machine tools	80,000	1,400	1,840	440
Electric fans, etc	200,000	3,200	3,860	660
Total	110,083,000	857,365	1,138,434	281,069

Tersely stated, here is the condition this table reveals:

From New York to San Francisco the distance is ____ miles ____ 3,148
From New York to Leadville the distance is ____ do ____ 2,192
From New York to San Francisco the total freight charge is ____ $857,365
From New York to Leadville the total freight charge is ____ $1,138,434

Distance to Leadville is 30.3 per cent less than to San Francisco.
Freight charge to Leadville is 32.8 per cent greater than to San Francisco.

This remarkable rate adjustment is charged to water competition to Pacific coast points. Here is another remarkable case of rates from the Atlantic seaboard to interior points west of the Mississippi River which is laid at the door of water competition:

The rate per 100 pounds, first class, from Fort Worth, Tex., to Clayton, N. Mex., is $1.71. The rate from Fort Worth to Omaha is $1.62, 9 cents lower, though the distance is about one-third greater. Now, on goods shipped from New York via Galveston through Fort Worth to Clayton the rate is $2.34. On the same goods shipped from New York via Galveston, also through Fort Worth, to Omaha the rate is $1.38, or 96 cents less.

Here is another way of stating the situation:

Fort Worth to Clayton	$1.71
Fort Worth to Omaha	1.62
Excess charge for shorter distance	.09
New York to Clayton via Galveston and Fort Worth	2.34
New York to Omaha via Galveston and Fort Worth	1.38
Excess charge for shorter distance	.96

Why should Clayton pay 9 cents higher rate from Fort Worth than Omaha, when the distance to Omaha is one-third farther? Certainly there is no good reason for such a discrepancy against Clayton. But there is little objection to this small discrepancy in goods that originate in Fort Worth. The real ground for complaint is on goods that originate in New York. Why should the rate from New York to Clayton via Galveston and Fort Worth be 96 cents higher than to Omaha, or more than ten times as much higher as on goods that originate in Fort Worth?

Here is an example of so-called market competition, showing commodity rates to Denver and Salt Lake City:

Books.

Chicago to Denver	$1.40
Denver to Salt Lake	1.54
Total combination on Denver	$2.94
Chicago to Omaha	$0.80
Omaha to Salt Lake	1.20
Total combination on Missouri River	2.00
Penalty for handling goods via Denver	.94

Oilcloth and linoleum.

Chicago to Denver	$1.00
Denver to Salt Lake	.96
Total combination on Denver	$1.96
Chicago to Omaha	$0.32
Omaha to Salt Lake	.80
Total combination on Missouri River	1.12
Penalty for handling goods via Denver	.84

Soap.

Chicago to Denver	$0.67
Denver to Salt Lake	.40
Total combination on Denver	$1.07
Chicago to Omaha	$0.27
Omaha to Salt Lake	.40
Total combination on Missouri River	.67
Penalty for handling goods via Denver	.40

Why should not the Chicago to Denver rate be the same as Chicago to Omaha if it is right to make rates from Omaha to Salt Lake the same as and lower than the rates from Denver to Salt Lake?

I present here a table of commodity rates, being carload and less-than-carload rates on boots and shoes, both leather and rubber, from Boston and New York to various western commercial centers, including Denver. I present these rates only as an example of the hundreds of commodity rates in effect to the points named, the relation between the rates to the various western cities being much the same in all cases. It will be seen that the lowest rates applying to Denver are higher than the lowest rates applying to any other city named, though El Paso, Salt Lake City, and San Francisco are all farther from New York or Boston than is Denver.

Rates per 100 pounds on boots and shoes.

BOSTON TO ST. LOUIS.

	Leather.		Rubber.	
	Less than carload.	Carload.	Less than carload.	Carload.
All rail	$0.88	$0.88	$0.88	$0.76
Sea and rail	.83	.83	.83	.72

BOSTON TO OMAHA.

All rail	$1.43	$1.43	$1.43	$1.31
Sea and rail	1.38	1.38	1.38	1.27

BOSTON TO DENVER.

All rail	$2.50	$2.50	$2.50	$2.38
Sea and rail	2.34	2.34	2.34	2.22

Rates per 100 pounds on boots and shoes—Continued.

BOSTON TO EL PASO.

	Leather.		Rubber.	
	Less than carload.	Carload.	Less than carload.	Carload.
All rail	$2.47	$2.47	$2.47	$2.35
Sea and rail	1.84	1.59	1.84	1.59

BOSTON TO SALT LAKE CITY.

All rail	$3.15	$3.15	$3.15	$2.40
Sea and rail	2.99	2.99	2.99	2.03

BOSTON TO SAN FRANCISCO.

Commodity rate	$2.75	$2.75	$2.00	$1.50

NEW YORK TO ST. LOUIS.

All rail	$0.88	$0.88	$0.88	$0.76
Sea and rail	.83	.83	.78	.68
Canal, lake, and rail	.58	.58	.58	.52

NEW YORK TO OMAHA.

All rail	$1.43	$1.43	$1.43	$1.31
Sea and rail	1.38	1.38	1.38	1.23
Canal, lake, and rail	1.13	1.13	1.13	1.07

NEW YORK TO EL PASO.

All rail	$2.47	$2.47	$2.47	$2.35
Sea and rail	1.84	1.44	1.84	1.44

NEW YORK TO DENVER.

All rail	$2.50	$2.50	$2.50	$2.38
Sea and rail	2.34	2.34	2.34	2.22

NEW YORK TO SALT LAKE CITY.

All rail	$3.15	$3.15	$3.15	$2.40
Sea and rail	2.99	2.99	2.99	2.03

I have calculated the ton-mile rate on these two commodities from Boston to all the western cities named. It will be seen by examination of the table inserted below that Denver is, as I have charged many times, the apex of rates. St. Louis, which has been favored by the Interstate Commerce Commission in being permitted to remain a basing point, having the through rates to points beyond equal to the local rate to St. Louis plus the local rate to destination, is here shown to have an exceptionally low ton-mile rate when its short distance from Boston, compared with the other cities named, is taken into consideration. It will be noticed that the ton-mile rate begins to decrease as the distance increases when Denver is passed, the lowest being to San Francisco:

Ton-mile rates, in mills, on boots and shoes, Boston.

To—	Leather.		Rubber.	
	Less than carload.	Carload.	Less than carload.	Carload.
St. Louis	13.49	13.49	13.49	11.62
Omaha	18.07	18.07	18.07	16.63
Denver	22.80	22.80	22.80	21.63
El Paso	15.24	13.17	15.24	13.17
Salt Lake City	22.90	22.90	22.90	15.84
San Francisco	16.60	16.60	12.07	9.05

Why should the rate on rubber boots and shoes be different from that on leather boots and shoes? It can not be argued that the commodity is less valuable and should therefore take a lower rate, else the same rate would not apply on less-than-carload shipments to every point named except San Francisco. But it will be noted that there are carload rates granted on rubber boots and shoes lower than are granted on leather boots and shoes to every point except El Paso. Even Denver, which is seldom given anything but the highest possible rates, gets a lower carload rate on rubber boots and shoes than on leather boots and shoes.

But look at the rates that apply to San Francisco. On rubber boots and shoes the ton-mile rate for less-than-carload ship-

ments is lower than for any other point in the list, even including St. Louis, while the carload rate is but 9 mills, one of the lowest rates applying any place in the country on any commodity that ordinarily takes first-class rates in less than carload lots.

What is the reason for such a rate adjustment as this? Can anybody explain it? Why is Denver given a higher rate on rubber boots and shoes than Salt Lake City, both being inland cities, and Salt Lake City being more than 500 miles farther from Boston than Denver?

It is just this sort of rate adjustment against Denver that I have been complaining against for more than 20 years. I have not satisfied myself with complaining, but have been fighting against it before the Interstate Commerce Commission almost continuously since 1892. Since that year, now more than 21 years, I have been constantly before the commission or in the courts in an effort to correct the discriminations that have been pointed out. The attention of the commission has been brought to this condition in commodity rates through a case brought by Denver shippers and we are hoping for an early adjustment of this one evil at any rate. But we have been hoping for it a long time. Will our hopes be realized?

We have had an Interstate Commerce Commission since 1887. From time to time the interstate-commerce act has been amended and strengthened so as to give the commission greater authority to regulate transportation rates and to give to all sections of the country equal commercial advantages so far as equitable transportation rates will effect that purpose. Yet it can be shown by comparison of the tariffs in effect to-day with those in force in 1887 that we are suffering in many cases worse discriminations than we suffered when the commission was created.

There is another matter I have complained of frequently, which the Interstate Commerce Commission and the railroads tell us they have been trying for a number of years to remedy. That is the matter of freight classification. Acting perhaps upon the theory that the tariffs would be too simple if freight were classified the same in all parts of the country the railroads have adopted three classifications—the official, southern, and western. Roughly, official classification territory is bounded on the south by the Ohio and Potomac Rivers and on the west by the Mississippi River to the northern boundary of Illinois, where the boundary line shifts eastward to Lake Michigan. Southern classification territory lies south of the Ohio and Potomac Rivers and east of the Mississippi River, and western classification territory lies west of the Mississippi River and includes that territory east of the Mississippi River lying north of the northern boundary of Illinois and west of Lake Michigan.

The railroads admit that there is no reason except to serve their purpose for this puerile system. The Interstate Commerce Commission admits that it should be changed. No doubt the Interstate and Foreign Commerce Committee of the House will agree that it should be changed. But why isn't it changed? A committee representing the railroads has been trying to work out a new system for several years. The Interstate Commerce Commission has occasionally threatened to take a hand if the railroads did not hurry up and remedy the evil. Occasionally one of the lawyers on the Interstate and Foreign Commerce Committee of the House has had a word to say about it when he found time; but, nevertheless, we have the threefold system with us to-day.

Perhaps there is a reason why the shippers in official classification territory would rather have the three classifications remain. I shall introduce a table further on in the course of my remarks which shows that official classification territory enjoys preferential rates, in many cases less than one-half the rates paid in western and southern classification. I challenge any member of the Interstate and Foreign Commerce Committee of the House or the Interstate Commerce Committee of the Senate to justify these rates.

I contend, and the contention is borne out by the facts, that all the education, vocational or otherwise, you can crowd into the minds of any people can not overcome such frightful transportation handicaps. Nothing can save the people of Colorado and the Rocky Mountain West from the baleful influences of these discriminations except the correction of the tariffs. Without fear of successful contradiction, I say that there is no State in the Union so lavishly endowed by nature with the gifts necessary to make it a great manufacturing State. Yet we have very little manufacturing compared with what we should have. Discriminatory freight rates is the reason. It was discriminatory freight rates in the main that were responsible for the loss to my own city of Denver of two woolen mills, paper mill, cotton mill, rolling mill, tannery, cooper shop, match factory, white-lead works, cement works, stove works, boiler works, medicine plant, tin-can factory, hardware factory, knitting factory, saddle factory, envelope factory, and several other factories.

Some years ago I published a little pamphlet in which I referred to Colorado as the "superlative State," and cited several examples in which Colorado surpasses all States. To-day it is still more the "superlative State" despite transportation handicaps. Colorado's climate is the finest in the world; her scenery is beyond comparison; her supply of high-grade coal is larger than that of any other State; her natural water power is sufficient almost to turn the wheels of the factories of the Nation; she has the largest and finest deposits of pure white marble in the world; she leads in the production of sugar beets; her potatoes, cantaloupes, peaches, and apples are the finest grown; she still leads all States in the combined production of gold and silver. There is no soil richer than Colorado soil, no climate more kindly and encouraging to the manifold crops she produces. Colorado is indeed the "superlative State."

Yet, with the handicap of discriminative freight rates, Colorado can never thrive as nature intended she should thrive. What profits it that the sun of heaven kisses Colorado's people and Colorado's products 300 days every year, and water from her snow-clad peaks moisten the roots of her crops at the will of the farmer, if the railroads persist in making Colorado the apex of high rates in every direction, the very climax of transportation discrimination?

I do not undertake to say that Colorado alone has been chosen by the railroads as the dumping ground for all unjust, unreasonable, and discriminatory freight rates that can not be unloaded on any other section of the country. The South does not get what it is entitled to, but it is the great Rocky Mountain region that is the particular prey of the transportation monopoly. I submit here a table which illustrates graphically the discriminations of which we complain:

2371.—St. Louis.

To— Postal unit.	To— Station.	Distance.	First-class freight rate.	Ton-mile rate.
		Miles.		*Mills.*
3138	Austin, Tex.	845	$1.47	34.79
3405	Bismarck, N. Dak.	1,021	1.63	31.92
464	Boston, Mass.	1,230	.94½	15.36
2115	Chicago, Ill.	284	.43⅓	30.49
1820	Cincinnati, Ohio.	341	.41	24.04
3819	Denver, Colo.	916	1.62	35.37
1664	Detroit, Mich.	488	.46	18.85
2555	Duluth, Minn.	728	.78	21.42
3085	El Paso, Tex.	1,245	1.59	25.54
1538	Jacksonville, Fla.	975	1.18	24.20
1727	Knoxville, Tenn.	589	1.09	38.94
3017	Lincoln, Nebr.	473	.65	27.48
2378	Memphis, Tenn.	311	.65	41.80
2877	Muskogee, Okla.	504	1.15	45.63
2986	New Orleans, La.	699	.90	25.75
767	New York, N. Y.	1,065	.87½	16.43
2916	Omaha, Nebr.	413	.60	29.05
1227	Raleigh, N. C.	939	1.26	26.27
1073	Richmond, Va.	918	.84½	18.40
4547	Salt Lake City, Utah.	1,450	2.27	31.31
5573	San Francisco, Cal.	2,199	3.30	30.01
2819	St. Joseph, Mo.	327	.69	36.69
962	Syracuse, N. Y.	879	.73½	16.72

The accompanying table should be studied in connection with a parcel-post map, on which the stations given may be located by use of the postal units. The three classification territories should be outlined according to the description I have previously given, for much of the significance of the table is found in comparison of the rates in the official territory with those in southern and western territory.

It will be noted that the ton-mile rate has been calculated in each case. Recently, in the petition filed by the Boston Chamber of Commerce to obtain lower through rates from the Atlantic seaboard to Colorado and Utah common points than the combination of rates on the Mississippi River and Chicago, it was contended by the petitioners that the rate per ton-mile shall decrease as the distance increases. In deciding this case the commission said with regard to this contention:

> The second reason urged by the complainants is that a fundamental maxim of rate making requires that the ton-mile rate shall decrease as the distance increases. This undoubtedly is a rate-making maxim which ordinarily is and ought to be applied where conditions admit. It is not, however, a rule of such universal or imperative application that every shipper is as a matter of right entitled to the benefit of it, nor can it be said that to disregard this rule creates of necessity a discrimination.

Let us examine our table to see where this well-established rule breaks down.

It will be noted that all the rates are calculated from St. Louis. This point is taken because it is near the center of the country, and, further, because it is at the point where the three classification territories come together. As a result, the rates out of St. Louis are seldom made up under two classifications, but are wholly official, southern, or western classification.

The ton-mile rate from St. Louis to Cincinnati is 24.04 mills; to New York, where the shipment may move by way of Cincinnati, being in the same general direction, the rate is 16.43 mills; and to Boston, still farther on in the same direction, the rate is 15.36 mills. It will be seen that the rule holds good in this case, where the points are all in official classification territory.

Now, take Knoxville, Tenn., Raleigh, N. C., and Jacksonville, Fla., three points in southern classification territory, whose distances from St. Louis are in the order they are named. Knoxville being the nearer. The ton-mile rates are: Knoxville, 38.99 mills; Raleigh, 26.27 mills; Jacksonville, 24.20 mills. It will be seen that the rule holds good here.

Take Memphis and New Orleans. The rate to Memphis figures 41.80 mills, an abnormally high rate. To New Orleans it is 25.75 mills, the same rule again holding good. By comparing the rates to Muskogee, Okla., Austin, Tex., and El Paso, Tex., it will be seen that the rule applies as elsewhere.

But it all changes when you ship to Denver, the queen city of the Plains, the metropolis of the Rocky Mountain region. Note that the rate to St. Joseph is 36.69 mills; to Lincoln it is 27.48 mills; but to Denver, nearly twice the distance to Lincoln, the ton-mile rate is 35.37 mills.

Now, look what happens when you pass Denver. The ton-mile rate to Salt Lake City is 31.31 mills. When you get to San Francisco the ton-mile rate is 30.01, but more than 90 per cent of the business to San Francisco moves under commodity rates, which are, on the average, about one-third as high as the class rates.

Here again we have an example of the application of the rule referred to in the Boston case. It applies before you reach Denver and begins to apply again as soon as you pass Colorado. It continues to apply clear on till you reach the Pacific coast. Why does it not apply in Colorado? In this connection I desire to

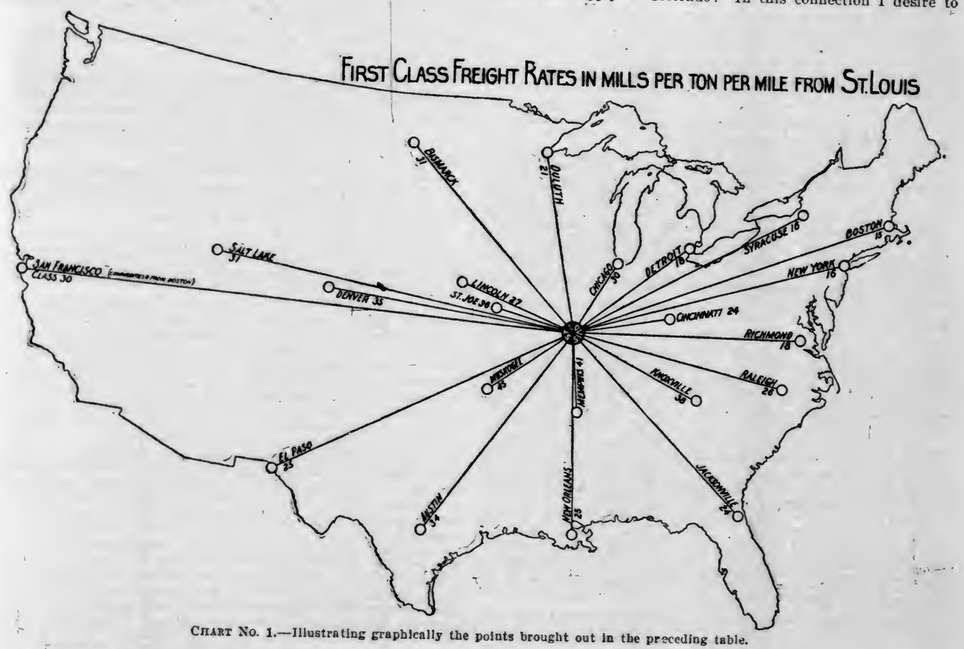


CHART No. 1.—Illustrating graphically the points brought out in the preceding table.

call attention to Chart No. 1, showing the ton-mile rates given in the table and showing relative distances and direction of the points from St. Louis. To avoid complexity as much as possible the ton-mile rates have been given without decimals. It will be found that the argument of the table is made much clearer by reference to the chart.

In the Boston Chamber of Commerce case the Interstate Commerce Commission refused to grant a through rate to Denver lower than the sum of the locals on Chicago and the Mississippi River. To have done so would have reduced the ton-mile rate to Denver. Why is it that the commission sees that the rule requiring that the ton-mile rate shall decrease as the distance increases is applied to practically all sections of the country except the Rocky Mountain West? Why are we beyond the one hundredth meridian denied commercial equality? Why does the Interstate Commerce Commission give the railroads license to rob us, on the pretext that the railroads must pay interest on their securities, one-half of which are based on water, yet permit the same railroads to make rates to the Pacific coast, right over our heads, one-half as high as our rates, and so low that the railroads lose money on the business?

I shall insert here a letter I received a short time ago from one of my constituents, a well-known Denver shipper, giving his views of the decision of the commission in the Boston Chamber of Commerce case and my reply thereto:

THE DANIELS & FISHER STORES CO.,
OFFICE OF THE SECRETARY,
Denver, Colo., September 20, 1913.

Hon. GEORGE J. KINDEL,
Congressman First District of Colorado, Washington, D. C.

MY DEAR MR. KINDEL: I to-day secured a copy of the decision by Commissioner Prouty relative to case No. 4805, opinion No. 2418, between the Boston Chamber of Commerce and the Santa Fe Railway. This decision was made June 9, 1913. It is self-explanatory, and is one of the oddest decisions I have ever seen. They practically admit, to my way of reading it, that the through rate should be less than the

combination of the locals; yet as it would upset things and be rather trying on the railroads to readjust their tariffs, they do not think it worth while to bother the railroads.

This is the sort of decision Denver has been receiving of late, and to my mind this one alone would give you a beautiful opportunity to bring to the notice of Congress the sort of deal Denver is getting. You are the one man who could do this and make it stick, and the way that the people of Denver are beginning to feel at the present time you would certainly strike the right chord.

* * * * * * *

Thank you again for the manly interest that you are taking in trying to right the wrong against Denver in the way of freight rates, the one thing that is holding the city back to-day; and if such raw decisions continue to be handed down to Denver from the Interstate Commerce Commission, it seems to me there is a day of reckoning coming.

Sincerely, yours, A. B. TROTT.

WASHINGTON, *September 24, 1913.*

MR. A. B. TROTT, *Denver, Colo.*

MY DEAR MR. TROTT: As I stated in my last letter to you, I was so busy with another matter at the time the Interstate Commerce Commission announced its decision in the Boston Chamber of Commerce case that I did not have the leisure to go into it minutely. I read it cursorily, noted that it was a very strange and apparently unjustifiable decision, and decided to take it up more in detail when I could find the opportunity.

Since last writing to you I have found that opportunity. In many respects I regard the opinion, after considering it carefully, as the most unreasonable and inexcusable that the commission has ever rendered.

The commission was asked to make through rates from Atlantic seaboard territory to Colorado and Utah common points lower than the combination of locals on Chicago and the Mississippi River. Here is what it says about the justice of such a rate adjustment:

"Ordinarily the through rate is and should be less than the sum of the intermediates, for the reason that the cost of the through movement is less, and the present instance is no exception to the rule.

"This (that the rate per ton-mile shall decrease as the distance increases) undoubtedly is a rate-making maxim which ordinarily is and ought to be applied where conditions admit.

"In the Burnham-Hanna-Munger case the commission established a rate from the Atlantic seaboard to the Missouri River less than the combination upon the Mississippi River. In the Nevada case rates were prescribed from the Atlantic seaboard to Reno and other Nevada points which were less than the Mississippi River combination. It appears, therefore, that there are now in existence tariffs upon both sides of these points in question which recognize the principle contended for by the complainants. There is certainly no good reason why, if this principle should be applied to the Missouri River and again to the Nevada points, it ought not also to be recognized in making rates to Colorado and Utah.

"On the whole, the complainants, we think, show a condition which ought to be corrected, if it can.

"They (the complainants) show an unnatural and unreasonable rate condition."

There is no reason given for refusal to grant the petition except that it will reduce the income of the carriers. The railroads make the defense that the cost of transfer on a through shipment at Chicago or St. Louis is actually greater than the cost of delivering the goods to a consignee at either of those points and receiving them again from a new consignor. The commission holds that this contention is not proved. Yet the commission, after stating in language of half a dozen varieties that the reduction in rates asked for should be granted, states finally "We are of the opinion that no action should be taken at this time."

It will be recalled that the commission did not consider loss of revenue to the railroads a sufficient argument to prevent its ordering rates from the Atlantic seaboard to the Missouri River lower than the combination upon the Mississippi River. Neither did the commission consider loss of revenue to the carriers an argument weighty enough to dissuade it from ordering rates from the Atlantic seaboard to Nevada points lower than the combination on the Mississippi River.

And it will be long remembered by the people of Denver that the commission did not consider loss of revenue to the railroads a sufficient argument to prevent its ordering rates from Chicago and the Mississippi and Missouri Rivers to Salt Lake City and Utah common points far lower than the combinations upon Denver. The commission makes a point of the fact that it established the rates now in effect from Chicago and the Mississippi River to Colorado and Utah common points. It also made the rates from the Missouri River to Denver and Utah common points.

And look what it has done to Denver in establishing those rates. The through rate, first class, from Chicago to Salt Lake City is 89 cents lower than the combination on Denver. Denver also pays a penalty of 80 cents over the Mississippi River for a reload on a first-class shipment of 100 pounds to Utah common points. The combination of rates on Denver from the Missouri River to Salt Lake City is 79 cents higher than the through rate.

When does the commission believe it should make the through rate less than the sum of the locals? Obviously, when to do so would be of no benefit to Denver and might work hardship to the commercial interests of Denver. When does the commission believe it should refuse to grant a through rate less than the sum of the locals? Just as obviously, likewise, when to make such a rate might result in some advantage to the business interests of Denver. It is difficult to arrive at any other conclusion after considering the rulings of the commission on rates that affect Denver in the past five years.

Let us return just a moment to the contention of the railroads that it would result in loss of revenue to them to grant the petition of the plaintiffs. That reminds me of a conversation I had with Commissioner Harlan a few days ago. I was protesting against the raw deals Colorado has been receiving from the commission for a great many years.

"Well, we have kept the railroads running, haven't we?" he said.

"You certainly have kept the railroads running," I replied, "but look what you have done to Colorado."

I feel like repeating my end of that conversation every time I see a member of the commission.

Look for just a minute at some of the rates now in effect, most of which the commission itself fixed. The through rate from New York to Salt Lake City is $3.15. The rate is exactly the same if the goods are shipped first to the Mississippi River, unloaded, reloaded, and then shipped on to Salt Lake City. When the goods are reloaded the rate is made up as follows:

New York to Mississippi River	$0.88
Mississippi River to Salt Lake	2.27
Total	3.15

But look what happens when the goods are reloaded in Denver:

New York to Denver	$2.50
Denver to Salt Lake	1.54
Total	4.04

Now compare the two rates—one where the goods are reloaded at the Mississippi River and the other where they are reloaded at Denver:

New York to Mississippi River to Salt Lake	$3.15
New York to Denver to Salt Lake	4.04
Penalty against Denver	.89

The commission has refused to consider the claim of the railroads that it costs more to handle through business by way of the St. Louis terminals than it costs to deliver it to a consignee there and receive it from a new consignor. It contends that the through rate should be less than the sum of the locals if conditions will permit. What conditions are there, in the name of all that is fair and decent, that would justify the commission in maintaining an 80-cent reload charge against Denver and no reload charge against St. Louis?

I have decided to visit Denver about the middle of next week. I will have an opportunity then to talk freight rates with you in detail.

Sincerely, yours,

GEO. J. KINDEL.

Only gigantic trusts like the Colorado Fuel & Iron Co., the Standard Oil Co., the Sugar Trust, the Beef Trust, and similar organizations are given preferential and differential rates to Colorado points as low as 75 per cent of the Chicago rate to Pacific coast points. Smaller institutions are not even allowed relative rates for the much less distance.

Judge Prouty, a recognized pillar of the Interstate Commerce Commission, has long since admitted the fact that freight-rate discrimination is one of the most potent factors in the formation of monopoly. He puts it in this language:

Freight-rate discriminations are the most potent factors in the establishment and continuance of great combinations of capital at the present time. It may be doubted if a single one of those monopolies which have fastened themselves upon the country in recent years could have done so in the face of absolute equality in the freight rates.

Yet the recent action of the Interstate Commerce Commission, to which Judge Prouty was a party, in indorsing without investigation the indefensible parcel-post graduate that was submitted by the four assistants to the Assistant Postmasters General, and again when he announced the decision of the commission in the recent Boston to Denver rate case, legalizing the arbitrary and imaginary line at Chicago and St. Louis, which gives the mail-order and other houses there an advantage of from 50 to 90 cents per 100 pounds over Colorado points, is inexplicable in the light of the language quoted.

The factors of transportation and rules of equity that govern transportation in the progressive European countries are often ignored and despised by our Government, railroads, and express companies. Bulk, value, insurance, distance, and dispatch should constitute the basis of equitable and progressive transportation.

Fair transportation, like free circulation, means life; discriminative transportation, like impeded circulation, means death.

We are at last coming to realize that the Post Office Department, through the parcel post, is to become one of the truly great transportation agencies of the country. Since the Government can not long exist except through giving equal rights and advantages to all it is peculiarly necessary that the transportation rates adopted by the Government should be fair, equitable, and as nearly as possible scientific. The Government, through the Interstate Commerce Commission, will be in a weak position in its efforts to regulate the rates charged by the railroads if the Government's own transportation rates are improperly adjusted.

But there is no railroad in the country that would for a minute think of establishing so unscientific, unrelated, and utterly silly a system of rates as is now in effect for the transportation of parcel post. Yet this foolish rate system has the rubber-stamp approval of the Interstate Commerce Commission, an approval given without investigation, and amounting to no more than if some office boy employed by the commission had signed to it the names of each member of the commission with a rubber stamp.

I insert here another table which illustrates something of my complaint against our parcel-post rates, prepared by four assistants to the Assistant Postmasters General, and given the rubber-stamp approval of the Interstate Commerce Commission:

767. NEW YORK NO. 1.

150-mile radius.			300-mile radius.		
Postal unit.	Station.	Freight rate.	Postal unit.	Station.	Freight rate.
620	Dover, Del	$0.34	1213	Buffalo, N. Y	$0.39
613	Greenfield, Mass	.30	1318	Greensburg, Pa	.45
565	Towanda, Pa	.35	361	Portland, Me	.40
			1073	Richmond, Va	.37

1820. CINCINNATI NO. 2.

1973	Hardinsburg, Ky	$0.65	1878	Chattanooga, Tenn	$0.70
			1318	Greensburg, Pa	.41
1967	Logansport, Ind	.32	1325	Rocky Mount, Va	.68
			1712	Saginaw, Mich	.43
1570	Pomeroy, Ohio	.33	2319	Springfield, Ill	.41

2829. KANSAS CITY NO. 3.

3071	Abilene, Kans	$0.51	2929	McAlester, Okla	$0.95
2766	Greenfield, Iowa	.52	2319	Norton, Kans	.49
2924	Independence, Kans	.52	2912	Sibley, Iowa	.80
2971	Jefferson City, Mo	.52	2319	Springfield, Ill	.70

3819. DENVER NO. 4.

2570	Burlington, Colo	$0.58	3711	Custer, S. Dak	$1.11
4119	Newcastle, Colo	1.40	3876	Dalhart, Tex	1.47
			4175	Farmington, N. Mex	1.80
3616	Sidney, Nebr	.55	4213	Lander, Wyo	1.70
			3319	Norton, Kans	1.18
3823	Walsenburg, Colo	.67	4419	Price, Utah	1.54

5573. SAN FRANCISCO NO. 5.

5519	Chico, Cal	$0.47	5765	Crescent, Cal	(1)
5375	Madera, Cal	.47	5330	Santa Barbara, Cal	$0.60
5321	Markleeville, Cal	(1)	5071	Tonopah, Nev	2.50

4555. HELENA NO. 6.

4254	Lewiston, Mont	$0.78	5101	Colville, Wash	$1.63
4708	Salmon, Idaho	1.71	4009	Sheridan, Wyo	1.53
			4763	Twin Falls, Idaho	1.72

4579. PRESCOTT NO. 7.

4379	Holbrook, Ariz	$1.16	4336	Bisbee, Ariz	$2.15
			4175	Farmington, N. Mex	3.75
4829	Needles, Cal	1.28	4571	Richfield, Utah	3.01
			5089	San Bernardino, Cal	1.65

3138. AUSTIN NO. 8.

3134	Granbury, Tex	$0.80	3097	Brownsville, Tex	$0.96
2889	Houston, Tex	.61	3179	Lawton, Okla	1.06
3349	Uvalde, Tex	.71	3586	Odessa, Tex	.96
			2734	Shreveport, La	1.05

[1] No railroad.

This table will also be best understood if studied in connection with a parcel-post map, on which the various stations can be located readily by reference to the postal units. As an illustration, take the first of the eight groups given. With New York as a center two circles, the first with a radius of 150 miles and the second with a radius of 300 miles, may be drawn for convenience in studying. It will be found that the three cities in the column marked "150-mile radius" fall on or near the smaller circle, while those in the "300-mile-radius" column fall on or near the larger circle. The same is true of all the groups.

Chart No. 3, though it does not contain the postal units, is drawn as suggested above, and shows the relative position of the various cities referred to.

To cities in the first column the parcel-post rate from the central city in each case is 24 cents for 20 pounds, the maximum weight, or 15 cents for 11 pounds. In five packages 100 pounds can be shipped to the cities in this column from their respective central cities for $1.20.

But it is very different in the case of the cities in the second column. Eleven pounds is the largest package that can be shipped to them by parcel post from their respective central cities, and the rate is 57 cents. A shipment of 100 pounds can be made only in 10 packages and the cost is $5.20. Twenty pounds can be shipped only in two packages and the cost is $1.04, as compared with 24 cents for the cities in the first column.

Is there not need for a little vocational study of parcel post in this country? Would the people accept a parcel-post system so manifestly unscientific and discriminatory if they understood it? And would the Post Office Department have adopted such rates as it did had the heads of the department studied transportation conditions in all parts of the country? Or would the Interstate Commerce Commission have given its rubber-stamp approval if it had thought the people would understand what was being done?

I have been fighting in season and out of season for more than 21 years for fair freight rates for the Rocky Mountain West. In all that time I have complained on only one or two occasions of too low rates. But it appears to me that Uncle Sam is not going to get rich on the parcel-post business in the Rocky Mountain West with the low rates his Postmaster General has established, if the people make such use of it as I am informed they are beginning to make. By reference to the table it may be seen that the Postal Department will transport 100 pounds, in five packages, from Helena to Salmon, Idaho, and deliver them all to consignees there for $1.20, since Salmon falls within the 150-mile radius from Helena. But note that it costs $1.71 to transport 100 pounds by freight from Helena to Salmon, though the goods are handled less expensively and are not delivered.

If the United States postal service, which carries a letter from the Atlantic to the Pacific for 2 cents, should adopt a rule that the rate should be 4 cents when the letter went straight through, but only 2 cents if it were addressed to Denver, halfway, and then readdressed to San Francisco, you would call such action idiotic and unjust. Yet that is in principle just what the postal service is doing under the new parcel post recommended by Postmaster General Burleson, approved by the Interstate Commerce Commission, and put into effect August 15, though the attention of the Postmaster General and the commission was called to the utter folly of the rates, weights, and zones proposed. The following figures will illustrate the point I make:

	Cents.
Rate on 11 pounds, 150 miles	15
Rate on 11 pounds, 300 miles	57
Rate on 11 pounds, 300 miles, reshipped once	30
Saving over through shipment	27

The Interstate Commerce Commission, until it gave permission for the new parcel-post rates to be put into effect, had been consistent in at least one thing. It had maintained always that

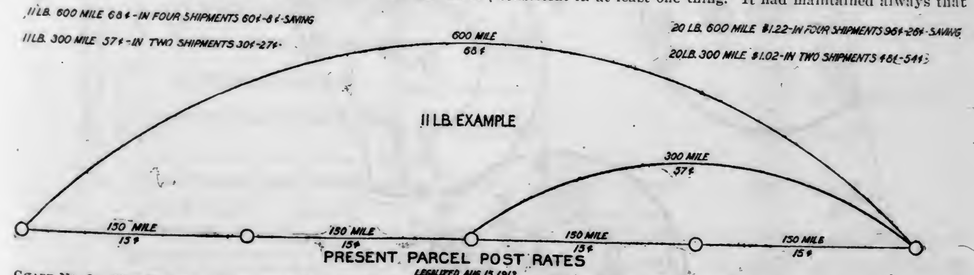


CHART NO. 2.—Showing how, by reshipping an 11-pound package from one to three times, the sender can obtain a lower rate than by shipping it straight through to destination.

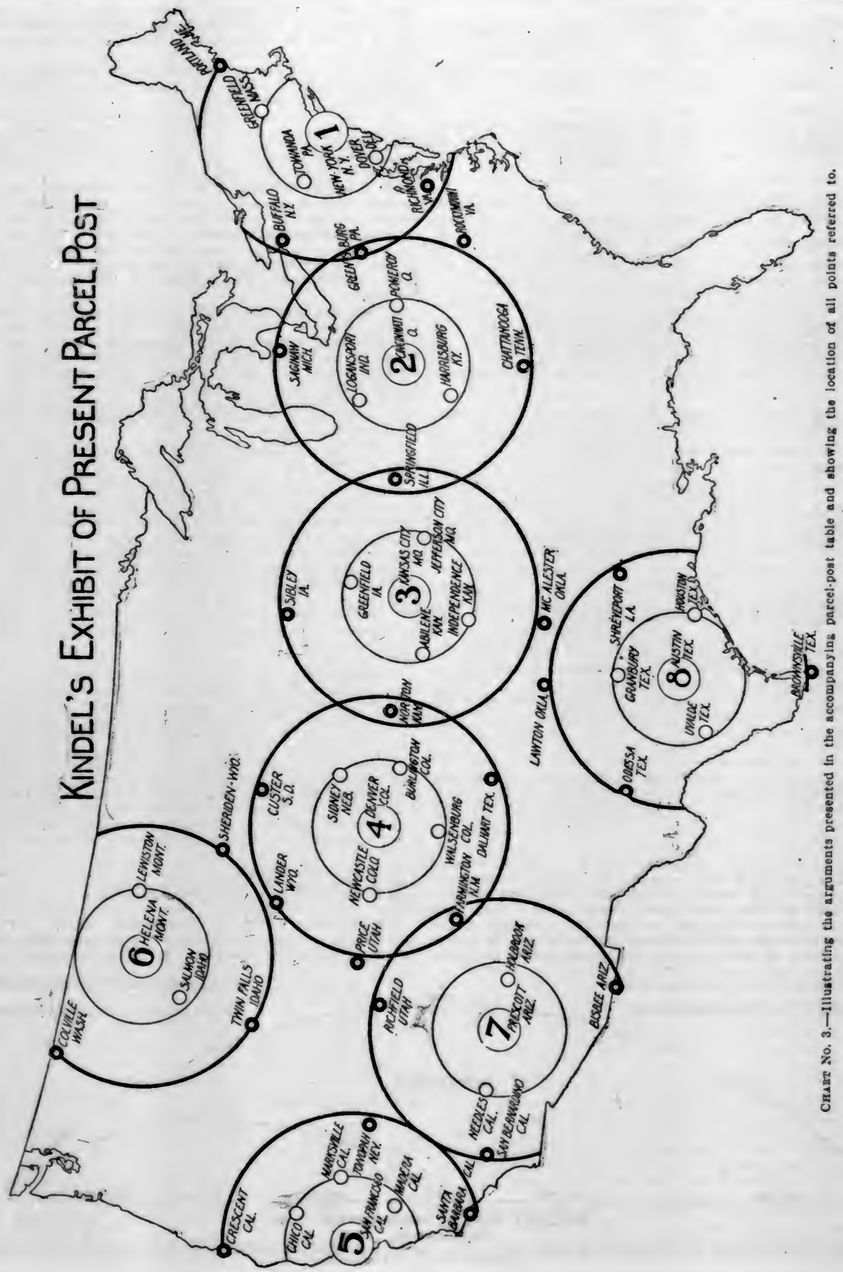


CHART No. 3.—Illustrating the arguments presented in the accompanying parcel-post table and showing the location of all points referred to.

the through rate should not be more than the sum of the local rates. By so doing it had refused always to sanction any rate arrangement where goods could be shipped and reshipped under local rates the combination of which would be less than the through rate between the point of origin and destination of the shipment.

But in sanctioning the new parcel-post rates it upset one of the best-established rate-making principles. It sanctioned a rate system where goods may be reshipped three times, and still the sum of the original rate and the three rates for reshipping will be less than the through rate.

Chart No. 2 shows graphically the point brought out above. The through rate, which the Interstate Commerce Commission has held should where possible be lower than the sum of the locals, is here shown to be actually greater than the sum of the locals.

My study has convinced me that the local rate as it has been made by the four assistants to the Assistant Postmasters General and given the rubber-stamp approval of the Interstate Commerce Commission is made with especial attention to the needs of the great department stores, mail-order houses, and express companies, which are well able to take care of themselves. They are using it to make their deliveries, putting the cost of this service on Uncle Sam. The first and second zone rates are especially suited to the great mail-order houses, which may transport goods in bulk to distributing houses established in various sections of the country, break the bulk, and distribute by parcel post to all territory within the 150-mile radius.

But why burden the record with further examples of official ignorance of the transportation question? Undoubtedly there is need for vocational education on that subject, to the end that future public officials whose duties demand knowledge of transportation shall understand it better than do many present officials with similar duties.

Parcel-post rates are just the same all over the country. Uncle Sam is no respecter of persons, at least so far as the parcel post is concerned. He does not favor any section of the country to the detriment of any other section, as do the railroads and the Interstate Commerce Commission.

But look at the freight rates. Remember that the distances from the central cities to the places named in the first column are approximately the same in each group as are the distances to places named in the second column. Why, then, is the rate from New York to Greenfield, Mass., 30 cents per 100 pounds first class, while the rate from Denver to Newcastle is $1.40? Why is the rate from San Francisco to Chico, Cal., 47 cents, while the rate from Prescott to Needles, Cal., is $1.28? Why is the rate from Cincinnati to Springfield, Ill., 41 cents, while the rate from Denver to Price, Utah, is $1.54? Why is the rate from Kansas City to Norton, Kans., 49 cents, while the rate from Denver to Norton is $1.18? Norton is just halfway between Denver and Kansas City.

These are but a few of the discrepancies and not the most flagrant ones, as you will note by consulting the table. By reference to a railroad map you will be able to discover a partial reason for some of them, as, for example, the high rate from Prescott to Farmington, N. Mex., where the route is very circuitous, or from Denver to Farmington, where goods must be transferred from standard-gauge to narrow-gauge cars and back again to standard-gauge cars en route. But I challenge anybody to offer an explanation that really explains the Denver, Helena, and Prescott rates.

I would advise all advocates of vocational education to make careful study of this table, referring freely to postal and railroad maps. I think those so studying it will be convinced before they have puzzled many hours over the discrepancies and discriminations it reveals that there is serious need for vocational study of transportation rates in this country. No doubt we are very poor farmers when we compare ourselves with the Germans, who are experts. Certainly we are inefficient in some lines of manufacturing when we compare our methods with those of some of our more-practiced European rivals. But I venture the assertion that no other nation which makes any pretension to commercial excellence would tolerate for a year so ill-adjusted and discriminatory a system of transportation rates as we have permitted to be established through the machinations of the railroads and the quiescence of State legislatures, Congress, and the Interstate Commerce Commission.

The gentleman from Maryland [Mr. LEWIS] on the floor of this House recently belabored Senator BRYAN and myself for criticizing the Postmaster General and his assistants. He did not dare to criticize the remedial graduate and zones I had offered, nor could he deny the charges I made against his illogical and inconsistent graduate and misstated comparison of European parcel-post rates. Why did the gentleman from Maryland stop at the tenth zone with his parcel-post rate exhibit of one-half cent per pound per 100-mile zone? Why was this graduate adopted only in part? Why did the Post Office Department not adopt the entire Lewis scheme? We of the trans-Mississippi West would prefer the adoption of Mr. LEWIS's entire 10 zones to any other offered to date. I dare the administration to adopt it. Under Mr. LEWIS's rate, zone, and weight scheme the West would blossom commercially as the proverbial rose. It would solve our present terrible transportation handicaps with one stroke. It would put us on the map and out of reach of eastern competition.

I have prepared a chart, here called Chart No. 4, which shows still further reasons why I have objected to the schedule of rates adopted by the Postmaster General and, with the rubber-stamp approval of the Interstate Commerce Commission, put into effect August 15.

The first increase, from the local to the first zone, is 9 cents. There is no increase between the first and second zones, the new schedule providing a flat rate for the first and second zones. The shock comes when we jump from second to third zone. Why is there an increase of 78 cents, or nearly nine times as much as the increase between the local and first zone? Stated differently, one can ship 20 pounds under this system a distance of 150 miles for 24 cents; but to ship the same package 151 miles it would cost $1.02, or 78 cents more. Why?

Now, note how the increase varies between the zones in the remainder of the schedule. Note, too, that the zones are each 400 miles in length beginning with the fifth. I offer a reward

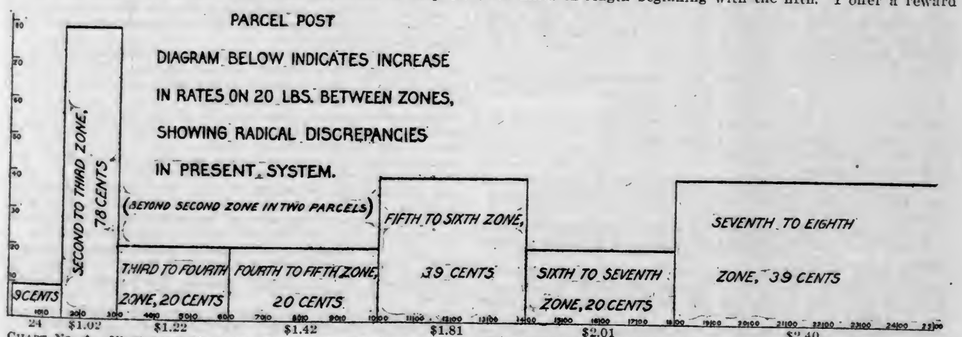


CHART No. 4.—Illustrating discrepancies in present parcel-post system. Figures below the chart give rates on 20 pounds in the various zones. They are not obtained by doubling the rates for 10 pounds, but are calculated on the same basis as the rates in the present schedule are calculated up to 11 pounds.

of $100 to anyone who can reconcile these discrepancies to the satisfaction of President Wilson.

We of the one hundred and fifth meridian, who are not seeking for patronage or honors but only for a square deal, can not understand why we are treated in manifestly stepchild fashion. In the House there are 57 committees, like Heinz's "57 varieties." Not a single chairmanship has been allotted to Members of the House west of the one hundredth meridian. On the important committees—such as Ways and Means, Appropriations, Agriculture, Interstate and Foreign Commerce, Foreign Affairs, Post Office and Post Roads—not one Democratic Member west of the one hundredth meridian has been placed. I was consigned to the District of Columbia Committee, which assignment I refused. I could not afford to be diverted from my predetermined purpose of acquiring commercial equality—a square deal for my section of the country—by being hamstrung or bottled up on a committee with which I am not in sympathy.

Lest we forget just how this parcel-post graduate, prepared by the four assistants to the Assistant Postmasters General, with the aid of the gentleman from Maryland [Mr. LEWIS], was given the rubber-stamp approval of the Interstate Commerce Commission, I shall insert it here.

The following table shows the parcel-post rates as they are since August 15 last. The discrepancies between the rates in the second and third zones should be noted, as well as the discrepancies that would exist on larger weights if they were permitted under the system beyond the second zone.

Present parcel post graduate.

Pounds.	Local zone.	First zone, 50 miles.	Second zone, 50 to 150 miles.	Third zone, 150 to 300 miles.	Fourth zone, 300 to 600 miles.	Fifth zone, 600 to 1,000 miles.	Sixth zone, 1,000 to 1,400 miles.	Seventh zone, 1,400 to 1,800 miles.	Eighth zone, 1,800 miles and over.
1	$0.05	$0.05	$0.05	$0.07	$0.08	$0.09	$0.10	$0.11	$0.12
2	.06	.06	.06	.12	.14	.16	.19	.21	.24
3	.06	.07	.07	.17	.20	.23	.28	.31	.36
4	.07	.08	.08	.22	.26	.30	.37	.41	.48
5	.07	.09	.09	.27	.32	.37	.46	.51	.60
6	.08	.10	.10	.32	.38	.44	.55	.61	.72
7	.08	.11	.11	.37	.44	.51	.64	.71	.84
8	.09	.12	.12	.42	.50	.58	.73	.81	.96
9	.09	.13	.13	.47	.56	.65	.82	.91	1.08
10	.10	.14	.14	.52	.62	.72	.91	1.01	1.20
11	.10	.15	.15	.57	.68	.79	1.00	1.11	1.32
Increase	.....	.05	.....	.49	*.11*	*.11*	*.21*	*.11*	*.21*
12	.11	.16	.16	.....	.....	.....	.....	.....	.....
13	.11	.17	.17	.....	.....	.....	.....	.....	.....
14	.12	.18	.18	.....	.....	.....	.....	.....	.....
15	.12	.19	.19	.....	.....	.....	.....	.....	.....
16	.13	.20	.20	.....	.....	.....	.....	.....	.....
17	.13	.21	.21	.....	.....	.....	.....	.....	.....
18	.14	.22	.22	.....	.....	.....	.....	.....	.....
19	.14	.23	.23	.....	.....	.....	.....	.....	.....
20	.15	.24	.24	.....	.....	.....	.....	.....	.....

Why 20-pound instead of 25-pound limit? Because, forsooth, the United States Post Office was possessed of 42,000 second-hand scales, which originally cost 90 cents each and which are only capable of weighing 20 pounds. One hundred dollars reward to anyone who can reconcile this "crazy-quilt" graduate to the satisfaction of the President.

Here are some of the reforms and improvements that we believe should be made in the parcel-post system and schedules, in addition to a simple and automatic graduate:

A zone system that covers the entire country, avoiding the flat rates that occur under the present system.

A zone adjustment that insures the same rate in each direction between points.

A rate graduate which provides declension of rates; that is, that the rate per ton-mile shall decrease as the distance increases.

A graduate rate for fractions of a pound. At present an ounce attached to a pound pays the pound rate. A 17-ounce package takes the 2-pound rate.

A graduate of insurance rates, the rate increasing regularly as the value of the goods to be insured increases. I have suggested a charge of 2 cents for $10 and an increase of 2 cents for each $10 in value.

The system should under no circumstances permit of reshipping under a combination rate less than the through rate.

The weight limit should be increased to at least 25 pounds and ultimately to 100 pounds.

The size of the package permitted to be shipped should be increased with increase in weight. Size of the package should be graduated with a definite cubic-weight rule.

Third-class matter should be abolished, and articles now included in third class should take parcel-post rates.

It will be suggested that the Postmaster General, with the consent of the Interstate Commerce Commission, is authorized to make the changes proposed. In reply I will state that I have called the attention of both the Postmaster General and the commission to the alterations needed. An old saying runs, "You can lead a horse to water, but you can not make him drink." Perhaps it might be wise for Congress to revoke the authority given the Postmaster General and the commission and set about making the necessary improvements itself.

For the purpose of comparison I will insert here the parcel-post graduate I have prepared and submitted to Postmaster General Burleson.

Proposed Kindel graduate.

SIMPLE, AUTOMATIC, AND EQUITABLE.

Pounds.	Local zone.	First zone, 50 miles.	Second zone, 50 to 150 miles.	Third zone, 150 to 300 miles.	Fourth zone, 300 to 500 miles.	Fifth zone, 500 to 800 miles.	Sixth zone, 800 to 1,200 miles.	Seventh zone, 1,200 to 1,700 miles.	Eighth zone, 1,700 to 2,200 miles.	Ninth zone, 2,200 miles and over.
1	$0.03	$0.04	$0.05	$0.06	$0.07	$0.08	$0.09	$0.10	$0.11	$0.12
2	.04	.05	.07	.09	.11	.13	.15	.17	.19	.21
3	.04	.06	.09	.12	.15	.18	.21	.24	.27	.30
4	.05	.07	.11	.15	.19	.23	.27	.31	.35	.39
5	.05	.08	.13	.18	.23	.28	.33	.38	.43	.48
6	.06	.09	.15	.21	.27	.33	.39	.45	.51	.57
7	.06	.10	.17	.24	.31	.38	.45	.52	.59	.66
8	.07	.11	.19	.27	.35	.43	.51	.59	.67	.75
9	.07	.12	.21	.30	.39	.48	.57	.66	.75	.84
10	.08	.13	.23	.33	.43	.53	.63	.73	.83	.93
11	.08	.14	.25	.36	.47	.58	.69	.80	.91	1.02
Increase	.....	*.06*	*.11*	*.11*	*.11*	*.11*	*.11*	*.11*	*.11*	*.11*
12	.09	.15	.27	.39	.51	.63	.75	.87	.99	1.11
13	.09	.16	.29	.42	.55	.68	.81	.94	1.07	1.20
14	.10	.17	.31	.45	.59	.73	.87	1.01	1.15	1.29
15	.10	.18	.33	.48	.63	.78	.93	1.08	1.23	1.38
16	.11	.19	.35	.51	.67	.83	.99	1.15	1.31	1.47
17	.11	.20	.37	.54	.71	.88	1.05	1.22	1.39	1.56
18	.12	.21	.39	.57	.75	.93	1.11	1.29	1.47	1.65
19	.12	.22	.41	.60	.79	.98	1.17	1.36	1.55	1.74
20	.13	.23	.43	.63	.83	1.03	1.23	1.43	1.63	1.83
21	.13	.24	.45	.66	.87	1.08	1.29	1.50	1.71	1.92
22	.14	.25	.47	.69	.91	1.13	1.35	1.57	1.79	2.01
23	.14	.26	.49	.72	.95	1.18	1.41	1.64	1.87	2.10
24	.15	.27	.51	.75	.99	1.23	1.47	1.71	1.95	2.19
25	.15	.28	.53	.78	1.03	1.28	1.53	1.78	2.03	2.28

GEORGE J. KINDEL'S copyrighted graduate of parcel-post rates and zones, which he presents to the people of the United States.
[The system admits of extension to any weight.]

The rate is found by multiplying the pounds by the zone and adding 3, the overhead charge, except in the local zone, where the rate is found by dividing the weight in pounds by 2 and adding 3. Thus the rate on 10 pounds in the local zone is 10÷2=5+3=8. Fractions are disregarded. The rate on 10 pounds to the eighth zone is 10×8=80+3=83. If it is found necessary to reduce rates, cut off the highest rate zone and spread the remainder.

Our section of the country, the trans-Mississippi West, is the recognized bread basket of the Nation. We demand a square deal; a 2-cent postage stamp instead of a 4; relative if not differential transportation rates.

Interstate-commerce laws now in effect are, in my opinion, contrary to the Constitution, as they discriminate between States. The Constitution provides:

No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another.

This square deal is pledged to us in the Democratic national platform. What the people of Colorado demand in this direction at the hands of the national Democracy is set forth in the following plank in the Colorado State Democratic platform:

We favor the opening of the Galveston gateway and equalizing of freight, passenger, and Pullman rates, and that all rates be made "between," instead of "to" and "from," in order to facilitate the development of our inexhaustible resources and materially reduce the high cost of living.

The voters of my State, believing we meant what we professed before election, sent a full Democratic representation to both Houses of Congress by an overwhelming plurality.

Yet all these things I have pointed out have happened to us in Colorado in this good year of our Lord 1913, with an Interstate Commerce Commission since 1887, under a Democratic administration, which pledged an equal opportunity, commercial and otherwise, to all. Why should we longer celebrate the Fourth of July in this boasted "land of the free"? Why wave the Star-Spangled Banner, that emblem of a square deal and equal rights to all men and all sections of our country, when we of the Rocky Mountain section are not given a square deal and are denied commercial equality?

Shall we, then, longer submit to the abuse of the Constitution, which was originally ample for the purpose, or shall we insist upon such equitable adjustments as shall give to all sections of our country an equal advantage?

We of the trans-Mississippi section protest against being compelled longer to furnish fodder for Senator TILLMAN'S allegorical cow, only to provide good milking for the railroads and money sharks of Wall Street. (See the cow, Appendix 2.)

We have been unable to get the square deal to which we are entitled at the hands of the Republican Party. The Democratic Party has pledged us that square deal, and we believe that pledge will be made good. It was largely because of the pledge of the Democratic Party in Colorado to fight to the last ditch for a square deal for commercial equality for the State that the party was successful in the last election. We assisted to some degree in that success. Now, if justice is denied us here, if the national Democracy does not take cognizance of our pledge in the Colorado State platform, we shall be compelled to carry on the battle in such manner as seems to us most certain to insure success, and, like our insurgent forefathers of seventy-six, to continue the fight for commercial equality for Colorado regardless of party affiliations.

It ill becomes us to assume the management of the parlors of the Philippines, Panama, and Cuba while we indulge at home so disgracefully neglected a kitchen.

Why not change the old cry of "Cuba libre" to "Colorado libre"?

Protection of Our Food Fish.

EXTENSION OF REMARKS

OF

HON. J. CHARLES LINTHICUM,

OF MARYLAND,

IN THE HOUSE OF REPRESENTATIVES,

Friday, October 17, 1913.

The House granted Mr. LINTHICUM leave to extend his remarks in the RECORD on the bills H. R. 7774 and H. R. 7775, relating to the conservation of our food fish.

Mr. LINTHICUM. Mr. Speaker, we Americans are an extravagant people, although our forefathers, who came to this country in its early days, were not. They came from European States crowded with dense populations whose natural wealth had been divested by centuries of civilization. The watchword of living had been economy, so it was inborn with them to be frugal with the riches of the new land. Their offspring, however, had no such object lesson or salutary experiences to restrain them, for the possessions to which they were born were so bountiful, so manifest on every hand, that they naturally assumed them to be unlimited.

Indeed, in the early part of the eighteenth century the North American Continent presented a vision of natural wealth that taxed the imagination and staggered the eye. People counted land not by acres, but by square miles; they measured wood not by cords, but by acres. They saw wild birds so numerous that they darkened the heavens; the forest game was so bold that they were compelled to destroy it in order to protect their gardens. The rivers teemed with fish in such numbers that the favorite diversion of Izak Walton was nothing more than the mechanical act of casting the line and drawing the catch. Great bodies of valuable ores lay unsought in the ground over which they trod, while watercourses and waterfalls, the future economic value of which they never dreamed, abounded on every hand.

It is not remarkable, therefore, that in the face of such dazzling opulence the descendants of these early settlers should have been extravagant with the great natural assets to which they were heir. It would have been more remarkable had they been otherwise.

Two centuries of practically unrestrained attack by civilization upon the magnificent natural resources of the North American Continent has brought us face to face with the consequences of our profligacy. Our public forests have been nearly destroyed, our lands despoiled of their richness, our game almost exterminated, while our ore bodies and waterfalls, which by their very nature could not be obliterated by the ruthless onslaught of our extravagance, have to a great extent passed under control of private corporations.

But no sooner did we awaken to our folly than the cry went up to "save what's left." Large areas of our forest domain were withdrawn from entry, ore lands were removed from the danger of private aggrandizement, concerted action was taken by the various States to save the remaining wild life, followed after a number of years by national legislation on the subject which has given to the birds more effective protection than any they have hitherto enjoyed.

We have paid a bitter price, but the lesson we have learned has been a valuable one, for now we appreciate from a practical viewpoint the worth of restraint and conservation.

It is strange, however, that though we have begun to protect and conserve our forests, our mines, our streams, our waterfalls, and our birds, we have so far ignored the importance of effectually protecting through national legislation our food fish. As an economic factor in the cost of living fish are of as much importance to the majority of our people as the birds; and in habits they are equally as migratory.

DECREASE OF OUR FOOD FISH.

Year after year our National Bureau of Fisheries has directed attention to the steady decrease in the catch of food fish, pointing out the abuses that existed and urging upon the various States the importance of enacting laws to remedy these abuses. It seems that these warnings have been generally ignored, and now we are reaping the consequences of our wastefulness. As an object lesson of the enormous decrease of food fish in our bays and rivers, consider the case of Neitzey Bros., of Washington, D. C., handling a seine 7,200 feet long, which requires 45 men and 2 steamers to operate it, who report to the Bureau of Fisheries that their entire catch for the two seasons of 1912 and 1913 did not equal more than one day's catch in former years.

One of the most valuable assets of my beloved State of Maryland is the beautiful Chesapeake Bay. Upon this bay thousands of Marylanders make their living navigating its waters, gathering its sea food, and capturing its wild game. The fishing industry is a business of great importance on this bay, and I am sure that no other State watches more carefully or guards more jealously their great natural assets than do the people of my State.

Many months ago Hon. Peter J. Campbell, of Baltimore, my former associate in the State Senate of Maryland, who has done so much for the protection of the fishing industry of our State in certain localities, finding the necessity for wider legislation, directed my attention to the constant depletion in the supply of the food fish in our rivers and bays, and I became interested in the subject.

The fisherman, like the farmer, has his good years and his bad years, his years of plenty and his years of scarcity. When years of scarcity occur at irregular or remote intervals they indicate no serious or permanent trouble, for any one of a dozen different causes may have conspired to keep the fish out of those particular waters in which the fisherman operates for a living. But when year after year his catch steadily and unfailingly diminishes, this decline indicates beyond any reasonable doubt the presence of agencies destructive to the fish beyond his normal rate of reproduction to overcome. Then it is merely a question of time when fish become extinct in those waters.

NEED FOR NATIONAL LEGISLATION.

I found that Maryland and Virginia had many good laws on their statute books, but that for some reason these laws were not always enforced. Being a Marylander, quite naturally my views at first were those from a Maryland viewpoint, but after I went further into the subject I found that a view from the Maryland standpoint was just about as correct or as wrong as a view from the Virginia standpoint. I then became aware that neither the Maryland viewpoint nor the Virginia viewpoint covered the whole of the situation, and that what was needed was legislation framed from a national viewpoint.

I understand the same situation was faced by those gentlemen who drafted the law for the protection of our migratory birds. Almost every State had protective laws of some kind, but in nearly every case those laws had been drawn in the interests of the hunters of the State and not in the interests of the birds. Those men discovered that what was needed was a law drawn from a national standpoint, that would afford the birds protection in their migrations through every State, and thus enable them to increase. And so I discovered soon after

taking up this fish question that what was required was legislation from a national viewpoint to protect the fish.

I had not proceeded far with my investigation when I became aware that the depletion of our fish could be traced to two principal causes:

First. The deliberate sacrifice of good food fish by the fertilizer factories in the manufacture of oil or fertilizer compounds; and

Second. The lack of regulations as to the time, manner, and conditions under which fish are taken.

I have therefore sought to remedy these abuses by the introduction of two bills.

H. R. 7774.

The first, H. R. 7774, seeks to regulate the interstate transportation of fish or products or compounds thereof when intended to be used for fertilizer or oil or in the manufacture of fertilizer or oil.

Now, the fish-fertilizer factories contend that they do not deliberately catch any fish other than the menhaden, because the menhaden is the ideal fish for their particular purposes. The bill which I have drawn, as you will note by reference to the same, excepts the menhaden, which in some localities is also known as the pogie or fatback or mossbunker. It places no restraint upon their unlimited use of the menhaden. It also permits them to use sharks, dogfish, skates, rays, sea robins, and sculpins, so it can not be said that this measure is inimical to or would inflict hardship upon the fish-fertilizer factories, because the men controlling those factories violently protest that the fish they principally use are the menhaden.

There are many industries, such as those engaged in the canning of salmon and fish roe, that use some particular part of the fish and regard the balance as refuse. Under an exception in my bill this refuse may be disposed of to the fish-fertilizer factories, and these factories would be guilty of nothing unlawful in using this by-product in the manufacture of fertilizer. The bill merely seeks to discourage the deliberate use of food fish for fertilizer by prohibiting the shipping of such fertilizer in interstate commerce.

In order to give to the Department of Commerce, which would have charge of the administration of this law, a convenient means by which to enforce the same, my bill provides that every interstate shipment of fertilizer or oil shall bear a label certifying that such shipment contains no fish except such as are permitted under this act.

PENALTIES.

It also provides that anyone who falsely labels any such shipment shall be fined not more than $200 or be imprisoned not exceeding one year for the first offense, and if again found guilty, be fined $500 or suffer imprisonment not exceeding three years, or both, in the discretion of the court. The Secretary of Commerce is authorized to make such regulations as he may deem necessary in carrying out the provisions of the act, and it is specifically stated that in order not to interfere with those industries which have been established in the Territory of Alaska, they shall not fall within the provisions of this bill until the last day of January, 1917.

USE OF FOOD FISH BY FERTILIZER FACTORIES.

It is strange that although the fish-fertilizer factories assert that they do not use food fish to any great extent in the manufacture of fertilizer; would consider it a wrong to do so; that none of their vessels are allowed to deliberately catch food fish for fertilizer purposes; they nevertheless appear to be vigorously opposed to this law.

Since the introduction of this bill I have received letters from various parts of the country in approval of this effort to save our food fish. One of these correspondents says:

> When I was a boy you could buy the nicest spots for 10 cents a hundred and everyone was salting them up for winter's use. Now if you get them for 60 cents a dozen you get them cheap. This is one of the causes of the high cost of living, for they used to put up enough fish in the summer to last them all winter. The menhaden fish boats say they do not take any edible fish. This I deny, for all fish that come to their nets, and even the menhaden, alewives, or fatbacks, as they are called by different people, are good edible fish, and how glad some of our people in the large cities would be if they could get some of them, and yet they are made into fertilizer.

Another correspondent writes:

> Senator ——— alleged that they (the fertilizer factory boats) caught no food fish, but only alewives or menhaden. Schools of menhaden are rarely seen in schools at the surface of the water until they are being chased by tailors, bluefish, rock, and other large food fish, and it would be a most discriminating net which could catch the menhaden without catching a large number of food fish, and in bringing in the large hauls that they do it is impossible to select and throw overboard all of the food fish and save them alive for the benefit of the community.
>
> Another thing about it is, the indiscriminate catching of these fish leaves nothing for the food fish to live on. There are plenty other sources of ammonia than fish scrap. It is true it is a little more expensive, but it is also of a better quality and produces better fertilizing results.

The real situation regarding the use by the fish-fertilizer factories of food fish is, I believe, clearly and fairly set forth by Mr. Talbott Denmead, president of the Maryland State Game and Fish Protective Association, in a letter to the Baltimore Sun under date of June 19, 1913.

His letter to the Sun follows:

> SIR: I have noted with interest the many letters in your open-letter columns lately concerning the fish question in Maryland, and it is very pleasing to note that some interest is being taken in the question.
>
> I think some of the information contained in these letters is misleading, because the situation as to the catching of menhaden and the laws relating to the same are not generally known, and with your permission I should like to give a little résumé of the situation as the Maryland State Game and Fish Association finds it:
>
> First, the laws of Virginia absolutely prohibit the use of all food fish for fertilizer excepting herring; again, they absolutely prohibit the taking and catching of small-sized food fish of any kind for any purpose and require such little fish to be immediately returned to the water when caught.
>
> The State of Maryland, on the other hand, does not prohibit the use of any kinds of fish for fertilizer, nor does it prohibit the taking of small fish.
>
> Now, when the gentlemen from Virginia write to the Sun and say that they do not violate the laws of Virginia they are probably correct. When they say they do not catch food fish with their menhaden outfits outside of the Chesapeake Bay they are again correct. When they say that they do not use food fish for the manufacture of fertilizer they are mistaken, for, first, they use tons of herring for the same, which is a food fish, but used legally when turned into fertilizer; and, second, their boats regularly visit the head of the Chesapeake Bay and purchase scowloads of fish from the fishermen there during the entire spring run. These scowloads of fish are for the most part herring, but anyone who has seen them and examined their contents will tell you that there are quantities of small white and yellow perch and other food fish mixed in with them. This can not be controverted; contracts are made for these fish by those in charge of the fertilizer factory boats with the Maryland fishermen in advance of the season; everybody in Havre de Grace sees these boats arrive every two weeks or so, load the decayed fish on their boats, and sail south with them.
>
> I have had many invitations to accompany the menhaden boats which fish for the fertilizer factories and see that they do not catch food fish on these trips, but it is not necessary for me to accept, for I already know that on such trips they catch few food fish; but that they get food fish in other ways and at other times, especially from the head of the Chesapeake in the spring, can not be denied by any person who is familiar with the situation. And by food fish I do not mean herring alone, but white perch and yellow perch as well.
>
> Your correspondents of your representative will have no difficulty in ascertaining this fact, if they will journey to the Susquehanna Flats, from the fishermen themselves, many of whom will admit that they had contracts with and sold and delivered to the Maryland and Virginia fertilizer factories fish of all descriptions at so much per barrel.
>
> Fishermen who have sold these fish for fertilizer have come to me and told me they believed it wrong and wished it could be stopped by law in this State, knowing that they were injuring themselves by thinking only of the present, with no thought of the future, but while it was lawful and others did it they would continue to do it also.

VIRGINIA FERTILIZER FACTORIES.

According to the census of manufactures of 1910, which covers the calendar year 1909, Virginia ranked fourth among the States in the manufacture of fertilizers. Fish was the principal material used, in respect to cost, representing 30.2 per cent of the cost of all materials in that year as against 6 per cent in 1904, and only 2.7 per cent in 1899. There were 45 establishments in the State engaged in the manufacture of fertilizers, of which number 13 reported fish as the only material used. The statistics of these 13 establishments show that there are 698 persons engaged; that the capital invested amounted to $1,042,861; and that they turn out products to the value of $1,180,816. In addition to these 13 establishments which use fish exclusively in the manufacture of fertilizer, there were a number of others that reported the use of some fish as material to be mixed with other ingredients in the manufacture of their products.

I have no desire to do these factories the least injustice, for I admire honest industry. But when one beholds a business of this character accumulating wealth so rapidly that it is able to pay enormous dividends; when one stops to reflect that these dividends are amassed through taking from the waters of the earth the fish that belong to us all; when in the reckless pursuit and inordinate desire to acquire this free-gotten wealth these wealthy corporations are prone to ride rough shod over the common rights of everybody to rob our waters of their fish, to deprive our fishermen on a smaller scale of the means of a livelihood, to influence higher the already increasing cost of living, I submit that it then becomes the imperative duty of our National Government to extend its strong, protecting arm.

H. R. 7775.

Unfortunately our scandalously wasteful destruction of our food fish is not confined solely to the fish-fertilizer factories. It was to cover other abuses that I introduced H. R. 7775. That bill, which aims to give the protection of the Federal Government to fish not remaining the entire year within the waters of any State or Territory, authorizes the Department of Commerce to define the seasons and regulate the manner under which they may be taken. It would enable the Department of Commerce to regulate seining, prescribe open and closed seasons, etc.

An important provision in this bill specifies that it shall not apply to fish when they may be in waters solely within a State or Territory, which waters are not the outlets of streams having their sources beyond the borders of said State or Territory. In other words, I have taken care to frame these measures so that not the least possible protest can be made upon the ground that they infringe upon the rights of any State.

Under this exception only those rivers or bays which extend through one State into the jurisdiction of another would fall under this act. Where a river is solely within a State, it is expected that that State will protect the fish within that water.

To those familiar with the nature and extent of present abuses in connection with seining, the need of a law of this character is apparent. If you come in between the capes of Charles and Henry and follow up the west shore of Chesapeake Bay, you will be so astonished by the intricate maze of nets which dot the waters that you will think it remarkable that any fish are ever able to get as far as the mouth of the Potomac. Some of these nets extend 7 or 8 miles out in the bay and so overlap one another that it is a wise fish indeed that is able to get by them. In some instances, that of Mobjack Bay being a noteworthy one, they so cover the mouth of a body of water as to render it nearly impossible for a fish to get in.

The inevitable result of such conditions has quickly followed, as is attested by the following statement issued by the Commissioner of Fisheries July 15, 1913:

Memorandum for the Secretary.

JULY 15, 1913.

We have just received from Neltzey Bros., old and experienced fishermen of the Potomac River a comparative statement of the catch of shad and herring in their haul seine at Ferry Landing, Va., for a period of five years, ending in 1913. The figures are so suggestive and so confirmatory of the position of the department that I think you will be interested:

Number of fish taken.

Year.	Shad.	Herring.
1909	9,000	1,400,000
1910	4,200	517,000
1911	1,450	310,000
1912	900	145,000
1913	700	60,000

The seine used in this fishery is 1,200 fathoms long and requires 45 men and 2 steam engines to operate it. The entire catch of the two seasons of 1912 and 1913 was not more than one day's catch in former years.

———, *Commissioner.*

REPORT OF BUREAU OF FISHERIES.

Much light is shed upon the condition of the fish industry in the Chesapeake Basin by a recent bulletin of the Department of Commerce. This bulletin is entitled "Serious Condition of the Fisheries of Chesapeake Bay and Tributaries," and was dated June 4, 1913. The bulletin is as follows:

> Inquiries conducted by the Bureau of Fisheries, Department of Commerce, show that the present fishing season has been the poorest in many years in most parts of the Chesapeake Basin, and the aggregate catch of the principal spring fish—shad and herring—will be much less than in recent years. The effects of the diminished run of fish will be seen from three to five years hence, when the reduced progeny of this season's supply comes back to spawn.
>
> The conditions in the Potomac River, which may be taken as typical for all the major streams, are in some respects the worst in 40 years. The upper reaches of the river have been almost barren of fish during the entire season, and nearly all the shad and herring fishermen have failed to meet expenses. At Ferry Landing, the largest seine on the river, 1,200 fathoms long, has discontinued operations in the middle of the season, owing to the scarcity of fish. In former years this celebrated fishing shore, with a smaller seine, sometimes yielded 200,000 or more herring at a haul, and up to 10 or 15 years ago took probably 15,000 to 30,000 fish at a haul on an average. Only a few years back from 1,000 to 1,500 shad were frequently taken at one set of the seine. This year the largest haul was 3,000 herring and 100 shad, while many times only 6 to 20 shad were taken.
>
> The shad hatcheries operated by the bureau on the Potomac and Susquehanna Rivers have had a very unsuccessful season. Their operations afford a good criterion of the condition of the fishery in the fresh waters, because the whole field is covered and nearly every ripe fish that is caught by the fishermen is stripped of its eggs by spawn takers sent out from the hatcheries. At the shad hatchery on the Potomac River the egg collections amounted to 29,886,000, as compared with 88,727,000 in 1912. The hatchery at the mouth of the Susquehanna River has been able to secure only 6,000,000 eggs to date, as compared with 10,000,000 in 1912, which season was regarded as an absolute failure.
>
> **Shad culture on a scale that is entirely feasible can, with minor protective legislation, maintain the shad fishery in almost any stream; but shad culture under existing conditions is deprived of one very essential requirement, namely, an adequate supply of ripe eggs for hatching purposes.**
>
> The immediate cause of the failure of the shad and herring fisheries this year is the diminished run of spawning fish into Chesapeake Bay from the sea and the enormous quantity of apparatus among which a very limited catch had to be divided. Inasmuch as the great bulk of the yield is taken in salt water, the remnant that was able to reach the spawning grounds in the streams was insignificant and wholly inadequate to maintain the supply.
>
> The remote cause of the present condition is excessive fishing in former years and the lack of even the minimum amount of protection that is demanded by regard for the most elementary principles of fishery conservation. Fish entering Chesapeake Bay have to run through such a maze of nets that the wonder is that any are able to reach their spawning grounds and deposit their eggs. The mouth of every important shad and herring stream in the Chesapeake Basin is literally clogged with nets that are set for the special purpose of intercepting every fish, whereas a proper regard for the future welfare of the fisheries and for the needs of the migrating schools would cause the nets to be set so as to insure the escape of a certain proportion of the spawning fish.
>
> Adequate protection of the fishes is compatible with great freedom of fishery and with a large and increasing yield. A very slight curtailment of the catch, perhaps as little as 10 per cent in any given year, may be sufficient to perpetuate the species and result in increased production in a few years. To disregard a requirement so small and to permit the continuance of an evil so serious simply invites and encourages the destruction of a most valuable food supply.

CONSTITUTIONALITY OF MEASURES.

Assuming that there may be some gentlemen in this House who might feel that these measures were unconstitutional and invaded some right which belonged solely to the various States, I submitted these bills to my colleague, Judge TOWNER, of Iowa, for his opinion, and after going over them carefully I understand it to be his view that they are practically on all fours with the migratory bird bill; that if the bird law is a constitutional measure, these measures are likewise constitutional. Judge TOWNER has given special attention to the study of constitutional questions, having been for a number of years a lecturer on constitutional law in the State University of Iowa. I am therefore inclined to believe that his opinion of the constitutionality of these measures is worthy of the most careful consideration of this House.

I am a firm believer in the rights of the States, and do not excitedly fling the Federal Government for help unless I am pretty sure that no help will be forthcoming from other sources. My views along this line cordially agree with those of Mr. Oregon Milton Dennis, of Baltimore, formerly State game warden of Maryland, who, in an address before the Fourth International Fishery Congress, held here in Washington in September, 1908, said:

> I am a State rights man, and am jealous of any action of the National Government which would deprive the State of a single right. But when I consider that the great bodies of water which produce natural food run through and by different States; when I consider that petty political influences, jealousies, and other equally silly reasons prevent a State from protecting from extermination a natural food product, I am convinced that the only solution of this question is in rational control of the fish by the Federal Government. I hope this Congress will put itself on record to that end, for I believe that not until this is done and the Federal Government legislates for fish protection and supplies its powerful backing to the enforcement of such laws will the question of fish protection be solved.

SECRETARY REDFIELD'S CONFERENCE.

Secretary Redfield, of the Department of Commerce, is fully alive to the importance of fish protection. His knowledge of the subject is not confined to the information he has secured through the official bulletins of the Bureau of Fisheries, which is under his department, but is also based upon his own personal knowledge. Exhibiting unusual activity as the head of a department which brings to him many burdens, he made a personal trip of inspection and investigation. The result of that trip was to make him a more ardent advocate of fish protection than he had ever been before. He called a conference to consider fish conditions in the Chesapeake Bay, to which he invited the governors of Maryland and Virginia and the officers of those two States whose work gave them special knowledge on the subject. That conference was held in the Secretary's private office on September 23 of this year. There was a free interchange of views, the result of which was to impress many of those present with the necessity for the National Government going forward with its protective measures.

At that conference there was submitted by Secretary Redfield a bulletin prepared by the Bureau of Fisheries. The information it contains throws so much light on the subject that I reproduce it here in full:

CONFERENCE IN RE FISHING IN CHESAPEAKE BAY AND TRIBUTARIES.

> Of late it has become increasingly evident that radical legislation is imperative if the fish in Chesapeake Bay and its tributaries are to be saved and the great and valuable fishing industry is to be preserved. **The past unsuccessful season has brought the authorities of the States of Virginia and Maryland and the Federal Government face to face with this serious and vital issue. The situation in brief is as follows:**
>
> **The catch of shad in Virginia has declined, as shown by the following table:**
>
> **1897. 11,529,474 pounds or 2,882,368 fish.**
> 1909. 7,421,864 pounds or 1,880,466 fish.
> 1913. 2,752,321 pounds or 688,080 fish (unofficial).

Report of the catch of shad and herring by Neltzey Bros., of Washington, D. C.

SHAD.

1909	9,000
1912	900
1913	700

HERRING.

1909	1,400,000
1912	145,000
1913 (unofficial)	60,000

The entire catch for the two seasons of 1912 and 1913 was not more than one day's catch in former years. We operate a seine 1,200 fathoms long (7,200 feet), requiring 45 men and two steam engines to operate it. The business was so poor that we did not pay expenses.

Statement of Mr. Haywood, of Gloucester County, Va., formerly agent for the Old Dominion Steamship Co., identified with steamship interests since 1901:

"The fish in Chesapeake Bay and tributaries is very much on the decrease. In 1901 I shipped 6,000 barrels, and from that year until the present time there has been a steady decrease. In 1912 we shipped only 1,700 barrels. I attribute this to three primary causes: First, that pound nets should not be set so close that fish can not get by to their spawning grounds; second, the mesh is too small; and, third, the fishermen around York Spit, Mobjack, and York Rivers are setting their nets in 40 feet of water, practically stopping up Mobjack Bay from S. E. Bar of Newport News to York Spit. No nets should be set at a greater depth than 25 feet."

THE YIELD OF SHAD IN MARYLAND.

1890, 7,127,486 pounds, or 1,781,872 fish.
1900, 3,111,181 pounds, or 777,770 fish.
1912, 1,912,249 pounds, or 478,062 fish (unofficial).

CATCH OF SHAD IN NORTH CAROLINA.

1908, 3,942,000 pounds, or 985,500 fish.
1910, 5,184,868 pounds, or 1,296,217 fish.
1912, 7,250,000 pounds, or 1,812,500 fish (unofficial).

In 1902 the amount of fish taken in North Carolina waters was 67,384,734 pounds of food fishes. Ten years later, 101,422,000 pounds.

(Note the increase in North Carolina waters compared with the decrease in Virginia and Maryland waters.)

It is a fact that the States of Virginia and Maryland have not been able to get together in the past to make and enforce laws that would properly protect and assure the perpetuation of the fishing industry in these waters. Virginia enjoys an advantage in that the shad, herring, and other migratory fish entering Chesapeake Bay on their annual run into fresh water first come within the jurisdiction of Virginia and remain there for some time, even when bound into Maryland waters. These fish are attracted by fresh water, and hence are drawn to the western shores of the bay, where the principal streams discharge. These shores are lined with nets that almost prevent even a small number of these fish from getting to their natural spawning grounds, foremost of which are the Potomac and Susquehanna Rivers.

One object of this conference is to consider the Linthicum bill, which places all migratory fish under Federal jurisdiction. The fact that the States of Virginia and Maryland have never agreed upon cooperative laws protecting the fishing industry is the strongest argument why this bill should become a law. The further fact that the existing laws can not be or are not effectively enforced is still another point in favor of the bill.

Shad and herring are defenseless species, but other valuable varieties which are predatory are also getting scarce. The striped bass, a real marauder, is losing ground and is in great danger. In the past tons of these fish of immature years, far too small to kill, have been marketed or caught and wasted until the resources are reaching a low ebb. The sturgeon is scarce now—in fact, may be considered rare in some waters—owing to the shortsighted greed of the caviar hunter and the apparent indifference of the States. The only salvation and the last resort to save this valuable species is an absolutely closed season for a period of years. Are the States in position to grant this?

It would seem strange if for the sake of a few hundred dollars revenue derived from the granting of licenses promiscuously to the net fishermen, regardless of the number set or the consequences to the fish supply, an industry worth millions of dollars is to be sacrificed. Restrictive legislation that will adequately conserve the supply is entirely compatible with active fishing and will in time lead to an increased catch. But little disturbance to the industry would ensue even at the outset if, as the result of a new cooperative policy, the food fishes of the Chesapeake region were given even the minimum degree of recognition that wisdom dictates.

In the prosecution of any fishery the first and most important consideration should be to make it certain that a sufficient number of spawning fish are allowed to escape to maintain the supply. But no such consideration has ever been observed in the fisheries of Chesapeake Bay and tributaries, where the object has been the capture each year of the maximum number of fish obtainable.

Assuming a catch of 2,000,000 shad in a given year, one-half of that number would be females filled with spawn. If only 10 per cent of them are allowed to escape the nets and reach the spawning grounds, over 2,000,000,000 eggs would be laid. This output plus the work of the hatcheries would go far to keep up the supply and the result would be an increased catch in a few years.

It is not necessary now to consider the details of legislation that is demanded. The important thing is to determine whether a policy can be adapted which will meet the situation. Lines along which legislation should go are:

(1) Close season.
a. Close season on sturgeon for a term of years.
b. Close season on all fishing sunset Saturday night to sunrise Monday morning.
(2) Restriction of amount of netting in a given area.
(3) Keep clear the way to spawning grounds.
(4) Prevent avoidable waste.
(5) Allowing no food fish to be caught except for food purposes.

EXTERMINATION OF THE STURGEONS.

Our wasteful and indifferent course toward our food fish is fast leading to a state in which their destruction exceeds their reproduction. This means nothing less than inevitable extermination and the sacrifice of this great industry, which is increasing as an important economic factor in the cost of living. I am told by a gentleman of Ocean City, Md., familiar with the fish industry, that 46 boats off the coast fishing for menhaden is not an unusual sight. To clear expenses each of these boats must catch at least 1,000,000 fish a day. Assuming that each catches only the minimum number, a grand total of more than 46,000,000 fish are taken each day for fertilizer purposes. When the day's catch is poor, it is a natural temptation to take anything that looks like fish.

The great decrease in the catch of shad has been referred to. Unless we soon change our present policy it will not be long before the shad will become comparatively as rare a species as is now the sturgeons. The wanton and criminal sacrifice of the sturgeons, whose delicious steaks probably many of you have often enjoyed, presages the future of our other food fish unless we adopt conservative measures.

Here is the story of the sturgeons as given me by Dr. Hugh M. Smith, the United States Commissioner of Fish and Fisheries, who is already winning an enviable reputation through his vigorous efforts for the protection of our food fish:

THE STORY OF THE STURGEONS.

(By Hugh M. Smith, United States Commissioner of Fish and Fisheries.)

The story of the sturgeons is one of the most distressing in the whole history of the American fisheries. These large, inoffensive fishes of our seaboards, coast rivers, and interior waters were for years considered to be not only valueless, but nuisances, and whenever they became entangled in the fishermen's nets they were knocked in the head or otherwise mortally wounded and thrown back into the water. I have seen the shores of the Potomac River in the vicinity of Mount Vernon lined with the decomposing carcasses of these magnificent fishes, witnesses to the cruelty, stupidity, and profligacy of man, and the same thing has been observed everywhere in our country.

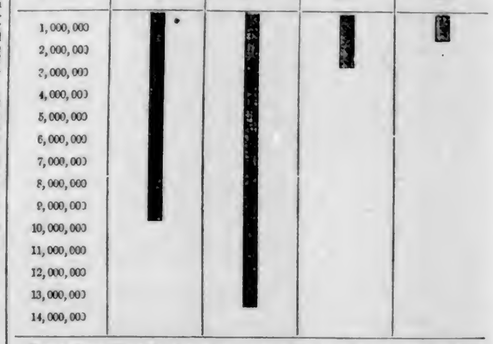
The next chapter in the story was the awakening of the fishermen to the fact that the eggs of the sturgeons had value as caviar and that the flesh had value as food. Then followed the most reckless, senseless fishing imaginable, with the result that in a comparatively few years the best and most productive waters were depleted, and what should have been made a permanent fishery of great profit was destroyed. Even after the great value of the sturgeon began to be appreciated by everyone no adequate steps were taken by the responsible authorities or insisted on by the fishermen, and the fish-eating public remained callous.

For a long time after the failure in the fishery had begun and was apparent to everyone the immature and unmarketable fish incidentally caught in seines, gill nets, and pound nets received no protection whatever in most waters, and were ruthlessly destroyed as nuisances, the decline thus being doubly accelerated.

On the Atlantic coast the catch of the sturgeon fell from 7,000,000 pounds to less than 1,000,000 in 15 years; on the Pacific coast the same meteoric history was enacted, a catch of over 3,000,000 pounds annually in the early nineties being followed by a few hundred thousand pounds in later years of the same decade, with no improvement since that time, while on the Great Lakes the yield declined more than 90 per cent in 18 years. In the American waters of the Lake of the Woods, one of the most recent grounds for the exploitation of the sturgeon, the catch decreased over 96 per cent in 10 years, notwithstanding a more active prosecution of the fishing.

The approximate sturgeon catch of the entire country at 10-year intervals, beginning in 1880, is shown in the following diagrams:

Approximate sturgeon catch of the United States.



Everywhere there is a steady downward trend in the catch. Some rivers that formerly supported a flourishing fishery are now absolutely depleted. The scarcity of the sturgeon and the demand for their flesh and eggs have run up the price to an extraordinary figure, never attained by any other fish, either in America or anywhere else. A mature female sturgeon often brings the fisherman more than a hundred and fifty dollars, and it is a poor fish that can not be sold for twenty to thirty dollars on the rivers of the east coast.

The most serious aspect of the sturgeon fishery is that, owing to the declination of the schools of breeding fish and to peculiarities in spawning habits it has been impossible as yet to inaugurate sturgeon culture anywhere in America. Attempts at artificial propagation have proved utter failures on the Great Lakes, Lake of the Woods, Lake Champlain, Delaware River, and other waters, and the expenditure of considerable sums of money by the Federal Government has sometimes failed to yield a single batch of eggs suitable for incubation.

Everywhere in America under existing conditions the sturgeons are doomed to commercial extinction, and it requires no prophet to foresee that in a comparatively few years sturgeons will be as scarce as the dodo.

What is demanded in every State in which these fishes exist or have existed is absolute prohibition of capture or sale for a long term of years, certainly not less than 10. Any less radical treatment would be only trifling with the situation.

INCREASING IMPORTANCE OF FISH FOODS.

For generations the people of the United States have been the world's champion meat eaters. Possessing grazing land measured in square miles and innumerable cattle, fresh meat daily has been obtainable at the lowest possible price. Despite the fact that we possess the world's richest fisheries we have disdained to include fish as an important part of our diet. For this reason the development of the fisheries of the United States was undertaken in the face of national apathy toward the subject. Probably more owing to the tenets of the Catholic faith than anything else fish as an article of food gained national recognition.

Under the economic readjustment now going on the popularity of fish as a staple article of diet is increasing. The placing under cultivation of vast stretches of our prairie lands has so restricted the grazing area for cattle that the stock raiser of the West finds it no longer possible to avail himself of the rich pastures which were once his. This has resulted in a decrease in the supply of cattle with a consequent increase in the price of those which are butchered. This means that the American people must change their mode of living, and that instead of serving fish as an adjunct to the meal it must begin to constitute the meat portion of the repast.

INTEREST OF THE FISHERMEN.

In this day of widespread cooperation and conservation it behooves us to consider whether we are protecting those blessings which have been given us for our enjoyment and sustenance. Is it not self-evident that it is our duty to use with prudence, frugality, and care these gifts which nature has bestowed upon us?

Are we not the trustees for these great natural assets with a duty devolving upon us not to squander the property or principal, as it were, but to hand it down for the use and enjoyment of those to come? Is it fair that we who have within our control a vast storehouse of nature capable under proper care of feeding millions to allow it to be destroyed? Do we not owe it to posterity to maintain this valuable asset, thereby providing employment for those engaged in the industry and furnishing an economical source of food for the people of this country whose food problem is becoming more serious each day?

I would not advocate anything which would injure those whose livelihood depends upon their fishing privileges, and I am firmly of the opinion that it would be to the permanent benefit of all persons engaged in the fish industry to assist in securing legislation by which that industry can be protected and fostered and yet not unnecessarily hamper those engaged in the business. As yet it is within our power, through the observance of sensible laws and regulations, to prevent the total destruction of our food fish and bring the industry back to its prosperity of old.

Unless we check present abuses, it will not be many years before the fish industry will be destroyed. The manifest importance, therefore, of cooperation, of the necessity for restrictive measures, is apparent. The success of this reformatory policy holds within its keeping the salvation of the fish industry, now employing thousands of people and feeding millions. No particular class of people are more vitally interested in the success of this effort than those now engaged in that industry, for no people employed in a dying industry can be truly happy with the constant dread always before them that in the eventide of their lives their source of employment will have ceased.

Therefore we owe it to ourselves, to the thousands of fishermen to whom the fish of our rivers and bays furnish employment, to the millions of our population to whom fish is a part of their daily food, to enact into law the measures I have submitted for fish protection. The Bureau of Fisheries has approved these measures, for they are legislation along the lines desired by it, the only legislation which will effectually cover the situation, that will enable us to protect and preserve this immensely valuable national asset.

Columbus, the World's Benefactor—The Man of Destiny, Who Conquered Through Faith in an Overruling, Guiding Providence.

SPEECH
OF
HON. CLEMENT BRUMBAUGH,
OF OHIO,
IN THE HOUSE OF REPRESENTATIVES,

Monday, October 13, 1913.

Mr. BRUMBAUGH. Mr. Speaker, as Columbus Day is now very properly and fittingly observed everywhere throughout the Nation, and as the House of Representatives of the United States is now in session on the day that such exercises are being held, I ask unanimous consent of the House to be permitted to address the House and submit some words of praise in honor of and in commemoration of the life, services, and fame of Christopher Columbus, the world's great benefactor, the man of destiny, who conquered through his sublime faith in an overruling, guiding Providence.

Representing a congressional district that has within it the largest city of the world bearing the honored name of Columbus, I have thought that I might appropriately ask the time and attention of this great legislative body of the Nation to present a few remarks in commemoration not only of Columbus Day, now so fittingly observed throughout the Nation, but also to commemorate the life and fame of this great and good man.

Mr. Speaker, there are some great benefactors whose services to mankind have been so transcendently great that we honor ourselves by remembering to honor them. This is eminently true of Columbus.

Christopher Columbus was one of the greatest souls that ever wore the clay of earth about him. To rightly estimate the superb dimensions and nobility of this great character we must study his life in connection with the beliefs and prejudices of the age in which he lived.

Because he lived on the mountain top of faith and vision, above the fog and ignorance of his age, he was misunderstood, maligned, and often persecuted.

With supreme courage, heroic endurance, and with an unfaltering faith in God he combated the superstitions of his day, became the benefactor of the ages, and bathed his name in immortality.

COLUMBUS, THE GREAT STAR IN THE HEAVENS OF FAME.

Every age has her great characters, every land her great heroes. Backward across the centuries of the past we can see yet a few sunken mountain peaks jet out from oblivion's sea.

The telescope of time as it sweeps the historical heavens still shows here and there those great stars whose magnitude is unabating through the cycling ages. Among the greatest is the name of Christopher Columbus.

The greatest souls of all history are those who, like Columbus, have conquered in the face of every adversity—those who have defied fate and all that fortune, death, and danger dare—throwing all in the balance, have hitched their chariots to the star of hope, led victory captive, and snatched immortality from the ruins of ceaseless time. This did Columbus.

Few men win immortal fame, or even respect, admidst the applause of the people of their age, but this does not condemn them in history:

Seven cities claimed Homer dead
Through which the living Homer begged his bread.

The world yet ponders over the witticisms of Diogenes, yet Diogenes had no better bed than his ever-present tub.

The eloquence of Cicero still thrills the world, yet Cicero lost his life while pleading the cause of right and justice for the people who slew him.

Moreover, the greatest events of history have been accomplished by men out of touch with their times and not only in the face of ridicule, but contrary to the wisdom and teachings of their age.

They were always doing the impossible.

Hannibal did the impossible when he crossed the Alps.

Cæsar conquered contrary to all military rules of his time.

Thus lived and died and became immortal Demosthenes, Socrates, Plato, Galileo, and the One who was greater than man—the Christ—the Savior of men.

THE FALSE CONCEPTIONS AND TEACHINGS CONCERNING THE FORM, DIMENSIONS, MYSTERIES, AND SUPERSTITIONS ABOUT THE EARTH.

Columbus sailed in the face of all the learning of his age, contrary to the religious thought of the world and against the accumulated wisdom of mankind.

No one can understand the propelling purposes in the life of Columbus, the supreme courage and faith of the man or even the history of the age in which Columbus lived, without first thoroughly understanding the conceptions and teachings the people of the world held, both before and at the time Columbus lived, concerning the form, size, and dimensions of the earth, and also the superstitions that filled the minds of all men concerning the powerful, mysterious forces that governed the earth, the lives of men, and even determined the destiny of the souls of men.

It is most interesting and also necessary to notice the conceptions the people held concerning these things to understand the struggle through which Columbus passed and the great work that he accomplished for all men of all times.

CHINESE CONCEPTION OF THE FORM OF THE EARTH.

The Chinese geography taught that China was the center of the world and covered the face of the earth, the other lands being small islands in the seas. The sky was held up by seven pillars in the center and rested down on the land at the rim of the horizon.

HINDU THEORY OF THE EARTH'S FORM.

The Hindus taught that the world rested upon four elephants. The elephants stood upon the back of a huge world-wide tortoise. To carry the investigation below the tortoise was profanity.

Plato at first taught that the world was a cube—a six-sided figure. And so each nation of antiquity had its own peculiar view of the earth, to dispute which stamped the offender as impious to the gods and a heretic in religion.

THE CONCEPTIONS OF THE ANCIENTS AS TO THE FORM OF THE EARTH.

And here, as throwing a flood of light upon Columbus and his times, as well as explaining the religious and scientific theories concerning the earth's form, shape, and dimensions, let us digress to notice the teachings of the ancients in regard to our earth from the time of their first crude conceptions of its form and dimensions till the truth blossomed forth centuries later in the knowledge of the earth's rotundity.

Doubtless the first man, as he stood alone upon the earth and looked into the face of the silent stars, speculated as to what this world was, its extent, and its sustaining force.

THE FIRST CONCEPTION—THE EARTH A PLANE.

The first and oldest conception of the world's shape, as taught by the ancients, was that the earth was a plane. The first theory was something like this: They looked upon the earth as a plane stretching away beyond the Ægean Sea. Around the plane ran the broad, deep River Oceanus. Beyond Oceanus was the region of fire and the abode of the spirits of the dead and the realm of darkness. Here Hemera, Earth, joined his brother, the heavens, and here beyond the river was the dreary house of death. This conception of the earth was substantially the common belief of the people for centuries and must be noted to understand Columbus and his time. This was the conception of that wonderful people, the Greeks.

There is preserved to us a tale told by the satyr Salinus to the King of Phrygia. This speech was made 400 B. C. It is such a vivid description of their conception of the earth and contains sentences of such surpassing beauty and full of such historic suggestiveness that I shall take the privilege of repeating it here. The satyr delivered himself as follows:

> The ocean sea circumscribeth and surroundeth the island named Europe, Asia, and Liberia. Beyond this ocean there is a continent of dry land infinite and unmeasurable, with green meadows and pastures, sundry big and mighty beasts. In the borders adjacent to the country is a perilous place; a gaping gulf, a bottomless pit, and the ground openeth like the mouth of insatiable hell. It is neither perfectly lightsome or absolutely darksome, but the air hangeth over with a certain kind of cloudy redness. Here two floods set their courses that way—one of sorrow and one of joy—and about each stream grow trees. The tree which grows by the flood of sorrow yieldeth its fruit, and if any man taste thereof a stream of tears flows from his eyes like a river and the whole race of their lives is turned into lamentations insomuch that weeping and wailing he knitteth his carcass in winding sheets for the greedy grave to swallow and devour.
>
> The other tree, which prospereth upon the banks of the flood of pleasure, bears fruit clean contrary to the former, for whoever tasteth thereof he is presently weaned from the power of his ancient appetite and desires so that the remembrance of them is quite abolished. But also, little by little, he recovers the years of his youth and becomes young again. The forwardness and crookedness of old age is first shaken off. The amiableness and loveliness of youth begin to bud, insomuch that they presently put on the estate of striplings, then become boys, then change to children, then reenter infancy, and at length, in great happiness, death maketh a final end of all.

Such was their conception of the earth and the spirit land beyond. What a picture! This was their theology, their geography, their view of the after life—the tree of good and evil, a material hell to shun and a glorious eternity to gain. Such was the belief that filtered down through the minds of the ancients down to Columbus's time. Ancient literature and mythology are full of such conceptions of the world and of the future life.

Mythology taught that somewhere in the plains of the valley of death was a little stream, a sip of whose waters caused all forgetfulness of all sin and pain to the troubled spirits of the departed souls.

THE RIVER OF FORGETFULNESS AND THE SPRING OF YOUTH.

Moreover, all the world believed that somewhere was the spring of youth, where you would bathe and not only be whole but young again. Just where this spring was no one knew, but it was the duty of the good to search for it. Popular imagination of Columbus's day said it was in that marvelous diamond-robed India. These views were not idle imagination, but thoroughly believed by the people.

Later we find the repenting old man, Ponce de Leon, searching for this spring of youth among the evergreen foliage of Florida. About the time of Plato and Aristotle they began to conceive of a different shape for the earth.

THE SECOND CONCEPTION OF THE FORM AND SHAPE OF THE EARTH—THE EARTH A SPHERE.

The second conception of the earth was that of the sphere. This was a natural outgrowth of the idea of a plane. Who first promulgated the theory that the earth was a sphere is not known. Pythagoras we know believed it; Aristotle taught it and made it orthodox among the learned of his age, while Hipparchus and Ptolemy made it at last a part of the religion of the Greeks. The Greeks transmitted it to the Romans, and Rome, through the teachings of Pliny, Virgil, Ovid, and Cicero, impressed it upon barbaric Europe. It passed into the books of the Middle Ages and filtered its way down to Columbus's time, and thus made possible the invention of the magnetic needle, the navigation of the world, and the discovery of America.

THE NEXT GREAT STEP—THE EARTH'S DIVISIONS AND INHABITANTS.

After this belief became settled the next step in the development naturally came in the form of the questions which they asked themselves. If the earth is a sphere, first, how is it divided; second, are the unknown parts of it inhabited? You will see at once that these were momentous questions. Upon their answer depended the destiny of the world. First, is it divided? How was this question worked out?

The Arabs upon the plains of Assyria were our first astronomers. In their silent tents at night they had watched the stars in their courses and listened to the music of the spheres. They had divided the heavens into circles. It was a near thought to transfer these circles to the earth and divide the earth by circles into five zones. This great thought is credited to Pythagoras.

THE MYTHOLOGICAL FABLES.

The Greeks believed then in two temperate zones, each capable of sustaining life, but that no life existed in the other zones. As to the division of land and water, some held that one ocean covered the whole earth, and that the land was an island. The other theory was that the earth was so large that it held the sea in a hollow form. To this latter theory belong those beautiful fabled stories of Atlantis holding the heavens up; the Pillars of Hercules; the golden apples in the gardens of Hesperides; the feats of Hercules, who held up the heavens for Atlantis while Atlantis went off on a ramble for the golden apples watched over by the fair goddess in the gardens of Hesperides.

THE UNKNOWN INHABITANTS.

Was the unknown earth inhabited? Columbus was not the first, of course, to believe that it was inhabited.

Pythagoras held that the whole world must be inhabited.

Aristotle proved that the Southern Hemisphere must have its temperate zone.

Pliny taught that there were antipodes on the other side of the globe.

In Cicero's Republic the younger Scipio, long a dead, is made to relate a dream. The hero of that name, Scipio Africanus, dead centuries before, takes Scipio the younger up to the Milky Way of the sky to show him the vanity of human fame. He tells him that there were places where his authority could never reach although he should conquer the whole known earth. "Dost thou see in how few places the earth is inhabited and that tribes live directly off from you on the other side?"

THE MARVELOUS INDIA.

Such was the Greek thought of the world.

To the north was the happy land of the Hyperborians, beyond the blasts of Boreas. To the east was wondrous India. To find a waterway to this marvelous India became the mainspring of all of Columbus's actions. To the south was Ægean, which ran into unknown Oceanus. But the west! What was it? The west was all the world beyond the Pillars of Hercules or the Straits of Gibraltar. There was the great land of fables. Here the great Atlantis held up the curtains of the sky. Here were the Elysian fields, the home of heroes exempt from death, and those dying in battle—a thought very like the Indians' happy hunting ground. Of these fields the poet, Pindar, sang thus in beautiful strains:

> Those who have had the courage to remain steadfast and to keep their souls altogether from wrong pursue the road of Zeus to the castle of Cronas, where o'er the isles of the blest ocean breezes blow, flowers gleam with gold, and with these they entwine their hands with bracelets and make crowns for their heads.

Such was the song. Illustrious Pindar! Magnificent barbarian!

EARLY LIFE OF COLUMBUS.

Such in brief was the conception of the earth when Columbus came on the stage of action.

In his early life and up to the age of 35 there is nothing of importance or promise of greatness. His father was a poor wool comber; some of his kindred sea rovers. These sea rovers were pirates and robbers. They hired themselves out to fight and plunder for any potentate who wished to employ them. With these desperate characters Columbus was sometimes forced to associate. From the age of 14 to 35 his home was a ship; his life was that of a rover of the seas.

It was with these sea robbers that the great captain learned the art of navigation; learned the power of control; learned how to carry himself in fight when with sword in hand he sprang over the board of the hostile vessel. The story of one of these sea fights off the coast of Portugal is preserved to us by Columbus's son, Ferdinand. The fight lasted, we are told, from morning till night. Early in the engagement the fighters had linked their ships together with iron grapplings never meant to be loosened. No quarter was ever asked or given. Late in the day both vessels became enveloped in a sheet of flame of fire and the only escape was to jump overboard. Columbus plunged into the sea and, being an expert swimmer, swam by the help of an oar 8 leagues to land.

Such was the life of Columbus up to his thirty-fifth year; wild and roving, but more humane always than the companions with whom fortune and circumstance forced him to associate.

GOD MOVES IN A MYSTERIOUS WAY HIS WONDERS TO PERFORM.

Mighty forces were converging, and Columbus was the man upon whom, by past training and the decree of Providence, these mighty forces were to converge. Columbus, by that destiny that shapes our ends, was changing with it, destined to play his part in the world's greatest drama since the life of Christ on earth.

THE RELIGIOUS PERIOD OF COLUMBUS'S LIFE.

At the age of 35 a sudden change occurred in Columbus's life. He suddenly left his seafaring life, settled down to deep study concerning the earth and the religious condition of the Holy Land, then in the hands of the infidels. An Italian by birth, he accepted the religious faith of his land and age and became a devout Catholic.

A great religious impulse now seized him and never left him. He believed that the world would come to an end in about 100 years; that before that time the Scriptures must be fulfilled; that the Gospel must be carried to the heathen; that he was the chosen agent of Heaven to do that work. Moreover, to do this work Columbus reasoned that the Holy Land and the sepulcher of our Savior, Jerusalem and Palestine, now all in the hands of the Turks, must be taken and redeemed to Christianity. To do this he must lead an army to India.

THE TRADE WITH INDIA.

It will now be necessary to note the condition and enterprises of the world at this time, when Columbus's great purpose was moving his soul. All the courts of Europe were one giddy round of extravagance. The court ladies demanded the precious jewels, perfumes, and spices of India, and a brisk trade between every court in Europe and India sprang up to meet this demand. But the voyage could only be made by a long and perilous journey—a journey through deserts and mountain cliffs beset by desperadoes and robbers.

Yearly the caravan of travelers, with their camels, made this perilous journey, and yearly these mountain desperadoes, who made a business of murder and piracy, grew more desperate. But the demand was great, and many companies of men lost their goods, their camels, and their lives in the efforts to supply that demand. At last Constantinople, the last natural passway, fell into the hands of the Turks, and the last gateway to India was closed. The problem now arose whose attempted solution finally led to the discovery of America.

A WATER ROUTE TO INDIA.

The burning question now arose how to reach India by water. Columbus, by his study, had come to the conclusion that he could reach India by a sea route due westward. Should he do this, he knew that he would become the greatest benefactor of the world; for, according to his conception of the size of the earth, he would then have carried the Gospel all over the earth and have prepared the earth for the coming of the Kingdom of Heaven. Besides, according to the customs of the times, whoever opened up the way to India would not only redeem its people, but be the rightful possessor not only of the people but of all the marvelous wealth of fabulous India. To this end Columbus devoted his life with a perseverance which nothing but death could stop.

Columbus's mistake was not in the form, but in the size, of the earth. Aristotle states that the mathematicians of his day placed the circumference of the earth at 400,000 stadia. Later Strabo figured it down to 180,000 stadia.

Columbus accepted the views of Strabo. He believed that Europe covered four-fifths of the earth's surface and that only a narrow sea separated them on the west. The thought that between India and Italy to the west was the great Atlantic, then the great American Continent, and then still the vast Pacific Ocean, never entered his head. He was sure that it was only a short trip from Italy to India through this western sea of horrors; that the way could be found by any navigator with the courage to defy the terrors of the western seas and steer due westward to India. India, then, by his conception, completed the circuit of the earth. The thing seemed so feasible and plain that Columbus became possessed with the idea to do it. He always believed that he had done it, and went down to his grave in that belief.

FINDING A WAY TO INDIA.

And why should all the nations of the earth desire to find a waterway to India, a desire which was not only manifest in Columbus's life, but in that of every sailor for 300 years after him? I have already alluded to the great demands of trade for precious gems, perfumes, and spices, and the perils of the journey and the final stopping of the last passway by the capture of Constantinople by the Turks.

But, beyond all this, India was believed by the people to be a veritable paradise, a land of wealth and pleasure beyond the loftiest imagination of the mind of man to conceive.

About this time Sir John Mandeville and Marco Polo had written some wonderful stories of India, which had stirred the popular mind to feverish excitement. It is necessary to see what they thought India to be in order to understand Columbus or the history of the times. Take the story of India as given by Polo, a brief part of which I here relate:

POLO'S STORY OF THE KINGDOM OF FABULOUS WEALTH, INDIA.

First, to start with, he affirmed that in the Far East had reigned for centuries a line of mighty monarchs of the race of Kublai-Khan. Their Kingdom was made up of many Provinces or States, one of which was Mangi, bordering upon the sea. Let us for our purpose just consider this one Province. In this Province, Marco Polo said, were 12,000 cities, all within a few days' travel of each other. As a sample of what the people believed of all India let us take the description of one city of the 12,000 cities of this one Province of the Kingdom, Quinsai. Quinsai was 100 miles in circumference; 30,000 soldiers guarded it; 100,000 police were on duty within it; the main street of the town was 40 paces wide and 33 miles long; at the distance of every 4 miles were market places, each 2 miles in compass, and 40,000 to 50,000 people met here to trade daily. The streets were all paved with pure stone. The waterworks were so arranged that twice a day the river was conducted through the streets sweeping the filth into a great pool beyond and then into the sea. The city had free hot and cold baths and trained fire department. The palace of the King, with its wide terraces and courts, filled a space of 10 miles, and here on the days sacred to the gods 12,000 guests were feasted at a time. The people of Quinsai were so wealthy that a part of each day was spent on the lakes in pleasure barges for banqueting, a part in driving through the parks, and a part in resting under inviting bowers, whose branches sent off perfumes at every sway.

INDIA A PARADISE.

Such was the description of this one city of the 12,000; "a city for the excellence whereof," declares Polo, "the world hath no equal. It hath so many pleasures a man would think he were in paradise." The description of the whole Kingdom was in keeping with the above.

Polo continues: "Throughout the Kingdom radiated roads all magnificently paved. Out of the soil sprang waters which cured all diseases." I shall not weary you with a description of the

King's winter palace of pure white marble, roofed with gold; 10,000 picked soldiers always acted as bodyguard, and his army was like the sands of the sea and the generals sat in chariots of solid silver. Such was the description of this wonderful India. The people believed this story. The people believed that in India priceless pearls were scattered like pebbles. Mountain peaks of jasper pierced the sky; palaces were roofed and floored with gold. In India rivers of healing for all diseases sprang out of the ground. The climate was so luxurious that every tree, as it swayed in the breezes, sent off an incense that filled the air with sweetest perfume. Such was in part the fairy story of the traveler and such was the belief of the people of the world in the age Columbus lived.

And now, after the blockade of the pass at Constantinople, commenced that great movement to find a water route to this rapturous India that resulted in the discovery of America, for that nation which should discover this route could, by the customs, claim the people and their riches for the service of God and the true church.

THE TWO GREAT UNKNOWN FRIENDS, PRESTRELTO AND PRINCE HENRY OF PORTUGAL.

The great truth, the invaluable information which became his, was furnished Columbus and worked out in the gallant, patient struggles of two men hardly known to the pages of history.

Prestrelto had been a brave sailor under Prince Henry. He had braved the western sea of horrors; had made charts, maps, and journals of his trips. Columbus, by his marriage to Dona Prestrelto, on the death of her father came into possession of these invaluable maps. It was this that gave Columbus his first conception of a water route to India and explains the great change in the life and habits of Columbus.

PRINCE HENRY OF PORTUGAL AND THE WESTERN SEA OF HORRORS.

The other man was the gallant Prince Henry of Portugal, who built his home by the sea where its roar, as he said, would ever be in his soul. He called all the wise men about him. He had rejected the teachings of the wise men regarding the possibilities of navigating that fearful western sea of horrors. And what and where was this sea of horrors that played such a part in the world's development? It was all the unknown waters beyond the Pillars of Hercules, or the Straits of Gibraltar—our Atlantic. The wise men taught and the people believed that in this western sea of terrors was a heated region beyond the boundary line of which no one could breathe the air and live.

THE WESTERN SEA OF HORRORS—THE SEA OF FIRE AND DEATH.

The poet, Pindar, had said beyond its gates no man, however brave, might navigate. Only a god might voyage these waters. The people believed this sea to be presided over by the spirits of fire, death, and darkness. Such was the belief that chained and bound navigation for centuries and which played such a great part in the world's development, whose terrors kept sailors for centuries in the Mediterranean, blocked the progress of the world, and all but made the sailors on the voyage with Columbus compel him to turn back when almost in sight of America. But Prince Henry said, "We'll cross that line," and he did. And in doing it he gave the world, I think, its greatest example of physical courage and broke one of the greatest cords of bondage that ever bound the human mind in the darkness of ignorance. Prince Henry liberated the world from its greatest superstition. Columbus got the benefit and praise of the completed work of this great heroic deed.

From these two sources Columbus got all his practical valuable information. From his conception of the size of the earth the shortest way to India would be to the west. He now became thoroughly satisfied that the kingdom of the great King Khan and all that wonderful India could be reached by any navigator bold enough to defy the fancied terrors of this sea and sail for 30 or 40 days to the west, and for the accomplishment of this he dedicated his life. The western sea of darkness had no terrors for him. Prince Henry had smashed that superstition.

THE ONE OBJECT OF COLUMBUS.

Columbus, in the words of Shakespeare, now realized that—

There is no darkness but ignorance.

He felt and realized that the blackest darkness is ever the superstitions of ignorance.

He now became a man wrapped in only one thought. His conception was first and foremost to carry the Gospel to India, and, second, to take the riches of India to equip an army which should take and redeem Jerusalem, the Holy Land, and the sepulcher from the hands of the infidels, the Turks, and thus bring the whole earth under the saving influence of the church. This was the sublime conception that filled his mind and thrilled his soul. This is what he thought he had done when he discovered America.

He held on to his purpose through 18 years of disappointment, starvation, and ridicule with the faith and determination of a martyr. For this great work he believed God had singled him out and set him apart. He said:

My name is Christopher, which means Christ bearer. Therefore I am to bear the Gospel to the ends of the earth.

He was a diligent student of the Bible and studied its prophecies. He believed that the end of the world would come when the Gospel had been carried to these lands. Moreover, he believed that the time of the end was close at hand; that in one century the end would arrive.

Listen to the following. I quote his own words. Speaking after his voyage to America, in profound ignorance of what he had done, he says:

God made me the messenger of the new heavens and the new earth spoken of by St. John in the apocalypse after having spoken of it by the mouth of Isaiah, the prophet.

And he adds:

He showed me where to find it.

Further, as showing his belief, he says:

Our Lord wished to do a miracle by my voyage to India.

It was necessary to hasten his purpose, for—

By my calculations there only remained 100 years till the end of the world.

THE HEROIC, PATHETIC, STRUGGLING PERIOD OF HIS LIFE.

This purpose once conceived, nothing but the hand of death could still that great determination which beat in his soul. For 18 years he tramped all over Europe talking to anybody and everybody who would listen to his wonderful scheme. Every court was harangued and bored by this enthusiast of his age talking to them what they termed "unintelligible stuff." Defeated in one court, footsore and weary, he took up his tramp to another.

His method of procedure was something like this: With his charts, maps, and drawings he would tramp to the capital of a kingdom. There he lived partly by drawing and selling maps and partly by begging his bread, talking all the time to everybody who would give him attention, until gradually he got nearer to the King. When the circle of interest he had generated reached the King, Columbus would be admitted to his presence.

With a new ray of hope Columbus presented himself before the monarch. Here he made the same eloquent plea, describing in glowing terms both the honor and wealth that would come to that kingdom which should send him forth. The monarch, usually ignorant, but always moved with interest, would then submit the question to the learned men of the court. Before the court of the nation's collected wisdom Columbus next appeared to tell the story that burned in his soul, and here Columbus was always sure of defeat. In regard to him the wise men differed, as wise men always do; some believed him crazy, others thought him a harmless crank, while others thought him a smart impostor hatching out some heretical scheme.

In regard to his theory that the world could be sailed around they were all of the same opinion. It was too absurd for consideration. The idea that the world was round, that on the other side were men who went about with their heels over their heads, the wise men declared to be positively funny, and they held their sides as they roared in derision at this sad-eyed, pious, determined crank. But, further, said they, if the world is round, there is another sky where snow and ice fall upward, and that, cried they, is blasphemy. So they all advised the King to have nothing to do with this ridiculous, absurd scheme and to invite this pest of the court to move on. And thus, with a perseverance which nothing could wear out and a patience absolutely unconquerable, Columbus waited, toiled, and suffered for 18 years.

He first asked aid of Genoa, his native city, and was refused. Next he turned to King John of Portugal, the successor of the great Prince Henry. He told John of the nearness of time, his heavenly mission, and assured him that he could give him India in two months.

After having been made a football of ridicule by the wise men of the court, Columbus left Lisbon and went back to Cordova to lay the matter before Ferdinand and Isabella, but they were then engaged in a civil war driving out the Moors and had no time for his scheme. Columbus, to gain their favor, joined the army and was a soldier at the fall of Granada. At last he gained a hearing and suffered defeat at the hands of Ferdinand and Isabella. It was with a sad heart that he turned away from his last hope. Now occurred one of the darkest hours in Columbus's life. There are hours so dark in human life that even hope seems to have left our breast. Such an hour had come to Columbus.

THE TURNING POINT.

There are times when the success of human life and destiny of the world hangs upon a straw. I propose to show that it was the happening of the most insignificant event that not only decided the destiny of Columbus's life, but the fate of the world in the discovery of America.

Columbus, on his journey from the court of Ferdinand and Isabella, stopped, footsore and weary, at the gates of a convent to get a morsel of food for his starving little son, whom he led by the hand. This is not an event history would stop to note, you say. Aye! But that determined the future life of the great discoverer. With Lowell we may say: "How small an arm may turn the iron helm of fate."

"Give me food and drink for my starving boy," cried Columbus. The good monk, touched to the heart with pity, gave him food and insisted that Columbus stay for the night.

There are times so full of bitter disappointment that we long for a place and friend, that we may lay open our very heart. Columbus had found such a place and such a friend in the presence and at the fireside of the good monk.

Columbus, as he sat by the fire and talked the night away, seemed inspired. He wrapped the monk in wonder. Some of that light that never was on sea or land shone about him. As he told this religious man of the coming of the Kingdom his face lit up with angelic brightness. But what of the outcome? It was a turn of the wheel of fate. Little knew Columbus that upon this talk this night fortune would smile upon him and mark him for her own. This convent became Columbus's home henceforth in all his dark and trying hours, but vastly more important than this was the seed sown and the later harvest.

THE PINZON BROTHERS.

Now, there lived by the convent three remarkable brothers, very pious and very wealthy. They were learned, wealthy, religious, and influential. They took up Columbus's scheme with as much zeal as if it had been their own.

It was the Pinzons that made Columbus's success possible.

It was the Pinzons that got him the ear of Ferdinand and Isabella again.

It was the Pinzons that furnished Columbus his money; and when at last he sailed it was the Pinzons that commanded the other two ships in which he sailed.

The Pinzons lived at Palos, and now the schoolboy knows why his history has this sentence:

Friday, the 3d of August, 1492, Christopher Columbus set sail from Palos, Spain, with three ships, manned by 120 sailors. He knelt on San Salvador October 12, 1492.

HONOR TO WHOM HONOR IS DUE.

It was after the Pinzons became sponsor for him that Isabella said: "Call him back; he shall sail if I have to pawn my jewels." "Honor to whom honor is due." The honor is due the Pinzons. Columbus returned to court with all haste. The articles were soon drawn up, the Pinzons furnishing Columbus's part of the expenses. Now began the search for ships. But who would rent a ship to go upon that western sea of horrors? No one but the Pinzon brothers could get the ships. When he finally succeeded in getting his ships the question arose, Where are you going to get your crew? Who would be such a fool as to peril life in certain death upon the sea of darkness, death, and fire? The people looked upon the intended trip as the wild vagaries of a madman or a crazy lunatic.

THE CREW FOR THE VOYAGE.

There were only two men in all the Kingdom who could be depended upon.

Martin Alonzo Pinzon would take the ship *Pinta*.

Vicente Yanze Pinzon would take the ship *Nina*.

Columbus himself would take the *Santa Maria*.

But where is the crew? That was the burning question. Who for pay or the love of fame and glory would sail out into a sea guarded over by the spirits of the dead, whose atmosphere of fire no one could breathe and live? No one. Criminals were offered their liberty if they would go. They refused, but were at last pressed into service. When those ships left Palos there was weeping and wailing, for even bad men have hearts and feared the pictured sea of terrors.

THE VOYAGE.

Volumes of thrilling interest have been written about that voyage, that first trip of Columbus and his three crude ships, battling with death in the briny deep; the criminal crew, the hardships, the mutiny, the dangers to Columbus, his prayers, and his Christian faith in God that held him true to duty in the face of every danger.

I have read of these things with unabating interest. I should like to tell something of them, but for want of time I can not go into that thrilling subject now.

We only know this: The stars must have looked down in wonder on this brave man on that strange scene, and we know that God looked down upon it with divine approval.

As descriptive of this trip, as well as the sublime purpose of the great Columbus, the wonderful poem on Columbus from the pen of that grand old poet of the Sierras, Joaquin Miller, has always seemed to me both very beautiful as well as very appropriate. I always love to quote it, because it always seems to me to breathe the breath of faith and inspiration. Here it is:

Behind him lay the gray Azores;
Behind, the gates of Hercules;
Before him not the ghost of shores;
Before him only shoreless seas.
The good mate said, "Now must we pray,
For lo! the very stars are gone;
Brave Admiral, speak; what shall I say?"
"Why say, 'Sail on; sail on; and on!'"

"My men grow mutinous day by day;
My men grow ghastly, wan, and weak"—
The stout mate thought of home; a spray
Of salt wave washed his swarthy cheek.
"What shall I say, brave Admiral, say,
If we sight naught but seas at dawn?"
"Why, you shall say at break of day,
'Sail on; sail on; and on; and on!'"

They sailed and sailed as winds might blow,
Until at last the blanched mate said:
"Why, now not even God would know
Should I and all my men fall dead.
These very winds forget their way,
For God from these dread seas is gone.
Now speak, brave Admiral, speak and say"—
He said, "Sail on; sail on; and on!"

They sailed. They sailed. Then spake the mate:
"This mad sea shows its teeth to-night.
He curls his lips; he lies in wait;
He lifts his teeth as if to bite!
Brave Admiral, say but one good word.
What shall we do when hope is gone?"
The words leaped like a leaping sword:
"Sail on; sail on; sail on; and on!"

Then pale and worn, he paced the deck,
And peered through darkness. Ah, that night
Of all dark nights! And then a speck—
A light! A light! At last, a light!
It grew. A starlit flag unfurled!
It grew to be Time's burst of dawn.
He gained a world. He gave that world
Its grandest lesson: "On; sail on!"

THE RETURN TO SPAIN.

Six months later Columbus entered the same port amidst a halo of glory, such as had never shown around any other mortal man. Columbus advanced to court with his sailors amidst shouts and over strewn branches and garments.

The King and Queen hesitated as to whether they should receive him as a human man or as a messenger from Heaven, for Columbus came back to tell that he had sailed around to India; had opened the water route; had three strange-looking men, whom he said he had picked up off the coast of India; had redeemed the world and prepared the way for the coming of Christ. This is what Columbus always believed he had done and this is what the people for a while believed he had done. Aye, fickle fortune, this same conquering hero must come again in this same port in disgrace and in chains.

The people went wild with joy. All India is ours. Acres of jewels are ours. Everybody who could sell property sold all and put to sea, and when the spell broke saw that they had lost all. They came back paupers, their homes gone.

They sat around the court wretched indeed. When the King appeared they held up their rags and cursed the King for being imposed upon by a man whom everybody had suspected of being a fool. When Columbus's sons appeared they stoned them.

With cursing they demanded the arrest of the man whose lies had brought them from wealth to want. Isabella being dead, the weak Ferdinand yielded and signed that warrant for the arrest of Columbus, which throughout all times must ever stand a blot upon his name. But while the truth became apparent to the people, with Columbus the spell never broke. He never so much as suspected that he had discovered the great American Continent; that thought never entered his mind.

HIS GREAT BELIEF.

When we consider his great, noble conception, we see how cruel it would have been to have undeceived him. A merciful Providence, who patiently deals with all our follies, let him go down to his grave in the sublime faith that he had carried the Gospel all over the earth and prepared the world for the second coming of our Savior; that he truly was the great Christ bearer, spoken of in the Scriptures.

He required every sailor on board the ships before landing to take oath that he had been on the coast of Asia. Cuba he was positive was Japan. As he stepped upon San Salvador, he was sure that he had redeemed all Asia.

No wonder he fell prone on his face in the dust on San Salvador and gave thanks to Almighty God, who had, in Columbus's own words, "made him to conquer over his enemies and had given him India." When he saw the natives he at once said, "Here are the inhabitants of India." When he saw the rings in their ears he said, "A proof of their riches." When the natives pointed inland, said at Cabanmcan was much gold, he was sure that Cab-a-ma-can was the Indian way of saying Kublai-Khan.

Before him arose the splendor and opulence of those thousands of cities of gold, those lakes of pearls, those rivers of healing, and the coming of heaven. What a dream! How cruel to disturb the sweet joy of the sleeper. It would have been like reaching up into the skies and pulling back the glorified spirit to dull and sinful earth. He never understood how he could have deceived anyone. When he asked for his fetters, after having been carried home like a villain in chains, he said he was determined to keep those fetters as a memorial of his reward for his many services. He hung those fetters on the walls of his chamber, and six years later they were laid with him in his grave.

But the prison was not destined long to detain this great spirit. His soul was soon to become a citizen of the skies; his soul was soon to leave the world he sought to redeem and stand in the presence of the Redeemer; his soul was soon to partake of that real stream of life and find the real spring of youth and find that real youth in immortality.

COLUMBUS, THE IMMORTAL.

Carlyle says that biography is the only true history as well as the most interesting study of history. Columbus believed in the guiding hand of a divine Providence. He also believed in astrology. He believed the stars foretold for him a glorious destiny.

Who of us shall dispute his faith? Who of us shall say that he did not, like Joan of Arc, hear the silent voices speaking to the listening soul down out of the skies—voices that have ever called to duty, to service, and destiny?

Whose blood does not run faster and warmer when he reads the faith and struggles of this great man?

Christopher Columbus! The storm-tossed life over which rolled all the bitter waves of hate; against which beat all the biting winds of persecution; whose ship of life sailed every sea of sorrow, through every night of despair, without a friendly star of hope.

By his supreme faith in Providence he became the divine instrument to blaze the pathway that marks the destiny of time.

His name is revered by all mankind. The very honor of having the resting place of his mortal body has been contended for by the nations of the earth. . .

His ashes rest in America, his fame walks the pathway of the stars, and his soul rests in the presence of God.

Banking and Currency.

EXTENSION OF REMARKS
OF
HON. RUFUS HARDY,
OF TEXAS.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, September 17, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. HARDY. Mr. Speaker, to a Member of Congress who knows full well that ever since the panic of 1907 all public men capable and desirous of thinking on the subject have been studying the banking and currency question, the delay urged by bankers for further hearing seems utterly unreasonable. It looks like the bankers design to prevent all action unless such a bill could be passed as would stultify the Democratic Party and placate the big bankers by giving them all they ask and tying the country more securely than ever to the wheels of their merciless power; that is to say, unless they could pass the Aldrich bill or one like it in substance and effect. Congress knows that the people will not stand for an Aldrich currency measure. The ridiculous reason given for urging delay is that they have not been sufficiently heard, yet since the creation of the Aldrich monetary commission and its world-wide investigations and hearings the subject has been presented from every possible angle—every possible interest has been heard from. The banking interests, big and little, have had interminable hearings. Bankers have written newspaper articles and magazine articles, and have even established publications of their own, such as Banking Reform, of Chicago, devoted to nothing but a discussion of the banking and currency question and latterly of the Glass-Owen bill. They have appeared before many committees of the House and Senate and testified at length; they have met in many conventions and made speeches and resoluted at large. Besides this, the Aldrich committee took the testimony of the managers of all the big banking concerns in Scotland, England, France, Germany, and Canada. In the name of common sense, what more information is there to gain, what more investigation to make? I do not mean what more argument and opinion may be given, but what fact connected with currency or banking is now hidden? If every fact is known and even every argument, as I maintain, has been made from one to a dozen times, what more is to be done except that the committee of the Senate which is to act must themselves begin finally digesting their own opinions, making up their own minds, and formulating their conclusions into a bill to report to the Senate? This is what, it seems to me, they ought to be doing now.

If a court trying a cause, however great, had patiently heard six witnesses on every point selected by the interests represented, had then heard six months of argument from the ablest attorneys representing every party at interest, would it not be time for the judges of that court to retire for consultation among themselves to endeavor to reach some conclusion? In reason there will be just as much ground for the full Senate, and every Member of it, asking that all these arguments be repeated before them when the committee reports as there is for the committee to go over and over the same ground. I do not charge it is the purpose, but certainly I believe the effect of much of this argument is simply to cover up and not uncover the great essential facts and reasons underlying the bank opposition to the House bill. I have before me a pamphlet review of that bill by James B. Forgan, the big banker of Chicago. It consists of some 16 pages of careful criticism and objections, yet no one reading it over would find in it any frank statement of Mr. Forgan's real and strong objections to the bill. They were stated in a newspaper interview given by Mr. David L. Forgan a week or so ago. This interview was perhaps not as deliberate as the pamphlet criticisms, but it was from the heart and brief, yet complete. It stated that the bill was undesirable to the big banks because it took away from them the three things that made the present national-bank system attractive to them. First, the Government's deposits; second, the deposits of 9 per cent of the reserves of country banks; and third, the right to control the issue of paper currency—that is, the bank notes.

The following is the newspaper interview:

BANKER SCORES CURRENCY BILL.

CHICAGO, *September 25.*

A bitter attack on the pending Owen-Glass currency bill was made by David L. Forgan, vice president of the Chicago Clearing House Association, at the opening session of the Illinois Bankers' Association to-day. He declared that if the bill becomes law every national bank in the State will be forced to do business under a State charter.

"The law," he said, "would destroy the only three advantages of national-bank incorporation—that they can hold reserves, handle Government deposits, and issue currency."

United States Senator L. Y. SHERMAN declared: "I would support a law to wind a watch with a crowbar as cheerfully as I would support any such bill."

Here is the "nigger in the woodpile," to such bankers as Mr. Forgan, in the House bill. Here is their real objection to the bill, however learnedly and long they may talk about other matters. They may seek to cover it up, but this I believe is the fact. I know these three things must be done and will be done, or we will have no banking and currency bill passed by this or any other Congress in this country. Mr. Speaker, while so many bankers are arguing I want to supplement my remarks by appending part of a letter to me from Capt. James Garitty, of my home city, and an address made by him before the Texas State Bankers' Association, at Fort Worth, Tex., June 5, 1908. I believe this address had much to do with the establishment in my State of a splendid "guaranteed-deposit" system of State banks, and I think they contain food for thought for every man who wishes to see the wisest and safest system of banking for our whole country. I append also a letter from another sound and able Texas banker, Mr. Alba Heywood, which commends the House bill in the highest terms.

THE FIRST NATIONAL BANK,
Corsicana, Tex., September 20, 1913.

Judge RUFUS HARDY, M. C.,
Washington, D. C.

DEAR JUDGE: In reply to your favor of the 15th, beg leave to say that you may be and I trust you are right in your view that the burden to the banks has been greatly exaggerated in the bill now before Congress, but whether the burden is great or small, if the bill is in the interest of and intended for the general good, we should assume it without murmuring. I await receipt of your speech on the subject, and hope that you are able to show that the country bankers can avail themselves of the discount privilege to advantage. I am thoroughly acquainted with the character of the paper held by banks outside of large centers, and believe that they hold very little of the class of paper that would be readily discounted by the regional banks. Of course, if the bank seeking rediscount privilege was quite strong in proportion to its need, it could discount any sort of paper, and it can do so to-day. What is needed is a market for ordinary paper that is good, regardless of the bank's strength. And I can not see how the regional bank will be able to pass on the value of paper only known to be good locally. The big banks in large cities handle paper that is known to the business world and will sell anywhere where money is plentiful, and such paper will, I imagine, be about the only paper that the regional banks will consider in rediscounting.

I fully agree with you on the need of some guaranty of deposits, and to show how I stand on this question inclose copy of my address before the State bankers' convention in 1908, which gives my views of the financial situation generally more fully than I could spare time to give them at present. I helped some in framing the Texas banking laws by suggesting certain rules and regulations that I foreshadowed in this address, and I sincerely believe that we have the best banking laws in the United States, if not in the world. Up to the present the guaranty fund has never cost a cent, and I doubt if it ever will. There is just one thing that I would like to see changed in our laws, and that is the minimum of capital allowed, which is $10,000. This is too small, in my opinion, and should be at least $25,000.

There is one thing in the present bill before Congress that I am glad to see, and that is that the Democratic majority seems to be thoroughly committed to the idea that all money or currency, as it is called, shall be issued and controlled by the United States Government. The banks' claim that a central or regional bank should issue the currency, and they alone be responsible for its redemption, is in my opinion unsound and dangerous. Any number of men possessing the power to increase or decrease the circulating medium at their sweet will would have a grip on the people that nothing short of a revolution would ever shake off. The currency issued by any bank or number of banks is not as good as that issued by the Government of the United States, backed by the taxing power of the country and 100,000,000 of the most prosperous people on earth, and the people generally would never have the same faith in it that they have in the present Government-secured money. * * *

Sincerely, your friend,

JAMES GARITTY.

GUARANTEED BANK DEPOSITS.

(Address by James Garitty, president First National Bank, Corsicana, Tex., before the Texas State Bankers' Association at Fort Worth, Tex., June 5, 1908.)

Mr. President and gentlemen, in advocating the guarantee or insurance of bank deposits so that every depositor will be able to get his or her money on demand from a sound or unsound bank those who know me and the bank I represent will, I am sure, give me credit for not having any interested motive in advocating such guaranty. If we had solely in view the interest of the stockholder and the amount of his dividends, it would not be the best for some banks to have all banks fully guaranteed, but it would certainly be best for the interest of the depositors who furnish the banks the money out of which dividends are earned, and in my opinion is the very best that can be passed through of late. The cause of our late panic has been fully discussed in the papers and magazines, and as is usual in such discussions there are nearly as many opinions as there are writers on this subject, but I assert, without fear of valid refutation, that the only thing that ever has or ever will start a panic is the fear of the depositor that he will not be able to get his money when he demands it. If you satisfy him absolutely that he can get his money whenever he wants it, he will never withdraw any except for actual needs, and all bankers know that such demands can be met with very little actual cash. Many men of high financial standing and authority, whom we have heretofore looked to for information and guidance in such matters, ridicule the idea of insurance of bank deposits and attack it by putting up a straw man or plan that no one advocates, then proceed to knock down him or it with ponderous figures and financial plans that none but the great captains of high finance can understand or appreciate. If the plain depositors thoroughly understood these plans, which are, as a rule, in the interest of the few who are so strong that they do not need protection, they would repudiate the plans of the high financiers as the financiers do the insurance of bank deposits. They tell us that if deposits were insured rascals would be invited to become bankers and enabled to cover themselves with a mantle of credit that they could not otherwise acquire, just as if those who advocate the insurance of bank deposits were in favor of same without any proper regulation of the banks whose deposits were insured or guaranteed. I am as much opposed as anyone to the guarantee of deposits until such reasonable safeguards are thrown around the business as will reduce to a minimum the opportunity of the incapable or dishonest to take advantage of such guaranty. We have always had incompetent or dishonest men in all lines of business and always will, but the banking laws can be easily amended so that the number under the guaranteed plan will be less instead of greater than heretofore.

In outlining and advocating a general plan of deposit insurance I believe that it is at the present time useless to enter into details, though those necessary to put the plan in successful operation would be few and simple, from the fact that the financiers who control the party in power will be able to defeat any such law until the people become fully aware of the absolute need of same and the demand for it becomes too strong for the politicians to resist. The reform in this matter—and I believe it is a most necessary reform—will probably be inaugurated by the States.

Oklahoma has started the ball rolling, and if a few more join in it will be but a short time before the Federal Government will be forced to follow suit, else all national banks will be at a disadvantage compared with State banks whose deposits are fully guaranteed. If all bank deposits were fully secured there would under the plan I advocate be no more money panics and no piling up of money in the large centers when and where it is not needed for legitimate business, but is attracted by those who furnish money to gamblers on the stock exchange. Statistics furnished by the Comptroller of the Currency show that $400,000,000 of the $700,000,000 loaned by the national banks of New York is loaned on stocks and bonds. The insurance of bank deposits is the only remedy worth mentioning for the prevention of panics, and in my opinion, the only absolute remedy that will ever be found. The Aldrich bill, the Fowler bill, the American Bankers' Association plan, a large central bank, and so forth, are palliative only. A billion or two billion dollars of emergency currency will not satisfy the demand when depositors get scared. Only one thing will suffice, and that is to absolutely satisfy the depositor that he can get his money when he wants it. You all know the old story of the man who was anxious for his money until he found he could get it, then did not want it at all. That man still keeps an account with your bank, with my bank, and with every other bank on earth. With deposits absolutely secure we have all the currency we need now or are likely to need for a long time to come, for, as Mr. Wanamaker says, there is a plenty now hid under carpets that will go to the bank when they know positively that they can get it when needed, and whenever on account of expensive business we need more the Government can and should provide and furnish it to the banks on their putting up proper collateral until same is redeemed. A late report of the Comptroller of the Currency shows that 53 per cent of the total money in the country is outside of the Treasury or banks. Money panics affect all business and all people, and though they may be short lived so far as the demand for actual cash is concerned, the bad effects on business and general prosperity often lasts for years after money is again, as at present, plentiful. Insurance of bank deposits is the only thing that will absolutely prevent panics, and it appears to me to be the height of selfishness on the part of large and strong banks to object to the absolute security of all banks, so far as deposits are concerned, for the reason, as they say, that it would reduce all banks to a level—the weak and incompetent the same as the strong and well managed. As a matter of fact, it would not do so, because the large banks will still have the advantage under the plan I advocate of larger deposits and larger loans, just as it has now; but if it did reduce all banks to a level, which it will not, the duty we all owe to the country at large and the special duty that we owe our depositors—the people who furnish us a living—should make all of us advocate the absolute guaranty of every dollar that is deposited in a bank. This guaranty would cost the banks very little. Indeed, forty-odd years of experience with national banks prove that one-twentieth of 1 per cent of the average deposits has heretofore covered all losses, and under the guaranteed plan it would be much less, less than most banks pay for advertising alone and less than one-tenth of the amount banks pay for interest on balances payable on demand. Have you, my fellow bankers, ever thought in connection with this question that you are, with few if there are any exceptions, depositors yourselves in other banks, and however careful you may be at home you are to some extent dependent on the solvency of many other banks for the protection of your depositors and stockholders? How comforting it would have been to know during the height of our late unpleasantness that all your correspondents were insured and you could get your balance whenever you ordered it. Every bank in the United States had the same tired feeling, and even the New York banks had, no doubt, money with other banks about which they had, to say the least, some anxiety. Even big names and big capital will not give depositors the feeling of absolute security such as insurance of deposits will.

When the ild was on, the best institutions in the country were looked on with more or less suspicion; and, if the truth must be told, banks were more scared of one another than the depositors were of them, perhaps because we were better posted than the ordinary depositor, if not more suspicious.

They say it is rank communism to tax good banks for the faults and ignorance of bad ones, yet we tax ourselves to provide a police force to protect us against crime and violance; a school tax for educational purposes; taxes for roads, bridges, canals, and so forth; and no one thinks it communism. Then why is it communism to tax banks for the protection of the people out of whom they make their living and to whom in justice, to say nothing of gratitude, they owe everything that can possibly be done for their protection? The matter of deposit insurance is so plain, simple, inexpensive, and desirable in every way that it seems to me little short of a crime to deny our depositors, the people out of whom we make our living, what they are justly entitled to, what they have a right to demand and will demand before long—a demand we should be foreseeing enough to meet before it is forced on us. If it is wrong to tax us in order that our deposits be secured, the United States Government is indirectly doing that very thing to-day. The 100 per cent liability of shareholders, restricting loans to 10 per cent of capital and surplus, amount of reserve to be held at all times, examinations by expert accountants, and frequent statements published under oath—all these matters are a partial guaranty to depositors, and are paid for by the banks, just as the full guaranty would and should be paid for.

In addition to the laws and regulations governing national and other banks at present, I would suggest the following:

1. Strict and frequent examinations by expert examiners.
2. Insured banks to pay no interest on uninsured deposits.
3. Total amount of loans, investments, or liabilities of any character whatever to never exceed from six to ten times the capital paid in.
4. Total reserve to be kept at home.

This would, I believe, make our system of banking the strongest in the world, would bring out every dollar now kept in hiding, and cost next to nothing. The amount of tax or fund to be raised in the beginning in order to put the plan in successful operation is a question of detail, but the States or the United States should be custodian of such fund, and the fund should be large enough at the outset to dispel all doubts on the part of the public.

The insurance of bank deposits is practically a mutual insurance, to which all banks should contribute in proportion to the amount that depositors trust them with; and in this connection I wish to call your attention to the great saving in such insurance as evidenced by the lumberman underwriters' insurance of this State. I am told by one of the members that this insurance has only cost them to date about 15 per cent of the current rate charged by regular insurance companies, and the rate now charged by regular companies is much less than it used to

be on account of the mutual insurance. This goes to show how little the insurance of deposits will cost the banks, and since it is not only a patriotic duty that we owe to the whole people, but a special duty that we owe to the people who trust us with their money and look to us for protection, I hope the time will soon come when to say you have money in the bank means that you have money that is absolutely safe so far as human endeavor can make it.

I ask from this body, most of whom are young men engaged in a business that from an ethical standpoint should occupy a higher plane than any other business, a due and careful consideration of the justice and equity of this plan, and I want to impress upon you not only the desirability of it from a business standpoint but the absolute right of the depositor to insist on such guaranty. I know that this plan will not be favored by the captains of industry and the great moneyed institutions that attract money by the magnitude of their capital, for when all banks are absolutely secure the crossroads bank will have the same power of attraction that big banks have up to the limit allowed by law; and they should have it, for, as a matter of fact, the small bank is often the safest and strongest so far as ability to meet liabilities on short notice is concerned. No bank should be allowed to do business unless it is willing and able to pay the small amount that it would cost to absolutely insure and guarantee their deposits, and the depositor in the smallest bank should feel as secure and be as secure as if his money was in the Bank of England or France.

In my opinion there is no question about the desirability of deposit insurance for all banks, and the only question is, Can it be accomplished without undue expense to the sound and well-managed banks? The record of our national banks operating under the national-bank laws for over 40 years goes to show that it can be done at a very small expense, and with some change in these laws, such as I have suggested, the expense will be less. Then, why hesitate to advocate and insist on this reform which will cost so little and be of immense advantage not only to the country at large, but especially to the people who furnish the money out of which all banks and bankers earn sales and dividends? Banks that loan money to merchants or others who have perishable property insist on same being insured for their protection, then why not be willing to insure for the protection of the people who loan you their money without interest and on whom your success or failure depends?

In conclusion, I beg leave to submit some of my reasons for the changes that I suggest in the present laws and regulations governing national and other banks when deposits are guaranteed or insured. They are not by any means all the good reasons that can be given, but enough for the present.

1. Strict and frequent examinations by expert examiners.

Bankers and those who have a thorough knowledge of the cause of bank failures agree that in nearly every case the cause of failure is attributable to the misconduct of officers and directors, and strict and frequent examinations will eliminate to a great extent the people who are guilty of such misconduct. The law should be made plain and rigidly enforced.

2. Insured banks to pay no interest on insured deposits. Why? Because there will then be no inducement for depositors to put their money in a bank that has been organized more for the purpose of borrowing money than to transact a legitimate business in the interest of the whole community.

3. Total amount of loans, investments, or liabilities of any character whatever to never exceed from six to ten times the capital paid in. This will prevent reckless and excessive loans and investments—the cause of nearly all failures—by banks that have not sufficient capital to stand such losses. An individual or a bank has the right to risk their own money in whatever way they see fit, but have no right morally, and they should be denied the legal right to so risk other people's money. If such a law was rigidly enforced, there would be very little loss to the guaranty fund. I have probably made the figures too high, since the reports of the Comptroller of the Currency show that the total liabilities of all national banks in proportion to capital is only about 5 to 1, but this is a matter of detail that can be worked out by the expert, whose figures should be based on past experience. What I wish to emphasize is that a bank should never be allowed to hold or invest the money of depositors beyond a safe limit and in proportion to its actual capital paid in. In other words, the stockholders would have to lose a large proportion of such risks before the guaranty fund would lose any. It is dangerous for a bank to have deposits out of all proportion to capital, and should be stopped by law.

4. All reserve to be kept at home.

Reserve should be kept at home because the reserve in other banks is in times of stress no reserve at all. During the late panic what good was your reserve in other banks? You could not get a dollar of it. Your depositors knew this also, and it made them all the more anxious for their money. Only banks who were farseeing enough to keep a large cash balance at home were able to continue business without restricting withdrawals. Keeping a large part of your reserve in other banks has a tendency to pile up money in the money centers, and there is where panics invariably start. The failure of reserve banks to respond to the demands of their correspondents caused nearly all other banks in the country, though they were perfectly sound, to suspend payments or limit them to an amount that was the same as suspension. Again, when a large portion of reserve is kept in other banks, published statements are misleading, for where a dollar is drawn out of the country bank it diminishes the reserve the same amount in two or three other banks where reserves are kept.

Cash and only cash should be computed as reserve. Reserve cities, where the reserves of the country bank are kept, all have clearing houses, and I believe the department allows such banks to count checks on the clearing house as reserve. Such checks may mean cash or may mean nothing. Banks in such cities often have checks on each other amounting to hundreds of millions; and if all is counted as reserve, when said checks are handed over to the respective banks by the clearing house there may be a complete offset and no money coming to any of them. Then where is the reserve so counted? They say that they have paid off so much of their liability with the checks they have on the other banks, which is true, but it does not show the true proportion of reserve to liability, since $1 of reserve stands for $4 of liabilities.

I am not acquainted with the way in which the great banks of the world outside of the United States do business, but I am satisfied they do not count as reserve deposits in or drafts on other banks, but money only. On the other hand, the department does not allow our national banks to count national-bank notes as reserve, though they are just as good as any other kind of money in circulation and should be so counted. In my opinion the insurance or guarantee of bank deposits is the most important question that the banks and bankers of this country have ever had before them for consideration, and I hope and trust that this body will give the matter due consideration, and that their decision will be such as will benefit the whole people without doing injustice to anyone.

—

SAN BENITO BANK & TRUST CO.,
San Benito, Tex., September 25, 1913.

HON. RUFUS HARDY,
House of Representatives, Washington, D. C.

MY DEAR SIR: I am writing you to urge the early passage of the currency bill, and to urge that it be passed as near as possible in its present original form with as few amendments as possible.

I believe that the bill is the best work of the committee, and it is the nearest what we want of anything that could be devised at this time. I feel that any change in it would be a compromise of principles, and we hope for as few of them as possible.

Congress has done such splendid work on the revision of the tariff that we are all proud of it, and, like President Wilson, we feel that to make the tariff bill more effectual the passage of the currency bill is necessary. Personally I deem it vitally more important. I would have been glad to have seen it passed first.

The present financial system, or lack of system, is so vicious, illogical, inconsistent, and detrimental to the progress of the business of this Nation that it should be corrected at the earliest possible date.

I hope you will pardon me for presuming to write this appeal to you, but having to do with finance (even in the small way that I have had to do with it) I realize the need of this change.

With President Wilson in the saddle and Secretary Bryan leading the Democratic donkey, we people down here sleep soundly every night.

Yours, most sincerely. ALBA HEYWOOD,
President.

Why Our Foreign Trade is Growing.

EXTENSION OF REMARKS
OF
HON. RICHARD W. AUSTIN,
OF TENNESSEE,
IN THE HOUSE OF REPRESENTATIVES,
Friday, October 17, 1913.

The House granted Mr. AUSTIN leave to extend his remarks in the RECORD on "Why our foreign trade is growing."

Mr. AUSTIN. Mr. Speaker, I submit, on the subject named, an address delivered by Mr. James A. Farrell, president of the United States Steel Corporation, before the Fourth Annual Convention of the American Manufacturers' Export Association, held in New York City on September 25, 1913. This address will be of interest and value to all Americans who rejoice in the extension and growth of our trade in foreign markets. Mr. Farrell is the best-posted man in the United States on this subject. Prior to his election as president of the United States Steel Corporation he was for many years at the head of the export department of that great corporation, and it was due to his able and efficient management that our iron and steel exports have so greatly increased, until last year they amounted to $304,605,797, out of a total of $1,187,000,460 of manufactured exports. Mr. Farrel has spent several years abroad in studying industrial conditions, investigating the methods of foreign manufacturers and exporters, and is to-day, in my judgment, the best-informed man in America on the tariff and on our opportunities for the extension of trade in foreign lands.

In this connection it is not out of place to state that the splendid record of our increase of sales last year in foreign markets was under the much-abused Payne-Aldrich tariff law.

The following is the address referred to:

"Gentlemen, the American Manufacturers' Export Association includes within its membership representatives of many of our country's industrial enterprises. The manufacturers of the United States are looking beyond its borders for markets wherein they can profitably dispose of their manufactures; and commensurate with our position as one of the foremost producing nations, substantial progress is being made, one reason being the improvement in quality and character of our produce as a result of systematic study of the requirements of foreign markets, thereby creating a permanent basis for a wider expansion of our already important commerce.

"The growth of our country's foreign trade furnishes a striking example of what can be accomplished by adapting our products to the requirements of over-sea markets. We have the courage and enterprise to compete with older manufacturing countries, and our banking and manufacturing institutions are acquiring a knowledge of the opportunities in foreign markets; and as a result of the increased efficiency of the productive establishments of the country, capacity for organization, and commercial development, American manufacturers are achieving success in foreign fields.

"Those engaged in conducting an export business appreciate the difficulties and almost insurmountable obstacles to be overcome. However, they are not insuperable, and it is largely a question of adapting ourselves to prevailing trade customs, complying with requirements, adopting current systems of weights and measures, furnishing goods such as the buyer is accustomed to receive, and selling at competitive prices in the currency of the country to which the goods are shipped. These are some of the fundamentals to be considered in establishing a foreign trade.

"The struggle for a foothold in foreign markets presents many difficulties, but effort, if sustained, is eventually rewarded. England, at the zenith of her industrial career, is strong and powerful; Germany, with her wonderful facilities, is a leader in the struggle for commercial supremacy; Belgium exports over half of her production and France is increasing her foreign trade; Russia, with her vast territory and uncounted population, has to be reckoned with; Japan does not buy anything abroad which can be produced in her own country, but is producing largely for sale to other countries. If the United States is to occupy the place for which the bountiful resources of nature and the efficiency of her people have equipped her, the intelligence, enterprise, and cooperation of the people and Government must be applied to maintain and strengthen her position.

"The export commission merchants are valuable mediums to manufacturers. They are arteries, so to speak, with facilities in various markets, and their contact with buyers in distant countries insures constant knowledge of trade conditions. Selling and distributing is of paramount importance. The manufacture of goods is usually simpler than the determination of the proper channels through which to sell them, and the human factor and not alone the goods offered, is frequently responsible for results. The goods must be right, of course; but as a large percentage of exports is consumed by people whose ideas and requirements differ from ours, the proper effort must be made to reach and interest them.

"The motto of the American Manufacturers' Export Association is 'to foster and promote foreign commerce.' It is a representative commercial body, whose influence is expanding in the development of foreign trade. It is the aim of its officers and members to make it a useful and important factor in building up and increasing the exports of American manufactures and in advancing the commercial interests of our country. Its members come directly in contact with the markets of the world, and by dealing along broad lines and by showing each other the best that is in us a spirit of mutual helpfulness is cultivated in our commercial intercourse in the largest possible exchange of trade with other nations, which makes for industrial prosperity.

"To reach the goal for which we are striving it is necessary to acquire a knowledge of the requirements of foreign markets, and, while the problems are many, American manufacturers are making substantial progress in this direction. It is not by isolation that results are accomplished, hence the cooperative spirit manifested by the members of this body through interchange of ideas regarding matters of common interest.

"Its members are devoting their best efforts to the development of closer commercial relations between the United States of America and other nations. We belong to a class whose minds are open to the lessons of the world's progress. We are a nonpartisan organization, and consequently are able to deal with matters on an impartial basis.

"The members of this association represent industries located throughout the country, therefore any increase or expansion of foreign trade is considered a common growth and a common prosperity, irrespective of the class of goods, the size of the industry, the locality from which the business originates, or the port of clearance from which the products are shipped.

"The function of the association is to impart to its members, regardless of locality or size, such facts as are ascertainable with respect to foreign-trade opportunities and to assist each other in their efforts to increase business in foreign markets. It has been the fashion to criticize export methods, and there are, doubtless, cases deserving criticism; but my observation, extending over many years in the export business and based on direct personal acquaintance with the world's markets, warrants the statement that the products of our country and our methods of doing business are equal to, and in many cases superior to, the products and methods of our European competitors.

"By the use of special machinery capable of producing material which meets the diversified requirements of export markets, by the utilization of inventions, experiments, and improvements, American manufacturers are increasing the efficiency of their plants and are entering an era of expansion in the foreign commerce of the country. This is reflected in the large increase during the past few years in the exports of manufacture and equally large decreases in the exports of unmanufactured products.

"During the fiscal year ended June 30, 1913, our total exports of domestic merchandise were $2,428,506,358. This amount included foodstuffs, crude, $181,693,263, about 7½ per cent; foodstuffs, partly or wholly manufactured, $320,401,482, about 13 per cent; manufactured goods, $1,187,000,000, about 49 per cent; cotton and other crude materials for use in manufacturing made up the balance. The balance of trade in our favor for the year amounted, in round figures, to $653,000,000.

"That American manufacturers have made and are making progress is manifest. Time does not permit of a summary of these assuring evidences, but a few items are worthy of mention.

Exports of domestic manufactures, not including foodstuffs, partly or wholly manufactured, 1913.

Agricultural implements	$40,572,352
Cars, carriages, and other vehicles, and parts of	54,585,888
Chemicals, drugs, dyes, etc	26,574,519
Copper, manufactures of	140,164,913
Cotton manufactures	53,743,977
Fibers, vegetable, manufactures of	5,267,566
India rubber, manufactures of	10,963,946
Iron and steel manufactures	14,324,894
Leather and manufactures of	304,605,797
Naval stores	63,893,351
Oils, refined mineral	26,471,292
Paints, pigments, and colors	129,666,992
Paper and manufactures of	7,681,938
Paraffin and paraffin wax	21,779,303
Soap	9,679,273
Wood manufactures	4,629,567
Miscellaneous	111,255,125
	161,141,764
Total	1,187,000,460

"The older manufacturing nations are well intrenched in foreign markets, but that we are making headway is indicated by the fact that the total value of our exports of domestic merchandise for the 12 months ending June 30, 1913, exceeded by $258,000,000 our exports for the preceding fiscal year. These figures represent an enlargement of the foreign trade of the country; means of communication between the United States and foreign markets are being improved and increased.

"The growth of our export trade has resulted during the past few years in the establishment of several additional lines of steamers to Latin-American and other foreign ports, where insufficient facilities previously existed, and the continued increase in trade should be accompanied by a corresponding enlargement of ocean transportation facilities. American manufacturers suffer to a less extent than formerly in the matter of adequate shipping facilities, and while more frequent opportunities exist from European ports, it is chiefly because the business exists; and while lower freights are obtainable in some instances, steamship owners are gradually realizing that rates from the United States must be on a parity with those from Europe.

"Opportunities for commercial expansion in foreign countries exist, and while the field is largely occupied by European nations, the demands are large and opportunities many and what other nations have done the United States can do. As a rule, we are intent upon being merchants rather than investors, and up to the present investments of American capital in foreign countries have been of a limited character. Our capital has been employed at home rather than abroad, and when it is considered that England's investments in railways and industrial enterprises in Argentina alone yield $250,000,000 annually in interest return, it explains to some extent the hold that Europe has and will have for many years on business in various consuming markets.

"South American countries sell us annually nearly twice as much as they buy from us. Our Government furnishes facilities through consular reports, but the individual manufacturer must make an intelligent study of the requirements of the trade, since the efforts of consuls and commercial agents of the Department of Commerce are of little avail unless supported by individual action.

"The Department of Commerce is to be commended for its study of business and economic conditions prevailing throughout the world, and its daily bulletin of Consular and Trade Reports bring large numbers of trade opportunities to the attention of American manufacturers. The branches of our Government concerned with foreign commerce display a keen interest in its development.

"Our Consular Service is a valuable help to the exporter. Its efficiency is increasing, and the sincerity of consular officers

and the interest taken by them in extending trade has enabled American manufacturers to secure information of a reliable character. The retention of competent and experienced consular officials in the service is encouraging. The Pan American Union has rendered invaluable assistance to merchants, manufacturers, and producers, and through its efficient staff has done much to foster friendly relations between the Republics of North and South America.

"The importance of this association can hardly be overestimated as a factor in the economic development of the country. It deals with the multitudinous detail incident to exports and discusses matters of vital interest to American export trade. Dissemination of information, interchange of ideas, and cooperation tend to stimulate an intercourse which is of material as well as of educational value to its members, and place our manufacturing industries upon a more intelligent basis to meet the commerce of the world.

"The assembling of this body, comprising, as it does, manufacturers from nearly all of the States of the Union engaged in the manufacture of a great diversity of product, takes place at a time when the mind of the country is interested in the near approach of the opening of the Panama Canal, which will give an impetus to American trade and awaken the manufacturing, industrial, and agricultural interests of our country to the commercial possibilities not only in Pan America but in many other consuming markets."

Speaker of the National House of Representatives.

EXTENSION OF REMARKS

OF

HON. JOE J. RUSSELL,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Monday, October 20, 1913.

The House granted Mr. RUSSELL leave to extend his remarks in the RECORD by inserting the speech made by him before the Democratic caucus, Wednesday, March 5, 1913, placing in nomination Hon. CHAMP CLARK for Speaker of the National House of Representatives.

Mr. RUSSELL. Mr. Chairmnn and gentlemen of the caucus, the pleasant duty has been assigned to me by the Democratic members of the Missouri delegation to present to this caucus as a candidate for Speaker of the Sixty-third Congress Missouri's best beloved and most distinguished son.

This privilege is to me a labor of love, made so by a lifetime of warm personal friendship, and doubly so by reason of the fact that 24 years ago he performed a like service for me in the legislature of the State from which we come, but especially so because of his peculiar fitness for the Speakership and his distinguished services to his party and his country.

You ask me from whence he comes. I answer that he comes from the heart of the Mississippi Valley, that produces three-fourths of the foodstuffs that feed the Nation and that furnishes the great majority of the farm products that are exported to other countries. He comes from the imperial State of Missouri, the wealthiest and the most populous of the 13 States carved out of that great domain known as the Louisiana Purchase, acquired through the wisdom and statesmanship of Thomas Jefferson, the founder of the party we all love. He comes from one of the wealthiest and most enlightened districts represented in the American Congress, bordered upon the south by the Missouri River and upon the north and east by the Mississippi—a district that he has long honored by his faithful services as its Representative and a district that will continue to honor him, without Democratic opposition, as long as he lives, unless he should be promoted by his countrymen to a place of higher honor in his country's service.

You ask me if he is worthy of this distinction. I point you to his life's history. First as a farmer's boy, later as a clerk in a store, teacher, country editor, city attorney, prosecuting attorney of his county, member and leader of his party in the Missouri State Legislature, 18 years' service in Congress, and in the last Democratic national convention receiving on nine ballots a majority vote for nominee of that great party for President of the United States. Any American boy of humble birth who by his own ambition, his own industry and efforts, accomplishes so much is worthy of any honor our party or our country can bestow.

You ask if he deserves this honor at the hands of the Democratic Party. I point you to his lifetime of faithful and uninterrupted services to that party by pen, voice, and vote and his unwavering devotion to its principles. He has made more speeches in more States in support of his party, its platforms, and candidates, with one exception, than any other man living or dead.

You ask me if he is capable. I point you to his well-known ability as a Member of Congress, and to his invaluable services as the leader of our party in the Sixtieth and Sixty-first Congresses. He did more than any other one man to bring together all the Democratic Members of Congress into one united and harmonious body that contributed so much to the election of a Democratic House, to be followed by our great national victory, and the election to the Presidency of the able and brilliant Woodrow Wilson.

I point you to his record as Speaker of the Sixty-second Congress that has won for him the plaudits of the American people, and the confidence, the respect, and the universal praise of the entire membership of this House regardless of political affiliations.

You do not ask me if he is honest. The world knows that. During his public life of almost a quarter of a century no man, either political friend or foe, has charged, or even insinuated, that he has ever been insincere, unfaithful, or dishonest, and no one in public life has ever more perfectly had the confidence of the whole people. His private life is spotless, his fidelity to his public trust is proverbial, and his public life is free from blemish or reproach. He loves his friends and trusts them with perfect confidence, and never doubts their sincerity or loyalty until their disloyalty has been established by a positive injury.

As a presiding officer he is able, just, and impartial. On one occasion in rendering a decision from the chair he said that when he finally lays down the gavel as Speaker of the House he would rather have it said of him that he has been the fairest Speaker who has presided over the House than that he has been the greatest Speaker.

Mr. Chairman, without underestimating the good qualities or the abilities of the many great men who have preceded him as Speaker, I can with perfect confidence say that his name will go into history both as one of the *fairest* and as one of the *greatest* Speakers that has ever filled that high and honorable office.

I esteem it a great privilege, as it is to me a great pleasure, to nominate as the choice of this caucus for Speaker of the Sixty-third Congress CHAMP CLARK, of Missouri.

The late John Fletcher Lacey.

REMARKS

OF

HON. SANFORD KIRKPATRICK,

OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, October 16, 1913.

The House granted Mr. KIRKPATRICK leave to extend his remarks in the RECORD relative to the services of the late Hon. John F. Lacey, who served as a distinguished Member of the House for 14 years.

Mr. KIRKPATRICK. Mr. Speaker, it is with profound sadness that on this occasion I place, as it were, a flower of love and reverence on the newly made grave of a man who for 18 years occupied a seat as an honored Member in this Chamber.

If heroic deeds were roses, then we could build and decorate therewith a triumphal arch all along the pathway of his eventful life—and best and most of all, he was an honest man.

I refer to John Fletcher Lacey. Doubtless he had enemies, and by his strict adherence to duty as he saw it he may have added others. Even the Son of Man in his advocacy of human rights and the plan of salvation became a martyr. In his heart there had been reared a temple of truth, and his lips, now cold in death, were the oracles of his greatness.

I am pleased to note that to-day I am the duly accredited Representative of the congressional district that once heralded the name of Lacey at its masthead.

He was born in Virginia in 1841. At the age of 14 he moved to Iowa, attended the common schools, and pursued classical studies. He studied law, was admitted to the bar, and at once took rank in the forefront of his chosen profession. He enlisted in Company H, Third Iowa Infantry, in May, 1861, and again in Company D, Thirty-third Iowa; was made assistant adjutant general on the staff of Gen. Samuel A. Rice and subsequently promoted as a staff officer with Maj. Gen. Steele.

As a Member of Congress he was a constructive legislator.

From an humble cottage nestled among the Virginia hills he made his way to the Capitol of the Nation. In the forum of debate but few were able to withstand his shafts of repartee or resist the forceful logic of his eloquence.

Nations do not always lose by the loss of rulers, and while the light and life of this great man have gone out from among us, still his example and influence for good will live forever.

I am to mourn with those who lament his death, for his life was a burst of sunshine. I knew him as a comrade in war and a brother in peace.

In the triumph of an eventful and well-spent life the summons came, and the bugle blast that called him to arms has since reverberated back in the melody of a trumpet, summoning him beyond the veil which separates all earthly vision from the paradise of God.

Frankford Arsenal Economies.

EXTENSION OF REMARKS

OF

HON. J. HAMPTON MOORE,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, October 31, 1913.

Mr. MOORE. Mr. Speaker, under the skillful management of the Bureau of Ordnance, War Department, the Frankford Arsenal, Philadelphia, has made a record for efficiency and economy which ought to receive substantial recognition at the hands of Congress. As at present conducted, the arsenal is one of the real money-saving—which is money making—establishments of the Government. It is practically indispensable to the country; and yet for many years its great work of producing small-arms ammunition for the Army and the Navy has been performed in buildings the inadequacy of which would not be tolerated in private plants and on grounds the limitations of which are perceptibly inferior to the standards set by the Government's competitors.

So urgently, indeed, do the needs of this famous old servant of the United States stand out to every visitor; so important to the Government has it become that new and modern structures shall be provided and more ground acquired to safeguard the life and property employed in the daily operation of the works that I have asked permission to place in the RECORD some of the salient facts with regard to the arsenal's history and national usefulness.

The statement herewith submitted has been prepared with great care and embraces much interesting and valuable information culled from official sources. To students of the problem of government efficiency in the manufacture of Government supplies it is a forceful presentation. To those who are watching the trend of Government expenditures and economies it is a revelation:

SUPPLIES BOTH ARMY AND NAVY.

1. The Frankford Arsenal was established in 1814 and formally opened in 1817 by President Madison. It manufactures principally all the small-arms ammunition used by the Army, Navy, and Organized Militia of the United States; the greater part of the artillery ammunition used by the Army, and nearly all the fire-control instruments, sights, etc., used by the mobile and seacoast artillery.

2. The Frankford Arsenal is located in the northeast section of Philadelphia, at the junction of the Delaware River and the Frankford Creek. The arsenal is 500 yards from the main line of the Pennsylvania Railroad between Philadelphia and New York. It is also located at the terminus of one of the important street railroad lines of the city and within about 20 minutes' walk of the Frankford Station of the Philadelphia & Reading Railroad. Its location places it in one of the most important industrial centers of the United States and makes it easily accessible to all parts of the city.

3. The Frankford Arsenal has a more economical location than any other. Its location in the city of Philadelphia makes it easily accessible for 250,000 skilled workmen living therein. It is within 275 miles of the soft-coal fields of Pennsylvania, from which it procures its fuel; within 150 miles of Connecticut, from which it draws its brass for manufacturing purposes; within 57 miles of Bethlehem, Pa., 58 miles of Reading, Pa., and 350 miles of Pittsburgh, Pa., and within the city of Philadelphia, from which it draws its steel for the same purpose; and within 30 miles of Carneys Point, N. J., and within 136 miles of Picatinny Arsenal, N. J., from which it procures its explosives for manufacturing ammunition.

4. The favorable location of the Frankford Arsenal for manufacturing purposes was recognized as early as 1875 by a board of ordnance officers, which recommended at that time that the Frankford Arsenal be enlarged and about 75 acres of additional land be purchased for this purpose. The advantages which have made Philadelphia the greatest manufacturing city in the country obtain equally well with regard to one of its leading manufacturing establishments—the Frankford Arsenal.

5. The Frankford Arsenal is the second largest arsenal, being exceeded by the Rock Island Arsenal.

6. The value and variety of its manufactures are believed to be greater than those of any other arsenal.

7. It has the best transportation facilities of any arsenal. It has direct railroad connections with the Pennsylvania Railroad, and owing to Philadelphia being a great railroad center it can obtain a supply of appropriate cars for any purpose with the utmost dispatch. The arsenal has a dock on the Frankford Creek—which is not a creek at all, but a navigable inlet of the Delaware River—so that shipments may be made by barges, thus making connections with other railroad lines. It has unfortunately no available frontage on the Delaware River.

8. Frankford Arsenal has the least acreage of any manufacturing arsenal. For every acre it has an output of $37,400 of manufactures, which is much greater than that of any other arsenal. The estimated value of the Frankford Arsenal is about $3,500,000.

9. The striking economies of the Frankford Arsenal as a manufacturing establishment are fully set forth in the attached tabulation. It will be seen from the statements contained in these tabulations that the Frankford Arsenal will save on existing orders for manufacturing ammunition nearly $980,000 as compared with the prices charged by private manufacturers. If the arsenal had sufficient capacity for all the orders given for artillery ammunition it would have made an additional saving of over $312,000. In the manufacture of small-arms ammunition last year it effected a saving of over $610,000 as compared with the prices paid private manufacturers. The Frankford Arsenal, therefore, on the orders executed last year for small-arms ammunition and on orders that will be executed this fiscal year on artillery ammunition will effect a saving to the United States Government of nearly $1,590,000. The Frankford Arsenal therefore pays for itself every two and one-half years.

10. The economies referred to in the preceding paragraph and described in the attached detailed statements are not all of the savings resulting to the Government from having the Frankford Arsenal, for that establishment in addition utilized during the last fiscal year nearly $221,000 worth of scrap materials received from military and naval sources in its manufacturing operations, and, furthermore, utilized surplus stock on hand to the value of over $160,000, thus making an additional saving of over $380,000, or a grand total saving in appropriations made by Congress of the magnificent sum of approximately $1,970,000.

STRIKING ECONOMIES SHOWN.

The tabulated statements which follow show the savings made at the Frankford Arsenal in the manufacture of artillery ammunition and small-arms ammunition when comparison is made with the latest contract prices for the same articles procured from outside manufactures; and these statements also show the additional savings that would be made if the Frankford Arsenal had the capacity to manufacture the articles of artillery ammunition so ordered from outside manufacturers.

It must not be overlooked that the Frankford Arsenal manufactures in quantity other articles of artillery ammunition which are not procured from outside manufacturers, and, therefore, in such case comparison of cost can not be made and no savings reported.

The contract cost of finished shrapnel-case forgings for the 3-inch gun and of a limited number for the 4.7-inch gun comprise the cost of the shrapnel-case forgings as procured from the outside manufacturer and the additional arsenal cost of machining them, so as to place the finished shrapnel case in the same condition as the corresponding shrapnel cases manufactured at the arsenal, for otherwise in these cases no comparison of cost can be made.

The total arsenal costs include 15 per cent to cover administration, depreciation, insurance, and interest charges. The contract cost includes 3 per cent, which is added to the contract price, to cover the cost of inspection, such as compensation of inspector, cost of conducting firing tests, and so forth.

TABLE I.—*Manufacture of artillery ammunition.*

[Statement of total arsenal costs and total contract costs for ammunition being manufactured at the Frankford Arsenal and provided for in orders issued between July 1, 1912, and Apr. 25, 1913, and which will be completed by June 30, 1914.]

Articles.	Quantities under manufacture.	Total arsenal costs per unit.	Aggregate total arsenal cost.	Contract price per unit.	Contract cost per unit.	Total contract cost.	Saving over contract costs.
3-inch finished shrapnel cases	10,000	$1.75	$17,500.00	$3.06	$3.15	$31,500.00	$14,000.00
3.8-inch finished shrapnel cases	2,000	4.68	9,360.00	6.65	6.85	13,700.00	4,340.00
4.7-inch finished shrapnel cases	3,961	8.80	34,856.80	9.37	9.65	38,223.65	3,366.85
6-inch finished shrapnel cases	5,000	17.10	85,500.00	16.00	16.48	82,400.00	−3,100.00
3-inch common shrapnel without fuses or base charges	48,000	3.55	170,400.00	5.79	5.96	286,080.00	115,680.00
3.8-inch common shrapnel without fuses or base charges	7,000	7.94	55,580.00	17.50	18.03	126,210.00	70,630.00
4.7-inch common shrapnel without fuses or base charges	14,500	15.45	224,025.00	25.26	26.02	377,290.00	153,265.00
6-inch common shrapnel without fuses or base charges	5,000	30.20	151,000.00	37.00	38.11	190,550.00	39,550.00
3-inch common steel shell	6,900	2.39	16,491.00	4.87	5.02	34,638.00	18,147.00
3.8-inch common steel shell	9,500	4.81	45,695.00	9.17	9.45	89,775.00	44,080.00
4.7-inch common steel shell	10,605	8.30	88,021.50	12.46	12.83	136,062.15	48,040.65
6-inch common steel shell	7,077	16.75	118,539.75	17.93	18.47	130,712.19	12,172.44
2½-second combination fuses	48,000	2.16	103,680.00	4.30	4.43	212,640.00	108,960.00
3½-second combination fuses	26,500	2.92	77,380.00	[1] 7.00	7.21	191,065.00	113,685.00
3-inch high-explosive shrapnel, fixed	55,000	10.15	[2] 558,250.00	.....	[1] 13.17	724,350.00	166,100.00
Base stocks	74,500	1.66	123,670.00	2.40	2.47	184,015.00	60,345.00
Rear plugs for fuses	74,500	.18	13,410.00	.23	.2399	17,649.05	4,239.05
Front plugs for fuses	74,500	.09	6,705.00	.17	.1751	13,044.95	6,339.95
Grand total contract cost							$2,879,904.99
Grand total arsenal cost							1,900,064.05
Saving							979,840.94

[1] This was the lowest and only bid received, but no contract was made.

[2] The shrapnel projectiles only were ordered abroad, and the contract cost includes the cost of assembling the projectile to the cartridge case and charge and of the necessary rounds for firing test based on a previous order.

TABLE II.—*Purchase of artillery ammunition.*

[Statement of total contract costs and of total arsenal costs for ammunition being purchased from outside manufacturers covered by orders given between July 1, 1912, and Apr. 25, 1913, and which will be delivered before June 30, 1914.]

Articles.	Quantities ordered.	Contract price per unit.	Contract cost per unit.	Total contract cost.	Total arsenal cost per unit.	Total arsenal cost.	Contract cost over arsenal cost.
2.95-inch shrapnel-case forgings	4,109	$3.06	$3.15	$12,943.35	$1.75	$7,190.75	$5,752.60
3-inch shrapnel-case forgings	25,523	3.06	3.15	80,397.45	1.75	44,665.25	35,732.20
3.8-inch finished shrapnel cases	7,055	6.65	6.85	48,326.75	4.68	33,017.40	15,309.35
4.7-inch finished shrapnel cases	9,615	9.37	9.65	92,784.75	8.80	84,642.00	8,172.75
6-inch finished shrapnel cases	5,760	16.00	16.48	94,294.80	17.10	98,496.00	−4,201.20
3.8-inch common shrapnel without fuses or base charges	2,500	17.50	18.03	45,075.00	7.94	19,850.00	25,225.00
4.7-inch common shrapnel without fuses or base charges	7,000	25.26	26.02	182,140.00	15.45	108,150.00	73,990.00
6-inch common shrapnel without fuses or base charges	1,500	37.00	38.11	57,165.00	30.20	45,300.00	11,865.00
3-inch common steel shell	3,000	4.87	5.02	15,060.00	2.39	7,170.00	7,890.00
3.8-inch common steel shell	9,066	9.17	9.45	85,673.70	4.81	43,607.46	42,066.24
4.7-inch common steel shell	10,605	12.46	12.83	136,062.15	8.30	88,021.50	48,040.65
6-inch common steel shell	7,077	17.93	18.47	130,712.00	16.75	118,539.75	12,172.25
3-inch fixed high-explosive shrapnel	10,000	13.17	13.17	131,700.00	10.15	101,500.00	30,200.00
Grand total contract cost							$1,112,334.95
Grand total arsenal cost							800,120.11
Loss							312,214.84

TABLE III.—*Manufacture of small-arms ammunition.*

[Statement of total arsenal costs and total contract costs for ammunition manufactured at the Frankford Arsenal provided for in orders issued and completed between July 1, 1912, and June 30, 1913.]

Articles.	Quantities manufactured.	Total costs per thousand.	Aggregate total cost.	Contract price per thousand.	Contract cost per thousand.	Total contract cost.	Saving over contract.
Caliber .30 ball cartridges	55,000,000	$27.08	$1,489,400	$37.77	[1] $38.09	$2,094,950	$605,550
Automatic pistol ball cartridges	5,000,000	16.28	81,400	18.72	18.80	94,000	12,600
Caliber .38 revolver ball cartridges	7,000,000	12.39	86,730	10.91	11.27	78,890	−7,840
Grand total, contract cost							$2,267,840
Grand total, arsenal cost							1,657,530
Saving							610,310

[1] This cost includes the actual cost of inspection.

TABLE IV.—*Purchase of small-arms ammunition.*

[Statement of total contract costs and of total arsenal costs for ammunition purchased from outside manufacturers covered by orders given between July 1, 1912, and June 30, 1913, under which deliveries were completed before Aug. 29, 1913.]

Articles.	Quantities ordered.	Contract price per thousand.	Contract cost per thousand.	Total contract cost.	Arsenal cost per thousand.	Total arsenal cost.	Contract cost over arsenal cost.
Caliber .30 ball cartridges	8,000,000	$37.77	[1] $38.09	$304,720	$27.08	$216,640	$88,080
Automatic-pistol ball cartridges, caliber .45	800,000	18.72	18.80	15,040	16.28	13,024	2,016
Caliber .38 revolver ball cartridges	1,000,000	10.91	11.27	11,270	[2] 12.39	12,390	−1,120
Grand total contract cost							$331,080.00
Grand total arsenal cost							242,054.00
Loss							88,976.00

[1] This includes the actual cost of inspection.

[2] The increased cost of caliber .38 revolver ammunition is due to the fact that the presses on which it is partly made are not equipped with automatic feeds, which was not done because of the probability that very little of this ammunition will be made in the future.

RECAPITULATION.

FRANKFORD ARSENAL MANUFACTURE.

Artillery ammunition, saving	$979,840.94
Small-arms ammunition, saving	610,310.00
Aggregate saving	1,590,150.94

CONTRACT MANUFACTURE.

Artillery ammunition, loss	$312,214.84
Small-arms ammunition, loss	88,976.00
Aggregate loss (the difference between the cost of the ammunition as manufactured by outside contractors when compared with what it would have cost had it been manufactured by the Frankford Arsenal is represented as a loss. Strictly speaking, this loss, or excess cost, also represents the amount that the Government pays for such ammunition, so that in time of war outside manufacturers may be in a position to supply ammunition)	401,190.84

NEEDS OF THE ARSENAL.

An inspection of the Frankford Arsenal has been made by Members of Congress, by members of the State legislature, and by other public men interested in the activities of the Federal Government, and they have all recognized the principal needs of the Frankford Arsenal and appreciated the necessity of making appropriations to meet these needs. Certain members of the State legislature were so impressed by the necessity of making appropriations to the Frankford Arsenal that through their efforts joint resolutions were passed by the State legislature and signed by the governor, requesting the members of Congress from Pennsylvania to exercise their best efforts toward securing appropriations for the purchase of an adjoining tract of land and for the construction of a high explosive loading shop.

The principal needs of the Frankford Arsenal are described below, but the language employed, while convincing, can not possibly impress the reader as would a personal inspection of the establishment.

1. INCREASED FACILITIES FOR THE MANUFACTURE OF ARTILLERY AMMUNITION.

The extent of the orders for the manufacture of artillery ammunition involves the employment continuously of two shifts, and on certain operations three shifts, in order to complete the order by the time specified by the War Department. It is generally considered that a plant at a manufacturing arsenal is inadequate when it is necessary to employ more than one shift except in time of war. A plant which requires the employment of extra shifts in time of peace to provide for the orders given is obviously inadequate in time of war.

The manufacturing facilities at the Frankford Arsenal can be greatly increased by converting the present carpenter shop and the lumber shed into shop buildings for manufacturing artillery ammunition, these buildings being located very conveniently for the purpose. The utilization of these buildings would, of course, mean the construction of a carpenter shop and lumber shed which can easily be done on ground available for the purpose. The construction of a new carpenter shop and lumber shed, the extension of the present carpenter shop and alteration of the lumber shed would involve an expenditure of about $95,000. A high explosive loading shop is required at an expenditure of about $32,000, and a fireproof artillery ammunition storehouse at a cost of about $17,500, making a total cost for construction of about $139,500. Additional machinery should be provided for to increase the output of the ammunition for the larger field cannon, and $200,000 should be provided for at the same time for the necessary machinery to enlarge the output. This would make the total amount to be appropriated about $340,000. While this is a comparatively large sum, yet it is only slightly more than the loss that the Government has made on the existing orders given outside contractors for artillery ammunition, namely, $312,214.84.

2. THE ACQUIREMENT OF ABOUT 25 ACRES OF LAND ADJOINING THE ARSENAL.

This land is now undeveloped property and is on the market for sale, proceeds thereof to go to the University of Pennsylvania. Its acquisition is desirable for the locating of the magazines which are now too close to the shop buildings; for the construction of magazines for the storage of explosive ammunition which is now required to be shipped to Picatinny Arsenal, at a cost of about $18,000 per annum; and to prevent it falling in the hands of parties who may utilize the tract for the construction of dwelling houses. In the latter case experimental work which is now being done at the arsenal by way of firing will probably be a matter of complaint by the residents and lead to the curtailment of the activities of the arsenal. The cost of the land should be about $154,000.

3. FIRE PROTECTION, ETC.

While the above are considered the principal needs of the Frankford Arsenal, there are other minor needs which are very urgent, such as increased fire protection, construction of embankment about an exposed magazine, and an extension of the metal storehouse for the reception of valuable scrap which is now stored in the open on platforms. These needs would cost about $38,500.

4. OTHER PROJECTS.

There are other needs which are not quite so urgent at the present time, such as a new office building, to cost $75,000. The present building is now so congested that the clerical work is now being done in this building and in two other storehouses. The proposed building would provide for all the clerical and drafting work at the arsenal. The Frankford Arsenal is much behind other leading manufacturing establishments in not providing adequate facilities for the comfort of its employees. A storehouse has been under consideration, at a cost of $45,000, in which would be reserved a floor wherein the young women employed at the arsenal could have their luncheons and also utilize it for recreation purposes during the noon recess. Old materials at the arsenal are overhauled by employees in a basement, which should not be utilized for this purpose.

The sidewalks about the west side of the arsenal have been condemned by the city of Philadelphia, but the arsenal is without funds to repair them. The inclosing wall along part of the arsenal is ready to fall, and the sidewalk along this wall is so narrow that at places two persons can not pass each other. The inclosing wall should be rebuilt and the sidewalk widened approximately 5 feet. Part of the sidewalk on the north side of the arsenal is an ordinary dirt one. The exterior of the arsenal, a Federal institution, does not bespeak well of its ownership. These exterior improvements could be made at a cost of about $11,000 to $12,000.

Public men visiting the arsenal have been informed that the frame structures in which are housed the chemical laboratory, electrical shop, plumbing shop, and printing shop were condemned by the Inspector General's Department of the Army several years ago. A fireproof building could be constructed for about $50,000 which would house these various shops.

5. IF AT PANAMA, WHY NOT HERE?

The public have generally appreciated the splendid work which has been done by the Federal Government in conserving the health of its employees engaged in the construction of the Panama Canal by the elimination of mosquitoes, while nothing has been done at the Frankford Arsenal toward filling in the low places, which are nothing but breeding spots for mosquitoes. Such low places at the arsenal are gradually being filled in by refuse from the arsenal, but it will take a great many years to accomplish the result. It is believed that all low places should be filled in with as little delay as possible, so that there will be, at least, no swampy land on the reservation.

The Tariff.

SPEECH

OF

HON. CHARLES L. BARTLETT,

OF GEORGIA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, September 30, 1913.

The House had under consideration the conference report on the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. BARTLETT. Mr. Speaker, in five minutes I have not the time to and I can not discuss the bill or the conference report, but I wish to say I have no doubt in my mind that this bill will not seriously affect legitimate business, and I do not believe the manufacturers of this country should have any fears that the bill will seriously affect them or their legitimate business. I hold in my hand a clipping from the New York Herald of a few days ago, which states that some 60 manufacturers in the country have organized and will send abroad their agents for the purpose of carrying their goods into Japan, India, China, and all the countries where there is so much of cheap labor, and as this bill is to become a law before this week shall pass, then under this law they will be sending their goods to compete with the cheap labor of these countries

and with every other country in the world. I shall put that statement in the RECORD, and also an editorial which appeared in the New York World in the issue of to-day upon the subject of this bill.

[From the New York Herald.]

AMERICAN GOODS TO CIRCLE GLOBE—60 MANUFACTURING ESTABLISHMENTS TO SEND 10 SALESMEN AROUND WORLD ON 2 YEARS' TRIP.

A world tour in the interest of trade expansion will start from this city next month when representatives of 60 manufacturing establishments in the United States, a large number of them from New York, Philadelphia, and cities East and West, will carry American goods around the world in an effort to introduce goods direct from manufacturer to buyer.

This does not mean that there will be 60 men in the party, but a party of 10 salesmen will represent all the interests in the organized expedition, whose object will be to put goods of American manufacture on a fair competitive basis with those of other countries.

The tour includes Cape Town, the first stop; then India, the Straits Settlements, Australia, New Zealand, the Philippines, China, Japan, Hawaii, Central America, both coasts of South America, and back home by way of Cuba. It is expected that the tour will last two years.

The movement was proposed by the Smythfield Export Co., of Philadelphia, and was quickly subscribed to by several New York manufacturers and those of other cities. It will be in charge of Otto Kafka, who has wide experience in the export business and is especially fitted for the work. He is organizing 10 sales managers, each in charge of 6 lines of goods. They will carry a full line of samples.

When a foreign country is reached the party will open quarters in the larger cities and at once get in touch with the merchants and buyers of the place, learn what the people want, show the samples carried, and if these do not suit arrange to get what they want, the same as any New York salesman going into a city in this country to dispose of his wares.

If the field looks good at each point an agency will be opened in charge of a native of that country. He will be left to take orders on actual samples, with which he will be supplied direct from this country. The Americans will open the country to the American goods, and it will then be the business of the native manager to hold the trade.

Goods will be ordered directly from the manufacturers who produce the particular lines wanted. In effect the buyer will deal with the producer. The export houses will figure only as their facilities may be desired in handling goods and making settlements, for which they will get 2½ per cent commission.

The idea is believed to give effect to true economic principles, and it will substantially eliminate the export houses, with their double commissions, at least so far as the foreign business of those manufacturers who join in the special movement is concerned.

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[From the New York World.]

THE END OF EXTORTION.

When the tariff bill as agreed upon by the conference committee of the two branches of Congress was reported to the House yesterday a great and patriotic task was virtually completed. A memorable record was made. A precedent never to be forgotten was established.

For the first time since the Civil War an honest general revision of the tariff downward, often promised by leading men of all parties, had been agreed upon. For the first time since protection for monopoly's sake had become an institution seemingly invincible greed and corruption had been met on their own ground and vanquished. For the first time since public plunderers sought refuge in the United States Senate a tariff measure emerged from that body fairer and wiser and lower than it was received from the House.

The new tariff defeats not only the organized rapacity of those who have long controlled such enactments, it overcomes also the threats of the panic breeders and the falsehoods of the hired claquers who for a generation or more terrorized people and Congress. It becomes a law with Republican as well as Democratic support. It is welcomed even by the very interests which for years bludgeoned those who suggested a similar enactment.

When our tariffs for extortion averaged nearly 50 per cent on the value of our dutiable imports, a suggestion of the smallest reduction was met by cries of "free trade." The act now completed reduces the average of taxation at the customhouses to one-half the rates that were once deemed necessary, but it is more truly a measure of protection than any law which the combined corruptionists of the past bought with money and favor.

This law was written in behalf of the people. It taxes wealth, indulgence, luxury. It frees many of the necessaries of life. It is intended to give consumers cheaper goods, or better goods for the same money. It relieves manufacturers by untaxing raw materials. It promotes honesty in trade. It removes the support of Government only from the hopelessly inefficient and dependent.

Nearly a century ago, when Henry Clay introduced what he called "the American system" to the people, his idea of sufficient protection for American labor was embodied in a tariff of 20 per cent. We have had tariffs for monopoly since that time of more than twice that figure. We are now to have a tariff reformed after years of struggle, after years of oppression, after years of deception, intimidation, and corruption, that safeguards labor on the one hand and does not rob it on the other.

While the economic question involved has hardly been touched, the moral triumph that has been won is complete. The thanks of the country are due to every Member of Congress, Republican and Democrat, who has contributed to this result; but especially to be honored are Representative UNDERWOOD, Senator SIMMONS, and President Wilson, without whose untiring labors, wisdom, and moderation the happy issue now at hand might have been impossible.

I did not rise so much to discuss the provisions contained in the tariff bill and the results we believe will follow as I did to discuss an amendment as to which there is disagreement between the two Houses, said amendment being known as the Clarke amendment. I shall vote against the Clarke amendment. I have on various occasions in this House expressed my views on the subject of the tariff. I believe that a new era of independence for both the manufacturer and for the consumer will be ushered in under this bill when it becomes a law.

Congress can, in my judgment, control those illegitimate transactions, like gambling in cotton futures, by the same means it suppressed the lottery business, by denying the use of the mails and the telegraph to those engaged in the business; besides, the States can by appropriate legislation prohibit it. That the States have full power over the subject, I quote the following from the Supreme Court of the United States in the case of Ware & Leland v. Mobile (209 U. S.):

> The sole question here presented is whether the statute in question is an attempt to regulate interstate commerce, for if the plaintiffs in error are shown by the foregoing agreed facts to be engaged in interstate commerce, then the statute is void, as an attempt by a State to regulate the commerce which the Constitution of the United States places within the exclusive control of Federal authority.
>
> Interstate commerce must be such as takes place between States as differentiated from commerce wholly within a State. It must have reference to interstate trade or dealing, and if the regulation is not such, and comprehends only commerce which is internal, the State may legislate concerning it. In each case the recurring question is, On which side of the line does the commerce under investigation fall? * * *
>
> But how stands the present case upon the facts stipulated? The appellants are brokers who take orders and transmit them to other States for the purchase and sale of grain or cotton upon speculation. They are in no just sense common carriers of messages, as are telegraph companies. For that part of the transactions, merely speculative and followed by no actual delivery, it can not be fairly contended that such contracts are the subject of interstate commerce; and concerning such of the contracts for purchases for future delivery as result in actual delivery of the grain or cotton, the stipulated facts show that when the orders transmitted are received in the foreign State the property is bought in that State and there held for the purchaser.
>
> The transaction was thus closed by a contract completed and executed in the foreign State, although the orders were received from another State. When the delivery was upon a contract of sale made by the broker, the seller was at liberty to acquire the cotton in the market where the delivery was required or elsewhere. He did not contract to ship it from one State to the place of delivery in another State. And though it is stipulated that shipments were made from Alabama to the foreign State in some instances, that was not because of any contractual obligation so to do. In neither class of contracts, for sale or purchase, was there necessarily any movement of commodities in interstate traffic because of the contracts made by the brokers.
>
> These contracts are not, therefore, the subjects of interstate commerce any more than in the insurance cases, where the policies are ordered and delivered in another State than that of the residence and office of the company. The delivery, when one was made, was not because of any contract obliging an interstate shipment, and the fact that the purchaser might thereafter transmit the subject matter of purchase by means of interstate carriage did not make the contracts as made and executed the subjects of interstate commerce.

From this decision it seems clear there is no necessity that Congress should resort to this doubtful constitutional power to use the taxing power to destroy.

I am opposed to this amendment and this method of legislation. In all the service that I have rendered in this House I have never found occasion when I was willing to use the taxing power of this Government in order to destroy any legitimate business. I do not believe that the Constitution of our country authorized the use of this great power of the Government either to destroy or to build up the business of a citizen, nor am I willing, Mr. Speaker, to violate the Constitution, in my opinion, and invade reserved powers of the States of this Union and say what sort of contracts the citizens of those States shall enter into. I do not believe the power exists either to use to destroy an industry or a business or to regulate a business within the confines of a State. Mr. Speaker, believing this to be true, I shall vote against the Clarke amendment. I realize some of the great evils that exist by reason of the methods that have been pursued upon the stock exchange of New York and elsewhere. I have upon occasions voted for a bill which kept from the mails and from the use of the telegraph communications relating to those contracts which were purely gambling contracts, but however great the evil may be, I have never yet in my experience as a Member on the floor of this House favored either the use of the power of the Government to tax a business out of existence or the use of the power of the Government to unconstitutionally invade the rights and the privileges of the States to regulate within their borders the business that is purely and legitimately within the control of the legislatures of those States. Now, Mr. Speaker, I do not care further to detain the House upon this subject. To undertake to do so and to give in detail the reasons I have with reference to this amendment, why I oppose it, what my views would be with reference to correcting the evil, would take more time than I have at my command, and I have simply risen in order that I might not be misunderstood when I vote against this amendment or when I vote to maintain and support, as I have always endeavored to do, the Constitution of the United States and not to stretch the power of Congress and invade the reserved rights of the States. [Applause.]

The SPEAKER. The time of the gentleman has expired.

The A B C of the Panama Canal Tolls Controversy.

EXTENSION OF REMARKS
OF
HON. THETUS W. SIMS,
OF TENNESSEE,
IN THE HOUSE OF REPRESENTATIVES,
Wednesday, October 29, 1913.

Mr. SIMS. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include an article, by Henry Herzberg, which is published in the Baltimore Evening Sun of October 15, 1913. The article is as follows:

[From the Baltimore Evening Sun, Wednesday, October 15, 1913.]

THE A B C OF THE PANAMA CANAL TOLLS CONTROVERSY.

(By Henry Herzberg.)

The refusal of England to participate in the Panama-Pacific Exposition to be held at San Francisco once more excites public interest in the pending issues between Great Britain and the United States.

The primal question involved in the present controversy with Great Britain is not concerned with the elementary right of the United States to grant a subsidy to its own vessels or whether the United States is estopped from regulating its domestic commerce. The dispute rests upon the pivot whether the Panama Canal act of August, 1912, impinges upon the rights of Great Britain and other nations in respect to the use of the canal as stipulated in our treaties.

The regulation of tolls and the conditions governing traffic through the canal is not a political or an economic problem of domestic origin which only indirectly affects foreign nations; but, on the contrary, it is an international controversy developed from our control of the canal property, the titular sovereignty of which still inheres in Panama; and while the question presented is abstractly a purely economic one, yet its settlement depends upon the interpretation of treaty rights and obligations.

Are we unmindful of the fact that the actual building of the canal was conditioned upon England's surrender of a valuable privilege?

In his masterly presentation of this subject in the Senate Senator ROOT, with learning and candor, penetrated the very fiber of the present dispute. He showed the evolution of the building of the canal by tracing the origin of our various treaties bearing upon trans-Isthmian communication. In his analysis Senator ROOT pointed out the fact that when the United States turned its attention to the possibilities of a ship canal it found Great Britain held the place of vantage or practically controlled the eastern end of the Nicaragua route, upon which all minds were concentrated. The United States then sought a treaty with Great Britain by which England would renounce the advantage she had acquired and admit the United States to equal participation with her in the control and protection of a canal across the Isthmus. From these negotiations there arose the Clayton-Bulwer treaty, which was ratified by Great Britain "as a concession to the urgent demands of the United States," says Senator ROOT, who incidentally remarks that Mr. Clayton held two unratified treaties with Nicaragua as a whip over the British negotiators.

The force of this contention is realized at this time, when the Wilson administration is reviving the Knox treaty, whereby Nicaragua would give to the United States in perpetuity the exclusive right of way for an interoceanic canal across Nicaraguan territory, a permanent lease for a naval station on the Pacific side of Fonseca Bay, and permanent occupation of certain small islands off the Nicaraguan coast. In consideration of these grants the United States is to pay $3,000,000, which Nicaragua will expend on certain designated improvements.

Under the provisions of the Clayton-Bulwer treaty Great Britain gave up its rights under the protectorate over the Mosquito coast and also relinquished its rights to what was commonly supposed would be the eastern terminus of the canal, while the United States sacrificed nothing.

In order to build and control the canal the United States made negotiations with Great Britain to supersede the treaty of 1850 by an engagement that would free us from our treaty obligations which bound us not to obtain or maintain exclusive control over a ship canal across the Isthmus. In 1901 ratifications were exchanged and the Hay-Pauncefote treaty became operative. This treaty, while it superseded the earlier convention of 1850, yet implied the nonfortification of the canal and specifically provided that the canal shall be free and open to the vessels of commerce and of war of all nations observing the rules prescribed for its operation on terms of entire equality, to the end that there shall be no discrimination against any nation or the citizens or subjects thereof in respect to the conditions or charges of traffic or otherwise. It was stipulated, further, that such conditions and charges shall be just and equitable.

The purpose of the construction of the artificial waterway was to facilitate the free movement of the world's commerce and to improve distributive processes by shortening existing trade routes. Our own national interests were to be identical with the world's interests. The commerce of all nations was to be treated on an absolute equality and in harmony with our treaty guaranties, and no discrimination against or in favor of any nation or any national group was allowable.

If the Clayton-Bulwer treaty of 1850 had not been superseded by the Hay-Pauncefote treaty of 1901, neither Great Britain nor the United States could have constructed or have obtained the exclusive control of the canal. But if the waterway had been built by others while the earlier treaty was in force, it would have been open to British and United States ships on equal terms, and the tolls leviable on such ships would have been identical. The purpose of the Hay-Pauncefote treaty, as Sir Edward Grey declares, was to recover our freedom of action and obtain the right which the United States had surrendered to construct the canal ourselves. "But the complete liberty of action," avers the English diplomat, "consequential upon such construction was to be limited by the maintenance of the general principle embodied in article 8 of the earlier treaty." The "general principle" of neutralization as stipulated in the Clayton-Bulwer engagement was reasserted in the Hay-Pauncefote treaty, and the basis of this neutralization was the rules embodied in the Constantinople convention. The purpose of the Hay-Pauncefote treaty was to facilitate the construction of the canal under the auspices of the United States by removing the prohibitions contained in the Clayton-Bulwer treaty. This is clearly set forth in the provisions of the treaty of 1901, which plainly and emphatically free the United States from its pledge made in the Clayton-Bulwer treaty of 1850 not to control the canal. On the other hand, Great Britain is not relieved of her obligations made in that instrument to forego ownership and exclusive control of a canal across the Isthmus.

The United States then acquired the right of construction and control and Great Britain acquiesced in the abrogation of the prohibition contained in the Clayton-Bulwer treaty; and in consideration of the acquirement of this right the United States bound itself to treat the vessels of commerce and of war of all nations exactly the same—that is, without discrimination, preference, or special privileges. In other words, the management and control of the canal rests with the United States, subject to the qualifications that the vessels both of war and of commerce of all nations should be placed on a parity and treated with absolute equality. This is the unequivocal meaning of the provision in the Hay-Pauncefote treaty reasserting the "general principle" of neutralization as established in article 8 of the superseded Clayton-Bulwer convention and as embodied in the Constantinople agreement of October 29, 1888.

M. Philippe Bunau-Varilla, who as representative of the Republic of Panama signed the Panama treaty, holds that the basic law of the operation of the canal reposes in the Hay-Bunau-Varilla treaty and not in the Hay-Pauncefote treaty.

Whether or not this claim is well founded, it must be allowed that the title or deed of the canal strip was conveyed to the United States by the instrument of the Panama treaty even as the previous right of the United States to construct the waterway was acquired by the ratification of the Hay-Pauncefote treaty.

"The terms of the Panama treaty," said Secretary of War Taft in 1906, "are peculiar in not conferring sovereignty directly upon the United States but in giving to the United States the powers which it would have if it were sovereign." Our rights on the Isthmus respecting the canal issue from the treaty with Panama of November 18, 1903, and these rights, according to every canon of decency and fair play, are subject to the express provisions of the Hay-Pauncefote treaty.

The truth is that Panama granted to the United States rights, power, and authority over the Canal Zone, so far as the construction and control of the waterway is concerned; that is, we acquired rights to build and maintain a canal under the express terms of a treaty. While we have the sole right to the possession of the canal and the exclusive right to operate it, the titular sovereignty remains in Panama. Moreover, our treaty engagement with Panama is in the nature of a concession, for which we are obligated to pay $250,000 annually, beginning nine years after the ratification of the treaty. This contract scarcely supports the claim of an absolute sovereignty on the Isthmus. Though the new Republic was in a more delicate position with

reference to its sovereignty than was Colombia, yet Panama, technically at least, refused to part with its sovereignty absolutely.

But the question is immaterial whether or not sovereignty is lodged actually with the United States, because the Hay-Pauncefote treaty specifically provides for a change of sovereignty in the following language:

"No change of territorial sovereignty or of the international relations of the country or countries traversed by the before-mentioned canal shall affect the general principle of neutralization or the obligation of the high contracting parties under the present treaty."

The United States does not possess rights on the Isthmus superior to the provisions of our treaties. Our rights are strictly treaty rights and are subject to contractual provisions. For practical purposes only may the United States exercise the rights of sovereignty over the Canal Zone. The titular sovereignty still inheres in the Panama Government. The practical purposes consist in the building and operation of the canal. The United States exercises or should exercise sovereignty only so far as it may be necessary to make the canal workable, something like the exercise of the sovereign rights of eminent domain by railroads in order to make the carrier system operative. Since the rights which the United States possess in the canal tract arise from the fountain of treaty provisions, we can not divorce ourselves from the obligations which spring from those treaty rights and regulate canal traffic in the same way that we control the strictly domestic and internal commerce of the United States. If it had been our purpose to discriminate in favor of our coastwise shipping, we should have striven by a straightforward course to reserve this right by an express stipulation to that effect.

Our officials, doubtless, were aware that the building of the canal would not have been actualized if we had insisted upon the application of a domestic policy to the canal traffic.

When the first Hay-Pauncefote treaty was considered in the Senate, Senator Bard, of California, sought to amend the treaty by specifically providing for the right to discriminate in favor of our coasting trade. This amendment, which was defeated by a vote of 27 to 43, indicated the disposition of the Senate not to depart from our historic policy to treat the vessels of all nations with absolute equality.

But now, when the waterway is nearing completion, we have the temerity to do by indirection that which we would not propose even by direct negotiation before we had the right to construct the canal.

It is clear, then, that preferential treatment accorded our coastwise vessels commits violence upon our treaties and is therefore not a bona fide transaction, but is mala fide—a breach of national faith.

But it is urged that the United States owns, controls, and has paid for the canal and yet is restricted by treaty from aiding its own commerce in the way that all other nations of the world may do freely in the exercise of their sovereignty.

It can be demonstrated that this is a superficial view which is unsupported by actual facts and conditions.

In her note of protest of November 14, 1912, Great Britain, through Sir Edward Grey, made it plainly understood that the remission of tolls or their payment by our Government would not be objectionable if the remitted moneys would not fall as an additional burden upon the world's shipping using the canal. In other words, our treaty obligations clearly exact that all nations of the world shall receive equal treatment in the use of the transisthmian waterway, and therefore it follows that our vessels must bear their proportional share of the burden of the canal's maintenance.

The United States, then, is within its rights if in granting a subsidy to its own vessels it does not levy the amount of such subsidy directly or indirectly on the foreign shipping of other nations.

Sir Edward Grey properly maintains that we are debarred from granting a subsidy if the method chosen for granting such subsidy has the effect of imposing upon British or other shipping an unfair share of the upkeep of the canal.

The contention of Great Britain is well grounded that the Panama Canal act is discriminatory, because the exemption of our coastwise vessels from any contribution to the operating cost of the canal and to the interest charge imposes upon foreign ships the payment of more than their just proportionate share. Our special commissioner, Prof. Emory E. Johnson, in his exhaustive report, has shown that if tolls were levied equally upon American and foreign vessels it might be possible to make the canal self-supporting in a decade, but he declared that it would not be possible to secure from foreign shipping alone ample revenues to make the canal pay for its own upkeep.

The United States shames its former pretensions for equal and equitable treatment, and not only refuses to rescind its action, which casts aspersion upon its honor, but scorns the reference to arbitration as suggested by Sir Edward Grey in his note.

It should be recalled that the United States has ratified 25 treaties of arbitration with the leading nations of the world. These engagements run for a period of five years, and for the most part are coterminous. The United States now not only disregards the terms of the Hay-Pauncefote treaty and refuses to arbitrate the questions of tolls, but allows the arbitration treaty of 1908 to lapse without renewal. Does not this action imperil the world's structure of arbitration? The treaty of 1908 with Great Britain provides that controversies or differences of a legal character and affecting the interpretation of treaties which fail to yield to diplomatic adjustments shall be arbitrated if the questions at issue do not concern the independence, vital interests, or honor of the contracting States and do not concern the interests of third parties. Now, it would seem that the Panama Canal tolls question is within the purview of this treaty and is arbitrable, since in a political sense it does not affect the independence, vital interests, or honor of the contracting parties, though it may concern the interests of third parties.

But a course more honorable even than arbitration would be to repeal the exemption clause of the Panama Canal act. Such action would avoid the denial of solemn asseverations made in our treaties with New Granada (Colombia) in 1846, with Great Britain in 1850 and 1901, with Nicaragua and with Panama in 1903, and, further, would reenforce the moral primacy which the United States has held as the supporter of neutral rights throughout the world. By submitting the tolls controversy to a judicial tribunal the United States would preserve our self-respect and at the same time promote the cause of arbitration. The repeal of the law, however, would be more salutary, because such action not only would redound to the national honor, but also would foster the ends of international justice.

How fatuous is a policy that causes a breach of the national faith and quickens the avarice of a class to which the Government already has dispensed an enervating legal monopoly. But even if the toll-exemption provision did not involve the blight of subsidy and actually would benefit the American shipper and consumer, the United States could not make such exemption in favor of its own shipping consistent with national honor. We are precluded from such a course by the most sacred treaty obligations, which bind us not to discriminate against the world's shipping and carrying interests in respect to conditions and charges affecting canal traffic.

To deny the arbitration of the controversy or to refuse to repeal the law, which is as offensive to the American sense of equity as it is to British judgment, would be to enthrone the pocket greed of a group above the finer elements of national righteousness.

Criminal Aliens.

EXTENSION OF REMARKS
OF

HON. GEORGE W. EDMONDS,
OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, October 29, 1913.

Mr. EDMONDS. Mr. Speaker, it has been my privilege to introduce in the House a bill amending the immigration laws of the United States, providing for the deportation of criminals who are now in prison or may in the future be sentenced to imprisonment, and who are unnaturalized and therefore not citizens of our country, but of the country from whence they came.

There are a number of reasons why the bill amending the immigration laws should pass, and the following are a few of them:

First. The rapidly increasing percentage of alien prisoners, particularly in States adjacent to foreign lands or along the coasts.

Second. The increasing burden to the taxpayers in supporting the institutions for the incarceration of these aliens and the support of their dependents who are in charitable institutions.

Third. The burden on the taxpayers for additional police protection, as most of these aliens when discharged continue their criminal career.

Fourth. The passage of House bill 5598 will cause more aliens coming into the country to become naturalized citizens, and therefore have more respect for our laws.

I have been trying to gather statistics as to the exact number of criminals in prison who would be deported under this bill if it becomes a law, but have found it impossible to secure general statistics later than 1908, when the Commissioner General of Immigration found there were in prison in the United States

23,050 foreign-born prisoners, of whom 7,920 were naturalized and 15,130 still aliens. As the total number in prison at that time was 148,550, it will be seen that over 10 per cent were aliens.

It is possible, however, to get local data of more interest. Take New York State, for instance: In the report of the superintendent of State prisons for 1909 there is a special section devoted to foreign-born and alien prisoners. It reads as follows:

FOREIGN-BORN AND ALIEN PRISONERS.

While it is impossible to definitely determine all of the causes that have contributed to the recent remarkable increase in prison population, comparison of the nativity tables in the reports for 1906 with those of 1909 proves quite conclusively that the crowded condition of our prisons is largely due to the influx of immigrants into this State during the last few years

A census of the 4,320 prisoners in Sing Sing, Auburn, and Clinton Prisons on September 30, 1909, was as follows:

	Number of prisoners.	Per cent.
Natives of New York State	1,830	43
Natives of other States	878	20
Natives of foreign countries, citizens of United States	521	12
Natives of foreign countries, aliens	1,091	25
Total	4,320	100

It will be seen that without the alien prisoners the 3,600 cells in our present prisons would afford ample quarters for the population. At great cost and inconvenience the State is maintaining and endeavoring to educate, train, and rehabilitate 1,091 men who are subjects of foreign countries, most of whom have but recently come to the United States and all of whom are by reason of conviction of felonies forever debarred from citizenship.

Table showing, by nationalities, the number of foreign-born prisoners in the prisons in 1906 in comparison with the number in 1909, together with the increase or decrease.

Countries.	1906	1909				
	Number of foreign-born prisoners.	Number of foreign-born prisoners citizens.	Number of foreign-born prisoners aliens.	Total.	Increase.	Decrease.
Africa	1	2		2	1	
Arabia	1					1
Armenia	1	2		2	1	
Australia	1	2	3	5	4	
Austria	53	23	77	100	47	
Barbados	1					1
Bavaria	12					12
Belgium	3		1	1		2
Bohemia	3	3	3	6	3	
Brazil		1		1	1	
British Guiana	2	1		1		1
Canada	70	21	43	64		6
Chile			1	1	1	
China	9	1	5	6		3
Corsica			1	1	1	
Cuba	7	5	2	7	0	
Denmark	4	2	6	8	4	
England	75	38	42	80	5	
Finland	4	2	1	3		1
France	29	5	14	19		10
Germany	200	110	109	219	19	
Greece	7	3	14	17	10	
Holland	4		6	6	2	
Hungary	9	4	22	26	17	
India		1		1	1	
Ireland	107	57	38	95		12
Italy	312	135	473	608	296	
Japan	1	1		1	0	0
Malta			1	1	1	
Mexico	1		2	2	1	
Newfoundland	1		1	1	0	0
New Zealand			1	1	1	
Norway		5	2	4	6	1
Nova Scotia	1	1		1	0	0
Philippine Islands		1		1	1	
Poland	28	7	38	45	17	
Porto Rico	1					1
Portugal	1	1		1	0	0
Prussia			1	1	1	
Roumania	7	5	11	16	9	
Russia	101	52	138	190	89	
Scotland	11	5	12	17	6	
Sicily	1					1
Spain	3	1		1		2
Sweden	9	8	7	15	6	
Switzerland	11	5	7	12	1	
Turkey	1	1	1	2	1	
Venezuela	2					2
Wales	4	3	1	4	0	0
West Indies	5	10	5	15	10	
Born at sea	2					2
Total	1,111	521	1,091	1,612	558	57
Less decrease					57	
Net increase					501	

From 1906 to 1909 the population of Sing Sing, Auburn, and Clinton prisons increased 939.

Of this increase 505 prisoners, or 53.8 per cent, were foreign born.

While natives of 33 countries were represented in the alien population shown in the foregoing table, 73 per cent of the whole number were contributed by 4 nations, to wit:

	Number.	Per cent.
Austria	77	7
Germany	109	10
Italy	473	43
Russia	138	13
Total	797	73

Of the 19 condemned prisoners confined in the prisons at the close of the last fiscal year 9, or 47 per cent, were aliens. Their nativity was as follows:

Armenia	1
Germany	1
Italy	1
West Indies	6
	1

It is a fact worthy of note that among the 19 condemned prisoners there was no naturalized citizen of the United States, nor do the prison records show that a naturalized citizen has been executed in this State since the electrical-execution law took effect in 1889. The total number of executions during this period was 117.

A classification of the alien prisoners as to the nature of their crimes was made in July, 1909, and is interesting as indicating the tendency of criminally inclined aliens from some countries to commit crimes against the person and of those from other countries to offend against property. The more noticeable cases are as follows:

Countries.	Against person.	Against property.	Miscellaneous.
Austria	20	58	1
China	0	0	1
Germany	29	79	3
Italy	318	94	39
Russia	29	102	2

While great numbers of immigrants who land in New York go to other States to reside, it is undoubtedly true that a large percentage of the vicious and ignorant remain in this State and make large cities their headquarters.

Thus there is forced upon New York State and upon its charitable and penal institutions more than their due proportion of the undesirable classes of immigrants—the lawless, the illiterate, and the defective.

Largely from this element has come the great alien prison population that has crowded our prisons to such an extent as to make it necessary for the legislature to provide an additional prison.

Not only are these men a menace to the lives and property of our people when at large and a great expense to them when in confinement, but as a class their presence in the prisons is a hindrance to the successful application of the reformatory, educational, and training systems there in use.

It is apparent to all that the interests of this country would best be served by the exclusion of this undesirable class of immigrants who claim and receive the protection and benefits that our form of government affords, but disregard our laws. If, however, they are to be permitted to enter our ports with no further restrictions than the present laws and system of inspection impose, is it just and equitable that the individual States in which they may chance to locate and who are powerless to exclude or deport them should be obliged to bear the expense of maintaining these criminal aliens in their penal institutions, or that the discipline of such institutions should be demoralized and reduced in effectiveness by their presence? They are a class by themselves. Our modern methods of penal administration and control do not fit them. They should be segregated and treated as a class, and it would seem but right that the Federal Government, which permits these alien criminals to land on its shores, should assume the burden of maintaining them when they are convicted of crime, and that it should provide prisons where they may be kept by themselves and where the systems of discipline, education, and training shall be especially adapted to apply to this distinctive class of prisoners. When they have served their terms they should be deported and never allowed to return here.

As 59 per cent of the alien prisoners now in our prisons are unmarried, and less than 50 per cent of the married men have wives or children in the United States, the claim that a man should not be deported leaving a helpless family here would apply to but a few of the present alien prison population.

It may be urged that State prisoners can not be legally detained in Federal prisons. Until recently, and to some extent still, United States prisoners were kept in the penal institutions of nearly all the individual States. Only brief, simple laws were required to legalize this practice, and it would seem that similar laws would permit State prisoners to be confined in Federal prisons.

After reading this report it will be seen that the taxpayers of New York are supporting an alien population of 25 per cent in the State prisons, and that there was an increase of 33 per cent in the number of foreign-born prisoners in the three years 1906 to 1909.

There is no question as to the right of deportation, as in the case of United States ex rel Freeman v. Williams (175 Fed. Rep., p. 274), Judge Hand says:

In the case at bar there was shown ample reason to suppose that the relator was a person of habitual criminal propensities. I am satisfied, indeed, that there was extreme likelihood that he would, if he remained here, soon be concerned in crime, and, if evidence could be found, put into prison. Even while he was not imprisoned he would live at the expense of any community in which he remained. The sole question is whether the words of the statute, "likely to become a public charge," must be limited to the likelihood of his becoming a pauper. Probably

this was the primary meaning of the words, but in modern times many persons have come to regard crime and pauperism as analogous facts in the life of a community and without in the least intending necessarily to impose such a sociological purpose upon the classification of Congress I believe that the statute should be reasonably construed as including, not only those persons who through misfortune can not be self-supporting, but also those who will not undertake honest pursuits and who are likely to become periodically the inmates of prisons. Literally taken, the words in question certainly cover their case. They are surely public charges, at least during the term of their incarceration. Whether they are such while they are living dishonestly, though unconvicted, it is not necessary to determine.

So to construe the act is not to decide that such persons may be convicted and punished upon loose considerations of their probable propensities. The issue is wholly of the relator's right to enter the country, and that right, as has been so often said, is entirely the creation of Congress. Nor does the construction conflict by implication with the other subdivision of section 2 which makes a ground of exclusion the conviction of crime of an immigrant alien, or his admission that he has committed a crime. That subdivision contemplates a single delinquency, but here the Secretary has concluded from the evidence that the relator's habitual propensities so dispose him to a criminal life that he will be likely to resume it.

It is true that the warrant did not specify this ground of deportation, and I find no requirement, either in the act or in the promulgated regulations, that the warrant must state the alleged grounds.

Having determined that there was one adequate ground for his conclusion I shall not consider the other points which the relator raises. It is not necessary in this view to decide whether the relator's silence upon the hearing was an admission which should be used against him. The evidence was adequate without such admission to determine that he was likely to become a public charge; nor does it appear that upon that question the admissions were used against him. I do not mean to be understood as deciding whether they should or could not be so used, that being unnecessary to the determination of this proceeding.

Writ quashed and relator remanded.

In endeavoring to secure statistics some very interesting data and suggestions were received. Otis Fuller, warden of the Michigan Reformatory, says:

Replying to your favor of June 17, your deportation bill, providing for the return of criminals to the country from whence they came, is all right except the last portion, which makes the return of a deported person a misdemeanor punishable by redeportation; whereas the wiser thing would be to make such return a felony, punishable by a penitentiary sentence of not less than 1 nor more than 10 years, followed by deportation upon completion of the prison term.

Under your proposal you will see that any person who has been deported to Canada or Mexico could return by the next train, and the Government could do nothing but send them back. It would be impossible to make such undesirables stay deported.

Your bill, however, has the right end in view, and I think it will be profitable to strengthen the laws against undesirables in every way that it is possible to do so.

We have no statistics covering the number of unnaturalized persons received at this institution during any given period. We have, however, gone through our records for the year ending June 30, 1913, and find that out of 327 men received 17 aliens had been in this country less than five years, hence must have been unnaturalized. That there were many others I have no doubt, but we have nothing to prove it. We have now in the institution waiting deportation under the present law 13 men, and during the year mentioned above 5 men were turned over to the immigration service by us for deportation. Several others would have been deported but for the fact that they had just passed the statute of limitations, having been in the United States over three years at the time the department got the information that they were in prison.

Anything further that we can do to aid in the amendment of the statute looking to a more stringent deportation law will be cheerfully done.

Frank L. Randall, chairman of the prison commissioners of the Commonwealth of Massachusetts, has suggestions as to general immigration laws which are of interest:

Further answering your letter of June 3, which was addressed to his excellency the governor of this Commonwealth, and concerning which I wrote you briefly on June 19, I have to add the following, viz: This board of prison commissioners has the direct management of the prison at Charlestown, the reform prison at Concord Junction, the Reformatory for Women at Sherborn, and the prison camp and hospital at West Rutland. At the last-named institution all of the prisoners are received on commitment from the other institutions named, or from penal institutions in this State under control of other boards than this one.

The warden of the State prison reports under date of June 19, "that there then were 324 foreign-born prisoners in that institution, of whom 40 had entered the United States within three years prior to the date of sentence and 284 have been in the United States for more than three years before their sentence." Upon our sending the report back to the warden, for the purpose of checking up the names of all foreign-born prisoners who had become naturalized before their conviction, we ascertained that there were 59 such; hence it appears by inference that there are 40 alien prisoners in State prison who have been in the United States less than three years and 225 who were in the United States more than three years prior to sentence. At the State reformatory the showing of the superintendent indicates that on June 19 of this year there were 25 prisoners who had entered the United States within three years of their sentence and 90 who had entered the United States prior to three years before their sentence. These figures of 25 and 90 from the reformatory indicate aliens only, persons having become naturalized not being taken into account in the report.

At the Reformatory for Women there were reported on June 23, 1913, to be 3 aliens who had entered the United States within three years of sentence and 22 who had entered the United States three years or more before sentence. At the same time there were reported from the prison camp and hospital 2 aliens who had entered the United States within three years of sentence and 10 who had entered the United States previous to three years before sentence. In every case the conviction was for a crime or misdemeanor involving moral turpitude, and the sentence was to imprisonment for one year or more.

In case that we may be able to furnish you with further information you must not hesitate to call upon us for anything which you desire.

In compliance with your kind letter of June 24, I respectfully submit the following suggestions, viz, that wherever it is practicable, through the assistance of the proper authorities of the foreign country, applications for leave to enter the United States may be made to the foreign representatives of the United States at their official stations, and that the question of their eligibility or ineligibility be determined before they leave their native land for the United States. The persons thus entering the United States after a proper showing, and after receiving official leave to do so, may be met upon their arrival at the port of entry, and that further travel to their destination may be facilitated by agents of this Government, and that they may be given such advice and counsel as will tend to save them from the hands of designing imposters and false friends, and that they may receive welcome evidence in their first impression of the desire of the people of the United States to receive well disposed and healthy accessions from other countries. It seems to me that the delay which occurs in quarantine and other inspections must be a very awkward and serious thing to foreigners after their long journey to our coast, and that the inspection as now given must be very superficial and unsatisfactory.

The State of Arizona, on account of its close proximity to Mexico, is particularly interested in this matter. In answer to inquiries the following letters were received:

JUNE 10, 1913.

MY DEAR MR. EDMONDS: I am in receipt of your letter of the 3d instant, inclosing copies of House bill No. 5598, relative to the deportation of unnaturalized criminals.

In my opinion, the provisions of your bill appear to be very desirable. For the purpose of securing for you the data which you have requested, I will refer your letter immediately to the superintendent of the State Prison of Arizona, and will ask him at the same time to provide the desired statistics at his earliest opportunity.

With great respect,

Very truly, yours,

GEORGE W. P. HUNT,
Governor of Arizona.

—

JUNE 16, 1913.

MY DEAR MR. EDMONDS: In accordance with the assurance which I gave you in my letter of several days ago, I inclose herewith copy of a letter received by me from Hon. R. B. Sims, superintendent of the Arizona State Prison, giving the data which you requested relative to the percentage of Arizona convicts who were unnaturalized.

Trusting that the information will prove to be of value to you, I am, with sincere esteem,

Yours, very truly,

GEO. W. P. HUNT,
Governor of Arizona.

—

FLORENCE, ARIZ., *June 13, 1913.*

MY DEAR GOVERNOR: I have your favor of the 10th with reference to furnishing some information for Representative GEORGE W. EDMONDS, to be used in support of his bill appertaining to the deportation of aliens who have been convicted of crime in this country.

Since this institution was established, May 20, 1875, we have had confined within the walls 2,105 people who were born in foreign countries. Of these 1,703 were born in Mexico. I regret very much that I am unable to tell you how many of these were naturalized citizens of our country, but there is nothing on the record of a man received at this institution to show whether or not he is a citizen. I believe, however, that the percentage of these men who have taken out naturalization papers is very small indeed, as the average Mexican takes no interest in such things and does not worry about civil rights.

I trust that this information will be of some interest and benefit to Mr. EDMONDS.

With kind personal regards, I am,

Very sincerely, yours, R. B. SIMS, *Superintendent.*

The governor of Virginia, in answer to requests for statistics, wrote as follows:

I have yours of the 11th, and will at once transmit it to the superintendent of our penitentiary and ask him to reply. I think your bill an admirable one.

And the governor of South Carolina, Hon. Cole L. Blease, says:

Your letter of June 11 inclosing your immigration bill received. It seems to me your bill would make a good law, but I think you could strengthen it by providing for the stopping of all immigration, and then we would not have to be bothered with getting rid of the undesirable.

In most States records are not kept by the authorities. Therefore they can not furnish information without considerable trouble. To show, however, that the evil is not local I will give statistics from a few of the penal institutions from which I have received letters. Understand that these figures do not mean all the alien prisoners in the States, but only in the principal institutions:

Year 1913.

Illinois State Penitentiary	172
South Illinois Penitentiary	41
Montana State Prison	13
Colorado State Penitentiary	75
Nevada State Penitentiary	34
Western Penitentiary of Pennsylvania, 20 per cent	188
New Mexico Penitentiary	23
North Dakota Penitentiary	14
Wisconsin State Reformatory	34
Utah State Prison	35
San Quentin Prison, California	325

The letter from the Wisconsin State Prison, Rev. Daniel Woodward, warden, is of interest:

Upon the request of the Wisconsin State board of control I have directed our record clerk, Mr. Schroeder, to prepare the inclosed statement for the purpose of furnishing you with information to support your bill which is now pending in the National Congress to amend section 3 of the immigration act, which, if it should become law, will deport unnaturalized criminals after they have served a portion of their term.

I am pleased to furnish you with inclosed information, together with any additional information or support it is possible for us to furnish you from this office. I believe your bill should become law, and that it is only rational and right that foreign countries be compelled to care for their criminals and unfortunates in place of this Nation and the several States of our country bearing that large additional expense.

I do not believe inclosed statement of the record clerk is complete, in that many of our inmates do not give us all the facts when in record interview. To say the least, inclosed statement is not overdrawn, and to my best judgment understates real conditions in this institution.

I am pleased to have the privilege of supporting you in the above bill and will be pleased at any time to answer additional questions to furnish you any additional information possible.

—

WAUPUN, WIS., *June 23, 1913.*

HON. DANIEL WOODWARD, *Warden:*

Relative to the attached letter from the board, in which they request certain information be given to Hon. G. W. EDMONDS, Member of Congress, regarding alien prisoners confined in this institution, will state that I have gone over our records for the past four years and find that the following number of alien prisoners were convicted and are now confined in this institution:

Alien prisoners who were convicted and sentenced to serve a term of more than one year in this institution, and who were convicted before they had been in the United States three years, total number, 25.

Alien prisoners who were convicted and sentenced to serve a term of more than one year in this institution, and who were convicted after they had been in the United States for more than three years previous to the commission of the crime for which they were sentenced, total number, 152.

Yours, very truly, G. SCHNEIDER, *Record Clerk.*

The letter from Texas is interesting:

Hon. G. W. EDMONDS,
House of Representatives, Washington, D. C.

DEAR SIR: Referring to your letter of June 11, directed to Hon. O. B. Colquitt, governor of Texas, inquiring as to the number of unnaturalized prisoners, beg to advise that after investigating this matter as carefully as possible we find there are approximately 400 prisoners in the Texas State penitentiaries who have not become naturalized American citizens, over 300 of this number being Mexicans; others are French, German, Italian, Swedish, and British nationalities.

We presume that all of the offenses of which these prisoners were convicted involve moral turpitude as expressed in your bill.

The present prison population of Texas penitentiaries is 4,080. If there is any other information desired, we will be glad to furnish same.

Yours, very truly,

BOARD OF PRISON COMMISSIONERS,
By OSCAR F. WOLFF, *Secretary.*

I would particularly call the attention of the Members of the House to the information in the Rhode Island letter:

Your communication of June 11 has been referred to this board, and the following information has been received from the warden of the State prison:

Statement showing number of American and foreign inmates confined at the Rhode Island State Prison and Providence County Jail.

STATE PRISON.

American	96
Foreign	62

COUNTY JAIL.

American	191
Foreign	109
Total	458

Also the following information from the agent of the State board of charities and corrections:

There is an urgent necessity for legislation authorizing the deportation of alien criminals, as each year we are adding largely from this class to our already overcrowded prison population. We trust the Edmonds amendment will prevail at this session of Congress. Our representative visited Washington and strongly urged the adoption of the Dillingham-Burton bill, not especially because of the literacy test, but for the reason that it contained a clause authorizing the deportation of alien criminals. Another important amendment is needed, to wit, the changing of the wording of section 20, so that alleged prior causes shall serve to deport insane aliens unless subsequent causes can be shown, and, further, that any of the excluded classes who shall enter the United States in violation of law and who become a public charge shall be deported at any time within five years of their landing. Our prison and jail census shows on June 1, 1913, nearly 500 inmates. Sixty per cent of this number are aliens, and 20 per cent of these aliens would be deportable under the Edmonds amendment, and the deporting of 50 alien criminals each year would represent a saving of $5,000 per annum in maintenance alone, not counting the cost of buildings.

Trust the above is what you desire; if not, would be glad to hear from you.

Very truly, yours, C. R. PARKER, *Secretary.*

So it will readily be seen that the evil is widespread, causing much expense and trouble to our authorities, and there does not seem to be any cure that can be suggested excepting deportation and keeping out of our country these criminals who will never become good citizens.

Segregation of the Races.

EXTENSION OF REMARKS
OF
HON. JAMES B. ASWELL,
OF LOUISIANA,
IN THE HOUSE OF REPRESENTATIVES,
Wednesday, October 29, 1913.

Mr. ASWELL. Mr. Speaker, I live in the South, where the negro is contented and happy. His troubles come from uninformed enthusiasts from other sections, who lead him astray. I am a friend of the negro, with whose life and character, as State superintendent of public education for many years, I became familiar and for whose industrial and elementary educational uplift I worked earnestly and constantly.

Having this first-hand information, I am deeply grieved to note by the press reports the serious and unnecessary injury done the negro race by the lack of information, the misguided energy, and the wild theories expressed at a negro church in the city of Washington on the 27th by Mr. Villard, of New York.

It is reported that he attacked the Democratic administration for the proposed segregation of the races in the District of Columbia. He seems to be shedding crocodile tears because some negro clerks in one of the departments are seated behind white clerks, many of whom are white women, and because some one in Atlanta said the negro's place is in the cornfield. He thinks that to segregate the races in the Government service is a stupid political policy. He wishes it considered a "rude and almost ruffianlike policy."

First, let me say that, in my opinion, Mr. Villard, born in a foreign country and a grandson of William Lloyd Garrison, the Abolitionist, is perfectly honest and sincere in his devotion to the negro. I have heard him speak with affectionate sympathy for the race, but his trouble is, like many other good but poorly informed, misdirected, would-be philanthropists, who try to tell us at long range how to handle the race question, he does not know what he is talking or preaching about. He simply does not know the negro. If he will spend a year in a typical negro settlement in the lower valley of the South and come into personal and intimate contact with the average negro, he will discover that the first really pressing problem to which society should devote its energy is to help the negro live decently, virtuously, and efficiently at home. He will be convinced that the rare negro, the half-breeds, and the octoroons he sees in the central and northern sections of the country do not represent the race and are an infinitesimally small fraction of it. He will learn that the day is far removed from this generation when equality with this child race in the service of this Government should be encouraged or tolerated.

After such an experience it will require 10 years of study and theorizing for Mr. Villard to square his present theories with the facts of the case. He would then not only be in favor of putting the negro clerks on the back seats, which he now complains of, but he would place them in separate buildings or, better still, have them enter the industrial fields of endeavor where the Almighty by the stamp of color decreed they should be. He should not hold the Democratic Party responsible for the wisdom of the Almighty.

Would Mr. Villard or any other white man suggest a negro being President of the United States, in the President's Cabinet, on the Supreme Bench, or a Member of the House or the Senate? The average negro himself would not suggest such an absurd proposition. Would Mr. Villard or any other good white man be willing for his sister or his daughter to marry a negro? Thus by the logic of facts the negro's position in society and in the Republic is circumscribed, graded, limited. It is, then, a question of information as to what his proper limitations should be. For negroes and whites to occupy the same worktables, the same bathrooms, and use the same towels is the beginning of social equality which the majority of the people of this country will never permit. The Government has no right to break down established social standards.

Every informed and right-thinking white man, while sympathizing with and anxious to help the negro in his place, recognizes the necessity of preserving the integrity and the supremacy of the white race. No nation ever destroyed itself, except by amalgamating with an inferior race. The United States is peculiarly commissioned to lead all other nations, not only in the purity of race-quality but in world problems of just and wise Government.

It is time for thinking people everywhere to find themselves in relation to the race problem. It is our duty to help the negro by making him proficient in his own sphere and by giving this child race a correct idea of his proper circumscribed position in society and in the Republic.

If the practice of race equality established by the Republican Party is not changed, it will result in irreparable injury to both races, and ultimately destroy the efficiency of the public service. Self-respecting proficient white men and women will be driven from the service of the Government.

But however "crude the policy" seems to Mr. Villard, segregation of the races is certain to come. Every white man, regardless of his politics, at heart believes in the segregation of the races when it affects his own family, and for every negro vote a party loses by segregation it will gain ten white votes. The dominant party of the future in the United States will be a white man's party. Will the Democrats continue their brilliant record by standing erect to meet the emergency?

Weighing of Mails.

EXTENSION OF REMARKS
OF
HON. JAMES T. LLOYD,
OF MISSOURI,
IN THE HOUSE OF REPRESENTATIVES,
Wednesday, October 29, 1913.

Mr. LLOYD introduced the following bill; which was referred to the Committee on the Post Office and Post Roads and ordered to be printed:

A bill (H. R. 9071) providing for the annual weighing of the mails.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter, in order to readjust the compensation on railroad mail routes as provided by law, the Postmaster General shall have the mails weighed simultaneously in all sections of the country annually, for not less than 30 successive working days selected by the Postmaster General, as shall represent most nearly the average weights for each annual period as shall be fair and just to both the Government and the railroads, such weights to be taken by employees of the Post Office Department, except the Postmaster General may require contractors on railroad mail routes, where practical for regularly employed force at railroad stations to weigh the mail, to have such employees take and report the weights upon forms provided and under regulations prescribed by him, all such railroad employees being sworn, and for this purpose all postmasters are hereby empowered to administer oaths on forms provided by the Postmaster General.

Mr. LLOYD. Mr. Speaker, I wish to call attention to a bill which I have introduced, which provides for the annual weighing of mails for the purpose of ascertainment of the pay which the railroad companies should receive for carrying the mails.

This proposed bill serves to dispense with the postal train weighers and have the work done by the employees of the railroad companies instead.

In the last four-year period there were 3,260 persons employed during the weighings; this bill will authorize the Postmaster General to require the railroad companies to have their agents weigh the mails, where their regularly employed station forces can do the work, thereby saving to the Government, based upon the number of weighers in conducting the general weighing covering the whole country in the last four-year period, $1,026,900.

The second purpose of this bill is to reduce the period of weighing from 105 days to 35 days, thus reducing two-thirds the cost of the station weighers and tabulators necessary to be employed by the Government where the volume of work requires special employees, particularly in the large cities and the junction points, and where the Postmaster General, for the purpose of checking or verification, may deem it expedient to have such employees. In other words, the weighing of the mails for 35 days will only cost one-third as much for station weighers and tabulators as if the mail were weighed 105 days, as required at present.

The third achievement of this bill will be to provide an annual weighing of the mail instead of quadrennial, and thereby secure a more correct estimate of the weight of mail actually carried.

Beginning with 1867, by direction of the Postmaster General, the mails were weighed for "30 consecutive working-days," and the act of Congress, March 3, 1873, fixed the period not less than "30 successive working-days." The act of March 3, 1905, extended the weighing period to not less than "90 successive working-days."

There is but one purpose to be attained by the period of weighing, and that is an average period for the year that is fair to the Government and the railroads. It is not believed to be necessary at all that the weighing shall last 105 days, which the law fixes as the minimum, not the maximum, period.

There is no doubt that an average period of not less than 30 successive working-days can be selected by the Postmaster General, in the discretion which he has, or which could be fixed, if Congress desired, in the act itself.

The present system has caused a wasteful expenditure of public funds, because the desired result can be effectively secured by weighing for a shorter period.

The mails should be weighed simultaneously throughout the country for two main and obvious reasons, namely, to avoid duplication of weights and the paying of two railroad companies for the transportation of the same identical mail, and also to prevent duplication of Government expense for weighers at the large terminals and duplication of tabulating force.

The railroad companies weighed the mail until the act of March 3, 1875, which required that the Postmaster General have the weights taken by employees of the Post Office Department.

Under the present plan the Post Office Department employs weighers on the mail trains, station forces at large terminals and junction points where the volume of mail is heavy, and in some instances requires the postmasters to report weights on small routes.

Under the proposed plan all the weights would be taken at the railway stations or at the small places where there are no agents or at hours when agents are not on duty by the postmasters. The train weighers would be dispensed with altogether, but the Government would continue to employ the extra force necessary at the large terminals and junctions.

The weighing at stations should be more accurate than the weighing on the cars. At stations the weighing would be under stationary conditions, whereas on the trains the motion and vacillation of the car pulls the dial on the scale up and down, and exact accuracy can not well be secured.

The difficulty of weighing on the trains will be accentuated with the volume, character, shapes, and weights of parcel-post mail, some of which is not included in sacks and can not well be weighed on a spring-balance scale; particularly will this be true with the increase to 20 pounds in weight within the second zone.

There is, of course, but one purpose to be secured by the weighing, and that is the true and correct weights of the mail carried, and Congress should be solicitous that the plan provided should protect the Government on the one hand and secure to the railroad companies on the other the compensation properly due under the law.

As to the practicability of the plan, no objection could well be raised. It is self-evident that the weights could be taken at the stations of the mails put on and taken off better than on the train.

Perhaps the main question to be considered, therefore, is the policy in having the railroad agents take the weights. There might be valid objection to authorizing a plan under which the railroad companies might be required or permitted to take the weights on the trains, because in such a plan one individual on the train would take the weights on and off at the different stations, and it would be possible for that individual to carry out a plan of adding to the weights.

But under the proposed plan no such deception could be practiced. It will be apparent upon considering a practical illustration how difficult it would be to work out such a system of fraud. For example, take one of the most important mail routes in Missouri, from St. Louis to Kansas City. The weights put on and taken off would be reported by 45 intermediate agents and by Government weighers at St. Louis and Kansas City, the terminal points. In order to effect collusion it would be necessary that all these parties should be implicated, because every one of these agents and also the Government weighers at the terminals would not only have to participate in the collusion but each would have to know exactly what extent any weight padding were attempted.

This illustration shows the situation throughout the entire country. There is no possibility that 50,000 station agents and operators and other employees could, if they would, participate in conspiracies against the Government.

The railroads weigh the entire freight of the country, which is the basis for freight revenue and which amounted to $1,929,335,456 in the year ended June 30, 1911. There need be no hesitation about their weighing the mails to adjust compensation of less than 2 per cent of the gross compensation collected by the railroad companies through their agents.

But the very system itself safeguards the Government in the matter, because the railroads are paid on a basis of the daily average weights carried the length of the mail route. To secure this it is compulsory therefore that the weights taken on and the weights put off every train in each direction each day over the length of each mail route shall balance. There is therefore a self-proving automatic method, which will protect the Government and insure accuracy of weights.

In addition, the railroad agents are required to be sworn, and as a further precaution, although not provided for in the proposed law, the Postmaster General could require, under the broad authority to issue instructions to govern the weighing, such supervision by the postmasters at each one of these stations as might be deemed expedient or necessary.

The plan of weighing has been worked out, with a view to eliminate in a practical way the great expense of conducting mail weighing under existing law. The plan is safe, practical, and efficient, and would greatly reduce the cost of ascertaining the weights of mail.

During the last four years there were employed 3,260 weighers for 105 days, at $3 per day each, a total cost of $1,026,900.

There were employed 840 station weighers for 105 days, at $2.50 each, $211,050.

There were also employed 372 tabulators for 105 days, at $3 per day, $117,180.

A total cost of $1,355,130; an average annual cost of $338,702.50.

Under the proposed law the train weighers would be eliminated; station weighers would be employed only 35 days, which would cost $70,350.

Tabulators would be employed for 35 days and would cost $39,060, a total annual cost of $109,410, or less than one-third the present cost.

I submit this statement for the consideration of the membership and hope the proposed scheme will be fully investigated. I am sure that it is the most effective and economical plan that has yet been suggested.

The Banking and Currency Bill.

EXTENSION OF REMARKS
OF
HON. COURTNEY W. HAMLIN,
OF MISSOURI,
IN THE HOUSE OF REPRESENTATIVES,
Saturday, November 1, 1913.

Mr. HAMLIN. Mr. Speaker, on one occasion Paul referred to himself as an apostle "born out of season." I have sought this opportunity to raise my voice in indorsement of what is known as the administration measures somewhat out of season, but I deem it a sufficient apology to remind the House that during the time you were considering the currency bill I was at home watching anxiously at the bedside of our daughter, who was critically ill of typhoid fever.

I regretted very much, indeed, that I could not be here to participate in its consideration and to have the pleasure of voting for that bill. I am, however, consoled by the fact that my vote was not needed, for it received a majority in this House of 201 votes, many Republicans very wisely voting for it. I will not attempt to discuss that bill now, inasmuch as it is being considered by another branch of this Congress, but I will say that I am convinced that the rank and file, men of all classes of business outside of the big business interests, who have given attention to this measure are in favor of its speedy enactment into law. And I am also quite sure that men of all parties engaged in all kinds of business throughout the country districts are anxious for a speedy passage of some currency measure.

Another thing I am thoroughly convinced of is that the people have confidence in the President. They not only believe that he is capable to deal with these great questions, but they believe that he is the friend of all the people and that he has the courage to stand firm for what he believes to be right.

Mr. Speaker, why should not the people have faith in President Wilson? No President, I dare say, in the lifetime of the oldest man has had so many vexatious and tremendously important questions to deal with as has our President. He has met all these great propositions with a directness, firmness, and intelligence that has won the faith and love of the people of our own country and challenged the admiration of the world. Our political foes started out with the idea that he was only a schoolteacher, unlearned in statecraft, and would therefore be unable to keep up with the procession. Now they have shifted sail and complain that he leads, dictates, and by sheer force compels Congress, against its will, to enact certain legislation.

Mr. Speaker, neither of these statements are accurate—certainly not the first—and if it could fairly be said that he forces Congress to enact a tariff and currency law he would only be insisting on us doing what he and his party promised the people we would do. Certainly Democrats ought not to complain if the President insists that we keep our promises to the people. Neither ought our Republican friends complain at the enactment of this wise and salutary legislation, for it will, like the rain, inure to their benefit as well as ours. Of course I know that the idea of a political party keeping its promises to the people is something new and novel to our Republican friends. They never did it while in power, but we are doing it, and we are going to continue to do it, at least while Woodrow Wilson is in the White House, and our friends across the aisle may as well get used to it. Like Uncle Tommy Maxwell's horse, when harness with a crupper was first put on, it objected to the crupper. Uncle Tommy said to the horse, "Whoa, Bill; you'll have to stand it; it is a part of it." Keeping our promises are a part of our program, and you Republicans will have to stand it. You complain that the President dominates and controls the majority in Congress. When you were in the majority big business controlled you. You promised the people in the 1908 campaign a revision of the tariff downward. Big business forced you to revise it upward. You promised the people currency legislation. Big business forced you to ignore that promise.

We promised the people in the 1912 campaign that if intrusted with power we would revise the tariff downward and enact a graduated income-tax law so as to make the wealth of the country pay its just share of the taxes, revise the currency laws of the country, give the Philippines their independence as soon as practicable, and so forth. We had four years in which to redeem these promises; but within the first six months from the time we went into power we had completely redeemed two of these promises and have the other two well under way for speedy fulfillment. Did any party ever make so splendid a record? Do you wonder that the country has faith in Woodrow Wilson?

We have accomplished more already in this extra session for the good of the country than the Republicans ever accomplished in any one Congress in the last 50 years, and yet for political effect they pretend to complain because the House is in virtual recess now waiting on the Senate.

My Republican friends, "lest we forget," let us go back just four short years to the extra session of 1909, when you were in control of the Government. You undertook to revise the tariff. I know it is almost cruel to even call attention to the enactment of the Payne-Aldrich tariff law. It is dead, dead, dead—Glory be! But let us take a look into the official record and see what you did while the Senate was considering that bill. The House passed that bill on April 9. It never came back to the House until July 30.

During that 3 months and 21 days the House was in session as follows:

Monday, April 12, in session 2 hours and 15 minutes.
Thursday, April 15, in session 10 minutes.
Monday, April 19, in session 10 minutes.
Thursday, April 22, in session 5 minutes.
Monday, April 26, in session 45 minutes.
Thursday, April 29, in session 8 minutes.
Monday, May 3, in session 11 minutes.
Thursday, May 6, in session 20 minutes.
Monday, May 10, in session 35 minutes.
Thursday, May 13, in session 46 minutes.
Monday, May 17, in session 5 hours and 17 minutes.
Thursday, May 20, in session 2 hours and 41 minutes.
Monday, May 24, in session 5 minutes.
Thursday, May 27, in session 2 hours and 27 minutes.
Friday, May 28, in session 4 hours and 26 minutes.
Tuesday, June 1, in session 2 hours and 10 minutes.
Thursday, June 3, in session 13 minutes.
Monday, June 7, in session 45 minutes.
Thursday, June 10, in session 3 hours and 5 minutes.
Monday, June 14, in session 11 minutes.
Thursday, June 17, in session 9 minutes.
Monday, June 21, in session 24 minutes.
Thursday, June 24, in session 2 hours and 53 minutes.
Monday, June 28, in session 3 hours and 8 minutes.
Thursday, July 1, in session 35 minutes.
Monday, July 5, in session 12 minutes.
Thursday, July 8, in session 9 minutes.
Friday, July 9, in session 3 hours and 26 minutes.
Monday, July 12, in session 5 hours and 34 minutes.
Thursday, July 15, in session 5 hours and 22 minutes.
Tuesday, July 20, in session 5 hours and 15 minutes.
Friday, July 23, in session 5 hours and 17 minutes.
Tuesday, July 27, in session 1 hour and 5 minutes.
Thursday, July 29, in session 49 minutes.
Friday, July 30, in session 3 minutes.

Here conference report came into the House, called up by Mr. PAYNE.

Congress met 37 times in 111 days, and was in session an average of 30 minutes each session. The gentleman from Illinois [Mr. MANN] was one of the leaders of the majority at that time. Why did he not make the House work then?

You were so afraid that Congress might do something during those 111 days of idleness you refused to appoint the standing committees of the House, thereby rendering it impossible for work of a general nature to be done. We have appointed the committees this session, and while I am not authorized to speak for all the committees, many of them have been at work.

I know that the committee of which I am chairman has worked, and with the result that the International Banking Corporation of New York has just been held by a decision of the Comptroller of the Treasury to be indebted to this Govern-

ment in the sum of $111,000, which it improperly retained while acting as our fiscal agent in the collection of the Boxer War or Chinese indemnity fund.

Our Republican friends are playing politics, they think, in requiring the roll of the House to be called each day. Their purpose is to expose the Democrats who are absent; but, like the ostrich, which thinks itself hid when its head is buried in the sand, expose themselves. The roll calls show that out of 145 Republican Members there are only about 30 here to answer to their names. I wonder where the other 115 are.

I will say to our Republican friends who are clamoring for a chance to work—for political effect only—that we will soon give you plenty of opportunity to get busy.

We will doubtless give you an opportunity to help us revise the antitrust laws, immigration laws, pure food and drug act, provide for Federal aid to good roads, and numerous other things needed to keep pace with this rapidly developing country.

The Late Adolphus Busch.

EXTENSION OF REMARKS
OF
HON. L. C. DYER,
OF MISSOURI,
IN THE HOUSE OF REPRESENTATIVES,
Tuesday, October 28, 1913.

Mr. DYER. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD, I include a speech delivered by ex-Secretary of Commerce and Labor Hon. Charles Nagel, at St. Louis on the 25th instant, at the funeral of the late Adolphus Busch.

The speech is as follows:

"The life of a great man, not unlike a great composition of music, appeals to and is understood by all the people. We touch the prevailing note, and with more or less understanding of the subordinate tones we appreciate and we comprehend.

"This is the meaning of this manifestation of universal sympathy in our city, in our State, in our country from border to border, and far beyond. The people who come forward from the humblest peasants to the advanced professional and commercial men and accompany the casket from Langenschwalbach, the crews of the trains on the other side and this, the people who manned the ship from cabin to the last stewardess, the people who stood assembled here on a rainy night when we returned, all felt the same sympathy in the loss of Adolphus Busch, and all of us are seeking to say the same thing.

"But that is not for this hour. It is not so much at this time that adequate words or eloquent language be found to give a fair estimate of the life of Adolphus Busch.

"In this hour the family rules, and they would have some one speak who knew and felt in the past years all that which we now would be glad to have stated.

"The real tribute to the life of Adolphus Busch will be paid in after years when judgment will come to the aid of warm sympathy to give us the outlines of his real achievements in sharper language.

"But this much may be said even now: Adolphus Busch was a giant among men. Like a descendant of one of the great, vigorous, and ancient gods, he rested among us, and with his optimism, his far-seeing vision, his undaunted courage, and his energy, he shaped the affairs of men.

"Not a great reader of books, he was acquainted with the great book of life as few men are.

"Instinctively his mind traveled the true course, received and welcomed the good message, weighed and accepted the wise counsel, and threw his tremendous influence invariably to the right side of every human conflict.

"Never a visionary, he was always an optimist who could smile away the errors of a day in the triumph and the success of a lifetime.

"He believed in the ultimate progress of the world, he believed in the ultimate good of man, and he based all his activity and all his conduct upon that belief. He dared to appeal for all he stood for and for all which is good in human nature, and that was the meaning of his success.

"He believed that the people ultimately wanted that which is right and that they were ultimately entitled to that which is right.

"This was the secret of his success, and this was the meaning of his relation to all his men and to all his associates. His relation with the men in his employ was unlike anything we knew; it was a personal relation, and if his advice and his counsel had been heeded and generally accepted our statute books would not be borne down to the humiliating confession of man's inhumanity to man.

"That was the meaning of his charity. In private he gave not to create dependents, but to set free; and in public charity he gave to encourage open-minded men and women, to set free thought and conduct, and to promote good will to all the world.

"Every gift he made and everything he did was in part his own heart and his own mind and his own soul, and that is what made the giving worth the while.

"By influence he became more than a citizen of the city of St. Louis; without title and without public station he became a national figure.

"He could go to no city or to no hamlet without being recognized and welcomed through the broad country, and his reputation traveled beyond the confines of our own country, because true and loyal to his adopted country he never surrendered sentiment, sympathy, and friendship for his native land, as no true man would.

"He endeavored by conduct and by donations to further and cement the intimate relations between the countries, confident, as he thought, that what helped one was bound to redound to the advantage of the other.

"Such was his life, strange beginnings at activity, a struggle for success, with generosity and good will for all his fellow men, and thus he fought and labored to the last.

"Even in his last days he embarked upon large enterprises, confident that the responsibility would be met by his successors. In the last declining days he sent messages of solicitude to friends from whom he had not heard; in the last days he made provision in large funds for those who had carelessly subjected themselves to the danger of being wrecked, and in the last days there came such messages, received only after death here, in which he said, in that characteristic manner of his in a marginal note to his son: 'Here is a letter from someone whom once I knew and had forgotten, who is now in distress. We must see to it that that distress is relieved. Never forget a friend.' That was his life, that was his way of doing.

"Having done these things, to the last day consistent with his own rule and his own life, knowing that the end was approaching, with words of tender devotion to the partner of his life, a rare example of helpfulness and intimate affection and devotion, with words of wise counsel and injunction to his son, his chosen successor, with all-embracing affection to all the members of his family, he sank back in his chair, closed those luminous, wonderful eyes and went to sleep with the peace of an unsuspecting child.

"We ask ourselves, Did we know him? Perhaps a few of us did, but not quite. All of us together knew him; each of us admired his frankness, his ability, his optimism, his magnetism, his sense of humor, his unconquerable devotion and loyalty to friends; altogether we felt for him as he felt for us, and we knew that he cherished the place which we have assigned to him in our own heart of hearts.

"Perhaps those who were in his immediate surroundings, and those who were associated with him in his work, were alone able to follow the working of his mind.

"There were few of them who did not at times meet the severity of his judgment; but there was none, I trust, who did not again and again feel the inspiration, the compensation of quiet approval which no man knew how to give as he did.

"In the days of his full strength and vigor Adolphus Busch was master. There was no man in all his enterprises who in any branch or phase of them was his equal.

"Not by way of power, but by superiority did he rule. But the real triumph of his life came through adversity, when the full nobility of his character was demonstrated. Most men situated as he was would have given their full strength and time to the contemplation of self.

"He displayed an energy and determination in resisting an unconquerable foe for years; and while he appreciated the service which those he had trained and those on whom he had relied for years rendered to him, he nevertheless kept abreast of all his undertakings and to the last gave directions for every step, embarked upon new enterprises, and extended his generous gifts and assistance as he had in earlier days.

"But, better than all, he showed a serene philosophy; suffering himself, he bore with patience, and extended magnanimity to those around him who had failed.

"Generous, considerate, giving back his sense of humor to every man who was privileged to come within his circle, so that in those years his family, its members, were at last given an opportunity to do for him as they had never had to before, when he, with that wonderful smile of his, that undying good nature and humor of his, bestowed upon them during those years the greatest gift of his life.

"A life going out in that fashion is a great charge for those who are left to mourn. Although embarking in new plans up to the last moment, he left his successor with great responsibility.

"As to gifts, he was his own executor. He did what he wanted to do. He enjoyed giving. He loved success, and he loved to share it with others. He has given what he leaves to those who succeed him with the privilege and the opportunity to enjoy as he had. Confiding still where the confidence had once been rigid, he intrusted to them the protection of his fortune and his fair name.

"The end has come; the light is out. The inimitable smile, the wonderful, far-away look of that eye have faded; but the remembrance of them will live; their influence will live, as the members of his family will seek and find their happiness in obedience to the unspoken injunction of the great life of Adolphus Busch."

Pending Problems in Federal Legislation.

EXTENSION OF REMARKS
OF
HON. ROBERT N. PAGE,
OF NORTH CAROLINA,
IN THE HOUSE OF REPRESENTATIVES,
Saturday, November 1, 1913.

Mr. PAGE. Mr. Speaker, under the leave granted me to extend my remarks in the RECORD, I include an address of Hon. ROBERT LEE HENRY, of Texas, before the South Carolina Bar Association on January 24, 1913.

The address is as follows:

PENDING PROBLEMS IN FEDERAL LEGISLATION—ARGUMENT AGAINST INTERLOCKING DIRECTORATES AND VOTING TRUSTS AND FOR PROPER REGULATION OF INTERSTATE CORPORATIONS.

Address of Hon. ROBERT LEE HENRY, of Texas, before the South Carolina Bar Association on January 24, 1913.

Mr. President and members of the South Carolina Bar Association:

The invitation to address this association is one of the greatest honors that has ever come to me during my public career, and I shall endeavor to justify your courtesies by uttering no unworthy word here to-night. For the first time coming to a State whose history is replete with patrotic deeds, statesmanship, and the fame of distinguished lawyers I am thrilled with the obligation of the hour and am not unmindful of the duties resting upon our honorable profession. In the course of my remarks there shall be no tinge of rancorous partisanship, but the times demand that I speak in candid and courageous fashion while treating the pending problems in Federal legislation, which is my theme for the evening.

Never in our history did the solution of public questions call for greater patriotism and braver speech than now. Clinging to the Constitution as fashioned and handed down by South Carolina's immortal men, in conjunction with those of her sister States, I shall deal with the great Federal issues now demanding solution in no reneered and dubious language. With that immortal instrument as my chart and guide I shall speak as one who loves his country and her institutions.

OUR ANTITRUST ACT.

Monopoly first began to prey upon the people in the time of Queen Elizabeth. Privileges of monopoly were granted by her to courtiers and servants till they became intolerable and were terminated by the wrath of the people in the enactment of the "statute of monopolies" in 1624. Our antitrust act is but the outgrowth of the spirit against monopolies which secured the passage of those ancient laws. Twenty-five years ago gigantic monopolies and conspiracies against trade in alarming proportions began to infest this country. Such types as the Standard Oil Trust, the Sugar Trust, and the Beef Trust raised their heads and began to gnaw at the vitals of commerce and trade. The people demanded their utter destruction, with no spirit looking to moderation of their ravages. In obedience to that demand, Congress passed what is known as the Sherman antitrust law, and on July 2, 1890, it was approved by Benjamin Harrison, the President.

THE SHERMAN ACT.

It has been construed in more than a hundred decisions, and the Supreme Court has held its provisions clearly constitutional. It has never been amended and should not be repealed. It can be supplemented and bettered. Every citizen should hug it to his bosom as a Magna Charta among our Federal statutes. This act came into being after months of profound study and by practically unanimous consent in the Congress of the United States. It is the Nation's will, and court and citizen should respect and uphold it.

Its origin and history are most interesting. The principles embraced in its provisions should be accredited to Senator Sherman, whatever critics may claim to the contrary, for on December 4, 1889, he introduced Senate bill No. 1, entitled "A bill to declare unlawful trusts and combinations in restraint of trade and production." This was the beginning of the struggle against monopoly in Federal legislation, out of which the final bill emerged after various processes of amendment. History should record the truth and set this legislation down to the credit of the Ohio statesman. And patriots of whatever persuasion should preserve and perfect it to meet the emergencies of the hour.

The original Sherman bill, in section 3, denounced violations of its provisions as a felony and provided for "imprisonment in the penitentiary for a term of not more than five years, or both * * * fine and imprisonment, in the discretion of the court." We are not to-day more extreme than Senator Sherman, and yet the trusts and monopolies have increased a thousandfold in numbers and enormity of greed since his day.

On January 14, 1890, Senator Sherman reported his bill to the Senate, and it was there considered from week to week. On March 21, 1890, he reported from the Committee on Finance a substitute for his original bill. Whereupon Senator Reagan, of Texas, offered a substitute for the Senate committee's substitute. His bill set out at great length the acts constituting a trust and conspiracy against trade, and bristled with luminous and efficient definition. It, too, denounced violations of its provisions as a felony, and in certain and comprehensive language provided penalties. The pending amendments were considered on various occasions in the Senate, and on March 25, 1890, by a vote of 30 yeas to 12 nays, the Reagan substitute was added to the Sherman bill. On March 27, 1890, the Senate again resumed consideration of the bill, and upon motion of Senator Walthall, of Mississippi, the entire subject was referred to the Committee on the Judiciary.

THE SUBSTITUTE.

On the 2d day of April, 1890, Senator Edmunds reported a substitute of eight sections for the original bill and amendments. That substitute was and is the identical Sherman law of to-day. No matter what Senator wrote this or that language in the final draft, it was, after all, the culmination of the purpose and genius of Senator Sherman, whose inspiration was to reach and strike down monopolistic spirit abroad in the land. In multifarious forms the Senate considered the substitute reported from the Judiciary Committee. It passed that body and then went to the House. It there passed with amendments and went through two conferences, which finally struck out the amendments after debate clearly revealed that the act was understood to reach transportation companies doing an interstate business, and prohibited "every contract, combination in the form of trust or otherwise, or conspiracy in restraint of trade or commerce among the several States or with foreign nations," whether "reasonable" or "unreasonable." The conference report was agreed to, and the bill passed in exact form as reported by the Senate Judiciary Committee. By unanimous vote of 240 ayes the House passed the bill on June 20, 1890.

In closing the debate in the House, Mr. Stewart, of Vermont, said:

The provisions of this trust bill are just as broad, sweeping, and explicit as the English language can make them to express the power of Congress on this subject under the Constitution of the United States.

Inflexible rules of reason and logic inevitably lead to the conclusion that its very first section prohibits "every combination in restraint of interstate or international commerce."

FIGHT BY THE TRUSTS.

The law having passed and the people vindicated in their demands for such legislation, the struggle on the part of the trusts to undo the achievement began. The first conflict came in the Knight case, which was lost to the Government on account of bad pleading and mismanagement on the part of the governmental officers. Emboldened by this accidental success, the trusts increased their defiance of the national will and prepared for further conflict in attacking the law.

JUSTICE PECKHAM'S DECISION.

Next came the case of the United States against Freight Association, decided by the Supreme Court in 1890. Justice Peckham,

in a luminous decision, upheld the constitutionality of the law, which was vigorously assailed by trusts and monopolies.

He said:

When, therefore, the body of an act pronounces as illegal every contract or combination in restraint of trade or commerce among the several States, the plain and ordinary meaning of such language is not limited to that kind of contract alone which is in unreasonable restraint of trade, but all contracts are included in such language and no exceptions or limitations can be added without placing in the act that which has been omitted by Congress.

He said further:

In other words, we are asked to read into the act by way of judicial legislation an exception that is not placed there by the lawmaking branch of the Government. * * * This we can not and ought not to do.

And in patriotic language he adds:

If the act ought to be read as contended for by defendants, Congress is the body to amend it and not the court by a process of judicial legislation wholly unjustified.

The majority of the court agreed and upheld the law as written by Congress. Justice White registered his dissent stoutly, contending that the word "unreasonable" should be interpolated immediately before the word "restraint." He courageously took his stand in 1896, and the opinion speaks for itself.

Not content with this defeat, the trusts and monopolies renewed the attack for the purpose of dismembering the law and thwarting the will of the people. In 1898 the Supreme Court decided the case of the United States against the Joint Traffic Association. Again, Justice Peckham delivering the opinion of the court, the constitutionality and validity of the statute were sustained. In emphatic language the court reaffirmed the decision in the case of the Trans-Missouri Freight Association and rensserted that the word "unreasonable" can not and must not be supplied before the word "restraint" in the act.

WHAT THE COURT SAID.

The court said:

This court with care and deliberation and also with a full appreciation of their importance again considered the questions involved in its former decision. A majority of the court once more arrived at the conclusion it had first announced, and accordingly it denied the application. And now for the third time the same arguments are employed, and the court is again asked to recant its former opinion and to decide the same question in direct opposition to the conclusion arrived at in the Trans-Missouri case. * * * As we have twice already deliberately and earnestly considered the same arguments which are now for a third time pressed upon our attention, it could hardly be expected that our opinion should now change from that already expressed.

And so in 1898 Justice White again dissented. The decisions were reaffirmed in numerous instances and became the settled rule of conduct. In 1907 the court again reaffirmed the decision in the Joint Traffic and Freight Association cases and said, in the case of the Shawnee Compress Co. v. Anderson (209 U. S. Rep.):

It has been decided that not only unreasonable but all direct restraints of trade are prohibited, the law being thereby distinguished from the common law.

And with emphasis the Supreme Court said in the Northern Securities case:

All contracts of that character, whether they are reasonable or unreasonable, are prohibited.

THE WORD "UNREASONABLE."

The trusts and monopolies meantime became disheartened at the action of the courts and subtly approached another forum. They came to Congress and caused a bill to be introduced supplying the word "unreasonable" where they had failed to insert it by judicial amendment. This bill was introduced at the second session of the Sixtieth Congress, in 1909. In the face of the decision of the courts, the bill proposed "that no prosecutions under the first six sections should be maintained for past offenses unless the contract or combination be in 'unreasonable' restraint of trade or commerce." The Senate Committee on the Judiciary, reporting against this proposed amendment, as well as others equally untenable, said:

To amend the antitrust act as suggested by this bill would be to entirely emasculate it and for all practical purposes render it nugatory as a remedial statute. Criminal prosecutions would not lie, and civil remedies would labor under the greatest doubt and uncertainty. * * * To destroy or undermine it at the present juncture, when combinations are on the increase and appear to be as oblivious as ever to the rights of the public, would be a calamity.

Thus appealing to the courts and Congress to amend the act by writing the word "unreasonable" therein, dismal defeat in every effort met the emissaries of the trusts and monopolies.

From the first decision on this statute to the oil and tobacco cases, the courts have strongly held that the mere tendency to stifle competition brought the acts within the prohibition of the law, regardless of the fact whether such acts were reasonable or unreasonable. All reasonable citizens agree that ordinary purchases and sales, formation of partnerships and honest corporate organizations do not violate the Sherman Act, although by incidental effect that may restrain as between parties interstate or foreign commerce. Monopoly is not constituted by size alone. The act is not violated where persons or corporations attain dominancy in business by normal and honest methods of enterprise. Such acts and agreements lack the elements of conspiracies constituting monopoly, combination, and intent to destroy competition and restrain trade.

WHAT "AGREEMENT" MEANS.

The Senate committee meant and the oil and tobacco cases mean, to state it in honest fashion, that the injection into the acts of whether an agreement or combination is reasonable or unreasonable renders it, as a criminal or penal statute, indefinite and uncertain, and hence nugatory and void and would be tantamount to repealing that part of the act. For there is no older and better settled principle of the law than the rule that there can be no crime unless the act is one which the party must know in advance is criminal. It must be definite and certain. Since the Supreme Court has amended the act by writing the word "unreasonable" therein, it may be well feared that the criminal parts can not be enforced.

The defense of reasonable restraint will be made everywhere and there are certain to be as many rules of what is reasonable as there are judicial forums in the country. The cases against the Standard Oil Trust and the Tobacco Trust had reached the Supreme Court in 1910. The trusts and monopolies rallied for one more effort in that forum and trained their guns against the provisions of the Sherman law. They made demand that the national will and legislative policy be thwarted by judicial amendment and that by a "modern rule of reason" only unreasonable trusts and monopolies be prohibited by law. Their advocates divided trusts and monopolies into "good" and "bad" and said the good ones are reasonable and only the bad ones can be unreasonable. Another battle was fought in the field of jurisprudence, and, with a changed personnel, the Supreme Court yielded to monopoly where thrice before they had refused to surrender. And in the year 1911, with a largely changed Supreme Court, the host of trusts and monopoly won a triumphant victory.

Before proceeding to state my views and analysis of the oil and tobacco cases, permit me to add that no man has a higher regard for the judiciary than that entertained by me. No patriotic citizen can afford to arouse prejudice against the courts. In the last analysis they are the palladium of our rights and liberties. Nor, on the other hand, should any reasonable man make a fetish of the judicial office. Judges are not above public opinion and criticism. Hence, fundamentally, I make no difference between the judicial and other offices, for they are all but creatures of the people's will and clothed with powers to be executed as trustees in behalf of the public under the Constitution and laws.

In the year 1911, after 15 years of weary waiting, Chief Justice White had his way and by a bare majority of one planted the decision of the court where he had stood in his dissenting opinion in 1896. In plain language he inserted the word "unreasonable" before the word "restraint," as he strongly contended was appropriate that year. In this judicial struggle it suits me to stand where the court stood in 1896, and where Justice Harlan took his stand in 1911. After exhaustive and patient study, my mind leads me to the inevitable conclusion that I must concur in the position assumed by that lamented justice, who in intellect ranks with America's greatest jurists.

WHAT JUSTICE HARLAN SAID.

In order that I may not transcend the proprieties of the occasion, permit me to reiterate what the public heard this eminent justice say in the debate occurring in the Supreme Court the day the opinions were handed down. He said:

With all due respect for the opinions of others, I feel bound to say that what the court has said may well cause some alarm for the integrity of our institutions.

Further along he said of the trusts and monopolies:

They at once set up the baseless claim that the decision of 1896 disturbed the "business interests of the country" and let it be known that they would never be content until the rule was established that would permit interstate commerce to be subjected to reasonable restraints.

With irrefragable logic he said:

The only answer which in frankness can be given to this question is that the court intends to decide that its deliberate judgment 15 years ago to the effect that the act permitted no restraint whatever of interstate commerce, whether reasonable or unreasonable, was not in accordance with the "rule of reason." * * * I have the authority of this court for saying that such a course of proceedings on its part would be "judicial legislation."

Then he adds:

I said at the outset that the action of the court in this case might well alarm thoughtful men who revered the Constitution. I meant by this that many things are intimated and said in the court's opinion which will not be regarded as otherwise than sanctioning an invasion by the judiciary of the constitutional domain of Congress—an attempt by interpretation to soften or modify what some regard as a harsh public policy. This court, let me repeat, solemnly adjudged many years ago that it could not, except by judicial legislation, read words into the antitrust act not put there by Congress.

Then, in patriotic warning, he threw out this statement, which is confirmed by my career as a representative of the people at Washington:

After many years of public service at the National Capital, and after a somewhat close observation of the conduct of public affairs, I am impelled to say that there is abroad in our land a most harmful tendency to bring about the amending of constitutions and legislative enactments by means alone of judicial construction.

WHAT ROOSEVELT SAID.

The opinion of the court in the Tobacco case reaffirmed the victory achieved in the Oil case. It added nothing new in the application of the law. Indicating the view taken by the country of these opinions, allow me to quote a flamboyant announcement from a distinguished ex-President. In the Outlook he said:

It is contended that in these recent decisions the Supreme Court legislated. So it did, and it had to, because Congress had signally failed to do its duty by legislating. * * * Where the legislative body persistently leaves open a field which it is absolutely imperative, from the public standpoint, to fill, then no possible blame attached to the official or officials who step in, because they have to, and who then do the needed work in the interest of the people. The blame in such cases lies with the body which has been derelict and not with the body which reluctantly makes good the dereliction.

Hamilton in his wildest dreams of absolutism never advanced the doctrine that the Supreme Court should legislate. Aye, more! This distinguished ex-President urges that not only shall the Supreme Court legislate where Congress fails to act or acts as he would not approve, but that executive officers and other officials shall make good the needed legislation by their action and usurpation. Away with such doctrine! Again I say, let us hug to our bosoms the Constitution of our fathers. Let the three departments occupy their spheres. Executive officers have no rights except those of executive character. Legislative officers have no prerogatives of power except those pertaining to legislation. Judicial officers have no rightful domain for exercise of their powers except in the judicial field. When they transcend that they should be scourged back by public opinion and criticism to their constitutional limitations, and the people invariably, with righteous indignation, should hold all officers within their corporate spheres. Any other view will wreck this Government, and we owe it to ourselves here and elsewhere to assert our conception of duty in courageous and candid action. This same gentleman in his article divides trust and monopolies into good and bad, scouts the idea of a return to wholesome laws of competition, and proposes in lieu thereof the combination of good trusts and monopolies and the supervision of all by a small governmental commission to regulate them and give the good ones certain freedom and license. These doctrines are vicious and against the genius of our institutions and civilization. Our duty is in the other direction.

We must, to preserve our liberties, return to the ancient doctrine of competition and decree that combinations must be destroyed and private monopoly perish from the earth. Never should we assert that these vast monopolies and trusts may seek refuge under the wings of a small governmental commission of men with thousands of cases piled before them in every conceivable form of litigation, where private litigants are too poor to assert their rights.

If it be said that the courts should be above just criticism and that we should not raise our voices as sovereigns against them, let me remind you that they have not always been regarded as inviolate by the American people.

THE DRED SCOTT CASE.

More than 50 years ago Chief Justice Taney rendered a decision that provoked criticism and drew that great tribunal into the maelstrom of violent public discussion. To illustrate the feeling then engendered, let me remind you of some things said and done at that time. Mr. Blaine says:

The aversion with which the extreme antislavery men regarded Chief Justice Taney was strikingly exhibited during the session of Congress following his death. The customary mark of respect in providing a marble bust of the deceased to be placed in the Supreme Court room was ordered by the House without comment or objection. In the Senate * * * the proposition to pay respect to the memory of the judge who had pronounced the Dred Scott decision was at once savagely attacked by Mr. Sumner. Mr. Sumner said: "Taney would be hooted down the passages of history and that an emancipated country would fix upon his name the stigma that it deserved. He had administered justice wickedly, had degraded the judiciary, and degraded the age."

Mr. Sumner's protest was vigorously seconded by Mr. Hale, of New Hampshire, and Mr. Wade, of Ohio. The former said that a monument to Taney "would give the lie to all that had been said by the friends of justice, liberty, and downtrodden humanity" respecting the iniquity of the Dred Scott decision. Mr. Wade avowed his belief that the "Dred Scott case was got up to give judicial sanction to the enormous iniquity that prevailed in every branch of our Government at that period."

He insisted that the people of Ohio, whose opinions he professed to represent, "would pay $2,000 to hang the late Chief Justice in effigy rather than $1,000 for a bust to commemorate his merits."

Mr. Sumner concluded the debate and said that in listening to the Senator from Maryland he was "reminded of a character known to the Roman Church who always figured at the canonization of a saint as the devil's advocate." He added that if he could help it "Taney should never be recognized as a saint by any vote of Congress." A vote was therefore abandoned on the 23d of February, 1865.

Nine years after these proceedings, in January, 1874, the name of another Chief Justice, who had died during the recess, came before Congress for honor and commemoration. All the Senators who had spoken in the previous debate were gone, except Mr. Sumner, who had meanwhile been chosen for his fourth term, and Mr. Wilson, who had been elevated to the Vice Presidency. The bill was passed without debate and with the unanimous consent of the Senate.

All these harsh things were said, although the decision was absolutely correct and has never been overruled.

RECALL OF JUDGES.

With proper regard and respect for the judiciary, I must assert that those officials are more responsible for the specter of the recall of judges stalking through the country than any other influence in the Republic. There would be lack of candor in my remarks if I failed to declare that in my humble judgment the action of the Supreme Court in nullifying long and well-established adjudications in the income-tax decision and the antitrust cases is almost entirely responsible for stirring up the living issue of recall. If the court had not uprooted their former decision and thereby defied the national will as expressed in congressional enactment and changed by judicial construction and amendment plain words and acts, recall sentiment would not be so rife this day. It is not fair to charge that what some choose to call the rabble, the masses, have altogether aroused this sentiment. I repel the impeachment and defend the right of the people to discuss and seek solution of these problems. Without here discussing the necessity and desirability of recalling judges, long since I have concluded that there should be a speedier and more effective remedy than the cumbersome process of impeachment where impeachment will not lie.

REMOVAL BY ADDRESS.

There should be the cumulative remedy of "removal by address" for nonimpeachable cases by a majority vote of the House and Senate, as is done in England and many States of the Union. This would go far toward putting the Government more directly in the hands of the people and vesting sovereign final action where it appropriately belongs. This method of dealing with judges unfit for office has evolved an almost perfect judiciary system in England, where the judges rank with the world's greatest, and has worked with magic effect in States where it has been adopted and whose judges are unrivaled by the other Commonwealths. It is therefore commended as a supplementary remedy for the ponderous method of impeachment.

REMEDY FOR THE DEFECTS.

Having thus briefly outlined the history of our Federal antitrust statute and judicial construction touching the same, permit me to point out some apparent defects challenging attention and remedy.

First, it is essential to safeguarding the people's rights that the Sherman law should be amended or supplemented so that the "rule of reason" written therein by the Supreme Court shall be entirely eliminated and place the meaning of the statute where the framers intended it should be. The language should be written in such plain and unequivocal fashion that courts will never hereafter construe the word "unreasonable" into the wording thereof, either before the word "restraint" or anywhere else in the act, so that he who runs may read therein that all restraints of trade and commerce by trusts and monopolies, whether reasonable or unreasonable, shall be forever prohibited.

Congress should proceed to speedily repeal the judicial amendment which has maimed this important law. The act should be retained with all its present efficiency without the slightest impairment. Contracts and combinations now prohibited by it should so continue under its prohibitions, but there should be further accurate definitions so as to define with the utmost precision acts constituting a trust, monopoly, and combination. There should be no doubt and uncertainty left either in the minds of the courts or the offenders, and those engaged in business should be apprised of the exact limits of their activities under the law.

PROVIDE ADEQUATE PENALTIES.

And then adequate penalties should be provided and the stigma of a felony placed upon violators, as first proposed by Sherman, Reagan, George, Walthall, Vest, and others. The penitentiary should be designated as the place of abode for a

term of years, ranging from 2 to 10 years, for those criminals who will not respect the majesty of this statute. We might not convict all offenders, but we would succeed in numerous cases and deter many from violating the law.

When the first act was passed there were not many trusts in existence. Amongst the larger ones were the Beef Trust, the Oil Trust, and the Coal Trust. Since that day they have grown until their capital stock amounts to billions and billions of dollars. With the Dingley and the Payne-Aldrich high tariff acts constituting a wall of protection around the Republic, our country has become a veritable breeding ground, seething and reeking with monopoly and combinations in restraint of legitimate trade and commerce. Two or three bankers in New York City have accumulated vast amounts of wealth and have taken under their wings the great railroad and industrial corporations of the country and are manipulating their finances. They run the daily balance in those banks to hundreds of millions of dollars. Four or five years ago these corporations and trusts deposited their funds in the localities where domiciled. But now they are compelled to pile up their deposits in these banks, under whose complete dominion they are now conducting their affairs. So manifest is this concentration and abuse that more than two years ago, before the startling developments were made before the Pujo Money Trust Committee, an eminent American statesman, Woodrow Wilson, said:

The great monopoly in this country is the money monopoly. Our system of credit is concentrated. The growth of the Nation, therefore, and all our activities are in the hands of a few men, who, even if their action be honest and intended for the public interest, are necessarily concentrated upon the great undertaking in which their money is involved, and who necessarily, by very reason of their limitations, chill and check and destroy genuine economic freedom. This is the greatest question of all, and to this statesmen must adjust themselves with an earnest determination to serve the long future and the true liberties of men.

These were brave words, and we should proceed to take them as their meaning implies.

TESTIMONY OF MORGAN.

J. Pierpont Morgan and his partner, George F. Baker, admitted before a committee in Washington that they dominated and controlled practically all of the great interstate railways and industrial corporations and trusts through interlocking directorates, voting trusts, and various financial conspiracies. They have solemnly sworn before the congressional committee at Washington that in the aggregate they hold 385 directorates in 41 banks and trust companies, having total resources of $8,832,000,000 and total deposits of $2,834,000,000; 50 directorships in 11 insurance companies, having total assets of $2,646,000,000; 155 directorships in 31 railroad systems, having a total capitalization of $12,193,000,000 and a total mileage of 163,200; 6 directorships in 2 express companies and 4 directorships in 1 steamship company, with a combined capital of $245,000,000 and gross income of $97,000,000; 98 directorships in 28 producing and trading corporations, having a total capitalization of $3,583,000,000 and total gross annual earnings in excess of $1,145,000,000; and 48 directorships in 19 public utility corporations having a total capitalization of $2,826,000,000 and total gross annual earnings in excess of $428,000,000; in all, 746 directorships in 134 corporations, having total resources or capitalization of $25,325,000,000. To put it in perhaps more graphic form, it has been established before the Pujo committee and Morgan, Baker, and their allies forced to there admit, that a phase of their conspiracy and Money Trust may be fairly put as follows:

THE GREAT SEVEN.

The following seven institutions have total resources of $1,398,000,000: J. P. Morgan & Co. (and Drexel & Co.), deposits, $163,000,000; Guaranty Trust Co., $292,000,000; Bankers' Trust Co., $205,000,000; First National Bank, $149,000,000; National City Bank, $247,000,000; Chase National Bank, $125,000,000; National Bank of Commerce, $190,000,000; that the Mutual and Equitable Life have combined resources of $1,001,000,000, making a total in these nine institutions of $2,489,000,000. The business of making large issues of securities of the great interstate corporations has during the past five years been conducted mainly on joint account between J. P. Morgan & Co., the First National Bank, and the National City Bank of New York; Lee Higginson & Co. and Kidder, Peabody & Co., of Boston; and the Illinois Trust & Savings Bank and the First National Bank of Chicago. This only partially illustrates their tremendous concentration of money and credit. Are, more, not only do these gentlemen and their allies dominate business and finance, but they have grasped the reins of government and have given us a government by and for the trusts. Candor compels me to say that you may compare with fairness these identical men who control the Money Trust and they square completely and exactly with the names of those who financed the presidential campaign of 1904 for The Outlook editor, who now believes in emasculating the Sherman law by judicial amendment. The names of Morgan, Rockefeller, Stotesbury, Rogers, Archbold, Perkins, and others are found in the Money Trust group and the Political Trust group and fit into one another as the hand in the glove. Proof before the Pujo committee and the Clapp election committee reveal these two groups as being similar and joined together as the Siamese twins; and yet they are one and the same coterie. These things were first denied, but established by proof before these committees; all confess them.

INTERLOCKING DIRECTORATES.

George F. Baker, one of Morgan's partners and allies in the Money Trust, said at Washington that the banking credit of the country, amounting to $23,000,000,000, is virtually under complete sway of a small group of men in New York; that the leading banks, because of interlocking directorates, act in harmony in the control of large transactions; that the Nation's transportation interests in the same manner are under concentrated control and that the vast industrial enterprises are likewise dominated by this all-powerful association. He proudly boasted and explained the various devices employed to evade the law, or, as he phrased it, to "conform with the law." He admitted that in 50 years his single bank had collected $86,000,000 of profits upon a $500,000 capital; that banks were consolidated despite the law, through the creation of holding companies; that there is a certain "concentration of power, in which Mr. Morgan is the overshadowing figure," and that the safety of the national interests lies solely in the personnel, the good intentions of these men. At last, it is flaunted in the faces of the American people that these men have the safety of the Republic in their grasp and that we must trust to their goodness for our happiness and prosperity.

SOME OF THE PROBLEMS.

These things foreshadow some of the problems in Federal legislation and we must meet them as men and patriots. Jackson won his fight and the Nation still lives. Wilson will win his and our institutions will survive and bless the generations yet to come. Turn where you will and there is a saturnalia of trust organization and monopolistic conspiracy. As Sir John Culpeper said in the Long Parliament, we may say of the trusts and monopolies now:

They are a nest of wasps—a swarm of vermin which have overcrept the land. Like the frogs of Egypt, they have gotten possession of our dwellings and we have scarce a room free from them; they sup in our cups; they dip in our dish; they sit by our fire. We find them in the dye vat, washbowl, and powdering tub. They share with the butler in his box. They will not bate us a pin. We may not buy our clothes without their brokerage. These are the leeches that have sucked the Commonwealth so hard that it is almost hectical.

These conditions point to the plain duty of Congress in some respects. We can drive out of interstate and foreign commerce every corporation with fictitious and watered stock, those whose capital stock is so great as to make them approximate monopoly, all holding companies and all corporations whose stocks are owned and controlled by holding companies and other corporations. We can place a limitation on the capital stock of these corporations and banks; we can prohibit the holding and voting of the stock of these banks by other corporations; we can prevent interlocking directorates. We can prohibit their consolidating in the roundabout way now in vogue which piles up money in their vaults amounting to many millions of dollars to the detriment of the entire country. We have power under the Constitution to prevent this interlocking of directorates and coalescing of stocks and interests, and should hasten to apply it by congressional action. We know the facts, and a comprehensive law will bring the relief so manifestly just to the people. We can and should destroy protectionism and bring this country to a tariff strictly and only for revenue.

All these things will be consuming and burning political issues during the next few years and will not down till the appropriate legislative remedies have been devised and applied and the Government restored to the hands of the people, where their just rights will be safeguarded under a wise and courageous administration.

By a strange coincidence of history there have come out of the bosom of New Jersey the great trusts, the holding companies, and the gigantic monopolies. From this proud Commonwealth have come the dragon's teeth, and now it seems as if in the very providence and wisdom of God there has come from her borders the giant this year sent forth to exterminate the dragons infesting the land. When history is finally recorded, Jackson and New Jersey's governor will stand forth as the two great figures triumphing in memorable struggles as the champions of popular rights. We must have no class legislation and arraying of class against class. We must have no clamor against legitimate wealth honestly acquired. There must be no unjust attack against corporations and corporate powers within the limits of their granted charter rights. There should be no hysteria in our procedure. And still trusts and monopolies must be disintegrated and utterly eradicated. The conflict is and should be irrepressible.

As a legislator and an American I dedicate my energies to the people in this struggle, and with the Constitution as my guide and the sanctity of the law as my inspiration, I have enlisted in the contest until absolute equality for every citizen is again our watchword from ocean to ocean.

For a Square Deal in the Postal Service.

EXTENSION OF REMARKS
OF
HON. WARREN WORTH BAILEY,
OF PENNSYLVANIA,
IN THE HOUSE OF REPRESENTATIVES,

Tuesday, October 21, 1913.

Mr. BAILEY. Mr. Speaker, I wish in a few words to direct attention to what seems to me a most unwarranted and an extremely flagrant and inexcusable discrimination in our postal service—a discrimination so rank and so utterly indefensible that it is a marvel it has gone so long practically unchallenged.

I refer to the denial of that free delivery and collection of mail to the towns and villages of the country which have long been enjoyed by the cities and which in recent years have been extended to the rural districts. The injustice to the towns and villages is obvious. It puts them at a distinct disadvantage. It subjects them to a handicap which would not be tolerated for an instant were it to come in the form of a different and a higher rate for postage. Yet a different and a higher rate of postage would not be a worse hardship than that imposed by a discrimination in service such as that which actually has been accepted with scarcely a murmur for so many years.

City delivery service is now in operation in 1,709 towns and cities, serving approximately a population of 47,000,000, at a cost of $38,000,000. Experimental delivery is in operation in 114 communities, at a cost of $90,000. Officials of the Post Office Department estimate that there are 6,604 communities, with an average population of 2,000, where there is no carrier delivery service. Estimating that it would require an average of two carriers, at $600 each per annum, to serve each of these communities, should delivery service be established, the cost would be $7,924,800 per annum.

Mr. Speaker, can there be any sound reason why the 12,000,000 residents of towns and villages should be denied what is freely and most properly given the residents of city and rural districts? To me the situation seems anomalous. It is glaringly inequitable. In proportion to number the towns and villages are bearing an equal burden with cities and rural districts in supporting this Government. They are therefore equally entitled to all its benefits and advantages.

Can there be any gentleman on this floor or elsewhere, Mr. Speaker, who would seriously propose that letters mailed in a town or village should bear a 3-cent stamp while those mailed in the city or on a rural route were required to bear only a 2-cent stamp? Such a proposition would be rejected instantly. Yet little protest has thus far been heard against a discrimination which in effect is just as little capable of defense. If the patron of the post office who lives on Broadway or out in the country is entitled to have his mail collected and delivered at his door, is not the patron who lives in a town or village equally entitled to similar service?

Mr. Speaker, he is not getting it. Two or three or more times every day he must drop his work to go to the post office to receive or to deposit his mail. This means loss of time; it means inconvenience; it means just as much to him relatively as it would mean to the banker or the farmer if he were obliged to quit his counting house or his plow for a trip to the post office. The notion that time in a town or village is a negligible quantity is as idle as the notion that we may tax ourselves rich or that to ship more goods out of the country than we bring in is to create a "favorable" balance. Time is money in the town or village as much as in the city or the rural district, and the resident of town or village is entitled in all conscience to every consideration and advantage which we accord to the broker of the city or the farmer out in the remote rural district.

It was with these thoughts in mind, Mr. Speaker, that a few days ago I brought in a bill (H. R. 8947) under the provisions of which free delivery is to be extended to all towns and villages in the United States which are not entitled under existing laws to such delivery. I am extremely glad to say that this proposal met with an instant response from communities which it is designed to relieve. Newspaper comment upon this measure has been wide and mainly favorable. The tone of the country press is especially enthusiastic. Everywhere the proposal has been hailed as a sound one, supported by every consideration of reason and justice. I shall ask leave, Mr. Speaker, to append to my remarks some of these newspaper comments, believing that the Members of this House will be interested in them, as I have been, and that they will lend strength to my appeal for what I deem to be simple justice to many millions of our best and most useful citizens, for everywhere the quality of the citizenship of town and village is recognized. It is largely from the town and village that the best element of the great centers of business are recruited.

The town and the village are the nurseries and the schools where strong, capable, ambitious, and resourceful men and women are fitted for the great things which need to be done. It seems to me a safe assertion that five out of six of the membership of this body were village bred. The foundations of the careers they have made for themselves were laid in these small communities, where the touch of elbow was close, where human sympathy was spontaneous, where life had room to expand, and where the social amenities were unrestrained by dubious convention.

It was my good fortune to grow up in a village myself, and I can therefore speak with some knowledge of village life and of village needs. There may be a sneer here and there from the city dweller, who fancies that the villager has nothing to do, and that going to the post office two or three times a day is a mere diversion, a break in the dreadful monotony. But life in the town or village is just as earnest a proposition as life in the city or in the country. It has its cares, its interests, its compulsions, its necessities, its exacting duties, not less than life elsewhere. Thank God it is not so sordid, not so hopeless, not so steeped in monotony as we see it in some of the crowded centers; it is not so frivolous and idle and meretricious as we see it as it flaunts its fine feathers at the resorts of fashion; but it is sincere, full of zest, alive to its responsibilities, stimulated always by neighborly kindness and by that relative freedom of movement which the overcrowded city makes impossible.

The bill as introduced by me is as follows:

A bill (H. R. 8947) to authorize the Postmaster General to extend the free-delivery mail service to towns and villages of 1,000 population or over.

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to extend free-delivery mail service to all towns and villages in the United States having a population of 1,000 or over that are not by existing law entitled to such delivery, and for this purpose the sum of $10,000,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, to be available immediately on the passage of this act and to be expended for the purpose named by the Postmaster General under such regulations as he may prescribe.

That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

I would hardly be fair to myself did I not admit that I am actuated by a double motive in demanding an equalization of the postal service in behalf of a class now denied almost the best half of that service. It seems to me, Mr. Speaker, that if we open the way for spending the revenues of the Government for useful purposes we shall automatically close the way for spending them for purposes far from useful, say for battle ships and big guns, for fortifications and military expansion. The waste of money in this direction has been wanton. Had it been thrown into the sea less harm would have been done; there would have been the loss only of the money itself or of the labor it represented. But when it is devoted to the building of dreadnoughts and to the maintenance of a great standing army in a time of profound peace, we add to the unnecessary burdens thus imposed the waste of human effort involved in the drawing of thousands of young men from gainful pursuits into a service which brings no gain either moral or material and makes them pensioners upon the labor and industry of the workers.

I do not care to dwell particularly upon this phase of the matter, but it is one which deserves consideration. We have been running mad over militarism in its various aspects, and even a Democratic Congress is proposing to spend or will be asked to spend more than $300,000,000 on the Army and Navy during the fiscal year to come. Against this I protest. In our platform we are pledged "to that simplicity and economy which befit a democratic government." Our solemn word is plighted to the American people that we will lighten the burden of taxa-

tion and sharply depart from the program of extravagance to which the Republican Party had been committed for years. Shall we disregard the duty which our stewardship imposes? Shall we ontdo even the Republican Party in lavish expenditure? Or shall we lop off the useless and the profligate and turn our attention to matters which will yield a return on the investment?

Mr. Speaker, I am willing to spend money freely where it can be spent with a reasonable assurance of bringing a return. There is therefore no hesitation on my part in proposing to spend a few millions for a needed improvement in the postal service. This service has always brought substantial betterments. It has always yielded abundantly in public benefits on the investment. No function of the Government comes closer to the people than that of the post office. Its services are of inestimable value. We can scarcely conceive of the condition which would prevail were this service cut off wholly from all as it is now cut off in part from the towns and villages of the land. Our business and social life is so intimately knit up with this service that to destroy it would be almost to destroy that life itself. And I want this intimate relation to be more intimate still.

I want it extended to include the now neglected element. I want it to reach out to the communities now relatively isolated. I want it to mean as much to town and village as it to-day means to city and rural district. And so I appeal here on this floor and to the people of the country for what I conceive to be bare justice in the interest of good business. I appeal for this in behalf of 12,000,000 American citizens whose rights are equal with the rights of all the rest, yet who are getting less than an equal treatment. They seem hitherto to have been voiceless. No one has stood here to speak for them. But in my humble way let me plead their cause. They are the victims of a sheer injustice. A disproportionate burden rests upon them. Advantages as much their right as they are the right of the other millions who enjoy them are withheld from them in the name of economy. But there is no economy in injustice. It always imposes penalties. And the penalty of this injustice is being paid every day by the people of the United States in a postal service that falls short of that highest efficiency which would be attained by carrying the mails to all as the mails are now carried to some.

PRESS COMMENT.

A SQUARE DEAL.

[From the Johnstown (Pa.) Leader.]

Congressman BAILEY'S bill for the extension of free mail delivery to towns of 1,000 population or more has met with very general commendation. It is, of course, approved by the people of such towns, but it is also regarded as only a square deal by the people of the larger towns and cities and of the rural districts where there is free delivery. What Mr. BAILEY proposes is certain to come sooner or later. He may be a little in advance of the times, but he has at least attracted country-wide attention and has caused agitation of the subject.

AN ENTIRELY REASONABLE MEASURE.

[From the Doylestown (Pa.) Democrat.]

Representative WARREN WORTH BAILEY, of the Cambria-Blair-Bedford district of this State, has introduced a bill in the House providing for the extension of the Free Delivery Mail Service to all towns in the United States with a population exceeding 1,000 which are not entitled under existing laws to such delivery. The bill carries an appropriation of $10,000,000, to be immediately available upon the passage of the bill.

This bill seems to have considerable merit, and it ought to receive favorable consideration by Congress. There are now, according to estimate of the Post Office Department, 6,604 communities, with an average population of 2,000, which at present do not have free carrier service, while the larger towns and the rural communities do have it. It seems like an unwarranted discrimination to deprive these 6,604 communities of advantages enjoyed by the rest of the country, especially when the service can be obtained at an estimated cost of $7,924,800. This cost, it is believed, would be eventually compensated by increased revenue derived from the increased mail facilities.

Mr. BAILEY in advocating his bill says that there is no function of the Government more important to the welfare of the people than that of the post office, facilitating, as it does, communication and making for freedom of exchange. He says he presented the bill with due regard for the pledge of economy contained in the platform adopted by the Democrats at Baltimore, and believes that the extension of the free delivery service he advocates will so stimulate the use of the mails that the actual cost of the extension to the Government will be insignificant. We should like to see Mr. BAILEY'S bill cordially supported as an entirely reasonable postal measure.

A SQUARE DEAL FOR ALL.

[From the Freeland (Pa.) Press.]

People who reside in small towns now have an opportunity to be classed with their city brethren in the way of up-to-date postal service.

Representative WARREN WORTH BAILEY, of Johnstown, has introduced a bill providing for the extension of the Free Delivery Mail Service to all towns in the United States with a population exceeding 1,000 which are not entitled under existing law to such delivery. The bill carries with it an appropriation of $10,000,000, to become immediately available on the passage of the act. Mr. BAILEY takes the ground that the present postal service is anomalous, in that, while residents of the cities and of rural districts are given free-delivery service, residents of over 6,000 communities with an average population of 2,000 are compelled to visit the post office to deposit or receive mail. He believes that this is an injustice to residents of towns and villages and he proposes by his bill to cure this.

It behooves the people who reside in the towns classified under Congressman BAILEY'S bill to get busy at once. You can assist this cause wonderfully by simply asking the Congressman from your district to support Mr. BAILEY'S measure. Get your board of trade or business men's league to forward petitions praying for its passage. The bill seems to be carefully drawn, and if it becomes a law will repeal our antiquated statutes and provide in their stead a modern code suitable to present conditions and future developments in postal matters. It must be remembered that certain large centers of trade are clamoring for penny postage, while others want free delivery established in all small towns first. Where do you stand—for free delivery, certainly—then get busy.

Congressman CASEY will be in Freeland to-morrow, as one of the Mitchell day speakers—ask him to support the bill. He always stands for a "square deal," and that is what this Bailey bill is—a square deal for all.

Freeland is at present operating under the experimental village delivery service. It is one of 144 communities thus favored and is exactly what Mr. BAILEY, through his bill, proposes to make general and establish permanently throughout the entire United States. There was no provision made for equipping the experimental village delivery service which we have in Freeland. This is why we have no street letter boxes. Congressman BAILEY'S bill provides $10,000,000 for equipping the service, hence you can perform a dual duty to-morrow. See CASEY.

AFTER A GOOD THING.

[From the Gallitzin (Pa.) Item.]

Representative W. W. BAILEY has surely started a move for a good thing when he presented the bill for free delivery for towns of 1,000 population, and he should be commended for it and given the assistance of the citizens of such towns.

Each town would have to have the street names posted and the houses numbered, but this expense would not amount to much.

If the expenses of the department must be cut down to make the free delivery possible, let them cut out the printing of envelopes free and the carrying of them through the mails free. Let them cut out the carrying free of so much printed matter that is distributed by Senators and Congressmen which usually goes to the wastebasket unread.

At any rate, Mr. BAILEY is after a good thing and we hope he will land it.

SHOULD GET GENERAL SUPPORT.

[From the Pen Argyl (Pa.) Index.]

Representative WARREN WORTH BAILEY, of Johnstown, Pa., last week introduced a bill in the House at Washington, providing for the extension of the delivery mail service to all towns in the United States with a population exceeding 1,000, which are not entitled under existing laws to such delivery. The bill carries with it an appropriation of $10,000,000, to become immediately available on the passage of the act.

Mr. BAILEY rightly takes the ground that the present postal service is anomalous, in that while residents of the cities and of the rural districts are given free delivery service residents of something over 6,000 communities with an average population of 2,000 are compelled to visit the post offices to deposit or to receive mail. He believes that this is an injustice to the residents of towns and villages, and he proposes by his bill to cure this.

Under the present laws a town must have a population of 5,000 or postal receipts of $10,000 to have free delivery service. Pen Argyl has neither and hence does not enjoy this service, while Nazareth, with about the same population, but having the required postal receipts, has free delivery service. Residents of Plainfield and Washington Townships, just outside the borough limits, have the mail brought to their doors daily, while residents within the borough limits, hardly a stone's throw distant, do not have this facility, but must walk a mile to the post office for their mail.

Representative BAILEY'S bill should receive the support of the citizens of every town and village in the country thus discriminated against under existing laws, and all Senators and Representatives should be importuned by their constituents from such districts to favor the measure.

Dedication of a Site for a Monument to Balboa.

EXTENSION OF REMARKS
OF
HON. THETUS W. SIMS,
OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, November 5, 1913.

Mr. SIMS. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include an address by Hon. ROBERT L. HENRY, of Texas, at the opening of the San Diego Exposition, which was delivered on September 26, 1913.

Representative HENRY spoke as follows:

BALBOA.

"He was tall, handsomely formed, of a very stout and vigorous appearance, with red hair and a countenance which interested and attracted people toward him."

In this verbal photograph an accomplished historian has preserved to the world the image of Vasco Nunez de Balboa.

It is not my purpose to undertake to-day the contribution of historic information, but rather to join in celebrating the achievement of one whose name is fixed in the permanent annals of the world's progress.

It is not inappropriate to here review briefly the life of one whose deeds of valor and world-renowned discoveries are familiar to mankind. On this eventful day, commemorating the four hundredth anniversary of Balboa's great discovery, it should thrill the hearts of all to draw near the personality of this great wizard of adventure and achievement while we look face to face upon the make-up and career of this marvelous man. Exactly 400 years have passed, and yet his life and deeds fire the heart with a fervor no less thrilling than that pulsating the bosoms of those standing by his side when, with majestic gaze, he first beheld the Pacific Ocean and gave mankind the proudest and richest domain the sun in his "all-seeing circuit" ever shone upon.

He was born in 1475 in the Spanish Province of Estremadura. His family was poor, but he descended from noble ancestry and was a gentleman. In 1500, in search of gold and glory, he embarked with Bastides for the New World. After touching the west side of the Gulf of Venezuela they proceeded to Nombre de Dios, situated on the Isthmus of Darien about 24 miles east of where old Porto Bello was situated. Shortly after, with much treasure and a fragment of Bastides's men, he reached Hispaniola, now Haiti. He did not return to Spain with Bastides, but undertook to manage a farm near the town of Salvatierra on the seacoast. He did not succeed in farming and became involved in debt. The sea and adventure again beckoned to his ambition, and he embarked as a soldier of fortune.

He placed himself in a cask of "victuals" carried from the farm on board a ship sailing for South America. When out at sea Balboa appeared from his hiding place and persuaded the surprised and angry captain to allow him to proceed on the voyage. He guided Enciso to a pleasant place on the Gulf of Uraba, where Balboa had visited on this first voyage with Bastides, and there his real career began.

He informed Enciso that this country, called Darien, was full of fruits and that gold abounded in the region. Here at the age of 35 he was appointed alcalde, and here it was he planned for his adventures, discoveries, and immortal glories.

Time forbids following in detail the career of this wonderful explorer and renowned discoverer, but it is not amiss to review somewhat briefly the notable features of his historic achievements, perhaps the most far-reaching in the world's richest progress and development.

Having settled his company at Darien, he immediately began to conquer the surrounding country. In one excursion he first, from Chief Comogre, heard of the great western ocean across the mountains and the gold in Peru. After returning from a voyage he learned that Enciso had endeavored to prejudice his King against him, and in anxiety he determined to attempt some great enterprise the success of which would conciliate his sovereign.

On September 1, 1513, with 190 Spaniards and 1,000 natives, he set out in quest of the western sea. On September 26, from the top of a mountain range, he sighted the Pacific Ocean. He sent Pizarro and others in several parties to reconnoiter. Alonzo Martin, one of his scouts, was the first European to actually touch the new-found sea. On September 29 Balboa himself arrived and in the name of his monarch took possession of the newly discovered "Southern Waters." Here he remained for a while, visited the Pearl Islands, and with much booty triumphantly returned on January 18, 1514.

He at once sent messengers and valuable presents to his King and announced his discovery. And in acknowledgment of his achievement his monarch created him adelantado of the South Sea—admiral of the Pacific—and governor of Panama and Coyba.

Meanwhile Pedrarias Davilla, by order of the King, sailed with an expedition to take charge of the Darien colony, and thus supplant Balboa. Prior to Pedrarias reaching the scenes of discovery, Balboa had frequently crossed the Isthmus and visited the Pacific, and was planning the conquest of Peru and wider explorations of the new ocean. He had built, armed, and launched his brigantines. With them he took possession of Pearl Islands, and had not adverse weather conditions intervened would have conquered Peru.

Here his career ended by reason of the treachery of false friends and the jealousy of Pedrarias. False friends! Alas, too numerous! Balboa was enticed to Acla, near Darien, by a cunning message, where he was placed in irons, imprisoned, and by forced sentence on the part of Pedrarias, who compelled the judge, was condemned to death. On the public square of Acla, in 1517, his head went to the block. Thus ended the career of a great general and remarkable statesman.

His far-seeing and brilliant vision have reached consummation in the progress and development now being enacted on the greatest theater the world ever saw. Looking back upon his eventful career, history clearly reveals that upon the expulsion of Enciso, Balboa was inspired to great endeavor by reason of the responsibility falling upon him. He fully justified his lofty ambition by noble service, he raised his mind to the high dignity of his office and elevated himself in public opinion almost to the height attained by Columbus.

In the permanent annals of achievement his name is perpetuated as one of the most high minded and generous of all the Spanish-American conquistadores. His command over men was the marvel of his day. And with his inspiration and guidance nothing seemed impossible to the Spaulards of his time. Columbus sought in vain for the passage to the other ocean beyond the continent; but it remained for the man this day honored by us to reveal the Pacific after the great navigator had gone on the final voyage of all mankind.

It fires the heart with consuming fervor to even now contemplate Balboa on the mountain heights that September morn. He had thought to start in the gray dawn of that eventful day, but his exhausted soldiers moved slowly and it was close to noon when, emerging from the forests, they beheld the great peak before them. Leaving his men grouped together at the dividing line between the rank growth and the scanty vegetation higher up, he went forward alone. Advancing over rocks washed by the centuries of storm, he finally reached the summit. Before his view the long-hoped-for scene spread out before him—"a wilderness of forest gemmed with sparkling streams and bounded by the watery horizon, the ocean along the sky line, vast, boundless, glittering like a diamond beneath the sun."

With thrilling heart he knelt and thanked God for the glorious privilege vouchsafed him as the first European to behold the southern sea. He shouted to his men to come and gaze upon the ocean so long desired and sought. Addressing his men, he concluded in language significant far beyond its import that day:

> We are the first to gaze upon it and shall be the first to reach its shores. To us belong their treasures and ours alone shall be the glory of reducing these numerous dominions to subjection in the name of our King and of causing to be shed upon them the light of the only true religion. Follow me, then, faithful as hitherto, and I promise you the world shall not behold your equals in wealth and glory."

Yes; in "wealth and glory." Prophetic words! Behold that "wealth and glory" reaching in vast expanse from Peru across Panama to Oregon's farther limits, from California through Texas, from the Mexic sea to the limits of Canada along the majestic sweep of the Mississippi's course—all spread out before us this day, upon which the world's great drama of progress and civilization is being played!

And there they erected from a great tree a cross where Balboa first saw the sea. And the company knelt reverently before the holy symbol as their chaplain offered thanks for the privilege accorded them. They signed a testimonial evidencing that they took possession of the sea and shores in the name of Spain. Their notary duly attested it, and then Balboa with his companions descended to the south.

In due time he and his men reached the shores of the Pacific and took possession of the waters in the name of their sovereign. Every student of history knows the story of the solemn ceremony that day performed in a secluded spot on the tortuous Bay of San Miguel, deeply indenting the southern coast of Darien:

In a short 10 years thereafter, had the spirit of Balboa been permitted to revisit the summit of that lofty mountain, which now in proud majesty towers over the bosom of Panamanian waters, unfolding before his vision there would have appeared an empire extending thousands of miles from Darien along the Pacific to Oregon's northernmost limits, to the eastward until it reached the Father of Waters, and along his course to the northward until it almost touched the limit over which now loom the lofty mountains of Canada's domain—a vast, kingly empire under one flag.

Historians have written that those early Spaniards came here for "gold and glory," but when we search their motives and contemplate their work, they sought more than sordid things. They came to dedicate and consecrate this vast empire to the God of Nations and the Redeemer of Men! And in generations to come, whatever may have been or is to be, it must be written in the annals of history that the Spanish people are joint heirs to our common glory and whatever destiny awaits our Republic.

Coming from Texas, I may be pardoned for the pride my native State feels in her history so intimately linked with that of California. When that captivating and dazzling conqueror, Cortez, had finally planted the standard of European civilization in the halls of Montezuma and added Mexico to the Kingdom of Spain, the same brown-robed priests came from Zacatecas

to Texas and laid, broad and deep, the foundation of another civilization soon to follow. They erected the missions near Nacogdoches in eastern Texas and founded Concepcion and the Alamo. They built the great highway and left their impress to guide those who soon thereafter followed their footprints. These men deserve to be called the "uncrowned heroes" of those early days.

And now, as Californians and Texans, let us turn our vision to the Panama Canal and contemplate its significance to these two great States, one so intimately nestling against the Gulf of Mexico and the other against the Pacific Ocean. The mind of man can not conceive the importance of its opening to Texas and California, to the South and West. It will give tremendous impetus to the manufactures of cotton and iron and lumber. It will hurry us to an era of shipbuilding in America and vastly stimulate our naval pride and power. The great regions of the Southern States and the Mississippi Valley, with rich soil and virile people, with navigable waters and untold resources, will break the monopoly of railroad transportation and cover the earth and sea with their commerce.

The industries of the South will multiply beyond our most optimistic contemplation. The products of our cotton mills and iron furnaces, our timber, steel, and coal, will rush through the canal and supply South America, Japan, and China and reach every clime under the sun. California will be released from railroad monopoly, and by this new water route take her position in intimate relation with all European countries. Your orchards, your vineyards, your forests, and your manifold products will be instantly put in touch with all the world. Texas and California, the South and West, arm in arm will march across the continent from ocean to ocean, back and forth, and will proudly strut across the seas everywhere to capture trade and commerce heretofore beyond our reach, but now and forever our legitimate captives. This canal, for 400 years an idle dream, but a dream now come true, bids fair to entirely change the commercial map of the world and shift the seat of commerce, business, and empire from the North Atlantic to the southern and western ports. Standing here amid these glories and realities, how our hearts should beat and leap with joy as God to-day smiles on this consummation.

Senator Seward said:

Who does not see that every year hereafter European commerce, European politics, European thought, and European activity, although actually becoming more intimate, will nevertheless ultimately sink in importance, while the Pacific Ocean, its shores, its islands, and the vast regions beyond will become the chief theater of events in the world's great hereafter.

In sublime thought and prophetic vision he uttered these words on the floor of the United States Senate in 1852. And to-day the staging is set, the actors are here, and the nations gaze in wonder while that prophetic drama of the "world's great hereafter" is being enacted amid the glories and triumphs of old Pacific's busy regions.

And thus, with the grandest destiny and the freest Government yet born, we shall endure under our Constitution and our flag "as long as the stars twinkle through the loops of time."

Currency.

EXTENSION OF REMARKS
OF
HON. PHILIP P. CAMPBELL,
OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, November 5, 1913.

Mr. CAMPBELL. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include a speech on currency by George Campbell, of Coffeyville, Kans.

The speech is as follows:

WHY RUSH THE SO-CALLED ADMINISTRATION CURRENCY BILL?

President Wilson seems desirous of rushing the currency bill through Congress, that the people may not have an opportunity to consider its provisions before it becomes a law, and it looks as though there was needed at this time a Jackson in the place of Wilson as Chief Executive of the Nation to protect and preserve the rights of the people.

Jackson in vetoing the rechartering of the United States Bank said that the press had been purchased and that the opposition to the bank measure could not find expression through the great metropolitan papers of that day; and what was true then with reference to the press is true to-day, and I speak from experience when I say the great dailies in our large cities will not publish any articles in opposition to the so-called administration currency bill; and hence the people only hear discussed one side of this measure, and that is from the side of the banker; and the great banking interests not only framed this so-called administration bill, but have been educating the people in the interests of the measure, and no doubt the President, before his election, agreed to do just what he is doing in forcing this measure, and perhaps this accounts for his alleged secret mission to New York City prior to his election; as the enacting of this bill into a law means much to the banking interests and will create the greatest and most dangerous monopoly that the world has ever known.

The so-called "administration currency bill" is, in fact, the Aldrich bill, which was framed by the bankers and is being pushed by them through the press and by the organization of citizens' leagues, lectures, and so forth; and the Republican Congress refused to enact this bill into a law, and even Senator Aldrich, it is said, refused to father this bill, and it was left without a parent until President Wilson adopted and acknowledged it as his offspring and christened it the "administration currency bill"; and this bill, by reason of amendments, is worse than the original Aldrich bill, for the Aldrich bill divided the territory of the United States into not less than 15 reserve districts, while the administration currency bill "sees them better" and divides the United States into not less than 12 Federal reserve districts, and each of these districts has a Federal reserve bank to eventually issue the currency for the banks in the district; and the banking corporations of the Federal reserve district are the stockholders of the Federal reserve bank, and the individual person can not purchase stock in the Federal reserve bank. He is barred from doing so, and the proposed banking system is much worse than our present banking system, for the individual can buy and hold stock in our present banks—National, State, or trust company—and can have something to say with reference to these financial institutions and how they are to be managed.

The banks under the proposed banking law will be intensely exclusive and will be above and beyond the reach of the people; and these Federal reserve districts are under the control of the Federal reserve board, which board consists of the Secretary of Agriculture, Secretary of the Treasury, and Comptroller of the Currency, and four other persons appointed by the President and confirmed by the Senate; and as the President appoints the Secretary of Agriculture, the Secretary of the Treasury, and the Comptroller of the Currency, all of the members of the Federal reserve board are appointees of the President, and this will put the banking interests actively in politics, as they will want a President elected who will appoint men on the Federal reserve board that are in the interests of the banking trusts; and if this bill becomes a law the probability is that the Government will not issue the $500,000,000 in Treasury notes, or any less sum, that the bill provides for, which is left to the discretion of the Federal reserve board; but the issue of paper currency will be left exclusively to the Federal reserve banks in the several reserve districts, and this giant banking trust, under a single head, as provided by the bill, will not only control the business of the country but the political destinies of the people, and everything in the line of business or politics will be centered in New York City. This is the object of the bill.

Under the present banking system our industries have expanded more than those of any other nation; and why rush the administration currency bill? There is no lack of money; there is nearly 40 per cent more idle money in the banks of the country than has ever been known in the history of the Nation; and while certain New York City banks have made a desperate effort to prevent banks from making loans to the people and thereby create a money stringency, they have not succeeded, as the great banking interests of New York City are unable to control our private banks and trust companies scattered throughout the land and under separate management; and hence the Banking Trust of New York City wants the so-called administration currency bill enacted into a law, which will give it full control of the money of the country.

The money interests of the East have for several years been alarmed at the rapid increase in the money volume, which has gradually grown since the time McKinley took office at the rate of nearly half a million a day; and provisions have been made so that men who mine the gold can take their product to the Government and do not have to wait to have it coined into money, but the Government will issue to the owner of the bullion gold certificates at the rate of $1 for every 25.8 grains of standard gold, and this measure has resulted in the gradual increase of the currency, and the money thus comes into circulation without being borrowed; but under the pending bank measure one of the central ideas is to get rid of all the money that is not borrowed from the banks and compel the people to borrow all the money necessary in transacting the business of the country, and this puts all business within the power of the banks; and if at any time the banks do not want to loan, there is no law to compel them to, or they can loan to one individual and not to his competitor, who has even better security for the loan, or they can loan to one individual or company at a lower rate of interest than to competitors and thereby destroy all competition and create a monopoly in all business, dominate labor, and wreck the Republic, the same as a similar banking system wrecked Rome.

If the Federal reserve banks are permitted to issue the currency, every bank note is an obligation of the bank to pay so much money, and represents that amount of indebtedness of the bank; and this note, representing nothing but debt, is loaned at interest to the people, and the Banking Trust will thus draw interest on what it owes, while all other persons and corporations must pay interest upon their notes representing their indebtedness; and this is a special privilege granted to the Banking Trust created by the bill that is not accorded to any other individual or corporation; and if the banks get full control of the money of the country, as proposed by the administration bill, and they conclude to take over the property of the people, they will then refuse to make loans and draw in their circulation and force the property on the market, and the banks will be the only ones that will have the money with which to purchase the property.

Pliny tells us that in the decline of Rome under a similar banking system as the one proposed by the administration bill the banks refused to make loans to the people, and the taxes became due, and the people had no money to pay them, and that whole provinces were often bid off by a single individual banker for the taxes due; and the Roman farm of 7 acres, which was the pride of the Roman citizens, disappeared, and the lands were aggregated into large estates, and the people became tenants, then serfs, and later were bought and sold with the land. Do we want this to happen to America?

Pliny, in describing the effects upon the people of this atrocious system, says:

The people gave themselves up in despair in their fields, as beasts of burden lie down beneath their load and refuse to rise. The disintegration of society was complete. All public spirit, all generous emotions, all noble aspirations of men shriveled and disappeared as the volume of money shrank and prices fell.

In the present currency bill banks are exempt from all taxation, except on real estate, thus throwing the burden of taxation on others than the banks; and it is to be hoped that the patriotic citizens in the present Congress will see that this bill does not become a law; and if Mr. Wilson has promised the bankers of New York City to force this bill through Congress, he should at least give the people an opportunity to consider its several provisions before it becomes a law, for it is a deep-laid scheme to subvert our institutions of government and not only control but to own the business interests of the country and the people who toil, and the bill is so framed that outside of the few Wall Street bankers it is not understood by the bankers themselves.

The so-called administration currency bill is not a recent measure, but leading bankers of London, Berlin, and New York have been working on this scheme for years. To keep the people ignorant of the measure, it looks as though the press has been subsidized and citizens' leagues have been organized, scattered throughout the country, and advocates have been employed, including press agents, to combat any opposition that might be developed at any point throughout the United States.

Hon. CHAMP CLARK was evidently the choice of the Democratic voters of the United States for President; but when Mr. CLARK made his speech before the Trans-Mississippi Congress, and took exceptions to the Aldrich bank bill (now the administration currency bill), a prominent banker of New York, high in financial circles, said:

This puts CHAMP CLARK out of the race; the banking interests have a thorough organization and unlimited means at their command, and they will adopt such measures as may be necessary at the convention to defeat CLARK and nominate Wilson.

And subsequent events show this man was not talking through his hat.

The Republican Congress refused to enact the so-called Aldrich bill into a law, and the special interests then turned to the Democratic Party, as they always do, to make it a "scapegoat" to force measures upon the people by their caucus rules that would be impossible to force upon the people under Republican rule.

It will be remembered that when the revenues of the Government accumulated beyond its needs under Republican rule back in the eighties that Government bonds were largely retired until there was only enough bonds for an issue of $174,000,000 in national-bank currency; and the banks took up the cry for an additional bond issue by the Government, that the bonds might be used as a basis for an additional issue of national-bank currency; but the Republicans did not see the necessity for more bonds, and such men as John Sherman began to advocate the Government issue of the currency, as advocated by Jefferson, Jackson, and Lincoln, and stating that the profits derived from the issue of currency, by reason of bills being lost or destroyed should go to the Government—that is, to the whole people—instead of to the banks; and hence the great banking interests in New York caused the nomination and election of Grover Cleveland, and he carried out the wishes of Wall Street and forced the issue of United States bonds until they reached many millions of dollars, and this was accomplished by the most shameful methods.

The Government of the United States would deposit the paper money in the banks, and the banks would take this currency to the United States Treasurer and have it redeemed in gold, and by this means the gold in the Treasury was soon exhausted, and bonds were issued to replenish the gold reserve, and then the paper currency was presented and the gold again drawn out and more bonds issued, and this created what was termed at the time "the endless chain" to draw the gold out of the Treasury, and this method continued until our Government debt was greatly increased without cause, except that Wall Street wanted more bonds as a basis for the issue of more national-bank currency; and this endless chain continued until a clamor arose on the part of the people, and Mr. Cleveland stopped the endless chain by employing J. Pierpont Morgan to protect the gold reserve in the United States Treasury; and thus was presented to the world the humiliating spectacle of a great nation, with its billions of gold and other property, having to employ Mr. Morgan, an individual, to protect the gold in the Treasury; and all this was done in the name of Democracy. And Mr. Morgan, it is said, made many millions of dollars, and was enabled before his death to control one-ninth of the entire property of the United States. And now the special interests, acting through Wall Street, have by far a greater scheme to perpetrate on the American people in what is known as the "administration currency bill," and they have chosen Democracy to do their bidding; and the steam-roller process is in full operation, and even Bryan falls in line and supports this anti-Democratic measure, and his simple democracy that he displayed several years ago has undergone a change, so it requires more than $12,000 per year to sustain it, and yet he and Mr. Wilson claim to be followers of Jefferson and Jackson.

If Jackson could look at his so-called followers, he would probably be disposed to use his favorite quotation in addressing them, and we do not have to stretch the imagination greatly to see him point his bony finger at those who claim to be Democrats and say, "Depart from me, ye workers of iniquity, into everlasting torment, prepared for the devil and his angels."

If the administration is bound to change the present banking system, why not give the people a Democratic measure, as advocated by Jefferson and Jackson? Let the Government furnish all the paper currency in the form of United States notes, and loan these notes to the national, State, and private banks on proper security at 1 or 2 per cent per annum interest. Each bank will then deal direct with the Government and there can be no combination or trust created and the money will always be available for business and there can be no money panic, and the Government will derive a large income from the issue of these notes, and all the people will be benefited.

The so-called administration currency bill not only contemplates a change in our financial system, but is a blow to our republican institutions of government; and without stopping to point out in detail how our Government can be changed if the present bill becomes a law, and why a change is contemplated by those who framed the bill, it will be remembered that Mr. Lincoln said in 1858 that the States of the Union could not exist half slave and half free; that here was presented two antagonistic ideas in government brought in close contact in the government of the States, and that one idea had to overcome the other, and in the near future the governments of the States must of necessity be all slave or all free.

What was true of the governments of the States at that time is now true of the governments of the world. Steam and electricity have annihilated distance and time, and the monarchies and republics of the world are now in closer contact than were the States of the Union in 1858, and this close contact of the nations must bring about a homogeneous government for the entire world, and in the near future the governments of the world will be all republics or all monarchies.

All the nations of the earth are now preparing for this final contest, and the American Republic is the only great power that

the monarchies of the world have to reckon with in their conflict for the supremacy of the world.

They can not conquer America by force of arms; it is invincible to any force that can be brought against it, and if the American Republic is destroyed its destruction must be wrought by its own people, by a banking system similar to the one proposed, that will aggregate the wealth of the country in few hands, the same as was the case with Rome, where 3 per cent of her people owned 97 per cent of her wealth.

The Rubicon is now before the American people in the so-called administration currency bill, and it seems that Mr. Wilson has seen the "heavenly vision" and has heard the voice from Wall Street bidding him to cross. But let him pause for a moment until the people can express themselves. They will tell him that a crown of thorns and a cross of gold is just as objectionable when applied by so-called Democrats as when attempted to be applied by Republicans. They will say to him, "You shall not press down upon the brow of labor this crown of thorns; you shall not crucify mankind upon a cross of gold," in the interest of a coterie of bankers of Wall Street, London, and Berlin.

Lake Mohonk Indian Conference.

EXTENSION OF REMARKS
OF
HON. DORSEY W. SHACKLEFORD,
OF MISSOURI,
IN THE HOUSE OF REPRESENTATIVES,

Wednesday, November 5, 1913.

Mr. SHACKLEFORD. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include an address delivered by the Hon. WILLIAM H. MURRAY, of Oklahoma, at the Mohonk conference in October, 1913.

The address is as follows:

ADDRESS OF THE HON. WILLIAM H. MURRAY, OF OKLAHOMA, AT LAKE MOHONK INDIAN CONFERENCE, OCTOBER, 1913.

Mr. Chairman, before proceeding upon the discussion of the subject "Toward 'restricted' and 'unrestricted' Indians of the Five Civilized Tribes, should the law and its administration be the same?" I desire to thank most sincerely Mr. Smiley, Mr. Phillips, and others of this conference, the successors of the late Mr. and Mrs. Albert K. Smiley, who for a quarter of a century had unselfishly devoted their time and means toward the uplift of the aboriginal Americans, for this invitation and opportunity to discuss these minor phases of the Indian problems.

In the beginning let it be understood that the word "restricted" Indian means those who have some restriction upon the alienation of all or any portion of their allotment and homestead. Mark you, such restrictions apply only to the land and run with its title rather than upon the person of the individual, since under the laws, both Federal and State, the Indian in Oklahoma enjoys the privilege of the ballot and the right to be elected to public office, and is every other way classed as a white man under our constitution. The Federal laws provide that all members of the Five Civilized Tribes—Chickasaws, Choctaws, Cherokees, Creeks, and Seminoles—who are of more than three-quarter blood shall have both their homestead and the other half of their allotment—called the surplus—with restriction thereon against the sale or alienation, except where removal may be made by the department upon application therefor; and all of less than three-quarter blood and more than half blood have restrictions upon their homestead only, leaving the other half wholly under the control of the Indian, to sell as to his judgment seems best; and all of less than half blood have no restriction upon the sale or alienation of any portion of their allotment or homestead—all of this without reference to the age of the Indian allottee—and this last class of less than half blood are known as "unrestricted" Indians. The other two classes are known as "restricted" Indians in our common parlance.

Now, the question should the administration of the law and the provisions thereof be the same with reference to both? Of course when age is not taken into consideration the restricted minor can sell his land by a sort of combined authority of the probate courts, subject to approval of the department at Washington, while minors of the unrestricted class have their lands sold through guardians, approved by the probate or county courts, in Oklahoma. I wish to state that as a race there is no prejudice against the members of the Five Civilized Tribes, or practically none, neither in the matter of social affairs nor in the matter of legislation. I can bear witness to this fact, having been president of the constitutional convention of the State and speaker of the first house of representatives which vitalized its provisions, and that although social and legal restrictions were made against the negro, little, if any, was shown in defining the privileges and rights of the Indian. In our constitution you will find this definition of the races:

"Negro race" shall include all persons of African descent; "white," or "white race," shall include all others.

In the administration of the law, however, the grafter, having no regard for persons, fell upon those where they might effectuate their madness for greed, and it will readily be seen that the easiest points of attack are upon the full bloods and the minor children, irrespective of quantum of blood, through probate courts. In the case of the full blood they are unable to make much headway in the matter of acquiring title, but seek by lease contracts to encumber or becloud the title in such a way that in event of removal of restrictions purchasers will be reduced almost to themselves. There is one land copartnership—not a corporation, because the constitution of Oklahoma forbids corporate ownership of land—which copartnership is said to control by lease at least 250,000 acres in the Chickasaw and Choctaw Nations, the lands mostly of restricted Indians. They hope to retain these lands and secure legislation some time in the future that will enable them to buy up this land, and if permitted to do so would not only injure the Indian but would violate the best policy of State, in this, that it would not be sold in small tracts or fall into the hands of home owners, who would live upon and cultivate the land, but into the hands of a few who would rent or lease it out to white tenants to the detriment of wholesome public policy.

But the greatest evil, particularly to the Indian himself, is in the case of the probate of the minors' estates, and although the first legislature enacted a statute seeking to punish probate judges—and some of them have been punished under this statute—here and there a county judge will win success upon some private agreement to do the bidding of the grafter who has so beset the Indians everywhere. Estates of minors are probated and sold without necessity therefor, and then, in counties where honest men hold these positions, it is even done by deception and by false information presented to the court. In 1910 I was touring one county making speeches in company with the county judge. A very intelligent and shrewd intermarried citizen hailed us and came up and shook hands with us. After leaving him, the county judge remarked:

I am going to send that fellow to the penitentiary. He made false representations to my court that one of his children's land should be sold. I made the order, and he has sold the land and squandered the money. I am going to cancel the deed, with a view of bringing him before the criminal court.

I knew this intermarried citizen well. He was very intelligent and had been a member of the tribe for many years. I knew he had a regard for the welfare of his own children; I knew he was faithful to his wife, and yet the patrimony of his own children, through his extravagance and wasteful methods, was becoming squandered in their minority when they could not help themselves. Other illustrations I might give of fraud and connivance on part of the Indian to secure the property of his own child, but I recite this particular instance to show the evil effect, even where no wrong was intended, of permitting the sale of the lands of minors.

In the administration by the department they have overlooked the fact that there was a distinction between the "restricted" and "unrestricted," when, as a matter of truth, their authority over the restricted class, not only in the matter of alienation, but in the improving, leasing, or other encumbering of the lands, both surplus and homestead, should be more completely under the control of the department, with a view of preventing a clouding of the title; whereas upon the unrestricted class, and even some of the partially restricted class, the rule of the department should be relaxed so as to give over to the Indian complete control touching the alienation, leasing, or encumbering of his own property, but I would confine this wholly to the adult Indian, irrespective of his quantum of blood.

If this were done you would take away the effort of the intelligent class to widen restrictions and break down departmental authority upon all classes, and it would concentrate the attention of the department upon those alone which need and require departmental attention, and these it could better serve. It would lessen the tendency of political influence in favor of removing all departmental control, because the argument is invariably made, giving the instance of those who can control as proof that all restrictions should be removed. In my opinion, all persons of less than three-quarter blood should have absolute control over the sale and alienation of their property, provided they are adults. In the Choctaw and Chickasaw Nations, if not in all the other Five Civilized Tribes, I would close the doors against either departmental removal or sale, or

authority of probate courts to sell any minor child's land, limiting them only to the question of leasing out the property, and that with a view of having it improved in the case of full bloods, and collect the rents or adequate compensation for their property in the case of the restricted or unrestricted child. I do not look with such horror upon the adult Indian, even though he be a full blood who would squander his estate and has but a few years in which to live anyway, as I do upon the sale of property of a child, especially since the child itself can not have any control and when it becomes of age looks back over the scene and realizes that it once had valuable property and would, upon becoming of age, yet own that property but for some probate court or some careless, dishonest, or unthinking guardian. It is enough to make of such Indian child an anarchist, while it will surely make paupers of them all. Such a policy does not even admit of the "survival of the fittest," because the child may be ever so intelligent, ever so well prepared for citizenship upon becoming of age, for his condition financially is hopeless after his property has thus been squandered. There is very little need, anyway, for the sale of a minor Indian's land in the Five Civilized Tribes, especially in the Choctaw and Chickasaw Nations, where they have equal advantages for education. Our State, since its admission into the Union in 1907, has erected more schoolhouses than were erected in the first 40 years of either of its neighbor States. It has more than 20 higher institutions of learning, a greater number than any two of the surrounding States.

Ample provision is made by the State to educate all. Besides, in the Choctaw and Chickasaw Nations, where the allottee has no less than 160 acres of the very best land, or 320 acres of the average allotable land, if this land is rightly managed, when improved the rents and profits therefrom will be sufficient to meet all the economic wants of the child. Besides this, quite a sum of money per capita is due them by the Government, and this should be paid out to them and not held, as now held, by the Government in favored banks who use these deposits for their own benefit. It will be quite sufficient to improve their lands. Upon adult Indians the restrictions should be removed upon all classes, upon all property, up to the degree of three-quarter blood, and the money of all classes of less than three-quarter blood should be paid out to them, and paid immediately, and the hand of the Government taken off of them. The baneful effect of partial restriction can not be described. It hampers the Government and leaves the Indian helpless. Tendency should be either to an entire restriction or no restriction. There is no reason why this class of Indians should have their business at all controlled by the department, and, so far as they are concerned, their property should be capitalized, paid to them, and let the department go out of business as far as it relates to them, to the end that it, as I said before, could concentrate its attention on the remaining class of full bloods or those of more than three-quarter blood. Let the doors be closed against the sale of any minor's land unless it dies, and, indeed, all Indians of whatever age, after death, should have their lands sold under proper restriction either by the Government in the case of the restricted Indian or by the State authorities in the case of the unrestricted Indian. I desire to quote here from the Democratic State platform of 1912, and I may say that this is the view of practically everybody in our State with reference to this Indian problem so far as it speaks upon it:

We favor the sale of the coal lands and coal deposits and the disposal of all Indian tribal property, and the immediate distribution of all funds due the Indian, including just compensation for their lands, known as the "leased district," agreeable to treaty pledges. We oppose the reopening of the tribal rolls, which would result in unsettled conditions and, by fraud and perjury, admit persons to a participation in tribal estate not entitled to such division. We favor such legislation by Congress as will settle Indian land titles, alike just to the Indian and to the white purchaser and homeseeker. The Democratic Party stands for an honest policy and for keeping our pledges to the Indian. It believes it equally wrong to permit the robber by law or its administration of either the white man or the Indian. We are opposed to the taking by the Government of the Indian trust funds, amounting to millions of dollars, in paying salaries and expenses of Federal officeholders and departmental appointees, after agreeing by solemn treaty pledges to pay such expenses by the Federal Government. * * * Their imbecility and venal policy have disturbed business and produced conditions to the extent of retarding immigration in the east half of the State. On this question throughout America, with all tribes of these dependent peoples, for all the years of its long administration and power, the charge is justified * * *.—The author of a Century of Crime.

You will observe that emphatic language is used with reference to having closed the Indian rolls and for paying out the money. Upon this point and all points, so far as expressed in this platform pledge, there is little or no difference between the honest men of all political parties of our State and is the express desire of all classes of Indians themselves. This pledge does not carry anything with reference to the further removal of restrictions or the handling of the lands or to the question of minors, as are herein discussed, for the reason that differences of opinion prevail in Oklahoma upon these particular points, but it may safely be said that all good citizens of Oklahoma, irrespective of party or race, are for this platform as far as it gives expression. I reproduce it with a view of informing this conference as to the best thought of our citizens.

I see time fails me, and I can not longer discuss this important subject; but to recapitulate:

First, I would remove all restrictions from all adult Indians of the Five Civilized Tribes of less than three-quarter blood.

Second. I would give the department greater authority over the control of the entire property of those of more than three-quarter blood, particularly in the matter of the lease and improvement of their lands.

Third. I would stop the sale of the real estate of the minors on all their lands in the Choctaw and Chickasaw Nations and upon the homestead in the other three of the Five Civilized Tribes.

Fourth. I would sell all the remaining tribal property—property owned in common—including the lands unallotted, coal and asphalt property, capitalize the funds due them, and pay to each and all of them their shares.

Fifth. I would clear the title to these lands which have been erroneously sold through mistake of law by permitting the purchaser in good faith to pay to the Indian, or to the Government for him, the value of the lands.

The adoption of all these policies by the Government would first stop the demand of the "citizenship grafter" who desires to reopen the rolls, because there would be no property for him to acquire, even if he should be enrolled; and upon this point I call the attention of the conference to the thousands of dollars paid out by these tribes to protect themselves from this most gigantic fraud. When the common property is disposed of and the money is paid out there will be no incentive for a repetition of this fraud, while as it now is there are two sets of attorneys in Washington at this time, with contingent fees from eight to twelve millions of dollars, trying to enroll in the Chickasaw and Choctaw Nations alone 8,000 "freehooters" who have no more right to citizenship than the members of this conference, but who would take from this tribal estate some $48,000,000. This policy would do another thing. It would concentrate the mind of the country, and especially Congress and the department, upon the proper protection of every class needing protection. The closing of the doors upon the sale of the land of minors will stop the frauds in the probate courts and leave the minor, when he becomes of age, the right to sell his property as any other adult under the policy thus laid down.

It will work a wholesome policy in our State by breaking up the great land-grafting syndicates, relieving the land of its clouded title, so that when sold it will bring its real value and ultimately cause its purchase by a home seeker and settler, which will serve a broad public policy in the interest of the State, the general public, and the Indians themselves.

In a word, it will put out of business our two greatest classes of grafters—land and citizenship grafters—those seeking property by getting themselves placed on the Indian rolls.

Universal Peace.

EXTENSION OF REMARKS
OF
HON. FRANK O. SMITH,
OF MARYLAND.
IN THE HOUSE OF REPRESENTATIVES,

Wednesday, November 5, 1913.

On House joint resolution 146.

"Whereas the narrow coast strip of southeastern Alaska keeps one-third of western Canada from the free use of the most direct route to the Pacific; and

"Whereas this unnatural boundary, created in response to conditions which have long ceased to exist, hampers the development of the adjoining lands and gives rise to an irritation which must become more and more acute as population and commerce increase; and

"Whereas the celebration of the one hundred years' peace between Great Britain and America should not be confined to mere ceremonies, but should include a deed proving the sincerity and earnestness of the participants; and

"Whereas nothing could accomplish that object more happily than the removal of a standing source of irritation between the United States and Canada; and

"Whereas that act would be the most eloquent example of the policy of mutual concessions necessary to establish universal peace: Therefore be it

"*Resolved, etc.*, That the President be, and he is hereby, requested to negotiate with the British and Canadian Governments regarding the transfer of southeastern Alaska to Canada by sale or exchange, or both."

Mr. SMITH of Maryland. Mr. Speaker, renewed attention has been drawn to Alaska by House joint resolution 121, introduced by Mr. ALBERT JOHNSON, of Washington, on August 26, for a strategic railway to connect Alaska with the United States. His argument (CONGRESSIONAL RECORD, Sept. 10, p. 7078) mentions the resolution introduced by Mr. STEPHENS of Texas on February 7 and again on May 15 (H. J. Res. 83) to cede southeastern Alaska to Canada in exchange for an equivalent.

The purpose of the Stephens resolution is not only to promote good feeling between the United States and Canada, but also to take a decisive step toward universal peace. The reasoning is very simple. Peace is not possible without an executive power to enforce it. An international executive power to enforce universal peace can not be organized until the leading nations make certain mutual concessions. The purpose of the Stephens resolution is to advocate these mutual concessions by the most persuasive, the most inoffensive method—that of example, by making a model concession to Canada.

Various circumstances render it desirable that this subject be brought before the public at this moment. Accordingly, in the absence of Mr. STEPHENS, I have been asked to introduce the resolution in briefer form and to accompany it with a detailed argument. I gladly comply with the request, because it deals with what I consider the most important problem of the day—the union of the white race as the only means to maintain its supremacy.

I am pleased to note that Mr. JOHNSON'S ultimate object is the same as Mr. STEPHENS'S and mine—the promotion of universal peace—and that we are also in complete accord as to the most practical means, to wit, an international executive power consisting of the four leading white nations, Britain, France, Germany, and the United States. For the sake of clearness I will quote that part of Mr. JOHNSON'S argument dealing with this subject:

> You are aware of the widespread movement for peace. Mr. Nobel has given $1,800,000 to it; Mr. Glen, $1,000,000; Mr. Carnegie, $10,000,000. Thousands of people all over the globe are studying night and day how to solve this problem of universal peace. Here is a way, the surest way, probably the only way; at any rate, the way in which all existing peace has been brought about: By the consolidation of the existing areas of internal peace, a consolidation which in the past was accomplished for the most part by conquest, in a few cases by voluntary union under external pressure. One more consolidation and the area of internal peace will become worldwide. Anyone can see that the four great powder-making nations, the four great gun-making, machine-using, coal-mining, shipbuilding, money-owning, technically trained nations, representing probably nine-tenths of the world's industry, would together constitute such an overwhelming power as to make war henceforth impossible. It would mean the almost immediate arrest of armaments and their gradual reduction to a mere fraction of their present size. Not only would our insurance policy cost us nothing, but it would greatly reduce our present expenditure. This union of the four leading nations we can bring about by simply creating an organization for the purpose.

AMERICA'S OPPORTUNITY.

Gentlemen, we all love our country. We should like to see her exalted above all nations, not, indeed, by the sham glory that comes from success in killing and smashing, but by the real glory described in the Master's words:

> But he that is greatest among you shall be your servant.

Service rendered to humanity is the only true title to glory. It affords us pleasure to know that we own one of the most favored lands on the globe; we love to contemplate its broad expanse of 3,000 miles from ocean to ocean, all speaking one language, governed by the same institutions; we are somehow proud to think that the largest river on the globe is ours from source to mouth; that we are the richest nation in the world; that Fulton, Morse, Bell, Edison, Burbank, Peary, Langley, Wright brothers are ours; that from our shore sprang that fresh wind of liberty which swept the miasma of despotism from France, and thence, with multiplied force, invaded and cleansed the globe. But all these are merely fortunate accidents, the free gifts of nature; our pride in recounting them is the rich man's pride in surveying his heirlooms. Can we discover in the 137 years of our history even one grand, noble national deed which we performed not from necessity nor for selfish gain, but from sheer love of right? Let us confess that our conduct, considering all the circumstances, has been neither nobler nor wiser than that of the other civilized nations. We need not be ashamed of this. Opportunities to perform noble deeds can not be made to order; we must wait till fortune offers them, which in her best humor she does only once or twice in a century. But if fortune did offer us an opportunity to render a transcending service to humanity of our own free choice, and thus to confer the truest glory on our country, we should be a sorry, sleepy set of patriots if our only answer were a vacant stare. Take time by the forelock, for he is bald behind.

Such an opportunity presents itself at this moment. The great boon for which the world longs to-day is permanent universal peace. This boon, I feel convinced, we are in a position to bestow on humanity, and thus to prove that we deserve the favors which nature has lavished on us above all other nations. If we refused to do it, Thanksgiving Day would become a feast of insincerity, self-condemned to the reproach, "This people honoreth Me with their lips, but their hearts are far from Me." I feel sure that this will not happen. Our people as a whole are sincere, fair-minded, and gentlemanly, and their love of peace is deep and earnest. If they find that there is a practical way of assuring permanent peace and that they have the gift in their own hands to bestow, with no loss to themselves but with decided material gain, and that by so doing they can secure for their Nation the glory of the most brilliant, most beneficent national deed in history, and thus permanently enthrone her in the place of honor among the nations, they will not be so drowsy, so negligent, so unpatriotic as to let the opportunity slip. All that is needed is to bring the plan to their attention and to set it forth as clearly as language will permit. This I will try to do. I will try to describe—

I. The essential agency needed to maintain universal peace, to wit, an international executive power.

II. The potent instrument which fortune has placed in our hands to enable us to bring that international executive power into existence.

I.—AN INTERNATIONAL EXECUTIVE POWER TO ENFORCE PEACE.

HOW PEACE GREW.

The physician who wishes to cure does not simply exhort his patient to get well; he tries to ascertain the causes of the ailment and to discover the means of removing these causes. If we want peace, we must not content ourselves with saying: "Little children, love one another." We must study the causes of war with a view to their removal, the causes of peace with a view to giving them full play.

The first thing that strikes our attention is the fact that peace to-day is well-nigh universal, whereas 2,000 years ago war was well-nigh universal. Evidently somebody or something has already been at work promoting peace and has done it very effectually. "By their fruits ye shall know them." The process which, by its natural action, without any deliberate plan, has made peace nearly universal is surely most apt to make it quite universal, especially with a little aid from those who desire to promote peace. What was that process? It was the consolidation of the areas of internal peace. This was in nearly all cases accomplished by conquest; practically all the peace that ever existed was the fruit of war. The devil was driven out by Beelzebub, prince of devils. The conquerors were the unintentional peacemakers. Their object, of course, was not peace, but the increase of their own wealth and power, which they could only gain by conquest; but in order to conquer their neighbors they had to husband their own resources, which could only be done by enforcing internal peace within their own domain. When as a result of this tighter control of their own force they subdued other tribes, they made their own area of internal peace coalesce with other areas of internal peace into one great area of internal peace, putting an end to the chance of war between the several areas thus united. Peace over a wider area led at once to an advance in civilization and a greater accumulation of material resources, adding to the conqueror's power and enabling him to achieve still great conquests; that is to say, to make additional areas of internal peace coalesce with his own. In this way great empires grew up, each maintaining internal peace over wide territories and long periods, while the centers of these empires—that is to say, the king's residence and the commercial towns—attracted the superior minds and developed an intellectual breed of men, which, in the leisure of peace and with the wealth created by peace, built up the edifice of civilization. The best-known example is the famous Pax Romana. The process was often reversed; empire after empire crumbled into fragments whenever the central unifying force grew too weak to resist the internal strains or the shock of barbarian invasion; but in the long run the centripetal forces prevailed over the centrifugal. As civilization advanced and the means of communication and armament grew more perfect the more powerful States were enabled not only to annex more and more of the smaller ones, but to keep them annexed. Thus the areas of internal peace, by continued consolidation, grew larger and larger and fewer and fewer until the globe to-day is practically occupied by a dozen great political structures, each maintaining complete or nearly complete internal peace.

The thousands of little independent warring States of the day of barbarism have become peaceable provinces—and for the most part willing, comfortable provinces—in the day of civilization. Hardly a dozen of these provinces in Europe at least, would care to resume their former barbarous, penurious, nominal, carlcature independence even if it were offered to them. Having been whipped into union and enriched and civilized by it, and drilled for centuries into the habit of looking on it as their greatest blessing, having been endowed by it with real independence—that is to say, increased power to control their own destiny, increased opportunities for individual development, individual happiness—they now look upon union as part of their nature just as much as mountains and valleys are part of the earth's face, and they take no little credit to themselves for the "lofty patriotism" which inspires this sentiment, in utter oblivion of the thumps and whacks and brutal outrage by which they were cowed into submission to the conqueror's will and made to coalesce into a nation, forced to greet the abhorred "hereditary enemy" as a countryman, to exchange the old patriotism for the new, often to abandon even the old language, the old religion. "Misery acquaints a man with strange bedfellows."

HOW PEACE WILL GROW.

No one can study this process without arriving at the conclusion that eternal peace is within reach and will be ours as soon as we have sense enough, resolution enough, public spirit enough to grasp it. Let there be one more consolidation; let a sufficient number of the existing areas of internal peace be united into a power stronger than all the rest together—and perpetual peace is assured.

In the interest of civilization, of peace itself, the nations forming this union must evidently be not only the strongest but also the most enlightened, humane, peace-loving, in brief, those to whom the destinies of humanity may most safely be intrusted. Everyone knows who these nations are—Britain, France, Germany, and the United States. Evidently the consolidation of these four areas of internal peace would at once make peace world-wide and permanent. They would form a nucleus whose magnetism would almost instantly attract most of the other European States, thus virtually insuring European union. That a countercombination consisting of all the other powers could ever be effected is inconceivable; but even if it were practicable it could not, under present circumstances, make headway against the quadruple league and its adherents.

That this is the surest and quickest way of arriving at universal peace was recognized long ago by the foremost leader and most munificent patron of the peace movement, Mr. Carnegie, in his widely quoted letter to the president of the Thirteenth Universal Peace Congress, held at Boston, October 3–8, 1904. The letter is printed on page 53 of the proceedings of the congress, copies of which may be obtained from the American Peace Society, Colorado Building, Washington, D. C.:

SKIBO CASTLE,
Dornoch, Sutherland, Scotland, September 27, 1904.

DEAR MR. PRESIDENT: I much regret missing the meeting of the International Peace Conference. Since we have at last in The Hague tribunal a permanent high court for the settlement of international disputes more and more my thoughts turn upon the next possible and necessary step forward to an agreement by certain powers to prevent appeals to war by civilized nations.

Suppose, for instance, that Britain, France, Germany, and America, with such minor States as would certainly join them, were to take that position, prepared, if defied, to enforce peaceful settlement, the first offender (if ever there were one) being rigorously dealt with, war would at one fell swoop be banished from the earth. For such a result surely the people of these four countries would be willing to risk much. The risk, however, would be trifling. A strong combination would efface it altogether. I think this one simple plan most likely to commend itself to the intelligent masses. A committee might be formed to consider this. If a body of prominent men of each nation agreed to unite in urging the cooperation of their respective countries in the movement, I think the idea would soon spread.

One can not imagine for our Republic a prouder position than that of pioneer in such a task—her who has been foremost in urging arbitration, first also to urge five important powers to submit their differences to the court of peace. Nor can I imagine more fitting apostles to urge this upon the powers than our present Secretary of State [John Hay], who is to honor you at the coming meeting in Boston, and our present President [Theodore Roosevelt], who recently led the powers to The Hague. Having secured a permanent court for the settlement of international disputes, the time seems ripe for the same agencies to consider the one step further needed to complete the work.

Very truly yours, always for peace,

ANDREW CARNEGIE.

Essentially the same idea was advanced by ex-President Roosevelt in his address before the Nobel peace prize committee at Christiania, Norway, May 5, 1910, as printed in the Advocate of Peace, the organ of the American Peace Society, June, 1910:

> Finally, it would be a master stroke if those great powers honestly bent on peace would form a league of peace, not only to keep the peace among themselves but to prevent, by force if necessary, its being broken by others. The supreme difficulty in connection with developing the peace work of The Hague arises from the lack of any executive power, of any police power, to enforce the decrees of the court. In any community of any size the authority of the courts rests upon actual or potential force, on the existence of a police, or on the knowledge that the able-bodied men of the country are both ready and willing to see that the decrees of judicial and legislative bodies are put into effect. In new and wild communities where there is violence an honest man must protect himself; and until other means of securing his safety are devised it is both foolish and wicked to persuade him to surrender his arms while the men who are dangerous to the community retain theirs. He should not renounce the right to protect himself by his own efforts until the community is so organized that it can effectively relieve the individual of the duty of putting down violence. So it is with nations. Each nation must keep well prepared to defend itself until the establishment of some form of international police power competent and willing to prevent violence as between nations. As things are now, such power to command peace throughout the world could best be secured by some combination between those great nations which sincerely desire peace and have no thought themselves of committing aggressions. The combination might at first be only to secure peace within certain definite limits and certain definite conditions; but the ruler or statesman who should bring about such a combination would have earned his place in history for all time and his title to the gratitude of all mankind.

THE QUADRILATERAL TRUST OF CIVILIZATION.

When business men find that they can not bankrupt their competitors or force them to sell out, and that by cutting one another's financial throats they are all reducing their profits to an uncomfortable minimum, they form a trust and enjoy a comfortable monopoly with a maximum of profit. The era of unlimited competition is everywhere passing into the era of trusts. The great nations are well aware that their present uncompromising competition, so long as it does not lead to the bankruptcy of one or more of them, with resulting absorption, checks the progress of all and condemns them to a life of insecurity and anxiety. What more natural than that the four leading competitors for power, each claiming to be the champion of civilization, should form a trust of civilization, enjoying a monopoly of power and an absolute guaranty of security! Instead of checking they would then have every reason to promote one another's growth. The globe would practically become their joint property, to be parceled out among them into spheres of influence. The four-legged horse of peace would take good care that its pasture shall not be wasted by war.

With less than four legs the horse of peace would be a cripple; a fifth leg would be an encumbrance. Four nations, neither more nor less, are required. To attempt to include in the initial combination more powers than will suffice to make it predominant would be highly imprudent, for the more internal strain you introduce the greater will be the risk of making your league just as inefficient, just as impotent as the so-called European concert, which is simply a deadlock, a mutual paralysis of conflicting interests, an agreement to do nothing. The partners in an efficient concert must be bound together not by mere papers but by common interests; in fact, a brief study of history, an elementary knowledge of human nature, shows that no nation will join such a concert merely to advance the cause of peace, but solely to gain some advantage for itself. We have to base our calculations on the ascertained coefficients of our building material. We have to work with men not as we should like to have them but as evolution has made them. As a necessary result of evolution the controlling element of each nation consists largely of Philistines, characterized by a dominant acquisitive instinct which demands immediate, tangible benefits, first, for the Philistine's own precious self; next, for his town; third, for his nation. Beyond that circle the Philistine's sympathy is a mere twilight; the general welfare of humanity cuts a small figure with him. Hence the more partners you introduce the greater will be the difficulty of reconciling their interests. A triple alliance would be preferable to a quadruple; a dual alliance would be better still; and a single power, as in the palmy days of Rome, would be best of all, if it could be made predominant. That, however, is at present incompatible with statistics. Not one of the four nations can be omitted. Britain will not unite with Germany if this involves the giving up of her present virtual alliance with France. If you try to exclude Germany, the German-Americans will veto any closer approach between the United States and Britain.

In a word, eternal peace is assured if Britain, France, and Germany can be made to unite. The United States would automatically join the league of her parent nations, all the more readily because the strength of the league would thus become so overwhelming that the occasion for using it in military operations would never arise. How, then, can the three great areas of internal peace in western Europe be consolidated? Conquest, the great agency of consolidation, is evidently out of the question in this case. There remains the other alternative—voluntary union. There have been a few cases in which nations have united voluntarily, the most notable being the Swiss Cantons, the Netherlands, and, most conspicuous, the 25 States of Germany. In every one of these cases the driving, whipping force was once more the pressure of conquest—not accomplished, but imminent. There is probably not a single instance on record where nations united voluntarily except as a last resort to avoid subjugation. So rational is the rational animal, so moral the moral animal. "Give us this day our daily quarrel" is the habitual prayer of a good-sized fraction of humanity, and even well-meaning people, having been drilled into the belief that

"independence" is their greatest good, will not consent to enjoy it in greater perfection and security through union with their nearest kin except under compulsion. Cling to the name and never mind the substance. The Germans before 1870 knew perfectly well that they could not have real independence except through union, yet they continued to prefer the nominal to the real independence, and would probably be a chaos of wrangling States to-day had not France rendered them the inestimable service of driving them into union. "Spare the rod and spoil the child," the loathsome maxim of a barbarous pedagogy, is evidently indispensable in the political education of those big children called nations.

The external pressure which may be expected to squeeze Britain, France, Germany, and the United States into union has been well described by my fellow legislator, Mr. ALBERT JOHNSON—the growing power of eastern Asia, which threatens within a few years to drive Britain out of India and Australia, France out of Indo-China, Holland out of the Dutch East Indies, and, thus reenforced, to swallow Siberia and finally overwhelm Russia herself and bring countless Mongol hosts once more to the frontier of Germany, as in 1241. In the face of this common danger the continuance of disunion among the great white nations is really a piece of childish levity. Their motive for union is at least as strong as that which whipped the Germans into union in 1870. And let me predict that when once the habit of disunion is broken, when the four nations have for a few years lived in the fireproof, burglar-proof, impregnable House of Union, secure as Paradise itself, when its modern improvements have become a necessity to them, when they have tasted the power and prosperity that comes from union, when each one of them has through the support of the others gained the long-coveted prizes that were sour grapes to it in its isolation, they will not dream of dissolving the union any more than the Germans dream of returning to their old condition of fragmentation, the anxiety and humiliation of which they can not now recall without a shudder. "Put Germany in the saddle; she will ride all right," said Bismarck to the croakers who before 1870 shook their wise heads in solemn doubt whether Germany could remain united. It took a war to hoist the hesitating, kicking lady into the saddle of union, but no sooner was she seated than she exclaimed, "My, what an improvement on walking! Why did I ever kick? And oh, what chances I missed by not getting into the saddle 50 years ago." It will take a vast machinery of persuasion, consummate engineering skill, and self-oblivious devotion and perseverance to hoist the quadrilateral trust into the saddle of union; but once in, it will never dismount.

OUR DUTY TO TAKE THE INITIATIVE.

The United States has three urgent motives for taking the lead in the movement:

First. We are threatened by the same danger. Years ago the leaders of the Asiatics gave notice in no uncertain tones that they do not intend to submit to being excluded from white men's colonies any longer than they can help. This means that when Asia becomes united—and the larger part of it, China, is already united—we shall have a desperate, hopeless war on our hands unless we open our door wide to Asiatic immigration, which would mean the gradual submergence of the white race in this country. If we are able to see an inch beyond our noses, we can not fail to perceive that our only hope of safety lies in the timely union of the white race. Twenty years from now all our wealth may not suffice to purchase the security which to-day we can get for nothing, to enjoy forever, if we will but grasp it. If we have not sufficient foresight and resolution to bestir ourselves at once, if we continue to consider ephemeral trifles as "more important" than the safety of the white race, we shall simply prove once more that—

Men are but children of a larger growth.

Second. The United States is already looked upon as the leader in the peace movement. The bestowal of eternal peace on humanity would be the greatest glory that our Nation could gain. That pearl of great price is worth almost any effort, almost any sacrifice.

Third. No other nation can take the lead so easily. The jealousy and suspicion prevailing among European nations are so great that any proposal by one nation is at once denounced by the jingoes of the other nations as a deep-laid plot, and is thus almost inevitably foredoomed to failure. Nobody in the world suspects the United States of sinister designs, and thus any move that we make on behalf of union will be taken at its full face value.

If, indeed, we were sure that the pressure of the Asiatic danger would drive Britain, France, and Germany into union in time to assure their own and our safety, we should have no urgent motive for trying to hasten the process. There are, in fact, plenty of enlightened men on the other side of the water who see the danger just as clearly as we do and are earnestly entreating their countrymen to drop their quarrels and combine for the common defense. Foremost among them is the Emperor of Germany, who for 20 years has lost no opportunity to urge European union, having called attention to the yellow peril as far back as 1895 in his famous warning, "Völker Europas, wahret eure höchsten Güter!" (Peoples of Europe, protect your highest interests). "Practical men," "cool heads," will smilingly tell you not to cross that bridge until you get to it; that the white nations will combine of their own accord as soon as the danger becomes serious; and that meantime common sense requires you to concentrate your attention on "more important (?) matters."

Unfortunately, when the time comes to cross the bridge there may be no bridge and no time to build one. To make sure that the white nations shall be ready to act as a unit before fatal injury is inflicted on one of them, they must be cured of their mutual suspicion and jealousy; that is to say, the traditions of centuries must be blotted out of their minds, a task which will require time. A glance at recent developments suffices to prove that the movement toward union is as yet a seedling, the factors of discord in full bloom. Most of the European nations are largely increasing their armies, not for common defense against Asia but against one another, and they do not hesitate to court the aid of the dusky races against their own white kindred. To a large extent the European press ridicules the idea of a yellow peril or treats it as a matter for the remote future. Eighteen hundred years ago Tacitus, the Roman historian, speaking of the Britons, expressed his astonishment at this strange perversity of human nature which leads nations to continue their quarrels, even when the common enemy is at the door:

Nec aliud adversus validissimas gentes pro nobis utilius quam quod in commune non consulunt. Rarus duabus tribusve civitatibus ad propulsandum communi periculum conventus; ita, dum singuli pugnant, universi vincuntur.

(In our contests with the most valiant nations nothing is more useful to us than the fact that they do not act together. Only in rare cases do two or three nations combine to ward off the common danger; and thus, as they fight each by itself, they are conquered one by one.)

What the Roman writer said of the Britons a Chinese writer may, by and by, say of Europeans.

WE MUST ACT AT ONCE.

In a word, we can not afford to leave the unifying movement to itself; if we can do anything to hasten it, a wise regard for our own safety will compel us to make the effort without delay. This is the most important matter; compared to it everything else is unimportant.

What are the obstacles that block the path to the union of Britain, France, and Germany? They are certain burning questions known to everybody. No advance toward union can be made in the near future unless these questions are settled. If I were Mars, the god of war, and were panting to see the bloodiest war that has ever yet been fought, do you know what I would do? I would organize a war society and make it adopt the very program that seems to be in favor with most peace societies—to leave the burning questions to "the healing virtue of time." Keep up that program till Asia, united and fully armed, asserts her long-claimed right to colonize—and no human being was ever born that would not assert the right to better his condition when he had the power—and your paper treaties of arbitration will be blown away in an instant by a world-wide cyclone of war, compared to which all past wars would be games of baseball. To delay the settlement of the burning questions another day is to hazard the timely union, the supremacy, the very existence, of the white race.

The only way to settle these questions is by compromise, by mutual concessions. These mutual concessions have already been widely debated and have been approved by the best thinkers in the three countries. Not one argument has ever been advanced against them that was not splintered at once by a stronger argument in their favor. The only drag that delays these concessions is the same drag that delayed the union of Germany till 1870—the inertia of accomplished facts. "Habit is an iron shirt," says a German proverb. That is a curse when the habit is a bad one; it is a blessing when the habit is a good one. Make Britain, France, and Germany mouit their iron shirt of disunion and the new shirt of union will quickly acquire the iron hardness of a habit.

How can we help the European advocates of union to batter down the inertia and move our three parent nations to adopt the mutual concessions which represent the portal to the paradise of perpetual peace? We can not well send missionaries to Europe to preach the gospel of compromise. If we did so, every

loose tongue in Europe would be delighted with the opportunity of telling us to mind our own business. Happily there is no need of saying a word about it. We have two means of urging these mutual concessions without specifying them.

One of these two means has been described by Representative ALBERT JOHNSON. He advocates a Pan-Aryan association to work for the union of the white race. Such an association, he says, would soon have branches in Europe, whose work would naturally consist in pleading with their fellow citizens in behalf of the well-known mutual concessions. That is a capital idea, and it seems to me that every white man in the South and on the Pacific coast, every member of a trade-union, every advocate of peace, every American patriot ought to join Mr. JOHNSON'S Pan-Aryan association.

But we can do something still better. We can send to Europe an invisible missionary, a ubiquitous, intangible, unsilenceable, uninterruptable preacher, in whose presence the tongue of contradiction will be dumb, the most ranting jingo will bite his lip in speechless rage. An ounce of example is worth a ton of words. We have at this moment a unique, incomparable, God-sent opportunity to inculcate the policy of mutual concessions, the policy of compromise, by the most persuasive, the most inoffensive of all methods—that of example. To our neighbor, Canada, we can make a model concession which would electrify the world, take the heart of Europe by storm, sweep away the inertia of a hundred wrongly accomplished facts, and continue for centuries tearing iron shirts of pernicious habit into shreds.

II. THE INSTRUMENT WHICH WILL CONSTRUCT THE INTERNATIONAL EXECUTIVE POWER.

THE MODEL CONCESSION.

You remember the ill feeling caused in Canada 10 years ago by the controversy over the Alaska boundary. Perhaps you have never fully considered what that question means to Canada.

If you will look at a map showing Alaska in its relation to Canada, you will notice that Alaska consists of two parts, the main body and the panhandle, the latter comprising the islands of the Alexander Archipelago and a strip of coast on the mainland running southeastward as far as the parallel of 54° 40', a mere fringe, 536 miles long, 8 to 35 miles wide, shutting off Yukon territory, the northern half of British Columbia, and the entire Mackenzie Basin from free access to the Pacific. How large, do you think, is the inhabitable Canadian country thus deprived of its natural seaboard? It measures some 600,000 square miles, three times as much as Germany, ten times as much as England and Wales together. It has the same climate as Europe in the same latitude. In Europe, north of the parallel of 54° 40', on an area corresponding to the country behind this panhandle, you find a slice of Ireland, a slice of England, all Scotland, all Denmark, Sweden, and Norway, all Finland, a slice of Germany, and the richest part of Russia; great cities like St. Petersburg, with 1,700,000 inhabitants; Glasgow, with 900,000; Copenhagen, with 500,000. An equal area in Europe in the same latitude contains 25,000,000 inhabitants.

This innocently imprisoned Canadian country has immense resources in timber, agricultural, and mineral lands. The wealth of all countries is mainly concentrated in their ports—Boston, New York, Philadelphia, Baltimore—but it is derived from the commerce of the country behind them. The wealth of this Canadian country will necessarily be concentrated in its ports—on American territory. The entire Pacific slope of this country is drenched with rain and possesses tremendous water power. The factories to be driven by that power will necessarily be on tidewater in American territory, but the reservoirs furnishing the power will be on Canadian ground. The 25,000,000 captive Canadians who will eventually live behind this panhandle will constantly be forced to contribute to the enrichment of half a dozen American cities, while these cities will not contribute a cent toward Canadian taxes. What a constant and growing source of vexation and irritation!

Reverse the situation and see how we should like it. Imagine that our Northeastern States were similarly incarcerated, cut off from the Atlantic by a Canadian panhandle 20 miles wide, 536 miles long, running from eastern Maine down nearly to Philadelphia; that all the great cities on that seaboard—Boston, Providence, Newport, New York, Jersey City—were Canadian cities, deriving their wealth from the American country behind them, yet contributing not a cent toward American taxes; that not a pound of freight could be sent from Pittsburg or Buffalo to New York or Boston for export except in bond. We should long ago have found the situation unendurable.

We should in that case have been greatly vexed if the Canadians had waited in stolid silence till the situation did become unendurable for us, till we were forced to complain. Now, we profess to be a Christian Nation, and as such to be guided by the golden rule, in which, according to the Founder's express declaration, the very essence of Christianity is summed up, and which, for that matter, is also the fundamental law in the gentleman's code: "Whatsoever ye would that men should do to you, do ye even so to them." Shall we wait until the situation becomes unendurable to the Canadians? Shall we force them to complain? If we do, we can no longer claim the golden rule as part of our creed without making it a badge of hypocrisy.

The only gentlemanly course, the only manly course, open to us is to say to the Canadians: "We will let you have this panhandle. What will you give us for it?"

"DO IT NOW."

That model concession ought not to be delayed a moment. If we will have the alertness to make it now of our own free choice, its beneficent effects will be at a maximum. The heart of Canada will be grappled to us as with hooks of steel; a noble, generous national deed, more glorious than all our victories, will be inscribed in our annals, proving at last that we are worthy of the exceptional favors we have received; our example will be most effective in recommending the policy of mutual concessions to our parent nations; next year's centennial peace celebration and the Panama Exposition in 1915 will become the greatest feasts of peace and good will the world has ever seen, most likely marking the beginning of eternal peace, the reunion of the English-speaking peoples; all Canada will come down to get acquainted with the Nation that was courteous to her, not only in word but in deed. If we dawdle till the Canadians complain, the concession will no longer be a model concession; the memory of it will forever be soured by the reflection that we forced them to complain; the effect of our example will be almost nullified; next year's celebration will become a mere ceremony, with the uncouth, gruesome figure of the panhandle sitting at the festive board like Banquo's ghost, jangling all the pretty panegyrics of peace with the dreary, dismal drone: "Diarrhea of words, constipation of deeds." The page in our history which ought to have been resplendent with the scroll of a noble national deed performed of our own accord will become permanently ugly with the blot of a lost opportunity; our great-grandchildren 100 years hence, reading this page of our history, will exclaim in mortified stupefaction: "Were our ancestors hibernating like badgers and woodchucks, with blood thickened to the consistency of axle grease, that they let this opportunity slip?" In future negotiations for the world's peace you can imagine what a powerful lever we should have in our hands if we were able to point to this model concession as proof of our sincerity. If we procrastinate, we must not be surprised if we hear this comment: "You Americans claim to be the leaders in the peace movement; you are forever talking about international good will, yet when it comes to removing the causes of international ill will you are just as regardless of your neighbors' feelings, just as stubborn as any of us in maintaining a geographic absurdity, a geographic atrocity, a thorn in your neighbor's flesh, not because you derive any essential advantage from it, but simply because it is so nominated in the bond. "Why beholdest thou the mote that is in thy brother's eye, but considerest not the beam that is in thine own eye?"

On many office desks is seen a card with this antisoporific: "Do it now." Let Uncle Sam put that card on his desk.

THE VERMIFORM APPENDIX.

So grotesque is the appearance of the panhandle on the map that anyone beholding it must exclaim in astonishment: "How did this absurd boundary ever come into existence?" That is a queer story, which throws a peculiar light on human nature. You are familiar with the character of the vermiform appendix, that pesky little pouch in the human intestine which at present performs no useful function whatever, but, on the contrary, represents a constant danger. At one time it had a useful purpose, being an essential part of the digestive apparatus. That function ceased millions of years ago, but the structure remains through the force of heredity, the inertia of an accomplished fact. If you examine human institutions you will find hundreds of vermiform appendices. In Europe they are largely responsible for the inflammation described under the name of "burning questions." America, too, has a rich variety of interesting vermiform appendices, mostly brought from Europe among the most treasured possessions of emigrants, but some developed in the New World. Among the latter, the Alaska panhandle is perhaps the most classic. At one time there was a reason for its existence. You remember that up to 1867 Alaska belonged to Russia. The traders of the Russian-American Co., coming across the northern Pacific and following the line of easiest communication, had planted their stations along the coast, while

the Hudson Bay Co., coming from the east, had spread its network of posts over the interior. When the two companies came into collision the two Governments found it necessary to define their respective spheres, and this they naturally did in accordance with existing interests. The coast, with the Russian stations, was given to Russia; the interior, with the British stations, was given to Britain. The statesmen of that day evidently thought that they did their duty if they dealt with the situation as it then existed; if the situation changed, it was the duty of their successors to have sense enough to recognize the change and make a new arrangement. We have not yet had sense enough to do that. The vermiform appendix created for the benefit of the Russian-American Co. still remains, though the company has vanished.

Evidently Europeans are not the only ones that wear the iron shirt of habit. Every biped, present company not excepted, wears one or more of these metallic garments, some an inch thick, some half an inch, some thin as tomato cans. Those who have eyes to see, not mere lumps of vitreous humor, need only glance at the Alaska panhandle to become aware that during the last 46 years we have been wearing a well-riveted, double-breasted, corrugated, accordeon-plaited iron shirt.

Every American believes that his country is a republic; that we forswore royalty and all its works 137 years ago. If you have eyes to see, you will find not a few of the traditions of royalty still haunting this land of the free. The superstition that a nation must never alienate any part of its territory except under the compulsion of defeat is nothing else than an ancient iron shirt, a survival from the time when the land was the property of the king. A government of the people, by the people, and for the people, when confronted with the question whether a boundary ought to be changed or be left unchanged, would belie itself, stultify itself, punch its own face if it decided the question on any other ground than that of the hindrance or aid which the boundary offers to the well-being of the nation, especially the convenience or inconvenience of the population directly affected by the boundary. It is evident also that a nation dedicated to the proposition that all men are equal and that governments were instituted solely for the purpose of securing to men their inalienable rights would trample on its own principles if it assumed that it has nothing to do with the comfort or discomfort of a neighbor nation except in so far as it affects its own citizens. A gentleman is always ready to subject himself to considerable inconvenience, to make considerable sacrifices, in order to relieve some one of a nuisance. It would be a pedantic, brutal, barbarous doctrine, another survival from the days of despotism, to say that a nation, especially a republic, can not be a gentleman, even when it can abolish a nuisance without inconvenience to itself, nay, with decided gain. It is the statesman's duty to safeguard the citizens' right to be ladies and gentlemen, not only individually but collectively. This consideration, it seems to me, settles the question. To doubt whether the American people would make the effort to shake off the inertia of a wrongly accomplished fact when it is adequately brought to their notice, to doubt whether they would applaud the proposal to relieve our Canadian neighbors of a fast-growing nuisance, would be to offer a mortal insult to our people, for it would imply a doubt whether the majority of them are ladies and gentlemen.

OPERATE BEFORE THE INFLAMMATION SETS IN.

Hitherto the nuisance of the panhandle boundary has been endurable to the Canadians because the country behind it was almost uninhabited. But that situation will change in less than a year. Mr. JOHNSON'S resolution calls attention to the necessity of railway communication between the United States and Alaska for purposes of defense. He quotes the "Vancouver doctrine," a Canadian supplement to the Monroe doctrine, launched in the Vancouver News-Advertiser of April 12, to the effect that Canada can not tolerate the occupation of Alaska by a foreign power and would be compelled by self-interest, in case of necessity, to permit the transportation of United States troops across her territory. An express agreement with Canada for that purpose, though highly desirable, would not be absolutely necessary, since the mere existence of railway communication with Alaska would suffice; and hence it might have been deemed likely that Canadian statesmen would be content to let the facts speak for themselves.

All the more gratifying was the announcement two months ago that the "Vancouver doctrine" had been publicly proclaimed by no less an authority than Sir Richard McBride, prime minister of British Columbia, who expressed the opinion that Canada would not hesitate to grant us the privilege of military transportation by treaty. That is a tremendously important concession on the part of Canada, amounting virtually to a Canadian-American alliance for the defense of Alaska, and this gentlemanly frankness calls for an equally gentlemanly concession in return.

Under these circumstances it can hardly be doubted that the building of that strategic railway, with half a dozen branches to Alaskan ports, will begin next year, and as it can be carried on from five or six points simultaneously it could, if desired, be finished in two years. To cap the climax, the government of Alberta has announced its intention to proceed with the immediate construction of a railway from Edmonton to Fort McMurray, which will place the Canadian railway system in intimate connection with the 2,100 miles of navigable waters of the Mackenzie River system. Already there is talk of another transcontinental railway north of the Grand Trunk. In a word, the entire country behind the Alaska panhandle will in two years become accessible for settlers. Huge investments will be made, calling for a vast supply of material, which will mean a bustling, rushing traffic. In five years there will be 300,000 people in that country.

Then the panhandle situation will become acute. Whoever has had experience in sending goods over a frontier in bond knows what a nuisance it is when conducted on a large scale. The settlers behind the panhandle would have to be angelically meek if they kept their temper when on reaching their western boundary, almost everywhere in tantalizing sight of the sea, they found that they could not get to tidewater except through a barbed-wire fence of customhouses, strung along a line drawn at random on the map in 1825 at St. Petersburg by two men who know nothing about Alaska and cared less. A period of constant friction and growing ill humor will follow, till the inertia is overcome and we shall have to settle the matter exactly as we ought to settle it now—by sale or exchange, or both. The only difference will be that instead of proving how prompt, how reasonable, how gentlemanly we are, we shall prove how sluggish we are, how regardless of other people's feelings. The deed which might have shone as the brightest jewel on our Nation's brow, had we taken the initiative, will, if done in response to our neighbor's complaint, simply become a label inscribed "Pachyderm."

Any surgeon will tell you that the proper time to operate on the vermiform appendix is not when the inflammation is at its highest, but when it is at its lowest. The proper time to operate on the Alaska appendix is now, when the inflammation of 1903 has fairly subsided and before the new inflammation which is setting in has made much progress.

CHANCE FOR A GOOD BARGAIN.

The proposition that the panhandle be surrendered gratuitously need not be discussed, for humanity has not yet reached that point of enlightenment or generosity. It would be premature to say what the equivalent should be, but one or two suggestions may be appropriate.

If there is any little British colony that we covet and that is of no great use to Britain, it might be included in the bargain and perhaps prove far more useful to us than the Alaska panhandle. British Honduras might be particularly apt to illustrate "the giving that is gaining." By offering it to the Mexicans, together with a sum of money (which might help to answer the question of the looming indemnities), we could probably get in exchange Lower California and enough of the Sonora Desert to give Arizona the much-desired port on the Gulf of California. With the water of Colorado River that desert could be converted into a miniature Egypt, capable of supporting a million inhabitants. It is rumored, in fact, that a company is planning to convert it into a vast cotton field, to be worked by Asiatic labor, for which the laws of Mexico would offer every facility. We might as well make up our minds now whether the water of our river is to enable an Asiatic colony of a million to be planted on our border. With Lower California we should acquire Magdalena Bay, a first-rate naval base, and thus put an end to the periodical scare over its impending occupation by another power.

The privilege of transporting troops over the proposed strategic railway is in itself an item that ought to figure largely in the estimate of equivalence.

It might be well to stipulate that free trade shall continue for, say, 20 years between the panhandle and the United States. In this way Seattle, Portland, and San Francisco would reap undiminished profit, in fact, quadrupled profit, from the enormous expansion of the trade of the panhandle and its hinterland, due to the building of the railways.

The strategic railway and its branches to the panhandle, vastly increasing the value of adjoining property, would mean a fortune to every property holder in the panhandle, whose ports, unhampered by the present barbed-wire fence of customhouses a few miles inland, would in a few years develop into important cities—embryonic Glasgows and Dundees. If the purchase price included a sum of money, it might be stipulated that a part of that sum is to be devoted to improvements in the panhandle, with resulting additional prosperity to soothe the lacerated patriotism of its inhabitants, many of whom are probably not American citizens at all. In point of fact, half a million Americans have voluntarily gone to Canada and surrendered their nationality, apparently without any feeling of laceration. For that matter, the transfer need not involve any surrender of citizenship. The owners of the salmon canneries, it has been suggested, would probably find the laws of British Columbia less irksome than ours.

SUMMARY.

In summarizing the argument it may be well to glance at its fundamental principles.

All the peace that ever existed within any nation is compulsory; it would not last five minutes were it not for the presence of the executive power with its well-filled store of powder and ball. It is inconceivable how universal peace could exist without a similar executive power strong enough to beat down all opposition and compelled by self-interest to maintain peace just as Britain is compelled to do among the native States of India.

THE ÉLITE MUST CONTROL.

Now, peace, after all, is not the ultimate end, but merely a means to the ultimate end, which is the increase of human happiness. This does not mean that the majority must always rule; it requires that the élite, the most advanced types of humanity, should have the best chance to spread or at any rate hold their own. Which are the most advanced types? There is no use in dogmatizing or fanaticism one way or the other, in denying the merits of other races or cloaking the faults of our own. The question of the value of various races is a knotty scientific problem for the complete solution of which the data are as yet insufficient. Let us frankly admit that some races have not as yet had adequate opportunities. Let us grant that the mere plea of self-defense or the tie of blood counts for nothing; that if another race were found by trial to be more highly endowed with the qualities that make for the increase of happiness our own race should cheerfully resign the leadership. But while awaiting the reasoned, passionless verdict of science on these points, nothing could be more preposterous than to assume in advance that the verdict will be unfavorable to us and accordingly to let events take a course which must surely deprive our race of the leadership and place it at the mercy of the dusky majority. The evidence in favor of the superiority of our race is even now fairly overwhelming, and it is highly improbable that new researches will materially alter the balance of argument. Civilization in the future as in the past will mainly depend on its pioneers, and hence it is best for human life as a whole that the pioneer race should have the best chance to spread. We know exactly how we are going to treat the other races so long as we remain in control; we shall continue more and more to—

Fill up the mouth of famine
And bid the sickness cease.

We have not the slightest means of guessing how the other races will treat us if we place ourselves at their mercy.

THE ÉLITE TRAINING ITS ANTAGONISTS.

Universal arbitration can not insure the predominance of the highest types, for arbitration resolves itself in the long run into a counting of heads, and for every white face in the world there are two dusky faces. That was not a serious matter so long as white men reserved to themselves the well-earned power arising from their own inventive genius, so long as they were the only ones possessing magazine rifles and cannon. Of late, however, unscrupulous white men, caring for nothing but sordid gain, have, through the disunion of the white race, been allowed to sell the latest improved weapons to the other races by the million and have taught them to manufacture these weapons; white officers, supposed to represent the very cream of honor and patriotism, have for love of money committed the unspeakable treason of instructing the dusky races in military science. If our race thus continues to lame itself in the struggle for existence by throwing away the advantage conferred by its very highest qualities, the time will soon come when the dusky races, outnumbering us as two to one, and using all their advantages to the utmost, will be the masters, we the servants. Unrestricted competition of cheap labor would little by little crowd the white race out of existence by taking away the means of life from the white laboring class, the fertile soil from which all the flowers of our civilization have sprung. Disarmament, the substitution of universal arbitration in place of armed defense, would simply hasten the coming of the day when we shall have to doff the crown of supremacy and don the cap of subordination and prepare to quit the house which we have swept and garnished. Our very demigods of intellect, whose genius subdued the earth and made every corner of it accessible, would become the authors of our ruin if the science created by them and rightly placed at the disposal of all humanity without stint or discrimination, enabled the other races, by their reckless fecundity and callousness, to oust us from the competition for those means of existence which nature necessarily awards to the lowest bidder.

Ill fared it then with Roderick Dhu
That on the field his targe he threw.

There is only one way to prevent this. Fortunately, the surrender has not yet proceeded far; Roderick Dhu still holds the targe. For the present we white men are as yet incomparably superior in power to all the other races, and we can easily remain so if we will only stop quarreling among ourselves. United we stand; divided we fall. If we do not hang together, we shall hang separately. The most exquisitely silly geese are those boasters who perpetually prate about Aryan superiority, and as perpetually speak of an Aryan sister nation as "the hereditary enemy," thus insisting to the best of their myopic ability that the Aryan house shall remain divided against itself and capitulate to a mass of cheap muscle.

When the fate of the entire white race is at stake our people would have to be mollusks, not red-blooded human beings, if they hesitated to make the trifling nominal sacrifice which will assure their own perpetual supremacy.

A TERRIBLE WARNING.

The history of Greece is the most frightful object lesson to prove that the most brilliant mental superiority in other respects will not compensate for the folly of disunion. More than 2,200 years ago Aristotle wrote:

> The Greek people, being both brave and intelligent, have retained their freedom and enjoy the best administration, and could rule the world if they had the good luck of becoming united under one government.

Luck! That word tells what the philosopher thought of contemporary human nature. Well he knew that his countrymen, with all their superb gifts, would never have sense enough, nobility enough, to grasp the boon of union of their own accord, but would have to wait for luck to thrust it on them. And the luck never came. Little did the philosopher dream that his glorious race, which, according to Galton, had reached a higher average of intellectual development than has ever been attained by any other community and whose achievements in several lines of activity are even now the unsurpassed models, would, through their cursed disunion, become helpless chattels, trampled under foot by every barbarian, so crushed by perpetual outrage that for many centuries they dared not defend themselves against the most atrocious treatment. "Völker Europas, wahret eure höchsten Güter!" Do not wait for luck! "Do it now!"

THE FOUR GUARDIANS OF CIVILIZATION.

Thus, in order to have the best assurance that the international executive power shall always be on the side of justice, civilization, and the increase of happiness, it must be composed not only of the strongest but also of the justest, most humane, most advanced nations. To state this condition is to name the four nations which can best fulfill it—Britain, France, Germany, and the United States. Their appointment as world policemen would not mean disarmament, but it would mean the minimum of armament. So long as there are a dozen big sticks in the world they are bound to grow bigger and bigger; when there is only one big stick it will quickly grow smaller.

Certain unsettled questions prevent the three prospective European partners in this league of peace from annexing one another, to the immense advantage of each. These questions can only be settled by mutual concessions. The best intellects in the three countries have declared themselves in favor of these concessions; the sole obstacle, the inertia of accomplished facts, has begun to crack. All that is needed is the first move—a difficult matter for the three nations in their habitual attitude of mutual defiance. Let the fourth partner, their joint offspring and impartial and unsuspected friend, give a little push, and the inertia of wrongly accomplished facts, already cracking, will crumble; the white race will become united, its supremacy forever assured.

THE LAST STRAW.

How shall we give this little push? Not by exhortation, but by example; not by advising our brother to draw the mote from his eye, but by picking the beam out of our own eye; by setting before the eyes of the civilized nations a model concession, which will inculcate the policy of mutual concessions far more eloquently, far more irresistibly, than a thousand meetings, a thousand banquets, a thousand speeches, a thousand books. It will

at once become our ambassador to Europe, the envoy extraordinary and minister plenipotentiary of the United States of America to the Disunited States of Europe—our ubiquitous, sleepless, thousand-tongued apostle, shouting to our parent nations day and night: "Compromise! Compromise! Compromise! See how cleverly the Americans are doing it! Be reasonable, gentlemanly, to one another, as the Americans are to the Canadians!"

In brief, our country has at this moment such an opportunity as never came to another nation, the opportunity to bestow permanent peace on humanity, and thus to assure to herself the most honored place among the nations for all time to come. This is the most important matter; compared to it everything else is unimportant. Gentlemen, you are patriots; you are the guardians of your country's honor. I feel confident that you will be equal to the opportunity.

Intervention for the Protection of Life and Property in Mexico.

EXTENSION OF REMARKS
OF
HON. WM. H. MURRAY,
OF OKLAHOMA,
IN THE HOUSE OF REPRESENTATIVES,

Friday, November 7, 1913.

Mr. MURRAY of Oklahoma. Mr. Speaker, history discloses the fact that every political party long out of power, seeking to make issues directly concerning the people, is prone to forget our world relations. The Democratic Party, though, prior to the Civil War was the aggressive party of all parties then extant in handling international questions, particularly those which had in mind the future perpetuity of the Republic, such as the announcement of the Monroe doctrine and the protection of life and property on the high seas and in foreign lands; but having been long out of power, seems not to be an exception to this general rule.

PARTY PLATFORM HISTORY.

This rule may be noted from the platform declarations of the various American political parties. I quote from my speech on September 4 last on this floor:

"The doctrine of protecting American citizens' life and property in all the world is not a new doctrine. It is a doctrine that has gone hand in hand with every administration of this Republic, and the men who have adhered most closely to it have enjoyed the greatest personal popularity. Among them were Monroe, Jackson, Lincoln, Grant, and Roosevelt, who steadfastly adhered to the doctrine of protecting American citizens everywhere.

"Reference to the political conventions will show that at no time has a party gone into power that did not have a stronger platform than its opponent. The strongest platform in line with those ideals is that laid down in the Baltimore platform.

"It is interesting to observe the platform declarations made since the organization of the Government touching American foreign policies—the Monroe doctrine and the protection of American citizens abroad as well as at home. I repeat that prior to the Civil War no political party, except the Democratic Party, announced a foreign policy, save and except the platform upon which Henry Clay ran for President in 1832. This declaration was but a meager one, and in these words:

"We consider the life, liberty, property, and citizenship of every inhabitant of every State entitled to national protection.

"And even this is susceptible of a double construction and could be construed as meaning such national protection at home without such protection abroad.

"Prior to the Civil War the Democratic Party, both by administration and treaty, as well as by platform declaration, was bold and vigorous in its adherence to an international policy. In its platform of 1840, with Martin Van Buren as its candidate for President, it announced:

"That every citizen and every section of country has a right to demand and insist upon an equality of rights and privileges, and to compel ample protection of person and property from domestic violence or foreign aggression.

"This same section was specifically reaffirmed in 1844, with the adoption of an additional provision for American expansion. These planks were repeated in 1848, in 1852, and again in 1856. In addition to this declaration in 1856 the Democratic Party announced a more comprehensive international plank by affirming the Monroe doctrine, commerce, and protection of American citizens abroad. In the platform it declares:

"*Resolved*, That the administration of Franklin Pierce has been true to the great interests of the country. * * * It has signally improved our treaty relations, extended the field of commercial enterprise, and vindicated the rights of American citizens abroad.

"Again, in section 2, it says:

"*Resolved*, That our geographical and political position with reference to the other States of this continent, no less than the interest of our commerce and the development of our growing power, requires that we should hold as sacred the principles involved in the Monroe doctrine. Their bearing and import admit of no misconstruction; they should be applied with unbending rigidity.

"And again, section 5:

"*Resolved*, That the Democratic Party will expect of the next administration that every proper effort be made to insure our ascendance in the Gulf of Mexico, and to maintain a permanent protection to the great outlets through and emptied into its waters the products raised out of the soil and the commodities created by the industry of the people of our western valleys and the Union at large.

"In 1860 we find in the platform upon which Breckinridge was nominated a broader policy governing American territory, together with the following declaration:

"The Democratic Party of the United States recognizes it as the imperative duty of this Government to protect the naturalized citizen in all of his rights, whether at home or in foreign lands, to the same extent as its native-born citizens.

"Then came the Republican convention of 1860, which nominated the immortal Abrahum Lincoln, and which was the first party platform in opposition to the Democratic Party that announced, in unmistakable language, its policy to protect American citizens at home and abroad. It used this language:

"The Republican Party is opposed to any change in our naturalization laws * * * and is in favor of giving a safe and efficient protection to the rights of all classes of citizens, whether native or natural born, at home and abroad.

"In the same year the Constitutional Union Party, which nominated for President John Bell, of Tennessee, announced the same doctrine in these words:

"We hereby oblige ourselves to maintain, protect, and defend, separately and unitedly, that great principle of public liberty and national safety, against all enemies, at home and abroad.

"After this the Democratic Party, until the nomination of Tilden and Cleveland, had but meager expressions touching the Monroe doctrine and the policy of protecting American citizens abroad, and the obligations of the Government having fallen upon the Republican Party, they with great energy asserted the same doctrines adhered to for the first 60 years of the Republic under Democratic rule. In the midst of a great civil war, when it taxed its resources to maintain itself, in the face of the Mason and Slidell controversy with Great Britain and the fear that Great Britain would recognize the Southern States as an independent government, with the election of a President in 1864, nominated Abraham Lincoln again for the Presidency, and, following the example of the President in contesting the claims of the holy alliances of Europe, seeking by subterfuge to place Maximilian on the throne of Mexico, the Republican Party fearlessly and boldly, in section 11 of their platform, announced this doctrine:

"*Resolved*, That we approve the position taken by the Government that the people of the United States can never regard with indifference the attempt of any European power to overthrow by force or to supplant by fraud the institutions of any republican government on the Western Continent, and that they will view with extreme jealousy, as menacing to the peace and independence of their own country, the efforts of any such power to obtain new footholds for monarchial governments, sustained by foreign military force, in near proximity to the United States

"Students of history will recall that from the beginning of this Government there had been an issue between us and European Governments, particularly with Great Britain, upon the question of the right to impressment of American seamen; that this was the first cause of the War of 1812; and that although this war terminated satisfactory to the United States, it left this question unsettled—the question of 'expatriation,' the British doctrine that 'Once a citizen, always a citizen'—and it was not settled until Grant was made President of the United States, and its settlement was largely due to the firing on a foreign war vessel by the United States Navy and the prevention of the taking away of an American citizen who had become naturalized from one of the European monarchies.

"In the Republican platform of 1868, which nominated Gen. U. S. Grant for the Presidency, we find this broad principle enunciated:

"The doctrine of Great Britain and other European powers, that because a man is once a subject he is always so, must be resisted at every hazard by the United States as a relic of feudal times not authorized by the laws of nations and at war with our national honor and independence. Naturalized citizens are entitled to protection in all their rights of citizenship as though they were native born; and no citizen of the United States—native or naturalized—must be liable to arrest and imprisonment by any foreign power for acts done or words spoken in this country; and, if so arrested and imprisoned, it is the duty of the Government to interfere in his behalf

"We find in the platform of 1872, when Grant was nominated for the second time for the Presidency, a repetition of this doctrine:

"The doctrine of Great Britain and other European powers concerning allegiance—'Once a subject always a subject'—having at last, through the efforts of the Republican Party, been abandoned, and the American idea of the individual's right to transfer allegiance having been accepted by European nations, it is the duty of our Government to guard with jealous care the rights of adopted citizens against the assumption of unauthorized claims by their former Governments.

"In the settlement of this doctrine of the right of 'expatriation'—the right to change citizenship—finally won by the United States Government, it was due to the vigorous, broad, and comprehensive foreign policy and administration of President Grant. This second Grant platform enunciated the principles of Jefferson in his first inaugural address. In section 4 it reads as follows:

"The National Government should seek to maintain honorable peace with all nations, protecting its citizens everywhere and sympathizing with all people who strive for greater liberty.

"After the administration of Grant the foreign policy enunciated by the Republican Party was weak until the nomination of William McKinley in 1896. In this platform it enunciated the principles of reciprocity, trade with foreign nations, merchant marine, foreign relations with the Western Hemisphere, and sympathy with the victims of the Armenian massacres, and a reassertion of the Monroe doctrine. After this the policy of the administration of the Republican Party departed from the old principles of Jefferson—'Peace and commerce with all nations and entangling alliances with none'; 'Encouragement of republican governments and their protection from the monarchies of the Old World'—and substituted therefor the doctrine of imperialism.

"It may be noted in all the platform-making history of this Republic that there was never an instance of an election of a candidate for President upon any ticket where his foreign policy, as expressed in his platform, was less comprehensive than his opponent upon the Monroe doctrine and the protection of American citizens in foreign lands.

"Returning to the Democratic doctrine since the Civil War, we find in the canvass of 1868, with Horatio Seymour for the Presidency, enunciations of the old principles of the Democratic Party, but with less vigor than his opponent, Gen. Grant. Here is section 8 of that platform:

"Equal rights and protection for naturalized and native-born citizens at home and abroad; the assertion of American nationality which shall command the respect of foreign powers and furnish an example and encouragement to people struggling for national integrity, constitutional liberty, and individual rights, and the maintenance of the rights of naturalized citizens against the absolute doctrine of immutable allegiance, and the claims of foreign powers to punish them for alleged crime committed beyond their jurisdiction.

"The next broad and comprehensive declaration of the old ante bellum Democratic doctrine was found in the platform of 1884, upon which Grover Cleveland was elected to the Presidency:

"We favor an American continental policy based upon more intimate commercial and political relations with the 15 sister Republics of North, Central, and South America, but entangling alliances with none.

* * * * * * *

"The Democratic Party insists that it is the duty of the Government to protect with equal fidelity and vigilance the rights of its citizens, native and naturalized, at home and abroad, and to the end that this protection may be assured, United States papers of naturalization, issued by courts of competent jurisdiction, must be respected by the executive and legislative departments of our own Government and by all foreign powers. It is an imperative duty of this Government to efficiently protect all the rights of person and property of every American citizen in foreign lands, and demand and enforce full reparation for any invasion thereof. An American citizen is only responsible to his own Government for any act done in his own country and under her flag, and can only be tried therefor on her own soil and according to her laws; and no power exists in this Government to expatriate an American citizen to be tried in any foreign land for any such act.

"This country has never had a well defined and executed foreign policy, save under Democratic administration. That policy has ever been in regard to foreign nations, so long as they do not act detrimental to the interests of the country or hurtful to our citizens, to let them alone; that as a result of this policy we recall the acquisition of Louisiana, Florida, California, and of the adjacent Mexican territory, by purchase alone, and contrast these grand acquisitions of Democratic statesmanship with the purchase of Alaska, the sole fruit of a Republican administration of nearly a quarter of a century.

* * * * * * *

"Under a long period of Democratic rule and policy our merchant marine was fast overtaking and on the point of outstripping that of Great Britain. Under 20 years of Republican rule and policy our commerce has been left to British bottoms, and the American flag has almost been swept off the high seas. Instead of the Republican Party's British policy we demand for the people of the United States an American policy.

"Another instance where the broader international policy was successful is found in the defeat of Cleveland by Harrison, wherein they expressed themselves on the protection of our fisheries and the Monroe doctrine. Upon the Monroe doctrine the platform says:

"The conduct of foreign affairs by the present administration has been distinguished by its inefficiency and its cowardice. Having withdrawn from the Senate all pending treaties effected by Republican administrations for the removal of foreign burdens and restrictions upon our commerce and for its extension into better markets, it has neither effected nor proposed any others in their stead.

"Professing adherence to the Monroe doctrine, it has seen with idle complacency the extension of foreign influence in Central America and of foreign trade everywhere among our neighbors. It has refused to charter, sanction, or encourage any American organization for constructing the Nicaraguan canal, a work of vital importance to the maintenance of the Monroe doctrine and of our national influence in Central and South America and necessary for the development of trade with our Pacific territory, with South America, and with the islands and farther coasts of the Pacific Ocean.

"In the race for the Presidency of 1892 the Democratic platform, upon which Cleveland was elected for the second time, announced a foreign policy, as follows:

"The Democratic Party is the only party that has ever given the country a foreign policy, consistent and vigorous, compelling respect abroad and inspiring confidence at home. While avoiding entangling alliances, it has aimed to cultivate friendly relations with other nations, and especially with our neighbors on the American Continent, whose destiny is closely linked with our own, and we view with alarm the tendency to a policy of irritation and bluster, which is liable at any time to confront us with the alternative of humiliation or war. We favor the maintenance of a navy strong enough for all purposes of national defense and to properly maintain the honor and dignity of the country abroad.

"In addition to this comprehensive policy this platform gave expression to the question of 'reciprocity,' 'sympathy for the oppressed in foreign lands,' 'immigration,' 'waterways,' and 'Nicaraguan canal.'

"In the platform of 1896, upon which W. J. Bryan was first nominated for the Presidency, we find the following declaration:

"The Monroe doctrine, as originally declared and as interpreted by succeeding Presidents, is a permanent part of the foreign policy of the United States and must at all times be maintained.

"We extend our sympathy to the people of Cuba in their heroic struggle for liberty and independence.

"Again, in the platform of 1900 the Democratic Party dealt with the question of 'Cuba,' 'the Philippines,' 'the Monroe doctrine,' 'militarism,' the 'Nicaraguan Canal,'' and the 'Hay' treaty, but made the mistake to adopt negative policies without affirming a constructive policy upon these several questions, and hence it may be observed that the American people, through their party platforms and administrations, have invariably stood for a constructive, progressive international policy rather than a negative one; that on the whole they prefer peace and commerce with all nations and entangling alliances with none; the maintenance of the Monroe doctrine and the protection of American citizens in foreign lands; sympathy for the oppressed and encouragement to republican institutions; that on the whole they have opposed imperialism or force for the purpose of acquisition of territory, while standing equally strong for the American system of government and the rights of American citizens in foreign seas and the rights of American citizens in foreign lands, not only by party platform declarations, but by more than 40 instances of intervention by force during the past hundred years of administration.

"In the campaign of 1912 the marked difference between the Democratic, the Republican, and the Progressive platforms is noted. The Democratic Party took a bold stand in favor of the 'Monroe doctrine,' the 'efficiency of an army and navy,' the 'independence of the Philippines,' the 'protection of Americans in foreign lands,' and particularly the Jews in Russia, and a demand for a new Russian treaty guaranteeing these rights, and the 'Panama Canal,' which constitutes the broadest constructive affirmative declaration in many years touching an international policy, crowning these policies with the following bold and aggressive stand touching the rights of American citizens wherever resident or sojourning:

"We commend the patriotism of the Democratic Members of the Senate and the House of Representatives which compelled the termination of the Russian treaty of 1832, and we pledge ourselves anew to preserve the sacred rights of American citizenship at home and abroad. No treaty should receive the sanction of our Government which does not recognize that equality of all our citizens, irrespective of race or creed, and which does not expressly guarantee the fundamental right of expatriation.

"The constitutional rights of American citizens should protect them on our borders and go with them throughout the world, and every American citizen residing or having property in any foreign country is entitled to and must be given the full protection of the United States Government both for himself and his property.

"From all these platform declarations it will be observed that all parties that had for their support any great body of the American people have proclaimed adherence to the Monroe doc-

trine and 'the protection of American citizens at home or abroad.'"

GOVERNMENT BOTH SIMPLE AND COMPLEX.

Government, simple as it is, seems to be complicated, in this: That while we take heed of one branch of the public service we overlook another. We have personal relations to consider—that is, the relation between individual and individual, between family and family, which we call local administration or, more properly, county government. In addition, we have our State policies and administration, those pertaining to State government. And then we have our interstate relations, which concern us as an integral part of the Nation. In addition thereto, we have our international, or world relations. Wholesome government consists in a proper understanding and in a sound administration of law and of policy as it governs all these relations. We must look after our local or county relations, our State and National relations, but when we do this in the interest of economy and in the exercise of wholesome police power, should we overlook our international relations? Policies of other nations, lying in the secret minds of monarchs and cabinets, might undermine our world commerce, throw us in competition, not with other nations, but back upon ourselves, and what is greater, might undermine our republican institutions and at the end of a generation, by such policies on part of such foreign kings and cabinets, dismember our Republic or take from us a portion of our territory. At least such has been the experience of all history. Hence, wise government and a wise party policy consists in a thorough understanding and a full exercise of all the functions of government—county, State, National, and international. Not to have such a wholesome government in our administration would, "as surely as night follows the day," lead to the weakening of the source of our national peace, which, invariably, is productive of war, and leave us uncertain of that strength so necessary to our national existence.

This strength is not made up so much by armies and navies, but in the exercise and maintenance of a strong world policy such as will look toward holding our markets, the preservation of our institutions and those nations in sympathy therewith, and, above all, our peace upon the high seas by promoting our merchant marine to carry to every port our flag and establish there a market for agriculture, which can prosper only as trade prospers and as markets are surely established.

EMBARGO FALLACY.

In this connection I desire to quote from another five-minute speech delivered during the consideration of the deficiency bill:

"Mr. Chairman, the House will doubtless understand the difficulty I have in discussing a subject not directly in connection with this bill and yet conform to the rule, so that I may not be taken off the floor by a point of order. This paragraph relates to the Revenue-Cutter Service, whose duties, I am informed by the committee, will be to see that the revenues are collected; incidentally, of course, it will have to do with contraband goods.

"Mr. MANN. Well, they do not have anything to do with the collection of the revenue. I said the gentleman did not know.

"Mr. MURRAY of Oklahoma. I will accept the gentleman's information on that point. Incidentally they would have to do with the embargo against certain goods. This Nation has never, except in two instances, entered upon a system of embargo. First, in 1807 Mr. Jefferson, with an idea that the country could exist without any military force, conceived the notion that by retaliation and by exclusion of commerce war could be prevented. It was first favored by the agricultural States, but they later demanded its repeal when they suffered for a market. Jefferson lived to regret it, and it is the only policy that he advocated that he ever had cause to regret.

"In after years he said, speaking of the Shay rebellion:

"God forbid we should ever be 20 years without such. * * * What signify a few lives lost in a century or two? The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants. It is its natural manure. (Jefferson's Work, vol. 2, p. 267.)

"Jefferson's own party repudiated the embargo doctrine. In 1809 Congress, fresh from the people, or at the behest of the people, repudiated that act of embargo. The President plead with Congress not to repeal it until the 1st of June, but in February they made the act take effect on the 1st of March. Now we have come to the proposition of an embargo upon a certain kind of goods that may be used in war, and that embargo is fixed under a resolution of Congress and declared by President Taft and still continues. If this is intended to continue I am opposed to it. The doctrine of neutrality in every nation, and especially of this, has been that a neutral power is not called upon to cause any of its citizens to sacrifice any of their rights to trade with the world.

"Mr. Jefferson, when Secretary of State, so stated to the British minister, and it was stated by every Secretary of State since when the question arose; and yet we say that because there is a war in Mexico or rebellion that the manufacture of firearms and of ammunition and of everything that may be used in war shall be prohibited from being shipped across the border, and so absurd is that doctrine and so unjust in its application that in El Paso a retail merchant stands indicted and under bond for selling cartridges to a Mexican in his retail business. The only limitation we can exact of a merchant is that if the goods should be sold and one of the belligerent parties gets possession of them he can not ask his Government for compensation for their destruction. I had hoped that since the experience of this country in the embargo act of 1807 to 1809 we would never engage in this policy again.

"Now, the President says he holds to Taft's order because he is opposed to Huerta. In that opposition I think he is wise, but inadvertently he is assisting Huerta, because the latter has the ports where they collect the Mexican revenue, and guns may be shipped through those ports to the Huerta government unless we close them.

"The patrol on the land border of Mexico by the United States Regulars cuts the insurgents off from getting arms, and thereby instead of making a balance between the two it creates a situation which aids Huerta, to the detriment of the insurgents. The only way to insure fair play is to follow the international law. Situated as we are, let American merchants sell their goods anywhere in the world under the international law, and give the contending Mexican bands equality. That would not aid Huerta but would put them both on the same basis. I cordially approve of the President in his opposition against Huerta; but I oppose such unjust restriction against American commerce, without which agriculture will suffer, as it did in the embargo act of 1807, which caused its repeal."

THE TRUE STATESMAN

The true statesman is he who looks into the future an hundred years and frames policies that will bring about wholesome measures of government. The true statesman arises above the present immediate effect and turns an eye toward the future, always formulating policies that will vouchsafe every wholesome relation of the citizen. It is because of this regard for the future weal of the Republic, for the safety of American institutions, the general welfare of American citizens, for the promotion of commerce, the handmaid of agriculture; for the perpetuity of national existence, together with the preservation of the white race, that I am thus persistent in contesting the views of others and in urging upon the present administration and the Democratic Party the necessity for the exercise of an active but constructive international policy.

NECESSITY FOR INTERNATIONAL POLICY.

History is replete with the policies of nations for the extension of domain under one monarch, to be dismembered by a weak and careless successor. Cæsar built up the Roman Empire, to be followed by a lack of policy which dismembered and destroyed it. Charlemagne and Frederick the Great, each in different periods of time, built up extended national boundaries, to have them destroyed by the lack of a continuous policy on the part of their successors. England, whose flag encircles the earth, whose drumbeat is heard in every clime, whose trade is in every mart and port of the world, did not bring this about by accident, but by a concerted effort on part of successive and consecutive administrations having this policy in view. Instead of using corporations, or rather permitting their use, as we have done, to build up monopolies and oppress the public Great Britain has used these great corporations for the purpose of extending her boundaries and promoting her trade. Through the East India Co. she established her commerce with the Orient, and without difficulty secured an empire in India. Through the Hudson Bay Co., without war, she got an eternal grip upon Canada, a territory of greater extent than our Republic. Through Cecil Rhodes and his associates she secured South Africa. I recite these policies as an incident of our necessity of an international policy—not that of conquest, to be sure, but one that will sustain the Republic, the preservation of American institutions, and the integrity of the white race.

THE REPUBLIC AND WHITE MAN'S CIVILIZATION INVOLVED.

The problem with Mexico, with the probable resultant complications growing out of it, both with Japan in her colonization agreement and with European nations who desire to protect their own citizens, confronts us with the gravest problem before the present administration. Our action for the purpose of protecting life and property would be approved by European Governments and the world at large, and this intervention would enable us to cancel the secret colonization agreements between the usurpers of Mexico and the Japanese. Hence the right policy now might determine the future political map of the world; it may determine whether republican government shall endure upon this continent. It may determine whether Mexico is to become a white man's country or to be under the control and domination of Asiatic races. It may ultimately determine not only the perpetuity of our own Republic, but the civilization of the Aryan race. The pages of history are replete with the rise and fall not only of nations but of races. One hundred and twenty-five years ago the French outstripped the English; 200 years ago the Spanish nation was the most extensive of all Europe; but now both the English-speaking race and English domination surpass either France or Spain. Is history to repeat itself and at the end of another hundred years to witness the dawn of the twenty-first century with the world's domination by Japanese and Chinese, both in point of number and empire? The Mexican problem may answer this question, and I am unwilling to have it said of me that I was charged, although in but a minor way, as a Member of Congress, in dealing with these problems, that I shirked the responsibility or failed to give that warning which my own intelligence, study, and investigation suggested as right and proper, even though I might be out of line with the authorities of the Government or with my own party. I want now to warn that party to which I belong of the history of the past—that no party has ever succeeded that did not stand squarely upon the Monroe doctrine and the protection of American citizens both at home and abroad.

PERMANENT REMEDY FOR MEXICO.

The remedy in handling the Mexican problem must depend upon the conditions as they arise. What would have been proper in the beginning of the trouble has undergone changes, and what this Government, in my opinion, now should do is quite different from what it should have done on the 4th day of March. It then should have given the insurgents arms by lifting the Taft embargo. What ought to be done now is that this Government throw a cordon of soldiers on the border of Mexico and take possession of every revenue customhouse, throw the Navy into every custom port and take possession thereof, and cut both Huerta and the insurgent forces off from every cent of revenue. This can be done without loss of life, and by collecting the revenues for 30 days neither side will have ammunition with which to fight. Out of this revenue thus collected this Government could pay indemnity to foreign losses, and if the Mexican people can not or do not establish peace and order among themselves, I would then, when they are stripped of all revenue and fired their last round of ammunition, march the American Army into the capital, take possession of the Republic, and issue a military order canceling the Japanese and foreign land concessions. I would issue another military order breaking up the big estates in Mexico and order them sold in small tracts to any purchaser of the white race; open up the remaining public land to homestead by Mexican citizens only, giving relief to the poor of that country; establish universal public schools for the education of every child in Mexico; and if need be, I would hold this military occupation, with this policy in view, for a generation, or until the children of the 9,000,000 illiterates have grown up to manhood and womanhood, with education and ability to govern themselves. This policy would end forever revolution in Mexico and give to her citizens justice and permanent peace.

It is true that white colonization of Mexico and the purchase by our farmers of the big landed estates when broken up would possibly follow, and if we are compelled to remain there for a generation it will have been settled so thoroughly by the Aryan race that, like the settlement of Texas, they will want to follow the retreat of our flag back to the United States; and if they should voluntarily vote to do so, I would accept them, because it does not violate our own interests to own every foot of land from here to the Panama Canal. It is an extension upon our own continent and not a colonial imperialism, such as acquiring the Philippines.

The foregoing policy can be inaugurated practically without the loss of life—certainly without the loss of as many lives as have already been lost, and certainly with less cost. It would be more humane to our own citizens and to the poor of Mexico. It would result in the awakening of civilization of the 9,000,000 oppressed citizens of that pitiable Republic. The cost would be borne out of the Mexican revenues.

OUR STANDING ARMY AND MILITARY STRENGTH NECESSARY TO PACIFY MEXICO.

Statements are often made that it would require a quarter of a million soldiers to settle the difficulty in Mexico. This would be the scope if the Army should be permitted to frame the military policy which should govern in such intervention. The United States has a surplus of "captains" and other commanders among the Regular Army who desire promotion to give them better standing and salary. This can be brought about only by a larger Army, either standing or volunteer. Their desire would be the mobilization of an Army of gigantic proportion for this purpose; but let us see whether this is necessary. The following discloses the comparative size of the standing Army of the United States to-day with the Army in the War with Mexico in 1848:

Number of enlisted men in the War with Mexico in 1848.

[From the Adjutant General's report, dated Dec. 3, 1849.]

Regulars and Volunteers	101,110
Number of officers and men of the Regular Army at the commencement of the war	7,365
Total	108,475

Number of Regular Army to-day.

Regular enlisted men	84,810
Commissioned officers	4,744
Total	89,554

The above do not include the enlisted men and commissioned officers of the Philippine Scouts nor the enlisted men with the Hospital Corps. So it will readily be seen that the Regular Army of the United States is quite equal to all element of raw recruits constituting the Army in the War of 1848. Besides, at that time we had to fight Santa Anna, the "Napoleon of the West" and Mexico's greatest military chieftain, with Mexico at peace with herself and amply prosperous, while to-day Mexico, is divided, with a depleted treasury, ruined credit, not only nationally but the wealth of the individuals swept away by an internal strife and banditti raids of three years' duration. Hence, it may be safely said that the present standing Army of the United States is all that is needed to settle the disturbance in that country. If any volunteers are necessary, every man of them can be raised either in Oklahoma or Texas, and all the Government has to do is to give the men an opportunity to respond to the call for duty.

MONROE DOCTRINE AND DEMOCRATIC RECORD.

The Democratic Party, under Monroe, had an eye to this result when, in the very weakness of our national existence, he proclaimed the doctrine that America, by reason of our independent position, should not be subject to the colonization schemes of the European monarchies. The same doctrine was in the mind of Grover Cleveland when he said to Great Britain in the matter of the boundary dispute between her possessions in South America and the little Republic of Venezuela: "You shall arbitrate that boundary dispute." And although Great Britain sought to deny the Monroe doctrine as international law, recognized it as a policy, in this, that she agreed with Venezuela upon arbitration of the boundary dispute. The Monroe doctrine, since its enunciation by Monroe in 1823, as it should, has undergone modification to meet new international problems, and now we have reached the period when the direct danger of having America colonized by European monarchies has passed, but we have reached a more formidable danger by having it colonized by the Asiatic races of Japan and China.

DANGER OF CHINA AND JAPAN.

In China alone live one-fourth of the people of the world, and there are enough of them to overrun our entire North American Continent, driving to poverty and the poorhouse the American laboring men, and yet their absence from China would scarcely be felt. Just last year, realizing this Asiatic race menace, the Senate of the United States, by an overwhelming majority, passed the Lodge resolution enlarging the Monroe doctrine, by declaring that when any harbor on the American Continent is so situated that the occupation thereof for naval or military purposes might threaten the communication or safety of the United States, the United States could not see the possession of such harbor in the hands of another Government, not American, as to give such Government control for naval or military purposes. This resolution was precipitated solely because of a rumored attempt of a Japanese fishing company to secure certain privileges on Magdalena Bay. This resolution passed the Senate by a vote of 51 to 4, and its design was to protect the American Republic from becoming colonized by the Asiatic races, and in this connection I might add that it would be far better to let Asiatics come within our own Republic than to see Mexico and the Central American States become overrun, settled, and controlled by Japan and China. To the Wall Street Journal and other "Eastern influence," who ask Members of Congress to declare to the world that we have abandoned the Monroe doctrine as unnecessary, my reply is that

we must preserve it to protect our own race, and the necessity therefor is far greater than it was in 1823. To colonize America by European monarchies would be to destroy our Republic, but would preserve white civilization. To colonize the American Continent with the Asiatic races would destroy our civilization as well as the Republic; would drive us back in competition upon ourselves and the American laborer to poverty and to the poorhouse.

War is an evil thing. It is to be abhorred. But there are worse things than war. To be dominated by an inferior race or to witness the destruction of the Christian civilization of the white race is a hundredfold worse than war. Governments throughout the world, so far as their boundaries are marked, largely exist because of race distinction, and however abhorrent war may be, I am ready to stand upon the shores of the American Continent and fight back any attempt to colonize this country with any races foreign to our blood, our sympathies, hopes, ambition, and religion.

JAPAN MUST HAVE LAND.

To be sure, we can not blame Japan for desiring more land. She must procure more land, and if need be, fight some other nation to get it or perish as a race and as a nation. She is sustaining 60,000,000 people on a territory smaller than the State of California, and she has but 15,000,000 acres more that is even susceptible of being reduced to cultivation, and this is in the mountains where it must be terraced at heavy public expense. This will sustain an increase of but one generation. Then Japan must have more land or commit race suicide.

THE PHILIPPINE ISLANDS.

In this connection it brings to our attention another policy, and that is the disposition of the Philippine Islands, upon which we are spending many thousands of dollars annually, and upon which we have already spent many millions of dollars. I would grant Japan these islands, in order to give them a foothold near their door, and in a climate to which they are inured but unsuited to the American, and thus serve the double purpose of probably preventing future war, and at the same time make of Japan a friendly nation, lying as a buffer between us and the other Asiatic nations, because we do not need the Philippines either for colonization or for strength. Rather is it from every light a source of weakness. Should we engage in a war with Japan, the proximity of the Philippines to the Japanese nation would whip us in our effort to carry our armament such a great distance. I call your attention to the fact that "distance" is one of the greatest elements in warfare. "Distance" whipped Napoleon when he went to Moscow, and in his retreat "scattered his legions like winter's withered leaves." "Distance" whipped England in her two wars with us. "Distance" enabled a few thousand Texas patriots to whip Santa Anna's forces, when he had to come to them to conquer them, and "distance" will enable us in a war between us and Japan to whip her off our shores, but it will whip us off the Philippines. So I submit the wisest policy would be to sell to Japan the Philippine Islands and hold the territory on our own shores, and if we expand, expand only upon the American Continent, in a climate to which we are inured and upon which we can live and prosper. There is but one objection to this transfer, and that is that the Philippines are, in a measure, Christianized, but this can be obviated by stipulating as an irrevocable part and condition of the transfer that missionaries and ministers of the Christian religion of every nation and of every creed shall have the right forever to go into the Philippines to teach and convert the people, and that one or all the Christian nations shall intervene for their protection.

MY CRITICS AND DR. LYMAN ABBOTT.

I wish to digress a moment to reply to the criticisms of certain persons and certain newspaper periodicals to their pretended interest in peace. We hear them say that no Member of Congress should announce a policy that might mean war unless he be willing to go. To this I reply that when my country needs me, either in a defensive or offensive war, I am ready to follow the flag, and I want to say further that the Army should not determine when war should be proclaimed, because war is the business of the Army and they should not be permitted to govern the policy of when it should occur, but exercise it only after the civilian has declared its necessity. On this point I desire to quote from a speech delivered by Dr. Lyman Abbott on May 14, 1913, at the nineteenth annual Lake Mohonk conference of international arbitration and peace. This speech was delivered by Dr. Abbott upon his being elected president of that great father of all international American arbitration conferences. Dr. Abbott is not a stranger to us. We have read so many of his books, as well as his learned articles which have come from his pen as editor of The Outlook. It may be said of him more truly than any other citizen that his mind is "an intellectual ocean, whose waves beat against all shores of human thought." Listen to his words, as follows:

"The reason that greater progress has been made is that for the last 14 years our appeal has not been primarily for peace but for justice and for peace following justice. [Applause.]

"In the present condition of the human race the armed man is sometimes a necessary means of securing peace, because a necessary means of securing justice. A somewhat humorous illustration of this self-evident truth was afforded at a meeting of the Peace Congress in St. Louis last week. A peace delegate on his way to a disarmament meeting encountered a pickpocket. A struggle ensued. The peace delegate was not a good fighter and was getting the worst of it. Two men came to his rescue. The mêlée became serious, and one man got a black eye. Then an armed policeman appeared on the scene and brought about both justice and peace. It is not without significance that we call our policemen officers of the peace. [Laughter and applause.] It is not without significance that we call our minor judges, whose business it is to deal with the first beginners of injustice, justices of the peace. It is not only the armed man, but sometimes the armed force, that is necessary. * * * Ladies and gentlemen, if it is right for one man to interfere to prevent an insult being given to a helpless woman, it was right for the Bulgarians to interfere to prevent their wives and daughters from being carried into the harems of the Turks, and right to suffer whatever consequences were necessary to furnish that protection.

"Combativeness and destructiveness are not vicious elements in human nature. They are not to be destroyed; they are to be guided by reason and directed to beneficent ends. There are times when war is necessary. The history of the world would be poorer than it is if there were no record of war on its pages; if there had been no heroes who dared to fight for justice and liberty; no William of Orange to array his country against the persecuting sword of the Duke of Alva; no Cromwell to stand for civil liberty in England; no Washington to lead the forces of America against foreign despotism. Christianity does not emasculate man. Christians have not stood and ought not to stand for peace at any price. They have recognized, and they ought to recognize, that there are worse things than war, bad as war is. Constantine was led to adopt Christianity primarily because he found the primitive Christians in the fourth century better soldiers man for man than the pagan Romans. Never have there been braver or better soldiers than the Puritan Ironsides, whose heroism gave liberty to England and to America.

"This truth the Bible abundantly recognizes. First pure, then peaceable, is its motto. In Paul's description of the Kingdom of God, righteousness, peace, and joy, righteousness precedes peace. There is no honorable peace which is not founded on righteousness. When Isaiah prophesied that men shall beat their swords into plowshares and their spears into pruning hooks, and shall not learn war any more, he based this expectation on his faith that the time will come when men will walk in the paths of God and the law will go out of Zion, enforced, not by the sword and spear, but by the intelligent conscience of self-governing peoples. 'If it be possible,' says the Apostle, 'as much as lieth in you live peaceably with all men.' It is not always possible. It does not always lie in us so to live. On the contrary, it is quite possible to pay too high a price for peace. Our fathers would have paid too high a price if, in 1776, they had bartered liberty for peace. The generation of the Civil War would have paid too high a price if, for the sake of peace, they had allowed the country to be rent in twain and a great slave empire to be founded, extending from the Ohio River to the Gulf of Mexico, and perhaps including Mexico and Central America. [Applause.]

"Enduring peace is possible only where it is the fruit of justice. The blow of the fist, the gleam of the sword, and the bark of the cannon will continue until some other power than that of the armed man is found to protect innocence from injustice. 'War,' says Charles Sumner, 'is a public armed contest between nations, under the sanction of international law, to establish justice between them.' With the convening of The Hague conference in 1899 there was wrought into the consciousness of mankind a better plan than war for establishing justice between the nations. The plan of a supreme court of the nations was not novel, but with the proposals of the American delegates to The Hague conference such a court ceased to be the dream of the prophet and became a purpose of statesmen. So long as mankind thought that there was no other method of securing justice between nations than armed conflict so long the plaintive cry of peace fell on unlistening ears. When a plan of securing justice was proposed that promised to avoid the tragedy of war, mankind began to listen. The proposal is nothing less than a substitution of an appeal to reason for the appeal to force. But before this substitute can be successfully adopted three conditions are necessary.

"There must be developed in the civilized nations a sense of justice strong enough to overcome race, religious, and national prejudices.

* * * * * * *

"There are two ways of promoting peace—one by making our Nation so weak that it can not fight; the other by making it so strong that it need not fight. Weakness is a terrible provocative of war. The War of 1812 would not have occurred if Great Britain had believed that we had a Navy adequate to protect our citizens upon the sea. It is doubtful if the Civil War would have occurred if Andrew Jackson had been in the President's chair instead of James Buchanan; it is certain that it would have been of shorter duration and of less terrible extent. America is one of the richest countries on the globe. Make it also one of the weakest and it would invite assault. It is the first duty of the Government to protect its people in the enjoyment of life and liberty. If it fails to afford such protection, it has no right to exist. * * * We can establish peace only by establishing justice. To do this we must by voice and pen develop in the Nation a public conscience which will demand the fulfillment of arbitration treaties already made before undertaking to make other treaties still more general. We must seek to develop a public sentiment in the civilized nations of the world which will both create a tribunal for the establishment of international justice and peacefully enforce its decisions; and until that is accomplished and the appeal to reason is accepted by our own people and the peoples of the world as a real substitute for the appeal to force, we must maintain an Army and Navy adequate for the maintenance of justice both within our borders and in our international relations; and we must never forget that our object in this movement is the establishment of international justice and of peace only as it is founded upon justice. [Applause.]"

I shall add to Dr. Abbott's able presentation of this doctrine that justice is the price of peace by quoting from another installment of our international duty as delivered by me in this House on September 4:

"Mr. Chairman, I am as much opposed to war as any man, but there are worse things than war. Rapine and murder are worse than war. In the early history of this Government we have other illustrations that showed the absurdity of moral suasion. We believe in moral suasion, but will it reach a mob? If it will, why do we not appeal to the anarchists of this country and remove the guards from the gates at the White House? If moral suasion is a sufficient protection against crime, why not repeal all the laws which provide hanging for murder? Let us be practical men. We know from experience that no argument will convince a mob except that argument be spoken through the voice of the cannon and musket.

"Peace and moral force—that is a great philosophy. It is the thing we hope for, the thing we are driving to, but which we shall never reach until the entire world is Christianized and they understand the philosophy of Christianity. The altruism or philosophy of Christianity is 'Love thy neighbor as thyself.' I call your attention to the philosophy drawn from history, that the first thing people think about when they first embrace Christianity is to fight. The spread of Christianity over Europe and the organization of the crusades to redeem the holy sepulcher is an illustration of that. The awakening of China and the breaking out of secession is another illustration. If I had time I could produce other illustrations to prove this nature of mankind.

"The philosophy of Christianity—'Love thy neighbor as thyself'—in its logical stage and Confucianism are the only doctrines in the world that believe in peace. Confucius said, 'Build a wall around you; let no one go out and no one come in; live at home'; and under that doctrine for 4,000 years the Chinese lived in peace.

"We choose to embark on the seas of world relations and a world commerce. Then we see that thereafter we have established expensive consular service throughout the world, with ambassadors and foreign banks, as provided in the bill just passed Congress, and we established the gold dollar that would be good all over the world. What for? To encourage commerce. We have long since learned that commerce is the handmaid of agriculture, and without commerce agriculture could not live."

INTERVENTION TO PREVENT WAR.

Many of our citizens forget that in the affairs of American Republics intervention does not mean war. We intervened, it is true, in Cuba, at the same time declaring war against Spain. It seems to be the policy of some to overlook the obligations of this Government until we are compelled to declare war against Mexico, but we can intervene for the protection of life and property. Cleveland's Secretary of State, Mr. Olney, once said, "The United States is practically sovereign on this continent."

Secretary Bayard, under Cleveland's first administration, when appealed to by a man named Cutting, a newspaper man, who published editorials like an ordinary American editor and as a result was arrested and imprisoned in Chihuahua—Secretary Bayard said to the Mexican authorities, "Give Cutting a trial and if he has violated the law, under international policy, he will have to suffer." They first declined to give him a trial, because he had violated no law, and then Secretary Bayard gave to Mexico the ultimatum: "You must try him or turn him loose"; and Mexico liberated him. Many citizens will remember that incident. The people of Texas, where I then resided, will recall that we all felt that there would be war, and every American said Bayard was right. They recognized the principle of international law that any citizen from any nation, where treaties existed authorizing them to live in their country, had the right of protection of his home government, providing he while living in such foreign country obeyed its laws and did not participate in its politics. This has ever been the rule, that if the foreigner attends to his own affairs, stays out of the politics and away from the voting places, and obeys the laws he is entitled to the protection of his own government; and it is the duty of his government to demand compensation for any unjustified assault upon him or any destruction of his property, and the foreign government where he is sojourning is liable to him for compensation for such wrongdoing, just as we a few days ago appropriated $6,000 to the heirs of an Italian who had been mobbed without authority of law in Florida. Proof that he was an Italian citizen, that he was not participating in our affairs, and that he was obeying our laws was all the proof necessary; nor does it follow that war will follow in an effort to secure to the citizen in a foreign land such protection to prevent such destruction of property or loss of life.

THE TRUE AMERICAN POLICY.

For years before 1912 we had taken a negative policy, but this time we pursued a constructive policy, and on that it may be asked, What is a constructive policy? I insist, Mr. Chairman, that intervention does not mean a declaration of war against Mexico or any other nation. It does not include imperialism, a large standing army or navy. It does not mean the acquisition of territory or involve any other program of force or sordid, commercial, dollar diplomacy nor a violation of any sound, progressive policy of peace. A sound, just, and comprehensive American policy consists in this: A well-equipped and thoroughly trained but relatively small army and navy; the extension of American commerce to all seas and ports of the world; peace, honest friendship, and commerce with all nations, entangling alliances with none; adherence to and maintenance of the Monroe doctrine as the sheet anchor of protection of republican institutions in the Western Hemisphere; the protection of American citizens, their property, homes, and families, whether found in America, upon our borders, or in foreign lands throughout the world; the preservation and integrity of the Nation and the glory of the flag; the encouragement of liberty everywhere and the extension of republican government and democratic institutions throughout the two Americas—all this by peaceful diplomacy if possible, by force if necessary.

That, Mr. Chairman, I conceive to be the genuine American doctrine. I am as strong an advocate of peace as anybody, and it is no new doctrine. I call attention to failures in the past in an effort for peace by an impractical policy. Up to 1807 we had for 20 years paid the Barbary States more than a million dollars to keep them from arresting American citizens. In 1787 we made a treaty with Morocco, in which we paid them $80,000 for the treaty not to make slaves of Americans. In 1796 we made one with Algiers, and paid $40,000 for the liberation of 13 Americans, and then we gave them tribute of $25,000 a year for exemption from capture of our people. In 1800, when the tribute was sent upon an American war vessel, William Bainbridge, the great American citizen, was compelled to go to Constantinople at the instance of the Bey, flying the Turkish flag. He then said: "I hope the next time that I pay tribute I can bear it with arms." Finally, after an effort to restore peace, paying them tribute every year, they, the Barbary States, themselves could not be satisfied and declared war on us, and what was the result? Decatur and Bainbridge went there and wrecked their ships. William Eaton, of the United States Army, went into the interior and organized an army and came across the border to dethrone the reigning Bey. When that treaty was concluded the first Christian Nation in the world said to the Barbary States: "We will pay you no more tribute." And yet that war cost us less; in all that war there were fewer Americans imprisoned and fewer murders committed than there were

during the 20 years that we paid the Barbary States tribute in the name of peace, in a vain effort to preserve peace by our servility. Such will our experience prove to be by such cowardly policy with the groups of banditti in Mexico. Less loss of life and property will occur if we will boldly stand upon our treaty rights with Mexico and make their mobs to understand that no American citizen must be harmed.

OTHER INSTANCES OF INTERVENTION.

In 1891 we went to the extent of intervening in Chile to decide between two contesting parties as to which should have control of the Chilean Government. Our Navy patrolled the Pacific coast to prevent arms from coming to one of them, and to that case arms were attempted to be furnished to the unfavored party by the steamer *Itata*, and one of our men-of-war chased the *Itata* for this violation of our intervention for a thousand miles and brought her back to San Diego.

The citizens will also recall the *Baltimore* episode in 1893. The *Baltimore*, with 117 men, landed at Valparaiso, Chile, by order of Secretary Blaine to protect property of American citizens. As a result an apology was made, $75,000 damage indemnity paid for 2 men killed and 18 wounded, although a judicial inquiry was had and a dismissal by local authorities.

During the Civil War we intervened in Brazil, and five men-of-war were sent to Brazilian waters under Admiral Bingham to protect American interests.

In 1894 occurred the Bluefields case in Nicaragua.

In 1895 was, as I stated, the Venezuela question.

In the Spanish War we had trouble again with Brazil and sent a warship to Central American waters for the protection of American interests, and had a difficulty with Ecuador over the refusal of the consul general to answer the service of a summons.

We made a peremptory demand upon Colombia for damages sustained by two newspapers in Panama owned by Americans. In 1902 Colombia seized some American property, and when we sent a warship into her waters she returned it.

We put straight up to Chile, in 1909, the demand to pay the Alsop claim.

Several European nations whose citizens had been the victims of Santo Domingo, who violated contracts, were talking of seizing the customhouse to repay them. President Roosevelt, under the pressure of our moral obligation under the Monroe doctrine, accepted the responsibility under which the United States took control of the administration of the customhouse in order to repay claims of Americans and other foreigners for property damaged.

Within the past three years we have twice landed troops in Central America and taken an active part in their internal affairs under the moral obligation of the Monroe doctrine.

The very purpose of encouraging American citizens to go into another nation is to carry on commerce and trade. We defend that trade. In 1842 we sent a navy to China to conduct the ships of merchandise through the straits. In 1843 we landed the marines on the coast of China, when there were then only 200 Americans in all China, to protect those Americans, or a portion of them, from a mob. In 1863 we opened the ports of Japan by force of arms in obedience to a treaty made with Japan in 1852 or 1853 by Perry. And never have we had war when we stood upon the rights of treaties, nor will we have war when we stand upon the rights of treaty, although we have intervened more than 40 times to protect the lives and property of our citizens in foreign lands.

MODERN MONROE DOCTRINE.

The Monroe doctrine as applied in modern times is no better stated than in the message of President Roosevelt to Congress in 1904:

> All that this country desires is to see that neighboring countries are stable, orderly, and prosperous. Any country whose people conduct themselves well can count on our hearty friendship. Flagrant wrongdoing, or an impotence which results in a general loosening of the ties of civilized society, may in America, as elsewhere, ultimately require intervention by some civilized nation on the Western Hemisphere. Adherence of the United States to the Monroe doctrine may force the United States, however reluctantly, in flagrant cases of such wrongdoing or impotence, to the exercise of an international police power.

Who is there that will dispute this doctrine? If undisputed, how can he deny the existence of "wrongdoing" or of the "impotence" of Mexico, or of her "general loosening of the ties of civilized society"? Is it not time for our Republic to exercise an international police power—not war, but police power?

Everyone agrees that Mexico is without authoritative government—that neither the revolutionists nor the de facto government of Huerta can establish order or preserve peace within their respective jurisdictions. Every breeze brings from the border of Mexico fresh outrages upon American citizens' lives and property. Gen. Salizar, one of the revolutionists, rounded up a group of Americans last year and said to them:

> We have driven away your cattle, burned your homes, and raped your women. What can we do to make your country fight?

What more is necessary for the exercise of "international police power" to restore order and protect lives and property?

Upon the same principle that an individual would run to the rescue of his wife and daughter, Dr. Abbott justifies the Balkans in fighting to prevent their wives and daughters from being carried away to the Turkish harem; and by the same logic and moral principle should this Republic go to the rescue of the homes and families of American citizens sojourning in Mexico and to the cry of American womanhood. For less cause than outraging our womanhood and trampling upon the ashes of our dead did we intervene in the Spanish possession of Florida before we bought that country. We sent our armed forces there to protect property, and what kind of property? Slaves who had run away and were carried by the Seminole Indians into the Spanish territory of Florida. Nor did we stop to consider what it would cost to carry out that obligation. The records show that it cost the lives of three soldiers and $80,000 for every slave we brought back.

STATESMANSHIP OF GEN. JACKSON.

Gen. Andrew Jackson said to the Secretary of War:

> It will not do to continue in this manner this warfare. We must chase the Spaniards and the Seminoles into Spanish territory and punish them there.

Recognizing the possibility of war, he pointed out the desirability of our owning Florida, and said:

> If the President wants Florida, all he has to do is to tip it off to me, and I will get such possession that Spain will readily cede it to us in 60 days, and that without involving the Government.

An instance of a far-sighted policy which extended our domain. Later, when he was President, he said to Sam Houston:

> Go to Texas and aid that revolution. The United States will be neutral, but no American will be punished for going across the border.

And the "Twin Sisters," the cannon that did the effective work at San Jacinto, was purchased by the ladies of Cincinnati and sent to Houston.

Another policy of President and Cabinet which brought additional domain, and, indeed, it may be said of Andrew Jackson that through his influence, directly or indirectly, we have Florida, Louisiana, and Texas as a portion of our domain, and who is it now that would contend that this was not a wise policy, and who is it now that would contend that we do not need these countries?

Why did we seek Louisiana? It was wholly due to our interest in a larger commerce and in affording a market to the farmers of the Mississippi Valley. The first controversy arose between the original Spanish authorities over the right of the farmers to deposit their sugar, cotton, and tobacco at New Orleans, and the Spanish intendent, after authority had been granted by treaty, nullified the "right of deposit," which crippled the market of the pioneer farmers. In the meantime Louisiana was secretly ceded to France, and Mr. Jefferson submitted to our French representatives, Madison and Livingston, a request to purchase Orleans, when Napoleon, realizing that on account of its great "distance," the English Navy might take it away from him in a day, ordered his secretary of state to sell to us the entire Territory of Louisiana, then extending westward to the Rocky Mountains, for 65,000,000 francs. Livingston and Madison bought it all, solely to get Orleans and the "right of deposit," for commerce, and yet prior to this purchase we had deliberately intervened, in obedience to treaty rights, such as to have offended the Spanish nation if they had yet owned it.

THE DIFFICULTY IN REPAYING OUR CITIZENS.

There is another phase to this question touching life and property in Mexico. The State Department a few days ago quoted the correct rule of international law when Secretary Bryan sent to the American consul at Hermosillo an opinion of the State Department to the effect that the Mexican Government could not be held responsible, ordinarily, to alien residents for injury they may receive within his territory from "insurgents whose conduct he could not control." This is undoubtedly the correct enunciation of international law as we have recognized it.

The United States Government recognized in settling with Spain that the destruction of American property in Cuba prior to American intervention was not chargeable to Spain, because Spain had no control over Cuba, on account of the Cuban revolution. Now, let us analyze this situation a bit. It has been estimated that some five States in northern Mexico are under the absolute control of the insurgents, and six others under partial control, while the remaining territory is under the control of Huerta, whose Government we refuse to recognize, and in my opinion properly so; so after peace is restored, should we call upon Mexico for compensation for American property which has been destroyed, estimated now at $510,000,000, the President of Mexico then in control, and who restores order in Mexico, could reply to the United States demand: "We are not chargeable for any destruction of property, for the reason that no Government existed in Mexico as was recognized by the United States," and if the United States then establishes the point that a de facto government existed under Huerta, Mexico can at least invoke the international law as to the country under the control of the insurgents where 30,000 Americans out of forty-odd thousand live and had their property, and consequently they have lost their all. The Mexicans will make the further plea that the American citizens did not "exercise ordinary precaution to preserve their property," which under the general law of the land is incumbent upon every man, because they fled Mexico and left their property without guard or attendant, and that without the solicitation of the Mexican authorities. Now, in this difference of opinion as to what should have been done and what we should now do, I submit the wisest policy would have been intervention the moment an American citizen was molested, and when I refer to American citizens I do not mean those who held great concessions of mines under syndicates, because those have never resided in Mexico, but there were seven colonies composed originally of American citizens, who have gone there and builded homes, opened up farms, established roads, and in "Colonia Diez," in Chihuahua, they had with their own money builded an agricultural and mechanical college, and a Member of this House, Mr. STEPHENS of Texas, had, as he tells me, visited that college and made a speech to these American students who lived in that colony.

But we have said to them, "Come out of there." They have come back home to compete in the labor markets, wherein they can not be of any service to other American citizens and without hope of regaining their homes or their property. But little hope is left a poor man who through years of perseverance, persistent labor, and self-denial in a pioneer country established a home, to be immediately stripped of that home and all that he owns and thrown back into the cold contest of competition to regain it again. No; I would have gone into Mexico and protected these citizens on the spot, especially in view of the international law; in view of their right under treaties made with Mexico for them to live there; in view of the further fact that Mexico invited them there, granting them the right to buy and improve these homes and reserve their citizenship in the great Republic; and in view of the further fact that there are three several clauses in the Mexican Constitution defining and granting the rights of foreigners living in Mexico. In this connection I desire to quote from another speech, under the five-minute rule, delivered by me in the House on September 4, on the deficiency appropriation bill:

> "Mr. Chairman, this appropriation seems to be intended to assist American citizens to leave Mexico. I want to preface my remarks by saying that I have no property in Mexico and no relatives there; neither has any member of my family any property in Mexico.
>
> "This is the first time in the history of diplomacy that I have ever known a request for the citizens of one country to leave another country in the face of the declaration that there would be no war. Let us analyze this proposition of paying the way of American citizens out of Mexico and a listing of their property. Who is to guarantee the repayment of that property in the event that it is destroyed by the bandits in Mexico? Evidently this Government can not do it under its present policy. It will fall upon the future administration of Mexico. Let us assume that it will amount to no more than $1,000 apiece for each of the 40,000 Americans in Mexico, on an average. That would make it amount to more than $40,000,000, and it is fair to say that it will amount in the aggregate to a billion dollar claim upon Mexico, which will stagger that country, without counting the expense of its civil butchery.
>
> "And where will those American citizens ever get the return of their property? Yesterday we witnessed here a controversy over the payment of $6,000 to the heirs of an Italian subject who had been murdered in this country. What will it be with Mexico after the trouble is over, if it ever ends, and we demand the payment of that $1,000,000,000? It will end there unless we enforce it by arms, and it will cost more to enforce it then than to protect this property now."

COMANCHE INDIANS CAUGHT OUR CUB.

The policies since the Civil War touching international relations have too often been illustrative of a story for which I am indebted to Gov. Douglas H. Johnston, of the Chickasaw Nation, told about the Comanche Indians in a very early day. He said that before white settlements were made there came a drought, when there was no corn, no supplies, stock water had dried up, and the cattle were dying out or driven off the range. The Indians were about to starve, and realizing the Government's ignorance of their condition they called a council to determine upon ways and means of making known to the Government their condition, since their petitions and memorials had been ignored through "red tape." It was finally decided that if they would kill a white man the Government would hear of that. But there were no white men, except the Indian farmer sent among them by the department, "Farmer Jones," and it was suggested that they would kill Farmer Jones; and when, after further deliberation, they realized that Farmer Jones did not amount to much anyway and the Government would never hear of it. Then it was suggested that they ride across the country and kill a cowboy, and upon second thought they realized that would not do. They said, "Cowboy got nothing; cowboy he kill you; he never tell Government." And then it was suggested that they would kill the Indian agent; he was an officer and "somebody"; the Government would hear about that; so, in order to bring their condition to the attention of the Government, they killed the Indian agent. The trouble has been that we await the blowing up of a *Maine* or the killing of some high officer before we think of our obligations. Now, the Government ought to have heard the cry of Farmer Jones as quickly as it heard the cry of the Indian agent. The cry of the American womanhood should be heard in every land in the darkest corners of the earth as quickly as the cry of an ambassador, and this Government should be ready to go to her rescue, and that without calculating the cost of her protection. But it seems we have forgotten our reasons for taxing ourselves in time of peace to maintain our Army and Navy. There are wholesome reasons for this policy, but we seem not to use them for that purpose.

PURPOSE OF STANDING ARMY IN TIME OF PEACE.

There was an instance which happened upon the Mexican border since the beginning of the Mexican trouble that is illustrative of the laxity in some quarters of the United States Army toward leading a life of indolence, luxury, and aristocracy. Less than two years ago Salizar came across the line and took from the United States military camp a rapid-firing gun and 250,000 rounds of ammunition and hauled it off in a wagon in broad, open daylight. Of course, no one was on guard; they were enjoying, doubtless, a convivial revelry and had but little thought of the duties and obligations incumbent upon them, and in this connection I want to incorporate here another speech of mine, delivered on the 6th day of September, under the five-minute rule for discussion, after the Clerk reported the items for appropriation:

> "Subsistence of the Army, fiscal year 1913, $220,625.16; water and sewers, fiscal year 1913, $443.85; in all, $654,448.49.
>
> "Mr. Chairman, I move to strike out the last word. Mr. Chairman, possibly what I intend to say would have more bearing upon the general appropriation bill that will arise in the next Congress. Here is a large sum appropriated for Army purposes. I have a notion that the use of these Army purposes is not what ought to be made.
>
> "I am not ready to vote for a continuation of Army and Navy appropriations if they are not to be used for the purpose for which they are legitimately intended. The only arguments I know of that will sustain appropriations for the Army and Navy in time of peace are these: First, to repel an unexpected invasion; second, to suppress insurrection or riot; third, to enforce neutrality and treaty obligations; fourth, to protect our citizens in foreign lands and commerce on the high seas; and, fifth, to form a nucleus around which an army may be organized and officered in case of war.
>
> "Mr. MANN. Mr. Chairman, I make the point of order that the gentleman is not in order. He is not discussing the matter before the committee.
>
> "Mr. MURRAY of Oklahoma. Now, the gentleman's imagination, he will find, is not true. I am discussing the propriety of making appropriations for the Army and Navy.
>
> "Mr. MANN. Yes; but that is not involved in these items.
>
> "Mr. MURRAY of Oklahoma. I am speaking of the whole paragraph. I perhaps might have put it in a little earlier, but I thought I would wait until the entire sums were reported.
>
> "Mr. MANN. The gentleman waited too long. I make the point of order——
>
> "The CHAIRMAN. The Chair thinks the gentleman from Oklahoma [Mr. MURRAY] is in order.
>
> "Mr. MURRAY of Oklahoma. I hope my time will not be taken up by the gentleman's objections. Mr. Chairman, the objects of an army or navy are those that I have stated. If any man can

give any reason for the taxation of the American people in time of peace for an army and navy for any other purpose, I would like to know it.

"But we find that our armies are too often used for some other purpose. We find in the organization of the military establishment of this country that it is largely used to aid certain towns and localities. We find, in addition, that the scattering of our Army posts has crippled the efficiency of the Army. I can prove by the military experts of this Government or of any other first-class power in the world that a stronger military power than our military arm can be inaugurated for $5,000,000 less than it costs to keep up our present establishment. Besides this, they are used to build up an aristocracy. In the Naval Academy, when we appoint a boy as a congressional right, if the boy fail, before the boy knows it or before I or one of you know it, some man who is an officer in the Army or Navy will send a telegram, 'Your boy has failed, and therefore I want my boy appointed.' The only aristocracy built up in this country has been built up through the Army and Navy. To my thinking, that is a wrong use and a wrong purpose for the Army. And then, again, we find that the Army and Navy are used to promote the Steel Trust; but the greatest abuse of its use is when it is made to fire on a lot of laboring men in a strike.

"Now, if these are the purposes for which our Army and Navy are to be used, and they are not to repel insurrection, to enforce neutrality, to protect commerce and the rights of treaties, and for the protection of life and property of the American citizen in foreign lands, I am ready to quit voting for an army and navy in time of peace."

There is another reason why we should not permit this anarchy to exist at our door, and that is the example to our own citizens. This ought to be apparent to everyone, and hence I will not take time to discuss this phase of the subject; but I confess that the main object is the protection of American property and lives, and especially womanhood, and beyond and above all to prevent the Mexican Government from granting to Japan concession to colonize Mexico.

CONDITION OF MEXICO.

I do not believe that, if left alone, Mexico will ever rise from its present condition. It has some 15,000,000 people, only about 6,000,000 of whom can read and write. Of these 6,000,000 about one-half are plutocrats pure and simple. They own all the property; they have no regard for patriotism, law, order, or the rights of other men. They have held the Government under despotic Diaz for their own selfish interests, and they do not care for order unless it is to continue them in possession of the property of Mexico. Of the 9,000,000 that can not read nor write the large body of them are Indians, and, I might say, as is the experience of all, they are among the best citizens there, as one of the contractors said to me, fleeing from Mexico, as a laboring man "The more Indian there is in his blood the better he is." These are the descendants of the old Aztecs, who possessed a high degree of civilization at the conquest by Cortez. The records show that although the great body of them were sun worshipers, yet they had a knowledge of the omnipotent, impersonal One, an unseen God which all Christianity worships.

These Indians under the Diaz administration had been treated so cruelly that they are against any Mexican domination. They aided in the destruction of the Diaz government, and when Madero came in they turned against him. They think infinitely more of an American citizen than they do the white Spaniard, and they have for 30 years harbored a deadly hate for the Mexican, who has despoiled and murdered them. Hence, I say it will be a long time before order can be restored; and, indeed, when it is over it will be because of a weakened condition—so weak that they can not fight. We may have at our door a repetition of what occurred in the Republic of Paraguay, in South America, during the cruel and despotic reign of Lopez and Lynch. For 20 years a revolution and banditti reign existed in Paraguay. At its beginning there were 700,000 citizens. At its end they had 300,000 women and but 125,000 old men and boys and had lost the unit of government, the family, which resulted in loose morals and in in-and-in breeding, and consequently imbecility and lunacy; and they were compelled to enact a law giving to every Paraguayan woman a pension for life who became the mother of two children by any foreigner, whether in or out of wedlock, so that the race might not be weakened by imbecility and idiocy. For Mexico herself, for her own preservation and interest, the wisest policy has been and now is for the United States to intervene and stop this civil butchery.

NATIONALITY AND INDIVIDUALISM BALANCED.

In our onward progress toward a centralized despotism, crushing States and their local police power, usurping the rights of the individual citizen, without regard for that just balance of power so essential for national strength and the fullest amount of liberty; in our mad rush onward toward a repetition of the Roman system which caused its destruction, are we to lose sight, as did Rome, of the rights of individuals? Under the Roman Empire every Roman was for Rome, and Rome as a nation was never regarded as for the citizen or individual. Every right, every individual effort, and thought was surrendered to the interest of Rome. When the farmers of Rome, by their splendid knowledge of agriculture, who as farmers surpassed any now known to the Continent of Europe, began to develop an individuality so characteristic of the farmer as an occupation, the Roman "agrarian laws" were passed, which placed the title of all agricultural land in the nation of Rome, so as to enable the nation to jerk from under the farmer his possession at any time, leaving him only a "possessory right," and this system so discouraged him, so weakened his individuality that he lost heart, and with it the method and knowledge of production. High cost of living followed, the empire and its civilization fell, ushering in all of those superstitious centuries known as the "dark ages." Are we to repeat this history? Are we to overlook the interest of the individual? Are we to declare that every American is for the Nation, and the obligation of the Nation to protect the individual nowhere exists? If not, then the Nation must heed the cry of every man and every woman to protect him, his family, and his home, whether he be in America, upon our border or in foreign lands. By this system, and this alone, will we maintain that equilibrium between nationality and individual rights so essential for the protection of the individual.

I am appealing for the doctrine, not that we should overlook the "sinking of a *Maine*," an assault upon a minister or an ambassador or one of our embassies in a foreign land, or the killing of an "Indian agent," but I am making appeal that this Republic may heed the cry of "Farmer Jones" as quickly as it would heed the cry of the "Indian agent"; that we must heed the cry of the "woodchopper," as did Great Britain in Nicaragua, and we must heed the cry of American womanhood as quickly as we would heed the cry of an assault upon the American ambassador. This doctrine, under international law, between treaty-making powers granting it, is so just and so thoroughly recognized by every civilized nation that the enforcement of it is but to declare it with emphasis and earnestness, and a declaration with earnestness to protect it has never been the cause of war. War comes in where justice ceases. Exercise of justice and humanity and national declaration therefor should ever be sustained by the Army and Navy if necessary.

BRITISH REGARD FOR HER CITIZENS.

In the Nicaraguan revolution of some 20 years ago the President, thinking some American citizens had sided with the insurgents, rounded up some 200 American citizens and imprisoned them. It happened to be in one of our administrations when the policy was to call them "American renegades," unworthy our protection, but among them was one man, a woodchopper, who set up the plea that he was a British subject. Nicaragua disputed this, and the British Government said, "We will see." They found that he was born in Canada, reared in the United States, but never had taken out naturalization papers and never had attempted to vote, now in Nicaragua as a woodchopper, and upon these facts the British Government said to Nicaragua: "You must pay the expenses of this investigation, which is $50,000, and compensate him for his imprisonment." He would not have been arrested if it had been known that he was a British subject, because Great Britain never hesitates to exercise her rights under international law to protect her citizens everywhere.

THE HOME THE CITIZEN'S CASTLE.

William Pitt, England's great statesman, once said in the House of Commons, in an effort to check British harsh exactions upon the American Colonies:

> Though a British subject live in a log-wall hut, the roof may cave in and the door may creak upon its hinges; the winds may howl around it; the snow and hail and rain may enter it, but no King can without his consent—his home is his castle.

Such is the theory and practice of the British Government. Such is the theory of our Government, and I but plead for its practice. If we expect every American citizen, wherever found on the earth, to respond to his country's call, we must give him protection when he calls for it. But would you, placed in Mexico or elsewhere to live, being stripped of your property, your home burned, and your family outraged, feel like responding to the call for volunteers if this country should embark in a struggle with some other nation? Take the question home to yourself and apply it in a concrete way. The home of the citizen should be protected wherever found, whether that be amid the palatial residences of the denizens here in Washington on the Avenue of the Presidents; whether among the mansions on Fifth Avenue, New York, whether amid the huts and hovels of the Mississippi Valley, or but the tented traveler on his westward journey—wherever found, to use the language of the Baltimore platform, "whether in America, upon our border, or in foreign lands throughout the world," the flag of our Republic should go with Them.

O Flag of our Country, wave on, wave ever! May it never be substituted by the ensign of European monarchy or fail us as our standard in the Asiatic race conflicts of the future.

Flag of our Country, wave on, wave ever! May it ever remain the sheet anchor of the Monroe doctrine and American institutions and the inspiration of every lover of political, civil, and religious liberty throughout the world.

O! Flag of our Country, wave on, wave ever! May every American be wise enough, brave enough, patriotic enough, to unfurl it as the shield of protection as readily as the emblem of liberty and love!

Foreign and Domestic Commerce.

EXTENSION OF REMARKS
OF
HON. CHARLES C. CARLIN,
OF VIRGINIA,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, November 13, 1913.

Mr. CARLIN. Mr. Speaker, the subject of our foreign and domestic commerce is one of which the whole American people are deeply interested, and as there has recently been an exhaustive review of this important subject by the present Secretary of Commerce, Mr. Redfield, I am glad to give to the House and the American people the opportunity of an immediate insight into the great work of the Bureau of Commerce and its relation to our domestic and foreign commerce. I insert, as a part of my remarks, the following:

SUMMARY OF ADDRESS OF HON. WILLIAM C. REDFIELD, SECRETARY OF COMMERCE, BEFORE THE DETROIT BOARD OF COMMERCE, DETROIT, MICH., OCTOBER 21, 1913, ON THE SUBJECT OF RELATIONS OF THE DEPARTMENT OF COMMERCE TO THE BUSINESS WORLD.

Mr. Redfield spoke in some detail of the organization of the Department of Commerce, with its nine bureaus, comprising the Lighthouse Service, the Coast and Geodetic Survey, the Census, the Bureau of Corporations, the Bureau of Standards, the Bureau of Navigation, the Steamboat-Inspection Service, the Bureau of Fisheries, and the Bureau of Foreign and Domestic Commerce. He said the department employed over 8,000 men, of whom but 1,500 were in Washington, the balance being scattered all over the world, from the Philippines to Hawaii, and in Alaska, while the commercial agents of the department were in South America, Asia, Africa, and Europe. A specialist on cotton manufacture has just been sent to Japan and China to study the cotton interests there; an expert on coke by-products is investigating such matters in Europe; a special monograph on commercial opportunities in South America is now in course of preparation, and it is expected within a short period to send to South America a student of banking and credit conditions in that country, who will make a special investigation of this subject.

Mr. Redfield then said: "The work of the great bureaus into which the department is divided is perhaps of more especial interest now on what I may call its inquiry, rather than its administrative side. One or more of these inquiries have aroused some public attention, but rather little is known of them in detail, and still less is known of the plans which the department purposes to undertake if funds are provided. This is a very large 'if,' for it must always be remembered that the department may propose, but Congress may effectually dispose, by declining to furnish either part or all of the funds with which the necessary work is to be done. For example, at this present moment the inquiry into the pottery industry, which is a very important and intended to be a very helpful investigation, is almost at a standstill for lack of funds. Assuming, however, that Congress will be kind, let me say what we purpose to do in the way of direct promotion of American trade abroad.

"I assume you are aware of the great advance of American export trade in manufactures during the last year. It is one of the great stories of American conquest and should fill every American with just pride. Time was, within the memory of most of you, when we sold abroad chiefly the products of our fields and farms or of our mines. We were known as a food-exporting country, and in a sense did largely feed the nations. That day is gone. Our exports of crude foodstuffs are but 18 per cent of the total, and the major place in our export trade is filled by the products of our manufactures, in which work you of Detroit have had a large share.

"So many men have believed the gospel of inability that it must be a rude shock to them to discover that while they have nursed the theory that we could not meet the foreigner on his own field, we are, as a matter of fact, doing so. To sell our manufactures abroad to the extent of over fifteen hundred millions in value in one year is no small thing; but when this continues to expand at the approximate rate of half a million dollars daily, and when in this total the largest item by far is that of fully finished manufactures, which is not only, as I have said, the biggest item, but that which is growing fastest, then the statement is very much more marked.

"We feel, therefore, in the Department of Commerce that the tide of American business in the foreign field is at the flood, and that its course should be made as easy as possible, and that the Government should assist in every practicable way toward bringing the gold of the nations into the purses of our manufacturers. The Government means to this end have been very trivial heretofore. A bare $60,000 has been the total annual fund for the promotion of commerce, and it has, upon the whole, been well used. Yet if this sum, which is much less than many a single establishment pays for its advertising, be compared with the vast volume of our foreign commerce, which is, in total, in excess of four thousand millions annually, its insignificance relative to the opportunity becomes humorously apparent.

"Nor has our organization in the foreign field been what it should be. We have had consuls, and the Consular Service has of late much improved, but the consul has much to do that is not related directly to commerce. His time for promotion of commerce is limited. He has diplomatic and administrative matters to which to attend. He is, furthermore, limited in place and may not be able, for lack of time or because of his fixed habitat, to take up some quite important inquiry at some distance from his post. We have had, in a modest way, commercial agents, some 16 in all, who have taken single subjects and inquired into them carefully. But it will be many long years before American commerce will be fed fat from the labors of 16 men, however able and earnest and well-directed their efforts may be. Germany is said, on what I think good authority, to maintain in this country permanently a force, under regular pay, of from 200 to 250 men, and I am informed that if those who receive temporary pay are included Germany has as high as a thousand or more of her commercial servants in the United States each year.

"We purpose, then, to have the beginnings of a new organization abroad, by putting into 14 important cities—including London, Paris, Berlin, Vienna, and St. Petersburg in Europe; Tokyo and Peking in eastern Asia; Melbourne in Australia; Lima, Santiago, Rio, and Buenos Aires in South America—'commercial attachés,' accredited to our embassies, but under the supervision of the Department of Commerce, and reporting directly to it; men who shall be paid from $4,000 to $5,000, according to the responsibility of their post, and be each furnished with a moderate fund for traveling purposes and a clerk. The duty of these men would be to provide that general study of the industries and commerce of the nation to which they are accredited which the consul can only do in a local and limited way. The consular force and the commercial attachés would be complementary to each other, one supplying what the other lacked. One would fill the local field, the other the general field; and the commercial attaché would have the advantage that his sole duties would be given to commercial activities and none of his time be taken for diplomatic or other work.

"We purpose to retain also (and, if funds are provided, to enlarge) the force of commercial agents, so that we shall thus—if and when the organization is completed—have a threefold force, which I may thus restate: The commercial attaché, resident in the great capital, with all the industries and commerce of his nation of residence as the subject of his study; the consuls, each in his local field, doing his present work, and doing it, we hope and believe, the better for the assistance of the officer with the larger view; the commercial agents, each dealing with a particular subject, movable men going from nation to nation until the study of their particular themes is completed. This force, even if completed as we hope, will be most modest. There is not one of the great competing nations that will not far exceed us in the outlay of both money and men for the same purpose. Still, it is a beginning, and seems to us to have in it the germ of great good to all our people. To secure this beginning we shall ask of Congress in

the coming year for this bureau a sum rather more than double that which has been provided for the Bureau of Foreign and Domestic Commerce hitherto. It will not be, after all, a large sum, as nations reckon—about three-quarters of a million dollars in all, to cover every expense both at home and abroad—and the force, all told, exclusive of the consuls, who are under the State Department, would not exceed 150 men in this country and a total of 75 abroad.

"Another development of this same work is that we plan, if we get the funds and the sum mentioned is sufficient for the purpose, to put an office of the Bureau of Foreign and Domestic Commerce into each of four great cities—New York, Chicago, San Francisco, and New Orleans. The office in New York is already begun; for the others we have not as yet sufficient money. The clerk in charge in each of these cities would keep in direct touch with inquiries as to facts in the foreign field; would have at disposal the publications of the bureau, which are the reports of the consuls and of the commercial agents, and would include the reports of the commercial attachés. Inquiries could be addressed to the local offices by manufacturers as to matters in which they were interested or inquiries they would like to have made. This is merely one step in bringing the organization closer to the average business office.

"Another and perhaps more important step is to arrange that the commercial agents as they return from their foreign trips shall go from city to city in this country, visiting boards of commerce like your own, and telling face to face to such gatherings what they have seen and found in the foreign field. This might lead to their answering individual inquiries from different concerns, and would be a very direct and simple means of bringing the facts home to our industries. In short, the commercial agent would be a man who would go abroad to learn and come home to teach, and who by his written reports and his personal statements would come in direct touch with any of you who were interested in the study he was making.

"I need hardly say, however, that although this plan has been very carefully worked out and has been approved in its general form by the United States Chamber of Commerce and has the written approval of the President, it depends for its birth into actual fact upon the will of Congress. The estimates which have already been prepared for the fiscal year commencing on the 1st of next July, contain this plan as it is outlined to you. If you approve the suggestions I have no doubt that a statement from you to that effect would be welcomed by the Appropriations Committee, before whom the matter must in due time come.

"Another very different and new form of activity is contemplated by the Bureau of Corporations, of the department. This bureau has done some admirable work in the past, but its resources and possibilities have not been utilized as fully as, in my judgment, they now should be. Indeed, they have been so little used that considerable sums of money have been turned back into the Treasury unused from the appropriations for the bureau. Despite this fact, we shall ask from Congress a considerably enlarged sum for the fiscal year to follow, a portion of which will be devoted—if our request is granted—to use under a very different conception of the work of the bureau from that which has heretofore prevailed in practice.

"We feel that the work of the Bureau of Corporations, with its broad powers of inquiry, should be extended out from the field of sporadic and particular investigations into this or that industry or subject, important—indeed, vital—as some of these have been in the past. It seems to us that there lies a power for usefulness in this branch of our department which has been hitherto quite unused, and which may go deep into the foundations of things which lie beneath our whole industrial structure. Just, for example, as in our Bureau of Standards we are investigating the physical and chemical and electrical laws which underlie our industries so that we may be guided by those laws in our production and may establish standards in conformity with those laws which shall measure our methods, so in connection with the Bureau of Corporations we feel that there are certain economic laws even more potent than statute laws which may be and, if possible, should be brought to light for our guidance.

"One of these studies which has received the approval of the President, and which, if funds are provided, we hope to undertake, is the question whether the 'trust' form of organization is economically efficient; whether, to state it differently, the combination of numerous factories that have hitherto operated under separate managements into a single consolidated whole under one management does necessarily provide that efficiency which is said to be the reason for such conglomerations. Is there not a law of maximum production at minimum cost beyond which point to force production under any given circumstances means an increase in cost? Are there not factors in management and methods which perhaps have been overlooked in the formation of these great organizations? Leaving out of account those with whom the law has dealt, many of them have not been distinguished by their financial success. Some of them have ceased to exist. Perhaps those that have achieved wealth by purely industrial processes are the few rather than the many. It has been said, and truly, that large capital is necessary and large production essential to low cost; that the possession of great masses of money makes possible scientific inquiry and refined methods and outlay upon promotion and research not possible to the small business. This is, of course, true so far. How far is part of the question to be determined? There are thousands of men who can be corporals in an army; perhaps not quite so many who can be sergeants, but still very many. There are a good many less who can be captains of the companies, and the proportion of majors is fewer, and of colonels less. More rare are the successful generals of brigades; still rarer those who can control an army corps, and the masters of great armies are not at all easy to find.

"The supreme masters of great forces in the world's history can almost be counted on your fingers. There are those who think this thing is true of great industries. One of the most acute lawyers connected closely with our greatest enterprises said to me that the trusts carried in them the seeds of their own decay, because it was not possible continuously to find men competent to manage well such mighty movements.

"We purpose, if we are permitted, to study this whole problem, to see what its fundamental laws are; to learn what the new factors are, if any, which come into play when production passes a certain point and great numbers of men are massed under one leadership. Here are elements of waste to be considered; here are elements of supervision to be noted; here is the question of purchasing, as affected by other matters than mere mass or volume; here is the whole human side to be thought out; and there are wise men and experienced who begin to feel that the popular sense of dread of the great overshadowing trust is perhaps only the instinctive expression of an economic law, felt rather than understood, that these aggregations are economically unsound as well as socially dangerous. Here again we can only plan. Congress must provide, and if it shall provide we shall try to undertake the inquiry."

SUMMARY OF ADDRESS BY HON. WILLIAM C. REDFIELD, BEFORE THE BOARD OF COMMERCE, FLINT, MICH., OCTOBER 22, 1913.

Mr. Redfield spoke of the scope of the department as including the heavens above, the earth below, and the waters beneath, giving, as examples of this, the Radio Telegraph Service, the Coast and Geodetic Survey, and the Bureau of Fisheries. Its extent he characterizes as world-wide, with active agents in the Philippines, Hawaii, Alaska, and Porto Rico, while its commercial emissaries were in every continent. An inspector has just left to study cotton conditions in eastern Asia, and a student of banking and commercial credits will shortly start for South America to develop inquiries along those lines. Studies in the by-products of coke are going on in Europe, and these are but illustrations of a service which encompasses the whole world. Speaking of the difficulties under which some of this work was done, he instanced the fact that four fishery inspectors were supposed to cover many thousands of miles of coast in Alaska. This they were expected to do, although there was no regular passenger service on most of the coast and no boats or other means of transit were provided for the inspectors. This had been brought to the attention of Congress, and it was hoped and believed that the service would no longer be left in a condition where dependence for the facilities of inspection must be placed upon the personal favor of those whom it is supposed to inspect.

In discussing the work of the Coast and Geodetic Survey, Mr. Redfield pointed out how essential it was that this important service should be provided with the most modern apparatus in order that it might complete an accurate survey of much of the Alaskan shores, where commerce is so rapidly growing and where neither force nor equipment had been provided in sufficient quantity to make commerce wholly safe. As an illustration, he instanced the wreck in August last of the steamship *State of California*, which ran upon an uncharted rock in Gambier Bay, Alaska, and sank in a few minutes, carrying many persons and a valuable cargo to the bottom. This was really a needless waste of human life. It has long been known that pinnacle rocks, such as caused this wreck, are not easily found by the ordinary sounding lead line; but a device—a wire drag—is now in use which will infallibly detect them. This device is used upon the Atlantic, but none has been provided for the Pacific, and in Alaska it is especially needed because of the peculiar formation of the sea bottom there. It is earnestly hoped that Congress will provide at the next session at least two sets of this apparatus and a sufficiently increased force of men to

permit a thorough survey in the most modern fashion of the entire Alaskan coast without unnecessary delay.

There are two very different lines of the department's activity in which I think you may be interested. One because it has been very widely discussed and made the subject of general comment; the other because it bears a very direct relation to every dweller in an important city, although it has hardly been before mentioned in public discussion.

When it was suggested some months ago that the inquiry powers of the department might under certain conditions be used to learn whether conditions in any general industry were such as to justify a reduction of wages when alleged to be made because of tariff changes there appeared very general comments on the alleged action, which comments were chiefly remarkable for their vigor in dealing with an assumed state of facts that did not exist. An attitude of courteous candor which was not for a moment misunderstood by the gentlemen who were directly concerned was so altered in the telling of it as to put the department in the position of menacing individuals and establishments with hostile intrusion if excuse could be found for so doing.

When the direful results which prophets of evil foretold did not occur the facile imaginations of some editors led them to say that the Secretary of Commerce had withdrawn from his attitude. The Secretary of Commerce has done no such thing. He accepts no responsibility for the vagarious remarks they would have had him say and which they would like to criticize. The views expressed in the address, because of which all the dust arose, have not been changed, and the action that was suggested in that address will be taken if the circumstances suggested therein should arise and seem to make it necessary. Meanwhile the department will not be "bluffed" by those who wish it to err into action which would have for the sole basis of its existence the hope of some that it might make a mistake. It is, however, extremely interesting to note how threats of reducing wages because of tariff changes have been few of late. It reminds me of those fine lines from an old Irish song of the Civil War, which run:

Speechless silence all around
Is every sound I hear.

The fact that powers exist in hands that will use them if, and only if, general and sufficient cause shall appear for such use, and will then use them conservatively and considerately, if at all, seems to have had a sobering effect upon those who would make the wages of the laborer a fulcrum on which to poise their political arguments. Meanwhile an inquiry under these powers has gone steadily on into conditions in the pottery industry. The domestic field work will take perhaps two months longer, and it is soon expected to begin the European side of the field work. All sorts of yarns have been printed about this inquiry. It was intended to affect the tariff bill, which was not true. It was a sign of fear lest a mistake was made, which was not true, either. It was an attempt to coerce, which was still less true. It was all sorts of things except the thing it was, namely, a thoughtful, patient, painstaking inquiry into the truth, with a desire to help everybody and hurt nobody, for truth does harm only to the evildoer. Candid men of all political faiths are not afraid of truth, least of all good business men, and those who have gone from our department into the field into this inquiry have met a considerate, courteous, and frank spirit of good will. There are not wanting those who have frankly thanked us for what they are kind enough to call an effort to be of service to them. What the report will be as a result of this inquiry I do not know. It will be impartial, for many different views have been represented among the inspectors. It will be clear and candid and will not have for its purpose any effort to influence legislation one way or another. Our belief is that it will be helpful all around, and certainly the intention to have it so is very deep within our purposes.

It is possible that other inquiries of a similar kind may be taken up hereafter. If so, it will be done in the spirit that respects and welcomes all truth and which will try with a proper catholicity to serve the industries themselves, the people who are employed in them, and the people who buy from them.

Another line of inquiry of a very different kind is proposed for which in our estimates for the coming fiscal year the sum of $100,000 has been included. Let me quote the exact language of our application for certain funds that are asked on behalf of the Bureau of Standards of our department. They are wanted "for an investigation of the standards and methods of measurements and for determination of the quality and cost of service required in the regulation by States and cities of public utilities, being such as the electric light and power companies, city and interurban railway companies, telephone companies, gas companies, water companies, and every public-utility company, and for furnishing technical data and expert advice to State and city officials upon request in connection with the regulation or operation of public utilities, or of the fulfillment of municipal contracts for street lighting, water, gas, or electric power, etc."

This fund would be used to enable the Bureau of Standards to carry on such investigations as would fix standards of service for public-utility companies that would assist the public-service commissioners of the States and cities and other authorities in regulation and control of these utilities. There is no hint here of the Government infringing upon the authority of any State or city when through its Bureau of Standards it proposes to cooperate with and assist State commissions in their technical work. There is no suggestion or idea that in this connection the Bureau of Standards would exercise any legal authority whatever; no more so than it does in its other scientific standardizing work.

There is, however, a wide field for the activities of this scientific bureau in carrying on and publishing investigations of a purely technical character for the purpose of establishing standards and methods that may be adopted generally by State and municipal commissions. Uniformity of process and of requirement is greatly needed, and without some coordinating agency which is impartial and disinterested it is hard, if not impracticable, to secure such uniformity. Two parties, one a city or a State, the other a public-service company, may disagree. Who is to be the arbitrator? You say the court, but the question is a technical one, and upon what standard of technical knowledge and inquiry will the court base its action?

In drawing specifications and stating requirements to which a utility company is expected to be held it is essential that there should be some definite standard not determined by an arbitrary flat of one engineer or anyone interested, but based upon laws learned by study and upon the impartial activities of a body which has no possible connection with the particular case, but is charged instead with the sole duty of determining the precise facts and passing upon these standard requirements. The Bureau of Standards can not formulate satisfactory rules that would be accepted as standards without consulting with the public-service commissioners and with utility companies all over the land, in order to become familiar with the conditions and requirements in different sections and to ascertain the views of the various parties interested.

A considerable force of people and experienced engineers and experts will be required and funds will be necessary for them to travel and to make their scientific inquiries. The cost, because of the splendid equipment and organization that the Bureau of Standards has already, will be far less than if each State or city were to attempt to do this work. That would mean creating for that purpose in each State or city a costly plant, which would duplicate that now in use by us.

It is of the greatest importance that all State and municipal commissions should possess full technical information in regard to utilities which they are required to regulate in order that they may act intelligently and justly as between utilities companies and the public. If the public is to have a square deal, there must be just as good information in the hands of the public-service commissions as there is in the hands of the public-service companies. The latter can and do pay high prices for the best-trained minds. The public-service commissions frequently are unable to do this, yet these latter are charged with regulating the former, and unless they are as well informed that regulation will be more apparent than real.

It was found, for example, in one city that gas was being furnished far below the legal requirements merely because the best technical information had not been available to the public authorities. Serious errors in another case have been made in drawing requirements for street railways merely because the public authorities had not the knowledge at hand requisite for the purposes.

In two important cities to-day officers of the Bureau of Standards are being consulted by the municipal authorities determining the precise facts on which a firm and fair regulation shall be based. The public-service commissions of at least six States and many cities have asked this cooperation.

The subject is one of importance which opens to thought the more it is studied the vision of great possibilities which, indeed, in their results will affect the daily life of the humblest man, but whose inception is based upon the most profound scientific study and upon the use of the best technical apparatus.

I wonder, as I think of this great work, if some sapient mind with versatile powers will arise to say something about our intruding somewhere, or something as to grasping at the affairs of States and cities. If such there be, their mental case is hopeless. It is useless to attempt to standardize such minds.

Nothing can measure their movements or weigh what it is that passes with them as intellectual process.

Lest in the midst of this technical subject the fact is not clear in your minds, let me say again that these inquiries into the fundamental laws which underlie all the work of serving you by public-utilities companies will be so carried on that their results will be available on request of those who need them and not in the least because it is intended or will be permitted that they shall replace or modify any of the normal functions of State or municipal bodies. Mention of this single branch of the work of the great Bureau of Standards reminds us that they are also studying certain other matters which affect all of us directly; for example, into the causes of broken rails and of broken wheels and car axles. I need not tell you that from these three kinds of accidents much damage is wrought to property and many lives have been lost. The Interstate Commerce Commission has welcomed the cooperation of the Bureau of Standards of our department in studying patiently into the fundamental reasons that underlie these failures, in order that when the causes are once learned we may lay down standard methods whereby we can avoid this loss hereafter.

A SUMMARY OF THE REMARKS OF HON. WILLIAM C. REDFIELD, SECRETARY OF COMMERCE, BEFORE THE LANSING BOARD OF COMMERCE, OCTOBER 23, 1913.

After speaking of the general work of the Department of Commerce, with its 8,000 men, engaged in many different lines of activity all over the world, of which number but 1,500 are employed in Washington, the Secretary went rather more into detail respecting the urgent and important work of protecting the coast of Alaska, which duty is charged upon the Coast and Geodetic Survey, which is one of the bureaus of the Department of Commerce. Mr. Redfield said:

"The recent sad accidents on the Alaskan coast, particularly that to the *State of California*, which in last August sank in a very few minutes after striking an unknown rock, carrying to the bottom most of her passengers and crew, have enforced the necessity for protecting these dangerous coasts as fully and rapidly as possible. The task is no easy one, for there are many thousand miles of dangerous coast to be watched, with numerous inlets and islands, and a large force is needed, and a good deal of money, in order to make them as safe as they ought to be. Yet, until such safety is secured the commercial development of Alaska can not reach its normal height, for we have no means of reaching that great territory save by water, and can never have any means of reaching it directly from our own shores except by sea. The problem is not only that of surveying the enormous coast line and of sounding the bottom of the sea and preparing the necessary charts for navigators, but it is also that of establishing and maintaining the lights and other aids to navigation which are requisite for security. Already six vessels are employed by the Coast Survey in this service and two by the Lighthouse Bureau. The former will ask for six additional ships, in the estimates which have just been prepared, and the Lighthouse Service is asking for one large steamer to provide transportation facilities for its supplies, as well as doing necessary tender work in heavy weather.

"A part of this Alaska problem is the caring for the seal herds on the Pribilof Islands in the Bering Sea. The present law provides for a closed season of five years, during which only such seals shall be killed as are necessary to provide meat for the islanders. This number is limited to 3,000 per year. A census of the herd taken this last summer shows that the first year of the closed season has resulted in a fair increase of the number of seals, and it seems reasonably certain that the result of the full closed period will be a restoration of this invaluable asset to a position where it may be drawn upon from year to year in moderation while still permitting its steady growth.

"In this connection a new departure has been made in having the skins sold in the fur market in St. Louis instead of, as heretofore, in London. The auction of the skins for Government account will take place in December, and the department is awaiting the result of the experiment with much interest.

"Another very different line of the department's activity is an inquiry that will be made, if funds are provided, into the question of the fixing of retail prices by manufacturers. The Supreme Court has decided that such fixing of prices is now unlawful, and there is of course no thought, much less purpose, of in any way questioning the decision. It is the law of the land, and as such bound in letter and spirit to be accepted and obeyed. For the guidance, however, of future legislation on this important subject, it is desirable that the economic question be worked out. Is it or is it not the fact that when competitive conditions exist the fixing of retail prices by a manufacturer tends to monopoly? If, for example, a patent jew's-harp is sold at $5, the price being fixed at that figure by the manufacturer, does the fact that the price on that article is so fixed act to cause monopoly so long as conditions exist which permit other patent jew's-harps to be sold at the same or differing prices? As a matter of fact, is it or is it not a temptation to a man who can make a good jew's-harp which he can sell at $4 to proceed to do so and does it, or does it not tempt another man who can make a jew's-harp which he can sell for $1 to try to make it for that figure?

"The question is a practical one, not to be determined by surmise or upon the hasty jumping at conclusions from any single circumstance. There is doubtless much to be said on both sides, and the matter is too complex to be solved at a glance. The decision of the Supreme Court settles the present law, but the wisdom or unwisdom of a new law and the economic profit or loss of the practice are not yet settled. There are men who are sincere foes of monopoly who incline to the belief that under economic laws, which are greater than any statutes, the broad prohibition of the right to fix retail prices by the manufacturer tends itself to create monopoly instead of being a movement toward relief from such monopoly.

"The subject is one that concerns us all. There is no one here that has not in his possession some patented article which is affected by this ruling. Our retail stores abound with them. A very keen feeling exists among the manufacturers of such articles, and unless I am incorrectly informed, there has been a very keen competition among such manufacturers in many lines. We deem it well, therefore, that the Bureau of Corporations should devote some time and money during the coming years to a careful study into this important business problem."

SUMMARY OF REMARKS OF HON. WILLIAM C. REDFIELD, SECRETARY OF COMMERCE, BEFORE THE COMMERCIAL CLUB OF OMAHA, OCTOBER 28, 1913.

After briefly describing the work of the Department of Commerce, which he said covered the realms of the air, the earth, and the water, through the Radio Service, the Coast and Geodetic Survey, and the Bureau of Fisheries, Mr. Redfield said:

"The attitude of the Department of Commerce toward the business world of to-day may be defined in two words. It is an affirmation and an inquiry. It has undertaken, subject to the approval of Congress and based upon funds which Congress will be asked to appropriate, to carry out these two ideas, the affirmation and the inquiry into fact. It bases its affirmative policy on a strong belief in the character and quality of American business men and in the efficiency of American labor and of American organization. The department knows very well that many of our industries are not efficient, that some capital is held back from its legitimate fruitage because of its own fears and by lack of confidence in its own power to compete in the world's markets. It is recognized that in some places labor may still not fully realize that its richest reward lies in the largest possible output when due and searching regard is paid to such hours and such speed as will not overstrain or poison through fatigue. We know that much of our industrial movement is still hampered by inefficiency, not the less real because it is unconscious. Nevertheless, though these things are true, we do believe strongly and increasingly in the power of our American industries, when they shall have surely found themselves, to compete with the industries of any country in the world while fully maintaining on the one hand the American standard of wages and on the other hand reducing the cost of production. The gospel in which I believe, then, is an affirmative one, a gospel of courage and of hope, not a rash or hasty self-confidence, but a fearlessness based upon a calm estimate of our own power, and which takes all the facts, not merely a part of them, into account.

"Based on this belief, the Department of Commerce wishes to initiate a new step toward the expansion of American business abroad. It desires to place in each of 14 great capitals a commercial attaché, accredited to our legation there but under the charge of the Department of Commerce. This officer will have for his sole duty the study of commerce and industries of the country in which he resides and will be expected to collaborate with the consuls in the various local centers in that country in so doing. The great industrial nations in Europe maintain such forces and have them here among us, but we have never had sufficient confidence in ourselves to establish such an organization. The duties of the consul under the prospective plan will remain unchanged save that he is expected to report on commercial subjects direct to the Department of Commerce. We then propose to enlarge a force already existing on a small scale, called commercial agents. These are men who take a single subject and study it in various countries under all its aspects. There are a few of these now, somewhere from 12 to 16 men. We hope to double this force. The proposed organization would then consist of three parts:

"1. The general view of a country's commerce and industry represented by the commercial attaché located at its capital.

"2. The particular or local view of the country's interest in commerce taken by the consuls.

"The above two will work in cooperation.

"3. The special view of definite subjects through the commercial agents, who will travel from land to land in pursuit of their particular object.

"The results of all these three cooperating forces will be made public through the daily publication of the Bureau of Foreign and Domestic Commerce and through special reports. It is, however, expected that the commercial agents on their return home from their special trips will travel through this country at the request of boards of commerce and commercial clubs to explain to them, face to face, what they have seen and learned abroad, and that the commercial attachés when given leaves of absence shall likewise be free to place before representative bodies of business men the facts respecting the countries in which they have resided. By these several means it is hoped to put the entire industrial world in our country in position to get accurate and first-hand information concerning the industries and commerce of other lands.

"That this is no mere dream is evident from the fact that we are to-day exporting our manufactures to the extent of $1,500,000,000 in value yearly. This is a vast sum, and places us third in rank of the nations which export manufactures, England and Germany alone exceeding us. But it is perhaps even more remarkable that this foreign trade in manufactures is expanding very rapidly. Each successful month marks an advance. It grew through the fiscal year ending June 30 at the average rate of $500,000 a working day, and since July 1 has maintained or even increased that growth. We deal, then, not with a fancy or with a hope which we wish to come true but with an established fact.

"On its inquiry side the department hopes Congress will furnish funds to take up three matters of importance:

"1. An inquiry into the laws of production underlying our trust problem.

"2. An inquiry into the maintaining of fixed prices.

"3. An inquiry into the technical facts underlying the work of public-service corporations.

"First among these is the inquiry now proposed as to whether the trust form of organization is necessarily and in its essence industrially efficient. It is clearly recognized that large capital is essential to the cheapest production, and that this mass of capital permits research and other industrial developments that are requisite to producing at low cost and which otherwise could not be had without it. In other words, the massing of capital and of labor has undoubtedly points of great economic advantage. The question is whether these have not also their economic limits; whether there is not a law of maximum production at minimum cost beyond which lies a realm in which, if production is pushed too far, cost increases. The department does not dogmatize upon this matter. It looks at it as a subject of inquiry. There is some reason to believe that the aggregations of capital in industry have in some instances been pushed further than is economically sound, and that the gains to be made from such aggregations are more superficial and temporary than essential and permanent. The history of our trusts shows that they are far from having been universally successful. And the briefest glance at our industries also shows that many concerns of relatively small size are quite as successful, or more so, than those great aggregations which fill the public eye. Does or does not efficiency depend on bulk? That is the question which it is very important to answer. Do bigness and economy go necessarily together? It would seem apparent that if this matter can be worked out patiently and thoroughly—it can not be done in two or three months—so that the underlying laws of production can be made clear, we may come to a normal and natural settlement of the trust problem. I myself am inclined to think that in its extreme forms the so-called trust is a passing industrial phase.

"Secondly, since the Supreme Court has decided that the fixing of prices is unlawful, it is not our desire or purpose to question existing law. So far as I know, however, the economic law concerning the fixing of retail prices has never had thoughtful study. If there is ever to be new legislation on this subject, it ought to be based on accurate knowledge. Indeed, I hope it may be clear that what we are trying in the Department of Commerce to do is to substitute thorough knowledge for uninformed attempts at prevention or cure. Supposing—and always supposing—competitive conditions to exist, does the fixing of retail prices by manufacturers mean monopoly or tend strongly to it? Some of those most strongly hostile to monopoly in all its forms think it does not so tend. I express no opinion, but I think we ought to find out. Some have said that the present condition whereby prices can not be fixed is one which in its very nature tends most strongly toward monopoly, in that the survivor in what may become 'cutthroat' competition might have the field left practically to himself. It is remembered also that in countries abroad the maintaining of fixed retail prices is welcomed by the law. The only point I now make is that we would like to find out what is right and what is wrong on this subject, rather than have our legislation deal unjustly with it through a belief, however sincere, which may not be founded upon accurate knowledge.

"We believe it to be essential that the public-service commissions of State and city should have at their disposal at least as thorough information as is in the possession of the public-service companies they must regulate. This is not so to-day. The corporate servants of our municipalities and States can and do employ the best legal and technical talent, and in both respects those who would regulate are at a disadvantage with those whom they must regulate. Through the laboratories, therefore, of the Bureau of Standards we purpose to inquire, if funds are granted by Congress, into the underlying facts beneath our public utilities—facts as to gas, as to electrolysis, and other similar matters. Already six States and many cities have called upon the Bureau of Standards for this advice. The knowledge can not be had by each city or State for itself, since that would involve the establishment of independent laboratories at great cost for construction and maintenance, and when these were done the results would not be binding in one State as regards another. The results of an inquiry by the Bureau of Standards, however, are of accepted value, not only throughout this land but abroad. Furthermore, the Bureau of Standards is free from political, financial, or local bias. It seeks only the truth. No element of profit enters into their studies. Again, it seeks this truth solely for public uses and puts it at the service of all. The greatest public-service corporation and the smallest city, or even the individual engineer officer of any city, can have full access to the truth."

SUMMARY OF ADDRESS OF HON. WILLIAM C. REDFIELD, SECRETARY OF COMMERCE, BEFORE THE COMMERCIAL CLUB OF ST. LOUIS, NOVEMBER 1, 1913, ON THE IDEALS OF COMMERCE.

I am led to add to the remarks I expected to make by seeing in your local press extracts from the recent address of the Commissioner of Corporations on the subject of the intended future policy of that bureau. I feel it to be very important that the business men of the country should understand the purpose of certain work we are about to undertake, with the approval of the President, provided always that Congress supplies the necessary funds. I need not tell this audience what has been done by law and through the courts in dealing with the so-called trust problem. It seems to me, however, that the fundamental factor underlying the whole subject of big business and of the trusts has been largely lost to sight. We propose, if Congress permits, to undertake an inquiry into the fundamental economic laws which underlie the vast masses of capital and labor, with which we are becoming familiar in our industries, and control them, and which are more powerful and certain in their action than any statute law can be.

Is or is not the trust form of organization industrially efficient? Are there or are there not factors which come into play when production passes a certain point which increase rather than diminish cost? Is there, in other words, a law of maximum production at minimum cost, beyond which point of maximum production cost rises? Is the trust problem in its economic essence a passing phase? Some years ago one of the leading lawyers of New York said to me that the trust problem carried in it the seeds of its own decay because men could not always be found able to continuously manage such great masses of capital and labor. If we may take an analogy from the armies of war, it will be found that while subordinate officers are numerous and readily and easily obtained, great commanders are few, and you can count on your fingers those who have made conspicuous successes in the handling of the greatest of armies. If we look at the field of our greatest industries, we shall find certain facts to make us reflect. Some of the trusts have ceased to exist. The Wall Paper Trust is one, the Cordage Trust is another, and there are others. Many of the so-called trusts are not especially profitable, failing to earn dividends or earning but small dividends upon their common stock. It is the few among them that have been conspicuous financial successes, not the average or the many; leaving out of account altogether those with whom the law has dealt, it would not seem from a superficial glance at the record that this particular type of organization had justified itself commercially. Of course, it is

true that large capital does permit expenditures for research, apparatus, and equipment which could not otherwise be had, and that it permits the employment of experts who without great means could not be secured. Yet it is also true that side by side with the great aggregations of capital have gone on smaller and independent concerns in the same lines of business who have made, in some instances, conspicuous successes. You have only to look at the steel industry and the typewriter industry to find examples, and there are a great many more. Indeed, I think it may be found to be a fact that some of the independent concerns are more profitable than are the larger ones that bulk so greatly in the public eye. What are the economic laws that lie beneath this movement? This is what we want to learn. If it shall appear by searching and conservative inquiry that the public dread of these aggregations is but the unconscious outcome of an economic law which itself fails to justify them, then the matter will be finally settled, for men will no longer continue that which is proven economically unsound. I do not dogmatize upon the question. On the contrary, my statement is that the answer to it is as yet unknown. There are wise and experienced men who think differently on it, but certainly it is true that we ought not to go further in our legislative and executive life without learning as thoroughly as we may what the fundamental truth is.

To many a foreign observer an American city like yours must have a peculiar interest. I do not mean so much in its extent, or in the actual wealth accumulated, in its public works, its private buildings, or even in its population, as in the mature and established character of all that appears. The European or Asiatic visitor has usually behind him an historic background of centuries, the results of which are naturally compared in his thought with what we have done in our decades. Many of the great cities which he knows run back even into Roman days. Some of them were capitals long before the New World was found. There are, of course, such exceptions as Berlin and St. Petersburg; but even these cities are centers of powers that were strong before the United States was born, so that there also certain traditions of age exist. Coming from such a background into America, and into what, compared with the Atlantic seaboard, is in a sense a younger part of America, it does often surprise a foreign observer to find you all "grown up." The city of St. Louis as a municipal organization is but little over 90 years old. It is but a hundred and five years since it was incorporated as a town. These are short periods in the lives of great capitals. And yet how complete and how grown up you are.

It was five years after you became a city that my grandfather prepared a map, which I have, outlining a great railway which should reach from New York to the Mississippi River. And when he did this, most men who knew it derided him and called him a visionary. I have in my office an advertisement of a steamboat company which came into existence in 1825, two years after St. Louis, as a city, was born, in which, it was said, that in order to avoid the dangers incident to travel on steamboats a safety barge would be towed behind the steamer. In this barge the passengers traveled in security from the frequent explosions which ornamented the marine records of the time. It was a good while thereafter that, as I am told, an officer of the Pennsylvania Railroad was kicked uphill because, in saying that the net earnings of that company might, he thought, within five years more rise to the extreme total of $8,000,000 in a year, he was thought to have so lost his balance of judgment as to be unsafe in the practical office that he had formerly held. My father remembered the wooden bridge by which Broadway crossed Canal Street, in New York, and my uncle recalled living on the east side of Manhattan Island and looking, as a boy, across the East River to the wooden blockhouse that stood where now are the towers of the Williamsburg Bridge.

So we and our fathers have rather quickly done a vast work, and it looks so solid and so substantial that we often forget that we are a child yet, as nations go. It is to be hoped the span of our national life and growth will be so long as to put us now in what, reckoned by years at least, is but our infancy.

What made this growth? What has been behind it all? In the first place, men had certain ideas about things which they could not develop as well as they wished to do in their old homes. Some had an idea about religion which they wanted to work out, and they came over to New England to try to do so. Some had certain ideas of profit, and came over here to see what they could do in that direction, and others were under stress from poverty, which they thought they could avoid in the New World. After a time there came an idea of self-dependence and of mutual interest, which led to independence and then the working out of our own ideas in National and State and municipal matters. There was at first the struggle for bread and clothing in a strange land, and from that came the infant development of industry, and as another step the establishment of freedom of trade and exchange over the greatest area of that kind in the world; and again the idea that we might feed the nations with our surplus food, and for long we did so; and then, slowly and much later, the idea that we might sell to the other peoples things we made which they want, and we have begun this. And the idea is expanding, until now we are not only the greatest producers in the world of many things that men need in other lands, but, youngest of the nations, we are first in domestic trade and third in international commerce. To-day we ship abroad into the open arena of the world's commerce an average of $5,000,000 worth daily of our manufactured goods. The wealth and products of 48 States flow freely through the arteries of our domestic trade, and the manufactures of our united nationality are a potent factor in the world's commercial centers.

Along with this growth in material things has continued the evolution of ideas of which we have briefly spoken. There are thoughts abroad in the land which have not always been here. The time in which the getting of profits was the supreme ideal has been succeeded by a time in which the giving of service is thought to be the true ideal. You have seen, for example, the springing into life of commissions which say to our great public-service companies, "Thus far shalt thou go and no farther," which tell them plainly that both their existence and their profit depend upon serving well the public from whom they derive their powers; which tell them, indeed, that this ideal of service goes so far that they must take the lean with the fat, and may not make the ideal of profit a controlling factor in every detail of their respective enterprises. The voice of the public is heard in every great city and in most of our States and in the Capital of the Nation saying to the great aggregations of capital and labor known as public-service corporations: "You must be what your name implies—public-service companies—and the service you render must be first to the public and secondarily to yourselves, and the serving of the public well and safely and on an improving scale is of greater importance than the increase of profits, and must be given as the very basis of any profit." Indeed, the public thought now clearly is that these companies have no basis for existence save as they are true servants of the public. Many men urge that this kind of work is so essentially public service that the public alone should do it free from all private interest.

It is interesting to note how practical a fact this feeling in the public mind is. I have heard of a great public-service company whose idea seemed for years to be to give as little as it could for the most return, to avoid every obligation from which it could possibly be excused, and to retain skillful counsel to minimize its obligations to the people from whom its charter came. It became substantially derelict in many if not most of the duties it owed to the people, from serving whom it alone derived its existence. Public wrath grew against that company until there were none so poor to do it reverence; and this feeling made itself felt in many serious ways. The company's treasury suffered and juries reflected the just popular indignation. As years went on a normal reaction from this low estate brought into power men of larger views and broader conceptions of public service. Methods were changed. Effort was made to provide the most for the people in quality and quantity first; to originate forms of service, even, rather than resist them. As the new spirit became known the public temper changed, and the company began to prosper. The new spirit grew; earnings grew with it, until now the bitterness is gone and peace and prosperity reign. Here was a new ideal, and a new life came with it. I know an apartment hotel whose manager seems to have the odd notion that he is the servant of his tenants. Many a close-fisted landlord might envy his success.

There are many more of these ideals afloat. One of them says that so to manage a business for profit's sake as to injure the men and the women employed by it is to destroy the most valuable possession we have, and that an enterprise so run is a public wrong, not to be long permitted. Hence this ideal says hours shall be shortened, and perhaps even a minimum wage shall be paid; for it is just as true to-day as it was in Canaan of old, that the Lord saith, "Thou shalt not muzzle the ox which treadeth out the corn." Nervous exhaustion and brain fag are not confined to so-called "high society." Fatigue is no respecter of persons. Disease knows little of social or economic distinctions. Pain is entirely democratic in its scope.

Few men will deny that the ideals of one time form the practice of the next, and that our whole history, whether on the commercial, the material, or the political side, has been the gradual working out into fact of the ideals of the days before. It was a great ideal that there is no property right in man; and slavery fell before it. It was a great ideal that the spoils system is morally wrong and politically unsound; and no party could exist that avowed that system as its own, for the public wrath would crush it. An ideal greatly needed in the public criticism of to-day is that it shall be based upon unperverted and accurate statements of fact.

What, then, are the ideals of to-day in commerce? For if we can find them, we may with reasonable security say that they will form the practice of our successors in commerce.

There was an old commercial ideal wrought into law, which law still has a measure of respect from its antiquity, though hardly from its respectability. This ideal was centered in the old law-Latin phrase caveat emptor, which, being interpreted, is "Let the buyer look out." Look at this commercial ideal a little and see how disreputable it has become. Apply it to food and straightway rises up the public conscience in the shape of a pure-food law and says, "Thou shalt not." Apply it to patent medicines and brave publications rise up to denounce those who sell what may deceive or injure. There is coming into being a new law of fair trade, which begins rather plainly to say that the seller has grave responsibilities, and that it is his business to watch out lest he deceive the buyer. We are beginning to substitute another business practice that might almost be called the rule of "caveat vendor." There is a growing conception of honor in such matters; men will carefully buy of houses whose name they think is a trustworthy guaranty of quality. Once the representative of a great manufacturer said to me, "Any goods that bear our firm name are all right." But he sold lots of goods on which the firm name was not put. There was an ideal half baked reminding one of the man who said he had his principles but did not always carry them with him. There are lines of business now in which it is honorably recognized that the seller must be supremely careful lest he be condemned. Among such take, for example, the exceptional care and skill put into the selection of materials for and the design and the manufacture of a modern automobile. When you look at our entire commercial field it is surprising to see how far the old doctrine of caveat emptor, however much it may survive in discussions of law, has fallen into the background of our commercial life, and the seller is beginning to recognize that a large part of the responsibility rests with him. A rising and increasingly definite social consciousness says to manufacturers, "Thou shalt not deceive, whether by name or by label or appearance or composition or advertisement. We, the buyers, mean that you at the source shall look out for us."

See how far this idea will go naturally into definite practice among yourselves to-morrow. Your wife will buy for your table the product of the manufacturer whom she believes recognizes the principle that the seller must take care. You yourself will buy your clothing from the tailor whom you believe puts the most honor into his work; who, in short, serves you best. You will deal with the physician who puts the most and not the least of himself into his professional work. The lawyer will hold and control the best practice longest who gives the most in value and service for what he gets; and the man, whether he be physician or lawyer or minister in professional life, who does not feel that as a seller of his services it is his privilege to give the most he can will have short shrift among you. One great product has standing among us, because being called "the best" it is so esteemed to be. That producer has felt the responsibility on the seller. Advantage is taken by sellers, both rightly and wrongly, of this thought. Men of broad vision, who grasp the truth, put their conscience into their goods knowing it pays. Men of narrow vision will try to persuade over the bargain counter that they are serving the consumer by giving him a dollar's worth for 50 cents.

There is another ideal coming into life and power, slowly but surely. If it were incarnate here in St. Louis, it would say to you: "These massive buildings, these great banks, these beautiful homes, these instrumentalities of culture and of wealth, these libraries, these factories—these are not St. Louis. These are but the outward expression, in brick and stone, of a portion of St. Louis. The real city is the men and the women and the children who live there, and of that real city the poor and the humble are as truly a part as—sometimes more truly a part than—the cultured and the well-to-do." The ideal of which I am thinking would say, were it incarnate: "The pride of a city does not lie in its public buildings and its great institutions, but in its humble homes." If behind the outward pomp and power are alleys of filth and dark rooms of misery, this ideal says the pomp and power are but shams; that we have an ill-balanced thing, not a rounded human entity, but an abnormality, with wealth and comfort on one side and for some, and with pain and poverty on the other side and for many. Men get hold of this ideal that the greatness of a city or State lies in the peace and happiness of all its people, not of a part of them. Men get hold, I say, of this ideal and distort it in all sorts of ways and get violent about it, forgetting that any evolution up to an ideal means time and growth and patience; that we must advance step by step; that all the combined wisdom of a city and its wealth, too, together, could not and should not attempt to do away with poverty and misery and sin at a single blow. One of our ideals must be patience as well as persistence.

How does the matter of which I am speaking affect commerce? About this way: That it is doubtful how long it will be respectable to have large dividends and low wages go on together; that it is uncertain how soon public opinion will say that a wage for working women in a shop or in a factory which is insufficient to maintain them in decency shall go on side by side with a costly home for the owner of that business, and perhaps even with gifts on his part to charities and education. I say it is uncertain as to when these things will take place, for in my mind it is not uncertain as to whether they will take place. For the ideal that men can rightly profit out of conditions under which their fellows wrongly live will not last. It has already begun to fade. In its place comes another; it comes slowly, but it is coming; and this newcomer among the ideals says that it does not pay any longer either to let the buyer do the looking out for himself wholly, or to let the laborer shift for himself in poverty wholly, or to try to extract from human endurance the utmost that fatigue can give, or even to go about indifferently and talk sagely about the market rate of wages and normal living conditions for the uneducated. No; there is an ideal which says that it pays in money to so manage that the worker in the mill and in the shop shall have enough recompense to enable him or her to live in decency. This ideal, I repeat, says it pays, and men in some places are beginning to find it out in practice. This ideal says, too, that no economic law can be right which works moral wrongs; that there are not two sides of truth—one good truth and one bad one—but that all truth is good and all truth is the same, and there is not one kind of truth for the employer and another kind of truth for the worker. This ideal would shrewdly inquire whether the losses in industry, seen and unseen, from doing what is called "hard-headed business" at the market rate, might not have been profitably saved by a little more thought of the common facts of human life and a little less interest in the additions of the pay roll.

This same ideal some day will stand at the elbow of a man and say to him: "You are selling goods in Europe against the competition of Europe, though your employees get more pay and live better than they do over yonder. Why not carry it a step further—try to see how well you can let your workmen live, and your workwomen; how far you can carry the idea of cultivating them? Perhaps you will find a responsiveness that will surprise you. They are not dull and inert material; they are not even like lathes or planers, that get their power from without. They are self-animated. Perhaps if they work themselves willingly, rather than by force of poverty or need, there might be something there that would be useful both to you and them. Why not try?"

So, gentlemen of the Commercial Club, I see, or think I see, in the unrest of the day, even in the cruder and baser forms of that unrest, the cropping out, often in rough shape, of new commercial ideals, which the wise heed and the foolish contemn, but which have in them the basis of a permanence and a power for our industry and commerce that no arithmetician can figure out and no logician can argue. For who shall measure the spirit of man by numbers or by reason? It must be remembered that we can not treat men arithmetically. You need but to look into your own homes to see that. One of your children has an artistic bent; another is determined upon medicine; a third has the mechanical gift. They have not the same values in the same place. Each has his greatest value in his fit place. If you took the one having the mechanical gift and put him in his proper sphere, you would not have two like him if you added the one with the artistic gift beside him. Reckoning as mechanics, you would not have two, but one. If the matter were reversed, you would not have two artists, but one artist and one mechanic. We have too much measured men in our commerce and industry by mere arithmetic. Take them as they stand at their benches in the shop. Are we not a good deal prone to reckon them as so many hands and forget the difference in minds? A psychologist who knew his job would laugh at our classification of men by numbers and, taking the standard of a mechanic as his basis, would say to you: "Out of your 500 men you have 200 mechanics, and perhaps 200 part mechanics, and 100 who are not mechanics at all." Yet they are but men to many a thoughtless manager. Some day an ideal will spring up which will say to you: "Why do you regard the hands of

your men only? Why not think about their heads? Perhaps when we study the minds of men as carefully as we study the tools we put in their hands some difficulties will cease to trouble us." It is strange to me that as a practical people we should so long have gone on by rule of thumb and be but just beginning to look at the actual human facts. But the night is going, and in time we shall come to the day when our children shall all be trained to do some one thing well, which day may God bring quickly; then we shall employ men not at the lowest figure that their untrained circumstances require them to take, but at a compensation based upon what they actually know how to do and at work fitted for their mental equipment, and shall thus apply to human beings the same ordinary laws of common sense which we now use when we make loans or buy tools or purchase clothing; that is, we shall employ with due regard to the quality of the person employed.

Just a final word. I speak of these things as an evolution, and never as a revolution. It seems to be a law of nature that the plants and animals that have the longest infancy live the longest lives, and we shall not gain by trying extravagantly to accelerate the working out even of the highest ideals. The wisest course seems to be to keep our minds open even to truth which is strange; to remember that to say "I do not believe it" is at once the height of dogmatism and the most unscientific of attitudes; and having open minds and willingness to obey the truth when we find it and to the extent that we see it, to grow and not to lie supine. In that growing we shall come at last into a fruition which shall be profitable and pleasant alike to us and to those who have the good fortune to be in our service.

Protection of American Citizens Abroad.

EXTENSION OF REMARKS

OF

HON. RICHARD BARTHOLDT,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, November 11, 1913.

Mr. BARTHOLDT. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD, I include an article by Charles Fletcher Dole, which appears in the Boston Herald of Saturday, November 8, 1913.

The article is as follows:

PROTECTING OUR CITIZENS ABROAD.

How far ought a government to go in its efforts to protect the life and property of its citizens who undertake enterprises in backward or half-civilized countries? This question has never been authoritatively answered. Upon the nature of the answer to it hang the most delicate and tremendous issues affecting the peace of the world. This is now the fundamental question as regards the policy of the United States in the treatment of Mexico.

Perhaps the first answer that occurs to anyone who has never carefully considered the question is that the national flag ought to be made to protect all citizens everywhere. This has sometimes been hinted, at least in public addresses, by high officials of our Government. No one, however, has ever had any authority to say this. No vote of Congress, passed after a full and adequate discussion and in clear view of the momentous character of the subject, has ever established the policy of an administration. Much less has there ever been an appeal to the judgment of the American people to determine what they hold the answer to this great question should be. Is there any guiding principle here to mark the limit between hasty and thoughtless popular impulse and wise, humane, and civilized action?

There is just one principle which throws light upon the duty of a nation upon the subject of the care of its people who live or do business in foreign countries. Mr. Roosevelt has distinctly laid down the rule that nations ought to be governed in their conduct to each other by the same principle which should govern individuals, namely, what we call "the golden rule." Possibly Mr. Roosevelt has not altogether thought out how far-reaching this principle is.

Let us grapple frankly, now, with the situation in Mexico and see where our duty—in other words, where humanity—will carry us. As soon as we begin to put ourselves in our neighbor's place it becomes evident that the slightest tone of official arrogance and superiority on the part of the Government of the United States or the attitude of offering a threat must create extra nervous tension and irritability among the Mexican people and actually render the conditions more perilous for our nationals, whereas the attitude of patience and sympathy and the evident will on our part to repose trust in the good faith of the Mexicans will tend to strengthen the hands of the friends of order and to dispose the people kindly toward American residents. We must never forget that Mexico has no special reason for loving the nation which contrived to possess itself of half of her territory.

But suppose the worst, namely, that Americans were to lose their lives in the more disturbed parts of Mexico and that the Mexican Government was unable to afford immediate reparation, what ought the Government of the United States to do with reference to the welfare of both nations? Because 100 or 500 Americans had lost their lives in taking risks of business enterprise in a country as subject to the peril of revolutions as it is subject to earthquakes, should the United States still further endanger the lives of the remaining Americans and prepare to kill innumerable quite innocent Mexicans and to sacrifice 100,000 young Americans in war? What good should we thus be doing? Put ourselves again in the time of crisis through which the United States passed in the Civil War and ask what would have been the only friendly attitude toward us on the part of England or Italy in case some of their nationals had lost their lives in the draft riots of that period. We should have expected them not to be impatient to punish us or to force reparation, but rather to have assumed that we should do justice when once we had got into calmer waters. The assumption that a nation will do justice, backed up by friendly diplomacy and patience—such is human nature—will be more effective in the end than a fleet of dreadnoughts.

There is a subtle and peculiar danger of meddlesomeness in our relations to the Latin-American peoples. We would never go to the verge of a ruinous war to protect the honor of our flag for the sake of American citizens who ventured into the Balkan States, or into Turkey or Persia, or who insisted on being protected wherever they might like to live in Russia. Everyone sees the folly of such a proposition. We respect the powers across the sea as if they were our equals. We live on diplomatic good terms with a monster of iniquity, if he happens to be Sultan of Turkey. But we are inclined to look upon the nations to the south of us as our political inferiors, or at best as children. We are disposed to set ideals for them which we do not yet live up to ourselves. We would like to enter in and help them manage their domestic economy, and collect their customs for them, and administer upon their debts, and establish ourselves as their protectors against European adventurers. Why will we not see that however kindly our motives are this conduct is as distinctly away from the line of the golden rule, or of what we would ever have tolerated ourselves, as if we were to approach these Spanish neighbors of ours at the point of the bayonet? Indeed, it is perhaps easier to be treated with enmity by those who deem us their equals than to be treated with haughty philanthropy by those who hold themselves above us.

The great question at issue before our Nation has only one answer. It is not the business of any nation to underwrite the safety of her citizens who take ventures in other countries. Let them go at their own risks and be so much the more on their good behavior. They may fairly expect such aid and comfort and advice as the agents and consuls of their own governments can give them. But they have no claim to be defended or, in the worst case, to be avenged by an invading army. They have no claim to governmental intervention by any show of force to safeguard or collect their debts, whether owed by individuals or by so-called government.

The United States, being fairly free of embarrassing traditions, has a grand opportunity at the present moment to establish this principle. Its clear establishment would promise the South and Central American Republics almost complete release from any concern about armed intervention from abroad. If they wanted to borrow money, they would have to learn to behave themselves honorably and not engage to pay usurious interest. If they wished to enjoy trade with other peoples, they would have to prove themselves worthy of sound commercial relations, as all other trading nations have slowly learned.

The principle that no government should go to war for the protection of individual citizens, but should depend in every doubtful case upon the urgency of patient diplomacy and the justice of its cause, immediately disposes of the alleged necessity of great armaments. If anyone asks further proof of the adequacy of this principle, it is to be found in the long story, sometimes of the failure and again of the sickening cost, of the efforts to compel justice and security of life and property by force of punishment and the use of military power. Civilization has slowly come in by virtue of the opposite principle. Respect men as men and they learn to respect us, not otherwise. Trust them as men and they learn to answer to our trust.

Finally, it may be that we shall some time work out a world system of international relations in which the good offices of all shall be brought to bear with such immediacy upon refractory or barbarous powers that no nation would be tempted to urge its superior strength upon such a situation as is now presented in Mexico. When this is the case, there will be the least need for the show of force, for the mandate or advice of a great disinterested family council of the nations would have the natural weight, like the decision of a supreme court, to enforce itself upon the conscience and judgment of the offending nation. Meanwhile, in the absence of any ultimate court of appeal, let history show us on every page what we ought to expect, namely, that no nation is ever good enough, or wise enough, or unselfish enough by itself to be a safe arbiter and judge, especially unasked and unwelcome, in the political affairs of its neighbors. Wherever we should have to march armies over the bodies of a resisting people let us know that we are marching apart from the ideals of civilization.

Party Caucus.

EXTENSION OF REMARKS

OF

HON. HARVEY B. FERGUSSON,

OF NEW MEXICO,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, November 11, 1913.

Mr. FERGUSSON. Mr. Speaker, the well-nigh universal condemnation in the public mind of the caucus and caucus methods must be admitted to exist in this country at the present moment.

It is an interesting subject of speculation why this is so. Surely not because of any innate vice in the caucus itself. Indeed, the caucus, in matters of legislation, may be said to be a necessary concomitant of a people's government. It has come to be an axiom that a people's government must be carried on by means of party—a party, in the political sense, being merely an aggregation of all those who believe in certain principles of government as necessary to be enforced to promote the welfare of our country and at the same time to preserve our free institutions from subtle decay and final destruction. It is equally obvious that for a large number of citizens and voters to act together for this noble and common purpose it is necessary for them to openly or tacitly agree to act together, and that can only be done by ascertaining and loyally abiding by the will of the majority of all those professing the party belief.

The only possible way to ascertain such will is by means of the party caucus, and the efficacy of the party is at once destroyed and the principles it was organized to promote are basely betrayed if less than the majority arrogate to themselves to thwart the general party policy. A complete, comprehensive, and notable change in our governmental methods was voted in the last election, and the Democratic Party is in control of the entire lawmaking machinery of our Government. More than 500 legislators have assembled, representing nearly a hundred million people dispersed over an immense extent of country, with every diversity of climate, occupation, industry, and local interest—in numerous ways selfish local interest in conflict in greater or less degree with the great nation-wide general interest or commission intrusted to the majority party to enforce. The individual members of the majority party, each and every one of them honor bound by his party platform and his expressed and implied pledge to carry out by his vote and action such principles, meet in caucus to adjust the real or fancied conflicts between the great general principles and local, special, and minor interests, to ascertain what may be reconciled and found consistent with the main purpose of the people and what must be ignored or made to give way to the greater general good. That is the legitimate, indeed the necessary, aim of the party caucus, so that the full strength of the majority party may be made effective to carry out the people's will as to overshadowing, nation-wide principles of government.

Who will say that in itself the party caucus is an evil thing? Who will say that in our great country the party caucus is not a necessary procedure in administering our system of government?

Yet it is an undeniable fact that at this moment the party caucus is held in utter detestation in the popular mind. And our antagonists across the aisle have dishonored the very walls of this historic Chamber by their hypocritical wailings over the Democratic caucuses of this Congress.

We, the Democratic majority, are quite willing to abide by that ancient rule as applied to the party caucus, "By their fruits ye shall know them." The same rule applied to Republican caucuses of the past will afford a most satisfying reason for the unusual opprobrium existing in this country touching the party caucus.

The people, in the last election, applied the rule "By their fruits ye shall know them." They saw manifest the results flowing from Republican use of the party caucus, and certainty was produced in the popular mind by the revolt of the progressive Republicans, men patriotic enough to break away from the evil practices of the special-interest Republicans and courageous enough to turn state's evidence and promote the welfare of the country by revealing the inside workings of the Republican caucus.

The people know that in the secrecy of the Republican caucus their Government was turned over to the special interests, to the "malefactors of great wealth," and that this great wrong was done by selfish and corrupt politicians in return for campaign contributions. To hold themselves in power they used boodle to debauch the voters, and they obtained the bribe money in return for betraying their sacred trust as representatives of the people; and as a concrete example they permitted the beneficiaries of the tariff to write any—the most outrageous—rates into the tariff bills. This was done time and again behind the walls of the secret party caucus, as you reactionary Republicans used the party caucuses. You used the party caucuses to build up the trusts and monopolies, to hold the present universally condemned currency and banking system in force in this country for more than 50 years, though it was enacted in the throes of the Civil War—made so favorable to the money interests because necessary to induce the unpatriotic money power to furnish the money needed to save the Union. Under the domination of selfish, unpatriotic men your party has been the ruinous instrument by which the wealth of the Nation has accumulated in the hands of a few, by which the mass of our people have been subjected to wrongs and sufferings that recall the infamies of the rule of the Bourbons in France preceding the French Revolution. I ought not to conclude this brief, necessarily condensed statement without looking a moment at the converse of the caucus proposition.

Suppose we do away with all caucuses, good and bad? That would put it in the power of one, two, three representatives in power, equally charged with their party fellows to promote certain great, nation-wide policies of government, to thwart the will of the people and defeat the noble aim of their party as a whole. The will of the majority must be supreme in a people's government. Else it is conceivable that an unworthy man, a vain man, a man full of spite or other petty motive, might defeat a great, patriotic, fundamental mission of a party in power.

Tennyson, in his wonderful vision in Locksley Hall, dreams of a federation of the world, where—

> The common sense of most shall hold a fretful realm in awe,
> And the kindly earth shall slumber, lapped in universal law.

Mendel Beilis.

EXTENSION OF REMARKS

OF

HON. FRANK E. DOREMUS,

OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, November 6, 1913.

Mr. DOREMUS. Mr. Speaker, it was my pleasure to attend, on Sunday last, a mass meeting of my constituents in Detroit, Mich., called for the purpose of protesting against the attempt now being made to convict Mendel Beilis, a Russian Jew, of the crime of ritual murder.

This meeting was attended by upward of 6,000 citizens of Detroit, representing various nationalities and religious beliefs. This splendid audience voiced in no uncertain terms the indignation felt by unbiased minds everywhere against the unjust and outrageous attempt to fasten upon the Jewish race the crime of ritual murder.

At the conclusion of the meeting the following memorial was unanimously adopted:

The citizens of the city of Detroit, irrespective of race and religious affiliation, hereby protest against the prosecution of the outrageous charge of ritual murder brought by the Russian Government against Mendel Beilis.

In the name of humanity we deplore and denounce this injustice, and we respectfully call on the United States Government to voice our indignation at this attack upon Judaism.

We furthermore respectfully request our Representative in Congress, Hon. FRANK E. DOREMUS, to present these resolutions to the House of Representatives and to the proper department of our Government.

Attest:

ALFRED J. MURPHY,
Chairman of the Meeting.

I have also been requested to have printed in the RECORD the following resolution adopted by the Socialist Party in Detroit October 31, 1913:

Resolution.

We, as members of the Socialist Party of Detroit, Mich., assembled here to support the principles of international socialism, are opposed to all national and race prejudices. We have given the published reports of the Mendel Beilis case at Kief, Russia, careful consideration, and we declare the charge of ritual murder obsolete, unwarranted, and an insidious measure to arouse a fanatical religious persecution against the Jewish race. We believe this but one of the many tyrannical methods employed by the Russian Government in its suppression of political liberty and that a trial by jury has heretofore been denied this victim through fear of public sentiment: Therefore be it

Resolved, That we, the Socialist Party of Detroit, Mich., hereby take this method of voicing our protest against—

1. The ruthless procedure of the Russian Government of depriving any civilized race within its boundaries of its political and religious rights.

2. The undemocratic measure of denying its citizens the right of trial by jury.

3. The unjust victimizing of Mendel Beilis in denying him bail and keeping him imprisoned two years without a trial. Be it further

Resolved, That a copy of this resolution be forwarded to the State and national offices of the Socialist Party of the United States of America with the recommendation that this resolution be given as much publicity as possible.

J. H. BEYER,
A. ROVIN,
ROBERT WESTFALL,
The Beilis Resolution Committee.

Currency.

EXTENSION OF REMARKS
OF
HON. A. W. LAFFERTY,
OF OREGON,

IN THE HOUSE OF REPRESENTATIVES,

Monday, September 15, 1913,

On the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. LAFFERTY. Mr. Speaker, under the leave granted me so to do, I hereby submit for printing in the RECORD, as a part of my remarks, the following interview printed in the Washington Post, October 13, 1913.

CUTS OUT THE BANKS—LAFFERTY'S BILL HANDS CURRENCY DIRECT TO THE FARMER—UNITED STATES LOANS ON MORTGAGES—AT 2 PER CENT INTEREST, OREGON MEMBER CLAIMS, THE GOVERNMENT WOULD MAKE PROFIT WHICH COULD BE USED IN BUILDING ROADS—SECURITY BETTER THAN PROVIDED IN GLASS BILL, HE SAYS.

Representative LAFFERTY, of Oregon, introduced a currency bill Saturday which would practically eliminate the bankers in the future issuance of paper money by the Government.

The Lafferty bill calls for the loan of Treasury notes direct to the farmers of the country at 2 per cent interest on first mortgages, which shall not exceed 60 per cent of the value of the land, and for loans of such Treasury notes at the same rate of interest to any holder of an outstanding United States bond who desires to deposit the bond as security.

It is stipulated that the Treasury notes to be so issued and loaned shall be redeemable at the Federal Treasury on demand, in gold coin or its equivalent, and that a reserve fund in gold coin shall be maintained in the Treasury at all times, equal to 5 per cent of the outstanding Treasury notes, for the purpose of such redemption. It is provided that the Treasury notes shall be retired and canceled as rapidly as the obligations to the Government securing the same are discharged.

ADVANTAGES CLAIMED BY AUTHOR.

It is claimed by the author of the bill that the security for the circulation of the Treasury notes which is provided in the bill is better than the security provided by the Glass-Owen bill, which provides for the issuance of Treasury notes based upon commercial paper. The distinction between the Lafferty bill and the administration currency bill, as claimed by the author of the former, is this: The administration bill provides for the issuance of Treasury notes to the banks at one-half of 1 per cent interest, secured by the deposit with the Government of commercial paper, whereas the Lafferty bill provides for the issuance of such Treasury notes to the farmers and investors of the country at 2 per cent interest upon the security of first mortgages on agricultural lands and upon Government bonds.

The Lafferty bill further provides that the profits derived by the Government through the loans of Treasury notes shall be set aside as a special fund for the building of public highways.

GOLD STANDARD SAFEGUARDED.

"There can be no question but what such a law as I have proposed would supply the country with all the currency it needs," said Representative LAFFERTY last night. "Many people will doubt the feasibility of the plan, because it is so simple. In other words, it will naturally appear to most persons at first blush as being too good to be true.

"But the time is just now approaching when the people are actually getting control of their own Government, and when that time arrives it may be safely said that this will be the only Government in the world that will be completely in the hands of the people. It is because such an epoch is near at hand that Congressmen are beginning to feel at liberty to act with absolute freedom and independence.

"It can not be said that the law I have proposed provides for fiat money or for an inflation of the currency. The bill safeguards the gold standard, making each Treasury note issued redeemable by the Federal Government in gold coin if demanded. Nor can there be any inflation of the currency so long as the redemption in gold coin of each Treasury note issued is provided for by an enforceable contract with good security.

WOULD REDUCE ALL INTEREST RATES.

"The passage of such a bill as I have introduced would at once bring interest rates down on short-time loans to 3 or 4 per cent. It would provide money to the farmers at 2 per cent and would reduce the cost of living in this country at least one-third.

"The farmers now have borrowed approximately $8,000,000,000 and pay interest annually amounting to $500,000,000. In other words, the farmers pay interest annually equal to $5 per capita of the population. This $5 a head is added to the cost of living.

"Moreover, if the manufacturers and transportation companies could get cheaper money, all products could be supplied to the consumer at greatly reduced cost.

"Our present bank credit system is under the control of the money power and is used to rob the public. It is a simple plan and is easily understood. The total stock of money in the United States is only $3,500,000,000. Yet the banks have on deposit $17,000,000,000, or five times as much money as there is in existence in the country. The total stock of gold in the United States is only $1,000,000,000. In other words, if all the bank depositors should call for their money to-morrow and demand it in gold, the banks would not be able to pay but 1 depositor in 17, even if they had all the gold in the country in their vaults.

REAPING UNEARNED MILLIONS.

"By controlling the credit of the country, and by selling credit far in excess of the total money supply of the country, the money changers are reaping unearned millions annually from the American people. The money power in every country in the world is doing the same thing. America will be the first to break the shackles and set her people free.

"The complete solution of the problem is to issue money based upon the assets of the country, known as asset currency, and measure this money in gold, by making each paper dollar redeemable in gold or its equivalent. If this asset currency be issued direct to the people at 2 per cent interest hereafter, and upon the best of security, as proposed in my bill, it is safe to say that at least $10 per head will thereby be saved to the American people, which money is now going into the pockets of those who are creating swollen fortunes by controlling our credit."

National Drainage Congress.

EXTENSION OF REMARKS
OF
HON. JAMES T. LLOYD,
OF MISSOURI.

IN THE HOUSE OF REPRESENTATIVES,

Friday, November 14, 1913.

Mr. LLOYD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a statement of the National Drainage Congress concerning a bill (H. R. 8189) introduced by the Hon. CHAMP CLARK, of Missouri, September 16, 1913, establishing a flood protection and drainage fund and providing for the protection, drainage, and reclamation of the overflowed and swamp lands in the United States, in promotion of the general welfare, in prevention of the dissemination of malaria and other diseases among the several States, and to promote interstate commerce by navigation.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The statement is as follows:

FLOOD PROTECTION, DRAINAGE, AND RECLAMATION OF OVERFLOWED LANDS, SWAMP LANDS, AND LANDS TOO WET FOR AGRICULTURAL PURPOSES.

Statement from National Drainage Congress concerning a bill introduced in the House of Representatives by Hon. CHAMP CLARK September 16, 1913, establishing a flood protection and drainage fund and providing for the protection, drainage, and reclamation of the overflowed and swamp lands in the United States, in promotion of the general welfare, in prevention of the dissemination of malaria and other diseases among the several States, and to promote interstate commerce by navigation.

To the Senate and House of Representatives of the United States:

While the appalling floods of 1913 in the Ohio Valley were destroying lives and property, the President of the United States sent the following telegram:

THE WHITE HOUSE,
Washington, March 27, 1913.

EDMUND T. PERKINS,
Chairman Executive Committee, National Drainage Congress,
First National Bank Building, Chicago, Ill.:

I regret that it is impossible for me to attend the sessions of the National Drainage Congress. The calamity in Ohio and Indiana makes clearer than ever before the imperative and immediate necessity for a comprehensive and systematic plan for drainage and flood control. I very earnestly hope that your deliberations may mark a long step forward in this direction. Accept my best wishes for a successful meeting.

WOODROW WILSON.

The following telegram was sent in reply:

CHICAGO, ILL., *March 28, 1913.*

The PRESIDENT,
The White House, Washington, D. C.:

Your message, March 27 received. * * * The National Drainage Congress, saddened by the tremendous flood disasters now inflicted upon our country, and knowing that such catastrophes are needless, accepts the responsibility of presenting to the people and the Congress of the United States a plan to alleviate and prevent the recurrence of loss of life and property. * * *

EDMUND T. PERKINS,
Chairman Executive Committee, National Drainage Congress.

The third annual meeting of the National Drainage Congress was held immediately thereafter, April 10, 11, and 12, at St. Louis, Mo., and the organization accepted this responsibility, 30 States being represented by approximately 500 delegates. After two days' cooperative deliberation by the national executive committee, the committee on resolutions, the section on malaria eradication, the central cooperative committee, and the woman's section, resolutions were adopted, addressed to the President, the Congress, and the people of the United States, urging:

First. That it is a proper function of the Government of the United States under the welfare clause of the Constitution to provide adequate works to control the flood waters of the country and so conserve them as to protect the life, health, and property of citizens, a duty equally imperative as that of protecting citizens from the attack of a foreign foe.

Second. That the Congress of the United States immediately make adequate provisions for flood prevention, for the regulation and control of stream flow, and for the drainage and reclamation of overflowed and swamp lands.

Third. That, as malarial diseases are widespread, especially in the regions where floods occur and swamps exist, causing great disability and suffering, loss of earning capacity, and a large number of preventable deaths, the several States and the Federal Government are requested to cooperate with the section of malaria eradication in the prevention by methods now well established of such diseases.

Fourth. That all reclamation organizations in the United States are invited to become part of the central cooperative committee, consisting of two members from each organization—National, State, district, or local—or by the governor of the State where there is no such organization, not surrendering their identity, charter, organization, or officers, for the purpose of advancing agreed-upon questions of national policy.

Copies of these resolutions were transmitted to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives.

In May the general educational committee of the National Drainage Congress met in Washington, called upon the President, and conferred with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of War, the President of the Senate, the Speaker of the House, and a number of Senators and Representatives. This committee was composed of the officers of the organization and prominent men and women from professional walks of life in all parts of the United States.

As a result of these conferences a subcommittee, known as the committee on Federal action, was appointed to cooperate with representatives of the Secretary of the Interior and the Secretary of Agriculture and draft a flood-prevention and drainage bill. This subcommittee was composed of E. J. Watson, of Columbia, S. C., State commissioner of agriculture, commerce, and industries; Frank B. Knight, of Chicago, Ill., member of the American Society of Civil Engineers and consulting engineer and expert on excavating and drainage machinery; Thomas P. Littlepage, of Washington, D. C., attorney at law; Morris Knowles, of Pittsburgh, Pa., member of the American Society of Civil Engineers, representing the flood commission of Pittsburgh; J. L. Craig, of Stockton, Cal., president of the river-regulation commission of Stockton; L. L. Lawrence, of Laurel, Miss., treasurer of the Railway Development Association and manager of immigration of the New Orleans, Mobile & Chicago Railroad; Joseph Hyde Pratt, of Chapel Hill, N. C., State geologist; J. S. Spiker, of Vincennes, Ind., member of the Western Society of Engineers, consulting and sanitary engineer; Reid Whitford, of Charleston, S. C., member of the American Society of Civil Engineers and engineer for the sanitary and drainage district of Charleston; and John H. Nolen, of Jefferson City, Mo., commissioner of land reclamation, State of Missouri. The Secretary of the Interior selected the following persons to confer with the committee representing the drainage congress: E. H. Newell, Director of the United States Reclamation Service; George Otis Smith, Director of the United States Geological Survey; and Brig. Gen. W. H. Marshall, consulting engineer, United States Reclamation Service, and former Chief Engineer, United States Army. The representatives of the Secretary of Agriculture were Prof. A. J. Henry, of the United States Weather Bureau; Raphael Zon, of the United States Forest Service; and S. H. McCrory, of the Bureau of Drainage Investigations of the Office of Experiment Stations.

The Hon. Franklin K. Lane, Secretary of the Interior, on June 21, 1913, invited to meet with him in Washington to discuss proposed flood-protection and drainage laws a number of eminent men, as follows: Isham Randolph, consulting engineer, Chicago, Ill.; Prof. William B. Clark, of Johns Hopkins University, Baltimore, Md.; Hon. T. Coleman du Pont, of Wilmington, Del.; W. W. Olds, jr., attorney at law, of Norfolk, Va.; Gov. W. S. Jennings, of Jacksonville, Fla.; Prof. Joseph Hyde Pratt, of Chapel Hill, N. C.; and M. C. Leighton, of Washington, D. C., former chief hydrographer of the United States Geological Survey. These, with Secretary Lane, Judge William R. King, of Oregon, George Otis Smith, and E. H. Newell, held a conference on June 28, 1913. A subcommittee was appointed, consisting of Gov. Jennings, Judge King, and Prof. Pratt, to suggest desirable legislation and report July 9, a day prior to the scheduled meeting of the committee on Federal action of the National Drainage Congress.

This last-mentioned committee met in Washington on July 10, 1913, and after consultation with the above mentioned, as well as with other eminent men in the city, drafted a bill, which draft was later submitted to the executive committee, and that committee, after making a number of changes and additions, approved it at a meeting held in Chicago on August 22, 1913.

September 10, 1913, the committee on Federal action and the board of governors of the National Drainage Congress assembled in Washington and conferred with the Hon. CHAMP CLARK, Speaker of the House of Representatives, and with Senator JOHN SHARP WILLIAMS, of Mississippi, relative to this bill. On September 16, 1913, the bill was introduced in the House of Representatives by Speaker CLARK, and is now registered as H. R. 8189.

This bill is the reply of the National Drainage Congress to the telegram of March 27, 1913, from President Wilson, and is urged as providing the solution of the flood prevention and land drainage and general reclamation of the overflowed and swamp lands in the United States.

This bill establishes the power and indicates the method by which the Secretary of the Interior may construct the works that will control disastrous floods hereafter, thereby preventing loss of life and destruction of property, protecting overflowed lands, and draining the swamps, and thus reclaiming the millions of acres of such lands and other lands too wet for agricultural purposes. It provides that the expense of this work shall be borne by the owners of the land and other property benefited, and that the United States shall pay only for such work as will promote navigation by enlarging, improving, or altering navigable streams, or constructing drainage ditches suitable for navigation, or for that work which is primarily in defense of the general welfare by the improvement of the public health. It defines the rules by which these great works are to be constructed, vests the necessary authority in the Secretary of the Interior to do the work, leaves in the hands of Congress questions of policy and appropriations, and safeguards the financial interests of the United States.

The bill was designed to give the Secretary of the Interior full power without attempting to be too specific and definite as to the exact manner in which the work shall be done. It gives him authority to employ competent engineers and experts to work out systematic plans for comprehensive projects that shall embrace all the lands in each basin as a unit. Such a policy will enable the Secretary to establish a definite plan of flood-protection, drainage, and reclamation work for the entire country, and thus avoid the waste of money and effort through the construction of local works in unrelated units.

This bill is not confiscatory; neither does it infringe upon State or private rights. It does not give the Secretary of the Interior the right to reclaim individual or State lands without the consent of the owners. He is empowered to undertake the reclamation of private or State lands only when petitioned so to do by the owners of such lands.

This bill recognizes that the prevention of floods and the reclamation of our overflowed and swamp lands is one vast problem and is the most momentous the people of the United States have yet to solve, and that its solution, in order to be complete and successful, must proceed along the broadest possible lines in each locality of every State without unnecessary delay. It recognizes that the Government of the United States is charged under the Constitution with certain duties in the way of protecting its citizens and preserving their belongings, and that the performance of these duties should be delayed no longer.

The magnitude of the flood-protection work with which this bill charges the Secretary of the Interior is so well known as to require no comment, being over $200,000,000 in 1913 alone. The magnitude of the harm done by malaria, a disease that flourishes only because there are swamps and flooded areas in the country, was stated by Dr. William A. Evans, former health commissioner of the city of Chicago and writer of health articles for many papers, in his address before the National Drainage Congress at St. Louis, in April, 1913, when he said:

Loss through malaria deaths, per annum	$10,200,000
Cost of disability and illness from malaria	92,000,000
Depreciation of real estate and loss in earning power of labor, due to malaria	60,000,000
Total annual economic loss	162,200,000

In arriving at these estimates Dr. Evans frequently cut in half the generally accepted estimates. The terrible suffering that must be endured by humanity so long as malaria is permitted to exist is a matter of the deepest concern to the whole Nation.

The magnitude of the task of draining and reclaiming overflowed, swamp lands, and lands too wet for agricultural purposes is not so well known. The overflowed and swamp lands comprise an area of nearly 80,000,000 acres. In addition to this area, as large as the four States of Maine, Ohio, Indiana, and Illinois combined, the Department of Agriculture has estimated that 150,000,000 acres of agricultural land under cultivation are not producing within 20 per cent as much as they should, because of insufficient drainage. The

overflowed and swamp lands are located in 40 States, the Territory of Alaska not being included in the estimate, as follows:

ESTIMATED AREA OF UNRECLAIMED SWAMP AND OVERFLOWED LANDS IN THE UNITED STATES.

Reclaimable for agricultural and grazing purposes. (Abstract from report of the Department of Agriculture, Apr. 21, 1908. S. Doc. 443, (60th Cong.):

	Acres.
Alabama	1,479,200
Arkansas	5,912,300
California	3,426,000
Connecticut	30,000
Delaware	127,200
Florida	19,800,000
Georgia	2,700,000
Illinois	925,000
Indiana	625,000
Iowa	930,000
Kansas	359,380
Kentucky	444,600
Louisiana	10,196,605
Maryland	192,000
Maine	156,520
Massachusetts	59,500
Michigan	2,947,439
Minnesota	5,832,908
Mississippi	5,760,200
Missouri	2,439,600
Nebraska	512,100
New Hampshire	12,700
New Jersey	326,400
New York	329,100
North Carolina	2,748,160
North Dakota	200,000
Ohio	155,047
Oklahoma	31,500
Oregon	254,000
Pennsylvania	50,000
Rhode Island	8,064
South Carolina	3,122,120
South Dakota	611,480
Tennessee	639,600
Texas	2,240,000
Vermont	23,900
Virginia	800,000
Washington	20,500
West Virginia	23,900
Wisconsin	2,360,000
Total	79,005,023

It is not possible at the present time and under present conditions to reclaim profitably all of the overflowed and swamp lands for crop production, but a large per cent can be reclaimed and utilized for this purpose. Much of the remaining portion can be improved by reclamation works, and practically all of the 150,000,000 acres too wet for the best agricultural results can be improved by better drainage and their present productivity increased by one-fifth.

A few citations of what has been accomplished by the protection, drainage, and reclamation of overflowed and swamp lands will demonstrate in a general way the benefits to be derived from land reclamation and illustrate what may be expected from the reclamation of all our overflowed and swamp lands.

The La Marsh drainage district consists of 2,400 acres on the west side of the Illinois River, near the city of Pekin, Ill. It was organized a few years ago under the Illinois State drainage and levee acts. The land originally consisted of swamp and marshes or lands subject to periodical annual and destructive overflow. Money was raised by the issuance of drainage bonds by the district to pay for the protection and reclamation works. The land at that time was valued at from $12.50 to $20 per acre. The corn crop of 1911 raised on these 2,400 acres was sold for $85,000. The cost of protecting, draining, and reclaiming the district had amounted to $84,000, or about $35 per acre.

The Island farm, at Island, Minn., was reclaimed from the big Floodwood swamp, at a cost of $2 per acre for drainage and from $3 to $10 an acre for clearing. There are 4,000 acres in the farm, valued to-day, exclusive of building, at not less than $60 per acre. The land was practically worthless until reclamation work was perfected.

Great areas in southeast Missouri, which a few years ago were unhealthful, sparsely inhabited, and generally neglected, have been protected from overflow and drained, and in place of the swamps and marshes, few farms and homes, and straggling villages, there are to-day many homes, fertile fields, numerous and prosperous towns and cities.

A number of such illustrations could be found in Illinois, Indiana, Ohio, Iowa, Minnesota, Missouri, New York, South Carolina, and other States. Local reclamation work in the lower Mississippi Valley has been under way long enough to make it unquestionable that the land will produce each year enough to pay the total cost of works for protection, drainage, and reclamation.

In too many localities these works created by districts, individuals, or corporations, and even by States, are unrelated. Their success is too nearly dependent upon the manner in which the main drainage channels are constructed; the streams and rivers are kept open and within their banks, or of sufficient size; and—which is becoming a growing problem—upon their ability to defend themselves from the waters thrown upon them by districts located above. Multiply these unrelated, selfish local drainage districts and works by 10,000, and it is apparent why the work as a whole should move along under the direction and supervision of a central authority and in accord with a fixed and recognized standard.

The bill introduced by Speaker CLARK provides this central authority which may determine and maintain such a standard. The first section creates a "flood protection and drainage fund" to be used by the Secretary of the Interior in the examination and survey for and the construction, operation, and maintenance of drains, canals, holding basins, reservoirs, levees, dikes, revetments, mattresses, tree planting, sluiceways, pumping plants, and other works wherever needed for the prevention of flood or for the protection, drainage, or reclamation of overflowed lands, swamp lands, and lands too wet for agricultural purposes, all of which are pronounced dangerous to the public health among the various States. This fund is made up of the money received from the sale of public lands in those States—not included in the reclamation act providing for the irrigation of arid lands—in which are public lands, and also in Alaska, from June 30, 1901, with the legal exceptions for educational purposes. The wording of the reclamation act was followed as nearly as possible in this and other sections of this bill.

Section 2 authorizes the Secretary to undertake the works mentioned in section 1, and to make full reports to Congress each year on or before July 1, giving details of what has been done and of what is being done and of what is contemplated.

Section 3 authorizes the Secretary to withdraw public lands from entry when required in carrying out the purposes of the act, and to restore them when found not necessary; to restore to public entry the public or ceded Indian lands, after they have been protected, drained, or reclaimed, specifying the number of acres which can be taken up as a "drainage" entry, which shall not be more than 160 acres, and specifying the amount of payment for these lands, being the regular fees plus the cost of the work, and how the purchase money shall be paid, the total cost of the drainage or reclamation of the land to be assessed against the land.

Section 4 authorizes the Secretary to let contracts for construction and to construct parts of a project or a complete project; it specifies the manner in which the Secretary shall dispose of the protected and reclaimed public and ceded Indian lands. This section contains a proviso that when the lands in a project are owned wholly by individuals, corporations, State or States, the owners may use the surveys and examinations, and let contracts, after they have organized the lands into a drainage district, and otherwise proceed under the State laws; and the further proviso that the Secretary may take over surveys partially completed, plans partially outlined, or works partially constructed by individual landowners.

Section 5 gives the Secretary the right to accept other than public lands and include them in a project where they are contiguous to or in the same basin with an area of public land to be protected or reclaimed, when the landowners petition him to do so. The Secretary is empowered to "include such State or private land, with the selected (public) land in a comprehensive protection, drainage or reclamation project, and construct the main and outlet canals, levees, and appurtenant structures necessary to the whole project." The cost is to be assessed against all the lands in proportion to the benefits derived. These assessments against State and private lands are to be collected by the State or drainage or levee district under State laws. To protect the Government and prevent interference by Federal with State authorities. Section 5 specifies that the Secretary of the Interior shall not proceed with such works until the drainage or levee district has issued bonds to the amount of the total assessments of cost against the private or State lands and delivered the bonds to him.

The Secretary is authorized to purchase the bonds at not less than par and to dispose of them. In lieu of the bond issue the Secretary may accept not less than 25 per cent of the total area in the project as a cession from State or private landowners, and then pay the entire cost of construction. This is upon the assumption that 25 per cent of the reclaimed land will be valuable enough to reimburse the Government for reclaiming the entire area of State or private lands. If the work is being done by State or States or drainage districts, the money derived from the bonds shall be turned over to them as required to carry on the work under the supervision of the Secretary of the Interior. This section will provide drainage districts an immediate market for their bonds at not less than par, provided they construct their work under the supervision of the Secretary of the Interior and in accordance with plans prepared by him.

Section 6 empowers the Secretary to use the fund for the operation and maintenance of the works; that the works shall belong to the United States until all assessments of costs are paid, though these works shall pass to the landowners and be maintained by them under State jurisdiction and law after payment has been made to the Secretary for the major part of the lands.

Section 7 authorizes the Secretary to consult and cooperate with the Secretary of War when any contemplated work provides for the improvement or enlarging of natural channels or the excavation or construction of navigable canals, or which by reasonable enlargement or other alteration might be adapted to navigation purposes. If the War Department reports favorably upon the waterway feature, then the Secretary of the Interior and the Secretary of War shall cooperate in construction of the project and the Government shall pay for that part of the work relating directly to navigation, the channels or canals to remain under the control and jurisdiction of the United States, but to be used so as not to impair their usefulness for protection or drainage purposes.

Section 8 seeks to bring about cooperation between States where overflowed and swamp areas and flood-visited districts which extend from one State into another. This section gives the Secretary of the Interior the power to construct works to protect or reclaim these areas when the several landowners or States shall request him to do so, even if there are no public lands in the area. The cost of this work is to be assessed against the land, as provided in section 5, except that the United States shall pay that part which relates directly to the improvement of navigation.

Section 9 gives the Secretary the right to acquire rights or property by purchase or condemnation to carry out the act.

Section 10 authorizes the Secretary to lease the lands reserved or acquired under the act and to sell the same.

Section 11 authorizes the Secretary to accept from any State or States, drainage or levee district or districts, or other landowner a cession of reclaimable lands which can be included in any project and to use and dispose of the same.

Section 12 appropriates $20,000,000 from the general funds in the Treasury to form part of the "flood protection and drainage fund."

Section 13 imposes a fine not exceeding $5,000 or imprisonment not exceeding five years, or both for willful interference with, injury to, or destruction of any works constructed under the act.

Section 14 provides that the President may set apart and reserve town sites within or in the vicinity of any project, and authorizes the Secretary of the Interior to have the same surveyed, subdivided, appraised, and sold. The funds so secured may be used for municipal improvements, and public reservations shall be conveyed to the municipal corporation when the same is duly organized.

Section 15 gives the Secretary authority to lease the surplus power or power privileges of any development of power necessary in the construction of any project; the leases shall be for not longer than 50 years, and preference shall be given to municipal purposes, and the moneys received shall be covered into the "flood protection and drainage fund."

Section 16 authorizes the Secretary to perform whatever acts that are necessary and to make the proper rules and regulations to carry into full force and effect the provisions of the bill.

The United States has reclaimed private lands under the reclamation or irrigation act. The Eighth Annual Report of the Reclamation Service shows that in the Orland project, located in the State of California, of 14,000 acres (p. 59), only 200 acres were public lands. In the Garden City (Kans.) project of 10,677 acres (p. 85), all were private lands. In the Carlsbad project of 20,073 acres (p. 134), the ownership is described in the report as "practically all private." There are 10,000 acres in the Hondo project (p. 134), and all of them are private except 240 acres. All of the 20,000 acres in the Leesburg project (p. 140) are private. All of the 180,000 acres in the Rio Grande project (p. 143) are private. All of the 60,000 acres in the Strawberry Valley project (p. 184) are private. There are only 433 acres of public land in the Williston project of 120,000 acres (p. 152), and 67 acres of State land and 11,500 acres of private lands.

If it is constitutional and proper and good for the Government to reclaim private arid land, is it not just as constitutional, proper, and good for it to reclaim private overflowed, and swamp lands?

The Constitution gives the United States the right to act in matters touching two or more States, upon petition of the States. In this connection it may be pointed out that every great flood which devastates the country is an interstate problem, and its solution requires correlated and coordinated work among several States. Thus, without considering the constitutional power of Congress to provide for the general welfare of the United States, the question of flood protection comes within the power of Congress, upon petition of the States affected, even if it does not come within the interstate-commerce and navigation provisions and powers.

While there may be many differences in detail, and more differences as to the solution of the details, there can be no serious questioning of the statement that the flood problem and the drainage and reclamation problem and the problem of navigation and interstate commerce by waterways are so interwoven with each other that no one can tell exactly where one starts and the other ends.

The numerous, most destructive, most dangerous, most persistent, and nearest enemies of the people of the United States are internal enemies—forces of nature. These forces kill more persons each year than were slain in battles and died from the effects of sunshot wounds on both sides during our destructive Civil War, and the property destroyed each year by floods is worth more than the cost of our war with Spain.

The passage of this bill will start the successful opposition to and bring about the eradication of these internal enemies—floods; diseases resulting from floods, swamps, and marshes; destruction of property; poverty due to nondevelopment of land rich in agricultural possibilities; and poverty and suffering due to the ravages of preventable diseases.

The passage of this bill by the United States Congress is respectfully urged by the undersigned officers of the National Drainage Congress.

OFFICERS.

President: Edmund T. Perkins, consulting engineer, 1110 First National Bank Building, Chicago, Ill.

First vice president: E. J. Watson, commissioner of agriculture, commerce, and industries, Columbia, S. C.

Second vice president: Col. William C. Gorgas, United States Army, chief sanitary officer Panama Canal, Ancon, Panama.

Third vice president: Edward Wisner, landowner and capitalist, New Orleans, La.

Fourth vice president: D. E. Kind, industrial commissioner Missouri Pacific Railway, St. Louis, Mo.

Fifth vice president: J. L. Craig, president River Regulation Commission of Stockton, Cal.

Treasurer: A. M. McLachlen, president McLachlen Banking Corporation, Washington, D. C.

Secretary Executive Committee: Philip R. Kellar, First National Bank Building, Chicago, Ill.

BOARD OF GOVERNORS.

The president, E. J. Watson, John H. Nolen, Joseph Hyde Pratt, Frank B. Knight.

Hetch Hetchy.

EXTENSION OF REMARKS
OF
HON. HORACE M. TOWNER,
OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, August 29, 1913,

On the bill (H. R. 7207) granting to the city and county of San Francisco certain rights of way in, over, and through certain public lands, the Yosemite National Park, and Stanislaus National Forest, and certain lands in the Yosemite National Park, the Stanislaus National Forest, and the public lands in the State of California, and for other purposes.

Mr. TOWNER. Mr. Speaker, through the courtesy of the House I am enabled to state my objections to House bill 7207. This bill grants to San Francisco the right to invade the Yosemite National Park, and to appropriate and destroy the Hetch Hetchy Valley therein for a reservoir and water supply. The principal reasons and grounds of my opposition may be briefly summarized as follows:

First. Admitting that San Francisco's present water supply is inadequate and that immediate relief is demanded, the passage of the present bill can not satisfy this demand, for the reason that it will require from 5 to 10 years to obtain water from Hetch Hetchy.

Second. Whatever may be done toward the acquisition for future needs of a permanent water supply, the nearby sources must first be developed as part of the system, and such development alone will supply all the demands of the city for years to come.

Third. In determining the location and source of a permanent water supply San Francisco should be required to obtain, if possible, such supply from the Coast Range or the Sacramento River, for they are nearest, most available, and will least injuriously affect other sections. At least three are thus available, Eel River, Putah Creek, and the Sacramento River.

Fourth. If a Sierra source is required, then the location should be within the Sacramento Valley rather than the San Joaquin, for the reason that the rainfall and water supply of the Sacramento is large and it can probably spare without injury the needed amount, while the supply in the San Joaquin is small and all of it is needed in the valley. There are several adequate and available supplies, either alone or in combination, in the Sacramento Valley.

Fifth. If an adequate and suitable supply can be obtained anywhere else without an invasion of a national park and the destruction of Hetch Hetchy, this application should be refused. There are several, and some of them can be obtained at much less cost than Hetch Hetchy.

Sixth. To divert 400,000,000 gallons of water daily from the San Joaquin Valley where it belongs would deprive 200,000 acres of irrigable land of water, render it permanently sterile, prevent further settlement and home building in the valley, stop its development and improvement, and impair its productive capacity to the extent of $20,000,000 yearly. The full water supply thus sought to be diverted can be utilized in the irrigation of the valley without the invasion of the park and the destruction of Hetch Hetchy.

Seventh. The terms of the bill extend national authority and jurisdiction over the interior waters of a State, an authority and jurisdiction hitherto claimed and acknowledged as belonging exclusively to the State. It invites and will inevitably bring conflicts between Nation and State, entailing endless litigation, irritating and injuring the people and municipalities whose interests are immediately affected, and endangering the cordial relationship that should exist between the State and the Nation.

Eighth. The proposal to use a national park for a municipal water supply is unreasonable and jeopardizes both interests. The primary object of the city is to secure a sanitary and uncontaminated water supply, and that discourages intrusion and tends toward exclusion. The purpose of a national park is to provide a place of rest and recreation for the people, and it is the policy of the Government to invite and induce the people to come within its precincts. There can be no harmonizing of interests where such divergent and antagonistic purposes exist.

Ninth. The city is to assume and is given the superintendence and sanitary control of the entire watershed which is tributary to Hetch Hetchy. This means that more than one-half of the Yosemite National Park, an area of over 500 square miles, is made subject to municipal control in the interest and with the purpose of securing an uncontaminated water supply. This will lead inevitably to the exclusion of the people from the larger and in many respects the most interesting portion of the park. If any measure of control is sought to be exercised by the Government over this portion, it will lead to conflicts of jurisdiction and interminable difficulties.

Tenth. Years ago, in 1864, the Government granted to the State of California the Yosemite Valley for park purposes. After an unsuccessful attempt to administer the trust committed to it, extending over a period of 42 years, the State upon its own initiative receded the tract to the Government, and it became a part of the present Yosemite National Park. It is a singular and indefensible proposition for the Government now to be asked to surrender a part of the park to a municipality of that State for its own private purposes.

Eleventh. The very object of a national park is to set apart and forever sequestrate its territory from the possibility of acquisition by corporations or individuals. To violate such purpose in this distinguished instance, when one of the most wonderful and noted of all the places on earth which has been thus deliberately set aside and solemnly dedicated for inviolate preservation is sought to be dismembered and destroyed at the instance of a single municipal corporation, would be to establish a precedent which would endanger the very foundation of our national-park system. If local interests can successfully assail and destroy the Nation's purpose in this instance, none of our national parks will be safe.

It is seldom that a bill is presented for the consideration of Congress in which so much both in substance and in principle is involved. So many issues not directly connected with the main proposition have been discussed and so much misunderstanding has been already exhibited with regard both to the

facts and principles that a detailed consideration of at least the more important of these seems necessary.

AN EMERGENCY CASE.

It is stated in support of this bill that San Francisco and adjacent cities are greatly in need of an additional water supply, and its immediate passage is demanded as an emergency measure in order to relieve distressing existing conditions.

It is admitted that the present water supply is insufficient and that an additional supply is greatly needed, but it is denied that the passage of this bill is intended to or can supply any immediate or pressing demand. The testimony is uncontradicted that it will take from 4 to 10 years to obtain water from the Hetch Hetchy reservoir. It is admitted that the near-by sources must be developed in any event, no matter where the permanent supply is obtained. Ultimately San Francisco must, and it should at once, develop its near-by sources of supply, which are amply sufficient to supply all the needs of its people for years to come. It is a mistaken and cruel policy to allow the people of the city to suffer for want of water in order that their suffering may be used as a ground to secure the passage of this bill, when its passage can not immediately aid them, when plenty of water to supply every demand can be obtained in a short time from near-by sources, and when these near-by sources must be developed whether this bill is passed or not.

None of the larger projects can be completed for years, and in all estimates made by the engineers of the city, by the Army board, and by others, it is proposed first to develop the near-by sources. The bill itself contemplates the delay, for it provides that the city shall have three years in which to file even the preliminary plans, while payments to the Government for the use of the franchise are not to commence for five years. It would be better, and probably more satisfactory to the city, to determine early where its permanent water supply is to be secured. But it is indefensible to delay the development of its near-by sources when its people are suffering. Neither is it justifiable under the circumstances to press Congress to speedy action on a proposition that can not relieve existing distress or affect conditions, except indirectly, for years to come.

The present population of San Francisco is 417,000. Its present water supply for municipal use is about 37,500,000 gallons daily, or 90 gallons per capita. It should have, on a liberal allowance, 130 gallons per capita, or a daily supply of 54,210,000 gallons. It needs, therefore, an additional supply now of 16,710,000 gallons.

The population of the bay cities, including San Francisco, is 773,000. Their present combined water supply is 85,000,000 gallons daily, or 110 gallons per capita. On a 130-gallon basis they need 100,000,000 gallons, or an additional amount of 15,000,000 gallons.

The Army board, making a conservative estimate, places the increase that can be obtained by developing near-by sources at 100,000,000 gallons daily. This is about 85,000,000 in excess of even the liberal estimate of 130 gallons per capita and is sufficient to supply the increasing demands of the people for years to come. Mr. Wadsworth, the engineer employed by the Army board, gives a certain increase of over 100,000,000 gallons, and a probable increase of 140,000,000 gallons. In other words, the present supply can be more than doubled by merely the development of the existing near-by sources.

IS IT NECESSARY TO GO TO THE SIERRAS?

Admitting that San Francisco will eventually need a larger water supply than can be obtained from near-by sources, we may consider where such permanent and further supply should be obtained. It is asserted by the city that in order to secure such a supply it must go to the Sierra Nevada Mountains.

I assume there can be no well-founded objection to the following postulates:

In obtaining its water supply San Francisco should exhaust near-by sources before going elsewhere.

It should obtain its supply from the Coast Range, if it can there obtain a desirable and adequate supply, before going to the Sierras.

It should obtain its supply from the Sacramento River, if it can obtain a desirable and adequate supply, before going to the Sierras.

In determining what is a desirable supply, a healthful, potable water, such as other cities use, should be considered, and not what might be thought most desirable by San Francisco.

In determining what is an adequate supply, a fairly justifiable estimate of future requirements should be made and not an exaggerated estimate as to supposed requirements at a remote date.

Regarding the development of its near-by sources of supply, it has already been shown that at least an increase of 100,000,000 gallons daily can be thus secured. Allowing 20,000,000 gallons to supply present deficiencies, which is a liberal estimate, there is a balance of at least 80,000,000 to credit on future demands.

A COAST-RANGE SUPPLY.

As is well known, San Francisco is situated on the west coast of California. Paralleling the west coast is the Coast Range of mountains, with a watershed directly to the Pacific Ocean. To the north of San Francisco this watershed is for the most part thickly wooded and very slightly developed. There is a heavy rainfall, and irrigation is unnecessary. East of the Coast Range, paralleling it, but with wide valleys intervening, extending for more than 500 miles north and south, is the Sierra-Nevada Range. The great central valley, composed of the eastern watershed of the Coast Range and the western watershed of the Sierras, is divided into two parts, its northern section being known as the Sacramento Valley, its southern as the Valley of the San Joaquin. A bare statement of the physical conditions is enough to demonstrate the proposition that San Francisco ought to go to the western watershed of the Coast Range, if it can there obtain an adequate and desirable supply.

EEL RIVER SOURCE OF SUPPLY.

A supply can be obtained from the headwaters of the Eel River, which rises in the Coast Range and flows northwest into the Pacific Ocean. The impounding watershed would be mostly within a national-forest reservation and would include a drainage area of 326 square miles. It could be easily kept under sanitary protection, would not need filtration, and would furnish a supply of pure, sweet mountain water in every way desirable. It would require a conduit of 115 miles, or 17 miles shorter than would be required for Hetch Hetchy, and is nearer than any Sierra source. Its cost is estimated at $24,000,000, or less than one-third the estimated cost of Hetch Hetchy, which is placed at $77,000,000. It would furnish 200,000,000 gallons or more daily.

This source was approved by Mr. H. H. Wadsworth, an eminent engineer of the United States Army, who was selected by the Army board to make investigation as to the different available water supplies for San Francisco. It never met with favor from the city, because it claimed that they needed an additional supply of 400,000,000 gallons, and for that reason the 200,000,000 gallons this source could supply would be insufficient.

AMOUNT NEEDED.

It will be necessary to consider whether San Francisco's demand for an additional water supply of 400,000,000 gallons daily is reasonable, and whether an inquiry as to available sources ought to be limited to those only which will furnish such an amount. In order to make a basis for such a demand it is claimed, first, that the supposed requirements of the year 2000 should be taken as the basis of the estimate. Such a remote date, nearly a century in the future, is unreasonable. It would be reasonable to make a fair estimate for future needs; but such a date is beyond any degree of fair consideration. Twenty-five years is an ordinary estimate; 50 years would be generous; 90 years is absurd.

It is estimated that at that date the bay cities, with a present population of about 700,000, will have added nearly 3,000,000 people, and so the city desires a supply that will furnish all the water 3,700,000 people may want in the year 2000—a tremendous leap into the future, but it is necessary in order to make a showing for the taking of Hetch Hetchy.

According to Mr. Percy V. Long, attorney for the city and county of San Francisco, the city now uses from thirty-seven to forty million gallons daily. And yet a city which last year used 40,000,000 gallons suddenly and vehemently demands that its supply be increased to 540,000,000 gallons. Suffering because of an inadequate supply, but on which it has voluntarily subsisted for years, it contends that its supply should be increased immediately to thirteen times its present volume.

In order to swell the demand to this enormous quantity it is estimated that 95,000,000 gallons daily will be needed for the irrigation of truck patches and vegetable gardens near the cities, and so that amount is added to the supposed requirements.

To add to the absurd injustice of this demand for water from Hetch Hetchy to irrigate lands near San Francisco it should be remembered that the waters from Hetch Hetchy are tributary to the San Joaquin Valley, where more than 200,000 acres of land are barren because of lack of water. Yet it is proposed to carry this water across the valley to which it belongs and for which it is suffering 142 miles to satisfy the demands of the truck growers and market gardeners of San Francisco.

If a 50-year period be taken as a reasonable basis of demand and a liberal estimate of 1,800,000 as the population at that time of the bay cities, with an allowance of 130 gallons per capita, there will be needed for municipal purposes 234,000,000 gallons daily. With their present supply developed to 134,000,000, as is admitted that it can be, there will be needed for even the remote period of 1963, 100,000,000 gallons additional supply, while the Eel River alone can supply double that amount.

But if the extravagant demands made by San Francisco for an additional supply of 400,000,000 gallons be admitted, the Coast Range can furnish it, and do so more cheaply than can be obtained by going to the Sierras.

By combining with the Eel River supply a supply from Putah Creek, which is nearer, and which will alone furnish 341,000,000 gallons daily, a supply could be obtained which would furnish daily 541,000,000 gallons. This would be enough to supply the most enthusiastic demands, and the total cost of the Eel River-Putah Creek system would be $53,000,000 as against $77,000,000 for Hetch Hetchy, a saving in favor of the Coast Range source of $24,000,000 for the city. Besides, this system could be fully completed in three years, while it is estimated by most engineers that it will require twice that time to complete the Hetch Hetchy system.

THE SACRAMENTO RIVER.

The Sacramento River rises in northern California and flows south between the Coast Range and the Sierra Nevada Mountains. It receives as a confluent the waters of the San Joaquin River, which rises in southern California and flows north between the Coast Range and the Sierras. Together these mountain streams turn westward after their union and empty into the bay on which San Francisco is situated. It is proposed to take the water necessary for the bay cities at a point on the Sacramento River near Rio Vista, where it is always free from sea water.

The advantages of this source of supply are that it can be developed to meet increasing demands; the supply will always be sufficient to meet any possible requirements; the quality of the water will be far above the average; it would require no reservoir; no national park would be invaded, no irrigation claims infringed upon, and no injury or harm done to anybody.

The cost of the Sacramento system is figured by the Army board as more than the Hetch Hetchy source. But an analysis of the estimate shows that, in fact, the initial cost is much cheaper, or only $52,000,000, while the cost of Hetch Hetchy is seventy-seven millions. The additional amount of the Army board estimate is made up by a theoretical capitalization of the cost of pumping and filtration spread over many years. The city objects to the consideration of this source, first, because it is a river supply. But most of the cities of the United States secure their water from rivers, and there is none of them which boasts of a stream so advantageous as the Sacramento. Itself a mountain stream, and swollen by other streams which receive their flow from melting snows on lofty mountain sides, it would be difficult to imagine a more desirable source of supply. The city also objects because the system will require filtration. Here again it should be remembered that nine-tenths of the cities of the United States are required to filter their water. It is held by many experts that perfect sanitation requires filtration, and that all water for domestic use, whatever its source, should be filtered.

It is therefore apparent that the contention of the city that in order to obtain a desirable and adequate supply it must go to the Sierra Nevada Mountains is not well founded. Its needs for many years to come can be satisfied by the development of its present near-by sources, and in case an additional supply should be now considered necessary, two such sources are available without going to the Sierras.

OTHER SOURCES OF SUPPLY.

If, in spite of the objections suggested, it be thought that San Francisco is justified in her demands for a water supply from the Sierras, the next inquiry should be to what part of the Sierras it should go.

The idea has been assiduously cultivated that Hetch Hetchy was the only available source for a water supply. This is so far from the truth that the effort merits ridicule. In fact, there is no city of its size in the United States which has open to it so many superior sources as San Francisco. The Army board, selected for the purpose, reports 13 as possible sources. They report 7 as practically available. They report 5 as fully adequate and available. Four of these, including the McCloud River, rising in Mount Shasta, are in the Sierras, and one which we have already considered, the Sacramento River. In its report to Secretary Fisher the board says:

The board is of the opinion that there are several sources of water supply that could be obtained and used by the city of San Francisco and adjacent communities to supplement the near-by supplies as necessity develops. From any one of these sources the water is sufficient in quantity, and is or can be made suitable in quality, while the engineering difficulties are not insurmountable. The determining factor is principally one of cost.

Hon. Herbert Parsons, in a report to Congress while he was a member, said:

San Francisco is in an enviable situation for water supply. It has all the Sierras with their mountain snows to draw upon. There are no less than 16 different systems.

In his testimony before the Senate committee Mr. James D. Phelan, formerly mayor of San Francisco, was asked:

You know, Mr. Phelan, that you could go out overnight anywhere along the Sierras and get an abundant supply of pure water for the city?

Yes—

Said Mr. Phelan—

by paying for it.

On this floor, in this debate, the advocates of the bill admit there are other sources. The author of the bill said, "There are a number of other available supplies." The distinguished Representative from San Francisco said, "There are four principal sources that could be utilized."

It is not to enable the suffering people of San Francisco to get water, but for the municipality to get it cheaply, that this bill is pressed. A bargain is sought, and the interests of all the people of the United States are to be sacrificed in order to enable San Francisco to have it. But even that sordid ground can not avail, for there is overwhelming testimony to prove that there are many other supplies available that can be obtained for much less money.

It is, however, believed by those who oppose the passage of this bill, and indeed it would seem by everybody not directly interested in its passage, that there are other and higher interests to be considered than saving some money for San Francisco.

SACRAMENTO AND SAN JOAQUIN VALLEYS.

If the Sierras are to be used as a source of water supply for San Francisco, either the valley of the Sacramento or that of the San Joaquin must be invaded for that purpose. A comparison of the valleys should be made, and their respective claims for protection should be considered before action is taken.

The valley of the Sacramento is the great northern central valley of California, and the valley of the San Joaquin is the great southern central valley of the State. These valleys open into each other, and together extend for more than 500 miles north and south within the State and between the Coast Range and the Sierras. According to the Geological Survey the floor of the Sacramento Valley is estimated at 4,250 square miles; that of the San Joaquin Valley at 11,500 square miles, or nearly three times as large. The rainfall in the Sacramento Valley is 20 inches a year; that of the San Joaquin but 10 inches, or only one-half as much. The total flow per annum from the Sacramento watershed is estimated at 24,500,000 acre-feet; that of the San Joaquin at 11,500,000 feet, or less than half. The water supply on an engineering basis of the Sacramento would be 8 feet covering the floor of the valley, while the depth in the San Joaquin Valley would be but 18 inches. It will be seen, therefore, that there is about six times as much water supply in the Sacramento as there is in the San Joaquin Valley.

Certainly under these circumstances San Francisco should go to the Sacramento Valley rather than to the valley of the San Joaquin, if it can do so. If it can be justified under any circumstances in taking water from a source remote and to which it can have but a secondary claim, it should go where the largest supply is to be found and where those who live nearer and have primary interests shall be least injured. It must be apparent from a mere statement of existing physical conditions that the larger valley with the smaller water supply should not be robbed of what it has if an ample and suitable supply can be obtained from another source without injury or loss to anyone.

THE M'CLOUD RIVER.

Fortunately there are ample and superior supplies to be had in the Sacramento watershed.

A source was examined and approved by the Army board, situated on the watershed of the beautiful McCloud River, which flows into the Sacramento. Its source would be amid the eternal snows and glaciers of Mt. Shasta. In every desirable requisite it is remarkable. The Army board reports it as "clear, cold, and palatable." A large part of the watershed lies within a national forest reserve. No reservoir or storage will be necessary, and it can furnish 770,000,000 gallons daily if needed. As Col. Biddle, speaking for the board, said:

There is plenty of water in the McCloud River for all needs * * * and the least flow is twice what San Francisco needs—

even on its extravagant 400,000,000 basis. The cost is estimated by the Army board at from $58,000,000 to $64,000,000.

Here is a source from which San Francisco can obtain all the water she even thinks she needs, as pure and desirable as any on earth, at a cost of $19,000,000 less than Hetch Hetchy, while the taking will not deprive anyone of water needed for irrigation or any other purpose, and by which no national park will be invaded, and no objects of great natural beauty destroyed.

The only objections which San Francisco can urge against this project are, first, that it will take a larger initial expenditure than Hetch Hetchy, and, figuring on a capitalization basis, the latter is considered cheaper. The second and probably the principal ground of objection is that the McCloud River source will furnish no water power, while the Hetch Hetchy will furnish 115,000 horsepower, which San Francisco can use and sell to her own advantage.

So this source is disparaged and set aside to satisfy a forced and fanciful economy and to enable San Francisco to experiment in municipal ownership and sell water power at a profit. Urged on Congress as a humanitarian proposition, as a sacrifice of objects of inestimable worth and surpassing beauty, necessary in order to save the lives of the women and children of a drought-stricken city, it is revealed as a deliberate destruction of a national treasure to carry out the mercenary schemes of city boomers for their own glory and self-interest.

The press reports that in the course of this bill's discussion an impressionable legislator, stirred by the city's pathetic appeals, impulsively declared he would rather be able to furnish a cup of pure water to a thirsty child than to see all the beautiful scenery on earth. Another, in a burst of impassioned sentimentality, exclaimed:

I would rather hear the laughing voice of a child relieved from the grasp of a water monopoly than the warble of all the song birds in Christendom.

It is only necessary, in order to relieve the tension if tender sensibilities are stirred by such outbursts, to recall the fact that if any thirsty child is suffering for a drink in San Francisco it should appeal to the men who have kept the city thirsty and dirty for years in order to make a false appeal to carry through this scheme. It should be further remembered that at any time it chose for 10 years past the city might have relieved itself from the grasp of the water monopoly, but that, instead, the dreaded octopus appears before Congress allied with the city and unites with it in asking Congress to pass this bill. It might further be suggested that if the fabulous child whose imaginary thirst evokes such intense sympathy is compelled to wait for five years until its suffering can be relieved by the procurement of water from Hetch Hetchy, its condition will be pitiable, indeed.

THE YUBA, AMERICAN, AND COSUMNES SOURCES.

But the McCloud River is by no means the only source in the Sacramento Valley from which San Francisco might secure its water supply. The Yuba, American, and Cosumnes Rivers could be used. The Army board reports that they are all of the same general nature—"They all rise in the high Sierras, and the quality of the water is excellent."

The Yuba River would furnish 164,000,000 gallons daily, and its cost is estimated at $61,000,000.

The American River will only furnish 105,000,000 gallons, and for that reason has been considered in connection with the Cosumnes and other combinations.

The Cosumnes can furnish 212,000,000 gallons. Combined with the American, 317,000,000 gallons could be obtained.

THE MOKELUMNE SOURCE.

The Mokelumne River is nearly at the dividing line between the valleys of the Sacramento and the San Joaquin. It, too, rises in the high Sierras, and the quality of the water is excellent. Its supposed capacity was 128,000,000 gallons, and for that reason it has been principally considered in connection with other sources. On this basis it has been combined with the American and Cosumnes and other sources north of it and with the Stanislaus, Cherry Creek, and Lake Eleanor sources to the south. As these sources adjoin each other several combinations are possible, and any amount needed may be secured, the quality being first class in all.

The Mokelumne River as a single source was not considered feasible by the Army board or by its chief engineer, Mr. Wadsworth, because on reports and estimates before them it was supposed it could not furnish more than 128,000,000 gallons daily. An order was made by the Interior Department at the time of the appointment of the Army board that the city should investigate and report to the board for its consideration all possible available sources. Investigation was made by engineers appointed by the city, and it was supposed that all their reports were presented to the board. It is now known, however, that one of the reports thus obtained, known as the Bartel report, was never submitted either to Mr. Wadsworth or to the board. It is significant that this report shows that the Mokelumne River source alone could furnish 432,000,000 gallons daily. When it is considered that this source is much nearer than Hetch Hetchy, and that the cost would be a great deal less, a sufficient reason why the city should not desire the Bartel report to receive consideration is shown.

LAKE ELEANOR AND CHERRY CREEK.

The bill provides for a triple source, or a combination of sources, viz, from the Hetch Hetchy Valley, the Lake Eleanor Basin, and the Cherry Valley. Lake Eleanor is a beautiful mountain lake about 9 miles long and 5 miles wide, situated in the northwest part of the Yosemite National Park. It could be utilized as a water supply without destroying its beauty. Cherry Valley is just outside the park, but is within the Stanislaus National Forest Reservation. It is estimated, principally on data furnished by the city, that the two sources combined would furnish 190,000,000 gallons daily. But much larger estimates are made. Mr. John P. Young, editor of the San Francisco Chronicle, who visited the sources with the officials and engineers of the city, says that Lake Eleanor alone would impound 39,000,000,000 gallons and furnish 250,000,000 gallons daily.

In the winter of 1909–10 Dr. George Otis Smith, Director of the Geological Survey, and two engineers of the Reclamation Service reported that Lake Eleanor was ample to meet all the city's prospective demands. Mr. Harrow, the engineer commissioned by the Society for the Preservation of National Parks, in a report showed that Lake Eleanor and Cherry Creek were sufficient to supply the city up to at least 1948.

In 1908 Hon. James A. Garfield, then Secretary of the Interior, made an executive order authorizing San Francisco to use the Lake Eleanor Basin and Hetch Hetchy Valley as sources for a water supply. But it was provided in the permit granted that the Lake Eleanor site should be developed to its full capacity first, and that Hetch Hetchy should be used only in the event that the Lake Eleanor supply should prove insufficient. At that time the city proposed to develop Lake Eleanor first. But the passion for Hetch Hetchy developed and when it was realized that in all probability under the terms of the Garfield permit Hetch Hetchy would never be reached—because Lake Eleanor would furnish all that San Francisco could use for municipal purposes—the city never availed itself of its privilege under the permit and suffered it to lapse. Then the plan was changed and it now proposes to develop Hetch Hetchy first and only go to Lake Eleanor and Cherry Valley when the demand shall warrant.

If any law is passed allowing under any circumstances the taking of Hetch Hetchy, it would be only fair and just that it should provide, as did the Garfield permit, that Hetch Hetchy should only be taken after the near-by supplies had been developed and after the Lake Eleanor and Cherry Valley sources had proven insufficient to supply the legitimate municipal demands of the bay cities.

COST.

It is not considered by those who oppose this measure that the taking of Hetch Hetchy can be justified merely because it is cheaper. Certainly the invasion of a national park, set aside forever as a possession of all the people to be handed down inviolate to the generations that are to follow, can not be justified because other projects will cost more.

But if because Hetch Hetchy is cheaper should be considered as a reason justifying its sacrifice the fact of a material difference should be clearly shown. In the review of other available sources it has been shown that the Eel River source, if considered sufficient, would cost less than one-third that of Hetch Hetchy. Combined with Putah Creek an ample supply could be obtained at a total cost of $53,000,000, or $24,000,000 less than Hetch Hetchy. The cost of securing a supply from the Sacramento River would be only $52,000,000, a still larger saving. The McCloud River source would cost but $61,000,000. The cost of the combined American and Cosumnes would be much less than Hetch Hetchy, as would a combination of the Cosumnes and Mokelumne. A combination of all three, the American, Cosumnes, and Mokelumne, would cost about the same. A combination of the Mokelumne, Lake Eleanor, and Cherry Creek would also cost about the same. The Mokelumne alone would cost much less than Hetch Hetchy, as would Lake Eleanor and Cherry Creek combined.

It is true that the Army board reports that Hetch Hetchy would cost $20,000,000 less than other sources, but in order to reach that conclusion all plans that will not furnish 400,000,000 gallons daily are eliminated. Besides, in considering, for instance, the Sacramento River project, although the actual cost is but $52,000,000, the cost of pumping and filtering is capitalized and figured as an element of the cost, although no cost of administration of Hetch Hetchy is considered. In estimating the cost of the McCloud River project the actual cost is but $58,000,000, or $19,000,000 less than Hetch Hetchy. But because the initial expenditure would be greater on the McCloud project, it is considered the cheaper. It should also be remembered that most of the cost estimates are based on data furnished by the city, which seems determined to force a favorable view of Hetch Hetchy. In any event it is certain San Francisco can obtain a permanent, adequate, and suitable water supply for much less than $77,000,000.

IRRIGATION IN THE SAN JOAQUIN VALLEY.

It was supposed that the promoters of this enterprise had satisfied the irrigation interests dependent on a water supply from the Tuolumne River. There are two large water districts, the Turlock and the Modesto. These districts through their agents secured certain concessions in the bill which the water users thought preserved their rights. They now claim that their agents did not act in good faith, that their interests are not properly protected in the bill, and they now desire to repudiate the agreement made for them. Both Senator WORKS and the chairman of the water users of the Modesto district say that 99 per cent of the water users now oppose the bill. Other protests have been filed.

But there are other interests to be considered besides those of the people now served in the Turlock and Modesto districts. As we have already seen, the San Joaquin Valley is a vast arid region with very little rainfall, but with a soil very responsive and productive under irrigation. Over 7,000,000 acres in extent, it will take all the water belonging to the valley to irrigate one-half of it. Even if the settlement made by San Francisco with the Turlock and Modesto people ought to stand, their agreement should not be controlling. If there are other districts that need it and other lands that could be rendered fruitful by it within the San Joaquin Valley, then the 400,000,000 gallons daily ought not to be diverted from the valley to which they belong and carried 142 miles to San Francisco.

The irrigible area of the Tuolumne River is about 450,000 acres. There are now under water in the Turlock and Modesto districts about 240,000 acres. This leaves about 210,000 acres yet to be developed. It is proposed to divert 400,000,000 gallons daily from the valley, which, if used for irrigation, could supply more than this 210,000 acres.

As between San Francisco and the home makers of the San Joaquin Valley, it is proposed to forever deprive over 200,000 acres of land and doom it to eternal sterility. It has been said that in the struggle for water the thirst of the people must prevail over the thirst of the land; but this saying is merely sententious; it is not sensible. The land is not crying for relief. It is satisfied to bask in sun-fed idleness forever. It is the desire of the people for bread, for homes, for a chance to add to the productive capacity of the world, for an opportunity to transform a desert into a garden—this is what should be considered. Each of the more than 200,000 acres that could be made fruitful with the water San Francisco wants can produce at least $100 of food products each year. Approximately the value to the valley to the State and to the world in food products would be over $20,000,000 a year, or more each year than San Francisco claims it can save by taking Hetch Hetchy rather than some other source.

This objection becomes even more forceful when it is understood that the irrigation of this additional land may be secured without an invasion of the national park and the destruction of Hetch Hetchy. The water can be impounded outside the park and lower down the river. The La Grange Dam and Reservoir, which now supplies the Turlock and Modesto districts and irrigates more than 240,000 acres, is on the Tuolumne River outside the park. Additional impounding dams in the foothills outside the park may be built to furnish water for the land not now included in those districts and the park be thus preserved.

Hon. Francis Burton Harrison in a letter addressed to the Secretary of the Interior suggested that a supply for San Francisco could be obtained without going into the park by building reservoirs below it between the Merced and Tuolumne Rivers. This proposition was submitted to the Army board for consideration, but was not approved because the water would require filtration for domestic use. But no such requirement would be necessary for irrigation. Secretary Fisher refused to permit the use of the park for the reason, among others, that he desired information as to whether "the use of Hetch Hetchy Valley as a reservoir site is necessary if the full flow of the Tuolumne is to be conserved." There has never been any showing that it was necessary. On the contrary, the evidence is strongly to the effect that practically all the water of the Tuolumne can be utilized for irrigation without invading the park and destroying Hetch Hetchy.

Mr. Frederick H. Newell, director of the Reclamation Service, in his testimony before the committee, was asked:

It would be feasible to store all this water for irrigation without a reservoir at Hetch Hetchy?

His answer was:

Yes, sir. From a financial point of view it is still an open question; from an engineering point of view it is feasible.

We may leave the financial question to the people who will need the water. Under the provisions of their State law even the largest irrigation projects may be handled. It is an all-sufficient answer to those who believe that Hetch Hetchy must be used anyway, to quote the highest authority to the effect that all the water from the Tuolumne may be used for irrigation by those who are best entitled to it and who need it most without destroying Hetch Hetchy.

OPPOSING INTERESTS.

It is claimed by the advocates of this bill that they have now satisfied all opposing interests except the "nature lovers." That they have made a strenuous effort in that direction is certainly true, but it is doubtful if they have entirely succeeded. They silenced the opposition of the present "monopoly" supplying the city by promising payment for its property if the Hetch Hetchy plan went through. They endeavored to satisfy the demands of those already using water from the Tuolumne source by placing in the bill everything they asked for. The result is that the bill is confused, uncertain, contradictory, verbose, indefinite, and impossible of administration. It raises and invites controversy between National and State powers. It is merely a conglomeration of everything suggested by any person or interest opposed to it and whose objection could be removed by inserting his or its pet project. A prominent advocate of the bill confessed:

There are bad things in the bill, but they were put there to get votes.

If there is any one thing on which the people of the Western States have hitherto insisted, it has been that each State should be allowed to control its interior waters in the interests of its own people. They have been particularly insistent that national laws and regulations should not be allowed to interfere with State control. Yet here is an attempt by act of Congress to determine and control rights of irrigation, to parcel out and fix by national law storage and flow, to apportion waters within the territory of the State among municipalities and water districts created and governed by State laws.

An idea of the significance of this seems to be dawning upon the consciousness of even the people of San Francisco, as shown by an editorial in one of their leading papers, of date September 12:

While we all desire and expect to get the Tuolumne water, it is not desirable that the bill shall be rushed through without a full and free discussion of the rights of the States. The water which we will need for the next few years will have to be got by the development of the Spring Valley property—

The present chief supply—

and we should make a very poor trade to surrender the rights of the State within its own boundaries in order to get glory for our municipal officials just as an election is coming on.

As the bill was originally introduced it settled the rights of the irrigation districts—

notwithstanding any general laws of the United States or of the State of California, or any general rules of property established by the courts.

This clause has been eliminated, but the provisions it was designed to protect still remain, and its language fitly describes the purpose of the bill.

In a report to Congress on a similar bill in 1909 Hon. F. W. MONDELL, Hon. SCOTT FERRIS, and six other members of the Public Lands Committee said regarding these provisions that they related—

to subjects not under the control of Congress and with regard to which it has no authority and ought not to attempt to legislate. The legislation is objectionable for the reasons above mentioned, which take it out of the category of legislation of doubtful propriety and expediency and place it in that of doubtful constitutionality and of unquestionably mischievous and dangerous character.

THE YOSEMITE NATIONAL PARK.

Having shown that this is not an emergency case, and that San Francisco can secure an ample and superior water supply elsewhere, that to take water from the San Joaquin Valley would be an act of gross injustice, an endeavor will be made to show what will be the results if this contemplated invasion of the Yosemite National Park and the destruction of the Hetch Hetchy Valley succeeds.

The Yosemite National Park is situated on the western slope of the Sierra Nevada Mountains near the center of the State of California. Its present boundaries were established in 1906 and embrace an area of 1,124 square miles, or 719,000 acres. It extends from the crest of the Sierras on the east to the foothills of the San Joaquin Valley on the west. It consists mainly of two watersheds—that of the Merced River, in which is situated the Yosemite Valley, and that of the Tuolumne River, in which is situated the Hetch Hetchy Valley. These watersheds are nearly equal in area, that of the Tuolumne being somewhat the larger. The rivers both flow westerly into the San Joaquin, separated by a spur of the Sierras. The section was first made known to white men in 1851. It was not made accessible until 1874. In 1864 Congress granted the Yosemite Valley to the State of California, which retained jurisdiction over it until 1906, when it receded it to the United States. The park was established by Congress in 1890.

The territory now embraced within the park boundaries was selected and set aside because it is a place of marvelous beauty and grandeur. There is nowhere in the world its counterpart, and nowhere else can be found a national park containing so much of varied beauty and wonder. It is a land not only of scenic wonders, but of marvelous climate. Prof. F. E. Matthes, of the United States Geological Survey, describes it as "a climate paralleled by that of few mountain regions elsewhere in the world. It has a climate of sunshine and serene skies, dry, but not too dry; in summer warm, but not uncomfortably warm; withal characterized by nights that are cool, even frosty at the higher levels. The winters are cold enough to insure a snowfall of 2 to 4 feet in the lowest valleys and to maintain perpetual ice fields and glaciers on the highest crests. One goes to the Yosemite region not merely to admire its cliffs and waterfalls, nor to walk through the aisles of its great forests, but to revel in the full enjoyment of these wonders in the pure invigorating air and the restful calm that reigns from day to day." The hotels are open all the year, and the park is becoming known as an attractive winter resort, frequented by those who enjoy winter sports, such as snowshoeing, tobogganing, and coasting.

So far only the southern half of the park, embracing the Merced watersheds and the Yosemite Valley, have been improved and made accessible by the Government. But it is expected that the northern half, the Tuolumne watershed with the Hetch Hetchy Valley, will soon be improved and made equally accessible. Indeed, the northern part of the park is thought by many to be the more wonderful and beautiful. It embraces not only the Hetch Hetchy Valley, which is the counterpart of the Yosemite, but also the Tuolumne Canyon, which is second only to the Grand Canyon of the Colorado, and the Tuolumne Meadows, an alpine valley without equal in beauty and scenic grandeur in America. Thus, of the four prominent objects of interest in the park, three are in the Tuolumne watershed and are so far practically undeveloped and inaccessible.

The Yosemite National Park is visited annually by a constantly increasing number of visitors, not only from this country but from all over the world. One hundred and fifty from Great Britain alone visited the park in 1912, while almost every other country was represented. It is regarded everywhere by civilized men as one of the greatest of the world's marvels. The Westminster Review said of it:

The Yosemite is the wonder not only of California, but of the world.

Ralph Waldo Emerson said:

It is the only place I ever found that came up to the brag.

These words of praise refer principally to the Yosemite Valley, and when it is understood that this valley, while of surpassing beauty, is only one of the many marvels of the park, that the park is one hundred times larger than the valley from which it derives its name, and throughout the entire area is a veritable wonderland of grandeur and beauty, something of its true value can be appreciated.

Of the park as a whole a recent writer gives this description:

Of this glorious range (the Sierras) the Yosemite National Park is a central section, 36 miles in length and 48 miles in breadth. The famous Yosemite Valley lies in the heart of it, and it includes the headwaters of the Tuolumne and Merced Rivers, two of the most songful streams in the world; innumerable lakes and waterfalls and smooth, silky lawns; the noblest forests and the loftiest granite domes; the deepest ice-sculptured canyons, the brightest crystalline pavements, and snowy mountains soaring into the sky twelve and thirteen thousand feet, arrayed in open ranks and spiry pinnacled groups partially separated by tremendous canyons and amphitheaters; gardens on their sunny brows, avalanches thundering down their long white slopes, cataracts roaring gray and foaming in the crooked rugged gorges, and glaciers in their shadowy recesses working in silence, slowly completing their sculpture; new-born lakes at their feet, blue and green, free, or incumbered with drifting icebergs like miniature Arctic Oceans, shining, sparkling, calm as stars.

Nowhere will you see the majestic operations of nature more clearly revealed beside the frailest, most gentle and peaceful things. Nearly all of the park is a profound solitude, yet it is full of charming company, full of God's thoughts, a peace of peace and rafety amid the most exalted grandeur and eager, enthusiastic action, a new song, a place of beginnings abounding in first lessons on life, mountain building, eternal, invincible, unbreakable order, with sermons in stones, storms, trees, flowers, and animals brim full of humanity.

AS A PRECEDENT.

To invade this national park, the possession of all the people of the Nation, to utterly destroy one of its chief objects of interest, and to practically transfer control and relinquish sovereignty over one-half of the entire area of the park to a municipality, is the object and purpose of this bill. The State of California relinquished its claim and trust to the Nation; but a city of that State is now demanding a recession to it of a territory fifty times as large, not to better carry out the purpose of its establishment, but to destroy it and transform it into a municipal utility.

Their position is simply this: The national parks are merely temporary sequestrations of natural objects of beauty which may be invaded and those natural objects of beauty destroyed whenever any municipality situated near enough to use them desires to appropriate them to its own use and benefit. In this case necessity can not be urged as a reason—only cheapness. So that by the passage of this bill it will be established as a precedent that whenever any municipality situated within appropriating distance from a national park finds it can get water and power which it may desire for municipal purposes, to sell to others, to run its street cars, or to irrigate its adjacent truck patches cheaper from a national park than from elsewhere, Congress should give it such privilege.

Is it supposed that any national park is safe if this bill becomes a law? Its passage will be an invitation for the invasion of every national park in the country. What would be thought of a proposition on the part of an individual, or even a school, or a hospital to invade one of our city parks and appropriate it to its own use? Would not the answer be, This can not be done, for the park is the property of all the people of the city, and can not be despoiled for the advantage of only a part? Is it contended that our city parks are to be considered more sacred and of higher value than our national parks? Yoo Yosemite National Park was set aside for a great pleasure ground, for a national sanatorium, for the delight, the refreshment, the recuperation of all the people of the United States. This we now hold as a sacred trust for the purposes for which it was dedicated and set aside by the Nation. It would be a gross, a base violation of our duties as trustees for the people to surrender this national trust to satisfy a selfish, mercenary, utterly unjustifiable demand.

If this action be taken upon the ground of the higher privilege of municipal demand, how will it be possible to protect any national park? What argument used to destroy Hetch Hetchy might not with equal force be urged to dam and destroy Yosemite? Will not a further demand in the near future be presented to place a dam below El Capitan, and thus make the Yosemite Valley a water tank for somebody? As they have been formed by nature twin wonders and miracles of beauty, so would Yosemite and Hetch Hetchy become twin sacrifices to exploiters and boomers. If human greed can be thus confused with human need, and a plea for the destruction of that which is most beautiful and elevating in nature be disguised as a plea for humanity, then, indeed, may we despair of both our intelligence and our civilization.

THE HETCH HETCHY VALLEY.

There has been a strenuous and persistent attempt to depreciate and belittle the beauty and value of the Hetch Hetchy Valley. It is called a "barren canyon," a "craggy, inaccessible gorge," a "remote swamp infested with mosquitoes," of no particular value. It will be worth while to see just how much truth there is in these disparaging descriptions. They are made for the most part by those who have never visited the valley. We will contrast them with those who have seen it, some of them many times, and whose judgment is worthy of respect.

Mr. J. S. Chase, an English traveler and writer of note, in his book Yosemite Trails, thus describes the valley:

In general features the Hetch Hetchy is a remarkable duplication of the Yosemite. • • • There are the same clean-drawn, dome-like outlines, the same quiet beauty of winding river, the same level meadow floor, dotted with stately trees and sprinkled thickly with flowers.

Harriet Monroe, our American poet and essayist, says of it:

It is a garden of Paradise, this valley; a lesser Yosemite, but very different, with an infinitely charming individuality of its own; smaller but more compact, less grand but not less beautiful. In its wonderful forest growth, of great variety and magnificent development, it surpasses Yosemite Valley itself.

Mr. John P. Young, editor of the San Francisco Chronicle, thus describes it:

It is about 5 miles in length between the points where the river enters the valley from the Grand Canyon of the Tuolumne to its outlet through a gorge at its western extremity, and varies in width from a mile where it is broadest to less than 300 yards in its narrowest part. • • • Except at the places where the river enters and makes its exit the valley is inclosed by ridges, bold walls and peaks that rise to a height of 6,000 feet above the level of the sea, or more than 2,000 feet above the level of the valley. • • • The Tuolumne by no means loses its beauty when it emerges from its rocky gorge to continue its course through the valley. If possible, it adds to its charms. In the summer time it meanders peacefully through the verdant meadows, hugging the base of the walls which inclose Hetch Hetchy on the north, reflecting its peaks and rocks in innumerable places. Mirror Lake, of the Yosemite, is repeated a hundred times in the reaches of this wonderful stream, whose tree-fringed banks are pictured on its glassy surface, while its pellucid depths reveal its pebbly bottom.

John Muir, who has done more, perhaps, than any other one man to preserve and make known the wonder and beauty of our national domain, says of Hetch Hetchy:

It is a wonderfully exact counterpart of the great Yosemite, not only in its crystal river and sublime rocks and waterfalls, but in the gardens, groves, and meadows of its flowery park-like floor. The walls of both are gray granite, rise abruptly out of the flowery grass and groves, are sculptured in the same style, and in both every rock is a glacial monument. • • • The Tueculata waterfall is the most graceful I have ever seen. It excels even the Bridal Veil of the Yosemite both in height and fineness of fairy, airy beauty and behavior. • • • The Wapama waterfall is another marvel. It has a greater volume than the Yosemite Falls, is about 1,700 feet in height, and appears to be nearly vertical. It comes from a jagged, shadowy gorge roaring and thundering, pounding its way with the weight and energy of an avalanche. • • • The Hetch Hetchy Valley is a grand landscape garden, one of nature's rarest and most precious of mountain mansions.

Prof. T. E. Matthes, of the Geological Survey, in a scientific description of the Yosemite and Hetch Hetchy Valleys, says:

These two valleys • • • possess a distinctive, if not exceptional, character that places them in a category by themselves. They may be described as deep-hewn, clean-cut moats bordered by precipitous rock walls that sharply trench across the surface of the uplands and spring abruptly from broad, level, grassy floors. Waterfalls and cascades of great height and beauty leap down into both chasms from the hanging valleys of the upland, and the cliffs themselves are sculptured into a variety of bold and picturesque forms such as are scarcely known elsewhere.

The floor of the Yosemite has an elevation of 3,900 feet, that of the Hetch Hetchy 3,600 feet. It is a sister of Yosemite. It has a similar location. What the Yosemite is to the southern or Merced half of the park, Hetch Hetchy is to the northern or Tuolumne half. It has a similar origin and has similar characteristics, yet with such differences as nature, prodigal with her power to create, delights to produce.

Many artists think Hetch Hetchy more beautiful than Yosemite. It has a more exquisite adjustment of grandeur and beauty, a more delicate shading of color, a firmer outline of boundary. It has more beautiful floral displays, disclosing new coloring with the changing seasons. It has a more beautiful forestation, being in such regard a veritable wonderland of varied and beautiful groves and forests. Its waterfalls are not so numerous, but two of them excel even those of the Yosemite in impressive beauty and grandeur.

Frederick Law Olmstead, the great landscape authority, says the beauty of such valleys consists chiefly in the contrast between the grandeur of the lofty walls and the equisite sylvan character of the floors of the valley. This is impossible to create by any skill that man can use. And there are but few such places in the world. In fact, it seems to be admitted that the Yosemite in these rare qualities is the most beautiful and perfect in the world. If this be true, then Hetch Hetchy is second, closely approaching it in surpassing loveliness, and there is no third.

DEPRECIATION.

It is this valley, this earthly paradise, this elsewhere unmatchable beauty spot, that San Francisco seeks to appropriate and destroy. And this wanton act of vandalism is sought to be justified by disparagement. This beautiful vale, sprinkled with flowers, shaded by groves, made musical by the crystal rippling of its smiling river, is called a "barren canyon," a "rocky gorge." It is "remote." But so was Yosemite until roads made it near, as they will Hetch Hetchy if it is not destroyed. It is "inaccessible." But so was Yosemite until the Government improved it, as it will Hetch Hetchy. A road of but 9 miles in length and an expenditure of $10,000 will make it, too, accessible. It is "swampy" in places. But so was Yosemite until it was drained and used. "Mosquitoes are a fearful pest." But so were they in Yosemite until the Government drove them out. Mr. E. T. Parsons, who has spent many seasons in the park, says:

I have experienced attacks of mosquitoes in the Bridal Veil Meadows, at the lower end of Yosemite Valley, that would put the Hetch Hetchy cohorts to shame.

But more than 10,000 persons now visit the Yosemite annually, the number is increasing every year, and the mosquitoes have disappeared.

It is said that in the spring the valley is flooded. But so are all mountain valleys. So is the valley of the Yosemite; so are the valleys of the Yellowstone National Park; so are the valleys of the Glacial National Park. These flood conditions are subject to control so as not to interfere with its usefulness when drainage and other improvements are carried out.

It is by such ridiculous arguments as these that the taking of Hetch Hetchy is sought to be justified.

"A BEAUTIFUL LAKE."

The proponents of this bill seek to convey the impression, first, that the Hetch Hetchy Valley will not be destroyed by damming it and, second, that it will add to the beauty of the park to thus create "a beautiful lake."

The impression is created that to dam Hetch Hetchy will cover but a portion of the valley and not necessarily destroy it as such. That impression is erroneous. The valley is small. Its level floor is only about 3½ miles long by three-fourths of a mile wide. Its walls are precipitous and rise to a great height sheer from the valley floor. It is proposed to build a dam 325 feet high. The water in the reservoir, when it is full, will be 7 miles long on its surface, 1½ miles wide, and 175 feet or more deep. There will be no level places on the steep mountain sides to view the remains. The reservoir can be seen from the mountain tops, 2,000 feet above, but the view will not be very satisfying. It was first proposed by the city to cut a scenic roadway entirely around the reservoir. But the engineering difficulties of cutting a roadway from the almost perpendicular granite walls surrounding the valley were so great and the cost so heavy that the project was abandoned, and now the city only binds itself to build a "road or trail" on the north side of the reservoir. It is scarcely necessary to say that a "trail" or bridle path will be of little practical value to anyone.

The "beautiful lake" idea seems to have removed many objections. Imaginary pictures of the valley transformed into a beautiful lake have been prepared and are being exhibited as arguments for the city's plan. It is such a nice thing to have a lake in a park and is really so expected that the proposition of San Francisco to furnish one with which to decorate the national park seems not only the proper thing but really a generous act worthy of praise and meriting instant acceptance with thanks. But the national park is full of beautiful lakes already. John Muir says there are no less than 250 within the park boundaries of sufficient size to be noted and named. There is no need of another lake in the park.

And this is not to be and can not be a lake. It is a reservoir, a "catch basin," as the chairman of the committee aptly called it. It has been properly termed a cistern, and such it would be, the rim of which would rise 2,000 feet from its contents. An artificial lake, which can be maintained at a comparatively equal fill, can be made and kept attractive in case natural lakes can not be found. But a reservoir which will be filled full to its capacity by the spring floods, which are to be stored and emptied through the long, dry, hot season until its flood store is exhausted, is not and can not be made attractive. When full the Hetch Hetchy reservoir would be 7 miles long, 1½ miles wide, and 175 feet deep. When the minimum was reached it would be an almost stagnant pond, less than 2 miles long and half a mile wide. In the hot and dry months, when the park would be most visited, it would be for the most part a ghastly mud patch, reeking with the dirty ooze of the tank, denuded of verdure, disgusting, horrible—a thing to be avoided rather than sought.

The author of the bill says:

It makes a beauty spot of what is a barren canyon to-day.

John Muir says:

As well say damming New York's Central Park would enhance its beauty.

Of the lake idea, he says:

The beautiful lake, forsooth, would be only an eyesore, a dismal blot on the landscape. The Hetch Hetchy dam lake would be but a rough imitation of a natural lake for a few of the spring months, an open mountain sepulcher the others. • • • Dam Hetch Hetchy! As well dam for water tanks the people's cathedrals and churches, for no holier temple has ever been consecrated by the heart of man.

Prof. William F. Bade, of Berkeley, Cal., says:

There are scores of finer lakes in the park than this drowned valley will make, while Hetch Hetchy and Yosemite are the only mountain temples of their kind in America.

To dam the valley, he says, will make it a "monstrous municipal cistern."

Col. Biddle, chairman of the Army board, testifying for the city, was asked if the damming of Hetch Hetchy would "destroy the whole park, as assumed by some people?" His reply

was, "No, sir; it would not destroy the whole park, although it would destroy a valley which is very beautiful."

There can be no disguising the fact; it would destroy the valley. If the sacrifice were necessary, it could be made. But certainly nothing less than absolute necessity would justify it.

Mr. Pinchot, also testifying for the city, speaking of the preservation of the park, said:

> Here is one of the great wonders of the world, and I would leave it just as it is, so far as possible, in the Yosemite National Park.

That is the generally accepted idea of intelligent people nowadays. Few indeed can be found who would destroy the natural when it can be preserved to substitute the artificial.

PRESERVATION OF HETCH HETCHY NECESSARY FOR PARK.

It is not alone because of the destruction of the beautiful Hetch Hetchy Valley that protest is made, but because its taking will almost make of no use to the people one-half of the entire park. Just as the Yosemite is the gateway, the entrance court, the base of observation, and the center of attraction around which all the southern half of the park clusters and gravitates, so is the Hetch Hetchy Valley the portal and center from which must radiate all the interest and value of the northern half of the park. Hetch Hetchy is even more necessary and important in that regard than Yosemite, because there are more objects of interest outside the valley in the northern than in the southern part and because Hetch Hetchy is even more necessary as a condition to their observation and enjoyment.

As we have already seen, the Yosemite National Park comprises two watersheds. The Tuolumne River forms the northern and the Merced the southern, and each contains about one-half the entire area of the park, or about 500 square miles. The Yosemite is the only considerable valley in the southern part and is situated near the lower or western boundary and is the entrance and base of the southern part of the park. To it has come the railway, and from it radiate the roads and trails which make accessible and available the many objects of interest in the southern part of the park. In the valley are the hotels, the coach-line stations, the post, telegraph, and telephone offices, and the supply stores. More than 10,000 visit it each year, and the number is increasing rapidly. The Government superintendent in his last report strongly recommends the building of additional hotels and more roads and trails to answer the rapidly growing demand.

As yet the Government has not reached in its course of improvement the northern part of the park, but it is intended to do so very soon. It is needed now. The demand that its wonders and beauties shall be made available is increasing. There are 500 square miles in the southern part, and yet the officials report that it is crowded in the season. Why is this? Because, while the territory is large, it is a mountain park where valleys are few, and so available stopping and camping and resting places are few. This makes the demand for the opening and improvement of the northern part, and this demand does not come from the despised "nature lovers" alone. It comes from the tired workers of the hot and dry valleys, from the nerve-wrecked toilers of the cities, from the travelers from the lands beyond the sea who have heard of the marvels of this wonderland and desire to see and know them.

And that is one of the reasons why the Hetch Hetchy Valley is so valuable and should be preserved. Just as the Yosemite Valley is the gateway to the southern part of the park, so is Hetch Hetchy the gateway to the northern part. It, too, is near the lower western boundary. It, too, is the only practical portal and base and center for the entire northern part of the park. Here in this valley is the only practical location for hotels, stations, and offices. From this valley should radiate and center the roads and trails to make accessible the wonders of the northern part of the park. Just as from the Yosemite Valley Mount Star King, the Tenaya Lake and Canyon, Wawona, and the Big Trees, and Cathedral Park are made accessible and available, so would Lakes Eleanor, Vernon, and Tilden, the Tiltill Valley, the Tuolumne Canyon, the Matterhorn, the Tuolumne Meadows and the circle of great mountain peaks surrounding it, and the hundreds of other special objects of interest and beauty be made available from Hetch Hetchy. But this can not be done if it is converted into a reservoir.

Just as the development of the Valley of the Merced—named Yosemite—was first necessary to make a base for bringing all its related and adjacent wonders and beauties under observation and availability, so will the development and improvement of the Valley of the Tuolumne—named Hetch Hetchy—be first necessary to make a base for bringing all the more than 500 square miles of adjacent and related wonder and beauties within the reach of the people. And just as to dam and destroy the Yosemite would make the entire southern part of the park of little interest or use, so would the destruction of Hetch Hetchy make the entire northern part of the park of little use or benefit.

WHAT SANITARY CONTROL MEANS.

But not only is the northern part of the park made unavailable by reason of the importance of Hetch Hetchy Valley as a center and base, but the entire northern part of the park, the entire 500 square miles which form the watershed of the Tuolumne, and which is tributary to the Hetch Hetchy Valley, is made a sanitary district of San Francisco, and that city is given sanitary control of all the northern half of the national park. Restrictions are made as to the use of "any reservoir or stream" and over camps and hotels "within the watershed."

In the rules proposed for the sanitation of the watershed by Mr. Alen Hazen and Mr. George C. Whipple, the distinguished sanitary experts, provision was made that no refuse or garbage should be placed in the waters of any reservoir or stream, or within 50 feet thereof. This was the provision of the bill when originally introduced, when it was considered by the Government officials and approved by the committee. In some way the requirement has been changed, and instead of 50 feet the distance is made 300 feet. The effect of this is to make the great Tuolumne Canyon impossible of exploration or observation. It prohibits the use of the greater part of the Tuolumne Meadows. It makes it practically impossible to explore or tour the entire Tuolumne watershed, over 500 square miles in extent, or the larger part of the entire national park. The reason for this is that at most points the walls of the wonderful Tuolumne Canyon are less than 300 feet from the river. In the beautiful Alpine valley, known as the Tuolumne Meadows, the camping places and outfitting stations are near the streams. In the entire northern part of the park the valleys are narrow and there are very few level places that can be found within them 300 feet from a stream. Nearly all the little lakes—and there are hundreds of them—are directly or indirectly the sources of streams which flow into the Tuolumne River, and thence into Hetch Hetchy Valley; and all must be subject to these sanitary regulations.

It is supposed by many that the Hetch Hetchy Valley alone is affected by this bill. This is, indeed, a great mistake. Sanitary supervision is equivalent to control. In effect the passage of this bill will transfer the jurisdiction of the northern half of the park from the United States to the city of San Francisco. Hereafter the southern half of the park will be administered for park purposes, and within its precincts the people will be invited. But the northern part of the park will be conserved as a water supply for San Francisco, and within that watershed the people will not be welcome. In whatever degree the United States shall assist in the policing and protection of that part of the park, it will be primarily in the interest of San Francisco to enforce sanitary regulations to protect its water supply.

San Francisco assumes the burden of enforcing its sanitary regulations. In what measure and to what extent it is proposed that the city shall assume control over the park for that purpose the bill does not make clear. But surely it could not be thought that San Francisco desires to impose on the General Government the protection of its water supply. Assuming that nothing so unreasonable is proposed, then it follows that San Francisco must police the entire watershed, embracing a territory of 500 square miles. Assuming also, as the city is so anxious to claim, that the people will go into the northern part of the park after Hetch Hetchy is dammed, it follows as a necessary consequence that it will require an army of policemen to protect it. A national park is vastly different from a national forest reserve. If San Francisco should go to a national forest reserve, as did Los Angeles, to either the Eel River, McCloud River, or Mokelumne, or others where their source of supply would be within forest reserves, protection would be an easy matter, for within a forest reserve the people are not invited. The policy is exclusion. But within a national park the exact opposite is true. The policy is inducement, invitation, even solicitation. Within a national forest reserve the less it is used the more it serves the object of its establishment. With a national park, the more it is used the more it serves the purpose for which it was set aside.

Keeping in mind that San Francisco is to spend millions in securing this water supply, what must be her policy? Will it be to encourage, to invite the people to come within the watershed and contaminate its water supply? On the contrary, will not its interests demand a policy of exclusion? By the mere manner in which the city shall enforce its sanitary provisions it can exclude visitors from the northern part of the park. The people will not go for pleasure where it is made unpleasant for them. They will not go for rest where constant nagging is probable.

It must seem evident that the purpose of a water supply is utterly inconsistent with that of a national park. It will be continually and increasingly to the interest of San Francisco to keep people away from the watershed. Most experts hold that it is necessary either to have entire exclusion or else filtration to insure sanitation. The people of Portland, Oreg., would not be satisfied with anything less than the absolute exclusion of everybody from the watershed of their Bull Run water supply, and so they secured from Congress an act to that effect.

If an epidemic of typhoid should occur in San Francisco it would be at once attributed to its unprotected water supply and there would come a clamor for exclusion. It is claimed that the reservoir may be used for boating and the mountains and waterfalls around Hetch Hetchy observed from motor boats and canoes. Of course there is no provision in the bill to that effect. The unauthorized statement is only intended for pictorial purposes. Imagine what the people of San Francisco would say and do if they were informed that banana peels and cigar stumps were being thrown into its unfiltered water supply.

It is true that the bill provides that no further restrictions shall be demanded, and if further protection is needed it will filter. But its objection to filtration now is the cost. The city claims it will cost $10,500,000 to filter its water supply. Which will be the cheaper for it, filtration or exclusion? San Francisco will demand exclusion in the name of the ten millions it will save, in the name of the women and children who are dying because Congress does not listen to their cry, in the interest of the conservation of human life and the general cause of humanity. They will say then, just as they say now, "Your park is big enough without it. You have got the Yosemite Valley and what do you want with more? Nobody will object except a few 'nature lovers,' and there is only a few of them, anyway."

And there will be stronger reasons then existing for the passage of an act of exclusion than now exists for the passage of this act. It will be argued that Congress must have known that exclusion would finally be demanded. To think of granting a tract of land for a water supply and then expecting to use it as a pleasure resort subject to constant danger of infection will be said to be ridiculous. With this view, Mr. J. Horace McFarland, president of the American Civic Association, testified: "The whole valley which is tributary to Hetch Hetchy, every single foot of it, must be given to San Francisco," unless Congress means to "give away a means of poisoning San Francisco."

It is not an unreasonable apprehension nor an unjustifiable statement which is made by John Muir and others that the passage of this bill means the absolute destruction for park purposes of one-half the national park. If the watershed is protected by the city under the provisions of this bill, or if exclusion is hereafter secured, in either case its usefulness for park purposes is destroyed. Ex-Mayor Phelan says San Francisco will do the park "no violence. She will treat it fairly." Imagine some future Mayor Schmidt, or Boss Ruef, or sand-lot politicians through their superintendent and employees administering this beautiful trust! Their characteristic hunger for the quiet of the forest and the grandeur of the mountains, their appreciation and love of the beautiful, will indicate what is meant by municipalizing Yosemite. Even under present conditions an indication of the attitude of the city authorities and of what may be expected of them is shown by the change in the bill by which an exclusion of 50 feet, deemed ample by their own sanitary experts, is changed to 300 feet, presumably to better please the city.

WHAT GOES WITH HETCH HETCHY.

It will not be without value to mention some of the other wonders and beauties besides Hetch Hetchy which the people will surrender to San Francisco if this bill is passed.

The Tuolumne Canyon deserves to be ranked among the greatest natural wonders of the earth, say naturalists who have explored it. It is second only in size and grandeur to the Grand Canyon of the Colorado, and in some respects excels it. It can be made more easily observable, for the Colorado canyon is in some places 15 miles wide, while this is but 1¼. The canyon is only about 22 miles long, but the fall is nearly 5,200 feet. In other words, it falls a mile in a continuous succession of cascades and cataracts. For a long time it was considered impassable, and now is only traversed with difficulty, requiring about four days for the trip. Yet it can be made easily passable unless the blocking of its lower outlet is accomplished by the damming of Hetch Hetchy. In places the walls rise in terraced or almost vertical precipices to heights of 5,000 feet.

Joseph Clement, regimental chaplain of the United States Army, says that to dam Hetch Hetchy would shut out the public from the canyon through which the Government contemplates building a trail when it reaches improvements in that portion of the park. Describing this absolutely unique and almost unknown attraction of the park, he says:

> The wonders of the canyon can not be described to others in words. We looked up at peaks 5,000 feet in height and saw some of the most beautiful waterfalls and cascades in the world. Stella Falls, Le Conte Falls, and Muir Canyon are in the midst of scenery which surpasses anything in the Yosemite or any or all of the places in that wonderful park.

At the entrance or upper end of this canyon is the splendid alpine valley, known as the Tuolumne Meadows. The term "meadows," bestowed by hunters and prospectors who first christened it, does not indicate its real nature. It is a beautiful mountain valley in which the Tuolumne receives its hundred tributaries before it plunges into the canyon and through it to Hetch Hetchy. It lies high up among the crests of the Sierras at an altitude of 8,500 feet, or nearly a mile higher than the floor of the Yosemite and Hetch Hetchy Valleys. Down from the heights of Mount Dana, Lyell, Ritter, Conness, and dozens of other lordly peaks, fed by their thousand glaciers and flooded by their eternal snows, come these mountain torrents through deep gorges carved through solid granite, leaping precipices, with shouts of thunderous laughter or singing lullabys among the pines and ferns. Threading their way quietly after they have reached the meadows through fields of lush grass, among flowery meads which extend for miles, through fragrant groves of tamarack and fir and pine, they join the Tuolumne on its mad excursion through the canyon.

This valley is not only a spacious region of enchantment and delight, but it is the only resting place and vantage ground to see and explore the great mountains surrounding it. It is the only available camping ground and outfitting station in this region. It is crossed by important trails leading to Mona Pass, to Donohue Pass, to Levining Pass, to Tuolumne Pass, to Tuolumne Canyon, and to the Yosemite by the Sunrise Trail and the Tioga Road. It is the point from which to view and visit Cathedral Peak, Unicorn, Rafferty, McClure, Lyell, the Kuna Crest, Mount Gibbs, Dana, and Conness—in short, the greatest and most glorious mountains in the park.

Mr. E. T. Parsons, a frequent visitor, says of it:

> For 20 miles the verdant meadows studded with countless flowers follow the sparkling river. Groves of beautiful trees are scattered here and there, as if for the express purpose of making ideal camping grounds. Trout are abundant, the pasture is the best in the Sierras, the delicious mineral springs near Lamberts Dome are alone enough attraction for thousands of visitors. Above all, the clear, bright, unbroken sunshine of a California summer, the invigorating air, cooled by the myriads of snowy peaks surrounding, makes it a paradise for man.

And this, too, is to be surrendered to the supervision and control of San Francisco.

But these by no means exhaust the list of the attractions of the northern part of the park. Mr. Allen Chamberlain, in an article in the Outlook magazine, says:

> I do not hesitate to declare that the scenic beauty of the country north of Hetch Hetchy is fit to rank with the finest mountain scenery in the country. Once the public is allowed a glimpse into the Tuolumne River watershed, with its sunny and hospitable meadows, its wide-spreading forests, its great snow peaks, innumerable lovely lakes, and majestic canyons the clamor for its development will be irresistible.

"NATURE LOVERS."

I presume these words of description and praise can have but little effect on the advocates of this bill. In every speech and reference they have nothing but contempt and scorn for the "nature lovers." And yet the most serene intelligences and greatest minds the world has ever known have been "nature lovers." Indeed, it may be truly said that there is no truer test of that which is most elevated and noble in humanity than the appreciation and love of nature.

In a plea for the enlargement and preservation of our national parks, Mr. James Bryce, while he was yet ambassador, said:

> The love of nature is the very simplest and best of those pleasures the power of enjoying which has been implanted in us. * * * A taste for natural beauty is increasing, and, as we hope, will go on increasing. The places of scenic beauty do not increase, but, on the contrary, are in danger of being reduced in number and diminished in quantity. There is no better service we can render to the masses of the people than to preserve for them wide spaces of fine scenery for their delight. * * * Let us think of the future. We are trustees of the future. We are not here for ourselves alone. All these gifts were not given us to be used by our generation or with the thought of one generation only before our minds. We are the heirs of those who have gone before and charged with a duty to those who come after, and there is no duty which seems clearer or higher than that of handing on to them undiminished facilities for the enjoyment of some of the best gifts that the Creator has seen fit to bestow upon His children.

It is not the esthete or the dilettante who really loves nature. Neither is beauty hunger confined to the rich and cultivated. It is shown in the modest window garden or the broken cups of the poor where a few geranium slips are grown and watched with loving care. It is not because of the demand of the rich that every city in the land is building spacious city parks and botanical gardens. It is because of the demand for fresh air, for the welcome shade, for the green grass and the open spaces, and an uninterrupted view of the sky and the stars, that comes from the poor. The nerve-wrecked worker in the clanging factories, the tired and weary seamstress from the tenement shops,

the sick and suffering children whose eyes brighten at sight of a flower—these are the real "nature lovers."

Indeed, not to love the beauty of the sky and sea, of forest and flower, is to be defective or deformed. The highest types of humanity are those who stand nearest nature and love her most, who open their eyes to her beauty and their hearts to her ennobling influence. It was Emerson who said, "Not in nature, but in man is all the beauty and worth he sees"—that is, the beauty and worth in nature can not be known by those souls which are not large enough to contain them.

Were it not for our increasing intelligence and our growing appreciation of the sublime and the beautiful we should not have established our national parks. We have realized their use and value in the generation in which we live, and we have realized of what inestimable worth they will be to the generations yet to come. "A thing of beauty is a joy forever," saug Keats, and the verse has sunk so deeply into the consciousness of the world that it has become a proverb for all peoples. In what supreme measure is the saying true in this case. As the years go on, as intelligence increases, as civilization advances, as man's appreciation and love of the sublime and beautiful enlarges, this park preserved as God made it will be indeed "a joy forever."

Really, gentlemen who sneer at "nature lovers" do not mean what their disparagement might imply. They are all themselves "nature lovers." All men not congenitally defective are. Even the savage, without understanding his impression, looks with pleasure on a beautiful landscape. Exactly in the measure in which intelligence is developed and civilization advances does this appreciation and love increase. The man or woman whose broad culture and enlightened humanitarianism takes the most exalted form seeks most and loves best "communion with her visible form."

THE HIGHEST CONSERVATION.

It is strongly urged that the highest conservation is use, and that domestic use is first to be considered. It is asserted in every form of phrase that to sacrifice utility for beauty is merely an effeminate, sentimental view. Every statement and proposition of this kind made could be admitted and still San Francisco could not be justified in asking the Government to sacrifice Hetch Hetchy. The argument has no weight or force unless the alternative exists—either the sacrifice of Hetch Hetchy or of human life in San Francisco. But no such alternative exists. San Francisco is not required to go to Hetch Hetchy or suffer for water; there are half a dozen other places to which it can go. It is not a case of dire necessity, requiring the sacrifice of one of the most wonderful of nature's masterpieces in order to save human life. What is really asked is to sacrifice the priceless marvel to save San Francisco some money. To Congress the proposition is, Will we allow an invasion of a national park, a phenomenal natural treasure house and one of the few wonders of the world, in order—not to relieve San Francisco's distress, but to save it a few dollars?

There are many who support this bill in the sincere belief that at some time Hetch Hetchy must be dammed and used by somebody, and that we might as well dispose of it now as later.

But it should be remembered that the Nation has set aside but few of such places for preservation—certainly no more than a reasonable policy demands. There are many available water and power sites on Government lands and within national-forest reserves against the proper use of which there can be no objection. But to thus use a national park is to utterly destroy its usefulness as such, and there is not another Hetch Hetchy in the land or in the world.

It should also be remembered that the same reasons would justify the damming and destruction of the Yosemite Valley and, in fact, all valleys in all our parks. It certainly can not be necessary to destroy all the beautiful things in the world on the plea that they must be utilized. Rather should it be recognized that such a definition of utility is too narrow. Dishwashing is not the only use for water, nor lumber for trees, nor pasture for grass. It is as real, as true, a utility if all these are preserved and combined, for the curing of tired minds and bodies, for the soothing of racked nerves, and for the solace of the sorrowing.

In this instance, too, the sacrifice can not be considered necessary on the ground of utility. The material benefits of the water can be obtained in the irrigation of the land to which it belongs and without the destruction of Hetch Hetchy.

PRIVATE CLAIMS.

It is said by the proponents of this bill that the city of San Francisco now owns a large part of the floor of the Hetch Hetchy Valley, that it already owns a part of the dam site, and has title to other lands within the national park. This it has acquired in order to strengthen its claim against the Government. It hardly comes with good grace from the holder of adverse interests to parade them as claims for favor. To strengthen its claim against the Government the city even went so far as to have its then mayor, Mr. Phelan, file claims in his individual capacity as a private claimant. To buy up these private claims, every one of which was in opposition to the interests of the Government which was trying to settle them, was a hostile and unfriendly act. Every claim purchased has been to hinder and embarrass the Government in its beneficent purpose in the establishment of the park for the use of the people.

The position of claimants to lands within a Government park is not well established, but most of it is pure bluff; and much of it, like Phelan's claims, apparent fraud. Referring to those private claims, the superintendent of the park, in his report to the Secretary of the Interior, says:

> There are approximately 20,000 acres of timber and homestead claims in the park. * * * The only patented lands now retained are timber claims and a few claims that were taken up under the homestead act and were never occupied as homesteads, but simply used as a pretext for bringing in stock to stray upon the park lands. These private lands are no longer of any value to their owners, as there is not sufficient grazing on them to keep half a dozen animals during the summer.

It is by pressing this sort of claims that San Francisco seeks to force the Government of the United States to accede to its demands. The superintendent strongly urges that the Government buy or condemn these worthless claims, and this it will of course do when it gets ready. Then San Francisco will be paid for her purchases if they be found to have any value.

PAYMENT FOR POWER.

It is argued that San Francisco proposes to pay the Government a good price for what it gets. It is provided in the bill that the city shall build certain roads and trails and after a while pay the Government an annual rental for the privilege of developing and using the water power.

Regarding the roads, it is stated that they will make available those sections of the park now rarely visited, and thus add to its value. It is only necessary to say that the Government can and will build these roads and make other necessary improvements without outside aid. It is not bankrupt; it is the richest and most prosperous nation in the world, and it can take care of its own property in what manner and at such time as it sees fit. There has never been and there never will be any protest or objection on the part of the people to the improvement of our national parks.

It is further provided in the bill that, beginning at the end of a 5-year period—which it is assumed will be required to construct the dam—San Francisco is to pay $15,000 annually for the first 10 years, $20,000 for the second 10 years, and $30,000 annually thereafter. The rental is to be used for the improvement of the national parks in California. Again, it may be said the Government does not ask for or need aid in the improvement of its parks. But as a purely business proposition the amount offered should be refused, as it is grossly inadequate.

The value of Hetch Hetchy dammed for the development of hydroelectric energy is fixed by the board at $45,000,000. It will develop 115,000 horsepower, which, at $20 per year, would be worth $2,300,000. But there are many who think it will be worth $30 per horsepower, which would make an annual return of $3,450,000. In other words, it is proposed to give San Francisco property that will command an annual return of $3,450,000 for from $15,000 to $30,000. Besides it is proposed to give it in addition 400,000,000 gallons of water daily for nothing.

It is not too much to say that never in the history of this country has the Government been asked to give away a right so great for a consideration so small. A distinguished member of the majority declared during the debate in the House:

> You are going to create one of the greatest water-power possibilities that was ever created in the United States. * * * The income derived from this proposition is going to be commensurate, when it is under full headway and in full operation, to the income of the Panama Canal.

There will be, however, this tremendous difference, that while the income of the Panama Canal will all go to the United States, the income from this proposition will all go to the corporation which receives the franchise, except a paltry $30,000.

But this ought not to be considered as a money deal. It is not. We have set aside this park for the use of the people. It is not for sale. Its use ought not to be purchased. It is, or should be, forever removed from exploitation. It should be kept and held sacred, devoted to the high purpose for which it was intended.

It is proposed in this bill that the city can not sell water or power to any corporation or individual to sell or sublet. But it is not provided that the city may not sell to any corporation it chooses all the water or electric energy it desires for its own use. Especially as regards the sale of power this is a great opportunity for fraud and graft. With a corrupt administration, or even a weak one, corporations can obtain favorable concessions, new projects could be instituted based on favoritism, by which competition can be controlled, lower rates for political influence; in these and many other ways the opportunity and temptation is open for unlimited corruption and abuse.

It is urged that in effect the bill is a proposition for developing power under municipal and governmental supervision, which is to be furnished to the people at cost. The bill does not so provide. In order to effect a compromise with the people of the Turlock and Modesto irrigation districts, they are granted the right to purchase at cost surplus power for pumping and municipal purposes. But such provision is for them alone. The city can sell at a profit or at a loss, or at any price, all the power it does not see fit to use itself to any corporation or individual desiring to purchase it. If commercial motives control, prices and terms may be arranged to induce use and obtain profits. If political motives govern, privileges will be granted where they will do the most good.

MR. PINCHOT AND SOME OTHERS.

The supporters of this bill are fond of parading lists of prominent persons who it is alleged are supporting this bill. Some of these are not now supporting this bill and never have supported it. Some are named as supporters of the bill who admit they have given the matter no attention or study. Others are supporting the bill for reasons not difficult to understand.

Hon. Franklin K. Lane, Secretary of the Interior, declares he favors this bill. It is to be expected that he would. He is a citizen of San Francisco, and that city is his home. Besides, he appeared and has acted as attorney and adviser of the city in its efforts to obtain this concession before he was appointed to his present position. As against his indorsement, which can not be considered impartial, is the fact that three Secretaries of the Interior preceding him have refused to approve the project—Secretaries Hitchcock, Ballinger, and Fisher. Secretary Garfield only approved of it on the condition that Lake Eleanor and Cherry Creek should prove insufficient, which condition he believed and which almost certainly would have amply protected Hetch Hetchy.

Hon. David F. Houston, Secretary of Agriculture, is quoted as approving the bill. What is construed as approval is probably his statement, "I am advised by those immediately in charge of the service that the bill adequately protects the forests with which I immediately have to deal." A small part of the water supply contemplated by the bill is to be obtained from Cherry Creek, which is outside the national park, and within the Stanislaus National Forest Reserve. The national parks are subject to the supervision of the Interior Department, while the national forest reserves are under the control of the Department of Agriculture. The bill certainly will not injure a forest reserve.

Hon. Gifford Pinchot has given his unqualified indorsement of this bill. It is certain that this indorsement of the great conservationist carries great weight and has had large influence in securing support for this bill. And yet slight reflection would have induced the conclusion that Mr. Pinchot's approval was only what might have been expected. Mr. Pinchot is our first, our greatest, forester. He is primarily interested in forest reserves and not in national parks. He is a conservationist of forests and not of scenery. There is a fundamental difference between national parks and national forest reserves. To the parks the public is invited. Inducements are offered for the people to come. But to the forest reserves the public is not invited. A policy of exclusion is best adapted for forest preservation. Every visitor is a danger. Every camper is a menace. There is no doubt Mr. Pinchot is logical in supporting this bill. By its passage more than 500 square miles of national-park territory will be transferred, in effect, from a national park to a forest reserve. A policy of exclusion will best protect San Francisco's water supply and Mr. Pinchot's trees.

It is known, of course, that Mr. Pinchot is greatly interested in extending the national power, especially with regard to the control of water-power rights within the States, and the provisions of the present bill by which the General Government receives payment for water-power rights is in accordance with his ideas on that subject. But the principle for which he contends is not necessarily involved in this bill. Back of the question as to whether the Nation or the State should control a water power granted is the question of the grant. If the franchise ought not to be granted at all, then the dependent proposition becomes unnecessary to consider. It is contended by most of those who oppose this bill that the national parks must not be exploited at all by anybody at any time or on any terms.

But these considerations should not have induced Mr. Pinchot's approval of this bill. He should understand that it is the most dangerous attack on conservation that has been made in recent years. He should understand that every enemy of conservation in the unfriendly West is favoring this bill; that every private interest that desires to invade and exploit a national park, a forest reserve, or any portion of the Government's unclassified domain is hoping for the passage of this bill; that if a municipal corporation can defeat the Government's purpose a private corporation can do so; that those who desire to save the national parks are endeavoring to defeat their invasion by any corporation or individual, public or private, in the interest of all the people as against a special privilege for a few—and that is what we understand Mr. Pinchot has made his life's ambition and desire. Mr. Pinchot should be first among the defenders of Yosemite instead of its assailant. That he is not so is a great disappointment and regret to those who are his friends.

Other names are given as supporters of this bill. But for every one thus given it is safe to say that ten equally or more distinguished could be given as opposing the measure. The press with practical unanimity all over the country denounce the proposition as a grab and a steal. Nearly all the societies and associations who have considered it have passed resolutions against it. For 12 years San Francisco has persisted in her attempt to induce or compel the National Government to relinquish Hetch Hetchy to it, but so far without success. As soon as the facts are known and the real conditions understood there follows an almost certain condemnation of the proposition.

That this is really the view taken by the people is strikingly shown by a statement made by a Senator in debate on this bill, who said:

> Senators in this body, Representatives in the other House of Congress, and public officials in Washington are receiving thousands and thousands of letters from people throughout the country protesting against the passage of this bill.

If that be true, it is an indication of the public desire, and a strong reason why the bill ought not to pass.

TRUE INTERESTS OF SAN FRANCISCO.

The true interests of both San Francisco and California are against the passage of this bill. Even the people of San Francisco are beginning to understand the folly, the worse than folly, of the policy pursued by a handful of men who have been managing the city's campaign for Hetch Hetchy. Speculative and chimerical schemes for obtaining power so that the city could experiment in running its street cars and furnish and sell light and power have been responsible for this. A long fight with the present private "monopoly" was to be won in the interest of the people by obtaining Hetch Hetchy. Deprivation and even suffering because of an insufficient water supply was deliberately allowed to continue so that the people could be induced to believe it could only be cured by the procurement of Hetch Hetchy. Thus the people were led to believe Hetch Hetchy was the one indispensable requisite to an adequate and suitable water supply. How far from the truth this really is we have already seen.

The facts are beginning to be understood, even by the people of San Francisco And when they finally realize what an absurd and almost impossible proposition it is to secure a water supply from a national park, when they understand that a joint supervision in the interest of the city which desires exclusion, and the Government whose object in the establishment of a national park is to invite the people to come and stay, and that this must inevitably lead to complications, conflicts of jurisdiction, litigation, and constant embarrassment and trouble, when they further understand that from the moment the bill becomes a law, if it ever does, litigation between the irrigationists of the San Joaquin Valley and the city is certain, and conflicts of State and national jurisdiction and laws are directly involved—when these things are understood, as they will be, the people will wish they had gone elsewhere so that all these complications could have been avoided.

It is believed that a realization of these facts is likely to occur to at least many of the people of the city. But it is stated in the press that a certain political group in the city has become so obsessed with the idea of obtaining Hetch Hetchy that they can not give it up except by a sacrifice of their political vanity. It may and probably will turn out that they do not more truly represent the wishes and interests of the people of that city than did those who assumed to represent the interests of the water users in the Turlock and Modesto districts. It is openly stated that the city's attorneys admit that if the grant of the valley is secured from Congress years of litigation will result. Mr. O'Shaughnessy, the present city engi-

neer, is quoted as saying a year ago that the Hetch Hetchy project was "a hideous blunder," but that the city had gone so far it could not back out.

Why has not San Francisco done as Los Angeles has done, which on the 5th and 6th of this month celebrated the completion of its great water system? It went a distance of 250 miles for its water supply at a cost of $26,000,000. It has taken eight years to complete the project, which will furnish 260,000,000 gallons daily and develop 47,000 horsepower. But it did not invite opposition and litigation and disaster by attempting to invade a national park. It went to a national forest reserve, where San Francisco should go. There is a choice of at least three open to the city, two of which will develop more horsepower than Los Angeles will obtain; one of them 95,000,000, and any of which will furnish as much water as the city can use for a century, and of as good quality as Los Angeles has obtained.

CALIFORNIA'S MISTAKE AND SHAME.

Still more would it prove a colossal blunder for California to aid in its own spoliation and shame. It would be a disastrous financial policy to aid San Francisco in an endeavor to save, as it claims, $20,000,000, and by so doing reduce the productive capacity of the State $20,000,000 a year for all time by depriving one of its fertile valleys of the water to which it is entitled and without which 200,000 acres of its land must remain an arid waste. It is a still more serious blunder to surrender the State's right to control its own waters for the use of its own people and to welcome an invasion of national power in contravention of those rights which it has jealously guarded for nearly a century. National power once exercised is like the camel's head under the tent; it is soon followed by exclusive occupancy.

Years ago California received the Yosemite Valley in trust for the people. It kept it until 1906, when it receded it to the National Government. By its voluntary act it relinquished every claim it had in the park. Even the people of California will admit that it is a most fortunate thing both for California and the rest of the Nation that the General Government is in control of that supreme pleasure ground and wonderland. Not only is California relieved of the burden of its improvement and maintenance, but the place is dignified and brought into true prospective by this national recognition of its worth and beauty. Nothing can deprive California, however, of the glory that the Yosemite, the wonder and admiration of the world, is hers, is within her boundaries, and can not be dissociated from her name.

None realize better than Californians that there is a money value in the preservation of her natural beauties and wonders. The climate and scenery of California are famed all around the world. These have been the attractions that have drawn thousands of permanent citizens and hundreds of millions of dollars to the upbuilding and enrichment of the State. California should be first to stand in defense of its priceless, God-given treasures. It should be the last to see them sacrificed.

Commerce on the Great Lakes.

EXTENSION OF REMARKS
OF
HON. WILLIAM GORDON,
OF OHIO.

IN THE HOUSE OF REPRESENTATIVES,

Monday, November 26, 1913.

Mr. GORDON. Mr. Speaker, under the leave to extend my remarks in the RECORD I insert an address delivered by the Hon. Harvey D. Goulder, at Cleveland, Ohio, upon the subject of "Commerce on the Great Lakes."

The address is as follows:

THE GREAT LAKES.

[Response by Harvey D. Goulder, at the International Marine Congress, held at Cleveland June 10, 1912.]

Permissible time is so brief for the subject that I may only bluntly give some figures which I beg you do not take as in any spirit of boastfulness, but rather that in economic questions, public or of the family, the exponent "X" or "Y" may, with the same dignity, represent one or one thousand. I can only in some general way indicate how we are endeavoring to solve problems on the Great Lakes in transportation, which throughout the world is the basis of commerce, as that is the fundamental of civilization and of modern life. However we may idealize or divine, all would be whistling against the wind unless sustained by earnest practical efforts in commerce.

Ours has been comparatively a recent development. Fix in mind that later than 1805 the only commercial vessel then on Lake Erie was taken overland around Niagara Falls to Lake Ontario, because there was not business for her above. Following the opening of the Erie Canal in 1826 and of others through Ohio and Pennsylvania, commercial movement started first up the Lakes in farm products, breadstuffs, provisions, and manufactures, until about 1840, when the trend began to turn eastward. By that year Chicago had attained a population of 4,470 and Cleveland 6,071. In 1855 the barrier between Lake Superior and the lower Lakes was broken by canal and locks to overcome the drop of 18 feet. By 1866 the Federal Government had spent but $3,000,000 in improvement of channels and harbors of the Great Lakes. The start began with draft of less than 10 feet in some narrow, restricted reaches of the natural waterway, and even less in some of the later developed great harbors. The original Welland Canal around Niagara Falls carried 7½ feet draft.

Full details are readily accessible in official statistics, but, speaking broadly, beginning in 1855 with 14,500 tons carried through the Sault Canal, we reached sixty-two and one-half million tons dead weight of cargo through that canal in the season of 1910, fell off somewhat in the business depression of 1911, and have started to strongly exceed 1910 in the present season.

Demands of the iron industry called for ore from the rich treasury in the Lake Superior region, which furnished in 1910 more than 42,000,000 tons, more than 80 per cent of all the raw material in the production of our pig iron of over twenty-seven and a quarter million tons. Nearly all came down by lake, approximately two-thirds to ports of Ohio, now the fifth industrial State of the Union. Of total tonnage of every description documented under our flag June 30, 1911, nearly 40 per cent and of metal—the more modern and efficient working tonnage—about 55 per cent were engaged on the Great Lakes, practically directed at and from Cleveland, where force of controlling circumstances fixed the head and administrative center of direction for this commerce, which in ton-mileage service performed reaches more than 25 per cent of that by the railroads of the United States, at a cost of sixty-seven one-hundredths of a mill per ton-mile in 1911, to be somewhat reduced for 1912, a cost less than 10 per cent of the average rail cost in the United States and perhaps not exceeding 20 per cent of cost by the most favored railroad of this or of any country. It is common belief that 50,000,000 tons of ore, averaging quite 55 per cent on dry analysis in metallic iron, will come down the Lakes this season, and movement of grain, coal, lumber, and other commodities to an equal amount is predicted. In this service the largest ship can carry 14,000 tons on a draft of less than 20 feet; she is 614 feet long, 64 feet beam, 33 feet molded depth.

The freight rate of some 70 years ago approximated $80 a ton to the East, $100 westward. I recall an old case based on a freight rate in about 1873 from Escanaba to Buffalo of $7.50 a ton; the current rate is 25 cents net to the ship.

You have been solving just such problems by increasing channels and harbors, size of ships, canalizing and prodigious advance in terminal facilities and cargo-handling machinery, so you are bound to be interested in a word about how we have worked along similar lines. May we instance that in the 25 years from 1885 to 1910, speaking of traffic through the Sault Canal, we accomplished a reduction in cost of 75 per cent, and so an increase from three and a quarter millions to sixty-two and a half million tons dead weight of cargoes; having in mind, if you please, some thirty-six millions published for the Suez in the latter year and the estimate of some eleven millions for the Panama after 10 years of operation; and in this connection the Sault Canal traffic represents a possible two-thirds of the freight movement on the Lakes.

I may only detain you to give briefly some figures. The first steam barge, which marked the evolution from sail to steam on the Lakes, was the *R. J. Hackett* in 1869. She was 211 feet length, 32 feet beam, 20 feet 5 inches depth, with engines aft, the prototype of the modern bulk freighter of the Lakes, and on draft of water then available carried something over 1,000 tons. One of the latest ships launched is the *William P. Snyder, jr.*, 614 feet length, 64 feet beam, 33 feet molded depth, capacity on present available draft about 12,000 tons, and on less than 20 feet draft, 14,000 tons. Again, the average cargo in 1895 was 1,800 tons, increased to 8,325 tons in 1908, although since somewhat reduced by some lowering of water and conditions which I may not stop to consider. A comparison is at hand

covering the operation of the record ship in 1891 in contrast with the record ship of 1909, as follows:

	1891	1909
Number of trips	26	26
Number of crew	23	25
Days in commission	205	225
Average size of cargo	2,164	10,940
Average draft of water through Sault Canal ....feet..	14.2	19.2
Average time loading port.....hours..	4.5	19
Average time unloading port.....do....	12	14
Average labor cost per day	$50	$66.15
Average wages per man per day	$2.17	$2.88
Total freight carried during season.....tons..	58,427	285,000
Gross earnings per ton of freight carried	$1.09	$0.69
Operating expenses per ton of freight carried	$0.89	$0.417
Cost of construction	$200,000	$420,000

Since 1902 more than 250 steel steamers have been built, only one under 400 feet in length (except a few for the Welland Canal trade), ranging in carrying capacity from 4,800 to 14,000 tons; more than 100 of these over 500 feet in length, from 8,000 to over 10,000 tons; and 25 over 600 feet, with 12,000 tons or more carrying capacity.

How our ships are constructed, with a clear hold to accommodate loading, and especially unloading machinery; description of the development up to 17 tons of the mechanical "grabber" for unloading; of the car dumper in general use for loading into the ship a car up to 100 tons of bituminous coal in from scant two to three minutes, with minimum breakage; of the growth of terminal facilities and loading and unloading appliances generally for these things, and all this part of the story I may not take time. You have or will have seen it all for yourselves. But I may not properly close without giving you succinctly the record of what we have attained for the essential feature of loading and discharging bulk cargoes of iron ore, coal, and grain. I am giving you probably the best but actual figures of working time. Iron ore, a cargo of 10,000 gross tons, loaded in 25 minutes, discharged in 3 hours and 15 minutes; grain, a cargo of 320,000 bushels of wheat, loaded in 2 hours and 40 minutes, discharged inside of 12 hours; coal, cargo of 10,800 tons, loaded from cars on the track into the ship in five and a half hours, discharged in 13 hours.

You will see from this hurried sketch how we are working out this problem of cheap water transportation, taking advantage of nature's generous provision. What the future growth will be no prudent man will say. The story of it up to now reads like romance. We have had aid of the Government to something over $100,000,000 for channels, breakwaters, and harbor work. From the early day of Gen. Weitzel we have had remarkable aid from the Engineer Corps to assist and guide, not strangely, because there is something about it all which attracts and appeals to the engineer, whose most cherished reward comes through triumph over obstacles accompanied with achievement of valuable results. Gen. Poe, to whom we owe so much, designed the Poe lock at the Sault, 800 by 100 feet, to accommodate in one locking four of the largest ships ever to be in service on the Great Lakes, only to find on its completion in 1896 that even two of the largest could not be locked through together. He said:

Surely such a commerce deserves every aid and encouragement that can be extended to them. Given a channel of 20 feet draft and it needs no prophet to predict a still more wonderful growth. Nearly 35 years I have watched this, but neither I nor anyone else within my knowledge has been able to expand at the same rate—the wildest expectations of one year seem absurdly tame the next.

Who may or shall adopt the rôle of prophet?

Why Not Mortgage Enough Timber in the Olympic Forest Reserve to Care for Present Needs?

EXTENSION OF REMARKS
OF
HON. ALBERT JOHNSON,
OF WASHINGTON,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, November 29, 1913.

Mr. JOHNSON of Washington. Mr. Speaker, in discussing the subject, "Conservation at close range," in the House of Representatives last Saturday I made the statement that I wished to be absolutely fair in my presentation; that I particularly desired that my statements with regard to the Olympic National Forest and its management be literally correct. I also was anxious that strictures against the Fifth National Conservation Congress be based on fact.

I have been honored in the receipt of a letter from the Hon. Henry S. Graves, Chief Forester, in which he expresses appreciation of some of my statements and criticizes others. But concerning the main theme of my speech—that is, the general effect of the national-forest policy on local prosperity and development—he "sympathizes with a great deal of what you have brought out."

Therefore, Mr. Speaker, I request permission to place his letter in full in the CONGRESSIONAL RECORD. It follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, November 25, 1913.

Hon. ALBERT JOHNSON,
House of Representatives, Washington, D. C.

DEAR MR. JOHNSON: In complying with your request that I point out anything in your speech in the House of Representatives last Saturday that I find not to be in accord with the facts I do not wish to go into minute criticism. I wish rather to deal with the broad aspects of the questions raised, recognizing your apparent desire to deal with the present national-forest administration in a spirit of fairness. There are minor inaccuracies, and there are other statements also relating to what I regard as nonessentials which I doubt but could not answer without inquiry to run down the facts on the ground. Many rumors are current with regard to foolish or absurd or harsh actions by forest officers. Some of these have come up from time to time in Congress. Generally they prove on inquiry to be either greatly distorted or made out of whole cloth. I do not mean by this to imply bad faith on the part of those who accept the stories as they come to them, and I am anxious to sift all allegations of grievances which appear to have any justification. It is my earnest desire to get at the facts in every case where harshness or bad judgment on the part of forest officers is alleged, and I shall welcome inquiry from you on all specific cases which may come to your attention. When our men have done wrong I wish not only to right the wrong but also to get at the cause of trouble and try to correct it, that the Forest Service may serve the interests of the public without the spirit of bureaucracy.

I am heartily glad to see that you recognize that our forest officers are in close touch with the people of the country in which they work and in sympathy with them. I am grateful for your frank testimony to this fact, when the contrary view has been so generally spread abroad in the past. That our forest force is made up of eastern theorists and college graduates who are entirely out of sympathy with the people and are rather glad of opportunities to disoblige than of opportunities to be helpful is a time-honored slander long since worn threadbare. I do not mean that our men are never wrong; but we are trying in every case to see that the fair and right thing is done and to infuse the force with the spirit of helpfulness and service. When individuals are found temperamentally unfitted to work in this spirit they are displaced. Because our men are not bureaucratic, but work in the spirit which you yourself have pointed out, the sentiment in the communities which have first-hand dealings with the Forest Service is generally with us. I am entirely content that the national-forest administration should be known by its fruits.

I am sorry that in your remarks you have given color to the widely circulated report that the Forest Service brought large numbers of its employees to Washington for the National Conservation Congress and that through the participation of service men the voice of the West was stifled. No member of the service was brought to Washington for the congress. You cite Oregon as "represented by means of [its] Forest Service delegates." Every member of that delegation is a citizen of Oregon, and I believe all represented Oregon organizations. To bring in the name of the Forest Service as though it had in some unfair way exerted an influence upon the congress is an unwarranted and unjustifiable reflection on the organization for which I am responsible, and therefore on me personally.

Mr. Speaker, I break my Graves letter in order to say that in my speech I said that of Oregon's seven delegates I thought that four were either Forest Service men or paid employees of the conservation association. I do not and will not quarrel with Mr. Graves; therefore, in the permanent RECORD, under permission granted to me, I have changed my statement so that instead of reading "four Oregon delegates were," etc., it now reads, "several of the Oregon delegates were members of the Forest Service or paid employees of the conservation association." Some Forest Service men admittedly were there, but the main point is that the District of Columbia had 162 accredited delegates in that congress; Oregon had 7.

Mr. Graves's letter continues:

HARDSHIPS ON LOCAL POPULATION.

The main theme of your speech, however, concerned not these matters, but the general effect on local prosperity and development of the national-forest policy. I want to say that I sympathize with a great deal of what you brought out. It is true, that in the heavily timbered forests, especially of western Oregon and Washington, a real hardship is often imposed on the present local population by reason of the fact that the forests are not open to private acquisition.

By virtue of the fact that they were the first on the ground, these people would normally be the ones to reap the first benefit and obtain the first prizes, were the land open under the general land laws. As you say, there is nothing inherently wrong in a man's wanting to get the best that he can for himself and his family, or in the desire to obtain a speculative profit when others are doing the same and the law permits them to do so.

I am not speaking now, of course, of attempts to beat the laws and to get possession of valuable property through bad faith. We have unfortunately to deal with cases of the latter kind, although I am glad to say that most of them are old cases dating back to the time when the public conscience was less alive to the inherent wrong involved than it is now happily getting to be. I do not for a moment believe that you yourself would advocate allowing people to obtain homestead

patents or patents under mining claims to heavily timbered national-forest lands where the law is made a subterfuge under which land is sought solely for the value of the timber on it. While the laws should be administered in a liberal spirit, in the sense of sympathetic recognition of the needs and honest efforts of people to establish homes and put to good use the public-land resources, to permit abuses of the law which facilitate the consolidation into great holdings and the indefinite postponement of development is not liberality but laxness. It is also bad for the public welfare.

I know of many places in which actual development of the country is now blanketed because lands suitable for agriculture were taken up under the homestead law by people with no intention of themselves putting the land to use and where the true settler is now kept out because the price of the land is put so high by those who are holding it that there is no chance for the man without capital to make a start; and if he does make a start, it must be under a handicap imposed by the necessity of paying heavily for the privilege which it was the intention of the Government to give him for nothing if he would take the land and put it under cultivation. The real vital question is this: Are we to go ahead as a Nation making a few people rich and making the ordinary citizen pay tribute at every turn to those who are astute or powerful enough to get into their hands the sources of wealth, or shall we continue the American tradition of equal opportunity for all and of making this a good country for the average man to live in?

In the end the national forests will more than justify themselves by the benefits which they will diffuse among the people settled in and around them.

To a very large extent they have already justified themselves. Wherever their resources are in present demand they are actively working for local prosperity, are satisfying all reasonable demands, and are strongly supported by local sentiment.

Where their resources are not in present demand there is an entirely explicable chafing against the system which throws a heavy burden on local communities. There is little comfort to the man who, with a handful of neighbors, must pay heavy taxes for roads, schools, and other purposes in the thought that at some time in the more or less indefinite future conservation will mean increased local prosperity. He bears his burdens now. Though the forests had been bought up and were being held undeveloped by speculators in order to take toll of the public later, he would at least, if they were in private hands, be able to make them pay their share toward the expenses of local self-government.

We are doing what we can to make the forests help these people, and we are more and more studying out ways to promote local welfare and development. Our present timber-sale policy, which seeks small purchasers for the supply of local needs as well as large purchasers to develop inaccessible regions, is an example.

The 25 per cent of receipts which is paid over to the States, and which already yields very substantial revenues for many localities, is another means to the same end. Already in some places this 25 per cent exceeds the revenue which would be obtained through taxation if the land were all in private hands, and as time goes on this will become more and more generally true. I do not believe that in the long run the best way to help the communities which now receive little from this 25 per cent fund is to increase the percentage, for where little use of the forests has as yet been developed the receipts would not do much good even though they were all made available.

BELIEVES GOVERNMENT SHOULD HELP IN CERTAIN CASES.

I do believe that the Government might well recognize an obligation to local communities which now receive little from this fund along a different line. I see no reason why the National Government should not, out of its general resources, provide for the development of roads in such regions in some proportion to the value of the Government property as against the value of private property in the locality. While the improvements and means of development thus provided would be in the nature of borrowing on the value of public property which is not now bringing in any returns, the expenditures would not merely help the people now resident in or near the forests, but would also tend to develop the value of the property owned by the Government.

Mr. Speaker, again I interrupt Mr. Graves's letter to call the attention of every Member of the House of Representatives to what he has written just above. That is the whole point. It is the basis of all my arguments. The bringing of certain great counties in my district to the very verge of bankruptcy is why I complain, and the people of southwest Washington are behind that complaint. Mr. Graves is right. Why should my county this year spend $100,000 of its own money for 10 miles of road in the forest reserve, where the United States Government is holding for the future of all of its people millions of dollars' worth of resources? Note well what the Chief Forester has written. It is not desired to sell this timber now. Why should not Congress advance money on it exactly as would be done if it were privately owned?

Mr. Graves concludes as follows:

I hope that we may be able to work together to make the national forests serve what I conceive to be their true purpose—not the building up of a system of Government landlordism with a view to raising as large revenues as possible from the people whose labor and whose homes are making the West and strengthening the country, but the increase of prosperity and the maintenance and development of the power of the forest resources to serve human needs and to keep this country a good place for the average citizen.

Very sincerely, yours, H. S. GRAVES, *Forester*.

Mr. Speaker, in behalf of the people of western Washington I thank Mr. Graves for his splendid letter. I have placed it in the CONGRESSIONAL RECORD and added it to the pamphlet I am mailing in order to give it the greatest possible publicity.

HOW WALCOTT'S STATEMENT HAS KEPT ALIVE.

One thing more: In my remarks last week I endeavored to point out some of the fallacies and misstatements in the conservation dream books found in such profusion over in the Congressional Library. Among other things, I said that Hon. George Otis Smith, present Director of the Geological Survey, had predicted in 1889 that all of the coal in the United States would be gone in 50 years. Mr. Smith very kindly calls my attention that about 1899 Mr. Walcott, then Director of the Geological Survey, made the statement in the course of an address that the anthracite coal of this country would be exhausted in 150 years. In a letter to me Director Smith says:

A typographical error made one of the newspapers quote him as giving the life of the anthracite coal as 50 years. This error was promptly copied by other newspapers, which in turn added to the misstatement by leaving off the anthracite and making his statement apply to all coal, bituminous as well as anthracite; and I understand from Mr. E. W. Parker, coal statistician of the survey, that this statement was widely quoted at the time.

How easy it was for some alarmist to grasp that statement as it continued to go its round, credit it to the present director, and place it in a book on the resources of the United States, where I found it during my study this summer of the conservation dream books.

Ah, Mr. Speaker, how many careless statements are made, here, there, and everywhere, to be caught up by the press and scattered broadcast. Then, when we want facts in connection with the discussion of a great national question, such as I have been discussing, what an effort it is to pick out the truth from the loose, false, and careless statements put forth in such volume.

Material for Construction of Ships of War.

EXTENSION OF REMARKS
OF
HON. WILLIAM J. BROWNING,
OF NEW JERSEY,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, November 22, 1913.

Mr. BROWNING. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include an article from the Army and Navy Register, dealing with economy in the administration of Army and Navy affairs, a subject of deep interest to the multitude of men who earn their living in the navy yards and in the shipbuilding plants of the country. The article is instructive as well as illuminating.

The article referred to is as follows:

A FOREIGN INVASION.

"Sooner or later the American producer of material which enters into the construction of ships of war will come to a realization that the existing law permits the purchase abroad of that material. Contracts which have recently been awarded by the Navy Department show that every disposition exists to lower the cost of Navy work by placing orders with European manufacturers. There might be justification for this if it were shown that the Government were in the hands of a monopoly that was looting the Public Treasury, but there is no justification for the adoption on these grounds of a general policy which shall favor the European contractor to the detriment of the American manufacturer. The Navy should not be built up or maintained by the encouragement of the foreign producer. It is no great shock to the body politic to be required to pay the American prices for American material. There is frequently a difference of quality, a certainty of promptness in delivery, and the opportunity for duplication of material in time of emergency which account for the greater cost.

"In other years the naval appropriation law has contained a clause requiring the Navy Department to purchase its war material, especially that entering into the construction of ships, of domestic manufacturers. This requirement was modified subsequently so as to permit the Secretary of the Navy to purchase the material abroad if it should appear that the American bidders were excessive in their prices. The last Congress omitted any such qualification, while the new tariff act includes a provision that allows the shipbuilders of this country, including, of course, the Navy Department, to buy material of foreign manufacture, to be entered in bond with the understanding that it shall have free entry on proof that the material has actually gone into the composition of a ship, either Government or mercantile. It is perhaps natural that the Secretary of the Navy should take advantage of this circumstance to obtain material from Europe at a lower figure than it is possible to obtain it in the United States, but it is also easy to imagine that this commercial instinct may be carried to the extremity which will find the Navy Department some day without domestic sources of supply. It is wise to have at the command of the Navy Department, as of the War Department, reliable plants under private control from which war material may be derived in time of emergency. It will be of temporary benefit only to drive out of business the American manufacturer in any line in order to make a showing of 'saving' in the expenditure of public funds in certain directions.

"There is no doubt that all of our ships and guns could be imported at a lower price than they can be built in this country; and for that matter, to illustrate the point humorously, we could readily secure from abroad droves of alien sailors—coolies, if necessary—and by naturalizing them man our ships with low-priced foreigners brought here from distant ports where they receive but a pittance in wages. In this manner our Navy Department could make a huge saving in our naval expenditures, but this is not the sort of Navy the American people want. Aside from the splendid traditions of the service, we believe that we can build our ships, guns, and equipment better than they can be built in any foreign country. In matters of ship design we are admittedly superior. It is nowhere contended that there exists a trust or monopoly which controls the shipbuilding industry in this country.

"In the end it must be realized there is a settled conviction, to which Americans will subscribe unfailingly and with enthusiasm, that their Navy shall be American through and through; that the ships shall be the product of our navy yards, or of the yards of our domestic shipbuilders; that our armor and equipment shall represent the output of the foundries and factories of this country; and, finally, that these fighting machines, the visible evidence of superior workmanship of our own artisans and the ingenuity of our own designers, shall have for its personnel the American officer and the American bluejacket."

The Trinity of Evils.

EXTENSION OF REMARKS
OF
HON. P. E. QUIN,
OF MISSISSIPPI,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, November 26, 1913.

Mr. QUIN. Mr. Speaker, I ask unanimous consent to insert in the RECORD an address delivered by the Hon. WM. H. MURRAY, of Oklahoma, at Columbus, Ohio, November 13, 1913, on the subject of the "Trinity of Evils."

The SPEAKER. The gentleman from Mississippi asks unanimous consent to extend his remarks in the RECORD by inserting the document named. Is there objection?

There was no objection.

The address of Mr. MURRAY of Oklahoma is as follows:

ADDRESS OF THE HON. WM. H. MURRAY, M. C., OF OKLAHOMA, BEFORE THE FIFTEENTH NATIONAL CONVENTION OF THE ANTISALOON LEAGUE, AT COLUMBUS, OHIO, NOVEMBER 13, 1913.

Mr. Chairman, ladies, and gentlemen: Since you and I are strangers to each other, let us have an understanding before I begin. If you knew me you would understand that I never take a public position merely to please the multitude, and I shall not do so now. I am not afraid to differ with my fellow man, but I am afraid to be wrong, and the great solicitude of us all should be that we are right down to the last detail. With this understanding I begin.

I understand the prime object of your convention to be the eradication of the liquor traffic in every State and the ultimate adoption of an amendment to the Constitution of the United States prohibiting the manufacture, sale, importation, and transportation of alcoholic liquors in the United States.

In the growing demand for this extension of prohibition laws you are met with the objection that to enforce this policy means the destruction of the functions of State government, and you desire to know of me, among other things, my opinion of this objection. To this question my answer is that I am a strong believer in an indissoluble union of indestructible States and that a just balance of power between local self-government of the States and the Nation will ever remain the mainstay of our liberties and the perpetuity of the Republic; but this boundary line is not marked between wholesome provisions and national evils. In the abstract, the word "universal" is our cue. The key to the preservation of the sovereignty of States in the exercise of those things necessary to give to the States their proper autonomy exists in the grant of suffrage, the extension of its qualifications, and the control of elections, together with the State's control of all things which can not be administered universally or are not national evils. To express this concretely, the adoption of the thirteenth amendment to the United States Constitution, destroying the evil of slavery, was a wise provision and not out of line with the proper proportion of power between the States and the Federal Government, for the reason that it was a universal evil which could have no exceptional benefit by its retention in any State.

The mistake made was in the attempt by later amendments to control suffrage in the Southern States by the Federal Government, because suffrage can not be "universal" in its application and must be determined by the condition of the people. Herein marks the boundary line between State and National authority. The abolition of slavery, a universal evil, was then like the universal evil of the liquor traffic of to-day, and the adoption of the prohibition amendment is merely an extension of the policy which marked the adoption of the thirteenth amendment before referred to. Hence, as one Member of Congress, I would favor the submission to the States of such an amendment, but I warn you that in our doing so consummate care and discretion must be exercised not to violate practical experience. Such an amendment, in the first place, must be submitted in a constitutional manner, so that the validity of its adoption can not afterwards be questioned; and, secondly, we should plant ourselves on the proposition that alcohol, though one of God's greatest medicines, was not intended to be used as a beverage, and in drafting such an amendment these fundamental principles should be recognized. I may not be expressing on this point the views of you gentlemen. In this position I have but my own conscience to consider. Sufficient to say, I am expressing those indicated by my own conscience, drawn from my own study, information, and experience, having lived for many years in the old Indian Territory, now a portion of Oklahoma, and which Territory is the only domain under the flag where a legal saloon never existed. To deny liquor's proper place as a medicine is but to deny science, the Creative Divinity, and the experience of mankind.

Instead of such proposed amendment being violative of the best policy of the autonomy of the States, I repeat on the contrary that our experience teaches that many phases of interstate commerce and of the control of traffic and transportation should be given to the Federal Government, that we may efface the "twilight zone" between State and Federal jurisdictions, which too often permits monopolies to go unwhipped and menacing Nation-wide evils to live under the sanction of law, and that, too, contrary to our wishes.

I say this as a believer in the doctrine of State rights as modified by the issues growing out of the destruction of slavery, rehabilitating and establishing the new Nation—the Republic of to-day.

The wisdom of State power to control, define, and regulate suffrage as the boundary line between Federal and State authority is better shown now than at the time of the writing of the Constitution, because different conditions in different States determine for the most part whom it is best to intrust with the ballot. Upon virtue and intelligence republics must ever depend; hence to intrust the ballot in the hands of an ignorant or vicious man is more dangerous than to intrust firearms to a child; is more dangerous than giving a bomb to an anarchist; because the one might blow out the brains of an individual or family, while the other may blow up the republic and civilization itself. We have reached that period in our development when it becomes necessary in the interest of society and wholesome government to limit rather than to extend suffrage. The wisdom of this is shown in the Southern States. Prohibition itself gained a foothold there and was made possible only after the restriction upon the suffrage of the negro. It necessarily follows that in some States it is the part of wisdom to base suffrage upon sex, with limitations; in others, perhaps, to extend suffrage to all, irrespective of sex, but with a limitation upon the vicious of both sexes.

The exercise of the ballot can never universally be applied, because universal qualification can never be attained in the most enlightened State; hence it must ever remain a State problem; and herein lies the distinctive hub around which all State authority must revolve. But in dealing with great national or universal evils our safety lies in national control, regulation, or national power to destroy. On these the best wishes of the Republic will be subserved by embracing the well-known principles of the law of the old Roman Republic: Salus rei publicæ suprema lex esto—rendered in English: "Let the public good be the supreme law."

But to return to your primary object, the suppression of the liquor traffic, I take it, however, that you do not intend to neglect the moral side while drafting the legal means for its suppression, nor that you intend or will overlook the attending evils connected with that traffic; hence my address on the "Trinity of evils" will embrace both the legal and moral side of this three-sided mongrel of Mammon. There are three fundamental evils ever present and characteristic of a dense and congested population, which I choose to term the "trinity of

evils," because they are so interwoven and interlocking, so strongly inseparable with a congested population, as to become the root of all evil in our American life and advanced civilization. They are as surely the trinity of corruption and debauchery, of immorality and sin, as the "Father, Son, and Holy Ghost" constitute the Trinity of righteousness and the Christian religion. Almost invariably where you find one of these evils you will find one or both of the others. I refer to the evils of intemperance, gambling, and sexual debauchery, and I am not sure but what these evils are in the reverse ratio of my naming them.

The drink habit is in the forefront because of its own inherent evil and because it is the cloak to cover and to incubate the other two, just as it covered the debauchery of Alexander the Great, whose real downfall was that of a libertine. While a man may go to the ditch and to the gutter by drink he may regain his will power and self-control, recover his health, and his manhood, and become again a good citizen, while should he go to the ditch by sexual excesses or debauchery he is mentally, morally, physically, and spiritually dead.

Gambling is a great evil, because it leads to the other two. Games of chance and gambling seem to run in American blood. Our greatest business institution—the stock exchange—is the very mother of the vinegar of gambling, and yet it is a business concern that touches the pulse of all the civilized and uncivilized earth. Not a drought or flood, a bountiful rain or sunshine, a pestilence or production, a treaty of peace or arbitration, or war or bloodshed, but is quickly told by the pulse—"the ticker"—of the stock exchange; but being a private club, not subject to public control or legal regulation, it is often diverted from its legitimate functions—a common market place for the sale of bonds, securities, and products—to one of gambling. This as the chief of all gambling concerns can be wiped out by law, while the evil of gambling in the American blood can not be eradicated by law, neither can it create sobriety, nor morality, nor that will power and self-control that will enable the citizen to throw the brakes upon his passions and appetites.

And this brings our attention to the moral precepts of the family, of the home, and of the church that must be continued even after we have secured the proper laws, and both must go hand in hand for the destruction of the votaries as well as the temple of these evils. We can not legislate temperance into a people, but law can destroy the rum shop and the temple of its collaborers—the gambler and the libertine—but it can not destroy its worshipers. Law can tear down the temple, but its votaries must be reformed through the influence of the home and the church. We are too often prone to feel ourselves in fancied security upon the success at the polls of the prohibition statutes and laws against gambling and the brothel. We fail to uphold the officers' hands, to give them proper encouragement, without which it is impossible for them to perform their duties. It is through such persistent and constant aid of the people who compose the juries of a community and legislature of State or Nation. The officer is not to blame when public sentiment aids this trio of evils and you shirk your responsibility as juror, voter, or citizen; nor can the law be made self-executing by the election of men to public office who have neither integrity, honor, veracity, nor morals. We ought never to elect to public office a man whom we would be ashamed to invite into our own homes.

In this connection permit me to quote from James Bryce's work, the American Commonwealth, in which he says:

> A prominent New Yorker once said to me, speaking of one of the chief justices of the city, "I do not think him such a bad fellow; he has always been friendly to me, and would give me a midnight injunction or do anything else for me at a moment's notice, but, of course, he is the last person I would dream of asking to my house."

This was but an indirect means of telling Mr. Bryce that this judge was a moral reprobate. And when Mr. Bryce put it into that splendid work, which, to my notion, is the soundest, clearest criticism of American institutions yet written in the English language, what a scathing rebuke to New York's judiciary was thus placed in print!

Permit me, ladies and gentlemen, to bring home to you this question: Do you repeat in your home States the example of New York in the election of your public officials?

A drunkard is fit neither for business nor public office—he is not a successful saloon keeper.

A gambler makes of a professional man a vagabond, of a merchant a bankrupt, and a defaulter of a public officer.

A libertine, having no morals, is soon destitute of honor, veracity, or integrity. Then, why should we elect either?

The expression is often made that "corruption destroys government," but corruption is not the first cause. What produced the corruption? The answer is: The inactivity of the righteous citizen. Just as the body of the individual is normal, his pulse beats regularly, the blood circulates freely, and all of the other elements of the living organism operate in strict accord with nature's laws, give health, happiness, and long life to the individual; but when the pulse beats irregularly, the blood and other organs cease to do their normal part, poison and disease of the system set up, and sickness and death inevitably follow. So also does government become corrupt and society sick, and national death follows when the best element of society fails to perform its duty. When the home ceases to teach the child, the school overlooks his moral precepts, and the church and the pulpit fail to thunder against evil tendencies, and the righteous citizen fails to deposit an honest ballot, consistent with his conscience and principles, in making up the courts, the legislative and executive branches of the Government, or to perform the duties of juror, then it is that "corruption in government" sets in and national death follows.

Yes, my friends, we must elect to public office, more particularly to the highest positions, to the bench, to Congress, and to the United States Senate, only such men who will understand that finer sense of responsibility which their position carries, and with that will power and self-control necessary to restrain passion and to preserve commendable conduct while exercising the functions of public office, for their official aid and assistance in the exercise of the power of such public office; nor must we forget to train the future manhood and womanhood in the home and in the public school to know themselves, to understand their own passions and appetites, and to create within them that will power that will enable them surely, certainly, to conserve their own passions by throwing on the brakes, especially upon that divine passion, out of which grow mentality and the strength of manhood, the sex passion, which Buddha so aptly describes:

> A sex passion, shot into the human soul like an arrow, sharper than hooks with which to tame elephants and hotter than flames—

a divine instinct which, when conserved, gives to its possessor mentality, courage, force, and will power, but which, when left unrestrained or to drift without proper moral direction, wrecks its possessor of all physical, moral, mental, and spiritual manhood. I mean to impress upon you the importance of this training, along with the demand for legislation, because such training insures our own boys and girls, not alone against degradation, imbecility, and idiocy, but gives to our future courts, juries, and legislatures character to enforce and uphold the law and all the powers that make for a nobler citizenship.

Mr. James Bryce, though a foreigner himself, gives us warning of our social evils by the question:

> Will existing evils in America prove so obstinate and European immigration continue to depress the average of intelligence and patriotism among the voters?

Here he touches the keynote of what portends the greatest evil that underlies our social fabric. Legislation, true enough, does not produce social conditions, but does produce tendencies creating them. The foreigner in general among us does not constitute the evil. It is that class coming by the "contract system," which, having in view nothing but cheap labor and, in order to secure this cheap labor, makes contracts through agencies scattered all over Continental Europe, has brought to our shores and planted in American life the ignorance and loathsome diseases, the depressed and hopeless, the degenerate morals, and the superstitions of the worst elements upon that Continent, until the white-slave traffic, which has characterized Continental Europe since the fall of the Roman Empire, has been planted in America. America was founded upon Anglo-Saxon, German, and Scottish regard for integrity, morality, and honesty and purity, and, above all, regard for the virtue and purity of womanhood; but this regard is becoming weaker in most of the States of the Union, not confining itself alone to the overcrowded cities, but extending its branches and corrupting agencies of influences even to the rural communities, where lies the greatest hope of American purity of manhood and womanhood. The virtue of the wife and mother, her pure character and blameless life, is the saving power of the human race. Regard for and faith in her virtue is the mainstay of its continuance. Shall we shut our eyes to these awful conditions and grant that libertinism is the rule and not the exception? Once this becomes true; once this faith and this confidence is destroyed; once when we point to the womanhood and can not say, "There, as a rule, is virtue, spotless morality, and purity," your civilization is over and with it your free institutions.

A nation, like families and races, is weak or strong in proportion to the morality and virtue of its women, and its women are chaste in proportion to the regard in which men hold them.

No man under an extensive, penetrating research of science and of the philosophy of history can escape the conclusion that laws of the State (government) and rules of society affect the home, home life, and happiness.

I am practical enough to know that virtue can not be legislated into the character of womanhood; but investigation will show that the lewd are the exception, and there are three conditions which the law itself can remedy: The enticing of the innocent, unsuspecting maiden from the country precinct on the promise of being a "friend"; carrying her away to some great city to be surrounded for a few days with the luxuries of life, eventually to be taken by stealth to a brothel and there forced to remain and become deflowered, can be prevented by law. Conditions of poverty and hardships also add another, larger per cent to the same class. The law could assist in alleviating these conditions of poverty. And another class, where the professed lover steals the heart and confidence of some pure, innocent girl, in whose heart has been planted a sex passion of which he takes advantage, turning from the character of lover to that of the libertine and seducer—the law here could affect this social condition. For the white-slave trafficker and the libertine or seducer the doors of the penitentiary ought always to be open. The woman who falls by reason of hardships and poverty, the helping hand of the State should assist and alleviate that condition. The truly lewd in mind and body we can only take care of as experience best demonstrates, for neither law, training, nor social condition will benefit that class. But let us save that greater per cent—the unwilling deflowered.

> I care not how far from the paths of virtue she has strayed.
> I care not what inroads dishonor hath made.
> I care not what elements hath cankered the pearl.
> Though stained and sullied she's somebody's girl.

The deflowering of young womanhood ought to bring to the doors of us all the realization of the precarious and hazardous protection of our own daughters.

The denizens of the brothel may shock us, but may we possess a Scotchman's will to marshal our battallons against this "Trinity of evils," and in our hearts for wife and mother, for home and family, may muffled drums eternally beat their everlasting reveille.

The integrity of the home and the happiness of the family, the pure character of the wife and mother, constitute the sum of society, civilization, and wholesome government.

Overflowed Lands in Bonner County, Idaho.

EXTENSION OF REMARKS
OF
HON. ADDISON T. SMITH,
OF IDAHO,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, November 29, 1913.

Mr. SMITH of Idaho. Mr. Speaker, under the unanimous consent granted, I desire to extend my remarks in the RECORD by having printed a report made in 1910 by C. G. Elliott, Chief of Drainage Investigations, Department of Agriculture, with reference to the drainage of an area of land in northern Idaho, consisting of about 40,000 acres. Much of this land is in private ownership and the people living in that section have been endeavoring to perfect plans to reclaim the land by making assessments at pro rata amounts per acre, but they need reliable information regarding the engineering feasibility of the project.

The report of Engineer Elliott contains information of the greatest possible value to the people in that section, and it should be available to them, having been gathered at considerable expense. It will also be valuable to the Members of this and the other branch of Congress in considering such legislation as may be necessary to provide for the drainage of this large and valuable section of the country.

The report is as follows:

DRAINAGE INVESTIGATIONS.
UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF EXPERIMENT STATIONS.

Report on the Kootenai River Valley in Bonner County, Idaho, by C. G. Elliott, Chief of Drainage Investigations.

The Kootenai River Valley between Bonners Ferry, Idaho, and the international boundary line has for years attracted attention because of its agricultural possibilities. The valley contains about 40,000 acres of level alluvial land free from stones and timber, lying in the heart of a mountainous region containing numerous mining camps which constantly demand large supplies of food. Some correspondence passed between the department and Mr. Charles G. Reeder, of Spokane, Wash., regarding the possibility of converting this large area into productive farms. In the course of my western trip last summer I found it convenient, in response to Mr. Reeder's request, to make a personal examination of the valley not only in Idaho but also in British Columbia as far as the town of Nelson, and now take occasion to discuss the reclamation problem in the light of such information as I have been able to collect.

Before making this personal inspection I was permitted to examine the very excellent report of Mr. Otto V. Welle, civil engineer, made upon the reclamation of the valley in 1905, in which he outlines a plan for reclaiming the lands. I also obtained a blue-print land map, upon which is shown the meandered course of the Kootenai River in northern Idaho and in British Columbia. In this discussion I have used the data which Mr. Welle has gathered from various sources and shall take occasion to comment upon the plan which he proposes for reclaiming the lands of the valley.

On August 5, 1910, Mr. Reeder, of Spokane; Mr. A. J. Kent, of Bonners Ferry, and myself started down the river from Bonners Ferry in a gasoline launch and proceeded by boat as far as the station of Copeland, and thence by railroad along the edge of the valley to Fort Hill, which is situated at the international boundary line. Several short excursions were made afoot across portions of the lands immediately adjoining the river, though it should be understood that these examinations were general rather than specific in character.

The Kootenai River is a stream flowing northerly between two high and abrupt ranges of mountains and is bordered by a valley of nearly level land from 1 mile to 4 miles wide. The stream itself is found to be 50 feet deep in many places, is about 650 feet wide, and is supplied by mountain lakes and streams. The banks are about 20 feet above the low-water stage of the river. A strip of woodland frequently fringes the bank, although in general the entire valley is fairly clear of timber and brush of any kind. The land slopes away from the stream toward the foot of the bluffs, where the surface is usually 4 or 5 feet lower than at the river banks. Several streams of various sizes coming out of the mountains enter the valley, which in many cases have but a small channel in which to carry the water from the hills to the river. The lands along the foot of the bluffs are always wet, due to the seep water which comes from the hills and also to the small streams which flow from the mountain slopes and deposit their waters upon the level lands below.

An examination of the lands in general shows that the surface has been eroded by overflows, which have doubtless occurred throughout the entire formation of the valley. Small coulees, 25 to 50 feet wide and 6 or 7 feet deep, are sometimes found scattered throughout the valley, having no connection with the river. There are also ponds or flats which lie 2 or 3 feet below the level of the surrounding land. At the time of my visit, which was a low-water season, these depressions and coulees contained water, the larger ponds being in such a swampy condition that they could not be crossed. The land is remarkable in that it contains no stone, gravel, or pebbles of any kind, although lying between mountains of granite and limestones.

The natural vegetation may be regarded as a helpful guide in determining the fertility of the land. I find the higher and drier portions of the valley are covered with a fair quality of wild grass, much as is found upon the wet prairies of the Mississippi Valley. This is valuable for pasture and is utilized for hay when the seasons are favorable for harvesting and curing the crop. The wetter lands are covered by a vigorous growth of the marsh scouring rush, a plant belonging to the *Equisetaceæ* or horsetail family. The lands which are constantly covered with water produce the *Sagittaria*, or arrowhead, a plant belonging to the water-plantain family. The swamps also produce the well-known club rush, belonging to the bulrush family. These plants are found on all of the wet lands of the Mississippi Valley and are there regarded as indicating a fertile soil. Soils which contain them have been drained and proven to be excellent lands for the production of staple crops, such as grass, grains, and corn.

Mr. E. B. Ross, of Spokane, has furnished me a copy of a report upon the analysis of this soil made at the State agricultural experiment station, Pullman, Wash. The analysis shows the following plant-food elements: Potash, 0.32 per cent; phosphorus, 0.19 per cent; total nitrogen, 0.04 per cent; lime, 9.12 per cent. The total humus of the soil is given at 0.3 per cent. In commenting upon this analysis, Mr. Thatcher, director of the station, says that the soil is somewhat deficient in humus and in nitrogen. By comparing the analysis with that of other soils this is found to be true. A good soil, according to the chemist, should contain about 0.15 per cent of nitrogen. This deficiency, however, is characteristic of many alluvial lands. The soils in the Mississippi Valley which produce large crops of cotton show the same characteristic, yet many of them have produced abundant crops for many years without the addition of artificial fertilizers. The quantity of lime, which is abundant, is always regarded as a valuable constituent of soils. I may say in this connection that chemical analyses of soils are not given very much weight by practical agriculturists except in connection with experimental cultivation. However, taking the chemical analysis in connection with the growth of natural vegetation and the crops which have been grown at various points in the valley, I should say that there is no question regarding the value of the land for the production of such field crops as are suited to the climate. In fact, this has been demonstrated at various locations along the river where the lands are sufficiently dry for farming purposes. The surface soil has a light-gray color, except in the more swampy portions, where the humus derived from decaying vegetation has given a dark color to the soil. It would appear that the lands are especially adapted to grasses and forage plants, but their present wet condition limits the varieties of vegetation to those which can withstand an excess of water. The fact that redtop grass grows abundantly where the conditions of the land are favorable shows that the more valuable grasses, such as timothy and clovers, can be produced if proper drainage is secured.

I am told that with the exception of 1894 the valley is subject to overflows from the river at only certain points where the banks are low or where creeks or small rivers enter the stream. It is said that usually the banks of the river are high enough to prevent a direct overflow, but where streams enter the channel the water from the river flows out during the flood season, backing up the small streams and passing out into the lowland which lies at the foot of the hills. The water having filled all of the low portions of the valley in this way causes the land to remain permanently wet during the entire season, because the slight fall of the surface does not permit the water to pass away when the river recedes. The overflows are not dependent in any way upon the rainfall of the valley, since the stream is fed from the mountains, where there is an abundant quantity of snow, the depth often reaching 6 or 7 feet. When the snow melts in the ordinary way or is hastened by Chinook winds, which not infrequently strike the mountains, great quantities of water are brought to the river by the mountain streams. The volume can not be accurately predicted, because of the erratic conditions which cause the melting of the snow. The probable amount can only be estimated by the floods which have already occurred. In addition to the waters produced by the overflow of the banks of the stream at low points there are always large volumes of water which come from the slopes of the mountains direct and are deposited at the foot of the hills upon the level lands. It is quite clear

that although these lands are fertile they can not be profitably cultivated without protection from the excessive quantities of water which come upon them every year from the two sources named. The custom of the owners at present is to secure what value they can from the land by grazing after the floods disappear and later mow and cure such grass as may be found suitable for hay. There being a dearth of agricultural land in that portion of the State, the prices for produce are always high, and for that reason the reclamation of the valley for productive purposes is an attractive proposition and merits most careful consideration.

The climate and rainfall should be considered, since these are important features of an agricultural region. The rainfall records have been kept at Bonners Ferry since May, 1907. We have records of only one entire year, that of 1908. The total rainfall for that year was 19.6 inches, as appears from the following record of the Weather Bureau at that point:

Rainfall at Bonners Ferry, Idaho.

(Elevation 1,850 feet.)

	1907	1908
	Inches.	*Inches.*
January	.....	1.60
February	.....	2.20
March	.....	1.96
April	.....	1.65
May	1.07	2.26
June	2.34	2.11
July	1.09	.74
August	2.65	.47
September	2.31	.28
October	.31	2.50
November	2.42	1.44
December	2.32	2.31
		19.63

The greatest monthly precipitation occurs in February and in December. The rainfall, however, during the summer months as indicated by the records of the two years is not at all uniform, as, for instance, in August, 1908, it was 0.47 inch, while for the same month in 1907 it was 2.65 inches. September, 1908, had only 0.28 inch, while the same month in 1907 had 2.31 inches. The maximum rainfall, however, for any month is not excessive. In fact, no floods appear to be occasioned by direct rainfall, and the distribution is particularly favorable for the growth of crops, being neither too great nor too small. The soil being of a clay nature will retain moisture during the seasons when there is a deficiency in precipitation. Besides this, the evaporation in the valley is not great. The temperature is also important, and it is to be regretted that reliable records do not cover a longer period. The following is the record of temperature for 1907 and 1908 at Bonners Ferry:

Mean monthly temperature at Bonners Ferry, Idaho.

	1907	1908
	°F.	°F.
January	.....	26.8
February	.....	28.0
March	.....	35.7
April	.....	46.3
May	55.0	50.8
June	57.0	58.0
July	64.8	67.6
August	59.8	65.9
September	54.9	57.2
October	50.6	44.8
November	37.4	33.2
December	29.4	27.0
		[1]45.4

[1] Mean for the year.

Maximum 1907, 95° July 31 and August 1.
Minimum 1908, 11° below zero January 31.
Maximum 1908, 98° July 31.

	1907	1908
Last killing frost in spring	May 1	May 19
First killing frost in fall	Sept. 23	Sept. 24

These records show that the seasons are cool and short, but are sufficiently long for the growth of grasses, small grains, and root crops.

We come now to the examination of the physical conditions of the land and the characteristics of the river, which should be considered in the problem of draining the valley. I take from Mr. Welle's report the following data, which have a direct bearing upon the problem under consideration.

	Acres.
Area of land between Bonners Ferry and international boundary (in Idaho)	40,000
Area from international boundary to Kootenai Lake (in British Columbia)	40,000
	80,000
	Miles.
Distance Bonners Ferry to Port Hill (international boundary):	
Straight line	22½
By river	45
Distance Port Hill to Kootenai Lake:	
Straight line	10
By river	25
Distance Bonners Ferry to Kootenai Lake by river	70
Kootenai Landing, south end of lake, to the outlet of lake	35
From outlet to Narrows	24
From the Narrows to Nelson, British Columbia	18
Distance from Bonners Ferry to Nelson	125½

The fall in this entire distance as ascertained by Mr. Welle, which, of course, is only approximate, is as follows:

	Distance.	
	Miles.	Feet.
Bonners Ferry to Port Hill	45	8
Port Hill to Kootenai Lake	25	4
Across Kootenai Lake	35	0
Through the "Narrows"	2½	1
From the "Narrows" to Nelson, British Columbia	18	0
Total	125½	13

The lake into which the river discharges is about 65 miles long. The outlet of the lake is about midway, and the "Narrows" through which the water is discharged is, according to Mr. Welle's measurement, 334 feet wide at low-water stage. From this point on to the city of Nelson the water is called the "West Arm" of the lake and is level. Two miles below Nelson the rapids begin and the stream is again known as the "Kootenai River." The entire lake and river are bordered by abrupt mountains, all the streams from which are precipitous. The rise of the lake above low water in 1894, the highest stage known, was 32 feet. With that exception the highest floods have been 24 feet, the usual flood height being about 10 feet.

It will be seen that the entire valley from Bonners Ferry to the town of Nelson, British Columbia, is an elongated lake, the narrowest part of which is the "Narrows," which connects the main lake with the West Arm. The fall for the entire distance to the rapids is but a little over 1 inch per mile, while the fall of the valley in Idaho is about 2 inches per mile.

Mr. Welle proposes a plan to prevent the flood plains of the lake from rising more than 10 feet above low water on the assumption that such control will reclaim the Idaho lands from injurious inundation. At the time of my inspection of the lake it was stated by the steamboat captain that the lake stood about 8 feet above low-water stage. All of the lowlands of the Idaho part of the valley were then swampy, though it is probable that the river was low enough to permit their drainage, if suitable ditches had been provided. Mr. Welle's plan is to enlarge the channel at the "Narrows" and at various points along the West Arm of the lake, including the channel at the first rapids, so as to increase its capacity sufficiently to prevent the water from rising in the lake above the 10-foot stage. I have examined the portions of the channel where it is proposed to do the work and find the conditions as he described them. There is no doubt that the work he proposes can be done. The question first to be considered, however, is whether the work, if done, will bring the expected result. I think not, for the following reasons: The effect of the contraction of the lake at the "Narrows" is to cause a congestion of the water and raise its level back of the obstruction until it has sufficient head to overcome the resistance. This will give rise to a greater velocity in order to compensate for the narrowness of the channel and is the cause of the great velocity of flow through the "Narrows" when the water in the lake is high. Should this channel be widened so as to remove the congestion, the water would be at the same height on both sides of the "Narrows" and the velocity would be that due to slope only, which is exceedingly slight and would not produce the velocity which has been figured. He computes the volume which must pass through the "Narrows" as an amount coming from the lake only, whereas on account of its level surface the entire valley, in addition to the lake is the body of water that must be taken into consideration in computing the flow through the "Narrows." There is another feature which must be taken into account. The entire valley is so nearly level and is so long that such lowering of the lake as could be done would not materially diminish the cost of adequately draining the lands of the valley, particularly in Idaho. The water which does the injury, with the exception of that which comes out of the river in low places along the banks, is that which comes from the hill slopes and streams and lodges in the lowland, particularly at the edge of the hills. Lowering the lake will not materially change this condition.

In my experience I find it exceedingly difficult to get a large number of landowners to cooperate in carrying out a drainage project, especially where the country is new and the commercial value of drainage untried. The general proposition may be readily agreed to by landowners, but the later adjustment of assessments for the cost of the work brings to light unlooked-for objections and legal complications, especially in carrying out projects for the reclamation of overflowed lands. I do not wish it understood that such work can not be done, but to call attention to the fact that projects of moderate size are much more easily and expeditiously handled. I can not see how you will derive any adequate benefit from doing work in British Columbia. The valley in Idaho lies higher than the one in British Columbia, so that the farmer will have a flood relief until the waters on the British Columbia side are concentrated and otherwise controlled.

I wish now to look at the matter from the viewpoint of the Idaho landowner. In my opinion these lands can be profitably improved at a moderate cost and without any great difficulty or delay in the following manner: I will assume that the river banks are not overflowed or that, if they are overflowed at points, strong levees can be put up to prevent it, except where tributary streams enter the river. Divide the area on each side of the river into sections of 2,000 to 5,000 acres, the size of these sections being determined by the proximity of the river to the bluff or by a tributary stream which brings water from the mountains. Cut off these tracts by cross levees extending from the bank of the river to the foot of the bluff. The lower end of each district should have a ditch or stream which will conduct the water from the hills and also from the lowlands of the district to the river. This ditch or stream should have a levee on the upper side. For draining the land construct a large ditch with a steam dredge at the foot of and parallel to the bluff, this being the lowest part of the land, using the excavated earth in making a strong levee on the river side of the ditch. This ditch should intercept all water from the hills and lead it to the lower end of the district outside of the levee to the river. A natural stream should be utilized for such a discharging point. Both ditch and levee can be constructed with a dredge at one operation. The ditch should be about 30 feet wide and 7 feet deep, and the levee probably about 8 feet high, with side slopes of 3 to 1. The base for the levee should be properly cleared and prepared for the deposit of the earth.

The land slopes from the river banks toward the bluffs. Ditches should be made where necessary for draining the land into the main ditch which skirts the bluff. These should have automatic sluice gates where they enter the main ditch, so that when the main is full water will not flow back into the land, but when the water is sufficiently low in the river they will discharge automatically.

I have represented this plan on a sketch taken from the map near the station of Copeland. The method proposed may be more briefly stated as follows:

1. Levee the low places in the river banks.
2. Cut off a tract of convenient size by running cross levees from the river to the bluffs.
3. Excavate a large ditch along the edge of the bluff with a strong levee on the river side and connect it with the river bank.
4. Make necessary ditches from the land into the main ditch, discharging them through automatic sluices.

I was under the impression that the land could not be well drained without using a pumping plant in addition to ditches and levees. Since I have examined the rainfall records I am of the opinion that by reason of the moderate precipitation and absence of heavy storms the land will take care of all rainfall if outside water is kept out. The river may, however, remain high a long time during some years and so seriously interfere with the discharge of the ditches that pumps may be required. With the above arrangement I think that the half of the inclosed district adjoining the river may be put in cultivated crops and the opposite half utilized for permanent meadow and pasture. I have referred to the use of the steam excavator for this work. Some form of the land dredge, with drag-line bucket, is admirably adapted to this work. I am inclosing a description and picture of a machine which I think is suited to construct both ditches and dikes at operation. Levees which are made with a machine are more solid and compact than those made in the old way, though not so shapely unless special care is taken in finishing. I think a machine could be obtained and work done on a district for about 12 cents per cubic yard for excavation, and the earth deposited in the form of a levee. I estimate the cost for a 3,000-acre district would be from $13 to $15 an acre.

Measurements and further examinations will be required to secure more accurate estimates, for the location and size of the district would vary the cost. Some districts could be worked out much more cheaply than others. I have indicated the manner in which I think the owners of land on the Idaho side should go at this problem. It is a good proposition. If the kind of farming should later require better drainage, a pumping plant could be installed at an additional expense of possibly about $2 or at the most of $3 an acre, without any material change in the system of ditches and levees above outlined.

Respectfully submitted.

C. G. ELLIOTT,
Chief of Drainage Investigations.

WASHINGTON, D. C., *November 21, 1910.*

Conservation.

EXTENSION OF REMARKS
OF
HON. CLAUDE WEAVER,
OF OKLAHOMA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, November 29, 1913.

Mr. WEAVER. Mr. Speaker, I rise to ask unanimous consent of the House of Representatives to place in the permanent RECORD of this Congress an instructive speech on the subject of "Conservation," delivered by my colleague, Hon. SCOTT FERRIS, of Oklahoma, on the 20th day of October, 1913, at Tulsa, Okla., before the International Dry-Farming Congress.

A speech on conservation was altogether fitting before that great international council which honored the State of Oklahoma by holding its deliberations in the beautiful, fast-growing, and magical city of Tulsa. The alpha and omega of dry farming is conservation. The basic principle is to prevent waste of water, and the whole science of dry farming is simply the conservation of water in the soil for use in agriculture.

The speech of Mr. FERRIS has a permanent value because it defines with precision the right principles of conservation and demonstrates the profound economic truth that conservation does not mean to lock up the illimitable natural resources of a nation and deny a rational and legitimate use of such resources to the people. There is a school of so-called conservators whose policy is like that of a farmer with a wheat field whitening to the harvest who conserves his wheat by leaving it ungathered, to be devoured by the fowls of the air or to rot in the field. The folly of such a policy is the lesson of the powerful discourse delivered at Tulsa by Hon. SCOTT FERRIS, and I am gratified, indeed, to have this opportunity, by the unanimous agreement of the Members of this House, to preserve that speech in the CONGRESSIONAL RECORD.

To-day I would gladly pay a tribute of friendship to the high character, the great ability, and the noble qualities of heart and mind possessed by my colleague, but how idle that would be, for I speak to those who know him well, who value his counsels, who love him because of his unfailing courtesy and rare social graces.

SCOTT FERRIS by unostentatious but useful service in this House has reflected honor on the State of Oklahoma where his name is a household word. The people of his own district, his immediate constituents, are bound to him by the strongest and closest ties of mutual confidence and personal attachment.

As chairman of the Committee on Public Lands of this House, in a position of great responsibility and power, SCOTT FERRIS stands as an impassable barricade between the public domain and the predatory interests that would despoil it. Unmoved on the one hand by the visionaries who would deprive the American people of the usufruct of an estate incalculable in value, which they hold in trust for themselves and their posterity, and on the other standing firm against the insidious influence of corporate monopoly that seeks control and ownership of public lands and public water power, SCOTT FERRIS is himself a fearless conservator not only of the Nation's wealth but also of the people's rights.

Let me conclude by saying with sincerity and truth that, in my opinion, he well deserves the tribute paid by Canning to the younger Pitt in those fine lines wherein he named him:

A statesman unbiased by interest or fear,
Ily power uncorrupted, untainted by gold.

Mr. Speaker, I now ask unanimous consent to print the speech referred to in the RECORD as a part of my remarks.

The SPEAKER. Is there objection? The Chair hears none, and it is so ordered.

The following is the speech of Mr. FERRIS:

"Mr. Chairman, delegates to the Dry-Farming Congress, ladies and gentlemen: The tariff, the trusts, the currency questions do not and can not rise to the importance of the work of this congress. The subject matter of this congress is of vital interest to every man that eats. We hear much of the high cost of living and its attendant ills. I say to you this congress has to do with a subject that will solve it, and the only method of solving it. Men and political parties prate about theoretical ways of dealing with bread-and-butter questions, but this congress deals with the real question, with the real subject matter, with the real production. In short, all other questions are dependent upon the question of production, and in fact there is nothing left for any of the tariff or currency tinkerers to do until we have first solved the question of production.

OF WHAT DO OUR NATURAL RESOURCES CONSIST?

"Our public-land areas embody principally that section of the country from British Columbia on the north to Old Mexico and its warring inhabitants on the south, from the placid Pacific on the west to the west edge of the Mississippi Valley on the east. This vast area, embodying the western section of our country, has within its borders 700,000,000 acres of public land, practically unoccupied, undeveloped, in its natural state. Comparison is always a forceful teacher, and it may be interesting to know that this wonderful region in area is three times greater than the entire German Empire.

"This enormous area consists of agricultural, mineral, and forest lands, all under the exclusive control of the national administration, far removed from the scene of action. Calling attention to this enormous area will, I think, give some idea of the magnitude of the propositions to be considered in the government and business management of this undeveloped empire. Again, the magnitude of area must of necessity sink into insignificance when we consider the vast mineral resources hidden beneath the surface, consisting of iron, coal, petroleum, asphaltum, phosphates, copper, zinc, gold, silver, cinnabar, and every species of precious metal known to our geologists. So little is known of this enormous wealth by the the average citizen that a word of explanation may, I think, be inviting.

COAL ENOUGH FOR 7,000 YEARS.

"The Geological Survey, constituted by Congress, maintained by Congress, a great and important arm of our Federal Government, headed by Dr. George Otis Smith, a brilliant, forceful man, through a special survey, under the auspices of the United States Geological Survey to determine our coal resources, in 1907 and 1908, shows an aggregate of coal deposits in the United States of 3,076,204,000,000 tons. I think it will be observed that the approximate annual output of coal aggregates 400,000,000 tons. It will be observed that by ordinary mathematical computation that we have enough coal located, determined, on hand, in the ground, with naught between it and the furnace save willing hands and labor to remove it, to supply this Nation for 7,000 years. To reduce the problem to a smaller area and reduce these startling and enormous figures to the comprehension of all of us, I call to your attention the fact that the one arid State of Wyoming has a coal deposit aggregating 424,085,000,000 tons—enough to supply this sisterhood of States for a thousand years.

"We read in the magazines, we hear campaign orators on the stump assert that this Nation has exhausted its resources and frittered them away, but it is not so. If they were to be believed, our Nation would have little to invite those from the

other countries to come and share with us the bountiful resources of the richest, happiest, and most progressive Republic in all the world. I can not sit silent and allow the uninformed to blast and wither the beckoning hand of opportunity for those with brain and brawn who would come and help develop our resources, which as yet have scarcely been scratched.

ENORMOUS AREAS OF TIMBER.

"It has been earnestly asserted that the Republic is almost without timber, but that is not a true statement of conditions. The official reports of the Federal Government develop the fact that we have 600,000,000 acres of timberland in this country. Germany has but 35,000,000 acres. The forest growth of the German Empire is estimated by that Government at 636 feet board measure per acre annually. If we estimate our forest growth at 300 feet board measure per acre annually, which is less than half of the estimated growth of the German Empire, our increase in forest growth annually will amount to 180,000,000,000 feet. Statistics carefully compiled tell us that we use as a nation 50,000,000,000 feet per annum; this increase alone is approximately three times the amount we consume annually as a nation. Now, allowing for losses by forest fires, decay, wind destruction and waste, our forests are now producing by natural growth more than twice as much timber as a nation than she herself consumes. It is true some portions of the country by fires and denudation have been stripped of their forest growth. But I think in the face of the above figures, which are reliable, that this can hardly be startling and of more than local import. I am not one of those who believe it right to either think or speak lightly of forest waste or inattention, but I am one of those who believe in using our forests and the molding of their products into a multitude of forms and let nature reassert herself and grow new forests more beautiful than the first.

OIL ENOUGH TO LAST 50 CENTURIES.

"The best estimates at hand disclose the fact that this vast empire has well-defined oil areas already prospected, tested, and exploited that show enough oil to supply the world's needs for fuel, illumination, and lubrication for at least 5,000 years. Recent developments in fair Oklahoma alone but indicate the boundless scope of this one natural resource. Its development by the sturdy explorer has converted cow camps into cities, cow trails into highways, poor men into rich men, and hove's into homes. It is and has been a beacon light pointing the pathway of hope, obliterating skepticism and doubt.

"It has caused Oklahoma to be a field of opportunity for every young man with brains in his head and brawn in his arm from every State in the sisterhood. It has given us a greater population than Arkansas, a population equivalent to that of Kansas, a State of happy homes and prosperous people; in fact, oil is king. Oil has given us light instead of darkness, warmth instead of chill, automobiles instead of oxcarts; oil has given us Tulsa, and Tulsa has given us all things.

IRON ORE ENOUGH TO LAST A THOUSAND YEARS.

"It has been asserted, more or less seriously, that our iron ore was fast vanishing and that those now here would live to see a famine in iron ore and the attendant consequences, but, gentlemen of this Congress, this assertion is not borne out by the facts. The investigations of our own United States Geological Survey, made in 1908, disclose the fact that the known iron-ore deposits of the United States amount to 62,840,000,000 tons, or enough to supply our country at the present rate of consumption for more than a thousand years. Again, it will be observed that iron ore once used may be used again. For example, iron may be smelted and resmelted again and molded into a multitude of forms of usefulness and value. It will be observed that as time progresses and scientific methods improve and as industrial operations multiply old machinery, old rails, iron beams, outworn rolling stock, and every kind of iron manufactured will be returned to the furnaces after it has lost its usefulness in its present form; hence an ever-increasing supply by this reutilization of iron will extend the supply something like 2,000 years, or 20 centuries.

INEXHAUSTIBLE SUPPLY OF PHOSPHATE ROCK.

"Again, it has been asserted in public utterance and through the press that our phosphate rock, which is used to fertilize and replenish impoverished soil, was fast becoming extinct and would soon vanish altogether. These alarming assertions are not corroborated by the investigation of the Geological Survey, which makes investigations without interest, without hysteria, without commotion, but in a calm, deliberate, and painstaking way. As a result of an investigation had by the Geological Survey immediately prior to the years 1908 and 1909 it was the judgment of that bureau that there were between ten and twenty billion tons in the area examined of first-class phosphate rock suitable for fertilizer. It will be interesting to know that the entire amount of this product used in the United States in a single year aggregates but approximately 1,500,000 tons. It will be observed that I am not taking into account the immense phosphate beds of Florida, South Carolina, and Tennessee. The best evidence seems to disclose that these beds alone would supply our country for 50 centuries.

"I do not now—I have not in my seven years' service on the Public Lands Committee felt that the value of this wonderful product could ever be overestimated. It puts life in the soil that has become depleted; it doubles the production of the virgin soil; it makes fertile land out of sterile land, rich soil out of poor soil, productive soil out of hardpan; and has its myriad forms of usefulness, the half of which has never yet been told. It is not the subject of waste, but it is the subject of monopolization. Neither moth, rust, forest fires, nor decay can reach this princely product, but the hand of monopoly can and will, if without restraint, secure, corner, and monopolize it if wise and beneficent land and mineral laws are not enacted to prevent it.

"I hope this congress, in conjunction with its other timely tasks, will aid the Congress of the United States and the Committee on Public Lands, of which I have the honor to be chairman, with their best suggestions as to how to develop these phosphate beds and ward off the cruel grasp of greed and monopoly. I am not one of those who would lock up our Nation's storehouses and deny the people who have made this Republic what it is access to them; but, on the other hand, I should oppose with such earnestness as I have at my command, first as a citizen, second as a Congressman, third as the chairman of that great committee which has to deal with these matters, every approaching step of monopoly—monopoly which ever stands ready to pick the threadbare pockets of the American farmer. It is my one hope that this congress in its wisdom may advocate strennously the policy of use but forever fight and oppose the policy of monopoly, greed, and abuse. Use begets progress, progress begets industry, industry begets hope; these elements combined have in the past made this Republic possible and will in the future mark its advancement and make it the leader among the nations of the earth.

SWEEPING WITHDRAWALS NOT FOLLOWED BY INTELLIGENT ADMINISTRATION DISASTROUS TO TRUE CONSERVATION.

"For example, on December 31, 1912, there were withdrawn from entry in the several States the following areas of land:

	Acres.
Coal withdrawals	65,909,712
Oil withdrawals	4,677,902
Phosphate withdrawals	3,291,527
Water-power withdrawals	1,843,475
Reservoir withdrawals	101,758
Public-water withdrawals	86,122
Precious-metal withdrawals	9,787
Total	75,919,083

"It will, I think, be readily observed that such sweeping withdrawals unless accompanied by painstaking classification become a great detriment to the State from a taxation standpoint, and retard development and progress from both a State and National standpoint; for example, Alaska has been so shamefully handled and administered upon that the Territory has become a political football, and Alaska has suffered intensely as a result thereof. Congress is even now debating seriously the advisability of the $35,000,000 Government bond issue to construct a railroad and operate the Alaskan coal mines under governmental supervision.

CONGRESS HAS GRANTED SOME RELIEF, BUT MANY STEPS YET NECESSARY.

"In the last Congress a bill was passed creating a commission to modify, codify, and revise the present land laws of the United States so that they would be applicable to the conditions of the present day.

"The passage of this bill was most opportune, and, I believe, from it will come some modifications that will be helpful to settlers, to miners, and to the Government which is to administer the trust.

THE THREE-YEAR HOMESTEAD LAW.

"It will be remembered that the humid areas of the Eastern States were settled under the five-year homestead law. The last Congress observed the necessity and put into execution a three-year homestead bill which is a boon and a blessing to the settler, an aid to the Government, and a just piece of legislation designed to advance the West.

RIGHT OF APPEAL TO THE COURTS.

"The changing conditions of the times, the rapid changes in the personnel in the departments, the sweeping changes in public sentiment with reference to our public affairs all make it exceedingly necessary that every miner and every settler have the right of appeal to a court where under the Constitution and our laws he can have his day in court. Once granted this day in court, he will not have to have his rights as a miner, as a homesteader, frittered away, sacrificed and lost by reason of his failure to prophesy what the latest whim of the department may be. I have long thought this a burning necessity; I have long thought it would be a wholesome matter for all concerned. It would be a forum where the homesteader would be secure in all he is entitled to; no more and no less. He would be free from the whims and caprice of bureau heads, who either do not know or can not understand the intention of Congress plainly expressed.

WITH ALL THESE RESOURCES NO ADEQUATE PUBLIC-LAND POLICY IS IN VOGUE.

"With all this enormous wealth decreed to us by nature and by purchase, with all the mineral deposits slumbering in the ground untouched, yet the United States, with all its patriotism, with all its wisdom, has as yet no well-defined, well-digested, rational policy for the occupation and development of the surface or the mining and removal of the wealth beneath it.

"Our land laws are in many respects crude, irreconcilable, inefficient, without uniformity, confusing to the brain of the settler, impossible of interpretation by the layman—a jargon of inconsistencies retarding progress and development. Most of our so-called land laws, in truth and in fact, are not land laws at all, but are simply a jargon of Executive orders, rulings, interpretations, and decisions made by different bureau chiefs and clerks in the ramifications of the various bureaus of the Interior Department. For example, within my short service in Congress we have had four different Secretaries of the Interior. They served in the order as follows: Garfield, Ballinger, Fisher, and Lane. The views of these four men who answered to this high calling have differed in policy, on questions of law, on questions of construction, while the poor confused homesteaders and miners suffered from the ever-changing and conflicting views of those who ruled over them to an extent almost greater than they could bear. Many of these decisions are not only independent of each other but are contrary to the law as well. They are actually obstructive to the settlement of the lands of the West and a blight on the development of the unbounded resources of a Nation that is richer than we know. These opinions are changed, reversed, and amended from day to day as the new Secretaries and new bureau heads come onto the field of action, so that the status of land settlements and industrial enterprises in the West is constantly imperiled, impeded, and full of heart aches for America's home builders. On the question of the management of our public lands and the minerals that slumber beneath them the last two national administrations have been wandering in a maze of conjecture, which is blighting to both East and West. For the last dozen years the solution of these western problems and the handling of the Nation's storehouses has been one that has engaged the minds of our best men of all political creeds and faiths.

"So far as I have been able to observe, and my observations have been more than casual, having been a member of the Public Lands Committee during four Congresses of two years each, the Government has accomplished but one thing, and that is to withdraw from every sort of entry the major portion of our public lands of the West that are valuable for any purpose. This plan has one good element, and that is it gives us time to think and study out a policy, but I desire with such earnestness as I have at my command to call to your attention the fact that the mere withdrawal of land does not in any sense solve the mineral and public land problem. It merely magnifies the necessity for the solution of the problem. It is therefore, in my judgment, the duty of not only this congress, but likewise of the Congress of the United States, to see to it that these lands withdrawn are quickly but efficiently classified and put to their proper use, whatever that may be. In other words, if great areas of land have been withdrawn for forest purposes when tree growth is unnatural and impossible in that particular zone or elevation, certainly so flimsy a veil should be removed and the land placed to its proper and dignified use. On the other hand, if large areas of land have been withdrawn for mineral purposes and there is no mineral present, surely the land should be restored, so that home builders may cultivate them and they shall serve their proper function allotted them by nature. Again, if coal lands, mineral lands, and other lands known to be chiefly valuable for mineral, precious or otherwise, are now subject to entry and acquirement, it is the patent duty not alone of this congress but of the Congress of the United States to prevent monopoly, to prevent extortion, and proceed to have this mineral extracted, not for the benefit of the few but for all the people.

"Again, if there now be lands covered with valuable timber, chiefly valuable therefor, subject to homestead entry and acquirement under the provisions of the homestead law, surely it is the duty of the Congress of the United States to enact legislation and use every arm of the new and progressive administration to prevent such abuses and misappropriations. I am in full harmony with that provision of the national Democratic platform which asserts:

"We believe in the conservation and the development, for the use of all the people, of the natural resources of the country—

"And, further, I agree with the platform wherein it asserts—

"Such additional legislation as may be necessary to prevent their being wasted or absorbed by special or privileged interests should be rigidly adhered to.

"I was a delegate in the national convention that formulated that platform, and I am proud that the party of which I am an humible member and the new administration have taken their stand on the side of use rather than one of nonuse and abuse. Again, I am in full harmony with the platform molded at Baltimore, to which the new administration is so faithfully adhering, when it said:

"The public domain should be administered and disposed of with due regard to the general welfare. Reservation should be limited to the purpose which they purport to serve and not extended to include land wholly unsuited therefor. The unnecessary withdrawal from sale and settlement of the enormous tracts of public land upon which tree growth never existed and can not be promoted tends only to retard development, create discontent, and bring reproach upon the policy of true and effective conservation.

"There are times in the lives of men and political parties when we must protect ourselves against our friends. Real conservation and real conservationists of our natural resources are our friends, and this is one of the great questions of the day and time, but the elasticity and false construction of the term seem unfathomable and at times seem unconquerable. For example, those conservationists who believe in fighting the hand of greed, the hand of monopoly, the hand of extortion and irregular dealing when reaching into the Nation's storehouse are the school of wise conservation to which I think we will all finally belong. The conservationists who believe in a policy of nonuse, a policy of bitter opposition to everything progressive, stubbornly opposing well-regulated use and development of our boundless resources are, in my judgment, a school of perhaps patriotic thought, but without real first-hand information as to the true conditions that prevail. This school of thought must of necessity sooner or later give way, be supplanted, and retire in favor of those who put to the highest and earliest use every resource of the Republic. With this later school of thought I shall take my stand. To this step toward the highest development, the greatest progress and the highest use, I shall bend every energy as a citizen and as a Representative.

PRODUCTION OF GOLD AND SILVER A REVELATION TO THE WORLD.

"In 1896 and in the years that preceded and followed that time the question of the scarcity of money wrought this Nation up politically as it was never done before. Men of all parties, creeds, and faiths became animated, excited, and in turmoil over this one great question. What has solved this question? What has quieted the public pulse?

"The answer need not come from me, but it comes from a thousand voices on every hand and from all political parties. It is the output of gold, the output of silver, that has solved this problem, which otherwise would not down. The output of gold in Alaska and the western part of this Republic has increased to an extent that has alarmed our financiers, has changed the standard of value the world over, has crucified 'sixteen to one' on a cross of gold, and has divested prophecy of its already too flimsy footing. The output of silver has made it a drug on the market so that only the richest mines can be worked with profit at all. This wonderful output of precious metals has raised the salary of the farm laborer from $12 a month to $30, has increased the price of day labor from $1 a day to $3 a day, has increased the price of beef cattle from 2 to 8 cents per pound, the price of hogs from 3 to 10 cents, the price of soup bones from 5 to 15 cents, the price of beefsteak from 10 to 30 cents, of bacon from 12 to 40 cents, and the half has never yet been told. Where is that man who says this sisterhood of States is not rich in all that the bountiful God of creation could bestow upon us? Where is that man who could grow careworn and gray over fanciful poverty that does not exist? Who is there here that would hide under the bushel the hope of reward in man in this great western section of our Republic? Much would I prefer to say by wise and beneficent land laws in substance that a home awaits you on the boundless prairies of the West where by irrigation and dry-farming methods you can have for your very own that one green spot called 'home.' Much would I prefer to say there need not be 500,000 patriotic Americans traveling to Canada in quest of homes and employment, but that you shall have employment here under the Stars and Stripes in a Republic where every man is equal

before the law, where the door of opportunity and hope shall ever stand ajar to both rich and poor, and where every man is a sovereign and no man wears a crown.

"Our beloved Speaker, CHAMP CLARK, who left the Speaker's desk to speak on the three-year homestead bill that became a law during the last Congress, on March 20, 1912, on the floor of the American House of Representatives said:

"Benton's theory was that the possession of homes by bona fide settlers ought to be made as easy as possible, and I believe this with all my heart. To me the most painful feature of the day in which we live is to see a constantly increasing stream of the very best American citizens going to Manitoba and Alberta. One day in my county, one of the richest, largest, and most influential counties under the sun, 43 farmers loaded up an entire freight train, every one riding in a Pullman car, chartered the train, and pulled out for Alberta. I am in favor of fixing it so that no American citizen will want to depart from the United States to secure a home in a foreign land.

"Who is there that does not agree with Speaker CLARK in this? His great warm heart aches when his people's heart aches. His hope increases while their hope increases. Who is there among us that would not like to keep within our own country every true American? Who is there about us that would not like to have it said that so long as homes abound, so long shall homes be found? For me and mine I take my stand with the frontiersmen who are willing to leave behind them men and women of more tender sensibilities and make this new country what it is and what we all hope it will be. For me and mine, as a citizen, as a Congressman, as chairman of the great Committee on Public Lands, mine shall be a policy of use but not abuse, mine one of industry not of idleness, mine one of homes not of bald prairies, mine one of mines and industry and not one of idleness and decay. Who is there about us or among us that does not believe that the $4,000,000,000 worth of precious metals quarried from the barren and bleak hills of the Rockies has not aided in the upbuilding of this Republic? Who is there about us that would cast a single blight or a single sigh at the hope and success of the Forty-niners who journeyed across the Rockies behind ox teams, enduring great danger and deprivation to bring to us the precious metals and the wealth of the generations that have preceded us? Who is there here who would, if they could, strangle the hope of man in this onward march of progress and development? The increase of basic money in the past, to-day, and in the future will determine the prosperity of the Nation.

WHERE DID WE DERIVE THIS VAST ESTATE?

"The area of land comprising the great bulk of our public-land holdings was derived in the following manner: The Louisiana Purchase, which, to my mind, was the greatest of all of them, cost the United States but $15,000,000; the Florida purchase, $5,000,000; the Mexican acquisition, $15,000,000; the Gadsden purchase, $10,000,000; and the Alaskan Territory purchase, which is the most recent one, $7,200,000. The entire amount totaled in area consists of 1,849,720,587 acres of land. The total cost, including the interest paid, is $88,157,389.08, or an average of 4.7 cents an acre for this entire area. Who is there among us who would say that the land laws should be made so harsh either by Congress or their interpretation of them that the American settler and home seeker might not find there a place he could call his home? This Rocky Mountain western region was the least inviting to the sturdy pioneer who was willing to leave his home and his loved ones behind to seek a new home in new and untried fields. It was Daniel Webster who, in debate while the western territory, which we acquired from Mexico, was in process of acquirement, said:

"What do we want of that vast and worthless area, that region of savages and wild beasts, of deserts, of shifting sands and whirling wind, of dust, of cactus and prairie dogs? To what use could we ever hope to put those great deserts and those endless mountain ranges, impenetrable and covered to their very base with eternal snow? What can we ever do with the western coast, a coast of 3,000 miles, rock-bound, cheerless, and uninviting?

"Who, I ask, has blazed the way and broken down the views and prejudices held by Webster and those that agreed with him about those conditions? Has it been that boy who preferred to patiently wait until his father had bequeathed him a child's part of the parental roof and the parental farm, or shall we give credit to that boy imbued with courage, dauntless, courageous, charged with a thousand volts of hope and ambition, who said to those behind, 'Take the old homestead. I'll seek a new home in the West, so your portion may not be a small one.'

"Much would I prefer to take my stand with him who said: 'Westward the course of empire takes it way.' Much would I prefer to take my stand with that pioneer with his covered wagon, who has converted the land of savages, wild beasts, and prairie dogs, as described by Webster, into happy, prosperous, contented cities, villages, and homes. After the settler and frontiersman have contended with the droughts, the hot winds, the grasshoppers, and the uncertainties of agricultural production in an earnest endeavor to secure a home for himself, I shall not be one of those who would make his efforts to secure a home for himself and his loved ones more difficult of acquirement.

THE WEST STILL AN UNDEVELOPED EMPIRE.

"The most splendid civilization of remote antiquity was established in desert lands. The remains of ancient cities in Egypt, Persia, and Arabia, in the valleys of the Euphrates and the Nile, reveal but partially the wealth, the grandeur, and the possibilities of our semiarid West under irrigation, dry farming, and improved methods. We surpass them in fertility, in area, in minerals, and in surface possibilities. What marvelous things we find in this land of the desert, a region of which the mass of intelligent people of this Nation have little, if any, conception! The Congress of the United States itself knows not of its possibilities. The development of this virgin empire stands matchless, beckoning homebuilders come, and pleading for wise laws which will induce them to come. In the West are homes for the homeless, hope for those without hope. Truly it is a garden of opportunity.

WE STILL NEED THE MINER, THE SETTLER, AND THE PIONEER.

"Some of the laws of Congress and many of the rulings of the department seem to be made on the theory that we do not longer need the sturdy pioneer. To this no thoughtful man acquainted with the conditions in the West will ultimately subscribe.

"Such a theory is wrong in principle, rests on no firm foundation, is illogical, and is not clothed with that sound judgment that must attend every successful enterprise.

"We have for the last hundred years, we do to-day, and will continue, in my judgment, for many generations in the future to need the industrious, competent, honest, resourceful, and courageous settlers who open up our mines and our quarries, irrigate our fields, demonstrate dry farming, and who have the hardihood and the sturdiness to withstand the hardships incident to a section of the country which as yet slumbers almost as nature left it. To say that we can dispense with these soldiers of fortune is to say that the West will return to that state described by Webster, 'A country of savages, wild beasts, prairie dogs, and barren plains.'

"In my judgment the United States should long hesitate to follow theories that greatly interfere with the honest settler seeking a home and the honest miner seeking fortune to enrich the world. We should not inflict Federalism and long-range government upon them until we blight the hope of individual ambition and endeavor. We should fight monopoly and graft and greed at every turn of the road, but we should not pursue a nagging and gnawing process with the settler or the miner who is seeking to develop the country in an honest and patriotic way.

THE PIONEERS EMPIRE BUILDERS.

"The sturdy pioneer of the West is entitled to patient, painstaking, and generous treatment at the hands of our Federal Government. The men who are wrestling with the drought, the semiarid conditions, the wild and unsubdued sod, and all the hardships and vicissitudes of the great mountain ranges and desert plains of the West, who by irrigation, dry-farming methods, and mining are converting the West into a garden of prosperity, who are ranging their flocks and their herds upon a thousand hills, who are chiseling from the unquarried rocks their boundless treasure, are our brothers in manhood, are our equals in intellect, patriotism, and integrity; yea, they are our superiors in courage. Why should they not be accorded every consideration that was accorded the early pioneers of our earlier settled States? What they have already accomplished in the face of adversity is the marvel of the century and beyond the hope of us all. With proper consideration at the hands of this Government, with careful and well-digested laws to govern this unbounded estate, with wise administration in the Interior Department their accomplishments have but just begun.

"The new administration just budding into power promises by their platform to restore the Government of the fathers and give the settler and the home owner a new lease on life. The platform asserts that 'the public-land laws should be administered in a spirit of the broadest liberality toward the settler.' I submit no more patriotic task could be launched by the new administration than to inspire new hope in America's home builders and inspire those now without a home to seek one under our flag, under our country, so long as homes abound. Let us hope that this congress convened at Tulsa, whose purpose is for the good and development of all, will put its sturdy shoulder to the wheel and urge the American Congress to give the American home builder and the American settler good laws, good administration, kind treatment, and good homes."

The Late Representative George S. Legare.

MEMORIAL ADDRESS
OF
HON. JOSEPH T. JOHNSON,
OF SOUTH CAROLINA,
IN THE HOUSE OF REPRESENTATIVES,

Sunday, February 23, 1913.

The House had under consideration House resolution 867, paying tribute to the memory of Hon. GEORGE S. LEGARE, late a Member of the House from the State of South Carolina.

Mr. JOHNSON of South Carolina. Mr. Speaker, in presenting the resolutions which have just been read at the Clerk's desk, and moving their adoption, I take but little time of the House. I wish to call attention to the fact that this day we have paid tribute to seven deceased Members of Congress. Probably we have never in the history of the Government been called upon to mourn so many of our fellows as we have in the present Congress.

I have not prepared any speech for this occasion, because my duties in connection with the Committee on Appropriations have been so arduous and exacting that it was impossible for me to give such time to such preparation as I would like. I see around me many of the colleagues of GEORGE LEGARE who have had the opportunity and have prepared beautiful orations for this occasion. I am not given to the use of flowery language nor to flattery, but I wish to say in plain, simple, unadorned English that GEORGE LEGARE was the most loving and lovable man that I have ever known—he made more friends, and warmer and faster friends, than any man of our delegation, or indeed than any other Member that I have known in my service here. His manners were pleasing; he could adapt himself easily to his surroundings; but anywhere and everywhere and always he was a perfect gentleman. He came from a long line of Huguenot origin; he manifested the culture and the refinement and the mentality of a hundred years in training and education; his mind was quick and penetrating; his judgment clear. Though frail of body, he was industrious, far more industrious than he ought to have been, to the very end. We can not understand why a young man of such mentality, refinement, culture, and usefulness should be cut down in what appeared to be the beginning of a great career, but faith tells us that it is right and all is well. The congressional party who attended the funeral at Charleston saw in that quaint, beautiful old city on every side and in every face evidence of the deep esteem and the affection that the people had for GEORGE LEGARE. It was manifest that as he had made friends with all men with whom he came in contact in Washington he had also made friends of all the people amongst whom he lived and with whom he came in contact in his own city.

In the presence of the largest crowd that I have ever seen at a funeral the friends of GEORGE LEGARE, with loving hands and bleeding hearts, laid him to rest in the beautiful Magnolia Cemetery in the beautiful city by the sea.